

# BOUNTIFUL

MAYOR Kendalyn Harris

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

CITY MANAGER Gary R. Hill

## Bountiful City Ordinance No. 2024-09

## An ordinance amending the Bountiful City Zoning Map changing the zoning designation of 2acre parcels 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. Residential
- 2. Multi-family
- 3. 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**

- 1. Maximum building height to be measured on the front façade of the building side facing Orchard Drive and not exceed thirty-five (35) feet.
- 2. Maximum building height for the buildings near the rear property boundary, Building D and 1 (if expanded or replaced), are limited to two stories.

#### 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**

- 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.
- Carports for residential units are <u>not</u> 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 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 C and D)
- 2. MXD-R Building (Building A or B)
- 3. 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:

- Rezone Plan
- 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.

<u>Section 5.</u> 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.

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Kendalyn Harris, Mayor

ATTEST:

Jophia lard

Sophia Ward, City Recorder



#### 2122 South Orchard Drive

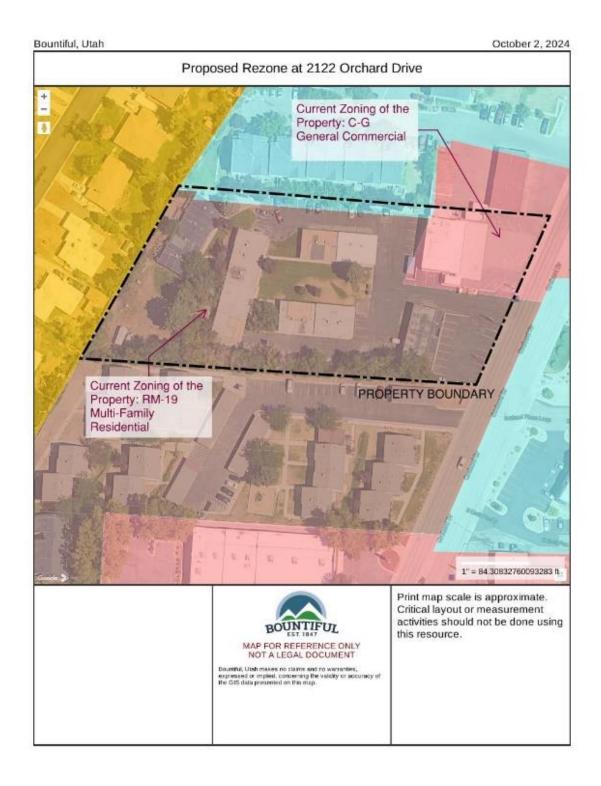
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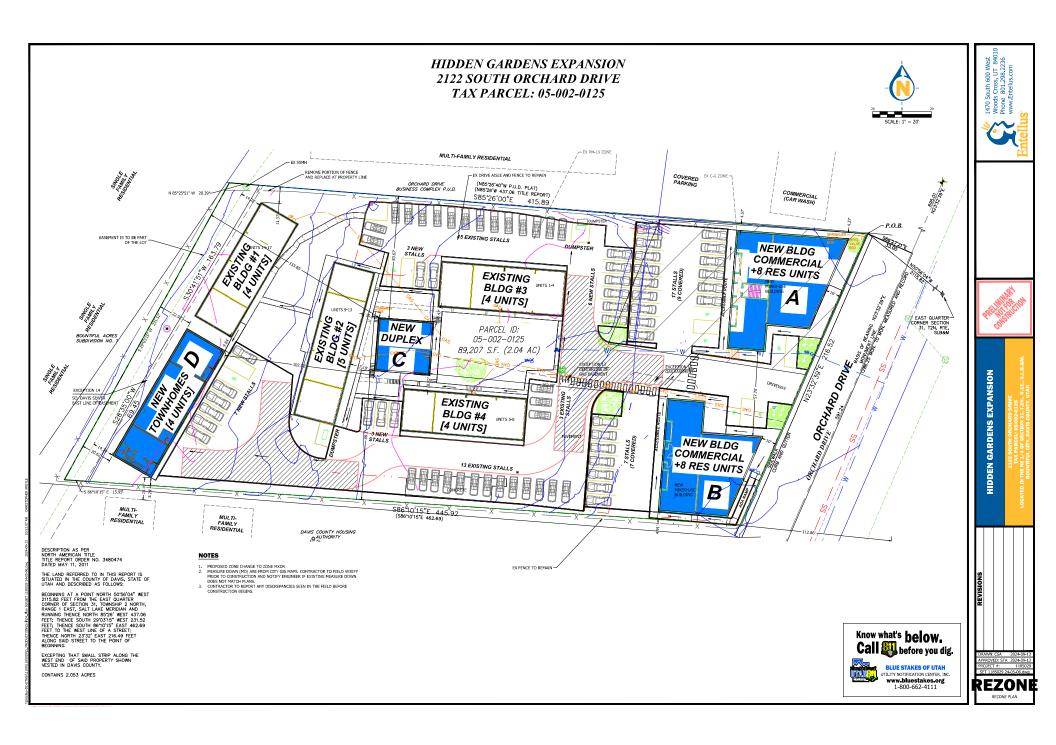
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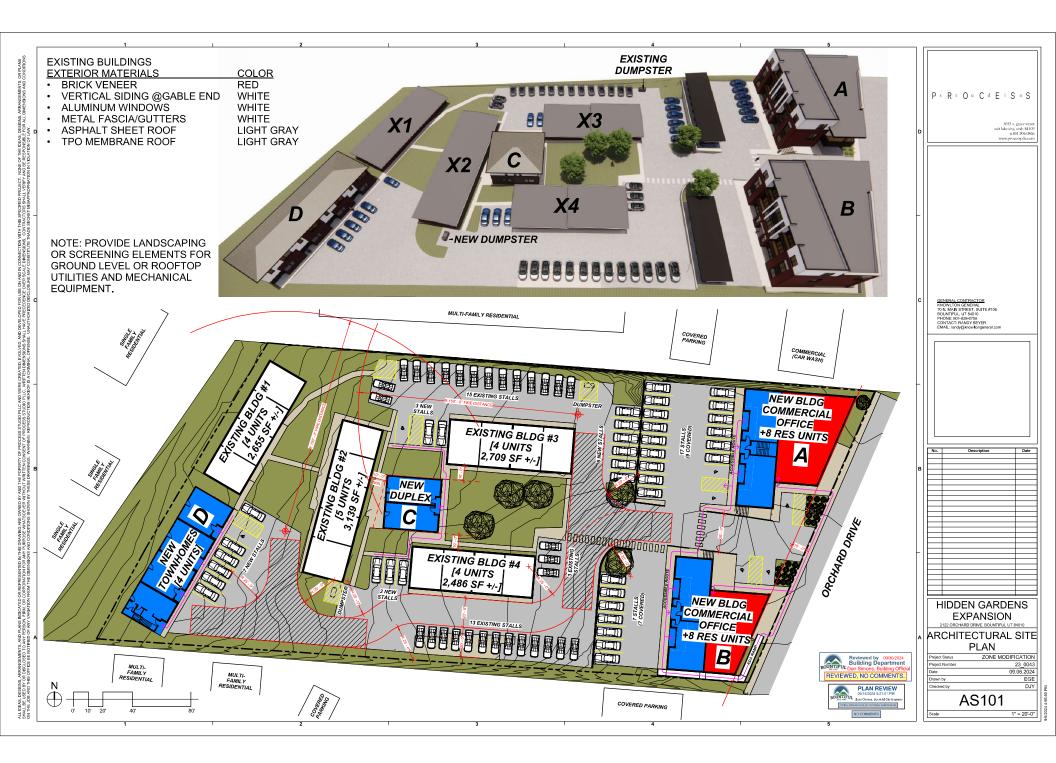
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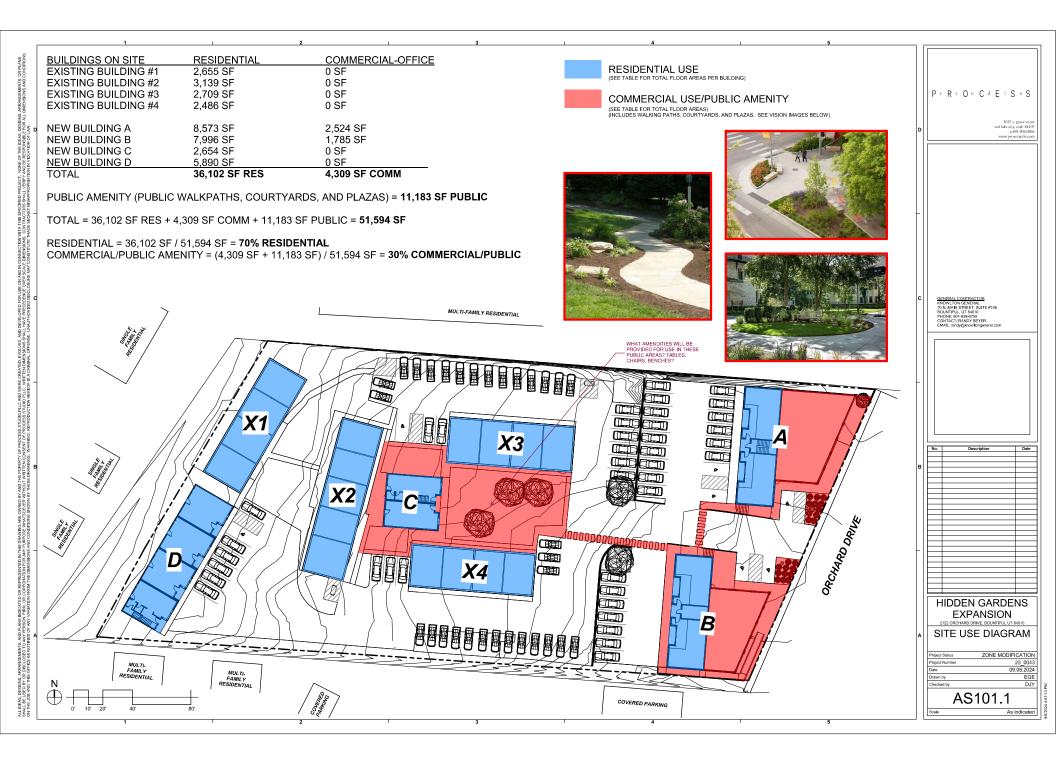
BEG AT A PT N 0^56' W 751.08 FT & N 89^07" W 1836.09 FT & N 23^32' E 590.02 FT & N 66^28' W 33 FT & N 85^26' W 437.06 FT FR SE COR OF NE 1/4 OF SEC 31-T2N-R1E, SLB&M; TH SW'LY 231.52 FT, M/L, TO S LINE OF MELBY PPTY; TH SE'LY A DIST WH IS 20 FT PERP TO SD FENCE LINE; TH NE'LY ALG A LINE PARALLEL TO &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

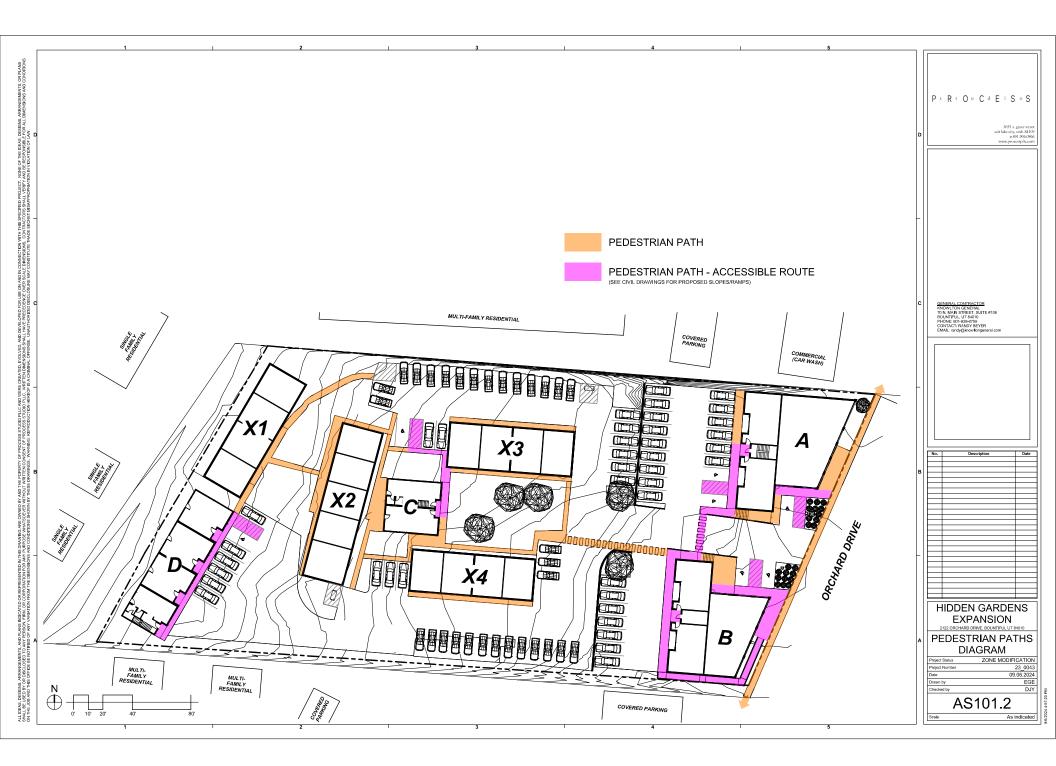
## **Zoning Amendment**













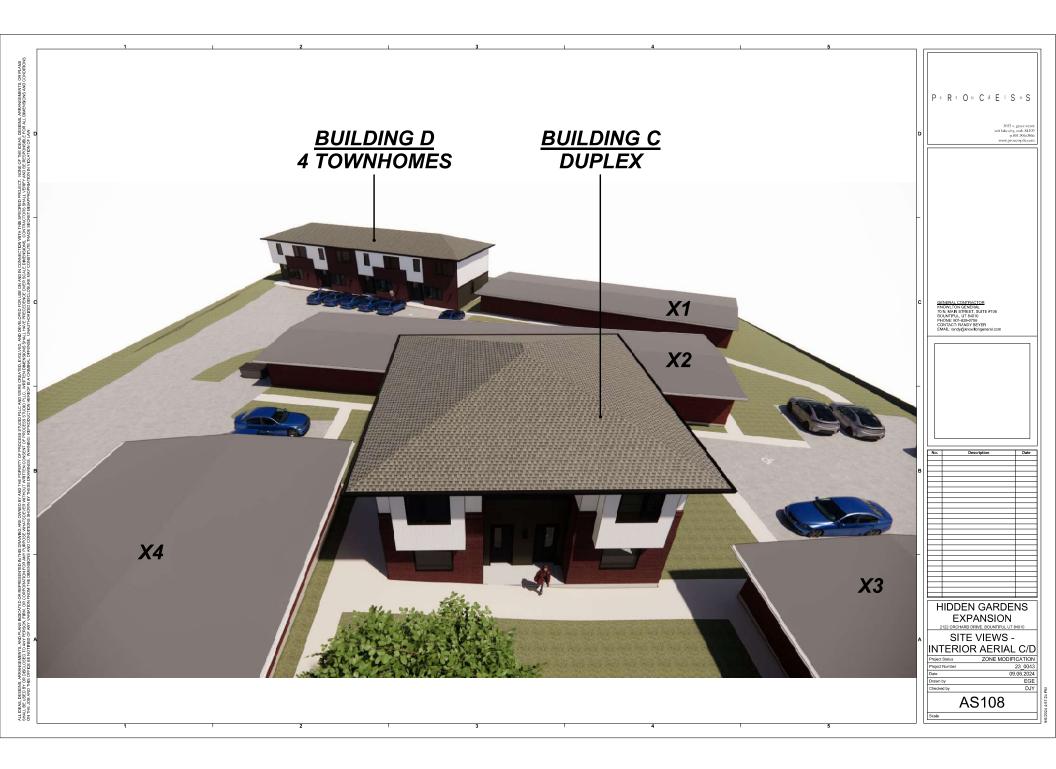




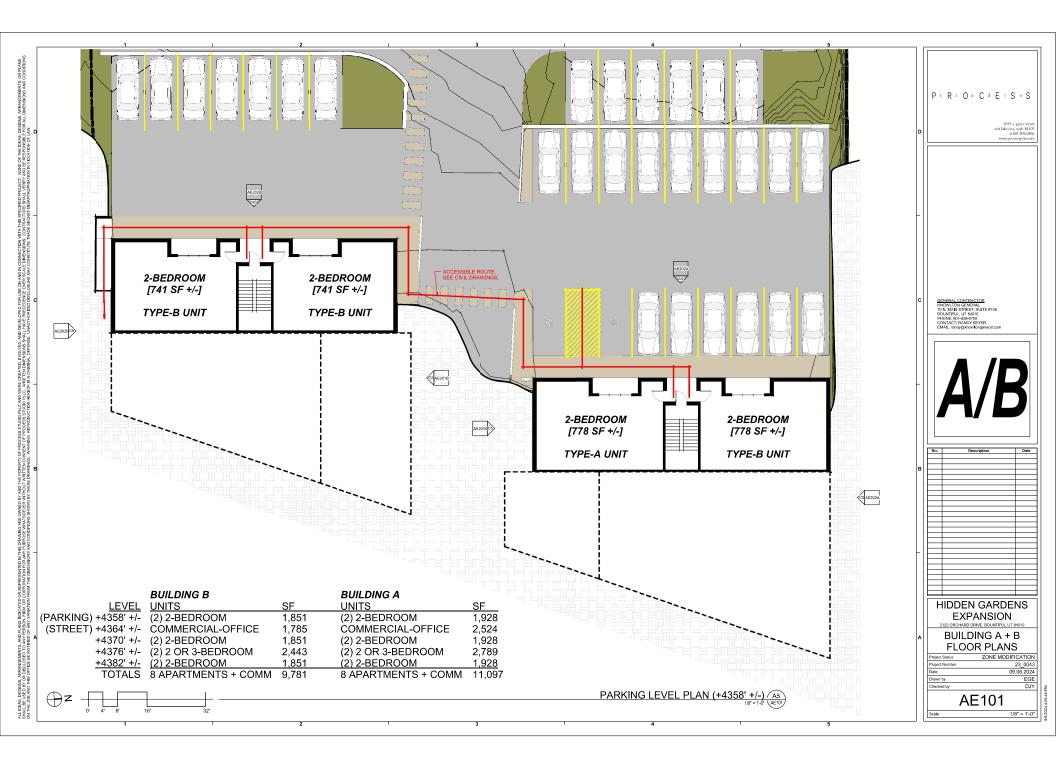


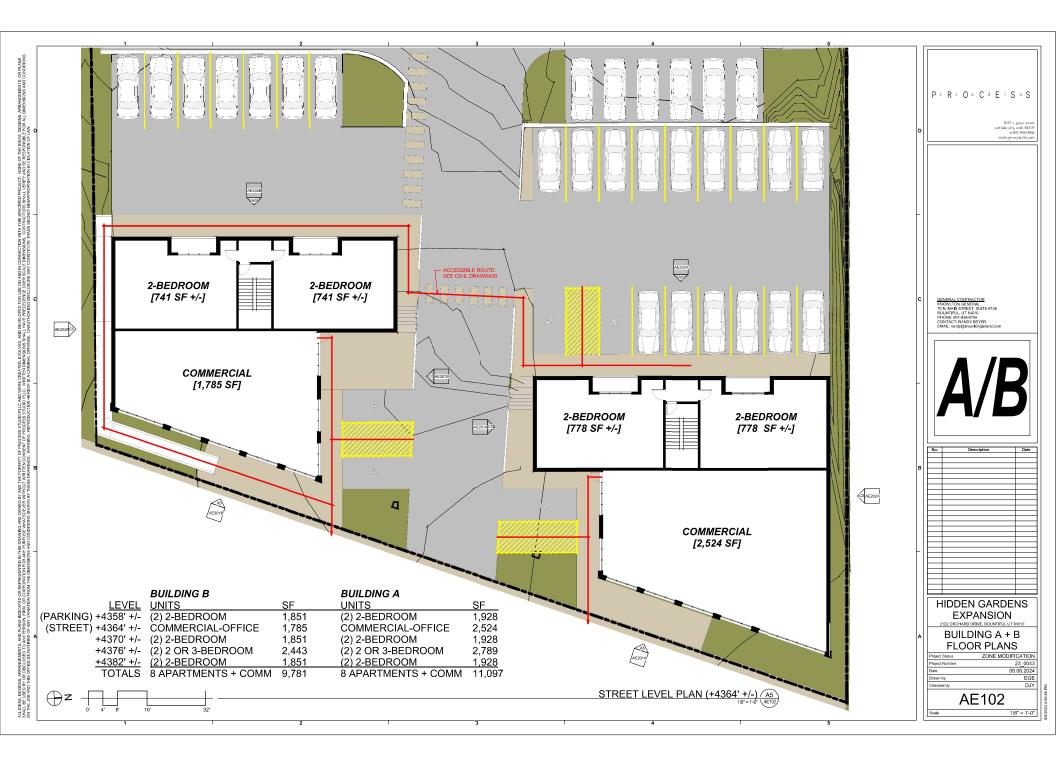


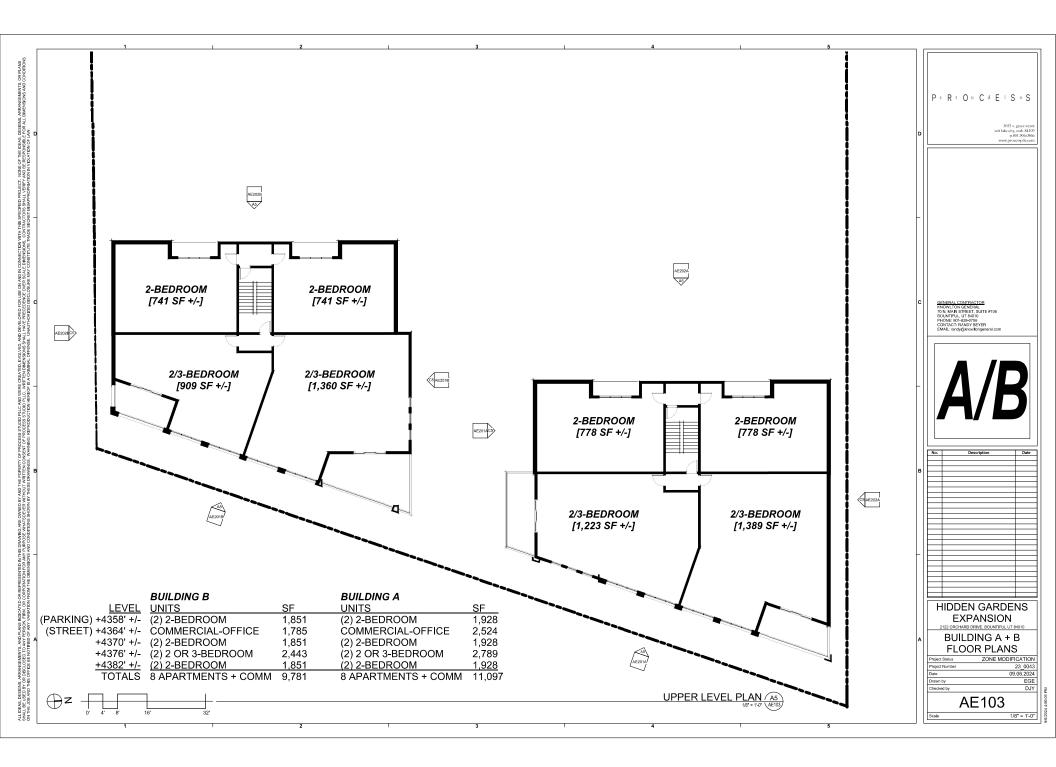


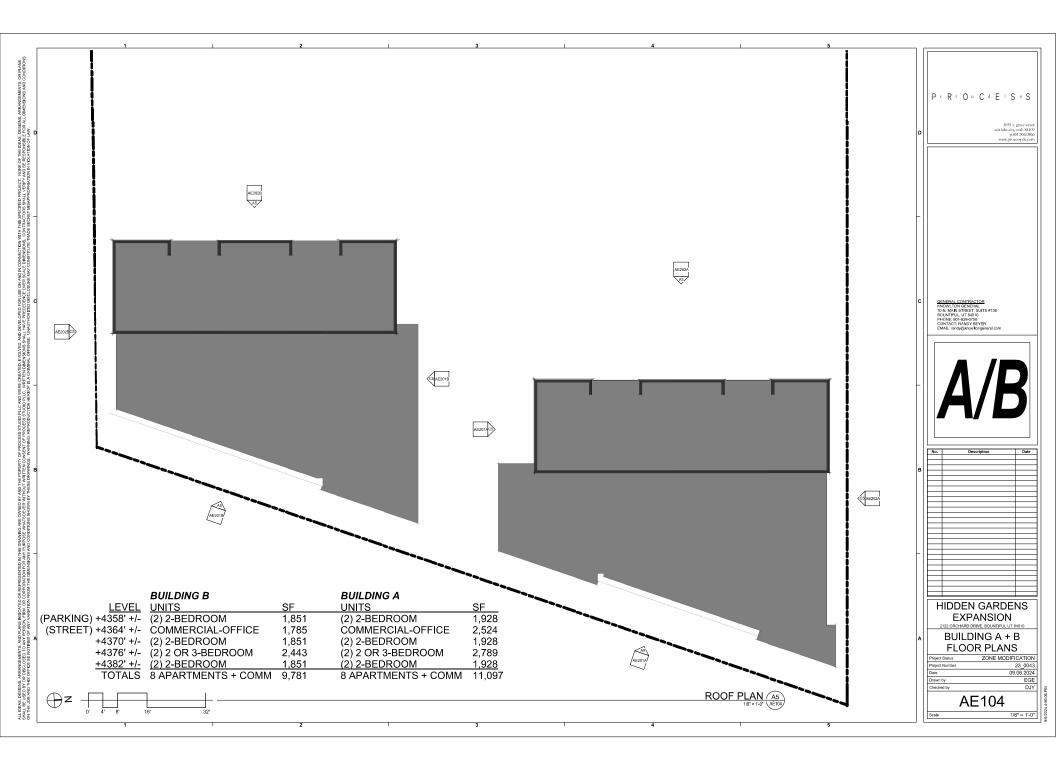




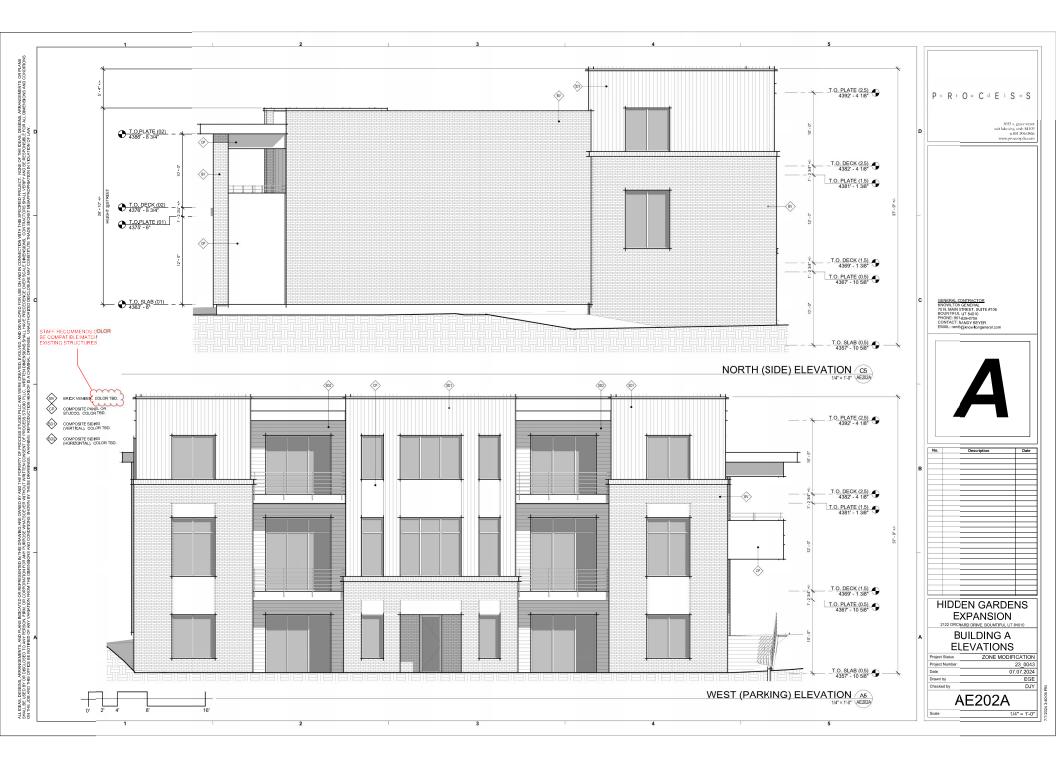


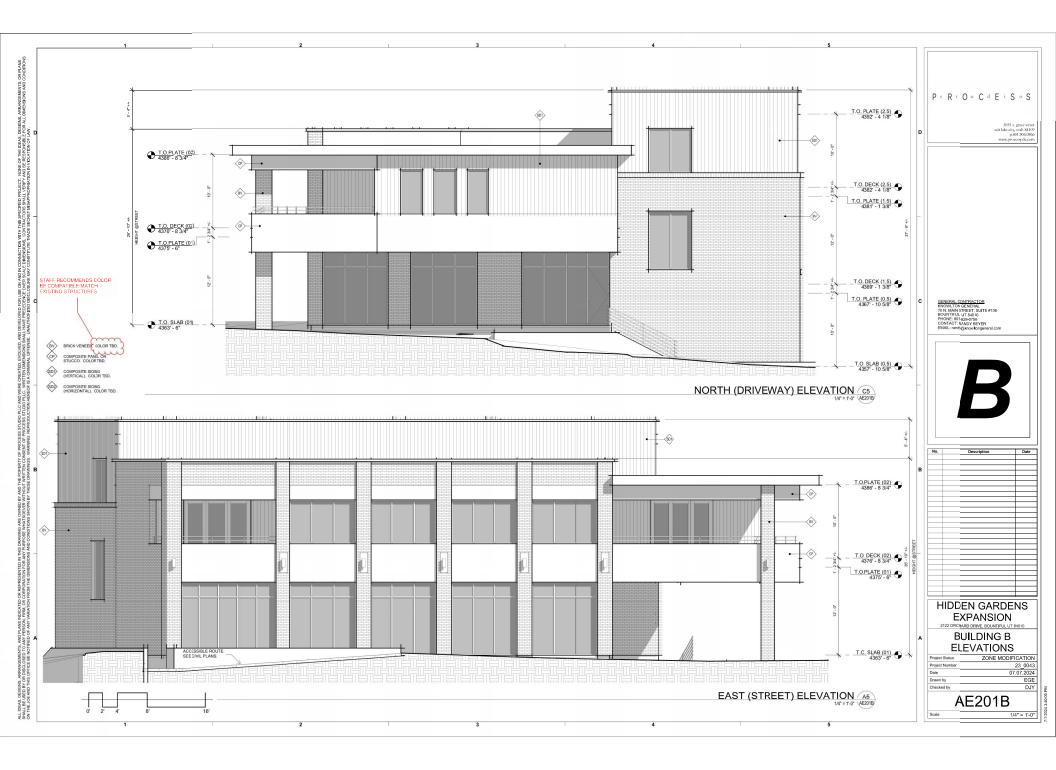






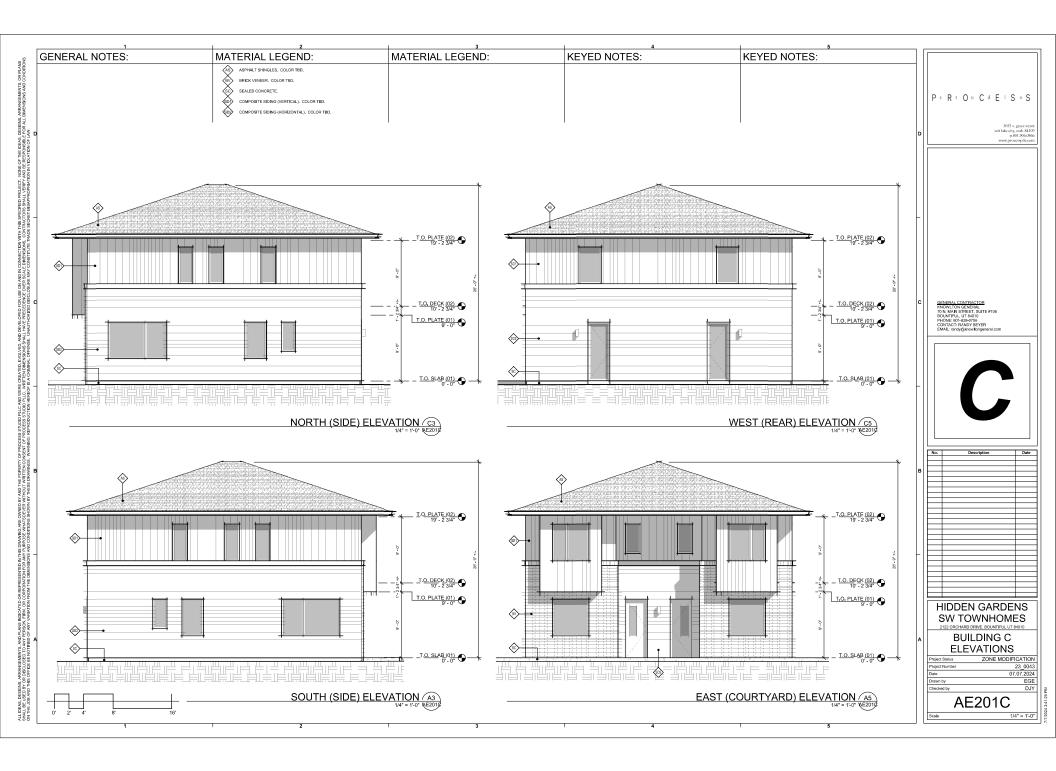




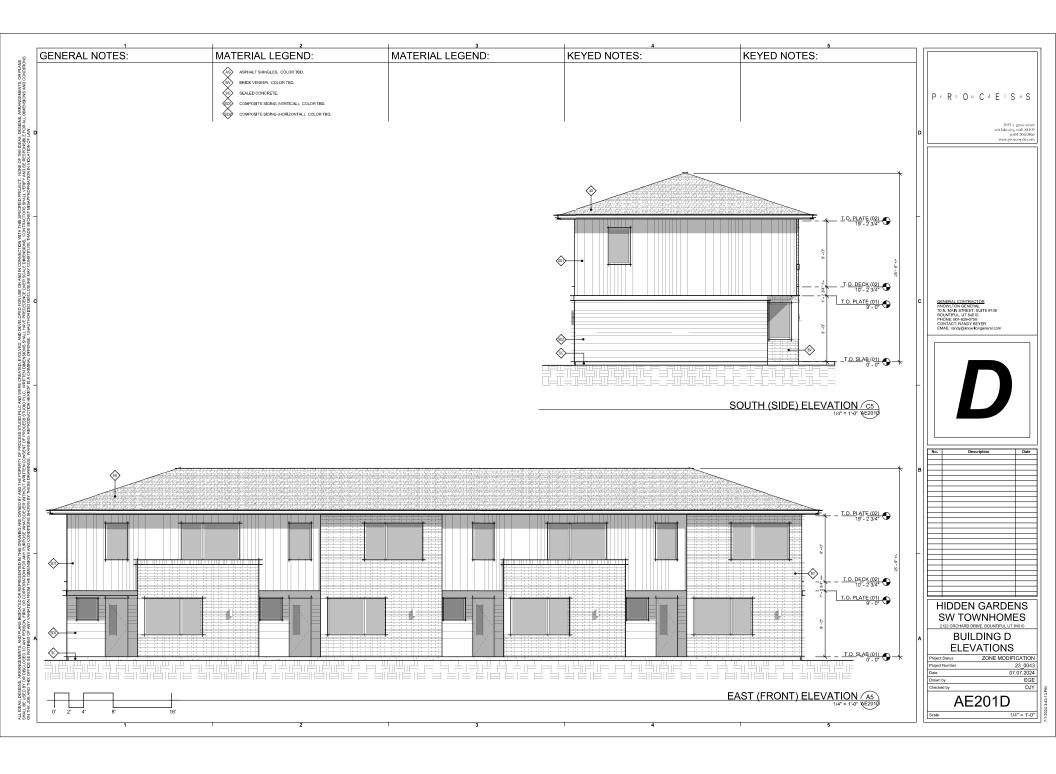


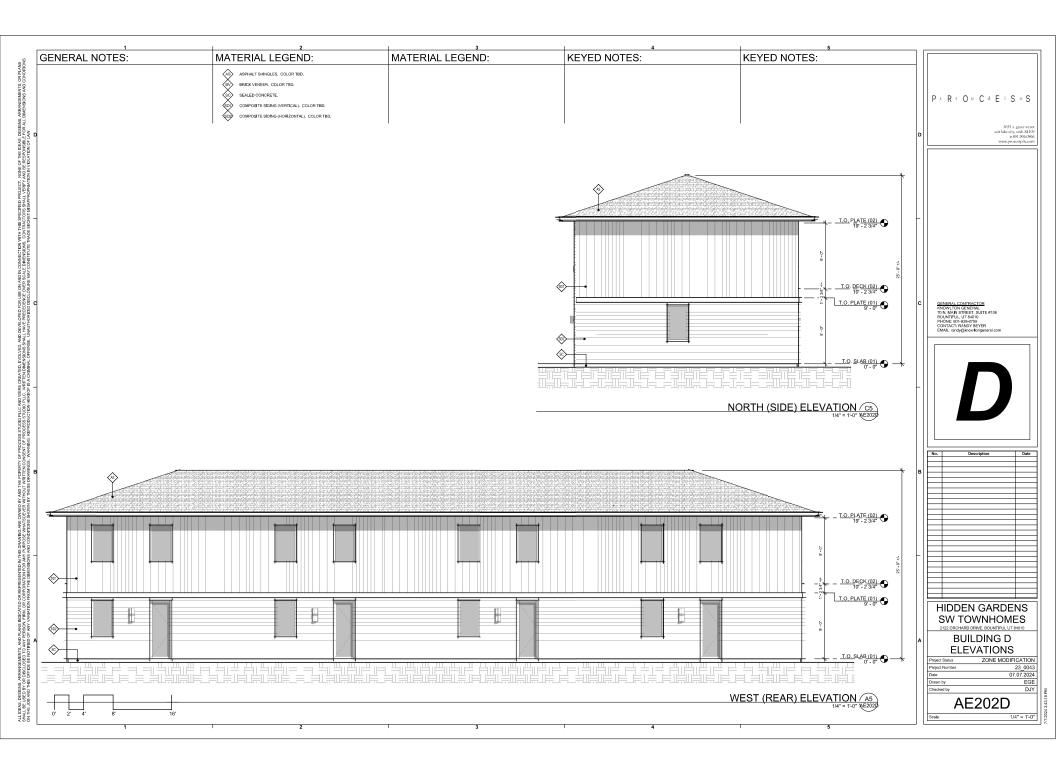


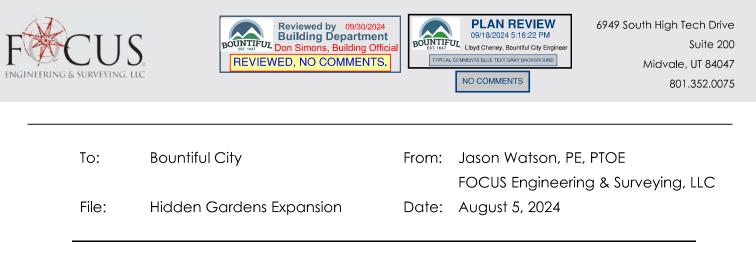












#### Reference: Hidden Gardens Apartments Expansion Parking Generation Statement

## INTRODUCTION

FOCUS Engineering and Surveying, LLC (FOCUS) has been retained to complete a Parking Generation Statement for the expansion of the Hidden Gardens Apartments located at 2122 Orchard Drive in Bountiful, Utah. The purpose of this Parking Generation Statement is to project the number of parking stalls that will be needed on the proposed site with the planned land uses. This statement will also compare the parking demand percentages between the residential land uses and the office land uses. This will help determine the peak time periods for parking on site and how the parking stalls can be shared between the two land uses.

The proposed development will maintain the existing access onto Orchard Drive. Exhibit 1 illustrates the vicinity map of the proposed project site.



#### Exhibit 1 – Project Vicinity Map



## **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

<u>Orchard Drive</u>: 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 onstreet 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.







## 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 5th 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.

ITE Land Use Code	Land Use Description	Size	Weekday 85th 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	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	*	*	*	*
	TOTAL					56		70

				-		
Table 1	– Parkina	Generation	for Hidden	Gardens A	Anartments	Expansion
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#### \* = 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.

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	58
5:00 a.m.	97%	33	94%	23	0%	0	56
6:00 a.m.	90%	31	83%	20	0%	0	51
7:00 a.m.	77%	26	71%	17	0%	0	43
8:00 a.m.	56%	19	61%	15	27%	5	39
9:00 a.m.	45%	15	55%	13	69%	12	40
10:00 a.m.	40%	14	54%	13	88%	16	43
11:00 a.m.	37%	13	53%	13	100%	18	44
12:00 p.m.	36%	12	50%	12	81%	15	39
1:00 p.m.	36%	12	49%	12	81%	15	39
2:00 p.m.	37%	13	49%	12	84%	15	40
3:00 p.m.	43%	15	50%	12	86%	15	42
4:00 p.m.	45%	15	58%	14	92%	17	46
5:00 p.m.	55%	19	64%	15	85%	15	49
6:00 p.m.	66%	22	67%	16	4%	1	39
7:00 p.m.	73%	25	70%	17	0%	0	42
8:00 p.m.	77%	26	76%	18	0%	0	44
9:00 p.m.	86%	29	83%	20	0%	0	49
10:00 p.m.	92%	31	90%	22	0%	0	53
11:00 p.m.	97%	33	93%	22	0%	0	55

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



6949 South High Tech Drive Suite 200 Midvale, UT 84047 801.352.0075

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 jwgtson@focusutah.com

