

**Approved Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
Tuesday, January 21, 2025 – 6:30 p.m.**

Official notice of the Planning Commission Meeting was given by posting an agenda at City Hall, and on the Bountiful City Website and the Utah Public Notice Website.

City Council Chambers
795 South Main Street, Bountiful, Utah 84010

Present:	Planning Commission	Chair Lynn Jacobs, Krissy Gilmore, Beverly Ward, Jim Clark, Sean Monson, and Richard Higginson
	Planning Director	Francisco Astorga
	Senior Planner	Amber Corbridge
	City Engineer	Lloyd Cheney
	City Attorney	Bradley Jeppson
	Recording Secretary	Sam Harris
Excused:	Planning Commission	Alan Bott

1. Welcome

Chair Jacobs called the meeting to order at 6:30 p.m. and welcomed everyone.

2. Planning Commission Training – Chapter 6 of Ground Rules: Your Handbook to Utah Land Use Regulation

Senior Planner Corbridge provided the training.

Francisco explained to the Commission the Administrative Committee and why they plan to eliminate the Administrative Committee.

Chair Jacobs asked if the “homework” hours of training can be done all in one as some get this training professionally. Senior Planner Corbridge explained that it is acceptable but make sure to report it to Recording Secretary Harris.

3. Meeting Minutes from November 19, 2024

Commissioner Gilmore motioned to approve the minutes with correction on line 102 from agreement to disagreement from November 19, 2024. Commissioner Higginson seconded the motion. The motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson, and Higginson voting “aye.”

4. Meeting Minutes from December 03, 2024

Commissioner Gilmore motioned to approve the minutes from December 03, 2024. Commissioner Higginson seconded the motion. The motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson, and Higginson voting “aye.”

5. Land Use Text Amendment for Drive-Up Height Clearance

Senior Planner Corbridge presented the item as outlined in the packet.

Commissioner Ward asked why there are many throughout the City, has this not been addressed in the past. Planning Director Astorga explained that we are not allowed to provide such exception. The other sites were before his time, and he cannot say as to why before now it has not been brought to the attention of the Planning Commission.

Commissioner Monson asked Staff why the code originally set it at fourteen (14) feet. Also asking what other cities or counties have done regarding this particular issue and why do not we leave it as at the Fire Marshall’s discretion. Planning Director Astorga explained that there was no set explanation. Senior Planner Corbridge explained that Staff did not research surrounding cities but that the cities she has worked for in the past have not mentioned anything about clearance height. Planning Director Astorga explained that the Fire Marshall stated that they review their ability to fight a fire, finding that this is not a big deal to reduce this standard.

Chair Jacobs asked about the existing language covering the topic, at the Fire Marshall’s discretion. Commissioner Monson agreed with Chair Jacobs. Planning Director Astorga explained that the Fire Marshall could even require higher clearance.

City Attorney Jeppson stated that the interpretation of the code, as determined by the Fire Marshall, was misleading. He further explained that after speaking with the Fire Marshall, there is no reason to make it lower, the default would be fourteen (14) feet, unless the Fire Marshall determines a lower height.

Commissioner Ward asked if it is helpful to have a number when an applicant comes to apply or asks. Chair Jacobs asked if it would be better to have all drive-thru’s at a minimum of nine (9) feet. Commissioner Gilmore said that leaving the language as is, helps alleviate the need to contact staff.

Chair Jacobs opened the Public Hearing at 6:52 p.m. No comments were made. Chair Jacobs closed the Public Hearing at 6:53 p.m.

Commissioner Higginson motioned to forward a positive recommendation to City Council. Commissioner Gilmore seconded the motion. The motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson, and Higginson voting “aye.”

6. Final Architectural and Site Plan for Drive-Thru Coffee Shop at 638 North 500 West

Senior Planner Corbridge presented the item as outlined in the packet.

Commissioner Ward had a question about pedestrian access from the vacant lot, asking if there are plans for the vacant lot. Senior Planner Corbridge stated that a hotel proposal is in review and that the applicant stated that they are in active communication with the engineer of the hotel to coordinate the pedestrian access with their proposal. Chair Jacobs questioned if the hotel doesn't go in there, do they want pedestrian access to direct pedestrians to a vacant lot. Commissioner Gilmore asked if the Commission could delegate to Staff for final approval to prevent having to come back to move the pedestrian access. Planning Director Astorga mentioned that in this type of improvement the applicant has the option to bond.

Commissioner Gilmore motioned to forward a positive recommendation to the City Council with modification to condition two (2), that final approval is delegated to Staff with all other conditions apply. Commissioner Ward seconded the motion. The motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson, and Higginson voting "aye."

7. Land Use Text Amendment for Tattoo Parlors/Body Art Facilities in the Commercial Zone

Senior Planner Corbridge presented the item as outlined in the packet.

Commissioner Monson asked to clarify that this is talking about two different topics, Permanent Makeup, and the zoning of Tattoo Parlors. Senior Planner Corbridge clarified the two different topics and the need to separate them.

Commissioner Gilmore commented on the practicality of the name including Tattoo Parlors, based on the provided clarity.

Commissioner Monson asked about the rationale of putting services that the City may be uncomfortable with, such as Tattooing and Adult Entertainment in the Heavy Commercial (CH) Zone. Planning Director Astorga confirmed the reason that they are placed within the Heavy Commercial Zone.

Applicant, Ian Schwarting explained why he applied for the Amendment, stating that only being permitted in the Heavy Commercial (CH) Zone makes it feel derogatory towards tattoo artists.

Chair Jacobs opened the Public Hearing at 7:19 p.m. Gary Davis commented regarding the phrase body modification; however, was in support of the proposed Amendment. Val Gregory presented a packet to the Commission, explaining the difference in permanent makeup being restorative and tattoos being expressive. Val Gregory advocated permanent makeup by quoting customers and cancer survivors. Also stating the clientele and hours of operation are different. Carmen Felt (Manager, Indie Studios) read testimonials from business owner, Monica Agular (business owner), made comments, and read testimonials from clients, and Michelle Seage

(client) made comments, all advocating permanent makeup. Chair Jacobs closed the Public Hearing at 7:41 p.m.

Commissioner Monson stated to have permanent makeup in a separate category as it is a different service. Also making comments regarding the stigma of tattoo parlors and the hope of the stigma to be eliminated.

Commissioner Clark agreed with having two (2) classifications, to clarify the description of what occurs with each classification.

Chair Jacobs stated that tattoos do not have the stigma that they did when the code was originally written. Chair Jacobs agreed with the two (2) classifications and that permanent makeup be included in beauty services. Also asked if that is far enough, should it be Conditional Use in Neighborhood Commercial (C-N) Zone as well. Commissioner Ward asked which areas Neighborhood Commercial (C-N) Zone would include. Planning Director Astorga stated that the only area zoned Neighborhood Commercial (C-N) is the zone change we had last year at the corner of 1500 South Orchard Drive. Chair Jacobs stated that it does not matter since it is only that small area.

Commissioner Gilmore stated that she does not have any issues with Tattoo Parlors and questioned why it is Conditional Use in the Heavy Commercial (C-H) Zone, and even General Commercial (C-G) Zone. Planning Director Astorga stated that the benefits of a Conditional Use Permit are that the City can limit the hours of operation, also that you can remove that mitigation by placing the hours of operation in the code. Commissioner Monson stated that he prefers to keep it as a Conditional Use Permit. Commissioner Higginson agreed that he also prefers to keep it as a Conditional Use Permit. Planning Director Astorga stated that the other benefit is that as it currently is in code, a Conditional Use Permit requires a Public Hearing, as permitted use does not. Commissioner Monson stated that he prefers to keep Tattoo Parlors as a Conditional Use Permit and expand it to General Commercial (C-G) Zone.

Commissioner Higginson asked to address the name of Tattoo Parlors/Body Art Establishment. Commissioner Ward stated that it makes it clearer to add Body Art Establishment to Tattoo Parlor verses replace Tattoo Parlor, similar to Bank/Credit Union. Commissioner Gilmore agreed with Commissioner Ward. Chair Jacobs also agreed and said that they are interchangeable, similar to Bank/Credit Union. Commissioner Higginson agreed with the name change, he stated that he feels that the two names are not equal, Body Art Establishment is not descriptive enough for the public. Commissioner Monson said that is the benefit of having the two names.

Commissioner Higginson stated that there is no longer a societal issue with the term Tattoo Parlor along with the stigma. Commissioner Ward asked if the hours of operation are still an issue. Commissioner Gilmore said that depends on where you are at.

Commissioner Higginson asked if Tattoo Parlor/Body Art Establishment will be a Conditional Use Permit in the Heavy Commercial (C-H) Zone as well, clarifying that it will be a Conditional

Use Permit for both Heavy Commercial (C-H) Zone and General Commercial (C-G) Zone. Planning Director Astorga confirmed that it will be a Conditional Use Permit in both.

Commissioner Gilmore motioned to forward a positive recommendation to City Council for option one (1) as outlined in the packet. Commissioner Monson seconded the motion. The motion was approved with Commissioners Jacobs, Gilmore, Ward, Clark, Monson, and Higginson voting “aye.”

8. Planning Director’s Report/Update

Planning Director Astorga stated that there was a good discussion with City Council regarding the Land Use Map as part of the General Plan update. City Council held a discussion regarding a City Council initiated Land Use Code Text Amendment regarding gravel parking areas in the residential zones, to allow gravel parking areas ten (10) feet from the front property line. The Director also updated the Commission that an Omnibus Code Amendment will be coming in February.

9. Adjourn

Chair Jacobs adjourned the meeting at 7:52 p.m.