

BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, July 7, 2020
6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Conference Room, **South Davis Metro Fire Station, 255 S 100 W, Bountiful, Utah, 84010**, 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.

Bountiful City Planning Commission meetings, including this one, are open to the public. In consideration of the COVID-19 Pandemic, Bountiful City will be observing social distancing and may limit the number of people at the meeting. If you would like to submit a comment for the public hearing listed on the agenda below, please e-mail that comment to planning@bountifulutah.gov prior to the meeting and indicate in the e-mail if you would like your comment read at the meeting; you are also welcome to attend the meeting in person.

1. Welcome and Introductions.
2. Consider approval of the meeting minutes for June 2, 2020.
3. **PUBLIC HEARING** – Consider approval of a Conditional Use Permit – To allow for the building footprint of all accessory structures to exceed 10% and not exceed 15% of the lot at 329 E 1050 North, Derk and Aneisa Phelps, applicants. – *Curtis Poole*
4. Consider forwarding a recommendation to the City Council – Daniel Wood Square - Preliminary and Final **AMENDED** site plan approval for commercial business, located at 410 South 500 West, Leslie Mascaro representing Wright Development Group, applicant – *Curtis Poole*
5. **PUBLIC HEARING** - Land Use Code Text Amendment – Sign Code – *Kendal Black*
6. Consider approval **in written form** of a Variance to allow construction of a single-family dwelling on slopes 30% or greater, located at 2955 S Maple Cove Ln.
7. Planning Director's report, review of pending applications and miscellaneous business.

Bountiful City Planning Commission

Draft Minutes

June 2, 2020

This meeting was viewed by Planning Commission members, staff and residents via video conference meeting (Zoom) and in person.

Present: Chair Sean Monson; Vice Chair Jesse Bell; Planning Commission Members – Sam Bawden, Jim Clark, Lynn Jacobs and Sharon Spratley; Councilwoman Kendalyn Harris; City Attorney Clint Drake; City Engineer Lloyd Cheney; Planning Director Francisco Astorga; City Planner Curtis Poole and Recording Secretary Darlene Baetz

1. Welcome and Introductions.

Chair Monson opened the meeting at 6:32 pm and welcomed all those present.

2. Approval of the minutes for May 5, 2020.

Commissioner Spratley made a motion to approve the minutes for April 7, 2020 with two corrections. First correction is on Page 4 and Paragraph 5 should read “*Staff recommends that the Planning Commission forward to the City Council ~~and~~ a positive recommendation...*” Second correction is on Page 13 and Paragraph 4 should read “*Commissioner Jacobswith the ~~one~~ three (3) conditions outlined by staff.*” Commissioner Clark seconded the motion.

Voting passed 6-0 with Commission members Bawden, Bell, Clark, Jacobs, and Spratley voting aye. With Councilwoman Harris abstaining

3. **APPLICATION WITHDRAWN** - Consider approval of a Variance – Setback for front yard – building a two-car garage, located at 1337 S Orchard Dr, Alison Neville and William Wilson, applicant.

4. **PUBLIC HEARING** – Consider approval of a Variance - Allow construction of a single-family dwelling on slopes 30% or greater, located at 2955 S Maple Cove Ln, Charles Dickson, applicant.

Charles Dickson was present. Curtis Poole presented the staff report.

Mr. Poole stated the applicant has requested to build the driveway in the slope greater than 30% with the home is to be built in the slopes less than 30%. He discussed the state requirements to meet a variance if they were to build the driveway in the slopes greater than 30%:

1. If the property owner builds closer to Maple Cove they would be on the steeper slopes and would need to remove a significant amount of trees.
2. The Planning Commission has granted approvals with other properties in this same area.
3. The proposed retaining walls will not be greater than 10 feet with this variance. Any additional retaining walls over 10 feet would require an additional variance and retaining walls under would require an additional building permit.
4. The intention of the City is to have the properties developed. This would allow this property owner to build on their land.

Based on analysis of the required criteria from State law included in the findings in the staff report and the materials submitted by the Application, Staff recommends the Planning Commission grant the requested Variance related to encroachments on slopes greater than thirty (30) percent with the following conditions:

1. The Applicant will continue to work with City Staff to ensure the final plans submitted will meet the standards for building in the R-F Zone, in particular the impact of retaining walls and building on slopes greater than thirty (30) percent should be minimal.
2. In addition to a building permit, the Applicant shall apply for a separate permit for any retaining walls taller than four (4) feet not exceeding ten (10) feet.

Commissioner Bawden asked for verification of the minimized cut of the driveway Is there a concern for both driveways side by side off the cul-de-sac. Mr. Poole stated Planning does not have any concern. Mr. Cheney noted the Fire Marshall will review the building permit. He stated that having the Fire Marshall's approval is standard for driveways over 150 feet.

Mr. Poole stated this lot is part of the original Deer Hollow Subdivision.

Chair Monson opened and closed the **PUBLIC HEARING** at 6:53 without comment.

Staff received two (2) concerns received into the Planning Office just prior to the meeting. One from Mr. Canon that was in opposition of construction at this site and one from Mr. Kilpack was concerned about possible erosion but has reviewed the staff report and is now in favor of the project

Mr. Dickson thanked the Commission members and staff for hearing this item. He wanted to work with the land and to have the least impact to the property.

Mr. Cheney stated that the house could be moved a little bit to the North East but the driveway would still not be able to minimize building in the 30% slopes.

Councilwoman Harris was excused from the meeting on Zoom.

Commissioner Spratley made a motion of approval to the Variance at 2955 South Maple Cove Lane with the two (2) conditions outlined by staff. Commissioner Clark seconded the motion.

Voting passed 6-0 with Commission members Bawden, Bell, Clark, Jacobs, Monson and Spratley voting aye.

5. PUBLIC HEARING – Consider forwarding a recommendation to the City Council - City Power Lofts Rezone of General Commercial (C-G) to Mixed Use Residential (MXD-R), located at 189 South 200 West, Brian Knowlton representing Hepworth Investment Group LLC, applicant.

Brian Knowlton was present. Francisco Astorga presented the staff report.

The applicant has submitted a Zone Map Amendment Request for the site on the corner of 200

West and 200 South. The request is to amend the zoning designation of this property consisting of approximately one half (1/2) acre from General Commercial (C-G) to Mixed Use Residential (MXD-R). Surrounding uses are of a commercial, industrial, and residential nature along 200 West and residential along 200 South.

Mr. Astorga discussed:

Site Characteristics which included the typical site zoned MXD shall encompass at least five (5) acres; however, smaller projects that demonstrate outstanding characteristics may also be considered. Sites zoned MXD should be adjacent to major automobile and public transit corridors, and should have direct access to both. The subject site is less than five (5) acres, and is adjacent to major automobile corridor (200 West) and is within two (2) blocks of Main Street, a public transit corridor.

Sub-Zone Standards which included percentages based on the total square footage of floor area within a project and include areas within a structure (floors of a building) and areas on the surface of the land (sidewalks, parks, etc.) Parking, landscaping, and similar ancillary uses are calculated on a pro-rated basis for each use category.

MXD-R	50% - 75% sq ft in residential uses - Applicant has requested this zone.
-------	--

Applicant proposes the MXD-R designation with the majority being residential. The ground level is proposed to be a commercial use consisting of 1,434 square feet and the exterior plaza area consisting of 3,699 square feet which equates to 27%. The residential component adds up to 13,761 square feet which equates to 73%.

Default Setbacks & Height Limitations – Mr. Astorga discussed the setbacks and the parameters that staff starts with in the code.

Default Standards		Proposal
Minimum building setback	30 feet	20 feet from 200 West and 200 South
Maximum building setback	50 feet	55 feet from north property line (side)
Minimum building separation	20 feet	Not applicable, one building onsite
Maximum building separation	40 feet	Not applicable, one building onsite
Minimum building height	20 feet	To comply with default building height
Maximum building height	35 feet	To comply with default building height

Development Characteristic

Uses may be mixed within a building or within an overall development, or both. However, the City encourages mixing uses within a building as much as possible. The proposal complies with this mixed-use provision. Developments within an MXD zone shall exhibit urban characteristics such as Wide sidewalks, Street trees and street furniture, Community gathering spaces, Shared parking, Integrated public transit (where available and/or anticipated) and Diverse and distinctive design features.

The proposal incorporates most listed urban characteristics. The applicant is not requesting a parking reduction and will be meeting the parking requirements from the code. Because this is a

1 small parcel, the staff does not feel that a pedestrian study is not required.
2

3 Mr. Astorga discussed the site plan, elevations and the options for types of commercial businesses.
4

5 The proposal is generally consistent with the overall goals and policies of the General Plan for the
6 area. Staff recommends that the Planning Commission review the request, hold the required public
7 hearing, and forward a positive recommendation to the City Council based on the findings of fact
8 found throughout this staff report and the drafted ordinance.
9

10 Chair Monson asked for verification of the flexibility to these policies that the Commission has.
11 Mr. Astorga stated that the Master Development plan has flexibility towards setback, height and
12 parking requirements which is tied to the legislative zone change process.
13

14 Commissioner Jacobs asked about the cross walk across 200 West that was asked about in the email
15 from Krissy Gilmore. There was discussion from the Commission members about the possibility of
16 adding a crosswalk near the Maverick. Mr. Cheney stated the process for crosswalk approval
17 would go thru the Traffic Safety Committee and a recommendation would be passed on to the City
18 Council.
19

20 Chair Monson opened the **PUBLIC HEARING** at 7:30 p.m.
21

22 Kort Delost resides at 310 S 750 E. Mr. Delost asked for verification on the parking arrangements.
23 Mr. Astorga stated the developer has met the requirements for the parking and will assign and
24 manage the parking for the commercial units.
25

26 ***Councilwoman Harris arrived at the meeting in person.***
27

28 Sharman Smoot owns the property east of the proposed zone change at 166 West 200 South. Mr.
29 Smoot discussed the history of this parcel and that it was previously owned by Mrs. Sessions. He
30 stated his approval for this project.
31

32 Ryan Stuart resides at 360 N 100 E. Mr. Stuart noted the developer didn't ask for any increase in
33 height or changes and stated his approval for this project.
34

35 Chair Monson closed the **PUBLIC HEARING** at 7:40 p.m.
36

37 Mr. Astorga noted there was a comment from the Power Department about the name of the project.
38 Mr. Knowlton discussed the decision of the name of the project and that it could be changed if
39 necessary but wanted to give a name that complemented the Power Department next door.
40

41 Commissioner Bell complemented the developer on the look of the project.
42

43 Commissioner Bawden stated how pleased he was with how the developer stayed within the
44 setbacks.
45

46 Ms. Spratley stated how pleased she is with the project but is concerned about the direction of this
47 small zone changes. Mr. Astorga doesn't believe that it will but would like to have more discussion
48 with the Planning Commission members at a later date to see what direction the City should go.

Commissioner Jacobs made a motion to forward a recommendation to City Council of approval for the - City Power Lofts Rezone of General Commercial (C-G) to Mixed Use Residential (MXD-R), located at 189 South 200 West outlined by staff. Commissioner Bell seconded the motion.

Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson, and Spratley voting aye.

6. Consider forwarding a recommendation to the City Council – Stone Creek Estates Subdivision – Phase 3 Preliminary Subdivision consisting of 9 Single Family lots, located at 1589 E Bountiful Blvd, Brock Johnston, applicant.

Brock Johnston was present. Lloyd Cheney presented the staff report.

Rainey Homes is requesting Final Approval of the third phase of the Stone Creek Estates Subdivision. The original overall development plan was reviewed by the Planning Commission and given preliminary approval by the City Council in September, 2017. Phases 1 and 2 were given final approval in May 2018, with construction occurring in 2018 and 2019. As currently proposed, the third phase will construct the cul-de-sac on the north side of Bountiful Blvd which was identified as the fourth and final phase of the original subdivision phasing plan. Rainey has not purchased the eastern-most portion of the Keller property which was originally indicated as the third phase of the development, and is thereby requesting the revised phasing plan.

Mr. Cheney discussed due to the grading which is required to construct the entrance to the cul-de-sac from Bountiful Blvd, access for Lot 301 will be limited to the eastern portion of the Bountiful Blvd side. Lot 308 should be restricted to access from the cul-de-sac to avoid conflicts with traffic on Bountiful Blvd. Access to the building pad on Lot 302 will be challenging because of the cut slope created by the grading required to construct the roadway.

Staff recommends the Planning Commission forward a positive recommendation for final approval of Phase 3 of the Stone Creek Estates Subdivision to the City Council with the following seven (7) conditions:

1. Complete redline corrections for minor issues on the plat, including the identification of building pad locations.
2. Provide a current title report.
3. Complete any minor redline corrections on the construction drawings.
4. Pay the Storm Water Impact Fee of \$2,100 per acre.
5. Prepare a SWPPP, obtain all necessary storm water permits, and post a storm water bond as required by City Ordinance.
6. Post the required Bond for the construction of public improvements and pay the fees as determined by the City Engineer.
7. Enter into a Development Improvement Agreement.

Mr. Cheney stated the set of plans has a correction from the Phase 4 numbering to Phase 3 numbering.

Mr. Johnston discussed the issue of the access for the properties that is needed for the completion of the new Phase 4. He has been working with the property owners and is trying to help facilitate a

needed easement. Rainey Homes still has the intent to donate land along the Stone Creek bed that will be dedicated to the City for additional trails use.

Commissioner Spratley made a motion to forward a recommendation to City Council of approval for the final Subdivision of Stone Creek Estates Phase 3 with the seven (7) conditions outlined by staff. Commissioner Bell seconded the motion.

Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson, and Spratley voting aye.

7. Consider forwarding a recommendation to the City Council – Renaissance Pad 16 (Lot 12) Final Architectural & Site Plan Review of a 30 unit building, located at 1771 S Renaissance Towne Drive, Bruce Broadhead/Brian Knowlton/Randy Beyer, applicant.

Bruce Broadhead and Brian Knowlton were present. Francisco Astorga presented the staff report.

The applicant has updated the landscaping and building façade material.

Staff recommends that the Planning Commission forward a positive recommendation to the City Council of the Renaissance Towne Centre Pad Site 16 (Lot 12) Final Architectural and Site Plan Review for the proposed 30 unit Multi-Family Residential development subject to the following condition:

1. Complete any and all redline corrections.

Commissioner Bell appreciated the attention for the revisions on the site plan on the placement of the walk ways, plaza area, landscaping and table and benches.

Commissioner Bell made a motion to forward a recommendation to City Council of approval for the Final Architectural & Site Plan Review of a 30 unit building, located at 1771 S Renaissance Towne Drive with the one (1) condition outlined by staff. Commissioner Jacobs seconded the motion.

Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson, and Spratley voting aye.

8. Consider approval in written form of a Conditional Use Permit for Cottages on Main - 22 single-family dwellings, located at 1295 N Main Street.

Commissioner Spratley made a motion to approve the written form for the Conditional Use Permit of Cottage on Main – 22 single-family dwellings, located at 1295 N Main St with the correction of the address. Commissioner Bell seconded the motion.

Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson and Spratley voting aye.

9. WORK SESSION – Potential changes to the standards of the Hospital Zone.

Commissioner Clark made a disclosure that he lives adjacent to the Hospital zone.

Curtis Poole showed a presentation to the Planning Commission members.

1. Discussed the current properties in the Hospital zone in Bountiful including the large number of vacant offices. Combined properties in the Hospital zone have approximately 1200 employees. The hospital has plans to expand both services and property.
2. Compared other cities that are equal in size to Bountiful, including Murray, Layton,
 - a. Murray is similar to Bountiful in size and population. The city does not have a separate hospital zone but has a commercial zone.
 - b. Logan has a regional hospital and has a hospital overlay.
 - c. Layton does not have a separate hospital zone. The city has a commercial zone and is based on a conditional use.
 - d. Provo has a health care zone and is smaller in size than Bountiful. The city does have a increase in height of buildings.
3. Discussed four (4) options for the current Bountiful Hospital zone.
 - a. No Changes
 - b. Keep the Hospital Zone Designation with no changes to boundaries. Change Uses and Standards with the zone. Add uses that would be compatible to the other businesses.
 - c. Eliminate the Hospital Zone Designation – this might increase the height approvals.
 - d. Combination of Option a and b – leaving the zone intact and allow the uses to remain as is with an overlay and would be able to entertain other options.

Commissioner Clark asked if staff knew why the medical offices have been moving outside of the Hospital zone. Mr. Poole stated the visibility and options available in the commercial zone. The Hospital zone is more restrictive with the type of businesses allowed in this zone.

Commissioner Jacobs discussed the amount of traffic needed in the Hospital zone is high. Before any changes are made to the code, the City should think about how these changes will affect any expansions to the current businesses. He would like to see more flexibility in this zone.

Councilwoman Harris stated the commercial zone has signage that is more visible than the Hospital zone.

Dr. Ward and Ms. Ward stated they about would like to see more of a professional zone which would give the zone more flexibility allowing professional businesses with possible restaurants. There is a signage limitation for the Hospital zone that is affecting the businesses leasing space. Currently there is more technology for the production of signs and the look of them.

Mr. Poole stated that any changes made for this zone can be made to the uses and/or standards.

Commission Bell wants the City to look at what this area should be in the future. Believes this zone has great opportunity and the City should make sure that we take the time for these changes. Maybe we should allow the market to dictate the flexibility of the business.

Mr. Astorga would like to propose that we move forward with an amendment to the signage for the

1 Hospital zone. This would allow staff the time to continue forward with the next step for the
2 designation and requirements for this zone. The Commission agreed with this course of action.
3

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

6 Mr. Astorga reported the next Planning Commission will be on July 7, 2020.
7

8
9 Chairman Monson ascertained there were no other items to discuss. The meeting was adjourned at
10 9:15 p.m.
11

12
13 _____
14 Sean Monson
15 Planning Commission Chairman

Planning Commission Staff Report

Subject: PUBLIC HEARING: Conditional Use Permit to allow for the building footprint of all Accessory Structures to exceed 10% and not to exceed 15% of the Lot.

Author: Curtis Poole, City Planner

Address: 329 East 1050 North

Date: July 7, 2020



Description of Request

The Applicants, Derk and Aneisa Phelps, request Conditional Use Permit approval to allow for the construction of a new detached garage, in addition to an existing playhouse, which would exceed ten percent (10%) of all accessory structures on the lot.

Background

The lot is located in the R-4 (Single Family Residential) Zone and is bordered on all sides by single-family zoning. Tolman Elementary is located to the immediate north of the Applicant's lot. The lot is 0.20 acres, or approximately 9,060 square feet. The home on the lot was built in 1957 without a garage. The Applicants have submitted a building permit to construct a detached garage measuring 980 square feet, which would be located behind their home.

Analysis

City Code permits the construction of accessory structures to be built on the property if they are less than ten percent (10%) of the total lot. If the proposed construction of accessory structures exceed ten percent (10%) a Conditional Use Permit is required; however, the lot coverage of all accessory structures combined cannot exceed fifteen percent (15%). The proposed garage plus the existing playhouse in the rear yard would total 1080 square feet or twelve percent (12%) of the total lot. There are two (2) existing sheds on the east of the lot which will be removed as part of the construction.

The Code further requires in single-family zones all structures, which include accessory structures and all impervious surfaces, shall not exceed sixty percent (60%) of the lot. The total coverage submitted by the Applicants (see Attachment 6) is 4,541 square feet or fifty percent (50%). This total lot coverage includes the proposed garage and extension of the driveway into the rear yard. In addition to the lot coverage, the Code sets the standard for landscaping in the single-family zones in particular the requirement to maintain a minimum of fifty percent (50%) landscaping in the rear yard. With the addition of the detached garage in the rear yard, the Applicants will continue to maintain the minimum fifty percent (50%) landscaping total.

After submitting the building permit, the Applicants were made aware of the Code requirements to build the detached garage and a couple of non-compliance issues on the lot by Staff. The first was in regards to a driveway expansion poured in the southeast corner of the lot. Code requires a minimum of five feet (5') from the side property line and a minimum of ten feet (10') from the front property line. The second issue was regarding the carport which is six feet (6') from the side property line. Setbacks for the side yard in the R-4 Zone are eight feet (8'). The Applicants have since applied for permits to alter both the driveway and carport to comply with the Code.

Existing City Code requires single-family residences to provide a minimum of at least four (4) parking spaces off the street, and further specifies that two (2) of those spaces "shall be located in a garage" (14-18-107, § A,7). The detached garaged proposed by the Applicants will allow them to be in compliance with this standard of the Code. It should also be noted in this neighborhood multiple detached garages, similar to the one proposed by the Applicants, have been constructed.

Department Review

This proposal has been reviewed by the Engineering, Power, and Planning Departments.

Recommended Action

Staff recommends the Planning Commission approve the Conditional Use Permit to allow for the construction of the detached garage for Derk and Aneisa Phelps subject to the following conditions:

1. All non-compliance issues listed in this staff report shall be completed prior to the issuance of a building permit.
2. Staff shall verify the combined square footage of all accessory structures on the lot do not exceed fifteen percent (15%) through the building permit process and site inspections during construction.

Attachments

1. Aerial Photo
2. Site Plan
3. Building Elevations
4. Conditional Use Permit Application
5. Applicant's Responses
6. Applicant's Measurements

Aerial Photo





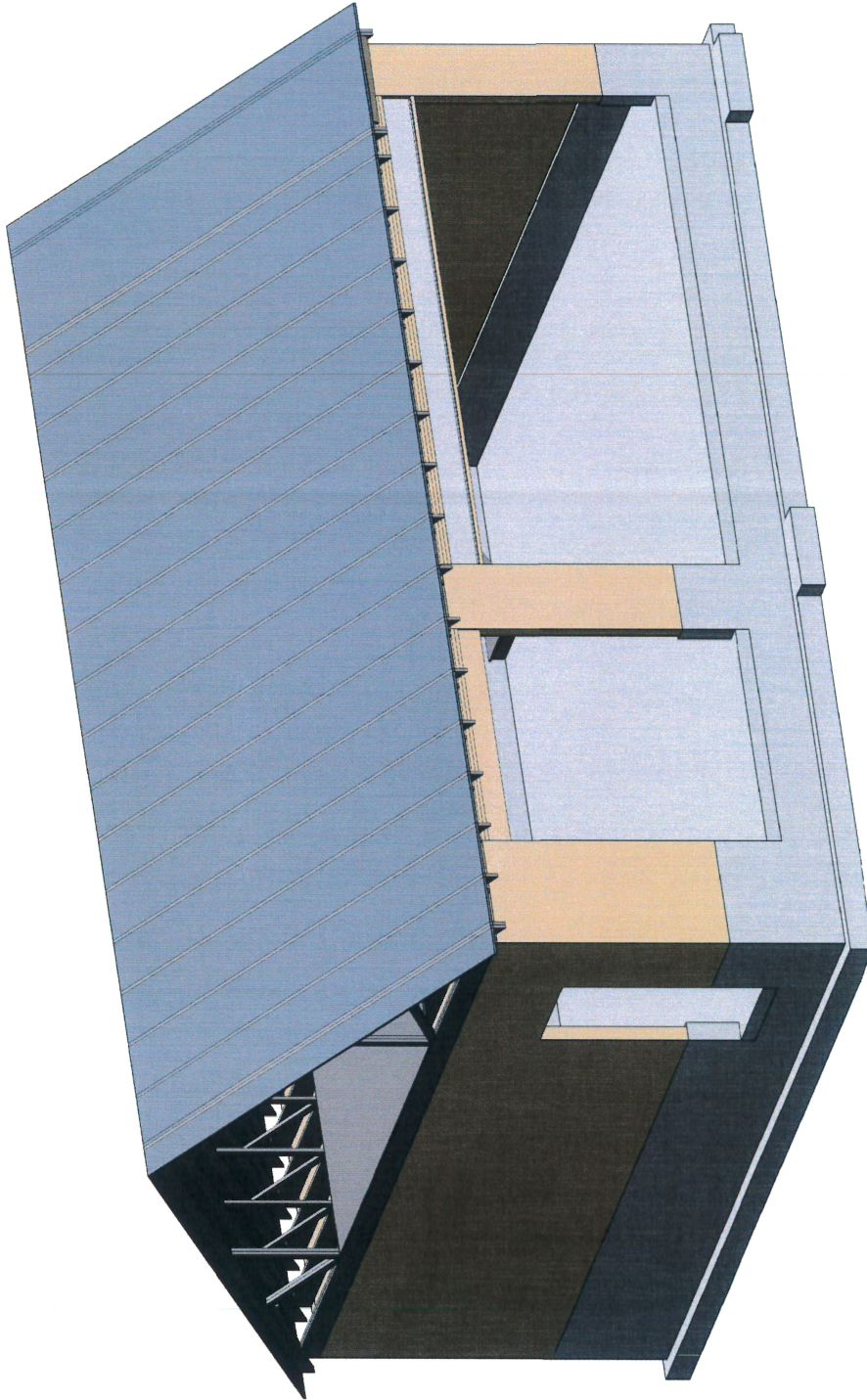
1 SITE PLAN
1" = 10'-0"

Site & Location Plan			
Project number	Project Number		S0.3
Date	Issue Date		
Drawn by	ADP		
Checked by	Checker		Scale 1" = 10'-0"

No.	Description	Date

PHELPS
NEW DETACHED GARAGE
329 E 1050 N
BOUNTIFUL, UT 84010

Stamp



1 3D View



Stamp

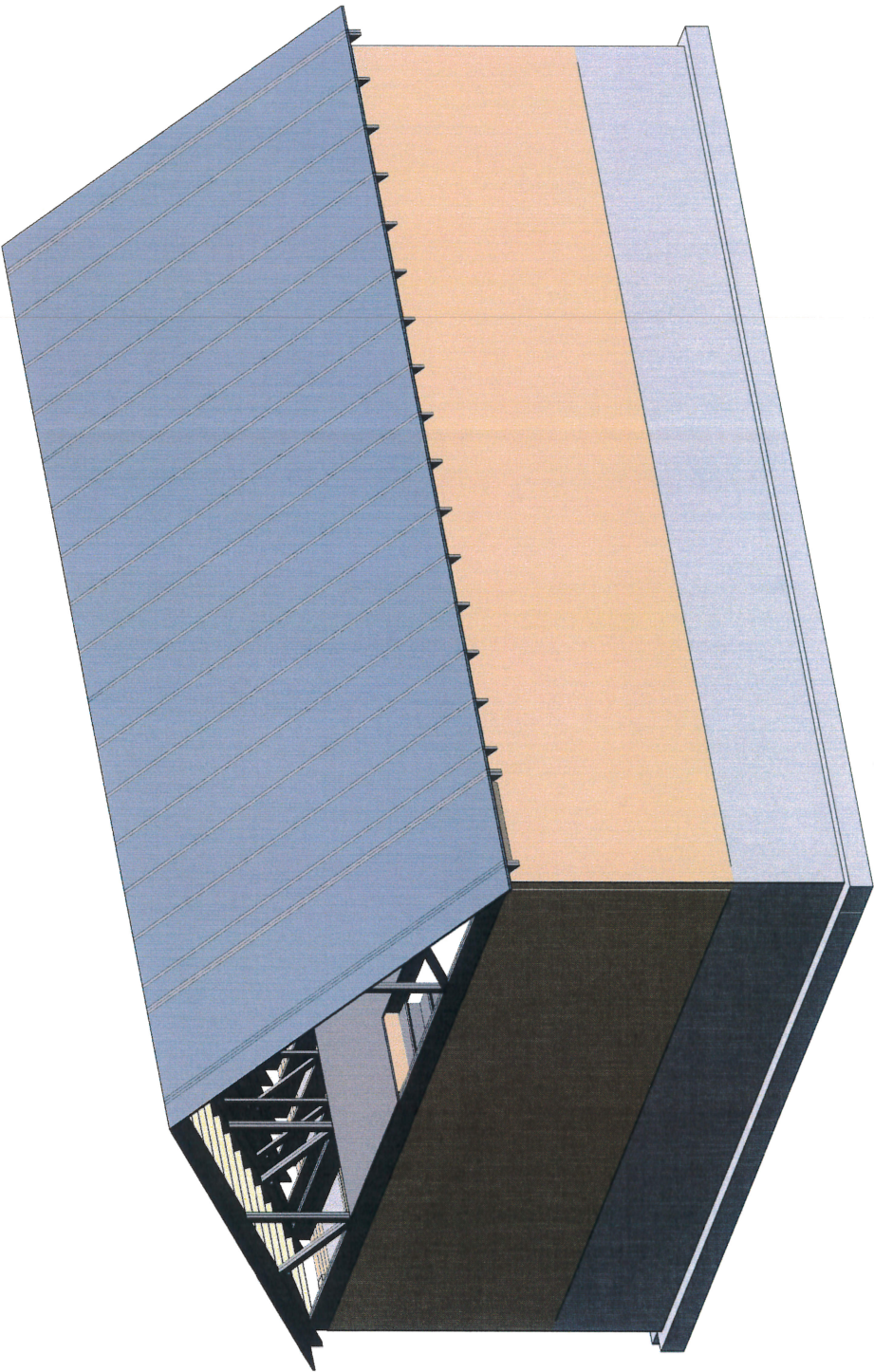
PHELPS
NEW DETACHED GARAGE
 329 E 1050 N
 BOUNTIFUL, UT 84010

No.	Description	Date

3D View - 1

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
	Scale

S0.4

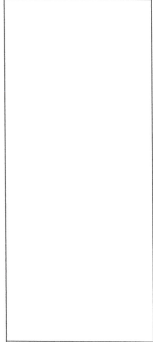


1 3D View -2

3D View -2			
Project number	Project Number	S0.5	
Date	Issue Date		
Drawn by	Author		
Checked by	Checker	Scale	

No.	Description	Date

PHELPS
NEW DETACHED GARAGE
329 E 1050 N
BOUNTIFUL, UT 84010



Attachment 4 - Conditional Use Permit Application



For Office Use Only

Date Rec'd 6-15-2020

Application \$ 250.00

Zone _____

20341

CONDITIONAL USE PERMIT APPLICATION

Date of Submittal: 15 June 2020
Property Address: 329 E 1050 N, Bountiful, UT 84010
Applicant Name: Derek & Aneisa Phelps
Applicant Address: 329 E 1050 N, Bountiful, UT 84010
Applicant Phone #: 801-641-7569, 801-708-1914
Applicant E-Mail: derekphelps@gmail.com
Authorization (Owner Signature): [Signature]
(If applicant is not owner, applicant must submit notarized authorization from all property owners)

Project Name and Description: Detached Garage

Committee

- ☐ Administrative Committee \$50.00 (application fee)
☐ Planning Commission \$250.00 (application fee)

- The Site Plan Review Committee will review complete applications prior to review by the Planning Commission.

Plans need to include:



Bountiful City will prepare labels and mail out the notice to all property owners within three hundred feet (300') of the subject property boundaries based on the most recent Davis County Tax Assessment records.

**The fee for the preparation and mailing of notices has been added to the application fee. Do not get labels from Davis County Records office, if you do, you will still be charged the entire fee on page 1.

**Items heard by the Administrative Committee do not require mailing labels.*



Plans needed for a site plan review , two (2) full sized, and one (1) 11x17 copy and one (1) .PDF file, of the proposed site plan drawn at 1:10 scale or as required by the City Engineer and City Planner. A site plan shall include:

- A north arrow, the scale of the drawing, and the date of the drawing.
- Street names and addresses.
- Property lines with dimensions.
- All sidewalks, driveways, curbs and gutter, and parking areas.
- All existing easements, rights-of-way, and any other restrictions on the use of the property.
- Existing buildings, proposed buildings, and other significant features on the site.
- Existing buildings and significant features located on adjacent properties within 50 feet (50') of the subject property boundaries
- When required by the City Planner or City Engineer, and for all new construction, a survey including both existing and proposed contours of the land at intervals of two feet (2') or better.



Typed responses to the following questions:

- How does your proposed project fit in with surrounding properties and uses?
- In what ways does the project not fit in with surrounding properties and uses?
- What will you do to mitigate the potential conflicts with surrounding properties and uses?

The application must be signed and notarized by each property owner or authorized agent(s).

Property Owners Affidavit

I (we) Derek & Anetisa Phelps, being first duly sworn, depose and say that I (we) am (are) the current owner(s) of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my (our) personal knowledge.

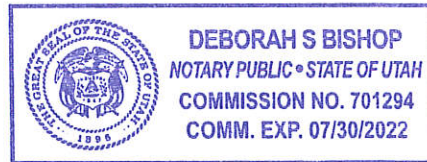
[Signature]
Owner's Signature

[Signature]
Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

Subscribed and sworn to before me this 13 day of JUNE, 2020.

Notary Public: Deborah S Bishop



Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Bountiful City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize the aforementioned agent to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

On the ____ day of _____, 20____, personally appeared before me _____ the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public: _____

June 12th 2020

Conditional Use Permit Questions and Answers

1. How does your proposed project fit in with surrounding properties and uses?

The proposed detached garage fits in well with the surrounding properties due to the fact that to the west there is an existing detached garage on the adjacent property. To the east there is also an existing detached garage along with two existing storage sheds on that neighbors property. To the north there is the playground of Toleman Elementary. To the south is our house.

2. In what ways does the project not fit in with the surrounding properties and uses ?

Due to the fact that there are already structures on the east and west sides that serve the same purposes as our proposed detached garage, there are minimal ways that our project would not fit in. There is the loss of play space for the neighborhood kids to play on.

3. What will you do to mitigate the potential conflicts with surrounding properties and uses?

We would, and presently do, communicate with our neighbors on the east and west in regard to our plans and solicit questions and concerns that they might have and work towards a solution to those questions and concerns should they arise.

An email was received by me on the 8th of June from the city planner outlining areas of concern and requirements to be met. The following is in reference to those concerns.

1-3: Detached garage size, lot coverage, and landscaping requirements are addressed through this CUP application and the attached dimensions of lot, lot coverage, and landscaping.

4: Nonconforming driveway: Driveway to be modified per drawing sent from the City Planner to make it compliant, see attached drawing.

5: Detached garage location in regards to overhead power lines: After consulting with the city building inspector and Luke at Bountiful power the building needs to be no closer than 12'6" from the nearest energized line. Per Lukes location of the nearest energized powerline being 26' 2" above and 5' horizontally from the property line towards our property the attached drawing satisfies that concern.

6: Carport Poles located 6' from the East property line, too close. A building permit application with appropriate supporting material was submitted on June 15, 2020 to address the carport support poles and also the non conforming driveway issue.

7: There are no sidewalks, roadways, or curb and gutter within 81 feet of the proposed detached garage.

It is our intention to have the carport and the driveway modifications completed before the July 7th planning commission meeting, pending the building permit approval.

Attachment 6 - Applicant's Measurements

Phelps Lot details

June 9, 2020

Total Sqft	9060
Total covered	4541.75

Backyard:

Total sqft	3256
Total Coverage	1359.5 with proposed garage
Total landscaped	1896.5
Req. landscape	1628

West side yard:

Total Sqft	1112 with deck
Total coverage	388 with deck
Total landscape	724
Req. landscape	556

Front yard:

Total sqft	2617
Total coverage	805.75
Total landscape	1848.75 Includes driveway modifications
Req. landscape	1308.5

Eastside:

Total Sqft	803.5
Total Coverage	803.5 Carport and pad
Total Landscape	0

House coverage	1185
----------------	------

Planning Commission Staff Report

Subject: Amended Preliminary and Final Architectural and Site Plan for Construction of a new Multi-Tenant Commercial Development
Author: Curtis Poole, City Planner
Address: 410 South 500 West
Date: July 7, 2020



Background

The Applicant, Wright Development Group, requests Amended Preliminary and Final Architectural and Site Plan approval for the construction of a new multi-tenant commercial development located at 410 South 500 West. The property is located within the C-G (General Commercial) Zone and is surrounded by commercial uses within Bountiful and West Bountiful cities.

The Planning Commission reviewed and forwarded a positive recommendation to the City Council for the Preliminary and Final Architectural and Site Plan at its November 19, 2019 meeting. The City Council reviewed the recommendation from the Commission and approved the Preliminary and Final Architectural and Site Plan at its January 28, 2020 meeting. The Applicant is requesting to amend the original application that was approved.

The property is located adjacent to the Daniel Wood Cemetery. The property is north of McDonald's, has a large retail complex to the west in West Bountiful City, a smaller retail complex directly to the north, with restaurants, commercial and recreational uses across 500 West to the east.

Analysis

The proposed development is located on 0.612 acres wrapping around Daniel Wood Cemetery. Access to the project will be via two (2) drive approaches on 500 West. There are currently two (2) approaches at this location; although the southern approach may need to be modified to meet the standards of the Code. The Applicant will need to receive construction permits from UDOT prior to altering any drive approaches along 500 West. UTA has also proposed a new bus stop at this location which is showing on the Applicant's site plan. A drive through window is being proposed on the south of the building with a drive lane which will wrap around the building on the west.

The original proposal submitted by the Applicant showed a total building square footage of 4,351 square feet, to be divided into a three (3) tenant complex. The amended proposal shows an increase to the total building square footage of 912 square feet for a total of 5,263 square feet. The building will remain a three (3) tenant commercial building.

The amended square footage of the building would require the Applicant to provide twenty-seven (27) parking stalls based upon the standards of the Code. The original proposal showed a total of twenty-three (23) parking stalls, and the amended proposal

shows the Applicant will provide the required twenty-seven (27) stalls, which include two handicap accessible stalls. As the property develops and tenants change in the future, parking requirements will be reviewed and approved prior to obtaining a business license to ensure compliance to the parking standards of the Code.

The original landscaping plan showed a total of 5,485 square feet of landscaping that covered twenty percent (20%) of the property, which exceeded the fifteen percent (15%) required by Code. The amended landscape plan shows the Applicant has reduced the landscaping to 5,048 square feet or nineteen percent (19%) of the property. The purpose for the reduction is to accommodate the additional parking required for the site. The amended site plan shows the Applicant has reduced the west and north setbacks and relocated the dumpster location to provide the additional parking.

The Applicant is requesting relief from the rear (west) and side (north) yard setbacks to make these modifications to parking. The Code permits the Land Use Authority to grant the relief if it “determines that there is no need for a landscape buffer along that portion of the site, and that the public interest is better served by reducing the setback” (14-6-105). The Applicant is proposing an additional landscape buffer between the development and Daniel Wood Cemetery, including outdoor seating and an additional tree to enhance the development.

The original rendering and building materials submitted by the Applicant have not changed with the amended proposal. The building will be a mix of metal siding and CMU with composite decking material trim elements. Color renderings have been attached to this report. Signage for the development will be approved under a separate permit by Staff prior to Tenant installation.

Bountiful Power is requesting a ten foot (10') easement along the west property line and a seven foot (7') easement along the south property line. The location of the easement will limit trees in the landscaped areas of the easement, especially in the northwest corner of the parcel. The existing site has a storm drain detention system which will be utilized for the new development. Culinary water service is provided to the site by West Bountiful City, and the existing sewer service will be used for the new building.

Department Review

This amended proposal has been reviewed by the Engineering, Power, and Planning Departments and by the Fire Marshall.

Significant Impacts

The development is occurring in an area with urban levels of infrastructure already in place. Impacts from the development of this property have been anticipated in the design of the existing storm water, sewer, culinary water and transportation system. The Applicant will need to receive construction permits from UDOT prior to any improvements made in the right-of-way.

Recommended Action

Staff recommends that the Planning Commission forward to the City Council a recommendation of approval for the Amended Preliminary and Final Architectural and Site Plan for the proposed Multi-Tenant Commercial Development subject to the following conditions:

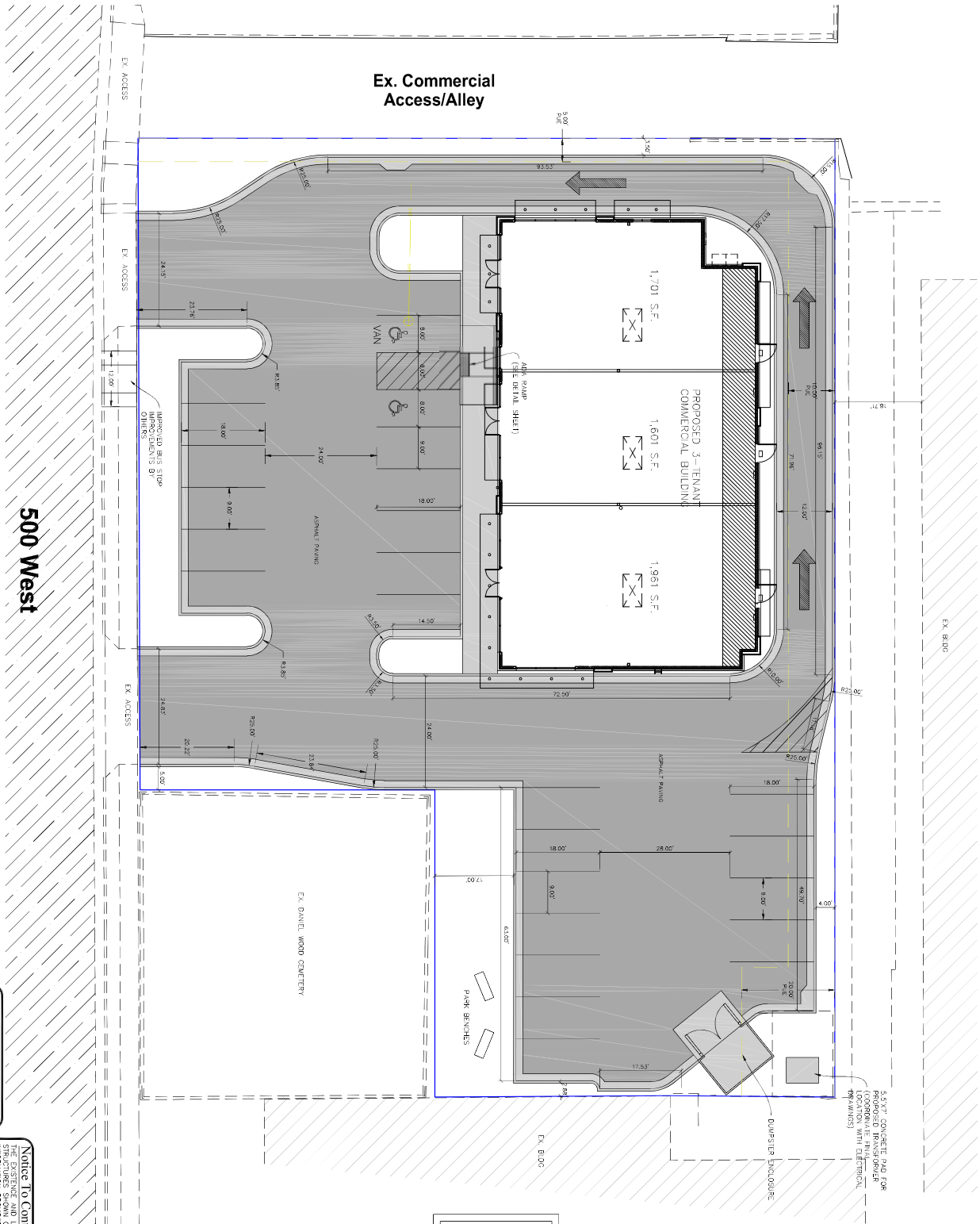
1. Complete any and all redline corrections.
2. Record utility easements of seven feet (7') on the south and ten feet (10') on the north of the parcel.
3. All damaged curb, gutter and sidewalk along 500 West shall be replaced.
4. The Applicant shall receive construction permits from UDOT prior to applying for a building permit.
5. Each Tenant shall apply separately for signage meeting the standards of the Code.
6. Pay fees and post an acceptable bond in the amount determined by the City Engineer.
7. Sign a Public Improvement Development Agreement.

Attachments

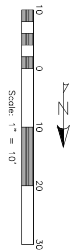
1. Aerial photo
2. Site and Utility Plans
 - a. Amended
 - b. Original
3. Building Renderings and Elevations
4. Landscaping Plan
 - a. Amended
 - b. Original
5. Applicant Setback Relief Request Letter

Aerial Photo





Site Information	
SITE AREA:	0.81 ACRES
BUILDING AREA:	5,263 SF - 19,856 SF
DRIVEWAY AREA:	1,110 SF
HARD SURFACE AREA:	16,242 SF - 81,226 SF
TOTAL PARKING:	27 STALLS - 2 ADA STALLS



Notice to Contractors:
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR OBSTRUCTIONS ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE INFORMATION PROVIDED BY THE SURRENDER OF CITY PROVIDED DOCUMENTS, THE LOCATIONS SHOWN, ARE APPROXIMATE AND SHALL BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND OBSTRUCTIONS PRIOR TO ANY EXCAVATION. ANY DAMAGE TO UTILITIES OR OBSTRUCTIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR IMPLEMENTING ANY PRECAUTIONARY MEASURES TO PROTECT ANY UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS.

SHEET
4
1
SHEETS

PROJECT INFO:
Project: 1. West
Date: 1.1.2020
Drawn: [Signature]
Check: [Signature]

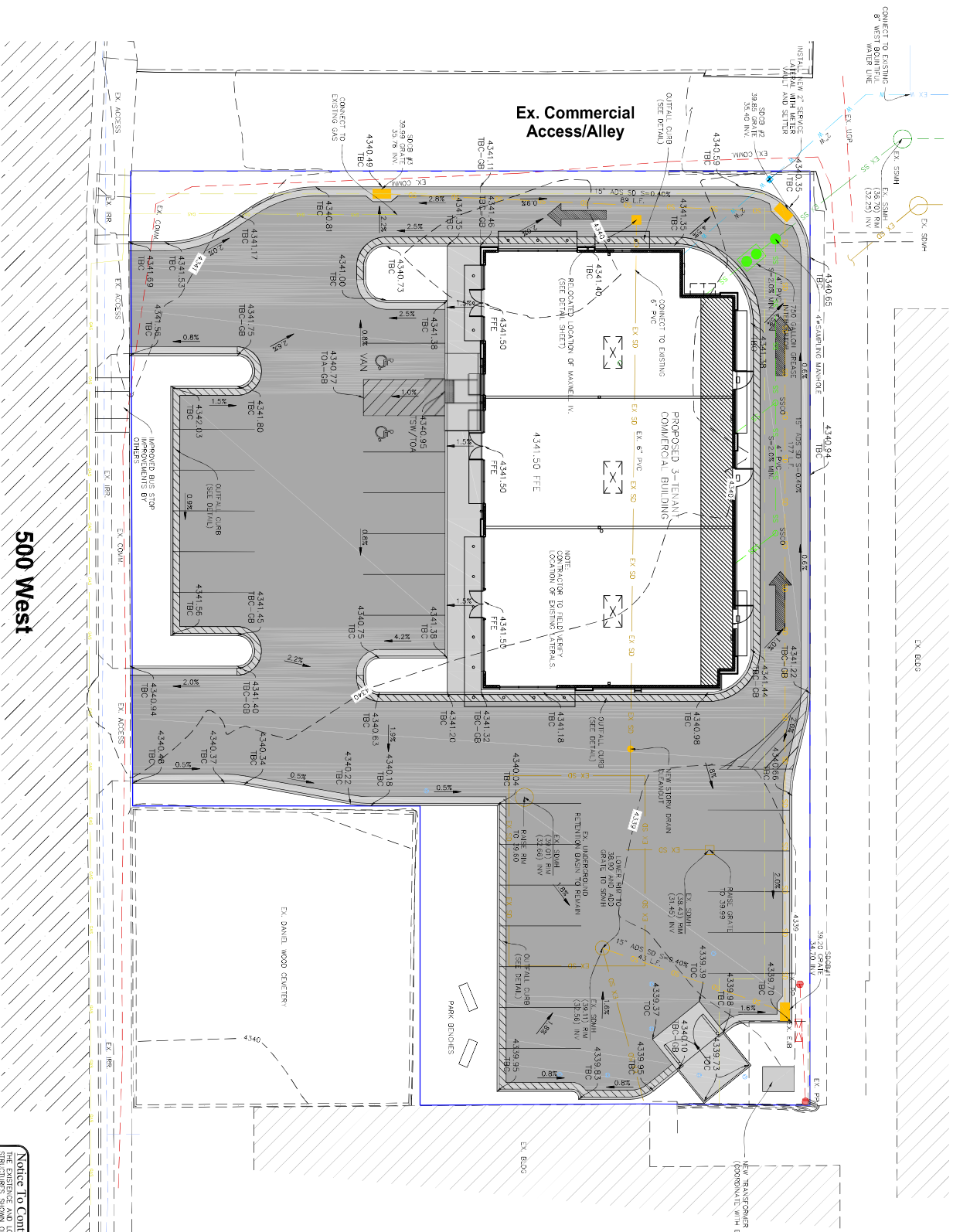


Revisions

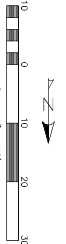
Site Plan

Daniel Wood Square
410 S 500 W
Bountiful, UT

HUNT ENGINEERING, LLC
HUNT ENGINEERING, LLC
579 West Applewood Dr.
Centerville, UT 84014
C. 801.654.4724
thomas.hunt@hunteng.com



Notice to Contractors:
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THIS PLAN ARE APPROXIMATE AND SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ANY UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS.



SHEET	1
SHEETS	5

PROJECT INFO.
Project: 1. 4000
Date: 6/17/2020
Drawn: [Signature]



REVISIONS

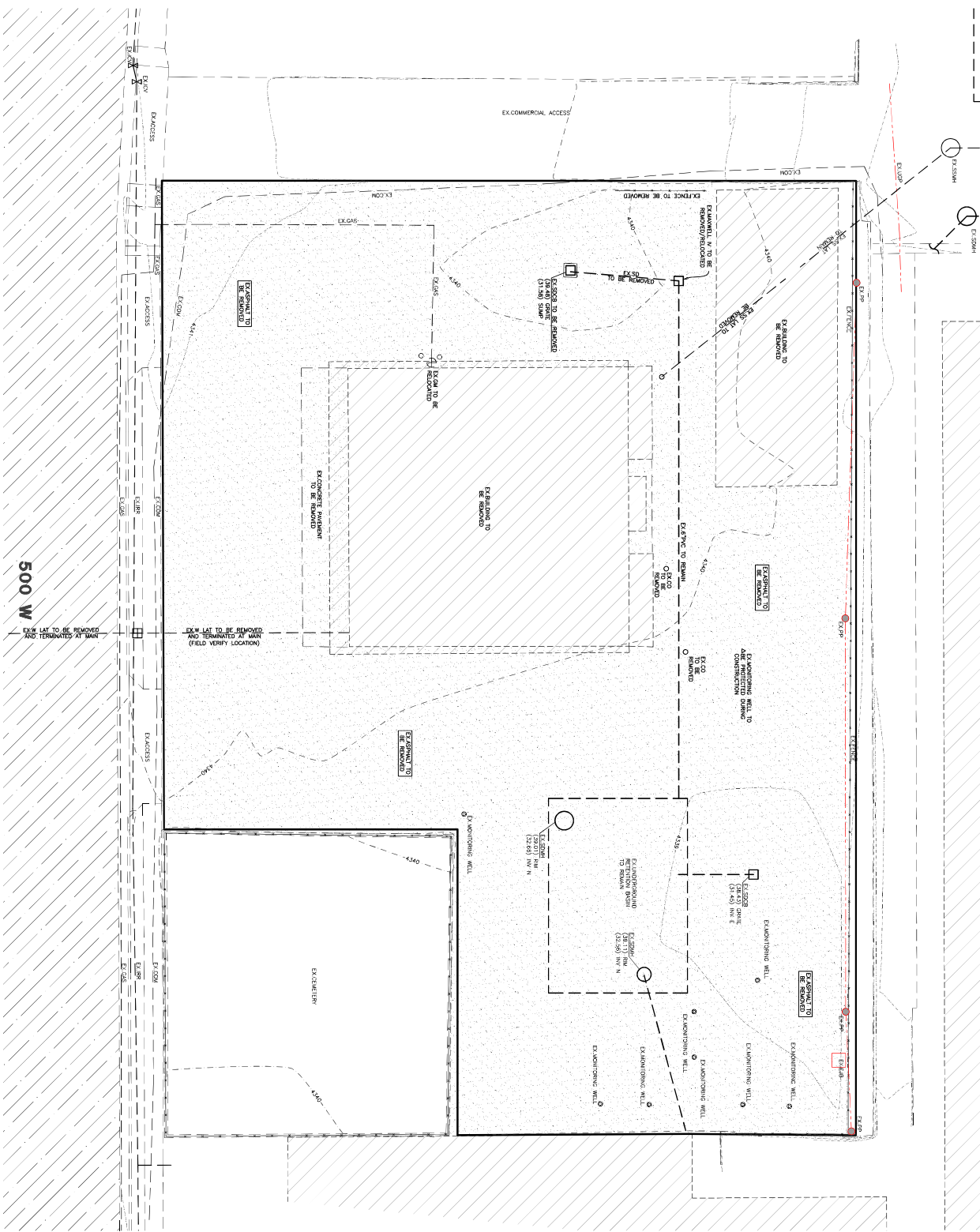
Grading & Utility Plan

Daniel Wood Square
410 S 500 W
Bountiful, UT

HUNT ENGINEERING, LLC
579 West Applewood Dr.
Centerville, UT 84014
C. 801.844.4724
thomas.hunt@hunt-engineering.com



500 W



Reeve & Associates, Inc. - Solutions You Can Build On



Project Info	
Order:	J. W.
Design Date:	06/19/19
Drawn By:	J. W.
Checked By:	J. W.
Multi-tenant	BOUNTIFUL CITY
Number:	66777



Multi-Tenant Commercial
410 S 500 W
BOUNTIFUL CITY, DAVIS COUNTY, UTAH

July 2020 Bountiful City Planning Commission Packet
Existing & Demolition Plan

REVISIONS	
DATE	DESCRIPTION

**Reeve & Associates, Inc.**

1500 SOUTH 1500 WEST, HAYWARD, UTAH 84042
TEL: (801) 621-2100 FAX: (801) 621-2000 www.reeve-assoc.com
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5100 SOUTH 1500 WEST, HAYWARD, UTAH 84042, AND SHALL NOT BE PHOTOGRAPHED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS ON THE DESK THEREON WITHOUT THEIR CONSENT.

Reeve & Associates, Inc. - Solutions You Can Build On



1

TENANT COMMERCIAL

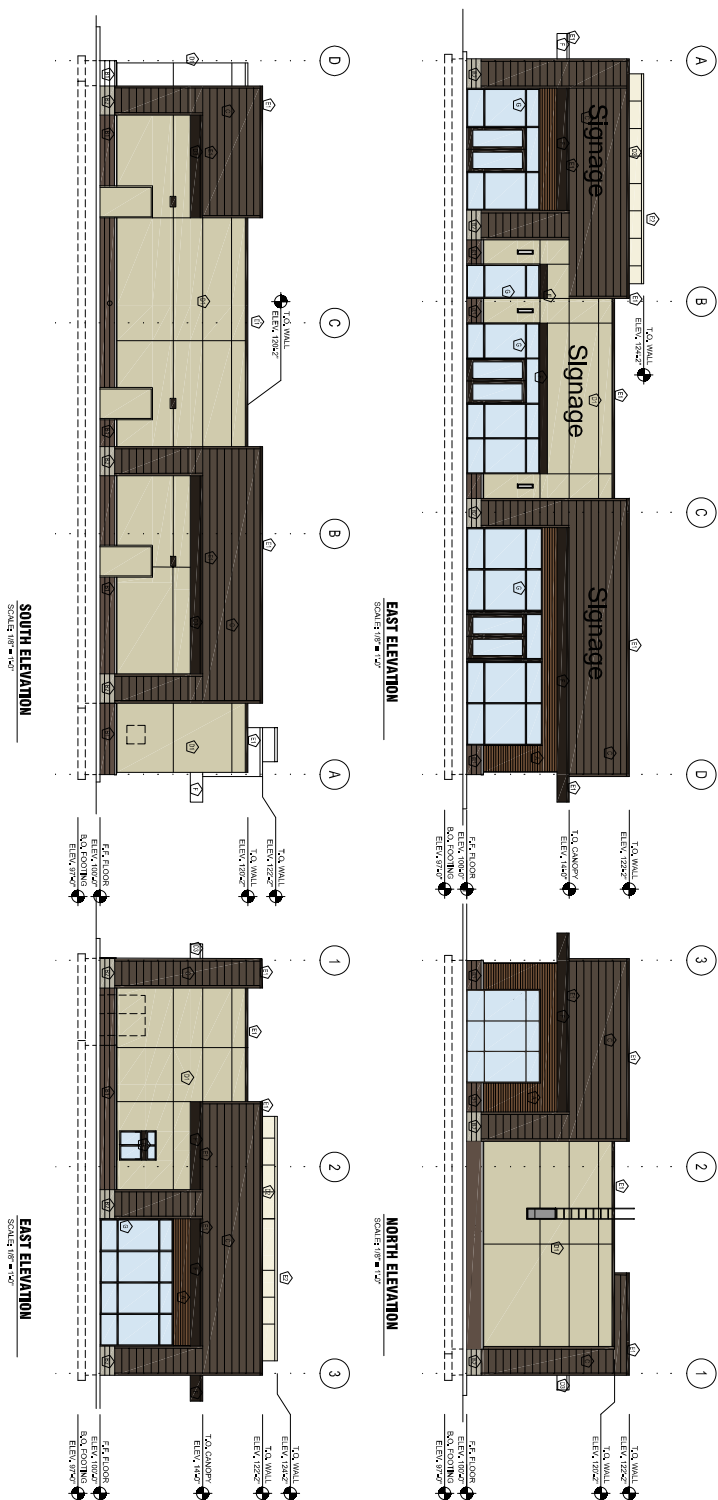
EX. CEMETERY

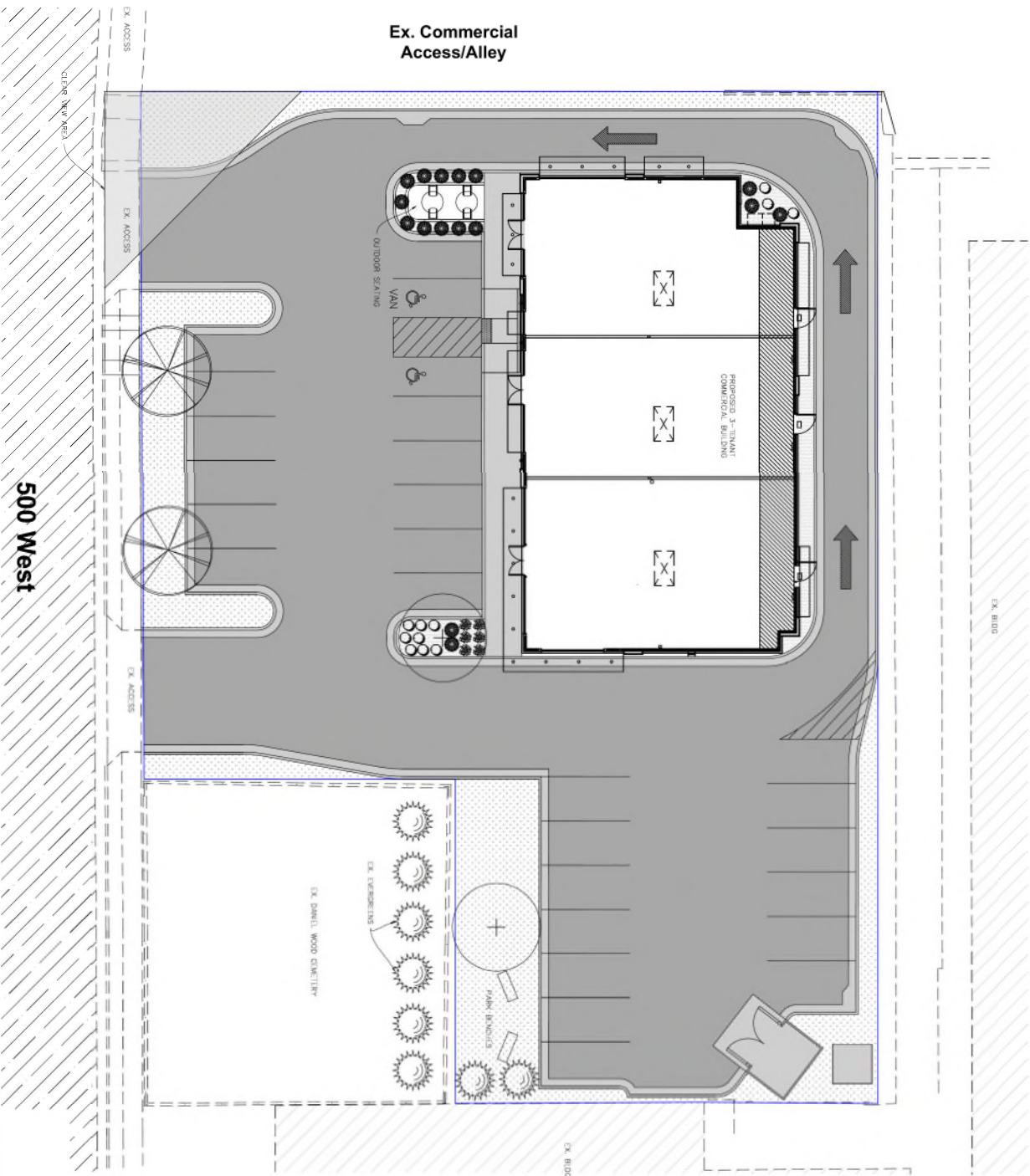
8'x8' CONCRETE PAD FOR
PROPOSED TRANSFORMER
(COORDINATE FINAL
LOCATION WITH
ELECTRICAL DRAWINGS)

REVISIONS	
DATE	DESCRIPTION

July 6, 2020 Bountiful City Planning Commission Packet

RA **Reeve & Associates Inc.**
 1100 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
 TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assocs.com

[illegible]



PLANTLIST

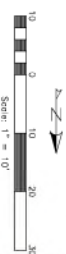
Quantity	Symbol	Scientific Name	Common Name	Planting Size
2	Circle with cross	Malpighia glabra	Malpighia glabra	2" x 4"
2	Circle with cross	Stachytarpheta jamaicensis	Stachytarpheta jamaicensis	2" x 4"
2	Circle with cross	Stachytarpheta jamaicensis	Stachytarpheta jamaicensis	2" x 4"

Quantity	Symbol	Scientific Name	Common Name	Planting Size
14	Circle with cross	Stachytarpheta jamaicensis	Stachytarpheta jamaicensis	2" x 4"

Quantity	Symbol	Scientific Name	Common Name	Planting Size
14	Circle with cross	Stachytarpheta jamaicensis	Stachytarpheta jamaicensis	2" x 4"

PLANTING NOTES

1. THIS PLANTING PLAN IS AN EXHIBIT AND IS NOT TO BE USED IN ISOLATION. IT IS TO BE USED IN CONJUNCTION WITH THE LANDSCAPE ARCHITECT'S SITE PLAN AND THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CITY OF BOUNTIFUL'S PLANTING SPECIFICATIONS.



Notice to Contractors:
THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR OBSTRUCTIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL UTILITIES AND OBSTRUCTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL PLANTING.

SHEET 10 OF 10 SHEETS

PROJECT INFO
Owner: 1. 0000
Site: 1. 0000
Date: 1. 0000

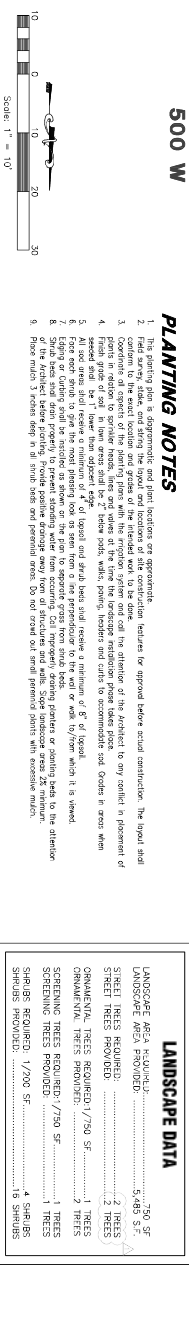


Revisions
1. 0000
2. 0000
3. 0000

Landscape Plan

Daniel Wood Square
410 S 500 W
Bountiful, UT

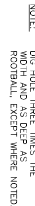
HUNT ENGINEERING, LLC
HUNT ENGINEERING, LLC
579 West Applewood Dr.
Centerville, UT 84014
C. 801.644.4724
thomas.hunt@huntengr.com



TREES					
Quantity	Symbol	Scientific Name	Common Name		Planting Size
2		Ginkgo biloba "Pinelawn Sherry"	Pinelawn Sherry Ginkgo		2" co.
2		Geddisa tricolouris "Doves"	Street Keeper Horvocalist		2" col.
1		Pinus nigra	Australian Pine		6' Ht.

SHRUBS				
Quantity	Symbol	Scientific Name	Common Name	Potting Size
3		Nerium indicum	Heavily Branched	5 gal
8		Viburnum opulus coccineum	Dwarf European Cranberry	5 gal
PERENNIALS				
Quantity	Symbol	Scientific Name	Common Name	Potting Size
12		Iris sibirica 'Stella de Oro'	Siberia de Oro Daylily	1 gal
17		Crocus spheeris 'Regius Summer'	Regius Summer	1 gal
15		Clematis integrifolia	Blood Clematis	1 gal

 Turf Grass - Sod - Poa pratensis (3 Varieties Min.), Kentucky Bluegrass Mix



NTS



NTS



NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS FOOTBALL, EXCEPT WHERE NOTED.

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5100 SOUTH 1500 WEST, MINNEAPOLIS, UMN 55410, AND SHALL NOT BE REPRODUCED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

REVISIONS	
DATE	DESCRIPTION
10-22-19	City Comments



**Reeve
& Associates Inc.**
Paving the Way

5100 SOUTH 1520 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS

Attachment 5 - Applicant Setback Relief Letter

Bountiful City
Attn. Francisco Astorga
790 S 100 East
Bountiful, Utah 84010

RE: Side and rear yard landscape buffer reduction within the CH- zone

Dear Bountiful City staff-

Please accept this letter as Wright Development Group's (WDG) formal request to reduce the side and rear yard landscape buffer for our site located at 410 South 500 West in Bountiful as part of our site plan application. The Bountiful city council has the approval rights to provide relief of this requirement as per Section 14-6-105 of the Bountiful City Municipal Code,

"An interior side or rear yard setback may be reduced during the site plan approval process if the land use authority determines that there is no need for a landscape buffer along that portion of the site, and that the public interest is better served by reducing the setback. However, no setback may be less than required by the International Building Code."

Since the WDG site is an irregular L-shape and smaller parcel, the reduction of the landscape buffer is essential to our layout. As an exchange, any loss of required "landscape buffer area" will be relocated to the western edge of the cemetery to create a small pocket park with vegetation and outdoor seating to create useable open space. The semi-private area will create a cohesive transition from the cemetery to the retail use for customers to enjoy using similar landscaping. The overall site contains extra landscaping, and other outdoor features to enhance the surrounding area.

There are similar retail sites located within the Highway Commercial zone that have reduced rear and/or side yard landscaping buffer and/or setback requirements. Some of these retailers include the following: Kentucky Fried Chicken, Bountiful Dry Cleaners, Arby's, EOS, Taco Bell, Firestone Complete Auto, Flower Patch, China Star Restaurant, Woklin Chinese Restaurant, Betos, Chuck-a-Rama, Bountiful Bowl, and other retail sites.

Our site layout is in full conformance with all code requirements within the CH zone including parking, architecture, landscape, open space, exterior lighting, and etc. We are excited to move forward on the development of this site, and feel that it will be a great asset to Bountiful City.

Sincerely,

Leslie M Mascaro
Wright Development Group

Planning Commission Staff

Subject: Proposed Amendments to the Land Use Ordinance (Code)
Applicant: Bountiful City
Author: Kendal Black, Assistant Planner
Date: July 2, 2020



Description of Request

Consideration of sign code text amendments for the Hospital Zone

Background and Analysis

The current Bountiful City Code is a mixture of historical codes and also revisions that may have been taken from other municipalities, which seemed to work for Bountiful at one time. From time to time it is necessary to amend City Code to address a change in circumstances within a particular zone.

The amendments suggested are to provide businesses in the Hospital (H) and Professional Office (PO) zones the opportunity to have the same advertising capability as the General Commercial (C-G) zone and to clear up some ambiguity. The Hospital (H) and Professional Office (PO) zones have many large parcels with long street frontages but are currently limited to smaller signs than the General Commercial (C-G) zones by the current Bountiful City Code. This, in turn, limits the size of the signs they can utilize for advertising, creating an unfair advantage for the General Commercial (C-G) zone, creating an exodus from the Hospital (H) zone to the General Commercial (C-G) zone, and leaving many properties in the Hospital (H) zone vacant. Seeing this as an issue that will not remedy itself, the Planning Department, with direction derived from discussions with the Planning Commission on June 2, 2020, has decided to take action to provide additional advertising capabilities for the Hospital (H), Professional Office (PO), and General Commercial (C-G) zones. The proposed amendments include the following:

- Allowing Freestanding or Pole Signs that were expressly prohibited previously
- Allowing Wall Signs to be up to twenty percent (20%) of the primary façade of the building with three (3) additional facades of up to 5% each of those facades (previously limited to a max of sixty-four (64) square feet)
- Allowing the ability to have Projecting Signs that were previously not allowed
- Allowing Window Signs which were previously not allowed
- Allowing Menu Boards (for businesses with a drive-through, such as a pharmacy) which were previously not allowed
- Cleaning up the text for On-Premise Development Identification Signs to have the same format as the rest of the Sign Code section

Department Review

The proposed Land Use Code text amendments have been reviewed by the Planning Director and the City Attorney.

Significant Impacts

Staff does not identify any significant impacts with the proposed Land Use Code text amendments.

Recommendation

Staff recommends that the Planning Commission review the proposed Land Use Code text amendments, hold a public hearing, and consider forwarding a positive recommendation based on the findings drafted on the attached proposed Ordinance.

Attachments

- A. Current Ordinance and text Amendment with edits shown
- B. Clean copy of Proposed Ordinance and text Amendment after edits
- C. Map of Hospital (H) Zone Street Frontages by Linear Foot
- D. Map of Hospital (H) Zone with Measurements of Street Frontages
- E. Zoomed in version of Hospital (H) Zone map with Measurements

Attachment A

CHAPTER 19 SIGN REGULATIONS

14-19-111 SIGNS PERMITTED IN PROFESSIONAL OFFICE (P-O) AND HOSPITAL (H) ZONES

A. The following sign types are permitted in Professional Office (P-O) and Hospital (H) Zones with a permit:

1. Signs allowed. Each lot or parcel shall be allowed a permit for one (1) monument sign per street frontage, and any wall and accessory signs as permitted.
2. Monument Sign. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. Minimum one hundred (100) linear feet of street frontage for pole signs.
 - b. Maximum height of fifteen (15) feet.
 - c. Minimum ground clearance of eight (8) feet from street grade to bottom of sign.
 - d. Minimum setback of five (5) feet from any public right-of-way or any property line.
 - e. Maximum pole width of two (2) feet.
 - f. Minimum setback of ten (10) feet from any residential use or zone.
 - g. Signs shall be engineered to withstand one hundred (100) mph wind loads.
 - h. Sign structure, excluding pole and base, shall not exceed sixty four (64) sq. ft. for each side of a double faced sign, or sixty four (64) sq ft total sign area on multi-faced signs.
3. ~~Freestanding or Pole Sign.~~ A pole sign or other free-standing sign shall be ~~expressly prohibited.~~
4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the primary facade of the building. Secondary signs allowed on three (3) additional facades not to exceed five percent (5%) of those facades.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof.
 - c. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
4. ~~Wall signs.~~ ~~Sign area of up to ten percent (10%) of the primary facade with a maximum of sixty-four (64) square feet, with secondary signs allowed on two (2) additional faces not to exceed five percent (5%) of that wall surface with a maximum of thirty-two (32) square feet. No sign shall extend above the roof line of the building. Sign permit required.~~
5. ~~5.~~ Canopy or awning signs. Sign copy, including logo, shall not exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less. No flashing or intermittent illumination permitted. Awning signs shall be considered wall signs for area calculation and location purposes..
6. Projecting signs. Projecting signs shall meet the following requirements:

- a. Project not more than two (2) feet from the face of a wall and shall not project over any public right of way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.
 - 6-c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
- 7. Changeable copy signs. Any changeable copy sign is expressly prohibited except on parcels of ground three (3) acres or larger within the Hospital (H) zone. Where permitted, one (1) changeable copy sign, not to exceed thirty-two (32) square feet, shall be allowed along each frontage of one hundred (100) linear feet or greater.
- 8. Window Signs. Window signs shall meet the following requirements:
 - a. Window signs which are intended to be visible from the public right-of-way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five (25%) of the entire surface area of a group of windows and.
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface. No sign permit required. All window signs will be counted as part of the total allowed sign area for wall signs.
- 9. Menu Boards. Menu boards shall meet the following requirements:
 - a. For drive-throughs, they shall be reviewed and approved by the Planning Department. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
 - b. Only two (2) menu boards are allowed per site and must be located outside of the front landscaped setback area.
 - c. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
- 10. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
 - a. Each lot or parcel of commercial or industrial property shall have no more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review.
 - c. The sign shall be removed before final inspection or before permanent signs are installed.
 - d. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
 - Less than two (2) acres: Sixty four (64) square feet
 - Two (2) acres or larger: One hundred twenty eight (128) square feet

8. ~~Each lot or parcel of commercial or industrial property shall have no more than one (1) sign per public or private street frontage identifying future site development. The sign shall not be erected before the proposed development has been submitted for site plan review and must be removed before final inspection or before permanent signs are installed. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:~~

 - ~~9.~~
 - ~~10. Less than Two (2) acres: Sixty four (64) square feet.~~
 - ~~11. Two (2) acres or larger: One hundred twenty eight (128) square feet.~~

B. Other Approvals.

1. Any site plan application for a new multi-tenant center or building shall include a proposal for all on-premises signs.
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

Attachment B

CHAPTER 19 SIGN REGULATIONS

14-19-111 SIGNS PERMITTED IN PROFESSIONAL OFFICE (P-O) AND HOSPITAL (H) ZONES

- A. The following sign types are permitted in Professional Office (P-O) and Hospital (H) Zones with a permit:
1. Signs allowed. Each lot or parcel shall be allowed a permit for one (1) monument sign per street frontage, and any wall and accessory signs as permitted.
 2. Monument Sign. A lot or parcel with less than one hundred (100) linear feet of frontage shall be allowed one (1) monument sign of up to thirty-two (32) square feet with a maximum height of four (4) feet. A lot or parcel with one hundred (100) linear feet of frontage or greater shall be allowed one monument sign of up to sixty-four (64) square feet with a maximum height of six (6) feet, or two (2) monument signs of up to thirty-two (32) square feet each with a maximum height of four (4) feet. Such sign shall be located at least five (5) feet from any property line, in an area of landscaping equal or greater than the area of the sign, and on a landscaped berm not to exceed two (2) feet in height as measured at the adjacent sidewalk or top back of curb.
 3. Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:
 - a. Minimum one hundred (100) linear feet of street frontage for pole signs.
 - b. Maximum height of fifteen (15) feet.
 - c. Minimum ground clearance of eight (8) feet from street grade to bottom of sign.
 - d. Minimum setback of five (5) feet from any public right-of-way or any property line.
 - e. Maximum pole width of two (2) feet.
 - f. Minimum setback of ten (10) feet from any residential use or zone.
 - g. Signs shall be engineered to withstand one hundred (100) mph wind loads.
 - h. Sign structure, excluding pole and base, shall not exceed sixty four (64) sq. ft. for each side of a double faced sign, or sixty four (64) sq ft total sign area on multi-faced signs.
 4. Wall signs. Wall signs shall meet the following requirements:
 - a. Maximum sign area of twenty percent (20%) of the primary facade of the building. Secondary signs allowed on three (3) additional facades not to exceed five percent (5%) of those facades.
 - b. No sign, nor part of any sign, shall extend more than two (2) feet above the highest point of a flat roof or mansard roof.
 - c. Corner parcels may have a maximum of twenty percent (20%) sign area on both facades facing a public street.
 5. Canopy or awning signs. Sign copy, including logo, shall not exceed twelve (12) square feet or fifty percent (50%) of awning face area whichever is less. No flashing or intermittent illumination permitted. Awning signs shall be considered wall signs for area calculation and location purposes.
 6. Projecting signs. Projecting signs shall meet the following requirements:
 - a. Project not more than two (2) feet from the face of a wall and shall not project over any public right of way.
 - b. Mounted no higher than fifteen (15) feet above the finished grade and allow no less than ten (10) feet of clearance between the bottom of the sign and the finished grade.

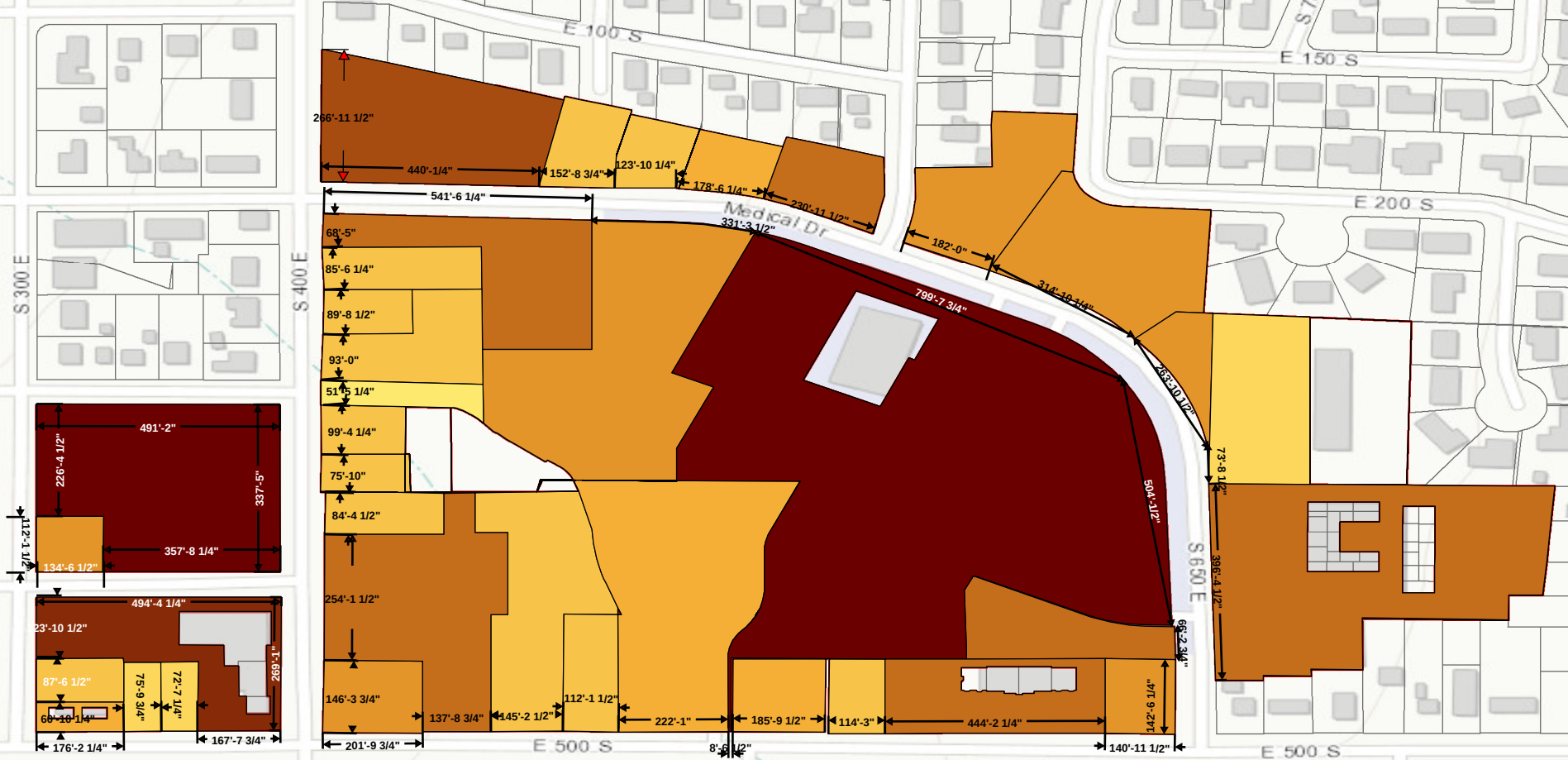
- c. The area of the sign shall be included in the total square footage allowed for flat and wall signs on the side of the building on which it is mounted.
- 7. Changeable copy signs. Any changeable copy sign is expressly prohibited except on parcels of ground three (3) acres or larger within the Hospital (H) zone. Where permitted, one (1) changeable copy sign, not to exceed thirty-two (32) square feet, shall be allowed along each frontage of one hundred (100) linear feet or greater.
- 8. Window Signs. Window signs shall meet the following requirements:
 - a. Window signs which are intended to be visible from the public right-of- way and are painted on or temporarily affixed to the window surface shall cover no more than twenty five (25%) of the entire surface area of a group of windows and,
 - b. Shall not be affixed as to block clear view of exits or entrances or to create a safety hazard.
 - c. This applies also to inside illuminated signs (e.g., neon, etc.) which are within 18 inches of the window surface. No sign permit required. All window signs will be counted as part of the total allowed sign area for wall signs.
- 9. Menu Boards. Menu boards shall meet the following requirements:
 - a. For drive-throughs, they shall be reviewed and approved by the Planning Department. The following shall apply although the Planning Commission may approve them at different locations depending upon circumstances:
 - b. Only two (2) menu boards are allowed per site and must be located outside of the front landscaped setback area.
 - c. Maximum area shall not exceed sixty-four (64) square feet per sign and eight (8) feet in height.
- 10. On-Premises Development Identification Signs. On-premises development identification signs shall meet the following requirements:
 - a. Each lot or parcel of commercial or industrial property shall have no more than one (1) sign per public or private street frontage identifying future site development.
 - b. The sign shall not be erected before the proposed development has been submitted for site plan review.
 - c. The sign shall be removed before final inspection or before permanent signs are installed.
 - d. The sign shall not exceed fifteen (15) feet in height, and the maximum size shall be determined by the lot or parcel size as follows:
 - Less than two (2) acres: Sixty four (64) square feet
 - Two (2) acres or larger: One hundred twenty eight (128) square feet

B. Other Approvals.

- 1. Any site plan application for a new multi-tenant center or building shall include a proposal for all on-premises signs.

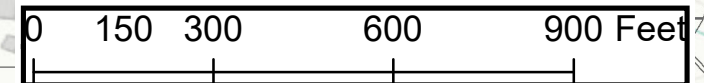
2. In cases with parcels of land of five (5) acres or larger, and with frontage of three hundred (300) feet or more, a proposal for the overall design and placement of all on-premises signs shall be submitted. Such signs may vary from the regulations set forth herein and shall be considered as a conditional use for existing projects, or as a condition of site plan approval for new projects. This provision does not grant the applicant any expectation of approval of any sign that differs from the requirements of this Title; rather it allows the City the ability to approve signing schemes appropriate to the scale and impact of a project. The approving body must determine that the proposed sign exceptions are not in conflict with the purpose and intent of this Chapter, are in harmony with the general plan and surrounding development, and are appropriate to the scale and impact of the project.

All Street Frontage by Parcel (Hospital Zone)

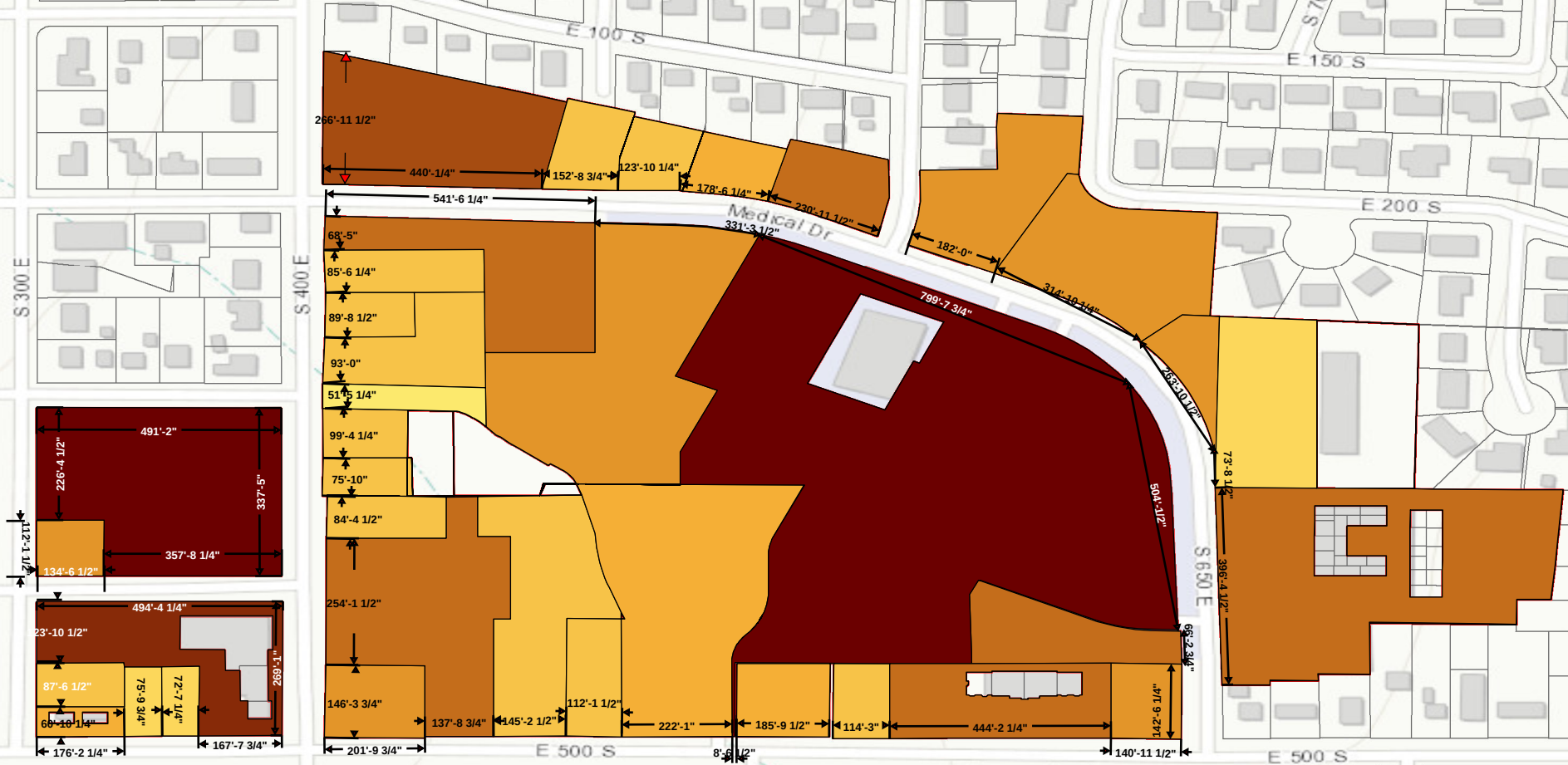


Legend

(Hospital Zone)	
0	201 - 300
1 - 50	301 - 500
51 - 75	501 - 700
76 - 120	701 - 900
121 - 200	901 - 1293



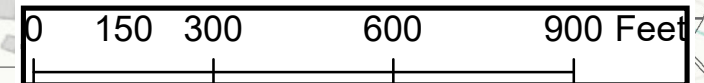
All Street Frontage by Parcel (Hospital Zone)



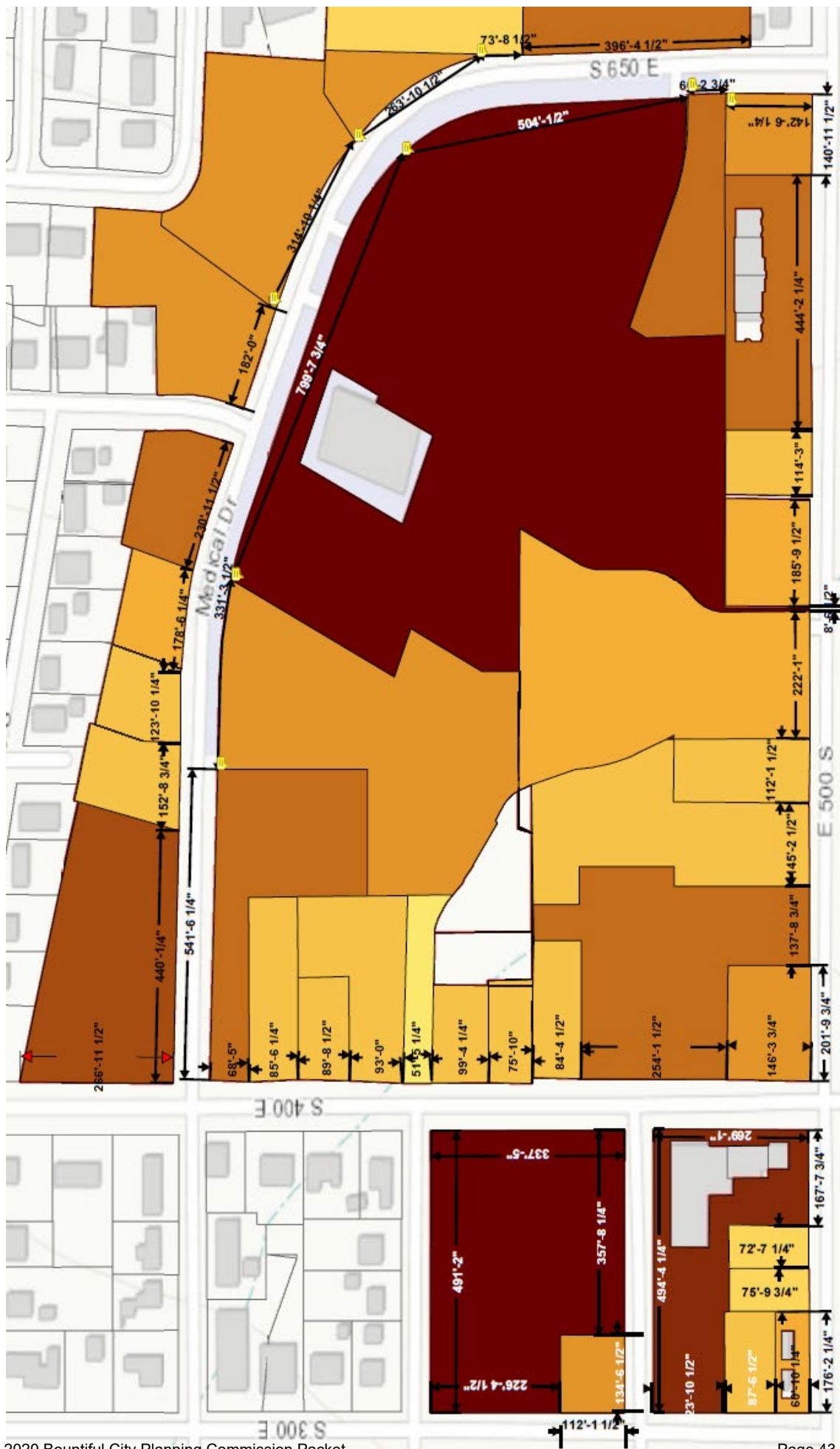
Legend

(Hospital Zone)

0	201 - 300
1 - 50	301 - 500
51 - 75	501 - 700
76 - 120	701 - 900
121 - 200	901 - 1293



Attachment E



BOUNTIFUL CITY PLANNING COMMISSION FINDINGS OF FACT AND CONCLUSIONS

APPLICANT: Charles Dickson

APPLICATION TYPE: Request for a Variance to allow for encroachments on slopes greater than thirty percent (30%).

I. DESCRIPTION OF REQUEST:

The Applicant, Charles Dickson, has requested a Variance to allow for encroachments on slopes greater than thirty percent (30%). The property is located at 2955 South Maple Cove Lane, which is in the R-F (Residential Foothill) Zone. The proposed Variance would allow for construction of a new home.

II. LAND USE ORDINANCE AUTHORITY:

Section 14-2-111 authorizes the Planning Commission as the review body for Variance requests related to encroachments on slopes greater than thirty percent (30%).

III. APPEAL PROCEDURE:

Bountiful City Code section 14-2-108 states that an applicant, board or officer of the City, or any person adversely affected by a Land Use Authority's decision administering or interpreting a land use ordinance or ruling on a request for a Variance may, within fourteen calendar days of the written decision, appeal that decision to the Appeal Authority. No other appeals may be made to the Appeal Authority.

The appeal must be in writing and specifically allege that there is an error in an order, requirement, decision or determination by the Land Use Authority. The appellant shall state every theory of relief that it can raise in District Court.

IV. SUMMARY OF EVIDENCE:

- A.** The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B.** The minutes of the public hearing held by the Planning Commission on **Tuesday, June 2, 2020** which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given at the public hearing the Planning Commission makes the following findings:

- A. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

The purpose of the building standards in the R-F Zone is to preserve the hillsides and manage erosion. The Applicant has submitted a Site Plan which seeks to utilize the portion of the property with slopes under thirty percent (30%) to minimize the disturbance of the steep slopes. Standards for building on steep slopes require any development to be minimal and reasonable. The Commission determines the disturbance to be minimal and with additional adjustment to the plans the disturbance can be reduced.

- B. There are special circumstances attached to the property that do not generally apply to other properties in the district;

Many of the properties in the R-F Zone have similar constraints as the Applicant's property which limit the buildable area and require steep driveways, tall retaining walls and disturbances of slopes greater than thirty percent (30%). The Applicant's property is unique because the portion of the property with slopes under thirty percent (30%) can only be accessed with the construction of a long driveway. Building closer to the cul-de-sac would require the entire home to be built on the steep slopes, thus increasing the level of disturbance.

- C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district;

Other properties in the R-F Zone with buildable lots have been allowed some reasonable disturbances of the slopes greater than thirty percent (30%). Granting the Variance will allow the Applicant to enjoy similar property rights possessed by others in the R-F Zone. Denying the Variance will allow other properties a right not extended to the Applicant's property.

- D. The variance will not substantially affect the general plan and will not be contrary to the public interest;

Granting the Variance for the Applicant will not have a substantial effect to the General Plan as other properties in the R-F Zone are treated similarly regarding development on steep slopes. It is an interest to the City to have all buildable lots developed as opposed to remaining vacant.

- E. The spirit of the land use ordinance is observed and substantial justice is done

The purpose of the Code that requires development be located on slopes less than thirty percent (30%) is to preserve the hillside and manage runoff and erosion on properties located in the foothills. The Code anticipates that

there are existing lots with special circumstances and the Variance process provides a way for those lots to be developed. However, Section 14-4-101 of the Code also stipulates that the alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The proposal submitted by the Applicant, demonstrates there has been an effort to minimize the impact development will have on the steep slopes of the property.

VI. DECISION AND SUMMARY

The Planning Commission grants the requested Variance by a vote of 7-0 with the conditions as follows:

1. The Applicant will continue to work with City Staff to ensure the final plans submitted will meet the standards for building in the R-F Zone, in particular the impact of retaining walls and building on slopes greater than thirty percent (30%) should be minimal.
2. In addition to a building permit, the Applicant shall apply for a separate permit for any retaining walls taller than four (4) feet not exceeding ten (10) feet.

FINDINGS OF FACT APPROVED BY THE Bountiful City Planning Commission this 7th day of July, 2020.

Sean Monson, Chairman
Bountiful City Planning Commission