

Mayor
Kenneth Romney

**City Engineer/ Land
Use Administrator**
Kris Nilsen

**City Recorder/
Community
Development**
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

Chairman
Alan Malan

Commissioners
Dell Butterfield
Laura Mitchell
Corey Sweat
Dennis Vest

THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 9, 2023, AT THE CITY OFFICES.

1. Prayer/Thought – Commissioner Sweat;
Pledge of Allegiance – Commissioner Butterfield.
2. Confirm Agenda.
3. Conditional Use Application for Home Occupation for Auto Italia Repairs at
638 N 660 West.
4. Public Hearing – Eliminate the Blended Use and Legacy Overlay Districts and
Rezone to A-1 Zone.
5. Consider Elimination and Rezone of the Blended Use and Legacy Overlay
Districts.
6. Olsen Farms 8 - Request For Six-Month Extension to Provide Complete Final
Plat for City Council Approval.
7. Meeting Minutes from April 25, 2023.
8. Staff report
 - a. Engineering (Kris Nilsen)
 - b. Community Development (Cathy Brightwell)
9. Adjourn.

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the city website on May 5, 2023, by Cathy Brightwell, City Recorder.*

MEMORANDUM



TO: Planning Commission

FROM: Staff

DATE: May 5, 2023

RE: Conditional Use Application for Auto Italia - 638 N 660 West - Aimee & Adan Hinojosa

This memo reviews the home occupation and conditional use applications for Auto Italia auto repair business.

Background

Auto Italia is a commercial auto repair business, previously licensed and located at 1116 W 500 South until December 31, 2022.

Sometime in December of 2022, the business began operating out of a detached shop/garage at the residential property located at 638 N 660 West. As the owners/employees of the business did not reside at the property, operating any business out of the shop is a violation of West Bountiful Municipal Code. Staff alerted the owners of the business and property of this violation and instructed them to cease operations.

The operation of the business has been the source of complaints to the city from several individuals.

The owners of the business applied for a home occupation business license and an accompanying conditional use permit with the intent to become compliant with city code. At its January 24, 2023, meeting, the planning commission tabled the applications because the applicants did not live on the property at the time.

Applicable Codes

The following sections of West Bountiful Municipal Code (WBMC) are pertinent to the applications:

- [WBMC 5.28](#) Home Occupations
- [WBMC 17.24](#) Residential District, R-1-10
- [WBMC 17.60](#) Conditional Use Permits
- [WBMC 17.92](#) Outdoor Storage and Merchandising

Application and Accompanying Materials

An updated home occupation application was submitted on May 3, 2023. Details of the application include:

1. The applicants now reside at the property.
2. The only employees of the proposed business are the two owners.
3. Customers are by appointment-only between 10 am and 5 pm, Monday through Friday.

4. They intend to use 500 square feet of the 2,000 square feet detached shop for auto repair/business purposes, which they estimate is enough room to work on two vehicles. A 100 square foot bedroom in the home will be used as office space.
5. Used oil and anti-freeze will be kept in 2 barrels regularly picked up by a recycling service.
6. Customers will drop off and pick up vehicles at arranged times.
7. No street parking will be used by customers.
8. All vehicles and equipment will be stored inside the garage; only personal items will be in the yard.
9. Deliveries of parts are estimated to be 1-3 times a day.
10. Occasional tow truck but scheduling will be controlled.
11. Accompanying images show a proposed "privacy fence," but no details are explained.
12. Photographs show an unpaved driveway to the shop.
13. No customer or resident parking was designated on the site plan (see attached Exhibit A).

Objections

When the business was illegally operating earlier this year, the city received complaints from multiple neighbors. Some neighbors had been awakened at night by tow trucks delivering vehicles and there were complaints about a large number of auto parts deliveries. These complaints raise concerns about how this business may change the residential nature of the neighborhood.

More recently, the city has again begun to receive complaints. The nature of the complaints now centers on the number of cars stored outside on the property.

Review

WBMC 5.28 outlines the requirements for home occupations. A conditional use permit/planning commission review is required if the request conflicts with listed requirements or the city recorder determines that approval without additional conditions may conflict with the intent of the code.

Based on a review of the materials submitted, staff raises the following issues as related to Home Occupations - [WBMC 5.28](#):

5.28.040 C and J. – Since the last planning commission review, a fire inspection has approved the structure for the business license. We are still waiting for confirmation from the fire department on whether additional site requirements are necessary for the proposed use.

- A. 5.28.040 G. – Code clearly intends planning commission review for any storage of vehicles within the shop.
- B. 5.28.040 H. – Off-street parking: The applicant states that there is no need for off-street parking. However, staff believes that it is unreasonable to think that customers picking up or dropping off a vehicle will never need a parking space.
- C. 5.28.040 I. – Yard space may not be used – The applicant now states that no vehicles will be stored outdoors.
- D. 5.28.040 K. – Traffic related to deliveries of vehicles and parts is unclear and may conflict with the residential nature of the property and neighborhood.
- E. 5.28.040 M. – There is some evidence that the operation of the business to this point has disturbed the peace and quiet of the neighborhood by way of noise from tow trucks, tracking mud from the property, and traffic from deliveries.

WBMC 17.60.040, directs the Commission to approve the conditional use if reasonable conditions can mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects cannot be substantially mitigated by the imposition of reasonable conditions to achieve compliance with applicable standards (requirements of the Chapter and all other applicable requirements of the Municipal Code), the conditional use may be denied.

WBMC 17.60.040 also requires the Commission to consider the following findings prior to approving a conditional use.

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.

Possible Conditions

If the planning commission believes that the application contains sufficient information to determine that the proposed use justifies the findings as listed in WBMC 17.60, staff recommends consideration of the following conditions to mitigate possible reasonably anticipated detrimental effects of the proposed use.

Detrimental Effect 1: No off-street parking has been designated for customers or residents.

1. At least two spaces of off-street parking for residents must be designated on the property.
2. At least one space of off-street parking for customer drop off or pick up must be designated to the south or east side of the shop.
3. Customers seeking services may be parked in a designated off-street parking space for a maximum of one hour, all other customer vehicles awaiting services must be parked inside the shop.
4. All auto repairs must be performed in the allotted space inside the shop as shown on Exhibit B.
5. Owners to provide and maintain a current list of personal vehicles showing they are registered or have title in owner's name.
6. No outdoor storage of inoperable vehicles is allowed on the property, regardless of ownership.

Detrimental Effect 2: Commercial traffic disturbs residential neighborhood.

1. Business deliveries of supplies and materials will be limited to 3 times per day.
2. Customer drop-off and pick-up is limited to a total of 3 times per day.
3. Tow truck deliveries will be limited to indoor parking availability and may only be between the hours of 8 am and 6 pm Monday-Friday.
 - a. Alternative: No customer vehicles may be delivered by tow truck.

Detrimental Effect 3: Environmental & Safety Issues.

1. All businesses must meet state and federal environmental quality requirements for auto repair businesses, including but not limited to the following:
 - a. Collect and contain vehicle fluids as required;
 - b. Use a licensed company to collect oil, anti-freeze, and other vehicle fluids;
 - c. All vehicles waiting for work and those with work in progress must be on concrete or asphalt surface that stop fluids from entering the ground.
2. Site activities must comply with federal and state EPA Storm Water regulations.
3. Owner must provide evidence of compliance with fire codes and any other applicable building codes, and the building/property must remain in compliance.

General Home Occupation Conditions:

1. Business equipment and vehicles in the detached shop will not exceed 25% of the total building space.
2. No additional business equipment will be added without notice to the city for verification of storage limits.
3. No signage for the business.
4. No employees that do not reside in the home.
5. Planning Commission review of neighborhood impact after the first six months of license.

Recommendation:

The purpose of the R-10 District states that the city's regulations are intended to preserve and enhance residential character and lifestyle. Staff is concerned that reasonable conditions may not effectively mitigate the detrimental effects of the business based on the information provided. If the planning commission grants the conditional use, staff recommends a review of neighborhood impact after six months.



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: 638 N. 660 W. West Bountiful, UT 84087

PARCEL NUMBER: _____ **ZONE:** R1-10 **DATE OF APPLICATION:** 05/03/23

Name of Business: Auto Italia Repairs

Applicant Name: Aimee and Adan Hingosa

Applicant Address: 638 N. 660 W. West Bountiful, UT 84087

Primary phone: 801-309-4384 **Fax Number:** _____

E-mail address: aimeedanae11@hotmail.com / auto.italia11@yahoo.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.

500 sq. feet of 2000 sq foot garage (see attached floorplan) to be use for small auto repair business. A 10'x10' bedroom in house is also to be used as office space for business.

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: 5/3/23 **Applicant Signature:** Aimee Hingosa

FOR OFFICIAL USE ONLY

Application Received Date: 5/3/23 **Permit Number:** _____
Application Fee Received Date: _____ **Fire Inspection Date:** _____
Permit Approval: _____



HOME OCCUPATION BUSINESS LICENSE APPLICATION

West Bountiful City
BUSINESS LICENSING DEPARTMENT
550 N 800 West
West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbclty.org

Please allow 5-7 business days for processing

Applicant Information:

License # (Assigned by City): _____

Resident/Business Owner's Name: Adan and Aimee Hingjosa

Physical Address: 638 N. 660 W. West Bountiful, UT 84087

Mailing Address, if different than above: _____

Email address: aimeedanae11@hotmail.com

Primary Phone: 801-309-4384 Emergency Phone: 801-865-7120

Property Owner Name & Contact Info, if different than applicant: _____

Business Information:

1. Name of business: Auto Italia Repairs

State ID #: _____

State Sales Tax #: 14257513-003-STC

Federal Tax ID #: 81-3317251

Other Required Licenses #: _____

(Depending on type of Business)

2. Describe the proposed business activity:

Small auto repair shop. 2 bays of space (500 sqft) in 2000 sqft. garage as well as office inside of home. Only employees are Adan and Aimee Hingjosa. By appointment only.

3. Hours of Operation: 10 AM - 5 PM Monday - Friday

4. Name and relationship of person(s) participating in business (must reside at the home):

Adan does repairs and customer relations. Aimee does paperwork.

5. Describe which room(s) or areas of the property will be used, and how they will be used, in conducting this business from your home. List the approximate square footage of such rooms as well as the total square footage of the main floor of your home; if a garage or other accessory structure will be used, list the approximate square footage to be used and the total square footage of the garage or structure:

10' x 10' bedroom in home is office space for invoicing, estimates, ect. 20' x 25' area of 2000 sqft garage for repairs. House is appr. 2800 sqft.

6. Describe how, where, and in what amounts the materials, supplies and/or equipment related to your proposed home occupation will be displayed or stored:

No supplies kept stocked. All parts and fluids are ordered on as needed base. Office supplies kept in home office.

7. Are any chemicals or hazardous materials used in connection with your home occupation? If yes, state the amount and type of chemicals or materials stored or used.

We use oil and antifreeze. We do not have bulk supply of these.

We have 2 barrels for used fluids that are picked up by recycling service. We just had Emerald Services inspect the barrels.

8. Will individuals come to your home to obtain any product or merchandise, to utilize any service, or for any other purpose in connection with your proposed home occupation? If yes, please explain, including frequency.

Yes, customers come to drop off and pick up vehicles at arranged times. Deliveries of parts are 1-3 times a day, but we do try to limit orders by combining into 1 delivery.

9. If any vehicles or other equipment will be used as part of your home occupation, where will they be parked or stored?

All vehicles and equipment will be stored inside 20' x 25' space inside garage. No yard use. Only personal items in yard.

10. Do any vehicles or other equipment come to your property in connection with your home occupation? If yes, please explain, including frequency:

Customers and deliveries. Adan places part orders night before parts are needed to limit deliveries. No more traffic than Amazon in the neighborhood.

11. Will the home occupation involve the use of commercial vehicles for delivery of material to or from the premises? If yes, please explain, including frequency:

Part delivery vehicles. They drive small pass. vehicles. (Nissan Versa, Subaru, pick up truck) Occasional tow truck, but we only use 1 person and control scheduling drop offs.

12. If your home occupation is a day care center, nursery, or preschool, please state how many children _____ and caregivers _____ will be involved in a typical workday. Please attach evidence of all licenses, permits, or approvals from federal, state, or local agencies authorizing the day care center, nursery, or preschool.

13. Does the proposed home occupation conform with covenants, conditions, and restrictions (CCR's) pertaining to your property? _____ If no, please explain: _____

Applicant Certification:

I hereby apply for a home occupation business license from West Bountiful City in accordance with the provisions of Title 5, West Bountiful Municipal Code. I understand that under certain conditions prescribed in the Municipal Code I may be required to apply for a conditional use permit as well.

I acknowledge that before this application may be approved, I must provide notice to the owners of property within a 300 foot radius of the exterior boundaries of the property on which the home occupation is to be conducted.

I certify that the above information is true and correct to the best of my knowledge, and that I agree with the attached specific requirements and all other applicable provisions of the Municipal Code.

I understand the information on this application may be made available to the public pursuant to the Government Records Access and Management Act (UCA 63G-2-101 et seq), unless applicant specifically requests in writing that their personal information remain private.

Date: 05/03/23

Sign Here: *Aim Hijun*
Applicant

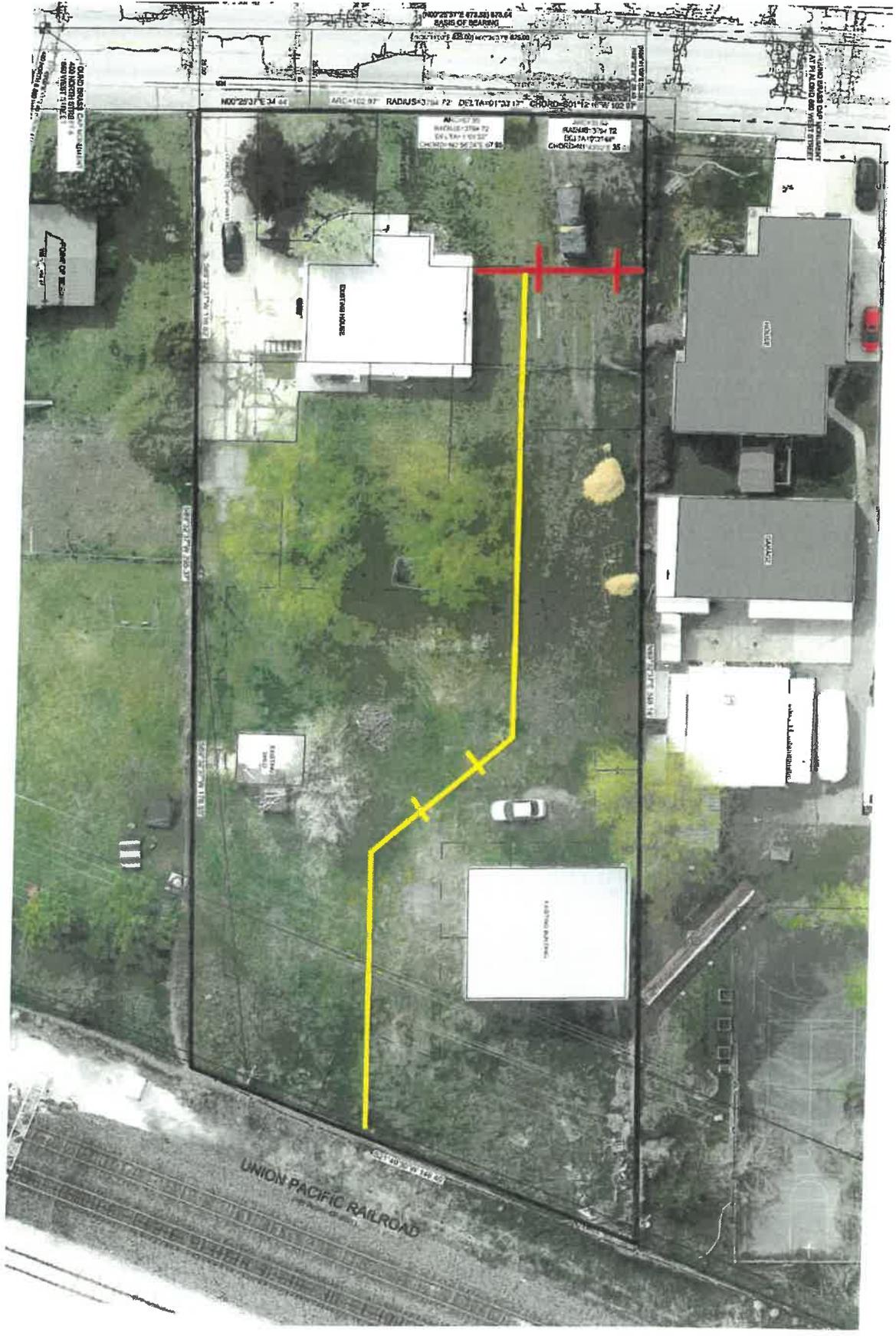
FOR OFFICIAL USE ONLY

Application Fee Received: NA
Fire Inspection: 5/3/23
Health Dept. Inspection: —
Neighbor's Notification Complete: _____

Approval Date: _____
Conditional Use Permit Required: Yes
Conditional Use Permit Approved: _____
Protests Received: _____

Exh A

PROPOSAL FOR HOME BUSINESS AT 638 NORTH 660 WEST

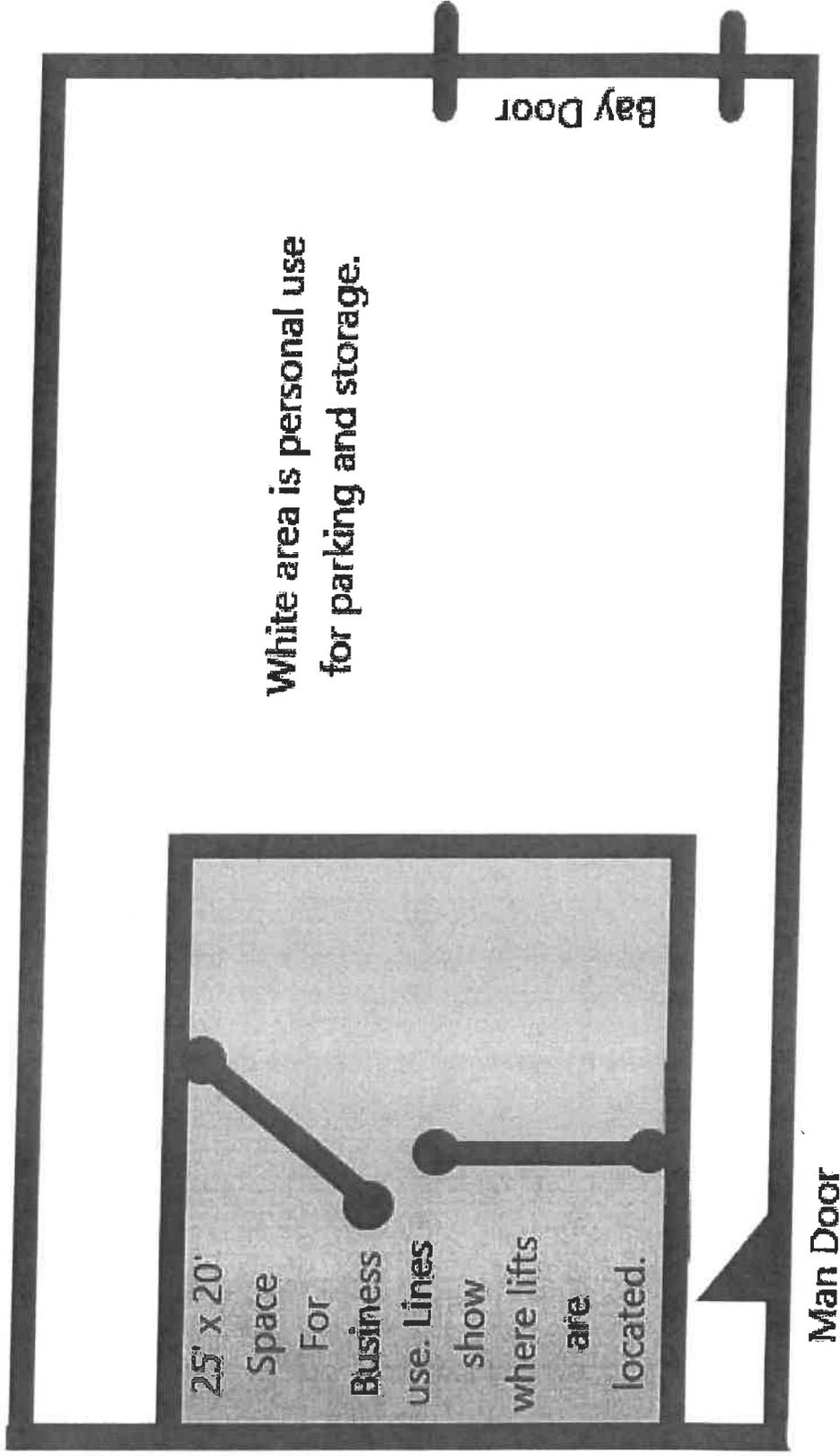




Auto Italia Repairs

Floorplan for garage business use

Not to Scale- to show area for business use.
Building is 40' x 50'

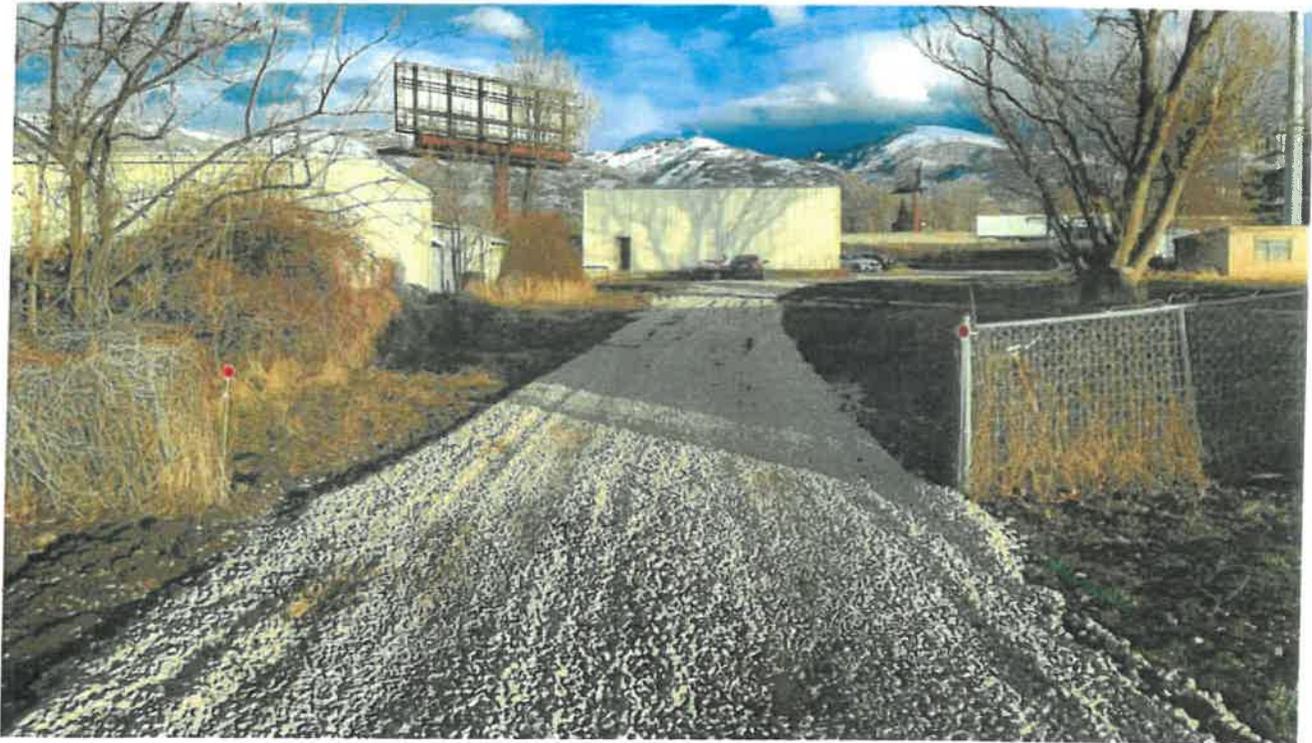


Exh B

Inside of home:
10' x 10' upstairs bedroom is being used for office
space. Will have filing and computer work done here.



Front View





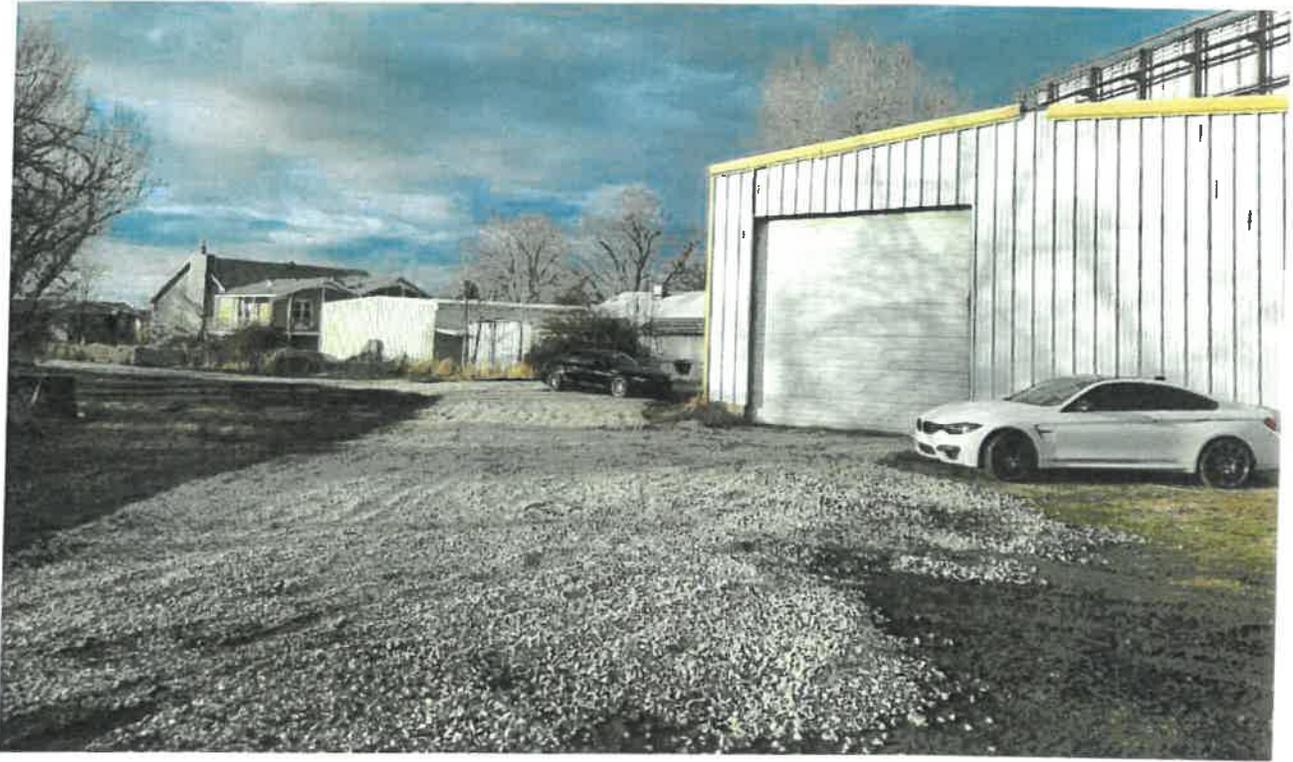
Backyard





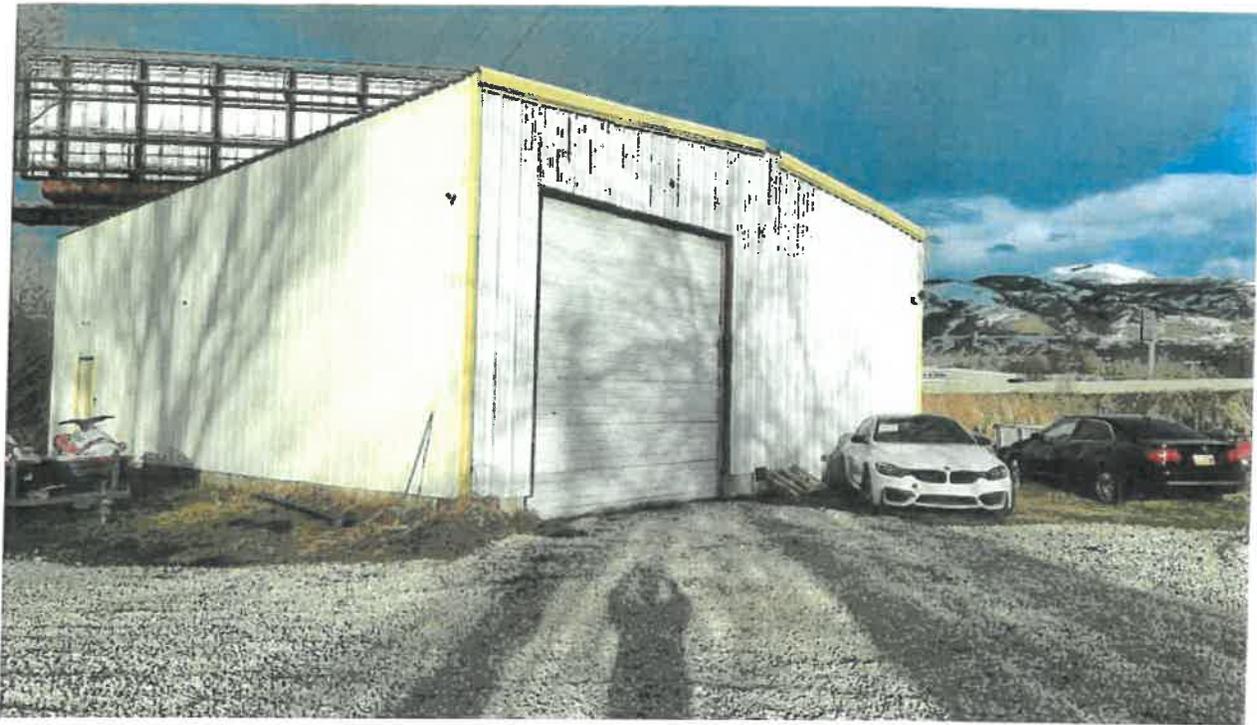
Backyard View from Garage





Rear driveway





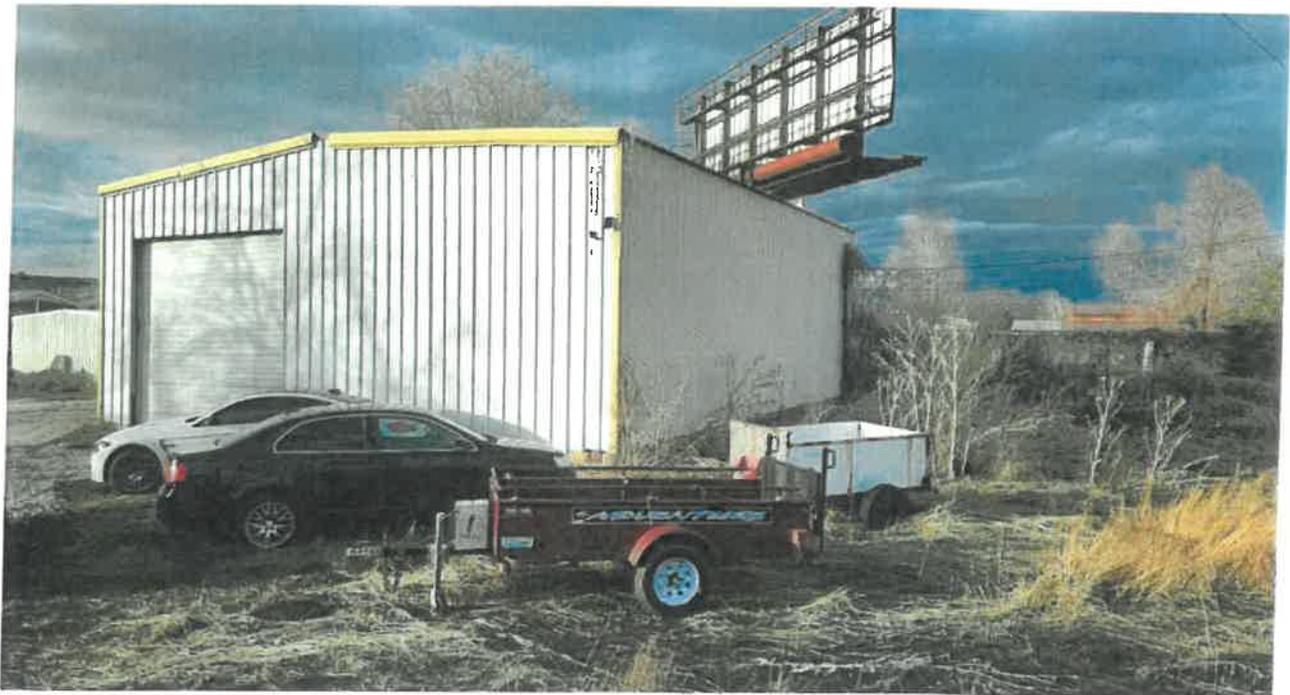
Garage

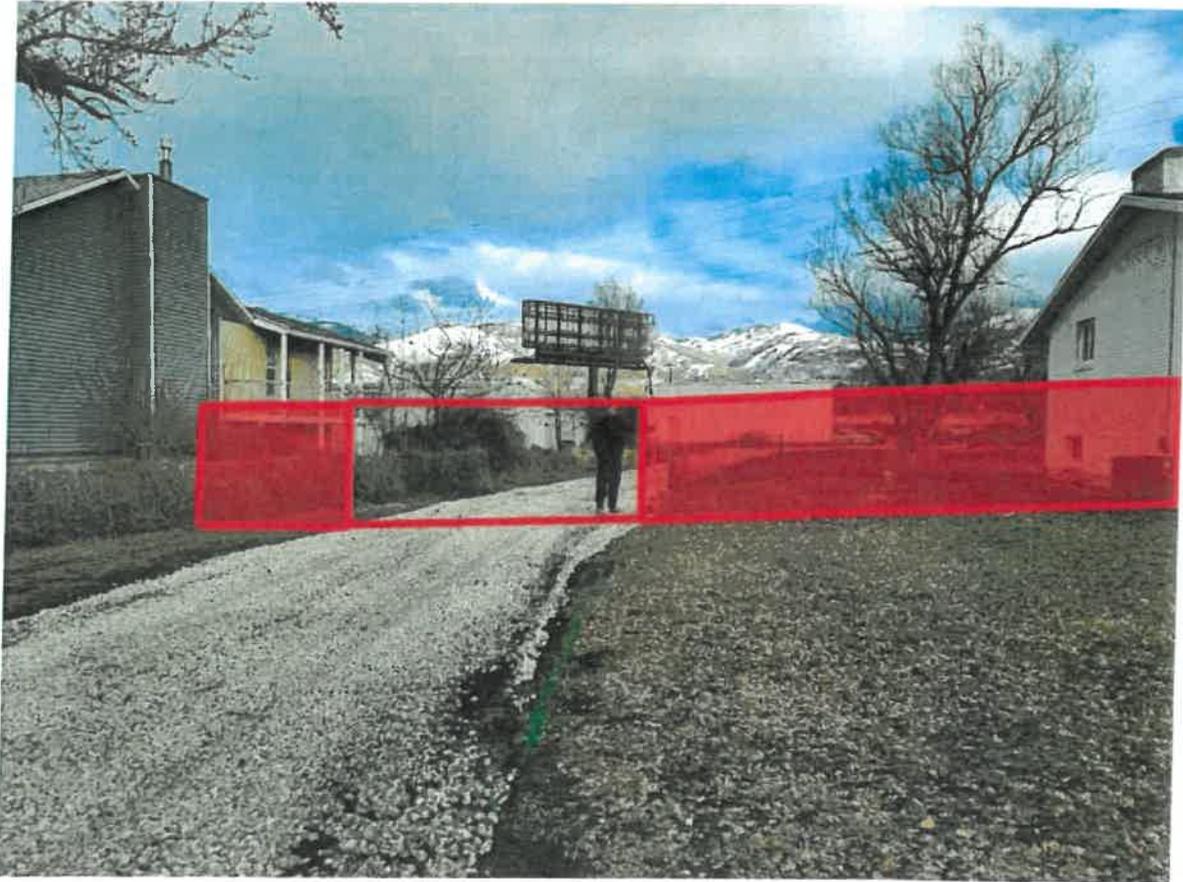


PROPOSAL FOR HOME BUSINESS AT 638 NORTH 660 WEST



Behind Garage





Planned Privacy Fence with Gate

MEMORANDUM



TO: Planning Commissioners

DATE: May 9, 2023

FROM: Cathy Brightwell, Kris Nilsen

RE: WBMC 17.26 Blended Use & WBMC 17.30 Legacy Overlay Districts

This memo provides information on the Planning Commission's proposal to eliminate the Blended Use (B-U) and Legacy Overlay (L-O) zones.

Background

The B-U zone was adopted in 2009 and the L-O zone was adopted in 2010 to address expected future development around the Legacy Parkway. There was a desire to encourage vibrant, active centers through a variety of uses in a pedestrian, equestrian, and bicycle friendly environment and to promote architectural quality in building designs. Development was to provide a blend of residential, commercial, office, recreation, entertainment, technology-based enterprises, open space, and other types of uses that create a quality design.

The B-U district consists of two sections divided by the Davis County A-1 Canal. All development south of the canal is required to meet the development and design requirements listed for the zone and a long list of permitted and prohibited uses. All development north of the A-1 canal is restricted to single family detached residential dwellings, equestrian centers and associated facilities, parks and park amenities, trails and related trail amenities, and other facilities that enhance the rural character of this area. The land use regulations for the underlying A-1 zone apply.

The L-O district provides overlay standards for development of areas in proximity to the Legacy Parkway interchange and connecting transportation corridors along 500 South and Redwood Rd. In conjunction with the B-U zone, the intent is to establish an iconic place where the urbanized environment interfaces with the natural shoreland environment surrounding Legacy Parkway and the Great Salt Lake.

The development of this area along Legacy Parkway has not materialized as expected, and there is no indication that it will. Most of the regulations in the B-U zone do not apply to the northern area, which is currently owned primarily by Ivory Land Corporation and West Bountiful City.

The southern area intended for blended use development remains undeveloped except for a portion owned and used for automobile storage.

At its April 11, 2023, meeting, the planning commission discussed the problems, including confusion and misunderstanding by developers, caused by having the B-U and L-O zones. They

directed staff to schedule a public hearing on May 9, 2023, to receive comments on a proposal to eliminate both zones.

General Plan

When considering the recommendation to re-zone the existing B-U and L-O zones to A-1, the planning commission should take into account the city's General Plan. The Plan states that the B-U Zone was intended as a way "... to help with agricultural preservation by including commercial with rural density residential." Staff believe that re-zoning the area to A-1 keeps with the intent of agriculture preservation. Staff also believe that the potential re-zone is in line with the General Plan's goals related to housing and economic development.

Highgate Estates Parcel

There is one parcel of land that may be questionable for a re-zone to A-1. The Highgate Estates recorded subdivision includes a 0.62-acre parcel on the southwest corner of its property designated as "Lot A." Due to the location of the lot, which is separated from the remaining subdivision, the lot could not be made a required 1-acre buildable lot when the subdivision was made. It was declared to be commercial as allowed by the B-U zone.

Items to consider:

1. As Lot A is not a residential space now, it cannot be a legal, non-conforming residential lot if the zone is changed to A-1. It can be used for other uses in the A-1 zone, such as agriculture, greenspace, or some form of subdivision amenity.
2. As the city has in the past stated that the lot should have a commercial use, it could be re-zoned to an existing commercial zone such as Commercial Neighborhood (see attached list of permitted and conditional uses for the C-N zone). The intent of the C-N zone is to provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential areas. The regulations are designed to promote a combination of retail and service facilities to meet day-to-day needs of area residents in a manner which will minimize any hazard or nuisance to adjacent residential areas.
3. Lot A could be re-zoned to an existing residential zone such as R-1-22. This residential zone requires lot sizes to be a minimum half acre which would provide a residential use that fits the lot size by allowing one home to be built.
4. The owner of Lot A could apply for a variance to waive the one-acre minimum for a residential use due to the unique circumstances of this property.

Proposal

Staff suggests the following:

With the finding that these changes meet the intent of the General Plan, re-zone the current B-U and L-O zones to A-1, except Lot A in Highgate Estates which will be designated:

- Option 1. Commercial Neighborhood (WBMC 17.28)
- Option 2. Residential District R-1-22 (WBMC 17.20)

Commercial Neighborhood

17.28.020 Permitted Uses

1. Appliance and small equipment repair, including shoe repair;
2. Drug store;
3. Dry cleaning pickup station;
4. General merchandise sales (retail and wholesale) less than two thousand (2,000) square feet;
5. Offices, business or professional;
6. Personal services;
7. Public and quasi-public institutions;
8. Convenience store, less than two thousand (2,000) square feet;
9. Learning studios such as karate, dance, gymnastics;
10. Real estate and/or insurance offices;
11. Computers: software and hardware, sales and service;
12. Office machine sales and service;
13. Ceramic business;
14. Carpet cleaning; and
15. Medical cannabis pharmacy, as defined in Chapter 17.62.

17.28.030 Conditional Uses

1. Reception center, meeting hall;
2. Restaurants, cafeterias and fast food eating establishments;
3. Banking and financial services;
4. Custom woodworking (as approved by fire marshal)
5. Sheet metal;
6. Contractor: general, electrical, mechanical and plumbing, etc.
7. Printing and publishing;
8. Silkscreening;
9. Lawn and yard care;
10. Residential healthcare facility; and
11. Business and uses which are similar to those listed in this section and Section 17.28.020 and other small businesses determined suitable for a neighborhood environment by the planning commission.

Blended Use

17.26 Permitted Uses

1. Dining (sit-down restaurants, but not fast food establishments);
2. Specialty food or drink businesses with a maximum of two thousand (2,000) square feet of floor area;
2. Personal services: Limited to hairdresser, barber, manicurist, tanning salon, and any other service expressly determined to be needed in the B-U area upon a finding of good cause;
3. Professional or business office: Limited to 50,000 square feet, except as otherwise approved;
4. Research, business park, and campus facility use;
5. General retail sales: Limited to 75,000 square feet, except as otherwise approved;
6. Open space, parks, and other recreational facilities;
7. Entertainment facilities and related venue developments: Production studios, Event venues, Arenas, etc;
8. Equestrian centers and associated facilities - animal veterinary clinics, tack shops, riding school facilities, horse arenas, and other similar equestrian use facilities.

WEST BOUNTIFUL CURRENT ZONING MAP

Legend

-  CITY BOUNDARY
-  HISTORIC OVERLAY
-  LEGACY OVERLAY
-  UNINCORPORATED DAVIS COUNTY



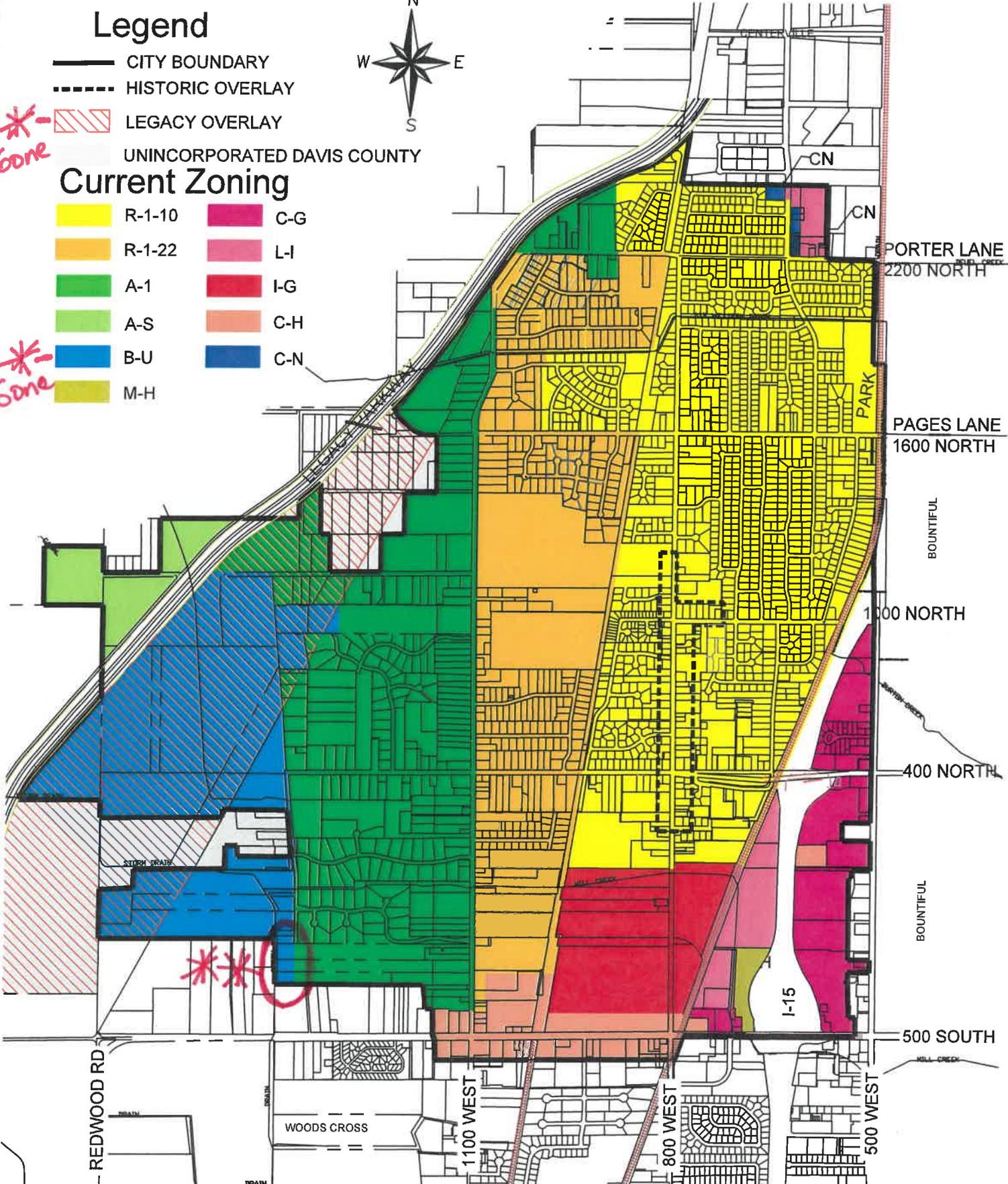
Current Zoning

- | | |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  R-1-10 |  C-G |
|  R-1-22 |  L-I |
|  A-1 |  I-G |
|  A-S |  C-H |
|  B-U |  C-N |
|  M-H | |

**-Gone*

**-Gone*

**-Gone*



MEMORANDUM



TO: Planning Commission

DATE: May 5, 2023

FROM: Kris Nilsen

RE: Olsen Farms 8 – Request for 6 Month Extension to File with City Council

Chree Martin applied for a 4-lot subdivision at 1655 N Olsen Way in February 2022. This project received final plat approval, with conditions, from the planning commission on May 24, 2022. WBMC 16.16.030 requires a complete application to be filed with the city council within one year of planning commission approval. If the filing is not made within one year, the applicant can file a request for a 6-month extension. (see cite below)

16.16.030(2) Final Plat - Filing Deadline, Application and Fees. A complete application for final plat approval shall be made within twelve (12) months after approval or conditional approval of the preliminary plat by the planning commission. This time period may be extended one time for up to six (6) months for good cause shown if subdivider petitions the planning commission for an extension prior to the expiration date.

The applicant has requested an extension so she has time to complete the few remaining items for the city council's review and final approval.

To whom this may concern:

May 5, 2023

I am requesting an extension for the building approval of the Olsen farm estates #8 for final plat approval. We have a few tiny thing to wrap up and hopefully will be done soon. Thank you for your understanding.

Chree Martin 8015987103

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 April 21, 2023, per state statutory requirement.

6 Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April 25, 2023, at
7 West Bountiful City Hall, Davis County, Utah.

8 **Those in Attendance:**

9 **MEMBERS ATTENDING:** Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Laura
10 Mitchell, Dell Butterfield, and Council member Kelly Enquist.

11 **STAFF ATTENDING:** Kris Nilsen (City Engineer), Cathy Brightwell (Recorder) and Debbie McKean
12 (Secretary).

13 **VISITORS:** Paul Giles

14 The meeting was called to order at 7:30 pm by Chairman Malan.

15 **1. Prayer by Commissioner Mitchell**
16 **Pledge of Allegiance- Commissioner Sweat**

17
18 **2. Confirm Agenda**

19 Chairman Malan reviewed the proposed agenda. Corey Sweat moved to approve the agenda as
20 presented. Laura Mitchell seconded the motion. Voting was unanimous in favor among all members
21 present.

22
23 **3. Moderate Income Housing Strategy Update.**

24
25 Commissioner packets included a memorandum dated April 21, 2023, from staff and consultants
26 regarding the city's efforts to address its 2023 Moderate Income Housing Strategies, attached exhibits A-
27 1 & A-2, and a redline copy of 17.44 and 17.52 specific to 17.52.040.

28
29 Cathy Brightwell explained that in 2022, the Utah legislature required cities to select and plan for the
30 implementation of a minimum of three moderate income housing strategies. Updates were adopted to
31 the housing section of the city's General Plan to help achieve goals toward increasing moderate income
32 housing. Recent legislation requires the city to submit updates by August 1, 2023, regarding its success
33 in accomplishing the Strategies.

34
35 The three strategies selected by West Bountiful are:

- 36
37
 - Strategy 1 – Develop and Adopt a Station Area Plan in Accordance with UCA Section 10-9a-403.1.
 - Strategy 2 – Amend Land Use Regulations to Eliminate or Reduce Parking Requirements for Residential Development Where a Resident is Less Likely to Rely on the Resident's Own Vehicle, such as residential development near major transit investment corridors or senior living facilities.
 - Strategy 3 – Reduce, Waive, or Eliminate Impact Fees related to Moderate Income Housing.
- 38
39
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42

43 Staff is currently working on Strategies 1 and 3 which are not ready to present at this time. Tonight's
44 discussion will address Strategy 2. Ms. Brightwell explained that we must report on the actions taken on
45 each of the Strategies by the August deadline.

46
47 A redline draft of suggested changes was explained by Ms. Brightwell and reviewed by the commission.
48 She pointed out that the city's parking regulations have not been reviewed or updated for some time.
49 Together with our planning consultants, John Janson and Jake Young, staff have reviewed parking ratios,
50 shared parking options, and other cities' parking regulations.

51
52 The redline suggestions in Exhibits A-1 & A-2 provide modifications to WBMC 17.44 – Housing in Certain
53 Commercial Areas Overlay, and WBMC 17.52 – Off-Street Parking to eliminate or reduce parking
54 requirements where a resident is less likely to rely on their own vehicle, such as near a transit station or
55 senior living facility.

56
57 There was discussion about how to show the direct impact of each Strategy to Moderate Income
58 Housing. Commissioners agreed that the focus should be on how to achieve the strategies we adopted
59 last year in order to comply with the law and meet the deadline; additional Moderate Income Housing
60 suggestions may be considered at a later time.

61
62 Item K.3. in 17.52.040, provides a reduction in required parking spaces for multi-family and/or mixed
63 use residential housing near transit services. There was discussion about 20 percent versus 10 percent
64 reduction and determined that because we have no experience in this area, it is preferable to suggest 10
65 percent at this time.

66
67 It was determined that items L. (Residential health care facilities) and O. (Senior Housing) in Exhibit A-2
68 (Off Street Parking) need more research so they should be removed from the list of changes at this time.

69
70 Regarding item O, Council member Enquist pointed out that there can be issues if the city tries to
71 establish age restrictions for senior housing. There was discussion that we do not need to define Senior
72 Housing but refer to the specific language as written in the Strategy.

73
74 On a general note, Chairman Malan suggested moving the language that addresses rounding up if
75 parking calculations result in less than a whole number to the beginning statement in 17.52.040 so it
76 applies to the entire list and not just residential parking.

77
78 Cathy Brightwell stated that it is preferable to hold one public hearing on all 3 strategies when they are
79 ready. A report must be filed by August 1st. The commission stated their goal is to have everything
80 completed in June to send to city council so that summer schedules do not affect the approval date.

81
82 **4. Open Meeting Training**

83
84 Cathy Brightwell presented a slideshow and training on Utah's Open Public Meetings Act. This training is
85 required annually for the commission.

86
87 **5. Consider Meeting Minutes from April 11, 2023**

88
89
90

91 **Action Taken:**
92 *Corey Sweat moved to approve the minutes from April 11, 2023, as presented. Laura Mitchell*
93 *seconded the motion and voting was unanimous in favor.*

94
95 **6. Staff Report**

96
97 **a. Engineering (Kris Nilsen)**

- 98 • Public Works facility – the east side of the building is being prepped for a large concrete
99 pour next week. Once the building is complete and furniture is in, the city will hold an
100 open house for the public.
- 101 • The city’s Spring clean-up is still scheduled for mid-May, but they may relocate the bins
102 to the 1200 N trailhead parking area if asphalt has not been installed.
- 103 • The 2023 construction project for 560 W, 1810 N and 1890 N should begin next month.
- 104 • Google Fiber has begun service installation of some residents.
- 105 • Doug Coons Corner and Olsen 8 subdivisions are active projects again and should be
106 ready for city council soon.

107
108 **b. Community Development (Cathy Brightwell)**

- 109 • Proposed changes to the city’s fee schedule were presented to City Council last week.
110 A few changes were made after the planning commission recommendation and Cathy
111 noted those and stated the reason behind the changes.
- 112 • Legacy Overlay and BU Zone public notices/letters/maps have been mailed and the
113 public hearing is scheduled for May 9th.
- 114 • There is no new news on annexation.

115
116 **7. Adjourn.**

117
118 **Action Taken:**

119 *Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:30 pm.*
120 *Corey Sweat seconded the motion. Voting was unanimous in favor.*

121
122

123
124 *The foregoing was approved by the West Bountiful City Planning Commission on May 9, 2023, by*
125 *unanimous vote of all members present.*

126
127 _____
128 *Cathy Brightwell – City Recorder*
129
130