



## WEST POINT CITY COUNCIL NOTICE & AGENDA

West Point City Hall  
3200 West 300 North  
West Point City, UT 84015  
**February 18, 2020**

### Mayor

Erik Craythorne

### Council

Gary Petersen, Mayor Pro Tem

Jerry Chatterton

Andy Dawson

R. Kent Henderson

Annette Judd

### City Manager

Kyle Laws

### ADMINISTRATIVE SESSION

6:00 PM (Board Room) – OPEN TO THE PUBLIC

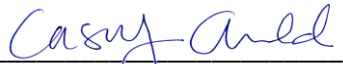
1. Discussion Regarding City Street Light Replacement – Mr. Boyd Davis pg. 5
2. Discussion Regarding Accessory Building Standards – Mr. Boyd Davis pg. 11
3. Discussion Regarding the PRUD Code – Mr. Boyd Davis pg. 19
4. Other Items

### GENERAL SESSION

7:00 PM (Council Chambers) – OPEN TO THE PUBLIC

1. Call to Order
2. Pledge of Allegiance
3. Prayer (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
4. Communications and Disclosures from City Council and Mayor
5. Communications from Staff
6. Citizen Comment (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives)
7. Consideration of Approval of the Minutes from the February 4, 2020 West Point City Council Meeting pg. 25
8. Consideration of Approval of Resolution No. 02-18-2020A, Recognizing Former Mayor Howard F. Stoddard for his Service to the Community & Approving a Portion of the West Point Trail to be Renamed in his Honor – Mr. Kyle Laws pg. 35
9. Consideration of Approval of Ordinance No. 02-18-2020A, Rezoning Property Located at Approximately 1000 N 5000 W from A-40 (Agriculture) to the R-1 (Residential) Zone – Mr. Boyd Davis pg. 41
  - a. Public Hearing
  - b. Action
10. Motion to Adjourn the General Session

Posted this 14<sup>th</sup> day of February, 2020

  
CASEY ARNOLD, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.



## **TENTATIVE UPCOMING ITEMS**

**Date:** **03/03/2020**

**Administrative Session – 6:00 pm**

1. Discussion Regarding the Municipal Waste Water 2019 Report – Mr. Kasey Gibson

**General Session – 7:00 pm**

1. Davis County Sherriff's Office Quarterly Update
  2. Youth Council Update
  3. Consideration of Approval of Resolution No. 03-03-2020A, Approving the Municipal Waste Water Plan for 2019 – Mr. Kasey Gibson
  4. Consideration of Approval to Place the Isla Vista Subdivision on One-Year Warranty – Mr. Boyd Davis
  5. Consideration of Approval of Ordinance No. 03-03-2020A, Amending Section \*\* of the WPCC Code Regarding Accessory Buildings – Mr. Boyd Davis
    - a. Public Hearing
    - b. Agenda
  6. Consideration of Approval of Ordinance No. 03-03-2020B, Amending Section \*\*\* of the WPCC Code the PRUD Zone – Mr. Boyd Davis
    - a. Public Hearing
    - b. Action
- 

**Date:** **03/17/2020**

**Administrative Session – 6:00 pm**

**General Session – 7:00 pm**

1. West Point Youth Council Essay Contest Winners
- 

**Date:** **04/07/2020**

**Administrative Session – 6:00 pm**

**General Session – 7:00 pm**

1. Youth Council Update
- 

**Date:** **04/21/2020**

**Administrative Session – 6:00 pm**

1. Discussion Regarding the FY2020 Amended Budget and the FY2021 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

**General Session – 7:00 pm**

**Date:** **05/05/2020**

**Administrative Session – 6:00 pm**

1. Code Enforcement Update – Mr. Bruce Dopp
2. Discussion Regarding the FY2020 Amended Budget and the FY2020 Tentative Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

**General Session – 7:00 pm**

1. Youth Council Update
2. Consideration of Approval of Resolution No. 05-05-2020A, Approving the FY2020 Amended Budget for West Point City and All Related Agencies – Mr. Ryan Harvey
  - a. Public Hearing
  - b. Action



# WEST POINT CITY 2020 CALENDAR

2020

IMPORTANT DATES

## JANUARY

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     | 1   | 2   | 3   | 4   |
| 5   | 6   | 7   | 8   | 9   | 10  | 11  |
| 12  | 13  | 14  | 15  | 16  | 17  | 18  |
| 19  | 20  | 21  | 22  | 23  | 24  | 25  |
| 26  | 27  | 28  | 29  | 30  | 31  |     |

## FEBRUARY

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     |     |     | 1   |
| 2   | 3   | 4   | 5   | 6   | 7   | 8   |
| 9   | 10  | 11  | 12  | 13  | 14  | 15  |
| 16  | 17  | 18  | 19  | 20  | 21  | 22  |
| 23  | 24  | 25  | 26  | 27  | 28  | 29  |

## MARCH

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
| 1   | 2   | 3   | 4   | 5   | 6   | 7   |
| 8   | 9   | 10  | 11  | 12  | 13  | 14  |
| 15  | 16  | 17  | 18  | 19  | 20  | 21  |
| 22  | 23  | 24  | 25  | 26  | 27  | 28  |
| 29  | 30  | 31  |     |     |     |     |

## APRIL

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     | 1   | 2   | 3   | 4   |
| 5   | 6   | 7   | 8   | 9   | 10  | 11  |
| 12  | 13  | 14  | 15  | 16  | 17  | 18  |
| 19  | 20  | 21  | 22  | 23  | 24  | 25  |
| 26  | 27  | 28  | 29  | 30  |     |     |

## MAY

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     |     | 1   | 2   |
| 3   | 4   | 5   | 6   | 7   | 8   | 9   |
| 10  | 11  | 12  | 13  | 14  | 15  | 16  |
| 17  | 18  | 19  | 20  | 21  | 22  | 23  |
| 24  | 25  | 26  | 27  | 28  | 29  | 30  |
| 31  |     |     |     |     |     |     |

## JUNE

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     | 1   | 2   | 3   | 4   | 5   | 6   |
| 7   | 8   | 9   | 10  | 11  | 12  | 13  |
| 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 21  | 22  | 23  | 24  | 25  | 26  | 27  |
| 28  | 29  | 30  |     |     |     |     |

## JULY

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     | 1   | 2   | 3   |
| 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 11  | 12  | 13  | 14  | 15  | 16  | 17  |
| 18  | 19  | 20  | 21  | 22  | 23  | 24  |
| 25  | 26  | 27  | 28  | 29  | 30  | 31  |

## AUGUST

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     |     |     | 1   |
| 2   | 3   | 4   | 5   | 6   | 7   | 8   |
| 9   | 10  | 11  | 12  | 13  | 14  | 15  |
| 16  | 17  | 18  | 19  | 20  | 21  | 22  |
| 23  | 24  | 25  | 26  | 27  | 28  | 29  |
| 30  | 31  |     |     |     |     |     |

## SEPTEMBER

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     | 1   | 2   | 3   | 4   | 5   |
| 6   | 7   | 8   | 9   | 10  | 11  | 12  |
| 13  | 14  | 15  | 16  | 17  | 18  | 19  |
| 20  | 21  | 22  | 23  | 24  | 25  | 26  |
| 27  | 28  | 29  | 30  |     |     |     |

## OCTOBER

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     |     | 1   | 2   | 3   |
| 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 11  | 12  | 13  | 14  | 15  | 16  | 17  |
| 18  | 19  | 20  | 21  | 22  | 23  | 24  |
| 25  | 26  | 27  | 28  | 29  | 30  | 31  |

## NOVEMBER

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
| 1   | 2   | 3   | 4   | 5   | 6   | 7   |
| 8   | 9   | 10  | 11  | 12  | 13  | 14  |
| 15  | 16  | 17  | 18  | 19  | 20  | 21  |
| 22  | 23  | 24  | 25  | 26  | 27  | 28  |
| 29  | 30  |     |     |     |     |     |

## DECEMBER

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
|     |     | 1   | 2   | 3   | 4   | 5   |
| 6   | 7   | 8   | 9   | 10  | 11  | 12  |
| 13  | 14  | 15  | 16  | 17  | 18  | 19  |
| 20  | 21  | 22  | 23  | 24  | 25  | 26  |
| 27  | 28  | 29  | 30  | 31  |     |     |

## JANUARY

|       |                                           |
|-------|-------------------------------------------|
| 1     | New Year's Day - CLOSED                   |
| 9     | Planning Commission - 6 PM                |
| 10-11 | City Council Planning & Visioning Session |
| 13    | Senior Lunch - 11:30 AM                   |
| 20    | MLK Jr. Day - CLOSED                      |
| 21    | City Council - 6 PM                       |
| 23    | Planning Commission - 6 PM                |

## FEBRUARY

|    |                                |
|----|--------------------------------|
| 4  | City Council - 6 PM            |
| 10 | Senior Lunch - 11:30 AM        |
| 12 | Council/Staff Lunch - 11:30 AM |
| 13 | Planning Commission - 6 PM     |
| 17 | President's Day - CLOSED       |
| 18 | City Council - 6 PM            |
| 27 | Planning Commission - 6 PM     |

## MARCH

|    |                            |
|----|----------------------------|
| 3  | City Council - 6 PM        |
| 12 | Planning Commission - 6 PM |
| 16 | Senior Lunch - 11:30 AM    |
| 17 | City Council - 6 PM        |
| 26 | Planning Commission - 6 PM |

## APRIL

|    |                            |
|----|----------------------------|
| 7  | City Council - 6 PM        |
| 9  | Planning Commission - 6 PM |
| 11 | EASTER EGG HUNT - 10 AM    |
| 13 | Senior Lunch - 11:30 AM    |
| 21 | City Council - 6 PM        |
| 23 | Planning Commission - 6 PM |

## MAY

|    |                                |
|----|--------------------------------|
| 5  | City Council - 6 PM            |
| 7  | CEMETERY CLEANING              |
| 13 | Council/Staff Lunch - 11:30 AM |
| 14 | Planning Commission - 6 PM     |
| 16 | TAKE PRIDE DAY                 |
| 18 | Senior Lunch - 11:30 AM        |
| 19 | City Council - 6 PM            |
| 25 | Memorial Day - CLOSED          |
| 28 | Planning Commission - 6 PM     |

## JUNE

|    |                              |
|----|------------------------------|
| 2  | City Council - 6 PM          |
| 6  | MISS WEST POINT @ SHS - 7 PM |
| 11 | Planning Commission - 6 PM   |
| 12 | MOVIE IN THE PARK            |
| 15 | Senior Lunch - 11:30 AM      |
| 16 | City Council - 6 PM          |
| 25 | Planning Commission - 6 PM   |

## JULY

|     |                               |
|-----|-------------------------------|
| 3-4 | PARTY AT THE POINT EVENTS     |
| 6   | Independence Holiday - CLOSED |
| 7   | City Council - 6 PM           |
| 9   | Planning Commission - 6 PM    |
| 13  | Senior Lunch - 11:30 AM       |
| 17  | MOVIE IN THE PARK - 7PM       |
| 21  | City Council - 6 PM           |
| 23  | Planning Commission - 6 PM    |
| 24  | Pioneer Day - CLOSED          |

## AUGUST

|    |                            |
|----|----------------------------|
| 4  | City Council - 6 PM        |
| 6  | Summer Party - 6:30 PM     |
| 13 | Planning Commission - 6 PM |
| 14 | Senior Dinner - 5 PM       |
| 14 | MOVIE IN THE PARK - 7PM    |
| 18 | City Council - 6 PM        |
| 27 | Planning Commission - 6 PM |

## SEPTEMBER

|    |                            |
|----|----------------------------|
| 1  | City Council - 6 PM        |
| 7  | Labor Day - CLOSED         |
| 10 | Planning Commission - 6 PM |
| 11 | MOVIE IN THE PARK - 7 PM   |
| 14 | Senior Lunch - 11:30 AM    |
| 15 | City Council - 6 PM        |
| 24 | Planning Commission - 6 PM |

## OCTOBER

|    |                                |
|----|--------------------------------|
| 1  | CEMETERY CLEANING              |
| 6  | City Council - 6 PM            |
| 8  | Planning Commission - 6 PM     |
| 12 | Employee Training - CLOSED     |
| 14 | Council/Staff Lunch - 11:30 AM |
| 16 | HALLOWEEN CARNIVAL - 7 PM      |
| 19 | Senior Lunch - 11:30 AM        |
| 20 | City Council - 6 PM            |
| 22 | Planning Commission - 6 PM     |

## NOVEMBER

|       |                            |
|-------|----------------------------|
| 3     | ELECTION DAY               |
| 9     | FLAGS ON VETERANS' GRAVES  |
| 11    | Veterans Day - CLOSED      |
| 12    | Planning Commission - 6 PM |
| 16    | Senior Lunch - 11:30 AM    |
| 17    | City Council - 6 PM        |
| 26-27 | Thanksgiving - CLOSED      |
| 30    | CITY HALL LIGHTING - 6 PM  |

## DECEMBER

|       |                            |
|-------|----------------------------|
| 1     | City Council - 6 PM        |
| 4     | Christmas Party - 7 PM     |
| 6     | CHILD REMEMBRANCE - 7 PM   |
| 10    | Planning Commission - 6 PM |
| 14    | Senior Lunch - 11:30 AM    |
| 15    | City Council - 6 PM        |
| 16    | Staff Christmas Party      |
| 18    | CEMETERY LUMINARY - 4 PM   |
| 24-25 | Christmas - CLOSED         |

# City Council Staff Report

**Subject:** Streetlight Standards  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** February 18, 2020



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## **Background**

One of our lighting providers recently showed us a new style of light that is dark sky compliant. He would like to show these to the City Council to get your input and to possibly make a change to West Point City's standard.

Clinton City has decided to change their standard to the new dark sky compliant light and will be using them on the 800 N project. In order to be consistent along that road, we will put the same lights on our side of the road. This may be a good time to change our standard as well.

## **Analysis**

The main difference between our current standard and the new lights is the elimination of the glass. The glass lens refracts the light and can direct light upwards making it non-compliant for dark sky. In addition, the led lamp is housed in the upper casing that so light is directed downward only. Attached to this report are pictures of our current standard and the proposed light.

The streetlights shown on the attached drawings are for collector roads only. The City also has a standard light for residential streets, but it does not have a metal cage around the glass. This means that it would need to be replaced with a different light (most likely the collector streetlight) in order to be dark sky compliant. A picture of the current residential light is also attached.

## **Recommendation**

No action required, but any input from the Council would be helpful.

## **Significant Impacts**

None

## **Attachments**

Street Light Standards

## Current Standard

**ORDERING GUIDE:**

CA103H: LUMINAIRE TYPE III OPTICS W/ FAWS  
CA103L: LUMINAIRE WITH TYPE V OPTICS W/ FAWS  
CA103A: LUMINAIRE TYPE V OPTICS W/O FAWS

# WEST POINT CITY LP-2

14'

25.75'

Philips LEDgine

Bottom View

Steetside

Houseside

LENS: TEMPERED GLASS  
HEAT SINK: DIE-CAST ALUMINUM  
LENS FRAME: DIE-CAST ALUMINUM  
PHILIPS LEDGINE, SEE SPECIFICATIONS

| FAWS POS. | SYSTEM WATTAGE |
|-----------|----------------|
| 1         | 35             |
| 2         | 64             |
| 3         | 76             |
| 4         | 92             |
| 5         | 99             |
| 6         | 108            |
| 7         | 116            |
| 8         | 123            |
| 9         | 130            |
| 10        | 138            |

\*Factory set to position 10\*

**LED PHOTOCELL INTERMATIC: EK4536KL 10 YEAR WARRANTY\***

**FIXTURE BY STEVENS SALES HADCO FIXTURE SEE ORDERING GUIDE**

Philips LEDgine Specifications

- 64, 3000K (cool) Philips Lumileds Luxeon T LEDs, typical 75 Color Rendering Index (CRI), >100,000 hours of operational life (at 25°C ambient temperature & 70% lumen maintenance), injection molded Type III or Type V optical plates, IP66 rated LED module.
- Integral Philips Advance Xitanium LED driver, class 1, IP66 rated, 700mA, IntelliVolt 120-277 VAC, 50-60 Hz, RoHS compliant, field replaceable 10kV/10kA surge suppression.
- Type III; Delivered lumens: 12640, Wattage: 137W. Type V; Delivered lumens: 13093, Wattage: 137W.
- Field Adjustable Wattage Switch (FAWS).

17.90

43.62

FINIAL: CAST ALUMINUM  
ROOF: SPUN ALUMINUM  
CAGE ASSEMBLY: DIE-CAST ALUMINUM W/ (4) LEGS EA. W/ SQUARE DECORATIVE FLOWER BLOCK, FLUTED RECTANGULAR BAND AROUND TOP OF CAGE  
GLOBE: VERTICAL RIBBED ACRYLIC  
DRIVER COVER: DIE-CAST ALUMINUM  
CAMDEN ADAPTOR: DIE-CAST ALUMINUM  
DRIVER ENCLOSURE: DIE-CAST ALUMINUM W/ SIDE HINGED ACCESS DOOR, TWIST-LOCK PHOTO CONTROL (eye supplied by others), 3" I.D. SLIP FITTER  
FASTENERS: STAINLESS STEEL HEX HEAD BOLTS

14'

25.75'

**\*\* CONFIDENTIAL \*\***

The information contained in this drawing is privileged and confidential, and may be protected from disclosure. Please be aware that any use or

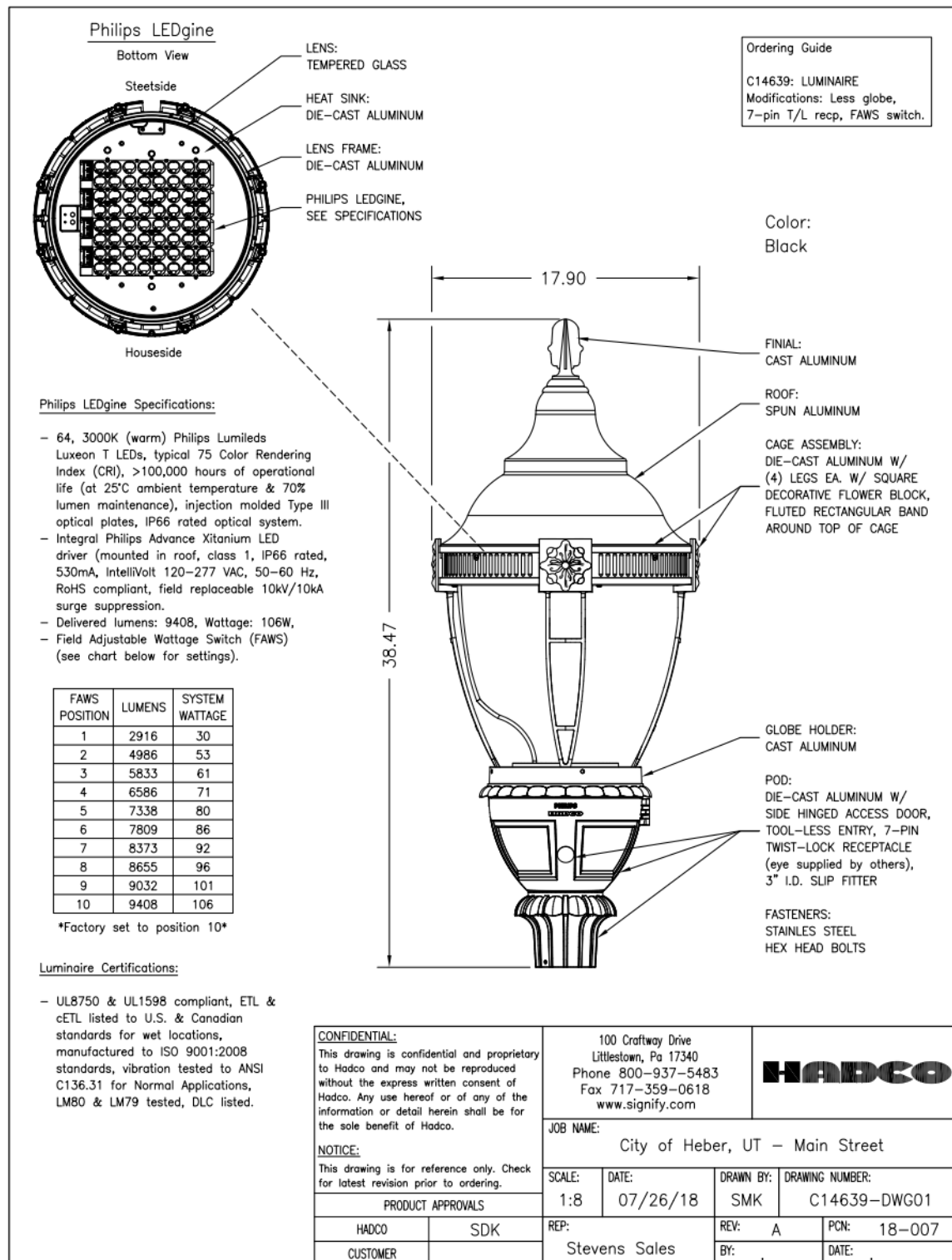
**SSCO** Since 1914  
**Stevens Sales Company**

CONTACT: CARSON FILLIN WITH STEVENS SALES COMPANY  
CELL: 801-682-5893 OFFICE: 801-487-8971  
CARSON@SSCO.NET

**PHILIPS HADCO**

DATE: A  
REV: 1  
C4103-DWG10/03  
ARTERIAL/COLLECTOR STREET LIGHT 1/2

## Proposed Standard



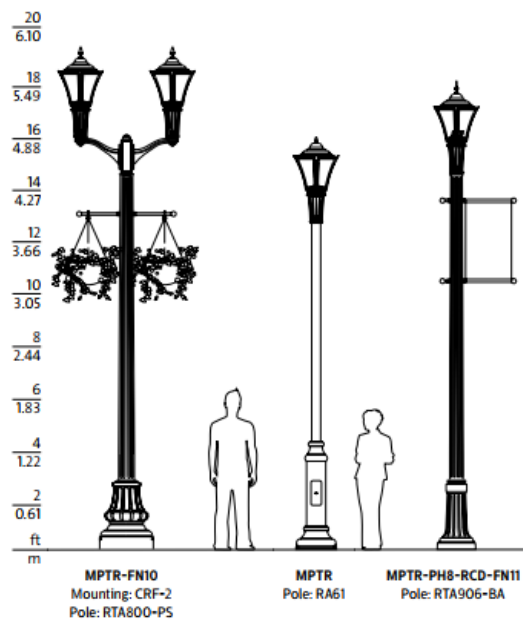
## Clinton new Standard

# MPTR-C MetroScape LED Post Top with Comfort Optics

## Urban Luminaire

### Specifications (continued)

#### Poles



Consult [signify.com/outdoorluminaires](http://signify.com/outdoorluminaires) for details and the complete line of Signify poles and brackets.



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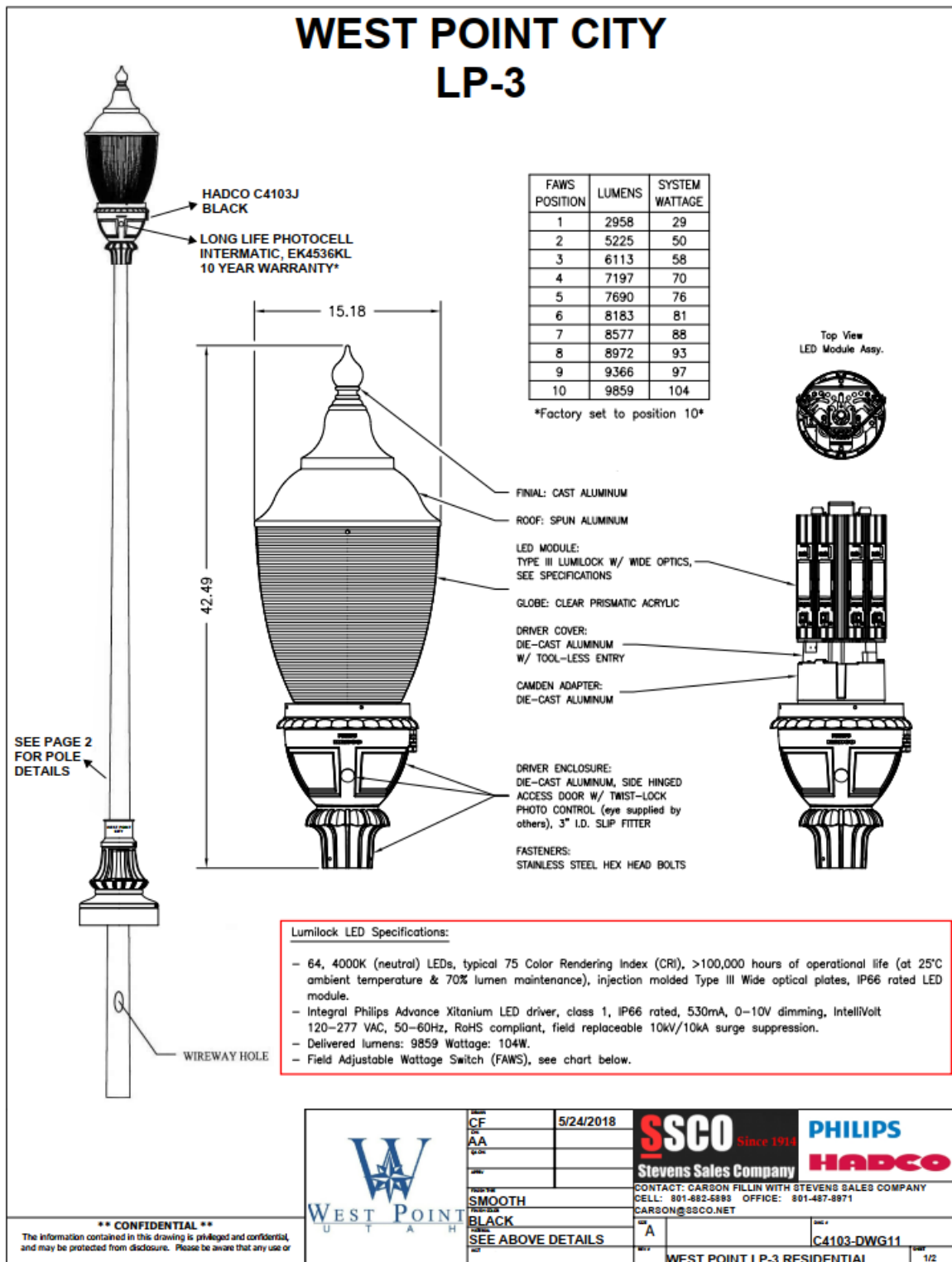
MetroScape=MPTR-C-comfort-spec 01/19 page 5 of 5

Signify North America Corporation  
200 Franklin Square Drive,  
Somerset, NJ 08873  
Telephone 855-486-2216

Signify Canada Ltd.  
281 Hillmount Road,  
Markham, ON, Canada L6C 2S3  
Telephone 800-868-9008

[www.lumec.com](http://www.lumec.com)

## Current Residential Standard





# City Council Staff Report

**Subject:** Accessory Building Standards  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** February 18, 2020



## **Background**

The Planning Commission has been working on a proposal for some modifications to the accessory building standards contained in the City Code. This began as a request from the Planning Commission to have Staff review the code specifically for standards for the exterior finishes of accessory buildings that are on the side-yard of a home and visible from the street. While reviewing the code the Commission decided to make some other changes that they would like to recommend to the Council.

## **Analysis**

The Planning Commission's recommendation focuses on five different items in the code:

- **Design standards for accessory buildings in side yards.**  
Any accessory building constructed in the side yard must have exterior building materials that meet the same requirements as the house. An exception is given for an accessory building that is less than 200 sqft and is located at least 10' behind the front plane of the house.
- **An updated definition of "front yard"**  
The definition has been changed to clarify that the front yard setback is measured along the curve when the front lot line is curved, such as on a cul-de-sac lot.
- **Reduced setback between an accessory building and the principle structure.**  
The setback between the accessory building and the house has been reduced from 10' to 5' as allowed in the fire code.
- **Regulations for temporary structures.**  
Temporary structures, such as metal carports, must be 10' behind the front plane of the house and behind a 6' privacy fence. Otherwise it is subject to the same rules as other accessory buildings. The code has also been modified to prohibit items such as shipping containers, box cars, or similar items from being used as an accessory building unless approved by the Planning Commission.
- **Modified rules for administrative approval.**  
The code has been modified to allow Staff to approve accessory buildings up to 1,200 sqft in size (or 15% of the lot area) rather than 1,000 sqft. This will reduce the number of accessory buildings that the Planning Commission must review. The regulations for accessory buildings are all contained in the code and can easily be reviewed and approved by Staff.

The recommended changes to the code are shown in the attached document.

**Recommendation**

No action required tonight as this is for discussion only.

**Significant Impacts**

None

**Attachments**

Proposed Code

#### 17.10.020 Definitions.

~~“Yard, front” means an open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.~~

~~“Yard, front, depth” means the shortest distance, measured horizontally, between any part of the main building foundation, other than parts herein excepted, and the front lot line. Such depth shall be measured from the front lot line; provided, however, that if the proposed location of the right-of-way line of such street as adopted by West Point City in the major street plan differs from that of the existing street, then the required front yard depth shall be measured from the right-of-way line of such street as adopted; or said building shall comply with official setback lines as adopted by the city.~~

“Yard, front” means an open, unoccupied yard extending across the full width of the lot adjacent to and measured perpendicularly from the front lot line and having, at no point, a depth of less than the minimum required horizontal distance between the front lot line and the closest permissible location of the principal building.

#### 15.15.120 Accessory buildings.

All accessory buildings shall be located in the rear yard at least ~~10-5~~ feet from any on-site dwelling structure and at least 15 feet from any dwelling structure on an adjacent lot.

A. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of all ordinances applicable to the main building. If an accessory building is attached to the main building, it is no longer an accessory building. It is a portion of the main building and all setbacks for the structure must be maintained.

B. Accessory buildings in any zone shall occupy no more than 20 percent of the lot area less the area of the footprint of the main building and shall be separated by not less than ~~10-5~~ feet. If there is more than one accessory building on a lot, the combined area of all accessory buildings shall occupy no more than 20 percent of the lot less the area of the footprint of the main building.

C. Accessory buildings on a lot of 15,000 square feet or less shall have a roofline equal to or less than the residential dwelling on the same lot.

D. Accessory buildings that are more than 1,~~200,000~~ square feet or occupy more than 15 percent of the lot area that are- and located on lots that are less than 15,000 square feet shall require a conditional use permit.

E. All accessory buildings that are more than 1,500 square feet no matter the size of the lot shall require a conditional use permit.

F. An accessory building may protrude into the side yard of the residential dwelling but shall require a conditional use permit and must also fulfill the following commitments:

1. The accessory building must maintain the side yard setback of the residential dwelling.

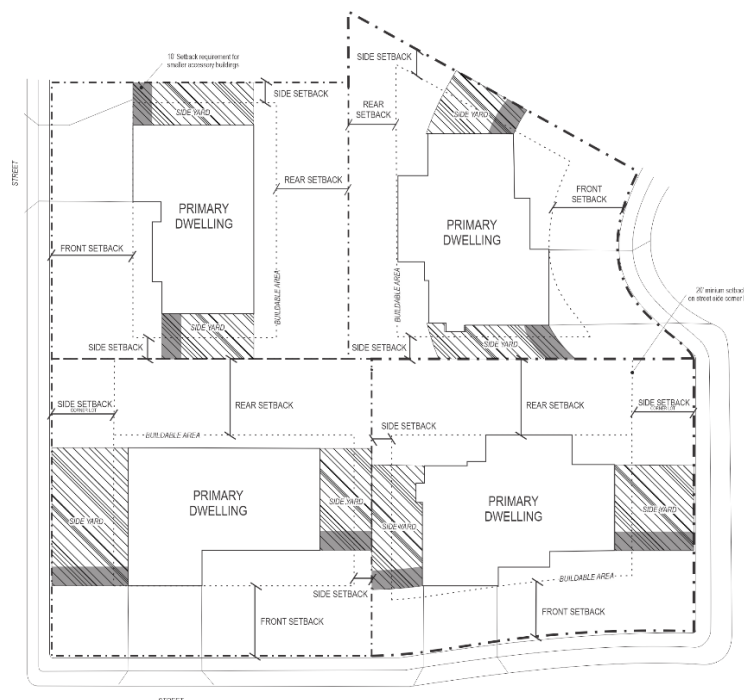
## 2. Exterior material and design

a. Accessory buildings that are less than 200 square feet and are located 10 feet behind the defined front yard (see below Figure 15.20.120-1) are exempt from design standards as outlined in subsection “c” as long as the building is located behind a 6-foot privacy fence.

b. Accessory buildings that are less than 200 square feet and are located closer than 10 feet to the defined front yard (see below Figure 15.20.120-1) must follow the design standards as listed in subsection “c”.

c. All accessory buildings that are greater than 200 square feet and located in any portion of the side yard must adhere to building material standards, as it pertains to the front façade, outlined in 15.15.130(C) of the West Point City Code.

**Figure 15.20.120-1**



~~2. The accessory building shall not create a significant nuisance due to design, construction, or placement to neighboring properties.~~

~~3. The accessory building must not be closer than 15 feet to a residential dwelling on an adjacent lot.~~

G. Accessory buildings shall be limited to one story.

H. ~~Accessory buildings on a vacant lot shall not be allowed except in agricultural zones.~~

I. No part of any accessory building (including eaves and overhangs) shall be closer than one foot from an adjoining property line. For all accessory buildings above 25 feet, an additional one-foot setback is required.

J. Living space in any accessory building may be permitted as set forth in the “accessory apartment” code, Chapter [17.75](#) WPC. [Ord. 08-01-2017B § 1].

K. Other Structures. Additional structures such as pergolas, green houses, awnings, carport, tents, arbors, and trellises, occur to provide outdoor spaces for relaxation and storage. The following apply to each structure type:

1. Temporary carports, tents or similar items are often made out of metal, canvas, or other fabric material with pole support structures. All temporary enclosures of this nature shall:

a. Be securely tethered to the ground at all times.

b. Not be allowed in the front yard setback or between the front facade and the street.

c. Can be located in side yard but not closer than ten feet to the defined front yard, must adhere the setbacks as required for accessory buildings and must be located behind a 6-foot privacy fence.

c. Be repaired, replaced or removed immediately if they fall into disrepair.

d. Not direct water onto neighboring properties.

2. Pergolas, Arbors, Trellises. The following rules shall apply to these types of structures:

a. If attached to home, a building permit is required.

b. Over 200 square feet requires a building permit.

c. No minimum setback required.

d. Shall not direct water onto neighboring properties.

3. Car ports, shed roof, or similar structures which are attached to a residence are additions to the principal structure and must meet all required side, front, and rear setbacks established by the zone. Additions require a building permit.

4. Shipping containers, semitrailers, boxcars, Portable On Demand Storage (PODS) or similar structures are not allowed in any residential zones (unless approved by the Planning Commission) other than for the temporary purposes of moving, construction and remodeling.

#### 17.25.080 Zone regulations chart.

**Zone Regulations Chart**

| ZONING CLASSIFICATION                                               | A-5       | A-40      | R-1       | R-2       | R-3       | R-4       | R-5       | N-C | C-C | R-C | P-O | R/I-P |
|---------------------------------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----|-----|-----|-----|-------|
| <b>ACCESSORY STRUCTURES/USES<sup>3</sup></b>                        |           |           |           |           |           |           |           |     |     |     |     |       |
| Minimum Front Yard <sup>3</sup>                                     | –         | –         | –         | –         | –         | –         | –         | 25' | 25' | 25' | 25' | 50'   |
| Minimum Side Yard (Interior) <sup>3</sup>                           | 1'        | 1'        | 1'        | 1'        | 1'        | 1'        | 1'        | 1'  | 1'  | 1'  | 1'  | 10'   |
| Minimum Side Yard (Street)<br>Corner Lot                            | 20'       | 20'       | 20'       | 20'       | 20'       | 20'       | 20'       | 0'  | 0'  | 0'  | 0'  | 0'    |
| Arterial Street Corner Lot <sup>3</sup>                             | 20'       | 20'       | 20'       | 20'       | 20'       | 20'       | 20'       | 0'  | 0'  | 0'  | 0'  | 0'    |
| Minimum Rear Yard <sup>3</sup>                                      | 1'        | 1'        | 1'        | 1'        | 1'        | 1'        | 1'        | 1'  | 1'  | 1'  | 1'  | 1'    |
| Distance between Accessory and<br>Principal Structures <sup>3</sup> |           |           |           |           |           |           |           |     |     |     |     |       |
| Same Lot                                                            | 10'<br>5' | 10'<br>5' | 10'<br>5' | 10'<br>5' | 10'<br>5' | 10'<br>5' | 10'<br>5' | –   | –   | –   | –   | –     |
| Adjacent Lot                                                        | 15'       | 15'       | 15'       | 15'       | 15'       | 15'       | 15'       | –   | –   | –   | –   | –     |
| <b>HEIGHT</b>                                                       |           |           |           |           |           |           |           |     |     |     |     |       |
| Height Principal Structure                                          | 40'       | 40'       | 40'       | 40'       | 40'       | 40'       | 40'       | 40' | 40' | 60' | 40' | 60'   |
| Height Accessory Structure <sup>3</sup>                             | 30'       | 30'       | 30'       | 30'       | 30'       | 30'       | 40'       | 40' | 40' | 40' | 40' | 20'   |
| Principal Structure Minimum                                         | 12'       | 12'       | 12'       | 12'       | 12'       | 12'       | 12'       | 10' | 12' | 12' | 12' | 12'   |
| Accessory Structure, Maximum<br>Stories <sup>3</sup>                | 1         | 1         | 1         | 1         | 1         | 1         | 1         | –   | –   | –   | –   | –     |
| <b>LOT COVERAGE</b>                                                 |           |           |           |           |           |           |           |     |     |     |     |       |

## Zone Regulations Chart

| ZONING CLASSIFICATION                            | A-5 | A-40 | R-1 | R-2 | R-3 | R-4 | R-5 | N-C | C-C | R-C | P-O | R/I-P |
|--------------------------------------------------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Minimum Open Space <sup>2</sup>                  | –   | –    | 25% | 25% | 30% | 30% | 25% | –   | –   | –   | –   | –     |
| Minimum Landscaping                              | –   | –    | –   | –   | –   | –   | –   | 15% | 15% | 15% | 15% | 15%   |
| Accessory Building, Maximum Footage <sup>3</sup> | –   | –    | 10% | 10% | 10% | 10% | 10% | –   | –   | –   | –   | –     |

### ~~<sup>3</sup>—Accessory Buildings.~~

~~Minimum side yard setbacks for an accessory structure on an interior lot are one foot from drip line of roof if the accessory structure is located at least 10 feet behind the principal structure. Otherwise, side yard setbacks for principal structures would apply to the accessory structure. Minimum rear yard setback on an interior lot is one foot from drip line of roof.~~

~~For all accessory buildings above 25 feet, an additional one-foot setback is required.~~

~~Accessory buildings with a lot size of 15,000 square feet or less shall have a roof line equal to or less than the principal structure of the lot.~~

~~Accessory buildings in the R-1 zone shall not exceed the allowable building maximum without first obtaining a conditional use permit.~~

~~No more than eight percent of the 10 percent accessory building maximum footage shall be in one accessory building.~~

~~No accessory building shall be built prior to the principal building on lots less than one acre in size.~~



# City Council Staff Report

**Subject:** PRUD Code Revisions  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** February 18, 2020



## **Background**

The PRUD Code was adopted September 18, 2018. Since that time there has been one subdivision approved under that code and two other properties granted a PRUD overlay zone. Recently there have been concerns raised with some components of the code and it was suggested that the code be reviewed to see if there could be some adjustments made.

The Planning Commission has prepared a recommendation for the City Council to Consider. This report outlines their proposal and Staffs recommendations.

## **Analysis**

The PRUD Code allows a developer to receive up to a 20% increase in density in return for installing certain amenities in the subdivision. The code includes a list of amenities that the developer can choose from to qualify for the PRUD overlay zone. The Planning Commission is recommending that the following adjustments be made to the PRUD code:

1. Remove from the list of amenities and no longer give points for:
  - a. an entrance sign
  - b. landscaped front yards
  - c. drought tolerant plants
  - d. an architectural theme
  - e. building materials
2. Allow two-story attached townhomes in the R-3 zone only, but also allow single-level attached patio homes in the R-2 zone.
3. Remove the requirement of 10% minimum size of park areas and open space and allow the Council to determine the size.

There were other items discussed, but the Planning Commission elected not to include them in the recommendation. Below are the items that were discussed and the reasoning for not including them or making the change.

4. Make the amenities proportional to the size of the project. (i.e. one pickle ball court per 50 lots.)
  - *Staff believes this is already part of the code with points being awarded on a sliding scale that can be applied proportionally to the size of the amenity. It would also be difficult to create a list of all recreational amenities. The Planning Commission agreed.*

5. Require landscaped open space as a minimum standard to qualify for the PRUD overlay zone.
  - *Staff believes this would make it difficult for smaller developments and traditional style developments. This should be optional, and points should be granted for open space rather than making it required. The Planning Commission agreed.*
6. Reduce the 20% maximum bonus density to a more reasonable number.
  - *Staff believes by removing many of the bonus items it will be more difficult to qualify for the PRUD and that 20% is still appropriate. The Planning Commission agreed.*
7. Minimum property size to be eligible for PRUD consideration.
  - *Staff believes the PRUD option is actually very helpful for small subdivisions that may need some flexibility to the lots dimensions. The Planning Commission agreed.*
8. Remove existing homes from the density calculation.
  - *Staff believes this is different for each development and should be handled by a restriction on the plat rather than a changing the code. The Planning Commission agreed.*

### **Recommendation**

No action required. This is for discussion only.

### **Significant Impacts**

None

### **Attachments**

Proposed PRUD Code

### 17.35.070 Density calculations.

A. Base Density. Base density shall be determined by the underlying zone as set forth in the zoning table found in WPCC 17.25.080. The base density shall be calculated on the gross area of the site, but shall not include sensitive lands as defined in this chapter. Developments seeking flexibility, but not necessarily increased density, may do so under the provisions of this chapter. Base density developments in a PRUD overlay zone can provide a degree of flexibility that would not normally be allowed under the base zoning code. Developments seeking such flexibility must propose a minimum of a five percent amenity bonus as outlined in subsection (B) of this section.

B. Density Bonus. The city council, after receiving a recommendation from the planning commission, may authorize a density bonus of a minimum of five percent up to a maximum of 20 percent above the base density. The bonus density shall be calculated on the gross area of the site, but shall not include sensitive lands as defined in this chapter. However, sensitive lands if properly improved may qualify as an amenity and count towards the required bonus. The purpose of the density bonus is to provide an incentive to a development while enhancing the overall characteristics of the subdivision that is not required by the applicable underlying zone, and which otherwise would not be an option. Density bonus shall be awarded according to the following list of bonus items. Each qualifying amenity or item shall be granted a percentage increase to the base density, but in no case shall the bonus exceed the percentage indicated (shown in parentheses). Bonuses listed below that share common elements regardless of the subsection shall not be used together to create a greater bonus percentage.

#### 1. Increased Landscaping (Up to 10 Percent).

~~a. The majority of new plant material used for landscaping the PRUD shall be drought-tolerant plants. The landscaping design shall locate plant materials in similar water usage demand zones to ensure proper irrigation coverage and reduce wasteful watering. (Up to two percent.)~~

ba. Landscaping is designed and installed by the developer or other reasonable means approved by the city council along all streets of the PRUD according to a theme which provides unity and interest to the PRUD and must include the installation of two two-inch caliper street trees per dwelling placed in the park strip or near the roadway. (Up to five percent.)

~~c. Developments which provide a completely landscaped front yard by the developer or other reasonable means as approved by the city council, including grass or ground cover, shrubs, and trees as defined in WPCC 17.80.260. (Up to eight percent.)~~

#### 2. Enhanced Overall Design Theme (Up to 15 Percent).

~~a. Entrance feature, signage, and landscaping which will establish a strong theme for the PRUD. (Up to two percent.)~~

ab. Theme lighting used throughout the PRUD for street lighting, the lighting of walkways, entrances and building exteriors. (Up to three percent.)

~~c. Architectural details of all buildings have a common theme which unifies the entire PRUD. This theme is not so dominant, however, that all buildings are identical. (Up to five percent.)~~

~~bd.~~ Fencing on all lots that is uniform in design and type and that is an upgrade from chain link or all vinyl fencing. (Up to five percent.)

~~ce.~~ Perimeter fence surrounding the PRUD that is architecturally designed and is an upgrade from chain link or all vinyl fencing. Examples include: architecturally designed brick or masonry walls, vinyl with brick or stone columns and open fencing such as wrought iron. (Up to seven percent.)

~~df.~~ Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are utilized in highly visible locations within the development. (Up to 10 percent.)

~~eg.~~ Large special features, such as lakes, which define the theme of the development and are utilized throughout the entire project. (Up to 15 percent.)

### 3. Recreational Amenities (Up to 20 Percent).

a. The PRUD development includes a recreational amenity primarily for the use of the residents of the development. Recreational amenities include swimming pools, sports courts, spas, or other features as approved by the city council. The planning commission will recommend to the city council the points based on the cost of the amenity, its benefit to the residents of the development, its size and the number of amenities in the development. (Up to 15 percent.)

b. Development of a playground or park area with play features or picnic areas. The size and quality to be determined by the city council with a recommendation from the planning commission. ~~A minimum of 10 percent of the gross area of the development must be incorporated into the park area.~~ (Up to 10 percent.)

c. Development of a common building which shall be used for meetings, indoor recreation, or other common uses as approved by the planning commission. (Up to 15 percent.)

d. Development of a trail system throughout the subdivision and connecting to adjacent trail systems where possible. (Up to 10 percent.)

e. Dedication of land to the city for the development of a regional trail system. (Up to 10 percent.)

f. Dedication of land to the city for the development of all or a portion of a regional park. (Up to 10 percent.)

### 4. Improved Building Design (Up to 10 Percent).

~~a. All dwellings are built of 100 percent approved materials, i.e., brick, stone, stucco, Hardie board. (Up to two percent.)~~

~~ab.~~ All single-family structures have a minimum of a three-car garage. (Up to five percent.)

### 5. Energy Efficiency (Up to Three Percent). All dwellings are designed with active, passive, or photovoltaic solar features. (Up to three percent.)

6. Improved Open Space (up to 15 Percent).

a. Stormwater detention facility areas that are designed and used for multiple purposes which blend with the overall theme of the open space design, i.e., the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible. (Up to five percent.)

b. Open space shall be designed and improved (not leftover space between buildings) and shall flow uninterrupted through the entire development, linking dwellings and recreational amenities. The percentage bonus approved by the city council will be based on the size and quality of the open space. ~~Open space shall be a minimum of 10 percent of the gross area of the development.~~ Open space must be improved with grass and a sprinkler system for the majority of the area. (Up to 10 percent.)

7. Other Amenities (Up to 15 Percent). Other amenities may be approved by the city council with a recommendation from the planning commission. (Up to 15 percent.) [Ord. 09-18-2018A § 2 (Exh. A)].

**17.35.080 Development standards.**

The development standards that are set forth in this section shall prevail over any contrary base zoning standards established in this title. The following standards shall apply and are still subject to the requirements set forth in Chapter 16.05 WPCC unless variations are granted as set forth in WPCC 17.35.060 and are included in a developer's agreement:

A. Common Space Subdivisions. The following standards shall apply to common space subdivisions:

1. Density. Allowed density and bonus density for common space subdivisions shall conform with the standards set forth in this chapter.

2. Open Space. Due to the clustering of dwelling units within the common space subdivisions, there will naturally be open space remaining. The open space must be maintained as set forth in subsection (C)(5) of this section.

3. Zones Allowed. Common space subdivisions shall only be allowed in the R-2 and R-3 zones and shall not be allowed in the R-1 zone.

4. Attached Units. Dwelling units in this subdivision option may be clustered in common-wall construction only in the R-2 and R-3 zones with a maximum of four consecutively attached units. Common-wall construction in the R-2 zones shall only be limited to on-level. No such units are allowed above other units.

5. Multifamily. All PRUDs that have attached units shall follow the standards set forth in WPCC 17.120.050 which shall include, but not be limited to, landscaping, parking, and building design.

6. Minimum Building Setbacks. The following minimum standards shall apply:





**WEST POINT CITY COUNCIL  
MEETING MINUTES  
3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015**

**February 4, 2020**

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Annette Judd  
  
**City Manager**  
Kyle Laws

**Administrative Session  
6:00 PM – Board Room**

Minutes for the West Point City Council Administrative Session held at West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on February 4, 2020 at 6:00 pm with Mayor Erik Craythorne presiding.

**MAYOR AND COUNCIL MEMBERS PRESENT:** Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Annette Judd, Council Member Kent Henderson, Council Member Andy Dawson, and Council Member Chatterton

**EXCUSED:** None

**CITY EMPLOYEES PRESENT:** Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; and Casey Arnold, City Recorder

**EXCUSED:** None

**VISITORS PRESENT:** Jake Shepherd, Ryan Judd, Matt Leavitt, Mark Thayne, Lynn Kirkman, and Brian Vincent

**1. Discussion Regarding Sewer Lift Stations – Mr. Boyd Davis**

Mr. Davis stated that Mark Thayne has submitted a preliminary plan for the property at 1100 N 5000 W that was recently rezoned under the PRUD overlay zone. This property is commonly known as the “Sod Farm” and plans to be developed as the Sunview Estates Subdivision. The City’s current Master Sanitary Sewer Plan shows a sewer lift station as far north in this area as possible, and is anticipated to be paid for by future impact fees. The preliminary plan for Sunview Estates does show a new sewer lift station that would serve this subdivision, but is not in the same location as the one shown on the Master Plan and although it would also serve the property to the south, would serve a much smaller area. It would, however, still pump out to 5000 W into the North Davis Sewer District line.

The proposed lift station would allow Mr. Thayne to develop this property now, rather than waiting until Lynn Kirkman, the owner of the property to the north, is developed and the City installs the sewer lift station as shown on the Master Plan. Mr. Davis stated that Mr. Kirkman has indicated that he has no foreseeable plans to develop his property. Mr. Davis stated that this is a particularly isolated area that cannot be served by a gravity line, but must have a lift station.

The first question that has arisen regarding this proposed lift station is whether or not the City can or should use impact fees to pay for it; the large lift station designated on the Master Plan will be paid for 100% by impact fees. Mr. Davis stated that Staff does not recommend that impact fees, nor any contribution by the City, be used to fund this proposed lift station; the impact fees that will be collected should be saved for the final lift station. Mr. Davis stated that Mr. Thayne has asked that if he installed the lift station at his own cost, if he could enter into a payback agreement for any future properties that connect to it. Mr. Davis stated that Staff feels that it would only be fair for Mr. Thayne to be compensated for his costs incurred by installing the lift station by all homes that connect to it; a payback agreement would ensure that the surrounding properties that would connect to the lift station would have to pay back their portion before being approved to develop. Mr. Thayne has also asked that the City own and maintain the lift station. Mr. Davis noted that this is a temporary lift station, how “temporary” is not exactly known at this point, until the larger, final lift station is installed. If the City were to own and maintain the temporary lift station, it would be abandoned once the final station was installed, so technically the City would only be maintaining one lift station for this area at any given time. Mr. Davis stated that one advantage of owning this lift station is that the City can require that it be built to our standards and requirements.

Mayor Craythorne stated that the City is currently working with Davis County to conduct an impact fee study for this area of the City that would also include the unincorporated parts of Davis County that will be annexed into West Point at some point in the future. With this study, the area would be separated into different sections each served by a different lift station and if a property were in a certain section, the impact fees paid would be designated to that particular area, and so on. Mr. Davis noted that the geography and elevation of the land determines a particular property's sewer system. The Mayor stated that the County has informally agreed to participate in this study, which will provide the funding needed to include the annexation area; the City has not done a sewer impact fee study for this "lift station area" in over 10 years.

Mr. Davis stated that one remaining question about the proposed lift station is whether an impact fee be established even for this smaller area. Staff recommends that the impact fee be established through the study and charged to all homes in this area, even if they are connected to the smaller lift station, and that those fees be designated to funding the larger, final lift station that they will be connected to once complete.

Mayor Craythorne asked that the Council consider this request and if they have any questions or concerns, to direct those to Staff; this is a request that has not been made in several years and so there are likely to be some questions that the Council will want addressed. For now, the Council generally agreed with Staff's recommendation and directed that the proposed preliminary plan continue with the approval process.

## **2. Discussion Regarding the Stoddard Property Rezone Request – Mr. Boyd Davis**

Mr. Davis stated that this property is located at 1000 N 5000 W and is under contract to be sold to Psion Homes. They have submitted a rezone application, which the Planning Commission will hold a public hearing and consider action on at their next meeting. If approved, it will then come before the City Council for public hearing and final approval.

The property consists of 20 acres, six of which are below the flood plain and are not being proposed for development. They have requested that 14 acres be rezoned from A-40 to the R-1 zone in order to develop the property as a single-family residential subdivision. This property will use the same lift station discussed in the previous item. The water off of both this property and Mr. Thayne's property flow to the south and onto Mr. Kirkman's property. Mr. Kirkman has raised some concerns about this, and Staff has asked that he and the developers work together to come to some sort of solution and agreement. Should they not be able to, the City will have to be involved and Mr. Davis suggested that legal counsel be consulted at that time. Mayor Craythorne stated that this issue does not have an effect on the rezone request, but will need to be resolved at a later point in the development process before it can be given final approval.

The Council had no further discussion on this item and will await the Planning Commission's recommendation.

## **3. Discussion Regarding Renaming a Section of the Emigrant Trail to Honor Former Mayor Howard Stoddard – Mr. Kyle Laws**

Mr. Laws stated that around the time the Council voted to rename 3500 W to honor former West Point Mayor John Petroff, Jr., a group of residents proposed the idea that a portion of the Emigrant Trail be named after Howard Stoddard, also a former Mayor of West Point.

The section of the trail between 800 N and 4150 W happens to pass through what was formerly the Stoddard Family Farm, and Mr. Laws stated that it seems appropriate that this be the section of trail named to honor Mayor Stoddard, as suggested by the resident group. A resolution has been proposed to the Council and suggests that this portion of the trail be designated as the "Howard F. Stoddard Trail." Mr. Laws asked the Council for their comments or if they had other name suggestions. Mr. Laws added that the resolution also directs City personnel to install signs marking that this portion of trail has been designated and renamed as the "Howard F. Stoddard Trail" (or whatever name the Council chooses). Council Member Petersen stated that he would like the Council to have the opportunity to approve the signs before they are installed.

Council Member Dawson suggested that the designated section go all the way to 1300 N rather than stopping at 800 N. Mayor Craythorne stated that the portion from 800 N and 4150 W was actually residents' suggestion as it is the part of the trail that was on his family's property. Council Member Dawson felt that the sign should be placed at the trail entrances on both ends, which would be at 1300 N rather than 4150 W. The rest of the Council agreed.

Staff was directed to place approval of the resolution at the next meeting, or the soonest one that the Stoddard Family can attend, and begin working with a company to create a few different design options for the signs.

#### 4. Discussion Regarding a Draft License Agreement with Jake Shepherd – Mr. Kyle Laws

Mr. Laws stated that Mr. Shepherd's request to install an access to his property from the parking lot at the Loy Blake Park has been discussed in previous meetings, the last of which the Council directed Staff to create a draft license agreement that would outline the terms of use. There was concern by the Council expressed in one of the first discussions about potential liability or legal issues that could be created by granting this access and directed Staff to obtain legal counsel. Mr. Laws stated that he spoke with both the City Attorney and Jody Burnett, the City's contracted land use attorney, and neither could see that there would be any liability issues or unintended easements created, and both suggested that a license agreement be created that would govern the access.

Mr. Laws stated that he would like to review the draft agreement with the Council and see if there was the desire to move forward and consider approval of the agreement in a later meeting. Some of the main points of the agreement are as follows:

##### *Section Three: Restrictions on Use*

This states that Mr. Shepherd can only access the park during the hours the park is closed, from 10:00pm to 6:00am, or other times the City has need to temporarily close the park or access into the park. Mr. Shepherd has explained to Staff that he does not intend for this gate to be a main access for his property and agrees with this restriction.

##### *Section Four: Future Changes to Park*

This section states that if the City changes the park or parking lot in a way that eliminates this access to his property, that the agreement shall terminate. Mr. Laws stated that Mr. Shepherd recognizes that the park is first and foremost a park and he does not want to interfere with the best interests of the park.

##### *Section Five: Forfeiture of License*

This section clarifies that this agreement is only with Mr. Shepherd and cannot be transferred if he sells his property. The Council expressed concern in previous meetings about what would happen should Mr. Shepherd sell his property and if the new owner would have rights to the access. Mr. Laws stated that through this agreement, it is non-transferable and is with Mr. Shepherd only.

##### *Section Six: Adjustment to Fence & Landscaping*

In this section, Mr. Shepherd agrees to move the fence back to his property far enough back on his property to provide sufficient space for shrubbery and landscaping to protect the fence on the City's side from vehicles in the parking lot. The current fence is consistently backed into by cars leaving the parking lot. He also agrees to maintain and irrigate the shrubbery and landscaping. Mr. Laws noted that Mr. Shepherd has stated that he also plans to plant trees and landscape mounds between his shop and the fence to make it more visually appealing, even though it is not required through this agreement.

##### *Section Eight: Termination*

This section states that the agreement can be terminated at any time for violating the terms of the agreement. Mr. Shepherd has agreed to this language, feeling that because he is putting forth the expense to protect the fence, there should have to be a valid reason why the agreement might be terminated. He agrees that any violation of the agreement on his part would be cause for termination.

##### *Section Eleven: Indemnification*

In this section, Mr. Shepherd agrees to hold the City harmless in connection to any claim arising out of or in connection with this agreement. If the City terminates the agreement, this clause negates any claim that could be made by Mr. Shepherd in regards to landscaping costs, maintenance, compensation, etc.

Council Member Petersen stated that he reads Section Four as requiring actual action on the City's part of changing the layout of the park or parking lot, and feels that it should be clarified to state that *any* change in the use of the park terminates the agreement. Mayor Craythorne stated that there is an expense being incurred by Mr. Shepherd by entering into this agreement, and that it shouldn't necessarily be terminated "on the whim of the Council." He agrees that there should be a valid reason for termination.

Council Member Petersen stated that he is "still trying to figure out why we are trying to allow a resident with a business license and a business there to have a park access to their property." Mr. Laws clarified that Staff is not "trying" to give or not give access; a request for the access was made to the City by Mr. Shepherd and the Council has given Staff direction to move forward with obtaining legal counsel and drafting a license agreement. Council Member Petersen stated that he still feels that Staff is "doing a lot of gymnastics to make it work...[N]ow that the access is limited from 6:00 AM to 10:00 PM, I am having a hard time [understanding] why would we even need the access? That is just a strange time." He continued to express that he has a hard time "viewing it any other way than a construction [business] access." Mayor Craythorne commented that it is likely not going to be used as an access for the purpose of his construction business, because in reality, how many "construction companies access their property at midnight?" Council Member Petersen stated that he still does not understand why there is a need for the access. Council Member Chatterton commented that he and Mr. Shepherd had a discussion earlier this afternoon wherein he reiterated his concern that allowing this access would set a precedent for future requests. He continued to say that should resident Gary Kapp request the same access for

his property from Bingham Park, the City is “stuck – we don’t have any room to go back on it because we are setting a precedent.” The same could be requested from seven properties surrounding East Park. He is concerned that the City will be setting a precedent for not only existing properties but for future parks as well. Council Member Dawson stated that the City does not have to grant every request for an access if this one is granted – if it doesn’t work, the City doesn’t have to do it again. He continued to state that the City allows man-gates in residents’ backyard fences that border a park, and this request is essentially the same kind of thing. Council Member Petersen stated that those accesses into the park are not from a road – the City has “struggled to get it blocked off so that there isn’t traffic there so that it is safe for our kids, and then we come back and we are wanting to allow vehicle access again. That is what I am fundamentally opposed of... [T]he road is a problem.”

Mr. Shepherd stated that he is available for any questions, and while Council Member Petersen interjected that this is a work session of the City Council, Mr. Shepherd stated that he has made himself available (outside of meetings) on several occasions to answer whatever questions or concerns the Council may have, yet has not been contacted. Further, Mr. Shepherd felt that he should not be penalized just because he owns a construction business, and if the Council wants to restrict the access from being used for any construction business purpose, “that is just fine.” His vision, he explained, is that at some point in the future, he may purchase a fifth-wheel camping trailer and he would like to be able to pull it in to his shop, rather than back it in; it is not for regular, daily access. Mr. Shepherd stated that the Council has expressed their concerns and they have been addressed – “if [the Council] doesn’t like it, then say it” and we can move on. Mr. Shepherd stated that the difference with his request is that he has offered to give up some of his property by putting the fence farther back on his side, put in some amenities at his own expense, and hasn’t asked “anything of the City other than you are my neighbor – would you like to enter into an agreement that might enhance the City’s property.” He asked that if the Council does not want to do that, then they just say it. He again reiterated that he shouldn’t be penalized for owning a construction company and the Council should not assume that his request is so that he can have a construction access, but should instead ask him what his intentions are, because again, he is fine if the Council wants to prohibit using it as a construction access. Council Member Petersen stated that the license agreement should include that restriction, but still has issues with the “nature of that road...I am opposed to that road getting access. It is already a problem.” Mr. Shepherd stated that from a resident’s standpoint, he has seen cement trucks, school buses, and cars driving through the fence. He would like to know what the City is doing about that traffic. Council Member Petersen stated that he has “spent all those years trying to get that access closed and that is why I am opposed to it today.” Mr. Laws noted that there are no plans to open that section of the road. Council Member Petersen stated that there was a recent suggestion that it be opened for school traffic and it feels like “it is a constant battle” to protect it from being a public access and “becoming a detriment to children and other things.” Again, he reiterated that he is fundamentally opposed to the access.

Council Member Henderson stated that he is not sure the precedent would be an issue in this situation, because the homes in East Park that Council Member Chatterton referred to as examples are not similar in nature; they would have to drive over established grass and through the Park and that definitely wouldn’t be allowed. Council Member Petersen stated that Gary Kapp’s property is in the exact situation that Mr. Shepherd’s is. Council Member Judd commented that the Park has listed closed hours, but yet approving this access would allow the Park to be used. She is concerned about how that would be monitored and enforced. Council Member Chatterton inquired as to what would it mean if this were approved and the fence was moved back on Mr. Shepherd’s property – specifically, would that area be deeded to the City or would the City just be “using it as a convenience so that he can have access and we can have shrubs.” Mayor Craythorne stated that it would be similar to how on the side of some roads the City has a landscaped area where the fence goes back farther than the City’s right-of-way and onto residents’ property. Mr. Shepherd stated that this is why he feels this is “a good trade-off” because trees, shrubs and other landscaping seem to be desirable to have alongside a road. Council Member Chatterton inquired as to the distance of the landscaped area, and whether it would just be the length of his structure. Mr. Shepherd stated he plans for it to be 12 ft., which is the length of the gate he would like to install. Council Member Chatterton also inquired as to what would happen if the agreement was terminated and if the City would have to pay to move the fence back onto the City’s property. Mr. Shepherd stated that if the City is going to allow the access and he is going to put the expense in for the landscaping, the only reason he would want to see that area changed is if there was a change in the use of the park or parking lot, or if he violates the agreement he knows it will be terminated and it can be taken away. Further, he has no intention of using it during the day – he “does not want to upset his neighbors or residents.” Council Member Chatterton inquired as to whether he would be able to access the rear door if this access wasn’t granted. Mr. Shepherd stated that as he can still access the shop from the front, he installed the rear door to be able to open it and provide “fresh air” and light to come in while he is in the shop. He does not need the access.

Mr. Laws wanted to note that contrary to what has been said and what might be believed, as Staff, he does not have a preference either way on whether or not the access is approved; no Council Member has given indication that Staff should not move forward in obtaining the requested legal counsel and drafting the agreement, nor has a majority of the Council concluded that they are not in favor of granting the access. As such, he stated that the direction to Staff was to work with the City Attorney and Mr. Shepherd in creating a draft license agreement for the Council to consider. Mr. Laws wanted to reiterate that he is not trying to do “gymnastics” or “jump through any hoops” for Mr. Shepherd, and he has no interest in what the Council decides.

Council Member Chatterton again stated that he does not feel that the issue of precedent had not been fully addressed in previous discussions because precedent has “come up on a lot of different issues over the last twenty years where [the Council] is very, very

careful and methodical on not setting a precedent we can't live with and future Councils can't live with." Mr. Laws stated that again, he was instructed to put a draft agreement together to bring to the Council for further discussion and it is the Council's decision on whether or not an agreement be approved.

The Mayor asked the Council for their current stance on approving the access and whether there was a consensus. Council Member Judd stated that she is not in favor and Council Members Petersen and Chatterton have already expressed their disapproval. Although this already constituted a majority of the Council, both Council Members Henderson and Dawson indicated that they did not see an issue with granting the access.

There was no further discussion.

**5. Discussion Regarding the PRUD Code – Mr. Boyd Davis**

Mayor Craythorne stated that due to time restrictions, this item would not be discussed until the next meeting.

**6. Other Items**

No other items were discussed.

The Administrative Session adjourned.



**WEST POINT CITY COUNCIL  
MEETING MINUTES  
3200 West 300 North  
West Point City, UT 84015**

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Annette Judd  
**City Manager**  
Kyle Laws

**February 4, 2020**

**General Session**

**7:00 PM - Council Chambers**

Minutes for the General Session of the West Point City Council held at the West Point City Hall, 3200 West 300 North, West Point City, Utah 84015 on February 4, 2020 at approximately 7:00 pm with Mayor Erik Craythorne presiding.

**MAYOR AND COUNCIL MEMBERS PRESENT:** Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Kent Henderson, Council Member Annette Judd, Council Member Andy Dawson, and Council Member Jerry Chatterton

**EXCUSED:** None

**CITY EMPLOYEES PRESENT:** Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Workers Director; and Casey Arnold, City Recorder

**EXCUSED:** None

**VISITORS PRESENT:** Brian Vincent, Jake Shepherd, Ryan Judd, Matt Leavitt, Mark Thayne, Rick Smith, Garth Paul, Jeff Turner and Family, Korey and Jolene Kap, Kylee McCarrey, Rob Ortega and Family, and Steve Pritt

1. **Call to Order** – Mayor Craythorne welcomed those in attendance and thanked them for coming.
2. **Pledge of Allegiance** – repeated by all
3. **Prayer** – Given by Council Member Petersen
4. **Communications and Disclosures from City Council and Mayor**

Council Member Chatterton – None

Council Member Dawson – The North Davis Sewer District swore in two new Board Members at their last meeting and looks forward to serving on the Board with them.

Council Member Petersen – None

Council Member Henderson – None

Council Member Judd – Local Official's Day at the Capitol was held the previous week and she was grateful for the opportunity she had to attend. She would also like to thank the Youth Council Members from West Point that attended, and to City Staff Member Shelby Sargent for her work as the Youth Council liaison with the City and for attending the event with them. After going to the event, she felt confident in our youth and future leaders.

Mayor Craythorne – The Legislative Policy Committee meetings with the Utah League of Cities and Towns have begun and are held on Mondays throughout the Legislative Session. He invited the Council to attend those meetings with him and Mr. Laws when available, and will keep the Council informed on the issues as the process moves forward. Mayor Craythorne also noted that the new Davis Materials Recovery and Transfer Facility, located at the site of the former Davis Energy Recovery Facility (burn

plant), is nearing completion and plans to open this April. This new facility will have no effect on the City's recycling program at this point and time.

#### **5. Communications from Staff**

Mr. Laws stated that the quarterly Council/Staff Lunch will be on Wednesday, February 12<sup>th</sup> at 12 PM and invited all those on the Council who could attend. The new City website is also live and Mr. Laws encouraged all to visit it and provide any feedback as needed. Council Member Chatterton noted that it seems to be a lot more user-friendly.

#### **6. Citizen Comment**

Steve Pritt – 1864 Ridge Point Drive: Mr. Pritt stated that he was instructed to come address the City Council regarding his request to open a residential support facility that he would like to operate out of a single-family home. Mr. Laws informed Mr. Pritt that the best step to take next would be to talk to City Staff, specifically Boyd Davis, to discuss his request and the application and approval process.

#### **7. Update from the Davis and Weber Counties Canal Company**

Mr. Rick Smith introduced himself as the General Manager of the Davis and Weber Counties Canal Company and also wished to introduce Garth Paul, who has taken over Ken Spencer's position. Mr. Smith stated that Mr. Paul has been a great addition to staff and is working hard out in the field, handling new subdivision and enforcing standards.

As for the water outlook for the upcoming year, Mr. Smith stated that the 2019 Water Year was a great year and natural water flow was able to be used until July before needing to be supplemented with water from storage. This is due to a good snowpack slide and high rain amounts, and less water was used from the large reservoirs. The January 2020 snowpack was 111% of normal and 107% of normal in February which will be helpful this coming water season.

The DWCC would like to encourage wise use of water and for users to remember that water is a limited natural resource; the more water conserved each year will benefit the next several years. Mr. Smith presented the Top 5 Ways to be Water Wise:

1. Adjust watering schedule with the season. Prior to Father's day, once every 5 days. During the summer, once every 3 days, then after Labor day, once every 5 days again.
2. Adjust watering schedule with the weather. Shut off sprinklers when it rains; just skipping one watering cycle saves thousands of gallons (approx. 3,000 gallons).
3. Do not water every day. This will encourage your lawn's roots to go deeper and you won't overwater. Also, do not water more than once in the same day (don't water morning and night the same day).
4. Adjust sprinklers to not water hardscape like sidewalk, patio, walkway, and driveway. Adjusting run times (how long your sprinklers are on) shorter by a few minutes will save thousands of gallons.
5. Use drip system in flowerbeds and around bushes and shrubs. The water gets to the plants and not watering ground cover. This also reduces the amount of weeds, since you're not watering the entire area of the flowerbed.

In regards to capital projects, a major project is currently under construction (Fall 2018 – Spring 2020) where a large, 42 in. diameter transmission line is being installed down 1300 N from the Reservoir to 1000 W.

The Secondary Metering Project is also continuing, with about 2,400 being installed so far. The majority of these have come from installation in new developments. Mr. Smith stated that in 2016, the "Concurrent Resolution Encouraging Universal Metering" was passed with the idea that if more citizens in Utah knew how much water they were using, they would voluntarily conserve. Senate Bill 52 was passed in 2019, which required secondary water meters on all new construction as well as provided a plan to retrofit meters on all existing connections. In this Legislative Session, Senate

Bill 51 is proposing that all secondary water connections be metered by the year 2040. Mr. Smith stated that “we are currently waiting on how and who is going to pay for that.” Mr. Smith also presented examples of the water usage reports that residents with a meter receive, which seem to really help residents understand how much water they are actually using in comparison to what their property needs. Council Member Petersen commented that he has a meter and this report really does drive him to conserve water – it provides a target to shoot for and most people want to be responsible and stay under that target level. Mr. Smith also noted that Weber Basin Water will conduct a free water audit for residents so that they know how much water they actually need for their specific property and landscape.

Mayor Craythorne asked Mr. Smith for his opinion on how confident he is, with the secondary water system that we currently have, in being able to maintain the same level of service as we continue to build-out with more subdivisions and homes, and how optimistic he is moving forward. Mr. Smith stated that with the capital projects plan the DWCC has in place, which included the new lift station that was completed a few years and projects like the new 42 in. that is currently being installed, added to the fact that there has already been a 30%-40% reduction in water use due to the meters already, he is confident that the DWCC is on a good path to handling future growth.

The Council thanked Mr. Davis and Mr. Paul for attending the meeting to share this information and thanked them for the work they are doing.

#### **8. Youth Council Update**

Ms. Kylee McCarrey, West Point City Youth Council City Manager, informed the Council that, as Council Member Judd had mentioned, some of the YC Officers were able to attend the Local Official’s Day at the State Capitol and had a good experience. The YC also met in January and will have a meeting later this month, where they plan to start preparing for the City’s Easter Egg Hunt. In response to Mayor Craythorne’s inquiry, Ms. McCarrey did confirm that attendance at meetings has been dwindling, but that seems to happen from the start of each year. Council Member Henderson commented that Ms. McCarrey and the rest of the Youth Council are doing a great job and the Council thanked her for her involvement and encouraged the Youth Council to keep up the good work.

#### **9. Recognition of Service of Council Member Jeff Turner – Mayor Erik Craythorne**

Mayor Craythorne stated that with the end of 2019, the City Council gained a new Council Member in Annette Judd and marked the end of Council Member Jeff Turner’s service. Mayor Craythorne wanted to thank Mr. Turner in this public meeting for his service and express not only his appreciation for the great addition he was to the Council, but also for the good friend he gained. The Mayor stated that Mr. Turner’s family also needed to be recognized and thanked for the sacrifices they made for Mr. Turner to serve in this position.

Council Member Chatterton stated that he also is grateful for Mr. Turner as he has become “a great friend and a good guy to know.” One particular thing he liked and appreciated about Mr. Turner and hoped to emulate was his ability to “think twice and speak once.” He thanked Mr. Turner for all that he has done. Council Members Dawson and Petersen also expressed their appreciation.

#### **10. Recognition of Service of Planning Commissioners Korey Kap and Rob Ortega – Mayor Erik Craythorne**

Mayor Craythorne stated that Mr. Kap and Mr. Ortega served faithfully on the Planning Commission and were great amenities for the City. On behalf of the entire Council, he thanked them for all of their work and effort that they gave for the benefit of the City.

#### **11. Consideration of Approval of the Minutes from the January 21, 2020 West Point City Council Meeting**

Council Member Dawson motioned to approve the January 21, 2020 West Point City Council Meeting Minutes

Council Member Chatterton seconded the motion  
The Council unanimously agreed

**12. Consideration of Approval of Resolution No. 02-04-2020A, Reappointing Council Member Andy Dawson to the North Davis Sewer District Board of Trustees – Mayor Erik Craythorne**

Mayor Craythorne stated that Council Member Dawson has served as a Board Member of the North Davis Sewer District and would like to recommend that he be reappointed to the Board with the advice and consent of the Council. The Council had no objections.

Council Member Petersen motioned to approve Resolution No. 02-04-2020A  
Council Member Henderson seconded the motion  
The Council unanimously agreed

**13. Consideration of Approval of Resolution No. 02-04-2020B, Appointing Council Member Kent Henderson to the Mosquito Abatement District-Davis Board – Mayor Erik Craythorne**

Also with the advice and consent of the Council, Mayor Craythorne recommends appoint Council Member Kent Henderson to the Mosquito Abatement District-Davis Board. The Council had no objections.

Council Member Chatterton motioned to approve Resolution No. 02-04-2020B  
Council Member Judd seconded the motion  
The Council unanimously agreed

**14. Consideration of Approval to Place the Isla Vista Subdivision on One-Year Warranty – Mr. Boyd Davis**

Mr. Davis apologized to the Council for placing this item on the Agenda, as what was expected to be completed by the developers has not yet been done. Mr. Davis recommended that action be postponed.

Council Member Petersen motioned to postpone this item indefinitely  
Council Member Dawson seconded the motion  
The Council unanimously agreed

**15. Motion to Move into a Closed Session**

Mayor Craythorne thanked those for coming and stated that there are some items that the Council needs to discuss which necessitate moving into a closed session, pursuant to UCA §52-4-205(1).

Council Member Judd motioned to move into a Closed Session  
Council Member Dawson seconded the motion  
The Council unanimously agreed

**Closed Session**  
(Board Room)

**1. Motion to Open Closed Session**

Council Member Petersen motioned to open the Closed Session  
Council Member Henderson seconded the motion  
The Council unanimously agreed

**2. Call to Order and Roll Call**

Mayor Erik Craythorne called the February 4, 2020 Closed Session to Order

Roll Call -

Mayor Erik Craythorne

Council Member Gary Petersen

Council Member Kent Henderson

Council Member Annette Judd

Council Member Andy Dawson

Council Member Jerry Chatterton

Kyle Laws, City Manager

Boyd Davis, Assistant City Manager

Paul Rochell, Public Works Director

Ryan Harvey, Administrative Services Director

Casey Arnold, City Recorder

**The Council discussed items regarding the following issues:**

**3. Purchase of Real Property, Pursuant to UCA §52-4-205(1)(d)**

**4. Pending Litigation, Pursuant to UCA §52-4-205(1)(c)**

**5. Personnel, Pursuant to UCA §52-4-205(1)(a)**

**6. Motion to Adjourn Closed Session and enter the General Session**

Council Member Chatterton motioned to close the Closed Session and enter the General Session

Council Member Henderson seconded the motion

The Council unanimously agreed

**16. Motion to Adjourn the General Session**

Council Member Chatterton motioned to adjourn the General Session

Council Member Petersen seconded the motion the General Session

The Council unanimously agreed

February 18<sup>th</sup>, 2020

ERIK R. CRAYTHORNE, MAYOR

February 18<sup>th</sup>, 2020

CASEY ARNOLD, CITY RECORDER

# City Council Staff Report

**Subject:** Trail Naming Discussion – Howard F. Stoddard Trail  
**Author:** Kyle Laws  
**Department:** Executive  
**Date:** February 18, 2020



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## **Background**

The idea was raised awhile back by some residents that the City should consider naming a section of the Emigrant Trail, after former Mayor Howard Stoddard. This idea came about at the time 3500 West was being named after former Mayor John Petroff Jr. The residents suggested the portion of the trail to be named should be between 800 North and 4150 West, as this section of trail goes through what was formerly the Stoddard Family Farm.

## **Analysis**

The City Council has discussed this idea and has asked Staff to prepare a resolution to make this happen. A resolution has been prepared and is attached in draft form. The resolution suggests renaming the trail between 800 North and 1300 North as the “Howard F. Stoddard Trail”, as discussed by the City Council at the last Council meeting.

## **Recommendation**

Staff Recommends that Council Approve Resolution No. 02-18-2020A, Recognizing Former Mayor Howard F. Stoddard for his service to the community and approving a portion of the trail in West Point City to be named after him.

## **Significant Impacts**

None

## **Attachments**

Resolution No. 02-18-2020A



**RESOLUTION NO. 02-18-2020A**

**A RESOLUTION RECOGNIZING FORMER MAYOR  
HOWARD F. STODDARD FOR HIS SERVICE TO THE COMMUNITY  
AND APPROVING A PORTION OF A TRAIL IN WEST POINT CITY  
TO BE NAMED AFTER HIM**

**WHEREAS**, Howard F. Stoddard was a life-long resident of West Point City; and,

**WHEREAS**, Howard F. Stoddard was very civic minded and served the community in many capacities for many years; and,

**WHEREAS**, Howard F. Stoddard was appointed to the Planning Commission and served on the Commission for 4 years prior to his election as a member of the City Council; and,

**WHEREAS**, Howard F. Stoddard was a City Council Member for 12 years; and,

**WHEREAS**, Howard F. Stoddard was the Mayor of West Point City for 8 years serving as Mayor from January 1990 through December 1997; and,

**WHEREAS**, Howard F. Stoddard served on and acted as Chairman of the West Point City Military Memorial Committee up until his passing on May 7, 2019; and,

**WHEREAS**, West Point City desires that a section of a trail running from 800 North Street north to 1300 North Street, which passes through the former Stoddard Family Farm, be named after former Mayor Howard F. Stoddard.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WEST POINTY CITY, UTAH, as follows:**

**SECTION ONE:**                      **APPROVAL OF NAMING PORTION OF A TRAIL  
AFTER FORMER MAYOR HOWARD STODDARD**

The section of a trail from 800 North Street north to 1300 North Street (which section of trail passes through the former Stoddard family Farm) is hereby named “The Howard F. Stoddard Trail.”

**SECTION TWO:**                    **DESIGNATION OF TRAIL**

City personnel are hereby authorized and directed to take all appropriate action to install signs designating and marking said portion of the trail as “The Howard F. Stoddard Trail.”

**SECTION THREE:**                    **EFFECTIVE DATE**

This Resolution shall become effective immediately upon passage and adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of January, 2020.

WEST POINT CITY,  
A Municipal Corporation

\_\_\_\_\_  
ERIK CRAYTHORNE  
Mayor

ATTEST:

\_\_\_\_\_  
CASEY ARNOLD  
City Recorder

# CERTIFICATE

(  
)  
SS.

(

I hereby certify that I am the City Recorder of West Point City, of the State of Utah; that the above and foregoing Resolution No. \_\_\_\_\_ is a full and true and correct copy of the Resolution duly and regularly adopted by the vote of a majority or more of the members of the City Council of said West Point City at a meeting of the City Council of said City duly and regularly called, noticed and held at the City Offices on \_\_\_\_\_, 2020, at which meeting a quorum was present and acting, and I was present and acted as City Recorder. That there are no provisions in the law applicable to the City conflicting with said Resolution, and that the said Resolution has not been modified or revoked and still remains in full force and effect.

**IN WITNESS WHEREOF**, I have hereto set my hand and seal as City Recorder of the City this \_\_\_\_ day of January, 2020.

CASEY ARNOLD  
City Recorder



# City Council Staff Report

**Subject:** Rezone – Stoddard – 1000 N 5000 W  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** February 18, 2020

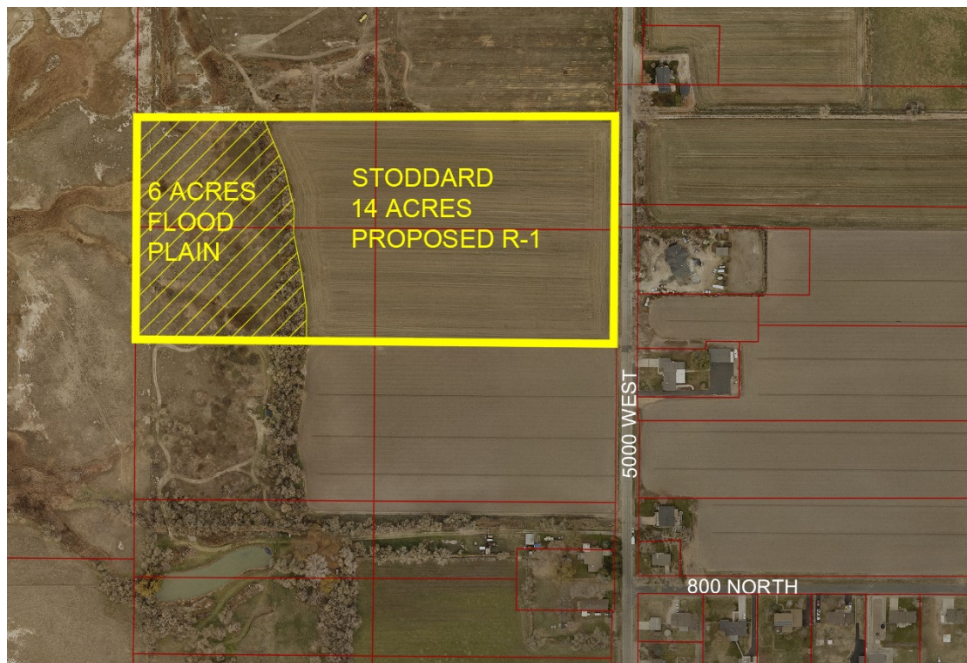


## **Background**

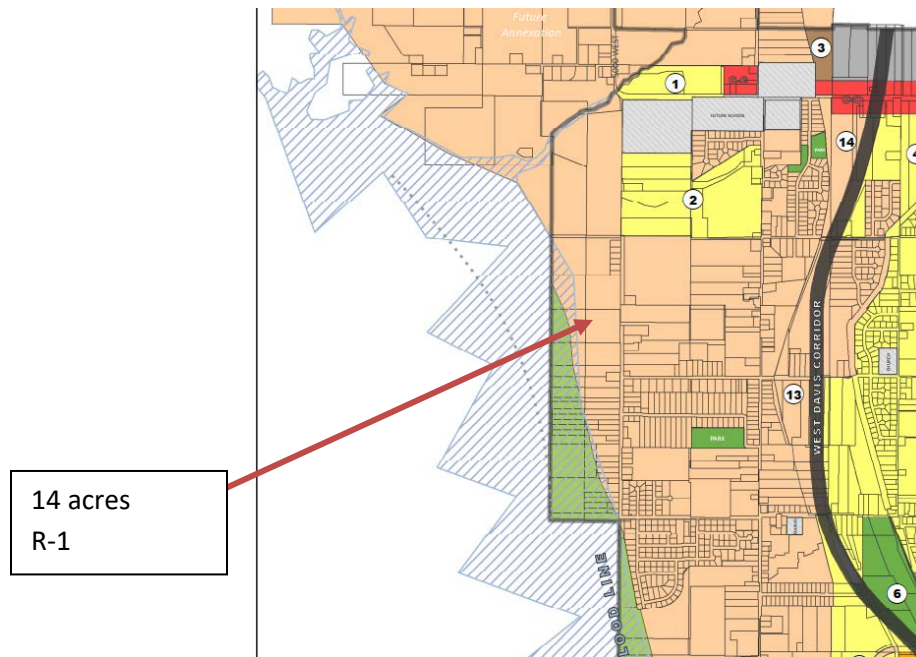
Psion Homes is in the process of purchasing the Stoddard property at approximately 1000 N 5000 W. The property consists of 4 individual parcels and the combined area is about 20 acres, 6 of which are below the flood plain. It is currently zoned A-40 (agriculture). The applicant is requesting 14 acres to be rezoned to R-1 (residential) in order to develop the property as a single-family residential subdivision.

## **Analysis**

All the parcels shown below are currently owned by the Stoddard family. They are planning to sell all the parcels and the applicant is requesting that the 14 acres that are not in the flood plain be rezoned to R-1. They are not requesting the PRUD overlay zone. If approved, they would be allowed approximately 30 lots.



This request is consistent with the general plan, as shown on the following figure, and seems to be appropriate for the proposed use.



**Recommendation**

Approval of Ordinance No. 02-18-2020A

**Significant Impacts**

Property will be rezoned

**Attachments**

Ordinance

**ORDINANCE NO. 02-18-2020A**

**AN ORDINANCE REZONING A CERTAIN PORTION  
OF WEST POINT CITY FROM A-40 to R-1.**

**WHEREAS**, the West Point City Council for and on behalf of West Point City, State of Utah (hereinafter referred to as the “City”) has determined to rezone certain property; and

**WHEREAS**, a public hearing was duly held and the interested parties were given an opportunity to be heard; and,

**WHEREAS**, the City Council has duly considered said rezone; and,

**WHEREAS**, the City Council, after due consideration of said rezone, has concluded that it is in the best interest of the City and the inhabitants thereof that said rezone be adopted;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:**

**Section One:**

That the subject property as shown on the current West Point City Zoning Map shall be and the same is hereby rezoned and the Zoning Map amended by removing the hereinafter described real property from West Point City A-40 zone and placing the same in a West Point City R-1 zone.

**Legal Description:**

Four (4) parcels of land situated in the Northeast Quarter of Section 36, Township 5, Range 3 West, Salt Lake Base and Meridian also being in West Point City, Davis County, Utah. Being more particularly described as follows:

The North half of the Southeast Quarter of the Northeast Quarter of Said Section 36.

Encompassing Parcels:

14-116-0021; 14-116-0022; 14-116-0023; 14-116-0024

Contains Approx. 20 acres

Excepting that portion of the parcels that lie below the elevation and west of the FEMA flood line as shown generally on the West Point City General Plan Map. Said area encompasses approximately 6 acres.

**Section Two:**                    **ORDINANCES TO CONFORM WITH AMENDMENTS**

The West Point City Director of Community Development is hereby authorized and directed to make all necessary changes to the West Point City Code and Zoning Map to bring them into conformity with the changes adopted by this Ordinance.

**Section Three:**                    **Severability**

In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

**Section Four:**                    **Effective Date**

This Ordinance shall take effect immediately upon passage and adoption and publication of a summary as required by law.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WEST POINT CITY, a Municipal Corporation

By: \_\_\_\_\_  
Erik Craythorne  
Mayor

[SEAL]

**VOTING:**

|                         |          |          |
|-------------------------|----------|----------|
| <u>Jerry Chatterton</u> | Yea ____ | Nay ____ |
| <u>Andy Dawson</u>      | Yea ____ | Nay ____ |
| <u>Kent Henderson</u>   | Yea ____ | Nay ____ |
| <u>Gary L. Petersen</u> | Yea ____ | Nay ____ |
| <u>Annette Judd</u>     | Yea ____ | Nay ____ |

ATTEST:

\_\_\_\_\_  
Casey Arnold  
City Recorder

