

**Bountiful City**  
**Administrative Committee Minutes**  
**February 24, 2014**  
**5:00 P.M.**

Present: Acting Chairman – John Marc Knight; Committee Members – Lloyd Cheney and Dave Badham; City Attorney & Interim City Planner – Russell L. Mahan; Assistant Planner – Royce Davies; and Recording Secretary – Julie Holmgren

1. Acting Chairman Knight opened the meeting at 5:01 p.m. and all present introduced themselves. Boy Scout, Mitchell Cheney (903 S. 3000 W, Syracuse) was present to observe the meeting proceedings.
2. **Consider approval of minutes for January 13, 2014.** Mr. Cheney made a motion to approve the minutes for January 13, 2014 with one clarification to be made on page 2 (changing “Mr. Royce” to “Mr. Davies”). Mr. Badham seconded the motion. Voting passed 3-0 in favor.

Regarding item number 3 in the January 13, 2014 minutes, Mr. Mahan provided an update on the proposed lot line adjustment at 391 W. 3100 S. and 407 W. 3100 S. He explained that the property owner rezoned from R-1 to R-4, and South Davis Water District applied for a Conditional Use Permit. Those items will proceed to the Planning Commission for further consideration.

3. **PUBLIC HEARING - Consider a Conditional Use Permit to allow for Solar Panels at 4455 S. Bountiful Blvd., Dan Black, applicant.**

Acting Chairman Knight opened the public hearing at 5:06 p.m. and closed the hearing at 5:07 p.m. with no comment from the public.

Dan Black, applicant, was present. Royce Davies presented the staff report.

The property where the solar panels are to be installed is located in the R-F Single Family Zone. Solar power panels are classified in the City Ordinance as “private power plants” and require a conditional use permit if they are over 10 Watts. The photovoltaic system to be installed would produce 9.8 kilowatts (9800 watts), requiring a conditional use permit.

The application submitted indicates the intended installation of 40 total photovoltaic panels in 2 arrays, one facing east and the other facing south. The east-facing array will consist of 26 panels in 6 rows occupying approximately 300 square feet with between 3 and 6 panels in each row. The south-facing array will consist of 14 panels occupying approximately 142 square feet in 4 rows with between 3 and 4 panels in each row. Both arrays will be mounted parallel with the asphalt shingle roof which has a slope of 7/12. The roof is of truss construction and an engineering analysis has determined that this construction will be sufficiently strong to support the arrays. The engineering analysis also indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met.

Based on the findings, staff has determined that the Applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. Applicant obtains a building permit.
2. This Conditional Use Permit is solely for this site and is non-transferable.

Mr. Black explained that he is employed by Vivint Solar. A discussion ensued regarding Vivint's experience in Utah and other places in the United States. Several systems have been installed in Utah – including systems in Murray and Utah County. There have been no issues reported regarding quality of installation. Mr. Cheney raised a concern regarding reflective problems with the panels. Mr. Black reported that the panels are not reflective and that in approximately 12,000–15,000 installations nationwide, there have been no reflective issues reported.

Mr. Mahan proposed that the Conditional Use Permit contain the following as a third condition: The panels be located only as approved in the application.

Mr. Badham raised additional concerns regarding reflection from the solar panels. An aerial photo of the home was studied by the committee, and Mr. Black explained that the panels do not reflect light like a mirror but rather are meant to absorb light.

Mr. Mahan proposed that the Conditional Use Permit contain the following as a fourth condition: Bountiful City will retain jurisdiction to address further reflective issues and to require appropriate adjustment.

Mr. Badham suggested that Mr. Black exercise due diligence and test the reflectivity of a like-panel on the roof before installing the solar system.

Mr. Badham made a motion to grant the Conditional Use Permit to allow solar panels at 4455 South Bountiful Boulevard, Dan Black, applicant, based on the two conditions that staff recommended and the additional third and fourth conditions recommended by Mr. Mahan. Mr. Cheney seconded the motion. Voting passed 3-0 in favor, as amended.

#### **4. Miscellaneous business and scheduling.**

Mr. Davies briefly presented two items on the Administrative Committee meeting agenda for March 3, 2014. At that meeting the committee will consider a lot line adjustment and a conditional use permit.

Mr. Mahan presented information regarding lot lines and explained that at the present time lot line adjustments are in a confused state of law. Committee members were given a copy of the 2013 Utah State Code regarding lot line adjustments. A discussion ensued regarding Bountiful City's authority regarding lot lines. The item will be discussed in more depth at a future Administrative Committee meeting.

Acting Chairman Knight ascertained that there were no further items to discuss. Mr. Cheney moved to adjourn. Mr. Badham seconded the motion. Voting passed 3-0 in favor. The meeting was adjourned at 5:30 p.m.