

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 A MEETING BEGINNING AT 7:30 PM ON TUESDAY, MAY 8, 2018 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Amendment to Final Plat for High Gate Estates.
3. Discuss Proposed Requirements to Modify a PUD Agreement.
4. Discuss Proposed Requirements for Home Day Care/Pre-schools.
5. Staff report.
6. Consider approval of minutes from April 24, 2018 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 May 4, 2018 by Cathy Brightwell, City Recorder.

MEMORANDUM



TO: Planning Commission

DATE: May 3, 2018

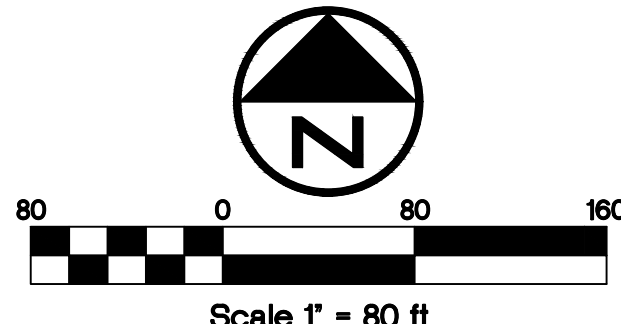
FROM: Ben White

RE: High Gate Subdivision – Amended Final Plat

Onion Patch Securities, LLC received final plat approval from the City Council in March. The plat has not been recorded. An adjoining property owner has requested to purchase what was lots 26 and 27 on the approved plat. His preference was that the property not be included in the subdivision plat.

City code section 16.16.030 (I) requires the Planning Commission to consider any changes to a plat prior to the City Council.

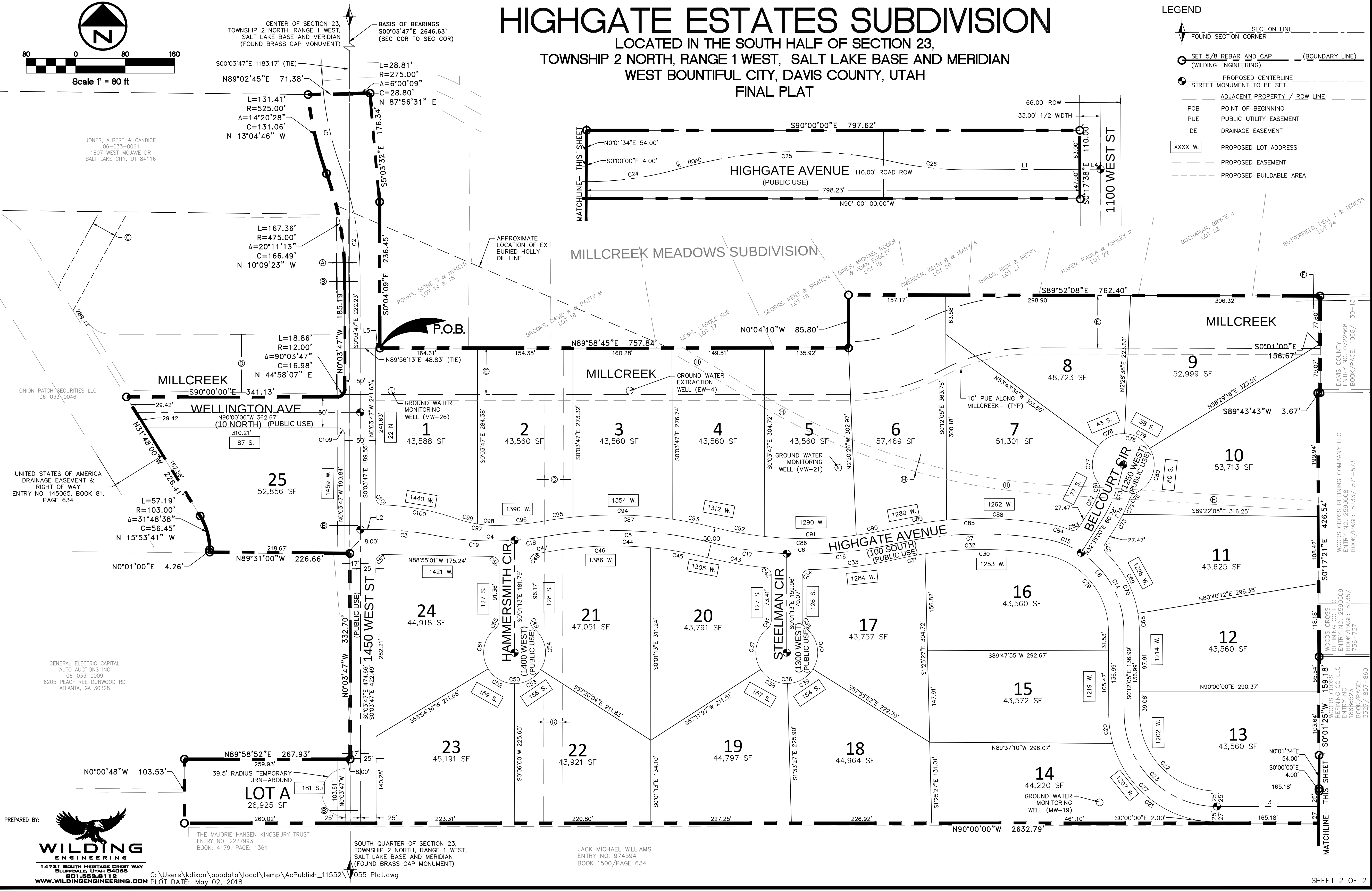
Onion Patch Securities is requesting the Planning Commission recommend approval of the 25 lot plat version as presented. The only substantive change from the previously approved plat is the removal of the two lots and associated utility service laterals.



HIGHGATE ESTATES SUBDIVISION

LOCATED IN THE SOUTH HALF OF SECTION 23,
TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH
FINAL PLAT

- LEGEND
- SECTION LINE
 - FOUND SECTION CORNER
 - SET 5/8 REBAR AND CAP (WILDLING ENGINEERING)
 - (BOUNDARY LINE)
 - PROPOSED CENTERLINE
 - STREET MONUMENT TO BE SET
 - ADJACENT PROPERTY / ROW LINE
 - POINT OF BEGINNING
 - PUE PUBLIC UTILITY EASEMENT
 - DE DRAINAGE EASEMENT
 - PROPOSED LOT ADDRESS
 - PROPOSED EASEMENT
 - PROPOSED BUILDABLE AREA



PREPARED BY:
WILDING ENGINEERING
14791 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84005
801.553.8112
WWW.WILDINGENGINEERING.COM PLOT DATE: May 02, 2018

THE MAJORIE HANSEN KINGSBURY TRUST
ENTRY NO. 2227993
BOOK: 4179, PAGE: 1361

SOUTH QUARTER OF SECTION 23,
TOWNSHIP 2 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
(FOUND BRASS CAP MONUMENT)

JACK MICHAEL WILLIAMS
ENTRY NO. 974594
BOOK 1500/PAGE 634

MEMORANDUM



TO: Planning Commission

DATE: May 3, 2018

FROM: Ben White

RE: Requirements to Modify a PUD Agreement

The City recently updated its PUD ordinance to better define what can and cannot be modified with a PUD application. As part of the ordinance, we included paragraph 17.68.150.C which requires modifications to an approved PUD to follow the procedures outlined in the PUD ordinance. However, we failed to include what those requirements would be.

The City Council recently approved an amendment to Hamlet's PUD development agreement which allows them to begin construction of model homes fronting on Porter Lane prior to the balance of the subdivision being constructed. In preparing the development agreement amendment, the question was debated by staff whether this was a "zoning" change and required a recommendation from the Planning Commission. The next question was, what did our code say? That is when staff discovered the oversight.

Staff is suggesting replacing the existing yellow highlighted text in paragraph 17.68.150.C with the new text in red letters.

17.68.030 Development Agreement

"Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City. The Agreement must (1) specify the existing subdivision and land use standards that will be changed in the PUD Overlay Zone and (2) detail the amenities and other benefits being provided to the City and its residents.

The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement must include a clause that allows the City to re-zone the property and withdraw from the Development Agreement if a subdivision plat consistent with the Development Agreement is not recorded within one (1) year of execution of the Agreement.

17.68.130 Approval

Rezoning to the PUD Overlay may be allowed in any agricultural or residential zoning district upon Planning Commission recommendation and City Council approval through the rezone process. All such rezone requests shall be accompanied by a development agreement.

17.68.150 Limitations On Application

- A. Construction on a PUD subdivision shall start within one (1) year of the approval of the PUD subdivision, and such construction, or approved stages thereof, shall be completed within four (4) years after the date construction begins, unless these time frames are renegotiated with the City Council for good cause by the applicant. Failure to meet the one year deadline will result in fines and/or action to nullify the Development Agreement and Zone change, and such actions shall be described in the Development Agreement.
- B. Upon approval of a PUD subdivision, construction shall proceed only in accordance with the plans and specifications approved by the City Council in the development agreement.
- C. Amendment to approved plans and specifications for a PUD shall be obtained only by following the procedures outlined in this Chapter and may require a modification to the development agreement.

Any proposed amendments or deviations from the executed PUD Development Agreement require the approval of the City Council. Any change which increases project density; reduces the minimum lot size or required setback; or reduces the public bonus amenity requires a recommendation by the Planning Commission, after a new public hearing prior to the City Council consideration.

- D. The code official shall not issue any permit for any proposed building, structure or use within the project unless such building, structure or use is in accordance with the approved development agreement and PUD subdivision plat and with any conditions imposed in conjunction with those approvals.

MEMORANDUM



TO: Planning Commission

DATE: May 4, 2018

FROM: Ben White, Cathy Brightwell

RE: Review of Uses by Zone – Home Child Daycare & Preschool

At the past several planning commission meetings, we discussed modifications to West Bountiful's permitted and conditional uses in residential zones. One goal of this effort is to establish minimum criteria for uses that are currently listed as "conditional uses" and move them to "permitted uses" as changes to State Land Use Codes are tightening city's ability to impose restrictions on conditional uses.

After review of state requirements and other cities ordinances, we have attached proposed language for home daycares and preschools for discussion.

5.28 Home Occupations

5.28.010 Definitions

“Home child daycare” means continuous care and supervision of five (5) or more non-related children that is in place of care ordinarily provided by a parent in the parent’s home, for less than twenty-four (24) hours a day, and for direct or indirect compensation that takes place in a child care provider’s home.

“Home preschool” means a learning space offering early childhood education to five (5) or more non-related children too young to begin kindergarten.

5.28.090 Home Child Daycare/Home Preschool

- A. Home child daycare and preschools are a permitted use in the A-1, R1-22, and R1-10 zoning districts and must comply with all state requirements located in Utah Code, Title 17 of West Bountiful Municipal Code, and this Chapter.
- B. A home occupation business license for home child daycare and home preschool is required prior to conducting any business on site.
The following criteria must be met prior to a business license being issued.
 - 1. The applicant must submit proof that an application has been made to the state department of health with their city business license application.
 - 2. The dwelling will be building code compliant for ingress/egress, smoke alarms, electrical outlets, and fire extinguishers.
 - 3. A Fire Inspection Clearance issued by the Fire Marshal.
 - 4. Any outdoor play area will be fully enclosed.
- C. Home Child Daycare
 - 1. No more than eight (8) unrelated children may be cared for in one day. There shall be no more than two (2) children under the age of two (2), including the childcare providers' own children. The childcare provider’s children age four (4) or older do not count toward the total number allowed.
 - 2. One parking place will be provided on-site or directly in front of the property on the same side of the street for each four (4) children with fractions rounded up.
- D. Home Preschool
 - 1. No more than eight (8) children between the ages of two (2) years and five (5) years will receive instruction at any given time.
 - 2. There shall be no more than two (2) sessions per day lasting no more than four (4) hours, with no child attending more than one session per day.
 - 3. One parking place will be provided on-site or directly in front of the property on the same side of the street for each two (2) children with fractions rounded up.

PENDING – Not Yet Approved

Minutes of the West Bountiful City Council meeting held at 7:30 p.m. on **Tuesday, May 1, 2018** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Kenneth Romney, Council members James Bruhn, Kelly Enquist, and Mark Preece

EXCUSED: Council members Andy Williams, James Ahlstrom (by phone)

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Police Chief Todd Hixson, Ben White (Engineer), Steve Maughan (Public Works Director), Paul Holden (Golf Director), Josh Virostko (Golf Superintendent), Cathy Brightwell (Recorder)

VISITORS: Alan Malan,

Mayor Romney called the regular meeting to order at 7:30 pm. Kelly Enquist gave a Thought, and the Pledge of Allegiance was led by James Bruhn.

1. Approve Agenda

MOTION: *Mark Preece made a Motion to approve the agenda as presented. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).

There was no public comment.

3. Consider Resolution 435-18, A Resolution Appointing Paul Maloy as Youth City Council Advisor.

Mayor recommended appointment. Paul is not able to be here tonight.

MOTION: *Kelly Enquist made a Motion to Adopt Resolution 435-18 Appointing Paul Maloy as West Bountiful Youth City Council Advisor. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye (by phone)
James Bruhn – Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andy Williams - Excused

4. Discuss Development of Fiscal Year 2018/2019 Budget and Potential 2017/2018 Amendments.

Duane Huffman – in place of work session. Sent out last night.

Same summary except 17/18 Proposed is new and last column (version tentative) is updated. Fund balance 1.039 = 22% right where we need to be.

GF REV –

GF Rev Municipal Energy tax – increases to 230k (Btfl city) rep what we will be keeping.
Bldg. permit #s now closer to what we've collected this year.
Dominion pd us \$60k for overlay (will
Bus licenses down – home occ
Class C collecting more
Grants – state – (500 S landscaping – we got check from them – restricted money (has to go there or give it back)
Sub fees and Park fees up
More when sold vehicles
Verizon land lease 10k signing bonus and monthly fee
Plan to use more of fund balance to stay below 25%

GF EXP

No changes to salaries
Consulting svcs \$7200 fee
Add some \$ for GPS system (Engr)
Telephone cell
Auditing fees reflect actual
Bldg Insp fees up to match 2ldg.. permits
Election took out some fees
YCC \$6k
Tax refund is what we pay Bountiful
Govt Bldgs – parking lot for next year4
State compliance review \$4k
PD – radio fee taken out ?
SDFMA – typo from previous version
Capital Outlay highway trans tax – Stringham path (\$16k)

91 Parks – need to remove tree \$6k
92 Took out mower and added tractor (in RAP)
93 Debt svc – PD equip – auditors require some debt svcs vs normal payments. Last year put in
94 pd budget. Eqpt diff than vehicles
95 Txfr – 603,700 (60k to streets) rest into west yard fund – may not do all but will be there if
96 fund balance too high
97 Ovation – 161k txfr to rr, rest from park impact fees. PIF more difficult to spend but nice to
98 be able to point to something specific from Ovation.
99 50K txfr to Golf up from 35k
100
101 Jessi's Meadow fund
102 6k mtce and next year balance of approx. 12K toward sidewalk
103 640 w up 7\$
104 Pages up?
105
106 Police Impact rev – exp same
107
108 Park Imp Fees – 50k toward rr
109 RDA fund – red 3k to balance
110 RAP – current 161 from GF, plugged in 33k (3k for drinking fountain by bb), rest placeholder for
111 fence along train (expect them to want us to pay ½). 15k rr seed money, 146k balance from Ovation.
112 Amend-added 139k for top dressing park, Next year - 50k for banner project, includes a lift will look
113 at purchase vs rent.
114 Tractor accessories.
115 14,500 from rap to golf.
116
117 Capital fund – 500k placeholder for west yard
118
119 Streets Cap Improvement – 161k grants 640 w
120 Improvements 186k 640 current year
121
122 Water no chg to exp
123 Down from 120 to 30, also take 1M from new well
124
125 Solid Waste – improvements 6k for storm water at gf
126
127 Golf Fund-
128 24k grant this year (rebate) from Weber, 50 k gf,
129 Exp more for utilities, education 4600 took out 4100 to help balance budget (PGA trng)
130 Weber water 29400 will update before final, 35k (inc due to adm increases not usage 7% up this year,
131 9% next year– discuss charging residents who get water from us. No cost for their connection – just
132 the water they use?? Mayor should it be passed on ? % Beattie pays weber their allotment gets added
133 to ours. No allotment for McKean's. Why? When they sold property to city we took well and water
134 rights and they wanted free irrig water as part of deal. 1980's.
135 RAP – 8k for 18th tee cart path, ball shed and washer. \$10k for HVAC carried over to next year.
136
137 Total plus \$500 after \$50k transfer

Pages Lane project – budgeted vs proposed.

Go to spread sheet:

Salary inflation in at 1.5% - CPI 17 2.2, forecast for current year 1.7%

Health benefits to CC - \$68,400 (double coverage)

Cabin – band aid only. Mp if do something, do it right. Mayor do nothing. If becomes safety hazard will have to do something..down to 0

Arts Council – reduce by \$500 and have city pay their Davis Arts donation – total \$10k?

Holly covers \$6k for total July 4 fireworks

How can we control July 4th expenses? Should there be a parade committee like years past?

Wait to see what happens this year then decide how much involvement...

Lights will be one tree only (can use lift)? Mayor opposed. Could install outlets at each tree (add 1k for electrical?)

Snow blower? Yes

Banners/lift – look into rent price vs purchase (\$25-40 slightly used depending on size) Would be nice to have – banners 3 times year, parking lot lights, banner poles. Preferred by council – buy

Capital fund txfr – to adjust fund balance

ok

5. Budget Officer Filing of Fiscal Year 2018/2019 Tentative Budget.

Official filing of tentative budget. Will go on website. Set public hearing for tentative, June 5

6. Consider Tentative Adoption of the Fiscal Year 2018/2019 Budget and Set Public Hearing.

MOTION: *Mark Preece made a motion to adopt tent budget and amendments, public hearing will also include changes to council pay. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Excused

James Bruhn – Aye

Kelly Enquist – Aye

Mark Preece – Aye

Andy Williams – Excused

7. **Public Works Report - Steve Maughan**

- Valor academy did svc project at city park wood chips, tree rings, and BW park. Stone Creek stake this sat with 150 people – do work at city hall and city park, bw, and legacy frontage trail?
- Preparing to do reseters again at Golden West sub – not protected backflow
- 1100 W sidewalk – took out a lot of concrete, have repped and expect to pour Friday. Steve/Ben will watch closely
- McKean – battling water on west end. Sewer line done. Pump went out last night so everything under water. May take extra engineering to get road built right – soft ground.
- Kinross making sewer ties on Porter – also battling with water.

Engineering Report – Ben White

- No report

8. **Administrative Report - Duane Huffman**

9.

- WX received grant to do area plan for frontrunner station. Invited WB rep to be on committee. Any members of council want to participate? Let him know.
- Water rates analysis – not a lot more to do on budget so will plan to do it at next meeting. Ben has worked on model, he and Patrice will look at it. May is 5 Tuesday month.
- Council to sign up for parade

10. Mayor/Council Reports

Kelly Enquist – Attended ULCT, very informational – good conference.

James Bruhn – Wasatch retreat – a lot of discussion on new processing equipt to replace waste energy facility. Sewer wants food waste. Folsom Concrete company interested in taking ??? and will still burn but they will be resp for furnace. \$20m price tag.

Mark Preece – Sewer raised rates. Some disgruntled people at hearing but required by state. South plant going well – algae system – glows at night

Mayor Romney – Taking appl for new Executive Director for Rec Center. Everything going well.

10. **Approve Minutes from the April 17, 2018 City Council Meetings.**

MOTION: *James Bruhn made a Motion to approve the March 26 and April 17, 2018 City Council meeting minutes. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

11. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205. (personnel)

No executive session was needed.

12. Adjourn Meeting.

MOTION: *James Bruhn made a Motion to adjourn this meeting of the West Bountiful City Council at 8:28 pm. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on May 15, 2018 by unanimous vote of all members present.

Cathy Brightwell (City Recorder)