

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, SEPTEMBER 8TH, 2026, AT THE CITY
OFFICES**

Invocation/Thought – Commissioner Vest

Pledge of Allegiance – Commissioner Mitchell

1. Confirm Agenda
2. Public Hearing – Proposed Code Update – Appeal Authority.
3. Consider Recommendation for Proposed Code Change – Appeal Authority.
4. Public Hearing – Proposed Code Update – Detached Accessory Dwelling Units.
5. Consider Recommendation for Proposed Code Change – Detached Accessory Dwelling Units.
6. Discuss West Bountiful City Annexation Policy Draft.
7. Approve Meeting Minutes from August 25th, 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 September 8th, 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 September 4, 2026, per state statutory requirement.

Minutes of the Planning Commission of West Bountiful City held on Tuesday, September 8, 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: Kris Nilsen (City Engineer).

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

PUBLIC ATTENDING: Todd Willey, Jenn Nielson, Mark Preece, Julie Halling, Lauri Osler, Jerry Osler, Brett Gappmaycr, Travis Davis, Scott Thompson, Nathan Halling

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

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- Appeal Authority

Commission packets included a memorandum dated September 4, 2026 from staff regarding Proposed Code Update for Appeal Authority with an attached draft of the code.

Remington Whiting gave a brief introduction regarding the proposed code update for Appeal Authority. He explained that 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.

The draft 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
- Legal counsel recommended that this language be left as flexible.
- Qualifications for the hearing officer(s) are outlined.

The draft has received an initial review by legal counsel.

Action Taken:

Laura Mitchell moved to open the public hearing at 7:33 pm regarding Proposed Code Update- Appeal Authority. Corey Sweat second the motion and voting was unanimous in favor.

Public Comment: No Public Comment

Action Taken:

Corey Sweat moved to close the public hearing at 7:34 pm regarding Proposed Code Update – Appeal Authority. Laura Mitchell second the motion and voting was unanimous in favor.

3. Consider Recommendation for Proposed Code Change- Appeal Authority

Action Taken:

Corey Sweat moved to forward the Propose Code Recommendation for Appeal Authority as drafted and reviewed this evening to the City Council per memorandum and draft dated September 4, 2026 with a positive recommendation to be officially adopted. Dennis Vest seconded the motion and voting unanimous in favor.

4. Public Hearing – Proposed Code Update- Detached Accessory Dwelling Units

Planning Commission packet included a memorandum date September 4, 2026 from Staff regarding Proposed Code Update for Detached Accessory Dwelling Units with an updated draft.

Remington Whiting informed the public 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 noted that joint sessions of the city council and planning commission were held in May and August and the commission worked towards a new DADU ordinance during several meetings.

The planning commission directed staff to make the following changes to the proposed regulations:

- Reduce the required minimum lot size from 11,000 square feet to 10,000 square feet.

- Establish a minimum ADU size of 200 square feet, with the maximum ADU size limited to 35% of the backyard area.
- Increase the required rear yard setback to 20 feet in the R-1-10 District and 30 feet in the R-122 and A-1 Districts.
- Remove a separate maximum height limitation, with ADU height instead governed by the applicable zoning regulations for accessory structures.
- Remove the stormwater and grading requirements stating that stormwater may not drain onto neighboring properties and that grading must comply with building code requirements.

Action Taken:

Corey Sweat moved to open the public hearing at 7:36 pm regarding recommendation for proposed code change- Detached Accessory Dwelling Units. Richmond Thornley seconded the motion and voting was unanimous in favor.

Public Comment:

Nathan Halling- Introduced himself as a local contractor who was interested in knowing the particulars about the DADU both for his business and his personal use. He inquired about the purpose of the sanitary sewer needing gravity flow. He noted that sometimes that is not possible to do and asked if a lift pump would work? He was also curious about the 1 ft above top of curb in the back of the property. He expressed that he feels the city has a double standard for out building and doesn't understand the reason why. He noted that these codes do not allow for conversions for existing building to be possible.

Todd Willey- Drew attention to the ADU minimum size being 201 sq. feet. He inquired where the setback would be on a triangular lot such as his. He referenced the 7 other cities on the matrix and noted while the 35% appears to be generous, the other setbacks we have are more restrictive. He inquired about separate entrance being in the side of the ADU. Remington pointed out that this does not pertain to DADU. He liked having a separate address but also wanted separate utilities to be metered and put in the name of the person occupying the dwelling. Mr. Willey was in favor of being able to have more than 1 ADU/DADU if property was big enough since the housing market is so bad that his children will likely not be able to afford a home of their own. He noted you could stipulate that it was for families only.

Action Taken:

Corey Sweat moved to close the public hearing at 7:50pm regarding recommendation for proposed code change- Detached Accessory Dwelling Units. Laura Mitchell seconded the motion and voting was unanimous in favor.

Comments made from the Commission:

- We do not want septic systems so the gravity feed is a must and must attach to the primary sewer system and it needs to connect to the primary system even if it needs a lift.
- 1 ft top back of curb is a standard in our building code that will not change.
- Metering is not to be separate so that it is a separate dwelling and keeps the owner involved. This is to protect the zoning and the integrity of the zone.
- This ordinance is not taking away from anyone, but instead is giving them the opportunity to have a detached ADU.
- Setting tight boundaries now which if deemed necessary in the future they can be loosened and alleviate regret it in the upcoming years.
- We looked at several cities and decided upon what was best for WB City. One key point is that we reduced the requirement for a lot size from 11,000 to allow those with 10,000 square feet. We choose to error on the side of caution as you can always allow more but cannot change mistakes after building is completed.
- Setback will remain the same standard as they have always been.
- Changes were good. Stormwater and grading requirements were the idea of engineer. It is already in the code. Building permit require drainage plans per our building code.
- There is a difference between a barn/recreational structure and a dwelling unit.
- Invited them to drive through the city and see what you like and don't like. Notice PDU's and Senior Housing Area. We are doing our best to do what we think the community wants. We always welcome comments from our citizens.

5. Consider Recommendation for Proposed Code Change – Detached Accessory Dwelling Units.

Action Taken:

Corey Sweat moved forward the Proposed Code Changes for Detached Accessory Dwelling Units to the City Council with a positive recommendation per the draft reviewed and presented to the public this night dated 9-4-2026. Dennis Vest seconded the motion and voting unanimous in favor.

6. Discuss West Bountiful City Annexation Policy Draft.

Commissioner packets included a memorandum dated 09-08-2026, from Duane Huffman, City Administrator regarding Draft Annexation Policy Plan with an attached first copy of the proposed new Annexation Policy Plan draft and an annexation petition from Scott Jones who owns 5.236 acres east of Bountiful Pond and south of Dike Road.

Remington Whiting explained that State law requires that before a city annex any land, it must prepare and adopt an APP (Utah Code 10-2-803). The last update to West Bountiful's current APP was a 93 page document in 2003.

He noted that the city recently received a request to annex land adjacent to Bountiful Pond, which is outside of any area currently included in the APP. Rather than just updating the map, staff recommend updating a new APP that conforms to current state law and is significantly shorter. Mr. Remington Whiting pointed out the possible areas that could be annexed in the future on the map that was included in the packet.

Mr. Whiting noted that our consultants Jake Young and John Janson prepared a draft for the commissioners to review. The draft closely follows state code. In addition to adding the land adjacent to the Bountiful Pond, it also contemplates adding additional land west of Legacy Parkway.

Some discussion took place regarding if the properties on the map were in agreement with being annexed. Corey Sweat stated that they do not need to be in agreement but this is just included in the code in order to be able to address it in the future. Laura Mitchell asked about the properties that were not included in the color-coding map. All noncolored land is currently unincorporated property.

Commissioners directed staff to set a public hearing for our next scheduled meeting for September 22, 2026.

7. Approve Meeting Minutes from August 25, 2026.

Action Taken:

Laura Mitchell moved to approve the minutes from the August 25, 2026, Planning Commission Meeting as presented. Corey Sweat seconded the motion, and voting was unanimous in favor.

8. Staff Reports

a. Engineering (Kris Nilsen)

- Excused this Evening

b. Community Development (Remington Whiting)

- Building permits have picked up

- Lucky Bamboo restaurant will be occupying the previous Arella Pizza building.
- Code Enforcement continues with contacting them by phone, letters, and personal visits.
- September 15th secondary water will be shut off
- Next PC meeting he will be gone
- Code Change application for fence to not have to be around the pool does not have to be a fence but a protective barrier.
- Interviews currently being done for the administrative assistant
- Highgate Phase II
- Newsletter in progress

Julie Thompson agrees with the planning commission regarding the DADU except for size limitation. She is not in favor of allowing more density with allowing more than 1 per lot. She reported about a disgruntled citizen about the height limitations restrictions. Julie noted that we listen to the one in hopes to understand some things that may be obsolete or need addressed. She also noted all the time and effort has been put into this code.

Richmond Thornley asked to be excused from the next meeting.

9. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:20 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.


Remington Whiting – City Recorder