BOUNTIFUL CITY
ADMINISTRATIVE COMMITTEE AGENDA
Monday, January 30, 2023
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold a meeting in the Planning Department Conference Room, Bountiful City Hall at 795 South Main Street, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome.

2. Review and approval of minutes for December 5, 2022.

3. 195 West 200 North -Detached Accessory Dwelling Unit, Richard Higginson, applicant – Assistant City Planner Lopez

    a. Action

4. 3046 South 400 West -Home Occupation (Yard Care), Taranjeet Singh, applicant – Assistant City Planner Lopez

    a. Action

5. 3046 South 400 West -Home Occupation (Handyman), Logan Hedin, applicant – Assistant City Planner Lopez

    a. Action

6. Approval of the 2023 Administrative Committee Meeting Calendar

    a. Action

7. Adjournment

Draft Minutes of the
BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE
December 5, 2022

Present:	Committee members	Francisco Astorga (Chair), Todd Christensen, and Dave Badham
	Assistant City Planner	Nicholas Lopez
	Recording Secretary	Hanna Welch

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1. Welcome and Introductions

Chair Astorga opened the meeting at 5:00 p.m. and introduced all present.

2. Review and approval of minutes for October 17, 2022

MOTION: Brad Clawson made motion to APPROVE minutes from October 17, 2022.

VOTE: The motion passed (3-0).

3. 82 East North Canyon Road- Short Term Rental Application Jen and Chris Newhouse, applicant(s) – *Assistant City Planner Nicholas Lopez*

Mr. and Mrs. Newhouse, applicants, are present. Assistant Planner Lopez presenting the item.

Assistant City Planner, Nicholas Lopez presents that the Detached Accessory Dwelling Unit (ADU) had been approved in 2016, and the deed restriction specified that the ADU is solely for family members.

The item is compliant with other applicable Bountiful Land Use Code.

Chair, Francisco Astorga pointed out that prior to 2018 the city allowed ADU's but were restricted to family members. In 2018 Bountiful City adopted that an ADU can be for any renters.

Member, Scott Schlegel questioned if they should apply for a new ADU to update the deed restriction for the property.

Chair Astorga informed that it isn't the applicants' burden to reapply, but that the deed restriction needs updated to the current language, for compliance as well protection for the applicants.

Brad Clawson questioned if the build requirements for the city has been updated since the 2016 deed restriction was issued.

Nicholas confirmed that they have not inspected the site, but that the codes have not changed for building.

DRAFT

Member Schlegel noted that because the deed restriction would be grandfathered, there would be no reason for an inspection.

Chair Astorga opened the floor for public input at 5:10 P.M.

Public input is closed at 5:11 P.M.

MOTION: Committee Member Schlegel made a motion to APPROVE the and that Deed restriction be updated to current language as it is written the Bountiful City Code.

The Motion was SECONDED by Brad Clawson.

VOTE: The motion passed unanimously (3-0).

Chair Astorga ascertained there were no further items of business. The meeting was adjourned at 5:15 p.m.

DRAFT

Administrative Committee
Staff Report

Subject: Conditional Use Permit for a Detached Accessory Dwelling Unit
Authors: Nicholas Lopez, Assistant Planner
Address: 195 West 200 North
Date: January 30, 2023

Background

The applicants and property owners, Richard & Kara Higginson, submitted a Conditional Use Permit (CUP)Application to build a detached Accessory Dwelling Unit (ADU) on their property located at 195 West 200 North. The Bountiful City Administrative Committee Reviews CUPs for detached ADUs. The Bountiful City Land Use Code defines an ADU as a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.

Analysis

Detached ADUs are subject to the Bountiful City Land Use Code (BCLUC) § 14-14-124 as outlined below:

1. Shall be a conditional use only within the Single-Family Residential Zone, Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.
    - *The property is in the Single-Family Residential (R-4) Zone.*

2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.
    - *The property contains a is a single-family dwelling.*

3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.
    - *The proposed structure has not yet been built and requires approval of this CUP as well as subsequent building permit review, etc.*

4. A maximum of one (1) accessory dwelling unit shall be permitted on a qualifying lot.
    - *Only one ADU is being proposed.*

5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.
    - *The property contains an existing single-family dwelling.*

6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director, and signed by all owners of the property on which an accessory dwelling unit is located, shall be recorded with the

Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to the issuance of the building permit.

- *The required deed-restriction is to be recorded prior to issuance of a Certificate of Occupancy (CO) or final inspection and only after approval of the CUP by the Administrative Committee.*

7. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other similar means required by the Planning Department.
    - *According to Davis County records, found online, the subject site is listed as a primary residency classification.*

8. Separate utility meters shall not be permitted for the accessory dwelling unit.
    - *Additional utility meters are not being requested.*

9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.
    - *The applicants would need to submit a building permit if this CUP is approved in order to move forward with the proposed construction.*

10. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.
    - *The subject site meets all parking requirements, including current regulations regarding drive approaches.*

11. Shall be at least three hundred fifty (350) square feet in size and shall not exceed one thousand two hundred fifty (1,250) square feet.
    - *The proposed ADU is 1,212 square feet.*

12. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.
    - *The subject lot is ~15,333 square feet.*

13. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.
    - *The nearest main structure is approximately ~20 feet away. The lot adjacent to the east does not have any structures, other then the primary dwelling towards the front of the lot.*

14. Shall meet all the setbacks required of an accessory structure.
    - *The proposed structure meets all required setbacks. See accessory structure section of this report.*

15. Shall be located behind the front building line of the principal unit.
    - *The proposed structure is behind the front building line.*

16. The separate entrance of the accessory dwelling unit may be visible from the front or corner lot side yard based on proximity and appropriate mitigation proposed by the applicant and approved by the Administrative Committee.
    - *Based on the proposed location of the detached ADU and its proximity from the front property line Staff does not find that additional mitigation is required.*

Accessory structures, including this detached ADU, are subject to BCLUC section 14-4-105(J)(1) as outlined below:

a. The total footprint of all accessory structures shall not exceed ten percent (10%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
    - *The total footprint of all accessory structures is 9.85% (1,511 square feet)*.

b. An accessory structure shall meet all the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line.
    - *The proposed ADU is more fifty-three (53) feet behind the front building line, twenty-five (25) feet from the side property line, and ten (10) feet from the rear property line.*

c. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys, and any other protrusion on either the accessory building or the primary structure.
    - *The ADU will be fifty-three (53) feet from the main structure.*

d. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any primary dwelling on an adjacent property.
    - *The closest main structure of an adjacent property is twenty (20) feet away.*

e. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
   - *The eaves will be no closer than eight (8) feet to a property line.*

f. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
   - *Distance of building from property lines will mitigate impact as it is twenty-five feet (25 feet) from the west (200 West) and ten feet (10') from south rear property line.*

g. An accessory structure shall meet all applicable provisions of the International Building Code.
   - *Applicant is responsible for seeking typical building permit application once this CUP is approved.*

h. An accessory structure shall not encroach on any easements, recorded or otherwise.
   - *No recorded easements are affected.*

i. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.
   - *The ADU sidewall is 8 feet 3 inches.*

j. The height of an accessory structure shall not exceed twenty (20) feet.
   - *The ADU total height is 17.562 feet.*

k. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.
   - *Site plan shows plan for two (2) garage spots for the ADU as well as driveway parking.*

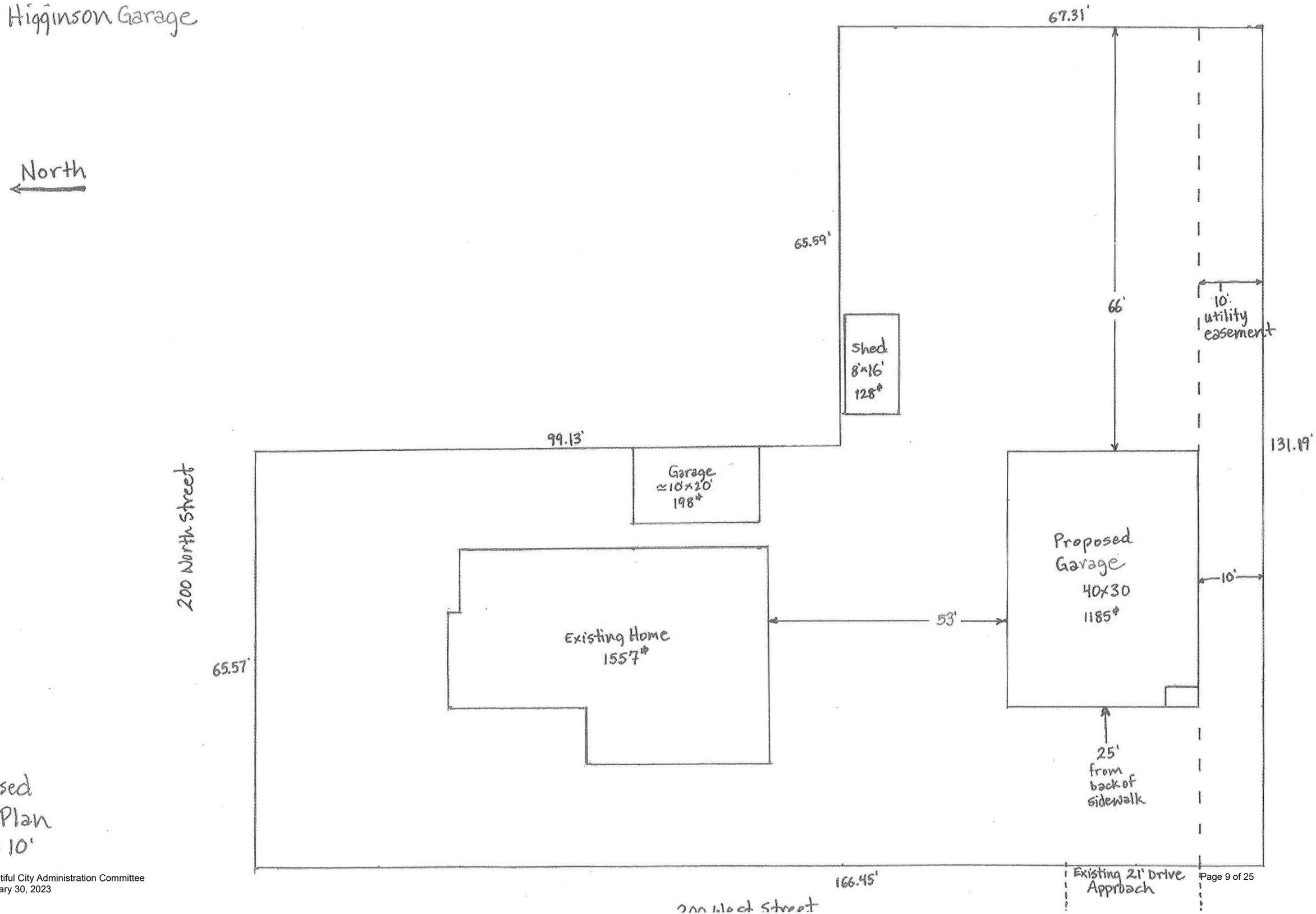
Staff Recommendation

Staff recommends that the Administrative Committed review the application, hold a public hearing, and approved the submitted Conditional Use Permit for a detached ADU located at 195 West 200 North.

Attachments

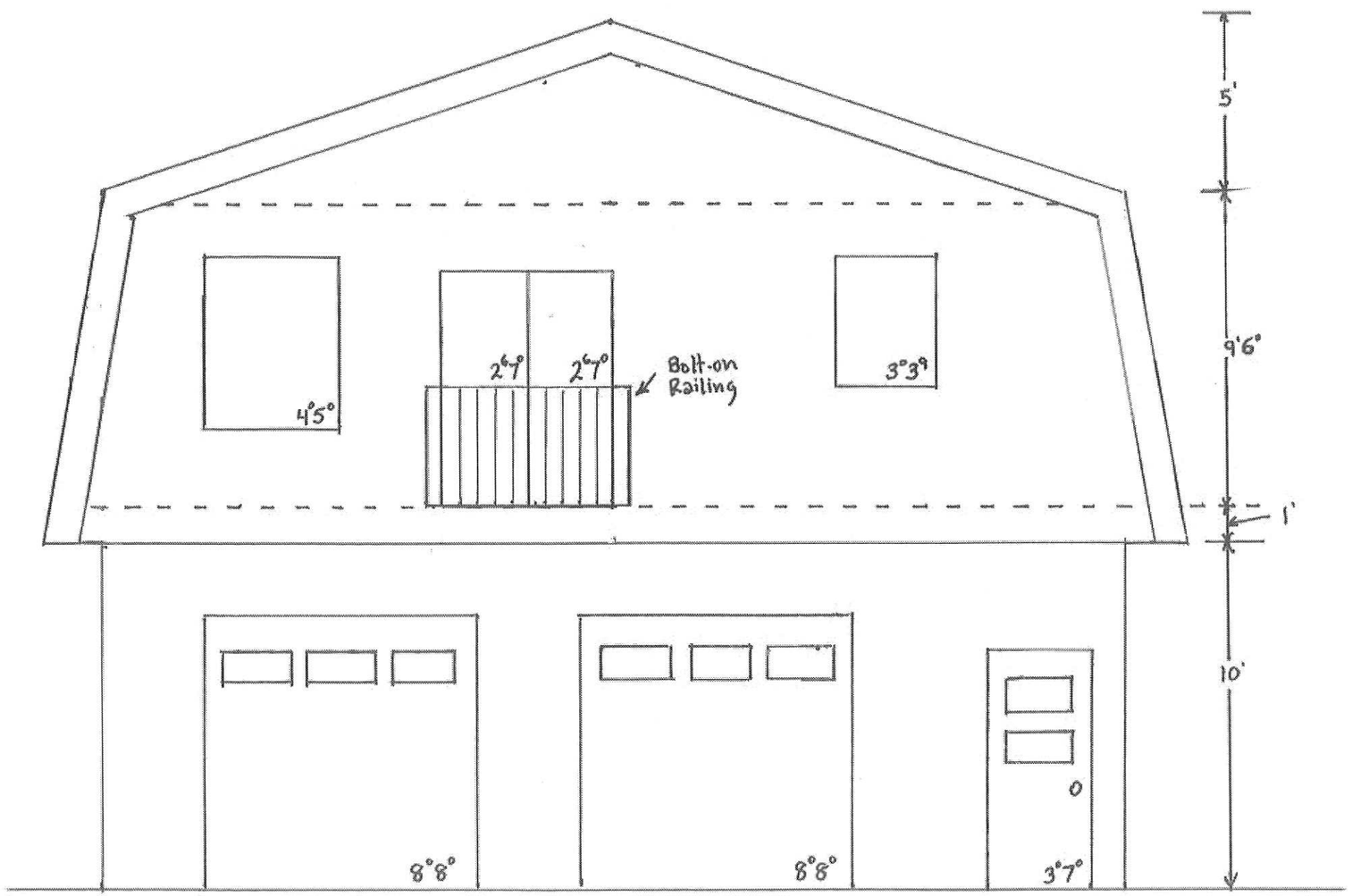
1. Site Plan
2. Elevations

4. Higginson Garage



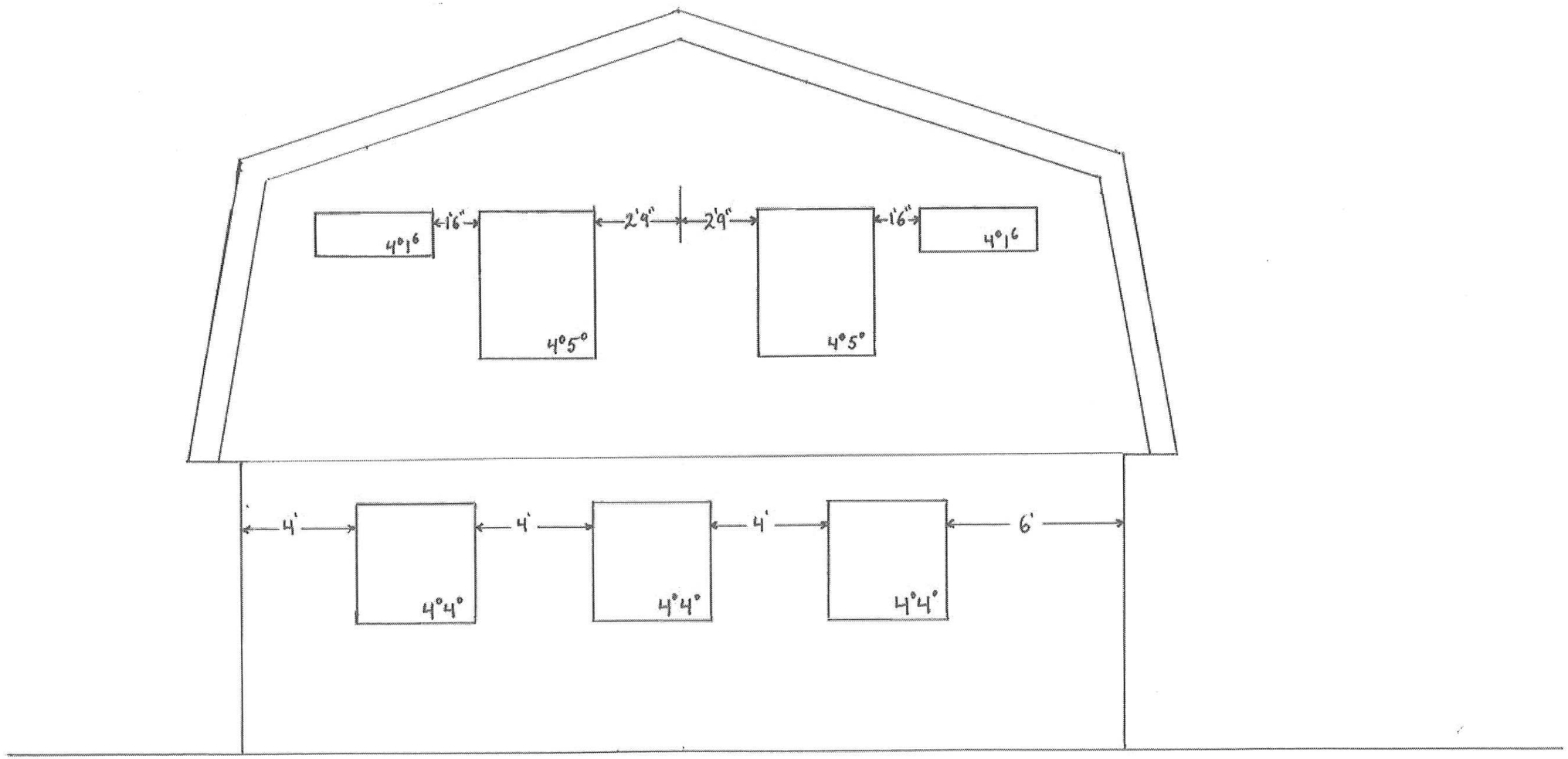
C2
Proposed
Site Plan
3/4" = 10'

8a Higginson Garage



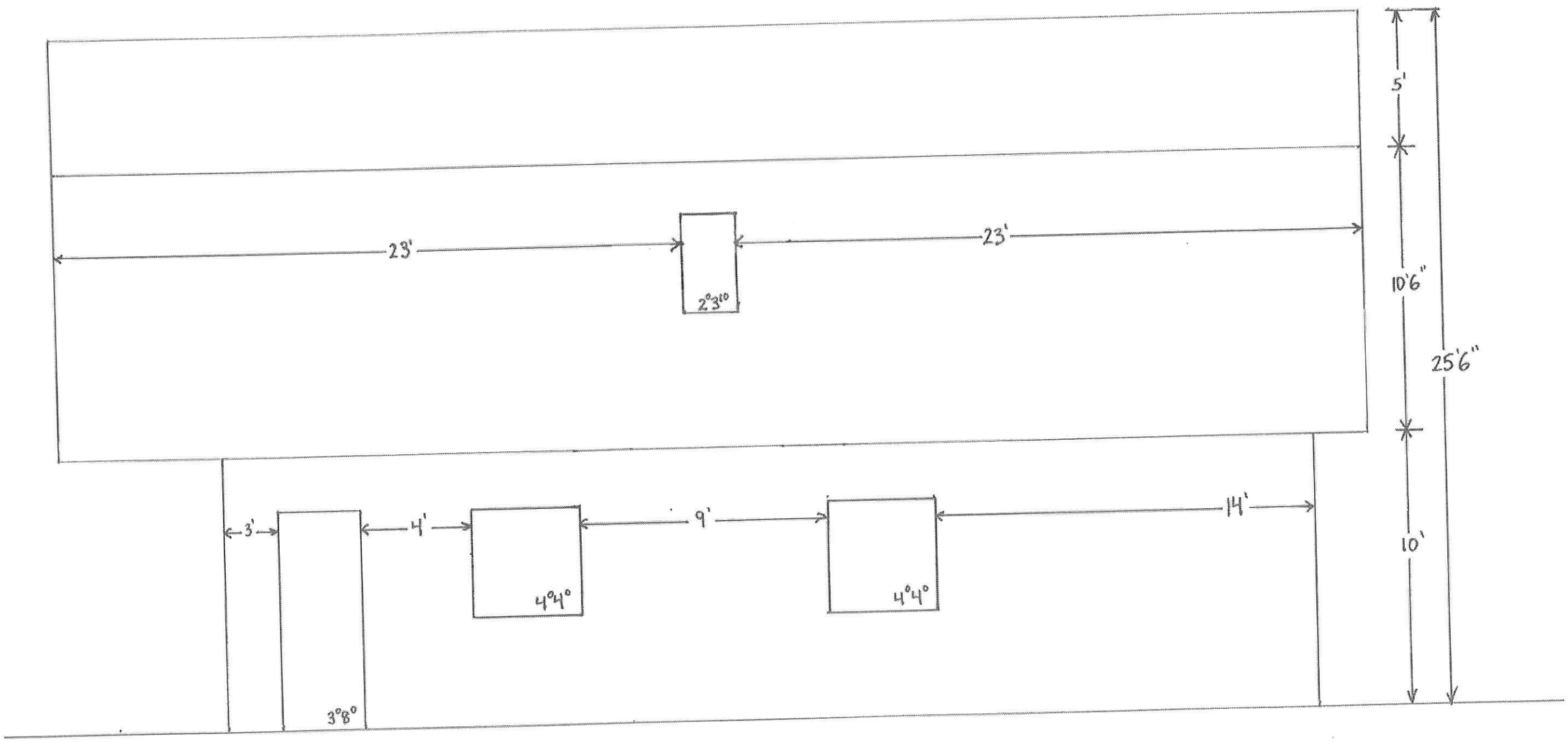
A4a
West Elevation
1/4" = 1'

8b Higginson Garage



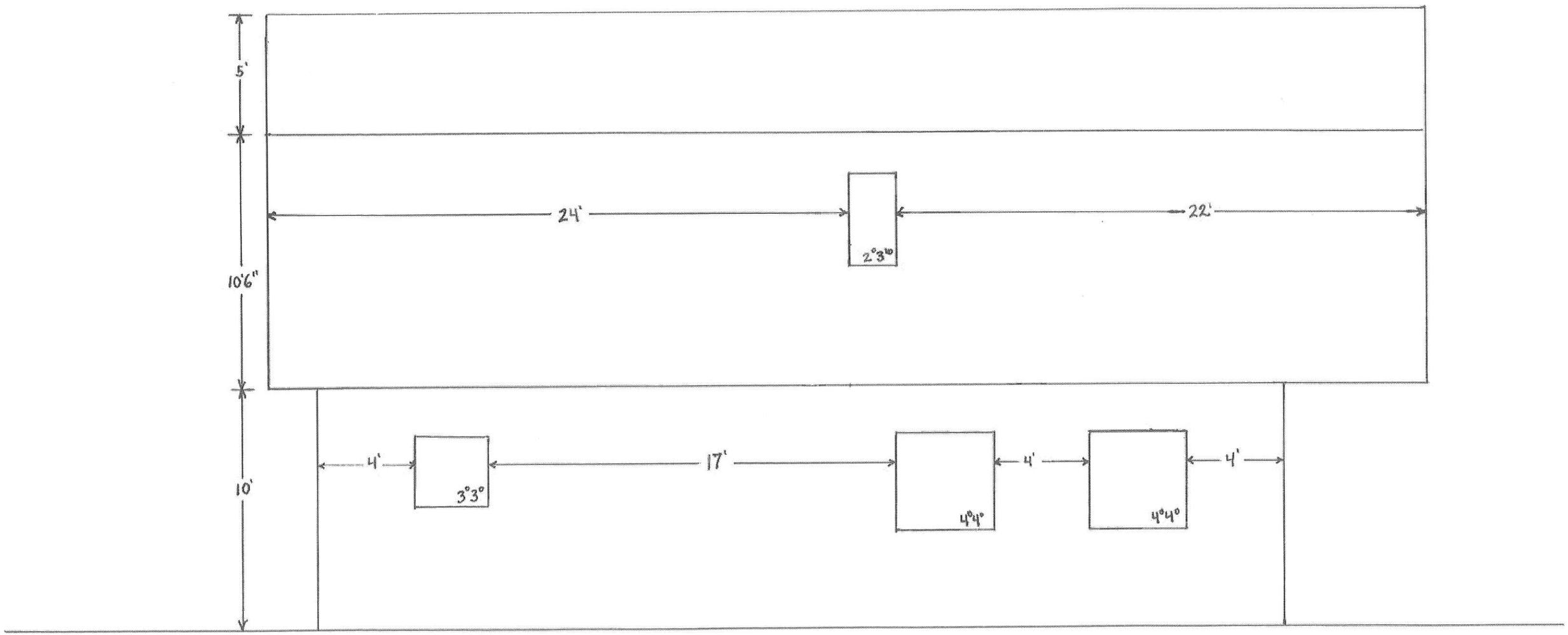
A4b
East Elevation
1/4" = 1'

9. Higginson Garage



A5
North Elevation

10. Higginson Garage



A6
South Elevation
1/4" = 1'

Administrative Committee
Staff Report

Subject: Home Occupation Conditional Use Permit
Author: Nicholas Lopez, Assistant City Planner
Property: 3046 South 400 West
Date: January 30, 2023

Background
The property owner and applicant, Taranjeet Singh, submitted a Home Occupation Conditional Use Permit application to operate a pressure wash/snowplow home occupation at 3046 South 400 West named 100% Service LLC.

Analysis
The subject site is located in the Single-Family Residential (R-4) Zone. Land Use Code § 14-17-108 indicates that a construction and/or contracting home occupation requires a Conditional Use Permit. Land Use Code § 14-17-105 indicates that a proposed home occupation shall meet the following criteria:

A. The use shall be clearly incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition thereof. There shall be no displays, advertisements, stock in trade, or signs related to the business except for one (1) flat wall sign placed on the dwelling that shall not exceed four (4) square feet in size, and any sign required by State Law and/or which meet the provisions of this Title.
    - *The applicant does not propose any changes to the dwelling affecting the appearance, character, or condition. There are no unmitigated impacts.*

B. The use shall be conducted entirely within a dwelling, except for work performed offsite. Only members of the family related by blood, marriage, or adoption, and who reside in the dwelling, may work onsite. The only exception is that one (1) additional person may be employed as a secretary, apprentice, or assistant where there are no more than five (5) family members actively engaged in the home occupation. Employees who are not family members and/or who do not reside at the dwelling shall not meet, park, or otherwise congregate at the home or in the general vicinity. Additional outside employees are not allowed if there is more than one home occupation at the property.
    - *All work related to the business is proposed to be done off-site. No additional employees are proposed.*

C. The use shall not involve more than 50% of the entire dwelling.

- *The use, consisting of pick-up truck parkin, equipment storage, and power washer, will be no more than ~4% (~190 Square Feet) of the dwelling is to be used.*

D. The use shall not involve the area of required, covered, off-street parking.
   - *The area of covered off-street parking is not being utilized for the home occupation use.*

E. No product or commodity shall be stored onsite, and no customer may physically visit the site of a home occupation to take delivery of a product or commodity. Commodities may be produced on the premises and sold offsite.
   - *All work is service oriented and is to be performed off-site.*

F. The use shall not create noise, dust, odors, noxious fumes, glare, or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.
   - *No noise, dust, odors, noxious fumes, glare, or other nuisances is to impact the site and/or neighbors as all work is service oriented and is to be performed off-site. There are no unmitigated impacts.*

G. The use shall not involve using or storing flammable material, explosive, or other dangerous materials, including gun powder.
   - *No storage of the above materials is to be located on-site. There are no unmitigated impacts.*

H. The use shall not involve mechanical or electrical apparatus, equipment, or tools not commonly associated with a residential use or as are customary to home crafts.
   - *The proposed home occupation use does not involve apparatuses, equipment, or tools, that are not commonly associated in a residential area. The proposed home occupation use is to be limited to their requested power washer and snowplow. Any apparatus, equipment, or tools of a commercial nature is expressly prohibited. As conditioned, there are no unmitigated impacts.*

I. The use shall not generate traffic in greater volumes than normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.
   - *The proposed home occupation use does not increase traffic in greater volumes than normally expected. There are no unmitigated impacts.*

J. The use shall be in compliance with all applicable fire, building, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
   - *There are no known outstanding compliance issues with any of the above codes.*

K. The residence and property may be inspected from time to time to determine continued compliance with the provisions of Code and other applicable codes.
    - *The property owner agrees to the inspections that may be needed in the future. There are no unmitigated impacts.*

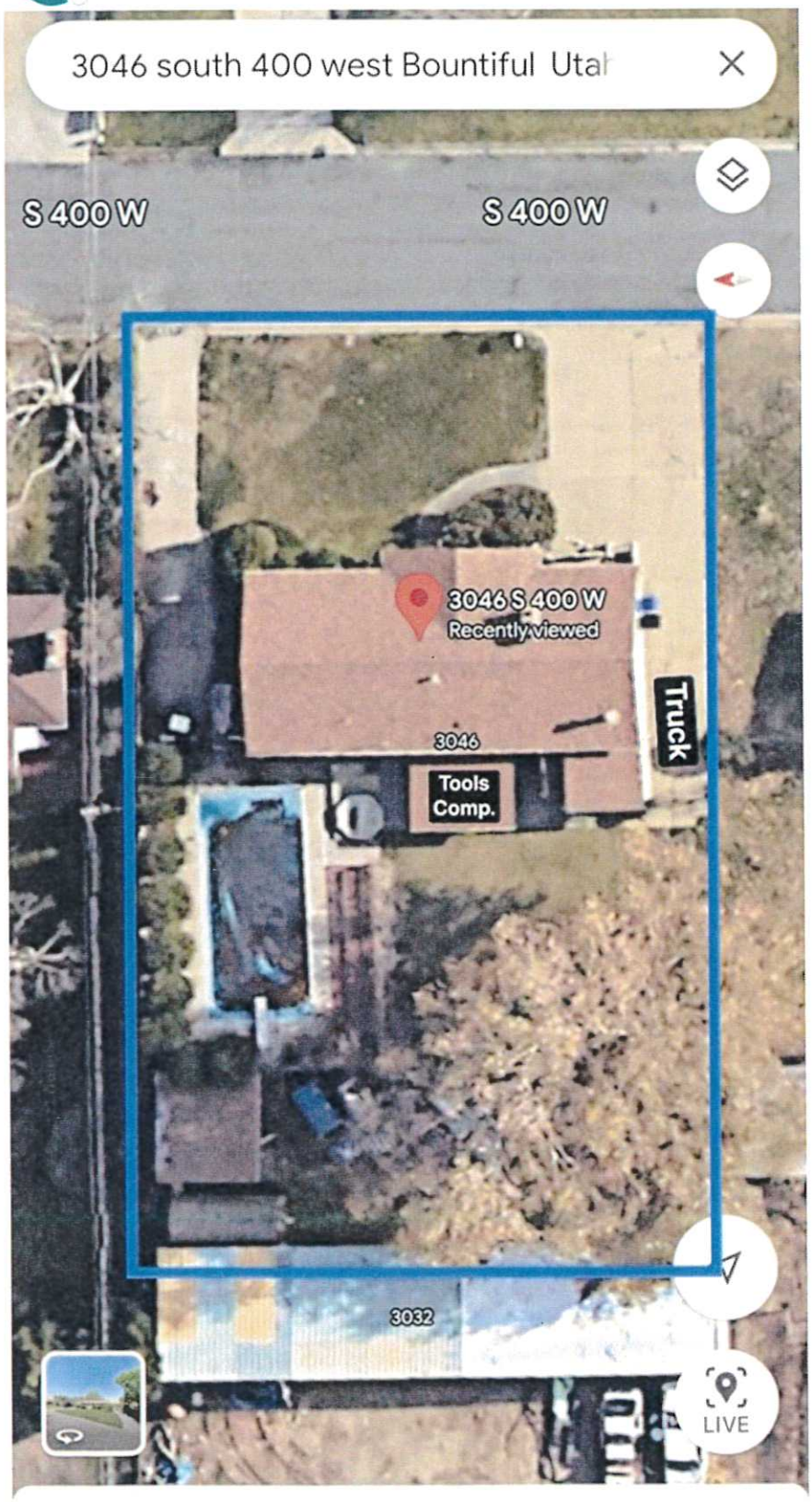
Recommendation
Staff recommends that the Administrative Committee reviewed the requested application, hold a public Hearing, and approve the Conditional Use Permit for the handyman/construction home occupation use at 195 West 200 North based on the following conditions of approval:

1. The applicant shall maintain an active Bountiful City business license.
2. The home occupation use shall be subject to all Home Occupation Requirements outlined in Bountiful City Land Use Code § 14-17-105 (listed in the analysis section of this staff report).
3. The use, a handyman and construction home occupation, shall be limited to apparatus, equipment and/or tools commonly associated with a residential use. Any apparatus, equipment, or tools of a commercial nature are expressly prohibited.
4. If the use, a handyman and construction home occupation, is found out of compliance with applicable codes, the City may revoke the approved Conditional Use Permit and issued business license.
5. The Conditional Use Permit is solely for this site and is non-transferable.

Attachments
1. Site Plan

24/7 pressure wash/snow plow L.L.C

TS taran singh <taransingh398@gmail.com>
To Planning



3046 S 400 W
3046 S 400 W, Bountiful, UT 84010

Administrative Committee
Staff Report

Subject: Home Occupation Conditional Use Permit
Author: Nicholas Lopez, Assistant City Planner
Property: 170 West 2330 South
Date: January 30, 2023

Background
The property owner and applicant, Logan Hedin, submitted a Home Occupation Conditional Use Permit application to operate as a handyman home occupation at 170 West 2330 South named One Wolf Construction.

Analysis
The subject site is located in the Single-Family Residential (R-4) Zone. Land Use Code § 14-17-108 indicates that a construction and/or contracting home occupation requires a Conditional Use Permit. Land Use Code § 14-17-105 indicates that a proposed home occupation shall meet the following criteria:

A. The use shall be clearly incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition thereof. There shall be no displays, advertisements, stock in trade, or signs related to the business except for one (1) flat wall sign placed on the dwelling that shall not exceed four (4) square feet in size, and any sign required by State Law and/or which meet the provisions of this Title.
    - *The applicant does not propose any changes to the dwelling affecting the appearance, character, or condition. There are no unmitigated impacts.*

B. The use shall be conducted entirely within a dwelling, except for work performed offsite. Only members of the family related by blood, marriage, or adoption, and who reside in the dwelling, may work onsite. The only exception is that one (1) additional person may be employed as a secretary, apprentice, or assistant where there are no more than five (5) family members actively engaged in the home occupation. Employees who are not family members and/or who do not reside at the dwelling shall not meet, park, or otherwise congregate at the home or in the general vicinity. Additional outside employees are not allowed if there is more than one home occupation at the property.
    - *All work related to the business is proposed to be done off-site. No additional employees present are proposed.*

C. The use shall not involve more than 50% of the entire dwelling.
    - *The applicant indicated that 10% of the dwelling is to be used for tool storage.*

D. The use shall not involve the area of required, covered, off-street parking.
    - *The site has a three-car garage and three outside spaces. No vehicle for the business is being proposed.*

E. No product or commodity shall be stored onsite, and no customer may physically visit the site of a home occupation to take delivery of a product or commodity. Commodities may be produced on the premises and sold offsite.
    - *All work is service oriented and is to be performed off-site.*

F. The use shall not create noise, dust, odors, noxious fumes, glare, or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.
    - *No noise, dust, odors, noxious fumes, glare, or other nuisances is to impact the site and/or neighbors as all work is service oriented and is to be performed off-site. There are no unmitigated impacts.*

G. The use shall not involve using or storing flammable material, explosive, or other dangerous materials, including gun powder.
    - *No storage of the above materials are to be located on-site. There are no unmitigated impacts.*

H. The use shall not involve mechanical or electrical apparatus, equipment, or tools not commonly associated with a residential use or as are customary to home crafts.
    - *No such use is being proposed to occur. The proposed use, a handyman and construction home occupation, shall be limited to apparatus, equipment and/or tools commonly associated with a residential use. Any apparatus, equipment, or tools of a commercial nature shall be expressly prohibited. As conditioned, there are no unmitigated impacts.*

I. The use shall not generate traffic in greater volumes than normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.
    - *The proposed home occupation use does not increase traffic in greater volumes than normally expected. There are no unmitigated impacts.*

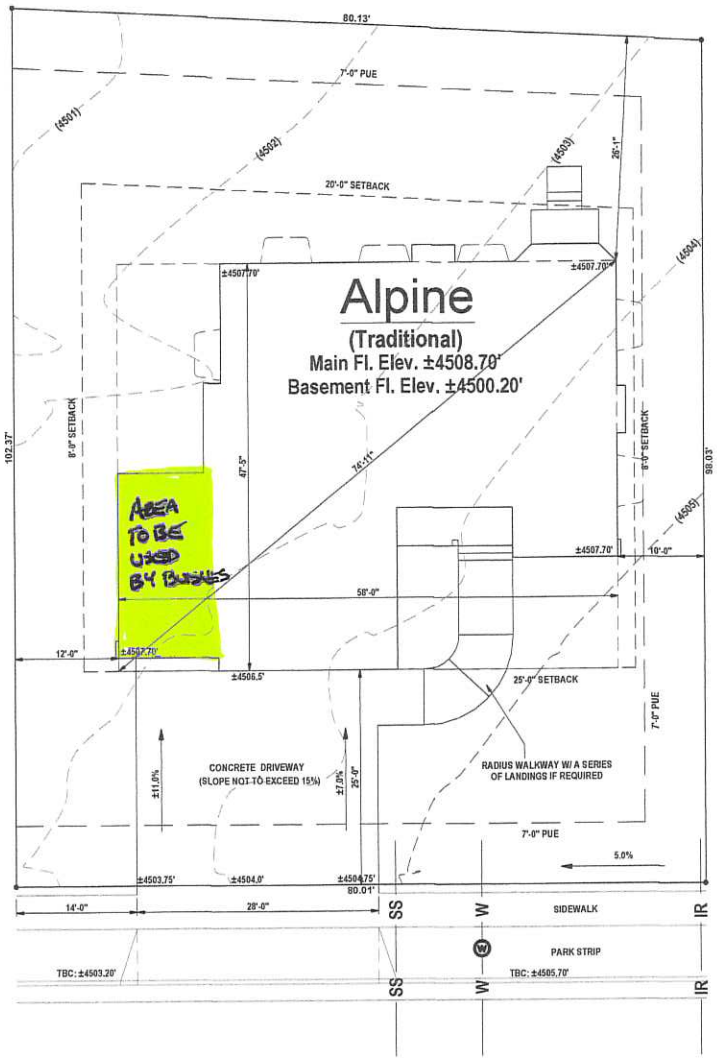
J. The use shall be in compliance with all applicable fire, building, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.
    - *No outstanding non-compliances with the following codes. There are no unmitigated impacts.*

K. The residence and property may be inspected from time to time to determine continued compliance with the provisions of Code and other applicable codes.
    - *The property owner agrees to the inspections that may be needed in the future. There are no unmitigated impacts.*

Recommendation
Staff recommends that the Administrative Committee approve the Conditional Use Permit for the handyman/construction home occupation usen at 170 West 2330 South based on the following conditions of approval:

1. The applicant shall maintain an active Bountiful City business license.
2. The home occupation use shall be subject to all Home Occupation Requirements outlined in Bountiful City Land Use Code § 14-17-105 (listed in the analysis section of this staff report).
3. The use, a handyman and construction home occupation, shall be limited to apparatus, equipment and/or tools commonly associated with a residential use. Any apparatus, equipment, or tools of a commercial nature are expressly prohibited.
4. If the use, a handyman and construction home occupation, is found out of compliance with applicable codes, the City may revoke the approved Conditional Use Permit and issued business license.
5. The Conditional Use Permit is solely for this site and is non-transferable.

Attachments
1. Site Plan



2330 SOUTH STREET

Grade shall fall a minimum of 6" within the first 10' away from home.

* Any utilities shown on this plan are based upon the best information available & are subject to change. Ivory Homes assumes no liability for any utilities shown or not shown.
* Ivory Homes will grade this lot and neighboring lots to allow for proper drainage. It is the home buyer's responsibility to maintain this drainage when grading for finished landscape. The home buyer also must take extra care when installing landscaping or structures to not disrupt the drainage of their lot or of neighboring lots.
* The elevation of the home will be determined solely at the discretion of Ivory Homes based upon utilities, grade, neighboring homes & site conditions.

Subject to any changes necessary made at the discretion of Ivory Homes.

170 West 2330 South Street	Subdivision: East Orchard			Phase: 1 / Lot:
Bountiful Utah	Lot Sq. Ft.: 8,016	Scale: 1"=10'	IVORY HOMES	

PUBLIC NOTICE

Pursuant to UCA 52-4-202(2), the City of Bountiful Administrative Committee hereby gives public notice of its annual meeting schedule for 2023. Regular meetings of the Administrative Committee shall take place Mondays, as needed, unless otherwise advertised by legal notice. All Administrative Committee meetings shall be held at Bountiful City Planning Department located at795 South Main Street in the Engineering conference room, Bountiful, Utah 84010 until further notice or unless otherwise advertised. The meetings will begin promptly at 5:00 p.m.

The Administrative Committee will not be meeting on Mondays designated as holidays by Bountiful City for its employees.

All meetings of the Administrative Committee shall be open to the public.

In addition to the above scheduled regular meetings, the Administrative Committee may, from time to time, meet in special sessions as needed, and such meetings will be advertised by legal notice to the public in accordance with UCA 52-4-202.

Dated this January 30, 2023.

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Francisco Astorga
Planning Director