

Mayor
Kenneth Romney

**City Engineer/
Zoning
Administrator**
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

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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 REGULAR MEETING BEGINNING AT 7:30 PM ON TUESDAY, NOVEMBER 27, 2018 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Conditional Use Application for a Deck at 831 W 1320 N for Michael Stout.
3. Consider Final Plat for Atwater Estates at 1811 N 800 West.
4. Discuss Proposed Changes to Title 16 – Subdivisions.
5. Staff report.
6. Consider Approval of Modifications to October 9, 2018 Meeting Minutes.
7. Consider Approval of Minutes from November 13, 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 November 26, 2018 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

November 27, 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 November 26, 2018 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, November 27, 2018 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

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

MEMBERS EXCUSED: Mike Cottle

VISITORS: Gary Jacketta, Michael and Teresa Stout, Justin Atwater

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

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Corey Sweat moved to accept the agenda as presented and Dee Vest seconded the motion. Voting was unanimous in favor among all members present.

2. Consider Conditional Use Application for a Deck at 831 West 1320 North for Michael Stout.

Commission packets included a memorandum dated November 26, 2018 from Ben White regarding Conditional Use Application – Rear Deck for Michael Stout at 831 West 1320 North with an application and site plans.

The memorandum addressed the following:

- Staff received plans for a new home in Wasatch Meadows that included a rear deck on the back of the home that would encroach into the rear setback. Home owner submitted a Conditional Use Permit Application on November 20, 2018 that requested a five-foot wide x 20-foot long deck to encroach into the thirty-foot rear yard setback. The deck will be four to five feet above the ground.
- A list of requirements from WBMC, Residential R1-10 Zone, Section 17.24.050(4)(c).
- Staff's recommendation of approval for the permit with Affirmative Findings.

Ben White introduced the applicant and explained his desire to build a home in Wasatch Meadows in the R1-10 zone with plans to add a rear deck. Mr. Stout intends to build a 5-foot-deep deck to be used as a walkway to the side of the home with stairs that lead to a ground level patio. Because our code allows 200 square feet encroachment into the rear setback with a conditional use permit, Mr. White

recommended granting approval for a deck that could be up to ten feet deep as long as it does not exceed the maximum of 200 square feet, in case the owner desires to make changes while building his home or in the future.

Commissioners had no questions.

ACTION TAKEN:

Corey Sweat moved to approve the conditional use permit for Michael Stout at 831 West 1320 North to build a deck that encroaches into the rear setback subject to the requirements listed in WBMC Section 17.24.050 (4)(c), with the affirmative findings that the proposed use will comply with the regulations specified in the R1-10 zoning ordinance. Alan Malan seconded the motion and voting was unanimous in favor.

3. Consider Final Plat for Atwater Estates at 1811 North 800 West

Commission packets included a memorandum dated November 21, 2018 from Ben White regarding Atwater Estates Subdivision-Final Plat with attached site plan.

Ben White described the 12-lot subdivision currently known as the Grover Family Property. The property is within the R-1-10 zone and consists of 12 lots that all meet the minimum size and width for the zone. The following highlighted items need to be addressed for final plat approval.

1. There are two existing street lights with one additional proposed street light at the Grover Court corner.
2. Drainage for the subdivision will discharge into the DSB canal without detention. This **requires a flood control permit issued by Davis County Public Works.**
3. The best location for the mail box due to utilities, street intersections and lighting is the Lot 7/8 corner. **Drawings should reflect this location.**
4. **The development is required to reimburse the city for the service laterals used which were previously installed with the hope of minimizing 800 West street cuts when the property developed.**
5. Staff has a geotechnical report for the development.
6. The street intersections do not drain properly. **Revise the construction drawings to reflect proper drainage.**

Items to be completed prior to recording the plat include:

7. **Water rights will need to be deeded to the city.**
8. **Title report review by the city attorney with no objectional entries.**
9. **Other minor corrections to the improvement drawings.**
10. **Payment of impact and inspection fees.**
11. **Post appropriate improvement bonds**
12. **Approval by Weber Basin, South Davis Sewer and Davis County Public Works**

Alan Malan asked Mr. White how deep the cul-de-sacs will be, and Mr. White responded approximately 297 feet.

Mr. White introduced Mr. Atwater and invited the commission to ask him questions. Commissioners had no questions.

ACTION TAKEN:

Laura Charchenko moved to approve the final plat for the Atwater Estates Subdivision subject to the conditions listed in numbers 1 – 12 above. Corey Sweat seconded the motion and voting was unanimous in favor.

4. Discuss Proposed Changes to Title 16- Subdivision

Ben White informed the Commissioners that all items that were asked to be addressed have been corrected and included in this new document. The following commissioner questions were discussed.

Commissioner Malan wanted language regarding the postal receptacles changed to require their location to be within a block area of the residents. He researched the regulations for the post office and language in their requirements say, “normally the receptacle will be within one block of residents.” This may require larger subdivisions to have more than one receptacle. Mr. Malan wants language added to match the post office regulations.

Commissioner Vest inquired about the definition of “appeal authority” on page 2. He said his land use training recommended best practices that elected officials not be appeal authorities. He also wondered why this definition was left vague while city council is specifically listed in other parts of the document. Ben White stated that the City Council decided they wanted to be our appeal authority. The definition was left vague so it applies even if there is a change in the future. He also asked why some typed lines were spread across the page. Cathy Brightwell explained it is due to the right-justification format of the document but it will be fixed in the final document.

Mr. Vest asked how minor or small subdivisions are defined (Page 14, D.). Ben White responded that it is defined in state code as 10 lots or less without the need to dedicate street right of way. Mr. Vest also asked to have the language at the bottom of page 14 (B.1.) changed from “clean cut and readable to clear and legible to be consistent with other language in the document.

Chairman Hopkinson pointed out the highlighted section B on page 9 B. He said the new language is better but still may not be clear to the lay person. He asked commissioners to review it and try to come up with an alternative.

Mr. Hopkinson instructed Staff to freshen up the suggestions from this evening.

5. Staff Report

Ben White:

- Reported that the letter to city council regarding the covered patio/rear set-back issue was reviewed at their last meeting and they will have more discussion at their next meeting to decide how to proceed.
- The Atwater subdivision will be on the next city council agenda for final plat approval.

Cathy Brightwell:

- She reminded the Commissioners that there will only one meeting in December due to Christmas being on the fourth Tuesday of the month.

Dee Vest stated he will be out of town for the next meeting.

6. Consider Approval of Modifications to October 9, 2018 meeting minutes.

Cathy Brightwell explained that a portion of the Motion for preliminary plat approval for Atwater Estates at the October 9 meeting had been omitted from the minutes. This modification fixes it.

ACTION TAKEN:

Corey Sweat moved to approve of the modifications of meeting minutes of the October 9, 2018 meeting as modified. Alan Malan seconded the motion and voting was unanimous in favor.

7. Consider Approval of Minutes from November 13, 2018 meeting.

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes of the November 13, 2018 meeting as presented. Corey Sweat seconded the motion and voting was unanimous in favor.

8. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:10 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 December 11, 2018 by unanimous vote of all members present.


Cathy Brightwell – City Recorder

