



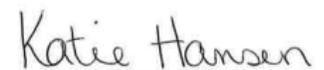
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WEST POINT CITY
NOTICE OF PUBLIC HEARING

Notice is hereby given that on Thursday, May 22, 2025, beginning at 7:00 PM the West Point City Planning Commission will hold a public hearing at 3200 West 300 North, West Point City, UT, to discuss and hear public comment pertaining to changes to the West Point City Code Section 17.60.160 revising the Planned Residential Unit Development (PRUD) zone. The change will repeal the existing PRUD zone and replace it with a revised PRUD zone.

All interested parties are encouraged to attend and express their opinion on the matter. To review documentation related to the above hearing, contact West Point City Hall at 801-776-0970 or visit www.westpointutah.gov.

If you need special accommodations to participate in the meeting, please call West Point City at least twenty-four (24) hours prior to the meeting at 801-776-0970.



Katie Hansen, Deputy City Recorder
Posted this 12th day of May, 2025

Certificate of Posting

The undersigned, duly appointed Deputy City Recorder, does hereby certify that the above notice was posted on the date indicated in the following locations: 1) West Point City Hall Noticing Board 2) the City website at <http://www.westpointutah.gov/>
3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>

17.60.160 Planned residential unit development overlay (PRUD).

A. *Purpose.* The purpose of the planned residential unit development (PRUD) overlay is to encourage imaginative and efficient utilization of land through large-scale residential development and provide a greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and desirable environments within the residential areas of West Point City.

B. *Use Table.* See use table section, WPCC [17.60.050](#). If a use is not specifically designated, then it is prohibited.

1. Uses permitted in the PRUD zone shall be limited to those listed as permitted uses by the provisions of the underlying zone with which the PRUD zone has been combined.
2. *Use in Combination.* The PRUD overlay zone shall only be used in combination with existing R-1, R-2 and R-3 underlying residential zones. The provisions of the PRUD create flexibility to the provisions of the zone with which it is combined. The PRUD zone shall not be applied to a land area as an independent zone and shall be shown on the zoning map in parentheses next to the zone in which it is combined.

C. *Minimum Size.* There is no minimum development size required to apply for a PRUD. However, any proposed PRUD with an area of less than ten (10) acres shall only be eligible for flexibility from the requirements of the underlying zone, and shall not be eligible for additional density. A proposed PRUD with ten (10) acres or greater may have flexibility from the underlying zone requirements and also qualify for additional density based on the requirements outlined in this chapter.

D. *Approval Procedures.*

1. *Procedure.* The PRUD overlay zone shall be approved as a rezone by ordinance of the city council, after a recommendation is provided by the planning commission, and following the same process as other zoning amendments pursuant to Chapter [17.00](#) WPCC in conjunction with a site plan as described below. The site plan shall include the following:
 - a. A general layout of all proposed lots.

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- b. A tabulation of the total acreage of the site, and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
 - c. Detailed description of proposed density calculations and bonus amenities as defined in subsection [\(G\)](#) of this section.
 - d. Proposed circulation pattern, including public streets and pedestrian paths.
 - e. Parks, common open spaces, playgrounds, and other public or private recreation facilities and improvements proposed within the planned residential unit development.
 - f. The general location of all dwellings and other structures in the PRUD and building densities per gross acre, including tables or graphs showing the percentages of each dwelling type being proposed.
 - g. A landscaping plan showing what areas are to be landscaped and what types of plants and materials are to be used.
 - h. Elevation drawings or perspective drawings of all building types proposed within the PRUD. Elevation drawings for single family can be conceptual and provide examples of the types of housing being proposed. Elevation drawings for attached or multi-family buildings shall be specific and show the exact structures being proposed.
 - i. If an HOA is proposed, provide a draft of the declaration of covenants, conditions, and restrictions for review and to assure their compliance with the provisions of this code.
2. If the PRUD is proposed to be developed in phases, the preliminary site plan shall also show phase boundaries. Each phase shall be of such size, composition, and arrangement so that construction, marketing, and operation of each phase is feasible as a unit, independent of any subsequent phases.
 3. A PRUD shall be in single ownership and control or under option to purchase by an individual or a corporate entity at the time of application, or the application shall be filed jointly by all owners of the property.
 4. *Approval Criteria.* Submittal of an application for a zoning amendment for a PRUD overlay zone shall not guarantee that the zone or site plan will be approved. After review of the zoning amendment and site plan, the planning commission shall forward a
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recommendation to the city council. The city council may approve the zoning amendment and development plan if it finds the proposed PRUD overlay zone and associated site plan:

- i. Implement clear concepts contained in the general plan; and
- ii. Meet the purpose and intent of this chapter; and
- iii. Provide superior site design and increased amenities as set forth in this chapter.

5. *Subdivision Required.* An application for preliminary subdivision approval may be initiated after the city council has voted in favor of the proposed overlay zone request. Compliance with the requirements of this chapter does not exempt an applicant from meeting the requirements of Chapter [17.130](#) WPCC (Subdivisions) except as may be modified pursuant to the provisions of this chapter.

6. *Approval Expiration.* An applicant that has received the PRUD overlay zone and a development plan approval must file a complete final plat application within 24 months from the date of the approval and rezone. Upon request from the applicant, the community development director or designee may grant a one-time 12-month extension for filing a final plat. If no completed final plat application has been submitted before the time of expiration the property may be rezoned by the city council to remove the PRUD overlay zone.

E. Development Standards

All PRUD proposals, regardless of the size of the development, shall comply with the following development standards in order to achieve flexibility from the underlying zone.

1. The development standards for any lot in the PRUD zone shall be the same as in the underlying zone in which the lot is located except as modified by this article and an approved site plan.
 2. *Fencing.* Perimeter fencing shall be required in all PRUD overlay zones. Fencing shall be vinyl or an upgrade from vinyl. Chain link fencing shall not be allowed.
 3. *Architecture.* All development in a PRUD shall comply with the following architectural standards:
 - a. Exterior materials must comply with one of the following three options:
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- i. 40 percent brick, rock or stone, with the remainder of the front façade to be fiber cement board or stucco.
 - ii. 30 percent brick, rock, or stone on the front of the home with a three-foot wainscot of matching brick, rock, or stone on both sides of the home.
 - iii. All hardie-board or equivalent fiber cement board product on the entire home.
 - b. All homes will have a minimum 2 car garage.
 - c. No vinyl siding will be allowed.
 4. *Street Trees.* Trees shall be provided along all streets, either in the park strip or in the front yard. Trees shall be at least two-inch caliper and shall be located at least every 50 feet. The developer shall establish an escrow account to ensure that the trees are provided to each lot owner at the time they install their front yard landscaping.
 5. *Lot Area and Width:* A PRUD shall not be subject to the lot width, lot area, or setback requirements of the underlying zone in which the development is located. Lot area, widths, and setbacks shall be shown on the approved site plan.
 6. *Access.* Access shall be required as described in Chapter [17.130](#) WPCC.
 - a. Public streets, sidewalks, curb/gutter and other street facilities shall meet the appropriate right-of-way widths and design requirements as required in the public works standard drawings.
 - b. Private streets, sidewalks, curb/gutter and other street facilities are only allowed to provide access to attached patio home units as allowed in the R-3 zone and shall meet the appropriate right-of-way widths and design requirements as required in the public works standard drawings.
 - c. A homeowners' association shall be responsible for maintenance, repair, and replacement of private streets, including curb, gutter, and sidewalks.
 8. *Common Areas.* Unless otherwise approved by the city council, common open space that is provided shall be devoted to landscaping, preservation of natural features, and recreational areas. Common open space may be distributed throughout the PRUD and need not be in a single large area. Developments that include sensitive lands such as the FEMA floodplain, wetlands or other sensitive features may only include such sensitive lands as open space when they have been designed as an integral part of the project.
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9. *Maintenance Plan.* In order to maintain a visually appealing development, the developer shall provide a maintenance plan for the upkeep of open space or other landscaped amenities within the development. If any open space or other landscaped amenities exist that are owned in common, a homeowners' association (HOA) shall be required. In the event that the HOA does not maintain the open/common space and improvements as indicated at the time of approval, the city may perform the required maintenance or contract with a third party to perform the required maintenance and recover all costs from the HOA. The city shall provide written notice to the HOA 30 days prior to performing any work. After the work is completed the city shall send a bill to the HOA for any costs associated with performing the work. If the HOA does not pay within 30 days, the city may issue a lien on the property. This provision shall be included in the developer's agreement.

F. *Density Calculations and Bonuses.*

The purpose of the density bonus is to provide an incentive to a development while enhancing the overall characteristics of the subdivision that are not allowed by the applicable underlying zone, and which otherwise would not be an option.

1. *Base Density.* Base density shall be determined by the underlying zone as set forth in the development standards tables found in WPCC [17.60.080](#), [17.60.090](#) and [17.60.100](#), the R-1, R-2, and R-3 zones of this title. Only development proposals with ten acres or greater may use the density bonus criteria outlined in this section to achieve additional density. The base density shall be calculated on the gross area of the site but shall not include sensitive lands as defined in this chapter.

2. *Density Bonus.* The city council, after receiving a recommendation from the planning commission, may authorize a density bonus up to a maximum of 10 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. 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. Bonuses listed below that share common elements regardless of the subsection shall not be used together to create a greater bonus percentage.

3. *Development Standards.* All PRUD proposals, regardless of the size of the development, shall comply with the development standards listed in Section E of this chapter in order to achieve bonus density, even if no flexibility from the underlying zone is being requested.

4. *Criteria for Bonus Increase.*

a. *Affordable housing*

i. Providing homes that qualify as affordable housing as defined in Utah State Code 10-9a-403.2. To qualify, at least 25 percent of the homes in the development must qualify as affordable housing and be deed restricted to be owner occupied for a period of at least 10 years. The location of affordable housing in the city will be determined by the City Council. Not all developments will be able to qualify for bonus density using this criteria.

b. *Enhanced Overall Design Theme*

i. Fencing on all lots that is uniform in design and type and that is vinyl fencing or an upgrade from vinyl. Chain link fencing shall not be allowed.

ii. All front yard landscaping meets water wise standards, which includes lawn areas to not exceed 35% of the front and side yard landscaped areas for single-family residential. Yards must still maintain the material and live vegetation requirements of section 17.70.040. This can be achieved by the builder installing the landscaping or the CC&Rs requiring waterwise standards on all lots.

iii. 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

iv. Large special features which define the theme of the development and are utilized throughout the entire project

c. *Recreational Amenities.*

i. 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 benefit to

the residents of the development, its size and the number of amenities in the development

ii. *Development of a Playground or Park Area With Play Features or Picnic Areas.* To qualify, a minimum of five percent of the gross area of the development must be improved as park area.

iii. Development of a common building which shall be used for meetings, indoor recreation, or other common uses as approved by the planning commission

iv. Development of a trail system throughout the subdivision and connecting to adjacent trail systems where possible

v. Dedication of land to the city for the development of a regional trail system

vi. Dedication of land to the city for the development of all or a portion of a regional or community park as shown on the Parks Master Plan

vii. Dedication of land and construction of all or a portion of a park or trail as shown on the Parks Master Plan

viii. Open space that is designed and improved (not leftover space between buildings) and flows uninterrupted through the entire development, linking dwellings and recreational amenities. Open space shall be improved with grass, shade trees, and a sprinkler system for the majority of the area. Open space areas shall not include areas that are occupied by buildings, lots, structures, parking areas or streets. Additionally, open space shall not include:

- a) Area between buildings and outside of platted lots and building pads unless part of an approved pedestrian circulation plan and at least 18 feet in width;
- b) Front, rear, and side yard setbacks; and
- c) Paved areas such as driveways, streets, and private sidewalks.

ix. A fee in lieu of open space may be provided if the following requirements are met:

- a) The fee in lieu of shall be determined by an appraised price per acre and the amount shall be approved by the City Council.
- b) The fee shall be designated as parks funds and shall be used to purchase or improve property for parks in other areas of the City.
- c) A portion of open space may be required to remain within the boundaries of the PRUD.

x. *Detention.* Storm water detention facility areas shall be designed and able to be used for recreation purposes, i.e., the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible

d. *Energy Efficiency.* All dwellings are designed with active, passive, or photovoltaic solar features.

e. *Civic Location.* Providing property to the City, school district, or other public entity for a future civic location, such as a city hall, school, or fire station. To qualify for density using this criteria the property must be given to the public entity and not purchased. Not all developments will be able to qualify for bonus density using this criteria.

f. *Other Amenities.* Other amenities may be approved by the city council as part of the rezone and site plan review.

H. *Common Space Subdivision 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 [17.130](#) WPC unless flexible deviations are granted as set forth in subsection (E) of this section and are included in a development agreement:

1. The following standards shall apply to common space subdivisions:
 - a. *Density.* Allowed density and bonus density for common space subdivisions shall conform with the standards set forth in this chapter.
 - b. *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 (E)(9) of this section.

c. *Zones Allowed.* Common space subdivisions shall only be allowed in the R-2 and R-3 zones.

d. *Attached Units.* Dwelling units in this subdivision option may be clustered in common-wall construction only in the R-2 and R-3 zones. Common-wall construction in the R-2 zones shall be limited to only twin homes. Attached units in the R-3 zone shall be limited to attached twin homes or one-story patio homes.

e. *Private Streets.* Private streets, sidewalks, curb/gutter and other street facilities are only allowed to provide access to attached patio home units as allowed in the R-3 zone and shall meet the appropriate right-of-way widths and design requirements as required in the public works standard drawings.

e. *Multifamily.* All PRUDs that have attached units shall follow the standards set forth in WPCC [17.60.110](#), Multifamily residential R-5, which shall include, but not be limited to, landscaping, parking, and building design.

I. *Related Provisions.*

Chapter [17.00](#) WPCC, Administration and Enforcement.

Chapter [17.10](#) WPCC, Definitions.

Chapter [17.30](#) WPCC, Site Plan Review Standards.

Chapter [17.40](#) WPCC, Conditional Use Permits.

Chapter [17.70](#) WPCC, General Regulations.

Chapter [17.100](#) WPCC, Off-Street Parking and Loading.

Chapter [17.110](#) WPCC, Sign Regulations.

Chapter [17.120](#) WPCC, Lighting.

Chapter [17.130](#) WPCC, Subdivisions. [Ord. 08-17-2021B § 2 (Exh. A)].

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