

BOUNTIFUL CITY COUNCIL MEETING

TUESDAY, October 10, 2017

Work Session – 6:00 p.m.

Regular Session - 7:00 p.m.

NOTICE IS HEREBY GIVEN that the City Council of Bountiful, Utah will hold its regular Council meeting at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited to all meetings. Deliberations will occur in the meetings. Persons who are disabled as defined by the Americans With Disabilities Act may request an accommodation by contacting the Bountiful City Manager at 801.298.6140. Notification at least 24 hours prior to the meeting would be appreciated.

If you are not on the agenda, the Council will not be able to discuss your item of business until another meeting. For most items it is desirable for the Council to be informed of background information prior to consideration at a Council meeting. If you wish to have an item placed on the agenda, contact the Bountiful City Manager at 801.298.6140.

AGENDA

6:00 p.m. – Work Session

1. Video streaming of public meetings – Councilman John Marc Knight
2. LTAP road study presentation – Mr. Gary Blowers p. 3
3. Victim Advocate program overview – Mr. Clinton Drake p. 5

7:00 p.m. – Regular Session

1. Welcome, Pledge of Allegiance and Thought/Prayer
2. Public Comment - **If you wish to make a comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 minutes. Public comment is limited to no more than ten minutes per meeting. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives.**
3. Approve minutes of previous meeting – September 26, 2017 p. 7
4. Council Reports
5. BCYC Report
6. Consider approval of:
 - a. Weekly expenditures > \$1,000 paid September 25, 2017 p. 11
 - b. August 2017 Financial report p. 13
7. Consider approval of the purchase of two police vehicles from Performance Automotive Group in the total amount of \$69,524 – Assistant Chief Ed Biehler p. 27
8. Consider approval of Ordinance 2017-10 changing approximately 155 parcels from RM-19 (Multi Family Residential 19 units per acre) to R-4 (Single Family Residential 4 units per acre) – Mr. Chad Wilkinson p. 29
 - a. Public Hearing
 - b. Action
9. Consider approval of Ordinance 2017-11 making changes to the Downtown Zoning standards – Mr. Chad Wilkinson p. 37
 - a. Public Hearing
 - b. Action
10. Consider approval of election judges recruited and trained by Davis County and grant the Davis County's Clerk/Auditor's office authority to assign alternates as circumstances require – Mr. Gary Hill p. 65
11. Adjourn to an RDA meeting with a separate agenda


City Recorder

City Council Staff Report

Subject: 2017 Utah LTAP Road Survey Report
Author: Assistant City Engineer, Lloyd Cheney
Department: Street Department
Date: October 10, 2017



Background

In February, Gary Blowers (Street Dept. Director), contacted the Utah Local Technical Assistance Program (LTAP) Center at Utah State University to perform a survey and condition assessment of Bountiful's road system. The purpose of the study was to perform an independent evaluation of City streets by a respected third party, with the added goals of improving the current evaluation process, and to develop a maintenance program which could be used for planning and budgeting.

Analysis

Bountiful's road system consists of 158 miles of streets. Each year the Street Dept. conducts a condition survey, the results of which are used to develop and fine-tune the maintenance program for the upcoming budget year. Engineering Dept. staff also participates in the survey to help with the "calibration" of the evaluation, but not on a yearly basis.

The LTAP survey uses a standardized evaluation process which was developed by the Strategic Highway Research Program (SHRP) to determine the causes of pavement deterioration and to quantify the Remaining Service Life (RSL) of each pavement segment throughout the City. Each segment was numbered, measured, and classified according to its functional classification (residential, collector, arterial, etc). The segment condition was based on a total pavement service life of 20 years, which is a standard practice in the industry. The RSL value for each segment is an estimate of the number of years until complete failure – at which time the pavement structure would need to be reconstructed.

The results of the study indicate that the Bountiful road system had an average RSL of 10.26 years, with 0% of the paved network in a failed condition. The RSL value is slightly below the average value of 10.64 years for the 9 cities within a 50 mile radius which have been evaluated by LTAP in the last 10 years. The LTAP report states that an effective pavement preservation program "is one that maintains an estimated RSL of 10 years with not more than three percent (3%) of the street network at the terminal serviceability level" and "...the results of the LTAP survey support the results found in the in-house survey from Bountiful City Public Works."

Condition Rating of Bountiful's Asphalt and Concrete Street Network

SUBJECTIVE CONDITION RATING OF STREET NETWORK								
	FAILED	POOR		FAIR	GOOD	VERY GOOD		EXCELLENT
RSL (Years)	0	1-3	4-6	7-9	10-12	13-15	16-18	19-20
% of Network	0.00%	0.50%	16.15%	31.41%	32.00%	8.76%	0.58%	10.61%

In addition to the pavement condition survey, LTAP also prepared a table of recommended treatments for each road segment and a prioritized 5 year schedule of maintenance activities based on an annual budget of \$1.7 million dollars. The first 2 years of the program focus on segments with an RSL ranging from 10-14 because of the lower cost of appropriate treatments which result in a larger increase in RSL on pavement segments which are in better condition. Recommended maintenance activities include crack seal, slurry seal, overlays, rotomilling and overlay (a.k.a. “mill-n-fill”), and reconstruction of the pavement section. The report states that by “using the pavement preservation program presented in this report, the estimated average RSL of Bountiful’s street network can be increased to approximately 11.52 years by the year 2022.”

Department Review

The LTAP report has been reviewed by the Street Dept. Director, City Engineer, and City Manager. This memo has been reviewed by the City Manager.

Significant Impacts

The report recommends that “Future funding needs will likely increase due to inflation...and increased material costs. All road funds should be allocated to pavement preservation. Additional funds for personnel, capital improvements and capacity improvements should come from other funding sources”. In order to meet the needs of the 5 year program outlined in the report, maintenance activities will need to be maintained at the at the \$1.7 million dollar funding level (present value).

Recommendation

No Council action in required. This item is for information only.

Attachments

None.

The LTAP report is available in .pdf format.

City Council Staff Report



Subject: Bountiful City Victim Advocate Program
Author: Clinton Drake
Dept: Legal
Date: 10 October 2017

Background

Bountiful City was recently awarded a Victims of Crime Act (VOCA) grant to fund a part-time Victim Advocate position. VOCA provides funding for state and local agencies to create and maintain programs and services for victims of crimes. The position is prosecution based, will be located in the City Prosecutor's Office and will report to the City Attorney. Nicole Daugherty has been hired as the Victim Advocate. Nicole brings valuable knowledge and experience to Bountiful City and will be a great asset as the City.

Analysis

The Victim Advocate position is part-time (18 hours per week) and 100% grant funded. The position will provide much needed assistance to victims of crimes in Bountiful City. While the program will focus on assisting victims of domestic violence, it will also serve victims of crimes such as theft, assault, burglary, fraud and vandalism. This assistance includes but is not limited to obtaining protective orders, informing victims of upcoming court dates, obtaining information regarding restitution, accompanying victims at hearings and trials, educating victims about available programs and resources and speaking for or supporting victims at criminal sentencings. The position will also help the City Prosecutor more efficiently prosecute crimes and better serve victims. Although prosecutor based, the victim advocate will provide valuable training and assistance to the Police Department. The program will also utilize volunteers to assist with accomplishing its goals.

Department Review

This Staff Report was prepared by the City Attorney.

Significant Impacts

The program will assist hundreds of victims of crimes on an annual basis. The Victim Advocate position is 100% funded by the VOCA grant with the City matching grant funds by providing office space, supervisor hours, supplies and so forth. Due to the grant funding there is little to no fiscal impact for the position.

Recommendation

This Staff Report is provided for informational purposes only.

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**Minutes of the
BOUNTIFUL CITY COUNCIL**

September 26, 2017 – 6:00 p.m.

Present: Mayor Randy Lewis
Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,
John Marc Knight, John Pitt
City Manager Gary Hill
City Attorney Clinton Drake
City Planner Chad Wilkinson

Department Directors/Staff:
Assistant City Manager Galen Rasmussen
City Engineer Paul Rowland
Police Chief Tom Ross
Parks Director Brock Hill
Power Director Allen Johnson
Golf Course Superintendent Tom Rhoades
Golf Course Staff Kent McComb, Scott Olsen
Recording Secretary Nikki Dandurand

Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Clipper and Standard Examiner.

Work Session – 6:00 p.m.
Planning Conference Room

Mayor Lewis welcomed those in attendance and called the session to order at 6:00 p.m.

GOLF COURSE FINANCIAL ANALYSIS REPORT – MR. BROCK HILL

Mr. Brock Hill stated that the City has been financially sound in expanding and improving the course with user fees and the budgeting process, never subsidizing with other funds. He added that the player base is getting older and we are not seeing the younger generation coming in to fill in the gaps. He asked what the need and demands of the course are now and what is needed to reinvest in the younger generation. Councilman Higginson commented about the popularity of Top Golf. Mr. Brock Hill replied that is the approach we need to take and consider every possibility. Mr. Brock Hill turned the time over to Mr. Jason Burningham of Lewis Young & Burningham to present a comprehensive report to the Council and staff (included in the Council packet). Mr. Burningham, the Council and staff discussed strategic marketing ideas including junior fees, more social media, member benefits, etc.

1 **Regular Meeting – 7:05 p.m.**
2 **City Council Chambers**
3

4 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance.
5 Ethan Lanier, Troop 762, led the Pledge of Allegiance; Councilwoman Harris gave an opening
6 prayer.
7

8 **PUBLIC COMMENT**

9 -Dave LeFevre – requesting a turn arrow on 200 W and 1000 N, parking lot surface at the
10 South Davis Recreation Center.
11

12 **APPROVE MINUTES OF PREVIOUS MEETING – SEPTEMBER 12, 2017**

13 Mayor Lewis presented the minutes from the previous meeting. Councilman Pitt moved to
14 approve the minutes and Councilman Higginson seconded the motion, with a note to fix the typo on
15 in names on page 7. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,
16 Knight and Pitt voting “aye”.
17

18 Councilman Knight asked Mr. Clinton Drake about the purpose of closed meetings and the
19 reasons for them. Mr. Drake stated what is written in the Utah Code. Councilman Knight asked if
20 there is anything you cannot discuss. Mr. Drake replied that anything not in those parameters already
21 set cannot and no votes are taken in a closed session. Councilman Knight asked if there can be any
22 deviation to this. Mr. Drake replied that there can be no deviation and it is his responsibility to
23 ensure the Council follows the code as well. Mayor Lewis also pointed out that all 248 cities in the
24 State have to follow the same code.
25

26 **COUNCIL REPORTS**

27 Councilwoman Harris announced the Youth Council will be having their Pumpkin Patch on
28 October 13th. Councilman Higginson said congratulations to Councilwoman Holbrook for her
29 appointment as President of the Utah League of Cities and Towns.
30

31 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID SEPTEMBER 11**
32 **& 18, 2017**

33 Mayor Lewis presented the expenditures and asked for a motion to approve. Councilman Pitt
34 moved to approve the weekly expenditures and Councilman Higginson seconded the motion. Voting
35 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.
36

37 **CONSIDER APPROVAL OF THE BID FROM KLUTE FOR THE STRUCTURAL STEEL**
38 **FOR THE 138 SUBSTATION IN THE AMOUNT OF \$140,309 – MR. ALLEN JOHNSON**

39 Mr. Allen Johnson stated the Power Commission and staff met this morning, and all the items
40 on the agenda tonight are recommended for approval. All of these approvals are for the same project,
41 with the first phase starting next spring. These items are some of the lead items and they will be
42 stored at the Power Department until needed. Three bids were received, but only two met the
43 specifications that were requested. Councilwoman Holbrook moved to approve the bid for steel and
44 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,
45 Higginson, Holbrook, Knight and Pitt voting “aye”.
46

1 **CONSIDER APPROVAL OF THE BID FROM SEECO FOR GROUP OPERATED AIR**
2 **BREAK SWITCHES IN THE AMOUNT OF \$94,050 – MR. ALLEN JOHNSON**

3 Mr. Johnson stated there are three groups of three switches needed for a total of 15. There
4 were four bids submitted, SEECO being the lowest. Councilwoman Holbrook asked Mr. Johnson
5 what the Power Commission looks for when purchasing items. Mr. Johnson replied that SEECO is a
6 good manufacturer with good products. Councilwoman Holbrook moved to approve the bid for the
7 switches and Councilman Knight seconded the motion. Voting was unanimous with Councilpersons
8 Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.
9

10 **CONSIDER APPROVAL OF THE BID FROM RITER ENGINEERING FOR SIX GE KV**
11 **VOLTAGE TRANSFORMERS AND THE BID FROM CODALE ELECTRIC FOR EIGHT**
12 **ABB 46 KV VOLTAGE TRANSFORMERS IN THE TOTAL AMOUNT OF \$49,368 – MR.**
13 **ALLEN JOHNSON**

14 Mr. Johnson stated that these items measure voltage and are used in a relay system. If there is
15 a fault, it will be much easier to locate it within a few feet. Staff recommends the lowest bid from
16 Riter for the 138 kV voltage transformers and the second lowest bid from Codale Electric.
17 Councilman Knight asked if we can choose who to use, despite a low bid. Councilman Pitt also
18 stated that’s why it’s important to get a full range of bids-you get what you pay for. Mr. Gary Hill
19 also stated that although the bids may be lower, they also need to fit the specifications and
20 requirements for the project. Councilwoman Holbrook made a motion to approve the purchase and
21 Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris,
22 Higginson, Holbrook, Knight and Pitt voting “aye”.
23

24 **CONSIDER APPROVAL OF ADDITIONAL COSTS FOR ECI ENGINEERING SERVICES**
25 **FOR THE 138 SUBSTATION IN THE NOT-TO-EXCEED AMOUNT OF \$485,000 – MR.**
26 **ALLEN JOHNSON**

27 Mr. Johnson stated that the original cost was for the initial design and construction, but a
28 problem was identified with the larger of the two transformers. ECI has provided an updated cost for
29 the engineering services that will cover the additional work. Councilman Knight stated that the
30 Power Commission is shoring up the City’s infrastructure and looking towards the future by
31 recommending this purchase. Councilman Pitt spoke to those in attendance and explained that
32 although this looks like a lot of money being paid out, all of these quotes/bids have been examined by
33 each committee and reviewed by the Council prior to today’s approval. Councilwoman Holbrook
34 made a motion approve the additional costs and Councilman Higginson seconded the motion. Voting
35 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.
36

37 Councilwoman Holbrook also noted that the communication within all the departments are
38 included in the discussion. Mayor Lewis asked who is on the Power Commission. Mr. Johnson and
39 Councilwoman Holbrook stated the names of those people.
40

41 **CONSIDER APPROVAL OF PRECISION CONCRETE CUTTING’S PROPOSAL FOR**
42 **TRIP HAZARD ELIMINATION IN THE AMOUNT OF \$25.45 PER INCH-FOOT – MR.**
43 **PAUL ROWLAND**

44 Mr. Rowland stated this is the annual contract renewal for the trip hazard elimination
45 program. This is an extension of the original contract, but they are a sole source provider for this
46 type of service. This is the 16th or 17th year the City has contracted with Precision Concrete to

1 provide this service. The prices have gone up approximately 4% but the costs are being reduced by
2 \$20,000, going down to approximately \$80,000 total spent. This has been a very popular and
3 successful way of removing uneven places in sidewalks without the high cost of complete removal
4 and replacement of the concrete. Every sidewalk in the city has been covered once but because trees
5 keep growing and walks keep moving, each sidewalk is in the process of being reexamined and cut a
6 second time. Councilwoman Harris asked why the price increase. Mr. Rowland replied it is just to
7 accommodate inflation. Councilman Pitt made a motion to approve the proposal and Councilman
8 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
9 Holbrook, Knight and Pitt voting “aye”.

10
11 **ADJOURN TO CLOSED SESSION TO DISCUSS THE ACQUISITION OR SALE OF REAL**
12 **PROPERTY, PENDING LITIGATION AND/OR TO DISCUSS THE CHARACTER AND/OR**
13 **COMPETENCY OF AN INDIVIDUAL(S) (UTAH CODE §52-4-205).**

14 Mr. Drake further explained the reasons of a closed session meeting. There are no votes
15 taken, it can be used to discuss terms or offers to the City, but the actual approval is done in open
16 meetings. Councilman Higginson made a motion to adjourn to closed session and Councilwoman
17 Harris seconded the motion. Voting was unanimous with a roll-call vote by Councilpersons Harris,
18 Higginson, Holbrook, Knight and Pitt voting “aye”.

19
20 Mayor Lewis closed the regular session of City Council at 7:44 p.m.
21

Mayor Randy Lewis

City Recorder

City Council Staff Report

Subject: Expenditures for Invoices > \$1,000.00 paid
September 25, 2017

Author: Tyson Beck, Finance Director

Department: Finance

Date: October 4, 2017



Background

This report is prepared following the weekly accounts payable run. It includes payments for invoices hitting expense accounts equaling or exceeding \$1,000.00.

Payments for invoices affecting only revenue or balance sheet accounts are not included. Such payments include: those to acquire additions to inventories, salaries and wages, the remittance of payroll withholdings and taxes, employee benefits, utility deposits, construction retention, customer credit balance refunds, and performance bond refunds. Credit memos or return amounts are also not included.

Analysis

Unless otherwise noted and approved in advance, all expenditures are included in the current budget. Answers to questions or further research can be provided upon request.

Department Review

This report was prepared and reviewed by the Finance Department.

Significant Impacts

None

Recommendation

Council should review the attached expenditures.

Attachments

Weekly report of expenses/expenditures for invoices equaling or exceeding \$1,000.00 paid September 25, 2017.

**Expenditure Report for Invoices (limited to those outlined in staff report) >\$1,000.00
Paid September 25, 2017**

VENDOR	VENDOR NAME	DEPARTMENT	ACCOUNT		AMOUNT	CHECK NO	INVOICE	DESCRIPTION
1102	ALPHA POWER SYSTEMS	Light & Power	53.5300.474740.	CIP 04 Trans Sys Ph7 NWSUB-Rec	\$ 1,157.64	198786	115594-01IN	Clamps Suspensions
1102	ALPHA POWER SYSTEMS	Light & Power	53.5300.474740.	CIP 04 Trans Sys Ph7 NWSUB-Rec	5,010.01	198786	115693IN	Assorted Hardware
1102	ALPHA POWER SYSTEMS	Light & Power	53.5300.474740.	CIP 04 Trans Sys Ph7 NWSUB-Rec	10,034.06	198786	115595IN	Assorted Hardware
1103	ALPHAGRAPHICS BOUNTIFUL	Light & Power	53.5300.422000.	Public Notices	7,376.74	198787	217286	Power Report Mailer
1105	ALTEC INDUSTRIES, INC	Light & Power	53.5300.448635.	Vehicles	1,455.74	198788	50151661	Repair to Digger
1211	ASPHALT MATERIALS INC	Streets	10.4410.441200.	Road Matl Patch/ Class C	1,309.10	198793	76907	Cold Mix Patching
1212	ASPLUNDH TREE EXPERT	Light & Power	53.5300.448632.	Distribution	3,594.46	198794	76W89417	Tree Trimming
1212	ASPLUNDH TREE EXPERT	Light & Power	53.5300.448632.	Distribution	3,656.23	198794	76W89317	Tree Trimming
1212	ASPLUNDH TREE EXPERT	Light & Power	53.5300.448632.	Distribution	4,722.32	198794	77M32817	Tree Trimming
1212	ASPLUNDH TREE EXPERT	Light & Power	53.5300.448632.	Distribution	4,879.10	198794	77M32917	Tree Trimming
2144	FATPOT TECHNOLOGIES	Police	10.4210.425500.	Terminal Maint & Queries	1,200.00	198827	FPINV17240	Software License Agreement
2164	FERGUSON ENTERPRISES	Water	51.5100.448400.	Dist Systm Repair & Maint	4,637.60	198829	1032717	Pipes
2164	FERGUSON ENTERPRISES	Water	51.5100.448400.	Dist Systm Repair & Maint	1,364.91	198830	1031209	Meter Boxes
2386	HABITAT PRESERVES	Redevelopment Agency	73.7300.431000.	Profess & Tech Services	10,440.00	198837	2627	Tree Trimming on Main St
2473	HI-LINE	Light & Power	53.5300.448639.	Substation	1,581.54	198838	10061433	8' 4/0 Grounds
2523	HONNEN EQUIPMENT COMPANY	Streets	10.4410.425000.	Equip Supplies & Maint	1,936.44	198842	888141	Blades for loader
2562	HYDRO SPECIALTIES CO	Water	51.5100.448650.	Meters	5,448.96	198844	19828	Metering
2562	HYDRO SPECIALTIES CO	Water	51.5100.448650.	Meters	11,520.00	198844	19822	Metering
8137	LAKEVIEW ASPHALT PRODUCTS	Streets	10.4410.441200.	Road Matl Patch/ Class C	1,592.20	198852	1791	Patching
8137	LAKEVIEW ASPHALT PRODUCTS	Streets	45.4410.473200.	Road Materials - Overlay	16,297.06	198852	1810	Paving on Monarch Dr - Davis Blvd
4844	LEGACY EQUIPMENT	Storm Water	49.4900.425000.	Equip Supplies & Maint	1,074.72	198855	81803	Sweeper Fuel Tank
2987	M.C. GREEN & SONS INC	Light & Power	53.5300.472100.	Buildings	17,899.28	198858	3586	Power's N Parking Lot & Drainage System
9150	MAIN STREET ART INC	Cemetery	59.5900.473100.	Improv Other Than Bldgs	27,720.50	198860	3214A	Completion of "Close to Heaven" statue
3195	MOUNTAINLAND SUPPLY	Water	51.5100.448400.	Dist Systm Repair & Maint	1,372.63	198867	S102347648.001	Parts
3195	MOUNTAINLAND SUPPLY	Water	51.5100.448400.	Dist Systm Repair & Maint	1,598.33	198867	S102355358.002	Repair Couplers
3195	MOUNTAINLAND SUPPLY	Water	51.5100.448400.	Dist Systm Repair & Maint	1,646.68	198867	S102355358.001	Repair Couplers
3195	MOUNTAINLAND SUPPLY	Water	51.5100.448400.	Dist Systm Repair & Maint	9,438.18	198867	S102361778.001	Parts
3417	PARKIN CONSTRUCTION	Parks	10.4510.426000.	Bldg & Grnd Suppl & Maint	1,000.00	198875	Tennis Nets	Tennis Nets
9218	POST CONSTRUCTION CO	Streets	45.4410.473300.	Roads-Class"C"&Transportation\$	279,088.30	198880	09052017	2017 Asphalt Overlay Contract
9087	POWELL, MARK	Redevelopment Agency	73.7300.426100.	Special Projects	50,000.00	198881	2	Stoker Building Demo 2nd Draw
5553	PURCELL TIRE AND SERVICE	Sanitation	58.5800.425000.	Equip Supplies & Maint	1,982.20	198883	2857126	New Drive Tires
3791	RUSH TRUCK CENTER-SALT LAKE	Streets	10.4410.425000.	Equip Supplies & Maint	1,160.47	198890	3007770189	Cal Cooler
3877	SENSORLINK	Light & Power	53.5300.448639.	Substation	1,244.00	198893	059967	RMS Ampstik / Test Equipment
3924	SIMPLEXGRINNELL LP	Police	10.4210.426000.	Bldg & Grnd Suppl & Maint	1,262.24	198894	84063045	Fire Alarm Systems
4051	STATE OF UTAH	Water	51.5100.431000.	Profess & Tech Services	1,010.80	198898	18L000000000246	Lab Fees
4171	THATCHER COMPANY	Water	51.5100.448000.	Operating Supplies	1,702.16	198904	1424757	Flouride
4171	THATCHER COMPANY	Water	51.5100.448000.	Operating Supplies	3,666.18	198904	1424210	Chlorine
4229	TOM RANDALL DIST. CO	Golf Course	55.5500.425000.	Equip Supplies & Maint	2,857.38	198906	0262562	Fuel
4229	TOM RANDALL DIST. CO	Streets	10.4410.425000.	Equip Supplies & Maint	19,049.03	198906	0263277	Fuel
9168	TRAVELERS CASUALTY	Parks	45.4510.473100.	Improv Other Than Bldgs	105,810.35	198908	T002	Project #2017001// Creekside Park #15-106
4273	TURF EQUIPMENT CO	Golf Course	55.5500.426000.	Bldg & Grnd Suppl & Maint	1,423.02	198909	419652-00	Parts & Tools
5000	U.S. BANK CORPORATE	Police	10.4210.423000.	Travel & Training	1,201.41	198910	09112017EB	Employee Appreciation Lunch, SWAT Training, Equip.
5000	U.S. BANK CORPORATE	Executive	10.4130.421000.	Books Subscr & Mmbrshp	1,269.00	198910	09112017GH	Cell Ph, IMCA Dues, ULCT Conf., Flower for Emp
5000	U.S. BANK CORPORATE	Water	51.5100.448400.	Dist Systm Repair & Maint	1,540.56	198910	09112017BE	PRU's & Employees Lunch
5000	U.S. BANK CORPORATE	Landfill	57.5700.423000.	Travel & Training	2,001.90	198910	09112017GB	Shop Parts, SWANA Reg, Cell Phones
5000	U.S. BANK CORPORATE	Parks	10.4510.426000.	Bldg & Grnd Suppl & Maint	2,109.83	198910	09112017BH	Cell Ph, Emp Golf Tourn, Tools, Uniforms
5000	U.S. BANK CORPORATE	Light & Power	53.5300.423002.	Travel Board Members	2,423.81	198910	09112017AJ	UAMPS Board Mtg & Dinner & Car Rental
5000	U.S. BANK CORPORATE	Police	10.4210.425410.	Fuel And Oil	4,165.89	198910	09112017DE	Emp Recognition Treats, Auto Parts, Radio Supplies
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.448621.	Power Purch IPP	2,936.39	198914	09252017	Sept. 2017 Power Resource Payment
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.445201.	Safety Equipment	4,375.00	198914	09252017	Sept. 2017 Power Resource Payment
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.448628.	Pineview Hydro	7,337.81	198914	09252017	Sept. 2017 Power Resource Payment
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.448622.	Power Purch San Juan	183,595.40	198914	09252017	Sept. 2017 Power Resource Payment
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.448620.	Power Purch CRSP	247,305.51	198914	09252017	Sept. 2017 Power Resource Payment
4341	UTAH ASSOCIATED MUNI	Light & Power	53.5300.448626.	Power Purch UAMPS (Pool, etc)	885,520.70	198914	09252017	Sept. 2017 Power Resource Payment
4456	VIRGINIA TRANSFORMER	Light & Power	53.5300.474710.	CIP 01 138KV Trans Substation	286,889.60	198916	51220	1st pmt to order 2x100MVA Transformers for 138KV
7732	WINGFOOT CORP	Police	10.4210.426000.	Bldg & Grnd Suppl & Maint	1,895.00	198923	100134	Janitorial Cleaning Services for Sept. 2017
TOTAL:					\$ 2,265,788.37			

City Council Staff Report

Subject: August 2017 Financial Reports
Author: Tyson Beck, Finance Director
Department: Finance
Date: October 10, 2017



Background

These reports include summary revenue, expense, and budget information for all of the City's funds. Both revenues and expenses, including capital outlay, have been included. These financials are presented to the City Council for review.

Analysis

Data within the reports and graphs presented provide detail of revenue, expense, and budget results for the associated period.

Department Review

These reports were prepared and reviewed by the Finance Department.

Significant Impacts

The FY2018 budget portion of these reports is the originally adopted FY2018 budget approved by the City Council in June of 2017.

Recommendation

Council should review the attached revenue, expense, and budget reports.

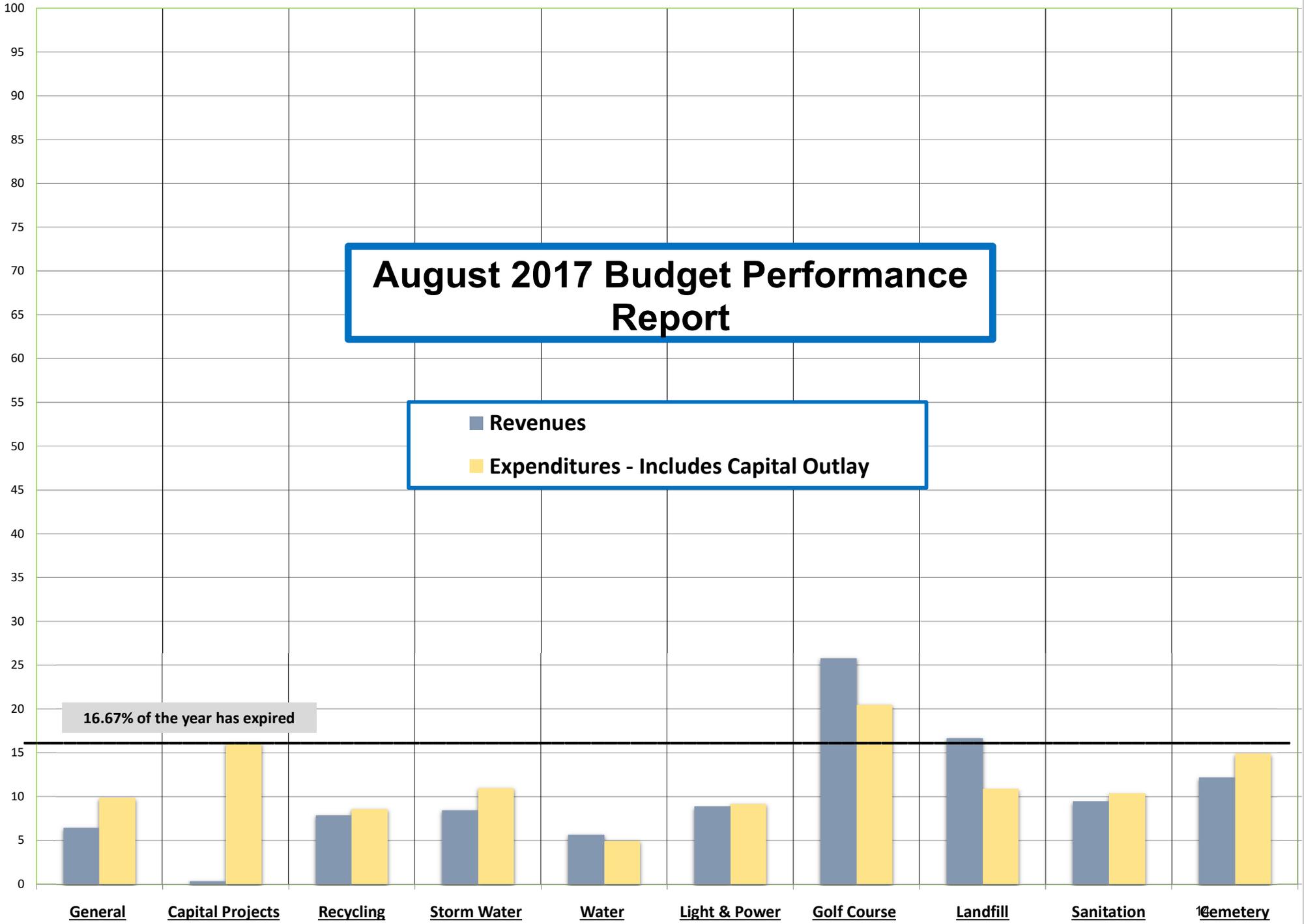
Attachments

- August 2017 Fiscal YTD Revenue & Expense Report – FY2018

August 2017 Budget Performance Report

■ Revenues
■ Expenditures - Includes Capital Outlay

16.67% of the year has expired



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City of Bountiful, UT
AUGUST 2017 YTD REVENUES - FY 2018

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FOR 2018 02

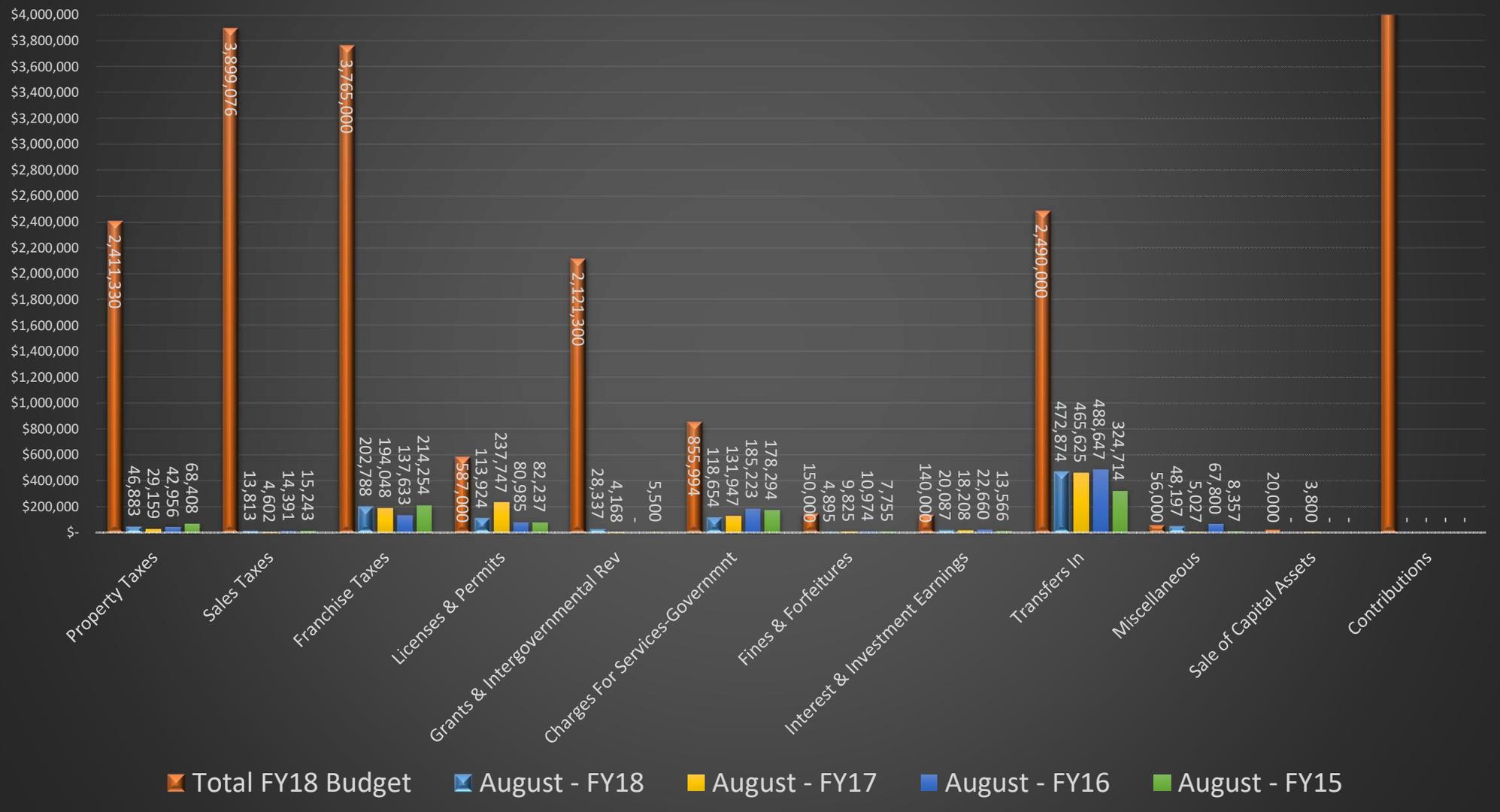
JOURNAL DETAIL 2018 1 TO 2018 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
10 GENERAL FUND	-16,585,700	-16,585,700	-1,070,452.09	-632,725.26	.00	-15,515,247.91	6.5%
30 DEBT SERVICE	-115	-115	-28.90	-29.38	.00	-86.10	25.1%
44 MUNICIPAL BUILDING AUTHORITY	-170,315	-170,315	-1,008.93	-509.96	.00	-169,306.07	.6%
45 CAPITAL IMPROVEMENT	-9,675,200	-9,675,200	-39,027.10	-38,978.56	.00	-9,636,172.90	.4%
48 RECYCLING	-421,254	-421,254	-33,304.49	-29,350.15	.00	-387,949.51	7.9%
49 STORM WATER	-1,601,304	-1,601,304	-135,864.96	-122,127.75	.00	-1,465,439.04	8.5%
51 WATER	-9,305,863	-9,305,863	-534,535.27	-479,362.99	.00	-8,771,327.73	5.7%
53 LIGHT & POWER	-34,500,206	-34,500,206	-3,084,187.34	-2,818,234.43	.00	-31,416,018.66	8.9%
55 GOLF COURSE	-1,549,000	-1,549,000	-399,387.28	-227,722.84	.00	-1,149,612.72	25.8%
57 LANDFILL	-1,854,341	-1,854,341	-310,252.84	-174,361.18	.00	-1,544,088.16	16.7%
58 SANITATION	-1,151,124	-1,151,124	-108,853.63	-87,794.89	.00	-1,042,270.37	9.5%
59 CEMETERY	-624,650	-624,650	-76,500.72	-47,543.48	.00	-548,149.28	12.2%
61 COMPUTER MAINTENANCE	-41,328	-41,328	-41,108.42	-85.97	.00	-219.58	99.5%
63 LIABILITY INSURANCE	-544,655	-544,655	-359,911.85	-3,070.42	.00	-184,743.15	66.1%
64 WORKERS' COMP INSURANCE	-283,670	-283,670	-32,206.35	-21,738.22	.00	-251,463.65	11.4%
72 RDA REVOLVING LOAN FUND	-208,248	-208,248	-81,455.32	-56,206.61	.00	-126,792.68	39.1%
73 REDEVELOPMENT AGENCY	-1,143,113	-1,143,113	-7,223.74	-7,369.91	.00	-1,135,889.26	.6%
74 CEMETERY PERPETUAL CARE	0	0	-1,469,409.84	-1,464,847.39	.00	1,469,409.84	100.0%
78 LANDFILL TRUST	0	0	-2,028.12	-1,039.20	.00	2,028.12	100.0%
83 RAP TAX	-534,000	-534,000	-432.54	-361.40	.00	-533,567.46	.1%
92 OPEB TRUST	0	0	-2,820.19	-1,289.42	.00	2,820.19	100.0%
99 INVESTMENT	0	0	-119,371.72	-65,465.81	.00	119,371.72	100.0%
GRAND TOTAL	-80,194,086	-80,194,086	-7,909,371.64	-6,280,215.22	.00	-72,284,714.36	9.9%

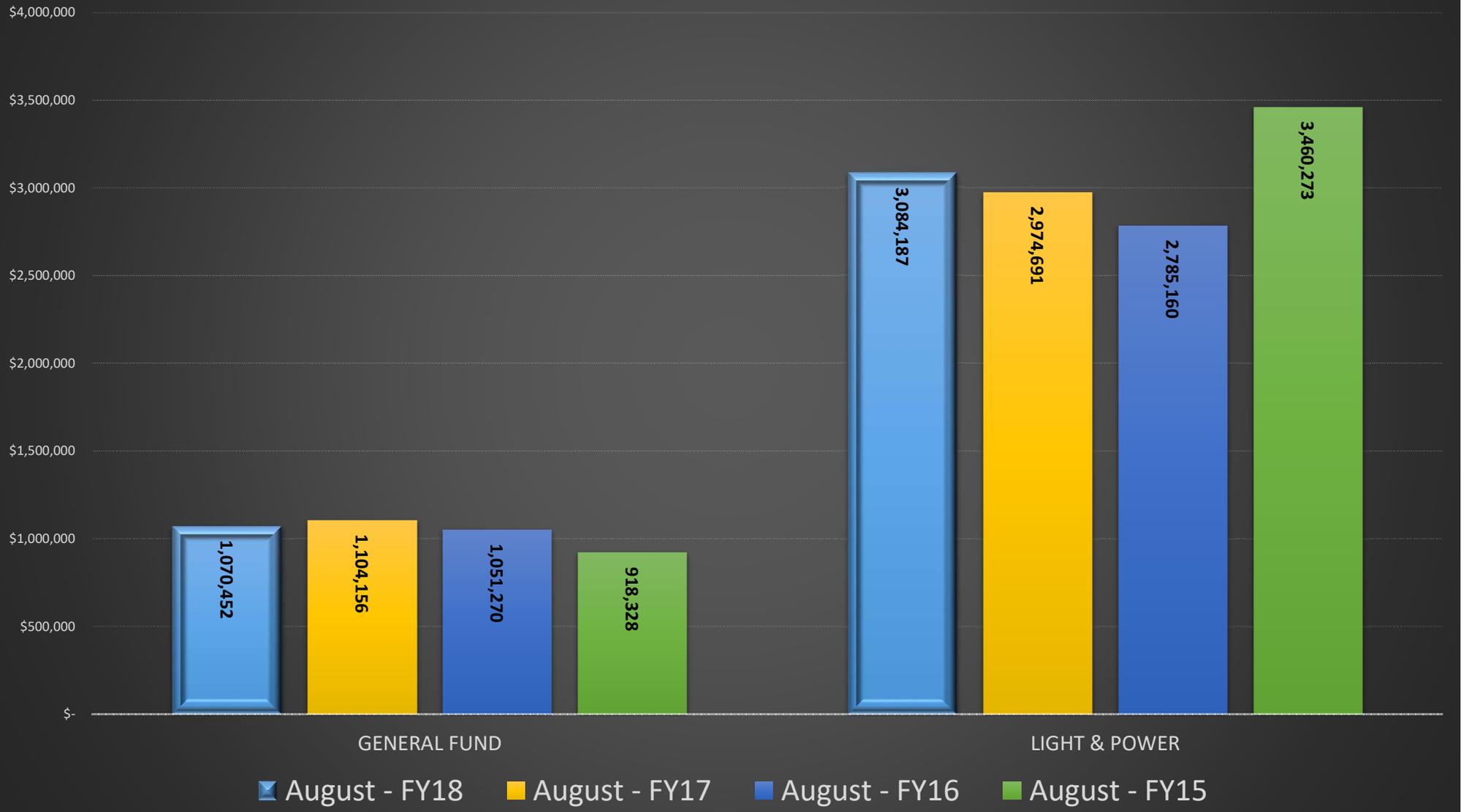
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General Fund Detailed Revenues

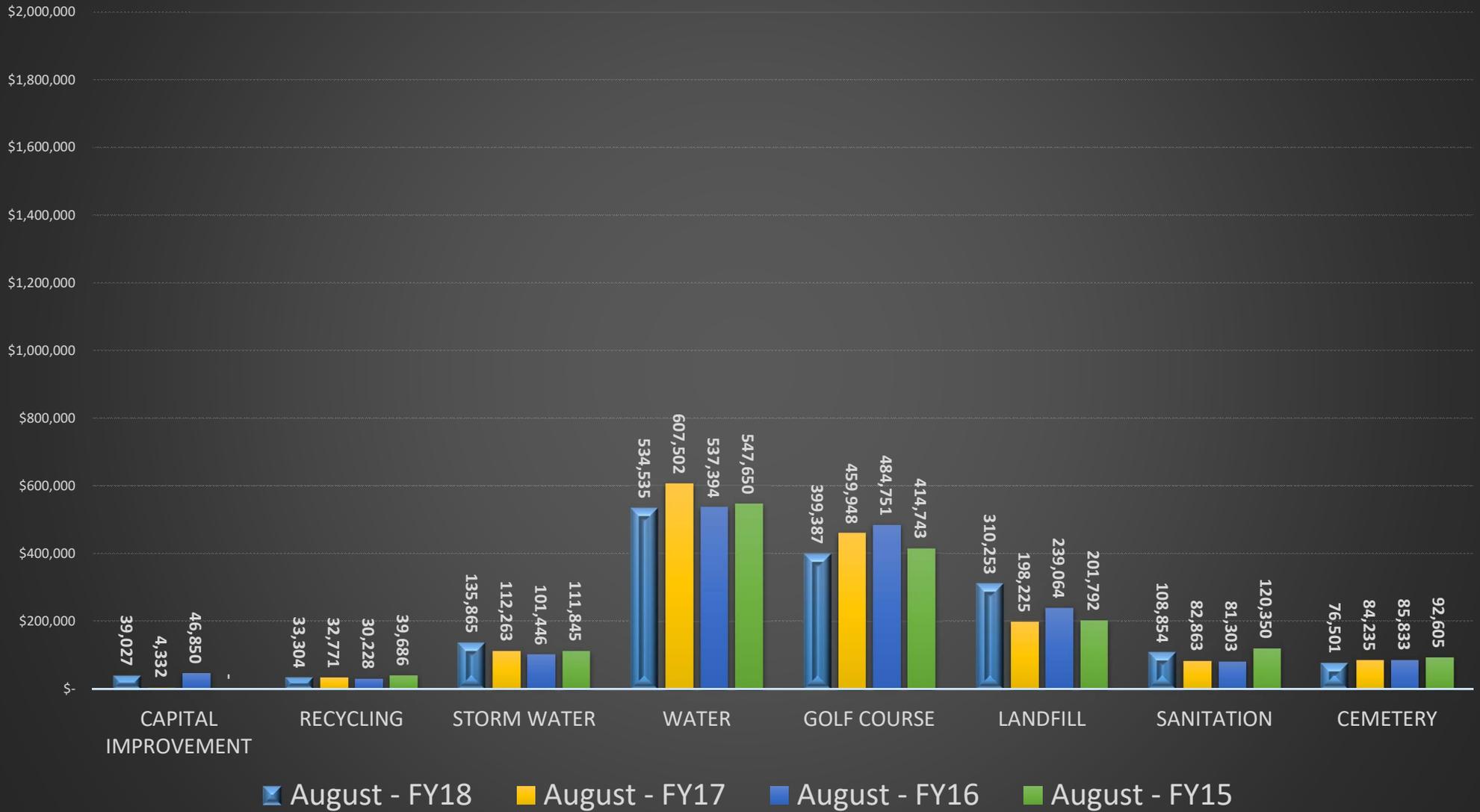
August 2017 YTD Revenues (Fiscal Year 2018) Compared to The 2018 Total Budget and The Revenues of the Same Timeframe of the Past Three Fiscal Years



August 2017 YTD Revenues (Fiscal 2018) Compared to The Revenues of Same Timeframe of the Past Three Fiscal Years



August 2017 YTD Revenues (Fiscal 2018) Compared to The Revenues of Same Timeframe of the Past Three Fiscal Years



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City of Bountiful, UT
AUGUST 2017 YTD EXPENSES - FY 2018

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FOR 2018 02

JOURNAL DETAIL 2018 1 TO 2018 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>10 GENERAL FUND</u>							
4110 Legislative	806,490	806,490	94,443.60	33,492.48	.00	712,046.40	11.7%
4120 Legal	294,824	294,824	31,544.66	18,754.99	.00	263,279.34	10.7%
4130 Executive	172,142	172,142	13,022.09	9,929.10	.00	159,119.91	7.6%
4134 Human Resources	136,428	136,428	23,186.68	19,513.31	.00	113,241.32	17.0%
4136 Information Technology	398,358	398,358	47,123.95	32,678.40	.00	351,234.05	11.8%
4140 Finance	396,647	396,647	60,956.60	46,838.96	.00	335,690.40	15.4%
4143 Treasury	141,849	141,849	6,942.24	21,957.00	.00	134,906.76	4.9%
4160 Government Buildings	116,349	116,349	10,675.83	7,420.35	.00	105,673.17	9.2%
4210 Police	5,952,313	5,952,313	667,010.54	407,600.58	.00	5,285,302.46	11.2%
4215 Reserve Officers	10,000	10,000	600.05	395.25	.00	9,399.95	6.0%
4216 Crossing Guards	147,350	147,350	485.43	485.43	.00	146,864.57	.3%
4217 PROS	349,483	349,483	27,507.97	18,044.47	.00	321,975.03	7.9%
4218 Liquor Control	39,025	39,025	3,792.18	1,635.75	.00	35,232.82	9.7%
4219 Enhanced 911	595,000	595,000	84,366.99	40,643.62	.00	510,633.01	14.2%
4220 Fire	1,984,865	1,984,865	.00	.00	.00	1,984,865.00	.0%
4410 Streets	3,181,095	3,181,095	294,752.66	182,556.71	.00	2,886,342.34	9.3%
4450 Engineering	682,766	682,766	80,813.48	51,746.22	.00	601,952.52	11.8%
4510 Parks	875,401	875,401	167,011.81	121,203.60	.00	708,389.19	19.1%
4610 Planning	305,315	305,315	32,822.33	22,445.54	.00	272,492.67	10.8%
TOTAL GENERAL FUND	16,585,700	16,585,700	1,647,059.09	1,037,341.76	.00	14,938,640.91	9.9%
<u>30 DEBT SERVICE</u>							
4710 Debt Sevice	115	115	30.20	29.01	.00	84.80	26.3%
TOTAL DEBT SERVICE	115	115	30.20	29.01	.00	84.80	26.3%
<u>44 MUNICIPAL BUILDING AUTHORITY</u>							
4110 Legislative	170,315	170,315	64.54	43.90	.00	170,250.46	.0%
TOTAL MUNICIPAL BUILDING AUTHORITY	170,315	170,315	64.54	43.90	.00	170,250.46	.0%
<u>45 CAPITAL IMPROVEMENT</u>							

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City of Bountiful, UT
AUGUST 2017 YTD EXPENSES - FY 2018

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FOR 2018 02

JOURNAL DETAIL 2018 1 TO 2018 13

45	CAPITAL IMPROVEMENT	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
4110	Legislative	6,675,000	6,675,000	1,458,000.00	1,458,000.00	.00	5,217,000.00	21.8%
4136	Information Technology	40,000	40,000	.00	.00	.00	40,000.00	.0%
4140	Finance	17,640	17,640	3,039.60	1,530.55	.00	14,600.40	17.2%
4210	Police	443,000	443,000	.00	.00	.00	443,000.00	.0%
4410	Streets	1,499,560	1,499,560	99,210.81	74,393.77	.00	1,400,349.19	6.6%
4510	Parks	1,000,000	1,000,000	1,030.00	1,030.00	.00	998,970.00	.1%
	TOTAL CAPITAL IMPROVEMENT	9,675,200	9,675,200	1,561,280.41	1,534,954.32	.00	8,113,919.59	16.1%
48 RECYCLING								
4800	Recycling	421,254	421,254	36,092.46	34,387.35	.00	385,161.54	8.6%
	TOTAL RECYCLING	421,254	421,254	36,092.46	34,387.35	.00	385,161.54	8.6%
49 STORM WATER								
4900	Storm Water	1,601,305	1,601,305	175,555.64	123,572.11	.00	1,425,749.36	11.0%
	TOTAL STORM WATER	1,601,305	1,601,305	175,555.64	123,572.11	.00	1,425,749.36	11.0%
51 WATER								
5100	Water	9,305,863	9,305,863	466,825.61	306,011.43	.00	8,839,037.39	5.0%
	TOTAL WATER	9,305,863	9,305,863	466,825.61	306,011.43	.00	8,839,037.39	5.0%
53 LIGHT & POWER								
5300	Light & Power	34,500,206	34,500,206	3,160,228.41	2,410,750.24	.00	31,339,977.59	9.2%
	TOTAL LIGHT & POWER	34,500,206	34,500,206	3,160,228.41	2,410,750.24	.00	31,339,977.59	9.2%
55 GOLF COURSE								

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City of Bountiful, UT
AUGUST 2017 YTD EXPENSES - FY 2018

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FOR 2018 02		JOURNAL DETAIL 2018 1 TO 2018 13						
55	GOLF COURSE	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
5500	Golf Course	1,549,001	1,549,001	317,453.97	177,273.09	.00	1,231,547.03	20.5%
	TOTAL GOLF COURSE	1,549,001	1,549,001	317,453.97	177,273.09	.00	1,231,547.03	20.5%
<u>57 LANDFILL</u>								
5700	Landfill	1,854,342	1,854,342	201,923.32	102,478.52	.00	1,652,418.68	10.9%
	TOTAL LANDFILL	1,854,342	1,854,342	201,923.32	102,478.52	.00	1,652,418.68	10.9%
<u>58 SANITATION</u>								
5800	Sanitation	1,151,125	1,151,125	119,975.28	74,349.18	.00	1,031,149.72	10.4%
	TOTAL SANITATION	1,151,125	1,151,125	119,975.28	74,349.18	.00	1,031,149.72	10.4%
<u>59 CEMETERY</u>								
5900	Cemetery	624,650	624,650	92,945.08	60,544.57	.00	531,704.92	14.9%
	TOTAL CEMETERY	624,650	624,650	92,945.08	60,544.57	.00	531,704.92	14.9%
<u>61 COMPUTER MAINTENANCE</u>								
6100	Computer Maintenance	41,327	41,327	954.23	91.39	.00	40,372.77	2.3%
	TOTAL COMPUTER MAINTENANCE	41,327	41,327	954.23	91.39	.00	40,372.77	2.3%
<u>63 LIABILITY INSURANCE</u>								
6300	Liability Insurance	544,656	544,656	367,478.98	7,516.99	.00	177,177.02	67.5%
	TOTAL LIABILITY INSURANCE	544,656	544,656	367,478.98	7,516.99	.00	177,177.02	67.5%
<u>64 WORKERS' COMP INSURANCE</u>								

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City of Bountiful, UT
AUGUST 2017 YTD EXPENSES - FY 2018

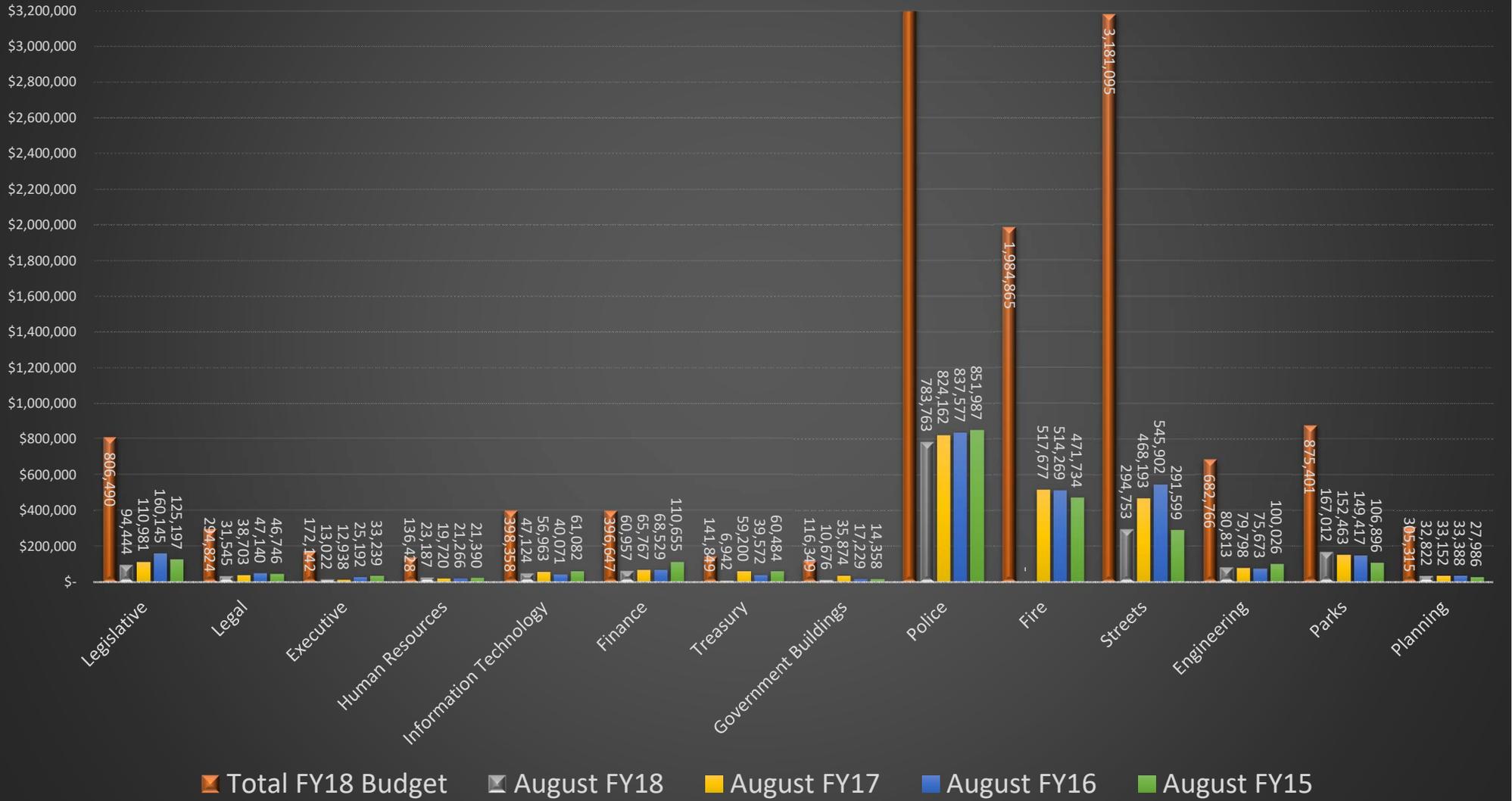
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FOR 2018 02		JOURNAL DETAIL 2018 1 TO 2018 13						
64	WORKERS' COMP INSURANCE	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
6400	Workers' Comp Insurance	283,670	283,670	78,438.09	14,298.93	.00	205,231.91	27.7%
	TOTAL WORKERS' COMP INSURANCE	283,670	283,670	78,438.09	14,298.93	.00	205,231.91	27.7%
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72	RDA REVOLVING LOAN FUND							
7200	RDA Revolving Loans	2,400	2,400	43,317.90	43,094.70	.00	-40,917.90	1804.9%
	TOTAL RDA REVOLVING LOAN FUND	2,400	2,400	43,317.90	43,094.70	.00	-40,917.90	1804.9%
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73	REDEVELOPMENT AGENCY							
7300	Redevelopment Agency	3,621,184	3,621,184	61,268.47	55,699.96	.00	3,559,915.53	1.7%
	TOTAL REDEVELOPMENT AGENCY	3,621,184	3,621,184	61,268.47	55,699.96	.00	3,559,915.53	1.7%
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74	CEMETERY PERPETUAL CARE							
7400	Cemetery Perpetual Care	0	0	126.39	106.69	.00	-126.39	100.0%
	TOTAL CEMETERY PERPETUAL CARE	0	0	126.39	106.69	.00	-126.39	100.0%
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83	RAP TAX							
8300	RAP Tax	534,000	534,000	69,447.94	61,432.79	.00	464,552.06	13.0%
	TOTAL RAP TAX	534,000	534,000	69,447.94	61,432.79	.00	464,552.06	13.0%
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92	OPEB TRUST							
9200	OPEB Trust	0	0	7,039.65	6,936.94	.00	-7,039.65	100.0%
	TOTAL OPEB TRUST	0	0	7,039.65	6,936.94	.00	-7,039.65	100.0%
	GRAND TOTAL	82,466,313	82,466,313	8,407,505.66	6,050,913.87	.00	74,058,807.34	10.2%

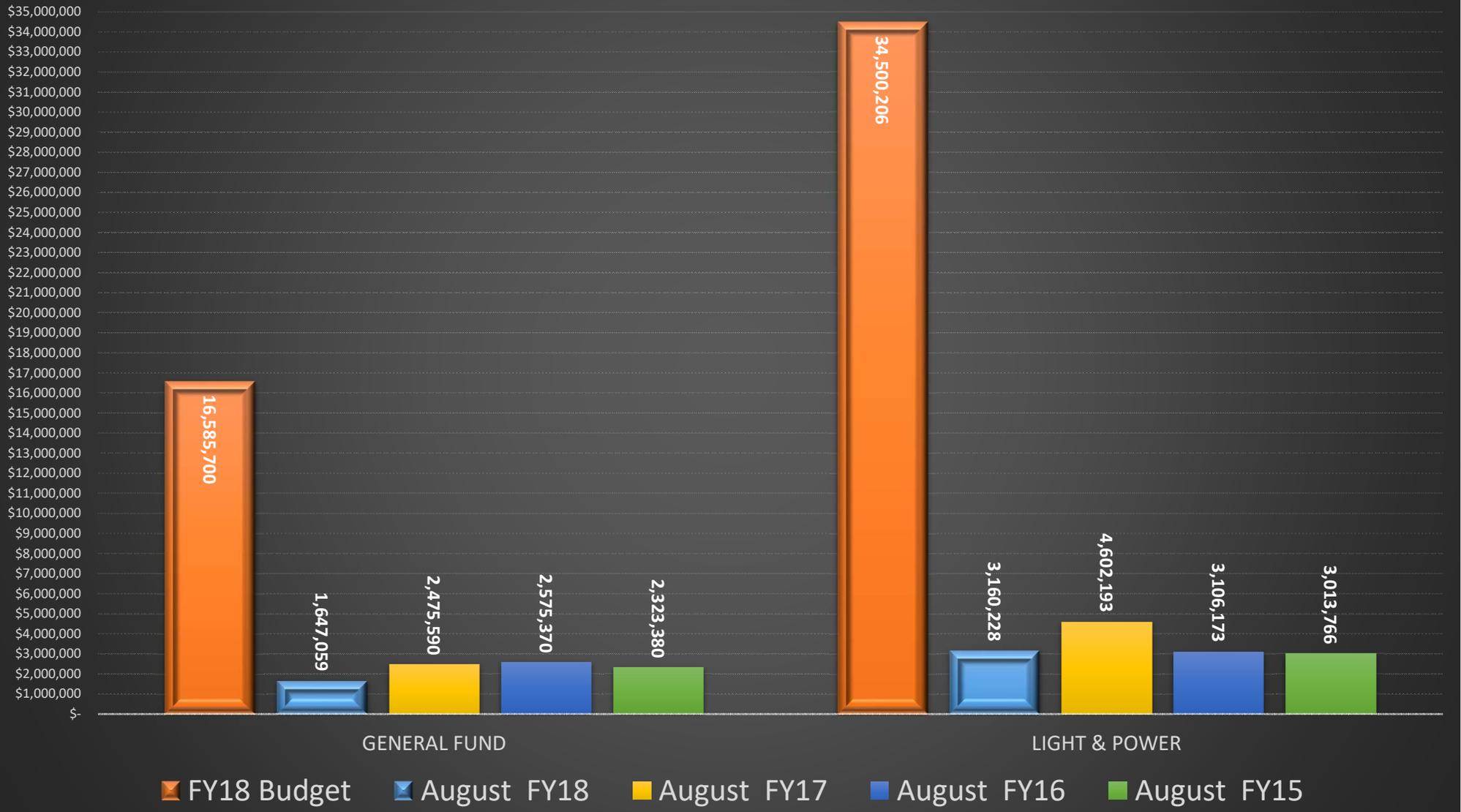
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General Fund Detailed Expenditures

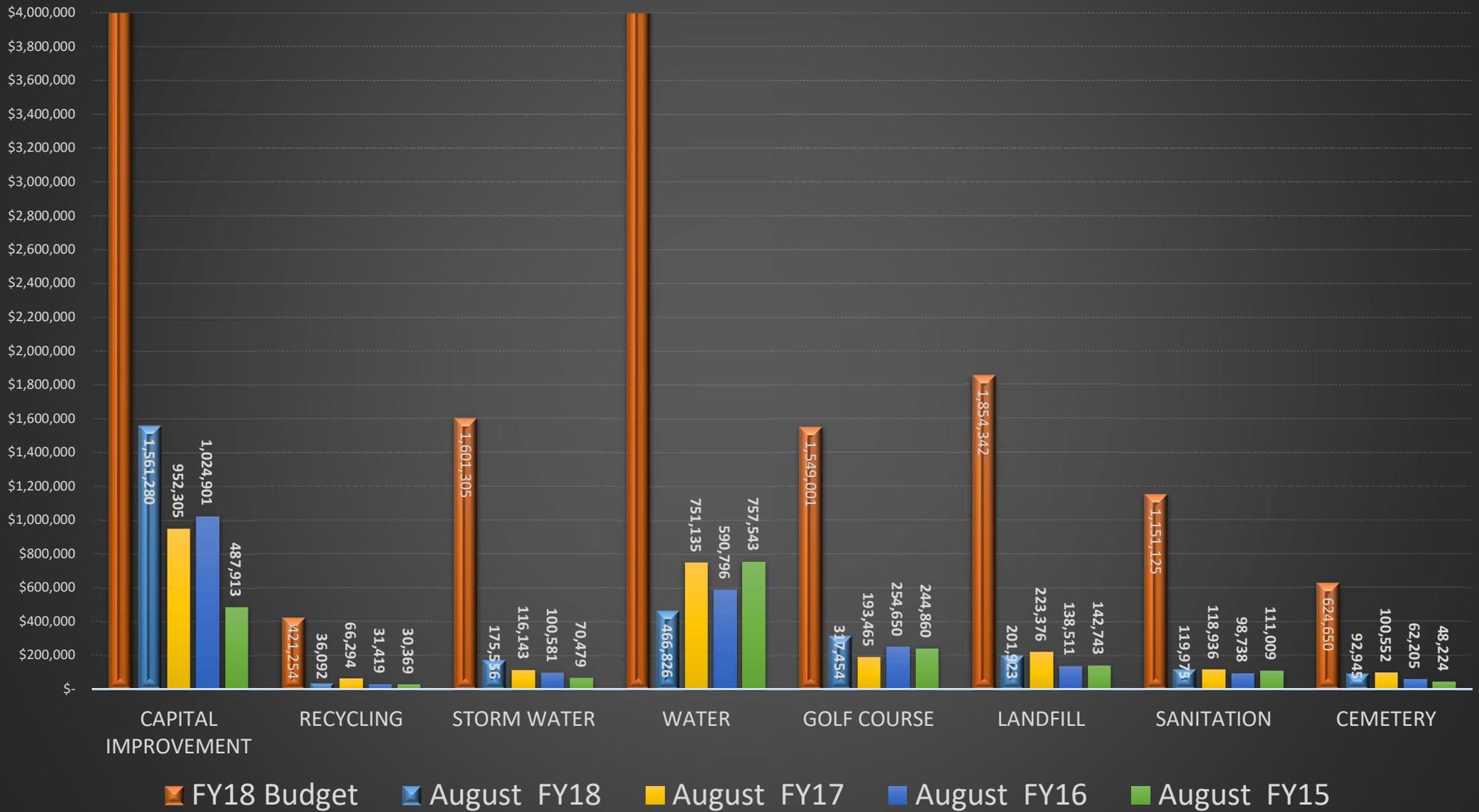
August 2017 Fiscal YTD Expenditures Compared to The Fiscal 2018 Total Budget and The Expenditures of the Same Timeframe of the Past Three Fiscal Years



August 2017 YTD (Fiscal 2018) Expenditures Compared to the Expenditures of the Same Timeframe of the Past Three Fiscal Years



August 2017 YTD (Fiscal 2018) Expenditures Compared to the Expenditures of the Same Timeframe of the Past Three Fiscal Years



City Council Staff Report



Subject: Vehicle Purchase
Author: Chief Ross
Department: Police Department
Date: October 10, 2017

Background

The following is a request to approve the purchase of two police vehicles. Funding for these vehicles has been approved in our FY 2018 budget.

Analysis

The vehicles to be purchased are one Ford F150 pickup and One Ford Expedition. Both vehicles will be assigned to the Patrol division with the Expedition also being utilized by the SWAT Team leader. The F150 will be purchased from Performance Automotive Group at the Utah State Contract price of \$32,980. The Expedition will be purchased from Performance Automotive Group at the Utah State Contract price of \$36,544. The total price for both vehicles is \$69,524 which is within the amount budgeted in our FY2018 budget.

The following vehicles will be sold;

- 2003 Chevrolet Pickup with approximately 101,000 miles
- 2011 Dodge Charger with approximately 103,000 miles

Department Review

The Police Department and City Manager have reviewed this staff report.

Recommendation

I respectfully request your approval to purchase two police vehicles in the amount of \$69,524. Thank you for your time and consideration in this matter.

Significant Impacts

Sufficient funds are currently budgeted.

Attachments

N/A

City Council Staff Report

Subject: Public Hearing- Zone Map Amendment from RM-19 (Multi Family Residential 19 units per acre) to R-4 (Single Family Residential 4 units per acre)
Property Addresses: Multiple; located roughly between 400 North and 500 South and between 100 West and 200 West
Author: Chad Wilkinson, Planning Director
Department: Planning
Date: October 10, 2017



Background

The proposal is to amend the zoning designation of 155 parcels totaling approximately 44.3 acres from RM-19 (Multi Family Residential 19 units per acre) to R-4 (Single Family Residential 4 units per acre). The proposed zone change involves the western portion of the Plat A/Bountiful Historic Fort Neighborhood from approximately 100 West to 200 West and running from 400 North to 500 South. The proposed change does not include any properties currently zoned commercial or professional office located within that boundary. The area is surrounded by commercial zoning on the south and west and Downtown Zoning on the east. The Bountiful City Park adjoins the site to the north.

Analysis:

Several factors have influenced the recommendation to rezone the area to a single family zoning designation. First, the Historic Fort Planning process and documents identified this area as a residential neighborhood along with the area east of 100 East. While the area east of 100 East was changed to Single Family zoning, the area on the west side has maintained a multifamily designation. Second, the development pattern of the area has remained predominantly single family in nature with single family homes currently existing on 113 of the 155 properties currently zoned RM-19 (73%). While there have been a few multi-family developments in the past several years, the neighborhood has remained, for the most part, a single family residential neighborhood. Third, recent decisions by the Planning Commission and City Council have indicated a desire to preserve the single family character of the neighborhood, even on the edges of the neighborhood where commercial development has encroached over the years.

Fourth, the development characteristics of the neighborhood and existing codes have not facilitated the redevelopment of the area as a multifamily neighborhood, in spite of being zoned for multifamily housing for more than 60 years. One of the challenges with the current multifamily designation relates to the size of the lots. Current zoning standards restrict densities for properties that are less than an acre to 7 units to the acre. The current zoning further restricts the development of properties that are less than .25 acre in area to

a single family residence. In order for a lot to have adequate square footage for a duplex, a minimum of .29 acres is required. However, the Code restricts converting an existing single family home to a duplex. This means that in order to construct a duplex on a lot, an existing home must be removed and replaced with a new duplex. Many of the lots that are currently developed as single family homes are less than the minimum size required for a duplex meaning that in order for multifamily development to occur, multiple parcels must be obtained, consolidated, structures removed, and new development approved. Because of the high costs of obtaining multiple properties, this has pushed development in the area to large scale multifamily structures that are not compatible with a single family neighborhood, rather than smaller scale multifamily development that may have originally been envisioned.

Based on these factors, staff is recommending that the area be rezoned to single family residential. With that recommendation comes the recognition that many of the properties in the area, especially along the edges of the neighborhood on 500 South and 200 West, have developed as commercial or multifamily residential over the years. These areas deserve additional consideration. The area along 200 West was specifically identified in the Historic Fort Planning process as an area that should “become more walkable” over time. Recommended policies focused on making the commercial area a pedestrian oriented commercial district. This area should be considered in the future for adoption of mixed use standards that would accomplish the goals and policies of the Historic Fort plan. In the area immediately adjacent to 200 West, single family zoning should be viewed as a temporary zoning designation that would regulate the area while adequate standards for development are considered and adopted.

Standard of Review

As a matter of procedure, whenever the Planning Commission considers a request for a rezone (zone map amendment), it shall review it in accordance with the provisions of 14-2-205 AMENDMENTS TO ORDINANCE AND MAP, which are as follows:

- B. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be the public policy that amendments should not be made to the Bountiful City Land Use Ordinance or Zoning Map except to promote the objectives and purpose of this Title, the Bountiful City General Plan, or to correct manifest errors.

Department Review

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

Significant Impacts

The proposed zone change will facilitate the recommendations of the Historic Fort Planning process by formalizing the area as a single family residential neighborhood.

Planning Commission Review:

The Planning Commission reviewed the proposed zone change at their October 3, 2017 meeting. After holding a public hearing and receiving input, a motion was made to send a recommendation of approval to the City Council. The motion failed by a vote of 3-3 with Commissioners Higginson, Smith, and Monson voting in favor of the motion and Commissioners Hill, Spratley and Bell voting against.

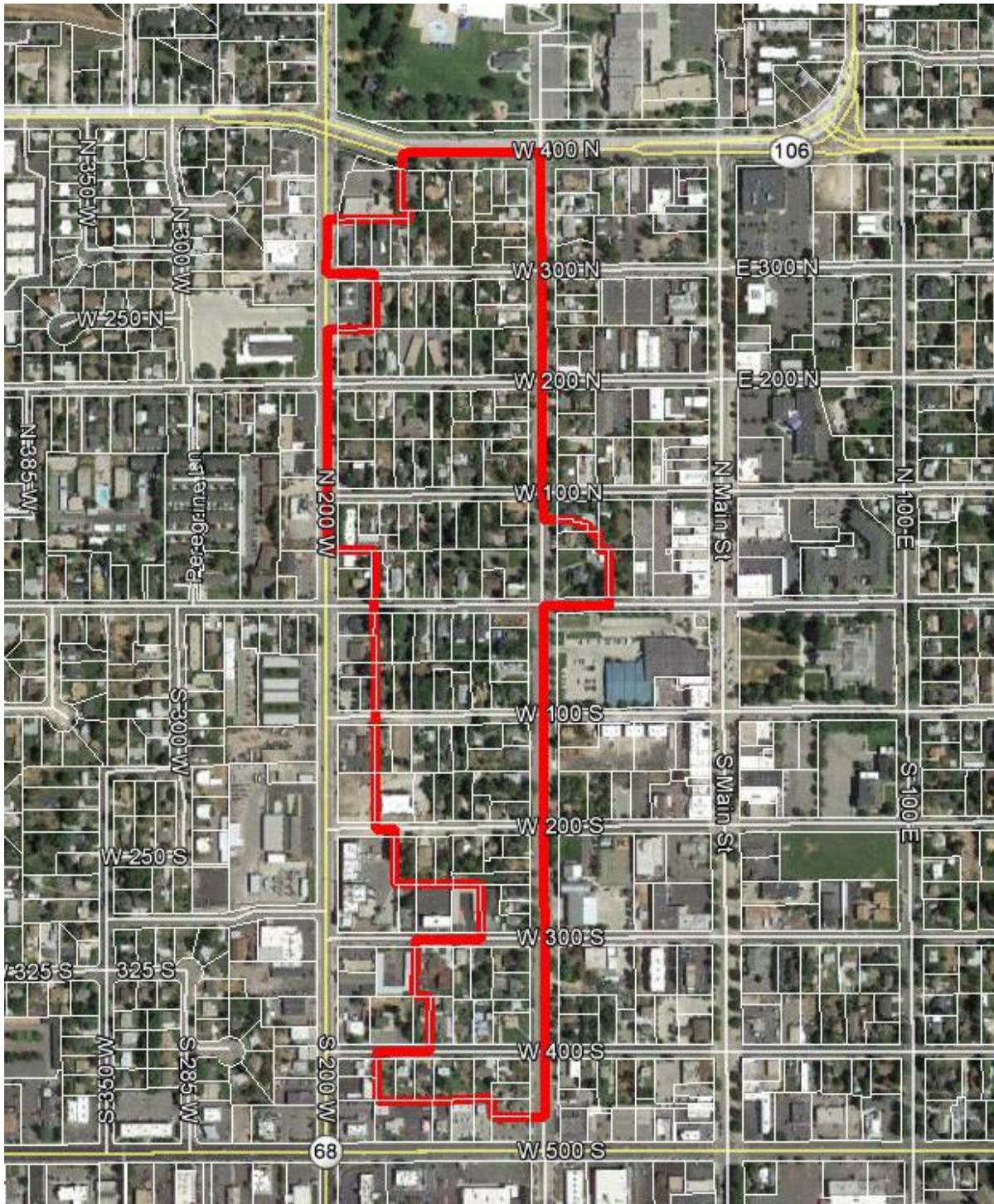
Recommendation:

It is recommended that the City Council approved the proposed zoning map amendment for approximately 155 parcels totaling \pm 44.3 acres (see the attached legal description) from RM-19 (Multi Family Residential 19 units per acre) to R-4 (Single Family Residential 4 units per acre).

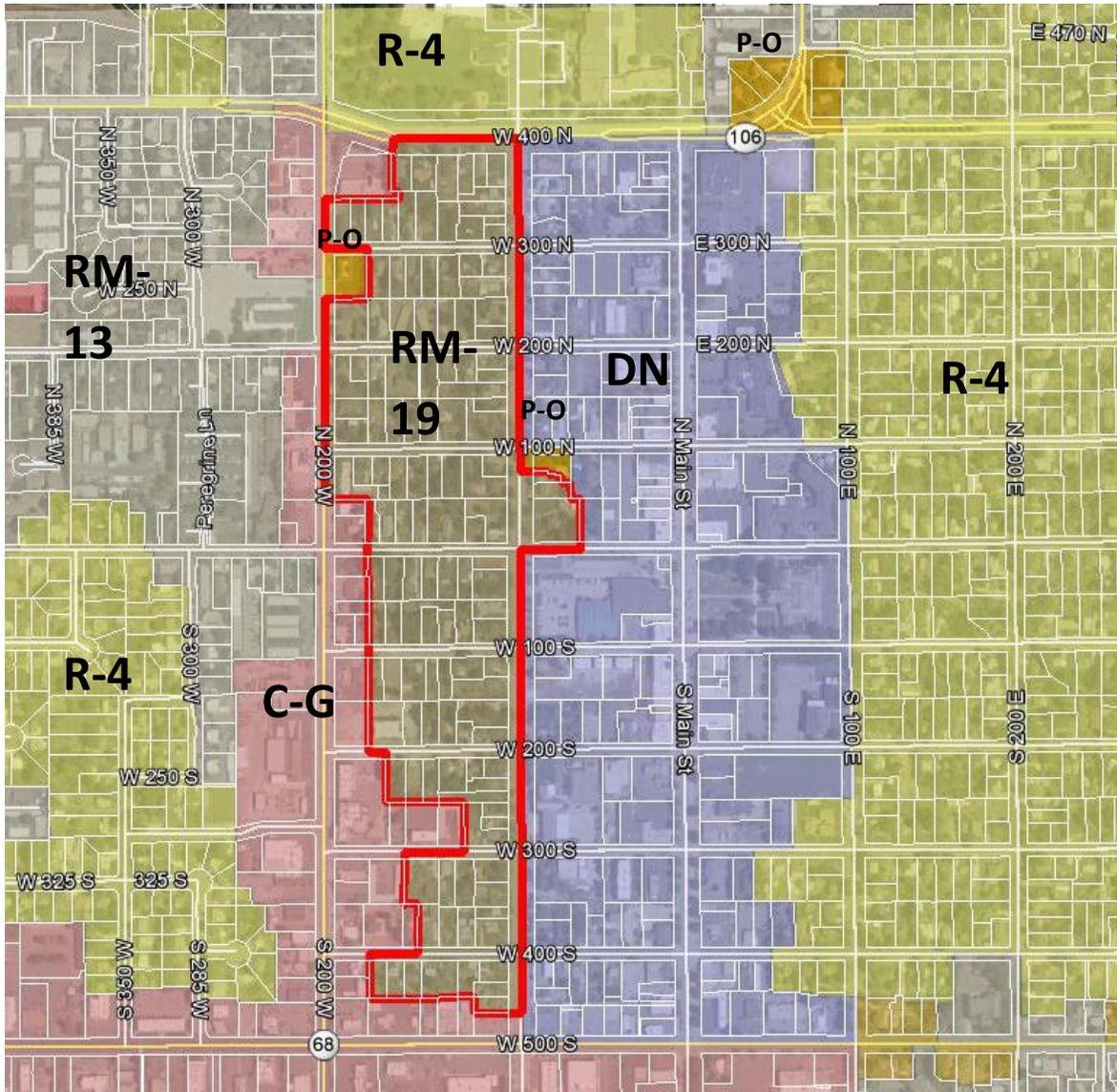
Attachments

1. Aerial photo
2. Existing Zoning Map

Aerial Photo



Existing Zoning





BOUNTIFUL

City of Beautiful Homes and Gardens

MAYOR
Randy C. Lewis
CITY COUNCIL
Kendalyn Harris
Richard Higginson
Beth Holbrook
John Marc Knight
John S. Pitt
CITY MANAGER
Gary R. Hill

Bountiful City Ordinance No. 2017-10

An ordinance amending the Bountiful City Zoning Map to change the zoning designation of approximately 155 parcels totaling \pm 44.3 acres from RM-19 (Multi Family Residential 19 units per acre) to R-4 (Single Family Residential 4 units per acre).

It is the finding of the Bountiful City Council that:

1. The Bountiful City Council is empowered to adopt and amend zoning maps and ordinances pursuant to Utah State law and under corresponding sections of the Bountiful City Code.
2. As required by Section 14-2-205 of the Bountiful City Land Use Ordinance this zone map and ordinance amendment is found to be in harmony with the objectives and purposes of the Land Use Ordinance.
3. The Bountiful City Planning Commission held a public hearing on October 3, 2017. A motion to recommend approval of the proposed zone change to the City Council failed with a vote of 3-3.
4. The Bountiful City Council held a public hearing on this proposal on October 10, 2017.
5. Amending the zoning designation for the aforementioned parcels/area is in the best interests of the health, safety and welfare of the City.

Be it ordained by the City Council of Bountiful, Utah:

Section 1. The official Zoning Map of Bountiful City is hereby amended to designate the zoning for the property described in Exhibit A, which is attached hereto and incorporated by this reference and shown in the accompanying map entitled "Subject Properties", as R-4 Residential Single Family 4 units per acre.

Section 3. City ordinances in conflict with these provisions are hereby repealed. However, all provisions in force immediately prior to this ordinance shall continue in force hereafter for the purpose of any pending legal action, all rights acquired, and any liabilities already incurred.

Section 4. This ordinance shall take effect immediately upon first publication.

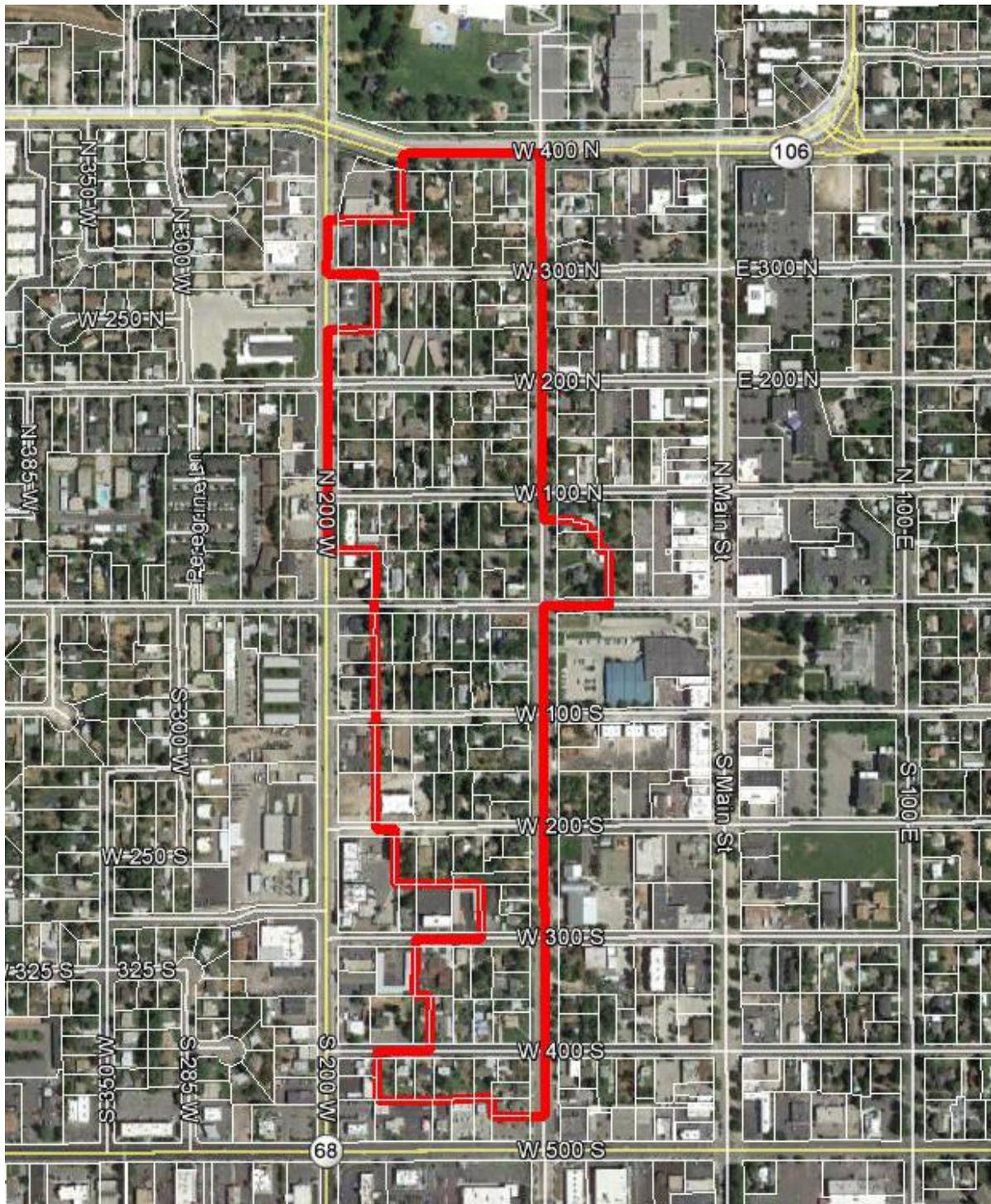
Adopted by the City Council of Bountiful, Utah, this 10th day of October 2017.

Randy C. Lewis, Mayor

ATTEST:

Shawna Andrus, City Recorder

Subject Properties



City Council Staff Report

**Subject: Public Hearing-Potential Changes to
DN Zoning District Standards found in Chapter 7 of the
Bountiful Land Use Ordinance**

Applicant: Bountiful City

Author: Chad Wilkinson

Date: October 10, 2017



Background and Analysis

The Historic Downtown area of Bountiful, contained within the boundaries of the original “Plat A”, is the cultural and civic heart of the City. The neighborhood, bounded by 400 North, 500 South, 400 East, and 200 West, has seen tremendous changes over the past several years as redevelopment has occurred along Main Street and the surrounding neighborhood.

In 2006, a planning effort was undertaken that resulted in a document titled the “Bountiful Historic Fort Plan.” This document included goals and policies and recommendations for the Plat A area. The document was never officially adopted, although several of the goals and policies were used to inform subsequent zoning changes and the Downtown Master Plan component of the 2009 General Plan.

Residents and business owners within the Plat A neighborhood have voiced concerns over preserving the character of Bountiful’s historic downtown and have expressed a desire to revisit the allowed uses and allowed density of development in the neighborhood. Specifically, residents of the neighborhood have expressed concern over the number of multi-family units being constructed in the area and the scale and density of development. Recent developments including the IHC expansion and mixed use development within the Downtown (DN) zoning district have brought up questions related to allowed height, setbacks, parking and other development standards.

In late March of this year, the City Council adopted a six-month moratorium to allow time for the City to review these issues and make desired changes to zoning and development regulations prior to new development moving forward. As part of the review process, the City initiated a survey of residents and business owners in Plat A in order to give opportunities for additional public input on development in the area. The City received over 250 responses to the survey, which was sent out to all property owners in the Plat A area. Staff has taken this input and combined it with input from the following sources:

- The 2006-2008 Bountiful Historic Fort Planning Process and documents
- Recommendations from Envision Utah given during the original planning process
- Recent City Council Decisions
- The Recent Plat A Survey
- Concerns expressed during recent application review by the Planning Commission

After receiving input at the Planning Commission work session for the Plat A neighborhood held on September 5, 2017, staff recommended changes to the DN (Downtown) Zoning Standards found in Chapter 7 of the Bountiful Land Use Ordinance. These changes were presented to the Planning Commission at two public hearings held on September 19 and October 3, 2017.

The proposed changes include the following:

- Changes to the building height requirements
- Changes to the minimum lot size
- Addition of standards regulating location of parking
- Revisions to the architectural design standards for multifamily developments located along 100 West and 100 East
- Addition of regulatory language related to guest parking spaces
- Provided additional text related to screening of mechanical equipment.
- Provided additional clarification in table of permitted uses
- Other changes to correct inconsistencies and provide clarification

The attached ordinance contains the proposed revisions with changes to the ordinance indicated with strikethrough text (showing deletions) and underline text indicating new text. At the City Council public hearing, staff will provide a detailed discussion of each of the changes along with the reasoning behind the proposed change.

Significant Impacts

Community-Compatible Economic Development is a Tier 1 Policy Priority of the City Council. There are examples of good *and* poor compatibility and design in the Downtown area, with the only difference being the desires of the individual developer at the time of application. Without standard changes in the Downtown Zone, the community will have no way to ensure that development in the Zone is compatible with neighboring uses or matches the vision of the City.

Recommendation:

The Planning Commission reviewed the proposed changes at their September 19 and October 3, 2017 meetings and the Commission has forwarded a recommendation of approval to the City Council.

It is recommended that the City Council review the proposed changes to the Downtown Ordinance and hold a public hearing to allow for additional public comment. After receiving public input the Council may take one of the following actions:

1. Request additional revisions and continue the item to a future meeting for further discussion
2. Approve the attached Ordinance 2017-11 adopting the proposed changes to the DN Zoning standards.
3. Deny the requested changes to the Downtown Zoning standards.

Staff supports the recommendation of the Planning Commission and recommends the City Council approve an ordinance adopting changes to the zoning standards.

Attachments

Proposed changes to the DN (Downtown) Zoning Standards

CC Staff Report DN Text Amendment-October10 2017.docx

CHAPTER 7

DN – DOWNTOWN

- 14-7-101 PURPOSE AND OBJECTIVES**
- 14-7-102 PERMITTED, CONDITIONAL, AND PROHIBITED USES**
- 14-7-103 MINIMUM LOT STANDARDS**
- 14-7-104 AREA OF ZONE**
- 14-7-105 YARD REQUIREMENTS**
- 14-7-106 PROJECTIONS INTO YARDS**
- 14-7-107 BUILDING HEIGHT**
- 14-7-108 DISTANCE BETWEEN BUILDINGS**
- 14-7-109 PERMISSIBLE LOT COVERAGE**
- 14-7-110 PARKING, LOADING, AND ACCESS**
- 14-7-111 SITE PLAN APPROVAL**
- 14-7-112 OTHER REQUIREMENTS**
- 14-7-120 PERMITTED ADJUSTMENTS TO REQUIRED PARKING**

14-7-101 PURPOSE AND OBJECTIVES

The Downtown (DN) Mixed Use Zone is established to provide a district primarily for the preservation of the mixed use character of the commercial and residential uses in and adjacent to the Main Street downtown area, consistent with the provisions of the adopted Bountiful Historic Downtown Plan.

14-7-102 AREA OF ZONE

Each area of Downtown zoning shall be at least four (4) acres in size.

14-7-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES

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 Downtown zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited. Properties fronting on 100 West or 100 East shall be limited to the residential uses allowed in the (DN) zone.

Table 14-7-103

<u>Use</u>	<u>DN</u>
Assisted Living Center	C
Bail Bonds	N
Banks, Credit Unions	P
Bar, Tavern, Drinking Establishment	N
Bottling, Canning, Food Production	C
Building/Construction Materials and Supplies w/ outside storage	N
Building/Construction Materials and Supplies w/o outside storage	C

Use	DN
Check Cashing, Title Loans	N
Construction Services w/ outside storage	N
Construction Services w/o outside storage	C
Convenience Stores	C
Dry Cleaner, Laundry Service	P
Fast Food Restaurant w/ drive-thru window	N
Fast Food Restaurant w/ pick-up	C
Fast Food Restaurant w/o drive-thru	P
Feed Lots, Animal Rendering, Animal Raising	N
Fire Arm/Shooting Range – Indoor	N
Fire Arm/Shooting Range – Outdoor	N
Food Preparation, Bakery	C
Funeral Parlor, Cemeteries, and Crematory Services	C
Gasoline Sales	N
General retail w/ outside storage	N
General retail w/o outside storage	P
Grocery Store	P
Hotels (Interior rooms)	P
Industrial Manufacturing	N
Kennels, Animal Boarding	N
Laundromat (Self-operated)	P
Mail Order/Online Distribution office w/ onsite storage	C
Medical/Dental Laboratory	N
Medical/Dental Office	P
Millwork, Cabinetry	P
Motels (Drive-up/exterior rooms)	N
Motorized Recreation	N
Multi-Family Residential – Stand alone, with frontage on Main Street	N
Multi-Family Residential – Stand alone; lot or parcel fronting on 100 West or 100 East without frontage on Main Street	C
Multi-Family Residential w/ Commercial Use on ground floor	C
Municipal Facility	P
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P
Pawnshop, Secondhand Merchandise	N
Personal Services	P
Professional Services	P
Public/Private Assembly	C
Restaurant	P
Security Services	C
Self Storage Units or Warehouse w/o Office	N
Sexually Oriented Business, Escort Service	N
Single Family Dwelling, or Two Family Dwelling – Existing	P
Single Family Dwelling property fronting on Main Street	N
Single or Two Family Dwelling – New	NC
Small engine/appliance repair	C
Tailor, Seamstress, Shoe repair	P

Use	DN
Tattoo Parlor	N
Tutoring, Dance, Preschool, Daycare	P
Vehicle Part Sales	N
Vehicle Repair	N
Vehicle Sales	N
Vehicle Salvage/Wrecking	N
Vehicle Service and Wash	N
Vehicle Storage – Indoor	C
Warehouse w/ office	N
Welding, Autobody, Machine Shop, Fiberglass, Painting	N

Accessory uses and structures shall be permitted in the Downtown Zone provided that they are incidental to and do not substantially alter the character of the permitted principal use of a main structure. Such permitted accessory uses and structures include, but are not limited to, the following:

- A. Accessory structures such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the (DN) Zone.
- B. Storage of materials used for the construction of a building, including a contractor's temporary office, provided that such use be located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

14-7-104 MINIMUM LOT STANDARDS

The minimum area and street frontage for any lot or parcel in the Downtown Zone shall be as follows:

Table 14-7-104

Use	Min. Lot Size	Min. Frontage and Width
Commercial	20,000 8,000	50
Mixed-Use	20,000 8,000	50
Single Family (Existing only)	8,000	70
Two-Family and Multi-Family Two-Family (Existing only)	10,000 12,000	50 80
Multi-Family	20,000	80

- A. Lots with more than one (1) street frontage shall meet the minimum requirements along all frontages.
- B. An existing lot or parcel that does not meet the minimum requirements shall be considered a non-complying lot, and all proposed development on such lot or parcel requiring site plan review shall follow the process for non-complying sites and structures.

- C. A multi-family residential development that is not part of a vertical mixed use development shall meet the density requirements and development standards of the RM-13 subzone, except as set forth in this Chapter.

14-7-105 YARD REQUIREMENTS

A lot or parcel with a single family ~~or two family dwelling~~ shall conform to the minimum setbacks of the R-4 subzone. Two-family dwellings and mMulti-family dwellings shall meet the setback criteria of the RM-13 subzone. All other uses, including mixed uses, shall meet the following requirements:

A. ~~A.~~ Front and Street Setbacks.

~~1. Each lot or parcel Along 100 West and 100 East shall have any building shall have minimum a minimum building setback of 20 feet and a maximum setback of of twenty-five (2025) feet from any front property line and/or any property line abutting a public street, with the following exceptions:~~

~~1.2.~~ Along Main Street any building shall be located within ten (10) feet of the street property line. Plazas, outdoor eating areas, and other pedestrian oriented site amenities shall be considered part of the building for setback purposes.

~~2.1.~~ Along 500 South, 400 South, 300 South, 200 South, 100 South, 100 North, 200 North, or 300 North and 400 North any building shall be setback at least ten (10) feet and not more than twenty (20) feet from the street property line.

2. Along Center Street, any building shall be setback at least five (5) feet and not more than ten (10) feet from the street property line.

~~Each lot or parcel that fronts onto Main Street shall have a minimum on-site parking setback of fifty feet (50') from the Main Street right of way line, or be located completely behind the principal structure.~~

B. Side Yard. Except as provided otherwise in this chapter, each lot or parcel shall have a minimum building setback of ten (10) feet from an interior side property line. Any lot or parcel that fronts onto Main Street shall have no interior side yard setback except as required by the International Building Code.

C. Rear Yard. Except as provided otherwise in this chapter, each lot or parcel shall have a minimum building setback of ten (10) feet from a rear property line.

D. Yard Abutting Residential Lots. Where property abuts an existing single family residential dwelling zone, the minimum building setback shall be ten (10) feet on the abutting side.

E. Accessory Structures. An accessory structure shall meet all of the setback requirements of a principal structure. An accessory structure that does not require a building permit, according to the International Building Code (IBC), may be located in a side or rear setback area only if all of the following conditions are met:

1. The accessory structure is not within a front or street yard setback and is located more than ten (10) feet from any main building on the same or adjacent property.
2. The accessory structure has no openings on the side which is contiguous with the property line, and the walls of said building which are adjacent to the property line have a fire retardant rating as specified by the IBC.
3. The accessory structure is designed such that all roof drainage is discharged onto the lot or parcel on which it is erected.

F. Residential Uses.

It is the requirement of Bountiful City that multiple family developments reflect a sense of proportion. Proportion requires that the development be designed in such a manner that each unit receives a reasonable and approximately proportionate share of the open space, landscaping, and other benefits of the site. Locating units in such a way that benefits of the site fall primarily to one unit or a few units, and not to others, is prohibited. Depending upon topography, property dimensions and site configuration, it is possible that this requirement may affect the number of units that can be physically located on a lot or parcel. The Planning Commission and City Council are granted reasonable discretion in administering the proportionality requirement, and may modify yard setback requirements by up to twenty (20) percent subject to a finding that such modification will benefit all units more equally than would be possible if the standard requirement was applied.

14-7-106 PROJECTIONS INTO YARDS

- A. The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway or pedestrian access:
1. A fence or wall in conformance with this Ordinance.
 2. Landscape elements, including: trees, shrubs, and other plants.
 3. Necessary appurtenances for utility service as long as they are attached to a permitted structure and do not protrude more than two (2) feet into a required setback.
- B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that they may not obstruct a required driveway or pedestrian access:
1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
 2. Stairways, balconies, door stoops, fire escapes, awnings
 3. Planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
 4. A covered entry or porch used for the protection of pedestrians entering or leaving a building, provided said structure is not more than one story in height and is entirely open on at least three (3) sides.

C. Buildings that front onto Main Street and that are built within ten (10) feet of the front property line may have canopies with business identification sign area if the following criteria is met:

1. The canopy may protrude a maximum of six feet (6') into the Main Street right-of-way, over areas of sidewalk.
2. The canopy shall not come within seven feet (7') of any parking stall, drive lane, or other portion of the right-of-way used for vehicle access.
3. The total combined length of the canopy or canopies shall not exceed two thirds (2/3) of the building width.
4. The maximum height of the canopy shall not exceed five feet (5').
5. Off-premise signs are expressly prohibited.
6. Canopy sign copy area shall be a maximum of thirty-two (32) sq ft per property.

14-7-107 STRUCTURE HEIGHT

Any lot or parcel with a single family or two family dwellings shall conform to the maximum height requirements of the R-4 subzone. ~~Multi family dwellings shall conform to the maximum height criteria of the RM 12 subzone. All other uses, including mixed uses, shall not exceed three (3) stories or forty five (45) feet in height, whichever is shorter, as measured at the average grade shall comply with the following height standards:-~~

- A. A. For buildings located within 100 feet of the street property line on 100 West and 100 East: Building height shall not exceed 35 feet or 2 stories in height measured at the average grade. Buildings A mixed commercial and residential building may be constructed one (1) additional story foot in height as long as the additional story is set back an additional one (1) foot for each additional one ten (10) feet fo of height setback from 100 East and 100 West as measured from the street -property line.
- B. Buildings located at least 100 feet from the street property line of 100 West and 100 East shall not exceed three (3) stories or 45 feet in height, measured at the average grade. Buildings may be constructed one (1) additional foot in height for each additional ten (10) feet of setback from 100 East and 100 West as measured from the right of way.
- C. Buildings located at least 200 feet from 100 West and 100 East shall not exceed 55 feet or 4 stories in height, measured at the average grade, up to a maximum building height of four stories or fifty five (55) feet, whichever is shorter, as measured at the average grade. The additional horizontal setback does not apply to interior side yard setbacks.
- D. Maximum height for public and quasi-public buildings shall be approved through the site plan approval process by the land use authority.
- E. Chimneys, flagpoles, towers, steeples, and similar accessory and architechtural elements not used for human occupancy are excluded in determining height, however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance.
- F. In no case shall the area covered by roof mounted equipment exceed twenty percent (20%) of the roof area. Roof mounted equipment shall be setback from the edge of the roof a minimum of 1 foot for every foot of height. If mechanical equipment is located within roofed and enclosed structures, these structures shall not exceed the maximum height for the zone whether or not these areas are designed for human occupancy.

~~B. Chimneys, flagpoles, church towers, steeples, and similar accessory elements not used for human occupancy are excluded in determining height, however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance twenty (20%)~~

14-7-108 DISTANCE BETWEEN STRUCTURES

A lot or parcel with a single family ~~or two family~~ dwelling shall conform to the minimum building separation requirements of the R-4 subzone. A ~~two-family dwelling or~~ multi-family dwelling shall meet the minimum building separation criteria of the RM-13 subzone. For all other uses, the minimum separation between structures shall be ~~ten (10) feet or as required by the International Building Code, whichever is greater. This separation may be reduced through the site plan approval process if the reduced setback is consistent with the adopted Historic Downtown Plan, except that it shall never be less than the distance required by the International Building Code.~~

14-7-109 LANDSCAPING AND PERMISSIBLE LOT COVERAGE

- A. A lot or parcel with a single family ~~or two family~~ dwelling shall follow the lot coverage requirements of the R-4 subzone. A lot or parcel with a ~~two-family or~~ multi-family dwelling shall conform to the lot coverage criteria of the RM-~~12-13~~ subzone. All others, including mixed-use developments, shall conform to the following criteria, in addition to any other requirements of this Title:
1. All landscaping shall be sprinkled and planted with substantial live plant material for the purpose of buffering, screening, and beautifying the site. At plant maturity, the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
 2. ~~With the exception of properties fronting on Main Street a~~ minimum ten (10) feet wide landscape buffer shall be required along all frontage areas not occupied by drive accesses.
 3. A minimum ten (10) feet wide landscape buffer shall be established adjacent to a residential property.
 4. Parking, loading, and drive areas shall have a minimum five (5) feet wide landscape buffer when located adjacent to a side or rear property line, except for landscape buffering required between residential uses.
 5. Parking areas shall be landscaped as set forth in this Ordinance.
 6. Approved landscaping must cover a minimum of ten (10) percent of the development site exclusive of any parkstrips in a public right-of-way.
 7. Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt, concrete, bricks, pavers, railroad ties, rocks, gravel, and other non-vegetative material is not allowed in the parkstrip area between the curb and sidewalk.
- B. During the site plan approval process, the City may require more or less landscaping consistent with the provisions of the adopted Historic Downtown Plan.

14-7-110 PARKING, LOADING, AND ACCESS

A. Each lot or parcel in the (DN) Zone shall have vehicle parking, loading, and access designed to meet the requirements of this Ordinance. In addition to the standards of Chapter 18 of the Land Use Ordinance, the following shall apply to properties in the DN Zoning district.

- a. Off street parking is not permitted in the front setback area and/or between the street and building. Parking shall be located to the side or rear of the building.
- b. Parking for buildings fronting on Main Street shall be ~~or be~~ located completely behind the principal structure.
- ~~8.c.~~ Required guest parking spaces shall be located in dedicated off-street parking spaces. Driveway areas and areas located in front of garage doors (for example in townhome style developments) shall not be used to satisfy minimum guest parking requirements.

14-7-111 SITE PLAN APPROVAL

Except for single family ~~and two family~~ dwellings, site plan approval shall be required for any development in the (DN) Zone as set forth in this Title.

14-7-112 OTHER REQUIREMENTS

- A. Signs. Any sign erected in the (DN) Zone shall conform to the sign provisions of this Title. Single family and two family dwellings shall conform to the criteria for the R-4 subzone, and multi-family uses shall conform to the criteria for the RM-~~12-13~~ subzone. All others shall conform to the criteria for the ~~C-GDN~~ subzone, except that pole signs shall not be permitted.
- B. Uses Within Buildings. Any commercial use permitted in the (DN) Zone shall be conducted entirely within a fully enclosed building, except as provided in subsections 1 and 2 below.
 1. Outdoor Display of merchandise for sale in the downtown area. Businesses located in buildings in the (DN) Zone that have setbacks less than three (3) feet from the public right-of-way may display in the public right-of-way, subject to the following terms and conditions:
 - a. Any display of merchandise on the sidewalk may not exceed three (3) feet into the public right-of-way from the property line of the business, except during the annual "Sidewalk Days" celebration. There may be no display of merchandise in the planter boxes in the public right-of-way.
 - b. During the winter months, a display may not impede snow removal from the sidewalk.

- c. The display shall not exceed twenty-five percent (25%) of the width of the lot, parcel, or business. However, businesses with less than forty (40) feet of width may have a display not to exceed ten (10) feet in width.
 - d. Only merchandise sold inside the business may be displayed outside.
 - e. No outdoor display shall exceed six (6) feet in height.
 - f. Each display shall be taken down at the end of each business day. The merchant shall be solely responsible for items displayed.
 - g. Each display shall not create a hazard, sight distance, or other problem to pedestrians on the sidewalk or to drivers on the street.
 - h. Displayed merchandise shall not obscure or interfere with any official notice, public safety sign, or device.
2. Any business not listed in subsection 1 may include the outdoor display of merchandise for sale only if all of the following conditions are met:
- a. The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.
 - b. The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
 - c. No item shall be displayed outdoors except for those lawfully displayed and sold inside the business or businesses located on the property. No hazardous and/or flammable materials (such as antifreeze, kerosene, poisons, pesticides and other similar items) may be displayed outdoors.
 - d. The aggregate outdoor display area shall not exceed twenty-five (25) percent of the linear frontage of the store front or 10 linear feet, whichever is greater. A business located on a corner shall be considered as having two (2) store fronts.
 - e. No outdoor display shall exceed six (6) feet in height.
 - f. A maximum of fifty (50) percent of the aggregate outdoor display area may be located in any required landscaping.
 - g. Items shall be displayed outdoors only during the hours that the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.
 - h. Additional signs, beyond those allowed by this Title, shall not be allowed as part of the outdoor display and sales area.

- i. Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Planning Director for a period not to exceed fourteen (14) days provided such special displays do not create parking, access, or traffic hazards.

C. Structure Design and Materials.

Any structure, except for single and two family dwellings, shall meet the minimum design criteria as set forth in this Title. In addition, the following shall apply.

1. Exteriors shall be maintenance free wall material such as high quality brick, natural stone, weather resistance stucco or masonite type material, or non-wood siding. Stucco, masonite or siding may not exceed fifty (50) percent of the exterior.
2. Each residential units shall have some private outdoor space in the form of a balcony or patio.
3. The primary entrance of a building must be oriented to face a street, public plaza or approved pedestrian-way. Ground floor residential units shall have the primary entrance oriented toward the street.
4. Multifamily residential buildings shall not exceed a 2:1 building width/depth to building height ratio.
5. Multifamily residential buildings located along 100 East and 100 West shall incorporate architectural features consistent with single family residential design such as pitched roofs, gable roofs, dormers, overhanging eaves, etc., into the design of the structures.

D. Neighborhood Compatibility.

Each structure, except for existing single and two family dwellings, shall shall be designed consistent with the adopted Historic Downtown Bountiful Master Plan, particularly with regard to building height, architecture, landscaping, and building mass.

- E. Trash Storage. No trash, used materials, wrecked or abandoned vehicles, or equipment shall be stored in an open area. With the exception of single family and two family dwellings, each development in the (DN) Zone shall be required to have adequate, on-site, screened refuse containers maintained in a location approved as part of the site plan.

F. Walls and Fences.

Any wall or fence erected around a commercial development or mixed use development shall comply with the requirements of the (C-G) zone. Any multi-family development shall comply with the requirements for the RM-13 subzone. Any single family and two family developments shall comply with the provisions of the R-4 subzone.

14-7-120 PERMITTED ADJUSTMENTS TO REQUIRED PARKING

- A. Downtown Parking District Defined. The Downtown Parking District consists of those properties located within the (DN) Zone.

- B. Proximity of Parking to Use. Required parking spaces for residential uses must be located on site. Required parking spaces for nonresidential uses must be located on site or in parking areas within five hundred feet (500') of the development site property boundary. Off-site nonresidential parking is allowed if the following documentation is submitted in writing to the land use authority as part of a building or zoning permit application or land use review:
 - 1. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - 2. The location and number of parking spaces that are being shared;
 - 3. An analysis showing that the parking area will be large enough for the anticipated demands of both uses; and
 - 4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

- C. Joint Use Parking. Joint use of required parking spaces may occur where two (2) or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the land use authority as part of a building or zoning permit application or land use review:
 - 1. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - 2. The location and number of parking spaces that are being shared;
 - 3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - 4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

- D. No parking calculation which includes the parking areas owned by the Bountiful Redevelopment Agency gives any right of possession, any real estate interest, or contract right or right of way on any Redevelopment Agency property.



BOUNTIFUL

City of Beautiful Homes and Gardens

MAYOR
Randy C. Lewis
CITY COUNCIL
Kendalyn Harris
Richard Higginson
Beth Holbrook
John Marc Knight
John S. Pitt
CITY MANAGER
Gary R. Hill

Bountiful City Ordinance No. 2017-11

An ordinance amending the development standards of the Downtown (DN) zone found in Chapter 7 of Title 14 of the Bountiful Land Use Ordinance.

It is the finding of the Bountiful City Council that:

1. The Bountiful City Council is empowered to adopt and amend general laws and land use ordinances pursuant to Utah State law (§10-9a-101 et seq.) and under corresponding sections of the Bountiful City Code; and
2. The proposed changes to the DN zoning regulations are consistent with the General Plan; and
3. After public hearings on September 19, 2017 and October 3, 2017 the Bountiful City Planning Commission recommended in favor of amending the standards of the DN Zone; and
4. The Bountiful City Council held a public hearing on this proposed amendment to the DN zoning regulations on October 10, 2017; and
5. Adoption of the proposed amendments the DN zoning regulations is in the best interests of the health, safety and welfare of the City.

Be it ordained by the City Council of Bountiful, Utah:

SECTION 1. Chapter 7 of the Bountiful City Land Use Ordinance (Title 14 of the Bountiful City Code) is hereby amended as follows:

CHAPTER 7

DN – DOWNTOWN

- 14-7-101 PURPOSE AND OBJECTIVES
- 14-7-102 AREA OF ZONE
- 14-7-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES
- 14-7-104 MINIMUM LOT STANDARDS
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- 14-7-110 PARKING, LOADING, AND ACCESS
- 14-7-111 SITE PLAN APPROVAL

14-7-112 OTHER REQUIREMENTS

14-7-101 PURPOSE AND OBJECTIVES

The Downtown (DN) Mixed Use Zone is established to provide a district primarily for the preservation of the mixed use character of the commercial and residential uses in and adjacent to the Main Street downtown area, consistent with the provisions of the adopted Bountiful Historic Downtown Plan.

14-7-102 AREA OF ZONE

Each area of Downtown zoning shall be at least four (4) acres in size.

14-7-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES

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 Downtown zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited. Properties fronting on 100 West or 100 East shall be limited to the residential uses allowed in the (DN) zone.

Table 14-7-103

<u>Use</u>	<u>DN</u>
Assisted Living Center	C
Bail Bonds	N
Banks, Credit Unions	P
Bar, Tavern, Drinking Establishment	N
Bottling, Canning, Food Production	C
Building/Construction Materials and Supplies w/ outside storage	N
Building/Construction Materials and Supplies w/o outside storage	C
Check Cashing, Title Loans	N
Construction Services w/ outside storage	N
Construction Services w/o outside storage	C
Convenience Stores	C
Dry Cleaner, Laundry Service	P
Fast Food Restaurant w/ drive-thru window	N
Fast Food Restaurant w/ pick-up	C
Fast Food Restaurant w/o drive-thru	P
Feed Lots, Animal Rendering, Animal Raising	N
Fire Arm/Shooting Range – Indoor	N
Fire Arm/Shooting Range – Outdoor	N

Use	DN
Food Preparation, Bakery	C
Funeral Parlor, Cemeteries, and Crematory Services	C
Gasoline Sales	N
General retail w/ outside storage	N
General retail w/o outside storage	P
Grocery Store	P
Hotels (Interior rooms)	P
Industrial Manufacturing	N
Kennels, Animal Boarding	N
Laundromat (Self-operated)	P
Mail Order/Online Distribution office w/ onsite storage	C
Medical/Dental Laboratory	N
Medical/Dental Office	P
Millwork, Cabinetry	P
Motels (Drive-up/exterior rooms)	N
Motorized Recreation	N
Multi-Family Residential – Stand alone, with frontage on Main Street	N
Multi-Family Residential – Stand alone; lot or parcel fronting on 100 West or 100 East without frontage on Main Street	C
Multi-Family Residential w/ Commercial Use on ground floor	C
Municipal Facility	P
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P
Pawnshop, Secondhand Merchandise	N
Personal Services	P
Professional Services	P
Public/Private Assembly	C
Restaurant	P
Security Services	C
Self Storage Units or Warehouse w/o Office	N
Sexually Oriented Business, Escort Service	N
Single Family Dwelling, -or Two Family Dwelling – Existing	P
Single Family Dwelling property fronting on Main Street	N
Single or Two Family Dwelling – New	NC
Small engine/appliance repair	C
Tailor, Seamstress, Shoe repair	P
Tattoo Parlor	N
Tutoring, Dance, Preschool, Daycare	P

Use	DN
Vehicle Part Sales	N
Vehicle Repair	N
Vehicle Sales	N
Vehicle Salvage/Wrecking	N
Vehicle Service and Wash	N
Vehicle Storage – Indoor	C
Warehouse w/ office	N
Welding, Autobody, Machine Shop, Fiberglass, Painting	N

Accessory uses and structures shall be permitted in the Downtown Zone provided that they are incidental to and do not substantially alter the character of the permitted principal use of a main structure. Such permitted accessory uses and structures include, but are not limited to, the following:

- A. Accessory structures such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the (DN) Zone.
- B. Storage of materials used for the construction of a building, including a contractor's temporary office, provided that such use be located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

14-7-104 MINIMUM LOT STANDARDS

The minimum area and street frontage for any lot or parcel in the Downtown Zone shall be as follows:

Table 14-7-104

Use	Min. Lot Size	Min. Frontage and Width
Commercial	20,000 8,000	50
Mixed-Use	20,000 8,000	50
Single Family (Existing only)	8,000	70
Two-Family and Multi-Family Two-Family (Existing only)	10,000 12,000	50 80
Multi-Family	20,000	80

- A. Lots with more than one (1) street frontage shall meet the minimum requirements along all frontages.

- B. An existing lot or parcel that does not meet the minimum requirements shall be considered a non-complying lot, and all proposed development on such lot or parcel requiring site plan review shall follow the process for non-complying sites and structures.
- C. A multi-family residential development that is not part of a vertical mixed use development shall meet the density requirements and development standards of the RM-13 subzone, except as set forth in this Chapter.

14-7-105 YARD REQUIREMENTS

A lot or parcel with a single family ~~or two family dwelling~~ shall conform to the minimum setbacks of the R-4 subzone. Two-family dwellings and mMulti-family dwellings shall meet the setback criteria of the RM-13 subzone. All other uses, including mixed uses, shall meet the following requirements:

A. ~~A.~~ Front and Street Setbacks.

1. ~~Each lot or parcel Along 100 West and 100 East shall have a any building shall have~~ minimum ~~minimum~~ building setback of 20 feet and a maximum setback of of twenty-five (2025) feet from any front property line and/or any property line abutting a public street, ~~with the following exceptions:~~

A.2. ~~Along Main Street any building shall be located within ten (10) feet of the street property line. Plazas, outdoor eating areas, and other pedestrian oriented site amenities shall be considered part of the building for setback purposes.~~

B.3. ~~Along 500 South, 400 South, 300 South, 200 South, 100 South, 100 North, 200 North, or 300 North and 400 North any building shall be setback at least ten (10) feet and not more than twenty (20) feet from the street property line.~~

4. ~~Along Center Street, any building shall be setback at least five (5) feet and not more than ten (10) feet from the street property line.~~

~~C. — Each lot or parcel that fronts onto Main Street shall have a minimum on-site parking setback of fifty feet (50') from the Main Street right-of-way line, or be located completely behind the principal structure.~~

~~D.~~

- B. Side Yard. Except as provided otherwise in this chapter, each lot or parcel shall have a minimum building setback of ten (10) feet from an interior side property line. Any lot or parcel that fronts onto Main Street shall have no interior side yard setback except as required by the International Building Code.

- C. Rear Yard. Except as provided otherwise in this chapter, each lot or parcel shall have a minimum building setback of ten (10) feet from a rear property line.
- D. Yard Abutting Residential Lots. Where property abuts an existing single family [residential dwellingzone](#), the minimum building setback shall be ten (10) feet on the abutting side.
- E. Accessory Structures. An accessory structure shall meet all of the setback requirements of a principal structure. An accessory structure that does not require a building permit, according to the International Building Code (IBC), may be located in a side or rear setback area only if all of the following conditions are met:
 1. The accessory structure is not within a front or street yard setback and is located more than ten (10) feet from any main building on the same or adjacent property.
 2. The accessory structure has no openings on the side which is contiguous with the property line, and the walls of said building which are adjacent to the property line have a fire retardant rating as specified by the IBC.
 3. The accessory structure is designed such that all roof drainage is discharged onto the lot or parcel on which it is erected.

F. Residential Uses.

It is the requirement of Bountiful City that multiple family developments reflect a sense of proportion. Proportion requires that the development be designed in such a manner that each unit receives a reasonable and approximately proportionate share of the open space, landscaping, and other benefits of the site. Locating units in such a way that benefits of the site fall primarily to one unit or a few units, and not to others, is prohibited. Depending upon topography, property dimensions and site configuration, it is possible that this requirement may affect the number of units that can be physically located on a lot or parcel. The Planning Commission and City Council are granted reasonable discretion in administering the proportionality requirement, and may modify yard setback requirements by up to twenty (20) percent subject to a finding that such modification will benefit all units more equally than would be possible if the standard requirement was applied.

14-7-106 PROJECTIONS INTO YARDS

- A. The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway or pedestrian access:
 1. A fence or wall in conformance with this Ordinance.
 2. Landscape elements, including: trees, shrubs, and other plants.

3. Necessary appurtenances for utility service as long as they are attached to a permitted structure and do not protrude more than two (2) feet into a required setback.
- B. The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that they may not obstruct a required driveway or pedestrian access:
1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
 2. Stairways, balconies, door stoops, fire escapes, awnings
 3. Planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
 4. A covered entry or porch used for the protection of pedestrians entering or leaving a building, provided said structure is not more than one story in height and is entirely open on at least three (3) sides.
- C. Buildings that front onto Main Street and that are built within ten (10) feet of the front property line may have canopies with business identification sign area if the following criteria is met:
1. The canopy may protrude a maximum of six feet (6') into the Main Street right-of-way, over areas of sidewalk.
 2. The canopy shall not come within seven feet (7') of any parking stall, drive lane, or other portion of the right-of-way used for vehicle access.
 3. The total combined length of the canopy or canopies shall not exceed two thirds (2/3) of the building width.
 4. The maximum height of the canopy shall not exceed five feet (5').
 5. Off-premise signs are expressly prohibited.
 6. Canopy sign copy area shall be a maximum of thirty-two (32) sq ft per property.

14-7-107 STRUCTURE HEIGHT

Any lot or parcel with a single family ~~or two family~~ dwellings shall conform to the maximum height requirements of the R-4 subzone. ~~Multi family dwellings shall conform to the maximum height criteria of the RM-12 subzone.~~ All other uses, ~~including mixed uses,~~ shall not exceed ~~three (3) stories or forty five (45) feet in height, whichever is shorter, as measured at the average grade~~ shall comply with the following height standards:-

- A. A.—For buildings located within 100 feet of the street property line on 100 West and 100 East: Building height shall not exceed 35 feet or 2 stories in height measured at the average grade. Buildings ~~A mixed commercial and residential building~~ may be constructed one (1) additional story foot in height ~~as long as the additional story is set~~

~~back an additional one (1) foot for each additional one-ten (10) feet foot of heightsetback from 100 East and 100 West as measured from the street -property line.~~

- ~~B. Buildings located at least 100 feet from the street property line of 100 West and 100 East shall not exceed three (3) stories or 45 feet in height, measured at the average grade . Buildings may be constructed one (1) additional foot in height for each additional ten (10) feet- of setback from 100 East and 100 West as measured from the right of way.~~
- ~~C. Buildings located at least 200 feet from 100 West and 100 East shall not exceed 55 feet or 4 stories in height, measured at the average grade ., up to a maximum building height of four stories or fifty five (55) feet, whichever is shorter, as measured at the average grade. The additional horizontal setback does not apply to interior side yard setbacks.~~
- ~~D. Maximum height for public and quasi-public buildings shall be approved through the site plan approval process by the land use authority.~~
- ~~E. Chimneys, flagpoles, towers, steeples, and similar accessory and architechtural elements not used for human occupancy are excluded in determining height, however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance.~~
- ~~F. In no case shall the area covered by roof mounted equipment exceed twenty percent (20%) of the roof area. Roof mounted equipment shall be setback from the edge of the roof a minimum of 1 foot for every foot of height. If mechanical equipment is located within roofed and enclosed structures, these structures shall not exceed the maximum height for the zone whether or not these areas are designed for human occupancy.~~

~~B. — Chimneys, flagpoles, church towers, steeples, and similar accessory elements not used for human occupancy are excluded in determining height, however, the City may limit the height of any protrusion that is found by the City Council to be a public nuisance. twenty (20%)~~

14-7-108 DISTANCE BETWEEN STRUCTURES

A lot or parcel with a single family ~~or two family~~ dwelling shall conform to the minimum building separation requirements of the R-4 subzone. A two-family dwelling or multi-family dwelling shall meet the minimum building separation criteria of the RM-13 subzone. For all other uses, the minimum separation between structures shall be ~~ten (10) feet or~~ as required by the International Building Code, ~~whichever is greater. This separation may be reduced through the site plan approval process if the reduced setback is consistent with the adopted Historic Downtown Plan, except that it shall never be less than the distance required by the International Building Code.~~

14-7-109 LANDSCAPING AND PERMISSIBLE LOT COVERAGE

- A. A lot or parcel with a single family ~~or two family~~ dwelling shall follow the lot coverage requirements of the R-4 subzone. A lot or parcel with a two-family or multi-family dwelling shall conform to the lot coverage criteria of the RM-~~12-13~~ subzone. All others,

including mixed-use developments, shall conform to the following criteria, in addition to any other requirements of this Title:

1. All landscaping shall be sprinkled and planted with substantial live plant material for the purpose of buffering, screening, and beautifying the site. At plant maturity, the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.
 2. With the exception of properties fronting on Main Street aA minimum ten (10) feet wide landscape buffer shall be required along all frontage areas not occupied by drive accesses.
 3. A minimum ten (10) feet wide landscape buffer shall be established adjacent to a residential property.
 4. Parking, loading, and drive areas shall have a minimum five (5) feet wide landscape buffer when located adjacent to a side or rear property line, except for landscape buffering required between residential uses.
 5. Parking areas shall be landscaped as set forth in this Ordinance.
 6. Approved landscaping must cover a minimum of ten (10) percent of the development site exclusive of any parkstrips in a public right-of-way.
 7. Landscaping shall also be installed in all parkstrips to the same standards as other on-site landscaping. Asphalt, concrete, bricks, pavers, railroad ties, rocks, gravel, and other non-vegetative material is not allowed in the parkstrip area between the curb and sidewalk.
- B. During the site plan approval process, the City may require more or less landscaping consistent with the provisions of the adopted Historic Downtown Plan.

14-7-110 PARKING, LOADING, AND ACCESS

- A. Each lot or parcel in the (DN) Zone shall have vehicle parking, loading, and access designed to meet the requirements of this Ordinance. In addition to the standards of Chapter 18 of the Land Use Ordinance, the following shall apply to properties in the DN Zoning district.
- a. Off street parking is not permitted in the front setback area and/or between the street and building. Parking shall be located to the side or rear of the building.

b. Parking for buildings fronting on Main Street shall be ~~or be~~ located completely behind the principal structure.

E.c. Required guest parking shall be located in dedicated off-street parking spaces. Driveway areas and areas located in front of garage doors (for example in townhome style developments) shall not be used to satisfy minimum guest parking requirements.

14-7-111 SITE PLAN APPROVAL

Except for single family ~~and two family~~ dwellings, site plan approval shall be required for any development in the (DN) Zone as set forth in this Title.

14-7-112 OTHER REQUIREMENTS

A. Signs. Any sign erected in the (DN) Zone shall conform to the sign provisions of this Title. Single family and two family dwellings shall conform to the criteria for the R-4 subzone, and multi-family uses shall conform to the criteria for the RM-~~12-13~~ subzone. All others shall conform to the criteria for the ~~C-GDN~~ subzone; ~~except that~~ ~~p~~ Pole signs shall not be permitted.

B. Uses Within Buildings. Any commercial use permitted in the (DN) Zone shall be conducted entirely within a fully enclosed building, except as provided in subsections 1 and 2 below.

1. Outdoor Display of merchandise for sale in the downtown area. Businesses located in buildings in the (DN) Zone that have setbacks less than three (3) feet from the public right-of-way may display in the public right-of-way, subject to the following terms and conditions:
 - a. Any display of merchandise on the sidewalk may not exceed three (3) feet into the public right-of-way from the property line of the business, except during the annual “Sidewalk Days” celebration. There may be no display of merchandise in the planter boxes in the public right-of-way.
 - b. During the winter months, a display may not impede snow removal from the sidewalk.
 - c. The display shall not exceed twenty-five percent (25%) of the width of the lot, parcel, or business. However, businesses with less than forty (40) feet of width may have a display not to exceed ten (10) feet in width.
 - d. Only merchandise sold inside the business may be displayed outside.

- e. No outdoor display shall exceed six (6) feet in height.
 - f. Each display shall be taken down at the end of each business day. The merchant shall be solely responsible for items displayed.
 - g. Each display shall not create a hazard, sight distance, or other problem to pedestrians on the sidewalk or to drivers on the street.
 - h. Displayed merchandise shall not obscure or interfere with any official notice, public safety sign, or device.
2. Any business not listed in subsection 1 may include the outdoor display of merchandise for sale only if all of the following conditions are met:
- a. The outdoor display of merchandise shall not be located upon any sidewalk, walkway, driveway, or within any public right-of-way nor shall it interfere with pedestrian or vehicular movement or with safe and proper ingress and egress of pedestrian traffic.
 - b. The outdoor display of merchandise shall not reduce the amount of off-street parking below that which is required for the associated commercial uses on the premises.
 - c. No item shall be displayed outdoors except for those lawfully displayed and sold inside the business or businesses located on the property. No hazardous and/or flammable materials (such as antifreeze, kerosene, poisons, pesticides and other similar items) may be displayed outdoors.
 - d. The aggregate outdoor display area shall not exceed twenty-five (25) percent of the linear frontage of the store front or 10 linear feet, whichever is greater. A business located on a corner shall be considered as having two (2) store fronts.
 - e. No outdoor display shall exceed six (6) feet in height.
 - f. A maximum of fifty (50) percent of the aggregate outdoor display area may be located in any required landscaping.
 - g. Items shall be displayed outdoors only during the hours that the business conducting the display is open to the public. Live plant material shall be exempt from this requirement.

- h. Additional signs, beyond those allowed by this Title, shall not be allowed as part of the outdoor display and sales area.
- i. Outdoor displays for special sales or for one of a kind items which would exceed any of these requirements may be granted a special permit by the Planning Director for a period not to exceed fourteen (14) days provided such special displays do not create parking, access, or traffic hazards.

C. Structure Design and Materials.

Any structure, except for single and two family dwellings, shall meet the minimum design criteria as set forth in this Title. In addition, the following shall apply.

- 1. Exteriors shall be maintenance free wall material such as high quality brick, natural stone, weather resistance stucco or masonite type material, or non-wood siding. Stucco, masonite or siding may not exceed fifty (50) percent of the exterior.
- 2. Each residential units shall have some private outdoor space in the form of a balcony or patio.
- 3. The primary entrance of a building must be oriented to face a street, plaza or approved pedestrian-way. Ground floor residential units shall have the primary entrance oriented toward the street.
- 4. Multifamily residential buildings shall not exceed a 2:1 building width/depth to building height ratio.
- 5. Multifamily residential buildings located along 100 East and 100 West shall incorporate architectural features consistent with single family residential design such as pitched roofs, gable roofs, dormers, overhanging eaves, etc., into the design of the structures.

D. Neighborhood Compatibility.

Each structure, except for existing single and two family dwellings, shall shall be designed consistent with the adopted Historic Downtown Bountiful Master Plan, particularly with regard to building height, architecture, landscaping, and building mass.

- E. Trash Storage. No trash, used materials, wrecked or abandoned vehicles, or equipment shall be stored in an open area. With the exception of single family and two family

dwellings, each development in the (DN) Zone shall be required to have adequate, on-site, screened refuse containers maintained in a location approved as part of the site plan.

F. Walls and Fences.

Any wall or fence erected around a commercial development or mixed use development shall comply with the requirements of the (C-G) zone. Any multi-family development shall comply with the requirements for the RM-13 subzone. Any single family and two family developments shall comply with the provisions of the R-4 subzone.

14-7-120 PERMITTED ADJUSTMENTS TO REQUIRED PARKING

A. Downtown Parking District Defined. The Downtown Parking District consists of those properties located within the (DN) Zone.

B. Proximity of Parking to Use. Required parking spaces for residential uses must be located on site. Required parking spaces for nonresidential uses must be located on site or in parking areas within five hundred feet (500') of the development site property boundary. Off-site nonresidential parking is allowed if the following documentation is submitted in writing to the land use authority as part of a building or zoning permit application or land use review:

1. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
2. The location and number of parking spaces that are being shared;
3. An analysis showing that the parking area will be large enough for the anticipated demands of both uses; and
4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

C. Joint Use Parking. Joint use of required parking spaces may occur where two (2) or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the land use authority as part of a building or zoning permit application or land use review:

1. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
2. The location and number of parking spaces that are being shared;

3. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
- D. No parking calculation which includes the parking areas owned by the Bountiful Redevelopment Agency gives any right of possession, any real estate interest, or contract right or right of way on any Redevelopment Agency property.

SECTION 2. City ordinances in conflict with these provisions are hereby repealed. However, all provisions in force immediately prior to this ordinance shall continue in force hereafter for the purpose of any pending legal action, all rights acquired, and any liabilities already incurred.

SECTION 3. If any portion of this Ordinance is declared illegal or unconstitutional, the remainder shall remain in full force and effect.

SECTION 4. This ordinance shall take effect immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this 10th day of October 2017.

Randy C. Lewis, Mayor

ATTEST:

Shawna Andrus, City Recorder

City Council Staff Report

Subject: Approval of 2017 General Election Judges
Author: Shawna Andrus, City Recorder
Department: Executive/Legislative
Date: October 10, 2017



Background

State election law requires the City Council to approve judges who will serve during municipal elections. The City Council recently approved judges for the primary election; it is now time to select election judges for the 2017 Bountiful Municipal General Election.

Analysis

Per our election services contract with Davis County, which was approved on February 28, 2017, the County Clerk's office is developing a list of proposed judges to serve in our November 7 General Municipal Election for the Vote Center at the South Davis Branch of the Davis County Library. Judge training will be provided by the County. Additionally, a judge or two will occasionally fall ill on Election Day, requiring a last minute substitution, so, as a precaution, the County would also like authorization to appoint substitute judges as necessitated by emergency circumstances.

The final list of judges is not available at the time of this report, but will be provided to the City Council prior to the meeting on October 10th.

Department Review

The above information and the recommendation have been reviewed by the Executive and Legal Departments and the City Manager and come with their recommendation for approval.

Significant Impacts

The financial impact of utilizing these judges is as noted above and has been included in the election services contract you approved on February 28, 2017 and in the 2017-2018 budget.

Recommendation

We recommend your approval of these judges, and also request that you grant the County authority to assign alternates as circumstances require.

Attachments

A list of proposed election judges will be provided to you at Council meeting on Tuesday.