

**West Point City
Planning Commission
3200 West 300 North
June 14, 2018**

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

Excused: Jeremy Strong

Visitors: Josh Hughes, Gary Manning, Kathy Manning, Dee Manning, Dennis Montgomery, Matt Leavitt, Blake Smithing, John Nelson

WORK SESSION

1. Discussion regarding a Rezone application for property located at approximately 3550 West 800 North, Psion Homes, applicant.

John Nelson from Psion Homes is requesting a rezone of 10 acres of land owned by the Manning family that is located at approximately 3550 West 800 North. The request is to rezone it from A-40 and R-2 to R-2 Residential. This fits with West Point City's General Plan. All of the required noticing for this public hearing has been posted in accordance to State Code. They are in the process of going through the PVFD Overlay with the City Council at this time. They are hoping to get a Developer's Agreement in place by the next City Council meeting. We are considering the rezone at this time and forwarding a recommendation to the City Council. There were no questions at this time.

2. Discussion regarding the PUD overlay zone of the West Point City Code.

Brian Vincent said that they are a little behind with their discussion regarding the PUD and getting some recommendations drawn up and sent to City Council. The moratorium is in effect until September. Troy Moyes said the discussion tonight will be regarding the current base density of the underlying zone, and a concept for a PUD sliding scale.

In 2018, the City Council placed a Temporary Land Use Regulation on all new subdivisions in the City to address development. The City adopted a new Land Development Option called Planned Variety and Flexibility Development (PVFD) and increased the density of all the single-family residential zones.

R-1 from 2.2 to 2.0 – 12,000 sqft lot minimum to 18,000 sqft minimum

R-2 from 2.7 to 2.5 – 10,000 sqft lot minimum to 14,000 sqft minimum

R-3 from 3.6 to 3.2 – 9,000 sqft lot minimum to 11,000 sqft minimum

This decrease in density was in connection with the PVFD development option as adopted. Now that the PFVD option is considered being fused into the existing PUD Code, Staff would recommend that the base density standard revert back to the pre-2016 density standards. Staff would like to have the best possible options for development.

When we have the 9,000 or 10,000 sqft minimum lot sizes, it's easy to think that all of the lots in that subdivision will be the minimum lot size. In reality, when you have a 2.2

units per acre subdivision, the average lot size will be about 13,000 – 14,000 sqft lots. The minimum is set so there might be some lots that are 12,000 sqft lots, but there might be some that are 16,000 – 17,000 sqft lots. So increasing the size to 2.2, we are still keeping a larger average sized lot in the R-1 zone. Staff recommends going back to the pre-2016 zoning density standards. Korey Kap pointed out that there is a 2,000 sqft lot minimum change from R-1 to R-2, but only a 1,000 sqft lot minimum change from the R-2 to the R-3. He is wondering if maybe the minimum in the R-3 zone should be lowered to 8,000 sqft. Boyd Davis said there is no reason behind this, it is just what the numbers were previously. Jake Shepherd said he agrees with going back to the previous density standards and doesn't know why they were ever changed. Jake asked if the changes were driven by the Planning Commission or the City Council. Troy Moyes said it was done in conjunction with the PVFD. The goal was to have more PVFD developments where we could enhance development options. Brian Vincent commented that the problem with the PVFD was that there was no good way to base what their recommendations were from the development as far as amenities and their bonus. Boyd Davis said the numbers were increased for a specific reason; it was to incentivize the developers to use the PVFD. It didn't do that though. It forced them to use the PVFD and there really was no other option because the numbers are so high. Staff feels that the majority of the subdivision should just be developed in the base zone; the PVFD or PUD should be an option for some. We shouldn't force all developments to be a PUD or PVFD. Jake Shepherd said he agrees with changing it back. Rob Ortega asked if there has been any input from the Council. He feels like it was their intent to push developers to use the PVFD. They wanted sustainable neighborhoods with HOAs. Troy Moyes said this was discussed in the joint meeting so the Council knows that a recommendation is coming from the Commission regarding base density. Boyd Davis commented that for years subdivisions have been done in the base zone and they are beautiful neighborhoods. Korey Kap said, "We are seeing a lot more condo projects, a lot more apartment projects, and a lot of other stuff that is affordable housing than we ever have before." Jake Shepherd asked Matt Leavitt what the smallest lot size is in the West View Park Subdivision. Matt replied that the smallest lot there is 9,000 sqft. Jeff Macfarlane asked if it's difficult to fit a home on an 8,000 sqft lot. Jake Shepherd said it would depend on the home but it's possible.

Troy Moyes said that the purpose of the PUD Overlay is to encourage imaginative and effective utilization of land through large scale residential development by providing greater flexibility with the residential areas of West Point City. Staff feels the PUD met that purpose to some degree, but that is why they would like to re-address the PUD. Troy showed pictures of some PUDs in the area to illustrate what they look like. Staff would like to introduce the concept of the PUD Sliding Scale. The challenge has been to fuse the PUD, PFVD and Cluster because they all have different purposes. The Cluster option is not intended to increase density per se, but to allow developments to cluster together while having open space in areas that would not be considered buildable. The PVFD is an incentive-based density option for more traditional style developments. If the developer wants some smaller lots, he can negotiate that. The PUD is geared more towards an organized HOA community; sometimes zero lot line communities.

There are issues with base zoning; access issues, sensitive land issues, utility issues, etc. Sometimes it's hard to get the full density being requested. Hopefully with an option of a PUD overlay zone some variance may be allowed in the underlying zone. Boyd Davis

added that through the PUD, a developer could get some flexibility in the standards so it makes it easier to fit their lots in. But the City, in return, will get something as well. They would have to do some amenities or leave some open space. They won't get the flexibility for nothing, they have to give something in return for the flexibility.

There are three important factors to discuss regarding the PUD Sliding Scale. If you want to do a PUD you have to 1. Give some open space 2. Do required bonus incentives, amenities, etc 3. In return you will get an increased number of lots. Staff is proposing to have a sliding scale on the amount of open space a developer can get. Currently in the Code there is a hard line of 25%. If you give 25% open space, you can qualify for a PUD. Staff is proposing to give developers some options. They can give whatever amount of open space they want, but the number of additional lots that they get is directly related to the amount of open space given. For example if they give 20% open space, they would max out at five additional lots, on a 10 acre development. This is just a random example. It could be prorated, but this is what it would look like for a 10 acre project. Staff just came up with the number as a place to start discussion from. They discussed what would be appropriate to give a developer in return for the open space and amenities. On 10 acres, they felt that 10 lots would be too much, two lots seemed like too little, so they settled on five. They are open to input on that. In addition, Staff is proposing that there be a bare minimum lot size that they could never go below even if they qualify for the PUD. In addition to the open space, they would also need to qualify for the bonus incentives. Jake Shepherd asked about situations with R-1 and zero lot lines. Boyd Davis said that is something they will get into and discuss shortly. Jake Shepherd asked, "If you have 10 acres and two of them are unbuildable, would that qualify if they improved it?" Boyd Davis said it would qualify but they haven't decided anything definite yet on improvement standards. Troy Moyes commented that hopefully, through the General Plan changes, we can still get the feel of an R-1 zone, but if they want some higher density, consider changing the base zone for them to have an option to do a PUD. The commissioners were a little uncomfortable with the bare minimum lot size of 8,000 sqft. Troy Moyes said they are trying to reformat the Code and just scratching the surface with this proposed sliding scale. They will create standards. There could be a minimum lot width standard. There will be standards put into the Code to prevent something that is undesirable. The standards are something that will help keep the feel of the R-1 zone, but wouldn't change the density. Boyd reminded the commissioners that the numbers can change; they are purely suggestions. All of the commissioners agreed that they are in favor of having the sliding scale.

Korey Kap asked what the larger cities are doing with their PUD ordinances. Boyd Davis responded that our Code is very similar to Layton City's Code. A lot of cities do their PUD zone as its own separate zone. It's not an overlay zone on top of another zone. A traditional PUD in most cities is like a condominium project; they don't have yards or fences, it's 100% open space. We are trying to use the PUD to do three separate things, a traditional PUD (what was just described), to allow some flexibility for standard subdivisions that have fences and yards, and to allow clustering. The only way to combine all three of those into one is to do this type of thing with a sliding scale which will allow some flexibility. If it is too hard to combine all of those and have this type of system, we need to consider that. Boyd Davis reminded the commission that net density and gross density will still be part of the calculation.

Staff is going to propose that when the standards are set regarding the open space that it must be improved, useable and accessible. Boyd went through an example for the commission to think about. If the property is 10 acres, at two units per acre they would get 20 lots under the base zone. If they give 10% open space, which would be one acre they would have to give up, they would get one additional lot for a total of 21 lots. That would be the smallest they could do. If they give up 10% open space they would get one extra lot.

Boyd Davis then discussed the benefits of doing that. It provides a benefit to the developer because they can vary the standards of the lot sizes and dimensions. If they need some flexibility on their dimensions, they can qualify for it there. It is a legislative decision, meaning the City Council has the final say on it and they may approve or deny it with or without a reason. The developer can get some increased density for doing this. There is variability in the open space requirement. They don't have to just give 25%; they can choose how much open space they want to give. The development will be enhanced with the amenities. The open space will be developed; improved, accessible and useable for the residents. This will provide an incentive to the developers to be more creative in their design. The sliding scale allows them to combine the three codes into one code. If they are in the 10%-20% range that will be geared more towards a traditional subdivision that has fences, yards and lots. Once you go beyond that, it will be more of a PUD type development where it's an HOA with no fences, no yards and everything is common space. The sliding scale allows the three codes to be meshed into one code. Staff has created the sliding scale for all three zones.

Korey Kap expressed a need to make this simple enough for anyone to be able to read the Code and understand what is allowed. Boyd Davis said the Code is something even the developers have to read and study. It tends to be complicated. There really isn't any way to write the Code for everyone to understand without delving into it and studying it. An option would be to get rid of the PUD ordinance and keep it to the base zone and its standards. All of the commissioners support the idea of having the PUD option available. All of the commissioners also support the idea of incorporating the sliding scale to add variety and give flexibility. They also all supported the idea of dropping the base zones back to the previous standards.

REGULAR MEETING

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer:** given by Troy Moyes

4. Approval of Minutes from May 24, 2018.

Jeff Macfarlane made a motion to approve the minutes from the meeting held on May 24, 2018, as written. Brad Lee seconded the motion. All voted aye.

5. Public Comments: None given

6. Public Hearing regarding the Rezone applicaton for property located at approximately 3550 West 800 North, Psion Homes, applicant.

Troy Moyes reviewed the application. John Nelson from Psion Homes is requesting a rezone of 10 acres of land owned by the Manning family that is located at approximately 3550 West 800 North. The request is to rezone it from A-40 to R-2 Residential as indicated on the West Point City's General Plan.

A. Public Hearing

There were no comments given. 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 rezone application for property located at approximately 3550 West 800 North, Psion Homes, applicant. Korey Kap seconded the motion. All voted aye.

7. Planning Commission Comments

Jake Shepherd said he felt the sliding scale gave the commission a starting point for discussion. He thanked all who contributed to that.

Brad Lee extended an invitation to everyone to attend the City's Party at the Point celebration. There is so much time and effort put into this celebration and it is well worth it.

Korey Kap thanked Staff for their hard work.

Jeff Macfarlane echoed the previous comments given.

Rob Ortega had no comments.

Brian Vincent thanked Staff for their work on the PUD Code.

8. Staff Update

Boyd Davis said the last City Council meeting was mostly cancelled because of a lack of a quorum. Jeff Turner called in so they could approve the budget. That was all that was discussed.

9. Adjournment

Brad Lee made a motion to reconvene the Work Session at 7:13 p.m. Korey Kap seconded the motion. All voted aye.


Chairperson – Brian Vincent


Secretary – Michelle Bailey