

**West Point City
Planning Commission
3200 West 300 North
July 11, 2013**

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

Excused: Rawlee Wilson, Korey Kap

WORK SESSION

1. Discuss Bartholomew Lane Subdivision, Phase 3

Jeff Oyler said this will be the final phase of this subdivision. There will be 12 lots in Phase 3. The lots will all be a minimum of .25 acre or larger. There will be a detention basin for the whole subdivision in this phase. The only item not completed yet is obtaining final approval from Davis/Weber Canal. Staff is not too concerned about that being denied because Davis/Weber Canal provides water in the other phases of this subdivision. Staff does not feel like that should hold up approval on this phase. Staff has not received the cost estimate yet, but that will be done at the end. An escrow account still needs to be set up for their improvements and they will do their engineer's estimate for that. There will be a chain link fence that separates this phase from the greenhouses on the adjoining property. Jeff Oyler mentioned that if these homes are more than three feet in the ground, they must have a pump unit for the land drain. All of the homes in this subdivision have a lot drain in the back yard that picks up water along the back and carries it down. The storm drain is not deep enough to put in a full land drain system, but they do have lot drains. Most of these homes will not have basements, but if they do, they will be built up out of the ground.

2. Discuss changes to Fence Ordinance

Jeff Oyler displayed pictures of several fences throughout the city. Staff received a complaint regarding a new fence on the corner of 3000 West and 550 North. There is an intensive amount of traffic and pedestrians on this street traveling to and from West Point Junior High and Lakeside Elementary. Staff talked with the homeowners who installed the fence and told them that it was placed in an area that is against the Code. Because it is a corner lot, the fence should be set back 20 feet from the property line, which is essentially the sidewalk. Also, on a corner lot, there needs to be a 40-foot clear vision triangle in which nothing may be constructed between a height of two feet and seven feet. That is so you can pull up to the corner and see what is coming down the street, as well as for pedestrian safety. The homeowner refused to move the fence. Upon looking throughout the city, Staff has found dozens of people who have violated the existing City Code. Residents should come to the City and obtain a fence permit before building a fence but most people don't even know they need to do that. Staff has started sending out a fence permit application with every new move-in packet. This is to encourage people to

come talk to Staff so Staff can let them know of the requirements. The permit is free, people just don't know they need the permit and they aren't aware of the regulations on fences. Kyle Laws, the City Manager, feels that if Staff were to go out and attempt to enforce the ordinance, as it is written, people will be furious because so many will be out of compliance. Mr. Laws feels that the ordinance should be changed to essentially allow people to come out to the property line with their fence. The most important safety feature is the clear vision triangle on the corners. The setback issue isn't quite as important from a safety standpoint. Discussion took place regarding the pictures shown and how those fences are out of compliance. Staff feels there are two issues with having the fence set back 20 feet from the property line. One issue is when you have a driveway adjacent to the fence so people would be able to see when they are backing out. The other issue is just being able to see from the opposite corner, up the street.

Staff has come up with some ideas to be discussed. On the corner lot, we could allow the six foot fence to go to the property line. The current requirement says you may only have a four foot fence. Most people have a six foot fence so this would pull people into compliance that already have these fences in place. We would still need to maintain the 40 foot clear vision triangle on corner lots. Another situation, if a rear lot backs onto a street, so essentially they have a street on three sides of the house, Staff feels that cutting that 40 feet off the back corner wipes out most of their entire backyard. Staff feels that in that rare situation, we could drop the clear vision triangle to 20 feet to give them more backyard area. Staff also feels that we may need to implement a clear vision triangle for driveways. You would still have a four foot fence in any front yard.

Staff would like to know if the Planning Commission is in favor of changing the ordinance or if they feel like it should remain as it is currently. The Commission feels that this item needs to be discussed in more detail and would like to get input from the commissioners that are absent.

REGULAR MEETING

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer:** given by John Detamore
- 4. Approval of Minutes from May 23, 2013**

Brian Vincent made a motion to approve the minutes from May 23, 2013, as written.
John Detamore seconded the motion. All voted aye.

- 5. Public Comments:** None given

6. Discuss/Approve changes to Chapter 17.80.170, Fence Ordinance

Brad Lee stated that this item was discussed at length in the work session. They felt like there were still things that needed to be discussed. John Detamore made a motion to table the changes to Chapter 17.80.170, Fence Ordinance, so there could be further discussion on the topic. Curtis Seeds seconded the motion. All voted aye.

7. Discuss/Approve/Deny Bartholomew Lane Subdivision, Phase 3.

Jeff Oyler stated that this is the final phase in this subdivision. It consists of 12 building lots. All of the lots meet the minimum requirements of the city ordinances and codes. This is final approval. All of the engineering drawings and so forth have been reviewed.

Curtis Seeds made a motion to approve the Bartholomew Lane Subdivision, Phase 3, subject to any items not completed on the Staff Report. Brian Vincent seconded the motion. All voted aye.

8. Planning Commission Comments

Brian Vincent had no comments.

Curtis Seeds thanked City Staff for their time and effort put forth for the 4th of July city celebration. He felt that it was a great celebration for the city. He loved the fireworks and the dinner. He feels that West Point always has a great celebration.

Jeremy Strong seconded Curtis' statement. He praised City Staff and thanked them for everything they did to make the celebration a success.


John Detamore stated that he has had several people who live in different cities tell him how wonderful they felt like our celebration was.

Brad Lee wanted to thank city management and staff. He mentioned how outstanding our public works crew is in doing what they do. He also thanked the Commission for their help throughout the day. He, too, has had friends from neighboring communities that come to celebrate in West Point due to the fact that it is such a community-oriented celebration. They enjoy participating in our city's events.

9. Adjournment

John Detamore made a motion to adjourn at 7:15 p.m. Jeremy Strong seconded the motion. All voted aye.


Chairperson – Rowland S. Wilson


Secretary – Michelle Bailey

