

**Mayor**  
Kenneth Romney

**City Engineer/  
Zoning  
Administrator**  
Ben White

**City Recorder**  
Cathy Brightwell

# **WEST BOUNTIFUL PLANNING COMMISSION**

550 North 800 West  
West Bountiful, Utah 84087

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**Chairman**  
Denis Hopkinson

**Commissioners**  
Laura Charchenko  
Mike Cottle  
Alan Malan  
Terry Turner  
Corey Sweat, Alt.

**THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS  
REGULARLY SCHEDULED MEETING AT 7:30 PM ON TUESDAY,  
JULY 26, 2016 AT THE CITY OFFICES AT 550 NORTH 800 WEST**

***AGENDA AS FOLLOWS:***

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Discuss Proposed Storm Water Ordinance.
3. Discuss Yard and Fence Requirements for Residential Zones.
4. Staff Report.
5. Consider Approval of July 12, 2016 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 July 22, 2016.*

**West Bountiful City  
Planning Commission**

**July 26, 2016**

**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 22, 2016 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, July 26, 2016, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Vice Chairman Terry Turner, Mike Cottle, Alan Malan, Laura Charchenko, Corey Sweat and Councilmember Andy Williams.

**MEMBERS/STAFF EXCUSED:** Chairman Denis Hopkinson.

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

**VISITORS:**

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

**I. Accept Agenda**

Vice Chairman Turner reviewed the agenda.

**ACTION TAKEN:**

**Mike Cottle moved to accept the agenda as presented. Alan Malan seconded the motion and voting was unanimous in favor among members.**

**Business Discussed:**

**II. Discuss Proposed Storm Water Ordinance.**

Included in the Commissioner's packets was a copy of our City Storm Sewer Utility Ordinance Chapter 13.30 with added possible proposals for change.

The following discussion took place regarding some proposals for additions to this ordinance that would put us in compliance with the new Federal/State mandated regulations

Ben White led the discussion and introduced a copy of the Utah State Code 63G-3-201 explaining when rulemaking is required. We have to apply for a permit for our Storm Water utility and need to come into State Compliance before submitting it.

Mr. White introduced a draft of possible proposals and language adding to our current two page document.

- Corey Sweat asked how we are going to enforce this ordinance and what kind of penalty would be put into place. Ben White said we are required to have escalating measures to enforce this ordinance. Mr. Sweat suggested that violations need to go through Council and not through City Staff. Mr. White noted in the proposed language it is suggested that the Staff give notices and then if needs be the City Council would get involved if violator(s) do not come into compliance. Mr. White explained page #20 and noted that the penalty has to fit the crime/violation. He felt we need to have incentives to stop the violations.
- Vice Chairman Turner asked if this is all new. Ben answered that it is both new and old language. We just have not enforced things as much. This ordinance puts teeth in our existing ordinance.
- He proposed putting most of Title 16 language into this chapter 13. Everyone is affected in Chapter 13 but Title 16 is not that way.
- This is an unfunded mandate and each City will have to find the funding to come in compliance with these mandated regulation. Future discussions will take place as to how to come up with the funding. There are several different avenues that can be used.
- Quarterly inspections will be done and documented.
- Corey Sweat is concerned with some of the gray areas in this draft. Ben White suggested having some flexibility regarding violations.
- Alan Malan felt the same as Commissioner Sweat regarding gray areas in the document. Specifically on Page 20. He also asked about language on the last page regarding appealing process that seems unclear. He suggested some different language and Staff will tweak that language.
- Laura Charchenko inquired about definitions.
- Corey Sweat was concerned that we would have to fund problems that come into our system from outlying entities. Mr. White explained that water would be channeled into the canals and those are the responsibility of the County.
- Ben White noted that the bigger cities are being impacted more than we are.
- Alan Malan suggested we add a definition for “violation.”
- Ben White informed the Commission that we need to hold Public Hearings regarding this ordinance to obtain citizen input.

### **III. Discuss Yard and Fence Requirements for Residential Zones.**

Included in the Commissioner’s packets was a memorandum from Ben White dated July 22, 2016 regarding Yard Setbacks. The memorandum had a copy of Chapter 17.20.0505 Yard Regulations and 17.20.100 Fence requirements attached to it. The memorandum pointed out that there are some discrepancies between the “yards and setbacks” definitions in Title 17. Staff would like to review the current language and practices with the Planning Commission.

Mr. White showed different examples regarding yard setbacks. Staff needs input regarding what they would like regarding yard setbacks in various scenarios. He explained our current code and gave examples of how a corner lot has two front yards. He would like to know if we should be more liberal than our current code. Mr. White was asked to bring back several options for consideration.

**IV. Staff Report**

**Ben White reported:**

- Pages Lane should be done by about the 20<sup>th</sup> of August with some minor aesthetics work like fencing and landscaping left to be completed.
- 4<sup>th</sup> North construction is heading our direction and construction in West Bountiful will begin soon. There are some troubles with the depth of the concrete that will need to be addressed.
- There are several roads being seal coated currently. There will be one day that 800 West is closed from Pages Lane north to the canal.

**Cathy Brightwell reported:**

- No report

**V. Approval of Minutes of July 12, 2016.**

**ACTION TAKEN:**

*Laura Charchenko moved to approve the minutes dated July 12, 2016 as presented. Corey Sweat seconded the motion and voting was unanimous in favor among those members present.*

**VI. Adjournment**

**ACTION TAKEN:**

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

*Laura Charchenko seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:24 p.m.*

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The foregoing was approved by the West Bountiful City Planning Commission on July 26, 2016, by unanimous vote of all members present.

*Cathy Brightwell*

Cathy Brightwell – City Recorder

