

MINUTES OF THE REGULAR MEETING (ELECTRONIC) OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD REMOTELY ON MAY 19, 2020

PRESENT: Matt Quinney, Jay Thomas, Trish Hatch, Corbin England, and Ammon Allen. Kent Shelton and Bob Bedont were excused.

STAFF: Ray McCandless, Kent Page, Duncan Murray, Julie Davis

OTHERS: Dirk Burton, Jerry Dinkelman

The regular meeting was called to order at 6:00 p.m.

1. Approve Minutes from May 5, 2020

MOTION: Corbin England moved to approve the minutes from May 5, 2020 as listed. The motion was seconded by Jay Thomas and passed 5-0 in favor. Kent Shelton and Bob Bedont were absent.

2. DMAC Subdivision; 7494 South 1300 West; Preliminary Subdivision Plat (2 lots on .61 acres); R-1-8B Zone; All-West Real Estate/Jerry Dinkelman (applicant) [#20343; parcels 21-27-427-040, 045, 003, 002]

Jerry Dinkelman, applicant, said they are asking to subdivide the lot into two lots with a 75-foot minimum width. Curb and gutter are already installed. There was a dilapidated home on the property.

Kent Page gave an overview of the application. There are four parcels that comprise the two-lot subdivision. A portion of the property will be formally dedicated to 1300 West. The old home will be demolished, and the lots will be split east and west. It meets the future land use and current zoning of the property.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission approve the preliminary subdivision plat for DMAC located at 7494 S. Temple Drive (1300 West) with the five conditions listed below.

1. All lots must comply with the applicable requirements of Title 13, Zoning Regulations and Title 14, Subdivision Regulations including, but not limited to lot area, width and frontage requirements.
2. All applicable city departmental requirements must be met prior to recordation of the final plat.
3. Update the Final DMAC Subdivision Plat to address all existing and future planning, fire, engineering, and all other City redline corrections pertaining to the DMAC Subdivision Plat. Before the final plat is stamped for construction purposes by the City of West Jordan, all redline comments shall be completely addressed, and all financial assurances for necessary public improvements shall be met.
4. All buildings constructed within the DMAC subdivision shall comply with the requirements of the zoning ordinance.
5. An approved, unrecorded final subdivision plat shall remain valid for two (2) years. One 6-month extension may be granted by the zoning administrator if, upon written request by the

owner/developer, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the city.

Jay Thomas asked if the property takes into consideration the widening of 1300 West.

Kent Page said yes, the subdivision will be a benefit to the city with the dedication of property at plat recording. This section of 1300 West is already widened.

Matt Quinney opened the public hearing.

Further public comment was closed at this point for this item.

Corbin England said that this would be a great improvement to the area.

MOTION: Corbin England moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to approve the Preliminary Subdivision Plat for DMAC; 7494 South 1300 West; All-West Real Estate/Jerry Dinkelman (applicant) subject to the conditions of approvals 1 through 5 and adherence to all current City of West Jordan Code requirements. The motion was seconded by Trish Hatch and passed 5-0 in favor. Kent Shelton and Bob Bedont were absent.

3. Text Amendment - Amend 2009 City Code Title 13 to include “Micro Wireless Facility and Small Wireless Facility” in Chapter 16, Low Power Radio Service Antennas; city-wide applicability; City of West Jordan (applicant) [#21088]

Ray McCandless reviewed the code amendment needed in order to comply with adopted State code. He showed examples of the facilities that will be located in public rights-of-way. There are new free-standing poles, replacement light poles, and the use of existing poles (power/light). The look is more cluttered when using the existing poles and they are more difficult to manage. The proposed ordinance was sent to some of the telecommunication carriers. Some responses received said that the antenna should be located above power lines and streetlights in the case of using an existing pole. AT&T commented that there should be a 10-foot separation between powerlines and an antenna. Staff will revise the diagrams. State code sets the maximum size for electrical equipment and the antenna, but the carriers say those aren't large enough. Given the outstanding questions and issues, staff recommended that the Planning Commission provide any comments tonight and then continue the item to June 16th to give staff time to meet with the telecom providers to ensure that our standards will work with the technical requirements.

Trish Hatch asked if the height would exceed 50 feet.

Ray McCandless said a new pole cannot exceed 50 feet by State law.

Corbin England said most of the code deals with technical issues and some aesthetics. It is best to let staff work with the carriers.

Ammon Allen referred to the recommendation on Criteria 1 and encouraged staff to think of reasonable goals that we can work toward rather than just accepting what the carriers say that they need. For example, we want attractive looking poles, so certain requirements can be put in place that will improve the city.

Matt Quinney suggested that the commissioners email questions and comments to staff to be included in the minutes and for direction in research.

Corbin England asked if we want the one carrier that responded to be writing the policy for everyone. We need to be sure that it works technically for all carriers.

Ray McCandless said State law is very specific to make sure all carriers are treated equitably. There were comments from other carriers that had similar concerns.

Matt Quinney opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Jay Thomas moved to postpone Title 13 of the 2009 West Jordan City Code to include "Micro Wireless Facility" and "Small Wireless Facility" in Chapter 16, Low Power Radio Service Antennas to June 16th and to have the commissioners forward any questions or comments to staff. The motion was seconded by Corbin England and passed 5-0 in favor. Kent Shelton and Bob Bedont were absent.

4. Text Amendment - Amend 2009 City Code allowing Tattoo and Body Engraving Services as a Conditional Use in the SC-3 (Regional Shopping Center) Zone and CC-C (City Center Core) Zone; city-wide applicability; City of West Jordan (applicant) [#21050]

Ray McCandless said the request was initiated by City Council to look at the city code and determine appropriate locations for tattoo and body engraving services. This question was raised by someone who does tattoos in conjunction with reconstructive work for medical purposes. Medical tattooing is already allowed as part of a medical service use. The planning commission should look at whether to allow tattoo and body engraving services and in which zones. He reviewed what other cities have allowed or not allowed. Over time, tattooing businesses have changed, but it is important to keep them in locations that are surrounded by commercial/business with a lot of activity rather than manufacturing areas that shut down at night. Staff recommended the CC-C and the SC-3 zoning districts, which are far enough away from residential areas.

Based on the analysis and findings contained in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council amending 2009 City Code allowing Tattoo and Body Engraving Services as a Conditional Use in the SC -3 (Regional Shopping Center) Zone and CC -C (City Center Core) Zone.

Matt Quinney agreed with the two zones recommended.

Ammon Allen asked for more clarification of the areas allowed. He thought that the area at 90th South and Redwood Road would be a good area for this type of business.

Ray McCandless showed the map of Jordan Landing and the CC-C zone. If it were allowed in one SC-2 or P-C area, then it would be allowed all other locations with that zoning, which are generally near residential uses.

Matt Quinney said that he wasn't concerned with including the SC-2 zone, but he wanted to know where they are located in the city.

Trish Hatch agreed that the SC-2 zone makes sense. She didn't think of them as a bad influence or as bringing a bad influence. They don't bring the bad crowd like it used to.

Jay Thomas agreed.

Matt Quinney said that he wouldn't have a problem with a nicely established tattoo business next to his home.

Duncan Murray clarified that the recommendation is that they be conditional uses.

Ray McCandless said a conditional use is still allowed but there is some control with conditions to mitigate impacts such as hours of operation or parking, what the building looks like.

Corbin England liked the idea of a conditional use in the SC-2, SC-3, and CC-C that gives them some control with conditions.

Ammon Allen said the SC-2 zone commonly has strip malls where he would expect this use, and it would give more variety to the city and more locations to choose from.

Jay Thomas agreed with the additional areas, but he wants to have a little control.

Matt Quinney said some of the other cities offer manufacturing zones. He asked where our manufacturing locations are and if we want to have them there.

Ray McCandless showed where manufacturing districts are located throughout the city. It is up to the commission to forward whatever recommendation they wish.

Matt Quinney was okay with adding the M-1 district as well.

Trish Hatch didn't know why anyone would want to go into a manufacturing zone, but it is okay as an option. She agreed that they should be a conditional use.

Matt Quinney opened the public hearing.

Further public comment was closed at this point for this item.

MOTION: Matt Quinney moved, based on the information and findings set forth in the staff report and upon the evidence and explanations received today, to forward a positive recommendation to the City Council to Amend the 2009 City Code allowing Tattoo and Body Engraving Services as a Conditional Use in the SC-3 (Regional Shopping Center) Zone, CC-C (City Center Core) Zone, SC-2 Zone (Community Shopping Center) Zone, and M-1 (Light Manufacturing) Zone. The motion was seconded by Corbin England and passed 5-0 in favor. Kent Shelton and Bob Bedont were absent.

MOTION: Corbin England moved to adjourn.

The meeting adjourned at 6:45 p.m.

MATT QUINNEY
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this _____ day of _____, 2020