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Kenneth Romney

**City Engineer/
Zoning
Administrator**
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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, JANUARY 22, 2019 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Conditional Use Permit 19-001, for Utah Auto Pros, LLC, a Used Auto Dealership, at 756 W 500 South.
3. Consider Proposed Modifications to WBMC Title 17 – Yard Regulations.
4. Discuss Proposed Modifications to WBMC Title 17 – Parking.
5. Staff report.
6. Consider Approval of Minutes from January 8, 2019 Meeting.
7. 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 January 18, 2019 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

January 22, 2019

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website, on the West Bountiful City website, and at city hall on January 18, 2019 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, January 22, 2019 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

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

MEMBERS EXCUSED: Laura Charchenko

VISITORS: Cameron Madsen, Gary Jacketta, Rhett Yates

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

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented and Alan Malan seconded the motion. Voting was unanimous in favor among all members present.

2. Consider Conditional Use Permit 19-001, for Utah Auto Pros, LLC, a Used Auto Dealership, at 756 West 500 South

Commissioner packets included a memorandum dated January 18, 2019 from Cathy Brightwell regarding a Conditional Use Permit for Utah Auto Pros, LLC (CUP 19-001) with attached CUP application and site plans.

Cathy Brightwell introduced the application from Cameron Madsen for a Conditional Use Permit to sell used automobiles. His business will be primarily online and there will be no automotive services done as part of the business. There is access for customer parking stalls on the east and the north sides of the building. His inventory will be located on the west side of the building in a gated area that will be locked. They will begin business the middle of February and have the fire inspection completed prior to that time.

Cameron Madsen was invited to take the stand for questions from the Commissioners.

Commissioner Comments/Questions:

Dee Vest asked how much inventory they expect to have; Mr. Madsen responded about 35 vehicles.

Chairman Hopkinson asked about the solid barrier on 500 South and noted it could create an issue when customers are exiting the facility. He suggested one of the conditions be a sign noting a right turn

only coming out of the business. He asked Mr. Madsen to explore ideas to beautify with landscaping as the City is trying to improve the look in this area of our City.

ACTION TAKEN:

Corey Sweat moved to approve the Conditional Use Permit for Utah Auto Pros, LLC (CUP 19-001) located at 756 West 500 South for Cameron Madsen with the following findings: 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; 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; accompanying improvements will not inordinately impact schools, utilities, and streets; 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; will comply with the regulations and conditions specified in the land use ordinance for such use; and 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. Conditions include proof of dealer's license and insurance, fire inspection and approval, signage needs to be in compliance with City Code, displayed vehicles must be operable and in sellable condition, install a sign showing there is no left turn allowed when exiting the business, and a West Bountiful City business license needs to be purchased upon issuance of this permit and prior to starting the business. Mike Cottle seconded the motion and voting was unanimous in favor.

3. Consider Proposed Modifications to WBMC Title 17- Yard Regulations.

Commissioner packets included a red-lined copy and clean copy of modifications to the Yard Regulations for R-1-10, R-1-22, and A-1 based on previous meeting discussions after City Council asked them to review these sections of code and hold a public hearing. They suggested that if decks are allowed to encroach into the rear setback, patio covers, which are very similar, should be allowed the same exception.

Ben White stated that staff has tried to clean up this document for review and approval based on previous discussions. He pointed to the redline copy and explained he is also proposing to strike Section 17.xx.055 regarding private streets as it conflicts with Title 16 that prohibits private streets.

Commissioner Comments:

Mike Cottle likes the document for the hearing.

Corey Sweat appreciates staff's hard work but still does not support changing the setback.

Dee Vest liked the comparison chart the staff put together and made some suggestions about side setbacks.

Alan Malan came to the conclusion from all the discussion from the last meeting that most concerns are with the encroachment into the setback. He is not in favor of allowing gabled roofs over the patio. He suggested that the language for patios be clarified to include "patio floor" or "patio elevation" must be below the lowest inhabited finished floor. Staff will make that correction.

Chairman Hopkinson agrees that encroaching into the setback is not good. He also pointed out that page 2, item #5 "Yard Space for one building only" is hard to understand. Ben White tried to explain what he believes it meant and the context of the paragraph. Mr. Hopkinson questions the benefit of this language. Ben will check with Mr. Doxey to see how it could be clarified.

There was general discussion about rear setback encroachment. Several commissioners believe that rather than allowing patio covers the same exceptions as decks, neither one should be allowed to encroach into the setback.

Mr. White explained that even if the Commission disagrees with some of the proposed language, something needs to be presented to the public for the hearing. If after hearing public comments they still disagree, a negative recommendation can be made to city council.

Commissioner Sweat stated that he feels the Council will do as the Council will do even after the public opinion and the Planning Commission recommendation. Mr. White stated that he feels historically the Council has been supportive of their recommendations.

Chairman Hopkinson noted that we have the best setbacks for open space in the whole county according to the comparison chart the Staff provided for their review.

Chairman Hopkinson said the Commission needs to decide on the criteria to present to the public then they can deliberate from that point after the public input and before sending recommendations to the Council.

17.xx.050 Yard Regulations

After some discussion it was decided that the only changes to staff's draft is that 25 feet will be the recommendation for both decks and patio covers to encroach into the rear setback and there will be no exceptions. Clarification will also be added that the patio "elevation" must be equal to or below the lowest inhabited finished floor. Staff will also try to make "Yard space for one building" easier to understand.

17.XX.060 Height Regulations (R-1-10 & R-1-22)

The maximum height for accessory structures in the R-1-10 and R-1-22 zones will be 25 feet. The proposal to add an additional foot to the setback for additional height was deleted. The requirement for non-transparent glass will be clarified to include "privacy glass" or similar verbiage and a reason for the requirement. Height regulations for the A-1 zone will be left as is.

Alan Malan suggested adding regulations for lighting on the Accessory Buildings for review of the public. Some discussion took place and it was decided that we cannot legislate everything. Staff will see what they can do to refine some of the language.

A public hearing will be set for February 12, 2019 at 7:30 pm or as soon thereafter as time permits.

4. Discuss Proposed Modifications to WBMC Title 17- Parking.

A redlined copy of 17.52 Off Street Parking was given to the Commission for their review. Ben White reviewed the redline changes and noted they were to clarify the language and detail more safety specifications.

Commissioners reviewed the document in its entirety. After review and discussion, it was suggested that Section 17.52.070 - Location of Off-Street Parking be kept at the 10-foot set back but reword the paragraph for clarity.

5. Staff Report

Commissioner Vest asked to report on the Legacy Parkway meeting.

Dee Vest went to the Legacy Meeting regarding expiration of the truck and speed limit ban and gave the following report. He stated that there are three issues that affect West Bountiful. They are the truck ban, adding additional lanes from 4 to 6 lane can be added with no sound walls, and the speed limit can be increased. The existing contract expires January 2020. Commissioner Vest noted that these changes will affect the Legacy Trail and likely cause homes abutting the highway to be sold because of the increased noise and lack of safety. People do not want the current restrictions to expire. He suggested that surrounding communities joined together to oppose the ban. Councilmember Enquist noted that when they expand the highway it will not be widened but they will add lanes inside the corridor. This is a scenic byway so the only thing that will not change is there will be no billboards. There is a large community group in North Salt Lake, Woods Cross, West Bountiful and Centerville looking for support to fight the elimination of the ban. Cathy has more information on the above if anyone is interested. Commissioner Vest expressed his appreciation to Councilmember Kelly Enquist for being the only representative present at that meeting and for all the citizens that attended on the West Side.

Holly Frontier Update

Chairman Hopkinson reported on the Holly Refinery report at the last City Council meeting regarding the false alarms. Scott White, Refinery Manager, was very apologetic for the false alarms and said the alarms are meant for employees/people on the property and not meant for the surrounding residents. A fault was found in the system and has been repaired. Protocol should be that when an alarm is heard concerned citizens should call into dispatch and the City determines what citizens will do. Holly Refinery does not make the call to evacuate the City. It was recommended that residents register for the Reverse 911 (Code Red) call out to keep informed of any emergency situations in our Community. Citizens can also call the Holly Refinery Careline if they have any issues or concerns with issues regarding Holly Refinery.

6. Consider Approval of Minutes from January 8, 2019 meeting.

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the January 8, 2018 meeting as present. 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 9:25 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on February 12, 2019 by unanimous vote of all members present.

Cathy Brightwell

Cathy Brightwell – City Recorder

