

**WOODS CROSS PLANNING COMMISSION MEETING
MARCH 27, 2012**

MEMBERS PRESENT:

Leo Beecher, Chairman
Jennifer Bassarear
Dan Bradford

Brent Page
Curtis Poole
Gary Sharp
Matt Terry

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary
Dave Hill, City Council Member

VISITORS:

Beth Williams
Brent Williams
Pat Blackley
LeGrande Blackley
Don Schrader
Lois Schrader
Dixie Weeks

PLEDGE OF ALLEGIANCE:

Dan Bradford

APPROVAL OF MINUTES

The Commission reviewed the minutes of the Planning Commission Meeting held March 13, 2012. After their review, Commissioner Page made a motion to approve the minutes as written with Commissioner Poole seconding the motion and the motion carried.

CITY COUNCIL REPORT

Council Member Dave Hill was at tonight's meeting representing the City Council. He reported on the City Council Meeting held March 20, 2012. Please see the minutes of that meeting for the details of his report.

OPEN SESSION

Chairman Beecher then opened the meeting for public comments regarding issues that were not on the agenda. There were no comments from the public and Chairman Beecher closed the open session.

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**GRIP N GO SCOOTERS CONDITIONAL USE REQUEST—1569 WEST 2225 SOUTH—
BRENT WILLIAMS**

Mr. Tim Stephens, the Community Development Director reviewed this item with the Commission. He noted that Mr. Brent Williams is proposing to operate a motorized scooter sales and service business from a commercial building in the Sky Park Industrial Park. He will be assembling scooters and selling scooters mostly through an online store. Some repair and maintenance of scooters will occur at the site. The applicant has received a South Davis Metro Fire Agency inspection.

Ms. Beth Williams appeared before the Commission representing this item. The Commission asked Ms. Williams if she was comfortable with the conditions as outlined. Ms. Williams said she was comfortable with all the conditions as noted.

The Commission asked how much traffic is expected at the business. Ms. Williams said they did not expect much traffic at all. The Commission also asked if they were tenants of the building or if they were buying the building in which the business would be located. Ms. Williams noted they would be tenants. The Commission then asked how many employees they would have and Ms. Williams replied that it was only herself and her husband at this time.

The Commission then went on to ask what kinds of scooters would be sold. Ms. Williams said it would be mostly scooters from China and Taiwan right now. They were also asked if there would be adequate parking. Ms. Williams said there were only 3 parking spaces required for a dealer's license and those were currently marked for use. She went on to say if they had more customers, she and her husband could park behind the garage located behind the business.

There were no further questions from the Commission and Commissioner Sharp made a motion to approve the conditional use for Grip N Go Scooters located at 1569 West 2225 South and Mr. and Ms. Williams with the following conditions:

1. At no time may equipment, materials or other items be stored outdoors. All such storage shall be accommodated within the fully enclosed building
2. At no time may the applicant's operation negatively impact the surrounding properties especially the residential neighborhood nearby.

Council Member Page seconded the motion and the motion carried.

**PUBLIC HEARING: PROPOSED AMENDMENT TO CHAPTER 21 OF THE ZONING
ORDINANCE REGARDING ADDITIONS AND ENLARGEMENTS WITHIN THE
NON-CONFORMING WESTWOOD MOBILE HOME SUBDIVISION—TIM
STEPHENS**

Mr. Stephens went over this item with the Commission. He reviewed with the Commission that this was a public hearing to consider an amendment to the zoning ordinance. He said the

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amendment would establish regulations for the enlargement or placement of structures of mobile homes within Westwood Mobile Home Subdivision. Presently, the Westwood Mobile Home Subdivision is zoned I-1 Light Industrial and has been for over 20 years. Previously, it was zoned T-1 Trailer. The trailer subdivision has been a non-conforming use within the industrial zone and will not be allowed to be enlarged beyond its present boundaries. However, for the last 20+ years, the City has applied the old setback from the T-1 Zone to permit property owners to replace old mobile homes with new manufactured housing and to install additions on the same.

Recently, the City was prohibited from enforcing the old setbacks to resolve a situation. In addition, over the last 30 or more years the subdivision has existed, many property owners have added additions or placed mobile homes without permits that did not conform to the old regulations. According to the City Attorney's office, this situation prohibits the City from enforcing setbacks on proposed improvements or retroactively to older improvements due to the years or decades they have existed.

The Staff is proposing the adoption of the ordinance amendment. The Westwood Mobile Home Subdivision will remain as it has for 2 decades as a non-conforming use within the I-1 Zone and will not be permitted to expand or enlarge beyond its present boundaries. We feel that the homeowners should have the opportunity to improve their properties or replace and upgrade older, dilapidated, manufactured homes within the park. The adoption of regulations for such changes would permit, hopefully, an improvement over time of the less than stellar conditions that now exist in this small neighborhood. Though these new regulations could not be used retroactively to correct many of the building placement problems that have developed over the last 30 years, it would allow a new starting point to effectively deal with proposed structure changes or additions within the neighborhood. Furthermore, the City would also step up enforcement action for other zoning violations as they relate to debris, weeds, dismantled, inoperable vehicles etc. Hopefully with these changes and the City's renewed commitment, we will see over time, an improvement within the subdivision.

Mr. Stephens said the City Attorney's Office has suggested these new regulations be placed in the Supplementary Regulations chapter of the Zoning Ordinance. This would establish the regulations for the replacement or enlargement of structures, but the subdivision itself would remain a grandfathered or non-conforming use within the I-1 zone. These regulations apply only to the Westwood Mobile Home Subdivision and not the I-1 Zone as a whole.

Chairman Beecher then opened the public hearing for public comments. There were no comments from the public and Chairman Beecher closed the public hearing.

The Commission went on to discuss this matter. They asked Mr. Stephens how these changes would be communicated to the residents. Mr. Stephens said possibly through building permit applications. It was also discussed that it could be communicated through a specific neighborhood newsletter or through letters to the President of the HOA which could be given to each of the owners of the specific properties.

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The Commission also discussed the role of the current HOA and it was noted that at this time the HOA is not effective and quite dysfunctional in dealing with the matters of the subdivision. It was also discussed that the City could post their yellow signs announcing the public hearing regarding this zoning change. This would allow the residents to be aware of the public hearing and they could come and state any concerns or discuss any issues they would like to discuss regarding this matter.

At this time, Chairman Beecher re-opened the open session as Ms. Dixie Weeks entered the meeting at this time. Ms. Weeks is a resident of the Westwood Mobile Home Subdivision and she has brought many of the problems she is seeing in the subdivision to the City's attention. She said she had been in contact with the City because people are building too close to their property lines. She said people have a tendency to build structures one board at a time extending the building time to go on and on. She also expressed her fear of the spread of a fire from building to building with the buildings being in such close proximity to one another. She said she would like to see things turn around in the area and go in a better direction to help the area look better in the future.

Chairman Beecher then closed the open session.

The Commission then went on to discuss the safety issues, aesthetic and density concerns and the overall feel of this subdivision. Mr. Stephens said he felt this change to the zoning ordinance would give a chance to reset things in regards to this area and hopefully move things in a more positive direction.

It was also discussed that it might be a good idea to have photographic evidence for future reference of each of the properties in the subdivision as they try to move forward and improve this area.

Mr. Stephens said the Staff would sit down and have discussions and decide what the best way would be to handle the matter and they would formulate a plan in moving forward with improving the area and enforcing the changes to the ordinance if the changes to the ordinance were approved.

There was no further discussion and Commissioner Page made a motion to forward the Planning Commission's recommendation for approval of the changes to the Supplementary Regulations Chapter of the Zoning Ordinance to the City Council for their review. Commissioner Terry seconded the motion and the motion carried.

DISCUSSION OF A-FRAME SIGN REGULATIONS—TIM STEPHENS

Mr. Stephens noted him and the Code Enforcement Officer for the City had been discussing the temporary sign regulations and discovered it does not identify which zones permit A-frame signs. It is Staff's recommendation that the sign ordinance be amended to state that A-frame

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signs be permitted in the C-1, C-2, S-1, AP, I-1, I-1A, I-2, LGC and LGN zones. A public hearing will then be required to receive any public input.

The Commission discussed with Mr. Stephens an A-frame sign that is currently being used in an agricultural zone advertising the selling of eggs. It was also discussed that this particular home type business did not have a business license and needed to have one if they were allowed to sell the eggs in the agricultural zone. There was discussion on A-frame signs in agricultural zones versus nearby residential zones, as well as other types of A-frame signs that were set up temporarily to advertise a religious meeting or home craft boutiques.

After their discussion, the Commission directed Staff to pursue defining where A-frame signs would be allowed and what zones might be designated for these signs, and bring back a draft for their review. It was also determined there would be need to be a public hearing on this matter for any public input.

GENERAL AND PENDING

Mr. Stephens reviewed several items that would be coming before the Commission in the future for their review.

He said Dr. Pam Nichols would be coming in to discuss an awning she would like to place at her Dog Park business.

He said there would need to be a public hearing to rezone the Legacy Gateway corridor.

He also noted that Mr. Chad Salmon would be coming in and would like to build self-storage buildings.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bradford made a motion to adjourn the meeting at 7:30 P.M.

Leo Beecher, Chairman

Bonnie S. Craig, Secretary