

**WOODS CROSS PLANNING COMMISSION MEETING
AUGUST 24, 2021**

CONDUCTING:

Curtis Poole, Chairman

COMMISSION MEMBERS PRESENT:

Curtis Poole, Chairman
Mike Doxey
Eric Jones

Joe Rupp
Gary Sharp

COMMISSION MEMBERS EXCUSED:

Jessica Kelemen

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary

STAFF EXCUSED:

Matt Terry, City Council Member

VISITORS:

LeGrande Blackley
Mark Midgley

PLEDGE OF ALLEGIANCE:

Mike Doxey

Mr. Stephens noted that Mr. Ryan Larsen had resigned his seat on the Planning Commission and would no longer be attending the meetings.

APPROVAL OF MINUTES

Chairman Poole then called for the review of the minutes of the Planning Commission meeting held August 10, 2021.

Following the review of the minutes by the Commission, Commissioner Doxey made a motion to approve the minutes as corrected with Commission Sharp seconding the motion and all voted in favor of the motion through a roll call vote except Commissioner Rupp who abstained because he was not at the meeting.

OPEN SESSION

Chairman Poole then opened the meeting to items from those present that they would like to bring before the Planning Commission.

There were no items for the open session and Chairman Poole closed the open session.

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**MIDGLEY URBAN CHICKENS CONDITIONAL USE—2132 SOUTH 1425 WEST—
MARK MIDGLEY**

Mr. Stephens, the Community Development Director, reviewed this agenda item with the Commission. He noted this applicant is proposing to keep 4 chickens at his home located in a residential zone. Mr. Stephens noted that urban chickens are a conditional use within the R-1-8 Zone. He also noted that the city regulations permit up to 10 hen chickens or chicks on a parcel under ½ acre of property.

Mr. Mark Midgley joined the meeting through Zoom. There were no questions from the Commission and Commissioner Rupp noted that Mr. Midgley had stated on his application that he understood the chicken regulations and he had signed that application.

Commissioner Sharp then made a motion to approve up to 10 hen chickens for Mr. Mark Midgley with Commissioner Jones seconding the motion and all voted in favor of the motion through a roll call vote.

**ROAD DEDICATION PLAT FOR 1200 WEST 1970 SOUTH STREETS—TIM
STEPHENS**

Mr. Stephens noted that the city has been working for the last year or more to secure property north of the Woods Cross Industrial Park to provide a second access to this area. He noted that presently the city shops, charter school, and other businesses are served by a single access from 2600 South. Mr. Stephens said that approximately two years ago, the fire marshal indicated that no further development could occur in the subdivision due to a fire code restriction on the amount of built floor space on a single access. He told the Commission that land and building permit approvals were suspended for this area.

Mr. Stephens noted that since that time, the city and lot owners had developed an emergency access to the adjacent residential subdivision. He said the situation allowed for an agreement between the city and fire district to permit further development in the area; however, the city and property owners would need to build a second access in the coming years. Mr. Stephens told the Commission that the city had purchased property along the perimeter of the property owned by a truck yard north of the subject subdivision for the purpose of connecting the subdivision to 1100 West Street. He went on to say that a special improvement district has been formed in which all property owners that will be served by this second access will participate in the cost and construction of the street. Given to the Commission is a road dedication plat that shows that 1250 West street will be extended to the north and then around to the east to connect to 1100 West Street. Mr. Stephens said that staff is recommending the Planning Commission forward to the City Council a recommendation to approve the road dedication plat for 1200 West and 1970 South Streets.

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Following the information given by Mr. Stephens, Commissioner Jones asked if there would be utility work that would need to be done. Mr. Stephens noted there would be a waterline that would loop into the public right-of-way and there would need to be sewer work done as well. Chairman Poole asked if there would be sidewalk put in and Mr. Stephens said yes there would be sidewalk put in on one side of the road. He also said this road would help alleviate traffic jams at peak times for the school.

Commissioner Sharp asked if there would be a landscape requirement and Mr. Stephens said yes, they would be putting in landscaping. Commissioner Sharp asked if the landscape plan would include waterwise plants. Mr. Stephens said they would be putting in stone mulch with threes to help with water conservation. Mr. Stephens also noted they would be putting in a nice fence around the trucking company that will have gates for access by the trucking company.

The Commission did find a couple of corrections that needed to be made on the plans and Mr. Stephens said he would get those taken care of.

Mr. Stephens noted that this road is planned to be completed by this fall.

There were no further questions and Commissioner Jones made a motion to forward the Planning Commission's recommendation for approval of the road dedication plat for 1200 West and 1970 South Streets. Commissioner Rupp seconded the motion, and all voted for the motion through a roll call vote.

REVIEW OF DRAFT ZONING ORDINANCE CHAPTER—TIM STEPHENS

Mr. Stephens reported to the Planning Commission that he had spoken with the City Attorney about the Dell Nichols text amendment which had been discussed at a previous meeting. Mr. Stephens said the City Attorney told him it would not work to restrict content on an electronic sign for Mr. Nichols. Mr. Stephens said they cannot control content legally.

The Commission then discussed this sign and what might be able to be allowed. There was discussion on whether they might view the sign as a non-conforming use and go through that process to approve the one sign that is in question in this zone. The Commission did say that the new sign would have better technology and would improve the appearance of the corner and it would be upgraded to look better.

Mr. Stephens said they could change a non-conforming use if it is to look better than before. He said it is currently in the city ordinance to upgrade something if it makes it look better. He noted the Maverik property as an example.

Commissioner Jones said he was more comfortable going through the already approved process than to make a text amendment to the sign ordinance. The Commission agreed they would be in favor of going through the non-conforming use process.

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Mr. Stephens said he would talk to the City Attorney again about going through the non-conforming use process for the proposed sign and would report back to the Commission with the information.

Mr. Stephens then noted there were a few more chapters of the zoning ordinance rewrite for the Planning Commission's review. He went over the sign ordinance and supplementary regulations chapter with the Commission noting any suggestions they had regarding these chapters.

CITY COUNCIL REPORT—MATT TERRY

Council Member Terry was not in attendance at the meeting so there was no City Council report. For information on the City Council meeting held August 17, please see the minutes of that meeting for the details of that meeting.

GENERAL AND PENDING BUSINESS—TIM STEPHENS

Mr. Stephens noted that Commissioner Kelemen's term on the Planning Commission had expired, and she would need to be reappointed.

Mr. Stephens also said he would be meeting with the development company who had purchased the Smith property and would be discussing the future plans of the property with them.

ADJOURNMENT

There being no further business before the Commission, Commissioner Doxey made a motion to adjourn the meeting at 7:50 P.M.

Curtis Poole, Chairman

Bonnie Craig, Secretary