

Mayor
Kenneth Romney

**City Engineer/
Zoning
Administrator**
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

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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,
AUGUST 9, 2016 AT THE CITY OFFICES AT 550 NORTH 800 WEST**

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Discuss Yard and Fence Requirements for Residential Zones.
3. Continue Discussion on Proposed Storm Water Ordinance - Title 13 and Title 16.
4. Staff Report.
5. Consider Approval of July 26, 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 **August 4, 2016.***

**West Bountiful City
Planning Commission**

August 09, 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 August 04, 2016 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, August 09, 2016, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Vice Chairman Terry Turner, Alan Malan, Laura Charchenko, Corey Sweat and Councilmember Andy Williams

MEMBERS/STAFF EXCUSED: Mike Cottle and Cathy Brightwell (City Recorder)

STAFF PRESENT: Ben White (City Engineer), Debbie McKean (Secretary)

VISITORS: None

The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Dennis Hopkinson. Ben White offered a prayer.

I. Accept Agenda

Chairman Hopkinson reviewed the agenda.

ACTION TAKEN:

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

Business Discussed:

II. Discuss Yard and Fence Requirements for Residential Zones.

Included in the Commissioner's Packets were copies of possible fencing practice options prepared by Staff.

Ben White addressed the Commission regarding the language of our current Yard and Fence Regulations. He presented three options that Staff prepared for their review and discussion. The options were as follows:

The first option would be the **Current Practice Option**. Ben noted that this option is not particularly according to our Code but the way we have been doing things. He pointed out that it may be due to our current Code being somewhat contradictory. The other two options presented were the **No Side Yard Fence Option** and the **Full Rear Yard Fence Option**. Staff desires to have language cleaned up and more understandable for whichever option the Commission feels is best. He noted that the differences in each of the three options are subtle but profound in meaning. **Street Side yard** would be a new definition in this code. The City can choose either to grandfather properties in or not.

Some discussion took place regarding each of these options and their pros and cons.

Chairman Hopkinson gave examples of each around our city. He would like the Commission and City Council to think about what is best use for the property owner and the City

Some discussion took place regarding how various fence lines have come about in the city. Noting that some were by compliance to the ordinance and some fencing was just put up without inquiring of city and their ordinances.

Ben White noted that the language in the “Current Practice Option” has been cleaned up enough to be able to adopt that option. The definition “Street Side Yard” clears things up.

Ben pointed out a property in our city that would qualify for having two rear yards and feels that while we are making changes to the ordinance we need to take the time to address rare situations as much as possible.

Councilmember Andy William felt that the Full Rear Yard option should not even be a consideration. He suggested that the No Side Yard Option is the safest.

Corey Sweat likes the Current Practice Option. He does not feel the No Side Yard Fence option is fair to property owners.

Both Terry Turner and Laura Charchenko concurred with Commissioner’s Sweat and they both like the changes made to the “Current Practice Option”.

Alan Malan stated that for safety concerns (which should be our primary consideration) the No Side Yard Fence option is the safest practice. He wants things to be consistent with surrounding property owners abutting those corner lots.

Ben White encouraged the Commissioners to also think about aesthetics. He asked them to consider why or why not in the different options he has presented to them.

Mr. Malan had some suggested changes to the language in the “No Side Yard Fence Option” Mr. White stated that when we choose which option we want, we will review the language and make the appropriate changes. He will make note of his suggestions.

Ben White directed attention to Paragraph A in 17.20.100 and Paragraph B to review fence height and asked if they would like to consider an increase in the height regulation.

Chairman Hopkinson feels like the safety issue needs to be considered but also there is a security issue for the property owner. He asked if we should have the right to regulate some of these things. If the City feels aesthetically or otherwise feels like height changes need to be made then he ask that common sense should prevail.

The majority of the Commissioners wanted to use the “**Current Practice Option**” and work with language changes and such to refine it.

Corey Sweat suggested that the “Current Practice Option” could be tweaked a bit by allowing the fence to step down 4 feet from the six foot requirement along the 20 foot lot line.

Vice Chairman Turner pointed out that there is no way to know what neighboring property owners will do who are adjacent to the corner property owner. We should not try to over regulate.

Chairman Hopkinson feels a property owner deserves the right to secure his property as they see fit. He encouraged them to carefully study this out as this will affect people for a long time to come.

Laura Charchenko pointed out that property owners are allowed to have landscape and other physical property that exceed the six foot minimum so why should fencing be any different.

Chairman Hopkinson would like them to consider what will correct the current problem but also give the homeowner the maximum amount of freedom to secure their property.

Chairman Hopkinson stated that we need to define the “**side yard**” definition for a corner lot and a regular lot. He asked the Commission to study the definitions and make language changes that make sense. Discussion on this matter will continue at the next meeting.

III. Continue Discussion on Proposed Storm Water Ordinance- Title 13 and Title 16

Included in the Commissioner’s packets was a copy of Title 16 Subdivisions prepared by Staff for the purpose of including language for our proposed Storm Water Ordinance Title 13 and Title 16.

Ben White reintroduced the charge they have to adopt a Storm Water Permit Plan/Ordinance for storm water and our current ordinance. Staff reviewed the Subdivision Ordinance as well as the Storm Water Ordinance. They have made suggested changes that make sense to combine important information in both ordinances pertaining to the Storm Water Ordinances.

He reviewed the draft document with the Commissioners and pointed out some of the suggested changes for that document. There is still work to do and things to be discussed. Chairman Hopkinson wants items that need to be further discussed noted in the drafts as (*tbd*) so they can keep track of what needs to be worked on.

Some discussion took place regarding why some of the suggested language that has been put into place and the reason behind them. On such language being a time period of expirations or language so a shelf life is in place. Chairman Hopkinson suggested that all expiration periods correspond in all documents pertaining to Chapter 13, 15 and 16.

Alan Malan directed the Commissioners to (Page 17). He was concerned with downstream properties and how the language read in those regards. Ben White stated that property owners need to look next door and downstream to see what impact they would have on them. Chairman Hopkinson pointed out that if property owners are not managing the storm water runoff water from their property, there is recourse. He encouraged the Commissioner's to think about the long term of things.

Ben White recommended that we should know the downstream impacts before approving various request from property owners.

Chairman Hopkinson directed Staff to bring back a new draft of Title 13, 15 and 16 for further review and discussion.

IV. Staff Report

Ben White reported:

- Verizon wants to build a new cell tower near the west yard and desires to have a tower taller than maximum 100 feet (proposed at 125 feet). They need to consider what would be best for the City in these regards. Alan Malan pointed out that he thinks it would be too close to Sky Park to build that high. A lease is being negotiated and a public hearing will need to be scheduled. Ben pointed out that it is best to locate these towers on public property (city) rather than private property.
- Brandon Jones property owner on 800 West owns 2 lots and desires to put an addition on his property. This property is full of issues. Ben White pointed out all the issues that need to be considered. Some of these issues may be coming before the Planning Commission.
- 4th North construction has slowed down due to some unexpected issues. Mix design is not meeting specs and it was not built to the proper elevation. At this point, we don't know when it will move the west side of I-15.
- Some struggles with the contractors on Pages Lane construction have made delays in completing the work. This has caused much concern with the residents and Staff. City Council will possibly be hearing from residents at the next Council Meeting.

V. Approval of Minutes of July 26, 2016.

ACTION TAKEN:

Corey Sweat moved to approve the minutes dated June 26, 2016 as corrected. Laura Charchenko 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 8:45 p.m.

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The foregoing was approved by the West Bountiful City Planning Commission on August 23, 2016, by unanimous vote of all members present.



Cathy Brightwell – City Recorder

