

MINUTES OF COUNCIL REGULAR MEETING NOVEMBER 12, 2024

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, NOVEMBER 12, 2024 AT 6:35 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT:

Ifo Pili, City Manager
Nichole Camac, City Recorder
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Jamie Young, Parks and Recreation Director
Jonathan Springmeyer, RDA Director
Sam Johnson, Strategic Communications Director
Paula Melgar, Human Resources Director
Ken Cushing, IT (*electronically*)
Travis Crosby, IT

OPENING CEREMONY- COUNCILMEMBER LARS NORDFELT

Councilmember Nordfelt asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD OCTOBER 22, 2024

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The Council considered the Minutes of the Regular Meeting held October 22, 2024. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Regular Meeting held October 22, 2024. Councilmember Huynh seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

SPECIAL RECOGNITIONS

Mayor Lang welcomed Scout Group 1996 to the City Council Meeting. The troop is working on their Communications and Citizenship in the Community badges.

AWARDS, CEREMONIES, AND PROCLAMATIONS

A. A PROCLAMATION DECLARING NOVEMBER 23, 2024 AS "WORLD SUICIDE PREVENTION DAY" IN WEST VALLEY CITY

Councilmember Harmon read a Proclamation Declaring November 23, 2024 as "World Suicide Prevention Day" in West Valley City.

Catrina Struble, Executive Director for the Utah Chapter of the American Foundation for Suicide Prevention, discussed the importance of addressing mental health and suicide prevention. She emphasized that suicide is preventable and highlighted the work being done through prevention, postvention, education, and training programs. She also mentioned an event called Suicide Survivors Loss Day, which takes place the Saturday before Thanksgiving. The event serves to bring together survivors of suicide loss, providing a space for connection, support, and healing. Catrina expressed gratitude for the opportunity to share these initiatives with the community.

PUBLIC COMMENT PERIOD

Aaron Hoyne proposed an idea to address the affordable housing issue in West Valley City. He drew from his experience in Christchurch, New Zealand, where a housing crisis was mitigated by reopening zoning regulations to allow multiple dwellings on properties. This included creating flats within existing homes, where individuals could have private bedrooms and bathrooms but share common areas like kitchens, laundry, and living spaces. Aaron suggested that implementing a similar approach in West Valley City could help create affordable housing, with rent potentially as low as \$600 to \$800 a month, which he believes is much more affordable than the current market rates in apartment complexes.

Alen Osmanovic suggested adding amenities to West Valley Park, particularly in light of the 50 new residences that have been built in the area this year. He proposed the addition of a dog park or other improvements to the park, which is located next to the Animal Shelter. He highlighted the potential for increased property tax revenue, estimating

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\$150,000 from the new homes, with even more development planned nearby (30 more residences across from Simply Storage). Alen believes this is a good opportunity to consider enhancing the park's amenities to better serve the growing community.

Stephen Fuller expressed opposition to the proposed rezoning on 6000 West and 3700 South. He is concerned that the proposed density of housing, with 40 residential units on a 6-acre area, will lead to increased traffic problems, particularly along 6000 West. He mentioned existing issues with traffic and schools in the area and believes that adding this many units will exacerbate these challenges.

Mike Dye spoke in opposition to a proposal to rezone a 26-acre plot of land in the Highbury Place community from R-1-8 to Mixed Use Commercial. This proposal, which was considered by the Planning Commission, seeks to build 435 high-density residential units, including six apartment buildings (two 6-story buildings, one 4-story, 21 three-story townhomes), and a 6-story short-term rental building with a surf training pool. The development also includes pickleball courts. Mr. Dye stated that he represents the community of 196 single-family homes and advocates for the proposal's rejection. He cited concerns over increased crime, traffic, and parking problems, as well as decreased safety, privacy, and property values due to the high-density development and short-term rental properties. He emphasized that the neighborhood would prefer development in line with the current R-1 zoning, which would allow more homes between the neighborhood and the nearby school.

Rick Turner, a resident for 48 years across from the proposed property at 3876 South 6000 West, expressed concern about a development that is proposing 39 units on 6.6 acres. He stated he is worried about the impact of increased traffic, especially with nearby schools and a private school on Cilma Drive. Mr. Turner expressed opposition to the density of the proposed units, noting that the limited space between them (only 5 feet) would make the development cramped and negatively affect the neighborhood. He advocated for smaller units to reduce congestion and improve the area's livability.

Mike Markham referenced a comment he made about six weeks prior that may have offended some people. He mentioned the results of recent elections in Utah, suggesting that those elected reflect his views and that he now feels "in pretty good company" regarding his stance. Mr. Markham chose not to repeat the controversial term but indicated that he feels validated by the election results.

Jim Vesock discussed the Veterans Memorial, which the city has already invested over \$800,000 in, but which is rarely used. He mentioned that there have been only two programs at the memorial since it was built, despite several veterans' events. Mr. Vesock raised concerns about the proposed expansion, questioning whether more money should be spent on it when the memorial isn't being utilized. He pointed to Bountiful's veterans memorial, which was fully funded by private donations and is considered well-done. Mr.

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Vesock also shared feedback from a veterans' program event, noting that attendance was lower this year, possibly due to competing events. He criticized the distribution of "sippy cups" at the event, suggesting a return to giving out coins as a more meaningful gesture, as done by the military and emergency services in previous years. Finally, he brought up a suggestion regarding paid time off (PTO) policies, recalling that in the past, PTO was paid at minimum wage instead of the employee's regular wage. He recommended that if PTO is paid out, it should be at the minimum wage rate.

Faith Albert expressed concerns about the development of a property near her home, particularly related to increased traffic congestion and safety risks. She described how her neighborhood feels "boxed in" due to the existing infrastructure, with limited ways to get out, such as through 6000 West and nearby 4100 South. Ms. Albert emphasized that the area already experiences heavy traffic, especially with multiple schools nearby (including a junior high, elementary school, and a private school), and that adding more housing would exacerbate the situation. She pointed out that each new household could bring additional cars, significantly increasing traffic. She raised safety concerns, particularly for children who walk to and from school, and expressed opposition to adding more dense housing in the area, which she believes would worsen congestion and compromise safety.

Beth Boyer expressed concern about the proposed development of more homes in the area. She highlighted that there are times of the day when traffic is already difficult to navigate, especially due to the presence of the two schools nearby. Ms. Boyer noted that the current number of homes (around 13 to 15) would be more than doubled by the proposed development, significantly increasing congestion. She emphasized that adding more homes would worsen the traffic issues, particularly during peak hours when school is in session. Ms. Boyer also referenced a letter she had submitted and hoped the Council would take her concerns into account when considering the number of homes in the development.

Jake Hone, representing Grow Development, addressed the Mayor and Council regarding the proposed development on 6000 West. He acknowledged the concerns raised by residents about increased traffic but emphasized that their proposal aims to improve a worn-down property with inadequate road frontage. Mr. Hone outlined the improvements that would be made to the area, including adding an additional lane, shoulder, curb, gutter, and sidewalk to improve walkability and safety for those walking to nearby schools. He expressed confidence that their plan would enhance housing options in West Valley City and align with the city's vision for the area. Mr. Hone also mentioned that the development agreement had been revised based on feedback from the Council and Mayor, and he encouraged support for the project as a means to revitalize the area.

Council Comments

Councilmember Christensen congratulated Jake Fitismanu, representative elect, and welcomed him to the state legislature. He expressed his regret at losing Mr. Fitismanu from the City Council in January but acknowledged that one can only serve in one elected

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position at a time. He concluded by offering his congratulations once again and extending a warm welcome to the legislature.

PUBLIC HEARINGS

A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION ZT-11-2024, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT CHANGE TO SECTION 7-6-301 TO ALLOW TATTOO ESTABLISHMENTS AS A PERMITTED USE IN THE BRP, MXD, CC, C-1, C-2, C-3, AND LI ZONES AND TO REMOVE THE PROHIBITION ON TATTOO ESTABLISHMENTS IN ALL OVERLAY ZONES**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled November 12, 2024, in order for the City Council to hear and consider public comments regarding Application ZT-11-2024, Filed by West Valley City, Requesting a Zone Text Change to Section 7-6-301 to Allow Tattoo Establishments as a Permitted Use in the BRP, MXD, CC, C-1, C-2, C-3, and LI Zone and to Remove the Prohibition on Tattoo Establishments in all Overlay Zones. Written documentation previously provided to the City Council included information as follows:

The applicant is proposing the zone change for three reasons. The first is to allow outside storage of new equipment/truck beds and upfitting parts. The LI zone prohibits outside storage while the M zone allows it. The second reason for the zone change is to allow additional auto service use which in this case is vehicle upfitting. The LI Zone includes the following provision: "Automobile Service shall only be allowed as a Use that is incidental to a Permitted or Conditional Use". In addition to adding outside storage, the applicant is proposing to expand and remodel the larger building on the south parcel to do more vehicle upfitting. The third reason for the zone change is the LI Zone prohibits overhead doors from facing 5600 West. The plans for the building on the south parcel include overhead doors on the east side of the building.

If this rezone is approved, a conditional use permit will be required for the outside storage and because the property is located within 5600 West Overlay Zone. The ordinance requires outside storage uses to be screened from public view through fencing, landscaping, building placement, topography, berming, or other methods as determined by the Planning Commission. For high-image arterial streets like 5600 West, the ordinance was recently amended to require screening of outside storage by means of a building or a 6' tall, precast concrete wall meeting certain specifications.

Mayor Lang opened the Public Hearing. There being no one to speak in favor or opposition, Mayor Lang closed the Public Hearing.

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ACTION: ORDINANCE NO. 24-44, AMEND SECTION 7-6-301 TO ALLOW TATTOO ESTABLISHMENTS AS A PERMITTED USE IN THE BRP, MXD, CC, C-1, C-2, C-3, AND LI ZONES AND TO REMOVE THE PROHIBITION ON TATTOO ESTABLISHMENTS IN ALL OVERLAY ZONES

The City Council previously held a public hearing regarding proposed Ordinance 24-44 that would amend Section 7-6-301 to Allow Tattoo Establishments as a Permitted Use in the BRP, MXD, CC, C-1, C-2, C-3, and LI Zones and to Remove the Prohibition on Tattoo Establishments in All Overlay Zones.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Nordfelt moved to approve Ordinance 24-44.

Councilmember Christensen seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

UNFINISHED BUSINESS

- A. **ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-5-2024, FILED BY GROW DEVELOPMENT, REQUESTING A GENERAL PLAN ZONE CHANGE FROM LARGE LOT RESIDENTIAL (2-3 UNITS/ACRE) AND LOW DENSITY RESIDENTIAL (3-4 UNITS ACRE) TO SMALL LOT RESIDENTIAL (4-7 UNITS/ACRE) AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO R-1-8 (SINGEL UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET) WITH A PLANNED UNIT DEVELOPMENT (PUD) FOR PROPERTY LOCATED AT 3876 SOUTH 6000 WEST**

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled October 22, 2024 in order for the City Council to hear and consider public comments regarding Application GPZ-5-2024, Filed by Grow Development, Requesting a General Plan Zone Change from Large Lot Residential (2-3 Units/Acre) and Low Density Residential (3-4 Units Acre) to Small Lot Residential (4-7 Units/Acre) and a Zone Change from A (Agriculture, Minimum Lot Size 1/2 Acre)

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to R-1-8 (Single Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet) with a Planned Unit Development (PUD) for Property Located at 3876 South 6000 West.

Mayor Lang noted that this item was continued from the October 22, 2024 City Council Regular Meeting.

Written documentation previously provided to the City Council included information as follows:

The north parcel includes 13 homes and 2 duplexes (4 units) and the south parcel includes 2 homes. All 17 units on the north parcel were built in the 1950s, are 624 square feet in area, have 2 bedrooms, and have a 1-car garage. On the south parcel, the house to the north is 1,296 square feet and was built in 1936 and the house to the south is 962 square feet and was built in 1928.

The County Assessor has an overall condition that is assigned to every structure. The condition options include poor, fair, average, good, very good, and excellent. In this case, all of the units on the north parcel are rated as fair, meaning maintenance, rehabilitation, and replacement are needed on many items. On the south parcel, the home to the north is rated fair and the home to the south is rated poor.

The applicant is proposing to demolish all the existing buildings and develop a planned unit development (PUD) of single unit dwellings. The applicant's original proposal included 42 units, yielding a density of 6.3 units/acre. However, after incorporating feedback from staff, the proposal now has 41 units, resulting in a density of 6.1 units/acre. The streets would be public and utilize the typical 54' residential right-of-way. A total of just below one acre of open space is proposed in two different locations.

Mayor Lang stated that the Public Hearing was open and closed at the October 22, 2024 City Council Regular Meeting.

ACTION: ORDINANCE NO. 24-42, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LARGE LOT RESIDENTIAL (2-3 UNITS/ACRE) AND LOW DENSITY RESIDENTIAL (3-4 UNITS ACRE) TO SMALL LOT RESIDENTIAL (4-7 UNITS/ACRE) FOR PROPERTY LOCATED AT 3876 SOUTH 6000 WEST

The City Council previously held a public hearing regarding proposed Ordinance 24-42 that would Amend the General Plan to Show a Change of Land Use from Large Lot Residential (2-3 Units/Acre) and Low Density Residential (3-4 Units Acre) to Small Lot Residential (4-7 Units/Acre) for Property Located at 3876 South

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6000 West.

Mayor Lang asked Steve Pastorik to the podium to address questions that were asked during the public comment period.

Steve Pastorik explained the side yard setback requirements for the development. For 75% of the lots, there will be a 10-foot side yard setback on the garage side and a 5-foot setback on the opposite side. For the remaining 25% of lots, both sides will have a 5-foot setback, meaning the closest homes will be at least 10 feet apart. This ensures that the homes will have at least 5 feet of space from the property line. Steve clarified that initially, there were 16 lots proposed on 60000 West. However, based on the Council's request to increase the frontage of the lots, the applicant revised the plan by removed 2 lots from the project and relocating 2 others within the development. This reduced the number of lots from 16 to 12. As a result, the lot sizes now range from 60 to 70 feet in width, depending on the final layout. Steve explained that the Development Agreement includes a provision limiting the number of rental properties in the development to no more than 30%. This is a relatively new approach, as they usually don't address rental percentages in standard subdivisions. The Homeowners Association (HOA) would be responsible for enforcing this rule, and it's important to note that in a typical subdivision without an HOA, state law prohibits restricting rental properties.

Councilmember Huynh expressed his concerns regarding the 30% rental limitation in the development. While he personally owns rental properties and has good tenants, he emphasized his preference for owner-occupied homes, as owners tend to maintain their properties better. He acknowledged that the 30% rental restriction is legally permissible but noted that it is still a point of contention for him. His main concern is the impact that rental properties may have on the overall quality of the neighborhood.

Councilmember Harmon stated that his concern is with density and frontage on 6000 West. He stated that he would like this item to be continued to no date certain to allow the applicant time to consider other options.

Councilmember Fitisemanu agreed with Councilmember Harmon and stated that while his initial focus was on the issue of road frontage on 6000 West, his perspective has shifted to concern about overall density after receiving feedback from residents.

Councilmember Nordfelt expressed concern about the balance between redeveloping the property and maintaining affordable housing. He acknowledged that the current state of the property is unacceptable and needs redevelopment and also pointed out that the cost of redeveloping the property increases as the scale of

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the project grows. He stated that he is worried that by pushing for too many changes, the project might become too expensive for future homeowners, leading to a lack of affordable housing. He stated he is hesitant to push the project too far, fearing that it could result in a failure to redevelop the property or the construction of homes that many people cannot afford.

Councilmember Whetstone shared that while there have been residents speaking against the proposal, others who live near the property have expressed support. These residents are excited to see something happen with the property, though they are not entirely happy with the density. Despite their concerns, they feel that some development is better than leaving the property as it currently is. This suggests a potential compromise where the residents could live with the proposed development, even if it doesn't fully meet their preferences.

Councilmember Christensen shared a personal anecdote about living in a home in California where the garage had a 5-foot side setback and the other side had a 10-foot setback. He stated that the backyards were contiguous because they lived in a homeowners association (HOA), and despite having six children, the family had ample space in the backyard. Councilmember Christensen explained that the size of the yard didn't limit what they could do, as the property lines were extended beyond just the fences. He stated that setbacks might not necessarily constrain the use of space in a negative way.

Councilmember Fitisemanu expressed respect for the different viewpoints shared by other council members. He acknowledged that while he was "pretty close" to supporting the proposal, he felt it needed one more look before he could fully commit. His main concern was the zoning of the surrounding area, which he felt should align more closely with the proposed development. If the area had apartments, duplexes, or other similar zoning nearby, he might be more flexible in his stance. However, given the current zoning context, he felt the need for the proposal to better match the surrounding area.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Whetstone moved to continue to a date uncertain.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes

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Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	No
Councilman Nordfelt	No
Mayor Lang	Yes

Majority. Continued to date uncertain.

ACTION: ORDINANCE NO. 24-43, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 3814 AND 3876 SOUTH 6000 WEST FROM A (AGRICULTURE, MINIMUM LOT SIZE 1/2 ACRE) TO R-1-8 (SINGEL UNIT DWELLING RESIDENTIAL, MINIMUM LOT SIZE 8,000 SQUARE FEET)

The City Council previously held a public hearing regarding proposed Ordinance 24-43 that would amend the Zoning Map to Show a Change of Zone For Property Located at 3814 and 3876 South 6000 West from A (Agriculture, Minimum Lot Size 1/2 Acre) to R-1-8 (Singel Unit Dwelling Residential, Minimum Lot Size 8,000 Square Feet).

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to continue Ordinance 24-43 to date uncertain.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous. Continued to date uncertain.

ACTION: RESOLUTION NO. 24-145, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH GROW DEVELOPMENT, LLC FOR APPROXIMATELY 6.68 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3814 SOUTH 6000 WEST

Mayor Lang discussed proposed Resolution 24-145 that would authorize the City to

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Enter Into a Development Agreement with Grow Development, LLC for Approximately 6.68 Acres of Property Located at Approximately 3814 South 6000 West.

Written documentation previously provided to the City Council included information as follows:

Grow Development, LLC has submitted a General Plan/zone change application (GPZ-5-2024) on 6.68 acres to change the General Plan from General Commercial to Large Lot Residential (2 to 3 units/acre) and Low Density Residential (3 to 4 units/acre) to Small Lot Residential (4 to 7 units/acre) and the zoning from A (Agricultural, minimum lot size ½ acre) to R-1-8 (Single Unit Dwelling Residential, minimum lot size 8,000 square feet) with a planned unit development (PUD). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a summary of the standards in the development agreement:

- The total number of homes is capped at 41.
- Minimum lot sizes, lot widths, and setbacks are established.
- The minimum, above grade square footage is set at 2,250 square feet and all homes will include a basement.
- Renderings of the homes are included along with allowed exterior materials.
- The amenities will include a minimum of 40,678 square feet of landscaped common area maintained by the HOA, a pavilion, a playground, and a multi-use sports court.
- Minimum required parking is described.
- Minimum standards for the HOA are set forth.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Harmon moved to continue Ordinance 24-43 to date uncertain.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu Yes

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Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

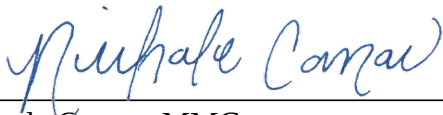
Unanimous. Continued to date uncertain.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, NOVEMBER 12, 2024 WAS ADJOURNED AT 7:21 P.M. BY MAYOR LANG.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 12, 2024.



Nichole Camac, MMC
City Recorder