



WEST HAVEN CITY PLANNING COMMISSION AGENDA

May 22, 2024

City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **MAY 22, 2024** THE WEST HAVEN PLANNING COMMISSION WILL HOLD
THE FOLLOWING PUBLIC MEETINGS:

5:00 PM: COUNCIL WORK SESSION

6:00 PM: REGULAR PLANNING COMMISSION MEETING.

JOIN US DIGITALLY FOR THE WORK SESSION AND COUNCIL MEETING AT

ZOOM: [HTTPS://US06WEB.ZOOM.US/J/86539464549](https://us06web.zoom.us/j/86539464549).

WATCH LIVE ON YOU TUBE AT: [HTTPS://WWW.YOUTUBE.COM/@CITYOFWESTHAVENUTAH4030](https://www.youtube.com/@CITYOFWESTHAVENUTAH4030).

5:00 COMMISSION WORK SESSION – In City Council Chambers

*NO ACTION CAN OR WILL BE TAKEN ON ANY PLANNING COMMISSION MEETING AGENDA ITEMS DISCUSSED
DURING PLANNING COMMISSION WORK SESSION - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.*

MEETING TO ORDER: CHAIRMAN ROUNDY

REPORTS AND DISCUSSION AS FOLLOWS:
CLUSTER DEVELOPMENT AND PRUD PRESENTATION

6:00 PM REGULAR PLANNING COMMISSION MEETING

1. CALL TO ORDER BY CHAIRMAN ROUNDY

2. OPENING CEREMONIES

- a. PLEDGE OF ALLEGIANCE- COMMISSION MEMBER STIMPSON
- b. PRAYER/MOMENT OF SILENCE BY COMMISSION MEMBER REYNA

3. ACTION ON MINUTES

- a. APPROVE MINUTES FOR THE MEETING OF 04/24/2024.

4. REPORT

- a. ACTIONS TAKEN BY CITY COUNCIL ON PLANNING COMMISSION RECOMMENDATIONS

5. DISCUSSION AND ACTION

- a. FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION LOCATED AT 2414 S 3700 W PARCEL #15-771-0003 (APPLICANT TYLER CARRIGAN)

6. DISCUSSION AND ACTION

- a. FOR A CONDITIONAL USE PERMIT FOR HOME OCCUPATION LOCATED AT 3801 S 3650 W PARCEL # 08-408-0004 (APPLICANT PHIL AND RUTHANNE VARGAS)

7. DISCUSSION AND ACTION

- a. FOR A CONDITIONAL USE PERMIT FOR HOME OCCUPATION LOCATED AT 2566 S 3150 W PARCEL #15-373-0014 (APPLICANT JOHN LARSEN)

8. ADJOURNMENT

Robyn VanCampen

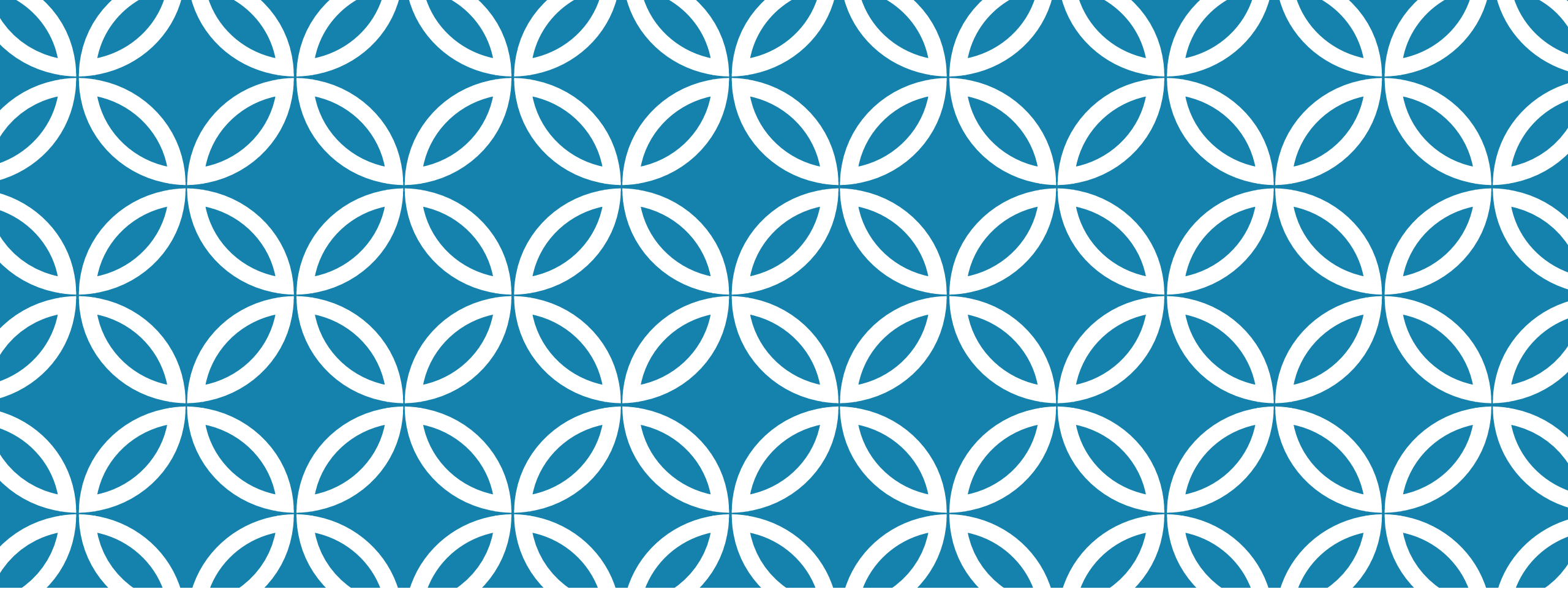
Robyn VanCampen, Deputy Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: emilyg@[westhavencity.com](mailto:emilyg@westhavencity.com) at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at westhavencity.com; emailed to the Standard-Examiner with a request that it be posted

In their Wednesday night meeting section, mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city attorney.



CLUSTER DEVELOPMENT AND PRUD



SOURCES

West Haven Cluster: https://codelibrary.amlegal.com/codes/westhavenut/latest/westhaven_ut/0-0-0-7547

West Haven PRUD: https://codelibrary.amlegal.com/codes/westhavenut/latest/westhaven_ut/0-0-0-7119

Syracuse cluster: <https://www.codepublishing.com/UT/Syracuse/html/Syracuse10/Syracuse1080.html>

Syracuse prd: <https://www.codepublishing.com/UT/Syracuse/#!/Syracuse10/Syracuse1075.html#10.75>

Ogden cluster: https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity_ut/0-0-0-19891

Ogden prud: https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity_ut/0-0-0-19630

Plain city: https://codelibrary.amlegal.com/codes/plaincityut/latest/plaincity_ut/0-0-0-5894

Layton: <https://hosting.civiclinq.com/layton/books/municipal-code/19.08.090>

PURPOSE AND INTENT

- West Haven, Plain City and Ogden: Cluster subdivisions are intended to allow flexibility in neighborhood and subdivision lot design by permitting the development of homes on lots smaller than normally required for the zone in which the subdivision is located, and by dedicating or reserving the land so saved to needed open space. It is not intended that this type of subdivision be universally applied, but only where circumstances of natural features and land use make it appropriate, and of special benefit to the residents of the subdivision and surrounding area.
- Syracuse: The purpose of this chapter is to encourage open space conservation and imaginative and efficient utilization of land by providing greater flexibility in the location of buildings on the land and the clustering of dwelling units. This will allow the developer to more closely tailor a development project to a specific user group, such as retired persons or equestrian-oriented development. The application of cluster concepts is intended to encourage good neighborhood design and preserve open space while ensuring substantial compliance with the intent of the subdivision and land use ordinances.

WEST HAVEN CURRENT CLUSTER ORDINANCE

§ 157.572 LOT AREA REGULATIONS.

The minimum lot area for dwellings may be reduced below the area normally required in the zone in which the cluster subdivision is located as follows:

- (A) In the Agriculture A-1 and A-2 Zones, up to a 33.333% reduction; and
- (B) The number of homes shall not exceed the number of acres in the subdivision.

§ 157.573 WIDTH, YARD, AND HEIGHT REGULATIONS.

Yard use and height regulations shall be the same as for the zone in which the cluster subdivision is located. The minimum lot width may be reduced below the width normally required in the zone in which the cluster subdivision is located as follows: In the Agriculture A-1 and A-2 Zone, up to a 25% reduction.

CLUSTER SITE DEVELOPMENT STANDARDS

Plain City

A. Minimum Lot Area: The minimum lot area for dwellings may be reduced below the area normally required in the zone in which the cluster subdivision is located, but no lot shall have an area less than two-thirds ($2/3$) of the minimum lot area required for such dwelling in the respective zone.

B. Minimum Lot Width And Yard Setbacks: The minimum lot width and side yard may be reduced below the side yard normally required in the zone in which the cluster subdivision is located, but no lot shall have a width or side yard of less than three-fourths ($3/4$) of the minimum lot width or side yard required in the respective zone.

C. Number Of Lots Allowed: Total number of lots for the development shall be determined by the amount of buildable land rather than total acreage that may contain unbuildable land such as, but not limited to, wetlands.

Ogden

A. Minimum Lot Area: The minimum lot area for dwellings may be reduced below the area normally required in the zone in which the cluster subdivision is located, but no lot shall have an area less than two-thirds ($2/3$) of the minimum lot area required for such dwelling in the respective zone.

B. Minimum Lot Width And Yard Setbacks: The minimum lot width, front yard setback and side yard setback may be reduced below the width, front yard and side yard normally required in the zone in which the cluster subdivision is located, but no lot shall have a width, front yard or side yard of less than three-fourths ($3/4$) of the minimum lot width, front yard or side yard required in the respective zone nor shall the front yard be less than eighteen feet (18') even if the application of this subsection would otherwise allow a greater reduction.

C. Zero Side Yard: one zero side yard may be permitted when approved by the Planning Commission and Mayor, and only if the following requirements are met:

1. The remaining one side yard is equal to the combined total of the required two (2) side yards of the zone in which it is located;

2. No window or other similar opening shall be installed in the building or any accessory building along the side having a zero side yard; and

3. No zero side yard will be permitted on the lot side bordering a nonresidential zone, or on a residential lot not utilizing zero side yard provisions.

D. Yard Use And Height Regulations: Yard use and height regulations shall be the same as for the zone in which the cluster subdivision is located.

CLUSTER SITE DEVELOPMENT STANDARDS

Syracuse

(A) Acreage. A cluster subdivision shall have a minimum of 10 acres of contiguous land area.

(B) Phasing. The proposed development plan shall include all possible future phases. No additional phases shall be permitted beyond the original concept. Adjacent property developed similarly shall be a separate development and shall meet all requirements independently from any adjacent development.

(C) Ownership. The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.

(D) The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.

(E) Density. The density of dwellings in a cluster subdivision shall not exceed 2.3 units per acre.

Minimum Lot Standards. Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage with a minimum separation of 16 feet between structures.

All lots shall have the following minimum lot standards:

(1) Density. Maximum density is calculated by multiplying the development's gross acreage by 2.3 units per acre.

(2) Minimum lot area: 7,000 square feet.

(3) Lot width: 60 feet.

(4) Setbacks:

(a) Front: 15 feet.

(b) Garage: 20 feet.

(c) Side: eight feet.

(d) Rear: 20 feet.

(e) Corner lot side: 20 feet.

WH CLUSTER DEVELOPMENT CONTINUE

§ 157.574 OPEN SPACE SUBSTITUTION.

There shall be permanently reserved within the subdivision for recreation and/or open space parcels of land whose total area is not less than the amount by which the areas of the residential lots are reduced below the minimum area normally required in the zone in which the cluster subdivision is located; provided, however, that no such parcel of land shall be less than three acres.

§ 157.575 OPEN SPACE PRESERVATION.

(A) Recreation and/or open space areas to be permanently reserved shall be improved, landscaped, and maintained in accordance with a plan by the Planning Commission and City Council.

(B) To ensure that the recreation and/or open space parcels are permanently reserved and maintained, the city may require either:

(1) Open space easements for such parcels be deeded to the city prior to the recording of the final plat of the cluster subdivision; and/or

(2) Appropriate covenants and agreements restricting the land perpetually as open space for common use and for permanent maintenance of such areas by the developer, or the recording of the final plat of the cluster subdivision.

CLUSTER OPEN SPACE

Plain City

- There shall be permanently reserved within the subdivision for recreation and/or open space, parcels of land whose total area is not less than the amount by which the areas of the residential lots are reduced below the minimum area normally required in the zone in which the cluster subdivision is located.
- Recreation and/or open space areas to be permanently reserved shall be improved, landscaped and maintained in accordance with a plan approved by the Planning Commission and the cluster subdivision provision of this title.

Ogden

- Recreation and/or open space areas to be permanently reserved shall be improved, landscaped, and maintained in accordance with a plan approved by the Planning Commission and the cluster subdivision provisions of the subdivision title.
- The subdivider of a cluster subdivision shall submit plans of landscaping and improvements for the common open space. The subdivider shall also explain the intended use of the open space maintained. A cluster subdivision must assure proper use, construction, and maintenance of open space facilities and must result in a development superior to conventional development in terms of its benefits to future owners of the subdivision, surrounding residents and the general public.
- The Planning Commission may place whatever additional conditions or restrictions it may deem necessary to ensure development and maintenance of the desired character for common open space, including plans for disposition or reuse of property if the open space use is not maintained in the manner agreed upon or is abandoned by the owners.

CLUSTER OPEN SPACE

Syracuse

- (1) The development shall provide 50 percent open space. A minimum of 10 percent of the open space shall be common space.
- (2) Open space and common space shall not include streets, driveways, or parking areas.
- (3) Open space may include agricultural areas, recreation areas, and wetland preserve.
- (4) Open space not used for agriculture and wetland preserve shall be fully landscaped and developed with amenities for the enjoyment and full use of all residents of the development and/or the public.
- (5) Open space that is designated for agricultural use shall have a recorded perpetual conservation easement.
- (6) Open space shall not be enclosed with fencing, except as required per buffer table
- (7) Common space shall be fully landscaped and developed with approved amenities for the enjoyment and full use of all residents of the development and/or the public.
- (8) Common space shall be preserved, maintained and owned through the homeowners' association from the onset, or may be deeded to Syracuse City, if the developer makes the request and the City Council grants the request, at the City Council's sole discretion.

WEST HAVEN PRUD ORDINANCE

§ 157.431 PURPOSE AND INTENT.

(A) A planned residential unit development (PRUD) is intended to allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urban areas.

(B) development should be planned as one complex land use rather than an aggregation of individual unrelated buildings located on separate unrelated lots, and shall consist of a “mix” rather than a standardized group of similar housing and building types.

§ 157.432 PERMITTED ZONES.

A planned residential unit development shall be permitted as a conditional use in all Agricultural and Residential Zones, and notwithstanding any other provisions of this subchapter, the provisions as hereinafter set forth shall be applicable if any conflict exists.

§ 157.433 USE REQUIREMENTS.

(A) An overall development plan for a planned residential unit development showing residential uses, housing types, locations, sizes, height, number of residential units, access roads, common open spaces, and the like may be approved by the Planning Commission and City Council, and building permits issued in accordance with such plan, even though the residential uses and dwelling types,

Accessory non-residential uses may be included in planned residential unit developments of 100 units or more to provide a necessary service to the residents of the development as determined by the Planning Commission; provided, agreements and restrictive covenants controlling the proposed uses, ownership, operational characteristics, and physical design to the city’s satisfaction are filed by, and entered into by, the developer to assure that the approved necessary service’s intent is maintained.

(B) Once the overall development plan showing details of buildings, structures, and uses has been approved by the City Council after recommendations of the Planning Commission, no changes or alterations to said development plans or uses shall be made without first obtaining the approval of the Planning Commission and City Council.

(C) Any housing units to be developed or used for timeshare condominiums, rental apartments, lockout sleeping rooms for nightly rentals, and the like shall be declared and designated on the site development plan.

WEST HAVEN PRUD ORDINANCE

§ 157.434 AREA REGULATIONS.

(A) A PRUD shall contain a minimum area of ten acres and consist of a least 24 housing units in all Agricultural Zones, and contain a minimum area of four acres in all Residential Zones.

(B) The basic number of dwelling units in a PRUD shall be the same as the number permitted by the lot area requirements of the same in which the PRUD is located. Land used for schools, churches, other non-residential service-type buildings, and uses for streets and exclusively for access to the useable area of a PRUD, shall not be included in the area for determining the number of allowable dwelling units.

(C) The basic number of dwelling units in a PRUD may be increased by up to 10% if the Planning Commission, in its judgment, determines that the concept, site layout and design, the residential groupings, and the aesthetic and landscaping proposals will provide a superior residential development and environment to that which would result through the normal land subdivision process.

(D) If a PRUD is located in two or more zones, then the number of units allowed in the PRUD is the total of the units allowed in each zone; however, the units allowed in each zone must be constructed in the respective zone.

(E) (1) It is not the purpose of the PRUD provision to allow an increase in the housing density of a PRUD beyond what city development ordinances would normally allow by requesting housing unit credit and transfer for lands to be included in the PRUD boundary as common open spaces which have little or no possibility of housing development.

Such areas may include swamp lands, bodies of water, excessively steep slopes and hillsides, and mountain areas which do not have the capability of housing development due to lack of water, access, natural resource limitations, and the like. Therefore, the Planning Commission shall determine what part, if any, of such lands may be included in a PRUD as useable open space common area for which dwelling unit credit is being requested for transfer to developable portions of the PRUD, and when such determination justifies such inclusion, the Planning Commission shall allow the transfer of units.

(2) In making this determination, the Planning Commission shall be guided by the following factors:

(a) The physical relationship of the proposed common areas to the developable area of the PRUD shall be such that the common areas are suitable for landscaping and/or developed open space, or for recreational uses of direct benefit, access, and use ability to the unit owners;

(b) The lands shall contribute to the actual quality, livability, and aesthetics of the PRUD and shall be physically integrated into the development design; and

(c) The lands must be suitable for, and possess the capability for, housing development.

WH PRUD

§ 157.435 GENERAL REQUIREMENTS.

- (A) The development shall be in a single or corporate ownership at the time of development or the subject of an application filed jointly by the owners of the property.
- (B) The property adjacent to the planned residential unit development shall not be adversely affected, and to this end the Planning Commission may require, in the absence of appropriate physical boundaries, that uses of least intensity or greatest compatibility be arranged around the boundaries of the project. Yard and height requirements of the adjacent zone may be required on the immediate periphery of a PRUD.
- (C) Building uses, building locations, lot area, width, yard, height, and coverage regulations proposed shall be determined acceptable by approval of the site development plan.
- (D) The City Council, upon recommendation of the Planning Commission, shall require the preservation, maintenance, and ownership of the common open space utilizing, at the city's option, one of the following methods:
 - (1) Dedication of the land as a public park or parkway system;
 - (2) Granting to the city a permanent common open space easement on and over the said private open spaces to guarantee that the open spaces remain perpetually in access, parking, recreation, or open space uses, with ownership and maintenance being the responsibility of a Homeowners' Association established with articles of association and bylaws which are satisfactory to the city; or
- (E) Recreation uses and facilities may be developed within the common open space areas in compliance with the recreation and landscaping plan being a part of the approved final level development plan of the PRUD.

WH PRUD

(H) If the planned residential unit development, or phase thereof, is to be subsequently divided as a subdivision into phase development parcels or separately owned and operated units, such division boundaries shall be indicated on the development plan and preliminary subdivision approval concurrently obtained in the case of a subdivision.

(I) The area shall be adaptable to a unit-type development and shall not contain within or through it any ownership or physical barrier which would tend to impair the unit cohesiveness.

(J) All proposed residential developments, with the exception of normal land subdivisions, within the city equal to, or in excess of, the minimum area requirements for a PRUD as set forth in § 157.434 shall comply with the provisions of this subchapter and be developed as a planned residential unit development.

SYRACUSE PRD

Density : If a property meets the following requirements, it is not intended to be construed that the City Council must automatically approve the application. The legislative powers are nevertheless available to disapprove a zoning or general plan map amendment application as deemed necessary by the Council.

(1) **Six units** per acre are allowed when:

(a) The proposed project has frontage upon a collector road.

(2) **Nine units** per acre are allowed only when one of the following is met:

(a) Have frontage and access upon an arterial road.

(b) Share a property line with an existing general commercial, professional office, or industrial development.

(3) **Twelve units per acre** are allowed only when three of the following are met:

(a) Have frontage and access upon a major arterial* that is owned and maintained by the State Department of Transportation.

(b) Be within the town center overlay zone.

(c) Have frontage upon the intersection of either two arterials or a collector and an arterial road.

(d) Is located within one-quarter mile walking distance to bus, train, or other public transit stop/station and has frontage and access upon an arterial roadway.

SYRACUSE PUD

Common Space. A minimum of 20 percent of the gross acreage of the project shall be developed as common space

- (a) Be landscaped by the developer with turfgrass, trees, shrubs, ground cover, amenities, and WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- (b) Be equally accessible and distributed for all residents of the HOA community. Access by the general public may be included as agreed upon in a development agreement.
- (c) Be generally contiguous, not a collection of remnants.
- (d) Create an open atmosphere where development does not feel overly intense.
- (e) Not include required front, side, and rear yard areas towards common space acreage.
- (f) Be administered by an active homeowners' association.
- (g) Be permanently restricted from future development and shown on the subdivision plat as perpetually common.
- (h) Include multiple amenities from the following list: club house, tennis court, pickleball court, basketball court, playground, community garden, picnic shelter, swimming pool, park benches, walking trails, outdoor exercise equipment, dog park, or splash pad. City Council shall approve all proposed amenities and may approve an amenity not included in this list.
- (i) Include approved amenities in each segment of common area; landscaping alone does not qualify a segment as common space.
- (k) Turfgrass is not to exceed 20 percent of the total landscaped area, outside of active recreation areas.
- (l) No turfgrass in parkstrips or areas with widths less than eight feet.

SYRACUSE PUD

The aesthetic and landscaping proposals shall provide for trees and shrubs that break up the look of having the same building style duplicated throughout the development and shall be in accordance with the Architectural Review Guide.

Lot Width. Determined by development plan.

Front Yard. Twenty feet.

Side Yards. A minimum of 10 feet between primary structures and five feet from the property line. If the height of the structure exceeds two stories, then the minimum side yard shall then be 16 feet between primary structures and eight feet from the property line.

Rear Yard. A minimum of 15 feet.

Duplicating building facades on the same side of the street shall not be allowed more frequently than every third building or in a repeating pattern.

Garages shall not be the major architectural feature of the building.

Garages are encouraged to be recessed from the front facade, or be side or rear fed.

All units shall feature a front porch or balcony with sufficient space for two seats and a walkway.

Buildings shall be positioned on the site so that all front doors face the public road or private drive.

When a unit has frontage onto both a public road and private drive, the front door shall face the public road.

SYRACUSE PUD

The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The subdivider shall develop the property in accordance with the development agreement and current City ordinances in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when federal, state, county, and/or City laws and regulations, promulgated to protect the public's health, safety, and welfare, require future modifications under circumstances constituting a rational public interest.

A planned residential development must have a minimum of 3 acres.

The development agreement shall show the location and building elevations with exterior building materials, size, and general footprint of all dwelling units and other main buildings and amenities.

The development agreement shall include landscaping, fencing, and other improvement plans for common or open spaces, with the landscaping designed in accordance with an approved theme to provide unity and aesthetics to the project. The plan shall include all special features, such as ponds, fountains, signs, walking paths, inviting entryways, etc., together with a landscape planting plan. Common space should be the emphasis for the overall design of the development, with various community facilities grouped in places well related to the common space and easily accessible to pedestrians.

A planned residential community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, managed by a legally established homeowners' association and governed by enforceable, duly recorded CC&Rs.

The development agreement shall include a building theme showing detail in the unification of exterior architectural style, building materials, and color and size of each unit; however, the intent is not to have the design so dominant that all units are identical.

OGDEN PRUD

Developable Acreage: Density in a PRUD shall be determined by using the developable acreage of the entire proposed development. Developable acreage is land under thirty percent (30%) slopes which is capable of being improved with landscaping, recreational facilities, buildings or parking. Land devoted to street usage (the right of way for public streets and the area from back of curb to back of curb for private streets) shall not be considered developable acreage and must be subtracted out of the total acreage used to determine density.

A minimum of five (5) acres of land in an R-1 or R-2 zone, eight (8) acres in the R-3 zone and ten (10) acres in the R-4 zone is required for a proposal to be developed as a PRUD.

Developments shall be designed to preserve and incorporate the natural features of the land into the development. Natural features include drainage swales, rock outcroppings, streams, and concentrated native stands of large shrubs or trees.

OGDEN PRUD

A minimum of forty percent (40%) of the entire site shall be in open green space.

Subdivided, single-family lots shall provide developed common activity area at a ratio of one thousand (1,000) square feet per lot. Each phase of development shall provide its proportionate required open green space needed for that phase. At a minimum, developed common activity area shall include either a playground with play equipment installed over a non-plant cushioned surface or pathways with benches and tables through a natural or water-wise planted landscaped area.

DEVELOPED COMMON ACTIVITY AREA: Open green space which is designed to provide activity areas for use by all residents such as playgrounds, recreational courts, picnic pavilions, gazebos and water features. Common developed activity areas shall be held by all residents in common ownership through a homeowners' association or shall be available for use by all residents if the PRUD will be held in single ownership

OPEN GREEN SPACE: A planned open area suitable for relaxation, recreation or landscaping which may be held in common or private ownership. It should be unoccupied and unobstructed by buildings and hard surface such as asphalt or cement, except that such open green spaces may include walkways, patios, recreational activity areas, picnic pavilions, gazebos and water features so long as such surfaces do not exceed fifteen percent (15%) of the required open green space.

OGDEN PRUD DENSITY

For applicants requesting a density greater than the baseline density, the planning commission shall determine whether the applicant has complied with the necessary design components and shall assign density points as applicable. The additional units per acre allowed above the baseline density for the PRUD shall be determined by multiplying the total number of density bonus points by the density coefficient of the underlying zone.

This figure is the additional number of units per acre allowed above the baseline density. This number, when added to the baseline, will determine the total density per acre for the project; provided, that the number shall not exceed the maximum density allowed in the zone. (Example: The project is in an R-3 zone and the design is awarded 75 bonus points. $75 \times 0.0441 = 3.3$ additional units per acre. $3.3 + 7.3$ [baseline density] = 10.6 maximum units per acre for the development.)

If greater density is requested above the baseline density, a PRUD development shall comply with one or more of the bonus density design requirements. The planning commission shall review and determine if the proposed design complies with the intent of the design requirement before the points are granted. In order to receive the maximum density allowed in the zone, the development shall have received bonus density points from at least one design component in each of the following categories: energy efficiency or building design, and design theme. A design component cannot be used to obtain points in more than one category

Zone	Baseline Density	Maximum Density
R-1-10	2.9 units/acre	4.3 units/acre
R-1-8	3.6 units/acre	5.4 units/acre
R-1-6	4.8 units/acre	7.2 units/acre
R-2	5.4 units/acre	7.2 units/acre
R-2A	6.2 units/acre	8.7 units/acre
R-2EC	6.2 units/acre	8.7 units/acre
R-3	7.3 units/acre	20.3 units/acre
R-3EC	8.7 units/acre	20.3 units/acre
R-4	7.3 units/acre	26.0 units/acre

Zone	Density Coefficient	Maximum Density Points
R-1-10	0.0175	80
R-1-8	0.02	85
R-1-6	0.024	100
R-2	0.02	90
R-2A	0.0177	85
R-2EC	0.0177	85
R-3	0.0441	295
R-3EC	0.043	270
R-4	0.0492	380

OGDEN BONUS DENSITY DESIGN REQUIREMENTS

The density bonus points for each individual design component are in parentheses at the end of each requirement.

A. Energy Efficiency:

1. All dwellings and main buildings shall have R-19 wall insulation and R-38 ceiling insulation. (10)
2. All dwellings are designed with an active or passive solar feature. The solar feature shall be a solar water heater, trombe wall, earth insulation of a majority of the walls, the building designed so that the main exposure faces south and has windows to allow solar access, or other features as approved by the planning commission. (Single feature per unit throughout the entire project, 20 points. Combination features per unit throughout the entire project, 30 points.)

B. Building Design:

1. All facades of each dwelling structure, exclusive of windows or doors, have a minimum coverage of eighty percent (80%) of the exterior surface in either brick or stone. (30)
2. Required parking for each unit is provided for by an attached garage. (25)
3. All required dwelling unit parking is covered by carports. (10)

C. Design Theme:

1. Theme lighting is used throughout the development for street lighting, lighting of walkways, entrances and building exteriors. (15)
2. Landscaping is designed and installed along all streets of the development according to a theme which provides unity and interest to the development. (20)
3. Architectural details of all buildings have a common theme which unifies the entire development. This theme is not so dominant, however, that all buildings are identical. (20)
4. Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are utilized in highly visible locations in the development. (25)
5. Large special features such as lakes and golf courses which define the theme of the development and are utilized throughout the entire project. (40)

OGDEN CONT.

D. Parking Areas:

1. Parking lots of twenty (20) or more stalls are screened from view by means of berming or landscaping around the perimeter of the parking lot. (20)
2. Parking lots of twenty (20) or more stalls or a continuous row of parking over ninety feet (90') in length has a landscaped island which provides landscaping at a ratio of one square foot of landscaping per thirteen (13) square feet of hard surface. (15)
3. Areas with five (5) or more uncovered parking stalls are designed to include a sufficient number of two inch (2") caliper trees located in such a manner as to shade fifty percent (50%) of the parking area upon maturation of the trees. (15)

E. Recreation Amenities:

1. The PRUD development includes a recreational amenity primarily for the use of the residents of the development. Recreational amenities include swimming pools, sports courts, spas, or other features as approved by the planning commission. The planning commission may determine the points based on the cost of the amenity, its benefit to the residents of the development, its size and the number of amenities in the development. (5 to 35)
2. Development of a common building which shall be used for meetings, indoor recreation, or other common uses as approved by the planning commission. (20)
3. Dedication of land for public park, public access along a stream, or public access along a planned trail. The city must be willing to accept the proposed dedication before points are awarded. (Public access 15 points, public park 30 points)
4. Construction according to city standards of trail or park which has been dedicated to the city according to subsection E3 of this section. (Trail 15 points, public park 40 points)

F. Public Streets: All streets within the development are dedicated public streets. (25)

LAYTON

Land shall be classified as being in the PRUD overlay zone pursuant to an amendment to the zoning ordinance adopted pursuant to the provisions of Chapter 19.17 of the Layton Municipal Code provided, however, in order to classify any land as being in the PRUD overlay zone the following conditions shall be considered by the Land Use Authority with respect to such land:

That the land has features which are compatible with clustering or other nonstandard development; and

That the land has features which are compatible with the coordination and design of open spaces and with the proposed housing development; and

The PRUD concept is particularly encouraged when:

- The land has unique and valuable natural, scenic, and environmental features such as wetlands, ridge lines, canyons, slopes, etc.; and
- Such land will be better preserved and enhanced by integrated planning and design as a whole, pursuant to the provisions of the PRUD overlay zone, than under conventional zoning regulations.
- The Land Use Authority, may classify certain areas of the City as being in the PRUD overlay zone in order to ensure that future residential development will be compatible with the sensitive lands and natural features of the area. Sensitive lands and natural features shall include, but not be limited to canyons and slopes, ridge lines, streams or other natural water features, wetlands, geologically sensitive areas, and prime agricultural land.

LAYTON SITE DEVELOPMENT

The minimum front yard setback along a street shall be 12';

The minimum corner lot side yard setback shall be eight feet along a local street, and 12' along a collector or arterial street;

The minimum rear yard setback for single family residential lots or pads with front-accessed garages from the street shall be 25';

The minimum side to side separation between residential structures shall be ten feet;

The minimum side to front, side to rear, and rear to rear separation between residential structures shall be 20', with a five foot maximum porch encroachment allowed into the side to front separation;

The minimum front to front separation between residential structures shall be 40' with a five foot maximum porch encroachment allowed into the separation;

Minimum Detached Single Family Dwellings and Maximum Attached Units. In the R-1-6, R-1-8, R-1-10 and RS zone districts, at least 70% of the dwelling units shall be detached, single family structures. Up to 30% of the total dwelling units may be attached wall townhouses, duplexes or similar common-wall housing construction that is integrated throughout the development.

LAYTON

Minimum Base Open Space. PRUDs shall provide a minimum open space area for use-in-common of residents and/or occupants of such development. The open space provided shall be integrated into the PRUD project and accessible to all residents of the PRUD community via pedestrian pathway system that is connected to and inclusive of the street sidewalks.

Density Bonus and Incentives. The inclusion of certain amenities or design options may result in an allowed increase in density, referred to as a density bonus. The total density bonus shall not exceed 40%. The Land Use Authority may grant a density bonus upon inclusion and acceptance of additional design options from the following categories, as set forth below:

Open Space (Minimum Base Requirement)	Fifteen percent (15%) bonus
Recreation and Site Amenities	Maximum ten percent (10%) bonus
Enclosed Parking	Maximum ten percent (10%) bonus
Exterior Building Materials	Maximum ten percent (10%) bonus
Fencing	Maximum five percent (5%) bonus
Streetscape Enhancements	Maximum ten percent (10%) bonus

LAYTON OPEN SPACE

The purpose of this open space is to provide for recreational activity and integrated storm water quality and/or detention throughout the development.

In the R-S, R-1-10, R-1-8 and R-1-6 zones, the following sensitive land features shall be required as open space in addition to the minimum base open space requirement:

- Area with natural features worthy of preservation, which are not buildable, such as canyons or slopes, ridge lines, wetlands, stream or creek corridors, wildlife habitat, geologically sensitive areas, and significant views and vistas; and
- Utility corridors shall only be counted towards the base open space requirement if improved as an accessible amenity to the project or the community as a whole.

Open space may include land proposed for agricultural lands preservation and continued agricultural use in the A, R-S and R-1 10 zoning districts. These preserved agricultural lands shall not be stripped of topsoil, and adequate irrigation and water rights shall be preserved for the maintenance of these lands.

Open space areas shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, required open space shall not include:

- Area between buildings and outside of platted lots and building pads unless part of the approved pedestrian circulation plan and at least 18' in width;
- Front, rear, and side yard setbacks; and
- Paved areas such as driveways, streets, and private sidewalks.

LAYTON

Underlying Zone	Minimum PRUD Area (Acres)
R-1-6	3 acres
R-1-8	3.5 acres
R-1-10	4 acres
R-S	5 acres

Zoning District	Base Density	Potential Density with 40% Bonus
A	1 unit per acre	1.4 units per acre
R-S	2.5 units per acre	3.5 units per acre
R-1-10	3.5 units per acre	4.9 units per acre
R-1-8	4 units per acre	5.6 units per acre
R-1-6	5.5 units per acre	7.7 units per acre

Zoning District	Base Open Space
A	Sixty percent (60%)*
R-S	Twelve percent (12%)*
R-1-10, R-1-8, R-1-6	Twelve percent (12%)*

WHAT WE NEED TO CLARIFY

- Are we combining cluster and PRUD?
- minimum number of acres of total acreage to qualify
- How much of the property has to be open space and who is going to maintain it?
- Percentage of bonus density
- Single-family, two-family allowed only?
- Either have specific setbacks or allow for an MDA



Planning Commission Meeting Minutes
April 24, 2024 6:00 PM

City Council Chambers
4150 South 3900 West, West Haven, UT 84401

Planning Commission Attendees:

Chairman Roundy
Vice-Chairman Reyna
Commission member Stimpson
Commission member Nece
Commission member Reed
Commission member Galt
Commission member Hepworth

6:00 PM REGULAR PLANNING COMMISSION MEETING

1. CALL TO ORDER BY CHAIRMAN ROUNDY

Meeting Begun at 6:01 pm

2. OPENING CEREMONIES

a. PLEDGE OF ALLEGIANCE – VICE CHAIRMAN REYNA

Vice Chairman Reyna was via Zoom and Pledge of Allegiance was conducted by Commission member Hepworth .

b. PRAYER/MOMENT OF SILENCE – COMMISSION MEMBER STIMPSON

3. ACTION ON MINUTES

a. APPROVE MINUTES FOR THE MEETING OF 04/10/2024.

Chairman Roundy and Commission member Nece advised that the entering public hearing motion on item 5a was listed at the end of the discussion rather than before the discussion and needs to be corrected.

Commission member Stimpson made a motion to approve. Commission member Hepworth seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

4. REPORT

a. ACTIONS TAKEN BY CITY COUNCIL ON PLANNING COMMISSION RECOMMENDATIONS

Alika stated that there were no council updates.

5. **DISCUSSION AND ACTION**

- a. VACATING HBH SUBDIVISION LOCATED AT THE SOUTHWEST CORNER OF 2100 S AND 1900 W

Geneva Blanchard present for RDO Equipment

Originally Honnen had purchased the 5 acres in the back and then we sold the 3 acres (2 lots) in the front. Kum and Go was purchased by Maverik. The site became a surplus site for them and they no longer need the front. At the same time, Honnen Equipment was purchased by RDO Equipment. RDO needs the surplus site they would like to build a bigger site and utilize the frontage and visibility to West Haven. The front is under contract and when they were re-evaluating the site for their best use, getting rid of the private road on the subdivision plat and combining all 3 lots. The engineer suggested that the best method to go instead of amending the subdivision plat was to vacate the subdivision plat. We will be back to go over the site plan, the utilities, and civil improvements. They are under contract with Maverik and have approval to move forward with this and we just won't vacate the plat until we can close on the property.

Commission member Galt had a question for Alika about the staff review. It states "The City engineering staff has no issue with the vacation but will have to explore possible access easement for any updated site plan".

Alika addressed Commission member Galt question stating that when we get the Site Plan, the engineer will need to review it before it goes to the Commission for preliminary approval and see if there is any need for it. The access was mainly for lots 2 and 3. It isn't necessary so that is why the engineer doesn't have a problem with the subdivision or the easement being vacated, it is mainly just in case something comes up with the site plan.

Vice Chairman Reyna made a motion to to recommend approval of the subdivision vacation of HBH Development located at the southwest corner of 2100 South (Wilson Lane) and 1900 West.. **Commission member Reed** seconded the motion.

6. **PUBLIC HEARING**

- a. FOR VACATING A PRIVATE ACCESS AND UTILITY EASEMENT WITHIN HBH DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF 2100 S AND 1900 W WEST HAVEN, UTAH

C Commission member Hepworth made a motion to Leave the Public Hearing. **Commission member Reed** seconded the motion.

7. **DISCUSSION AND ACTION ON PUBLIC HEARING**

Commission member Stimpson asked Alika if she wouldn't mind explaining it a little bit better for her.

Alika stated that the easement is 28', it is a private access and utility easement, which was mainly there for when the lots would develop, particularly lots 1 and 2 would have access and that road would come in as those sites would develop, but now that it is going to be 1 parcel again and the subdivision is being vacated it is no longer need and once there new site plan comes in. Ed will
Commission member Galt made a motion to recommend approval of the easement vacation within HBH Development located at the southwest corner of 2100 South (Wilson Lane) and 1900 West. **Commission member Nece** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:
ABSENT:

8. PUBLIC HEARING

- a. TO CONSIDER AN AMENDMENT TO THE MIXED-USED ZONING ORDINANCE
Vice Chairman Reyna made a motion to Enter into Public Hearing. **Commission member Reed** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Commission member Stimpson made a motion to Leave Public Hearing. **Commission member Nece** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Alika – Staff noticed a couple of items that needed to be updated within the ordinance. Those items were the definition of net vs. gross, clarification on development west of 1900 W, and adding a stipulation regarding studio apartments to satisfy one of our goals for our moderate-income housing report.

City Ordinance 157.310(e) for Multi-family developments would be changed which may include single-room occupancy units with one of the following options:

- 1. Excluding the closed, storage space and bathroom space, a living unit must be at least 100 square feet. A laundry room must be available on each floor. There shall be a minimum of 500 square feet of interior common area which includes a living room and a kitchen area.*
- 2. Studio apartments with a bedroom of at least 100 square feet, a living area of at least 100 square feet, and a total floor area of at least 300 square feet. There shall be a kitchen area and either laundry hookups within the unit or an on-site common laundry facility.*

**No public comments.*

9. DISCUSSION AND ACTION ON PUBLIC HEARING

- a. TO CONSIDER AN AMENDMENT TO THE MIXED-USED ZONING ORDINANCE

Commission member Hepworth made a motion to adopt the changes to the mixed-use ordinance that staff has recommended. **Commission member Reed** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Commission member Hepworth made a motion to adopt the changes to the mixed-use ordinance that staff has recommended. **Commission member Reed** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

10. PUBLIC HEARING

a. TO CONSIDER AN AMENDMENT TO THE SIGN ORDINANCE

Alika reviewed with the commissioners what possible corrections are being proposed to be updated in the Sign Ordinance. Public Property definition will be added which will reference the Utah State Code 76-8-101.

**Item K has been stricken from the ordinance. So for the snipe signs, it has been taken out.*

**What used to be Item L has been updated to say that only signs that are owned by the City, County, or State can be placed in the right of way.*

**Snipe Signs have a section at the end stating that they are allowed on private property.*

**Wall signs have been updated – they used to be limited to 1 wall and now it is any wall on the frontage on the street.*

Commission member Reed – had a question regarding the 36" height because most of the banners that advertise city events are taller than 36".

Dan Tanner/West Haven City Code Enforcement Officer – 36" signs are prohibited when in the line of site.

No one was present for the public comment.

Commission member Galt made a motion to Enter into a Public Hearing. **Vice Chairman Reyna** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Commission member Nece made a motion to Leave the Public Hearing. **Commission member Reed** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

11. DISCUSSION AND ACTION ON PUBLIC HEARING

a. TO CONSIDER AN AMENDMENT TO THE SIGN ORDINANCE

Alika clarified what a snipe signs would be allowed on fences and trees on private property.

**Commission member Hepworth – He is ok with something on a fence, and doesn't want to regulate someone's right to express themselves. Until it is a light-of-sight safety issue. He also mentioned that maybe it would be a good idea to limit the size of the sign such as a particular square footage.*

**Commission member Stimpson thinks the issue for her is do we want signs along fences all through West Haven. The new junior high right now is a concern because they get a lot of*

sponsorship money from those banners, and that money goes into athletics and student funds. Could we go with the reason and still allow for public schools?

**Dan Tanner/Code Enforcement stated that the biggest time for fence violations is around election years or a couple of times of year that have boutiques. The most common signs are real estate or small business.*

Vice Chairman Reyna wanted to know how many fence signs are advertising a business, product, or service versus just a sign for someone's favorite flag. Can we eliminate advertisement signs? Or can we charge a fee for an advertisement sign fee?

Commission member Reed does like the idea of a particular size. Wanted to know how big of a problem this is.

Commission member Hepworth made a motion to adopt the staff recommendations to the sign ordinance with the exemption of adding a square footage requirement or restriction to the snipe signs being mounted to a fence with the recommendation of 20 square feet with no banner to exceed 20 square feet. **Commission member** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

12. PUBLIC HEARING

a. TO CONSIDER AN AMENDMENT TO THE MODERATE-INCOME HOUSING RESOLUTION

Commission member Hepworth made a motion to Enter into a Public Hearing. **Commission member Nece seconded the motion.**

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Commission member Stimpson made a motion to Leave Public Hearing. **Commission member Reed** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

We are amending resolution 41-2023 which adopted 4 goals and we are only required to report on 3. We fixed our mixed-use ordinance, and parking ordinance and setting a deadline for our moderate-income housing impact fees. The deadline was in October 2023 and we didn't meet it. Alike spoke with a lady from the State, who advised that if it involves legislative action you can still correct it. One of those changes is changing the deadline and it was set at the end of July. We have to report at the beginning of August

SRO's (Single Room Occupancy) the deadline and keeping it as broad as possible just so we are not constricted to one thing we can change it, and we are eliminating impact fees for ADU's (Accessory Dwelling Units) that we don't

Commission member Galt wanted to confirm that this isn't changing the Moderate Income Housing, it is just the reporting. Which Alike confirmed was correct.

**Commission member Nece wanted to get a definition on record of what the moderate-income housing is. The definition was listed as Moderate income housing is defined in Utah Code 10-9a-103(40) as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."*

13. DISCUSSION AND ACTION ON PUBLIC HEARING

a. TO CONSIDER AN AMENDMENT TO THE MODERATE INCOME HOUSING RESOLUTION

Matt Nece made a motion to recommend an amendment to the moderate-income resolution with the added addition of the definition of moderate-income housing that states, "Moderate income housing is defined in Utah Code 10-9a-103(40) as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.". **Dustin Hepworth** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

14. DISCUSSION AND ACTION ON PUBLIC HEARING

a. TO CONSIDER A CHANGE TO THE ACCESSORY BUILDING ORDINANCE

Alika stated that last meeting there was talk about changes to the ordinance one of the main ones being it wouldn't be Accessory Buildings it would be Accessory Structures to encompass more. A structure is anything that has a location on the ground. Some of the changes from last time were mainly pools. She added under Area of accessory structures that pool and sports courts are exempt from the area of cover requirement and are limited to only being placed in the rear yard. Pools and sports courts are required to have a barrier surround that is at least 48" in height and 3 feet from the edge of the pool or court. It comes from the International Pool Code. The other change was section 157.605 (C) after speaking with the building department it would still have to be a 1-hour fire-rated wall. You can be closer to the property line if it is 1-hour fire-rated. Corner lots under table B it would be 5 feet with no access and if there is access to be 10 feet.

Commission member Reed asked on section 157.605 (A) second paragraph it states, "If there is a 10-foot public utility easement in place, then letters from all utility companies are required upon submittal of a building permit". He suggested that the wording be changed from building permit to building permit application.

Commission member Hepworth would like the setback to change to 3 feet if we are going to require a 1-hour fire rating. Also with carports, if we could limit the material to a non-combustible material such as metal or aluminum he would be ok with the setback being less than 3 feet.

Commission member Hepworth made a motion to recommend approval with Accessory Structure Ordinance with the following changes that we recommend that an Accessory Structure can be built within 3 feet if it complies with a 1-hour fire rating. **Commission member Nece** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

15. ADJOURNMENT

Commission member Reed made a motion to adjourn. **Vice Chairman Reyna** seconded the motion.

AYES: Chairman Roundy, Vice Chairman Reyna, Commission member Stimpson, Commission member Nece, Commission member Reed, Commission member Galt, Commission member Hepworth

NAYS:

ABSENT:

Robyn Van Campen

Deputy City Recorder

Date Approve: [enter meeting date]

DRAFT

**Planning Commission
Staff Review Memo**

May 22, 2024

Alika Murphy, City Planner I



Carrigan Electric Home Occupation- Conditional Use

Request: Approval of conditional use permit for a home occupation

Property Address: 2414 S 3700 W, Parcel 15-771-0003

Property Zone: R-1

Property Size: 0.37 acre

Applicant: Tyler Carrigan

Governing Document(s): WHZC Chapter 157.880-157.883

Decision Type: Administrative

Staff Recommendation: See comments under "Staff Review"

Background

The applicant is seeking approval for a conditional use permit for his electrical contractor home occupation located at 2414 S 3700 W. The applicant will be utilizing the existing shop on the property to store his business material and have an office for the business. According to the home occupation ordinance, if the business will be using any accessory building and employs more than 1 person that does not live on the property, then a conditional use permit shall be obtained. The max number of employees that do not live on the property is 5.

Staff Review

The following standards from Chapter 157.880-157.883, "Home Occupations" (online version) are applicable to this request. Staff's evaluation of the criteria is in italics below the standard.

157.881. In reviewing a request for a conditional use permit for a home occupation, the Planning Commission may consider the following factors, and may impose such conditions as necessary and reasonable to offset the potential detrimental impacts as these factors create:

- (a) Will the business produce, or be likely to produce, noise, odors, dust, or smoke that extends beyond the property?
 - *This business will not produce any excessive noise, dust, odors, or smoke that will affect the neighboring properties. The work will be done off the premise.*
- (b) Will the business produce, or be likely to produce, vehicular traffic such that it becomes a nuisance or a hazard?

- *The business will not produce much traffic since most of the work will be done off premise. There are at most four vehicles that will be parked on the property on hard surface.*

(c) If the business uses, produces, or stores hazardous chemicals, as defined in UCA § 19-6-302, has a plan been presented which addresses how such chemicals will be used, produced, or stored, and is said plan in compliance with all relevant federal, state and local ordinances regarding chemicals?

- *This business will not be dealing with chemicals.*

Activities which noticeably produce excessive foot and vehicular traffic, parking, sounds or noises, lighting, vibration, or anything that is uncommon to the established character of the surrounding area to such a degree to constitute a nuisance, as defined at Utah Code §78B-6-1101, to the residents of the immediate area, as determined by the Planning Commission.

- *Utah Code defines a nuisance as “anything that is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.”*
 - *This home occupation will not be producing any pollutants, heavy traffic, or parking impact. Overall, it will not be affecting the well-being of the community.*

Staff Conclusions

Staff recommends approving the conditional use permit with the following conditions:

- 1- There is a limit of 5 employees that do not live on the property.
- 2- All vehicles shall be parked on hard surface on the property.
- 3- Any violations of the West Haven City nuisance ordinance will result in revocation of the business license and conditional use permit.

Recommended Motion

“I motion to give approval to this home occupation conditional use located at 2414 S 3700 W, Parcel 15-771-0003 with the following conditions...”



CONDITIONAL USE PERMIT APPLICATION

West Haven City Planning Commission

4150 S 3900 W West Haven, UT 84401

801-731-4519

Property Address 2614 S 3700 W Parcel# 15-771-0003

Existing Zone No. of Acres or Sq. Ft. 37 acres #Res. Units

Bldg. Sq. Ft. 2,000 sq. ft. Building Height (stories & ft.) 25 ft

What Use is requested? We have a shop we store our electrical business supplies in

-Is the proposed use necessary or desirable to provide a service or facility which will contribute to the general well-being of the community? - ☒ Yes ☐ No If yes, please answer the following two questions:

-Describe how the use will be necessary or desirable to provide a service or facility to the community?
We will be and have been providing electrical services to many customers in this community

-Describe how the use will contribute to the general well-being of the community?
New construction homes going up we are the electrical contractors for the builders.

-Will the proposed use be detrimental to the health, safety, and general welfare of persons in the community? - ☐ Yes ☒ No

-Will the proposed use be injurious to property or improvements to the community? - ☐ Yes ☒ No

-Will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures?
☒ Yes ☐ No If yes, please answer the following questions about the proposed use in the proposed area:

-Will the proposed use generate traffic in the area? If so, how much is anticipated? minimal traffic daily 2/10 Scale

-Will the proposed use have an impact on parking in the area? ☒ Yes ☐ No If so, how much is anticipated?
Three or four vehicles parked @ property during the day.

-Will the proposed use be compatible with the building and structure designs in the area? ☒ Yes ☐ No

-Will the proposed use be compatible with the building and structure uses in the area? ☒ Yes ☐ No

-Will the proposed use be compatible with landscaping and signs in the area? ☒ Yes ☐ No If a sign is requested, please attach photo. If there is landscaping involved in the request, please attach a site plan for the landscaping.

-Will the proposed use conform to the goals, policies, and governing principles and land use of the Master Plan for the City of West Haven? ☒ Yes ☐ No

-Will the proposed use lead to the deterioration of the environment or ecology in the general area? ☐ Yes ☒ No

-Will the proposed use produce conditions or emit pollutants? - ☐ Yes ☒ No If yes, what type of pollutants shall be emitted or produced and how would they be disposed of or mitigated?

-Will such conditions or pollutants have a possible detrimental effect on the operation of existing uses of surrounding public and private properties in the immediate vicinity or the area as a whole? ☐ Yes ☒ No If yes, please explain

CONTINUED ON BACK

Neighbors within 500 ft of property

Jessica Martinez Victoria Marinez- 2628 S. 3700 W West haven

Philip Burnett- 2642 S 3700 W West haven

Neighbors within 500 ft of property

Jessica Martinez Victoria Marinez- 2628 S. 3700 W West haven

Philip Burnett- 2642 S 3700 W West haven

2614 S 3700 W

W Haven, UT 84401 (Weber County)

Estimated Value

\$687K - \$701K

✂ Constructed in 2022 🏠 Residential

2,125 sq. ft. living area 4 bedrooms

3 bathrooms



Satellite View & Map



Lot Information

Legal Description

Land Use Code

Single Family Residence

County Land Use Code

49057

County

Weber

Subdivision Name

Staker Farms-phase 2

Type Of Deed

Special Warranty Deed

Coordinates

41.218782, -112.0692

Land SqFt

15,926 sq. ft.

Land Acres

0.37 acres

Assessed Year

2023

Assessed Value

569000

Land Value

189083

Improvements Value

379917

Parcel Number

15-771-0003

Tract Name

Census Tract 2105.18

GEOID

49057210518

Qualified GEOID

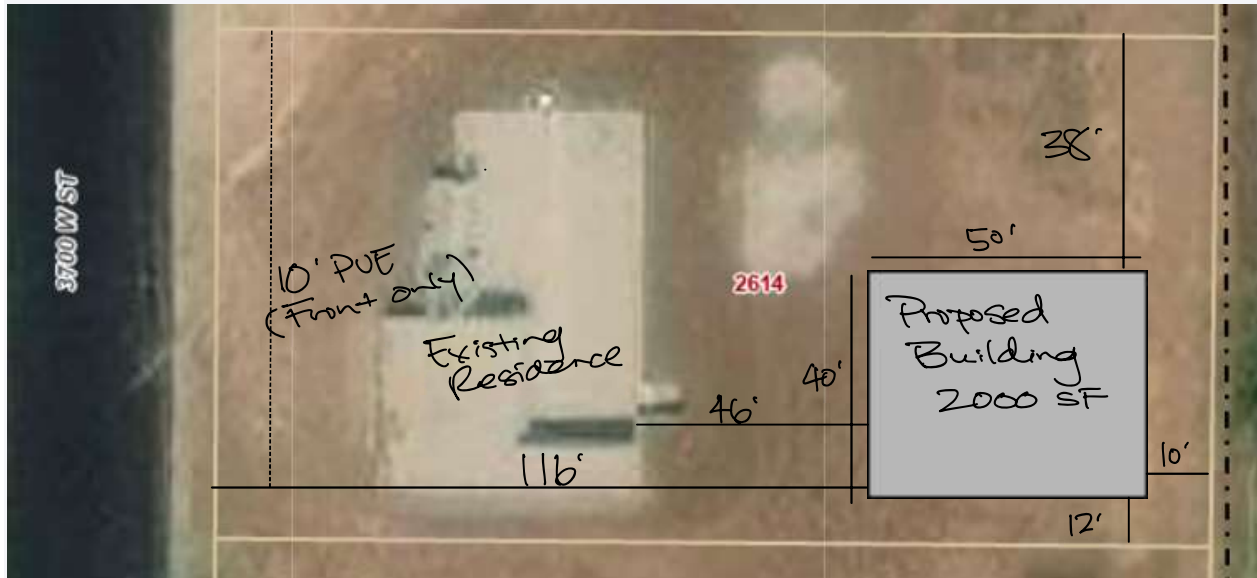
1400000US49057210518



Reviewed for compliance to
local and national codes

Ed Pehrson

Site Plan



Tyler Carrigan
2614 S 3700 W
West Haven, UT 84401

Parcel #157710003

38' from North property line
10' from East
12' from South
116' West
46' from House (approx)

**Planning Commission
Staff Review Memo**

May 22, 2024

Alika Murphy, City Planner I



Pediatric Occupation Therapy Home Occupation- Conditional Use

Request: Approval of conditional use permit for a home occupation

Property Address: 3801 S 3650 W, Parcel 08-408-0004

Property Zone: A-1

Property Size: 0.69 acre

Applicant: Ruthanne and Phil Vargas

Governing Document(s): WHZC Chapter 157.880-157.883

Decision Type: Administrative

Staff Recommendation: See comments under "Staff Review"

Background

The applicant is seeking approval for a conditional use permit for a pediatric occupational therapy home occupation located at 3801 S 3650 W. The applicant will be utilizing the existing shop on the property to transform part of it as an office for the pediatric occupational therapy business. According to the home occupation ordinance, if the business will be using any accessory building, then a conditional use permit shall be obtained.

Staff Review

The following standards from Chapter 157.880-157.883, "Home Occupations" (online version) are applicable to this request. Staff's evaluation of the criteria is in italics below the standard.

157.881. In reviewing a request for a conditional use permit for a home occupation, the Planning Commission may consider the following factors, and may impose such conditions as necessary and reasonable to offset the potential detrimental impacts as these factors create:

(a) Will the business produce, or be likely to produce, noise, odors, dust, or smoke that extends beyond the property?

- *This business will not produce any excessive noise, dust, odors, or smoke that will affect the neighboring properties. All patients will be within the accessory structure.*

(b) Will the business produce, or be likely to produce, vehicular traffic such that it becomes a nuisance or a hazard?

- *The business will produce some traffic to the property with two patients an hour going to the property. All visitors shall be required to park on the property. The owners have enough space on their concrete driveway to accommodate the visitors.*

(c) If the business uses, produces, or stores hazardous chemicals, as defined in UCA § 19-6-302, has a plan been presented which addresses how such chemicals will be used, produced, or stored, and is said plan in compliance with all relevant federal, state and local ordinances regarding chemicals?

- *This business will not be dealing with chemicals.*

Activities which noticeably produce excessive foot and vehicular traffic, parking, sounds or noises, lighting, vibration, or anything that is uncommon to the established character of the surrounding area to such a degree to constitute a nuisance, as defined at Utah Code §78B-6-1101, to the residents of the immediate area, as determined by the Planning Commission.

- *Utah Code defines a nuisance as “anything that is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.”*
 - *This home occupation is not one that will be producing a lot of noise or discomfort to the community. There will be people visiting the site for about an hour at a time, but this business will not take away parking from anyone else in the neighborhood and they will comply with the time frame set in the home occupation ordinance of not operating between 10:00pm and 7:00 am.*

Staff Conclusions

Staff recommends approving the conditional use permit with the following conditions:

- 1- All vehicles shall be parked on hard surface on the property.
- 2- There shall be a limit of two patients an hour.
- 3- Any violations of the West Haven City nuisance ordinance will result in revocation of the business license and conditional use permit.

Recommended Motion

“I motion to give approval to this home occupation conditional use located at 3801 S 3650 W, Parcel 08-408-0004 with the following conditions...”



CONDITIONAL USE PERMIT APPLICATION

West Haven City Planning Commission

4150 S 3900 W West Haven, UT 84401

801-731-4519

Property Address 3801 S 3650 W Parcel# 084080004
Existing Zone Res. No. of Acres or Sq. Ft. 69 #Res. Units 1
Bldg. Sq. Ft. 3000 Building Height (stories & ft.) 1
What Use is requested? Pediatric Occupational Therapy

.....
-Is the proposed use necessary or desirable to provide a service or facility which will contribute to the general well-being of the community? - ☒ Yes ___ No If yes, please answer the following two questions:

-Describe how the use will be necessary or desirable to provide a service or facility to the community?

Helping families with special needs children.

-Describe how the use will contribute to the general well-being of the community?

Happier families.

-Will the proposed use be detrimental to the health, safety, and general welfare of persons in the community? - ___ Yes ☒ No

-Will the proposed use be injurious to property or improvements to the community? - ___ Yes ☒ No

-Will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures?

☒ Yes ___ No If yes, please answer the following questions about the proposed use in the proposed area:

-Will the proposed use generate traffic in the area? If so, how much is anticipated? Yes, 2 per hour

-Will the proposed use have an impact on parking in the area? ___ Yes ☒ No If so, how much is anticipated?

-Will the proposed use be compatible with the building and structure designs in the area? ☒ Yes ___ No

-Will the proposed use be compatible with the building and structure uses in the area? ☒ Yes ___ No

-Will the proposed use be compatible with landscaping and signs in the area? ☒ Yes ___ No If a sign is requested, please attach photo. If there is landscaping involved in the request, please attach a site plan for the landscaping.

-Will the proposed use conform to the goals, policies, and governing principles and land use of the Master Plan for the City of West Haven? ☒ Yes ___ No

-Will the proposed use lead to the deterioration of the environment or ecology in the general area? ___ Yes ☒ No

-Will the proposed use produce conditions or emit pollutants? - ___ Yes ☒ No If yes, what type of pollutants shall be emitted or produced and how would they be disposed of or mitigated?

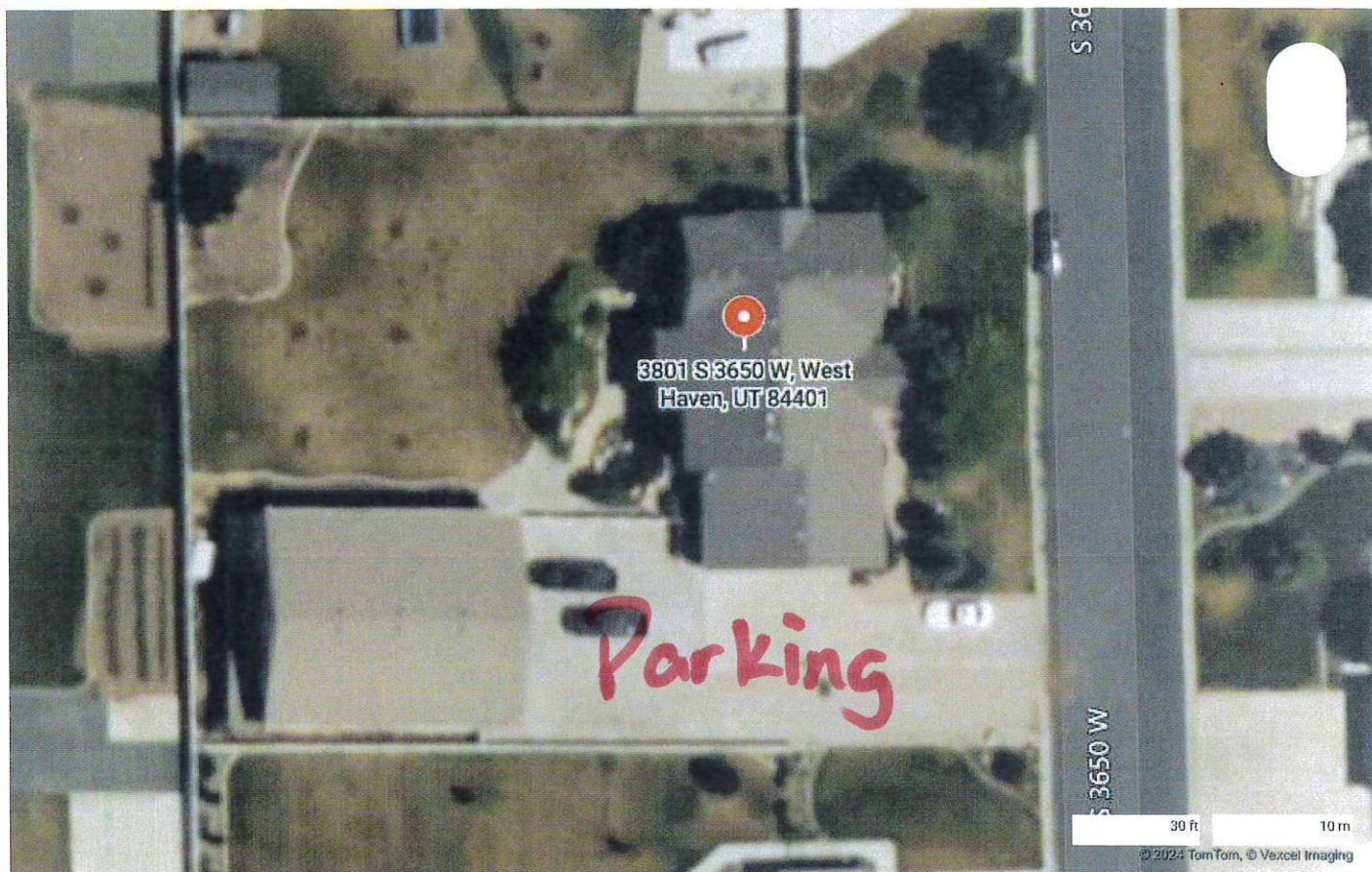
-Will such conditions or pollutants have a possible detrimental effect on the operation of existing uses of surrounding public and private properties in the immediate vicinity or the area as a whole? ___ Yes ___ No If yes, please explain NA

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3801 S 3650 W, West Haven, UT 84401

Location: 41.1933245, -112.0687135



**Planning Commission
Staff Review Memo**

May 22, 2024

Alika Murphy, City Planner I



Home Occupation- Conditional Use

Request: Approval of conditional use permit for a home occupation

Property Address: 2566 S 3150 W, Parcel 15-373-0014

Property Zone: R-2

Property Size: 0.43 acre

Applicant: John Larsen

Governing Document(s): WHZC Chapter 157.880-157.883

Decision Type: Administrative

Staff Recommendation: See comments under "Staff Review"

Background

The applicant is seeking approval for a conditional use permit for a sewer and drain cleaning home occupation located at 2566 S 3150 W. The applicant will be utilizing the existing shop on the property to store his business material and have an office for the business. According to the home occupation ordinance, if the business will be using any accessory building, then a conditional use permit shall be obtained.

Staff Review

The following standards from Chapter 157.880-157.883, "Home Occupations" (online version) are applicable to this request. Staff's evaluation of the criteria is in italics below the standard.

157.881. In reviewing a request for a conditional use permit for a home occupation, the Planning Commission may consider the following factors, and may impose such conditions as necessary and reasonable to offset the potential detrimental impacts as these factors create:

- (a) Will the business produce, or be likely to produce, noise, odors, dust, or smoke that extends beyond the property?
 - *This business will not produce any excessive noise, dust, odors, or smoke that will affect the neighboring properties. The work will be done off the premise.*
- (b) Will the business produce, or be likely to produce, vehicular traffic such that it becomes a nuisance or a hazard?

- *The business will not produce much traffic since the work will be done off premise.*

(c) If the business uses, produces, or stores hazardous chemicals, as defined in UCA § 19-6-302, has a plan been presented which addresses how such chemicals will be used, produced, or stored, and is said plan in compliance with all relevant federal, state and local ordinances regarding chemicals?

- *This business will not be dealing with chemicals.*

Activities which noticeably produce excessive foot and vehicular traffic, parking, sounds or noises, lighting, vibration, or anything that is uncommon to the established character of the surrounding area to such a degree to constitute a nuisance, as defined at Utah Code §78B-6-1101, to the residents of the immediate area, as determined by the Planning Commission.

- *Utah Code defines a nuisance as “anything that is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.”*
 - *This home occupation will not be producing any pollutants, heavy traffic, or parking impact. Overall, it will not be affecting the well-being of the community.*

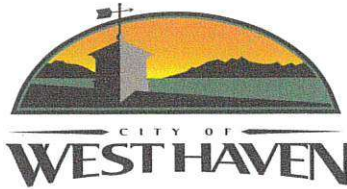
Staff Conclusions

Staff recommends approving the conditional use permit with the following conditions:

- 1- Any violations of the West Haven City nuisance ordinance will result in revocation of the business license and conditional use permit.

Recommended Motion

“I motion to give approval to this home occupation conditional use located at 2566 S 3150 W, Parcel 15-373-0014 with the following conditions...”



CONDITIONAL USE PERMIT APPLICATION

West Haven City Planning Commission

4150 S 3900 W West Haven, UT 84401

801-731-4519

Property Address 2566 S 3150 W Parcel# 153730014

Existing Zone R-2 No. of Acres or Sq. Ft. 0.43 #Res. Units _____

Bldg. Sq. Ft. 1800' Building Height (stories & ft.) 18'

What Use is requested? Store Drain Cleaning Equipment/Office

.....
-Is the proposed use necessary or desirable to provide a service or facility which will contribute to the general well-being of the community? - ☒ Yes ___ No If yes, please answer the following two questions:

-Describe how the use will be necessary or desirable to provide a service or facility to the community?

Keeping Drains/Sewers Clearing

-Describe how the use will contribute to the general well-being of the community?

a Clean Drain adds to the Health of the Community

-Will the proposed use be detrimental to the health, safety, and general welfare of persons in the community? - ___ Yes ☒ No

-Will the proposed use be injurious to property or improvements to the community? - ___ Yes ☒ No

-Will the proposed use be compatible with and complimentary to the existing surrounding uses, buildings and structures?
☒ Yes ___ No If yes, please answer the following questions about the proposed use in the proposed area:

-Will the proposed use generate traffic in the area? If so, how much is anticipated? NO

-Will the proposed use have an impact on parking in the area? ___ Yes ☒ No If so, how much is anticipated?

-Will the proposed use be compatible with the building and structure designs in the area? ☒ Yes ___ No

-Will the proposed use be compatible with the building and structure uses in the area? ☒ Yes ___ No

-Will the proposed use be compatible with landscaping and signs in the area? ☒ Yes ___ No If a sign is requested, please attach photo. If there is landscaping involved in the request, please attach a site plan for the landscaping.

-Will the proposed use conform to the goals, policies, and governing principles and land use of the Master Plan for the City of West Haven? ☒ Yes ___ No

-Will the proposed use lead to the deterioration of the environment or ecology in the general area? ___ Yes ☒ No

-Will the proposed use produce conditions or emit pollutants? - ___ Yes ☒ No If yes, what type of pollutants shall be emitted or produced and how would they be disposed of or mitigated?

-Will such conditions or pollutants have a possible detrimental effect on the operation of existing uses of surrounding public and private properties in the immediate vicinity or the area as a whole? ___ Yes ☒ No If yes, please explain _____

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John Larson
2566 South

Rhino Route 2
3150 West West Haven

