



SMITHFIELD CITY PLANNING COMMISSION

City Council Chambers
96 South Main
Smithfield, Utah 84335

The Planning Commission of Smithfield City met in the City Council Chambers at 96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, September 18, 2019

The following members were present constituting a quorum:

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

Members Excused: Hutch Daniels
Greg Gardner

City Engineer: Clay Bodily
City Planner: Shari Phippen
City Councilmember: Curtis Wall

Attendance: Travis Taylor, Mitch Schiffman, Dixie Schiffman, Matt Hyde, Debbie Zilles

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

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 August 21, 2019 meeting to stand as submitted.

PUBLIC COMMENT

Matt Hyde recently talked with City Councilmember Bart Caley, who suggested he come before the Commission to discuss the possibility of a rezone for the property located across from Rocky Mt. Power. He sent the members of the Commission an email earlier with the details of his request. Commissioner Gibbons recommended that Mr. Hyde submit an application so a discussion could be held in a formal format. Commissioner Luthi asked how the rezone would fit with the gateway ordinance. Mr. Hyde said it is not in the gateway, it borders it to the north. He does not want to spend money on applying for a zone change if there is not appetite for it. Chairman Soelberg asked for this to be put on the agenda for next month to have an open discussion.

AGENDA ITEMS

The public hearing concerning a rezone of a 10.36-acre parcel located at ~325 East 800 South from Agricultural A-10 to Residential R-1-10 has been cancelled due to not receiving the annexation paperwork from the State of Utah. The hearing will be held on October 16, 2019.

Discussion and consideration of a final plat for Smithfield Ridges - Phase 11 (4 lots) located at approximately 420 South 1140 East. (Applicant: Travis Taylor/Westates Companies)

Travis Taylor said the water line was completed and the southern portion will be paved this week (weather permitting). Phases 12 and 13 will be on the next meeting agenda for consideration. Ms. Phippen said it has been reviewed and there are no concerns from staff.

MOTION: Motion made by Commissioner Luthi to **approve** the final plat for Smithfield Ridges - Phase 11 (4 lots), located at approximately 420 South 1140 East. Commissioner Wright seconded the motion. Motion approved unanimously (7-0).

Vote

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

Discussion and consideration of a conditional use permit for a home to be designated as a two-family residence located at 34 West 100 South. (Applicant: Bob Hanselman)

Mr. Hanselman explained that the home is in the Community Commercial zone, which allows for an owner-occupied duplex. He is requesting a permit for the duplex to not have to be owner-occupied. There is on-site parking for up to six vehicles. The home is just west of A&W with a large apartment complex to the south.

Commissioner Gibbons said parking is the biggest consideration and there should be an understanding by the tenants that there are only six parking spots available. Ms. Phippen said a specific condition can be put in place that only six parking spots are allowed and tenants must park on site.

Mr. Hanselman clarified for Commissioner Wright that there is a separate (second) entrance next to the garage door which provides access to the basement unit. The home has been recently remodeled.

Commissioner Heaps asked about the “potentially disruptive home occupation”. Ms. Phippen said any type of home occupation, in addition to the duplex use, would have to be reviewed by the Commission. With the available parking used by the tenants, it would impact any possible ability to have a home occupation that requires clients.

MOTION: Motion made by Commissioner Gibbons to **approve** a conditional use permit for a home to be designated as a two-family residence located at 34 West 100 South with the condition that only three (3) vehicles will be permitted per unit (total of six (6) vehicles required to park on-site). Commissioner Hancock seconded the motion. Motion approved unanimously (7-0).

Vote

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

Discussion and consideration of a conditional use permit for Kristi's Daycare, LLC, a home-occupation day care located at 166 West Center. (Applicant: Kristi Inman)

Commissioner Luthi said there seems to be plenty of space for drop off/pick up for this request, however, he questioned if the entire back yard is fenced because it is quite a deep lot, and whether that would be a state certification requirement. Commissioner Heaps said this is a valid concern. Councilmember Wall said the applicant will need to meet all the health department requirements prior to obtaining a license to operate.

MOTION: Motion made by Commissioner Hancock to **approve** a conditional use permit for Kristi's Daycare, LLC, a home-occupation day care located at 166 West Center with the condition that all policies stated in the application be strictly adhered to, that all state requirements are met, and all pick up and drop off be done curbside. Commissioner Heaps seconded the motion. Motion approved unanimously (7-0).

Vote

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

Workshop: Discussion of an ordinance regulating Master Planned Communities in the City of Smithfield.

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17.81.080 Walking/Biking Trails: Commissioner Heaps asked if incorporating walking and biking trails and pathways need to connect to the City's system. Ms. Phippen explained that to qualify for a density bonus, the trails must connect into the citywide network of trails.

Ms. Phippen pointed out that one (1) tree and one (1) shrub required for every 10 linear feet seems excessive; for example, a 10-acre parcel would require 264 trees and 264 shrubs. As a point of perspective, the Smithfield City Office building lot is approximately 1.3 acres and contains 60 trees.

17.81.090 Landscaping: Commissioner Luthi asked if there was a general landscaping ordinance in the Smithfield City Code; Commissioner Wright said there is nothing related to general residential. He said if this is applied it becomes another added requirement which will make it more difficult and does not think it should be applicable to single-family residential. SMC 17.60.080 Landscaping Ordinance requires (related to multi-family residential) that all open space shall be maintained with suitable landscaping of plants, shrubs, trees, grass and similar natural landscaping materials and initial landscaping shall include at least one (1) tree) per two (2) units, half of which shall be coniferous and half deciduous, and one (1) shrub for each ten (10) linear feet of the perimeter of the property.

Commissioner Gibbons suggested having multi-family sections refer to the current landscaping ordinance that is already in place rather than adding an additional requirement.

Chairman Soelberg asked that a review of the current landscaping ordinance be added to the next meeting agenda.

Ms. Phippen pointed out that a Master Planned Community is an intentionally different type of development and will be allowed to do things that cannot be done in traditional subdivisions, therefore, more should be expected from a developer with a proper level of regulation.

Commissioner Gibbons said there are a couple of different factors for consideration – the individual lots that will be purchased and homes built on, and the common areas and how they will be maintained.

Commissioner Heaps suggested using a certain percentage per acre, which provides a requirement that landscaping be put in, however, gives the developer the flexibility to design it.

Commissioner Wright recommended only requiring it in the common and multi-family areas, especially where the majority of the development will be single-family. Ms. Phippen pointed out that a preliminary landscaping plan is required to be submitted.

Chairman Soelberg suggested looking at requirements from other communities. Ms. Phippen will put together more information to review at the next meeting.

Commissioner Heaps said having requirements does allow the Commission to enforce the objective.

Commissioner Gibbons asked if Item C was requiring too much. Most developers will want a project to look appealing so it will likely be self-regulating. Commissioner Heaps said it may be too specific, however, she likes the idea that some of type of plan is required. The Commission agreed that this should apply to the common and multi-family areas, which, in most circumstances, will be maintained by an HOA. The Commission recommended striking Sections C and E.

Ms. Phippen agreed with the idea that the per acre requirement is only applicable to the areas dedicated to multi-family and open space.

17.891.100 Density Bonuses: Commissioner Wright noted that the bonus density should be capped at 50%.

Ms. Phippen noted that it is not typical to require a concept plan as part of a rezone, however, because this is a unique type of development, she has included it as a requirement. The Commission agreed that this is a good idea.

Staff Report/Miscellaneous

Ms. Phippen advised that there will be a request for a conditional use permit for a hemp extraction business (lab) and a home occupation for online firearms sales for review at the next meeting. Both uses are heavily regulated by USDA and ATF respectively.

Ms. Phippen will begin putting the application information on the website.

The Cache Summit will be November 7, 2019, members were encouraged to attend if possible.

Commissioner Hancock attended the recent ULCT training and will email information to the members.

Councilmember Wall shared an example given at the ULCT training about a project in Ogden of 1-3 bedroom units (three phases of 90 units per phase) with prices ranging from \$300-\$1,000 per month. The public clamor with the project was terrible, however, since completion of the project, all units are full and the surrounding property values have raised 30% with more retail amenities coming into the area.

MEETING ADJOURNED at 8:25 p.m.

Minutes submitted by Debbie Zilles

Andrew Soelberg, Chairperson

Attested: