

**West Point City  
Planning Commission  
3200 West 300 North  
October 26, 2017**

**Present:** Brian Vincent, Rob Ortega, Jeff Macfarlane, Brad Lee, Korey Kap, Jake Shepherd, Troy Moyes – City Planner, Michelle Bailey - Planning Commission Secretary

**Excused:** Jeremy Strong

**WORK SESSION**

**1. Discussion on proposed changes to West Point City Code regarding Landscape regulations.**

Troy Moyes said the City Council has directed the Planning Commission to review the landscaping standards listed in the Code.

The first change is to add a definition of landscaping to the Code. In 17.10.020 Definitions: “Landscaping” means the structured installation of living materials (i.e., lawn, ground cover, annual and perennial flowering plants, vines, shrubs and trees) and may include non-living materials. The use of water (i.e., pools, fountains, falls and streams) and sculptures are also included as landscape design materials. Other changes are listed on the Staff Report dated October 26, 2017, in red. They have added “including parkstrips and” to Paragraph A. The next change is in Paragraph B. This states what landscaping combinations may include. The last sentence in the paragraph was deleted. Paragraph C was added. It is the meat of how the landscape is controlled. It reads, “Residential dwelling lots shall have no more than thirty percent (30%) of ground cover (excluding driveways and lawn).” There was a brief discussion on what is considered ground cover. Paragraph F was added. It reads, “If more than thirty percent (30%) ground cover is desired (excluding driveways and lawn), approval must be given by the Planning Commission. If the applicant does not agree with the Commission’s decision, the applicant can appeal to the City Council.”

A brief discussion took place regarding the ground cover percentage. Most residents will not need to go through this process; only the few that want to do more than 30% of their yard in ground cover such as xeriscape. Rob Ortega commented that he felt things like this should be handled by an HOA rather than the City. He said it doesn’t seem to be protecting anyone; it’s just taking some rights away. Jake Shepherd responded that whether there is an HOA for the subdivision or not, the restrictive covenants in a subdivision should have standards. The City has no ability to enforce subdivision covenants; that’s up to the developer. CC&Rs eventually dissolve over time. There is a lot of property in West Point that is not in any type of development. Troy Moyes talked about non-conforming homes/properties. There are legal sides, but if anyone were to landscape today, or if existing landscape is taken out, then they must follow the new Code.

## **2. Discussion on proposed changes to West Point City Code regarding Fencing regulations.**

Troy Moyes stated that the current Code has requirements regarding the height and distance of fencing, but does not prohibit the type of fencing allowed. The City Council met on July 18, 2017, to discuss this issue. The main goal is to protect homeowners and their properties. However, Mayor Craythorne does not want to over-regulate, but he is worried about the potential detriment to surrounding neighbors' property values. The Council suggested defining what residential fencing or agricultural fencing is and address temporary fencing.

Following is proposed verbiage for a definition of agricultural fencing. The black print is what is in the Code currently. The red print is what is being proposed: 17.80.170 Fence. A tangible barrier or obstruction of any material with the purpose or intent of having the effect of preventing passage or view across the fence line. It includes hedges and walls. **Agricultural fencing will not be allowed in the front yard or side yard of corner lots in any residential zones. Agricultural fencing include rope, string, wire product including but not limited to chicken wire, hog wire, wire fabric and similar welded or woven wire fabrics, chain, netting, unapproved corrugated metal panels, galvanized sheet metal, plywood, or fiberglass panels in any fence or any other material that are not manufactured specifically as fencing materials.**

Jake Shepherd commented that he worries about this because he feels there are places we will run into problems. He isn't disagreeing with this but feels problems will arise in trying to regulate it. Jeff Macfarlane suggested this apply in certain zones and not in others. Troy Moyes responded that this is for residential zones only; this wouldn't apply to any agricultural zones. Brad Lee said he doesn't have an issue with this because it is only a definition listing things people would normally use in an agricultural zone. This will be discussed again in the next commission meeting and a public hearing will be held.

### **REGULAR MEETING**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer:** given by Korey Kap
- 4. Approval of Minutes from September 28, 2017.**

Jeff Macfarlane made a motion to approve the minutes from the meeting held on September 28, 2017, as written. Rob Ortega seconded the motion. All voted aye.

**5. Public Comments:** None given

**6. Public Hearing on proposed changes to West Point City Code regarding Landscape regulations.**

Troy Moyes stated that City Council is seeking direction from the Planning Commission to clarify changes to the City Code regarding landscape standards. This has been discussed multiple times. The biggest changes being proposed are to define what "Landscaping" is and to add a thirty percent (30%) ground cover regulation to the Code; stating that a resident cannot exceed 30% of their landscaping with ground cover and if they do, they can apply to the Planning Commission to receive approval for more than 30%.

**a. Public Hearing**

There were no comments made. Brad Lee made a motion to close the Public Hearing. Jake Shepherd seconded the motion. All voted aye.

**b. Action**

Brad Lee made a motion to approve the proposed changes to the West Point City Code regarding Landscape Regulations. Korey Kap seconded the motion. Jake Shepherd, Korey Kap, Brad Lee, Jeff Macfarlane, and Brian Vincent voted aye. Rob Ortega voted nay.

**7. Planning Commission Comments**

Jake Shepherd thanked the Commission for their patience and for bringing him up to speed after being gone. He also thanked Troy Moyes for the hard work he puts in.

Brad Lee thanked Staff for all that they do.

Korey Kap thanked Troy Moyes for doing the difficult job that he does and having patience with the Commission.

Jeff Macfarlane echoed the previous comments made.

Rob Ortega commented that he felt bad voting against the landscaping changes. He has had recent conversations with residents who are opposed to it. They wanted to come in and give public comments on the subject but they didn't. Personally, he likes the ordinance and is happy with it, but he felt that he needed to vote against it because of input from residents that he has received.

Brian Vincent wished everyone a Happy Halloween.

**8. Adjournment**

Korey Kap made a motion to adjourn at 7:15 p.m. Brad Lee seconded the motion. All voted aye.

  
Chairperson – Brian Vincent

  
Secretary – Michelle Bailey