

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
Mike Cottle
Laura Mitchell
Corey Sweat
Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, SEPTEMBER 14, 2021, AT THE CITY OFFICES**

AGENDA:

1. Prayer/Thought by Commissioner Cottle.
2. Accept Agenda.
3. Public Hearing - Housing in Certain Commercial Areas Overlay Ordinance – WBMC 17.42.
4. Consider New Ordinance, WBMC 17.42 - Housing in Certain Commercial Areas Overlay.
5. Request for Conditional Use Permit by South Davis Sewer District to Install a Temporary Structure to Mix, Blend, and Stockpile Select Topsoil on the East Portion of Parcel #06-031-0030.
6. Staff report.
7. Consider Meeting Minutes from August 24, 2021.
8. Commission Training.
9. Adjourn.

This notice has been sent to the Davis Journal and was posted on the State Public Notice Website and the City's website on September 10, 2021 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

September 14, 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 September 10, 2021, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 14, 2021, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Dee Vest, Corey Sweat, Laura Mitchell, Council member Kelly Enquist.

STAFF ATTENDING: Duane Huffman (City Administrator), Kris Nilsen (City Engineer), and Debbie McKean (Secretary)

EXCUSED: Commissioner Mike Cottle, Cathy Brightwell (Recorder)

VISITORS: John Janson, Jake Young, Steve Sowby, Mike Sowby, Tom Williamson, Jay Larsen, Stephen Sonkens, Betty Vowles

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

1. Prayer by Commissioner Dee Vest.

2. Accept Agenda

Corey Sweat moved to approve the agenda striking Agenda item 8- Commission Training. Laura Mitchell seconded the motion. Voting was unanimous in favor among all members present.

3. Public Hearing- Housing in Certain Commercial Areas Overlay Ordinance- WBMC 17.42

Kris Nilsen introduced WBMC 17.42- Housing in Certain Commercial Areas Overlay ordinance and invited the public to respond with their comments or concerns on the redline draft provided this evening.

Action Taken

Corey Sweat moved to open the public hearing for public comment at 7:35 pm. Dee Vest seconded the motion and voting was unanimous in favor.

Public Comments:

Tom Williamson, President of Chasebrook (Gateway Shopping Center), owns property on 500 West/500 South and stated that he is seeing that mixing retail and residential is becoming very successful and allows flexibility in situations where online shopping has reduced sales. He supports the cities proposal.

Action Taken

Laura Mitchell moved to close the public hearing. Corey Sweat seconded the motion and voting was unanimous in favor.

4. Consider New Ordinance, WBMC 17.42- Housing in Certain Commercial Areas Overlay

A redline copy of Ordinance WBMC 17.42 that incorporates comments from previous meetings was presented for final review and approval. The copy has been reviewed by staff, consultants, and Steve Doxey. Staff and consultants John Janson and Jake Young are available for questions.

The commissioners reviewed the draft page by page and questions and concerns were addressed.

On page 7, paragraph 3, #6, Commissioner Sweat recommended that the requirement for 10% electric vehicle charging facilities be removed. He is concerned that the number being required far exceeds the current number of electric vehicles on the road. John Janson noted that the goal is to look forward as the future will likely demand more charging capabilities and 10% is a current standard. Mr. Sweat suggested a specific number not be required as part of the ordinance but encouraged with the specific number to be discussed and decided as part of a development agreement. Council member Enquist suggested that infrastructure/conduit could be required so that wiring can be easily completed as needed. After some discussion, it was decided that the ordinance would include the requirement to have vehicle charging infrastructure in place for 10% of the units and the total number of working charging stations would be decided as part of a development agreement.

Action Taken

Laura Mitchell moved to approve and forward to city council the proposed WBMC 17.42- Housing in Certain Commercial Areas Overlay with a change on Page 7, #6 strongly encouraging vehicle charging stations in garages and carports with the actual number to be addressed in a development agreement. Ten percent of garages and carports will be required to include infrastructure for electric vehicle charging stations. Corey Sweat seconded the motion and voting was unanimous in favor.

5. Request for Conditional Use Permit by South Davis Sewer District to Install a Temporary Structure to Mix, Blend, and Stockpile Select Topsoil on the East Portion of Parcel #06-031-0300.

Commissioner packets included a memorandum dated September 10, 2021, from Staff regarding South Davis Sewer District's (SDSD) request for a conditional use permit to allow the mixing, blending, and stockpiling of select topsoil on 2.25 acres of their property. A temporary structure, as shown on the site plan, will be necessary to provide a controlled (dry) environment, free from water, rain, snow, ice, or other adverse environmental conditions. Additional activities may also include 1) providing fill on the site, 2) grading or leveling the property, 3) leaving a stockpile of topsoil for future landscaping, 4) landscaping, 5) storm water control, and 6) nursery or other agriculture operations.

Duane Huffman introduced the proposal from SDSD and requested that the item be pulled from consideration so that staff can figure out how best to process the request. A conditional use application as a quasi-public entity for this request does not apply since the activities will not be conducted by SDSD but instead a contract provider, Sinc Construction. There are no other uses, either permitted or conditional, listed in the A-S zone that apply to the request. The definition for agricultural uses are very specific to animals and the production of food. He noted that additional uses could be created to address this situation.

Mr. Huffman invited the applicant to present their proposal until more research can be done on how to process the request. He stated that staff has no concerns about the project but needs to work through legal issues to process the request.

Steve Sowby took the stand and introduced himself as the engineer for Sinc Construction. He showed the Commissioners pictures of the project and noted that the process of creating perfect topsoil will be completely enclosed in a large tent-like structure. The temporary structure will be 73 feet wide, 250 feet long, and 34 feet high – the size of half a football field and will go through the building permit process (there could be two structures). The main use will be processing, mixing, blending, hauling, and stockpiling topsoil. Trucks will go inside the structure limiting noise and dust, etc. and traffic will go unnoticed. He noted that there will be other uses like making road base for the SDSD's future algae project. They have a 3 year lease but SDSD may want structure to remain after project is done. This type of topsoil is used mainly on buildings that need a lightweight soil. The main customer they would service at this time is the Church of Jesus Christ of Latter-Day Saints. Mr. Sowby said he would be supportive of a text change in our current ordinance but is not in favor of a zone change because that could affect the Sewer District's future activities.

Some discussion took place regarding ideas for how to resolve this issue in a timely way. There is a preference to create a permitted use that fits the situation rather than conditional use.

Action Taken:

Corey Sweat moved to table item #5 until further research can be done by staff. Laura Mitchell seconded the motion and voting was unanimous in favor.

6. Staff Report

Kris Nilsen:

- 400 North well is awaiting the block to be delivered for the structural building.
- Public Works building is about 50% planned.
- Shade structures are here for the pickle ball court.

Duane Huffman

- The fence ordinance is being reviewed by the City Council and tweaks are being made.
- Ivory Homes is interested in purchasing and developing the entire Plum property on the west side, not just the portion they have currently purchased. There will be a mass dumping of dirt on the property and the city will monitor the traffic and activity during that time. All loads will be covered.
- The Smith property that includes property in both Woods Cross and West Bountiful has been purchased and they will need to come to our city to have discussion about their development plans.
- Wood Cross city will be getting a new city administrator in a month and a new mayor in January.

7. Consider Meeting Minutes from August 24, 2021.

Action Taken:

Dee Vest moved to approve of the minutes of the August 24, 2021, meeting as presented. Corey Sweat seconded the motion and voting was unanimous in favor.

8. Commission Training- Training was postponed due to Cathy Brightwell being excused from this meeting.

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 September 28, 2021, by unanimous vote of all members present.

Cathy Brightwell

Cathy Brightwell – City Recorder

