

**SMITHFIELD CITY PLANNING COMMISSION**  
**June 15, 2011**  
**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 **June 15, 2011**. The following members were present constituting a quorum:

Chairperson	Rik Vernon
Commission Members	Michael Paskett
	Jamie Anderson
	Richard Jewkes
	Bryant McKay
	Roger Douglas
City Staff	Brenda Smith
Deputy Recorder	Char Izatt
Planning Staff	Clay Bodily
	John Wells
City Council Member	Brent Buttars

**Excused:** David Price, Planning Commissioner

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 Vernon at 7:06 p.m.  
Opening Ceremonies: Bryant McKay

**Visitors:** Travis Taylor-Smithfield Ridges, Rick Meyer- MTM Properties, Nanette King-Tout Properties, Lowell King-Tout Properties, Zan Murray of J-U-B Engineers, Ryan Rogers- North Ridge Development, Scott Archibald-Sunrise Engineering, Linda Sorenson, Sherry Hall, Jackie Hancock-alternate Planning Commission member, Holly Seamons, Val Potter-Cache County Council, Jared Jensen-Acme Discount Fireworks, Joy Peterson and Larry Peterson.

**Workshop Session:**

**The Commission will continue discussion on proposed changes to the Land Use Matrix.**

Chairperson Vernon explained the workshop item. He suggested adding amusement areas to the matrix.

Commissioner Paskett stated that he thought what Chairperson Vernon was describing would fit under the skating park definition.

Chairperson Vernon noted that the Commission needed to decide what zones it would fit in.

Commissioner Jewkes inquired how specific the matrix needed to be.

Char Izatt explained that they were looking for property uses that needed clarification or were omitted from the matrix. She expounded that a lot of property uses could be fit under the professional office heading, but that the Commission may not want certain businesses to fall into that category. She issued the commissioners a list of what uses were suggested as additions to the matrix at the previous meeting.

Chairperson Vernon observed that he could not find roller rinks in the matrix.

Char Izatt informed the Commission that she had received interest in a roller rink in the past, but that the interested party could not find a building to accommodate the business.

Chairperson Vernon stated that he could not find wedding reception centers listed in the matrix.

Jon Wells explained that there was a listing for reception centers under retail. He inquired if the Commission wanted to consider adding farmers markets.

Char Izatt noted that farmers markets were already addressed under fruit and produce stands.

Commissioner Jewkes observed that farmers markets are different than produce stands.

Jon Wells suggested adding farmers markets in more areas.

Char Izatt inquired if the Commission wanted to add swap meets to the matrix

Commissioner Jewkes suggested allowing swap meets in manufacturing zones.

Jon Wells stated that swap meets should be allowed in commercial zones.

Char Izatt asked for clarification on where the commissioners wanted to allow smoke and tattoo shops.

It was determined that smoke and tattoo shops would be allowed in CC, GC and M1 zones as a conditional use as stated in the previous meeting.

## **Resident Input**

No resident input.

## **Consideration of Consent Agenda Minutes of May 18, 2011 Planning Commission Meeting**

Minutes were approved by consent.

**Travis Taylor, agent for Smithfield Ridges, LLC, has requested approval for Phase 3 (5 Lots) of the Final Plan for Smithfield Ridges Planned Unit Development, located at approximately 340 South and 1100 East. Zoned RM (PUD) (Combined Multiple Family Residential/Planned Unit Development Overlay Zone).**

Chairperson Vernon read the agenda item description and asked Mr. Travis Taylor, agent for Smithfield Ridges, LLC, to approach the Commission.

Mr. Taylor stated that he could answer any questions that the Commission may have. He noted that the request was a continuation of the phases that had already occurred.

Jon Wells inquired if the street was properly labeled as 1100 East. He stated that he felt it was not far enough east to be labeled as 1100 East. He stated that Mr. Taylor should have his engineer make sure the street was labeled appropriately.

Mr. Taylor noted that he would have the street label examined. He added that Jim Gass had told him the street would be 1100 East.

Jon Wells replied that he would speak with Jim Gass about the street number.

**MOTION:** Commissioner Paskett made a motion to approve Phase 3 of the Final Plan for Smithfield Ridges Planned Unit Development, located at approximately 340 South and 1100 East, zoned RM. The motion was seconded by Commissioner Jewkes and unanimously carried.

Commissioners voting in favor: Douglas, Anderson, Paskett, Vernon, Jewkes, and McKay

**Public Hearing to consider a request by Rick Meyer, agent for Joseph M. Chambers, Personal Representative of the property owner, for a rezone of property located at 314 West 100 North (parcel #08-085-0015, 0.725 acre) from R-1-12 (Single Family Residential 12,000 sf minimum) to R-1-10 (Single Family Residential 10,000 sf minimum).**

Chairperson Vernon introduced the rezone request.

Mr. Rick Meyer, agent for Joseph M. Chambers, approached the Commission.

Chairperson Vernon asked Mr. Meyer to wait to approach the Commission until after the public hearing.

**The Public Hearing was opened by Chairperson Vernon at 7:28 p.m.**

No public input.

**The Public Hearing was closed by Chairperson Vernon at 7:31 p.m.**

Chairperson Vernon invited Mr. Meyer to come before the Commission.

Commissioner Douglas inquired if any complaints regarding the rezone request had been stated by any adjacent property owners.

Char Izatt stated that she had received no contact from any adjacent property owners.

Chairperson Vernon observed that at the previous meeting Commissioner Price had stated a reluctance to allow a lot smaller than the surrounding lots in the area.

Mr. Meyer explained that adjacent property owners have smaller lots. He expounded that he had assessed the lots on the block and that 44% of them were smaller than 12,000 square feet. He added that when building a subdivision, there is an allowance for a 10% reduction for one of the lots.

Commissioner Anderson stated that the zoning should stay as R-1-12.

Mr. Meyer acknowledged that a lot of work had been done during the zoning process and he understands the need for zoning. He asked what conditions or circumstances he would need to meet to gain the rezone.

Commissioner Anderson stated that he was not in favor of rezoning property if the goal of the rezone is to maximize a developer's profits. He noted that Mr. Meyer was trying to fit three lots where there should only be two lots.

Commissioner Paskett inquired if the surrounding lots had older or newer homes on them. He added that the rezone does meet the density planning outlined in the General Plan.

Commissioner McKay noted that the smaller lots could have been subdivided under different zoning specifications in the past. He stated that he is not comfortable with rezoning the property.

Mr. Meyer observed that the lots he was proposing fit with the surrounding community and would not degrade the neighborhood.

Jon Wells explained that only one of the smaller lots on the block was constructed after zoning laws had been enacted. He added that formerly variances were easier to obtain.

Commissioner Jewkes stated that he felt the rezone fit with the General Plan. He noted that no neighbors had come to the public hearing to state their disapproval of the rezone.

Jon Wells explained that the General Plan acts as an outline for decision making. He stated that the Future Land Use Map has the area in question listed for medium density housing, which is defined as three to five units per acre. He added that the request fit within the description of medium density housing.

Commissioner Paskett noted that the Commission was attempting to move away from spot zoning.

Jon Wells explained that it would not be considered as spot zoning.

Commissioner Douglas inquired if there would be a problem getting a fire truck into the development.

Jon Wells replied that Mr. Meyer would be required to meet the requirements in place for responding fire trucks. He stated that if the homes were a certain distance from the road that Mr. Meyer would be required to build a turnaround.

Commissioner Paskett noted that a turnaround may reduce the lot square footage.

Jon Wells observed that if the square footage requirements were not met, then the project could not be completed.

Mr. Meyer interjected that he needed the rezone approval before he could move forward with the development planning process.

**MOTION:** Commissioner Paskett made a motion to approve the rezone of property located at 314 West 100 North from R-1-12 (Single Family Residential 12,000 sf minimum) to R-1-10 (Single Family Residential 10,000 sf minimum). The motion was seconded by Commissioner Douglas.

Chairperson Vernon called for a voice vote.

Commissioners voting in favor: Douglas, Paskett, Vernon, and Jewkes  
Commissioners not voting in favor: Anderson and McKay  
Chairperson Vernon stated that the motion passed.

**Public Hearing to consider a request by Rigo Chaparro, agent for Lowell & Nanette King, to rezone property located at 134 North 100 West (parcel #08-063-009, .75 acre) from R-1-10 (Single Family Residential 10,000 sf minimum) to RM (Residential Multiple).**

**The Public Hearing was opened by Chairperson Vernon at 7:48 p.m.**

No public input.

**The Public Hearing was closed by Chairperson Vernon at 7:49 p.m.**

Mr. Scott Archibald explained that he was present to represent Rigo Chaparro. He approached the Commission.

Chairperson Vernon noted that he knew one of the neighboring property owners and he had no disagreement with the rezone.

Commissioner Anderson stated that he was not in favor of the rezone for the same reasoning that he did not favor the previous rezone request.

Chairperson Vernon noted that the two rezones were different because it allowed multiple family housing in the midst of single residential zoning.

Commissioner Jewkes clarified that the adjacent property owners had been notified of the request.

Chairperson Vernon observed that he is a landlord and is biased towards favoring rental developments.

**MOTION:** Commissioner Douglas made a motion to approve the rezone request of property located at 134 North 100 West from R-1-10 (Single Family Residential 10,000 sf minimum) to RM (Multiple Family Residential). The motion was seconded by Commissioner Jewkes.

Chairperson Vernon called for a voice vote.

Commissioners voting in favor: Douglas, Paskett, Vernon, and Jewkes  
Commissioners not voting in favor: Anderson and McKay

Chairperson Vernon stated that the motion passed.

**Public Hearing to consider a request by North Ridge Development, agent for Lowell King, to rezone property located at 855 South 250 East (parcel #s 08-177-0015, 08-1170016, 10.10 acres, more or less) from A-10 (Agricultural - 10 Acre) to RM (Multiple Family Residential).**

**The Public Hearing was opened by Chairperson Vernon at 7:53 p.m.**

Ms. Holly Seamons addressed the Commission, stating that she was president of the HOA of the development adjacent to the property. She stated that there were concerns with how the rezone would affect the townhome development she lived in. She observed that the proposed development would block the view of her development's residents. She stated concern that adding additional townhomes to the area would reduce the property value of her development. Ms. Seamons explained that the townhome development being constructed to the north of her home had increased the number of voles in her development, resulting in the need to have a professional exterminator take care of the problem. She added that further development in the area would increase noise levels.

Chairperson Vernon explained that he has also had a vole problem at his residence and that there was no construction by his home.

Ms. Seamons replied that the voles arrived when construction began on the neighboring development.

Chairperson Vernon explained that if Ms. Seamons wanted to preserve her view, she would need to purchase the property surrounding her home and that the Commission could not make mandate how people develop their property based upon the view of neighbors.

Ms. Seamons asked what would be done about preserving the property value of her development.

Chairperson Vernon asked how Ms. Seamons' townhome was different than the proposed townhome unit.

Ms. Seamons explained that her development is more private because of the surrounding open space. She noted that additional construction would devalue the privacy.

Ms. Joy Peterson approached the Commission and explained that she was also a member of the HOA of the neighboring development. She stated that she was very concerned about the increase in traffic that the development would bring to the development. Ms. Peterson declared that a traffic light was needed at 800 S Main Street to accommodate traffic.

Commissioner Paskett explained that only UDOT could install a traffic light at 800 S Main.

Char Izatt made arrangements to call Ms. Peterson the following day and give her the contact information for UDOT.

Mr. Larry Peterson addressed the Commission and explained that he was also on the HOA board of the neighboring development. He inquired if townhomes or apartments were planned for the development.

Char Izatt explained that the Commission was only considering a rezone at the current meeting and not what type of housing would be constructed on it.

Mr. Peterson inquired if there was a need for rental housing.

Chairperson Vernon explained that the Commission must follow rules and guidelines regarding the requests they hear. He expounded that the Commission could not tell property owners how to develop their land and that they simply made sure requests followed the appropriate mandates.

Mr. Peterson stated that apartments and HOAs were very different and had different concerns.

Chairperson Vernon noted that the developer would answer questions after the public hearing.

Jon Wells explained that the difference between a condominium and an apartment was whether or not the occupant owned the residence. He stated that a townhome is a type of building style and can either be rented or owned by the resident.

**The Public Hearing was closed by Chairperson Vernon at 8:00 p.m.**

Chairperson Vernon requested Mr. Ryan Rogers, agent for North Ridge Development, to address the Commission.

Mr. Rogers explained that he would like to build rentable townhomes on the property. He noted that there is a large demand for rental units in Smithfield because many people can not afford to purchase a home. Mr. Rogers explained that only 15% of housing units in Smithfield are rentable. He observed that in the rest of the state an average of 30% of housing units are rentable. Mr. Rogers stated that he is responding to a demand for affordable rental homes in Smithfield. He added that the average home price in Smithfield is \$180,000. Mr. Rogers observed that the property is not located next to single family housing.

Commissioner Paskett inquired how long it would take to finish the development.

Mr. Rogers replied that he would like to start construction in the fall.

Commissioner Paskett asked who would be responsible for maintenance at the development.

Mr. Rogers replied that there would be an onsite property manager who would take care of all of the amenities.

Commissioner Paskett asked if the units would have garages.

Mr. Rogers explained that the carports would be provided. He noted that the area had originally been zoned RM. He stated that the units would boost local businesses.

Commissioner Paskett inquired about the building design.

Mr. Rogers replied that the buildings would be two stories with rock fronts and siding. He added that the development would include open space, a soccer field, a club house, and a swimming pool.

Chairperson Vernon asked what percentage of the development would be devoted to open space.

Mr. Rogers explained that 50% would be open space as required.

**MOTION:** Commissioner Anderson made a motion to approve the rezone for property located at 855 South 250 East from A-10 (Agricultural – 10 Acres) to RM (Multiple Family Residential). The motion was seconded by Commissioner Paskett and carried unanimously.

Commissioners voting in favor: Douglas, Anderson, Paskett, Vernon, Jewkes, and McKay

**Linda Sorenson has requested approval for a Conditional Use Permit to allow a home based business to hold a bead craft open house on a monthly basis located at 57 East 490 North, zoned R-1-10.**

Chairperson Vernon introduced the agenda item and invited Ms. Linda Sorenson to approach the Commission.

Commissioner Anderson asked for clarification on the frequency of the open houses.

Ms. Sorenson replied that they would be held once a month from 5:00 p.m. until 9:00 p.m.

Commissioner Anderson inquired how many people attend the event.

Ms. Sorenson explained that usually thirty people will attend the event, but not at the same time.

Commissioner Anderson stated that he had driven past the home and that there was adequate room for parking.

Ms. Sorenson explained that she had spoken with her neighbors and none of them had complaints about the request.

Char Izatt noted that Ms. Sorenson may want to request the permit for more than one meeting a month to avoid coming in for a future request.

Commissioner Jewkes asked if any neighbors had expressed concerns about the request.

Ms. Sorenson stated that none of the neighbors had stated disapproval to her. She added that she would like to extend the hours from 4:00 p.m. until 10:00 p.m.

**MOTION:** Commissioner Paskett made a motion to approve the Conditional Use Permit to allow a home based business to hold a Bead crafting open house on a monthly basis located at 57 East 490 North with the conditions of 1) hours of operation 4:00 p.m. until 10:00 p.m. and 2) operating two days a month. The motion was seconded by Commissioner Douglas and unanimously approved.

Commissioners voting in favor: Douglas, Anderson, Paskett, Vernon, Jewkes, and McKay

**Zan Murray of J-U-B Engineers and Val Potter of the Cache County Council have requested time with the Commission to discuss overlay zones relating to the new airport master plan and Smithfield City.**

Mr. Val Potter addressed the Commission and explained that he is the airport authority on the Cache County Council. He stated that the airport overlay zone has been passed by Cache County and Logan. He noted that his assignment was to explain the overlay zone, which is a protection zone to keep buildings and obstructions away from long term growth of the airport.

Mr. Zan Murray of J-U-B Engineers introduced himself to the Commission. He explained that the overlay zone will protect the airport and citizens, as the airport expands. He showed the Commission the different overlay zones and explained FAA requirements. Mr. Murray noted that most of the property that would fall in the overlay zones is already in compliance with the regulations and the overlay zones would help those wanting to develop in the zone. He explained that the overlay map and zoning would show the building height restrictions.

Commissioner Paskett asked what would happen if a drilling rig was being used in the overlay zone.

Mr. Murray replied that most temporary drilling rigs are not tall enough to be a problem, but that an airport authority would need to be contacted.

Jon Wells inquired if existing structures would need to be modified or have lights placed on them if they exceed the height restrictions in the zone.

Mr. Murray explained that all height obstructions have already been identified and that existing structures would be grandfathered as exceptions.

Chairperson Vernon noted that the staff and airport authorities would most likely handle all concerns without the Commission hearing them.

Jon Wells stated that the airport overlay zone would be a land use ordinance and would need Commission approval.

Mr. Murray explained that the ordinance provided to the Commission was constructed using FAA standards.

Commissioner Paskett asked what would occur if the ordinance was not passed.

Mr. Murray replied that it could possibly stop development of the airport and limit what kind of aircraft could access the airport.

Commissioner Jewkes asked if the Commission could alter the zone map.

Mr. Murray stated that the height restrictions are dictated by the FAA and it would require their approval. He added that his intent was to assist the Commission in understanding the intent of the ordinance.

Jon Wells inquired how many other communities had adopted the overlay zone.

Mr. Murray advised that Cache County, Logan and North Logan had adopted the ordinance.

Commissioner Paskett asked if Hyde Park had passed the ordinance.

Mr. Murray explained that he was working on approaching Hyde Park.

Commissioner Paskett asked if the overlay zone would change over time.

Mr. Murray stated that he didn't foresee the overlay zone changing in the next twenty years.

Commissioner Jewkes inquired if the overlay zone addressed noise issues

Mr. Murray replied that it did address noise limitations.

Jon Wells noted that the overlay zone plan required conditional use permits in the zones. He stated that he did not agree with that requirement.

Mr. Murray explained that it does require the condition that subdivisions in the zone be informed that they are in close proximity to the airport. He added that the requirement would not apply to single family dwellings.

Jon Wells stated that it appeared to be adding additional processes to procedures and appeared to be cumbersome.

Mr. Murray observed that it would add an additional step, but that it would be an advantage to the city to pass the ordinance.

Char Izatt noted that the conditions could be put into building standards instead of requiring a conditional use permit.

Mr. Potter noted that he thought North Logan had approached the overlay zone requirements from that angle.

Commissioner McKay asked about expected airport growth.

Mr. Murray noted that most growth would be on an internal basis and the landing strip would not be growing.

**Jared Jensen of Acme Discount Fireworks has requested approval of a Commercial Conditional Use Permit for a temporary Fireworks stand to be located on property owned by Sherwood Hirschi at approximately 869 South Main, zoned CC.**

Chairperson Vernon introduced the agenda item and invited Mr. Jared Jensen to approach the Commission.

Commissioner Anderson asked what the hours of operation would be.

Mr. Jensen stated that the hours of operation would be 8:00 a.m. until 12:00 p.m. from June 26<sup>th</sup> until July 26<sup>th</sup>.

**MOTION:** Commissioner Paskett made a motion to approve the Commercial Conditional Use Permit for a temporary fireworks stand located at 869 South Main, with the condition that the hours of operation be from 8:00 a.m. until midnight. The motion was seconded by Commissioner McKay and unanimously carried.

Commissioners voting in favor: Douglas, Anderson, Paskett, Vernon, Jewkes, and McKay

**Further discussion on Airport Overlay zone ordinance**

Char Izatt stated that she would get a copy of the North Logan airport overlay zone ordinance for the Commission to review.

Chairperson Vernon asked her to put it on the agenda in two months so that there was time for the staff and commissioners to review it.

Char Izatt swore Jackie Hancock in as an alternate Commission member.

The commissioners welcomed Commissioner Hancock to the Commission.

**ADJOURNMENT**

**MOTION:** Commissioner Douglas made a motion to adjourn the meeting at 9:00 p.m. The motion was seconded by Commissioner Paskett and unanimously carried.

Commissioners voting in favor: Douglas, Anderson, Paskett, Vernon, Jewkes, McKay

\_\_\_\_\_  
Rik Vernon,  
Chairperson

Attested:

---

Charlene Izatt, Deputy Recorder