WEST POINT CITY COUNCIL
MEETING NOTICE & AGENDA
OCTOBER 6, 2026
WEST POINT CITY HALL
3200 W 300 N | WEST POINT, UT 84015

Mayor:
Brian Vincent
Council:
Trent Yarbrough, *Mayor Pro Tem*
Jerry Chatterton
Annette Judd
Michele Swenson
Jeremy Strong
City Manager:
Kyle Laws

- **THIS MEETING IS OPEN TO THE PUBLIC AND HELD AT WEST POINT CITY HALL**
- **A LIVE STREAM OF THE MEETING IS AVAILABLE FOR THE PUBLIC TO VIEW:**
  » Online: - https://us02web.zoom.us/j/85706100881 **» Telephone:** 1(669) 900-6833 – **Meeting ID: 857 0610 0881**

ADMINISTRATIVE SESSION – 6:00 PM
(Open to the Public)

1. **Discussion Regarding a Boundary Adjustment with Clinton City –** *Mrs. Bryn MacDonald* pg. 4
2. **Discussion Regarding Amendments to Residential Driveway Standards –** *Mrs. Bryn MacDonald* pg. 8
3. **Discussion Regarding Amendments to Accessory Dwelling Unit Regulations –** *Mrs. Bryn MacDonald* pg. 10
4. **Other Items**

GENERAL SESSION – 7:00 PM
(Open to the Public)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer or Inspirational Thought** *(Contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)*
4. **Communications and Disclosures from City Council and Mayor**
5. **Communications from Staff**
6. **Citizen Comment** *(Please approach the podium & clearly state your name and address prior to commenting. Please keep comments to a maximum of 2 ½ minutes. Do not repeat positions already stated; public comment is a time for the Council to receive new information and perspectives)*
7. **Recognition of Outgoing West Point Arts Council Board Members Terry Morris and Kristin Whiting –** *Mayor Brian Vincent*
8. **Appointment of Kelsey Sanchez to the West Point Arts Council Board –** *Mayor Brian Vincent*
9. **Consideration of Approval to Remove the West Fields Subdivision from Warranty –** *Mr. Boyd Davis* pg. 23
10. **Motion to Move Into a Closed Session**

CLOSED SESSION

1. ***Motion to Open the Closed Session***
2. ***Call to Order & Roll Call***
3. ***Discussion Pursuant to UCA §52-4-205(1)(d):*** *strategy session to discuss the purchase, sale, or development of real property owned by the public body.*
4. ***Motion to Adjourn the Closed Session and Re-Enter the General Session***

11. **Motion to Adjourn the General Session**

Posted this 3rd day of October, 2026: Casey Arnold
Casey Arnold, City Recorder

I, Casey Arnold, the City Recorder of West Point City, do hereby certify that the above October 6, 2026 West Point City Council Meeting Notice & Agenda was posted at the following locations: 1) West Point City Hall, 2) official City website at www.westpointutah.gov and 3) the Utah Public Notice Website at www.utah.gov/pmn.

Casey Arnold

In compliance with the Americans with Disabilities Act, persons in need of special accommodations or services to participate in this meeting shall notify the City at least 24 hours in advance at 801-776-0970.

TENTATIVE UPCOMING ITEMS

**The items listed below are for planning purposes only and are subject to change.*
They should not be relied upon as an official agenda for any City Council meeting.

Date: 10/20/2026

Administrative Session – 6:00 pm

1. Discussion Regarding **

General Session – 7:00 pm

1. *Consideration of Resolution No. **, Amending the FY27 Fee Schedule for Additional Garbage Can Fee – Mr. Ryan Harvey
   a. **Public Hearing**
   b. Action
2. Consideration of Resolution **, Expressing the Intent to Adjust a Common Boundary with Clinton City – Mrs. Bryn MacDonald
   a. Public Hearing
   b. Action
3. Consideration of Ordinance No. **, Amending WPCC Section * Regarding Residential Driveway Standards – Mrs. Bryn MacDonald
   a. Public Hearing
   b. Action
4. Consideration of Ordinance No. **, Amending WPCC Section * Regarding Accessory Dwelling Unit Regulations – Mrs. Bryn MacDonald
   a. Public Hearing
   b. Action

Date: 11/03/2026

Cancelled – Election Day

Date: 11/17/2026

Administrative Session – 6:00 pm

1. Code Enforcement Update – Mr. Shawn Read
2. Quarterly Financial Report – Mr. Ryan Harvey

General Session – 7:00 pm

1. *

Date: 12/01/2026

Administrative Session – 6:00 pm

1. Discussion Regarding **

General Session – 7:00 pm

1. Youth Council Update

Date: 12/15/2026

Administrative Session – 6:00 pm

1. Discussion Regarding 2027 City Council Meeting Schedule – Ms. Casey Arnold

General Session – 7:00 pm

1. Consideration of Ordinance No. **, Approving the 2027 City Council Meeting Schedule – Ms. Casey Arnold

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WEST POINT CITY

2026 CALENDAR

2026

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
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FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
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MARCH

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29	30	31				

APRIL

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MAY

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31						

JUNE

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JULY

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AUGUST

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SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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OCTOBER

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NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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29	30					

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
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27	28	29	30	31	1	2

*AS OF January 1, 2026

IMPORTANT DATES

JANUARY

1	New Year's Observed-CLOSED
6	City Council - 6 PM
8	Planning Commission - 6 PM
13	Senior Lunch - 11:30 AM
19	MLK Jr. Day - CLOSED
20	City Council - 6 PM
22	Planning Commission - 6 PM
27	Council/Staff Lunch - 12 PM

FEBRUARY

6-7	City Council Planning & Visioning Session
10	Senior Lunch - 11:30 AM
12	Planning Commission - 6 PM
16	President's Day - CLOSED
17	City Council - 6 PM
26	Planning Commission - 6 PM

MARCH

3	City Council - 6 PM
12	Planning Commission - 6 PM
17	Senior Lunch - 11:30 AM
17	City Council - 6 PM
26	Planning Commission - 6 PM

APRIL

4	EASTER EGG HUNT - 10 AM
7	City Council - 6 PM
9	Planning Commission - 6 PM
10-11	ANNUAL SPRING CLEAN-UP
14	Senior Lunch - 11:30 AM
21	City Council - 6 PM
23	Planning Commission - 6 PM
28	Council/Staff Lunch - 12 PM

MAY

5	City Council - 6 PM
7	CEMETERY CLEANING
12	Senior Lunch - 11:30 AM
14	Planning Commission - 6 PM
19	City Council - 6 PM
25	Memorial Day - CLOSED
28	Planning Commission - 6 PM

JUNE

2	City Council - 6 PM
9	Senior Lunch -11:30 AM *(Loy Blake)*
11	Planning Commission - 6 PM
12	MOVIE IN THE PARK - DUSK
13	MISS WEST POINT PAGEANT - 7PM
16	City Council - 6 PM
19	JUNETEENTH - CLOSED
25	Planning Commission - 6 PM

JULY

3 & 4	PARTY AT THE POINT EVENTS
6	Independence Day Observed - CLOSED
7	City Council - 6 PM
9	Planning Commission - 6 PM
10	MOVIE IN THE PARK - DUSK
14	Senior Lunch -11:30 AM *(Loy Blake)*
21	City Council - 6 PM
23	Planning Commission - 6 PM
24	Pioneer Day Holiday - CLOSED

AUGUST

4	City Council - 6 PM
7	Summer Social - 6:30 PM
11	Senior Lunch -11:30 AM *(Loy Blake)*
13	Planning Commission - 6 PM
14	MOVIE IN THE PARK - DUSK
18	City Council - 6 PM
27	Planning Commission - 6 PM

SEPTEMBER

1	City Council - 6 PM
7	Labor Day - CLOSED
10	Planning Commission - 6 PM
12	DAY OF SERVICE
15	Senior Lunch -11:30 AM *(Loy Blake)*
15	City Council - 6 PM
24	Planning Commission - 6 PM

OCTOBER

1	CEMETERY CLEANING
6	City Council - 6 PM
8	Planning Commission - 6 PM
10	FALL FESTIVAL/CHALK ART EVENT
12	Employee Training - CLOSED
20	Senior Lunch - 11:30 AM
20	City Council - 6 PM
22	Planning Commission - 6 PM
23-24	ANNUAL FALL CLEAN-UP
27	Council/Staff Lunch - 12 PM

NOVEMBER

3	GENERAL ELECTION DAY
10	Senior Lunch - 11:30 AM
11	Veterans Day - CLOSED
12	Planning Commission - 6 PM
13-14	CHRISTMAS FARMER'S MARKET
17	City Council - 6 PM
26-27	Thanksgiving - CLOSED
30	CITY HALL LIGHTING - 6 PM

DECEMBER

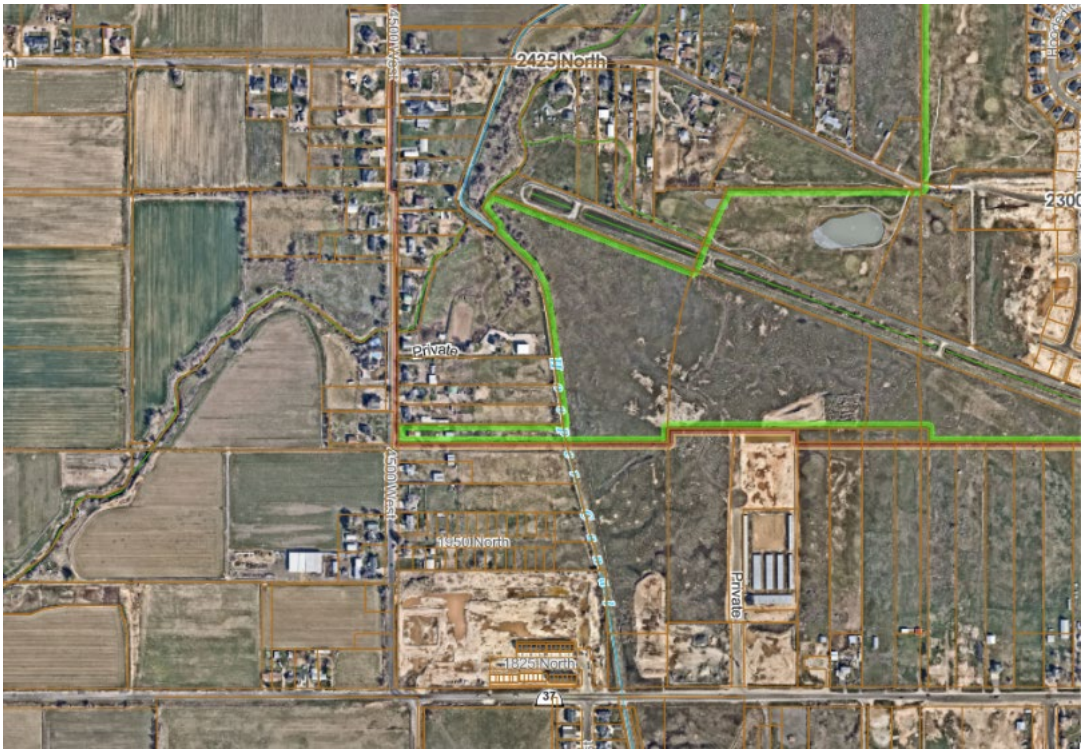
1	City Council - 6 PM
4	Christmas Party - 7 PM
6	CHILD REMEMBRANCE - 7 PM
8	Senior Lunch - 11:30 AM
10	Planning Commission - 6 PM
15	City Council - 6 PM
18	CEMETERY LUMINARY - 4 PM
24-25	Christmas Holiday - CLOSED
1	New Year's - CLOSED

CITY COUNCIL STAFF REPORT

Subject: Request for Boundary Adjustment with Clinton City
Author: Bryn MacDonald
Department: Community Development
Date: October 6, 2026

Background

The applicant, Nilson Homes, is requesting a boundary adjustment between West Point and Clinton City. The adjustment seeks to facilitate service and access to lots located in Clinton that would be served by a road in West Point. The boundary is proposed to be adjusted to the center line of the road.



Process

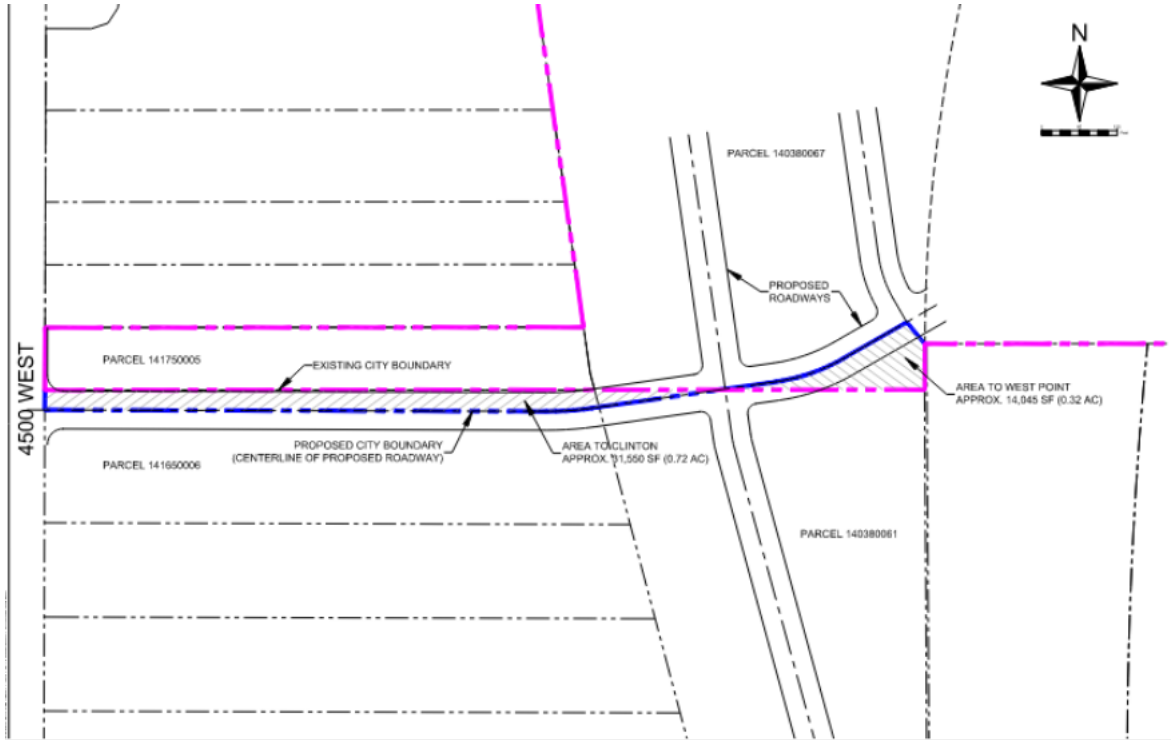
A boundary line adjustment between two cities is a legislative action. The City Councils of both affected cities must adopt resolutions of intent to adjust the boundaries. Then each city must hold a public hearing and make a final decision. Once both cities have held a hearing and approved the adjustment, a plat can be recorded with the new boundary.

Neither city has discussed the requested adjustment during a Council meeting yet.

Analysis

Nilson Homes is currently developing a large subdivision on the border of West Point and Clinton, known as Heritage Trails. This includes 43 single family lots and 28 townhomes in West Point and an additional 283 units in Clinton. The current city boundary runs on the south side of lots proposed in Clinton, meaning that the lots in Clinton would be accessed by a road located in West Point. The proposal is to move the boundary to the center line of the road, so that Clinton City can serve the homes located on the

Clinton side of the road. It is typical for the boundary between two municipalities to follow the center line of a road.



Recommendation

This item is on for discussion only. No action is required at this time.

Attachments

Draft resolution of intent.

RESOLUTION NO. **

A RESOLUTION EXPRESSING WEST POINT CITY'S INTENT TO ADJUST A COMMON BOUNDARY WITH CLINTON CITY

WHEREAS, A property owner has expressed the desire that certain property (depicted on **Exhibit A**, (attached and incorporated hereto) currently within the municipal boundaries of West Point City be disconnected from West Point and placed within the municipal boundaries of Clinton City; and

WHEREAS, Utah Code §10-2-903 permits the legislative bodies of two or more municipalities having common boundaries to adjust their common boundaries; and

WHEREAS, West Point City has determined that certain characteristics of the property favor placement of the property within the municipal boundaries of Clinton City rather than in West Point City; and

WHEREAS, Clinton City has or will adopt a resolution to express its intent to adjust its common boundary with West Point City, in accordance with Exhibit A;

NOW THEREFORE, Be it hereby resolved and enacted by the West Point City Council the following:

1) The West Point City Council hereby expresses its intent to adjust its mutual boundary with Clinton City, in accordance with Utah Code section 10-2-903.

2) Such mutual boundary adjustment shall be as depicted on Exhibit A, and involves approximately XXX acres located south of the Clinton Drain.

DATED this 20th day of October 2026.

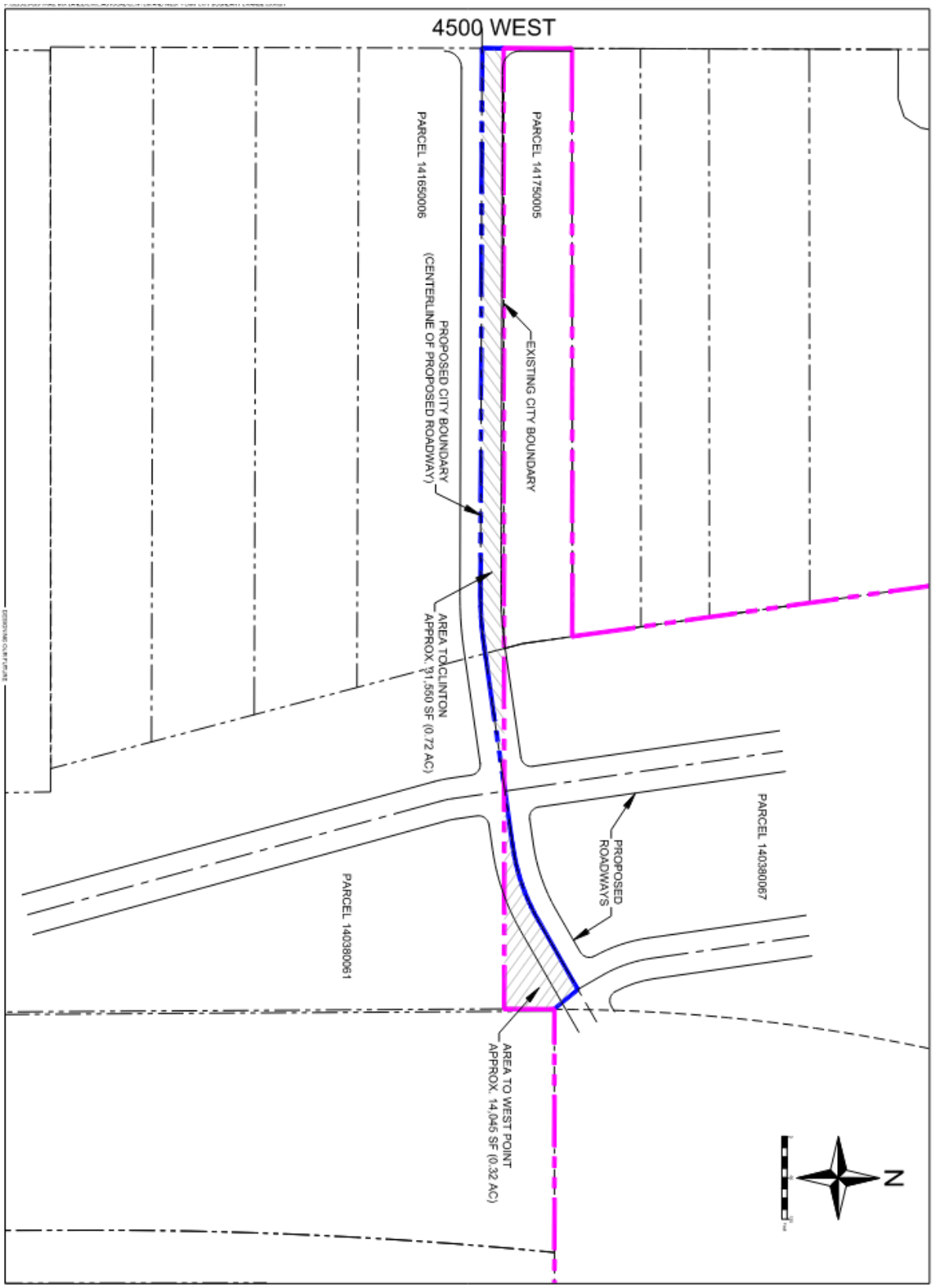
WEST POINT CITY, a Municipal Corporation

By: _____
Brian Vincent
Mayor

ATTEST:

_____
Casey Arnold
City Recorder

EXHIBIT A


4500 WEST
PARCEL 141750005
EXISTING CITY BOUNDARY
PARCEL 141650006
PROPOSED CITY BOUNDARY
(CENTERLINE OF PROPOSED ROADWAY)
AREA TO CLINTON
APPROX. 31,550 SF (0.72 AC)
PARCEL 140380067
PROPOSED
ROADWAYS
PARCEL 140380061
AREA TO WEST POINT
APPROX. 14,045 SF (0.32 AC)
N

CITY COUNCIL STAFF REPORT

Subject: Residential Driveway Amendments
Author: Bryn MacDonald
Department: Community Development
Date: October 6, 2026

Background

West Point City Code requires residential driveways to be located at least 20 feet from a corner. The City's Public Works standards require a 50-foot separation between residential driveways and street intersections. This text change to the zoning ordinance has been proposed to remedy this conflict.

The proposed amendment would remove the 20-foot requirement from the zoning code. Residential driveway locations would continue to be reviewed under the applicable Public Works standards.

Process

Amendments to Title 17 Land Use and Development Code are legislative actions. In legislative matters, the Planning Commission and City Council have broad discretion, provided the decision can be demonstrated to bear a rational relationship to the overall welfare of the community. Any amendments to the code require a public hearing and recommendation from the Planning Commission before a final decision is adopted by the City Council.

The Planning Commission held a public hearing on August 27, 2026, and recommended approval of the text change. No comments were received during the public hearing. The City Council must now hold a public hearing and can approve, deny, or modify the request.

Analysis

West Point City Code Section 17.100.020(C), titled "Access," includes standards for driveways and other property accesses. Subsection (C)(3) currently states:

> *3. No residential driveway shall be closer than 20 feet measured along the property lines to the point of intersection of two property lines at any corner.*

The current provision establishes a 20-foot minimum distance between a residential driveway and a corner. However, that does not match the City's Public Works standards, which requires a 50-foot distance.

The proposed amendment would delete Subsection (C)(3):

> ~~*3. No residential driveway shall be closer than 20 feet measured along the property lines to the point of intersection of two property lines at any corner.*~~

Removing the provision from the zoning ordinance would eliminate the conflicting standard and make it clear that residential driveway locations are reviewed under the Public Works requirements.

Recommendation

This item is on for discussion only. No action is required at this time. The Planning Commission recommended approval of the proposed amendment to West Point City Code Section 17.100.020(C), removing Subsection (C)(3).

Significant Impacts

Removing the provision from the zoning ordinance would eliminate the conflicting standard and make it clear that residential driveway locations are reviewed under the Public Works requirements.

Attachments

None.

CITY COUNCIL STAFF REPORT

Subject: Accessory Dwelling Unit Regulations
Author: Bryn MacDonald
Department: Community Development
Date: October 6, 2026

Background

The Utah Legislature recently adopted Senate Bill 284, which established new requirements for detached accessory dwelling units (ADUs). Beginning October 1, 2026, qualifying municipalities must allow detached ADUs as a permitted use on lots containing at least 11,000 square feet where a single-family dwelling is permitted. The legislation also identifies additional regulations municipalities may apply to detached ADUs, including standards for size, height, setbacks, lot coverage, parking, utilities, and owner occupancy.

The Planning Commission discussed amendments to the ADU code during meetings held on July 9, August 13, August 27, and September 10, 2026. Those discussions addressed the requirements of SB 284 as well as several provisions of the existing ordinance that could benefit from clarification,

Process

Amendments to the City's land use ordinance require a public hearing and recommendation from the Planning Commission. After considering the proposed language and public comments, the Planning Commission makes a recommendation to the City Council. The City Council is the final decision-making authority.

The Planning Commission held a public hearing on September 24, 2026, and recommended approval of the proposed changes. The City Council must now hold a public hearing and can approve, deny, or modify the request.

Analysis

West Point City Code currently allows a detached accessory dwelling unit as a conditional use in residential zones. The provisions of SB 284 require a detached accessory dwelling unit to be a permitted use on lots larger than 11,000 square feet that allow single family dwellings. The new legislation still allows the city to require additional off-street parking, owner occupancy, long-term rentals, and an administrative ADU permit. The City can also choose to allow detached ADUs on lots smaller than 11,000 square feet, if they so choose.

As part of this process, Staff has also proposed several other changes to the code to clarify and revise the requirements for ADUs. The proposed changes include:

Topic	Current City Code	*Proposed Changes*
Permitted zones	Detached and attached ADUs are conditional uses in all agricultural zones and R-1, R-2, and R-3	*Detached and attached ADUs would be permitted in all agricultural and R-1, R-2, R-3, and R-4 zones. They would not be permitted in the R-5 and R-6 (multi-family residential) zones.*
Definitions	Defines internal, attached, and detached ADUs	*Definitions of internal, attached, and detached ADUs would be clarified*

Size	Attached: 50 percent of the square footage of the habitable area of the building footprint up to 800 sq ft; detached: 650 square feet on lots less than 12,000 sq. ft, 800 sq ft on lots greater than 12,000 sq ft.	*Attached and detached ADUs would be limited to 50 percent of the primary dwelling's livable area and no more than 1,200 square feet*
Detached ADU setbacks	10-foot side and rear setback	*Smaller detached ADUs would have five-foot side and rear setbacks. Larger, taller, and above-garage units would require greater setbacks*
Detached ADU Height	No taller than the primary dwelling and must be single story	*25 feet or the height of the primary dwelling, whichever is less; can be located on the second floor of an accessory building*
Detached ADU Lot coverage	A detached ADU is subject to the City's accessory-building lot-coverage requirements (not to exceed 10% of the total lot area).	*No changes proposed; 10% lot coverage for all accessory buildings still applies.*
Parking	2 off-street parking spaces for a detached ADU	*A detached ADU smaller than 650 square feet would require one parking space. A unit containing 650 square feet or more would require two spaces (State Code requirement).*
Garages and accessory buildings	Not addressed in current code	*A legally constructed accessory building could be converted to a detached ADU if it meets the applicable requirements. The ordinance also establishes standards for ADUs located above detached garages.*
Fire & Emergency access	No portion of a detached ADU shall be further away than 150 feet from the public road.	*Same requirement to be within 150 feet of a public street, however, greater distances could be considered with approval from the Fire Marshal.*
Utilities	ADUs are required to connect to the same utility lines as the primary dwelling.	*A utility provider could require an ADU to have a separate meter, connection, or other service equipment.*
Owner occupancy	The property must be owner occupied	*The existing owner-occupancy requirement would remain, but the language would more clearly define an owner occupant and qualifying temporary absences.*
Number of ADUs	Only 1 ADU is allowed on a property	*No changes proposed*

During the public hearing on September 24, 2026, the Planning Commission received two comments regarding the proposed code. Both comments were supportive of the code but requested that the size be increased from 1,200 square feet to 1,400 or 1,500 square feet. The Planning Commission had a lengthy discussion and ultimately decided to recommend approval of the code with a 1,500 square foot maximum size

Recommendation

This item is on for discussion only. No action is required at this time.

Attachments

Draft ADU Code Amendments – Redlined Version.

17.70.060 Accessory dwelling units.

A. *Purpose.* Accessory dwelling units provide additional and flexible housing opportunities while maintaining the character of single-family residential neighborhoods. The purpose of this section is to establish reasonable standards for accessory dwelling units; protect public health, safety, and neighborhood compatibility; and comply with applicable provisions of Utah law. ~~Accessory dwelling units (ADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the city and allow for alternative and flexible housing options in owner-occupied single-family residences.~~

B. *Accessory Dwelling Units Defined.* An accessory dwelling unit ("ADU") is a subordinate dwelling unit that provides complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An ADU is located on the same lot or parcel as a single-family dwelling and may be internal, attached, or detached. Classification of an ADU as attached or detached under this section is for purposes of applying the City's land-use regulations and does not alter or supersede applicable building or fire-code requirements. ~~An accessory dwelling unit (ADU) is a second dwelling unit in an owner-occupied single-family property that is clearly incidental and accessory to the main dwelling on the property. ADUs can be either internal, detached or attached.~~

1. **Internal ADU**. "Internal accessory dwelling unit" means an ADU created:
   a. Within a primary dwelling;
   b. Within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and
   c. For the purpose of offering the unit for rent for a period of 30 consecutive days or longer.

   Internal accessory dwelling units shall comply with Utah Code Section 10-21-303, as amended.

2. **Attached ADU**. "Attached ADU" means an ADU created through an addition or other new construction that extends outside the existing footprint of the primary dwelling and contains permanent provisions for living, sleeping, eating, cooking, and sanitation that allow the addition to be occupied as a dwelling unit. The attached ADU shall be connected to the primary dwelling by one or more common walls or by a permanent, supported, continuous roof. A roofed breezeway that provides a permanent, supported,

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continuous roof between the ADU and the primary dwelling satisfies the roof-connection requirement. A temporary, retractable, or removable awning, canopy, or similar covering does not constitute a roof connection.

3. **Detached ADU.** "Detached accessory dwelling unit" means an ADU located in a building that does not share a common wall with, and is not connected by a permanent, structurally supported, continuous roof to, the primary dwelling. Detached accessory dwelling units shall comply with Utah Code Section 10-21-304, as amended.

1. *ADU (Internal).* "Internal ADU" means an ADU created (a) within a primary dwelling unit; (b) within the footprint of the primary dwelling unit at the time the internal ADU is created; and (c) for the purpose of offering a long-term rental of 30 consecutive days or longer. Internal ADUs must meet the standards in Utah Code § 10-9a-530.

2. *ADU (Detached).* "Detached ADU" means an ADU located in an accessory building on the property and not attached to or within the principal dwelling unit.

3. *ADU (Attached).* "Attached ADU" means a new ADU is constructed as a physical expansion (i.e., addition) of the primary dwelling and is attached to the single-family dwelling unit by one or more common walls.

C. Permitted Uses. Internal, attached, and detached accessory dwelling units are permitted uses in the zoning districts identified in the use table contained in WPCC 17.60.050, subject to the requirements of this section. An ADU is prohibited in any zoning district in which it is not identified as a permitted use. *Permitted and Conditional Uses.* See use table in WCPP 17.60.050 for specific zoning designations that include permitted and conditional uses. If the ADU is not designated within a particular zone on the table, then it is prohibited.

D. *General Standards.* The following standards apply to all internal, attached, and detached ADUs:

1. An ADU permit shall be required for each internal, attached, or detached ADU. The application shall include the forms, plans, supporting information, and fees established by the City. The application shall be reviewed administratively and approved upon a determination that it complies with this section and all other applicable requirements. ADU permit application shall be required for all internal, attached, and detached units. Only applications deemed complete by the community development director or designee will be

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~~processed. Complete applications include appropriate application forms reflecting the standards of the city, plans, texts, and signatures as required on the form available in the community development department and on the city's website. A letter or email confirming the completeness of the application may be requested by the applicant. All applications shall be accompanied by the appropriate fee as established from time to time by resolution of the city council.~~

2. No more than one ADU, whether internal, attached, or detached, shall be permitted on a lot or parcel. ~~Only one ADU per property is permitted.~~

3. An ADU shall comply with all applicable building, fire, health, and utility codes. All required permits and inspections shall be completed before the ADU is occupied~~ADUs shall meet all building codes and obtain all required permits prior to occupancy of the ADU~~.

4. The applicant shall be an owner of record of the property on which the ADU is proposed.~~The applicant shall have a fee simple title to the property.~~

5. An ADU shall comply with the appearance and design standards applicable to its ADU type under subsection E of this section.~~The ADU shall have a separate entrance that faces away from the street and that does not disrupt the single-family appearance of the existing structure.~~

6. An ADU shall contain permanent provisions for living, eating, sleeping, cooking, and sanitation as required by applicable building and health codes.~~The ADU shall have a minimum of one bedroom and a three-quarter bath.~~

~~7. The ADU shall have a kitchen.~~

8. ~~No v~~Vehicles associated with the ADU shall not be parked on the front lawn or other landscaped areas.

9. The property shall be ~~neatly~~ maintained in accordance with all applicable ~~and shall meet all current codes regarding~~ property maintenance, nuisance, and public health ~~standards~~regulations.

10. An ADU permit shall not be approved while the subject property has an unresolved code violation that directly affects the construction, use, or lawful occupancy of the proposed ADU or the property's compliance with this section. Such violations may include

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unpermitted construction, an unsafe structure, a setback or lot-coverage violation, inadequate required parking, an unlawful utility connection, or inadequate fire or emergency access. An unrelated code violation shall not constitute grounds for denying an ADU permit. ~~The applicant has not been notified or fined by the city for any code violations relating to this property or any other property within the previous 12 months.~~

11. *Owner Occupancy.* An "owner occupant" is an individual who is an owner of record of the property and occupies either the primary dwelling or the ADU as the individual's primary residence. The owner occupant may reside in either dwelling and may rent the other dwelling in accordance with this section.

An ADU shall not be rented or offered for rent unless an owner occupant resides on the property. An owner occupant who is required to reside on the property under this subsection may be temporarily absent without violating the owner-occupancy requirement under either of the following circumstances:

~~The city shall only permit an accessory dwelling unit when an owner occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall not be required when:~~

a. The owner occupant has a ~~bona fide,~~ temporary absence of three years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service, or a similar temporary circumstance, provided the owner occupant intends to return to and resume occupancy of the property as the owner occupant's primary residence. An indefinite absence, permanent relocation, or absence without an intent to return does not qualify for this exception ~~(indefinite periods of absence from the dwelling shall not qualify for this exception)~~; or

b. The owner occupant ~~is placed~~temporarily resides in a hospital, nursing home, assisted living facility, or other similar facility that provides regular medical care, excluding retirement living facilities or communities.

12. The ADU ~~must~~ shall not be rented or offered for rent for a period~~s~~ of less than ~~of~~ 30 consecutive days. ~~or more.~~

13. The ADU shall connect to the same water, sewer, gas, electrical, and other utility service lines as the primary dwelling, unless a separate connection is required or approved

DRAFT

by the City or applicable utility provider. An applicable utility provider may require a separate meter or other service equipment for the ADU in accordance with the provider's requirements. ~~All ADUs shall connect to the same (water, gas, sewer, etc.) utility lines as the primary dwelling.~~

14. An ADU shall not be sold, conveyed, or subdivided separately from the primary dwelling or the lot or parcel on which the primary dwelling is located.

E. *Standards by ADU Type.* In addition to the general standards contained in subsection D of this section, each ADU shall comply with the applicable standards established in Table 17.70.060-1 and the additional standards for the applicable ADU type.

~~1. Internal ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.~~

Table 17.70.060-1.

	Internal ADU	Attached ADU	Detached ~~Single-Story~~ ADU
Location	Part of Primary Dwelling	Attached to Primary Dwelling	Rear Yard Area
~~Minimum Lot Size~~	~~6,000 sf~~	~~6,000 sf~~	~~10,000 sf~~
Size Limit, Habitable	No Limitation	~~50% up to 800 sf~~50% of the primary dwelling's livable area, including finished	~~650 sf (on lots less than 12,000 sf)~~ ~~800 sf (on lots greater than 12,000 sf)~~50% of the primary dwelling's livable area, including finished basement area, not to exceed 1,200 sf; subject to the

	Internal ADU	Attached ADU	Detached ~~Single-Story~~ ADU
		basement area, not to exceed 1,200 sf.	accessory building lot coverage requirements of WPCC 17.70.030(A)(4).
Maximum Height Limit	Same Max Height Regulations for Single-Family Dwellings (see WPCC 17.70.020)	Same Max Height Regulations for Single-Family Dwellings (see WPCC 17.70.020)	25 feet or the height of the primary dwelling, whichever is less. For an ADU located above a detached garage, the height limit applies to the entire structure.~~No Taller Than the Primary Dwelling~~
Minimum Side Setback	Same as Primary Dwelling	Same as Primary Dwelling	~~10'~~ See Table 17.70.060-2
Minimum Rear Setback	Same as Primary Dwelling	Same as Primary Dwelling	~~10'~~ See Table 17.70.060-2
Off-Street Parking	1	1	~~2~~1 space for an ADU under 650 sf; 2 spaces for an ADU 650 sf or larger

Table 17.70.060-2. Detached ADU Setback Tiers

Detached ADU Classification	Qualification Standard	Minimum Side Yard Setback	Minimum Rear Yard Setback
Smaller, Lower ADU	800 sf or less and 18 feet tall or less (measured	5 feet	5 feet

DRAFT

Detached ADU Classification	Qualification Standard	Minimum Side Yard Setback	Minimum Rear Yard Setback
	from finished grade to roof peak)		
Larger, Taller ADU	Over 800 sf. or over 18 feet tall (measured from finished grade to roof peak)	Setback of underlying zone (see WPCC 17.60)	10 feet
ADU Above an Accessory Building	ADU livable space located above a detached garage structure	Setback of underlying zone (see WPCC 17.60)	10 feet

1. Internal ADUs.

   a. An internal ADU shall be designed so that it does not change the appearance of the primary dwelling as a single-family dwelling.~~Internal ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.~~

   b. If an internal ADU is created within an existing garage, the two-car garage required by WPCC 17.70.020 shall be replaced elsewhere on the property in compliance with applicable City standards.

2. Attached ADUs.

   a. An attached ADU shall be integrated into the primary dwelling and shall comply with the setbacks and other dimensional standards applicable to the primary dwelling. ~~Attached ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.~~

DRAFT

b. The livable area of an attached ADU shall not exceed 50 percent of the livable area of the primary dwelling and shall not exceed 1,200 square feet. For purposes of this calculation, the livable area of the primary dwelling includes finished basement area but excludes garages, porches, decks, unfinished storage areas, and other areas not designed for residential occupancy. ~~The total area of an attached ADU shall not exceed 50 percent of the square footage of the habitable area of the building footprint of the primary residence and in no case exceed 800 square feet.~~

3. Detached ADUs.

a. Detached ADUs shall be placed on a permanent foundation. A detached ADU shall contain habitable area on no more than one story.

b. Detached ADUs shall be subordinate to the primary dwelling in overall scale and massing and shall comply with the applicable size, height, setback, and lot-coverage standards of this section. This subsection shall not be interpreted to require a building design element prohibited by Utah Code Section 10-20-618, as amended.~~Detached ADUs shall have a similar appearance as the primary unit.~~

c. Detached ADUs may not be built within a recorded easement.

d. The livable area of a detached ADU shall not exceed 50 percent of the livable area of the primary dwelling or 1,200 square feet, whichever is less. For purposes of this calculation, the livable area of the primary dwelling includes finished basement area but excludes garages, porches, decks, unfinished storage areas, and other areas not designed for residential occupancy. ~~For detached ADUs, the maximum size limit shall be based on the minimum lot size as specified in Table 17.70.060-1.~~

e. Mobile homes, recreational vehicles, or shipping containers shall not be considered a detached ADU.

f. Notwithstanding the accessory-building height limitations in WPCC 17.70.030, a detached ADU may exceed 18 feet in height on a lot of any size, provided the structure complies with the maximum-height and setback requirements established in Tables 17.70.060-1 and 17.70.060-2. If the ADU is located within or above a detached garage, the height limit applies to the entire structure. ~~An ADU shall not be~~

DRAFT

~~sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.~~

g. A detached ADU, including any garage or other use located within the same structure, shall comply with the accessory-building lot-coverage requirements of WPCC 17.70.030(A)(4). ~~Detached ADUs shall follow the same regulations for lot coverage as outlined in WPCC 17.70.030(A)(4).~~

h. No basements are allowed in detached ADUs.

i. A detached ADU may be located within or above a detached garage, provided the entire structure complies with the applicable size, height, setback, lot-coverage, parking, building, and fire-code requirements. If located above a detached garage, the ADU's habitable area shall be contained entirely within a single story above the garage and shall not extend to an additional story. Interior stairs, landings, utility areas, and other areas necessary to access or serve the ADU are not considered habitable area for purposes of this requirement.

j. A legally constructed accessory building may be converted to a detached ADU, provided the building complies with the applicable detached ADU standards of this section, the applicable accessory-building requirements of WPCC 17.70.030, except as otherwise provided in this section, and all applicable building, health, and fire codes.

k. If a detached garage is converted to a detached ADU, any parking spaces required for the primary dwelling that are displaced by the conversion shall be replaced on the property in compliance with applicable City standards.

l. Fire & Emergency Access Regulations.

i. **Baseline Street Distance Standard.** All portions of a detached ADU structure shall be located within 150 feet of a dedicated public street right-of-way. Distance shall be measured as a straight line from the nearest edge of the public right-of-way to the furthest exterior point of the detached ADU structure.

ii. **Extended Street Distance Exception Review**. A detached ADU proposed at a distance greater than 150 feet from a dedicated public right-of-way may be permitted provided the applicant secures written authorization and approval from the North Davis Fire District Fire Marshal prior to ADU permit issuance.

DRAFT

iii. **Fire Mitigation Conditions**. As a condition of approval under subsection (E)(3)(l)(ii), the Fire Marshal may require site-specific fire safety mitigation measures authorized by applicable fire code and adopted standards, including but not limited to the installation of an approved residential fire sprinkler system, installation of fire hydrants, or a dedicated fire apparatus access drive.

~~i. The maximum distance from a fire hydrant to the front entrance of the detached ADU shall not be greater than 500 feet as the "hose lies."~~

~~ii. No portion of the detached ADU shall be further away than 150 feet from the public road.~~

17.60.050 Table of land use regulations.

A. *Glossary and Requirements.*

P = Permitted Use (P). A site plan application might be required as outlined in Chapter 17.30 WPCC.

AC = Administrative Conditional Use (AC). A site plan application with an administrative staff review is required.

PC = Planning Commission Conditional Use Review (PC). A site plan application with planning commission review is required.

B. If a use is not specifically designated below, then it is prohibited.

LAND USE ZONES	A-5	A-40	A-20	R-1	R-2	R-3	R-5	R-6	R-4	P-O	L-C	N-C	C-C	R-C	R/I-P
Residential Uses															

LAND USE ZONES	A-5	A-40	A-20	R-1	R-2	R-3	R-5	R-6	R-4	P-O	L-C	N-C	C-C	R-C	R/I-P
8. Internal Accessory Dwelling Units (see WPCC 17.70.060)	P	P	P	P	P	P			P						
9. Detached Accessory Dwelling Units (see WPCC 17.70.060)	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~			P						
10. Attached Accessory Dwelling Units (see WPCC 17.70.060)	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~	P ~~PC~~			P						

DRAFT

CITY COUNCIL STAFF REPORT

Subject: Warranty – West Fields Subdivision
Author: Boyd Davis
Department: Engineering
Date: October 6, 2026

Background

The West Field Subdivision is located at 4000 W 800 N. It was placed on warranty on May 5, 2025 and has completed the required one-year warranty period. The developer is requesting that it be removed from warranty.

Analysis

An inspection of the improvements in the subdivision was completed in anticipation of the end of the warranty period. A punch list of items that needed to be repaired/replaced before the end of the warranty period was given to the developer. All the items listed on the punch list have been completed.

Recommendation

Staff recommends that the West Field Subdivision be removed from warranty.

Significant Impacts

None.

Attachments

None.