

**West Bountiful City
Planning Commission**

May 14, 2013

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on May 9, 2013 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, May 14, 2013, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Vice Chairman Terry Turner, Alan Malan, Mike Cottle and Laura Charchenko/Alternate.

MEMBERS/STAFF EXCUSED: Steve Schmidt.

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

VISITORS: Matt Jensen, Gary Jacketta.

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

I. Accept Agenda

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

Business Discussed:

II. Discussion of Current Yard Regulations, particularly setbacks for attached decks

Commission packets included a memorandum from Ben White dated May 9, 2013 regarding Setbacks - Particularly for Decks and a copy of 17.24.050 Yard Regulations. (R-1-10, R1-22, A-1).

Ben White reviewed with the Commission an unattached deck that was approved a few months ago by the planning commission, pointing out some of the requirements they imposed to meet the provisions in our current code. He would like to discuss the things that should and should not be in our code. If the planning commission doesn't object to a deck within the existing setback maybe we need to consider changing the requirements so residents do not have use loopholes such as whether it is attached or not attached to get what they want. An issue was also

are taller than 4 feet above the foundation/top of curb. He is not opposed to having a sliding scale to give some flexibility, e.g., the lower the deck the smaller the setback.

Terry Turner - He likes to let people do what they want on their own property. He feels that a scale could be good, but would like to see the property owner allowed to do as they wish.

Laura Charchenko - Inquired about the previously approved deck and whether or not it was built unattached as they required by the conditional use permit. Mr. White explained that while it may be touching the home, it was not "attached." She would like to figure out a way to allow people have a deck if they want one.

Mike Cottle - Would like to know the original purpose of the setback requirements. Ben responded that the main reasons were probably privacy and safety. Chairman Hopkinson noted that setbacks are not regulated by the State, but are set more for the way we want things to look and feel in neighborhoods. Setbacks have helped to keep things from becoming overcrowded. Mike said he would like to see people be allowed to do as they would like to do. He feels torn over the decision.

Chairman Hopkinson noted that people like to be allowed to do as they want on their own property. He pointed out that we may be more aware of what people are doing on their property now because we have a full time engineer in place and a process they can use to bring their issues to the planning commission. He referred to the property owner with the approved unattached deck and noted that they did go through the proper process and met the criteria that was set by the Planning Commission. Others should not complain if they chose not use the processes that are available to them.

Mike Cottle pointed out that we approved something that made sense to let the homeowner do. Mr. Hopkinson noted that current language gives homeowners the opportunity to be evaluated for a conditional use permit. If we close the language loop hole that is currently in our code then we may want to exclude decks in the language.

Chairman Hopkinson encouraged the commission to talk to citizens and get their feedback on the issue and be prepared for further discussion at the next meeting.

III. Consider changes to Title 12, Excavation Restrictions

Planning Commissioners received a memorandum dated May 9, 2013 from Ben White and Cathy Brightwell regarding Excavation Restrictions in Title 12 with an attached draft copy of suggested changes to language in the current code based on the discussion at the last meeting.

Chairman Hopkinson reviewed the reasons for needing to make a restriction for excavation on new roads and reminded the commissioners that at the last meeting they were given the charge to talk to the citizens to see what their feelings were on this change to Title 12.

Alan Malan - Inquired if road patches could be repaired well enough with flowable fill and hot patch. Mr. White responded that there is a material that would make a seamless, like new road but it is quite pricey. Mr. Malan asked why we would not just make that the standard for the next 5 years. Mr. White gave him an example about why we would not want to encourage that in all cases. A patch is a patch and still does not work as well as new asphalt.

Mr. Malan recommended the following language changes to the draft document:

Terry Turner thinks the 5 year time was reasonable but the 7 year was too long. Some he talked to were concerned about what would happen in an emergency situation.

Laura Charchenko wanted to know how the seven year was decided. She thinks six years would be a more even fix after talking to some citizens. Most people were for less years than more. She made the following suggestion for language changes to the draft document:

- Page 5 C.- Change "city engineer" to just "City". Also Line 7 of the same paragraph.

Mr. White pointed out that every time you cut a road it shortens its life.

Mike Cottle was more in favor of the seven year time frame. If there is an emergency then we will have to deal with that.

Mr. Hopkinson would like the 5 year time limit and still using the best practices after that time period. Ben pointed out that the property owners rights will be in place after the time limit, but best practices will still be used to repair the road at the property owners cost.

Chairman Hopkinson charged the staff to make the suggested changes and provide a clean copy for commissioners to review. He asked that the Commission ask citizen's what their preferences are on this issue and to be prepared to address them at the next meeting.

ACTION TAKEN:

No action taken.

IV. Staff Report

- Chairman Hopkinson requested the following from the Staff:

Find out what Holly is doing with their property, especially on 1100 West.

Why Holly is buying more homes?

What are their expectations and future plans?

- Ben White reported that the Hepworth Property on 1100 West and 400 North is for sale as well as their property to the west of 1100 West and may be designed to tie into Millbridge.

Laura Charchenko inquired about the selling of the Hepworth property and if they have the right to cut into the new road. Ben White responded that they do have the right, but the city can tell them how they want it done.

- Cathy Brightwell reported an update on the Jensen Property. It is in the prosecutors hands at this time.
- Cathy informed the Commissioners that a group picture will be taken at the next meeting if all members are present.

V. Approval of Minutes of April 23, 2013.

ACTION TAKEN:

Terry Turner moved to approve of the minutes dated April 23, 2013 as presented. Alan Melon seconded the motion and voting was unanimous in favor among those members

VI. Adjournment

ACTION TAKEN:

Laura Charchenko moved to adjourn the regular session of the Planning Commission meeting. Alan Malan seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:30 p.m.


DENIS HOPKINSON-CHAIRMAN


HEIDI VOORDECKERS/CITY RECORDER


DEBBIE MCKEAN /SECRETARY

