



BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, May 18, 2021
6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, 795 South Main, 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@bountiful.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
2. Approval of the minutes for March 16, 2021.
3. Approval of the minutes for April 6, 2021.
4. Variance for driveway greater than 10% and fills over 10 feet for 1608 Ridge Point Dr, Eric Beard representing Patricia Cox, applicant.
 - a. Public Hearing
 - b. Action
5. Adjourn

Draft Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
March 16, 2021

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5 Present: Commission Chair Sean Monson
6 Commission Members Jesse Bell, Jim Clark, Lynn Jacobs (vice-chair), Sharon
7 Spratley, and Councilwoman Kendalyn Harris
8 City Attorney Clinton Drake
9 City Engineer Lloyd Cheney
10 Planning Director Francisco Astorga
11 City Planner Curtis Poole
12 Recording Secretary Darlene Baetz
13
14 Excused: Commission Member Sam Bawden
15

16
17 **1. Welcome.**

18
19 Chair Monson opened the meeting at 6:30 pm and welcomed all those present.
20

21 **2. Approval of the minutes for March 2, 2021**

22
23 MOTION: Commissioner Spratley made a motion to approve the minutes for March 2, 2021 as
24 written. Commissioner Bell seconded the motion.

25 VOTE: The motion passed unanimously (6-0).
26

27 **3. ROE Apartments – Site plan review for ROE Apartments located at 1350 South 200 West,**
28 **Hank Nelson, applicant – City Planner Curtis Poole**

29
30 Hank Nelson was present. City Planner Curtis Poole presented the item.
31

32 City Planner Poole indicated that the applicant requests a site plan approval to construct a two-family
33 (duplex) development. Except for a few properties, most properties in this neighborhood are multi-
34 family. Bountiful City code requires site plan review for all multi-family developments.
35

36 City Planner Poole indicated that the proposed plans met all setbacks and landscaping. The plans
37 show a two-story building at approximately twenty-six feet (26') and is a mix of cementitious siding
38 (Hardie Board) and stucco. Each of the units would be oriented toward 200 West.
39

40 Comments from Bountiful Power were made in a Development Review meeting of a utility pole
41 located inside the northwest corner of the property that would provide service to this development
42 and the existing apartments to the west and requested a ten-foot (10') wide rear yard easement and
43 five (5') side yard easement to be recorded at the County.
44

45 City Planner Poole recommended the Planning Commission forward a positive recommendation to
46 City Council with the following five (5) conditions outlined:
47

- 48 1. Complete all redline corrections.
- 49 2. Grant and record utility easements requested by Bountiful Light and Power.
- 50 3. Provide elevations and resolve any concerns regarding drainage to the satisfaction of the City
51 Engineer.

- 1 4. Pay fees and post an acceptable bond in the amount determined by the City Engineer.
- 2 5. Sign a Public Improvement Development Agreement.

3
4 Mr. Nelson thanked City Planner Poole for all his help with this project.

5
6 MOTION: Commissioner Spratley made a motion to forward a recommendation to City Council
7 Commission Jacobs seconded the motion.

8 VOTE: The motion passed unanimously (6-0).

9
10 **4. Continuation - Renaissance Towne Centre – Ordinance Amendment to the current adopted**
11 **Development Plan (Zoning Map Amendment), Bruce Broadhead, applicant - Planning Director**
12 **Francisco Astorga**

13 **a. Public Hearing**

14 **b. Action: Continue the item to the March 16, 2021 meeting, staff requested.**

15
16 Bruce Broadhead and Roy Barte, representing Renaissance Towne Centre were present. Planning
17 Director Francisco Astorga presented the item.

18
19 Planning Director Astorga stated this item was a request from the applicant to clarify and clean up
20 the current ordinance. This includes an increase of overall square footage, increase building height
21 of certain buildings, code language clarification, and to change the conceptual photographs/images
22 affecting potential architectural design. He presented a condensed table of proposed changes for the
23 development of this property noting that mixed-use does not necessarily mean a mandatory
24 commercial/retail component.

25
26 Planning Director Astorga indicated the following:

- 27 • Lot 1, 6 and 7 are already existing buildings.
- 28
- 29 • Lot 8 is currently approved as a commercial/office building at 2 stories with a maximum
30 height of 42'. Applicant requested an additional 14' in height. Staff recommended an increase
31 to 48' in height which would accommodate a 3-story building.
- 32
- 33 • Lot 9 is under construction and almost completed.
- 34
- 35 • Lot 10 is currently approved as a commercial/office building with a maximum of 60' in height.
36 Applicant requested an increase in height to 65'. Staff recommended no change in the
37 approved height.
- 38
- 39 • Lot 11 is currently approved as a residential/commercial/office building at 8 stories with a
40 maximum height of 110'. Applicant requested an increase in stories to 9 stories. Staff
41 recommended an increase to 9 stories with no change in height with a change in use from
42 office to non-residential mixed-use.
- 43
- 44 • Lot 13 is currently approved as a restaurant building with a maximum of 2 stories and a
45 maximum of 30' in height. Applicant requested an increase in stories to 4 stories and 56' in
46 height. Staff recommended an increase of maximum of 48' in height which would be able to
47 accommodate a 3-story building. Lot 13 had always been proposed to be developed as a

1 restaurant, however the use of restaurants does not fall in the general commercial code and
2 does not meet the ordinance.
3

- 4 • Lot 14 is currently approved as a residential building with a maximum of 5 stories and
5 maximum height of 65'. Application requested a maximum of 5 stories and an increase in
6 height of 70'. Staff recommended no change to the height maximum.
7
- 8 • Lot 15a and 15b are currently approved as a restaurant building with a maximum of 2 stories
9 and 32' in height. Applicant requested a maximum of 4 stories and 56'. Staff recommended
10 an increase in height of 48' which would be able to accommodate a 3-story building.
11
- 12 • Lot 16 is currently approved as a residential building with a maximum of 4 stories and a
13 maximum height of 45'. Applicant requested an increase in height of 56'. Staff recommended
14 no change to height maximum.
15
- 16 • Lot 17 and 18 – currently approved as a restaurant use with a maximum of 2 stories and a 30'
17 maximum in height. Applicant requested an increase in stories to 4 stories and a maximum
18 height of 56'. Staff recommended an increase of 48' in height which would accommodate a
19 3-story building.
20
- 21 • Lot 19 – currently approved as a residential building with a maximum of 2 stories and a
22 maximum of 42' height. Applicant requested an increase to 4 stories and a maximum of 56'
23 in height. Staff recommended an increase to 48' which would accommodate a 3-story
24 building.
25
- 26 • The proposed amendment does not affect the Design Standards or Pedestrian Circulation that
27 was approved in the 2019 Ordinance (Zoning Map Amendment and Development Plan).
28

29 Chair Monson opened and closed the public hearing at 7:26 p.m. without any comments.
30

31 Mr. Bartee stated that this ordinance amendment is a change to the general master plan for these
32 properties. The proposed current square footage will be able to meet the parking requirements and
33 currently exceeds the required parking requirements. The specific approvals and requirements for
34 each building including the parking would be approved as each lot is brought forward for approval
35 with Planning Commission and City Council.
36

37 Mr. Broadhead stated that the intent of the ordinance amendment is not to have major changes but
38 wanted to clarify their intentions for this project. The proposed changes are to be used to allow more
39 flexibility for development and the proposed uses and would like clarification for potential height and
40 number of stories.
41

42 Commissioner Spratley was concerned about the height restrictions and hesitant to approve any
43 changes. She had a concern for the residents that have a proximity for the residents parking spaces.
44 The Commission and Council put a lot of thought and care for the approvals at previous meetings.
45 She felt okay with the changes to the uses.
46

47 Commissioner Bell was also concerned about the height and the ability for a walkable community.

1 It is important to have a master plan and be able to share the vision of this project.

2
3 Planning Director Astorga met with a number of concerned citizens in the Planning offices to discuss
4 the proposed changes with them.

5
6 Chair Monson agreed to the changes in the uses but was concerned about the proposed height changes.

7
8 Commissioner Jacobs stated that he likes the project and the idea of the transit system at this location
9 but does not want to make a number of changes so fast. He discussed concern for pedestrian
10 walkways.

11
12 The Planning Commission and Planning Director Astorga did not feel that the changes of uses would
13 be detrimental to the project but felt that a minimum of 2 lots be approved for restaurants.

14
15 MOTION: Commissioner Spratley made a motion to forward a positive recommendation to City
16 Council to amend the requested uses as proposed, maintain the already approved height limits in feet
17 and remove stories/floors, and let building code prevail. Her motion also included that at least 2 pads
18 should be used as restaurants with a minimum of 14,200 square feet. City Council has the option to
19 revisit the issue of the walkability for the west side of the property.

20
21 Commissioner Clark seconded the motion.

22
23 Commissioners discussed the concern for the lack of sidewalk on the west side of the property. Mr.
24 Broadhead noted a portion of the west side of the property is not owned by him. Planning Director
25 Astorga noted the pedestrian walkways are not intended to be changed.

26
27 VOTE: The motion passed unanimously (6-0).

28
29 **5. Omnibus Land Use Code Text Amendment – City Planner Curtis Poole and Planning Director**
30 **Francisco Astorga.**

31
32 City Planner Curtis Poole presented the item. He indicated that the proposed omnibus amendment
33 covers various sections of the Land Use Code and is reviewed with Commission and Council on a
34 regular basis. These changes include accuracy and clarification to the existing code. City Planner
35 Poole indicated the following changes:

- 36
37 1. Building Height
38 Remove the text of two (2) stories in Single Family and Multi-family zone and leave the height
39 of the building at thirty-five (35) ft.
40 2. Non-conforming
41 Clarification to the non-complying and non-conforming language. A non-conforming site is to
42 be reduced and mitigate the use of the previous use. The removal of the references to definitions
43 that were not listed in the code.
44 3. Home occupation – Day Care
45 Correction to the language of the number of children.
46 4. Mixed -Use Zone
47 Clarification of open spaces or public space in the Mixed-use zone.
48 5. Mixed-Use Zone (Uses)

1 Clarification of the sub-zone designations.

2 6. Planning Commission Voting

3 Clarification of language for voting requirements must have a majority of the number of Planning
4 Commissioners attending the meeting.

5 7. Shipping Container

6 Clarification of the zone the containers are allowed and the regulations for the container.

7 8. Location of Street Trees

8 Additional language for the location of street trees.

9 9. Access Requirements

10 Additional item clarifying the removal and replacement of an abandoned existing driveway.

11 10. Site Plan Review Application Submittal

12 Clarification to the preliminary site plan review and the addition to include submittal of the
13 purpose and a survey to be required.

14
15 *Councilwoman Harris left meeting at 9:23 p.m.*

16
17 City Planner Poole recommended the Planning Commission forward a positive recommendation to
18 City Council.

19
20 Chair Monson opened and closed the public hearing at 9:30 p.m. without any comment.

21
22 Commissioner Bell discussed the approved street tree list. Planning Director Astorga suggested the
23 list should be reviewed to ensure the proper trees would be given as the standard for street trees. This
24 review would need to include individuals with expertise in landscaping and horticulture.

25
26 Commissioner Bell questioned how the shipping containers would apply to sheds and accessory
27 structures and did not feel like the proposed amendment provided language that would regulate how
28 these situations would be addressed. City Planner Poole explained this amendment has come from
29 many requests from residents to build with shipping containers, which may reduce the cost of building
30 a new home and suggested the Commission remove item 7 and have staff come back later with
31 language to address the concern.

32
33 MOTION: Commissioner Spratley made a motion to forward a positive recommendation to City
34 Council for all items excluding item seven (7). Commissioner Jacobs seconded the motion.

35 VOTE: The motion passed unanimously (5-0).

36
37 MOTION: Commissioner Bell made a motion to adjourn. Chair Monson seconded the motion.

38 VOTE: The motion passed unanimously (5-0).

39
40 The meeting was adjourned at 8:48 p.m.

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Sean Monson
Planning Commission Chair

Draft Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
April 6, 2021

Present:	Commission Chair	Sean Monson
	Commission Members	Sam Bawden, Jesse Bell, Jim Clark, Lynn Jacobs (vice-chair), Sharon Spratley, and Councilwoman Kendalyn Harris
	City Attorney	Clinton Drake
	City Engineer	Lloyd Cheney
	Planning Director	Francisco Astorga
	City Planner	Curtis Poole
	Recording Secretary	Darlene Baetz

1. Welcome.

Chair Monson opened the meeting at 6:30 pm and welcomed all those present.

2. Minutes for March 16, 2021 to be approved at next meeting.

MOTION: Commissioner Spratley made a motion to approve the minutes for March 2, 2021 as written. Commissioner Bell seconded the motion.

VOTE: The motion passed unanimously (7-0).

3. Conditional Use Permit for a vehicle service business for Take 5 located at 293 West 500 South, Charles Openshaw, owner - City Planner Curtis Poole

Item 3 was presented along with item 4.

4. Amended site plan review for Take 5 located at 293 West 500 South, Charles Openshaw, owner - City Planner Curtis Poole

Charles Openshaw was not present. City Planner Curtis Poole presented the items 3 and 4 together.

City Planner Poole indicated that the applicant requests a conditional use permit for a vehicle service business, the proposed project includes the Barbacoa building to be demolished, and the new building is to be located within the 5th South Plaza. City Planner Poole stated the Commission reviewed this item and noted there was problems with the landscaping during the February 16, 2021 meeting and voted to continue the item and directed staff to review the code to ensure that it would provide flexibility for non-conforming projects. City Planner Poole reported that the City Council on March 23, 2021 approved an ordinance which amended the regulations of an existing noncompliant structures/sites and nonconforming uses.

City Planner Poole identified four (4) different non-conformities currently on the property: landscaping, drive aisle, ADA parking stalls, and number of parking stalls. City Planner Poole discussed the following [FA1]components:

1. Setbacks – there are no current setback nonconformities on the site and the proposed structure complies with the Code.

2. Height restrictions – there are no current height nonconformities on the site and the proposed structure complies the Code.
3. Aesthetics – the proposed application improves the aesthetics of the site by demolishing an old, dilapidated building and providing a new structure that uses building materials that are consistent with the adjacent properties and neighborhood.
4. Landscaping – the proposal does not meet the requirement of fifteen percent (15%); however, the Applicant proposes a 1.5% increase in landscaping and an addition of trees on the site.
5. Parking – the proposal decreases the nonconformity in both parking (adding 5 stalls) and provides ADA compliant stalls. The proposal also includes a change in the parking layout from angled parking to 90-degree parking which would improve circulation. Although the Applicant does not meet the current 215 parking stall requirement under the Code, it does propose 114 stalls, which is an increase of five (5) stalls for the site. Additionally, section 14-18-104, E of the Code authorizes the Land Use Authority to reduce the parking requirement based upon mixed-use or staggered parking intensities. The Applicant provided a parking study that states the proposed number of 114 stalls exceeds the necessary amount of parking stalls for the site as the study found a peak parking demand of ninety-one (91) vehicles.
6. Traffic and pedestrian circulation – the proposed traffic circulation would be a substantial improvement because it removes one of the small inefficient drive approaches, eliminates the current one-way traffic flow, eliminates a nonconforming drive aisle, and provides better ingress/egress to 500 South. Additionally, the Applicant has suggested a willingness to provide an easement to the City to the south of the existing building that would provide pedestrian access from 200 West to a park that will be built at the old Washington Elementary School site.

City Planner Poole indicated that the proposed plans for this site will eliminate 2 of the 4 non-conformities, the ADA parking and the drive aisle east of Barbacoa. The parking does not meet City requirements; however, the applicant has submitted a parking study showing they will meet the peak parking demand as permitted by code. The landscaping will be non-conforming but will be improved.

City Attorney Clint Drake stated Mr. Openshaw had read the staff report and agreed to all conditions imposed but had a concern for the easement and possible liability to him. City Attorney Drake discussed the City's opportunity for a pedestrian walkway to access the new park at Washington Elementary School property and that the City has not yet committed to the walkway and if this would move forward an agreement would be drafted for the easement.

The Commission discussed the current parking issues, future new business parking needs and requirements for a new parking study. City Planner Poole stated that a parking analysis will be required which may require an additional parking study when new businesses arrive to this property.

City Planner Poole recommended the Planning Commission approve the conditional use permit request for a vehicle services use with the following conditions outlined:

1. Prior to applying for a building permit the Applicant shall:
 - a. Show plans to add one (1) street tree between the two (2) proposed drive accesses on 500 South.
 - b. Add shrubs or additional plant material to the landscape buffer between 5th South Plaza and the Panda Express property.

MOTION: Commissioner Jacobs made a motion to approve the Conditional Use Permit with the

1 conditions outlined by staff. Commissioner Bawden seconded the motion.
2

3 VOTE: The motion passed unanimously (7-0).
4

5 MOTION: Commissioner Spratley made a motion to approve the Conditional Use Permit in written
6 form. Commissioner Jacobs seconded the motion.
7

8 VOTE: The motion passed unanimously (7-0).
9

10 City Planner Poole recommended the Planning Commission forward a positive recommendation to
11 the City Council for the amended site plan, including the parking reduction, with the following
12 conditions outlined:
13

- 14 1. Complete all redline correction.
- 15 2. Coordinate final easement location with Bountiful Light and Power.
- 16 3. Dumpster enclosure shall match the building material of the proposed Take 5 Oil Change
17 building.
- 18 4. Receive construction permits and approvals from UDOT prior to applying for a building permit.
- 19 5. Pay fees and post an acceptable bond in the amount determined by the City Engineer.
- 20 6. Provide an easement along the south of the existing building for public access to/from the future
21 park to be built at the Washington Elementary School site.
- 22 7. Sign a Public Improvement Development Agreement.
- 23 8. A new parking analysis shall be conducted, which may include an updated parking study, when
24 uses change within the development before a business license is issued.
25

26 MOTION: Commissioner Jacobs made a motion to forward a positive recommendation to City
27 Council with the seven (7) conditions outlined by staff and the addition of condition 8 recommended
28 by Commissioners. Commissioner Bawden seconded the motion.
29

30 VOTE: The motion passed unanimously (7-0).
31

32 **5. Variance for 30% slope and retaining walls greater than 10' for 873 E Highland Oaks, Allen**
33 **Clemons, applicant - *City Planner Curtis Poole***
34

35 Allen Clemons was present and is purchasing the property and represents the current property owner
36 who is out of the country. City Planner Curtis Poole presented the item.
37

38 In 1994, the Highland Oaks Subdivision was approved with three lots 105, 106, and 107 and Lot 211
39 in Plat B. Some of the lots had homes built on them with all lots being affected by an easement that
40 runs thru them. In 2019, the property to the east was granted a variance and Mr. Clemmons is asking
41 for a similar variance for 30% slopes and retaining walls greater than 10 feet. The home will fit
42 between the easement and Highland Oaks Drive and plans have pushed the home closer to the street
43 which is permitted by code. Instead of 25 feet back they are a little over 20 feet from the property
44 line which allows them to build in the only portion of the property that is less than 30% slopes. The
45 property owner is out of the country and Mr. Clemmons is under purchase contract, but the sale has
46 not gone thru yet. Condition 4 stated that this would be contingent on the purchase going thru and if
47 the purchase doesn't go thru then the future owner would need to go thru a new approval process.
48 There is also a condition that the applicant revise the driveway of the lower garage to meet the

1 standards of the code. The applicant had submitted plans prior to the meeting but the condition was
2 to remain until staff can approve the plans.
3

4 City Planner Poole recommended the Planning Commission approve the variance for 30% slope and
5 retaining walls greater than 10' with the conditions outlined:
6

- 7 1. The Applicant will continue to work with City Staff to ensure the final plans submitted for the
8 residence and retaining walls will have a reasonable impact on slopes greater than thirty percent
9 (30%).
- 10 2. The Applicant shall obtain a separate permit for retaining walls taller than four feet (4') in
11 addition to a obtaining a building permit.
- 12 3. Revise the driveway to the lower garage to meet the standards of 14-4-115 (C).
- 13 4. Subject to the Applicant finalizing the purchase of the property.
14

15 He noted that the Planning office received an email from a neighbor who was opposed to the building
16 of this project. He stated a concern for the retaining wall that the views would be obscured and did
17 not fit within the CC&Rs for the subdivision. There is no longer an HOA for this area. As far as the
18 City is concerned, the applicant is building the home to the required standards and does not enforce
19 any CC&R.
20

21 Chair Monson opened the public hearing at 7:13 p.m.
22

23 Dave Bennion, 940 Highland Oaks Drive, stated that he was not opposed to the construction but is
24 concerned about the look of the retaining walls and asked for clarification about the project being
25 built to code but a variance approval is needed. Chair Monson stated a variance is needed in this area
26 for retaining wall heights and slopes exceeding 30%.
27

28 Allen Clemons stated that he reached out to homeowners on an old HOA and CC&R list and did not
29 receive any response and believes that the HOA has not been functioning since 2002. He discussed
30 the height of the house will step down and the first floor will be below street level. The large retaining
31 wall will need to be engineered and the smaller retaining walls will not but will use boulders for the
32 wall.
33

34 MOTION: Commissioner Spratley made a motion to grant the variance with the four (4) conditions
35 outlined by staff. Commissioner Harris seconded the motion.
36

37 VOTE: The motion passed unanimously (7-0).
38

39 MOTION: Commissioner Jacobs made a motion to approve the Findings of Fact with one correction
40 to the number of members who voted. Commissioner Bawden seconded the motion.
41

42 VOTE: The motion passed unanimously (7-0).
43

44 Planning Director Francisco Astorga mentioned that there will be required Planning Commission
45 training to be announced. He also stated general parking updates had not been scheduled for any of
46 the 2021 Planning Commission meeting and only preliminary work has been started for residential.
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Councilwoman Harris recognized the hard work the Bountiful City Planning Commission does. She spoke about how qualified this Planning Commission is and how their thoroughness with agenda items helps the City Council to make their final decision.

The meeting was adjourned at 7:33 p.m.

Sean Monson
Planning Commission Chair

DRAFT

Planning Commission Staff Report

Item: PUBLIC HEARING – Request for a variance to allow for construction on slopes thirty percent (30%) or greater, reverse driveway slope greater than seven percent (7%) and cuts and fills greater than ten feet (10').

Address: 1608 South Ridge Point Drive

Author: Curtis Poole, City Planner

Date: May 18, 2021



Background

The Applicant, Eric Beard on behalf of Patricia Cox, has requested a variance to allow for construction on slopes thirty percent (30%) or greater (Section 14-4-104, A), a reverse driveway slope greater than seven percent (7%) (Section 14-4-115, C, 2) and cuts and fills greater than ten feet (10') (Section 14-4-117, D, 4). The property is located at 1608 South Ridge Point Drive, which is in the R-F (Residential Foothill) Subzone. The requested variance would allow for construction of a new single-family dwelling.

Section 14-2-111 designates the Administrative Committee to be the review body for variance requests within the R-F Subzone related to construction on slopes thirty percent (30%) or greater and cuts and fills greater than ten feet (10'). Reverse driveway slopes greater than seven percent (7%) are required to be reviewed by the Planning Commission. Section 14-2-104 (D) authorizes the Chairman of the Administrative Committee to assign any item designated for Administrative Committee review to the Planning Commission, in which case the Planning Commission acts under the same authority granted to the Administrative Committee.

Analysis

In 1992 the Stone Ridge Subdivision Plat B was approved. The Applicant's property at 1608 South Ridge Point Drive, or Lot 206, was part of the approved subdivision. Lot 206 was approved as a double frontage lot between Ridge Point Drive and Stone Ridge Drive. The property has natural drainage channel running east to west near the center of the property. The channel is currently blocked off by the construction of Stone Ridge Drive, creating a retention basin. The land use code which defines parameters for building in the R-F Subzone was updated in 2006 and since that time variances have been used as the way for properties in the R-F Subzone to develop. Approvals for building in the foothills prior to 2006 were done through site plan review, not a variance to the Code. The Planning Commission recently granted similar variances to build single-family dwellings in this neighborhood at 1679 South Ridge Point Drive and 1874 South Ridge Point Drive, respectively.

The Applicant has submitted a building permit for a new home to be built on the lot. The site plan indicates the home would be built on a less steep portion of the property;

however, a long driveway would be required to access this portion of the property. Plans show the home will be oriented to face Ridge Point Drive requiring a reverse driveway. A reverse driveway would also be required if the home were to be accessed from Stone Ridge Drive because of the fill used to bridge the natural drainage ravine existing on the property. The footprint of the home would be built seventy-one feet (71') from Ridge Point Drive. Plans show the driveway would have a maximum slope of 12.39% as it parallels the steeper slopes that were a result of the installation of Ridge Point Drive. The Land Use Code requires reverse or downhill driveways to have a maximum slope of seven percent (7%) and must be approved by the City Engineer. When reviewing a reverse driveway, the result of potential drainage on downhill neighbors is taken into consideration. There are no identified properties that would be immediately impacted by the proposed driveway and the Applicant's proposal indicates the natural drainage of the property would be used to further reduce any possible negative effects of the reverse driveway.

The proposed location of the home spans the natural drainage ravine on the property which requires the Applicant to make cuts and bring fill in to level the property. The largest fill section, roughly eighteen feet (18'), would be located to the east of the proposed pool on the site plan. The Applicant's proposal shows multiple retaining wall systems around the home with a maximum proposed height of eight feet (8'), which is under the ten feet (10') maximum allowed by code.

Utah Code 10-9a-702 establishes the criteria for review of a variance request and stipulates the applicant "shall bear the burden of proving that all of the conditions justifying a variance have been met." In order to grant a variance each of the following criteria from State Code (in italics) must be met:

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

The purpose of the building standards in the R-F Subzone is to preserve the hillsides and manage erosion. Standards for building on steep slopes require any development to be minimal and reasonable. Staff determines the disturbance to be reasonable within the constraints of the property given the lot has been platted.

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

The Applicant's property, which has been platted as a buildable lot of record, contains steeper slopes which limit the buildable area and require steep driveways, cuts and fills and disturbance of slopes thirty percent (30%) or greater. The Applicant's property is unique to most other properties in the R-F Subzone because of the double frontage lot and the existence of the natural drainage ravine. The variance has been the process for which properties in the R-F Subzone can develop.

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

Granting the variance will allow the Applicant to enjoy similar property rights which have been granted to other properties, which include the construction of a single-family dwelling, in the R-F Subzone through the variance process. Denying the variance will allow other properties a right not extended to the Applicant's property.

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

Granting the variance for the Applicant will not have a substantial effect to the 2009 General Plan. It is an interest to the City to have all buildable lots developed as opposed to remaining vacant.

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

The purpose of the Code that requires development to be located on slopes less than thirty percent (30%) is to preserve the hillside and manage runoff and erosion on properties located in the foothills. The Code anticipates that there are existing lots within approved subdivisions in the R-F Subzone with special circumstances and the variance process provides a way for those lots to be developed; however, Section 14-4-101 of the Code stipulates that the alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The proposal submitted by the Applicant, demonstrates there has been an effort to reasonably reduce the impact development will have on the steep slopes and mitigate potential drainage onto neighboring properties.

Department Review

This variance request has been reviewed by the Engineering and Planning Departments and the City Attorney.

Significant Impacts

The proposed single-family dwelling in the requested variance should have minimal impact to the surrounding neighborhood and upon City infrastructure.

Recommendation

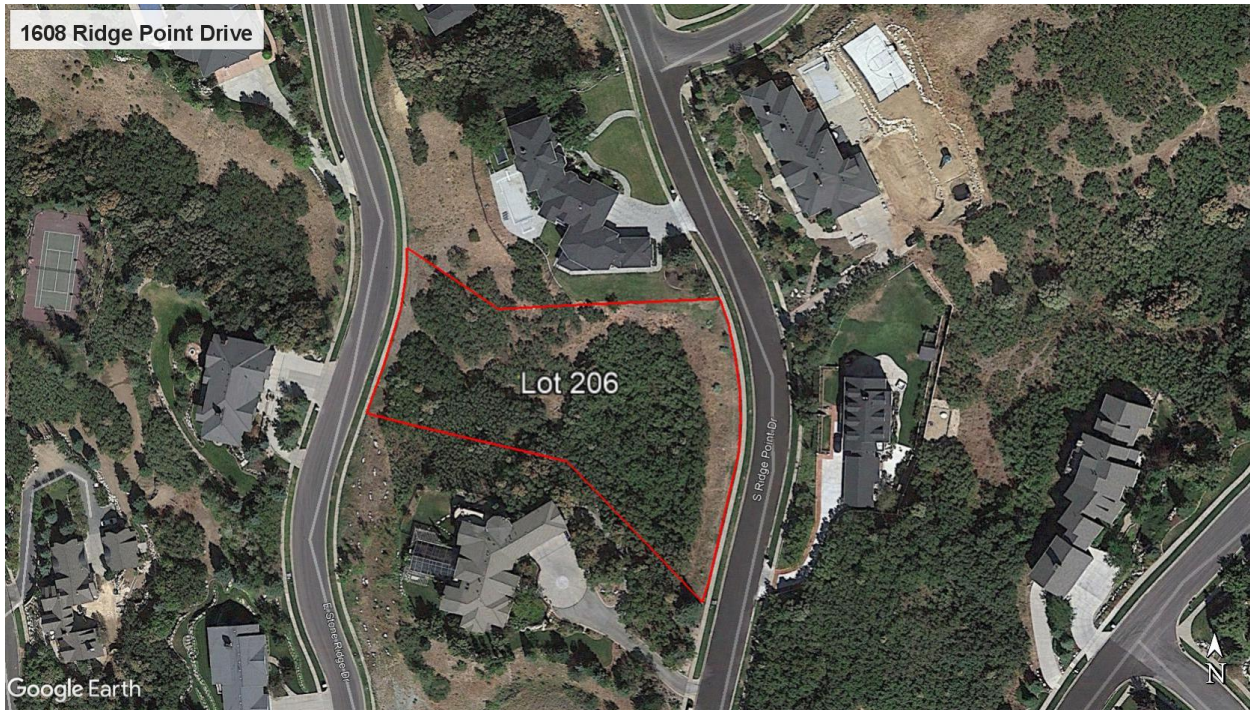
Based on analysis of the required criteria from State law included in the findings above and the materials submitted by the Applicant, Staff recommends the Planning Commission hold a public hearing and grant the requested variance related to construction on slopes thirty percent (30%) or greater, reverse driveway slope greater than seven percent (7%) and for cuts and fills greater than ten feet (10') with the following conditions:

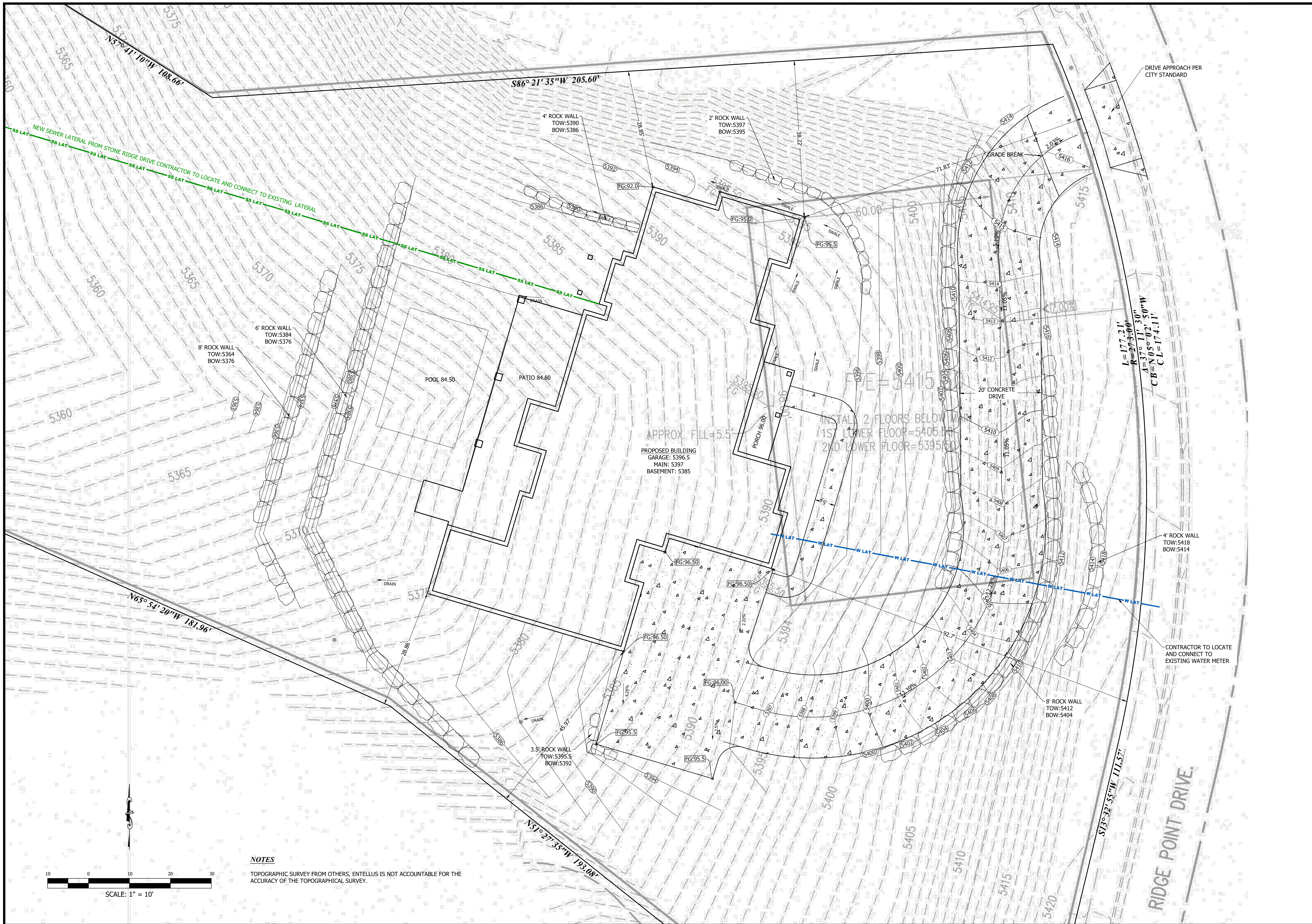
1. The Applicant will continue to work with City Staff to ensure the final plans approved for the single-family dwelling will have a reasonable impact on slopes thirty percent (30%) or greater.
2. The Applicant shall obtain a separate permit for retaining walls taller than four feet (4') in addition to a building permit.

Attachments

1. Aerial Photo
2. Proposed Site Plan
3. Proposed Rendering
4. Applicant's Narrative

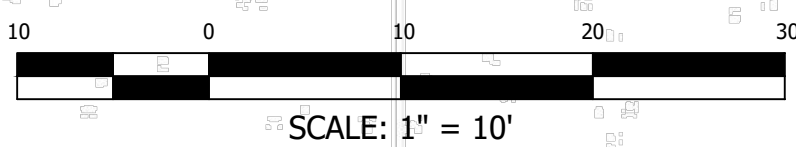
Aerial Photo





NOTES

TOPOGRAPHIC SURVEY FROM OTHERS, ENTELLUS IS NOT ACCOUNTABLE FOR THE ACCURACY OF THE TOPOGRAPHICAL SURVEY.



1470 South 600 West
 Woods Cross, UT 84010
 Phone 801.298.2236
 www.Entellus.com



COX RESIDENCE
LOT 206 STONERIDGE
 1608 SOUTH RIDGE POINT DRIVE
 LOCATED IN THE SOUTH 1/2 OF SECTION 28, T. 2 N., R. 1 E., S.L.R.&M.
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH

REV #	DATE	COMMENT

DRAWN: CSA
 APPROVED: STA
 PROJECT #: 1020120
 CORR-1020120 21-4-12.dwg

C400
 SITE PLAN



COX RESIDENCE

LOT #206 STONE RIDGE SUBDIVISION
BOUNTIFUL, UTAH

CONSULTANT SCHEDULE

CONSULTANT	PHONE NUMBER	CONTACT INFO.
LANDFORMS DESIGN DESIGNER/ DRAFTER	BLAIR/ ROB	(801) 298-2240 blair@-or-rob@landforms.com
YORK ENGINEERING STRUCTURAL ENGINEER	JAKE	(801) 816-3501 jake@yorkengr.com
EXCEL ENGINEERING SURVEYOR	DAVID	(801) 756-4504 david@excelcivil.com
ENTELLUS CIVIL ENGINEER	SCOTT	(801) 298-2236 sarjle@entellus.com

DEFERRED SUBMITTAL

ALL DEFERRED SUBMITTALS AND CHANGES TO PLANS MUST BE:
A. FIRST APPROVED BY THE DESIGNER OF RECORD PRIOR TO SUBMITTING TO BUILDING OFFICIAL.
B. APPROVED BY THE STRUCTURAL ENGINEER OF RECORD FOR ANY STRUCTURAL ITEMS FOR DEFERRED SUBMITTALS

ITEMS
1. FIRE SPRINKLER PLANS (MOD. NFPA 13D)
2. RADIANT HEAT DESIGN (LAYOUT PLANS, CALC. & SPECS)
3. GAS PIPING SCHEMATIC PROVIDED BY MECH. CONTRACTOR
4. TRUSS PLANS & CALC. (IF APPLICABLE)
5. STUCCO SYSTEM (IF APPLICABLE)
6. FIREPLACE PRODUCT INFO. (IF APPLICABLE)
7. CONSTRUCTION MITIGATION PLAN
8. GEOTECH SURVEY (IF APPLICABLE AS DETERMINED BY BUILDING OFFICIAL)
9. LANDSCAPE PLAN (IF APPLICABLE)
10. SPECIAL INSTRUCTIONS FOR BUILDING ON THIS PROJECT (IF APPLICABLE)
11. CONTRACTOR TO PROVIDE EXTERIOR LIGHTING SPECS PRIOR TO FOUR-SAT INSPECTION
12. POOL DESIGN BY OTHERS (IF APPLICABLE)

SQUARE FOOTAGE

LOCATION	SQUARE FOOTAGE
MAIN LEVEL	3655
LOWER LEVEL	3833
TOTAL	7488
POOL BATH/ POOL EQUIP	264
STORAGE UNDER GARAGE	539
COVERED MAIN FLOOR ENTRY	195
COVERED MAIN FLOOR DECK	797
GARAGES	1510

CODE ANALYSIS

UTAH STATE ADOPTED CODES AS OF JULY 1, 2019	BUILDING OCCUPANCY: R-3
2018 IRC	TYPE 5
2018 IBC	B-CONSTRUCTION
2011 NEC	2018 UTAH ENERGY CONSERVATION CODE

GENERAL NOTES

- A. EXCAVATION, BACK FILL, GRADING & DAMP PROOFING**
- All excavations for footings shall be to natural undisturbed soil.
 - All back filling shall be done with granular free draining material. Existing site material may be used so long as existing soils are free from clay soils and any construction debris. Compact all back fill material in 10" lifts to 95% of maximum soil density.
 - Finish grading shall be done so as to provide positive drainage away from all building foundations. A minimum slope of 6" per 10' shall be maintained with a 2% slope thereafter to approved drainage areas.
 - All rainwater downspouts shall be piped away from the home to an approved drainage area. No rainwater shall drain in window wells or rock light wells.
 - If any ground water is encountered during excavation, a qualified soils Engineer shall be retained to make an on-site assessment of the situation.
 - Footings shall be placed around all exterior footings and gravity fed to an approved drainage area.
- B. WINDOWS**
- All windows in rooms used for sleeping shall have sills not more than 44" above the floor with an operable opening of not less than 5.7 square feet. The height of the window shall not be less than 24" with a net clear width of not less than 20". Exception: grade floor openings shall have a min. net clear opening of 5.0 sq. ft.
 - Habitable rooms require 8% of floor area to be glazing with 1/2 of that glazing to be operable.
 - All windows to be double pane insulated glazing of 3/16" double strength "E" grade glass minimum.
- C. VENTILATION**
- Natural ventilation shall be provided to every habitable room with equal to 4% of floor area with operable windows which will provide (35) fresh air changes per hour.
 - No gas connections allowed in any rooms used for sleeping or in any corridors leading to or through any sleeping room.
 - Ventilation shall be provided into all crawl spaces by means of screened vents measuring not less than 1" x 14" spaced not more than 20" apart and placed so as to provide cross ventilation.
 - Provide (2) combustion air ducts to furnace room (1) placed at 8" above floor and (1) placed at 12" below the ceiling with an area of not less than (1) square inch per (1000) BTUH input.
 - Provide attic ventilation equal to 1/50 of the area of the space ventilated.
 - Mechanical ventilation may be provided in habitable rooms, where not required for emergency escape. System will be able to provide (35) fresh air changes per hour.
- D. FIRE PROTECTION & WARNING**
- Provide 1/2" type "X" gyp. bd. on all supporting walls and ceilings of the garage adjacent to living areas. Nail all 5/8" type "X" gyp. bd. at 6" o.c. (One hour fire rated).
 - Provide 1/2" type "X" gyp. bd. on walls and under side of stairs under any stairway area used for storage. Fire block walls at all stair stringers.
 - Doors leading from the garage into the house shall be solid core wood or honeycomb metal doors not less than 1 1/2" thick.
 - Smoke detectors are required in all hallways leading to sleeping rooms, sleeping rooms, unfinished areas, with a minimum of (1) one each story. Wire all smoke detectors to sound simultaneously. Smoke detectors must have battery back-up.
 - A minimum of 30" shall be provided above all ranged, grills, or cook tops to combustibles.
- E. HANDRAILS & GUARDRAILS**
- Handrails are required at all stairways having (2) or more risers.
 - Handrails shall be placed not less than 2'-0" above stair nosing and not more than 3'-6" above the finished floor.
 - Handrail gap size shall have a circular cross section of 1 1/2" minimum - 2 1/8" max. Edges shall have a minimum radius of 1/4". Handrails may project 4" into the stairway on both sides. Continuous handrails shall be permitted to be interrupted by a newel post at a turn and the use of a volute turn or starting nosing shall be allowed on lowest tread.
 - Guardrails are required at all landings or decks or floor levels more than 30" apart.
 - Balusters for guardrails shall be spaced such that a 4" diameter sphere shall not pass through.
 - When a guardrail is combined with a handrail on the open side of a stair, guardrail may be built to handrail height.
 - Guardrails are required at all landings or decks or floor levels more than 30" in height above grade.

DRAWING SCHEDULE

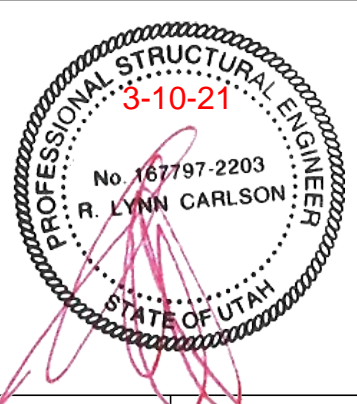
T1	COVER SHEET & DRAWING SCHEDULE
S1	SITE PLAN AND NOTES
S2	STORM WATER POLLUTION PREVENTION PLAN
S3	EXISTING SITE SURVEY/ TOPO
A0	FOOTING AND FOUNDATION PLAN
A1	LOWER LEVEL & FOOTING AND FOUNDATION PLAN
A2	GENERAL NOTES & DETAILS
A3	MAIN FLOOR PLAN
A4	CLERESTORY PLAN
A5	EXTERIOR ELEVATIONS
A6	EXTERIOR ELEVATIONS
A7	FRAMING PLANS AND BEAMS
A8	FRAMING SECTIONS
A9	FRAMING SECTIONS
A10	ELECTRICAL, MECHANICAL, & PLUMBING NOTES
A11	ELECTRICAL, MECHANICAL, & PLUMBING PLAN
A12	ELECTRICAL, MECHANICAL, & PLUMBING PLAN
A13	REFLECTED CEILING PLAN
S11	STRUCTURAL DETAILS
S12	STRUCTURAL DETAILS
S13	STRUCTURAL DETAILS

TITLE SHEET AND DRAWING SCHEDULE

COX RESIDENCE
CUSTOM HOME PLAN

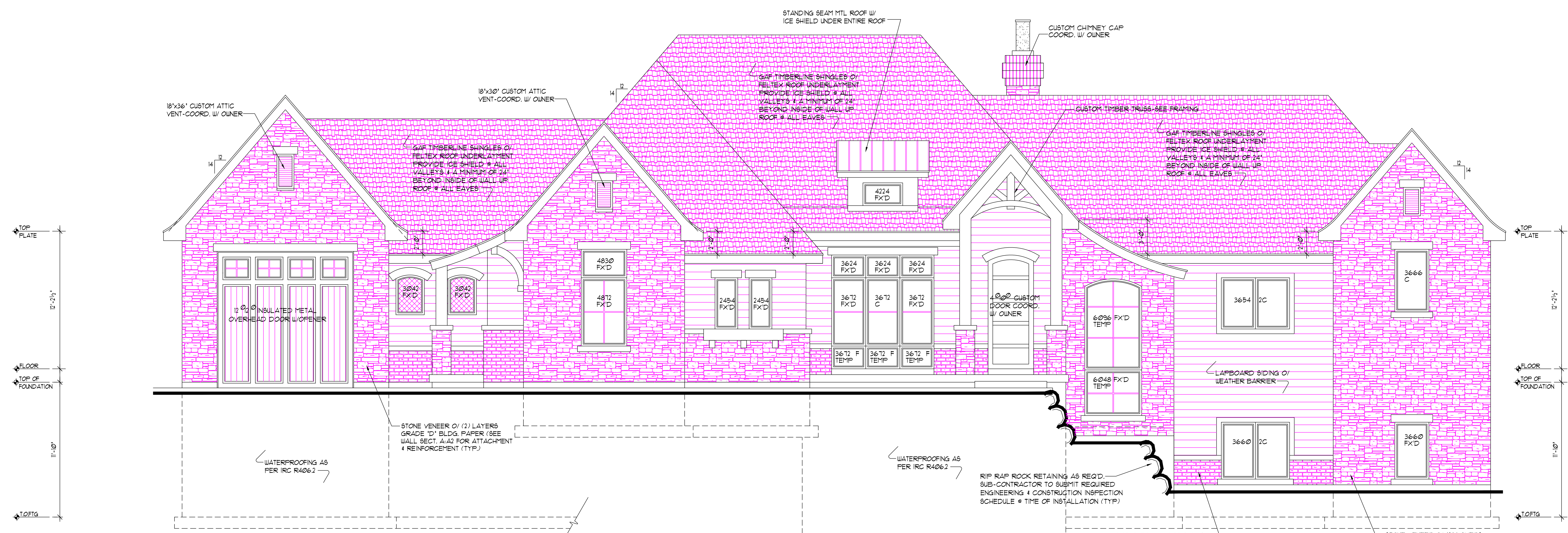
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REVISIONS	DATE	ITEM

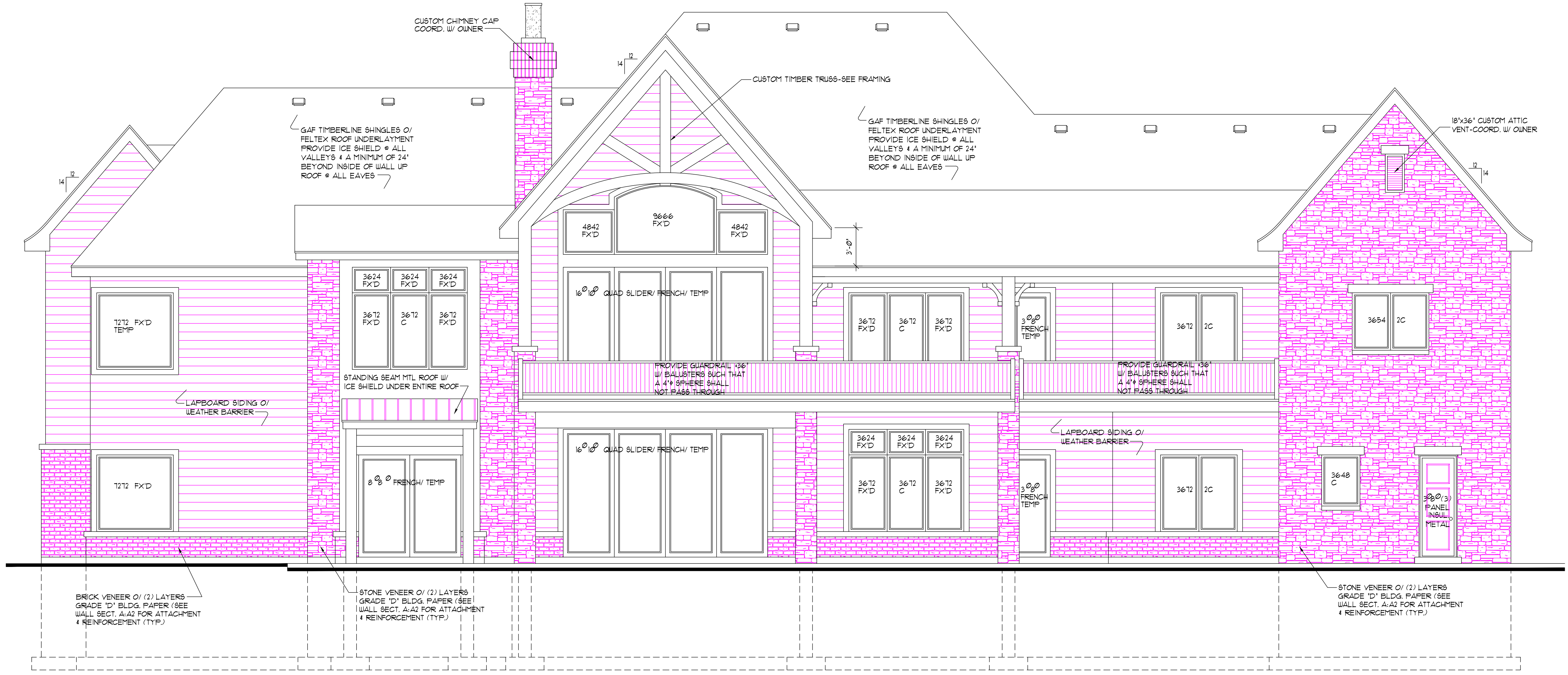


ENGINEER OF RECORD
CAD TECH
RELEASE DATE
YORK R.D.A.
3/10/21

T1



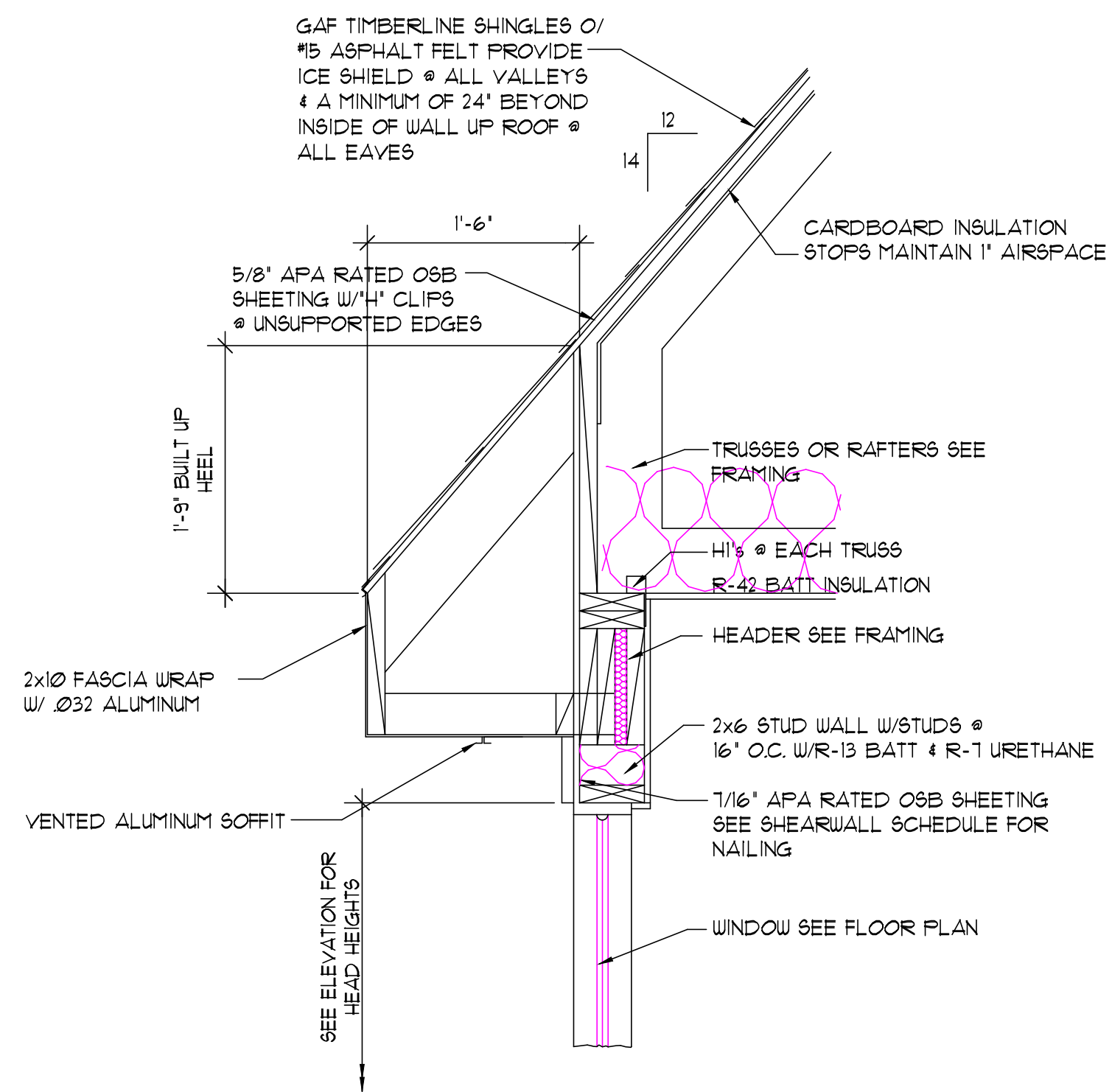
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



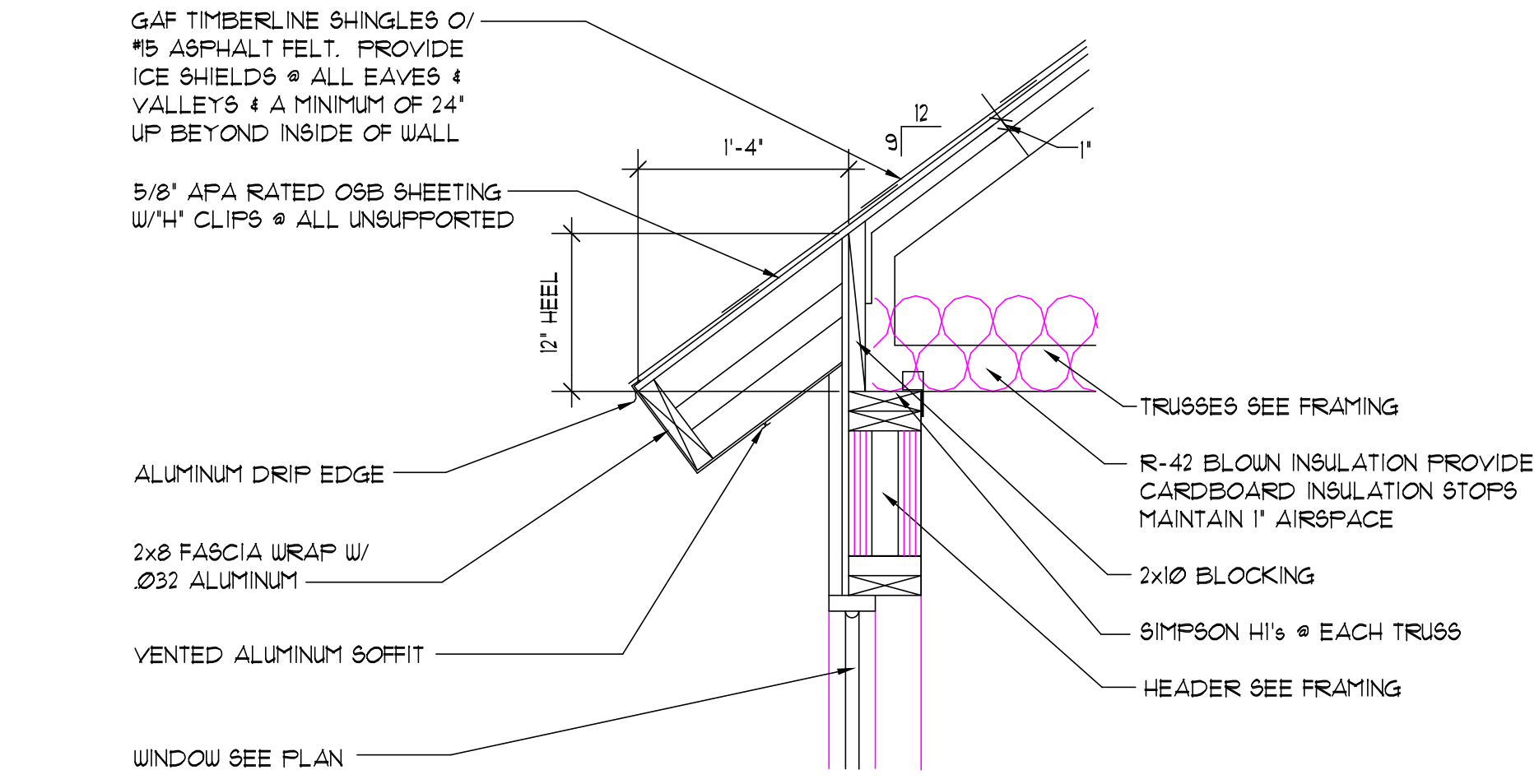
REAR ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS	date	item

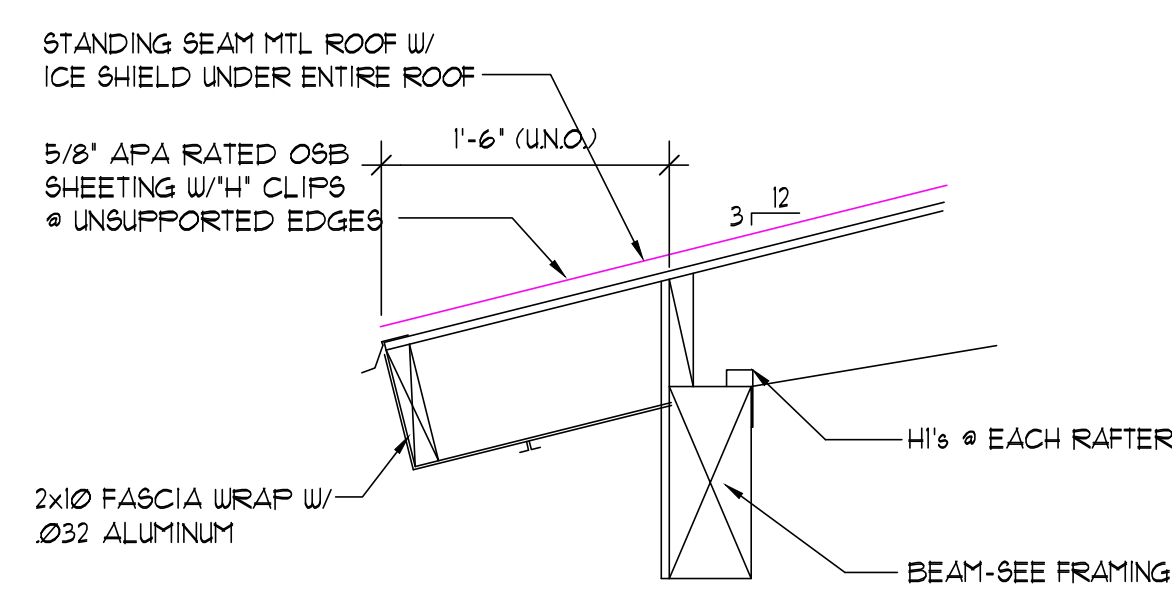
ENGINEER OF RECORD	YORK
CAD TECH	R.D.A.
RELEASE DATE	3/10/21



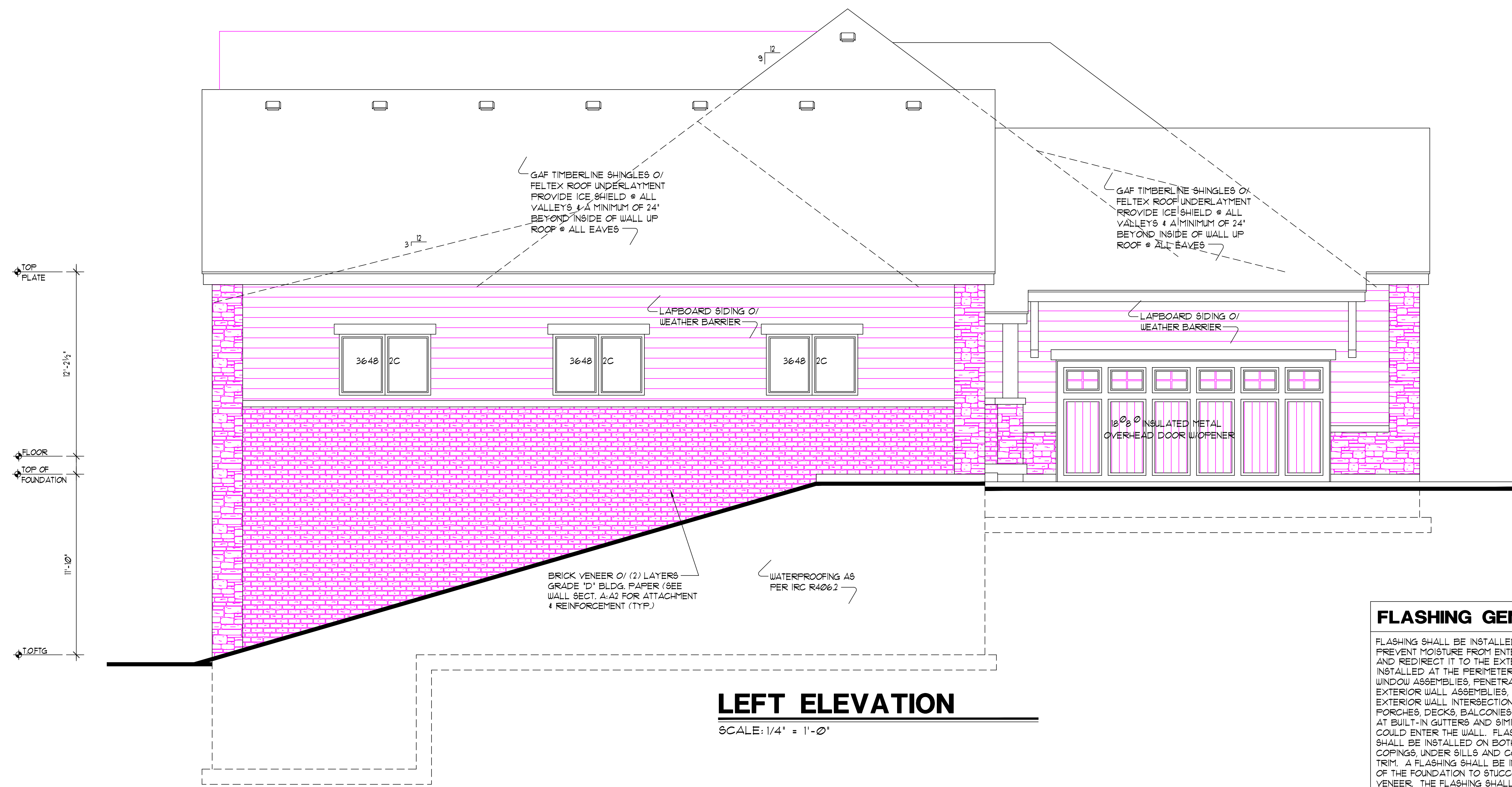
1 EAVE DETAIL
SCALE: 1" = 1'-0"



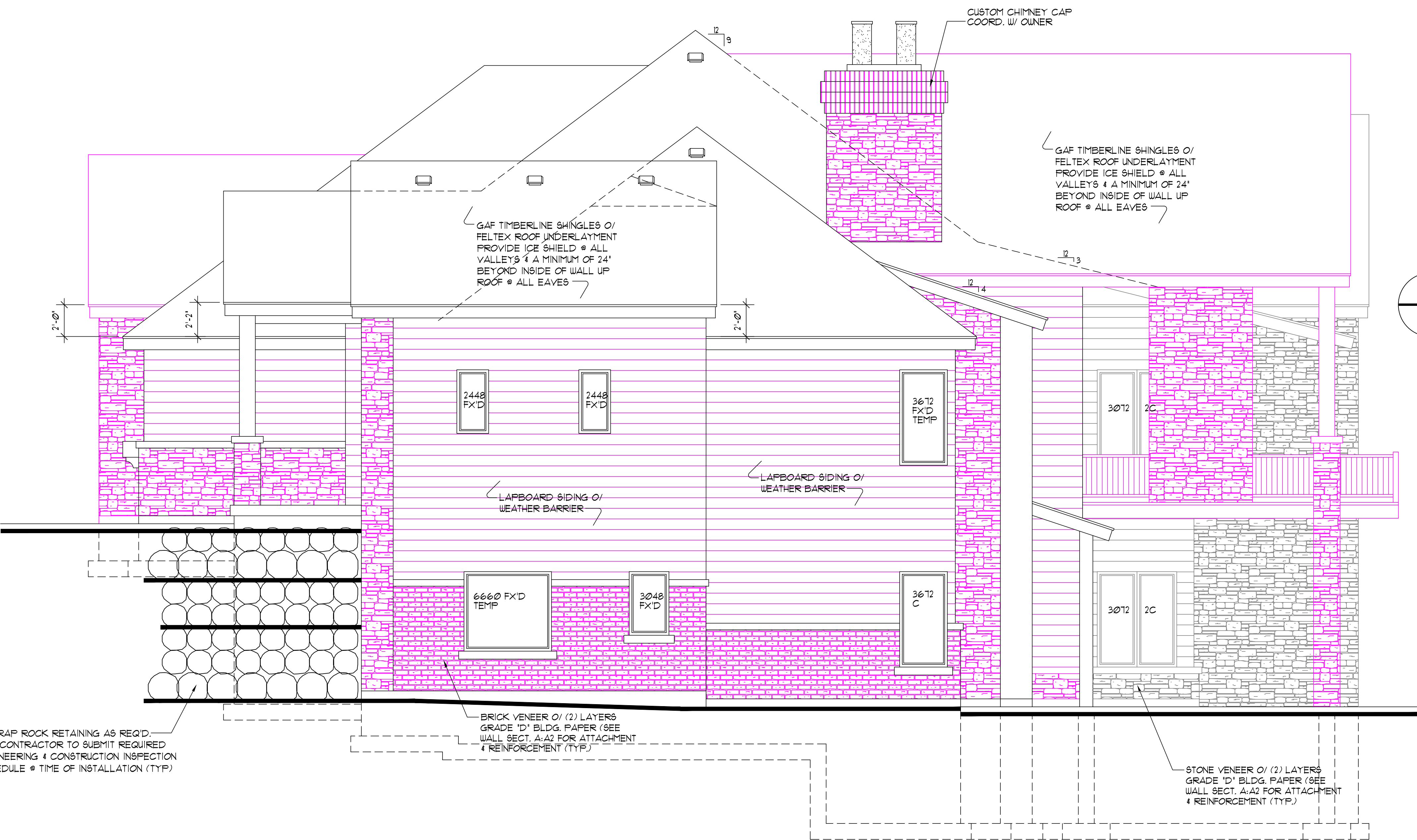
2 EAVE DETAIL
SCALE: 1" = 1'-0"



3 EAVE DETAIL
SCALE: 1" = 1'-0"



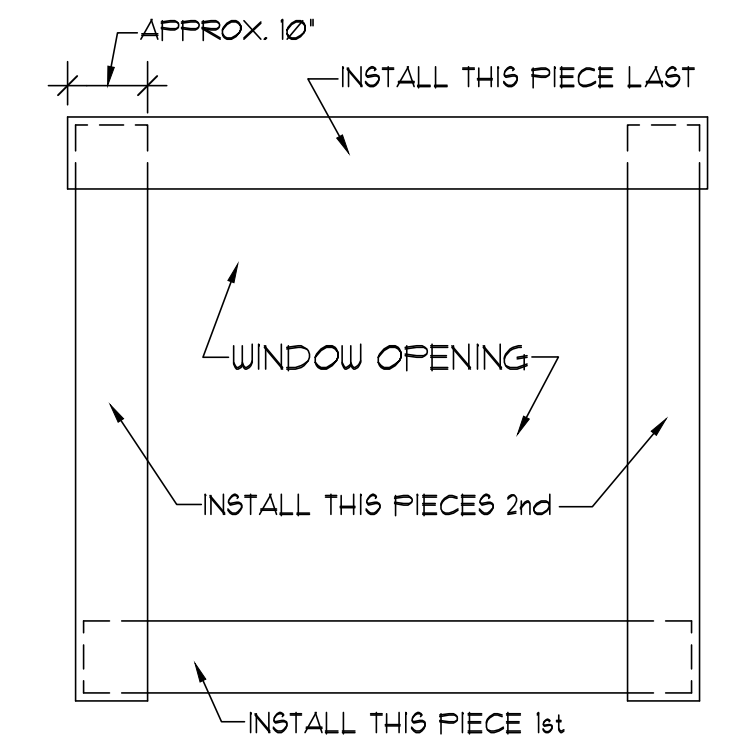
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

FLASHING GENERAL NOTES

FLASHING SHALL BE INSTALLED IN SUCH A MANNER SO AS TO PREVENT MOISTURE FROM ENTERING A WALL, ROOF OR FLOOR AND REDIRECT IT TO THE EXTERIOR. FLASHING SHALL BE INSTALLED AT THE PERIMETERS OF EXTERIOR DOOR AND WINDOW ASSEMBLIES, PENETRATIONS AND TERMINATIONS OF EXTERIOR WALL ASSEMBLIES, EXTERIOR WALL ASSEMBLIES, EXTERIOR WALL INTERSECTIONS WITH ROOFS, CHIMNEYS, PORCHES, DECKS, BALCONIES AND SIMILAR PROJECTIONS AND AT BUILT-IN GUTTERS AND SIMILAR LOCATIONS WHERE MOISTURE COULD ENTER THE WALL. FLASHING WITH PROJECTED FLANGES SHALL BE INSTALLED ON BOTH SIDES AND THE ENDS OF COPINGS, UNDER SILLS AND CONTINUOUSLY ABOVE PROJECTED TRIM. A FLASHING SHALL BE INSTALLED AT THE INTERSECTION OF THE FOUNDATION TO STUCCO, MASONRY, SIDING OR BRICK VENEER. THE FLASHING SHALL BE AN APPROVED CORROSION-RESISTANT FLASHING AND RETURN PARTIALLY THROUGH THE DEPTH OF THE WALL. R103.13, R103.15, R303.2, R303.5



A WINDOW FLASHING
SCALE: 1" = 1'-0"

ATTENTION: THESE PLANS DRAWINGS AND DESIGNS ARE THE PROPERTY OF LANDFORMS DESIGN. ALL RIGHTS ARE RESERVED, AND NO PART OF THESE PLANS DRAWINGS AND DESIGNS MAY BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF LANDFORMS DESIGN. IN THE EVENT OF PROSECUTION, THESE PRINTS ARE RELEASED FOR THE PURPOSES OF CONSTRUCTION ON THE SITE DESCRIBED AS:

LOT# 206 SUBDIVISION STONE RIDGE
CITY BOUNTIFUL, UTAH DATE 3/10/21
PLEASE NOTIFY LANDFORMS DESIGN OF ANY UNLAWFUL USE.



EXTERIOR ELEVATIONS

COX RESIDENCE

CUSTOM HOME PLAN

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REVISIONS	DATE	ITEM

ENGINEER	YORK
OF RECORD	
CAD TECH	R.D.A.
RELEASE DATE	3/10/21

4-13-2021

Cox Residence variance application.

I am requesting a variance for fills over 10 ft and for a downhill driveway steeper than 7%. The project would have a fill of 17 ft and a 10% downhill driveway.

Not granting this variance would create an unreasonable hardship because the lot would be non-buildable.

The special circumstances on this property is that when the road was created it made access to this lot really steep.

Granting this variance would be essential for the enjoyment by the owner so she can build her home.

Granting this variance will not substantially affect the general plan and will not be contrary to the public interest.

The spirit of the land use ordinance is observed and substantial justice is done.

Thank You,

Eric Beard