

**Mayor**  
Kenneth Romney

# WEST BOUNTIFUL CITY

**City Administrator**  
Duane Huffman

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

550 North 800 West  
West Bountiful, Utah 84087

Phone (801) 292-4486  
FAX (801) 292-6355  
www.WBCity.org

**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, **AUGUST 25, 2015**  
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. Consider Conditional Use Permit for Jessie's Garden Preschool at 731 N 1100 W.
3. Consider Conditional Use Permit for AutoZinc at 1090 W 500 S.
4. Discuss Conceptual Subdivision Proposal for Pony Haven.
5. Discuss Flag Lots and schedule Public Hearing for September 8, 2015.
6. Staff Report.
  - a. 400 N – Security Investments Zoning.
  - b. Economic development/Master Plan Update.
  - c. Stringham Farm update.
  - d. Election Update.
7. Consider Approval of July 28, 2015 Meeting Minutes.
8. 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 **August 21, 2015**.*

# MEMORANDUM

DATE: August 20, 2015  
TO: Planning Commission  
FROM: Cathy Brightwell  
RE: Conditional Use Permit for Home Occupation – Jessi’s Garden Preschool

---

Jessica Pitt filed a Conditional Use Permit application and a Home Occupation Business License application on July 27, 2015 to open a preschool in her home. She has also included a license exemption from the Utah Department of Health because the care is for less than 4 hours per day. Ms. Pitt has signatures from 24 surrounding neighbors, none of whom have objections to her plan.

The preschool will run Monday through Friday from 9 to 11:30 am; she would like to open next week concurrent with the school session. She plans to enroll a maximum of 8 children so traffic issues will consist of parents dropping off and picking up their children only during those times. Ms. Pitt will bring the children out at the end of the session and they will wait behind the fence until she can place each one in their vehicle. The attached site plan shows that the preschool will be held in her basement.

Staff believes Jessi’s Garden Preschool meets the requirements of West Bountiful Municipal Code, Chapter 5.28 Home Occupation and Chapter 17.60 Conditional Uses and recommends approval of the Conditional Use Permit.

## Affirmative Findings:

1. The proposed use is desirable to provide a service that will contribute to the general well-being of the neighborhood and community;
2. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity, or injurious to property in the vicinity;
3. The proposed use shall not inordinately impact the streets in the area; and
4. The proposed use will comply with the regulations specified in the A-1 zoning ordinance.

## Recommended Conditions:

The Conditional Use Permit will be issued subject to:

1. Fire Marshall Inspection. (completed August 20, 2015)
2. Parents will be told to park in driveway or immediately in front of home, not across the street.
3. No external signage will be used for the preschool.
4. A person who is not a resident of the dwelling shall not be employed to work on the premises.



# CONDITIONAL USE PERMIT APPLICATION

**West Bountiful City**  
**PLANNING AND ZONING**  
550 N 800 W, West Bountiful, UT 84087  
Phone: (801) 292-4486  
www.wbcity.org

**PROPERTY ADDRESS:** 731 N. 1100 W. West Bountiful, Utah 84087

**PARCEL NUMBER:** \_\_\_\_\_ **ZONE:** \_\_\_\_\_ **DATE OF APPLICATION:** \_\_\_\_\_

**Name of Business:** Jessie's Garden Preschool

**Applicant Name:** Jessica Pitt

**Applicant Address:** 731 N. 1100 W. West Bountiful, UT 84087

**Primary phone:** 240-543-4423 **Fax Number:** —

**E-mail address:** jessicaannpitt@gmail.com

**Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.**

My existing home will be used for a preschool. Parents will drop children off around 9 am on weekdays and pick them up between 1130 and 11:45 am. I will teach a max. of 8 children on any given day. The preschool room will be in the basement and will not include any of the main fl.

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

**Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone**

*I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge.*

**Date:** July 13, 2015

**Applicant Signature:** Jessica Ann Pitt

**Application Received Date:** 7/27/15  
**Application Fee Received Date:** 7/27/15  
**Fee:**  \$20 Residential  \$50 Commercial

**FOR OFFICIAL USE ONLY**

**Permit Number:** \_\_\_\_\_  
**Permit Approval Date:** \_\_\_\_\_



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

**Utah Department of Health**

W. David Patton, Ph.D.  
Executive Director

**Division of Family Health and Preparedness**

Marc E. Babitz, MD  
Division Director

**Bureau of Child Development**

Teresa Whiting  
Bureau Director

July 16, 2015

Jessica Pitt  
Jessie's Garden Preschool  
731 N 1100 W  
West Bountiful, UT, 84087

Dear Ms. Pitt:

**RE: LICENSE EXEMPTION**

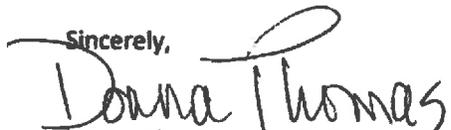
The child care services you currently provide do not require a child care license or certificate from the Utah Department of Health because the care is for less than 4 hours per day.

Your license exemption is valid from July 16, 2015 to July 15, 2016.

If the services you are providing change, you may need a child care license or certificate. You should contact your local city or county to see if you are required to have a business license.

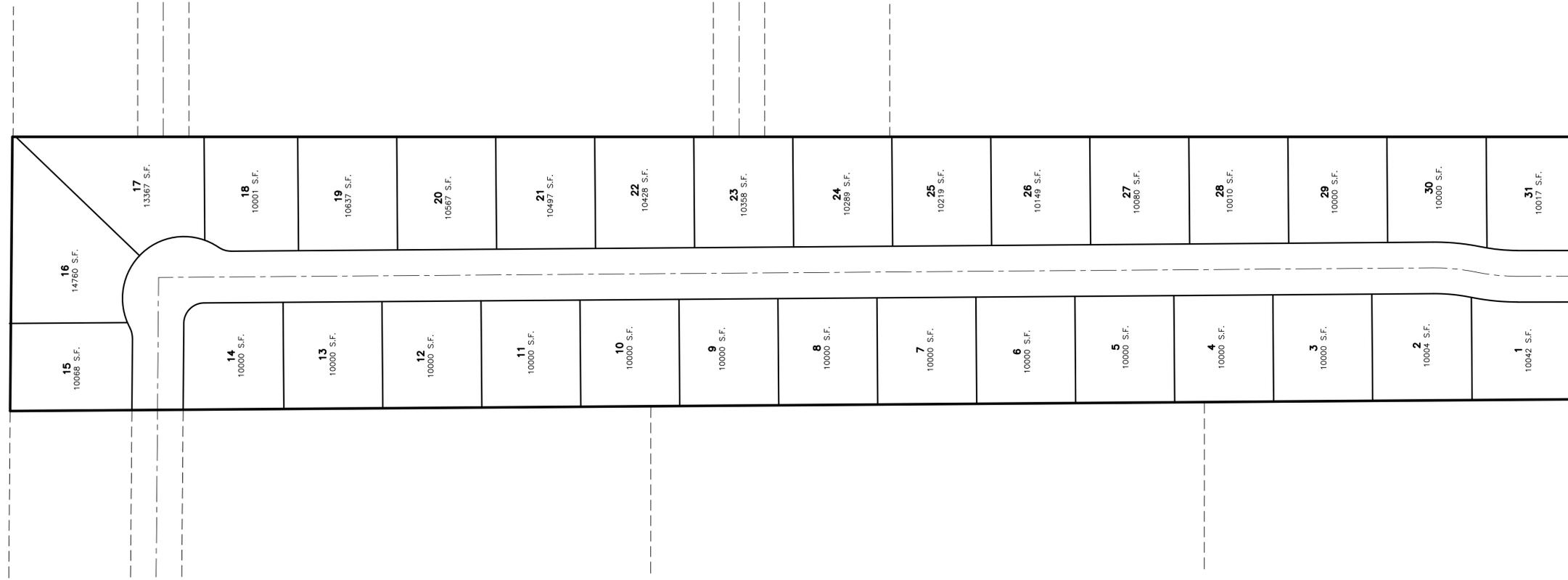
If you have any questions, feel free to call me at 801-860-2760.

Sincerely,

  
Donna Thomas, License Exemptions  
Child Care Licensing



Mailing Address: PO Box 142000, Salt Lake City, UT, 84114-2000  
Telephone (801) 584-8280 • Toll Free 1-800-883-9375 • Facsimile (801) 237-0749



SCALE:  
1"=60'

# Nupetco Property

West Bountiful City, Davis County, Utah

**Developer:**

Ovation Homes  
Brad Frost  
893 N. Marshall Way, #A  
Layton City, UT. 84041  
(801) 564-3898



**Reeve & Associates, Inc.**  
920 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403  
TEL: (801) 621-2100 FAX: (801) 621-2668 www.reeve-assoc.com  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

| REVISIONS | DATE | DESCRIPTION |
|-----------|------|-------------|
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |

**Nupetco Property**  
PART OF THE NE 1/4 OF SECTION 13, T.5N., R.1W., S.11B. & M., U.S. SURVEY  
WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH

## Yield Plan

**Project Info.**

|             |                  |
|-------------|------------------|
| Engineer:   | N. Reeve         |
| Designer:   | C. Cave          |
| Begin Date: | AUGUST 17, 2015  |
| Name:       | NUPETCO PROPERTY |
| Number:     | 5061-XX          |

|          |          |
|----------|----------|
| Sheet    | <b>1</b> |
| <b>1</b> | Sheets   |



SCALE:  
1"=60'

# Nupetco Property

West Bountiful City, Davis County, Utah

**Developer:**  
Ovation Homes  
Brad Frost  
893 N. Marshall Way, #A  
Layton City, UT. 84041  
(801) 564-3898

**Project Info.**  
Engineer:  
N. Reeve  
Designer:  
C. Cave  
Begin Date:  
AUGUST 17, 2015  
Name:  
NUPETCO PROPERTY  
Number: 5081-XX

|       |        |
|-------|--------|
| Sheet | 1      |
| 1     | Sheets |

**Nupetco Property**  
PART OF THE NE 1/4 OF SECTION 13, T.5N., R.1W., S.1B & M., U.S. SURVEY  
WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH

## Sketch Plan

| REVISIONS | DATE | DESCRIPTION |
|-----------|------|-------------|
|           |      |             |
|           |      |             |
|           |      |             |
|           |      |             |



**Reeve & Associates, Inc.**  
220 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403  
TEL: (801) 621-3100 FAX: (801) 621-2088 www.reeve.com  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
ARCHITECTS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

# MEMORANDUM



**TO:** Planning Commission

**DATE:** July 21, 2015

**FROM:** Ben White, Cathy Brightwell

**RE:** Title 16 Subdivision – Flag Lots

---

Staff has updated the proposed minimum criteria for flag lots based on previous Planning Commission discussions. As drafted (and if adopted) the proposed criteria would be unilaterally applicable to flag lot applications in all zones.

Pending tonight's discussion, a public hearing for this topic will be scheduled for September 8<sup>th</sup>.

#### 16.12.060 Lots.

- A. The lot arrangement, design and shape will be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography, and conform to requirements set forth herein.

Lots shall not contain peculiarly shaped elongations which would be unusable for normal purposes solely to provide necessary square footage.

- B. All lots shown on the subdivision plat must conform to the minimum requirements of the zoning ordinance then in effect, if any, for the zone in which the subdivision is located, and to the minimum requirements of the county health department for water supply and sewage disposal. The minimum width for any residential building lot shall be as required by the zoning ordinance then in effect for zoned areas.

- C. **Flag lots will only be allowed where traditional lot development is not feasible. Such lots shall meet the following criteria:**

1. **The staff of the lot shall not be less than twenty feet (20') and shall not exceed the design length requirements for a cul-de-sac.**
2. **The staff of the lot shall serve one lot only and shall have direct access to a dedicated and improved public street.**
3. **The staff of the lot shall be owned, fee simple, as part of the lot.**
4. **The staff of the lot shall approach the public street at an angle of not less than eighty degrees (80°).**
5. ***The staff of the Flag lot cannot extend from intersections, street corners, cul-de-sacs, or dead end streets.***
6. **The body of the lot shall meet the lot size and dimensional requirements of the applicable zone. The *staff* 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.**
7. **Flag lot must comply with fire code requirements including access width, driving surface, parking and fire hydrant placement.**
8. **Flag lots cannot be used where traditional methods of development could occur ~~including cases when more than one adjoining property, with the same owner is required to complete a development.~~**
9. **Subdivisions which contain more than four (4) lots cannot contain a flag lot.**

**10. The lot shall be graded so storm water runoff does not negatively impact neighboring properties.**

**11. All flag lots shall have the street address displayed on private property in a prominent location where the street abuts the public street.**

**12. A flag lot may not be created which would negatively impact the future continuation of existing stub streets.**

**13. Other requirements imposed by the Conditional Use Permit to mitigate the potential negative impacts caused by the proposed use; the Conditional Use Permit and plat review cannot waive requirements 1 through 12 of this Section.**

- D. Each lot shall abut on a street dedicated for public use by the subdivision plat or an existing public street which is more than twenty-six (26) feet wide, except that when such existing street is less than fifty (50) feet wide or less than the width requirement of the master street plan, additional land shall be dedicated to widen the street for that portion of the street upon which the subdivision has frontage. The amount of land to be dedicated shall be determined by the planning commission as necessary and reasonable to satisfy the requirements of one-half of that required width or fifty (50) feet, whichever is greater.
  - E. Interior lots having frontage on two streets shall be prohibited except when exceptional circumstances, as determined by the planning commission, would make such lots functionally acceptable. In all instances when such lots are permitted, the subdivider shall record deed restrictions in perpetuity for those lots, limiting access from those lots to one street only so that all lots have access to the same street. Such deed restrictions shall also prohibit construction (except for fencing as allowed under Title 17) within that space adjacent to the street, from which access is prohibited, to a depth of thirty (30) feet.
  - F. Corner lots shall have extra width sufficient to account for larger setbacks.
  - G. Side lines of lots shall be approximately at right angles, or radial to the street line.
  - H. All remnants of lots below minimum size left over after the subdivision of a large tract must be added to adjacent lots rather than allowed to remain as unusable parcels.
  - I. When the land covered by a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership before approval of the final plat. Such transfer shall be certified to the planning commission by the city recorder.
-

1 **West Bountiful City** **PENDING** **July 28, 2015**  
2 **Planning Commission**

3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice  
5 website and the West Bountiful City website, and sent to Clipper Publishing Company on July  
6 23, 2015 per state statutory requirement.

7 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, July**  
8 **28, 2015, at West Bountiful City Hall, Davis County, Utah.**

9

10 **Those in Attendance:**

11

12 **MEMBERS PRESENT:** Vice Chairman Terry Turner, Alan  
13 Malan, Laura Charchenko, Mike Cottle and Corey Sweat,  
14 Councilmember Kelly Enquist. Chairman Denis Hopkinson  
15 arrived at 8pm

16

17 **MEMBERS EXCUSED:** Ben White (City Engineer)

18

19 **STAFF PRESENT:** Cathy Brightwell (City Recorder), and  
20 Debbie McKean (Secretary)

21

22 **VISITORS: none present**

23 The Planning Commission Meeting was called to order at 7:35 p.m. by Vice Chairman Terry  
24 Turner. Laura Charchenko gave a prayer.

25 **I. Accept Agenda.**

26 Vice Chairman Terry Turner reviewed the agenda. Mike Cottle moved to accept the agenda as  
27 posted. Corey Sweat seconded the motion and voting was unanimous in favor.

28

29 **Business Discussed:**

30 **II. Discuss General Zoning** (This item was moved to following Item #4 to allow time for  
31 Chairman Hopkinson to participate in the discussion).

32 Cathy Brightwell reminded the Commission that this item was discussed at the June 23 meeting  
33 but several commissioners missed the discussion so Chairman Hopkinson asked that it be placed  
34 back on the agenda.

35 **ACTION TAKEN:**

36 Laura Charchenko move to change the agenda to include this item at 5A to allow time for  
37 Chairman Hopkinson to arrive at the meeting. Alan Malan seconded the motion and voting was  
38 unanimous in favor.

39 *Discussion resumed following Item 4*

40 Chairman Hopkinson noted how much ground the planning commission has covered in the past  
41 eight years. He stated that in some instances, citizen's rights have taken a beating but in some  
42 instances decisions have been on the liberal side. He reported that he talked with two developers  
43 over the weekend at social events and feels they plan to build on our west side in the near future.  
44 He believes we need to be cautious as we move forward. It is important to continue to review  
45 and update our general zoning and master plan so that we develop as we want for our  
46 community.

47 He charged the Commission to become familiar and memorize the densities and such in all the  
48 zones so that discussion can be expedited regarding planning in each of these zones.

49 **III. Discuss Flag Lots.**

50 Commissioner's packets included a memorandum from Ben White and Cathy Brightwell dated  
51 July 23, 2015 regarding Title 16 Subdivision-Flag Lots with an attachment, City Code 16.12.060  
52 Lots highlighting suggested changes to the ordinance.

53 The July 23<sup>rd</sup> memorandum included the following information regarding the concerns over  
54 application for flag lots within the city.

- 55 • Staff updated the proposed minimum criteria for flag lots based on the discussion that  
56 took place at the July 14<sup>th</sup> meeting.
- 57 • The proposed draft suggests that all criteria be applicable in all zones.
- 58 • A Public Hearing is required before official action can be taken by the Planning  
59 Commission. Because of the canceled meeting on August 11<sup>th</sup> (primary election day),  
60 Staff suggest the public hearing be scheduled either on the 4<sup>th</sup> Tuesday of August or one  
61 of the September meetings.

62 Vice Chairman Turner invited each Commissioner to make comments in regards to this draft.

- 63 • Mike Cottle was unaware that we changed the number of lots from six to four in regards  
64 the number of lots that can be present to qualify for a flag lot. Some discussion took  
65 place regarding the theory behind this change from last meeting's discussion.
- 66 • Alan Malan was pleased with the changes in length of the staff made in item #1. He  
67 suggested the beginning of item #5 be changed to read "*The staff* of flag lots." He also  
68 suggested item #6 be changed to read "staff instead of *stem*". The second line of Item #8  
69 is confusing and should be removed or revised to clarify that more than one property  
70 applies to a single owner. He wants to make sure a neighboring property cannot hold up

71 development. Staff will work on changing the language to clear up what is really meant.  
 72 Ex: adjoining property with the same ownership. Mr. Malan would also like item #11  
 73 changed to include “abuts” instead of *fronts on*, and addition of language “*on private*  
 74 *property*” before the language *in a prominent location*. He is concerned that someone  
 75 will only put their street address on their mailbox;

- 76 • Corey Sweat and Mike Cottle liked the way the Staff put the draft together.
- 77 • Laura Charchenko spoke to the language in Item #13 and suggested the “of” be stricken.  
 78 Alan Malan suggested adding “*Other*” before requirements at the beginning of the  
 79 sentence.
- 80 • It was decided that the Public Hearing will be scheduled for September 8<sup>th</sup>.

81 Some explanation took place regarding the need for these changes in order to answer Vice  
 82 Chairman Turner’s questions/concerns.

83

84 ***Chairman Hopkinson joined the meeting at 8:00 pm.***

85 A quick review of the flag lot discussion and suggested changes brought Chairman Hopkinson  
 86 up to speed on this issue.

87

#### 88 **IV. Staff Report**

##### 89 **Cathy Brightwell reported:**

- 90 • Ben White is in Alaska.
- 91 • There are several items for the August 25<sup>th</sup> agenda. A property owner will come in with  
 92 a fencing proposal for his property next to the Park that has been a nuisance due to its  
 93 condition.
- 94 • Terry Olsen’s daughter has taken over the family dog kennel business and would like to  
 95 put up a new sign where the old 40 year old sign has weathered. She would like to move  
 96 the sign from the building onto the ground with a flower garden surrounding it. Because  
 97 the sign is a non-conforming use, it needs to come before the Planning Commission.
- 98 • Early voting is taking place right now. Please come and vote. Seven candidates will be  
 99 reduced to six candidates. Information and early voting schedule is on Face Book and the  
 100 City Website.
- 101 • Next meeting will be August 25<sup>th</sup> due to the cancelation of the August 11<sup>th</sup> meeting for  
 102 the Primary Elections.
- 103 • UDOT is still expecting August 10<sup>th</sup> to be the date 400 North is opened in its entirety.
- 104 • No new news on the Shopko building. We were last told they are making repairs so a new  
 105 tenant can move in. Winger’s building has been torn down. Shell Oil has taken over the  
 106 Texaco building.

- 107 • Letters are going out this week for the Pages Lane reconstruction. Sidewalk proposal is
- 108 being marked. Meetings will be held with each individual owner to discuss the impact to
- 109 property owners.

110

111 *Agenda Item #2 was discussed at this point.*

112

113 **V. Approval of Minutes for July 14, 2015**

114 **ACTION TAKEN:**

115 **Denis Hopkinson moved to approve of the minutes dated July 14, 2015 as presented. Alan**

116 **Malan seconded the motion and voting was unanimous in favor among those members**

117 **present.**

118 **VI. Adjournment**

119 **ACTION TAKEN:**

120 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting at**

121 **8:30 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.**

122

123 .....

124

125 The foregoing was approved by the West Bountiful City Planning Commission on August 25, 2015, by

126 unanimous vote of all members present.

127

128 \_\_\_\_\_

129 Cathy Brightwell - City Recorder

130