

Smithfield City Planning Commission

December 18, 2013

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, December 18, 2013**. The following members were present constituting a quorum:

Chairperson	David Price
Commission Members	Bryant McKay Jackie Hancock Pete Krusi Stephen G. Teuscher Steve Edwards
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.

The meeting was called to order by Chairperson Price at 7:04 p.m.

Opening Ceremonies: Pete Krusi

Visitors: Jeff Barnes, City Council Member

Excused: Jamie Anderson; Commissioner, Doug Archibald; Commissioner, Clay Bodily; Engineering Staff

Workshop Session:

The Commission will discuss the placement and height of residential flagpoles, and flagpoles in general.

Overview of the “Rules for Conducting Business of the Planning Commission” and Public Hearing Procedures, to be set at the January 15, 2014 meeting.

Mrs. Izatt stated that we have a development that allows flagpoles but not antennas. We would like to address this problem to help people in the community who would like to have a flagpole or antenna. One person we are working with has a Hamm radio and his services would be helpful in an emergency.

Chairperson Price questioned the use of the cell phone towers.

Mrs. Izatt mentioned there are a lot of hoops we have to go through with aviation on the cell phone towers. It has been about five years since the communications ordinance was passed.

She also stated that we don't have an ordinance about placement and height of a flagpole in residential zones.

Chairperson Price questioned if the flagpole on 8th west would work as a guide.

Mr. Wells stated they are in the county not the city. If we are going to regulate we will have height limitations for houses and 20 ft. for a shop. We have a couple people putting up Hamm radio towers that are quite tall. It should stay 40 ft. away from your property in case it falls over.

Mrs. Izatt indicated that no flagpole may be higher than 35 ft. maximum.

Mr. Wells informed the commission that the fact you would put the antenna close to your property line lessens the chance of it falling over into the road.

Mrs. Izatt checked with other cities and shared a few of the guidelines they follow; such as the maximum height as 25 ft. and nonresidential districts may have three poles.

Chairperson Price felt we need to address it like the sign ordinance; control only height and setbacks.

Mrs. Izatt mentioned some city's control the size of the flag. They are very detailed in their ordinances.

Commissioner Edwards shared an example of Macey's flag; it was so big and made a big flapping noise when it was windy.

Mrs. Izatt inquired who would like to head up this ordinance and is it something we want to pursue.

Commissioner McKay reminded the commission there should be a spotlight on the flag at night.

Commissioner Teuscher informed Commissioner McKay that the policy for lighting the flag has been changed.

Mrs. Izatt questioned if Mr. Teuscher had heard the changes through the Legion. She will follow up and confirm the changes.

Chairperson Price summarized that Mr. Wells and Mrs. Izatt will head up the committee for the flagpole ordinance and reminded them that he felt the commission should be aggressive with the ordinance on Main Street.

Mrs. Izatt directed the commission to the Rules of Conducting Business. We are going to bring this back in January for discussion.

Chairperson Price inquired if the commission should shuffle the chairman position around every year.

Mrs. Izatt confirmed the commission could vote on a new chairman, if they chose to. She asked the commission to please read the rules and let her know if there are any changes that need to be made.

Chairperson Price referred to page two of the handout where it states, "Members of the commission shall address the chairperson and be recognized before speaking." We are not following that well; we should strike it. Also "An abstention is in effect a vote with the majority, but not counted as such.", needs clarification.

Mrs. Izatt explained that the second part was intended for clarification; and should be left in there.

Resident Input

No Resident Input

Consideration of Consent Agenda Minutes of October 16, 2013 Planning Commission Meeting

Minutes were approved by consent

Review of Ordinance #13-09 which amends the Smithfield City Subdivision Regulations, Title 16; sections: 16.06.040 "Procedure"; 16.06.080 "Recording of Plat or Filing of Record Survey"; 16.12.040 "Preparation and Required Information"; 16.09.040 "Approval of Preliminary Plat" and Amending the Land Use Ordinance, (Zoning) Title 17; Section: 17.36.070 "Prohibited Signs"; 17.40.010 "Building Permit Required".

Chairperson Price informed the commission of the markings on the ordinance page. The new info is shaded and then shows the old or changed info by being crossed out with a line. Is there anything we need to address or is it all updating.

Mrs. Izatt referred to #8; the county surveyor is not viable with the county so we no longer need that in the ordinance.

Chairperson Price inquired about the prohibited signs section. Does the crossed off part come from the State?

Mrs. Izatt reminded the commission about Jay Baker, Countywide planner's comments, he talked about signs being content neutral.

Chairperson Price questioned about the section on swimming pools?

Mr. Wells replied you don't need a permit for 5000 gallons or less or 2 ft. in depth. We thought we would add this to match what the building code says.

Setting of Public Hearing

Chairperson Price set the date of January 15, 2014 as the public hearing to make the changes.

The Commission will discuss a proposed annexation of property located up Smithfield Canyon bordering the Smithfield City limits.

Mrs. Izatt informed the commission that Jim mentioned Heidi Dunkley called and they have been discussing with the State Water Engineer, Will Atkins, and found the property isn't as far over the county line as they initially thought. So she thought they would stay in the county and just have a well and sewer services through the city.

We usually see annexations only one time at the Planning Commission level, but this is a difficult parcel so City Engineer, Jim Gass thought it should be brought before the commission for review and discussion.

Chairperson Price questioned if the annexation is only the beginning. The building will require a lot of other permits. Will she think annexation is a green light and then when she gets into it she will find there are a lot of problems?

Mrs. Izatt replied that Jon spoke with Heidi and she is very determined to develop this parcel and she state the city council covered everything with Heidi; there shouldn't be any surprises.

Mr. Wells stated the slope isn't the issue, the road is the issue. The Dunkley's would have to provide a road and deed some to the city.

Chairperson Price replied how does that work where it is a county road?

Mr. Wells indicated it is a city road up to the property.

Chairperson Price questioned if once the annexation is accepted into the city, does the commission need to review the request again?

Mr. Wells explained only if they rezone. For now they want to make it one lot. If they try for two lots they would have to rezone.

Chairperson Price indicated that the commission has had heated discussions on spot zoning and that can't remain an A-10. In most cases we haven't supported it if it hasn't fallen into the master plan. What would we rezone it to?

Mr. Wells stated it could be rezoned to an RA-1.

Chairperson Price pointed out that isn't on the master plan in that area.

Council Member Buttar's inserted that just east of this property is where Mr. Hansen wanted to annex in his property and he was declined.

Mr. Wells confirmed the adjacent property to this parcel, Three Creeks, is zoned R-1-12 PUD.

Commissioner Edwards presented the fact that they would have to redirect birch creek. Why don't we allow them to work out that issue first and then we can move forward on this. That may solve our problem.

Mrs. Izatt remarked the changes for the creek are in the hands of the state now.

Commissioner Edwards restated those are physical things we need physical answers for before we start into the annexation.

Mr. Wells pointed out in order to make a road in this area you have a steep hill and a creek on the other side, so you have to do something with the creek or dig into the hill. They will have to widen the road to be issued a permit to build a home there.

Mrs. Izatt mentioned she had been told that Heidi Dunkley was planning to attend this meeting.

Chairperson Price asked the commission if anyone was interested in annexation before moving the creek.

Commissioner McKay questioned if a pipe or culvert could be put over the top of the creek.

Mr. Wells replied it was up to the state engineer and then the money was needed to make it happen.

Commissioner Edwards pointed out by working on the creek issue first; it will protect the commission and the Dunkleys.

Chairperson Price restated that he is not comfortable with the zone, moving the river and the width of the road.

Mr. Wells confirmed that if the property is annexed it will automatically be zoned A-10. If the Dunkley's choose not to change the zone and they do everything else they need to, the city would be obligated to issue a permit.

Chairperson Price mentioned if it is an A-10 zone then they will want animals and all kinds of things on their property.

Mrs. Izatt inserted that she is receiving more request for horse property. The requests come in waves.

Mr. Wells informed the commission the biggest issue if they stay with the county is water. The only inexpensive option is to get water from the city. A well permit would be virtually impossible if they have no water rights. This area is so sensitive for individuals to want to try and dig a well.

Chairperson Price summarized that gives us a good idea of what needs to be done.

MOTION: A motion was made by Commissioner Krusi to adjourn the meeting at 7:40. The motion was seconded by Commissioner McKay. The voting was unanimous.

Commissioners voting in favor: McKay, Hancock, Krusi, Price, Teuscher, Edwards.

David Price, Chairperson

Attested:

Charlene Izatt, Deputy Recorder