

**WOODS CROSS PLANNING COMMISSION MEETING  
AUGUST 13, 2024**

The minutes of the Woods Cross Planning Commission meeting held August 13, 2024, at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

**COMMISSION MEMBERS PRESENT:**

Eric Jones, Chairman  
LeGrande Blackley  
Mike Doxey-remote

Jake Hennessy  
David Lewis IV  
Jim Grover-remote

**COMMISSION MEMBERS EXCUSED:**

Joe Rupp

**STAFF PRESENT:**

Curtis Poole, Community Development Director  
Bonnie Craig, Administrative Assistant  
Sam Christiansen, Public Works Director

**CITY COUNCIL MEMBERS PRESENT:**

Gary Sharp, City Council Member

**VISITORS:**

Don Schrader  
Sam Merlette  
Coby Freitag

Kori Shackelford  
Nancy O'Brian  
Steffan Olson

Tim Smith  
Todd O'Brian  
Carlos Kubischta

**PLEDGE OF ALLEGIANCE:**

LeGrande Blackley

Chairman Rupp was excused from the meeting and Vice Chairman Jones conducted the meeting.

**MINUTE APPROVAL**

Vice Chairman Jones called for the review of the minutes of the Planning Commission meeting held 7/09/24.

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

**OPEN SESSION**

Vice Chairman Jones then asked if there was anyone present who would like to address the Commission during the open session for items that were not on the agenda.

There were no comments for the open session and Vice Chairman Jones closed the open session.

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**KNOTTED TWIG HOME OCCUPATION—1577 SOUTH 2095 WEST—TIM SMITH**

Vice Chairman Jones then gave the floor to the Community Development Director who noted that Mr. Tim Smith, on behalf of Knotted Twig, is requesting approval of a home occupation permit for the purpose of establishing a woodworking and electrical repair business. He said the woodworking business would focus on custom home décor, signs, and cutting boards. He said in addition to woodworking, the applicant has indicated that lighting and lamp repairs would be part of the business. He noted business would be conducted in the garage of the applicant's home, with all tools, equipment, and supplies for the business stored in the garage. He also said there would be no additional employees involved in the business and customers will come to the home to pick up custom items or to drop off/pick up lamps and lighting for repair. He also noted there would be no outside storage and the work would be completed indoors and this business should not adversely impact the surrounding property owners.

Following the information given by the Community Development Director, Mr. Tim Smith appeared before the Commission.

Vice Chairman Jones asked Mr. Smith if he lives in the a single-family residential area in the Mountain View development. Mr. Smith said that he did live in the residential subdivision. Vice Chairman Jones asked Mr. Smith if he would be using standard business hours and Mr. Smith said he would be operating during standard business hours from 9:00 AM to 5:00 PM.

Commissioner Lewis asked if there would be noise from the business. Mr. Smith said he usually does all of his work inside the garage and when operating his tools and the noise level sounds much like a vacuum being operated. He said he is coming from North Salt Lake where he operated the same business, and he did not have any complaints from the neighbors where he lived before. He said he feels like there is very little noise coming from the business that may affect other residents living in the neighborhood.

There were no further questions and Commissioner Lewis made a motion to approve the home occupation request for a woodworking and electrical repair business use for Knotted Twig, with the following conditions:

1. Obtain and maintain a business license.
2. Obtain a South Davis Metro Fire inspection, if required, and submit a copy to the city prior to the issuance of a business license.
3. Business shall be in compliance at all times with any government entity having jurisdiction over the business or the subject property.
4. Business operation shall not negatively impact the adjacent businesses and properties.

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

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**FRIDAYS MOTORS CONDITIONAL USE—2511 SOUTH 1800 WEST—COBY FREITAG**

The Community Development Director then reviewed this item with the Commission. He noted this applicant, Mr. Coby Freitag on behalf of Fridays Motors, is requesting approval of a conditional use permit for the purpose of operating an auto dealership at this location. He noted the property is part of the TLS Subdivision between Redwood Road and the airport runway. He also said similarly zoned properties lie to the north and south. He said an auto dealership is an allowed use within the AP zone subject to a conditional use review. He noted the applicant is proposing to operate a small auto dealership and indicated there would be three to six higher end vehicles in inventory at this location. He said all vehicles will be kept indoors with no outdoor vehicle displays. He also said there will be no on-premise service or repair work on vehicles, just sales. He noted there would only be two employees currently associated with the business with hours of operation between 9:00 AM and 6:00 PM Monday through Saturday.

The Community Development Director did say city code leaves the determination to the Planning Commission of how many parking spots are needed and this should be determined on the “nature of the use, the anticipated density of persons and vehicles using the facility, etc.” He said staff recommends the Planning Commission using the base of the business having two employees and at the minimum have two parking spots, and add two additional stalls for customers, for a total of four stalls.

The Community Development Director also noted there will be no outside displays and staff does not anticipate any negative impacts to surrounding property owners.

Following the information given, Mr. Coby Freitag appeared before the Commission.

Commissioner Lewis asked if all cars would be stored inside and Mr. Freitag said yes, they would be kept inside, unless they were being taken for a test drive. Mr. Freitag said they were just selling cars and there would be no maintenance taking place.

There were no further questions or comments, and Commissioner Blackley made a motion to approve the conditional use request for an auto dealership use for Fridays Motors, with the following conditions:

1. Obtain and maintain a business license.
2. Obtain a South Davis Metro Fire Inspection, if required, and submit a copy to the city prior to the issuance of a business license.
3. Business shall be in compliance at all times with any government entity having jurisdiction over the business or the subject property.
4. Business operations shall not negatively impact the adjacent businesses and properties.

Commissioner Lewis seconded the motion, and all voted in favor of the motion through a roll call vote. Commissioner Lewis did say he felt parking would be more of a landlord issue since there are not really any public streets around the business. Vice Chairman Jones said he was not concerned about the

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parking because the cars to be sold will all be inside of the building. Mr. Freitag said, he plans to start with about five cars and there is plenty of room for more cars in the future.

**PUBLIC HEARING: DISCUSSION OF WOODS CROSS CITY DEVELOPMENT STANDARDS SPECIFICATIONS AND STANDARD DRAWINGS—SAM CHRISTIANSEN**

Vice Chairman Jones gave the floor to the Public Works Director who noted the following for the Commission:

“In efforts to keep the City Standards and Specifications up to date, city staff has worked with JUB to make suggested changes to the current approved Standards for City Infrastructure (roads, water system, parks sprinklers, storm drain system, street lighting and more) that development and repair and replacement must follow. The last update was approved by Ordinance by the City Council on September 2021.

“Most of the updates are related to city infrastructure and utility construction, but there are some items that the city staff would like input on in the standards for street name signs, streetlighting, tree planting, etc.

“The finalized updated Standards and drawings will need to be adopted by Ordinance (City Code 11-18-010) and follow the Land Development Ordinance update process with public notice and hearing in the Planning Commission before the City Council adoption with public notice and hearing.”

Following the information given by the Public Works Director, Vice Chairman Jones opened the public hearing.

There were no public comments and Vice Chairman Jones closed the Public hearing.

**CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL TO ADOPT WOODS CROSS CITY DEVELOPMENT STANDARDS SPECIFICATIONS AND STANDARD DRAWINGS—VICE CHAIRMAN JONES**

Following the information given by the Public Works Director, Commissioner Lewis asked if there was a problem with the city mandating the use of a single product from a single manufacturer rather than using something that just does the job. The Public Works Director said the products are narrowed down because the crews know what works best in their experience, so standards are met, and staff know what to expect when using a specific item. He said if they did not have certain standards, it can be a gamble on what they get. He also said they try and stock things that can be used when needed. He said there can be a problem if there is a certain item or model the city staff is using and then it is changed, they would then need to stock more parts for different models. He said they do allow substitutions, especially if there is a problem with availability or timelines that need to be met. He says they do keep it competitive, but they do use some specific models of things like sprinkler heads, and they know some work much better than the others. He said they try to keep things broad enough to use various types of items but narrow enough to make sure they are using quality products and getting what they need to do the job right.

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Vice Chairman Jones said he had a question about tree clearances. He asked if the code applied to all trees, existing or new. The Public Works Director said yes it does apply to new trees and existing trees. He said this gives them more of an ability to enforce the tree trimming. He did say that there were some trees planted years ago that are now lifting sidewalks, so they do want trees to be limited certain heights to make sure the sidewalks are obstruction free and also that ADA standards are being followed. He said he would like to have the funding and manpower to maintain all trees in the city, but that is not an option at the present time.

Vice Chairman Jones asked how the height of eight feet unobstructed pedestrian passage under trees was determined and the Public Works Director said seven feet is ADA, but they went with eight feet to allow for some time for growth and a period of time to be in compliance since trees grow differently and at different rates. The Public Works Director said there is a time period where if the tree is young it needs to grow, but eventually it will stay nice over time if it is trimmed correctly. He said they do have to make sure trees are trimmed to allow for garbage trucks and other large trucks to get by.

Following the information given and the discussion above, Commissioner Blackley made a motion to a recommend to the City Council they adopt the ordinance for the City Development Standards and Specification as part of the Land Development Code as presented. Commissioner Hennessy seconded the motion, and all voted in favor of the motion through a roll call vote.

**PUBLIC HEARING: ZONING CODE TEXT AMENDMENT—LAND USE TABLE AND DEFINITIONS—  
CURTIS POOLE**

The Community Development Director then noted that City Code currently lists permitted conditional land uses within the individual zoning chapters. He said to find what zone a particular land use is allowed; a search needs to be made through each of the zoning chapters. He said this can be difficult for residents, developers, and staff to navigate. He noted this is complicated when the same land uses are referred to differently in the individual chapters, and a search option of the code is not available. He said there are also subjective and confusing standards for approving certain land uses.

The Community Development Director noted that for this purpose, staff is proposing a text amendment that will include the following:

- Deleting all land use references and definitions from the residential, commercial, mixed use, industrial, airport, and cannabis chapters.
- Creating a land use table under Chapter 28, Supplementary Regulations, and renaming the chapter Land Use and Supplementary Regulations.
- Removing all subjective land use approval language from the individual zoning chapters where the Planning Commission must make a determination of whether a land use is similar to or compatible with surrounding properties and land uses.
- Cleaning up varying references to the same land use.
- Adding a few uses not currently in City Code:
  - o Automotive Oil Change Specialty Store
  - o Beverage Establishments with Drive Up Window
  - o Electric Charging Station

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- o Light Commercial Flex Manufacturing
- o Pet Boarding
- o Pet Services
- Amending permitted and conditional land uses allowed in individual zones.
- Moving all deleted definitions from the individual chapters to Chapter 2, Definitions.
- Adding new definitions to clarify uses:
  - o Light Commercial Flex Manufacturing
  - o Personal Services
  - o Pet Services
- Removing the numbering in the Definitions chapter.
- Changing a “shall not” to “shall” in 12-28-114, (f)(2), so the code will read, “No sign shall exceed 18 square feet in size,” instead of “No sign shall not exceed 18 square feet in size.”
- Grammatical edits.

The Commission discussed the definition of condominium and townhomes. It was noted they wanted it to be clear between the definition of what condominiums are and the ordinance language with restrictions for townhomes. There was discussion on linear rows of townhomes and how many may be allowed. There was discussion if there could be more than six and there was discussion about not being too restrictive for these types of developments. It was the opinion of the Commission that if these types of developments were done right, more than six units could look good and would be acceptable. The Commission noted they did not mind expanding the limit. There was discussion about fourplexes opposed to multi-family and the configurations and definitions associated with them.

Vice Chairman Jones said he would recommend they match the IBC definition of a townhome which is that a townhome is exposed by two sides which would make it clearer in the definitions chapter.

Commissioner Grover said he agreed with what Vice Chairman Jones, and said he feels like it can be aesthetically pleasing with more than six. He said maybe language could be added at later time for the number of units.

Commissioner Lewis said he did not feel like six was a large number for townhomes so if a building size is limited to six is counter intuitive for trying to get townhomes or condominiums less expensive and more affordable. He said he did not know what the right number was or if there is a number that needs to be recommended, but he did not want to be too restrictive.

Vice Chairman Jones said he has seen projects with as many as 14 units in one building. He said it is site specific. He said he would be fine with eliminating a number for units all together.

Mr. Poole said fire access might be an issue for the number of townhomes that could be allowed on a specific site. He said it is site specific and might be self-limiting because of the property where the project would be built.

Commissioner Jones asked if there were any more specific questions and there were no other questions.

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**PUBLIC HEARING: ZONING CODE TEXT AMENDMENT—LAND USE TABLE AND DEFINITIONS—  
CURTIS POOLE**

Following the information given above, Vice Chairman Jones opened the public hearing.

There were no public comments and Vice Chairman Jones closed the public hearing.

Commissioner Lewis asked what the Community Development Director thought on the above townhome discussion. Mr. Poole said he felt like it will be site limiting. He said he did not feel like breaking up the number of condominiums was necessary unless it needs to be for reasons for fire access or other types of access. He said he was not sure how the number six was chosen, but he said he was fine with eliminating the number.

Vice Chairman Jones asked Council Member Sharp what he thought, and Council Member Sharp said he was in favor of eliminating the number required for townhomes and if there was a full block of townhomes that make sense being considered, he felt like it was fine to do that type of project.

It was asked if there would be a service used to host and assist with the new code search and Mr. Poole said yes, they are looking at adding a code provider this budget year, along with a new website to make code more easily searchable.

Mr. Poole said he would also like to add a stacking lane for drive-up businesses in the land use and definitions, and it be required for drink businesses in code, so it is clear. He said there is nothing in code for stacking lanes at drive-ups at this time.

Mr. Poole also talked about animal kennels or pet boarding being added to city code. He noted kennels are not allowed within commercial zones at this time. He said he looked at other cities and where they were located. He said they are not allowed in the commercial zone right now. He said noise and smells are a concern to be located within a commercial zone, but he did say those types of issues could be regulated by conditional use. Mr. Poole said he had been contacted by a gentleman who was interested in operating a dog kennel/training facility in the C-2 zone so he wanted to bring this use to the Commission for discussion.

Mr. Carlos Kubischta from the Utah K-9 Academy was online and was invited to address the Commission regarding this matter.

Vice Chairman Jones reopened the public hearing so Mr. Kubischta could make comments.

Mr. Kubischta said he used to run the K-9 Unit for Hill Air Force base in the military working dog program. He said his biggest concern for him in considering this type of business, is the health and welfare of the dogs. He said the working dogs are military assets. He said he has had a home business doing dog training since he left the military a few years ago. He said he is now looking to start daycare and boarding operations. He said he understands there are a lot of dog boarders that do not do it right and understands conditional uses work well. He said he has had personal experiences where some of these dog operations are not being run correctly. He said the health and welfare of the dogs need to be the main focus and

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consideration. He said he is looking at investing quite a bit of money in this dog program and is making sure things are clean and done right by upgrading the facility to keep dogs healthy. He said he would make sure everything is done right to make sure the dogs do not get sick. He said marketing is important and that by word of mouth, information is given by clients reporting the facility is clean and maintained well so others would use the facility. He said his bread and butter is dog training and he has done it for many people around the country. He said there are not very many dog trainers that provide long lasting results, so he said he is approaching the daycare and boarding from the dog training perspective which he felt is unique.

Mr. Poole stated if the Commission chose to add the dog kenneling to the C-2 Zone, this change would cover the whole C-2 commercial zone.

The Commission discussed allowing this use and said they did not have an issue with adding kennel boarding to the C-2 commercial zone as a conditional use.

Vice Chairman Jones said the city could be opening up the potential risk between neighbors because it does not belong in a certain area. He said there are things like noise and smell that need to be considered and mitigated. Mr. Poole said a conditional use can always be revoked if these issues were not being mitigated. He said usually if a business is told their conditional use is going to be revoked because they are not following the conditions outlined, they bring their business into compliance.

Commissioner Lewis said a conditional use would cover the city and its bases for this type of use.

Vice Chairman Jones said he thought it would work to have that type of business in the C-2 Zone.

The Commission looked at the zoning map to see where the C-2 Zone was located. They felt like the dog kennel/boarding would work in the C-2 Zone.

Commissioner Lewis then said he was surprised to see the electric charging station only in the commercial zones. He said he felt like they could be allowed anywhere. Mr. Poole said the specific use as noted would be a separate use like a gas station so it would not make sense to put something like that in the middle of a residential area. He said individual charging stations would be allowed as a service such as putting one or two charging stations in other places like a grocery store parking lot or at a commercial building.

Commissioner Lewis said as he was looking at redoing things, there are parts of the code that are being applied to places that are already non-compliant. He said in the R-1-8 code it says a minimum of 8,000 square feet should be a lot size and in areas of the city there are lots that are 6,000 square feet and it is non-conforming with residents with smaller lots.

Council Member Sharp said they will not tear down a house if it is non-conforming. He said if someone wants to put in a new house within a year, he said it does not seem to matter because the property is non-conforming. He said there was a reason they went to the R-1-8, but that was before his time, and there are other places that do not comply with code. He said there are many non-conforming uses such as commercial areas but until the uses are changed, there is nothing that really can be done. He did say there are restrictions when changes are made. He said previous existing non-conforming uses have priorities



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over the new ordinances and the only way the city can make changes to existing land is to put new zones in them and wait for owners of the property to sell them and then changes can be made.

**CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL TO ADOPT AMENDMENTS—  
LAND USE TABLE AND DEFINITIONS—VICE CHAIRMAN JONES**

Following the information and discussion above, Commissioner Lewis made a motion to forward the Planning Commission's recommendation for approval to the City Council for the land use and definition amendments to City Code with the changes as discussed which include:

- Keep the definition of the townhome and condominium and send the limitations back to the chapter.
- Keep the original definition of the townhome and remove the limit of six.
- Add a conditional use to the C-2 Zone for kenneling instead of pet boarding.
- Take out the "N's" from the land use tables.
- To add a legend to the land use table showing what letters P and C stand for and what a blank area means

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

**CITY COUNCIL REPORT**

Council Member Sharp reported on the City Council meeting held August 13, 2024. Please see the minutes of that meeting for the details of his report.

**GENERAL & PENDING BUSINESS**

Mr. Poole noted there would be one or two conditional uses coming up at the next meeting.

**ADJOURNMENT**

There being no further business before the Planning Commission, Commissioner Lewis made a motion to adjourn the meeting at 8:03 P.M.

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Eric Jones, Vice Chairman

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Bonnie Craig, Administrative Assistant