

**MINUTES OF THE WEST JORDAN PLANNING AND ZONING COMMISSION HELD
SEPTEMBER 6, 2022, IN THE THOMAS M. REES JUSTICE CENTER COMMUNITY ROOM**

PRESENT: Jay Thomas, Kent Shelton, Matt Quinney, Trish Hatch, Ammon Allen, George Winn, and McKenna Marchant

STAFF: Scott Langford, Larry Gardner, Duncan Murray, Mark Forsythe, Lisa Elgin, Paul Brockbank, Julie Davis

The pre-meeting was called to order by Jay Thomas. The agenda was reviewed. Conditions for Item #2 were emailed earlier in the day to the Commission and the applicant and distributed at the meeting. Mayor Burton expressed appreciation to the Planning Commission for their work and service. The Commissioners commented about the discussion on training that occurred at the August 30th joint meeting. Any change in policy should be clearly debated with a clear vote and be within city and state code.

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

1. Approve Minutes from August 16, 2022

MOTION: Matt Quinney moved to approve the Minutes from August 16, 2022. The motion was seconded by Trish Hatch and passed 7-0 in favor.

2. Ricochet Canyon Amusement Park; 1132 West 7800 South; Temporary Use Permit (150 Days); P-C Zone; The Train Shoppe/Jeff Nichols (applicant) [#28213; parcel 21-26-352-007]

Jeff Nichols, applicant, said he also owns The Train Shoppe in Gardner Village and is requesting a temporary use permit for an amusement park.

Mark Forsythe said the temporary amusement park at Gardner Village is located within a fenced area and includes a roller coaster, two train tracks, a bounce house, and other rides which will operate during WitchFest. Cost constraints have prevented it from becoming a permanent, year-round business. Mr. Forsythe reviewed the site layout. There is a small area for storage and maintenance. Temporary use permits usually require that all equipment be removed after the use is finished. However, as a compromise, the conditions will allow for some of the larger rides that are difficult to remove to remain inoperative on-site as long as the area is well maintained. All of the smaller items will be cleaned up. As most customers will also attend other WitchFest events, staff does not anticipate the need for additional parking. Emergency vehicle access will need to remain accessible, and the Fire Marshal will review the emergency action plan as part of the business license inspection. The building department will need to inspect the electrical elements on the site.

Staff recommended approval of the Temporary Use Permit for Ricochet Canyon Amusement Park based on the information and findings in the report and with the conditions and requirements as listed.

Conditions of Approval

1. The business activities shall be consistent with the submitted application, letter of intent and site plan.
2. The site shall be kept clean and free of trash and debris at all times.
3. The amusement park shall not operate for longer than 47 consecutive days.
4. Electrical power sources and lines must be placed and located so as to not present any hazard to the public and must be inspected by the Building & Safety Department.
5. Large equipment such as roller coasters, trains, tracks, carousels, and buildings may remain onsite as long as they remain inoperative and are maintained in good visual and good working condition. All other equipment, materials or other paraphernalia associated with the amusement park shall be completely removed from the site within 5 days of the permit expiration date.
6. All gates and entrances into the fenced area shall be securely locked during non-operational hours.
7. The amusement park shall not open before 7:00 AM and must be closed no later than 10:00 PM.
8. The gravel parking area shall be refilled as necessary with ¾-inch or larger gravel to maintain a depth of at least 4 inches, per West Jordan Municipal Code Section 13-12-5D.
9. No on-street parking along 7800 South will be permitted.
10. Any lights used to illuminate the site shall be arranged to reflect the light away from all adjoining areas. Lights shall also be shielded to eliminate up lighting. All light levels shall not exceed 1 foot-candle power at the property line.
11. The event shall adhere to all applicable noise ordinances of the Salt Lake County Health Department.
12. An Emergency Action Plan shall be created by the owner or manager, which shall be reviewed and approved by the Fire Marshall.
13. Each ride, exhibit, work, or storage area will require its own 5lb. ABC fire extinguisher that shall be inspected by the Fire Department and have a current inspection tag.
14. Emergency exits shall be clearly marked and have proper spacing for exit access.
15. The emergency lane on the west side shall remain clear of all vehicles, storage, or any other obstructions.

Requirements of Approval

1. The Temporary Use Permit is valid for no more than 150 consecutive calendar days following the date of commencement.
2. Comply with all applicable Building Codes and requirements of the West Jordan Building & Safety Department.
3. Apply for, and obtain approval of, a Seasonal Vendor License through the West Jordan Business Licensing Department.
4. One sign no larger than 32 square feet is allowed with the Temporary Use Permit and must be securely attached to the fence or placed on temporary poles in a landscaped area. One additional sign is allowed only with approval of a Temporary Sign Permit.

Ammon Allen thought that this business would be a fun addition to the area and will work well, but he had concerns with some conditions of approval. He pointed out condition #3 that says they shall not operate for longer than 47 consecutive days, but requirement #1 lists no more than 150 days, which is contradictory. Condition #5 allows the large equipment to remain, which is creating a semi-permanent feature by way of a temporary use permit. He wondered if the Planning Commission is allowed to make that exception. He referred to condition #9 and wondered how we will be able to determine which

customers are parking on 7800 South when most of them will already be there in conjunction with the WitchFest activities.

Mark Forsythe explained that a temporary use permit approved by the Planning Commission is good for up to 150 days, but the building code limits a temporary period for six consecutive weeks before it becomes permanent. Requirement #1 could be amended to reflect the wording in condition #3.

Ammon Allen said the staff report pointed out that materials storage is not permitted in this zone, so he asked for an explanation of how a temporary use permit would allow it.

Mark Forsythe said outdoor storage and operations are usually found in the industrial areas with things such as fleet vehicles, building materials, soil materials, etc. Storage of that type is prohibited in the P-C (TSOD) zone. That restriction becomes a little grayer with a temporary use permit.

Ammon Allen appreciated the thought and logic behind the comments, but his concern is that it could cause a proliferation of the same if others then ask to do it elsewhere. If this happened, then it may require a code amendment.

Duncan Murray said that a temporary use permit has to be applied for each time. If there is a larger concern, then they could consider a text amendment to the code in order to control proliferation.

Ammon Allen said it seems to be a temporary use permit for up to 47 days for year-round storage.

Larry Gardner said the temporary use permit is for an amusement park use. The applicant has owned a business within Gardner Village for two years. He felt it is reasonable to allow for the fenced storage area. The portable toilets and bounce house will be removed. He didn't think that it was much different than the adjacent petting zoo that has storage, which is why the code may need to be reexamined. He felt that the proposed conditions meet the spirit of the law and are applicable and suitable to protect the city.

Mark Forsythe explained that the major items that are difficult to move and store such as the roller coaster, carousel, and train will remain on site as long as they are well maintained, and the smaller items and equipment would be cleared off.

Jeff Nichols explained that the roller coaster was racked on a trailer when it was delivered, and they could put it back on the trailer to store. The train ride is ground mounted and is not meant to be temporary. They would have to cut the track apart to remove it, but they will do whatever the Commission decides. He said that originally the goal was for a permanent facility, which meant some extreme costs for things such as restrooms. He approached the owners of Gardner Village to see if they would participate with any of the improvements, but they weren't sure if they wanted it as a permanent use. There was a meeting in June to discuss their options and that is how the proposed plan came forward as a compromise. He does not intend the temporary use to be long-term, but they want to see what happens over the next couple of years. If it becomes a long-term use, then he would spend the money to make it permanent. The application before them is a way to use the equipment that they have already invested money in. Even if the equipment is dismantled, it will still need to be stored here, because it is very large.

Ammon Allen said his primary concern is condition #5. This is a temporary use permit and there shouldn't be a statement that allows for it to remain outside of the 150 days because it overextends their authority. He would be okay with approval if that condition is stricken. If next year, they find out that the equipment remained then the use would have to either go away or become permanent.

Trish Hatch felt that the applicant had presented the purpose and the long-term goal and is not interested in having a temporary use for years to come. Because of the size of the rides and complexity of taking them down she did not have a problem with approving the request as written.

Kent Shelton did not think that having the larger equipment out over the period of a year would cause any harm to the surrounding neighbors and he thought it was appropriate as written.

MOTION: Kent Shelton moved to approve the Temporary Use Permit for Ricochet Canyon, located at 1100 West 7800 South in a P-C Zone with a Transit Station Overlay District, based on the information and findings set forth in the staff report and upon the evidence and explanations and with the Conditions and Requirements of Approval provided by staff. The motion was seconded by Trish Hatch and passed 6-1 in favor with Ammon Allen casting the negative vote.

3. UFirst Credit Union; 7621/7631 Jordan Landing Blvd.; Preliminary Site Plan; SC-3 Zone; Sanders Associates Architects/M. Shane Sanders (applicant) [#26744; parcel 21-29-351-014, 015]

Shane Sanders, architect for the project, gave an overview of the 3700-square foot branch that will include three drive through lanes. The design is based on the brand that has been used in other locations. Materials include brick veneer, cement paneling, and metal paneling. This branch is to serve the large number of members in the area.

Lisa Elgin said the site plan conforms with all regulations in the city code and the design meets all of the required design standards and was recommended by the Design Review Committee. Parking exceeds the requirement. Landscaping will be reviewed with the final site plan submittal. Staff recommended approval of the preliminary site plan with the conditions listed.

Requirements of Approval:

1. Provide a recorded avigation easement covering both lots before final approval.
2. The proposed development shall meet all applicable 2009 City Code requirements.
3. An approved preliminary site plan shall remain valid for two years following the date of the approval.

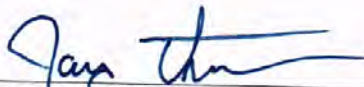
MOTION: Matt Quinney moved to approve the Preliminary Site Plan for UFirst Credit Union located at 7621/7631 Jordan Landing Boulevard with the Requirements of Approval as listed in the staff report. The motion was seconded by Ammon Allen and passed 7-0 in favor.

4. **Comprehensive General Plan – Discuss and provide input regarding the 2022 West Jordan Comprehensive General Plan Update; City-wide applicability; City of West Jordan (applicant)**

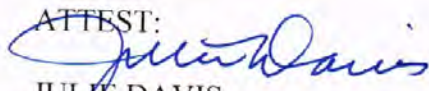
[This item was pulled from the agenda and was not discussed.]

MOTION: Trish Hatch moved to adjourn.

The meeting adjourned at 6:28 p.m.



JAY THOMAS
Chair

ATTEST:

JULIE DAVIS
Executive Assistant
Community Development Department

Approved this 20 day of September, 2022



I. CONDITIONS AND REQUIREMENTS OF APPROVAL

Conditions of Approval

1. *The business activities shall be consistent with the submitted application, letter of intent and site plan.*
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3. *The amusement park shall not operate for longer than 47 consecutive days.*
4. *Electrical power sources and lines must be placed and located so as to not present any hazard to the public and must be inspected by the Building & Safety Department.*
5. *Large equipment such as rollercoasters, trains, tracks, carousels, and buildings may remain onsite as long as they remain inoperative and are maintained in good visual and good working condition. All other equipment, materials or other paraphernalia associated with the amusement park shall be completely removed from the site within 5 days of the permit expiration date.*
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12. *An Emergency Action Plan shall be created by the owner or manager, which shall be reviewed and approved by the Fire Marshall.*
13. *Each ride, exhibit, work, or storage area will require its own 5lb. ABC fire extinguisher that shall be inspected by the Fire Department and have a current inspection tag.*
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15. *The emergency lane on the west side shall remain clear of all vehicles, storage or any other obstructions.*

Requirements of Approval

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