

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, AUGUST 25TH, 2026, AT THE CITY OFFICES**

Invocation/Thought – Commissioner Merrick

Pledge of Allegiance – Commissioner Vest

1. Confirm Agenda
2. Public Hearing – Proposed Code Update – A-1 Height Regulations.
3. Consider Recommendation for Proposed Code Change – Construction of Accessory Structures in Street Side Yards.
4. Detached Accessory Dwelling Units Discussion.
5. Appeal Authority Discussion.
6. Approve Meeting Minutes from August 11th, 2026.
7. Staff Reports.
8. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmnn), the city website (WBCityut.gov),
and posted at City Hall on August 21st, 2026, by Remington Whiting, City Recorder.*

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 August 21, 2026, per state statutory requirement.*

Minutes of the Planning Commission of West Bountiful City held on Tuesday, August 25, 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 (Alternate), and Council member Julie Thompson.

MEMBERS/STAFF EXCUSED:

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

PUBLIC ATTENDING: Alan Malan, Mike Sowby

Thought/Invocation by Commissioner Merrick
Pledge of Allegiance- Commissioner Vest

1. Confirm Agenda

Chairman Merrick reviewed the proposed agenda. Laura Mitchell moved to approve the agenda as presented. Corey Sweat seconded the motion. Voting was unanimous in favor.

2. Public Hearing - A-1 Height Regulations Code Change

Remington Whiting explained that WBMC 17.16.060 regulates the maximum height for main and accessory structures in the A-1 district. Structures have a standard maximum of 35' with allowances of up to an additional 5' depending on the side setbacks. The exception allowing the additional 5' was enacted in 2014.

Additionally, WBMC 17.16.060.D (and similar sections in other zones), list broad exceptions to height limitations, with no maximum height set.

On August 11, 2026, the Planning Commission directed staff to draft amendments addressing increased side yard setbacks for structures greater than 35', as well as limitations on the height exceptions applicable to certain structural features in all residential zones.

Remington Whiting presented the code change proposals for public review.

Action Taken:

Dennis Vest moved to open the public hearing at 7:32 pm regarding A-1 Height Regulations Code Change. Richmond Thornley second the motion and voting was unanimous in favor.

Public Comment:

Alan Malan expressed his appreciation for making ordinance for property owner and not their neighbors.

Action Taken:

Corey Sweat moved to close the public hearing at 7:33 pm regarding A-1 Height Regulations Code Change. Dennis Vest second the motion and voting was unanimous in favor.

3. Consider Recommendation for A-1 Height Regulation Code Change

Action Taken:

Corey Sweat moved to forward a positive recommendation for the A-1 Height Regulation Code Change as was drafted in the August 21, 2026 memorandum. Laura Mitchell seconded the motion and voting was unanimous in favor.

4. Detached Accessory Dwelling Unit Discussion

The commissioner packet included a memorandum dated August 21, 2026, from Staff. The purpose of this memo is to introduce the first draft of new city code for Detached Accessory Dwelling Units.

Mr. Whiting explained that Utah Code now requires 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.

He recapped that after an initial joint session of the city council and planning commission in May the commission worked towards a new DADU ordinance during several meetings. Another joint session was held on August 18 to review the work done.

The planning commission's work combined with the feedback provided by the city council at the most recent joint session. Highlights included:

- The draft language updates the entire ADU code to ensure consistency with IADUs and DADUs.
- The definition of an IADU is updated to clarify what "attached" means, eliminating the use of breezeways or roof extensions for purposes of attaching an IADU.

- There is an emphasis on ensuring that DADUs are “accessory” in nature. This is done by:
 - Limiting the size of the DADU in relation to the primary dwelling.
 - Limiting the height of the DADU.
- The draft utilizes the limitations allowed in state code, such as:
 - Allowing DADUs only on lots of 11,000 sq ft or larger.
 - Requiring two parking spaces when the DADU is larger than 650 sq ft.

Remington Whiting noted that Duane and legal council have drafted this document for their review.

Corey Sweat asked where the numbers came from. Julie Thompson informed commissioners that she met with Duane Huffman and went through the entire document with him. She stated that he included all the things he felt should be in the document. She stated that while reviewing this draft tonight, the commission is welcome to suggest the changes they feel should be made.

The Planning Commission reviewed and discussed the draft as presented this evening. Some modifications were made and a public hearing will be scheduled for the Sept. 8th commission meeting, after which the commission will make a final recommendation to the city council.

Modifications to the proposed draft for DADU were as follows:

Chapter 17.82 ACCESSORY DWELLING UNITS (ADU)

17.82.050 Detached Accessory Dwelling Unit Development Standards. The following development standards apply to detached ADUs, in addition to any other applicable standards under the Municipal Code.

Chairman Merrick would like a checklist designed so that applicants can know upfront if they qualify for a DADU on their property.

Much discussion took place on the following modifications. Below are the suggested changes from the Planning Commissioners:

C. Lot Size. The minimum lot size required for a detached ADU in all single-family residential zones shall be **ten thousand (10,000) square feet.**

D. ADU Size. The gross floor area of the ADU shall be **less than thirty percent (35%)** of the square footage footprint of the primary dwelling **and meet all current zoning setbacks. The minimum size of the ADU shall be greater than 200 square feet.**

For purposes of determining compliance with the maximum floor area permitted for a detached ADU, the gross floor area of the entire detached accessory structure containing the ADU shall be counted, regardless of how the structure is divided or used. Floor area devoted to garages, workshops, storage areas, studios, recreational space, or other uses within the same structure shall be included in the detached ADU's total gross floor area.

F. Yard Regulations. **Use current setbacks according to each zone.**

G. Height. **Must match the zone it is in.**

H. Conversion of Existing Accessory Structures. Conversion of existing accessory buildings (such as detached garages) may only occur where the existing accessory building was legally constructed and meets the setback and height requirements for a detached ADU. **(Must be brought to current code).**

I. Construction Codes. An ADU shall comply with the construction housing codes in effect at the time the ADU is constructed, designated as an ADU, or remodeled. This shall include obtaining a building permit or other permits as the codes may require, and adherence to the following:

1. The ADU shall not drain stormwater onto neighboring properties. **(refer to current building code).**
2. Grading must comply with building code requirements so that the minimum floor elevation is at least 1' above the top back of curb.
3. The ADU shall be sanitary sewered by gravity flow.

J. Short Term Rentals. By applying for an ADU, the property owner shall agree that the main dwelling and the proposed ADU will not be used as a short-term rental. **(This will not be allowed until an ordinance is passed).**

A public hearing will be set for September 8, 2026, and a matrix will be prepared for public information.

5. Appeal Authority Discussion

Commissioner packet included a memorandum from Staff dated August 21, 2026, regarding Appeal Authority procedure. The purpose of this memo is to introduce draft 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. 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.

A draft of the code includes concepts discussed by the city council at their meeting in July and the planning commission at the following meeting. Highlights include:

- References to the city council are replaced with "appeal authority"
- The appeal authority is defined as one or more hearing officers appointed by the city council o Legal counsel recommended that this language be left as flexible.
- Qualifications for the hearing officer(s) are outlined.

Legal Counsel has reviewed the initial draft. The planning commissioners reviewed the draft and made no modification to it. A public hearing will be scheduled for the Sept. 8th commission meeting, after which the commission will make a final recommendation to the city council.

6. Approve Meeting Minutes from August 11, 2026.

Action Taken:

Corey Sweat moved to approve the minutes for the Planning Commission Meeting on August 11, 2026 as presented. Richmond Thornley seconded the motion, and voting was unanimous in favor.

7. Staff Reports

a. Engineering (Kris Nilsen)

- Highgate #2 Someone has bought 3 lots on the north side to build on to make one big lot. Still 3 lots available on the south side.
- Belmont 2 B (8 Lots) A is 11 lots. Need to figure out the connection of the roads. Staff, Engineering will be working on that issue. There are some issues on the west side to consider. It will eventually come before them.
- Project sealing roads.

b. Community Development (Remington Whiting)

- Building permits have slowed down a bit.
- Code Enforcement continuing to monitor

- Working on Checklist for all Land Use Applications and are online and will complete by October.
- ADU applications
- Developing a checklist and tracker sheet for all our subdivisions to keep on top of deadlines.
- Working on the Newsletter
- Part-time position is open for an Administrative Assistant
- Working on closing some old open permits.

Julie hopes that the decisions made on the DADU's will be of benefit to families and not just for money making.

8. Adjourn.

Action Taken:

Corey Sweat moved to adjourn the regular session of the Planning Commission meeting at 9:06 pm. Laura Mitchell seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission, by unanimous vote of all members present.


Remington Whiting – City Recorder