

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, 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**.*

MEMORANDUM



TO: Planning Commission

DATE: May 5, 2017

FROM: Cathy Brightwell

RE: Conditional Use Application for Chickens

Matthew & Lanita Rodabough would like to have chickens on their property at 1258 N 725 West, which is .203 acres. Chickens are 4 points each so they currently qualify for 5 chickens.

The Rodabough's have applied for a Conditional Use Permit to decrease the number of points to allow for 10 chickens. They will house the chickens in a combination coop/chicken run that will be placed in the yard as shown on the attached diagram; the location meets the setback requirements. Neighbors adjoining the property have been notified.

WBMC 17.24.080 A.2. authorizes the Planning Commission to decrease the number of points for small animals from 4 points to 2 points each subject to approval of a conditional use permit. Additionally, WBMC 17.60.090.A. Conditional Use – Farm Animals, states that any conditional use permit allowing increased density of farm animals on a property shall expire upon sale of the property.

Staff does not object to the request subject to the conditions listed below. In addition, the Planning Commission must consider the following findings prior to approving the conditional use:

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 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.

Proposed Conditions:

1. This Conditional Use Permit will expire upon sale of the property.
2. Chicken coop/run will be located a minimum of 6 feet from any property line or dwelling.
3. 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.
4. Failure to comply with these regulations will invalidate the Permit.



FARM ANIMAL
CONDITIONAL USE
PERMIT
APPLICATION

West Bountiful City
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486 Fax: (801) 292-6355
www.westbountiful.utah.gov

DATE OF APPLICATION 5.2.2017

APPLICANT NAME: Matthew & Lanita Rodabough
PROPERTY ADDRESS: 1258 North 725 West, West Bountiful
PRIMARY PHONE: (801) _____ E-MAIL: _____
PARCEL NUMBER: 060230093 ZONE: R110 SIZE OF PROPERTY (owned): 203 (leased): 0
CURRENT POINTS ALLOWED: 20 CURRENT POINTS USED: 0 # OF POINTS REQUESTED: 40

Please provide the following information.

1. Attach a diagram of your property indicating dwellings, fences and enclosures, and outbuildings.
2. Describe the number and types of animals currently kept on the above property. 0
3. For what additional animals are you requesting approval? I would like to have 10 chickens.
4. How will you house the additional animals? Chicken coop and run (see attached)
5. How will you ensure containment? same as above
6. How will you protect adjoining fences, vegetation and personal property on or near the property line?

I hereby apply for a Conditional Use Permit in accordance with the provisions of Title 17, West Bountiful Municipal Code. I understand that to protect the health, safety and welfare of the animals and the public, the City requires animal waste, debris, noise, odor, and drainage to be kept in accordance with usual and customary health standards associated with the type of animal(s). I understand that I am authorizing the City to inspect my property as needed.

I certify that the above information is true and correct to the best of my knowledge.

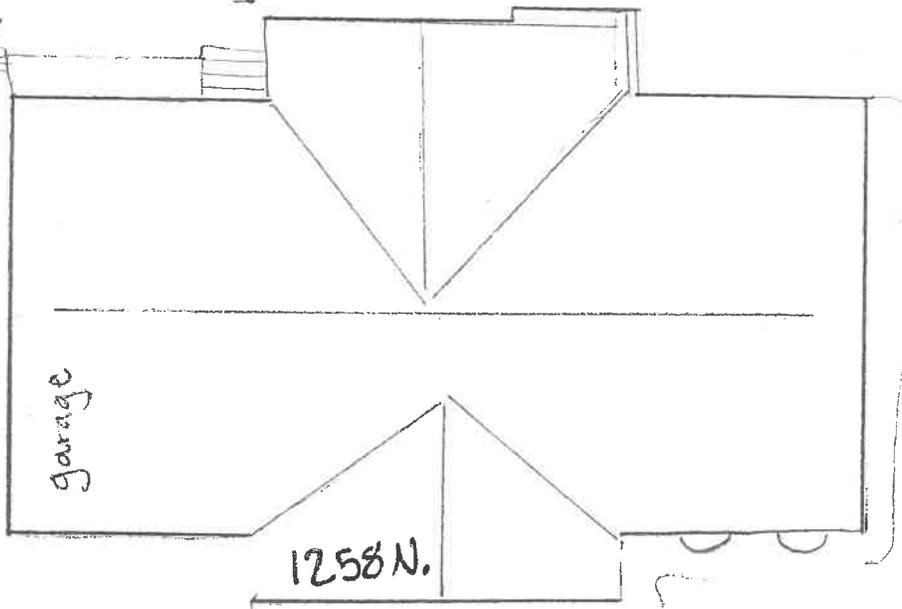
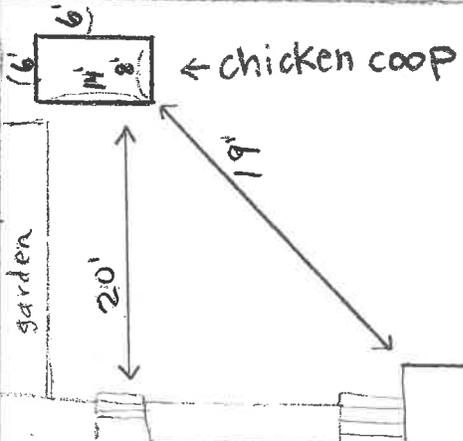
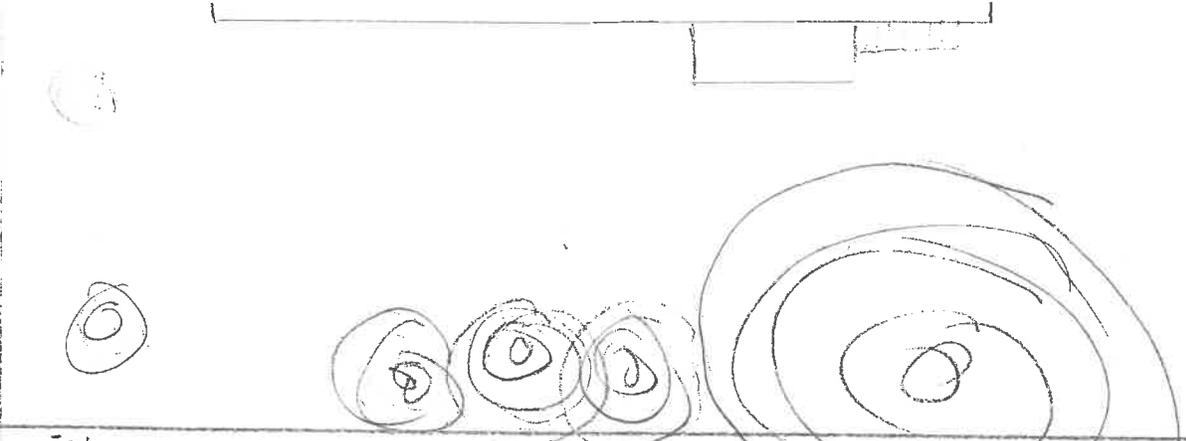
Date: 5.2.2017 Applicant Signature: LJR

FOR OFFICIAL USE ONLY

Application Received date: 5/2/17 Heard by Planning Commission date: 5/9/17
Application Fee Received date: N/A until 2/20/2013 Neighbor Notification: ✓ Completed 5/4/17



Shed
6'



725 W.

Matthew & Lanita Rodabough



MEMORANDUM

TO: Planning Commission
DATE: May 5, 2017
FROM: Cathy Brightwell, Ben White
RE: Megan Anderson Day Care

Megan Anderson submitted a conditional use application on May 2, 2017, to open and operate a Day Care at 850 W 600 North. This property consists of 2.9 acres and is located on a private drive between 800 West and 900 West. Ms. Anderson will operate the Center with her husband, Rodney Anderson from 7 am to 7 pm. She intends to care for between 2 and 9 children, in addition to her own, but expects to typically be on the lower end.

The applicant made a similar request in 2014 which was denied by the planning commission because they could not resolve fire department access issues.

The driveway off 800 West has recently been paved. South Davis Metro Fire Marshal recently re-inspected the property and has issued a Certificate of Fire Clearance, with conditions, including the 16.5 ft. driveway as it currently exists – see attached email and certificate.

Surrounding neighbors have been notified either in person or by leaving information at their homes. Two were not at home and were asked to contact the applicant or the City and have not yet responded.

Additionally, it has come to the City's attention that this property may not be connected to public sewer. Staff is investigating and will ensure compliance with WBMC 13.16.010 as a separate issue.

West Bountiful's Home Occupation ordinance requires in Section 5.28.030 D.4 that requests for Day Cares must follow the Utah Department of Health regulations for child day care included but not limited to, a background check. Mrs. Anderson has passed state inspections and was issued a State Child Care license in January of this year. The Davis County Health Department – Environmental Health Services conducted an inspection in 2014 related to her earlier application and she passed a follow-up inspection in October 2016, these inspections are good for 2 years.

WBMC Chapter 17.60 Conditional Use, requires planning commission to consider the criteria listed below before approving a Conditional Use Permit.

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 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.

Proposed Conditions:

1. Trees along the driveway must be maintained at least 13.5 ft above the roadway.
2. The driveway is to be kept clear; no parking is allowed along either side of the driveway and all snow will be removed in the winter, etc.
3. If a gate is installed it is to be kept unlocked or a Knox padlock is to be supplied by the owner and keyed to South Davis Metro Fire Agency.
4. An 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. The gate will be securely locked when the pool is not in use by persons invited by the owner.
6. The Provider will instruct parents dropping off and picking up children to enter from 800 West and exit onto 900 West to avoid congestion on the driveway.
7. No external signage will be used for the preschool.
8. A person who is not a resident of the dwelling shall not be employed to work on the premises.
9. Surrounding neighbors will be notified of the requested use.
10. A copy of applicant's state day care license will be provided to the City with each renewal.



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: 850 W-600N West Bountiful

PARCEL NUMBER: _____ **ZONE:** _____ **DATE OF APPLICATION:** _____

Name of Business: Megan Anderson Daycare

Applicant Name: Megan Anderson

Applicant Address: 850 W. 600 N West Bountiful

Primary phone: _____ **Fax Number:** _____

E-mail address: _____

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.

Home Daycare

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: 5-2-17

Applicant Signature: Megan Anderson

FOR OFFICIAL USE ONLY

Application Received Date: ✓

Permit Number: 17-007

Application Fee Received Date: ✓

Permit Approval Date: _____



HOME OCCUPATION BUSINESS LICENSE APPLICATION

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

Please allow 7-10 business days for processing

Type of License Requested:

New

Renewal

Home Owner Information:

Owner's Name: First: Megan Last: Anderson

Address: 850 W. 600 N West Bountiful

Email address: _____

Home Phone: _____ Mobile phone: _____

Emergency Contact and Phone: _____ Rodney Anderson

Business Information:

1. Name of business: Megan Anderson Daycare

State Tax ID No.: _____ Federal Tax ID No.: _____

2. Describe the proposed business activity, including hours of operation:

Home daycare from 700 AM - 7 PM

3. Name of person(s) participating in business (must reside at the home):

Megan, Rodney Anderson

4. Describe which room(s) or areas of the property will be used, and how they will be used, in conducting this business from your home. List the approximate square footage of such rooms as well as the total square footage of the main floor of your home; if a garage or other accessory structure will be used, list the approximate square footage to be used and the total square footage of the garage or structure:

Large Room upstairs. 1,000 Sqft used for daycare

Home is approximately 6370 Sqft

5. Describe how, where, and in what amounts the materials, supplies and/or equipment related to your proposed home occupation will be displayed or stored:

Books, blocks & other activities will be stored

on shelves where the kids have easy access

6. Are any chemicals or hazardous materials used in connection with your home occupation? If yes, state the amount and type of chemicals or materials stored or used.

No

7. Will individuals come to your home to obtain any product, to utilize any service, or for any other purpose in connection with your proposed home occupation? If yes, please explain:

No

8. If your home occupation is a day care center, nursery, or preschool, please state how many children 16 and caregivers 2 will be involved in a typical work day. Please also attach evidence of all licenses, permits, or approvals from federal, state, or local agencies authorizing the day care center, nursery, or preschool.

9. If any vehicles or other equipment will be used in your home occupation, where will they be parked or stored?

garage

10. Do any vehicles or other equipment come to your property in connection with your home occupation? If yes, please explain: No

11. Will the home occupation involve the use of commercial vehicles for delivery of material to or from the premises? If yes, please explain: No

12. Does the proposed home occupation conform with conditions, covenants and restrictions pertaining to your property? yes If no, please explain: _____

Applicant Certification:

I hereby apply for a home occupation business license from West Bountiful City in accordance with the provisions of Title 5, West Bountiful Municipal Code. I understand that under certain conditions prescribed in the Municipal Code I may be required to apply for a conditional use permit as well. I acknowledge that before this application may be approved, I must provide the attached notice to the owners of property within a 300 foot radius of the exterior boundaries of the property on which the home occupation is to be conducted. I certify that the above information is true and correct to the best of my knowledge, and that I agree with the attached specific requirements and all other applicable provisions of the Municipal Code.

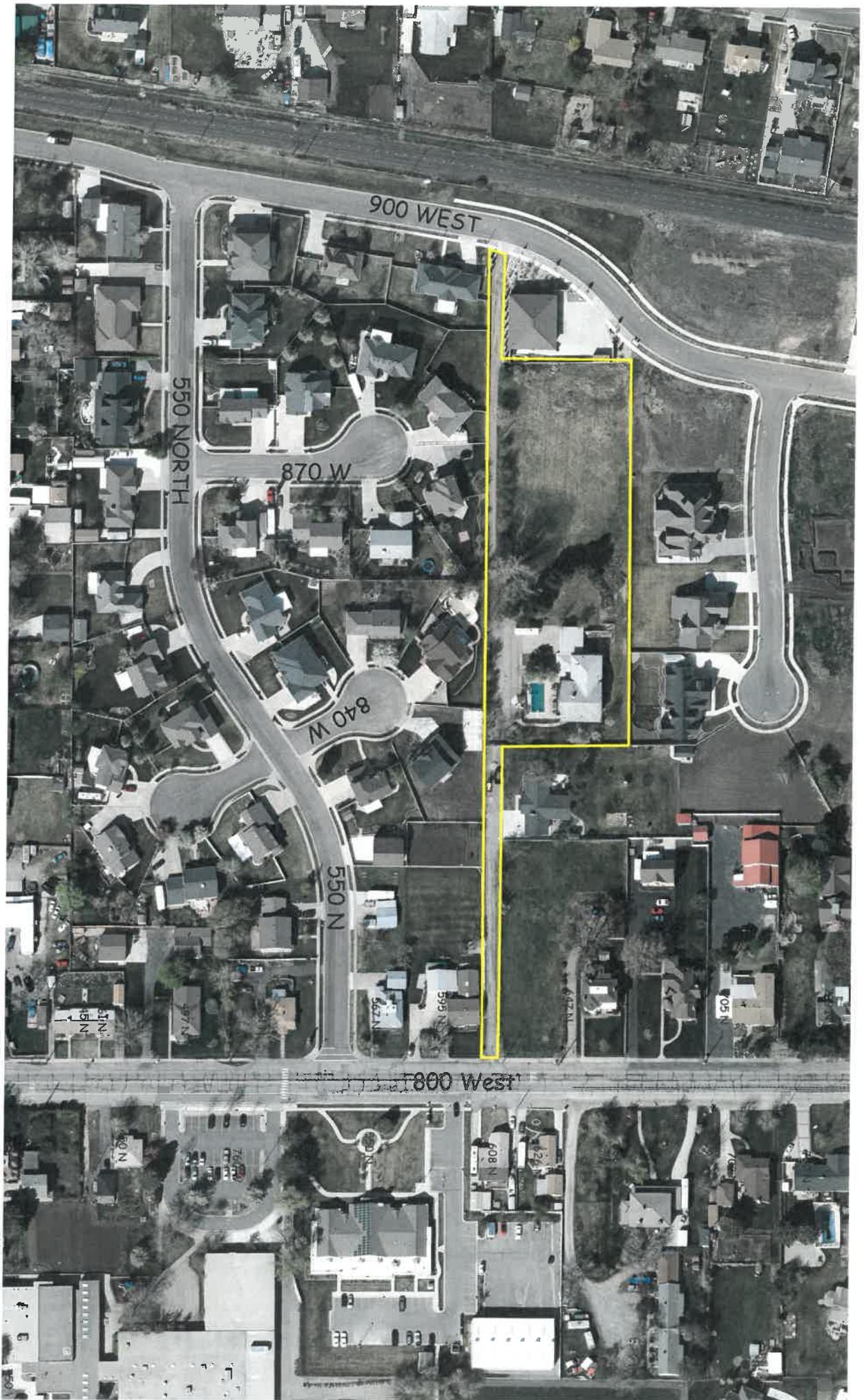
Date: 3-26-17

Sign Here: Megan Anderson
Applicant

FOR OFFICIAL USE ONLY

Application Received Date: _____
Approved Date: _____

Application fee received: _____
Fire Inspection Date: _____



Cathy Brightwell

From: Amanda Mertens <amertens@sdmetrofire.org>
Sent: Thursday, April 20, 2017 11:28 AM
To: malibu108@gmail.com
Cc: Cathy Brightwell; Casey Vorwaller
Subject: Anderson Day Care Access Meeting - 4/11/17

Hi All,

I just wanted to send out an email in reference to the meeting Fire Marshal Casey Vorwaller and I had with Rodney Anderson about the proposed day care at 850 W 600 N, West Bountiful.

After further research, the land and driveway east of the house is owned by the Andersons and has been paved (16.5' wide). This access is acceptable to South Davis Metro Fire as long as any trees along the drive do not overhand the drive below 13.5' in height. This drive is to be kept clear; no parking on either side, all snow to be removed in the winter, etc.

There is a possibility of a gate being installed at the east property line which will also be acceptable to South Davis Metro Fire. If a gate is installed, it is to be kept unlocked or a Knox padlock is to be supplied by the owner; keyed to South Davis Metro Fire.

An address is to be installed (minimum 4" in height, 1" stroke) on 800 West showing the location of the home/daycare prior to approval.

Amanda Mertens
Fire Inspector
South Davis Metro Fire
amertens@sdmetrofire.org
(801) 677-2409



SOUTH DAVIS METRO FIRE Certificate of Fire Clearance

This is to certify that Meghan Anderson Daycare
Name of Business

850 West 600 North; West Bountiful
Street Address of Business

Owner/Manager: Meghan Anderson Phone: (435) 609-0088

This clearance is valid for one year(s) from 4/24/17 unless revoked for cause. As of the last inspection, this facility was in substantial compliance with Fire Code regulations adopted by South Davis Metro Fire.

Signature: *A. Minton* Title: Fire Inspector

6 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public
7 Notice website and on the West Bountiful City website on April 21, 2017 per state statutory
8 requirement.
9

10 **Minutes of the Planning Commission meeting of West Bountiful City held on**
11 **Tuesday, April 25, 2017 at West Bountiful City Hall, Davis County, Utah.**
12

13 **Those in Attendance:**
14
15

16 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan
17 Malan, Mike Cottle, Laura Charchenko, Corey Sweat (Alternate)
18 and Kelly Enquist (City Council)
19
20

21 **STAFF PRESENT:** Ben White (City Engineer) and Debbie
22 McKean (Secretary)
23
24

25 **MEMBERS/STAFF EXCUSED:** Vice Chairman Terry Turner
26 and Cathy Brightwell (Recorder)
27

28 **VISITORS:** Davis Clayton
29

30 The Planning Commission Meeting was called to order at 7:30 pm. by Chairman
31 Denis Hopkinson. Corey Sweat offered a prayer.
32

33 **1. Accept Agenda**
34

35 Chairman Hopkinson reviewed the agenda with amended agenda numbering.
36 Laura Charchenko moved to accept the agenda with proposed changes. Alan Malan seconded
37 the motion. Voting was unanimous in favor among members present.
38
39

40 **2. Consider Request From Scott Garner For Conditional Use Permit For Reduced**
41 **Setbacks For A Proposed Warehouse Addition at 756 West 500 South.**
42

43 Commissioner packets included a memorandum from Ben White regarding a Conditional
44 Use (Setback) at 756 West 500 South along with a site plan.
45

46 Ben White updated the Commission regarding the rezoning of property from C-G to C-H.
47 City Council approved the rezone of the entire property to a C-G Zone. This met Mr. Garner's

48 immediate needs so that he can proceed to build. Ben White showed the Commission a diagram
49 of the property and where the building will be built on the site. A site plan of the building
50 including a floor plan was provided in the Commissioner packets. The applicant has two
51 requests - a setback in the side/back and a setback for the front from 25 ft., which can be altered
52 if 100% of the frontage is landscaped. Alan Malan pointed out that it is not necessary for the
53 front yard setback to be approved by the Planning Commission if code requirement is met and
54 can be mediated with Staff. Chairman Hopkinson asked that the front setback not be less than 20
55 feet.

56

57 The request for the rear and side yard set back was discussed. Chairman Hopkinson
58 pointed out that the request would not be conducive to allowing for maintenance and fire safety.

59 Mr. Clayton spoke to why he wants the 1 ft setback; it would allow him to not have to put
60 in unusual footings. Alan Malan inquired if there were windows along the sides and Mr. Garner
61 responded there are not but sky lights will be on the top.

62

63 Cory Sweat does not have an issue with the west setback request but feels the north side
64 of the lot should be a 3 feet. Mike Cottle agrees and stated that it may not be a problem now but
65 could be in the future. Laura Charchenko concurred with Commissioners Sweat and Cottle.

66

67 **ACTION TAKEN:**

68 *Corey Sweat moved to reduce the setback at 756 West 500 South to 3ft. on the north*
69 *side of the dwelling with all other setbacks as listed on the site plan and with the*
70 *following findings: the proposed use at the particular location is necessary or*
71 *desirable to provide a service or facility that will contribute to the general well-being of*
72 *the neighborhood and the community and will not be detrimental to the health, safety,*
73 *or general welfare of persons residing or working in the vicinity, or injurious to*
74 *property or improvements in the vicinity, and will conform to the intent of the City's*
75 *general plan. Mike Cottle seconded the motion and voting was 4 to 1 in favor with*
76 *Chairman Hopkinson voting against the Motion.*

77

78

79 **3. Staff Report**

80 **Ben White**

- 81 **• City Council Actions Update**

82 The PUD Ordinance was discussed and considered by city council. They debated
83 several issues recommended by planning commission and want as much
84 flexibility as possible. Council did not like the reduced bonus density, they want
85 the option in place to have money in lieu of City improvements, and are
86 considering changed to side setbacks. Ben White suggested that in the future
87 Staff put together a summary of what Planning Commission discusses and why

88 they make their recommendations when passing items on to City Council for their
89 consideration.

90
91 • **New Developments**

92 **Security Investment property** - 1100 W 500 South area. There is a proposal to
93 build a 1-acre lot development similar to Millbridge. Ben introduced the idea of
94 what the appropriate place to stub in roads for the future might be. This
95 development will be adjacent to the Blended Use Zone which is also owned by
96 the same developer. This could be developed this year.

97 **McKean/Hopkinson Property**- 800 West 1000 North area. This is R-10 zone
98 with a potential for 15 – 20 lots in the historic overlay zone. Some drainage
99 challenges exist.

100 **Porter Lane rezoned area by Hamlet Homes.** Recently rezoned to ½ acre.
101 Some challenges remain on this property in addition to many utility easements.
102 There was an oil pipeline rupture on this area approximately 25 years ago leaving
103 a large portion of land contaminated and still has a few years before it is deemed
104 cleaned by a passive treatment methods. They will most likely ask for a PUD to
105 give them flexibility to work around the challenges and contaminated ground.
106 This may not be developed this year.

107
108 • **Legislative Update**- House Bill 232- This bill will impact our City regarding
109 construction standards. Language has been changed to include “land use
110 regulations” instead of codes or zones which mean changes will need to be
111 adopted by Ordinance. We may have to do another Public Hearing in order to
112 make necessary changes to our current standards in which we just approved.

113
114 • **Miscellaneous**- Alan Malan updated the Commission regarding John Janson’s
115 presentation on PUD’s. The average is 20% for bonus density.
116
117

118 **4. Approval of Minutes dated March 28, 2017**

119
120
121 **ACTION TAKEN:**

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123 *Laura Charchenko moved to approve of the minutes of the March 28, 2017*
124 *meeting as presented. Alan Malan seconded the motion and voting was*
125 *unanimous in favor.*
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5. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:20 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on May 9, 2017, by unanimous vote of all members present.

Cathy Brightwell – City Recorder