

**Approved Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
Tuesday, October 15, 2024 – 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	Vice-Chair Alan Bott, Krissy Gilmore, Beverly Ward, Jim Clark, and Richard Higginson
	Planning Director	Francisco Astorga
	Planning Technician	DeAnne Morgan
	City Engineer	Lloyd Cheney
	Assistant City Attorney	Aaron Nielson
	Recording Secretary	Sam Harris
Excused:	Planning Commission	Lynn Jacobs, and Sean Monson
	City Attorney	Bradley Jeppson
	Senior Planner	Amber Corbridge

1. Welcome

Vice-Chair Bott called the meeting to order at 6:30 p.m. and welcomed everyone. Vice-Chair Bott mentioned that there is a change to the agenda for item six (6) that needs to be addressed.

Planning Director Astorga introduced Aaron Nielson, City Prosecutor/Assistant City Attorney who is filling in for City Attorney Jeppson. Planning Director Astorga asked to continue item six (6) to November 19, 2024, due to technical error in noticing requirement for the public hearing.

2. Meeting minutes from October 01, 2024

To be reviewed at the November 19, 2024, meeting.

3. Lot Line Adjustment for 1785 South 1450 East and 1501 East Mueller Park Road

Assistant Planner Morgan presented the item as outlined in the packet.

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

4. Land Use Code Text Amendment for Accessory Structures and Retaining Wall Heights

Planning Director Astorga recommended that the Planning Commission forward this item to the November 19, 2024, Planning Commission meeting, as this staff-initiated item needed more time for research and preparation.

Vice-Chair Bott opened the Public Hearing at 6:36 p.m. Susie Becker commented about her concerns regarding the impacts of the amendment relating to a 20-foot-high retaining wall built several years ago next to her house She compared it to living in an industrial park and called it ugly.

Commissioner Gilmore motioned to continue the Public Hearing to the November 19, 2024, meeting, at 6:39 p.m. Commissioner Ward seconded the motion. The motion was approved with Commissioners Bott, Gilmore, Ward, Clark, and Higginson voting “aye.”

5. Variance Request to Allow a Retaining Wall on Slopes over 30% at 3343 South Bountiful Boulevard

Assistant Planner Morgan presented the item as outlined in the packet.

Vice-Chair Bott questioned whether this retaining wall was built on a downward or upward slope. Assistant Planner Morgan confirmed that it was an upward slope. Vice-Chair Bott then asked if this applies to the thirty (30) percent slope if you're not constructing on the slope. City Engineer Cheney stated that based on the definitions in the Land Use Code for usable and unusable ground it would require a Variance. Unusable ground is specifically called out as slopes thirty percent (30%) or greater. Whether you're disturbing it, building on it or using it for any purpose, the Land Use Code precludes all those activities.

Vice-Chair Bott followed up by asking even if you excavate into the thirty (30) percent if it's unusable from where the toe of the heel was originated. City Engineer Cheney responded with wherever the thirty (30) percent slope occurs.

Vice-Chair Bott finished with asking about this variance being for fifteen (15) feet, is it because that is the way to do the minimal amount of disturbance to the slope. City Engineer Cheney stated that based on the analysis of the condition prior to excavation there was a retaining wall about twelve feet (12') from the back of the house. It appears that at the time that's what was approved and built which was there for thirty (30) years. The current building code requires a minimum setback from a structure to the toe of a hill. The way that is defined is by obtaining the height of the hill behind the structure. The height of the hill is divided by two (2) or up to a maximum of fifteen (15) feet, whichever is greater.

Commissioner Ward questioned if there was a concern for safety since this is far above the maximum and because of the back fill. Planning Director Astorga explained that a variance is a deviation of the code, and that staff feels comfortable with this variance. City Engineer Cheney stated that stabilization is the primary concern for staff as the slope is restored.

Vice-Chair Bott opened the Public Hearing at 7:04 p.m. No comments were made. Vice-Chair Bott closed the Public Hearing at 7:04 p.m.

Commissioner Higginson motioned to approve. Commissioner Gilmore seconded the motion. The motion was approved with Commissioners Bott, Gilmore, Ward, Clark, and Higginson voting “aye.”

6. Zone Map Amendment from RM-19 to MXD-R at 2122 Orchard Drive

Item continued to the November 19, 2024, Planning Commission meeting, see item 1.

7. Planning Director’s Report/Update

Planning Director Astorga reported that we have hired DeAnne Morgan for our recent job posting for Assistant Planner/Code Enforcement. We are now hiring a part-time Planning Technician.

8. Adjourn

Vice-Chair Bott adjourned the meeting at 7:06 p.m.