

**BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
TUESDAY, MAY 20, 2025
6:30 P.M.**



Notice is hereby given that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, located at 795 South Main Street, Bountiful, Utah, 84010, on the date and time provided. The public is invited to attend.

1. Welcome
2. Meeting Minutes from March 04, 2025
 - Review
 - Action
3. Lot Line Adjustment at 965 Barton Court
Assistant Planner Morgan
 - Review
 - Public Hearing
 - Action
4. Variance for Non-Complying Sign at 390 North 500 West
Assistant Planner Morgan
 - Review
 - Public Hearing
 - Action
5. Planning Director's report, update, and miscellaneous items
6. Adjourn

1 **DRAFT Minutes of the**
2 **BOUNTIFUL CITY PLANNING COMMISSION**
3 **Tuesday, March 04, 2025 – 6:30 p.m.**
4

5 Official notice of the Planning Commission Meeting was given by posting an agenda at City
6 Hall, and on the Bountiful City Website and the Utah Public Notice Website.
7

8 **City Council Chambers**
9 795 South Main Street, Bountiful, Utah 84010
10

11 Present: Planning Commission Vice-Chair Alan Bott, Krissy Gilmore,
12 Beverly Ward, Jim Clark, and Sean Monson
13
14 Planning Director Francisco Astorga
15 City Engineer Lloyd Cheney
16 City Attorney Bradley Jeppson
17 Recording Secretary Sam Harris
18
19 Excused: Planning Commission Lynn Jacobs and Richard Higginson
20
21 Senior Planner Amber Corbridge
22
23

24 **1. Welcome**
25

26 Vice-Chair Bott called the meeting to order at 6:30 p.m. and welcomed everyone.
27

28 **2. Meeting Minutes from February 04, 2025**
29

30 Commissioner Gilmore motioned to approve the minutes from February 04, 2025. Commissioner
31 Clark seconded the motion. The motion was approved with Commissioners Bott, Gilmore, Ward,
32 Clark, and Monson voting “aye.”
33

34 **3. Preliminary Oakhaven Park Plat D Subdivision at 295 East 2050 South**
35

36 Planning Director Astorga presented the item on behalf of Senior Planner Corbridge as outlined
37 in the packet.
38

39 City Engineer Cheney made clarifying comments regarding the snow removal needs and the
40 utility plans being able to accommodate nine (9) new lots.
41

42 Vice-Chair Bott opened the Public Hearing at 6:41 p.m.
43

44 Kylee Shumway expressed concerns regarding the density, infrastructure strain, and
45 environmental impact of the nine (9) additional homes.
46

47 Joyce Montgomery expressed concerns regarding the proposal being in harmony with the current
48 neighborhood and being in best interest of the public.

49
50 Clint Grover made comments regarding the power lines being underground.

51
52 Sarah Coussens made comments regarding wildlife and the environment.

53
54 Emily Roberts made comments regarding fencing requirements that might be in the building
55 process to keep wildlife safe.

56
57 Courtney Horrall had concerns regarding the number of homes going in and the impact they
58 would have on the environment.

59
60 Michi Bracken expressed concerns regarding her privacy loss and the height of new structures.

61
62 Russ Gurlock had a question about where the sewer would drain to and expressed concerns as to
63 whether the existing infrastructure would be sufficient for the utilities and sewer.

64
65 City Engineer Cheney commented with regards to the sewer being maintained by South Davis
66 Sewer District and clarified the process of the development. He stated that Staff doesn't
67 anticipate any issues.

68
69 Vice-Chair Bott made responding comments regarding the utilities, including the communication
70 between South Davis Sewer District and the City during the development and construction
71 process.

72
73 Lewis Corbridge expressed concerns regarding the number of homes going in, the height of the
74 homes, and the traffic impact.

75
76 Vice-Chair Bott clarified that what is being proposed complies with the code.

77
78 Stan Call made comments regarding garbage trucks' cul-de-sac radius, secondary irrigation line
79 being sufficient, and the power service being underground.

80
81 City Engineer Cheney clarified that what is being proposed complies with the code, also
82 referring to utilities including the garbage truck turning radius and the required underground
83 power for all new developments.

84
85 Kellianne Holt had concerns and questions regarding traffic safety and stop signs.

86
87 City Engineer Cheney commented about traffic in that area being very low volume, safety traffic
88 studies and process, and how speed bumps are not an option due to the impacts on the City's
89 snowplows.

90

91 Alex Densley commented regarding the original plan, water control, snow removal, the number
92 of homes going in, and requested that specific types of styles listed from the developer's website
93 be built..

94
95 Vice-Chair Bott thanked the community members and closed the Public Hearing at 7:25 p.m.
96

97 Commissioner Monson asked about the Planning Commissions discretion on whether it is in
98 harmony with the current neighborhood, and if it is in the best interest of public. Planning
99 Director Astorga commented about the Planning Commission's discretion being limited to the
100 code. Vice-Chair Bott commented about the storm water and the obligation of the city. City
101 Engineer Cheney commented about the storm water control standards and how the City plans to
102 follow those. Commissioner Monson commented regarding the obligation to follow city code.
103 Planning Director Astorga clarified the process. Commissioner Clark commented regarding
104 snowplows doing a great job. Commissioner Gilmore commented on the height standards in the
105 code and that the proposed item meets the standards in the code. Commissioner Ward
106 commented regarding the impact that this subdivision will have on surrounding properties, but
107 that the Commission has the obligation to follow the standards in the code.
108

109 Brighton Homes' representative, John Blocker, commented regarding their plans with this
110 subdivision and being as code conforming as possible. Commissioner Monson made a
111 suggestion to Brighton Homes in regards to the public's comments about limiting the height of
112 the new structures. John Blocker responded with the development plans for half of the homes
113 being built will be ramblers.
114

115 Commissioner Gilmore motioned to approve. Commissioner Clark seconded the motion. The
116 motion was approved with Commissioners Bott, Gilmore, Ward, Clark, and Monson voting
117 "aye."
118

119 **4. Open Meetings Act Training**

120
121 City Attorney Jeppsen provided the training.
122

123 **5. Planning Director's Report/Update**

124
125 Recording Secretary Harris stated on behalf of Planning Director Astorga that there are currently
126 no items for Planning Commission for March 18, 2025. City Engineer Cheney stated that there
127 will not be a City Council Meeting on March 11, 2025.
128

129 **6. Adjourn**

130
131 Vice-Chair Bott adjourned the meeting at 7:54 p.m.

Planning Commission Staff Report



Subject: Lot Line Adjustment at 921 and 965 Barton Court (1525 East)
Author: DeAnne Morgan, Assistant Planner
Date: May 20, 2025

Background

Kevin Hedin, the applicant, is requesting approval of a lot line adjustment at 965 Barton Court (Parcel No. 04-136-0516, Lot 509 of the Barton Woods PUD Plat E, the Hedin property) and 921 Barton Court (Parcel No. 04-136-0514 Lots 507 and 508 of the Barton Woods PUD Plat E, the Weiler property). Both properties are located in the Single-Family (R-3) Residential Zone.

Analysis

The Weiler property was originally platted as two (2) individual parcels, but were combined through a warranty deed in the 1990s and a single-family dwelling was built in 2000. There was not a plat amendment, and there is now only one (1) parcel ID, although a lot line does still intersect the house. The proposal is for a small portion of the Weiler property that is approximately 1,045.44 square feet (0.024 acres) to be conveyed to the Hedin property.

The new lot line would result in the Hedin property being 6,795.36 square feet and the Weiler property being 10,977.12 square feet.

Both properties contain a single-family dwelling each. The proposed lot line adjustment does not affect the dwellings.

R-3	Hedin Property		Weiler Property	
Minimum Lot Size	Lot 509 (as is)	Lot 509 + parcel A (plus 1,045 sf)	Lot 507/508 (as is)	Lot 507/508 – parcel A (minus 1,045 sf)
11,000 sf.	5,749.92 sf (0.132 acres per County records)	6,795.36 sf. <i>Adjusted to a minimum of 6,772.48 sf.*</i>	12,022.56 sf (0.276 acres per County records)	10,977.12 sf.** <i>Adjusted to a minimum of 11,000 sf.</i>

The Hedin property* proposed lot size does not meet the minimum of 11,000 sf.; however, the level of non-compliance is not increased, but rather it is being decreased, which is consistent with non-compliance policies. In order for the Weiler property** proposed lot size to comply with the same standard, it would have to comply with the minimum of 11,000 sf., as depicted above as the *adjusted lot size*, which would then

affect the Hedin property. As shown on Condition of Approval 4 and 5 the proposed Lot Line Adjustment complies with the current minimum lot size requirement as the Weiler property would simply comply with the minimum lot size and the Hedin property would be slightly larger than how it was originally platted. Based on the size of both lots, the minimum buildable areas of 3,000 sf would also be unaffected.

There are public utility easements along both sides of the affected property line. The City Engineer has determined that the proposed lot line adjustment will not affect the easements. No new building lots would be created by adjusting the lot line locations.

Utilities: No additional utilities are required and no adjustment to the existing easement configuration is necessary.

Proposed Right-of-Way Improvements and Access: No improvements are required.

Department Review

This staff report has been reviewed by the City Engineer, City Attorney, and Planning Director.

Significant Impacts

There are no significant impacts associated with this proposed lot line adjustment.

Recommendation

Staff recommends that the Planning Commission review the proposed Lot Line Adjustment and forward a positive recommendation to the City Council based on the following conditions:

1. Prepare necessary final documents (plat or legal descriptions/deeds) to the satisfaction of the City Engineer making any necessary corrections identified during the review process.
2. Provide a current title report for both lots.
3. Record a boundary establishment with Davis County to clean-up the legal description for Lots 507 and 508, which removes the lot line going through the dwelling.
4. The Weiler property (Lot 509) shall have a minimum lot size of 11,000 sf.
5. The Hedin property (Lot 507/508) shall have a minimum lot size which is more than 0.132 acres (5,749.92 sf).

Attachments

1. Aerial Photo
2. Survey



Aerial Photo of 965 Barton Court and 921 Barton Court

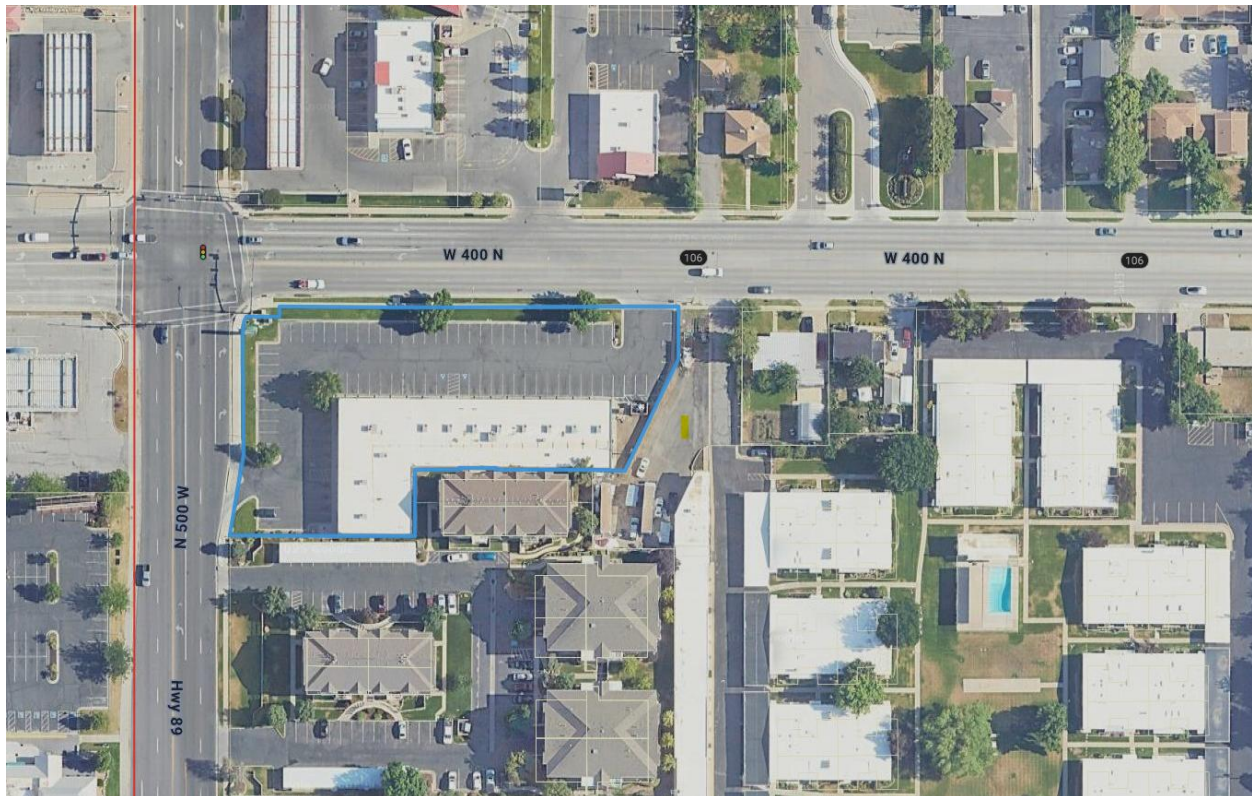
Planning Commission Staff Report



Item: Variance Request to Allow Moving a Non-Complying Pylon Sign at 390 N 500 W in the C-H Zone.
Address: 390 N 500 W
Author: DeAnne Morgan, Assistant Planner
Date: May 20, 2025

Background

The Applicant, Robin Kim, has requested a variance to move the non-complying sign in the Heavy Commercial (C-H) Zone at 4th North Plaza less than five (5) feet from property line. The subject property (parcel #030240169) is a 1.21-acre parcel, owned by Powder Park Holding V LLC, located in the C-H Zone.



Aerial Photo of 390 N 500 W

Analysis

The Applicant is proposing to move the existing pole sign from its current location on the corner of 400 North and 500 West, and relocate it several feet to the southeast, due

to a road expansion project being done by UDOT. This UDOT expansion will eliminate the current sign location and reconfigure the lot frontage. The new sign location would be closer to the new right-of-way than the 5-foot setback that is required, as shown in Figure 1 below

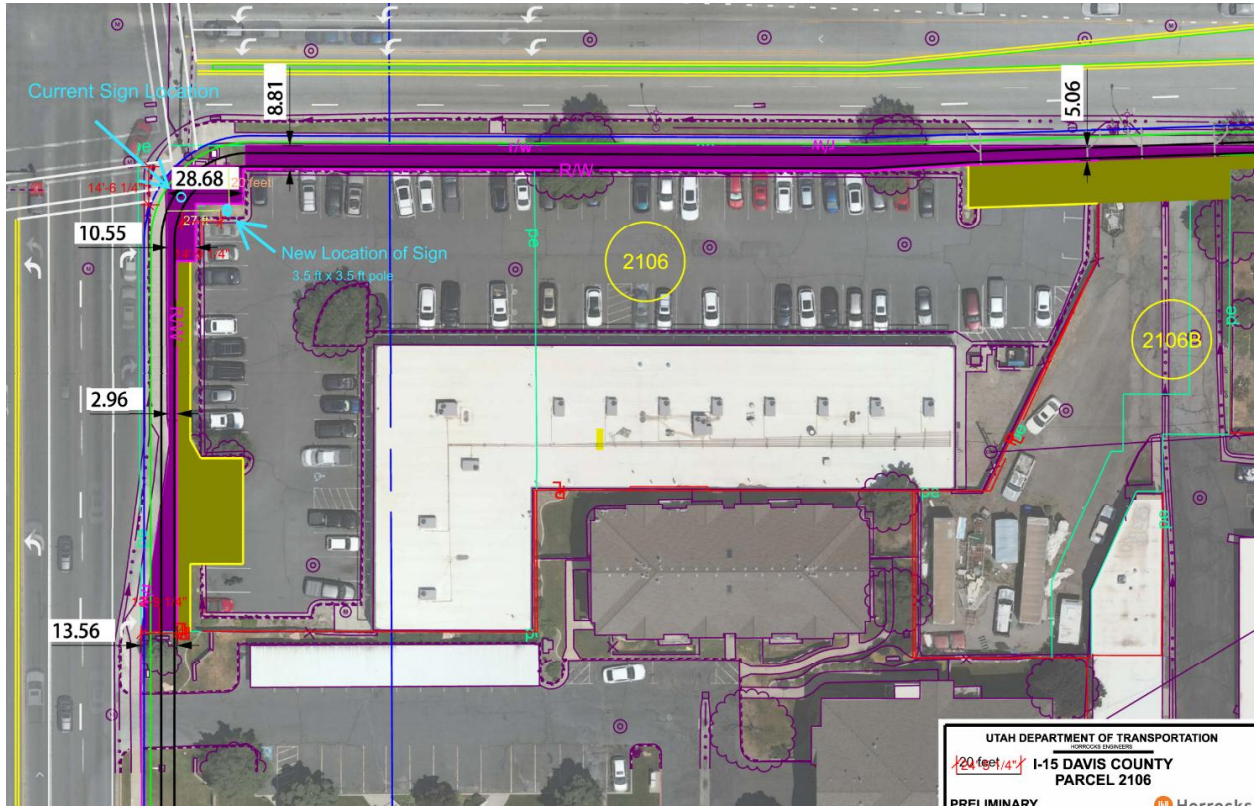


Figure 1

According to 14-19-108 of the Bountiful City Land Use Code, non-complying signs are not allowed to be moved, altered or modified. The existing sign does not comply with the maximum allowed square footage allowance, which is 120 square feet per side of a double-faced pylon sign on lots with more than 100 feet of frontage. EMC square footage is limited to a maximum of 32 square feet. The sign has an area of 176.715 square feet on each side and an EMC with an area of 35 sq. feet and therefore is non-complying and may not be moved.

Furthermore, UDOT is claiming a portion of the frontage of the lot for a road expansion project, which will reduce the area between the property and the right-of-way reconfigure the lot frontage. The proposed new location would place the sign closer to the right-of-way than the required 5-foot setback (14-19-113.3.g). Currently, the sign sits approximately 6 feet from the property line. The applicant has stated that it is infeasible to meet the setback requirement without encroaching into the limited parking and landscaped areas.

Utah Code 10-9a-702 establishes the criteria for review of a variance request and stipulates the applicant “shall bear the burden of proving that all of the conditions justifying a variance have been met.” To grant a variance **each** of the following criteria must be met:

- (i) *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;*

Applicant: The literal enforcement of the current ordinance would require the applicant to either eliminate or significantly reduce the size and placement of the existing sign, thereby losing its visibility, tenant advertising functionality. The sign’s scale are vital to the property’s continued commercial viability, providing necessary exposure to 500 West and 400 North traffic for multiple tenants, some of whom have stated their intention to vacate if visibility is diminished. The sign’s visibility from the street has long been a defining asset of the property and a key factor in maintaining tenant stability.

Furthermore, strict enforcement is not necessary to achieve the underlying purpose of the ordinance, which is to manage signage for safety, aesthetics, and orderly development. The existing sign has posed no safety concerns, is well-integrated into the site, and aligns with the character of the surrounding commercial corridor. Allowing the sign to be relocated in its current form and function, would continue to meet the intent of the ordinance while avoiding a disproportionate burden on this uniquely impacted property.

Staff Response: This property with an existing sign is affected by a UDOT expansion, where the owner is unable to control the property line and frontage adjustment. The existing sign must be removed during the widening of the road. The Commission may find that there is a reasonable hardship with this particular property and circumstance. The variance is needed to relocate the existing nonconforming sign. The sign would remain the same, with no changes proposed.

Additionally, a variance is needed to allow the new location of the sign to be less than the required five (5) foot setback from property line, due to UDOT claiming part of the frontage property at this site. The requirement of a 5 foot setback from the right-of-way for a pylon sign in the C-H zone could only be met on the site by eliminating parking spaces. The variance request for a setback less than five (5) feet may be self-imposed and not reasonable hardship. Staff recommends the proposed location for the sign meet the minimum five (5) feet, even if it requires removing a parking stall.

- (ii) *There are special circumstances attached to the property that do not generally apply to other properties in the same zone;*

Applicant: The property at 390 North 500 West faces a unique condition due to the required relocation of its existing, legally established pylon sign as part of the UDOT roadway expansion project. The sign, which includes 176.715 square feet per face and a built-in electronic message center (EMC), is vital to the visibility, identity, and success of the property's multiple commercial tenants. The preservation of the sign's current size and digital display functionality is essential to maintaining tenant stability and competitive viability in this high-traffic commercial area flanked by brightly-lit gas stations.

What makes this property distinct from others in the same C-H zone is its longstanding parking deficiency. In the event that the new sign location does not meet set back ordinances, relocating the sign in a compliant manner would require the removal of one or more parking stalls, which would create further strain on already limited parking availability. Several tenants have expressed concern that additional parking loss would materially impact customer access and may lead them to not renew their leases. This constraint is not common to other commercial properties in the area, many of which have more flexible site layouts or excess parking. The combination of an involuntary sign relocation and lack of feasible sign placement options without impairing tenant operations constitutes a special circumstance that justifies the requested variance to preserve the existing sign and EMC in full.

Another unique aspect of this property is its corner tenant density, which requires increased sign size and visibility. There are 10 unique tenants at 4th North Plaza, each vying in a competitive commercial area. In order for each to compete, each individual tenant requires enough square footage on a sufficiently large pylon sign which the current sign affords.

Staff Response: This property is located at a major intersection in the C-H Zone affected by the UDOT expansion, where the project requires widening the road and taking frontage from this property. The affected nonconforming sign is in the area where UDOT would claim rights-of-way and requires a variance to be moved.

(iii) *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;*

Applicant: The requested variance is essential to preserve a substantial property right: the ability to provide effective signage that ensures equitable and visible representation for multiple on-site businesses. The property at 390 North 500 West supports nine distinct tenants, all of whom rely on the visibility provided by the existing pylon sign, measuring 176.715 square feet per face and including a dedicated electronic message center (EMC). Without the full dimensions of this shared sign, there is not adequate space to afford each tenant fair and prominent visibility—especially when compared with adjacent single-tenant properties that utilize signs of similar or greater size exclusively for their own branding.

In the event that the new sign location does not meet set back ordinances, the requested variance is also essential to preserve the property owner's ability to offer adequate parking, which is a standard property right enjoyed by other commercial landlords in the area. If required to relocate the sign in full compliance with setback regulations, the only feasible alternative would be to eliminate one or more parking stalls. Given the existing deficiency of parking on the site, this would place the property at a further disadvantage and directly interfere with its functional use and tenant retention. Together, multi-tenant signage and sufficient customer parking are core elements of commercial property use in the C-H zone and should be preserved through the approval of this variance.

Staff Response: The variance will allow the property to advertise and maintain active businesses like other properties in the C-H Zone. Many other properties in the C-H Zone maintain nonconforming signage to support active businesses. This site includes various commercial uses such as restaurant, retail, beauty and other personal types services. The sign is not proposed to be repaired, modified, or altered.

(iv) *The variance will not substantially affect the general plan and will not be contrary to the public interest;*

Applicant: Granting the requested variance to maintain the existing sign's size, and height, will not substantially affect Bountiful's General Plan or conflict with the public interest. The General Plan supports the vitality of commercial districts and encourages policies that promote business retention, visibility, and orderly development. The sign in question has long existed without issue, and its continued use in a slightly adjusted position will maintain—not disrupt—its beneficial role in supporting a successful, multi-tenant retail center.

The relocation necessitated by UDOT's project is limited in scope, and the proposed new sign position remains within the same parcel and commercial context. Maintaining the current sign dimensions ensures consistency with the appearance and character of the area. Approving this variance will help protect both tenant continuity and consumer access, which are well aligned with the public interest.

Staff Response: Allowing the existing nonconforming sign to move does not negatively impact the community, but rather supports the public interest in maintaining the existing commercial uses on the property.

The proposed new location is showing approximately one (1) foot from property line, where five (5) feet is required. There are concerns regarding the sign overhanging the proposed new sidewalk (right-of-way) with less than five (5) feet from property line. Although, the setback to the new property line would be less than the required five (5) feet, the setback to the new sidewalk location is approximately twenty (20) feet on the

400 North side and twenty-seven (27) feet on the 500 South side. Because of this, the city could recommend approval of the variance from the five (5) foot setback requirement. See figure 2 below.

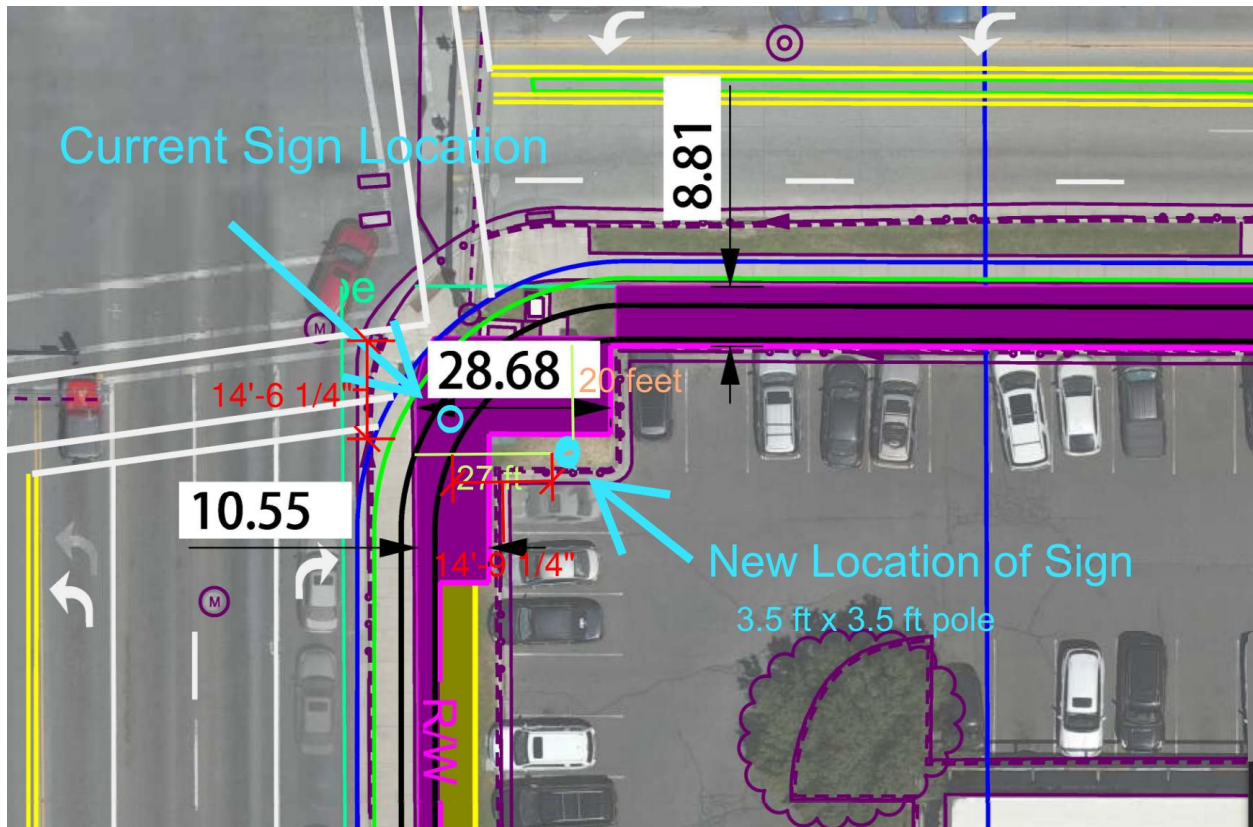


Figure 2

(v) *The spirit of the land use ordinance is observed and substantial justice done.*

Applicant: The spirit of Bountiful’s land use ordinance is to promote safe, attractive, and functional commercial environments through balanced signage regulations. The existing pylon sign, with its current dimensions of 176.715 square feet per face, has long served the public interest by helping customers locate businesses and supporting a vibrant multi-tenant commercial center. Allowing the sign to be relocated slightly closer than five feet to the new right-of-way, while preserving its full size and digital capabilities, upholds the ordinance’s intent—ensuring that signage remains compatible with its surroundings and effective for business identification.

The relocation is a direct result of UDOT’s road expansion, not a voluntary action by the property owner. Denying the variance would remove a longstanding asset critical to tenant visibility, while producing no meaningful benefit to the city’s visual landscape or safety goals. Granting this variance achieves substantial justice by maintaining continuity for businesses already invested in the site and avoiding disproportionate harm caused by rigid enforcement in the face of unique, involuntary circumstances.

Staff Response: The requested variance to move the existing nonconforming sign without any changes, modifications, or alterations would meet the spirit of the land use ordinance.

Department Review

This variance request staff report was written by the Assistant Planner and reviewed by the City Engineer, Senior Planner, and City Attorney.

Significant Impacts

There are no significant impacts, as the proposal is to move the sign without any other modifications, a few feet away, in generally the same area on the site.

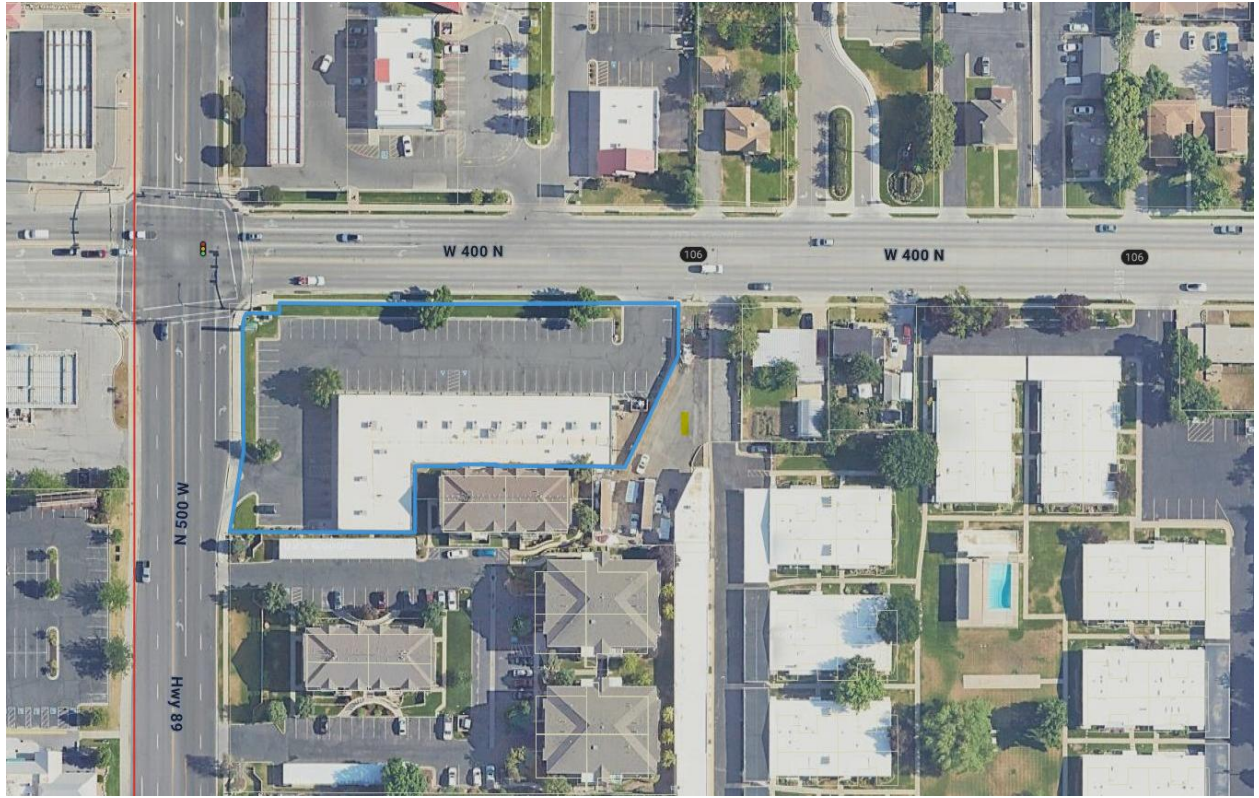
Recommendation

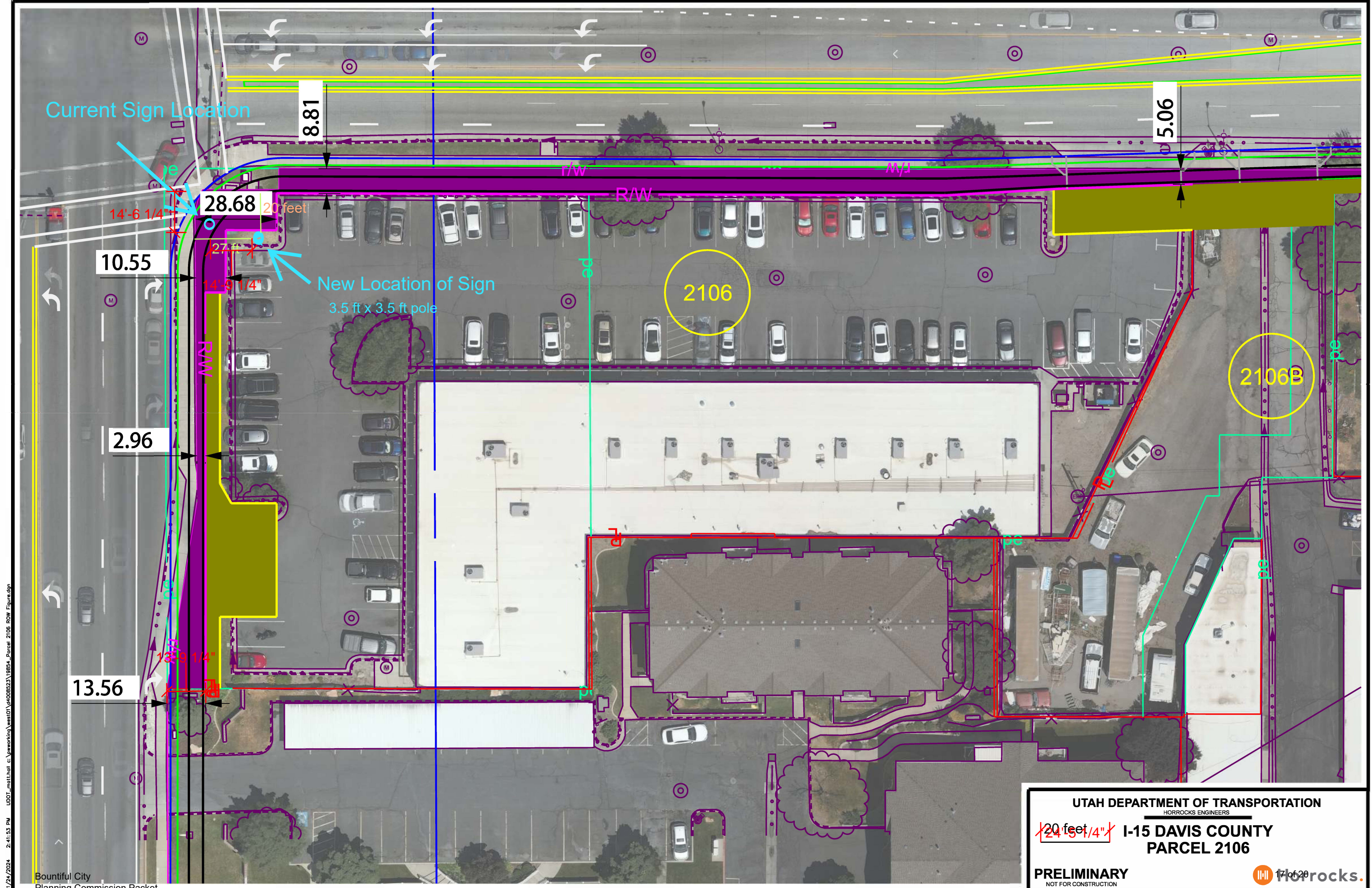
Based on analysis of the required criteria from State Code included in the findings above and the materials submitted by the Applicant, Staff recommends the Planning Commission review the requested Variance, hold a public hearing, and grant the requested Variance to allow for the moving of a non-complying pylon sign and allow the setback to the property line to be less than 5 feet subject to the following:

1. Meet staff review comments.
2. Apply for and obtain necessary building permits.
3. In no instance shall the sign overhang the public pedestrian walkway.

Attachments

1. Aerial Photo
2. Site Plan
3. Existing Sign Photos
4. Code Analysis





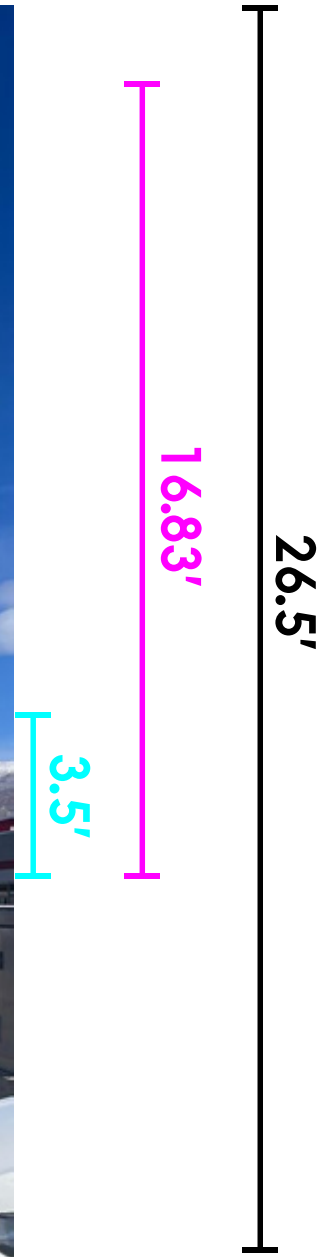
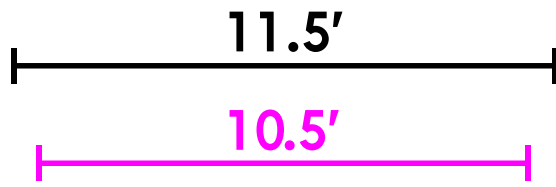
11/24/2024 2:41:53 PM J:\DOT_matt.hall\c:\pwork\dot\west01\44008523\1854_Parcel 2106 ROW Figure.dgn

UTAH DEPARTMENT OF TRANSPORTATION
HORROCKS ENGINEERS

~~20 feet~~ **24'-5 1/4"** **I-15 DAVIS COUNTY**
PARCEL 2106

PRELIMINARY
NOT FOR CONSTRUCTION

Horrocks



14-19-113 SIGNS PERMITTED IN THE HEAVY COMMERCIAL (C-H) ZONE

Freestanding or Pole Signs. Freestanding or pole signs shall meet the following requirements:

- a. A lot or parcel with at least one hundred (100) linear feet of frontage shall be allowed one (1) freestanding sign of up to Sixty (60) square feet for the first one hundred (100) feet of lineal street frontage plus one (1) square foot for each lineal foot of frontage over one hundred (100), to a maximum of one hundred twenty (120) square feet total.
- b. Double faced signs shall be allowed the maximum area on each side.
- d. Maximum height of thirty (30) feet.
- e. Minimum ground clearance of seven (7) feet from sign grade to bottom of sign.

14-19-121 ELECTRONIC MESSAGE CENTER STANDARDS

- A. An electronic message center is not allowed in any zone except as set forth in this Chapter.
- B. An electronic message center in any zone shall meet the following criteria:
 1. An electronic message center shall not exceed thirty-two (32) square feet.
 2. An electronic message center is prohibited if it exceeds more than 50% of the total sign area.

	Current Code	Existing	Complies
Height	30 ft. Max.	26.5 ft.	Yes
Ground Clearance	7 ft. Min.	8 ft.	Yes
Total Sign Area	120 sq. ft. (each side) Max.	176.715 sq. ft.	No
EMC Square Footage	32 sq. ft. (each side) Max.	35 sq. ft.	No



OVERALL HEIGHT: 26.5'
SIGN SQFT OF EACH SIDE: 176.715.
EMC DIMENSIONS: 3.5ft x 10ft



