

Smithfield City Planning Commission

June 18, 2014

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, June 18, 2014**. The following members were present constituting a quorum:

Chairperson	Jamie Anderson
Commission Members	Bryant McKay
	Jackie Hancock
	Pete Krusi
	Stephen Teuscher
	Steve Edwards

Engineering Staff	Clay Bodily
Planning Staff	Jon Wells
Deputy Recorder	Char Izatt
Minutes	Stacey Dority
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.

Chairperson Jamie Anderson opened the meeting at 6:10 pm and Bryant McKay led the Pledge of Allegiance at the Flagpole.

Visitors: Tyson Luthi, Jeff Barnes-City Councilman, Curtis Wall

Absent: Douglas Archibald; Commissioner

Workshop Session:

The Commission will be taking a Mobile Windshield Planning Tour of Smithfield as part of the beginning process for updating the City's General Plan.

Those participating in the Mobile Windshield Tour were: Chairperson Jamie Anderson; Commissioners: Bryant McKay, Jackie Hancock, Stephen Teuscher, Steve Edwards and Pete Krusi. City staff: Jon Wells, Clay Bodily & Char Izatt; Councilmember Brent Buttars. Resident: Curtis Wall

Chairperson Anderson reported that the commission had been on a mobile tour of the city. He opened up for discussion of the notes that were taken by each person on the tour.

Mrs. Izatt mentioned it might work better to follow the worksheet provided for the tour or if the commissioners needed time to review their notes the discussion could take place at the next meeting.

Commissioner Teuscher requested more time to go over his notes.

Mrs. Izatt stated they were running a little short on time and asked if there was anything that stood out to the commissioners.

Chairperson Anderson had a question on annexation. When the commission is annexing land, is there some type of a formula that is followed or does someone state how much land they would like? What is the process to determine that?

Mr. Wells replied there isn't a process; it is up to the city council. Sometimes land is not demanded. It depends on the circumstances that surround the property. The last annexation was on the Pitchers property and the city required the additional width of the road on 250 east that goes south of Sky View as well as additional right of way.

Mr. Bodily added the city is guided by the general plan as far as the width of roads. That is why it is so important to have a good general plan.

Mrs. Izatt pointed out she is still trying to get copies of the annexation maps. The map will give the commission an idea of how far out they go and where the boundaries are. The commission doesn't have a lot of input. The city fills out a form any time there is an annexation request and that gives the commission an idea of what is happening.

Commissioner Teuscher specified when you do an annexation you have to follow the general plan for roads, trails and parks? Is that correct?

Mrs. Izatt replied yes if they thought it was beneficial. The general plan has to have an annexation plan as part of its makeup.

Chairperson Anderson called for other comments or questions.

Mrs. Izatt wanted to clarify on the Del Monte property, that it is an industrial zone, M-1. She referred to the place by Garlic's Pizzeria that is a less impactful zone where Del Monte is fairly impactful.

Chairperson Anderson summarized that the information from the tour be taken home and reviewed. Write down any additional questions or concerns that couldn't be answered tonight to discuss next time.

Commissioner McKay had a question about the area by Garlic's Pizza. If Garlic's owns the water rights and another business comes in and takes it over would we just reroute the water?

Mr. Bodily mentioned right now the water is in a pipe and the city doesn't have any control over the irrigation company. The irrigation company would have to show beneficial use in order to keep using that water; they would probably allocate it somewhere else.

Commissioner McKay questioned if the company would just cap the pipe?

Mr. Bodily replied there is a 17 inch pipe under the highway that irrigates other places. There is a smaller pipe that goes west and a larger pipe that goes south.

Chairperson Anderson requested if there were any other comments or questions.

Resident Input

No Resident Input

Consideration of Consent Agenda Minutes of May 21, 2014 Planning Commission Meeting

After consideration by the Planning Commission, the Chairperson declared the consent agenda for the May 21, 2014 planning commission meeting minutes as approved.

Tyson & Sharon Luthi have requested time with the Commission to discuss a proposed rezone of a parcel located at 828 Upper Canyon Road. Zoned A-10 (Agricultural – 10 Acre)

Mr. Luthi approached the commission and let them know he is a resident of Smithfield and their family would like to purchase a lot owned by Jed Archibald. They would need to rezone this property so they could put in residential lots there. They are asking that they take 2 ½ acres and split one acre into .50 acre lots and then use one acre for themselves. After talking with Mrs. Izatt he felt he would like to rezone to an R-1-20 (Single Family Residential 20,000 sf). He also had a few questions regarding the lot. He spoke with Jed Archibald (property owner) and he has no water rights for the lots. If Mr. Luthi does become the owner of the land how does he purchase water?

Mr. Wells responded the ordinance states the water has been tabled in this area. If he wants to develop any property here in Smithfield the ordinance requires he either provide water to the city via shares of three different entities which would be Logan/Hyde Park/Smithfield Canal Co. or Highline Water Association or Smithfield Irrigation Co. For every building lot it requires 1/3 of a share gifted to the city from either of those two irrigation companies or if you can't procure shares in those companies the city will require \$2,000 per building lot to help the city develop future water. Evidently the owner, Mr. Archibald, did not purchase any shares from the company at the time he purchased the property.

Mr. Bodily added there is a culinary water line available once the shares and subdivision are approved.

Mrs. Izatt referred Mr. Luthi to Jim Gass the City Engineer to get a better idea of what would be the best way to meet the water requirements. The Commission is bound by the ordinance. Mrs. Izatt inquired if there was an official address for this property.

Mr. Wells stated the address would be somewhere between 500 north 600 east. The road just north is 590 north. He questioned Mr. Luthi on his property line, referring to the map. If it is over to the edge of the asphalt which exists on 600 east, as part of the subdivision, he will have to deed part of the property to expand the road to a 60 ft. right of way.

Mr. Luthi wasn't familiar with where boundary lines were.

Mr. Wells felt because of the pavement his property would go out to where the asphalt ends, but that is not where the right of way would end. If you look across the street there is curb, gutter and sidewalk and that is all owned by the city. He directed Mr. Luthi to go across the street with a tape measure and start the tape measure a foot on the west side of the sidewalk and measure back 60 ft.; that is where the right of way would be. He explained the lots may end up being less than .49 acres because of that right of way.

Chairperson Anderson assessed if there were more questions from Mr. Luthi.

Mr. Luthi wondered if the city maintained the road. He understood there was a fee at one time. Is it a city road?

Chairperson Anderson replied it would be a city owned road at the point it was developed it is not part of a PUD or a private road, so it is a public road and the city would provide the maintenance.

Mr. Bodily explained Mr. Luthi would become the subdivider and he would finish the road. He would be responsible to pay for the asphalt, sidewalk, curb and gutter. The water line was put in

by Kartchners and Jared Nelson and he believes if Mr. Luthi would have attached to it in the first 10 years he would have had to pay a prorated amount. This was to help them recover their costs.

Commissioner Edwards replied it has been close to ten years since the line was put in.

Mr. Bodily summarized Mr. Luthi would be responsible for putting in the rest of the asphalt, curb and gutter and sidewalk and deeding the property to the city.

Mrs. Izatt commented Mr. Luthi came to see how the commission felt about the rezoning of his property to an R-1-20. The other questions can be answered by Mr. Bodily and Mr. Wells in the office.

Commissioner Krusi inquired what the other lot sizes were in that area.

Mrs. Izatt explained they are an R-1-12 with a 12,000 sq. ft. minimum. Mr. Luthi has a unique piece that fits the R-1-20 requirement unless he has to dedicate a lot more for the road; it should still allow him enough to meet that requirement.

Mr. Wells responded he could rezone to make it an R-1-12 and still put in 20,000 ft. lots. You can always go bigger; allowing him a choice.

Mrs. Izatt felt Mr. Luthi wanted to get a consensus of what the commission felt was okay, the R-1-20 or R-1-12.

Commissioner Edwards thought the R-112 would create flexibility for the sale of the lot. It also stays consistent with the lots across the street.

Chairperson Anderson requested the opinion of the commission.

Commissioner Edwards wanted to hear what Mr. Luthi was searching for.

Mr. Luthi thought the R-1-12 would make it better for him with options for selling the lots.

Mrs. Izatt mentioned the R-1-12 is in his favor because of the surrounding area.

Chairperson Anderson questioned if anyone was opposed to larger lots in that area and a rezone to residential.

All commissioners were in favor of the rezone.

Mrs. Izatt clarified if all favor votes were for the R-1-12 or if the vote was divided.

Commissioner McKay explained he would vote for the R-1-20 to keep the larger lots.

Mr. Wells informed the commission these ½ acre lots and one acre lots take a lot of water. That is where you have to be very careful.

Commissioner Krusi was in favor of the R-1-12 and so Mr. Luthi would have the flexibility in lot sizes.

Mrs. Izatt asked for clarification for Mr. Luthi, if he were to come in and rezone at an R-1-12 how many commissioners would be in favor.

There were four commissioners in favor of R-1-12, one in favor of the R-1-20.

Chairperson Anderson mentioned they would be very open to the rezone.

The Commission will review & discuss amending the Land Use Matrix to allow “Food products manufacturing” in the GC (General Commercial) zone as a Conditional Use Permit.

Mr. Wells explained the buildings east of Lees, where Paragon Medical used to be, are up for sale. The Wheatland Company would like to purchase the south building. They process food products. The zone where the building is located is General Commercial. If you look on the matrix there is a food products manufacturing listed only in a manufacturing zone. The question is what they do to process foods. Some things are objectionable to neighbors such as: are they open 24 hours a day or do they create a lot of noise or have objectionable odors. The matrix may not allow them in with what they want to do. There are processes that may fit in this category just fine. So depending on the process and what they are doing they may be just fine and would work well next to the residential area. He would like the commission to rethink this line item on the matrix and maybe allow it with a conditional use in this particular zone. Look at what this company does.

Diane Esplin approached the commission and explained she is part owner of the buildings. The Wheatland Company grinds wheat into berries and boxes them in 40 lb. boxes and ships it to bakers around the country. Some of the wheat is made into bread dough, frozen and then shipped out. The shipping is by semi-truck and shouldn't be a problem. It is a 24 hour business inside but there is no dust, no noise. It is very contained. They are buying property next to it on the south to store freezers and pods. It is a great opportunity for new employees and also tax revenue for the city.

Commissioner Teuscher asked how many employees they would have.

Mrs. Esplin thought maybe 30 employees she was not sure.

Mr. Bodily explained the business would have to come in for a conditional use permit.

Chairperson Anderson explained the question is if the commission would consider changing the use matrix to allow for a conditional use permit in that zone.

Commissioner Teuscher felt it was a great idea and would bring in tax base and put people to work.

Mr. Bodily reminded the commission this change would affect the entire general commercial on the matrix.

Commissioner Anderson summarized the change would be for all general commercial throughout the city.

Commissioner McKay questioned if there would be cooking?

Mrs. Esplin replied no. They would make bread dough, freeze it and ship it.

Commissioner McKay examined what type of emissions would be going out in the atmosphere?

Mrs. Izatt felt the emission questions would be better answered by the person buying the building. Mrs. Izatt had a question on the pods and asked Mrs. Esplin for a description on the pod. Her concern is regarding the storage ordinance that is very strict on anything that is a storage unit or pod. She asked Mrs. Esplin to find out so she could make sure it would follow the ordinance.

Mrs. Esplin stated the extra lot they will purchase is in the city and the buildings are on separate parcels as well. The lot is on 9th south.

Mr. Wells mentioned both parcels are zoned GC. The parcel to the south is all new development and they will have to go through the developing process as well.

Chairperson Anderson inquired how close the buildings are to the residential areas.

Mr. Wells mentioned at least 50 ft. from building to building.

Commissioner Krusi felt noise would be the biggest issue for this business.

Mrs. Esplin replied Wheatland guaranteed them there would be no noise and no dust.

Mrs. Izatt responded it was the basketball players that created the noise in the nighttime hours. She and Mr. Wells were excited for this new business and that is why they moved on it so quickly.

Chairperson Anderson explained before the company comes in and pays the permit fee there are a lot of questions that need to be answered. We are open to it, but we need to have questions answered.

Mr. Bodily informed the commission they can't come in for a permit until they rezone the matrix.

Mrs. Izatt confirmed the rezone has to come first. The commission has to do some thinking as to what they want to do. Look at food products manufacturing on the matrix, decide if you want to see it as a conditional use in a GC throughout the city. The information Mr. Wells and Mrs. Esplin have given you can help decide.

Chairperson Anderson inquired if the commission is expected to vote on changing the matrix tonight.

Mrs. Izatt explained ordinances are very tricky and you have to follow all of the steps. The idea to get it on tonight's agenda was a step to expedite the process.

Mrs. Esplin came tonight to assess if this was even a possibility.

Chairperson Anderson explained it sounds like it is possible. The concern is this change affects any general commercial zone in the city; as long as the commission understands that they can move forward.

Mr. Wells reminded the commission the city council will have to approve this as well.

Commissioner McKay questioned if Lower's in Richmond would be considered a food products manufacturing?

Mr. Wells confirmed it would. If this is put under conditional use then we can define what can be done set certain conditions on noise levels etc.

Mrs. Izatt explained if Wheatland was shipping prepackaged items we could go with light manufacturing which is already in place and then they would just need a conditional use permit and move forward. Because they are working with raw product, it throws it into this other category.

Mrs. Esplin thanked the commission for their consideration of this item.

MOTION: A motion was made by Commissioner Krusi to adjourn the meeting 7:35 and the motion was seconded by Commissioner Teuscher. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Krusi, Anderson, Edwards.

Jamie Anderson, Chairperson

Attested:

Charlene Izatt, Deputy Recorder

**SMITHFIELD PLANNING COMMISSION
Smithfield City Council Chambers
96 South Main
Smithfield UT 84335**

AMENDED AGENDA
June 17, 2014

NOTICE and AGENDA

Public Notice is hereby given that the Smithfield Planning Commission will hold a Planning Commission Meeting on **Wednesday, June 18, 2014** with a mobile workshop session beginning at 6:00 pm and meeting back at the Smithfield City Council Chambers, 96 South Main, Smithfield, Utah **by 7:00 pm.**

6:00 p.m. Opening Ceremonies (meet by flagpole)

Workshop session:

6:05 p.m. The Commission will be taking a Mobile Windshield Planning Tour of Smithfield as part of the beginning process for updating the City's General Plan.

7:00 p.m. Council Chambers- The Commission will review and discuss their notes from the mobile tour.

Agenda items:

1. 7:15 p.m. Resident Input
2. 7:20 p.m. Consideration of Consent Agenda
Minutes of the May 21, 2014 Planning Commission Meeting
3. 7:25 p.m. Tyson & Sharon Luthi have requested time with the Commission to discuss a proposed rezone of a parcel located at 828 Upper Canyon Road. Zoned A-10 (Agricultural - 10 Acre)
4. 7:35 p.m. The Commission will review & discuss amending the Land Use Matrix to allow "Food products manufacturing" in the GC (General Commercial) zone as a Conditional Use Permit.
5. 7:40 p.m. **ADJOURNMENT**

Posted this 13th day of June 2014 at the Smithfield City Offices, City Web Page and the Utah Public Meeting Notice web site. Notice provided to The Herald Journal this 13th day of June 2014.

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 working days prior to the meeting.