

Mayor
Kenneth Romney

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

City Recorder
Remington Whiting

**City Council
Representative**
Dell Butterfield

WEST BOUNTIFUL PLANNING COMMISSION

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Chairman
Alan Malan

Vice Chairman
Corey Sweat

Commissioners
Laura Mitchell
Dennis Vest
Robert Merrick
Tyler Payne

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, SEPTEMBER 24, 2024 AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Mitchell

Pledge of Allegiance – Commissioner Vest

1. Confirm Agenda.
2. Discuss Structure Distance Requirements.
3. Discuss Training Options.
4. Approve Meeting Minutes from September 10th, 2024.
5. Staff Reports.
6. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmnp), the city website (WBCity.org),
and posted at City Hall on September 20th, by Remington Whiting, City Recorder.*

MEMORANDUM



TO: Planning Commission

DATE: September 20th, 2024

FROM: Staff

RE: Structure Distance Discussion

Issue

Upon recent review, city staff and legal counsel concluded that the code regarding the distance between structures within residential zones needs clarification.

Background

City code for residential zones reads:

“Distance between main structures and accessory buildings. The minimum distance between all main structures and accessory structures shall be eight (8) feet” (WBMC 17.24.050.B)

This could be interpreted two ways: first, that the distance requirement only applies to the main structure and accessory structures. If this is the case, the code is silent on any distance requirement between multiple accessory structures. The second interpretation is that all structures must be 8ft away, including an accessory structure from another accessory structure.

Potential reasons for why the code has a distance requirement between structures include the previous building/fire code and an interest in community feel and appearance.

Additional information on the current status of the building code and examples of neighboring cities is attached.

Options

The planning commission could consider the following options: (1) Draft a code amendment clarifying whether the 8ft requirement will be applied to all structures or just from the main structure. (2) Conduct a broader review of the distance requirements for structures in residential zones (for example, should there be any distance requirements at all, should distance requirement only apply in certain circumstances, etc.).

Building Code: According to the ICC (International Code Council), there is no longer a specific requirement for the distance between buildings that are located on the same property.

Nearby Cities:

- **Centerville** – 6ft between all buildings
- **Bountiful** – 5ft between accessory buildings and any dwelling
- **Woods Cross** – 3ft or more from the rear of the main building
- **Farmington** – Shall be separated from the main building by a distance in compliance with applicable building codes

N 550 W

1822

W



W 1000 N



1789

0 W

N 600 W

N 11100 W

N 11100 W



MEMORANDUM



TO: Planning Commission

DATE: September 20th, 2024

FROM: Staff

RE: Planning Commission Training Options

Background

According to State Code 10-9a-302, each member of the Planning Commission must complete 4 hours of annual training. The trainings include:

- (i) one hour of annual training on general powers and duties under Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act; and
- (ii) three hours of annual training on land use, which may include:
 - (A) appeals and variances;
 - (B) conditional use permits;
 - (C) exactions;
 - (D) impact fees;
 - (E) vested rights;
 - (F) subdivision regulations and improvement guarantees;
 - (G) land use referenda;
 - (H) property rights;
 - (I) real estate procedures and financing;
 - (J) zoning, including use-based and form-based; and
 - (K) drafting ordinances and code that complies with statute.

Options

City staff would like to discuss if the commission would prefer the training to be conducted during bi-weekly meetings or during personal time. The commission could also discuss what topics to focus on.

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 September 6, 2024, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 10, 2024, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Dennis Vest, Laura Mitchell, Robert Merrick, Tyler Payne (Alternate) and Council member Dell Butterfield via Zoom.

MEMBERS EXCUSED: Commissioner Corey Sweat

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

PUBLIC ATTENDING: no public attendance

Thought by Commissioner Payne

Pledge of Allegiance- Commissioner Mitchell

The meeting was called to order at 7:30 pm by Chairman Malan.

1. Confirm Agenda

Chairman Malan 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. Centerville Flex Condominium Plat

Commissioner packets included a memorandum dated September 4, 2024, from Duane Huffman regarding Centerville Flex Condominium Plat with an attached Interlocal Cooperation Agreement including Exhibits and site plans.

The memo introduced the Centerville Flex Condominium plat for approval (please note that this is a light-industrial project, and condominium does not refer to any housing).

Duane Huffman showed the portion of land in Centerville and West Bountiful to the commission. He explained how the agreement came to be. Mr. Huffman (City Administrator) noted that in 2023, the city entered an interlocal agreement with Centerville City for the land use approval process of the Centerville Flex Project which crosses city boundaries (agreement was included in commissioner packet for review). Per the agreement, Centerville City conducted the review process and granted approval according to applicable standards for the entire project.

The Davis County Records Officer is requiring signatures from West Bountiful City on the final plat as part of the requirement for plat recording. Mr. Huffman did not think it was necessary to hold a public

hearing as the two Mayors could sign the agreement as it stands today. Duane spoke with legal counsel that advised regular planning commission and city council votes are the best way to authorize these signatures. It was noted that because of the terms of the interlocal agreement, no changes to the plat are likely to be possible.

Action Taken:

Laura Mitchell moved to approve the Centerville Flex Condominium Plat per the 2023 Interlocal Agreement (Centerville Flex Project) between West Bountiful City and Centerville City with the proposed plat as approved and executed by Centerville City pending any changes needed by legal counsel. Dennis Vest seconded the motion and voting was unanimous in favor.

3. Discussion on Planning Commission Priorities

Duane Huffman explained why we have not been meeting regularly lately. He noted with changes of staff/reorganization staff assignment and in addition there has been no pressing agenda item. He would like the commission to put in place items that they feel are priorities moving forward. Duane pointed out some of the staff's goals for planning as well.

Mr. Huffman noted that the city council would like them to consider detached ADU options. He explained that some of the things they may want to consider are the following:

- General Plan- Moderate Income Airport Overlay
- Accessory Structure Distance (Building Code Clean Up)
- Sign Code Clean-Up, Land Use Enforcement
- Nonconforming Buildings and Uses Clean Up
- Subdivision Code Review
- Training
- Microschool Regulations

Commissioners express the things they would like to address which included:

ADU – Both Internal and External

Internal ADU's and the Sewer District Regulations (Unfair Taxation)

Regulating Houses with ADU's that are being used for rental

General Plan

Define what a Microschool is and consider regulations

Consider Air B & B's/Short term rentals

Accessory structures

Sign Code Clean Up

Staff will put together items to be included on future agendas from the discussion this evening.

4. Approve Meeting Minutes from July 23, 2024

Action Taken:

Robert Merrick moved to approve the minutes from the July 23, 2024, Planning Commission Meeting as presented. Laura Mitchell seconded the motion, and voting was unanimous in favor.

5. Staff Report

a. Engineering (Kris Nilsen)

- Small Lot subdivisions are being reviewed and will be brought to you when ready
- 1200 North renovation to begin September 19th
- Main Park is under construction on the playground. Public works is doing most of the work except for contracting out the concrete work.
- Bearing on new well went out and they are needing to be repaired

b. Community Development – Duane Huffman/Remington Whiting

- Duane noted that Ivory Homes has submitted another PUD proposal and will be coming to Planning Commission soon. He encouraged them to come with a plan that shows they are ready to move forward.
- Remington reported that code enforcement is continuing to be pro-active and coming along positively.
- There have been lots of request for detached structures lately.
- There is a traffic study being done 400 North 800 West to address concerns about safety at that intersection. Cameras has been installed. Residents have provided red flags for use of pedestrians to cross. Commissioner Mitchell addressed the overgrown landscaping on the corner as being a safety concern as well.
- Dennis addressed a dog waste along the canal trail. He reported that bags have not been available. Owners walk their dogs unleashed and are not picking up the waste from their dogs.

6. Adjourn

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:21 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.
