



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, May 16, 2018

The following members were present constituting a quorum:

Chairman Pro-Tem: Stephen Teuscher

Commission Members: Kelly Luthi
Scott Gibbons
Mason Niederhauser
Casey McCammon
Nathan Wright

Members Excused: Andrew Soelberg
Jackie Hancock

City Engineer: Clay Bodily
Deputy Recorder: Charlene Izatt
City Councilmember: Curtis Wall

The meeting was called to order by Chairman Pro-Tem Teuscher at 7:00 p.m.

OPENING CEREMONY

Don Barringer led the Pledge of Allegiance.

ATTENDANCE

DeMar & Connie Jackson, Glade Smith, Casey Hillyard, Don Barringer, Kolby Stembridge, Laura Kohler, June James, Kim Datwyler (NHS), Trevor Datwyler (AE2S), Glayde Stembridge, Erin Campbell, Wade Lindley, Lynn Godderidge, Matt Sheen, Jeff West, Debbie Zilles

WORKSHOP SESSION – Discuss Appeal Authority

Ms. Izatt explained that an applicant can file a written appeal within 10 days of a decision. For many years the City had a Board of Adjustments, a quasi-judicial body compromised of 5 appointed members. The state determined that it would be more prudent to have an impartial decision-maker. Smithfield currently contracts with a local judge, Paul Larson, who has served as the appeal authority for the last 7 years and is well-versed in land use law. A variance, which is an issue considered by the appeal authority, must meet five criteria to be considered and it cannot be self-imposed or based on financial hardship. If the decision is upheld, an applicant has the option to file with District Court within 30 days.

RESIDENT INPUT

Don Barringer requested to schedule time on a future agenda for an open dialogue to discuss concerns and issues regarding possible future development in the fields on the west side of town (area between Saddleback Road and 800 West).

Mr. Stembridge is purchasing property at 701 West 200 South with the hope that it can be rezoned from Residential Agricultural (RA-1) and asked whether the Commission would consider allowing 1/3-acre lots. Chairman Teuscher said the City needs to look at different options to accommodate growth. Mr. Stembridge would like to develop that area with smaller lots; 1-acre lots require more water and maintenance and often younger people cannot afford, or do not want, larger lots. Chairman Teuscher said, as a realtor, he likes the option of smaller lots, the younger generation seems to want to spend time and money on other things. Commissioner Gibbons suggested putting together a plan and bringing it to the Commission for discussion and consideration. The idea of smaller lots has been discussed and there are a lot of varying opinions. He also suggested talking to the neighbors in the area to get some feedback. Mr. Stembridge said he would like to clean up the area (12 acres) and remove the barn. Commissioner Niederhauser expressed concern with creating an "island" with a rezone that is not contiguous with the adjacent property. Ms. Izatt said the City does not does not consider "spot zoning" a standard for approval.

AGENDA ITEMS

Consent Agenda for May 16, 2018 and approval of the minutes from the April 18, 2018 Planning Commission meeting.

After consideration by the Commission, Chairman Pro-Tem Teuscher declared the meeting agenda approved and the minutes from the April 18, 2018 meeting to stand as submitted.

Val Swensen, agent for June James, has requested approval of a six (6) to eight (8) month temporary dwelling permit at Sojourner Trailer Park, located at 680 W 100 N #8 during employment at a seasonal construction project. Zoned RM (Multiple Family Residential).

June James explained that she would be representing herself and that the request is for permission to park an RV in the Sojourner mobile home park temporarily while working seasonal construction. The property owner does not have any objections.

MOTION: Motion made by Commissioner Wright to **approve** a request from Val Swensen, agent for June James, for a six (6) to eight (8) month temporary dwelling permit at the Sojourner Trailer Park, located at 680 West 100 North #8, during employment at a seasonal construction project. Zoned RM (Multiple Family Residential). Commissioner Gibbons seconded the motion. The motion was approved unanimously (6-0).

Vote

Aye: Luthi, Gibbons, Niederhauser, Teuscher, McCammon, Wright

DeMar & Connie Jackson have requested approval of a dog kennel permit for up to five (5) inside dogs, located at 203 North Main. Zoned R-1-10.

Connie and DeMar Jackson have five teacup poodles and are asking for permission to obtain a kennel permit. The backyard is fully fenced and the dogs are mostly indoor and are all licensed, spayed and neutered. Ms. Izatt said there are no complaints on file.

MOTION: Motion made by Commissioner Niederhauser to **approve** a dog kennel permit for up to five (5) inside dogs, located at 203 North Main. Zoned R-1-10. Commissioner Luthi seconded the motion. The motion was approved unanimously (6-0).

Vote

Aye: Luthi, Gibbons, Niederhauser, Teuscher, McCammon, Wright

Trevor Datwyler, of AE2S Engineering, agent for Neighborhood Housing Solutions, has requested approval of a Concept Plan for Smithfield Pointe, a 29-unit subdivision, 11.97 acres, located at 680 North 570 East. Zoned R-1-12

Trevor Datwyler said they have met with the STRC committee. The property, located west of the Suncrest Subdivision, has been rezoned to R-1-12. This is a proposed 29-lot subdivision with 24 lots that will be developed as part of Phase I. The cul-de-sac outlined on the plat will be a temporary turnaround until the road is completed to connect with 800 North (which is currently a gravel road). They are working with the City on the details of a possible hammerhead. There will also be a turnaround just west of Lot 24. The road is not being extended because, without knowing what elevation will be needed for the sewer, it would be beneficial to wait until that is completed. Lot 7 will be used for retention to allow for enough storage area.

Chairman Teuscher recused himself from the vote due to a conflict of interest.

MOTION: Motion made by Commissioner McCammon to **approve** a request from Trevor Datwyler, of AE2S Engineering, agent for Neighborhood Housing Solutions, for approval of the **Concept Plan** for Smithfield Pointe, a 29-unit subdivision on 11.97 acres, located at 680 North 570 East. Zoned R-1-12. Commissioner Niederhauser seconded the motion. The motion was approved unanimously (5-0).

Vote

Aye: Luthi, Gibbons, Niederhauser, McCammon, Wright

Abstain: Teuscher

Trevor Datwyler, of AE2S Engineering, agent for Neighborhood Housing Solutions, has requested approval of a Preliminary Plat for Smithfield Pointe, a 29-unit subdivision, 11.97 acres, located at 680 North 570 East. Zoned R-1-12

Mr. Datwyler said that the road to be put in (680 North) will be a 66' right-of-way and is part of the future transportation plan to be a collector that will eventually connect to the highway.

Commissioner Wright asked if Crow Mountain Road would be extended to the end of the property. Mr. Datwyler said Lot 8 will remain undeveloped until the property to the north is developed, at which time the road will be extended.

Mr. Bodily confirmed for Commissioner Wright that the Fire Department reviewed the project and had no concerns regarding access.

Mr. Datwyler pointed out that there is an overhead power line that runs along the southern border. The lots in that section of the development will be designed to be deeper to accommodate the easement.

MOTION: Motion made by Commissioner Luthi to **approve** a request from Trevor Datwyler, of AE2S Engineering, agent for Neighborhood Housing Solutions, for approval of the **Preliminary Plat** for Smithfield Pointe, a 29-unit subdivision, 11.97 acres, located at 680 North 570 East. Zoned R-1-12 with the stipulation that Lot 7 will be used for storm water retention and Lot 8 will remain undeveloped until Crow Mountain Road is extended. Commissioner Niederhauser seconded the motion. The motion was approved unanimously (5-0).

Vote

Aye: Luthi, Gibbons, Niederhauser, McCammon, Wright

Abstain: Teuscher

Continued discussion of residential lots under 10,000 SF and review of a draft of a proposed Ordinance 18-10.

A letter from resident Wade Lindley was received and distributed to the Commission prior to the meeting and is included in the project file.

Commissioner Gibbons suggested a plan to move forward. There is no current request for a small-lot development. The discussion should be generically focused on lot size and not a specific location.

Chairman Teuscher likes the option for smaller lots, however, it needs to fit into the community.

Commissioner Gibbons lives on a large lot; however, he appreciates the fact that there are people who prefer smaller lots and there should be options for personal choice. Growth will happen regardless, and he would like to see it managed effectively.

Chairman Teuscher agreed that there should be a plan for growth. As a realtor, he has many clients looking for smaller lots, which seems to be an increasing trend. The challenge is where to locate smaller lots.

Commissioner Luthi noted that when the General Plan was approved, there was a decided consensus that the west side should remain as much agricultural as possible. He is not opposed to the idea of smaller lots and would prefer them to townhomes, however, the west side may not be the right location. Commissioner Teuscher pointed out that there are not many other areas for development. Smaller lots will help preserve agricultural ground.

Ms. Izatt said there is an individual who has approached the City with an idea for an active adult community development on smaller lots rather than as a planned unit development (PUD). PUD's require 50% open space which will increase HOA fees to keep the area watered and maintained.

Commissioner Gibbons said open space needs to be considered and should be part of the discussion. Ms. Izatt explained that Hyde Park has an ordinance stipulating that money received from the developer, by exercising the bonus density option, shall be placed in a restricted fund to be used for the purchase of property for parks, trails, and other appropriate usable open space and/or for improvements to existing parks, trails and other appropriate open space. Wherever possible, the City should consider investing funds generated from a particular development into parks, trails, and other appropriate usable open spaces that are accessible to residents of that development within a reasonable walking distance.

Commissioner Wright likes Hyde Park's idea of offsetting smaller lots with funds that help with community improvements.

Chairman Teuscher said it is a good idea to consider how other areas have handled this issue.

Councilmember Wall pointed out that small lots do not always equate to small homes. Commissioner Teuscher agreed and noted the development at 1000 North 400 East in Logan. He would like to do more research and visit similar developments.

Ms. Izatt said there are many things that need to be considered, including setbacks. Councilmember Wall said the Council has been discussing general ideas. The Commission needs to work on and submit specific guidelines for consideration.

Commissioner Gibbons suggested carefully reviewing similar city ordinances at the next meeting and begin considering how this can be applied appropriately. Chairman Teuscher agreed that there are many issues that need to be reviewed and discussed.

Commissioner Gibbons said people are generally not excited about smaller lots and there are always associated concerns, however, churches and schools are generally proactive and will have to address growth issues regardless of the size of the lots.

Discussion of future development in the west fields.

Commissioner Gibbons liked the suggestion of having an open dialogue, however, it should include representation from the entire community. Chairman Teuscher agreed that this is only the first step in a long discussion.

Ms. Izatt pointed out that the General Plan included public input and public hearings. Commissioner Gibbons said most people do not have an interest until it affects them directly.

Review of Utah League of Cities & Town Conference by Councilmember Wall.

Councilmember Wall briefly reviewed the recent ULCT conference he attended. Topics included land use issues, affordable housing and homelessness. Utah is the fastest growing state in the nation, with a median annual income of \$60,000, housing affordability is a big concern. Other topics included ex-parte communication, transparency, legislative updates, the opioid epidemic and healthcare management. He encouraged Commission members to take advantage of all available training.

Review of Ordinance 18-09 which amends Smithfield City Municipal Code Title 9, in particular, 9.16.030 “Definitions”; Title 17 “Zoning Regulations”; Sections: 17.36.160 “Zoning Locations” 17.44.010 “Establishment of Zones” and deleting Chapter 17.63 “CP Commercial Professional Zone” in its entirety.

Ms. Izatt asked the Commission to review the ordinance for any changes before it becomes a public hearing item.

Councilmember Wall noted that Smithfield City offices will be closed on Fridays beginning in June. Staff will work four 10-hour days per week (7:00 a.m.– 6:00 p.m.) from June-September.

MOTION TO ADJOURN

Commissioner Gibbons motioned to adjourn the meeting at 8:35 p.m. Commissioner Wright seconded the motion. The motion passed unanimously.

Minutes submitted by Debbie Zilles

Stephen Teuscher, Pro Tem Chair

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, May 16, 2018 in the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah.

Workshop Session: The Commission will discuss the Appeal Authority.

Agenda items:

- 7:04 p.m. Resident Input
- 7:09 p.m. Consideration of Consent Agenda
Minutes of the April 18, 2018 Planning Commission Meeting
- 7:10 p.m. Val Swensen, agent for June James, has requested approval of six (6) to eight (8) months temporary dwelling permit at Sojourner Trailer Park, located at 680 W 100 N #8 during employment at a seasonal construction project. Zoned RM (Multiple Family Residential)
- 7:12 p.m. DeMar & Connie Jackson have requested approval for a dog kennel permit for up to five (5) inside dogs, located at 203 N Main. Zoned R-1-10
- 7:15 p.m. Trevor Datwyler of AE2S Engineering, agent for Neighborhood Housing Solutions, has requested approval of the Concept Plan for Smithfield Pointe, a 29-unit subdivision, 11.97 acres, located at 680 North 570 East. Zoned R-1-12
- 7:20 p.m. Trevor Datwyler of AE2S Engineering, agent for Neighborhood Housing Solutions, has requested approval of the Preliminary Plat for Smithfield Pointe, a 29-unit subdivision, 11.97 acres, located at 680 North 570 East. Zoned R-1-12
- 7:25 p.m. The Commission will continue discussing residential lots under 10,000 SF and review a draft copy of a proposed ordinance.

The Commission will discuss future development in the west fields.
- 7:40 p.m. Councilmember Curtis Wall will review the training he received at the April 2018 Utah League of Cities & Towns Midyear Conference.
- 7:55 p.m. The Commission will discuss **Ordinance 18-09** which amends Smithfield City Municipal Code Title 9, in particular, 9.16.030 "Definitions"; Title 17 "Zoning Regulations"; Sections: 17.36.160 "Zoning Locations" 17.44.010 "Establishment of Zones" and deleting Chapter 17.63 CP Commercial Professional Zone" in its entirety.

8:00 p.m. **ADJOURNMENT**

Posted this 11th day of May 2018 at the Smithfield City Offices, City Web Page, and the Utah Public Meeting Notice website. Notice provided to The Herald Journal this 11th day of May 2018.

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.