



**BOUNTIFUL CITY**  
**PLANNING COMMISSION AGENDA**  
**Tuesday, August 4, 2020**  
**6:30 p.m.**

**NOTICE IS HEREBY GIVEN** that the Bountiful City Planning Commission will hold a meeting in the Conference Room, **South Davis Metro Fire Station, 255 S 100 W, Bountiful, Utah, 84010**, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

*Bountiful City Planning Commission meetings, including this one, are open to the public. In consideration of the COVID-19 Pandemic, Bountiful City will be observing social distancing and may limit the number of people at the meeting. If you would like to submit a comment for the public hearing listed on the agenda below, please e-mail that comment to [planning@bountifulutah.gov](mailto:planning@bountifulutah.gov) prior to the meeting and indicate in the e-mail if you would like your comment read at the meeting; you are also welcome to attend the meeting in person.*

1. Welcome and Introductions.
2. Consider approval of the meeting minutes for July 7, 2020.
3. **PUBLIC HEARING** – Consider forwarding a recommendation to the City Council - to allow a Text Amendment for the Commercial Zone to allow an Indoor Entertainment/Firearm Range located at 535 S Main St, Bryan Green and Kristopher Jeppsen, applicants – *Curtis Poole*
4. Consider approval **in written form** of a Conditional Use Permit to allow the building footprint of all accessory structures to exceed 10% and not exceed 15% of the lot at 329 East 1050 North, Derk and Aneisa Phelps, applicants.
5. Planning Director’s report, review of pending applications and miscellaneous business.
  - a. Accessory Dwelling Unit Discussion
  - b. Training Video (Time Permitting)



1 **Bountiful City Planning Commission**

2 **Draft Minutes**

3 **July 7, 2020**

4  
5 *This meeting was viewed by Planning Commission members, staff and residents via video conference*  
6 *meeting (Zoom) and in person.*

7  
8 Present: Chair Sean Monson; Vice Chair Jesse Bell; Planning Commission Members – Sam Bawden,  
9 Jim Clark, Lynn Jacobs and Sharon Spratley; Councilwoman Kendalyn Harris; City  
10 Attorney Clint Drake; City Engineer Lloyd Cheney; Planning Director Francisco Astorga;  
11 City Planner Curtis Poole and Recording Secretary Darlene Baetz

12  
13 **1. Welcome and Introductions.**

14  
15 Vice Chair Bell opened the meeting at 6:31 pm and welcomed all those present.

16  
17 **2. Approval of the minutes for June 2, 2020.**

18  
19 Commissioner Spratley made a motion to approve the minutes for June 2, 2020 with five  
20 corrections.

- 21 1. Page 2 line 33 should read “Commissioner Spratley made a motion....*with the five criteria met*  
22 *and the two (2) conditions outlined by staff*”.
- 23 2. Page 3 line 48 should read “small parcel, the staff does not ~~feel~~ *find* that a pedestrian study is  
24 ~~not~~ required”.
- 25 3. Page 4 line 44 should read “Ms. Spratley stated how pleased....small zone changes *and setting*  
26 *a precedence*”.
- 27 4. Page 5 line 25 should read “Lot 308 should *only* be restricted to access....”.
- 28 5. Page 7 line 37 should read “Dr. Ward and Ms. Ward stated they ~~about~~ would like to see...”.

29  
30 Councilwoman Harris seconded the motion. Voting passed 6-0 with Commission members  
31 Bawden, Bell, Clark, Harris, Jacobs, and Spratley voting aye.

32  
33 **3. PUBLIC HEARING – Consider approval of a Conditional Use Permit – To allow for the**  
34 **building footprint of all accessory structures to exceed 10% and not exceed 15% of the lot at**  
35 **329 E 1050 North, Derk and Aneisa Phelps, applicants.**

36  
37 Derk Phelps was present. Curtis Poole presented the staff report.

38  
39 The Applicants, Derk and Aneisa Phelps, request Conditional Use Permit approval to allow for the  
40 construction of a new detached garage, in addition to an existing playhouse, which would exceed  
41 ten percent (10%) of all accessory structures on the lot. The structures would be 12% and would  
42 not exceed the 15%.

43  
44 The lot is located in the R-4 (Single Family Residential) Zone and is bordered on all sides by  
45 single-family zoning. Tolman Elementary is located to the immediate north of the Applicant’s lot.  
46 The lot is 0.20 acres, or approximately 9,060 square feet. The home on the lot was built in 1957  
47 without a garage. The Applicants have submitted a building permit to construct a detached garage  
48 measuring 980 square feet, which would be located behind their home.

1  
2 Bountiful code states that only 60% of the total lot can be covered which would include all  
3 structures, including home, driveways, patios, accessory structures and garages. Total lot coverage  
4 would be 4541 sq ft which will be under the 60% lot coverage. During the building permit  
5 application City staff made the applicant aware of a few non-compliant issues which the applicant  
6 has remedied. The building inspector went out to the property and inspected this issue. The home  
7 currently has a carport, in the City Code requires that the property needs to have a 2 car garage  
8 which the applicants will become compliant with this CUP.

9  
10 Staff recommends the Planning Commission approve the Conditional Use Permit to allow for the  
11 building footprint of all Accessory Structures to exceed 10% and not exceed 15% of the lot with the  
12 two conditions outlined by staff. Mr. Phelps has already taken care of Condition #1.

13  
14 Vice Chair Bell opened and closed the **PUBLIC HEARING** at 6:44 p.m.

15  
16 Mr. Phelps discussed the ease of getting these issues resolved.

17  
18 Commissioner Bawden asked for clarification about the garages and a possible alternative. Mr.  
19 Poole stated that the setback is 3 foot and the 4 foot easement bringing the home closer which will  
20 be a tight fit. Mr. Poole stated the code allows for 2 garage doors and would not limit the property  
21 owner on how they would park their vehicles.

22  
23 Commissioner Spratley asked if the commission should stay within the 12% outlined on the staff  
24 report instead of the 15% outlined in the City code. Mr. Poole stated that staff used the 15% to  
25 have a bit of flexibility if the building permit changed at all the applicant would still be approved  
26 and would not need to go back thru the approval process.

27  
28 Sharon Spratley made a motion to approve the Conditional Use Permit to allow for the building  
29 footprint of all accessory structures to exceed 10% and not exceed 15% of the lot at 329 E 1050  
30 North with the two (2) conditions outlined by staff noting to strike condition 1 as it has already been  
31 completed. Jim Clark seconded the motion. Voting passed 6-0 with Commission members  
32 Bawden, Bell, Clark, Harris, Jacobs, and Spratley voting aye.

33  
34 **4. Consider forwarding a recommendation to the City Council – Daniel Wood Square -**  
35 **Preliminary and Final *AMENDED* site plan approval for commercial business, located at 410**  
36 **South 500 West, Leslie Mascaro representing Wright Development Group, applicant.**

37  
38 Leslie Mascaro was present. Curtis Poole presented the staff report.

39  
40 The Applicant, Wright Development Group, requests Amended Preliminary and Final Architectural  
41 and Site Plan approval for the construction of a new multi-tenant commercial development located  
42 at 410 South 500 West. The property is located within the C-G (General Commercial) Zone and is  
43 surrounded by commercial uses within Bountiful and West Bountiful cities.

44  
45 The Planning Commission reviewed and forwarded a positive recommendation to the City Council  
46 for the Preliminary and Final Architectural and Site Plan at its November 19, 2019 meeting. The  
47 City Council reviewed the recommendation from the Commission and approved the Preliminary  
48 and Final Architectural and Site Plan at its January 28, 2020 meeting. The Applicant is requesting

1 to amend the original application that was approved.  
2

3 The property is located adjacent to the Daniel Wood Cemetery. The property is north of  
4 McDonald's, has a large retail complex to the west in West Bountiful City, a smaller retail complex  
5 directly to the north, with restaurants, commercial and recreational uses across 500 West to the east.  
6

7 The first change to the amended plans was to add an additional 912 sq foot to the building which  
8 required an increase in the parking requirement. The original approved site plan had 24 stalls and  
9 the amended plan required 27 stalls. The second change was to the landscaping. The change will  
10 still be above the requirements. The applicant is requesting the setback of the landscaping to be  
11 reduced along the rear yard and north yard. The landscaping will include additional trees and  
12 bushes and the applicant indicated the roots would not obstruct with the existing cemetery.  
13

14 Staff recommends that the Planning Commission forward to the City Council a recommendation of  
15 approval for the Amended Preliminary and Final Architectural and Site Plan for the proposed  
16 Multi-Tenant Commercial Development subject to the following conditions. Staff noted the  
17 applicant has already taken care of condition #2.  
18

19 Ms. Mascaro explained the amenities would include outdoor seating for the businesses that would  
20 be added next to the trees.  
21

22 Commissioner Jacobs asked about the possibility of ADA access to the site from the sidewalk. Ms.  
23 Mascaro noted that this would be a good idea and will work to accommodate this item.  
24 Commissioner Bell asked about the number of street trees. Mr. Poole noted the number of trees for  
25 the landscaping has been met but would double-check the street tree calculation. Mr. Bell asked  
26 about the possibility of cross walks across the parking lot for the safety of the pedestrians.  
27

28 Commissioner Spratley made a motion to forward a recommendation to City Council of approval  
29 for the preliminary and final AMENDED site plan for commercial business located at 410 South  
30 500 West with the seven (7) conditions outlined by staff striking condition #2 as it has been  
31 completed and to add an additional condition to include stripping for crosswalks and if possible to  
32 add an ADA ramp and to check the required street trees. Commissioner Jacobs seconded the  
33 motion. Voting passed 6-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs and  
34 Spratley voting aye.  
35

## 36 **5. PUBLIC HEARING - Land Use Code Text Amendment – Hospital Sign Code**

37

38 Kendal Black presented the staff report.  
39

40 Mr. Black described the current Hospital zone which included un-occupied buildings and the  
41 existing approved signage for the zone.  
42

43 Commissioner Jacobs asked why the Hospital zone signage was so restrictive. Staff noted that it  
44 may have been because of the zone was created in 1974 and at that time businesses may not have  
45 needed the signage for their business since they were next door to the hospital and possibility  
46 because the hospital is surrounded by residential zone.  
47

48 Commissioner Clark was concerned that some of the proposed sign changes could make the

1 hospital zone look more like the commercial zone and that pole signs would detract from the  
2 hospital zone. Commissioner Bell asked about the location of the pole signs that would be allowed.  
3 Commissioner Spratley also was concerned about approving pole signs in the hospital zone.  
4

5 Vice Chair Bell opened the **PUBLIC HEARING** at 7:37 p.m.  
6

7 Dr. Ward is concerned about the current signage that has been maxed out and is inadequate for the  
8 number of tenants in one building. They would like to offer potential tenants more advertising.  
9

10 Calvin Murri resides at 262 South 750 East. Mr. Murri stated that he thought that in 1974 when the  
11 hospital zone was established it was to be more of a combination Professional office area and  
12 Hospital Zone. He would like to see this zone be opened up to Professional office area. Also he  
13 would like to see an ambiance with the signage and lighting and does not want to see the large pole  
14 signs allowed in the Hospital zone.  
15

16 Cody Bell resides at 450 East 100 South. Mr. Bell is concerned that the neighborhood should  
17 continue to feel as a residential neighborhood and is concerned that existing signage is lit all  
18 through the night. He feels that signage in the hospital zone should have a lighting restriction at  
19 night.  
20

21 Alex Densley resides at 33 South 300 West. Mr. Densley noted that he is familiar with the area and  
22 is concerned for the signs that are lit throughout the night and would like to see changes with the  
23 night lighting.  
24

25 *Chair Monson arrived at 7:45 p.m.*  
26

27 Vice Chair Bell closed the **PUBLIC HEARING** at 7:50 p.m.  
28

29 Councilwoman Harris discussed the possible signage to be allowed in the hospital zone.  
30

31 Commissioner Jacobs asked staff to look into possible restrictions to lighting that was brought to  
32 the attention of the Commission.  
33

34 Mr. Astorga noted restrictions for night time lighting is not noted in the City code but could be  
35 addressed in any proposed changes.  
36

37 Chair Monson stated a concern for what does the City want this area to look like or to become.  
38

39 Mr. Astorga discussed the upcoming changes to the overall sign code. He does not feel that the  
40 hospital sign code at this time would make a huge difference due to challenges of the location of  
41 this zone. Mr. Astorga would like to move forward with an amendment for just the hospital zone.  
42

43 Councilwoman Harris would like to see us move forward with options that the Commission feels  
44 comfortable with.  
45

46 Commission members discussed how to move forward with this item. There was concern about  
47 lighting of the signs during the evening and would new signage codes make the existing signs non-  
48 compliant. Mr. Astorga noted that some of the possible changes will not be immediate changes and

1 staff was directed to find deficiency in the sign code for the hospital zone.

2  
3 Vice Chair Bell would recommend that Commission provide clear direction to staff and to have  
4 definite sizes allowed if pole signs are allowed.

5  
6 Vice Chair Bell re-opened the **PUBLIC HEARING** at 8:22 p.m.

7  
8 Ms. Ward discussed the challenge of having a large number of tenants in one building and having a  
9 maximum cap for signage. This is a concern for which tenant would have signage in these large  
10 buildings. She also spoke about two possible changes, first one was to keeping signage on the one  
11 primary façade (unless a corner lot) and the 2-secondary façades and have no signage on the rear of  
12 the building near the residential neighborhoods and the second to keep wall signs at 10% and no  
13 64% sq foot maximum cap.

14  
15 Mr. Murri felt that this item is change is a zone change and feels that with the hospital zone would  
16 be to the commercial zone.

17  
18 Mr. Densley didn't feel that the City should do one change at a time and would prefer to have the  
19 Planning Commission deal with the entire Hospital zone issues at once. He is concerned about the  
20 night lighting of the signs.

21  
22 Vice Chair Bell re-closed the **PUBLIC HEARING** at 8:30 p.m.

23  
24 Commissioner Jacobs would like to thank the staff in all the work that they have put into this item.

25  
26 The Commission discussed only making changes to the sign code that would remove the maximum  
27 allowed sign for a wall sign. The Commission felt this was the only change needed at this time.

28  
29 Commissioner Spratley made a motion to forward a recommendation to City Council of approval  
30 for the Hospital zone sign code 14-19-111 with the conditions to read as follows: The removal of  
31 the maximum of 64 ft on the wall signs.

32  
33 Councilwoman Harris seconded the motion. Voting passed 7-0 with Commission members  
34 Bawden, Bell, Clark, Harris, Jacobs, Monson, and Spratley voting aye.

35  
36 **6. Consider approval in written form of a Variance to allow construction of a single-family**  
37 **dwelling on slopes 30% or greater, located at 2955 S Maple Cove Ln.**

38  
39 Commissioner Spratley made a motion to approve in written form of a Variance to allow  
40 construction of a single-family dwelling on slopes 30% or greater, located at 2955 S Maple Cove  
41 Ln. Commissioner Jacobs seconded the motion.

42  
43 Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson, and  
44 Spratley voting aye.

45  
46 **7. Director's report, review of pending applications and miscellaneous business.**

47  
48 1. Next Planning Commission will be on July 21, 2020.

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13

- a. Agenda items include Renaissance Lot 13 and Bahr Dermatology.
2. Accessory Dwelling Unit (ADU) Discussion with Administrative Committee.
3. Signage in the Hospital Zone to City Council and additional code changes
4. Short Term Rentals will come to Planning Commission in the Fall.
5. Town Square will be opening with the next 5 weeks.

Chairman Monson ascertained there were no other items to discuss. The meeting was adjourned at 8:41 p.m.

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Sean Monson  
Planning Commission Chairman

PENDING APPROVAL



# Planning Commission Staff Report

**Subject:** PUBLIC HEARING: Amendment to the Bountiful Land Use Code to Permit Indoor Shooting Ranges in the Commercial Sub-Zones as a Conditional Use

**Author:** Curtis Poole, City Planner

**Date:** August 4, 2020



## Background

The Applicants, Bryan Green and Kristopher Jeppsen, have submitted a formal request to amend the Land Use Code to permit indoor shooting ranges in the commercial subzones as a Conditional Use Permit. The Applicants are in negotiations to purchase the old Rite Aid site, 535 South Main Street, with the purpose of redeveloping the site into a recreational indoor shooting range. The property is located in the C-G (General Commercial) subzone which currently does not permit indoor or outdoor shooting ranges.

The property is approximately 3.3 acres and consists of the old Rite Aid building and parking areas to the west. The property is bordered by the RM-19 (Multi-Family Residential) Zone to the south, the DN (Downtown) Zone to the north, RM-13 (Multi-Family Residential) Zone to the east and the C-G subzone to the west. There are existing commercial uses attached to the vacant Rite Aid building which would remain and are accessed from the north side of the property.

## Analysis

The Bountiful Land Use Code currently permits indoor shooting ranges as a conditional use permit in the C-H (Heavy Commercial) subzone; however, indoor shooting ranges are not permitted in either the C-G or the C-N (Commercial Neighborhood) subzones. The Applicants are proposing to add indoor shooting ranges to the C-G subzone as a conditional use and a section to the Code defining an indoor shooting range and the conditions of approval. Outdoor shooting ranges would remain a non-permitted use in all zones.

The proposal submitted by the Applicants in connection with the application to amend the Land Use Code indicate they will purchase the Rite Aid building, which also consists of the parking lot to the west, and redevelop the site. If the Applicants receive approval from the City Council for the text amendment, they will apply for a site plan to be reviewed by the Planning Commission and City Council as the Applicants are planning to upgrade the façade and parking lot of the Rite Aid building. A conditional use permit would also be reviewed and approved by the Planning Commission.

The Applicants proposal would include a restaurant, gun related retail shop, training and public outreach programs in addition to the indoor shooting range. The Applicants have indicated the indoor shooting range would also be made available to the Bountiful City Police Department and other local law enforcement agencies for specific training purposes on a quarterly basis.

The Planning Commission may consider factors such as proximity to adjacent zones, land uses, meeting landscaping and parking standards, façade design and other design elements for this project when reviewing the text amendment; however, it should be understood the text amendment would not be limited to this property and will apply to all properties in the same zone. Should the City Council approve the amendment, the Applicants would then be required to submit a site plan review application based on the new use being introduced to the property, which would be reviewed by both the Planning Commission and City Council. In addition, the Planning Commission would also review the conditional use to determine if the conditions of approval have been met and to mitigate any potential negative or detrimental impacts.

A site plan review would determine if the Applicants meet standards of the Code, such as parking and landscaping. Parking standards have not been defined for this type of use in the Code. The parking would be “determined by the Approving Authority based upon recommendation from the Planning Director and City Engineer using nearest comparable uses as a guide” (14-18-107, 29).

The adopted 2009 Land Use Master Plan (part of the City’s General Plan) identifies commercial areas which are old and need to be redeveloped. Much of the existing commercial development in Bountiful originally occurred in the 1960’s and 1970’s and is located on old residential lots that fronted onto 500 West, Highway 89, 500 South and 200 West. As a result, the Master Plan indicates many of the commercial developments suffer from functional and physical obsolescence. The Master Plan proposed a goal to identify properties which have substantial challenges and could be redeveloped. Staff does not consider the proposal from the Applicants an actual redevelopment of the site, but rather simply adding a use that was not permitted.

### **Department Review**

This proposal has been reviewed by the Planning and Police Departments and City Attorney.

### **Significant Impacts**

The text amendment proposed by the Applicants will provide an additional commercial use in the C-G subzone which is not currently allowed.

### **Recommended Action**

Staff recommends the Planning Commission reviews and consider forwarding a positive recommendation of approval for an amendment to the Land Use Code to allow indoor shooting ranges to be permitted as a conditional use in the C-G (General Commercial) Zone along with conditions of approval.

## **Attachments**

1. Draft Ordinance with Proposed Land Use Code Text Amendments
2. Applicant's Application
3. Land Use Code Chapter 2, Part 5 Conditional Uses
4. 14-18-107 Parking Spaces Required
5. Submitted Public Comment





# BOUNTIFUL

MAYOR  
Randy C. Lewis

CITY COUNCIL  
Millie Segura Bahr  
Kate Bradshaw  
Kendalyn Harris  
Richard Higginson  
Chris R. Simonsen

CITY MANAGER  
Gary R. Hill

## Bountiful City DRAFT Ordinance No. 2020-08

**An ordinance amending Sections 14-6-103 Permitted, Conditional and Prohibited Uses (Commercial Zone) and adding Section 14-14-127 Indoor Shooting Ranges to the Bountiful City Land Use Code by allowing indoor shooting ranges as a conditional use in the C-G (General Commercial) Zone, adding mitigating criteria for the conditions of approval for indoor shooting ranges.**

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

1. The Bountiful City Council is empowered to adopt and amend general laws and land use ordinances pursuant to Utah State law (§10-9a-101 et seq.) and under corresponding sections of the Bountiful City Code.
2. As required by Section 14-2-205 of the Bountiful City Land Use Code this text amendment is found to be in harmony with the objectives and purposes of the Land Use Code.
3. After a public hearing, on August 4, 2020, the Bountiful City Planning Commission recommended in favor of approving this proposed Land Use Code Text Amendment.
4. The Bountiful City Council held a public hearing on this proposed Land Use Code Text Amendment on August 11, 2020.

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

**Section 1.** Sections 14-6-103 and 14-14-127, shown in Exhibit A, of Bountiful City Land Use Code, Title 14 of Bountiful City Code is hereby amended as shown in Exhibit A.

**Section 2.** This ordinance shall take effect immediately upon passage.

**Adopted by the City Council of Bountiful, Utah, this 11<sup>th</sup> day of August 2020.**

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Randy C. Lewis, Mayor

ATTEST:

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Shawna Andrus, City Recorder

## Proposed Land Use Code

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

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

**Table 14-6-103**

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

| <u>Use</u>  | <u>C-H</u> | <u>C-G</u> | <u>C-N</u> |
|---|------------|------------|------------|
| Mail Order/Online Distribution Office w/ Onsite Outdoor Storage | C          | N          | N          |
| Medical/Dental Laboratory                                       | P          | C          | N          |
| Medical/Dental Office   | P          | P          | C          |
| Millwork, Cabinetry   | P          | C          | C          |
| Motels (Drive-up/exterior room access)                          | N          | N          | N          |
| Motorized Recreation  | C          | N          | N          |
| Municipal Facility  | P          | P          | P          |
| Non-motorized Recreation, Pool, Gymnasium – Public or Private   | P          | P          | C          |
| Pawnshop, Secondhand Merchandise,                               | C          | N          | N          |
| Personal Services   | P          | P          | C          |
| Professional Services   | P          | P          | C          |
| Public/Private Assembly   | P          | P          | C          |
| Residential   | N          | N          | N          |
| Restaurant  | P          | P          | C          |
| Security Services   | P          | N          | N          |
| Self Storage Units or Warehouse w/o Office                      | N          | N          | N          |
| Sexually Oriented Business, Escort Service                      | C          | N          | N          |
| Small Engine/Appliance Repair                                   | P          | P          | N          |
| Tailor, Seamstress, Shoe Repair                                 | P          | P          | C          |
| Tattoo Parlor   | C          | N          | N          |
| Telecommunication Facility not on City Property                 | C          | C          | C          |
| Telecommunication Facility on City property                     | P          | P          | P          |
| Thrift Store  | P          | C          | C          |
| Tutoring, Dance, Preschool, Daycare                             | P          | P          | C          |
| Vehicle Part Sales  | P          | P          | N          |
| Vehicle Repair  | P          | N          | N          |
| Vehicle Sales   | P          | N          | N          |
| Vehicle Salvage/Wrecking  | N          | N          | N          |
| Vehicle Service and Wash  | P          | C          | N          |
| Vehicle Storage – Indoor  | P          | P          | C          |
| Vehicle Storage – Outdoor                                       | C          | N          | N          |
| Warehouse w/ Office   | P          | N          | N          |
| Welding, Autobody, Machine Shop, Fiberglass, Painting – indoor  | P          | N          | N          |
| Welding, Autobody, Machine Shop, Fiberglass, Painting - Outdoor | C          | N          | N          |

## CHAPTER 14

### SUPPLEMENTARY DEVELOPMENT STANDARDS

|           |  |
|-----------|--|
| 14-14-101 | PURPOSE  |
| 14-14-102 | LOT STANDARDS  |
| 14-14-103 | YARD SPACE FOR ONE BUILDING ONLY   |
| 14-14-104 | FRONT YARD MODIFICATION - DEVELOPED AREAS  |
| 14-14-105 | COMBINED LOTS - RESTRICTIONS   |
| 14-14-106 | SPECIAL PROVISIONS FOR EXISTING SINGLE AND TWO-FAMILY RESIDENTIAL DWELLINGS        |
| 14-14-107 | LOCATION OF TRAILERS, BOATS, RECREATIONAL VEHICLES AND STORAGE CONTAINERS          |
| 14-14-108 | USE OF MOBILE HOMES, RECREATIONAL VEHICLES, CAMPER TRAILERS AND STORAGE CONTAINERS |
| 14-14-109 | ABANDONED, WRECKED, OR JUNKED VEHICLES   |
| 14-14-110 | TRASH, DEBRIS, WEEDS, AND SIMILAR HAZARDS  |
| 14-14-111 | REFUSE SITING STANDARDS  |
| 14-14-112 | HEIGHT LIMITATIONS - EXCEPTIONS  |
| 14-14-113 | ADDITIONAL HEIGHT ALLOWED  |
| 14-14-114 | STORAGE OF COMMERCIAL VEHICLES - RESIDENTIAL ZONES                                 |
| 14-14-115 | SWIMMING POOLS   |
| 14-14-116 | SATELLITE TELEVISION ANTENNAS  |
| 14-14-117 | SEMI-PRIVATE SWIMMING CLUBS AND RECREATION FACILITIES                              |
| 14-14-118 | TELECOMMUNICATIONS TOWER SITES   |
| 14-14-119 | SIGHT CLEARANCES ON CORNER LOTS  |
| 14-14-120 | RESERVED   |
| 14-14-121 | RESERVED   |
| 14-14-122 | TEMPORARY CLASSROOMS AT PRIVATE SCHOOLS  |
| 14-14-123 | FILLING, GRADING, AND EXCAVATING   |
| 14-14-124 | ACCESSORY DWELLING UNIT  |
| 14-14-125 | PUBLIC UTILITY EASEMENTS ON PRIVATE PROPERTY                                       |
| 14-14-126 | PRIVATE POWER PLANTS   |
| 14-14-127 | <b>INDOOR SHOOTING RANGES</b>  |

#### **14-14-127    INDOOR SHOOTING RANGES**

- A. An indoor shooting range is a target range used for shooting, or for any other use involving the discharge of handguns and/or rifles, which is open to the general public upon payment of a fee and which is located within the confines of a building.
- B. An indoor shooting range shall be approved as a conditional use in the C-H (Heavy Commercial) and C-G (General Commercial) Zones, and no other zone, by the Planning Commission and shall meet all of the following conditions of approval:
  1. The range shall conform to all federal, state and industry regulations and standards for health, safety, employment, firearm and ammunition storage, ventilation and noise abatement for indoor shooting ranges.
  2. Material and construction shall be designed and certified to capture all fired rounds.



3. No ammunition shall be permitted to be fired that exceeds the certified design specifications of the range.
  4. No alcoholic beverages shall be sold, consumed or permitted on the premises.
  5. Minors shall not be permitted on the shooting range unless accompanied by an adult at all times.
  6. On-site supervision and monitoring shall be provided by the range operator in addition to a credentialed qualified range master at all times.
  7. An alarm system, cut wire protected, shall be provided for general security of the premises.
  8. Other conditions imposed by the Planning Commission or City Council that is reasonably necessary to mitigate the potential impacts to neighboring properties.
- C. In addition to the above conditions, the indoor shooting range shall provide a minimum of two (2) of the following:
1. A retail component for the sale of firearms, ammunition and other accessories related to firearms. Such facility shall comply with all licensing and operation requirements of the Federal Bureau of Alcohol, Tobacco and Firearms, State Agencies and other regulatory organizations.
  2. Classroom facilities to be used for community education, public forums and seminars on gun safety and use.
  3. A restaurant or dining component.
- D. Any indoor shooting range found in violation of the conditions of approval may be subject to a revocation of the conditional use permit.



# BOUNTIFUL

City of Beautiful Homes and Gardens

014571-0003 Darlene ... 07/16/2020 05:53PM  
Permits ( nspectio.. - 20411|L040 - 2020  
Payment Amount: 750.00  
Transaction Amounts: 750.00  
CHECK: 004152420

20410

## ZONING MAP AND ORDINANCE AMENDMENT APPLICATION

Date of Submittal: 07/16/2020  
Property Address(s): 535 So MAIN ST, BOUNTIFUL UT 84010  
Applicant Name(s): BRYAN GREEN KRISTOPHER ZEPPSEN  
Applicant Address(s): 619 PHEASANT WAY  
BOUNTIFUL UT 84010  
Applicant Phone #(s): BRYAN: 801-573-2069 KRIS: 801-580-8302

Application is hereby made to the City Council of Bountiful, Utah, to:

- Amend the text of the Land Use Ordinance (Attach proposed changes).
- Amend the Zoning Map by rezoning property from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone (Attach legal description).

### 1. Items that shall be included with any Zoning Amendment Application:

- a. Bountiful City Zoning Amendment Application completed in detail and notarized. If more than one property is to be rezoned, the application must be signed and notarized by each property owner or authorized agent(s).
- b. Payment of Filing Fee: Rezones: \$400.00 + \$100.00 per acre (max \$1000.00)  
Text Amendments: \$500.00
- c. For rezones, the names and mailing addresses of all property owners within five hundred feet (500') of all exterior boundaries of the subject property. This list is to be taken from the latest tax assessment rolls of Davis County. This list must be typed on self-adhesive mailing labels and submitted with the application.
- d. For rezones, two (2) 24 x 36, and one (1) 11x17 copy or one (1) .PDF file, of the preliminary development plan drawn at 1:10 scale or as required by the City Engineer or City Planner. A development plan shall include:
  - i. A north arrow, the scale of the drawing, and the date of the drawing.
  - ii. Street names and addresses.
  - iii. Property lines with dimensions.
  - iv. All sidewalks, driveways, curbs and gutter, and parking areas.
  - v. All existing easements, rights-of-way, and any other restrictions on the use of the property.
  - vi. Existing buildings and other significant features on the site.
  - vii. Existing buildings and significant features located on adjacent properties within 50 feet (50') of the subject property boundaries.

RECEIVED

Department of Planning and Economic Development  
790 South 100 East • Bountiful, Utah 84010  
Phone 801.298.6190 • Fax 801.298.6033

JUL 16 2020

BOUNTIFUL CITY  
PLANNING DEPT.

bryinbrasil@gmail.com

mogmile@gmail.com

- viii. When required by the City Planner or City Engineer, a survey including both existing and proposed contours of the land at intervals of two feet (2') or better.
- e. For text amendments, a .doc or .wpd file of the proposed text amendment and one (1) hard copy.
- f. Typed responses to the following questions:
  - i. List the complete legal description of the property (or submit a separate survey):
  - ii. What is intended to be done on or with the property?
  - iii. Why is the intended zone change necessary at this particular location to provide a service to the community?
  - iv. Explain how the intended zone change will not be detrimental to the health, general welfare or safety of persons working or residing in the vicinity, or injurious to property or improvements in the vicinity.
  - v. Explain fully the timetable for development as well as financing available.

**2. Processing Procedure:**

- a. The application will first be submitted to the Bountiful Planning Staff for review.
- b. If the application is complete, it will be placed on the first available agenda for consideration by the Planning Commission.
- c. The Planning Commission will discuss the application at its regular meeting and make a recommendation to the City Council. The applicant will be notified of the time and place of this meeting. The applicant or a representative for the applicant must be present at this meeting for the item to be heard by the Planning Commission.
- d. The application will be sent to the City Council along with the Planning Commission's recommendation to have a public hearing set. If an unfavorable recommendation is received from the Planning Commission and there is concurrence by the City Council with that unfavorable recommendation, no public hearing shall be held. If the recommendation from the Planning Commission is favorable, or if the City Council determines a hearing is desirable despite an unfavorable recommendation, the City Council shall set a public hearing date.
- e. The public hearing must be advertised in the local newspaper fourteen (14) days prior to the public hearing date not counting the date of the publication and the date of the hearing. For a rezone, notice will be sent to all the property owners within five hundred feet (500') along with a posting of the property with posters provided by the Planning Department.
- f. At the public hearing, the City Council may accept the recommendation of the Planning Commission, or may elect to make recommendations of its own. The applicant or agent is required to attend the public hearing. Any other interested parties are invited to attend. The City Council may take action at the public hearing or may take the application under advisement to make a decision at a later time.

Applicant Signature

  
BRYAN GREEN

07/16/20



07-16-20

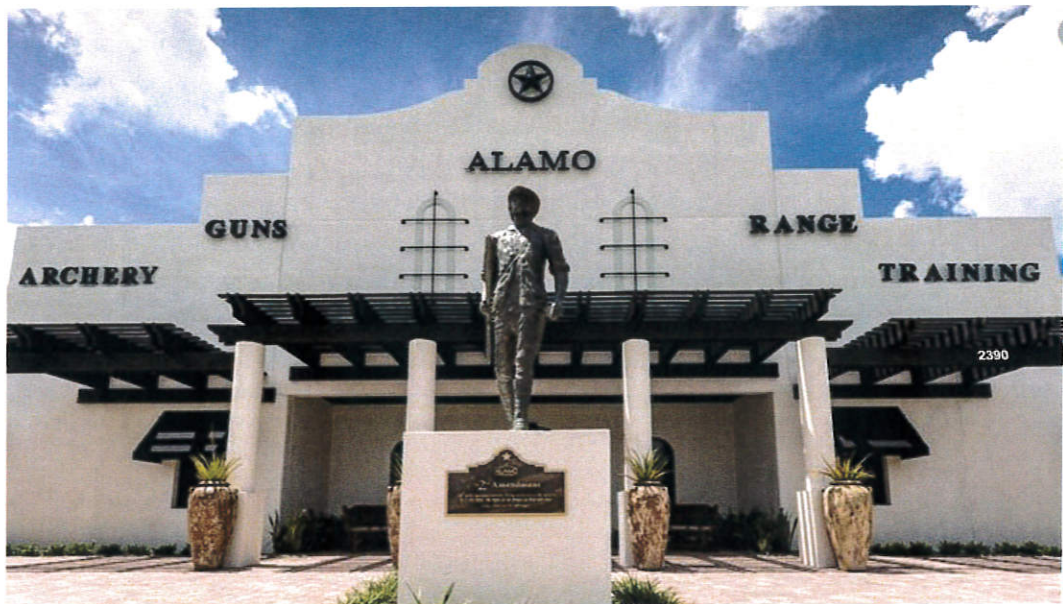
KRIS JEPPISEN



Amendment to Bountiful City Land Use Ordinances:  
Ch 6, Commercial Zone (C)

- Address of property in question:
  - 535 S Main St  
Bountiful, UT 84010  
(old Rite Aid building)
  - Current Zoning: C-G
- Suggested Amendment text of Land Use Ordinances
  - Create New Use in table 14-6-103
    - Indoor Entertainment, Community Education, Firearm Range, and Restaurant
- Suggested Use Condition: C-H (N), C-G (C) - Conditional, C-N (N)
- Definition of "Conditional Use of Indoor Entertainment, Community Education, Firearm Range, and Restaurant" C-G (C):
  - **New Section: 14-3-114: Indoor Entertainment, Community Education, Firearm Range, and Restaurant**
  - Indoor Entertainment, Community Education, Firearm Range, and Restaurant, as defined in the Bountiful City Code, shall be allowed only as a conditional use and only in the General Commercial (C-G) subzone provided that all of the following criteria are met:
    - 1. The business must include indoor entertainment facilities for spectating and participating in shooting sports in a lounge-style configuration. The business must also provide patrons with the ability to utilize individual shooting lanes for personal entertainment, training, or education.
    - 2. The business must contain classroom facilities for training and community education. The business will host free community events such as public forums, training seminars, or other education courses at least once per quarter. These events must be open to the public, and provide value to members of the community. *BY AGREEMENT WITH THE*
    - 3. As a firearm range, the business must include indoor firearm lanes that meet or exceed industry standards for safety, ventilation, and sound abatement. *BUSINESS*
    - 4. The business ~~must~~ *may* operate a retail component for the sale of firearms, ammunition, and other accessories related to the shooting sports industry.
    - 5. The business will provide free access and use of its range facilities to the City Police Department at least twice per year, to accommodate officer training according to department policy and needs. *→*
    - 6. The business will operate a restaurant as a supplement to the indoor entertainment aspect of this conditional use. The business will not offer or allow the sale or consumption of alcohol or other substances (legal or controlled) on the premise.
    - 7. The business must create a clean and professional exterior and interior appearance and maintain a reasonable standard of maintenance.

# Exterior Concept Visualizations





## Indoor Range



## Indoor Firearms Training



Interior Retail





## Interior Lounge and Restaurant



## Indoor Entertainment: Social Interactive Environment



Classroom Environment



## CHAPTER 2

### ADMINISTRATION AND PROCEDURES

#### PART 5 - CONDITIONAL USES

|                 |   |
|-----------------|---|
| <b>14-2-501</b> | <b>PURPOSE OF CONDITIONAL USE PROVISIONS</b>      |
| <b>14-2-502</b> | <b>PERMIT REQUIRED</b>                            |
| <b>14-2-503</b> | <b>APPLICATION</b>                                |
| <b>14-2-504</b> | <b>FEE</b>  |
| <b>14-2-505</b> | <b>PUBLIC COMMENT AND NOTICE</b>                  |
| <b>14-2-506</b> | <b>DETERMINATION</b>                              |
| <b>14-2-507</b> | <b>INSPECTION</b>                                 |
| <b>14-2-508</b> | <b>REVOICATION</b>                                |
| <b>14-2-509</b> | <b>TIME LIMIT</b>                                 |
| <b>14-2-510</b> | <b>RE-APPLICATION AFTER DENIAL OR REVOICATION</b> |
| <b>14-2-511</b> | <b>CONTINUING EFFECT</b>                          |

#### **14-2-501 PURPOSE OF CONDITIONAL USE PROVISIONS**

Certain uses which necessitate special conditions in order to make them compatible with permitted uses within a zone designation, are classified as conditional uses and require approval of a Conditional Use Permit.

#### **14-2-502 PERMIT REQUIRED**

A Conditional Use Permit shall be required for any use listed as a conditional use in any zoning designation and/or as set forth elsewhere in this Title. A Conditional Use Permit may be revoked upon failure of the original applicant or any successor, owner, or occupant to comply with conditions precedent to the original approval of the permit, or as otherwise provided in the Bountiful City Code.

#### **14-2-503 APPLICATION**

- A. Conditional Use Permit application shall be filed with the Planning Department as provided in this Title. Conditional uses shall be heard and decided by the Planning Commission or the Administrative Committee as set forth in this Title.
- B. Applications for Conditional Use Permits shall be accompanied by: maps, drawings, statements, reports, studies, or other documents, as required by the approval body and/or City staff. If applicable, the applicant shall also provide mailing addresses of all of the property owners within three hundred (300) feet of the subject property, per current County records, printed on self-adhesive labels.

#### **14-2-504 FEE**

The applications for any Conditional Use Permit shall be accompanied by an appropriate fee set by the City Council.

**14-2-505 PUBLIC COMMENT AND NOTICE**

- A. Any request for a conditional use permit shall be heard and decided by the Planning Commission unless the item falls within a category designated for Administrative Committee review. When considering the request, the Planning Commission or Administrative Committee shall hold a public hearing to review the request and other concerns, and then take appropriate action upon the request.
- B. The noticing requirement for a Conditional Use Permit heard by the Planning Commission shall be as follows:
  - 1. Sent to all property owners within a three hundred (300) feet radius around the subject property at least fourteen (14) days prior to the meeting.
  - 2. Posted with notification signage on the subject property by the applicant/agent. The signage shall be provided to the applicant/agent by the City and shall be posted by the applicant/agent ten (10) days in advance of the scheduled meeting.
- C. The noticing requirement for a conditional use permit request heard by the Administrative Committee shall be the same as required for any public hearing held by the Administrative Committee, as set forth in 14-2-104.

**14-2-506 DETERMINATION**

- A. A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards.
- B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal, or if the imposition of reasonable conditions to achieve compliance with applicable standards is not possible, the conditional use permit request may be denied.
- C. Standards applicable to conditional uses include all the requirements of this Title, and consideration of the following:
  - 1. The location of the proposed use in relationship to other existing uses in the general vicinity.
  - 2. The effects of the proposed use and/or accompanying improvements on existing developments in the general vicinity;
  - 3. The appropriate buffering of uses and buildings, proper parking and traffic circulation, and the use of building materials and landscaping which are in harmony with the area.
- A. The applicant, at his or her cost, shall provide any report and/or study relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any other information requested by the City in order to render a proper decision.

**14-2-507 INSPECTION**

Following the issuance of a Conditional Use Permit, the Planning Department shall approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the Planning Commission. Representatives of the Planning Department shall inspect the project to insure that all required improvements meet the conditions of the Conditional Use Permit and this Code before a certificate of occupancy is issued by the Engineering Department and before an application for permanent power for the property may be approved by the Bountiful City Power Department.

**14-2-508 REVOCATION**

- A. Upon receiving a written complaint alleging a violation or failure to comply with any condition prescribed in a Conditional Use Permit, the Planning Department shall investigate the complaint. If the complaint has merit, and attempts to remedy the complaint fail, the Planning Department:
  - 1. May place the complaint on the agenda of a regularly scheduled meeting of the approving body, provided that the permittee shall have at least fourteen (14) days notice of the meeting.
- B. Permittee shall be given written notice by personal service or by certified mail of the exact nature of the complaint and the date and time of the hearing before the Land Use Authority. An informal hearing may be conducted to determine the current status of the Conditional Use Permit prior to any public hearing, without notification to surrounding owners.
- C. The Land Use Authority, after hearing the evidence presented regarding the complaint, may continue the hearing from time to time, may modify or rescind any condition or requirement of the Conditional Use Permit as it deems necessary, or may take no action and dismiss the complaint.
- D. If, after review at the informal hearing the Land Use Authority finds that evidence of failure to comply with the provisions of the Conditional Use Permit is substantial enough to consider revocation; it shall schedule a formal hearing for purposes of considering revocation of the Conditional Use Permit. The notice for the revocation hearing shall be the same noticing procedure used for considering a new petition.
- E. The Land Use Authority, after hearing final evidence and testimony on the status of the Conditional Use Permit, may revoke the Conditional Use Permit or modify the conditions as deemed necessary.
- F. Any permittee aggrieved by an order may appeal such decision as set forth in 14-2-108.

**14-2-509 TIME LIMIT**

- A. A temporary Conditional Use Permit for a use which is incidental or directly related to an intended permanent use or is intended to become a permanent use may be issued by the Administrative Committee for a period of six (6) months. This permit may be renewed by the Planning Department for a total of three (3) successive six (6) month periods

allowing a total of two (2) years for the temporary Conditional Use Permit. Where hardship or unusual circumstances exist, the Administrative Committee may extend the temporary permit for one (1) additional year. These extensions shall be granted in two (2) separate six (6) month increments. A temporary Conditional Use Permit shall not be issued for a use which is not incidental to or directly related to an intended permanent use on the property.

1. Mobile offices, homes or trailers which are used for business purposes shall only be allowed for a six (6) month time period as authorized by the Administrative Committee. The Administrative Committee may extend the time period for the temporary structure up to one (1) additional year providing that the Planning Commission and City Council have granted final site plan approval and construction has commenced.
  2. Temporary structures shall be removed from the property upon occupancy of the permanent structure. Any pre-manufactured structure which meets all building code regulations and which is part of the approved site plan, and any construction trailer which is removed at the end of construction, shall be exempt from this regulation.
- B. Bountiful City does not issue temporary Conditional Use Occupancy Permits, and any document purporting to be a temporary conditional use occupancy permit is void.
- C. Unless there is substantial action under a Conditional Use Permit within a maximum period of one (1) year of its issuance, the Conditional Use Permit shall expire. The Bountiful City Planning Director may grant a maximum extension of six (6) months, when deemed in the public interest. Substantial action under this section shall mean:
1. For new construction or a remodel, at least twenty five percent (25%) of the proposed construction has been completed
  2. For a use located in an existing or completed structure, at least twenty five percent (25%) of the approved area is continuously occupied and utilized for the conditional use.

#### **14-2-510 RE-APPLICATION AFTER DENIAL OR REVOCATION**

It is unlawful to apply or reapply for a Conditional Use Permit within one (1) year of the date of denial or revocation of a Conditional Use Permit regarding any parcel of property or any portion thereof.

#### **14-2-511 CONTINUING EFFECT**

- A. A Conditional Use Permit applies to a specific parcel of property, or portion of a parcel of property, and may not be transferred to another parcel of property.
- B. A Conditional Use Permit for the operation of a business does not run with the land unless the approving body specifies otherwise. A Conditional Use Permit for the

construction of improvements to a property will run with the land unless the Planning Commission sets conditions that limit it to a specific individual and/or for a finite period of time. If any aspect of the conditional use becomes a legal nonconforming element due to a later amendment to this Ordinance, the provisions of Part 4 of this Chapter relating to nonconformities shall apply.

**14-18-107      PARKING SPACES REQUIRED**

A.      Except as otherwise provided in this Chapter, the number of off-street parking spaces for various uses will be as follows:

1.      Automobile Service and Repair Center. Three (3) exterior parking spaces for each stall, service bay or work station. Such spaces shall be for customer parking only and are not intended for storage or parking of vehicles under repair. Adequate parking for vehicles under repair or impound must be provided in addition to the required customer parking spaces.
2.      Banks, Business Offices or Professional Offices Providing Customer Services or Sales (Excluding Medical and Dental Offices). One (1) space for each two hundred (200) square feet of floor area.
3.      Bowling Alleys. Four (4) spaces for each alley plus parking space for all accessory uses (i.e., coffee shop, restaurant, bar) as herein defined.
4.      Car Wash. Three (3) spaces in approach lane to each hand wash bay, or 6 stacking spaces for each automated wash facility.
5.      Churches. One (1) parking space for every four (4) seats for fixed, individual seating; one parking space for each six (6) feet of linear pew; or one (1) parking space for every twenty (20) square feet of floor area where temporary seating can be located.
6.      Dwellings, Multiple Family. Parking for multiple family developments shall be based on the following standards:

| Bedrooms  | Required Spaces | Visitor Spaces |
|-----------|-----------------|----------------|
| 1         | 1.5/Unit        | .25/unit       |
| 2         | 2.0/Unit        | .25/unit       |
| 3 or more | 2.5/ Unit       | .25/unit       |

At least one (1) of the required parking spaces above shall be a designated, covered parking stall for each dwelling unit. Visitor parking spaces shall be distributed throughout the project for convenient access from all units.

7.      Dwellings, Single Family. Four (4) parking spaces for each single family dwelling unit. At least two (2) spaces shall be in a garage.
8.      Funeral Homes, Mortuaries. One (1) parking space for each forty (40) square feet of floor area located in the assembly chapel and viewing room(s).
9.      Furniture and Appliance Stores, Hardware Stores or Other Similar Uses Which Require Large Display Areas But Generate Light Traffic Demands. One (1) parking space for each five hundred (500) square feet of floor area.
10.     General Business/Retail Not Specifically Described. One (1) parking space for each two hundred (200) square feet of floor area.



11. Handicapped/Disabled Persons Parking. Parking spaces shall be provided in conformance with the following:

**Handicap Stall Calculation Table**

| Number of Spaces in Lot | Minimum # of Spaces for Disabled                                |
|-------------------------|---|
| 1 to 25                 | 1   |
| 26 to 50                | 2   |
| 51 to 75                | 3   |
| 76 to 100               | 4   |
| 101 to 150              | 5   |
| 151 to 200              | 6   |
| 201 to 300              | 7   |
| 301 to 400              | 8   |
| 401 to 500              | 9   |
| 501 to 1,000            | Two percent (2%) of total plus 1 for each 100 over 1,000 spaces |

In addition, one (1) in every eight (8) spaces for the disabled, but not less than one (1) shall be made accessible for vans. See Section 14-18-108 for special space requirements.

All parking spaces for the disabled shall be designated as reserved by a sign showing the symbol of accessibility for the disabled. Spaces designated for accessibility for vans shall have an additional sign reading "Van Accessible" mounted below the symbol sign.

12. Hospitals. One (1) parking space for each four hundred (400) square feet of floor area.
13. Hotels, Motels and Motor Hotels. One (1) parking space for each living or sleeping unit, plus one (1) parking space for every two hundred (200) square feet of assembly, banquet or restaurant area, and one (1) space for each employee on the highest employment shift.
14. Libraries. One (1) parking space for each three hundred (300) square feet of floor area.
15. Manufacturing/Industrial Uses, Research and Testing Laboratories, Bottling Plants. One (1) parking space for every one thousand (1,000) square feet of floor area, or one (1) space for each person employed on the highest employment shift, whichever is greater.
16. Medical/Dental Clinics. One (1) parking space for each two hundred fifty (250) square feet of floor area or five (5) spaces for each practitioner, whichever is greater.
17. Nursing, Convalescent and Other Similar Type Facilities. One (1) parking space for every three (3) persons the home is licensed or designed to care for, plus .25 stalls guest parking per bed or unit.

18. Offices not Providing Customer Services or Sales on the Premises. One (1) parking space for every three hundred (300) square feet of floor area.
19. Professional Offices for Attorneys, C.P.A.s, Architects, Engineers, etc. One (1) parking space for every three hundred (300) square feet of floor area.
20. Retirement Facility/Assisted Living Center (where occupants do not drive). Off-street parking shall be provided at the rate of .50 parking stalls per living unit or per occupant at maximum occupancy, whichever is greater.
21. Retirement Facility/Independent Living Center (where some occupants may still drive). Off-street parking shall be provided at the rate of one (1) parking stall per living unit, plus .25 stalls guest parking per unit. Common use facility areas will not be used in calculating parking requirements. At least half of the off-street parking stalls must be covered.
22. Restaurants. One (1) parking space for each two and one half (2.5) seats.

**From:** Dean Collinwood <[dean@kmclaw.net](mailto:dean@kmclaw.net)>  
**Date:** July 28, 2020 at 3:06:47 PM MDT  
**To:** Randy Lewis <[rlewis@bountifulutah.gov](mailto:rlewis@bountifulutah.gov)>, Kate Bradshaw <[kbradshaw@bountifulutah.gov](mailto:kbradshaw@bountifulutah.gov)>, Chris Simonsen <[csimonsen@bountifulutah.gov](mailto:csimonsen@bountifulutah.gov)>, "mbahr@bountiful.gov" <[mbahr@bountiful.gov](mailto:mbahr@bountiful.gov)>, Kendalyn Harris <[kharris@bountifulutah.gov](mailto:kharris@bountifulutah.gov)>, "rhigginson@bountiful.gov" <[rhigginson@bountiful.gov](mailto:rhigginson@bountiful.gov)>  
**Cc:** Gary Hill <[ghill@bountifulutah.gov](mailto:ghill@bountifulutah.gov)>  
**Subject:** INDOOR SHOOTING RANGE

Dear Mr. Mayor and City Council,

It has come to my attention that an indoor shooting range is being proposed for the building formerly owned by RiteAid. My partners and I own the property and building (Sessions Place) which is contiguous with the former RiteAid property. We have easements for parking and ingress and egress--space with share with RiteAid.

Currently, some 9 attorneys and several therapists have their professional offices in our building.

It is my understanding that a land use permit change would be required for a shooting range to be installed there, and this email is to say that I strongly oppose such a change. Immediately to the south and east of the proposed shooting range are residences--a neighborhood of families, and immediately to the northwest is our professional building. This area is **not** the place for a gun range.

As the owner of the adjacent property, I ask that you deny the request for a land use change and leave the space for something for suitable for the area and something consistent with the land use policy already in place.

Thank you,

Dean

--

**Dean Collinwood, JD PhD**  
**Attorney at Law**  
**McCONKIE | COLLINWOOD**  
**505 South Main Street**  
**Bountiful, Utah 84010**

**Email** [dean@kmclaw.net](mailto:dean@kmclaw.net)  
**Web** [www.mcconkielawoffices.com](http://www.mcconkielawoffices.com)  
**Tel** 801-294-2800 **Fax** 801-295-6600

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## Conditional Use Permit

A public hearing was held on July 7, 2020, at Bountiful City Hall to consider a Conditional Use Permit for the building footprint of all accessory structures to exceed 10% and not to exceed 15% located at the following location:

**Parcel: 03-054-0010**  
**329 East 1050 North, Bountiful City, Davis County, Utah**

The Bountiful City Planning Commission heard the matter and considered the statements of the Applicant, the City Staff and the public. As a result, the Planning Commission makes the following findings:

1. This matter is properly heard before the Planning Commission.
2. Appropriate public notice has been provided and a Public Hearing held.

The Bountiful City Planning Commission hereby grants this Conditional Use Permit approval on July 7, 2020 at 329 East 1050 North, Bountiful, Davis County, Utah, with the following conditions:

1. Staff shall verify the combined square footage of all accessory structures on the lot do not exceed fifteen percent (15%) through the building permit process and site inspections during construction.

The Conditional Use Permit was approved on July 7, 2020, and this written form was approved this 4<sup>th</sup> day of August, 2020.

---

Sean Monson, Planning Commission Chairman

---

ATTEST: Darlene Baetz, Recording Secretary



## 14-14-124 ACCESSORY DWELLING UNIT

- A. Purpose: The city recognizes that accessory dwelling units (ADUs) in single-family residential zones can be an important tool in the overall housing plan for the City. The purposes of the ADU standards of this Code are to:
1. Allow opportunities for property owners to provide social or personal support for family members where independent living is desirable;
  2. Provide for affordable housing opportunities;
  3. Make housing units available to moderate income people who might otherwise have difficulty finding homes within the city;
  4. Provide opportunities for additional income to offset rising housing costs;
  5. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle; and
  6. Preserve the character of single-family neighborhoods by providing standards governing development of ADUs.
- B. An accessory dwelling unit shall only be approved as a conditional use.
- C. An accessory dwelling unit shall not be approved, and shall be deemed unlawful, unless it meets all of the following criteria:
1. An accessory dwelling unit shall be conditionally permitted only within a single-family residential zone, and shall not be permitted in any other zone.
  2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.
  3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.
  4. A maximum of one (1) accessory dwelling unit shall be permitted as a conditional use on any lot or parcel in a single-family zone.
  5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.
  6. A deed restriction limiting the use of a property to a single-family use, prepared and signed by the Bountiful City Planning Director and all owners

of the property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to issuance of the building permit.

7. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, but not both, as their permanent residence and at no time receive rent for the owner occupied unit. Application for an ADU shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.
  8. Separate utility meters shall not be permitted for the accessory dwelling unit.
  9. Any property and any structure that contains an approved accessory dwelling unit shall be designed and maintained in such a manner that the property maintains the appearance of a single-family residential use. A separate entrance to the ADU shall not be allowed on the front or corner lot side yard. Any separate entrance shall be located to the side or rear of the principal residence.
  10. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit and a conditional use permit.
  11. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In no case shall fewer than four (4) total off street parking spaces be provided with at least 2 of the spaces provided in a garage. Any additional occupant vehicles shall be parked off-street in City Code compliant parking areas.
- D. An attached accessory dwelling unit shall be deemed unlawful and shall not be occupied unless all of the following criteria are met:
1. Shall not occupy more than forty percent (40%) of the total floor area square footage of the primary dwelling structure,
  2. Shall not exceed ten percent (10%) of the buildable land of the lot,
  3. Shall be at least three hundred fifty (350) sq. ft. in size,
  4. Shall meet all of the requirements of the International Building Code relating to dwelling units,



5. An attached accessory dwelling unit shall meet all of the required setbacks for a primary dwelling,
  6. Shall not have a room used for sleeping smaller than one hundred twenty (120) square feet, exclusive of any closet or other space.
- E. A detached accessory dwelling unit shall meet all of the above criteria, plus the following:
1. Shall require a conditional use permit, reviewed and approved by the Bountiful City Administrative Committee.
  2. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.
  3. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.
  4. Shall meet all of the setbacks required of a detached accessory structure requiring a conditional use permit.