

January 10, 2012

1 **West Bountiful City**
2 **Planning Commission**

3 **Posting of Agenda** -The agenda for this meeting was posted on the State of Utah and City of
4 West Bountiful Web-Sites and sent to Clipper Publishing Company on January 6, 2012 per state
5 statutory requirement.

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

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Those in Attendance:

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MEMBERS PRESENT: Chairman Denis Hopkinson; Alan Malan, Steve Schmidt, Terry Turner and Mike Cottle; Commissioners, Laura Charchenko (Alternate) Commissioner.

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MEMBERS/STAFF EXCUSED:

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STAFF PRESENT: Craig Howe; City Administrator, Ben White; (City Engineer), Heidi Voordeckers (City Recorder/Auditor), Cathy Brightwell, Bev Haslam (Staff) and Debbie McKean (Secretary).

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VISITORS:

23 The Planning and Zoning Meeting was called to order at 7:35 p.m. by Chairman Hopkinson.
24 Mike Cottle offered a thought.

25 **Introduction and Swearing In of New Commissioners**

26 Denis Hopkinson introduced the newly appointed commissioners. They are Mike Cottle (22 year
27 resident) and Laura Charchenko (6 year resident) alternate member. Alan Malan was appointed
28 to a commissioner from a commissioner alternate of (4 years). He also serves as Chairman of the
29 Historic Committee and has come to most every City Council and Planning Commission meeting
30 for years.

31 Heidi Voordeckers (City Recorder) swore the commissioners into office. The commissioners
32 took their seats on the stand. Alternate Laura Charchenko took the stand to replace the absentee
33 commissioners Steve Schmidt and Terry Turner.

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35 **Accept Agenda**

36 Chairman Hopkinson reviewed the agenda. Alan Malan moved to accept the agenda as posted.
37 Mike Cottle seconded the motion. Voting was unanimous in favor with those members present.

38 **Business Discussed:**

39 **Public Hearing to receive input on adding "child care or nursery" to the list of permitted**
40 **uses in Section 17.24 of the West Bountiful City Municipal Code, Residential R-1-10 zone.**

41 It was noted in a Memorandum dated January 6, 2012, from Cathy Brightwell and Ben White
42 that in the listed permitted and conditional uses in the City's three residential zones R-1-10, R-1-
43 22, and A-1 "child care or nursery" was not included. "Child care and nursery" were included in
44 past versions of the ordinances but was excluded by error in the more recent version. The staff
45 requests the language be added back.

1 A Public Hearing is necessary to make any changes to the ordinances. The Public Hearing was
 2 noticed in the Clipper on December 29, 2011 and on the State's Public Notice website on
 3 December 30th, 2011.

4 **ACTION TAKEN:**

5 **Alan Malan moved to open the public hearing at 7:43 p.m. to receive input on adding**
 6 **"child care or nursery" to the list of permitted uses in Section 17.24 of the West Bountiful**
 7 **City Municipal Code, Residential R-1-10 zone. Motion was seconded by Mike Cottle and**
 8 **voting stood unanimous in favor among those members present.**

9 Heidi Voordeckers, Ben White, Cathy Brightwell, Debbie McKean introduced themselves.

10 Chairman Hopkinson explained the process and procedures of this meeting. He further
 11 explained how the Public Hearing process takes place. He informed them of the Newly Elected
 12 Official's Training that will be held on February 11, 2012. Mr. Hopkinson invited the newly
 13 appointed officials to get familiar with the LUDMA regulations.

14 **Public Comments:**

15 **No Public Comment was given**

16 **Alan Malan moved to close the public hearing at 7:50 p.m. to receive input on adding**
 17 **"child care or nursery" to the list of permitted uses in Section 17.24 of the West Bountiful**
 18 **City Municipal Code, Residential R-1-10 zone. Motion was seconded by Laura Charchenko**
 19 **and voting stood unanimous in favor for members present.**

20 Ben White gave a brief background on the City Code and the City Zones and explained the error
 21 and mistakes made when changing the ordinances prior to now. Staff noted the error and is
 22 asking for it to be replaced in the code/ordinance to correct the over site.

23 Chairman Hopkinson explained the procedure in presenting items for discussion and having the
 24 individual opportunity to respond and comment as commissioners. He asked them to become
 25 familiar with Roberts Rules of Order.

26 Each commissioner was given the opportunity to ask questions regarding adding the language to
 27 this ordinance. Mike Cottle was given further information from Ben White to understand the
 28 purpose of this ordinance and the differences between permitted uses, conditional uses, home
 29 occupation permit, etc. Mr. White explained that as simple as changing this language it is still
 30 important to follow the correct procedure to making changes.

31 Chairman Hopkinson further explained the process and where the changes will be made on this
 32 specific ordinance.

33 Laura Charchenko inquired about the definitions and if it needed to be included. Mr. White
 34 explained that the definitions are already included.

35 **Discussion of Planning Commission Charter**

36 Cathy Brightwell presented Chapter 2.36 Planning Commission to the Planning Commission for
 37 their review in the Commission packet. Mr. Hopkinson explained that this Chapter will refresh
 38 the knowledge of those who have been serving along with those newly appointed. He
 39 encouraged them to read this Chapter and pointed out a few specific items to note:

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- 41 • Where the alternate sits during the meeting and when they sit in and vote. He requested
 42 that they take the seat on the stand in the absence of any regular commissioner.
 - 43 • Packets are ready Friday before the regularly scheduled Planning Commission meeting
 44 and it is their responsibility to study and do their homework regarding the issues at hand
 45 on the agenda. It is important that they are prepared and familiarize themselves with the
 46 issues. He explained that the code book is online and encouraged them to study it.
 - 47 • Legal ramifications are made here at the meetings. It is important that they remain
 impartial as a legal entity and press forward the findings from the ordinances that back

1 their decisions, then move it to Staff for implementation. It is important to get the
 2 motions legally verbalized and specific to the section it should be put into place. He
 3 encouraged them to take notes and ask questions. Listen to staff and other
 4 commissioners comments.

- 5 • Chairman Hopkinson explained how to make a motion and carry a motion through and
 6 being correct with the motion.
- 7 • Minutes are reviewed and approved. Check the information content and if there are
 8 errors recognize them at the time prior to the minutes being approved.
- 9 • Chairman Hopkinson would like the new commission to have time frames when the
 10 General Plan is due for review. It was noted that the last update was in 2006. He would
 11 like to set goals. Mayor suggested that they set a schedule to accomplish ordinance
 12 reviews. Ben White noted that the subdivision ordinance and the animal ordinances are
 13 the two current ordinances currently being reviewed. It is a lengthy process at times and
 14 often times there will not be a full consensus on everything. These ordinance need to be
 15 reviewed before applicants and emotions become involved. Curb, gutter and sidewalk
 16 needs to be pre-planned before development begins particularly in the Westside of our
 17 city.
- 18 • Chairman Hopkinson encouraged the commission to become familiar with the Blended
 19 Use Zone Ordinance. It is extremely specific and involves the city in the overall design
 20 as a partner.
- 21 • Our City staff are your friends and will give you information at any time. Alan and Denis
 22 offered their help and assistance as well.

23 **Consider motion to recommend adding “child care or nursery” to the list of permitted uses**
 24 **in Section 17.24 of the West Bountiful City Municipal Code.**

25 **ACTION TAKEN:**

26 **Alan Malan moved to add “child care or nursery” to the list of conditional and permitted**
 27 **uses in Section 17.24 of the West Bountiful City Municipal Code, Residential R-1-10 zone.**
 28 **Motion was seconded by Laura Charchenko and voting stood unanimous in favor among**
 29 **those present.**

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 31 **Discussion of Farm Animal work session with City Council scheduled for January 31 at**
 32 **7:30 p.m. and review of Farm Animal package:**

33 Cathy Brightwell and Ben White prepared a memorandum and summary of the issues regarding
 34 the Farm Animal Ordinance that has been discussed over the past several months. This will
 35 allow newly appointed members of the Planning Commission and newly elected officials the
 36 opportunity to review the history and background in order to prepare for the scheduled work
 37 session to be held on Tuesday, January 31 at 7:30 p.m.

38 Mr. Hopkinson informed the commission that there is a lot of information regarding this item.
 39 People who already have their rights in place by current ordinances are grandfathered into the
 40 system until their use changes.

41 He directed them to look at the packet and review the history of activity regarding this that Staff
 42 has put together. The discussion will begin with how many animals per acre will be allowed.

43 Ben White briefed the commission as to why this ordinance is being reviewed. A resident
 44 complained about how many horse his neighbor had and the Staff told the resident the neighbor
 45 was compliant with the Code and he/she disagreed. The resident appealed staff's decision to the
 46 City Council. The appeal was granted, in part, because of specific language in the ordinance.
 47 Lots of input and long evenings regarding this ordinance have taken place. A work session is
 48 going to be held to discuss some of the differences that the commission and council have. He
 49 explained the process that takes place in the work session that will be held on January 31, 2012.
 50 He explained that if the council deviates too far from the commissions recommendations it will
 51 come back to the Planning Commission again.

1 Mrs. Voordeckers noted that there should be no public comment made even though it is an open
2 meeting and the public is allowed to attend.

3 Mayor Romney explained some of the ideas that have been presented for consideration for
4 deciding how many animals should be on a particular plot size of land.

5 Chairman Hopkinson noted that the work session will allow the Council to understand how the
6 Commission got to the decisions they made to forward to them. The animals have to be taken
7 into consideration as well as how to keep them. It becomes an emotional issue as well.

8 He commended Ben and Cathy for a job well done in providing information to them.

9 **Staff Introductions and Report:**

- 10 • Staff introductions were done at the beginning of the meeting.
11 • Planning Commission may need to make additional recommendations for our Sign
12 Ordinance to the City Council. There is a pending draft. The ordinance was put on hold
13 by the City Council to do some research on some types of signs. It will be brought before
14 the City Council at the next meeting and may land back at the Planning Commission
15 level.
16 • Cathy Brightwell asked if it was helpful to have packet information emailed to them and
17 explained that full packets will be available at the city offices. Denis likes to get his
18 packet electronically, but if the files are too large then the attachments can be picked up
19 at the office. It was determined that general information will be sent and a note made to
20 direct them that further information is available.
21 • Denis suggested that they be set up with a city email with the option to forward that to
22 their personal email accounts so they know to look at their city email account.
23 • Cathy will send the electronic packet which will let the commission know that the hard
24 copy of the packets are available. She asked that the Commissioners let them know if
25 they need more time than Friday to have things to review.

26 **Approval of Minutes dated December 13, 2011**

27 **ACTION TAKEN:**

28 **Alan Malan moved to approve of the minutes dated December 13, 2011 with the noted**
29 **corrections. Laura Charchenko seconded the motion and voting was unanimous in favor.**

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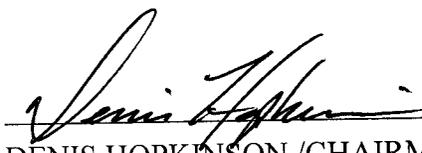
31 **Adjournment**

32 Mike Cottle moved to adjourn the regular session of the Planning Commission meeting. Alan
33 Malan seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:00 p.m.

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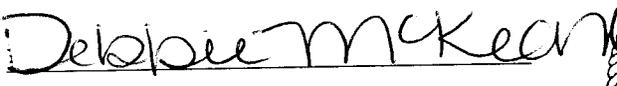
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DENIS HOPKINSON /CHAIRMAN

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HEIDI VOORDECKERS/CITY RECORDER

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DEBBIE MCKEAN /SECRETARY



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