



Bountiful City
Administrative Committee Amended Agenda
Monday, January 08, 2024
5:00 p.m.

NOTICE IS HEREBY GIVEN that Bountiful City Administrative Committee will hold a meeting in the Planning Department Conference Room, Bountiful City Hall, 795 South Main, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited to attend. 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 and Roll Call
2. Consideration to Approve the meeting minutes from July 31, 2023
 - Review
 - Action
3. Conditional Use Permit request of a Contractor Home Occupation at 324 West 1300 North
Assistant Planner Hadlock
 - Review
 - Public Hearing
 - Action
4. Conditional Use Permit request to remodel an existing accessory building into a detached Accessory Dwelling Unit at 2941 South 100 West
Assistant Planner Hadlock
 - Review
 - Public Hearing
 - Action
5. Adjourn



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Bountiful City
Draft Administrative Committee Meeting Minutes
795 South Main Street, Bountiful UT 84010
Planning Conference Room – City Hall
Monday July 31, 2023

Members in Attendance: Chair Francisco Astorga, Aaron Arbuckle, and Todd Christensen

Ex Officio: Assistant City Planner Nicholas Lopez
Recording Secretary Darlene Baetz

1. Welcome and Introductions

Chair Astorga opened the meeting at 5:00 p.m. and introduced all members.

2. Approval of the meeting minutes for July 17, 2023.

Motion: Member Arbuckle motioned to approve the Administrative Committee meeting minutes for July 17, 2023, as drafted. Chair Astorga seconded the motion.

Vote: The motion passed with a 2-0-1 approval. Member Christensen abstained from voting as he was not present at that meeting.

3. Short-Term Rental (STR) – Continued item from July 17, 2023
1099 Bountiful Boulevard

Mr. Jacob Bunker, applicant, was in attendance. Assistant City Planner Lopez presented the item.

Staff recognized that this item was not noticed correctly for the July 17, 2023, Administrative Committee meeting and this was corrected by sending notices to the neighbors within three hundred feet (300’).

Assistant City Planner Lopez indicated that the applicant requested approval for a short-term rental permit for his previously approved accessory dwelling unit located above the garage on the north side of his single-family dwelling. He explained that a short-term rental is a rental dwelling unit rented for periods less than thirty (30) consecutive days and he indicated that he reviewed the standards found in Bountiful City Municipal Code.

Chair Astorga stated the property owner is still required to live on site with both the Accessory Dwelling Unit and Short-Term Rental.

1
2 Assistant City Planner Lopez indicated that Staff recommended approval of the requested Short-
3 term Rental Permit.

4
5 Chair Astorga opened the public hearing.

6
7 Jase Jergensen asked for clarification about the entrance for the short-term rental permit and
8 parking requirements for the unit.

9
10 David Crapo asked for the number of approved short-term rentals, the number of days allowed
11 for a short-term rental and the code enforcement for excessive number of guests.

12
13 Assistant Planner Lopez discussed the entrance with a walkway for the unit and that the unit has
14 parking available in the driveway and noted that any vehicle may park on the side of the road
15 without any permits or approvals needed. He also went over the regulations for on-street parking
16 during the winter months.

17
18 Chair Astorga discussed that this is the first short-term rental in the Residential Foothill zone and
19 any short-term rental is rented for periods less than thirty (30) consecutive days. The number of
20 guests should be marketed as four (4) guests for this unit.

21
22 Chair Astorga closed the public hearing at 5:36 p.m.

23
24 Mr. Bunker thanked the Administrative Committee and Staff for their help with this item and
25 indicated that he wants to be a good neighbor.

26
27 Chair Astorga summarized the timeline of the Short-Term Rental Ordinance approved by City
28 Council in 2022.

29
30 **Motion:** Todd Christenson motioned to approve the item. Member Arbuckle seconded motion.

31
32 **Vote:** The motion passed unanimously (3-0).

33
34 **4. Adjourn**

35
36 Chair Astorga adjourned the meeting at 5:42 p.m.

Administrative Committee Staff Report



Subject: Home Occupation – Conditional Use Permit
Property: 324 West 1300 North
Author: Jonah David Hadlock, Assistant Planner
Date: January 8, 2024

Background

The applicant, Rebecca Navarro, is requesting a conditional use permit for a home occupation in her home at 324 West 1300 North. Her property is in the R-4 Zone. The proposed home occupation is an excavation business office (construction and/or contracting). The applicant has stated that tools or equipment will not be stored at her home.

Analysis

Bountiful City Code §14-17-108 Home Occupation Conditional Uses indicates that the following home occupations require conditional use permit approval:

- 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. Home occupation office use in a detached accessory structure

Staff considers an excavation business as a construction and/or contracting business. Staff reviewed the submitted application and finds the following comments complying with Bountiful City Code § 14-17-105 Home Occupations Requirements (*italicized underlined* text is actual City Code, comments are provided for each criteria):

- 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.*

The applicant's submittal, including photographs, shows that the exterior of the structure is not being altered in any way. The site/floor plan shows that the use is incidental to its primary purpose as a residential dwelling. The office will take up one small room in the interior.

- 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.

The applicant stated that the proposed use, an excavation home office, will be conducted within one (1) specific room (office) within the existing single-family dwelling and that no other employees will be working onsite.

C. The use shall not involve more than 50% of the entire dwelling.

The floor plan, attachment X shows that the home office will be conducted only in one small area identified as business office.

D. The use shall not involve the area of required, covered, off-street parking.

The applicant has indicated that the use is confined to the home office and that its use will not adversely affect the surrounding neighborhood.

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.

The applicant has stated that no tools or equipment will be stored onsite. She has also stated business is conducted elsewhere except for the office duties for which she is seeking approval.

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.

The applicant states that the use is confined to a home office and will not create these types of nuisances.

G. The use shall not involve using or storing flammable material, explosives, or other dangerous materials, including gun powder.

The applicant states that the use is confined to a home office and will include typical office supplies (e.g., computer, desk, paper, etc.).

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.

The applicant states that the use is confined to a home office and will include typical office supplies (e.g., computer, desk, paper, etc.) – all items commonly found in residential dwellings.

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.

The applicant has stated that business will be conducted elsewhere.

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.

The applicant has stated that tools and equipment will be stored offsite at the business location.

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.

The applicant is willing to comply with all these requirements.

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.

The applicant is willing to comply with all these requirements.

Department Review

This staff report was written by the Assistant Planner and reviewed by the Senior Planner.

Significant Impacts

The applicant has stated that tools or equipment will not be stored onsite and that the use of a home office is not out of character in the vicinity. Staff finds that there aren't any potential disturbances to the neighborhood based on her home office request.

Recommendation

Staff recommends that the Administrative Committee review the submitted application, hold a public hearing, and approve the requested home occupation conditional use permit for an excavation business office at 324 West 1300 North.

Attachments

1. Drafted Action Letter
2. Statement of Intent
3. Explanation of impacts
4. Photographs of site
5. Site/floor plan (hand-drawn)
6. Signed Affidavits



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

A public hearing was held on January 8, 2024, at the Bountiful City Planning Department located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of Rebecca Navarro for a Conditional Use Permit allowing a Contractor Home Occupation at the following location:

324 West 1300 North, Bountiful, Davis County, Utah

Parcel 03-014-0017

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 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 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 Contractor Home Occupation as requested by Rebecca Navarro to be located at 324 West 1300 North, 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 Contractor Home Occupation was approved on January 8, 2024, and this written form was approved January 8, 2024.

Francisco Astorga
Administrative Committee Chair

ATTEST: Sam Harris
Recording Secretary

Statement of Intent

To whom it may concern:

I Rebecca Navarro, am starting a Business, doing Excavation. We will be storing all tools and equipment, at the contractor's Business. I will not have, anything of equipment at my home. The only thing of Business at my home will be, my office. Which I will attach measurements of the room to the application. If any, questions fill free to call me.

cell- 385-216-9371

Rebecca Navarro

324 W. 1300 N.

Bountiful, Utah 84010

Hello Jonah,

The proposed project does not compromise the surrounding properties because there will be no equipment on the property in itself. This goes as well for the second question because it should not conflict other properties to have an office in the home. If in any situation there should be a potential conflict then I will immediately take action to fix it. If any questions please feel free to call me at 385-216-9371.































Outside Back Yard

Family Room

Back Door

Back Door

Laundry Room

Kitchen

Hallway
Chairs

Bedroom

Bathroom

Bedroom

Living room

7 1/2 Floor

7 1/2 Floor to Ceiling
Business Office
9 Feet Floor

Hallway

Bathroom

master Bedroom

Front Door

7 1/2 Floor to ceiling

H: 7.5ft. L: 7.5ft.
W: 9ft

Property Owners Affidavit

I (we) Rebecca Navarro, being first duly sworn, depose and say that I (we) am (are) the current owner(s) of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my (our) personal knowledge.

Rebecca Navarro
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

Subscribed and sworn to before me this 30 day of November, 2023

Notary Public: Terrie L. Basinger



Agent Authorization

I (we), _____, the owner(s) of the real property located at _____, in Bountiful City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize the aforementioned agent to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 §
County of Davis)

On the ____ day of _____, 20____, personally appeared before me _____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

Notary Public: _____



HOME OCCUPATION AFFIDAVIT

I, Rebecca Navarro, hereby acknowledge that the
(Applicant Name)
owner/manager of 324 W 1300 North Bountiful, Utah 84010
(Property Address)
is fully aware that I have applied for a Home Occupation Business License under the
name of B & B Excavation
(Business Name)
conducting the following business Sub contracting Excavation
(Type of Business)
and he/she has no objections.

Applicant's Signature Rebecca Navarro Date 11-30-23

Property Owner/Manager Name _____

Property Owner/Manager Signature Rebecca Navarro

Property Owner/Manager E-Mail Rebecca.Lynn0418@gmail.com

Property Owner/Manager Telephone Number 385-216-9371

Administrative Committee Staff Report



Subject: Conditional Use Permit for a Detached Accessory Dwelling Unit
at 2941 South 100 West
Authors: Jonah David Hadlock, Assistant City Planner
Date: January 8, 2024

Background

The applicant, Daniela Anghel, submitted a Conditional Use Permit (CUP) for a detached accessory dwelling unit (ADU) on her property located at 2941 South 100 West, on December 21, 2023. The Bountiful City Administrative Committee reviews all CUPs for ADUs. The Bountiful City Land Use Code defines an ADU (see also “Accessory In-Law Apartment”) as a self-contained dwelling unit within an owner-occupied single-family residence or in a detached accessory structure located on an owner-occupied property.

Analysis

Bountiful City Land Use Code § 14-14-124(C) states that an ADU shall meet all the following standards below. Staff findings for each standard are shown as underlined text.

1. Shall be a conditional use only within the Single-Family Residential zone, Residential Multiple (RM) Family Zone, and the Downtown (DN) Mixed Use Zone; and shall not be permitted in any other zone.
 - The proposed detached ADU is located within the Single-Family Residential Zone (R-4).
2. It is unlawful to allow, construct, or reside in an accessory dwelling unit within a duplex or multi-family residential building or property.
 - The site currently contains a single-family dwelling.
3. It is unlawful to reside in, or allow to reside in, an accessory dwelling unit that has not received a conditional use permit or without written authorization from the Bountiful City Planning Department.
 - The applicant has submitted a CUP application for the proposed detached ADU.
4. A maximum of one (1) accessory dwelling unit shall be permitted on a qualifying lot.
 - The applicant has submitted a CUP application for one (1) ADU.
5. It is unlawful to construct, locate, or otherwise situate an accessory dwelling unit on a lot or parcel of land that does not contain a habitable single-family dwelling.
 - The site currently contains a single-family dwelling.
6. A deed restriction limiting the use of a property to a single-family dwelling, prepared by the Bountiful City Planning Director, and signed by all owners of the

property on which an accessory dwelling unit is located, shall be recorded with the Davis County Recorder's Office prior to occupancy of the accessory dwelling unit. If a building permit is required, then said deed restriction shall be recorded prior to issuance of the building permit.

- The applicant has submitted a CUP application. Once approved by the Bountiful City Administrative Committee, the Planning Director will prepare the required deed restriction.
7. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence and at no time receive rent for the owner-occupied unit. An application for an accessory dwelling unit shall include proof of owner occupancy as evidenced by voter registration, vehicle registration, driver's license, county assessor records or other similar means required by the Planning Department.
 - The property owner resides at the primary single-family dwelling and is aware of the deed restriction and occupancy requirements.
 8. Separate utility meters shall not be permitted for the accessory dwelling unit.
 - The restriction applies and the deed restriction will indicate such. The property owner is aware of this provision.
 9. It is unlawful to construct an accessory dwelling unit, or to modify a structure to include an accessory dwelling unit, without a building permit, if applicable.
 - This site has appropriate building permit applications in progress.
 10. Adequate off-street parking shall be provided for both the primary residential use and the accessory dwelling unit, and any driveway and parking area shall be in compliance with this Title. In addition to the parking required for the principal unit at the time of construction, one (1) off-street parking space shall be provided for an accessory dwelling unit. Any additional occupant vehicles shall be parked off street in City Code compliant parking areas. On-street parking may be utilized in compliance with the current parking limitations outlined in the Bountiful Traffic Code regarding on-street parking.
 - The site has seven (7) parking spaces. A single-family dwelling requires four (4) parking spaces. The proposed detached ADU requires one (1) parking space.
 11. Shall be at least three hundred fifty (350) square feet in size and shall not exceed one thousand two hundred fifty (1,250) square feet.
 - The site plans show that the proposed DADU is approximately 570 square feet.
 12. Shall not be located on a lot with less than eight thousand (8,000) square feet buildable land.

- According to County records, parcel 05-155-0050 consisting of Lot 50 of the Val Vista Plat D Subdivision contains 0.398 acres which equates to approximately 17,337 square feet.
13. Shall be configured so that any exterior doors, stairs, windows, or similar features are located as far away from adjoining properties as is reasonably possible to provide privacy to those properties.
 - The proposed detached ADU complies with this provision.
 14. Shall meet all the setbacks required of an accessory structure.
 - The proposed detached ADU complies with this provision. The required side and rear yard setbacks are three feet (3'), minimum.
 15. Shall be located behind the front building line of the principal unit.
 - The proposed detached ADU complies with this provision.
 16. The separate entrance of the accessory dwelling unit may be visible from the front or corner lot side yard based on proximity and appropriate mitigation.
 - The entrance of the proposed detached ADU is not readily visible from the front.

Recommendation and Conditions of Approval

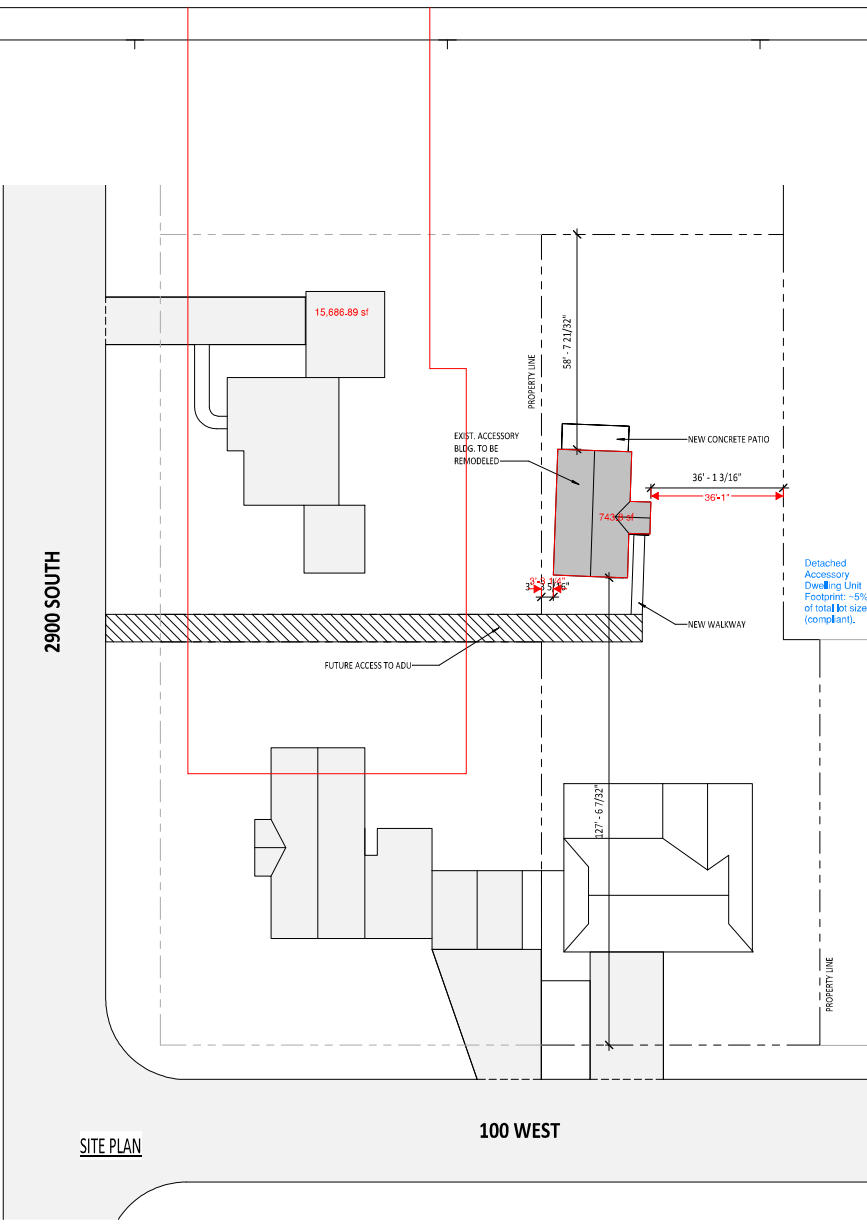
Staff recommends the Administrative Committee review the proposal, hold a public hearing, and consider approving the requested Conditional Use Permit allowing a detached accessory dwelling unit at 2941 South 100 West subject to the following conditions of approval:

1. The accessory dwelling unit shall meet all the standards in Section 14-14-124 of the City Land Use Code including the following:
 - a. The owner(s) of the property shall continually occupy the principal dwelling or the accessory dwelling unit.
 - b. The property is to be used only as a Single-Family dwelling with an accessory dwelling unit and shall be subject to a Deed Restriction.
 - c. There shall be no separate utility service connections.
 - d. The Applicants shall apply separately for a building permit to be reviewed and inspected by Staff.
2. The City shall inspect the site prior to the Planning Director signing the deed restriction.
3. The Conditional Use Permit for the accessory dwelling unit is solely for this property and is non-transferable to another property.
4. The Deed Restriction shall be signed prior to occupancy.

Attachments

1. Site Plan, Floor Plan, and Elevations
2. Additional Photographs

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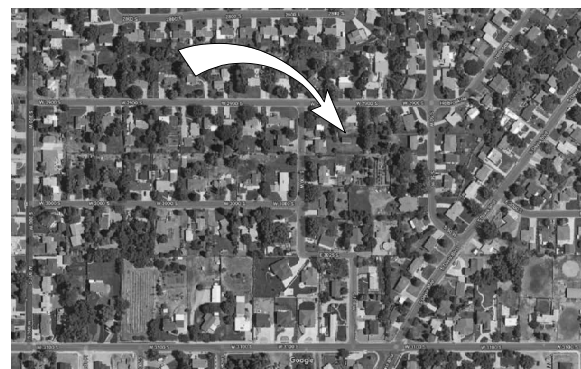
SITE PLAN
SCALE: 1/8" = 1'-0"

DANIELA ANGHEL

ACCESSORY DWELLING UNIT

2941 SOUTH 100 WEST

BOUNTIFUL, UT 84010



VICINITY MAP

SHEET INDEX	
SHEET NO.	SHEET TITLE
G1.00	COVER SHEET
G1.01	GENERAL INFORMATION
A1.01	FLOOR AND ROOF PLANS
A2.01	EXTERIOR ELEVATIONS & SECTIONS

MCNEIL ENGINEERING
 Economic and Sustainable Design. Professionals You Know and Trust.
 8410 South Sandy Parkway, Suite 100, Sandy, Utah 84070, 801.255.7700, mcneilengineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

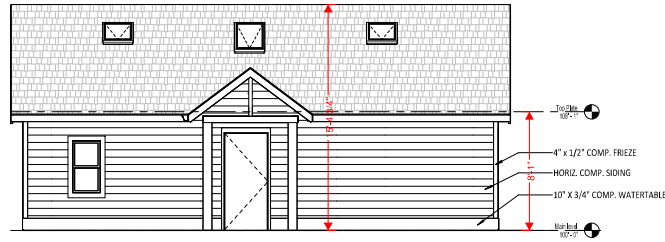
DANIELA ANGHEL
ACCESSORY DWELLING UNIT
2941 SOUTH 100 WEST
BOUNTIFUL, UT 84010

REVISIONS	
DATE	DESCRIPTION

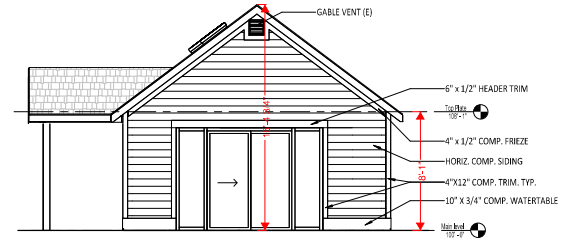
PROJECT NO. 21833
 DRAWN BY: MSH
 CHECKED BY: CEG
 DATE: 05 APR, 2022
 PROP. NO.

COVER SHEET
G1.00

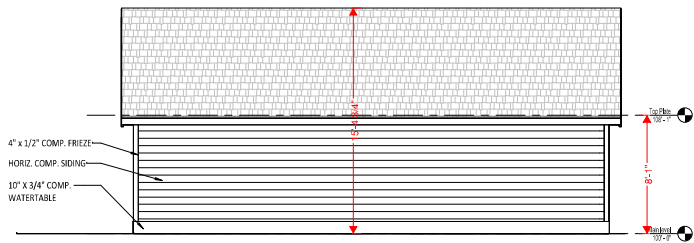
Approved by Planning Department
 Jonah David Hadlock, Assistant Planner
 12/21/2023 9:45:33 AM



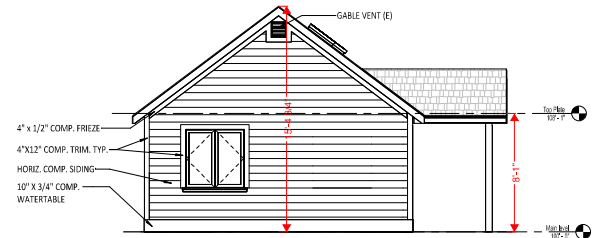
1 South Elevation
 SCALE: 1/4" = 1'-0"



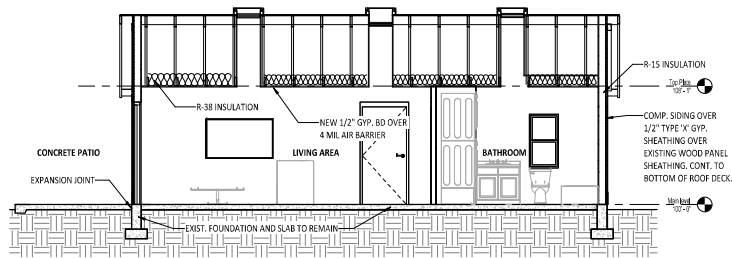
2 East Elevation
 SCALE: 1/4" = 1'-0"



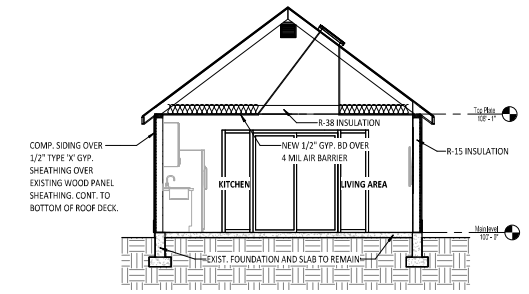
3 North Elevation
 SCALE: 1/4" = 1'-0"



4 West Elevation
 SCALE: 1/4" = 1'-0"



5 Section
 SCALE: 1/4" = 1'-0"



6 Section
 SCALE: 1/4" = 1'-0"

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DANIELA ANGHIEL
 ACCESSORY DWELLING UNIT
 2941 SOUTH 100 WEST
 BOUNTIFUL, UT 84010

REVISIONS	DATE	DESCRIPTION

PROJECT NO. 21853
 DRAWN BY MSH
 CHECKED BY CEG
 DATE 02 FEB. 2022
 PROP. NO.

EXTERIOR ELEVATIONS & SECTIONS

A2.01

