

Mayor
Kenneth Romney

**City Engineer/ Land
Use Administrator**
Kris Nilsen

**Community
Development**
Addison Jenkins

**City Council
Representative**
Dell Butterfield

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

Chairman
Alan Malan

Commissioners
Laura Mitchell
Corey Sweat
Dennis Vest
Robert Merrick
Tyler Payne

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, MARCH 12, AT THE CITY OFFICES.**

*Invocation/Thought – Commissioner Sweat
Pledge of Allegiance – Commissioner Merrick*

1. Confirm Agenda
2. Discussion and Recommendation of Zoning Assignment for SDSO Annexation
3. Discussion of Conditions for the South Davis Sewer District Conditional Use Permit
4. Discussion of Moderate Income Housing Plan Parking Update
5. Approve Meeting Minutes from February 13, 2024
6. Staff Reports (Engineering, Community Development)
7. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmn), the city website (WBCity.org),
and provided to the Davis Journal on March 8, 2024, Remington Whiting, City Recorder.*

**West Bountiful City
Planning Commission Meeting**

March 12, 2024

***Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website, on the West Bountiful City website, and at city hall on March 8, 2024 per state statutory requirement.*

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 12, 2024, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Laura Mitchell, Robert Merrick, Tyler Payne (Alternate) and Council member Dell Butterfield.

MEMBERS EXCUSED: Kris Nilsen

STAFF ATTENDING: Addison Jenkins (Community Development), and Debbie McKean (Secretary)

PUBLIC: Kelly Enquist

Prayer by Commissioner Sweat

Pledge of Allegiance- Commissioner Merrick

The meeting was called to order at 7:30 pm by Chairman Malan.

1. Confirm Agenda

Chairman Malan reviewed the proposed agenda. Laura Mitchell moved to approve the agenda as presented. Corey Sweat seconded the motion. Voting was unanimous in favor among all members present.

2. Discussion and Recommendation of Zoning Assignment for SDSA Annexation

Commissioner packets included a memorandum from Kris Nilsen-City Engineer dated March 12, 2024 regarding an Annexation Petition from the South Davis Sewer District including a legal description of the property, and a site plan.

Addison Jenkins Introduced the subject of recommending a zoning designation for the area currently under consideration for annexation at approximately 1800 W 1200 N.

He explained that the South Davis Sewer District is currently going through the process of requesting the annexation of their property at 1200 N. The District has about 33.4 acres within city limits where most of their operations occur, but also own an additional 12.666 of unincorporated land, some of which will be used in their currently planned expansion. The district believes it is in their interest and the community's interest to have all of their property within city limits. The district filed and the city council accepted a petition of annexation, which begins a formal process of consideration.

Notice has been posted and the City Council will decide whether to annex them into the city. When new land is annexed into a city it must be assigned a zone, and in order for the city council to assign a zone to a piece of land it must receive a zoning recommendation from the planning commission first.

The land under consideration is included in the city's General Plan and annexation plan where it is planned to be zoned as agricultural. It is currently adjacent to property with the designation of Agricultural Specialty (which is an agricultural zone). All of the current and planned uses of this area (sewer district operations, residential, and quasi-public) are permitted or conditional uses in the Agricultural Specialty district.

Planning Commission reviewed the area site plan and Addison Jenkins answered questions they had. Based on the city's General Plan and the proposed uses for the property, staff recommends that the commission consider recommending a zoning designation of Agricultural Specialty for the 12.666 acres currently being considered for annexation. A public hearing at the next planning commission meeting may be scheduled to receive public comment on this proposal.

Action Taken

Corey Sweat moved to recommend the annexation forward to the City Council, Robert Merrick seconded the motion and voting was unanimous in favor.

3. Discussion of Conditions for the South Davis Sewer District Conditional Use Permit

Commissioner packet included a memorandum dated March 12, 2024 from City Staff regarding discussion on Conditions for the future South Davis Sewer District North Plant upgrade, located at 1800 W 1200 North with a Conditional Use Permit Application, memorandum from Aqua Engineering and site plan.

Addison Jenkins Introduced the application for The South Davis Sewer District for a conditional use permit to upgrade, replace, and expand facilities and processes at their wastewater treatment facility as well as construct a new office near the intersection of 1200 North and the Legacy Parkway frontage road.

Mr. Jenkins, city administrator Duane Huffman, and Matt from the Sewer District had a meeting with Jacobs Engineering yesterday to discuss concerns about odor from the plant and putting together and odor mitigation study and plan. A study and plan would take several months to complete, so staff anticipates that contracting to complete a study and plan would be a condition imposed, but the final report would come later in the year.

Should odor problems arise in the future, Chairman Malan would like a Sewer District Employee to return and report on the odor remediation efforts to the planning commission every few weeks. Addison will follow up on all types of odor sources that may be of concern. The study will identify where different odors are coming from i.e. lake, dump, or sewer, etc.

Addison Jenkins pointed out the consideration of appropriate buffering. He noted that they should review the ideas they want in place regarding fencing and landscaping. Some discussion took place suggesting possible ideas. Corey suggested asking them what their plans are in this regard. Laura asked about noise issues.

Denis pointed out that there are lighting issues. The current lighting is not pointing downward and facing west. It is as bright as day all night long. A condition may be to provide downlighting and west facing but able to maintain the safety they feel they need on their property.

Each category was reviewed and those of concern to the commission were discussed and suggestions were made.

The question was posed if we have building set backs in the AS zone. Mr. Jenkins answered that there are setback codes in place in that zone. Corey Sweat asked if we need to address the setback issue before they begin the building permit process. In viewing the site plan it appears that setbacks have been considered. The 1200 North road by the sewer district is owned by the Sewer District so the city would not be able to place conditions on that portion of the property.

Chairman Malan want curb, gutter and sidewalk put into the condition for their portion of the road even if it just a deferred agreement for the entire part of the frontage road. He suggested a trail be put in place leading to the Bountiful Pond trail system.

4. Discussion of Moderate-Income Housing Plan Parking Update

Commissioner packets included Planning Commission March 12, 2024 Staff Moderate Income Housing Plan – Parking Update

Addison Jenkins introduced the issue of continuing work on amending the city's parking ordinances to help provide moderate income housing. After the commission's discussion at the March 12th meeting, staff will work to draft changes for further consideration.

He stated that In 2022, a new state law required West Bountiful City to amend its general plan to select three strategies to provide a realistic opportunity to meet the need for additional moderate-income housing within its jurisdiction in the near future. To help accomplish its moderate-income housing goals, the city selected the following 3 strategies from options provided by the state:

1. Develop and Adopt a Station Area Plan
2. Amend Land Use Regulations to Eliminate or Reduce Parking Requirements for Residential Development Where a Resident is Less Likely to Rely on the Resident's Own Vehicle, such as residential development near major transit investment corridors or Senior Living facilities.
3. Reduce, Waive, or Eliminate Impact Fees related to Moderate Income Housing. In order to facilitate opportunities to increase moderate-income housing in West Bountiful, the city began work in 2023 by amending its parking requirements in accordance with Strategy 2.

West Bountiful is responsible to show they are making improvement on a regular basis on each of the above strategies. Updates to the city's parking code included defining minimum parking spaces for dwelling units in residential and mixed-use buildings and zones, and opportunities for a reduction in requirements for developments within a ½ mile public transit.

Per State law, the city must continue to work towards the selected strategies each year and demonstrate these additional efforts. Once work is done on the strategy, the general plan will be amended again to select additional strategies, which staff anticipates in 2024-2025.

Value in Reducing Parking Requirements Moderate-income housing is defined as housing that is affordable to households making 80% of the Area Median Income where no more than 30% of household income is used to pay for housing. Since the AMI for West Bountiful is \$92,765, Moderate Income for West Bountiful is \$74,212 (80% of AMI). With no more than 30% of household income going toward housing, Moderate-Income Housing in West Bountiful is defined as costing \$1,855 or less per month.

There has been a broad trend across the country recently to reduce or eliminate certain parking requirements for residential uses as there is strong evidence that government-mandated parking increases the costs of housing. Structured parking can cost from \$20,000 - \$80,000 per parking space to construct. The high cost of providing structured parking can lead to higher rents for tenants, even for those without cars.

For a typical affordable housing development, adding one space per unit increases leasing costs by roughly 12.5%.

Further Parking Strategies There are several areas in the city's current parking code that could be easily modified to decrease parking requirements and lead to reductions in housing costs.

Discussion took place and it was suggested by Commission that the following be updated. Addison will take the suggestions and make a draft that will be presented to the commission in the next few months.

- Residential Health Care Facilities - Currently the city requires 1 parking space for 5 beds, no requirements on visitor parking
- Senior Living Facilities - Currently the city does not define Senior Living Facilities separately from Residential Health Care Facilities or general Residential dwellings
- Guest Parking Requirements - Currently the city requires 1 visitor parking space for every 4 units in multi-family residential projects
- Transit-adjacent Multi-family Residential - Currently the city allows a developer to request up to a 10% reduction in parking requirements for a project within ½ mile of certain transit facilities In addition to changing existing parking requirements, the city may wish to explore other avenues of modernizing its parking code. Options include:
 - Shared-parking Policy - A shared-parking policy allows developers to count parking spaces for different uses and different times of the day separately. A parking space needed for a business office is used differently and at different times than one used for retail or a movie theater or an apartment. Because city code allows for multi-family residential development in commercial districts, a shared-parking policy may help reduce the cost of future development.
 - Eliminating Some Parking Minimums, Adopting Parking Maximums - The city could explore further reducing parking minimums for multi-family residential developments, or even including parking maximums.

The city might also consider requiring developers to provide a per-unit-cost difference based on new parking regulations and require developers to pass these savings on to residents. Chairman Malan asked how this could be accomplished. Mr. Jenkins will do some research to see some possibilities.

Conclusion

The city should consider and discuss an adequate array of actions to implement Strategy 2 in a way that maximizes benefits to current and future residents. A serious, robust, and comprehensive approach will more likely lead to conditions that can increase the supply of housing affordable to households making median and moderate incomes. Under state code sections 10-9a-408 and 17-27a-408, West Bountiful must report on the city's efforts each year. This year's report must include:

- A description of each action taken by the jurisdiction during the previous 12-months to implement the selected strategies;
- A description of each land use regulation and/or decision made by the jurisdiction during the previous 12-months to implement the selected strategies, including an explanation of how the regulation and/or decision supports the jurisdiction's efforts to implement the strategy;
- A description of any barriers encountered by the jurisdiction in the previous 12-months in implementing the strategies;
- Information regarding the number of internal and detached ADUs located within the jurisdiction (i.e. building permits, business licenses to rent);
- A description of how the market has responded to the selected strategies, including the number of entitled moderate income housing units or similar data; and
- Any recommendations on how the State can support the jurisdiction in implementing the strategies. The city's report is due to the state Department of Workforce Services Division of Housing and Community Development by August 1st.

Commissioners discussed how best to meet the requirements of the State's MIH program without overly burdening staff or the city. Addison stated that he would take their comments back to city staff and include a more detailed plan of action at a future meeting.

5. Approve Meeting Minutes from February 13, 2024

Action Taken:

Corey Sweat moved to approve the minutes from February 13, 2024 as presented. Dennis Vest seconded the motion and voting was unanimous in favor.

6. Staff Report

a. Community Development (Addison Jenkins)

- Highgate Phase II is being postponed on the agenda due to some concerns that Kris Nilsen has.
- The Loveland petition was accepted and will be noticed over the next few weeks. All property in that area will be considered for annexation. They will be notified by letter. The county wants to annex in the whole area but it will be up to the city at this point to invite the property owners to do so. The city will move ahead with the Loveland property and the other properties will be considered one by one.
- Dell Butterfield reminded everyone to fill out the Well-Being survey. It has a question regarding ADU's.

- Home Occupation draft will be on the next City Council meeting agenda.
- Addison will be working with Kris on the new subdivision ordinance regarding how to simplify the process adjusting what preliminary application and final application will contain.

Chairman Malan reminded Addison about including the consideration of the airport for the Moderate Income Housing Plan. He will incorporate that into the update plan.

7. Adjourn

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 8:58 pm. Laura Mitchell seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission , by unanimous vote of all members present.

A handwritten signature in cursive script, appearing to read "Jennifer White", written over a horizontal line.