

Smithfield City Planning Commission
July 18, 2012
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, July 18, 2012**. The following members were present constituting a quorum:

Chairperson	David Price
Commission Members	Bryant McKay
	Jackie Hancock
	Pete Krusi
	Michael E. Paskett
	Jamie Anderson
	Steve Edwards
Deputy Recorder	Char Izatt
Planning Staff	Clay Bodily
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.

The meeting was called to order by Chairperson Price at 7:05 p.m.
Opening Ceremonies: Steve Edwards

Visitors: Wade Lindley, Marilyn Lindley, Bob Swanson, David Lillywhite, Edith Lillywhite, Jeff Barnes-City Council Member

Excused: Jon Wells, Planning Staff

Workshop session: The Commission will continue discussion of proposed Sign Ordinance amendments.

Chairperson Price questioned if anything needs to be changed.

Mrs. Izatt informed the commission they would need to start over with the amendments to the sign Ordinance. She mentioned that Jay Baker, Countywide Planner suggested that all cities and counties need to look at their sign ordinances because new State laws requires signage to be content neutral.

Commissioner Paskett stated all the work the commission has done on the sign ordinance has been done in vain.

Mrs. Izatt informed the commission of the legislative meetings where changes are made each year and all cities and counties should be in conformity with the changes.

Chairperson Price stated the commission would move forward with the ordinance as it is until new ruling is in place.

Mrs. Izatt confirmed using the ordinance as it stands. She commented on Highway 91 and 218 being the areas of concern for the city. She mentioned by being proactive the commission can protect itself if there is a problem when a business is turned down.

Commissioner Paskett questioned if the Gateway signs were affected.

Mrs. Izatt mentioned they are not in the city's jurisdiction.

Resident Input

David Lillywhite reported he had talked to Jim Gass about a proposal to have a 25 ft. set-back for new home construction. He indicated backyards are better than front yards. People don't want big lots. With a 25 ft. set-back a person could still park, have a lawn and truck and be inside their property line. He shared an example of a property on 1st North which has a 30 ft. set-back. This property is 56 ft. from the road; which creates a very long driveway.

Mr. Lillywhite shared Ogden's new tax rule, where there is a small tax each year for the amount of square feet on flat cement wherever water runs into the city waste system. He mentioned Mr. Gass had asked him to come and present this proposal but he was not sure if he was supposed to present this proposal to the zoning commission or City Council.

Chairperson Price thanked Mr. Lillywhite.

Consideration of Consent Agenda Minutes of June 20, 2012 Planning Commission Meeting

Minutes were approved by consent

Public Hearing to consider a request from Wade Lindley, Marilyn J. Lindley & Robert W. Swanson, for a rezone of their respective properties located at 750 West 100 North from RA-2 (Residential Agricultural – 2 Acre) to RA-1 (Residential Agricultural -1 Acre).

Chairperson Price opened the Public Hearing at 7:16 p.m.

Chairperson Price requested that Mr. Wade Lindley present the request at the podium so he could be heard. Mr. Lindley introduced Marilyn Lindley and Robert Swanson as co applicants. He began with mentioning his family had built a home in 1967 and started a farm on that property. His father just passed away and he would like to continue farming. He has 275 acres and works with livestock as well. Mr. Lindley would like to add his mother's lot, pasture and barn to secure five acres for agricultural use. His intent is not to develop or tear down the barns and home. Mr. Lindley feels this change is a reasonable request. This request is one step down from a two acre to a one acre.

Mrs. Izatt stated in 2008 the General Plan was amended and that area was changed to two acre units.

Mr. Lindley has spoken with all five landowners to the West and North. No one had concerns and everyone gave full support and will write letters if needed. He made reference to the thirteen multiple family dwellings zoned through the City.

Mr. Lindley summarized:

- 1) Two – One acre is not a big leap and it does fit the master plan.
- 2) He will not be building, he has a vested interested in keeping the land agricultural
- 3) He has support from all the neighbors

Mr. Lindley asked the commission to look at this as an individual request.

Chairperson Price summoned Mr. Swanson to express his feelings of why he would like to rezone.

Mr. Swanson told the commission he doesn't foresee building a home on the lot in the future. His family may want to build when he passes away.

Mr. Lindley interjected that the City Manager suggested lumping the lots together in this proposal so the zoning would appear more even.

Council member Barnes commented that he didn't hear everything that was being discussed but one acre lots do create an open feeling in the city and residential areas. He also indicated that

Paradise City has large lots that take up a lot of space and end up turning into weed lots. He would caution against one acre lots.

Chairperson Price closed the public hearing at 7:28 p.m.

Chairperson Price inquired if there were other comments from the Commission?

Commissioner Krusi questioned how far east the two acre lot zoning goes.

Chairperson Price pointed out the acreage zones on a map, small lots to 400 West, one acre lots from 400 to 600 and two Acre lots past 600 West.

Chairperson Price asked the commission do we want to rezone.

Commissioner Anderson stated he had no objections

Chairperson Price mentioned he had been outspoken on many rezones as he is trying to protect the west side from traffic. He stated no one comes in and develops on one acre because it doesn't pay the bills. However, two or more people request one acre lots every year.

Mrs. Izatt confirmed Mr. Storrs and Wade Lindley's properties have had request.

Chairperson Price said the developer wanted two one acre rezones within several blocks.

Commissioner Paskett inquired if they were for development.

Chairperson Price indicated development could happen in the future. He summarized he is sympathetic to Mr. Lindley's situation and suggested rather than rezone the council approves a boundary realignment that will add the barns to his property but separate the home in case they need to sell his mother's home in the future. This would fall under the non-conforming lot in a two acre zone.

Commissioner Paskett inquired how this would affect Mr. Swanson.

Chairperson Price indicated Mr. Swanson would not have to rezone.

Commissioner Edwards questioned why is Mr. Swanson involved in this request if he doesn't need to rezone.

Mr. Lindley interjected Mr. Swanson did want the rezone for the possibility of building in the future.

Commissioner McKay mentioned Ned Low came in to rezone after the city changed the west side zoning.

Mr. Lillywhite mentioned he was not notified of the rezone either and the city's rezone made it very difficult to get the additional rezones done for development purposes.

Commissioner McKay questioned if Mr. Lindley made the rezone changes would Forrester Acre, the shop, and the creek be the natural boundary line.

Chairperson Price cited that the commission cannot be impartial if the rezone comes in as a one acre lots.

Mr. Lindley again stated he should be considered differently than the other rezone requests.

Chairperson Price cautioned about rezoning for one; others will follow and we can't discriminate.

Mr. Bodily agreed with Chairperson Price. It would be hard to justify the rezone for one individual and not others.

Mr. Edwards asked Mr. Lindley if he had any other suggestions.

Mr. Lindley said it doesn't make sense to be considered like all the other rezones. His situation is different.

Mr. Paskett indicated City Council could override the Planning Commission motion if they felt it was needed.

Commissioner Anderson asked how the zoning happened by the trailer courts.

Chairperson Price indicated the trailer courts had been there for a long time.

Mrs. Izatt included her knowledge of the trailer courts being in place before her term of employment began 17 years ago.

MOTION: Commissioner Anderson made a motion to approve the request from Wade Lindley, Marilyn J. Lindley & Robert W. Swanson, for a rezone of their respective properties from RA-2 to RA-1. Commissioner Paskett seconded the motion.

Commissioners voting in favor: McKay, Krusi, Paskett, Anderson, Edwards

Commissioner voting against: Price

Commissioner abstaining: Hancock

Chairperson Price announced the motion passes.

ADJOURNMENT

MOTION: A motion was made by Commissioner Paskett at 7:44 p.m. to adjourn the meeting. Commissioners Edwards seconded the motion and it was approved unanimously.

David Price, Chairperson

Attested:

Charlene Izatt, Deputy Recorder