

Bountiful City
Administrative Committee Minutes
March 7, 2016

Present: Chairman – Chad Wilkinson; Alternate Committee Members – Dave Badham and Todd Christensen; Assistant Planner – Andy Hulka; Recording Secretary – Julie Holmgren

Excused: John Marc Knight and Lloyd Cheney

1. Welcome and Introductions.

Chairman Wilkinson opened the meeting at 5:00 p.m. and introduced all present.

2. Consider approval of minutes for February 29, 2016.

Approval of minutes was tabled.

3. PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 314 West Center Street, Unit 83, Heath Forbush, applicant.

Heath Forbush, applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the remodeling contractor business is proposed is located in the RM-13 Multiple Family Zone. Home Occupation Landscaping Businesses in this zone are classified in the City Ordinance as requiring a Conditional Use Permit.

The application submitted includes a site plan, which indicates that the applicant's personal vehicle, a Chevy Colorado, will be parked in the designated parking area in front of the primary dwelling. The property will only be used for receiving mail and other office work to be conducted in an 8x10 room in the dwelling. The applicant indicates that all products and supplies will be stored off-site and that no customers or employees will visit the site. The applicant has indicated that no work will be performed on site and no product will be sold from the property. There will be no signage on the property associated with the business. The use appears to be incidental and secondary to the use of the dwelling and shall not change the appearance, character, or condition of the property.

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. The applicant shall maintain an active Bountiful City business license.
2. The Home Occupation will not create nuisances discernible beyond the premises (e.g. noise, dust, fumes, glare, traffic, etc.).

3. The use will comply with all applicable fire, building, plumbing, electrical, and life safety and health codes in the State of Utah, Davis County, and Bountiful City.
4. The use shall not include any outside storage at the residence.
5. The Conditional Use Permit is solely for this site and is non-transferable.

Mr. Badham inquired if this property was a condo or apartment, and Mr. Forbush said it was a rented condo. A discussion ensued regarding home occupation conditional use permits for rental properties, and Mr. Wilkinson explained this is permitted as long as the property owner signs the appropriate document. Mr. Christensen inquired regarding storage of landscaping equipment, and Mr. Forbush said all equipment would be stored off-site in Farmington. Mr. Wilkinson reiterated there should be no outside storage of equipment at the residence.

PUBLIC HEARING: Chairman Wilkinson opened the Public Hearing at 5:04 p.m. David Burnham (314 West Center, #94), a member of the condominium’s association board for the property concerned, was present. Mr. Burnham requested a copy of the conditions and noted that the CC&R requires home businesses receive board approval. Mr. Burnham clarified that there would be no increase in vehicle traffic due to the business, and Mr. Forbush affirmed. The Public Hearing was closed at 5:06 p.m.

Mr. Christensen made a motion for approval of a Conditional Use Permit to allow for a Home Occupation Landscaping Business at 314 West Center Street, Unit 83, Heath Forbush, applicant. Mr. Badham seconded the motion.

- A Mr. Wilkinson
- A Mr. Badham
- A Mr. Christensen

Motion passed 3-0.

4. **PUBLIC HEARING: Consider approval of a Conditional Use Permit to allow for Solar Panels at 2949 Windsor Lane, Jeffrey Van Wagenen, applicant.**

Kim Eaves (Affiliate Solar), representing the applicant, was present.

Andy Hulka presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-3 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 applicant has indicated that the photovoltaic system to be installed will produce 7.02 kilowatts (7,020 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 5 photovoltaic arrays with a total of 26 panels. The arrays will occupy approximately 390 square feet, which is smaller than the 50% maximum roof coverage. From west to east, there will be one array with 11 panels, one with 4 panels, one with 2 panels, one with 3 panels, and one with 6 panels. The panels will be connected to the roof by a Snap-n-rack roof mount system. The roof is of truss construction, has a slope of 4:12, and the shingles are in good condition. A review of

information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

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. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This conditional use permit is solely for this site and is non-transferable.

Mr. Wilkinson raised a question regarding the location of the panels on the roof and the effectiveness of their placement in relation to the sun. Ms. Eaves responded that this is not an ideal roof for a solar project, and that it is actually east-west facing with a slight north face. Ms. Eaves further explained that some panels were placed on the north-east part of the roof because there was not enough space elsewhere.

PUBLIC HEARING: Chairman Wilkinson opened and closed the Public Hearing at 5:11 p.m. with no comments from the public.

Mr. Badham made a motion for approval of a Conditional Use Permit to allow for Solar Panels at 2949 Windsor Lane, Jeffrey Van Wagenen, applicant. Mr. Christensen seconded the motion.

A Mr. Wilkinson
A Mr. Badham
A Mr. Christensen

Motion passed 3-0.

5. Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 311 East North Canyon Road, Daniel and Janna Christensen, applicants.

Mr. Christensen made a motion for approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 311 East North Canyon Road, Daniel and Janna Christensen, applicants. Mr. Badham seconded the motion.

A Mr. Wilkinson
A Mr. Badham
A Mr. Christensen

Motion passed 3-0.

6. **Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 1115 East 250 South, Henry Larsen, applicant.**

Mr. Christensen made a motion for approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 1115 East 250 South, Henry Larsen, applicant. Mr. Badham seconded the motion.

A Mr. Wilkinson
A Mr. Badham
A Mr. Christensen

Motion passed 3-0.

7. **Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 637 East 2150 South, Matthew Jensen, applicant.**

Mr. Christensen made a motion for approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 637 East 2150 South, Matthew Jensen, applicant. Mr. Badham seconded the motion.

A Mr. Wilkinson
A Mr. Badham
A Mr. Christensen

Motion passed 3-0.

8. **Miscellaneous business and scheduling.**

Mr. Badham raised the possibility of revising the ordinance regarding solar permitting with the prospect of eliminating the need for Administrative Committee approval. Mr. Wilkinson noted the suggestion and said he would explore it.

Mr. Wilkinson ascertained there were no further items of business. The meeting was adjourned at 5:20 p.m.

A Boy Scout attended the last portion of the meeting. Mr. Hulka spent a few minutes answering questions at the conclusion of the meeting.


Chad Wilkinson, City Planner