

SMITHFIELD CITY PLANNING COMMISSION
July 20, 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 **July 20, 2011**. The following members were present constituting a quorum:

Chairperson	Rik Vernon
Commission Members	Michael Paskett
	Richard Jewkes
	Jamie Anderson
	Bryant McKay
	Roger Douglas
	David Price
City Staff	Brenda Smith
Deputy Recorder	Char Izatt
Planning Staff	Clay Bodily
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 Vernon at 7:00 p.m.
Opening Ceremonies: Roger Douglas

Excused: Jon Wells, Planning Staff

Visitors: Zan Murray of J-U-B Engineers, Ruth Gray, Michelle Anderson, Jackie Hancock-alternate commission member, Josh Peterson, Symony Peterson, Kristy Sparks, J. C. Sparks, Nanette King, Lowell King, and Stanton Merrill, agent for Red Rock Hospitality

Workshop Session:

The Commission will continue discussion and begin review of local ordinances in regards to the overlay zones relating to the new airport master plan and Smithfield City.

Chairperson Vernon outlined the workshop topic and stated that he hoped that all of the commissioners had read through the sample ordinance from North Logan.

Char Izatt noted that she had emailed North Logan's ordinance to the commissioners a month ago.

Chairperson Vernon stated that Jon Wells had stated concerns during the previous meeting about the additional requirements it would put on developers. Char Izatt observed that North Logan had worked the requirements into their land use ordinances.

Chairperson Vernon asked Mr. Zan Murray of J-U-B Engineers to approach the Commission and answer questions regarding the airport overlay zone.

Mr. Murray explained that he had researched how North Logan handles the overlay zone and that they approached it as a conditional use. He stated that he had spoken with Jim Gass about how Smithfield could handle the overlay zone from a procedural standpoint. Mr. Murray noted that they had discussed the overlay as an item that would be approved by the city staff and that it would not appear before the Commission. He stated that he would speak with Jon Wells when he returned to the office regarding his concerns.

Commissioner Paskett inquired if most of the concerns were in regards to building heights.

Mr. Murray responded that building height is a concern. He explained how the different zones were allocated on the sample ordinance chart.

Commissioner Jewkes noted that most of Smithfield is located in the overlay zone and requires conditions to be met for all residential homes. He stated that the conditions would put restrictions on the entire city.

Mr. Murray explained that the conditions could be part of a checklist the staff handles during requests. He added that the proximity to the airport required the conditions.

Commissioner Jewkes stated that he was not in favor of it being a condition.

Mr. Murray reiterated that it could be a review item for the city staff.

Commissioner Price inquired if it would be included as part of the application.

Char Izatt noted that the requirement would be for a review and that is what would need to be put into place.

Commissioner Price asked how much of the requirements were based on liability and how much is based on safety concerns.

Mr. Murray responded that there were components of safety concerns, but that liability along with restricting growth so the airport was not limited were important.

Commissioner Price asked how growth would be restricted.

Mr. Murray replied that it does not really restrict growth, but officially notifies residents of the airport's existence and proximity. He noted that the notification would remove legal ramifications if they had a complaint regarding the airport.

Char Izatt stated that if the conditions were not included on some sort of checklist, the Commission would be the review process.

Commissioner Paskett inquired as to what would occur if a homeowner sold a residential unit in the airport overlay zone.

Mr. Murray responded that the homebuyer would need to be properly notified of the airport's existence and proximity.

Char Izatt noted that Jim Gass had suggested having the notification written on the plat.

Chairperson Vernon stated that some input was needed from Jim Gass and Jon Wells on the issue.

Mr. Murray suggested having the ordinance refer to the airport overlay zone plan to avoid repeatedly amending the ordinance.

Char Izatt inquired if the conditions applied to commercial subdivisions as well as residential subdivisions.

Mr. Murray stated that the conditions also applied to commercial subdivisions.

Char Izatt asked if there was a time constraint on passing an ordinance.

Mr. Murray responded that there was not a time constraint.

Chairperson Vernon noted that the Commission should utilize the ordinance North Logan has in place, but added that North Logan has few areas in the overlay zone.

Mr. Murray explained that the map was outdated and that a substantial amount of North Logan was in the overlay zone.

Char Izatt inquired if the Commission wanted to set up a workshop session dedicated to the overlay zone.

Chairperson Vernon responded that a workshop should be set up.

The Commission will discuss some proposed amendments to Title 17, Zoning Regulations.

Char Izatt explained the proposed changes to the building permit requirements. She noted that international standards consistently change regarding accessory buildings and that the ordinance change would reference the international code so that it would not require an amendment.

Char Izatt explained that another alteration was to remove the requirement for a public hearing in the non-conforming uses section when an enlargement or structural alteration is requested. She asked if a public hearing was desired on the issues.

Commissioner Jewkes stated that he was in favor of holding a public hearing.

Char Izatt stated that the next change was to the sign ordinance matrix. She noted that some home occupations wanted to have signs and that the ordinance currently permitted them to have signs similar to other businesses. She expounded that the change would separate home occupations from having the same sign standards and churches. Char Izatt added that the Commission needed to discuss what types of signs should be allowed for home occupation businesses.

Commissioner Douglas stated that he was not in favor of permanent signs in residential areas.

Char Izatt explained that the current requirement involved permission for signs from the City Council.

Char Izatt stated that the next proposed change was to the temporary sign ordinance. She explained that the proposal was to increase the number of holidays that businesses could display temporary signs by adding Mothers and Fathers Day.

Commissioner Price asked if there was pressure from citizens to change the ordinance.

Char Izatt explained that the ordinance did not appear friendly to businesses.

Commissioner Price suggested allowing a set number of days each year for temporary sign display instead of setting the days.

Char Izatt explained that there were already a set number of days besides the holidays that temporary signs could be displayed. She added that a lot of businesses were displaying temporary signs past the allowed time periods. She noted that several businesses had requested the additional holidays because of their type of business.

Commissioner Douglas stated that he was in favor of adding the holidays.

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

The Commission continued the discussion on proposed changes to the Land Use Matrix until the next meeting.

Resident Input

Ms. Kristy Sparks stated that she would like to see the ordinance changed in regards to the number of chickens allowed in residential zones. She explained that economic stress is pushing residents to provide for themselves. She stated that her family has nine members and that the allowed four hens did not provide enough eggs for her family. Ms. Sparks explained that Salt Lake City had recently changed their ordinance to allow fifteen hens in residential zones with stipulations on the size of pens. She stated she could provide the Commission with Salt Lake City's ordinance if they wished. She thanked the Commission for their time.

Commissioner Paskett inquired how the cost of feed compared to the money saved in purchasing eggs.

Ms. Sparks explained that it was more profitable when she had more chickens before she found out about the ordinance restrictions.

Commissioner Price asked if Ms. Sparks sold her eggs.

Ms. Sparks replied that she had sold them occasionally.

Char Izatt interjected that Ms. Sparks could sale up to \$2,400 a year as a hobby, unless it was a regular exchange, in which case, she would be required to charge sales tax.

Commissioner Price noted that the number of hens had been decreased because of concerns with the selling of eggs.

Char Izatt explained that Provo had allocated the number of allowed hens according to lot size. She added that she had received many phone calls from residents wanting to see an increase in the number of hens that could be owned and the addition of bees to the allowed list of animals.

Commissioner Price inquired if the change would be city wide.

Char Izatt replied that it would apply to residential zones.

Commissioner Price noted that keeping hens may become more popular if the ordinance were amended. He asked how the ordinance would be enforced.

Char Izatt explained that enforcement came in the form of complaints from neighbors.

Commissioner Price suggested setting it as a conditional use so that the opinions of the neighbors would be respected.

Commissioner Anderson interjected that the ordinance change would require a public hearing.

Ms. Sparks suggested having the ordinance address coop proximity to property lines.

All of the Commissioners stated that they would like the issue to be added to the next meeting agenda.

Consideration of Consent Agenda Minutes of June 15, 2011 Planning Commission Meeting

Minutes were approved by consent.

Symony & Josh Peterson have requested approval of a Conditional Use Permit to allow a home based hair salon in a section of their garage located at 225 North 600 West, zoned R-1-12.

Chairperson Vernon introduced the agenda item and requested that Symony and Josh Peterson approach the Commission.

Commissioner McKay inquired if the Petersons wanted to extend the hours of operation so that they did not need to appear before the Commission again if they wanted to extend them.

Ms. Symony Peterson stated that she would like the hours of operation to change from 7:00 a.m. until 7:00 p.m.

Commissioner Anderson asked about the adequacy of parking for the business.

Ms. Peterson stated that two cars could park in their garage, two in front of the garage, and one more on the extra parking pad. She clarified that three vehicles could be parked there for business purposes.

MOTION: Commissioner Paskett made a motion to approve the Conditional Use Permit for Symony and Josh Peterson to allow a home based hair salon located at 225 North 600 West, zoned R-1-12 with the hours of operation being from 7:00 a.m. until 7:00 p.m., Monday through Saturday. The motion was seconded by Commissioner McKay and approved unanimously.

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

Stanton Merrill, agent for Red Rock Hospitality, has requested approval of a Commercial Conditional Use Permit to allow an upholstered furniture manufacturing business located at 860 South 100 East, zoned GC (General Commercial).

Chairperson Vernon introduced the agenda item and invited Mr. Stanton Merrill to address the Commission.

Chairperson Vernon inquired how many employees worked for the company.

Mr. Merrill responded that they had between fifteen and twenty employees with the possibility of more as the company expands.

Commissioner Douglas asked what the hours of operation were.

Mr. Merrill stated that they work Monday through Saturday.

Chairperson Vernon noted that the building had been used for industry previously.

Mr. Merrill observed that the building was perfect for their company.

Commissioner Anderson asked if Mr. Merrill anticipated adding a second shift anytime in the future.

Mr. Merrill replied that there were no plans to have a second shift, but amended his request for the hours of operation to be from 7:00 a.m. until 10:00 p.m.

Commissioner Paskett inquired when the company would move into the building.

Mr. Merrill stated that they would move in August.

MOTION: Commissioner Douglas made a request to approve the Conditional Use Permit to allow a upholstered furniture manufacturing business located at 860 South 100 East, zoned GC (General Commercial) with the hours of operation being from 7:00 a.m. until 10:00 p.m. and the days of operation being Monday through Saturday. The motion was seconded by Commissioner Paskett and approved unanimously.

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

Char Izatt stated that if the Commission wanted to discuss the number of allowed hens, then they should also discuss the possibility of removing pot-bellied pigs from the list of allowed animals.

Commissioner Anderson asked if the public hearing could be limited to discussion on hens and bees.

Char Izatt replied that it could not be limited to those two specific household pets, but that is what would be publicly noted as the requested changes addressed in the public hearing.

ADJOURNMENT

MOTION: Commissioner Paskett made a motion to adjourn the meeting at 7:59 p.m. Commissioner Douglas seconded the motion and it was approved unanimously.

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

Rik Vernon,
Chairperson

Attested:

Charlene Izatt, Deputy Recorder