

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, APRIL 11, 2023, AT THE CITY OFFICES.**

1. Prayer/Thought – Commissioner Vest;
Pledge of Allegiance – Commissioner Mitchell.
2. Confirm Agenda.
3. Public Hearing – Building Permit Fees
4. Consider Updates to Building Permit Fees.
5. Discuss Blended Use Zone.
6. Meeting Minutes from March 21, 2023.
7. Staff report
 - a. Engineering (Kris Nilsen)
 - b. Community Development (Cathy Brightwell)
8. Adjourn.

*This notice has been sent to the Davis Journal and was posted on the State Public Notice Website
and the city website on April 7, 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 April 7, 2023, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April 11, 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: Deby Marshall, Cindy Dransfield,

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

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

Chairman Malan thanked Mike Cottle for his 12 years of service on the Planning Commission and wished him well on his mission to Australia.

2. Confirm Agenda

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

3. Public Hearing- Building Permit Fees

Commissioner packets included a memorandum dated April 7, 2023, from Kris Nilsen and Cathy Brightwell regarding Building Fee updates. An attached redline copy of the fee schedule was included.

Action Taken:

Laura Mitchell moved to open the public hearing for Building Permit Fees at 7:35 pm. Corey Sweat seconded the motion and voting was unanimous in favor.

Cathy Brightwell explained the reason for the public hearing this evening is to update some of the service fees. She reviewed the changes and noted that they will bring updates of other fees in the future as they research costs more closely.

Public Comment:

No public comments were offered.

44 **Action Taken:**

45 ***Corey Sweat moved to close the public hearing at 7:43 pm. Dennis Vest seconded the motion and***
46 ***voting was unanimous in favor.***

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48 **4. Consider Updates to Building Permit Fees**

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50 Commissioner packets included a memorandum dated April 8, 2023 from Kris Nilsen & Cathy Brightwell
51 regarding updates to building permit fees and proposed updates to the consolidated fee schedule.

52
53 Fees the city charge for building permits have not been updated in many years and several frequently
54 used fees do not cover the costs associated with the work and staff feels these fees need to be changed
55 immediately.

56
57 Cathy Brightwell pointed out that there was discussion at the last meeting about the need to come up
58 with fees that are based on city-specific costs and that are calculated in a consistent manner. She noted
59 that staff is researching different methodologies including those recommended in the International
60 Building Code (IBC), International Code Council (ICC), and those used in other cities. In the meantime,
61 staff proposes updates to several frequently used fees to put us in a better position of covering our costs
62 until more information can be collected to address the costs and fees in more detail. New fees for fence
63 plans, Landscape plans, and Identical Plan review fees are also proposed.

64
65 Chairman Malan noted the amount of work that staff put into making these changes. He would like to
66 understand how they reached each of the fees that they are suggesting. Cathy Brightwell responded
67 that fees were calculated based on a combination of administrative, plan review, and inspection costs.
68 Staff was directed to note how each the fees were determined when taking the proposal to city council
69 so they don't appear to be reached arbitrarily.

70
71 There was discussion about some of the updates and housekeeping changes. Chairman Malan would like
72 language added under deposits for Accessory Structures to include Non-commercial structures.

73
74 **Action Taken:**

75 ***Corey Sweat moved to approve and move to city council the proposed changes in Exhibit A for the***
76 ***Consolidated Fee Schedule for Building Permits and to note the justification for each change made.***
77 ***Laura Mitchell seconded the motion and voting was unanimously in favor.***

78
79 **5. Discuss Blended Use Zone.**

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81 Commissioner packets included a memorandum dated April 7, 2023 regarding the Blended Use Zone
82 with an attached copy of WBMC 17.26-Blended Use District for review and discussion.

83
84 Review of the Blended Use (B-U) Zone has been requested by the planning commission for some time
85 and is presented this evening for review and discussion.

86
87 Cathy Brightwell explained that the B-U zone was adopted in 2009 to address expected future
88 development around the new Legacy Parkway. There was a desire to encourage vibrant, active centers
89 through a variety of uses in a pedestrian, equestrian, and bicycle friendly environment and to promote
90 architectural quality in building designs. Development was to provide a blend of residential, commercial,

office, recreation, entertainment, technology-based enterprises, open space, and other types of uses that create a quality design.

Ms. Brightwell pointed out that the B-U zone consists of two sections divided by the Davis County A-1 Canal. She explained the following:

- All development south of the canal is required to meet the development and design requirements listed for the zone and a long list of permitted and prohibited uses.
- All development north of the A-1 canal is restricted to single family detached residential dwellings, equestrian centers and associated facilities, parks and park amenities, trails and related trail amenities, and other facilities that enhance the rural character of this area.
- The land use regulations for the underlying A-1 zone apply.
- The development of the area along Legacy Parkway has not materialized as expected.
- The majority of the regulations in the B-U zone do not apply to the northern area, which is owned primarily by Ivory Land Corporation and West Bountiful City and intended for residential development.
- The southern area intended for blended use development remains undeveloped except for a portion owned and used for automobile storage.

Staff pointed out several options for the Commission to consider.

1. Re-write the regulations to better fit today's environment; or
2. Eliminate the entire B-Use Zone and deal with future development on a case by case basis using the underlying A-1 zone; or
3. Change the boundaries of the B-U zone by removing the northern section.

Some discussion took place. Chairman Malan agreed that this zone was created when the Legacy Highway was built with the intent to create something unique to the area and enable a variety of uses that would be conducive to desirable development, but developers have not shown interest.

Commissioner Vest expressed his desire to do away with the B-U Zone entirely as it causes confusion to developers by making them think they can do more than allowed, especially regarding commercial development, mixed use, and higher density in the northern residential area.

After further discussion, there was consensus to proceed to eliminate the entire B-U zone. Future development proposals can be addressed on a case by case basis which will give both developers and the city more flexibility. There was also a desire to dissolve the Legacy Overlay Zone for the same reasons. Both zones should be changed to A-1.

A public hearing will need to be scheduled after appropriate notification which will include all property owners in both the B-U and L-O zones. A public hearing will tentatively be scheduled for May 9 if notice has been completed.

6. Consider Meeting Minutes from March 28, 2023

Action Taken:

Laura Mitchell moved to approve the minutes from March 28, 2023, as presented. Corey Sweat seconded the motion and voting was unanimous in favor.

138 **7. Staff Report**

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140 **a. Engineering (Kris Nilsen)**

- 141 • A pour has been scheduled for the west side of the public works building and will continue on
142 the east side in the near future; weather has caused a lot of delays. The tour for city council and
143 the public was cancelled and instead an open house will be held when the building is completed.
144 • Spring clean-up is scheduled in mid-May and will take place at the new facility.
145 • Weber Basin reported that there will be no restrictions this year on water usage due to the
146 amount of water we have received, but still encourage conservation of water.
147 • Last week's Land Use Seminar covered changes by the legislature, especially with subdivisions
148 and landscape bonds. Changes to the number of reviews by the planning commission and city
149 council will change and approvals will be more administrative. The ULCT will help define the
150 regulations and assist in drafting new ordinances.
151

152 **b. Community Development (Cathy Brightwell)**

- 153 • Moderate income housing report needs to be completed by August 1st. The three strategies we
154 selected last year need to be updated to show what has been accomplished.
155 • New legislation also requires an Airport Overlay Zone for cities that are within one mile of an
156 airport. Chairman Malan doubted we were within the mile qualification and asked staff to
157 verify.
158 • Annexation: The county is still working with property owners and will pay the required
159 engineering fees needed to proceed with annexation. They have had difficulty contacting some
160 of the property owners since they do not live on the properties in the annexation area.
161 • Both the Olsen Farms 8 subdivision and Doug Coons subdivision are moving forward. They have
162 already been approved by planning commission so will go straight to city council for final
163 approval.
164

165 **8. Adjourn.**

166
167 **Action Taken:**

168 ***Mike Cottle moved to adjourn the regular session of the Planning Commission meeting at 8:55 pm.***
169 ***Corey Sweat seconded the motion. Voting was unanimous in favor.***

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173 *The foregoing was approved by the West Bountiful City Planning Commission on April 25, 2023, by*
174 *unanimous vote of all members present.*

175 

176 Cathy Brightwell – City Recorder

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