

BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, April 17, 2018
6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Conference Room at City Hall, 790 South 100 East, Bountiful, Utah, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome and Introductions.
2. Approval of the minutes for March 6, 2018.
3. Consider approval of the Findings of Fact for a Variance to allow for a parking space within the required front yard. The property is located at 3457 S Bountiful Blvd, Ryan and Sandra Call, applicants.
4. Consider approval of the Findings of Fact for a Variance to allow a third driveway. The property is located at located at 992 E 550 N, Kevin Menlove, applicants.
5. Review of proposed Agriculture Protection Area for Bangerter Farms located at approximately 1280 N 400 East, Alan Bangerter and Randall Edwards, applicant.
6. Planning Director's report, review of pending applications and miscellaneous business.



Chad Wilkinson, City Planner

Bountiful City
Planning Commission Minutes
March 6, 2018
6:30 P.M.

Present: Chair – Sean Monson; Planning Commission Members – Jesse Bell, Jim Clark, and Tom Smith; City Council Representation – Richard Higginson; City Attorney – Clint Drake; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; Asst City Planner Kendal Black and Recording Secretary – Darlene Baetz

Excused: Planning Commission Member – Sharon Spratley and City Council Representative – Richard Higginson

1. Welcome and Introductions.

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

2. Approval of the minutes for February 20, 2018.

Jim Clark made a motion to approve the minutes for February 20, 2018 as written.

Tom Smith seconded the motion. Voting passed 5-0 with Commission members Bell, Clark, Hill, Monson, and Smith voting aye.

3. PUBLIC HEARING – Consider approval of a variance to allow for a parking space within the required front yard. The property is located at 3457 S Bountiful Blvd, Ryan and Sandra Call, applicants.

Ryan and Sandra Call were present. Kendal Black presented staff report.

The applicants, Ryan and Sandra Call, have requested a variance to allow for the addition of a concrete parking pad in the front yard setback and concrete in the parking strip at 3457 Bountiful Boulevard in order to allow parking within the required front yard setback. The property is located in the R-F zoning district.

The applicant has requested a variance to allow an existing concrete parking pad and concrete in the parking strip constructed at 3457 Bountiful Boulevard to remain. The issues were discovered when performing an investigation of a code enforcement complaint mentioning a vehicle parked on the sidewalk. A code enforcement case was started to address the concrete in the park strip, a vehicle parked on the sidewalk obstructing the public right-of-way, and the noncompliant parking pad. The parking pad was constructed without permit and does not meet City standards for driveways and allowed parking. The City initiated enforcement action in order to obtain compliance with the Code and the applicant has elected to request a variance rather than removing the noncompliant parking pad and concrete in the park strip.

The parking pad in question does not meet the standards in Section 14-18-105 (f) or the R-F zone. Single family residential requirements include a maximum drive access width of thirty (30) feet. The drive access at the applicant's home is approximately fifty (50) feet wide. It is mentioned in

the applicant's narrative that the drive access has been in place like this for over 25 years. City staff determined that this was probably built this way to access the utility easement that runs along the northern part of the property. It is important to note that at the time the driveway was originally constructed, the northern parcel was not a part of the applicants' property. The existence of the drive access did not make paving this area legal and should not be paved or used for parking. The parking pad and concrete in the park strip do not meet the standards of the Land Use ordinance. The applicant's written narrative has been included in this items file. The City will not approve of this variance in the public right of way and therefore the variance is limited to the concrete work on the applicant's property. The property has adequate off-street parking to meet code standards and therefore the elimination of the parking space will not cause an unreasonable hardship. Instead, elimination will bring the site into compliance with the original approval.

The applicant has listed several special circumstances including the steepness of the terrain on the north side of the house impeding the ability to add an RV pad for additional parking and adding an RV pad to the south of the home not being possible due to the proximity of the North Canyon Creek as justification for a variance. The street view image on Google Earth from May of 2016 shows that there was sufficient space and the grade was not too excessive to add an adequate RV pad. The applicant has changed the landscaping on the north side of the house since then. The current landscaping creates a difference in grade creating a "shelf". The portion by the existing driveway is leveled off to join in the same slope and elevation as the existing driveway, whereas the portion behind the driveway (to the north of the house) is raised up to create the shelf. Other options such as excavating the area near the house to provide additional parking could be accomplished without the need for a variance.

Staff recommends denial of the requested variance to allow for the continued use of the recently constructed parking pad for parking in the front yard setback in the R-F zone. Staff recommends removal of the parking pad and the concrete in the park strip in order to comply with the standards of the Land Use Ordinance.

The easement can be accessed from the top of the property.

Mr. Wilkinson stated that parking is not allowed in the front yard 20 ft setback. Staff clarified that the concrete to be removed would be the pad next to the driveway and under the trashcans.

Mr. Call described the area as not landscaped. He stated that the steepness doesn't allow for an RV pad on the northeast side of the home and that he was unfamiliar with the City code.

Chair Monson opened and closed the **Public Hearing** at 6:45 p.m.

Staff and the Commission discussed the location of the sewer line and that the pad was poured in November 2017 and discussed the possibility of additional parking that could be added on the north east side of the home. Mr. Hill clarified the easement and original setback with Mr. and Mrs. Call. Mr. Rowland discussed the repair or replacement of structures, landscaping, or flatwork within an easement. Structures and retaining walls on an easement are replaced at the owner's expense. Landscape and flatwork would be replaced at the Utility's expense.

Chair Monson explained the variance process and the Planning Commission approval process.

Von Hill made a motion to deny the variance to allow for a parking space within the required front yard at 3457 S Bountiful Blvd.

Jesse Bell seconded the motion. Voting passed 4-1 with Bell, Clark, Hill and Monson voting aye and Smith voting nay.

4. PUBLIC HEARING – Consider approval of a variance to allow a third driveway. The property is located at 992 E 550 N, Kevin Menlove, applicants.

Kevin Menlove was present. Chad Wilkinson presented the staff report.

The applicant, Kevin Menlove, has requested a variance to allow for a third driveway for the property located at 992 E. 550 North. The property is located in the R-4 zoning district.

The applicant has requested a variance to Section 14-18-109 B to allow an existing paved area to remain and to be authorized as a driveway. The variance request is the result of enforcement action on the property which was initiated in June 2017 by the City in relation to an RV parked on a nonpaved surface and the use of a third driveway on the northwest corner of the property. The applicant has removed the RV and has petitioned the City to allow the paved area to remain and to be used as a third driveway to the property.

The existing residence on the property was constructed in 2008. At the time of construction, the City identified an existing driveway approach on the northwest corner of the lot and required that the approach be removed. The City did not approve an access to the lower garage on the property at that time or subsequently. Many residences include lower garages used for the storage of yard maintenance equipment and other general storage and the City did not approve a vehicle access to this garage at the time of construction. The City also has no record of approval of a basement apartment on the property as this would have required the approval of a conditional use permit for an accessory dwelling unit. The permit issued for the property indicates a rough basement and did not indicate a basement finish. Based on aerial photography the paved area appears to have been constructed sometime between 2011 and 2013 after final inspection of the property by the City and has been used as a parking area for vehicles since its construction. A driveway approach was not installed and no permit was issued for the construction of a driveway. From aerial photography and street view images it appears that the paved area was accessed by a metal ramp placed in the right of way in the past. When the neighboring property to the west was constructed in 2015, a paved connection was constructed that was not shown on approved plans. This access appears to have been constructed as a way for vehicles to access the paved area on the applicant's property.

The applicant has submitted a narrative that describes the paved area as a "sidewalk." However, it is clear from photographic evidence that the paved area has been used as a parking area for several years. Section 14-4-105 F requires that driveways accessing parking on an interior side yard be at least 12 feet in width, requiring a 12 foot setback for the home. Based on the approved site plan, the home was constructed at the minimum 8 foot setback which would not provide adequate setback for the required driveway.

The site plan approved with the building permit did not include the paved area and the existing driveway approach was required to be removed in order for the property to comply with Code. The property has adequate off-street parking to meet code standards and therefore the elimination of the paved area will not cause an unreasonable hardship. Instead, elimination will bring the site into compliance with the original approval. State Code stipulates that a variance cannot be based on a hardship that is based on financial considerations or is self-imposed. The choice of building design and setbacks were a self-imposed condition.

The applicant has listed circumstances related to access of the basement garage and a mother-in-law apartment. The City has no record of approval for a basement apartment (which would have required the approval of a conditional use permit and recording of a deed restriction on the property). The issue is related to the number of allowed driveway accesses on a property. The Code limits the number to two access points. The applicant has elected to use both allowed accesses on the east side of the home. There are no special circumstances that apply to the property that do not apply to other similar lots in the zone. The design of the home with two driveway accesses on 1000 East was a choice of the property owner and is self-imposed.

Staff recommends denial of the requested variance to allow for a third driveway in the R-4 zone. Staff recommends modifications be made to the paved area to prevent vehicle parking in the future.

Mr. Wilkinson stated that an 8-ft setback was on the original plans and that a 12 ft setback is required for a driveway accessing parking in a rear yard. Anything less would need to go thru the variance approval process.

Mr. Menlove presented pictures and plans to discuss with the Commission Members that the City did not have. He also discussed that the basement apartment was set up for his mother-in-law and other family members. Mr. Menlove showed the Commission Members his set of the original plans for the driveway and garage in the rear yard as were drawn up and the intended use.

Chair Monson opened the **Public Hearing** at 7:16 p.m.

Eric Nelson resides at 995 E 550 North. Mr. Nelson stated that it is hard to understand the definition and stated that the driveway is not a true driveway. There is no code definition for the driveway width.

John Hilton resides at 89 W 1200 South. Mr. Hilton asked if this pad is a patio or walkway should there be parking located there.

Chair Monson closed the **Public Hearing** at 7:18 p.m.

Mr. Wilkinson shared the definition of a driveway. "Any off-street parking area has to be accessed through an approved drive exit or curb cut." "It is unlawful to drive a motor vehicle on any sidewalk, park strip or other area behind the curb within the public right away with the exception of an approved drive approach."

Mr. Rowland stated that Lloyd Cheney, Bountiful Assistant City Engineer, reviewed the proposed plans and wrote comments before the plans were released. Staff produced a copy of the approved

site plan with notes from Mr. Cheney.

Mr. Menlove commented that the approved plans showed all of the proposed changes before they were approved. Staff responded that the building permit did not include a finished basement and that the driveway was not shown on the approved plans.

Mr. Bell commented that this is an unfortunate set of events but there are a lot of mother-in-law apartments don't have vehicular access – it is not a requirement to have a driveway. This doesn't meet the code and Planning Commission members don't have the latitude to approve variance that can't be approved.

Chair Monson summarized the variance criteria and feels that they have not been met.

Mr. Hill asked staff if the third driveway could be left and used as a walkway or patio.

Mr. Wilkinson verified that the driveway should be cut back 25 ft to the front set back line in order to be considered a patio. And that in order to be considered a sidewalk the width would need to be reduced or other modifications made to prevent a vehicle driveway.

Jim Clark made a motion to deny the variance to allow for a third driveway for property located at 992 E 550 N.

Tom Smith seconded the motion. Voting passed 5-0 with Bell, Clark, Hill, Monson and Smith voting aye.

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

1. No Planning Commission meeting March 20, 2018.
2. J & L Garden Center has been demolished, work is moving forward.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:48 p.m.

Chad Wilkinson, Bountiful City Planner

BOUNTIFUL CITY PLANNING COMMISSION

FINDINGS OF FACT AND CONCLUSIONS

APPLICANT: Ryan and Sandra Call

APPLICATION TYPE: Request for a variance for the addition of concrete parking pad and concrete in park strip to allow for parking within the required front yard setback

I. DESCRIPTION OF REQUEST:

The applicants, Ryan and Sandra Call, have requested a Variance to allow the addition of a concrete parking pad and concrete in the park strip on the northern portion of their property in the R-F (Residential-Foothill) zone.

II. LAND USE ORDINANCE AUTHORITY:

Section 14-2-111 authorizes the Planning Commission as the review body for variance requests related to the setback standards of the Ordinance.

III. APPEAL PROCEDURE:

Bountiful City Land Use Ordinance section 14-2-108 states that an applicant, board or officer of the City, or any person adversely affected by a Land Use Authority's decision administering or interpreting a land use ordinance or ruling on a request for a variance may, within fourteen calendar days of the written decision, appeal that decision to the Appeal Authority. No other appeals may be made to the Appeal Authority.

The appeal must be in writing and specifically allege that there is an error in an order, requirement, decision or determination by the Land Use Authority. The appellant shall state every theory of relief that it can raise in District Court.

IV. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B. The minutes of the public hearing held by the Planning Commission on **Tuesday March 6, 2018** which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given at the public hearing the Planning Commission made the following findings:

- A. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;

The property has adequate off-street parking to meet code standards and therefore the elimination of the parking space will not cause an unreasonable hardship. Instead, elimination will bring the site into compliance with the original approval.

- B. There are special circumstances attached to the property that do not generally apply to other properties in the district;

The applicant has listed several special circumstances including the steepness of the terrain on the north side of the house impeding the ability to add an RV pad for additional parking and adding an RV pad to the south of the home not being possible due to the proximity of the North Canyon Creek as justification for a variance. The street view image on Google Earth from May of 2016 shows that there was sufficient space and the grade was not too excessive to add an adequate RV pad. The applicant has changed the landscaping on the north side of the house since then. The current landscaping creates a difference in grade creating a "shelf". The portion by the existing driveway is leveled off to join in the same slope and elevation as the existing driveway, whereas the portion behind the driveway (to the north of the house) is raised up to create the shelf. Other options such as excavating the area near the house to provide additional parking could be accomplished without the need for a variance.

- C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district;

Approval of a variance would actually grant a right that is not possessed by other property in the same zone. The applicant has sufficient parking in the driveway and in the garage.

- D. The variance will not substantially affect the general plan and will not be contrary to the public interest;

Limitations on the number and location of parking areas within required front yards are in the public interest.

- E. The spirit of the land use ordinance is observed and substantial justice is done

Granting a variance would be contrary to the spirit of the land use ordinance. The driveway spacing standards of the Code are meant to enhance public safety by limiting the number of locations vehicles may enter the public right-of-way. Restrictions on parking within a front yard provide opportunities for additional landscape areas in front yards which enhances the beauty of the community.

VI. DECISION AND SUMMARY

The Planning Commission denied the requested variance by a vote of 4-1.

FINDINGS OF FACT APPROVED BY THE Bountiful City Planning Commission
this _____ day of April, 2018

Sean Monson, Chair
Bountiful City Planning Commission

**BOUNTIFUL CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS**

APPLICANT: Kevin Menlove

APPLICATION TYPE: Request for a variance in order to allow for a third driveway

I. DESCRIPTION OF REQUEST:

The applicant, Kevin Menlove, has requested a variance to allow for a third driveway for the property located at 992 E. 550 North. The property is located in the R-4 zoning district.

II. LAND USE ORDINANCE AUTHORITY:

Section 14-2-111 authorizes the Planning Commission as the review body for variance requests related to driveways.

III. APPEAL PROCEDURE:

Bountiful City Land Use Ordinance section 14-2-108 states that an applicant, board or officer of the City, or any person adversely affected by a Land Use Authority's decision administering or interpreting a land use ordinance or ruling on a request for a variance may, within fourteen calendar days of the written decision, appeal that decision to the Appeal Authority. No other appeals may be made to the Appeal Authority.

The appeal must be in writing and specifically allege that there is an error in an order, requirement, decision or determination by the Land Use Authority. The appellant shall state every theory of relief that it can raise in District Court.

IV. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.
- B. The minutes of the public meeting held by the Planning Commission on **Tuesday, March 6, 2018** which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given at the public hearing the Planning Commission made the following findings:

- A. The literal enforcement of the land use ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance;**

The site plan approved with the building permit did not include the paved area and the existing driveway approach was required to be removed in order for the property to comply with Code. The property has adequate off-street parking to meet code standards and therefore the elimination of the paved area will not cause an unreasonable hardship. Instead, elimination will bring the site into compliance with the original approval. State Code stipulates that a variance cannot be based on a hardship that is based on financial considerations or is self-imposed. The choice of building design and setbacks were a self-imposed condition.

- B. There are special circumstances attached to the property that do not generally apply to other properties in the district;**

The applicant has listed circumstances related to access of the basement garage and a mother-in-law apartment. The City has no record of approval for a basement apartment (which would have required the approval of a conditional use permit and recording of a deed restriction on the property). The issue is related to the number of allowed driveway accesses on a property. The Code limits the number to two access points. The applicant has elected to use both allowed accesses on the east side of the home. There are no special circumstances that apply to the property that do not apply to other similar lots in the zone. The design of the home with two driveway accesses on 1000 East was a choice of the property owner and is self-imposed.

- C. Granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the district;**

Approval of a variance would actually grant a right that is not possessed by other property in the same zone. The Code limits the number of driveways to two for all properties in the zoning district. The approved design of the home showed both of the allowed driveways on 1000 East.

- D. **The variance will not substantially affect the general plan and will not be contrary to the public interest;**

Limitations on the number and location of driveways and parking areas within required front yards is in the public interest. Requiring compliance with the approved site plan is also in the public interest.

- E. **The spirit of the land use ordinance is observed and substantial justice done**

Granting a variance would be contrary to the spirit of the land use ordinance. The driveway standards of the Code are meant to enhance public safety by limiting the number of locations vehicles may enter the public right-of-way. Restrictions on number of driveways provide opportunities for additional landscape areas in front yards.

VI. **DECISION AND SUMMARY**

The Planning Commission denied the variance to the minimum driveway separation standards and lot coverage standards by a vote of 5-0.

FINDINGS OF FACT APPROVED BY THE Bountiful City Planning Commission this _____ **day of April, 2018.**

Sean Monson, Chair
Bountiful City Planning Commission

Commission Staff Report

Item #5

Subject: Application for Agriculture Protection Area
Property Addresses: Approximately 1280 N 400 East
Author: Chad Wilkinson, Planning Director
Department: Planning
Date: April 17, 2018



Background

The applicants, Alan Bangerter and Randal Edwards, have requested the creation of an agriculture protection area for property located at approximately 1280 N. 400 East. The property is approximately 11.85 acres in size and is currently zoned R-4. Utah Code Title 17 Chapter 41 provides for a process by which the legislative body of a City or town may create an agricultural protection area. The process provides for coordination with the County including review and recommendation by a County appointed agriculture protection advisory board. The proposal is also required to be considered by the Planning Commission with a recommendation forwarded to the City Council.

Standard of Review

State Code Section 17-41-305 provides criteria for evaluating a proposal for creation of an agriculture protection area. The criteria include the following:

- (1) whether or not the land is currently being used for agriculture production or for an industrial use, as the case may be;
- (2) whether or not the land is zoned for agriculture use or industrial use, as the case may be;
- (3) whether or not the land is viable for agriculture production or industrial use, as the case may be;
- (4) the extent and nature of existing or proposed farm improvements or the extent and nature of existing or proposed improvements to or expansion of the industrial use, as the case may be; and
- (5) (a) in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions; or
(b) in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question.

Analysis:

The Chas W. Bangerter and Son farm has been operating in Bountiful for over 100 years and continues to be a viable and productive farm. Development has occurred around the property and the farm is now hemmed in by residential development on all sides. The farm is one of a few remaining viable farm parcels in the City limits.

A review of the evaluation criteria provided in State law shows that the proposal is consistent with the intent of the agriculture protection area statute. The property is currently used for agriculture and the farm use has existed for decades. The Bangerter farm is an active participant in the Bountiful Farmer's Market and supports the recent trend for increased demand for locally grown produce. The one criterion that merits further discussion relates to the zoning of the property. The property is currently zoned R-4 (Single-family Residential) and the adoption of the agriculture protection area will not change the underlying zoning of the property. The City does not have an agricultural zoning designation at this time. The R-1 zoning district focused around the Val Verda area is the closest designation to an agriculture zone but is still primarily a single family zone that allows for limited farm animals and agricultural use. Although State Code lists existing zoning as a consideration, in this case, because the use has been operating for over 100 years, the agriculture use is considered to be a legal existing nonconforming use. Because of the preexisting nature of the use, the current zoning is not a limiting factor on the continued use of the ground for agricultural purposes as the use may continue in perpetuity as long as the agricultural use is not abandoned or discontinued for more than one year.

Notice of the proposal for an agriculture protection area was sent to all property owners within 1000 feet of the subject property. The City received a few comments in response to the notice all generally in support of the proposed protection area. A copy of these comments is attached to this report.

The proposal was considered by the Davis County Agriculture Protection advisory board on April 9, 2018. A copy of the minutes of that meeting is attached to this report. The advisory board unanimously recommended approval of the proposed Agriculture Protection Area.

Department Review

This item has been reviewed by the City Planner and City Attorney.

Significant Impacts

State law limits the land use authority of Cities pertaining to property within an agriculture protection area. As an example a City may not change the zoning designation or regulations affecting land within an agriculture protection area without written approval of all owners within the boundary of the agriculture protection area. In addition, the protection area requires additional procedures should the City wish to exercise eminent domain on the property. These impacts should be considered as the Planning Commission and City Council review the application. State law also requires additional notice to appear on new subdivisions within 300 feet of an agriculture protection area. Since there are not any other properties within 300 feet of the property with significant development potential, this requirement is expected to have minimal impact

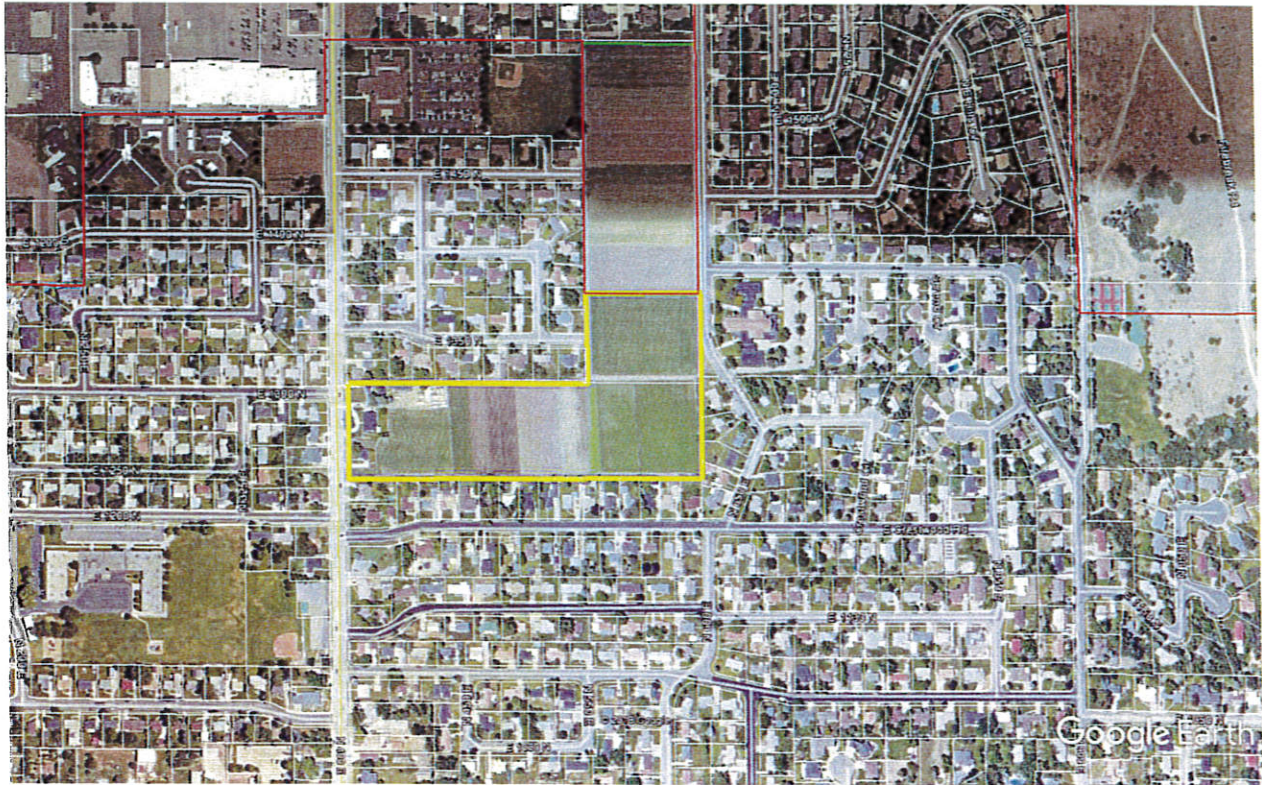
Recommendation:

It is recommended that the Planning Commission forward a recommendation of approval to the City Council for the proposed agriculture protection area.

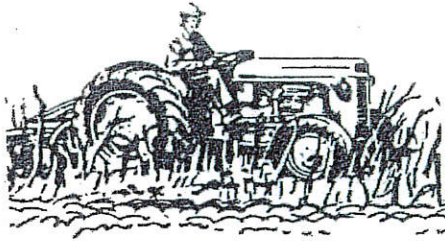
Attachments

1. Aerial photo
2. Application Materials
3. Minutes From April 9, 2018 Agriculture Protection Advisory board meeting
4. Letters from adjoining property owners

Aerial Photo



RECEIVED
3/13/18
aa



CHAS. W. BANGERTER & SON, INC.
1304 North 400 East
Bountiful, Utah 84010
(801)295-3056
(801)631-1374

*****AMENDED PETITION*****

PETITION: DESIGNATION AND APPROVAL OF AGRICULTURAL PROTECTION AREA WITHIN THE BOUNDARIES OF BOUNTIFUL MUNICIPALITY pursuant to UCA 17-41-202 et seq.

March 8, 2018

Mayor Randy Lewis
Bountiful City Council
City Hall
790 South 100 East
Bountiful, UT 84010

Dear Mayor Lewis and City Council Members:

This petition was filed originally February 28, 2018. After communication with Bountiful City regarding the original acreage included in the petition, it was determined that a portion of the original acreage was located in unincorporated Davis County. I met with the Davis County Recorder about this issue (the plots were combined several years ago), we have done deed work and have separated the acreage (replacing 02-070-0085 with 02-070-0102 and 02-070-0103). The new deed indexes have been updated by the County Recorder, and we are resubmitting this Amended Petition to include all land currently located in the city of Bountiful. Again, by way of this Amended Petition, the Bangerter family farms requests that you protect our farmland in Bountiful

OUR HISTORY IN BOUNTIFUL

Bountiful City's history and roots rest in its legacy as the garden spot of Utah and was, at one time, an agricultural center renowned for raising livestock, grain, alfalfa, orchard crops, fruits and vegetables. Land in Bountiful (and throughout Davis County) has sustained many family farm operations, and continues to do so for a dwindling family of farmers who make a

living working the land, managing their crops, and distributing produce and farm goods to local markets, restaurants, businesses, and homes in Bountiful and elsewhere.

As urbanization of the corridor between the mountains and the Great Salt Lake has taken place in Davis County, there has also come the inevitable entrance of infrastructure, freeways/transportation upgrades, subdivisions, home building, and the expansion of commerce. Bountiful has not been immune from these changes. The street that was once known as Orchard Drive because, as its name says, was full of orchards, but is now just another residential street. And while some residents of Bountiful – the name of which embodies farming as central to its identity – pride themselves on this town retaining its rural feel and small-town atmosphere. Tragically, most traditional family farms have gone by the wayside in the wake of a push for development and residential homes, which have overtaken the rich and fertile arable soil for which Bountiful is known. Actual farm land in Bountiful is becoming more and more scarce; but farmland still exists and needs to be protected.

The Chas. W. Bangerter & Son family farms have been an active grower of produce in Bountiful and surrounding Davis County for well over 100 years (since 1902, in fact). We hire local employees every growing season. Many of Bountiful's businessmen got their first job working for us as teenagers during the summers. We pay out wages in excess of \$400,000 per year, which is a boon to the local economy. Bangerter Farms harvests and delivers the equivalent of two semi loads of fresh vegetables per day to local warehouses during our peak growing season. Our local production of high quality vegetables means that the cost, pollution and inconvenience of importing the equivalent amount of those vegetables from outside the state is avoided.

The Bangerter family farms has been affected by urbanization and development in different ways, including having a large portion of their family land "taken" for creation of the Legacy Parkway and Legacy Bike Trail. From what we have been able to gather, plans are afoot to "take" even more of Bangerter Farms' farm land, including a substantial portion of two lots in unincorporated Davis County, which currently produce a large percentage of Bangerter produce, for the planned new West Davis Corridor. Each foot of farm land lost will be gone forever as crop-producing acreage. The preservation of the remaining areas of farm land in Bountiful as well as Davis County is vital. Not only do we feel that we are losing ground – literally – but that a rich rural heritage is being paved over.

For this reason, the Bangerter family now asks you to protect our generations-old family business by utilizing existing laws to protect two plots of producing farmland (Plat 02-070-0077/ 9.16 acres, and Plat 02-070-0103/ 2.695 acres), by approving and formally designating an Agricultural Protection Area within the boundaries of Bountiful City Municipality, as outlined below. Preservation of this plot of land will not only support the local economy and preserve Bountiful's legacy of farming, but will also protect our family's ability to remain a sustainable business for many generations to come.

The legislature of the State of Utah has set forth statutory protection for sustainable farmland, specifically to protect agricultural operations from encroachment of urban development. After inquiry with Bountiful City, we have been informed that, at present,

Bountiful City does not have formal procedure in place for designation of Agricultural Protection Areas pursuant to the mandates of UCA 17-41-202 *et seq.* (hereinafter referred to as “APA”). We are in the application process, under the APA, to protect all remaining farmland held by the Bangerter Farms family within Davis County, both incorporated and unincorporated. Please accept this communication as formal petition for designation and approval of Agricultural Protection Area within the boundaries of Bountiful Municipality.

SUMMARY

We seek the designation and approval for creation of an Agricultural Protection Area, or an amendment to an existing Agricultural Protection Area within the incorporated boundaries of the City of Bountiful. This designation shall identify specific parcel(s) of property within the City of Bountiful, for a period of twenty (20) years, at the expiration of which a review is required under the statute for continued designation under the APA.

Creation of an Agricultural Protection Area is crucial to promote and encourage viability, development, sustainable local business, community employment, and ongoing continuity of agriculture within the City of Bountiful. Designation of an Agricultural Protection Area shall afford the landowners and farmers within the designated areas the highest priority use status, as envisioned by the Utah State Legislature.

Protection of farmland is a necessity for the city of Bountiful, its citizens, and its local businesses. Designation under the APA allows farmland owners to protect the integrity of viable farmland from non-farm encroachment and to minimize or eliminate detrimental impact on agriculture and local businesses.

AGRICULTURE PROTECTION AREA APPLICATION

1. BOUNDARIES OF THE LAND PROPOSED TO BECOME PART OF THE AGRICULTURAL PROTECTION AREA

Please see attached boundary map with proposed APA designation area highlighted.
(Attached hereto as Exhibit A)

2. LIMITS ON THE TYPES OF AGRICULTURE PRODUCTION TO BE ALLOWED WITHIN THE AGRICULTURAL PROTECTION AREA

There should be no limitation to the type of agricultural production allowed within the proposed Agricultural Protection Area. Currently, the farm production for Bangerter Farms includes beans, beets, sweet corn, peas, radishes, summer & winter squash, eggplant, jalapeno and other peppers, pumpkins, tomatoes, melons, cucumbers, green onions, bell peppers and other crops. This production may expand, based upon the needs and requests of the local population, local businesses, and local grocers who benefit from Bangerter Farms' production.

3. NAMES OF OWNERS OF RECORD OF THE LAND PROPOSED TO BE INCLUDED WITHIN THE AGRICULTURAL PROTECTION AREA

Applicant Information

Property Owner: Alan B. Bangerter and Diane F. Bangerter as Trustees of the Bangerter Family Trust

Address: 1290 North 400 East, Bountiful, UT 84010

Phone: 801-631-1374

E-mail Address: alanbangerter@comcast.net

Applicant/Authorized Agent: Randall K Edwards and Jeanne D Marshall

Address: 188 North 100 West, Bountiful, UT 84010

Phone: 801-328-0300 Facsimile: 801-328-4822

E-mail Address: randall@randallkedwards.com, jeanne.d.marshall@gmail.com

4. IDENTIFICATION OF PARCEL(S); TAX PARCEL NUMBER; NUMBER OF ACRES

PARCEL ADDRESS	PARCEL TAX ID NUMBER	ACREAGE
Farm Address (Main Entrance): 1304 North 400 East Bountiful, UT 84010 Farm Land reaches from 400 to 600 East and 1250 to 1550 North	02-070-0077	9.16

<p>Bountiful, UT 84010</p> <p>Legal Description:</p> <p>BEG 1.52 CHAINS E & 9.825 CHAINS N FR THE SW COR OF SEC 17-T2N-R1E, SLM, & RUN TH N 4.875 CHAINS, TH E 18.47 CHAINS, TH S 5.05 CHAINS, TH W 18.47 CHAINS TO BEG. CONT. 9.16 ACRES. RESERVING A LIFE ESTATE TO CHARLES W BANGERTER AKA CHARLES BANGERTER. RESERVING A LIFE ESTATE TO ALAN B BANGERTER</p>		
<p>Farm Address (Main Entrance): 1304 North 400 East Bountiful, UT 84010</p> <p>Farm Land reaches from 400 to 600 East and 1250 to 1550 North Bountiful, UT 84010</p> <p>Legal Description:</p> <p>BEG AT NW COR OF HILLS NO 1, THE; SD PT IS 984.23 FT S & 1330.90 FT E OF W 1/4 COR OF SEC 17-T2N-R1E, SLB&M; TH N 0°15'20" W 509.50 FT; TH E 3.40 FT; TH S 509.50 FT; TH W 1.0 FT TO POB. CONT. 0.025 ACRES ALSO, BEG AT A PT 1158.59 FT S & 1330.50 FT E FR W 1/4 COR OF SEC 17-T2N-R1E, SLB&M; RUN TH N 174.36 FT; TH E 2.40 FT; TH S 174.36 FT; TH W 2.40 FT TO POB. CONT. 0.01 ACRES ALSO, BEG AT A PT S 89°47' E 104.3 FT & N 970.2 FT FR THE SW COR OF SEC 17-T2N-R1E, SLB&M; TH N 88°59' E 830.64 FT; TH N 294.9 FT TO THE N LINE OF BOUNTIFUL CITY; TH E 385.19 FT; TH S 305.25 FT; TH W 18.47 CHAINS TO THE POB. CONT. 2.66 ACRES TOTAL ACREAGE 2.695 ACRES</p>	02-070-0103	2.695

SUPPORTING MATERIALS AND INFORMATION

I. HISTORY OF BANGERTER FARMS AND HISTORY OF DESIGNATED APA LAND

Bangerter Farms has been in production in our family for six generations in Davis County. We are proud of our heritage, and continue to actively cultivate and farm our lands for the benefit of our family and community. We are truly a family business and intend to remain a viable and active part of our community for generations to come.

Nicklas Bangerter, my great grandfather, and a renowned farmer in Davis County, purchased some of the Bangerter family's current farm acreage in 1902. In fact, Plat 02-070-0077, the subject of this application, was one of the first pieces of property purchased by Nicklas, and has been farmed by the Bangerter family since that time. (Nicklas' total farm property included land on both sides of Pages Lane, all the way to 200 West from 300 East, and even entailed property where the J.A. Taylor Elementary School is located.) Nicklas owned the first grain thresher and one of the first automobiles in the area. In 1906, Nicklas' son, Orson N. Bangerter, my grandfather, married and build a home on some of that farm property, and started farming the land. Orson raised 12 children (10 boys) on the farm and was an active farmer and crop producer until his death in 1946. He called his operation Orson N. Bangerter and Sons.

My father, Charles W. Bangerter, was born on the family farm in 1918 and worked the farm continually for more than 80 years, until his death in 1999. "Charley" worked with his father, and then took over the farm when Orson died. Charley raised six children on the farm. He named his operation Chas. W. Bangerter and Sons. I, Alan Bangerter, (one of the sons), was born in 1951, and soon thereafter began learning the ropes of my family's legacy. In 1953, my family began to farm additional property in the area, first by purchasing the south section of the farm. We rented the north portion for years and then finally purchased it in approximately 1968. This added another 10.353 acres – what was identified as Plat 02-070-0085, a piece that has now been updated in the deed index to include a 2.695 acre plot in Bountiful City (02-070-0103), subject of this application, and another plot in unincorporated Davis County (02-070-0102) an additional land which the Bangerter Farms family has requested be protected under the APA through the County. These pieces of property have been consistently farmed by the Bangerter families for decades.

I farmed with my father my entire life, and we worked together diligently to expand our acreage, especially when we saw the urbanization and growth in the area. South Davis County is our home, and is land-locked from growth. Once developers began moving into the area, we realized we needed to do everything we could to protect not only our legacy and way of life, but also our ability to farm and maintain the ability to make a living wage and care for our growing families.

We incorporated our family farm business in 1973 and started Chas. W. Bangerter & Son, Inc., our current company. Of my six children, three are currently still working the farm lands with me. We are all partners in the current operation (Charles [named after his farmer grandfather], Nicklas [named after his farmer great-great grandfather], and Bryce). These three

children have 10 children between them, who, like past generations, all work the same farming property. Our families work full-time and are supported by our farming operation.

In 1972, my father and I decided to expand our farming operations to other places in Davis County. We began purchasing Farmington and unincorporated Davis County, first obtaining nine acres just south of the State Street overpass. Within a few years, we were able to purchase 21 more acres extending south from the first field – west of Interstate 15 and the railroad tracks; a total of 30 acres. We hoped to expand the family business in Davis County but, given the encroachment of urban development, good farmable property was becoming scarce. In 1988, we were able to purchase 46 acres from the Smoot family that was located further west in Farmington, just below 1100 West, between 500 South and 900 South. To our dismay, however, in 2000, we heard about the construction project for Legacy Parkway and were informed that the construction of the new roadway would require the “taking” of the first 30 acres of that rich and fertile farmland. We were then forced to begin the search for increasingly scarce farmland elsewhere. Negotiations with UDOT for the land did not provide acre-for-acre exchange for the property taken. Thus, when we lost our first 30 acres for Legacy Parkway, we were only able to find a 22.37 acre lot to replace it, part of which, I understand, is to be “taken” for the new corridor build. It seemed that we were being hemmed in by development on every side.

We can scarcely afford to lose more land, especially in light of the time, effort, money and sweat we have invested in making the small acreage we have productive. The designation of this property as an Agricultural Protected Area is in the best interest of this community, and specifically for the ongoing productivity and viability of our small family farm.

II. QUALITIES, CHARACTERISTICS, AND PROCESS FOR CREATING AND MAINTAINING VIABLE FARMLAND FOR GROWING PRODUCE

A. Location

As mentioned above, we run a small family operation in Davis County that provides produce for local businesses, which include the following:

- Mountain States Produce (Ogden, Utah) distributes Bangerter Farm produce to all Smith’s Food & Drug Stores in Utah.
- Associated Food Stores, delivered to and distributed from its distribution center in Farr West, Utah.
- Hartley’s Produce (Salt Lake City, Utah)
 - Utah WalMart Stores; and
 - Sysco Intermountain (restaurant supplier in Utah)
- Muir Copper Canyon Farms (Salt Lake City, Utah)
- A&Z Produce (North Salt Lake, Utah)
- Albertson’s Safeway Distribution Center (North Salt Lake, Utah)
- Winder Dairy (West Valley City, Utah)
- Eagle Eye Produce (Layton, Utah)
- KP Distribution LLC (Riverton, Utah)
- Craig Roberts Produce (Centerville, Utah)

- Bangerter Farm Vegetable Stand (Bountiful, Utah)
- Salt Lake Farmer's Market (Salt Lake City, Utah)
- Bountiful Farmer's Market (Bountiful, Utah)
- Mandarin Restaurant (Bountiful, Utah) and other local eateries

In order to maintain our family business, it is imperative we keep all of our properties within a 10 mile radius. Otherwise, it is not economically feasible keeping the business running and profitable. As referenced above, it is worth mentioning that in addition to our family, we hire over 100 local teenagers per season to help farm the land. This has been our practice for over 70 years. In order to maintain our farming operation, we must not only move heavy equipment from field to field, but also move employees.

B. Irrigation System and Water

It is necessary that there be water rights allocated to and associated with each plot of land we farm. In this area, most water rights are distributed through Weber Basin Water or one of its affiliates.

In order to farm land, our family has had to install multiple water delivery systems on our properties in Bountiful and other properties in Davis County. This has been done at substantial time and expense to our family operation. In order to do so, we had to go through the process of having pipes installed underground throughout the property with corresponding faucet attachments above-ground. From these faucets, we then ditch-irrigate each crop using delivery hoses that are attached to precision "gated pipe," to best control the water through these faucets. Because over-watering is a cause for poor production, an adequate watering system is essential to apply the optimal amount of water. We utilize this watering system for several purposes, one of which is to ensure that water is directed where needed, and another of which is to facilitate tight control of water use for each furrow and crop. This watering system and method also conserves precious water resources.

C. Land Leveling

In order to grow sustainable crops and to facilitate the irrigation system, the farm land must be laser leveled with proper slope so that the water will flow correctly and efficiently. If there is too little slope, the water may not reach the bottom of the crop, causing loss of production. If there is too much slope, the water will run through the ditch too fast without proper soaking, also causing loss of production. Proper slope ensures that the crops obtain optimum soaking during the watering period.

D. Fertility of the Soil

It takes many years to build up a piece of land to ensure it will grow and produce at optimum capacity. This is not an instantaneous process, but requires years and years of investment and working the land. As mentioned above, the original piece of property purchased by our family, Plat 02-070-0077 has been actively farmed since 1902, and the rest of the property we want protected has been farmed for decades as well.

In order to ensure the fertility of the soil, we do annual soil testing and analysis of the soil. We use both organic manures and chemical fertilizers to cultivate the soil, build the fertility, and maintain the proper pH of the soil so that it will grow abundant vegetables of high quality. Our efforts in this regard have paid off; the soil is now at optimum productivity for vegetables.

In addition, we must remedy and control the weeds in the soil as well as the carry-over weed seed growing on the land. The adequate control of weeds is a large part of maintaining farmland and is part of our family's business formula for producing the highest quality vegetables in Davis County. It has taken years of constant hand weeding, hoeing, and cultivation in order to keep the current growth of weeds at an acceptable minimum.

E. Improvements

As with most plots of land used in farming vegetables, there are certain other improvements that must be done aside from the watering system, leveling, fertilization, and elimination of weeds. As a farming family, we must assess the land, often including removal of canals, trees, shrubs, and roadways. As part of the farming process and improvements to the land, we must designate roads to and from the fields where we will produce the vegetables to harvest, pack the vegetables, and then transport it from the fields. There is substantial planning that goes into each plot of land owned by our family farm. In addition, because our operations are "Food Safety Certified", there exists a need to keep out human and animal traffic. We are also required to utilize signage that helps to control outside influence that could be cause for food safety concern.

III. **EVALUATION OF PROPOSED APA LAND**

Under Utah Code Ann. 17-41-305, the criteria to be applied in evaluating a proposal for the creation of an Agriculture Protection Area is as follows:

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area or industrial protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

- (1) whether or not the land is currently being used for agriculture production;
- (2) whether or not the land is zoned for agriculture use;
- (3) whether or not the land is viable for agriculture production;
- (4) the extent and nature of existing or proposed farm improvements; and
- (5) anticipated trends in agricultural and technological conditions.

As outlined above, when these criteria are applied to the Bangerter Farms properties, it is clear that each meets all the requisites for designation of an Agriculture Protection Area. Our farm land:

- Is currently being used for agricultural production;
- Each plat is current on its Utah State Application for Assessment and Taxation of Agricultural Land;
- Each plat is designated as Irrigated Crop Land with the State of Utah;
- Is viable for agricultural production – and is producing currently;
- Has had major improvements done to it in order to make it a viable and producing plot for Bangerter Farms;
- Is a scarce commodity and resource and should be protected at all costs by Bountiful City Municipality. Given the growth of the community and continued development of the area, agricultural land is being depleted at record pace.

CONCLUSION

We look forward to working with you in bringing about the Agriculture Protection Area for the land described above. We are proud to be part of the Bountiful community, continuing to carry out the rich and important tradition of farming here. We will, of course, provide any further help and support you need in order to make this vital designation.

Sincerely,

Chas. Bangerter & Sons, Inc.

By Alan Bangerter, President

received
3-29-18

Margaret T. Hislop
552 East 1450 North
Bountiful, UT 84010
March 23, 2018

Bountiful City Council
Bountiful Planning & Zoning Office
Agriculture Protection Area
Advisory Board
790 South 100 East
Bountiful, UT 84010

Re: The proposal for the creation
of an agriculture protection
area on property located at
approximately 1280 North
400 East with a total area of
approximately 11.86 acres.

I do totally recommend that you
approve this proposal. I have lived
at this residence for almost 51 years
and to have all the wonderful vegetables
they are growing — not only in the USA,
or Utah, but our own county and
community is tremendous. They have
farmed wonderful produce through
many years that has been food for
thousands of families.
cc: Alan Bengtson

Sincerely,
Margaret Hislop

MINUTES
DAVIS CONSERVATION DISTRICT (DCD) MEETING
Regular Meeting, April 9, 2018
Location, Kaysville Botanical Center, UT

ATTENDANCE:

Appointed Davis Conservation District
Supervisor Representatives

DeVan Packs, *Supervisor*
Jake Jacobson, *Supervisor, Chairman*
Nile Carlson, *Supervisor, Vice Chair*
Tyson Roberts, *Supervisor/Treasurer*

Conservation Partners

Jenny Jo Cox, *Natural Resource
Conservation Services (NRCS)*
Shawn Olsen, *Utah State
University (USU) 4H
Extension Agent*
Chet Fitzgerald, *NRCS*

Department of Agriculture and Food (UDAF):

Loralie Cox, *Resource Coordinator*

Conservation District Employees

Nikki Mortensen, *District Clerk*

District Members Absent:

Rulon Fowers, *Supervisor*
Joe Hill, *Associate Member*

Members of the Public

Jeff Oyler, *Davis County Planning Commission*
Charles Bangerter, *Bangerter Farm*
Alan Bagerter, *Bangerter Farm*
Jeanne Marshal, *Attorney for the Bangerters*
David Petersen, *Farmington City*
Eric Anderson, *Farmington City*
Chad Wilkinson, *Bountiful City*
Sterling Brown, *Utah Farm Bureau Fed.*

SUMMARY OF DISTRICT ACTION

- | | |
|--|-----------------|
| 1. <u>Ag. Protection Advisory Board Discussion</u> | <u>Page 2-4</u> |
| 2. <u>Minute Review</u> | <u>Page 4</u> |
| 3. <u>Financials</u> | <u>Page 4</u> |

4. NRCS Page 4
5. USU Page 4
6. UDAF Page 4-5
7. Calendar of Future Events Page 5

DAVIS CD MEETING - CALL TO ORDER

Davis Conservation District (DCD) Chair/Supervisor Jake Jacobson called the meeting to order at 12:04 pm.

AG. PROTECTION ADVISORY BOARD DISCUSSION

Davis County Planner, Jeff Oyler, reviewed the Staff Report from Davis County Planning Department with members present. The report addressed four ag. protection applications, but all parcels of land in question were owned by the Alan Bangerter farm. Jeff summarized the Bangerter farm's history as well as current processes. There have been no known objections to the Bangerter Farm's proposal submitted to the Davis County Planning Department. There have however, been several favorable submissions supporting the Bangerter Farm's ag protection application. Jeff reviewed the seven requirements necessary for the farm to receive the Ag. Protection Advisory Board's recommendation for protection under the Ag. Protection Act. The parcels of land are in separate cities and therefore will be reviewed in both Bountiful and Farmington for approval. An approximate, 5.5 acres of approximately 43.72 acres of property in Farmington, taxid#08-081-0066, is being impacted by the West Davis Highway. It has been proposed that this strip of land, approximately 5.5 acres, be withheld from the ag. protection application. A second parcel in Farmington, tax id #08-076-0010, is applying for ag. protection. There are three parcels in Bountiful, tax id#'s 02-070-0102, 02-070-0103, 02-070-0077, applying for ag. protection as well. The Advisory Board questioned the exclusion of the Farmington 5.5 acres from the application. Jeff explained that Utah Department of Transportation (UDOT) would most likely obtain the property through Eminent Domain if the acreage were included. It also may increase the approval potential for the other parcels to exclude the 5.5 acres. Davis County supports both the West Davis Highway and Agriculture. The commission may find approval easier if they could support both issues with their decision. Nile discussed an unofficial proposal that cut directly through the Bangerter property early on in the Highway's planning. The proposal was never discussed with the Bangerter farm. DeVan informed attendees that property was procured from Pack's farm as well as Bangerter's by UDOT for Legacy Highway. Tyson asked for a breakdown of unincorporated parcels into Davis County as well as incorporated. Davis County will have final approval on unincorporated parcels and Bountiful and Farmington cities will have final approval of the incorporated parcels. Tyson discussed the ag. protection easement on his farm. He asked how much weight the Ag. Advisory Board's

recommendation would actually carry. Jeff explained that ag. protection easements are relatively uncommon in Davis, but when one comes before the commission it is most often approved.

Chad Wilkinson from the Bountiful city planning department informed the Board there were no objections to the Bangerter farm application. He expected the recommended approvals for the parcels in Bountiful.

Farmington's Community Development Director, David Petersen, recounted Farmington's continued effort to protect open space and agriculture in Farmington. He discussed the succession of decisions which led to the current situation involving the city and Bangerter farm. Field Stone Homes purchased property in West Farmington which under city mandate required open space. Farmington city encouraged Field Stone Homes to put a park rather than homes next to a portion of land that ran along the West Davis Highway. In UDOT's revision of the highway they determined that the park would need to be eliminated to make room for the road. UDOT is legally obligated to replace the eliminated park with another; equally comparable and within the city limits. The suggested location for the park is in a section of Bangerter's farm.

Jeff informed the Advisory Board that the Davis County's Planning Commission intends to approve the Bangerter farm Ag. Protection Application.

Alan Bagerter discussed the generational succession of his farm. He would like to continue farming and pass that opportunity to his posterity. The farm supplies large warehouses in the state of Utah. If they lose acreage the Bangerter's will have to find acreage somewhere else to keep their production levels up and maintain contracts. The property in Farmington would be a devastating loss. DeVan noted the inequality between laws that protect ag. land and laws that protect parks and recreational property. Farm land is important to the community. Alan pointed out that there are communities trying to bring back farming and yet there is no action to protect the existing farms. Shawn feels the Bangerter farm meets all criteria requirements listed on the planning department's Staff Report. **DeVan motioned to recommend tax id#'s 08-081-006, 08-076-0010, 02-070-0102, 02-070-0103, 02-070-0077, for ag. protection easement approval, Nile second the motion. Tyson amended the motion to include after UDOT purchases what they need of the approximately 5.5 acre strip in Farmington, the remainder will be absorbed back into the farm, Nile second the motion, motion passed.** There will be a new tax number for the 5.5 parcel before it goes to the commissions for final approval. Alan emphasized that ag land cannot be recovered once lost. He would like to see his property continue in this legacy. Alan feels a strong support from the community which has been encouraging. Tyson wondered when the Bangerter's application would be reviewed. Farmington Planning Commission meets on April, 19th and the City council will review their affected areas on May 5. Bountiful Planning Commission meets April 17th and Bountiful City reviews on May 22.

Davis County Planning Commission will review the application on May 1st.

Shawn wondered if there were other properties in Farmington that could be utilized for a park. DeVan feels that the issue is more about location than available land options. Jake wondered if DeVan would represent the Board's opinion at the Farmington City review. DeVan is going to make his best effort to attend.

MINUTE REVIEW

The Davis Conservation District (DCD) Board read over the minutes from March, Nile motioned to accept, DeVan second the motion, motion passed.

FINANCIALS

An invoice was received in the amount of \$100 for the Soil Health Workshop. **Devan motion to pay the full amount, Nile second the motion, motion passed.**

Nikki will bring a proposed budget for next month's meeting, and the Board will review the scope of work.

NRCS

Chet Fitzgerald introduced himself as the area manager in the Ogden NRCS office. He announced Craig McKnight resignation and advised the board to direct any question to Jenny Jo until Craig's position could be filled. NRCS is currently working on contracts and hopes to be finished up by the first part of July.

USU EXTENSION

The Board discussed Water Fair and Ag. Field Day assignments.

UDAF

Loralie went over the new legislation in House Bill 130 and Senate Bill 170. She also discussed projections for population growth in Utah in the next 25 years. Development will happen primarily in the South.

Nile asked about the vote on the 11th for the UACD Board election. Each District needs to have a Supervisor available to vote. Jake said he would make arrangements to represent DCD's vote. The DCD Board needs to come up with some on the ground projects. DeVan wondered if the Board could purchase and release puncture vine weavles for several years within the County. Loralie said that would be something to consider. She will contact Brandon and discuss it as a need in the community. DeVan also proposed a 3 month calendar that promotes Ag and

Conservation Districts. Loralie will check to see if that would qualify as a project. The Board agreed, it would be a better option for next year. Nikki will make an agenda item to discuss projects at next month's meeting.

CALENDAR OF FUTURE EVENTS

1. Davis CD monthly meeting: May 24 at 9:00am at the Kaysville Botanical Center

ADJOURNMENT: Meeting adjourned at 2:01 pm.

EARL C. TINGEY

1286 SUNDANCE CIRCLE

BOUNTIFUL, UTAH 84010

(801) ~~298-8785~~ 631-6744

April 2, 2018

Bountiful City
790 South 100 East
Bountiful, Utah 84010

Dear Members of the City Council,

I support one hundred percent the attached proposal to create an agriculture protection area on the property at 128N 400E.

The property owner is an excellent steward of the land. The property is properly cared for, attractive and a benefit to the community.

The owner employses hundreds of local citizens and provides excellent quality produce for the local markets and economy.

Sincerely yours

Earl C. Tingey

April 3, 2018

Jeff Oyler
Planning Manager

Dear Sir,

We find it disturbing that there is even a reason for a proposal for the creation of an agricultural protection area in what we know as the Bangerter Farm.

We have been residents of Centerville for 46 years and the farm existed long before we moved here. We love the fact that the farm is close by. We like the open space.

The fact that the Bangerters have provided summer employment for children has been a great way to teach responsibility and money management. Our Children and grandchildren have worked on the farm as well as many neighborhood children and their friends.

We propose that farm remains in this neighborhood. We don't need any more houses and the increase in traffic.

Thank you for your consideration.

Mary Melton

A handwritten signature in blue ink that reads "Mary Melton". The signature is written in a cursive style.

Fred Melton

A handwritten signature in blue ink that reads "Fred Melton". The signature is written in a cursive style.

Cc: Bountiful City Planning and Zoning