

**Mayor**  
Kenneth Romney

# WEST BOUNTIFUL CITY

**City Administrator**  
Duane Huffman

**City Council**  
James Ahlstrom  
James Bruhn  
Kelly Enquist  
Debbie McKean  
Mark Preece

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**City Recorder**  
Cathy Brightwell

**City Engineer**  
Ben White

**Public Works Director**  
Steve Maughan

## PLANNING COMMISSION MEETING

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS  
REGULARLY SCHEDULED MEETING ON TUESDAY, **OCTOBER 14, 2014**  
AT 7:30 PM AT THE CITY OFFICES AT 550 NORTH 800 WEST

### **AGENDA AS FOLLOWS:**

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Training video –Elected Official/Land Use Webinar: The Role of Planning Commission.
3. Discussion of General Plan Proposed Update Process.
4. Staff Report.
5. Consider Approval of August 12, 2014 meeting minutes.
6. Adjournment

*Individuals needing special accommodations including auxiliary communicative aids and services during the meeting should notify Cathy Brightwell at 801-292-4486 twenty-four (24) hours before the meeting.*

*This notice has been sent to the Clipper Publishing Company, and was posted on the State Public Notice website and the City's website on **October 9, 2014**.*

1 **West Bountiful City** **PENDING** **August 12, 2014**  
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  
5 August 8, 2014 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**  
7 **August 12, 2014, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Terry  
12 Turner, Alan Malan, Mike Cottle, Laura Charchenko, and Corey  
13 Sweat-alternate.

14

15 **MEMBERS/STAFF EXCUSED:**

16

17 **STAFF PRESENT:** Kelly Enquist (City Council), Duane  
18 Huffman (City Administrator), Ben White (City Engineer), Cathy  
19 Brightwell (City Recorder) and Debbie McKean (Secretary).

20

21 **VISITORS:** Mayor Romney, Conrad Jensen, Todd Smith  
22 (SDFD), Megan and Rodney Anderson, and Ethan Tucker.

23

24 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman. Laura  
25 Charchenko offered a thought by Robin Williams.

26 **I. Accept Agenda**

27 Chairman Hopkinson reviewed the agenda. Terry Turner moved to accept the agenda as  
28 presented. Alan Malan seconded the motion. Voting was unanimous in favor.

29 **Business Discussed:**

30 **II. Presentation by Holly Frontier regarding equipment heights.**

31 A memorandum was included in the Commissioner's packets dated August 8, 2014 from Ben  
32 White regarding Holly Presentation. Planning Commission requested Holly present additional  
33 information regarding equipment height related to air quality.

34 Conrad Jensen of Holly Corp. was invited to the microphone to present a power point  
35 presentation on the following issues:

- 36 • Oil-gas refining 101. (*Fractionators and Furnaces*) Why equipment is the height that it  
37 is? *Height could range from 50 to 200 feet depending on what is being separated in the*  
38 *fractionators and what the tower purpose is.*
- 39 • What types of equipment emit a water vapor and what has emissions? (*FCC, Cooling*  
40 *Towers*)
- 41 • Safety Flares (*main safety device for the refinery which relieves pressure off of*  
42 *equipment*)
- 43 • Emission stack height design (*based on several conditions such as physical limitations,*  
44 *dispersion of pipe gas, etc.*)
- 45 • Refinery emissions: existing and proposed (*current permit works toward significant*  
46 *reduction in emissions and pollutants*) (*Example Sulfur Dioxide by 60% and nitrogen*  
47 *oxide by 70%*)

48 Chairman Hopkinson inquired about power outages and if they have improved over the years to  
49 reduce power outages that would affect Holly. Mr. Jensen responded that it has greatly  
50 improved.

51 Alan Malan asked about current CO2 emissions. Mr. Jensen responded that when all the  
52 pollutants are considered CO2 would be increased but others would be reduced. He will get the  
53 exact numbers back to the Commission. Cap for emission 1,000 tons/year.

54 Kelly Enquist inquired about the desired stack heights.

55  
56 **III. Public Hearing to receive public comments regarding adding language back into the**  
57 **West Bountiful Municipal Code that was omitted from commercial and industrial zones in**  
58 **2012 that provides exceptions to height limitations.**

59  
60 **ACTION TAKEN:**

61 **Laura Charchenko moved to open the public hearing at 8:19 pm to hear input from the**  
62 **public regarding adding language back into the West Bountiful Municipal Code that was**  
63 **omitted from commercial and industrial zones in 2012 that provides exceptions to height**  
64 **limitations. Terry Turner seconded the motion and voting was unanimous in favor.**

65  
66 **Public Comment:** *No public comment was made.*

67  
68 **ACTION TAKEN:**

69 **Terry Turner moved to close the public hearing at 8:20 pm. Alan Malan seconded the**  
70 **motion and voting was unanimous in favor.**

71

72 **IV. Consider ordinance amendment to reinstate supplementary regulations related to**  
 73 **exceptions to height limitations.**

74 Commissioner packets included a memorandum from Duane Huffman dated July 3, 2014  
 75 regarding re-instatement of former supplementary regulations related to exceptions to height  
 76 limitations. Information in the memorandum included the following:

- 77 • Reason for the amendment
- 78 • History of the Section
- 79 • History of the Omission
- 80 • Recommendation from staff

81 Duane Huffman addressed the Commission informing them that three years ago items in the  
 82 supplementary section of Title 17 were divided out. There was an oversight left out from the  
 83 previous ordinance related to height limitation exceptions. This ordinance applies to all zones.  
 84 It currently exists in the other zones, but was left out of the industrial/commercial zones.

85 Chairman Hopkinson would like to see Ben White and a Holly Representative bring some  
 86 modeling of stack heights (relative to a 200 foot stack on a regular day) so they can see what the  
 87 impact would be on our neighborhoods.

88 Commissioners were in agreement to forward the recommendation to the City Council for  
 89 approval.

90

91 **ACTION TAKEN:**

92 **Alan Malan moved to forward to the City Council a recommendation to reinstate the**  
 93 **height exception language that had been in Section 17.44.100 into the commercial,**  
 94 **industrial and blended use zones. Laura Charchenko seconded the motion and voting was**  
 95 **taken by roll call.**

96 **Mike Cottle- Aye**

97 **Terry Turner- Aye**

98 **Laura Charchenko- Aye**

99 **Alan Malan- Aye**

100 **Denis Hopkinson- Aye**

101

102 **V. Consider Conditional Use Application from Megan Anderson/Katrina Tucker to**  
 103 **operate a day care center, Children's Learning Center, at 850 West 600 North**

104 Commissioner's packets included a memorandum dated from Ben White/Cathy Brightwell in  
 105 regards to a Conditional Use Permit for Children's Learning Center Day Care. Memorandum  
 106 included the following:

- 107 • Staff concerns regarding access to property for Public Safety vehicles. Applicant has  
108 worked with the Fire Marshall to resolve most of those concerns.
- 109 • Applicant has received a positive inspection from the Health Department.
- 110 • Applicant is in the process of obtaining a State license for Day Care services.
- 111 • Applicant has received signatures from all but two surrounding neighbors.
- 112 • Applicant is working on obtaining a background check that is required before licensing  
113 is granted by city to do business.
- 114 • A list of recommended conditions proposed by staff before approval of application.

115 Packet also included a Conditional Use Application, an aerial view site map the property and  
116 access to property, the business license application, signatures for surrounding property owners,  
117 and a licensed family group food evaluation.

118 Commissioner comments included the following:

- 119 • Alan Malan asked what type of van would they be using and wanted them to check what  
120 the State requirements are for licensing to do such. He would like something on 8<sup>th</sup> West  
121 that has their address. SDFD requires that address marker and it will be put into place.
- 122 • Laura Charchenko was satisfied if the fire department is satisfied.
- 123 • Terry Turner is happy that fire department is satisfied and that there will be no parking  
124 issues.
- 125 • Mike Cottle wanted to know if the address sign need to be reflective.

126

127 Todd Smith (SDFD fire inspections) took the stand and noted that all safety and security issues  
128 were satisfied upon the second inspection. He concurred with City Staff and Commissioners that  
129 an address sign is needed on the main road. The gate did not fulfill all of the requirements. Mr.  
130 Smith is not sure if the road can handle the fire equipment, but Mr. White will check it out.

131 Chairman Hopkinson asked Megan Anderson to take the stand. He asked what the flow of  
132 traffic would be. Ms. Anderson responded that the children would be picked up and taken home  
133 and so no traffic would be flowing through the area. Age accommodations will range from 6  
134 month old to 13 years old.

135 A 20 foot gate will be on the east side for fire protection access. Width on the west side dirt road  
136 has not been measured because access will be on the east side. Requirements have been fulfilled  
137 for that access on the east by SDFD.

138 Cathy Brightwell noted that in the memorandum there are a list of conditions that need to be  
139 included in the motion made this evening for approval of their business that should be contingent  
140 upon those conditions being met, including state licensing requirements. Business license will  
141 not be issued until all conditions are satisfied. Ms. Brightwell reminded the applicants that no  
142 employees other than those living in the dwelling can be employed.

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145 **ACTION TAKEN:**

146 **Laura Charchenko moved to approve the Conditional Use permit for Megan Anderson**  
 147 **and Katrina Tucker for Children’s Learning Center Day Care at 850 West 600 North**  
 148 **after considering items listed in Section 17.60.040 (D) and with the following conditions:**  
 149 **Applicant must meet all conditions imposed by the South Davis Metro Fire**  
 150 **Department, the Utah Department of Health including but not limited to a background**  
 151 **check, provide a copy of its State Day Care license prior to beginning operation, fence**  
 152 **outdoor area attached to the home for children to play, persons who are not a resident**  
 153 **of the dwelling shall not be employed to work on the premises, daycare center shall not**  
 154 **involve the use of more than the equivalent of 15% of the main floor area of the**  
 155 **dwelling, no signage advertising the Day Care will be visible from the exterior of the**  
 156 **building or visible from the streets, reflective signage is required to make address**  
 157 **visible to public safety vehicles, and Day Care must meet any license requirements**  
 158 **needed to transport children. Alan Malan seconded the motion and voting was**  
 159 **unanimous in favor.**

160 Mike Cottle asked what safety measures are being taken to keep the pool safe. Mr. Anderson  
 161 answered that the pool area is fenced in and locked with child proof knobs and the pool is  
 162 covered with a locked and secure system.

163

164 **VI. Staff Report**

- 165 • Ben reported that we received extra water this evening but it has produced limited  
166 damage.
- 167 • Gas leak on 1000 North with neighborhood evacuation at 7:30 am.
- 168 • 400 North bridge will be removed in February with a 90 day work period.
- 169 • 800 West will be closed tomorrow and part of the next day. 800 West north of Pages will  
170 be paved early next week.
- 171 • Olsen Farms began construction this week.
- 172 • Alice Acres are done on 1100 West but not 400 North.
- 173 • Chase property is looking great with the curb and gutter.
- 174 • Cathy Brightwell reported that City Council will be hiring Jake Taylor as a Full Time  
175 employee in Public Works.
- 176 • Application for finance clerk closed last week with 32 applicants. Interviews are being  
177 conducted this week.

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179 The Commission welcomed Cathy Brightwell as our City Recorder. The Commission sang  
180 Happy Birthday to Kelly Enquist.

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**VII. Approval of Minutes of July 8, 2014.**

**ACTION TAKEN:**

**Alan Malan moved to approve of the minutes dated July 8, 2014 as presented. Laura Charchenko seconded the motion and voting was unanimous in favor among those members present.**

**VI. Adjournment**

**ACTION TAKEN:**

**Laura Charchenko moved to adjourn the regular session of the Planning Commission meeting. Mike Cottle seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:08 pm.**

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The foregoing was approved by the West Bountiful City Planning Commission on October 14, 2014, by unanimous vote of all members present.

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Cathy Brightwell – City Recorder