

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
Tyler Payne
Richmond Thornley
Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, APRIL 28TH, 2026, AT THE CITY OFFICES.**

Invocation/Thought – Commissioner Vest

Pledge of Allegiance – Commissioner Mitchell

1. Confirm Agenda
2. Public Hearing – Proposed Code Update – Home Occupation Non-Resident Restriction Exceptions.
3. Consider Recommendation for Proposed Code Update - Home Occupation Non-Resident Restriction Exceptions.
4. Public Hearing – Proposed Code Update – Planning Commission Provisions.
5. Consider Recommendation for Proposed Code Update – Planning Commission Provisions.
6. Public Hearing – Proposed Code Update – New or Unlisted Business Classification Process.
7. Consider Recommendation for Proposed Code Update – New or Unlisted Business Classification Process.
8. Public Hearing - Proposed Code Update – Model Home Updates.
9. Consider Recommendation for Proposed Code Update – Model Home Updates.
10. Approve Meeting Minutes from April 14th, 2026.
11. Staff Reports.
12. 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 April 24th, 2026 by Remington Whiting, City Recorder.*

MEMORANDUM



TO: Planning Commission

DATE: April 24th, 2026

FROM: Staff

RE: Home Occupation Resident Restriction Code Change Application

This memo introduces a text change amendment application from Jed Fisher, which requests changes to the city's home occupation requirements, specifically regarding the restriction of non-residents employment.

Background

According to previous versions of the West Bountiful City Code (WBMC), the requirement that employees be residents of the home was adopted in July of 1997. While the code has been amended over time, this requirement has remained in place. The intent of this requirement may include::

- Preserving the residential character of neighborhoods
- Minimizing traffic and parking impacts
- Reducing noise and potential nuisances
- Limiting the scale and intensity of business activity within residential zones.

Application

On March 23rd, 2026, Jed Fisher submitted a Text Change Application and proposed an exception to the restriction on non-resident employees in home occupations.

The application requests that home occupations involving personal services provided by appointment only (including cosmetology, barbering, hairstyling, nail care, or similar state-licensed services) permit one (1) non-resident service provider to operate within the dwelling subject to the following conditions:

- The home occupation business license is held by a resident of the dwelling.
- No more than one non-resident service provider may work on the premises at any time.
- All services must be by appointment only, with no walk-in clientele.

Planning Commission Considerations

In reviewing the application, the planning commission may want to consider:

- Consistency with intent of Home Occupations

- Does the proposed change maintain the intent that the home occupations remain low-impact and secondary to the residential use.
- Would allowing a non-resident service provider change the character of the use?
- Enforcement
 - How would the city effectively enforce the “appointment only” requirement and ensure non walk in clientele?
 - How would the city verify that only one non-resident provider is operating on-site at any given time?
- Neighborhood Impacts
 - Could this change result in increased traffic and parking demand?

Options

During the planning commission meeting on April 14th, 2026, the commission directed staff to schedule a public hearing for April 28th, 2026. Following the public hearing, the commission should consider the following options:

1. Forward either a positive or a negative recommendation to the city council.
2. Direct staff to bring back either other specific proposals or a larger review of options.

MEMORANDUM



TO: Planning Commission

DATE: April 24th, 2026

FROM: City Staff

RE: SB284 – Updated Land Use Regulations

This memo gives the planning commission an overview of three potential code amendments in response to the 2026 legislative session and the passage of SB 284. Each amendment addressed an area where state law now requires updates to the city's land use code. Redlined versions of the proposed changes are attached for your review.

Planning Commission Provisions – 10-20-301

- Effective May 6th, 2026
- See Exhibit A
- Utah State Code now requires cities to include the following procedures and descriptions in their codes related to the planning commission:
 - A procedure for removing a planning commission member, while specifically citing 10-3b-301 which states that the commissioner would be removed by a 6-member council.
 - A description of the causes for which a planning commissioner may be removed.
 - Requirements for when a planning commission member should recuse themselves from deliberating or voting on certain land use applications.

New / Unlisted Businesses – 10-20-507

- Effective May 6th, 2026
- See Exhibit B
- Requires cities to amend the process for reviewing and appealing new or unlisted business types. The proposed changes:
 - Shift the responsibility of determining whether a proposed business fits into an existing use category from the planning commission to city staff. State code is no longer allows the planning commission to be part of this review process.
 - The applicant will forward the application to the city council for review and request that the legislative body adopt a land use ordinance that permits the business.
 - Notify the applicant of the process for appealing the legislative body's decision.
- NOTE: Another update will be needed before July 1, 2026, to address changes to the appeal authority under state code.

Model Home Regulations – 10-20-625

- Effective May 6th, 2026
- See Exhibit C
- Requires cities to update the definition of “Model Home” and add a definition for “Open House”.

Recommendation

During the Planning Commission meeting on April 14, the Commission directed staff to schedule a public hearing for Tuesday, April 28. Following the public hearing, the Commission may forward either a positive or negative recommendation to the City Council.

**West Bountiful City
Planning Commission Meeting**

April 14, 2026

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 April 13, 2026, per state statutory requirement.*

Minutes of the Planning Commission of West Bountiful City held on Tuesday, April 14, 2026, at West Bountiful City Hall, Davis County, Utah.

MEMBERS ATTENDING: Vice Chairman Corey Sweat, Commissioners Dennis Vest, Laura Mitchell, Tyler Payne, Richmond Thornley (Alternate), and Council member Julie Thompson.

MEMBERS/STAFF EXCUSED: Chairman Robert Merrick

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

PUBLIC ATTENDING: Jed Fisher, Alan Malan, Chance Pope, Spencer Llewelyn.

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

1. Confirm Agenda

Vice Chairman Sweat reviewed the proposed agenda. Dennis Vest moved to approve the agenda as presented. Richmond Thornley seconded the motion. Voting was unanimous in favor among all members present.

2. Code Change Application- Home Occupation Non-Resident Restriction Exceptions

Commissioner packets included a memorandum dated April 10, 2026, from Staff regarding a Code Change Application- Home Occupation Non-Resident Restriction Exceptions from Jedidiah Fisher with attached current code language for 5.28.040.

Remington Whiting explained that Jed Fisher applied for a request to change the city's home occupation requirements, specifically regarding the restriction of non-residents' employment. The request proposed an exception to the restriction on non-resident employees in home occupations. The application requests that home occupations involving personal services provided by appointment only (including cosmetology, barbering, hairstyling, nail care, or similar state-licensed services) permit one (1) non-resident service provider to operate within the dwelling subject to the following conditions; the home occupation business license is held by a resident of the dwelling; no more than one non-resident service provider may work on the premises at any time; and all services must be by appointment only, with no walk-in clientele.

Mr. Whiting noted that more information was included in the original application for their consideration.

Remington informed the commissioners that according to previous versions of the West Bountiful City Code (WBMC), the requirement that employees be residents of the home was adopted in July of 1997. While the code has been amended over time, this requirement has remained in place.

Commissioner Comments:

Richmond Thornley understands both sides of situation.

Tyler Payne, Laura Mitchell, Dennis Vest are not in favor as it does compromise residential character of neighborhoods, increase traffic/parking situations and create other potential nuisances. Corey Sweat pointed out that previous council members were not in favor of this as well. Councilmember Thompson stated that it is hard to monitor but understands how it could become a problem. Corey Sweat stated that it is not just a code change but a zone change. Laura Mitchell suggested we may want to get the opinion of legal counsel in these regards.

Jed Fisher took the stand and stated that a salon has been operating at the property for approximately 30 years and is used by those who rent the home. Jed and his family will be occupying the home and would like to let the current person working the salon be allowed to continue using the space even though they may not be residents there. He pointed out there will be no change in traffic and specially pointed out the appointment required in the proposed code.

Corey Sweat explained that allowing this could potentially be spot zoning and is not a positive thing for our community. People are allowed to have Home Occupation permits but must be a resident in that home.

After discussion and consideration Vice Chair Sweat asked that staff go forward with the due process and schedule a public hearing for the next meeting.

3. Consider Preliminary Plat for Pope Subdivision

The commissioner packet included a memorandum dated April 10, 2026, from staff regarding Consideration for Preliminary Plat for Pope Subdivision with an attached site plan.

Mr. Nilsen explained Chance Pope has applied for a two (2) lot subdivision, located at 1188 West 400 North. One of the proposed lots is a flag lot, Chance Pope received a conditional use permit from the Planning Commission for the proposed Flag Lot on March 25th of 2025..

He noted that City Council approved a code text change applied for by Chance Pope on April 3rd, 2024,. This code change allowed the staff area of flag lots to be used in the calculation for the total area of the flag lot in the A-1 zone. The property is within the A-1 district (zone), and the proposed lots meet the required A-1 zoning requirements for size and frontage.

A checklist was provided to the applicant. The following items from the checklist need to be addressed:

- **The location, widths and other dimensions of proposed streets.**
 - a. The Applicant has submitted a Request to Staff for Deferral of Public Improvements. Staff will put the request for deferral on the Agenda for City Council (grant or deny) after the project receives approval of the Preliminary Plat WBC 16.16.020 from the Planning Commission.
 - i. City Engineer and Public works will provide a recommendation to City Council regarding the deferral request for the installation of public improvement.
 - b. For Planning Commission review, the subdivision design includes full depth street improvements along the frontage of the project on 400 North.
 - i. Improvements along the frontage include street widening, 5" asphalt, 8" base course, 12" subbase material, 140N geotextile fabric, curb, sidewalk, Storm Drain combo box with inlet and streetlight.
 - ii. Improvements also include any required relocation of existing utility structures to fit the street widening such as, power poles, communication pedestals, etc.
- **On site culinary and sanitary sewers-** Add a note to utility plan C3.0 requiring that 10 ft minimum horizontal separation be maintained between all sanitary sewer and ciliary water (laterals and mainlines running parallel).

Fire Marshal has approved the location of the proposed fire hydrant as shown on the Utility Plan Sheet C3.0. City Staff is considering moving the hydrant south, to a point on the east side of the Lot 2 staff, at a location 150 feet south of the Lot 2 buildable area. This would shorten the length of the city owned and maintained 8" water pipe and the hydrant would be closer to 400 N for easier visual inspection of use by City Staff.

Fire marshal approval required for any changes to the approved fire hydrant Location. 14. Boundary lines of adjacent tracts of unsplit land within one hundred (100).

Action Taken:

Laura Mitchell moved to approve the Preliminary Plat for Pope Subdivision with the affirmative findings from the memorandum dated April 10th from Staff and subject to having all comments from Staff and Planning Commission addressed prior to the project receiving Final Plat approval from Staff. Tyler Payne seconded the motion and voting was unanimous in favor.

4. Discuss SB 284 and Required Land Use Code Updates

The commissioner packet included a memorandum dated April 13, 2026 regarding SB284 Updated Land Use Regulations with an attachment labeled Exhibit A, B, and C containing suggested updates to our current land use code.

Remington Whiting presented to the planning commission an overview of three potential code amendments in response to the 2026 legislative session and the passage of SB 284. Each amendment addressed an area where state law now requires updates to the city's land use code. Redlined versions of the proposed changes were discussed and reviewed.

Planning Commission Provisions – 10-20-301 (effective May 6th, 2026)

Exhibit A -Utah State Code now requires cities to include the following procedures and descriptions in their codes related to the planning commission:

- o A procedure for removing a planning commission member, while specifically citing 10-3b 301 which states that the commissioner would be removed by a 6-member council.
- o A description of the causes for which a planning commissioner may be removed.
- o Requirements for when a planning commission member should recuse themselves from deliberating or voting on certain land use applications.

New / Unlisted Businesses – 10-20-507 (effective May 6th, 2026)

Exhibit B-Requires cities to amend the process for reviewing and appealing new or unlisted business types. The proposed changes:

- o Shift the responsibility of determining whether a proposed business fits into an existing use category from the planning commission to city staff. State code is no longer allows the planning commission to be part of this review process.
- o The applicant will forward the application to the city council for review and request that the legislative body adopt a land use ordinance that permits the business.
- o Notify the applicant of the process for appealing the legislative body's decision. • NOTE: Another update will be needed before July 1, 2026, to address changes to the appeal authority under state code.

Model Home Regulations – 10-20-625 (Effective May 6th, 2026)

Exhibit C -Requires cities to update the definition of “Model Home” and add a definition for “Open House”.

Commissioners had no changes to staff proposals and directed staff to schedule a public hearing and give recommendation to the city council during the next meeting on April 28th.

5. Approve Meeting Minutes from January 27, 2025.

Action Taken:

Tyler Payne moved to approve the minutes from the February 10, 2026 Planning Commission Meeting as presented. Dennis Vest seconded the motion, and voting was unanimous in favor.

6. Staff Reports

a. Engineering (Kris Nilsen)

- 500 South Enbridge project will start soon and will not be closing down the intersection.
- Construction on 2200 North will begin around May 1st.
- Child's park is still being planned.
- Pages Lane at the RR crossing is closed for overnight construction.
- Olsen Farm #8 on Olsen Way has conquered the legal battle and will soon come before the Planning Commission.
- UTA and I-15 is silent because the project is out for bid.

b. Community Development (Remington Whiting)

- Learned of some legislative changes from the conference he attended last week.
- Continue working on SB 284.
- 4th of July plans are moving forward.
- Building permits are increasing currently.
- DADU's are bringing lots of interest and there has been increased interest in ADU's
- Code enforcement continues to be monitored.
- Inflex of GRAMA request.

Councilmember Thompson reported on the progress of Child Park noting that a budget has been set.

UDOT is working closely with the city on the Pages Lane project.

In the last Council meeting a resident stated that he has been overpaying for garbage service. Paying for two cans but only having one. He had proof over all the years (30 years) of overpaying. He will be reimbursed for the overpayment.

Laura Mitchell asked to have the speed limit signs be calibrated correctly.

Dennis Vest asked about the joint meeting for the work meeting on DADU's. He would like it to be outlined and organized so that it can be more productive.

7. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 8:15 pm. Tyler Payne 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.