

**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  
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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 REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 9, 2017 AT THE CITY OFFICES**

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

Welcome. Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Request for Conditional Use Permit From Matthew and Lanita Rodabough at 1258 N 725 West For Reduced Points for Chickens.
2. Consider Request for Conditional Use Permit From Megan Anderson at 850 W 600 North for a Day Care.
3. Discuss Possible Ordinance Changes – Hauling, AirBNB's, etc.
4. Staff Report.
  - a. City Council Actions Update
  - b. Miscellaneous
5. Consider Approval Of Minutes From April 25, 2017.
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 May 8, 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 May 08, 2017 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, May 09, 2017 at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

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

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

**MEMBERS/STAFF EXCUSED:** Chairman Denis Hopkinson and Vice Chairman Terry Turner

**VISITORS:** Lanita Rodabough, Lolinne Bangerter, Bryce Bangerter, Dean Chadwick, Megan Anderson, Rodney Anderson.

The Planning Commission Meeting was called to order at 7:30 pm by Laura Charchenko. Corey Sweat offered a prayer.

**1. Accept Agenda**

Laura Charchenko reviewed the agenda changing items 2 to 2-a and 2-b. Corey Sweat moved to accept the agenda with proposed changes. Mike Cottle seconded the motion. Voting was unanimous in favor among members present.

**2-a. Consider Request for Conditional Use Permit From Matthew and Lanita Rodabough at 1258 North 725 West for Reduced Points for Chickens.**

Commissioner packets included a memorandum from Cathy Brightwell dated May 5, 2017 regarding a **Request for Conditional Use Permit From Matthew and Lanita Rodabough at 1258 N 725 West for Reduced Points for Chickens** with an application for a Farm Animal Conditional Use Permit Application from 20 points to 40 points and a site plan for where the chicken coop will be in their backyard.

Cathy Brightwell introduced the application. The property at 1258 N 725 West consists of .203 acres which gives the applicants 20 points for animals. Mr. and Mrs. Rodabough would like to increase the current points to 40 allowed by Conditional Use which would allow them 10 chickens instead of 5. Setbacks for the chicken coop meet city code. All adjoining neighbors

have been notified. Ms. Brightwell noted that if approved, the Conditional Use Permit expires with the sale of the property.

**ACTION TAKEN:**

*Corey Sweat moved to approve the conditional use permit for Matthew and Lanita Rodabough at 1258 North 725 West with the following conditions: the permit will expire upon the sale of the property; the chicken coop/run will be located a minimum of 6 feet from any property line or dwelling; to protect the health, safety and welfare of the animals and the public, animal waste, debris, noise, odor, and drainage shall be kept in accordance with usual and customary health standards associated with chickens; and failure to comply with these regulations will invalidate the permit. In addition, the Commission finds that 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 community and 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. Alan Malan seconded the motion and voting was unanimous in favor.*

**2-b. Consider Request for Conditional Use Permit from Megan Anderson at 850 West 600 North for a Day Care.**

Commissioner packets included a memorandum from Cathy Brightwell and Ben White dated May 5, 2017 regarding a proposed daycare service at 850 West 600 North with attached application, site plan, fire inspection certificate and letter. Surrounding neighbors have been notified.

Cathy Brightwell directed the Commissioners to a map showing the property in discussion this evening. A similar filing was previously made in 2014 and was denied because fire access issues could not be resolved. The owner has been working hard to come into compliance and has now done so. The fire department has issued a Certificate of Fire Clearance, with conditions. The 16.5 ft. wide driveway from the east, which is owned by the Anderson's was approved for fire truck access. Fire hydrants are less than 600 feet from the home and can be accessed from either 900 West or 800 West.

Mrs. Anderson has received her child care license from the State and has met all requirements, as well as passing County Health Department inspections. There is a swimming pool on property which is fenced in, but does not currently have a self-closing, self-latching gate.

Commissioners made the following comments.

**Mike Cottle:** Concerned about the pool being secured and as long as all safety conditions are met he has no problem issuing the permit.

**Corey Sweat:** Noted that proposed condition six which suggests parents enter from 800 W and exit to 900 W should be stricken as the Anderson's do not own the driveway to the west.

**Alan Malan:** Pointed out that the house address sign required by the fire department on 800 West needs to be of a reflective material. He was also concerned about parking and egress and ingress and parking in the drive way.

**Laura Charchenko:** Concurred with all Commissioner comments.

Mr. Anderson took the stand and informed the Commissioners that Megan is planning on picking up the kids therefore traffic should not be a problem. They said there could be 4 to 5 children at the most at a time. Alan Malan reiterated that there can be no parking in the driveway during business hours.

Mr. Dean Chadwick at 841 W Heritage Circle took the stand and expressed his concerns about the odors that come from the Anderson's septic tank. His property abuts the Anderson property and they frequently get strong odors from the septic tank. They are concerned that the frequency and level of the odors will increase with this new business. They would like the system inspected and sewer connected before issuing the Permit. Mr. White informed Mr. Chadwick that the property owner must come into compliance with municipal code WBMC 13.16.010 regarding public sewer which requires them to be connected to the public sewer system and Staff will deal with this situation as a separate issue. Mr. Anderson seemed unaware of the problem.

#### **ACTION TAKEN:**

*Corey Sweat moved to approve the Conditional Use Permit for Megan and Rodney Anderson at 850 W 600 North for a daycare center with the following finding: that 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 and will comply with the regulations and conditions specified in the land use ordinance for such use, and that conditions that are imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection. The following conditions are attached to this conditional use permit: 1) trees along the driveway must be maintained at least 13.5 ft above the road, 2) the driveway is to be kept clear and no parking is allowed along either side of the driveway, snow must be removed in the winter, 3) if a gate is to be installed it must be kept unlocked or a Knox padlock is to be supplied by the owner and a key given to the South Davis Metro Fire Agency, 4) a reflective address sign with numbers/letters a minimum of 4" in height and 1" stroke, will be installed and maintained on 800 West showing the location of the home/daycare, 5) the pool area will meet the requirements of WBMC 17.76.020 including being completely surrounded by a fence or wall having a height of at least 6 feet around the pool with a self closing, self-latching device on the gate and the gate will be securely locked when the pool is not used by persons invited by the owner, 6) no external signage will be used for the pre-school, 7) persons who are not a resident of the dwelling shall not be employed to work on the premises, 8) surrounding neighbors will be notified of the requested use, and 9) a copy of the applicant's state daycare license will be provided to the City with each renewal. Alan Malan seconded the motion and voting was unanimous in favor.*

#### **3. Discuss Possible Ordinance Changes –**

Ben White brought several issues to the Commission for their consideration and possible future discussion for possible ordinance changes. The first was for hauling throughout the City. The current ordinance allows hauling by any truck authorized to drive on the street, except that

there are some restrictions on what they can haul, e.g., hazardous materials, etc. Should we consider additional restrictions?

Mr. White also informed them that AirBnB's are becoming more popular in today's society. He feels the issue and its impact to the City may be worth discussing before there are very many of these in place in West Bountiful. He currently knows of a few in our City at present. Mr. White stated it may not be an issue but it is good to think about since it may have an impact in our City at sometime in the future.

**4. Staff Report**

**a. City Council Actions Update- Ben White**

- PUD Ordinance was passed by City Council as recommended by planning commission without any changes.
- Landmark Design, a landscape architect firm, was hired to come up with proposals for Recreation, Arts, and Parks planning including public participation to help prioritize needs for RAP spending.

**b. Miscellaneous – Cathy Brightwell**

- The City Council authorized new audio/video system upgrades. She noted several of the improvements they can expect to see in the near future.

**5. Approval of Minutes dated April 25, 2017**

**ACTION TAKEN:**

*Corey Sweat moved to approve of the minutes of the April 25, 2017 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.*

**6. Adjournment**

**ACTION TAKEN:**

*Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:00 pm. Mike Cottle seconded the motion. Voting was unanimous in favor.*

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*The foregoing was approved by the West Bountiful City Planning Commission on June 13, 2017, by unanimous vote of all members present.*

*Cathy Brightwell*

Cathy Brightwell – City Recorder

