

SMITHFIELD CITY PLANNING COMMISSION
April 18, 2012
MINUTES

The Planning Commission of Smithfield City, Utah met at the City Council Chambers, 96 S Main, Smithfield, Utah at 7:00 p.m. on **Wednesday, April 18, 2012**. The following members were present constituting a quorum:

Chairperson	David Price
Commission Members	Pete Krusi
	Jamie Anderson
	Steve Edwards
	Jackie Hancock
City Staff	Brenda Smith
Planning Staff	Jon Wells
	Clay Bodily
City Council Member	Brent Buttars

The notice was provided to the Herald Journal and delivered to each Commission Member and posted at the City Office Building, the Smithfield City Web Page and the Utah Public Meeting Notice web site.

The meeting was called to order by Chairperson Price at 7:02 p.m.
Opening Ceremonies: Pete Krusi

Excused: Char Izatt, Deputy Recorder, Bryant McKay, Commissioner, Mike Paskett, Commissioner and Douglas Archibald, Alternate

Visitors: Terri Archibald, Stephen Nielsen, Kris Monson, City Council Member, Ruby Holt, and Clyde Holt

Workshop Session

The Commission will review and discuss a proposed new Animal Rights ordinance and changes to the existing animal rights ordinance, Chapter 17.16.060 "Nonconforming Animal Rights".

Chairperson Price introduced the workshop item. He explained that at the previous meeting the Commission had stated that they wanted to gage how much property within the city would be affected by the ordinance change. He added that a lot of property would be affected by the change.

Jon Wells passed out a revised agenda.

Council Member Monson observed that some of the land reported as being affected were parts of subdivisions, which would disqualify them from gaining animal rights.

Chairperson Price explained that his concerns were based upon residents who may not be pleased with their neighbors suddenly being allowed to have animals.

Council Member Monson replied that the plan would require a majority of adjacent neighbors giving consent before a permit would be issued. She added that North Logan's ordinance had been used as an example. She described additional aspects of the ordinance.

Chairperson Price stated that a date needed to be added defining when winter manure could begin accruing. He suggested November 15th.

Jon Wells responded that an earlier date may be better and suggested that the date be fixed for when the grass stops growing.

Commissioner Hancock arrived at 7:09 p.m.

Council Member Monson explained that the motive with the ordinance was to place responsibility on the animal owner.

Council Member Buttars inquired if grazing permits provided the same options as the proposed ordinance.

Council Member Monson acknowledged that grazing permits were similar, but did not allow for year round animals. She added that she had been contacted by several citizens who would like the animal rights ordinance to be amended.

Chairperson Price asked if grazing permits would still be needed.

Commissioner Krusi asked what the minimum allowable lot size for grazing permits was.

Jon Wells explained that half an acre of open ground was required for a grazing permit.

Chairperson Price suggested altering the ordinance to require a specific amount of grazing space instead of total property.

Commissioner Krusi suggested increasing the minimum lot size to one acre.

Chairperson Price noted that the ordinance should restrict residents from keeping animals in small enclosures.

Jon Wells observed that smaller lots may have sufficient space for smaller animals.

Council Member Monson stated that different area requirements could be mandated for different sized animals.

Chairperson Price inquired how neighbors could complain about unwanted animals.

Council Member Monson noted that complaints would fall under the nuisance ordinance.

Jon Wells added that the new ordinance would require that residents obtain a permit before they could have animals.

Council Member Monson enumerated that the animal control officer would help police the ordinance.

Chairperson Price stated that residents who don't comply with the stipulations should have their permit revoked.

Jon Wells noted that a time span needed to be created for reapplication for the permit.

Council Member Monson explained that the permit could be revoked if there were complaints.

Chairperson Price suggested using the permit fee monies to pay for additional time spent by the animal control officer policing the ordinance.

Commissioner Edwards asked what the restrictions would be on larger birds.

Chairperson Price observed that they should be contained and kept on the owner's property. He added that peacocks should perhaps not be allowed.

Commissioner Edwards concurred that peacocks should not be allowed.

Commissioner Anderson stated that he wanted the winter stockpile to have an earlier removal date.

Council Member Monson noted that she would work on revising the ordinance and would bring it back for consideration.

The Commission will continue review of proposed amendments to Chapter 17.36 "Sign Ordinance" of the Municipal Code.

Chairperson Price introduced the sign ordinance.

Jon Wells explained the additions to the ordinance. He expounded that billboards had previously been allowed in a zone that no longer existed and suggested not allowing billboards. He added that there was only one billboard within city limits.

Chairperson Price stated that he agreed with removing billboards from the ordinance.

Commissioner Krusi added that it would be a good time to remove them from the ordinance.

Commissioner Hancock inquired if the existing billboard would be allowed to stay.

Jon Wells explained that it would be allowed to stay.

Chairperson Price asked if there were any other concerns on the ordinance. He noted that definitions had been added for balloons and spotlights. He stated that the ordinance revision could proceed with removing billboards.

Jon Wells observed that billboards could be listed as not being allowed.

Resident Input

No resident input.

Consideration of Consent Agenda Minutes of March 21, 2012 Planning Commission Meeting

Minutes were approved by consent.

Terri Archibald has requested approval of a Conditional Use Permit for a home based business teaching group music classes located at 251 Summit Drive, zoned R-1-12.

Chairperson Price introduced the agenda topic.

Ms. Terri Archibald approached the Commission. She explained that she would have small group lessons in her home.

Chairperson Price noted that the business may impact parking and traffic.

Commissioner Krusi asked how many people would be in each class.

Ms. Archibald replied that she would have six to eight students.

Chairperson Price asked if there was enough room for parking.

Ms. Archibald explained that she had a circular drive and a large driveway. She noted that most of the students would be dropped off and then picked up from the lessons.

Chairperson Price verified that the hours of operation would be from 10:00 a.m. until 7:00 p.m., Monday-Saturday. He added that he did receive a note that an anonymous neighbor had concerns about the parking for the business. He asked if public parking was allowed along the street in front of her home.

Ms. Archibald replied that it was.

Chairperson Price asked if restrictions could be placed on parking.

Jon Wells replied that restrictions could not be put in place because public parking is allowed on the street.

MOTION: Commissioner Anderson made a motion to approve the Conditional Use Permit for a home based business teaching group music classes located at 251 Summit Drive with hours of operation being 10:00 a.m. until 7:00 p.m., Monday-Saturday. The motion was seconded by Commissioner Krusi and approved unanimously.

Commissioners voting in favor: Edwards, Anderson, Price, Krusi, and Hancock

Consideration of property exchange between Smithfield City and Rod Leishman for trail to Sunset Park located at approximately 470 South 900 East.

Chairperson Price read the agenda item.

Jon Wells passed out a map of the area and noted that the area could be viewed on the projector screen.

Clay Bodily showed the Commission where the easement was currently located. He explained that a power box and phone pedestal were located in the middle of the easement. He expounded that bridge placement would be difficult because of a height variance between the sides of the canals. Clay Bodily noted that Mr. Rod Leishman wanted to construct a larger garage and needed the easement area to do so. He stated that the proposition was to move the easement to the north end of another lot. He noted that the length of the easement would be shorter, making the path steeper, but that the bridge would be easier to place.

Jon Wells explained where the existing easement was located on the map. He added that Mr. Leishman was willing to work with the city and may provide a wider area for the easement.

Commissioner Anderson clarified that the purpose of the easement was to gain access to the trail on the opposite side of the canal.

Jon Wells noted that the easement would provide access to the trail and to a proposed park.

Commissioner Krusi asked if the new easement placement was preferred by the city.

Jon Wells explained it would save the city the cost of moving the power box and phone pedestal.

Commissioner Anderson inquired if there were any down sides to moving the easement.

Clay Bodily noted that the path would be a little bit steeper, but that the bridge would be easier to construct.

Mr. Stephen Nielsen explained that he lived on 900 East and that he did not feel that the easement was necessary. He noted that the trail and park could be accessed from 600 South.

Clay Bodily noted that the easement would provide another point of access and that it had been planned when the land was given for the park. He added that Mr. Leishman was waiting for the city to make a decision so he could begin his garage construction.

Commissioner Krusi inquired if the city was in a hurry to construct the trail.

Jon Wells observed that the trail would need to be put in the budget before it was constructed. He added that the city had agreed to put in a secondary access when they received the land. He noted that 600 South was a collector road and in time would have more vehicular traffic on it.

MOTION: Commissioner Krusi made a motion to approve the property exchange between Smithfield City and Rod Leishman for a trail to Sunset Park, located at approximately 470 South and 900 East. Commissioner Edwards seconded the motion and it was carried unanimously.

Commissioners voting in favor: Edwards, Anderson, Price, Krusi, and Hancock

ADJOURNMENT

MOTION: A motion was made by Commissioner Hancock at 7:46 p.m. to adjourn the meeting. Commissioner Edwards seconded the motion and it was approved unanimously.

Commissioners voting in favor: Edwards, Anderson, Price, Krusi, and Hancock

David Price, Chairperson

Attested:

Charlene Izatt, Deputy Recorder