

Mayor

Kenneth Romney

**City Engineer/ Land
Use Administrator**

Kris Nilsen

City Recorder

Remington Whiting

City Council

Representative

Julie Thompson

**WEST BOUNTIFUL
PLANNING COMMISSION**

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West Bountiful, Utah 84087

Phone (801) 292-4486

FAX (801) 292-6355

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Chairman

Robert Merrick

Vice Chairman

Corey Sweat

Commissioners

Laura Mitchell

Richmond Thornley

Dennis Vest

**THE WEST BOUNTIFUL CITY COUNCIL AND PLANNING COMMISSION WILL
HOLD A SPECIAL WORK SESSION MEETING AT 6:15 PM AND THE PLANNING
COMMISSION WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY,
MAY 12TH, 2026, AT THE CITY OFFICES**

AGENDA

6:15 pm – Special Work Session – Detached Accessory Dwelling Units Discussion

7:30 pm – Regular Meeting

Invocation/Thought – Commissioner Mitchell

Pledge of Allegiance – Commissioner Payne

1. Confirm Agenda
2. Code Change Application – Side Yard Restrictions – Garner
3. Code Change Application – A-1 District Height Restriction – Garner
4. Approve Meeting Minutes from April 28th, 2026.
5. Staff Reports.
6. 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 May 8th, 2026 by Remington Whiting, City Recorder.*

MEMORANDUM



TO: Mayor and City Council

DATE: May 8, 2026

FROM: Duane Huffman, City Administrator

RE: **Joint City Council/Planning Commission Discussion – Detached Accessory Dwelling Units**

This memo presents background information and policy questions to help guide a joint city council/planning commission discussion on future regulations related to Detached Accessory Dwelling Units (DADUs).

The goal of the discussion is to outline major policy goals that will guide the planning commission as they develop specific regulation/code language recommendations.

Background

New state code requires that cities adopt laws by Oct 1 that make DADUs a permitted use on any lot or parcel 11,000 sq ft or larger with a single-family dwelling. Attached to this memo is a summary of elements that cities may regulate or are otherwise prohibited from regulating.

West Bountiful has until Oct 1 to develop any regulations it feels necessary related to size, dimension, height, lot coverage, setbacks, use as short-term rentals, and owner occupancy requirements.

For reference, also attached to this memo are two “toolkits” related to ADUs provided by Salt Lake City and Farmington City.

Policy Considerations

As the planning commission works to develop recommendations for DADU regulations, it will be helpful to understand shared goals with the city council. These goals should start broadly before they are narrowed down to specific regulations. The following questions are designed to help identify these foundational goals:

1. Other than complying with the state requirements, does the city have other policy goals for DADUs?
 - a. Setting the state code aside, what value do you see in allowing DADUs?
 - b. If the community could accomplish something with DADUs, what would you want that to be?

2. The purpose of land use regulations is generally to protect neighbors from impacts – what concerns you about DADUs?
 - a. What would concern you if your next-door neighbor wants to build a DADU?
 - b. What would concern you if a neighbor 5 houses down wants to build a DADU?
3. Based on discussions from the previous two questions/areas, the planning commission and city council may want to broadly discuss:
 - a. Does lot size matter when thinking about impacts, or is it more of an issue of setbacks and yard space?
 - i. Could a 10,000 sq. ft. lot with ample backyard space accommodate a DADU as good or better than a 12,000 sq. ft. lot with a smaller backyard?
 - b. What, if any, are the meaningful differences between an uninhabited accessory structure and a DADU in terms of impacts on neighboring properties?
 - c. What are the city's goals/purposes related to backyards – have they changed overtime?
 - i. Privacy? Should my neighbor be required to preserve backyard space to provide me with privacy?
 - ii. Open space? Should property owners be allowed to determine how much private open space they have, or is it a community issue?
 - iii. Public safety? Should changes in fire code lead to changes in how backyards are allowed to be used?

Following the discussion on May 12th, the city council and planning commission may find value in continued joint discussions to develop overarching goals, or the planning commission may have enough direction to get started.

- City Code must:
 - Adopted a code on DADUs by Oct 1
 - Make DADUs a permitted use on any lot or parcel 11,000 sq ft or larger with a single-family dwelling (if single-family dwelling is already permitted use).
 - Require compliance with building/fire/health codes
 - Include a process for a legal accessory structure to convert to a DADU subject to setback requirements and building codes.
 - Parking
 - May not require more than 1 spot if DADU is less than 650 sq ft
 - May not require more than 2 spots if 650 sq ft or bigger
 - No design requirements expect for historical districts/development agreements
- City Code may
 - Regulate
 - Size (general size as well as prohibiting DADU to be larger than existing single-family structure).
 - Dimension
 - Height
 - Maximum lot coverage
 - Setbacks from/considering
 - property lines
 - other structures
 - easements (may also restrict from being within easements)
 - window orientation
 - massing
 - Design (make it consistent with the design of the single-family dwelling) – potential conflict?
 - Use as a short-term rental
 - Placement within a front yard
 - Number of ADUs per lot/parcel
 - Owner occupancy of at least one of the residences
 - Prohibit DADU if:
 - DADU lacks adequate access to required utility service
 - Utility service lacks adequate capacity to serve

FARMINGTON CITY

ACCESSORY DWELLING UNIT (ADU) +
SUBORDINATE SINGLE-FAMILY DWELLING (SSF)
TOOLKIT

JANUARY 2025

Prepared by FFKR Architects & Farmington City



Table of Contents

This handbook provides general guidelines for property owners who want to add an ADU or an SSF to their property. However, it is recommended to work with a City Planner to help answer any questions and coordinate your application.

DISCLAIMER

This toolkit is not the ADU permit itself; it is advisory and not binding until an ADU permit is approved and issued.

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FAQ

WHAT IS AN ADU AND SSF?

Accessory Dwelling Unit (ADU):

A Detached Accessory Dwelling unit (DADU) or an Internal Accessory Dwelling Unit (IADU) both as defined herein.

Accessory Dwelling Unit, Detached (DADU):

A detached dwelling unit consisting of all or any part of a detached accessory building, as defined by the building code, to a single-family.

Accessory Dwelling Unit, Internal (IADU):

An attached dwelling unit within, or adding to, the footprint of a single-family dwelling.

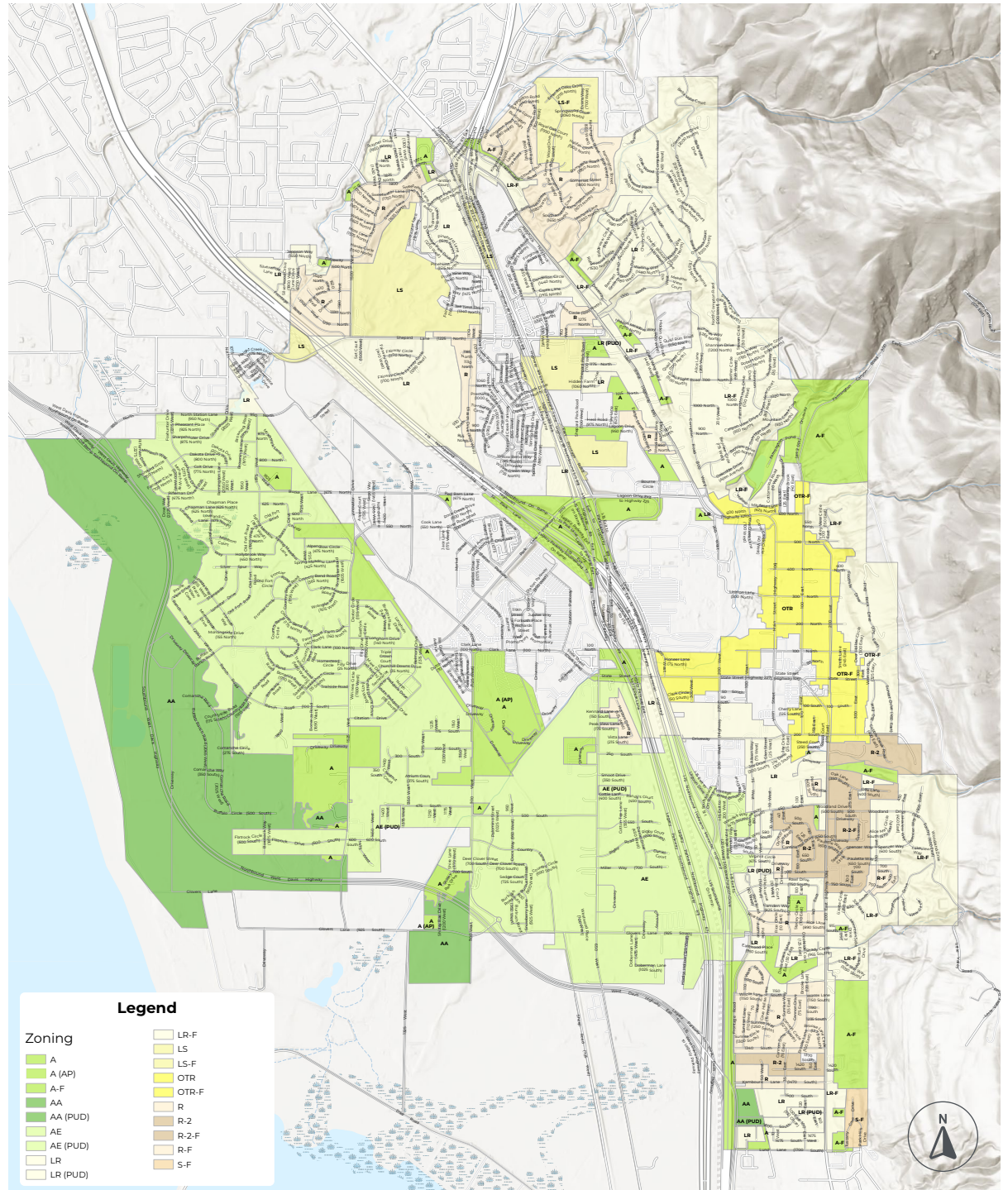
Subordinate Single-Family dwelling (SSF):

A SSF is a DADU held in separate ownership from the owner of the single-family dwelling, which ownership includes land separate from the single-family dwelling.

WHERE ADUS AND SSFS ARE ALLOWED?

Internal ADUs (IADU) shall be allowed in all single-family residential zones, agriculture zones, the R-2 zone, and original townsite residential zone within single family dwellings.

Detached ADUs (DADU) and Subordinate Single-Family Dwellings (SSFs) shall be allowed in all single-family residential zones, agriculture zones, and the original townsite residential zone on individual lots or parcels equal to or greater than 10,000 square feet and contain no more than one single-family dwelling.



BENEFITS

LANDLORD BENEFITS

- Generate rental income by assisting in the provision of moderate-income housing or more affordable housing within the city
- 1:1 ratio of owner to tenant
- Creates a legal way to create an accessory dwelling unit on your property or within your primary dwelling.
- Provides a housing opportunity for those who may need a smaller space, more affordable space, or a space near family* due to age or other life transitions.
- Provides a safer way to offer an ADU by requiring the unit to be compliant with adopted building code standards.

RENTER BENEFITS

- No absentee landlord
- On-site maintenance arrangement
- Ability to live closer to family*
- Wider range of affordable rental type options
- Ability to live closer to work or school

SSF BENEFITS

- Housing affordability
- Demographic diversity
- Age in-place
- Downsize in familiar neighborhood
- Discourages “flippers” by requiring 2-year ownership
- Eliminates large lot non-maintenance

RESOURCES

Landlord/Tenant Program Training Options: There are resources available for landlord best practices and some are listed here. These are not Farmington City resources and residents are encouraged to understand landlord requirements.



Utah Rental Housing Association



or call 801.487.5619



The Good Landlord



or call 801.554.0475



Advantage Residential Management



or call 801.244.5255

Key Standards for all ADUs

NUMBER

A maximum of one ADU shall be allowed per [qualifying] single-family dwelling. An ADU shall contain no more than one dwelling unit.

PARKING

At least one off-street parking stall shall be provided for the ADU. Such parking stall must be in addition to all off street parking requirements for the primary single-family dwelling on the lot and shall conform with the City parking standards specified in the zoning ordinance.

LOCATION

An ADU shall only be allowed as part of, or in conjunction with, a single-family dwelling.

OCCUPANCY

The ADU shall be occupied exclusively by one family*.

Either the single-family dwelling or the ADU shall be owner occupied.

ADUs are not allowed to be used as short-term rentals and require occupancy of 30 days or more.

Any property owner wishing to host an ADU on their property needs to fill out an ADU application form.

CODE REQUIREMENTS

An ADU shall comply with all building construction and fire codes in effect at the time the ADU is constructed, created or subsequently remodeled, and shall comply with procedures and requirements of City building regulations including obtaining the required building and other permits.

TEMPORARY ABSENTEE OWNERSHIP

Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasi-public service.

NOTICE OF ADU

Farmington City may record a notice in the office of the Davis County Recorder on the lot in which the ADU is located. The notice shall include: a statement that the lot contains an ADU; and the ADU may only be used in accordance with the City's regulations

SITE DEVELOPMENT

If new construction or remodeling is required to create an ADU, plans will need to be submitted to the city for review and approval.

*FAMILY

An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than five (5) persons who are not so related, living together as a single nonprofit housekeeping unit doing their own cooking, and domestic servants for such family or group.

Internal Accessory Dwelling Unit IADU

GENERAL GUIDELINES + DIAGRAMS

SIZE

An IADU shall be equal to or subordinate to the floor area of the original single-family dwelling.

LOT SIZE

The creation of an IADU is prohibited if the lot size containing the primary dwelling is less than six thousand (6,000) square feet in size.



Existing Space Conversion



Addition to Main Building



Basement Conversion



Space Above Garage

Detached Accessory Dwelling Unit DADU

GENERAL GUIDELINES + DIAGRAMS

HEIGHT AND SETBACK

DADUs shall meet the height, setback, and other standards of the underlying zone for accessory buildings. DADU building heights shall be subordinate to the main building height.

Building height requirements vary by area. Residents should confirm requirements with City Planning Department.

LOT COVERAGE

Regulations for maximum building coverage and rear and side yard coverage shall apply.

SIZE

A DADU shall be equal to or subordinate to the footprint of the original single-family dwelling.

LOT SIZE

The creation of a DADU is prohibited if the lot containing the primary dwelling is less than ten thousand (10,000) square feet in size.

CODE REQUIREMENTS

DADUs shall be a permanent structure anchored to a foundation which meets the adopted building codes.



Detached Unit



Unit Connected to Existing Garage



Detached Garage Conversion



Unit Above Existing Garage



Corner Lot



Wide Lot

Approval Process

01.

APPLY FOR ADU

All property owners desiring to establish an ADU must apply for, and obtain, approval prior to utilizing the accessory dwelling unit, using forms provided by the Planning Department.

- Provide a complete application to the building department
- Submit via online portal or in-person
- Be sure to provide all required application materials



[Click here for ADU application](#)

02.

REVIEW & APPROVAL

Applications shall be reviewed and approved by the land use authority designated by the Farmington City Code.

03.

ADU PERMIT ISSUED

An ADU Permit issued by the Land Use Authority shall be required for the development and use of any ADU and shall only be issued once all regulations and standards of this chapter as applicable to the specific type of ADU are met.

Required submittal materials for permit:

- Site plan with parking shown
- Floor plans
- Elevations

04.

BUILDING PERMIT

Building Permit Required. All applicants for ADU approval shall obtain a building permit for construction or inspection associated with the proposed ADU, regardless of timing and method of creation or whether a non-permitted ADU has previously completed construction. No ADU permit and/or certificate of occupancy shall be issued for an ADU until all associated construction is complete and inspected pursuant to applicable building codes.

Key Standards for all SSFs

SUBORDINATE SINGLE-FAMILY DWELLING UNIT (SSF)

A SSF permits a DADU that would have otherwise been permitted, to be on its own lot.

LAND USE APPROVALS/PERMITS

Any subdivision and building permit necessary to enable an SSF must follow the building code, the City's subdivision process, and other rules and regulations of the Farmington City Code. The Planning Commission is required to approve the creation of the SSF lot.

SEPARATE UTILITIES REQUIRED

Where a DADU can share utility meters and connections with the main house, an SSF is required to have separate utilities and may require easements for those utility lines.

PARKING AND ACCESS EASEMENTS

If an SSF lot frontage on public or private right-of-way is not wide enough to accommodate parking or pedestrian access, or if an SSF lot has no frontage, the owner of the single-family dwelling lot shall provide parking and pedestrian access easements, acceptable to the city, to the owner of the SSF prior to or concurrent with the recordation of the subdivision.

SSF OCCUPANCY

An SSF must be owner occupied for two (2) years upon initial separation of ownership from the single-family dwelling.

CERTIFICATE OF OCCUPANCY

A property owner, or the City, shall not record a subdivision to enable an SSF until the City has issued a certificate of occupancy for the SSF, unless a deed restriction, acceptable to the City, is recorded concurrent with the newly created vacant lot which states:

The owner may establish a DADU thereon so long as both lots are held under one ownership, meet DADU Parcel requirements, and the owner must live on-site in either the DADU or the single-family dwelling; and

Any future SSF on the property must meet all related requirements, included but not limited to SSF Occupancy standards.

NUMBER OF PERMISSIBLE DWELLING UNITS

An SSF shall contain no more than one dwelling unit, and shall not have a DADU or an IADU.

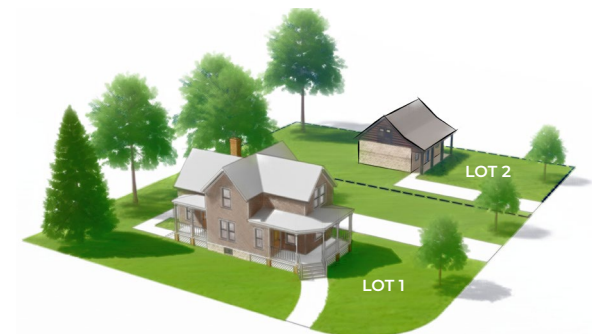
A Single-Family Dwelling which is essential to the creation of an SSF shall not have a DADU, but may have an IADU. In the event this occurs, the lot size for the SSF must be greater than or equal to two thousand five hundred square feet (2,500 sq. ft.) in area, the lot size for the Single-family dwelling must be greater than or equal to six thousand square feet (6,000 sq. ft.) in area, and the size for the DADU parcel must be greater than or equal to twelve thousand square feet (12,000 sq. ft.) in area.



Detached SSF



Detached Garage Conversion SSF



Corner Lot SSF

Cost Considerations

WHAT ARE THE CODE REQUIREMENTS FOR HAVING AN ADU OR A SSF?

In addition to the zoning ordinance, ADUs and SSFs are subject to building code requirements, utility requirements, fire codes, and other applicable regulations that apply to all new buildings and additions to buildings.



[Click here for ordinances](#)

There are City of Farmington application and permit fees, and utility connection associated with ADUs and SSF. These are subject to change and should be verified with City Staff and utility provider.



[Click here for ADU application](#)

The property owner or a licensed general contractor must obtain a building permit for a second dwelling unit (Utah Code 58-55-301 and 58-55-305).



[Click here for Building Permits](#)

ADUs and SSFs may be subject to costs associated with utility upgrades such as sewer, gas, and electrical. Contact Farmington Public Works and the Building Department for requirements related to your ADU/SSF type.



[Utilities](#)



or call 801.254.2200

RESOURCES

City Departments



Planning & Community Development



or call 801.451.2383



Fire Department



or call 801.939.9261



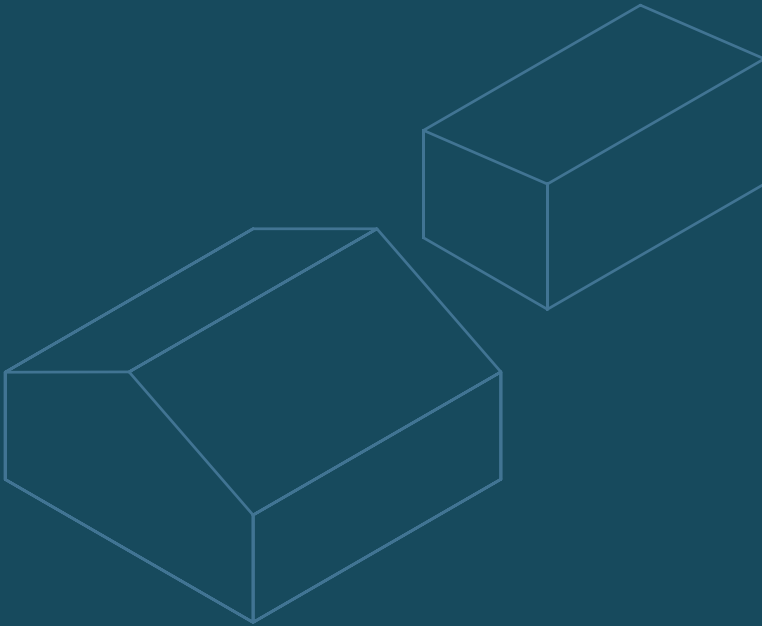
Utah Center for Neighborhood Stabilization



or call 801.244.5255

BUILDING AN ADU

GUIDE TO ACCESSORY DWELLING UNITS



Prepared by the Planning Division



This handbook provides general guidelines for property owners who want to add an ADU to their property. However, it is recommended to work with a City Planner to help you answer any questions and coordinate your application.

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14	ATTACHED ADUs
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OVERVIEW

WHERE ARE WE?

Utah is facing a housing shortage, with more people looking for a place to live than there are homes. Low unemployment and an increasing population are driving a demand for housing. Growing SLC is the City's adopted housing plan and is aimed at reducing the gap between supply and demand. Growing SLC includes a number of policies to increase the housing supply including ADUs.

Accessory dwelling units are part of a range of housing types that can help increase the housing supply with minimal impacts to the scale of an existing neighborhood. This makes ADUs a good option to help provide more housing in parts of the city where other types of housing may be too tall, too wide, or too bulky with the surrounding structures.

In addition to the zoning ordinance, ADUs are subject to building code requirements, utility requirements, fire codes, and other applicable regulations that apply to all new buildings and additions to buildings. These codes will add construction costs that may be significant. Before you apply for an ADU, it is recommended you meet with the City's Building Services Division and schedule a Development Review Team meeting to discuss applicable building code requirements that may make it costly to build an ADU.

building.services@slcgov.com // 801.535.7968

WHAT IS AN ADU?

An accessory dwelling unit (ADU) is a complete secondary residential unit that can be added to a property. **ADUs can be attached to or part of the main building, or be detached as a separate building in a backyard or a garage conversion.** An ADU provides completely separate living space including a kitchen, bathroom, and its own entryway.

WHY BUILD AN ADU?

Building a new ADU or converting existing space into one, can be a smart investment for many property owners.



Increase Property Value



House Friends & Family



Generate Rental Income



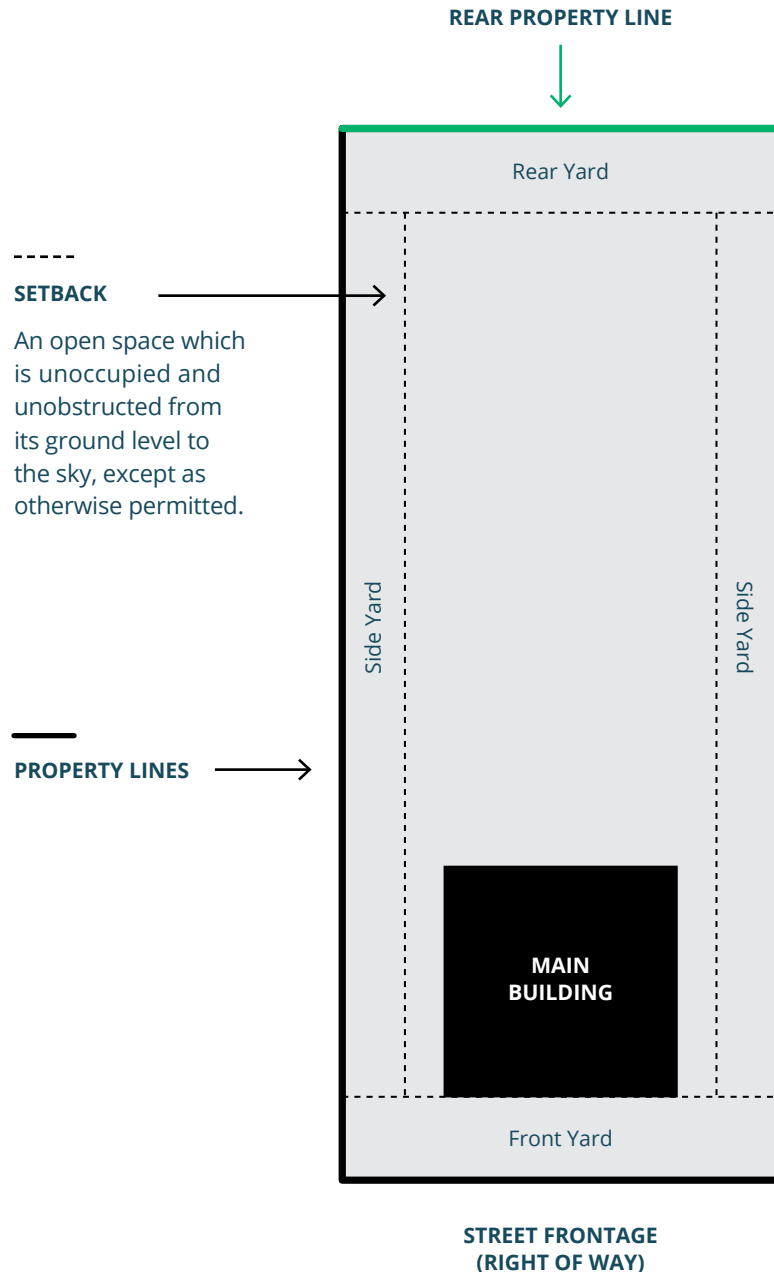
Add Housing Stock

REQUIREMENTS

- An ADU is allowed on **any property located within a zoning district where residential uses are permitted.**
- **Owner occupancy is required if the subject property is a Single-Family Dwelling.** The property owner or an owner's family member, must live either in the main building or the ADU.

There are rules about the location, size, and design of ADUs that are discussed in this guidebook.

YOUR PROPERTY



ELIGIBILITY

Every neighborhood in Salt Lake City falls within a specific land use zone. To build an ADU, your property must be located within a zoning district where residential uses are permitted.

Any lot in these zones may build an ADU if the ADU complies with the rules. **Only one ADU per lot is permitted, and the ADU cannot be sold separately from the main building.**

Check your eligibility on the **Salt Lake City Zoning Lookup Map** // <http://maps.slcgov.com/mws/zoning.htm>

HISTORIC DISTRICTS

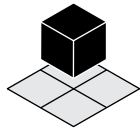
A Certificate of Appropriateness is required for properties located in a Historic District. The Historic Landmark Commission can modify certain lot and bulk standards to ensure compatibility in the historic district.

For more information about a Certificate of Appropriateness contact the Planning Division // 801.535.7700

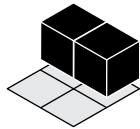
WHAT IS BUILDING COVERAGE?

Building Coverage is the percentage of a lot covered by principal and accessory buildings.

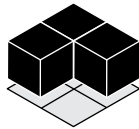
An ADU must comply with the building maximum coverage requirements of the underlying zoning district or applicable overlay zoning district, whichever is more restrictive.



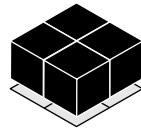
25%



50%



75%



100%

WHAT IS REAR YARD COVERAGE?

When it comes to accessory buildings, the rear yard is considered the area between the rear of the main building and the rear property line. **If you have an existing garage or shed and want to build an additional building with an ADU, the following regulations apply:**

- The size of the ADU cannot exceed the size of the existing main building and can be up to maximum of 1000 sq ft, which ever is less.
- Accessory buildings, detached garages, sheds, and ADUs cannot collectively cover more than 50% of the rear yard in Residential Districts.



BUILDING AN ADU

MY PROPERTY HAS...

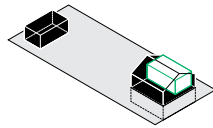
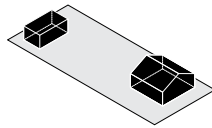
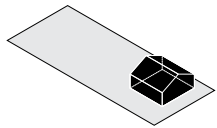
Extra space in the backyard.
(check maximum building coverage)

OR

A garage in the backyard.

OR

Space that can be converted into an ADU.



MY PROPERTY...

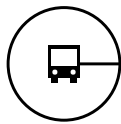
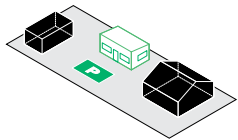
Has space to build additional parking.

OR

Is within a 1/4 mile radius from public transit.

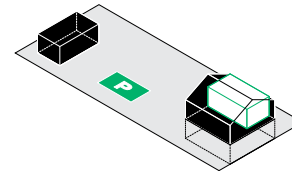
OR

Is within a 1/2 mile radius from a bike path.

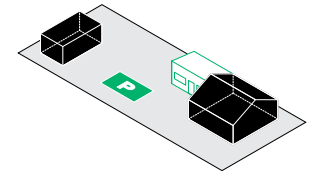


If you checked all the boxes you may qualify to build an ADU!

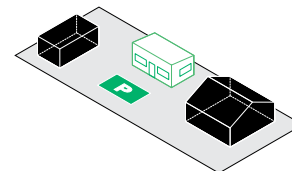
TYPES OF ADU CONFIGURATIONS



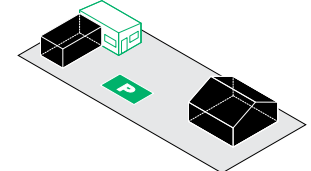
CONVERT PART OF YOUR EXISTING BUILDING



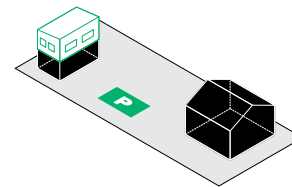
ADD AN ATTACHED UNIT TO YOUR EXISTING BUILDING



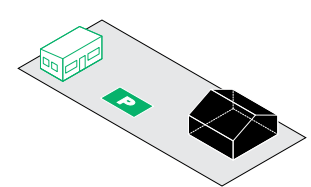
ADD A DETACHED UNIT TO YOUR LOT



ADD AN ATTACHED UNIT TO YOUR GARAGE



ADD AN ATTACHED UNIT ABOVE YOUR GARAGE



CONVERT YOUR BACKYARD GARAGE

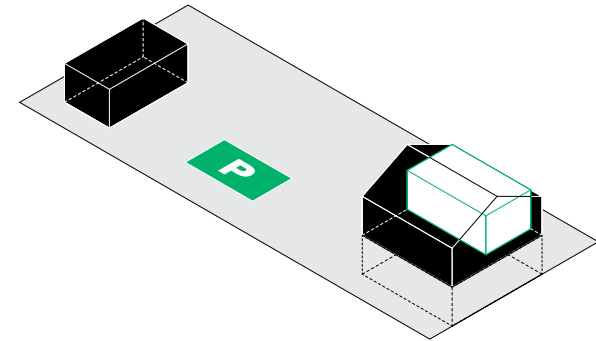
ATTACHED ADUs

An attached ADU is new construction or remodel of an existing space in the primary building.

CONFIGURATIONS

- 15 Existing Space Conversion
- 16 Basement Conversion
- 17 Main Building with Attached Garage
- 18 Addition to Main Building Exterior

EXISTING SPACE CONVERSION



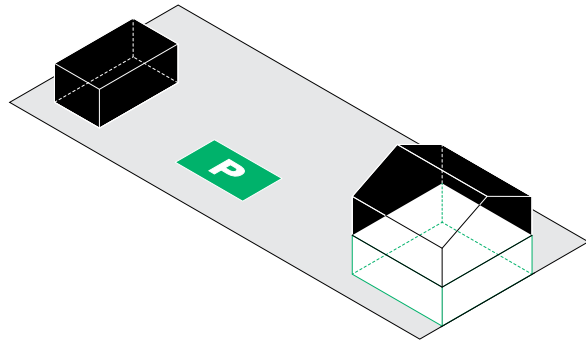
ADU // You can build a maximum of one ADU.

SIZE // No maximum size for internal ADUs.

PARKING // Provide a minimum of one parking space in addition to existing parking on your property.

Parking requirements can be waived if the property is within a 1/4 mile radius of a transit stop, or 1/2 mile radius from a bike path.

BASEMENT CONVERSION



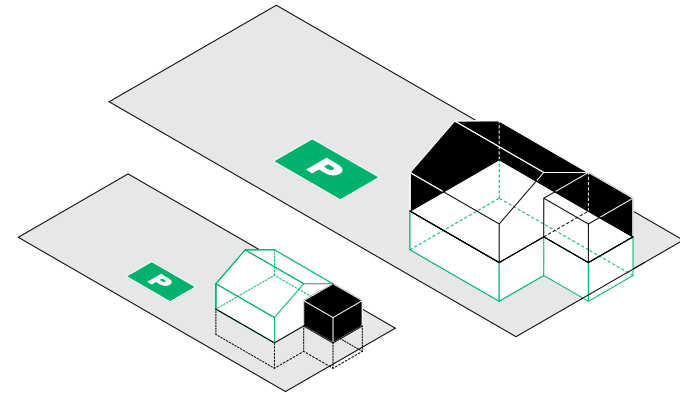
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MAIN BUILDING WITH ATTACHED GARAGE



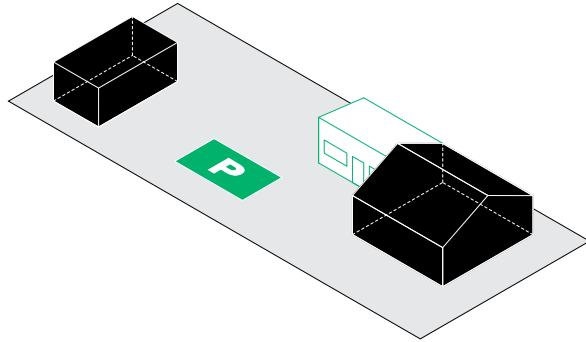
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SIZE // No maximum size for internal ADUs.

PARKING // Provide a minimum of one parking space in addition to existing parking on your property.

Parking requirements can be waived if the property is within a 1/4 mile radius of a transit stop, or 1/2 mile radius from a bike path.

ADDITION TO BUILDING EXTERIOR



ADU // You can build a maximum of one ADU.

SIZE // No maximum size for internal ADUs.

Additions must comply with all bulk requirements of the main building.

PARKING // Provide a minimum of one parking space in addition to existing parking on your property.

Parking requirements can be waived if the property is within a 1/4 mile radius of a transit stop, or 1/2 mile radius from a bike path.

SETBACKS // Additions to your main building must comply with the front, side and rear yard setbacks for your zoning district.

BUILDING HEIGHT // The height of your ADU must be the height allowed in your zoning district.

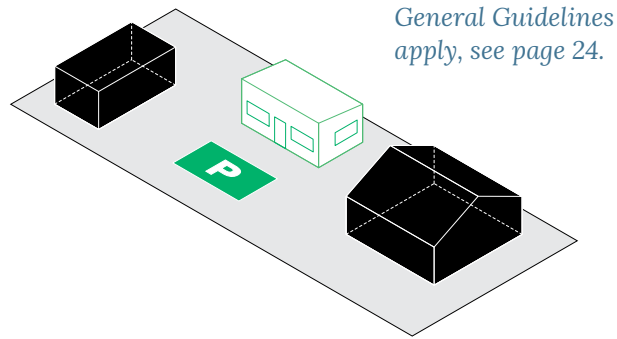
DETACHED ADUs

A detached ADU is a newly built or existing structure that is detached from the primary building.

CONFIGURATIONS

- 20 Detached Unit
- 21 Detached Garage Conversion
- 22 Attached Above Garage
- 23 Attached to Existing Garage
- 24 General Guidelines

DETACHED UNIT



ADU // You can build a maximum of one ADU.

Regulations for maximum building coverage and rear yard coverage apply, see pg 10.

SIZE // The size of the ADU cannot exceed the size of the existing main building and can be up to maximum of 1000 sq ft, whichever is less.

BUILDING HEIGHT // Up to 17 ft of height. However, the height of your proposed ADU may increase up to 24 ft for a pitched roof or 20 ft for a flat roof, with an increase in all required setbacks.

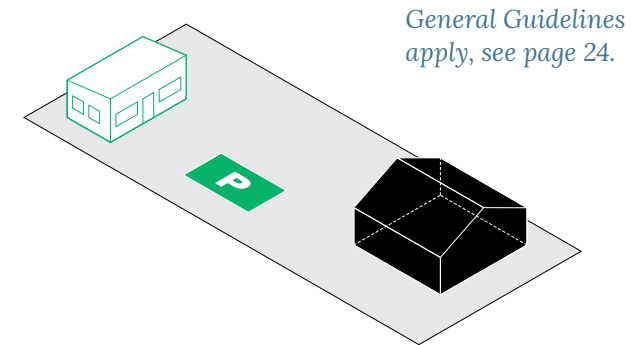
SETBACKS // Detached ADUs must have the following setbacks:

Side & Rear Setbacks: Min of 3 ft.

Corner Side Yard Setback: Min of 10 ft or 20% of the width of the lot whichever is less.

For ADU structures above 17 ft in height, all required setbacks must increase on all sides by one foot per every additional foot in building height.

DETACHED GARAGE CONVERSION



ADU // You can build a maximum of one ADU.

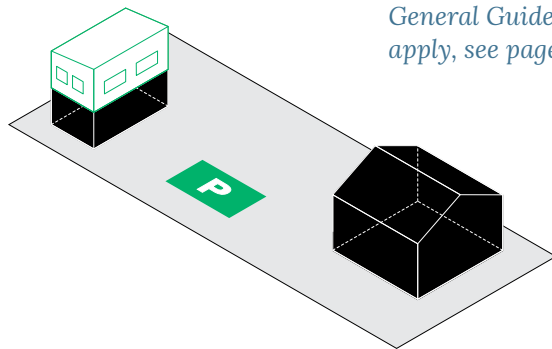
Regulations for maximum building coverage and rear yard coverage apply, see pg 10.

SIZE // The size of the ADU cannot exceed the size of the existing main building and can be up to maximum of 1000 sq ft, whichever is less.

BUILDING HEIGHT // Up to 17 ft of height. However, the height of your proposed ADU may increase up to 24 ft for a pitched roof or 20 ft for a flat roof, with an increase in all required setbacks.

SETBACKS // Existing setbacks may remain for garage conversions only. However, If your proposed ADU requests an addition, the addition must comply with the required setbacks.

ATTACHED ABOVE EXISTING GARAGE



General Guidelines apply, see page 24.

ADU // You can build a maximum of one ADU.

SIZE // The ADU can be up to 1000 sq ft, but must be smaller than the main building.

If the ADU is above an accessory structure, the entire structure can have a footprint that is equal to the footprint of the ADU.

BUILDING HEIGHT // Up to 17 ft of height. However, the height of your proposed ADU may increase up to 24 ft for a pitched roof or 20 ft for a flat roof, with an increase in all required setbacks.

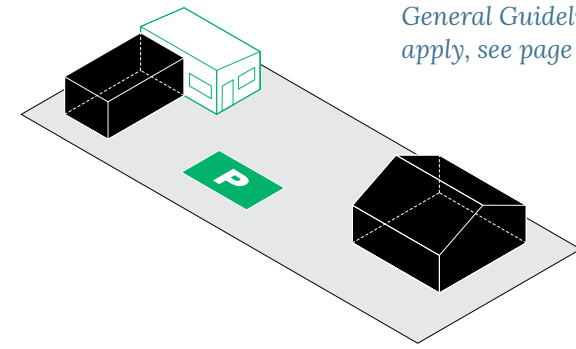
SETBACKS // Detached ADUs must have the following setbacks:

Side & Rear Setbacks: Min of 3 ft.

Corner Side Yard Setback: Min of 10 ft or 20% of the width of the lot whichever is less.

For ADU structures above 17 ft in height, all required setbacks must increase on all sides by one foot per every additional foot in building height.

ATTACHED TO EXISTING GARAGE



General Guidelines apply, see page 24.

ADU // You can build a maximum of one ADU.

Regulations for maximum building coverage and rear yard coverage apply, see pg 10.

SIZE // The footprint of the building that contains the garage and the ADU must comply with the lot coverage requirements for the zoning district. The total size of the ADU cannot exceed 1000 sq ft and must be smaller than the main building.

BUILDING HEIGHT // Up to 17 ft of height. However, the height of your proposed ADU may increase up to 24 ft for a pitched roof or 20 ft for a flat roof, with an increase in all required setbacks.

SETBACKS // Detached ADUs must have the following setbacks:

Side & Rear Setbacks: Min of 3 ft.

Corner Side Yard Setback: Min of 10 ft or 20% of the width of the lot whichever is less.

For ADU structures above 17 ft in height, all required setbacks must increase on all sides by one foot per every additional foot in building height.

GENERAL GUIDELINES

ADUs must comply with all accessory building requirements related to yard, bulk, and height.

ADDITIONS // Additions to the principal building must comply with all bulk requirements of the principal building.

PARKING // Provide a minimum of one parking space in addition to existing parking on your property, could be in driveway.

Parking requirements can be waived if the property is within a 1/4 mile radius of a transit stop, or 1/2 mile radius from a bike path.

ENTRANCE LOCATIONS // ADU entrance locations are not regulated by zoning, however building and fire code requirements must be met.

WINDOW REQUIREMENTS // Windows on the second story of a detached ADU are prohibited on an exterior wall that is adjacent to a side or rear property line unless:

1. The window is a clerestory window where the bottom of the window is at least 6 feet above the finished floor of the second story;
2. The window is on a wall that faces an elevation of the principal building;
3. The window faces and is at least 10 feet from a side or rear property line;
4. The exterior wall is adjacent to an alley; or
5. The window faces a side or rear property line that is adjacent to a property in a zoning district that permits commercial uses or a property that contains a nonresidential use.

DECK AND BALCONY REQUIREMENTS // Regulation of decks, patios, and outdoor space for detached ADUs.

1. **Decks** more than 2 feet above the existing grade are prohibited unless the ADU is located within the buildable area of the lot in which case the deck shall be subject to the same regulations for decks that apply to the principal building.
2. **Rooftop patios** on a detached ADU are prohibited.
3. **Patios are permitted.** A patio may be covered with a roof provided the square footage of the roof is no larger than 120 square feet and the covered patio complies with the setbacks required of the ADU. A covered patio shall not count towards the maximum square footage requirement of the ADU, but does count towards the total building coverage of the lot.
4. **Balconies on ADUs:** a balcony is permitted on a building containing an ADU provided the balcony does not extend into a required ADU setback and extends no further than 5 feet from an exterior wall of the ADU. Balconies shall not contain HVAC equipment nor be used as storage areas.
5. Internal ADUs shall be subject to the same standards for decks, patios, and other encroachments that apply to the principal building and use.

ALLEY ACTIVATION // A detached ADU that is located within 15 feet of a public alley shall include the following:

1. An exterior light shall be located on the exterior wall of the ADU to illuminate portions of the alley adjacent to the ADU. The lighting fixture shall be shielded, oriented and designed to direct light down and avoid light pollution onto adjacent properties. All uplighting is prohibited.
2. A 4' wide path from the alley to the entrance of the ADU shall be provided. If there is a fence between the ADU and the alley, a gate shall be provided, and the path shall lead to the gate. If the ADU is located within 15 feet of two or more public alleys, this requirement shall only apply to one of the alleys.
3. An ADU located on an alley that exists on the recorded plat maps or Atlas Plats of the city but has not been used for vehicular access or is otherwise blocked by encroachments such as fences or vegetation are exempt from this requirement.

ADDITIONAL REQUIREMENTS

In addition to the zoning ordinance, ADUs are subject to building code requirements, utility requirements, fire codes, and other applicable regulations that apply to all new buildings and additions to buildings.

ATTACHED ADUS

A licensed general contractor must take out the building permit for a second dwelling unit (Utah Code 58-55-301 and 58-55-305).

PUBLIC UTILITIES // 801.483.6900

Check for drain grade and slope (major up-front issue).

FIRE DEPARTMENT // 801.799.4103

Fire department access: 150 feet maximum from public right of way to any point along any wall of the proposed new dwelling unit.

BUILDING CODE // 801.535.7968

- Fire separation including both vertical and horizontal assemblies (R302.3). All through and membrane penetrations to be protected (R302.4)
- With an added story or conversion of storage space to habitable space, seismic upgrade where live load is increase more than 10%.
- Separate heating systems (M1602.2)* All ducts to be within the individual fire areas or dampered at penetrations.
- All ducts, including dryer ducts and fan exhausts to be within the individual fire areas.
- Separate and accessible natural gas shut offs (G2420.1.3).
- Separate and accessible water shut offs (P2903.9.1). Independent water heater systems must be downstream of these shut offs.*
- Separate and accessible sewer clean outs (P3305.2.10).
- Separate and accessible power disconnects (E3601.6.2). Independent panels and over-current devices must be downstream of these disconnects*
- Separate means of egress, but can be off of a shared interior entry. Each should comply with dimensions for the required egress (R311).

**Each mechanical system or electrical panel must be independently accessed for service from the respective dwelling unit.*

DETACHED ADUS

A licensed general contractor must take out the building permit for a second dwelling unit (Utah Code 58-55-301 and 58-55-305).

PUBLIC UTILITIES // 801.483.6900

Check for drain grade and slope (major up-front issue).

FIRE DEPARTMENT // 801.799.4103

Fire department access: 150 feet maximum from public right of way to any point along any wall of the proposed new dwelling unit.

BUILDING CODE // 801.535.7968

- With an added story, foundation depth (R403.1.4 and SLC Code 21A.24.010.U).
- With an added story or conversion of storage space to habitable space, seismic upgrade where live load is increase more than 10%.
- Fire separation of exterior walls (R302.1).
- Fire separation between two dwellings on the same lot (R302.1).
- Fire separation between a garage and a dwelling unit (R302.5-6).
- Minimum room areas and ceiling heights (R304-5).
- Plumbing fixture spacing (R307).
- Separate heating systems (M1602.2).*
- Separate and accessible natural gas shut offs (G2420.1.3),
- Separate and accessible water shut offs (P2903.9.1) with independent water heater systems.*
- Separate and accessible sewer clean outs (P3305.2.10).
- Separate and accessible power disconnects (E3601.6.2), with independent panels and over-current devices.*

**Each mechanical system or electrical panel must be independently accessed for service from the respective dwelling unit.*

FAQ

WHERE ARE ADUS

PERMITTED? ADUs are allowed on properties located within zoning districts where residential uses are permitted.

HOW MANY ADUS CAN I BUILD ON MY PROPERTY?

Maximum one ADU per lot.

HOW BIG CAN I MAKE MY ADU?

Detached - The size of the ADU cannot exceed the size of the existing main building and can be up to maximum of 1000 sq ft, whichever is less.

Attached - No maximum size.

IS THE NUMBER OF BEDROOMS REGULATED?

No. However, size of a bedroom must comply with applicable building code standards.

CAN I SELL OR RENT

MY ADU? ADUs cannot be subdivided or sold separately from the main building.

If you add an ADU to your property, you can rent one of the units, as long as the owner resides in one of the units

and enrolls in the Good Landlord Program.

Only applicable to single-family properties. A business license is required.

CAN MY ADU BE USED AS A SHORT-TERM RENTAL?

Short term rentals with a lease period that is less than 30 days are considered to be hotel, motel, or bed and breakfast uses, and are generally not permitted in residential zoning districts where ADUs are allowed.

IS THERE A GOVERNED AMOUNT OF MONEY / RENT THAT I CAN CHARGE? No.

MUST THE PROPERTY OWNER LIVE ON THE PROPERTY?

It is required for property owners to reside on the subject property if it is a Single-Family Dwelling.

ARE INTERIOR MATERIALS REGULATED? No.

WHAT ARE THE MINIMUM PARKING REQUIREMENTS?

Provide a minimum of one parking space in addition to existing parking on your property, additional parking space can be located in the driveway.

Parking requirements can be waived if the property is within a 1/4 mile radius of a transit stop, or 1/2 mile radius from a bike path.

HOW CAN I LEARN IF I AM NEAR TRANSIT? Enter your home address in Google Maps or UTA Trip Planner to check if your property is located within a 1/4 mile radius of a bus stop or trax station.

Contact the Planning Division and provide your address to confirm weather you need to provide parking for your ADU.

WILL IMPACT FEES BE CHARGED? Yes, the ordinance requires an impact fee for each dwelling unit.

CAN ADUS BE CONSTRUCTED OUT OF FREIGHT CONTAINERS? Potentially. Although there are several complications with getting “containers” up to code.

Contact Building Services for more information.

CAN I TAP INTO AN EXISTING SEWER / WATER FROM THE MAIN DWELLING? The existing sewer and water service to the property may be used for the ADU. However, site conditions and the age and condition of the existing services may require additional work or separate connections.

Contact Public Utilities for questions concerning the location and condition of existing utilities .

ARE SOLID PERIMETER FOUNDATIONS REQUIRED? Yes, per 21A.36.190.

HOW CAN I LEGALIZE AN UNPERMITTED ADU ON MY LOT? Although the primary focus of this guide is new construction, you may be able to get permits that will legalize an existing unit on your property.

Contact the Planning Division for more information.

GLOSSARY

This glossary can help you get familiar with common used terms in the planning and construction of your project.

ACCESSORY DWELLING UNIT (ADU)

A type of accessory use that includes a residential unit located on the same lot as a separate principal use, either within the principal structure or within a separate accessory structure.

The accessory dwelling unit shall be a complete housekeeping unit with a shared or separate entrance, and separate kitchen, sleeping area, closet space, and bathroom facilities.

ATTACHED ADU

An attached ADU is typically a new construction or the remodel of an existing space in the primary dwelling.

BUILDING COVERAGE

The percentage of the lot covered by the principal & accessory buildings. ADU must comply with the building maximum coverage requirements of the underlying zoning district or applicable overlay zoning district, whichever is more restrictive.

DETACHED ADU

A detached ADU is typically a newly built or existing structure that is detached from the primary dwelling.

FOOTPRINT

The shape of the building on the ground and the amount of ground an object occupies.

OWNER OCCUPANT

An individual who is listed on a recorded deed as an owner of the property; any person who is related by blood, marriage, or adoption to an individual who is listed on a recorded deed as an owner of the property; or an individual who is a trustor of a family trust who possesses legal ownership of the property.

OWNERSHIP

An accessory dwelling unit shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.

REAR YARD COVERAGE

When it comes to accessory buildings, the rear yard is considered the area between the rear of the house and the rear property line. Accessory buildings, detached garages, sheds, and ADUs cannot collectively cover more than 50% of the rear yard in Single and Two-Family Residential Districts.

SETBACKS

An open space which is unoccupied and unobstructed from its ground level to the sky, except as otherwise permitted.

ZONING DISTRICT

Areas of the City in which requirements and standards for the use of land and buildings are prescribed.

RESOURCES

TITLE 21A.40.200: ACCESSORY DWELLING UNITS

https://codelibrary.amlegal.com/codes/saltlakecityut/latest/saltlakecity_ut/0-0-0-68737

ZONING LOOKUP MAP

<http://maps.slcgov.com/mws/zoning-lg.htm>

CITY DEPARTMENTS

PLANNING DIVISION

www.slc.gov/planning // zoning@slcgov.com
801.535.7700

BUILDING SERVICES DIVISION

www.slc.gov/buildingservices // building.services@slcgov.com
801.535.7968

PUBLIC UTILITIES

www.slc.gov/utilities // 801.438.6900

FIRE DEPARTMENT

www.slc.gov/fire // 801.799.4103

FINANCIAL RESOURCES

COMMUNITY DEVELOPMENT CORPORATION

www.cdcutah.org // 801.994.7222

RESTORE UTAH

www.restore-utah.com // 801.201.7002

UTAH CENTER FOR NEIGHBORHOOD STABILIZATION

www.utcns.com // 801.316.9111



MEMORANDUM

TO: Planning Commission

DATE: May 8th, 2026

FROM: Staff

RE: Street Side Yard Restrictions Code Change Application

This memo introduces a text change amendment application from Scott Garner, which requests a change to the parameters or definition of street side yards in West Bountiful Municipal Code (WBMC).

Background

According to WBMC 17.04.030, Street side yards are defined as “a space on the same lot with a building, between the sideline of the building and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the sideline of the building.”

WBMC 17.16.050 (A1 Zone, but similar language is found in the other residential zones) prohibits any accessory structure that is larger than 200 square feet and over 9 feet tall to be built in the street side yard.

Application

On April 28th, 2026, Scott Garner submitted a Text Change Application requesting to amend the street side yard restriction by either amending the definition street side yard or by allowing a structure to be placed in the street side yard if it is not located in the street side yard setback (attached).

For reference, Mr. Garner has previously sought a building permit to construct a play structure in his street side yard that would be higher than 9 feet.

Review

In considering Mr. Garner’s request, the planning commission may want to consider:

1. Whether it complies with the intent of the General Plan.
 - a. The General Plan does not address specific setbacks in residential neighborhoods but does have the goal of protecting the quality of existing residential neighborhoods and ensure new residential development is of high quality.
2. Any known basis for why the current code is in place.

- a. At the time of adoption/amendment, it appears that the primary basis for the regulation was to protect the neighborhood aesthetic of front yards.
- b. In addition to reasons found in past city materials, staff found the following additional reasons the regulation may exist.
 - i. Prevent Oversized Accessory Structures Near the Street
 1. Size limitations help ensure that only small sheds or similar accessory structures qualify, rather than larger garages or detached buildings that could dominate the appearance of a corner lot.
 - ii. Encourage Orderly Placement of Accessory Structures
 1. Requiring the structure to be located behind the main structure helps maintain the accessory nature of the building and reduces its visibility from the street.
 - iii. Maintain Neighborhood Aesthetics on Corner Lots
 1. Corner lots often appear to have two front yards due to their exposure to multiple streets. The restriction may have been intended to preserve an open streetscape and maintain a consistent neighborhood appearance.
3. Any implications for how this would affect the A-1 zone.
 - a. This proposal would affect all corner lots/parcels across the A-1 zone. As such, the planning commission should carefully consider
4. Whether this request should apply only to the A-1 zone or to the other residential zones as well.
 - a. If recommended for the A-1 zone, are there reasons it should or shouldn't be applied across all residential zones? Again, it would apply to many corner lots/parcels.

Options

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

1. Request that the applicant submit specific draft changes to the city code.
2. Request staff to draft code language
3. Request additional research from the applicant or staff.

Once specific language is available, the planning commission may hold a public hearing and provide a recommendation to the city council.

REVIEW OF HEIGHTS ALLOW BY NEARBY CITIES

- Centerville – 35' Maximum main structure height but can request an additional 10% by way of a Conditional Use Permit making the maximum height 38.5'.
- Bountiful – 35' Maximum Main Structure Height in all residential zones.
- North Salt Lake – 35' Maximum Main Structure Height in all residential zones.
- Farmington – 27' Maximum Main Structure Height unless a special exception is found in all residential zones.
- Woods Cross – 35' Maximum Main Structure Height in residential and agricultural zones.
- West Point – 38' Maximum Main Structure Height in residential zones.



APPLICATION TO REZONE/CHANGE TEXT

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

PROPERTY ADDRESS: [Redacted] Circle DATE OF APPLICATION: 4/28/2026

PARCEL NUMBER: _____ CURRENT ZONE: _____ PROPOSED ZONE: _____

LEGAL DESCRIPTION ATTACHED: YES _____ NO X

Applicant Name(s): Scott F. Garner

Applicant Address (if different than above): same.

Primary phone [Redacted] E-mail address: [Redacted] gmail.com

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.

I would like to change the parameters/definition of corner lot side yard boundaries. Current corner lot sideyard boundaries/setbacks require the primary structure to be a minimum of 20 ft. set back from back of curb. So, that is creating a 20 ft wide side yard. My lot is over an acre and we chose to position the house 55 ft. from back of curb. This created a 55 foot wide side yard for me. That brings a very large portion of my backyard/side yard under current sideyard restrictions. I want the side yard boundary parameters/definition to match the 20 foot set back requirement, regardless of where you position your house. Don't penalize or define my side yard based on where I position my house.

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: 4/28/2026 Applicant Signature: Scott F. Garner

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: 04/28/26 Public Hearing Date: _____
Letters sent to affected neighbors: _____ Public Notice Sign Placed _____
Planning Commission Approval: _____ City Council Approval: _____

Scott Garner
128 South Hammersmith Circle
West Bountiful, UT
801-706-5166

Dear Planning and Zoning Commission Members,

My name is Scott Garner. My wife, Sydney, and I reside in the High Gate Estates subdivision in West Bountiful. We have greatly enjoyed living here over the past four years and have worked hard to create a welcoming home where our large family can gather and spend time together.

One project we hope to complete is the construction of a playground structure for our grandchildren in our backyard. During the planning and permitting process, I was informed that the proposed structure would be limited to a maximum height of nine feet because it falls within what is classified as the side yard.

Our property is a large corner lot of over one acre, and the home was intentionally positioned farther from the side curb in order to create a larger front and side yard area. The house sits approximately 55 feet from the side curb. As a result, nearly the entire depth of the lot along that side is classified as side yard area, even though the structure would be located in what is functionally the backyard of the property.

My understanding is that standard setback requirements for corner lot side yards in West Bountiful are generally measured at 20 feet from the back of curb. However, because the side yard designation is instead determined from the location of the house foundation, properties such as ours may experience significantly greater restrictions simply due to the placement of the home on the lot.

I respectfully request that the City consider clarifying the side yard definition for corner lots so that setback requirements are applied more consistently and predictably in situations where homes are positioned substantially farther from the curb than the standard setback distance. Using the house foundation as the starting point for determining side yard area on large corner lots can create unintended restrictions that may not reflect the practical use of the property.

My proposed playground structure would comply with all standard setback requirements intended to preserve visibility, safety, and neighborhood character. I believe a clarification to the ordinance would not only address my situation, but also help prevent similar issues for future homeowners with large corner lots.

Thank you for your time and consideration. I sincerely appreciate the work you do for the community and your willingness to review this matter.

Best regards,

Scott Garner



MEMORANDUM



TO: Planning Commission

DATE: May 8th, 2026

FROM: Staff

RE: A-1 District Height Regulations Code Change Application

This memo introduces a text change amendment application from Scott Garner, which requests an amendment to the A-1 District's height allowance of 40' to 35' along with additional height regulations.

Background

WBMC 17.16.060 regulates the maximum height for main and accessory structures in the A-1 district. Main structures have a standard maximum of 35' with allowances of up to an additional 5' depending on the side setbacks of the home.

The exception allow the additional 5' was enacted in 2014.

Application

On April 28th, 2026, Scott Garner submitted a Text Change Application that would reduce the maximum height allowed in the A-1 District from 40' to 35'. His application also included a letter listing additional requested amendments for the planning commission to consider. The additional requests are as follows:

- Limit residential homes to a maximum of two stories.
- Consider additional design standards addressing the visual impact of flat-roof contemporary homes, particularly when built near the maximum allowable height.

Review

In considering Mr. Garner's request, the planning commission may want to consider:

1. Whether it complies with the intent of the General Plan.
 - a. The General Plan does not address specific heights in residential neighborhoods, but does have the goal of protecting the quality of existing residential neighborhoods and ensure new residential development is of high quality.
2. Any known basis for why the current code is in place.
 - a. Staff's understanding is that the height allowance in the A-1 zone was based on the idea that larger lots/parcels would allow for greater setbacks and heights without negatively impacting neighboring properties.

3. Any implications for how this would affect the A-1 zone.
 - a. This proposal would affect all lots/parcels across the A-1 zone. As such, the planning commission should carefully consider the broad impact.
4. Whether this request should apply only to the A-1 zone or to the other residential zones as well.
 - a. Height limitations currently vary across residential zones, with the A-1 zone allowing the tallest structures.

Zone	Standard/Maximum Additional Setbacks
A-1	35/40
R-1-22	35/35
R-1-10	35/35

5. Additional considerations
 - a. Do taller homes create privacy issues due to elevated windows and viewing areas overlooking neighboring yards?
 - b. Would limiting homes to 35 feet and two stories help to better maintain the scale and character of existing residential neighborhoods within the A-1 District?
 - c. Should homeowners continue to have the option to seek approval for additional height through the conditional use permit process?

For reference, staff has attached to this memo the maximum heights allowed by nearby cities.

Options

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

1. Request that the applicant submit specific draft changes to the city code, specifically related to flat-roofed structures.
2. Request staff to draft code language.
3. Request additional research from the applicant or staff.

Once specific language is available, the planning commission may hold a public hearing and provide a recommendation to the city council.

MAXIMUM HEIGHTS IN NEARBY CITIES

- Centerville – 35' Maximum main structure height but can request an additional 10% by way of a Conditional Use Permit making the maximum height 38.5'.
- Bountiful – 35' Maximum Main Structure Height in all residential zones.
- North Salt Lake – 35' Maximum Main Structure Height in all residential zones.
- Farmington – 27' Maximum Main Structure Height unless a special exception is found in all residential zones.
- Woods Cross – 35' Maximum Main Structure Height in residential and agricultural zones.
- West Point – 38' Maximum Main Structure Height in residential zones.



APPLICATION TO REZONE/CHANGE TEXT

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

PROPERTY ADDRESS: [Redacted] Crake DATE OF APPLICATION: 4/28/2026

PARCEL NUMBER: _____ CURRENT ZONE: _____ PROPOSED ZONE: _____

LEGAL DESCRIPTION ATTACHED: YES _____ NO X

Applicant Name(s): Scott Garner

Applicant Address: [Redacted] Same

Primary phone: [Redacted] E-mail address: [Redacted]@gmail.com

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.

I want to change the current zoning language regarding maximum allowable height for residential buildings in West Bountiful. West Bountiful is the only city in Davis County that allows a 40 ft. ht. That is with a conditional use permit that will be granted. I want a hard cap of 35 ft. and a limit of 2 stories. That would be for peak of highest gable on a traditional pitched roof. For flat top / contemporary homes I want a 30' height cap w/ 2 stories. The invasion of privacy that a 40 ft. tall flat top house creates is a violation of others property rights. It is an obtrusive visual that my entire housing development hates and now there is another tall, monster house being proposed right in the middle of

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: 4/28/2026 Applicant Signature: Scott Garner

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: 04/28/26 Public Hearing Date: _____

Letters sent to affected neighbors: _____ Public Notice Sign Placed _____

Planning Commission Approval: _____ City Council Approval: _____

May 7, 2026

Planning and Zoning Commission Members
West Bountiful City

Dear Commission Members,

My name is Scott Garner. My wife, Sydney, and I reside at 128 South Hammersmith Circle in the High Gate Estates subdivision in West Bountiful. We have greatly enjoyed living here over the past four years and have invested significant time, effort, and resources into creating a home where our large family can gather and spend meaningful time together.

I am writing to express concerns regarding the current zoning regulations related to residential building height and massing within West Bountiful. Specifically, I would ask the Commission to reconsider the existing allowance for homes up to 35 feet in height, along with the conditional use permit option permitting heights up to 40 feet.

To my knowledge, West Bountiful is unique among cities in Davis and Salt Lake Counties in allowing residential structures to reach 40 feet in height, while also placing no limitation on the number of stories within those homes. As a result, the city is beginning to see the construction of extremely large, three-story residential structures that can substantially impact neighboring properties in terms of privacy, visual scale, and overall neighborhood character.

There is currently a home within High Gate Estates that stands just under 40 feet tall. I know the homeowner personally and consider him a friend. My concerns are not directed toward him or his family, as they simply built within the allowances provided by the city. However, the impact of the structure on the neighboring property is significant. The home's height, flat-roof contemporary design, and full third-story living space with expansive windows create an imposing visual presence and greatly reduce the privacy of adjacent homes. Even the neighboring Parade of Homes property is noticeably overshadowed by the scale of the structure. I understand there are concerns that the neighboring property's marketability and perceived value have been negatively affected as a result of the size and visual dominance of the adjacent home.

Recently, the vacant lot directly east of my property was sold. After speaking with the future homeowner, I learned that plans are being considered for another similar structure approaching 40 feet in height. The proposed design includes three stories, multiple independent living suites, dual driveways, and a flat-roof contemporary style with elevated third-floor windows overlooking neighboring backyards.

My family has invested heavily in creating a private outdoor living environment, including a pool and other backyard amenities. The prospect of neighboring third-story living spaces and direct sightlines into our yard raises serious concerns regarding privacy and the overall enjoyment of our property.

I respectfully ask the Commission to consider the following zoning changes:

- Establish an absolute maximum residential building height of 35 feet with no conditional use permit exception for 40-foot structures.
- Limit residential homes to a maximum of two stories.
- Consider additional design standards addressing the visual impact of flat-roof contemporary homes, particularly when built near the maximum allowable height. A 35-foot flat-roof structure can appear substantially larger and more imposing than a similarly tall pitched-roof home.



I believe these changes would help preserve neighborhood privacy, maintain compatibility between neighboring homes, and protect property values and the residential character that makes West Bountiful such a desirable community.

I would encourage members of the Commission to visit High Gate Estates and observe firsthand the visual and privacy impacts that these larger structures can create within established neighborhoods.

Thank you for your time, consideration, and service to our community.

Sincerely,

Scott Garner

[Redacted signature block] le

**West Bountiful City
Planning Commission Meeting**

April 28, 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 on April 24, 2026, per state statutory requirement.*

Minutes of the Planning Commission of West Bountiful City held on Tuesday, April 28, 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: Kris Nilsen (City Engineer)

STAFF ATTENDING: Remington Whiting (Community Development), and Debbie McKean (Secretary).

PUBLIC ATTENDING: Jed Fisher, Boyd Fisher, Alan Malan

**Thought/Invocation by Commissioner Vest
Pledge of Allegiance- Commissioner Mitchell**

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. Public Hearing – Proposed Code Update- Home Occupation Non-Resident Restriction Exceptions.

A memorandum from Staff dated April 24, 2026 regarding a Proposed Code Update for Home Occupation Non-Resident Restriction Exceptions was included in the Commissioner packets.

Remington White introduced the 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. Mr. Fisher appeared before the commission on April 14, 2026 with his request. This public hearing is part of the due process for this application. His 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 suggested 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.

Mr. Whiting explained that 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, and limiting the scale and intensity of business activity within residential zones.

Action Taken:

Laura Mitchell moved to open the Public Hearing at 7:35 pm to hear public comment on Home Occupation Non-Resident Restriction Exceptions. Corey Sweat seconded the motion and voting was unanimous in favor.

Public Comments:

Jed Fisher took the stand and stated that his family will be moving to West Bountiful. He noted some recommendations regarding the purpose and intent of the Home Occupation which is to keep the neighborhood feel and sustain an income. The law serves to control impact and safety for our neighborhoods. He pointed out that we want to protect residents from becoming commercialized. He noted some positives of the Home Occupation laws. He stated the laws are to protect the outside of the home, not control what is going on in the inside. He gave the example of a home salon and piano lessons. He stated that his request would allow the city to stay true to the nature of the law. He explained the four changes he has proposed to be changed in his application and the reason it would not have impact the neighborhood. He shared some examples from other neighborhoods and encouraged them to research Murray City Home Occupation code. He pointed out that the enforceability of these laws is difficult and emphasized the city should focus on the impact on the outside neighborhood and not the business inside. He noted there are many exceptions throughout the city and a case by case basis should be reasonable to consider. He feels it makes no difference if it is the person owning the house providing the service or someone else.

Boyd Fisher owns the home that Jed will be moving into. He noted that without the rule change his wife who owns the home with him will not be able continue to do her business.

Alan Malan is opposed to making any kind of change to the code because of the residential character being compromised. He pointed out in doing so it is leasing retail space to someone else. It stated that it creates two businesses instead of one. Him leasing is a business and the salon is a business.

Commissioners discussed, reviewed and questioned the applicant and explained their reasons behind not supporting the request. The rules would extend to everyone and not just the applicant which in this case would be responsible tenants.

Action Taken:

Corey Sweat moved to close the Public Hearing at 7:55 pm. Tyler Payne seconded the motion and voting was unanimous in favor.

3. Consider Recommendation for Proposed Code Update- Home Occupation Non-Resident Restriction Exceptions

Further discussion took place among the commissioners, discussing and pointing out both pros and cons. Each commissioner shared their opinions, and the majority were not in favor of the application request change. A home occupation is for homeowners and not sub-leasing situations.

Action Taken:

Corey Sweat moved to send a negative recommendation to the city council for consideration in the application request from Jed Fisher for a Home Occupation Resident Restriction Code Change. Laura Mitchell seconded the motion and voting was unanimous in favor.

4. Public Hearing – Proposed Code Update- Planning Commission Provisions

Commissioner packet included a memorandum dated April 24, 2026 from Staff regarding SB284 – Update Land Use Regulations giving 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 were included for the commissioner’s review and made available for public review.

The following Public Hearings were held this evening to consider each proposed code update. Remington Whiting introduced the reason for each one before the hearings began.

Planning Commission Provisions – 10-20-301 • Effective May 6th, 2026, Utah State Code now requires cities to include the following procedures and descriptions in their codes related to the planning commission:

- o 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.
- o A description of the causes for which a planning commissioner may be removed.
- o Requirements for when a planning commission member should recuse themselves from deliberating or voting on certain land use applications.

Action Taken:

Laura Mitchell moved to open the Public Hearing at 7:59 pm to hear public comment on Planning Commission Provisions. Corey Sweat seconded the motion and voting was unanimous in favor.

Public Comments:

No Public Comment

Action Taken:

Corey Sweat moved to close the Public Hearing at 8:00 pm. Laura Mitchell seconded the motion and voting was unanimous in favor.

5. Consider Recommendations for Proposed Code Update- Planning Commission Provisions

Action Taken:

Corey Sweat moved to send a positive recommendation to the city council for consideration to adopt Planning Commission Provisions 10-20-301 effective May 6, 2026. Dennis Vest seconded the motion and voting was unanimous in favor.

6. Public Hearing – Proposed Code Update- New or Unlisted Business Classification Process

New / Unlisted Businesses – 10-20-507 • Effective May 6th, 2026, requires cities to amend the process for reviewing and appealing new or unlisted business types. The proposed changes:

o Shift the responsibility of determining whether a proposed business fits into an existing use category from the planning commission to city staff. State code no longer allows the planning commission to be part of this review process.

o 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.

o Notify the applicant of the process for appealing the legislative body's decision.

It was noted that another update will be needed before July 1, 2026, to address changes to the appeal authority under state code.

Action Taken:

Corey Sweat moved to open the Public Hearing at 8:04 pm to hear public comment on New or Unlisted Business Classification Process. Dennis Vest seconded the motion and voting was unanimous in favor.

Public Comments:

No public comment

Action Taken:

Corey Sweat moved to close the Public Hearing at 8:06 pm. Tyler Payne seconded the motion and voting was unanimous in favor.

- 7. Consider Recommendation for Proposed Code Update- New or Unlisted Business Classification Process**

Action Taken:

Corey Sweat moved to send a positive recommendation to the city council for consideration to adopt New/Unlisted Businesses 10-20-507 to city code effective May 6, 2026. Dennis Vest seconded the motion and voting was unanimous in favor.

- 8. Public Hearing – Proposed Code Update- Model Home Updates**

Model Home Regulations – 10-20-625 • Effective May 6th, 2026, requires cities to update the definition of “Model Home” and add a definition for “Open House”.

Action Taken:

Dennis Vest moved to open the Public Hearing at 8 :09 pm to hear public comment on Model Home Updates. Corey Sweat seconded the motion and voting was unanimous in favor.

Public Comments:

Alan Malan asked if there is a limit to how long a sales trailer can be active. Remington Whiting commented that he thinks it is open-ended and cannot be more restrictive than other residential uses.

Action Taken:

Corey Sweat moved to close the Public Hearing at 8:12 pm. Tyler Payne seconded the motion and voting was unanimous in favor.

- 9. Consider Recommendation for Proposed Code Update – Model Home Updates**

Action Taken:

Laura Mitchell moved to send recommendation to the city council for consideration Model Home Regulation 10-20-625 effective May 6th, 2026. Corey Sweat seconded the motion and voting was unanimous in favor.

10. Approve Meeting Minutes from April 14, 2026.

Action Taken:

Corey Sweat moved to approve the minutes from the April 14, 2026, Planning Commission Meeting as presented. Dennis Vest seconded the motion, and voting was unanimous in favor.

11. Staff Reports

a. Engineering (Kris Nilsen) excused- No report.

b. Community Development (Remington Whiting)

- Building permits have increased and the process is going well and city staff are able to meet the deadline requirements.
- May 5th meeting may be rescheduled.
- Newsletter is being prepared.
- Next meeting will include some text changes from a resident in High Gate.

Councilmember Thompson gave kudos to the process for the evacuation yesterday. She supports the decision made this evening regarding their recommendation to city council on the code change application.

Tyler Payne announced that he will be moving and this will be his last meeting.

12. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:25 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.

