

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
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www.WBCity.org

Chairman
Alan Malan

Commissioners
Laura Charchenko
Mike Cottle
Corey Sweat
Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, MARCH 23, 2021
VIA ZOOM (see info below)**

1. *The Mayor and the Planning Commission Chair have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding this meeting through electronic means that allow for public participation without an anchor location.*
2. Prayer/Thought by Commissioner Cottle.
3. Accept Agenda.
4. Introduction of Proposed Brookside Ranch development.
5. Re-Consider Conditional Use Application #21-02 for West Bountiful 400 N Viaduct Well House.
6. Discuss Height Regulations/Setbacks in Residential Districts for Public Hearing on April 13.
7. Staff report.
8. Consider Meeting Minutes from March 9, 2021.
9. Adjourn.

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/87193341750>

Meeting ID: **871 9334 1750**

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the City's website on March 19, 2021 by Cathy Brightwell, City Recorder.*



BROOKSIDE RANCH PUD APPLICATION

WEST BOUNTIFUL, UTAH

17 MARCH 2021



BROOKSIDE RANCH

Brookside Ranch is dedicated to promoting the agrarian and equestrian lifestyle that is an important part of the culture of West Bountiful. It is planned as an active, pedestrian-oriented development designed around parks, open space, equestrian amenities, with multiple trails and connections to the Legacy Parkway Trail system. The quality community amenities being proposed for Brookside Ranch and West Bountiful are costly to build and maintain. West Bountiful’s PUD Ordinance helps create the added value needed to support these amenities.

After 12 years of discussion and planning with the City, we understand that the citizens of West Bountiful have emphasized their strong desire to preserve a rural feel with minimal traffic, low light pollution and large lots. Brookside ranch strives to meet these goals with only 126 lots averaging .83 acres in size resulting in low traffic volume. Street lighting will be selected to minimize light pollution while still creating a safe and inviting streetscape at night.



CONCEPTUAL DESIGN PRINCIPLES.

NEIGHBORHOOD PRINCIPLES

PRINCIPLE 1: CREATE A QUALITY NEIGHBORHOOD WITH DISTINCTIVE VARIETY

Neighborhoods provide visual impact while avoiding the place lessness that results from overly repetitive architecture. The Brookside Ranch neighborhood will be distinctive in West Bountiful through the use of locally influenced architectural styles and scripting of addresses. This will produce a neighborhood that is well-suited for people in all stages of life.

PRINCIPLE 2: PLACE HOUSES TO SHAPE STREETS AND PARKS

Great places have great public space. In a neighborhood, this is primarily shown through dynamic streets and parks. Buildings can both shape and enliven these public spaces. To have a great residential street or park, houses must both face onto and have a well-defined relationship to the street. Visual priority must be given to the front porch and first floor of the house rather than to the garage. Houses should be designed so that the elements for people – doors, windows and porches are emphasized to give character and definition to the street or park.

ARCHITECTURAL PRINCIPLES

PRINCIPLE 1:
DIVERSE ARCHITECTURAL INSPIRATION

Brookside Ranch will create a diverse architectural theme with an appropriate balance between individuality, variety and economies of scale. The conceptual elevations illustrate an approach to the architecture which draws from a wide variety of regional inspirations.

PRINCIPLE 2 – USE ARCHITECTURAL ELEMENTS TO BUILD STRONG COMMUNITIES

To develop a quality neighborhood, houses must include elements that contribute to a “neighborly” environment. This includes porches, terraces and other architectural elements that benefit the house and the surrounding streetscape. These elements promote connectivity between the house and the neighborhood.

STREETSCAPE VARIETY

The neighborhood of Brookside Ranch will be further distinguished from others in the surrounding area by the use of plan scripting. Plan scripting is a technique that establishes a distinctive architectural character unique to a particular neighborhood while avoiding being overly repetitive. These standards detail the recommended frequency and proportion of various styles and building plans in order to create a diverse neighborhood.

1. No plan elevation shall be placed within five lots of itself on either side of the street.
2. A specific color palette will not be duplicated within five lots of itself on either side of the street.
3. House color will be authentic to the style.
4. No garage doors facing the street unless 5 feet back from the front façade.
5. Corner elevations must have prominent features and be appropriate.
6. There shall be a maximum of two Victorian style elevations in a row.
7. There shall be a maximum of four Arts & Crafts, Colonial Revival, or English Romantic style elevations in a row.

PERMITTED MATERIALS

ROOFS

- 30-year asphalt architectural shingles
- Other roofing materials may be approved
- Roof vents of any kind must be painted to match the roof shingles

TRIM

- Transitions between materials must be trimmed and flashed in a manner appropriate to the style

SOFFITS & FACIA

- Aluminum soffits and fascia materials or smooth fiber-cement boards

GUTTERS & DOWNSPOUTS

- Ogee profile gutters with round or rectangular downspouts

BASE

- Foundations may be covered with plaster, stucco, brick or stone

CLADDING

- Smooth fiber-cement board, shingles, stucco, brick or stone may be used in a manner appropriate to the style of the house

MASONRY/BRICK

- Trim masonry with appropriate water table detail
- Headers or Lintels must span openings

MASONRY/STUCCO

- Stucco must be a smooth sand pebble fine finish
- Windows, doors and other openings within a stucco wall must be trimmed with cement board trim
- Other trim types could be approved

CHIMNEYS

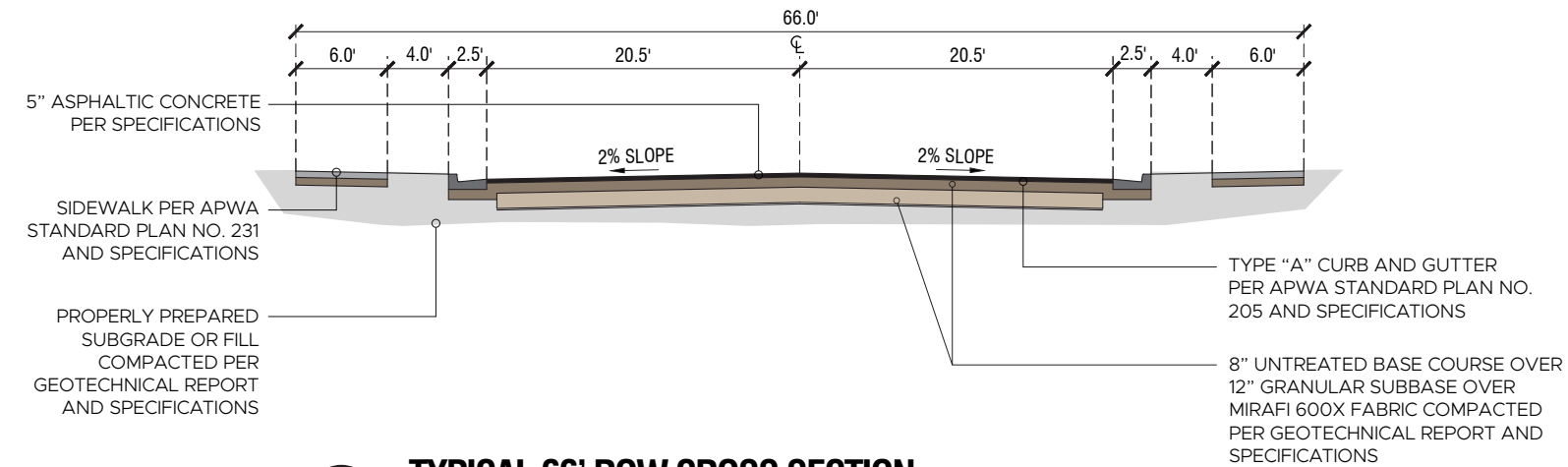
- Stucco, brick or fiber-cement on all sides

COLUMNS & RAILINGS

- Railings should be attached to porch columns

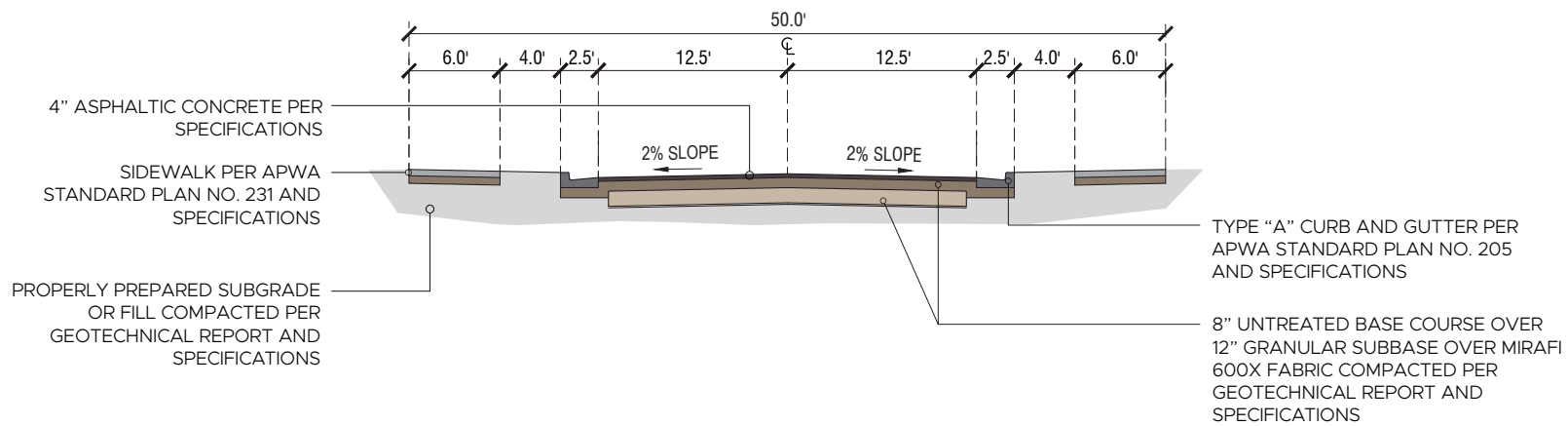
COLOR

- Color selection must be approved
- Shifts in color are limited to inside corners, horizontal breaks, material changes, breaks between trim and wall plane, gable ends, accent panels and general plane changes



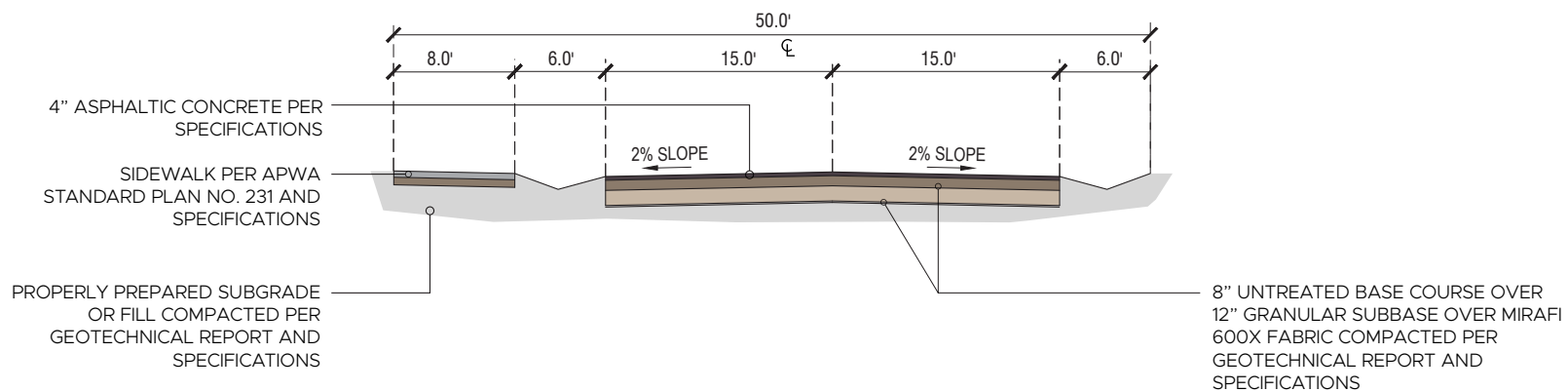
1 TYPICAL 66' ROW CROSS SECTION

SCALE: NONE



2 TYPICAL 50' ROW CROSS SECTION

SCALE: NONE



3 TYPICAL RURAL 50' ROW CROSS SECTION

SCALE: NONE

PROPOSED, TYPICAL STREET CROSS SECTIONS.

Attached street cross sections show:

Section 1 – Typical 66' ROW

Section 2 – Typical 50' ROW

Section 3 – Typical Rural 50' ROW



RECREATIONAL AMENITIES.

The recreational amenities proposed in Brookside Ranch will create a sense of community by promoting the theme of a rural, equestrian lifestyle.

PARKS & OPEN SPACE

Approximately 28 acres of permanent open space will be created within Brookside Ranch. This land will remain as open space in perpetuity for recreational use by residents of Brookside Ranch and West Bountiful. By allowing for an increase in density, the PUD Ordinance helps create a greater array of parks, trail connections, playgrounds and open spaces.

- 10 acres of open space will be deeded from UDOT to West Bountiful City on the north side of Brookside ranch. Equestrian and pedestrian access to this open space will be provided as park of the development.
- A 2.5-acre public park with playground equipment, pickleball courts, pavilion and other amenities will be installed and the entrance to the project. At the City's request, the park will be deed to the City once complete.
- The 13.9-acre area in the RMP corridor will have an open space and trails easement granted in favor of West Bountiful City. This may be used for park space, equestrian trails or pedestrian trails.

TRAILS & TRAIL CONNECTIONS

Connecting the Legacy Parkway Trail System to trails and parks within the development is critical to the success of Brookside Ranch. Access points will be created on the west side of the property providing connections to this unique public amenity.



FENCING

- 1 **Crossbuck rail style fence.**
Fencing will be 36"-42" high constructed of clear cedar or accoya with stacked stone columns at select locations/entries.
- 2 **Two rail style fence.**
Constructed of clear cedar or accoya.



SITE LIGHTING

- 3 **Wood light poles and fixtures.**
Available from Valmont Structures.
- 4 **Decora DSC20 barn style fixtures.**
Can be mounted on a variety of posts. Fixture by Baselight Corporation.
- 5 **Forms+Surfaces Cordia pedestrian lighting.**
Fits "Cordia" bench, trash receptacle and bike rack site furnishings.



MONUMENT & ENTRY SIGNS

- 1 Monument signs will be scaled to create a sense of hierarchy.

Materials for monument and entry signs include stacked stone, large timbers and steel hardware. Other community signage will incorporate other materials such as wood, stone and metal throughout the development in a way that is consistent with the character of the overall agrarian and equestrian theme.



EQUESTRIAN AMENITIES

- 2 Stand alone hitching rail or hitching post with ring

Trailer parking



SITE FURNISHINGS

LANDSCAPE FORMS — CONCORD COLLECTION

- 1 Mellville Bench
- 2 Poe Litter Receptacle
- 3 Emerson Bike Rack



LANDSCAPE FORMS — WELLSPRING TEAK

- 4 Wellspring Bench
- 5 Wellspring Litter Receptacle landscape forms — wellspring teak



SITE FURNISHINGS

FORMS+SURFACES — CORDIA COLLECTION

- 1 Cordia Bench
- 2 Cordia Litter Receptacle
- 3 Cordia Bike Rack

A DENSITY BONUS JUSTIFICATION.

To justify the requested bonus density Brookside Estates PUD offers the following to the City of West Bountiful and the greater community as requested in the zoning ordinance:

- “...promotes rural characteristics and preserves natural features of the site”.
- Large lots, up to 3 acres in size, will allow homeowners to graze horses or other livestock as well as construct barns and other rural accessory buildings
- A .6-acre community garden for public use will be installed in the project
- Over 23 acres of open space with equestrian and pedestrian trails through the RMP corridor and UDOT parcel will be accessible to the public. These trail systems allow multiple access points to the Legacy Parkway trail system. This open space could also be coordinated with the City property on the north end of the project to create a large park and trail system
- The existing open canal system through the center of the project will be preserved and improved
- As noted above, homes will be required to utilize historical materials with a rural theme

ZONING FLEXIBILITY.

The current zoning allows for minimum 1 acre lots. With 126 acres on the project, the developer is requesting 126 lots with an average size of .83 acres. This allows a for a variety of lot sizes from 3.2 acres to .42 acres catering to a wider variety of homeowners wanting to have a West Bountiful, rural experience



CONCEPTUAL IMPROVEMENT PLAN.

A conceptual improvement plan for all amenities and public improvements such as storm drainage.

See attached concept drawing for open space amenities. Public utilities will be designed in accordance to West Bountiful engineering standards.

DRAFT DEVELOPMENT AGREEMENT.

Developer can provide the draft that memorializes all information provided herein once all the changes and requests from the City have been determined.

PROJECT EXPECTATIONS.

Brookside Ranch PUD will include the following at a minimum:

PARKING

Each lot will accommodate a minimum two-car garage plus off-street visitor or RV/Boat/Recreational parking. All driveways will be hard surfaced and properly drained.

ATTRACTIVE ELEVATIONS

An array of architectural styles and materials gives the community a sense of variety and identity, while a range of lot sizes encourage residents with different goals to enjoy all of what West Bountiful has to offer.

UPGRADED MATERIALS

All residential structures will include a minimum of eighty (80) percent hard surface exterior materials such as brick, stacked stone, simulated/composite wood concrete siding or similar materials.

VEHICULAR & PEDESTRIAN ACCESS

Refer to the typical roadway cross sections which show ROW, road widths and sidewalks for vehicular and pedestrian access.

PROJECT CONSIDERATIONS.

OPEN SPACES

See above descriptions on page 07.

CONNECTION WITH TRAILS

Developer will be responsible to provide trails and trail connections to existing City and regional trails and will be consistent with all applicable ordinances and improvement standards.

NON-RESIDENTIAL STRUCTURES

These may be installed by developer on the park at the City’s request. Currently developer is planning on a pavilion in the park.

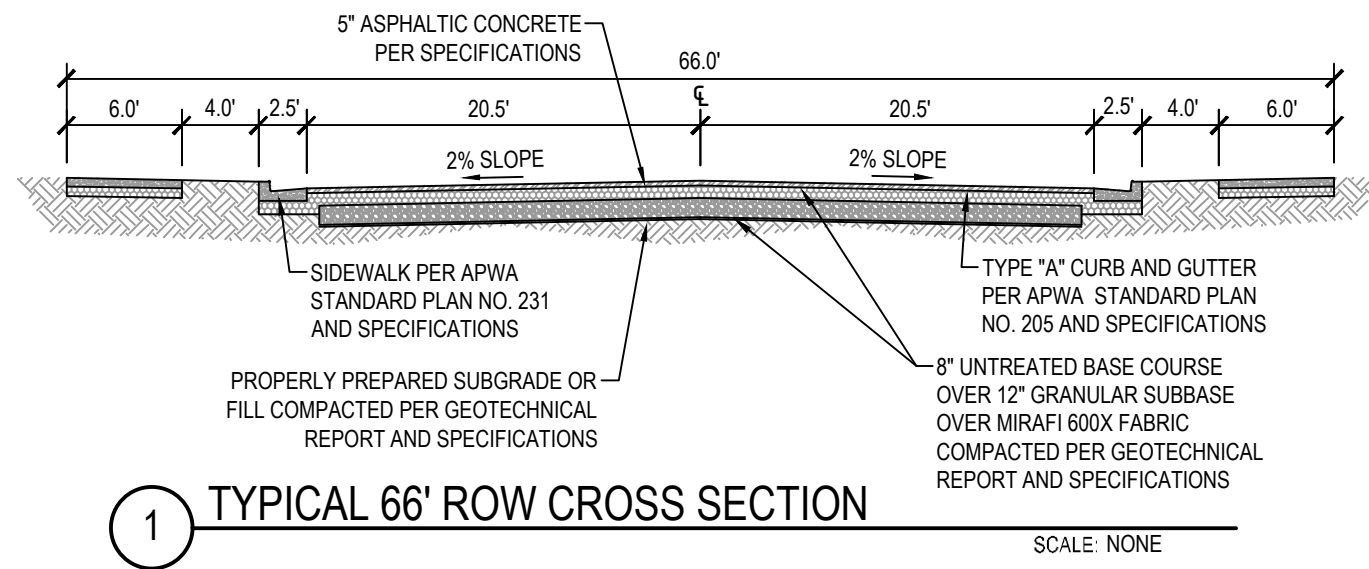
SIGNAGE

A monument sign will be installed at the entrance to the project on 400 North.

GENERAL CONTRIBUTIONS.

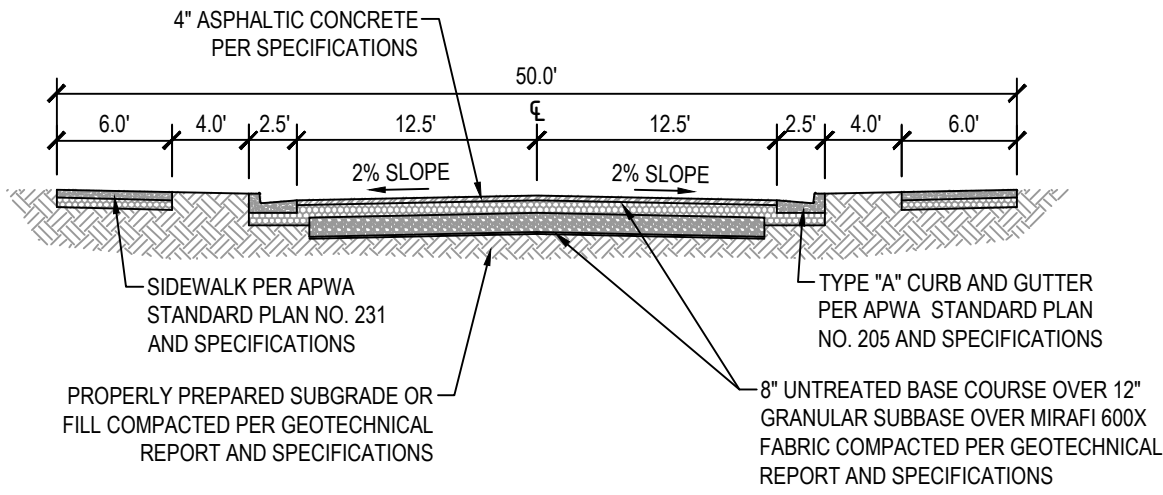
Contribution may include, but are not limited to any combination of the following:

- Please see above dedications, easements and park dedications.



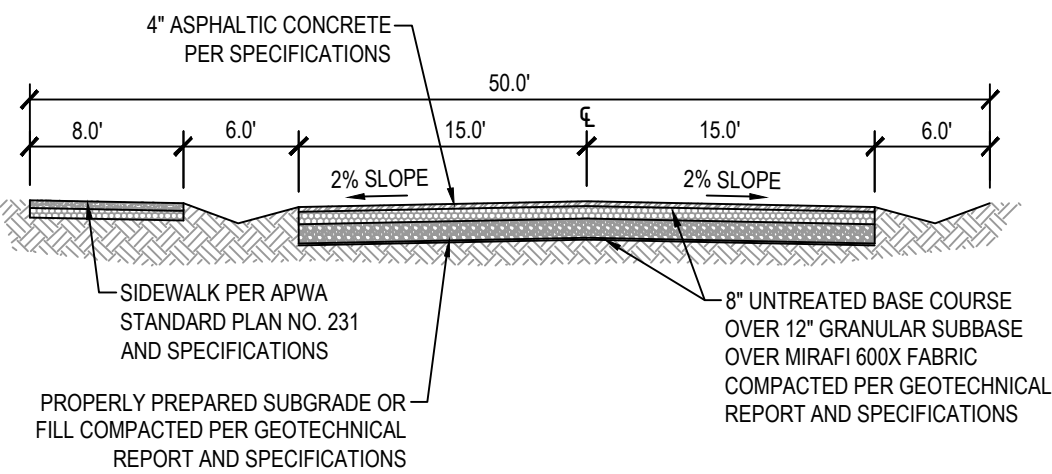
1 TYPICAL 66' ROW CROSS SECTION

SCALE: NONE



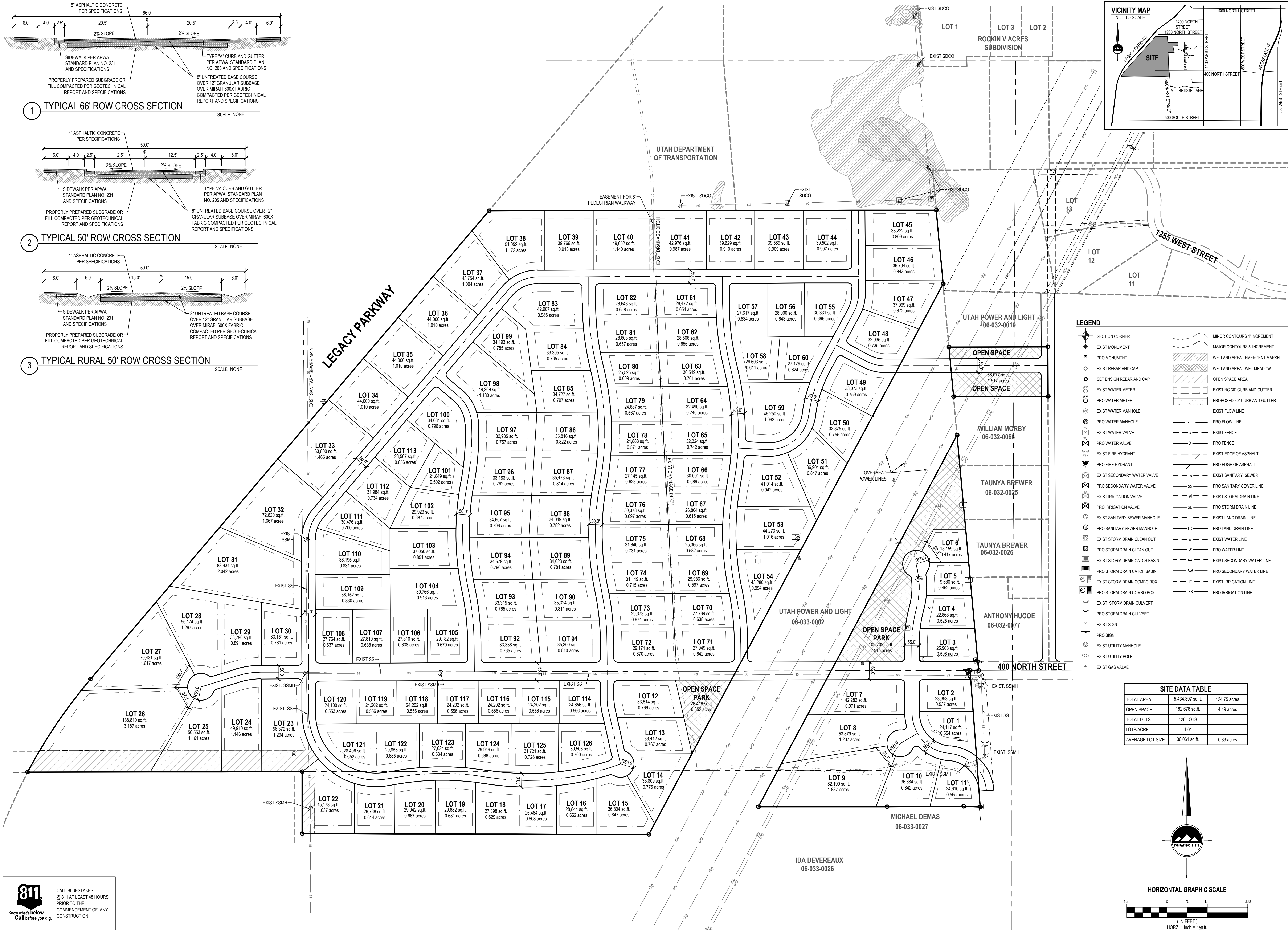
2 TYPICAL 50' ROW CROSS SECTION

SCALE: NONE



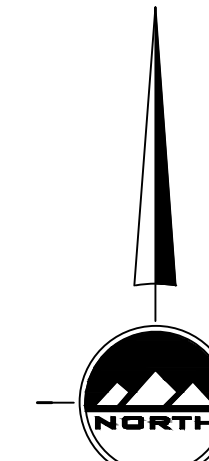
3 TYPICAL RURAL 50' ROW CROSS SECTION

SCALE: NONE

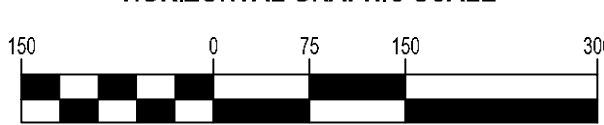


LEGEND

- SECTION CORNER
- EXIST MONUMENT
- PRO MONUMENT
- EXIST REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXIST WATER METER
- PRO WATER METER
- EXIST WATER MANHOLE
- PRO WATER MANHOLE
- EXIST WATER VALVE
- PRO WATER VALVE
- EXIST FIRE HYDRANT
- PRO FIRE HYDRANT
- EXIST SECONDARY WATER VALVE
- PRO SECONDARY WATER VALVE
- EXIST IRRIGATION VALVE
- PRO IRRIGATION VALVE
- EXIST SANITARY SEWER MANHOLE
- PRO SANITARY SEWER MANHOLE
- EXIST STORM DRAIN CLEAN OUT
- PRO STORM DRAIN CLEAN OUT
- EXIST STORM DRAIN CATCH BASIN
- PRO STORM DRAIN CATCH BASIN
- EXIST STORM DRAIN COMBO BOX
- PRO STORM DRAIN COMBO BOX
- EXIST STORM DRAIN CULVERT
- PRO STORM DRAIN CULVERT
- EXIST SIGN
- PRO SIGN
- EXIST UTILITY MANHOLE
- EXIST UTILITY POLE
- EXIST GAS VALVE
- MINOR CONTOURS 1' INCREMENT
- MAJOR CONTOURS 5' INCREMENT
- WETLAND AREA - EMERGENT MARSH
- WETLAND AREA - WET MEADOW
- OPEN SPACE AREA
- EXISTING 30" CURB AND GUTTER
- PROPOSED 30" CURB AND GUTTER
- EXIST FLOW LINE
- PRO FLOW LINE
- EXIST FENCE
- PRO FENCE
- EXIST EDGE OF ASPHALT
- PRO EDGE OF ASPHALT
- EXIST SANITARY SEWER
- PRO SANITARY SEWER LINE
- EXIST STORM DRAIN LINE
- PRO STORM DRAIN LINE
- EXIST LAND DRAIN LINE
- PRO LAND DRAIN LINE
- EXIST WATER LINE
- PRO WATER LINE
- EXIST SECONDARY WATER LINE
- PRO SECONDARY WATER LINE
- EXIST IRRIGATION LINE
- PRO IRRIGATION LINE



HORIZONTAL GRAPHIC SCALE



HORZ: 1 inch = 150 ft.

SITE DATA TABLE		
TOTAL AREA	5,434,397 sq. ft.	124.75 acres
OPEN SPACE	182,678 sq. ft.	4.19 acres
TOTAL LOTS	126 LOTS	
LOTS/ACRE	1.01	
AVERAGE LOT SIZE	36,061 sq. ft.	0.83 acres



LAYTON

919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3590

CEDAR CITY

Phone: 435.866.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:

DESTINATION HOMES
CLIENT'S ADDRESS
CLIENT CITY STATE ZIP

CONTACT:

CLIENT CONTACT
PHONE: 801-000-0000

BROOKSIDE RANCH

1500 WEST 400 NORTH STREET
WEST BOUNTIFUL, UTAH

CONCEPT PLAN

PROJECT NUMBER

L22498

PRINT DATE

3/5/21

DRAWN BY

M.ELMER

CHECKED BY

C.PRESTON

PROJECT MANAGER

C.PRESTON

1 OF 1



Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

MEMORANDUM



TO: Planning Commission

DATE: March 19, 2021

FROM: Staff

RE: **West Bountiful City Conditional Use Permit
400 North Well Site (approximately 750 west)**

After legal review of the planning commission's motion to grant a conditional use for a new city well, this item is being brought back to the planning commission for further consideration.

Background

To strengthen the city's ability to supply culinary water to residents and businesses, the city has for years sought to develop a new well. After a hydrology report suggested that the area would likely produce a good well, the city worked with the Utah Department of Transportation to use their land immediately south of the west end of the 400 N overpass. A test well drilled on the site confirmed that this location will supply between 700-900 gallons a minute, and the water is pumped from depths between 500'-700'. A well house similar to the Stone Creek Well located at 1000 N 550 W is necessary for pumps and other equipment.

The location of the well at approximately 740 W 400 N is within the R-1-10 zone. This zone includes "public uses" as a conditional use. At the March 9, 2021 meeting the planning commission reviewed the well house and approved a conditional use permit. The motion for approval included the following conditions:

3. Public access to un-fluoridated water for West Bountiful citizens will be added into the design.
4. Additional gravel and an additional drive approach will be added to the west frontage for off street parking for access to the un-fluoridated water.

Legal Review

Legal counsel has reviewed the motion for approval, and recommends that any conditions must follow both city ordinance and LUDMA (state land use code). LUDMA provides: "If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions . . . reasonably relate to mitigating the anticipated detrimental effects of the proposed use." Utah Code Ann. § 10-9a-507(2)(b). Further, HB 409, recently passed, provides that a municipal ordinance must have **objective** standards for conditions that may be imposed to mitigate reasonably anticipated detrimental effects of a conditional use. Staff is in the process of recommending changes to our CUP ordinance for that purpose.

Legal counsel believes that the planning commission is free to make a non-binding request to the city council regarding community access to fluoride-free water, but it cannot impose a condition that is not reasonably related to mitigating any anticipated detrimental effects.

Recommendation

Staff recommends that the planning commission consider a motion affirming the conditional use permit and associated findings and removing the conditions “3” and “4” and making them requests for the city council’s consideration.

MEMORANDUM



TO: Planning Commission

DATE: March 19, 2021

FROM: Staff

RE: Review of Height Regulations in Residential Zones

The Commission has been discussing modifications to height regulations in residential zones for several months. At the last meeting, staff was asked to prepare language to describe how to measure the height of structures based on previous direction from the commission.

Attached is a draft of changes to the current Height ordinances incorporating the previously discussed changes. Draft proposed standards to be used by the city engineer to determine allowance of additional height are provided below for discussion.

Recommend:

In each section under B. Additional Height Allowed, add:

Based on lot-specific determinations by the city engineer, additional height can be added as follows: maximum of 2 ft in the R-1-10 zone, 3 ft. in the R-1-22 zone, and 4 ft. in the A-1 zone based on the following:

1. In the case where the natural ground elevation at the front of the proposed structure is above the top back of curb (TBC), additional height may be added that is less than or equal to the elevation difference.
2. In the case where the front setback for the proposed structure exceeds the minimum setback, additional height may be added based on a slope of 3.33% and shall not exceed one foot of height for every 30 feet of additional horizontal setback.
3. In the case where the determined groundwater elevation is within two feet of the main floor elevation of the proposed structure, additional height may be added to achieve a minimum of two feet of separation between the ground water surface elevation and the main floor elevation.
4. In the case where the gravity sewer lateral service elevation for the proposed structure is shallow and requires cover for freeze protection. Additional height may be added based on a slope of 2.00% and shall not exceed one foot of height for every 50 feet of additional horizontal distance.
5. In the case where a proposed foundation drain for the proposed structure is gravity draining to a shallow gravity storm drain elevation. Additional height may be added based on a slope of 1.00% and shall not exceed one foot of height for every 100 feet of additional horizontal distance.
6. In the case where there are unexpected existing site conditions that the city engineer determines can and should be mitigated by additional height.

HEIGHT IN RESIDENTIAL DISTRICTS

17.24.060 (R-1-10)

A. ~~Maximum~~ Height of Structures.

1. Main Structures. No structure shall be erected to a height greater than thirty-five (35) feet as measured from the ~~top back of curb, or crown of the road if there is no curb, lowest finished ground level~~ to the highest part of the roof, except as otherwise provided in this section. The elevation of the top back of curb or crown of the road shall be measured at a point on a line perpendicular to the front lot line that intersects the midpoint of the front lot line.
2. Accessory Structures. Any accessory structure must comply with the following requirements in addition to any other applicable requirements of this Code.
 - a) The accessory structure may not be taller than the main structure.
 - b) The maximum height is twenty (20) feet, except as otherwise provided in this section.
 - c) The height may be increased to a maximum of twenty-five (25) feet if; ~~the structure is set back as shown in the chart below.~~ for every foot in height in excess of twenty (20) feet, ~~the accessory structure is set back an additional two (2) feet beyond the minimum setbacks required by this chapter in the rear yard, side yards and, as applicable, street side yard.~~ as shown in the chart below.
 - d) Windows within twenty (20) feet of a property line with headers above ten (10) feet must be non-opening and have translucent glass that does not permit objects on the outside to be seen clearly from within the accessory structure.
 - e) All exterior lighting mounted above ten (10) feet must include cut-off devices that confine the light to the property on which the accessory structure is situated.

B. Additional height allowed.

1. ~~Based on lot-specific determinations by the city engineer, additional height, not to exceed 2 feet, can be added based on the following: (add list)~~
2. Public buildings and quasi-public buildings may be erected to a height greater than thirty-five (35) feet when approved as a conditional use by the planning commission.

C. Exceptions to height limitations. Penthouse or roof structures for the housing of elevators, stairways, tanks ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purposes of providing additional floor space and such increased height is subject to all other ordinances and regulations of the city.

D. Minimum height of dwellings. No dwelling shall be erected to a height less than one story above grade.

17.20.060 (R-1-22)

A. ~~Maximum~~ Height of Structures.

1. No structure shall be erected to a height greater than thirty-five (35) feet as measured from the **top back of curb, or crown of road if there is no curb,** ~~lowest finished ground level~~ to the highest part of the roof, except as otherwise provided in this section. The elevation of the top back of curb or crown of the road shall be measured at a point on a line perpendicular to the front lot line that intersects the midpoint of the front lot line.
2. Accessory Structures. Any accessory structure must comply with the following requirements in addition to any other applicable requirements of this Code.
 - a) The accessory structure may not be taller than the main structure.
 - b) The maximum height is twenty (20) feet, except as otherwise provided in this section.
 - c) The height may be increased to a maximum of twenty-five (25) feet if, **the structure is set back as shown in the chart below** ~~for every foot in height in excess of twenty (20) feet, the accessory structure is set back an additional two (2) feet beyond the minimum setbacks required by this chapter~~ in the rear yard, side yards and, as applicable, **street side yard,** ~~as shown in the chart below.~~
 - d) Windows within fifteen (15) feet of a property line with headers above ten (10) feet must be non-opening and have translucent glass that does not permit objects on the outside to be seen clearly from within the accessory structure.
 - e) All exterior lighting mounted above ten (10) feet must include cut-off devices that confine the light to the property on which the accessory structure is situated.

B. Additional height allowed.

1. **Based on lot-specific determinations by the city engineer, additional height, not to exceed 3 feet, can be added based on the following: (add list)**
2. Public buildings and quasi-public buildings may be erected to a height greater than thirty-five (35) feet when approved as a conditional use by the planning commission.

C. Exceptions to height limitations. Penthouse or roof structures for the housing of elevators, stairways, tanks ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purposes of providing additional floor space and such increased height is subject to all other ordinances and regulations of the city.

D. Minimum height of dwellings. No dwelling shall be erected to a height less than one story above grade.

17.16.60 (A-1)

- A. ~~Maximum~~ Height of structures. No structure shall be erected to a height greater than thirty-five (35) feet as measured from the top back of curb, or crown of road if there is not curb, lowest finished ground level to the highest part of the roof, except as otherwise provided in this section. The elevation of the top back of curb or crown of the road shall be measured at a point on a line perpendicular to the front lot line that intersects the midpoint of the front lot line.
1. The height of a main structure ~~in this district~~ may be increased to a maximum of forty (40) feet if, ~~for every foot of height in excess of thirty-five (35) feet,~~ the structure is set back as shown in the chart below, ~~an additional one (1) foot beyond the minimums required by the chapter in the rear yard, side yards, and as applicable, street side yard.~~
 2. The height of an accessory or non-commercial structure ~~in this district~~ may be increased to a maximum of forty (40) feet if the structure is set back in the rear yard, side yards and, as applicable, street side yard, as shown in the chart below ~~feet subject to the same requirements listed in subsection A.1. of this section.~~
- B. Additional height allowed.
1. Based on lot-specific determinations by the city engineer, additional height, not to exceed 4 feet, can be added based on the following: (add list)
 2. Public buildings and quasi-public buildings may be erected to a height greater than thirty-five (35) feet when approved as a conditional use by the planning commission.
- C. Exceptions to height limitations. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building; and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and such increased height is subject to all other ordinances and regulations of the city.
- D. Minimum height of dwellings. No dwelling shall be erected to a height less than one story above grade.

HEIGHT/SETBACKS IN RESIDENTIAL DISTRICTS

R-1-10

Main Structure maximum height = 35 ft

Accessory Structure maximum height = up to 25 ft. with the following setbacks:

<u>Height</u>		<u>Side/ Rear Setback</u>
	≤ 20 ft	≤6 ft*
› 20 ft	≤ 21 ft	7 ft
› 21 ft	≤ 22 ft	8 ft
› 22 ft	≤ 23 ft	9 ft
› 23 ft	≤ 24 ft	10 ft
› 24 ft	≤ 25 ft	11 ft

R-1-22

Main Structure maximum height = 35 ft

Accessory Structure maximum height = up to 30 ft. with the following setbacks:

<u>Height</u>		<u>Side/ Rear Setback</u>
	≤ 20 ft	≤6 ft*
› 20 ft	≤ 21 ft	7 ft
› 21 ft	≤ 22 ft	8 ft
› 22 ft	≤ 23 ft	9 ft
› 23 ft	≤ 24 ft	10 ft
› 24 ft	≤ 25 ft	11 ft
› 25 ft	≤ 26 ft	11.5 ft
› 26 ft	≤ 27 ft	12 ft
› 27 ft	≤ 28 ft	12.5 ft
› 28 ft	≤ 29 ft	13 ft
› 29 ft	≤ 30 ft	13.5 ft

A-1

Maximum Structure Height (Main, Accessory, Non-Commercial) = 40 ft. with the following setbacks:

Accessory, Non-Commercial			Main Structure	
<u>Height</u>		<u>Side/Rear Setback</u>	<u>Minimum Side Setback</u>	<u>Combined Side Setback</u>
	≤ 35 ft	10 ft	10 ft	24 ft
› 35 ft	≤ 36 ft	11 ft	11 ft	26 ft
› 36 ft	≤ 37 ft	12 ft	12 ft	28 ft
› 37 ft	≤ 38 ft	13 ft	13 ft	30 ft
› 38 ft	≤ 39 ft	14 ft	14 ft	32 ft
› 39 ft	≤ 40 ft	15 ft	15 ft	34 ft

* Setback may be reduced to 3 ft. if **adjacent wall** is built to fire code standards.

West Bountiful City

March 9, 2021

Planning Commission Meeting

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 March 5, 2021 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 9, 2021 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

Due to the Coronavirus pandemic this meeting was held electronically via Zoom.

MEMBERS ATTENDING: All attending via Zoom: Chairman Denis Hopkinson, Vice Chairman Alan Malan, Mike Cottle, Dee Vest, Corey Sweat, Laura Charchenko, and Council member Kelly Enquist.

STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder) in house, and Debbie McKean (Secretary) via Zoom.

MEMBERS EXCUSED: Steve Doxey (Legal)

VISITORS: Via Zoom: Gary Jacketta, Dave Moultrie

The Planning Commission meeting was called to order at 7:30 pm by Chairman Hopkinson.

Chairman Hopkinson announced his resignation as Chairman of the Planning Commission after 14 years of service.

1. ***Chairman Denis Hopkinson read the following message: The Mayor and the Planning Commission Chair have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding this meeting through electronic means that allow for public participation without an anchor location.***

2. **Prayer by Commissioner Sweat**

3. **Accept Agenda**

Chairman Hopkinson reviewed the proposed agenda. Corey Sweat moved to approve the agenda as presented. Mike Cottle seconded the motion. Voting was unanimous in favor among all members present.

4. **Conditional Use Application #21-14 for Accessory Dwelling Unit at 126 Steelman Circle, Highgate Lot #6, Building Permit #1343**

Commissioner packets included a memorandum dated March 5, 2021 from Cathy Brightwell regarding an Accessory Dwelling Unit at 126 Steelman Circle, Highgate Estates Lot 16 with an attached site plan.

Ms. Brightwell explained that a building permit has been issued for the Dalanhese home and is designed to include an accessory dwelling unit (ADU). A conditional use permit is required prior to using the potential apartment as an ADU. Staff recommended that the owners 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 prohibit the ADU or require 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. (The builder is aware of these conditions)

Staff provided recommended findings of fact and conditions be applied to this conditional use permit.

Dave Moultrie, representing the homeowners, stated that they are supportive of this process to approve the ADU.

Action Taken:

Corey Sweat moved to approve the conditional use application for Application for an Accessory Dwelling Unit at 126 Steelman Circle, Highgate Estates, Lot #6, Building Permit #1343, with the following 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; and***
- 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.***

The following conditions will be imposed:

- 1. Applicant will construct the ADU in such a manner that WBMC 17.82.050 and the International Residential Building Code requirements for a second dwelling unit are satisfied;***
- 2. Language will be included in any rental or lease agreement for the ADU that the lease will terminate upon sale of the property;***
- 3. This Permit is not transferable – if at any time the home is not occupied by the applicant or his immediate family or the applicant sells the property, the Permit shall be revoked pursuant to WBMC 17.60.080; and***
- 4. The applicant will execute the Conditional Use permit and ADU agreement which will be recorded in the County Recorder's office.***

Mike Cottle seconded the motion and voting was unanimous in favor.

5. Conditional Use Application for West Bountiful's 400 North Viaduct Well House

Commissioner packets included a memorandum dated March 9, 2021 from Kris Nilsen regarding a West Bountiful City Conditional Use Permit for the 400 North Well Site (approximately 750 West 400 North) with accompanying site plan and drawings.

Mr. Nilsen explained that West Bountiful City owns and operates a Public Culinary Water System that serves the residents of West Bountiful City. As part of operating and maintaining a public system the City has a need to expand the system to keep up with growth and service needs within the City. This 400 North new Well Site will provide a needed additional source of culinary water supply for the public culinary water system. This is part of the capital facilities plan to keep up with the growth of the city.

The site improvements will consist of the following:

- A well house containing and protecting the well and the needed appurtenances for water supply to the public system such as, pump, water treatment, valves, fittings, electrical supply, and backup generator.
- The well house site will have six-foot-tall chain-link perimeter security fence and gate providing access for system operators, vehicles, and equipment.
- The well house parking area within the security fence will be finished with a gravel surface. Access to the site will be from north side of the most southerly 400 North Street. The street frontage along the well house site will be improved with asphalt widening and curb as part of the project.
- The well house structure is one level with an exterior finish of split face block with a decorative one row of standard block at the mid-level of the wall. The roof is a metal roof finish with a ridge line approximately 19 feet above site finished ground elevation.
- The well house site is located in the R-1-10 zone. Operation of a public culinary well and water system is considered a quasi-public use, which is a conditional use in the R-1-10 Zone.

Kris Nilsen informed stated that there will be a six-foot fence surrounding the area and the required setbacks will be adhered to. Staff is Recommending the following conditions:

1. Limit hours of construction operation to work between 7:00 AM start and 10:00 PM stop.
2. Construction parking limited to on site and north side of street. Relevant Code sites: 17.24.030 Conditional Uses

Commissioner Comments:

Mike Cottle inquired if there will be fluoride in the water. Answered in the affirmative.

Dee Vest is concerned that the building is not an eye sore since it is the entrance to our city. Mr. Nilsen informed them that materials have not been decided yet. Landscaping is not included in the bid package but will done by our city and is being discussed at this time. Mr. Vest asked if people will be able to fill up water jugs from this station. Mr. Nilsen explained there is no provision for it.

Council member Enquist told the commission that Centerville City has a well called the Church well that lets citizen fill containers with water and is a big asset to the public. He said he does not like the proposed building design. It was suggested that those concerned with the design contact city council.

Laura Charchenko is concerned with public safety if people are allowed to stop and fill water jugs as there is a blind corner to the east. Mr. Nilsen noted that the road will be widened and have curb and gutter. Some discussion took place regarding safety for school traffic and children especially with no sidewalk.

Alan Malan asked about setbacks and Kris Nilsen informed him that it is a corner lot and the front is considered the west side. Mr. Malan said he would like to see more gravel to the west of the building.

Additional discussion:

Building – as the well house location is the main entrance into the city, it was felt that the building should be more attractive than the one proposed. Changing the design, color, and type of roof along with landscaping may go a long way to improve the looks.

Public Access to un-fluoridated water - Mr. Cottle said he loved having access to water at the old 800 West church house and feels that providing a similar service at the new well would be a great benefit to West Bountiful citizens. Mr. Sweat commented that he supports installing a spigot for fresh water, but there would likely be extra cost of providing free unmetered water. Ensuring adequate public parking options were also discussed. Mr. Sweat asked if there is a way to include the public access to non-fluoridated water as a condition to this permit. Mr. Hopkinson stated that as the approving body, the planning commission can add any conditions they believe are appropriate.

Action Taken:

Corey Sweat moved to approve the conditional use application for the 400 North Viaduct Well House with the following 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 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.***

The following conditions will be imposed:

- 1. Limit hours of construction operation to work between 7:00 am start and 10:00 pm stop.***
- 2. Construction parking will be limited to on-site and on the north side of the street.***
- 3. Public access to un-fluoridated water for West Bountiful citizens will be added into the design.***
- 4. Additional gravel and an additional drive approach will be added to the west frontage for off street parking for access to the un-fluoridated water.***

Mike Cottle seconded the motion and voting was unanimous in favor.

6. Discuss Height Regulations and Setbacks in Residential Districts

Commissioner packets included a memorandum dated March 5, 2021 from staff regarding Review of Height Regulations in Residential Zones with an accompanying chart for height regulations for the different residential zones.

The Commission has been discussing modifications to height regulations in residential zones for several months. A sliding scale was adopted in 2019 when requests for increased height were moved from a conditional use to a permitted use. Since that time, staff and city council have identified areas needing clarification and reevaluation.

The planning commission has studied and re-evaluated minimum and maximum heights for both primary structures and accessory structures in each of the three residential zones and has discussed replacing the sliding scale with clear standards and to determine consistent measurement points for uniformly determining the height of structures to clarify the current code which it is measured from the lowest finished ground level.

There was discussion regarding the updated height/setback chart reflecting direction from the last meeting. The setbacks for R-1-10 and R-1-22 match except that in the R-1-22 the height can be increased an additional five feet from 25 ft to 30 ft. With regard to reducing the minimum setback from 6 ft to 3 ft with fire-rated walls, commissioners concurred that it would only apply in the R-1-10 and R-1-22. The new minimum side setback of 10 feet in the A-1 cannot be reduced.

Commissioner Comments:

Corey Sweat stated the changes are good but still has some concerns with A-1.

Alan Malan stated the R-1-10 and R-1-22 are too steep with the elevations and the A-1 is off. However, he is supportive of the proposal. He suggested adding "side" to setback in the chart.

Laura Charchenko said that she has talked with developers and they are opposed to putting stricter height regulations in the A-1 area.

Mike Cottle and Dee Vest are supportive of the proposed chart.

There was discussion about how to measure height. As previously decided, measurements will begin at the top of curb, or crown of road if no curb, to the highest point of the roof. City code requires that the lowest finished floor be at least 12 inches above top of curb and oftentimes structures are raised with additional fill dirt to accommodate utilities, drainage, and raised basements. The location on top back of curb or crown of road used to measure elevation will be at a spot directly out from the middle of the front side of the structure to the street curb or crown. Staff asked how the additional height discussed at the last meeting to deal with these issues will be determined by the city engineer. They will attempt to come up with clear standards.

Staff will clean up the document and set a public hearing.

7. Discuss Permitted, Conditional and Prohibited Uses in Residential, Commercial, and Industrial Zones.

Commissioner packets included a memorandum dated March 5, 2021 from staff regarding Discussion of Proposed Updates to Permitted and Conditional Uses with an attached redline copy of the ordinance with suggested changes.

Cathy Brightwell reviewed with the Commission changes and suggestions for Uses in the residential and industrial zones based on direction from the last meeting.

Discussion:

A-1 - Remove “commercial use” from Equestrian facilities and stables. Some discussion took place regarding the use of boarding horses. It was pointed out the language “commercial” invites a use that we do not want to entertain.

Commercial Neighborhood – Check with Mr. Doxey to see if there is a better term for “toxic waste disposal facility” in this all other commercial and industrial zones.

Commercial General – Some discussion took place regarding “auto body repair” and the desire to list it as a prohibited use. Chairman Hopkinson pointed out that auto body is not the same as automotive repair. It was suggested that it also be listed as a prohibited use in the CN zone. Cathy Brightwell explained that it was not included in CN as there are no automotive businesses permitted in that zone and it is not a business that is similar in nature to any others listed in that section.

Industrial General - It was suggested that A. Outdoor storage of merchandise or equipment and C. Storage of inflammable bulk liquids be moved up to permitted uses.

Staff will provide a clean copy of the document and schedule a public hearing.

8. Staff Report

Kris Nilsen:

- City pickle ball courts will start to be constructed next week.
- Beverly Estates will be providing a mylar plat for recording soon.
- Doug Coons is still working on his 3-lot subdivision, and the stumps are being removed from his property on 800 West.
- Mr. Malan asked about a new home on 800 West north of Pages Lane and what was required for overhead power and public improvements. Kris said they have a deferral agreement in place.

Cathy Brightwell:

- The legislature passed bills that will impact us. She will have more information at future meetings.

9. Consider Meeting Minutes from February 23, 2021

Action Taken:

Mike Cottle moved to approve of the minutes of the February 23, 2021 meeting as presented. Corey Sweat seconded the motion and voting was unanimous in favor.

10. Adjourn

Action Taken:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:53 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on March 23, 2021, by unanimous vote of all members present.

Cathy Brightwell – City Recorder