

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, FEBRUARY 22, 2022, AT THE CITY OFFICES**

AGENDA:

1. Prayer/Thought - Commissioner Vest.
Pledge of Allegiance – Commissioner Mitchell.
2. Confirm Agenda.
3. Discuss Public Improvement Requirements as a Condition of a Building Permit.
4. Discuss Clarifications for Yard Regulations in Residential Zones.
5. Consider Meeting Minutes from February 8, 2022.
6. Staff report.
7. Adjourn.

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the city website on February 18, 2022, by Cathy Brightwell, City Recorder.*

West Bountiful City**February 22, 2022****Planning Commission Meeting**

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 February 18, 2022, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, February 22, 2022, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Dennis Vest, Laura Mitchell, Mike Cottle, Corey Sweat, and Council member Kelly Enquist.

MEMBERS EXCUSED:

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

VISITORS: None

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

1. **Prayer by Commissioner Vest**
Pledge of Allegiance- Commissioner Mitchell
2. **Accept Agenda**

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

3. **Discuss Public Improvement Requirements as a Condition of a Building Permit.**

Commissioner packets included a memo from staff, dated February 17, 2022, regarding proposed changes to WBMC 15.08.050 *Site and Off Site Improvements as a Condition of Building Permit Approval*.

The current practice requires the property owner to install curb, gutter, sidewalks, and other improvements such as asphalt extensions, piping or covering drainage culverts, and moving other utility infrastructure such as poles and boxes on a lot on which a building is to be constructed or remodeled when the construction is significant. Other than new construction, there has not been clear criteria for determining what triggers the improvements, but they have typically been required when an addition is of significant size compared to existing structures.

As discussed at the January 25 and February 8, 2022, planning commission meetings, the commission has attempted to clarify the language. The commission is recommending that several improvements currently required of the property owner will become the responsibility of the city. These improvements are on land owned by the city and historically maintained by the city, so it is unreasonable to ask the property owner to pay for the improvements when applying for a building permit. This recommendation does not apply to properties under development and subject to WBMC 16.20.020.

In Section 15.08.050.A, the term main structure is changed to *new dwelling* and *commercial structures* to make it clear that non-commercial structures are not included unless the structure is connected to any public utility in the public street.

Cathy Brightwell noted that the public hearing will be held at our next meeting on March 8th, since she was not able to post it for this meeting.

4. Discuss Clarifications for Yard Regulation in Residential Zones.

Included in the commissioner's packets was a memorandum dated 2/18/2022 from staff regarding Yard Regulations in R-1-10, R-1-22, A-1, and A-S Districts. A redline copy of 17.xx.050 A was included.

Cathy Brightwell explained that staff recently found an item in residential yard regulations that appears to have been overlooked in both the 2018- and 2019-Yard Regulation updates. The error affects side yard setbacks for accessory structures.

Section 050.A.2 in each of the residential zones states the minimum side yard setback for ALL structures is 10 feet. Section 050.A.4 states the minimum rear yard setback for accessory structures, measured from the rear lot line or side lot line is 6 feet. Staff has imposed a 6 foot side setback on accessory structures for years and proposes clarification to match the current practice.

After discussion, it was decided to clarify the language as proposed and to add a reference to the height regulations section so it is clear that side setbacks are addressed in two different sections of Code.

A new change is also proposed to 17.04.030 Definitions to eliminate an error for the definition of "Building" that was not intended to be in this section.

These changes will be presented at a public hearing on our March 8th meeting.

5. Consider Meeting Minutes from February 8, 2022.

Action Taken:

Corey Sweat moved to approve the minutes of the February 8, 2022, meeting as presented. Mike Cottle seconded the motion and voting was unanimous in favor.

6. Staff Meeting

Cathy Brightwell

- Received a call from a real estate agent who is looking at listing the Trinity/Syro property. There are 5 properties involved split between West Bountiful and Centerville.
- Ivory Homes wants to meet with the city regarding the west side property that was previously owned by Gardner/Plumb. They have indicated they are ready to get moving on Brookside Ranches again.

Kris Nilsen

- The well will begin chemical testing before going online.

7. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:47 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 February 22, 2022, by unanimous vote of all members present.

Cathy Brightwell
Cathy Brightwell – City Recorder

