



BOUNTIFUL CITY PLANNING COMMISSION

**Tuesday, September 5, 2023
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, 795 South Main, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 801-298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome
2. 220 North Main Street – Preliminary and Final Subdivision Approval for The Brooks
City Engineer Lloyd Cheney
 - Review
 - Recommendation
3. 1480 S Orchard Dr - Rezone – Bountiful Professional Plaza
Senior Planner Amber Corbridge
 - Review
 - Recommendation
4. 1480 S Orchard Dr - Text Amendment – Bountiful Professional Plaza
Senior Planner Amber Corbridge
 - Review
 - Recommendation
5. Planning Commission Training: Open Public Meeting Act (OPMA)
City Attorney Clint Drake
6. Planning Director's report, update, and miscellaneous business
7. Adjourn

Drafted Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
August 15, 2023 – 6:30 p.m.

Location:	Council Chambers	City Hall, 795 South Main Street, Bountiful UT 84010
Present:	Commission Members	Alan Bott (Vice-Chair), Krissy Gilmore, Lynn Jacobs (Chair), Sean Monson, Cecille Price-Huish and Beverly Ward
	City Attorney	Clinton Drake
	City Engineer	Lloyd Cheney
	Planning Director	Francisco Astorga
	Building Official	Don Simons
	Recording Secretary	Darlene Baetz
Excused:	Commission Member	Jim Clark
	Senior Planner	Amber Corbridge

1. Welcome.

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

2. Approval of the minutes for July 18, 2023.

MOTION: Commissioner Price-Huish made a motion to approve the minutes as written. Commissioner Gilmore seconded the motion.

VOTE: 5-0 in approval.

3. Approval of the minutes for August 1, 2023.

MOTION: Commissioner Ward made a motion to approve the minutes with a minor correction to chair's name on page 2 line 12. Commissioner Bott seconded the motion.

VOTE: 5-0 in approval.

Commissioner Monson arrived at 6:34 p.m.

4. 42, 67, and 89 East 4050 South – Bridlewood Phase 1 – Lots 11, 12 and 13 – Lot line Adjustment
City Engineer Cheney

Andrew Winegar and Paul Hansen, applicants were present. City Engineer Cheney presented the item.

1
2 The owners of the three lots are requesting approval of a lot line adjustment to Lots 11, 12
3 and 13. The proposed adjustment would affect the side lot lines of Lot 12. Each home is
4 currently serviced with all necessary utilities and would require no additional utilities.
5 There is a private sewer easement crossing Lot 12 and services Lot 11 which will remain
6 in place along with the public utility easements which follow the exterior boundary of the
7 original lots.

8
9 MOTION: Commissioner Gilmore made a motion to forward a positive recommendation
10 to the City Council for the approval of the Lot Line Adjustment for 42, 67, and 89 East
11 4050 South. Commissioner Bott seconded the motion.

12
13 VOTE: 6-0 in approval.

14
15 CONDITIONS:

- 16 1. Prepare a final plat after making any minor corrections identified during the review
17 process.
18 2. Provide a current title report for the three (3) properties.

19
20 **5. 1874 East Ridge Point Drive – Variance to construct a retaining wall for a single-**
21 **family dwelling City Engineer *Cheney* and Planning Director *Astorga***

22
23 Chad Snyder, applicant and Joel Farrar representing Davies Design Build were present.

24
25 Mr. Snyder submitted a Variance request to build a retaining wall which would exceed the
26 ten-foot (10') cut and fill requirement and would be located on slopes exceeding thirty
27 percent (30%). The applicant asked for a continuation of this item from the August 1, 2023
28 Planning Commission meeting. The request was made to allow Mr. Snyder to substitute a
29 new retaining wall plan which would be considered for approval at the August 15, 2023
30 Planning Commission meeting.

31
32 Approval of the requested Variance would allow for a single-family dwelling currently
33 under construction to be completed by replacing the previous retaining wall which suffered
34 a structural failure. There was a variance for the construction of the retaining wall will
35 exceed ten feet in height and will allow encroachment on slopes of thirty percent (30%) or
36 greater, which was approved in October 2020. During construction of the single-family
37 dwelling, the retaining wall, which was constructed earlier, suffered a failure which
38 affected the stability of the remaining sections of the retaining wall the structure foundation
39 and framing. To stabilize the site and resume construction on the structure, a modification
40 to the Variance is requested. The updated proposal consists of a three-tier retaining wall
41 system instead of a single wall.

42
43 Commissioners discussed the original failed wall, the existing soil and the water problems.
44

1 City Engineer Cheney noted that the City does not have any historical slope instability for
2 properties above Bountiful Boulevard. He stated the previous wall did not have good
3 drainage and the City has seen one other wall having a similar failure. He discussed the
4 strength and density of the installed material in the proposed wall. He noted that the
5 construction will include concrete trench footings with the blocks above the soil and is one
6 of the most complex systems he has seen.
7

8 Building Official Simons noted the proposed project will not require as much excavation
9 as the previous walls and is a much better system for this site. The applicant will be
10 working with a structural engineer and third-party peer review for the design for this
11 project.
12

13 Commissioner Bott noted that Davies Design has a good reputation and good reviews. He
14 would like to add a stipulation that the City is given a record, the plans are followed per
15 plan and they are approved by the engineer step by step.
16

17 Commissioners Gilmore noted that the Commission needs to trust City staff for the
18 engineering needs and feels that the Commission needs to focus on the variance
19 requirements for the approval of this variance.
20

21 Mr. Snyder stated the previous wall was installed incorrectly and the drainage system
22 clogged. He wants to be a part of the inspection and building of this wall.
23

24 Chair Jacobs opened the Public Hearing at 7:04 p.m.
25

26 Joel Farrer thanked the Commissioners, staff and especially City Engineer Cheney for help
27 with this project and Public Hearing. He noted that the applicant and Davies Design are
28 concerned that the proposed wall is constructed properly.
29

30 Chair Jacobs closed the Public Hearing at 7:07 p.m.
31

32 Commissioners discussed best practices, required inspections, and completions timelines.
33

34 Commissioner Bott asked for more information about the building permit inspection
35 process As he was concerned that the City has more eyes on the construction of this wall.
36

37 Building Official Simons stated the design engineer is responsible for the proper
38 installation of the retaining wall. The City would require a stamped set of plans from the
39 design engineer. The pier reviewer would be responsible for reviewing the plans. A final
40 inspection from the building permit process would be required with Certification from the
41 Engineer of record.
42

43 City Engineer Cheney discussed the construction materials and compaction and noting this
44 system is a much simpler wall to inspect.
45

1 Mr. Farrer noted the contractor should be on site for each of the “lifts”. The work on this
2 project will have daily photos and cares that the build will be done correctly and done
3 safely. He noted that he feels more confident and comfortable about this new system. He
4 discussed the importance of compaction for this project and would welcome any pre-
5 instruction from City Engineering and the Building Department.
6

7 Building Official Simons stated that more work can be done without daily inspections with
8 this system for the compaction behind the wall.
9

10 MOTION: Commissioner Monson made a motion to approve the Variance at 1874 Ridge
11 Point Drive for the retaining wall with the two (2) conditions outlined by staff and the
12 additional third condition. Commissioner Bott seconded the motion.
13

14 VOTE: 6-0 in approval.
15

16 **CONDITIONS:**

- 17 1. Meet all staff review comments.
- 18 2. Obtain a building permit or Building Official Final Approval within one (1) year of the
19 Variance Approval.
- 20 3. *Applicant to submit plans and work with staff to develop a plan for inspection. The*
21 *engineer shall verify at the end of the process that the retaining wall was built*
22 *according to specifications.*
23

24 **6. Training – postponed**
25

26 **7. Planning Director’s report, review of pending applications, and miscellaneous**
27 **business.**
28

- 29 a. General Plan
- 30 b. Parking and Carport Text Amendment update – City Council approved Ordinance
31 with Commissioners recommendation.
32

33 **8. Adjourn**
34

35 Chair Jacobs adjourned the meeting at 7:40 p.m.

Commission Staff Report

Subject: Preliminary and Final Approval for the Brooks Planned Unit Development
Address: 220 North Main St.
Author: City Engineer, City Planner
Department: Engineering, Planning
Date: September 5, 2023



Background

Phil Holland, Applicant, is requesting Preliminary and Final Approval of a Planned Unit Development (P.U.D) plat for the Brooks project located at 220 N Main St. The proposed project includes two buildings fronting on Main St with main floor (ground level) commercial spaces and apartments on 2 upper floors. An additional 3 unit apartment building will be built on the north property line, immediately east of the northern mixed use building. A total of 6 town homes (in 2 separate building groups) front on to 200 North. This project was granted Final Architectural and Site Plan Approval by the City Council on December 8, 2020. An additional six month extension was granted by the City Council which gave the applicant until June 8, 2022 to obtain building permits. The applicant has been issued one building permit for the mixed use building located at the south west corner of the site (at the corner of 200 N and Main St), but no construction has occurred. The Applicant has stated that project funding is conditioned upon approval of the P.U.D. plat and is necessary for the project to move forward.

Analysis

Land Use Code: Chapter 20 of the City's Land Use Code outlines the requirements for a Commercial, Condominium or PUD plat. In order to qualify, the development must:

1. Have a minimum of 4 legal lots or units.
2. Establish a property owners association for maintenance and ownership of the common areas.

Prior Approvals: Approvals for the architectural and site plan are not changed by the proposed subdivision. The proposed subdivision creates the mechanism for modifications to the ownership of components within the development ie: individually owned townhomes or mixed-use buildings.

Department Review

This memo has been reviewed by the City Attorney and the Planning Director.

Recommendation

Staff would support the Planning Commission forwarding a recommendation for Preliminary and Final Approval of the Brooks Planned Unit Development (P.U.D.) and make the recording of the plat contingent on the following conditions being satisfied:

1. Post the bond for public improvements and pay the fee amounts outlined in the Bond and Fee Letter prepared by the City Engineer, dated March 15, 2021.
2. Establish a property owners association and record all necessary documents with the Davis County Recorder's Office at the time the plat is recorded.

Significant Impacts

None

Attachments

1. Site Plan.
2. Copy of the plat.



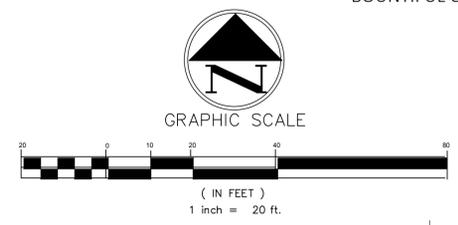
Figure 1 Site Plan

LEGEND

- SECTION CORNER
- EXISTING/NEW STREET MONUMENT
- REFERENCE MONUMENT
- CENTERLINE
- RIGHT OF WAY
- TIE LINES
- PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U.D.E)
- BOUNDARY LINE
- BOUNDARY PROPERTY CORNER
- COMMON AREA OWNED BY HOA
- LIMITED COMMON OWNERSHIP
- PRIVATE OWNERSHIP

THE BROOKS P.U.D.

- FOR REVIEW -
 LOCATED IN THE SOUTHWEST CORNER OF LOT 2,
 BLOCK 45, PLAT "A", BOUNTIFUL TOWN SITE SURVEY
 ALSO LOCATED IN THE SOUTHEAST QUARTER, SECTION 19,
 TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH



UTILITY APPROVAL

SO. DAVIS SEWER IMP. DISTRICT _____ DATE: _____
 BOUNTIFUL LIGHT AND POWER: _____ DATE: _____
 BOUNTIFUL CITY WATER: _____ DATE: _____
 CENTURY LINK: _____ DATE: _____
 COMCAST: _____ DATE: _____
 BOUNTIFUL IRRIGATION DISTRICT: _____ DATE: _____

DOMINION ENERGY UTAH

QUESTAR GAS COMPANY, DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENTS GRANTED AND EXISTING UNDERGROUND FACILITIES. NOTHING HEREIN SHALL BE CONSTRUED TO WARRANT OR VERIFY THE PRECISE LOCATION OF SUCH ITEMS. THE RIGHTS-OF-WAY AND EASEMENTS ARE SUBJECT TO NUMEROUS RESTRICTIONS APPEARING ON THE RECORDED RIGHT-OF-WAY AND EASEMENT GRANTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY
 DBA DOMINION ENERGY UTAH

APPROVED THIS _____ DAY OF _____, 20____
 BY: _____
 TITLE: _____

Line Table

Line #	Direction	Length
L1	N89°57'00"E	0.18'
L2	N0°03'00"W	47.58'
L3	N0°03'00"W	9.95'
L4	S89°57'00"W	0.18'
L5	S0°03'00"E	32.80'
L6	N0°03'00"W	12.35'
L7	S89°57'00"W	1.00'
L8	S0°03'00"E	60.82'
L9	N61°56'13"E	1.07'
L10	N89°44'06"E	62.87'
L11	S0°15'54"E	0.21'
L12	N0°03'00"W	0.42'
L13	N89°43'58"E	5.20'
L14	S0°03'08"E	67.26'
L15	S0°03'08"E	13.74'
L16	S55°26'56"E	18.68'
L17	N89°11'57"E	100.13'

Line Table

Line #	Direction	Length
L18	S55°26'56"E	8.66'
L19	N89°11'57"E	139.94'
L20	N58°58'06"W	28.12'
L21	S67°38'24"W	26.24'
L22	S89°44'06"W	12.00'
L23	N89°48'51"E	0.47'
L24	S71°02'00"E	30.61'
L25	N89°44'06"E	4.66'
L26	N89°44'06"E	11.74'
L27	N89°02'58"E	25.57'
L28	S20°20'20"E	19.00'
L29	N20°20'20"W	14.35'
L30	N62°14'15"W	13.04'
L31	S89°44'06"W	56.00'
L32	S67°41'22"E	37.23'
L33	N40°13'24"W	15.92'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TAN	CHORD	CHORD BRG
C1	96.68'	106.65'	51°56'15"	51.94'	93.40'	S52°48'05"E
C2	24.26'	104.32'	13°19'30"	12.18'	24.21'	N33°33'39"W
C3	11.98'	24.50'	28°01'39"	6.11'	11.87'	N76°15'04"W
C4	39.61'	115.35'	19°40'32"	20.00'	39.42'	S36°24'52"E
C5	50.24'	74.63'	38°34'13"	26.11'	49.30'	S67°27'28"E
C6	12.44'	268.15'	2°39'33"	6.22'	12.44'	S85°24'48"E

SURVEYOR'S CERTIFICATE:

I, MICHAEL L. WANGEMANN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6431156, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS: THE BROOKS P.U.D. AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



MICHAEL L. WANGEMANN
 LICENSE NO. 6431156

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 45, PLAT "A", BOUNTIFUL TOWNSITE SURVEY, SAID POINT BEING NORTH 89°44'06" EAST 49.50 FEET AND NORTH 00°03'00" WEST 24.75 FEET FROM THE INTERSECTION MONUMENT AT MAIN STREET AND 200 NORTH STREET, SAID POINT BEING ALSO SOUTH 00°13'23" EAST ALONG THE SECTION LINE 505.42 FEET AND SOUTH 89°44'06" WEST 2181.06 FEET FROM THE EAST QUARTER CORNER OF SECTION 19, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°03'00" WEST 153.50 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF MAIN STREET; THENCE NORTH 89°43'58" EAST 115.50 FEET; THENCE SOUTH 00°03'08" EAST 81.00 FEET TO THE CENTERLINE OF AN EXISTING DRAINAGE CANAL; THENCE NORTH 89°44'31" EAST ALONG SAID CENTERLINE 75.26 FEET TO A POINT ON A 106.65 FOOT RADIUS NON-TANGENT CURVE (WHICH RADIUS POINT BEARS SOUTH 11°13'43" WEST); THENCE SOUTHEASTERLY 96.68 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 51°56'15" (WHICH LONG CHORD BEARS SOUTH 52°48'05" EAST 93.40 FEET); THENCE SOUTH 00°09'18" EAST 25.68 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 200 NORTH STREET; THENCE SOUTH 89°44'06" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 265.16 FEET TO THE POINT OF BEGINNING. (THE NAD83 BEARING FOR THE SECTION LINE IS SOUTH 00°06'11" WEST AND HAS A CLOCKWISE ROTATION OF 0°19'34")

CONTAINS 29,792.60 SQ/FT OR 0.68 ACRES

OWNERS DEDICATION:

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND COMMON AREA (OPEN SPACE) AS SHOWN ON THIS PLAT, AND NAME SAID TRACT:

THE BROOKS P.U.D.

AND DO HEREBY DEDICATE TO BOUNTIFUL CITY AN EASEMENT OVER, UPON AND UNDER THE OPEN SPACE COMMON AREA (OPEN SPACE) DESIGNATED HEREON AS PUBLIC UTILITY EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, OR SEWER FACILITIES, WHICH EVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS, AND DO HEREBY DEDICATE ALL AREAS REFERRED TO AS COMMON AREA (OPEN SPACE) TO BE CONSIDERED PUBLIC UTILITY EASEMENT UNLESS NOTED OTHERWISE, AND ARE TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION, FOR THE USE AND OPERATION OF PUBLIC UTILITY SERVICE LINES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____ A.D. 2023.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND MONUMENTS LOCATED AT THE INTERSECTIONS OF MAIN STREET AND 100 EAST STREET WITH 200 NORTH STREET AS SHOWN ON THIS SURVEY PLAT.

CORPORATE ACKNOWLEDGEMENT:

STATE OF UTAH)
 COUNTY OF DAVIS)

ON THIS _____ DAY OF _____ IN THE YEAR 20____, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID *CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID _____ ACKNOWLEDGED TO ME THAT SAID *CORPORATION EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

 (NOTARY SIGNATURE)

CORPORATE ACKNOWLEDGEMENT:

STATE OF UTAH)
 COUNTY OF DAVIS)

ON THIS _____ DAY OF _____ IN THE YEAR 20____, PERSONALLY APPEARED BEFORE ME _____, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID *CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID _____ ACKNOWLEDGED TO ME THAT SAID *CORPORATION EXECUTED THE SAME.

WITNESS MY HAND AND OFFICIAL SEAL.

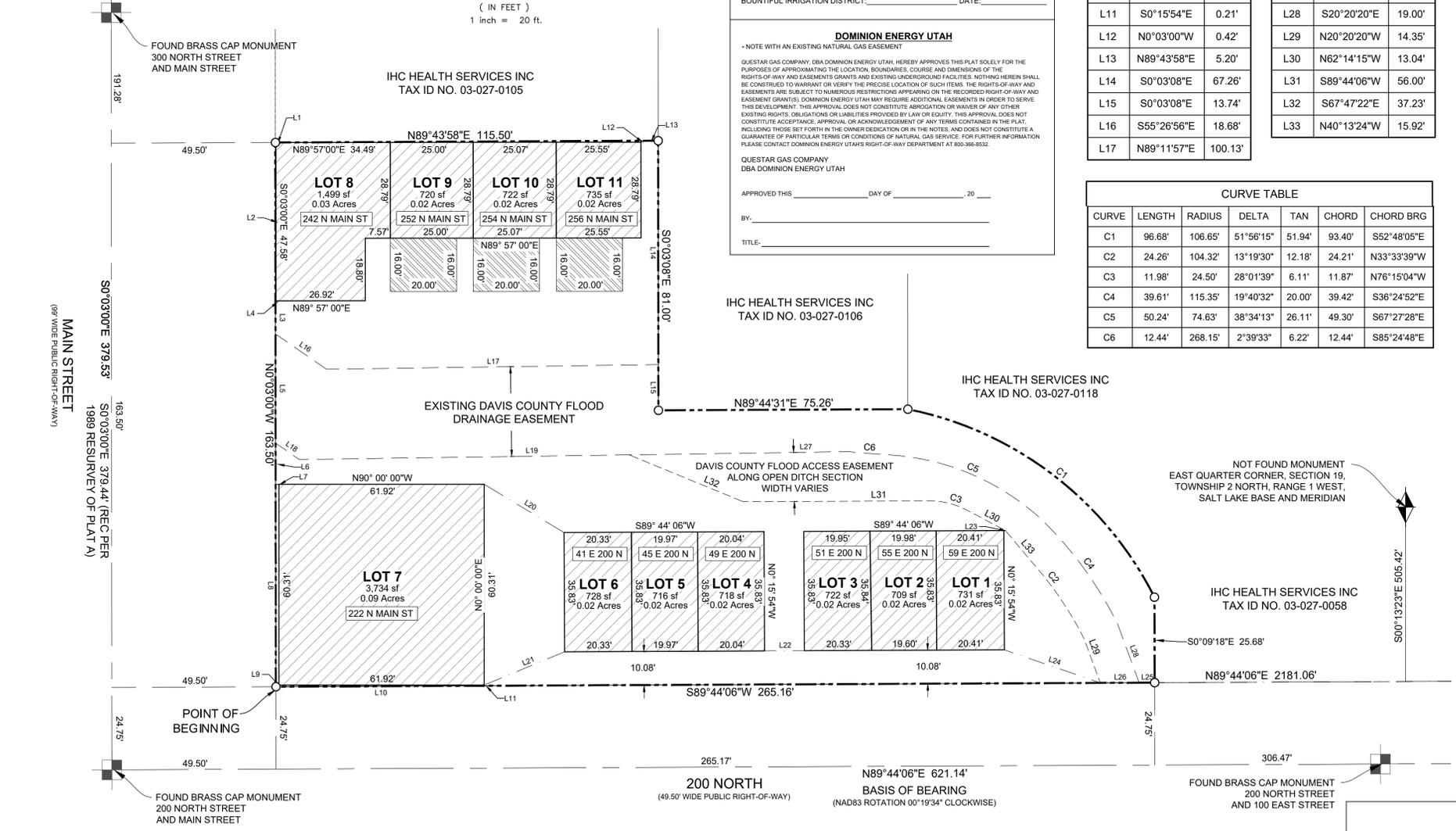
 (NOTARY SIGNATURE)

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 2023
 AT _____ IN BOOK _____ PAGE _____

 DAVIS COUNTY RECORDER

BY: _____
 DEPUTY RECORDER



DEVELOPER:
 THE HOLLAND GROUP
 PHIL HOLLAND
 801-668-1656
 PHIL@HGROUPVENTURES.COM
 September 5, 2023 Bountiful City Planning Commission

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____ A.D., 2023.
 BY THE BOUNTIFUL CITY ENGINEER.

 CITY ENGINEER

CITY ATTORNEY APPROVAL

APPROVED THIS _____ DAY OF _____ A.D., 2023
 BY THE BOUNTIFUL CITY ATTORNEY.

 CITY ATTORNEY

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D., 2023
 BY THE BOUNTIFUL CITY PLANNING AND ZONING COMMISSION.

 CHAIRMAN

CITY COUNCIL ACCEPTANCE

APPROVED THIS _____ DAY OF _____ A.D., 2023
 BY THE BOUNTIFUL CITY COUNCIL.

 MAYOR

 CITY RECORDER

 CITY SEAL

Planning Commission Staff Report



Subject: Zone Map Amendment from R-4 to C-N at
1480 South Orchard Drive

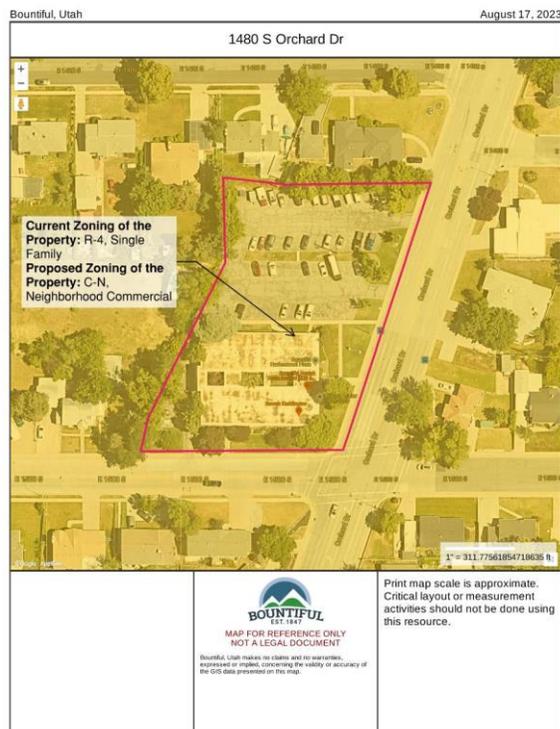
Author: Amber Corbridge, Senior Planner

Department: Planning

Date: September 5, 2023

Background

The applicant Dave Larsen, property owner of the Bountiful Professional Plaza at 1480 S. Orchard Drive, requests a zone map amendment of the property from R-4 (Single-Family Residential) to C-N (Neighborhood Commercial). The applicant stated the purpose for the petition is to “keep services in the area to benefit the community, like it has been for the past 59 years.” The applicant stated the property has existing characteristics of neighborhood commercial structures and uses, where the existing commercial tenants bring in low traffic and impacts to the neighborhood. The current tenants in the building include businesses such as beauty salons, dentist offices/lab, bookkeepers, consultants, insurance investors, preschool, etc. (See attached List of Uses). There are no proposed changes to the existing building or site.



Department Review

This staff report was written by the Senior Planner and was reviewed by the City Attorney and Planning Director.

Significant Impacts

There are minimal impacts to rezoning the property at 1480 South Orchard Drive to C-N (Neighborhood Commercial) as the property is already developed as a low impact commercial site, regarding utilities, parking, and the existing structure. The C-N Zone would allow for low impact commercial uses on the property and any change of use would require an Architectural and Site Plan review.

If the Zone Change Request is not approved the site would be limited to medical, professional, and business offices, e.g., dentist, doctors, lawyers, accountants, architects, etc., operating as legal non-conforming uses, and would not allow any personal care/improvement uses, e.g., beauty salons, tailors, seamstress, shoe repair, tutoring, dance, daycare, etc.

Recommendation

Staff recommends the Planning Commission review the proposed Zoning Map Amendment, hold a Public Hearing, and forward a positive recommendation to the City Council to approve the property rezone at 1480 South Orchard Drive from R-4 (Single Family Residential) to C-N (Neighborhood Commercial).

Attachments

1. Application Questions
2. List of Uses
3. Site Plan and Floor Plan
4. Photos of Existing Site

Why is the intended zone change necessary at this particular location, as service to the community?

To be able to keep going with services to the community that has been there for 59 years. This area has characteristics of neighborhood commercial uses and buildings.

Explain how the intended zone change will not be detrimental to the health, general welfare or safety of persons working or residing in the vicinity or injurious to the property or improvements in the vicinity.

It has tenants that are low traffic. It has services for child development, dental, medical, bookkeeping, and personal and professional services (tutoring, online banking, etc.).

Explain timetable for development.

Development is already in place. No changes are being proposed with the site or building.

Preliminary Development Plans

Already in place.

Amber Corbridge

From: diane larsen <activemomus@yahoo.com>
Sent: Tuesday, August 8, 2023 8:28 AM
To: Amber Corbridge
Subject: Zoning update for Bountiful Professional Plaza

Hi!

Here are the current tenants at Bountiful Professional Plaza:

Beauty Salons
Dentists
Dental Lab
Bookkeepers
Consultants
Insurance Investors
Preschool for Autistic Children
School for adolescents to improve reading Knife Sharpener Medical Professional

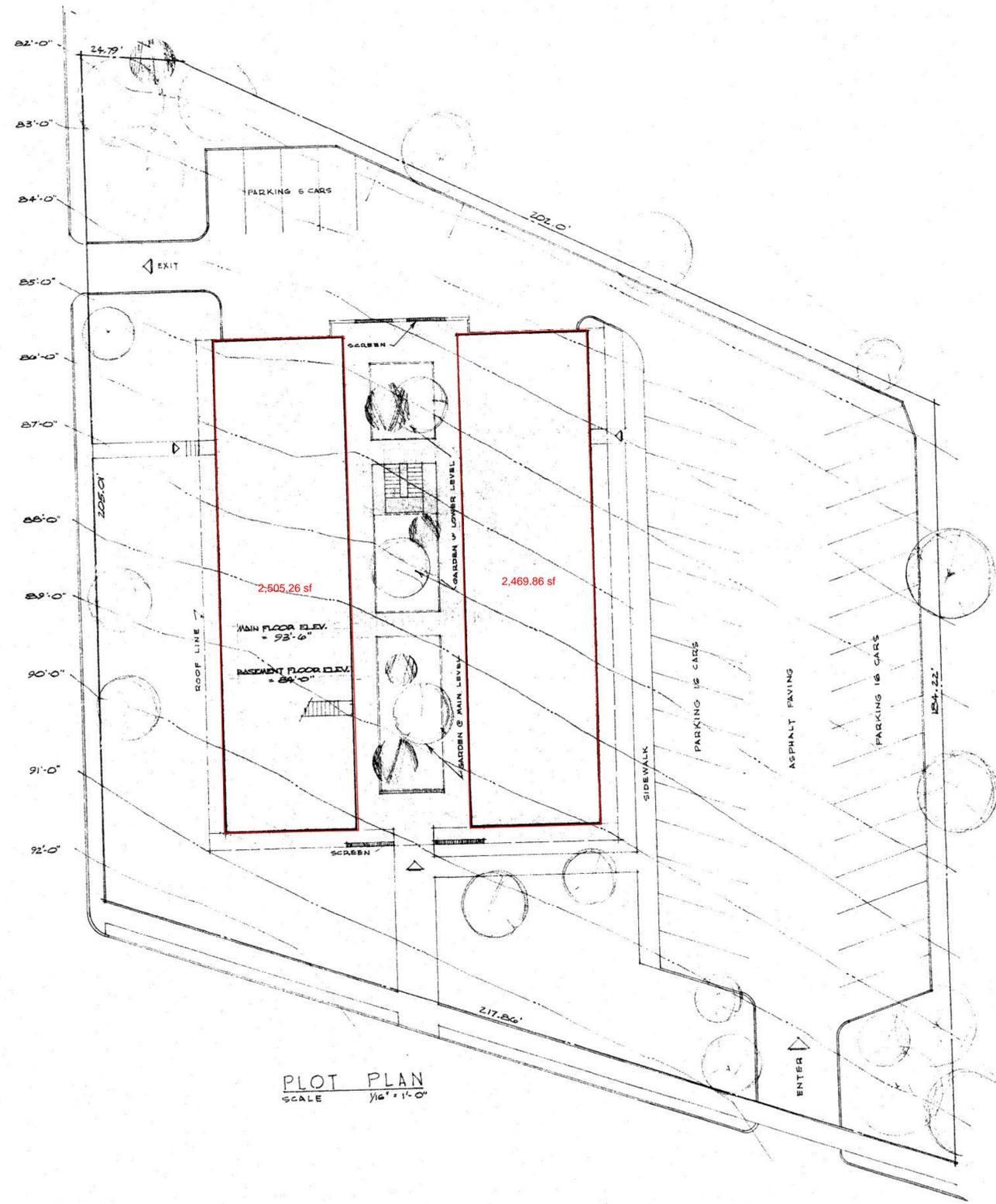
According to the recent Meeting with Dave, Amber and Francisco, a zoning of C-N was suggested for Bountiful Professional Plaza with an update for this zoning, which includes:

Online Banking
Medical/Dental Offices
Medical/Dental Laboratories
Personal Services
Professional Services
Restaurants
Tailors/Seamstresses/Shoe Repair
Telecommunications
Tutoring/Dance/Daycare

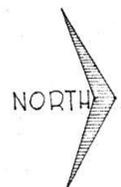
Thank you so much for your help with this zoning issue for Bountiful Professional Plaza.

Dave Larsen 801 580 2050
Diane Larsen

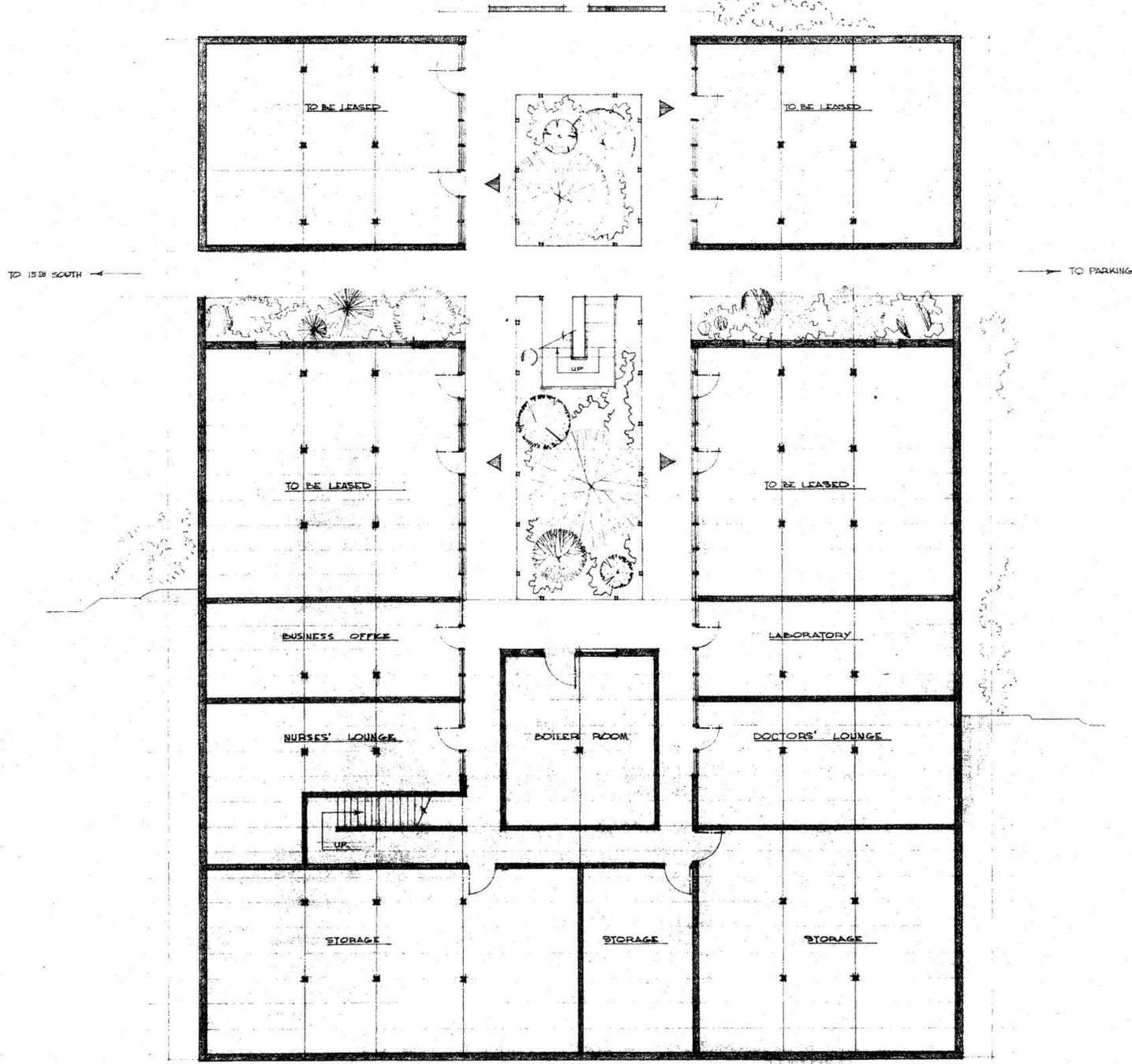
Sent from my iPad



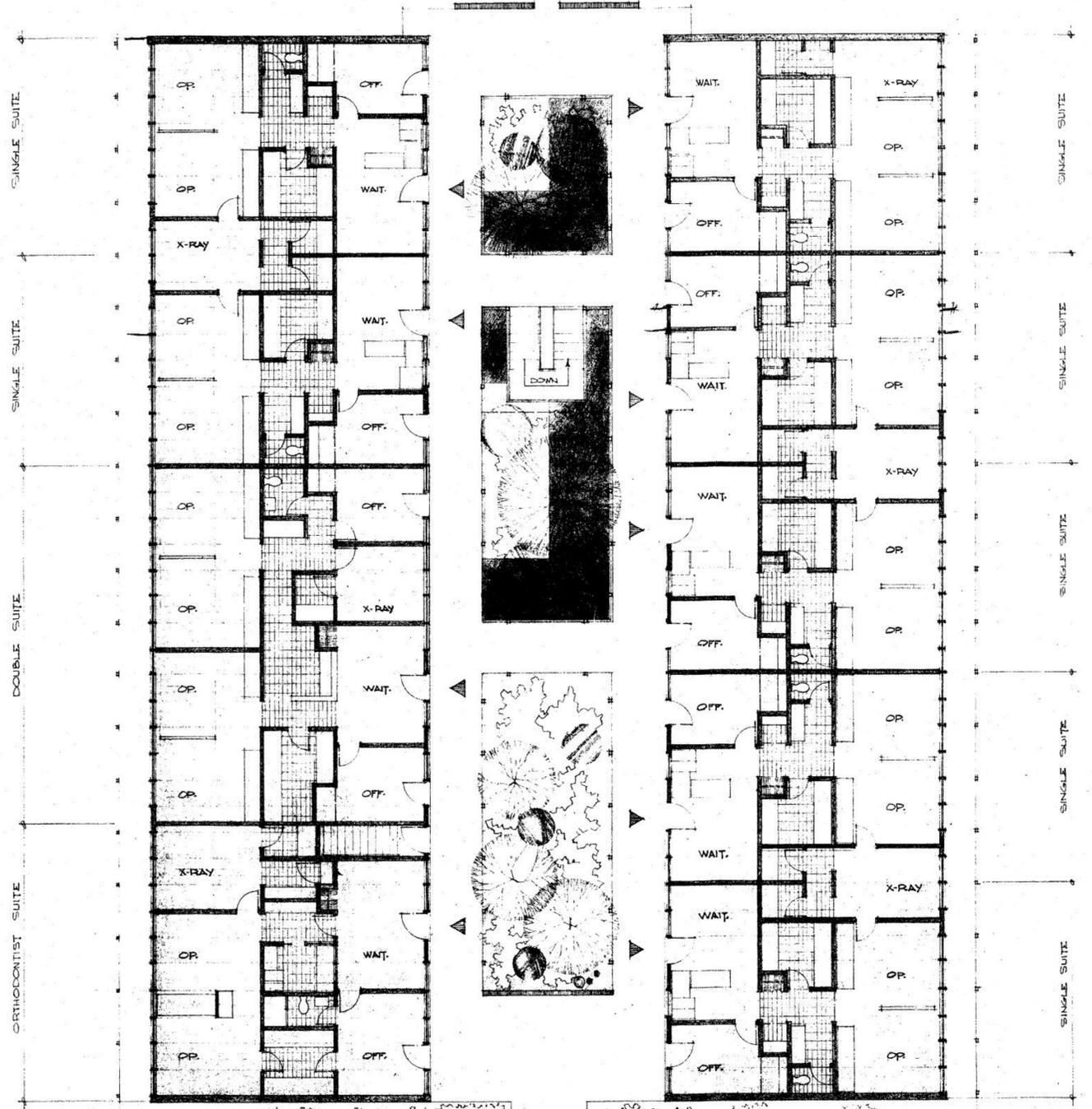
PLOT PLAN
SCALE 1/16" = 1'-0"



REVISIONS	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 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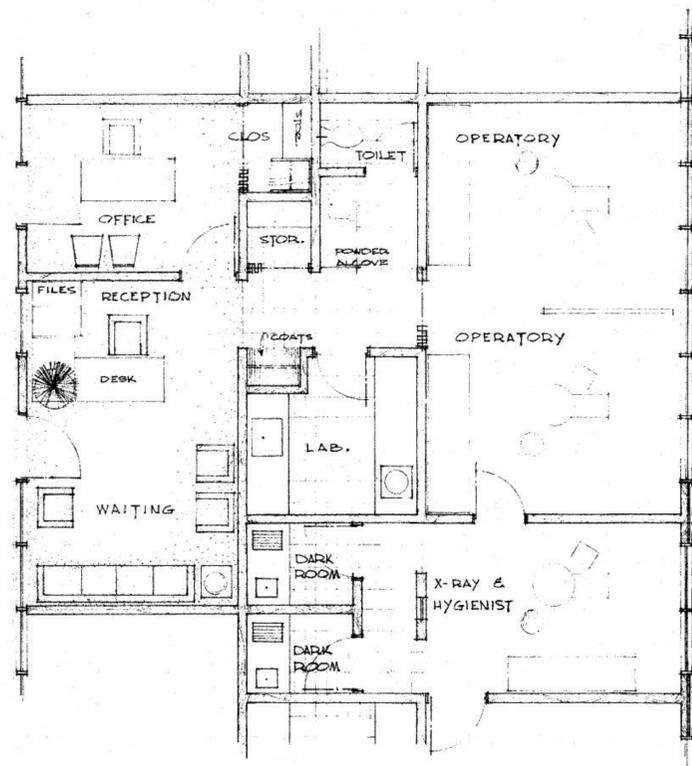


BASEMENT FLOOR PLAN
SCALE 1/8" = 1'-0"

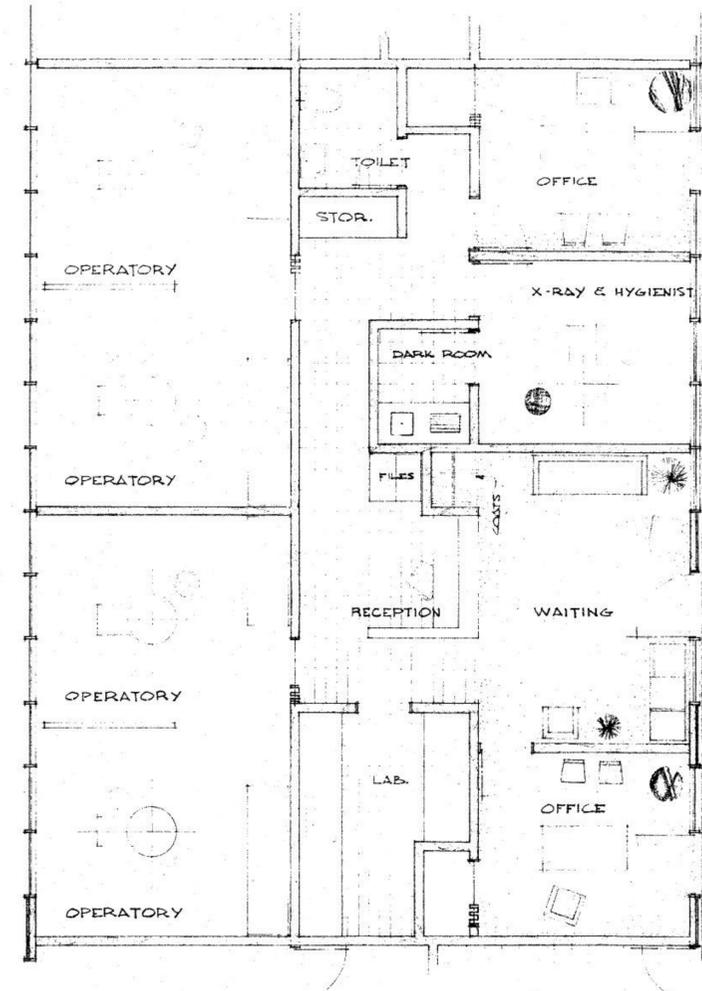


MAIN FLOOR PLAN
SCALE 1/8" = 1'-0"

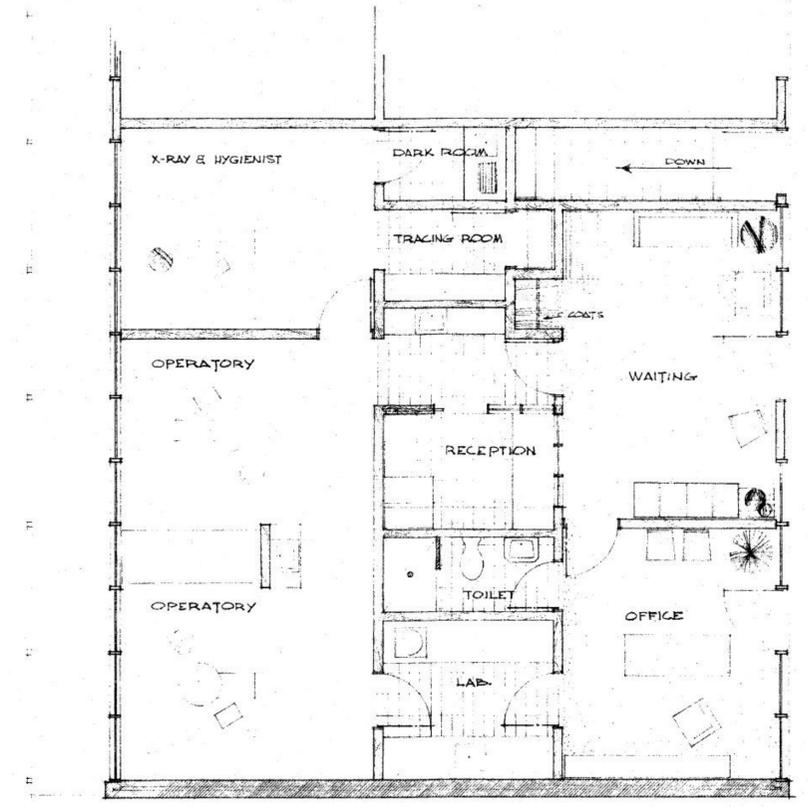
REVISIONS	BOUNTIFUL DENTAL CLINIC		APPROVED	DATE
	BOUNTIFUL, UTAH			12-5-62
JACKSON & SHARP ARCHITECTS A. I. A. SALT LAKE CITY, UTAH			DRAWING	



TYPICAL SINGLE-DENTIST SUITE
 SCALE: 1/4" = 1'-0"
 FLOOR AREA — 744 SQ. FT. (NET)

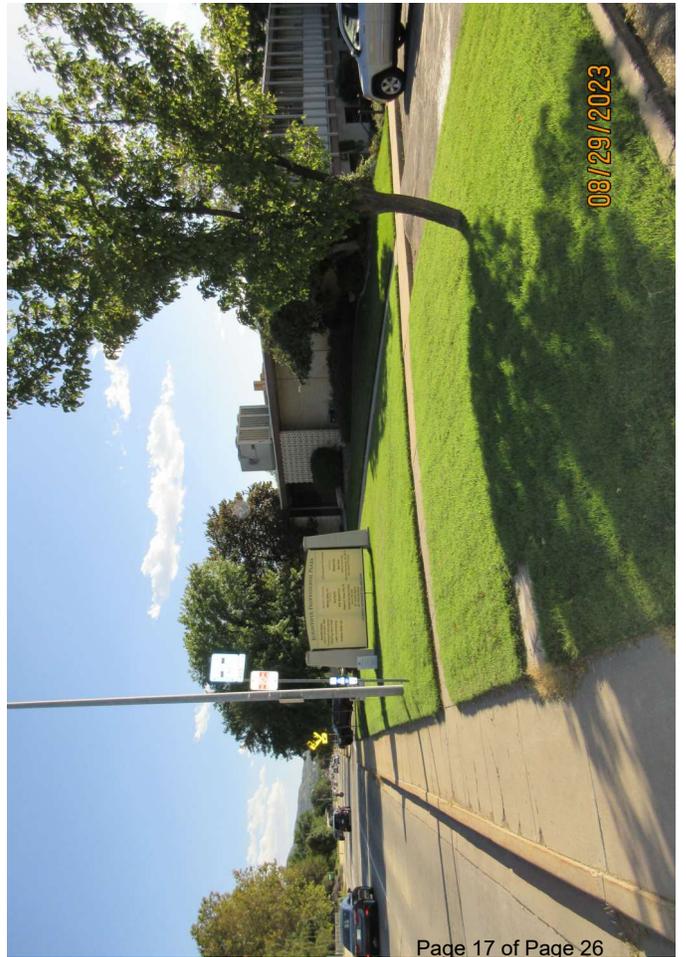
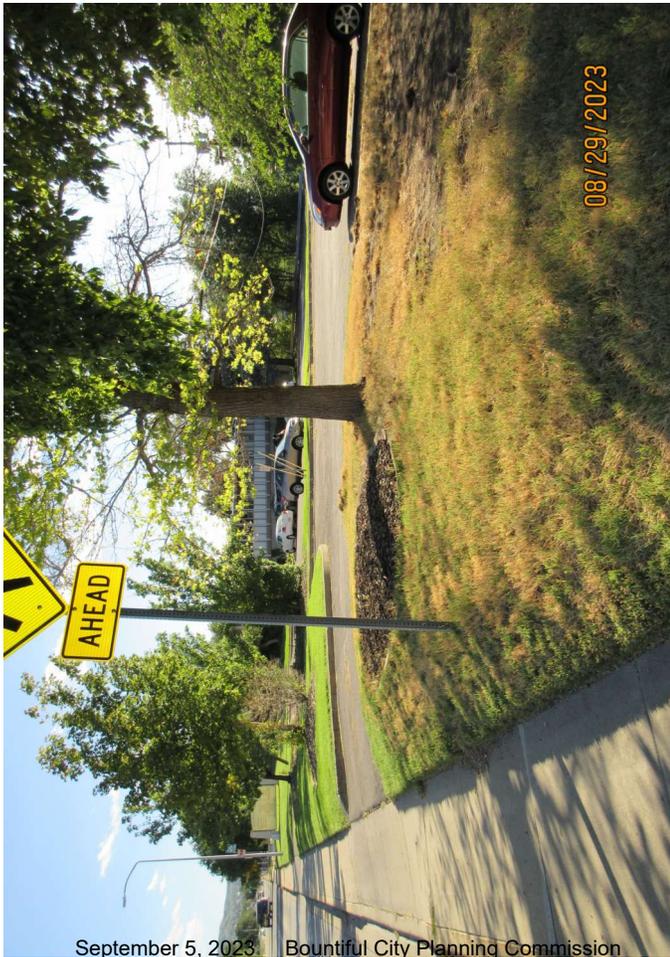
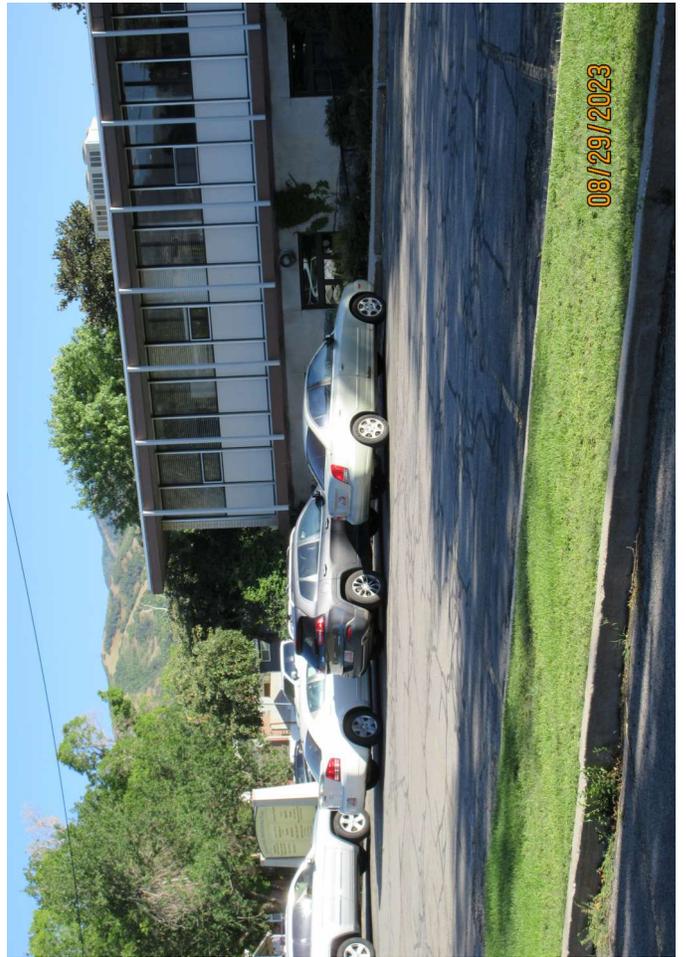


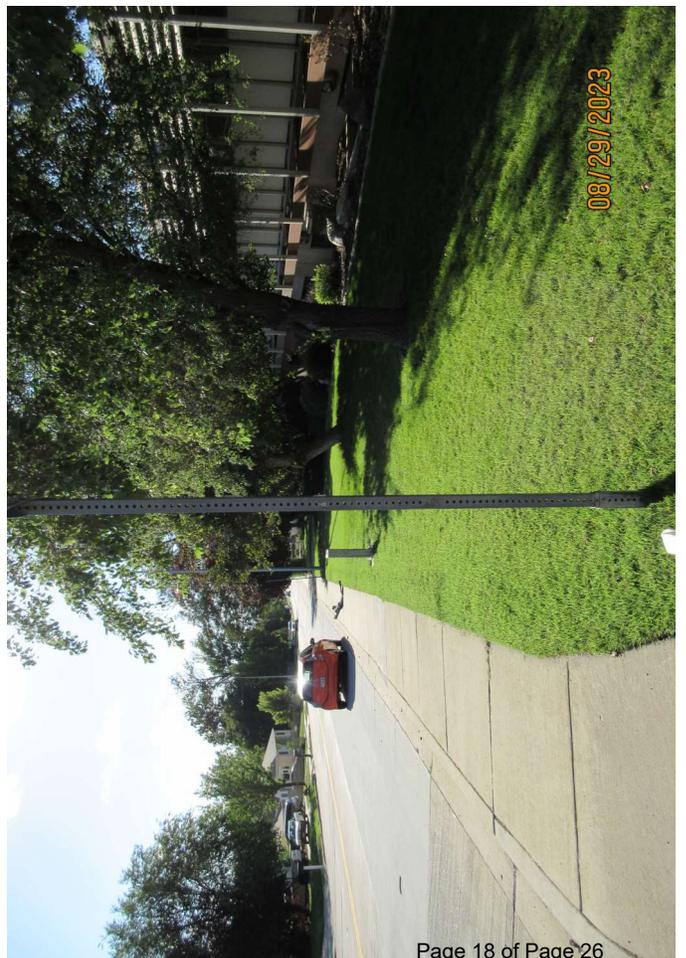
TYPICAL DOUBLE-DENTIST SUITE
 SCALE: 1/4" = 1'-0"
 FLOOR AREA — 1279 SQ. FT. (NET)



ORTHODONTIST SUITE
 SCALE: 1/4" = 1'-0"
 FLOOR AREA — 511 SQ. FT. (NET)

REVISIONS	BOUNTIFUL DENTAL CLINIC		APPROVED	DATE
	BOUNTIFUL, UTAH			12-5-62
	JACKSON & SHARP ARCHITECTS A. I. A. SALT LAKE CITY, UTAH		DRAWING	





Planning Commission Staff Report



Subject: Land Use Code Text Amendment to the C-N
(Neighborhood Commercial) Zone
Author: Amber Corbridge, Senior Planner
Department: Planning
Date: September 5, 2023

Background

The Planning Department recommends amending the land use table, specifically for the C-N (Neighborhood Commercial) Subzone. This table includes permitted, conditional, and prohibited uses for the C-N Subzone. The goal is to include more Bountiful permitted low impact commercial use options for the C-N Subzone (see Exhibit A). These uses include allowing the following in the C-N Subzone:

- (currently prohibited)
- 1. Banks and institutions
- 2. Medical/dental laboratory
- (Currently conditional)
- 3. Medical/dental office
- 4. Personal services
- 5. Professional services
- 6. Restaurant
- 7. Tailor, seamstress, shoe repair
- 8. Tutoring, dance, preschool, daycare

Analysis

The Planning Commission will need to consider how the Land Use Code text amendment is necessary, is in the interest of the public, and is in harmony with the objectives and purposes of the Bountiful General Plan and Land Use Code.

The purpose and object of the C-N Zone is to allow for uses which involve light vehicle traffic and/or local in nature. Areas in the City zoned for C-N should be near or immediately adjacent to collector roads (14-6-101(C)). Currently, there are no areas in the city zoned C-N. All uses listed in Table 14-6-103 of the C-N Subzone are primarily prohibited and

conditional, except for one (1): municipal facility. It is in the best interest of the public to provide a Commercial Zone which allows for the local, low impact uses listed above. For example, the proposed code text amendment would positively impact the rezone petition for the property at 1480 South Orchard Drive from R-4 to C-N. The city should support C-N areas and uses which benefit the neighborhood community.

Department Review

This staff report was written by the Senior Planner and was reviewed by the City Attorney and Planning Director.

Significant Impacts

There aren't any impacts to amending the use table for the C-N (Neighborhood Commercial) Subzone, as there are no areas in the City currently zoned for C-N (see attached Zoning Map), and any future areas to be zoned C-N would benefit from including more low impact commercial use options.

Recommendation

Staff recommends the Planning Commission review the proposed Land Use Code Text Amendment, hold a Public Hearing, and forward a positive recommendation to City Council to approve the modifications made to the Commercial Use Table.

Attachments

1. Exhibit A
2. City Zoning Map



DRAFT

BOUNTIFUL

**Bountiful City
Ordinance No. 2023-06**

MAYOR
Kendalyn Harris

CITY COUNCIL
Millie Segura Bahr
Jesse Bell
Kate Bradshaw
Richard Higginson
Cecilee Price-Huish

CITY MANAGER
Gary R. Hill

An Ordinance Amending Chapter 6 Commercial (C) of the Land Use Code of Bountiful City related to the C-N (Neighborhood Commercial) Zone

It is the finding of the Bountiful City Council that:

1. The City Council of Bountiful City 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 City Council requests certain Land Use Code Text Amendments relating to neighborhood commercial land uses be considered; and
3. After review and a public hearing of a proposed commercial ordinance on September 5, 2023, the Bountiful City Planning Commission forwarded a positive recommendation to the City Council; and
4. The City Council of Bountiful City finds that these amendments are necessary and are in harmony with the objectives and purposes of the Bountiful City Land Use Code and the General Plan; and
5. The City Council of Bountiful City reviewed the proposed commercial ordinance on September 5, 2023 and finds that the proposed amendments are in the best interest of the health, safety, and welfare of the City and the public.

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

SECTION 1. Chapter 6 Commercial (C) of the Land Use Code of Bountiful City, Title 14 of the Bountiful City Code, related to the neighborhood commercial is hereby adopted and enacted as shown on Exhibit A.

SECTION 2. This ordinance shall take effect immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this 12th day of September 2023.

Kendalyn Harris, Mayor

ATTEST:

Shawna Andrus, City Recorder

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

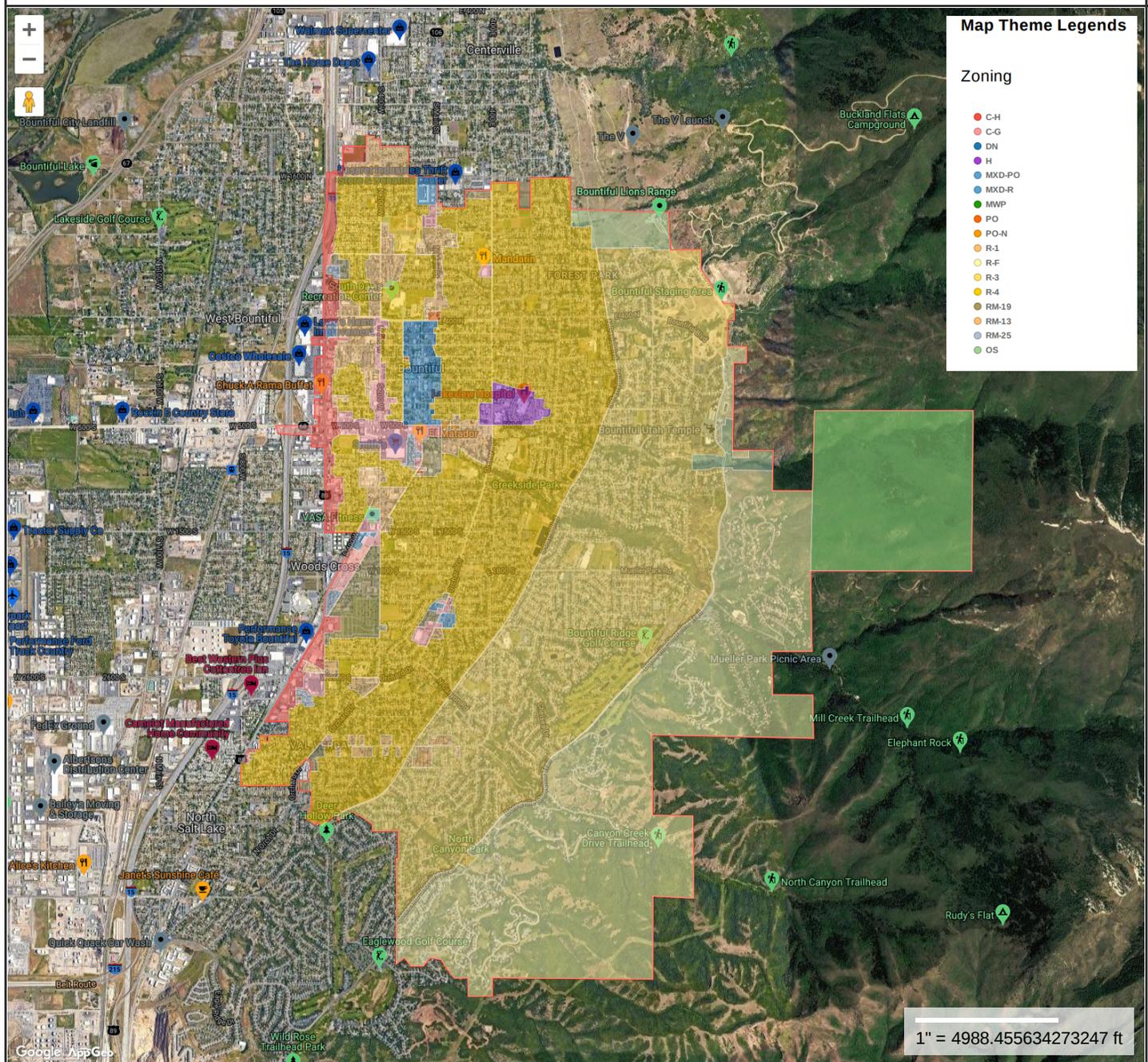
Subject to the provisions and restrictions of this Title, the following principal uses and structures, and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the Commercial zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is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

Table 14-6-103

Use	C-H	C-G	C-N
Assisted Living Center	N	N	N
ATV and Snowmobile Sales w/o Outside Storage and/or Display	P	C	N
ATV and Snowmobile Sales with Outside Display	P	N	N
Bail Bonds	C	N	N
Banks, Credit Unions	P	P	NP
Bar, Tavern, Drinking Establishment	C	N	N
Bottling, Canning, Food Production	P	C	N
Building/Construction Materials and Supplies w/ Outside Storage	C	C	N
Building/Construction Materials and Supplies w/o Outside Storage	P	C	N
Check Cashing, Title Loans	P	C	N
Construction Services w/ Outside Storage	C	N	N
Construction Services w/o Outside Storage	P	C	N
Convenience Stores	P	C	C
Dry Cleaner, Laundry Service	P	C	C
Fast Food Restaurant w/ or w/o Drive-up	P	C	N
Feed Lots, Animal Rendering, Animal Raising	N	N	N
Fire Arm/Shooting Range – Indoor	C	C	N
Fire Arm/Shooting Range – Outdoor	N	N	N
Food Preparation, Bakery	P	P	C
Funeral Parlor, Cemeteries, and Crematory Services	P	C	N
Gasoline Sales	P	P	C
General Retail w/ Outside Storage	C	C	N
General Retail w/o Outside Storage	P	P	C
Grocery Store	P	P	C
Hotels (Interior room access)	P	C	N
Industrial Manufacturing	N	N	N
Kennels, Animal Boarding	N	N	N
Laundromat (Self-operated)	P	P	C
Mail Order/Online Distribution Office w/ Onsite Indoor Storage	P	C	N
Mail Order/Online Distribution Office w/ Onsite Outdoor Storage	C	N	N
Medical/Dental Laboratory	P	C	NP
Medical/Dental Office	P	P	CP
Millwork, Cabinetry	P	C	C
Motels (Drive-up/exterior room access)	N	N	N

Use	C-H	C-G	C-N
Motorized Recreation	C	N	N
Municipal Facility	P	P	P
Non-motorized Recreation, Pool, Gymnasium – Public or Private	P	P	C
Pawnshop, Secondhand Merchandise,	C	N	N
Personal Services	P	P	CP
Professional Services	P	P	CP
Public/Private Assembly	P	P	C
Residential	N	N	N
Restaurant	P	P	CP
Security Services	P	N	N
Self Storage Units or Warehouse w/o Office	N	N	N
Sexually Oriented Business, Escort Service	C	N	N
Small Engine/Appliance Repair	P	P	N
Tailor, Seamstress, Shoe Repair	P	P	CP
Tattoo Parlor	C	N	N
Telecommunication Facility not on City Property	C	C	C
Telecommunication Facility on City property	P	P	P
Thrift Store	P	C	C
Tutoring, Dance, Preschool, Daycare	P	P	CP
Vehicle Part Sales	P	P	N
Vehicle Repair	P	N	N
Vehicle Sales	P	N	N
Vehicle Salvage/Wrecking	N	N	N
Vehicle Service and Wash	P	C	N
Vehicle Storage – Indoor	P	P	C
Vehicle Storage – Outdoor	C	N	N
Warehouse w/ Office	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting – indoor	P	N	N
Welding, Autobody, Machine Shop, Fiberglass, Painting - Outdoor	C	N	N

Bountiful Zone Map



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Bountiful, Utah makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Map Theme Legends

Zoning

- C-H
- C-G
- DN
- H
- MXD-PO
- MXD-R
- MWP
- PO
- PO-N
- R-1
- R-F
- R-3
- R-4
- RM-19
- RM-13
- RM-25
- OS