

**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, FEBRUARY 28, 2017 AT THE CITY OFFICES**

### ***AGENDA AS FOLLOWS:***

Welcome. Prayer/Thought by Invitation

1. Accept Agenda
2. Consider Request from Hamlet Homes to Rezone 24.73 acres on the Southeast Corner of Porter Lane and 1100 West from A-1 (1 acre) to R-1-22 (1/2 acre).
3. Discuss Proposed Changes to WBMC Chapter 17.68, Planned Unit Development Ordinance.
4. Discuss Increased Height for Cell Towers in WBMC Chapter 17.88.
5. Staff Report.
6. Consider Approval of Minutes from February 14, 2017 and February 16, 2017.
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 **February 24, 2017.***

**Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website and on the West Bountiful City website on February 28, 2017 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, February 28, 2017 at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan Malan, Mike Cottle, Laura Charchenko, Corey Sweat (Alternate) and Kelly Enquist (City Council)

**MEMBERS/STAFF EXCUSED:** Ben White (City Engineer) and Vice Chairman Terry Turner

**STAFF PRESENT:** Cathy Brightwell (Recorder) and Debbie McKean (Secretary)

**VISITORS:** Mike and Lynne George, Zach and Mike Brodsky, Shad Selmos, Wes Edward

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

**1. Accept Agenda**

Chairman Hopkinson reviewed the agenda. Corey Sweat moved to accept the agenda as presented. Laura Charchenko seconded the motion. Voting was unanimous in favor among members present.

**2. Consider Request for Hamlet Homes to Rezone 24.73 acres on the Southeast Corner of Porter Land and 1100 West from A-1 (1 acre) to R-1-22 (1/2 acre).**

Commissioner packets included a memorandum dated February 24, 2017 from Ben White regarding the Hamlet Homes R-1-22 Rezone request with attached concept site plans and diagram of power and utility corridors for visual reference only.

A public hearing was held at the last scheduled Commission meeting. Commissioners decided that they would like to have more information regarding the property and so the item was tabled for this meeting.

Staff noted in their memorandum that this is not a subdivision request and the concept plan reviewed this evening is subject to some adjustment if an actual subdivision plan was submitted. In addition, Mr. White explained in his memo that some lots, while not being buildable, can become so by adjusting lot lines. A survey will determine actual lot lines and better define property lines. Staff has some concerns about the lots listed as 31-54 on the conceptual diagram. Overhead power lines are higher than the width of the easement. Ben White's memorandum reminded the Commissioners that dead end streets cannot exceed 1000 feet in length. In regards to a PUD request as an option to the developer, it is still at the City's discretion whether or not to grant a PUD. Even though utility easement documents have been reviewed, the utility companies maintain the right to construct, operate and maintain their respective utilities.

Cathy Brightwell reviewed the information found in the memorandum from Ben White. Chairman Hopkinson reminded the Commissioners that this is not a conceptual discussion but for a rezone consideration only.

Commissioner's reviewed the information included in their packets with a brief discussion.

**Commissioner Comments included:**

- **Alan Malan:** Has mixed feelings because to him the layout of the property makes the land feel too condensed to still have the feel of open space.
- **Laura Charchenko:** Would like to keep the lots that about 1100 West kept at 1 acre parcels. If changed, she is concerned about setting a precedence.
- **Corey Sweat:** Favors the R-1-22 rezone as he wants to see landowners have their rights.
- **Mike Cottle:** Concerned that we will lose the rural feel in that area if lots are less than the 1 acre. He does however, support that some portion of the property could be rezoned to allow for some flexibility as the land has quite a few challenges.
- **Chairman Hopkinson:** Walked the land and feels that with mitigation things could work out. Land adjoining the property is already zoned ½ acre. He favors the request to rezone to R-1-22 parcels.
- **Councilmember Kelly Enquist:** Reminded the Commission that they need emergency vehicle turnarounds on stub streets.

Mike Brodsky was invited to take the stand and pointed out that he understands the requirements for the emergency vehicle turnarounds. He reminded the Commission that his company has a lot of information to obtain before they can come up with a true conceptual plan. He noted that the request for ½ acres comes because they will need some flexibility when planning out the development due to the utility easement challenges.

## **ACTION TAKEN:**

*Corey Sweat moved to recommend the rezone request for property located on the southeast corner of Porter Lane and 1100 West from A-1 (1acre) to R-1-22 (1/2 acre) to City Council as proposed. Laura Charchenko seconded the motion and voting was unanimous in favor among those present.*

### **3. Discuss Proposed Changes to WBMC Chapter 17.68 Planned Unit Development Ordinance.**

Commissioner packets included a memorandum dated February 23, 2017 from Ben White and Cathy Brightwell regarding the draft PUD Ordinance document and a revised copy of the proposals discussed for change in the document from the last meeting. Changes to the document were highlighted.

#### **Changes to the Document:**

##### **17.68.010- Purpose and Intent**

A paragraph from the City's current PUD Ordinance was copied and drafted into this document making it clear that granting of PUD's are strictly at the discretion of the City.

##### **17.68.040- Base Density**

Language was added to reaffirm that base density of all lots must meet the size requirements of the underlying zone.

##### **17.68.060- Area**

Changes were made to the language to include the minimum area required to qualify for a PUD consideration and includes different requirements for different zoning.

##### **17.68.090- Density Bonus**

Density Bonus has been reduced from the prior 30% consideration to 20% total granted.

Chairman Hopkinson, once again, expressed the heartburn he has over having a PUD Ordinance. He read a portion of 17.68.010 from the PUD Ordinance. He feels, if the City Council wants a PUD Ordinance in place that this is a good one, but he is not in favor of having a PUD Ordinance in our Code.

#### **Commissioner Comments:**

- **Alan Malan:** Pointed out that without a PUD Ordinance spot zoning could be used. He asked if we should consider taking out the R-1-10 zone all together.
- **Laura Charchenko:** Feels the new language in the ordinance is head and shoulders above our previous ordinance.
- **Corey Sweat:** Concerned that it is too open and too flexible for those wanting to develop. He feels it is a tool for government to be more involved than necessary.

- **Mike Cottle:** Agrees that we may not need a PUD Ordinance. Cathy Brightwell shared the reasons why Staff desires to have a PUD in place and noted that it sets limits that will help direct developers through the development process.
- **Chairman Hopkinson:** While not in favor of the PUD Ordinance, Chairman Hopkinson is happy with the changes for setting size limits by zone and lowering the bonus density allowance. He feels Staff has listened to their desires and request very well.
- **Councilmember Kelly Enquist:** Likes the changes made to the PUD Ordinance and feels there needs to be a PUD Ordinance in place.

Ms. Brightwell reminded them that no action can be taken this evening. A Public Hearing has been set for the next scheduled meeting.

Chairman Hopkinson instructed Staff to minimize and simplify the wording in 17.68.010 in the new language paragraph.

**A Public Hearing has been set for the March 14<sup>th</sup> meeting.**

#### **4. Discuss Increased Height for Cell Towers in WBMC Chapter 17.88**

Commissioner packets included a memorandum from Duane Huffman/Ben White dated February 24, 2017 regarding Cell Phone Tower Height with an attached redline copy of ordinance 17.88.140 Standard for Antennas and Antenna Support Structures.

At the last meeting, Staff put forth a proposal to be considered by the Commission in regards to changing language in WB Municipal Code 17.88 that governs land use development for wireless communication systems.

Staff feels it would be in the best interest of West Bountiful to let Verizon erect a tower on City property in the area of Jessie Meadow's subdivision. Verizon needs the full allowable height of tower to be built (which is currently 100 feet) per City Ordinance. After consulting with wireless tower officials, Staff recommends that our current ordinance be amended to allow towers to be built to the height of an additional 20 feet (total 120 feet). This would allow other wireless carriers to use the tower without having to erect multiple towers. Staff feels that it would best serve the City and its residents to make the proposed change to the ordinance.

Chairman Hopkinson recommends that we take Staff's recommendation to increase the allowance for the tower to 120' from 100'. In addition, he commented that individual carriers will want their own pad. Chairman Hopkinson informed Staff that towers can be decorated so as to camouflage their appearance. He suggested that City Council visit the cell phone towers located by the Industrial Complex bordering Centerville and West Bountiful to see what they look like.

**A Public Hearing has been set for March 14<sup>th</sup>.**

**5. Staff Report**

**Cathy Brightwell**

- Welcomed Council member Enquist as the official Planning Commission Liaison; his appointment will be confirmed by city council next week.
- FYI- There will be a Conditional Use permit for a deck that intrudes into the rear setback at the next scheduled meeting.
- City Council approved the Yards and Fences Ordinance, Annexation, and Subdivision time frames ordinances without changes from planning commission's recommendations.
- McAlister's Deli is open for business.

**6. Approval of Minutes dated February 14, 2017 and the Special meeting held on February 16, 2017.**

**ACTION TAKEN:**

*Corey Sweat moved to approve of the minutes of the February 14, 2017 and the minutes of the Special Meeting held on February 16, 2017 meeting. Alan Malan seconded the motion and voting was unanimous in favor.*

**7. Adjournment**

**ACTION TAKEN:**

*Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:25 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.*

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*The foregoing was approved by the West Bountiful City Planning Commission on March 14, 2017, by unanimous vote of all members present.*

  
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Cathy Brightwell – City Recorder

