



BOUNTIFUL CITY
ADMINISTRATIVE COMMITTEE AGENDA
Monday, July 12, 2021
5:00 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Administrative Committee will hold a meeting in the Planning Commission Conference Room, Bountiful City Hall at 795 South Main Street, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at (801) 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome
2. Consider approval of minutes for June 28, 2021
3. Consider drafted approval in written form for a Conditional Use Permit for a Home Occupation Handyman approved on June 28, 2021, at 848 South 450 West– Silvestre Resendiz, applicant
 - a. Consider drafted approval in written form
4. Consider a Conditional Use Permit for a Home Occupation Landscape at 1310 North 250 West -Brian Ruesch, applicant
 - a. Review and Public Hearing
 - b. Action
 - c. Consider drafted approval in written form
5. Adjournment



MAYOR
RANDY C. LEWIS

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

CITY MANAGER
Gary R. Hill

DRAFT
Bountiful City, Utah
Conditional Use Permit Approval
of a Handyman Contractor Home Occupation Permit

A public hearing was held on June 28, 2021, at the Bountiful City Hall, located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of Silvestre Resendiz for a Conditional Use Permit allowing a Handyman Contractor Home Occupation at the following location:

848 South 450 West, Bountiful, Davis County, Utah

Parcel 03-035-0013

The Bountiful City Administrative Committee heard the matter and considered the statements of the applicant, the City staff, and the public. As a result, the Administrative Committee makes the following findings:

1. This matter is properly heard before the Administrative Committee.
2. Appropriate public notice has been provided and a public hearing held.
3. The proposed request for a Handyman Contractor Home Occupation shall meet all the criteria in Sections 14-17-105 & 14-17-108 of the Bountiful City Land Use Code, as conditioned.
4. The proposed request for a Handyman Contractor Home Occupation shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for a Handyman Contractor Home Occupation as requested by Silvestre Resendiz, to be located at 848 South 450 West, Bountiful, Davis County, Utah, with the following conditions:

1. The applicant shall maintain an active Bountiful City Business License.
2. The Home Occupation shall not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
4. The use shall comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.

6. The Conditional Use Permit is solely for this site and in non-transferable.

The Conditional Use Permit for a Handyman Contractor Home Occupation and this written form were approved on July 12, 2021.

Francisco Astorga
Administrative Committee Chair

ATTEST: Jacinda Shupe
Recording Secretary

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Tree Service Home Occupation at 1310 North 250 West.
Authors: Kendal Black, City Planner
Date: July 12, 2021

Background

The applicant, Brian Ruesch, submitted a Conditional Use Permit (CUP) for a Tree Service Yardcare Home Occupation located at 1310 North 250 West. The property is located within the R-4 Single-Family Residential Zone.

Analysis

The applicant operates a tree service business and there are no other employees. The applicant proposes to utilize one (1) personal truck and trailer to be used for the business which is to be parked on the driveway of the property. The proposal indicates that there will be no portion of the single-family dwelling that will be used in connection with the business, which is within the standards required by the Land Use Code. The applicant indicates that associated tools are to be stored in the garage of the single-family dwelling.

Recommendation

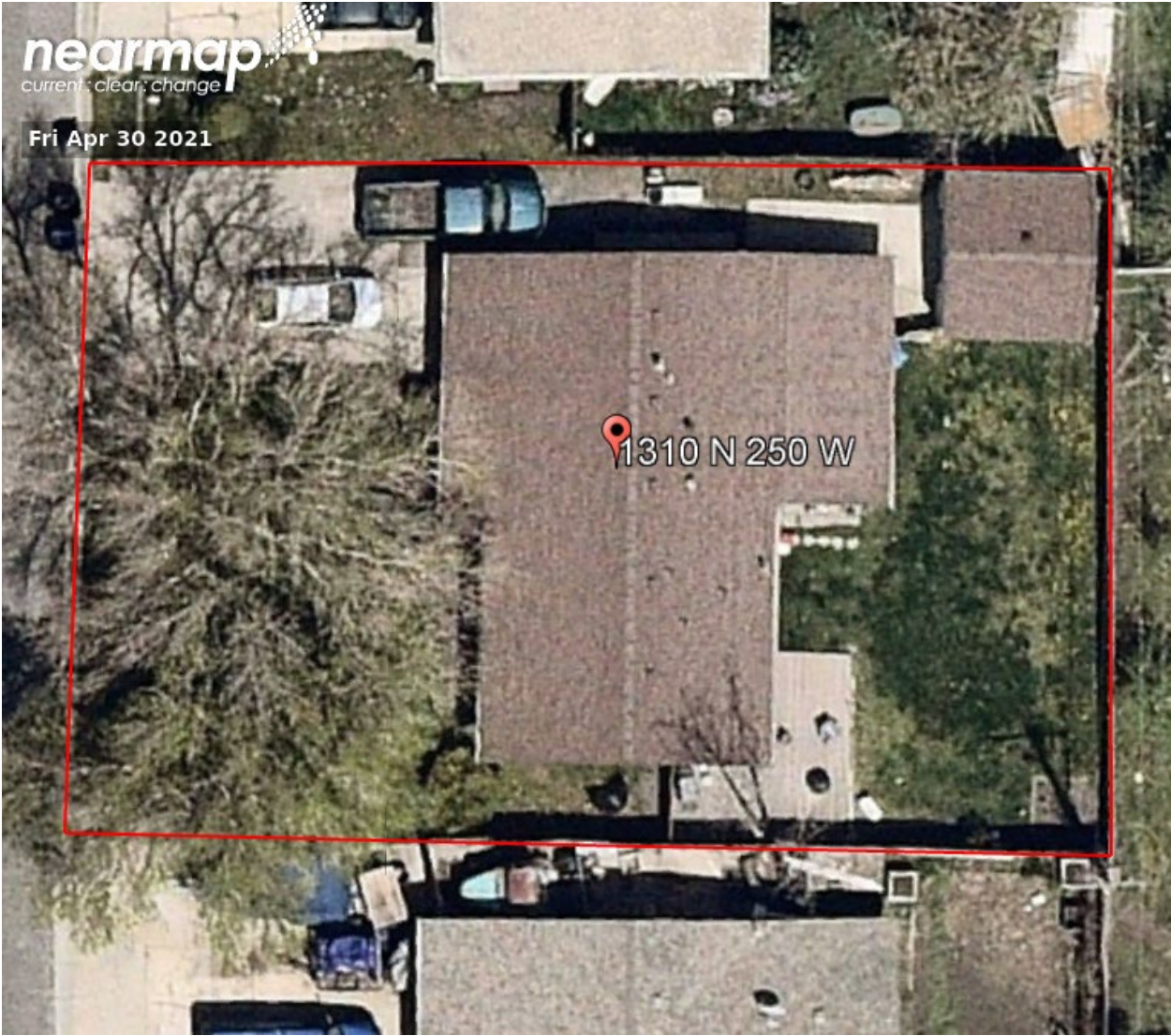
Staff recommends the Administrative Committee hold a public hearing and consider approving the requested Conditional Use Permit for a Tree Service Yardcare Home Occupation at 1310 North 250 West, subject to the following conditions:

1. The applicant shall maintain an active Bountiful City Business License.
2. The Home Occupation shall not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
4. The use shall comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.
6. The Conditional Use Permit is solely for this site and is non-transferable.

Attachments

1. Aerial Photo
2. Bountiful Land Use Code
3. Site Plan
4. Draft Notice of Approval

Attachment 1 - Aerial Photo



Attachment 2 – Bountiful City Land Use Code Section 14-17-105 & 14-17-108

14-17-105 HOME OCCUPATION REQUIREMENTS

A proposed home occupation use shall meet the following criteria to qualify for a Home Occupation Business License:

- A. The use shall be clearly incidental and secondary to the use of the dwelling and shall not change the appearance, character or condition thereof. There shall be no displays, advertisements, stock in trade, or signs related to the business except for: one (1) flat wall sign placed on the dwelling that shall not exceed four (4) square feet in size, and any sign required by State Law and/or which meet the provisions of this Title.*
- B. The use shall be conducted entirely within a dwelling, except for work performed offsite. Only members of the family related by blood, marriage, or adoption, and who reside in the dwelling, may work onsite. The only exception is that one (1) additional person may be employed as a secretary, apprentice, or assistant where there are no more than five (5) family members actively engaged in the home occupation. Employees who are not family members and/or who do not reside at the dwelling shall not meet, park, or otherwise congregate at the home or in the general vicinity. Additional outside employees are not allowed if there is more than one home occupation at the property.*
- C. The use shall not involve more than 50% of the entire dwelling.*
- D. The use shall not involve the area of required, covered, off-street parking.*
- E. No product or commodity shall be stored onsite, and no customer may physically visit the site of a home occupation to take delivery of a product or commodity. Commodities may be produced on the premises and sold offsite.*
- F. The use shall not create noise, dust, odors, noxious fumes, glare or other nuisances, including interruption of radio and/or television reception, which are discernable beyond the premises.*
- G. The use shall not involve using or storing flammable material, explosives, or other dangerous materials, including gun powder.*
- H. The use shall not involve mechanical or electrical apparatus, equipment, or tools not commonly associated with a residential use or as are customary to home crafts.*
- I. The use shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood nor involve the use of commercial vehicles other than standard delivery vehicles for delivery of materials to or from the premises.*
- J. The use shall not involve the parking of equipment or motor vehicles having a gross weight of twelve thousand (12,000) pounds or more directly at the residence.*

- K. *The use shall be in compliance with all applicable fire, building, plumbing, electrical and life safety and health codes of the State of Utah, Davis County, and the City of Bountiful.*
- L. *The residence and property may be inspected from time to time to determine continued compliance with the provisions of this Code and other applicable codes.*

[...]

14-17-108 HOME OCCUPATION CONDITIONAL USES

Home occupations in the following areas of work are conditional uses, and licenses may be issued for them only if a conditional use permit is granted following notice and a public hearing:

- A. *Lawn care and/or landscaping,*
- B. *Construction and/or contracting,*
- C. *Snow removal,*
- D. *Residential day care or group instruction facilities with more than eight (8) people,*
- E. *A home occupation office use may be allowed in a detached accessory structure in accordance with the following:*
 - 1. *The total office area, including a restroom and any storage space, shall not exceed three hundred (300) square feet.*
 - 2. *The office shall not be located in an area of required, covered, off-street parking.*
 - 3. *No part of the office space shall be utilized if the required, covered, off-street parking is being utilized for a purpose other than parking.*
 - 4. *The only retail activity allowed is that transacted electronically or by mail. Any retail activity involving the physical delivery of goods or persons to the property is expressly prohibited.*
 - 5. *A home occupation office in a detached accessory structure shall be deemed unlawful and shall not be occupied unless the owner has recorded a deed restriction on the property stating that the use of the property is for a single family dwelling, and that the office space shall only be used in accordance with the provisions of the Bountiful City Land Use Code as it may be amended from time to time.*

Attachment 3 – Site Plan





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Bountiful City, Utah
Conditional Use Permit Approval
of a Tree Service Home Occupation Permit

A public hearing was held on July 12, 2021, at the Bountiful City Hall, located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of Brian Ruesch for a Conditional Use Permit allowing a Tree Service/Yard Care Home Occupation at the following location:

1310 North 250 West, Bountiful, Davis County, Utah

Parcel 03-014-0026

The Bountiful City Administrative Committee heard the matter and considered the statements of the applicant, the City staff, and the public. As a result, the Administrative Committee makes the following findings:

1. This matter is properly heard before the Administrative Committee.
2. Appropriate public notice has been provided and a public hearing held.
3. The proposed request for a Tree Service/Yard Care Home Occupation shall meet all the criteria in Sections 14-17-105 & 14-17-108 of the Bountiful City Land Use Code, as conditioned.
4. The proposed request for a Tree Service/Yard Care Home Occupation shall meet all applicable sections of the City Code.

The Bountiful City Administrative Committee hereby grants this Conditional Use Permit for a Tree Service/Yard Care Home Occupation as requested by Brian Ruesch, to be located at 1310 North 250 West, Bountiful, Davis County, Utah, with the following conditions:

1. The applicant shall maintain an active Bountiful City Business License.
2. The Home Occupation shall not create nuisances discernible beyond the premises (e.g., dust, odors, noxious fumes, glare, traffic, outdoor storage, etc.).
3. Any storage of material in connection with the business shall be in accordance with standards of the Bountiful City Land Use Code.
4. The use shall comply with all the applicable fire, building, plumbing, electrical, life safety, and health codes in the State of Utah, Davis County and Bountiful City.
5. Any signage connected with the business shall meet the standards of the Sign Code and receive approval through a separate permit.
6. The Conditional Use Permit is solely for this site and is non-transferable.

The Conditional Use Permit for a Tree Service/Yard Care Home Occupation and this written form were approved on July 12, 2021.

Francisco Astorga
Administrative Committee Chair

ATTEST: Jacinda Shupe
Recording Secretary