



WEST HAVEN PLANNING COMMISSION AGENDA

August 26, 2026 6:00 P.M.

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

NOTICE IS HEREBY GIVEN THAT ON **AUGUST 26, 2026**, THE PLANNING COMMISSION OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETING **6:00 PM**: REGULAR WEDNESDAY PLANNING COMMISSION MEETING. JOIN US DIGITALLY FOR THE PLANNING COMMISSION MEETING AT [HTTPS://US06WEB.ZOOM.US/J/86539464549](https://us06web.zoom.us/j/86539464549). WATCH LIVE AT [HTTP://WWW.YOUTUBE.COM/@CITYOFWESTHAVENUTAH4030](http://www.youtube.com/@cityofwesthavenutah4030).

6:00 Regular Planning Commission Meeting

1. **MEETING CALLED TO ORDER:** Chairman Reed
2. **OPENING CEREMONIES**
 - A. PLEDGE OF ALLEGIANCE Commission Member Smith
 - B. PRAYER/MOMENT OF SILENCE Commission Member Streker
3. **ACTION ON MINUTES**
 - A. Planning Commission Minutes Meeting Held August 12, 2026
4. **REPORTS** -Actions taken by City Council and other items
5. **PRESENTATION ON PUBLIC HEARING** –Change to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, Including § 157.730 Through § 157.737 and §157.985 Through 157.996(7)
6. **PUBLIC HEARING** -To Solicit Public Input on a Change to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, Including § 157.730 Through § 157.737 and §157.985 Through 157.996(7)
7. **DISCUSSION AND ACTION** – Change to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, Including § 157.730 Through § 157.737 and §157.985 Through 157.996(7)
8. **DISCUSSION AND ACTION** – Consideration of a Conditional Use Permit-4445 W 3550 S Parcel #086860003-Application for Oversized Accessory Dwelling Unit-Applicant Jennifer Hudgins
9. **DISCUSSION AND ACTION** – Preliminary Site Plan Approval for 11th West Apartments Ph 2-1033 W Wilson Lane Parcel#141400005-Applicant Craig Widmier
10. **DISCUSSION AND ACTION** – Preliminary Subdivision Plan and Flag Lot Approval-Hart Estates-2789 W 2550 S Parcels# 150920081 and 150920043-Applicant Curtis Hart
11. **WORKSHOP** – Accessory Dwelling Unit Standards
12. **ADJOURNMENT**

Emily Green

Emily Green, 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: emilyg@westhavenut.gov at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed deputy 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 on utah.gov/pmn/ and at westhavenut.gov; mailed and emailed to the West Haven City Planning Commission Chairman and each West Haven City Planning Commission Member who has email capacity and to the city attorney



WEST HAVEN PLANNING COMMISSION MEETING MINUTES

August 12, 2026 6:00 PM

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

Present	
Jeff Reed	Chairman
Andrew Reyna	Vice Chairman
Melinda Stimpson	Commission Member
Linda Smith	Commission Member
Jennifer Streker	Commission Member
James Jenson	Commission Member
George LaMar	Commission Member
Excused	

6:00 Regular Planning Commission Meeting

1. MEETING CALLED TO ORDER:

Chairman Reed

Chairman Reed called the meeting to order at 6:01 PM and welcomed those in attendance.

2. OPENING CEREMONIES

A. PLEDGE OF ALLEGIANCE

Commission Member LaMar

B. PRAYER/MOMENT OF SILENCE

Commission Member Smith

3. ACTION ON MINUTES

A. Planning Commission Minutes

Meeting Held

July 22, 2026

Commission Member Jenson made a motion to approve the July 22, 2026, minutes. **Vice Chair Reyna** seconded the motion.

AYES:	Chairman Reed, Vice Chairman Reyna, Commission Member Streker, Commission Member Jenson, Commission Member Stimpson, Commission Member Smith, Commission Member LaMar
NAYS:	
EXCUSED:	

4. REPORTS - Actions taken by City Council and other items

Stephen Nelson reported that City Council approved the rezone located at 2231 W 1800 S for two of the three parcels. He said they opted to approve the parcels that LWE is located on and wait on the general plan before making a decision on the last parcel. He said City Council denied the rezone located at approx. 2410 Hinckley Drive. He said staff reviewed the proposals for the transportation plan and picked Kimley Horn as the engineering firm.

5. DISCUSSION AND ACTION – Preliminary Site Plan Approval-Fire Station-2625 W 3600 S Parcel #080220037-Applicant John McLaughlin

Damian Rodriguez said the preliminary site plan is for a proposed 15,400 square foot fire station for Weber Fire District on about 2.2 acres. It's a public service building which is permitted in the zone. He said the utility will serve letters have not been provided yet. He said there are insufficient flow issues with this area and annexation is probably necessary. He said parking is mostly compliant, but they need to modify some of the dimensions and the aesthetics exceed our design standards.

Commission Member LaMar asked why the will serve letter issue isn't resolved when it was initially raised in February.

Stephen Nelson said the tire store application was approved because the water districts wanted some assurity that the project was moving forward before considering changing their district boundaries and that the Fire District is in a similar scenario.

Heber Slabbert said they need preliminary approval to be able to confirm the project is viable. He said they have looked at improving the line on 3600 W or resolving it on their property. He said they feel confident that either way the issue can be resolved.

Stephen Nelson said the tire store had viable solutions but they were expensive solutions and that caused some of the delay.

Commission Member Smith made a motion to approve the proposed preliminary site plan for the fire station at 2625 W 3600 S, finding that the general design of the site and proposed buildings are compliant with the applicable regulations of the ordinance, and the proposal is ready for final site plan review when the following conditions are applied: all staff comments and corrections listed on the attached corrections report are satisfactorily addressed prior to final site approval and will serve letters are provided from the required utility service providers prior to final site plan approval. **Commission member Streker** seconded the motion.

AYES:	Chairman Reed, Vice Chairman Reyna, Commission Member Streker, Commission Member Jenson, Commission Member Stimpson, Commission Member Smith, Commission Member LaMar
NAYS:	
EXCUSED:	

6. DISCUSSION AND ACTION – Preliminary Site Plan Approval-Coffee Shop-4195 S Midland Drive Parcel #087320005-Applicant Logan Johnson

Damian Rodriguez said the proposal is for a coffee shop in the Walmart commercial subdivision. He said it is compliant with the standards of the zone and the parking requirements. The code requires a vehicle path analysis when a drive through is present and the Utah Department of Transportation has not approved the site plan yet. He said we have not received that but the applicant is aware it's necessary. He said some of the non-compliant aspects are street trees, a 15' buffer on the frontage, and a proposed monument sign. They will need to either amend the sign package for the whole commercial center or forgo the monument sign. He said the façade that faces Midland Drive will need to be improved to meet the primary materials standard.

Chairman Reed expressed concern about line of sight with the street tree requirement.

Damian Rodriguez said there is a height limitation and line of sight over rules the street tree requirement.

Stephen Nelson said the Utah Department of Transportation will review line of sight when reviewing the site plan.

Logan Johnson said the traffic memo is in production and they are purchasing the parcel across from the drive isle which will have another drive through in it and the analysis will include both drive throughs. He said landscaping can be updated and they will comply with the requirements for the sign and reflect that in the updated plans. He said their architect has some ideas for the façade to meet the primary materials requirement. He agreed to provide the minutes after their pre application meeting with the Utah Department of Transportation.

Commission member LaMar expressed concern that many of the preliminary requirements were not met and suggested moving those requirements to final approval.

Damian Rodriguez said they could change the ordinance to have preliminary approval as an administrative function where the applicant would only be given final approval by Planning Commission.

Commission Member Streker made a motion to approve the proposed preliminary site plan for the drive-through coffee shop at 4195 S Midland Drive, finding that the general design of the proposal is compliant with the applicable regulations of the ordinance and the proposal is ready for final site plan review when the following conditions are applied: All staff comments and corrections on the attached corrections report are satisfactorily addressed prior to final site plan approval, all freestanding signs will comply with the sign package of the planned commercial center in which the site is located, the park strip adjacent to the subject property is landscaped as

required by local and state regulations, and the Utah Department of Transportation approval of the proposed site plan is provided before final site plan approval. **Vice Chair Reyna** seconded the motion.

AYES:	Chairman Reed, Vice Chairman Reyna, Commission Member Streker, Commission Member Jenson, Commission Member Stimpson, Commission Member Smith
NAYS:	Commission Member LaMar
EXCUSED:	

7. **WORKSHOP** – Update to the Landscape Ordinance

Stephen Nelson said in section 157.990 there were questions about landscaping and they opted to bring the same wording back from the original ordinance. He asked whether park strips should include street trees in their frontage. He expressed concern about being able to enforce this.

Commission LaMar asked If they are required to replace dead trees.

Stephen Nelson said that most of the enforcement is done upfront but could be enforced at any time. He said he will ensure there is wording that landscaping needs to be maintained as approved in the ordinance.

Vice Chair Reyna said he isn't opposed to having trees but thinks the requirement should be for developers not home builders. He asked if this applies to new developments.

Stephen Nelson said they could add clarifying language to show its for new developments.

Councilmember Streker suggested the park strip requirement under 157.990 be removed from section c and added to section e.

Chairman Reed expressed concern about requiring one tree for every 50 feet of frontage. He said it could create issues in some scenarios like having a three car garage with a lot of driveway width or small frontage on a corner lot that wouldn't allow you to put it close to a stop sign.

Stephen Nelson said he would look into this. He said the supplementary standards on page 22 have been removed.

Planning Commission agreed to set a public hearing for August 26, 2026.

8. **ADJOURNMENT**

Vice Chair Reyna made a motion to adjourn at 7:04 PM. **Chairman Reed** seconded the motion.

AYES:	Chairman Reed, Vice Chairman Reyna, Commission Member Streker, Commission Member Jenson, Commission Member Stimpson, Commission Member Smith, Commission Member LaMar
NAYS:	
EXCUSED:	

Emily Green

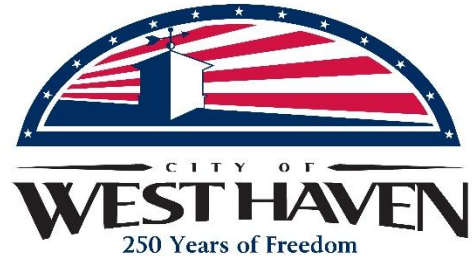
City Recorder

Date Approved:

Planning Commission Staff Review Memo

August 26, 2026

Stephen Nelson, Community Development Director



LANDSCAPE STANDARDS UPDATE

Proposal:	Discussion of West Haven Landscape Standards
Ordinance Section:	§ 157.985-998 LANDSCAPING STANDARDS AND REQUIREMENTS
Applicant:	The West Haven City Development Review Committee and City Attorney
Decision Type:	Legislative
Staff Recommendation:	Discussion

I. BACKGROUND

On December 3, 2025, the City Council approved West Haven's [Water Use & Preservation Element of the General Plan](#) (Water Element). The City contracted with Landmark Design, the City's contracted long-range planning and landscape architecture firm, which worked with the City on the creation and drafting of the plan. At the time the City contracted with Landmark for the Water Element, the City also contracted with Landmark to update West Haven's landscape standards after the Water Element was approved. Staff and Landmark have now created a draft update to the landscape standards in the West Haven City Code for the Planning Commission's review.

There were a couple of reasons the City asked Landmark to help update the landscape ordinance.

Water Conservation. Landscape irrigation accounts for a significant portion of water use within the City, and proper landscaping can have a significant impact on water use. As indicated within West Haven's Water Element, :

Irrigation of landscapes represents more than 60% of residential water use in Utah, making it one of the most effective areas for conservation to reduce overall demand.
(West Haven Water Use & Preservation Element, 2025, p 18)

Because of that, there were multiple implementation goals recommended within the document:

Implementation 2.2: *Prioritize water-efficient landscaping and irrigation at the design stage to avoid costly retrofits, and ensure ongoing efficiency through post-occupancy monitoring.* ☐

Implementation 2.3: *Review landscaping, zoning, and other relevant standards to ensure they do not create barriers for residents seeking to implement water-wise landscape improvements. Provide guidance or resources as needed.*

Implementation 3.3: *Review and update the landscaping ordinance to support water conservation, including guidance on site-specific design, soil preparation, runoff reduction, and management of high-evaporation features, while maintaining flexibility for residents and developers.*

Implementation 3.4: *Explore opportunities to integrate water efficiency into other local standards, including site design, stormwater management, irrigation specifications, construction requirements, and Low-Impact Development (LID) practices.*

(West Haven Water Use & Preservation Element, 2025, pp 28-29)

Because of these recommendations, staff, with Landmark Design, has reviewed the current standards for water efficiency and conservation in mind.

Clarity in implementation. There are currently a few places within the Landscape Ordinance that are not very clear. One of the goals of this rewrite is to help expand and clarify these sections.

Beautification. Another consideration was which standards could be increased or modified to enhance the beautification of the City. Most residents and people's interactions with landscape design in commercial and industrial areas are from their vehicles. Staff wanted to ensure the landscape design would not only provide beauty from pedestrian or close inspection, but also enhance the corridors within the City.

Trees. Trees provide many benefits to the City, including shade, traffic calming, air filtration, stormwater mitigation, ecological enhancement, and essential habitat. The proposed code provides further guidelines and tree plantings, as well as additional standards for tree placement within the City.

West Haven DRC has received a copy and is currently providing additional review.

II. UPDATE SUMMARY

There have been a couple of changes. The biggest change is a simplification of the redlined document. Because the track changes and redlines were so complicated, staff has presented the proposed code as if the full code were new, while striking the entire current code. This simplification should help in the review and consideration of the totality of changes. Doing this, staff has updated some of the numbering and moved some paragraphs around to allow better internal flow and enforcement.

Staff is also proposing a couple of changes to the Design Review Code that reference landscape standards. Some of the standards that are in this section have been moved to the new landscape code.

Staff has also added some standards for rock hue to improve enforcement.

III. **AREAS OF PRIMARY CHANGE.**

The following summaries pull from key sections that contain the most substantial changes.

Design Review § 157.731-§ 157.733 Staff has moved the Design Review sections to the Landscape Standard sections of code. Staff has also provided references to the new Landscape standards where needed.

§ 157.986 DEFINITIONS. This section has been updated with some additional definitions and clarification of existing definitions. These definitions are needed to help support regulations within the rest of the document

§ 157.988 GENERAL LANDSCAPE PROVISIONS. This is a brand new section, though many of the regulations have been pulled from existing ordinances. The main purpose is to house general landscape regulations that apply across the City, regardless of zoning or type of use. Key highlights would include the requirements to select “well-suited” plants for the area, park strip regulations, and tree size selection.

§ 157.989 COMMERCIAL, INDUSTRIAL, MULTI-FAMILY AND PUBLIC FACILITY DEVELOPMENT STANDARDS. This section has been updated in a couple of ways. The required landscaping areas have been moved from the Design Review Section and placed here. It was made clear that all undeveloped areas within multi-family projects must be landscaped. Further parking lot landscape requirements and clarifications have been added. Plant coverage requirements have been further clarified, and the street tree standard has also been clarified. Another major change was adding Water Source Limitations and the Alternative Compliance section (F). Last fall, the City officially adopted a policy to allow the Planning Commission to waive landscape requirements if no outdoor water was available. As such, staff wanted to create some standards for how those areas would be landscaped.

§ 157.990 SINGLE-FAMILY RESIDENTIAL. The primary changes in this section is that staff included a recommendation section to encourage yards to be developed according to Localscapes standards: <https://localscapes.jvwcd.gov/>

§ 157.993 COMPLETION OF IMPROVEMENTS. The main change in this section is the removal of the bond/escrow requirements, as state law now prohibits the City from requiring any financial security for landscaping on private property.

§ 157.994 TREE AND SHRUB REGULATIONS FOR PUBLIC WAYS AND PLACES. This section governs trees planted in street rights-of-way and publicly dedicated parcels. This includes a list of trees that will no longer be allowed within these places, as recommended by Landmark Design. Staff has forwarded this list and section to the West Haven Parks and Recreation Director and the Public Works Director for further feedback.

§ 157.994 SUPPLEMENTARY STANDARDS. This section has been removed from the code.

IV. RECOMMENDED ACTION

Staff recommends that the Planning Commission discuss the proposed changes to the ordinance and landscape standards. Consider the possible impact of the change. Discuss and recommend any desired changes.

V. POSSIBLE MOTIONS

Approval. Motion to recommend approval to the City Council of the proposed changes to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, including § 157.730 through § 157.737 and § 157.985 through § 157.996(7).

Approval with Conditions or Modifications. Motion to recommend approval to the City Council of the proposed changes to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, including § 157.730 through § 157.737 and § 157.985 through § 157.996(7), with the following conditions:

[List any changes or modifications to the proposed update]

Table. Motion to table consideration of the proposed changes to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, including § 157.730 through § 157.737 and § 157.985 through § 157.996(7).

Deny. Motion to recommend denial to the City Council of proposed changes to Title XV Land Usage, Design Review and Landscaping Standards and Requirements, including § 157.730 through § 157.737 and § 157.985 through § 157.996(7).

[List any supporting consideration for the recommendation]

DESIGN REVIEW

§ 157.730 PURPOSE.

The purpose and intent of this subchapter is to ensure that the general design, layout and appearance of buildings and structures are compatible with their surroundings and aid the orderly and harmonious development of the city.

(Prior Code, § 54.02) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022; Ord. 10-2025, passed 9-17-2025)

§ 157.731 APPLICATION; REVIEW AND APPROVAL.

(A) All proposals in commercial or manufacturing zones shall be subject to the provisions of this subchapter.

(B) Regardless of the zone underlying the land use, the following uses, including any accessory uses thereto, shall be subject to the provisions of this subchapter:

- (1) Multi-family dwellings; and
- (2) Public and quasi-public uses.

(C) The following shall be submitted as part of all applications for projects subject to the provisions of this subchapter, further details of which are found in this subchapter:

- (1) A preliminary site plan containing the following:
 - (a) A statement containing the proposed use and whether it complies with current zoning.
 - (b) *Site layout*. Site layout shall show:
 1. Building locations.
 2. Setbacks, including front, rear, and both sides, for every proposed building.
 3. Access points and traffic circulation, including fire access.
 4. Landscape areas.
 5. Proposed fencing and gates.
 6. Outdoor storage.
 7. Dumpster areas and dumpster enclosures. All dumpsters that are visible from the adjacent public right(s)-of-ways, parking lots, or access drives shall be fully enclosed with opaque fencing or walls.

8. Natural features, including hillsides, wetlands, floodplains, or other prominent natural features.

(c) *Building elevations.* Elevations shall show:

1. Building materials and colors;
2. Architectural features, if applicable per § [157.734](#); and

3. Elevation drawings shall also contain a table showing ratios and percentages of each material/color and percentages of architectural features, if applicable, that meet the standards set out within this chapter.

(d) Landscaping plans shall contain a table showing types, numbers, and percentages of each landscape material, the number of trees and shrubs, per [West Haven Landscaping Requirements and Standards found within this title, § 157.988\(A\)](#), and the percentage of total site landscaping.

(e) *Parking.* The applicant shall include a parking plan, with a table showing the number of parking spaces required, the number provided, and the number of ADA parking stalls.

(f) *Signage.* Plans shall show the location, size, and material of any and all proposed signs. This signage plan does not exempt the applicant from needing to obtain a building and sign permit for each sign upon construction

(g) *Utility plan.* The applicant shall show a preliminary utility plan, including will serve or availability letters from public utility providers, including culinary and secondary water and sanitary sewer districts.

(h) Preliminary stormwater plans, including stormwater storage location, type of storage, proposed overflows, and other details to allow the city to understand how stormwater will be handled within the property.

(i) Outdoor lighting plan in compliance with §§ [157.775](#) through [157.785](#).

(j) UDOT conditional access permit approval or minutes from a UDOT pre- application meeting, if applicable.

(2) The Development Review Committee (DRC) shall review all preliminary site plan applications and make a recommendation to the Planning Commission regarding compliance, findings, and conditions. The Planning Commission may approve, approve with conditions, or deny a preliminary site plan based on the applicant's ability or inability to meet or sufficiently address the requirements within this chapter and all applicable development standards adopted by the city.

(3) Once the applicant has received approval of their preliminary site plan from the Planning Commission, they shall proceed to prepare civil drawings and improvement plans and shall present those to the City Engineer and Community Development Director. The DRC shall

review the improvement plans, provide comments to the applicant, and shall make a recommendation to the City Engineer and Community Development Director. The City Engineer and Community Development Director shall approve, approve with conditions, or deny improvement plans.

(4) No final site plan application can be approved without the City Engineer's and Community Development Director's approval of improvement drawings. Each applicant shall submit as part of a final site plan application improvement drawings, stamped by a licensed civil engineer. These drawings shall demonstrate the site's compliance with the West Haven Code, compliance with public utility providers' standards, preliminary site plan approval conditions, and vehicle access and parking.

(D) After preliminary site plan approval or approval with conditions by the Planning Commission, the applicant shall submit a final site plan application and supporting construction drawings to the city in a format specified by the city within 12 months. Before the submittal of a final site plan and improvement plan, the applicant shall address each condition from the preliminary site plan approval. All applications for final site plan approval shall be reviewed by the Development Review Committee. The Planning Commission shall be the land use authority for the final site plan and shall either approve, approve with conditions, or deny a final site plan based on findings and compliance with all applicable code and standards, with the following exceptions:

(1) All buildings or combination of buildings which total over 40,000 square feet on a single parcel. After first being presented to and receiving a recommendation from the Planning Commission, the City Council shall review and may approve, deny, or approve with conditions site plans for these buildings.

(2) Any requests for building materials not otherwise considered as a primary or secondary material. After first being presented to and receiving a recommendation from the Development Review Committee, the Planning Commission shall review and may approve, deny, or approve with conditions any requests for alternate building materials.

(E) The Planning Commission shall determine whether the proposed architectural and site development plans submitted are consistent with this subchapter and with the general objectives of this subchapter and shall give or withhold approval accordingly. Denial may be appealed to the Hearing Officer.

(F) No building, occupancy, or other land use permit shall be issued until the proposed project has received approval under the terms of this subchapter.

(Prior Code, § 54.04) (Ord. 2-92, passed --1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022; Ord. 10-2025, passed 9-17-2025)

§ 157.732 EXCEPTIONS.

(A) Projects subject to conditional use and/or planned unit development approval shall have site plan and design review incorporated into such review. Such projects shall be required to meet the requirements of this subchapter.

(B) *Existing or modified sites.*

(1) The city shall require an updated preliminary site plan and final site plan for existing commercial, industrial, institutional/civic, or multi-family sites if the property owner proposes to do any of the following.

(a) Add additional building(s), paved parking areas, or other material changes to the site.

(b) Change the use to a use type that the site's infrastructure, parking, or access points do not reasonably support.

(c) Change from a permitted use to a conditional use in the underlying zone.

(d) Change from one conditional use to another conditional use in the underlying zone.

(e) Switch to a use that has a reasonably higher impact.

(2) The Planning Commission may waive certain site development standards that do not impact the health or safety of the public for an existing or modified site, allowing an applicant to update a site without necessitating significant or unreasonable changes to the existing layout.

(3) The Planning Commission may approve a preliminary and final site plan approval at the same meeting if the site does not require updated improvement plans.

(C) The City Engineer may waive improvement plan requirements in full or in part for sites that have already been developed, and the existing facilities and infrastructure can support the proposed site plan and use.

(D) The Planning Commission may waive landscaping requirements if the applicant provides a letter from the water provider stating that the provider can't supply water for landscaping or for an existing site with pre-established landscaping. All areas where landscaping requirements have been waived shall comply with all other applicable provisions of West Haven Landscape Standards and Requirements as found within this title, including the Water Source Limitations and Alternative Compliance.

(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 city standards and approved by the City Engineer and Community Development Director.

(Prior Code, § 54.06) (Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022; Ord. 10-2025, passed 9-17-2025)

§ 157.733 STANDARDS OF REVIEW.

The Planning Commission and Development Review Committee shall consider the following matters, and others when applicable, in its review of applications and where the plan is found deficient the plan design shall be amended or conditions imposed to mitigate such deficiencies when considering:

(A) *Traffic safety and circulation.*

(1) Does the site plan comply with the City Engineering Design Standards and Specifications related to traffic ingress, egress and internal circulation?

(2) A traffic study shall be required, if in the opinion of the Planning Commission, with input from the Development Review Committee, such would be necessary.

(B) *Parking.* Does the site plan comply with city ordinances regarding design, location and number of parking stalls required?

(C) *Signage.* Does the proposed signage meet the requirements of the city sign ordinance?

~~(D) *Landscaping.*~~

~~—(1) The following landscaping shall be provided in each project subject to the provisions of this subchapter:~~

~~—(a) *Front yard.* Landscaping shall be required along the entire frontage of the lot, except for the frontage required for ingress/egress. Said landscaping shall be a minimum of 15 feet deep, calculated from the property line.~~

~~—(b) *Side/rear yards.* There shall be a minimum of five feet of landscaping between parking areas and side or rear property lines (except between commercial uses where said landscaping is not visible from areas of public access) and a minimum of five feet of landscaping between an access driveway and a side or rear property line unless said driveway is to be used for common access by an adjacent lot.~~

~~—(c) *Parking area landscaping.* Landscaping within all parking and driveway areas shall comprise a minimum 5% of the total square footage of those areas and shall be placed within those parking areas to break up the mass of asphalt.~~

~~—(2) Where possible, developers are encouraged to preserve existing, healthy trees.~~

~~—(3) Developers are encouraged to take current drought and other environmental conditions into account when preparing a landscaping plan.~~

~~—(4) Landscape plans shall include a minimum of three items from the following list:~~

- ~~—(a) Trees;~~
- ~~—(b) Decorative rock and boulders (gravel and pea gravel are not permitted);~~
- ~~—(c) Shrubs;~~
- ~~—(d) Groundcover; and~~
- ~~—(e) Grass (artificial or other).~~

(DE) Building/site layout.

(1) All buildings shall be designed with breaks in the facade. This may be accomplished through a change in building materials, actual breaks in the facade, a mix of roofline projections.

(2) All mechanical equipment shall be screened so as to not be seen from any public right-of-way adjacent to the project.

(3) Developers are encouraged to keep in mind visual compatibility with existing development when preparing the site layout and architectural elevations of proposed buildings.

(4) Buildings which are located within 100 feet of the centerline of the following roads shall be designed so it appears the front of the building faces the street, regardless of how the building is actually oriented:

- (a) 2550 South;
- (b) Midland Drive;
- (c) 4000 South;
- (d) 3500 West;
- (e) 1900 West;
- (f) 2100 South/Wilson Lane;
- (g) 1800 South; and
- (h) Hinckley Drive.

(EF) Engineering standards. Does the site plan comply with the City Engineering Design Standards and Specifications related to utility easements, drainage and other engineering requirements?

(EG) Governing documents. Is the site subject to a master development agreement or any conditions or agreements related to the property?

(Ord. 2-92, passed - -1992; Ord. 19-2015, passed 10-21-2015; Ord. 06-2022, passed 3-16-2022; Ord. 10-2025, passed 9-17-2025)

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LANDSCAPING STANDARDS AND REQUIREMENTS

§ 157.985 PURPOSE AND INTENT.

This subchapter is established to promote attractive, functional, water-efficient landscaping that supports community character, reduces water demand, mitigates heat, and is practical to install and maintain. Landscaping standards are intended to allow flexibility in site-specific design, encourage water-wise plant selection, and ensure that landscaping contributes to shade, visual quality, and environmental performance without requiring unnecessary water use.

§ 157.986 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACTIVE LAWN AREA. An area that is dedicated to active play, including where turfgrass may provide a playing surface.

BIOSWALE. Bioswales are vegetated open channels designed to convey and treat storm water runoff. They are appropriate when it is desirable to convey flows away from structures or as an alternate conveyance method to pipes, concrete channels, or curbed gutters. Bioswales reduce peak flow rates, reduce flow velocities, filter storm water pollutants, and can also reduce runoff volume through infiltration.

BUBBLER. An irrigation head that delivers water to the root zone by drenching the planted area. The amount of water used by bubblers is usually measured in gallons per minute. BUBBLERS typically convey water as a trickle, umbrella or short stream pattern.

CHECK VALVE. A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination of the water supply due to the reverse flow of water.

DRIP EMITTER. Drip irrigation fittings deliver water slowly at the root zone of the plant, usually measured in gallons per hour. DRIP EMITTERS typically convey water as a consistent trickle.

EVAPOTRANSPIRATION (ET). The quantity of water evaporated from soil and other surfaces and transpired by plants during a specified time. EVAPOTRANSPIRATION is an important part of

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the local water cycle and climate, and measurement of it plays a key role in water resource management, and is expressed in inches per day, month or year.

GRADING PLAN. The grading plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.

GROUND COVER. Plant material that forms a continuous cover over the ground.

GROUND PLANE COVERAGE. Vegetative cover of the horizontal surface of a landscaped area. Canopies of deciduous trees shall not be counted toward these calculations.

HARDSCAPE. Durable landscape materials that cover the horizontal surfaces of a landscaped area. Typical **HARDSCAPE** materials include concrete, wood, stone or brick pavers, or compacted organic mulch.

HYDROZONE. A portion of the landscaped area that contains plants with similar water needs, areas and similar microclimate (i.e., slope, exposure, wind, shade, etc.) and soil conditions, and areas that will be similarly irrigated. A **HYDROZONE** can be served by one irrigation valve, or a set of valves with the same schedule.

IRRIGATION EFFICIENCY. The measurement of the amount of water intended to be applied to a landscaped area, divided by the total amount of water actually applied. **IRRIGATION EFFICIENCY** is derived from measurements and estimates of irrigation system hardware characteristics and management practices.

IRRIGATION PLAN. The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit and identification of all irrigation equipment.

LANDSCAPE ARCHITECT, PROFESSIONAL (PLA). A person who holds a license certificate to practice landscape architecture in the State of Utah. Only a **PROFESSIONAL LANDSCAPE ARCHITECT (PLA)** can legally prepare and sign commercial landscape plans for large-scale residential and commercial projects.

LANDSCAPE DESIGNER. A person who is not a **PROFESSIONAL LANDSCAPE ARCHITECT (PLA)** and cannot legally create or stamp landscape plans for commercial use. **LANDSCAPE DESIGNERS** generally focus on design and horticultural needs of home and smaller residential landscapes.

LANDSCAPE PLAN. The landscape plan shows the design of the landscape with natural features such as plantings, ground and water forms, circulation, walks, hardscape areas and other features to comply with this subchapter. The types of plantings are identified, and quantities included. The percentage of landscape areas and open space on the site is also included to ensure conformance with zoning coverage requirements.

LANDSCAPED AREA. Improved areas of the property that make up the landscape. The LANDSCAPED AREA does not include building or structure footprints, sidewalks and other non-irrigated natural areas intentionally not landscaped.

LANDSCAPING. Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features such as rock, stone or bark chips; hardscape areas such as concrete, wood, stone or brick pavers, or compacted organic mulch; and structural features, including, but not limited to, fountains, reflecting pools, outdoor art work, pergolas, arbors, screen walls, fences or benches.

LOCALSCAPES®. A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).

MULCH. Any material such as rock, crushed stone, bark, wood chips or other materials left loose and applied to the soil in landscape areas to help to conserve water in gardens by reducing soil evaporation, controlling weeds, and maintaining consistent soil temperatures. Organic mulches such as wood chips are particularly beneficial as they improve soil health while retaining moisture.

OPEN SPACE. An area of land that is free from buildings and often designated for public use, such as natural areas, parks or gardens. Landscaping, walkways, covered patios, light poles and other ornamental features may or may not be appropriate elements in these zones, depending on specific needs and context. Areas used for storm drainage shall not be considered an OPEN SPACE area, and utility corridors shall only be counted if improved as an accessible amenity for the project, surrounding neighborhood or the community as a whole.

PARK STRIP. A typically narrow landscaped area located between the back-of-curb and sidewalk.

PLANNED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. A planned single-family development with specific open space and/or amenity standards that are required by the zone or a development agreement, and in which common open spaces are maintained by a homeowner's association or organization.

PLANTER BED. Any irrigated, non-turfgrass portion of the landscaped area.

PLANTING PLAN. A planting plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turfgrass areas, driveways, sidewalks, hardscape features and fences.

POP-UP SPRAY HEAD. A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

PRECIPITATION RATE. The depth of water applied to a given area, usually measured in inches per hour.

PRESSURE COMPENSATING. A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

PUBLIC FACILITY. A government, educational or non-profit organization that provides services to the general public.

REHABILITATED LANDSCAPING. Altering, repairing or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance and the like.

ROTOR SPRAY HEAD. A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor. The spray heads have stationary nozzles that spray water in a specific direction.

ROTARY SPRINKLER. An irrigation head that projects water through a gear rotor in single or multiple streams. The nozzle rotates to cover a larger area in a circular motion, making them most suitable for expansive lawns or gardens.

RUNOFF. Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

SMART AUTOMATIC IRRIGATION CONTROLLER. An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. SMART AUTOMATIC IRRIGATION CONTROLLERS schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.

SPRAY SPRINKLER. An irrigation head that sprays water through a nozzle. See also ROTARY SPRAY HEAD.

TURFGRASS. A surface of perennial grass applied on topsoil that contains grass species with full root structures that are maintained as mowed grass.

WASTE OF WATER. Includes, but is not necessarily limited to:

(1) Wasted water for any purpose, including outdoor irrigation, that consumes or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharge into the sewer system, or allowed to run into the gutter or street; or

(2) Washing sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate health or safety hazards or for standard maintenance, including for cleaning and sealing.

WATER-CONSERVING PLANT. A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during periods of dry and warm weather.

XERISCAPE. A water-efficient landscaping method characterized by the use of site-appropriate, drought-tolerant, or native plants; the use of organic and inorganic mulches to reduce evaporation; and the implementation of efficient irrigation systems. Xeriscape is a comprehensive approach to landscaping that reduces the need for supplemental water while maintaining an aesthetically pleasing environment. XERISCAPE is not "Zero-scape" (the absence of vegetation) and requires a minimum percentage of living plant material.

ZERO-SCAPE. A landscape design method that eliminates the need for irrigation water by eliminating plants from the landscape. ZEROSCAPE landscapes are typified by yards and landscape areas covered with inert materials such as concrete pavement, other paving and hardscape materials, gravel, rock, and stone.

(Ord. 13-2022, passed 7-6-2022)

§ 157.987 APPLICABILITY.

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The provisions of this subchapter shall apply to all new development and to rehabilitation of existing landscaping exceeding 25% of the total landscaped area. Properties subject to the provisions of this subchapter shall comply with all landscaping standards herein, except where limitations of secondary water service or other special circumstances prevent adequate irrigation of a property.

§ 157.988 GENERAL LANDSCAPE PROVISIONS.

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The following landscape provisions shall be adhered to by all land use types unless otherwise noted:

(A) Plant selection. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally adapted plants are acceptable. Plants shall be organized into hydrozones, grouping plants with similar water needs to the maximum extent possible.

(1) Xeriscaping is permitted in all zones.

(2) Zero-scaping shall not be permitted except where limitations of secondary water service or other qualifying conditions, as defined in this section, prevent adequate irrigation, or on a single-family residential lot.

(3) Areas with slopes greater than 25% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.

(4) The following resources may be consulted for a list of recommended water-conserving plants (not a comprehensive list): Locascapes®, the Weber Basin Water Conservancy District (weberbasin.com), and the Utah State University Center for Water-Efficient Landscaping.

(B) Park strips. Park strips and other landscaped areas less than eight feet wide shall not be landscaped with turfgrass and shall be maintained free of weeds. All planting within parks strips

and other landscape areas of less than eight feet wide shall be planted in accordance with the standards within this title. Any hardscape installed within a park strip shall cover no more than 30% of the park strip area, unless otherwise required by city code or by an agency of the state. Park strips within the County or Utah Department of Transportation (UDOT) shall be developed according to that organization's standards.

(C) Mulch. After completion of planting, all irrigated non-turfgrass areas shall be covered with a minimum three-inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material such as concrete or asphalt shall not be placed under the selected mulch.

(D) Tree Selection. Tree species shall be selected based on their ability to create an urban tree canopy with proper and consistent maintenance. When selecting trees, qualities such as the approximate size at maturity, location, and planting area width should be carefully considered.

(1) Tree sizes are defined below, along with their corresponding minimum planting area widths for each size category:

(a) Large Trees are defined as trees with a mature height of forty (40) feet or more. Planting area width shall be a minimum of ten (10) feet wide.

(b) Medium Trees are defined as trees with a mature height between twenty-five (25) and forty (40) feet. Planting area width shall be a minimum of eight (8) feet wide.

(c) Small Trees are defined as trees with a mature height of twenty-five (25) feet or less. Planting area width shall be no smaller than four (4) feet wide.

(d) Based on a recommendation of a landscape architect, a specific tree may be planted in areas that are more narrow than listed above.

§ 157.989 COMMERCIAL, INDUSTRIAL, MULTI-FAMILY, AND PUBLIC FACILITY DEVELOPMENT STANDARDS.

(A) Applicability. The following standards shall be required for all new and rehabilitated landscaping for public facility, commercial, industrial, and multi-family residential projects. Landscaping for these project types shall comply with the requirements of the West Haven City "Site Plan and Design Review" ordinances.

(B) Required Landscape Area. The following areas shall be landscaped and meet the following requirements.

(1) Areas of required landscaping which shall meet the listed planting schedule and number as outlined within this section.

(a) Frontage. Landscaping shall be required along the entire frontage of the lot, except for the frontage required for ingress/egress. Said landscaping shall be a minimum of 15 feet deep, calculated from the property line.

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(b) Side/rear boundary. There shall be a minimum of five feet of landscaping between parking areas and side or rear property lines (except between commercial uses where said landscaping is not visible from areas of public access) and a minimum of five feet of landscaping between an access driveway and a side or rear property line unless said driveway is to be used for common access by an adjacent lot.

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(c) Parking Lot Landscaping. Hard-surfaced parking lots containing ten (10) or more parking spaces shall comply with this section.

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(i) Landscape Area Requirements for Parking Lots Located on Project Lots. Interior landscaping shall total a minimum of five percent (5%) of the paved parking and drive aisle area, or as otherwise required by this subsection, whichever is greater. Perimeter landscaping does not count toward this total.

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(ii) Parking Islands. End-of-row islands shall be provided at the end of each parking row, a minimum of four (4) feet wide, and planted with at least one shade tree and low shrubs or perennials not exceeding three (3) feet in height. Islands shall avoid narrow or diamond shapes.

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(iii) Parking Medians. Parking lot medians shall be provided on every third drive aisle or at intervals not exceeding 150 feet. Medians shall be a minimum of 8 feet wide, planted with shade trees no more than 40 feet' apart, and be landscaped with low shrubs, and may be either at-grade or include curb cuts and a planted bioswale for storm drainage. Pedestrian pathways may be provided within medians in addition to the required planting area.

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(d) All other areas not listed shall have appropriate ground cover to control dust and weeds.

(2) Multi-Family. All other areas not developed with structures, amenities, rights-of-way, driveways, or parking areas shall be landscaped. Landscaped areas shall be defined as a combination of trees, shrubs, perennials, mulch, and permeable surfaces, professionally designed to create engaging landscape treatments near building facades and entrances, within parking lots, and along key walkways and other areas with significant resident and pedestrian value. Multi-family developments' frontage, side, and rear boundaries, and parking lots shall meet the required landscape minimums set forth in this chapter.

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(3) Tree Requirements (see also 157.994).

(a) A minimum of one tree shall be provided for every 400 square feet of required landscape area. Street trees may not be counted toward this minimum.

(b) Street Trees. Each parcel or lot is required to have one street tree for every forty (40) feet of street frontage with a minimum of one street tree per street frontage where park strips are available. Trees shall be planted within park strips whenever possible. Placement shall provide canopy cover/shade and avoid conflicts with existing trees, retaining walls, utilities, lighting, or other obstacles. All street trees shall comply with the clear vision standards of this

chapter. Street trees planted within UDOT or County rights-of-way shall be planted based on that organization's standards.

(c) Deciduous trees shall have a minimum trunk size of (2) two inches in caliper measured 6" above ground level when planted. Evergreen trees and multi-stem deciduous trees shall have a minimum size of five (5) feet in height when planted.

(3) Ground Plane Planting Requirements. At maturity, landscapes must have sufficient plant material (perennials and shrubs) to achieve a minimum of 50% living plant coverage at ground level, excluding tree canopies. At least 30% of the ground plane landscape shall be comprised of hardy shrubs, with the remainder composed of perennials, ornamental grasses, or other approved groundcover plants.

(a) Shrubs and Perennials. All shrubs and perennials shall be a minimum size of one (1) gallon container stock when planted. Shrubs shall be installed at a minimum size of (3) three gallons.

(b) Turfgrass. Turfgrass areas shall not exceed 15% of the total landscaped area, excluding active lawn areas and detention basins. Turfgrass shall not be used in park strips, parking islands, or medians, or buffer landscaping.

(c) Mulch and Irrigation. Planting beds shall comply with the mulch requirements of subsection (2) and shall be irrigated in compliance with § 157.991, Irrigation Design Standards.

(d) Decorative rock and rock mulch shall be of light or muted hues to mitigate ambient heat. Decorative rock of a dark hue may be utilized as a secondary material and shall comprise no more than 15% of the total landscaped area. For the purposes of this code, light hues refer to all colors that have a light reflective value (LRV) of 51% or higher, while dark hues refer to colors that have an LRV of 50% or lower. The relative luminance formula can be used to approximate the LRV by selecting the most comparable sRGB value (digital color) to the proposed rock's color.

(e) Where artificial turf is used as a landscape material, it shall comply with the following standards:

(i) Artificial turf shall consist of individual blades of grass that emulate natural turfgrass in color and general appearance.

(ii) Artificial turf shall be limited to no more than 15% of the total landscaped area, excluding those areas designated for active recreation.

(iii) Where artificial turf abuts decorative rock or rock mulch, landscape edging of concrete, stone, brick, or metal shall be provided.

(iv) Artificial turf shall be properly anchored and seamed according to the manufacturer's specifications.

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(v) Artificial turf shall not be installed in ponds, swales, basins, or any other permanent drainage feature.

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(D) Water Limitations. Where access to secondary water service is limited or not available, or where other special circumstances prevent adequate irrigation from being available, the interior landscaping required by this section may be designed and installed in accordance with §157.989.(F) Water Source Limitations and Alternative Compliance.

(E) Buffer Landscaping. Buffer landscaping is intended to provide visual separation, screening, and aesthetic transition between parking areas, driveways, and adjacent properties, while accounting for site constraints, land use patterns, and the availability of irrigation.

(1) Minimum Buffer Width. A minimum five-foot landscaped buffer shall be provided between parking areas and side or rear property lines, except where adjacent uses are commercial and the landscaping is not visible from areas of public access. A minimum five-foot landscaped buffer shall also be provided between an access driveway and a side or rear property line, unless the driveway is designed for common access by an adjacent lot.

(2) Materials and Plant Selection. Buffer landscaping shall incorporate a mix of trees, shrubs, and groundcovers where site conditions allow.

(F) Water Source Limitations and Alternative Compliance. Where limitations of secondary water service or other special circumstances prevent adequate irrigation of a property, the required open space and landscaped areas of the property may be installed as ZERO-SCAPE, as previously defined and implemented in accordance with the standards of this section.

(1) Adequate irrigation limitations must be demonstrated by a written statement or letter from the applicable water provider confirming that secondary water service or other water sources are unavailable, limited, or otherwise insufficient to meet standard landscape requirements.

(2) A minimum of three different landscaping materials from the list below shall be used to dress the areas of required landscaping, and said materials shall be designed to achieve a deliberate appearance and result.

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(a) Decorative rock and boulders, multiple variations in size and color may be provided to satisfy material requirements

(b) Rock mulch

(c) Artificial turf

(d) Pavers: No more than 5% of landscaped area.

(3) Where variations of decorative rock are used as a landscaping material, the variations shall noticeably differ in size, texture, or color to be considered different materials.

(4) Decorative boulders shall be provided, either in an array or dispersed across the property in a deliberate, decorative fashion.

(G) Landscape Plan Submittal. All landscape plan applications associated with design review approval shall comply with West Haven Design Review 157.730 -736 and other applicable sections.

(H) Final Landscape Plan Submittal Standards. A copy of a landscape plan shall be submitted to and approved by the city prior to the issue of a final site plan. All plans shall be prepared by a Professionally Licensed Landscape Architect and shall consist of the following items:

(1) Planting plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:

(a) Project name and address, landscape architect's information, graphic and written scale, and date of design. Existing trees and plant materials to be either removed or retained are to be clearly indicated.

(b) Existing landscaping, including trees at least twenty (20) feet beyond the property lines. Where possible, developers are encouraged to preserve existing, healthy trees.

(c) Location of all proposed plant materials, a plant schedule with botanical and common names, size of plant materials at maturity, size of container stock, and designated hydrozones.

(d) Existing and proposed structures (where applicable), walls, fences, utilities, paved areas and other site improvements.

(e) Location and descriptions of all proposed landscape features and ground surface material treatments.

(f) Clear indication of property lines, easements, and street names.

(g) Details and specifications for tree staking, soil preparation, and other planting work.

(2) Irrigation plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:

(a) Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;

(b) Static water pressure in pounds per square inch (PSI) at the point of connection to the public water supply;

(c) Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and

(d) Installation details for irrigation components.

(3) Grading plan.

(a) Property lines, street names, existing and proposed structures, turfgrass areas, and paved areas.

(b) Existing and proposed grading of the site indicating contours at 2-foot intervals.

(c) Any proposed berming shall be indicated using 1-foot contour intervals.

(d) Delineate and label areas with a grade greater than 25% (4 feet Horizontal: 1 foot Vertical).

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(4) Project Data Table. A project data table containing the following:

(a) Project/lot size in acres and square feet;

(b) Required landscape area in square feet;

(c) Number of trees required and number of trees provided;

(d) Percentage of required shrubs/perennials and percentage of provided shrubs/perennials

(e) Maximum allowable turfgrass area and turfgrass area provided.

(H) Plan Review, Construction Inspection, and Post-Construction Monitoring.

(1) As part of the land use approval process, a copy of the landscape and irrigation plans shall be submitted to the city for review and approval before construction begins.

(2) All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.

(3) During construction, site inspection of the landscaping shall be performed by the city.

(4) Following construction and prior to final inspection by the building inspector, an inspection shall be scheduled with the Community Development Department to verify compliance with the approved landscape plans. Failure to comply with the approved landscape plan, the City may withhold business licenses, future land use approvals for expansions on the site, or may take other legal actions to enforce the provisions of this chapter.

(5) The City reserves the right to perform site inspections at any time before, during, or after the irrigation system and landscape installation, and to require corrective measures if requirements of this subchapter are not satisfied.

§ 157.990 SINGLE-FAMILY RESIDENTIAL.

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(A) *Landscape design standards.*

(1) *Plant selection.*

(a) Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally adapted plants are acceptable. Plants with similar water needs should be grouped together as much as possible.

(b) Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.

(c) Park strips and other landscaped areas less than eight feet wide shall not be landscaped with turf and shall be maintained free of weeds. Hardscape is permitted provided it does not interfere with the park strip's ability to capture stormwater.

(d) Turf Grass. Turf grass areas shall not exceed 35% of the combined front and interior side yard landscaped areas of the lot or parcel or 250 square feet, whichever is greater.

(e) City recommends and encourages, but does not require, that residents with new or rehabilitated landscaping follow the Locascapes® process, as detailed in the Locascapes® Program, including but not limited to:

(i) Creating a central open space in the front and rear yards consisting of lawn, hardscape, groundcover, gravel or compacted mulch.

(ii) Creating smaller gathering areas constructed of hardscape placed outside of the central open space. In a landscape without turfgrass, gathering areas may function as the central open space.

(iii) Filling remaining areas with planting beds composed of water-conserving plants and water-efficient irrigation systems.

(iv) Locating activity zones outside of the central open space that are surfaced with materials other than turfgrass.

(v) Providing paths and walkways to link the different areas of the yard together. These should be constructed of hardscape, mulch, other groundcover, or non-turfgrass materials.

(vi) Planting appropriately sized trees to provide shade, reducing the need for water on landscaping, but also providing cooling to an area.

(vii) Visit weberbasin.com for a list of recommended water-conserving plants.

(viii) Park strips four feet (4') or wider are recommended to plant at least one tree for every forty (40) feet of frontage.

(B) *Homebuilders and developers.*

(1) Homebuilders and developers subdividing lots and/or constructing new single-family residential homes within a planned development with common ownership and maintenance of landscaped areas shall comply with all of the water efficient landscaping and irrigation

standards of this subchapter, and provide water efficient designs, such as the Locascapes® design style, to prospective home buyers.

(2) Any model home shall meet the water-efficient landscaping standards of this chapter and provide an informational brochure on water-efficient landscaping. Brochures can be obtained from the city's Planning Division.

(C) **Turfgrass.** Turfgrass areas shall not exceed 35% of the combined front and interior side yard landscaped areas of the lot or parcel or 250 square feet, whichever is greater.

(1) Please visit weberbasin.com for a list of recommended water-conserving plants (not a comprehensive list).

(D) **Mulch.** After completion of all planting, all irrigated non-turf areas and all non-irrigated park strip areas shall be covered with a minimum three-inch layer of mulch to retain water, inhibit weed growth and moderate soil temperature. Non-porous material shall not be placed under the mulch.

(E) (1) Turfgrass areas shall be a minimum of 8 feet wide in any direction.

(2) Small residential lots which the total landscaped area is less than 250 square feet are exempt from the maximum of 35% lawn requirement.

§ 157.991 IRRIGATION DESIGN STANDARDS.

(A) Irrigation systems shall be designed to maximize irrigation efficiency.

(B) Landscaped areas shall utilize a smart automatic irrigation controller. Smart irrigation controllers shall be WaterSense® labeled and automatically adjust the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain-delay or rain-shutoff capabilities.

(C) Each valve shall irrigate a landscape with similar site, slope, and soil conditions. Plants watered by a valve should have similar watering needs and be grouped within the same hydrozone. Turfgrass and non-turfgrass areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.

(D) Drip emitters or bubblers shall be used for each tree. Bubblers shall not exceed one and one-half gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the city due to the limited number of trees on the project site. Drip irrigation or bubblers shall be used to irrigate plants in non-turfgrass areas.

(E) Pop-up spray heads shall be at a minimum of four inches in height to avoid blockage from lawn foliage.

(F) Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.

(G) Check valves shall be required when attached to the city culinary water system and where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.

(H) Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30 mesh screen and shall be cleaned and maintained by the property owner on a regular basis.

(I) Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200 mesh and end flush valves are required as necessary for drip irrigation lines.

(J) Valves with spray, rotary, or rotor sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss due to wind, evaporation, or other environmental conditions that are not suitable for irrigation.

(K) Valves should be programmed for multiple repeat cycles as necessary to reduce runoff and ensure maximum soil penetration, particularly on slopes and soils with slow infiltration rates.

(Ord. 13-2022, passed 7-6-2022)

§ 157.992 RESTRICTIVE COVENANTS REQUIRING TURFGRASS OR PLANT MATERIAL WITH UNIFORM OVERHEAD SPRAY IRRIGATION.

Homeowners association governing documents, including all bylaws, operating rules, covenants, conditions and restrictions that govern the operation of a common interest development, shall specifically indicate that the requirements of this chapter are to be met. In addition, they specifically shall not:

(A) Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than eight feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 35% of the landscaped area;

(B) Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or

(C) Have the effect of prohibiting or restricting compliance with this subchapter or other water conservation measures.

(Ord. 13-2022, passed 7-6-2022)

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§ 157.993 COMPLETION OF IMPROVEMENTS.

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(A) Completion. All landscaping improvements required by this subchapter shall be installed in accordance with the approved landscape and irrigation plan and the following completion of improvement requirements:

(1) Non-residential landscaping. Landscaping for commercial, industrial, and public facility projects shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which it is associated, or in cases of inclement weather, within six months of the date of initial occupancy. The date of initial occupancy shall be the date on which a certificate of occupancy is issued for the first building or structure in an individual phase or plat of the development.

(2) Multi-family residential. Landscaping for two-family and multiple-family dwellings in all zones shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which they are associated, or in cases of inclement weather, within six months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the first dwelling unit.

(3) Single-family residential. The front and side yards of all single-family dwellings in all zones shall be landscaped within 18 months of the date of initial occupancy for the building or structure with which they are associated. The rear yard shall be landscaped within 24 months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the dwelling unit.

(Ord. 2015-19, passed 12-8-2015; Ord. 13-2022, passed 7-6-2022)

§ 157.994 TREE AND SHRUB REGULATIONS FOR PUBLIC WAYS AND PLACES.

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(A) Purpose. The city values its open spaces, both natural and enhanced, and recognizes the importance of trees within the community. Not only do trees add to the beauty of the community, they also help mitigate the negative effects weather and seasonal changes, stabilize surface drainage, provide shade, and and help reduce soil erosion. A well-designed landscape can reduce air and sound pollution, regulate solar radiation and help with wind control.

(B) Street Tree Adjacencies and Proximity Standards. Trees shall be spaced in accordance with the species' characteristics such that the trees' crowns at maturity will not touch or overhang a building or power lines.

(1) Trees shall be planted no closer to any curb or sidewalk than the following: Small Trees, two (2) feet; Medium Trees, three (3) feet; and Large Trees, four (4) feet.

(2) Trees shall be planted no closer than thirty (30) feet of any street corner, measured from the point of nearest intersecting curbs extended.

(3) Trees shall be planted no closer than ten (10) feet of any fire hydrant.

(4) Only tree species classified as Small Trees in this Ordinance may be planted under or within ten (10) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground water line, sewer line, storm water line, transmission line, or other utility.

(5) All trees installed on public property or on property maintained by the city shall be subject to approval by the City Arborist or designee. All trees installed on public property shall adhere to the American Standard for Nursery Stock (ANSI Z60.1).

(6) Prohibited Street Tree List. The following trees shall not be planted within public rights-of-way in the City:

- (a) Flowering Pear – *Pyrus calleryana*
- (b) Ash Tree – *Fraxinus* sp.
- (c) Birch – *Betula* sp.
- (d) Box Elder – *Acer negundo*
- (e) Cottonwood, Quaking Aspen, and Poplars – *Populus* sp.
- (e) Flowering Plum – *Prunus cerasifera*
- (g) London Plane Tree – *Platanus* sp.
- (h) Norway Maple - *Acer platanoides*
- (i) Russian Olive – *Eleagnus angustifolia*
- (j) Siberian Elm – *Ulmus pumilia*
- (k) Silver Maple – *Acer saccharinum*
- (l) Tree of Heaven – *Alianthus* sp.
- (m) Willow – *Salix* sp.
- (n) Trees with Large Fruits – apple, pear, peach, cherry, plum, etc.
- (o) Evergreen Conifers – including but not limited to spruces, pines, firs, and junipers

(B) City Arborist.

(1) Designation. The City Manager or designee shall appoint a City Arborist.

(2) Duties and responsibilities. The City Arborist shall have authority over all trees and shrubs located within the city's rights-of-way, parks and public places. On private, commercial and residential property, the City Arborist shall have the authority over trees and shrubs which constitute a public hazard or threat as described in the standards for specification manual.

(C) Planting trees, landscaping in city right-of-way. Tree planting on public ways shall be coordinated with required open landscaping areas to achieve the most effective use of these areas and to accomplish the purposes of aesthetics and conservation. Street trees shall be selected based on growth characteristics that are well suited to their environment. For a list of permitted street trees, contact the City Arborist.

(D) Public rights-of-way tree and plant care. It is the duty of the property owner and occupant of any real property with frontage along a public sidewalk to maintain all trees, shrubs and plant material between such property and the curb line of the street. The city shall have the right, as determined by its sole discretion after attempting to contact property owners, to plant, prune, maintain and remove trees, plants, and shrubs within rights-of-way, streets, and public property as may be necessary to ensure public safety or to preserve or enhance public grounds.

(E) Clear vision. All trees, shrubs and other plant material located within the public rights-of-way or in public places shall comply with the clear vision standards of West Haven City.

(F) Illegal to cut, injure or top trees.

(1) It shall be unlawful for any person to remove trees situated on city property, including streets and roadways of the city, without obtaining permission from the City Arborist for that purpose.

(2) It shall be unlawful as a normal practice for any person, firm or city department to top any tree on city property. TOPPING is the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other cause, or other obstructions where other pruning practices are impractical, may be exempted from this division (F)(2) at the determination of the City Arborist.

(G) Pruning, corner clearance. Every owner of any tree or shrub overhanging any street, sidewalk or right-of-way within the city, shall prune the branches so that such branches shall not severely obstruct the light from any street lamp, obstruct the view of any street intersection, or obstruct and create a hazard on a sidewalk. Said owners shall remove all dead, diseased or dangerous trees and shrubs, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right after attempting to contact property owners to prune any tree or shrub on private property when it interferes with visibility of any traffic control device, sign, or sight triangle at intersections or constitutes a hazard on a sidewalk. Any costs incurred by the city will be collected from the adjacent property owner.

(H) Appeal. Any person may appeal a decision of the City Arborist to the City Manager, who may hear the matter and make a final decision within 60 days.

(Ord. 13-2022, passed 7-6-2022)

§ 157.996 PROHIBITED WATERING PRACTICES.

Regardless of the age of a development, water shall be properly used. Wasting water is prohibited.

(Ord. 13-2022, passed 7-6-2022) Penalty, see § 157.999

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§ 157.997 ENFORCEMENT.

The Community Development Director or designee is authorized to enforce all provisions of this subchapter.

(Ord. 13-2022, passed 7-6-2022)

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LANDSCAPING STANDARDS AND REQUIREMENTS

~~§ 157.985 PURPOSE AND INTENT.~~

~~—This subchapter is established to promote the health, safety and general welfare of the public by enhancing the aesthetic quality of residential and commercial areas while promoting water-efficient landscaping.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.986 DEFINITIONS.~~

~~—For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—**ACTIVE RECREATION AREA.** An area that is dedicated to active play, including where turf may provide a playing surface.~~

~~—**BUBBLER.** An irrigation head that delivers water to the root zone by flooding the planted area, usually measured in gallons per minute. **BUBBLERS** exhibit a trickle, umbrella or short stream pattern.~~

~~—**CHECK VALVE.** A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination of the water supply due to the reverse flow of water.~~

~~—**DRIP-EMITTER.** Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.~~

~~—**EVAPOTRANSPIRATION (ET).** The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time, expressed in inches per day, month or year.~~

~~—**GRADING PLAN.** The grading plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.~~

—**GROUND COVER.** Material planted in such a way as to form a continuous cover over the ground.

—**GROUND PLANE COVERAGE.** Vegetative cover of the horizontal surfaces of a landscaped area. Canopies of deciduous trees shall not be counted toward the coverage calculation.

—**HARDSCAPE.** Durable landscape materials, such as concrete, wood, stone or brick pavers, or compacted organic mulch.

—**IRRIGATION EFFICIENCY.** The measurement of the amount of water beneficially applied, divided by the total amount of water applied. **IRRIGATION EFFICIENCY** is derived from measurements and estimates of irrigation system hardware characteristics and management practices.

—**IRRIGATION PLAN.** The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit and identification of all irrigation equipment.

—**LANDSCAPED AREA.** Improved areas of the property that make up the landscape. The **LANDSCAPED AREA** does not include building or structure footprints, sidewalks and other non-irrigated natural areas intentionally left undeveloped.

—**LANDSCAPE ARCHITECT.** A person who holds a certificate to practice landscape architecture in the State of Utah. Only a **LANDSCAPE ARCHITECT** can legally create commercial landscape plans.

—**LANDSCAPE DESIGNER.** A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. **LANDSCAPE DESIGNERS** generally focus on residential design and horticultural needs of home landscapes.

—**LANDSCAPE PLAN.** The landscape plan shows the design of the landscape with natural features such as plantings, ground and water forms, circulation, walks, hardscape and other features to comply with this subchapter. Types of plantings are identified, and quantities included. A landscape and open space percentage of the site is also included to ensure conformance with the minimum requirements of the zone in which the development is located.

—**LANDSCAPE ZONE.** A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind and the like) and soil conditions, and areas that will be similarly irrigated. A **LANDSCAPE ZONE** can be served by one irrigation valve, or a set of valves with the same schedule.

—**LANDSCAPING.** Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features such as rock, stone or bark chips; and structural features, including, but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.

—**LOCALSCAPES®**. A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).

—**MULCH**. Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

—**OPEN SPACE**. An area which is completely free and unobstructed from any building or structure. Landscaping, walkways, covered patios, light poles and other ornamental features shall not be considered obstructions for the purposes of this definition. Areas used for storm drainage shall not be eligible for inclusion in a required **OPEN SPACE** area. Utility corridors shall only be counted toward the **OPEN SPACE** requirement if improved as an accessible amenity to the project or the community as a whole.

—**PARK STRIP**. A typically narrow landscaped area located between the back of curb and sidewalk.

—**PLANNED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT**. A planned single family development with specific open space and/or amenity standards that are required by the zone or a development agreement, and in which common open spaces will be maintained by a homeowner's association or organization.

—**PLANTER BED**. Any irrigated, non turf portion of the landscaped area.

—**PLANTING PLAN**. A planting plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features and fences.

—**POP-UP SPRAY HEAD**. A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.

—**PRECIPITATION RATE**. The depth of water applied to a given area, usually measured in inches per hour.

—**PRESSURE COMPENSATING**. A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

—**PUBLIC FACILITY**. A government, educational or non-profit organization that provides services to the general public.

—**REHABILITATED LANDSCAPING**. Altering, repairing or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance and the like.

—**ROTOR SPRAY HEAD**. A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.

—**RUNOFF**. Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

—~~**SMART AUTOMATIC IRRIGATION CONTROLLER.**~~ An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. ~~**SMART AUTOMATIC IRRIGATION CONTROLLERS**~~ schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.

—~~**SPRAY SPRINKLER.**~~ An irrigation head that sprays water through a nozzle.

—~~**STREAM SPRINKLER.**~~ An irrigation head that projects water through a gear rotor in single or multiple streams.

—~~**TURF.**~~ A surface layer of earth containing grass species with full root structures that are maintained as mowed grass.

—~~**WASTE OF WATER.**~~ Includes, but is not necessarily limited to:

—(1) The use of water for any purpose, including outdoor irrigation, that consumes or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharges into the sewer system, or is allowed to run into the gutter or street; or

—(2) Washing sidewalks, driveways, parking areas, tennis courts, patios or other paved areas, except to alleviate immediate health or safety hazards.

—~~**WATER CONSERVING PLANT.**~~ A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during periods of dry and warm weather.

(Ord. 13-2022, passed 7-6-2022)

§ 157.987 APPLICABILITY.

—The provisions of this subchapter shall apply to all new and rehabilitated landscaping for public facility projects, commercial and industrial projects, multi-family residential projects and landscaping for new single-family residential dwellings and fully rehabilitated single-family residential landscapes.

(Ord. 13-2022, passed 7-6-2022)

§ 157.988 COMMERCIAL, INDUSTRIAL, MULTI-FAMILY AND PUBLIC FACILITY DEVELOPMENT STANDARDS.

—(A) ~~Open space.~~ Commercial, manufacturing, multi-family, and public facility developments: landscaping for commercial, manufacturing, multi-family and public facility developments shall comply with the requirements of West Haven City “Site Plan and Design Review” ordinances. All open space required shall be landscaped with a minimum of one tree for every 400 square feet of landscaped area and one shrub for every 200 square feet of landscaped area. Planter

beds shall be planted to provide a minimum of 50% ground plane coverage when plant material reaches maturity. Canopies of deciduous trees shall not count towards the coverage calculation. Park strips are exempt from the ground plane coverage requirements.

~~—(B) Landscape design standards.~~

~~—(1) Plant selection.~~

~~—(a) Plants shall be well suited to conditions at the project site. Both native and locally adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible. Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.~~

~~—(b) Park strips and other landscaped areas less than eight feet wide shall not be landscaped with turf and shall be maintained free of weeds. Any hardscape installed within a park strip shall cover no more than 50% of the park strip area, unless otherwise required by city code.~~

~~—(c) Turf area shall not exceed 15% of the total landscaped area, outside of active recreation areas.~~

~~—(d) Note: Please visit weberbasin.com for a list of recommended water-conserving plants (not a comprehensive list).~~

~~—(2) Mulch. After completion of planting, all irrigated non-turf areas shall be covered with a minimum three-inch layer of mulch to retain water, inhibit weed growth and moderate soil temperature. Non-porous material such as concrete or asphalt shall not be placed under the mulch.~~

~~—(3) Tree selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure and desired color and appearance. Trees shall be selected as follows:~~

~~—(a) Broad-canopy trees shall be selected where shade or screening of tall objects is desired;~~

~~—(b) Low-growing trees shall be selected for spaces under utility wires;~~

~~—(c) Trees shall be selected from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;~~

~~—(d) Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;~~

~~—(e) Street trees shall be planted within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade)~~

and avoid conflicts with existing trees, retaining walls, utilities, lighting and other obstacles. All street trees shall comply with the clear vision standards of this subchapter; and

~~—(f) All trees to be installed on public property or on property to be maintained by the city shall be subject to approval by the City Arborist or designee.~~

~~—(4) Plant material size at installation.~~

~~—(a) Deciduous trees shall be installed at a minimum size of two inches in caliper, measured eight inches above the soil line.~~

~~—(b) Evergreen trees shall be installed at a minimum height of six feet.~~

~~—(c) Shrubs shall be installed at a minimum size of three gallons.~~

~~—(d) Ornamentals grasses and perennials shall be installed at a minimum size of one gallon.~~

~~—(e) Ground cover shall be installed at a minimum height of three inches.~~

~~—(C) Landscape and irrigation plan submittal. A copy of a landscape and irrigation plan shall be submitted to and approved by the city prior to the issue of any permit. The plans shall be prepared by a registered landscape architect and shall consist of the following items:~~

~~—(1) Landscape plan. A detailed landscape plan shall be drawn at a scale that clearly identifies the following:~~

~~—(a) Project name and address, and landscape architect's information;~~

~~—(b) Location of all plant materials, a legend with botanical and common names and size of plant materials;~~

~~—(c) Location of landscape features, ground and water forms, walks, hardscape, mulch and other features;~~

~~—(d) Property lines and street names;~~

~~—(e) Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;~~

~~—(f) Existing trees and plant materials to be removed or retained;~~

~~—(g) Scale: graphic and written;~~

~~—(h) Date of design;~~

~~—(i) Designation of a landscape zone; and~~

~~—(j) Details and specifications for tree staking, soil preparation and other planting work.~~

~~—(2) *Irrigation plan.* A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:~~

~~—(a) Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;~~

~~—(b) Static water pressure in pounds per square inch (PSI) at the point of connection to the public water supply;~~

~~—(c) Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and~~

~~—(d) Installation details for irrigation components.~~

~~—(D) *Plan review, construction inspection and post construction monitoring.*~~

~~—(1) As part of the land use approval process, a copy of the landscape and irrigation plans shall be submitted to the city for review and approval before construction begins.~~

~~—(2) All installers and designers shall meet state and local license, insurance and bonding requirements, and be able to show proof of such.~~

~~—(3) During construction, site inspection of the landscaping may be performed by the city.~~

~~—(4) Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the Community Development Department to verify compliance with the approved landscape plans.~~

~~—(5) The city reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this subchapter are not satisfied.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.989 SINGLE FAMILY RESIDENTIAL.~~

~~—(A) *Landscape design standards.*~~

~~—(1) *Plant selection.*~~

~~—(a) Plants shall be well suited to the microclimate and soil conditions at the project site. Both native and locally adapted plants are acceptable. Plants with similar water needs should be grouped together as much as possible.~~

~~—(b) Areas with slopes greater than 33% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.~~

~~—(c) Park strips and other landscaped areas less than eight feet wide shall not be landscaped with turf and shall be maintained free of weeds. Hardscape is permitted provided it does not interfere with the park strip's ability to capture storm water.~~

~~—(d) Turf area shall not exceed 35% of the combined front and interior side yard landscaped areas of the lot or parcel or 250 square feet, whichever is greater.~~

~~—(e) Please visit weberbasin.com for a list of recommended water conserving plants (not a comprehensive list).~~

~~—(2) *Mulch.* After completion of all planting, all irrigated non-turf areas and all non-irrigated park strip areas shall be covered with a minimum three-inch layer of mulch to retain water, inhibit weed growth and moderate soil temperature. Non-porous material shall not be placed under the mulch.~~

~~—(B) *Homebuilders and developers.*~~

~~—(1) Homebuilders and developers subdividing lots and/or constructing new single-family residential homes within a planned development with common ownership and maintenance of landscaped areas shall comply with all of the water-efficient landscaping and irrigation standards of this subchapter, and provide water-efficient designs, such as the Locascapes® design style, to prospective home buyers.~~

~~—(2) Any model home shall meet the water-efficient landscaping standards of this chapter and provide an informational brochure on water-efficient landscaping. Brochures can be obtained from the city's Planning Division.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.990 IRRIGATION DESIGN STANDARDS.~~

~~—(A) Irrigation systems shall be designed to maximize irrigation efficiency.~~

~~—(B) Landscaped areas shall utilize a smart automatic irrigation controller. Smart irrigation controllers shall be WaterSense® labeled and automatically adjust the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.~~

~~—(C) Each valve shall irrigate a landscape with similar site, slope, and soil conditions. Plants watered by a valve should have similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip emitters and sprinklers shall be placed on separate valves.~~

~~—(D) Drip emitters or a bubbler shall be used for each tree. Bubblers shall not exceed one and one-half gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the city due to the limited number of trees on the project site. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas.~~

~~—(E) Pop-up spray heads shall be at a minimum of four inches in height to avoid blockage from lawn foliage.~~

~~—(F) Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.~~

~~—(G) Check valves shall be required when attached to the city culinary water system and where elevation differences cause low head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.~~

~~—(H) Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30-mesh screen and shall be cleaned and maintained by the property owner on a regular basis.~~

~~—(I) Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200-mesh and end flush valves are required as necessary for drip irrigation lines.~~

~~—(J) Valves with spray or stream sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss from wind, evaporation or other environmental conditions not suitable for irrigation.~~

~~—(K) Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.991 RESTRICTIVE COVENANTS REQUIRING TURF OR PLANT MATERIAL WITH UNIFORM OVERHEAD SPRAY IRRIGATION.~~

~~—Any homeowners association governing documents, such as bylaws, operating rules, covenants, conditions and restrictions that govern the operation of a common interest development, shall not:~~

~~—(A) Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than eight feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 35% of the landscaped area;~~

~~—(B) Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or~~

~~—(C) Have the effect of prohibiting or restricting compliance with this subchapter or other water conservation measures.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.992 COMPLETION OF IMPROVEMENTS.~~

~~—(A) *Completion.* All landscaping improvements required by this subchapter shall be installed in accordance with the approved landscape and irrigation plans as follows.~~

~~—(1) *Non-residential landscaping.* Landscaping for commercial, industrial and public facility projects shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which it is associated, or in cases of inclement weather, within six months of the date of initial occupancy. The date of initial occupancy shall be the date that a certificate of occupancy is issued for the first building or structure of an individual phase or plat of the development.~~

~~—(2) *Multi-family residential.* Landscaping for two-family and multiple-family dwellings in all zones shall be completed prior to the issuance of a certificate of occupancy for the building or structure with which they are associated, or in cases of inclement weather, within six months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the first dwelling unit.~~

~~—(3) *Single family residential.* The front and side yards of all single-family dwellings in all zones shall be landscaped within 12 months of the date of initial occupancy for the building or structure with which they are associated. The rear yard shall be landscaped within 18 months of the date of initial occupancy. Date of initial occupancy will be the date that a certificate of occupancy is issued for the dwelling unit.~~

~~—(B) *Bond/escrow required for nonresidential, two-family, and multiple-family developments.* In cases of inclement weather and in order to ensure that all required landscaping is installed in an acceptable manner, the developer shall post a separate cash bond with the city or establish an escrow account with an appropriate financial institution. The cash bond or escrow account shall be subject to approval by the Community Development Department, and shall be in an amount equal to 110% of the estimated costs of construction and installation of all required landscaping, parks, playgrounds, recreation facilities, fences, walls and other amenities shown on the final landscape plan or site plan, as applicable.~~

~~—(1) The bond or escrow account shall be posted or established in accordance with all other city regulations.~~

~~—(2) The bond or escrow account shall be posted or established prior to the issuance of a certificate of occupancy for the site.~~

~~—(3) The bond shall be accompanied by a schedule of anticipated completion dates for such improvements. In no case shall the time period for completion exceed the time periods set forth in division (A) above.~~

~~—(4) In the event that the improvements are not completed in reasonable conformance with said schedule, the city may undertake to complete the improvements and pay for such improvements from the bond or escrow account.~~

~~—(5) This section shall not pertain to the completion or installation of private landscaping on individual building lots for single-family dwellings.~~

(Ord. 2015-19, passed 12-8-2015; Ord. 13-2022, passed 7-6-2022)

~~§ 157.993 TREE AND SHRUB REGULATIONS FOR PUBLIC WAYS AND PLACES.~~

~~—(A) *Purpose.* The city values its open spaces, both natural and enhanced, and recognizes the importance of trees within the community. Not only do trees add to the beauty of the community, but they stabilize surface drainage and soil erosion. A well-designed landscape can reduce air and sound pollution, regulate solar radiation and help with wind control.~~

~~—(B) *City Arborist.*~~

~~—(1) *Created.* The City Manager or designee shall appoint a City Arborist.~~

~~—(2) *Duties and responsibilities.* The City Arborist shall have authority over all trees and shrubs located within the city's rights of way, parks and public places. On private, commercial and residential property, the City Arborist shall have the authority over trees and shrubs which constitute a public hazard or threat as described in the standards for specification manual.~~

~~—(C) *Planting trees, landscaping in city right of way.* Tree planting on public ways shall be coordinated with required open landscaping areas to achieve the most effective use of these areas and to accomplish the purposes of aesthetics and conservation. Street trees shall be selected based on growth characteristics that are well suited to their environment. For a list of permitted street trees, contact the City Arborist.~~

~~—(D) *Public rights of way tree and plant care.* It is the duty of the owner and occupant of any real property with frontage along a public sidewalk to maintain any trees, shrubs and plant material between such property and the curb line of the street. The city shall have the right, as determined by its sole discretion after attempting to contact property owners, to plant, prune, maintain and remove trees, plants, and shrubs within rights of way, streets, and public property as may be necessary to ensure public safety or to preserve or enhance public grounds.~~

~~—(E) *Clear vision.* All trees, shrubs and other plant material located within the public rights of way or in public places shall comply with the clear vision standards of this subchapter.~~

~~—(F) *Illegal to cut, injure or top trees.*~~

~~—(1) It shall be unlawful for any person to remove trees situated on city property, including streets and roadways of the city, without obtaining permission from the City Arborist for that purpose.~~

~~—(2) It shall be unlawful as a normal practice for any person, firm or city department to top any tree on city property. **TOPPING** is the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other cause, or other obstructions where other pruning practices are impractical, may be exempted from this division (F)(2) at the determination of the City Arborist.~~

~~—(G) *Pruning, corner clearance.* Every owner of any tree or shrub overhanging any street, sidewalk or right of way within the city, shall prune the branches so that such branches shall not severely obstruct the light from any street lamp, obstruct the view of any street intersection, or obstruct and create a hazard on a sidewalk. Said owners shall remove all dead, diseased or dangerous trees and shrubs, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right after attempting to contact property owners to prune any tree or shrub on private property when it interferes with visibility of any traffic control device, sign or sight triangle at intersections or constitutes a hazard on a sidewalk. Any costs incurred by the city will be collected from the adjacent property owner.~~

~~—(H) *Appeal.* Any person may appeal a decision of the City Arborist to the City Manager, who may hear the matter and make a final decision within 60 days.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~§ 157.994 SUPPLEMENTARY STANDARDS.~~

~~—(A) *Fee in lieu of open space.* A fee in lieu of landscaped open space in commercial, industrial, multi-family and public facility developments may be permitted by the Planning Commission for required open space that is less than 5,000 square feet in size; provided that, the development can be adequately served by existing parks and recreation facilities. The amount of the fee shall be set forth in the city's fee schedule. Any fee in lieu paid to the city shall be set forth in a development agreement. Open space fees in lieu shall be held by the city in a reserved account to be used solely for improvements to parks and recreation facilities. Where possible, the fees collected by the city shall be used to improve the park or open space nearest the location where those fees were paid.~~

~~—(B) *Modification.* The percentage of required landscaped open space may be modified through a development agreement, subject to Planning Commission recommendation and City Council approval. No modification shall be granted, however, unless the following standards are met:~~

~~—(1) The granting of the modification will not adversely affect the rights of adjacent landowners or residents;~~

~~—(2) The modification desired will not adversely affect the public health, safety or general welfare; and~~

~~—(3) The granting of the modification will not be opposed to the general spirit and intent of this subchapter or the general plan.~~

~~—(C) *Preservation, maintenance and ownership.*~~

~~—(1) The Planning Commission and City Council shall require the preservation, maintenance and ownership of all required open space for non-residential, multi-family or planned single-family residential developments through one or a combination of the following: Dedication of the land as a public park or parkway system;~~

- ~~—(2) Dedication of the land as permanent open space on the recorded plat;~~
- ~~—(3) Granting the city a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreation use, with ownership and maintenance being the responsibility of a homeowners' association;~~
- ~~—(4) Through compliance with the provisions of the condominium ownership act as outlined in UCA Title 57, which provides for the payment of common expenses for the upkeep of common areas and facilities;~~
- ~~—(5) Landscaping for all single-family residential properties shall be maintained in accordance with the provisions of this subchapter and applicable regulations of the zone in which the property is located; and~~
- ~~—(6) In the event that open space or other required landscaping improvements or facilities are not landscaped or maintained in a manner consistent with the approved site plan or landscaping plan, the city may at its option cause such landscaping or maintenance to be performed and assess the costs to the affected property owner(s) or other responsible association or entity.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

~~**§ 157.995 PROHIBITED WATERING PRACTICES.**~~

~~—Regardless of the age of a development, water shall be properly used. Waste of water is prohibited.~~

~~(Ord. 13-2022, passed 7-6-2022) Penalty, see § [157.999](#)~~

~~**§ 157.996 ENFORCEMENT.**~~

~~—The Community Development Director or designee is authorized to enforce all provisions of this subchapter.~~

~~(Ord. 13-2022, passed 7-6-2022)~~

Planning Commission Staff Review Memo

August 26, 2026

Stephen Nelson, Community Development Director



CONDITIONAL USE PERMIT REVIEW

Request: A CUP for a detached ADU larger than 1,200 sq. ft.
Property Location: 4445 W 3550 S
Property Zone: Mixed Use
Property Size: .69 Acres
Applicant: Jennifer Hudgins

Governing Document(s): WHZC §157.455-157.480 & §157.881(B)
Decision Type: Administrative
Staff Recommendation: **Approval with Conditions**

Image 1: Aerial Photo



I. BACKGROUND

The applicant is seeking a Conditional Use Permit (CUP) to allow an accessory dwelling unit (ADU) larger than 1,200 sq. ft. The proposed unit totals 1,408 sq. ft., with an addition of a two car garage which totals 704 sq. ft. The building's total size is 2,112 sq. ft. The unit contains two bedrooms. Under the West Haven ordinance, any detached ADU exceeding 1,200 sq. ft. may be allowed only after receiving a CUP; see below.

§ 157.463 SIZE.

(B) *Accessory dwelling units (detached structures). The size of an accessory dwelling unit shall be at least 300 square feet and shall not exceed 1,200 square feet, and be limited to no more than three bedrooms.*

§ 157.474 EXCEPTIONS TO STANDARDS.

(A) *The Planning Commission may issue a conditional use permit for ADUs which modify the requirements for an ADU with respect to maximum size, minimum parking, or setback.*

(B) *In approving a conditional use permit, the Planning Commission may require additional conditions to mitigate the impact of the ADU on surrounding properties. Specifically, the Planning Commission may require:*

- (1) For ADUs that exceed the maximum size of 1,200 square feet: increased setbacks, privacy fencing, limitation on windows and doors adjacent to abutting property lines, and additional parking;*
- (2) For ADUs with reduced or no additional parking: restrictions on occupancy to tenants without vehicles; and*
- (3) For ADUs with reduced setbacks: privacy fencing and limitation on windows and doors adjacent to abutting property lines.*

Given the listed conditions, the applicant is seeking a CUP from the Planning Commission to construct a detached ADU.

II. STAFF REVIEW

The applicant has submitted full building plans for the structure.

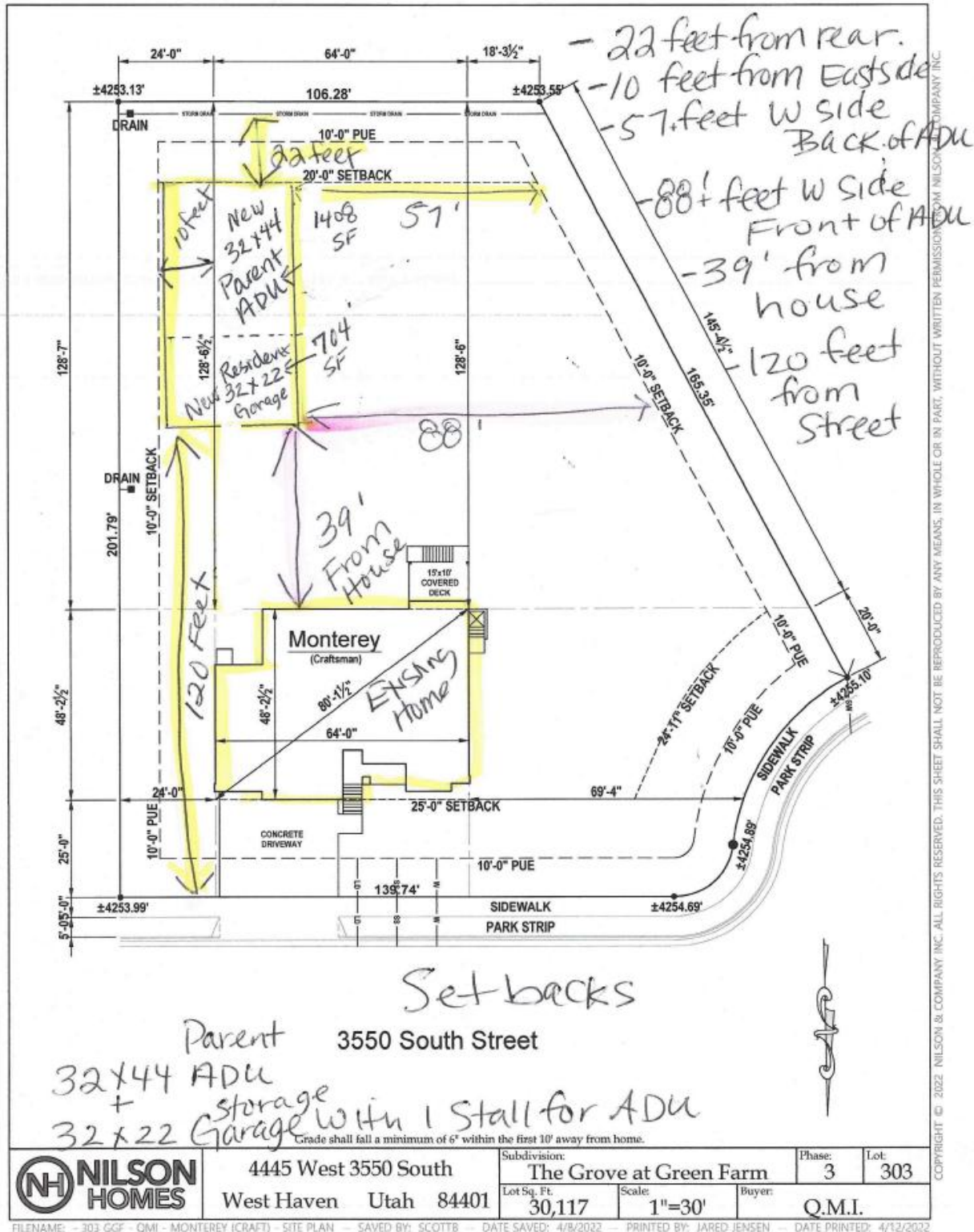
ACCESSORY DWELLING UNIT CONDITIONAL USE AND OTHER STANDARDS

§ 157.461 LOCATION AND TYPE.

(C) *Behind the primary dwelling, an accessory dwelling unit within an accessory structure must meet the minimum of side yard required by the zone for the primary dwelling and a rear yard setback of 20 feet, unless no windows, doors, or other openings are adjacent to the property line, in which case the allowed setback shall be 15 feet.*

Findings: The applicant has provided a site plan with specific setbacks, as shown in the table below. The placement of the ADU does comply with the setback requirements for a primary dwelling.

Images 2: Site Plan and Setbacks



Setbacks	Mixed Use-Grove At Green Farms-Phase 2 Setbacks	Approximate Setbacks
Front	12' to porch and 20' to garage	120'
Side- West	10'	57'
Side-East	10'	10'
Rear-South	20'	22'

Image 3: Street View of Home



Image 4: Rendering of the ADU



Image 5: Existing Shed



§ 157.462 APPEARANCE.

Single-family residences with interior accessory dwelling units shall retain the appearance of a single-family home. An accessory dwelling unit in an accessory structure shall be designed so that, to the degree reasonably feasible, the appearance of the building is compatible with the architectural components of the primary dwelling unit (for example, exterior materials, color, and roof pitch).

Findings: The applicant has provided a rendering of the proposed detached ADU that shows the design and structure. ADU appears to have siding like other buildings in the neighborhood and on the property, which is colored “Dorian Gray”. The applicant has indicated to staff that they plan to use LP siding to match the color of their home and the existing shed.

§ 157.463 SIZE.

- (A) *Basement dwelling units.* Shall be permitted to occupy the entirety of the basement of the primary home regardless of area or bedroom count; and
- (B) *Accessory dwelling units (detached structures).* The size of an accessory dwelling unit shall be at least 300 square feet and shall not exceed 1,200 square feet, and be limited to no more than three bedrooms.

§ 157.464 LOT COVERAGE.

- (A) The combined building coverage for the detached accessory dwelling units, main dwelling, and additional accessory buildings may not be larger than the maximum coverage allowed in the zone for the lot and rear yards.
- (B) The coverage may not exceed 35% of the total lot size.
(Prior Code, § 33.20) (Ord. 11-2020, passed 5-6-2020)

§ 157.601 AREA OF ACCESSORY STRUCTURES.

- (A) An accessory structure is anything that is constructed or erected which requires location on the ground or attached to something having a location on the ground that is located on the same lot as a main building. No accessory structure, nor group of accessory structures, in any residential zone shall cover more than 25% of the rear yard or side yard. If accessory structures are being placed on the rear yard and side yard, then the percentage of allowable area cover is 40% of the combined area.

Findings: The proposed ADU’s footprint is 1,408 sq. ft., and the garage is 704 sq. ft. There is also a shed on the property totaling 200 sq. ft. The single-family home footprint, including the covered deck, totals 2,939 sq. ft. The combined coverage of the three buildings would be 5,251 sq. ft., which is 17.4% of the total lot coverage of 30,117 sq. ft., well below the maximum of 35%. The total size of the backyard is approximately 17,568 sq. ft., and the total footprint of the buildings is 2,312 sq. ft., which equals approximately 13% of the backyard. The maximum rear yard coverage for accessory buildings is 25%.

§ 157.474 EXCEPTIONS TO STANDARDS

- (1) For ADUs that exceed the maximum size of 1,200 square feet: increased setbacks, privacy fencing, limitation on windows and doors adjacent to abutting property lines, and additional parking;

Findings: One additional consideration for an ADU CUP with increased size is that setbacks may also increase. The proposed location meets the standards for a primary structure, and they are not seeking any other reductions.

Image 5: Detached ADU Floor Plan



§ 157.465 BUILDING ENTRANCES.

A new single-family structure approved with an accessory dwelling unit attached to, or detached from, the main dwelling unit shall have a separate, accessible entrance or stairway. An accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure that faces a street, or a side or rear entrance. Dwellings with two front doors side-by-side may not be used to provide separate entrances for each unit, with the exception of dwellings where the second door provides direct access to the dwelling basement. The purpose of this requirement is to preserve the single-family residential appearance of the building.

Finding: The ADU has a front door proposed to face west, with garage doors located facing north. These entrances face the directions with the largest setbacks between the building and the property lines. The rear yard is fenced with a six-foot vinyl fence.

§ 157.467 PARKING.

- (A) A single-family dwelling with an accessory dwelling unit shall provide at least one additional off-street parking space for the accessory unit above the minimum spaces

required for a single-family dwelling. Accessory dwelling unit parking may not be in tandem with required parking of the main dwelling. One additional off-street parking space shall be required for accessory dwelling units with two or more bedrooms. ADUs located within one-fourth mile of a bus rapid transit route shall be permitted to reduce the parking requirement by one space for the main dwelling unit.

(B) No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway.

(C) The minimum width of parking areas and driveways shall be paved with concrete or asphalt.

Findings: The proposed ADU is proposing a garage that is 22'x32', which would allow for two vehicles, which meets the requirements of the code. Staff has reach out to the applicant about plans for access and pavement. As seen in the Image 6, there is a double gate with gravel along the east side, where this access would most likely be. Fire has commented that:

Fire access should be 20 feet wide per Appendix D of the IFC and capable of supporting 75,000 Lbs.

Based on the code, "driveways shall be paved with concrete or asphalt". This standard should be applied.

Image 6: Driveway and Double Gate



In response to this report, the applicant has provided the following statement:

Hi Stephen in regards parking for the ADU they will have both parking spots in the 32x22 garage and then I will provide one spot in front of my existing 3rd car garage and then one spot behind my 3rd car garage. I will be concreting the entire driveway and side yard leading to the garage for clear access. It will be a complete concrete driveway and approach. Thanks

§ 157.469 BUILDING CODE.

(A) All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah State Code § 10-9a-511.5, "Changes to Dwellings—Egress Windows."

(B) A certificate of occupancy must be obtained for an ADU before it can be occupied.

Finding: If approved, the applicant will need to obtain a building permit before any construction. The applicant has started on full engineered plans, but was waiting to see if they secure the CUP prior to completions of the plans. The Building Official has noted on the review:

Building is unable to provide a complete review at this time due to items that need to be addressed by Planning and Zoning. Additional review comments from Building may be provided at a later time.

1. *If the proposed ADU receives approval to move forward, there shall be an excavation observation completed by a Geotechnical Engineer once the excavation has been completed and prior to placement of any structural fill or footing construction.*

The applicant has provided the following statement when asked about how the structure would be built:

It will be stick built in following with the engineered plans.

§ 157.470 UTILITY METERS.

A single-family dwelling with an accessory dwelling unit may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name, and the property owner shall be responsible for payment of all utilities. The owner is responsible for contacting their water, electric and gas provider for any possible additional water development, utility meter, and/or connection fee.

Finding: The applicant plans to use the existing utilities and meters at the home and install lines to the ADU. No additional connections are planned.

ADDITIONAL CONDITIONAL USE PERMIT CONSIDERATIONS

When reviewing a conditional use permit, it is important to consider the standards and restrictions on the land use authority set out in state law.

Utah Code 10-20-506. Conditional uses.

- (2) (a) (i) *A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.*
- (ii) *The requirement described in Subsection [\(2\)\(a\)\(i\)](#) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.*
- (b) *If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.*
- (c) *If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.*

The following are West Haven's Conditional Use Permit considerations as found in [§ 157.259 CONDITIONAL USES](#). Many of the following considerations do not apply to the request. Staff have provided findings for the considerations that are most applicable to the request.

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

Finding: West Haven's Moderate Income Housing Plan is supportive of additional ADUs within the City. One of the City's adopted methods is to "eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit" (See [Resolution No. 13-2024](#)). The Moderate Income Housing Plan also states the following under *Initiatives for Housing Families with Modest Income*:

Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones. (p 4)

In response to these planning efforts, the City created the Accessory Dwelling Unit standards, allowing for both internal, attached, and detached ADUs, and allowing the City Manager to waive impact fees for detached ADUs.

(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 is generally compatible with the surrounding development. The surrounding development is mostly made of single-family homes, roadways, and parks.

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

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

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

Findings: The site will be accessed with a driveway that is accessed from the street back to the property. Parking is provided within the proposed garage attached to the structure.

(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.

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

Findings: The applicant plans to use the existing utilities and does not plan on making any additional connections to adjacent public utilities.

(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: The applicant has 6' vinyl fencing along their property boundaries.

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

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

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

(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 impact of the proposed CUP will likely be negligible for these considerations.

III. RECOMMENDATIONS

Staff recommends that the Planning Commission consider the applicant's request and compare it with the relevant code. Take into consideration the impact of the development and the applicable standards. The land use authority is required to "approve a conditional use if reasonable conditions are proposed...to mitigate the reasonably anticipated detrimental effects...in accordance with applicable standards". The Planning Commission should consider the standards listed within the code to mitigate the impacts. Based on staff review, many of the mitigations are in place or included with the application, including increased setbacks, building orientation, six-foot vinyl fences, and the larger property size.

IV. POSSIBLE MOTIONS

Approval with conditions: Motion that the Planning Commission approves the Conditional Use Permit Application for a proposed accessory dwelling unit with increased size located at 4445 W 3550 S, finding that the application complies with West Haven standards and provides the proper mitigation when the following conditions are applied:

- That the driveway to the unit is paved with a hard surface.
- Will need to obtain a building permit and ADU permit prior to any construction.
- Outside doors and primary entrances for the ADU shall be located on the west and north sides.

[Provide any additional conditions as discussed by the Planning Commission]

Table: Motion that the Planning Commission table the Conditional Use Permit Application for a proposed Accessory Dwelling Unit with increased size located at 4445 W 3550 S.

[Provide any conditions or recommendations to be addressed prior to returning]

Application Review Status

Pre-Review	Complete	Date Submitted
Planning & Zoning	Not Reviewed	08/10/2026
Engineering	Not Reviewed	
Fire	Not Reviewed	
Public Works	Not Reviewed	
Planning Commission	Not Reviewed	
Final-Review	Not Reviewed	

Fees		Payments		
CUP Fee 1	\$110.00	08/11/2026	Online	\$110.00
Subtotal	\$110.00	Total Paid		\$113.85
Processing Fee	\$3.85			
Total	\$113.85			
Amount Paid	\$113.85			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

Applicant First Name
Jennifer

Applicant Last Name
Hudgins

Contact Email

[REDACTED]

Phone Number

[REDACTED]

Address

4445 W 3550 S St

City

West Haven

State

UT

Zip Code

84401

Owner Name

Jennifer Hudgins

Owner Email

[REDACTED]

Owner Phone

[REDACTED]

Address

4445 W 3550 S St

City

West Haven

State

UT

Zip Code

84401

Upload complete and notarized Owner/Agent Authorization form

 Jennifer Hudgins owner:agent.pdf

Property Address

4445 W 3550 S St

City

West Haven

State

UT

Zip Code

84401

Parcel #

08-686-0003

Property Zone (select all that apply)

R-1

Property Size (in acres)

0.69

Building Sq Ft

1408

Building Height (stories & ft)

One Story ADU 23.3 feet tall

Briefly Describe Conditional Use Request

32x44 ADU for parents 1408 SF also want a 32x22 garage on the front for storage and 1 parking place for ADU- See notes

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?

8am- 6pm

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.

 **Jennifer Hudgins Site:plot Maps.pdf**

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, ENVIRONMENTAL 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.



Signature

I agree that the facts stated in this application are authentic, and I'll tell you about changes.

Electronically Signed

Jennifer Hudgins - 08/10/2026 1:16 pm



32' X 44' ADU

1408 SQ FT | 2 BEDROOM | 2 BATH



EXTERIOR PAINT
SHERWIN WILLIAMS
DORIAN GRAY
SW 7017



DOORS
BLACK



WINDOWS
BLACK

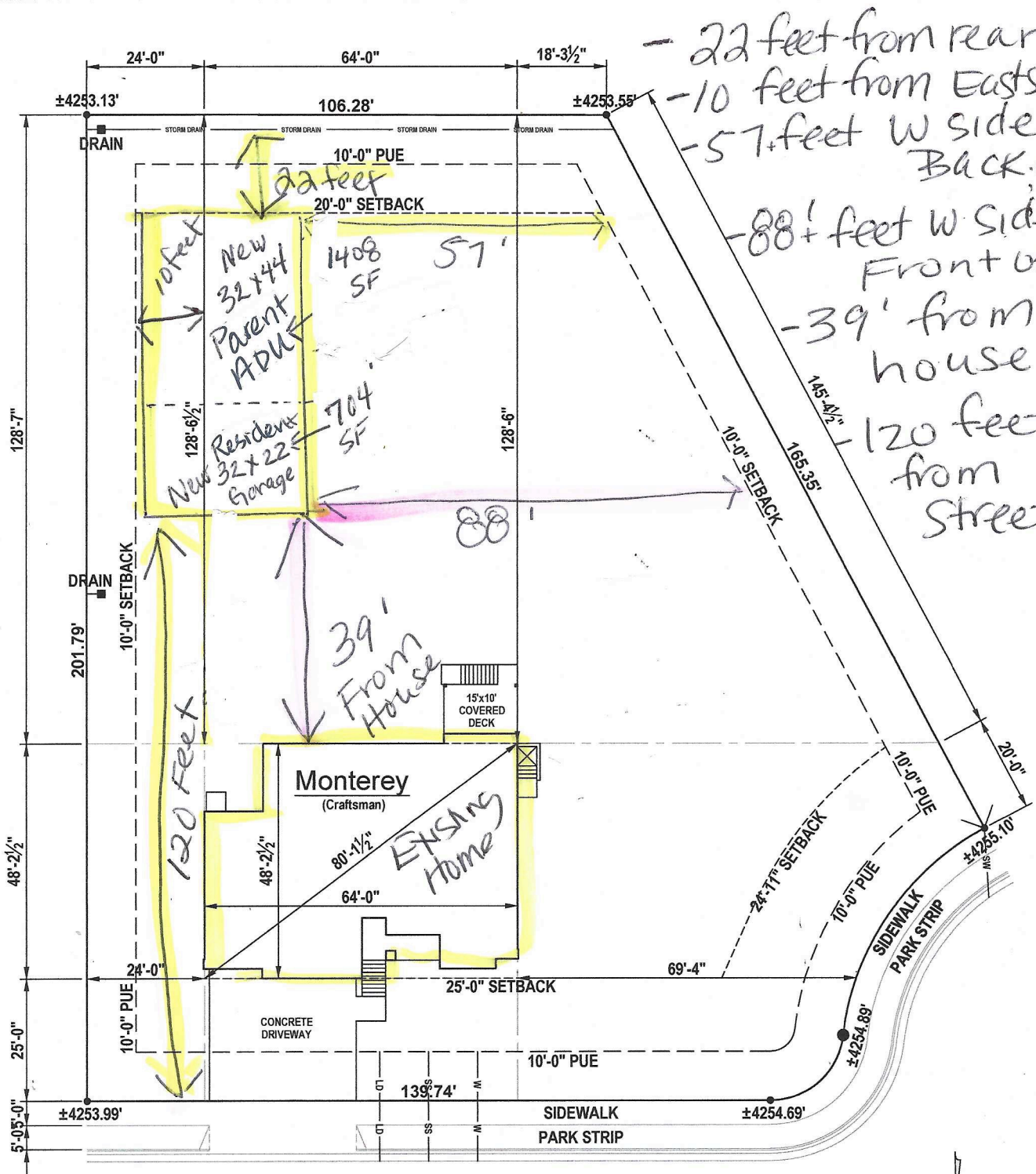
FEATURES

- Open concept great room, kitchen & nook
- Kitchen island with seating
- Walk-in pantry
- 2 Bathrooms (no Jack & Jill)
- Bedroom 2 in front of home
- Primary suite with private bath and walk-in closet in back
- Laundry room with sink
- Mechanical room with water heater & water softener
- Built-in desk with storage wall
- Garage on left (22' wide)
- Large front porch with overhang
- Main entry on 44' side with large windows

DIMENSIONS

Width: 32'
Depth: 44'
Garage Width: 22'
Total Living: 1408 SQ FT





Setbacks

Parent

3550 South Street

32x44 ADU

+ storage
32x22 Garage with 1 Stall for ADU

Grade shall fall a minimum of 6" within the first 10' away from home.



4445 West 3550 South
West Haven Utah 84401

Subdivision:

The Grove at Green Farm

Phase:

3

Lot:

303

Lot Sq. Ft.

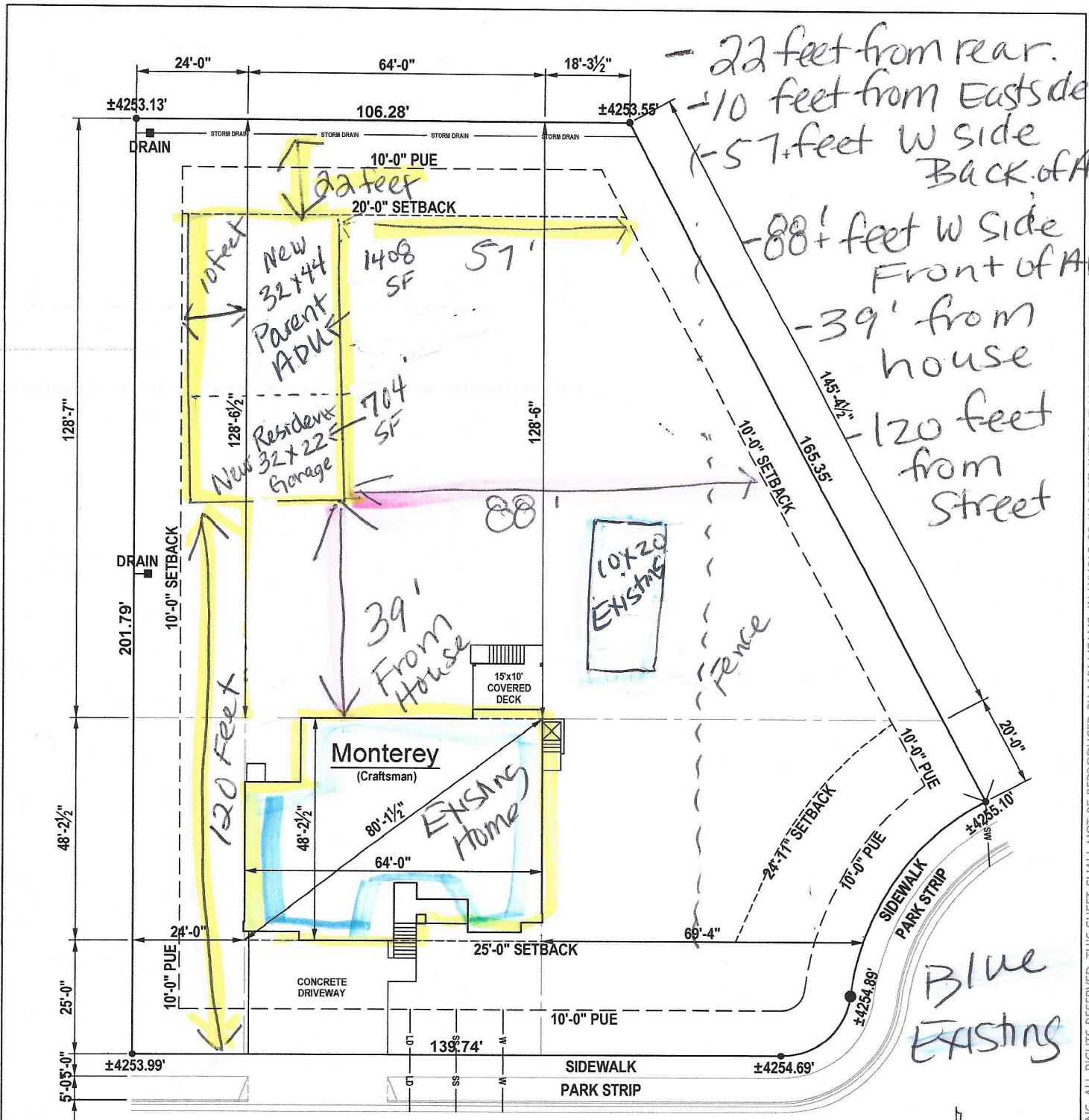
30,117

Scale:

1"=30'

Buyer:

Q.M.I.



Setbacks

Parent

3550 South Street

32x44 ADU

+

32x22 Garage with 1 Stall for ADU

Grade shall fall a minimum of 6" within the first 10' away from home.



4445 West 3550 South
West Haven Utah 84401

Subdivision:

The Grove at Green Farm

Phase:

3

Lot:

303

Lot Sq. Ft.

30,117

Scale:

1"=30'

Buyer:

Q.M.I.

SITE PLAN



3550 SOUTH STREET

SIDEWALK / PARK STRIP

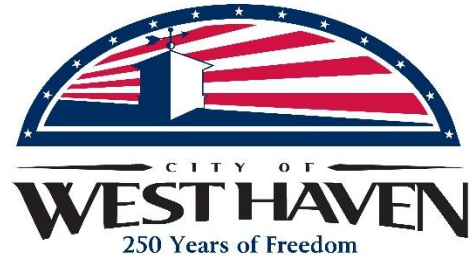
NOTES

1. Clean redraw based on the supplied site map and handwritten dimensions.
2. Proposed structures: 32' x 44' ADU and 32' x 22' garage.
3. Requested dimensions shown: 22' from back property, 10' from left side yard, and 120' to street.
4. Verify property lines, easements, setbacks and field dimensions before construction.

Planning Commission Staff Review Memo

August 26, 2026

Damian Rodriguez, Planner



PRELIMINARY SITE PLAN REVIEW

Request: Preliminary site plan approval for a phase of a multi-family project
Property Location: 2270 South 1100 West
Property Zone: Mixed Use
Property Size: 4.69 acres
Applicant: Craig Widmier

Governing Document(s): 11 West Appartements Master Development Agreement
Decision Type: Administrative
Staff Recommendation: Approval

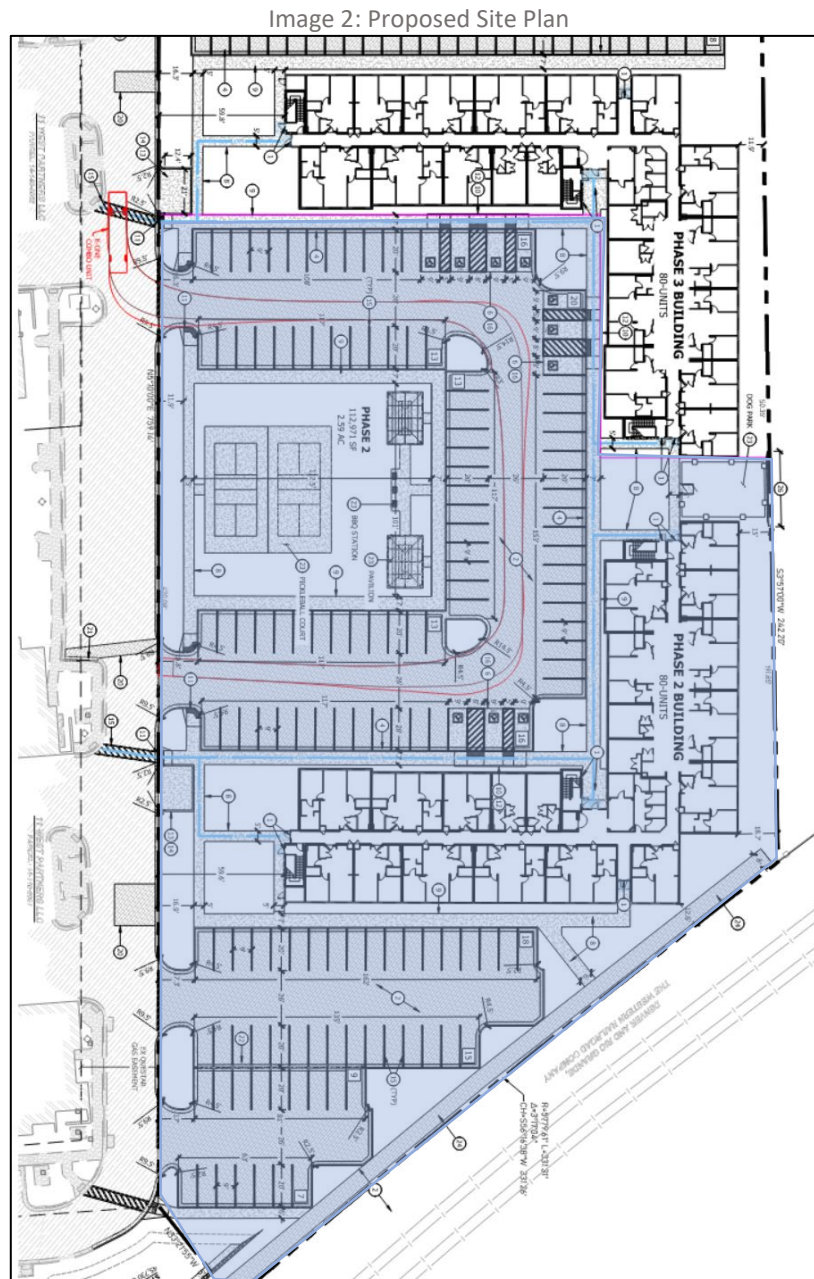
Image 1: Site Aerial



I. BACKGROUND

The applicant requests the Planning Commission grant preliminary approval of the proposed site plan for Phase 2 of the 11 West Apartments project at 2270 South 1100 West. The project is subject to a master development agreement which entitles the project to a total of 425 mixed residential units, with the first phase allotted approximately 199 units, and all subsequent phases (phases 2 and 3) allotted no more than 226 units.

Phase 2 is the proposal under review. The proposal consists of one apartment building of 80 units. Phase 3 (not part of this review) is depicted as an additional building of 80 units.



II. **STAFF REVIEW**

Staff's review of the proposed preliminary site plan and accompanying documents (*the proposal*) as it pertains to the requirements of the West Haven Zoning Code and governing master development agreement (MDA) is as follows:

Use

The land use, multiple family residential, is permitted in the zone if agreed upon between the city and developer via the adoption of a master development agreement.

Development Agreement, Paragraph 6: Development Standards

	MDA	Site Plan Proposal	Compliant?
Building height			
Maximum	50' or 4-stories over a podium parking structure	46.5'	Yes
Minimum	None Specified	NA	Yes
Density	28 units/acre	80 units of the 226 permitted with Phase 2	Yes
Min yard setbacks			
From 1100 West	10'	>425'	Yes
From Wilson Lane	15'	>215'	Yes

§157.733 STANDARDS OF REVIEW

All multiple-family development proposals shall be subject to the provisions of the *Design Review* code (§§157.730 through 157.737).

- (A) ***Traffic Safety and Circulation.*** (1) *Does the site plan comply with the West Haven City Engineering Design Standards and Specifications related to traffic ingress, egress, and internal circulation, and (2) a traffic study shall be required, if in the opinion of the Planning Commission, with input from the Development Review Committee, such would be necessary.*

Finding: The applicant has submitted a vehicle path analysis as part of the application that is under review by the City. The City Engineer has provided some redlines and required updates to the analyses and plan. The applicant is working with the City's Engineering staff to bring all aspects of the proposal into compliance, and all remaining comments and corrections will be addressed before staff will recommend final site plan approval. Remaining comments related to

traffic safety and circulation are not anticipated to have a significant impact, if any, on building placement and site design.

Staff recommends the following conditions of approval:

- All staff comments and corrections listed on the attached staff report will be addressed before final site plan approval is granted.

(B) **Parking.** *Does the site plan comply with city ordinances regarding design, location and number of parking stalls required?*

Finding: The MDA specifies a parking requirement of 1.75 spaces per unit. The proposal complies with the MDA by providing 140 parking stalls for the 80-unit apartment building, including the required ratio of ADA-accessible stalls.

(C) **Signage.** *Does the proposed signage comply with the city sign ordinance?*

Finding: The proposal does not include additional signage that would require a sign plan.

(D) **Landscaping.** *Does the proposed landscaping comply with the landscaping standards of this subchapter and the other applicable standards of the zoning ordinance?*

Finding: The proposed landscaping is consistent with MDA and compliant with the zoning ordinance, including the minimum planting requirements and the required open space area minimums.

(E) **Building/site layout.** *Do the proposed buildings and structures comply with the standards set forth in the subchapter as well as other applicable standards of the zoning ordinance?*

Finding: The building placement and overall site layout comply with the standards of the ordinance and are not found to be in violation of the development agreement in any way.

(F) **Engineering standards.** *Does the site plan comply with the West Haven City Engineering Design Standards and Specifications related to utility easements, drainage and other engineering requirements?*

Finding: The applicant has submitted improvement drawings with the preliminary site plan application. The City's Engineering team reviewed the proposal and provided corrections on the site plan and civil engineering drawings. All comments and corrections will be satisfied before staff recommends final site plan approval, but all necessary technical documents have been received to move the proposal forward to final site plan review.

(G) **Governing documents.** *Is the site subject to a master development agreement or any conditions or agreements related to the property?*

Finding: The site and its development are subject to the standards, rules, and restrictions of the [11 West Apartments Master Development Agreement](#) (MDA). Among other things, the MDA specifies the total unit count, phasing, amenities, and architectural designs of the project. The

proposal does not deviate from the MDA specifications in any way that could be seen as a violation of that agreement.

§ 157.734 Design Requirements

Design approval may include such other conditions consistent with the considerations of this subchapter as the Commission or Planning Director deem reasonable and necessary under the circumstances to carry out the intent of this subchapter.

Building materials. New buildings shall be designed and constructed to meet the following criteria.

- (1) Building exteriors shall be designed and constructed with primary and secondary building materials from the list of building materials in division (C) below.*
- (2) The front elevation, as well as any other elevation which faces the street shall be constructed of a minimum of 60% primary materials, with a maximum of 40% secondary materials.*
- (3) Windows and doors shall be excluded from the calculation of exterior building material requirements. Non-functioning, decorative only windows may be included in the calculation of building materials.*
- (4) A maximum of six colors for the primary materials may be permitted.*
- (5) Secondary materials shall be of a complementary hue and shade to primary building materials. A maximum of four accent colors may be allowed for secondary materials.*
- (6) A minimum of 15% of the front elevation, as well as any side or rear elevation which faces the street or major corridor, shall consist of upgraded architectural features as defined in division (C) below. See division (B) below for those streets which constitute major corridors.*
- (7) Non-primary elevations which do not face the street or major corridor shall consist of at least 5% upgraded architectural features as defined in division (C) below. See division (B) below for those streets which constitute major corridors.*

Finding: Finish materials that are consistent with the design standards of the code have been set forth in the adopted master development agreement, paragraph 6. The proposal is consistent with the building material requirements of the MDA. However, the proposal has seemingly significantly less architectural detail than the building renderings of exhibit B of the MDA suggest they ought to. The Architectural Style of the MDA (page 2, 6.e.) reads as follows:

“Buildings on the Land shall incorporate an aesthetically pleasing architectural and design theme as shown in Exhibit B (elevation and renderings) for Phase 1. The design for future phases shall be similar to that of Phase 1. The design of buildings in the Land shall incorporate diversity of detail and materials among individual buildings while maintaining a unique overall design theme for the entire development. All development and parking structures shall follow the overall architectural style and/or theme of the development.”

Staff finds that the architectural details of the proposed Phase 2 Building do not meet the standard of being considered similar to those of Phase 1 or of following the overall architectural

style of the development, as required by the MDA. Specifically, the absence of balcony space, as depicted in Exhibit B (also Image 3 of this report) and realized in Phase 1 of the project, represents a significant loss of architectural quality that has not been compensated for elsewhere in the proposed architecture of Phase 2. In accordance with the design review code, staff has requested information on upgraded architectural features.

Image 3: Architectural renderings of a multiple-family building attached to the MDA as Exhibit B



In their response to the corrections report from the first review, the applicant stated that they would provide upgraded architectural features (alternating brick patterns, bays, and canopies) and asserted that the proposal complies with the development agreement. Staff respectfully disagrees and has reminded the applicant that the proposal must satisfy the requirements of both the MDA and the Design Review code of the ordinance.

Regarding the architectural styles agreed upon in the MDA and the design requirements of the zoning ordinance, staff recommend the following conditions of approval:

- The proposal must meet or exceed the ordinance's requirements for upgraded architectural features and provide a comparable amount of building articulation to the multiple-family buildings of Phase 1.

III. **RECOMMENDED ACTION**

Based on the findings in Section II of this report, staff recommend the Planning Commission **approve** the proposed preliminary site plan, subject to the following conditions:

1. The proposal must meet or exceed the ordinance's requirements for upgraded architectural features and provide a comparable amount of building articulation to the multiple-family buildings of Phase 1.
2. All staff comments and corrections listed on the attached staff report will be addressed before final site plan approval is granted.

IV. **POSSIBLE MOTION**

Approve with staff-recommended conditions: Motion to approve the proposed preliminary site plan for Phase 2 of the 11 West Apartments project at 2270 South 1100 West, finding that the proposal is generally compliant with the regulations of the ordinance and is ready to progress to the final site plan review process with the following conditions of approval applied:

1. The proposal must meet or exceed the ordinance's requirements for upgraded architectural features and provide a comparable amount of building articulation to the multiple-family buildings of Phase 1.
2. All staff comments and corrections listed on the attached staff report will be addressed before final site plan approval is granted.

Approve with modified conditions: Motion to approve the proposed preliminary site plan for Phase 2 of the 11 West Apartments project at 2270 South 1100 West, finding that the proposal is generally compliant with the regulations of the ordinance and is ready to progress to the final site plan review process with the following conditions of approval applied:

(List conditions of approval)

Approve outright: Motion to approve the proposed preliminary site plan for Phase 2 of the 11 West Apartments project at 2270 South 1100 West, finding that the proposal is generally compliant with the regulations of the ordinance and is ready to progress to the final site plan review process.

Table: Motion to table action on the proposed preliminary site plan for Phase 2 of the 11 West Apartments project at 2270 South 1100 West, finding that the proposal is not compliant with the applicable regulations of the ordinance, and the applicant needs to amend the proposal before the item can progress to the final site plan review process.

(COPY)

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is created by and between 11 West Partners, LLC, a Utah limited liability company, whose address is 1160 Kings Court, Kaysville, Utah, 84037 ("Developer") and The City of West Haven, a Utah municipality, whose address is 4159 South 3900 West, West Haven, Utah 84491 ("City"), and is effective July 25, 2018

BACKGROUND

- A. Developer is the owner of land in the City of West Haven and would like to develop the land with up to 425 units of multifamily rental units in two or more phases. The land is zoned to allow the proposed density and use for multifamily dwelling units.
- B. Phase 1 is proposed to consist of approximately 199 rental units on 10.18 acres (the "Phase 1 Land").
- C. Phase 2 is proposed to consist of up to 226 units on a minimum of 3.74 acres, but likely on 4.75 acres (the "Phase 2 Land").
- D. Collectively the Phase 1 Land and the Phase 2 Land, or any phase breakdown to create more than two phases, provided the total unit count shall not exceed 425 units, shall be referred to as the "Land".
- E. All phases of the Land will have a referenced address known as 2270 South 1100 West, West Haven, Utah 84401.
- F. The City has granted preliminary site plan approval and as part of final site plan approval wants the Developer to sign a development agreement that sets forth parameters for the proposed improvements.

NOW, THEREFORE, in consideration of the mutual obligations and covenants stated herein and \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the following rights and obligations are imposed upon the Land.

AGREEMENT

- 1. **Permitted Uses:** Condominiums and apartments are permitted uses. All other uses are prohibited.
- 2. **Concept Plan.** The concept plan included as Exhibit "A" and incorporated herein by reference, designates in general terms the proportions, locations, and types of uses to be developed within the Phase 1 Land and Phase 2 Land and shall guide site layout and the development. Development on any parcel to which may be added to either Phase 1 Land or Phase 2 Land must substantially conform to the approved concept plan. The phasing may be changed to increase or decrease the unit count for each phase provided the total unit count shall not exceed 425 units in total for the Land. The concept plan may be amended by petition to the city and as approved by the City or its staff.
- 3. **Site Plan.** All development standards and site plan requirements are reflected in this Agreement and shall apply to any development in any phase on the Land. No development, construction, revisions, or additions shall take place on a site in the Phase 1 Land or Phase 2 Land or the Land, except for

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demolition and preliminary site grading, until the final plat has been recorded, the necessary bonds, if any, have been posted, all fees have been paid and the appropriate permits have been obtained.

1. **Amenities:** The Phase 1 Land will include these amenities: A leasing center, a great room, fitness center, kids' retreat, fire-pit, BBQ stations, Hot-tub, Picnic grass area with tables, chairs and benches, Storage rooms, bike lockers, Dog wash, Conference room, multi-purpose video room, mail center, swimming pool (the "Project Amenities").

2. **Phasing:** Development phases are permitted provided that all phases include, under City policies and procedures: 1) sufficient traffic circulation for the development phase to existing dedicated streets; 2) sufficient infrastructure, such as sewer and culinary water; 3) surface water detention, if applicable; and 4) appropriate amenities for that phase as specified on the concept plan. It is understood that provided the first phase developed includes the Project Amenities, subsequent phases need not add any amenities to the Land.

4. **Completion of Improvements:** All public improvements shown on an approved site plan or amended site plan shall be completed on Phase 1 Land within three (3) years of the date of approval or recording of the site plan or final plat, whichever is later. If the improvements are not completed within the time specified, the City shall have the option of taking action on the bond to complete the improvements or of voiding the approval. The Developer may request an extension of up to two (2) years for completing improvements from the City Planning Director. An extension of two (2) years may be granted only if the applicant demonstrates good cause for not completing the improvements and demonstrates the present ability to complete the improvements. The Phase 2 Land and subsequent phases shall have improvements completed within four (4) years following final certificate of occupancy being issued on the Phase 1 Land. *Last C.O. was 7/3/2023, 2d date is 7/3/2027*
5. **Plans:** A detailed preliminary grading and drainage plan including all laterals, and structures, and detention areas, with calculations for volume and proposed locations, will be submitted to the City for approval, which approval is demonstrated by issuance of a building permit. A set of construction drawings will also be submitted for each phase to the City for approval, which approval is demonstrated by issuance of a building permit for each respective phase.
6. **Development Standards:** The following shall apply to the Land:
- Density.** The maximum density allowed is 28 units per acre.
 - Height.** The maximum building height is the taller of a) 50 feet or b) 4-stories over a podium parking structure, not including parapets, architectural features or roof features.
 - Required Setbacks.** All buildings shall be set back at least 10 feet from the curb on 1100 West, and 15 feet from the curb on 2150 South (Wilson Lane).
 - Parking ratio.** A minimum parking ratio of 1.75 spaces per unit is required.
 - Architectural Style.** Buildings on the Land shall incorporate an aesthetically pleasing architectural and design theme as shown in Exhibit B (elevation and renderings) for Phase 1. The design for future phases shall be similar to that of Phase 1. The design of buildings in the Land shall incorporate diversity of detail and materials among individual buildings while maintaining a unique overall design theme for the entire development. All development and parking structures shall follow the overall architectural style and/or theme of the development.
 - Building Materials.** All buildings shall be constructed with an acceptable mix of building materials and architectural features to achieve diversity of architecture. The acceptable mix includes brick or stone masonry, cementous fiberboard, stucco, and other accent materials to create an aesthetically pleasing impression as illustrated in Exhibit B. The City shall have

the right but not the obligation to assess the use of these materials to insure that an aesthetically pleasing impression is obtained and may require Developer to use more or different materials than proposed by Developer to achieve this end on any individual structure or Phase, provided such feedback is provided before signing this document. As it relates to future phases, the City shall provide feedback within 10 working days of submittal to City of elevations depicting materials and colors.

7. **Drive Accesses:** All drive accesses within the interior of the Land shall be designated as private drives, and shall be designed and built according to the concept plan. The minimum drive width shall be 24 feet.
8. **Sidewalks and Pedestrian Circulation:** The Land must be developed to provide for pedestrian circulation routes within the development with access to the public right of way.
9. **General Landscaping Requirements:** Landscaping shall be maintained on the Land and around the perimeter of the Land that fronts 1100 West and that fronts 2150 South (Wilson Lane). Deciduous trees must be at least one and one-half (1.5) inches in caliper measured six inches above ground level, and evergreen trees at least five (5) feet in height. The landscape must substantially comply with the landscape plan attached as Exhibit C, unless restrictions by the Bona Vista Water Improvement District (the "Water District") apply to the Land wherein the landscape shall be modified to be in conformance with the Water District restrictions. In any event, the landscape plan will be shown in as Exhibit C.
10. **Lighting Plan:** Each of Phase 1 Land and Phase 2 Land, or any phase, shall include a lighting plan designed to discourage crime, enhance the safety of the residents and guests of the project, prevent glare onto adjacent properties and enhance the appearance and design of the project. Light fixtures shall be provided at each building entry. Parking lots and structures shall be well lit. All pathways in the development shall be sufficiently lit to provide a safe environment. Streetlights shall have a decorative style and shall be dark-sky sensitive. The general design of the light pole and head shall follow the general theme of the development. Lighting shall be provided under the carports.
11. **RV Storage and General Storage:** The development shall provide area for bicycle parking. No wrecked or abandoned vehicles or equipment shall be stored in an open area. Storage of commercial goods or materials outside of a building is prohibited. Recreational Vehicles (RV's) shall not be stored in open air parking spaces.
12. **Solid Waste Receptacles:** Solid waste receptacles not located within a building, excluding small decorative garbage cans, shall be enclosed on three sides with the same materials used on the main structures within the Land with the remaining side used as a gate with appropriate screening materials.
13. **Bonds:** As it is recognized that the entire development is intended for private use as rental housing and not as for sale product with multiple owners, nevertheless, being sensitive to the overall public impact of this development as a private operation, performance bonding for all improvements shall be required for all improvements off-site of the subject Land. If the project is financed via conventional debt sources, a performance bonding for the following improvements, including bonding of landscaping and sprinkling systems, asphalt, curb, gutter, sidewalk, fencing, utility installations, or any other item required as part of the approved site plan. It is recognized that the proposed improvements will be financed by a market rate HUD loan type 221d4

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construction/permanent loan which already requires the posting of approximately a \$2.4 million letter of credit, to be posted and held by the lender to ensure the completion of all improvements identified in the construction drawings to receive a building permit and receive certificates of occupancy from the City. The foregoing performance bond requirement of the City may be satisfied where West Haven City is an additional named beneficiary on the HUD required letter of credit. City acknowledges that as private improvements, the Developer has intrinsic motivations for a finished and completed project but still believes the public interest requires the foregoing further bonding requirements of the City. If ultimately HUD does not accept having the City named as an additional beneficiary on the HUD required letter of credit, the City will accept being named as an additional beneficiary under the bonding required of the general contractor, if such is possible.

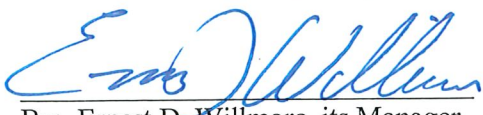
14. **Impact Fees/Permit Fees:** It is recognized that the proposed multifamily development will provide attractive housing and recreational amenities for residents who live in the proposed project. A walking trail will also be constructed on the Land, and the Developer will seek to connect its portion of the walking trail on the Land to create linkage to the Weber County walking trail by soliciting neighboring property owners to allow for the creation of the walking trail over their land. Developer will also stripe parking spaces for 4 cars on 1100 West near, or to the south of, the point where the walking trail intersects the 1100 West street. To induce Developer to move forward with the walking trail initiative and to facilitate the proposed development, the City, upon proof being shown of the agreements, easements of other indicia of actual ability to construct the trail linkage as set out above, agrees to **waive 75% of the Parks impact fees and 75% of the Permit fees** when calculating impact and permit fees required as part of the issuance of a construction permit. The time period wherein to deliver evidence of connectivity to the Weber County walking trail system is 36 months from the time the first building permit is issued on the Land. The improvements will be maintained by the City, but constructed by Developer concurrently with other amenities for Phase 1. The walking trail shall have a minimum width of 5 feet of asphalt with 1 foot of gravel shoulder on each side of the asphalt. In the event the time period expires, and connectivity is not evidenced, Developer shall only receive a waiver of 15% of the Parks impact fees and Permit fees.

15. **Miscellaneous Provisions:**

- a. This Agreement shall be governed by the laws of the State of Utah and personal and corporate jurisdiction and venue for any disputes hereunder shall be exclusively in the courts of the Second Judicial District, Weber County, Utah wherein the Land is located.
- b. Blue Pencil Provision: If any provision of this Agreement is held invalid or unreasonable by a court or other tribunal of full and proper jurisdiction, then the parties agree that such provision may be modified or stricken here from by the Court in the Court's discretion, in order to fulfill the intent of the parties. If a provision is stricken, the remainder of the Agreement shall continue in full force and effect.

Developer:

11 West Partners, LLC
A Utah limited liability company


By: Ernest D. Willmore, its Manager



City:

West Haven City

Sharon Polso

By:

Attachments:

Exhibit A – Site Plan

Exhibit B – Elevations and rendering

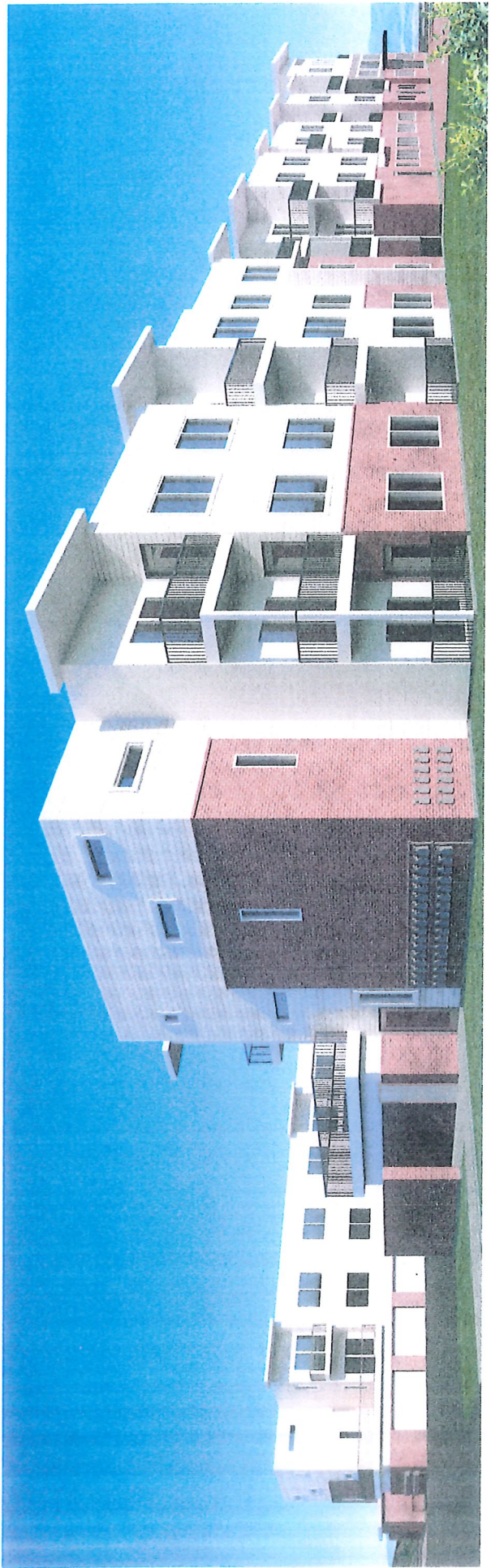
Exhibit C – Landscape plan

EDW:2018-7-5.Dev.Agmt.WHaven-11 West









West Haven Improvement Drawing Review

Project	11 West Apartments, Phase 2, Preliminary Site Plan Review
Review Cycle	2 (in progress; satisfied comments are struck through)
Date:	August 20, 2026



Code Reference	City Department	City Comment	Applicant Response
§157.734(A)(6)	Planning	Callout upgraded architectural features on the building elevations. A minimum of 15% of the front elevation, as well as any side or rear elevation that faces the street or major corridor, shall consist of upgraded architectural features as defined in §157.734(C)(3) . Non-primary elevations which do not face the street or major corridor shall consist of at least 5% upgraded architectural features.	
§157.313(A)(6)	Planning	Note: West Haven code §§ 157.730 through 157.737 outline design criteria for multi-family projects. Mixed-Use projects involving multi-family dwellings shall be subject to the provisions of those sections in addition to the rules and regulations of their respective development agreements.	
§157.733(F)	Planning	Note: The Engineering comments below remain from the original corrections report. The Engineering review of the second submittal is not yet complete, and	

		the comments below may be resolved; other comments or corrections may be due once that review is complete.	
§157.733(F)	Engineering	Regarding swales or perimeter drainage, provide a 5-10 ft private drainage easement across all affected properties to prevent any one owner from impeding the free flow.	
§157.733(F)	Engineering	See the attached redlined drawings for additional Engineering comments and corrections.	
§157.731(C)(1)(h)	Planning	Provide will serve letters from the following utility service providers: 1. Culinary Water 2. Secondary Water 3. Sanitary Sewer	
§157.731(C)(1)	Planning	The Owner/Agent affidavit must be signed and notarized.	
§157.441(A)	Planning	The north building and parking lot is labeled "PHASE 3". Show a clear boundary that distinguishes all development and improvements contained in Phase 2 and Phase 3, and provide a site plan that is specific to PHASE 2 with parking, amenities, and landscaping details specific to that phase.	
§157.313(B)	Planning	Provide the Architectural Drawings referenced on Sheet C1.00.	
§157.313(B)	Planning	Provide an exterior lighting plan for review. Show cast light by foot candle to	

		demonstrate that light trespass will not occur and show specifications of the light fixtures to verify dark sky sensitivity.	
§157.313(B)	Planning	Light fixtures shall be provided at building entries. Show the location of such light fixtures on the exterior lighting plan.	
§157.313(B)	Planning	All pathways of the development shall be lit. Show such light fixtures on the exterior lighting plan.	
§157.731(C)(1)(c)	Planning	Provide, on the building elevations pages, a table showing ratios and percentages of each material/color and percentages of architectural features.	
§157.734(A)(2)	Planning	The front elevation, as well as any other elevation which faces the street shall be constructed of a minimum of 60% primary materials, with a maximum of 40% secondary materials. Primary materials are listed in §157.734(C)(1) .	
§157.734(A)(4)	Planning	Provide color details for the exterior finish materials.	
§157.731(C)(1)(d)	Planning	On the Plant Material Key (LP-102), provide quantity totals for all trees and all shrubs. Provide area totals by ground cover.	
§157.988(C)(2)	Planning	An irrigation plan that corresponds with the landscape plan shall be provided for review prior to final site plan approval. The irrigation plan shall show the following:	

		—— (a) Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers; —— (b) Static water pressure in pounds per square inch (PSI) at the point of connection to the public water supply; —— (c) Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers; and —— (d) Installation details for irrigation components.	
§157.313(B)	Planning	Per Section 6 of the development agreement, a minimum setback of 15' is required at Wilson Lane. The proposed garages in Phase 3 must comply with this minimum setback.	
§157.313(B)	Planning	Section 3.1 of the development agreement lists amenities. Call out all amenities on the site plan and provide a list of those amenities contained in Phase 1.	
IBC	Building	No comments from Building at his time. The geotechnical study has been provided, and recommendations will need to be followed.	

IFC	Fire	Note: No parking signs need to be installed on the East side of the North Parking lot.	
IFC	Fire	The building shall be fully protected by an automatic sprinkler system and provided with an automatic fire alarm and detection system. Sprinkler and alarm plans may be submitted as deferred submittals. All sprinkler and alarm submittals shall be submitted to a third-party review firm (see attached list of pre-approved companies). For buildings four (4) stories or greater, standpipes are required in stairwells.	

*Applicant is responsible for responding to each comment as required by West Haven and Utah State Code. Submittals that fail to respond will be returned to the applicant without closure of the review cycle.

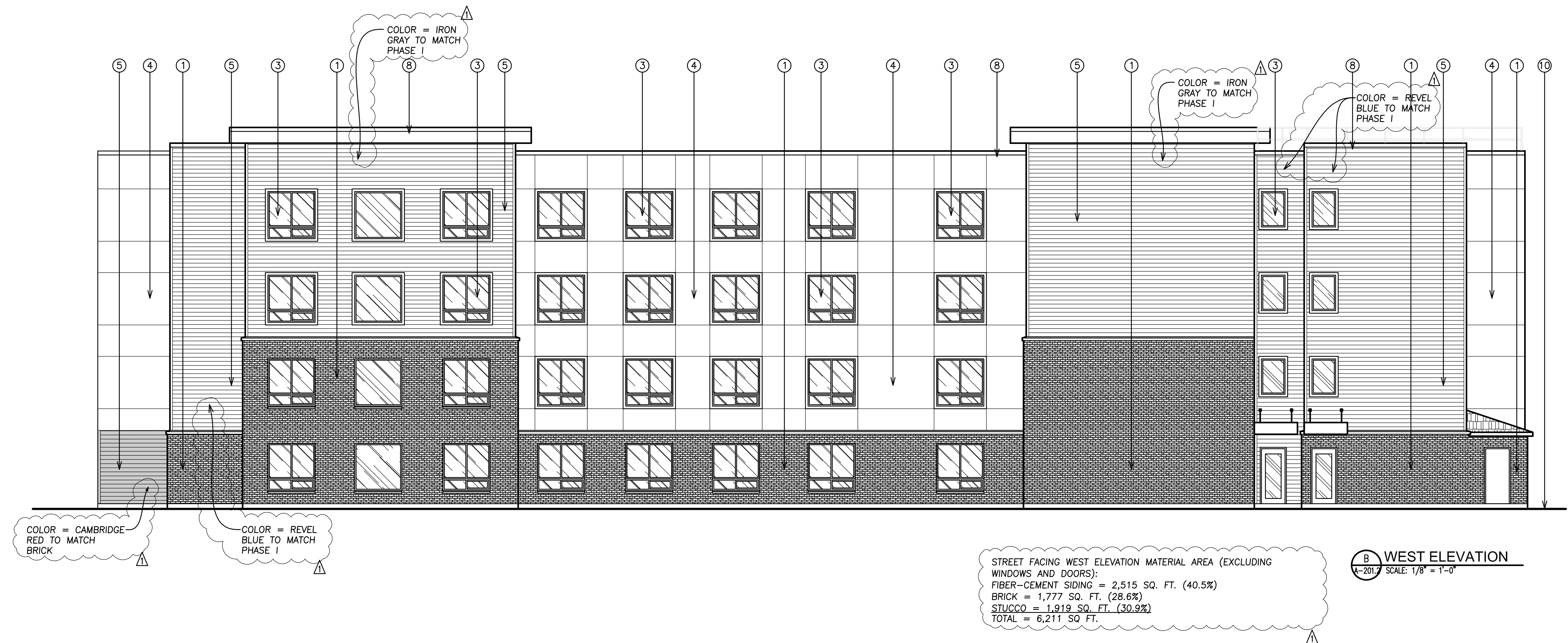
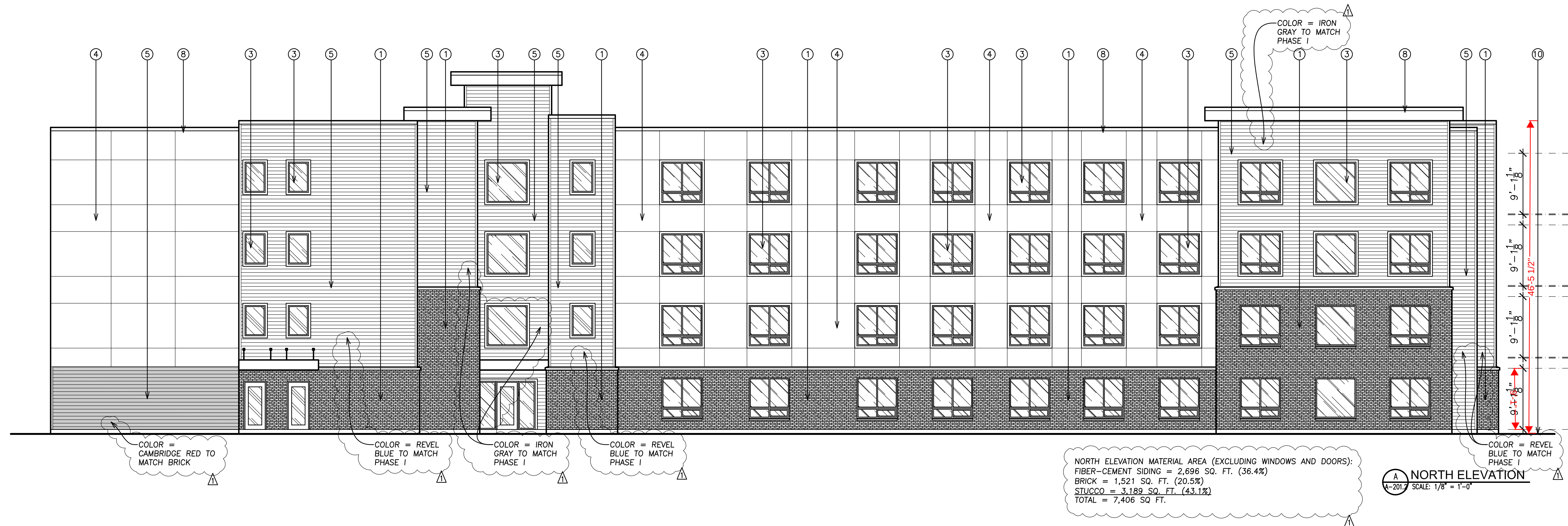
1. BRICK VENEER, ATTACH GALV. BRICK TIES TO WALL STUDS; EXES. SHALL NOT SUPPORT MORE THAN 2 ROWS OF BRICK. TIES APPLIED MINIMUM 6" STACHED TO HORIZ. JTY. REINFC. LAP ALL LAYS W/ #9 HORIZ. JTY. REINFC. BY A MIN. OF 2". INSTALL COURSEWORK WITH FLASHING ON INSIDE FACE OF THE FIRST 3 COURSES & TO EXTEND 1/2" MIN. BEYOND FINISH. FLASHING 3/8" THICK. SLOPE 1/4" PER FOOT. 3X7 AND 3X8 COLOR = CAMBRIDGE, KING SIZE MATCH PHASE
2. PRE-FINISHED STANDING SEAM METAL ROOFING
3. DBL GLAZED VINYL WINDOWS & PATIO DOORS, SEE DETAIL B/A-303. CAULK OVER AROUND.
4. STUCCO SYSTEM (1) COAT, OVER WIRE LATH, OVER (1) LAIR GRADE 12" FIBERGLASS MESH & ONE SITTLE OVER FULL TYVEK CERTIFIED SYSTEM APPLIED SHINGLE STYLE SHEETING OVER SHEET PILING. PENETRATIONS FOR PENETRATION FLASHINGS, AND CAP FASTENERS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM IS BASED ON THE FOLLOWING: 1. APPROVED BY STATE OF CALIF./ARCHITECT APPROVED LOCAL PREPARE. 2. APPROVED BY INSTANT CONTRACTOR. 3. SEE OR INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS INCLUDING CONTROL JOINTS SCHEDULING. COLOR = WHITE TO MATCH HOUSE
5. FIBER-CEMENT BOARD, HORIZONTAL LAP SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS.
6. FIBER-CEMENT BOARD, BOARD AND BATTON SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS.
7. GALVANIZED FLASHING WITH DRIP EDGE
8. GALVANIZED SLOPED METAL CAP FLASHING WITH DRIP EDGE
9. ALUMINUM STOREFRONT GLAZING SYSTEM
10. FINISH GRADE PER CIVIL DRAWINGS.



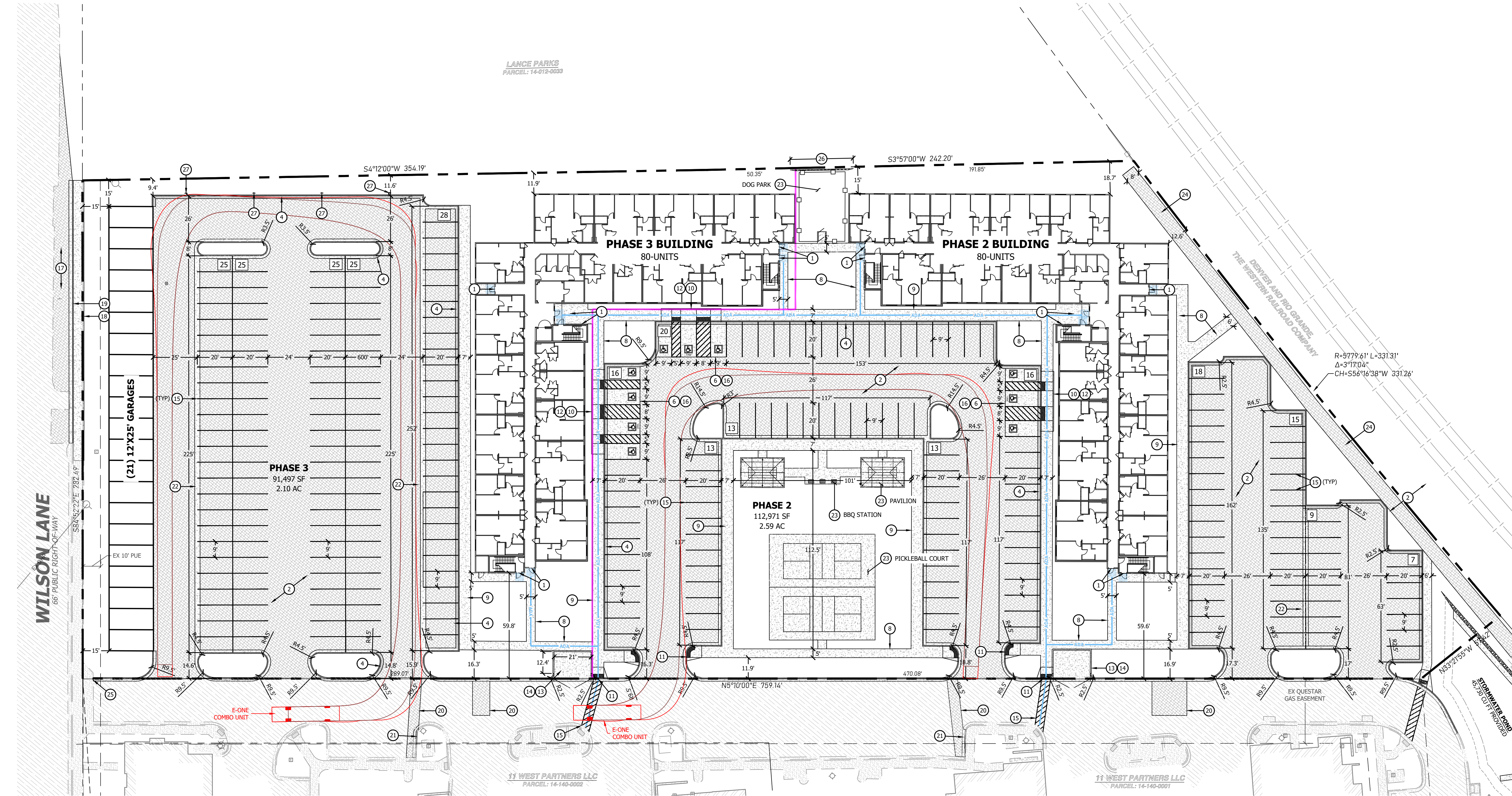
LEGEND

1. BRICK VENEER. ATTACH GALV. BRICK TIES TO WALL STUDS. EA. TIES SHALL NOT SUPPORT MORE THAN 2 SQ. FT. BRICK TIES SHALL BE MECH. ATTACHED TO HORIZ. JT. REINF. LAP ALL JTS. W/ #9 HORIZ. JT. REINF. BY A MIN. OF 2". INSTALL CORROSION RESISTANT FLASHING FROM FNDTN. UP THE 1ST 3 COURSES & TO EXTEND 1/2" MIN. BEYOND FNDTN. FACE. PROVIDE 1/16" WEEP HOLES 13" O.C. COLOR = CAMBRIDGE, KING SIZE TO MATCH PHASE I
2. PRE-FINISHED STANDING SEAM METAL ROOFING
3. DBL. GLAZED VINYL WINDOWS & PATIO DOORS, SEE DETAIL B/A-303. CAULK ALL AROUND.
4. STUCCO SYSTEM (1 COAT), OVER WIRE LATH, OVER (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER FULL TYVEK CERTIFIED SYSTEM APPLIED SHINGLE STYLE (INCLUDES TYVEK STUCCO WRAP, WINDOW AND PENETRATION FLASHINGS, AND CAP FASTENERS), OVER SHEATHING PER STRUCTURAL. STUCCO SYSTEM TO BE APPROVED MANUFACTURER PER ES REPORT #382, OR CITY/ARCHITECT APPROVED EQUAL. PREPARE SUBSTRATE & INSTALL PER MANUFACTURER'S INSTRUCTIONS, DETAILS, AND RECOMMENDATIONS, INCLUDING CONTROL JOINTS SPACING. COLOR = COBBLESTONE TO MATCH PHASE I
5. FIBER-CEMENT BOARD, HORIZONTAL LAP SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS.
6. FIBER-CEMENT BOARD, BOARD AND BATTEN SIDING. PAINT & INSTALL PER MANUFACTURER'S SPECS.
7. GALVANIZED FLASHING WITH DRIP EDGE.
8. GALVANIZED SLOPED METAL CAP FLASHING WITH DRIP EDGE.
9. ALUMINUM STOREFRONT GLAZING SYSTEM
10. FINISH GRADE PER CIVIL DRAWINGS.

NOTE: TYVEK WRAP TO BE INSTALLED BEHIND ALL EXTERIOR FINISHES. (1) LAYER GRADE 'D' FELT APPLIED SHINGLE STYLE, OVER FULL TYVEK CERTIFIED SYSTEM APPLIED SHINGLE STYLE (INCLUDES TYVEK WRAP, WINDOW AND PENETRATION FLASHINGS, AND CAP FASTENERS), OVER SHEATHING PER STRUCTURAL.



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LIST OF AMENITIES

PHASE 1 (EXISTING)	PHASE 2 & 3
- LEASING CENTER - GREAT ROOM - FITNESS CENTER - KIDS' RETREAT - FIRE PIT - BBQ STATION - HOT TUB - PICNIC GRASS AREA WITH TABLES, CHAIRS AND BENCHES - STORAGE ROOMS - BIKE LOCKERS - DOG WASH - CONFERENCE ROOM - MULTI-PURPOSE VIDEO ROOM - MAIL CENTER - SWIMMING POOL	- PICKLEBALL COURT x 2 - ADDITIONAL BBQ STATION - PAVILION WITH TABLES x 2 - DOG PARK

KEY NOTES

- BUILDING DOOR ENTRY - REFER TO ARCHITECTURAL DRAWINGS
- ON-SITE ASPHALT PAVEMENT - SEE DETAIL CP1 / SHEET C1.90
- ON-SITE "CATCH" CURB & GUTTER - SEE DETAIL CG1 / SHEET C1.90
- ON-SITE "SPILL" CURB & GUTTER - SEE DETAIL CG2 / SHEET C1.90
- TRANSITION BETWEEN CURB TYPES
- ON-SITE CONCRETE PARKING STALL - SEE DETAIL CP3 / SHEET C1.90
- ON-SITE TRASH ACCESS PAD - SEE DETAIL CP6 / SHEET C1.90
- ON-SITE CONCRETE WALKWAY - SEE DETAIL CP7 / SHEET C1.90
- ON-SITE CONCRETE ATTACHED WALKWAY - SEE DETAIL CP9 / SHEET C1.90
- ON-SITE PARALLEL ACCESSIBLE RAMP - SEE DETAIL CA1 / SHEET C1.90
- ON-SITE ACCESSIBLE RAMP - SEE DETAIL CA2 / SHEET C1.90
- ACCESSIBLE PARKING SIGNS - SEE DETAIL CA3 / SHEET C1.90
- TRASH ENCLOSURE - SEE SHEET C1.92
- TRASH ENCLOSURE FOUNDATION - SEE SHEET C1.92
- ON-SITE 4-IN YELLOW PAINTED STRIPING
- ON-SITE ACCESSIBLE PARKING STALL STRIPING - SEE DETAIL 1 / THIS SHEET
- ASPHALT PAVEMENT - SEE WEST HAVEN PUBLIC WORKS STANDARDS SHEET 2
- CONCRETE SIDEWALK - SEE WEST HAVEN PUBLIC WORKS STANDARDS SHEET 2
- STANDARD CURB & GUTTER - SEE WEST HAVEN PUBLIC WORKS STANDARDS SHEET 4
- ASPHALT T-PATCH, MATCH EXISTING PAVEMENT SECTION
- CONCRETE CURB & GUTTER, MATCH EXISTING
- ON-SITE CONCRETE WATERWAY - SEE DETAIL CG12 / SHEET C1.90
- AMENITY AREA
- ON-SITE ASPHALT TRAIL - MATCH EXISTING
- TAPER CURB & GUTTER TO FLUSH OVER 2 FEET
- 18-IN HIGH (MAX) ROCK RETAINING WALL
- "NO PARKING" SIGN

DEVELOPMENT SUMMARY

DEVELOPMENT SUMMARY - PHASE 2 & 3			
PARCEL AREA:	204,468 SQ FT	4.69 ACRES	(100%)
BUILDING AREA:	38,420 SQ FT	0.88 ACRES	(19% OF TOTAL)
HARD SURFACE AREA:	122,963 SQ FT	2.82 ACRES	(60% OF TOTAL)
LANDSCAPE AREA:	43,085 SQ FT	0.99 ACRES	(21% OF TOTAL)

PHASE 2			
PHASE 2 AREA:	112,971 SQ FT	2.59 ACRES	(100%)
BUILDING AREA:	19,210 SQ FT	0.44 ACRES	(17% OF PHASE 2)
HARD SURFACE AREA:	67,345 SQ FT	1.55 ACRES	(60% OF PHASE 2)
LANDSCAPE AREA:	26,416 SQ FT	0.61 ACRES	(23% OF PHASE 2)

PHASE 3			
PHASE 3 AREA:	91,497 SQ FT	2.10 ACRES	(100%)
BUILDING AREA:	19,210 SQ FT	0.44 ACRES	(21% OF PHASE 3)
HARD SURFACE AREA:	55,618 SQ FT	1.28 ACRES	(61% OF PHASE 3)
LANDSCAPE AREA:	16,669 SQ FT	0.38 ACRES	(18% OF PHASE 3)

PARKING - PHASE 2 & 3			
160 UNITS TOTAL			
280 TOTAL STALLS REQUIRED (160 UNITS X 1.75)			
268 STALLS PROVIDED + 21 GARAGES			
(1.78 UNITS / STALL)			
(INCLUDING 7 ADA + 3 VAN ADA)			

PHASE 2			
80 UNITS TOTAL			
140 TOTAL STALLS REQUIRED (80 UNITS X 1.75)			
140 TOTAL STALLS PROVIDED			
(INCLUDING 7 ADA + 3 VAN ADA)			

PHASE 3			
80 UNITS TOTAL			
140 TOTAL STALLS REQUIRED (80 UNITS X 1.75)			
128 STALLS PROVIDED + 21 GARAGES PROVIDED			
149 TOTAL STALLS PROVIDED			

LEGEND

	ADA	ACCESSIBLE PATH
		AREAS TO COMPLY WITH ADA STANDARDS
		SPILL CURB, SEE APPLICABLE CURBING DETAIL
		PARKING STALL QUANTITY
		PHASE LINE

NOTICE TO CONTRACTORS

THE EXISTENCE AND PLACEMENT OF ANY SUBSURFACE UTILITIES OR STRUCTURES REPRESENTED IN THESE PLANS HAVE BEEN SOURCED FROM THE MOST CURRENT DATA ACCESSIBLE. PLEASE NOTE THAT THE POSITIONS INDICATED ON THESE PLANS ARE APPROXIMATE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THESE LOCATIONS. SHOULD ANY CONFLICTS OR INCONSISTENCIES OCCUR, PROMPTLY REACH OUT TO THE PROPERTY OWNER OR THE ENGINEER OF RECORD. FURTHERMORE, THE CONTRACTOR IS REQUIRED TO CONTACT THE RELEVANT UTILITY COMPANIES AND TAKE PRECAUTIONARY MEASURES TO SAFEGUARD ALL UTILITIES, WHETHER OR NOT THEY ARE DEPICTED ON THESE PLANS.

PROJECT INFORMATION

Designed:	T. HUNT
Drawn:	R. HATFIELD
Approved:	T. HUNT
Date:	03 / 10 / 2026
Proj. No.	200 - 03

HUNT DAY
ENGINEERING
5445 ANTELOPE DRIVE, ST 200
SYRACUSE, UT 84075
PH: 801.664.4724
EM: THOMAS@HUNTDAY.CO

PROPOSED SITE PLAN

SHEET NO.

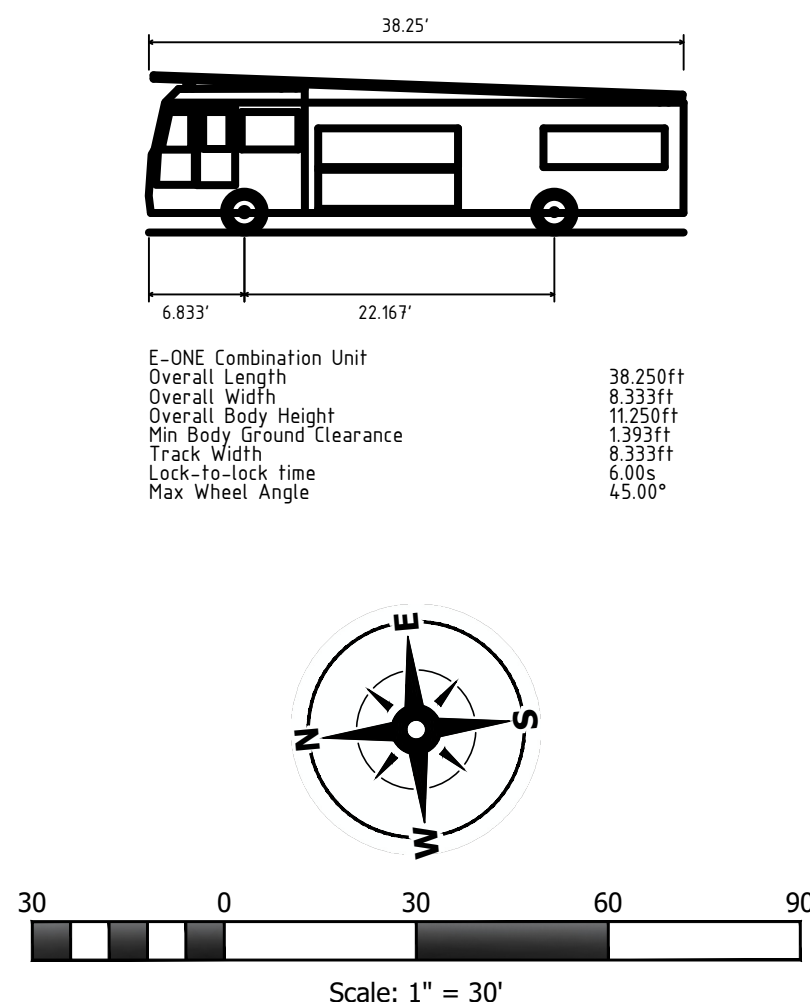
C1.00



Know what's below.
Call before you dig.

1 ADA STRIPING
Scale: NTS

2 ADA PARKING SYMBOL
Scale: NTS



VERIFY SCALES

BAR IS ONE INCH ON ORIGINAL DRAWING
0" 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

SEAL



PROJECT TITLE

**11TH WEST APARTMENTS
PHASE 2 & 3**
1025 WEST WILSON LANE
WEST HAVEN, WEBER COUNTY, UT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 6 NORTH, RANGE 1 WEST, SL BASE & MERIDIAN

REV.	DATE	DESCRIPTION	BY

Planning Commission Staff Review Memo

August 26, 2026

Stephen Nelson, Community Development Director

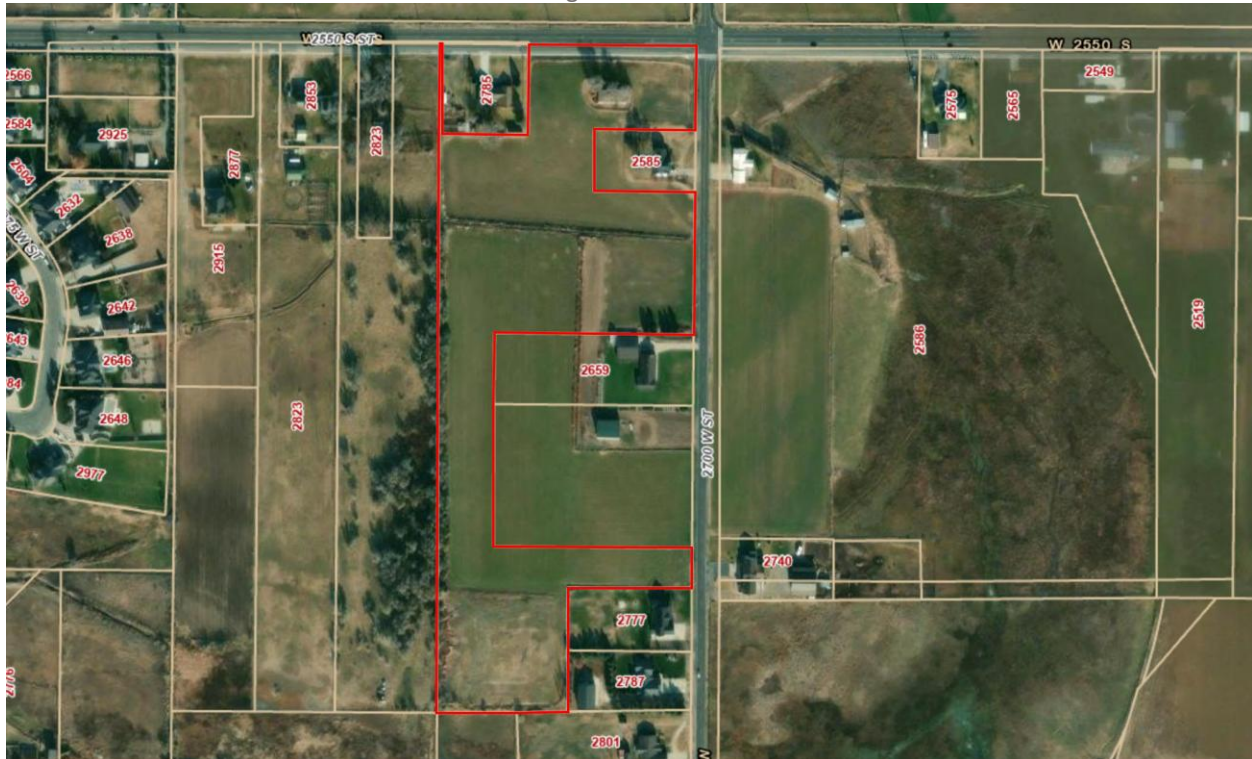


PRELIMINARY PLAN AND FLAG LOT REVIEW

Request: Preliminary Plat and Flag Lot Approval
Property Address: 2785 W 2550 S
Property Zone: A-2 and A-1
Property Size: 14.46 Acres (1.18 acre Lot)
Applicant: Allan Kap Owner, Curtis Hart Applicant, Tyler Knight Agent

Governing Document(s): WHZC §156; §157.255-157.264 ; §157.617
Decision Type: Administrative
Staff Recommendation: Approval with Conditions

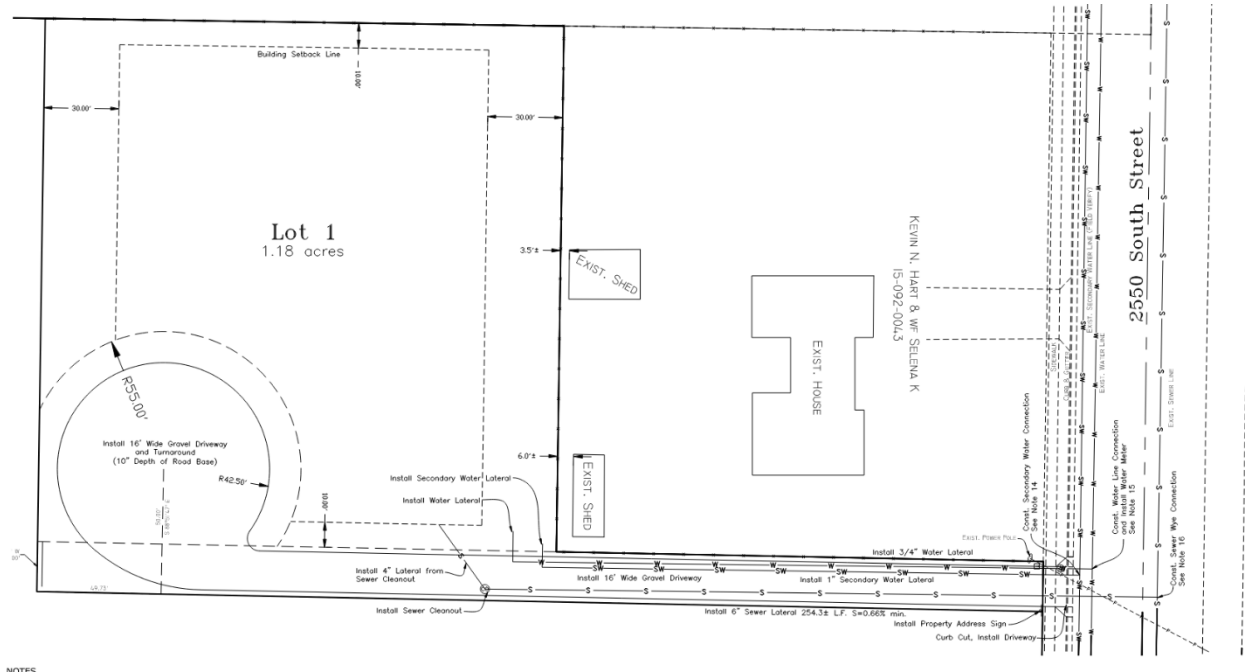
Image 1: Site Aerial



I. BACKGROUND

The applicant owns 14.46 Acres of property (highlighted in red on the map above) at 2785 W 2550 S. The applicant is seeking approval for a preliminary subdivision plan and flag lot approval to create a building lot behind a home that fronts 2550 S. Flag lots are allowed and governed by [§ 157.617 FLAG LOTS](#). To be approved, the application must meet all the requirements in that section of the code.

Image 2: Proposed Utility and Flag Lot Design Plan



II. STAFF REVIEW

Staff's review of the proposal as it pertains to the requirements of the West Haven Zoning Code (WHZC) is as follows:

Flag Lot

The flag lots within West Haven are allowed by special approval by the Planning Commission.

§ 157.617 FLAG LOTS.

Lots not having frontage on a street as required by this subchapter, but having access to such a street by means of rights-of-way or fee title access strips, may be approved as "special exceptions" by the Planning Commission in any zone...

The following is the review staff has provided to the applicant regarding the flag lot standards.

(A) The Planning Commission determines that it is not feasible or desirable to extend a street to serve such lot or lots at that time;

Finding: The property contains a single home located along 2550 S, the proposal is to create a flag lot behind an adjacent parcel, with access off 2550 S. The proposal is for a flag lot within the parcel. There is likely little utility in requiring a public roadway within the lot without additional units.

(B) The right-of-way or access strip shall have a minimum width of 20 feet, a maximum width of 30 feet and a maximum grade of 15%;

Finding: The applicant has provided a 20-foot-wide access strip. The current utility plan shows that the drive surface will be “16’ Wide Gravel Driveway”. Fire has required, as part of their approval, that the drive surface be 20’ wide and be able to support a 75,000 lbs. vehicle. The parcel is relatively flat.

(C) The area of the right-of-way or access strip shall not be included within the minimum lot area requirement;

(D) The lot shall meet all minimum yard and area requirements of the zone in which it is located, exclusive of the right-of-way or access strip

Findings: The property's zoning is split between A-1 and A-2, with the lot falling within the A-2 section. A-2 requires that the lot contain at least 40,000 sq. ft. The rear lot is 207.74’x229.14’, which would equal 47,601.54 sq. ft., exceeding the minimum lot size required for a single-family home within the A-2 zone.

(E) The depth of the front yard shall be the distance between the front line of the building and the property line or nearest line of the right-of-way or access strip which the building faces;

Findings: The applicant has provided setback lines on the plat that comply with A-2 zoning standards. Note: It shows a 10’ setback on the south side in addition to the access drive. In the A-2 zone, the side yard setbacks are a minimum of 10’, but the total between the two shall be 24’. The lot orientation complies with West Haven standards.

(F) The lot address shall be displayed in a prominently-visible location at the street entrance to the right-of-way or access strip;

Findings: The utility plan indicates an area where the access drive connects to 2550 S ROW for the installation of a “Property Address Sign”. This will need to be completed prior to occupancy of any structure.

(G) Each lot shall access a street by means of its own right-of-way or access strip. Successive stacking of lots on the same right-of-way or access strip is not permitted;

Findings: An access strip has been provided, and no additional lots are proposed.

(H) No building, structure, or parking is allowed in the right-of-way or access strip which is to be used solely as access to the lot;

Findings: No buildings are proposed within the access strip, and an easement is proposed to cover it. Staff has noted that a note on the final plat may be appropriate.

- (I) The Planning Commission shall impose such other conditions to ensure safety, accessibility, privacy, and the like to maintain or improve the general welfare of the immediate area;

Findings: Staff does not recommend any additional conditions.

- (J) No ROW or access strip shall exceed 500 feet in length;

Findings: The access strip is 195' long, compliant with the standards.

- (K) A maximum of two flag lot ROWs or access strips may be adjacent to each other;

Finding: Only a single flag lot is proposed.

- (L) A turnout area shall be provided at the home location to allow firefighting equipment to turn around. This area must be a year-round surface capable of supporting fire equipment (a minimum 40-foot radius if circular);

Finding: A turnaround has been provided with a 55' radius and has been reviewed by the Weber Fire District and the City.

- (M) Bridges, including decking and culverts, must be capable of supporting a minimum 20 ton weight capacity;

Finding: No bridges are proposed.

- (N) Road surfaces on private rights-of-way or private access ways shall be capable of supporting a 20 ton weight capacity with a surface approved by the City Engineer;

Finding: The applicant has stated that the roadway will be a "gravel driveway". The utility plan states that there will be an installation of 10" of road base. The Geotechnical report states that 8" would be the "minimum aggregate base for emergency vehicle access. With no asphalt the road-base may rut over time and require intermittent re-grading overtime." The Geotechnical report is under review.

- (O) A maximum distance of 500 feet access strip shall be permitted without a fire hydrant or other fire suppression method approved by the Fire District;

Finding: Weber Fire District has reviewed the proposal and has marked it as approved with the following comments:

The fire-access road should be 20 feet wide, in accordance with Appendix D of the Fire Code, and capable of supporting 75,000 pounds.

A fire hydrant will likely be required once a building is proposed, in accordance with Appendix C of the Fire Code, to meet hydrant spacing and distance requirements

- (P) The home location shall be shown on a plan submitted to the Fire District;

Findings: The home is not shown on the plan, and the applicant's agent has indicated that the final location has not been determined. The applicant has provided setbacks for the primary structure that comply with West Haven City code. Any future placement of the home must comply with the required setbacks, and the Fire District must approve the location of the home and determine whether and where a new fire hydrant would be required, as stated in their conditions of approval.

(Q) No flag lot shall be allowed which proposes to resubdivide or include within it (including the right-of-way or access strip) any

Finding: There are no previous subdivision of the property.

(R) The flag lot must meet the minimum lot width requirements for the zone in which the lot is located at the end of the access strip; and

(S) In calculating the minimum lot width of the flag lot to meet the requirements for the zone in which the lot is located at the end of the access strip, the ROW or access strip minimum width of 20 feet shall be included in the minimum (150 foot) frontage requirement of the host or front lot.

Findings: The total width for the proposed lot is 210.24 ' at the end of the access strip; the minimum lot width within the A-2 zone is 150'.

Fire Review

The flag lot code requires that the applicant submit a plan to the Weber Fire District, and several aspects of the plan are then required be approved by the district. Weber Fire District did approve the site plan with the following conditions:

The fire-access road should be 20 feet wide, in accordance with Appendix D of the Fire Code, and capable of supporting 75,000 pounds.

A fire hydrant will likely be required once a building is proposed, in accordance with Appendix C of the Fire Code, to meet hydrant spacing and distance requirements

Subdivision and Zoning Standards

The property has a split zoning of A-1 and A-2, which this property primarily falls within the A-2 zone.

§157.123-157.124 Site Development Standards

	Zone: A-1 and A-2	Site Plan Proposal	Compliant?
Minimum lot area	40,000	Lot 1: 47,601.54	Yes
Min lot width	150'	229.14	Yes
Min yard setbacks			
Front	30'	30'	Yes
Rear	30'	30'	Yes
Side	10' with total width of 2 side yards not less than 24'	10' and 10' in addition to the access drive	Yes

Image 3: Area of Proposed Lot



Preliminary Plat Requirements and Standards

Every preliminary subdivision must include a plan that complies with the proposed subdivision code. The applicant has provided a preliminary plan and a draft final plat. The final plat is not required during the preliminary stage, but staff has reviewed it and provided preliminary comments to the applicant. Those comments are not under consideration with the preliminary application.

Code Section	Requirement Summary	Submitted
§ 156.024 <u>(A) 1</u>	The proposed name of the subdivision.	Yes
2	The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area;	Yes
3	Sufficient information to locate accurately the property shown on the plan;	Yes
4	The individual or company names and addresses of the subdivider, the engineer and the registered land surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;	Yes
5	Contour map at intervals of two feet, five feet, or ten feet, as determined by the Planning Commission;	No, a contour map has not been provided. Site and Geotechnical report are under review by the City DRC.
6	The boundary lines of the tract to be subdivided;	Yes
7	The location, widths, and other dimensions of all existing or platted streets and other important features, such as railroad lines, water courses, exceptional topography, and buildings within or immediately adjacent to the tract to be subdivided;	Yes
8	Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and immediately adjacent thereto;	Yes
9	The location, widths, and other dimensions of proposed public streets, private streets, or private	Yes.

	access rights-of-way, alleys, utility easements, parks, other open spaces, and lots with proper labeling of spacing to be dedicated to the public, or designated as private streets or private access rights-of-way	
10	North point, scale, and date.	Yes
(B)	Plans or written statements prepared by a licensed civil engineer regarding the width and type of proposed pavement	Yes
	location, size, and type of proposed sanitary sewers or other sewage disposal facilities	Yes
	proposed water mains and hydrants	Yes
	proposed stormwater drainage facilities	Yes
	other proposed improvements such as sidewalks, plantings, and parks, and any grading of individual lots.	Yes
(C)	UDOT Conditional Access Permit approval or minutes from a UDOT pre-application meeting, if applicable	N/A
(D)	The applicant shall provide will serve or availability letters from the culinary water authority and the sanitary sewer authority regarding the proposed subdivision.	Provided, the utility plan also shows the required connections. Each Utility District will need to approve connections and ensure all required fees are paid.

Note on Utilities and Other Improvements After Preliminary Approval

The applicant has provided the required will-serve letters and the concept utility plan for preliminary plat approval. The applicant will need to meet all conditions of the public utility providers, provide plans to the culinary water, secondary water, sewer, and other utility providers, and pay the appropriate impact and connection fees. By code, each subdivision needs a connection to both culinary and secondary water. The developer will also be responsible for providing construction drawings for all required improvements and for their construction, including providing a financial "Guarantee of Improvements". For more information, see [Subdivision Improvement Required: § 156.090-§ 156.093](#).

The improvements along 2550 S are largely complete, and it is likely that no additional improvements to the front area are necessary. If the remainder parcel develops further, additional improvements along 2700 W will likely be required.

III. **RECOMMENDED ACTION**

Based on the findings in Section II of this report, the staff recommends that the Planning Commission **approve** the application for the Flag Lot and the Preliminary Subdivision, subject to the condition listed in the recommended motion.

IV. **POSSIBLE MOTION**

Approval with Conditions: Move to approve the preliminary subdivision plan for the Hart Estate Subdivision and granting a “special exception” for the creation of a flag lot, finding that the flag lot plans comply with West Haven Code **§ 157.617 FLAG LOTS**, with the following conditions:

1. They comply with all conditions provided by the Weber Fire District.
2. The access drive area shall be a minimum of 20’ wide and comply with recommendations set forth in the provided Geotechnical Engineering Study.
3. Must install and maintain the Address Sign as shown on the utility plan prior to occupancy.

[List other conditions are recommended by the Planning Commission]

Table: Move to table the flag lot and preliminary subdivision plan for the Hart Estate Subdivision, to allow the applicant additional time to address comments within the staff report or other concerns by the Planning Commission.

[List items or issues the Planning Commission would request the applicant address]

West Haven Licensing and Permitting

Printed: 08/20/2026

Hart Estate

Permit/License #

06/16/2026 - 12/15/2027

6223111

Subdivision

Reference Number

General

d7308470-6384-11f1-b498-11d2310d3509

Application Status

Status

Under Review

Active

Application Review Status

Pre-Review	Complete	Date Submitted
Planning & Zoning	Not Reviewed	06/08/2026
Engineering	Not Reviewed	
Building	Not Reviewed	
Fire	Not Reviewed	
Public Works	Not Reviewed	
Planning Commission	Not Reviewed	
Final-Review	Not Reviewed	

Fees

Payments

Preliminary Filing Fee	\$500.00	06/16/2026	Online	\$550.00
Preliminary Per-Lot Fee	\$50.00	Total Paid		\$569.25
Subtotal	\$550.00			
Processing Fee	\$19.25			
Total	\$569.25			
Amount Paid	\$569.25			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

Application Type

Preliminary

First Name

Curtis

Last Name

Hart

Contact Email

[REDACTED]

Contact Phone

[REDACTED]

Mailing Address

[REDACTED]

City

West Haven

State

UT

Zip Code

84401

Is the applicant the property owner?

No

Owner Name

Allan Kap

Owner Email

[REDACTED]

Owner Phone

[REDACTED]

Address

[REDACTED]

City

West Haven

State

UT

Zip Code

84401

Upload Completed Owner/Agent Authorization Form or Letter

 WEST_HAVEN_OWNER_AGENT_AFFIDAVIT-Signed.pdf

Subdivision Name

Hart Estate

Project Address

2789 West 2550 South

Parcel Number(s)

150920081, 150920043

Property Zone (select all that apply)

A-2, A-1

Total Number of Lots or Units

1

Surveyor/Engineer Name

Tyler Knight

Contact Email

[REDACTED]

Contact Phone

[REDACTED]

Address

[REDACTED]

City

West Haven

State

UT

Zip Code

84401

Upload Preliminary Plat

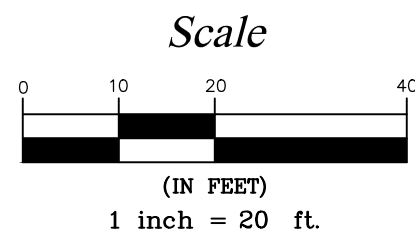
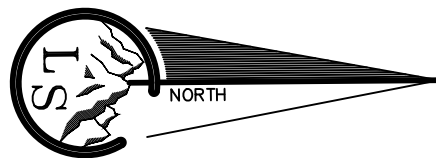
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Upload Completed Affidavit of Understanding and Acceptance of Fees

 WEST_HAVEN_OWNER_AGENT_AFFIDAVIT-Signed.pdf

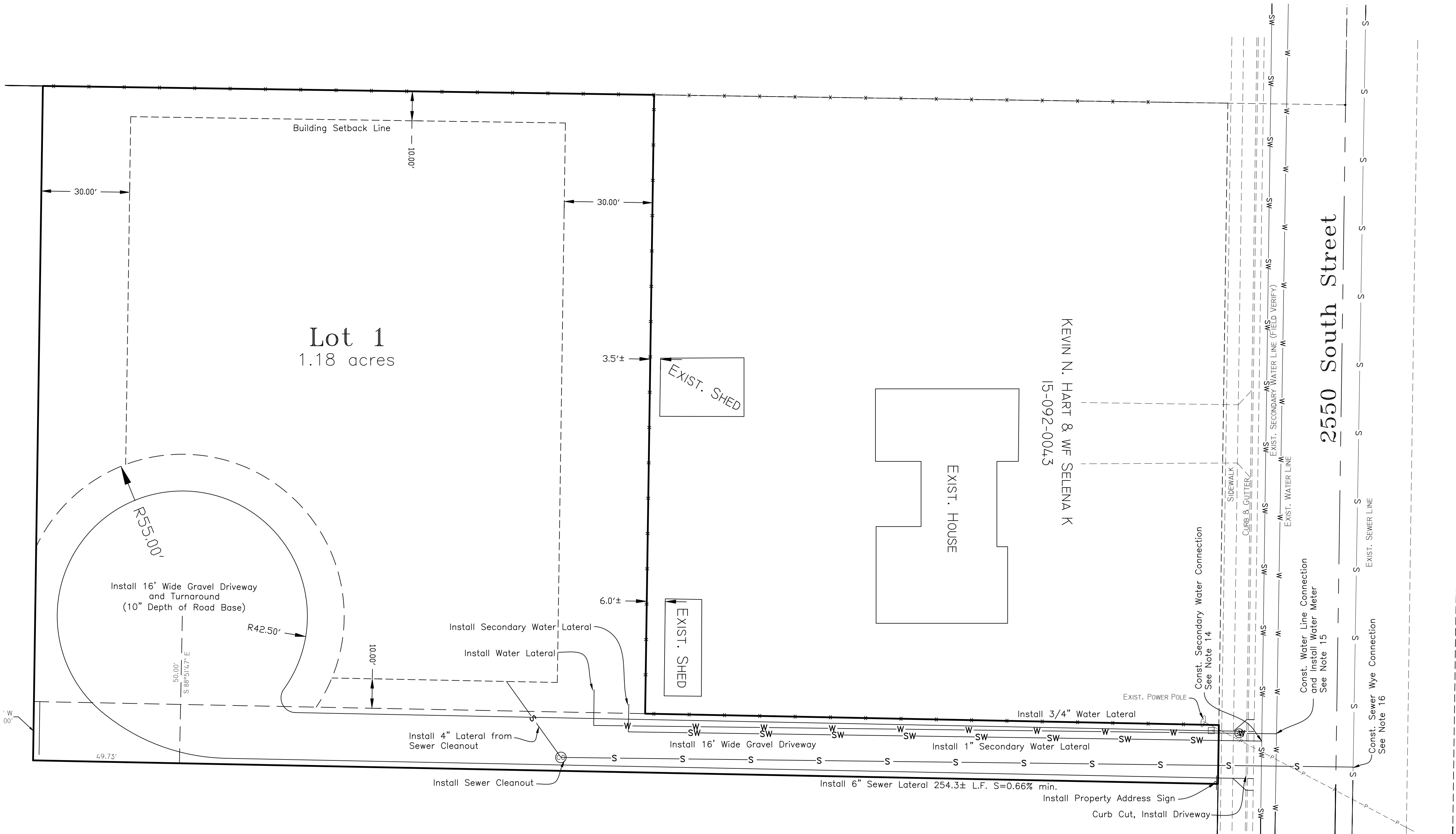
Signature

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



LEGEND

- PROPERTY LINE
EASEMENT LINE
BUILDING SETBACK LINE
CENTERLINE
EXISTING FENCE
EXISTING WATER LINE
PROPOSED WATER LINE
EXISTING SANITARY SEWER
PROPOSED SANITARY SEWER
EXISTING OVERHEAD POWER LINE
PROPOSED CLEANOUT
PROPOSED WATER METER
EXISTING TELEPHONE PEDESTAL
EXISTING UTILITY POLE



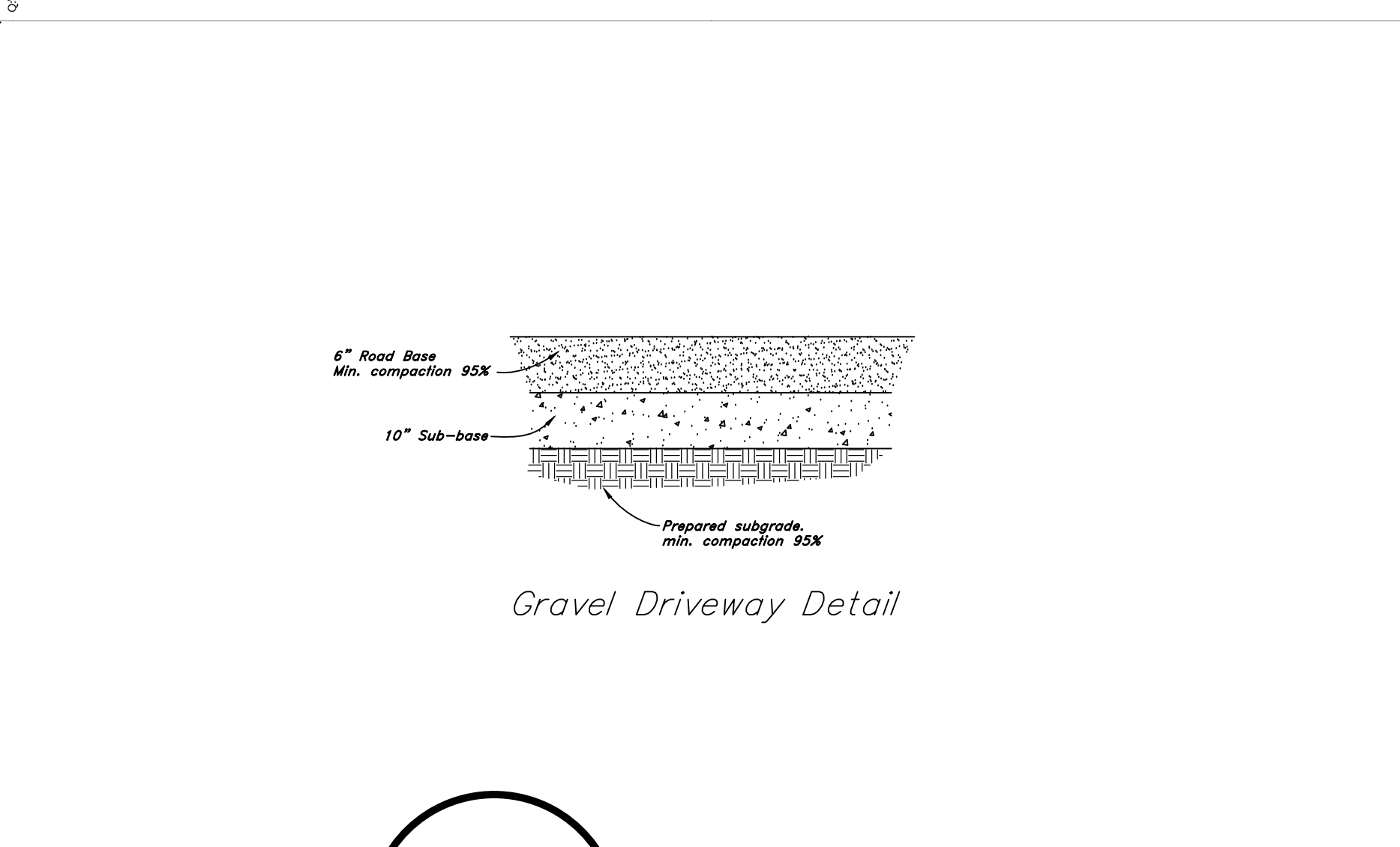
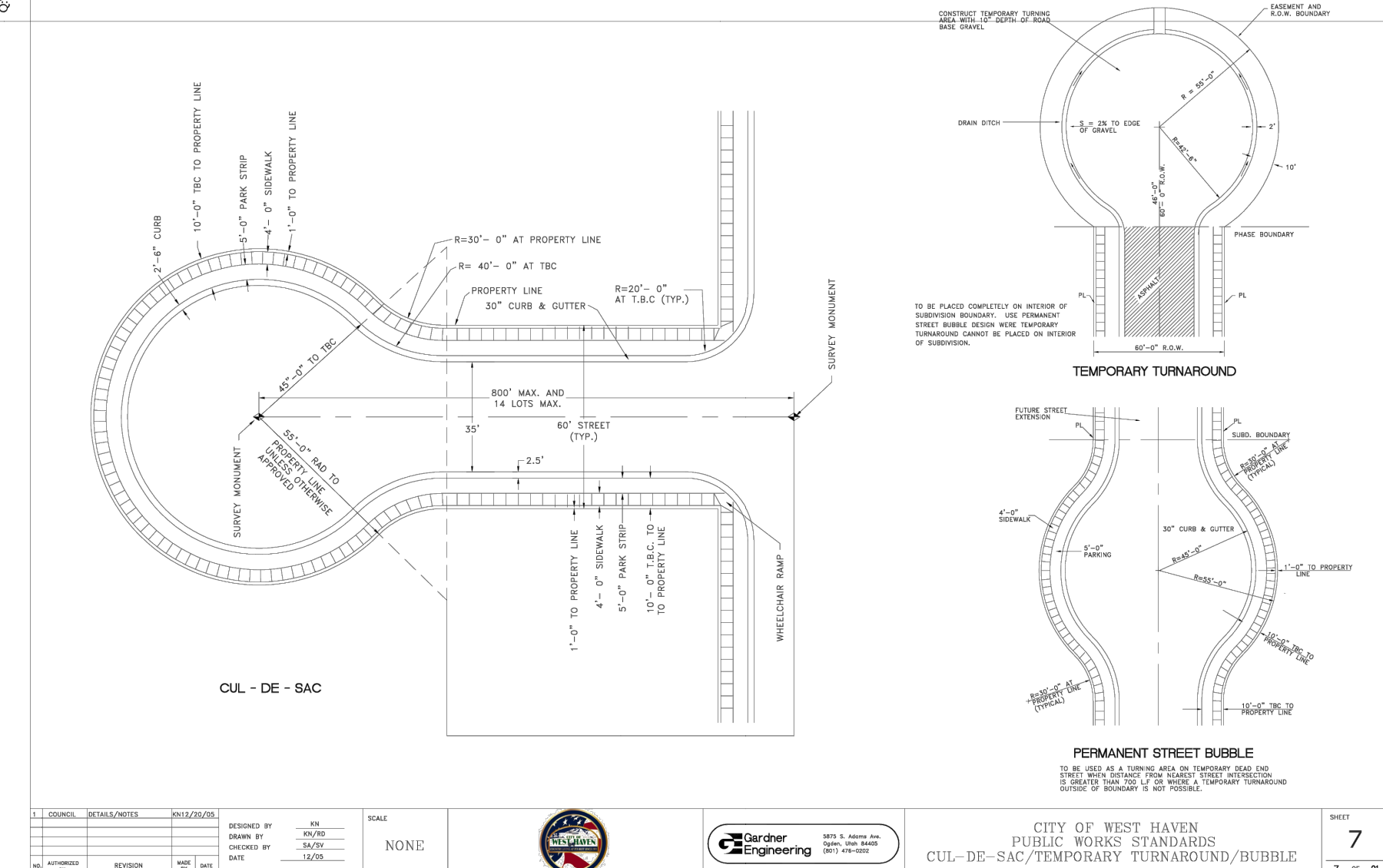
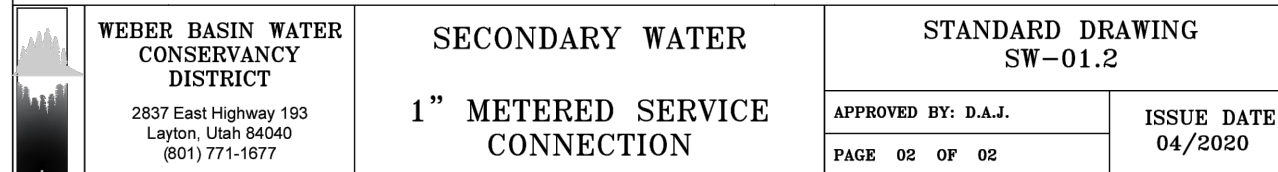
GENERAL NOTES

- EXISTING IMPROVEMENTS ARE SHOWN AS ACCURATELY AS POSSIBLE ACCORDING TO AVAILABLE INFORMATION. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES WHETHER SHOWN OR NOT SHOWN ON THE PLANS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF THE LINE(S) AS NEEDED TO PROPERLY TIE TO THE EXISTING LINE(S). IF SIGNIFICANT DISCREPANCIES ARE FOUND BETWEEN THE EXISTING CONDITIONS AND THE DESIGN DATA ALL WORK SHALL STOP AND THE DESIGN AND THE CITY/COUNTY SHALL BE NOTIFIED FOR A DESIGN MODIFICATION PRIOR TO COMMENCEMENT OF WORK.
- IT IS ASSUMED THAT THE SANITARY SEWER AND STORM WATER SYSTEMS ARE ALREADY INSTALLED AS SHOWN. VISIBLE MANHOLES FOR EACH HAVE BEEN LOCATED AND SHOWN. THE LOCATION OF BURIED LATERAL LINES, IF ANY, MAY NOT BEEN IDENTIFIED. APPROPRIATE MODIFICATIONS TO THE LOCATIONS OF THE NEW UTILITIES MAY BE NECESSARY SHOULD EXISTING BURIED UTILITIES BE FOUND TO INTERFERE WITH THE DESIGN LOCATION. SHOULD SUCH MODIFICATIONS BE NECESSARY THE DESIGN ENGINEER AND/OR THE CITY/COUNTY OR LOCAL DISTRICT(S) (HEREIN AFTER COLLECTIVELY LOCAL ENTITY) ENGINEER SHALL BE IMMEDIATELY NOTIFIED FOR APPROVAL OF ANY REQUIRED MODIFICATIONS OR CHANGES.
- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LOCAL ENTITY OR DISTRICT STANDARDS AND SPECIFICATIONS, WHICH EVER IS APPLICABLE. ANY DEVIATION FROM THOSE STANDARDS SHALL BE APPROVED IN ADVANCE OF CONSTRUCTION BY THE LOCAL ENTITY ENGINEER AND/OR DESIGN ENGINEER.
- INSPECTIONS OF ALL WORKMANSHIP AND MATERIALS USED SHALL BE DONE BY THE LOCAL ENTITY. THE DESIGN ENGINEER/SURVEYOR IS NOT RESPONSIBLE FOR ANY PROJECT INSPECTIONS.
- AT THE TIME OF CONSTRUCTION, THE LOCAL ENTITY MAY DETERMINE, BASED ON PROFESSIONAL EXPERIENCE AND JUDGMENT AND AT ITS SOLE DISCRETION, THE NEED FOR EXISTING INFRASTRUCTURE TO BE REMOVED, AND/OR REPLACEMENT OF ANY SUBSTANDARD PUBLIC IMPROVEMENTS WHERE THE NEW IMPROVEMENTS TIE TO THE EXISTING IMPROVEMENTS AT THE CONTRACTORS AND/OR LOCAL ENTITY EXPENSE. TRAFFIC AND PEDESTRIAN CONTROL DEVICES, SIGNS, OR BARRIERS SHALL BE INSTALLED ACCORDING TO THE LATEST MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.).
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE SITE CONDITIONS AND SAFETY HAZARDS BEFORE AND DURING CONSTRUCTION ACTIVITIES AND COMPLY WITH THE APPROPRIATE PUBLIC SAFETY AND O.S.H.A. STANDARDS, OVERHEAD POWER FACILITIES THAT AFFECT THIS PROJECT HAVE BEEN LOCATED TO THE BEST OF OUR KNOWLEDGE AND BELIEF. IT IS THE CONTRACTORS RESPONSIBILITY TO COORDINATE WITH THE POWER COMPANY WHEN WORKING NEAR OR AROUND POWER FACILITIES AND COMPLY WITH THE APPROPRIATE SAFETY REQUIREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR AND OBTAIN ALL LICENSES OR PERMITS REQUIRED FOR CONSTRUCTION ACTIVITIES FOR COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE, WORKING CONDITIONS, SAFETY OF ALL PERSONS AND PROPERTY, BOTH PUBLIC AND PRIVATE, DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL HOLD HARMLESS, DEFEND, AND INDEMNIFY THE LOCAL ENTITY, OWNER, DEVELOPER, PROJECT ENGINEER/DESIGN FIRM, AND SURVEYOR/SURVEYING FIRM FROM ANY LIABILITY IN CONNECTION WITH THE WORK ACTIVITIES OF THIS PROJECT.
- THE DESIGN ENGINEER ACCORDINGLY, THE CONTRACTOR SHALL INSTALL THE UTILITY SERVICE LINES WITH REQUIRED SEPARATIONS FROM OTHER UTILITIES AS DESIGNED OR AS DIRECTED BY THE LOCAL ENTITY, DISTRICTS, AGENCIES OR UTILITY SERVICE PROVIDER.
- ALL TRENCHING AND EXCAVATION DETAILS SHOWN OR NOTED ON THESE PLANS THAT MAY DIFFER FROM LOCAL ENTITY, O.S.H.A. OR THE APPROPRIATE AGENCY THAT HAS JURISDICTION OVER WORK BEING DONE WITHIN THEIR RIGHT OF WAY AND/OR WITHIN THE PROJECT AREA SHALL BE MODIFIED ACCORDINGLY SO THAT WORK WITHIN TRENCHES AND EXCAVATIONS SHALL COMPLY WITH THE APPROPRIATE LAWS, REGULATIONS OR STANDARDS.
- SERVICE CONNECTIONS OF NEW UTILITY LINES SHALL NOT BE ALLOWED UNTIL THE LOCAL ENTITY, AGENCY, DISTRICT OR COMPANY IN CHARGE OF THE UTILITY HAS PROVIDED WRITTEN APPROVAL.
- ALL UTILITIES THAT ARE INSTALLED UNDERGROUND SHALL BE PROPERLY INSTALLED, INSPECTED, AND APPROVED PRIOR TO BACKFILL OR THE INSTALLATION OF CURB, GUTTER, SIDEWALK AND ROAD/STREET SURFACE PAVING.
- SECONDARY WATER:
 - ALL CONSTRUCTION OF SECONDARY WATER LINES SHALL BE IN ACCORDANCE WITH THE SECONDARY WATER COMPANY PRESSURIZED

- IRRIGATION STANDARDS, SPECIFICATIONS AND DRAWINGS AND/OR REQUIREMENTS.
- SECONDARY WATER LINES, VALVES, AND OTHER NECESSARY INFRASTRUCTURE ARE NOTED, SHOWN AND/OR DETAILED HEREIN. ANY DEVIATIONS FROM THE APPROVED DESIGN DRAWINGS SHALL BE APPROVED BY THE WATER COMPANY AND/OR LOCAL ENTITY IN CHARGE OF THE SYSTEM.
 - THE DEVELOPER SHALL BE RESPONSIBLE FOR LOCATING EXISTING PIPE(S) AT THE POINT OF CONNECTIONS TO THE EXISTING SYSTEM. THE DISTRICT, WATER COMPANY AND/OR LOCAL ENTITY SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO POTHOLING OF THE LINES.
 - HOT-TAPPING THE DISTRICT'S LINES ARE NOT ALLOWED WITHOUT WRITTEN AUTHORIZATION FROM THE SECONDARY WATER COMPANY, DISTRICT AND/OR LOCAL ENTITY. IN THE CASE THAT HOT-TAPPING IS NOT ALLOWED THE CONNECTIONS SHALL BE MADE DURING THE IRRIGATION OFF SEASON IN ACCORDANCE WITH THE COMPANY, DISTRICT AND/OR LOCAL ENTITY REQUIREMENTS.
 - IN THE EVENT THAT THE SECONDARY SERVICE CONNECTIONS ARE REQUIRED TO BE METERED SUCH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT'S SECONDARY WATER METERED SERVICE CONNECTION STANDARDS AND DETAILS.
15. CULINARY WATER:
- WATER LATERALS SHALL BE INSTALLED FROM THE MAIN LINE TO THE TERMINAL POINT AT THE BACK OF THE PROPERTY LINE AND/OR AS SHOWN AND AT A MINIMUM OF 10 FOOT SEPARATION HORIZONTALLY AND AN ELEVATION EQUAL TO OR A MINIMUM OF 18 INCHES (1.5 FEET) ABOVE THE SEWER LATERALS OR SEWER MAINS. SHOULD IT BE NECESSARY TO INSTALL WATER LINES IN A MANNER THAT DEVIATES FROM THIS REQUIREMENT THE COMPANY, DISTRICT AND/OR LOCAL ENTITY STANDARDS AND SPECIFICATIONS SHALL BE COMPLIED WITH.
 - WATER METERS ARE TO BE INSTALLED IN ACCORDANCE WITH COMPANY, DISTRICT AND/OR LOCAL ENTITY STANDARDS AND REQUIREMENTS. THE SIZE AND TYPE OF METER MAY BE SPECIFIED IN THE PLAN SHEETS OR DETAIL SHEETS OF THIS SET OF PLANS OR IN COMPANY, DISTRICT AND/OR LOCAL ENTITY DOCUMENTS. SHOULD A CONFLICT ARISE BETWEEN THE PLANS AND THE COMPANY, DISTRICT AND/OR LOCAL ENTITY DOCUMENTS

- THE COMPANY, DISTRICT AND/OR LOCAL ENTITY DOCUMENTS SHALL TAKE PRECEDENCE.
- IN THE EVENT THAT THE LOCAL ENTITY DOES NOT ALLOW K COPPER ALL SERVICE LATERALS SHALL BE CTS POLY PIPE. SERVICE LATERALS SHALL BE INSTALLED IN ACCORDANCE WITH AND AS APPROVED BY THE COMPANY, DISTRICT AND/OR LOCAL ENTITY.
 - A MINIMUM OF FOUR FEET OF COVER IS REQUIRED OVER ALL NEW WATER LINES WHETHER INSTALLED BELOW THE SURFACE OF FINISH LOT GRADE(S) OR UNDER ASPHALT AND CONCRETE FINISH GRADE(S) OF THE PROJECT DESIGN.
16. SEWER LINES:
- THE KNOWN LOCATION OF SEWER LINES WHICH MAY EXIST ON OR NEAR THIS PROJECT HAVE BEEN SHOWN, HOWEVER, IN THE EVENT THAT IT IS FOUND THAT LINES OR LATERALS ARE MISSING IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE OWNER/DEVELOPER AND ENGINEER TO DETERMINE APPROPRIATE METHOD OF INSTALLATION, COMPLETION OR DESIGN MODIFICATION OF THE SYSTEM.
 - IT IS ASSUMED THAT THE SEWER LINE RUNS BETWEEN EACH MANHOLE AS SURVEYED AND AT A CONSTANT GRADE. HOWEVER, THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE INSTALLING DESIGNED COMPONENTS.
 - SIX (6) INCH DIAMETER SEWER LATERAL SHALL BE INSTALLED WITH A MINIMUM 2% GRADE FROM THE MAIN LINE TO THE SEWER CLEANOUT AS SHOWN AND NOTED HEREIN OR AS DIRECTED BY THE COMPANY, DISTRICT AND/OR LOCAL ENTITY. ALL LATERALS SHALL BE INSTALLED IN ACCORDANCE WITH STATE, COMPANY, DISTRICT AND/OR LOCAL ENTITY SAFE DRINKING WATER STANDARDS AND REQUIREMENTS.
 - SEWER LATERALS SHALL BE INSTALLED A MINIMUM OF TEN (10) FEET HORIZONTALLY AWAY FROM WATER LINES AND/OR LATERALS AND/OR WATER METER LOCATION(S) AS SHOWN OR REQUIRED BY THE COMPANY, DISTRICT AND/OR LOCAL ENTITY UNLESS CONDITIONS WILL NOT ALLOW SUCH, THEN CROSSING NOTES CONTAINED HEREIN AND IN STATE OF UTAH REGULATIONS CITED ABOVE SHALL BE COMPLIED WITH.

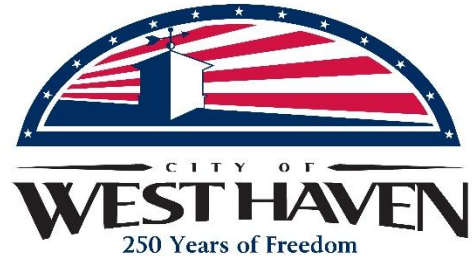
 Landmark Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyUtah.com		4646 South 3500 West - #A-3 West Haven, UT 84401 801-731-4075
CLIENT: Curtis Hart Contractor: Address: 2785 W. 2550 S. Ogden UT, 84401		1 of 2
HART ESTATE SUBDIVISION Part of NE 1/4 of Section 34, Township 5 North, Range 2 West, Salt Lake Base and Meridian.		Improvement Plan
Revisions	CHECKED BY: TK DRAWN BY: TK	DATE: 8/11/2026 PROJ: 4639
This plot and associated documents are "PRELIMINARY NOT FINAL" and subject to change without a valid signature and date across the Professional Engineer's seal in accordance with R156-22-601 of the Utah Administrative Code of the Utah Department of Commerce, Division of Occupational and Professional Licensing. If this document is unsigned it is a Preliminary document(s) and is not intended for and shall not be used in Construction, nor to be Recorded or Filed, nor implemented or used as a Final Product.		



Planning Commission Staff Review Memo

August 26, 2026

Stephen Nelson, Community Development Director



ADU STANDARDS UPDATE

Proposal:	Discussion ADU Standards
Ordinance Section:	§ 157.455-157.480
Applicant:	The West Haven City Development Review Committee and City Attorney
Decision Type:	Legislative
Staff Recommendation:	Discussion

I. BACKGROUND

West Haven staff, based on a recommendation from the Planning Commission and an update to state code, are proposing a few changes to the ADU Ordinance. State law recently changed, requiring that cities allow both internal and detached ADUs, and provided standards that West Haven would need to comply. You can read the state code at the links below.

[10-21-303 Internal Accessory Dwelling Units](#)

[10-21-304 Detached Accessory Dwelling Units](#)

West Haven code is largely compliant but needs one or two updates to be fully compliant with state law, including:

- Update to the City's parking requirements for ADUs. This change is from bedrooms to square footage.
- Provide a process for conversions of existing buildings to detached ADUs

The Planning Commission has also requested that the City remove the CUP process for obtaining an ADU permit for detached ADUs larger than 1,200 sq. ft. or with reduced setbacks. Staff has removed that section from the draft ordinance.

II. RECOMMENDED ACTION

Staff is seeking feedback and direction on the proposed draft. Staff will present the number of proposed changes and possible ramifications. No action can be taken on this item until a public hearing is held.

ACCESSORY DWELLING UNIT (ADU)

§ 157.455 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates, or requires, a different meaning.

ACCESSORY DWELLING UNIT (ADU). A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is:

- (1) Within or attached to a single-family residential building; or
- (2) Within a detached accessory structure associated with a single-family dwelling.

(Prior Code, § 33.02) (Ord. 11-2020, passed 5-6-2020)

§ 157.456 PURPOSE AND INTENT.

(A) The purpose and intent of this subchapter is to recognize the residential character of the city and to provide for supplementary living accommodations in the community, as well as provide for supplementary income opportunities of property owners.

(B) These provisions are intended to provide for affordable housing and additional housing options with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory dwelling units.

(Prior Code, § 33.04) (Ord. 11-2020, passed 5-6-2020)

§ 157.457 OWNER OCCUPIED.

(A) No accessory dwelling unit shall be created, established, or occupied in a single-family dwelling unless the owner of the property occupies either a portion of the main dwelling or a detached accessory unit on the same single-family lot. For the purpose of this section, the term **OWNER OCCUPIED** shall be defined as full-time residency within the home by the bona fide property owner(s) for more than 275 days in every calendar year.

(B) Owner occupancy for a dwelling with an accessory dwelling unit shall not be required when:

- (1) The owner cannot live in the dwelling because of a bona fide temporary absence of three years or less for a temporary job assignment, sabbatical, or voluntary service;
- (2) The owner was living in the dwelling immediately prior to leaving for the temporary job assignment, sabbatical, or voluntary service; and

(3) The owner intends to make the dwelling his or her primary place of residence upon returning from the temporary job assignment, sabbatical, or voluntary service.

(Prior Code, § 33.06) (Ord. 11-2020, passed 5-6-2020)

§ 157.458 DWELLING UNIT OCCUPANCY.

The occupants of an accessory dwelling unit shall be limited by one of the following family categories:

(A) One person living alone;

(B) Two or more persons all related by blood, by marriage, by adoption, by legal guardianship, or foster children;

(C) Up to four unrelated persons living as a single housekeeping unit;

(D) Any of the above categories plus a temporary guest. A **TEMPORARY GUEST** is defined as a person who stays with a family for a period of less than 14 days within any rolling one-year period and does not utilize the dwelling as a legal address for any purpose; and

(E) For purposes of the definition of family, the term **RELATED** shall mean a spouse, parent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great-grandparent, and great-grandchild. The term **RELATED** does not include other, more distant relationships.

(Prior Code, § 33.08) (Ord. 11-2020, passed 5-6-2020)

§ 157.459 ZONES.

An accessory dwelling unit which meets subchapter requirements may be allowed in a single-family dwelling unit or in a detached accessory structure within any zone upon a single-family lot. No accessory dwelling unit may be allowed in any multiple-family dwelling or multiple-family lot, or on any lot that cannot satisfy the parking, setback, or lot coverage requirements.

(Prior Code, § 33.10) (Ord. 11-2020, passed 5-6-2020)

§ 157.460 NUMBER OF ACCESSORY DWELLING UNITS.

A maximum of one accessory dwelling unit shall be allowed in each owner-occupied single-family dwelling, or in a detached accessory structure associated with a single-family dwelling.

(Prior Code, § 33.12) (Ord. 11-2020, passed 5-6-2020)

§ 157.461 LOCATION AND TYPE.

(A) Accessory dwelling units may be allowed within or attached to the main residential dwelling (basement or addition), over the garage (attached or detached), or in a detached accessory structure (cottage home, or guest house).

(B) Accessory dwelling units as an addition to a primary dwelling shall meet all minimum setback standards required for the primary dwelling.

(C) Behind the primary dwelling, an accessory dwelling unit within an accessory structure must meet the minimum of side yard required by the zone for the primary dwelling and a rear yard setback of 20 feet, unless no windows, doors, or other openings are adjacent to the property line, in which case the allowed setback shall be 15 feet.

(D) Adjacent to the primary dwelling, an accessory dwelling unit within the side yard of the primary dwelling is required to meet the same front, side, and rear yard setback as the primary dwelling.

(E) Second-story accessory dwelling units, an accessory dwelling unit located in an accessory structure, may only be located on a second story if the structure meets the same minimum standards in the zone for height, as well as front, side, and rear setback, as the primary dwelling.

(Prior Code, § 33.14) (Ord. 11-2020, passed 5-6-2020)

§ 157.462 APPEARANCE.

Single-family residences with interior accessory dwelling units shall retain the appearance of a single-family home. An accessory dwelling unit in an accessory structure shall be designed so that, to the degree reasonably feasible, the appearance of the building is compatible with the architectural components of the primary dwelling unit (for example, exterior materials, color, and roof pitch).

(Prior Code, § 33.16) (Ord. 11-2020, passed 5-6-2020)

§ 157.463 SIZE.

(A) *Basement dwelling units.* Shall be permitted to occupy the entirety of the basement of the primary home regardless of area or bedroom count; and

(B) *Accessory dwelling units (detached structures).* The gross living area (GLA) size of an accessory dwelling unit shall be at least 300 square feet and shall not exceed 1,200 square feet, and be limited to no more than three bedrooms. The GLA shall not apply to attached garage area dedicated for parking.

(Prior Code, § 33.18) (Ord. 11-2020, passed 5-6-2020)

§ 157.464 LOT COVERAGE.

(A) The combined building coverage for the detached accessory dwelling units, main dwelling, and additional accessory buildings may not be larger than the maximum coverage allowed in the zone for the lot and rear yards.

(B) The coverage may not exceed 35% of the total lot size.

(Prior Code, § 33.20) (Ord. 11-2020, passed 5-6-2020)

§ 157.465 BUILDING ENTRANCES.

A new single-family structure approved with an accessory dwelling unit attached to, or detached from, the main dwelling unit shall have a separate, accessible entrance or stairway. An accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure that faces a street, or a side or rear entrance. Dwellings with two front doors side-by-side may not be used to provide separate entrances for each unit, with the exception of dwellings where the second door provides direct access to the dwelling basement. The purpose of this requirement is to preserve the single-family residential appearance of the building.

(Prior Code, § 33.22) (Ord. 11-2020, passed 5-6-2020)

§ 157.466 ADDRESS.

The principal dwelling unit and the accessory dwelling unit shall have the same address number, but shall refer to the accessory dwelling unit as "Unit B." Addresses must be located in a visible location on the street frontage side of the home.

(Prior Code, § 33.24) (Ord. 11-2020, passed 5-6-2020)

§ 157.467 PARKING.

~~(A) —(A)—Additional parking shall be required as follows~~

- ~~1. One additional parking stall shall be provided for ADU's under 650 square feet.~~
- ~~2. Two additional parking stalls shall be provided for ADU's over 650 square feet.~~
- ~~—3. Accessory dwelling parking space shall not be in tandem with required parking for the primary dwelling. A single-family dwelling with an accessory dwelling unit shall provide at least one additional off-street parking space for the accessory unit above the minimum spaces required for a single-family dwelling. Accessory dwelling unit parking may not be in tandem with required parking of the main dwelling. One additional off-street parking space shall be~~

~~required for accessory dwelling units with two or more bedrooms. ADUs located within one-fourth mile of a bus rapid transit route shall be permitted to reduce the parking requirement by one space for the main dwelling unit.~~

~~-(B)-~~

~~—4.—~~ No parking spaces may be located within the front or side yard setbacks adjacent to a street, except ~~for~~ within an approved driveway.

~~-(C)-~~ ~~5.~~ The minimum width of parking areas and driveways shall be paved with concrete or asphalt.

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(Prior Code, § 33.26) (Ord. 11-2020, passed 5-6-2020)

§ 157.468 SEPARATE LIVING AREAS.

An accessory dwelling unit must provide living areas for eating, sleeping, and sanitation facilities separate from the principal dwelling unit.

(Prior Code, § 33.28) (Ord. 11-2020, passed 5-6-2020)

§ 157.469 BUILDING CODE.

(A) All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah State Code § 10-9a-511.5, "Changes to Dwellings—Egress Windows."

~~(B) —(B)—~~ A certificate of occupancy must be obtained for an ADU before it can be occupied.

~~(C) Conversion of existing accessory structures.~~

~~1. An existing detached accessory building that was legally established by this Title may be converted or expanded for the purpose of a DADU provided the detached accessory building can demonstrate it was legally established and can accommodate the minimum qualifying requirements and regulations of this Chapter and building code.~~

~~2. Prior to any work, the property owner shall file for an ADU permit to ensure compliance with West Haven ADU standards. Once the ADU permit is approved, the applicant shall file for a building permit and comply with all building codes to ensure the structure is safe for future occupancy.~~

(Prior Code, § 33.30) (Ord. 11-2020, passed 5-6-2020; Ord. 23-2024, passed 7-3-2024)

§ 157.470 UTILITY METERS.

A single-family dwelling with an accessory dwelling unit may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name, and the property owner shall be responsible for payment of all utilities. The owner is responsible for contacting their water, electric and gas provider for any possible additional water development, utility meter, and/or connection fee.

(Prior Code, § 33.32) (Ord. 11-2020, passed 5-6-2020; Ord. 23-2024, passed 7-3-2024)

§ 157.471 INTERIOR ACCESS.

An interior access between the main living area and an attached accessory dwelling unit must be maintained, unless sufficient means of egress have been determined during an inspection by the Fire Department.

(Prior Code, § 33.34) (Ord. 11-2020, passed 5-6-2020)

§ 157.472 NOT INTENDED FOR SALE.

The accessory dwelling unit shall not be intended for sale or detached by deed, and shall only be rented.

(Prior Code, § 33.36) (Ord. 11-2020, passed 5-6-2020)

§ 157.473 ACCESSORY DWELLING UNIT PERMIT.

(A) Any person owning an existing accessory dwelling unit that has not previously been permitted by the city, or any person constructing, or causing the construction of, a residence that has an accessory dwelling unit, or any person remodeling, or causing the remodeling of, a residence for an accessory dwelling unit, shall obtain a land use permit for the accessory dwelling unit from the city. This shall be in addition to any required building permit for the work to be performed.

(B) In order to meet the requirements of the land use permit, the applicant shall:

(1) Submit a completed application form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters;

(2) Include detailed floor plans with labels on rooms indicating uses or proposed uses;

(3) Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges;

(4) Make all corrections identified as necessary to comply with building code requirements, as identified by the Chief Building Official, or his or her designee, and provide photos of the life safety items required by building code, including carbon monoxide detectors, smoke detectors, and earthquake strapping on water heaters;

(5) Demonstrate and affirm that their property is otherwise in compliance with all other provisions of the zoning ordinance;

(6) The city has no obligation or responsibility to research and enforce an applicant's property's existing private covenants, conditions, or restrictions prohibiting an ADU;

(7) It is the exclusive responsibility of a property owner to research and have full knowledge and understanding of those private covenants, conditions, or restrictions that run with, and are attached to, their property; and

(8) By submitting an application to the city for an ADU, the applicant is certifying that they have full knowledge and understanding of those private covenants, conditions, or restrictions that run with their property and have a full understanding of whether those items prohibit an ADU.

(Prior Code, § 33.38) (Ord. 11-2020, passed 5-6-2020)

~~§ 157.474 EXCEPTIONS TO STANDARDS:~~

~~—(A) The Planning Commission may issue a conditional use permit for ADUs which modify the requirements for an ADU with respect to maximum size, minimum parking, or setback:~~

~~—(B) In approving a conditional use permit, the Planning Commission may require additional conditions to mitigate the impact of the ADU on surrounding properties. Specifically, the Planning Commission may require:~~

~~—(1) For ADUs that exceed the maximum size of 1,200 square feet: increased setbacks, privacy fencing, limitation on windows and doors adjacent to abutting property lines, and additional parking;~~

~~—(2) For ADUs with reduced or no additional parking: restrictions on occupancy to tenants without vehicles; and~~

~~—(3) For ADUs with reduced setbacks: privacy fencing and limitation on windows and doors adjacent to abutting property lines.~~

~~(Prior Code, § 33.40) (Ord. 11-2020, passed 5-6-2020)~~

§ 157.47~~45~~ FAILURE TO COMPLETE AND OBTAIN A LAND USE PERMIT.

(A) If the property owner does not obtain a land use permit as outlined above, the accessory dwelling unit shall not be considered legal nor approved.

(B) Failure to obtain a land use permit for an existing accessory dwelling unit within one year of the passing of this section may result in a citation for a code violation as governed by the process for enforcement in the city.

(Prior Code, § 33.42) (Ord. 11-2020, passed 5-6-2020)

§ 157.47~~56~~ HOME OCCUPATION BUSINESSES.

(A) Home occupation businesses in an accessory dwelling unit shall be restricted to a home office use which creates no customer traffic.

(B) No home occupation business shall be established within an accessory dwelling unit without the express written permission of the property owner.

(Prior Code, § 33.44) (Ord. 11-2020, passed 5-6-2020)

§ 157.47~~67~~ RESERVED.

§ 157.47~~78~~ MANUFACTURED HOUSE, MOBILE HOME, AND MOTOR HOMES.

~~A Manufactured house, mobile homes, motor homes, also known as mobile homes and~~ recreational vehicles, or trailers, are not allowed as an ADU.

(Prior Code, § 33.48) (Ord. 11-2020, passed 5-6-2020)

§ 157.47~~89~~ USE REGULATIONS.

No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, enlarged, or maintained in a Single-Family Residential District or Multiple Residential District, except as provided in this table.

Zone	A-1, A-2, R-1	Open Space	R-2	R-2.5	R-4	Mixed Use
Zone	A-1, A-2, R-1	Open Space	R-2	R-2.5	R-4	Mixed Use
Coverage Regulations						
The maximum coverage percent for any lot in the districts	35%	35%	35%	35%	35%	35%

Commented [SN1]: Does this conflict with anything in our new code?

regulated by this subchapter						
The maximum coverage percent for any rear yard by accessory buildings	25%	25%	25%	25%	25%	25%
Residential						
Four-family dwelling	-	-	-	-	-	-
Group of dwellings (including two home, and the like) when approved as a planned unit development	-	-	-	-	-	-
Multiple-family dwelling	-	-	-	-	-	-
Single-family dwelling	P	P	P	P	P	P
Three-family dwelling	-	-	-	-	-	-
Two-family dwelling	-	-	-	-	-	-

(Prior Code, § 33.50) (Ord. 11-2020, passed 5-6-2020)

§ 157.480 AREA OF ACCESSORY BUILDINGS.

No accessory building or group of accessory buildings in any Residential District shall cover more than 25% of the rear yard.

(Prior Code, § 33.52) (Ord. 11-2020, passed 5-6-2020)