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
Richmond Thornley
Dennis Vest

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 12TH, 2026, AT THE CITY OFFICES

Invocation/Thought – Commissioner Thornley
Pledge of Allegiance – Commissioner Sweat

1. Confirm Agenda
2. Public Hearing – Proposed Code Update – Construction of Accessory Structures in Street Side Yards.
3. Consider Recommendation for Proposed Code Update - Construction of Accessory Structures in Street Side Yards.
4. Public Hearing – Proposed Code Update – A-1 District Height Restrictions.
5. Consider Recommendation for Proposed Code Update – A-1 District Height Restrictions.
6. Discuss Detached Accessory Dwelling Units.
7. Approve Meeting Minutes from May 12th, 2026.
8. Staff Reports.
9. 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 22nd, 2026 by Remington Whiting, City Recorder.

MEMORANDUM

TO: **Planning Commission**

DATE: **May 22nd, 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.

<u>Options</u>

During the planning commission on May 12th, 2026, the planning commission directed staff to schedule a public hearing for May 26th, 2026. Following the public hearing, the commission should consider one of the following options:

1. Forward either a positive or a negative recommendation to the city council.
2. Direct staff to bring back either other specific proposals or a larger review of options.

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.

17.16.050 Yard Regulations

The following regulations apply in the agricultural district A-1:

A. Minimum Setbacks. (See diagram below)

1. Front yard. The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this Code.
2. Side yard.
    a. Except as otherwise provided in this code, the minimum side yard setback for main structures, except non-commercial structures, is ten (10) feet for any one side with a combined total side setback of twenty-four (24) feet for both sides.
    b. Except as otherwise provided in this code, the minimum side yard setback for accessory structures and non-commercial structures is six (6) feet, or three (3) feet if the adjacent wall is built to fire code standards.
3. Street side yard.
    a. On a corner lot, the minimum street side yard setback is twenty (20) feet.
    b. Not withstanding the foregoing, an accessory structure may be constructed within the street side yard minimum setback of a corner lot if the structure:
        1) Is situated behind the rear line of the main structure and no closer than three (3) feet from the street side lot line;
        2) Is two hundred (200) square feet or less;
        3) Has a maximum height of nine (9) feet measured from the lowest finished ground level to the highest part of the roof; and
        4) Complies with other requirements of this Code.

17.20.050 Yard Regulations

The following regulations apply in the R-1-22 residential district:

A. Minimum Setbacks. (See diagram below)

1. Front yard. The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this Code.
2. Side yard.
    a. Except as otherwise provided in this code, the minimum side yard setback for main structures is ten (10) feet for any one side with a combined total side setback of twenty-four (24) feet for both sides.
    b. Except as otherwise provided in this code, the minimum side yard setback for accessory structures is six (6) feet, or three (3) feet if the adjacent wall is built to fire code standards.
3. Street side yard.
    a. On a corner lot, the minimum street side yard setback is twenty (20) feet.
    b. ~~No accessory structure may be constructed within the street side yard of a corner lot unless the accessory structure:~~ Not withstanding the foregoing, an accessory structure may be constructed within the street side yard minimum setback of a corner lot if the structure:
        1) Is situated behind the rear line of the main structure and no closer than three (3) feet from the street side lot line;
        2) Is two hundred (200) square feet or less;
        3) Has a maximum height of nine (9) feet measured from the lowest finished ground level to the highest part of the roof; and
        4) Complies with other requirements of this Code.

17.24.050 Yard Regulations

The following regulations apply in the R-1-10 residential district:

A. Minimum Setbacks. (See diagram below)

1. Front yard. The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this Code.
2. Side yard.
    a. Except as otherwise provided in this code, the minimum side yard setback for main structures is ten (10) feet for any one side with a combined total side setback of twenty-four (24) feet for both sides.
    b. Except as otherwise provided in this code, the minimum side yard setback for accessory structures is six (6) feet, or three (3) feet if the adjacent wall is built to fire code standards.
3. Street side yard.
    a. On a corner lot, the minimum street side yard setback is twenty (20) feet.
    b. ~~No accessory structure may be constructed within the street side yard of a corner lot unless the accessory structure:~~ Not withstanding the foregoing, an accessory structure may be constructed within the street side yard minimum setback of a corner lot if the structure:
        1) Is situated behind the rear line of the main structure and no closer than three (3) feet from the street side lot line;
        2) Is two hundred (200) square feet or less;
        3) Has a maximum height of nine (9) feet measured from the lowest finished ground level to the highest part of the roof; and
        4) Complies with other requirements of this Code.

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 perameters/definition of corner lot side yard boundries. Current corner lot sideyard boundries/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 boundry perameters/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 22nd, 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.

<u>Options</u>
During the planning commission meeting on May 12th, 2026, the commission directed staff to schedule a public hearing on May 26th, 2026. Following the public hearing, the commission should consider the following options:

1. Forward either a positive or a negative recommendation to the city council.
2. Direct staff to bring back either other specific proposals or a larger review of options.

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] 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 perameters/definition of corner lot side yard boundries. Current corner lot sideyard boundries/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 boundry perameters/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:* _____

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.

Scott Garner

MEMORANDUM

TO: Planning Commission

DATE: May 22nd, 2026

FROM: City Staff

RE: **Planning Commission Discussion – Detached Accessory Dwelling Units**

The purpose of this memo is to provide background information regarding recent state code changes and to introduce the attached matrix for Planning Commission review and discussion.

Background

On May 12, the City Council and Planning Commission held a joint work session to discuss Detached Accessory Dwelling Units (DADUs) and potential regulations related to their development within the city. To assist with the continued discussion, staff have prepared a matrix summarizing current DADU regulations adopted by surrounding and comparable cities.

Recent changes to Utah State Code require municipalities to adopt regulations by October 1, 2026, that permit Detached Accessory Dwelling Units (DADUs) on lots or parcels that:

- Are at least 11,000 square feet in size; and
- Contain an existing single-family dwelling.

The attached matrix has been prepared to provide a comparison of how other municipalities are currently regulating DADUs and to help facilitate discussion regarding potential regulations for West Bountiful City.

City	Min. Lot Size	Parking Requirement >650 sq ft	Parking Requirement <650 sq ft	Parking Requirement (pre UCA 10-21-304)	Min. Size	Max. Size	Height	Lot Coverage	Rear Setback	Side Setback	Other Structure Setback	Front Yard/Street Side Yard	STR	# ADUs	Owner Occupancy	Setback Standards
Bountiful	8,000 Sq Ft	1 additional	1 additional	1 Additional	350 Sq Ft	1,250 Sq Ft	20'	10%	3'	3	5'	25', 20'	No	1	Yes	Accessory Structure Setbacks
North Salt Lake	Single Family Zone, but may not cover more than 25% of rear yard.	1 Additional	2 Additional	2 Additional	300 Sq Ft	1200 sq ft	20'	25%	10ft, under certain circumstances 5ft	8'	NA	30''	Yes	1	Yes	Side - Must meet primary dwelling setbacks. Rear - 10ft unless no windows, doors, or other openings are adjacent to property line, in which case setback is 5 ft.
Farmington	10,000 Sq Ft	1 Additional	1 Additional	1 Additional	Subordinate or equal to primary dwelling.	Subordinate or equal to primary dwelling.	15'	25%	5'	5'	NA	25', 20'	No	1	Yes	Accessory Structure Setbacks
West Point	10,000 Sq Ft	1 Additional	2 Additional	2 Additional	N/A	650 Sq Ft on lots less than 12,000 Sq Ft. 800 Sq Ft on Lots greater than 12,000 Sq Ft.	No taller than primary dwelling	NA	10'	10'	NA	30' 10'	No	1	Yes	Side - 10' Rear - 10'
West Haven	May not cover more than 25% of rear yard.	1 Additional	2 Additional	2 Additional	300 Sq Ft	1200 Sq Ft	35'	25%	20ft, under certain circumstances 15ft	5'	NA	5'	Yes	1	Yes	Side - Must meet primary dwelling setbacks. Rear - 20ft unless no windows, doors, or other openings are adjacent to property line, in which case setback is 15 ft.
WEST BOUNTIFUL																
GOAL/JUSTIFICATION																

West Bountiful City **May 10, 2026**
Planning Commission Meeting

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 May 8, 2026, per state statutory requirement.*

Minutes of the Work Session/ Planning Commission of West Bountiful City held on Tuesday, May 10, 2026, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Chairman Robert Merrick, Vice Chairman Corey Sweat, Commissioners Dennis Vest, Richmond Thornley, and Council member Julie Thompson.

Councilmembers/Staff Attending: Duane Huffman (Administrator), Mayor Romney, Councilmembers Enquist, Thompson, Butterfield, Alhstrom, and Nielsen.

MEMBERS/STAFF EXCUSED: Commissioner Laura Mitchell.

STAFF ATTENDING: Kris Nilsen (City Engineer), Remington Whiting (Community Developme**n**t), and Debbie McKean (Secretary).

PUBLIC ATTENDING: Alan Malan, Justin and Shanna Williams, Scott Gardner

Work Session: Detached Accessory Dwelling Units

Duane Huffman opened the work session at 6:20 pm stating that SB284 requires that cities make October 1st the deadline to have detached ADU's a requirement. Examples were provided by staff for surrounding cities.

Mr. Huffman stated that tonight the goal is to come up with primary goals and guiding principles, not details. The state has proposed regulations that place the minimum requirement is 11,000 square foot lots. Other things to consider but not all inclusive in planning the regulations would be parking, design requirements, height dimension, setbacks, owner occupancy, number of ADU/DADU allowed per property, utilities, neighborhood ascetics, neighborhood impact, and safety.

Goals/Guiding Principles

After some discussion the City Council/Planning Commission felt there was value in allowing DADU's. The following became the focus for the planning commission to move forward in planning and recommendations for the City Council to consider:

1. **Allowing Owner Flexibility**- Age in place, affordable housing, income subsidy allow personal property rights while protecting the impact to neighbors.
2. **Protect Neighbor Impacts**- consider privacy, safety, noise/light. No short-term rentals and Air BBs.

3. **Property Maintenance/Stability**- Owner must occupy one of the dwellings on the property. This will help to manage the appearance/use of the property as the owner takes the responsibility. Will help to eliminate transit situations that could occur if owner is not on the property.
4. **Difference in inhabited and non-inhabited-Services-**consider impacts of having full-time use of property vs recreation/workspace/storage use. (noise, privacy, safety).
5. **Not have unnecessary requirements/regulations-** Consider using ratios of property footprint to regulate instead of lot size. Study setback impacts for safety, privacy issues. Regulate size/height of dwelling. Do not want to open flood gates to accommodate all property owners. Do not want arbitrary regulations. Keep current ADU regulations in mind and maybe just make minor adjustments. Needs to be a benefit to the community and not a detriment. Guiding principle should be density so as to protect the rural feel of our community.

Staff will prepare draft material for planning commission review.

Planning Commission began at 7:30 pm as scheduled.

Thought/Invocation by Commissioner Sweat
Pledge of Allegiance- Chairperson Merrick

1. Confirm Agenda

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

2. Code Change Application- Side Yard Restrictions-Garner

A memorandum from Staff dated May 8, 2026 regarding a Code Change Application included the application and a letter from the applicant was included in the commissioner packet.

Remington Whiting introduced 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).

Discussion took place regarding the dynamics of property. Mr. Gardner took the stand and explained his desire to build a playground for his kids but is unable to based on the current code.

Corey Sweat questions the current code and its validity in situations like Mr. Gardner's. The nine foot height restriction does not work for the project Mr. Gardner has in mind.

Remington pointed out the research he did to explain why the code was put in place. He was unable to find a specific reason as to why the current code was adopted.

Corey suggested Laura Mitchell be present for the discussion.

Staff suggested the following to consider when making their decision:

Prevent Oversized Accessory Structures Near the Street. 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.

Encourage Orderly Placement of Accessory Structures 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.

Maintain Neighborhood Aesthetics on Corner Lots 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.

Any implications for how this would affect the A-1 zone. This proposal would affect all corner lots/parcels across the A-1 zone. As such, the planning commission should carefully consider.

Whether this request should apply only to the A-1 zone or to the other residential zones well. 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.

Commission directed staff to create language of how setbacks fall on a corner lot. Redefine the definition of rear setback to all zones. Staff will draft language for the code and schedule a public hearing to provide a recommendation to the city council.

3. Code Change Application- A-1 District Height Restrictions-Garner

Included in the Commissioner packet was a memorandum from Staff dated May 8, 2026 regarding a Code Change Application, the application and a letter from the applicant.

Mr. Whiting noted that 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.

Mr. Gardner asked for following additional requests:

• 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.

In considering Mr. Garner's request, the planning commission discussed and considered Mr. Garner's proposals.

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

The following was reviewed:

MAXIMUM HEIGHTS IN NEARBY CITIES

- Centerville -35' maximum main structure height but can request an additional 10% by way of 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.

Staff will set a public hearing to address the applicant's request for the next planning commission meeting.

4. Approve Meeting Minutes from April 28, 2026.

Action Taken:

Corey Sweat moved to approve the minutes from the April 28, 2026 Planning Commission Meeting as presented. Richmond Thornley seconded the motion, and voting was unanimous in favor.

5. Staff Reports

a. Engineering (Kris Nilsen)

- 10th North under construction adding curb gutter and sidewalk at the bend of the street.
- 2200 North paving project and some small street in other areas
- UDOT needs to maintain the structures that they have taken over in ownership. They are not allowed to stage on vacant properties they own. They keep it occupied to prevent people coming onto the property.
- Working through things with UDOT and UTA. Still under procurement so they cannot give out a lot of information. Early 2027 construction will begin. Possibly late 2026.

b. Community Development (Remington Whiting)

- Application from Enbridge to build on the Northside of 500 South east of the on bound ramp. They will come to request an 8-foot fence.
- Illegal Candidate/advertising signs are being collected.

- Permits are increasing and they have received a lot lately. They have updated the current process and hope to fulfill them in less than the 14-day requirement.
- Code enforcement is picking up and notifications are being getting
- Still trying to organize the code ordinances better.
-

Julie Thompson reported on the city council's decision regarding the code change they forwarded at the last meeting. She explained how the voting went and that it passed by a 3 to 2 vote. The support given to the planning commission's decision was greatly appreciated by the commission.

6. Adjourn.

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 8:40 pm. Dennis Vest 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.