

**West Point City
Planning Commission
3200 West 300 North
August 24, 2017**

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

Visitors: Emmett & Ryan Daugherty, Dan Johnston, Mike Bastian

WORK SESSION

1. Discussion on proposed changes to West Point City Code regarding Dark Sky, regulations.

Councilman Jeff Turner was present to discuss the Dark Sky ordinance. Councilman Turner said he probably spoke too soon. He was going off some of the older areas of West Point. Going through the City standards, we aren't as far off as he originally thought. There are ideas, as far as the color, that could be updated. Councilman Turner continued saying that the nature of our city is what attracted him to West Point. It is slowly moving away from being a farming community. His objective is to keep that image, or the standard, with lighting throughout the City. Currently, the City is replacing burned out bulbs with LED lamps. The purpose of a Dark Sky ordinance is to eliminate bright spots and glare. It seems like, at this time, we are mostly trying to hit the intersections with street lights, as well as the cul-de-sacs. The question is, do we want to look at a different light fixture option in the future; a different style that is more Dark Sky compliant? Boyd Davis commented that Staff has talked about the style we have throughout the City now. There is nothing sacred about the current style; we can change it. Now may be a good time to change to a different style. In the past, we have allowed Rocky Mountain Power to install their basic, standard street light. It is a simple pole with a simple fixture on top. Several years ago, a previous City Manager took it on as his project and got some different ideas on new lights. He chose one and got it approved by the City Council and that is what we use now. We don't purchase them from Rocky Mountain Power any longer. We purchase them from a custom vendor. The City has purchased and installed several of them. Every developer of a new subdivision, must buy that same standard to put in their subdivision. The lamps in front of City Hall have two heads on them, and the ones along 3000 West are single head lights. All collector streets have single heads with the decorative pole and the ones in the subdivisions on residential streets are the same fixture but with a smooth pole. Brad Lee asked if there are plans to replace the old style poles with newer poles? Boyd said there is no plan for replacing them at this time. Boyd said the new light poles cost about \$1,300 per pole. It has been discussed to go back and retrofit the old lights with LED lamps to save energy. That is costly as well but would pay for itself. The color of the light also makes a difference. The bluer the light, the more it reflects. So the blue light will hit the ground and just keep going. The yellow light doesn't reflect as much. Boyd Davis asked if there is any interest in changing the style of lights or going to a full cut off? Brad Lee said he feels like the style we have now is nice. People tend to complain about the lights putting off too much

glare, but then when they have burglaries in their neighborhood, they change their mind and are glad to have the street lights. Brad does feel like we should retrofit some of the lights within the City. Brian Vincent asked if we could put it in the budget to retrofit some lights each year. Brad Lee asked if Rocky Mountain Power gives some grant money if you go with the LED lights which are more energy efficient. Boyd said that retrofitting to LED lamps is being discussed and considered at this time; changing out the poles hasn't been discussed.

2. Discussion regarding a Conditional Use Permit for an Accessory Apartment, located at 2677 West 300 North, Ryan Daugherty, applicant.

Troy Moyes reviewed the application and Staff Report. Ryan Daugherty is seeking a Conditional Use Permit for an accessory apartment located on his property at 2677 West 300 North. The applicant would like to use his accessory building as an accessory apartment for his mother. Recently the City Council, with a recommendation from the Planning Commission, changed the Code to allow accessory apartments to be located in accessory buildings as long as the accessory building maintains the same setback as the main dwelling unit. Staff has reviewed the application and found that it meets all the requirements set forth in City Code. Jake Shepherd asked if the building is up to Code. Troy Moyes said the City Inspector has inspected the building and it meets all of the Code requirements.

3. Discussion regarding Final Plat Approval for Oleson Fields Subdivision, located at approximately 700 North 3000 West, Castle Creek Homes, applicant.

Troy Moyes reviewed the application and Staff Report. Castle Creek Homes is seeking Final Plat approval for the Oleson Field Subdivision located at approximately 800 North 3000 West. The Planning Commission, on July 13, 2017, approved the Preliminary Plan for this 14-acre development that will consist of 35 lots ranging from 9,000 square feet up to 28,000 square feet. Staff has provided comments back to the developer for their review and comments. Mike Bastian, representing the developer, was present to answer questions. Some of the comments on the Staff Report include items needed. The plans need to show a two foot landscape area on 3000 West that is similar to Wise Country Meadows, Phase 1. Landscape plan for this area must be approved by the Planning Commission. They need to address a small parcel owned by the Wise family. They need to obtain a final approval letter from Davis Weber Canal Company. They have received a letter but not a final approval on it. Lots showing draining to the rear yard; it's not allowed without yard drains. They also need to submit a Geo-tech report. Mike Bastian said the Geo-tech report should be done tomorrow. Regarding the letter from Davis Weber Canal, there are just small items to be changed on the plans. Regarding the small parcel of ground owned by the Wise family, it is a simple thing to clear up with the County. The biggest item is the landscape design along 3000 West. They intend to match what was done along the side of Wise Country Meadows, but he didn't have a physical copy of the plan to turn in at this time. Troy Moyes told the Commission they can move this forward to City Council and hope the items are done before the Council addresses it, or they can table the subdivision until the items listed have been taken care of. They are going to do a landscape easement rather than actually dedicating it to an HOA. An HOA will maintain the easement but they won't own that property. The commissioners all felt

that it was a list they would like to see cleaned up before forwarding on to City Council. Mike Bastian agreed that tabling the item would give him time to get it cleaned up and everything taken care of. A brief discussion took place regarding the home that is proposed to be built on Lot 137, the small frontage lot.

4. Discussion on proposed changes to West Point City Code regarding Fencing, Landscape, and Driveway Width regulations.

Due to a lack of time, Boyd Davis suggested that Landscaping be discussed first since it is the highest priority of Code changes. Troy Moyes said a lot of time was spent discussing this during the last meeting. Layton City's Code is similar to West Point City's Code, but they added a portion regarding 50% of living material needing to be in the landscaped area. Some considerations that we could do would be to allow 50% of the landscaped area to be living material. We could allow artificial products to be used as long as they mimic the real thing; AstroTurf would be an example of that. We could allow 100% artificial/non-living material to be used with a conditional use approval. Brian Vincent commented that we don't want to limit a home owner's creativity or their ability to do what they want to do. Some of the xeriscape yards look really nice although they have essentially no living material. Boyd Davis said this topic of discussion came up because of a specific situation within the City. There have been complaints regarding this property. Our Code Enforcement Officer tried to enforce the Code but nothing changed. This has been brought up with the City Attorney. Our attorney called back and said he can't send a letter to this resident because the Code is not specific enough. Staff recommends that the Code be clarified. Boyd Davis said his opinion is that xeriscaping, artificial turf, etc. are acceptable, but there are situations where a definite standard needs to be applied. This is not the only property that has had complaints on it. Jeremy Strong said he hates telling someone what they can do with their yard. But, we are a community and have to look out for each other's needs. Jeremy said he would be ok with placing a percentage in the Code requiring a certain amount of living material unless they bring in a detailed landscape plan and obtain a Conditional Use Permit. Jeff Macfarlane agreed with Jeremy in that he hates to tell people what they can do with their own yards, but he feels they should at least have 50% of their landscape in living material. Jeff also feels that if people want to take care of their yard, they will. If they don't want to take care of it, no matter how much living material they have to begin with, they won't take care of it. Brad Lee said he leans more towards setting a required percentage of living material. The nuisance ordinance also comes into play with some situations when smells and rodents come into play. Rob Ortega said he isn't sure we can fix the problem with the Code.

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jeff Macfarlane
4. **Approval of Minutes from August 10, 2017.**

Jeff Macfarlane made a motion to approve the minutes from the meeting held on August 10, 2017, as written. Rob Ortega seconded the motion. All voted aye.

5. **Public Comments:** None given
6. **Conditional Use Permit for an Accessory Apartment, located at 2677 West 300 North, Ryan Daugherty, applicant.**

Troy Moyes reviewed the application. Ryan Daugherty is seeking a Conditional Use Permit for an accessory apartment located on his property at 2677 West 300 North. He would like to use his accessory building as an accessory apartment for his mother. Recently, the City Council, with a recommendation from the Planning Commission, changed the Code to allow accessory apartments to be located in accessory buildings as long as the accessory building maintains the same setback as the main dwelling unit. Staff has reviewed the application and found that it meets all the requirements set forth in City Code. There were no questions from the Commission for Mr. Daugherty.

Jeremy Strong made a motion to approve the Conditional Use Permit for an accessory apartment, located at 2677 West 300 North, Ryan Daugherty, applicant. Korey Kap seconded the motion. All voted aye.

7. **Final Plat Approval for Oleson Fields Subdivision, located at approximately 700 North 3000 West, Castle Creek Homes, applicant.**

Troy Moyes reviewed the Staff Report. Castle Creek Homes is seeking Final Plat approval for the Oleson Field Subdivision, located at approximately 800 North 3000 West. The Planning Commission, on July 13, 2017, approved the Preliminary Plans for this 14-acre development that will consist of 35 lots ranging from 9,000 square feet up to 28,000 square feet. Staff has provided comments back to the developer for their review and comments. Brian Vincent said there were a handful of comments on the memorandum from Staff that were reviewed and discussed in the Work Session. Due to the length of the list, and a couple of the specific items on that list, the Commission isn't comfortable forwarding this to City Council. These things were discussed with the developer in the Work Session, and he understands what needs to be done before approval will be granted.

Brian Vincent made a motion to table the Final Plat Approval for Oleson Fields Subdivision, located at approximately 700 North 3000 West, Castle Creek Homes, applicant, until the list is cleaned up. Korey Kap seconded the motion. All voted aye.

8. Planning Commission Comments

Rob Ortega thanked Staff.

Jeff Macfarlane thanked Staff for the research that they do on the items that are addressed in the meetings.

Korey Kap thanked Staff.

Jake Shepherd had no comments.

Brad Lee thanked Staff.

Jeremy Strong had no comments.


Brian Vincent echoed the appreciative comments about Staff. Also, a special thanks to Councilman Jeff Turner for addressing the Commission in the Work Session.

9. Adjournment

Brad Lee made a motion to adjourn at 7:13 p.m. Jeff Macfarlane seconded the motion. All voted aye.



Chairperson – Brian Vincent



Secretary – Michelle Bailey

