

**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 A REGULARLY SCHEDULED MEETING AT 7:30 PM  
ON TUESDAY, SEPTEMBER 13, 2016 AT THE CITY OFFICES**

***AGENDA AS FOLLOWS:***

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Public Hearing for Title 16, Subdivisions, Updating Storm Water Requirements, Moving Special Flood Hazard Language, and Other Miscellaneous Changes.
3. Public Hearing for Title 15 - Building & Construction, Incorporating Special Flood Hazard Language from Title 16 - Subdivisions.
4. Public Hearing for Title 13 - Storm Water Utility Changes.
5. Consider Conditional Use for Garner Office Building at 756 W 500 South.
6. Discuss Informal Re-zone Request by Jason Rasmussen for 982 W Porter Lane.
7. Consider Changes to Title 16 - Subdivisions
8. Consider Changes to Title 15 – Building & Construction.
9. Consider Changes to Title 13 – Storm Water Utility Changes.
10. Discuss Title 17, Yard and Fence Requirements for Residential Zones.
11. Staff Report.
  - Discuss Status of P.U.D Changes
12. Consider Approval of August 23, 2016 Meeting Minutes.
13. 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 **September 9, 2016**.*

**West Bountiful City  
Planning Commission**

**September 13, 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 September 9, 2016 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 13, 2016, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Terry Turner, Alan Malan, Mike Cottle, Laura Charchenko, Corey Sweat (Alternate). Andy Williams (Councilmember).

**MEMBERS/STAFF EXCUSED:**

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

**VISITORS:** Jeff Wilkinson, Gary Jacketta, Scott Garner, Dave Clayton.

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

**I. Accept Agenda**

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented with Item 6 being a floating item until Jason Rasmussen is present. Laura Charchenko seconded the motion. Voting was unanimous in favor among members present.

**Business Discussed:**

**II. Public Hearing for Title 16, Subdivisions, Updating Storm Water Requirement, Moving Special Flood Hazard Language, and Other Miscellaneous Change.**

**III. Public Hearing for Title 15- Building & Construction, Incorporating Special Flood Hazard Language from Title 16- Subdivisions.**

**IV. Public Hearing for Title 13- Storm Water Utility Changes.**

**ACTION TAKEN:**

*Laura Charchenko moved to open the public hearing at 7:35 pm to hear public comment on Title 16, Subdivisions, Updating Storm Water Requirement, Moving Special Flood Hazard Language, and Other Miscellaneous Changes; Title 15 - Building & Construction, Incorporating Special Flood Hazard Language from Title 16 – Subdivisions; and Title 13 - Storm Water Utility Changes. Terry Turner seconded the motion and voting was unanimous in favor.*

**Public Comment:**

No Public Comment was given.

**ACTION TAKEN:**

*Alan Malan moved to close the public hearing at 7:37 pm. Laura Charchenko seconded the motion and voting was unanimous in favor.*

**V. Consider Conditional Use for Garner Office Building at 756 West 500 South.**

Included in the Commissioner's packet was a memorandum dated September 8, 2016 from Ben White regarding Site Plan Review 756 West 500 South with attached site plans.

Ben White introduce Mr. Scott Garner and the location of his building at 756 West 500 South showing a diagram on the projected screen. Mr. Gardner desires to build another office building on this site. He would like to have a 3 foot side yard setback on the east property line. The building design is CMU (masonry block) with no windows on the east side of the building. Ms. Brightwell noted that Bountiful Collision is located right on the property line and that is the reason for the request to have 3 feet setback. On the north side of the building there would be windows on the second story of the building. There are currently no buildings to the north of the proposed building.

Dave Clayton (architect for the building) took the stand and explained that the 3 foot request is because Bountiful Collision has a gable roof that would shed water onto their building creating a drainage problem. The 3 foot setback would allow for drainage control between the buildings.

**Commissioner's Comments:**

Alan Malan is concerned with the 1 foot setback on the north side of property. He believes it will be difficult to maintain the building without going on adjacent property.

Laura Charchenko asked how the 3 foot area on the east side will be maintained; she does not want to see it become a weed patch. She asked for confirmation that the 15% minimum landscape requirement would be met, Ben White answered that it does meet the requirement of Code.

Mike Cottle asked if the Bountiful Collision building is on the property line and Mr. White answered to the affirmative. Corey Sweat had the same question.

Mike Cottle asked if there was a way to position the building in order to alleviate the setback problem.

Chairman Hopkinson would like to know if Bountiful Collision has a gutter on their building because they shouldn't be allowed to dump water on the neighboring property. During the meeting Mr. Clayton found out that there is a gutter on the Bountiful Collision building

**ACTION TAKEN:**

*Laura Charchenko moved to approve the conditional use for the Garner Office Building at 756 West 500 North subject to the proposed landscape plans consistent with 17.23.080 and allowing for a 3 ft. setback on the east side of the building and a 1 foot setback on the north side of the building as long as the City Engineer can determine that fire code is met and that drainage in the 3 foot area is acceptable and meets our standards for 17.23.080. Mike Cottle seconded the motion and voting was 4 to 1 with Alan Malan opposing the motion.*

**VI. Discuss Informal Re-Zone Request by Jason Rasmussen for 982 West Porter Lane.**

Included in the Commissioner's packet was a memorandum dated September 9, 2016 from Ben White regarding an informal request by Jason Rasmussen to consider rezone for 982 West Porter Lane with a picture of the former Ryver property.

Mr. Rasmussen did not show up for this discussion tonight. Ben White explained some ideas that Mr. Rasmussen has for that property including storage units. A short discussion took place regarding the property and best use of the property. It was suggested that it may be a good place for a church.

**VII. Consider Changes to Title 16 Subdivisions.**

Included in the Commissioner's packet was a memorandum from Ben White dated September 9, 2016, regarding changes to our storm water requirements in Title 13 that require changes to Title 16 in order to eliminate redundancy and prevent contradicting sections.

Ben White explained that there have been some subtle changes made to Title 16 since the last meeting in response to previous suggestions and review by Mr. Doxey. Some unnecessary definitions were removed and language clarified.

**Chairman Hopkinson invited the Commissioner's to make comments:**

Corey Sweat was pleased with the document and is ready to move it forward to Council.

Mike Cottle appreciates the definitions and their clarity.

Terry Turner asked about the 100 year storm data.

Laura Charchenko approves with the proposed document.

Alan Malan liked the definitions.

**ACTION TAKEN:**

*Alan Malan moved to forward the Title 16 - Subdivisions clean version to City Council for their approval. Laura Charchenko seconded the motion and voting was unanimous in favor.*

Chairman Hopkinson recommended the document be sent to the Council without highlights of changes so the Council members can review the document as a whole.

**VIII. Consider Changes to Title 15- Building & Construction**

Included in the Commissioner's packet was a memorandum dated August 19, 2016 from Ben White regarding Changes to Title 15- Buildings and Construction.

Ben White noted that no additions or changes have been made to this document from the last review. Earlier changes that were made to the document included the title of the document from "Flood Damage Prevention" to "Flood Damage Prevention in Special Hazard Areas." The definition of "area of special flood hazard" was better clarified to indicate it relates only areas designated by FEMA, and processing of all paperwork related to work in flood plains will be the responsibility of the City Engineer instead of Public Works Director.

Commissioners had no comments pertaining to this document.

**ACTION TAKEN:**

*Alan Malan moved that Title 15 - Building and Construction be forwarded to City Council for review and approval. Terry Turner seconded the motion and voting was unanimous in favor.*

**IX. Consider Changes to Title 13- Storm Water Utility Changes.**

Included in the Commissioner's packet was a memorandum dated September 9, 2016 from Ben White regarding changes to Title 13.30 - Storm Water Management.

Ben White pointed out that this document has been through legal review. This document is the framework of what is allowed and not allowed for storm water management. It is based on the operating permit issued by the Utah Division of Environmental Quality and the City's Storm Water Management Plan.

Terry Turner asked how the service fees will be set. Ben White responded there are no proposed changes to our fee structure but City Council may change those fees as necessary. Ben White explained how storm water fees are collected currently and noted that they have been increased in the last few years. The fees we receive do not cover the costs and are subsidized through the general fund.

Laura Charcheko appreciates the hard work that has been done on this document.

Alan Malan suggested on Page 7, #2, “The City” be more specific to clarify which members of Staff have the authority to review and approve permits. Some discussion took place and it was decided that the language be changed to read “The Storm Water Official.”

Chairman Hopkinson would like Section 13.30.040.B.- Mitigation Credit deleted as it is not necessary. Mr. Hopkinson also referred to Page 5, 13.30.070.A. regarding the Storm Water Permit and asked why we have to have this language if it is included in the Building Permit. Mr. White answered that sometimes ground is disturbed but does not need a building permit so it is important to have it.

Mr. Hopkinson also inquired about the last sentence on Page 6, D.1.iii. - Permit Review and Approval “prepared in accordance with the requirements of this chapter.” There was discussion about whether this covered all the requirements for the Application. Ben White responded that the State has an 80 page document and we have the best management practice included in this document so he believes we are well covered in those regards.

#### **ACTION TAKEN:**

*Mike Cottle moved to forward changes for Title 13 to City Council for their review and approval. Alan Malan seconded and voting was unanimous in favor.*

#### **X. Discuss Title 17, Yard and Fence Requirements for Residential Zones.**

Included in the Commissioner’s packet was a memorandum dated August 19, 2016 from Ben White regarding Yard Setbacks with handouts of various options to consider. Ben White informed the Commission that they have as long as needed to review and debate changes to this ordinance.

Chairman Hopkinson suggested that this document be reviewed on the next agenda.

#### **ACTION TAKEN:**

*Terry Turner moved to table this discussion to the next scheduled meeting. Laura Charchenko seconded the motion. Further discussion took place and Corey Sweat encouraged everyone to drive around and see how their decisions could affect people’s personal property rights for a long time to come. Voting was unanimous in favor.*

#### **XI. Staff Report**

##### **Ben White:**

- Ben White noted that in their packet they will find a proposal from a Senior Planning Professional to guide us as to what a P.U.D. should be.
- Mr. Jones on 8<sup>th</sup> West desires to put an addition on his property. Utilities have been vacated but there are still many things to sort out regarding his property. It is a most difficult piece of property to make changes on.
- Heritage Point was exempt from putting sidewalk along 800 West. Mr. Jones wonders if he should be exempt from putting sidewalk in as well.

- Mr. Mike Sobey has put an offer in on the Mike Lund property on Porter Lane. It is approximately 2 ½ acres. He will probably come to the Planning Commission for a rezoning request. He may request ½ acre parcels or possibly smaller.

Chairman Hopkinson would like Staff to layout a grid for that area to show what the best city practice/layout and best use would be for that area.

- Pages Lane update: Paving may be done in the next two weeks. Storm drain is finished. Landscaping is mostly done but the City is waiting for some price comparisons for sod or cobble.

**Cathy Brightwell: No report.**

**XII. Approval of Minutes of dated August 23, 2016**

**ACTION TAKEN:**

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

**XIII. Adjournment**

**ACTION TAKEN:**

*Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Mike Cottle seconded the motion. Voting was unanimous in favor. The meeting adjourned 9:00 p.m.*

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The foregoing was approved by the West Bountiful City Planning Commission on September 13, 2014, by unanimous vote of all members present.

*Cathy Brightwell*

Cathy Brightwell – City Recorder

