

Mayor
Kenneth Romney

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

City Recorder
Remington Whiting

**City Council
Representative**
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WEST BOUNTIFUL PLANNING COMMISSION

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Chairman
Robert Merrick

Vice Chairman
Corey Sweat

Commissioners
Laura Mitchell
Richmond Thornley
Dennis Vest

****AMENDED****

**THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD A REGULAR
MEETING AT 7:30 PM ON TUESDAY, JULY 28TH, 2026, AT THE CITY OFFICES**

Invocation/Thought – Commissioner Thornley

Pledge of Allegiance – Commissioner Sweat

1. Confirm Agenda
2. Farm Animals Conditional Use Permit - 872 W Porter Lane – Weirick.
3. Milestone Automotive Conditional Use Permit – 1116 W 500 S Suite #10.
4. Second Review of A-1 Height Regulations Code.
5. Detached Accessory Dwelling Units Discussion.
6. Mountain Shadow Ranch Preliminary Plat.
7. West Bountiful Land Use Appeal Authority Discussion.
8. Approve Meeting Minutes from June 9th and July 14th, 2026.
9. Staff Reports.
10. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmnl), the city website (WBCityut.gov),
and posted at City Hall on July 23rd, 2026, by Remington Whiting, City Recorder.*

**West Bountiful City
Planning Commission Meeting**

July 28, 2026

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 July 23, 2026, per state statutory requirement.

Minutes of the Planning Commission of West Bountiful City held on Tuesday, July 28, 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 (via Zoom), and Council member Julie Thompson.

MEMBERS/STAFF EXCUSED: Corey Sweat

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

PUBLIC ATTENDING: Andrea Baxter, Christian Hansen, Kirt Johnson, Carmen Weirick, Bridget Gordon, Kelly Enquist, Gary Jacketta, Ryan Larsen, Alan Malan.

Thought/Invocation by Commissioner Thornley
Pledge of Allegiance- Commissioner Chairman Merrick

1. Confirm Agenda

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

2. Farm Animals Conditional Use Permit – 872 W Porter Lane- Chad Weirick

Planning Commission packet included a memorandum dated July 23, 2026 from staff regarding a Farm Animal Conditional Use Permit at 872 West Porter Lane- Chad Weirick with attached application for a conditional use permit to keep six chickens and 2 ducks on their property and a site plan.

Remington Whiting explained that Carmen Weirick, 872 West Porter Lane, has submitted an application for a conditional use permit to keep six chickens and two ducks on her property. Currently she has the birds on the property but, after reviewing the West Bountiful Municipal Code (WBMC), she realized that the total number of animals exceeds the maximum points permitted under the City's farm animal point system. Based on the size of the property, Ms. Weirick is permitted a maximum of 25 animal points under the City's farm animal point system.

Chickens and ducks are each assigned 4 points, resulting in a total of 32 points for the proposed six chickens and two ducks.

It was noted that staff researched the application and does not object to the request subject to the proposed conditions they recommended to the Commission. Adjacent neighbors have been contacted and none have objected to the request.

Action Taken:

Richmond Thornley moved to approve the Conditional Use Permit for Carmen Weirick at 872 West Porter Lane for 6 chickens and 2 ducks exceeding the 25 point regulation on a ¼ acre with the following affirmative findings: The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; accompanying improvements will not inordinately impact schools, utilities, and streets; use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses; will comply with the regulations and conditions specified in the land use ordinance for such use; will conform to the intent of the city's general plan; and the conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection and with the following conditions: the permit will expire upon sale of property; chickens and ducks will be kept in an area enclosed by a fence or structure sufficient to prevent escape; chicken coop/run will be located a minimum of 6 feet from any property line or dwelling; to protect the health, safety, and welfare of the animals and public, animal waste debris, noise, odor, and drainage shall be kept in accordance with usual and customary health; rodent-proof containers will be used to store feed. Failure to comply with these regulations will invalidate the permit. Dennis Vest seconded the motion and voting was unanimous in favor.

3. Milestone Automotive Conditional Use Permit -116 West 500 South Suite #10

Commissioner packet included a memorandum dated July 23, 2026 from staff regarding Milestone Automotive Conditional Use Permit with attached the Conditional Use Permit application and site plan.

Remington Whiting explained that staff received an application from Kirt and Carolina Johnson on July 17, 2026, requesting a Conditional Use Permit to operate a used automobile dealership, Milestone Automotive, at 1116 W. 500 South, Suite #10.

The proposed business will maintain an inventory of approximately three to four vehicles. The vehicles will be displayed outdoors within the designated parking area identified on the site plan. Additional parking for employees and customers will be provided in the parking area located immediately south of the building. The applicant has indicated that the business will be

limited to vehicle sales only. No vehicle repair, maintenance, detailing, body work, or other automotive service activities will be conducted on the property as part of the operation

Kirt Johnson took the stand and stated he is guaranteed a specific number of parking spaces and should be sufficient for their needs with the four proposed vehicles

Action Taken:

Laura Mitchell moved to approve the Conditional Use Permit for Milestone Automotive – 116 West 500 South Suite #10 with the following affirmative findings from Section 17.34.030 The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community; The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection; and with the following conditions: a Copy of Dealer's license and Proof of Insurance; Fire Inspection approval (has been scheduled); Signage will comply with City Code; Vehicles on display will be operable and in sellable condition; No storage of wrecked, dismantled, or inoperable vehicles; Limit of 4 vehicles on display at a time; and Upon issuance of this Permit and prior to beginning business, a West Bountiful Business license will be acquired. Dennis Vest seconded the motion and voting was unanimous in favor.

4. Second Review of A-1 Height Regulation Code

Commissioner packet included a memorandum from Staff regarding a second review of A-1 Height Regulations Code dated July 23, 2026. This packet also included a list of considerations for the planning commission to discuss and a copy of 17.16.060 Height Regulations. This item was on the previous agendas in regards to a text change application from Scott Garner.

Duane Huffman provided information regarding the height issue and what the city council is requesting for consideration. He explained the past process that has taken place.

He noted that there are two general observations that are not specific to any one structure.

He explained that over the past 10 years people have pushed the limits. This section of code needs to be looked at more carefully. He pointed out things in the current section of code regarding heights and setbacks that need more clarification.

He also pointed out, that while 35 feet being the standard and with additional setbacks to increase that could increase that by 5 feet to 40 feet, this may or may not be what the commission desires to effectively reduce visual impact and preserve open space and privacy of neighboring properties.

Chairman Merrick felt the Exception in 17.16.060 D does not necessarily deal with a residential structure but a commercial structure. The commission expressed the feeling that the original

request that came in felt like it was an HOA issue and not a city issue. After hearing Duane's explanation, the commission now feels that addressing these regulations is necessary.

Mr. Huffman explained that several years ago height structures were addressed and put into specific zones. He suggested that the commission could look at the height exceptions and delete certain items that do not pertain to residential zones while also establishing a maximum height for all exceptions. He pointed out that the city council was not using the request from a citizen when considering changes to this code. He suggested simplifying matters by setting a maximum height not based on setbacks.

After some discussion, it was suggested to strike some exceptions in the height exceptions. Staff will put this item back on the agenda to be discussed. Staff will bring back options for the commission to consider.

5. Detached Accessory Dwelling Unit Discussion

Commissioner packet included a memorandum dated July 23, 2026 from staff regarding DADU discussion. The memorandum included the following information to be considered:

1. **Conversion of Existing Structures:** The new state law reads:
"A land use regulation described in Subsection (1) shall:
 - (A) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and
 - (B) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable:
 - (i) dwelling and accessory structure setback requirements; and
 - (ii) building, health, and fire codes

There are two broad ways that the city may implement this requirement:

- A. Require existing structures to meet the setback standards adopted for all DADUs. For example, an existing legal accessory structure may have a setback of 3', but if the city's new regulation says that all DADUs (new and conversions) must have a setback of 7', then that existing structure would be ineligible.
 1. An example of this kind of language is found in the code from Murray City:
 - i. "Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building meets the setback requirements set forth herein."
 2. Staff views this as a straightforward and justifiable approach.
- B. Require existing structures to meet setback requirements set specifically for existing legal accessory structures.
 1. An example of this kind of language comes from a new DADU code adopted by Lehi City. Their standard setbacks for a DADU are 5' to 10' depending on the

placement of windows, but certain existing structures already constructed with windows may be converted if they meet a setback of 5'.

2. Staff recommend that the city be extremely careful setting different standards for new DADUs and the conversion of existing structures. For example, if the city wants a side yard setback of 10'-14' to protect privacy, it would be hard to justify why that would be different for an existing accessory structure.

2. **Setbacks.** Staff are concerned about the impact of a rear set back of 30' (and to a lesser extent, side yard setbacks of 10'-14'). This requirement would severely limit the number of properties that could feasibly construct a DADU, such that this requirement may be interpreted to go against the legislative intent of the state code. It appears rare to find implemented DADU codes that require DADUs to meet the exact same setback requirements as the primary structure.

Staff also wants to note that setbacks for DADUs can take into account proximity to other structures, massing, and window size, height and orientation. For example, a side yard setback may be 5' if there are no windows on that side of the building, or 10' if there are windows.

The planning commission has discussed DADUs during two meetings. (May 12th and 26th). A matrix was provided and will continue to be updated based on these discussions to help facilitate thoughts on specific regulations and to document the direction provided.

Remington Whiting displayed the matrix that summarized the general direction provided so far regarding DADU standards in West Bountiful City:

Duane Huffman reviewed the requirements necessary for the DADU's. He explained the only requirements we can put on current ADU's wanting to be converted are setbacks and building health requirements. He pointed out that this will make most of the current DADU's unable to comply. He stated that we can set up different requirements but we have to be careful why we make the requirements/policies. He cautioned them to be careful about requiring different standards. He suggested that Murray City is a good example of language that could be use. *"Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory buildings meet the setback requirements set forth herein."* He pointed out the things they can consider when making the policy of setbacks.

Commissioners asked questions to clarify some requirements. Mr. Huffman stated that setback language is the best tool in determining what you want to allow with DADU's. Limits should be a set by what you feel is suitable instead of forcing something that is not reasonable.

Current setbacks are the same as the main structure. He cautioned them to be careful about how they restrict the setbacks on DADU's and should make the standards reasonable and defensible. He pointed out that if the legislature feels they are being too restrictive they will step up and set the restrictions that they will have to be bound too.

Chairman Merrick suggested we have another work session with the City Council in the near future and review the matrix again after having time to work through some of the issues. Staff will arrange for another work session to take place in the near future.

6. Mountain Shadow Ranch Preliminary Plat

Commissioner packet included a memorandum dated July 23, 2026, from Kris Nilsen, City Engineer regarding Preliminary Plat for Mountain Shadow Ranch Subdivision (previously in 2022 A.K.A. Olsen Farms Estate Subdivision Plat 8). A site plan was attached.

Kris Nilsen reported that Chree Martin has applied for a four (4) lot subdivision located on Olsen Way near the intersection with Meadowland Circle (1665 N). The property has frontage on Olsen Way to the east and to the north on Olsen Farm Drive (1850 N). The property is within the R-1-10 zone and consists of 1.77 acres. The lots each meet the required R-1-10 zoning requirement for size (10,000 sf). Lot 801 frontage needs to be adjusted to meet the minimum of 85 feet of frontage at the front setback, the other three lots meet the requirement of 85 feet of width at the front setback.

Staff have reviewed the Preliminary Plat submittal and provide the following review comments that need to be addressed. Also provided is the Preliminary Plat Checklist from WBMC 16.16.020 for reference. The following are city staff comments regarding the review:

Title Report

1. No comments Title is clear

Preliminary Plat (Plat)

1. Lot 801 frontage is short of the minimum 85 feet at the 30-foot front setback.
 - a. I measure 83.33feet (along arc length).
 - b. The width needs to be adjusted to a minimum of 85 feet.
2. The seconds (") for the chord bearing (boundary radius chord bearing) show 57" in the written boundary description and 58" in the curve table.
 - a. Adjust as needed to match
3. The 30 feet rear setback should be shown on the rear Lot line of Lot 804 with bearing N 35°05'17" E and length 99.50'.
4. At the end of Note 7 there is an open parenthesis, but the close parenthesis is missing after "TRANSMISSION LINES FROM SEWERS."
5. All interior Lot PUE & DE shall be 10 feet in Width.
 - a. A few are currently shown as 7 feet in width and need to be changed to 10 feet width.
6. Add a note requiring a minimum finish floor elevations to the plat.
 - a. Note" ALL FINISH FLOOR ELEVATIONS OF THE STRUCTURES ON THE LOTS

WITHIN THIS SUBDIVISION ARE REQUIRED TO BE A MINIMUM OF 2 FEET (24 INCHES) ABOVE THE HIGHEST POINT ON THE EXISTING TOP BACK OF CURB ALONG THE FRONTAGE OF THE LOT ON THE PUBLIC STREET EXCEPT WHERE OTHERWISE APPROVED BY THE CITY ENGINEER.

7. Add Lot addresses to the plat. Assign addresses as,
 - a. Lot 801 1685 N Olsen Way
 - b. Lot 802 1695 N Olsen Way
 - c. Lot 803 1755 N Olsen Way
 - d. Lot 804 1017 W 1850 N

Preliminary Plat (Construction Drawing)

1. Meet with Rocky Mountain Power to determine if the new power supply will be overhead or underground for the four new Lots
 - a. Indicate how the existing overhead power will be affected.
2. Meet with Enbridge Gas to determine new gas services
 - a. Show existing gas main location and new gas services
 - i. Will the public street need to be cut to provide gas services?
3. Field verify now (at this time) the existing culinary water and sanitary sewer laterals for Lots 802 and 803 to determine if the asphalt, curb or sidewalk will need to be cut and repaired to install new laterals, how many, if any.
4. South Davis Sewer District (SDSD).
 - a. Provide updated approval letter or correspondence from SDSD for the following,
 - i. Driveway (hard surface) proposed crossing of the existing SDSD easement on Lot 804.
 - ii. If the Proposed buildable area location is to be directly adjacent to the existing SDSD easement on Lot 804.
5. Natural Gas (Dominion Energy).
 - b. Provide approval letter or correspondence from the Natural Gas Easement Owner for the following,
 - i. Service laterals proposed to cross the existing 40 feet wide gas easement on Lot 804.
 - ii. Driveway (hard surface) proposed crossing of the existing 40 feet wide gas easement on Lot 804.
 - iii. Proposed buildable area being near (or adjacent) to the existing 40 feet wide gas easement on Lot 804.
6. Add note indicating removal of the existing secondary water hose bib valve located in the north corner of Lot 803.
 - c. It appears to be a hose bib valve coming from the existing Lot 405 to north in Olsen Farm Estates Subdivision Plat 4

7. Label the width of the PUE/DE on the existing storm drainpipe and inlet box on the south side of Lot 802.
8. Provide SWPPP sheet and/or plan
9. Add two streetlights (discuss with planning commission)
 - a. One streetlight at the NW corner of Lot 804 (existing gap on 1850 N is 420 feet between existing streetlights, 350 feet is maximum gap in WBC construction standards).
 - b. One streetlight at the NE corner of Lot 802 (existing gap on Olsen Way is 435 feet between existing streetlights, 350 feet is maximum gap in WBC construction standards).
10. Contact the Post Office to determine if a group mailbox will be required.
 - a. If a group mailbox is required (or proposed) place one of the streetlights and the group mailbox together.

Preliminary Plat (Grading and Drainage Plan and Calculations)

11. Show the overflow path for the retention ponds, in the case of a very large storm water surface runoff event.
 - a. Overflow should go to a public street, public conveyance or public drainage easement
 - b. Drainage cannot go onto adjacent private property unless an agreement or easement is existing.
 - i. It appears the only side that does not have an adjacent PUE for drainage is the west side of the project. The Christensen property (06-011-0145) does not have a PUE.

Some discussion took place regarding requirements for street lights and parcel 804 distinguishing back and side yard of property. Suggestion from commissioners were given to Kris Nilsen to consider regarding street light requirements and determination of side and backyard for parcel 804.

Action Taken:

Laura Mitchell moved to approve the preliminary plat plan for Mountain Shadow Ranch Subdivision located in the previous A.K.A. Olsen Farms Estate Subdivision Plat 8 with the conditions that all planning commission comments be addressed and all city staff review comments be addressed. Dennis Vest seconded the motion and voting was unanimous in favor.

7. West Bountiful Land Use Appeal Authority Discussion

Commission packet included a memorandum date July 23, 2026 from staff regarding West Bountiful Land Use Appeal Authority Discussion. The purpose of this memo is to initiate

planning commission discussion regarding needed revisions to West Bountiful City's land use appeal authority provisions in response to recent changes to Utah State Code.

Mr. Whiting explained that the West Bountiful City Council has served as the land use appeal authority for many years. Current code regarding this role can be found in WBMC 17.08.120 and WBMC 17.08.120

Included for commissioners to review was the document "Role of An Appeal Authority" created by the Land Use Academy of Utah for more information on what the appeal authority does.

Mr. Huffman pointed out that per 2026's SB 284, most municipalities may no longer designate the city council as the appeal authority for land use decisions. Instead, cities are required to establish one or more independent appeal authorities to hear:

- Requests for variances from land use ordinances;
- Appeals from land use decisions applying a land use ordinance; and
- Appeals from certain land use fees.

Mr. Whiting informed the commission that at the city council meeting held on July 21st, 2026, the council held an initial discussion regarding a new appeal authority approach.

During the discussion, council members expressed interest in:

1. Utilizing a hearing officer.
2. Ensuring that the hearing officer be qualified in terms of due process, conflict of interest, writing decisions, and Utah land use law.
3. Appointing a small pool of qualified hearing officers (approximately three), allowing an appellant to select from the available hearing officers when an appeal is filed. Council members felt this approach could provide greater flexibility while ensuring impartiality throughout the appeal process.
4. Potentially requiring that hearing officers live outside of city limits.

Staff gave the commission Section 10-2-2 of the North Salt Lake City Code as an example of how another municipality has established a hearing officer as its appeal authority. Staff stated that as the planning commission reviews the example and the topic, commissioners may wish to consider the following:

- Should city code be specific regarding elements such as number, qualifications, or term of hearing officers, or should that be left broad and to the discretion of appointment by the Mayor/City Council?
- If multiple hearing officers are appointed, what process should be used to assign or select the hearing officer for a particular appeal?

- Are there procedural provisions specific to a hearing officer from the North Salt Lake Ordinance that the commission believes would work well for West Bountiful?

Some discussion took place regarding possible ideas of how many hearing officers to have on board to choose from, using outside resources (not citizens of WB), and what to include in the code. Mr. Huffman informed the commission that there is already an appeal process in place, they just need to set in code and define language regarding a hearing officer. The new law went into effect on July 1st, but Duane assured the commission if there was a need before we set code into place, they would find a way to work through it.

Staff will draft language from discussion that took place this evening and submit it to the commission for further review.

8. *Approve Meeting Minutes from June 9th and July 14th, 2026*

Actions Taken:

Dennis Vest moved to approve the minutes from the June 9, 2026 Planning Commission Meeting as corrected. Laura Mitchell seconded the motion, and voting was unanimous in favor.

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

9. Staff Reports

a. Engineering (Kris Nilsen)

- Pope Subdivision wants to rearrange the way the front of the home faces from the original submittal plans. This will need to come back to the planning commission to do so for it to be recorded with the correct orientation.
- Stripping and sealing projects are being done throughout the city.

b. Community Development (Remington Whiting)

- There has been a steady flow of building permits.
- Still working on addressing code enforcement complaints.
- The property that was approved this evening located at 116 West 500 South has some property storage code violations that he will be addressing.
- Receiving calls regularly regarding DADU's. He is directing them to the city website to stay updated on upcoming meetings.

Councilmember Thompson was grateful for Mr. Huffman's insights and opinions on items discussed this evening. She said that she has not received many comments from citizens regarding the West Side development.

Duane Huffman noted that he is compiling all information received from citizen's regarding the west side development from comments from the emails and surveys received. He reported that he is working with city planners to update our annexation policy. He will bring that back to the planning commission in the near future.

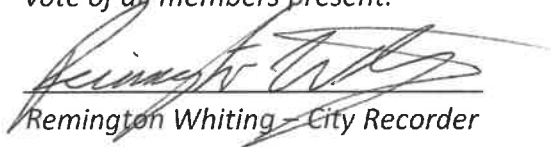
10. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 9:00 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.


Remington Whiting – City Recorder