BOUNTIFUL CITY PLANNING COMMISSION AGENDA

Tuesday, September 5, 2017 6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

- 1. Welcome and Introductions.
- 2. Approval of the minutes for August 1, 2017.
- 3. Consider preliminary subdivision approval for Stonecreek Estates Subdivision located at approximately 1500 E and 400 North, Brock Johnston representing Rainey Homes, applicant.
- 4. Consider final site plan approval for Bristol Village a 19 multi-family townhome unit development at 1910, 1940 and 1950 S 200 West, Taylor Spendlove representing Brighton Development Utah LLC, applicant.
- 5. Consider preliminary and final site plan approval for Colonial Square Service Alley Improvements, 500 W 2600 South, Kevin Alcott, applicant.
- 6. Consider final site plan and final plat approval for a commercial office development at 1065 S 500 West, Jeff Beck representing Union Avenue LLC, applicant.
- 7. Consider a subdivision vacation for Shaw Subdivision, Justin and Lauri Shaw, applicant.
- 8. Discussion of potential changes to zoning and development standards in Plat A Neighborhood.
- 9. Planning Director's report, review of pending applications and miscellaneous business.

Chad Wilkinson, City Planner

Bountiful City Planning Commission Minutes August 1, 2017 6:30 P.M.

Present:

Chair – Sean Monson, Vice Chair – Von Hill; Planning Commission Members – Jesse Bell, Tom Smith and Sharon Spratley; City Council Representation – Richard Higginson; City Attorney – Clint Drake; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; and Recording Secretary – Darlene Baetz

1. Welcome and Introductions.

Chair Monson opened the meeting at 6:30 pm and welcomed all those present.

2. Approval of the minutes for June 20, 2017.

Richard Higginson made a motion to approve the minutes for June 20, 2017 as written. Von Hill seconded the motion. Voting passed 5-0 with Commission members Bell, Higginson, Hill, Smith and Spratley voting aye and Sean Monson abstained.

3. Consider preliminary site plan approval for Bristol Village a 19 multi-family townhome unit development at 1910, 1940 and 1950 S 200 West, Taylor Spendlove representing Brighton Development Utah LLC, applicant.

Taylor Spendlove was present. Chad Wilkinson presented the staff report.

The 1.18 acre property is located within the RM-19 zoning district. Surrounding uses include a mix of single family and multifamily uses to the north, multifamily residential use to the west and south and single family residential to the east.

The development is located on three existing parcels one of which is vacant. The other parcels are currently developed with single family homes which would be removed before construction. Prior to issuance of building permits, these parcels will need to be consolidated to avoid structures crossing property lines. The applicant has indicated a desire to record a Townhome PUD plat to allow for individual ownership of the units in the future. The Code allows for this on existing projects, so the applicant will need to first begin construction of the units and then apply for PUD plat approval after the units exist.

The development is similar to the project recently constructed by Brighton Development on Pages Lane. Access to the project will be via a single 24 foot wide driveway on 200 West. The proposed development meets the minimum parking standards based on the unit mix and has provided one covered parking space for each unit as required by ordinance. Each of the units will have a two-car garage, a majority of which will be accomplished via tandem parking spaces (one parking space behind the other). This is allowed in townhome style developments provided both spaces are assigned to the same unit. Guest parking is proposed to be provided within the individual driveways of the units. While this technically meets the Code, there is some concern that garages will be used for storage and that the overall number of spaces will be reduced, pushing guest parking into the adjacent street. Because of the narrowness of the access driveway, parking will not be allowed on the interior access lane. The Commission may wish to consider a condition requiring on-site guest spaces not located in driveways.

The proposed structures are three stories and are less than the 35 foot maximum height for buildings in the RM-19 zone. The buildings meet minimum setback requirements for the zone. The applicant proposes a mix of cultured stone and fiber cement siding. The units are slightly staggered along the front façade to provide some relief. Each of the units has a covered entry or balcony on the front of the building. The landscape plan shows fenced private recreational space for each unit. The units fronting on 200 West have been designed with entries facing the street. It is recommended that this design be enhanced by the addition of a sidewalk connection to 200 West connecting the entry to the unit. The proposed buildings show private outdoor space in the form of fenced areas at the rear of the units as required by Code. The proposed elevations appear to limit the amount of siding materials to 50 percent of the exterior as required by Code.

The submitted landscape plan exceeds the minimum 40 percent landscaping required by Code. A final landscape and irrigation plan meeting the requirements of Chapter 16 of the Land Use Ordinance and prepared by a licensed landscape architect will be required prior to building permit issuance.

Storm water will be collected in a detention facility at the northeast of the property and then connected to an existing storm drain in 200 West. Water and sewer plans have been reviewed by the City Engineer with minor redlines to the location of the onsite hydrant. Sewer and water service to the project will be via existing lines in 200 West which will require resurfacing of the road after construction.

The proposed development is in an area that is zoned for multifamily use and with conditions meets the applicable standards of the Code. Current infrastructure is adequate to handle the additional units proposed.

Staff recommends that the Planning Commission recommend approval of the request for preliminary site plan approval subject to the following conditions:

- 1. Complete any and all redline corrections.
 - a. Revise the location of the fire hydrant to the location shown on the annotated site plan attached to this report.
 - b. Show sidewalk connection to the units fronting on 200 West in order to provide pedestrian access to the units from the public right of way.
- 2. Prior to issuance of a building permit, complete the following:
 - a. Obtain final site plan approval.
 - b. Consolidate the parcels and complete any proposed parcel boundary adjustments.
 - c. Submit a final landscape plan meeting the requirements of Chapter 16 of the Bountiful City Zoning Ordinance.
 - d. Any modifications required by conditions of the Planning Commission and City Council.

Commission members and Staff discussed the concern for the parking challenges for guests. Mr. Wilkinson suggested that restrictive covenants be recorded for guest parking however, the HOA would need to enforce this. Mr. Spendlove confirmed that there are one or two vacant stalls outside of the garage, depending on the number of garage stalls. There is also street parking available for guests.

Mr. Smith asked that a sidewalk be added to connect 200 West on one side of the access lane.

Tom Smith made a motion that the Planning Commission pass a recommendation for approval to the City council for the preliminary site plan approval for Bristol Village a 19 multi-family townhome unit development at 1910, 1940 and 1950 S 200 West with the two conditions outlined by staff and the addition of two conditions from Commission:

- 3. Show a sidewalk connection to 200 West on one side of the access lane
- 4. Record a restrictive covenant on the property requiring that residents park vehicles within provided garages in order to preserve driveway parking for guests.

Richard Higginson seconded the motion. Voting passed 5-0 with Commission members Bell, Higginson, Hill, Smith and Spratley voting aye.

4. Consider preliminary and final plat approval of the Bountiful City Cemetery Plat Q.

Paul Rowland presented the staff report.

Each addition to the City's cemetery requires the preparation of a subdivision plat map, review by the Planning Commission and the City Council, and then recording of the plat with the Bountiful City Recorder, all before any new burial plots can be sold. The next plat is now ready for review and recording.

The roads for this addition were constructed in 2015 and the sprinkling system was installed and the grass allowed to grow through 2016. The landscaping has now grown to the point that these plots are now ready for sale and use. Additionally, the inventory of available plots in the rest of the cemetery has shrunk to the point that we need to move forward with opening this expansion. Plat Q contains 283 full sized lots, with each full lot containing eight individual 4 ft. by 8 ft. burial plots, and 21 partial lots. Partial lots, which contain between 1 and 7 plots, are caused when roads or other interferences cut through lots. The total count for Plat Q is 2,336 burial plots.

Staff recommended that the Planning Commission send a favorable recommendation for preliminary and final approval of the Bountiful City Cemetery Plat Q to the City Council.

Commission Members and Staff discussed the options for the East Cemetery property with alternative burial methods.

Richard Higginson made a motion that the Planning Commission pass a recommendation for approval to the City Council for the preliminary and final plat approval of the Bountiful City Cemetery Plat Q. Von Hill seconded the motion. Voting passed 6-0 with Commission members Bell, Higginson, Hill, Monson, Smith and Spratley voting aye.

5. Planning Director's report, review of pending applications and miscellaneous business.

There have been 304 surveys taken for Plat A.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:09 p.m.

Chad Wilkinson, Bountiful City Planner

Commission Staff Report

Subject: Preliminary Subdivision Approval Stone Creek Estates

Subdivision

Address: 1600 East Bountiful Blvd
Author: City Engineer, City Planner

Department: Engineering, Planning **Date:** September 5, 2017



Item #3

Background

Mr. Brock Johnston, of Rainey Homes is requesting preliminary approval of the Keller Property Subdivision, a 50 lot subdivision of the long vacant Keller property located at the top of 400 North Street. The proposed subdivision would occur over four phases with preliminary approval being requested for the entire property and them final approval being requested for each of the phases as construction progresses.

Analysis

Layout and Zone Requirements:

The property, which is located between 1500 East and what would be about 1700 East on both sides of Bountiful Blvd., is what has long been referred to as the Keller Property. This proposed development includes 50 single family lots on 33.5 acres of ground and is located in the R-3 zone. Rainey Homes is proposing to develop the property in 4 phases and is requesting an overall preliminary approval for the entire property, with final approval coming for each of the phases as they are ready for construction and sale. Bountiful City ordinance allows for this type of phased development as long as the preliminary plat "illustrates the total subdivision intended..."

Rainey Homes intends to develop the property in roughly the following four phases:

Phase 1 south and west part of the property, includes 18 lots
Phase 2 along the southwest side of Bountiful Blvd., includes 9 lots
Phase 3 along both sides of the Eagle Ridge Drive extension to Ward Canyon, 15 lots
Phase 4 single cul de sac between Bountiful Blvd. and the canyon, includes 8 lots

All of the lots, as proposed, exceed the minimum frontage requirements (80 ft.) and minimum lot size requirements (11,000 s.f.) for the zone. Also, all of the lots have the required 3,000 s.f. buildable pad as defined by ground under 30% in slope that is outside of required side yards and setbacks. The lots as proposed would basically match or be slightly larger than the lots in the surrounding subdivisions.

The farthest south E-W road will be quite steep. Not unusual in this part of Bountiful, but preliminarily it shows to have a grade of between 14.5% and 15%. Our code allows for streets with a grade to 12% without any type of special consideration, and up to 15% with

review. This road provides a necessary connection between Bountiful Blvd. and Moss Hill Drive along the extension of Eagle Ridge Drive. There is no other place to provide this connection which will result in a flatter slope so the grade of this street can't be avoided.

Phasing Considerations:

Along with the need to break the large amount of work required for this project in to more manageable parts, the city and developer have discussed a phasing scheme that will also meet a couple of other needs.

Phase 1. When the utilities are installed in Bountiful Blvd. as part of Phase 2 (discussed below), a detour will be needed to direct traffic around the work site. The best available detour is 1300 East, but if drivers ignore that, Moss Hill Drive, which is a 60 ft. wide local collector street, will provide the last and best way to avoid a traffic bottle neck at the road closure. Phase 1 includes the completion of Moss Hill Drive with all of its utilities and sidewalk on both sides of the street and a water line extended to 75 So. Street.

Phase 2. Phase 2 will close Bountiful Blvd. for the installation of the utility lines and will result in a completely rebuilt road surface between the southeast end of the subdivision where the Blvd. meets the Granada Hills subdivision and Moss Hill Drive.

Phase 3. Because the extension of Eagle Ridge Drive is included on our Master Streets Plan as a 60 ft. wide local collector street and because our ordinances only allow for a maximum 600 foot long cul de sac, the construction of Eagle Ridge Drive as part of Phase 3 will require the extension of the paved travel surface all of the way to the end of the pavement on the north side of Ward Canyon under the "B". The City has agreed that we will install the paving, curb and walk over the Stone Creek debris basin and the developer will be required to construct a paved roadway, similar to the section of temporary road on Skyline Drive below, to the end of the Eagle Ridge Plat C improvements. That will provide an all-weather surfaced road connecting both sides of the canyon. Additionally, the developer will be required to construct a 10 ft. wide sidewalk along the EAST side of the new Eagle Ridge Drive extension and along the WEST side of Bountiful Blvd. from Eagle Ridge Drive to its current end at the Granada Hills Subdivision, to complete the existing walking trail along Bountiful Blvd.

Phase 4. Phase 4 includes the nine lots around the cul de sac on the north side of Bountiful Blvd., some of which back on to Ward Canyon. Road construction in this phase will be standard construction, however the layout of several lots are such that a restriction needs to be shown on the final plat restricting construction on the steep slope of the canyon.

As each phase is designed, approved and constructed, the developer will be required to provide development agreements and bonds to cover the improvements.

Utilities:

Bountiful City currently has a waterline which runs in Bountiful Blvd. from View Crest Drive to where the proposed intersection with Eagle Ridge Drive will be. From that point the line runs along the proposed Eagle Ridge Drive alignment to the north and serves the area north of Ward Canyon around the "B". That is the only existing utility in the entire area, including sewer, water, irrigation water and storm drain. All of the utilities will have to be installed as part of the subdivision development, including in Bountiful Blvd. When Bountiful Blvd. was constructed the property owner declined the opportunity to install all of the utilities with the road construction, resulting in the need to now close and completely dig up the street in order to install the needed lines.

The first phase can be constructed with only slight impact on Bountiful Blvd. at the southeast end where it connects to the Granada Hills Subdivision. It will also include installing a water line along Moss Hill Drive south to 75 South St. in order to provide a proper looped system.

The construction of Phase 2 will require the Blvd. to be closed and all of the utility lines be installed. The developer is aware of this situation and knows that they will ultimately have to reconstruct the street surface when the lines and service laterals have been installed. Phases 3 and 4 can have the utilities install as a normal part of the street construction, without disruption to traffic on Moss Hill Drive or Bountiful Blvd.

Storm Water:

After close review it has been determined that the additional run off water created by the development of this property can be handled in the excess capacity of the Stone Creek channel improvements and therefore onsite storm water detention will not be required. The developer will be required to pay the regular Storm Water Impact Fee at \$2,100/ per acre. Modifications to the storm drain outlet into Stone Creek currently located at Moss Hill Drive and Bountiful Blvd. will need to be approved and permitted by Davis County Flood Control.

Off Site Water Line Contribution:

Computer modeling of our water system shows that we currently have enough reservoir capacity to meet the needs of both this development and the future development of the Kingston property on the north side of Stone Creek. This area is served by the 1.5 million gallon reservoir located just east of the temple. However, our computer model has also shown that this development and the future Kingston property development will force a need to increase our ability to get water from the city's wells and other sources, all of which are located below Davis Blvd., to the Temple View reservoir. These improvements include a new pump house at the Hanna Holbrook Elementary school reservoir, new pump lines from that point to our existing trunk line running across Bountiful Blvd./Eaglewood Drive and eventually a new pump house located at a new 1.5 million gallon reservoir that the city is going to construct on the Kingston Property just west of where Moss Hill Drive meets Bountiful Blvd.

In order to make the on-site water system work for all but Phase 3, an additional tie to our existing water system will be required on 75 So. Street. This will mean laying new line in

Moss Hill Drive west of the LDS church, but will reduce the need for multiple pressure reducing valves in the new streets.

We have been meeting with Rainey Homes and the Kingstons for several months discussing their respective participation in these various projects, and the timing for each. While not all of the projects will be constructed with the first phase of this project, each will eventually need to be built as the phasing progresses. I have attached a summary spreadsheet which we have shared with the Rainey group and the Kingstons which includes the estimated timing and pricing for the projects and how the responsibility for payment will be shared.

Parcel 3

As proposed, the property that is to be developed with this plan excludes a 5.7 acre parcel, much of which is north of Stone Creek and which is inaccessible from the south side. It also includes the very steep ground along the south side of the creek which contains the abandoned road that used to be the main access to the mountain before Skyline Drive was built. Bountiful City ordinance does not allow for remainder parcels to be left orphaned by the subdivision of a property so this property would need to be included as part of the surrounding lots. Rather than creating a bunch of large, odd-shaped and mostly unusable lots, Rainey Homes has proposed that the Parcel 3 property be dedicated to the city to be used as open space. The Bountiful Trails Committee is very excited about the prospect of improving the old road and constructing a trail which would connect from Bountiful Blvd. at Moss Hill Drive to Eagle Ridge Drive at the Stone Creek Detention Basin. Although a short section, it would be the first step in providing a trail which could eventually be built from Rocket Park along Stone Creek to the detention basin and tying into the trails which access the mountain through Ward Canyon.

Department Review

The proposed preliminary and final plats have been reviewed by the Engineering Department and Planning Department.

Recommendation

Recommend preliminary approval of Stone Creek Estates Subdivision with the following conditions:

- 1. Pay the Storm Water Impact Fee as described.
- 2. Participate in the off-site water costs as described.
- 3. Dedicate the property designated as Parcel 3 to Bountiful City for trails and open space.
- 4. Receive approval from Davis County Flood Control for any modification to the storm water outfall.
- 5. Construct the 10 ft. wide walk along Eagle Ridge Drive and Bountiful Blvd. as

- described.
- 6. Construct the full width of Moss Hill Drive including all curb and gutter and walk on both east and west side.
- 7. Reconstruct the full width Bountiful Blvd. asphalt surface where the new utilities are installed.
- 8. Replace any damaged or settled curb and gutter and sidewalk along Moss Hill Drive and Bountiful Blvd. and install new where it doesn't currently exist.
- 9. Post the necessary bonds and pay the required fees with the respective phases.
- 10. Compliance with all Bountiful City zoning ordinances and subdivision construction requirements.

Significant Impacts

This development will have an impact on the traffic on 400 North Street primarily and Moss Hill Drive to a lesser extent. It will also have an impact on the utilities in the area. Both the roads and utilities have the needed capacity to absorb the expected impact with the exception of the needed upgrades to the water system that have been discussed.

Attachments

- 1. Aerial photo showing the area to be subdivided;
- 2. A copy of the Water System shared estimate
- 3. A copy of the preliminary plat.

Aerial Photo of the Proposed Stone Creek Estates Subdivision

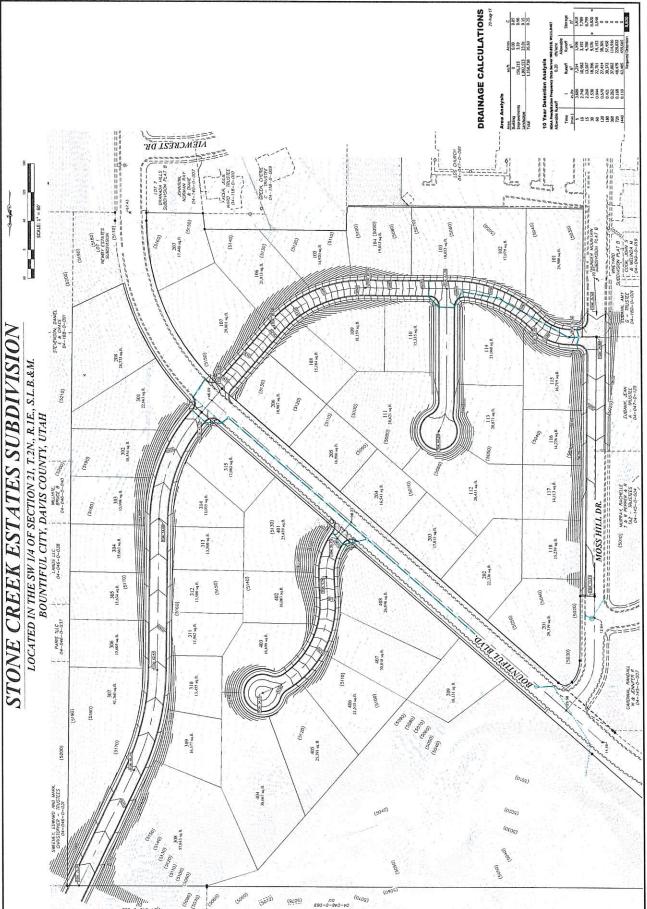


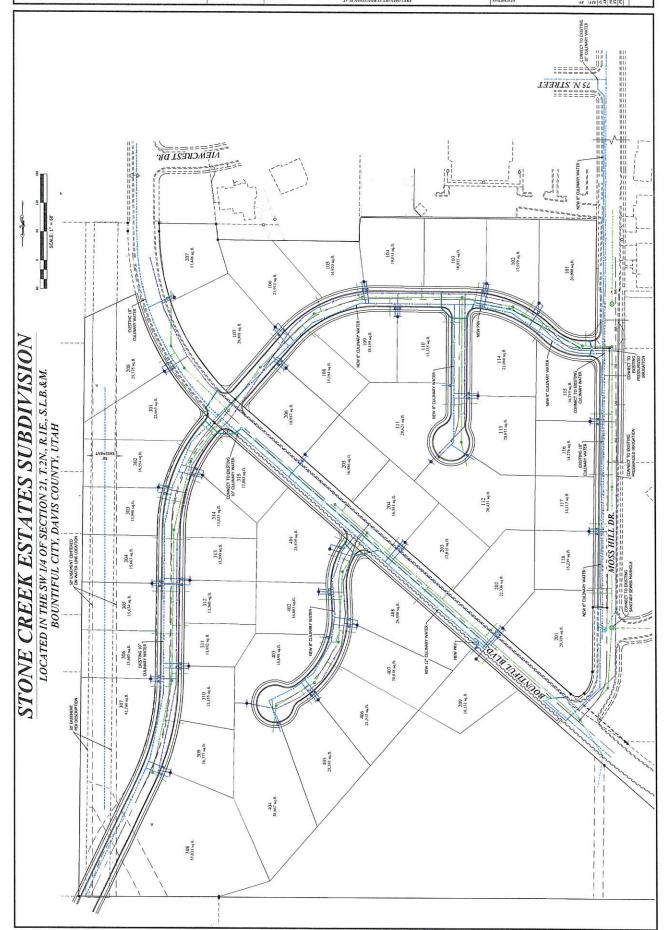
PRELIMINARY , VERY PRELIMINARY Keller/Kingston Water System Cost Estimates updated 8-29-17

Description	Units	Unit Cost	Total Cost	Responsible Group	Rainey	Kingston	Bountiful	Fiscal Year
Keller Sub Distribution System 8" Main Line	3900 ft	75	\$292,500	\$292,500 Rainey Homes	\$292,500			17-18
PRV	1 ea	22,000	\$22,000	\$22,000 Rainey Homes	\$22,000			17-18
Laterals		1,200	\$60,000	\$60,000 Rainey Homes	\$60,000			17-18
			774					depending
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Keller/Kingston Pump Line and Pump House								
Kingston Res pumphouse	1 ea	275,000	\$275,000	\$275,000 Rainey/Kingston	\$137,500	\$137,500		17-18
10": King. Tank to B Blvd in 400 N		110	\$203,500	\$203,500 Rainey/Kingston	\$101,750	\$101,750		17-18
10" pump line 1300 E to Kingston tank	100/	100	000,074	\$70,000 Kainey/Kingston	000,254	000,484		1/-18
			\$548,500					
Kingston Bountiful Blvd Line Upsize 10" main line: 400 N to Eagle Ridge Drive	1850 ft	110	\$203,500 Kingston	Kingston		\$203,500		with Rainey
				ì				Phase 3
Kingston Reservoir and Hanna Holbrook Pumphouse	se				-			
Kingston 1.5 MG res	1,500,000 gal	09.0	\$900,000	\$900,000 Bountiful City			\$900,000	17-18
1300 E Rocket to 400 N 10"	750 ft	100	\$75,000	\$75,000 Bountiful City			\$75,000	18-19
1300 East, Vineyard to Rocket 10"	800 ft	100	\$80,000	\$80,000 Bountiful City		13	\$80,000	19-20
Hanna Holbrook Pump House	1 ea	275,000	\$275,000	\$275,000 1/3-1/3-1/3	\$91,667	\$91,667		17-18
250 N - 12" Pump line	1200 ft	110	\$132,000	\$132,000 1/3-1/3-1/3	\$44,000	\$44,000	14.00	17-18
New 300 N to 1300 E 12" pump line	1560 ft	100	\$156,000	\$156,000 1/3-1/3-1/3	\$52,000	\$52,000	\$52,000	18-19
					\$836.417	\$665,417	\$1,242,667	









Commission Staff Report

Subject: Final Site Plan Review for 19 unit multifamily

townhome development

Author: Chad Wilkinson, City Planner **Address:** 1910, 1940 and 1950 S. 200 West

Date: September 5, 2017



Description of Request:

The applicant, Brighton Development Utah, is requesting final site plan approval for a 19 unit townhome style multifamily development.

Background and Analysis:

The submitted final site plan substantially conforms to the preliminary site plan which received approval from the Commission and City Council last month. The applicant has modified the site plan to address conditions related to access into the site, including sidewalk connections to the 200 West facing units and a sidewalk along one side of the access drive to provide pedestrian connection to the interior units. The applicant has also revised the onsite fire hydrant to the location requested by the City Engineer.

The previously submitted building elevations have not changed and the applicant will be required to follow the design approved by the City Council. The applicant has submitted a preliminary landscape plan which will require a few redline corrections in order to meet the Code, specifically related to number of trees. A final landscape plan will be required in conjunction with the building permit submittal.

The City has received a letter from a neighboring property owner stating some concerns. A copy has been attached to this report.

Department Review

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

Significant Impacts

The proposed development is in an area that is zoned for multifamily use and with conditions meets the applicable standards of the Code. Current infrastructure is adequate to handle the additional units proposed.

Recommended Action

Staff recommends that the Planning Commission recommend approval of the request for preliminary site plan approval subject to the following conditions:

- 1. Complete any and all redline corrections.
- 2. Prior to issuance of a building permit, complete the following:
 - a. Consolidate the parcels and complete any proposed parcel boundary adjustments.
 - b. Submit a final landscape plan meeting the requirements of Chapter 16 of the Bountiful City Zoning Ordinance. Include the following:
 - i. Street trees shall be required along each street and any reverse frontage conditions. Each tree shall be a minimum two (2) inch caliper and shall be planted at a minimum spacing of one (1) tree for every thirty-five (35) lineal feet of street frontage or fraction thereof over twenty (20) feet.
 - ii. In addition to required street trees, each lot or parcel shall include the following:
 - 1. At least one (1) ornamental tree of at least one (1) inch caliper, and/or one (1) screening tree of at least two (2) inch caliper, for each
 - 2. Five hundred (500) square feet of required landscaping in commercial developments that are two (2.0) acres or larger, or
 - 3. Seven hundred fifty (750) square feet of required landscaping in all multifamily developments and all commercial developments that are less than 2.0 acres in size; and
 - 4. At least one (1) shrub, minimum five (5) gallon, for each two hundred (200) square feet of required landscaping.
 - c. Any modifications required by conditions of the Planning Commission and City Council.

Attachments

- 1. Aerial photo
- 2. Site and utility plans



Aerial Photo



LOCATED IN:
BOUNTIFUL CITY, DAVIS COUNTY, UTAH, UTAH PREPARED FOR:
BRIGHTON HOMES

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VICINITY MAP

SITE MAP

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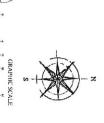
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CONTACTS



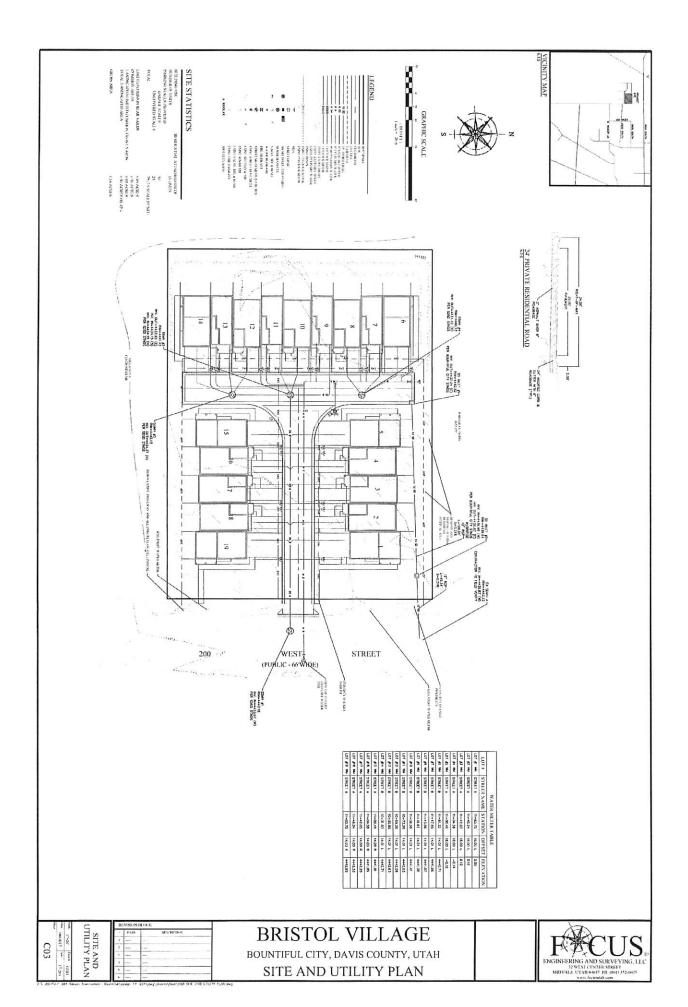
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C01	FINAL PLAT 1 OF 2
C02	FINAL PLAT 2 OF 2
C03	SITE AND UTILITY PLAN
C04	GRADING AND DRAINGE PLAN
PP01	STREET A PLAN AND PROFILE
PP02	STREET B PLAN AND PROFILE

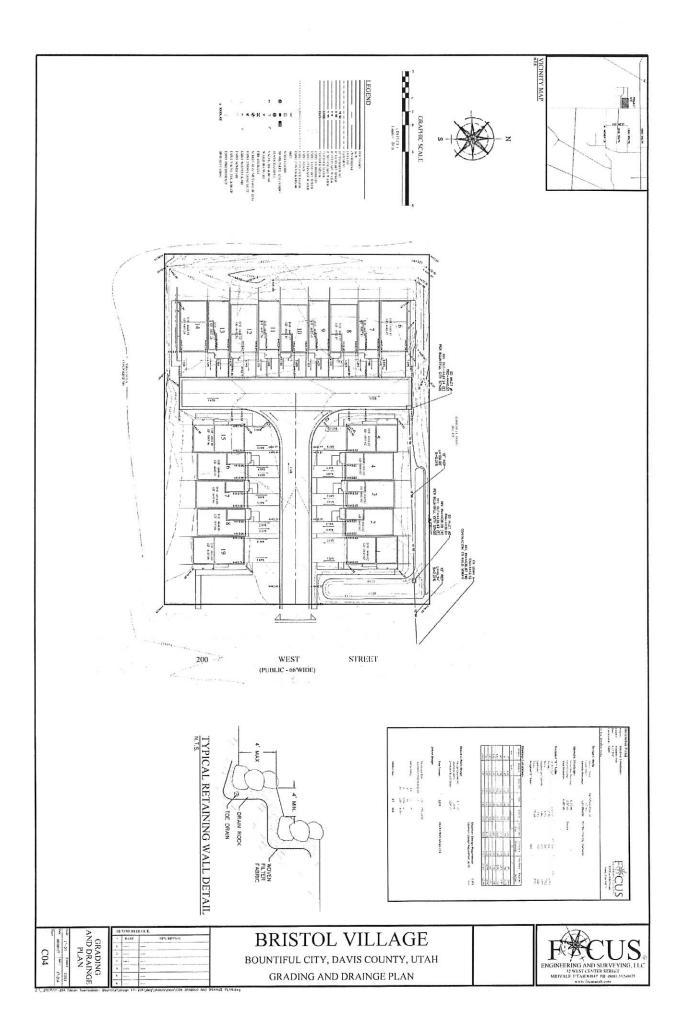
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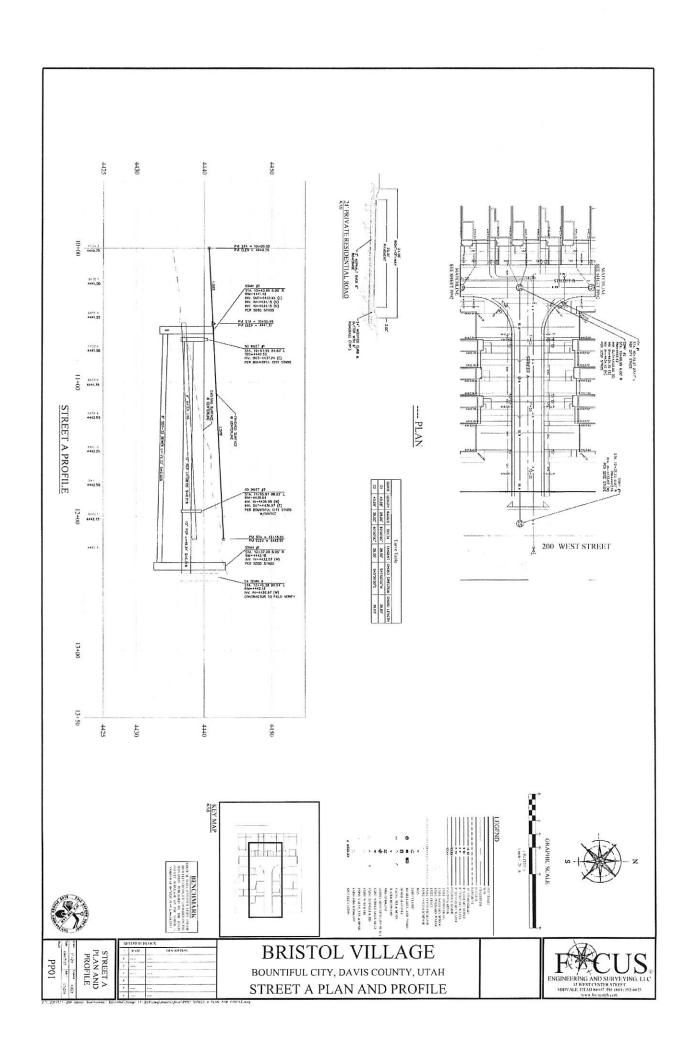
BRISTOL VILLAGE

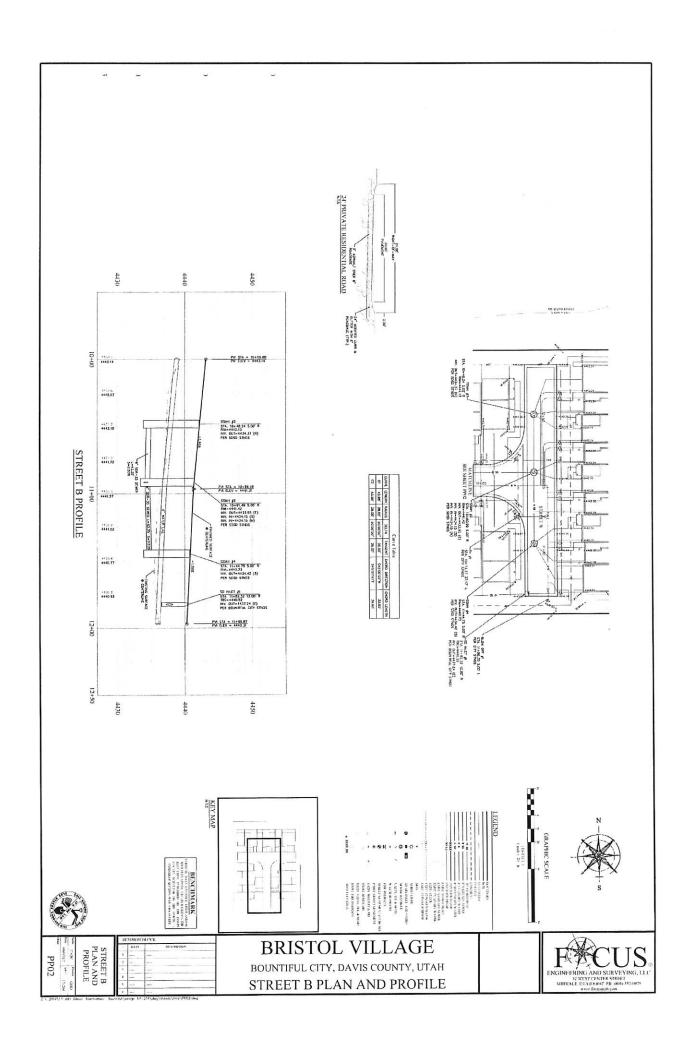
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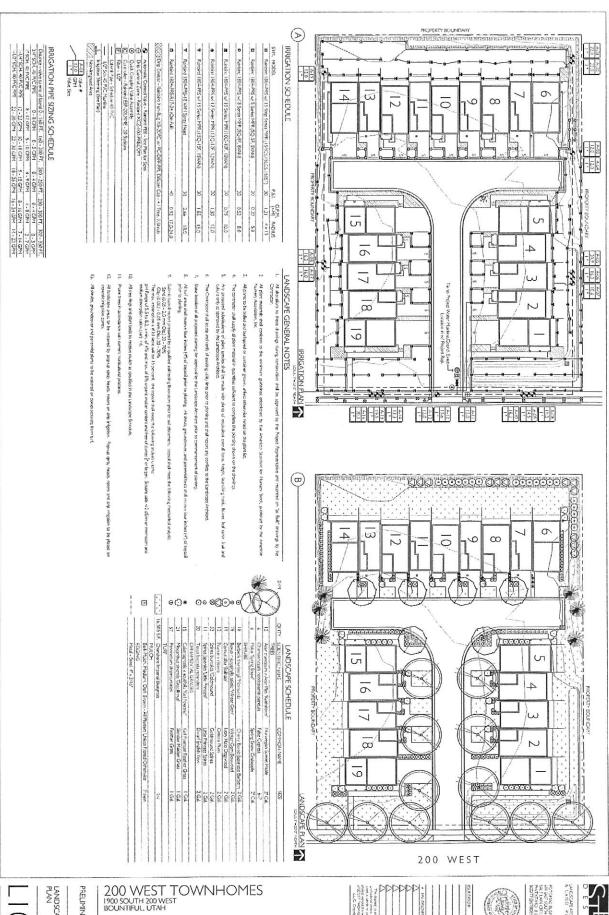












LANDSCAPE PLAN PRELIMINARY

PREPARED FOR: BRIGHTON HOMES UTAH 215 NORTH REDWOOD ROAD NORTH SALT LAKE, UTAH 84054











Dear Mr. Wilkinson,

As we discussed on Monday the 28th when I came into your offices, I'm sending this letter regarding the townhome development by Brighton Homes – Bristol Village on 200 West, Bountiful, UT.

We own the property just to the north of this new project and are concerned with the way the retaining wall will be built.

Brighton Homes previously built the townhomes to the north of our property, ours being at 1880 South 200 West, called Hoffman Estates. When they built it, they had to build a retaining wall which they did so. However, the wall is out of giant boulders that look nice but the problem is the space between the fence and the rock wall. There is a gap of soil that is anywhere from 6 inches to a foot along the top of the wall, between the rocks and the fence. (Pictures are below). Inevitably, weeds grow in that space. This year they actually reached about 4 feet and have since been cleared by the HOA president of Hoffman Estates. The concern is that they must come on our property in order to maintain their property. This is not something we want to deal with on the south side of our property.

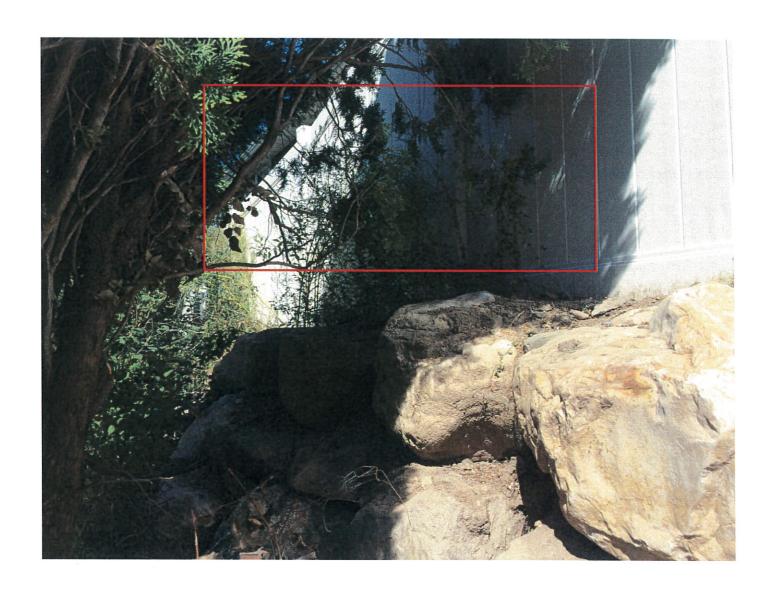
We are asking that you work with Brighton to come up with a solution to prevent this from happening again. Perhaps they could build a cement retaining wall with the fence directly on top of it so that there is no gap of soil that will surely fill with weeds.

We are working to bring our property to a state of low maintenance, but yet beautiful and the weeds from another rock wall built like this will be an eye-sore.

Please address this and let us know what the decision will be.

Thank you.

Katrina Dodd kladodd@gmail.com 801-599-5578





Commission Staff Report

Subject: Preliminary and Final Site Plan Review for

improvements at the Square at 2600

Author: Chad Wilkinson, City Planner

Address: 546 W. 2600 South and 2699 S. 625 West

Date: September 5, 2017

BOUNTIFUL EST. 1847

Description of Request:

The applicant, Kevin Alcott, representing the Colonial Square Property Owners Association, is requesting preliminary and final site plan review approval for improvements to the service drive and employee parking area. The proposed improvements include approval of a building pad for a new 1,260 square foot storage/equipment building for the development.

Background and Analysis:

The applicant previously completed improvements to the parking area and driveways located at the front of the development which were approved by the City Council in 2008. The current proposal involves improvements to the parking and driveway areas to the rear of the buildings and will include repaving the existing access road restoring/establishing landscaping in this area and constructing a new service and equipment building to store snow removal and other maintenance equipment. The work will also include the construction of a new waterway that will provide better handling of stormwater runoff from the site.

The development was originally constructed around 1976 and therefore the landscaping does not meet current code standards. The applicant proposes to bring the site into greater compliance with current standards by installing landscaping throughout the rear of the site. Because of the site layout originally approved, it is not possible to construct landscaping areas along all property lines as required by Code. Dimensionally, requiring 5 feet of landscaping along the perimeter of the site and 10 feet along areas abutting residential zones would eliminate much of the parking located in the rear of the development. Since this is a request to reconstruct existing parking areas and does not involve any new building, other than a small equipment shed, calling for the site to come into complete compliance is not required. The applicants' proposal to bring the site more into compliance with current standards is proportional with the request and is desirable to provide additional landscaping to the site while allowing for reconstruction of the paved areas.

Department Review

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

Significant Impacts

The proposed development will bring a currently nonconforming site into greater compliance with code standards. Repaving the existing drive areas and providing additional landscaping will provide a positive impact to the area and adjoining properties.

Recommended Action

Staff recommends that the Planning Commission recommend approval of the request for preliminary site plan approval subject to the following conditions:

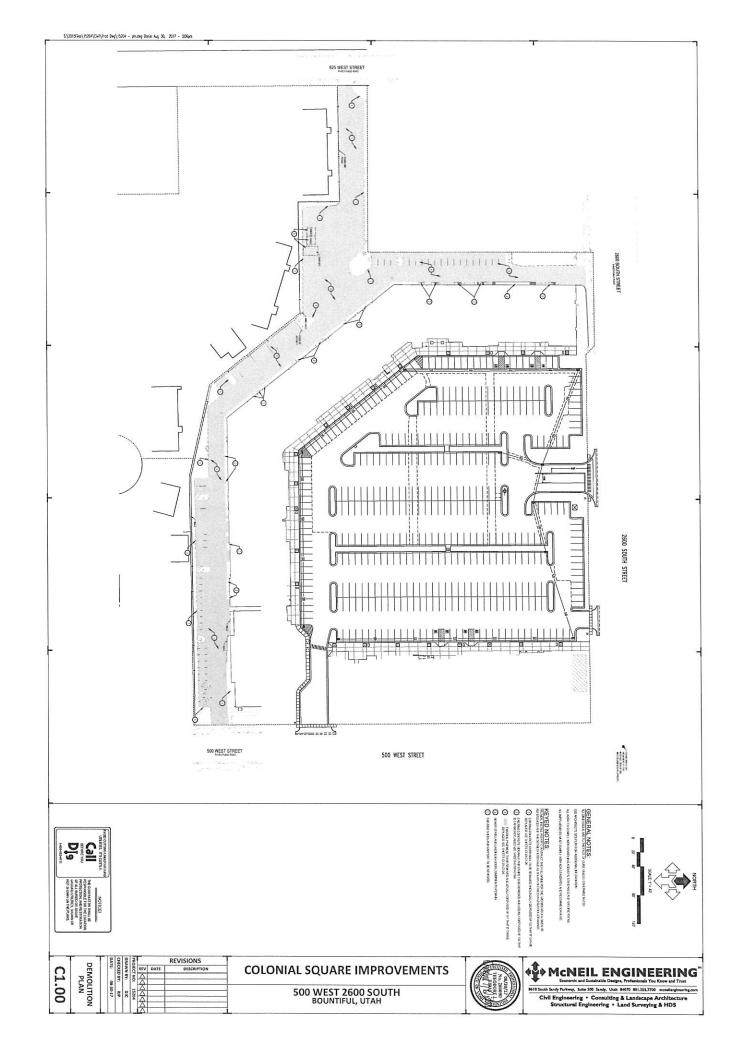
1. Complete any modifications required by conditions of the Planning Commission and City Council.

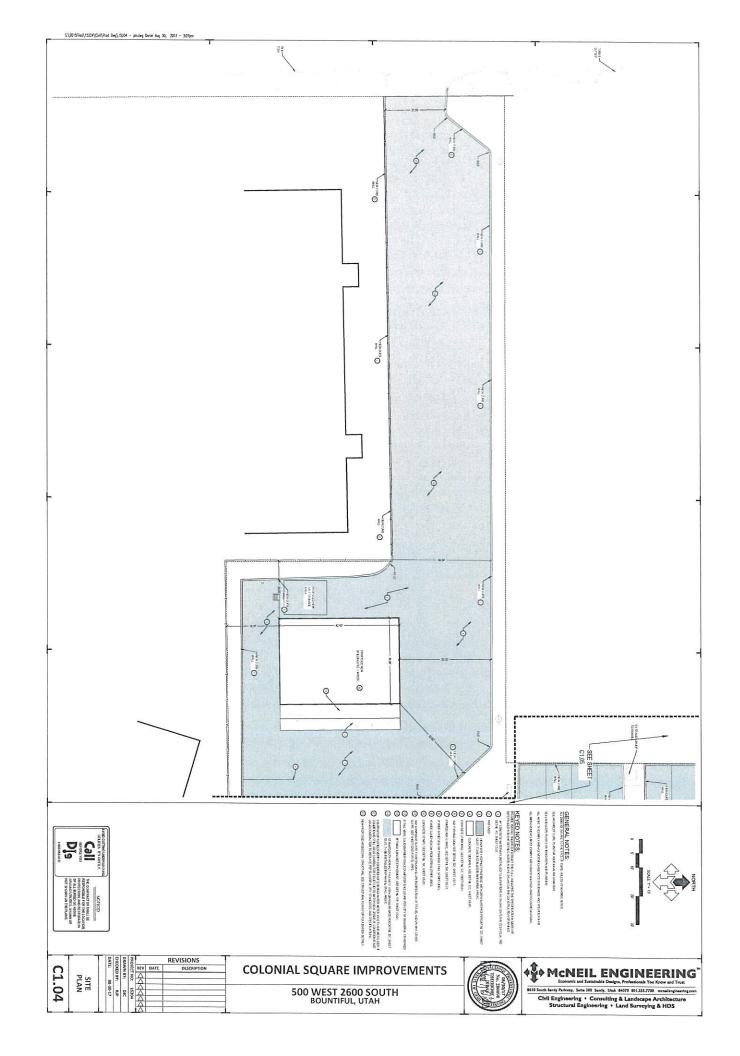
Attachments

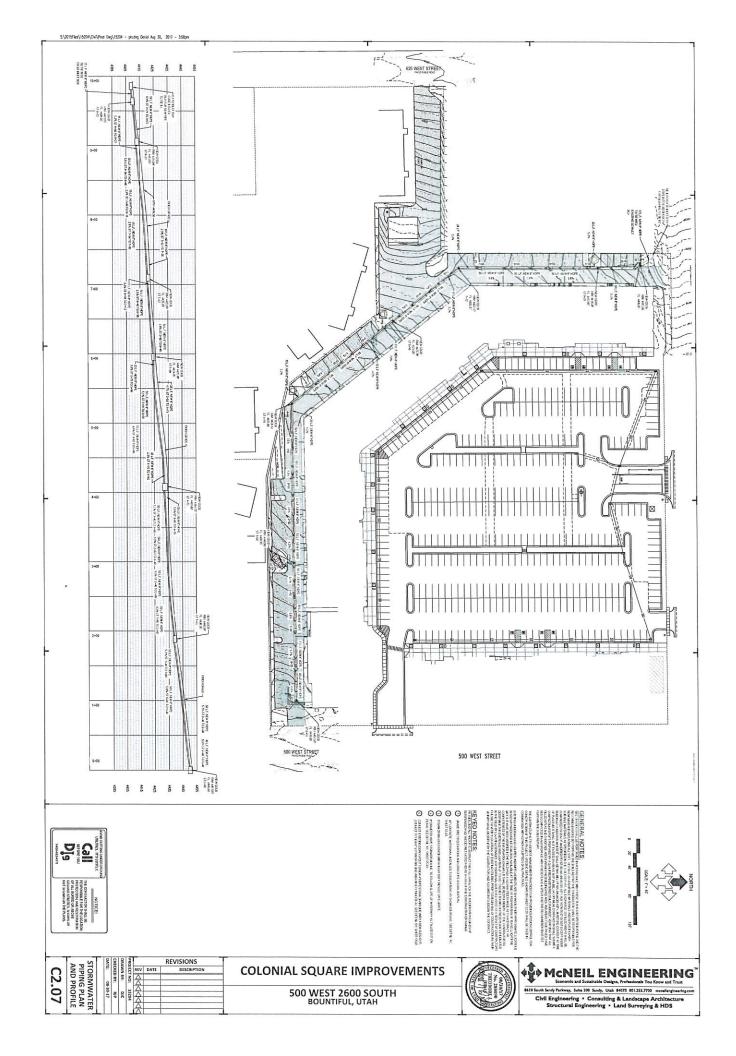
- 1. Aerial photo
- 2. Site and utility plans
- 3. Landscape Plan

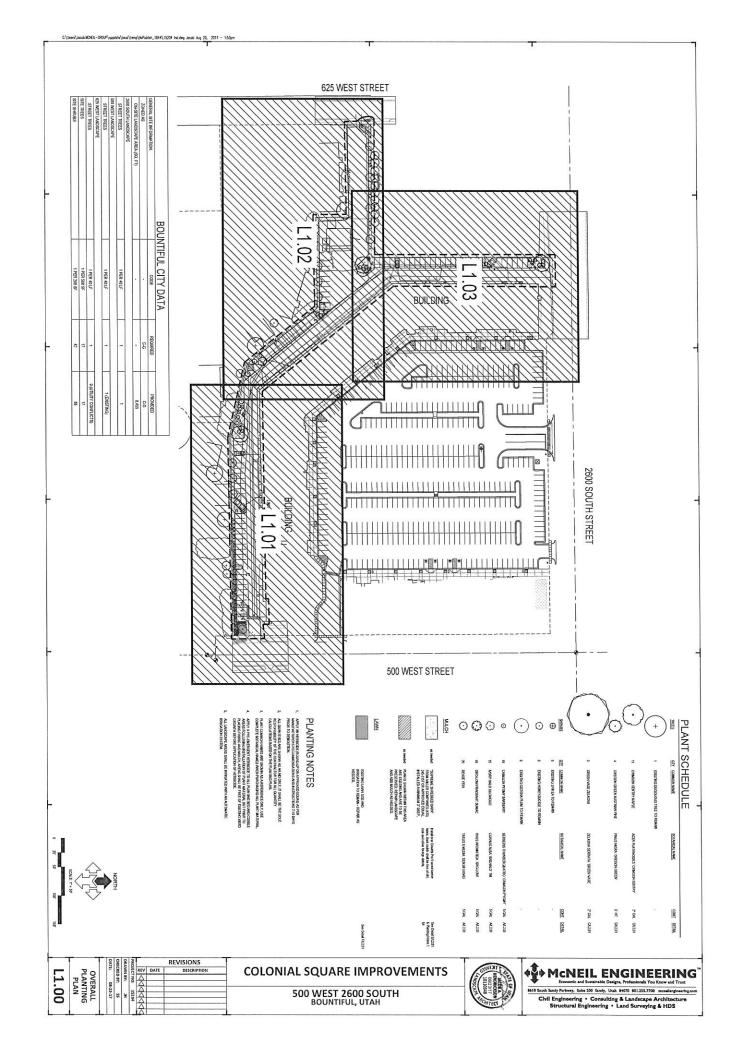
Aerial Photo

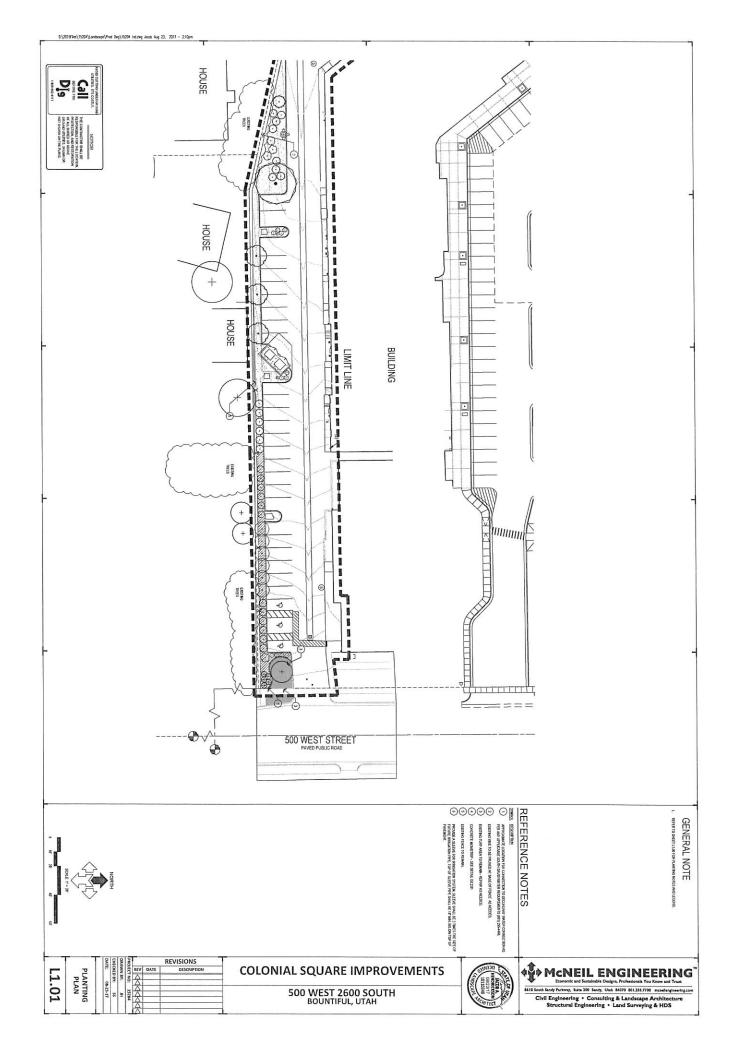


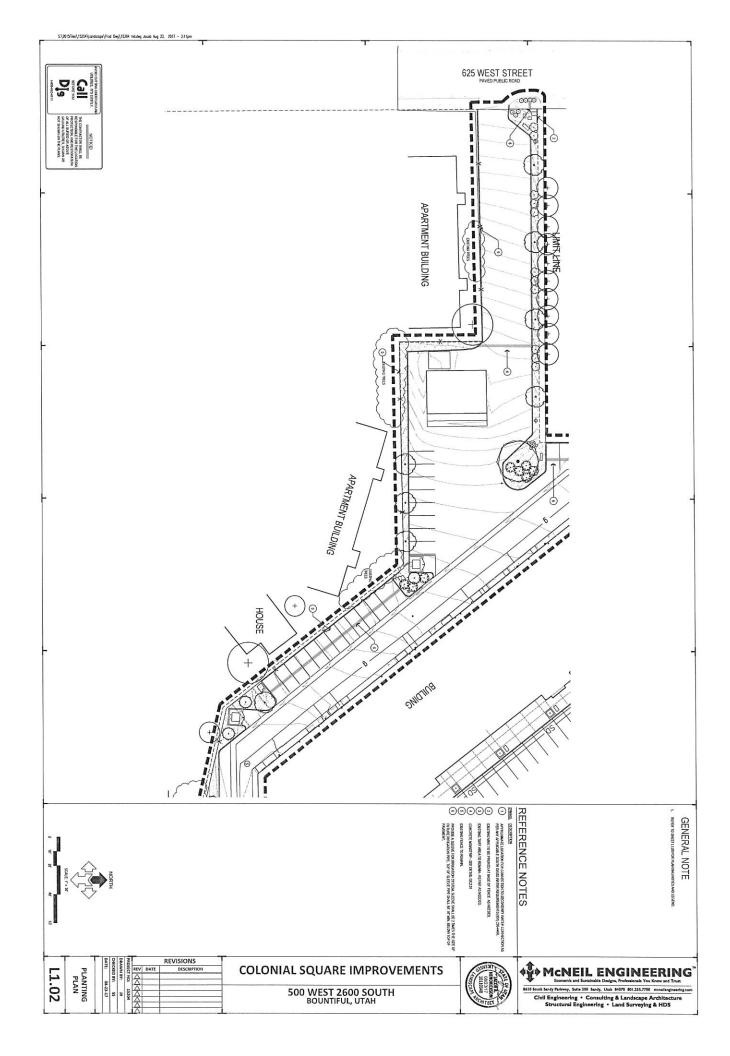


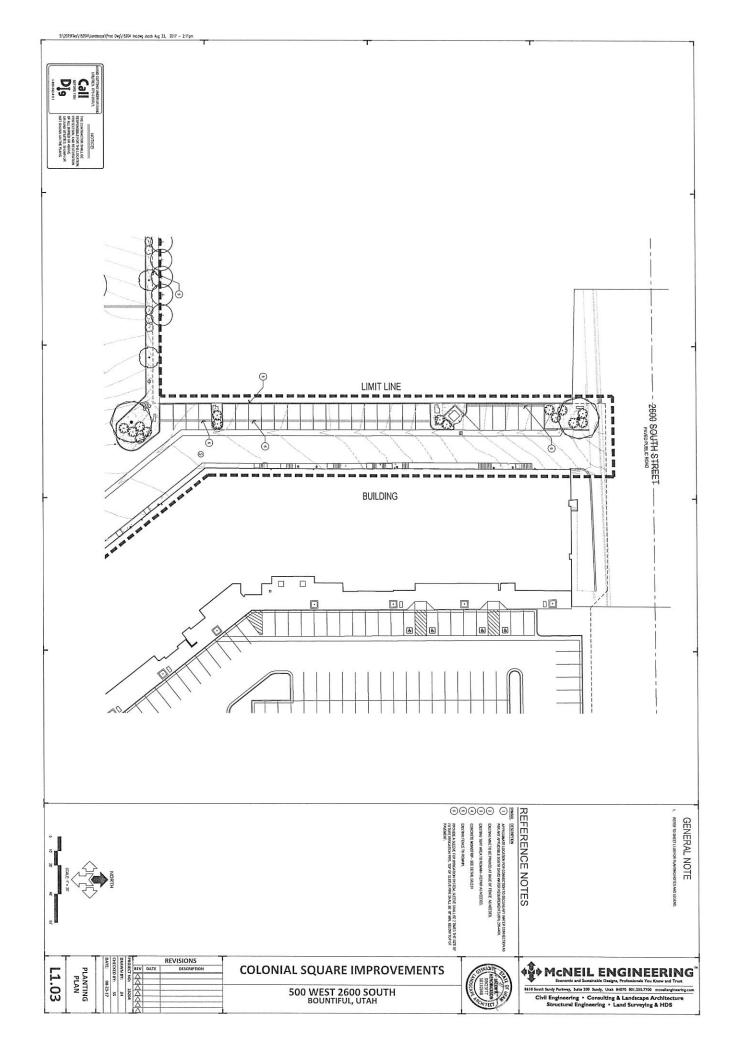












Commission Staff Report

Subject: Final Subdivision and Final Site Plan Approval for 5th

West Office Park Commercial Subdivision

Address: 1065 S. 500 West
Author: City Engineer

Department: Engineering, Planning **Date:** September 5, 2017



Background

Jeff Beck has completed the plat map and site plans and is now requesting final approval for the four lot 5th West Office Park Commercial Subdivision.

Analysis

Mr. Beck has had prepared and submitted the plat map and site plan drawings for the proposed subdivision. Todd Christensen has checked and returned the plans and plat map to the engineer and redline corrections have now been resubmitted.

All of the items and conditions reviewed with the preliminary submittal have been revise to meet requirements for final approval. In particular, the property owners met with representatives of the UDOT and have shown an access easement on the final plat map which meets the requirements set by the UDOT in order to get an access permit. The plans and plat are now ready for final review by the Planning Commission.

The developers previously submitted building elevations and preliminary landscape plans. As the plans move forward to building permit, the elevations will need to match those approved by the Council. In addition, a final landscape plan will be required at the time of building permit.

Department Review

The proposed subdivision construction drawings and plat have been reviewed by the Engineering Department and Planning Department.

Recommendation

With the conditions listed below, the proposed development meets the requirements of the Bountiful City Land Use Ordinance and design standards and staff recommends the Planning Commission send a positive recommendation for final approval to the City Council.

- 1. Payment of all required fees.
- 2. Post an approved bond and sign a Bountiful City Development Agreement
- Provide a current Title Report.

Significant Impacts

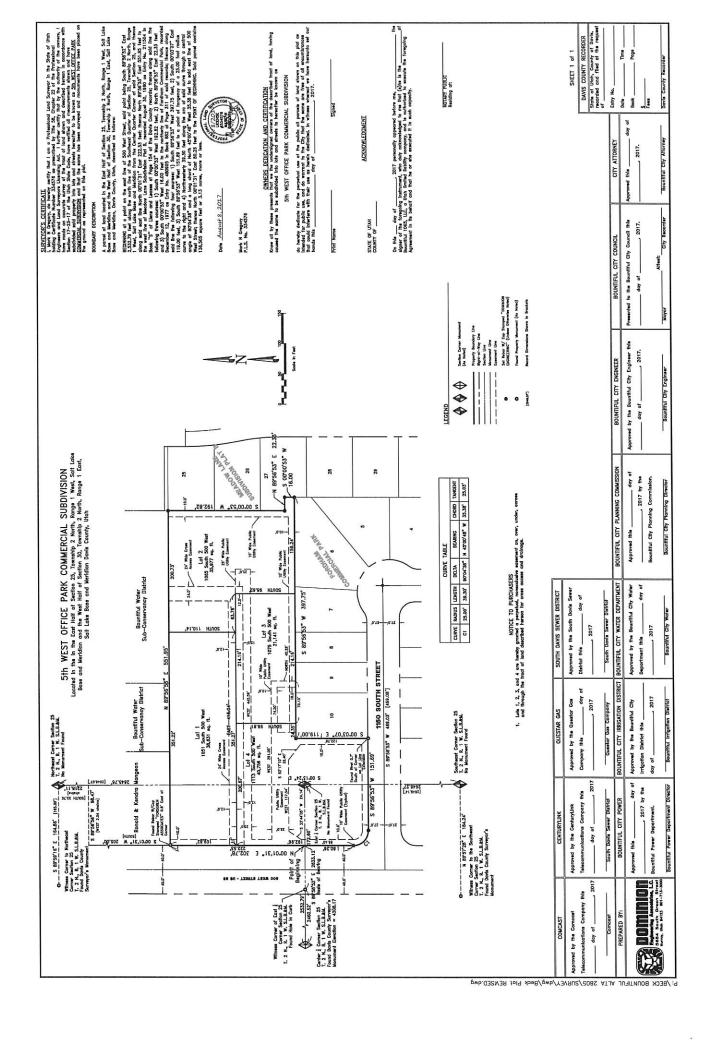
This new development combines several properties and cleans up their multiple accesses. All of the negative impacts are minor.

Attachments

Aerial photo showing the area to be subdivided A copy of the 5th West Office Park Commercial Subdivision final plat.

Aerial Photo of the proposed 5th West Office Park Commercial





Commission Staff Report

Subject: Vacation of Shaw Subdivision Address: 672 and 680 East 400 North

Author: City Planner

Department: Engineering, Planning **Date:** September 5, 2017



Background

The Shaw Subdivision is a two-lot subdivision located on 400 North. Justin and Lauri own both lots in the subdivision and wish to vacate the subdivision in order to combine the lots into one parcel. Subdivision vacations must be approved by the City Council by ordinance after a public hearing. The Land Use Ordinance requires that, prior to consideration by the City Council, the application be reviewed by the Planning Commission for their recommendation of approval, approval with conditions or denial.

Analysis

Mr. and Mrs. Shaw no longer have a need to sell off a portion of their property and now wish to build a detached garage across the existing property line between lots 1 and 2. The Code prohibits making improvements such as driveways or accessory structures to a lot that does not have a primary residential structure. Combining the lots through the subdivision vacation will make it possible to construct the desired improvements.

The purpose of the prohibition on constructing accessory structures and driveways on vacant lots is to prevent these structures from being sold separately from a primary residence. Without the proposed combination, Lot 2 could still be sold separately from Lot 1 which could result in an accessory structure on an individual lot without a primary structure. In the past, this situation has resulted in accessory structures being converted to non-permitted business and/or storage use which is incompatible with the standards of the single family zone.

The only Issue with this vacation is that the subdivision plat provided a large easement to cover the Stone Creek channel running along the south and west side of the property. That will need to be replaced by a new public utility and drainage easement covering the same ground.

Department Review

The proposed subdivision vacation has been reviewed by the Engineering Department and Planning Department.

Recommendation

Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed vacation with the condition that the vacated Stone Creek easement be replace with a new recorded easement.

Significant Impacts

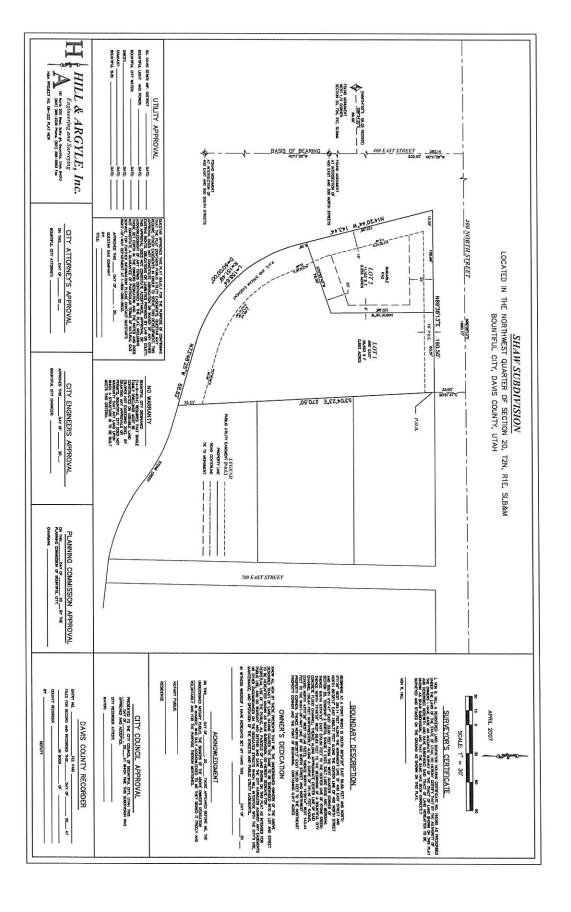
This subdivision vacation has no significant impacts.

Attachments

- 1. Aerial Photo
- 2. Shaw Subdivision Plat

Aerial Photo





Item #8

Commission Staff Report

Subject: Discussion of Potential Zoning Changes in

The Plat A Neighborhood **Applicant:** Bountiful City **Author:** Chad Wilkinson **Date:** September 5, 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. One of the major recommendations related to preservation of the existing residential neighborhoods east of 100 East and west of 100 West. In 2007, the zoning map was amended to include the properties between 400 East and 100 East in the single family residential zone. The zoning of properties between 100 West and 200 West were not changed and remain in the multifamily zoning district. Residents of this portion of the neighborhood have expressed concern over whether this area should remain a multi-family residential zoning district, or whether zoning should be changed to preserve existing single family homes and encourage the development of single family residential.

Residents and business owners within the Plat A neighborhood have also 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 reviewing input from all of these sources, Staff is prepared to present recommendations for proposed changes to the zoning and development standards. In preparation for the discussion on September 5, staff has included a copy of the current DN (Downtown) zoning standards for your review. Staff would also recommend reviewing the documents available at the following link: https://www.bountifulutah.gov/Plat-A

A link to this information has been forwarded to each of you via e-mail. The web page includes the results of the Plat A Survey, along with the Goals and Policies Chapter from the Bountiful Historic Fort Plan (titled Plat A Information - Main Street Goals and Policies)

Recommendation:

This is a discussion item only and no action is required at this time.

Attachments

Current D-N Zoning Standards

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

<u>Use</u>	DN	
Check Cashing, Title Loans	N	
Construction Services w/ outside storage	Ν	
Construction Services w/o outside storage	С	
Convenience Stores	С	
Dry Cleaner, Laundry Service	Р	
Fast Food Restaurant w/ drive-thru window	N	
Fast Food Restaurant w/ pick-up	С	
Fast Food Restaurant w/o drive-thru	Р	
Feed Lots, Animal Rendering, Animal Raising	N	
Fire Arm/Shooting Range – Indoor	N	
Fire Arm/Shooting Range – Outdoor	N	
Food Preparation, Bakery	С	
Funeral Parlor, Cemeteries, and Crematory Services	С	
Gasoline Sales	N	
General retail w/ outside storage	N	
General retail w/o outside storage	Р	
Grocery Store	Р	
Hotels (Interior rooms)	Р	
Industrial Manufacturing	N	
Kennels, Animal Boarding	N	
Laundromat (Self-operated)	Р	
Mail Order/Online Distribution office w/ onsite storage	С	
Medical/Dental Laboratory	N	
Medical/Dental Office	Р	
Millwork, Cabinetry	Р	
Motels (Drive-up/exterior rooms)	N	
Motorized Recreation	N	
Multi-Family Residential – Stand alone	N	
Multi-Family Residential – Stand alone; lot or parcel fronting	С	
on 100 West or 100 East		
Multi-Family Residential w/ Commercial Use	С	
Municipal Facility	Р	
Non-motorized Recreation, Pool, Gymnasium – Public or	Р	
Private		
Pawnshop, Secondhand Merchandise	N	
Personal Services	Р	
Professional Services	Р	
Public/Private Assembly	С	
Restaurant	Р	
Security Services	С	
Self Storage Units or Warehouse w/o Office	N	
Sexually Oriented Business, Escort Service		
Single or Two Family Dwelling – Existing	N P	
Single or Two Family Dwelling – New		
Small engine/appliance repair		
Tailor, Seamstress, Shoe repair		
Tattoo Parlor		
Tattoo Parlor	N	

<u>Use</u>	DN
Vehicle Part Sales	N
Vehicle Repair	N
Vehicle Sales	N
Vehicle Salvage/Wrecking	N
Vehicle Service and Wash	N
Vehicle Storage – Indoor	С
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

<u>Use</u>	Min. Lot Size	Min. Frontage and Width
Commercial	20,000	50
Mixed-Use	20,000	50
Single Family (Existing only)	8,000	70
Two Family (Existing only)	12,000	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 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. Multi-family dwellings shall meet the setback criteria of the RM-13 subzone. All other uses, including mixed uses, shall meet the following requirements:

- A. <u>Front and Street Setbacks.</u> Each lot or parcel shall have a minimum building setback of twenty (20) feet from any front property line and/or any property line abutting a public street, with the following exceptions:
 - 1. 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. Along 400 South, 300 South, 200 South, 100 South, 100 North, 200 North, or 300 North any building shall be setback at least ten (10) feet and not more than twenty (20) feet from the street property line.
 - 3. 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.
 - 4. 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. <u>Side Yard.</u> 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. <u>Yard Abutting Residential Lots.</u> Where property abuts an existing single family dwelling, the minimum building setback shall be ten (10) feet on the abutting side.
- E. <u>Accessory Structures.</u> 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 <u>all</u> 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 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.

- A. A mixed commercial and residential building may be constructed one additional story in height as long as the additional story is set back an additional one (1) foot for each additional one (1) foot of height, 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.
- B. Chimneys, flagpoles, church towers, 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.

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 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 multi-family dwelling shall conform to the lot coverage criteria of the RM-12 subzone. All others, including mixeduse developments, shall conform to the following criteria, in addition to any other requirements of this Title:
 - 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. 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

Each lot or parcel in the (DN) Zone shall have vehicle parking, loading, and access designed to meet the requirements of this Ordinance.

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. <u>Signs.</u> 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 subzone. All others shall conform to the criteria for the C-G subzone, except that pole signs shall not be permitted.
- B. <u>Uses Within Buildings.</u> 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. <u>Structure Design and Materials.</u>

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.

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. <u>Trash Storage</u>. 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, onsite, 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. <u>Downtown Parking District Defined.</u> 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. <u>Joint Use Parking.</u> 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;
 - 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.