

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
Corey Sweat
Dennis Vest, Alternate

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, DECEMBER 10, 2019 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Public Hearing – WBMC 17.76 – Private Swimming Pools and WBMC 17.56 – Nonconforming Uses and Buildings.
3. Consider Proposed Code Changes to Private Swimming Pools.
4. Consider Proposed Code Changes to Nonconforming Uses and Buildings.
5. Consider Zoning Designation for Proposed Annexation at 1390 W 1200 North.
6. Staff report.
 - a. Parking
 - b. Dark Sky
7. Consider Approval of Minutes from November 12, 2019 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 December 6, 2019 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

December 10, 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 December 6, 2019 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, December 10, 2019 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

MEMBERS EXCUSED: Council member Kelly Enquist.

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

VISITORS:

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

1. Accept Agenda

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

2. Public Hearing- WBMC 17.76- Private Swimming Pools and WBMC 17.56- Nonconforming Uses and Buildings

Introduction:

In the last two Planning Commission meetings we discussed proposed changes to WBMC 17.76 - Private Swimming Pools. These changes include comments from the consultant hired to review our Code for compliance with current state and federal laws, as well as staff's recommended text changes.

The clean version, dated December 6, 2019, reflects the changes discussed by Planning Commission.

ACTION TAKEN:

Corey Sweat moved to open the Public Hearing at 7:35 pm for WBMC 17.76- Private Swimming Pools and WBMC 17.56-Nonconforming Uses and Buildings. Alan Malan seconded the motion and voting was unanimous in favor.

PUBLIC COMMENT:

No public comment

ACTION TAKEN:

Corey Sweat moved to close the Public Hearing at 7:36 pm for WBMC 17.76- Private Swimming Pools and WBMC 17.56-Nonconforming Uses and Buildings. Laura Charchenko seconded the motion and voting was unanimous in favor.

3. Consider Proposed Code Changes to Private Swimming Pools 17.76

Commissioner Comments:

No comments from Commissioners

ACTION TAKEN:

Corey Sweat moved to forward the proposed code changes for 17.76 Private Swimming Pools to the City Council for their review and approval. Alan Malan seconded the motion and voting was unanimous in favor.

4. Consider Proposed Code Changes to Nonconforming Uses and Buildings 17.56

In the last two Planning Commission meetings we discussed staff's proposed changes to WBMC 17.56 – Non-conforming Uses and Buildings to clarify when, if, and how non-conformities can be expanded, moved or replaced.

The proposed changes clarify that:

1. Para. 17.56030(B) any movement or addition to a non-conforming structure will be in compliance with current requirements.
2. Para. 17.56.030 (C) Minor renovations and routine maintenance are exempt from requirements.
3. Para. 17.56.060 clarifies that if non-conforming structures were destroyed by fire, earthquake, etc. that they could be replaced in the same footprint.

The clean version, dated December 6, 2019, reflects the changes discussed by Planning Commission.

Legal Council made changes to this document and has created a document that is shorter and more clearly read. Both documents have been given to the Commissioners for their review. Public Hearing and input have been received.

Chairman Hopkinson would like the Commissioners to have time to review Legal Council's rewrite of this code and table this item for the next scheduled meeting.

ACTION TAKEN:

Corey Sweat moved to table the consideration the changes to Nonconforming Uses and Building code change for WBMC 17.56 for the next scheduled meeting. Mike Cottle seconded the motion and voting was unanimous in favor.

5. Consider Zoning Designation for Proposed Annexation at 1390 West 1200 North.

The City has received a request for annexation from the Goldberg's and Kilpack's for a 5.14-acre parcel of land they own that is not currently in West Bountiful City boundaries. The property is located at approximately 1390 W 1200 North.

The City Council approves or denies all annexation requests. When a property is annexed, it is also assigned to a zoning designation. The Planning Commission is tasked with making zoning recommendations to the City Council.

The City Council is holding a public hearing on December 17th regarding the annexation. Staff anticipates the City Council will act on the request during the same meeting.

Ben White reviewed the process for Annexation which is the same as the State Code. State Code is vague in some areas and it was unclear whether the Planning Commission needs to review the annexation before City Councils approval. Mr. White pointed out the proposed Annexation on a zoning map. He asked for Commissioner input before City Council reviews it at their next meeting. Staff is recommending it to be zoned as A-1.

Chairman Hopkinson would like to revisit the Legacy Overlay zone both the language and layout soon.

ACTION TAKEN:

Corey Sweat moved to forward the annexation request for a 5.15 acre of land that is not currently in West Bountiful City boundaries located at 1390 West 1200 North with zoning specified as A-1. Laura Charchenko seconded the motion and voting was unanimous in favor.

Chairman Hopkinson inquired about the right of way in that area. Mr. White responded that it is a shared right of way and is recorded against each of those properties. Mr. Hopkinson would like to see if there may be a gap recorded anywhere in that right of way. Ben will do some research to see if he can find out. All legal owners must consent to any decisions regarding the property.

6. Staff Report

Ben White

- Next meeting, we will bring parking stall discussion back.
- Dark Sky (light pollution) will be presented by a group sometime the first of next year. Chairman Hopkinson shared his opinion regarding this issue.
- Well is completed and in great condition. Testing is still in process.

Cathy Brightwell

- City Council was given a presentation for a new Veteran's Park in Bountiful that will include all south Davis cities. Veterans that live or have lived in one of the cities can be added on their website. All monies will be by private donation. They would like it to be completed by Veteran's Day 2020.
- Terms expire at the end of this year for 3 commissions. Let Mayor or Cathy know if you do not want to continue your service.
- Cathy stated the sweatshirts are a gift from the City. They were greatly appreciated by all.

7. Consider Approval of Minutes from November 12, 2019 meeting.

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes of the November 12, 2019 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.

8. Adjourn:

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:15 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on January 14, 2020, by unanimous vote of all members present.


Cathy Brightwell – City Recorder

