

PLANNING COMMISSION MINUTES

January 4, 2011

7:00 p.m.

Present: Chairman Tom Smith, Barbara Holt, Michael Allen, Von Hill, City Council Representative Beth Holbrook, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen and Recording Secretary Connie Feil.

Absent: Vice Chairman Dave Badham.

Chairman Tom Smith welcomed all those present.

Beth Holbrook made a motion to approve the minutes for November 16, 2010 as amended. Barbara Holt seconded the motion and voting was unanimous in favor.

1. Consider preliminary and final condominium plat approval for Integrated Wellness Condominiums located at 458 N. 500 W., Nate Lechtenberg, applicant.

Nate Lechtenberg, applicant, was present. Paul Rowland explained that Mr. Nate Lechtenberg, representing Stout Construction, is requesting approval of a commercial condominium plat for the Integrated Wellness Center, currently under construction at 470 North 500 West. Mr. Lechtenberg has submitted a copy of the proposed condominium plat to the Engineering Department for review, and the Engineering Department believes that it is ready for approval, with the exception of some minor redlines.

Staff recommends final approval of the Integrated Wellness Condominiums Plat with the following conditions:

1. Make redline corrections and provide a signed mylar.
2. Submit a current title report.
3. Payment of fees as follows:
 - a. Checking Fee \$ 100
 - b. Recording Fee \$ 120

After a brief discussion Michael Allen made a motion to recommend to the City Council preliminary and final condominium plat approval for Integrated Wellness Condominium located at 458 N. 500 W. subject to the conditions outlined by Staff. Beth Holbrook seconded the motion voting passed by majority vote. Von Hill abstained from voting.

2. Approve 2011 Planning Commission Meeting Schedule.

There was a discussion on whether to have one meeting per month or two. It was decided leave the schedule with two meetings per month but eliminate December 20, 2011.

Barbara Holt made a motion to approve the meeting schedule as written with eliminating December 20, 2011. Beth Holbrook seconded the motion and voting was unanimous in favor.

3. PUBLIC HEARING – Consider revisions to Title 14, Bountiful City Land Ordinance.

Chairman Smith explained the procedure for a public hearing to all those present.

Aric Jensen asked that the public hearing be opened so those present could comment as he explains the proposed changes.

The public hearing was opened for all those with comments or concerns.

Mr. Jensen explained that approximately three years ago the Planning Department enacted an internal policy to compile and print the Land Use Ordinance at the beginning of each calendar year. As part of that process, staff would also propose revisions to the Ordinance during the months of November and December so that they could be included in the following year's compilation.

The proposed schedule for reviewing and recommending changes to the Land Use Ordinance is as follows:

January 04	Planning Commission holds public hearing and recommends changes to Staff
January 18	Planning Commission reviews changes and makes a recommendation to City Council
January 25	City Council holds public hearing and recommends changes (if any) to Staff
February 08	City Council considers ordinance to adopt changes as drafted

The focus of this year's revisions is the sign ordinance. The proposed changes are based on recommendations from Jody Burnett and Bruce Baird, as presented at the 2010 Utah Land Use Law conference. These $A = \pi r^2$ just stop gap fixes to help bring the ordinance in line with case law. The Utah League of Cities and Towns is in the process of drafting a model sign ordinance, and so chances are good that the City will substantially revise the sign ordinance based on the model ordinance.

Mr. Jensen continued that there are a few other changes worth noting. First, some of the building related terms in the Definitions chapter have been updated consistent with definitions in the IBC. Also, some terms defined in other chapters were consolidated.

Second, the R-F zone density calculation has been revised with density/minimum lot sizes changing with every 5% increase in average slope, starting at 15%. Also, two new density/minimum lot size categories were added, with the largest minimum lot size being 40 acres, which is consistent with and comparable to the Unincorporated County's A-40 zone.

Third, the Planning Department has received an increasing number of requests for internet based motor vehicle and ATV sales. These businesses primarily operate as a sales office, with only a

minimal amount of product on site. Staff is recommending that such a use be classified as “Motor vehicle sales without outside storage and/or display”, and that it be allowed in the CH zone as a permitted use, and in the CG zone as a conditional use.

Fourth, staff has added a noxious weed/tree section to the Landscaping and Fencing chapter. This will help address code enforcement issues on nuisance properties.

Fifth, there is a loophole in the State Law that doesn’t require residential preschools to conduct criminal background checks. The proposed change would require criminal background checks for all adults residing or employed at a dwelling where a preschool or day care is conducted.

Sixth, all of the public works related standards that were contained in the Subdivision Ordinance (Chapter 20) and various other locations are being moved to the *Public Works and Property* section of the City Code (Title 6). As part of the transition, a few changes are being recommended. The only revision of note is to change the maximum grade of a public street to 12%, with a provision to allow up to 15% grade in specific, limited circumstances. This isn’t dramatically different from the current standard; however it incorporates specific standards for approval which were lacking before.

Mr. Jensen mentioned that most of the remaining changes consist of typographical corrections, renumbering, and consolidating duplicate/conflicting provisions.

Mr. Jensen reviewed the proposed changes with the Commission members and made note of the changes which were discussed. Mr. Jensen will present those changes to the Commission on January 18, 2011.

Barbara Holt excused herself from the meeting at 8:00 p.m.

Mr. Jensen introduced Nate Pugsley from Brighton Homes. Mr. Pugsley had some suggestions that he presented to the Commission regarding the Multi-Family Zones. Mr. Jensen noted that the suggestions are not indorsed by Staff.

Nate Pugsley explained that he has attempted to design a residential site plan for the Vandemerwe property, and has run into two major issues that have made it difficult it to meet the density in the RM-19 zone. Mr. Pugsley’s submitted a letter with the proposed changes he would like to have the Commission review. A copy of the letter will be attached to the minutes.

Von Hill excused himself at 8:25 p.m.

Paul Clark, residing at 244 Mill Street, explained that his son Jason is looking for a commercial site for his motorcycle dealership. This type of business is only allowed in the heavy commercial which creates a greater cost verses general commercial. Mr. Clark proposed revising the ordinance to allow low impact dealerships in the general commercial zone.

Jason Clark explained that his business consists of a small inventory, which is stored inside, and he also sells on the internet. It is a low impact type business that does not disturb the residential

areas. He would like to lease the north portion of 845 N. Main where Renew Fitness and Spa was located. Mr. Clark asked the Commission to consider the proposed revisions to the general commercial zone to allow his business to be located in Bountiful.

Mr. Jensen explained that this type of business could be allowed with a conditional use permit if the proposed revisions are approved.

Rusty Mahan suggested dividing the revisions into sections for further review.

Chairman Smith stated that the public hearing will remain open until the meeting of January 18, 2011.

Meeting adjourned at 8:30 p.m.