

**BOUNTIFUL CITY  
PLANNING COMMISSION AGENDA  
TUESDAY, NOVEMBER 19, 2024  
6:30 P.M.**



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

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1. Welcome
2. Meeting minutes from October 01, 2024
3. Meeting minutes from October 15, 2024
4. Land Use Text Amendment for Accessory Structures and Retaining Wall Heights  
*Planning Director Astorga*
  - Public Hearing
  - Continue Public Hearing to a date uncertain
5. Variance Request to Construct a driveway on Slopes Over 30% at 1629 East Maple Hills Drive  
*Assistant Planner Morgan*
  - Review
  - Public Hearing
  - Action
6. Zone Map Amendment from RM-19 and C-G to MXD-R at 2122 Orchard Drive  
*Senior Planner Corbridge*
  - Review
  - Public Hearing
  - Recommendation to City Council
7. Planning Director's report, update, and miscellaneous items
8. Adjourn



1 **DRAFT Minutes of the**  
2 **BOUNTIFUL CITY PLANNING COMMISSION**  
3 **Tuesday, October 01, 2024 – 6:30 p.m.**  
4

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

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

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

24 **1. Welcome**  
25

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

28 **2. Meeting minutes from September 17, 2024**  
29

30 Commissioner Gilmore motioned to approve the minutes from September 17, 2024.  
31 Commissioner Higginson seconded the motion. The motion was approved with Commissioners  
32 Jacobs, Gilmore, Ward, Clark, Monson and Higginson voting “aye.”  
33

34 **3. Architectural and Site Plan Review Amendment at 406 South Main Street**  
35

36 Senior Planner Corbridge presented the item as outlined in the packet.  
37

38 Brian Knowlton explained they are asking for the parking reduction and stated that the parking  
39 requirements downtown actually penalize what the City desires there. He explained about the  
40 intentions with the proposed bakery/pie restaurant. He mentioned working with staff on the  
41 parking requirements and stated that they could easily fit an office use into eight (8) parking  
42 stalls; however, the prepared parking letter/study contemplates the gross floor area for a  
43 restaurant. He stated that with the kitchen and display cases, he anticipates a thirty percent (30%)  
44 of the floor area to be used as seating.  
45

46 Commissioner Ward questioned if the twenty-four (24) units in Building A and B will have  
47 assigned parking spaces. Mr. Knowlton responded affirmatively. Commissioner Ward also  
48 questioned if the covered stalls would be flex parking. Mr. Knowlton stated that he didn't  
49 anticipate people parking in the covered stalls unless it is assigned to them but referred to  
50 Planning Director Astorga to answer that question. Planning Director Astorga stated that it is  
51 implied that it is assigned parking and not free-for-all parking. Commissioner Ward asked how  
52 many stalls would be used for the restaurant. Mr. Knowlton stated that there are about a dozen  
53 uncovered parking stalls and that the parking directly behind Building C is going to be used for  
54 the restaurant. Planning Director Astorga indicated that the two-hundred fifty-foot (250') radius  
55 was selected because it is a number that is reasonable walking distance and that it is not a code  
56 mandated radius.

57  
58 Commissioner Jacobs expressed thoughts about the importance of parking and recommended  
59 that the City should continue to pursue angled parking on Main Street. Planning Director Astorga  
60 responded stating the code indicates that the Planning Commission can reduce parking. City  
61 Engineer Cheney mentioned the appreciation for the suggestion by Commissioner Jacobs about  
62 bringing more angled parking to Main Street and mentioned the variability of the restaurant  
63 parking that also needs to be considered for the residential units.

64  
65 Commissioner Monson had concerns about parking with no solutions but supports the restaurant  
66 in this location.

67  
68 Commissioner Higginson commented that restaurants are a City Council priority including to  
69 continue the amenities that you see on Main Street. He indicated that he appreciates the concept  
70 of one-bedroom apartments which are in short supply here in Bountiful.

71  
72 Commissioner Gilmore and Commissioner Clark agreed that the benefit of a Main Street  
73 restaurant outweighs parking concerns.

74  
75 Planning Director Astorga referred to the code and how it applies to restaurants. He stated that  
76 based on the thirty-two (32) residential units the site would then requires fifty (50) parking  
77 spaces. He expanded in that there are fifty-six (56) proposed parking spaces; therefore, six stalls  
78 would satisfy the parking requirement for office use. He also stated that based on the newly  
79 proposed use of a fast-food restaurant, without knowing the seating the Code would require one  
80 (1) parking space per one hundred (100) square feet of floor area. He stated the gross floor area  
81 for proposed restaurant is two-thousand forty-eight (2,048) square feet, and that area minus the  
82 kitchen, the restroom, and the storage would be about fifty percent (50%) of the floor area,  
83 identifying that seating/patron area would be about one thousand twenty-four (1,024) square feet.  
84 Based on this, the parking requirement for a restaurant would be ten (10) parking spaces, leaving  
85 the restaurant short four (4) parking spaces.

86  
87 Mr. Knowlton estimates that the seating area would be thirty percent (30%) equating to six  
88 hundred fourteen (614) square feet, leaving 7 parking spaces.

89



90 Commissioner Ward asked City Attorney Jeppsen if what they are asking legal. Mr. Jeppsen  
91 stated it is legally defensible.

92  
93 Commissioner Higginson motioned to forward a positive recommendation to the City Council.  
94 Commissioner Gilmore seconded the motion. The motion was approved with Commissioners  
95 Jacobs, Gilmore, Ward, Clark, Monson and Higginson voting “aye.”

96  
97 **4. Land Use Code Text Amendment regarding Funeral Homes and Assembly uses in the**  
98 **Residential Zones**  
99

100 Senior Planner Corbridge presented the item as outlined in the packet.

101  
102 Steve Keele, applicant, explained the importance of the public/private gathering space trends  
103 seen in the industry within the Wasatch Front. They currently own and operate thirty-seven (37)  
104 acres in the East district of Bountiful. Trends seen include burial and cremation rates, with  
105 cremation rate getting higher. He stated Utah is the only state West of the Mississippi that still  
106 has a cremation rate under fifty (50) percent and cremation rates getting higher disrupts the  
107 traditional funeral industry. They are seeing a trend in more personalization as well as less  
108 religious and more celebration of life and modern venues are also trending in this line of  
109 business.

110  
111 Chair Jacobs opened the Public Hearing at 7:39 p.m. No comments were made. Chair Jacobs  
112 closed the Public Hearing at 7:39 p.m.

113  
114 Commissioner Ward questioned why she didn't see a public noticing sign at this location.  
115 Planning Director Astorga stated that a code text amendment is district-wide not specific to this  
116 location. Commission Ward also asked about the entry to the facility. Mr. Keele stated he  
117 anticipates it will be both Lakeview Drive and Bountiful Boulevard. Commissioner Higginson is  
118 concerned about the impact on residents of noise coming from proposed assembly use.

119  
120 Commissioner Monson asked about the setback requirements for this use. Senior Planner  
121 Corbridge confirmed the proposed minimum setback of fifty feet (50').. Planning Director  
122 Astorga stated that the Planning Commission can increase the setback and mentioned that these  
123 would be mitigated by a conditional use permit.

124  
125 City Attorney Jeppsen made a comment about this being an opportunity to start regulating these  
126 by adding specific definitions to the code.

127  
128 Commissioner Gilmore stated that she doesn't have much concern about the code change with  
129 the conditions recommended by staff.

130  
131 Commissioner Ward also didn't have many concerns with a conditional use permit and that it  
132 would benefit our community.

133

134 Planning Director Astorga explained the Conditional Use Permit language of appropriate  
135 buffering of uses as buildings, proper parking and traffic circulation and the use of building  
136 materials, and lastly, which are in harmony with the area.

137  
138 Commissioner Jacobs motioned to forward a positive recommendation to the City Council  
139 subject to meeting all staff review comments and changing the minimum setback to seventy-five  
140 feet (75') and minimum lot size three (3) acres. Commissioner Ward seconded the motion. The  
141 motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson and  
142 Higginson voting "aye."

143  
144 **5. Preliminary Plat – Gelhart 2 Lot Subdivision at 378 West 1500 South**

145  
146 Planning Tech Morgan presented the item as outlined in the packet.

147  
148 Commissioner Jacobs questioned if they would have to remove the RV Pad to come into  
149 compliance. Planning Director Astorga responded by saying they would not.

150  
151 Commissioner Higginson asked if Bountiful has an ordinance for bidding lots fronting two  
152 streets. Planning Director Astorga responded by saying yes, there is. Commissioner Higginson  
153 asked if that increases non-conformity. Planning Director Astorga confirmed it does not based on  
154 the current access being off 1500 South and the wall that's located on the North side, the rear  
155 side of the property, separating them from the right-of-way.

156  
157 Chair Jacobs opened the Public Hearing at 8:06 p.m. No comments were made. Chair Jacobs  
158 closed the Public Hearing at 8:06 p.m.

159  
160 Commissioner Higginson motioned to forward a positive recommendation to the City Council  
161 subject to meeting all staff review comments. Commissioner Monson seconded the motion. The  
162 motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson and  
163 Higginson voting "aye."

164  
165 **6. Planning Director's Report/Update**

166  
167 Planning Director Astorga mentioned that the next meeting will take place on October 15, 2024,  
168 the November 5, 2024 meeting is canceled due to the presidential election, and the following  
169 meeting after that will take place on November 19, 2024.

170  
171 **7. Adjourn**

172  
173 Chair Jacobs adjourned the meeting at 8:08 p.m.

1 **DRAFT Minutes of the**  
2 **BOUNTIFUL CITY PLANNING COMMISSION**  
3 **Tuesday, October 15, 2024 – 6:30 p.m.**  
4

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

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

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

24 **1. Welcome**  
25

26 Vice-Chair Bott called the meeting to order at 6:30 p.m. and welcomed everyone. Vice-Chair  
27 Bott mentioned that there is a change to the agenda for item six (6) that needs to be addressed.  
28

29 Planning Director Astorga introduced Aaron Nielson, City Prosecutor/Assistant City Attorney  
30 who is filling in for City Attorney Jeppson. Planning Director Astorga asked to continue item six  
31 (6) to November 19, 2024, due to technical error in noticing requirement for the public hearing.  
32

33 **2. Meeting minutes from October 01, 2024**  
34

35 To be reviewed at the November 19, 2024, meeting.  
36

37 **3. Lot Line Adjustment for 1785 South 1450 East and 1501 East Mueller Park Road**  
38

39 Assistant Planner Morgan presented the item as outlined in the packet.  
40

41 Commissioner Higginson motioned to forward a positive recommendation to the City Council.  
42 Commissioner Clark seconded the motion. The motion was approved with Commissioners Bott,  
43 Gilmore, Ward, Clark, and Higginson voting “aye.”  
44

45 **4. Land Use Code Text Amendment for Accessory Structures and Retaining Wall Heights**  
46

47 Planning Director Astorga recommended that the Planning Commission forward this item to the  
48 November 19, 2024, Planning Commission meeting, as this staff-initiated item needed more time  
49 for research and preparation.

50  
51 Vice-Chair Bott opened the Public Hearing at 6:36 p.m. Susie Becker commented about her  
52 concerns regarding the impacts of the amendment relating to a 20-foot-high retaining wall built  
53 several years ago next to her house She compared it to living in an industrial park and called it  
54 ugly.

55  
56 Commissioner Gilmore motioned to continue the Public Hearing to the November 19, 2024,  
57 meeting, at 6:39 p.m. Commissioner Ward seconded the motion. The motion was approved with  
58 Commissioners Bott, Gilmore, Ward, Clark, and Higginson voting “aye.”

59  
60 **5. Variance Request to Allow a Retaining Wall on Slopes over 30% at 3343 South**  
61 **Bountiful Boulevard**

62  
63 Assistant Planner Morgan presented the item as outlined in the packet.

64  
65 Vice-Chair Bott questioned whether this retaining wall was built on a downward or upward  
66 slope. Assistant Planner Morgan confirmed that it was an upward slope. Vice-Chair Bott then  
67 asked if this applies to the thirty (30) percent slope if you’re not constructing on the slope. City  
68 Engineer Cheney stated that based on the definitions in the Land Use Code for usable and  
69 unusable ground it would require a Variance. Unusable ground is specifically called out as slopes  
70 thirty percent (30%) or greater. Whether you’re disturbing it, building on it or using it for any  
71 purpose, the Land Use Code precludes all those activities.

72  
73 Vice-Chair Bott followed up by asking even if you excavate into the thirty (30) percent if it’s  
74 unusable from where the toe of the heel was originated. City Engineer Cheney responded with  
75 wherever the thirty (30) percent slope occurs.

76  
77 Vice-Chair Bott finished with asking about this variance being for fifteen (15) feet, is it because  
78 that is the way to do the minimal amount of disturbance to the slope. City Engineer Cheney  
79 stated that based on the analysis of the condition prior to excavation there was a retaining wall  
80 about twelve feet (12’) from the back of the house. It appears that at the time that’s what was  
81 approved and built which was there for thirty (30) years. The current building code requires a  
82 minimum setback from a structure to the toe of a hill. The way that is defined is by obtaining the  
83 height of the hill behind the structure. The height of the hill is divided by two (2) or up to a  
84 maximum of fifteen (15) feet, whichever is greater.

85  
86 Commissioner Ward questioned if there was a concern for safety since this is far above the  
87 maximum and because of the back fill. Planning Director Astorga explained that a variance is a  
88 deviation of the code, and that staff feels comfortable with this variance. City Engineer Cheney  
89 stated that stabilization is the primary concern for staff as the slope is restored.

90

91 Vice-Chair Bott opened the Public Hearing at 7:04 p.m. No comments were made. Vice-Chair  
92 Bott closed the Public Hearing at 7:04 p.m.

93  
94 Commissioner Higginson motioned to approve. Commissioner Gilmore seconded the motion.  
95 The motion was approved with Commissioners Bott, Gilmore, Ward, Clark, and Higginson  
96 voting “aye.”

97  
98 **6. Zone Map Amendment from RM-19 to MXD-R at 2122 Orchard Drive**  
99

100 Item continued to the November 19, 2024, Planning Commission meeting, see item 1.

101  
102 **7. Planning Director’s Report/Update**  
103

104 Planning Director Astorga reported that we have hired DeAnne Morgan for our recent job  
105 posting for Assistant Planner/Code Enforcement. We are now hiring a part-time Planning  
106 Technician.

107  
108 **8. Adjourn**  
109

110 Vice-Chair Bott adjourned the meeting at 7:06 p.m.

DRAFT





# Planning Commission Staff Report

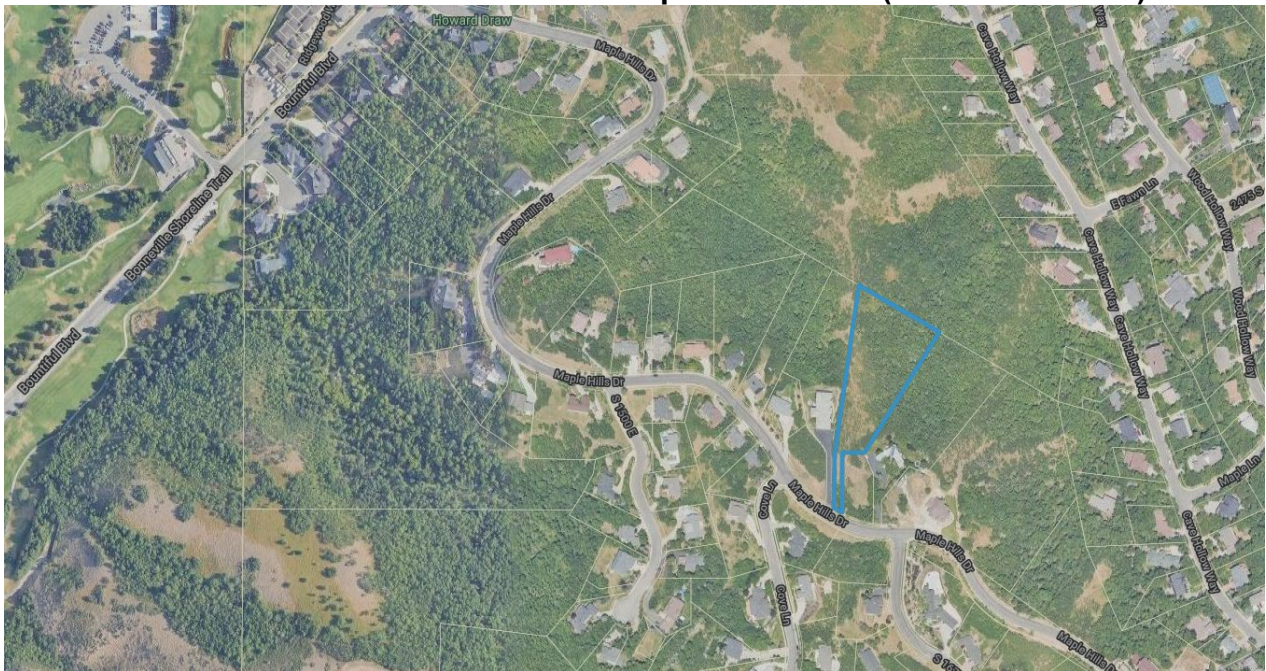


**Item:** Variance Request to Construct a Driveway on Slopes over 30%  
**Address:** 1629 East Maple Hills Drive  
**Author:** DeAnne Morgan, Assistant Planner  
**Date:** November 19, 2024

## Background

The owners, Jeff Smith and Kim Ngyuen, , have requested a variance for construction of a driveway on a slope over 30% at 1629 East Maple Hills Drive. The subject property is a 2.2-acre parcel (95,832 sq ft), Lot 31, Maple Hills Subdivision No. 4 Plat A(See the attached Plat Map), located in the R-F (Residential Foothill) Subzone. The owners have applied for building permits to construct a single-family residence on the parcel, which would be fully contained within an area that is not on a slope greater than 30%, but in order to access the house, a driveway would need to be built on a portion of the property that does exceed 30% slopes. If granted, the requested variance would allow for construction of a driveway for the single-family dwelling on a slope greater than 30%..

## Recent Aerial Photo of 1629 East Maple Hills Drive (Outlined in Blue)



## Analysis

Land Use Code 14-4-104 (A) requires development in the Residential Foothill Zone, to be located on usable land, which means ground of less than thirty (30) percent slope.

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

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

**Applicant:** The design of the lot requires the driveway and required fire truck turnaround to cross through slopes greater than 30 percent. The residence itself sits on slopes less than 30 percent and would meet the requirements of ordinance 14-4-104A. The impact on slopes of greater than 30% would be minimal. If a variance isn’t granted, there is no way to get to the portion of the lot which is under 30 percent. All money and effort put into the purchasing of the lot and home design would be a waste to our client.

**Staff Response:**

The topography of the lot will not allow access to the buildable area without a portion of the driveway being placed on the slope greater than 30%. A variance is required in order to develop the lot.

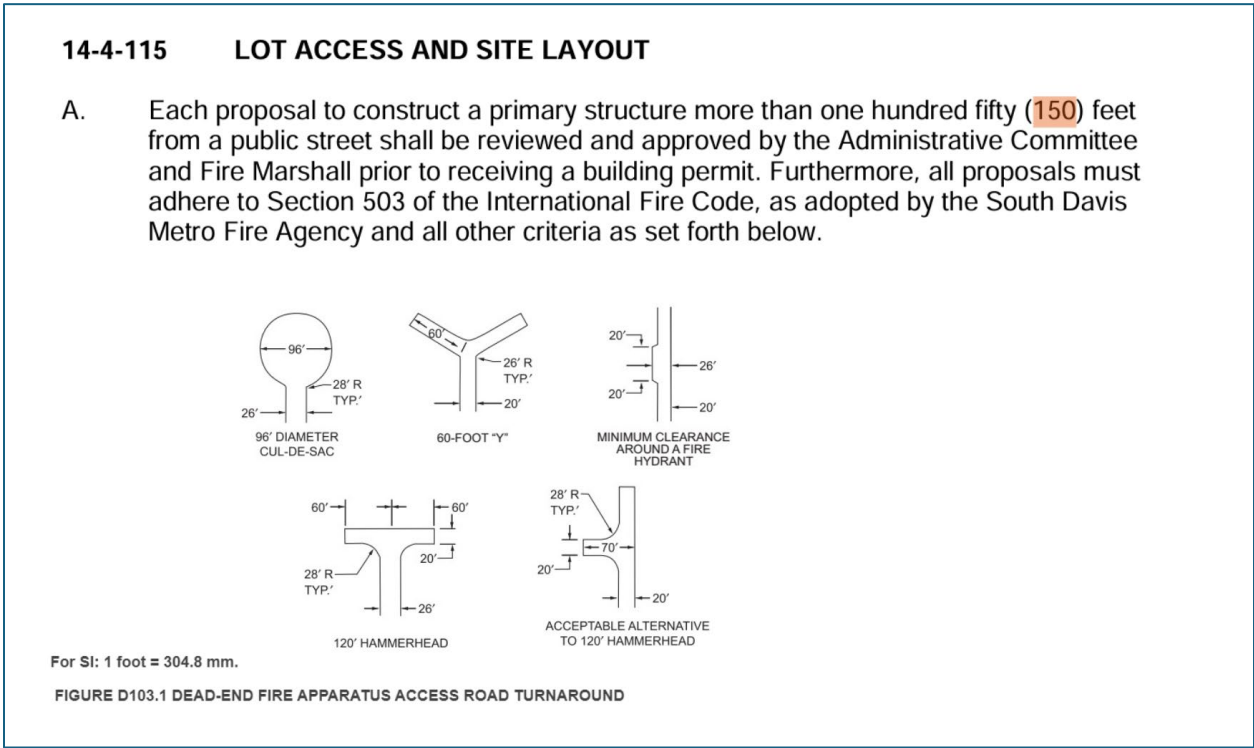


- (ii) *There are special circumstances attached to the property that do not generally apply to other properties in the same zone;*

**Applicant:** The property is a flag lot, requiring a driveway longer than 150’ to access the buildable area. The portion of the lot where the driveway is necessary to access the buildable area includes a small section with slopes over 30%



According to 14-4-115, we are required to get approval from the Fire Marshall prior to receiving a building permit. In our discussions with the Fire Marshall, it has been determined that a firetruck turnaround is required. Based on our discussions with the Fire Marshall, the “acceptable alternative to the 120’ hammerhead” was determined to be the best fit for the site, refer to Figure D103.1. The size and shape of this solution requires us to build within a small portion of 30 percent or greater slopes. See attached site plan.



**Staff Response.**

The applicant’s property is unique to other properties in a Single-Family Residential Zone as the portion of the lot that is buildable (slope less than 30 percent), is only accessible from the road by a section of land that lies on a slope greater than 30 percent. Allowing the proposed driveway would allow the property owner to develop their property.

The property boundary is uniquely shaped including a long stem with steep slopes from the street, which leads to the buildable area. The property owners have worked with the South Davis Metro Fire Marshall to meet the access requirements and fire truck turnaround to the residence. The submitted site plan design was determined to be the best alternative for the site. The necessary driveway size and shape would require less than 40 percent of the driveway to be built on a slope greater than 30 percent and extend approximately 273 feet from Maple Hills Drive to the front of the dwelling.

The total area of the driveway would cover approximately 5,922 sq ft. The first 131 feet of the driveway from the road would lie on a slope less than 30 percent, approximately an area of 2,753 sq ft, or 46 percent of the driveway. Two sections of the driveway would lie on a slope greater than 30 percent, which would be approximately 2,284 sq ft, or 39 percent of the total driveway area, and 4 percent of that area is required for the design of the fire truck turn around.

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

**Applicant:** Granting this variance would allow development in the same manner as neighboring properties within the R-F zone, all of which have been developed on legally established lots. We request the same right to develop the lot at 1629 E Maple Hills Drive.

**Staff Response:** Other properties in the R-F Subzone with buildable lots have been granted reasonable disturbance of the slopes greater than thirty percent (30%). The variance would allow this lot to develop a single-family dwelling, which fits the character of the zoning and neighborhood.

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

**Applicant:** The residence itself will be constructed on slopes under 30%, with only a small portion of the driveway and firetruck turnaround on steeper slopes. The design has been planned to minimize visual and physical impact on surrounding properties and the public right-of-way. Therefore, the development will adhere to the general plan and not negatively affect public interest.

**Staff Response:** Granting the variance to allow the construction of a driveway on a slope greater than 30% on this site is not contrary to the public. The Applicant's property is unique to other properties in the Single-Family Residential Zone because the buildable area can only be accessed by a narrow section of the lot that is over 30% slope. (See Attached Preliminary Plans).

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

**Applicant:** Our project aligns with the spirit of the land use ordinance. As outlined in Ordinance 14-4-101 B and C, we are preserving much of the site's natural beauty and vegetation by disturbing only a small portion of the lot (less than 0.5 acres). We are also incorporating fire safety measures, such as a Firetruck Turnaround and a Fire Sprinkler System in the residence. Additionally, we are working with qualified engineering and landscaping that blends with the surrounding natural environment. These measures are designed to minimize erosion while facilitating proper drainage. The requested variance is necessary due to the site's unique topographic restraints, which require disturbance of slopes greater than 30 percent to access the lot. The lot was legally created and

zoned for a single-family residence, and substantial justice will be done by allowing the lot to be developed.

B. The goals to be achieved by the Residential Foothill subzone include but are not limited to the following:

1. The protection of the public from natural hazards of storm water runoff and erosion by requiring drainage facilities and the minimal removal of natural vegetation while still allowing reasonable use of the land.
2. The minimizing of the threat and damages of fire in foothill areas by establishing fire protection measures.
3. The preservation of natural features, wildlife habitat, and open space consistent with the provisions of this Title and State Law.

4 - 1  
Chapter 4 R - Single Family Residential Ord 2021-10

4. The preservation of legal public access to mountain areas, trails, and natural drainage channels.
5. The preservation and enhancement of visual and environmental quality by use of natural vegetation and the prohibition of excessive excavation and terracing.
6. The establishment of traffic circulation facilities that ensure ingress and egress for vehicles including emergency vehicles into all developed areas at any time of the year with minimal cuts, fills or visible scars.
7. The encouragement of a variety of a development designs and concepts which are compatible with the natural terrain of the foothill areas and which will preserve open space and natural landscape and that allow a reasonable use of the land.
8. The establishment of land use management criteria which will encourage protection of natural elements while allowing a harmonious and satisfying residential environment.
9. Encouragement of regard for the view of the foothills as well as a view from the foothills.
10. Public and individual personal safety.
11. To assure that the taxpayers of Bountiful are not burdened by extraordinary costs for services attributable solely to the development of hillside areas.

C. It is the intention of the City Council that every subdivision, lot, or parcel within the Residential Foothill subzone be developed with as little disturbance to the natural ground, with the most harmony with natural conditions, and with the greatest conformity with the purposes and requirements of this Code, as possible under individual circumstances. It is the finding of the City Council that all possible circumstances, and the best means of dealing with them, cannot be anticipated in the preparation of these regulations. Therefore, the City Council may, unless expressly stated to the contrary in this chapter, grant a reasonable use exception to the provisions of this chapter to implement its purposes by modifying requirements in the R-F subzone as individual circumstances may merit subject to the criteria set forth below. The provisions set forth in this chapter regarding the R-F subzone shall be the standard, but when conditions merit a reasonable exception, discretion may be exercised, even where the term "shall" is used in the regulation, in accordance with such criteria. The following findings and conclusions may justify a reasonable exception and shall be included in the record of the proceedings.

1. The proposed development is located on a lot or parcel that was legally created.
2. There is no other reasonable use or feasible alternative to the proposed development with less impact on sensitive land areas including phasing or project implementation, change in timing of activities, setback or other variance, driveway relocation or placement of any structure.
3. The development cannot be located outside sensitive land areas due to topographic constraints of the parcel or size and/or location of the parcel in relation to the limits of sensitive land areas and a building setback, street width, or other possible variances have been reviewed, analyzed and rejected as feasible alternatives.
4. The proposed development does not pose a threat to the public health, safety, or welfare on or off the site, including degradation of groundwater or surface water quality, nor is it anticipated that it will damage nearby public or private property.
5. Any alteration of sensitive land areas is the minimum necessary to allow for reasonable use of the property; and the proposal reasonably mitigates impacts on sensitive land areas while still allowing reasonable use of the site.
6. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant in unlawfully subdividing the property or adjusting a boundary line thereby creating the undevelopable condition after the effective date of this Title.

4 - 2  
Chapter 4 R - Single Family Residential Ord 2021-10

**Staff Response:** The purpose of the Residential Land Use Code is to ensure minimal disturbance to the land, especially in the Residential Foothill Subzone. Any alteration of sensitive land areas is the minimum necessary to allow for reasonable use of the property. (See Attached Preliminary Plan The purpose of the Code that requires development to be located on slopes less than thirty percent (30%) is to preserve the hillside and manage runoff and erosion on properties in the foothills. The Code anticipates that there are existing lots within approved subdivisions in the R-F Subzone with special circumstances. The variance process provides a way for these lots to be developed reasonably. The Bountiful Code 14-4-101 states that alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The driveway is designed to utilize as much of the slope that is less than 30% as possible.

## Department Review

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

### **Significant Impacts**

Granting this Variance does not create a future precedent as Variances are reviewed upon the unique conditions found on each site. The impacts, in this case, will be minimized as much as possible by allowing the property owner to mitigate the disturbance that was created to the sensitive area while also increasing the safety and opportunity to utilize the outdoor area.

### **Recommendation**

Based on analysis of the required criteria from State Code included in the findings above and the materials submitted by the Applicant, Staff recommends the Planning Commission review the requested Variance, hold a public hearing, and grant the requested Variance to allow construction of a driveway on a slope greater than 30%.

### **Attachments**

1. Aerial Photo
2. Preliminary Plans

# 24011 SMITH NGUYEN

1629 E MAPLE HILLS DR  
BOUNTIFUL, UT 84010



**EZRA  
LEE  
DESIGN  
+BUILD**

SHEET LIST	
	SHEET NAME
GENERAL	
G000	COVER SHEET
ARCHITECTURAL	
AS100	SITE PLAN
ARCHITECTURAL	
A010	FOUNDATION PLAN
A100	LOWER LEVEL FLOOR PLAN
A101	MAIN LEVEL FLOOR PLAN
A102	UPPER LEVEL FLOOR PLAN
A150	ROOF PLAN
A200	EXTERIOR ELEVATIONS
A210	EXTERIOR PERSPECTIVES

CODE COMPLIANCE	
INTERNATIONAL RESIDENTIAL CODE:	2021 IRC
INTERNATIONAL MECHANICAL CODE:	2021 IMC
INTERNATIONAL FUEL GAS CODE:	2021 IFGC
INTERNATIONAL PLUMBING CODE:	2021 IPC
UTAH ELECTRICAL CODE:	2020 NIFCA 70
INTERNATIONAL FIRE CODE:	2021 IFC
INTERNATIONAL ENERGY CONSERVATION CODE:	2021 IECC

PROJECT DESCRIPTION: SINGLE FAMILY RESIDENCE

FIRE SPRINKLERS:  
REQUIRED:  PROVIDED:

WILDLAND URBAN INTERFACE ZONE: YES  NO

HOA: NONE

CITY/COUNTY: BOUNTIFUL / DAVIS

BUILDING HEIGHT RESTRICTION: 30' ABOVE AVERAGE FINISH GRADE

ZONING GROUP: R-F

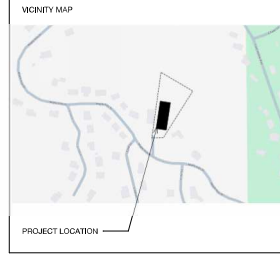
FRONT SETBACK: 29'

SIDE SETBACKS: 8'; 20' TOTAL

REAR SETBACK: 20'

LIST OTHER KEY CITY REQUIREMENTS:

AREA SCHEDULE		
LEVEL	NAME	AREA
GARAGE		
MAIN LEVEL	GARAGE	970 SF
HABITABLE		
MAIN LEVEL	LEVEL 1 AREA	2151 SF
UPPER LEVEL	LEVEL 2 AREA	1342 SF
LOWER LEVEL	LEVEL 0 AREA	5454 SF
NONHABITABLE		
LOWER LEVEL	L0 MECH.	112 SF
UPPER LEVEL	L2 MECH.	17 SF
		129 SF
GRAND TOTAL:		6569 SF



**EZRA  
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DESIGN  
+BUILD**

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(801) 446-6816

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**24011 SMITH NGUYEN**  
1629 E MAPLE HILLS DR  
BOUNTIFUL, UT 84010

REVISIONS (MM-DD-YY)

REQUIRED INSPECTIONS	
MARK	DESCRIPTION
1	FOOTING + FOUNDATION INSPECTION
2	UNDERFLOOR INSPECTION
3	FRAMING / SHEATHING / SHEAR INSPECTIONS
4	ROUGH-MECH. PLUMBING, GAS PIPING INSPECTIONS
5	INSULATION INSPECTION
6	DRYWALL INSPECTION
7	FINAL MECH. PLUMBING + BUILDING INSPECTIONS

DEFERRED SUBMITTALS	
MARK	DESCRIPTION
1	FIRE SPRINKLERS
2	RETAINING WALLS

OWNER/AUTHORIZED AGENT	ARCHITECT	STRUCTURAL ENGINEER	INTERIOR DESIGNER	GENERAL CONTRACTOR
JEFF SMITH & HIA NGUYEN 1313 EMERSON CT LAYTON, UT 84040 JHILL@SMITHNGUYEN.COM KIMMIE.NGUYEN@SMITHNGUYEN.COM	EZRA LEE DESIGN + BUILD LAURA DANIELS, ARCHITECT 303 S MAIN ST. SUITE 100 ALPINE, UT 84004 (864) 275-4333 LAURA@EZRALEE.COM	AGITE ENGINEERING, INC. CORANCK JENSEN, PE 744 S 400 E OREM, UT 84097 (801) 239-9020 CONNOR@AGITEENGL.COM	EZRA LEE DESIGN + BUILD YESSENA OLSON, INTERIOR DESIGNER 303 S MAIN ST. SUITE 100 ALPINE, UT 84004 (801) 419-5000 YESSENA@EZRALEE.COM	EZRA LEE DESIGN + BUILD PAUL ASHBY, HEAD OF CONSTRUCTION 303 S MAIN ST. SUITE 100 ALPINE, UT 84004 (801) 376-9961 PAUL@EZRALEE.COM

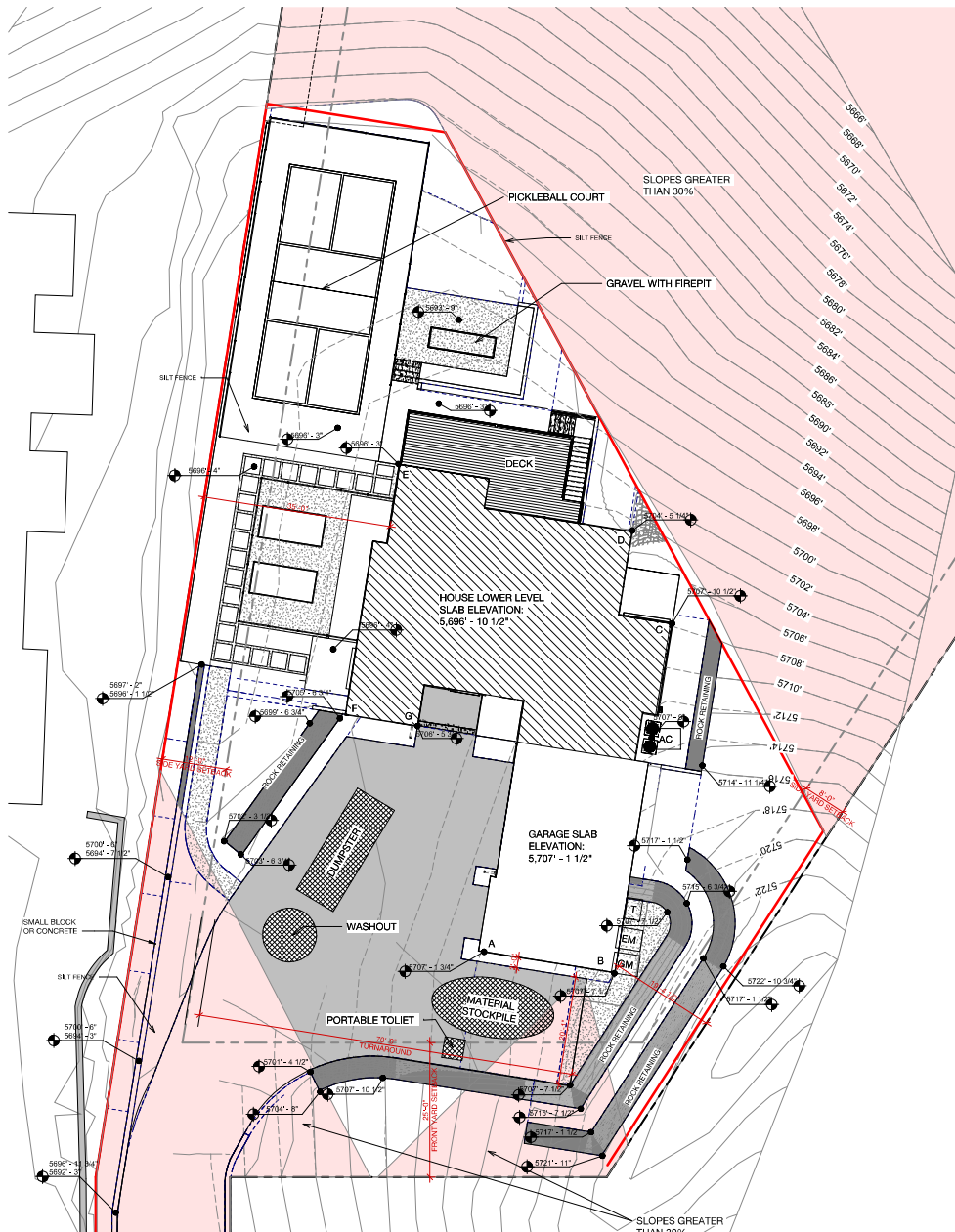
PERMIT SET - NOT FOR CONSTRUCTION

COVER SHEET

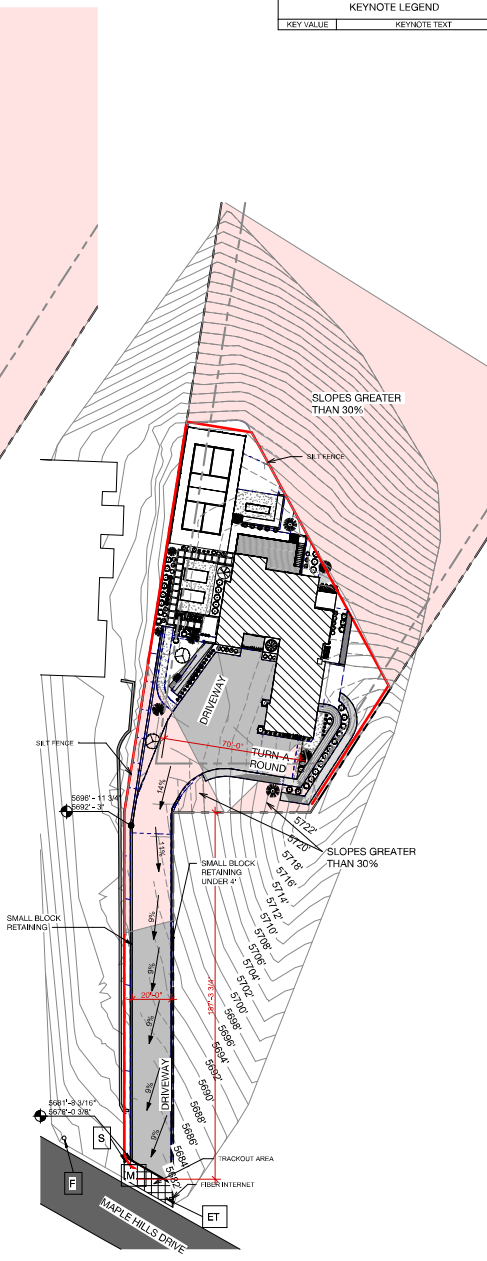
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10/22/2024 12:29:45 PM

SHEET  
**G000**





A3 ARCHITECTURAL SITE PLAN  
3/32" = 1'-0"



1 OVERALL SITE PLAN  
1" = 30'-0"

KEYNOTE LEGEND	
KEY VALUE	KEYNOTE TEXT

GENERAL SITE NOTES	
--------------------	--

1. ENSURE PROPER DRAINAGE AWAY FROM BUILDING WITH A MINIMUM SLOPE OF 2% FOR AT LEAST 6'-0" FROM THE STRUCTURE.
2. CONTRACTOR IS RESPONSIBLE FOR SITE STAKING. FINAL LOCATION TO BE CONFIRMED BY OWNER BEFORE CONSTRUCTION BEGINS.
3. COORDINATE UNDERGROUND IRRIGATION SYSTEM AS NEEDED.
4. PROTECT ALL EXISTING TREES AND UNDERBRANCHS THAT WILL REMAIN. PROTECT AREAS ADJACENT TO EXCAVATION AS REQUIRED.

SITE ELEVATION:	5,708'
LATITUDE:	40.36°
LONGITUDE:	-111.85°
FROST DEPTH:	30"

SITE LEGEND	
-------------	--

- ET** ELECTRICAL BOX/ TRANSFORMER
- EM** ELECTRIC METER
- AC** AIR CONDITIONING UNIT
- GM** GAS METER
- WM** WATER METER
- S** SEWER
- T** TRASH CAN STORAGE
- C** COMMUNICATIONS
- F** FIRE HYDRANT
- M** MAILBOX

FINISHED GRADE AT EACH MAJOR CORNER	
A	5704'-1 1/2"
B	5707'-7 1/2"
C	5705'-10 1/2"
D	5704'-5 1/4"
E	5696'-3"
F	5695'-3 1/4"
G	5703'-1 1/2"

(35.92'-6 1/2" / 4 OF CORNERS = 7)  
AVERAGE FINISHED GRADE = 5703'-11 1/2"

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BOUNTIFUL, UT 84010

REVISIONS (MM-DD-YY)

SITE PLAN

DATE  
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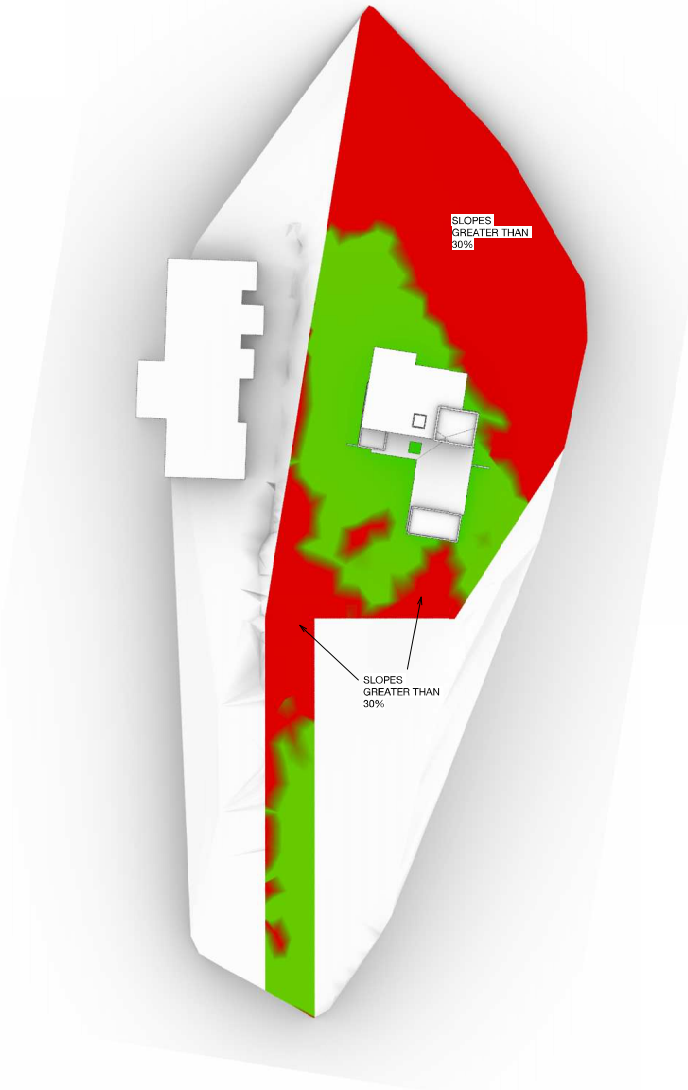
**AS100**



PERMIT SET - NOT FOR CONSTRUCTION



1 GOOGLE EARTH OVERLAY + SLOPE ANALYSIS  
1" = 30'-0"



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REVISIONS (MM-DD-YY)

ADDITIONAL SITE PLANS

DATE  
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SHEET

**AS101**

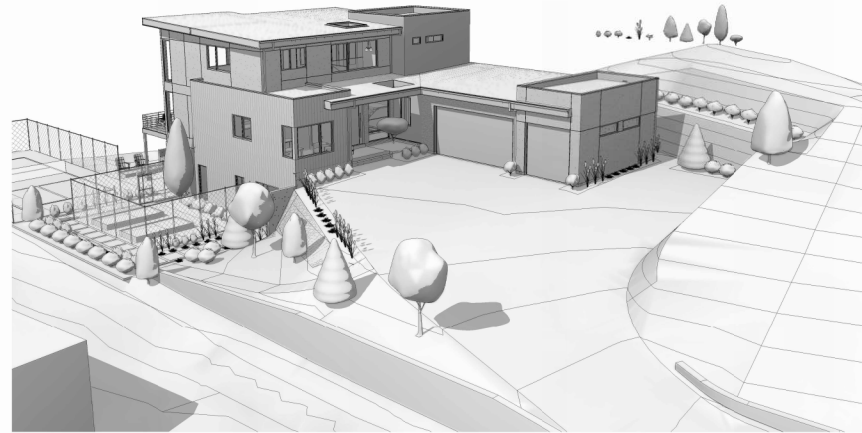
PERMIT SET - NOT FOR CONSTRUCTION



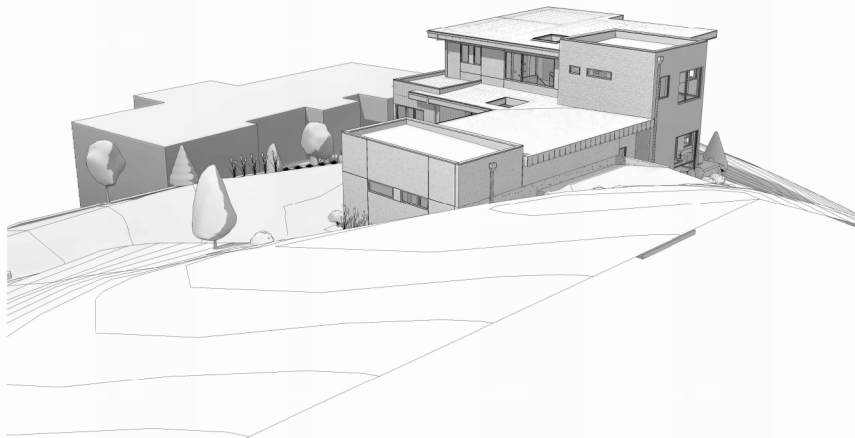




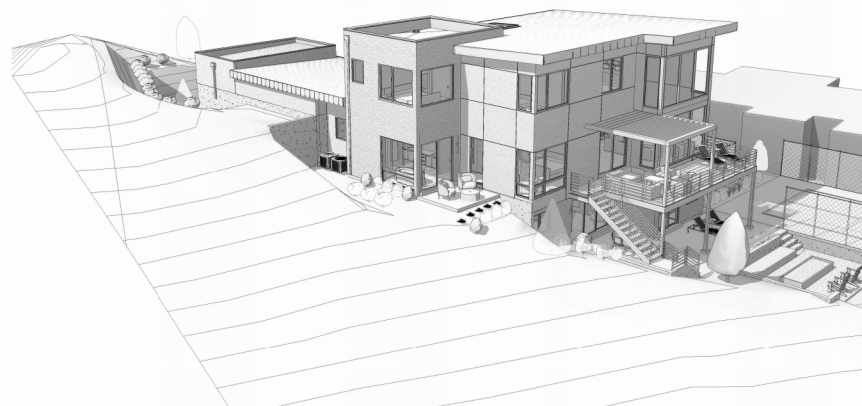
C1 SOUTHWEST PERSPECTIVE



C3 SOUTHEAST PERSPECTIVE



A1 NORTHEAST PERSPECTIVE



A3 NORTHWEST PERSPECTIVE

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DESIGN  
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BOUNTIFUL, UT 84010

# REVISIONS (MM-DD-YY)

EXTERIOR  
PERSPECTIVES

DATE  
10/22/2024 12:31:03 PM

SHEET

**A210**

PERMIT SET - NOT FOR CONSTRUCTION



# Planning Commission Staff Report



**Subject:** Zone Map Amendment from RM-19 and C-G to MXD-R and Hidden Gardens Development Plan at 2122 Orchard Drive

**Author:** Amber Corbridge, Senior Planner

**Date:** November 19, 2024

## Background

The applicant, Randy Beyer with *Hidden Gardens on Orchard LLC* and property owner of 2122 Orchard Drive, requests a Zone Map Amendment of the property (2 acres) from RM-19 (Multi-Family Residential) and C-G (General Commercial) to MXD-R (Mixed Use). The proposed rezone and Development Plan (attached) include preserving the existing four (4) multi-family structures which include a total of seventeen (17) units, demolishing two commercial buildings, and adding four (4) new structures consisting of both multi-family residential (22 units total) and commercial space (within two vertical mixed use structures facing Orchard Drive) and depicted in Figure 2, below. Surrounding uses include multi-family residential to the south, mixed-use and commercial along Orchard Drive, and single-family to the west.

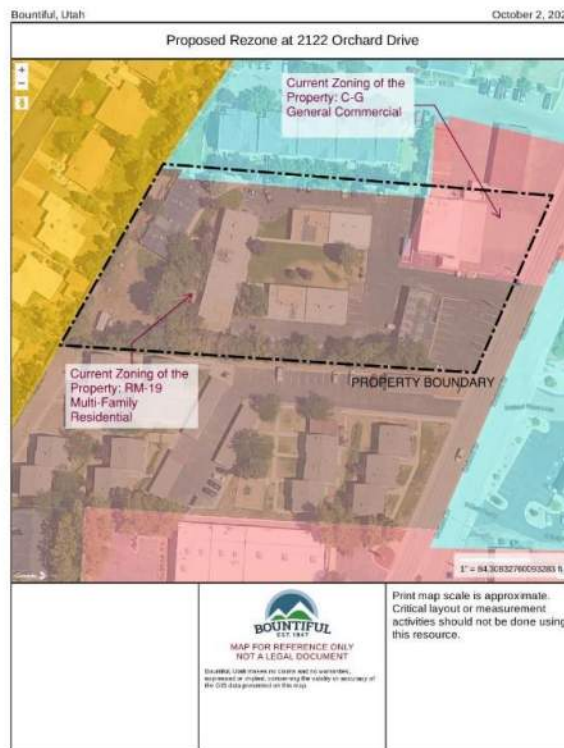


Figure 1. Current Bountiful Zoning Map 2024

The applicant states the purpose for the petition is to “be apart of the solution with creating a visually pleasing edifice that contributes to the higher density or moderate-income residential need with close proximity to an identified major transit corridor along Orchard Drive.”



Figure 2. Development Site Plan for Hidden Gardens Development

## Analysis

The Planning Commission will need to consider how the proposed zone map 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. As required by Code, the applicant prepared and submitted a proposed Development Plan which guides all development within this project and site (e.g. site plan, pedestrian circulation, conceptual building elevations and design themes, streetscape and building setback diagrams, survey, etc.). The Development Plan shall be considered an integral part of the zoning regulations for the area represented (substantial variation between the approved Development Plan and Final Site Plan would require review and recommendation from the Planning Commission and approval from the City Council).

## Purpose

This property was annexed into the City between 1961 and 1963 when the property included both multi-family and commercial uses. In 1963, the City zoned the property C-3 (Commercial), when commercial businesses and multi-family residential units were allowed. This property currently has legal nonconforming uses (e.g. commercial uses in the Multi-Family Residential Zone), as the ordinances and zoning boundaries have changed since 1963. Staff finds the existing commercial structures and site suffers from functional

and physical obsolescence and should be redeveloped, according to the Bountiful City's goals and objectives (Land Use Master Plan, 2009).

Additionally, the purpose of the MXD zoning classification is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers *live, work, and play* opportunities within the convenient walking distance of each other. Bountiful City's goals and objectives include identifying areas in the city that could be developed with mixed housing types which would attract people of all ages. The Land Use Masterplan addresses the area around Orchard Drive and 2200 South as a place for redevelopment for mixed uses (See Figure 3).

Staff finds the proposed rezone for this property is appropriate for meeting the City's goals. It appears this proposal would be in the best interest of the public and necessary in bringing the community a mix of multi-family residential and local commercial uses. The rezone would also encourage better use of the land and may promote property upgrades – making the area more desirable to live and work.

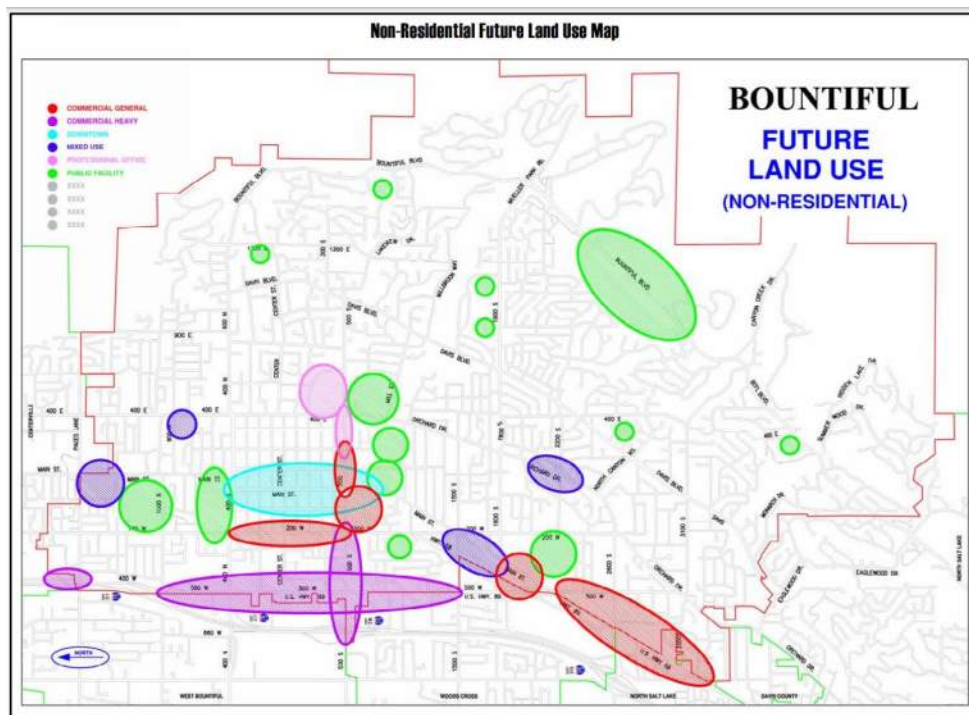


Figure 3. Bountiful Future Land Use Map, 2009

### Site Characteristics

The typical site zoned MXD shall encompass at least five (5) acres; however smaller projects that demonstrate outstanding characteristics may also be considered. Additionally, sites zoned MXD should be adjacent to major transit corridors. This site is less than five (5) acres and fronts a major transit corridor (Orchard Drive). Outstanding characteristics of a development may include elements of interest, quality, and amenity. The development



plans show public amenities, such as walkways, courtyards, and plazas. This project plan also includes thoughtful design, where the new buildings complement the existing structures on site by using similar architectural lines and materials.



This project site includes one main parcel where most of the development is taking place (approximately 2-acres), and is adjacent to a .1-acre piece of land (Parcel 050020047), both owned by Hidden Gardens on Orchard LLC (see Figure 4 below). Although the .1-acre parcel is shown as landscaping on the site plan, Staff recommends the parcels be combined as a condition of approval prior to building permit approval. This is to ensure the remnant parcel is part of and maintained by the development plan.

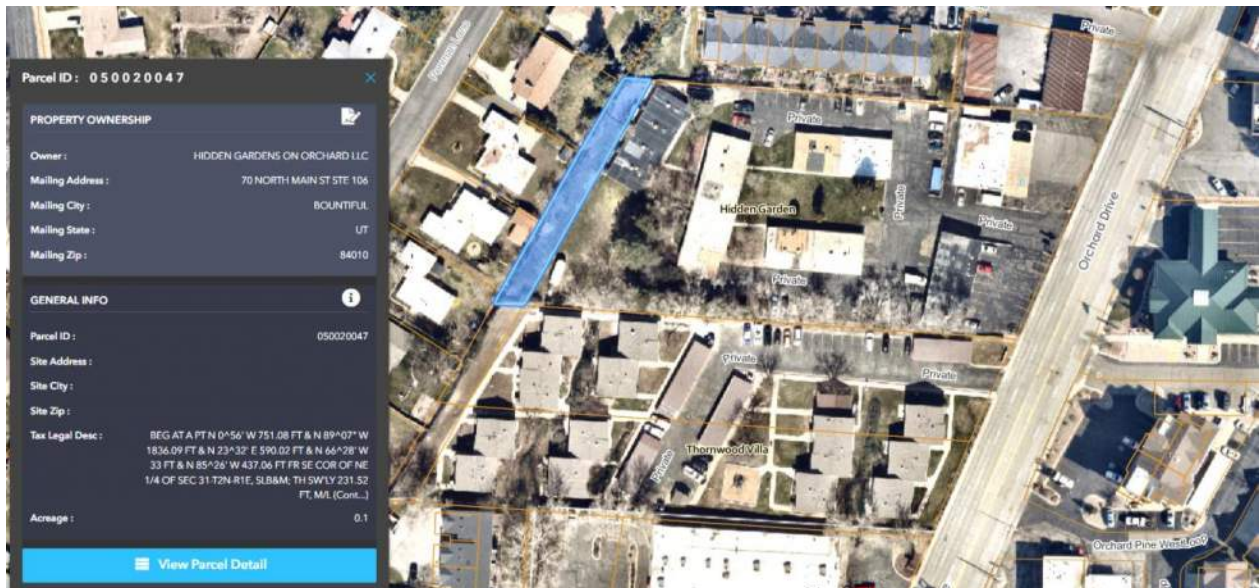


Figure 4. Davis County Property Search Interactive Map, Parcel 050020047(highlighted in blue), November 2024.

***Sub-Zone Standards***

The applicant is proposing the MXD-R designation, where 50%-75% of the land uses are residential. As proposed, most of the site would be dedicated to the multi-family residential uses (70%), such as the existing units in the back and the units above the commercial facing Orchard Drive. The proposed commercial land use (30%) includes the ground floor spaces facing the street, as well as the inviting plazas, courtyards, and pathways surrounding the structures, which are accessible and inviting for the public through landscaping features (See Diagram on Sheet AS101.1, Attachment Proposed Development Plan). This proposed site would benefit from adding more amenities to these areas, such as places for seating (benches, tables and chairs, etc.). Staff recommends the development plan include specific language to include these amenities on the landscape plan.

***Permitted Uses***

This proposal includes allowing residential and the following commercial use types: banks, credit unions, construction services, food preparation, bakery, general retail, grocery store, laundromat, mail office, medical/dental office, non-motorized recreation, personal services, professional services, public/private assembly, restaurant, small engine/appliance repair, tailor, seamstress, shoe repair, thrift store, tutoring, dance, preschool, daycare, and vehicle parts sales. It should be noted the Land Use Code (14-10-109) states that all uses allowed in the development shall be processed as if they were permitted uses.

***Development Characteristics***

Development within the MXD zone shall exhibit urban characteristics, such as: wide sidewalks, street trees and street furniture, community gather spaces, shared parking, integrated transit (where available), and diverse and distinctive design features. The development plan meets these characteristics; however, as mentioned above, staff recommends add inviting features/elements such as benches, tables, and/or chairs to the public amenity areas.

The applicant provided a parking study which utilizes the Institute of Transportation Engineer’s (ITE) Parking Generation Manual to determine parking for both multi-family residential (low-rise and mid-rise types) and small office building. The peak hours for a small office land use are typically between 8:00 AM to 5:00 PM hours, where the parking demand for multi-family housing low-rise is between 11:00 PM to 6:00 AM and multi-family housing mid-rise is between 10:00 PM to 6:00 AM. The following table was provided in the attached Parking Study, which illustrates the number of parking stalls required on weekdays and weekends (The development plan would provide 77 stalls):

Table 1 – Parking Generation for Hidden Gardens Apartments Expansion

ITE Land Use Code	Land Use Description	Size	Weekday 85th Percentile Rate	Parking Stalls	Saturday 85th Percentile Rate	Parking Stalls	Sunday 85th Percentile Rate	Parking Stalls
220	Multifamily Housing (Low Rise)	22 Units	1.52	34	1.59	35	1.66	37
221	Multifamily Housing (Mid Rise)	16 Units	1.47	24	1.33	21	2.05	33
712	Small Office	4,309 SF	4.17	18	*	*	*	*
<b>TOTAL</b>				<b>76</b>		<b>56</b>		<b>70</b>

\* = 85th Percentile Rate not available in the ITE Parking Generation Manuals

**Phasing Plan**

The applicant provided the following phasing plan:

1. West garden style residential units (Building C and D, shown below)
2. MXD-R Building (A or B, shown below)
3. MXD-R Building (B or A, shown below)

For this proposal, a phasing plan may be needed to construct buildings in a reasonable amount of time. Staff finds that mixed-use development and construction should be phased alternating between multi-family residential and commercial to ensure the entire project is developed from start to finish. For example, staff recommends the following phasing plan for this specific project:

1. West Garden Style Building (D or C)
2. MXD-R Building (A or B)
3. West Garden Style Building (C or D)
4. MXD-R Building (B or A)



### **Department Review**

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

### **Significant Impacts**

The site is wedged between commercial and residential zoned properties, as well as mixed-use property. Providing a residential/commercial mixed-use component along Orchard Drive does not adversely affect the surrounding neighborhood.

### **Recommendation**

Staff recommends the Planning Commission review this request, hold a Public Hearing, and forward a positive recommendation to the City Council based on the findings of fact discussed above, subject to the following:

1. Submit an updated parking study for review (via Site Plan Application) if the proposed commercial space changes from office to a more intense permitted commercial use, based on increased parking demand.
2. Staff recommends add inviting features/elements such as benches, tables, and/or chairs to the public amenity areas.
3. Follow the Staff recommended phasing plan outlined above.
4. Combine the two parcels (050020125 and 050020047) as a condition of approval prior to building permit approval.
5. Update Development Plan to show the proposed minimum setbacks from existing building and proposed building.

### **Attachments**

1. Proposed Ordinance
2. Proposed Development Plan



# BOUNTIFUL

MAYOR  
Kendalyn Harris

CITY COUNCIL  
Kate Bradshaw  
Beth Child  
Richard Higginson  
Matt Murri  
Cecilee Price-Huish

CITY MANAGER  
Gary R. Hill

## **DRAFT Bountiful City Ordinance No. 2024-09**

**An ordinance amending the Bountiful City Zoning Map changing the zoning designation of a 2-acre parcel from Multi-Family Residential (RM-19) and General Commercial (C-G) to Mixed-Use (MXD-R) Zoning.**

**It is the finding of the Bountiful City Council that:**

1. The Bountiful City Council is empowered to adopt and amend zoning maps and ordinances pursuant to Utah State law and under corresponding sections of the Bountiful City Code.
2. As required by Section 14-2-205 of the Bountiful City Land Use Ordinance this zone map amendment is found to be in harmony with the objectives and purposes of the Land Use Ordinance.
3. After a public hearing, the Bountiful City Planning Commission recommended in favor of approving this proposed zone map amendment on **November 19, 2024**.
4. The proposed changes to the Zoning Map, including the attached development plan and the development criteria set forth in this ordinance, meet the criteria set forth in Section 14-10 *Mixed Use Zone*.
5. This development site and structure suffers from functional and physical obsolescence and should be redeveloped, according to the Bountiful City's Goals and Objectives to promote property upgrades – making the area more desirable to live and work.
6. This development will establish a large area of mixed residential housing and businesses along Orchard Drive and near 2200 South providing the community more options to live, work, and play within convenient walking distance of each other.



7. The Bountiful City Council held a public hearing on this proposal on **December 10, 2024**, and finds that the requested zone map amendment is in harmony with the City's General Plan and in the best interests of the health safety and welfare of the City.

**Now therefore, be it ordained by the City Council of Bountiful, Utah:**

**Section 1.** The official Zoning Map of Bountiful City is hereby amended such that the zoning designation for an approximately 2-acre parcel of land located at 2122 Orchard Drive, and more specifically described in the attached legal description, shall change from Multi-Family Residential (RM-19) and General Commercial (C-G) to Mixed-Use Residential (MXD-R).

**Section 2.** The zoning granted in this ordinance is based strictly upon the following conditions, which shall apply to this land until such time, if any, that the City Council re-zones this property after notice and hearing as required by law. The following Development Standards apply to this property, and only this property, and supersede any conflicting provisions.

**PURPOSE AND OBJECTIVES**

The purpose of this ordinance is to provide site specific criteria supplementing the standards of the Mixed-Use Zone, Chapter 15 Design Standards for Non-Single Family Development, and other City ordinances. These provisions constitute zoning regulations for this parcel of land, and are enforceable by the City in the same manner as other zoning regulations. Any violations of these requirements shall constitute nuisances and/or misdemeanors as provided in the Bountiful Zoning Ordinance.

**PERMITTED USES**

1. 50-70% of the building floor area for the entire project area shall be in residential use only, of which at least
2. Residential
3. Multi-family
4. Commercial banks, credit unions, construction services, food preparation, bakery, general retail, grocery store, laundromat, mail order/online distribution office, medical/dental office and lab, non-motorized recreation, personal services, professional services, public/private assembly, restaurant, small engine/appliance repair, tailor, seamstress, shoe repair, thrift store, tutoring, dance, preschool, daycare, or vehicle parts sales.

**HEIGHT LIMITATIONS**

Maximum building height to be measured on the front façade of the building side facing Orchard Drive and not exceed thirty five (35) feet.

**MINIMUM BUILDING SETBACKS**

1. Front Yard: 20 feet (2122 South Orchard Drive)

2. Side and Rear Yard per Civil Site Plan (Attached)
3. Building Separations per Civil Site Plan

### **DEVELOPMENT CHARACTERISTICS/OPEN SPACE**

1. The development shall provide at least fifteen (15) percent of the gross floor area or fifteen (15) percent of the gross site area, whichever is greater, as a common open space. Open space may include any or all of the following: cultivated landscaping, plazas, parks, urban trails/sidewalks, benches, art pieces and community recreation space. All connectivity will be per Civil Site Plan (Attached).
2. A maximum of fifty (50) percent of all open spaces may be hard surfaced.
3. Private (deck/porch) space to be consolidated into the common green space to accommodate the existing conditions. Additional private (deck/porch) space will not be required on new units in consideration of the existing large common area.

### **LANDSCAPING**

1. All existing landscape including the area around the new duplex to remain unchanged and not be added to, **except to include new seating areas, such as benches, tables, and/or chairs.**
2. The landscape for the two new MXD-R buildings and 4-plex shall follow the Civil Site and Landscape Plan.
3. Street trees to be provided only in the frontage area to the North and South as shown on the site plan.

### **PARKING AND ACCESS**

1. Parking shall be per the provided Parking Study (Attached)
2. Parking side yard/stall/drive isle shall be as specified on the Civil Site Plan utilizing existing conditions as the standard.
3. Existing side yard and parking setbacks shall be the standards as shown on the Civil Site Plan.
4. Carports for residential units are not required. However, if provided as an amenity, carports can be placed to property line provided they are noncombustible, drain away from property line, and do not have any vertical posts within five (5) feet of the property line.
5. **An updated Parking Study shall be required for review (via Site Plan Application) if the proposed commercial space changes from office to a more intense permitted commercial use, based on increased parking demand.**

### **PHASING PLAN**

Project will be phased in order outlined below (and referenced on site plan):

1. West Garden Style Residential Units (Building D or C)
2. MXD-R Building (Building A or B)
3. **West Garden Style Residential Units (Building C or D)**
4. MXD-R Building (Building B or A)

## **SITE PLAN APPROVAL**

Final site plan review shall be based upon the criteria in this ordinance, the MXD zone text, the approved development plan, and all other applicable aspects of the Bountiful City Code.

**Section 3.** The attached development plan is the basis for any site plan approval. Any deviation from this plan must meet the standards set forth in the Bountiful City Code. Any significant deviation will require a re-zoning of the property. The development plan includes the following exhibits:

- AS101: Architectural Site Plan
- AS101.1: Site Use Diagram
- AS101.2: Pedestrian Paths Diagram
- AS102: Site Views - Aerial + Street
- AS103: Site Views - Main Driveway
- AS104: Site Views - Street from North
- AS105: Site Views - Street from South
- AS106: Site Views - Interior Aerial A/B
- AS107: Site Views - Building A + B Rear
- AS108: Site Views - Interior Aerial C/D
- AS109: Site Views - Building C + D
- AE101: Building A + B Floor Plans
- AE102: Building A + B Floor Plans
- AE103: Building A + B Floor Plans
- AE104: Building A + B Floor Plans
- AE201A: Building A Elevations
- AE202A: Building A Elevations
- AE201B: Building B Elevations
- AE202B: Building B Elevations
- AE101C: Building C Floor Plans
- AE201C: Building C Floor Plans
- AE101D: Building D Floor Plans
- AE201D: Building D Elevations
- AE202D: Building D Elevations
- Parking Generation Statement dated August 5, 2024

**Section 4.** City ordinances in conflict with these provisions are hereby repealed. However, all provisions in force immediately prior to this ordinance shall continue in force hereafter for the purpose of any pending legal action, all rights acquired, all fines, penalties and forfeitures imposed, and any liabilities already incurred.

**Section 5.** This ordinance shall go into effect immediately upon first publication.

**Adopted by the City Council of Bountiful, Utah, this 10<sup>th</sup> day of December 2024.**

---

Kendalyn Harris, Mayor

ATTEST:

---

Sophia Ward, City Recorder

**2122 South Orchard Drive**

Parcel # 050020125

BEG AT A PT N 50°56'04" W 2115.82 FT FR THE E 1/4 COR OF SEC 31-T2N-R1E, SLB&M; & RUN TH N 85°26' W 437.06 FT; TH S 29°03'15" W 231.52 FT; TH S 86°10'15" E 462.69 FT TO THE W LINE OF A STR; TH N 23°32' E 216.49 FT ALG SD STR TO THE POB. LESS & EXCEPT THAT SMALL STRIP ALG THE W END OF SD PPTY, & RECORDED JUNE 12, 1962, BK 244, PG 148 & BEING MORE PART'LY DESC AS FOLLOWS: BEG AT A PT IN A FENCE LINE ON THE W BANK OF THE BOUNTIFUL IRRIGATION CANAL, WH PT IS N 0°56" W 751.08 FT & N 89°07" W 1836.09 FT & N 23°32" E 590.02 FT & N 66°28' W 33.0 FT & N 85°26' W 437.06 FT, M/L, FR THE SE COR OF THE NE 1/4 OF SEC 31-T2N-R1E, SLB&M, & RUN TH SW'LY ALG SD FENCE LINE 231.52 FT, M/L, TO THE S LINE OF THE ARNOLD WILLIAM MELBY PPTY; TH SE'LY ALG SD S PPTY LINE A DISTANCE WH IS 20 FT PERP TO THE SD FENCE LINE; TH NE'LY ALG A LINE PARALLEL TO AN 20 FT DISTANT FR THE SD FENCE LINE 231.52 FT, M/L, TO THE N LINE OF SD PPTY; TH NW'LY ALG THE N LINE OF SD PPTY TO THE POB. CONT. 2.051 ACRES

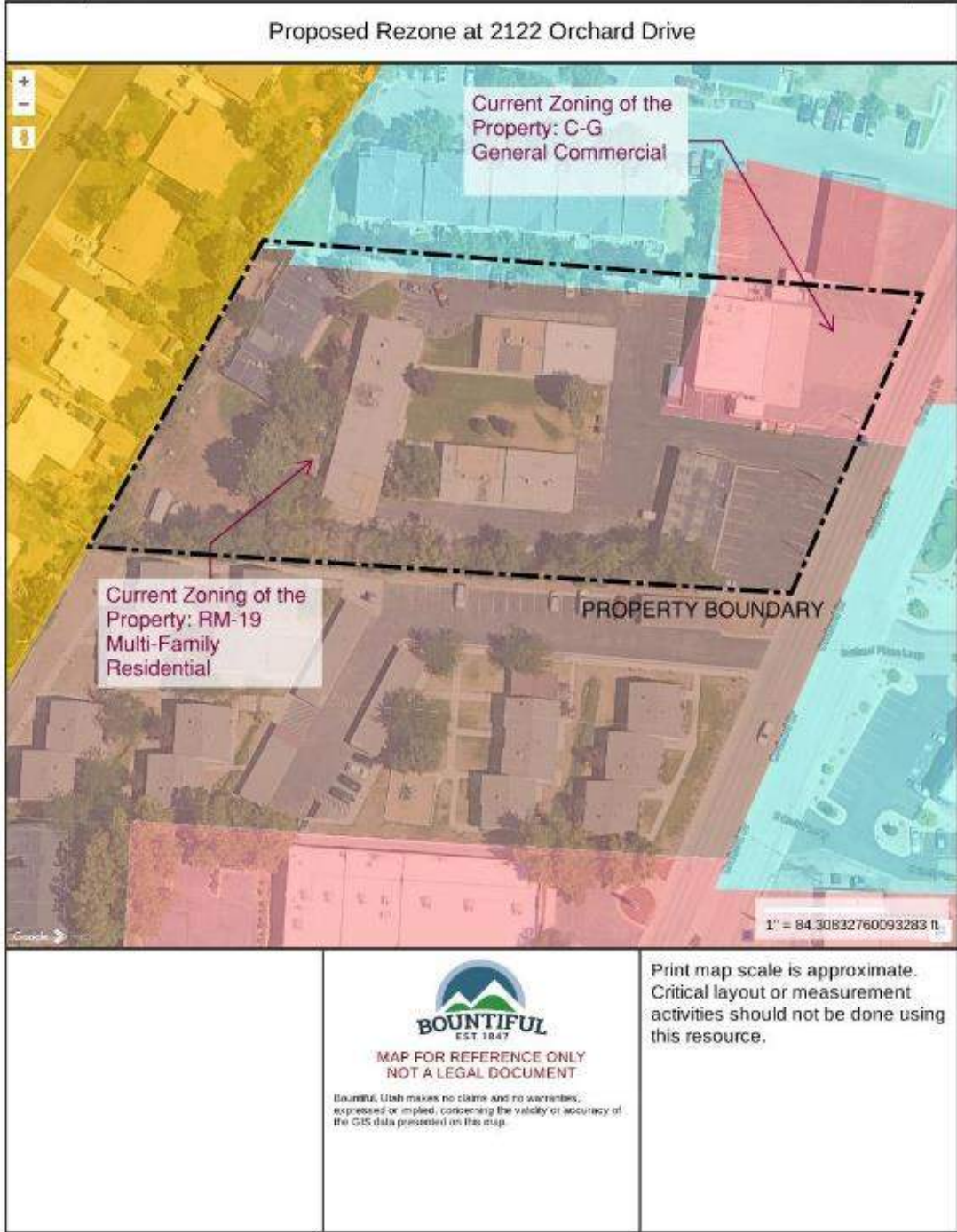
Parcel # 050020047

BEG AT A PT N 0°56' W 751.08 FT & N 89°07" W 1836.09 FT & N 23°32' E 590.02 FT & N 66°28' W 33 FT & N 85°26' W 437.06 FT FR SE COR OF NE 1/4 OF SEC 31-T2N-R1E, SLB&M; TH SW'LY 231.52 FT, M/L, TO S LINE OF MELBY PPTY; TH SE'LY A DIST WH IS 20 FT PERP TO SD FENCE LINE; TH NE'LY ALG A LINE PARALLEL TO & 20 FT DIST FR SD FENCE LINE 231.52 FT, M/L, TO N LINE OF SD PPTY; TH NW'LY TO POB. CONT 0.10 ACRES

# Zoning Amendment

Bountiful, Utah

October 2, 2024

































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***BUILDING C  
DUPLEX***



***BUILDING D  
4 TOWNHOMES***

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EMAIL: randy@kingstongeneral.com

No.	Description	Date

**HIDDEN GARDENS EXPANSION**  
2122 ORCHARD DRIVE, BOONIFUL, UT 84010

**SITE VIEWS - BUILDING C + D**

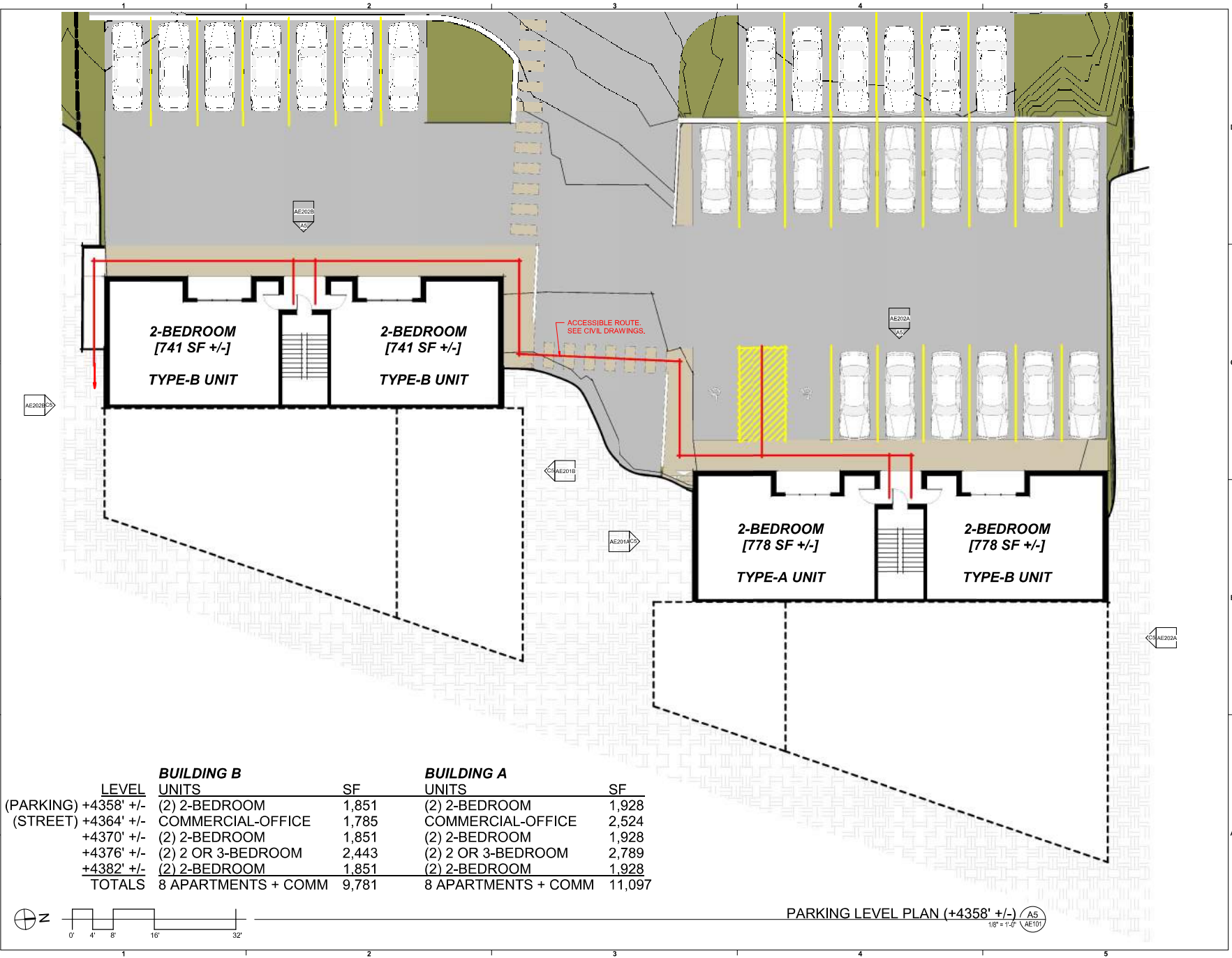
Project Status                  ZONE MODIFICATION  
Project Number                                  23\_0043  
Date    09.05.2024  
Drawn by    EGE  
Checked by     DJY

**AS109**

Scale

9/8/2024 4:57:28 PM

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	BUILDING B			BUILDING A		
LEVEL	UNITS	SF	UNITS	SF		
(PARKING) +4358' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928		
(STREET) +4364' +/-	COMMERCIAL-OFFICE	1,785	COMMERCIAL-OFFICE	2,524		
+4370' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928		
+4376' +/-	(2) 2 OR 3-BEDROOM	2,443	(2) 2 OR 3-BEDROOM	2,789		
+4382' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928		
<b>TOTALS</b>	<b>8 APARTMENTS + COMM</b>	<b>9,781</b>	<b>8 APARTMENTS + COMM</b>	<b>11,097</b>		

# P R O C E S S

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---

# A/B

---

No.	Description	Date

---

**HIDDEN GARDENS EXPANSION**  
 2122 ORCHARD DRIVE, BOUNTIFUL UT 84010

### BUILDING A + B FLOOR PLANS

Project Status	ZONE MODIFICATION
Project Number	23_20043
Date	09.06.2024
Drawn by	EGE
Checked by	DJY

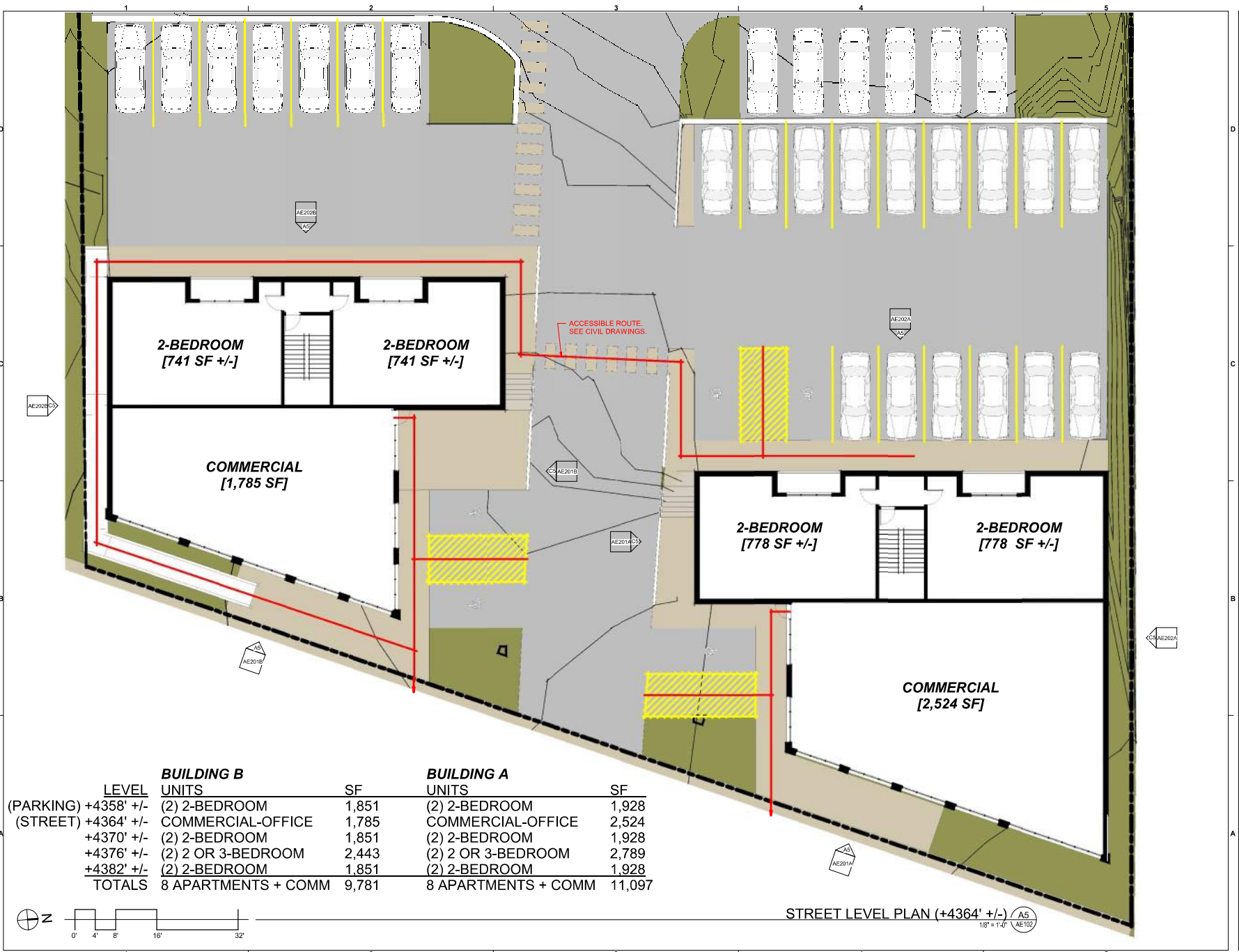
## AE101

Scale: 1/8" = 1'-0"

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	<b>BUILDING B</b>		<b>BUILDING A</b>	
LEVEL	UNITS	SF	UNITS	SF
(PARKING) +4358' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928
(STREET) +4364' +/-	COMMERCIAL-OFFICE	1,785	COMMERCIAL-OFFICE	2,524
+4370' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928
+4376' +/-	(2) 2 OR 3-BEDROOM	2,443	(2) 2 OR 3-BEDROOM	2,789
+4382' +/-	(2) 2-BEDROOM	1,851	(2) 2-BEDROOM	1,928
<b>TOTALS</b>	<b>8 APARTMENTS + COMM</b>	<b>9,781</b>	<b>8 APARTMENTS + COMM</b>	<b>11,097</b>

STREET LEVEL PLAN (+4364' +/-) A5  
1/8" = 1'-0" AE102

PROCESS

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EMAIL: randy@kengeneral.com

# A/B

No.	Description	Date

HIDDEN GARDENS  
EXPANSION  
2122 ORCHARD DRIVE, BOUNTIFUL UT 84010

### BUILDING A + B FLOOR PLANS

Project Status ZONE MODIFICATION  
Project Number 23-3043  
Date 09.06.2024  
Drawn by EGE  
Checked by DJY

**AE102**  
Scale 1/8" = 1'-0"

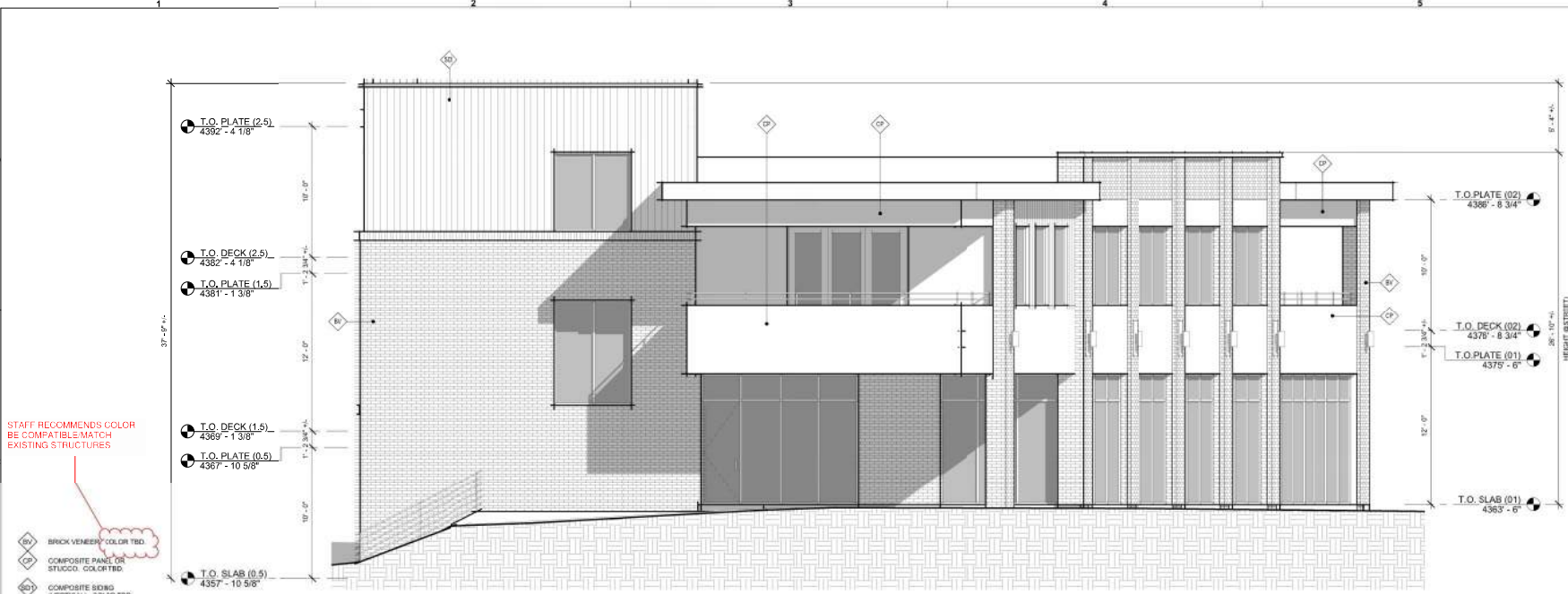




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STAFF RECOMMENDS COLOR  
BE COMPATIBLE/MATCH  
EXISTING STRUCTURES

- 402 BRICK VENEER - COLOR TBD
- 401 COMPOSITE PANEL OR STUCCO - COLOR TBD
- 400 COMPOSITE SIDING - HORIZONTAL - COLOR TBD
- 300 COMPOSITE SIDING - VERTICAL - COLOR TBD



SOUTH (DRIVEWAY) ELEVATION C5  
1/4" = 1'-0" AE201A



EAST (STREET) ELEVATION A5  
1/4" = 1'-0" AE201A

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**A**

No.	Description	Date

**HIDDEN GARDENS EXPANSION**  
2122 CIRCULAR DRIVE, BOONVILLE UT 84010  
**BUILDING A ELEVATIONS**

Project Status: ZONE MODIFICATION  
Project Number: 23-3043  
Date: 07.07.2024  
Drawn by: EGE  
Checked by: DJY

**AE201A**

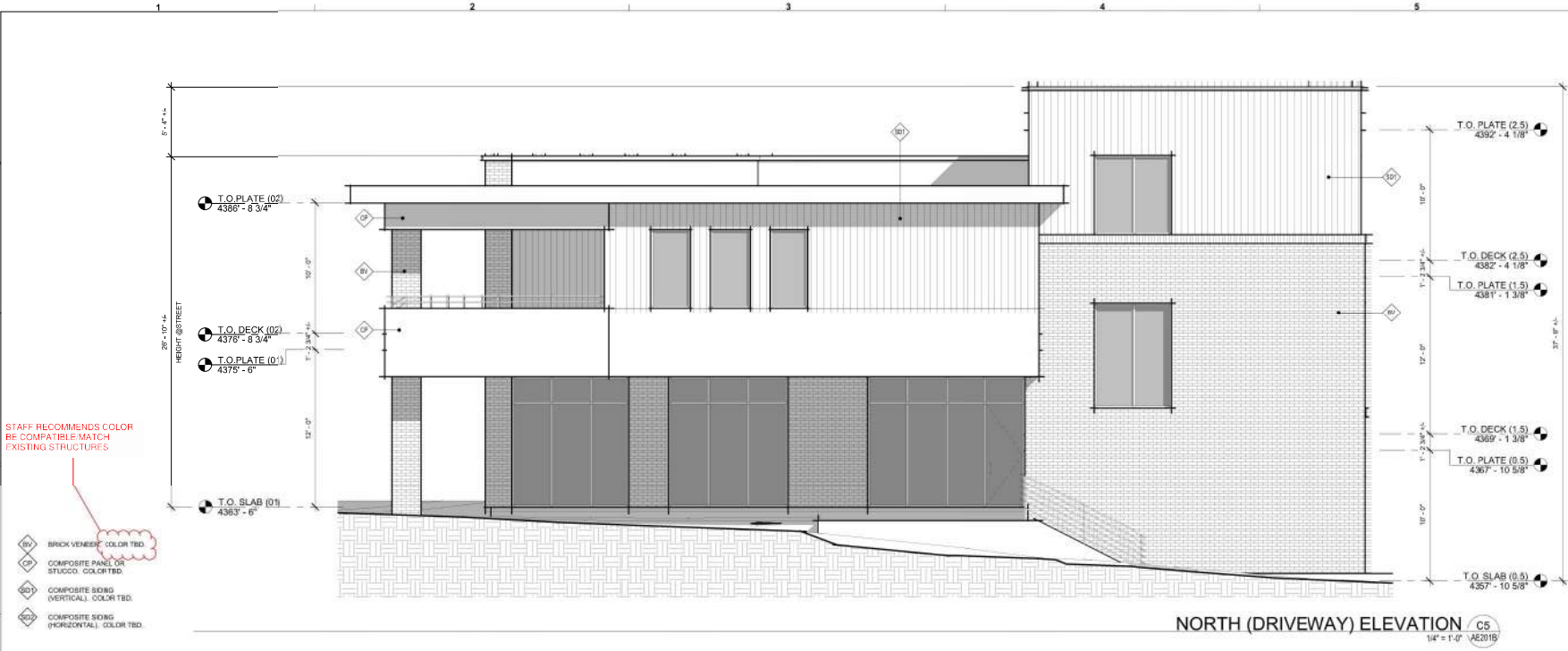
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 EMAIL: kandi@knowngeneral.com

B

No.	Description	Date

HIDDEN GARDENS  
EXPANSION

2122 ORCHARD DRIVE, BOONIFUL, UT 84010

BUILDING B  
ELEVATIONS

Project Status: ZONE MODIFICATION  
 Project Number: 23-3043  
 Date: 07.07.2024  
 Drawn by: EGE  
 Checked by: DJY

AE201B

Scale: 1/4" = 1'-0"

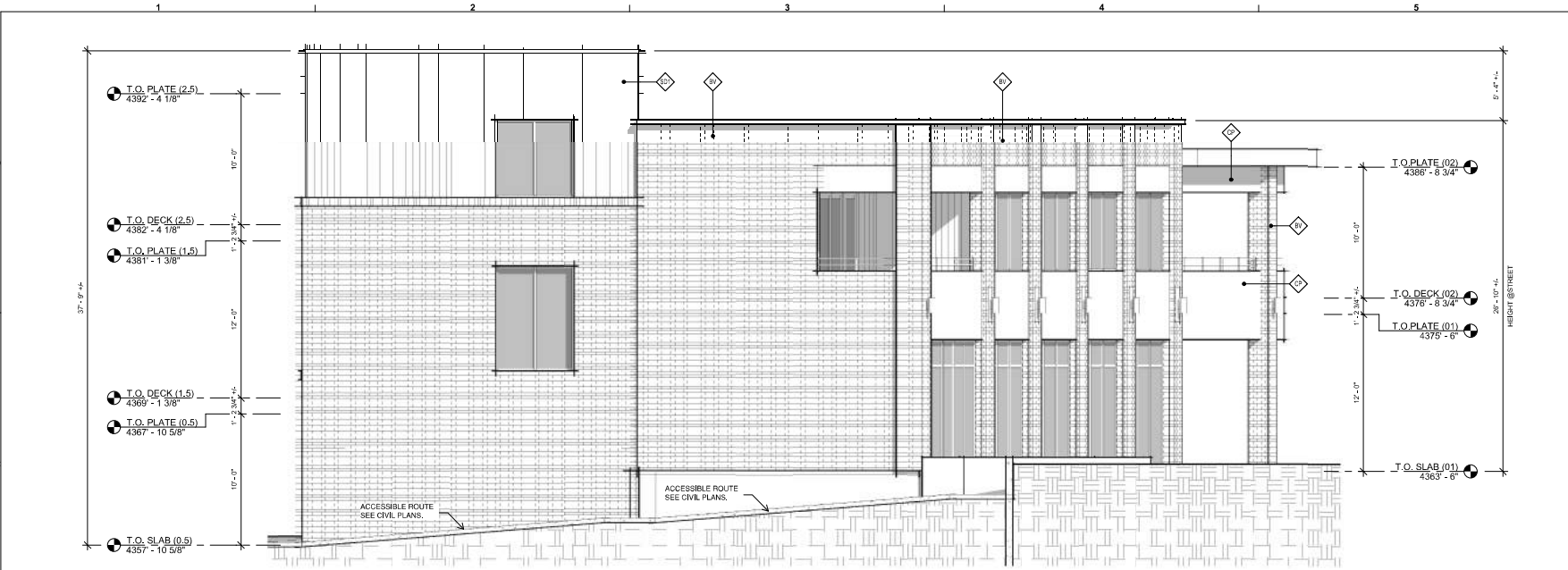
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# B

No.	Description	Date



**SOUTH (SIDE) ELEVATION** C5  
 1/4" = 1'-0" AE202B



**WEST (PARKING) ELEVATION** A5  
 1/4" = 1'-0" AE202B

**HIDDEN GARDENS EXPANSION**  
 2122 ORCHARD DRIVE, BOUNTIFUL, UT 84010  
**BUILDING B ELEVATIONS**

Project Status	ZONE MODIFICATION
Project Number	23_30043
Date	07.07.2024
Drawn by	EGE
Checked by	DJY
AE202B	
Scale	1/4" = 1'-0"



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**GENERAL NOTES:**

**MATERIAL LEGEND:**

**MATERIAL LEGEND:**

**KEYED NOTES:**

**KEYED NOTES:**

- AS ASPHALT SHINGLES, COLOR TBD.
- BS BRICK VENEER, COLOR TBD.
- CS SEALED CONCRETE.
- DS COMPOSITE SIDING (VERTICAL), COLOR TBD.
- ES COMPOSITE SIDING (HORIZONTAL), COLOR TBD.



**NORTH (SIDE) ELEVATION (A3)**  
1/4" = 1'-0" AE201C



**WEST (REAR) ELEVATION (C5)**  
1/4" = 1'-0" AE201C



**SOUTH (SIDE) ELEVATION (A3)**  
1/4" = 1'-0" AE201C



**EAST (COURTYARD) ELEVATION (A5)**  
1/4" = 1'-0" AE201C

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**C**

No.	Description	Date

**HIDDEN GARDENS SW TOWNHOMES**  
2122 ORCHARD DRIVE, BOUNTFUL, UT 84010

**BUILDING C ELEVATIONS**

Project Status	ZONE MODIFICATION
Project Number	23_0043
Date	07.07.2024
Drawn by	EGE
Checked by	DJY

**AE201C**  
Scale 1/4" = 1'-0"











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## **EXISTING CONDITIONS**

### *Surrounding Land Uses and Roadways*

This proposed development is an expansion of the current Hidden Gardens Apartments. The property is bordered to the east by Orchard Drive. To the north and south of the property is multifamily housing. To the west of the property is single family homes. The property currently consists of 17 apartment units and two retail buildings. The existing 17 apartment units will remain and the two retail buildings will be removed with the proposed expansion.

### *Roadways*

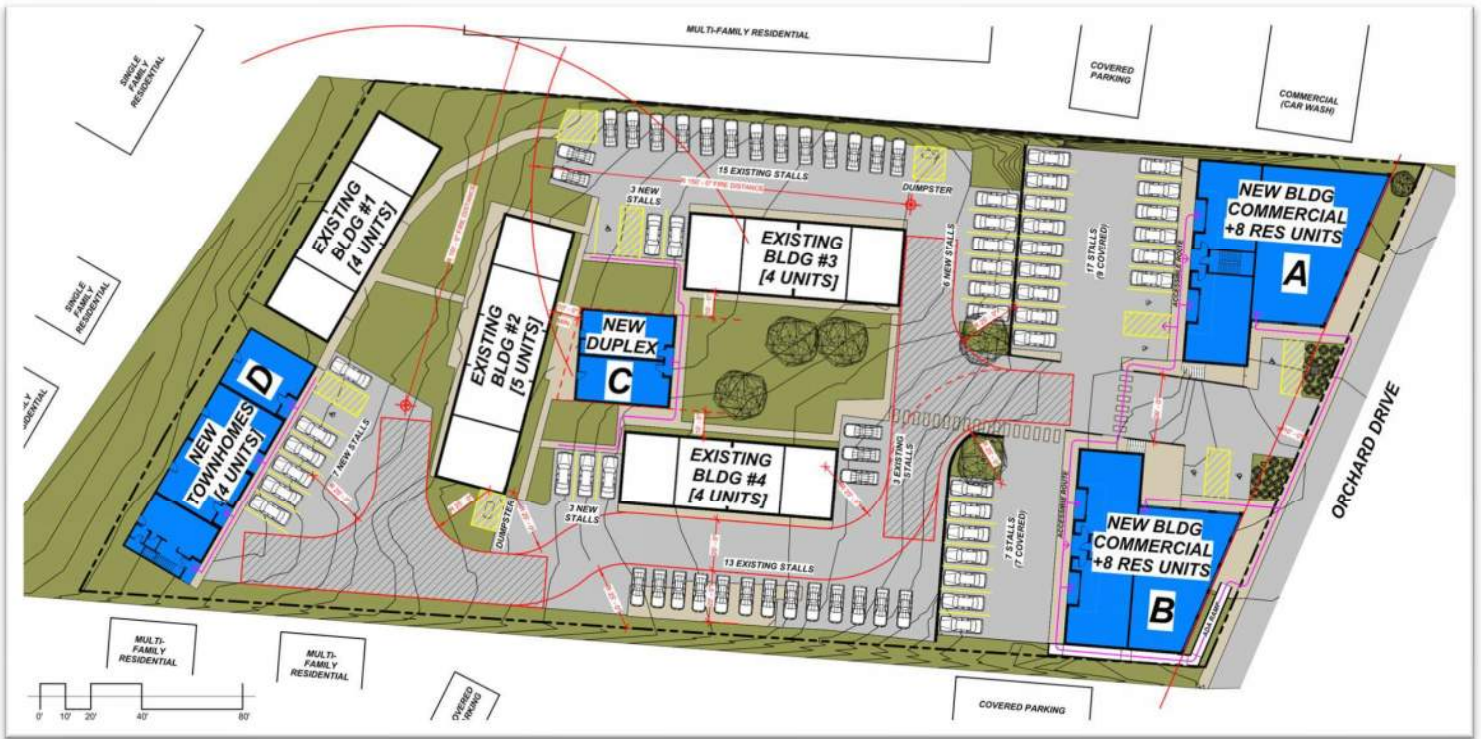
Orchard Drive: Orchard Drive is a major arterial roadway that provides connectivity throughout Bountiful and is located along the east frontage of this proposed development. Orchard Drive currently consists of two lanes in each direction without on-street parking. Currently along Orchard Drive there is a two-way left turn lane for vehicles to access the many developments along this roadway. The posted speed limit is 35 mph.

## **PROPOSED SITE CONDITIONS**

The proposed Hidden Gardens Apartments expansion will consist of adding 4,309 SF of office space and adding 22 additional multifamily housing units. This would bring the total number of multifamily units for the site to 38, 22 new units with 16 existing units. The proposed site plan, as illustrated in Exhibit 2, will continue to use the existing access onto Orchard Drive. Note that the proposed site plan does show 17 existing units, however from discussions with the property owner, there are only 16 units as the existing site skipped unit number 13. The proposed site plan has been designed to provide 77 parking stalls. Refer to Exhibit 2 for the proposed site plan of this Hidden Gardens Apartments expansion.



Exhibit 2 – Hidden Gardens Apartments Expansion Site Plan



## PARKING GENERATION

In order to generate the anticipated number of parking stalls needed for the Hidden Gardens Apartments expansion, the *Institute of Transportation Engineer's (ITE) Parking Generation Manual 5<sup>th</sup> Edition* was used. Land Use Code 220 – Multifamily (Low-Rise), Land Use Code 221 – Multifamily (Mid-Rise) and Land Use Code 712 – Small Office Building were used to generate the number of parking stalls. The description of Land Use Code 220 – Multifamily (Low-Rise) states “multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence”. The existing apartments as well as the 4 townhomes units (BLDG D) and duplex (BLDG C) of the Hidden Gardens Apartments will have one to two levels of residential units. The description of Land Use Code 221 – Multifamily (Mid-Rise) states “multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and between the and ten levels (floors) of residence”. The proposed mixed-use buildings (Building A and Building B) will have three levels of residential units. The description of Land Use Code 712 – Small Office Building states, “A small office building typically houses a single tenant and is less than or equal to 5,000 gross square feet in size.” The office

space associated with this expansion will be a total of 4,309 SF and is split between Building A (2,524 SF) and Building B (1,785 SF). Within the Land Uses in the *Parking Generation Manual*, there are also different settings/locations depending on where the development is located. There are urban/suburban settings to dense multi-use urban settings. Depending if the development is located near rail transit or not, there are also different calculations. For purposes of this Hidden Gardens Apartments expansion, the General Urban/Suburban settings and not near rail transit were used. The *ITE Manual* uses an average rate over all the parking studies that were analyzed and also generates an 85<sup>th</sup> percentile rate for some land uses. For purposes of this study, the parking numbers were generated using this 85<sup>th</sup> percentile rate for land uses where it was available. Refer to the appendix of this statement for the full description and parking generation research from the *ITE Parking Generation Manual*. Table 1 illustrates the number of parking stalls needed for this development using the average rates available from the manual.

*Table 1 – Parking Generation for Hidden Gardens Apartments Expansion*

ITE Land Use Code	Land Use Description	Size	Weekday 85 <sup>th</sup> Percentile Rate	Parking Stalls	Saturday 85 <sup>th</sup> Percentile Rate	Parking Stalls	Sunday 85 <sup>th</sup> Percentile Rate	Parking Stalls
220	Multifamily Housing (Low Rise)	22 Units	1.52	<b>34</b>	1.59	<b>35</b>	1.66	<b>37</b>
221	Multifamily Housing (Mid Rise)	16 Units	1.47	<b>24</b>	1.33	<b>21</b>	2.05	<b>33</b>
712	Small Office	4,309 SF	4.17	<b>18</b>	*	*	*	*
<b>TOTAL</b>				<b>76</b>		<b>56</b>		<b>70</b>

**\* = 85<sup>th</sup> Percentile Rate not available in the ITE Parking Generation Manuals**

As seen in Table 1, the number of parking stalls needed for the Hidden Gardens Apartments expansion varies from a typical weekday to a typical weekend. The proposed Hidden Gardens Apartments expansion will need 76 parking stalls during a typical weekday, 56 stalls on a typical Saturday and 70 stalls on a typical Sunday. These calculations are assuming full occupancy of both the office and the residential units and using the 85<sup>th</sup> percentile rates from the *ITE Manuals*. The proposed site plan provides a total of 77 parking stalls for this development. This is one parking stall more than the calculated number of occupied stalls per the *ITE Parking Generation Manual* under the worst-case scenario, which would be on a weekday with 76 parking stalls. This also

assumes the maximum amount of parking stalls are needed for both multifamily and office at the same time.

The *ITE Parking Generation Manual* also provides the “Percent of Weekday Peak Parking Demand” tables. These table provide an average percentage of the number of stalls that are needed throughout the day based on the land use and the time of day. These tables can be found in the appendix of this statement. The peak demand for parking for a Small Office land use is typically between the 8:00 a.m. to 5:00 p.m. hours. Where the peak demand for parking for a Multifamily Housing (Low-Rise) is between 11:00 p.m. to 6:00 a.m. and Multifamily Housing (Mid-Rise) is 10:00 p.m. to 6:00 a.m. This illustrates that many of the parking stalls within the proposed development can be shared between the two land uses, even though there are sufficient stalls provided if they were on the same peak times. Table 2 illustrates the parking demand percentages and number of stalls needed for different times of the day based on the parking generation numbers from the *ITE Parking Generation Manual* listed in Table 1.

*Table 2 – Weekday Parking Demand Percentages based on ITE*

Hour Beginning	ITE Land use: 220: (%)	Parking Stalls	ITE Land use: 221: (%)	Parking Stalls	ITE Land Use 712: (%)	Parking Stalls	Total Parking Stalls
12:00-4:00 a.m.	100%	34	100%	24	0%	0	<b>58</b>
5:00 a.m.	97%	33	94%	23	0%	0	<b>56</b>
6:00 a.m.	90%	31	83%	20	0%	0	<b>51</b>
7:00 a.m.	77%	26	71%	17	0%	0	<b>43</b>
8:00 a.m.	56%	19	61%	15	27%	5	<b>39</b>
9:00 a.m.	45%	15	55%	13	69%	12	<b>40</b>
10:00 a.m.	40%	14	54%	13	88%	16	<b>43</b>
11:00 a.m.	37%	13	53%	13	100%	18	<b>44</b>
12:00 p.m.	36%	12	50%	12	81%	15	<b>39</b>
1:00 p.m.	36%	12	49%	12	81%	15	<b>39</b>
2:00 p.m.	37%	13	49%	12	84%	15	<b>40</b>
3:00 p.m.	43%	15	50%	12	86%	15	<b>42</b>
4:00 p.m.	45%	15	58%	14	92%	17	<b>46</b>
5:00 p.m.	55%	19	64%	15	85%	15	<b>49</b>
6:00 p.m.	66%	22	67%	16	4%	1	<b>39</b>
7:00 p.m.	73%	25	70%	17	0%	0	<b>42</b>
8:00 p.m.	77%	26	76%	18	0%	0	<b>44</b>
9:00 p.m.	86%	29	83%	20	0%	0	<b>49</b>
10:00 p.m.	92%	31	90%	22	0%	0	<b>53</b>
11:00 p.m.	97%	33	93%	22	0%	0	<b>55</b>

When using the weekday parking demand percentages as outlined in the ITE Parking Generation Manuals for these land uses, the peak number of parking stalls that would be needed is 58 with the shared parking.

## CONCLUSION

Based on the provided site plan, the Hidden Gardens Apartments expansion will consist of 38 multifamily residential units (apartments/townhomes) and 4,309 SF of office space. The proposed layout of the development will provide for 77 parking stalls on site. Using the *ITE Parking Generation Manual*, the calculated number of parking stalls will range from 76 parking stalls during a typical weekday, 56 parking stalls on a typical Saturday and 70 parking stalls on a typical Sunday. The proposed site plan will provide enough parking stalls as is recommended by the *ITE Parking Generation Manual*. These calculated numbers are assuming both land uses, are using 100% of the required number of parking stalls at the same time, which is a scenario that will not happen as Office Space is occupied during the hours of 8 a.m. to 5 p.m. typically and apartments/townhomes utilize the parking spaces during the night time hours as people are off work and at home.

Using the *Percent of Peak Parking Demand Tables* from the *ITE Parking Generation Manual*, these land uses will not overlap with their peak demands for parking on a typical weekday. Using these percentages between the two different land uses, the peak number of parking stalls needed for this site is 58 stalls which is significantly less than the 77 parking stalls designed. Therefore, using the ITE Parking Generation for these proposed improvements to the Hidden Gardens, there would be adequate parking as designed per the provided site plan.

Please feel free to contact me with any questions or comments.

Sincerely,

### FOCUS ENGINEERING & SURVEYING, LLC

  
Jason Watson, PE, PTOE  
[jwatson@focusutah.com](mailto:jwatson@focusutah.com)

