



**WEST POINT CITY  
PLANNING COMMISSION  
MEETING MINUTES**

**JUNE 12, 2025**

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**WORK SESSION  
6:00 PM**

**Planning Commission Present:** Chairperson PJ Roubinet, Vice-Chair Rochelle Farnsworth, Commissioner Jeff Turner, Commissioner Joe Taylor, Commissioner Adam King, and Commissioner Spencer Wade

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

**City Staff Excused:** Troy Moyes, City Planner

**Visitors:** Richard Roginski, Craig Jacobsen

**1. Review of agenda items**

Bryn MacDonald explained the first agenda item was for Russell Porter who had applied for approval of a 3,450-square-foot accessory building on his one-acre property along 4500 W. The building, to be located at the back of the lot, was not adjacent to any nearby homes and met all required setbacks. Mr. Porter, who has been operating a cabinet-making home occupation from his garage for several months without complaints, intended to move the business into the new structure. Because the business would be relocated to an accessory building, it qualified as a major home occupation requiring Planning Commission approval. Bryn MacDonald noted that neighbors were aware of the business and had even assisted with it. Deliveries occurred only once or twice a week, and customers did not come to the property, as Mr. Porter delivered cabinets directly to job sites. Commissioner Roubinet raised concerns about whether deliveries might increase with the larger space, emphasizing traffic as the only potential nuisance and Bryn MacDonald stated Mr. Porter would be in attendance to find out. Commissioner King asked about driveway access, and Bryn MacDonald confirmed Mr. Porter would extend his existing driveway to the new building, noting that driveways had no setback requirements.

The second agenda item was an application for Dale Kruitbosch on 3800 W. The property was just over half an acre, and the proposal included a 2,480-square-foot accessory building to be constructed at the same time as the home. Since an accessory building must be tied to a home, staff approved the plan as long as both structures were built concurrently. The site plan showed the house in the front and the accessory building in the back. Because the building exceeded 1,500 square feet, a conditional use permit was required. Bryn MacDonald noted that the project met all setback requirements and was designed to be exactly 10% of the lot area, the maximum size allowed for that lot. She emphasized that the accessory building would not receive final approval until the home had received a certificate of occupancy.

The third item Bryn MacDonald presented was an application for Doug Laub, who proposed a 1,920-square-foot accessory building on his acre-and-a-half flag lot. The structure was planned as a detached garage beside the home, likely replacing an existing awning. Because of the unusual lot shape, there was discussion about whether the placement should be considered a side or front yard. Bryn MacDonald explained that the code was unclear, but staff had treated it as a side yard, requiring an eight-foot setback from the property line. The building also needed to maintain at least six feet from the home and 15 feet from neighboring dwellings. Its proposed height was nearly 22 feet.

Several commissioners raised concerns about whether the site plan accurately reflected available space, noting discrepancies between the drawings and aerial images. Bryn MacDonald confirmed inspectors would verify setbacks during permitting and construction. Commissioners agreed the motion should specify that the building must meet all code-required setbacks. During discussion, Commissioner Turner observed that the application, along with others on the agenda, highlighted the value of larger lots, offering balance against the frequent focus on smaller, affordable developments.

Bryn MacDonald introduced the fourth item which was an application for Matt Leavitt, noting it had been reviewed several times before. The request involved an R-4 rezone and accompanying development agreement, though Mr. Leavitt's proposed density was only 3.6 units per acre—below the 3.7 minimum. A development agreement had been prepared to address this. Another issue was the number of twin homes proposed. At 21%, Mr. Leavitt was one unit over the allowable 20%. Commissioners discussed whether to round down to eight units, as the council had done in a recent case, or allow 10, since Mr. Leavitt was not pushing maximum density. Bryn MacDonald explained the code allowed 20% of the proposed units, not the maximum possible, so the commission could decide how to apply that.

The group also revisited driveway access on 300 N. While the code restricted driveways there, Mr. Leavitt's plan added only one new access and created a loop, reducing the need to back out. Commissioners noted concerns about neighbors potentially blocking access, but Bryn MacDonald suggested requiring an easement to keep it open. Boyd Davis, the city engineer, had not raised concerns about the driveway.

Questions arose regarding road ownership, right-of-way width, and whether Mr. Leavitt's lot was sufficient to accommodate the required 60-foot street width. Bryn MacDonald emphasized that the rezone and development agreement only approved the concept plan; engineering details would be addressed during subdivision review. If Mr. Leavitt could not meet road standards, the project could not move forward regardless of the approvals. It was also noted that developments over 30 lots required two access points, which Mr. Leavitt would need to provide at a later stage. Two separate public hearings would be required, one for the rezone and one for the development agreement.

The fifth agenda item was to review the development agreement for Harvest Fields, explaining that the proposal was to adjust a property line by about three to four feet to preserve existing trees along the north lot. The change would allow a fence to be installed without disturbing the trees. Commissioner King asked if the northern property owner would be purchasing the land, but

Craig Jacobson, speaking for the applicant, stated they were simply trying to be good neighbors. He explained that the trees straddled the property line, and rather than remove them, which could cost around \$30,000, they chose to convey the land at no charge, creating a “win-win” situation. Commissioner Roubinet noted that the adjustment would reduce one lot to below the 10,000-square-foot minimum, requiring a development agreement to make the exception. Mr. Jacobson added that without such an agreement, title issues could arise in the future when a loan underwriter flagged the zoning noncompliance. Bryn MacDonald confirmed that the agreement would specify the reduced lot size. The exact adjustment would be determined after a survey, but it was expected to fall within three to four feet.

Bryn MacDonald introduced the final agenda item, the proposed A-20 agricultural residential zone. She explained that the intent was to create a balance between agricultural preservation and residential living. The permitted and conditional uses would mirror those already established in the A-40 zone. The key difference lay in the development standards: the A-20 zone required a minimum lot size of 20,000 square feet with a density of 1.7 units per acre, which allowed for half-acre lots once roads were factored in. Other standards included 100-foot frontage and depth, setbacks of 30 feet in the front and rear and 10 feet on the sides, and consistent regulations for building height and accessory structures.

Animal regulations would also remain the same, requiring enclosures to be at least 100 feet from dwellings on adjacent lots. Bryn MacDonald noted that after reviewing lot layouts, this requirement was still feasible on half-acre parcels. In response to a question from Commissioner Turner, she clarified that animals were governed by a point system based on lot size. For example, a horse required 25 points, which was roughly the allowance for a half-acre lot. This meant a property owner could keep one horse or, alternatively, smaller animals such as goats or sheep, while chickens were permitted without restriction.

## **2. Other items**

Bryn MacDonald provided a council update, noting that the rezone for the two commercial lots on the Nielsen property had been approved. Upcoming council agendas included public hearings for the Mike Bastian PRUD, the Rojo Rose rezone, and the small area plans, which had already been discussed twice and were expected to be approved. They would also be reviewing new PRUD code language and landscaping code at the next meeting. The General Plan map had not yet been presented, as staff wanted to bring it forward alongside the A-20 zone so both could be considered together. Once the commission made a decision on A-20, both items would go to council.

Bryn MacDonald also reported that Ogden Clinic had submitted updated site plans and applications, which would be on the commission’s next agenda, along with the residential portion of Nielsen Crossing. Big-O Tires was preparing to open the first week of July, slightly delayed from July 1 because Rocky Mountain Power would not be able to set the meter until June 30. Bryn MacDonald confirmed that the council had approved the two commercial spots in front of Big-O Tires, one zoned but with no identified use yet, and the other approved for Nielsen’s Frozen Custard, with its site plan forthcoming.



**WEST POINT CITY  
PLANNING COMMISSION  
MEETING MINUTES**

**JUNE 12, 2025**

**GENERAL SESSION  
7:00 PM**

**Planning Commission Present:** Chairperson PJ Roubinet, Vice-Chair Rochelle Farnsworth, Commissioner Jeff Turner, Commissioner Joe Taylor, Commissioner Adam King, and Commissioner Spencer Wade

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

**City Staff Excused:** Troy Moyes, City Planner

**Visitors:** Richard Roginski, Craig Jacobsen, Eric Anderson, Doug Laub, Curtis Cottrell, Tyler Bitton, Katie Haugen, Kurtis Haugen, Cande Booker, Zeb Booker, Marilyn Olds, Bethany Everett, Marv Drake, Michelle Day, Kara Cooke, Connie Lee, DeAnn Ross, Sean Neilson, Dale Kruitboxch, Toney Family, Matt Leavitt, Russell Porter, Frank Weiler, Tami Yeoman, Dixie Bunot

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer – Commissioner King**
- 4. Disclosures from Planning Commissioners**

There were no disclosures from the Planning Commissioners.

- 5. Public Comments**

There were no public comments.

- 6. Approval of minutes from the April 24, 2025, Planning Commission meeting**

Commissioner Taylor motioned to approve the minutes from the April 24, 2025, Planning Commission meeting. Commissioner King seconded the motion. All voted aye.

- 7. Conditional use permit for a 2,000 square foot accessory building on property located at 1646 N 4500 W; Russell Porter, applicant**

Russell Porter, applicant, stated that he needed approval for both his home occupation and the associated item to move forward and that he had no additional comments but was available for questions. Commissioner Roubinet asked about delivery vehicles and whether a pull-off area had been planned. Mr. Porter explained that the property had a rock-lined shoulder where a 53-foot

trailer had parked previously and that he intended for deliveries to pull off there to stay off the street, noting that he had designed the area with a large enough radius for vehicles to turn around.

There were no further questions.

Commissioner King motioned to approve the conditional use request for Russell Porter to construct a 3,450 square foot accessory building on his property located at 1646 N 4500 W as presented. Commissioner Farnsworth seconded the motion. All voted aye.

**8. Conditional use permit for a major home occupation for RDP Cabinets & Millwork located at 1646 N 4500 W; Russell Porter, applicant**

Russell Porter is requesting a Conditional Use Permit for a Major Home Occupation to operate RDP Cabinets at his residence located at 1646 N 4500 W. The applicant was previously granted a Minor Home Occupation in April 2025 to operate his business out of the home's garage. With plans to construct a new 3,450 square-foot accessory building for the business, the use now exceeds the limitations allowed under a Minor Home Occupation specifically, the maximum of five percent of the lot area. As a result, approval of a Major Home Occupation by the Planning Commission is required.

The applicant previously obtained a Minor Home Occupation permit to operate a business out of their attached garage. Under West Point City Code 17.70.140(D)(2), a Minor Home Occupation is permitted to use "no more than 300 square feet or 20 percent of the gross floor area of the dwelling—whichever is more lenient—and no more than 5 percent of the lot area when using an accessory structure."

The business is now transitioning to a new 3,450 square foot detached accessory building, which occupies approximately 7.5 percent of the lot area. This exceeds the 5 percent cap for Minor Home Occupations, necessitating a reclassification to a Major Home Occupation. According to West Point City Code 17.70.140(E)(3), a Major Home Occupation allows the use of the entire accessory building for the business, subject to applicable zoning and lot size limitations. There is no maximum square footage for the business area within the accessory structure, provided the building itself complies with other development standards. The applicant claims the business receives 1-2 deliveries a week. Customers never come to the home. The business has been operating for several months at this point and we have received no complaints.

There were no further questions.

Commissioner Farnsworth motioned to approve the conditional use permit for Russell Porter to operate his cabinet shop out of his new accessory building located at 1646 N 4500 W. Commissioner Turner seconded the motion. All voted aye.

**9. Conditional use permit for a 2,480 square foot accessory building on property located at 1053 N 3800 W; Dale Kruitbosch, applicant**

Dale Kruitbosch is requesting a conditional use permit to construct a 2,480-square-foot accessory building on his property located at 1053 N 3800 W. The property measures 0.56 acres, which is equivalent to 24,487 square feet. According to West Point City code 17.70.030(A)(5), all accessory buildings that exceed 1,500 square feet, regardless of the lot size, require a conditional use permit.

Accessory Buildings		
Standard	Required	Proposed
Accessory buildings shall not occupy no more than 10% of the total lot area	$\leq 10\%$	10%
Minimum lot size for taller structures (sq ft)	$\geq 21,780$	24,487
Max structure height	$\leq 25$	24'6"
Not closer than 5' from the main building	$\geq 5'$	95'
Must not be closer than 15' from any dwelling structure on the adjacent lot.	$\geq 15'$	+50'

The home is in the process of being built right now. The desire of the applicant is to work on the accessory building at the same time.

There were no further questions.

Commissioner Wade motioned to approve the conditional use request for Dale Kruitbosch to construct a 2,480 square foot accessory building on his property located at 1053 N 3800 W as presented. Commissioner King seconded the motion. All voted aye.

#### 10. Conditional use permit for a 1,920 square foot accessory building on property located at 673 N 2300 W; Doug Laub, applicant

Doug Laub is requesting a conditional use permit to construct a 1,920-square-foot accessory building on his property located at 673 N 2300 W. The property measures 1.53 acres, which is equivalent to 66,812 square feet. According to West Point City code 17.70.030(A)(5), all accessory buildings that exceed 1,500 square feet, regardless of the lot size, require a conditional use permit.

Accessory Buildings		
Standard	Required	Proposed
Accessory buildings shall not occupy no more than 10% of the total lot area	$\leq 10\%$	3%
Minimum lot size for taller structures (sq ft)	$\geq 21,780$	66,812
Max structure height	$\leq 25$	22'
Not closer than 5' from the main building	$\geq 5'$	6'
Must not be closer than 15' from any dwelling structure on the adjacent lot.	$\geq 15'$	35'

According to the West Point City Code, the side yard setback for all accessory buildings in the rear yard shall be five feet. The rear setbacks are shown in the table below. The proposed building is 22 feet tall, and therefore requires a 10-foot rear setback.

Doug Laub, applicant, stated the side setback measurements on the drawing was incorrect at 8' and should be 5'. Bryn MacDonald stated according to the code it needs to be 8'. Mr. Laub stated he does not have the amount of space required and would prefer not to resort to a smaller accessory building. It was determined due to this miscommunication to have Staff and the applicant meet and discuss the plans to verify the correct setbacks before making a decision.

Commissioner King motioned to table the conditional use request for Doug Laub to construct a 1,920 square foot accessory building on his property located at 673 N 2300 W for two weeks so that there's time to have them relook at plans and the code and make sure everything is correct and acceptable. Commissioner King then amended the timing on the motion to state indefinitely. Commissioner Taylor seconded the motion. All voted aye.

## **11. Discussion and consideration to rezone 13.14 acres located at 3900 W 300 N from R-2 to R-4 (6 units per acre); Matt Leavitt, applicant**

Matt Leavitt has applied to rezone 13.14 acres of land located at approximately 3900 W 300 N, from R-2 residential to R-4 medium-density residential. The property was currently zoned R-2, while the General Plan had designated it as future R-4, a designation supported by the City Council, reflecting surrounding land use patterns and the need for diverse housing options. The applicant proposed a development consisting of 47 lots with a density of 3.6 units per acre, slightly below the R-4 minimum of 3.7 units per acre, which required a development agreement to allow the lower density. The R-4 zone permitted up to six units per acre and allowed up to 20 percent twin homes, which would allow up to nine twin homes, though the applicant proposed ten. The project included draft CC&Rs, building elevations, and architectural information, with requirements that homes be owner-occupied rather than rentals. One twin home faced 300 N, requiring an exception for a driveway, which would need Planning Commission approval.

The proposed development was consistent with the General Plan and the intent of the R-4 zone for medium-density residential neighborhoods with diverse housing options. The Planning Commission had discussed the proposal in multiple meetings and noted that separate public hearings were required for both the rezone and the development agreement. While the rezone would allow the conceptual site plan to proceed, the subdivision itself still required review of engineering, utilities, and other detailed plans as part of the subdivision process. The development agreement would formalize approval of the proposed density and ensure that all other aspects of the project remained consistent with the City's planning objectives. Lot sizes varied, with the smallest at 5,200 square feet and most ranging between 7,800 and 9,100 square feet, and the conceptual plan showed that the smaller lots were primarily those designated for twin homes.

### **a. Public Hearing**

Richard Roginski, West Point: Mr. Roginski stated that he lived in one of the oldest houses, if not the oldest, in West Point. He objected to the rezone to R-6, citing the density of the proposed

housing as a primary concern. He explained that the property was currently zoned R-2, which allowed for 35 units, while an R-6 rezone would permit up to 78 units, and an R-3 would allow 47 units. He questioned why the allowance for density was being increased by such a large amount, noting that there were two outlets, including one that might be questionable on 300 N, and expressing concern about traffic near his neighbor, Connie Lee's property. He stated that a fair amount of traffic already came from 4000 W onto 300 N, and he was concerned about future impacts. He reflected on having lived in the city since 1992 and observed that its character had changed substantially. He questioned whether the development was intended solely to maximize lot numbers or to preserve the character of the community. He recalled serving on the planning commission 25 years prior and concluded that the property should remain R-2, or at most R-3 to allow for 47 homes. He stated that the density in the area was becoming excessive, citing a recent development across from the school as being out of character,

Curtis Haugen, West Point: Mr. Haugen stated that he had lived in West Point off and on since 1989 and considered himself a lifelong resident. He expressed concerns about the density of the proposed development and the resulting traffic on 3830 W, noting that residents often planned their days around how to get off their street due to school and other activities. He explained that he monitored traffic past his home with a camera and observed hundreds of cars daily, which made the density particularly concerning. He expressed a personal concern about property values, noting that when he moved in, he expected the area to remain zoned as it currently was, and he worried that denser development could decrease the value of his home. He also questioned the quality of the homes to be built, the proximity of structures to his fence line, and the impact of sharing space with two homes behind him, including potential fencing issues. He emphasized that his concerns were largely personal, wishing to see similar homes built behind him rather than a dense development that would increase traffic. He acknowledged that he had expected some development behind his home when he moved in and had enjoyed the view since building his home in 2007, but he was concerned that the new development would be more compact than anticipated. He concluded by echoing the broader concern about rezoning to allow more homes.

Zeb Booker, West Point: Mr. Booker stated that he shared many of the concerns expressed by others, particularly regarding the potential devaluation of homes. He emphasized that his primary concern was the density of the proposed development and the resulting increase in traffic. He noted that the area already experienced significant traffic from activities such as soccer games, baseball games, and general activity around the park and school, with people constantly coming and going. He explained that adding the proposed development would likely contribute well over 100 additional cars, considering two vehicles per home plus vehicles for older children, which would further increase congestion. He concluded that the density and volume of traffic were his main concerns.

Kara Cooke, West Point: Ms. Cooke stated that she shared the same concerns as others, specifically regarding density, traffic, and the potential decrease in property values. She agreed with Mr. Haugen's comments and expressed that she was comfortable with similar homes being built in the area, acknowledging that she did not expect the land to remain a field forever. She emphasized that she was not opposed to people moving in but was concerned that the

proposed development would significantly increase traffic and density beyond what she considered appropriate for the area. She concluded by stating that she strongly opposed the proposal and agreed with the concerns expressed by others.

Casey Picard, West Point (written statement read by Kara Cooke): Ms. Picard respectfully but strongly opposed the rezoning of the lot discussed. She explained that she and her family had lived in their home on 3830 W for the past 12 years and that the lot in question was adjacent to their property. While acknowledging the growth of West Point, she expressed concern that the city was prioritizing maximum development over preserving small-community values and supporting small businesses. She argued that the proposed development would unnecessarily crowd the land with too many homes and would not provide smaller or more affordable housing for younger families, instead offering expensive homes on tiny lots. She urged reconsideration of the zoning proposition.

Cande Booker, West Point: Ms. Booker expressed that she did not understand the need to rezone and combine so many homes, especially given that townhomes were already being built on 1800 N and were opposed in that area to preserve a small-town feel. She raised concerns about the neighborhood's infrastructure, noting that traffic on their street during events like the Fourth of July resembled a major highway, with residents driving dangerously fast. She highlighted safety risks for children and emphasized that families in the area wanted to raise their children in a small-town community. She stated that overdevelopment, including townhomes and twin homes across the street, had made it difficult to access their neighborhood, particularly during school drop-offs and busy work hours, sometimes taking 20 to 30 minutes to travel from SR-193 to their street. While she was not opposed to change, she believed that any new development should consist of normal houses rather than densely packed units.

Tyler Bitton, West Point: Mr. Bitton stated that he agreed with the concerns expressed by others. While he understood the reasons someone might want to pursue the rezoning, he personally did not like the idea as a homeowner. He also expressed concern that even if the rezoning were approved, the development plan could change afterward, potentially resulting in something completely different.

Sean Neilsen, West Point: Mr. Neilsen stated that a twin home was proposed just east of his house on 300 N, which raised concerns about privacy. He noted that he and his family currently enjoyed their backyard without intrusion, but the proposed development could affect that. He also echoed the concerns expressed by others, stating that they opposed the rezoning. Additionally, he mentioned that when they moved in, they did not anticipate that the existing driveway would eventually become a housing area.

Katie Haugen, West Point: Mrs. Haugen stated that she agreed with everything that had been said and wished to have her position on the record.

Marv Drake, West Point: Mr. Drake stated that he lived just across the street from where the entry would be and was not looking forward to the traffic it would bring. He noted that 4000 W was already like a race track and adding more homes would not help. He acknowledged the

federal requirement for affordable housing but expressed concern about the impact on his neighborhood and his friend Matt's plans. He asked about green space and sidewalks along the extension of Street A, noting that children currently walked on 4000 W and that safety would not improve without proper sidewalks. He concluded by urging that the project not proceed.

**Marilyn Olds, West Point:** Mrs. Olds stated that she had lived on 4000 W since the fall of 1964. She expressed concern about how residents would be able to get out of their homes, noting that access to 300 N was blocked by a house built by Fred. She said she could not live on that street due to feeling claustrophobic and questioned whether emergency vehicles like ambulances or fire trucks could navigate the area. She added, somewhat humorously, about concerns regarding where fireworks would be held. While acknowledging that the community had changed significantly over the years, she stated that she was not in favor of the proposed plan.

**Alex Toney, West Point:** Mrs. Toney stated that he lived two houses up from where the entrance to the proposed neighborhood would be. He explained that he had moved from California to the area for the farmland and expressed his emotional disappointment about the development. He said some neighbors had told him that attending the meeting was pointless because the decision had already been made, which he found discouraging as a new resident. He voiced concerns about increased traffic and roads becoming more congested due to the higher density of homes. He questioned whether opposition from surrounding neighborhoods would have influenced the decision. He added that he purchased his home for the farm lifestyle and was frustrated that new developments around older homes often lead to restrictions on agricultural practices. He strongly opposed adding more houses to the area but acknowledged that he had no control over the outcome.

**Tami Yeoman, a potential West Point City resident:** Mrs. Yeoman stated that she had reviewed the master plan and the general master plan but was concerned that the proposed rezoning to R-4 did not appear to align with the general plan. She acknowledged she could be mistaken but expressed agreement with other residents, emphasizing the need for caution in planning and requested that the rezoning not be approved.

**Bethany Everett, West Point:** Ms. Everett stated that she lived off of 4000 W and agreed with the concerns expressed by other residents. She noted that the city had grown significantly and acknowledged that farmers might sell their farmland, but she opposed the construction of additional townhomes. She cited the high number of homes already built across from the elementary school and further down 4000 W, many of which were still for sale. She expressed concern about traffic congestion on 4000 W, especially during school drop-off and garbage days, and noted that adding an entrance from 3000 W could create additional challenges for neighbors. Her primary concern remained the density from additional townhomes.

**Jared Toney, West Point:** Mr. Toney stated that certain aspects of life, such as having beauty in the landscape and space for children to play, made life enjoyable. He expressed concern that condensing residential housing into a small area, while making homes more affordable, could create conditions less suitable for raising a family. He emphasized the importance of outdoor space where children could play safely and families could have gardens. He also suggested that development could be directed outward rather than condensed, allowing more space for

residents and preserving the benefits of land, including maintaining property values and aesthetic enjoyment.

DeAnn Ross, West Point: Ms. Ross stated that her mother, Connie Lee, owned property on 4000 W, and she opposed the rezoning request. She expressed concern that 4000 W was already difficult to cross and that adding another street with numerous homes would be problematic. She agreed with many others present and noted that the rezoning could landlock her mother's property, but emphasized that her mother was grateful for the land she currently owned and wanted to preserve it if possible.

Commissioner King motioned to close the public hearing  
Commissioner Farnsworth seconded the motion  
All voted aye.

**b. Decision**

Commissioner Roubinet clarified key aspects of the proposed R-4 rezoning and subdivision plan, emphasizing that the plat established the maximum number of units and the basic layout, limiting the development to 47 lots unless another rezone was requested. He noted that existing farms adjacent to the development would not be required to change their land use due to complaints from new neighbors. The R-4 zone allowed twin homes, which were distinct from duplexes or townhomes, required individual ownership, could not be rented, and did not increase density, offering a cost-saving alternative while keeping all 47 units.

Bryn MacDonald added that all streets in the subdivision would be public, with sidewalks and park strips on both sides, and that private roads were not permitted in single-family zones. She clarified that fencing would be required around the entire subdivision perimeter, using vinyl or better materials, but not chain link, to ensure compliance with R-4 standards.

Matt Levitt, applicant, explained that he and his family had moved to the area valuing the open space. He noted that he had created the lots on 3830 W 20 years prior and had cooperated with the builder at that time, observing that no one had ever acknowledged the views or assisted with maintenance of the adjacent ditch. He acknowledged that traffic had increased and that change was difficult but necessary. Mr. Leavitt highlighted challenges with agricultural irrigation, explaining that upstream development limited their full irrigation flow despite having water shares for domestic and irrigation purposes, making farming increasingly difficult. He emphasized that the proposed development was well under the R-4 zone's maximum density, increasing from 2.7 to 3.6 units per acre, and remained slightly below the zone's minimum, reinforcing that the proposal required adaptation while maintaining manageable density.

Commissioner Taylor inquired whether Street A would meet city regulations for width. Commissioner Roubinet responded that although the legal description was difficult to read, the street appeared to be 65 feet wide, and emphasized that a full-width public street would be required. If the street could not meet the width requirements, no more than 30 units could be

accessed from it. Bryn MacDonald noted that the plan showed 65 feet, but final verification would occur during subdivision review.

Commissioner Roubinet confirmed the plan conformed to the recently amended General Plan, which had been approved by the City Council.

Commissioner Farnsworth explained that the Planning Commission's role was to follow the City Council's decisions, even though the Commission had not initially recommended R-4 zoning, noting that the Council had full authority while the Commission remained more limited. She expressed concern that future developments on adjacent parcels would likely try to match the street alignment and maintain cohesion. While she appreciated that the current proposal remained effectively at R-3 density despite the R-4 designation, she was still concerned that the twin homes were too tightly clustered and would have preferred single-family homes in those locations.

Commissioner Wade raised safety concerns regarding 4000 W, particularly for children crossing near 300 N, and asked about sidewalks or improvements. Bryn MacDonald replied that while 300 N was planned to be widened with sidewalks, there were no current plans for sidewalks on 4000 W, though traffic issues could be further reviewed. She also clarified that the Planning Commission's recommendation would go to the City Council, which would hold a final public hearing and make the ultimate decision.

Commissioner Turner stated that he agreed with Commissioner Farnsworth noting that the Planning Commission had initially denied the proposal on the General Plan, but it had been approved later in the process. He expressed uncertainty about how the proposal fit with the City Council's vision and emphasized appreciation for Mr. Leavitt's willingness to keep the density below what was allowed, acknowledging concessions and changes made regarding streets and layout.

Commissioner King questioned why the property was designated R-4 when the actual density was 3.6 units per acre, which Bryn MacDonald clarified was technically R-3 density but still allowed twin homes under the R-4 designation. Commissioner Turner also inquired about minimum lot sizes and Bryn MacDonald and Commissioner Roubinet explained that R-3 required 8,000 sq ft, R-2 required 10,000 sq ft, and R-4 allowed 5,000 sq ft, offering more flexibility.

Commissioner Taylor raised concerns about Street A, noting he would not want to recommend approval if it could not be constructed to full specifications. Bryn MacDonald suggested tabling the item to address questions and public comments, which Commissioner Roubinet supported, emphasizing that public feedback was taken seriously and could be further discussed in a work session. Bryn MacDonald added that regardless of the Planning Commission's recommendation, the City Council would hold another public hearing and make the final decision.

Commissioner Farnsworth motioned to table any action on the rezone request of 13.14 acres of property located at approximately 3900 West 300 North from R-2 residential to R-4 residential, to allow time to address the public comments and answer questions until the next scheduled Planning Commission meeting. Commissioner Taylor seconded the motion.

Commissioner King stated he was supportive of tabling the item to address questions and noted that, although the zoning was R-4, the actual density was R-3, which he viewed as a positive concession. He appreciated Mr. Leavitt's cooperation and considered the compromise more workable than full R-4 density, even if that may not have aligned with the City Council's original vision.

Commissioner Turner agreed, acknowledging that while none of the commissioners wanted increased density, they appreciated the applicant's efforts to limit it and to work with residents. He also reminded the public that opportunities to provide input, particularly during the General Plan process last December, were crucial, and emphasized that the applicant's proposal was fully legal even if it differed from community preferences.

All voted aye.

**12. Discussion and consideration for a development agreement for property located at 3900 W 300 N; Matt Leavitt, applicant**

It was determined that the public hearing for this item would still be held, even though it would be tabled, since this item and item number 11 coincide.

**a. Public Hearing**

Richard Roginski, West Point: Mr. Roginski stated with the development agreement on asking for a higher number of town homes allowed is what it exactly looked like. To give the developer just a little more and then a little more and a little more each and every time. He explained that there were only nine, then it became ten, then more were needed, and he expressed frustration, noting this had happened before and that he had read the minutes. He stated that if they were going to move forward and say it was acceptable, then it was clear what was before them. He recalled serving on a Planning Commission 25 years ago and said they never would have seen anything like this, though he acknowledged that times had changed. He concluded by reiterating his concern with going from nine to ten, stating it was wrong.

Tami Yeoman, a potential West Point resident: Mrs. Yeoman said it made sense to her that the matter should be tabled until more facts were gathered and a vote was taken on what would actually be done with the property. She concluded by saying that made sense to her and thanked the commission.

Commissioner King to close the public hearing  
Commissioner Farnsworth seconded the motion  
All voted aye.

**b. Decision**

Commissioner Wade commented that for future considerations regarding twin homes, he preferred rounding density down rather than up, staying within code. He asked if a duplex could be allowed on 300 N under an R-2 zone with a development agreement, and Bryn MacDonald confirmed it could. Commissioner Wade clarified he was only suggesting the idea, not recommending it.

Commissioner Turner asked Matt Leavitt, applicant, why he wanted the twin homes included. Mr. Leavitt explained that twin homes provide an alternative housing option for buyers. Commissioner Roubinet added that in past city council meetings, affordability was a primary reason for allowing twin homes, as they could help reduce the price per unit. Mr. Leavitt reiterated that twin homes offered an affordable choice for buyers, especially since most were not looking for or able to maintain larger lots. He noted that the lots in question ranged from 7,900 to 8,900 square feet, which fit well, and that the project was coming in below the maximum density, closer to R-3 levels.

Commissioner Farnsworth motioned to table the discussion and consideration for the development agreement for the property located at 3900 W 300 N until the next scheduled Planning Commission meeting on June 26, 2025, to coincide with the discussion of the rezone. Commissioner Turner seconded the motion. All voted aye.

### **13. Discussion and consideration to amend the Harvest Fields development agreement; Capital Reef Management LLC, applicant**

Bryn MacDonald explained that the proposed amendment to the development agreement for the Harvest Field Subdivision affected only one lot, Lot 123 at 964 S 4475 W. The lot was currently at the minimum size of 10,000 square feet, but the builder, Ovation Homes, requested a small adjustment to the property line, about three to four feet south, to preserve existing trees along the northern boundary and still allow a new fence to be installed. This adjustment would reduce the lot size by a few hundred square feet, making it smaller than the required minimum, so the amendment was necessary. The exact distance would be determined after a survey, though the current agreement stated only that the lot could be less than 10,000 square feet.

Commissioner Turner questioned whether a minimum size could be set, and Bryn MacDonald confirmed it could. Applicant representative Craig Jacobson explained that survey stakes showed the property line north of the trees and confirmed the intent was not to reduce the lot more than necessary, as that would devalue it, but simply to preserve the trees for the neighboring homeowner. He suggested the amendment language could specify reducing the lot only as much as necessary to protect the trees. Mr. Jacobson confirmed that while the trees were not in a perfectly straight line, the intent was to keep them all and maintain good relations with the neighbor.

#### **a. Public Hearing**

Frank Weller, West Point (email): Mr. Weller wrote that the proposed adjustment by Capital Reef management to shift the property line by three feet in order to preserve existing trees is missing vital information necessary for an informed decision. At present, the proposed three foot shift appears arbitrary. There is no verification provided that this distance is either

adequate to protect the trees or possibly excessive. Proper analysis requires first calculating the critical root zone of the trees in question. Without this calculation, any adjustment may inadvertently lead to long term damage to the trees or an unnecessary reduction in the lot size missing information required for an adequate analysis before this proposal can be reasonably considered, the following key information must be provided:

1. Type of trees involved.
2. Diameter of each tree measured at 4.5 feet above the ground.
3. Distance of the tree to the property line.
4. Professional recommendation from a certified arborist regarding the appropriate setback distance between the fence and each tree.

Due to the lack of this essential information, this proposal should be rejected or deferred until a proper analysis of the critical root zone can be conducted and a professional arborist recommendation can be incorporated into the decision making process.

Commissioner Farnsworth motioned to close the public hearing

Commissioner Wade seconded the motion

All voted aye.

**b. Decision**

Bryn MacDonald explained that the agreement allowed the owner to convey a strip of land along the north side of Lot 123 so the trees would be located on the neighboring parcel, permitting the lot to be slightly less than 10,000 square feet. She noted the language could be clarified but favored keeping it general to avoid issues with exact measurements.

Commissioner Roubinet supported the use of "sufficient" since it was difficult to know the precise line, and Commissioner Wade added that all parties had aligned interests, so there was no reason to impose a strict limit.

Commissioner King emphasized the importance of ensuring the agreement reflected what was necessary to preserve the trees, while Mr. Jacobson stated their intent was only to lose as little acreage as necessary to protect the trees and maintain good relations with the neighbor. He noted that removing the trees would be easier and less costly but that they were acting at the request of Boyd Davis.

Commissioner Farnsworth questioned Mr. Jacobson whether they had difficulty selling larger lots in the project and he confirmed larger lots in the project had been difficult to sell, though the adjustment would not change pricing.

The commissioners discussed tree health and the type of trees, with Mr. Jacobson acknowledging they were box elders but reiterating the goal was to keep the neighbor satisfied. He stressed that leaving the language flexible avoided future complications with lenders or minor discrepancies and prevented potential legal disputes over boundaries. In the end, several

members agreed that keeping the language as “sufficient to save the trees” was the best approach.

Commissioner Farnsworth motioned to recommend approval of the Harvest Field Development Agreement amendment for Lot 123, as presented, and forward the matter to the City Council for their final decision. Commissioner King seconded the motion.

Commissioner Farnsworth – Aye  
Commissioner Turner – Aye  
Commissioner Wade – Aye  
Commissioner Taylor – Aye  
Commissioner King – Aye  
Commissioner Roubinet – Aye

The motion passed unanimously.

**14. Discussion and consideration to amend section 17.60 to create an A-20 (Agricultural/half acre minimum) zone**

Bryn MacDonald explained that the A-20 agricultural residential zone was a newly created zone designed to align with recommended changes to the general plan, which would designate new areas for this zoning. The land use table for A-20 mirrored the uses in the A-40 zone, with the exception of intensive commercial agricultural operations, which were excluded from A-20 because it was considered too dense for such uses. Commissioner Roubinet asked about signs, and Bryn MacDonald clarified that signs, including political signs, would still be permitted as in other zones and should be marked with a “P” in the table. Bryn MacDonald further described that the A-20 zone was intended to encourage large residential lots while still allowing agricultural uses. The maximum density was set at 1.7, with a minimum lot size of 20,000 square feet, which was slightly less than a half-acre but kept consistent with the naming system of A-40 being 40,000 square feet.

Commissioner King noted that the density allowed for potential roads or other development needs, and Bryn MacDonald confirmed this. She added that the zone required a minimum frontage and depth of 100 feet each, with setbacks consistent with the A-40 and R-1 zones: 30 feet in the front, 10 feet on the sides, and 30 feet in the rear. Animal enclosure requirements, carried over from the A-40, mandated a 100-foot setback from dwellings on neighboring lots, which still worked within the half-acre configuration of A-20 lots. Bryn MacDonald clarified that enclosures could be closer to an owner’s own home, just not to neighboring homes. Finally, the A-20 zone was added to the list of zones that allowed farm animals, following the same lot-size-based point system already in place, without changing existing animal requirements.

**a. Public Hearing**

Tami Yeoman, potential West Point resident: Mrs. Yeoman expressed concern about the animal requirements, specifically how far corrals or barns had to be from houses. She explained that in her experience, people typically placed corrals next to their fences, and requiring them to be in the middle of a property did not seem practical. She gave the example of a half-acre lot with 100 feet of frontage and 200 feet of depth, noting that if animals had to be set back 150 feet, only 50

feet would remain for use. She added that if an adjacent home was set farther back than the requirement, it would create challenges for placing animals while still complying with the rules. Her concern was that too many limitations might reduce the zone to just large lots without truly supporting agricultural use. She emphasized the importance of maintaining opportunities for residents to keep animals. She also noted that Davis County's requirements for a half-acre, 20,000-square-foot lot included only a 25-foot rear setback compared to the proposed 30 feet, which allowed for more backyard space, while the side setbacks were 10 feet. She suggested these standards might be worth considering. She cautioned that if the new zone was created with the intent of preserving agricultural rights, it should align with West Point City's stated value of protecting and preserving agricultural activities, which included corrals, barns, and coops. She pointed out that city policy also emphasized reducing conflicts between agricultural and non-agricultural land uses while protecting public health. She agreed with these policies and concluded by thanking the group for their work and for listening to residents' concerns.

**Dixie Bunot, Hooper:** Ms. Bunot stated that she still wanted to encourage the commission to consider one-acre lots, even though she felt she might just be exhausting words and oxygen. She explained that if one-acre lots were allowed, a developer could come in, pay the fee, and reopen the master plan if needed. She pointed out that there were no large parcels left and that the city could only expand so far west before running out of land. She emphasized the importance of preserving areas for larger lots that combined agricultural and residential uses, noting it was unfortunate that farmers had to rely on agricultural protection areas just to protect themselves from frivolous lawsuits. She acknowledged that change was inevitable, but stressed that it could be managed in a way that made the process easier. She remarked that development had already spread quickly, and placing it at half-acre lots would only continue that trend. She urged the commission again to leave more one-acre lots and expressed agreement with everything Mrs. Yeoman had said, ending by thanking the group.

Commissioner Turner motioned to close the public hearing  
Commissioner Farnsworth seconded the motion  
All voted aye.

**b. Decision**

Commissioner Roubinet admitted he lacked expertise with corrals and suggested the group consider reducing setbacks, such as from 150 to 100 feet, to provide flexibility without greatly impacting neighbors. Commissioner Wade noted that while larger lots existed nearby, developers typically maximized density, leaving fewer opportunities for a mix of lot sizes that might better support agricultural uses. Commissioner King agreed that adjusting setbacks for A-20 could allow residents more flexibility, especially compared to A-40, where larger lots made compliance easier.

Commissioner Farnsworth suggested adding specific provisions for A-20, similar to CC&Rs in other zones, while Bryn MacDonald confirmed the current standards were copied directly from A-40 and could be revised if desired.

Commissioner Turner expressed concern about horses on half-acre lots but felt smaller animals would be manageable. He suggested the city consider separate regulations for different animal types and pointed out that lot configurations could vary widely, making uniform requirements difficult. Commissioner Roubinet proposed strengthening the city's animal regulations rather than relying solely on zoning rules and suggested approving the zone now with the option to revisit later. Several members agreed that conflicts already existed in the farm animal regulations, meaning changes would be necessary regardless. Bryn MacDonald agreed that updates would need to take place regarding farm animal codes.

Commissioner Turner suggested that future general plan updates include additional A-20 areas rather than limiting them to a single location.

Commissioner Taylor motioned to recommend approval of the proposed A-20 zoning text amendment as presented with the option to look at the animal text in a future meeting and forward the matter to City Council for their final decision. Commissioner Farnsworth seconded the motion.

Commissioner King – Aye  
Commissioner Taylor – Aye  
Commissioner Farnsworth – Aye  
Commissioner Wade – Aye  
Commissioner Turner – Aye  
Commissioner Roubinet – Aye

The motion passed unanimously.

## **15. Staff Update**

This item was discussed during the work session under item number 2, Other Items.

## **16. Planning Commission Comments**

Commissioner Taylor stated he appreciated Bryn MacDonald's efforts during the meeting.

Commissioner King thanked everyone the public for attending the meeting and thanked the staff for their hard work.

Commissioner Farnsworth had no comment.

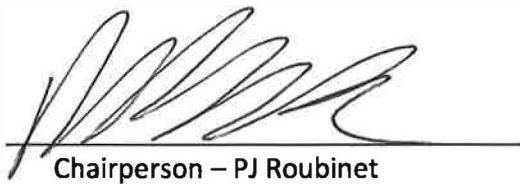
Commissioner Wade had no comment.

Commissioner Turner had no comment.

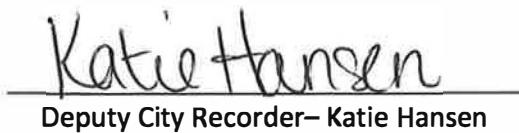
Commissioner Roubinet thanked Bryn MacDonald for everything.

**17. Adjournment**

Commissioner Wade motioned to adjourn the meeting at 9:26 pm. Commissioner Farnsworth seconded the motion. All voted aye.



Chairperson – PJ Roubinet



Katie Hansen

Deputy City Recorder– Katie Hansen