

**West Bountiful City
Planning Commission**

November 9, 2010

Posting of Agenda -The agenda for this meeting was posted on the State of Utah and City of West Bountiful Web-Site and sent to Clipper Publishing Company on November 5, 2010 per state statutory requirement.

Minutes of the Planning and Zoning Commission of West Bountiful City held on Tuesday, November 9, 2010, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman James Ahlstrom; Denis Hopkinson; Vice Chair, Steve Schmidt, Terry Turner, Tori Boggess; Commissioners and

MEMBERS/STAFF EXCUSED: Craig Howe; City Administrator, Heidi Voordeckers (City Recorder), Alan Malan (Alternate) Commissioner.

STAFF PRESENT: Ben White; City Engineer, Bev Haslam and Debbie McKean (Secretary).

VISITORS: Michael Stout, Doug Layne, Brandon Jenkins, and Michael Hill.

The Planning and Zoning Meeting was called to order at 7:0 p.m. by Chairman James Ahlstrom. Denis Hopkinson offered a prayer.

Accept Agenda

Chairman James Ahlstrom reviewed the agenda as posted. Terry Turner moved to accept the agenda as presented. Steve Schmidt seconded the motion. Voting was unanimous in favor among those present.

Business Discussed:

Consider Approval of Conditional Use Permit- Waterscape, LLC (Michael Stout)

Mr. Michael Stout; owner Waterscape, LLC presented an application to the Planning Commission for a Conditional Use Permit for a Landscaping Design and Construction Company moving from a current Centerville location to our 500 South area in West Bountiful. Mr. Stout provided the commission with a portfolio including information about what they do and how they will improve the property they are proposing to obtain in West Bountiful. He also included a proposed layout of the yard and landscape plan in detail. A copy of the Conditional Use Ordinance was included in the commission packets as well as memo from Stephen B. Doxey, City Attorney.

Ben White explained to the Commission that Mr. Stout would like to purchase some property for his Landscaping Company on 500 West in West Bountiful. The zone is a CG zone and would warrant a Conditional Use Permit. There will be some outdoor storage necessary. Mr. White has conferred with our legal council and has given the information to the commission as to what conditions may want to be placed on this permit. Some of the land located in the back of the lot is in Woods Cross and we cannot impose conditions on that property. The property is currently a nursery which sells trees and material.

Mr. Stout told the commission that he desires that location because it is more visible to the public and he could make that area highly attractive to the community. The retail end of the business is not their primary focus. Specialty items (like trees) will be located on site and most of their work will be done away from the property. Chairman Ahlstrom noted that there will be a

significant amount of clean up take place for this business to replace the current Nursery Business. Mr. White explained that the 15% landscaping requirement pertains to retail businesses and would not need to apply in this condition. He reminded the commission and Mr. Stout that the Conditional Use permits are reviewed annually.

Some discussion took place:

- Mr. Ahlstrom explained the outdoor storage conditions that may be placed on his business as part of the conditional use (i.e. fencing). Other conditions may include lighting restrictions, etc.
- Off season, the business would have equipment that would include snow removal equipment and some pallets of salt. Bark and such materials would be stored in bins that would allow equipment to drive in and scoop out the material. The bins will not be roofed.
- Mr. White explained that if the material is seasonal then they would not have to meet the roof conditions. Mr. Hopkinson expressed his view that covering the material would not be practical for this business and our outdoor storage ordinance would not be specific to this business.
- Mr. Turner was concerned with the amount of traffic the business would create.
- Mr. Stout responded that customers would come to pick out their landscaping, there would only be one or two customers at a time with only 6 parking stalls available for the business. Mr. Stout explained that his goal would be not to house too much left over inventory in the off season being the winter.
- Most of the storage will be on the Woods Cross property and cannot be mandated by our city ordinance.
- Review and discussion of the Ordinances (both Outdoor Storage and Conditional Use) and determining which part of the ordinance matrix was applicable to the business on the West Bountiful Property.
- Off season equipment needs to be stored off site or in a three sided building with a roof per our current ordinance.

ACTION TAKEN:

Denis Hopkinson moved to approve a request for a Conditional Use Permit for Waterscape, LLC; owner Michael Stout for a business located at approximately 1067 West 500 West, West Bountiful commission finds and agrees with the following: is defined with the following conditions 17.60.040 C is met and satisfied and that 17.60.070 A, 17.60.080 17.60.060 will apply and will be enforced. The Business is defined by 17.32.020 d, f and n. Conditions attached to the Condition 17.92.010 Matrix Appendix A and Restrictions 1 and 7 specifically apply with the season being from Spring to Fall for landscaping and from Fall to Spring for snowplow operations, 17.32.080 b will also be a condition and met within a one year period of time. In addition, all proposed landscaping and improvements must be accomplished in a one year period. Tori Boggess seconded the motion and voting was Roll Call Vote was taken: Denis Hopkinson- yes, Terry Turner-yes, Tori Boggess,-yes, James Ahlstrom- yes and Steve Schmidt-yes. Voting stood unanimous in favor.

Discussion on Signs in Residential Zones 17.48.090

Mr. White presented a red marked copy of the Residential Zone Ordinance **17.48.090** and a memo prepared by Mr. White dated November 5, 2010 regarding Signs in Residential Zones. He noted that this includes everyone east of I-15. Business with home occupational permits are not allowed to have signs on their property per Business Licenses.

Mr. Hopkinson posed the question to whether or not we want to change the signs that are currently not allowed by our ordinance yet being ignored as they are being displayed in the city currently. He desires to be sensitive to the needs of the citizens and want the ordinance to be crafted in such a way that it is not restrictive enough but satisfies the needs of the city.

Types of Signs: Desire of the Commission is to give Maximum Flexibility but Business Licenses conditions apply.

- **Garage Sales-** Yes, but cannot be allowed on power poles and Stop signs, or directional signs within the city with time restraints definitions.
- **Directional and Informational Signs-** allowed on private property only
- **For Sale Signs/Signs that advertise Goods Wanted-** Size specified, but not time restricted. Business License restrictions will apply.
- **Commercial Use Signs-** Should be conditioned by Commercial Sign Ordinance. Can be pulled and fined if not on private property.
- **Non Profit Organizational Event** – same as above

Discussion of Sidewalks, Curb and Gutter, and trails in the A-1 Zone

A memorandum and site map was provided to the commission from Mr. White. He noted that the R-10 and R1-22 areas are already built out in our city. He asked the commission to discuss the A-1 zones and discuss and decide on what do we want regarding sidewalk, curb and gutter and trails and why? Some things to consider are drainage, rural feel, cost requirement verses wish (standard), and safety. Some discussion took place as follows:

- Highly populated areas need sidewalk
- A-1 developing is very costly and should be considered and our new PUD ordinance is more restrictive to accommodating requests that have been met in the past.
- Do we have the infrastructure in place that will capture water that will flow in a curb and gutter? It was determined that it is either limited, none existing to date or lacking efficiently moving the water. Denis Hopkinson noted that we haul a lot of water through our city storm drains from Bountiful.
- Where will we haul the water if we create the flow of water to exist in the A-1 Zone?
- Need to consider what do we want the community to look like?
- Trail System that will meet the needs of horses, walker/runners, bikers that are wider than a traditional sidewalk.
- Concrete is more advantageous than Asphalt
- If standards and requirements are not established then we cannot request much from the developer. Infrastructure can be figured out later.
- Have some possible solutions and options that will address the need for drainage but be a good fit for our A-1 zone. Wider than normal walkways and possibly having it on one side of the roadway. Concrete being the preferred material to use.

Staff Report

- Ben White presented a Resolution 269-10-Establishing Business License Fee Schedule that will be given to the City Council to pass. Commission was given a Memorandum recommending fee structure for Business Licenses. Staff would like the commission to particularly note the fee for Home Occupation/Conditional Use Application Fee. It was suggested to change fees to \$20 for Home Occupations and \$50 for Conditional Use Permits in a Residential Area as a one time application fee. Business License are yearly. Commissioners can provide comments via email to staff.

Approval of Minutes dated October 26, 2010

Steve Schmidt moved to approve the minutes dated October 12, 2010 as corrected. Steve Schmidt seconded the motion voting was unanimous in favor.

Adjournment

Denis Hopkinson moved to adjourn the regular session of the Planning Commission Meeting. Tori Boggess seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:10 p.m.

James L. Ahlstrom
JAMES AHLSTROM /CHAIRMAN

Heidi Vordeckers
HEIDI VORDECKERS/CITY RECORDER

Debbie McKean
DEBBIE MCKEAN /SECRETARY

