

**West Point City  
Planning Commission  
3200 West 300 North  
July 9, 2015**

**Present:** Brad Lee, John Detamore, Korey Kap, Jeremy Strong, Boyd Davis – City Engineer, Michelle Bailey – Planning Commission Secretary

**Excused:** Curtis Seeds, Brian Vincent, Jeff Macfarlane

**Visitors:** Tige Rhoades, Keith Russell, Jeff Holmes, Bryce Thurgood

**WORK SESSION**

**1. Discussion regarding a Conditional Use Permit for an accessory building located at 1823 North 3675 West, Tige Rhoades, applicant.**

Boyd Davis stated that Mr. Rhoades doesn't actually own the home yet, he is considering purchasing it and the sell is contingent upon him being approved for this shed. Usually a conditional use permit goes with the property, not the owner. Generally, we would have the existing homeowner sign an affidavit giving someone else authority to act as an agent for them. Another unique thing about this is that this subdivision was originally set up for horse property and they have a riding easement around the entire perimeter of the subdivision. It has never been used, and most people have fenced off, but you can see that a shed on another property is set off the property line 20 feet because of this easement. It would be a good idea if this is approved to make a condition that he stay off of the riding easement. Mr. Rhoades shows the shed would be constructed 10 feet off the property line, but it should be at least 20 feet off for that easement.

**2. Discussion regarding preliminary plat approval for the Homewood Subdivision located at approximately 4300 West 300 North, Keith Russell, applicant.**

The developer owns both of the pieces of land that are on the east and the west of the Hooper Canal, but he is selling the east piece to UDOT for the West Davis Highway. This was given concept approval a few weeks ago. He has prepared the preliminary plan. He has received a preliminary letter from UDOT that says it looks like it will work and he needs to submit a full set of plans. He also got a preliminary approval letter from Hooper Water. Korey Kap asked how the Corridor will conflict with the subdivision. Boyd Davis said they can require the developer to put a special note on the plat disclosing the plans for the highway being constructed. The commission agreed that it would be a good idea for the developer to put a note on the plat to disclose that. Staff recommends approval of the preliminary plat.

**3. Discussion regarding preliminary plat approval for the Heslop Place Subdivision located at approximately 1700 West 800 North, Castle Creek Homes, applicant.**

Castle Creek Homes has submitted a plan that goes along with the Developer's Agreement, the zoning and everything that has taken place. They have submitted a plan

for 69 townhouse units. They meet the size and everything that was required in the Developer's Agreement. There are a few items to consider. They need to provide some easements for some of the off-site utilities. These utilities come off the stub road and tie into the existing road. The City is asking that they give an easement for these. Also, there is a storm drain there that we are asking they give an easement for. Jeremy Strong asked if they need to develop the road out for an access. Boyd responded that City Council said they couldn't do that because they want to keep the adjoining area for commercial use and they feel that a road going through there might ruin commercial development plans. Staff has suggested that the developer run their storm drain down to the south property line and they are considering doing that. Otherwise, it will go straight out into the field. They are considering moving a sewer line down along the property line as well. The City has told the developer that they need to build a temporary turn around at the end of the stub street. The developer agreed to that. The main road going through is a public road, but the two roads between the units will be private. Any utilities in there will be private as well. They must set up an HOA to maintain all of the common space in the project. In tying the road in that is to the south, we have asked them to connect the water line through there so we have a looped water line so they aren't at the end of a line and get stagnant water. They must also add parking spaces throughout the project as required by City Code. They must have 2.5 parking stalls per unit. To meet that requirement, they will have to have more than just the driveways and garages. They will have to add some parking stalls throughout. They need to receive approval from the North Davis Fire District as well as Davis & Weber Canal Company for the secondary water. Staff recommends preliminary approval. Jeremy Strong asked about the size requirement for each unit. According to the Developer's Agreement, they must be at least 1,300 square feet of finished space above grade.

#### **4. Discussion regarding bee keeping as requested by City Council.**

Boyd Davis stated that this was discussed in the last meeting. Troy Moyes, the City Planner, lead the discussion at the last meeting. The items in red print on the proposed ordinance are the changes suggesting in the last meeting. In 17.40.050.A. it says, "All hives in the R-1 and R-2 zones must submit a non-fee application to the city for verification that all the requirements have been met." Korey Kap said they discussed only allowing hives on property that is half an acre or larger. That would eliminate any hives in the R-3 zone. If they are in the R-1 or R-2 zone, they would be required to submit a no-fee application. They would be limited to two hives on property greater than 10,000 square feet. Three additional hives may be kept for each one quarter acre in addition to that. Boyd said, "Troy is saying that you just mentioned half acre, but the way it is written here, you can have 10,000 square feet, which is basically .25 acre, and have a beehive." Boyd asked the Commission if they want to keep it strictly to only on half acre lots or larger. Brad Lee commented that at the last meeting they were concerned about swarming bees, but Troy Moyes did a great job explaining that the bees won't swarm if the hive is kept clean and there is a fresh water source nearby. Brad also reminded the Commission that Troy Moyes had advised them to keep the ordinance simple so the City isn't forced to police things between neighbors. Jeremy Strong said he feels that hives should be allowed on .25 acre lots. Brief discussion took place regarding having the neighbors sign off on the application. It was decided that would not be a good idea. Jeremy Strong asked what brought up the need for this ordinance. Boyd Davis responded

that there has been a complaint made, as well as people coming to City Council meetings expressing support of an ordinance allowing people to have hives. The Council discussed it and felt there was enough interest to look into adding it to our ordinance. Korey Kap asked what the complaint was. Boyd responded saying that a resident complained because his neighbor has a beehive and it is difficult for them to even be in their backyard for a barbecue. If they do, they get lots of bees in their backyard. Korey Kap expressed concern that people would be interested in trying their hand at beekeeping but then lose interest in it and let the hives get diseased. He feels that allowing hives on .25 acres would open it up for too many people to “try it out”. Jeremy Strong said the same thing could happen on larger lots; people could buy the hives and then decide they are too much effort so they let them go unattended. The proposed ordinance would allow for a beehive on .25 acre lots, then the larger the lot, the more hives you would be allowed to have. The Commission agreed with that. There is verbiage in the ordinance which spells out how the hives must be maintained.

Boyd Davis said they would like to bring this item back for a vote at the next meeting. The Commissioners agreed with the proposed ordinance as written. Jeremy Strong suggested that it be changed to state that hives are allowed on .25 acre lots or larger, rather than limiting it to zones. Boyd Davis asked how the commission felt about that. They all agreed to permit it on .25 acre lots and not limit it to certain zones. The Commission agreed with the additions on distances from neighboring homes and from sidewalks as suggested.

## **REGULAR MEETING**

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

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

**3. Prayer:** given by Brad Lee

### **4. Approval of Minutes from June 25, 2015.**

Korey Kap made a motion to approve the minutes for June 25, 2015, as written. John Detamore seconded the motion. All voted aye.

**5. Public Comments:** None given

### **6. Consideration of a Conditional Use Permit for an accessory building located at 1823 North 3675 West, Tige Rhoades, applicant.**

Tige Rhoades was present to answer questions. Boyd Davis reviewed what was discussed in the work session. Mr. Rhoades submitted a conditional use permit application for this property although he is not the owner. He is considering purchasing this property if he can get approved to build this accessory building. It was discussed in the work session. That there is a riding easement along the back of the property that is 20 feet wide. Staff

recommends that the building stay off the riding easement. The building meets all of the setback requirements from his home and the neighboring homes. Staff recommends approval.

John Detamore made a motion to approve the Conditional Use Permit for an accessory building located at 1823 North 3675 West, Tige Rhoades, applicant, contingent upon him not building on the riding easement. Jeremy Strong seconded the motion. All voted aye.

Mr. Rhoades said, "Because the purchase of the home is contingent upon a few things, this being one of them, how long is this permit good for?" Boyd Davis said the conditional use permit is good for one year from this date.

**7. Preliminary plat approval for the Homewood Subdivision located at approximately 4300 West 300 North, Keith Russell, applicant.**

Keith Russell was present to answer questions. Boyd Davis said that Mr. Russell owns the property to the east and to the west of the Hooper Canal. He plans to sell the property to the east of the canal for the West Davis Highway, then plans to develop seven lots on the west property. One unique thing about the project is the private lane that will be the driveway access for five of the lots. The reason for that is UDOT limits the number of access points onto a State highway. He has submitted a preliminary letter from UDOT approving the proposed road. He needs to submit final plans to them and get a final approval. He has also submitted a letter from the Hooper Water Improvement District saying they will supply water to this project. They must set up an HOA to maintain the private lane. Those details will need to be worked out before final approval. Staff recommends preliminary approval. It was discussed in the work session that some of the homeowners may not be aware that there is going to be a highway to the east of them at some point. The commission feels it would be appropriate to have the developer put a note on the plat disclosing the plans for the highway. Mr. Russell agreed to do that.

Korey Kap made a motion to approve the preliminary plat for the Homewood Subdivision located at approximately 4300 West 300 North, Keith Russell, applicant, contingent upon putting a note on the plat disclosing the West Davis Highway and also meeting the requirements outlined on the Staff Report. John Detamore seconded the motion. All voted aye.

**8. Preliminary plat approval, for the Heslop Place Subdivision located at approximately 1700 West 800 North, Castle Creek Homes, applicant.**

Bryce Thurgood was present representing the applicant. Boyd Davis stated that this property is zoned R-5. This zone allows for multi-family, attached units. This is a townhome project. They are showing 69 units. The largest building is a 4-unit building. Staff recommends an easement be placed for running utilities and that the water line and the secondary water line connect there as well to make a looped system. Staff recommends that the storm drain line be moved to the south to allow for future commercial development. Two of the streets in the project will be private streets. Any utilities that are in those streets will be maintained by the HOA. Staff has also requested that they add a temporary turnaround at the end of the stub street so cars and emergency

vehicles can turnaround there and get back out of the subdivision. Staff recommends preliminary approval subject to the comments just mentioned. Those comments are also in the Staff Report.

Jeremy Strong made a motion to approve the preliminary plat for the Heslop Place Subdivision located at approximately 1700 West 800 North, Castle Creek Homes, applicant, subject to the comments made in the Staff Report. John Detamore seconded the motion. All voted aye.

## 9. Planning Commission Comments

Jeremy Strong had no comments.

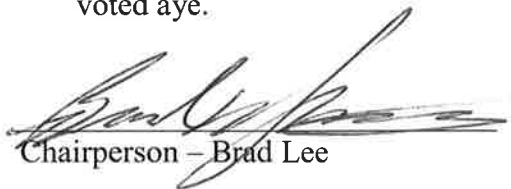
John Detamore thanked Staff for all the work that was done on the City Celebration.

Korey Kap thanked Staff for their hard work and for all that was done for the 4<sup>th</sup> of July celebration.

Brad Lee commended everyone involved in the 4<sup>th</sup> of July celebration. It was a huge success and a lot of fun to participate in. Jolene Kap does a phenomenal job and needs to be recognized for her efforts.

## 10. Adjournment

John Detamore made a motion to adjourn at 7:17 p.m. Brad Lee seconded the motion. All voted aye.



Chairperson – Brad Lee

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Secretary – Michelle Bailey

