

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 REGULAR MEETING AT 7:30 PM ON TUESDAY, DECEMBER 27, 2016 AT THE CITY OFFICES

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Public Hearing to Receive Comments on 2-Lot Subdivision at 528 N 660 West Designated as Trail's End Subdivision.
3. Consider 2 Lot Subdivision for Mike Youngberg at 528 N 660 West Designated as Trial's End Subdivision.
4. Public Hearing to Receive Comments on Proposed Changes in Title 17 for Yards and Fences in Residential Districts.
5. Consider Proposed Changes in Title 17 for Yards and Fences in Residential Districts.
6. Staff Report.
7. Consider Approval of December 13, 2016 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 **December 23, 2016**.*

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NOTICE OF PUBLIC HEARING

The West Bountiful Planning Commission will hold a Public Hearing on Tuesday, December 27, 2016 at 7:30 p.m., or as soon thereafter as possible, at 550 North 800 West, West Bountiful, Utah, 84087.

The purpose of the hearing is to receive public comment regarding a request for a two (2) lot subdivision at 528 N 660 West, West Bountiful designated as Trails End Subdivision.

A copy of the proposal may be viewed during regular business hours at the City Offices, or on the City website: www.wbcity.org. All interested parties are invited to participate in the hearing. Written comments may be submitted to the City Offices prior to the meeting.

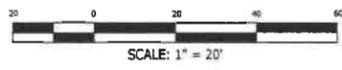
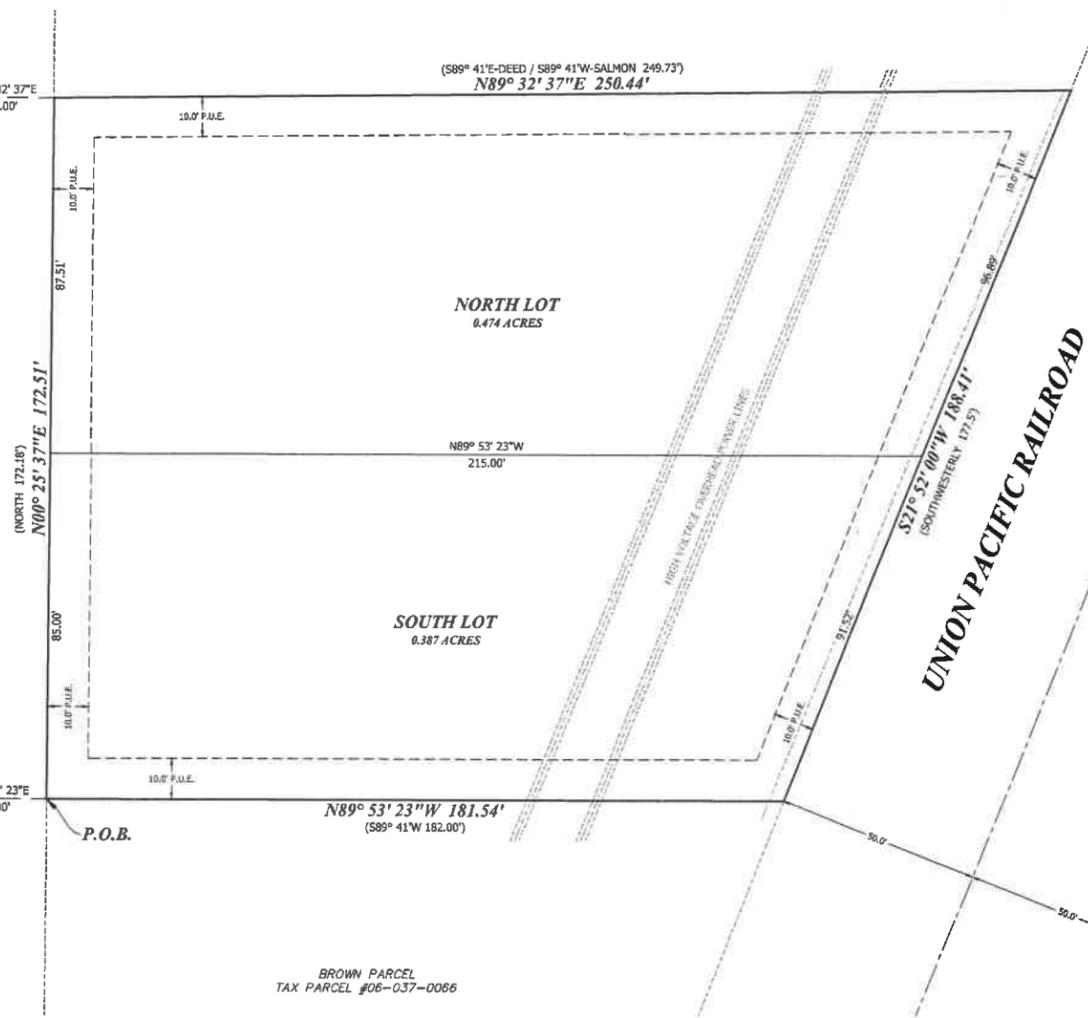
Cathy Brightwell
City Recorder

MIKE YOUNGBERG SUBDIVISION

528 NORTH 660 WEST, TAX PARCEL # 06-037-0102
 LOCATED IN THE NORTHWEST 1/4 OF SECTION 24, T.2N., R.1W., S.L.B.&M.
 WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH
 DECEMBER 2016

CURVE P1 IN 660 WEST STREET,
 FOUND MONUMENT

660 WEST STREET



SURVEYOR'S CERTIFICATE

I, VON R. HILL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 166385 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THE PLAT AND DESCRIBED BELOW, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS:

MIKE YOUNGBERG SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

VON R. HILL, UTAH PLS# 166385
 H&A ENTTELLUS

BOUNDARY DESCRIPTION

ANY AND ALL INTEREST BEGINNING ON THE EAST LINE OF 660 WEST STREET, A 50 FOOT STREET, AT A POINT NORTH 24 RODS, WEST 90 RODS AND NORTH 402 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, WEST BOUNTIFUL, UTAH, AND RUNNING THENCE NORTH ALONG SAID STREET 172.18 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF PROPERTY CONVEYED IN 298-642, DAVIS COUNTY RECORDS; THENCE SOUTH 89°41' EAST 249.73 FEET TO A RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY 177.5 FEET, MORE OR LESS, TO A POINT NORTH 89°41' EAST OF POINT OF BEGINNING; THENCE SOUTH 89°41' WEST 182 FEET, MORE OR LESS TO POINT OF BEGINNING.

ALSO BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF 660 WEST STREET, SAID POINT BEING SOUTH 89°54'54" WEST 134.85 FEET ALONG THE SECTION LINE TO THE CENTER LINE OF 500 WEST STREET AND NORTH 00°11'46" WEST 396.06 FEET ALONG SAID CENTER LINE TO THE CENTER LINE MONUMENT AT THE INTERSECTION OF 500 WEST STREET AND 400 NORTH STREET AND SOUTH 89°23'45" WEST 1380.84 FEET TO THE CENTER LINE MONUMENT AT THE INTERSECTION OF 400 NORTH STREET AND 660 WEST STREET AND NORTH 00°25'37" EAST 402.27 FEET ALONG THE CENTERLINE OF 660 WEST STREET AND SOUTH 89°53'23" EAST 25.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH, AND RUNNING THENCE NORTH 00°25'37" EAST 172.51 FEET ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF THE PROPERTY CONVEYED IN BOOK 298 AT PAGE 642, DAVIS COUNTY RECORDER'S OFFICE; THENCE NORTH 89°23'23" EAST 250.44 FEET ALONG THE SOUTH LINE OF SAID PROPERTY TO THE NORTHWESTERLY RIGHT OF WAY OF A RAIL ROAD; THENCE SOUTH 21°52'00" WEST 188.41 FEET ALONG SAID RAILROAD RIGHT OF WAY; THENCE NORTH 89°53'23" WEST 181.54 FEET TO THE EAST LINE OF 660 WEST STREET AND TO THE POINT OF BEGINNING, CONTAINS 0.860 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS

MIKE YOUNGBERG SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT AND DEFEND AND SAVE THE CITY, HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS, WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF ____ 20__.

MIKE YOUNGBERG

ACKNOWLEDGEMENT

ON THIS ____ DAY OF ____ 20__, THERE APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, MIKE YOUNGBERG, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

LEGEND

- PROPERTY LINE
- INTERIOR LOT LINE
- ADJACENT PROPERTY
- ROAD CENTERLINE
- SECTION LINE
- TIE TO MONUMENT

RECORD CALLS ()

- SET 5/8" REBAR WITH H&A ENTTELLUS CAP, LS #166385, AT CORNER (UNLESS OTHERWISE NOTED)
- FOUND PROPERTY MARKER (AS NOTED)

400 NORTH STREET

500 WEST STREET

BROWN PARCEL
 TAX PARCEL #06-037-0066

EAST 1/4 CORNER, SEC. 24,
 T.2N. R.1W., S.L.B.&M.
 (CALCULATED FROM W.B. MON. PLAT)

NOTES:
 1. THERE IS A 10.0-FOOT PUBLIC UTILITY EASEMENT (P.U.E.) ALONG THE EXTERIOR SUBDIVISION BOUNDARY, AS SHOWN.



181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF ____ 20__
 WEST BOUNTIFUL CITY ENGINEER

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF ____ 20__ BY
 THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY.
 CHAIRMAN

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF ____ 20__
 WEST BOUNTIFUL CITY ATTORNEY

WEST BOUNTIFUL CITY COUNCIL
 APPROVED THIS ____ DAY OF ____ 20__ BY
 THE WEST BOUNTIFUL CITY COUNCIL.
 CITY RECORDER ATTEST: _____
 MAYOR: _____

DAVIS COUNTY RECORDER
 ENTRY NO. _____ FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS ____ DAY OF ____
 20__, AT ____ IN BOOK ____ OF ____
 COUNTY RECORDER _____
 BY _____

MEMORANDUM



TO: Planning Commission

DATE: December 22, 2016

FROM: Ben White

RE: Trails End Subdivision - A 2 lot subdivision at 528 N 660 West

Mr. Youngberg has purchased a 0.85 acre parcel of ground on the east side of 660 West. The property currently has an adobe style construction home and a number of accessory buildings. Mr. Youngberg desires to remove the old house and divide the lot into two lots.

Each lot meets the minimum width and area for lots in the R-1-10 zone. The lots will contain an adequate building pad even though there is an overhead power line easement in the rear yard. The east accessory building will need to be removed since it is over the property line. Staff can work with the property owner to bring the north accessory building in compliance if it is to remain.

The big question with this subdivision is what to do about curb and sidewalk. The nearest curb on the same side of the street is 900 feet away and 500 feet away on the opposite side of the street. Curb and sidewalk could be constructed with minimal side effects. Storm drainage would be fine. The north and south sidewalk terminations would be less than ideal.

Staff research what other Improvement Deferral agreements exist for properties on 660 West. County Records are only available via computer beginning in 1980. Staff found one agreement post 1980 and was told of one pre-1980. The Eggett Acres subdivision (1977) contains seven lots on the west side of 660 and south of Moss Farm. The intent appears to have been for a deferral agreement for that subdivision, but the agreement was not recorded, nor a note added to the recorded plat. But without it being recorded, there is no deferral agreement.

The recommendation tonight is for Final Plat approval. The curb and sidewalk is the only condition that staff is presently aware of that Planning Commission should consider.

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NOTICE OF PUBLIC HEARING

The West Bountiful Planning Commission will hold a Public Hearing on Tuesday, December 27, 2016 at 7:35 p.m., or as soon thereafter as possible, at 550 North 800 West, West Bountiful, Utah, 84087.

The purpose of the hearing is to receive public comment regarding proposed changes to Yard and Fence regulations in Residential Zones, Title 17.

A copy of the proposal may be viewed on the City website: www.wbcity.org. All interested parties are invited to participate in the hearing. Written comments may be submitted to the City Offices prior to the meeting.

Cathy Brightwell
City Recorder

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 or rear 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. In the case of a corner lot, the rear yard extends from the side lot line to the street side yard. 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 or rear lot line and extending from the front yard to the rear lot line 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 main structures shall be not less than twenty (20) feet. Accessory structures may be erected within the street side yard provided that the accessory structure is behind the principal structure; is 200 square feet or less; has a maximum height of nine feet (9') measured from the lowest finish ground level to the highest part of the roof; and complies with other requirements of this code.
- 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.
- b. 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, ~~and~~ 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. Within any front yard setback, 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 does not include shrubs or small trees if the closest distance between the foliage less than six (6) feet above the ground of any two plants remains at is greater than five (5) feet.~~
- D. When a fence, ~~or~~ 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, ~~or~~ 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. In all districts which require a front yard, no obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines, except pedestal type identification signs ~~and pumps at a gasoline station~~, and a reasonable number of trees pruned so as to permit unobstructed vision of traffic.

MEMORANDUM



TO: Planning Commission

DATE: December 22, 2016

FROM: Ben White

RE: Yard Regulations and Fences

In recent meetings, the Planning Commission has discussed how front, side and rear yards are defined. At the center of the discussion is fences related to where and how tall they may be constructed depending on whether they are in a front, side or rear yard.

A public hearing has been scheduled for December 27th to receive public comment on the proposed language.

Following public input, the Planning Commission may make a recommendation to City Council or continue discussions and defer a decision to a future meeting.

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**West Bountiful City
Planning Commission**

PENDING

December 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 on December 2, 2016 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, November 10, 2016, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

MEMBERS/STAFF EXCUSED: Debbie McKean (secretary)

STAFF PRESENT: Ben White (City Engineer) and Cathy Brightwell (Recorder)

VISITORS: Aimee Hinojosa

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

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented. Alan Malan seconded the motion. Voting was unanimous in favor among members present.

2. Consider Conditional Use Application for Auto Italia Repairs and Detail at 1116 West 500 South, Suite #7.

Commissioner packets included a memorandum from Cathy Brightwell regarding a conditional use application for Auto Italia Repair and Detail filed by Aimee Hinojosa.

Cathy Brightwell summarized the application explaining that the Hinojosa's plan to provide general auto repair and detailing which is a conditional use in the Commercial Highway District.

34 Their application was originally filed in August but there were issues to be resolved with the
35 property so it was put on hold until now.

36 Aimee Hinjosa introduced herself and was available for questions. Commissioner Malan
37 asked what kind of auto repairs would be done; she responded that they would be limited to
38 general repairs and maintenance. There were no other questions from the Commission.

39 **ACTION TAKEN:**

40 *Alan Malan moved to approve the conditional use application as described above as it*
41 *meets the requirements of W BMC Section 17.60.040 (1-7). Laura Charchenko offered a*
42 *friendly amendment to include the four conditions proposed by staff: Fire inspection*
43 *approval (done); Drains to be connected to sanitary sewer and approved by the South*
44 *Davis Sewer District before business commences (done); No outdoor storage will be*
45 *allowed beyond operable cars being serviced; and, upon issuance of conditional use*
46 *permit applicant will purchase a West Bountiful City business license. Alan Malan*
47 *accepted the friendly amendment. Laura Charchenko seconded the motion and voting was*
48 *unanimous in favor.*

49 **3. Discuss Proposed 2-Lot Subdivision for Mike Youngberg at 528 N 660 West designated**
50 **as Trails End Subdivision.**

51 Commissioner packets included a memorandum from Ben White dated December 8, 2016
52 regarding Trails End Subdivision at 528 N 660 West, and a plat.

53 Mr. Youngberg recently purchased the property which consists of .87 acres 172 feet wide, an
54 old house, and several outbuildings that he intends to split into two lots. A public hearing has
55 been scheduled for the next meeting on December 27, 2016.

56 An issue for consideration is curb and sidewalk. There is currently no curb or sidewalk on
57 either side of the road. Street and private property improvements may cause unintended drainage
58 problems to neighbors. Mr. White stated that if there is a concern about future public
59 improvement needs, a deferral agreement could be granted although he is not aware of any others
60 on this street. Mr. Malan asked him to research the issue as there may have been agreements made
61 with property owners in the past. There was discussion about what will happen to the buildings on
62 the property. Mr. White responded that Mr. Youngberg plans to demolish the existing home but
63 he is not sure what the plans are for the other buildings; some may not meet setbacks.

64 **4. Staff Report**

65 **Ben White:**

- 66 • A public hearing has been scheduled for December 27th for Title 17, sidewalk and fences
67 in residential zones.
- 68 • Ovation Homes may also be on that agenda. They are finalizing pump station design and
69 other details, including their outstanding issue with Weber basin.
- 70 • Ben gave an update on 400 North construction which is being delayed by weather.

- 71 • Regarding Annexation of 1450 West properties, the Devereaux’s were interested in joining
 72 but recently withdrew while the family decides how to handle the property. There was
 73 some discussion about future access to the larger properties on the west side related to 500
 74 South.

75 **Cathy Brightwell** provided an update on McAlister’s Deli reporting that they now intend to
 76 open on January 9 and are hoping to hire 62 employees, half of whom will be high school
 77 students.
 78

79 **5. Approval of Minutes of dated November 10, 2016**

80

81 **ACTION TAKEN:**

82 *Alan Malan moved to approve of the minutes dated November 10, 2016 as corrected.*
 83 *Laura Charchenko seconded the motion and voting was unanimous in favor among those*
 84 *members present.*

85

86 **6. Adjournment**

87

88 **ACTION TAKEN:**

89 *Mike Cottle moved to adjourn the regular session of the Planning Commission meeting at*
 90 *8:05 pm. Terry Turner seconded the motion. Voting was unanimous in favor.*

91

92

93

94 The foregoing was approved by the West Bountiful City Planning Commission on December 27, 2016, by
 95 unanimous vote of all members present.

96 _____

97 Cathy Brightwell – City Recorder

98