

Mayor
Kenneth Romney

**City Engineer/
Zoning
Administrator**
Ben White

City Recorder
Cathy Brightwell

**WEST BOUNTIFUL
PLANNING COMMISSION**

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West Bountiful, Utah 84087

Phone (801) 292-4486
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Chairman
Denis Hopkinson

Commissioners
Laura Charchenko
Mike Cottle
Alan Malan
Corey Sweat
Dennis Vest, Alternate

**THE WEST BOUNTIFUL PLANNING COMMISSION
WILL HOLD A MEETING BEGINNING AT 7:30 PM ON
TUESDAY, APRIL 24, 2018 AT THE CITY OFFICES**

Prayer/Thought by Invitation

1. Accept Agenda.
2. Discuss Proposed Amendment to WBMC 16.20.020 Regarding Secondary Water for Subdivisions and Set Public Hearing.
3. Discuss Proposed Changes to West Bountiful Consolidated Fee Schedule Regarding Subdivision Inspection Fees and Set Public Hearing.
4. Discuss Changes to Permitted and Conditional Uses in Title 17, Residential Zones.
 - a. Day Care/Pre-school
 - b. Model Homes
 - c. Sales Trailers
 - d. Construction Trailers.
5. Discuss Setbacks in Residential Zones.
6. Staff report.
7. Consider approval of minutes from April 10, 2018 meeting.
8. Adjourn.

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 April 20, 2018 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission**

PENDING

April 24, 2018

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 April 20, 2018 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April 24, 2018 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Mike Cottle, Alan Malan, Laura Charchenko, Dee Vest (alternate), and Council member Kelly Enquist

MEMBERS EXCUSED: Corey Sweat

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

VISITORS: No visitors

The Planning Commission Meeting was called to order at 7:30 pm by Chairman 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 all members.

2. Discuss Proposed Amendment to WBMC 16.20.020 Regarding Secondary Water for Subdivisions and Set a Public Hearing.

Commissioner packets included a memorandum dated April 19, 2018 from Ben White regarding Secondary Water Requirements for Subdivisions. Memorandum included a current draft of the proposed language with a reminder of the 6-month moratorium imposed on new subdivision applications while the City does a review of requirements for secondary water in new developments. Staff suggested inserting language in the municipal code section 16.20.020 Public Improvements regarding some house keeping changes for inspection fees.

Ben White reviewed the proposed language which has been reviewed by legal counsel. He also introduced the fee schedule related to the next agenda item.

Denis Hopkinson would like a reference to be included in the language for the fee schedule. He would also like to strike the word “appropriate” from the language.

Alan Malan concurred with Chairman Hopkinson’s suggestions. He would also like to include the “City’s approval” as language along with the secondary water district’s approval. A public hearing will be scheduled for May 22, 2018.

3. Discuss Proposed Changes to West Bountiful Consolidated Fee Schedule Regarding Subdivision Inspection Fees and Set Public Hearing.

Commissioners received a memorandum from Ben White and Cathy Brightwell dated April 24, 2018 regarding the Review of Uses by Zone. State law requires cities to approve their construction standards by ordinance and the related fees for land use to be adopted by ordinance as well.

Mr. White researched the fee schedule for cities in Utah that are similar to West Bountiful. He explained some of what he found. Staff is still proposing the graduated fee schedule that was presented to them at the last meeting.

Mike Cottle stated that when he was working with a developer a few years ago they commented how outrageous West Bountiful fees are. Ben White answered that some of our fees are high and we are not like other cities. Impact fees are high because of the dynamics of our City and the fees that we are responsible to pay to provide services. Chairman Hopkinson responded that part of the reason they are so high is to monitor the impact of development in our city. Ben explained in detail some other reasons our fees are high in comparison to surrounding cities.

Chairman Hopkinson would like to keep a single fee for an even playing field and add a minimum fee. Ben White explained how he came up with the graduated scale and the reasoning behind it. Some discussion took place regarding the difference of graduated vs. set fee. Mr. White included hours of service and impact to infrastructure to arrive at the minimum fee charged. The public hearing will be set for May 22, 2018 for fee schedules after the proposed language change for secondary water for subdivisions is heard by the public.

Alan Malan feels like a straight percentage is more fair than a graduated fee.

Dee Vest asked if the \$1800 minimum is a good base fee. Mr. White responded to the positive.

4. Discuss Changes to Permitted and Conditional Uses in Title 17, Residential Zones.

Commissioners received a Memorandum from Ben White and Cathy Brightwell dated April 24, 2018 regarding permitted and conditional uses in residential zones.

The memorandum included information on the following:

- a. Day Care/Pre-school
- b. Model Homes

- c. Sales Trailers
- d. Construction Trailers

Ben White reviewed the information included in his memorandum with the Commissioners. He included requirements from State Code and the minimum criteria for consideration of our City Code. He invited the Commission to review his suggestions and give their input on what ideas they may have.

Some discussion took place regarding allowing home occupation businesses to hire employees under the Home Occupation permit. Cathy Brightwell pointed out that this would need to be a huge policy change throughout the code. Ben White noted the huge impact this would be to the community. Some discussion took place regarding some pros and cons of conditions and reasons to make the change.

Dee Vest feels there is a difference in full-time vs seasonal/part-time employees and sees no harm in allowing some seasonal/part-time employees for daycare. Ben White would rather not include it in code. Commissioner Vest inquired about the City's liability to not have employees included in the code vs if employees were unknown to the City. Ben White stated that the City is not liable either way.

Councilman Enquist pointed out a situation that occurred in our City years ago with a Home Occupation and the great impact it was to the neighborhood with traffic coming and going.

Alan Malan referred to #6, Pre-schools, in the memorandum under criteria to be considered. He feels the suggested restriction is unreasonable. Ben White explained that a pre-school is different than a day care and it is in State Code. Mr. Malan understood and recommended our language refer to State Code so we don't have to keep changing the language. He inquired about what a CCL background screening is and do we have to require it. Ms. Brightwell explained the process to obtain a certification for Daycare/Preschool Home Occupation permits.

Mr. White presented the Model Homes new language which in part he took from other City's codes. Some discussion took place regarding the suggestions and ideas shared about the direction to go with the language of Model Homes, Sales Trailers and Construction Trailers by zone.

Mike Cottle asked what the major complaints are regarding Model Homes. Mr. White answered that there are not a lot of complaints regarding model homes but Sales trailers are different. Staff desires to have guidelines for their use.

Alan Malan spoke regarding the hours of operation and suggested the hours begin 7am and go to dusk. Laura Charchenko suggested we use the same hours as are allowed for construction.

Mr. Malan feels that Item #6 under Model Homes regarding lighting is ambiguous. Staff will adjust the language accordingly.

Ben White desires to have black and white criteria to be met so Staff can tell citizens what they are or are not permitted to do regarding their business. Staff will incorporate the desired changes discussed this evening and bring back the new language to the next meeting.

5. Discuss Setbacks in Residential Zones

Commissioner packets included a memorandum dated April 20, 2018 from Ben White regarding Setbacks. Memorandum included the following information:

- Zone Setback Comparisons for City in Davis County area.

Ben White introduced a comparison of setbacks per zone with surrounding cities as listed in his memorandum. He stated that the City Council requested that the Planning Commission review residential setbacks and provide rationale for them. Some discussion took place and the Commission made some recommendations for Staff to take back to City Council for their consideration.

6. Staff Report

Ben White:

- Hamlet Homes has broken ground and is scheduled to begin sewer today. It is possible they will begin construction in May. The development to the south cannot be developed unless Hamlet Homes is constructed. Both developers are working together.
- Could see some construction on 500 West this summer and may see a protected turn light by Costco due to high traffic accident, and it is very likely that a right-hand turn lane at Center Street going northbound on 500 West.

Cathy Brightwell:

- Youth City Council applications are due the end of the month. This program will now be running year-round.
- Finalizing the agreement with the Sewer District and it has been subdivided and ready for the Public Works Department.

10. Consider Approval of Minutes from April 10, 2018.

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes of the April 10, 2018 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.

11. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:47 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 May 8, 2018 by unanimous vote of all members present.

Cathy Brightwell

Cathy Brightwell - City Recorder

