



WEST HAVEN PLANNING COMMISSION AGENDA

September 24, 2025 6:00 P.M.
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **Wednesday, September 24, 2025**, THE PLANNING COMMISSION OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS:

***6:00 PM: REGULAR PLANNING COMMISSION MEETING**

JOIN US DIGITALLY FOR THE REGULAR PLANNING MEETING AT:

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

WATCH LIVE AT [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCEEQNQBTFZJWGTGOPHMCNCBA.](https://www.youtube.com/channel/UCEEQNQBTFZJWGTGOPHMCNCBA)

6:00 Regular Planning Commission Meeting

1. **MEETING CALLED TO ORDER:** Chairman Reed
2. **OPENING CEREMONIES**
 - a. **PLEDGE OF ALLEGIANCE** Commission member Galt
 - b. **PRAYER/MOMENT OF SILENCE** Commission member Stimpson
3. **ACTION ON MINUTES** - Approve minutes for the meeting of 08/27/2025.
4. **REPORTS** - Actions taken by City Council on Planning Commission
5. **DISCUSSION AND ACTION** – For a Conditional Use Permit for a home occupation photography and videography business located approximately 3801 S 3650 W Parcel #08-408-0004 (Applicant Mason Averett)
6. **DISCUSSION AND ACTION** – For a Conditional Use Permit for a home occupation landscaping business located at approximately 4840 W 4250 S Parcel #08-311-0007 (Applicant Oscar Uribe)
7. **PRESENTATION ON PUBLIC HEARING** - To consider a request to rezone Parcel #080300010 located at approximately 3481 S 2700 W from A-1 & A-2 to PH (Applicant Redline Properties).
8. **PUBLIC HEARING** - To consider a request to rezone Parcel #080300010 located at approximately 3481 S 2700 W from A-1 & A-2 to PH (Applicant Redline Properties).
9. **DISCUSSION AND ACTION ON PUBLIC HEARING** To consider a request to rezone Parcel #080300010 located at approximately 3481 S 2700 W from A-1 & A-2 to PH (Applicant Redline Properties).
10. **ADJOURNMENT**

Robyn Van Campen

Robyn Van Campen, City Recorder

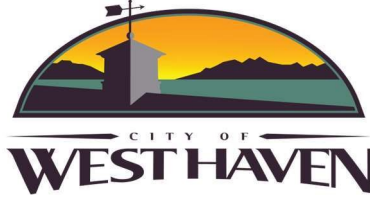
In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: robynv@westhavencity.com at least 48 hours in advance of the meeting.

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 www.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

Rules Governing Public Hearings

- Each speaker will be limited to a single opportunity to speak and shall direct comments only to the Commission.
- Such opportunity may not exceed two (2) minutes, as has been determined by the Chair, as outlined in Resolution 28-2021
- In accordance with Resolution 28-2021, the Chair may refuse to recognize or may exclude from the public hearing anyone who:
 - o Is disorderly, abusive, or disruptive;
 - o Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing;
 - o Comments without first receiving recognition from the Chair and stating his/her full name and residence; or
 - o Presents irrelevant, immaterial, or repetitious evidence.
- Comments and questions raised by speakers will not be addressed or answered by Staff or Commissioners during the hearing but will be addressed upon conclusion and closure of the hearing.



WEST HAVEN PLANNING COMMISSION MEETING MINUTES

August 27, 2025 6:00 P.M.

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

| Present: | |
|---|--|
| Jeff Reed Andrew Reyna Melinda Stimpson (arrived 6:02 pm) Russell Galt George LaMar Linda Smith Damian Rodriguez Amy Hugie (via Zoom) Robyn VanCampen | Chairman Vice-Chairman Commission member Commission member Commission member Commission member Planner City Attorney Deputy Recorder |
| Absent/Excused | |
| Jennifer Streker | Commission member |

6:00 Regular Planning Commission Meeting

- MEETING CALLED TO ORDER:** Chairman Reed at 6 pm
- OPENING CEREMONIES**
 - PLEDGE OF ALLEGIANCE** Commission member Stimpson
Commission member Smith conducted due to Commission member Stimpson arriving at 6:02 pm.
 - PRAYER/MOMENT OF SILENCE** Vice Chairman Reyna
- ACTION ON MINUTES –** Approve minutes for the Meeting of 08/13/2025
No corrections were needed.

Commission member Galt made a motion to approve the minutes from the meeting August 13, 2025. **Commission member Stimpson** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Streker.

- REPORTS –** Actions taken by City Council on Planning Commission
Damian advised there was nothing to report.
- DISCUSSION AND ACTION –** For a Conditional Use Permit for an indoor sports training business located at approximately 3416 W 3600 S Parcel #08-720-0001. (Applicant Tyler Brown).

Damian gave a brief overview of the project stating that Mr. Brown would like to build a training facility that he would open as a home business on his 1.2 acres of property in an R-2 zone. The Conditional Use

Permit was required because the applicant plans on using an Accessory Structure on the property for his home occupation. The proposed parking for this business would create light trespass on the neighboring property to the north without appropriate mitigation. Due to the size and tensivity of the business staff finds that proposal is not compliant with city regulations, specifically the purpose and intent of a home occupation which states specifically that, "small businesses are permitted in keeping with the peace and quiet and domestic tranquility in residential areas of the city", and also doesn't comply with the city code that a portion of the property should not exceed the portion that is used for residential purposes. Due to these findings staff recommends the denial of this request.

Tyler Brown was present. Mr. Brown advised the commission that it has been a dream that he wanted to create a business that he could spend time with his son and share the training facility with others. Mr. Brown also stated for the sound mitigation he owns a spray foam insulation company and could insulation the facility to help with any possible noise nuisance. He also stated there would be no signs attracting clientele.

Chairman Reed wanted to know how the applicant planned on mitigating the noise from the facility.

Vice-Chairman Reyna advised that it isn't necessarily about the building it is what you would be doing within that building.

Commission member LaMar said the concept is a great it just the wrong place for this business.

Amy Hugie advised that facility would be bigger than the home and that really isn't what the scope of the home occupation ordinance is for a small business that could be run out of your home in portion of the home with low impact.

Commission member LaMar made a motion to deny the request for a Conditional Use Permit for a home occupation at 3416 W 3600 S, finding that there are detrimental effects of the proposed land-use that cannot be sufficiently mitigated through the application of reasonable conditions, including 1) That the portion of the home occupation, as proposed, would not be able to remain secondary to the residential use. 2) The proposed site plan does not comply with the purpose and intent of the Home Occupation ordinance in "maintain the peace, quiet, and domestic tranquility within all residential or agricultural areas of the city. **Commission member Galt** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Streker.

6. **DISCUSSION AND ACTION** - To consider a Preliminary Plan for a two-lot Subdivision for Redline Properties, LLC at approximately 3156 S 2700 W Parcel #15-094-0093. (Applicant Nathan Poulson)

Damian provided a brief summary of what the applicant would like to do. The applicant would like to divide his property of 4.79 acres/A-1 zone and split it into 2 lots. The property currently has a home on the north end of the parcel and would remain on the property as lot 1. Lot 2 is currently undeveloped. A road dedication would be required for this property as well as public infrastructure that would need to be completed prior to subdivision approval. Lot 2 lacks the requirement of 150-foot width and frontage, and the setbacks need to be updated. Weber Fire would need to approve prior to final plat.

Mr. Poulson was present. He indicated that his parents will live in Lot #1 and he will build a home on lot #2 in the middle of the property. He is wanting to have a homestead for his family. He has no plans to expand in the future unless it is for his children. He is very flexible if they need to reposition where he builds the home to help accommodate the frontage.

Commission member Galt wanted to know if there is a long-term plan to develop this into more. He was also concerned about the frontage.

Commission member Smith made a motion to approve the preliminary subdivision plat for the property at 3156 S 2700 W, finding that the provided plans meet the submitted criteria. The approval is subject to the following conditions: 1) The City Engineer's approval of the proposed plans is obtained prior to final subdivision approval, 2) Will-Serve letters are received from the applicable utility service providers prior to final subdivision approval, 3) The plat is updated to comply with and accurately represent the site development standards of the Zoning Ordinance. **Vice-Chairman Reyna** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Streker.

7. **DISCUSSION AND ACTION** - To consider a Final Plat approval for Holiday Landing located at approximately 3525 W 4000 S Parcel # 08-050-0141. (Applicant Holiday Oil, Agent Preston Hansen/Victory Builders)

Chairman Reed wanted to put on record that Tanner Hansen (the applicant) had recognized him at a local warehouse store, and spoke with him regarding the changes he had made to the project. Chairman Reed said that nothing was promised or guaranteed.

Damian briefly summarized the project. All staff's recommendations have been met. Engineering has reviewed the plat and improvement plans with the applicant proceeding to preconstruction once all outside approvals are in place.

Tanner Hansen/Agent for project was present. They had no other comments. They are just wanting to get this project started.

Commission member Smith made a motion to approve the final plat for Holiday Landing Subdivision, located at 3525 W 4000 S, Parcel # 08-050-0141. **Commission member Stimpson** seconded the motion

AYES – Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS – Chairman Reed

ABSENT/EXCUSED – Commission member Streker.

8. **DISCUSSION AND ACTION** - To consider a Final Site Plan approval for Holiday Landing located at approximately 3525 W 4000 S Parcel # 08-050-0141. (Applicant Holiday Oil, Agent Preston Hansen/Victory Builders)

Damian briefed the commission on this project stating that this item was for "flex space". Preliminary Site Plan was approved on April 9, 2025. After reviewing that all recommendations that were required, staff found that the north façade front will be within 400' of a major corridor which would require the applicant to use 60% primary materials which was not found during the preliminary, so this would require conditional approval.

Staff also recommends that the parking in front of the bays be designated for employees or be time-restricted, due to there being internal space and doesn't want the bay to be blocked for long-term parking.

Tanner Hansen indicated that they will be reviewing the 60% façade this week with Community Development and Engineering for the primary material which they have no problem with. The idea is to allow a small business out of a home and into a location that helps them thrive and grow as a business.

Commission member Galt had request that the applicant refresh the commission's memory on what the goal is for this project.

Commission member LaMar made a motion to grant approval for Holiday Landing, a C-2 20-unit flex space, located at 3525 W 4000 S, Parcel # 08-050-01, conditioned that spaces in front of the garage doors for building one be designated as employee parking or have a time limit placed and for building two, the east side will need to have 60% primary materials, since it is within 400' of 3500 W and can be seen from the roadway. **Commission member Smith** seconded the motion.

AYES – Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS – Chairman Reed

ABSENT/EXCUSED – Commission member Streker.

9. **DISCUSSION AND ACTION** - To consider a change to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations.

Damian gave an update to the ordinance changes that have been made with the help of staff and Commission members over the last few months with several discussions and workshops which has led to the final draft of changes to the West Haven Land Use Title within the code. The main objectives were to enhance and clarify the development review process. Also, to amend the West Haven Subdivision Standards, Design Review, and create a Development Committee Review Committee.

From the last meeting the following changes were made:

§157.732 Exceptions

(E) Public Facilities. Public utility substations, wells and well houses, sewer lift stations, public buildings under 1,000 square feet, school district projects, Utah state projects, federal projects, and updates to government parking areas shall be exempt from the complete site plan approval process. Each of these improvements and designs shall be reviewed by the Development Review Committee to ensure compliance with West Haven standards and approved by the City Engineer and Community Development Director.

Commission member Galt made a motion that the Planning Commission recommend that the City Council approve the draft Ordinance and changes to Title III Administration Chapter 32 Organizations, and Title XV Land Usage, including Chapter 150 General Provisions, Chapter 156 Subdivision Standards, and Chapter 157 Zoning Regulations, as provided within the Planning Commission packet. **Vice-Chairman Reyna** seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Streker.

10. **ADJOURNMENT**

Vice-Chairman Reyna made a motion to adjourn at 6:57 pm. Commission member Galt seconded the motion.

AYES – Chairman Reed, Vice-Chairman Reyna, Commission member Stimpson, Commission member Galt, Commission member LaMar, and Commission member Smith

NAYS –

ABSENT/EXCUSED – Commission member Streker.

Rebyn Van Campen

Deputy City Recorder

Date Approved:

Planning Commission Staff Review Memo

September 24, 2025

Stephen Nelson, Community Development Director



CONDITIONAL USE PERMIT REVIEW

Request: CUP for a 2nd home occupation at the location
Property Location: 3801 South 3650 West
Property Zone: A-1, Agricultural
Property Size: 0.69 acres
Applicant: Mason Averett

Governing Document(s): WHZC §157.520 & §157.881(B)
Decision Type: Administrative
Staff Recommendation: Approve

Image 1: Site Aerial



I. BACKGROUND

The applicant requests that the Planning Commission grant the approval of a Conditional Use Permit to allow for a second home occupation, Crows Nest Aerial Solutions (an aerial photography and videography business), at the subject property, 3801 South 3650 West. The subject property, a single-family residence, already hosts an occupational therapy business, Kidsworks OT, LLC, which received a CUP to operate out of the accessory building on May 22, 2024.

The applicant has provided an overview of the property and has indicated that there will be no outside employees or customers planned meet at the property. The site plan also states that there will be no signage posted.

II. STAFF REVIEW

Staff's review of the proposed site plan as it pertains to the requirements of the West Haven Zoning Code is as follows:

Use

The use would be classified as a home occupation, a permitted use in the zone, or a conditional use when a second home occupation is proposed for the property.

§157.520 Conditional Use Standards

(A) General plan. The proposed use conforms to policies of the city's general plan.

Findings: A second home occupation, when approved by the Planning Commission in accordance with the approval criteria set forth in the zoning code, does conform with the policies of the West Haven City General Plan.

(B) Site design. The use is well-suited to the character of the site and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area.

Finding: The applicant has submitted an aerial photo of the site. There are no plans for customers or employees to access the home for this business. No activities will be taking place outside of the primary structure on the property for this application.

(C) Access. Access to the site avoids traffic and pedestrian conflicts and does not unreasonably impact the service level of any adjacent street.

Finding: The business will use the current access. No changes are proposed or required.

(D) Circulation. On-site vehicle circulation and truck loading areas mitigate adverse impacts on adjacent property.

Finding: This does not apply to this application.

*(E) **Parking.** The location and design of off-street parking complies with standards of this subchapter.*

Finding: There will not be any additional parking required since there will be no customers or employees reporting to the home.

*(F) **Refuse collection.** The locations and design of the refuse collection areas are not likely to create an adverse impact on the occupants of adjoining property.*

Finding: This does not apply to this application. No refuse collection is proposed beyond everyday residential needs.

*(G) **Utility services.** Utility capacity supports the use at normal service levels.*

Finding: The application does not require any additional utility services.

*(H) **Screening.** The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. Fencing, screening, and landscape treatments and other features increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.*

Finding: The proposed business will take place within the home, no additional screening is required.

*(I) **Operating hours.** The hours of operation of the use and delivery of goods are not likely to adversely affect surrounding uses.*

Finding: The business will operate from 8:00 a.m. to 6:00 p.m. and will mostly take place off-site, then the applicant will use a home office for processing images and videos.

*(J) **Signs.** Sign size, location, and lighting are compatible with, and do not adversely affect, surrounding uses.*

Finding: No signs are proposed.

*(K) **Public services.** Public facilities such as streets, water, sewer, storm drainage, public safety, and fire protection are adequate to serve the use.*

Finding: Services are adequate to meet the needs of the proposed home occupation.

(L) Environmental impact. The use does not significantly adversely affect the quality of surrounding air and water, encroach into a waterway or drainage area, or introduce any hazard to the premises or any adjacent property.

Finding: No excepted environmental impact.

(M) Nuisance. Operation of the use is unlikely to create any nuisance from noise, vibration, smoke, dust, dirt, odor, noxious matter, heat, glare, electromagnetic disturbance, or radiation.

Finding: The operation will take place in a home office or off-site; therefore, no nuisances are anticipated.

§157.881 Home Occupation Conditional Use Standards

Per §157.880, home occupations that are conditional in use are subject to the following three additional criteria of approval:

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

Finding: No, the business is not likely to produce any notable impact.

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

Finding: No. The applicant has indicated that there will be no employees or customers coming to the home.

(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?

Finding: No use of hazardous chemicals are proposed.

III. RECOMMENDED ACTION

Based on the findings listed in Section II of this report, staff recommends that the Planning Commission move to **approve** the requested Conditional Use Permit for the home occupation at 3801 S 3650 W, finding that there are no detrimental effects of the proposed land use that can be reasonably anticipated that are not sufficiently mitigated.

IV. POSSIBLE MOTION

Approve: Motion to approve the requested Conditional Use Permit for the home occupation, Crow's Nest Aerial Solutions LLC, at 3801 S 3650 W, West Haven, Utah, finding that there are no reasonably anticipated detrimental effects of the land use that are not sufficiently mitigated.

Approve with conditions: Motion to approve the requested Conditional Use Permit for a home occupation, Crow's Nest Aerial Solutions LLC, at 3801 S 3650 W, West Haven, Utah, finding that all anticipated detrimental effects of the proposed land-use are sufficiently mitigated when the following conditions of approval are applied:

[List Conditions]

UT

Zip Code

84401

Business Location

3801 S 3650 W

City

West Haven

State

UT

Zip Code

84401

Is this building or property leased or rented?

No

Do the individual(s) who own and operate the business also live at the residence?

Yes

How many employees does the business have or plan to have?

0

Does the business use any accessory building, garage, yard, or space outside the main building not normally associated with residential use?

No

Does the business use, produce or store hazardous chemicals as defined in UCA § 19-6-302?

No

Will the business allow the residence to retain the general character and appearance of the residential dwelling?

Yes

Will the home occupation remain secondary to the residential use of the dwelling?

Yes

Does this home already have a business license for another home occupation?

Yes

List other Business(es)

Kid Works Occupational Therapy

Will there be any business-related vehicles on the property?

No

Will there be any signs related to the home occupation?

No

084080004

Property Zone (select all that apply)

A-1

Property Size (in acres)

0.69

Briefly Describe Conditional Use Request

Crow's Nest Aerial Solutions is a small, family-owned aerial photography and videography business operated from our residence in West Haven. Our services include real estate photography, construction progress documentation, inspections (roofs, solar panels, etc.), and recreational/event videography. The business does not require customer visits to our home, and all drone operations take place off-site at client locations. Our home will serve only as the administrative base for scheduling, editing, and office work. We will have no on-site signage, retail traffic, or significant noise impact.

Does the proposed use conform with the General Plan?

Yes

Does the utility capacity support the proposed use at normal service levels?

Yes

Are there adequate public services to support the proposed use, including streets, water, sewer, storm drainage, public safety and fire protection?

Yes

What are the proposed Operating Hours?

Monday – Saturday: 8:00 AM – 6:00 PM (Drone flights and client work will occur off-site during daylight hours. Home office use for editing and scheduling will be limited to normal business hours. No operations on Sunday except occasional editing work.)


Are there any environmental impacts? This includes affecting the quality of surrounding air and water, storming chemicals, or introduce any hazard to the premises or any adjacent property?

No

Will the operation of the use create any nuisance from noise, vibration, smoke, dust, dirt, odor, noxious matter, heat, light, electromagnetic disturbance, or radiation?

No

Please submit a site plan containing the following: Access, traffic circulation, parking, refuse collection, signage, location of any buildings, and landscape area.

 **Still 2025-08-29 101347_1.15.1.jpg**

Before proceeding, ensure that your request meets each of the following requirements

GENERAL PLAN: The proposed use conforms to policies of the city's general plan, **SITE DESIGN:** The use is well-suited to the character of the site and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area, **ACCESS:** Access to the site avoids traffic and pedestrian conflicts and does not unreasonably impact the service level of any adjacent street, **CIRCULATION:** On-site vehicle circulation and truck loading

areas mitigate adverse impacts on adjacent property, PARKING: The location and design of off-street parking complies with standards set forth in the West Haven Municipal Code., REFUSE COLLECTION: The locations and design of the refuse collection areas are not likely to create an adverse impact on the occupants of adjoining property, UTILITY SERVICES: Utility capacity supports the use at normal service levels, SCREENING: The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. Fencing, screening, and landscape treatments and other features increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts, OPERATING HOURS: The hours of operation of the use and delivery of goods are not likely to adversely affect surrounding uses, SIGNS: Sign size, location, and lighting are compatible with, and do not adversely affect, surrounding uses, PUBLIC SERVICES: Public facilities such as streets, water, sewer, storm drainage, public safety, and fire protection are adequate to serve the use, ENVIROMENTAL IMPACTS: The use does not significantly adversely affect the quality of surrounding air and water, encroach into a waterway or drainage area, or introduce any hazard to the premises or any adjacent property , NUISANCE: Operation of the use is unlikely to create any nuisance from noise, vibration, smoke, dust, dirt, odor, noxious matter, heat, glare, electromagnetic disturbance, or radiation

I confirm that my request conforms with the CUP requirements outlined above.



Planning Commission Date

09/24/2025

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Mason Averett - Invalid date



No Traffic on site
No Parking, on site
No signage on site

S 3650 W M 059E S 3650 W M 059E S 3650 W

KidWorks.OT

**Planning Commission
Staff Review Memo**

September 24, 2025

Damian Rodriguez, Planner



CONDITIONAL USE PERMIT REVIEW

Request: Home Occupation Conditional Use Permit
Property Address: 4840 W 4250 S
Property Zone: A-1, Agricultural
Property Size: 40,300 square feet
Applicant: Lawn & Landscape on Point LLC

Governing Document(s): WHZC 157.880
Decision Type: Administrative
Staff Recommendation: Approve

Image 1: Site Aerial

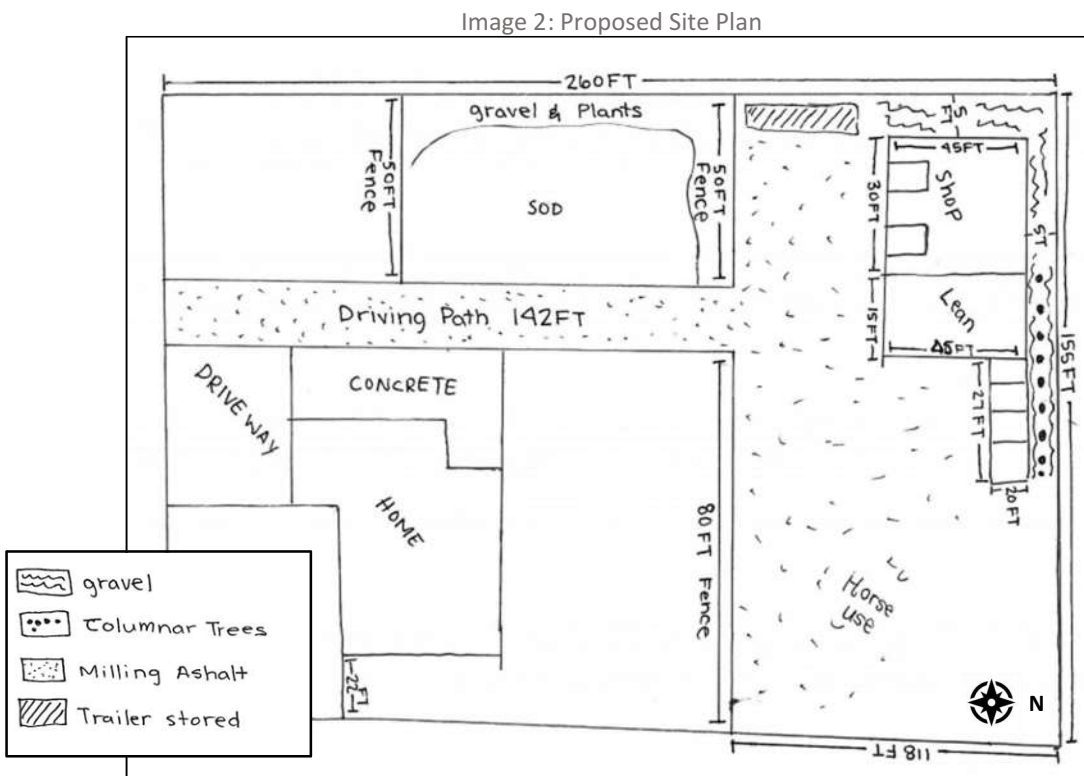


I. BACKGROUND

The applicant is seeking a Conditional Use Permit to allow for their landscaping business, *Lawn & Landscape on Point LLC*, to operate at their residential property at 4840 W 4250 S in West Haven. The requested business does require the approval and issuance of a conditional use permit prior to being eligible for a home occupation license for the following reasons:

1. A home occupation is permitted only by a conditional use permit if the business employs more than one employee who does not live at the residence (§157.881(A)). The business employs seven (7) individuals who do not live at the residence.
2. A home occupation is permitted only by a conditional use permit if the business utilizes any accessory building, garage, yard, or space outside the main building not normally associated with residential use (§157.881(A)).
3. The storage and use of light construction equipment, such as a backhoe, front-end loader, or up to a ten-wheel truck, for off-premises contract work by the owner or resident of real property is a conditional use in the zone, A-1 (§157.235(I)).

This request for a conditional use permit was received in time for the Planning Commission meeting on July 9, 2025, when staff recommended the commission move to table action on the request until the applicants could provide a corrected site plan. The applicants provided an updated site plan, which the commission reviewed on August 13. During the meeting, staff recommended denying the request, but the commission opted to table it until the applicants could make further changes to the site plan. At this point, the applicants have provided an updated site plan that addresses many of the concerns of staff and the Planning Commission.



In addition to the updated site plan, the applicants have provided a written statement that states that they will not store loose material on the property and that the portion of the property used for the business will be restricted to an area of 108' by 72', a total of 7,776 sq ft which is less than 20% of the total area of the property. See the attached written statements from the applicants for more on their proposal.

II. STAFF REVIEW

Staff's review of the proposed site plan as it pertains to the requirements of the West Haven Zoning Code are as follows:

Use

The use would be classified as a home occupation that employs more than one individual who does not live at the residence. The proposed use is conditional in the A-1 Zone.

§157.520 Conditional Use Standards

(A) General plan. The proposed use conforms to the policies of the city's general plan.

Findings: The proposed use, Home Occupation, conforms to the policies of the general plan.

The stated purpose and intent of the Home Occupation Ordinance is "to allow persons residing in dwellings in residential and agricultural areas to provide a service, develop a product for sale, and operate certain kinds of small businesses, while at the same time maintaining the peace, quiet, and domestic tranquility within all residential or agricultural areas of the city." Staff finds that the updated business plans are in keeping with the peace, quiet, and domestic tranquility of the residential area when the conditions enumerated in Section III, *Recommended Action*, of this report are applied.

(B) Site design. The use is well-suited to the character of the site and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area.

Findings: The use, with its updated plans, is suited to the character of the site. The portion of the property dedicated to the business has been specified, and that specified area is secondary to the portion of the property used for residential and agricultural purposes.

Previously, staff recommended the denial of the requested conditional use permit, with aspects of the site design being the chief concern that influenced that recommendation. Per §157.882(B), a required condition of any home occupation is that "the portion of the home occupation shall remain secondary to the residential use of the dwelling". The dwelling refers to the home itself, and this language implies that the business is within the home, and indeed §157.881(A) restricts the business from any use of an accessory building or any space outside the main building. However, Subsection (B) allows for exceptions from the conditions of Subsection (A) if approved by the Planning Commission through the granting of a conditional use permit. In the review of such a request for exception, staff finds that it is necessary, and not arbitrary or capricious, to then apply the concept of §157.882(B) to the whole property—that

the portion of the property used in conjunction with the home occupation shall remain secondary to the residential use of the property. The updated site plan limits the business use of the property to approximately 20% of the total property area.

Image 3: Proposed business portion of the property (in red)
(Image provided by applicant)



Aspects of the updated site plan and proposed use that further make the request compliant include the addition of landscaping as screening material, the discontinuation of loose material storage at the site, and the addition of a concrete parking pad. These aspects are discussed in greater detail in their appropriate subsections of this report.

(C) Access. *Access to the site avoids traffic and pedestrian conflicts and does not unreasonably impact the service level of any adjacent street.*

Findings: Current access is adequate, and no changes are proposed with this request.

(D) Circulation. On-site vehicle circulation and truck loading areas mitigate adverse impacts on adjacent property.

Findings: On-site vehicle circulation is amply provided with most of the rear portion of the lot being kept clear for vehicle staging and maneuvering. This rear area of the lot is accessed via a driveway of milling asphalt which is an approved surface material.

(E) Parking. The location and design of off-street parking complies with standards of this subchapter.

Findings: The location and design of the proposed off-street parking mostly comply with applicable parking standards. A metal building with an attached carport and concrete foundation is proposed for the parking and storage of construction equipment, while a concrete parking pad, 27' wide and 20' deep, is proposed for employee parking.

Image 4: Proposed Shop Concept (Image provided by applicant)



A remaining concern is that the applicant has stated that four employees would regularly report to the site, yet the proposed parking pad provides space for only three parking spaces, per the minimum width of parking spaces specified by code (9-foot-wide). For this reason, staff recommend the following conditions of approval:

- No more than four employees who do not live at the residence will report to the residence for business-related purposes.
- A parking pad or pads are developed to accommodate at least four 9-foot-wide parking spaces.

(F) Refuse collection. The locations and design of the refuse collection areas are not likely to create an adverse impact on the occupants of adjoining property.

Findings: Generally speaking, the refuse collection method for a home is adequate in servicing a home occupation without the need for any service expansion. The size and scale of the requested home occupation may warrant a refuse collection expansion of services now or in

the future. In such cases, applicants have access to both private and public options. Staff does not anticipate any detrimental effects of the requested land use in terms of refuse collection.

(G) Utility services. Utility capacity supports the use at normal service levels.

Findings: Utility capacity would support the requested use at normal service levels.

(H) Screening. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts. Fencing, screening, and landscape treatments and other features increase the attractiveness of the site and protect adjoining property owners from noise and visual impacts.

Findings: With the updated site plan, the proposed use is appropriately screened from adjacent residential uses. The provision of a shop for the storage of construction equipment will greatly reduce the need for screening and serves as a barrier to potential visual impacts. The applicant also proposes a 5-foot buffer and a row of columnar trees between the proposed parking pad and the rear property line, which staff finds to be adequate in screening the detrimental effects of parking near a property boundary.

(I) Operating hours. The hours of operation of the use and delivery of goods are not likely to adversely affect surrounding uses.

Findings: On the Business License Application that was received for the subject home occupation, the applicants have listed their hours of operation as 7:00 am to 5:00 pm, which are consistent with the home occupation code.

(J) Signs. Sign size, location, and lighting are compatible with, and do not adversely affect, surrounding uses.

Findings: There are no signs proposed with this use request.

(K) Public services. Public facilities such as streets, water, sewer, storm drainage, public safety, and fire protection are adequate to serve the use.

Findings: The existing public facilities are adequate for servicing the requested use.

(L) Environmental impact. The use does not significantly adversely affect the quality of surrounding air and water, encroach into a waterway or drainage area, or introduce any hazard to the premises or any adjacent property.

Findings: With the updated site plan and accompanying written statements, the use will not have a significant adverse impact on the quality of the surrounding environment. The proposed

parking structures will eliminate or sufficiently mitigate the potential for leaching of toxic substances into the ground, and the discontinuation of the storage of loose materials at the property will prevent a significant impact on the surrounding air quality. Additionally, the landscaping that is proposed in the updated site plan would have a positive effect on the surrounding environment.

One remaining concern is the potential for excessive dirt, dust, and other undesirable particles entering the stormwater system through vehicles accessing and egressing the property. For this reason, staff recommends the following condition of approval:

- All vehicle access and on-site maneuvering of vehicles will occur exclusively on those surfaces improved with hard materials

(M) Nuisance. Operation of the use is unlikely to create any nuisance from noise, vibration, smoke, dust, dirt, odor, noxious matter, heat, glare, electromagnetic disturbance, or radiation.

Findings: The updated site plan with the proposed shop building will sufficiently mitigate anticipated nuisances in terms of noise, vibration, glare, etc.

Previously, the storage of loose materials at the site was a major concern for staff due to its potential for nuisances caused by fugitive dust, odor, and/or noxious matter (particulate matter). The applicants have provided a written statement of discontinuation of the storage of such materials at the site, and staff find this to be sufficient without the need for further mitigation. The storage of such materials is not conditional or permitted outright in the zone, so any future occurrences would be subject to code enforcement action.

§157.881 Home Occupation Conditional Use Standards

Per §157.880, home occupations that are conditional in use are subject to the following three additional criteria of approval:

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

Findings: The business, as proposed, is unlikely to generate noise, odors, dust, or smoke that would extend beyond the property, which is not adequately mitigated. The discontinuation of the storage of loose matter at the site and the provision of a shop and lean will sufficiently mitigate the trespass of noise, odors, dust, and smoke.

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

Findings: The applicant has stated that up to four employees will routinely report to the subject property for business-related purposes. Although this amount of employee traffic is unusual for a home occupation, staff finds that such traffic would not necessarily result in a nuisance. By

code, any business that requires more than five employees who do not reside at the residence to report to the residence will not be permitted as a home occupation. The business employs a total of seven employees beyond the owner, and if more than five were ever to be required to routinely report to the residence, then the Conditional Use Permit and Business License would be subject to revocation.

(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?

Findings: The applicant has not indicated that they would use, produce, or store any such chemicals in conjunction with the home occupation.

III. RECOMMENDED ACTION

Staff recommends that the Planning Commission move to **approve** the requested Conditional Use Permit, finding that the use is in keeping with the peace, quiet, and domestic tranquility within this residential area of the city, and the reasonably anticipated detrimental effects of the use are substantially mitigated when the conditions enumerated in Section IV of this report are applied.

IV. POSSIBLE MOTION

Approve with conditions: Motion to approve the requested Conditional Use Permit for a home occupation at 4840 W 4250 S, finding that all anticipated detrimental effects of the proposed land-use are sufficiently mitigated when the following conditions of approval are applied:

1. The portion of the property used for the business remains secondary to the portion of the property used for the residence and its incidental and accessory uses.
2. No more than four employees who do not live at the residence will report to the residence for business-related purposes.
3. A parking pad or pads are developed to accommodate four 9-foot-wide parking spaces.
4. Any storage of light construction equipment at the site is contained in the proposed shop building or under the proposed carport.
5. No storage of heavy construction equipment occurs at the property for any duration.
6. All vehicle access and on-site maneuvering of vehicles will occur exclusively on those surfaces improved with hard materials.
7. A building permit is obtained for the proposed building prior to construction and within six months of the date of the conditional use permit approval.
8. All proposed site work is completed within twelve months of the date of the conditional use permit approval.



All orange will be used a buisness

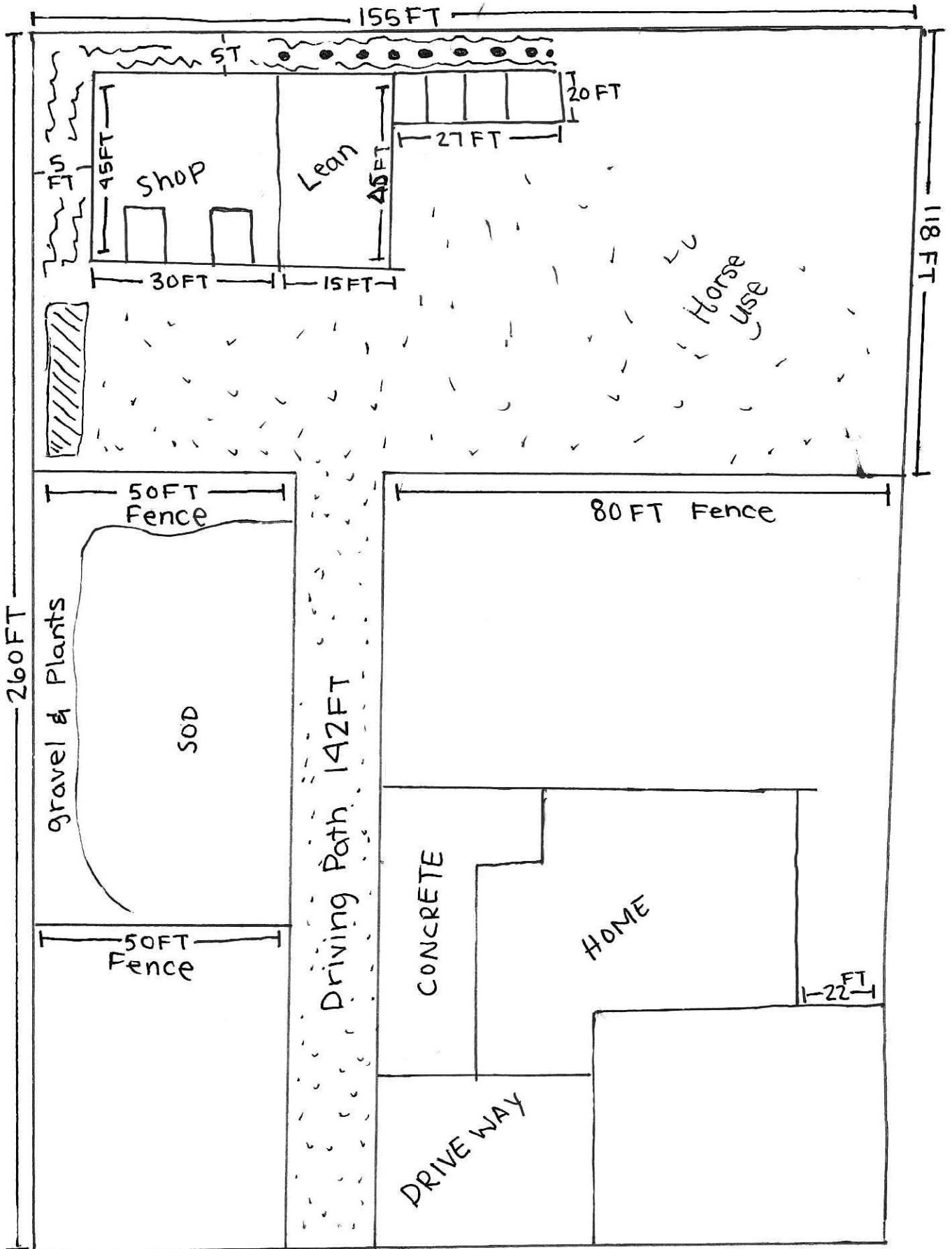
Thank you,

I Oscar Uribe & Gabriela Uribe business owners of Lawn & Landscape On Point LLC on property 4840 w 4250 s West Haven. Give our word that this practice will discontinue to store any loose material in our business property.

Oscar Uribe

Gabriela Andrade

Date: September 08, 2025

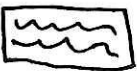


Shop : 30 ft x 45 ft plus a Lean of 15 ft X 45 ft

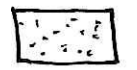
All the 5 ft from the building to building all around will be gravel and by the Lean and parking area there will be columnar trees. The lean will be used to store the bobcat and snow removal equipment. The shop Lean and parking area are going to be concrete. The rest of it will be Milling asphalt. One area of the area used will be to store the trailers. The driving path has existing milling asphalt.

Employment Parking Area : 27 ft x 20 ft

Business use of the rear property : 108 ft x 72 ft

 gravel

 Columnar Trees

 Milling Asphalt

 Trailer stored

Planning Commission
Staff Review Memo

September 24, 2025

Damian Rodriguez, Planner

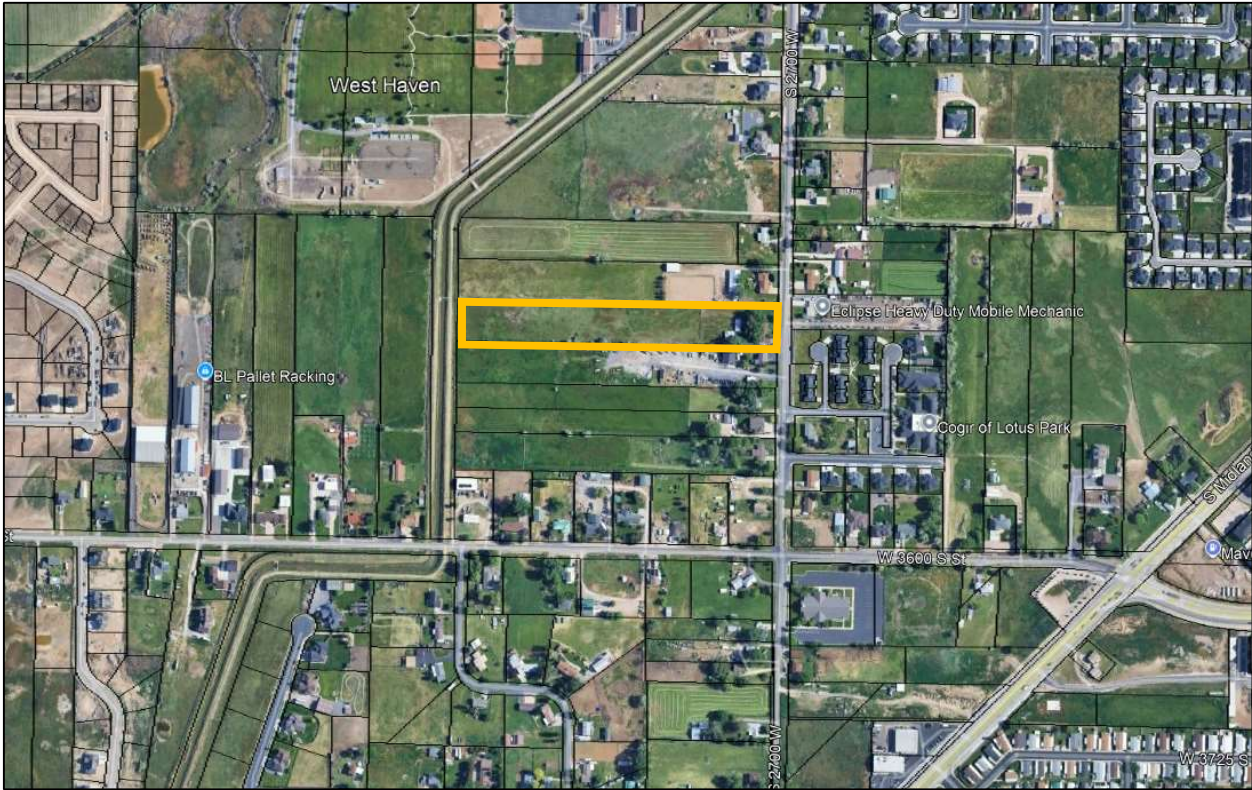


REZONE PETITION

Request: Rezone parcel 080300010 from A-1 & A-2 to PH
Property Location: 3481 South 2700 West
Property Zone: A-1 and A-2 Agricultural
Property Size: 5 Acres
Applicant: Nathan Poulsen

Governing Document(s): WHZC §157.706
Decision Type: Legislative
Staff Recommendation: Denial

Image 1: Site Aerial



I. BACKGROUND

The applicant requests the approval of an amendment to the zoning map to change the zoning designation of the 5-acre property at 3481 South 2700 West Street from the A-1 and A-2 Agricultural Zones to the PH, Patio Homes Zone.

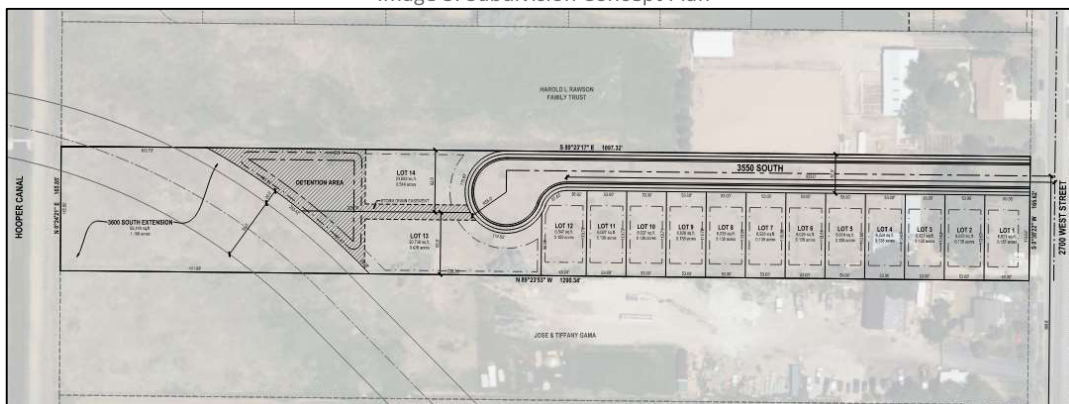
Image 2: Map of Current Zoning (Subject Parcel Vicinity)



The impetus behind the rezone petition is to enable the subdivision of the land to allow for more lots for the development of single-family homes than would otherwise be allowed in the existing zone. A land dedication to the city for the future development of an arterial road through the block is proposed in this concept and is consistent with the city's long-term transportation goals. The road dedication to the city would partition about 1.2 acres away from the owner/developer, leaving approximately 3.7 gross acres for development.

The applicant wishes to subdivide the remaining 3.7 gross acres into 14 lots for single-family homes. Per WHZC §156.056, a cul-de-sac may serve a maximum of 14 lots. Conversely, a maximum of 7 lots would be possible on the same tract of land if the property were rezoned R-2, consistent with the General Plan. See image 4 for the envisioned zoning of the subject property and surrounding properties.

Image 3. Subdivision Concept Plan



The surrounding zoning and land uses are as follows:

Table 1: Zoning Designations of Contiguous Property

| Direction | Zone | Current Use |
|-----------|-----------|--------------------------|
| North | R-2 | Single-family dwelling |
| East | A-1 & R-2 | Single-family home & PUD |
| South | A-1 & A-2 | Single-family dwelling |
| West | A-2 | Layton Canal |

II. **STAFF REVIEW**

Staff's review of the proposed rezone as it pertains to the requirements of the West Haven Zoning Code is as follows:

§157.706 Development to be Linked to Rezoning: A City Policy

(A) Since the purpose of zoning regulations is to promote the general welfare, safety, health, convenience, and economic prosperity of the residents of the city, it is city policy that rezoning of property, upon a petition by property owners, should further this purpose. As rezoning of property by itself does nothing to promote these goals; the achievement of proposed development upon which rezoning is based is of prime importance to the city to justify the actual rezoning requested.

Concept plans associated with a rezone petition are not binding and entitle no aspect of the conceptual plat or site plan. Furthermore, although helpful for the decision-making process, concept plans are not required for single-family dwelling subdivisions.

There are multiple ways in which the development concept would promote the general welfare, safety, health, convenience, and economic prosperity of the community. In addition to simply adding more units to our housing stock, the smaller lots of the Patio Home Zone are particularly suitable for less mature households and other lower-income earners, a segment of the housing stock that suffers disproportionately. The smaller lots are also an attractive option for our aging population that wishes to age in place here in West Haven.

Finding: Generally speaking, patio homes are an underutilized asset in the city that promotes the general welfare, safety, health, convenience, and economic prosperity of the residents of the city. The proposed concept of development (Image 3) does directly benefit the city by providing a detached housing type that is scarce within the community and city at large.

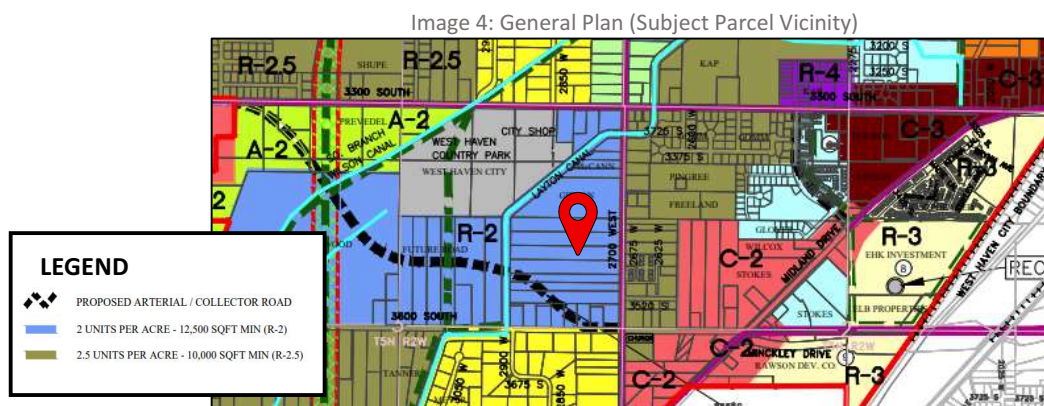
General Plan Consistency

The purpose of the General Plan is to serve as an advisory guide for decisions on land use, such as new zoning and ordinances, revised zoning and ordinances, zoning changes, and guidance on the location of City-owned facilities and utilities (West Haven City General Plan, pg. 7).

The West Haven General Plan calls for a different zoning designation than that which is sought by the applicant. The Patio Home Zone is requested, whereas the General Plan Map envisions the subject property and the contiguous properties as R-2, with R-2.5 envisioned for the properties immediately across 2700 West Street.

The proposal is consistent with the Mission of the Moderate-Income Housing Plan and the Initiatives for housing families with modest incomes that are identified in that plan. Those initiatives that are supported by the proposal are as follows:

1. *Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate-income housing.*
3. *Encourage higher-density or moderate-income residential development near major transit investment corridors.* (The subject property is within 1.5 miles of Roy Station) (Moderate Income Housing Plan, pg. 4)



Additionally, when reviewing a rezone petition that differs from the General Plan Map (Image 4), a comparison of those differing zones should also be considered. The R-2 Zone, the zoning designation that the General Plan envisions for the subject property, has a three-component Purpose and Intent, which is:

- A. *to provide for areas in appropriate locations where quiet, moderate-density residential neighborhoods may be established and protected.*
- B. *The regulations of this Zone are designed to promote compatible land uses consistent with a suburban environment enjoyed by residents within the Zone.*
- C. *With proper controls that ensure the integrity of the Zone, alternate forms of residential living are provided for by allowing flexibility in housing type, preference, and costs.*

The zone has a density restriction of no more than two residential units per acre within every subdivision or planned unit development within the zone.

The PH Zone, the zone that is requested by the applicant, has a codified Purpose that reads:

The purpose of the Patio Home Zone is to provide an acceptable housing style for single-family “empty nest” type housing that is a sustainable quality product within the city. To provide for areas in appropriate locations where quiet residential neighborhoods may be established and protected.

This zone has a density restriction of no more than five residential units per acre for every subdivision or planned unit development within the zone.

Finding: The requested zone has a stated purpose that is similar and complementary to the purpose and intent of the zone that is envisioned for the subject property by the General Plan; however, the density allowance in the requested zone is too significant a departure from what is envisioned by the General Plan (more than double) to be considered consistent with the envisioned land-use General Plan Map. The proposal is, however, consistent with the Moderate-Income Housing section of the General Plan and does progress 2 of 3 of the plan's initiatives.

§157.715 City Zoning Alternative Actions

(A)(3). The City Council may rezone, or agree to rezone, the subject land to any other zone or zones deemed more appropriate when considering the master plan, citizens' comments, and other factors, and which may allow some, or all, of the petitioner's requested uses.

The General Plan is considered as the primary advisory document, and staff generally recommend that the City follow the General Plan Map in considering zone change applications; however, per §157.715(A)(3), it is one of multiple factors to be considered when the City Council acts upon a petitioner's request to rezone their property.

The increased densification of those lots in this block, which will lose area due to the road dedications necessary for the development of the through-road, should be considered. Some properties, including the subject property, may be subsequently misshapen with areas that are difficult to develop, effectively losing more area than the initial numbers suggest. Ultimately, staff finds that any request for increased densification due to necessary road dedications should be reviewed on a case-by-case basis, and the subject property could warrant a gentle densification beyond what the General Plan calls for. However, the petitioned rezone of the property cannot be considered a gentle densification, as the proposal will increase the possible lots on the property by more than double that of the existing zone and the zoning of the property that is envisioned by the General Plan.

Finding: Gentle increased densification should be considered for properties that will lose area to road dedications serving regional transportation goals; however, the proposed rezone is too drastic a change from the current zoning designation of the property to be justified.

III. RECOMMENDED ACTION

Based on the findings listed in Section II of this report, staff recommends that the Planning Commission move to recommend to the City Council the **denial** of the petitioned amendment of the zoning map. Those findings of staff that both support and contradict the proposed rezone are enumerated on page 6 of this report for convenience; however, the Planning Commission may consider additional factors in deciding its recommendation.

Findings that support the proposal:

1. The proposed concept of development provides a detached housing type that is scarce within the community and city at large.
2. Though the project itself likely will not result in the construction of moderate-income housing, the proposal is consistent with some of the goals and policies of the Moderate-Income Housing Plan elements.
3. Gentle increased densification via alternative zoning should be considered for properties that will lose area to road dedications serving regional transportation goals.
4. The requested zone is similar in purpose and land-use allowances to the zone that is envisioned for the subject property by the General Plan.

Findings that contradict the proposal:

1. The proposed rezone would be a drastic change in density allowances from the current zoning designation.
2. The proposed rezone represents a drastic change in density allowances from what is envisioned for the property by the General Plan.
3. The zoning boundaries would limit its development potential, likely resulting in a single cul-de-sac that would not allow any additional units or access on it in the future beyond the one development.

Generally, planning staff recommend that the City follow the recommendations from the General Plan Map for Amendments to the Zoning Map. The commission also has the discretion to counterpropose a rezone to a zoning designation that is more consistent with the General Plan, namely R-2. Again, per the cited code, the council and commission have the discretion to deviate from the General Plan based on other factors considered.

IV. POSSIBLE MOTION

Deny: *Motion to recommend to the City Council the denial of the Rezone Application for the property at 3481 South 2700 West, in West Haven, finding the request to rezone the property from A-1 and A-2 to PH does not conform with the General Plan Map.*

Approve: *Motion to recommend to the City Council approval of the Rezone Application for the property at 3481 South 2700 West, in West Haven, finding the request to rezone the property from A-1 and A-2 to PH conforms with and supports the goals of the Moderate Income Housing Element of the General Plan, and meets the purpose of the PH Zone.*

Application Review Status

| | | |
|-------------------------|--------------|----------------|
| Pre-Review | Approved | Date Submitted |
| Application is complete | | 08/26/2025 |
| Planning Commission | Not Reviewed | |
| City Council | Not Reviewed | |
| Final-Review | Not Reviewed | |

| Fees | | Payments | | |
|----------------------------------|----------|------------|------|----------|
| Residential Zone Amendment Fee 2 | \$300.00 | 08/26/2025 | Cash | \$300.00 |
| Subtotal | \$300.00 | Total Paid | | \$300.00 |
| Amount Paid | \$300.00 | | | |
| Total Due | \$0.00 | | | |

Application Form Data

(Empty fields are not included)

First Name

Nathan

Last Name

Poulsen

Phone

Email

Address

[REDACTED]

City

[REDACTED]

State

[REDACTED]

Zip Code

[REDACTED]

Is the applicant different from the property owner?

No

First Name

Redline

Last Name

Properties llc

Owner Phone

[REDACTED]

Owner Email

[REDACTED]

Address

[REDACTED]

City

[REDACTED]

State

UT

Zip Code

84401

Property Address

3481 South 2700 West, West Haven

Parcel Number(s)

080300010

Total No. of Acres

5

Current Zoning

A-1

Proposed Zoning

PH

Describe Project and Requested Use

Since the new road is taking a large chunk of my property I decided to switch to a ph zone to put in single family patio homes without an HOA. There is a big demand for this with all the baby boomers getting older and I feel it will be a great asset to west haven. It's not another apartment or another HOA. Pride of ownership for the older generation.

Concept Plan: Required for all multi-family, mixed use, commercial, and industrial zone change applications

 CONCEPT PH ZONE 2025-08-13.pdf

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Electronically Signed

Nathan poulsen - Invalid date

