

**Bountiful City
Administrative Committee Minutes
January 13, 2020**

Present: Chairman – Francisco Astorga; Committee Members – Brad Clawson and Dave Badham; Assistant Planner – Curtis Poole; Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Astorga opened the meeting at 5:00 p.m. and introduced all present.

2. Consider approval of minutes for December 23, 2019.

Mr. Clawson made a motion to approve the minutes for December 23, 2019. Mr. Astorga seconded the motion.

<u> A </u>	Mr. Astorga
<u> A </u>	Mr. Clawson
—	Mr. Badham (abstained)

Motion passed 2-0.

3. PUBLIC HEARING: Consider approval of Conditional Use Permit to allow for an Accessory Dwelling Unit at 175 East 200 South, Tonya Hardy, applicant.

Tonya Hardy, applicant, and Brooks Gibbs (representing Real Property Service) were present.

Curtis Poole presented the staff report (the full staff report follows).

The Applicant, Tonya Hardy, requests Conditional Use Permit approval to allow for an Accessory Dwelling Unit at 175 East 200 South. The property is located in the R-4 Single-Family Residential Zone.

The Applicant, Tonya Hardy, is requesting approval of a detached Accessory Dwelling Unit (ADU). The Applicant will demolish an existing single car garage and replace it with a two car garage with living space above. Plans submitted show the living unit will have one (1) bedroom, a living space, kitchen, and bathroom.

According to City Code, 14-4-124, a Conditional Use Permit for an ADU is required and Applicant shall meet all standards of the Code for approval. The property is located in the R-4 Single-Family Residential Zone and consists of an existing single-family dwelling which will be maintained as such by the Applicant. The lot is 0.224 acres (9,757 square feet). There will only be one (1) ADU and there will only be one (1) utility connection located at this property. The home is 1,780 square feet and the ADU is approximately 750 square feet, which is approximately 38 feet above the 40% standard in the Code.

The property will meet the parking standard required for approval. The entrance to the ADU will be on the rear of the detached garage and not visible from the street. The property will continue to have the appearance of a single-family dwelling and should have minimal impact on the surrounding neighborhood.

Staff recommends the Administrative Committee approve the Conditional Use Permit to allow for an Accessory Dwelling Unit at 175 East 200 South subject to the following conditions:

1. The owner(s) of the property must continually occupy the primary dwelling or the ADU.
2. The property is to be used only as a single-family use and shall be subject to a Deed Restriction.
3. Prior to beginning any construction on the ADU, the Applicant shall receive a building permit.
4. Ensure the size of the ADU is less than 40% of the existing home as required by Code prior to applying for the building permit.
5. There shall be no separate utility service connections.
6. The ADU shall meet all the standards in 14-14-124 of the City Land Use Ordinance.
7. The Conditional Use Permit is solely for this property and is non-transferable.

Mr. Gibbs noted his understanding that the current ADU plans need to be reduced by approximately 30 feet and inquired regarding the use of a kicker wall in order to comply with the 40% condition. Mr. Badham expressed his opinion that this would reduce the interior square footage of the ADU, and Mr. Poole affirmed.

PUBLIC HEARING: Mr. Astorga opened and closed the Public Hearing at 5:06 p.m. with no comment from the public.

Mr. Badham asked regarding outside access to the ADU, and Mr. Gibbs referenced a large set of plans and noted the ADU access on the side entrance on the back on stairs. Mr. Badham inquired if the access counts toward the 40% condition, and Mr. Poole explained that only livable space is included. Mr. Astorga read the code definition of floor area: "The sum of the areas of one or several floors of a building, including areas used for human occupancy in basements, attics and penthouses, as measured from the exterior face of walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the principal building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance, or any such floor space intended and designed for accessory heating and ventilating equipment." A discussion ensued regarding the inclusion of a stairwell in the 40% ADU floor area, and Mr. Astorga read the code criteria that the ADU "[s]hall not occupy more than forty percent (40%) of the total floor area square footage of the primary dwelling structure." He noted that the code does not necessarily specify who gets the staircase and suggested further discussion of that point after the meeting. Mr. Badham inquired regarding the percentage of property landscaping, and Mr. Poole noted the property complies with code standards.

Mr. Badham made a motion to approve a Conditional Use Permit to allow for an Accessory Dwelling Unit at 175 East 200 South, Tonya Hardy, applicant, with the modification to condition four as noted below. Mr. Clawson seconded the motion.

A Mr. Astorga
A Mr. Clawson
A Mr. Badham

Motion passed 3-0 based on conditions outlined by staff and the following modified condition:

4. Ensure the size of the ADU is less than 40% of the existing home, and meets all applicable zoning standards, including height, as required by Code prior to applying for the building permit.
4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Temporary Sales Office Trailer at 2399 South Main, Applied Media Inc., applicant.**

Stefan Tseng, representing Applied Media Inc., applicant, was present.

Curtis Poole presented the staff report (the full staff report follows).

The Applicant, Applied Media, Inc., requests Conditional Use Permit approval to allow for a Temporary Sales Office as part of a new commercial development for EOS Fitness at 2399 South Main Street. The property is located within the C-H (Heavy Commercial) Zone.

EOS Fitness received a building permit in August of 2019, and has since been remodeling the old Smith's Grocery building. As part of the construction the Applicant, Applied Media Inc., has requested a Temporary Sales Office to be located on site. The purpose of the office will be for pre-sales of gym memberships and to provide information for the new facility. The office will be a 32' x 40' portable trailer and will be on site for approximately four (4) months. The Applicant has indicated the trailer will be located on Site 1 of their Site Plan, which is the northeast side of the parking lot closest to the building. The hours of operation for the Temporary Sales Office will be 8:00 a.m. to 9:00 p.m.

As the Temporary Sales Office itself will be located on an active construction site, it should have little impact to the surrounding neighborhood. The office will have its own parking for patrons separate from the construction site and will not impact travel between Main Street and 500 West, or the commercial business to the north.

Staff recommends the Administrative Committee approve the Conditional Use Permit to allow for a Temporary Sales Office at 2399 South Main Street subject to the following conditions:

1. Any temporary signage connected with the sales office shall meet the standards of the sign ordinance and receive approval through a separate permit.
2. The Conditional Use Permit is solely for this site and in non-transferable

3. The Conditional Use Permit may be approved until an occupancy permit is issued for the permanent building or for up to six (6) months, whichever comes first.

Mr. Astorga noted that the committee viewed a Google photo showing many vehicles parked on the property, but those vehicles are no longer parked there. Mr. Tseng inquired regarding the city's sign ordinance and whether a vinyl wrap on the trailer would be permissible. A discussion ensued regarding business signs and banners, and Mr. Astorga suggested Mr. Tseng coordinate and submit sign plans to the Planning Office. Mr. Astorga noted that the proposed operating hours would comply and further noted that the city would be a little lenient if on occasion the trailer needed to be open a bit later than the proposed hours.

PUBLIC HEARING: Mr. Astorga opened and closed the Public Hearing at 5:29 p.m. with no comment from the public.

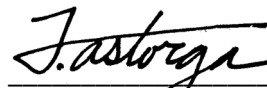
Mr. Clawson made a motion to approve a Conditional Use Permit to allow for a **Temporary Sales Office Trailer** at 2399 South Main, Applied Media Inc., applicant. Mr. Astorga seconded the motion.

 A Mr. Astorga
 A Mr. Clawson
 A Mr. Badham

Motion passed 3-0 based on conditions outlined by staff.

5. **Miscellaneous business and scheduling.**

Mr. Astorga noted that at the January 14th City Council meeting the council would consider appointment of Scott Schlegel as an alternate member of Administrative Committee and, if approved, the Administrative Committee would devise a schedule for Mr. Schlegel's service on the committee. Mr. Astorga noted there were two applications to be considered at the January 20, 2020 committee meeting. He ascertained there were no further items of business, and the meeting was adjourned at 5:32 p.m.



Francisco Astorga, Planning Director