

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/pmn), the city website (WBCity.org),
and posted at City Hall on September 20th, by Remington Whiting, City Recorder.*

**West Bountiful City
Planning Commission Meeting**

September 24, 2024

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 20, 2024, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 24, 2024, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Laura Mitchell, Robert Merrick, Councilmember Dell Butterfield.

MEMBERS EXCUSED: Tyler Payne (Alternate)

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

PUBLIC ATTENDING:

Prayer by Commissioner Mitchell

Pledge of Allegiance- Commissioner Vest

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

1. Confirm Agenda

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

2. Discuss Structure Distance Requirements.

Commissioner packets included a memorandum dated September 20, 2024, from Staff regarding Structure Distance Requirements.

Issue

Remington Whiting explained that in a recent review, city staff and legal counsel concluded that the code regarding the distance between structures within residential zones needs clarification. The 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 were provided for the commissions review.

One option planning commission could consider drafting a code amendment clarifying whether the 8ft requirement will be applied to all structures or just from the main structure or the commission could 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.).

Corey Sweat stated that the distance usually referred to fire code and not so much the looks in regard to distance. Some discussion took place regarding what requirements would be necessary for the distance between a main structure and any accessory building.

Chairman Malan noted that 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.

Commissioners reviewed the codes for nearby cities and favored Farmington's code which states ADU's shall be separated from the main building by a distance in compliance with applicable building codes.

3. Discuss Training Options

Mr. Whiting asked which option the commission would like to do regarding fulfilling their requirement for 4 hours of annual training. The Commission was in favor of doing individual training on their own time with staff providing links to possible training sessions. Open meeting training counted and was done as a commission along with getting credit for time sitting on the commission in meetings.

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

The trainings include the following:

One hour of annual training on general powers and duties under Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act; and

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.

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.

4. Approve Meeting Minutes from September 10, 2024

Action Taken:

Corey Sweat moved to approve the minutes from the July 23, 2024, Planning Commission Meeting as presented. Dennis Vest seconded the motion, and voting was unanimous in favor.

5. Staff Report

a. Engineering (Kris Nilsen)

- 1200 North under construction. Paving Thursday and Friday of this week.
- Park concrete was poured today. The playground will arrive the second week of October.
- The Well has been fixed and water can be used if needed.
- Secondary Water use is under usage for our contract. Shutoff scheduled for October 15th.
- Staff will present a footprint for 600 West to the City Council. Curb on east, sidewalk and curb on the west side of the road with striping for a bike lane.

b. Community Development – Remington Whiting

- Fall Clean Up October 10-12th at the Public Works Building.
- South Davis Sewer is working on calculating their fees for their impact fees.
- Group Home is being presented to city council on Tuesday.
- Garrett Reid will be holding a Fall Event on his property. Food Trucks and 100 to 150 people. He is working Duane on details.
- Code Enforcement working with an illegal fence and still sending letters to residence for clean-up.
- Marque malfunctions when a power outage occurs. It needs to be resolved on the contractor's end. Should be resolved by the end of the week.
- Dell Butterfield attended Utah Leagues meeting regarding housing. He felt we should get things in place sooner than later.

6. Adjourn

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:12 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.

