

**BOUNTIFUL CITY**  
**PLANNING COMMISSION AGENDA**  
**Tuesday, August 18, 2015**  
**6:30 p.m.**

**NOTICE IS HEREBY GIVEN** that the Bountiful City Planning Commission will hold a meeting in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome and Introductions.
2. Approval of the minutes for August 4, 2015.
3. Consider approval of a subdivision amendment for Northern Hills Subdivision Plat B in order to combine Lots 63 & 64 located at 1232 E Northern Hills, Brad Miller, applicant.
4. Consider preliminary and final plat approval for the Orchard Pines PUD Commercial Lot 2 Condominium at 2155 S. Orchard, Knowlton General, applicant.
5. **PUBLIC HEARING** - Consider amending the provisions of Chapter 6 and Chapter 14 of the Bountiful City Land Use Ordinance related to allowing telecommunications facilities within commercial zones.
6. Planning Director's report, review of pending applications and miscellaneous business.

  
Chad Wilkinson, City Planner

**Bountiful City**  
**Planning Commission Minutes**  
**August 4, 2015**  
**6:30 P.M.**

Present: Chairman – Tom Smith; City Council Representation - Richard Higginson; Planning Commission Members - Mike Allen, Von Hill, and Sharon Spratley; City Attorney – Russell Mahan; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; and Recording Secretary – Darlene Baetz

Excused: Vice Chairman – Dave Badham and Planning Commission Member – Sean Monson

**1. Welcome and Introductions.**

Chairman Smith opened the meeting at 6:30 pm and welcomed all those present.

**2. Approval of the minutes for July 21, 2015.**

Mike Allen made a motion to approve the minutes for July 21, 2015 as written. Von Hill seconded the motion.

Voting passed 4-0-1 in favor with Commission Members Allen, Hill, Smith and Spratley voting Aye with Richard Higginson abstaining as he was not present at that meeting.

**3. Consider approval of the Findings of Facts for denial of a variance for setbacks to an addition located at 505 E 1200 North, Josh and Quinke Osborne, applicants.**

Von Hill made a motion to approve the Findings of Facts as written for denial of the variance for setbacks to an addition located at 505 E 1200 North, Josh and Quinke Osborne, applicants. Sharon Spratley seconded the motion.

Voting was 5-0 in favor with Commission Members Allen, Higginson, Hill, Smith and Spratley voting Aye.

**4. Consider final subdivision approval for Val Verda Meadows subdivision at 259 W 3100 South, Brighton Homes, applicant.**

Taylor Spendlove representing Brighton Homes was present. Paul Rowland presented the staff report.

Brighton Homes, acting as developer has completed the subdivision construction drawings and the plat map and is now requesting final approval for the eight lot Val Verda Meadows subdivision. This subdivision was granted preliminary approval by the Council on July 14, 2015, and a vacation ordinance was passed by the Council the same evening.

The proposed subdivision consists of eight lots that front onto a new 300 ft. long cul-de-sac. The smallest of the proposed lots contains 9,072 s.f. and the largest contains 17,141 s.f., all in excess of the required minimum 8,000 s.f. for the zone. In addition, all of the lots have more than the required 70 ft. frontage for interior lots and 80 ft. for corner lots.

The proposed new 300 foot long cul-de-sac has been designed to meet the Bountiful City standard width for a residential street and will be constructed with a nice gentle slope of about 5.5%.

This places 8 homes where there has historically only been two with the corresponding increase to storm water runoff and traffic on 3100 South. All of the impacts are minor and will not have a detrimental effect on the surrounding area.

Staff recommends that the Planning Commission forward a recommendation of approval to the City council for the final Val Verda Meadows subdivision subject to the following six conditions outlined by staff:

1. Post a bond to cover the costs of construction of the new cul-de-sac and sign a development agreement for the required subdivision improvements.
2. Make all necessary red line corrections to the drawings.
3. Payment of all required fees.
4. Provide a current Title Report.
5. Pay for an overlay of the disturbed portions of 3100 South and 200 West St.
6. Lots 1, 5 and 6 shall only have access off of the new cul-de-sac or 200 West and not 3100 South.

Mike Allen requested that the condition #6 "Lots 1, 5 and 6 shall only have access off of the new cul-de-sac or 200 West and not 3100 South." be noted on the plat map.

Sharon Spratley made a motion to recommend final subdivision approval to the City Council with the six conditions outlined by staff with the addition of condition #6 to be added to the plat map. Mike Allen seconded the motion.

Voting was 4-0-1 with Commission Members Allen, Higginson, Smith and Spratley voting Aye with Von Hill abstaining.

**5. Planning Director's report, review of pending applications and miscellaneous business.**

1. Stoker School parking lot will be hosting Food Truck League every Fridays 6-10 until October.
2. Bountiful City will be hosting the Tour of Utah on August 5, 2015.
3. Next Planning Commission meeting to be held on August 18, 2015.
4. Next City Council meeting to be held on September 8, 2015.
5. Planning Commissioners are invited to attend the Utah APA Conference in October.
6. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 6:50 p.m.

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Chad Wilkinson, City Planner

# Commission Staff Report

Item # 3

**Subject:** Preliminary and Final Subdivision Approval for Northern Hills Subdivision Plat B Amended  
**Address:** 1332 E Northern Hills Drive  
**Author:** City Engineer  
**Department:** Engineering, Planning  
**Date:** August 18, 2015



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## Background

Ms. Suzan Allen and family own both lot 63 and lot 64 of the Northern Hills Subdivision Plat B. Their home sits on lot 63 and they have maintained lot 64 as a large yard/landscape area with a sports court. The Allens have been using both lots as a single property and are now requesting that this subdivision amendment be approved to formally combine these two lots into one to allow for the construction of an addition to their home which will extend over the line between the two lots.

## Analysis

The Allens are planning to build an addition to their home which will extend over the property line between the two lots which they have owned and occupied for several years. This option was not available to them until recently when the City abandoned a culinary water line that previously ran in an easement between the two properties.

Since the water line easement needs to be vacated and the property line permanently removed, an amended plat is required. While the County's property tax system can combine the properties under one tax ID number for tax purpose, the reality is that the two lots are still separate and lot 63 could still be sold with a house encroaching on the east side. By amending the plat, the two lots are eliminated and one single lot is recorded in their place.

## Department Review

The proposed preliminary plat has been reviewed by the Engineering Department and Planning Department.

## Recommendation

With the conditions listed below, staff recommends that the Planning Commission forward a recommendation for preliminary and final approval of the Highland Oaks Subdivision Plat B Amended.

1. Make all necessary red line corrections to the drawings.
2. Payment of all required fees.
3. Provide a current Title Report.

### **Significant Impacts**

This subdivision amendment has no significant impacts.

### **Attachments**

A lovely color aerial photo showing the area of lots 63 and 64  
A copy of the Northern Hills Subdivision Plat B Amended.

Aerial Photo of the Proposed Northern Hills Plat B Amended



**SURVEYOR'S CERTIFICATE**

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 163585 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE USE OF THE INSTRUMENTS AND METHODS OF SURVEYING AND MEASUREMENT AND THE DATA THEREON, I HAVE ACCURATELY SURVEYED AND STAKED ON THE GROUND AS SHOWN, THE PLAT AND DESCRIBED HEREWITH AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO THE SEVERAL LOTS SHOWN ON THIS PLAT AND THAT SAID TRACT OF LAND IS BEING AMENDED COMBINING LOTS 63 & 64 AND THAT SAME HAS BEEN CORRECTLY SURVEYED.

DATE \_\_\_\_\_ UTAH SURVEYOR NO. 163585

**DESCRIPTION**

BEGINNING AT THE NORTHWEST CORNER OF LOT 62, NORTHERN HILLS SUBDIVISION, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BOUNTIFUL CITY, DAVIS COUNTY, UTAH, AND PROCEEDING SOUTHWEST ALONG THE WEST LINE OF SAID LOT 62 TO THE EAST SECTION LINE OF SAID SECTION 20 AND NORTH 00°00'00"W 482.93 FEET FROM THE NORTHEAST CORNER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BOUNTIFUL CITY, DAVIS COUNTY, UTAH, THENCE SOUTH 23°00'00"E 159.67 FEET TO THE SOUTHWEST CORNER OF SAID LOT 62, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 101, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 102, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 103, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 104, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 105, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 106, THENCE SOUTHWEST 196.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 107, THENCE 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POINT OF BEGINNING, CONTAINING 0.349 ACRES.

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS LOTS 101 THROUGH 220, DO HEREBY DEDICATE TO THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR THE USE OF THE PUBLIC, TO-WIT: THE STREETS, SIDEWALKS, AND ENCUMBRANCES WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

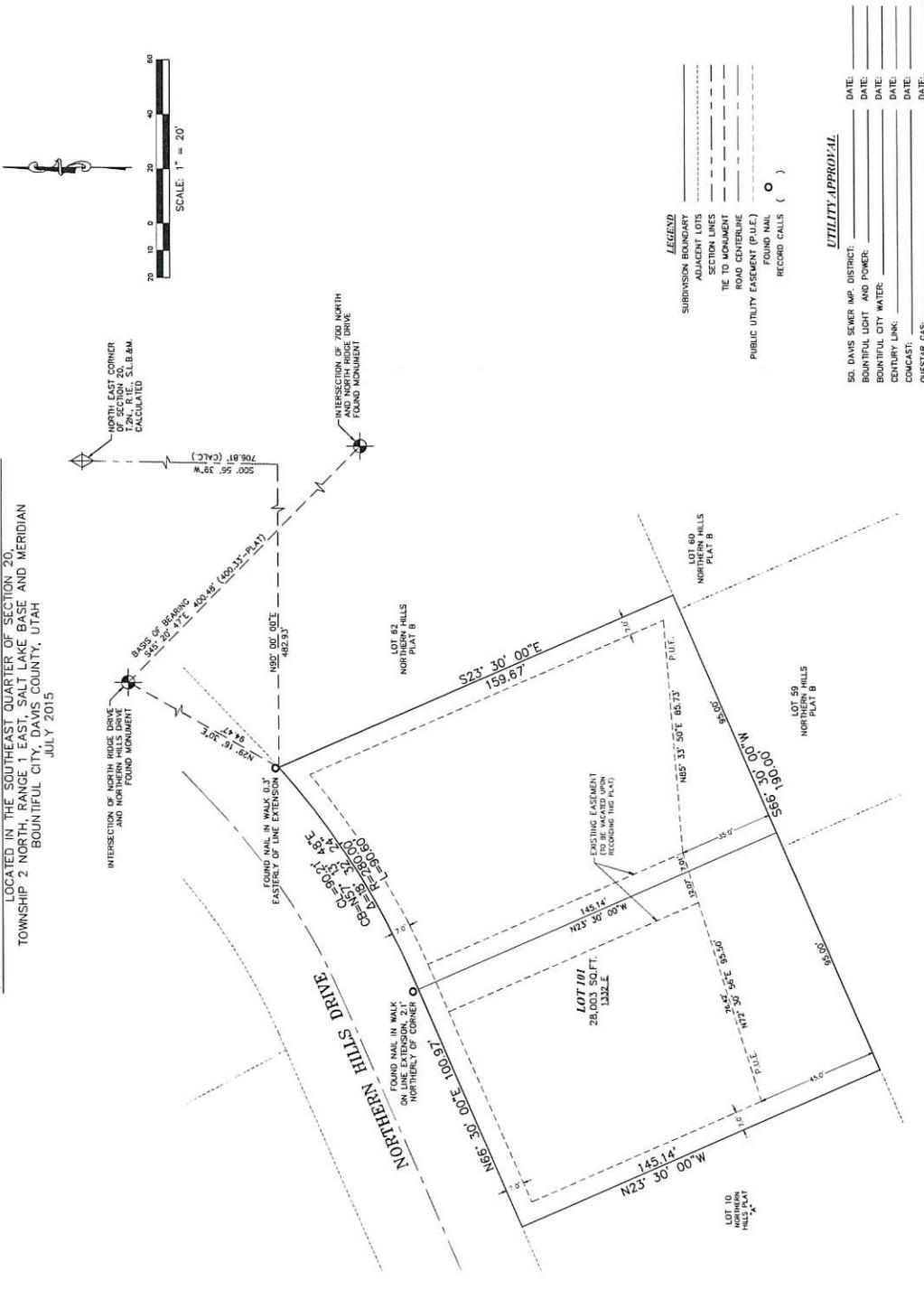
FOR: \_\_\_\_\_  
BY: \_\_\_\_\_

**L.L.C. ACKNOWLEDGMENT**

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, THERE PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, \_\_\_\_\_, KNOWN TO BE THE PERSONAL REPRESENTATIVE OF SAID L.L.C., WHOSE OFFICE IS LOCATED AT \_\_\_\_\_, BOUNTIFUL CITY, UTAH, AND THAT SAID INSTRUMENT WAS SIGNED AND ACKNOWLEDGED TO ME THAT SAID L.L.C. EXECUTED THE SAME.

NOTARY PUBLIC: \_\_\_\_\_  
RESIDENCE: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**NORTHERN HILLS SUBDIVISION PLAT B AMENDED**  
**COMBINING LOTS 63 & 64 OF NORTHERN HILLS SUBDIVISION PLAT B**  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 20,  
TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
BOUNTIFUL CITY, DAVIS COUNTY, UTAH  
JULY 2015



**UTILITY APPROVAL**

SD. DAVIS SEWER IMP. DISTRICT: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOUNTIFUL LIGHT AND POWER: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOUNTIFUL CITY WATER: \_\_\_\_\_ DATE: \_\_\_\_\_  
CENTURY LINK: \_\_\_\_\_ DATE: \_\_\_\_\_  
COMCAST: \_\_\_\_\_ DATE: \_\_\_\_\_  
QUESTAR GAS: \_\_\_\_\_ DATE: \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY \_\_\_\_\_  
THE PLANNING COMMISSION OF BOUNTIFUL CITY.  
PLANNING DIRECTOR: \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**

APPROVED BY THE BOUNTIFUL CITY ENGINEER ON THIS  
DAY OF \_\_\_\_\_, 20\_\_  
BOUNTIFUL CITY ENGINEER: \_\_\_\_\_

**CITY COUNCIL'S APPROVAL**

PRESENTED TO THE CITY COUNCIL OF BOUNTIFUL CITY,  
UTAH, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
CITY RECORDER ATTEST: \_\_\_\_\_  
MAYOR: \_\_\_\_\_

**CITY ATTORNEY'S APPROVAL**

APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
BOUNTIFUL CITY ATTORNEY: \_\_\_\_\_

**DAVIS COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORD AND RECORDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
COUNTY RECORDER: \_\_\_\_\_  
BY: \_\_\_\_\_ DEPUTY

**HA Entellus**  
181 North 200 West, Suite 44  
Bountiful, Utah 84010  
Phone 801-298-2236  
Fax 801-298-5983  
14-264

# Commission Staff Report

Item #4

**Subject:** Preliminary and Final Plat approval for Orchard Pines PUD Commercial Lot 2 Condominium  
**Author:** Chad Wilkinson, City Planner  
Paul Rowland, City Engineer  
**Address:** 2155 Orchard Drive  
**Date:** August 18, 2015



## Background and Analysis

Mr. Brian Knowlton, applicant, requests preliminary and final plat approval for the Orchard Pines PUD Commercial Lot 2 Condominium, which encompasses the recently constructed mixed commercial/residential building at 2155 S. Orchard Drive. The building is located on Lot 2 of the Orchard Pines and already exists as a mixed use commercial/residential structure. The building meets all of the requirements that were in place at the time of the Orchard Pines Commercial PUD approval and this change is solely for the purpose of producing a condominium plat on this lot so that the individual units can be sold independently.

The Engineering and Planning Department have reviewed the proposed condominium plat and recommends that it be approved with some minor redline corrections.

## Department Review

The proposed preliminary plat has been reviewed by the Engineering Department and Planning Department.

## Recommendation

Recommend preliminary and final plat approval for the Orchard Pines PUD Commercial Lot 2 Condominium, with the following conditions:

1. Submit the signed, final mylar ready for signatures.
2. Submit a current title report.
3. Payment of fees

## Significant Impacts

This subdivision amendment has no significant impacts.

## Attachments

Lovely Color Aerial photo  
Proposed Condominium Plat

Orchard Pines PUD Commercial Lot 2 Condominium





# Commission Staff Report

**Subject:** Public Hearing-Telecommunications

Facilities in Commercial Zones

**Applicant:** Bountiful City

**Author:** Chad Wilkinson

**Date:** August 18, 2015



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## Background

The current Bountiful City Land Use Ordinance includes standards for telecommunication towers (commonly referred to as cellular or cell towers) which stipulate that these facilities not be placed in residential areas unless there is no other alternative. In contrast the list of allowed uses for the commercial zone districts in Bountiful does not include telecommunications facilities as an allowed use in any of the commercial zones. Section 14-6-103 states, “any use not listed herein is also expressly prohibited.” Since telecommunications facilities are specifically identified as an allowed use in residential zones, this has led to confusion as to whether the intent of the ordinance was to exclude these uses from commercial zones. The proposed amendment would modify the table of allowed uses in commercial zones to allow for telecommunications uses as permitted uses on City owned properties in the Commercial zones and conditional uses on non-city owned property in these zones.

## Analysis

The zoning ordinance recognizes the need to provide for telecommunications sites within the City and provides general standards for their location. Among these standards is a policy which encourages these facilities to be constructed on City owned properties so that the revenues from them go to the benefit of the public. To that end, telecommunications facilities constructed in residential zones which are located on City property are classified as permitted uses while those located on non-city owned properties are classified as conditional uses, which require a public hearing. While it is appropriate to clarify the ordinance to expressly allow these facilities in commercial zones, priority should still be given to placing the facilities on city owned properties to ensure that the citizens of Bountiful are able to obtain the maximum benefits associated with these facilities. Several City owned properties are located within the existing commercial zoning districts and these City owned locations should be considered first. The proposed amendment also clarifies the City’s policy that public lands should be considered first for location of telecommunications facilities and that private lands should only be considered when no publicly owned option is available.

## Department Review

This item has been reviewed by the City Planner, City Engineer, and the City Attorney.

**Significant Impacts**

The proposal would allow telecommunication towers to be constructed in commercial zones subject to the standards now applicable for towers constructed in residential zones. Impacts are expected to be limited and mitigated by standards requiring co-location.

**Recommendation**

Recommend that the Planning Commission forward a recommendation of approval to the City Council for the proposed amendment to the zoning ordinance allowing telecommunication facilities within the commercial zoning districts of the City with priority placed on locating these facilities on city owned properties.

**Attachments**

1. Proposed Ordinance Amendment

**14-14-118 TELECOMMUNICATIONS TOWER SITES**

- A. It is the finding of the City Council that:
1. It is in the best interests of the citizens of the City to have quality cellular wireless telephone service available. This necessarily entails the erection of telecommunications towers within the City limits.
  2. It is the right of private enterprise to do business within the City, subject only to reasonable regulation by the City. This includes the telecommunications business.
  3. It is in the best interests of the citizens that the telecommunications towers which are constructed are:
    - a. as unobtrusive as possible in their location, size, and construction;
    - b. as few in number as possible;
    - c. subject to such reasonable restrictions as may best minimize the impact upon surrounding properties and the City as a whole; and
    - d. not placed in residential areas unless there is no other alternative.
  4. It is in the best interests of telecommunications businesses to have access to towers which are of the appropriate height and location to serve their reasonable needs.

5. It is the policy of the City of Bountiful to make available to telecommunications companies such sites as the City owns and which can reasonably serve the needs of the companies, the citizens, and the City.

**6. The visual burden of towers is borne by the public, and it would be appropriate for the revenues of those towers go to the public. Therefore, telecommunication towers shall be located on publicly owned sites (i.e. lands owned by governmental entities such as the City, schools, etc) where possible, and on private property only when public properties serving the same area are not available.**

**14-6-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES**

Subject to the provisions and restrictions of this Title, the following principal uses and structures, and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the Commercial zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited.

**Table 14-6-103**

<u>Use</u>	<u>C-H</u>	<u>C-G</u>	<u>C-N</u>
Assisted Living Center	N	N	N
ATV and Snowmobile Sales w/o Outside Storage and/or Display	P	C	N
ATV and Snowmobile Sales with Outside Display	P	N	N
Bail Bonds	C	N	N
Banks, Credit Unions	P	P	N
Bar, Tavern, Drinking Establishment	C	N	N
Bottling, Canning, Food Production	P	C	N
Building/Construction Materials and Supplies w/ Outside Storage	C	C	N
Building/Construction Materials and Supplies w/o Outside Storage	P	C	N
Check Cashing, Title Loans	P	C	N
Construction Services w/ Outside Storage	C	N	N
Construction Services w/o Outside Storage	P	C	N
Convenience Stores	P	C	C
Dry Cleaner, Laundry Service	P	C	C
Fast Food Restaurant w/ or w/o Drive-up	P	C	N
Feed Lots, Animal Rendering, Animal Raising	N	N	N
Fire Arm/Shooting Range – Indoor	C	N	N
Fire Arm/Shooting Range – Outdoor	N	N	N

## Use

C-H

C-G

C-N

Use	C-H	C-G	C-N
Food Preparation, Bakery	P	P	C
Funeral Parlor, Cemeteries, and Crematory Services	P	C	N
Gasoline Sales	P	P	C
General Retail w/ Outside Storage	C	C	N
General Retail w/o Outside Storage	P	P	C
Grocery Store	P	P	C
Hotels (Interior room access)	P	C	N
Industrial Manufacturing	N	N	N
Kennels, Animal Boarding	N	N	N
Laundromat (Self-operated)	P	P	C
Mail Order/Online Distribution Office w/ Onsite Indoor Storage	P	C	N
Mail Order/Online Distribution Office w/ Onsite Outdoor Storage	C	N	N
Medical/Dental Laboratory	P	C	N
Medical/Dental Office	P	P	C
Millwork, Cabinetry	P	C	C
Motels (Drive-up/exterior room access)	N	N	N
Motorized Recreation	C	N	N
Municipal Facility	P	P	P
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P	P	C
Pawnshop, Secondhand Merchandise,	C	N	N
Personal Services	P	P	C
Professional Services	P	P	C
Public/Private Assembly	P	P	C
Residential	N	N	N
Restaurant	P	P	C
Security Services	P	N	N
Self Storage Units or Warehouse w/o Office	N	N	N
Sexually Oriented Business, Escort Service	C	N	N
Small Engine/Appliance Repair	P	P	N
Tailor, Seamstress, Shoe Repair	P	P	C
Tattoo Parlor	C	N	N
<i>Telecommunication Facility not on City Property</i>	<u>C</u>	<u>C</u>	<u>C</u>
<i>Telecommunication Facility on City property</i>	<u>P</u>	<u>P</u>	<u>P</u>
Thrift Store	P	C	C
Tutoring, Dance, Preschool, Daycare	P	P	C
Vehicle Part Sales	P	P	N
Vehicle Repair	P	N	N
Vehicle Sales	P	N	N

Use

C-H C-G C-N

Vehicle Salvage/Wrecking	N	N	N
Vehicle Service and Wash	P	C	N
Vehicle Storage – Indoor	P	P	C
Vehicle Storage – Outdoor	C	N	N
Warehouse w/ Office	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting – indoor	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting - Outdoor	C	N	N

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