

**WOODS CROSS PLANNING COMMISSION MEETING
OCTOBER 10, 2023**

This is the meeting of the Woods Cross Planning Commission meeting held October 10, 2023, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

COMMISSION MEMBERS PRESENT:

Joe Rupp, Chairman
Le Grand Blackley
Melanie Brooks

Mik Doxey
Jim Grover
Jake Hennessy
Eric Jones-Remotely

STAFF PRESENT:

Tim Stephens, Community Development Director
Bonnie Craig, Secretary—Remotely
Gary Sharp, City Council

VISITORS:

Chase Freebarrin
Mark Johnson
Dane Stone

APPROVAL OF MINUTES

Chairman Rupp called for the review of the Planning Commission meeting held September 12, 2023.

Following the review of the minutes by the Planning Commission, Commissioner Blackley made a motion to approve the minutes as written with Commissioner Brooks seconding the motion and all voted in favor of the motion through a roll call vote.

OPEN SESSION

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

There was nothing for the open session and Chairman Rupp closed the open session.

BEE YOU TIFUL HOME OCCUPATION—2043 SOUTH 1125 WEST—APRIL JOHNSON

Mr. Tim Stephens, the Community Development Director, reviewed this agenda item with the Planning Commission. He noted that this applicant was proposing to operate a jewelry sales business from her home. He said the sales would take place both in-house and online. He noted most of the products would be shipped out from the home. He also said the application indicated hostess parties and boutique sales are a possibility. He went on to note that parties or other gatherings at the home for the purpose of promoting or selling merchandise, taking orders, or conducting training, shall not be held more than two times each month.

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Following the information given by Mr. Stephens, Mr. Mark Johnson, representing this item, was invited to address the Commission. Commissioner Doxey what the gatherings would be like and what type of traffic to expect. Mr. Johnson said it would something like a typical garage sale type set up. He said 90% of the business activities would take place online but there is plenty of curbside parking and a large driveway that could also be utilized for parking. He said there would be no commercial deliveries coming to the home and no assembly of products. He said there could be a few customers coming to the home on occasion but there would not be many.

There were no further questions and Commissioner Blackley made a motion to approve the Bee You Tiful International home occupation with the following conditions:

1. Parties or other gatherings at the home for the purpose of promoting or selling merchandise or taking orders shall not be held more than two times each month.
2. Applicant's home occupation shall not negatively impact the neighborhood.
3. Applicant shall obtain a South Davis Metro fire inspection if required and submit a copy to the city prior to the issuance of a business license.
4. Customer parking shall be restricted to the applicant's driveway or curb adjacent to the property.
5. Applicant's business operation shall be in compliance at all times with any government entity having jurisdiction over the business or subject property.
6. Applicant shall obtain and maintain a Woods Cross City business license.

Commissioner Grover seconded the motion, and all voted in favor of the motion through a roll call vote.

DISCUSSION OF PROPOSED FIRE TRAINING FACILITY

Mr. Stephens then noted for the Planning Commission that recently, Mr. Dan Stone, the Fire Chief for South Davis Metro Fire Agency, met with some of the staff to discuss a future fire training facility that would be located on property owned by Holly Refining in Woods Cross City. He noted the fire chief would like to take a few minutes and make a presentation to the Planning Commission regarding this facility, its location, and makeup. Mr. Stephens said this would give the Planning Commission the opportunity to give early input into the planning of the facility and any insights or concerns the Commission might have for such a facility and its location.

Chief Dane Stone said this was a great opportunity to speak with the Commission. Chief Stone gave a brief presentation about the new fire training facility the fire district is planning to construct. He said the South Davis Metro Fire District protects the cities from Centerville to North Salt Lake City and they have five stations and are the largest department in the county. He gave a history of the existing training center and said they do not have any live fire training at the current facility, and it would be very beneficial to have a training center where they can conduct live fire training. He said they were recently given some new property of about five acres in West Bountiful from Holly Refinery, but it could not be used because it was located in the blast zone of the refinery. He said they were offered a new piece of property on 900 West which would be about three acres. He said he is hoping to eventually be able to do all training in this new area. Chief Stone said he needed the support from Woods Cross City to get this new piece of property from Holly to move forward with the construction of the new training facility. He said there are many

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refineries located in the area and they said they would help with financing if the fire department could help build the fire apparatus to help in the training of fighting refinery fires. He said there would be live fire training conducted at this new location. He said the refineries have their own fire brigades, but it would be good to have both groups of fire fighters work together and get to know each other. He said he has been working on getting something like this built for some time and he does not want to lose this opportunity to get this property.

Chief Stone said he would like to see if the city would be supportive from a zoning standpoint for this project.

Mr. Stephens said there was a concern among staff with live fires being used and burning occurring with that type of training, there could be smoke that would affect the area. He said as far as staff was concerned, that was the only potential impact that he could see at this time.

Chairman Rupp asked if this project would be compatible with this zone and Mr. Stephens said yes, it is in an I-1 zone and is conditional and the PC could see if it is compatible with the other things in the light industrial zone. He said there are other industrial uses nearby so it would be affected.

Chief Stone said there would not be any black smoke because of the method of training they use. He said they have to be very careful with live fire training. He also noted the property would be leased to them from Holly for a small amount.

Chairman Rupp asked if there would be a conflict with the nearby rail line. Chief Stone said they have not discussed that quite yet, but they could move things around on the property if that needed to happen. He said he wasn't too concerned about that because the fires used for training are in small containers. He said there would be no carbons burned so it should not affect the environment. He said he would like to bond for the facility and get it done in five years so it could be utilized.

Council Member Sharp asked if the other facility that is already in the area would be moved, and Chief Stone said yes, the training facility would be moved to the new training facility.

Chairman Rupp asked for feedback from the Commission.

Commissioner Hennesy said he felt like it was a great idea. He said he was a little concerned about HAZMAT training that was mentioned in the report but said the Commission could address that with conditional use. He said he felt this was a great thing for fire fighters to use for training. Chief Stone said there is a simulated tank car for the HAZMAT training so there is just benign gas that is used, like from dry ice, so there are no hazardous materials used in that training that it is simply a simulation.

Commissioner Brooks said she was in favor of this, and it would be useful in training firefighters.

Commissioner Blackley said it would be good training tool for fire fighters.

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Commissioner Grover said he liked the idea very much and said it was good to be able to support the fire fighters in our area as well as other fire fighters who might come and use the facility.

Commissioner Doxey said he was very good with this idea.

Commissioner Jones said he thought this was a perfect use for the property that was being proposed.

Chairman Rupp asked Mr. Stephens to draft a letter giving general support for this project and Mr. Stephens said he would get something put together.

Mr. Stephens said there may need to be language in the letter that said this would be a compatible use but there may need to be conditions that would need to be attached to be compatible.

Chief Stone thanked the Commission for their time and support on this matter.

**DISCUSSION OF CITY COUNCIL REVIEW OF PLANNING COMMISSION RECOMMENDATION
REGARDING SFRT TEXT AMENDMENTS—JOE RUPP & TIM STEPHENS**

Mr. Stephens then reviewed this item with the Commission. He noted that at the last City Council meeting the City Council held a public hearing and had a very lengthy discussion regarding the Planning Commission's CW Urban text amendment recommendation. He noted that after the lengthy discussion which also included input from Chairman Rupp, the City Council remanded to the Planning Commission the text amendment request asking that they reconsider a few items particularly the side corner setback. He also said the City Council had entertained the idea of the setback being increased from the proposed 8 feet to 12 to 15 feet. He noted the Planning Commission would need to discuss the text amendments and a plan for eventually submitting a revised recommendation to the City Council. Mr. Stephens said at the time of his report he had not received any information or contact from CW Urban representatives. He said the changes in the setback would greatly increase the corner setback and would obviously have ramifications to the project layout, number of lots, and viability. He said this was a general discussion and an update for the meeting tonight.

Following the information given, Chairman Rupp said there were two things that were sent back from the City Council to the Planning Commission. He said there was the setback issue and the fencing language issue that would need to be addressed. He said the fence section of the city ordinance needed to be looked at to see what to see what needs to happen to make correct the language. He said the Commission may need to see what "clear vision" means in regard to the setback. He said there were a number of texts that used the 30 foot clear visions triangle. He said the Council would like the numbers to be based on something concrete. He said there needs to be some justification of why the Commission did what they did in finding the numbers for the setbacks. He also said the lot size went back to 4000 square feet based on the changes suggested by the Planning Commission.

Chairman Rupp said the Council had discussed private versus public roads and the majority of the Council preferred private roads so the city would not have taken care of them. He went on to talk about some of the other things the Council had discussed.

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Council Member Sharp said the more he has thought about it the more he is concerned about the clear vision triangle. He said he did feel like it was not a good thing to ignore what the engineers have said, and they are really the experts on these types of matters.

Commissioner Blackley also attended the City Council meeting and said it was a lively discussion, but it was not particularly productive.

Mr. Stephens said as far as the clear vision triangle goes, he felt like it should be up to the experts to decide what that should be. He said CW Urban had sent back something to him with the 12 foot setbacks so that could be looked at again. He said the new layout has a 25 foot rear yard setback. He also noted the Planning Commission could reduce it to 15 feet, but the standard is 20 feet. He said it gives them three more feet in the front yard if the back yard is bigger.

Chairman Rupp said the decision should be made on data and the 30 foot vision triangle has been examined and if you measure from the sidewalk, you can still meet the requirements with an 8 foot side yard. He said he felt like the 12 foot, or 15 foot setback is based on someone's preferences.

Commissioner Grover said he agreed to have experts look at that a put together what they have according to the data.

Commissioner Jones said the setbacks are not only based on safety, but the design of the community which also affects the feel of the community.

Chairman Rupp said the Commission is able to look at all areas of consideration. He said he does feel like things need to be looked at based on some sort of data and some sort of criteria and be able to be defended when it goes back to the City Council. He said he would like to make sure there is an expert that can help make a decision as to what those numbers should be.

Chase Freebarin from CW Urban addressed the Commission and said he thought the biggest concern for the side yard setback was safety and they had looked at these many times in the previous plans and the 8 foot setback worked. He said they did remove several of the corner lots, so it is a cleaner and more efficient subdivision. He said it did not matter to him if his engineer or the city's traffic engineer went over the data again. He said a fact is a fact if it meets the standards, it meets the standards. He said they would be happy to help with whatever is needed and they would just like to move forward with the plan. He said they want to work with the city in good faith and he appreciated the Commission taking their time to look at this matter again.

Commissioner Hennesy said he likes the idea of having an engineer come in with a solid number and he said he is comfortable with 12 feet.

Commissioner Brooks said she is good with eight feet.

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Commissioner Blackley said what the traffic engineer says is what they should go with based on the professional recommendation.

Commissioner Grover said he likes the idea of coming up with a study to defend the number that should be set. He said he thinks it is fair to look at a study to see what works.

Commissioner Doxey said if there were data on their side the Council would have that to consider. He said he felt like the Commission has enough information to make a decision.

Commissioner Jones said he is concerned about the overall density, but he is okay with the 12 feet.

Council Member Sharp said he is willing to rely on the experts and they can define and make recommendations.

Chairman Rupp asked Mr. Stephens to continue to talk with the city engineer and CW Urban to get some solid numbers to take back to the City Council for their review.

CITY COUNCIL REPORT—GARY SHARP

Council Member Sharp reported on the City Council meeting held October 3, 2023. Please see the minutes of that meeting for the details of his report.

GENERAL AND PENDING BUSINESS

Mr. Stephens gave an overview of the following for the Commission:

- Parks Master Plan Report
- Water Use & Preservation Element of General Plan Report
- Discussion of October 24 Planning Commission Meeting may be changed from 6:30 to 6:00 and be for one hour in favor of another meeting scheduled by the City Council following the Planning Commission meeting that some of the Commission and staff need to attend.

ADJOURNMENT

There being on further business before the Commission, Commissioner Hennessy made a motion to adjourn the meeting at 7:50 P.M.

Joe Rupp, Chairman

Bonnie S. Craig, Secretary