

Mayor
Kenneth Romney

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

City Recorder
Remington Whiting

**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

Vice Chairman
Corey Sweat

Commissioners
Laura Mitchell
Dennis Vest
Robert Merrick
Tyler Payne

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, APRIL 8TH, 2025, AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Payne
Pledge of Allegiance – Commissioner Mitchell

1. Confirm Agenda
2. Consider Conditional Use Permit – Backstage Performing Arts – 724 W 500 S #900
3. Consider Conditional Use Permit – Misfit Customs LLC – 519 N 500 W
4. Approve Meeting Minutes from March 25th, 2025.
5. Staff Reports.
6. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmn), the city website (WBCity.org),
and posted at City Hall on April 4th, by Remington Whiting, City Recorder.*

MEMORANDUM



TO: Planning Commission

DATE: April 4th, 2025

FROM: City Staff

RE: Conditional Use Permit for Commercial Business License – Backstage Performing Arts

Background

Backstage Performing Arts is an arts studio that teaches sewing, dance, music, and theater located at 724 W 500 S #900. This location is used for practicing, costume design, and lessons and will not feature any performances or concerts. They have been operating in West Bountiful since 2022. Recently, city staff were notified of a change in ownership. According to WMBC 5.04.120, licenses are not transferable, meaning the owner must apply for a new business license.

According to WMBC 17.32.030, theaters that will be located in the C-G zone are required to obtain a conditional use permit. WMBC 17.60.040, requires the planning commission to consider whether:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;
2. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;
4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use; and
6. The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection.

Staff recommends the following conditions be required with granting of this conditional use permit, consistent with similar businesses in the area:

1. Pass a mandatory fire inspection.
2. Signage will comply with city code.
3. Upon issuance of this permit, Backstage Performing Arts will obtain a West Bountiful City Business License.



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W
West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbcityut.gov

PROPERTY ADDRESS: 724 W 500 S #900

NAME OF BUSINESS/USE: Backstage Performing Arts

PARCEL NUMBER: _____ **ZONE:** _____ **DATE OF APPLICATION:** 03/27/25

Applicant Name: Shelby Hovley **Address:** ~~724 W 500 S~~ 635 W 1000 N, West Bountiful

Applicant E-mail: backstageperformingartsutah@gmail.com **Primary Phone:** 801-637-9410

Property Owner, Phone (if different): Todd SMOOT 801-292-1400

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal and separate sheet with additional information if necessary.

Performing Arts rehearsal space, dance classes, acting lessons, voice lessons arts classes, musical rehearsals

The Applicant(s) hereby acknowledges that they have read and are familiar with applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge. I understand the information on this application may be made available to the public upon request.

Date: 03/27/25 **Applicant Signature:** Shelby Hovley

Date: _____ **Property Owner (if different):** _____

FOR OFFICIAL USE ONLY

Application Received Date: _____
Application Fee Received Date: _____
Permit Approval: _____

Permit Number: _____
Fire Inspection Date: _____
Fire Inspection Approval Date: _____

MEMORANDUM



TO: Planning Commission

DATE: April 4th, 2025

FROM: City Staff

RE: Conditional Use Permit for Commercial Business License – Misfit Customs LLC

Background

Misfit Customs LLC is an Auto Mechanic that is currently located in West Bountiful. The owner of the business has notified city staff of his intention to close his current shop and move to a different location. The new location will be 519 North 500 West and will include services such as pinstriping, lettering/logos, and custom artwork on motorcycle parts. The proposed business will be located within Blakline's shop.

According to WMBC 17.32.030, Vehicle Services that are located the C-G zone are required to obtain a conditional use permit. WMBC 17.60.040, requires the planning commission to consider whether:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;
2. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;
4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use; and
6. The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection.

Staff recommends the following conditions be required with granting of this conditional use permit, consistent with similar businesses in the area:

1. Pass a mandatory fire inspection.
2. Signage will comply with city code.
3. Vehicles will not be permitted to park near the corner blocking line of sight.
4. Upon issuance of this permit, Misfit Customs LLC will obtain a West Bountiful City Business License.



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbcityut.gov

PROPERTY ADDRESS: 519 N. 500W west Bountiful

NAME OF BUSINESS/USE: Misfit Customs LLC

PARCEL NUMBER: _____ **ZONE:** _____ **DATE OF APPLICATION:** 4/14/2025

Applicant Name: Nick LaSalle **Address:** 12551 E green hill Rd Huntsville, UT

Applicant E-mail: misfitcustoms27@gmail **Primary Phone:** 801-663-9473

Property Owner, Phone (if different): _____

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal and separate sheet with additional information if necessary.

PinStripping, Lettering/Logos, and custom artwork on
motorcycle parts.

The Applicant(s) hereby acknowledges that they have read and are familiar with applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge. I understand the information on this application may be made available to the public upon request.

Date: 4/14/2025 **Applicant Signature:** Nick LaSalle

Date: _____ **Property Owner (if different):** _____

Application Received Date: 04/04/25
Application Fee Received Date: _____
Permit Approval: _____

FOR OFFICIAL USE ONLY

Permit Number: _____
Fire Inspection Date: _____
Fire Inspection Approval Date: _____

PENDING – NOT APPROVED

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 21, 2025, per state statutory requirement.

Minutes of the Meeting for the Planning Commission of West Bountiful City held on Tuesday, March 25, 2025, at West Bountiful City Hall, Davis County, Utah.

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

MEMBERS/STAFF EXCUSED: Robert Merrick.

STAFF ATTENDING: Remington Whiting (Community Development) Kris Nilsen (City Engineer), and Debbie McKean (Secretary).

PUBLIC ATTENDING:

Thought/Invocation by Commissioner Sweat
Pledge of Allegiance- Commissioner Payne

1. Confirm Agenda

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

2. Conditional Use Permit Application – 1188 West 400 North Flag Lot- Pope

Commissioner packet included a memorandum Dated March 21st, 2025, from Staff regarding a conditional use permit for a flag lot at 647 North 800 West for Chance Pope with an attached application and site plan.

Mr. Nilsen explained that Chance Pope currently owns the property at 1200 W 400 N which is located within the A-1 Zone. He noted that he has plans to develop his property into a 2-lot subdivision with a flag lot. There is currently one home on the property, and a flag lot is necessary to create a second lot as the total frontage is approximately 141 feet. He noted the history of this property in trying to qualify it for a flag lot. Currently it does meet flag lot requirements.

Kris Nilsen pointed out that flag lots are a conditional use in the A-1 Zone, therefore, a Conditional Use Permit for the flag lot must be granted before the city can approve the subdivision application.

If the planning commission grants a conditional use for a flag lot in this case, the project will then be required to go through the Subdivision Preliminary Plat and Final Plat process for review and approval by the City. The Subdivision Preliminary Plat process will include addressing any

impacts to the Thacker property, the existing legal non-conforming flag lot that is adjacent to the west.

The proposed Pope Subdivision will impact the existing gravel road entrance to the Thacker property and the shared property boundary (east side of Thacker).

Chairman Malan suggested that the property owner include a streetlight on the property. Some discussions took place regarding lighting and other concerns. Mr. Nilsen informed the commissioners that all the mentioned concerns can be addressed with the preliminary planning stage.

ACTION TAKEN:

Corey Sweat moved to approve the conditional use permit for Chance Pope in the A-1 zone located at 647 North 800 West after passing the review process and with the following conditions as required in WPMC16.12.060 The staff of the lot shall not be less than twenty feet (20') wide and shall not exceed the design length requirements for a cul-de-sac; the staff of the lot shall serve one lot only and shall have direct access to a dedicated and improved public street; the staff of the lot shall be owned, fee simple, as part of the lot; the staff of the lot shall approach the public street at an angle of not less than eighty degrees; the staff of the flag lot cannot extend from intersections, street corners, or cul-de-sacs; the body of the lot shall meet the lot size and dimensional requirements of the applicable zone; the staff area shall not be used in computing lot size; proposed buildings shall comply with the minimum setbacks required for the zone; determinations as to which are the front, side, and rear setbacks shall be made at the time of the subdivision application and shall be designated on the plat; flag lot must comply with fire code requirements including access width, driving surface, parking, and fire hydrant placement; Fire Marshal review and approval required as part of subdivision; Flag lot cannot be used where traditional methods of development could occur; if the subdivisions contain more than four (4) lots cannot contain a flag lot; the lot shall be graded so storm water runoff does not negatively impact neighboring properties; a drainage plan will be required as part of the subdivision; flag lot shall have the street address displayed on private property in a prominent location where the staff abuts the public street; a specific address will be assigned at a later date; flag lot may not be created which would negatively impact the future continuation of existing stub streets; other requirements imposed by the Conditional Use Permit will be as follows: lighting and street numbers at the flag lot staff entrance to help guide emergency vehicles and other persons to the correct address; privacy fencing along the flag lot staff to minimize noise and light pollution and provide additional side yard protection from cars and neighboring children interactions; additional side yard setback on lots in front of flag lots and adjacent to the flag lot staff to provide adequate separation between houses and moving vehicles just like a corner lot; required drainage plan as part of subdivision submittal; fire marshal review and approval as part of subdivision submittal; post "Private Road" signage. Dennis Vest seconded the motion and voting was unanimous in favor.

3. Approval Meeting Minutes from February 11, 2025.

Action Taken:

Laura Mitchell moved to approve the minutes from February 11, 2025, Planning Commission Meeting as presented. Corey Sweat seconded the motion, and voting was unanimous in favor.

4. Staff Report

a. Engineering (Kris Nilsen)

- 660 West is under construction. Need a secondary water structure in so that water can be pressurized by April 1st. Seems to be on schedule.
- 1100 West is in the bid process. Curb, gutter and sidewalk on the east side of the road.

b. Community Development – (Remington Whiting)

- Misfit Auto Signage on 400 North and 800 West. Property was grandfathered in. The business will be closing and if it is not occupied within a year, it will no longer be qualified to be a grandfathered business as conditions apply.
- Permits are taking up most of his time.
- Scaling down on Home Occupation List. Some businesses are not in business any longer. Letters are being sent out and hopefully they will reply so the list can be updated.
- Working on homeowners certificate of non-compliance to bring them in compliance with city code.
- Staff are working on a new online reservation system of parks. Baseball fields will be online the first of April. Following that the boweries, volleyball, etc. will come online.
- Currently working on property that has an illegal structure. The property is currently being sold.

5. Adjourn

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 7:58 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

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