

Smithfield City Planning Commission
April 20, 2016
MINUTES

The Planning Commission of Smithfield City, Utah met at the City Council Chambers, 96 South Main, Smithfield, Utah at 7:00 p.m. on **Wednesday, April 20, 2016**. The following members were present constituting a quorum:

Chairperson	Jamie Anderson
Commission Members	Bryant McKay
	Jackie Hancock
	Wade Campbell
	Stephen Teuscher
	Casey McCammon
	Bart Caley

City Engineer	Clay Bodily
Deputy Recorder	Charlene Izatt
City Council Member	Curtis Wall

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 Anderson at 7:00 pm

Opening Ceremonies: Brandon Bales

Excused: Commissioners Doug Archibald

Attendance: Brandon Bales of Keystone Property Management; Michael Bales of Keystone Property Management; Amy Maxfield; Adrienne Patterson; Benjamin Farnsworth of Neighborhood Nonprofit Housing Corporation; Kim Datwyler of Neighborhood Nonprofit Housing Corporation; Kelly Luthi, Planning Commissioner

Chairperson Anderson stated that before going into the dog kennel discussion during the workshop session, he would like to begin with the General Plan to give the commission an update to what has been talked about and what the committee has come up with at this point with the desire that the commission take a look at the proposed future land use map and let them know what you would like to see differently or if your think we are missing the boat on something.

Chairperson Anderson reviewed the discussions that have been held in regards to the new General Plan. The committee has tried to identify where the future growth for Smithfield will be; commercial, residential, parks and trail system. Some of the highlights discussed: mixed use

development encompassing shops, condominiums & other uses. Not sure how it will go in the public setting. The plan is for commercial zones to go from 800 South all the way through town up to 200 North. There is not a plan of telling people they need to move out of their homes. The time frame will encompass the next 40 to 50 years and what the committee wants to see there. The desire is to have commercial and light manufacturing on the south west corner. The General Plan committee is also looking at transportation and with Cache County building arterial roads into the city and including the widening of 100 North and increase traffic flow in that area and there is the assumption that it is going to bypass the city and that one of the arterials will hook into 100 North and there was discussion of putting some commercial and some light development there to catch some of that traffic.

The committee has identified future parks in the areas at the very north end of town and across from Sky View High. The engineers the committee has been working with has talked about the fact that it is nice to have a certain percentage of the population who has walking access to a park within a half a mile of their home obviously there is some cost considerations to maintain the parks. The committee discussed keeping the east bench area as a buffer between the County, Forest Service and the city. There was a review of the proposed map and the number 5100 contour (elevation of 5100 feet) being the line where no one wanting to move up there could build behind that contour line. The Bonneville Trail and current trail system were reviewed. Chairperson Anderson requested the link to the proposed future land use map be sent to the Commission.

Commissioner Teuscher stated that in planning park development that the city needs to be aware where growth is and be prepared for those changes.

Commissioner McKay would like to see accessible bike lanes and could be a great commuter city with bikes, if we would allow that.

Commissioner Teuscher stated the roads are wide enough and could accommodate most of the city for accessible bike lanes.

Wade Campbell indicated planning for water systems and reservoirs.

Chairperson Anderson stated there is additional well capacity at Golf Course.

Clay Bodily stated there are plans to put a pump and reservoir up on the bench area and also on the south end of the city. As the General Plan is developed, the committee will be taking a look at transportation, water, storm water and the trails plan.

Commissioner Caley stated he would like to see water features, ie: splash pad

Clay Bodily stated that Recreation Director Brett Daniels has applied for RAPTZ tax monies for a splash pad and part of the Council is in favor of putting one in Central Park. Commissioner Hancock inquired how far the business zone would go, are we talking a full block depth from Main Street?

Chairperson Anderson stated it would be half a block. He also stated there would be limited home occupations and there would be architectural guidelines in place.

Commissioner Caley inquired about parking and if it would be located in front or in the rear of the business?

Chairperson Anderson stated that there is not a lot of great parking for a lot of the businesses on Main Street and plan on looking at shared parking for the businesses.

Chairperson Anderson indicated there would be homework assignments. The next meeting is the 18th and he would like feedback a week before that date.

Chairperson Anderson also stated the goal is to make sure if there is anything you would like to see that you let the committee know.

Commissioner McKay inquired about the outside possibility of a swimming pool like the Aquatic Center and stated he had spoken with Russ Akina with Logan city about the Aquatic Center.

Chairperson Anderson stated a water park would be good.

Workshop Session: The Commission will continue discussion in regards to the definition of a Dog Kennel, Cat Cattery, and Fixed Dog Run and also discuss setting standards on the number of dogs and cats or a combination of both that would be allowed with a conditional use permit.

Chairperson Anderson inquired what further thoughts the commission has had about this topic.

Commissioner Campbell stated he remembers the recommendations were not to place a cap and work on the definitions.

Commissioner Caley stated he recalls too many scenarios.

Chairperson Anderson indicated the commission was overthinking or overcomplicating this issue.

Commissioner Campbell stated he had submitted definition suggestions and that the commissioner should have a copy of those.

Commissioner McKay would prefer not to leave a window on caps or definitions.

Commissioner Campbell suggested reviewing the definitions and tightening them up.

Chairperson Anderson suggested the commissioners bring in suggestions for next month's discussion.

Chairperson Anderson stated that in most cases a Kennel denotes a commercial enterprise and we shouldn't refer to someone that has more than two dogs as a Kennel.

Commissioner Teuscher stated that other communities do pretty much we are doing now the whole thing of course, boils down to how you enforce it.

Char Izatt inquired about inspections for kennels? Any more thinking about that?

Councilmember Wall stated it comes back to how are we enforcing and educating the public? He stated he felt the increase in the Rabies Clinic attendance was a form of educating and suggested discussing a grace period for the renewing of dog licenses and considers renewals be a year from the actual date of licensing.

Ms. Izatt inquired about kennel permits that are existing; can inspections be done on those kennels?

Councilmember Wall stated possibly placing wording in the conditions of the permit that would indicate the city could come and inspect the kennel if there are complaints or a problem with the kennel.

Chairperson Anderson stated he still struggles with the enforcement issues, ie: keeping down the weeds, shoveling off your sidewalks, wrecked vehicles in yards & etc.

Chairperson Anderson stated the city newsletter had been discussed as a form of educating the public.

Resident Input

No Resident Input

Consideration of Consent Agenda

Minutes of the March 16, 2016 Planning Commission Meeting

After consideration by the Planning Commission, Chairperson Anderson declared the consent agenda for the March 16, 2016 planning commission meeting approved and the minutes stand as submitted.

Continuation of the request by Michael Bales, agent for Keystone Property Management, for approval of a Commercial Conditional Use Permit to allow for a Garage for Minor Repair, Parking and Property Management located at 965 South Main. Zoned GC (General Commercial)

Brandon Bales introduced himself and brother Michael then stated he is here to get compliant with the city. He indicated that this location is their home base for their multiple businesses; they want to be able to change tires and run their service truck. They are basically changing tires and replacing axle fluid, whatever minor repairs that need to be done. All major repairs will be done over the hill. Hoping to keep it to two to three trucks a day and have some truck sales. The business is mainly staffed by office personnel.

Chairperson Anderson inquired what other types of businesses they operate.

Mr. Bales stated they own apartments and are in the trucking industry and basic truck repair; they are all managed by Keystone Properties.

Chairperson Anderson inquired if there were questions from the commission?

Commissioner Caley inquired what the frequency of the repairs?

Mr. Bales stated they will do a couple of tires a day, they are hoping to keep truck traffic down, they are acquiring a piece of property over the mountain right now and should limit truck traffic to two to three trucks a day. They are also planning on some truck sales due to fleet changes.

Commissioner McKay inquired as to how many trucks will be sitting out in the parking lot for sale, no more than three at a time.

Chairperson Anderson reviewed the number of employees and hours of operation with Mr. Bales.

Mr. Bales stated Monday through Saturday, 6:00 am until 10:00 pm at night.

Councilmember Wall inquired about the disposal of antifreeze and oil?

Mr. Bales stated there was none to dispose of.

Councilmember Wall stated that tires are hard to dispose of.

Mr. Bales stated that their suppliers take the used tires.

Commissioner McKay inquired if the area would be fenced in or wide open?

Mr. Bales stated they can try and park the trucks out of site.

Commissioner McKay was concerned about garbage, ie: cardboard recycling and screening the garbage dumpster so it won't be an eyesore.

Mr. Bales indicated the dumpster is out front and they do recycle some items.

Commissioner Teuscher inquired if it was a regular garbage bin?

Mr. Bales stated they don't get a whole lot of garbage and are getting rid of it.

Commissioner Caley inquired what they would do if a truck needed more major repairs.

Mr. Bales stated they would take it by transport carrier to the shop they have over the hill.

MOTION: A motion was made by Commissioner Campbell to approve the request by Michael Bales, agent for Keystone Property Management and Blue Sky Logistics, for approval of a Commercial Conditional Use Permit to operate a Garage for Minor Repair, Parking and Property Management located at 965 South Main with the following conditions: **1) Hours of**

operation: 6:00 am to 10:00 pm, Monday through Saturday 2) Maximum of 15 employees.
Zoned GC

The motion was seconded by Commissioner Teuscher. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Campbell, Anderson, Teuscher, McCammon & Caley

Review of an annexation request from Neighborhood Non-Profit Housing Corporation, for property containing 18.22 Acres; Parcel #'s 08-044-0035 (6.25 Acres); 08-044-0036 (11.97 Acres) located approximately north and west of Crow Mountain Road north of Ridgeview Estates (650-700 North 600 East).

Chairperson Anderson asked the representatives of Neighborhood Nonprofit Housing Corporation (NNHC) to please review what they are trying to do.

Kim Datwyler, Executive Director, NNHC stated they were under contract that they would like to develop for a 32 lot subdivision. They have included the parcel adjacent to it because a sibling would also like to see it developed but the piece is not under contract.

Chairperson Anderson referred to the General Plan committee and their desire for a neighborhood park in that area as well, possibly a two acre park.

Chairperson Anderson called for any questions about the annexation? The Commission followed the annexation evaluation checklist step by step:

1. Does the property under consideration for annexation fall within the area designated for expansion in the city's annexation policy plan? Yes
2. Is the property under consideration for annexation contiguous to existing city boundaries? Yes
3. Are only whole parcels being considered for annexation, except in cases where the property owner has signed the petition? Yes
4. Have the petitioners stated a proposed land use for the property under consideration? Is the proposed land use in harmony with the General Plan? Yes, petitioner would like to rezone to 12,000 sq ft minimum lots.
5. Has the city's General Plan indicated a need for park or trail land within the area proposed for annexation? No, not at this point, but in the next year. But trail land though? Mr. Bodily stated the trail goes along 600 East and goes along with the existing city road.
6. Will the annexation likely encourage urban sprawl? No

7. Planning Commission's recommendation or concerns, if any, on the annexation request.
None

Commission Teuscher inquired about the issue that was brought about parks, does that need to be put in the comments?

Chairperson Anderson stated that at this point, we can't do much because it isn't part of the General Plan, once we get through the General Plan then it could be up for consideration and expectation.

Kim Datwyler indicated that she had spoken with Ted Meikle in regard to his property he had looked at developing and he had laid out some park space and trails which would connect with the existing trails plan. She also mentioned that as the property gets steeper and you can't build any homes, he put a trail in that area. She stated she had seen one of Mr. Meikle's concept plans.

MOTION: A motion was made and amended by Commissioner McCammon to approve the evaluation form for the annexation request from Neighborhood Non-Profit Housing Corporation, for property containing 18.22 Acres; Parcel #'s 08-044-0035 (6.25 Acres); 08-044-0036 (11.97 Acres) located approximately north and west of Crow Mountain Road north of Ridgeview Estates (650-700 North 600 East)

The motion was seconded by Commissioner Campbell. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Campbell, Anderson, Teuscher, McCammon & Caley

Commissioner Teuscher indicated he is wondering about the irrigation up there, is there any water?

Mr. Bodily stated that he is not sure how easy it is to get shares for the North Bench Irrigation Company and if it is utilized or if there are any shares available.

Review of an annexation request from Neighborhood Non-Profit Housing Corporation for property containing 16.81 Acres; Parcel #'s 08-044-0030 (13.92 Acres); 08-044-0031 (2.89 Acres) located approximately east of the Hunter Meadows Subdivision, Phase 13 (560-680 North 250 East).

Kim Datwyler indicated this is a little unusual, the upper piece is also owned by one of the Peterson siblings and NNHC has this piece and it is under contract, there was a boundary line adjustment that was done which left a portion of the lower piece that is owned by Dennis, another sibling outside of the city. Although NNHC has no interest in the piece and frankly I think Dennis would not like it annexed, it needs to be annexed or it creates an island. So we are doing that and the city would take care of that island but not obviously both at the same time. But the interest behind this is the piece we just talked about would require a sewer line to connect in-

between both pieces and if we want to do this we have to have some economies of scale which means we are going to be running a sewer line across the pieces we are discussing now and owned by March Peterson and carrying it all the way across and up to the one owned by Nancy Jausi. The lower piece will be slightly different and the eastern piece will have larger lots that comply with the 10% slope requirement and those will be larger lots and the lower two-thirds basically NNHC would like to have be R-1-10 which basically is what you have to the west.

Chairperson Anderson stated the annexed property will come in as an Agricultural zone and then when can discuss the other zones at that time.

Chairperson Anderson inquired that before the commission goes through the checklist, are there any comments from anyone in the audience on this piece of property?

Amy Maxfield stated she had a question if residents just below that would have the opportunity to buy a portion? They were told once they would have opportunity to buy back a little bit so houses wouldn't be right in the backyard. Also the old water well with the cracking cement how is that going to be taken care of?

Kim Datwyler stated she can't address the first question because she wasn't aware there was any interest in anyone buying and it is all under contract. As far as the other question, what she has been told is that the canal company no longer exists and that maybe the city was interested in the water. Dennis indicated the city might be interested in water right.

Clay Bodily stated the city wouldn't mind the water right but it is not a great deal of water and the city would have to find a way to capture it to put it in a box spring. The city is always interested in what the Division of Water Rights call wet water.

Ms. Maxfield stated that something needs to be done before it can be built on since it leaks out and comes out into their back yard and floods into homes and stuff.

Ms. Datwyler stated that is not on the parcel that NNHC is buying and that it is owned by Dennis.

Chairperson Anderson stated that where it is leaking is from a parcel not being procured. Ms. Maxfield stated apparently they have dug a ditch that crosses and drains over the NNHC property over kind of behind the church and over by the gravel pit- it is supposed to be draining over there and it comes down into their back yards so they dug a ditch that is supposed to....

Ms. Datwyler indicated that you can see where it goes and that Marc Peterson told her the ditch does not continues across there.

Ms. Maxfield, "So where will it go?"

Mr. Bodily stated he understood that years and years ago it used to be a supply source.

Ms. Maxfield stated that Mr. Peterson tells them that Parson owns that and no so no one will take responsibility for it.

Chairperson Anderson inquired if that was in the city now?

Mr. Bodily stated that he believes it is.

Chairperson Teuscher stated that the well is.

Chairperson Anderson stated this is beyond the scope of this discussion is there any recourse for the Maxfield's or any other neighbors in that area to have that addressed by the property owner since it is the city.

Mr. Bodily, "I think they did put in some kind of a drain field when they put in the subdivision, I don't know that it was specifically for that. I have to think about the spring being there before the homes were built so I don't know what recourse they would....."

Ms. Maxfield, "We understood they were supposed to install a drain field but it was never put in."

Chairperson Anderson suggested at this point is to contact the city after this meeting and let them know about your concern. Clay is the City Engineer so I assume this will probably fall on his desk, like everything else. It seems like it is outside the scope of this property that we are looking at.

Commissioner Teuscher stated it is a viable concern.

The Commission followed the annexation evaluation check list step by step:

1. Does the property under consideration for annexation fall within the area designated for expansion in the city's annexation policy plan? Yes
2. Is the property under consideration for annexation contiguous to existing city boundaries? Yes
3. Are only whole parcels being considered for annexation, except in cases where the property owner has signed the petition? Yes
4. Have the petitioners stated a proposed land use for the property under consideration? Is the proposed land use in harmony with the General Plan? Yes, a mix of R-1-10 and R-1-12, some lots will be larger on the east side.
5. Has the city's General Plan indicated a need for park or trail land within the area proposed for annexation? No, please note that it will be for future consideration.
6. Will the annexation likely encourage urban sprawl? No.

7. Planning Commission's recommendation or concerns, if any, on the annexation request.
None

Commissioner McKay stated he would like NNHC to pursue the well issue and referred to some farmland having an aquifer close to the surface.

Ms. Datwyler stated that is something that NNHC normally does as part of their due diligence.

MOTION: A motion was made by Commissioner Caley to approve the evaluation form for the annexation request from Neighborhood Non-Profit Housing Corporation for property containing 16.81 Acres; Parcel #'s 08-044-0030 (13.92 Acres); 08-044-0031 (2.89 Acres) located approximately east of the Hunter Meadows Subdivision, Phase 13 (560-680 North 250 East).

The motion was seconded by Commissioner Campbell. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Campbell, Anderson, Teuscher, McCammon & Caley

Kim Datwyler stated the where to put the road had been worked out with Rocky Mountain Power.

The commission will discuss and review suggestions made by city staff in regards to amendments to proposed Ordinance #15-23, which amends the sign Ordinance in regards to Definitions; Prohibited Signs & Temporary signs which was recently recommended to the city council for consideration for approval.

Councilmember Wall stated that he had been told that the current sign ordinance is what is putting local businesses out of business.

Chairperson Anderson stated that the city has not had any business owners coming in with suggestions to help improve the existing sign ordinance and feels that there is an absence of input from those businesses that are unhappy with the current sign ordinance. He also feels there is a need to have some type of guidelines around it, so temporary signs do not become permanent signs. Personally, I am not compelled to change anything that has come up before, if we don't have business owners come in and speak with us about it and let us know how they are negatively impacted by it, I'm not sure what else we can do, you know Pete Krusi was part of the commission at the point we were discussing a lot of this and he had a lot of the input when we were looking at temporary signs.

Councilmember Wall stated that temporary signs in Logan City are allowed for two weeks on and two weeks off and explained that they do have a sign enforcement person that drives through the streets.

Chairperson Anderson stated "his opinion is that once the commission approves this it should go to city council without city staff putting the brakes on it, now if the city council wants to kick it back to us, then great we will take it and refine it, in the absence of city council input and private business ownership input, I am comfortable with what we have."

Commissioner Teuscher stated, “me too”.

Chairperson Anderson inquired if the Commission was compelled to make any additional changes?

MOTION: A motion was made by Commissioner Hancock to approve the suggestion made by city staff in regards to amendments to the proposed Ordinance #15-23, which amends the sign Ordinance in regards to Definitions; Prohibited Signs & Temporary signs which was recently recommended to the city council for consideration for approval.

The motion was seconded by Commissioner Teuscher. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Campbell, Anderson, Teuscher, McCammon & Caley

Chairperson Anderson stated he expects to see this on the agenda for the next city council meeting.

ADJOURNMENT

MOTION: A motion was made by Commissioner Teuscher to adjourn the meeting at 8:10 p.m. The motion was seconded by Commissioner McKay. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Campbell, Anderson, Teuscher, McCammon & Caley

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 regular Planning Commission Meeting at 7:00 p.m. on **Wednesday, April 20, 2016 in the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah.**

7:00 p.m. Opening Ceremonies

Workshop Session: The Commission will continue discussion in regards to the definition of a Dog Kennel, Cat Cattery, and Fixed Dog Run and also discuss setting standards on the number of dogs and cats or a combination of both that would be allowed with a conditional use permit.

Agenda items:

1. 7:23 p.m. Resident Input
2. 7:28 p.m. Consideration of Consent Agenda
Minutes of the March 16, 2016 Planning Commission Meeting
3. 7:30 p.m. Continuation of the request by Michael Bales, agent for Keystone Property Management, for approval of a Commercial Conditional Use Permit to allow for a Garage for Minor Repair, Parking and Property Management located at 965 South Main. Zoned GC (General Commercial)
4. 7:35 p.m. Review of an annexation request from Neighborhood Non-Profit Housing Corporation, for property containing 18.22 Acres; Parcel #'s 08-044-0035 (6.25 Acres); 08-044-0036 (11.97 Acres) located approximately north and west of Crow Mountain Road north of Ridgeview Estates (650-700 North 600 East).
5. 7:40 p.m. Review of an annexation request from Neighborhood Non-Profit Housing Corporation for property containing 16.81 Acres; Parcel #'s 08-044-0030 (13.92 Acres); 08-044-0031 (2.89 Acres) located approximately east of the Hunter Meadows Subdivision, Phase 13 (560-680 North 250 East).
6. 7:45 p.m. The commission will discuss and review suggestions made by city staff

in regards to amendments to proposed Ordinance #15-23, which amends the Sign Ordinance in regards to Definitions; Prohibited Signs & Temporary signs which was recently recommended to the city council for consideration for approval.

7. 8:00 p.m. **ADJOURNMENT**

Posted this 15th day of April 2016 at the Smithfield City Offices, City Web Page and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 15th day of April 2016.

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.