

MINUTES OF THE REGULAR MEETING OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD DECEMBER 6, 2011 IN THE WEST JORDAN COUNCIL CHAMBERS

PRESENT: Justin Stoker, Kathy Hilton, Nathan Gedge, David McKinney, John Winn, Jesse Valenzuela, and Dan Lawes.

STAFF: Greg Mikolash, Tom Burdett, Robert Thorup, Ray McCandless, and Julie Davis

OTHERS: Aaron Thompson, Cheryl Acker, William Niedermeyer, Kerry Bugger.

The briefing meeting was called to order by Justin Stoker and the agenda was reviewed. Tom Burdett explained that west side property owners may be in attendance to speak on the proposed change in density tables.

Because there are no items to present, the December 20, 2011 meeting will be cancelled. Tom Burdett gave updates on the Jordan Valley TOD project and economic development activity.

The regular meeting was called to order at 6:01 p.m.

1. Consent Calendar
Approve Minutes from November 15, 2011

MOTION: Nathan Gedge moved to approve Consent Calendar Item #1 the minutes from November 15, 2011. The motion was seconded by John Winn and passed 6-0 in favor. Kathy Hilton abstained.

Kathy Hilton arrived at 6:02 p.m.

2. Business Items
Comprehensive General Plan – Final Recommendation to the City Council

Ray McCandless said the City Council will hear the last items regarding the General Plan update tomorrow evening. They will review the land use tables as well as terminology for the usage of ‘should and shall’ within the document. He reminded the Commission that two density tables were provided at their hearing for the land use element. One table was recommended by the General Plan Committee and another was reflective of the densities in the zoning ordinance. These two tables have been presented to the City Council as well. The General Plan Committee gave a final positive recommendation on the plan as presented, voting on changing the densities to be similar to those in the 2003 plan. The only change in the table that the Planning Commission first saw from the General Plan Committee and the one they voted on was that the gaps in density ranges were filled. He also noted that the General Plan Committee did not provide a very low density range. Staff is recommending four options to the City Council: 1) leave it as it is; 2) adopt the Planning Commission recommendation; 3) adopt the General Plan Committee recommendation; 4) remove the table from the General Plan altogether and let the residential zoning set the densities for the property. Also, the General Plan Committee talked about adding language in the Introduction section of the plan to address the use of ‘should and shall’, which he read.

Based on the findings set forth in the staff report, staff recommended that the Planning Commission forward a positive recommendation to the City Council to adopt the General Plan as updated and a positive recommendation on the future land use map as shown.

David McKinney asked if the ‘should and shall’ language is in the plan report itself.

Ray McCandless said it is not currently in the plan, and they will present it to the City Council as an option.

Aaron Thompson, West Jordan resident and member of the General Plan Committee, asked the Commission to reconsider the density table and limiting the maximum high density to 10 units per acre. He felt it is a respectful density classification. They should consider what the City wants on the land west of 5600 West. The land owners may not want a maximum of 10 units per acre, but he would feel more comfortable with that while raising his family instead of worrying about apartment complexes like the one on New Bingham Highway, which he felt was unfortunate.

Kerry Bugger, West Jordan resident, said he had stated many times before that he isn't a high density person. There is plenty of existing high density properties everywhere that have vacancies. More high density isn't in the best interest of the City. People move here to get away from high density to raise their children. They accept that they will have to commute to work in order to live in a family-oriented place, which does not include high density. High density may be good for the developer and the City but not for families.

Cheryl Acker, West Jordan resident, stated that during the last few months she received emails from several residents regarding density. She read from the comments that the higher density would place more demand on schools, water, and resources. They should adopt a code that promotes family-oriented residents and spread out the density. Other concerns were regarding the lack of roads, road congestion, poor maintenance of roads and parks, traffic, and lack of schools. The City should support open air and less density living. She asked that the Commission consider these comments when making their recommendation.

William Niedermeyer, West Jordan resident, said he moved here four years ago because he was living in high density and was looking to get away from it. He wondered why the City was making decisions to change. He looked through data from multiple cities to see the statistics on the densities compared to the kind of city they are, and he didn't think a change to higher density would be favorable for West Jordan.

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

Justin Stoker explained that they are not changing the underlying zoning on properties. The situation here is how they portray each of the zones and how they are listed. Effectively what they would be doing is moving R-1-8 and R-1-9 from low density to medium density and R-1-5 and R-2 from medium density to high density. They aren't changing zoning. Any change in density with building of apartments or townhomes would be done through a zone change and not through a general plan amendment. His concern was if they follow the General Plan Committee's recommendation, it will not only affect the west side but the whole city. They would have to redefine the existing two-thirds of the City and a lot of those neighborhoods would become medium, high, or very high density just by definition. He felt that would be unfair to those residents who live in established neighborhoods. In looking at some of the proposed density ranges it is conceivable that an R-1-10 and R-1-12 could be built outside of the density range and could be in the medium density range, which he had a hard time with. He also didn't think that R-1-8 and R-1-9 were high density. He noted that the meeting minutes from the General Plan Committee stated that Ellen Smith recommended moving the note on the density table to a more prominent position to make it clear that the densities in the table are more of a summary of what the zoning ordinance allows.

David McKinney agreed that the concern is a matter of labels and where the cutoff points are. Also, in reading the minutes of the General Plan Committee there was some confusion or concern that some of the densities overlap in the table recommended by the Planning Commission. However, the point is that depending upon definitions, something that is medium density could have zones that overlap, especially in the west side where density incentives are allowed if certain amenities are provided. He was still inclined to favor the density table they previously recommended.

Justin Stoker said there is either an overlapping density range in the Planning Commission's recommendation or there are overlapping zones as with the General Plan Committee's recommendation. It was interesting that in the General Plan Committee's recommendation the LSFR (Low Density Single Family Residential) is in the medium density table and MRF (Medium Density Residential) is in the high density table, which goes against common sense.

David McKinney said the idea of overlapping density ranges makes more sense than zoning districts that can be in different categories.

Dan Lawes agreed and said he still liked the table they recommended before, and he didn't care where the footnote was placed as long as it was included.

Justin Stoker referred to page 65 and said he would like to strike the sentence that read, "The West Jordan general plan and land uses predict single-family to be 83 % and multi-family 17%". He said it is five years old and another table shows that we are at 80% and 20%.

Greg Mikolash said the City Council wanted a forecast statement of where they want it to be.

Justin Stoker said without a tie frame it isn't concrete and doesn't make any sense.

Tom Burdett said they can send a recommendation to City Council. He said this was one item that causes him concern. From the statistics in the last 10 years the City had been developed at a rate of 60/40. Even if they took away all the multi-family and made it single-family he didn't know if they could achieve that goal.

Justin Stoker said it doesn't look like a goal; it looks like an outdated statement.

Greg Mikolash said it is a wish statement. Looking at the future land use map as proposed for adoption they will never meet those percentages.

Tom Burdett said as City Council talked about inserting it in the plan they said it was a target that they realize they may never hit.

Justin Stoker asked if it should be reworded to be a target range.

Greg Mikolash said they would have to see what the target range is based on the future land use map. The best thing to do would be to follow the future land use map and not include any percentages.

Tom Burdett said they should all be concerned about internal consistency in the plan. While it is a guide, and may have some inconsistencies, but if it is ever used as part of a record in defending a land use decision it is beneficial to the City to have it internally consistent.

David McKinney said beyond that it should be factually accurate. There is a difference between a prediction and a target or goal. A prediction suggests we have data that points in this direction; but it looks like our data points in a different direction. For that reason alone he didn't think they wanted a false statement in the General Plan and it should be stricken completely.

Kathy Hilton and Justin Stoker both supported the action to strike that sentence.

MOTION: David McKinney moved based upon the findings set forth in the staff report and the discussion this evening and public input in the hearing to forward a positive recommendation to the City Council to adopt the General Plan as updated with two

specific recommendations: 1) On page 65 under the heading 'Future Demand' the sentence "The West Jordan general plan and land uses predict single-family to be 83 % and multi-family 17%" be stricken; 2) The City Council adopt the housing density table previously recommended by the Planning Commission. The motion was seconded by Nathan Gedge.

AMENDED

MOTION: Kathy Hilton wanted to specify that the reason behind striking the sentence is that all the information and data does not point that it will ever be reached in the City of West Jordan. The amendment accepted by David McKinney and Nathan Gedge, and the amended motion passed 7-0 in favor.

MOTION: David McKinney moved based upon the findings set forth in the staff report and the discussion and input from the hearing this evening to forward a positive recommendation to the City Council to adopt the future land use maps as presented with the updated General Plan and that the explanatory language regarding the respective meanings of the terms 'should and shall' be included in the General Plan. The motion was seconded by Kathy Hilton and passed 7-0 in favor.

Tom Burdett noted that the meeting on December 20th is cancelled as there are no items to present.

MOTION: Nathan Gedge moved on behalf of the Planning Commission to extend a vote of appreciation to thank Justin Stoker for his six years of service and three years as Commission Chair. The motion was seconded by Dan Lawes and passed.

MOTION: Nathan Gedge moved to adjourn.

The meeting adjourned at 6:33 p.m.

Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Development Department

Approved this _____ day of _____, 2012