

1 Approved Minutes of the
2 **BOUNTIFUL CITY ADMINISTRATIVE COMMITTEE**
3 **September 28, 2020**
4 **5:00 p.m.**
5

6 **Present:** Chairman – Francisco Astorga; Committee Members – Brad Clawson and Scott
7 Schlegel; City Planner – Curtis Poole

8 **Excused:** Committee Member – Dave Badham; Recording Secretary – Darlene Baetz
9

10 **1. Welcome and Introductions.**
11

12 Chairman Astorga opened the meeting at 5:00 p.m. and introduced all present.
13

14 **2. Consider approval of minutes for August 24, 2020.**
15

16 Mr. Clawson made a motion to approve the minutes for August 24, 2020 with one correction
17 to the starting time of the meeting. Mr. Astorga seconded the motion. Voting was 3-0 with
18 Committee Members Astorga, and Clawson voted aye with Schlegel abstaining.
19

20 **3. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 1283**
21 **Beverly Way – Spencer and Jessica Hale, applicants.**
22

23 Spencer Hale, applicant, was present. Curtis Poole presented the staff report.
24

25 The Applicant's property is in the R-3 Single-Family Residential zone. This will be for a
26 basement apartment that will consist of a 1 bedroom, bathroom, kitchen and living space with
27 a total used space of 13% of the entire home. The entrance for the unit will be at the rear of
28 the home. There is adequate parking to accommodate for the property owners and the ADU
29 tenants. The layout of the basement of the home was setup for an ADU however, the previous
30 owners used it for family and not for a rental. The applicants have a building permit for
31 electrical work in the Engineering office for approval.
32

33 Staff recommends the Administrative Committee approve the Conditional Use Permit to allow
34 for an Accessory Dwelling Unit at 1283 Beverly Way subject to the following conditions:
35

- 36 1. The Owner(s) of the property must continually occupy the primary dwelling or the ADU.
- 37 2. The property is to be used only as a Single-Family residence and shall be subject to a Deed
38 Restriction.
- 39 3. There shall be no separate utility service connections.
- 40 4. The Applicants shall apply separately for a building permit to be reviewed and inspected
41 by Staff.
- 42 5. The ADU shall meet all the standards in 14-14-124 of the City Land Use Code.
- 43 6. The Conditional Use Permit is solely for this property and is non-transferable.
44

45 Chairman Astorga opened and closed the **PUBLIC HEARING** at 5:08 p.m. without any public
46 comment.

1 Mr. Schlegel made a motion to approve a Conditional Use Permit for an Accessory Dwelling
2 Unit located at 1283 Beverly Way as written. Mr. Clawson seconded the motion. Voting was
3 3-0 with Committee Members Astorga, Clawson and Schlegel voted aye.
4

5 Mr. Schlegel made a motion to approve the Conditional Use Permit **in written form** for an
6 Accessory Dwelling Unit located at 1283 Beverly Way. Mr. Clawson seconded the motion.
7 Voting was 3-0 with Committee Members Astorga, Clawson and Schlegel voted aye.
8

9 **4. Consider a Conditional Use Permit for an Accessory Dwelling Unit (ADU) at 445 Spring**
10 **Creek Dr. – Teresa Upton and Julie Connelly, applicants.**
11

12 Teresa Upton and Julie Connelly were present. Curtis Poole presented the staff report.
13

14 The Applicants' property is in the R-4 Single-Family Residential Zone. The Applicants are
15 requesting approval of an existing basement apartment to be used as an ADU. Information
16 submitted by the Applicants shows the proposed ADU will consist of one (1) bedroom, a
17 bathroom, kitchen, living space, laundry room, and storage room. The total used space for the
18 unit will be 38.9% which is under the 40% standard in the Code. The property will meet the
19 parking standard required for approval with the existing two (2) car garage and wide driveway.
20

21 Staff recommends the Administrative Committee approve the Conditional Use Permit to allow
22 for an Accessory Dwelling Unit at 445 Spring Creek Drive subject to the following conditions:
23

- 24 1. The Owner(s) of the property must continually occupy the primary dwelling or the ADU.
- 25 2. The property is to be used only as a Single-Family residence and shall be subject to a Deed
26 Restriction.
- 27 3. There shall be no separate utility service connections.
- 28 4. The ADU shall meet all the standards in 14-14-124 of the City Land Use Code.
- 29 5. The Conditional Use Permit is solely for this property and is non-transferable.
30

31 The applicants stated the entrance for the ADU has a walkway leading on either side of the
32 home. Ms. Connelly noted there will be a basement closet for the ADU to use and a mechanical
33 room that is shared with the entire home.
34

35 Mr. Schlegel discussed the included closet measurements would raise the total used space for
36 the unit to 39.89% which is still under the 40% standard in the Code.
37

38 Chairman Astorga opened and closed the **PUBLIC HEARING** at 5:19 p.m. without any public
39 comment.
40

41 Mr. Clawson made a motion to approve a Conditional Use Permit for an Accessory Dwelling
42 Unit (ADU) located at 445 Spring Creek Dr as written. Mr. Schlegel seconded the motion.
43 Voting was 3-0 with Committee Members Astorga, Clawson and Schlegel voted aye.
44

45 Mr. Clawson made a motion to approve the Conditional Use Permit **in written form** for an
46 Accessory Dwelling Unit (ADU) located at 445 Spring Creek Dr. Mr. Schlegel seconded the
47 motion. Voting was 3-0 with Committee Members Astorga, Clawson and Schlegel voted aye.
48

1 **5. Miscellaneous business and scheduling.**

2 **a. Accessory Dwelling Unit (ADU) Discussion**

3
4 Chairman Astorga introduced to the Committee a proposal with amendments to the ADU Code
5 and definition. Mr. Astorga mentioned that this is only a discussion today's meeting and a
6 courtesy for the Committee.

7
8 Mr. Astorga mentioned amendments regarding the current definition as it is lengthy, some
9 parts unnecessary, and provides conflict with the number of occupants based on the current
10 definition of "family". The current Code does not provide a parking ratio to an ADU, but
11 simply mimics the standard for a single-family dwelling, consisting of four (4) parking spaces,
12 while mentioning an intent to rely on adequate parking based on actual ADU occupant
13 vehicle(s). Due to the flexible nature of vehicle ownership, Staff recommends quantifying a
14 ratio typical to standard parking practice. Staff also proposes to limit ADUs to a maximum of
15 two (2) bedrooms and in no case be more than one thousand (1,000) square feet to mitigate the
16 impacts of parking, as well as effects of moderate-income housing, as there is a correlation
17 between dwelling unit size and affordability.

18
19 Staff and the Administrative Committee have expressed concerns as how to allocate unique
20 spaces in relationship to the 40% maximum restriction of the total floor area square footage of
21 the primary structure. Staff proposes to provide a more concise standard in what counts
22 towards the ADU versus the principal unit. The proposed amendment to the definition also
23 assists in this regard as the simpler definition focuses more on the self-contained component.
24 Staff and the Administrative Committee have struggled with proposals having a combined
25 entry, where the applicant makes their case that the entry/hallway/staircase counts for the
26 principal unit, although it is also used by ADU occupant(s). It is also proposed to create a
27 standard requiring a dedicated separate entrance for the ADU as the current Code has great
28 language that restricts the structure as being perceived as a Two-Family dwelling (duplex)
29 which would fortify the self-contained component found in the definition, and clear up which
30 areas count toward which unit.

31
32 Committee member Schlegel and Clawson agreed with the proposal. The Committee
33 recognized that compliance with the minimum bedroom size can be taken out as compliance
34 with the building is being required. Committee member Schlegel suggested better language
35 for the separate dedicated entrance and suggesting splitting the "vestibule entries" between the
36 principal and the accessory unit areas. Mr. Schlegel also indicated that he preferred that the
37 ADU needs to be placed behind the midpoint line of the principal dwelling instead of behind
38 the front building line as proposed by staff.

39
40 Chairman Astorga ascertained there were no further items of business. The meeting was
41 adjourned at 5:30 p.m.

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45 _____
46 Francisco Astorga
Administrative Committee Chair