

Mayor

Kenneth Romney

**City Engineer/ Land
Use Administrator**

Kris Nilsen

City Recorder

Remington Whiting

**City Council
Representative**

Julie Thompson

**WEST BOUNTIFUL
PLANNING COMMISSION**

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486

FAX (801) 292-6355

www.WBCityut.gov

Chairman

Robert Merrick

Vice Chairman

Corey Sweat

Commissioners

Laura Mitchell

Tyler Payne

Richmond Thornley

Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, APRIL 14TH, 2026, AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Sweat

Pledge of Allegiance – Commissioner Vest

1. Confirm Agenda
2. Code Change Application – Home Occupation Non-Resident Restriction Exceptions – Fisher.
3. Consider Preliminary Plat for Pope Subdivision.
4. Discuss SB 284 and Required Land Use Code Updates.
5. Approve Meeting Minutes from March 24th, 2026.
6. Staff Reports.
7. Adjourn.

This agenda was posted on the State Public Notice website (Utah.gov/pmn), the city website (WBCityut.gov), and posted at City Hall on April 14th, 2026 by Remington Whiting, City Recorder.

MEMORANDUM



TO: Planning Commission

DATE: April 10th, 2026

FROM: Staff

RE: Home Occupation Resident Restriction Code Change Application

This memo introduces a text change amendment application from Jed Fisher, which requests changes to the city's home occupation requirements, specifically regarding the restriction of non-residents employment.

Background

According to previous versions of the West Bountiful City Code (WBMC), the requirement that employees be residents of the home was adopted in July of 1997. While the code has been amended over time, this requirement has remained in place. The intent of this requirement may include::

- Preserving the residential character of neighborhoods
- Minimizing traffic and parking impacts
- Reducing noise and potential nuisances
- Limiting the scale and intensity of business activity within residential zones.

Application

On March 23rd, 2026, Jed Fisher submitted a Text Change Application and proposed an exception to the restriction on non-resident employees in home occupations.

The application requests that home occupations involving personal services provided by appointment only (including cosmetology, barbering, hairstyling, nail care, or similar state-licensed services) permit one (1) non-resident service provider to operate within the dwelling subject to the following conditions:

- The home occupation business license is held by a resident of the dwelling.
- No more than one non-resident service provider may work on the premises at any time.
- All services must be by appointment only, with no walk-in clientele.

Planning Commission Considerations

In reviewing the application, the planning commission may want to consider:

- Consistency with intent of Home Occupations

- Does the proposed change maintain the intent that the home occupations remain low-impact and secondary to the residential use.
- Would allowing a non-resident service provider change the character of the use?
- Enforcement
 - How would the city effectively enforce the “appointment only” requirement and ensure non walk in clientele?
 - How would the city verify that only one non-resident provider is operating on-site at any given time?
- Neighborhood Impacts
 - Could this change result in increased traffic and parking demand?

Options

Based on the application, staff recommends that the commission select one of the following directions:

1. Move forward with the request as proposed and schedule a public hearing. Following the public hearing, the commission could then:
 - a. Recommend approval.
 - b. Recommend denial.
2. Direct staff to bring back either other specific proposals or a larger review of options.



APPLICATION TO REZONE/CHANGE TEXT

West Bountiful City
PLANNING AND ZONING
550 N 800 W
West Bountiful, UT 84087
(801) 292-4486
www.WBCity.org

PROPERTY ADDRESS: N/A **DATE OF APPLICATION:** 3/20/2026
PARCEL NUMBER: N/A **CURRENT ZONE:** N/A **PROPOSED ZONE:** N/A
LEGAL DESCRIPTION ATTACHED: YES NO

Applicant Name(s): Jedidiah Fisher
Applicant Address (if different than above): [REDACTED] ghts, UT 84037
Primary p [REDACTED]

Describe in detail the request being made and the reasons why the change will benefit the people of West Bountiful. A separate sheet with additional information may be submitted if necessary.

Please see attached page for proposed change to West Bountiful Municipal Code 5.28.040, subsection A

I hereby apply to change text in the West Bountiful Municipal Code, or rezone the property identified above in accordance with the provisions of Utah State Code 10-9a-503. I certify that the above information is true and correct to the best of my knowledge.

Date: 3/20/2026 **Applicant Signature:** [Signature]

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: _____ **Public Hearing Date:** _____
Letters sent to affected neighbors: _____ **Public Notice Sign Placed** _____
Planning Commission Approval: _____ **City Council Approval:** _____

Current Code: 5.28.040

A. A person who is not a resident of the dwelling shall not work in the home occupation.

Proposed change:

A. Except as provided below, a person who is not a resident of the dwelling shall not work in the home occupation.

1. Limited Personal Service Exception

Notwithstanding subsection A above, a home occupation involving personal services that are provided by appointment only (including cosmetology, barbering, hairstyling, nail care, or similar state-licensed services) may permit one (1) non-resident independent service provider to operate within the dwelling at any time provided that:

- a. The home occupation business license is held by a resident of the dwelling;
- b. No more than one non-resident service provider may work on the premises at any time;
- d. All services must be by appointment only, with no walk-in clientele;

Benefit to West Bountiful City

I am submitting a proposed amendment to Section 5.28.040(A) of the West Bountiful Municipal Code to allow a narrowly defined exception for certain home-based personal service businesses.

This amendment enables residents to make practical use of existing space within their homes to support micro-business activity. It allows for modest supplemental income without introducing commercial intensity or expansion.

Many homes already contain dedicated areas (such as basement salons or home gyms) designed for personal services. Allowing limited use of these spaces avoids the need for additional commercial development while keeping activity contained and appropriate.

The proposed language includes strict limitations—such as:

- Only one non-resident provider working in the home at any time
- Appointment-only services (no walk-ins, ensuring no home generates storefront-like foot traffic)
- No additional traffic/parking beyond typical home occupation levels

These safeguards ensure the activity remains incidental and indistinguishable from other already permitted home occupations.

Many homes have these spaces that are not currently being used, such as those who have retired from their profession but still maintain a usable space within their home. This allows them to continue to put these spaces to use (such as a salon booth rental) even after they themselves are no longer working.

Importantly, this wording preserves the city oversight and control of what businesses are allowed. The proposals retains the authority of the zoning committee to impose reasonable conditions ensuring that each situation can be evaluated for compatibility with the surrounding neighborhood.

This proposal is intentionally narrow in scope and designed to allow only the lowest-impact form of non-resident participation in a home occupation and does not open the door to commercial-scale operations in residential zones.

Instead, it provides a practical and controlled option for residents to utilize their homes in a way that is economically beneficial while remaining fully consistent with the character and expectations of West Bountiful neighborhoods.

MEMORANDUM



TO: Planning Commission
DATE: April 10, 2026
FROM: Kris Nilsen – City Engineer
RE: Pope Subdivision – Preliminary Plat

Chance Pope has applied for a two (2) lot subdivision, located at 1188 West 400 North. One of the proposed lots is a flag lot, Chance Pope received a conditional use permit from the Planning Commission for the proposed Flag Lot (3-25-2025). Also, City Council approved (4-3-2024) a code text change applied for by Chance Pope, which allows the staff area of flag lots to be used in the calculation for the total area of the flag lot in the A-1 zone. The property is within the A-1 district (zone), and the proposed lots meet the required A-1 zoning requirements for size and frontage.

Purpose. Preliminary Plat Subdivision Application provides a formal review and a preliminary approval of a subdivision to minimize changes and revisions which might otherwise be necessary on the final plat. Approval of the preliminary plat by the planning commission does not constitute final acceptance but authorizes the subdivider to proceed with preparations of plans and specifications for final plat in accordance with WBC 16.16.030 Final Plat.

WBC 16.16.020 PRELIMINARY PLAT - REVIEW.

The following checklist has been provided to the applicant.

Items in bold text are Staff Review Comments.

- A. The preliminary plat shall include the following information:
1. The proposed name of the subdivision;
 2. The location of the subdivision as it forms part of a larger tract or parcel, including a sketch of the future street system of the un-platted portion of the property;
 3. A vicinity map of the proposed subdivision, drawn at a scale of five hundred (500) feet to the inch, showing all lots and streets in the project, and all abutting streets, with names of the streets;
 4. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;
 5. A contour map drawn at intervals of at least one foot, showing all topographic features with verification by a qualified engineer or land surveyor;
 6. Certification of the accuracy of the preliminary plat of the subdivision and any traverse to permanent survey monuments by a land surveyor, registered to practice in the state of Utah;
 7. The boundary lines of the tract to be subdivided, with all dimensions shown;
 8. Existing sanitary sewers, storm drains, subdrains, culinary and secondary water supply mains and culverts and other utilities within the tract or within one hundred (100) feet:

9. **The location, widths and other dimensions of proposed streets, easements, and lots showing the size of each lot in square footage and properly labeling spaces to be dedicated to the public;**
 - a. **The Applicant has submitted a Request to Staff for Deferral of Public Improvements. Staff will put the request for deferral on the Agenda for City Council (grant or deny) after the project receives approval of the Preliminary Plat WBC 16.16.020 from the Planning Commission.**
 - i. **City Engineer and Public works will provide a recommendation to City Council regarding the deferral request for the installation of public improvement.**
 - b. **For Planning Commission review, the subdivision design includes full depth street improvements along the frontage of the project on 400 North.**
 - i. **Improvements along the frontage include street widening, 5" asphalt, 8" base course, 12" subbase material, 140N geotextile fabric, curb, sidewalk, Storm Drain combo box with inlet and streetlight.**
 - ii. **Improvements also include any required relocation of existing utility structures to fit the street widening such as, power poles, communication pedestals, etc.**
10. The location, principal dimension, and names of all existing or recorded streets, alleys and easements, both within the proposed subdivision and within one hundred (100) feet of the boundary, showing whether recorded or claimed by usage; the location and dimensions to the nearest existing bench mark or monument, and section line; the location and principal dimensions of all water courses, public utilities, and other important features and existing structures within the land adjacent to the tract to be subdivided, including railroads, power lines, and exceptional topography;
11. The existing use or uses of the property and the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines drawn to scale;
12. The location of existing bridges, culverts, surface or subsurface drainage ways, utilities, buildings or other structures, pumping stations, or appurtenances, within the subdivision or within two hundred (200) feet, and all known wells or springs as well as the location of any one hundred (100) year flood plains as determined by FEMA;
13. Proposed off-site and **on-site culinary** and secondary water facilities, **sanitary sewers**, storm drainage facilities, and fire hydrants;
 - a. **Add a note to utility plan C3.0 requiring that 10 ft minimum horizontal separation be maintained between all sanitary sewer and ciliary water (laterals and mainlines running parallel).**
 - b. **Fire Marshal has approved the location of the proposed fire hydrant as shown on the Utility Plan Sheet C3.0. City Staff is considering moving the hydrant south, to a point on the east side of the Lot 2 staff, at a location 150 feet south of the Lot 2 buildable area. This would shorten the length of the city owned and maintained 8" water pipe and the hydrant would be closer to 400 N for easier visual inspection of use by City Staff.**
 - i. **Fire marshal approval required for any changes to the approved fire hydrant Location.**
14. Boundary lines of adjacent tracts of unsubdivided land within one hundred (100) feet of the tract proposed for subdivision, showing ownership and property monuments;
15. Verification as to the accuracy of the plat by the owner.

16. Each sheet of the set shall also contain the name of the project, scale (not less than one hundred (100) feet to the inch, except for the vicinity map), sheet number, and north arrow.
- B. In addition to the foregoing plat, the subdivider shall provide the following documents:
1. A storm water plan in accordance with 16.28.060 Hydrology Report (and 13.30.080 Storm Water Design Criteria);
 2. A plan for providing street lighting in the subdivision in compliance with the city's design standards;
 3. Copies of any agreements with adjacent property owners relevant to the proposed subdivision;
 4. A comprehensive geotechnical and soils report prepared by a qualified engineer based upon adequate test borings or excavations in accordance with the city's design standards;
 5. A copy of a preliminary title report evidencing satisfactory proof of ownership;
 6. Satisfactory evidence that all utilities and services will be available (will-serve letters) for the subdivision and that the utilities and easements have been reviewed by the utility companies and approved;
 7. A Davis County development and construction permit, if the proposed project is located within one hundred (100) feet of a critical flood area as defined by Davis County;
 8. Copies of proposed protective covenants in all cases when subsurface drains are to be located within the subdivision;

Recommendation:

I (City Engineer) recommend approval by the Planning Commission subject to the following condition(s):

1. All Staff and Planning Commission review comments to be addressed prior to the project receiving Final Plat Approval from Staff.



CRUSHED AGGREGATE SUB BASE COURSE MATERIAL	
SIEVE (inch)	% PASSING
3"	100
1"	81-91
1/2"	67-77
NO. 4	40-50
NO. 10	20-25
NO. 200	8-10

REvised 6/15

BENCHMARK
THE PROJECT BEN
WEST IN THE NOR
PROJECT BENCHMARK

CAUTION - NOTICE TO CONTRACTOR

1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.



Know what's below
Call before you dig

Know what's below.
Call before you dig.

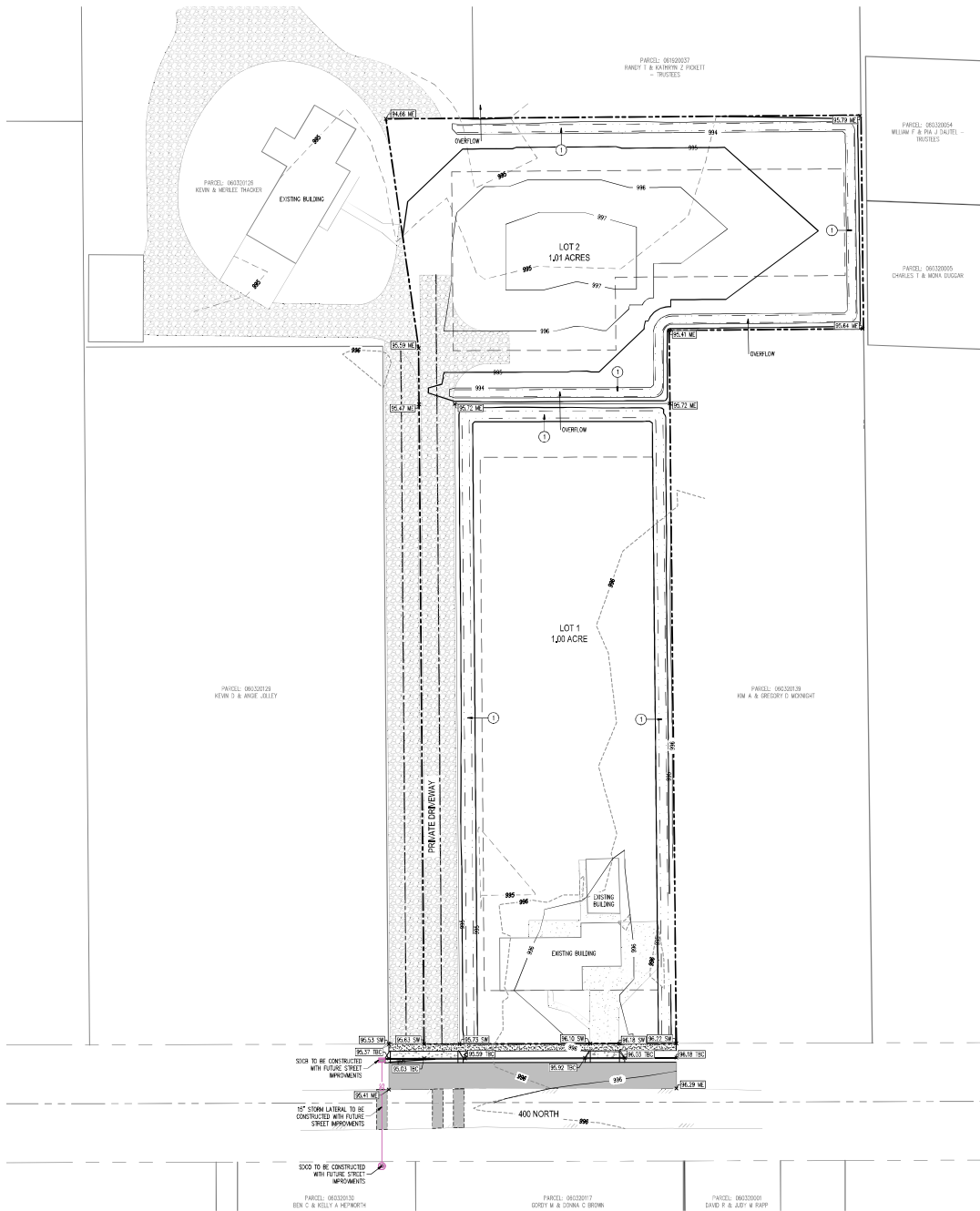
RED SANDS CONSULTING
POPE SUBDIVISION
SITE PLAN
1194 WEST 400 NORTH
WEST BOUNTIFUL, UT 84087

[illegible]

Project No:	RDS1.20
Drawn By:	TDV
Checked By:	BAP
Date:	3/27/2026

SITE PLAN

C1.0



EARTHWORK	
	VOLUME (CU. YD.)
CUT VOLUME	1942
FILL VOLUME	854
NET VOLUME	548 (CUT)

GRADING LEGEND	
4000	EXISTING MAJOR CONTOUR
4020	EXISTING MINOR CONTOUR
3465	PROPOSED MAJOR CONTOUR
3463	PROPOSED MINOR CONTOUR
30	EXISTING STORM SEWER
30	PROPOSED STORM SEWER (LESS THAN 12")
30	PROPOSED STORM SEWER (12" AND GREATER)
75.00	EXISTING SPOT ELEVATION
75.00	PROPOSED SPOT ELEVATION
75.00 00	GRADE BREAK
75.00 100	TOP OF POND
75.00 00	POND BOTTOM
75.00 00A	EDGE OF ASPHALT
75.00 SW	SIDEWALK
75.00 00	WATER CRESTING
75.00 00	CONCRETE
75.00 00	TOP BACK OF CURB

DRAINAGE SCHEDULE

- ① INDIVIDUAL LOT RETENTION SNALE

NOTE

1. CONTRACTOR TO GRADE 1" HIGH NEW ALONG SHARED LOT LINES DURING INDIVIDUAL LOT GRADING TO PREVENT DRAINAGE ACROSS LOTS.

CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL INFORMATION FOR FINAL ACCEPTANCE OF WORK FOR ANY LOCAL, STATE OR FEDERAL AGENCY, UTILITY DISTRICT OR ANY OTHER AGENCY OR DISTRICT HAVING JURISDICTION OVER WORK. THE INFORMATION MAY INCLUDE, BUT IS NOT LIMITED TO, AS-BUILT PLANS, CERTIFICATIONS, INSPECTIONS AND REPORTS.

CONTRACTOR RESPONSIBLE FOR AS-BUILT DRAWINGS, TESTS, REPORTS AND/OR ANY OTHER CERTIFICATIONS OR INFORMATION AS REQUIRED FOR ACCEPTANCE, IF WORK FROM CITY, UTILITY DISTRICTS OR ANY OTHER GOVERNING AGENCY.

NOTE: CONTRACTOR SHALL PROTECT ALL EXISTING SURVEY MONUMENTATION. CONTRACTOR SHALL HAVE LICENSED SURVEYOR REPLACE ANY DAMAGED OR DISTURBED MONUMENTATION AT THEIR COST.

NOTE: CONTRACTOR MUST COORDINATE WORK WITH UTILITY COMPANY AND CITY PRIOR TO BEGINNING WORK AND IS RESPONSIBLE FOR ALL MATERIALS, LABOR, PERMITS, ETC. TO COMPLETE WORK AND RESTORE AREA TO SAME STATE PRIOR TO STARTING WORK.

BENCHMARK

THE PROJECT BENCHMARK IS A FOUND BRASS CAP AT THE INTERSECTION OF 400 N AND 1000 WEST IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, SLURM PROJECT BENCHMARK ELEVATION = 1000'

CAUTION - NOTICE TO CONTRACTOR

- ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE ELEVATIONS AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- WHERE A PROPOSED UTILITY CROSSES AN EXISTING UTILITY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF SUCH EXISTING UTILITY, EITHER THROUGH FIELDWORK OR ALTERNATE METHOD. REPORT INFORMATION TO THE ENGINEER PRIOR TO CONSTRUCTION.



Galloway

1221 S Valley Drive West, Suite 140
Pleasant Grove, UT 84062
801.322.1332
GallowayUT.com



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RED SANDS CONSULTING
POPE SUBDIVISION
SITE PLAN
1194 WEST 400 NORTH
WEST BOUNTIFUL, UT 84087

#	Date	Issue / Description	Init.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Project No.	RED-23
Drawn By:	TDV
Checked By:	BAP
Date:	3/27/2025

GRADING & DRAINAGE PLAN

C2.0

MEMORANDUM



TO: Planning Commission

DATE: April 13th, 2026

FROM: City Staff

RE: SB284 – Updated Land Use Regulations

This memo gives the planning commission an overview of three potential code amendments in response to the 2026 legislative session and the passage of SB 284. Each amendment addressed an area where state law now requires updates to the city's land use code. Redlined versions of the proposed changes are attached for your review.

Planning Commission Provisions – 10-20-301

- Effective May 6th, 2026
- See Exhibit A
- Utah State Code now requires cities to include the following procedures and descriptions in their codes related to the planning commission:
 - A procedure for removing a planning commission member, while specifically citing 10-3b-301 which states that the commissioner would be removed by a 6-member council.
 - A description of the causes for which a planning commissioner may be removed.
 - Requirements for when a planning commission member should recuse themselves from deliberating or voting on certain land use applications.

New / Unlisted Businesses – 10-20-507

- Effective May 6th, 2026
- See Exhibit B
- Requires cities to amend the process for reviewing and appealing new or unlisted business types. The proposed changes:
 - Shift the responsibility of determining whether a proposed business fits into an existing use category from the planning commission to city staff. State code is no longer allows the planning commission to be part of this review process.
 - The applicant will forward the application to the city council for review and request that the legislative body adopt a land use ordinance that permits the business.
 - Notify the applicant of the process for appealing the legislative body's decision.
- NOTE: Another update will be needed before July 1, 2026, to address changes to the appeal authority under state code.

Model Home Regulations – 10-20-625

- Effective May 6th, 2026
- See Exhibit C
- Requires cities to update the definition of “Model Home” and add a definition for “Open House”.

Next Steps

Staff are asking the planning commission to review these proposed changes and provide feedback. No formal action is needed currently. Staff will incorporate any direction from the commission and bring back final versions for a public hearing and recommendation to the city council during the next meeting on April 28th.

EXHIBIT A

2.36.010 Terms Of Office: Appointment, Compensation And, Removal And Recusation

- A. There shall be a planning commission consisting of five members, which shall include four voting commissioners and a voting chairperson.
- B. Members shall be appointed to four-year terms of office, except that members may be appointed to shorter terms when necessary to ensure staggered terms of office.
- C. Members of the planning commission shall be appointed by the mayor, with the advice and consent of the city council.
- D. The city council may fix compensation for members of the planning commission for meetings actually attended and may authorize their reimbursement for expenses actually incurred in the performance of their duties.

E. The city council may remove members of the planning commission from office for cause, in accordance with applicable state law, including Section 10-3b-301 and subject to any delegation of authority under subsection 10-3b-303(1). Causes for removal include:

- 1. Using public funds for political purpose under Title 20A, Chapter 11, Part 12, Political Activities of Public Entities Act;
- 2. Violating a provision of Title 10, Chapter 3, Pater 13, Municipal Officers' and Employees' Ethics Act; and
- 1.3. Acting with the intent to influence a land use decision or an appeal of a pending land use application in a manner that creates actual impermissible bias or an acceptable risk of impermissible bias in the planning commission member's administrative or quasi-judicial duties.

but may not do so A planning commission member deliberating about a specific land use application in a planning commission meeting with municipal staff, an elected official or the land use application is not cause for removing a planning commission member from the planning commission. A member may not be removed without a public hearing if such is requested by the member.

17.12.080 New or Unlisted Business Classification Process

A. Purpose

The purpose of this section is to establish a clear process for evaluating proposed business uses that are new, unlisted, or not clearly classified in the city's land use code.

B. Application Required

1. Applicants proposing a new or unlisted business use shall submit a New/Unlisted Business Use Application on a form provided by the City.
2. The application shall include:
 - a) a detailed description of the proposed business and its operations;
 - b) Hours of operation and number of employees;
 - c) Description of materials, used or stored, including hazardous materials;
 - d) Site plan or floor plan, if applicable;
 - e) Description of which listed use the proposed use best aligns and why;
 - f) Any other information required on the form or requested by staff that relates to the business.

C. Staff ~~and Planning Commission~~ Review

1. ~~Once the city determines an application is complete, staff shall review the application. Staff shall present the application to the planning commission at the next available planning commission meeting. City staff shall act as the land use authority and shall review the application.~~
2. ~~The planning commission is the land use authority for determining whether a proposed new or unlisted business use aligns with an existing land use category. City staff is the land use authority for determining whether a proposed new or unlisted business aligns with an existing land use category.~~
3. ~~The planning commission~~ City staff will make its decision based on the following criteria:
 - a) Similarity of Primary Activities

- b) Operational Characteristics
- c) Impact of Public Infrastructure
- d) Environmental and Nuisance Impacts
- e) Hazardous Materials and Safety Considerations
- f) Compatibility with surrounding land uses
- g) Purpose and Intent of the Zoning District

The decision must be made within 60 days after a complete application is submitted.

- 4. If ~~the planning commission~~ city staff determines that the proposed use aligns with an existing use, it will issue a written decision allowing the proposed use to proceed under the regulations of the existing use.
- 5. If ~~the planning commission~~ city staff determines that the proposed use is a new or unlisted business use⁴, the applicant shall forward the application to the city council requesting approval of the new or unlisted business use and adoption of a land use ordinance permitting the use as a permitted or conditional use.
 - ~~a) The planning commission shall schedule a public hearing for the next available planning commission meeting.~~
 - ~~b) Following the public hearing, the planning commission shall treat the application as an application for a land use code amendment, including any necessary text additions or modifications.~~
 - ~~c) The planning commission will then forward the application and either a positive or negative recommendation to the city council for a potential new business use.~~
- 6. If ~~the planning commission~~ city staff denies an application for a proposed new or unlisted business use, or if an applicant disagrees with planning commission's city staff's classification of the proposed use, city staffthe planning commission shall notify the applicant in writing of each reason for the classification or denial, and offer the applicant an opportunity to challenge the classification or denial through the appeal process as outlined in Chapter Section 17.08.120 of City Code and applicable state law.

D. City Council Review

1. ~~The city council shall review recommendations from the planning commission involving new businesses as legislative land use decisions. The city council shall review applications city staff has determined to involve new or unlisted business uses.~~
2. The city council shall determine whether the new or unlisted business use should be added to the land use code.
3. The city council shall approve or deny the application within 60 days after a complete application is submitted, as long as the applicant responds to each request for additional information within 10 days of the request, and appears at all required hearings.
4. If approved, the city council shall designate the appropriate zone or zones in which the use is permitted or conditional.
5. If the city council denies the application, the city council shall notify the applicant in writing of each reason for the denial and inform the applicant of the process for appealing the decision through the city's land use appeal authority in accordance with Section 17.08.120 of City Code and applicable state law.

17.74.020 Definitions

As used in this chapter, the following terms are defined as follows:

"Model home" means ~~a dwelling used as a temporary on-site sales office for a residential development under construction;~~ a single-family home that the homebuilder uses to promote the sale or lease of another single-family home; or a unit within a multi-family residential structure that the owner uses to promote the sale or lease of another unit within the multi-family residential structure.

"Open house" means an event held by a homeowner, including an event in association with a real estate agent, architect, builder, or developer to showcase a home, including the outdoor landscaping around the home

"Sales trailer" means a trailer used as a temporary on-site sales office for a residential development until a model home can be constructed.

**West Bountiful City
Planning Commission Meeting**

March 24, 2026

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 March 20, 2026, per state statutory requirement.

Minutes of the Planning Commission of West Bountiful City held on Tuesday, March 24, 2026, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Chairman Robert Merrick, Vice Chairman Corey Sweat Commissioners, Dennis Vest, Laura Mitchell, Tyler Payne, Richmond Thornley (Alternate), and Council member Julie Thompson.

MEMBERS/STAFF EXCUSED:

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

PUBLIC ATTENDING: Alan Malan

**Thought/Invocation by Commissioner Payne
Pledge of Allegiance- Commissioner Thornley**

1. Confirm Agenda

Chairman Merrick 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. Discussion on Short-Term Rentals

Commissioner packets included a memorandum dated March 20, 2026 from Staff regarding STR's (Short-Term Rentals). The memo was provided to facilitate the continued discussion on the topic of Short-Term Rentals.

Remington Whiting explained Utah Code 10-8-85.4 defines "Short-term Rental" (STR) as any residential structure or portion of a residential structure that offers occupancy for fewer than 30 consecutive days. The same section of code also allows cities to require STRs to obtain a business license or other permit before operating.

West Bountiful Municipal Code (WBMC) contains three residential zones, and none of them list STRs as permitted or conditional use. Per WBC 17.12.040 "uses of land not specifically allowed as set forth therein shall be prohibited in the respective district."

On March 10th, staff brought forth key topics for discussion and consideration which included:

- **Property Owner Rights:** Balance private property rights with neighborhood compatibility; consider if STRs align with residential zoning.
- **Neighborhood Impacts:** STRs function as quasi-commercial uses, which raises concerns about noise, parking, traffic, trash and tenant turnover. Occupancy numbers and guest intent would also be difficult to monitor.
- **Neighborhood Character:** Potential changes to single-family neighborhood character; options include separation limits, zoning restrictions, or owner-occupancy requirements.
- **Safety:** STRs may not meet hotel safety standards, posing risks related to fires, pools, and other hazards.
- **Impact on Housing Supply and Affordability:** STRs could reduce long-term rental availability or impact homebuyer competition with investors.
- **Tourism and Community Benefit:** Limited hotel tax revenue: weigh potential benefits against impacts on neighborhoods and housing.

The commission directed staff to bring back information regarding Short Term Rental codes from nearby cities. Staff has reviewed and listed highlights of STR codes from two nearby cities for the commission to consider.

Bountiful – *Require each part of the code is initialed by the applicant*

- Permitted Short-Term Rentals
- Holds a public hearing and receives approval during a public meeting. *Uses a community board in which we do not have.*
- At least 10 days before the meeting, staff send out a notice to residents that live within 300ft of the property and post a sign.
- STRs cannot exist on a lot without a single-family home.
- Owner-occupied (At least 183 days of the year)
- Allowed in all residential zones, including Downtown and Mixed-Use Zone.
- Maximum of one STR per lot.
- Requires ADU Permit along with STR permit.
- Applicants must acquire a business license.
- Must have 1 additional off-street parking space.
- Permits do not run with the land, and new owners must apply again.

North Salt Lake – *Uses staff for approval*

- Permitted Short-Term Rentals.

- Owner-occupied, meaning the property is their primary residence (At least 183 days of the year).
- Maximum rental period of 30 days.
- Maximum of one STR per lot.
- Requires ADU Permit along with STR Permit
- Requires one parking space per 2 bedrooms.
- Property cannot be rented to more than one renter at a time.
- Cannot rent separate rooms.
- Owner will be responsible for all city ordinances such as snow removal.
- Repeated violations of noise and nuisance ordinances can result in revocation.
- Application requires a parking plan, site plan that indicates designated STR area, proof of ownership and primary residence, and an affidavit on private restrictions such as notarized statement saying there are not CC&Rs that prohibit STR on the property.

Commission Discussion:

Some discussion took place regarding the provided information. It was noted that this is good information to consider but the discussion on DADU's needs to be considered first. Remington is confident in our applications for the ADU process.

Corey Sweat would like our code not to be contradictory. Either we can or can't have rentals (they are one in the same). Remington noted that the state does consider rentals as two different things; short-term and long-term rentals. Commissioner Sweat stated that we need to have it very clear in our code.

Tyler Payne wants to know the characteristics of the different type of rentals and what are required for each one.

Councilmember Thompson stated that she has done some research and encouraged the commission to research the differences in the various types of rentals.

Staff recommended that the Commission discuss the advantages and disadvantages of the two provided examples. It was noted that STRs and new state laws on Detached Accessory Dwelling Units will need to align as further consideration is given.

Staff also reviewed the document on STRs dated March 2023 from The Utah Land Use Institute as noted in the memorandum. It includes several of the same policy issues that the planning commission is currently reviewing and there have been significant changes to the state code since it was drafted. It also contains the advice of one attorney, therefore should not be taken for fact in all aspects.

For example, the opinions on the “Dormant Commerce Clause” come from case law that had not yet been applied to the State of Utah (Fifth Circuit vs. Tenth Circuit), and many Utah jurisdictions (including the two neighboring cities in our current review), have owner-occupancy requirements. If the planning commission has questions regarding the legality of specific regulations, staff recommend directing the questions to the city’s legal counsel, rather than outside sources.

3. Discussion on Legislative Session Land Use Updates – SB 284

Commissioner packets included a memorandum dated March 20, 2026 from city staff regarding Legislative Session Land Use Updates – SB 284 to inform the Planning Commission of key changes to state land use regulation for the 2026 legislative session.

Mr. Whiting noted that the following are areas where West Bountiful will likely need to update its code to stay compliant. Unless otherwise noted these items take effect on May 6, 2026. Staff will be working on bringing each of these items before the commission in the next few months.

Planning Commission Provisions – 10-20-301 -New language has been adopted related to planning commissions, including a requirement for cities to establish procedures for removing commission members.

New / Unlisted Businesses – 10-20-507 - Recently adopted code will need to be reviewed again for compliance. Updates will include adding a process for applicants to appeal land use decisions to a land use authority.

Model Home Regulations – 10-20-625 - New regulations for model homes have been adopted. Our city code will need to be reviewed and updated as needed, including updates to definitions.

Appeal Authority – 10-20-1101 -Effective July 1st, 2026 - The City Council can no longer serve as the appeal authority. This will impact several processes and will require updates to the city code, including provisions for new/unlisted businesses.

Detached ADUs – 10-21-304 -Effective October 1st, 2026 - The city must have code provisions in place for detached accessory dwelling units on lots with 11,000 sq ft or bigger.

Staff informed the commission that they will be scheduling a joint council/commission meeting to discuss potential regulations. It was suggested this meeting take place on a planning commission night so that council could attend the meeting after the work session so as to stay on board with further discussion by the planning commission.

Staff also recommended that the commission start to consider the following items:

- *Required Setbacks Minimum sized lot – Does the commission want to keep allow them on 10,000 sq ft lots?*

- *Minimum and maximum sized ADU Permitting requirements Owner Occupancy Requirement*
- *Parking Requirements*

4. Approve Meeting Minutes from January 27, 2025.

Action Taken:

Corey Sweat moved to approve the minutes from the March 10, 2025 Planning Commission Meeting as presented. Laura Mitchell seconded the motion, and voting was unanimous in favor.

5. Staff Reports

a. Engineering (Kris Nilsen)

- Legacy Construction was supposed to start yesterday to add an inside lane to each direction.
- UTA will come to give a presentation on April 7th. Information is being withheld until after all the bidding process is completed.
- Award the miscellaneous concrete bids, road projects.
- Pages Lane at the Railroad crossing on Thursday will be shut down for 3 hours.
- Pope Subdivision still pending.
- Weber Water will be turned on May 15th. Beginning May 1st they will be pressurizing the system. Will begin at 20% reduction and may end the season with a 40% reduction.

b. Community Development (Remington Whiting)

- New well-being survey is being conducted. Invite citizens to participate.
- Spring Clean-up April 9th -11th
- Building Permits are trickling in
- Code Enforcement will be ramping up in the next few weeks.
- Next meeting on April 14th will include Thacker Subdivision and a resident code change request.
- Seasonal job opening for public works and a crossing guard position.
- April 4th Easter Egg Scramble at WB Park.

Dennis Vest likes the lights on the STOP signs. He suggested placing “Caution: Kids at Play” signs on 725 West and 700 West. Amy Moulton is getting trespassers retrieving golf balls. Golf Course fixed holes in the fence where they were getting in. He appreciated their efforts.

Alan Malan noted that this Friday the county is having an emergency operation open house between 1 and 3 in the new courthouse. He will try to get a group together to go at a different time since Mayor Romney is out of town.

6. Adjourn.

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 8:34 pm. Laura Mitchell 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.