

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Rodney Wood

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
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Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

NOTICE – ELECTRONIC MEETING

The Planning Commission Meeting Scheduled for 3-24-2020 7:30 will be held on-line and telephonically only.

To access and participate in the meeting, please use the following website and/or phone numbers, and enter the Meeting ID as listed below.

<https://zoom.us/j/227101829>

Meeting ID: 227 101 829

Topic: Planning Commission - West Bountiful City - 3-24-2020

Time: Mar 24, 2020 07:30 PM Mountain Time (US and Canada)

One tap mobile

+14086380968,,227101829# US (San Jose)

+16699006833,,227101829# US (San Jose)

Dial by your location

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 646 876 9923 US (New York)

+1 253 215 8782 US

+1 301 715 8592 US

+1 312 626 6799 US (Chicago)

Meeting ID: 227 101 829

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, MARCH 24, 2020 AT THE CITY OFFICES
AND ELECTRONICALLY**

Prayer/Thought by Invitation

1. Accept Agenda
2. Conditional Use Request from D & S Paint Correction & Auto Restyling at 1116 W 500 South.
3. Preliminary Plat for Ashby Acres 8-Lot Subdivision at 1100 West & Pages Lane.
4. Staff report.
5. Consider Approval of Minutes from March 6, 2020 Meeting.
6. Adjourn.

Individuals participating electronically and/or 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 March 20, 2020 by Cathy Brightwell, City Recorder.

MEMORANDUM



TO: Planning Commission

DATE: March 20, 2020

FROM: Cathy Brightwell

RE: D & S Paint Correction & Auto Restyling

Staff received a request from Mr. Clark for a business license for D & S Paint Correction and Auto Restyling at 1116 W 500 South. They have leased 3 bays to do this work and have six parking stalls assigned to their business.

The business provides auto detailing, paint touch-up and polishing, clear coat bra installation and window tinting. Vehicles are polished with a polisher and compounds; scratches and swirl marks are removed from paint. When touch-up is necessary, a specialized touch-up pen is used; no aerosol cans or paint guns are used.

This business is in the Commercial Highway (C-H) zone, and the city has historically required a conditional use permit for similar types of businesses.

The Conditional Use ordinance, Section 17.60.040, requires the planning commission to *consider* whether:

1. 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;
2. The proposed use 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;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;
4. The proposed use 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;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use;
6. The proposed use will conform to the intent of the city's general plan; and
7. 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.

Staff recommends the following conditions be required with the granting of this conditional use permit:

1. Fire Inspection approval – *inspection is scheduled for March 26, 2020;*
2. Drains will be connected to sanitary sewer and approved by the South Davis Sewer District before business commences – *Per Sewer District, collection boxes are in place;*
3. No outdoor storage will be allowed beyond operable cars being serviced;
4. Will comply with city signage regulations;
5. Upon issuance of this Permit, D & S Paint Correction & Auto Restyling will purchase a West Bountiful City business license.

1116 N 500 W

Write a description for your map.

Legend



Google Earth

© 2020 Google

50 ft



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486
Fax: (801) 292-6355
www.wbcity.org

PROPERTY ADDRESS: 1116 West 500 South - Unit #11 West Bountiful UT 84087

PARCEL NUMBER: 11 ZONE: CH DATE OF APPLICATION: 3-18-20

Name of Business: D.S. paint Correction & Auto Restyling

Applicant Name: Dwayne Jay Clark

Applicant Address: 1172 N 1100W Farmington UT 84025

Primary phone: 801-633-5257 Fax Number: _____

E-mail address: DSPaintResto@gmail.com

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.

Auto Detailing - Paint touch up & Polishing - Window tint
Clear Bra

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge. I understand the information on this application may be made available to the public upon request.

Date: 3-18-20 Applicant Signature: [Signature]

Application Received Date: 3/19/20 Permit Number: 20-04
Application Fee Received Date: 3/19/20 Fire Inspection Date: 3/26/20
Permit Approval: _____

MEMORANDUM



TO: Planning Commission

DATE: March 20, 2020

FROM: Cathy Brightwell

RE: Ashby Acres Subdivision – Preliminary Plat

James and Shelly Bruhn have applied for an 8-lot subdivision on the northeast corner of 1100 West and Pages Lane. The property is within the R-1-22 zone and consists of 4.62 acres. The eight lots meet the required R-1-22 zoning requirements for size and frontage. Will-serve letters have been received from the major utility companies.

Below is summary of points of interest. The items in bold text need to be addressed.

1. The property is encumbered by multiple overhead and underground utility easements. Easement widths need to be verified.
2. Lot 204. A future dwelling will be set back approximately 210 feet from 1100 West. With a frontage that exceeds 85-ft. this lot is not a flag lot.
 - a. The fire marshal is requiring an additional fire hydrant be placed within 400 ft of the structure. **Staff proposes the new hydrant on 1100 West at the north side of Lot 204 driveway.**
 - b. The fire marshal is requiring a fire apparatus turn-around as shown on the plans so that no portion of a building is located more than 150-feet from fire apparatus access.
 - c. The fire marshal is requiring a fire vehicle access road consisting of an all-weather surface designed to support and maintain imposed loads of 75k lbs. for fire apparatus with a turning radius of 28-ft. It must have a minimum clear width of 20-ft. and a minimum vertical clear height of 13-ft 6-inches. The fire vehicle access road must be identified and have signage prohibiting obstructions. **A soils report should be required to verify the road can support the load of fire apparatus.**
 - d. The driveway is proposed to be 35-ft wide. **Should No Parking signs be required, or does it exceed the 20-ft. fire minimum access width enough that additional restrictions do not apply?**
 - e. **Should the type of drive (asphalt, concrete, gravel) be specified?**
 - f. Existing buildings on this lot must be removed prior to issuing any building permits.
3. Streetlights. There is a streetlight on the southeast corner of 1100 W and Pages Lane and another light at 1050 W Pages Lane. As power was not available along the 1100 West frontage of Olsen Ranches no streetlights currently exist. **Should a new streetlight be located on 1100 West?**
4. Staff is recommending curb, gutter and sidewalk be required along 1100 West as shown on the plans.
5. The Ashby Acres subdivision is being proposed as a single subdivision; however, there is a chance the subdivider may break up the subdivision into two phases. The 1st phase would include Lots 101, 102,

and 103. The 2nd phase would include Lots 201, 202, 203, 204, and 205. This decision will need to be made prior to submitting final plat.

WBMC Title 16 defines preliminary plat as a step in the process that shows the design of a proposed subdivision and the existing conditions in and around the subdivision. The plat is graphically accurate to a reasonable tolerance but need not be based upon a detailed final survey of the property. Approval of the preliminary plat by the planning commission does not constitute final acceptance but authorizes the subdivider to proceed with the preparations of plans and specifications and with the preparation of the final plat.

1 **West Bountiful City**
2 **Planning Commission Meeting**

March 10, 2020

3 **PENDING – NOT APPROVED**

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website,
5 on the West Bountiful City website, and at city hall on March 6, 2020 per state statutory requirement.

6 Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 10, 2020 at
7 West Bountiful City Hall, Davis County, Utah.

8 **Those in Attendance:**

9 **MEMBERS PRESENT:** Vice Chairman Alan Malan, Dee Vest, Laura Charchenko, Mike Cottle, Corey Sweat
10 and Council member Kelly Enquist.

11 **MEMBERS EXCUSED:** Chairman Denis Hopkinson

12 **STAFF PRESENT:** Cathy Brightwell (Recorder), and Debbie McKean (Secretary)

13 **VISITORS:** Gary Jacketta, Gordon and Carol Carter, Todd Cassidy, Glenn Vance, Kevin Heiner, Bill
14 Goldberg.

15

16 The Planning Commission meeting was called to order at 7:30 pm by Vice Chairman Alan Malan. Mike
17 Cottle offered a prayer.

18 **1. Accept Agenda**

19 Vice Chairman Malan reviewed the agenda. Corey Sweat moved to accept the agenda. Mike Cottle
20 seconded the motion. Voting was unanimous in favor among all members present.

21 **2. Conditional Use Request from Dominion Energy – 911 W Porter Lane**

22 Commissioner packets included a memorandum from Cathy Brightwell dated March 6, 2020 regarding
23 Dominion Energy Conditional Use Permit at 911 W. Porter Lane with attached application and several
24 diagrams of their plans.

25 Cathy Brightwell introduced Dominion Energy that operates a natural gas pressure regulating station
26 along the street shoulder at approximately 911 W Porter Lane. The existing station is older and the
27 design causes operation challenges and significant noise during certain operation times that can be
28 minimized with a new design.

29 In 2016, additional property around the station was purchased to accommodate the replacement of the
30 existing facility with a new, more efficient station. A new 8 ft. high precast concrete wall is proposed
31 that will serve two purposes: 1) mask the noise generated from ongoing natural gas metering and
32 regulating equipment operations, and 2) reduce the disturbances to neighbors during the upcoming
33 planned station replacement activities. This proposal for a new station and wall is like many found
34 throughout the Dominion Energy system and is aesthetically conducive to surrounding neighborhoods.

35 The wall will be installed around three sides of the property and upon completion of construction, an 8
36 ft. iron fence and entrance gate will be installed at the front setback parallel to Porter Ln. Included with
37 this memo is a site plan of the proposed facilities and photos of similar buildings in other locations.

38

39 Because Dominion is constructing a building above ground in a location other than where they currently
40 operate, it is considered a change in land use which requires a conditional use permit. Additionally,
41 planning commission approval is required for a fence or wall that exceeds six feet in height. (see WBMC
42 sites below)

43 In considering the proposed application and the health, safety and welfare of the community, staff has
44 identified the following criteria that should be noted.

- 45 1. Drainage: Storm drainage should not negatively impact surrounding properties. Mitigation:
46 The rear ditch will be modified to match the existing drain of neighboring properties, and gravel
47 surface will help dissipate storm water.
- 48 2. Noise: Noise should be kept to the levels of those emitted from typical residential properties.
49 Mitigation: The newer, more efficient facility will emit less noise than the current facility and
50 the 8 ft. concrete wall will mask the noise generated from ongoing natural gas metering and
51 regulating equipment operations.
- 52 3. Odors: Noxious odors should be controlled and not permitted to leave the property.
53 Mitigation: No odors are expected from the normal operation of the facility.
- 54 4. Light: Security and site lighting should not negatively impact neighboring properties.
55 Mitigation: Any proposed lighting is to be “down lighting” and be restricted to the fenced area.
- 56 5. Traffic: Traffic kept to residential standards. Mitigation: No employees will be stationed at this
57 location. Maintenance staff will periodically visit the site.

58 The Conditional Use ordinance, Section 17.60.040, requires the planning commission to consider the following:

- 59 1. The proposed use at the particular location is necessary or desirable to provide a service
60 or facility that will contribute to the general well-being of the neighborhood and the community;
- 61 2. The proposed use will not be detrimental to the health, safety, or general welfare of persons
62 residing or working in the vicinity, or injurious to property or improvements in the vicinity;
- 63 3. The proposed use and/or accompanying improvements will not inordinately impact schools,
64 utilities, and streets;
- 65 4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and
66 traffic circulation, the use of building materials and landscaping which are in harmony with the
67 area, and compatibility with adjoining uses;
- 68 5. The proposed use will comply with the regulations and conditions specified in the land use
69 ordinance for such use;
- 70 6. The proposed use will conform to the intent of the city’s general plan; and
- 71 7. The conditions to be imposed in the conditional use permit will mitigate the reasonably
72 anticipated detrimental effects of the proposed use and accomplish the purposes of this
73 subsection.

74 Todd Cassidy representative for Dominion was invited to take the stand. He introduced two other
75 representatives with him this evening. He stated that this station is a critical component to bringing gas
76 to this area and other surrounding areas. He pointed out that the station site small and they are trying to

77 all they can to mitigate the noise. He is grateful that the Carter's (homeowners next to the station to the
78 west) have been patient and wonderful neighbors. Dominion Energy desires to make the area look nice
79 and cut down on noise. The current regulator equipment is located on the north property line. The new
80 regulator station will be approximately forty-eight feet back and then the existing equipment will be
81 removed when the new station is completed. The entire property will have a decorative 8 ft wall on three
82 sides with wrought iron fencing/gates at the thirty-foot front setback. Landscaping will consist of gravel.

83 There was discussion about a temporary construction wall and if it would pose a problem for traffic
84 coming in and out onto the street. It was noted that there is no curb and gutter to hinder traffic and
85 visibility from the Carter's property will not be blocked.

86 The Carters were invited to share their thoughts and concerns and they responded that Dominion has
87 been very good to work with and keeps them informed. They are excited for the new station to be built.

88 **ACTION TAKEN:**

89 *Corey Sweat moved to approve the Conditional Use Request for Dominion Energy Station at 911 West*
90 *Porter Lane with the following findings: The proposed use and/or accompanying improvement will not*
91 *inordinately impact schools, utilities, and streets; will provide for appropriate buffering of uses and*
92 *buildings, proper parking and traffic circulation; and use of building materials and landscaping which*
93 *are in harmony with the area and compatibility with adjoining uses; and the conditions imposed in the*
94 *conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use*
95 *and accomplish the purposes of this subsection. Conditions: 1) Storm drainage should not negatively*
96 *impact surrounding properties; 2) Noise should be kept to the levels of those emitted from typical*
97 *residential property; 3) Noxious odors should be controlled and not leave the property; 4) Security and*
98 *site lighting should not negatively impact neighboring properties, will be "down lighting" and restricted*
99 *to the fenced area; and 5) Traffic kept to residential standards. Laura Charchenko seconded the motion*
100 *and voting was unanimous in favor.*

101

102 **3. Proposed Code Changes to WBMC 17.52 – Off Street Parking**

103 Commissioner packets included a memorandum dated March 6, 2020 from Cathy Brightwell regarding Off
104 Street Parking – WBMC 17.52.

105 Cathy Brightwell gave updates to the city's off-street parking ordinance which have been discussed for
106 the past several months by the planning commission. Proposed changes have been reviewed by legal
107 counsel and a public hearing was held on January 14, 2020 with no public comments offered.

108 A few clarifications were suggested at the last meeting which have been incorporated in the attached
109 draft and shown in highlights.

110 **Commissioner Comments:**

111 **Mike Cottle** likes the changes.

112 **Dee Vest, Corey Sweat, Laura Charchenko** support the changes and proposals in the document.

113 **Alan Malan** pointed to language stricken in Item K and suggested it be included. Cathy pointed out that
114 language in Item Q covers the stricken language in K. Laura Charchenko suggested the sentence be

115 moved to the top of the subsection and then it will clearly apply to all items listed. Under Residential
116 Lots: #1 feels the language in blue is not understandable. Some discussion took place and it was decided
117 to change the language to be clearer. Cathy will ask Ben for suggestions. Under 17.52.050.2.2, language
118 seems to be in conflict with the language in #1. Cathy pointed out that #1 applies to residential and #2
119 applies to “Commercial and all other types of non-residential lots.”

120 Under Maintenance of Parking Lots #2 Screening, Mr. Malan pointed out that in a car dealership you do
121 not want a 4-foot wall. He feels the language is too general. Some discussion took place. It was decided
122 to keep the language as is. Under #3 Landscaping language strike “irrigated and”.

123 Cathy Brightwell reviewed the changes discussed this evening and will make the requested and desired
124 changes.

125 **ACTION TAKEN:**

126 *Laura Charchenko moved to approve the proposed Code Changes to WBMC 17.52 – Off-Street Parking*
127 *with the discussed changes this evening and forward it to the City Council for their review. Corey Sweat*
128 *seconded the motion and voting was unanimous in favor.*

129

130 **4. Storage Uses in Residential/Agricultural Zones**

131 A memorandum dated March 6, 2020 from Cathy Brightwell regarding Storage uses in residential/
132 agricultural zones was included in the Commissioner packets, along with a redlined copy of the proposed
133 changes.

134 Cathy Brightwell noted that we have discussed this in prior meetings and pointed out what the goal is
135 but not sure how to get there. As discussed in the last planning commission meeting, the A-1 zone
136 allows both residential and agricultural uses which has become an issue for property owners who use
137 their property for storage and do not have a house on the property.

138 The goal is to allow the maximum acceptable use of private property while protecting surrounding
139 property values, privacy and agricultural uses, and build or maintain a sense of community. Without
140 some zoning controls, we risk the accumulation of junk and proliferation of illegal businesses.

141 The following comments and ideas from the last meeting were discussed.

- 142 • Require conditional use to store personal property when there is no house.
- 143 • Limit personal property storage to inside a building.
- 144 • Limit personal property storage to size of property.
- 145 • Limit personal property storage to the A-1 Zone.
- 146 • Modify the current definition of agriculture: 17.04 "**Agriculture**" means the production of food
147 through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and
148 fowl, except household pets, and not including any agricultural industry or business designed
149 for the processing of raw food products by packaging, treating and/or intensive feeding.
- 150 • Clarify the current definition of storage: 17.04 "**Storage**" means keeping or retaining tangible
151 personal property in the city for any purpose including the storage of tangible personal property

152 used for non-retail or industrial trade. "Storage" does not include keeping or retaining tangible
153 personal property held for sale in the regular course of business.
154

155 A redline version of WBMC 17.16.020 and 030 was reviewed.

156 Corey Sweat feels the simplest thing to do is add accessory structures as a permitted use. There was
157 discussion that the A-1 zone is agriculture so it is implied that an accessory structure will be used for
158 agricultural purposes so is it permitted to use it for non-agricultural purposes in this zone? Can the
159 permitted uses be clarified that any use is ok? What if commercial businesses are operated out of the
160 building? The consensus among the commissioners is that it is not spelled out what the building is used
161 for. Commercial use is prohibited in the zone already. Under 17.16.020 Permitted Uses, it was decided
162 to leave # 6 – Accessory structures associated with residential uses and strike # 7 – Non-residential uses
163 that include other buildings that could normally be associated with a residence on the property. Under
164 17.16.030 Conditional Uses, strike #11 Personal Use Storage.

165 It was determined by the Commission that the discussion bullets listed above not be used at all. Staff
166 will forward the proposed changes to legal counsel for their review.

167 Bill Goldberg took the stand and commented on safety needing to be of the upmost importance and not
168 what is visually appealing in the way of placement of buildings on property. He is confused about all the
169 changes being made to ordinances and wants to ensure the City is considering safety while making
170 these changes. Commissioners and Staff clarified the current code that has been in place for over 15
171 years. This seemed to satisfy Mr. Goldberg's concerns.

172

173 **5. Staff Report**

174 **Cathy Brightwell:**

- 175 • 800 West is closed to all traffic except local from 10th North to Pages Lane. Dust is bad and they
176 have received several complaints about speeding in that area. The detour route is 700 West and
177 is presenting problems as well with people speeding. Projection for project completion is October
178 2020. Letters have gone out to suggest safer routes for students to take to school.
- 179 • The City is working with the school regarding fencing, pickleball courts, parking, etc. The courts
180 will be city owned and maintained.
- 181 • The design for the Well House building is in process.
- 182 • Ben White has left the City and is working for Taylorsville.
- 183 • "Raising Cane" a new chicken eatery will be locating on the southwest corner of 400 North and
184 500 West where the Chevron station is currently.
- 185 • Cubby's restaurant is still under construction.
- 186 • Olive Garden may be open the end of July.

187

188 **6. Consider Approval of Minutes from January 28, 2020 meeting.**

189 **ACTION TAKEN:**

190 *Corey Sweat moved to approve of the minutes of the January 28, 2020 meeting as presented. Dee*
191 *Vest seconded the motion and voting was unanimous in favor.*

