

Approved Minutes of the  
**BOUNTIFUL CITY PLANNING COMMISSION**  
**February 2, 2021**

Present:	Commission Chair	Sean Monson
	Commission Members	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
Excused:	Commission Members	Sam Bawden

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**1. Welcome and Introductions.**

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

**2. Approval of the minutes for January 5, 2021.**

MOTION: Commissioner Spratley made a motion to approve the minutes for January 5, 2021. Commissioner Jacobs seconded the motion.

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

*Commissioner Bell arrived at 6:34 p.m.*

**3. Consider approval of a Conditional Use Permit for an Accessory Structure over 10% of lot size located at 17 East 1400 South, Kirk Tomas, owner**

Kirk Tomas was present. City Planner Curtis Poole presented the item.

City Planner Poole stated the applicants submitted the Conditional Use Permit application for a building footprint greater than ten percent (10%) after the City initiated the Land Use Code changes regarding accessory structures. The applicant proposes to build a new detached garage behind the home. The total of all accessory structures is approximately 1,763 square feet which is under the 15% of the maximum allowed. The proposed landscaping for this project is 46% which will meet the required total 40% landscaping and the 50% landscaping in each of the front, side, and rear yard. The structure will have a height of the sidewall of 11 feet and the pitch of the roof will be less than 15 feet. The land use code permits the heights of the sidewall to be no more than 15 feet and the height should not be more than 20 feet, which is measured to the average roof line height.

City Planner Poole indicated that the Planning Commission has additional criteria and conditions available to them that can be considered when reviewing accessory structures that require a Conditional Use Permit.

The proposed garage is to be pushed back in the yard behind the house, which does not show much of the building from the street. There are eighteen properties on the street that have detached garages with many of these that have similar street facing façades. There was not one component such as height, color, or brick that was similar in all these garages. Staff reviewed this item and recommended

1 approval with the three (3) conditions outlined in the published staff report.  
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3 City Planner Poole on behalf of the Planning Department, recommended that the Planning  
4 Commission approve the Conditional Use Permit.  
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6 Mr. Tomas was concerned about condition #2 and presented to the Commissioners photographs of  
7 neighboring garages. He felt that the brick recommended by staff would not be in keeping with the  
8 home façade. He stated that he asked several times during this approval process and was assured that  
9 the structure could be made from metal. Mr. Tomas noted that the roof will be metal and there are  
10 several accessory structures on the street that have used the same medium. He stated that he chose  
11 this type of material due to the cost.  
12

13 City Attorney Clint Drake stated there had been a strong push from homebuilders and developers to  
14 mandate by state code to not require certain materials as a permitted use.  
15

16 Planning Director Francisco Astorga discussed the Bountiful City code does not have a requirement  
17 for materials for single-family dwellings or detached structures. In response to Mr. Tomas' concerned  
18 about his interaction with the Planning Department staff, he stated the Planning Department works  
19 on items until the last minute to mitigate any issues that may arise.  
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21 Chair Monson felt that the recently amended accessory structure code should have addressed the  
22 acceptable building façade materials.  
23

24 City Engineer Lloyd Cheney indicated that he would like to double check the utility easement for the  
25 placement of the building so the project would not be returned to the Planning Commission for  
26 reapproval. To accommodate the proposed building on a utility easement, could be accomplished  
27 thru an easement release process or to adjust the setbacks. He noted that there are a number of  
28 different looks for metal products that don't have the feel of metal.  
29

30 City Attorney Drake stated the Planning Commission has the final say for this item and can accept  
31 all the conditions or can choose to accept some or new ones.  
32

33 Chair Monson opened the public hearing at 7:02 p.m.  
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35 Darlene Tomas who resides at 17 East 1400 South felt that the siding does match the house and did  
36 not feel that the garage would have a negative impact in the neighborhood.  
37

38 Chair Monson closed the public hearing at 7:04 p.m.  
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40 Commissioner Spratley felt this is one instance but that it could set a precedence and could be broader  
41 than just this item.  
42

43 Commissioner Jacobs felt that if the City is asking for a specific medium that it needs to be very  
44 specific for the applicants. He felt that this project is reasonable looking compared to other structures  
45 in the neighborhood.  
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47 Chair Monson stated the Planning Commission spent a great deal of time addressing the amended  
48 ordinance but felt that the code needs to be specific with the types of material required on the

1 accessory structure. He felt that this could be an ongoing issue that the City will need to address.

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3 Councilwoman Harris noted that the City needs to give the applicants direction and perhaps readdress  
4 the materials for the future projects. She felt that the Commission should not punish the applicants  
5 for an area of the code that needs to be readdressed.

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7 MOTION: Commissioner Jacobs made a motion to approve the Conditional Use Permit for 17 East  
8 1400 South for an accessory structure with a building footprint greater than ten percent (10%) and to  
9 not exceed fifteen percent (15%). His motion included removing condition of approval no. 2  
10 recommended by Staff outlined in the published Staff Report and adding a condition of approval  
11 which indicates that any issues concerning public utility easements along the west property line be  
12 resolved with City Staff. Commissioner Bell seconded the motion.

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14 VOTE: The motion passed 4-2 with Commissioners Bell, Clark, Harris and Jacobs voting aye and  
15 Commissioners Monson and Spratley voting nay.

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17 **CONDITIONS OF APPROVAL:**

- 18 1. Complete all redline corrections.  
19 2. Install a six foot (6') tall solid fence on the west side of the property to mitigate potentially  
20 negative views from the adjacent property; or increase the west side yard setback to six feet (6')  
21 and install landscape buffering which would include tall shrubs or trees along the west side of  
22 the proposed accessory structure to mitigate potentially negative views from the adjoining  
23 property.  
24 3. Any issues concerning public utility easements along the west property line be resolved with  
25 City Staff.

26  
27 Planning Director Astorga indicated that he did not feel that a work session would be needed to make  
28 a change to the Accessory Structure code but proposed an alternative which would consider proposing  
29 to include a sentence in the next Omnibus Land Use Code Amendments to read that "All accessory  
30 structures, whether a Conditional Use Permit is needed, shall match the house or shall have materials  
31 consistent with residential housing".

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33 **4. C-A-L Ranch - Consider approval of a Conditional Use Permit for general retail store with**  
34 **outside storage, located at 535 S Main St, Scott Woodrow representing C-A-L Ranch, applicant.**

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36 Scott Woodrow was present. City Planner Curtis Poole presented the item.

37  
38 City Planner Poole noted the City has been approached many times for proposed projects at this site,  
39 but this is the first proposal that would keep this site as is. The applicant is proposing a general retail  
40 store with outside storage that requires a Conditional Use Permit in this zone. The yard area will be  
41 surrounded by a rod iron fence with a black screen material to eliminate the view from the public.  
42 The proposed project will have a propane station refilling small canisters and will have a green house  
43 on a temporary basis for a few months out of the year. The propane station will need approval from  
44 State Fire Marshal. The applicant is proposing to update and increase landscaping around the  
45 property. A completed landscape plan will be approved at the building permit process. There will  
46 be an increase in the number of parking stalls. The yard area will include extra landscaping and have  
47 rod iron fencing with brick pillars around the property.

1 Commissioner Jacobs disclosed that he has several friends in this neighborhood but felt it would not  
2 harm his judgement for this item.

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4 Chair Monson opened and closed the public hearing at 7:24 p.m. as no one made any comments.

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6 Scott Woodrow noted that there will be security fencing around the yard and is working with the State  
7 Fire Marshal to get the final approval for the location of the propane refilling station. He stated the  
8 business will include clothing, sporting good, tools, gardening, fencing, chicken supplies, and will  
9 add in items that best suit the area. The property will be kept primarily the same, with several updates  
10 to the signage, restriping the parking lot and landscaping. The pedestrian passageway will be  
11 refreshed and will remain open; and will be room for the pedestrians during the 90 days that the green  
12 house is up. The trees and landscaping will be cleaned up and will remain if possible.

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14 City Engineer Lloyd Cheney noted there is a very large fiber optic line on the west side of the property  
15 which would not allow large trees to be placed in this area.

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17 MOTION: Commissioner Spratley made a motion to approve the Conditional Use Permit for general  
18 retail with outside storage located at 535 South Main St. Councilwoman Harris seconded the motion.

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

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22 **CONDITIONS OF APPROVAL:**

- 23 1. Complete all redline corrections.  
24 2. Receive approval from the State Fire Marshall on the placement of the propane tank and ensure  
25 the placement of the outside storage area, the "Yard," not be placed on any utility easements.  
26 3. Replace any visible asphalt showing outside the Yard fence on the west, south and east, with  
27 landscaping.  
28 4. Submit detailed landscape plan to be approved by Staff with building permit application for  
29 internal remodel.

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31 MOTION: Commissioner Jacobs made a motion to approve the Conditional Use Permit in written  
32 form for general retail with outside storage located at 535 South Main St. Councilwoman Clark  
33 seconded the motion.

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


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37 **5. Planning Director's report, review of pending applications and miscellaneous business.**

- 38  
39 1. The Trails Development Implementation Plan will be presented to the City Council on February  
40 9.  
41 2. UTA has changed the Bus Rapid Transit route going to Farmington Station Park instead of the  
42 Woods Cross Frontrunner station and will eliminate the stop at 350 West 500 South in Bountiful.  
43 Bountiful City is excited for this change. UTA technical recommendation is to go to the  
44 University of Utah.  
45 3. The Farmers Market will be run by the Planning Department this year. The City did not want to  
46 see this to end and is asking for volunteers.  
47 4. The Barbacoa Grill site will be demolished with a proposed quick oil change business.  
48 5. The Omnibus Land Use Code Text Amendments will take place in March.

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6. The Marie Callender's site has an applicant who is proposing to demolish the building and will be proposing a mixed-use building with commercial on the ground floor and residential on the upper floors.
7. The Planning Department would like to tidy up used outlined in the Mixed-Use Zone to be consistent with uses allowed in the Commercial Zone.
8. The City Council had a recent Work Session about updating the General Plan. The City Council is supportive of taking care of this in the near future.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 8:12 p.m.

  
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Sean Monson  
Planning Commission Chair