

**West Bountiful City
Planning Commission**

May 10, 2011

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 May 5, 2011 per state statutory requirement.

Minutes of the Planning and Zoning Commission of West Bountiful City held on Tuesday, May 10, 2011, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman James Ahlstrom; Denis Hopkinson, Steve Schmidt, Terry Turner, Tori Boggess; Commissioners, and Alan Malan (Alternate) Commissioner.

MEMBERS/STAFF EXCUSED: Craig Howe; City Administrator.

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

VISITORS: Valerie Shaw; City Council.

The Planning and Zoning Meeting was called to order at 7:00 p.m. by Chairman Ahlstrom. Heidi Voordeckers offered a thought. "Excuse no matter how valid cannot explain poor performance."

Accept Agenda

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

Business Discussed:

Public Hearing to receive input on amendments to Title 15 (Buildings and Construction) of the West Bountiful Municipal Code

Ben White addressed the Commission and the public in regards to making necessary changes to Title 15 – (Building and Construction) to be forwarded to the City Council for approval.

Mr. White noted the suggested changes included:

- Update code to read "International" instead of "Universal" Code.
- Added some paragraphs from Chapter 17 that applied to building permits.
- 15.08.100 Board of Appeals needs to include an architect, structural engineer and a contractor as required by the International Building code
- Struck a large section relating to excavations because it was redundant and appears in the Building Code section.
- Amended fence requirements but these changes will show up in a later ordinance for fences.

Some discussion took place to clarify some of the language, procedures, and other concerns regarding:

- 15.08.020 Fences and building permits. No changes were made by the commission to the proposed amendments.
- Language that referred to the “land use authority” which would include planning commission, city council, and staff. This recommendation came from legal council.
- International Building Codes are available through our contracted building inspector with some more often used codes being available at City Hall.
- Regarding section in code that does not reference being adopted by the State of Utah.

ACTION TAKEN:

Denis Hopkinson moved to open the public hearing to receive public input on suggested changes of Title 15- Buildings and Construction of the West Bountiful Municipal Code at 7:20. Terri Turner seconded the motion and voting was unanimous in favor among those members present.

PUBLIC COMMENT:

No public was present to make comment.

ACTION TAKEN:

Steve Schmidt moved to close the public hearing at 7:21p.m. Denis Hopkinson seconded the motion and voting was unanimous in favor.

Consider motion to recommend amendments to Title 15 of the West Bountiful Municipal Code to the City Council for approval.

ACTION TAKEN:

Denis Hopkinson moved to forward amendments to Title 15 of the West Bountiful Municipal Code as is to the City Council for approval. Tori Boggess seconded the motion and voting was unanimous in favor.

Consider motion to recommend amendments to Title 16 of the West Bountiful Municipal Code to the City Council for approval.

Ben White addressed the commission in regards to the suggested changes to Chapter 16 (Subdivisions)

- 16.08.050 regarding Fees adding a section D and E and F. In section F a sub section numbered 4 and 5 were added.
- 16.20.020 A. paragraph adding the language *“all subdivision, including minor or small subdivisions, are required to install all public improvements including asphalt, curb, sidewalk, street lights and utilities that are required to complete the standard street design included in the City’s design standards regardless of whether the required improvements are on a new or existing street. The City Council may upon specific findings waive, modify or delay the construction of all or part of the required public improvements. as a substantial language change.”*
- 16.24.020- Some discussion took place regarding appeals notice. It was determined to leave as 10 calendar days.
- 16.08.050 – It was noted that there should be a cross reference specifying required fee equivalent to 16.28.140.

- Definitions 16.28.050 stand approved.
- 16.28.140 – Mr. Hopkinson thought there is an awkward process in regards to water rights and the giving up of 100% of their water rights and that seems excessive to Denis Hopkinson. He inquired what the process would be to apply for water rights. Mr. White noted that 0.5 acre feet is the culinary requirement. Prior code required all water rights be turned over. If you have more than that they are not part of the requirement then language was added to read *“if at the time of development, the City determines that there are excess City held water rights available and the developer has provided adequate water rights, the City may grant a water right allocation equal to 0.45 acre-feet per year per residential dwelling equivalent for domestic use for a fee which shall be established periodically by resolution of the City Council.”* Mr. White explained that the value of that water could fluctuate and needs to be set by the City Council accordingly. Mr Hopkinson wanted language added to include “by application” so as to trigger the purchase of water rights and start the process in place.
- 16.28.160 Appeals should be sent to the City Recorder instead of Planning Commission Secretary.
- 16.050- Regarding Sidewalk “maybe required” seems ambiguous. Ben White explained that it is in the Subdivision Code and it is stated as “is required” there so he left this language as is.
- 16.050 – Could City Council be taken out and land use authority used.

ACTION TAKEN:

Tori Boggess moved to open the public hearing to receive public input on suggested changes of Title 16- (Subdivisions) of the West Bountiful Municipal Code at 7:44 . Steve Schmidt seconded the motion and voting was unanimous in favor.

PUBLIC COMMENT:

None was given.

ACTION TAKEN:

Terri Turner moved to close the public hearing at 7:45 p.m. Steve Schmidt seconded the motion and voting was unanimous in favor.

Consider motion to recommend amendments to Title 16 (Subdivisions) of the West Bountiful Municipal Code to the City Council for approval.

ACTION TAKEN:

Denis Hopkinson moved to make the recommendation with suggested modifications to the staff document as discussed this evening and forward them to City Council for approval. Tori Boggess seconded the voting was unanimous in favor.

Consider motion to recommend amendments to Title 17 of the West Bountiful Municipal Code to the City Council for approval.

Mr. White briefly reviewed the proposed amendment to Chapter 17.16 A-1, 17.20, R-1-22, and 17.24 R-1-10 zones and explained that the redlines in the draft have been taken from other areas of the code and included in their appropriate section. Language for Chapter 17.16 in the A-1 zone was added for fence requirements enabling regulations to exceed the 6 ft fence limit in certain individual situations when deemed appropriate.

17.16.050 Struck out under H- *“ and no structure or group of structure exempted from yard obstruction in any residential district shall cover more than fifty percent (50%) of the front yard or side yard.”*

17.24.040 D- change language part at the end to read *“Shall the smaller of the two yards be less than five feet, nor shall the total width of the two yards be less than thirteen feet.”* should be *“side yards instead of yards”*. Add *“side yards”*.

ACTION TAKEN:

Steve Schmidt moved to open the public hearing to receive public input on suggested changes of Title 17- (Subdivisions) of the West Bountiful Municipal Code at 7:55 p.m.. Terri Turner seconded the motion and voting was unanimous in favor.

PUBLIC COMMENT:

None was given.

ACTION TAKEN:

Tori Boggess Moved to close the public hearing at 7:58 p.m. Denis seconded the motion and voting was unanimous in favor.

ACTION TAKEN:

Tori Boggess moved to forward amendments to Title 17 (Zoning) of the West Bountiful Municipal Code to the City Council for approval with the following 17.24.040. D to include “side yards” and make comparable changes in section 17. 20 and 17.16 Denis seconded the motion and voting was unanimous in favor.

Staff Report

Mr. White reported:

- That there has been a slight increase in building permits approximate 1 residential per week spread throughout the city.
- There is a new developer in Shopko area and they are discussing renovation with the city. It will have a similar feel of the Commons Area. The developer desires to get new tenants and possibly build a new structure somewhere on the premises.
- Staff is working to propose a possible rezone on 500 South prior to the blended use zone.
- Mr. Ahlstrom asked if we were ever going to address the “storage unit” buildings on the north side of the city by Syro Steel. Mr. White felt that would be addressed in a few years as the developments in Centerville are finished.
- Mr. Hopkinson would like to see the Syro Steel area reviewed.

Approval of Minutes dated April 26, 2011

Tori Boggess moved to approve the minutes dated, April 26, 2011 as presented. Steve Schmidt seconded the motion voting was unanimous in favor.

Adjournment

Denis Hopkinson moved to adjourn the regular session of the Planning Commission meeting. Steve Schmidt seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:15 p.m.


 JAMES AHLSTROM /CHAIRMAN


 HEIDI VOORDECKERS/CITY RECORDER


 DEBBIE MCKEAN /SECRETARY

