

**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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**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, JUNE 9<sup>TH</sup>, 2026, AT THE CITY OFFICES**

*Invocation/Thought – Commissioner Sweat*

*Pledge of Allegiance – Commissioner Mitchell*

1. Confirm Agenda
2. Consider 8-Foot Fence Request for Enbridge Regulator Station.
3. Approve Meeting Minutes from May 26<sup>th</sup>, 2026.
4. Staff Reports.
5. Adjourn.

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*This agenda was posted on the State Public Notice website ([Utah.gov/pmn](http://Utah.gov/pmn)), the city website ([WBCityut.gov](http://WBCityut.gov)),  
and posted at City Hall on June 5<sup>th</sup>, 2026 by Remington Whiting, City Recorder.*

# MEMORANDUM



**TO:** Planning Commission

**DATE:** June 5<sup>th</sup>, 2026

**FROM:** City Staff

**RE:** Consider 8ft Fence at Approximately 562 West 500 South

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This memo reviews a request to construct an 8-foot fence around the perimeter of a public structure for Enbridge Gas on the Northeast corner of the 500 South interchange.

## Background

Pursuant to WBMC 17.50.040, the maximum height for fences is 6 feet. WBMC 17.50.050 grants the planning commission the ability to extend the height to 8ft:

“The planning commission may approve the erection of a fence to a height greater than six (6) feet within any required rear yard or side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.”

## Application

On May 8, 2026, a representative of Enbridge submitted a request for Planning Commission approval of an 8-foot fence to surround a proposed Gas Regulator Station. The proposed station would be located on the northeast corner of the 500 South interchange, just west of the gas station.

## Analysis

City Code grants the Planning Commission discretion to approve a fence up to eight feet in height when it finds that the additional height is reasonably necessary to protect properties from incompatible uses.

Following review of the request, staff believe that an 8-foot fence is appropriate and beneficial due to the nature of the proposed use and its potential incompatibility with surrounding properties.

## Decision

After reviewing the request, the commission may now:

1. Deny the request.
2. Grant the request.

**West Bountiful City  
Planning Commission Meeting**

**May 26, 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 May 22, 2026, per state statutory requirement.*

Minutes of the Planning Commission of West Bountiful City held on Tuesday, May 26, 2026, at West Bountiful City Hall, Davis County, Utah.

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

**MEMBERS/STAFF EXCUSED:** Kris Nilsen (City Engineer)

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

**PUBLIC ATTENDING:** Alan Malan, Mike Sowby, Luke Sowby, Spencer Garlick, David Garlick, Ryan Larsen.

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

**1. Confirm Agenda**

Chairman Merrick reviewed the proposed agenda. Corey Sweat 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-Construction of Accessory Structures in Street Side Yards**

Remington Whiting explained that Scott Garner requested a change to the parameters or definition of street side yards in West Bountiful Municipal Code WBMC 17.04.030,

He noted that 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.

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. 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.

Planning Commission discussed and considered the request at the May 12<sup>th</sup> meeting addressing concerns for corner lot/parcels and what zones it would apply to.

Staff drafted language to be considered. Legal counsel reviewed it.

**Action Taken:**

***Laura Mitchell moved to open the public hearing for public comment for Construction of Accessory Structures in Street Side Yards proposed Code update at 7:37 pm. Corey Sweat seconded the motion, and voting was unanimous in favor.***

**Public Comments:**

**Alan Malan** took the stand and stated that the proposed language presented today is what was always been meant to be.

**Commissioners** concurred with Alan Malan's statement.

**Action Taken:**

***Corey Sweat moved to close the public hearing for public comment for Construction of Accessory Structures in Street Side Yards proposed Code update at 7:40 pm. Dennis Vest seconded the motion, and voting was unanimous in favor.***

**3. Consider Recommendation for Proposed Code Update-Construction of Accessory Structures in Street Side Yards.**

Commission packet included a memorandum from staff on May 22, 2026, regarding Construction of Accessory Structures in Street Side Yards with attached application/letter for applicant and draft of 17.16.050 – Yard Regulations.

Some discussion took place regarding the placement and definition of a side yard. It was recommended that the definition of the side yard be changed and the code stay as suggested.

Mr. Whiting recommended moving forward with the proposed language and do some further research to change the definition of a side yard.

**Action Taken:**

***Laura Mitchell moved to forward the Proposed Code Update-Construction of Accessory Structures in Street Side Yards with a positive recommendation to the city council for their review. Corey Sweat seconded the motion, and voting was unanimous in favor.***

**4. Public Hearing -Proposed Code Update-A-1 District Height Restrictions.**

Scott Garner submitted a Text Change Application that would reduce the maximum height allowed in the A-1 District from 40' to 35'. 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 allows the additional 5' was enacted in 2014.

Commissioners reviewed the application and letter from Mr. Garner at the May 12<sup>th</sup>, 2026 meeting. They discussed and considered all implications in the A-1 zone and the impact they could have in that zone for the city. They reviewed code regulations information for surrounding cities supplied by city staff.

**Action Taken:**

***Dennis Vest moved to open the public hearing for public comment for A-1 District Height Restrictions Proposed Code update at 7:58 pm. Richmond Thornley seconded the motion, and voting was unanimous in favor.***

**Public Comments:**

**Ryan Larsen** stated that he is not in favor of another home like Todd Willey. He is in favor of a 35-foot height restriction on a two-story home. He stated that the Willey home is a three-story dwelling. He feels 5 feet does make a big difference in the effects on their neighbor's yard. He noted that he deals in real estate, and it affects the property value of the neighborhood.

**Alan Malan** stated that he is not in favor of changing the code as it was thoroughly discussed previously and is good with the way it is.

**Corey Sweat** stated that the proposed restriction will not make any difference. A neighbor will still be able to look into your backyard at 35-foot height. He stated that it may affect the amount of sunlight into the neighboring property.

**Action Taken:**

***Laura Mitchell moved to close the public hearing for public comment for A-1 District Height Restrictions Proposed Code update at 8:07 pm. Corey Sweat seconded the motion, and voting was unanimous in favor.***

**5. Consider Recommendation for Proposed Code Update- A-1 District Height Restrictions.**

Commissioner packet included a memorandum dated May 22, 2026, from staff regarding A-1 District Height Restriction Proposed Code update with attached application/letter from applicant.

Some discussion took place regarding some scenarios of how the change could change things.

**Action Taken:**

***Corey Sweat moved to forward the Proposed Code Update-A-1 District Height Restrictions with a negative recommendation to deny the application to the city council for their review. Laura Mitchell seconded the motion and voting was unanimous in favor.***

**6. Discuss Detached Accessory Dwelling Units.**

Commissioner packets included a memorandum dated May 22, 2026 from Staff regarding Detached Accessory Dwelling Unites. 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. This was prepared from the information gathered on May 12, at the joint work session with City Council and Planning Commission to discuss Detached Accessory Dwelling Units (DADUs) and potential regulations related to their development within the city. 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.

A matrix was prepared by staff to provide a comparison of how other municipalities are currently regulating DADUs and to help facilitate discussion regarding potential regulations for West Bountiful City.

Dennis Vest declared that he has a current illegal DADU on his property.

Dennis Vest stated that we need to clarify if a single dwelling needs to be in place before an DADU is considered. He favors the 11,000 square feet size as it limits the amount of potential DADU's to keep the rural feel and limit the impact of density.

Laura Mitchell asked what limitations they each have. Julie Thompson stated that she thinks lowering the property threshold but using a percentage of the footprint as a regulation was a preferred way. Consideration of privacy, noise, safety, parking spaces were all mentioned to address. Julie also stated that we need to have an overall goal to make the regulations. A specific stipulation is that if you have an ADU you cannot have a DADU as well.

Laura Mitchell stated that she feels setbacks are important for privacy reasons and percentage of the backyard. Existing DADU's need to be conforming to the current code to qualify. Since we do not have ¼ acre areas and have R-1-10 zones we need to consider 10,000 square feet as a minimum

Chairman Merrick agreed that setbacks are important. He suggested a checklist when we do decide on the regulations so that an applicant can know if they qualify.

Richmond Thornley stated footprint consideration is important. He sees some need to restricting size if the use is for living space instead of a non-resident use building. He thinks setbacks are important to consider. Does not want to be arbitrary with regulations.

Corey Sweat feels like the goal is to create affordable housing and we should be considering the smaller lots opposed to the larger lots with 2-million-dollar homes on them. He likes the setbacks that are currently in place. Corey favors North Salt Lake City requirements from the Matrix provided to use as a guide.

Other items discussed were having enough parking space to have all vehicles off the road. Could require one additional off-street parking. Utilities need to be on the same systems as the primary dwelling for affordability. Corey Sweat felt separate utilities should be required.

The minimum size requirement was discussed as being 300 feet but will be determined as further discussion takes place. Maximum size requirement was suggested to be a percentage of open space.

Commission was in favor of keeping the current code setbacks.

Single Utilities not separate utilities is an item needing to be discussed.

Mike Sowby stated that he has several acres and wants to put several DADU's on the property. A home in front and home in back of the current home. Chairman Merrick informed him that In order to do multiple DADU's on the property he would have to subdivide. Mr. Sowby does not want to subdivide.

**7. Approve Meeting for April 28, 2026.**

**Action Taken:**

***Corey Sweat moved to approve the minutes from the May 12, 2026, Planning Commission Meeting as presented. Richmond Thornley seconded the motion, and voting was unanimous in favor.***

**8. Staff Reports**

**a. Engineering (Kris Nilsen)**

- Not present

**b. Community Development (Remington Whiting)**

- Lots of building permits coming in 5 permits in 2 days
- Enbridge will be on the agenda next time June 9<sup>th</sup>
- Remington and Chairman Merrick will not be available for the June 9<sup>th</sup> meeting
- Gas Stations on the corner of 4<sup>th</sup> North and 500 West have been contacted and it was noted that they are not working with the city in getting the property to city code.
- Code enforcements are being addressed. Campaign signs are being taken down if too large.
- Newsletter is going out. Tauna has the responsibility of social media and newsletter.

**Julie Thompson** reported that the city needs to plan some things for the 250 American Celebration. Her and Councilmember Nielsen are working to make some plans to celebrate and acknowledge the event. She mentioned a National Event called Potluck Sunday July 5<sup>th</sup> gathering as neighbors as a part of the celebration. The Arts Council is working on somethings as well that includes designing a challenge coin to be available for distribution.

**9. Adjourn.**

**Action Taken:**

***Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 9:20 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.*

