

PLANNING COMMISSION MINUTES
September 17, 2013
7:00 p.m.

Present: Chairman Tom Smith, Vice Chairman Dave Badham, Planning Commission Members Von Hill, Sharon Spratley, Sean Monson, Michael Allen, City Council Representative Beth Holbrook, Planning Director Aric Jensen and Recording Secretary Connie Feil.

Absent: City Attorney Russell Mahan, City Engineer Paul Rowland.

Chairman Tom Smith welcomed all those present.

1. Approval of the minutes for September 3, 2013.

Beth Holbrook made a motion to approve the minutes for September 3, 2013 as written. Dave Badham seconded the motion and the motion passed 5-0 with Sharon Spratley and Michael Allen abstained from voting.

2. Consider approval of a Conditional Use Permit Letter, in written form, to allow a Commercial Electronic Message Center for Goldenwest Credit Union, located at 2085 S. Orchard Dr.

Aric Jensen explained that a public hearing was held on August 20, 2013 which a Conditional Use Permit was granted to allow an Electronic Message Center for the Goldenwest Credit Union. Mr. Jensen mentioned that there is a typing error and "Administrative Committee" needs to be replaced with "Planning Commission". He asked the Commission to review the letter and approve with the corrections.

Von Hill made a motion to approve the Conditional Use Permit Letter with the corrections as noted. Sean Monson seconded the motion and voting was unanimous in favor.

3. Consider approval of a Conditional Use Permit Letter, in written form, to allow a Commercial Electronic Message Center for Gordon's Copy & Print, located at 29 W. 400 N.

Aric Jensen explained that a public hearing was held on September 3, 2013 which a Conditional Use Permit was granted to allow an Electronic Message Center for the Gordon's Copy & Print. Mr. Jensen mentioned that there is a typing error and "Administrative Committee" needs to be replaced with "Planning Commission". He asked the Commission to review the letter and approve with the corrections.

Von Hill made a motion to approve the Conditional Use Permit Letter with the corrections as noted. Sharon Spratley seconded the motion and voting was unanimous in favor.

4. PUBLIC HEARING – Consider amendments to Title 14, Bountiful City Land Use Ordinance.

Matt Rindlisbacher, applicant, was present. Aric Jensen explained that several months ago, the prospective owners of the former Fresh Market property approached the City with the concept of opening a *Savers* in the existing building. Savers is a retail store that partners with charitable organizations to resell donated goods and that allows the exchange of clothing and other items for other goods that are for sale.

Mr. Jensen explained that it was determined that the Land Use Ordinance effectively classified Savers and similar thrift store operations as pawn shops, while the Utah Code did not. To clarify this discrepancy, Staff has recommended amending the Land Use Ordinance by adding a new definition of “Thrift Store”, and by including thrift stores as a permitted use in the CH zone, and as a conditional use in the CG and CN zones.

**Proposed Land Use Ordinance Text Amendments
Draft Date: 09.17.2013**

14-3-102 DEFINITIONS

SECONDHAND MERCHANDISE: The purchase, exchange, or sale of used or previously owned personal property, including precious metals, and as further defined by State Law.

SECONDHAND MERCHANDISE DEALER; An owner or operator of a business that deals in secondhand merchandise, and as further defined by State Law.

THRIFT STORE: A retail operation that deals in secondhand merchandise that is exempt from the provisions of the "Pawnshop and Secondhand Merchandise Transaction Information Act", set forth in Utah Code 13-32a-101, et seq.

14-6-103 PERMITTED, CONDITIONAL, AND PROHIBITED USES

Subject to the provisions and restrictions of this Title, the following principal uses and structures, and no others, are allowed either as a permitted use (P) or by Conditional Use Permit (C) in the Commercial zone. Some uses may be expressly prohibited (N) in this zone. Any use not listed herein is also expressly prohibited.

Table 14-6-103

Use	C-H	C-G	C-N
<u>Thrift Store</u>	<u>P</u>	<u>C</u>	<u>C</u>

Staff recommends that the Commission review the proposal, hold the public hearing, and recommend approval of the draft language.

The public hearing was opened for all those with comments or concerns.

Matt Rindlisbacher, applicant, explained that the existing Fresh Market building will be remodeled and divided into three sections. The south end of the building will house Pilot Fitness, the middle section will be for Savers, and the north end will be a retail store. Mr. Rindlisbacher is happy to be able to bring “Savers” to Bountiful.

The public hearing was closed without further comments.

There was a brief discussion regarding adding “and as amended” to the definition of THRIFT STORE. Von Hill made a motion to recommend to the City Council approval of the proposed language as amended. Dave Badham seconded the motion and voting was unanimous in favor.

5. Planning Director’s report and miscellaneous business.

Aric Jensen explained that the next scheduled Planning Commission meeting will be October 15, 2013. There are only two items to be heard, which will be final subdivision approval for 3139 Crestview Circle, and Conditional Use approval for the Fresh Market property.

Meeting adjourned at 7:15 p.m.