



SMITHFIELD CITY PLANNING COMMISSION MINUTES January 15, 2020

The Planning Commission of Smithfield City met in the City Council Chambers
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, January 15, 2020

The following members were present constituting a quorum:

Chairman: Andrew Soelberg
Members: Kelly Luthi
Jasilyn Heaps
Casey McCammon
Scott Gibbons
Nathan Wright

City Engineer: Clay Bodily
Councilmember: Jon Wells
Mayor: Jeff Barnes

Attendance: Curtis Wall, Alan Schulz, James Graf, Bryce Goodin, Katie Bell, Debbie Zilles

6:30 p.m. Meeting called to order by Chairman Soelberg.

Mayor Barnes introduced the new Council liaison Jon Wells.

Consideration of consent agenda and approval of meeting minutes:

After consideration by the Commission, Chairman Soelberg declared the meeting agenda and the minutes from the December 18, 2019 meeting to stand as submitted. Approved unanimously.

RESIDENT INPUT: Alan Shulz advised the Commission that they would like to subdivide James Graf's property, located at 611 West 100 North. The property is large enough to fit 3 lots on and wide enough to put a road in. The subdivision will provide for better utilization of the acreage and fit Smithfield Municipal Code Section 17.84.10 *"The city recognizes the importance of development within the intrablocks as a means of eliminating visual blight, maximizing the use of existing utilities, reducing potential fire hazards associated with uncontrolled vegetation, and reducing the potential for urban sprawl. Therefore, the purpose of this chapter is to provide, through conditional use process, a means by which the interior area of the ten (10) acre square blocks within the city can be developed in an efficient and orderly manner, when no other reasonable means is available, provided such development does not create undue hardship on the city."* Chairman Soelberg said the Commission would not be able to discuss or make a decision at this meeting. An application would need to be submitted for review.

Curtis Wall thanked the Commission for all their service and expressed appreciation for the opportunity to serve as the Council liaison the last four years.

Bryce Goodin pointed out a design standard that does not seem to make sense. Standard 4.1.K “*Open ditches or canals shall not be allowed within or adjoining a subdivision, except along rear or side lot lines.*” He does not understand the reasoning behind it, if they are allowed along the rear and side lines, they should be allowed to also be in the front. He asked the Commission to give this standard some consideration and felt like it might be beneficial to remove it.

AGENDA ITEMS:

Commissioner Heaps was selected to serve as 2020 Vice-Chair.

Review and approval of Rules and Procedures for Planning Commission meetings.

The following changes were made (in red):

The Planning Commission shall be composed of seven (7) members and two (2) alternates and one non-voting member who is a representative of the City Council and appointed by the Mayor with the advice and consent of the City Council.

*Insert 5 paragraphs from page 2 here

Each commissioner will serve no more than three (3) five (5) year consecutive terms.

Each alternate will serve no more than two (2) five (5) year consecutive terms. An alternate may be appointed to the Commission to fill a vacancy at the discretion of the Mayor.

The members of the **P**lanning **C**ommission shall select from their own members a chairperson and such other officers as deemed necessary and shall adopt rules and regulations for their organization and for the transaction of business and the conduct of their proceedings.

Reports of official acts and recommendations of the **P**lanning **C**ommission shall be public and made by the chairperson in writing to the governing body and shall indicate how each member of the **P**lanning **C**ommission voted with respect to such act or recommendation. Any member of the **P**lanning **C**ommission may also make a concurring or dissenting report or recommendation to the governing body.

The **P**lanning **C**ommission shall meet on the third Wednesday of each month and at such other times as the **P**lanning **C**ommission may determine.

Every member of the Planning Commission shall attend all meetings of the Planning Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the **D**eputy Recorder. The **D**eputy Recorder shall inform the chairperson of the excused absence.

When an appointed **C**ommissioner is late arriving to the meeting, an alternate may fill that seat, but will relinquish that seat at the end of the discussion of the item on the table.

Each Commissioner shall file a "Disclosure Statement" form with the City Recorder following their appointment or **when circumstances change. (Delete italics)**

All meetings will have an agenda prepared and posted 24 hours in advance.

Planning Commission meetings may begin with an opening ceremony, including a welcome by the chairperson, the Pledge of Allegiance to the Flag, opening remarks and/or a prayer.

All meetings shall be open to the public.

All business of the Planning Commission shall be conducted in a public meeting according to State code.

Planning Commission meetings are for the purpose of conducting business. The general public does not have the right to speak unless called on by the chairperson, or the Commissioner conducting the meeting in his/her absences.

The chairperson may allow for a time at the beginning of the meeting for resident input for comment on items not on the agenda. Time will be limited to no more than five (5) minutes or at chairperson's discretion.

Minutes, a brief, accurate summary of the proceedings of the meeting, shall be kept of all meetings. Both written and recorded minutes shall be kept. Proposed minutes will be made available to the public for review once they have been presented to the Planning Commission. Official minutes will be made available to the public within three (3) days after they are approved by the Planning Commission.

All members of the Planning Commission shall be residents of Smithfield City.

The chairperson is a voting member of the Planning Commission.

The vice-chairperson, or a Commissioner conducting the meeting, is a voting member of the Planning Commission.

A minimum of four (4) members of the Planning Commission shall constitute a quorum. The minimum number of "yes" votes required to pass any ordinance or resolution, or to take any action by the Planning Commission, unless otherwise prescribed by law, shall be a majority of the voting members of the quorum, but shall never be less than four (4).

Any Planning Commission member abstaining from a vote may remain seated at the table and participate in the discussion. Reasons for abstention must be stated at the time of the abstention and such reasons shall not be considered a conflict of interest

***This section moved to follow first paragraph of the document.**

The Planning Commission shall review all preliminary plats and visit the site of the proposed subdivision. (City Ordinance, Chapter 16.09.040).

It is recommended that each year in January, rules for conducting business be reviewed and set for the Planning Commission.

PUBLIC HEARING PROCEDURES

The following is a description of the procedures and conduct to be observed during the public hearing:

- Prior to opening the public hearing, the topic will be briefly introduced.
- Following the subject introduction, the chairperson will open the public hearing and invite all persons wishing to make a statement on the subject to do so.
- Individuals making statements shall stand and address the **P**lanning **C**ommission, state their name, and make a brief concise statement. Time is limited, so individuals should avoid rambling or making multiple statements. The amount of public input time can be capped to a reasonable limit, if necessary, and **is** to be determined by the **c**hairperson.
- In the essence of time, individuals are encouraged to avoid restating comments that have been made by others.
- The **c**hairperson and **C**ommissioners should avoid making comments, interrupting those making statements, or engaging in question and answer sessions with those making statements.
- Once all individuals have had an opportunity to make a statement, the **c**hairperson shall close the public hearing. The time is then turned over to the Planning Commission for discussion. NO public comment is to be taken.
- Following discussion, the Planning Commission should, if possible, act on the item. Any decision that is made should clearly state the findings that have led to the decision. Recommendations to the City Council should be in writing, or as part of the minutes.

Mr. Wells noted that public comment time is designed to allow for the public to provide input and to present their views. The Commission can ask anyone questions for clarification during a meeting.

Commissioner Gibbons agreed that when the public comment portion of the meeting is closed, it should not preclude anyone on the Commission from asking follow-up questions during the discussion portion of the meeting.

(Note: Chairperson is only capitalized when used immediately before a name.)

MOTION: Motion made by Commissioner McCammon to **approve** the **Smithfield City Planning Commission Rules of Procedure and Conduct** and the **Public Hearing Procedures** as outlined with the changes as discussed and indicated. Commissioner Wright seconded the motion. Motion approved unanimously (6-0).

Vote

Aye: Luthi, Heaps, Soelberg, McCammon, Gibbons, Wright

Discussion and possible vote on **Ordinance 19-15**, an ordinance adding in its entirety to the current Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “MPC Zone”, Sections 17.81.010 “Purpose”, 17.81.020 “Allowed Uses”, 17.81.030 “Definitions”, 17.81.040 “Rezone Required”, 17.81.050 “Development Standards”, 17.81.060 “Open Space”, 17.81.070 “Streets Circulation & Parking”, 17.81.080 “Walking/Biking Trails”, 17.81.090 “Landscaping”, 17.81.100 “Density Bonuses”, 17.81.110 “Approval Process”, 17.81.120 “Failure to Progress”, 17.81.130 “Development Agreement”, and 17.81.140 “Modification of Approved Plan”.

Mr. Wells expressed his appreciation for the opportunity to work with the Commission. He and Mr. Lewis have gone through the ordinance to incorporate the changes from the last discussion and have a few questions.

Changes made by the Commission are indicated in red.

Page 2:

Second paragraph – The combination of all these elements is necessary for the development of a MPC zone - add “**which is primarily single-family residential development.**”

Discussed Gross Acreage definition. Mr. Wells asked if this was referencing gross developable acreage and whether other things besides “30% slopes”, such as other natural features that are not developable was considered. Chairman Soelberg said developable land is defined within its own definition. Commissioner Gibbons said it is good to define things, however, his concern is that a specific list of items may not include everything and questioned whether the definition should be left broad. Mr. Wells suggested using words such as “other natural features” rather than a list of specific items; the clearer the ordinance is, the easier it will be for staff to make appropriate decisions.

Driveway: A private, paved area used for ingress or egress of vehicles, and allowing access from a street to ~~one~~ building, structure or facility.

Page 3:

Dwelling definitions should include exactly what has been codified and suggested adding wording to reference the Code.

Open Space – remove the last part of the last sentence “~~of usable outdoor space~~” as it is redundant.

Parking Lot – remove the last part of the first sentence “~~whether for free, or for compensation~~”.

Page 4

17.81.050 (A) Project Size – Mr. Wells asked whether the wording of “shall not be less than five (5) acres in size” considers undevelopable land. Chairman Gibbons said the qualifier within that definition is “unless the developer demonstrates to the satisfaction of the Planning Commission and City Council that the goals and objectives of the MPC may be met by a smaller parcel”.

17.81.050 (C) – Mr. Wells questioned #2. Chairman Soelberg said the discussion at the last meeting was related to the 50% reference, and that Ms. Phippen was going to do some research. Commissioner Wright said it was a recommendation provided by one of the developers. He does not think it should be allowed to be reduced as the intent of this ordinance is for primarily single-family residential. Mr. Wells said that should be referenced in the charging statement on page 2. Commissioner Wright said the idea was that if more open space was provided, the residential component could be reduced. Bonus densities can allow for smaller lots, but does not allow for more multi-family development. Mr. Wells suggested that it would be better to calculate by unit numbers rather than by a percentage. Commissioner Gibbons suggested rather than saying the percentage of single-family units can be decreased, more open space could allow for smaller lots. Commissioner Wright recommended that if that were added, to be cautious that open space is not double counted for bonus densities. Commissioner Gibbons said there are different ways to consider this idea. Mr. Wells pointed out that single-family residential is defined to be at 60% in paragraph 1.

Remove 17.81.050 (C) ~~2. Developers may reduce the percentage of required single-family detached housing, in exchange for an increase in open space, as outlined in SMC 17.81.060. In no case shall the percentage of single-family detached housing be less than fifty percent (50%) of the total required housing units.~~

Net Acreage * 6 = Base # of dwelling units – Commissioner Wright thinks the net acreage should be changed from 6 to 4.5 which would mean the average lot size would be 7,744 SF. If the net acreage was left at 6, the average lot size would be 5,800 SF. No single lot may contain more than 6 dwelling units in the primary structure and the minimum lot size required is 2,275 SF, which means the single-family lots would be very small. Chairman Soelberg said the homes in Logan, behind Sam's Club, are on .07 acres with lots approximately 3,000 SF (as a point of reference).

Net Acreage changed to ***4.5** instead of 6.

Mr. Wells questioned the single-family attached front setback at 10'. Chairman Soelberg said the house can be set back 10' but a garage would require to be set back 25' (so as not to allow vehicles to hang over the sidewalk). Commissioner Gibbons said the goal is to provide off street parking and allow the home to be moved forward, if so desired, for more flexibility and creativity. Commissioner Wright pointed out that there is no minimum lot size defined. He suggested adding a line to read: **25' front setback (in the table under section G) indicating that the front setback can be reduced to 10' if the driveway is setback at least 25' behind the sidewalk with a minimum width of 20'.**

Page 6

I. Remove "open space" and add area in the first sentence to read: "Single-family attached housing elements of an MPC are required to have a minimum of ten feet (10') of landscaped ~~open space area~~ ...".

J.2 Change to read "Open porches having a length of not more than ten feet (10') may project a maximum of ~~three feet (3')~~ **42"** into the required front yard setback."

J.3 Change ~~thirty feet (30')~~ to **twenty feet (20')** in the last sentence.

Page 7

Section P: Change all reference to trash containers to be “**community trash containers**” within the paragraph.

Page 8

Remove Q.3 “~~If no garage parking is provided, then each dwelling unit shall be required to provide double the number of off-street parking spaces in the above-listed chart.~~”

Remove 17.81.060 B. “~~B. In exchange for an increase in the amount of open space provided, developers may reduce the required percentage of single-family detached housing. The reduction shall equal to the increase in open space (e.g., an additional 5% open space would decrease the required single-family detached housing to 55%.) In no case shall the single-family detached housing drop below 50% of the total required housing units.~~”

Page 9

17.81.070 D. “D. Right-of-Way Width, Alley: ~~Alleys which are used solely for the purpose of accessing garages shall not be constructed to less than a 26' total width.~~ And add “**Alleys shall conform to the City Code.**” Add Engineer to the last sentence “...approval of Smithfield City **Engineer.**”

17.81.090 B. 1. Change the word sod to turf “Areas landscaped with ~~sod~~ **turf** shall have a sprinkler or ...”.

17.81.100 add an example of the base density calculation. **With a base density of 4.5, the maximum units per acre would be 6.75; the average lot size would be 7,700 SF divided by 1.5 would become 5,100 SF.**

Page 10

17.81.100 Chart - Commissioner Wright said there was some discussion at the last meeting about changing the reference of % to linear feet on the Trails/Bicycle Circulation and Recreational Facilities categories. Mr. Bodily said he would have to calculate it as square feet.

Change the Max % Bonus on Trails/Bicycle Circulation from ~~40~~ to **15** and change ~~the gross project size~~ to **per linear foot.**

Further discussion will be continued to the next meeting.

MEETING ADJOURNED at 8:31 p.m.

Minutes submitted by Debbie Zilles

Andrew Soelberg, Chairperson