

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-1-

THE WEST VALLEY CITY COUNCIL MET IN ELECTRONIC STUDY SESSION ON TUESDAY, MARCH 2, 2021 AT 4:30 P.M. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE MEETING WAS HELD ELECTRONICALLY VIA ZOOM.

THE FOLLOWING MEMBERS WERE PRESENT ELECTRONICALLY:

Ron Bigelow, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Jake Fitisemanu, Councilmember District 4

STAFF PRESENT ELECTRONICALLY:

Wayne T Pyle, City Manager
Nichole Camac, City Recorder
Nicole Cottle, Assistant City Manager/General Counsel
Eric Bunderson, City Attorney
Scott Buchanan, Acting Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Acting Public Works Director
Nancy Day, Parks and Recreation Director
John Flores, HR Director
Sam Johnson, Strategic Communications Director

APPROVAL OF MINUTES OF STUDY MEETING HELD FEBRUARY 23, 2021

The Council considered the Minutes of the Study Meeting held February 23, 2021. There were no changes, corrections or deletions.

Councilmember Fitisemanu moved to approve the Minutes of the Study Meeting held February 23, 2021. Councilmember Christensen seconded the motion.

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

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-2-

REVIEW AGENDA FOR REGULAR CITY COUNCIL MEETING OF MARCH 2, 2021

Upon inquiry by Mayor Bigelow, members of the Council had no further questions or concerns regarding items listed on the Agenda for the Regular City Council scheduled later this night.

PUBLIC HEARINGS SCHEDULED FOR MARCH 9, 2021

A. ACCEPT PUBLIC COMMENT REGARDING APPLICATION GPZ-1-2021, FILED BY ALEX WINDER, REQUESTING A GENERAL PLAN CHANGE FROM COMMERCIAL/OFFICE AND OFFICE/EDUCATION TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM C-2 (GENERAL COMMERCIAL) TO LI (LIGHT INDUSTRIAL) FOR PROPERTY LOCATED AT 5718 WEST 3500 SOUTH

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled March 9, 2021, in order for the City Council to hear and consider public comments regarding application GPZ-1-2021, filed by Alex Winder, requesting a General Plan Change from Commercial/Office and Office/Education to Light Manufacturing and a Zone Change from C-2 (General Commercial) to LI (Light Industrial) for property located at 5718 West 3500 South.

Proposed Ordinances 21-09, 21-10, and Resolution 21-35 related to the proposal to be considered by the City Council subsequent to the public hearing, was discussed as follows:

ACTION: ORDINANCE NO. 21-09, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM COMMERCIAL/OFFICE AND OFFICE/EDUCATION TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 5718 WEST 3500 SOUTH ON 5.35 ACRES

Steve Pastorik, CED Director, discussed proposed Ordinance 21-09 that would amend the General Plan show a change of land use from Commercial/Office and Office/Education to Light Manufacturing for property located at 5718 West 3500 South on 5.35 Acres.

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

The applicant is proposing to develop the subject property as flex space with 80 to 90% warehouse space and 10 to 20% office. The current C-2 zone allows a building with up to 50% warehouse with the balance being office. The proposed LI zone allows for a building to be 100% warehouse. Access to the property is gained through two easements – one from the east going through the Alpine Storage property to 5600 West and the other to the south connecting to 3500 South.

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-3-

One of the design standards in the LI zone is that “Overhead doors shall not be oriented toward High-Image Arterial Streets...” The Mountain View Corridor is one of the High-Image Arterial Streets and the proposed building does have overhead doors that face the Mountain View Corridor. The proposed development agreement accompanying this General Plan/zone change allows for a limited amount of overhead doors along the west side of the building in exchange for additional design features.

ACTION: ORDINANCE NO. 21-10, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 5718 WEST 3500 SOUTH ON 5.35 ACRES FROM C-2 (GENERAL COMMERCIAL) TO LI (LIGHT INDUSTRIAL)

Steve Pastorik, CED Director, discussed proposed Ordinance 21-10 that would amend the Zoning Map to show a Change of Zone for property located at 5718 West 3500 South on 5.35 acres from C-2 (General Commercial) to LI (Light Industrial).

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

The applicant is proposing to develop the subject property as flex space with 80 to 90% warehouse space and 10 to 20% office. The current C-2 zone allows a building with up to 50% warehouse with the balance being office. The proposed LI zone allows for a building to be 100% warehouse. Access to the property is gained through two easements – one from the east going through the Alpine Storage property to 5600 West and the other to the south connecting to 3500 South.

One of the design standards in the LI zone is that “Overhead doors shall not be oriented toward High-Image Arterial Streets...” The Mountain View Corridor is one of the High-Image Arterial Streets and the proposed building does have overhead doors that face the Mountain View Corridor. The proposed development agreement accompanying this General Plan/zone change allows for a limited amount of overhead doors along the west side of the building in exchange for additional design features.

ACTION: RESOLUTION NO. 21-35, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH LIFETIME HOLDINGS, LLC, WINDER PROPERTIES, LLC, THE KELLER FAMILY TRUST, AND PARKER DAVIDSON FOR APPROXIMATELY 5.35 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5718 WEST 3500 SOUTH

Steve Pastorik, CED Director, discussed proposed Resolution 21-35 that would authorize the City to enter into a Development Agreement with Lifetime Holdings,

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-4-

LLC, Winder Properties, LLC, the Keller Family Trust, and Parker Davidson for approximately 5.35 Acres of property located at approximately 5718 West 3500 South.

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

Alex Winder has submitted an application (GPZ-1-2021) on property at 5718 West 3500 South to change the General Plan from commercial/office and office/education to light manufacturing and the zoning from C-2 to LI. If approved, Mr. Winder intends to develop the site as flex space with 80 to 90% warehouse space and 10 to 20% office. This agreement would allow overhead doors along the west façade subject to certain design requirements.

Councilmember Lang asked if the fire hydrant has been in the vacant field for a while. Steve replied that he is unsure when this was installed. Councilmember Buhler asked if this applicant had previously proposed storage units at this location. Steve replied that the applicant is no longer interested in building storage units on the property due to the proximity of another storage facility. Steve provided a brief history on the property and the discussions that have occurred in the past. Councilmember Buhler asked how staff felt about the proposal. Steve replied that a light industrial use could fit due to the location of the property and difficulty of access. Mayor Bigelow stated that he remembers the Hunter Towne Center proposal and felt the property owner misled him prior to the vote. He indicated that he is not supportive of this request. Councilmember Huynh stated that he doesn't feel any other use will work on this property. Councilmember Lang stated that the doors cannot face a major street and asked why. Steve replied that this would be an option in the Development Agreement as long as additional design standards are added.

The City Council will consider Ordinances 21-09, 21-10, and Resolution 21-35 at the Regular Council Meeting scheduled March 9, 2021 at 6:30 P.M.

COMMUNICATIONS

A. LOCALSCAPES DISCUSSION

Steve Pastorik, CED Director, presented a PowerPoint presentation summarized as follows:

- Utah Water Consumption by end-use sector
 - o Agriculture- 82%, Indoor Residential- 4%, Outdoor Residential- 6%, Commercial/Industrial/Institutional- 8%
- Residential Landscaping Requirements
 - o Found in Section 7-11-206
 - o Applies to all single family homes

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-5-

- o Applies only to the front yard
- o No permit required
- o Landscaping shall include:
 - one tree and
 - a combination of:
 - lawn,
 - shrubs or
 - groundcover
- o Groundcover may include:
 - vegetative vines, low-spreading shrubs, or annual or perennial flowering or foliage plants and
 - mineral or nonliving organic permeable material in not more than 50 percent of the net landscaped area.
- Indoor Residential Water Use
- RS Zone Indoor Requirements
 - o All homes shall include Energy Star rated appliances only that are provided by the developer or homebuilder including refrigerator, dishwasher, clothes washer and clothes dryer.
 - o For toilets, bathroom and kitchen faucets and showerheads, all homes shall include only WaterSense fixtures.
 - o The maximum amount of lawn shall be 35 percent.
 - o No lawn shall be allowed in parkstrips or other areas narrower than eight feet.
 - o Lawn areas shall be free of obstructions and shall not be used on slopes exceeding 25 percent.
 - o Overhead sprinklers shall only be allowed in lawn areas. Drip irrigation shall be used in all non-lawn areas with live plant material. Drip irrigation systems shall include a pressure regulator, filter and flush-end assembly.
 - o An EPA WaterSense irrigation controller shall be installed.
 - o Paths connecting different areas within yards shall be organic mulch, concrete, brick pavers, stone, gravel or crushed stone. Paths shall not be irrigated.
 - o A minimum of four inches mulch depth shall be used in all non-lawn planter beds.
 - o Within Front Yards and Side Yards adjacent to public or private Streets, a minimum of 50 percent live plant material shall be installed.
- Considerations
 - o The City can't require more stringent standards for indoor water consumption than the State Construction Code unless the developer opts in.

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-6-

- o Who installs the landscaping, the homeowner or the homebuilder?
- o Localscapes can require more maintenance.
- o Should standards apply to the entire yard?
- o Who will verify compliance, the City or a third party?
- o How do we enforce changes to landscaping after initial compliance?

Councilmember Lang asked if vegetable plants are allowed in front yards. Steve replied yes. Mayor Bigelow stated that there are options in the ordinance that include requiring a certain amount of points for certain proposals and asked if this would be possible to implement with localscapes. Steve replied that there could be an option to do this for developers who construct new projects. Mayor Bigelow stated that this could be an incentive. Councilmember Lang asked if Code Enforcement could enforce violations based on the Title when a transfer in ownership happens. Steve replied that this is something they could enforce but would likely need to come from a complaint basis. Councilmember Lang suggested eliminating live plants in the park-strip. Steve replied that live plant material is currently not required in the park-strip. He discussed the requirement of 50% live landscaping and how this is used in the ordinance. Councilmember Lang suggested 35% live plant material as a minimum for existing homes and as a maximum for new developments. Mayor Bigelow asked if the tree canopy has ever been included in the calculations. Steve replied no. Mayor Bigelow stated the City still wants neighborhoods to look nice so looking at types of allowed ground cover should be included in any change. Mayor Bigelow stated that there are differing views on localscapes and solutions to water shortages. Councilmember Lang stated that the State of Utah has put a requirement of 25% reduction in water use prior to 2025. Councilmember Lang stated that she would like new builds to have conservation and existing developments have the option of reduction. Councilmember Fitisemanu, Nordfelt, and Christensen agreed. Wayne discussed the current ordinance and stated that he isn't clear on what the direction of the Council is. He described the current ordinance and noted that the actual amount of live landscaping required is currently 30-35% and this does not need to be lawn or any type of specified plant material. Councilmember Lang stated that she misunderstood how the ordinance reads and would like to modify the ordinance for new developments to require a 30-35% maximum live planet material and a change to the spray pattern for sprinkling systems to a drip/irrigation system. Councilmember Buhler stated that he feels this is a big change and he feels that people enjoy having yards with lawn. He noted that if people want that and are willing to pay the water fees they should have that option. Councilmember Buhler also stated that people can do a localscape type yard with the ordinance as it currently is. He indicated that he would not be supportive of a change to the code but is fine encouraging people to do more

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-7-

water-wise landscaping if they would like. Mayor Bigelow stated that if that Council moves forward with further discussion, he would want to know what impact the change can make to residents in the City and what the added cost localscape landscaping would add to the cost of a newly constructed home. Councilmember Nordelt withdrew his support and noted that this is not what he had in mind. Councilmember Huynh stated that he would like people to have the flexibility of having lawns if they wanted to.

B. 14 ELEMENTS OF BEING A GREAT PET OWNER

Layne Morris, CPD Director, presented a new pamphlet that highlights the 14 Elements of Being a Great Pet Owner.

- West Valley Animal Services is dedicated to the care of companion animals in our community while providing quality public service and adoption outcomes. We are committed to promoting responsible pet ownership through education to the public while adhering to City ordinances, State laws, and enforcement, for the protection of citizens and animals. In addition, we are devoted to participating in community collaborations and offering outstanding humane education opportunities to further our goal of offering Hope, Service and Mercy to our community.
- Pets have a significant impact on our lives - they keep us company, reduce our stress, teach responsibility, entertain us, and add purpose to our lives. The decision to obtain a pet is not one which should be made lightly or hastily. Those impacts, welcome in our own home, may extend to the surrounding neighborhood in unwelcome ways if not carefully and deliberately contained. Are you a great pet owner? The following are 14 common signs to consider.
 - o 1. The Right Pets, The Right Number of Pets
 - Some pets, such as cats, dogs, ferrets, and pot-bellied pigs, have such potential for neighborhood disruption that they must be licensed with the City. Owning or possessing these pets is a privilege that may be revoked if the neighborhood impact becomes severe. No more than two each of these animals, and a total of four animals may be kept without a special permit from the City.
 - The following non-venomous animals may also be kept as part of the four allowed household pets:
 - • Birds
 - • Female chickens
 - • Ducks
 - • Fish

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-8-

- • Hedgehogs
 - • Rabbits
 - • Rodents
 - • Insects
 - • Spiders
 - • Reptiles including lizards and snakes
 - • Amphibians including turtles and frogs
 - No other animals, including roosters, poisonous or venomous animals, or wild animals may be kept as household pets
- o 2. Dogs Secure
 - Many people are uncomfortable in the presence of dogs and choose to avoid them. A large and unfamiliar dog can be intimidating, especially to a child who may be outweighed by the dog. All dogs must be leashed in public, including on sidewalks, streets, parks, and schools. Home fences, gates, locks, and accesses should be carefully constructed, inspected, and maintained to prevent a dog from running at large. Any dog found running at large is subject to impoundment and/or fines.
 - o 3. Quiet Dogs
 - Dogs should not bark regularly, frequently, or for extended periods of time. Regular, frequent, or extended barking is a violation of City Code and must be addressed and resolved. Although all dogs may bark on occasion, a dog who regularly or continually barks for extended periods of time is an indication of a problem that must be resolved. Typically, dogs who bark are bored, lonely, or territorial. Solutions include increased human interaction, introduction of new toys, or simply taking a dog indoors. Although some people may be able to let the sound of barking fade into background noise, this is impossible for most people, especially those very close to a home with a barking dog.
 - o 4. Cats Stay Home
 - Although cats are not typically physically threatening to people, their impact on the surrounding neighborhood can be dramatic and undesirable. Flower beds, sand boxes, and other areas may receive unwelcome feline attention. Did you know a citation may be cited for a cat running at large, or defecating in a neighbor's flower

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-9-

beds, or being a nuisance? Cats are subject to the same leash law as dogs.

o 5. Licensing

- Licensing can help guard against rabies outbreaks. Before your dog, cat, ferret, or potbelly pig can be issued a license, you must produce proof of vaccination. A Rabies vaccination is required for all dogs and cats who have reached four months of age. The most important reason for licensing your animal is to help the animal be returned to you if it has wandered off and been found by neighbors or Animal Services.

o 6. Socialize

- with different situations and reduce the occurrence of anxiety or other behavior issues. Introduce your pet to other people and other animals frequently.

o 7. Spay or Neuter

- Spaying helps prevent uterine infections and breast tumors, which are malignant or cancerous in about 50% of dogs and 90% of cats. Spaying a pet before her first heat offers the best protection from these diseases. Neutering a male companion prevents testicular cancer and some prostrate problems. In addition, it helps pets to stay home and not wander looking for a mate.

o 8. Obedience Training

- Obedience training in dogs is critical to having a well behaved and happy companion. Training teaches a dog basic instructions and skills. When a puppy or dog has training, both human and animal will communicate better, forming the base of a lasting bond. Cats need training too! Teaching a cat to behave in certain ways will help him/her become social and content around humans and other animals.

o 9. Cleaning Up

- animal waste can spread disease, kills grass, smells bad and does not breakdown like fertilizer. Back yards where no regular cleanup has occurred smell bad enough to be offensive to neighbors, especially with a breeze. Be courteous to others by carrying “poop bags” for easy clean up and disposal in trash receptacles.

o 10. Regular Veterinary Visits

- Wellness checks are highly recommended for overall pet health. Regular visits with a veterinarian ensure

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-10-

immunization records are current, and alert owners to unseen or slowly developing problems that may impact the life of a pet.

- o 11. Proper Nutrition
 - Pets should always have access to clean water. The quality of the food makes a direct difference in your pet's health.
- o 12. Pet Proof Home
 - It is important to pet-proof a home with the same diligence used to baby proof our homes before the arrival. In general, the major sources of potential hazards for our pets include foods, plants, medications, and everyday household items. Keeping an eye out for risks including children's toys, clothing such as socks, and human foods poisonous to pets will keep you and your pet safe and happy.
- o 13. Exercise
 - Proper exercise can help diminish destructive behavior, avoid hyperactivity, develop good social skills, improve sleeping habits, and allow pets to maintain a healthy weight. The ability to demonstrate basic behaviors through exercise leads to mentally and physically healthy pets.
- o 14. Most Importantly, Love your Pet!
 - Pets are part of our everyday lives and part of our families. They provide us with companionship and emotional support, reduce our stress levels, reduce the sense of loneliness, and encourage us to increase our social activities

Councilmember Buhler expressed concern about fish and insects being include on the list and encouraged that those be removed. Councilmember Lang asked if licensing/re-licensing can be done online. Layne replied yes. Councilmember Lang suggested adding that to the licensing section.

C. LEGISLATIVE UPDATE

Lincoln Shurtz, Legislative Advisor, provided an update on bills being proposed and discussed at the current Legislative Session. These include bills regarding building inspections and design standards, budget, transportation, and public notices.

MINUTES OF COUNCIL STUDY MEETING – MARCH 2, 2021

-11-

D. COUNCIL CALENDAR

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events.

Members of the City Council had no further questions regarding the Council Update.

NEW BUSINESS

A. POTENTIAL FUTURE AGENDA ITEMS

NA

B. COUNCIL REPORTS

COUNCILMEMBER CHRISTENSEN- GRANGER

Councilmember Christensen stated that Granger High School will be hosting a 9/11 exhibit to honor fallen first responders from March 15-18. He added that on the 19th they will be doing a hero walk.

COUNCILMEMBER NORDFELT- AUDIT COMMITTEE

Councilmember Nordfelt stated that the Audit Committee met and the audit went well for the previous year.

MOTION TO ADJOURN

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

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING ON TUESDAY MARCH 2, 2021 WAS ADJOURNED AT 5:56 PM BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, March 2, 2021.



Nichole Camac, CMC
City Recorder