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Kenneth Romney

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

City Recorder
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**City Council
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WEST BOUNTIFUL PLANNING COMMISSION

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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, MAY 27TH, 2025 AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Vest

Pledge of Allegiance – Commissioner Malan

1. Confirm Agenda
2. Public Hearing – Update to West Bountiful City’s General Plan Regarding Moderate Income Housing.
3. Consider Proposed Updates to West Bountiful City’s General Plan Regarding Moderate Income Housing Recommendation.
4. Approve Meeting Minutes from May 13th, 2025.
5. Staff Reports.
6. 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 May 23rd, 2025 by Remington Whiting, City Recorder.*



MEMORANDUM

TO: Planning Commission

DATE: May 23, 2025

FROM: Staff

RE: Updates to City's General Plan Moderate Income Housing Element

This memo continues the discussion and provides options for potential updates to the city's moderate income housing strategies in the general plan.

Background

Utah Code 10-9a-403 charges the planning commission with making recommendations to the city council for a general plan. In combination with Utah Code 10-9a-408, the city must include a moderate income housing element within the general plan and annually report on the progress made toward adopted strategies selected from a list provided in code. The planning commission was able to discuss and consider potential strategies on Tuesday, December 10th, 2024 and January 10th, 2025, and the city council reviewed these suggestions on December 17th, 2024.

The last time the city updated the moderate income housing element in 2022, it adopted the following strategies:

- Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- Reduce, waive, or eliminate impact fees related to moderate income housing;
- Develop and adopt a station area plan in accordance with Section 10-9a-403.1

Since then, the city worked diligently and adopted code changes in 2023 and 2024 to accomplish and report on all three strategies.

Updates

With work substantially completed on the 2022 goals, it is time for the city to consider adopting new strategies and plans for working towards them. The planning commission discussed potential strategies on Tuesday, December 10th, 2024 and the city council reviewed and provided input on December 17th, 2024. The planning commission reviewed a draft at the May 13th meeting and suggested changes. Attached is the most recent draft for consideration after a public hearing scheduled for May 27.

PROPOSED UPDATE TO GENERAL PLAN

6.4 Tools and Implementation Strategies

The above analysis demonstrates that there is reduced opportunity for moderate-income households to obtain quality housing in the city, as compared to other years. The available affordable housing comes mainly in the form of smaller single-family dwelling units, multi-family units, accessory dwelling units, and mobile homes.

It is important for West Bountiful to consider a variety of housing types in the future to be able to meet the needs of a variety of residents, including special needs populations, elderly housing, and entry-level housing.

During the last several years, the Utah State Legislature has attempted to address the current housing crisis through required strategies intended to reduce housing costs within communities. A Moderate Income Housing Plan (MIHP) is required by the State as part of UCA 10-9-307. This requirement was first introduced in 1996 and has since been updated nearly every year. The most recent changes outline 24 strategies that can help to address the current housing crisis. Of those 24 strategies, West Bountiful must select three and devise an implementation timeline to accomplish each goal/strategy. The strategies are intended to help provide housing for those persons/families making less than 80% of the AMI which is based on average incomes in the County.

PURPOSE AND OBJECTIVE:

1. To meet the needs of people of various income levels living, working, or desiring to live or work in the community.
2. To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life.
3. Determine how the jurisdiction will provide realistic opportunity to meet the need for additional moderate income housing within the next five years.
4. Receive consideration for funding of projects based on compliance with the moderate income housing requirement.

PAST PROGRESS

The City has completed to greatest extent possible the previous General Plan Housing strategies of:

- **Develop and Adopt a Station Area Plan in Accordance with Section 10-9a-403.1.**
A Station Area Plan (SAP) analysis was performed that determined, due to the location of major manufacturing facilities in close proximity to the Woods Cross Frontrunner station, opportunities for appropriate station complimentary growth were very limited. This analysis was accepted by the Wasatch Front Regional Council.
- **Amend Land Use Regulations to Eliminate or Reduce Parking Requirements for Residential Development Where a Resident is Less Likely to Rely on the Resident's Own Vehicle, Such as Residential Development Near Major Transit Investment Corridors or Senior Living Facilities.**
This strategy was accomplished through the adoption of the Housing in Certain Commercial areas Overlay that added housing options in what was previously a strictly commercial use zone. In addition, the overall parking standards were reviewed and updated in 2024.
- **Reduce, Waive, or Eliminate Impact Fees Related to Moderate Income Housing.**
No moderate income housing has been proposed so this issue was not resolved over the last 3 years. Opportunities still exist to consider fee reductions with a moderate income housing proposal.

Over the next 5 years the following new strategies to support affordable housing are proposed:

STRATEGY 1 - Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones

Steps and Implementation Timeline

1. Adopt General Plan goals. Begin research for a detached ADU ordinance (2025)
2. Create a draft detached ADU ordinance for review by the Planning Commission and City Council (2026)
3. Consider adoption of a detached ADU pilot program ordinance (2027)
4. Conduct public information campaign and monitor progress in terms of permits issued (2028)
5. Consider extending the detached ADU program to additional zones or lot sizes (2029)

STRATEGY 2 – Consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the City

Steps and Implementation Timeline

1. Adopt General Plan goals. Begin research on the fees that could be reduced through City Council modification to fee schedule (2025)
2. Adopt first set of graduated fee reductions for moderate-income housing projects (2026)
3. Conduct public information outreach. Monitor and track use of fee reduction program. (2027)
4. Adopt second set of graduated fee reductions for moderate-income housing projects. (2028)
5. Monitor progress and re-evaluate if needed (2029)

STRATEGY 3 – Implement zoning incentives for low to moderate income units in new developments

Steps and Implementation Timeline

1. Adopt General Plan goals. Review ordinances where affordable housing could be encouraged (2025)
2. Consider update to the PUD code to provide a density bonus for affordable units (2026)
3. Consider update to the Housing in Certain Commercial Areas (HCCA) overlay code to increase housing density bonuses for affordable housing projects (2027)
4. Review and consider additional zoning incentives such as additional flexibility in setbacks and parking in the PUD and HCCA codes (2028)
5. Monitor progress and re-evaluate if needed (2029)

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 May 9th, 2025, per state statutory requirement.*

Minutes for the Planning Commission of West Bountiful City held on Tuesday, May 13th, 2025, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Corey Sweat, Dennis Vest, Laura Mitchell, Robert Merrick, Tyler Payne (Alternate).

MEMBERS/STAFF EXCUSED: Council member Dell Butterfield.

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

PUBLIC ATTENDING: Skyler Tolbert, Greg Timothy, Gary Jacketta, Jace Jacketta, Paul Giles, Deby Marshal, Kelly Enquist, Joyce Price, Greg McKnight, Kim McKnight, Jennifer Jackson, Joan Jansen, Kelly Bangerter, James Neuschwander.

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

1. Confirm Agenda

Chairman Malan 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 – Belmont Farms -PUD Subdivision Application

Mr. Duane Huffman clarified that Agenda Items #2 and #3 refer to the same project—the Belmont Farms Planned Unit Development (PUD) Overlay application by Ivory Homes.

Mr. Huffman provided a detailed overview of the PUD Ordinance using a PowerPoint presentation, outlining the purpose and benefits of a PUD overlay, and explaining the specifics of the Belmont Farms Phase 2A/2B application. He began by explaining the proposed benefits from the proposal which include no request for a density bonus; Emphasis on rural character with traditional architecture; upgraded building materials including brick, stone and composite wood; a development entrance with 1.25 acres of open space and an entry feature; an equestrian trail with 4-foot split rail fencing to enhance rural feel; tree lined streets with trees located behind sidewalks to create a canopy effect and rural style road cross sections with flat curbs and drainage swales.

He then reviewed the flexibility that was requested by Ivory Homes. These include differing lot sizes, a smaller roadway cross section that included 25' of asphalt instead of the city's standard of 29'; thickness of concrete that included 4" thick walkways instead of the city's standard of 6"; a flat curb with a 6' drainage swell; an exemption of a storm drainage system which would be maintained by the drainage swells and the length of dead ends. Duane also noted that the application requested any broad

flexibility in the plans that were submitted, and recommended that any flexibility be directly addressed in the development agreement.

ACTION TAKEN:

Corey Sweat moved to open the public hearing at 8:09 pm to hear public comment on Belmont Farms PUD Subdivision Application. Dennis Vest seconded the motion and voting was unanimous in favor.

Public Comment:

Deby Marshall asked why the development is moving forward in such small phases as it disrupts the neighborhood each time they work on a development. Construction traffic has to use 400 north and it very cumbersome to the residence in that area.

Jim Neuschwander stated that lots of dump trucks have ruined their quality of life while developing this project in small phases and using 400 north instead of creating other accesses into their property. He feels there is no clear goal in the end with roads and infrastructure developing phase by phase in small sections.

Paul Giles owns property by the development and is concerned that the access needs to be put in place before the development begins for the safety and welfare of the neighborhood and children in the area. He noted homes are not being sold in Phase 1 and wondered if they would be sold in the new phases. He asked if they are going to develop under the powerlines.

Joyce Price is concerned about the traffic on 400 North created by this development all day long, every day. She feels Ivory Homes will make a quality home whether they allow 1 acre parcels or not and does not see the need to make smaller lot sizes to accommodate the developer. She is concerned about the advertising they do regarding ADU's and stated that it is false advertising to state they have a legal ADU.

Greg McKnight is concerned with traffic that is created by the development. He stated that another access is needed for those large trucks to get into the development. He is in favor of one acre lots only.

Kim McKnight has lived here for 12 years and moved here for the rural dream which she feels is quickly diminishing. She stated that non-stop trucks, dirt, dust, noise has taken its toll on current residence. She pointed out that the speeding that goes on is ridiculous and dangerous. She concurred that another access needs to be created, enforced and used before further development takes place.

Jace Jacketta supports a secondary access into the property and the city should hold up the development until one is created.

ACTION TAKEN:

Corey Sweat moved to close the public hearing at 8:23 pm to hear public comment on Belmont Farms PUD Subdivision Application. Laura Mitchell seconded the motion and voting was unanimous in favor.

3. Consider Belmont Farms Rezone PUD Overlay – Ivory Homes

Commissioner packet included a memorandum dated May 9th, 2025 from Staff regarding Belmont Farms rezone PUD Overlay- Ivory Homes with a link to review their proposal.

Commissioner Discussion:

Duane Huffman presented the memo and reiterated the analysis of the submitted application. He also presented site plans and exhibits showing the plans of the developer.

The commission acknowledged the concern of the residents on 400 N and stated that developers do have the right to pass through the road if restrictions were imposed. Commissioner Malan and the commission concluded that they would prefer 29' pavement and 6" thick concrete on both sides of the road. They also discussed the possibility of condensing the 6' swells to 4.5'.

Many of the commissioners expressed concern over the temporary access through 1200 N and the possibility of 2B never been constructed. Duane stated that a development agreement would protect the city in many different ways, including litigation and those concerns could be addressed in the agreement.

Commissioner Malan expressed concern over the swells because of potential mosquito problems. He also clarified that instead of a gravel path, that 2 sidewalks on both sides of the street would be beneficial for residents of the community. The commission asked if Kris could work with Ivory Homes to address any engineering issues that could take place.

Skyler Tolvert representing Ivory Homes shared his appreciation of public, commissioner and staff comments. He apologized for the false advertising on the current ADU dwellings in Phase 1. He said that it will be changed tomorrow. He stated that he was willing to meet certain city standards such as the 29' pavement and 6" sidewalk. He also stated that he was willing to work with city and the city engineer to resolve any issues.

After some discussion, the commission discussed the fact that they would forward a positive recommendation to the council with certain recommendations that would need to be addressed.

ACTION TAKEN:

Corey Sweat moved to forward a positive recommendation for the Belmont Farms PUD Overlay for Phase 2A & 2B with the recommendation to decide where road accesses will be permanently for 400 North and 1200 south and included in a development agreement, with a 4 foot wide concrete sidewalks to be located on both sides of the street, and maximum number of lots be no more than 19 and configured to equal an average size of .89 acres with the smallest lot size being .59 acres as presented in the proposal this evening. Dennis Vest seconded the motion and voting was unanimous in favor.

ACTION TAKEN:

Corey Sweat moved to take a 5-minute break and return to address agenda item #4. Laura Mitchell seconded the motion and voting was unanimous in favor.

4. Consider Conditional Use Permit – Jennifer Jackson Piano Studio.

Commissioner packet included a memorandum dated May 9, 2025 from Staff regarding a Conditional Use permit for Jennifer Jackson Piano Studio with attached conditional use permit and site plan.

Remington Whiting introduced Jennifer Jackson Piano as a piano studio that is located at 958 West 1950 North. Mrs. Jackson offers private lessons as well as groups lessons with 3-5 students at a time. According to her website, the studio currently has 60+ students. On average, 13 students are attending the studio each weekday. Throughout the day, students are dropped off and picked up from the location.

He stated that based on WBMC 5.28.050, businesses involving “childcare, nursery, preschool, or similar use involving the pick-up and drop-off of children” are required to obtain a Conditional Use Permit. Recitals for the students will not be held onsite.

ACTION TAKEN:

Laura Mitchell moved to grant the conditional use permit for a home occupation for Jennifer Jackson Piano Studio at 958 West 1950 North with the positive findings in WBMC 17.60.040 that the proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community; proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and the conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection and with the following conditions: No external signage will be allowed; All drop-off and pick-up of students will be off-street; Upon issuance of this conditional use permit, a West Bountiful Home Occupation License will be obtained. Dennis Vest seconded the motion and voting was unanimous in favor.

5. Consider Moderate Income Housing Strategies for the West Bountiful General Plan.

Commissioner packet included a memorandum dated May 9th, 2025 from Staff regarding Moderate Income Housing Strategies for West Bountiful General Plan.

Duane explained that the based on the planning commission’s and city’s council discussions, planners were able to draft 3 strategies that would satisfy the state’s requirements. The three strategies were to create or allow for, and reduce regulations related to, accessory dwelling units in residential zones; Considering general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the city and to implement zoning incentives for low to moderate income units in new developments. The commission expressed their desire to soften some of the deadlines that were proposed by the planners to allow flexibility. The commission directed staff to make certain changes to the draft to soften the deadlines and to schedule a public hearing for May 27th, 2025.

6. Approve Meeting Minutes from April 8th, 2025

Action Taken:

Corey Sweat moved to approve the minutes from the April 8, 2025 Planning Commission Meeting as presented. Robert Merrick seconded the motion, and voting was unanimous in favor.

7. Staff Reports

- a. Engineering (Kris Nilsen)
 - Projects on 660 West and 1100 West are in full swing
 - Fluoride has been shut off and disposing of hazardous chemicals
 - Removed trees on 1100 West stumps were kept by one of the property owners.
 - Staff is working with construction crews on 500 West. Project will not be completed until the fall.
- b. Community Development (Remington Whiting)
 - Building permits have slowed down but still getting one/two a week.
 - Working on Illegal ADU's with lots of other code enforcement issues like weeds, etc.

8. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 10:12 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.
