

**Mayor**  
Kenneth Romney

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

**City Recorder/  
Community  
Development**  
Cathy Brightwell

# **WEST BOUNTIFUL PLANNING COMMISSION**

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**Chairman**  
Alan Malan

**Commissioners**  
Laura Mitchell  
Mike Cottle  
Corey Sweat  
Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING  
AT 7:30 PM ON TUESDAY, AUGUST 10, 2021 AT THE CITY OFFICES**

*This meeting will be held in-person*

1. Prayer/Thought by Commissioner Mitchell.
2. Accept Agenda.
3. Conditional Use Application for Duerden's Appliance Warehouse at 580 W 100 North.
4. Public Hearing on Proposed Fence/Clear View Area Regulations.
5. Consider Proposed Changes to West Bountiful's Fence and Clear View Area Regulations – WBMC 17.50.
6. Staff report.
7. Consider Meeting Minutes from July 27, 2021.
8. Commission Training.
9. Adjourn.

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*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website  
and the City's website on August 6, 2021 by Cathy Brightwell, City Recorder.*

**West Bountiful City  
Planning Commission Meeting**

**August 10, 2021**

**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 August 6, 2021 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, August 10, 2021 at West Bountiful City Hall, Davis County, Utah.

***Those in Attendance:***

**MEMBERS ATTENDING:** Chairman Alan Malan, Mike Cottle, Dee Vest, Corey Sweat, Laura Charchenko-Mitchell, Council member Kelly Enquist.

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

**VISITORS:** Todd Hall

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

1. **Prayer by Commissioner Mitchell**
2. **Accept Agenda**

Dee Vest moved to approve the agenda as presented. Mike Cottle seconded the motion. Voting was unanimous in favor among all members present.

3. **Conditional Use Application for Duerden's Appliance Warehouse at 580 West 100 North**

Included in the commissioner's packet was a memorandum from Cathy Brightwell dated August 6, 2021 regarding Duerden's Appliance Warehouse with an attached application and diagram.

Cathy Brightwell introduced the Conditional Use Permit Application for Duerden's Appliance/Todd Hall, to operate a warehouse in the Carr Building at 580 W 100 North.

She explained that this property is in the Commercial Highway District which lists warehousing as a conditional use. Duerden's has a store at 419 W 500 South in Bountiful. They have leased space in the Carr building to store appliances and mattresses, and the loading docks for their trucks. This area is not a retail location and is not open to the public for shopping. It is only used for storage of the appliances and mattresses Duerden's delivers to customers. If a customer comes to pick up an item, it is brought to their vehicle.

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

1. Fire Inspection approval;
2. Signage will comply with city regulations;
3. No merchandise will be stored outside; and
4. Upon issuance of this Permit, a West Bountiful City business license will be issued.

Todd Hall, owner, answered several questions from the commissioners.

**Action Taken:**

***Corey Sweat moved to approve the Conditional Use Application for Duerden's Appliance Warehouse at 580 West 100 North based on the following findings: 1. 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, and 2. The proposed use will not inordinately impact schools, utilities, and streets. The following conditions to be imposed will mitigate the reasonably anticipated detrimental effects of the proposed use: 1. Fire inspection approval; 2. Signage will comply with city regulations; 3. No merchandise will be stored outside; and 3. Upon issuance of this permit, a West Bountiful City license will be issued. Laura Mitchell seconded the motion and voting was unanimous in favor.***

**4. Public Hearing on Proposed Fence/Clear View Area Regulations**

A redline copy of the proposed changes was available to the public for review.

**Action Taken:**

***Laura Mitchell Moved to Open the Public Hearing at 7:52 pm for Comments on Proposed Changes to West Bountiful Fence and Clear View Area Regulations – WBMC 17.50. Corey Sweat seconded the motion and voting was unanimous in favor.***

Cathy Brightwell summarized the proposed changes to the West Bountiful Fence and Clear View Area regulations. She noted that changes were received today from Steve Doxey. They are not intended to change the content of the previous redline copy but add clarification and consistency.

**Public Comment: No Public Comment**

**Action Taken:**

***Corey Sweat moved to close the public hearing for comments on Proposed Changes to West Bountiful Fence and Clear View Area Regulations – WBMC 17.50 at 8:48 pm. Dee Vest seconded the motion and voting was unanimous in favor.***

## 5. Consider Proposed Changes to West Bountiful Fence and Clear View Area Regulations -WBMC17.50.

Commissioner packets included a memorandum dated August 6, 2021, from Cathy Brightwell/Kris Nilsen regarding Review Fence Regulations with a current redline copy of the New Section: 17.50 Clear View Area and Fence Requirement

### History

The commission has been considering modifications to the current fencing regulations related to “open fencing” in front yards. The existing fencing code does not make an exception to allow open fencing while most of our neighboring cities do. Open fencing is defined as fencing that is 75% open, such as chain link. Staff has identified many properties in the city with non-compliant front yard fencing, some of which may qualify as open fencing. Clarification and expansion of Clear View Areas is also under consideration. Additionally, the commission asked that the current fencing regulations located in each zone be moved into its own Chapter – WBMC 17.50, that will apply to all fencing regardless of zone.

Staff provided draft amendments to the current regulations at the July 13 and July 27, 2021, meetings. Several additional suggestions were made which are included in the current draft. Staff noted that the 14 feet requirement for tree clearance requested by the commissioners is only applicable in this clear view ordinance and has not been incorporated throughout the city code.

Chairman Malan pointed out that in 17.50.040 A. was taken out of the city code a year ago regarding the hedges. He asked that language to be stricken.

### Action Taken:

***Corey Sweat moved to forward the latest draft of proposed changes creating WBMC 17.50 Fencing/Clear view to the City Council for their review and approval with the changes made by Steve Doxey and with the deletion of “hedges” in 17.60.040.A. Laura Mitchell seconded the motion and voting was unanimous in favor.***

## 6. Staff Report

### Kris Nilsen:

- The tunnel lights on Parrish Lane by the Legacy Trail tunnel have been fixed by UDOT. There are still about 20% that need to be fixed but it is significantly better than it was.
- The left turn signal at 400 North and 500 West has also been fixed. The timing was off.
- The new city well has passed water testing and the road is on schedule for paving this week in time for school to start. It should be up and running January 2022.
- Shade covers for pickle ball will arrive mid-August. Lights have been adjusted to be less intrusive to neighbors.

- The public works west yard is moving forward. An architect and contractor should be awarded soon.

**Cathy Brightwell:**

- The parking areas directly east of the pickleball courts will be restricted during school hours. Signage will be installed.
- HCCO public hearing was postponed due to changes being made conceptionally and it should be ready for review at our next meeting.
- Flip the Strip Program from Weber Basin will be readdressed in the spring once the city adopts new landscaping regulations.
- Weber water announced secondary water will be shut off September 20<sup>th</sup> this year.

**7. Consider Meeting Minutes from July 27, 2021.**

**Action Taken:**

***Corey Sweat moved to approve of the minutes of the July 27, 2021, meeting as presented. Mike Cottle seconded the motion and voting was unanimous in favor.***

**8. Commission Training-** canceled due to technical difficulty.

**9. Adjourn.**

**Action Taken:**

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

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*The foregoing was approved by the West Bountiful City Planning Commission on August 24, 2021, by unanimous vote of all members present.*



Cathy Brightwell – City Recorder

