

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

Phone (801) 292-4486
FAX (801) 292-6355

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 27, 2016 AT THE CITY OFFICES**

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Consider Conditional Use Application #16-009 from Kathrin Lorenzo, KD Auto, at 519 N 500 West to do Light Auto Mechanical Repairs.
3. ~~Consider Conditional Use Application #16-008 from Dan Hicks, Dan's Auto & Diesel, at 423 N 800 West to Continue Earl DeWaal's Grandfathered Business to do Auto Mechanical, Body Repair, Towing and Impound.~~
4. Discuss Title 17, Yard and Fence Requirements for Residential Zones.
5. Staff Report.
 - P.U.D Ordinance/Joint worksession October 18, 2016.
 - Annexation Petition – 1450 West
 - Possible Subdivision/Rezone Request - Brandon Jones.
6. Consider Approval of September 13, 2016 Meeting Minutes.
7. 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 23, 2016.***

MEMORANDUM



TO: Planning Commission

DATE: September 26, 2016

FROM: Cathy Brightwell, Ben White

RE: KD Auto – 519 N 500 West

The City received a request from Kathrin Lorenzo to operate KD Auto at 519 N 500 West. According to the original application submitted on 9/21/16, the business would engage in “car sales and light mechanical repairs on the business cars for sale.” However, upon further communication with the applicant, City staff was told that the location would not be used for sales on site, but as a process location where vehicles would be serviced prior to eventual sale at a separate location in Bountiful.

To be permitted to operate at this location, KD Auto must meet a permitted or conditional use as allowed in the Commercial General (CG) zone, Section 17.32. Upon reviewing this section, the only possible use that may apply is “motor vehicle sales and service (excluding auto body repair)” as a conditional use; however, as neither retail sales nor servicing customer vehicles will occur on site, staff does not feel that KD Auto’s processing vehicles meets this use, nor do KD Auto’s proposed activities fit within the purpose of the CG zone, but are more similar to what would fit in a Light Industrial zone.

Possible Planning Commission Action

The first determination the Planning Commission will need to make on this application is whether the proposed activities fit into this use. If the Planning Commission agrees with staff that processing vehicles is not an allowable use as listed in the CG zone, then the application for a conditional use permit should be denied.

If the Planning Commission believes that the proposed activities do qualify for a conditional use as “motor vehicle sales and service”, then the Commission should work towards granting a conditional use permit. The Conditional Use ordinance, Section 17.60.040, requires the planning commission to *consider* whether:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;
2. The proposed use, under the circumstances of the particular case, will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;
4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use;
6. The proposed use will conform to the intent of the city’s general plan; and

7. The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection.

If the proposed use and findings qualify for a conditional use permit, staff recommends the following mitigating conditions, which are consistent with similar businesses in the area:

- Applicant to provide proof of insurance.
- Fire Inspection approval – *scheduled for September 29.*
- No auto body work to be performed.
- No parking within the 40 foot site triangle on the corner of 500 West and Evergreen Circle.
- No wrecked/inoperable vehicles or outdoor storage will be allowed; vehicles awaiting repair will be in operable condition and be parked inside the service bays.



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: 519 No. 500W

PARCEL NUMBER: _____

ZONE: _____

DATE OF APPLICATION: 9/21/16

Name of Business: KD Auto

Applicant Name: Kathrin Lorenzo

Applicant Address: 6149 Park Meadow Dr. Mt. Green, UT 84050

Primary phone: 801-206-4000

Fax Number: 801-650-1277

E-mail address: Kathrin @ KandD Service Center. 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.

will be using the location for Car Sales
and light mechanical repairs on the
business cars for sale.

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: 9/21/16

Applicant Signature: Kathrin Lorenzo

Application Received Date: 9/21/16

FOR OFFICIAL USE ONLY

Permit Number: 16-009

Application Fee Received Date: 9/21/16

Permit Approval Date: _____

Fee: \$20 Residential ☒ \$50 Commercial



COMMERCIAL BUSINESS LICENSE APPLICATION

West Bountiful City
BUSINESS LICENSING DEPARTMENT
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486
Fax: (801) 292-6355
www.wbcity.org

Please allow 5-10 business days for processing

Business Information:

Business Legal Name: Kand O Sales and Service (DBA) KO Auto
Business Address: 519 No. 500 W. Phone: _____
Mailing Address (if different): _____
State License No: 9335790-0160 State Tax ID: 13997624-003-SIC Federal Tax ID: 47-3306708
Owner of Building: THE SCOTT Group Phone: 801-499-1112

Specific Description of Business to be conducted:

Repair and Sales Cars

Applicant Information:

Applicant's Name: Kathrin Lorenzo Title: OWNER
Applicant's Address: 6149 Park Meadow Dr. Phone: 801-755-8511
Email Address: Kathrin@KandOServiceCenter.com
Owner of Business (if different than above): _____
Owner's Address: _____ Phone: _____
Emergency Contact(s): Karen Bechtel (626) 831-2285

PLEASE APPLY FOR AN ALARM PERMIT IF YOU HAVE AN ALARM SYSTEM AT YOUR BUSINESS LOCATION

I hereby make application for the issuance of a business license from West Bountiful City in accordance with the provisions of West Bountiful Municipal Code, Title 5. I certify that the above information is true and correct to the best of my knowledge. I understand that additional permitting may be required in order to comply with zoning requirements.

Date: 9/9/14 Sign Here: Kathrin Lorenzo
Applicant

License Fees:

Annual License Fee: (base fee is \$50.00)			\$ <u>50.00</u>
Number of Full Time Employees	<u>2</u> x	\$5.00 per employee	\$ <u>10.00</u>
Number of Part Time Employees	_____ x	\$2.50 per employee	\$ _____
TOTAL DUE			\$ <u>60.00</u>

FOR OFFICIAL USE ONLY

Application/Payment Received Date: _____ Conditional Use Required? _____
Health Department Approval Date: _____ Fire Marshall Approval Date: _____



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City

PLANNING AND ZONING

550 N 800 W, West Bountiful, UT 84087

Phone: (801) 292-4486

Fax: (801) 292-6355

www.wbcity.org

PROPERTY ADDRESS:

423 N 800W

PARCEL NUMBER:

ZONE:

DATE OF APPLICATION:

9/21/16

Name of Business:

Dan's Auto & Diesel

Applicant Name:

Daniel J Hicks

Applicant Address:

423 N 800 W West Bountiful, UT 84087

Primary phone:

385-206-9752

Fax Number:

E-mail address:

danswrench@aol.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.

Auto Repair, Auto Body & Paint, Driveway & improved lot

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:

9-21-16

Applicant Signature:

Daniel J Hicks

Application Received Date:

9/21/16

FOR OFFICIAL USE ONLY

Permit Number:

16-008

Application Fee Received Date:

9/21/16

Permit Approval Date:

MEMORANDUM



TO: Planning Commission

DATE: August 19, 2016

FROM: Ben White

RE: Yard Setbacks

As staff mentioned in previous meetings, there are some discrepancies between the “yards and setbacks” definitions in Title 17, the setbacks included in each zoning section and in city practices. In short, the two inconsistent items relate to fences and setbacks for corner properties.

The attached draft is based on discussion at the August 9, 2016 meeting. While it is a “clean” version with no edit marks, the changed language has been highlighted.

17.04.030 Definitions

Lot Line, Front. “**Front lot line**” means for an interior lot, the lot line adjoining the street; for a corner lot or through lot, the front lot line is that lot line with street frontage with closest access to the front entry to the house or structure.

Lot Line, Rear. “**Rear lot line**” means, ordinarily, that line of a lot which is opposite and most distant from the front lot line. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this designation is ambiguous, the zoning administrator shall designate the rear lot line.

Lot Line, Side. “**Side lot line**” means any lot boundary line that is not a front or rear lot line. However, this does not apply to any yard fronting on a street, which is by definition a front lot line or a street side lot line.

Lot Line, Street Side. “**Street side lot line**” means the lot line adjoining a street on a corner lot that is not designated as the front lot line.

“**Yard**” means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.

Yard, Front. “**Front yard**” means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The “depth” of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear. “**Rear yard**” means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The “depth” of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side. “**Side yard**” means a space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The “width” of the side yard shall be the minimum distance between the side lot line and the side line of the building.

Yard, Street Side. “**Street side yard**” means the space on the same lot with a building between the side line of the building facing the street not designated as the front lot line and extending from the front yard to the rear yard. The “width” of the street side yard is the minimum distance between the street side lot line and the building.

17.xx.050 Yard regulations.

The following yard regulations apply in the residential district “R-1-10, R-1-22, A-1”:

- A. Setbacks for structures and accessory buildings will be measured from the property line to the nearest foundation or column. For main structures, a maximum two foot cantilever that does not extend to the ground, such as a bay window or chimney, is allowed in the setback area.

1. **Front yard.** The minimum front yard setback for all structures shall be thirty (30) feet.
2. **Side yard.**
 - a. The minimum side yard setback for all main structures shall be ten (10) feet for any one side, with a combined total of twenty-four (24) feet for both sides.
 - b. On corner lots, the **street** side yard **setback for all structures** shall be not less than twenty (20) feet.
 - c. The minimum side yard setback for accessory structures shall be six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.
3. **Rear yard.**
 - a. The minimum rear yard setback for all main structures shall be thirty (30) feet.
 - c. A deck may encroach into a rear yard setback only with a conditional use permit meeting the following criteria:
 - i. The entire deck is at least twenty (20) feet from the rear property line;
 - ii. The deck does not encroach more than 200 square feet into the setback;
 - iii. The floor of the deck is no higher than the highest finished floor of the main structure;
 - iv. The portion of the deck that extends into the rear yard setback cannot be covered;
 - v. The railing cannot be more than forty-eight (48) inches high and must be less than twenty-five (25%) non-transparent; and
 - vi. The deck satisfies other conditions required by the planning commission.

17.xx.100 Fence requirements.

- A. Fences, walls and hedges may not exceed six feet in height within any required rear yard or interior side yard. Notwithstanding the foregoing, the planning commission may approve the erection of a fence to a height greater than six feet within any required rear yard or interior side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.
- B. Notwithstanding any other provision of this Title, no fence, wall, or hedge may exceed four (4) feet in height within any front yard setback; and, no fence, wall, or hedge may exceed two (2) feet in height within three (3) feet of any street **right of way or** sidewalk (whichever is closer to the primary building on the lot).
- C. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any two plants is remains at (5) feet.
- D. When a fence, wall or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall or hedge may be erected or allowed to the maximum height permitted as measured from the higher grade.
- E. Clear view of intersecting streets.

FENCING – CURRENT PRACTICE

17.04.030 Definitions

Lot Line, Front. “**Front lot line**” means for an interior lot, the lot line adjoining the street; for a corner lot or through lot, the front lot line is that lot line with closest access to the front entry to the house or structure.

Lot Line, Rear. “**Rear lot line**” means, ordinarily, that line of a lot which is opposite and most distant from the front lot line. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this ~~definition~~ designation is ambiguous, the zoning administrator shall designate the rear lot line.

Lot Line, Side. “**Side lot line**” means any lot boundary line that is not a front or rear lot line. However, this does not apply to any yard fronting on a street, which is by definition a front ~~yard-lot~~ line or a street side lot line.

Lot Line, Street Side. “**Street side lot line**” means the lot line adjoining a street on a corner lot that is not designated as the front lot line.

“**Yard**” means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.

Yard, Front. “**Front yard**” means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The “depth” of the front yard is the minimum distance between the front lot line and the front line of the building. ~~(Note: On a corner lot there are two front yards.)~~

Yard, Rear. “**Rear yard**” means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The “depth” of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side. “**Side yard**” means a space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The “width” of the side yard shall be the minimum distance between the side lot line and the side line of the building.

Yard, Street Side. “**Street side yard**” means the space on the same lot with a building between the side line of the building facing the street not designated as the front lot line and extending from the front yard to the rear yard. The “width” of the street side yard is the minimum distance designated in this Title.

17.20.050 Yard regulations.

The following yard regulations apply in the residential district R-1-22:

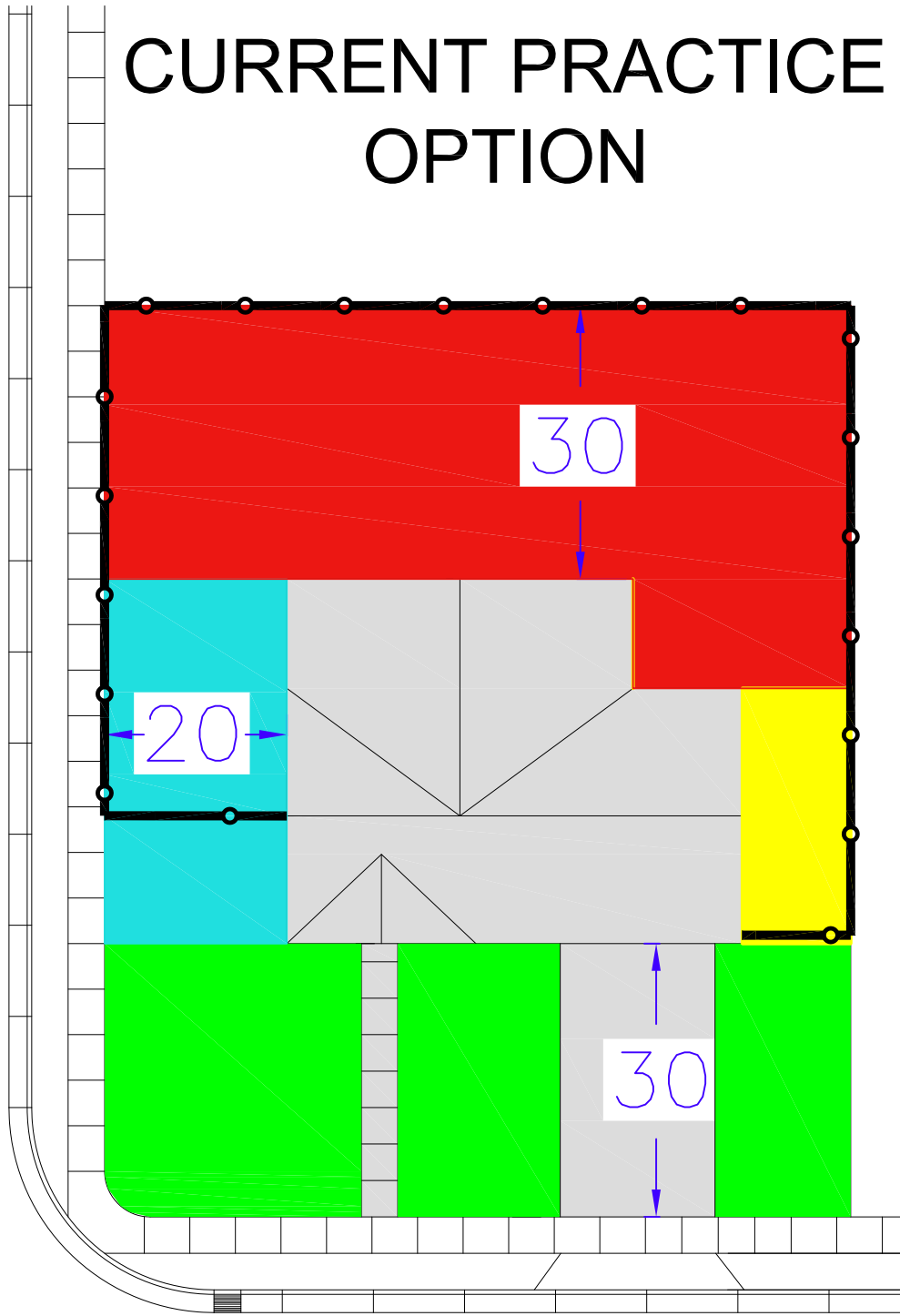
- A. Setbacks for structures and accessory buildings will be measured from the property line to the nearest foundation or column. For main structures, a maximum two foot cantilever that does not extend to the ground, such as a bay window or chimney, is allowed in the setback area.
 - 1. **Front yard.** The minimum front yard setback for all structures shall be thirty (30) feet.
 - 2. **Side yard.**
 - a. The minimum side yard setback for all main structures shall be ten (10) feet for any one side, with a combined total of twenty-four (24) feet for both sides.
 - b. On corner lots, the street side yard setback facing the street for all structures shall be not less than twenty (20) feet.
 - c. The minimum side yard setback for accessory structures shall be six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.
 - 3. **Rear yard.**
 - a. The minimum rear yard setback for all main structures shall be thirty (30) feet.

17.20.100 Fence requirements.

- B. Notwithstanding any other provision of this Title, no fence, wall, or hedge may exceed four (4) feet in height within any front yard setback; and, no fence, wall, or hedge may exceed two (2) feet in height within three (3) feet of any street right-of-way line or inside of sidewalk (whichever is closer to the primary building on the lot. (Ord. 328-11)

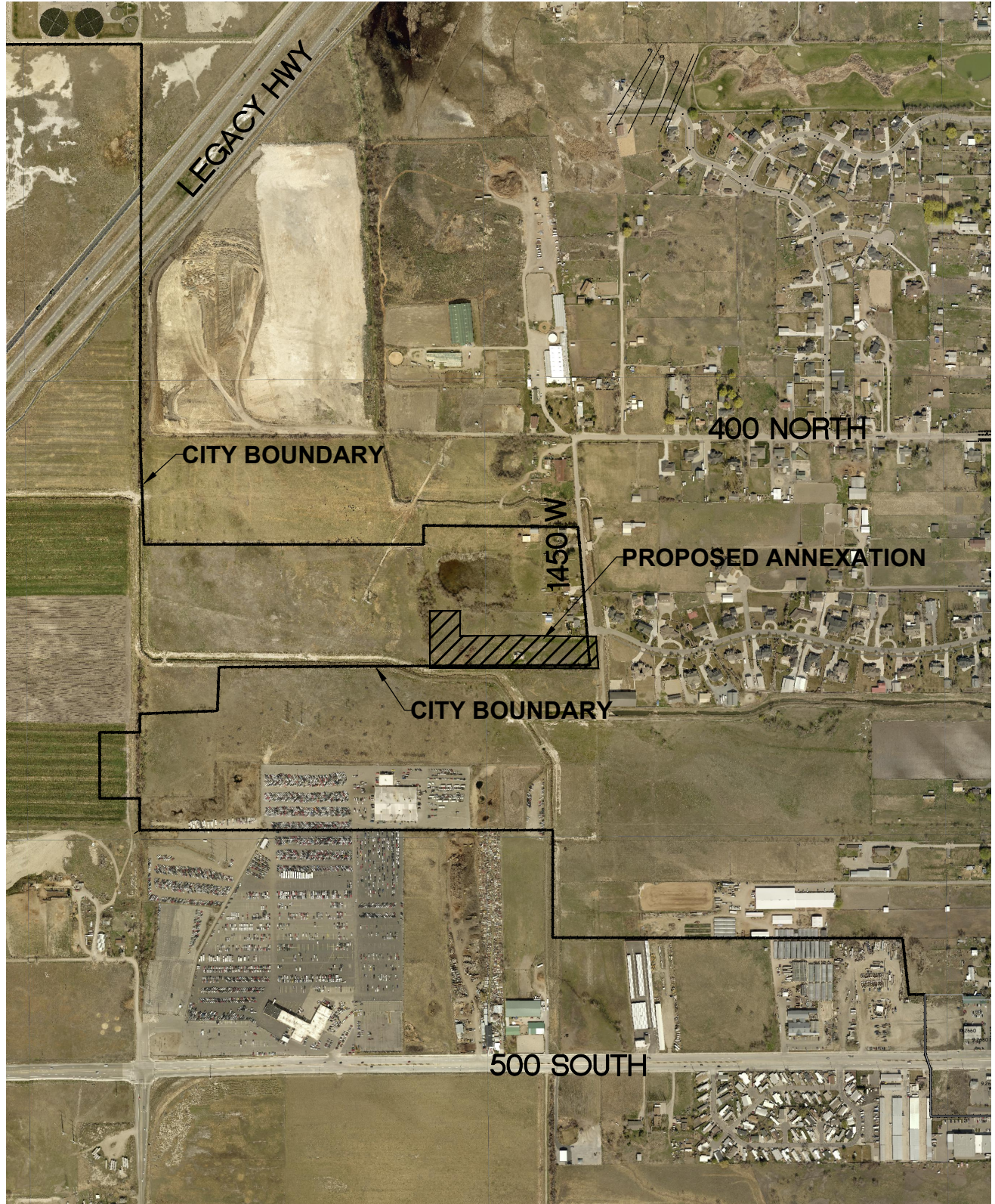
CURRENT PRACTICE OPTION

STREET



STREET

161 N 1450 WEST ANNEXATION REQUEST



West Bountiful City

PENDING

September 13, 2016

Planning Commission

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 (Deputy 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.

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

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

72 **ACTION TAKEN:**

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

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

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

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

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

88 Included in the Commissioner's packet was a memorandum from Ben White dated September 9,
89 2016, regarding changes to our storm water requirements in Title 13 that require changes to Title
90 16 in order to eliminate redundancy and prevent contradicting sections.

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

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

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

96 Mike Cottle appreciates the definitions and their clarity.

97 Terry Turner asked about the 100 year storm data.

98 Laura Charchenko approves with the proposed document.

99 Alan Malan liked the definitions.

100 **ACTION TAKEN:**

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

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

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

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

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

114 Commissioners had no comments pertaining to this document.

115 **ACTION TAKEN:**

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

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

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

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

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

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

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

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

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

144 **ACTION TAKEN:**

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

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

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

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

152 **ACTION TAKEN:**

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

157

158

159 **XI. Staff Report**

160 **Ben White:**

- 161 • Ben White noted that in their packet they will find a proposal from a Senior Planning
- 162 Professional to guide us as to what a P.U.D. should be.

- Mr. Jones on 8th 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 – City Recorder