

Bountiful City
Planning Commission Minutes
February 7, 2017
6:30 P.M.

Present: Chairman – Sean Monson; Planning Commission Members – Dave Badham, Jesse Bell, Von Hill and Tom Smith, Sharon Spratley; City Council Representation - Richard Higginson; City Attorney – Clinton Drake; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; and Recording Secretary – Julie Holmgren

1. Welcome and Introductions.

Chairman Monson opened the meeting at 6:30 pm and welcomed all those present.

2. Approval of the minutes for December 6, 2016.

Von Hill made a motion to approve the minutes for December 6, 2016 with correction to voting on item 4 and name of applicant on item 5. Item #4 - correction to number of conditions, should be 3 and voting passed 5-0-1 with Von Hill abstaining. Item #5 – should read Jeremy Searle. Richard Higginson seconded the motion. Voting passed 4-0-3 with Commission members Higginson, Hill, Monson and Spratley voting aye and Badham, Bell and Smith abstained.

3. Introduction of new Planning Commission member – Jesse Bell.

Jesse Bell replaced Mike Allen as a Planning Commission member as of January 10, 2017.

4. Discussion of potential changes to the Accessory Structure standards in Single Family Residential zones.

Chad Wilkinson presented staff report.

The Planning Commission has recently expressed a desire to reconsider standards for accessory structures in residential zones. The issue has been raised as a result of two recent variance requests. The predominant issue that has come up with the two variance requests relates to the standards for accessory structures in side yards and how the side yard is defined in Code. Accessory structures located within side yards are required to meet the setbacks for a primary structure. When homes are expanded, it often changes the location of an accessory structure from a rear yard to a side yard as defined by Code. Residents have requested an expansion of their homes into rear yard areas which has created conflicts with existing detached accessory structures.

The purpose of this discussion item is to review existing standards, look into the purpose of the standards and discuss examples of how existing codes have been applied to specific requests. A copy of the standards is included below along with a diagram showing the setback standards for single family residential zones.

This a discussion item only and no action is required by the Planning Commission at this time.

Mr. Wilkinson discussed Bountiful City Land Use Ordinance 14-4-105, Sections A-J YARD AND SETBACK REQUIREMENTS

Mr. Wilkinson noted that when staff writes a staff report, they can't write a code for one individual. Yard definitions might be the direction to trying to keep the code as simple as possible and could go in that direction.

Mr. Hill asked if there were restrictions that were different and that prompted a change in the definition of the setbacks.

Mr. Rowland stated that in the past the secondary structure setback was 5' behind the home and 1' off of the property line. Current setbacks are 5' behind the home and 3' off the property line.

Some of the Commission members mentioned the importance of having affordable housing and expressed concern about changing the existing code to accommodate the additions on the properties.

There were also Commission members that stated that homes in the older part of downtown have garages that were built on the property line and won't be able to comply with the current code for an addition. There are properties owners who would like to stay in their home for financial or emotional attachments to stay in their home and don't see that we should punish the home owners for wanting to stay and upgrade their home/lot. If the homes are not changing the neighborhood, or problems with landscaping or permeability, the members would lean more toward the rights of the property owner. If the home owner wants to stay at the property are we forcing them to tear down the existing home and rebuild with a larger home or second story that could have a potential negative impact on the neighborhood.

Mr. Wilkinson summarized the direction from the Commission members for a new code. The primary structure would still need to meet the maximum lot coverage standard and the minimum rear yard would need to meet the 20' setback even if the existing garage does not meet side yard setbacks.

Mr. Wilkinson noted that staff will bring the proposed code to a future Planning Commission meeting.

5. Discussion related to a potential Open Space Zoning District.

Chad Wilkinson presented the staff report.

In November 2015, during review of a potential land-swap proposal between a private property owner and the federal government, the City Council directed that staff should bring for consideration the potential adoption of an open space zone in order to preserve undeveloped areas within the City limits

Adoption of an open space zone will include two components. First, adoption of the zoning district will entail identifying the properties to be included within in the zone. Questions to consider include:

- Should the zone be limited to publicly owned properties or should it include some privately owned lands?
- Should the open space zone include parks, the golf course and other recreational properties?
- Should publicly owned properties used for storm water detention/drainage facilities be included?

- Should the existing Mountain Development and Watershed Protection zone be replaced by the open space zone?
- Should other public owned properties such as the cemetery be included in the zone?

Staff will present several different scenarios at the meeting for the commission to consider. Because the properties to be considered include parcels throughout the City, and because of the scale of the area to be discussed a map has not been attached to the packet.

The second issue relates to the standards for regulation of the open space zone. Staff has included a discussion draft of potential regulations for an open space zoning district. Items to consider related to standards include the types of uses to be allowed, standards for structures and whether or not to combine some of the watershed protection standards in the open space zone. For the convenience of the Commission, a copy of the Mountain Development and Watershed Protection Zone has also been included with your packet.

This a discussion item only and no action is required by the Planning Commission at this time.

The Commission asked what is the fear if we don't do this. The land swap went thru Public Hearing and City Council approval but could have gone thru the federal government and gone thru their process for approval without City approval and there is a concern if that was to happen that there would not be city reviewed by the City. The zone would give the city control over an open space zone to make decision for development.

A member from the audience responded about the danger of the shooting range and the development of homes in the same area. Mr. Higginson responded that we don't want to develop the area.

Mr. Monson mentioned supporting the city properties and that he sees that private land is a concern. Could we have an option to have private land be added voluntarily?

Mr. Hill asked about the advantage of involving parks. Mr. Higginson stated that it is more of a feel good situation. Mr. Wilkinson stated that parks are currently zoned whatever the current neighborhood is zoned.

Ms. Spratley asked if there is an advantage to include the Mountain Development and Watershed Protection Zone in the Open Space or keep it separate.

Mr. Wilkinson discussed that it is only a discussion and that there may not be a reason to change the Mountain Development and Watershed Protection Zone

Mr. Bell would like the staff to make a definition of what Open Space means and to set a series of criteria and then look at the properties as opposed to finding the properties and then setting the definition.

Mr. Wilkinson – what kind of criteria should we look for?

Commission members stated that public access, water utilities, environmental qualities, wildlife benefits, size limitation, development limitation, split zone parcels, trails would be important.

Mr. Wilkinson stated that the next step would be to bring forward to Planning Commission a definition for Open Space.

6. Election of Chairman and Vice Chairman of the Planning Commission for 2017.

Richard Higginson made a motion to name Sean Monson as Chairman to Bountiful City Planning Commission for 2017. Von Hill seconded the motion. Voting passed 6-0-1 with Commission members Badham, Bell, Higginson, Hill, Smith and Spratley voting aye with Mr. Monson abstaining.

Sharon Spratley made a motion to name Von Hill as Vice-Chairman to Bountiful City Planning Commission for 2017. Richard Higginson seconded the motion. Voting passed 7-0 with Commission members Badham, Bell, Higginson, Hill, Monson, Smith and Spratley voting aye.

7. Planning Director's report, review of pending applications and miscellaneous business.

1. 2017 APA Utah Spring Conference in Brigham City.

Chairman Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:28 p.m.



Chad Wilkinson, Bountiful City Planner