



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 7:00 p.m. on Wednesday, April 19, 2017.

The following members were present constituting a quorum:

Chairperson:	Jamie Anderson
Commission Members:	Kelly Luthi
	Jackie Hancock
	Wade Campbell
	Stephen Teuscher
	Casey McCammon
	Bart Caley
City Engineer:	Clay Bodily
Deputy Recorder:	Charlene Izatt
City Councilmember:	Curtis Wall

Notice was provided to the Herald Journal, delivered to each Commission member, and posted at the City Office Building, on the Smithfield City webpage and the Utah Public Meeting notice website.

The meeting was called to order by Chairperson Anderson at 7:00 p.m.

Opening Ceremonies: Commissioner Caley led the Pledge of Allegiance.

Attendance: Deon Hunsaker-Councilmember, Ben Johnston of Johnston Engineering, Mindy Spackman, Todd Davis, Ken Clark, Suzie Clark, Debbie Zilles

Workshop Session: Mixed Use overlay zone review and discussion. Copies of Mixed Use ordinances from Cottonwood Heights and Farmington were distributed to the Commissioners (prior to the meeting) as examples to review.

Commissioner Hancock liked the idea of a maximum building height in the Farmington ordinance which could be beneficial if a 3-story building would be advantageous to a project and/or area. Mr. Bodily confirmed that the height limit is currently 35'; an owner and/or developer would be notified if the area was within the airport overlay zone.

Commissioner McCammon preferred the Cottonwood Heights ordinance, Farmington seemed to be more detailed than necessary. Cottonwood Heights had good elements with regards to landscaping and aesthetics as well as a focus as to where Commercial Mixed Use would be located (downtown and gateway areas).

Chairperson Anderson said there was some talk about allowing Mixed Use all the way down to the south end of the Commercial area. Ms. Izatt noted that because it is an overlay zone, it can be located wherever the Commission feels it appropriate.

Commissioner Campbell felt that the focus on signage in the Farmington ordinance was not necessary since signs have been discussed. He thought Cottonwood Heights ordinance was set up better than Farmington.

Chairperson Anderson said Cottonwood Heights idea of Mixed Use self-storage was an interesting concept. Commissioner Hancock asked for a better definition of the self-storage. Commissioner Caley said it would be an adjacent building for additional storage in conjunction with the primary commercial use. Chairperson Anderson noted that there were signage requirements tied to it, Commissioner Caley felt that was beneficial in case additional signage was requested on the storage portion.

Commissioner Luthi likes the idea, however, he is concerned where it would fit in Smithfield. Commissioner Teuscher said this issue needs to be addressed as Smithfield continues to grow. Commission Luthi agreed.

Commissioner Teuscher asked about addressing road access and thinks it should be incorporated in this ordinance as well as in the General Plan.

Ms. Izatt said there is quite a bit of encouragement for pedestrian travel within a Mixed Use zone. It seems to be a popular idea and helps areas build character. Commissioner Caley said that although the idea is meant for pedestrian access, people can change lifestyles and this helps covers that idea from the beginning, so residents and developers know what the zone is meant for.

Ms. Izatt asked about prohibited uses. She has reviewed Leeds City which has very specific uses that are allowed and prohibited. The idea is to concentrate on retail and smaller-type shops. It might help to have this matter addressed. The unique situation in Smithfield is the highway intersection which will naturally develop east and west sides.

Ms. Izatt asked about the Commission's thoughts about square footage. Leeds cannot exceed 2,000 SF and Cottonwood Heights is 10,000 SF. Chairperson Anderson said 2,000 SF seemed too limiting, however, it depends on the type of business.

Ms. Izatt said Cedar City has some interesting information and asked if the Commission would like to review a copy of their ordinance. There is a lot of diversity which could be integrated. Chairperson Anderson said he would like to review Cedar City's plan. Councilmember Wall mentioned that J-U-B Engineering referenced American Falls, Idaho during the Master Plan discussion and suggested looking into their ordinance as they have a similar population and Main Street set up.

Agenda Items:

Resident Input: Deon Hunsaker, a member of the City Council, has worked at Hickman Land Title Company for over 40 years preparing deeds and boundary line agreements.

About 15 years ago, Cache County and Logan City advised that boundary line agreements could not be done without their permission, which is what the smaller cities eventually began doing. He recently told a customer that they would have to get permission from the City where they lived for a boundary line adjustment, however, the County Recorder told the individual to go to another title company and that cities cannot require that. Mr. Hunsaker read from Utah Code Title 10-9a-523: "*Parcel boundary adjustment. (1) A property owner (a) may execute a boundary adjustment by quitclaim deed or by a boundary line agreement as described in Section 57-1-45; and (b) shall record a quitclaim deed or boundary line agreement in the office of the county recorder. (2) A parcel boundary adjustment is not subject to the review of a land use authority.*" This issue came up with Ken Clark (on the agenda for tonight) about a boundary line adjustment. He does not know if the City code matches State code. Ms. Izatt advised that there is another law that addresses issues within subdivisions, which requires a request to go before the land use authority. Mr. Hunsaker said he is torn with differing opinions between cities and the County Recorder's Office. He encouraged continued land use training because it is quite complicated and changes often.

Ms. Izatt said there is a person moving from California to Smithfield who will be renting a .95-acre lot at 473 South Main Street. He is in a position to apply for an R-1 Animal Rights. This is a situation where the property has been a residential use, however, it has been zoned M-1 for a while. The property is just under an acre so he can apply for one horse, but would like to have two horses. The intention of the ordinance is for allowance if certain criteria are met. Commissioner Teuscher is concerned that if an allowance is made for property under an acre, a precedent will be set. Ms. Izatt said the main issue is the M-1 zone. Commissioner Campbell said he would like to see the ordinance more workable, however rules are rules. Commissioner Luthi asked if the request would be to rezone the property, which is in between two manufacturing areas. Ms. Izatt asked if the Commission would consider tweaking the ordinance; Chairperson Anderson said they are always open to a review.

Consideration of Consent Agenda and minutes of the March 15, 2017 Planning Commission Meeting: After consideration by the Planning Commission, Chairperson Anderson declared the Consent Agenda for the April 19, 2017 meeting approved and the minutes from the March 15, 2017 meeting to stand as submitted.

Ben Johnston of Johnston Engineering, agent for Todd Davis, has requested consideration for approval of the Concept Plan for Dry Canyon Estates, a 40-lot subdivision, located at approximately 1280 East 300 South. Zoned R-1-12.

Mr. Johnston clarified for Chairperson Anderson that the area on the upper northwest corner of the map is a retention pond that is incorporated into the lots.

Mr. Bodily indicated that the road was moved to accommodate for possible future development. Mr. Johnston is going to put a dissipative processor into the storm water pipe. There has been quite a bit of thought put into the design. The west road lines up with the existing road in the previous subdivision. Mr. Johnston pointed out where there is an existing water line and easement.

MOTION: A motion was made by Commissioner Campbell to approve a request by Ben Johnston of Johnston Engineering, agent for Todd Davis, for approval of the Concept Plan for Dry Canyon Estates, a 40-lot subdivision, located at approximately 1280 East 300 South. Zoned R-1-12. Commissioner Teuscher seconded the motion. The motion was approved (7-0).

Vote

Aye: Luthi, Hancock, Campbell, Anderson, Teuscher, McCammon, Caley

Ben Johnston of Johnston Engineering, agent for Todd Davis, has requested consideration of approval of the Preliminary Plat for Dry Canyon Estates, a 40-lot, subdivision, located at approximately 1280 East 300 South. Zoned R-1-12

MOTION: A motion was made by Commissioner Teuscher to approve a request by Ben Johnston of Johnston Engineering, agent for Todd Davis, for approval of the Preliminary Plat for Dry Canyon Estates, a 40-lot subdivision, located at approximately 1280 East 300 South. Zoned R-1-12. Commissioner Campbell seconded the motion. The motion was approved (7-0).

Vote

Aye: Luthi, Hancock, Campbell, Anderson, Teuscher, McCammon, Caley

Consideration for a request by Ken Clark for approval of a Boundary Adjustment between Parcel #08-161-0107 (661 East 420 South) in East Sky View Subdivision, and Parcel #08-134-0012 (vacant parcel) in the Willis Heights Subdivision. Zoned R-1-12 & R-1-10.

Ken Clark confirmed for Chairperson Anderson that it is a landlocked piece of property and he is the owner of both parcels. Chairperson Anderson noted that because Mr. Clark owns the land, he should be able to do what he wants with it.

There were no questions from the Commission.

Mr. Bodily advised that as Mr. Hunsaker noted earlier, a simple boundary line adjustment does not have to come before the Commission for approval. In this case, it is part of a subdivision that had been approved by the Commission. He also pointed out the utility easement.

Chairperson Anderson asked if there would ever be road access. Mr. Clark said there would not be. He said the only potential for any future subdivision would be if he bought more land. He would like it to be one parcel because he wants to construct a shed, which would be an accessory structure versus a primary building.

MOTION: A motion was made by Commissioner Luthi to approve a request by Ken Clark for approval of a Boundary Adjustment between Parcel #08-161-0107 (661 East 420 South) in East Sky View Subdivision, and Parcel #08-134-0012 (vacant parcel) in the Willis Heights Subdivision. Zoned R-1-12 & R-1-10. Commissioner Caley seconded the motion. The motion was approved (7-0).

Vote

Aye: Luthi, Hancock, Campbell, Anderson, Teuscher, McCammon, Caley

MOTION TO ADJOURN: Motion by Commissioner Campbell to adjourn the meeting at 7:40 p.m. The motion was seconded by Commissioner Caley. Motion passed unanimously.

Minutes submitted by: Debbie Zilles

Jamie Anderson, Chairperson

Attested:

Charlene Izatt, Deputy Recorder

**SMITHFIELD PLANNING COMMISSION
Smithfield City Council Chambers
96 South Main
Smithfield UT 84335**

NOTICE and AGENDA

Public Notice is hereby given that the Smithfield Planning Commission will hold a Planning Commission Meeting at 7:00 p.m. on Wednesday, April 19, 2017 in the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah.

7:00 p.m. Opening Ceremonies

Workshop Session: Mixed Use overlay zone review and discussion.

Agenda items:

1. 7:08 p.m. Resident Input
2. 7:10 p.m. Consideration of Consent Agenda
Minutes of the March 15, 2017 Planning Commission Meeting
3. 7:12 p.m. Ben Johnston of Johnston Engineering, agent for Todd Davis, has requested consideration of approval of the Concept Plan for Dry Canyon Estates, a 40 lot, subdivision located at approximately 1280 East 300 South. Zoned R-1-12

4. 7:15 p.m. Ben Johnston of Johnston Engineering, agent for Todd Davis, has requested consideration of approval of the Preliminary Plat for Dry Canyon Estates, a 40 lot, subdivision located at approximately 1280 East 300 South. Zoned R-1-12
5. 7: 20 p.m. Consideration of a request by Ken Clark for approval of a Boundary Adjustment between Parcel #08-161-0107 (661 East 420 South) in East Sky View Subdivision, and Parcel #08-134-0012 (vacant parcel) in the Willis Heights Subdivision. Zoned R-1-12 & R-1-10
6. 7:25 p.m. **ADJOURNMENT**

Posted this 14th day of April 2017 at the Smithfield City Offices, City Web Page, and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 14th day of April 2017.

Charlene Izatt, Deputy Recorder

ITEMS ON THE AGENDA MAY BE CONSIDERED EARLIER THAN SHOWN ON THE AGENDA.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Charlene Izatt, Smithfield City Offices, at 435-792-7989 at least three (3) working days prior to the meeting.