

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
Dell Butterfield, Alt.

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, MARCH 28, 2023, AT THE CITY OFFICES.**

1. Prayer/Thought – Commissioner Butterfield;
Pledge of Allegiance – Commissioner Vest.
2. Confirm Agenda.
3. Hugoe 2-Lot Subdivision Preliminary Plat Review – 1448 W 400 North
4. Building Permit Fee Discussion.
5. Meeting Minutes from March 14, 2023.
6. Staff report
 - a. Engineering (Kris Nilsen)
 - b. Community Development (Cathy Brightwell)
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 March 24, 2023, by Cathy Brightwell, City Recorder.*

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 24, 2023, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 28, 2023, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

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

VISITORS: Paul Giles, Deby Marshall, Gary Jacketta, Robbin Williams, Judi Hugoe, Cody Hugoe, Jase Benard, Jay Benard, Shea Bennett.

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

1. **Prayer by Commissioner Butterfield
Pledge of Allegiance- Commissioner Vest**
2. **Confirm Agenda**

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

3. **Hugoe 2 -Lot Subdivision Preliminary Plat Review – 1448 West 400 North**

Commissioner packets included a memorandum dated March 24, 2023, from Kris Nilsen regarding the Hugoe 2-Lot Subdivision-Preliminary Plat Review with attached site plan.

Kris Nilsen explained that the owners of the Hugoe property (Sean Hugoe, Jodi Hugoe on behalf of Barbara M Dilks Hugoe Trust, and Damon V Hugoe Trustee) located at 1448 West 400 North have applied for a two (2) lot subdivision. The property is within the A-1 zone and consists of two (2) acres. The proposed lots meet the required A-1 zoning requirements for size and frontage. The preliminary plat fees have been paid.

Mr. Nilsen further explained that the purpose of the preliminary plat is to require formal preliminary approval of a subdivision to minimize changes and revisions which might otherwise be necessary on the final plat. Approval of the preliminary plat by the planning commission does not constitute final acceptance but authorizes the subdivider to proceed with the preparations of plans and specifications and with the preparation of the final plat.

Staff included the preliminary plat checklist from code which was also previously provided to the applicants noting that the items in bold text need to be addressed.

Jodi Hugoe asked to make some comments. She said they are interested in selling $\frac{3}{4}$ of an acre to Debbie Hugoe for her to have a full acre lot and wondered if this can be done without going through the subdivision process. Mr. Nilsen explained to her that they can do that but it will only form two parcels, not buildable lots. When they are ready to build a home, they will still need to go through the subdivision process. She can hold off but will still have to eventually comply with subdivision regulations. The applicants agreed to move forward with the subdivision.

Commissioners reviewed the information and discussed the following:

Deferred Improvement Agreement

Some discussion took place regarding deferral of public improvements including curb, gutter, and sidewalk for the property. Staff explained that the improvements are required as part of the subdivision but they can request a deferral from city council. A deferral means the improvements may not be required now but at a later time. The Ivory development to the west is in the process of building public improvements which will need to be coordinated with this property. There is no guarantee city council will grant a deferral but there are quite a few already on 400 North. The Commission stated a deferral would be appropriate at this time.

Drainage

Kris noted that the drainage design will need to be submitted and that drainage will most likely come out the front of the property. No Geotech study is needed.

Shed

Some discussion took place regarding the shed, approximately 400 sq. ft., that is located on the northwest corner at the back of the property. Jodi Hugoe asked if the shed would need to come down. Staff said it does not look like it meets setbacks but it may have been there when the property was annexed making it legal non-conforming. More research will need to be done to see when it was built and if there was a building permit.

Recommendation:

After review of the preliminary plat/construction plan, city staff recommends approval contingent on completion of the checklist items. Once completed, the subdivision will come back to planning commission for final approval.

Action Taken:

Laura Mitchell moved to approve the Preliminary Plat Plan for the Hugoe 2-Lot subdivision located at 1448 West 400 North and directed the property owners to address the items needed as listed in the staff memorandum before submitting their plans for final approval. Mike Cottle seconded the motion and voting was unanimous in favor.

4. Building Permit Fee Discussion

Commissioner packets included a memorandum dated March 24, 2023, from Kris Nilsen & Cathy Brightwell regarding updating building permit fees with attached redlined fee schedule.

Cathy Brightwell explained that the fees the city charges for building permits have not been updated in many years and several frequently used fees do not cover the costs associated with the work.

She pointed out that at the last planning commission meeting there was discussion about the need to come up with fees that are based on city-specific costs and are calculated in a consistent manner. Staff is researching different methodologies including those recommended in the International Building Code (IBC) and those used by other cities to help meet this goal.

Staff suggested that in the meantime, the commission consider proposed updates to several frequently used fees to put the city in a better position to cover costs until more information can be collected to address the costs and fees in more detail. Cathy also noted that last year, new regulations were approved that require Fencing and Landscape plans, but no fees were adopted to match the new regulations. She reviewed each of the changes being recommended.

Some discussion took place regarding the proposal for the pool fee. Cathy explained that it is set up as a flat fee because the inspections and plan reviews are typically the same regardless of size. She noted that the cost of construction (valuation) for a pool has increased significantly so staff is proposing the flat rate increase slightly to match the changes. Kris Nilsen explained that the proposed fee would be an average for the size and material of most pools built in our area. Commissioners asked that further research be done by staff to see how close they can come to an actual cost.

Another flat rate fee proposed by staff is for solar permits. Ms. Brightwell explained all that needs to happen for a solar permit to be processed, stating it is quite a lengthy process requiring a lot of staff time. Commissioners asked for more information on this fee as well, to determine the actual costs.

Staff will do further research and bring more cost information to the next meeting. A public hearing will also be scheduled to consider adoption of the fees proposed in the fee schedule presented this evening.

5. Consider Meeting Minutes from March 14, 2023

Action Taken:

Corey Sweat moved to approve the minutes from March 14, 2023 as corrected. Dennis Vest seconded the motion and voting was unanimous in favor.

6. Staff Report

a. Engineering (Kris Nilsen)

- Working on bidding documents to go out this week to repair sidewalks throughout the city.
- Google Fiber has completed their road cuts and is working on landscape repair. All their permits will expire by June 1st.
- The new Public Works facility indoor concrete will be completed this week. There will be a tour next Tuesday at 6:30 pm as part of the city council meeting. Weather is hindering completion of hard surfaces on the outside. Power poles are in and the temporary pole will be removed. Power should be activated this week.
- Weber Basin meters continue to be installed throughout the city.

b. Community Development (Cathy Brightwell)

- The annual Youth Council Easter Egg Scramble will be held on April 8th. She also noted that no new advisors have been found so they need adult help.

Commissioner comments: Commissioner Vest asked that staff bring proposals for 1) eliminating the Blended Use zone, and 2) detached ADU regulations in the near future. Cathy noted that staff is researching issues around detached ADUs but is not yet prepared to bring the issue forward.

7. Adjourn.

Action Taken:

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

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The foregoing was approved by the West Bountiful City Planning Commission on April 11, 2023, by unanimous vote of all members present.



Cathy Brightwell – City Recorder