

**West Bountiful City
Planning Commission**

July 14, 2015

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 July 10, 2015 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, July 14, 2015, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Vice Chairman Terry Turner, Alan Malan, Laura Charchenko, Mike Cottle and Corey Sweat (Alternate), Councilmember Kelly Enquist.

MEMBERS EXCUSED: Chairman Denis Hopkinson.

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

VISITORS: Troop 219 (Zack Larsen, Drew Vanderstek, Max Staples, and Melanie Larsen)

The Planning Commission Meeting was called to order at 7:30 p.m. by Vice Chairman Terry Turner. Mike Cottle gave a prayer.

Zack Larsen led the pledge of allegiance; Drew Vanderstek recited the scout oath, law, and motto.

I. Accept Agenda.

Vice Chairman Terry Turner reviewed the agenda. Corey Sweat moved to accept the agenda tabling Item #2, General Zoning. Laura Charchenko seconded the motion. Voting was unanimous in favor among members present.

Business Discussed:

II. Discuss General Zoning- Tabled

This item was tabled due to the absence of Chairman Hopkinson and the need for some of the Commissioners that were absent from last meeting to have time to review the material given in last meeting's packet.

III. Discuss Flag Lots.

Commissioner's packets included a memorandum from Ben White and Cathy Brightwell dated July 10, 2015 regarding Title 16 Subdivision-Flag Lots with an attachment, City Code 16.12.060 Lots, and a memorandum dated March 9, 2012 from Ben White/Cathy Brightwell regarding the Carbone Subdivision.

The July 10th memorandum included the following information regarding the concerns over application for flag lots within the city.

- City Council discussed flag lots during their July 7th meeting voicing their concerns and comments about the guidelines that have been used in the past to evaluate flag lots when they found they were not binding on the applicants.
- City Council would like some minimum mandatory criteria established for all flag lot applications with some additional criteria that maybe considered. These criteria could be waived or amended by the Planning Commission.

Ben White talked about the development of flag lots and spoke about some that have been done in our city in the past. He noted that City Council thought there were conditions and codes that had to be met, but there is nothing in our code for minimum criteria to be met. He discussed three sets of criteria that we may want to consider regarding flag lots: mandatory, optional, and minimum requirements for conditional use.

Staff has developed suggested language for our subdivision ordinance in an attempt to create mandatory requirements to start the process rolling. Ben White suggested flag lots be included in Title 16 – Subdivisions and reviewed the suggested language as follows:

1. *Flag lots may be considered as a conditional use where traditional lot development is not feasible.*
2. *The stem of the lot shall not be less than twenty feet (20') and shall not exceed two hundred and fifty feet (250').*
3. *The stem of the lot shall serve one lot only and shall have direct access to a dedicated and improved public street.*
4. *The stem of the lot shall be owned, fee simple, as part of the lot.*
5. *The stem of the lot shall be at nearly ninety (90) degrees from a public street.*
6. *Flag lots cannot extend from intersections, street corners, cul-de-sacs, or dead end streets.*
7. *The body of the lot shall meet the lot size and dimensional requirements of the applicable zone. The stem area shall not be used in computing lot size. Proposed buildings shall comply with the minimum setbacks required for the zone. Determinations as to which are*

the front, side, and rear setbacks shall be made by the Zoning Administrator at the time of the subdivision application and shall be designated on the plat.

8. *Flag lot must comply with fire code requirements including access width, driving surface, parking and fire hydrant placement.*
9. *Flag lots cannot be used where traditional methods of development could occur including cases when more than one property is required to complete a development.*
10. *Subdivisions which contain more than six (6) lots cannot contain a flag lot.*

Discussion took place regarding some of these suggested criteria and Mr. White pointed out some examples using existing flag lots in our city. He also explained that several of the items are arbitrary, for example the maximum length of 250 feet, and the commission will need to decide what numbers are best for the city.

Regarding size of a subdivision that would be allowed a flag lot (#10), Alan Malan believes that 6 lots are too many; he felt that two or three lots would be more appropriate. Laura Charchenko would consider up to four lots.

There was discussion on #2 regarding the maximum length and it was suggested that it could match the existing requirements for cul-de-sacs.

In regards to #5 it was suggested that the language “nearly” be deleted and a more definite number be considered.

Mr. Malan had concerns with the way the Carbone Flag lot was allowed to be developed without considering the stub street that ends at their property and does not want to repeat that in the future.

Staff will clean up the language based on the discussion and bring it back for review at the next meeting. A public hearing will be set for August 25th since the August 11th meeting will be canceled due to the Primary Elections.

Some discussion took place regarding some optional requirements. Mr. Malan would like the requirements to have the street address displayed in a prominent location where the staff portion fronts the on the public street, and the site shall be graded so storm water runoff from the flag lot does not negatively impact neighboring properties, added to the mandatory list.

Councilmember Enquist would like the language to state “staff” instead of “stem.”

Vice Chairman Turner explained the responsibilities of the planning commission and city council so that the scouts in attendance can understand the duties and processes that take place in making laws, codes and ordinances.

IV. Annual Open Meeting Training

Cathy Brightwell hosted the Open Meeting Training as required annually per UCA 52-4-104 for all city officials. Technology was down and so the training was presented from a handout. Ms. Brightwell explained that public transparency is vital to upholding the law and so all meetings are open to the public and recorded. She talked about what does and does not constitute a

meeting and explained how quorums are determined. She reviewed the packet regarding Utah Open & Public Meetings Act as the Commissioners followed along and asked questions.

Cathy Brightwell informed the Commissioners that staff looking into putting together a policy to be approved by the City Council regarding electronic communications.

V. Staff Report

Ben White reported:

- Urban Camping case last week regarding an individual who is working in the area and camping in front of different houses in a trailer. This has been a real concern to those who have him park in front of their home. It is not against the law and there are some cities that regulate this in their code. Mr. White feels this item needs to have some consideration.
- Completion of the 400 North Bridge is about a month out. It will not be August 1st but will be before school starts. By August 5th it may be accessible to bikers/pedestrian traffic only.
- 2600 South on/off ramp should be at its final configuration this weekend.
- Stringham Farm has hired legal counsel to challenge the walkway.
- Equestrian Center grading project is coming to an end so we expect truck traffic to stop.

Cathy Brightwell reported:

- The 400 North on-ramp to I-15 will be closed Saturday night at 10:00 p.m. until Monday morning at 6:00 am.
- Primary Election is very important so vote August 11th. Meet your candidate night will be held on Monday, July 20th at 7:00 p.m.
- Early voting is July 28th – August 7th with a schedule posted on the website.
- Long Drive at the Lakeside Golf Course will be this Friday and Saturday. A car show and Taste of the Town will begin at 5:30 pm on Saturday.

VI. Approval of Minutes for June 23, 2015

ACTION TAKEN:

Alan Malan moved to approve of the minutes dated June 23, 2015 as corrected. Corey Sweat seconded the motion and voting was unanimous in favor among those members present.

VII. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:50 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on July 28, 2015, by unanimous vote of all members present.



Cathy Brightwell - City Recorder

