



## 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, October 17, 2018

The following members were present constituting a quorum:

Chairperson: Andrew Soelberg

Commission Members: Jackie Hancock  
Nathan Wright  
Scott Gibbons (Alternate)  
Jasilyn Heaps (Alternate)

Excused: Kelly Luthi  
Mason Niederhauser  
Casey McCammon  
Stephen Teuscher  
Curtis Wall - Councilmember

City Engineer: Clay Bodily  
Deputy Recorder: Charlene Izatt  
City Councilmember: Jamie Anderson

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

### **OPENING CEREMONY**

The Pledge of Allegiance was led by Commissioner Hancock.

### **ATTENDANCE**

Don Barringer, Char McDonald, Jeff Barnes (Mayor), Jake Young (LifeStyle Homes), Debbie Zilles

### **WORKSHOP SESSION**

Video Training – Utah State Open & Public Meetings Act, Part 1 (2017) – David Church, General Counsel for the Utah League of Cities & Towns.

### **AGENDA ITEMS**

**Resident Input:** Mayor Barnes explained that proposed Ord. 18-17, which would implement Historical Preservation standards, design and rehabilitation guidelines (item cancelled for tonight's meeting), was discussed by the City Council on October 10, 2018. The Historical Society began with a sample ordinance from the State Historic Preservation Office (SHPO) to create a CLG (Certified Local Government) which will allow the City to apply for grant funding. CLG grants are federal grants that assist local governments with historic preservation activities. The sample ordinance contained the term "standard", which refers to land use. Mr. Giles, the City Manager, advised that the term "standard" means regulations that must be followed. This ordinance is not forcing anyone to do

anything. Mr. Barnes called the SHPO and spoke with Roger Roper and asked what could be done to make this ordinance not about land use. He suggested removing the term. *Standards of Rehabilitation* has been changed to read *Rehabilitation Guidelines*. The Council will be reviewing the changes at the October 24, 2017 meeting.

**Consideration of Consent Agenda and approval of September 29, 2018 Meeting Minutes:** After consideration by the Commission, Chairperson Soelberg declared the meeting agenda approved and the minutes from the September 19, 2018 meeting to stand as submitted.

**PUBLIC HEARING** to consider approval of proposed **Ordinance #18-12** which amends the Smithfield City Code, Title 6, "Animals" In particular, Sections: 6.04.010 "Definitions"; 6.12.020 "For Animal Establishments; Title 9, "Public Peace And Welfare"; Sections: 9.24.030 "Applicability"; 9.24.050 "Outdoor Lighting Standards; Title 10 "Vehicles & Traffic" Sections: 10.08.110 "Parking For Certain Purposes Prohibited"; Title 12 "Streets, Sidewalks And Public Places" Sections: 12.16.120 "Inspection and Acceptance"; Title 16 "Subdivision Regulations" Section: 16.12.010 "Purpose"; Title 17 "Zoning Regulations"; 17.94.030 "Conditions".

#### **7:36 p.m. Public Hearing Opened**

Char McDonald would like to know exactly what the amendment regarding animals is.

#### **7:37 p.m. Public Hearing Closed**

Chairperson Soelberg said "*pigmy pigs*" is being removed under the definition of domestic animal and the requirement that cats must be licensed individually is being eliminated.

Ms. Izatt said kennel/cattery is combined, which is unique, and she would like the wording to be as specific as possible. She suggested keeping the phrasing "...own more than four (4) cats..."

#### 10.08.110 Parking for Certain Purposes Prohibited

Ms. Izatt said it may be a good idea to review item *E*. "*Parking or leaving unattended, any truck and/or trailer having four (4) or more axles on any street in a residential zone that has curb and gutter or when the total paved road width is less than thirty (30) feet.*"

Commissioner Gibbons said there are not many trucks or trailers with 4 axles and asked if this would be addressing the combination of a truck and trailer. Ms. Izatt said the intent is to address semi-trucks, however, there have been many complaints about utility trailers and other recreation vehicles (5-wheels, motor homes, camping trailers) that are parked for extended periods of time. She would like to find a way to manage the enforcement. Commissioner Gibbons said "*four (4) or more axles*" does not seem to address this concern.

Commissioner Hancock said trucks generally have 2 axles and semi-trucks have 3 axles. She suggested changing "*4 axles*" to 3 axles. Commissioner Gibbons said most of the population does not drive a vehicle with 3 axles.

Commissioner Wright suggested establishing a time frame that vehicles can be parked on the street. Is leaving it unattended overnight a violation?

Commissioner Gibbons said having large trailers/semi-trucks parked along the street, especially at night, can be a safety hazard.

Chairperson Soelberg said the definition of “unattended” needs to be defined and how that corresponds to the “principal purpose” statement. Ms. Izatt said home business licenses do not allow semi-trailers to be parked at the home.

Commissioner Gibbons said there are situations where a recreational trailer is parked along the street all summer.

Commissioner Gibbons said it might be better to define it by length rather than by axles.

Councilmember Anderson asked what the goal of the ordinance is and what is hoped to be solved. Ms. Izatt said she receives many complaints about trailers parked on the street for extended periods of time. Most of the complaints have been about utility trailers, with debris, being left parked along the road.

Ms. Izatt said the only other parking ordinance is winter parking.

Commissioner Wright said the ordinance is addressing a safety issue with the wording of “*less than (30) feet*”. Mr. Bodily said the standard right-of-way is 66’. Ms. Izatt pointed out that the wording is actually “...*in a residential road that has curb and gutter or when the total paved road width is less than (30) feet*”.

Chairperson Soelberg said the word “*or*” should be removed at the end of item C and added to the end of item D.

Commissioner Wright suggested removing the reference to axle and setting a time limit to better reach the intent of the ordinance.

Commissioner Gibbons understands the concerns about having large vehicles that park close to corners. Ms. Izatt said Title 10 contains sections addressing distances from corners.

Chairperson Soelberg said it seems the main concern is larger vehicles that take up parking. Commissioner Heaps asked if the concern is the size of the vehicle? Commissioner Wright said height could be another issue of concern.

Commissioner Gibbons suggested striking “*truck*” and adding a time limit of 48 hours, or other reasonable amount of time.

Ms. Izatt confirmed for Commissioner Heaps that private roads cannot be enforced by the City.

Commissioner Heaps pointed out a misspelling in the Municipal Code Section 13.04.400 “*L. An acknowledgement that an excavation permit, and if applicable **ab** encroachment permit is required prior to any work being started*”. “**ab**” should be changed to “an”.

Commissioner Wright said the axle issue is still a concern. Two axles would allow large trailers. He suggested removing that reference if the intent is to prohibit trailers. Ms. Izatt said this proposal is in response to the complaints being received. Chairperson Soelberg said there is a clear public safety and benefit to having roads clear of parking in the winter. This seems to be creating an ordinance for pockets of the City. Ms. Izatt said it would be applicable to the entire City.

Commissioner Gibbons said neighbors should be willing to talk to each other about concerns, he would hate to see this legislated to death.

Councilmember Anderson asked if the purpose of this is for safety or aesthetics? Ms. Izatt said it can be a combination of both.

Chairperson Soelberg asked how “*principal purpose*” can be proved. Councilmember Anderson said if it is not a vehicle that can be driven, it is likely “*unattended*”.

Commissioner Wright suggested adding recreational vehicles. Commissioner Gibbons said defining what type of vehicle can be difficult, for example, there has been a tractor parked on 300 South for over a month.

Chairperson Soelberg suggested “leave any vehicle or trailer unattended for no more than 48 hours”. Commissioner Heaps is concerned that this may not be long enough to have the vehicle moved. There was a car parked on 300 North that was involved in an accident which took over a week to get moved. Commissioner Wright pointed out that people may leave for vacation longer than 48 hours.

Commissioner Heaps said she believes that “*trailer*” takes care of most of the issues and concerns and suggested adding “RV and trailer”. Commissioner Gibbons said most of the complaints seem to be about parking for long periods of time without moving. Councilmember Anderson questioned whether the goal is to prohibit streets from becoming RV storage areas. Commissioner Gibbons said this seems to be what the citizenry is pushing for. Ms. Izatt said this problem will continue if it is not addressed.

Chairperson Soelberg said the legal definition of an abandoned vehicle is one that is parked on a public road for more than 72 hours without being moved. If a vehicle is found to be legally abandoned, it can be impounded. Commissioner Gibbons said there should be no reason that a trailer would have to be parked on the street for longer than three days. Ms. Izatt pointed out that residents can have up to two inoperable vehicles, however, they must be screened on the property.

The Commission determined to change the wording to read: “*E. Parking or leaving unattended, any vehicle and/or trailer, **for 72 hours**, on any street in a residential zone that has curb and gutter or when the total paved road width is less than thirty (30) feet.*”

**MOTION:** Motion made by Commissioner Gibbons for **approval of Ordinance #18-12** as discussed. Commissioner Wright seconded the motion. Motion approved unanimously (5-0).

Vote

Aye: Hancock, Wright, Soelberg, Gibbons, Heaps

Continued discussion of single-family residential lots under 10,000 SF and review draft copy of a proposed **Ordinance #18-10**.

At the last meeting, Chairperson Soelberg, tasked members to do some research and possibly identify locations where this type of development might be applicable.

Chairperson Soelberg found that most small lots were 8,000 SF (medium density).

Commissioner Gibbons said if small lots are approved, they should be welcomed anywhere in the City. He recommended finding areas in all four quadrants of the City where these size lots would work. Small lots directly next to large lots can be offensive to some people, there needs to be some type of transition. 8,000 SF lots next to R-1-10 would be better than next to R-1-12. Green and open space need to be addressed. He is not opposed to the idea, but believes it should be done correctly.

Commissioner Wright said if there are too many restrictions, it will not happen. He agrees with the idea of transition zone, possibly in a linear pattern around commercial and industrial districts. On the Transportation Master Plan, 600 South is planned to be a major collector and there should be a buffer allowed along that road.

Commissioner Heaps said Logan City has a comparable NR-6 zone that is considered traditional residential (Adams, Bridger, Ellis neighborhoods). 7,000-8,000 SF lots is not a big difference from R-1-10.

Commissioner Hancock said the homes located south of the cemetery, which are typically 8,000 SF lots, have frontage that is eaten up by sidewalks, curb and gutter. She does not think 6,000 SF lots are wise and would prefer the lots be 7,000-8,000 SF.

Commissioner Gibbons asked about the new subdivision behind Codale Electric in Logan City. Ms. Zilles said that area is zoned NR-6. Commissioner Gibbons said this area has new homes that look nice, however, they have small yards.

Chairperson Soelberg said 6,000 SF is too small, he likes the idea of 7,000-8,000 SF.

Commissioner Hancock said there are people who like the rural feel and a lot of space.

Commissioner Heaps said this type of zone may work better in certain areas, like 600 South, and may not be appropriate everywhere. There is a need for this type of housing, which is a compromise between multi-family townhomes and single-family homes.

Chairperson Soelberg noted that the Future Land Use Map designates the west side for larger lots.

Commissioner Gibbons recommended starting at 8,000 SF, if it does well, smaller lots can be considered in the future. 8,000 SF is not too much smaller than 10,000 SF.

Chairperson Soelberg looked at similar ordinances in Farmington, Kaysville and North Ogden. The smallest lots allowed is 8,000 SF.

Commissioner Wright asked how this would be considered on the Future Zoning Map. Commissioner Heaps said she believes it would fall into medium residential density. Chairperson Soelberg said Farmington City regulates alternative lot sizes “*The total number of lots in the subdivision shall not exceed the total number of lots allowed, as per the yield plan process set forth*”. Ms. Izatt said the idea would be that the zoning map would be adjusted to identify specific areas where small lots would be allowed. Commissioner Gibbons agreed that the City needs to be careful about where these lots are allowed. Small lots still have home ownership and generally owners take pride in their homes. With planned locations and transition, this could work well.

Commissioner Heaps said this seems to be a good compromise between R-1-10 and townhomes. 8,000 SF is not such a disparity in housing type from R-1-10. There cannot be an assumption that everyone is hesitant of smaller lots. 8,000 SF does not drastically change the feel of most neighborhoods and there may not be such push-back. This increases housing opportunities and new homes can create nice neighborhoods.

Chairperson Soelberg advised that the setbacks for 8,000 SF lots in Farmington are: interior 75’, corner 85’, front 25’, sides 8’ minimum for a total of 18’, side corner 20’ and rear 30’. Kaysville City setbacks: width 60’, front 25’, sides 8’ minimum for a total of 18’, side corner 20’ and rear 20’. North Ogden setbacks: front 30’, side 8’ with no less than 18’ with an exception that if there is an attached garage, both side yards may be 8’, side corner 20’ and rear 20’. These seem to be in line with what has been proposed in the ordinance (17.56.030).

Commissioner Gibbons had concern with 17.56.060 (4) “*Unsheltered decks, supported by posts and which are less than thirty (30) inches above the ground or greater than eight-four (84) inches above the ground, but not greater than the uppermost floor level, shall be allowed to project into the required rear yard a maximum of ten (10) feet.*” Ms. Izatt said this is a standard ordinance. Commissioner Gibbons said smaller lots have homes that are closer to each other, which may create privacy challenges. Ms. Izatt said they cannot encroach into the 10’ rear setback. Chairperson Soelberg said deck design cannot be restricted, however, it will have to meet all the applicable requirements.

Commissioner Gibbons said Hyde Park has a small-lot subdivision with no setbacks. Some of the homes sit right on the property line, however, there are no windows on the facade that sits on the property line to help with privacy.

Commissioner Wright likes Farmington City’s approach about the total number of smaller lots being limited, rather than allowing full reign to do an entire neighborhood of only 8,000 SF lots. Mr. Bodily said developers may not want to put larger lots in if they meet the standard of the zone. Ms. Izatt said developers have the choice, they cannot be mandated to put in larger lots.

Jake Young, from Lifestyle Homes, said North Logan recently did a mixed-residential zone (mix of townhomes and small single-family homes) as a transition zone. Using this concept, a certain percentage of the lots could be smaller to help blend different home and lot sizes with less segregation.

Chairperson Soelberg asked members to review the North Logan plan and suggested continuing the discussion to the next meeting in November.

**MOTION:** Motion made by Commissioner Wright to **continue** discussion of **Ordinance #18-10** to the November 7, 2018 meeting. Commissioner Gibbons seconded the motion. Motion approved unanimously (5-0).

Vote

Aye: Hancock, Wright, Soelberg, Gibbons, Heaps

Discuss suggestions submitted for possible amendments to Chapter “17.89 Mixed Use Overlay Zone”, “D. Vehicle and Driveway Access” and to “Part 1 Design Standards”; 2.3 “Street Sections” and review draft **Ordinance #18-16** to consider additional amendments to the Mixed-Use Overlay Zone.

Commissioner Gibbons has been working with Ms. Izatt and Beth Larcher, from Lifestyle Homes, and likes the direction of the discussion. The biggest challenge is with the alleys.

Commissioner Gibbons said alleys are required to be 26’ but do not require curb and gutter, with a 22.5 right-of-way. Parking should be prohibited. Logan City prefers a dumpster or centralized collection area.

Mr. Young outlined the suggestions for Vehicle and Driveway Access which include:

- No curb cuts are allowed for lots that abut alleys.
- The use of alleys is permitted with the following conditions.
- All buildings are located within 500 feet of a public right of way street.
- Maximum of 48 residential units or 2 acres of commercial development per public street connection.
- Alleys meet City engineering and street Design Standards. Alley easements for access and public utilities will be approved by City engineering.
- Alleys shall be privately maintained by HOA or property owners. Maintenance shall include: snow removal, maintenance on asphalt or concrete and repairs or replacement of asphalt or concrete as needed.
- No person shall park a vehicle in an alley except during the necessary and expeditious loading and unloading of merchandise, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property or interfere with free movement of traffic through the alley.
- Rear and side alleys must be the primary means of vehicular ingress and egress to individual lots.

Commissioner Wright expressed concern with dead-end alleys because there is no way to turn around and vehicles will have to back out. With the narrow roads, will the fire trucks be able to turn around? Mr. Young said the alley would have to meet the appropriate Engineering design standards (which would address that concern).

Commissioner Gibbons said one of the main differences is alleys do not allow for parking and public roads do.

Mr. Young said travel lanes on highways are 13’, so 26’ is enough room for two lanes. He showed the Commission some concept design ideas using alleys.

Mr. Bodily said the idea of the Mixed-Use ordinance is to encourage pedestrian traffic. He thinks 26' should be the minimum width for an alley.

Councilmember Anderson said narrow alleys create a challenge for snow removal.

Commissioner Gibbons said the south road in Forrester Acres is 23' to get a reference point of road width. Chairperson Soelberg said Bridgerland Meadows in Logan is also an example of using alleys.

Ms. Izatt noted that under 17.89.080(B) Building Orientation: the "*shall*" in the first sentence is being replaced by "may".

Ms. Izatt recommended that the Commission take a field trip at the next meeting to see how alleys and streets are used in existing mixed-use and residential developments. It was determined that the meeting on November 7 will begin at 6:00 p.m. to allow time for the field trip.

**MOTION:** Motion made by Commissioner Gibbons to **continue** discussion of **Ordinance #18-16** to the November 7, 2018 meeting, which will include a field trip. Commissioner Heaps seconded the motion. Motion approved unanimously (5-0).

Vote

Aye: Hancock, Wright, Soelberg, Gibbons, Heaps

Discuss adding individual water shut-off requirements for multi-unit developments.

Mr. Bodily explained that HOA's have one meter and there have been situations where one unit did not pay, which necessitated water shut-off to an individual unit. He asked the Commission for recommendations on wording. Each unit must have a shut-off valve. Commissioner Gibbons suggested "Each unit with an individual owner is required to have a shut-off valve that is uniformly and prominently located and easily accessible to City staff".

Councilmember Anderson asked why each individual owner is not required to have their own meter. Mr. Bodily said that developers may consider the impact fees for individual meters too high.

Commissioner Wright asked if individual valves are currently required. Mr. Bodily said they are not, which is what prompted this discussion.

**MOTION TO ADJOURN**

Commissioner Gibbons motioned to adjourn the meeting at 9:50 p.m. Commissioner Wright seconded the motion. The motion passed unanimously.

Minutes submitted by Debbie Zilles

Attested by:

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Andrew Soelberg, Chairperson

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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, September 19, 2018 in the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah.

7:00 p.m. Opening Ceremonies

**Agenda Items:**

**Workshop Session:** Video Training - Utah State Open and Public Meetings Act, Part 1 (2017) - David Church, General Counsel for the Utah League of Cities & Towns.

**Agenda items:**

1. 7:28 p.m. Resident Input
2. 7:33 p.m. Consideration of Consent Agenda  
Minutes of the September 19, 2018 Planning Commission Meeting
3. 7:35 p.m. **PUBLIC HEARING** to consider approval of proposed **Ordinance #18-12** which amends the Smithfield City Code, Title 6, "Animals" In Particular, Sections: 6.04.010 "Definitions"; 6.12.020 "For Animal Establishments; Title 9, "Public Peace And Welfare"; Sections: 9.24.030 "Applicability"; 9.24.050 "Outdoor Lighting Standards; Title 10 "Vehicles & Traffic" Sections: 10.08.110 "Parking For Certain Purposes Prohibited"; Title 12 "Streets, Sidewalks And Public Places" Sections: 12.16.120 "Inspection and Acceptance"; Title 16 "Subdivision Regulations" Section: 16.12.010 "Purpose"; Title 17 "Zoning Regulations";17.94.030 "Conditions".
4. 7:40 p.m. **CANCELLED.** The Commission will discuss and review a proposed draft ordinance #18-17 which considers Historical Preservation, which would implement Historical Preservation standards, design and rehabilitation guidelines. **CANCELLED**
5. 7:50 p.m. The Commission will continue discussing single-family residential lots under 10,000 sq. ft. and review a draft copy of a proposed ordinance. (proposed draft Ordinance #18-10).
6. 8:00 p.m. The Commission will continue to discuss suggestions submitted for possible amendments to Chapter "17.89 Mixed Use Overlay Zone", "D. Vehicle and Driveway Access" and to "Part 1 Design Standards"; 2.3 "Street Sections" and review draft Ordinance #18-16 to consider additional amendments to the Mixed-Use Overlay Zone.

The Commission will discuss taking a Field Trip as the first item of business for the November 7<sup>th</sup> Planning Commission meeting to a local community to see how alleys and streets are being used in existing mixed-use developments and other residential developments.

7. 8:10 p.m. The Commission will review and discuss adding Individual water shut-off requirements for multi-unit developments.

8. 8:15 p.m. **ADJOURNMENT**

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