

**WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021**

The minutes of the Woods Cross Planning Commission meeting held February 23, 2021 by Zoom Conferencing.

**CONDUCTING:** Curtis Poole, Chairman

**COMMISSION MEMBERS PRESENT:**

Curtis Poole, Chairman	Ryan Larsen
Mike Doxey	Joseph Rupp
Eric Jones	Gary Sharp
Jessica Kelemen	

**STAFF PRESENT:**

Gary Uresk, City Administrator  
Tim Stephens, Community Development Director  
Bonnie Craig, Secretary  
Matt Terry, City Council Member  
Mark Bell, City Attorney

**VISITORS:**

LeGrande Blackley	Mark Vlastic	Don Schrader
Matthew Hyde	Charlene Tschaggeny	Lesa
Terrance Price	Mark Hardy	Jim Gramoll
Ken Romney	Jill Sharp	
Peter	Brandon Johnson	

**APPROVAL OF MINUTES**

Chairman Poole called for the review of the minutes of the Planning Commission meeting held February 9, 2021.

Following the review, of the minutes, Commissioner Doxey made a motion to approve the minutes as corrected with Commissioner Jones seconding the motion and all voted in favor of the motion through a roll call vote.

**OPEN SESSION**

Chairman Poole then opened the meeting to items from those present that they would like to bring before the Commission that were not on the agenda.

There were no comments for the open session, so Chairman Poole closed the open session.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 2**

**PUBLIC HEARING: THE PROPOSED ADOPTION OF NEW COMMERCIAL, RESIDENTIAL AND TRANSITIONAL ZONING DISTRICTS IN THE “NORTHWEST QUADRANT” OF THE CITY, INCLUDING RESCINDING THE EXISTING ORDINANCE GOVERNING THE AREA. THE MATTERS TO BE ADDRESSED INCLUDE THE FOLLOWING:**

- a. The amendments include (a) rescinding the current “Legacy Gateway” Zone (Chapter 12-31 of the Woods Cross code); (b) the adoption of a Single Family Residential zone (R-1-15/20); (c) the adoption of a Single Family Residential Transition zone (SFRT); the adoption of a Commercial/Residential Zone (CRT); the adoption of a Community Commercial Zone (C2-A); and the adoption of a Regional Commercial Zone (C-3).
- b. The proposed amendment of the City’s Zoning Map, affecting areas in the “Northwest Quadrant” of the City, and rescinding the current zoning map.

The materials under consideration (all zones and the current and proposed zoning maps) may be viewed at the City Offices or online at [www.woodscross.com/notices](http://www.woodscross.com/notices)

Mr. Tim Stephens, the Community Development Director noted that at tonight’s meeting the Commission would be holding a public hearing to gather input for the proposed zoning for the NW Quadrant and proposed zoning map. He also noted the Planning Commission would need to make a recommendation to the City Council at the conclusion of the discussion and public hearing. Mr. Stephens noted Mr. Vlasic from Landmark Design is in attendance at the meeting to answer any questions and participate in the Commission’s discussion and recommendation regarding this matter.

Mr. Stephens then turned the time over to Mr. Mark Vlasic from Landmark Design who has been consulting with the city on the rezoning that has been discussed.

Mr. Vlasic said the purpose of the zoning changes and zoning map changes were to align them with the general plan. He also explained the different zoning models that had been considered in the rezoning and the pros and cons for each of the models that had been considered. Mr. Vlasic said that after discussion on the different models, it was decided the best fit for the proposed zoning changes for Woods Cross City would be to use the Euclidian model for the new R-1-15/20 and hybrid (Euclidian/Form-based) model for the new Single Family Residential Transition (SFRT), Commercial Residential Transition (CRT), Community Commercial (C2-A), and the Regional Commercial (C-3) Zones.

Mr. Vlasic then gave a brief summary of each of the zones and showed the Commission and public present a map of where the various zoning districts would be located.

Following the review by Mr. Vlasic, Commissioner Sharp asked Mr. Stephens to explain to the public what would happen to the non-conforming uses in regard to the new zoning. Mr. Stephens said that legally non-conforming uses are still allowed as they always have been, but

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 3**

they will not be able to enlarge or expanded. Mr. Stephens did say there are certain allowances by the City's current nonconforming use ordinance where the Planning Commission can consider enlargements or expansions of structures or uses if certain criteria are satisfied. Any requests are looked at on an individual basis.

Mr. Stephens also went on to say that on March 2, 2021 the City Council would also be holding a public hearing so the public will have another chance to speak to this matter if they choose to do so.

Following the explanations given above, Chairman Poole explained how he planned on proceeding with the public hearing. He said he would like to take public comments and the Commission and staff would take notes on the questions and concerns that were being heard. He said following the public comments, the staff and Commission would address each of the concerns and questions. He said he would like to handle the public hearing in this manner as to keep it moving in an orderly manner.

Chairman Poole then opened the public hearing.

Mr. Matthew Hyde addressed the Commission and said he was speaking on behalf of a property owner (the Wayne and Carma Pasco Trust) with property along 500 South within the area that is being rezoned. He said he was glad to hear there are no plans to address the non-conforming uses which could affect a number of businesses and property owners in the subject area. He said he did have concerns over the length of time that was being permitted to voice any objections to the rezone. He asked what the process would be and how those concerns would be addressed.

Mr. Jim Gramoll, who is also a property owner along 500 South who then addressed the Commission. He said part of his property is located in West Bountiful boundaries and part of his property is located in Woods Cross boundaries. He asked if the uses in both cities had been considered. He also said he had concerns with the C2-A zone splitting what had been the Legacy Gateway zone and wondered why the area was not to be continued as one zone for the property on the north and south sides of 500 South. He said he felt like the CRT Zone should have been applied to both sides of the street and that would make the transition between Woods Cross and West Bountiful more compatible. He said he felt like the different uses in Woods Cross and West Bountiful were going to be difficult in that area and the CRT zone would allow more compatible uses and would fit better. He said he did not think it made sense to have the C2-A zone in the area of his property.

Ms. Charlene Tschaggeny then addressed the Commission and said she lives in the "brown" zone (CRT) on the zoning map which is the Westwood Mobile Home Park. She asked if there could be documentation made saying this residential area is grand-fathered and it can maintain its use. She said she was concerned about her residential area and would like something more, such as a written document saying they can continue the current residential use in the subject area.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 4**

Mr. Matthew Hyde addressed the Commission again and said in the public's best interest he would like to know when the road would be put in that would connect Woods Cross City with West Bountiful City and if eminent domain would be used for the roads.

Mr. Mark Hardy addressed the Commission and asked where the road connecting to West Bountiful would be located. He also asked if there would be any influence given on the amendments after the March 2<sup>nd</sup> City Council meeting after the Council reviews the proposed rezoning changes.

Mr. Matthew Hyde said he wanted to commend Woods Cross on the recent progress and cooperation with neighboring cities regarding the rezone. He said there was a lot of work that was done on the rezone and he has been glad to see it happen because it was needed.

Mr. Mark Bell, the city attorney, noted Mr. Hyde should get his contact information to Mr. Stephens so staff could contact Mr. Hyde and have a further conversation about concerns and questions he had regarding the rezone.

There were no further comments and Chairman Poole closed the public hearing.

Chairman Poole did say that if anyone else would like to make additional comments regarding this matter, they could email the staff as well as bring their comments and questions to the next City Council meeting where there will be another public hearing held on the matter.

Chairman Poole did note there had been a negative comment received by email and would be including that comment as part of the record on this matter. The referenced document (a written letter from Brian Knowlton) will be attached to these minutes.

Mr. Stephens also said the public could submit written comments between now and March 2<sup>nd</sup> and the City Council will also take comments during the public hearing at their meeting. He said the Planning Commission would make their recommendations to the City Council tonight following tonight's public hearing and after the City Council has their public hearing, the Council will consider formally adopting the new zoning map and new zones, at their second City Council meeting in March. He said the public could email him if they had written comments to submit. He said since the City Council's consideration of the zoning map and new zones is going to be a public hearing, the Council will not make any decision at that meeting; and after the public hearing will study the proposals including public comments and make a decision at the next City Council meeting on March 16<sup>th</sup>.

Mr. Stephens then addressed the question concerning the road connecting West Bountiful and Woods Cross City. He said there are several roads on the city's transportation plan and there had been some discussions with West Bountiful regarding these roads and West Bountiful is aware of Woods Cross City's plans. He also said these proposed road developments that will require continued communication with West Bountiful. He also noted West Bountiful has expressed

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 5**

concerns about heavy traffic coming to their community but would like to continue with discussions on a road extension.

Mr. Stephens also noted there had been discussion with West Bountiful on the consideration of the interface with them and the proposed developments in the NW Quadrant. He said they are aware of the land uses that border their community.

Mr. Stephens also said if there are zoning changes within a community and there is a use that is non-conforming, that use can still operate and exist and in the future possibly transition and be replaced by a conforming use.

Mr. Stephens also addressed the concerns about the non-conforming use of the Westwood Mobile Home Park and said staff could work with Westwood on a document to assure the residents they can continue living there as a non-conforming use as long as the owner of the property does not decide to change the use of the property.

Chairman Poole stated that non-conforming uses are guided by both city ordinance and state law. He said the use does not stop until the property owner decides to do something different with the property.

Commissioner Sharp said he appreciated the public comments and the many hours that had been spent regarding this matter. He said there was concern for the property owners. He also said he felt like this plan is the best plan for Woods Cross City right now and he is in support of it.

Commissioner Rupp also said he appreciated the concerns over the non-conforming uses in the city and this plan is the logical continuation of what the general plan update wanted to accomplish according to residents' input a few years ago when the general plan update. He said it is consistent with what is in the best interest of Woods Cross City and many of the zoning changes made, go back as far as the General Plan update.

There was a question from Commissioner Jones regarding an agriculture zoned area on the zoning map and whether it would be rezoned in the future. Mr. Stephens said the City has been focusing mostly on the NW Quadrant right now, but that other areas of the City, including the agricultural zone along 1500 South, will be looked at in the future as work is done to update zoning rules in other quadrants in the City. It was noted the NW Quadrant had been the first area of focus for rezoning because of the moratorium and the impending expiration of that moratorium which necessitated the NW Quadrant to be considered for rezoning first.

Commissioner Jones said he would like to address the letter (Brian Knowlton, mentioned above) that had been given to the Commission regarding the opposition of the rezone because there may not be the ability for a business owner to expand their storage shed use. Mr. Stephens said on the current property for this business it would be up to the Planning Commission and the City Council to consider if alterations or enlargements are possible. It was noted that if the owner of the storage unit property were to expand to the adjacent property east of his property, he would

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 6**

still be in the I-1 zone which would allow storage units as a conditional use. Commissioner Jones said he did feel like the property owner's plans would not be hindered.

Chairman Poole thanked the public for their participation and comments on this matter. He also thanked the Planning Commission members for their hard work and attention to getting this rezone done. He also thanked Mr. Stephens and Mr. Vlasic and Mr. Bell for the long hours and the hard work they had put into getting the rezoning done.

**CONSIDERATION TO RECOMMEND TO THE CITY COUNCIL:**

Following the public hearing, public comments, and discussion on this matter, Commissioner Sharp made a motion that the Planning Commission approve and recommend that the City Council enact an ordinance: (1) adopting the proposed amended Zoning Map presented for consideration in the public hearing this evening (said map was mailed to affected property owners and was posted on the City's website); and (2) that the former zoning map be rescinded. The proposed changes on the map are limited to areas in the NW Quadrant of the City, with no modifications or changes from the proposed map. Commissioner Larsen seconded the motion, and all voted in favor of the motion through a roll call vote.

Commissioner Rupp then made a motion that the Planning Commission approve and recommend that the City Council enact and adopt the 5 new zoning ordinances/chapters as presented at the public hearing held this evening and as previously posted on the City's website. The new ordinances and regulations are identified as the C-3 Zone, C2-A Zone, CRT Zone, SFRT Zone and R-1-15/20 Zone with no modifications or changes. Commissioner Jones seconded the motion, and all voted in favor of the motion through a roll call vote.

Commissioner Kelemen then made a motion that the Planning Commission approve the rescission of the Legacy Gateway Zone and recommend that the City Council enact an ordinance rescinding the Legacy Gateway Zone. Commissioner Doxey seconded the motion, and all voted in favor of the motion through a roll call vote.

**CITY COUNCIL REPORT**

Council Member Terry was at the meeting and reported on the City Council meeting held February 16, 2021. Please see the minutes of that meeting for the details of his report.

Council Member Terry said he appreciated the hard work the Planning Commission and staff had put in on the rezoning and also thanked the public for their participation and comments at tonight's public hearing.

Council Member Terry also asked the Commission to let him know if they had anything for the agenda for the strategic planning session the City Council will be holding.

**OFFICIAL MINUTES  
WOODS CROSS PLANNING COMMISSION MEETING  
FEBRUARY 23, 2021  
PAGE 7**

**GENERAL AND PENDING**

Mr. Stephens said he had no general and pending for the meeting.

**ADJOURNMENT**

There being no further business before the Planning Commission, Commissioner Doxey made a motion to adjourn the Planning Commission meeting at 7:42 P.M.

---

Curtis Poole, Chairman

Bonnie S. Craig, Secretary