Mayor
Kenneth Romney

City Engineer/ Zoning Administrator
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

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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 ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 27, 2019 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Discuss Land Use Process and Fees
3. Review Updates to the Housing Section of the General Plan.
4. Staff report.
5. Consider Approval of Minutes from the July 9, 2019 Meeting.
6. 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 August 23, 2019 by Cathy Brightwell, City Recorder.

West Bountiful City
Planning Commission Meeting

AUGUST 27, 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 August 23, 2019 per state statutory requirement.*

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, August 27, 2019 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Mike Cottle, Alan Malan, Laura Charchenko, Corey Sweat, Dee Vest (alternate)

MEMBERS EXCUSED: Council member Kelly Enquist

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

VISITORS: Gary Jacketta

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

1. Accept Agenda

Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda. Corey Sweat seconded the motion. Voting was unanimous in favor among all members present.

2. Discuss Land Use Process and Fees

Commissioner packets included a memorandum dated August 23, 2019 from Ben White regarding Land Use Process and Fees with an attached zoning fee schedule.

Ben White introduced the fee schedule discussion by explaining that the City relies on the Utah State Code to define the certain the land use processes it uses such as plat amendments, rezone and text changes to city code, annexation, and modifying easements. Generally State Code serves the City adequately but, in some instances a more detailed process may be beneficial. He used an example where a fee is proposed for persons requesting to amend a subdivision plat and to request specific changes to the municipal code. Plat amendments require notice to affected entities and, in some cases, a public hearing. Many change requests to the Code are essentially a rezone request. In these cases, it makes sense to charge a fee because it requires a large amount of staff time and other direct costs like advertising public notices.

Another question is whether by collecting a fee, the City provides a right to the applicant to move the request through planning commission and city council even if they prefer not to hear it on merits. Staff would like to discuss which land use applications the City may benefit from by instituting a more detailed process, along with those that merit an application fee.

Mr. White added that County recording fees have gone up significantly. In most cases it's $40 for the first sheet and there can be additional charges thereafter. They will however now accept credit cards.

Chairman Hopkinson spoke to some fees as being municipal taxes. He feels like the term "fees" has taken the place of using the term "taxes" when collecting monies for fees. He supports the fee schedule if it is not for profit and to just cover actual costs. Mr. White stated that the city is prohibited from making a profit on its fees and can only cover its costs.

Mike Cottle asked for clarification of the Planning Commission's powers and duties. He said he believed their job is to protect the city, not the applicant. Mr. White explained that laws are designed to benefit the city, but once laws have been put in place, it is then the commission's duty to follow them which may include protecting the applicant's rights.

After some discussion, there was a desire to have legal counsel review the issue and provide a recommendation.

Ben White provided popcorn for everyone's enjoyment due to a previous misinterpretation of the planning commission responsibilities regarding land use applications.

3. Review Updates to the Housing Section of the General Plan.

Commissioner packets included a proposed updated copy of the Housing Section of the General Plan. Cathy Brightwell explained that after previous discussion with the Commission, she was able to reduce it several sections from a 10-pages to 2-pages. There are still some statistical charts in the original document that do not seem to add much to the overall section. Some of these would be very difficult to update due to limited statistical resources. She asked the Commissioners which of these additional charts they would like to keep in the document. Some of the information changes frequently and our general plan does not so it would be very difficult to keep the data current. After some discussion and review the Commissioners decided to accept her proposed changes including just the one Income chart that is based on U.S. Census 2012-2016 American Community Survey 5-yr Estimate.

Commissioner's Comments:

Alan Malan, in the first paragraph would like the word "working" to be stricken from commuting residents. He does not want commuting outside the city limited to working residents as most children also commute – to school. He would also like to add "rural" to residential life-style under the Vision statement as that states more of what West Bountiful stands for.

Corey Sweat would like the 3rd sentence under "Vision" moved to the "Goals" Section and leave the rest of the paragraph as written.

Laura Charchenko Dee Vest and **Mike Cottle** concur with the changes that have been suggested.

Dee Vest asked for some clarification of Table 6.1. Cathy satisfied his question.

Chairman Hopkinson supports the proposed income chart included by staff and does not feel any additional statistics are needed. He also supports the change to the Vision statement as Commissioner Sweat suggested. He shared his appreciation of all the work staff has done.

4. Staff Report

Ben White

- The company seeking indoor storage at the Carr Print building has given up; there is a new potential buyer that wants to grow medical cannabis, but the zoning would have to change.
- Wood Haven trailer park has a prospective buyer that wants to keep the property as a trailer park. We may see future requests for expansion.
- We received a request to change the BU zone to higher density zoning in certain situations.
- Drilling will begin soon for a new municipal well on the south side of 400 North. A temporary sound wall will be constructed as drilling will run 24 hours a day until complete.
- There will be some detours around 800 West due to construction that will begin at the Atwood Subdivision.
- Mountain View Estates will be paving their road soon. They delayed paving due to the heavy truck traffic bringing in dirt all summer. Some discussion took place regarding drainage issues in that area.
- Highgate Estates has been issued their first building permit. Until 1450 West is completed building permits will only be issued on the first 1000 feet off 1100 West.
- The City Hall back-parking area will be under construction in the near future.

5. Consider Approval of Minutes from July 9, 2019 meeting.

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the July 9, 2019 meeting as presented. Laura Charchenko 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 8:13pm. 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 September 10, 2019 by unanimous vote of all members present.

Cathy Brightwell – City Recorder

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH