

Mayor
Kenneth Romney

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

City Recorder
Remington Whiting

**City Council
Representative**
Dell Butterfield

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

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, MARCH 25TH, 2025, AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Sweat
Pledge of Allegiance – Commissioner Payne

1. Confirm Agenda
2. Conditional Use Permit Application – 1188 W 400 N Flag Lot - Pope
3. Approve Meeting Minutes from February 11th, 2025.
4. Staff Reports.
5. Adjourn.

*This agenda was posted on the State Public Notice website (Utah.gov/pmnl), the city website (WBCity.org),
and posted at City Hall on March 21st, by Remington Whiting, City Recorder.*

MEMORANDUM



TO: Planning Commission

DATE: March 21, 2025

FROM: City Staff

RE: Pope Conditional Use Permit – Flag Lot

This memo introduces an application for a conditional use permit for a flag lot at 647 North 800 West.

Background

Chance Pope currently owns the property at 1200 W 400 N which is located within the A-1 Zone. He has plans to develop his property into a 2-lot subdivision with a flag lot. There is currently one home on the property, and a flag lot is necessary to create a second lot as the total frontage is approximately 141 feet. Flag lots are a conditional use in the A-1 Zone, therefore, a Conditional Use Permit for the flag lot must be granted before the city can approve the subdivision application.

If the planning commission grants a conditional use for a flag lot in this case, the project will then be required to go through the Subdivision Preliminary Plat and Final Plat process for review and approval by the City. The Subdivision Preliminary Plat process will include addressing any impacts to the Thacker property, the existing legal non-conforming flag lot that is adjacent to the west. The proposed Pope Subdivision will impact the existing gravel road entrance to the Thacker property and the shared property boundary (east side of Thacker).

A list of the city's minimum criteria for flag lots and determination of whether the current proposal meets the requirements are listed below. 'Yes' indicates the proposal meets requirements.

WBMC 16.12.060 - Flag lots will only be allowed where traditional lot development is not feasible. Such lots shall meet the following criteria:

1. The staff of the lot shall not be less than twenty feet (20') wide and shall not exceed the design length requirements for a cul-de-sac. **It is proposed to be 20 ft wide and 147 ft long.**
2. The staff of the lot shall serve one lot only and shall have direct access to a dedicated and improved public street. **Yes.**
3. The staff of the lot shall be owned, fee simple, as part of the lot. **Yes.**
4. The staff of the lot shall approach the public street at an angle of not less than eighty degrees. **Yes.**
5. The staff of the Flag lot cannot extend from intersections, street corners, or cul-de-sacs. **Yes.**
6. The body of the lot shall meet the lot size and dimensional requirements of the applicable zone. The staff area shall not be used in computing lot size. Proposed buildings shall comply with the minimum setbacks required for the zone. Determinations as to which are the front, side, and rear setbacks shall be made at the time of the subdivision application and shall be designated on the plat. **Yes.**
7. Flag lot must comply with fire code requirements including access width, driving surface, parking, and fire hydrant placement. **Fire Marshal review and approval required as part of subdivision.**
8. Flag lots cannot be used where traditional methods of development could occur. **Yes.**

9. *Subdivisions which contain more than four (4) lots cannot contain a flag lot. **Yes.***
10. *The lot shall be graded so storm water runoff does not negatively impact neighboring properties. **A drainage plan will be required as part of the subdivision.***
11. *All flag lots shall have the street address displayed on private property in a prominent location where the staff abuts the public street. **A specific address will be assigned at a later date.***
12. *A flag lot may not be created which would negatively impact the future continuation of existing stub streets. **Yes.***
13. *Other requirements imposed by the Conditional Use Permit to mitigate the potential negative impacts caused by the proposed use; the Conditional Use Permit and plat review cannot waive requirements 1 through 12 of this Section.*

For discussion, staff has included some potential impacts and common complaints regarding flag lots and listed possible mitigating conditions to deal with the negative impacts resulting from a flag lot. It is also important to determine which conditions must be met at the time the subdivision is approved and which conditions will be met at the time homes are built.

Common complaints about flag lots and Possible Conditions

1. Cannot find the house/address when driving down a street, including emergency vehicles.
 - a. Consider lighting and street numbers at the flag lot staff entrance to help guide emergency vehicles and other persons to the correct address.
 - b. Consider lighting along the staff driveway.
2. Houses in the back yards of other houses lack privacy.
 - a. Consider privacy fencing along the flag lot staff to minimize noise and light pollution and provide additional side yard protection from cars and neighboring children interactions.
 - b. Consider additional side yard setback on lots in front of flag lots and adjacent to the flag lot staff to provide adequate separation between houses and moving vehicles just like a corner lot.
3. Drainage problems.
 - a. Require drainage plan as part of subdivision submittal.
4. Meeting fire department criteria is confusing and expensive.
 - a. Require fire marshal review and approval as part of subdivision submittal.
5. Depending on location, flag lot staff looks more like a road than a driveway and can present a safety issue for vehicles.
 - a. Add "Private Road" signage.

Staff recommends planning commission review the above list and require those conditions it deems best suited to mitigate any negative impacts of the flag lot.



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486
www.wbcityut.gov

PROPERTY ADDRESS: 1188 W 400 N West Bountiful

NAME OF BUSINESS/USE: N/A

PARCEL NUMBER: _____ **ZONE:** A-1 **DATE OF APPLICATION:** 3-21-25

Applicant Name: Chance Pope **Address:** _____

Applicant E-mail: Chance@moosindustrial.com **Primary Phone:** 801-668-9536

Property Owner, Phone (if different): _____

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal and separate sheet with additional information if necessary.

City already has plan. / per Kris
waiting for final boundary changes to be
recorded,

The Applicant(s) hereby acknowledges that they have read and are familiar with applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge. I understand the information on this application may be made available to the public upon request.

Date: 3/21/25 **Applicant Signature:** Chance Pope

Date: _____ **Property Owner (if different):** _____

FOR OFFICIAL USE ONLY	
Application Received Date: <u>03/21/25</u>	Permit Number: <u>25-02</u>
Application Fee Received Date: _____	Fire Inspection Date: _____
Permit Approval: _____	Fire Inspection Approval Date: _____

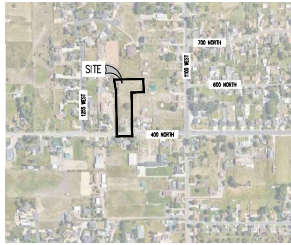
RED SANDS CONSULTING

POPE SUBDIVISION

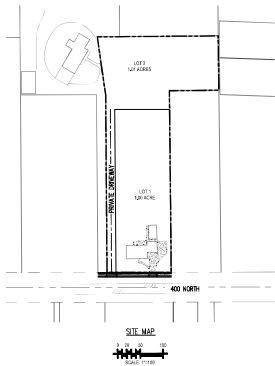
LOCATED IN THE NORTHEAST QUARTER OF SECTION 23,
TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
WEST BOUNTIFUL, DAVIS COUNTY, STATE OF UTAH

SITE PLAN

PROJECT CONTACTS	PROJECT CONTACTS CONT.
PROPERTY OWNER/DEVELOPER RED SANDS CONSULTING 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com	PUBLIC WORKS WEST BOUNTIFUL CITY 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com
CIVIL ENGINEER GALLAGHER & COMPANY, INC. 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com	CITY ENGINEER/LAND USE/ZONING WEST BOUNTIFUL CITY 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com
SURVEYOR RED SANDS CONSULTING 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com	SAFETY/SECURITY WEST BOUNTIFUL CITY 1194 WEST 400 NORTH BOUNTIFUL, UT 84087 TEL: (801) 295-3488 FAX: (801) 295-3488 EMAIL: info@redsandsconsulting.com



LOCATION MAP
N.T.S.



SITE TOTALS		
SQUARE FOOTAGE	ACRES	LOTS
87,500	2.01	2

SHEET INDEX	
SHEET NO.	DESCRIPTION
C0.0	COVER SHEET
CS.1	GENERAL NOTES
CS.2	EXISTENCE PLAN
CS.3	SITE PLAN
CS.4	GRADING & DRAINAGE PLAN
CS.5	UTILITY PLAN
CS.6	DETAILS
CS.7	DETAILS

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REMARKS	
THE PROJECT BENCHMARK IS A PIONEER BRASS CAP AT THE INTERSECTION OF 400 N AND 700 WEST IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, SLBM.	
PROJECT BENCHMARK ELEVATION = 1087	
CAUTION - NOTICE TO CONTRACTOR	
1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON DATA PROVIDED BY THE PROPERTY OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.	
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Galloway

1121 S. Valley View Blvd. Suite 140
Bountiful, UT 84087
(801) 295-3488
galloway@utah.gov

PRELIMINARY
NOT FOR CONSTRUCTION

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RED SANDS CONSULTING
POPE SUBDIVISION
SITE PLAN
1194 WEST 400 NORTH
WEST BOUNTIFUL, UT 84087

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Project	POPE SUB
Drawn by	TCN
Checked by	TCN
Date	11/15/2023

COVER SHEET

C0.0

GRADING LEGEND

---	4525	---	EXISTING MAJOR CONTOUR
---	4521	---	EXISTING MINOR CONTOUR
---	5445	---	PROPOSED MAJOR CONTOUR
---	5443	---	PROPOSED MINOR CONTOUR
---	50	---	EXISTING STORM SEWER
---	50	---	PROPOSED STORM SEWER (LESS THAN 12")

PROPOSED STORM SEWER (12" AND GREATER)

① **MOVING LIFE BETWEEN TOWNS**

NOTE:
1. CONTRACTOR TO GRACE 1" HIGH BERM ALONG SHARED LOT LINES DURING INDIVIDUAL LOT GRADING TO PREVENT DRAINAGE ACROSS LOTS.

1221 S Valley Grove Way, Suite 143
Pasadena, CA 91105
801.902.1332
GallowayUS.com

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 THESE PLANS ARE AN INSTRUMENT OF SERVICE
 AND ARE THE PROPERTY OF GALLOWAY, AND MAY
 NOT BE DUPLICATED, DISCLOSED, OR REPRODUCED
 WITHOUT THE WRITTEN CONSENT OF GALLOWAY.
 COPYRIGHTS AND PATENT RIGHTS WILL BE
 ENFORCED AND PROSECUTED.



RED SANDS CONSULTING
POPE SUBDIVISION
SITE PLAN
1194 WEST 400 NORTH
WEST BOUNTIFUL, UT 84087

Project No:	ADD 120
Drawn By:	TDW
Checked By:	CJW
Date:	1/19/2005

GRADING & DRAINAGE PLAN

C2.0

**West Bountiful City
Planning Commission Meeting**

February 11, 2025

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 February 7, 2025, per state statutory requirement.

Minutes of the Special Meeting for the Planning Commission of West Bountiful City held on Tuesday, February 11, 2025, 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.

MEMBERS/STAFF EXCUSED: Commissioner Corey Sweat.

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

PUBLIC ATTENDING: Jeff Bryson (Centerville), Debie Marshal

Thought/Invocation by Commissioner Malan

Pledge of Allegiance- Commissioner Mitchell

1. Confirm Agenda

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

2. Public Hearing- Proposed WMBC 17.48 Code Change- Removal of B-U Zone

Remington Whiting noted that the A-S zone needs to be added to the language and 17.68 will be discussed later.

ACTION TAKEN:

Laura Mitchell moved to open the public hearing at 7:36 pm for public comment on proposed WMBC 17.48 Code Change- Removal of B-U Zone. Dennis Vest seconded the motion and voting was unanimous in favor.

Public Comment: No Public Comment

ACTION TAKEN:

Laura Mitchell moved to close the public hearing at 7:37 pm. Tyler Payne seconded the motion, and voting was unanimous in favor.

3. Consider WMBC Title 17 Code Change- Removal of B-U Zone.

Commissioner packets included a memorandum dated February 7, 2025, from City Staff regarding Proposed WMBC 17.48 Code Change- Removal of B-U Zone with a clean draft of the proposed changes.

Remington Whiting explained that this proposal stems from the need to do code maintenance. He noted that prior to 2023, West Bountiful had a zone known as the Blended-Use Zone (B-U). In May 2023, the city eliminated the B-U Zone, incorporating it into the A-1 Zone. Upon reviewing the municipal code, staff identified remaining references to the discontinued B-U Zone that need to be updated. These references appear in the West Bountiful Municipal Code (WBMC) regarding signage (Section 17.48).

Staff recommend to ensure accuracy and prevent confusion, the code needs to be updated to reflect only the city's current zoning designations.

Mr. Whiting reminded commissioners that on January 28, 2025, they directed city staff to draft the necessary code amendments and schedule a public hearing so that a recommendation could be forwarded to the city council. Remington pointed out that in addition to removing references to the B-U Zone, the amendments will incorporate the A-S Zone, which was established after the sign ordinance was originally adopted.

A draft including all proposed changes was presented by staff and reviewed by the commissioners. It was recommended to move the A-S zone to the commercial zone not residential. Some discussion took place, and it was concurred that the commercial zone would be the best fit for the A-S zone.

ACTION TAKEN:

Laura Mitchell moved to approve the proposed WMBC 17.48 Code Change recommendations for removal of the B-U Zone and the addition of the A-S zone as presented this evening and forward it to city council with a with a positive recommendation for their review. Dennis Vest seconded the motion and voting was unanimous in favor.

4. Approval Meeting Minutes from January 28, 2025.

Action Taken:

Dennis Vest moved to approve the minutes from January 28, 2025, Planning Commission Meeting as presented. Tyler Payne seconded the motion, and voting was unanimous in favor.

5. Staff Report

a. Engineering (Kris Nilsen)

- 660 West was awarded to TriCo and they are anxious to get started. Will begin on the North end with Weber Basin line and have one crew working on a project at a time. Utilities will be moved.
- 500 West to 1100 West on 500 South Enbridge will be replacing the gas line. Cross traffic will be restricted while work is in session. East and West will be open. Left hand turns will be restricted. They are going to try to replace the islands with stamped concrete. Landscaping failed.
- UDOT is facilitating a design for a one-way frontage road to a connection to 500 West.
- 1200 North – getting a permit within the next week for burying the exposed line.

Dell Butterfield reported on House Bill 88 and 90 noting they did not make it out of committee. House bill 165 – Regarding Billboard signs states that if a sign must be moved there is a formula in place and if it impedes with our city code, we have to buy the sign.

Laura Mitchell inquired about the DeWaal Business sign “Misfits”. Remington will look into it.

b. Community Development – (Remington Whiting)

- The city has received lots of building permits for new homes and commercial remodels.
- Code Enforcement is mostly dealing with illegal signs presently.

6. Adjourn

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 7:57 pm. Robert Merrick 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.
