

APPROVED MINUTES OF THE BOUNTIFUL CITY PLANNING COMMISSION

Tuesday, August 18, 2026, at 6:30 p.m.

Official notice of the Planning Commission meeting was given by posting the agenda at City Hall, on the Bountiful City website, and on the Utah Public Notice Website.

City Hall - Council Chambers
795 South Main Street
Bountiful, Utah 84010

Present:

Planning Commissioners:	Chair Alan Bott, Vice Chair Krissy Gilmore, Jamie Welch Jaro, Darrin Perkes, Beverly Ward, and Beth Child
Planning Director:	Francisco Astorga
City Engineer:	Lloyd Cheney
City Attorney:	Brad Jeppsen
Assistant Planner:	Chaz Leech
Planning Technician:	Rachel Coleman
Recording Secretary:	Wendy Schneider

Excused:

Commissioner Aaron Arbuckle

1. Welcome

Chair Bott called the meeting to order at 6:30 p.m. and welcomed everyone.

2. Meeting Minutes from August 4, 2026

Commissioner Gilmore said she had no corrections to the August 4, 2026 meeting minutes.

Commissioner Gilmore moved to approve the minutes from August 4, 2026. Commissioner Child seconded the motion. The motion passed unanimously with Commissioners Bott, Gilmore, Welch Jaro, Perkes, Ward, and Child voting “aye.”

3. 92 West Center Street – Center Street Lofts Ten-Unit PUD Subdivision Preliminary Plat

Planning Director Astorga said the posted agenda did not identify the preliminary plat application as a public hearing, although Bountiful City Code requires a public hearing for this type of PUD subdivision application. He said he discovered the omission that afternoon, after the time in which the agenda could be amended with the required notice. Mr. Astorga said he had consulted with the City Attorney and the applicant and apologized to the Commission, applicant, and public for the error.

Mr. Astorga said he did not recommend final action on the application that evening. He said one option was to review the proposal and hear comments from those in attendance, then properly notice the public hearing for September 1, 2026, and take action at that meeting.

Chair Bott said he had also noticed the missing public-hearing designation that day. He said those who attended should have an opportunity to be heard but asked whether it would be better to postpone the complete review so the public hearing and Commission review would occur together.

Commissioner Ward said she preferred discussing the item that evening and again in two weeks because some of those in attendance might be unable to return. Chair Bott said reviewing the application that evening could require the Commission to repeat the same review and discussion at the properly noticed hearing.

Commissioner Ward said she'd lean toward discussing it twice, once tonight and once again in two weeks, because there are people in attendance who may want to share their thoughts who are unable to attend in two weeks.

Chair Bott asked those in attendance whether postponement would prevent anyone from returning. No one indicated that it would. He asked if anyone in attendance felt strongly that they needed the Commission to hear their opinion on the matter at this meeting.

Chair Bott allowed Patrick Corey, an audience member, to speak. Mr. Corey said he was representing his brother, Todd Corey, who lives near the proposed development. Mr. Corey said his brother learned about the project through a Facebook post and did not believe the public had been adequately informed. He said the City should provide notice in ways other than social media. Chair Bott said the meeting had not been properly noticed as a public hearing and said it would be better to have the discussion at one meeting after proper notice was provided.

Mr. Astorga said social media was not the City's official notice and that the City needed to follow the notice required by code.

Commissioner Gilmore asked what notice was legally required for the subdivision application. Mr. Astorga said the subdivision code requires the public hearing to be identified on the posted agenda but does not require the mailed notice used for a conditional use permit. He said a later conditional use permit application would require notice to property owners within 300 feet and a sign posted on the property. He said the public-hearing designation on the agenda is the required notice for this type of subdivision plat application.

Chair Bott said the required public-hearing language was not included on the agenda. Mr. Astorga agreed. He said rumors about the project incorrectly suggested the existing historic home would be demolished. He said demolition was not proposed as part of the application.

Commissioner Ward said she was fine with postponing if everyone in attendance was fine with that delay.

Chair Bott invited a motion to postpone this item. Commissioner Gilmore moved to continue the preliminary plat approval for the Center Street Lofts Ten-Unit PUD Subdivision at 92 West Center Street to a future meeting. Commissioner Welch Jaro seconded the motion. The motion passed unanimously with Commissioners Bott, Gilmore, Welch Jaro, Perkes, Ward, and Child voting "aye."

After confirming that the next meeting would take place September 1, Chair Bott turned the time over to Mr. Astorga for the work session.

4. Planning Commission Code and Rules of Order and Procedure Review – Work Session

Mr. Astorga said the work session was intended to review Utah Code Section 10-20-301, the Bountiful City Land Use Code provisions governing the Planning Commission, and the Commission's Rules of Order and Procedure. He said the current rules were adopted in March 2020 and Staff would prepare revisions for future formal consideration.

Mr. Astorga corrected an error in his staff report. He said he had stated that State law contained recusal requirements, but the cited statute did not. He said Staff and the City Attorney would develop proposed local language identifying circumstances in which a commissioner should recuse from deliberation or voting.

Mr. Astorga said the City Code currently states that the Mayor, with the advice and consent of the City Council, may remove a Planning Commission member "with or without cause." He said that language conflicts with current State law, which identifies causes and procedures for removal, and said Staff would draft language to bring the City Code into compliance.

Mr. Astorga reviewed the State-law provision protecting a commissioner who deliberates about a specific pending land use application during a Planning Commission meeting with municipal staff, an elected official, or the applicant. He said deliberation in a properly noticed meeting with a quorum is part of the Commission's official function.

Mr. Astorga said four of the seven members constitute a quorum and said a majority of the Commission should not deliberate City business together outside a properly noticed meeting. He shared the example of everyone on the Commission attending the same birthday party. He explained that simply being together at a social gathering does not make the gathering a Planning Commission meeting. He said the Commission should avoid discussing or deliberating city issues at any gathering that had not been scheduled and noticed prior.

Commissioner Ward asked if it would be cause for removal if she had a different opinion than others.

City Attorney Jeppsen said the law refers to a specific land use application. He said the provision protects a commissioner from removal solely because the commissioner holds an opinion different from that of the City Council.

Mr. Astorga continued with the Rules of Order discussion. He said the current rules do not clearly describe the annual selection of the chair and vice chair. He said a revised process could first ask who is interested in serving, followed by nominations, nominee acceptance, discussion, and a vote.

Chair Bott said the prior selection process happened quickly and said a more standardized process would give members an opportunity to indicate whether they are interested in serving. He said the process should not imply that officers must rotate each year.

Mr. Astorga reviewed the order of Staff presentations, Commission questions, applicant participation, public hearings, deliberation, motions, and votes. He said applicants are not required to attend or repeat Staff's presentation, but the Chair can acknowledge an applicant and allow a brief opportunity to add information that Staff did not present.

Commissioner Ward said she had spoken with other commissioners in advance to determine who was interested in serving as Chair. She said the formal selection process was quick because members already knew who was interested in serving as Chair and Vice Chair.

Mr. Astorga referred to Page 35 of the packet regarding Commission questions and answers. He said Commission questions may occur at any time. He said applicants are not required to attend, but when present they may be invited to make brief comments. He said Staff is responsible for the presentation and suggested limiting applicant comments to approximately 30 seconds when no additional presentation is needed.

Mr. Astorga said the Commission can limit any speaker to a set amount of time.

Chair Bott said a two-minute public-comment guideline could be useful when a speaker is going too long while still allowing the Chair discretion when attendance is light or the information is useful. Mr. Astorga said the rules could allow the Chair to manage repetitive comments or comments outside the scope of the hearing and said any limitation should be stated in the Rules of Order.

Chair Bott said at times speakers can be very repetitive with several speakers in a row making the same comment. He asked if, in the case of the same statement time and again from several speakers in a row, he could invite someone with a different opinion to speak.

Mr. Astorga said the City Council keeps its Rules of Order available as a handout for the public. He said he would like a similar guide for the Planning Commission, including procedures for managing public comment during large or contentious meetings.

Commissioner Perkes asked whether the Chair could stop a speaker who exceeded a reasonable amount of time. Mr. Astorga said managing speaker time is the responsibility of the Chair.

Commissioner Gilmore said the Commission could generally follow a two-minute guideline and the Chair could intervene when comments exceeded that time.

Commissioner Ward said it would be wise to offer such a handout for the upcoming September 1 meeting. She asked about language stating that the Chair may limit speakers in favor of and in opposition to an item so long as equal numbers represent each view. She said the language could make a hearing feel like a vote and could prevent an additional speaker from being heard when there is no speaker on the other side.

Mr. Astorga said he did not want the language to imply that equal numbers are required when everyone can reasonably be heard. He said the Chair should have discretion to balance speakers only when the number of speakers must be limited.

Chair Bott said he would like the Commission to be able to limit speakers when they are saying the same thing over and over.

Mr. Astorga said repeated comments can be managed by asking speakers to state agreement with a previous comment and then provide only new information. He said organized groups could also be encouraged to select a representative when appropriate.

Chair Bott said he has been impressed with how the Commission handles public comments and decisions. He said the Commission considers the substance of comments rather than deciding an issue based on the number of people expressing a particular view.

Commissioner Ward said limiting speakers or alternating viewpoints would be appropriate only when time is constrained by a large number of attendees.

Mr. Astorga said Staff would prepare a short public-hearing guide explaining the purpose of a public hearing, speaker expectations, decorum, and possible time limits. He said the first draft could be used at the anticipated September 1 public hearing and then revised based on the Commission's experience.

Mr. Astorga said the Commission can deliberate at the beginning of the meeting or at the end of the meeting as that decision is up to the Commission. Chair Bott asked if they could deliberate both before and after a meeting. Mr. Astorga agreed.

Mr. Astorga asked whether Staff should continue including sample motions in staff reports. He said sample motions had been useful in showing how an approval, denial, or continuance could be framed and said Staff would continue providing them where appropriate.

Commissioner Welch Jaro said she appreciated the sample motions.

Chair Bott said he had been uncertain about motion wording when he first joined the Commission and said a handbook containing sample motions and explanations of different hearing types would be helpful.

Mr. Astorga said he had discussed creating a Planning Commissioner handbook with Commissioner Child. He said the handbook could include the Rules of Order, public-hearing guidance, motion examples, quorum information, how to treat the public, training requirements, what to do when a commissioner runs into an applicant in public, and other suggestions in the form of a quick-reference manual.

Mr. Astorga said they could add such a document as an exhibit on the Staff Report. Chair Bott asked that those suggestions be bullet points for faster identification within their document.

Commissioner Gilmore said Salt Lake City has a binder with procedures and recommendations for the Commission.

Mr. Astorga said he reviewed the process for selecting a temporary chair when both the Chair and Vice Chair are absent. He said Staff would begin the meeting long enough for the Commission to select a chair pro tempore for that meeting.

Mr. Astorga said some commissions have attendance rules that allow removal after a specified number of absences. He said he did not believe such a rule was necessary for this Commission because members consistently notify Staff when they will be absent.

Mr. Astorga said Staff would prepare proposed amendments and revised rules for future Commission review. He said he would like the full Commission to be in attendance for that discussion. No formal action was taken.

5. Land Use Code Definitions Review – Work Session

Mr. Astorga referred the Commission to Page 37. He said Staff was reviewing and reorganizing definitions as part of implementing the General Plan. He said the purpose of the work session was to improve organization, consistency, and clarity in the Land Use Code and not to make unintended land use policy changes.

Commissioner Child asked whether internal and detached accessory dwelling units should be separately defined. Mr. Astorga then referred to Page 39 and said the existing definition was written to cover both types and said the Commission could return to the issue after the detached ADU work session, when the effect of recent State-law changes would be clearer.

Commissioner Welch Jaro said the definition of attached dwelling units was unclear and asked for clarification.

Mr. Astorga said it may be time to separate the definitions of attached dwelling units and detached dwelling units.

Chair Bott said if the allowance categories are so similar, there should not be a need to separate them. He said if there was a situation where one was allowed in one case and not another, separating them makes sense.

Mr. Astorga said that wherever a single-family dwelling is allowed, a detached ADU is also allowed with a conditional use permit. He said an internal ADU is allowed by State law and that the two types are generally allowed in the same locations.

Commissioner Gilmore said the way the code is laid out makes sense.

Chair Bott said the definition works because it captures both definitions.

Mr. Astorga showed examples of ADUs on the overhead display and said the discussion could be tabled until Staff had the remaining information.

Mr. Astorga moved to the definitions on Page 40, including art studio, assembly/event space, ATVs, snowmobile sales, and bail bonds.

Commissioner Gilmore asked why a bookstore would need its own definition. Mr. Astorga said the bookstore discussion showed that some separate definitions may no longer be necessary, but Staff must compare each definition to the use tables before combining categories because a use may be permitted in different zones.

Commissioner Perkes asked about several definitions that appeared to be allowed in only one zone, including service and institutional uses. Mr. Astorga said the comments showed why Staff needed to compare the definitions with every zoning table and determine whether the limited zoning was intentional or simply a historical inconsistency.

Mr. Astorga said there are about seven areas of professional office zoning.

Mr. Astorga said definitions involving childcare, assisted living, elder care, and similar residential or care facilities require additional review because State law gives some uses specific protections. He said Staff would use State definitions or clear references to State law where appropriate and said there are certain businesses the City cannot expressly prohibit.

Mr. Astorga said separate definitions can be useful when a business has operational characteristics that differ from general retail, including traffic patterns or potential environmental considerations. He used convenience stores and dry cleaners as examples.

Commissioner Perkes referred to Page 42 and asked whether the Mixed-Use Zone provisions would prohibit colleges and universities from operating in a Professional Zone. Mr. Astorga said they would and said Staff should review that issue.

Chair Bott asked about government offices. Mr. Astorga said some uses were oddly categorized within the Mixed-Use provisions.

Commissioner Gilmore said it made sense for government offices to have a separate category. Mr. Astorga said the Mixed-Use provisions apply to local government uses but not to federal or State uses because those entities are exempt from local zoning requirements.

Chair Bott asked about airborne delivery services and asked if the Commission wanted to consider that use. Commissioner Gilmore said she would rather wait until the need arose for that discussion.

Chair Bott asked about the MWP Zone listed under Hunting and Fishing on Page 47. Mr. Astorga said the Mountain Watershed Protection Zone remains in the City Code even though no property is currently mapped with that zoning designation. He said the provision could be retained in case it is needed in the future.

Commissioner Child asked about independent living facility and an age-restricted facility in relation to South Davis Hospital. Mr. Astorga said the City still needs to review some businesses to put them in the right category and noted the contact information is nested within the Business License database.

Chair Bott asked whether the medical/dental office definition includes pharmacies and whether the sale of peptides would affect the applicable business-use definition. Mr. Astorga said Staff would review the definitions for consistency.

Commissioner Ward said museums are currently allowed only in the Mixed-Use Zone and said museums should be permitted more broadly. Mr. Astorga said Staff would review the definitions.

Commissioner Ward said that review could also identify definitions that should be updated as needs arise.

Recording Secretary Schneider asked about adding a sober living facility definition. Chair Bott asked if sober living facilities should be added to the definitions. Mr. Astorga said that type of business would be included in the review.

Mr. Astorga said a common home-occupation issue involves the prohibition on storing commodities at a residence. He said Staff uses a questionnaire that applicants initial to confirm compliance before a license is issued. He said the commodity-storage language should be removed because it is impractical.

Commissioner Perkes asked whether the commercial vehicle-storage definition includes RVs, motorhomes, and camper trailers. Mr. Astorga said Staff would add trailers where appropriate and said the commercial definition would not restrict a resident from storing a personal trailer at a home as an accessory residential use.

Commissioner Perkes asked whether the code should define medical cannabis dispensaries. Mr. Astorga said State law controls the number and location of licensed dispensaries and said Bountiful should eventually define the use and identify an appropriate zone. He said Staff had not made the issue a priority because a dispensary is located nearby in West Bountiful and no applicant has approached the City.

Mr. Astorga said Staff would continue simplifying overlapping definitions, add missing definitions, cross-reference the definitions with the use tables, and verify terminology governed by State law. No formal action was taken.

6. Detached Accessory Dwelling Units – Work Session

Mr. Astorga said recent State-law changes require the City to amend its code by October 1, 2026, so detached accessory dwelling units are treated as a permitted use rather than a conditional use. He said ADU applications are reviewed administratively by Planning Staff rather than by the Planning Commission. He asked Staff to review the City's current standards for accessory structures and detached ADUs.

Planning Technician Coleman began with setbacks, which she said are the most common subject of calls to the Planning Department. She referred to the layout in the packet and said an accessory structure or detached ADU generally must be at least ten feet behind the front building line unless it meets the setbacks applicable to the primary dwelling.

She said there is a standard height setback requirement for accessory structures or detached ADUs. As long as the accessory structure is less than 20 feet in height with 15-foot sidewalls, there can be a three-foot minimum rear and side setback with the distance between the structure and primary dwelling of at least five feet.

Ms. Coleman said that if the total footprint of all accessory structures exceeds 10% of the lot, a conditional use permit is required. She said the enhanced-height standard was amended the

previous year and allows greater height with an eight-foot side or rear setback. She said a five-foot separation is also required between the ADU and the primary dwelling and that accessory structures are permitted in most zones.

Ms. Coleman said accessory structures and detached ADUs are also subject to building-permit, building-separation, eave, drainage, easement, and access requirements. She said a primary dwelling must exist on the lot. Under the enhanced-height standard, the accessory structure may be up to 25 feet high with 20-foot sidewalls, must be at least eight feet from the side and rear property lines, and must be at least 12 feet from a structure on an adjacent property. She said roof drainage may not impact an adjacent property, structures may not encroach into recorded easements, and a paved driveway is required when the structure is designed for vehicle parking.

Assistant Planner Leech said the City allows one ADU per single-family lot, including lots in the Downtown Zones. He said the current minimum lot size for a detached ADU is 8,000 square feet. He said an ADU must contain at least 350 square feet and may not exceed 1,250 square feet of living area, excluding the garage. He said the ADU must share utilities with the primary dwelling.

Chair Bott asked why the 1,250-square-foot limit applies to total living area instead of only the building footprint excluding the garage. He said accessory structures are already limited by lot coverage and asked why an owner could not use more than one floor while remaining within the permitted footprint.

Mr. Astorga said the City previously limited detached ADU size using a 60/40 percentage relationship with the primary dwelling, but the standard was difficult to administer because measurements were sometimes reported inaccurately. He said the City Council later adopted a fixed 1,250-square-foot maximum after considering several size options and housing-affordability concerns.

Chair Bott said he was more comfortable with a footprint or lot-coverage restriction than a rule that necessarily limits living area on multiple floors. Mr. Astorga said the size issue could be revisited when the ordinance returns for formal consideration.

Mr. Leech said that a detached ADU could not have its own utilities in order to avoid it becoming a duplex. He said an ADU cannot be built on a property that already has a duplex or multi-family structure.

Commissioner Gilmore asked about the difference between an ADU and a duplex. She said according to her understanding, the difference is that an ADU requires the owner to occupy the dwelling where a duplex allows both sides to be rented out. Mr. Astorga confirmed that was accurate.

Mr. Leech said an ADU is accessory to an owner-occupied single-family property and the owner-occupancy requirement is secured through a recorded deed restriction. He said a duplex may have both units rented and may have separate utilities, while an ADU remains accessory to the single-family property. Mr. Astorga said the deed restriction states, "I am the property owner and I live here."

Commissioner Ward asked whether utilities must be combined for an ADU while a duplex may have separate utilities. Mr. Astorga said a duplex may share one utility if the owner chooses.

Mr. Leech said one additional parking space is required for an ADU. Mr. Astorga said the City's current single-family standard requires four off-street parking spaces, two of which must be in a garage. He said that standard is generally easier to meet with new construction because newer homes are typically built with at least a two-car garage.

Mr. Astorga said when they wrote the City Code, in the interest of affordability, they required only one additional parking spot for an ADU. The City does not retroactively require an older legal home to meet today's new-construction parking standard before obtaining an ADU; instead, the ADU must provide an additional parking space beyond what was required when the home was built.

Mr. Astorga said State law requires cities to allow detached ADUs on lots of at least 11,000 square feet and waives the conditional use permit requirement. He said Bountiful already allows detached ADUs on lots 8,000 square feet or more and did not recommend increasing the City's minimum lot size.

Mr. Astorga said the Administrative Committee currently reviews ADU applications. He asked whether the City should allow detached ADUs as a permitted use when they meet the standard primary-dwelling setbacks of 20 feet from the rear, eight feet from the side, and 25 feet from the front.

Mr. Astorga said an ADU meeting those setbacks could be approved without a conditional use permit. A conditional use permit would apply to reduced setbacks under the current code.

Mr. Astorga said the current conditional use process has provided notice to nearby residents and has allowed the Administrative Committee to impose reasonable mitigation conditions. He asked whether the City should preserve a conditional process for reduced setbacks or place predictable mitigation standards directly into the ordinance.

Commissioner Gilmore said she preferred objective standards rather than a conditional-use hearing when potential impacts can be addressed in the code. She said standards regarding windows, privacy, and other measurable impacts could be included in the ordinance.

Chair Bott said he also preferred a permitted-use process with objective standards. He said requiring a conditional-use hearing when the City already knows which conditions it regularly imposes creates an additional procedural step.

Mr. Astorga said Staff could draft an "if/then" approach using measurable standards based on height, setback, windows, privacy measures, or proximity to a neighboring property. He said the City already uses similar objective standards for accessory-structure height and setbacks.

Mr. Astorga said the City has historically addressed privacy impacts through items such as window and door placement rather than routinely increasing setbacks. He said Staff could also evaluate whether fencing or other objective measures should be included in the ordinance.

Chair Bott said he pushed for ADUs even though he did not have a vested interest in that area.

Mr. Astorga said the direction he heard was to make detached ADUs a permitted use as required by State law and place the mitigation measures historically used by the Administrative Committee directly into the code. He said Staff would prepare draft ordinance language for a future public hearing.

Mr. Astorga returned to the ADU definition from the prior work session. Commissioner Ward said the definition should be clear and simple for applicants to understand. Mr. Astorga said Staff would consider one 'Accessory Dwelling Unit' definition with language distinguishing internal and detached units rather than creating duplicate categories.

Commissioner Perkes said a 25-foot-high ADU located three feet from a property line could have a significant impact on a neighboring property. He asked whether enough mitigation standards could be placed in the code to avoid requiring a conditional use permit.

Mr. Astorga said the City has not historically increased ADU setbacks to address those impacts. He said mitigation has instead included requirements regarding window and door placement.

Commissioner Perkes said he would prefer to include the requirements in the code and avoiding the conditional use permit requirement.

Commissioner Child said the Commission was trying to make housing more available and affordable and the granting of ADUs was for that purpose.

Commissioner Welch Jaro asked whether Mr. Astorga was seeking direction from the Commission on ADUs. Mr. Astorga said no formal direction was required because the item was a work session. He said the discussion would help Staff prepare proposed code language reflecting the Commissioners' comments.

Commissioner Child said she wanted to make the definitions clear and simple to understand.

Mr. Astorga said the best way might be to have an A/B definition. Commissioner Ward asked if it would then collapse into one category and the dash after ADU would be removed.

Mr. Astorga said Staff expected to return with proposed ordinances reflecting the work-session direction. No formal action was taken.

Chair Bott thanked Mr. Astorga and Staff for their work on the definitions.

7. Director's Report

Mr. Astorga said he would send the Commission information regarding training opportunities scheduled for September 9 and 10, 2026, at the Davis County facility in Layton, including registration information and the address.

Mr. Astorga said the City Council's first mid-year retreat was scheduled for September 24, 2026. He said commissioners were not required to attend in their Planning Commission capacity but

could attend the open meeting as Bountiful residents if interested. He said anticipated topics included Main Street improvements and the Orchard Drive corridor study.

8. Adjourn

Chair Bott adjourned the meeting at 8:29 p.m.