

**West Point City  
Planning Commission  
3200 West 300 North  
January 24, 2013**

**Present:** Brad Lee, Curtis Seeds, Jeremy Strong, Korey Kap, Brian Vincent, Jeff Oyler – City Planner, Michelle Bailey – Planning Commission Secretary

**Excused:** Rawlee Wilson, John Detamore

**WORK SESSION**

**1. Discuss Ditch Piping Regulations**

Jeff Oyler stated that this was discussed in the last meeting. As a review, Jeff said that from time to time we run into issues when we get a one or two lot subdivision. Frequently, they want to build a house on one lot and there is a big, open ditch either on the front or the side of the property. The City likes to get those piped usually. Sometimes it's difficult to determine who owns the water and the water rights. Staff has tried to put together some requirements to help alleviate the problems that come up with these situations. Jeff read the proposed verbiage to be added to the Code.

“16.05.100 Subdivision Improvements Required. E. Irrigation Water/Open Ditches. Open ditches shall be piped within the subdivision. If the ditch is owned by a ditch company or some landowner has rights to water running through the ditch, then the City will work with the appropriate party to determine the size and type of pipe to be placed. If no company or individual can prove their rights to the ditch then the City Engineer will determine the appropriate size, type, and length of ditch to be piped. Some ditches that are presently piped may be required to be re-laid to meet City standards. In some cases, ditches may be abandoned. This requirement shall apply to single lot subdivisions and existing parcels intended for building use as explained in Sections 16.05.085 and 16.05.086.

The general policy will be that the ditch needs to be piped unless they can prove that there is no other use for it and that the ditch can be abandoned. Brian Vincent asked, “If there is a discrepancy on whether the owner wants a certain size and the City Engineer wants a different size, who is the deciding factor on that?” Jeff Oyler responded that the City Engineer will make the final determination. This issue has come up before and when the decision was left to the land owner, things didn't work out very well.

Staff realizes that sometimes this is a financial hardship on one lot owner to pipe a ditch. The best time to take care of the situation is when the property is developed. If it doesn't get taken care of during development, it becomes entirely the City's problem.

## **2. Discuss Building Lot Regulations**

There are situations occasionally where people have just one lot and want to build a house on it. It can be difficult to get everything together that they need to do. By creating this, it will give the person a certain set of requirements that need to be done on a single lot subdivision. The main requirement will be to have a plat so it is actually a surveyed piece of ground. The purpose of the plat is to provide the following items: a surveyed boundary of the parcel, zoning designation, graphical illustration of required lot dimensions, graphical illustration of surrounding property owners and any boundary line agreements, graphical illustration of property access from a public right-of-way, address assignment to the parcel, dedication of road right-of-way, and dedication of public utility easements. Staff feels like this will clear up any problems that are encountered in developing single lots. This will be a much more professional and organized process.

Staff would like to streamline the process so there will only be a final approval. Traditionally, there would have been a concept approval, preliminary approval and final approval. Staff feels it can all be combined into one approval. There will be a set of construction drawings that will show all of the utility locations. The downside to this is that it will cost someone more money than just doing a pencil drawing. To get a surveyed plat, it will probably cost between \$500 - \$1,000 but Staff feels that this process will be beneficial to all parties involved. Korey Kap asked if Staff feels that this can really be approved in one meeting. Jeff Oyler replied that the complexity can be decided on a situational basis. If it is just one lot and it's pretty straight forward, they can just do one final plat. Determining the necessary approval process will be left to Staff. If it is complicated, it may be brought to the Commission a couple of times. Most of these will not need to be seen more than once.

## **3. Discuss 40% rule**

This was discussed extensively in the last work session. The City currently requires each home to have a minimum of 40% brick or stone on the exterior elevation. During the discussion on January 10, 2013, there were several issues brought up. Staff has discussed this multiple times since then. This came about essentially because a developer thinks this requirement is too stringent and would like the city to back down from the 40% rule. As Staff discussed this, they have come to the conclusion that perhaps they were making it more difficult than needs be. The current requirement makes more sense than the changes they were proposing. More questions were being raised than being answered. Staff has switched gears a little and feels that maybe the current requirement isn't so bad. It gives people flexibility to put the brick and stone anywhere on the house they choose. The proposed changes were trying to dictate how much went on the sides and the front. They feel that the current requirement gives people the ability to decide where they want the brick and stone. Staff suggests tabling this issue for the time being until they can get some feedback from the City Council. Korey Kap asked what the developers are proposing that brought this forward. Jeff Oyler responded that they basically would like to not have the regulation at all. They don't want any requirement. One suggested that they just have a small amount on the front and then no requirement on the sides or rear of

the home. Jeremy Strong stated that he has been looking into this quite a bit. He feels that 40% of the entire exterior is not too much to ask. In the last meeting, Jeremy had proposed adding hardy board to the list with brick and rock as an acceptable masonry product. Since that time, he has looked into hardy board more and has changed his mind about that. He doesn't feel that it should be included with masonry products. He did suggest that they could decrease the percentage from 40% to 20% if the masonry is accompanied by hardy board but not stucco. He feels that masonry products still need to be required. Curtis Seeds asked if Staff feels that the 40% requirement is too much. Jeff Oyler responded that he feels if you drove around the community, most of the homes would have at least 50% masonry products on the front of the home. Staff doesn't feel that the 40% requirement is too stringent. There was a general consensus between the commissioners that the 40% rule is fine.

## **REGULAR MEETING**

### **1. Call to Order**

### **2. Pledge of Allegiance**

### **3. Prayer:** given by Korey Kap

### **4. Approval of Minutes from January 10, 2013**

Jeremy Strong made a motion to approve the minutes from January 10, 2013, as written. Curtis Seeds seconded the motion. All voted aye.

### **5. Approve/Deny 16.05.100 – Ditch Piping Regulations**

Brad Lee stated that this was discussed at length in the work session. There was no further discussion. Jeremy Strong made a motion to approve the Ditch Piping Regulations 16.05.100 as written in the Staff Report. Korey Kap seconded the motion. All voted aye.

### **6. Approve/Deny 16.055.85 – Single lot subdivisions**

Curtis Seeds made a motion to approve and forward to the City Council the Single Lot Subdivision 16.055.85 as proposed. Brian Vincent seconded the motion. All voted aye.

### **7. Public Comments:** None given

## 8. Planning Commission Comments

Korey Kap had no comment.

Jeremy Strong had no comment.


Curtis Seeds welcomed Korey and Brian to the Planning Commission. He expressed appreciation to them for their willingness to serve in this capacity.

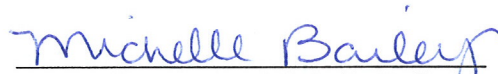
Brian Vincent had no comment.

Brad Lee expressed appreciation to Staff for the work that they do.

## 9. Adjournment

Brad Lee made a motion to adjourn at 7:10 p.m. Curtis Seeds seconded the motion. All voted aye.

  
Chairperson – Rowland S. Wilson

  
Secretary – Michelle Bailey