

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

- Updated January 13, 2020-

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, JANUARY 14, 2020 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda
2. Swear In re-appointed Commissioners Charchenko, Cottle and Malan.
3. Presentation – Dark Sky Strategies – Ryan Andreasen, Wendy Wilson, Paul Ricketts.
4. Public Hearing – Proposed Changes to WBMC 17.52 - Off-street Parking.
5. Conditional Use Request for an Accessory Dwelling Unit at 1043 W 1950 North.
6. Discuss Possible Modifications to WBMC Title 16 and Construction Standards regarding Dead-end Streets and Flag Lots.
7. Consider Request for Zoning Reconsideration of Property at 1390 W 1200 North.
8. Discuss Storage Uses in Residential Zones.
9. Discuss Proposed Code Changes to WBMC 17.52 - Off-street Parking.
10. Atwater Estates Subdivision Streetlight Locations.
11. Commission Report – Woods Cross Annexation Request (Smith Property).
12. Staff report.
 - Plumb-Gardner
 - Legacy Overlay Zone
13. Consider Approval of Minutes from December 10, 2019 Meeting.
14. 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 January 13, 2020 by Cathy Brightwell, City Recorder.

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Andrew Williams

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 OF PUBLIC HEARING

A public hearing will be held by the West Bountiful Planning Commission on Tuesday, January 14, 2020 at the City offices, 550 N 800 West, beginning at 7:30 p.m., or as soon thereafter as the agenda allows.

The purpose of the hearing is to receive public comment regarding proposed changes to WBMC 17.52 – Off Street Parking.

A complete description of the changes is available for review at www.WBCity.org under the Public Notice tab.

All interested parties are invited to participate in the hearing. Written comments may be submitted prior to the meeting.

Cathy Brightwell
City Recorder

MEMORANDUM



TO: Planning Commission

MEETING DATE: January 10, 2020

FROM: Ben White

RE: Accessory Dwelling Unit – 1043 W 1930 North

Mr. Wing has been issued a building permit to construct a new house in the Mountain View Estates subdivision. The house is designed in a way that by locking a single interior door, an accessory dwelling unit (ADU) would be created. A conditional use permit would be required prior to using the potential apartment as an ADU. Staff recommended that Mr. Wing obtain the Conditional Use Permit for the ADU now for the simple reason that municipal and building codes change from time to time. It would be unfortunate if future changes to code prohibited the ADU or required structural changes for its approval.

WBMC Chapter 17.82 allows a conditional use for an ADU subject to the development standards specifically listed in Section 17.82.050 and listed below.

- A. **Location.** An accessory dwelling unit (ADU) shall be allowed only within or attached to an owner-occupied single-family dwelling. *This condition is satisfied.*
- B. **Number of Accessory Dwelling Units.** A maximum of one (1) ADU shall be allowed within or attached to each single-family dwelling. No lot or parcel shall contain more than one ADU. *This condition is satisfied.*
- C. **Parking.** Adequate parking shall be made available to accommodate the residential use of an ADU, subject to the residential use parking requirements. At least one (1) space shall be designated for the ADU. Parking stalls shall be paved with concrete, masonry, asphalt, or concrete pavers. *This condition is satisfied.*
- D. **Utility Metering.** No separate utility metering for the ADU shall be allowed, and the utility service shall be in the property owner's name. *This condition can be satisfied.*
- E. **Size of Accessory Dwelling Unit.** An ADU shall contain a minimum of 300 square feet; provided, that the dimensions and sizes of living areas, kitchen areas, sleeping areas and bathroom facilities comply with applicable provisions of this title and the current building codes adopted by the City. *This condition is satisfied.*
- F. **Construction Codes.** An ADU shall comply with the construction housing codes in effect at the time the ADU is constructed, created as a separate dwelling, or subsequently remodeled. This shall include the obtaining of a building permit or other permits as the codes may require. *This condition will be satisfied as the house is constructed and inspected.*

- G. **Architecture.** An ADU that is added onto an existing single-family dwelling or a new single-family dwelling that is designed to accommodate an ADU shall not resemble a multi-family structure in terms of the scattered placement of garage doors, carports, or number or location of outside entries or porches. *This condition is satisfied.*
- H. **Owner Occupied.** The owner of the property on which the ADU is located, as listed in the County Recorder's Office, must reside on the property as their principal residence. At no time shall both the ADU and the primary single-family dwelling be rented as separate units. *This condition can be satisfied.*

Before any conditional use permit may be issued for an ADU, the Planning Commission shall make an affirmative finding that the ADU will not create any injurious impacts to surrounding neighbors and/or the neighborhood where the ADU is to be located, and that the ADU otherwise meets the requirements of Chapter 17.60 of this title.

Staff recommends the following Findings of Fact and Conditions be applied to this conditional use permit.

Findings:

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 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.

Conditions:

1. Applicant will construct the addition in such a manner that the Building Code requirements for a second dwelling unit are satisfied.
2. The applicant will execute the Conditional Use permit which will also be recorded in the County Recorder's office.



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: 1043 W 1950 N, West Bountiful UT 84087

PARCEL NUMBER: 06-401-0101 **ZONE:** R-1-22 **DATE OF APPLICATION:** 12/10/2019

Name of Business: _____

Applicant Name: Arlo Wing

Applicant Address: 2279 N 830 W, West Bountiful UT 84087

Primary phone: 801-540-5563 **Fax Number:** _____

E-mail address: nishapop@msn.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.

We would like a conditional use permit for an accessory dwelling unit for our home that is currently under construction at 1043 W 1950 N, Lot 101 of Mountain View Estates.

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: 12/10/2019

Applicant Signature: 

FOR OFFICIAL USE ONLY

Application Received Date: 12/10/19

Permit Number: _____

Application Fee Received Date: 12/10/19

Fire Inspection Date: _____

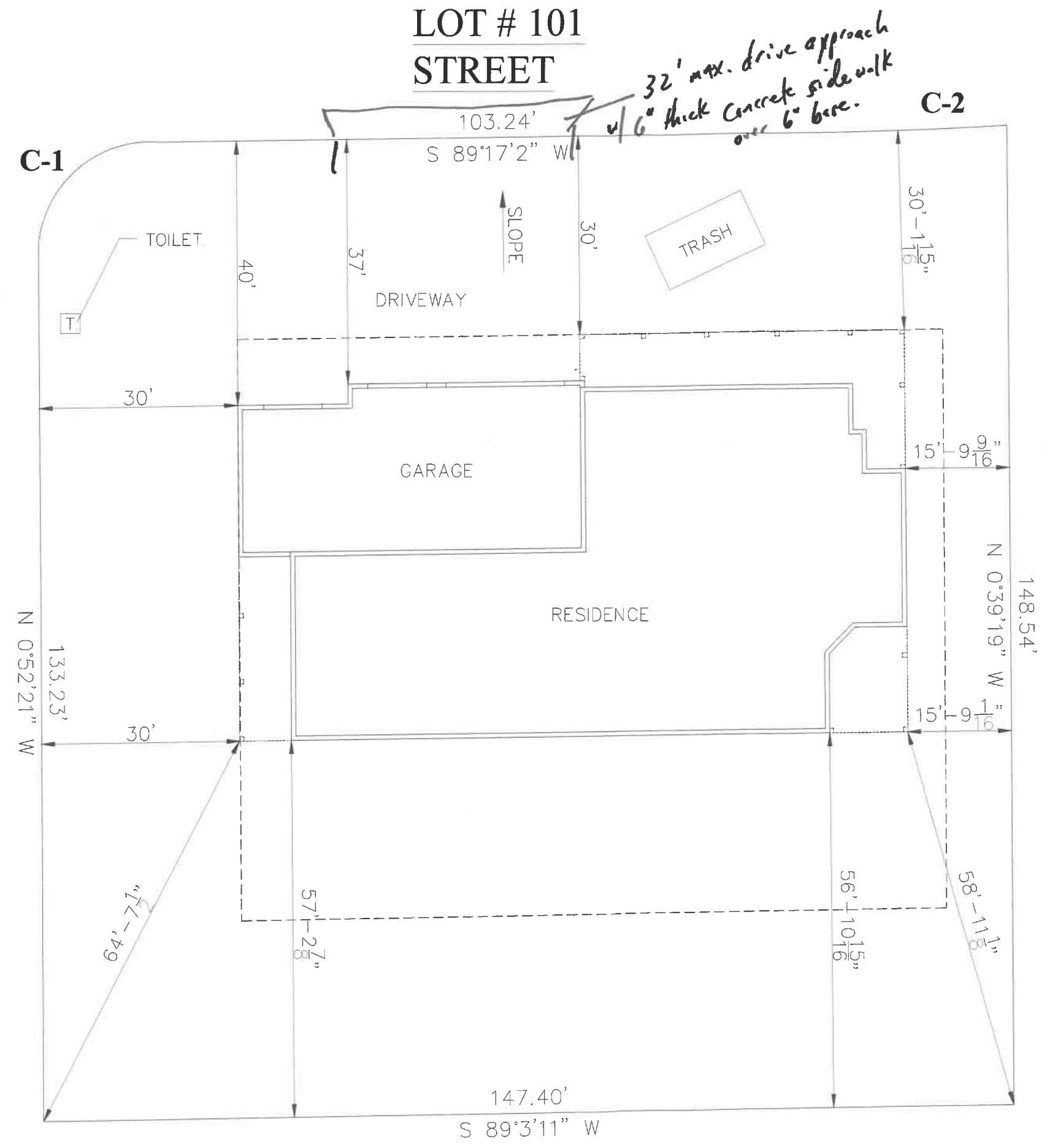
Permit Approval: _____

LOT # 101
STREET



1100 WEST
STREET

PLOT PLAN
1/8" = 1'-0"
36" x 24" PAPER



- NOTES:
- Final grade to slope away from home on all sides min. 2% slope.
 - Top of foundation to be established by builder. Final grade to be min. 6" below top of foundation.
 - FF A minimum of 12" above highest adjacent curb.



1. ALL CONC. LANDING & "FLAT SURFACE" TO BE 35' MIN. 1/4" MAX SLOPE PER. FT.
2. STEP FLASHING (SHINGLES) AS REQ'D. FLASHING BETWEEN STUCCO & VENEER.

- [illegible]

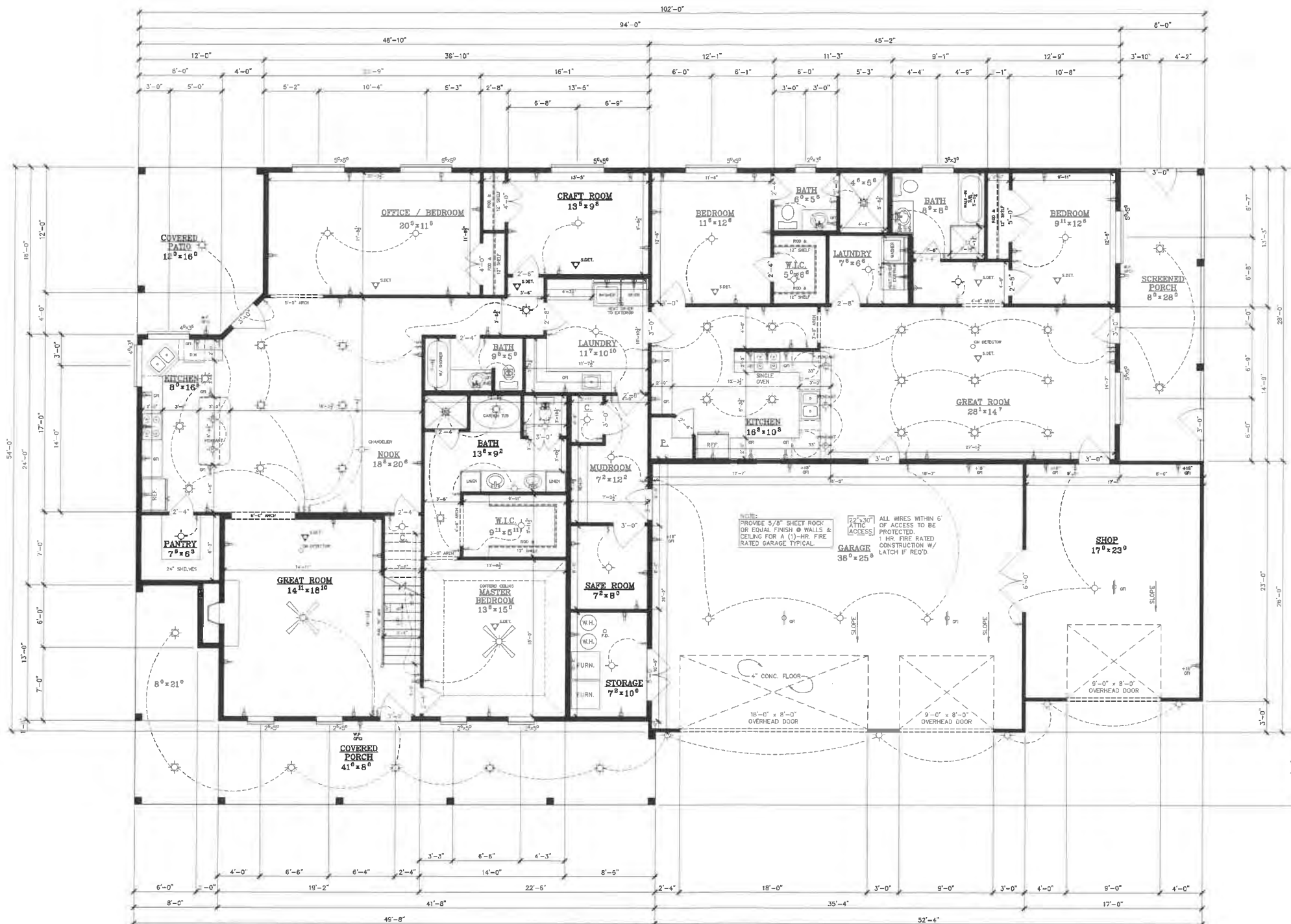


NOTE:
ALL ELECTRICAL RECEPTACLES ARE TO BE TAMPER PROOF TYPE

- [illegible]

NOTE: GLAZING.
ALL WINDOWS ABOVE TUBS, AND IN SHOWER DOORS, TUB AND SHOWER
ENCLOSURES MUST BE TEMPERED OR SAFETY GLASS. R308

NOTE: GLAZING.
IN ALL DOORS, WITHIN 24" OF ANY OTHER DOOR OR LESS THAN 18" ABOVE THE
FLOOR MUST BE TEMPERED OR SAFETY GLASS. R308



SYMBOL LEGEND

- | | |
|---|-------------------------------------|
|  | SURFACE MOUNTED LIGHT FIXTURE |
|  | RECESSED INCANDESCENT LIGHT FIXTURE |
|  | PENDANT LIGHT FIXTURE |
|  | CEILING EXHAUST FAN |
|  | CEILING EXHAUST FAN W/ LIGHT |
|  | WALL MOUNTED INCANDESCENT LIGHT |
|  | RECESSED IN WALL INCANDESCENT LIGHT |
|  | FLUORESCENT LIGHT FIXTURE |
|  | FLUORESCENT FIX. UNDER CABINETS |
|  | DUPLEX OUTLET |
|  | 1/2 SWITCHED DUPLEX OUTLET |
|  | 220 V. OUTLET |
|  | WEATHER PROOF DOUBLE (GFC) |
|  | RECESSED FLOOR OR CEILING OUTLET |
|  | TELEVISION |
|  | TELEPHONE OUTLET |
|  | SWITCH |
|  | FULL CHAIN LIGHT |
|  | SMOKE DETECTOR |
|  | CENTRAL VACUUM OUTLET |
|  | CEILING FAN WITH LIGHTS |
|  | EXTERIOR FLOOD LIGHT |
|  | FIXTURE CONNECTION |
|  | HEAT LAMP FIXTURE |
|  | INTERCOM |
|  | CARBON MONOXIDE DETECTOR |

NOTE: ELECTRICAL

3. SMOKE DETECTORS TO BE HARD WIRE
TOGETHER WITH 24 HOUR BATTERY BACKUP
4. ALL BEDROOM WITH SMOKE DETECTORS
TO COMPLY WITH NATIONAL ELECTRICAL
CODE
5. ELECTRICAL OVER MARCHET SHALL BE
CUT OFF INDIVIDUAL CIRCUIT
6. KITCHEN IS BE PROVIDED WITH AT LEAST TWO
20 AMP CIRCUIT.
7. ELECTRICAL PANEL WILL NOT BE IN FIRE WALL
OR STOVE
8. PLASTIC ELECTRICAL BOXES IN GARAGE TO BE A
MINIMUM 1 HOUR FIRE RATED
9. ALL BEDROOM OUTLET SHALL BE
ARC-FAULT PROTECTED
10. PIER RECEPTABLES ARE REQUIRED EVERY
10' OF SPACING AND MUST BE AT
ALL WALL ENDS OF DOORS
11. KITCHEN COUNTER TOP PLUGS ARE REQUIRED AT
0.1' MAXIMUM SPACING AND MUST BE
WITHIN 2' COUNTER TOP
12. ALL SMOKE DETECTORS NEED TO BE IN HALL TO BEDROOMS
13. CARBON MONOXIDE DETECTORS ALL LEVELS
AND INTERCONNECT ALL MARKS
14. WEATHER PROOF INSECT ON ALL
EXTENSION REEF OUTLETS
15. PROVIDE 10" V GULLET WITHIN 25" OF A/C UNIT
16. NOTE: USER GARAGE IS REQUIRED
17. NOTE: PROVIDE A "J"-FIRM (GRADE E3008.1, NEC 250.30

THE UTMOST CARE HAS BEEN TAKEN IN THE PREPARATION OF THESE PLANS. HOWEVER, THE PREPARED ASSUMES NO FINANCIAL LIABILITY RESULTING FROM ERRORS IN THESE PLANS. THESE PLANS ARE NOT ALL-INCLUSIVE OF LOCAL AND STATE BUILDING CODES. IT IS THE BUILDING CONTRACTOR'S RESPONSIBILITY TO CHECK THESE PLANS CAREFULLY BEFORE CONSTRUCTION AND TO BUILD THE STRUCTURE IN COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES.

WING
LOT _____

CELL 787-9004
CUSTOM HOMER DESIGN
\$50 SQ. FT.
STOCK PLANS \$30 ⁰⁰/₀₀ FT.

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MAIN FLOOR PLAN
SQ. FT. 3601

FLAN: WING	
LOT: —	
NA	3601

MAIN, SQ. FT.:
BASEMENT, SQ. FT.:

gc: **4**

of 8

MOTHER-IN-LAW APT
SQ. FT: 1278

9' MAIN FLOOR PLAN
SQ. FT: 3601

SCALE: 3/16" = 1'-0"

NOTE:
2"x6" EXTERIOR WALLS

NOTE:
2"x6" EXTERIOR WALLS

MEMORANDUM



TO: Planning Commission

DATE: January 10, 2020

FROM: Ben White

RE: Discuss possible modifications to WBMC Title 16 Subdivisions and Construction Standards regarding Dead-End Streets and Flag Lots

The Goldberg and Kilpack families have requested to annex a 5.14-acre parcel located at 1390 W 1200 North into West Bountiful. Prior to the annexation request, Mr. Goldberg subdivided the property into two parcels. The challenge is that the two parcels do not meet Davis County zoning requirements nor West Bountiful zoning requirements.

The City Council held a public hearing on January 7th which was the last regulatory requirement prior to the City taking formal action on the annexation request. Before the City Council will entertain that request, there are a few land configuration issues to address.

The land configuration issues include:

1. One of the two parcels is a flag lot whose staff exceeds city code requirements. The staff is 425 ft. long and the maximum allowed is 400 ft.
2. The flag lot extends from 1200 North which is a dead-end street. Flag lots are not permitted on dead end streets.

Mr. Goldberg is requesting the Planning Commission reconsider code changes that would allow flag lot staffs to be at least 435 feet long and that flag lots can be created on 1200 North street.

Included with this memo are the Construction Standards and Code sections outlining the requirements. Also included are the standards imposed by a sister cities Woods Cross, Centerville and Bountiful.

Construction Standards

3. Street design
 1. Minimum street right-of-way width is 50 feet.
 2. Maximum length of cul-de-sac, 400 feet from the center of the intersecting street to the center of the cul-de-sac circle, as measured along the center line.
 3. The maximum length of a dead-end street which is to extend in the future is 1000 feet from the center of the nearest through cross street intersection to the street end. A temporary turn around is required on the dead end if the street is more than 150 feet long.
 4. A second means of access is required for all development with a permanent dead end exceeding 400 feet and a temporary dead end exceeding 1000 feet, measured as described above.

WBMC 16.12.040 Street And Alley Widths, Cul-De-Sacs, Basements And Numbers

- C. Minor terminal streets (cul-de-sacs) shall not be longer than four hundred (400) feet, to the beginning of the turnaround. The length of a cul-de-sac shall be measured from the centerline of the intersecting street along the centerline of the cul-de-sac, to a point at the center of the cul-de-sac. Each cul-de-sac must be terminated by a turnaround of not less than one hundred (100) feet diameter. If surface water drainage is into the turnaround, due to the grade of the street, necessary catch basins and drainage easements shall be provided.

WBMC 16.12.060 Lots

Flag lots will only be allowed where traditional lot development is not feasible. Such lots shall meet the following criteria:

1. The staff of the lot shall not be less than twenty feet (20') and shall not exceed the design length requirements for a cul-de-sac.
2. The staff of the lot shall serve one lot only and shall have direct access to a dedicated and improved public street.
3. The staff of the lot shall be owned, fee simple, as part of the lot.
4. The staff of the lot shall approach the public street at an angle of not less than eighty degrees (80°).
5. The staff of the Flag lot cannot extend from intersections, street corners, cul-de-sacs, or dead-end streets.

Woods Cross

Cul-de-sac length 400 ft. maximum; no dead-end length noted

Flag lot staff maximum length 200 ft. and structure no more than 250 ft. from street

Centerville

Cul-de-sac length 400 ft. maximum; but no dead-end length noted

Flag Lots not allowed

Bountiful

Cul-de-sac or dead-end maximum length 600 ft.

Houses more than 150 ft. (with a 500 ft. maximum) from public road must be have fire-sprinklers.

North Salt Lake

Cul-de-sac length 600 ft., city council can approve up to 1000 ft. based on certain criteria.

Flag Lot staff no more than 150 ft. and must attach to a dedicated public street.

MEMORANDUM



TO: Planning Commission

DATE: January 10, 2020

FROM: Ben White

RE: Request zoning reconsideration of property at 1390 W 1200 North

The Goldberg and Kilpack families have requested to annex a 5.14-acre parcel located at 1390 West 1200 North into West Bountiful. As part of the annexation process, the Planning Commission previously recommended that the property be given an A-1 zoning designation consistent with the surrounding properties.

The City Council held a public hearing on January 7th which was the last regulatory requirement prior to the City taking formal action on the annexation request. Before the City Council will entertain that request, there are a few land use issues to address.

The land use issues include:

1. Outdoor storage of some agricultural equipment, boats, RVs and other vehicles which are owned by the property owner and his friends.
2. An existing accessory building used to store personal automobiles and includes car repair facilities which are typically used for personal use.
3. The site is used for parking employee vehicles for an electrical contracting business. The employees park here and then leave for their various job sites.

The current property uses do not conform to the A-1 requirements. The current property uses are more in line with the C-N zone. The allowed uses of both zones are included at the end of this memo.

Mr. Goldberg is requesting the Planning Commission reconsider its previous recommendation that the subject property be zoned A-1 and consider recommending a C-N zoning designation. Rational for the request includes:

1. The city is proposing to construct a public works facility immediately adjacent to this property. The public works facility is more in line with uses allowed in a C-N zone than a residential use allowed in the A-1 zone.
2. The existing soil is not conducive to support agricultural activities.

17.16.020 Permitted Uses

The following uses are permitted in the **A-1 agricultural district**:

1. Agricultural;
2. Single family dwelling;
3. Farm Animals;
4. Home Occupations; and
5. Residential facility for persons with a disability.

17.16.030 Conditional Uses

The following uses are conditional in the **A-1 agricultural district**:

1. Equestrian facilities, commercial stables;
2. Public or quasi-public uses;
3. Child day care or nursery (pursuant to Chapter 5.28 Home Occupations);
4. Flag lots;
5. Natural resource extraction;
6. Residential facility for elderly persons;
7. Kennels;
8. Residential facility for Elderly Persons;
9. Restricted Lots (see definitions, Section 17.04.030); and
10. Accessory Dwelling Units (ADU)

17.28.020 Permitted Uses

The following uses are permitted in the **C-N commercial neighborhood district**:

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; and
14. Carpet cleaning.

17.28.030 Conditional Uses

The following uses are conditional in the **C-N commercial neighborhood district**:

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. Silk screening;
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.

MEMORANDUM



TO: Planning Commission

DATE: January 10, 2020

FROM: Ben White

RE: Discuss Storage Uses in Residential Zones

The allowed uses in the A-1, R-1-22 and R-1-10 zones include both residential and agricultural uses. Staff interprets this to mean that uses such as personal property storage without a house on the same property is not allowed.

Should the city consider uses beyond residential and agricultural which may be acceptable and appropriate for those zones?

For instance,

1. Allowance for outdoor vehicle storage based on property size and proximity.
2. Accessory buildings whose uses include...
3. Other incidental uses...

MEMORANDUM



TO: PLANNING COMMISSION

DATE: JANUARY 10, 2019

FROM: BEN WHITE

RE: OFF STREET PARKING - WBMC 17.52

Included with this memo is staff's recommended updates to the city's off-street parking ordinance. A few reasons why the update is appropriate include:

1. There are very few parking lots in the city that have parking stalls the size required by this code. The Costco parking lot has 10' wide stalls, but no one else. While a property owner can always build above the minimum, to build below the minimum creates "illegal" circumstances; not "grandfathered". Where 9' wide parking stalls is a current industry standard, it makes more sense to use 9' in our code.
2. The current code does not address the required drive isle width between parking stalls. A proposed minimum width is now included.
3. Conditional Use permits to establish appropriate conditions are difficult if no guidelines exist. Staff is suggesting that when uses are proposed that are not similar to those currently included in our code, that staff work with the applicant to develop appropriate parking limit requirements.
4. Need to clarify that there are different standards for residential and commercial.

A public hearing is scheduled for January 14, 2020.

Staff recommends that following the public hearing, any proposed changes be sent to legal counsel for review prior to the Planning Commission making a formal recommendation to City Council.

17.52 OFF STREET PARKING

January 10, 2020 - clean

17.52.010 Off-Street Parking Required; Purpose

The purpose of this chapter is to set a minimum standard for off-street parking to ensure that ample parking for the generated demand of the use will be available.

Sufficient parking should be provided to assure maximum utilization of the facilities on site will not unduly impose on neighbors in the vicinity or create an unsafe environment.

Off-street parking is required for residential, commercial, industrial and retail buildings and structures based on current use, size and capacity in accordance with the following requirements.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.020 Size

The dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least nine (9) feet by twenty (20) feet for diagonal and ninety (90) degree spaces, and ten (10) feet by twenty-four (24) feet for parallel spaces. Drive aisle widths shall be a minimum of twenty-two (22) feet behind ninety (90) degree and parallel parking and sixteen (16) feet for angled parking.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.030 Access To Individual Parking Space

Except for residential dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.040 Number Of Parking Spaces Required

An adequate number of off-street parking spaces shall be provided for all uses as follows:

- A. Business or professional offices: one parking space for each two hundred (200) square feet of floor area.
- B. Churches with fixed seating: one parking space for each 3.5 fixed seats, or one parking space for each seven feet of linear pew, whichever is greater.
- C. Churches without fixed seats, sports arenas, auditoriums, theaters, assembly halls, reception centers, meeting halls: one parking space for each three seats of maximum seating capacity.
- D. Residential Dwellings: two parking spaces for each dwelling unit including garages and driveways.
- E. Furniture and appliance stores: one parking space for each six hundred (600) square feet of floor area.
- F. Hospitals: two parking spaces for each bed.
- G. Hotels and motels: one space for each living or sleeping unit, plus parking space for all accessory uses as herein specified including employee parking.
- H. Residential Health Care Facilities: one parking space for each five beds, plus one parking space for each employee at the highest shift.

- I. Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments: one parking space for each 3.5 seats or one parking space for each one hundred (100) square feet of floor area (excluding kitchen, storage, etc.), whichever is greater.
- J. Retail stores (except as provided in subsection E of this section): one parking space for each one hundred (100) square feet of retail floor space.
- K. Wholesale establishments, warehouses, manufacturing establishments and all industrial uses: as determined by zoning administrator, but in no case less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer parking.
- L. Shopping center or other groups of uses not listed above: one parking space for each two hundred (200) square feet of total floor space, or as determined by conditional use permit.
- M. Medical/Dental office: one parking space for each 200 square feet of gross floor area or five spaces per doctor, whichever is greater.
- N. Fast Food: one parking space for each 75 square feet of floor area with a minimum of 5 spaces, plus 3 stacking spaces per drive-through lane.
- O. Auto Dealer: one parking space for each 200 square feet of sales office area plus one space for every ten vehicles displayed, or five spaces, whichever is greater. Separate storage area for vehicles for sale or under repair shall be provided.
- P. Grocery Store: one parking space per every 200 square feet of floor area.
- Q. All other uses not listed above: as determined by zoning administrator based on the nearest comparable use standards, but in no case less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer parking.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.050 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

- 1. Residential Lots. Each residential lot, can have not more than two drive approaches which shall be a minimum of twelve (12) feet each and a maximum of thirty-two (32) feet wide at the property line, with a separation island of a minimum width of twelve (12) feet and maximum combined drive approach width of thirty-two (32) feet on any single street frontage. The drive approach flare entrance shall be no closer than four feet (4') to the abutting property line, or as approved by the City Engineer. No driveway shall be closer than twenty (20) feet to the point of intersection of two property lines at any street corner as measured along the property lines.
- 2. Other Than Residential Lots. Access shall be provided to meet the following requirements:
 - 1. Not more than two driveways shall be used for each one hundred (100) feet of frontage on any street;
 - 2. No two of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three feet;
 - 3. Each driveway shall be not more than thirty-five (35) feet wide, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way;
 - 4. No driveway shall be closer than twenty (20) feet to the point of intersection of two property lines at any street corner as measured along the property line, and no driveway shall extend across such extended property line; and
 - 5. On a street where there are no curbs or gutters, all driveways shall be well marked and street frontage and pedestrian access protection provided the entire length of the frontage exclusive of the driveways as per approved plans.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.060 Maintenance Of Parking Lots

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

1. Surfacing. Each off-street parking lot shall be surfaced with gravel, asphaltic or Portland cement or other binder pavement and permanently maintained to provide a dustless surface. The parking area shall be designed and maintained consistent with WBMC 13.30 Storm Water Management.
2. Screening. The sides and rear of any off-street parking lot which adjoins an area which is to remain primarily residential shall be screened from such area by a masonry wall or solid visual barrier fence not less than four nor more than six feet in height.
3. Landscaping. Each parking lot shall provide along the entire frontage of the property a minimum depth of ten (10) feet of irrigated and permanently maintained landscaping.
4. Lighting. Lighting used to illuminate any parking lot shall be directed downward and arranged to reflect the light away from adjoining residential premises and from street traffic.
5. All surfacing, screening, landscaping, lighting, and any other parking area elements shall be continually and properly maintained in good condition.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52.070 Location Of Off-Street Parking

Off-street parking in non-residential districts is allowed in the front setback provided that the parking area is set back a minimum ten (10) feet from the front property line, and the balance of the front yard setback along the entire frontage of the property is permanently landscaped.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

17.52 OFF STREET PARKING

January 10, 2020 - redline

17.52.010 Off-Street Parking -Required; Purpose

The purpose of this chapter is to set a minimum standard for off-street parking to ensure that ample parking for the generated demand of the use will be available on-site to avoid the necessity of parking on the street, except in certain areas designated by the City where off-street parking requirements cannot be met and where other programs are in effect to mitigate the parking problem.

Sufficient parking should be provided to assure maximum utilization of the facilities on site will not unduly impose on neighbors in the vicinity or create an unsafe environment., and any reasonable future use will have adequate parking

Off-street parking is required for residential, commercial, industrial and retail buildings and structures based on current use, size and capacity in accordance with the following requirements.

At the time any commercial, industrial or retail use building or structure is erected or enlarged or increased in capacity or any use is established, off-street parking spaces shall be provided for automobiles in accordance with the following requirements, or as otherwise required by conditional use permit. HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.020 Size

The dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least ~~ten~~nine (109) feet by twenty (20) feet for diagonal and ninety (90) degree spaces, and ten (10) feet by ~~twenty-two~~four (224) feet for parallel spaces. ~~However, in parking lots of not less than twenty (20) parking spaces, upon site plan approval by the planning commission, up to forty (40) percent of such spaces may be seven and one-half feet by fifteen (15) feet if marked and used for compact automobiles only.~~ Drive aisle widths shall be a minimum of twenty-two (22) feet behind ninety (90) degree and parallel parking and sixteen (16) feet for angled parking.

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.030 Access To Individual Parking Space

Except for ~~single-family and two-family residential~~ dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle.

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.040 Number Of Parking Spaces Required

An adequate number of ~~off-street~~ parking spaces shall be provided for all uses as follows:

- A. Business or professional offices: one parking space for each two hundred (200) square feet of floor area.
- B. Churches with fixed seating: one parking space for each 3.5 fixed seats, or one parking space for each seven feet of linear pew, whichever is greater.
- C. Churches without fixed seats, sports arenas, auditoriums, theaters, assembly halls, reception centers, meeting halls~~rooms~~: one parking space for each three seats of maximum seating capacity.
- D.
- ~~E. Residential~~ Dwellings: two parking spaces for each dwelling unit including garages and hard surface driveways.
- ~~F. Furniture and appliance stores~~: one parking space for each six hundred (600) square feet of retail floor area.
- ~~G. Hospitals~~: two parking spaces for each bed.

- ~~H.G.~~ Hotels and motels: one space for each living or sleeping unit, plus parking space for all accessory uses as herein specified including employee parking.
- ~~I.H.~~ ~~Nursing homes~~ Residential Health Care Facilities: ~~four parking spaces, plus one parking space for each five beds, plus one parking space for each employee at the highest shift.~~
- ~~J.I.~~ Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments: one parking space for each 3.5 seats or one parking space for each one hundred (100) square feet of floor area (excluding kitchen, storage, etc.), whichever is greater.
- ~~K.J.~~ Retail stores (except as provided in subsection E of this section): one parking space for each one hundred (100) square feet of retail floor space.
- ~~L.K.~~ Wholesale establishments, warehouses, manufacturing establishments and all industrial uses: as determined by ~~conditional use permit or by planned unit development requirements if applicable, or by the planning commission~~ zoning administrator, but in no case less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer parking.
- ~~L.~~ Shopping center or other groups of uses not listed above: one parking space for each ~~two~~ one hundred ~~fifty (150)~~ 200 square feet of total floor space, or as determined by conditional use permit.
- ~~M.~~ Medical/Dental office: one parking space for each 200 square feet of gross floor area or five spaces per doctor, whichever is greater.
- ~~N.~~ Fast Food: one parking space for each 75 square feet of floor area with a minimum of 5 spaces, plus 3 stacking spaces per drive-through lane.
- ~~O.~~ Auto Dealer: one parking space for each 200 square feet of sales office area plus one space for every ten vehicles displayed, or five spaces, whichever is greater. Separate storage area for vehicles for sale or under repair shall be provided.
- ~~M.P.~~ Grocery Store: one parking space per every 200 square feet of retail floor area.
- ~~Q.~~ All other uses not listed above: as determined by ~~conditional use permit~~ zoning administrator based on the nearest comparable use standards, but in no case less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer ~~employee~~ parking.
- ~~N.—~~

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.050 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

1. Residential Lots. ~~For e~~Each ~~R-1-10, R-1-22, and A-1~~ residential lot, ~~can have~~ not more than two drive approaches which shall be a minimum of twelve (12) feet each and a maximum of thirty-two (32) feet wide at the property line, with a separation island of a minimum width of twelve (12) feet; and maximum combined drive approach width of thirty-two (32) feet on any single street frontage. The drive approach flare entrance shall be no closer than four feet (4') to the abutting property line, or as approved by the City Engineer. No driveway shall be closer than twenty (20) feet to the point of intersection of two property lines at any street corner as measured along the property lines.
2. Other Than Residential Lots. Access shall be provided to meet the following requirements:
 1. Not more than two driveways shall be used for each one hundred (100) feet of frontage on any street;
 2. No two of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three feet;
 3. Each driveway shall be not more than thirty-five (35) feet wide, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way;

4. No driveway shall be closer than ~~twenty~~ (2010) feet to the point of intersection of two property lines at any street corner as measured along the property line, and no driveway shall extend across such extended property line; and
5. On a street where there are no curbs or gutters, all driveways shall be well marked and street frontage and pedestrian access protection provided the entire length of the frontage exclusive of the driveways as per approved plans.

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.060 Maintenance Of Parking Lots

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

1. Surfacing. Each off-street parking lot shall be surfaced with gravel, an asphaltic or Portland cement or other binder pavement and permanently maintained ~~so as~~ to provide a dustless surface. The parking area shall be so graded as to dispose of all surface water designed and maintained consistent with WBM 13.30 Storm Water Management. The planning commission may grant some industrial uses the ability to utilize dustless gravel for parking and outside storage areas through the site plan review process, provided there is a detention area in the parking lot. If such water is to be carried to adjacent streets, it shall be piped under sidewalks.
2. Screening. The sides and rear of any off-street parking lot which adjoins an area which is to remain primarily residential shall be screened from such area by a masonry wall or solid visual barrier fence not less than four nor more than six feet in height.
3. Landscaping. Each parking lot shall provide along the entire frontage of the property a minimum depth of ten (10) feet of irrigated and permanently maintained landscaping. be adequately landscaped to comply with a plan approved by the planning commission and such landscaping shall be permanently maintained.
4. Lighting. Lighting used to illuminate any parking lot shall be directed downward be and arranged to reflect the light away from adjoining residential premises and from street traffic.
- 4.5. All surfacing, screening, landscaping, lighting, and any other parking area elements shall be continually and properly maintained in good condition.

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

17.52.070 Location Of Off-Street Parking

Off-street parking shall not be allowed in required front yard setbacks except by conditional use permit and in areas where the character of the street and general landscaping will not be adversely affected. Off-street parking in non-residential districts is allowed in the front setback provided that the parking area is set back a minimum ten (10) feet from the front property line, and the balance of the front yard setback along the entire frontage of the property is permanently landscaped.

HISTORY

Adopted by Ord. 374-15 on 11/18/2015

MEMORANDUM



TO: Planning Commission

DATE: January 13, 2020

FROM: Ben White

RE: Atwater Estates Subdivision Streetlight Locations

The Planning Commission approval of the Atwater Estates subdivision included four streetlights in the vicinity of the development. Three of the lights were located on existing overhead Rocky Mountain Power poles. The requirement was for one new streetlight to be located on Lot 7 at the Grover Court intersection.

The project also required the relocation of the overhead power lines and the underground Dominion Energy gas line to accommodate a new storm drain and curb and gutter. Instead of excavating and sliding the power poles like staff expected, Rocky Mountain Power demolished the existing poles and installed new poles at different locations without installing lights.

The attached drawing identifies where some of the demolished power poles were located and shows where the new poles are now.

There appears to be numerous options for acceptable street lighting including:

1. Place streetlights in the locations where originally approved.
2. Place one new streetlight on its own pole on the common lot line of Lots 7 and 8. This is also where the mailbox is to be located.
3. Place two streetlights on new power poles spaced as evenly as possible.
4. Any other options?

Staff is requesting Planning Commission's direction on how to proceed with the streetlight installations.

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

Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

January 9, 2020

Mayor Rick Earnshaw and City Council
Woods Cross City
1555 South 800 West
Woods Cross, Utah 84087

RE: General Plan Update and Potential Annexation

Dear Mayor Earnshaw and Council Members:

We understand that Woods Cross is in the process of considering an update to your General Plan for the northwest quadrant of the city, and that this is primarily in conjunction with a proposal to annex property in this area for the purpose of a residential development. Although we extend our sincere thanks for the invitations and involvement we have had to this point, we feel obliged to express our concerns with this proposal and the associated unilateral planning process. The current effort appears to ignore the annexation history of this area and West Bountiful's interests. Please consider the following points:

1. Decades ago, the general plans of West Bountiful City and Davis County designated the property west of Redwood Road and north of 400 South Street as an area for future expansion of West Bountiful City. Based in part on this fact, the Second District Court reversed Woods Cross's decision to accept the 1999 petition for annexation of this property into Woods Cross.
2. Although Woods Cross has since included this area in its annexation policy plan, that does not diminish West Bountiful's legitimate interests. The creation by West Bountiful City, Woods Cross City, and Davis County of a Joint Community Development Area in 2009 was intended to help spur economic development and establish a way for the entities to work together without conflicts over annexation. We believe it unwise now to travel down the same road of legal fees and animosity between our cities.

3. It is vital that both cities prioritize the long-term ramifications of annexations and land use policies when considering the requests of current property owners. Rather than create additional confusing boundary lines, our cities should adhere to decades-old designations, and even take this opportunity to improve existing boundaries along 500 South.
4. West Bountiful City has serious concerns with a residential development that could be isolated from other neighborhoods in Woods Cross. Residents north of 500 South will likely use the closest available community resources, such as schools, roads, parks, and churches, in West Bountiful City. As such, any residential development north of 500 South would likely be better served by West Bountiful City. West Bountiful has not been approached by the property owner to discuss any ideas or options for this property, but we stand ready to do so.

We request that at the appropriate time our respective planning commissions participate in a joint meeting, and our city councils hold a joint meeting as well. The purpose of these meetings would be to help make everyone aware of potential concerns and work jointly toward solutions that benefit both municipalities.

Land use development is inherently difficult, and we emphasize our respect for your processes. We offer our thanks for West Bountiful's inclusion to this point. Our communities share strong ties and interests in making our corner of Davis County the wonderful place that it is for families and businesses. We must participate cooperatively in planning for this area.

We look forward to our continued strong relationship, hoping to avoid contention in matters that affect both communities.

Sincerely,

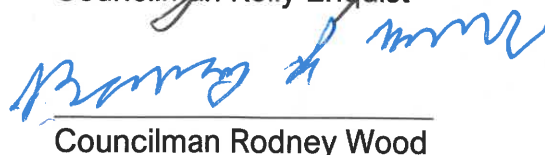

Mayor Ken Romney


Councilman James Bruhn


Councilman Mark Preece


Councilman James Ahlstrom


Councilman Kelly Enquist


Councilman Rodney Wood

cc: Davis County Commission, Davis County Boundary Commission

**West Bountiful City
Planning Commission Meeting**

December 10, 2019

PENDING – NOT APPROVED

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.

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37 **3. Consider Proposed Code Changes to Private Swimming Pools 17.76**

38 **Commissioner Comments:**

39 No comments from Commissioners

40 **ACTION TAKEN:**

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

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

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

48 The proposed changes clarify that:

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

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

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

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

61 **ACTION TAKEN:**

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

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

66 The City has received a request for annexation from the Goldbergs and Kilpacks for a 5.14-acre
67 parcel of land they own that is not currently in West Bountiful City boundaries. The property is
68 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 take action 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 from for a 5.15 acre of land that is not currently in West Bountiful City boundaries located at 1390 West 1200 North in the affirmative with zoning specified as A-1.

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.

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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