

1 **West Bountiful City**

June 28, 2012

2 **Planning Commission**

3 **Posting of Agenda** -The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on June
5 22, 2012 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **June 28, 2012, at West Bountiful City Hall, Davis County, Utah.**

8

9

Those in Attendance:

10

11

12

13

14

MEMBERS PRESENT: Chairman Denis Hopkinson, Vice
Chairman Terry Turner, Steve Schmidt, Alan Malan, Planning
Commissioners, and Laura Charchenko, Alternate Commissioner.

15

16

17

MEMBERS/STAFF EXCUSED: Mike Cottle (Planning
Commission) and Heidi Voordeckers (City Recorder/Auditor),.

18

19

20

STAFF PRESENT: Ben White (City Engineer), Cathy
Brightwell (Deputy Recorder), and Debbie McKean (Secretary).

21

22

VISITORS: Brad and Michelle Jensen, Fran Wilby, Christine and
Kent Harker, Paul Watson, and Walter Plum.

23

24

The Planning Commission Meeting was called to order at 7:30 p.m. Denis Hopkinson offered a
prayer.

25 **I. Accept Agenda**

26

27

Chairman Hopkinson reviewed the agenda. Terry Turner moved to accept the agenda as posted.
Laura Charchenko seconded the motion. Voting was unanimous in favor.

28 **Business Discussed:**

29

30

**II. CANCELLED- Public Hearing to receive input on proposed subdivision, "Chase
Meadows" located at Pages Lane at approximately 1000 West.**

31

32

33 **III. Discuss revisions to the Farm Animal Ordinance**

34

35

36

37

38

39

Included in the commissioner's packets was a letter from Brad Jensen with a request for changes
to be made to the newly revised Farm Animal Ordinance. Also included in the packet was a
memorandum from Cathy Brightwell and Ben White dated June 22, 2012 with a redline revision
document of the Farm Animal Regulations 17.16.080, A-1; 17.20.080 R-1-22 and 17.24.080 R-
1-10 and a memorandum from Stephen B. Doxey dated June 15, 2012 regarding Farm Animal
Ordinance Enforcement.

40

41

Chairman Hopkinson invited the commissioners to make their individual comments regarding
the Farm Animal Ordinance and the proposed changes.

42

43

44

Alan Malan - Consider that this ordinance covers all three zones and that the zones control the
points allowed. He suggested that the property owner could get a minimum of the amount of
points that are allowed in that zone. He was in favor of changing the large animal points to ½ of

1 the allowed 40 points and include the medium animals at 10 points which would be ½ of the 20
2 points currently allowed, under a conditional use permit. Regarding Item D.1., he suggested to
3 delete “medium and” and just leave “large animals.”

4 Steve Schmidt – inquired about language regarding leased property that staff had highlighted in
5 B.3.b., “...must be used in some meaningful way by the lessee in the keeping of farm animals,”
6 and asked for an explanation of this item. Ben White noted that there may be some different
7 interpretations of this statement especially with regard to how much of a neighbor’s property can
8 be counted and how much needs to be leased. Staff feels that this needs to be clarified and
9 worded better.

10 Terry Turner - Feels staff has done a good job but would agree with Alan to reduce the points for
11 medium animals to 10 and for the large animals to 20 points under a conditional use permit.

12 Laura Charchenko - agree with cutting the large animal to 20 points and the medium and small
13 animals ½ of their assigned points if the conditional use permit was granted . She inquired in
14 regards to pigmy animal points and wondered if they would be half of the regular 10 points with
15 a conditional use permit. Regarding B.3B. suggested using the language “totality of” to fix the
16 problem.

17 Cathy Brightwell stated that the draft before them included only the change requested by the City
18 Council, a decreased point value for medium animals with a conditional use permit and 10 points
19 was proposed. Cathy noted that there will be a public hearing on July 10th to receive further
20 public comment on this issue. She pointed out to the commission that Brad Jensen presented a
21 letter on June 25 that had been included in their packets. In regards to Mr. Jensen’s suggestion to
22 have a new procedure in place for complaints, she noted that the staff is looking at the proposal
23 and will present suggestions in the future.

24 **ACTION ITEM:**

25 Denis Hopkinson asked Ben White to clear up the language for item B.3B. Denis felt that the
26 complete paragraph makes sense but when the paragraph is picked apart and taken out of context
27 it could be misinterpreted. He also tasked staff to put the suggested changes from the
28 commission to a “clean” copy and instructed staff to send the proposed ordinance as discussed
29 this evening out to all the commissioners and make it available to the public prior to the hearing.
30 Cathy Brightwell informed the public that she will post it on the website as well and hopes to
31 have it ready next Tuesday. Laura Charchenko asked that the commission share their thoughts
32 about Clarifying “E” in A1. It was proposed that pigmy farm animals be ½ of the regular
33 medium size points and with a conditional use permit, the points can be cut in half again. It was
34 suggested that for the draft presented to the public, it might be less confusing to state that with a
35 conditional use permit, all points will be cut in half from the regular number.

36

37 **IV. Discuss a proposed 30-lot subdivision, Mistletoe Farms, in the American Cowboy** 38 **Equestrian Center.**

39 Included in the packet was a memorandum dated June 20th, 2012 from Ben White.

40 Denis Hopkinson explained a bit of history of a subdivision that was previously proposed in this
41 area. Mr. Hopkinson referred to the new developers proposed plot plan. He noted that he would
42 like to see the development close to that of the previous plan. It was pointed out the
43 development would be developed into 32 lots with an alternative to the standard requirements for
44 the road.

45 Walt Plum of Plum Holding, Inc. gave a brief introduction of his company and noted that they
46 were the developers of Bountiful Ridge, EagleRidge, and a new development up Immigration
47 Canyon that this proposal was designed after. They have been meeting with our staff for over 18
48 months with several different proposals. Those proposals were discouraged by staff because of
49 the proposed large density of development. They have revised their original plans down to
50 include only 32 homes. They have cut a lot of density in this project from their original

1 proposals. Lots will be large with the beautiful landscape, open space, and large beautiful
2 homes. Work will also be done to improve the conditions at the Equestrian Center.

3 Laura Charchenko inquired about the design of the road. Mr. Plum noted that with this type of
4 development there would be no need for curb, gutter and sidewalk because of the private road
5 and to maintain the Equestrian feel. She wondered how that would flow with the already
6 existing roads and sidewalks in the city. Mrs. Charchenko was also concerned with flooding and
7 how not having curb and gutter would affect the flow of water and address drainage issues.

8 Terry Turner asked if this would be a gated area. Mr. Plum responded that he would love to gate
9 the area but didn't have to depending on the feelings of the City. He felt that the plan to reduce
10 the width of the road would give a more gated feel without gates. He invited all to take a look at
11 Immigration Oaks area. Mr. Turner inquired about incorporating the already existing trails on
12 Legacy. Mr. Plum stated that he intends on tying into the existing trails.

13 Steve Schmidt wondered why anyone would want to live down there and wondered who would
14 pay to control the mosquitos.

15 Alan Malan was concerned about the private streets and the curb, gutter and sidewalk and
16 drainage. Ben White responded that the road would have to be raised about 2-3 feet in order for
17 this to work. Mr. Plum commented that they have to sell the lots so they will do what needs to
18 be done to address the water issues, and this is just a preliminary plan. Mr. White informed the
19 commission that the proposed plan as is would cause drainage problems. Mr. Hopkinson
20 responded that those issues could be addressed.

21 Mr. Malan felt that there should be a lot of trail access, that retention ponds would create bugs
22 and is not a proponent of private roads.

23 Steve Schmidt asked how the Fire Department get around in that area. Ben White noted that it
24 could meet fire code if at every fire hydrant the road increased to 26 feet for a certain distance.

25 Mr. Plum explained that the idea is to have a country feel with large lots and small narrow roads.

26 Mr. Hopkinson pointed out that there is a lot of controversy over curb, gutter and sidewalk in the
27 City right now. He leans toward more of the idea of having trails, landscaping, and no curb and
28 gutter. Possibly considerations could be given to having curb, gutter and sidewalk on one side of
29 the road like Millbrook. He likes the open space. Mr. Hopkinson felt like the drainage issue
30 needs to be worked out. There are current drainage issues but it is doable. He suggested a
31 serious drainage plan be in place and developed in order to address years with a lot of water.
32 Furthermore, he suggested that they present something more detailed to come to the commission
33 and not just staff, as well as the public for the hearing.

34 Mr. Plum inquired about road access and asked for feedback on connecting into Jesse's
35 Meadows through City property. Mr. Hopkinson instructed Mr. Plum to bring the best possible
36 proposal for them and for our community in regards to road access into Jesse's Meadows. Mrs.
37 Charchenko felt like they would have the support of Jesse's Meadows residents.

38 Mr. Hopkinson instructed the commissioners to look at all possible ideas and considerations for
39 this development and ask questions and listen to all the ideas they have before cutting them off.
40 He knows the developers and knows that they do a beautiful, quality development. Some further
41 discussion took place regarding the struggle the drainage issue will be.

42 **V. Consider updates to Planning Commission Bylaws**

43 Chairman Hopkinson expressed his appreciation to everyone's patience in developing the
44 Planning Commission Bylaws. The commission reviewed the proposals of the Bylaws.

45 Alan Malan responded on Page 2 – **Conflict of Interest**. He did not feel that this is consistent
46 with ULCT. Some conflicts could be disclosed but would not affect the right for the commission
47 to discuss and vote on the issue. Some discussion took place and it was thought that if there was
48 financial gain involved, or family members then voting and discussion should not take place.
49 Cathy will research what determines conflict(s). Mr. Hopkinson suggested some language

1 changes that were noted by the staff. Add language stating that "Commissioner needs to recuse
2 himself."

3 Terry Turner and Steve Schmidt were in favor of the proposed changes and had no further
4 suggested changes.

5 Laura Charchenko asked about an open public comment period and wondered about it being part
6 of the bylaws or could they just add it to the agenda. Mr. Malan felt that it would be better just
7 to have it on the agenda and not part of the bylaws to be bound to.

8 Mr. Hopkinson noted that this forum is more for discussion of designs, definitions and such and
9 would like the chair to have the option of whether or not to hear public comment. Some
10 discussion took place and the commission supported Mr. Hopkinson's suggestion.

11 Alan Malan - Page 4 E 1- (Steve Doxey's document changes) regarding voting process- would
12 like to see the language changed to having an abstained vote counting as a no vote and didn't
13 think the alternate should vote in that case.

14 Cathy noted that the blue lines included in the revised document were suggestions from Steve
15 Doxey that came after the packets had been prepared and emailed.

16 **ACTION TAKEN:**

17 **Alan Malan moved to table this item for further review in order to review the Doxey**
18 **document until the first meeting in August or if a special meeting is called replacing the**
19 **July 24th meeting on Thursday, July 26th. Laura Charchenko seconded the motion and**
20 **voting was unanimous in favor.**

21 **VI. Staff Report**

- 22 • Ben White noted that the Mistletoe group will probably not be ready by the July meeting
23 for a Public Hearing but the Chase Meadow group could be available. Mr. White asked if
24 they could have a special meeting on Thursday, July 26, 2012 if there is business. He
25 asked if staff could schedule a public hearing if they get the required paperwork for either
26 subdivision prior to the meeting. The Chairman agreed that a public hearing could be set
27 if necessary, to meet notice requirements.

28 **VII. Approval of Minutes of May 8, 2012 and June 12, 2012**

29 **ACTION TAKEN:**

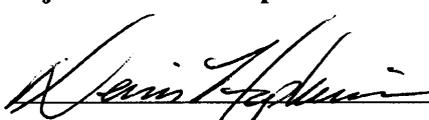
30 **Steve Schmidt moved to approve of the minutes dated May 8, 2012 and June 12, 2012 as**
31 **corrected. Alan Malan seconded the motion and voting was unanimous in favor.**

32

33 **VIII. Adjournment**

34 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting.**
35 **Terry Turner seconded the motion. Voting was unanimous in favor. The meeting**
36 **adjourned at 8:45 p.m.**

37

38 
39 DENIS HOPKINSON- CHAIRMAN


HEIDI VORDECKERS/CITY RECORDER

40

41 _____
42 DEBBIE MCKEAN /SECRETARY

43

44

