



3200 W 300 N, West Point, UT 84015  
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**West Point City  
Planning Commission Agenda  
February 08, 2024  
WEST POINT CITY HALL**

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**IF UNABLE TO ATTEND IN-PERSON, CITIZEN COMMENT MAY BE EMAILED PRIOR TO [khansen@westpointcity.org](mailto:khansen@westpointcity.org):**

- **Subject Line:** Public Comment – February 08, 2024, Planning Commission Meeting
  - **Email Body:** Must include First & Last Name, address, and a succinct statement of your comment.
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**WORK SESSION – 6:00 PM**

*Open to the public*

1. Training
2. Discussion of Definitions
3. Review of agenda items
4. Staff update

**GENERAL SESSION – 7:00 PM**

*Open to the public*

1. Call to Order
2. Pledge of Allegiance
3. Prayer/Thought (*Please contact the Clerk to request meeting participation by offering a prayer or inspirational thought*)
4. Disclosures from Planning Commissioners
5. Public Comments
6. Approval of minutes from the December 14, 2023, Planning Commission meeting
7. Approval of minutes from the January 11, 2024, Planning Commission meeting
8. Approval of minutes from the January 25, 2024, Planning Commission meeting

**Administrative Items**

*Administrative items are reviewed based on standards outlined in the ordinance. Public comment may be taken on relevant and credible evidence regarding the application's compliance with the ordinance.*

9. Election of Planning Commission Chair
10. Election of Planning Commission Vice-Chair
11. Planning Commission Comments
12. Adjournment

*Posted this 2<sup>nd</sup> day of February, 2024*

*Katie Hansen*

Katie Hansen, Deputy City Recorder

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If you plan to attend this meeting and, due to a disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.

**Certificate of Posting**

The undersigned, duly appointed Deputy City Recorder, does hereby certify that the above notice and agenda was posted within the West Point City limits on this 2<sup>nd</sup> day of February, 2024, at the following locations: 1) West Point City Hall Noticing Board 2) the City website at <http://www.westpointcity.org/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>

Katie Hansen, West Point City Deputy Recorder



3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

## WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

DECEMBER 14, 2023

### WORK SESSION 6:30 PM

**Planning Commission Present:** Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet, Commissioner Trent Yarbrough, Commissioner Jeff Turner, and Commissioner Rochelle Farnsworth

**City Staff Present:** Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

**City Council Representative Present:** Michele Swenson

**Visitors:** Logan Johnson, Ian Cahoon, Joelle Caruso (online)

#### 1. Review of agenda items

Katie Hansen reviewed the 2024 Planning Commission meeting schedule. There were no conflicts with the dates proposed.

Troy Moyes stated Wright Development is seeking approval for a single business development, named Oil Changers. This was recently rezoned from R-3 to Limited Commercial (L-C). The application requests for three separate approvals: Site plan, preliminary plat, and conditional use. Requirements for commercial building regulations have been met. There are two items that need to be discussed with the Planning Commission. They are the approval letters from the water district and fire district (those should arrive very shortly) and the cross-access agreement from 7-11.

Troy Moyes stated City Council held a public hearing for the rezone, but did not take action on the item as they wanted everything together.

Logan Johnson, Wright Development Group: Mr. Johnson stated comments from the Davis and Weber Canal Company have been received. Davis and Weber Canal wanted a note added to the plans that states they will follow their insulation instruction and that note has been added. They are waiting for comments from Davis Fire District. He does not anticipate any comments coming back from fire. He would like Planning Commission to consider approval even with these minor setbacks.

Mr. Johnson stated they are working with 7-11 to amend the existing cross-access agreement. In reading the agreement, "Any existing driveways may be moved or modified in the future so long as reasonable vehicular/pedestrian access is maintained." They are proposing to shift the driveway to the east to make the building more visible and allow the access to be further away from the intersection. Per the agreement, they are confident they have the ability to do this. In the agreement, it also mentions they have the right to enter into, "An amendment of the agreement to formalize," with 7-11 and they intend on doing this. This does require a signature from a corporate official which can take

an extreme amount of time. Wright Development is hoping the Planning Commission will approve this application without that condition as they are confident that they have cross-access. They will give commitment that this will be pursued.

Bryn MacDonald stated Staff has read the agreement noting that Wright Development has the ability to move the access.

Jeremy Strong asked if the curb coming off 2000 W and onto 350 N could be painted red to avoid parking near the intersection. Troy Moyes stated that can be a discussion item from the Planning Commission to the City Council to allow them to address.

Trent Yarbrough asked about outside lighting. Mr. Johnson stated there will be three pole lights on the property. Troy Moyes stated there is no light pollution and the plans have been reviewed showing the lights are shielded and downward.

A suggestion for the conditional use would be to set hours of operations. It was suggested 8 am to 7 pm. PJ Roubinet suggested until 8 pm for those that work and the ease of picking up the vehicle. Troy Moyes stated in looking at other locations, the business hours are 9 am – 7 pm.

There was no more discussion on this item.

Troy Moyes stated Ian Cahoon representing CW Urban is looking to rezone the property at 2048 W 300 N from R-2 and R-3 to C-C. The majority of the property is C-C. The other property has recently been purchased and is being grouped into this. The site plan has been submitted and will be coming soon to the Planning Commission. The plans are showing 2 buildings on site with drive-thru's. Boyd Davis has two concerns and they are to conduct a traffic study on the corner and receive approval from UDOT before anything is approved.

Ian Cahoon, CW Urban, 610 N 800 W, Centerville: Mr Cahoon stated regarding the traffic study, they have a meeting with UDOT on the 19<sup>th</sup> to solidify alignment of the roads on the east side. They are working on the traffic study and will have the traffic counts at that meeting and should have the full traffic study shortly afterwards.

Bryn MacDonald stated whatever happens with the rezone, it will not be taken to City Council until the site plan has been approved, so it will all go to City Council together.

## **2. Staff update**

Time ran out in the work session and the following took place during the General Session.

City Council stated there is a public hearing next week on the Subdivision Code. Bennett Century Farms phase 3 final plat should be approved by the City Council at the next meeting. Whitesides subdivision has no new updates. Hall Haven will be discussed at the next City Council meeting. Wildfire Estates phase 4 is currently being recorded. The General Plan amendment for Craythorne Homestead phase 4 will have a public hearing at the next City Council meeting. The application is for all R-4, there will be no more apartments. The General Plan amendment for J Fisher will come to Planning Commission in January. Commercial business Big-O submitted everything this past week and will come to Planning Commission in January. City Council changed the animal care ordinance to 3 animals total, cats or dogs, in any variety and unlimited weight. Jeff Turner asked if that affects

lot sizes and Bryn MacDonald stated no. The General Plan document is being reviewed and the Planning Commission should it in January. There will be an upcoming joint meeting with City Council soon. There will be new Planning Commissioners appointed at the next City Council meeting and they will start in January.

Rochelle Farnsworth asked if there will be more discussion about the small area plan before the J Fisher application to have more education about that area. Bryn MacDonald stated it is possible.

DRAFT



3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

## WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

DECEMBER 14, 2023

### GENERAL SESSION 7:00 PM

**Planning Commission Present:** Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet, Commissioner Trent Yarbrough, Commissioner Jeff Turner, and Commissioner Rochelle Farnsworth

**City Staff Present:** Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

**City Council Representative Present:** Michele Swenson

**Visitors:** Logan Johnson, Ian Cahoon

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer** - Scott Wolford
4. **Disclosures from Planning Commissioners**

There were no disclosures from the Planning Commissioners.

5. **Public Comments**

There were no public comments.

6. **Approval of minutes from the July 27, 2023 Planning Commission meeting**

Trent Yarbrough motioned to approve the minutes from the July 27, 2023 Planning Commission meeting as written. Rochelle Farnsworth seconded the motion. All voted aye.

7. **Approval of minutes from the November 9, 2023 Planning Commission meeting**

Scott Wolford motioned to approve the Planning Commission meeting minutes dated November 9, 2023 as written. PJ Roubinet seconded the motion. All voted aye.

8. **Approval of the 2024 Planning Commission meeting dates**

Scott Wolford motioned to approve the 2024 Planning Commission meeting dates. PJ Roubinet seconded the motion. All voted aye.

9. **Discussion and consideration of a site plan for Oil Changers located at 1961 W 350 N; Logan Johnson/Wright Development, applicant**

Logan Johnson, representing Wright Development, is seeking the Planning Commission's approval for a single business development, named Oil Changers, located at 340 N 2000 W. Their application requests three approvals from the Commission: Site plan, preliminary plat, and Conditional Use Permit (CUP).

During a public hearing on December 5, 2023, the City Council considered the rezoning of this property. However, they opted to table any decision until the Planning Commission has completed its review and action on all other related items as listed above. This delay aims to ensure all relevant decisions are incorporated into a single development agreement.

As discussed during the work session, there are outstanding items needed. The approval letters from the fire district and the cross-access agreement. The preliminary plat had a few minor corrections from the City Engineer.

The site plan reviews all site plan items such as parking, lightening, landscaping, elevations. All those have been reviewed for compliance and have no issues. This is located in the Limited Commercial (L-C) zone and is required to have a conditional use by the Planning Commission. If the Planning Commission sees any detrimental effects caused by the use, reasonable conditions can be placed to mitigate those issues. In the work session, it was discussed to have limited hours of operation from 8 am to 8 pm.

PJ Roubinet asked if the approval letter from the water district is still needed.

Logan Johnson, Wright Development: Mr. Johnson stated they have received comments from the water district, but not an actual approval letter. They do need to obtain the two letters still. They would be comfortable with those conditions being place, receiving approval letters. One item that was discussed in the work session they would be comfortable with is a no parking mechanism on 350 N.

Scott Wolford motioned to approve the site plan for Oil Changers located at 1961 W 350 N with the following conditions: The applicant receive approval letters from the water district and the North Davis Fire District, Logan Johnson/Wright Development, applicant. Trent Yarbrough seconded the motion. All voted aye.

**10. Discussion and consideration of a conditional use for Oil Changers located at 1961 W 350 N; Logan Johnson/Wright Development, applicant**

Scott Wolford motioned to approve the conditional use permit for Oil Changers located at 1961 W 350 N with the following conditions: The hours of operation are limited from 8 am to 8 pm and the no parking mechanism is deployed on the south side of 350 N from the intersection of 2000 W to the access point of the business following the approval and oversight of the city engineer. Rochelle Farnsworth seconded the motion. All voted aye.

**11. Discussion and consideration of a preliminary plat for property located at 1961 W 350 N; Logan Johnson/Wright Development, applicant**

Scott Wolford motioned to approve the preliminary plat for the property located at 1961 W 350 N, Oil Changers, Logan Johnson/Wright Development, applicant. Trent Yarbrough seconded the motion. All voted aye.

## **12. Discussion and consideration of a request to rezone property located at 2048 W 300 N from R-2 and R-3 Residential to C-C (Community Commercial) zone; CW Urban, applicant**

Ian Cahoon, representing CW Urban, is seeking a recommendation from the Planning Commission to rezone their property located at 2048 W 300 N from R-2 and R-3 Residential to C-C Commercial. This property is part of a future project that consists of three separate parcels. Two existing parcels have already been designated as C-C Commercial. It is desired that the remaining parcel be rezoned to match the others for a future commercial project.

Rezone requests are legislative decisions. In legislative matters, the Planning Commission and City Council have broad discretion, if it can be demonstrated that their action will promote or protect the overall welfare of the community. The rezone requires a public hearing and recommendation from the Planning Commission before a final decision can be made by the City Council.

West Point City's General Plan has this property designated as a future C-C Commercial. Notices have been sent out to property owners within 300 ft of this parcel and the public hearing has been noticed. The applicant has also submitted a concept site plan that will come to the Planning Commission at a later date for recommendation. There are two commercial buildings facing 2000 W with parking located behind the buildings.

Scott Wolford opened the public hearing.

### **a. Public Hearing**

There were no comments made.

Scott Wolford motioned to close the public hearing.

### **b. Action**

Scott Wolford motioned to table the request to rezone the property located at 2048 W 300 N from R-2 and R-3, residential, to Community Commercial, awaiting the site plan to forward all documents to City Council. PJ Roubinet seconded the motion. All voted aye.

## **13. Planning Commission Comments**

Jeff Turner had no comments.

Scott Wolford stated this year was an adventurous election. He congratulated Trent Yarbrough in his win for City Council.

PJ Roubinet wished everyone a Merry Christmas and hoped it would snow more.

Trent Yarbrough stated Merry Christmas and thanked everyone for the last four years. He is grateful for the friendships and the knowledge that he has learned from everyone. He stated it was an adventurous race. He thanked the Staff for their hard work.

Rochelle Farnsworth had no comments.

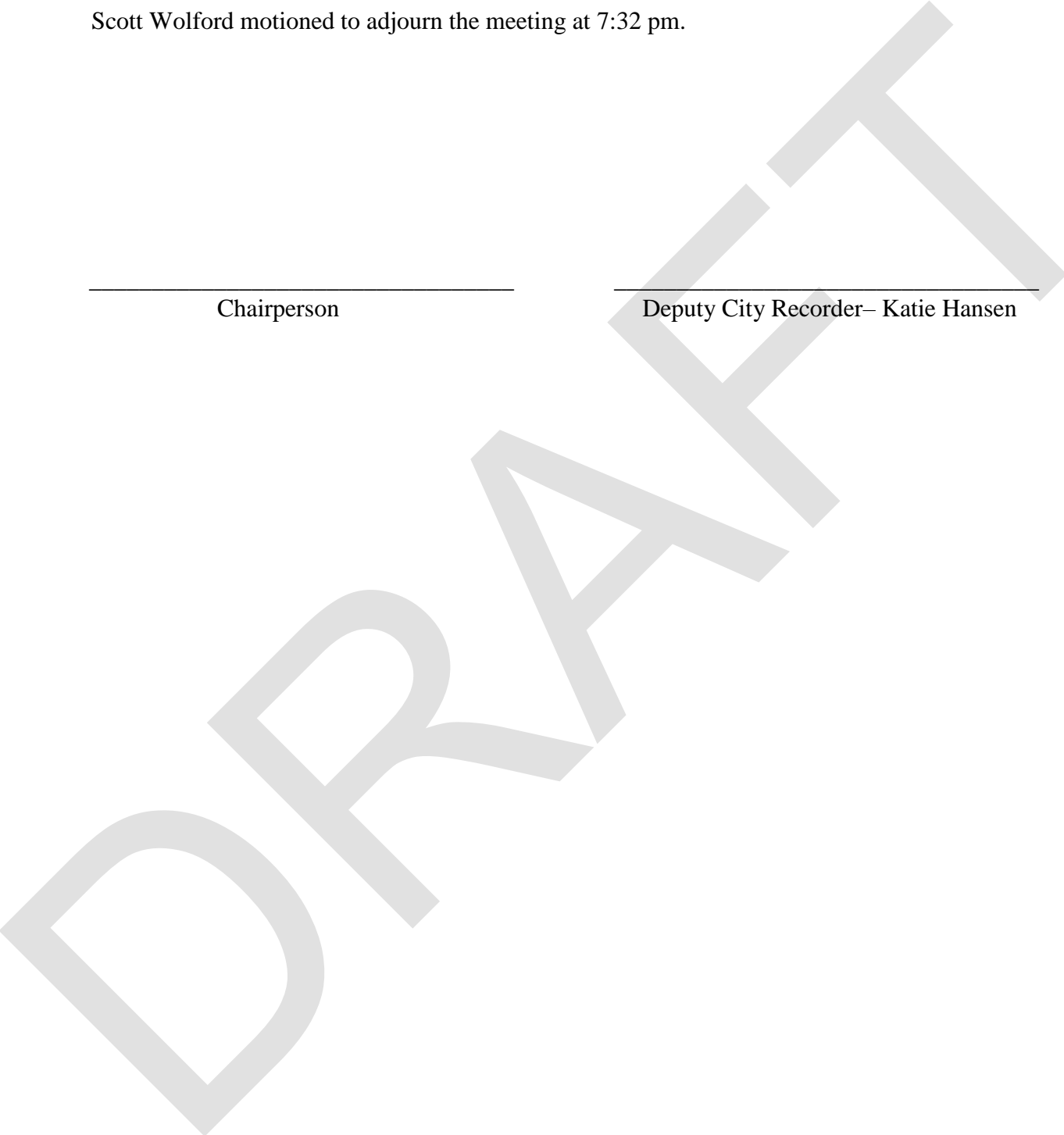
Jeremy Strong stated he will miss having Trent Yarbrough on the Planning Commission and knows he will make the City Council listen. He wished everyone a Merry Christmas.

**14. Adjournment**

Scott Wolford motioned to adjourn the meeting at 7:32 pm.

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Chairperson

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Deputy City Recorder– Katie Hansen





3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

# WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

JANUARY 11, 2024

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**WORK SESSION  
6:00 PM**

**Planning Commission Present:** Vice-Chair Scott Wolford, Commissioner PJ Roubinet, Commissioner Jeff Turner, Commissioner Rochelle Farnsworth, Commissioner Joe Taylor, Commissioner Spencer Wade

**Planning Commission Excused:** Commissioner Adam King

**City Staff Present:** Boyd Davis, City Engineer; Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

**Visitors:** None

## **1. Training - Powers and Duties of the Planning Commission**

Bryn MacDonald, the Community Development Director, provided a brief training for the Planning Commissioners. She spoke of the governing law for cities, known as the Land Use, Development, and Management Act (LUDMA) emphasizing the importance of planning for health and safety, property rights, fiscal stability, and balancing services for the betterment of the community.

The Planning Commission (PC) holds significant powers and duties in shaping land use regulations and general plans within a city. Before making recommendations to the City Council, they must conduct public hearings, and while doing so, it's emphasized to listen attentively rather than speaking excessively, fostering an open-minded approach. Their recommendations to the City Council may be adopted, modified, or rejected. Failure to provide timely recommendations can be viewed negatively by the City Council. The Planning Commission's duties encompass listening, gathering information, and making recommendations, adhering to established procedures and acts such as the Open and Public Meetings Act and the Ethics Act. Land use authority varies depending on the type of decision, with different bodies responsible for approvals, such as the Planning Commission for conditional uses and the City Council for zoning. Understanding the distinction between legislative and administrative characteristics is crucial, as the former involves broader authority and public input, while the latter enforces existing laws with limited public involvement. The General Plan serves as a blueprint for future city development, incorporating various master plans like land use and transportation. Zoning dictates current land uses and restrictions and is pivotal in reviewing development applications. Planning Commissioners have access to resources like the Utah League of Cities and Towns and the Utah American Planning Association for guidance. The process of making motions during meetings is outlined, emphasizing clarity and specificity to ensure effective decision-making.

**2. Discussion of Planning Commission Chair and Vice-Chair**

Bryn MacDonald discussed the duties of the Planning Commission Chair and Vice-Chair. They are to preserve order and decorum of the meeting, guide the meeting, keep the discussion focused on the agenda, and not share perspective too early which can inhibit other opinions. The Chair needs to express openness with opinions and maintain neutrality. The Chair meets with Staff to coordinate the agenda and votes on all items on the agenda. Each of these positions serve one-year terms with terms being able to be serve consecutively.

**3. Discussion of a site plan for Big O Tires located at 25 S 2000 W, Scott Jenkins, applicant**

Troy Moyes stated Scott Jenkins, representing S&RJ Properties, is seeking a recommendation from the Planning Commission to rezone their property along with a development site plan and conditional use for property located at 25 S 2000 W. The applicant is proposing rezoning the property from R-2 to L-C Commercial (Limited Commercial). The Planning Commission recently recommended to the City Council to consider changes to the West Point City Code to create a new commercial zone called Limited Commercial Zone. This zone that was adopted by the Council would allow limited vehicle repair by conditional use only within this zone. The applicant's proposal has been shown to the Planning Commission during a staff update. The General Plan, which serves as a guiding document for future development, designates this property as future Commercial (Commission and Council determined that the L-C Zone designation can be placed in any commercial identified zone), aligning with the recommendations shown on the General Plan map. City Code requires any rezoning request to have the same designation on the General Plan map. The Commission has been requested to assess three individual actions: property rezone, site plan evaluation, and conditional use.

There was a questioned raised about the access to the property. Boyd Davis stated the applicant has received approval from UDOT for a temporary access and the permanent access will be from the property to the north.

The Planning Commission had no more questions or discussion.

**4. Discussion of a site plan for two commercial buildings to be located at 2032 W 300 N, CW Urban, applicant**

Ian Cahoon, representing CW Urban, is seeking a recommendation from the Planning Commission to rezone their property along with a development site plan and conditional use located at 2048 W 300 N. A public hearing was held on December 12, 2023, with the Planning Commission to gather feedback from the public regarding this rezone request. There were no public comments made during that hearing; however, the Commission chose to table any action to allow the applicant time to provide access information and submit a formal site plan application. The Commission has been requested to assess three individual actions: property rezone, site plan, and conditional use. Troy Moyes went through the building plans with the Planning Commission.

There was a questioned raised about the access to the north. Boyd Davis stated that access is temporary. The permanent access is to the north; however, the applicant does not own that

property and has been asked by UDOT to have an agreement made for them to be able to access that access once it is permanently in place.

The Planning Commission had no more questions or discussion.

**5. Discussion of a site plan for an LDS seminary building to be located at 4450 W 920 S, Brian Childs, applicant**

Brian Childs, representing the LDS Church, is seeking site plan approval for a seminary building on property located at approximately 4450 W 920 S. The property is 0.528 acres. It is located adjacent to the new junior high currently under construction on 4500 W. The property was recently annexed into the City and was designated as the R-1 (Residential) zone. This is only for a site plan, no rezone required. The applicant is proposing to build a 4,200 square foot seminary building to be used by the adjacent junior high students. It is a one-story building with a parking lot. There will be sidewalks connecting from the junior high to the seminary building. The building will match the look of the junior high.

Scott Wolford asked if there are architectural restrictions and Bryn MacDonald stated because it is in a residential zone, not commercial, there are no building restrictions.

The Planning Commission had no more questions or discussion.

**6. Staff Update**

Bryn MacDonald stated the City Council adopted the Subdivision Code. City Council approved Bennett Century Farms phase 3. Whitesides and Hall Haven will be on the next City Council meeting. City Council approved the General Plan amendment for Craythorne Homestead phase 4 to R-4. There will be a joint meeting with the City Council and Planning Commission in the coming weeks for the General Plan update.

**7. Planning Commission Comments**

Rochelle Farnsworth stated she is excited to see the growth with the businesses and help residents out. She appreciates all the hard work by Staff. She congratulated the new commissioners and is excited to work with them.

Joe Taylor stated he is excited to be on the Planning Commission and learn. He appreciates everyone answering his questions.

Spencer Wade stated it is good to be at Planning Commission and hopes to do a good job and not make too many residents upset.

Jeff Turner thanked everyone and Staff for the work performed. He loves West Point and considers it home now and wants to try to help and plan to make it as good as possible, within reason. He knows everyone has concerns, even Staff, and wants what is best for the City. He is looking forward to another year.

Scott Wolford reiterated the welcoming of the new Planning Commissioners. He loved driving the new West Davis Corridor and feels it will become an advantage point for several future discussions.

**8. Adjournment**

The Planning Commission adjourn the meeting at 7:56 pm.

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Chairperson

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Deputy City Recorder– Katie Hansen

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3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

# WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

JANUARY 25, 2024

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## WORK SESSION 6:00 PM

**Planning Commission Present:** Commissioner Scott Wolford, Commissioner PJ Roubinet, Commissioner Rochelle Farnsworth, Commissioner Joe Taylor, Commissioner Adam King

**Planning Commission Excused:** Commissioner Jeff Turner and Commissioner Spencer Wade

**City Staff Present:** Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

**Visitors:** None

### 1. Discussion of text changes

Changes to the code, constituting legislative decisions, were highlighted as crucial tasks for the Planning Commission. Staff maintains a list of necessary revisions to the code. Proposed language changes are meticulously crafted and presented to the Planning Commission for discussion and refinement over several months. The code holds paramount importance, serving as the guiding doctrine for all municipal operations. Public hearings are conducted for code amendments, followed by recommendations to the City Council for further deliberation. Depending on the outcome, the amendments might undergo further scrutiny or be finalized by the Council. Despite the time-consuming nature of code revisions, it was emphasized that ensuring the accuracy and comprehensiveness of the code is vital as it provides the framework for regulatory enforcement.

Rochelle Farnsworth sought clarification on procedures for applications submitted during a code change. Bryn MacDonald explained that during the six-month period of code revision, applications could not be processed under the old code. Applications received during this time can be held until the completion of the code change process. PJ Roubinet inquired about the commencement of the six-month period, to which Bryn MacDonald suggested to start noticing code changes to officially document the start date in efforts to clarify timelines and application procedures.

### 2. Training

Various application types were discussed to familiarize individuals with their purposes and associated procedures. Administrative and legislative aspects were covered. Administrative procedures involve reviewing ordinances, ensuring compliance with standards, and obtaining approvals. Typically, administrative tasks pertain to subdivisions, site plans, and occasionally conditional uses. The focus for administrative should be on ensuring the clarity and strictness of the code.

Bryn MacDonald explained that legislative matters involved making recommendations to the council, which ultimately holds the authority to make final decisions as the legislative body. Examples of legislative actions included changes to zoning, alterations to code text, and modifications to the General Plan. Public hearings are always required for legislative matters, providing more discretion in decision-making compared to administrative tasks.

Scott Wolford remarked on the quasi-legislative authority held, where decision-making authority is limited, but involvement in the legislative process is significant. Bryn MacDonald confirmed this characterization, emphasizing the requirement of public hearings for legislative decisions, which are typically less contentious in nature.

The discussion transitioned to subdivision matters with Bryn MacDonald referencing state code stipulating that subdivisions complying with the code should be approved. Troy Moyes clarified that this pertains to the preliminary plat for a subdivision. He elaborated that applicants typically undergo a process involving a rezone, which falls under legislative jurisdiction. Subsequently, they engage with Staff to develop a concept aligning with code requirements. Once prepared, the preliminary plans are presented to the Planning Commission for review and approval. Under the revised code, staff assumes responsibility for the final plat, ensuring engineering compliance. It was emphasized that any objections to a subdivision should be addressed during the rezone stage rather than the preliminary phase, which must strictly adhere to standards.

Scott Wolford recalled instances where the past commission preferred simultaneous consideration of a rezone request alongside the preliminary plat submission. This approach allowed for discretion during the quasi-legislative rezone process to assess the administrative aspects of the preliminary plat. However, it was clarified that recommending a rezone approval based on the preliminary plat details would forfeit such discretion. Bryn MacDonald concurred, highlighting the paramount importance of adherence to the code.

Troy Moyes observed a recent trend wherein development agreements accompany rezoning requests to provide the council with a conceptual understanding of proposed developments. This practice, though largely administrative, still necessitates scrutiny for code compliance, despite its perception as a formality.

Bryn MacDonald provided insight into the content of subdivision plats, describing them as maps delineating lot layouts, streets, addresses, and lot sizes. She emphasized that reviewing a subdivision primarily involved assessing these details for adherence to regulatory requirements.

Bryn MacDonald explained the concept of density, distinguishing between gross and net density. Gross density is the number of dwelling units per acre, calculated by dividing the total number of dwelling units by the total acreage. Net density accounts only for the buildable area, excluding nonbuildable features such as roads. She emphasized that all discussions about density typically revolve around gross density due to its simplicity and relevance to zoning requirements.

Scott Wolford inquired about scenarios where environmental factors might affect density calculations, suggesting situations where wetlands could impact net density. Bryn MacDonald affirmed that nonbuildable areas, including wetlands, are excluded from density calculations.

Adam King sought clarification on whether density is defined in the code, to which Bryn MacDonald confirmed, indicating that density determination is a critical aspect of reviewing subdivision proposals.

Troy Moyes explained that each zone specifies the type of housing permitted, such as single-family homes are designated by zones like R-1, R-2, or R-3. Bryn MacDonald elaborated, providing an example of standard apartment density, which typically aligns with 20 units per acre for suburban apartments.

Regarding street rights-of-way, Bryn MacDonald explained that the entire street right-of-way encompasses the sidewalk, park strips, and the street itself, all considered public property.

Troy Moyes elaborated on public utility easements (PUEs), noting their presence on lots to allow utility companies access for maintenance. He explained the dimensions and locations of PUEs on properties, emphasizing their importance in utility access.

Bryn MacDonald highlighted setback requirements in every zone, encompassing front, rear, and side setbacks. Troy Moyes added that each zone has distinct setback requirements.

Bryn MacDonald emphasized that setback regulations apply universally, whether for residential or commercial properties, specifying the distances structures must maintain from property boundaries.

The conversation then shifted to illegal lots, defined as parcels that have not undergone legal subdivision processes. Troy Moyes clarified that public utility easements are not applicable to homes.

Site plans comprised the subsequent topic of discussion. These plans, as explained, were mandatory for various types of developments, including multi-family, public, commercial, office, and industrial projects. Site plans provide a comprehensive overview of the site, encompassing elements such as landscaping, parking arrangements, utilities, access points, setbacks, building designs, lighting, among others. While the majority of site plans review pertain to commercial ventures, it was noted that similar assessments were occasionally conducted for multi-family properties. Troy Moyes highlighted that for single-family homes, site plan reviews are conducted internally as part of the building permit process with Staff handling the evaluations.

Bryn MacDonald outlined that all site plan requirements were delineated within the municipal code, specifying parameters such as parking allocations, fencing types, and landscaping criteria. These regulations are typically outlined within the respective zoning ordinances. Troy Moyes further explained that while certain standards might be scattered across different sections, the bulk of the requirements could be found within the applicable zoning regulations.

The discussion then shifted to conditional uses, defined in state code as permitted land uses that, due to their unique characteristics or potential impact, might necessitate specific conditions to mitigate adverse effects. These conditional uses were evaluated based on predefined standards outlined in the ordinance. Bryn MacDonald distinguished between administrative conditional uses, which are approved by Staff, and those requiring approval from the Planning Commission.

Adam King raised queries regarding instances where individuals unknowingly violated regulations, particularly regarding building permits. Bryn MacDonald explained in such cases, the building official would typically require the submission of plans for inspection, potentially necessitating modifications for compliance. Troy Moyes recounted an incident involving a non-compliant pole barn that had to be relocated.

Regarding the repercussions of unpermitted structures, Bryn MacDonald explained that while oversight mechanisms vary, potential buyers could inquire about the legality of structures. Instances of basement finishes without permits are common. Troy Moyes added that in challenging situations, it is possible to record the existence of non-conforming structures with the county.

Bryn MacDonald outlined the criteria considered for conditional use evaluations, identifying 11 detrimental effects examined in the process. These included factors such as impacts on street service levels and traffic patterns, utility system adequacy, pedestrian and bicyclist safety, environmental effects like noise or odors, risks of contamination or damage to neighboring properties, exterior lighting modifications, site and building design aspects, emergency service access, open space considerations, property maintenance standards, and stormwater management issues. She emphasized the need to assess how the proposed use would impact the surrounding area and to determine appropriate conditions to mitigate potential issues.

Regarding legislative matters, it was explained that they afforded more discretion, necessitated public hearings, and involved making recommendations to the City Council. One common legislative action discussed was a zoning map change. Adam King inquired about the timing of zoning change requests relative to property purchases. Bryn MacDonald described various scenarios where zoning change requests might arise, including developers seeking adjustments within due diligence periods or landowners attempting to alter zoning prior to property sales. She noted that while the process varied, the General Plan typically served as a guiding framework in such matters.

When discussing lot size, it was noted that each zone stipulated both a density requirement and a minimum lot size. Plat documents invariably displayed the lot sizes, usually in square feet and acres. Troy Moyes elaborated on the minimum lot size for an R-1 zone, which was 12,000 square feet. However, the practical density equated to an average of around 15,000 square feet per lot, given mathematical constraints. The emphasis was placed on the fact that a lot could not be smaller than 12,000 square feet. Bryn MacDonald simplified the concept by stating that an acre equated to 43,560 square feet.

Development agreements were discussed extensively, described as contracts between the city and developers outlining the parameters of proposed developments. These agreements were crucial for clarifying the city's expectations regarding development under specific zoning designations. Without such agreements, there was a risk that developers might present plans inconsistent with the

approved zoning, as long as they met the zoning requirements. The necessity for developers to attach a plan and sign a contract when seeking zoning changes was highlighted. These agreements were legally binding and recorded on the property, ensuring that the proposed development adhered to the agreed-upon terms. This not only protects the interests of the City but also provides assurance to developers regarding the approval process.

In response to Joe Taylor's inquiry about developers avoiding development agreements, Bryn MacDonald explained that while state law prohibited cities from mandating such agreements, the approval of zoning changes could be contingent upon the execution of a development agreement. However, it was clarified that a development agreement could not guarantee zoning approval as the zoning decision rest with the Council and has to be approved separately.

### **3. Staff update**

Bryn MacDonald provided a staff update, noting recent City Council approvals for projects such as the Whitesides Place and Oil Changers, who have also submitted a building permit. Information is still pending from the seminary and the two commercial buildings on the corner of 2000 W and 300 N. A rezone application for 1800 N 2500 W has been received. The applicant is seeking R-4, aligning with the General Plan's designation.



3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

# WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

JANUARY 25, 2024

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## GENERAL SESSION 7:00 PM

**Planning Commission Present:** Commissioner Scott Wolford, Commissioner PJ Roubinet, Commissioner Rochelle Farnsworth, Commissioner Joe Taylor, Commissioner Adam King

**Planning Commission Excused:** Commissioner Jeff Turner and Commissioner Spencer Wade

**City Staff Present:** Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

**Visitors:** None

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Prayer – PJ Roubinet**

**4. Disclosures from Planning Commissioners**

There were no disclosures from the Planning Commissioners.

**5. Public Comments**

There were no public comments.

**6. Approval of minutes from the September 28, 2023, Planning Commission meeting**

PJ Roubinet motioned to approve the minutes from the September 28, 2023, Planning Commission meeting as written. Rochelle Farnsworth seconded the motion. All voted aye.

**7. Approval of minutes from the October 12, 2023, Planning Commission meeting**

Adam King motioned to approve the minutes from the October 12, 2023, Planning Commission meeting as written. Joe Taylor seconded the motion. All voted aye.

**8. Election of the Planning Commission Chair and Vice-Chair**

Jeff Turner nominated PJ Roubinet as the Planning Commission Chair for the 2024 Planning Commission. PJ Roubinet seconded the motion. All voted aye.

PJ Roubinet nominated Scott Wolford as the Planning Commission Vice-Chair for the 2024 Planning Commission. Joe Taylor seconded the nomination. All voted aye.

**9. Planning Commission Comments**

Adam King stated he was happy to be able to serve on the Planning Commission and appreciated his questions answered.

Scott Wolford stated no comment.

PJ Roubinet stated he enjoyed being to the meeting. The meetings are fun where a lively discussion can be had and friendships still remain afterwards.

Rochelle Farnsworth stated she's excited for the new year and all the processes and growth that will come.

Joe Taylor appreciated Staff for their work.

**10. Adjournment**

Scott Wolford motioned to adjourn the meeting at 7:16 pm.

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Chairperson

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Deputy City Recorder– Katie Hansen

# Planning Commission Staff Report



**Subject:** Discussion – Definition Text Changes  
**Author:** Troy Moyes, City Planner  
**Department:** Community Development  
**Date:** February 8, 2024

**Background**

West Point City Code features a dedicated section, defining crucial terms to guarantee transparent and consistent interpretation of regulations. In addition to the recent changes made to subdivision regulations by the City Council, specific definitions within the City Code need to be adjusted so that they comply with both state and local regulations. In addition, other definitions will be clarified to enhance clarity and understanding. The Planning Commission will be presented with the proposed changes for discussion.

**Analysis**

The table summarizes key proposed changes to definitions in West Point City Code 17.10. Additional changes involving reorganizing definitions for improved readability are not shown in this report. For example, the term “Alley” is separate from other private road types like “Private lane” and “Private road” One change would be to call “Alley” now “Private Alley” so it would be included with the other similar road types.

Current Definition	Proposed Definition
Not currently defined	“Administrative Land Use Authority” means an individual, board, or commission, appointed or employed by the city, including city staff or the planning commission. The “administrative land use authority” does not include the city council or a member of the city council.
“Cluster subdivision” means a subdivision of land guided by an integrated design in which residential lots may have areas less than the minimum lot area of the zone in which the subdivision is located, and other regulations, except use regulations, may be waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.	Remove
“Kennel, private” means any lot or premises on which three or more dogs (or similar	“Kennel, private” means any lot or premises that exceeds the allowable number of dogs as

<p>household pets) at least four months old are kept.</p>	<p>defined in Title 6 of the Davis County Animal Care Code.</p>
<p>“Lot, flag” means a lot which meets all minimum size requirements for the zone in which it occurs, but which exists mostly behind another lot, and which has access to a dedicated street by way of a projection of at least 30 feet in width. Two flag lots with projections side by side may each have projections 18 feet or greater in width (for a total of not less than 36 feet) and share a common paved driveway 20 feet or more in width covered by an easement so that the drive cannot be divided.</p>	<p>Remove</p>
<p>“Private lane” means a private street with curb and gutter on both sides that provides access to the front of residential or commercial buildings with a minimum width of 25 feet measured from the back of curb to back of curb. Private lanes do not provide access to more than 15 units or lots.</p>	<p>“Private lane” means a private street with curb and gutter on both sides that provides access to the front of residential or commercial buildings with a minimum width of 25 feet measured from the back of curb to back of curb.</p>
<p>“Private road” means a private street with a minimum of 50-foot right-of-way that includes curb, gutter, and sidewalk on both sides and meets the requirements found in the public works standard drawings. Private roads may terminate at a dead end but will be provided with a dedicated turnaround and will be no longer than 600 feet in length. Private roads do not provide access to more than 30 units or lots.</p>	<p>“Private road” means a private street with a minimum of 50-foot right-of-way that includes curb, gutter, and sidewalk on both sides and meets the requirements found in the public works standard drawings. Private roads may terminate at a dead end but will be provided with a dedicated turnaround and will be no longer than 600 feet in length.</p>
<p>Not currently defined</p>	<p>"Review cycle" means the occurrence of:</p> <ol style="list-style-type: none"> <li>1. the applicant's submittal of a complete subdivision land use application;</li> <li>2. the city's review of that subdivision land use application;</li> <li>3. the city's response to that subdivision land use application, in accordance with this section; and</li> <li>4. the applicant's reply to the city's response that addresses each of the</li> </ol>

	city's required modifications or requests for additional information.
Not currently defined	"Subdivision improvement plans" means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.
Not currently defined	"Subdivision ordinance review" means review by the city to verify that a subdivision land use application meets the criteria of the city's subdivision ordinances.
Not currently defined	"Subdivision plan review" means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.
Not currently defined	"Will serve letter" means a document issued by a utility company or a water district that commits or refuses to provide service to a specific property or project.

**Recommendation**

No action is needed, for discussion only.

**Attachments**