

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, JUNE 14, 2022,
AT THE CITY OFFICES, 550 N 800 WEST**

AGENDA:

1. Prayer/Thought - Commissioner Vest.
Pledge of Allegiance – Commissioner Mitchell.
2. Confirm Agenda.
3. Conditional Use Application – Tyson Davis, 941 W 1950 North (Farm Animals).
4. Conditional Use Application - Onion Patch Securities (Outdoor Vehicle Storage).
5. Preliminary Plat for Belmont Farms 9-Lot Subdivision, 1450 W 400 North – Ivory Development.
6. New Water-Efficient Landscape Ordinance, WBMC 12.28.
7. Consider Meeting Minutes from May 24, 2022.
8. Staff report.
9. Adjourn.

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the City website on June 10, 2022, by Cathy Brightwell, City Recorder.*

**West Bountiful City
Planning Commission Meeting**

June 14, 2022

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 June 10, 2021, per state statutory requirement.

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

Those in Attendance:

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

STAFF ATTENDING: Kris Nilsen (City Engineer) and Debbie McKean (Secretary).

EXCUSED: Cathy Brightwell (Recorder)

VISITORS: Katherine Packer, Skylar Tolbert, Jay Gough, Todd Willey, Deby Marshall.

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

1. **Prayer/Thought by Commissioner Vest
Pledge of Allegiance – Commissioner Mitchell**
2. **Accept Agenda**

Chairman Malan reviewed the proposed agenda. Corey Sweat moved to approve the agenda with the deletion of Item #3 as requested by the applicant. Mike Cottle seconded the motion. Voting was unanimous in favor among all members present.

3. **Conditional Use Application- Tyson Davis 941 West 1950 North (Farm Animals)**

Applicant requested this item be pulled from the agenda.

4. **Conditional Use Application- Onion Patch Securities (Outdoor Vehicle Storage)**

Commissioner packets included a memorandum dated June 10, 2022, from Kris Nilsen and Cathy Brightwell regarding a Conditional Use Application for Onion Patch Securities, LLC for Outdoor Storage.

Background

Kris Nilsen explained that on April 27, 2022, Onion Patch Securities, LLC submitted a Conditional Use Application for outdoor vehicle storage on vacant ground. This application is part of a larger land use package that involves Onion Patch and Manheim Remarketing. The city council recently approved the adoption of a new zone – Outdoor Vehicle Storage Overlay (OVSO). Onion Patch submitted a Rezone Request to change 6.7 acres of their property, as shown on the attached diagram, to OVSO. Outdoor vehicle storage is a conditional use in the OVSO.

Proposal

Onion Patch intends to lease this land to Manheim Remarketing for temporary storage of vehicles subject to approval by the city council of the above Rezone request and Development Agreement. Before those decisions can be made, the planning commission must approve a conditional use permit to impose any conditions it finds necessary to mitigate the reasonably anticipated detrimental effects of the proposed use. This approval will be contingent on the city council's approval of the rezone and development agreement.

Discussion took place regarding the proposed conditions and more specifically the fence. It was decided that the fence will be a minimum of 8 feet tall and a maximum of 20% open.

Action Taken:

Laura Mitchell moved to approve the Conditional Use Application for Onion Patch Securities, LLC for Outdoor Storage with the affirmative findings that 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; accompanying improvements will not inordinately impact schools, utilities or streets; and the conditions 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 are imposed:

- 1. Security and nuisance attraction - A perimeter fence will be installed around the leased property. The fence will be a minimum of 8 feet in height and be a maximum of 20% open.***
- 2. Pollution - Dust will be controlled to an acceptable level.***
- 3. Safety and aesthetics - Weeds within and around the fenced area will be maintained.***
- 4. Noise and nuisance - Operating hours will match those of the existing operation.***
- 5. Pollution and nuisance - Any lighting on the property will be directed downward onto the site.***
- 6. Safety and nuisance - No vehicle access will be permitted to the property except from Manheim's property to the south.***
- 7. Proper approval of zone change, and development agreement by city council.***
- 8. Conditional Use Permit shall continue in full force and effect for the lesser of a) the duration of ground lease, or b) ten years after effective date of the Agreement and Conditional Use Permit, whichever comes first.***

Motion was seconded by Commissioner Corey Sweat and voting was unanimous in favor.

- 5. Preliminary Plat for Belmont Farm 9-Lot Subdivision 1450 West 400 North- Ivory Development**

Commissioner packets included a memorandum dated June 11, 2022, from Kris Nilsen, City Engineer regarding Belmont Farms Subdivision Preliminary Plat.

Kris Nilsen explained that the purpose of the preliminary plat is to require formal preliminary approval of a subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat. Ivory Development has applied for a nine-lot subdivision located on the west side of 1450 West at 400 North consisting of 13.28 acres. The property is within the B-U zone and the proposed use is single family detached residential dwellings, matching the existing use adjacent to the property on the east and south. The B-U zone requires any project located within 300 feet of the A-1 Canal to blend a combination of appropriate uses, this project is not within 300 feet of the A-1 Canal and therefore not required to blend additional uses with residential. The project has been reviewed by staff to meet the

underlying A-1 zone requirements. The lots all meet the A-1 zoning requirements for size (min. 43,560 sf) and frontage (min. 85 ft.), as represented.

Skylar Tolbert has been with Ivory Development for 13 years and said they are excited to be doing this development in West Bountiful. He noted that they have been Utah's #1 home builder for 16 consecutive years. He quickly recapped the proposal and said they will address the noted issues and work with city staff to get everything needed.

Laura Mitchell expressed a concern about the driveway for Lot #9 and requested that it be offset from 1450 West. Commissioner Sweat stated that he feels that our code covers that issue.

The Preliminary Plat Review Checklist (WBMC 16.16.020) was included in the packet and reviewed by the Commission along with the city engineer recommendations. The following action was taken.

Action Taken:

Corey Sweat moved to accept the preliminary plat for Belmont Farms Subdivision with the condition that the following be addressed:

- ***Proposed off-site and on-sight culinary and secondary water facilities***
 - a. ***Indicate existing WBWCD pressurized secondary water***
 - b. ***Indicate existing culinary water size is 8" in 400 North and 1450 West.***
- ***A storm water plan in accordance with 16.28.060 Hydrology report***
- ***Copies of any agreements with adjacent property owners relevant to the proposed subdivision; Utah Power and Light (RMP) for proposed utility crossing and Ivory Development for storm drain improvements outside of subdivision boundary.***
- ***A comprehensive geotechnical and soils report prepared by a qualified engineer based upon adequate test borings or excavation in accordance with the city's design standards'***
- ***A copy of preliminary title report evidencing satisfactory proof of ownership***
- ***Satisfactory evidence that all utilities and services will be available for the subdivision and that the utilities and easements have been reviewed by the utility companies SDSD and WBWCD***
- ***A Davis County development and construction permit, if the proposed project is located within 100 ft. of a critical flood area as defined by Davis County (Davis County Flood Plan Permit).***

Laura Mitchell seconded the motion making a friendly amendment to address the offset of the driveway in Lot #9 from 1450 West. Voting was unanimous in favor.

6. New Water-Efficient Landscape Ordinance, WBMC 12.28.

Commissioner packet included a memorandum dated June 10, 2022, from Cathy Brightwell and Kris Nilsen regarding Water-efficient Landscape Regulations.

Kris Nilsen explained that the planning commission spent a couple of months developing and negotiating new regulations consistent with Weber Basin's standards that replace the city's current landscape ordinance, WBMC 12.28. Following a public hearing on April 26, 2022, the planning commission voted unanimously to recommend approval of the draft proposal and forward to city council.

The catalyst for these code changes was to allow property owners to qualify for the “Flip Your Strip” rebate program offered by Weber Basin; however, the real goal of the changes is the long-term conservation of water far beyond park strips.

Several members of the city council were concerned that the requirements in the proposal go too far to justify the small amount residents will receive for “Flip Your Strip” and suggested the city adopt more reasonable water-wise guidelines.

Recently, several neighboring cities have adopted ordinances that qualify for Weber Basin’s rebate program without implementing strict regulations, but instead recommend and encourage waterwise standards.

Staff has modified the earlier draft proposal making minor revisions and changing most “shall’s” to “should’s” throughout the document. Also, attached to the end of the proposal are cites in current code that address Landscaping and may need some modifications for clarity and consistency. Because the planning commission is not scheduled to hold another meeting until mid-July, these proposals are presented for discussion and possible recommendation to move back to city council as no other public hearing is required.

Corey Sweat suggested that this ordinance be titled New Water-Efficient Landscape Guidelines. Some discussion took place. He stated that this document does not need to have teeth as the document the Council passed has all the teeth set in place.

Alan Malan proposed to change the language in 17.28.050 – to “it is recommended...” prior to “no turf” in Item B.3. It was also proposed to add “WBMC” to 12.28.020 Applicability in the paragraph following A. & B. after “defined by Utah Law” or “WBMC”.

Action Taken:

Corey Sweat moved to forward the proposed Water-efficient Landscape regulations to the City Council for their review and approval with the following changes: that the language “it is recommended” in 17.28.050 be added to B.3, that language “WBMC” be added to 12.28.020 Applicability -in paragraph defining Utah Law and that the title be changed to read “Water Efficient Landscape Guidelines. Laura Mitchell seconded the motion and voting was unanimous in favor.

7. Consider Meeting Minutes from May 24, 2022.

Action Taken:

Mike Cottle moved to approve of the minutes of the May 24, 2022, meeting as presented. Dennis Vest seconded the motion and voting was unanimous in favor.

8. Staff Report.

Kris Nilsen:

- The 600 West road construction project is keeping on schedule and the contract is expected to be complete by September 1st. Road will be in a drivable condition for the 4th of July. After the 4th they will demolish the road. Cement is still hard to get.

- Generator for the well will arrive this week. Fluoride start-up is still pending; it should be operating by July 1, 2022.
- Regarding Alice Acres drainage, Kris and Steve feel like the ditch is in good shape and drainage is good. The double fencing is a nuisance because of weeds and debris. He will visit the west end to see what potential problems may be involved. Each property owner is responsible for maintaining the ditch and drainage flow.

9. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:20 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 July 12, 2022 by unanimous vote of all members present.



Cathy Brightwell – City Recorder