



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, November 8, 2017

The following members were present constituting a quorum:

Chairperson: Jamie Anderson

Commission Members: Andrew Soelberg (Alternate)
Jackie Hancock
Wade Campbell
Casey McCammon
Bart Caley

Excused: Kelly Luthi
Stephen Teuscher
Mindy Spackman (Alternate)

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, the Smithfield City website and the Utah Public Meeting website.

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

Opening Ceremonies: James Anderson (630 Canyon Rd Scout Troop) led the Pledge of Allegiance.

Attendance: Jared Nielson, Matt Hyde, Julie Hatch, John & Hollee Krusi, Jeff Barnes, Adam & Ashley Spackman, David & Merilee Olson, Judy Mitton, Nathan Wright, Kevin Hanks, Owen Clark, Jacob Schwab, Zander Woodward, James Anderson, Debbie Zilles

Workshop Session:

Proposed mini-subdivision ordinance (3 lots or less) located in the RA (Residential Agricultural) zone.

Commissioner Campbell asked about development agreements. Mr. Bodily explained that an agreement spells out the required improvements. A general template can be created but each project would be reviewed and considered on a case-by-case basis.

Chairperson Anderson asked about time limits within the agreement. Mr. Bodily said there may be circumstances when curb, gutter, and sidewalk improvements can be delayed until the adjacent property is developed and then a time limit could be imposed.

Councilmember Wall explained that this is a rough draft based on what other cities have done. As the west (rural) part of town develops there may be issues that need to be considered on a case-by-case basis. The Commission must consider what guidelines should be set, determine what needs to be accomplished once the ordinance is developed, and how projects will fit in particular areas.

Chairperson Anderson asked about the purpose of the wording in the draft "*The parcel being divided has not had other lots separated from it within the past five years*". Mr. Bodily explained that the idea is to take into consideration the history of a parcel and whether it has been previously subdivided. He does not know why the time limit is 5 years, but that can be modified.

Commissioner Campbell said he is happy to see this ordinance. He has had experience with family-owned land that was subdivided and is familiar with the associated concerns.

Short-term Rentals – Airbnb (Air Bed & Breakfast) and VRBO (Vacation Rental By Owner)

During his research, Commissioner Caley said he realized that there are more restrictions than he thought. Washington City (located near St. George, UT) has an overlay for areas where these types of rentals are allowed. H.B. 253 prohibits a City or jurisdiction from restricting or citing a property from advertising for a short-term rental, however, local ordinances can be enforced. Logan City does not have a land use item for short-term rentals; unless a property is designated as a bed and breakfast, with a conditional use permit, it would not be legal. Logan currently enforces over-occupancy and/or land use violations on a complaint basis.

Chairperson Anderson called attention to the email material distributed by Councilmember Wall prior to the meeting regarding regulation of short-term rentals on a local government level. The information outlines policy objectives, identifies viable regulatory approaches and guidelines which could help develop a policy. Rentals cannot be prohibited; however, the City can ensure adherence to the regulations and local ordinances.

Ms. Izatt asked about the idea of a hotline for complaints. Chairperson Anderson questioned who would staff and support it and that it seems like a more feasible idea in larger tourist areas. Ms. Izatt said Smithfield has an email on the City website where questions/comments can be submitted. Commissioner Soelberg thought it was a better idea to have citizens contact the police department with concerns. Police have a program that can track problems and officers can become familiar with specific homes.

Commissioners Caley and Soelberg volunteered to continue work on developing this policy.

Agenda Items:

Resident Input - None

Consideration of Consent Agenda for the November 8, 2017 Planning Commission meeting and minutes of the October 18, 2017 meeting: After consideration by the Commission, Chairperson Anderson declared the consent agenda for the November 8, 2017 meeting approved and the minutes from the October 18, 2017 meeting to stand as submitted.

PUBLIC HEARING to consider approval of proposed Ordinance #17-16 which amends the Smithfield City Code, Title 17 "Zoning Regulations" Sections: 17.44.010 "Establishment of Zones"; 17.48.030 "Area, Width and Yard Regulations"; 17.48.060 "Modifying Regulations"; 17.52.050 "Modifying Regulations"; 17.56.050 "Modifying Regulations"; 17.60.050 "Modifying Regulations".

7:23 p.m. Public Hearing Opened

No public input.

7:24 p.m. Public Hearing Closed

Commissioner McCammon asked if Commercial Professional (CP) would be removed from 17.44.010 "Establishment of Zones". Ms. Izatt said it will be removed once the Land Use Matrix is approved and adopted.

MOTION: A motion was made by Commissioner Campbell to approve proposed Ordinance #17-16 which amends the Smithfield City Code, Title 17 "Zoning Regulations" Sections: 17.44.010 "Establishment of Zones"; 17.48.030 "Area, Width and Yard Regulations"; 17.48.060 "Modifying Regulations"; 17.52.050 "Modifying Regulations"; 17.56.050 "Modifying Regulations"; 17.60.050 "Modifying Regulations". Commissioner Caley seconded the motion. The motion was approved unanimously (6-0)

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

PUBLIC HEARING to consider approval of proposed Ordinance #17-18 which amends the Smithfield City Code, Title 17 "Zoning Regulations" by adding Chapter 17.89 "Mixed-Use Overlay Zone" in its entirety.

7:25 p.m. Public Hearing Opened

No public input.

7:26 p.m. Public Hearing Closed

MOTION: A motion was made by Commissioner Hancock for approval of proposed Ordinance #17-18 which amends the Smithfield City Code, Title 17 "Zoning Regulations" by adding Chapter 17.89 "Mixed-Use Overlay Zone" in its entirety. Commissioner Campbell seconded the motion. The motion was approved unanimously (6-0)

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

PUBLIC HEARING to consider a rezone request by Rigo Chaparro, agent for B-R Property Developments LLC, Ordinance #17-19, (Parcel No. 08-044-0006, 4.64 acres) located at approximately 777 North Main, from A-10 (Agricultural - 10 Acre) to R-1-10 (Single Family Residential 10,000 SF)

7:27 p.m. Public Hearing Opened

Mr. Chaparro explained that the rezone will allow for division of 4.6 acres into 16 lots for residential use.

Commissioner Caley asked about the area at the end of the proposed cul-de-sac. Mr. Chaparro said it will be divided into 2 lots and can be used for a future street connection.

Judy Mitton, owns property north of this location, asked where the homes would be located. Mr. Bodily clarified the proposed layout and advised that this is not a subdivision request, only a request for a rezone of the property. Ms. Mitton asked about access from the Highway and whether it would affect Oak Street. Chairperson Anderson explained the project will go before the Subdivision Technical Review Committee (STRC) to ensure all requirements are met and all agreements are in place before any development can begin.

Hollie Krusi, lives on Oak Street, asked about maintenance access for the large power poles. Mr. Bodily explained that there is an existing easement. Chairperson Anderson pointed out that this request is for a rezone, the next step would be for the developer to submit a preliminary plat, at which time this concern could be addressed in that process.

7:33 p.m. Public Hearing Closed

Commissioner Campbell said this property has been discussed many times in the past and he is happy to see this proposed residential use. Commissioner McCammon agreed; a residential use makes sense at this location.

Ms. Izatt pointed out that this area came in as Agricultural (AG) in the annexation process.

MOTION: A motion was made by Commissioner McCammon to approve a rezone request by Rigo Chaparro, agent for B-R Property Developments LLC, Ordinance #17-19, (Parcel No. 08-044-0006, 4.64 acres) located at approximately 777 North Main from A-10 (Agricultural - 10 Acre) to R-1-10 (Single Family Residential 10,000 SF). Commissioner Caley seconded the motion. The motion was approved unanimously (6-0)

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

Jared Nielson, agent for MV Properties, has requested consideration for approval of the Lantern Hills Subdivision Concept Plan, located at approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12.

Mr. Nielson explained that this process began in 2007 and they are ready to begin the first phase (set for 3 phases) on the west end. The water has been run on the upper side.

MOTION: A motion was made by Commissioner Campbell for approval of the Lantern Hills Subdivision Concept Plan, located at approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12. Commissioner McCammon seconded the motion. The motion was approved unanimously (6-0).

Commissioner Soelberg asked for clarification of Upper Canyon Road and Canyon Rim Road listed on the parcel map. Mr. Bodily explained the proposed road will be named Canyon Rim.

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

Jared Nielson, agent for MV Properties, has requested consideration of approval for the Preliminary Plat (58 lots) for Lantern Hills Subdivision located at approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12.

Chairperson Anderson asked about the trail system. Mr. Nielson said there is a 20' easement that will belong to the City for development of a trail.

Councilmember Wall advised that during the STRC review a couple of options were discussed, including widening the sidewalk. The decision was made to have a gravel-based equestrian walking path as shown in the Master Plan.

Chairperson Anderson asked if the lots were double frontage. Mr. Nielson said half of the homes would be, however, all access would be from the new Canyon Rim road with the back of the homes fenced along Upper Canyon Road.

Chairperson Anderson questioned the driveways on the corner lots. Mr. Nielson explained that lot 3 will face east, lot 4 could face east or south. The intent is to keep as many driveways off Upper Canyon Road as possible.

Commissioner Hancock asked about a sidewalk along Upper Canyon Road. Mr. Nielson said it would be a standard sidewalk.

MOTION: A motion was made by Commissioner Hancock for approval of the Preliminary Plat (58 lots) for Lantern Hills Subdivision located at approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12. Commissioner Campbell seconded the motion. The motion was approved unanimously (6-0)

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

Chairperson Anderson explained the Planning Commission process to the scouts who were in attendance.

Review & discussion of the Land Use Matrix and set the public hearing.

Ms. Izatt asked about "*Gasoline sales, with convenience stores*" allowed in the Mixed-Use Overlay. Commissioner Soelberg recommended removing it to help with the intent to limit traffic. The Commission determined to prohibit "*Gasoline, retail*" and "*Gasoline sales, with convenience stores*" in the Mixed-Use Overlay.

The Commission confirmed that "*post office*" be a permitted use in the CB, CC, Gateway and Mixed-Use Overlay.

The public hearing for this item was scheduled for December 20, 2017.

MOTION: A motion was made by Commissioner Hancock to approve the Land Use Matrix with the recommended changes as discussed. Commissioner Campbell seconded the motion. The motion was approved unanimously (6-0)

Vote

Aye: Soelberg, Hancock, Campbell, Anderson, McCammon, Caley

Other Business:

Councilmember Wall discussed the recent election changes. Chairperson Anderson and Commissioner Campbell have been elected to serve on the City Council beginning in January. Commissioners Soelberg and Spackman will become regular members of the Commission after official appointment by the City Council. The alternate positions will be filled.

The next meeting will require election of new Chairperson and Vice-Chairperson.

Councilmember Barnes has been elected as Mayor and will begin his term in January, which will open City Council seat (2-year) to serve the remainder of his term. Applications for the position will be accepted and candidates will be interviewed and chosen by the Council.

Chairperson Anderson suggested an 8-minute training video regarding public clamor to be reviewed by the Commission at the next meeting.

Councilmember Wall will be attending the Cache Summit tomorrow where affordable housing will be addressed. An article on affordable housing was distributed to the Commission members prior to the meeting, Councilmember Wall noted that it was good article.

MOTION TO ADJOURN: Motion by Commissioner Caley to adjourn the meeting at 7:55 p.m. The motion was seconded by Commissioner Campbell. The motion was 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, November 8, 2017 in the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah.

7:00 p.m. Opening Ceremonies

Workshop session: The Commission will review and discuss the following:

1. Proposed mini-subdivision ordinance (3 lots or less), located in the RA (Residential Agricultural zone).
2. Short-term Rentals - Airbnb (Air Bed & Breakfast) and VRBO (Vacation Rental by Owner).

Agenda items:

1. 7:12 p.m. Resident Input
2. 7:14 p.m. Consideration of Consent Agenda
Minutes of the October 18, 2017 Planning Commission Meeting
3. 7:15 p.m. **PUBLIC HEARING** to consider approval of proposed **Ordinance #17-16**, which amends the Smithfield City Code, Title 17 "Zoning Regulations" Sections: 17.44.010 "Establishment of Zones"; 17.48.030 "Area, Width and Yard Regulations"; 17.48.060 "Modifying Regulations"; 17.52.050 "Modifying Regulations"; 17.56.050 "Modifying Regulations"; 17.60.050 "Modifying Regulations";
4. 7:20 p.m. **PUBLIC HEARING** to consider approval of proposed **Ordinance #17-18**, which amends the Smithfield City Code, Title 17 "Zoning Regulations" by adding Chapter 17.89 "Mixed-Use Overlay Zone" in its entirety.
5. 7:25 p.m. **PUBLIC HEARING** to consider a **rezone** request by Rigo Chaparro, agent for B-R Property Developments LLC, Ordinance #17-19, (Parcel No. 08-044-0006, 4.64 acres) located at approximately 777 North Main from A-10 (Agricultural - 10 Acre) to R-1-10 (Single Family Residential 10,000 SF)
6. 7:30 p.m. Jared Nielson, agent for MV Properties, has requested consideration for approval of the Lantern Hills Subdivision Concept Plan, located approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12.
7. 7:35 p.m. Jared Nielson, agent for MV Properties, has requested consideration of approval for the Preliminary Plat (58 Lots) for Lantern Hills Subdivision located at approximately 400-800 East and Canyon Rim Road (approximately 350 North). Zoned R-1-12

8. 7:40 p.m. The Commission will continue review & discussion of the Land Use Matrix and set the Public Hearing.

9. 7:45 p.m. **ADJOURNMENT**

Posted this 3rd day of November 2017 at the Smithfield City Offices, City Web Page, and the Utah Public Meeting Notice website. Notice provided to The Herald Journal this 3rd day of November 2017.

Charlene Izatt, Deputy Recorder

ITEMS ON THE AGENDA MAY BE CONSIDERED EARLIER THAN SHOWN.

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.