

**SMITHFIELD CITY PLANNING COMMISSION**  
**September 21, 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 **September 21, 2011**. The following members were present constituting a quorum:

Chairperson	Rik Vernon
Commission Members	Michael Paskett David Price Bryant McKay Jamie Anderson Roger Douglas
City Staff	Brenda Smith
Planning Staff	Clay Bodily Jon Wells
City Council	Brent Buttars

Excused: Richard Jewkes, Commissioner; Jackie Hancock, alternate Commissioner; Char Izatt, Deputy Recorder

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: Brenda Smith

**Visitors:** Russell Elwood, Perry Hoffman, Ginger Hoffman, Ryan Rogers, and Tina Elwood

**Workshop Session:**

**The Commission will review proposed Ordinance #11-15 that will allow for an increase in hen chickens in residential zones.**

Chairperson Vernon introduced the workshop session topic and explained that a draft ordinance had been constructed. He added that the current ordinance only allows residents to have four hens and that the proposal is to increase the amount of allowed hens contingent on property size.

Commissioner Paskett stated that he is concerned about sanitary conditions arising from keeping chickens. He noted that he did like restricting the number of allowed chickens based upon square feet. He inquired how the ordinance would be enforced.

Jon Wells replied that it would be enforced through complaints by other citizens, similar to how other zoning ordinances are enforced.

Commissioner Price inquired if the ordinance only applied to non-agricultural zones.

Jon Wells explained that it applied to all residential zones.

Commissioner Price suggested determining the number of allowed hens by zone instead of by lot size. He noted that it would allow neighbors to keep the same number of chickens.

Commissioner Anderson asked what the smallest lot size in the city was.

Jon Wells replied that at one time the city had allowed lots to be as small as 8,000 square feet and that there were still a few lots that small.

Commissioner Price reiterated his suggestion to determine the number of allowed hens by zone instead of lot size.

Commissioner Anderson noted that there would still be a difference between neighbors that were not zoned similarly. He stated that he would like the square footage definitions to be written more concisely.

Commissioner Price suggested not allowing chickens on lots smaller than 10,000 square feet.

Jon Wells explained that currently all residents were allowed to keep four hens regardless of their lot size.

Commissioner Price stated his agreement with the other alterations in the ordinance.

Council Member Buttars inquired if chicken coops were required to be twenty five feet away from a neighbor's dwelling or also the owner's dwelling.

Jon Wells stated his assumption that the distance requirement referred to dwellings on adjacent lots.

Commissioner Anderson recommended that the lot sizes say "and under" after each size on in the reference list.

Jon Wells suggested that the Commissioners add to the ordinance that chickens are not allowed in multiple family residential zones.

The Commission agreed to not allow chickens in multiple family residential zones.

Jon Wells noted that the ordinance was also modified with an additional sentence to the definition of household pets and the elimination of pot bellied pigs as household pets.

### **Resident Input**

No resident input.

### **Consideration of Consent Agenda Minutes of August 17, 2011 Planning Commission Meeting**

Minutes were approved by consent.

**The Commission will review Ordinance #11-16, an ordinance amending Chapter 17.60 RM Multiple Family Residential Zone by modifying the requirements for allowable density under section 17.60.030; Open Space under Section 17.60.060; Parking Stall Dimensions in Section 17.60-070 and Architectural Guidelines in Section 17.60.090.**

Chairperson Vernon introduced the agenda item and noted that Jim Gass had authored the revisions in the ordinance. He asked Jim Gass to approach the Commission to answer questions posed by the commissioners.

Commissioner Price asked Jim Gass to review the need for the ordinance revision.

Jim Gass explained that the city had recently received a request for a large apartment complex, which was a first for the city. He added that the request was illustrating the functionality of the ordinance. Jim Gass expounded that the submitted plan showed a significant amount of lawn, which was required in the open space clause of the ordinance. He stated that the proposed ordinance amendment dealt with how open space and density have been addressed in the ordinance. Jim Gass noted that he had looked at thirteen other ordinances from cities in Utah comparable in size to Smithfield to see how they handled density and open space. Jim Gass showed the Commission the plan for the development submitted by the developer and an additional plan, which had been configured with the changes he had suggested in the ordinance. He added that large amounts of lawn pose problems for the water supply and also for the ability of the property owner to maintain it sufficiently.

Commissioner Price inquired why the ordinance should be altered to allow more people in a smaller area.

Jim Gass replied that it would be easier to maintain and manage a smaller amount of open space. He noted that the townhomes currently being developed north of the proposed site had twice the density as the proposed apartment complex.

Chairperson Vernon asked why the developer would not take care of the open space. Jim Gass explained that it would consume a lot of water to maintain the proposed five acres of grass. He added that the city had the largest requirement for open space in the state.

Commissioner Price stated that he did not mind reducing the amount of required green space and would prefer to restrict the size of multiple family developments.

Jim Gass explained that his proposed ordinance change allowed for density bonuses contingent on the type of development that was constructed. He observed that the open space requirements for single family dwellings are not as large as the requirement for the proposed development.

Commissioner Price noted that a large amount of open space provides a buffer for neighbors.

Jim Gass pointed out that the neighbors of the proposed development are a multiple family residential zone and a commercial zone.

Commissioner Price inquired if the ordinance was being changed to accommodate one development.

Jim Gass replied that he was using the development as an example because he had its plans to use as an example. He explained that the fifty percent open space requirement was not computed until after the area used for pavement was subtracted from the lot's total size.

Commissioner Price asked if the only disadvantage to the open space was water usage.

Jim Gass replied that it was one disadvantage. He added that purpose of a multiple family zone was to have higher density. Jim Gass explained that the bonuses he had added in would not increase the density past fifteen units per acre at the maximum. He noted that the Commission should take its time considering the issue.

Commissioner Price suggested tweaking the density bonuses to address the design of the units and require that large sized trees be planted.

Jon Wells explained the current tree requirements for developments.

Jim Gass expounded that density could be diminished by putting restrictions on the design of the units to increase the cost of construction for the developer. He also suggested copying the current PUD ordinance in that the city could force the developer to hire a property manager if the open space was not properly cared for.

Commissioner Price reiterated that he was concerned about allowing more residents in the area.

Jon Wells noted that the current design plans were for two bedroom units.

Jim Gass added that he was trying to point out issues with the current ordinance that he is seeing as the developer submitted their plans.

Commissioner Price stated his concern that the density bonuses were awarded for items that would be easy for the developer to complete.

Jim Gass stated that the commissioners could change the density bonus requirements as they desired.

Chairperson Vernon suggested that the commissioners look at options and discuss the ordinance changes again at the next meeting and not set a public hearing.

Jim Gass stated that he would visit similar apartment complexes in other cities and see how they handle open space and density. He noted that he would provide the Commission with his findings. He added that the ordinance was also changed in regards to parking space size and façade length and variation.

Mrs. Tina Elwood asked why the ordinance was always changed to pattern Smithfield after other cities.

Commissioner Price stated that the ordinance did not copy other cities.

Mrs. Elwood stated that it seemed like the Commission just copied other cities.

Jim Gass explained that the Commission tries to compare what the city is doing with what others have done to find the best solution for Smithfield. He stated that examples are gathered to determine patterns and compare what has and has not worked.

Mrs. Elwood noted that the open space could be retained and be landscaped without lawn being installed. She added that the residents in the apartments would use a lot more water for hygienic purposes than lawn maintenance would.

Jim Gass stated that currently two-thirds of all water used in the city was for landscaping and not for indoor usage.

Mr. Russell Elwood interjected that the city could not meet its current storm water needs.

Mrs. Elwood noted that she conserves water when watering her lawn and that she wanted to see the numbers on how water was used in the city.

Jim Gass replied that he could show her the numbers of how water is used in the city.

Mrs. Elwood noted that other developers would use the ordinance change to have less green space in their developments.

Commissioner Price explained that is why the Commission was considering using density bonuses as opposed to decreasing the amount of allowed open space.

Mr. Elwood stated that other large developments were required to put in a park and that the apartment complex was being excused from that requirement.

Jim Gass explained that the property for the park Mr. Elwood was referring to was donated to the city and that the developer had not been required to construct a park.

Mrs. Ginger Hoffman opined that the ordinance was being changed for one development and that it would allow high density developments in intra block space.

Commissioner Price replied that there were already restrictions in another ordinance for intra block developments.

Mrs. Hoffman reiterated that the ordinance was being altered for one development and she stated her lack of understanding regarding the percentage configurations.

Commissioner Price noted that the Commission had not seen the plan on the development in question yet and that Jim Gass was simply using it as a sample to illustrate a problem with the ordinance. He explained that the Commission attempts to plan ahead for future requests so that development occurs in a premeditated fashion.

Mrs. Hoffman declared that the developers should know what the requirements are before they submit a request.

Commissioner Anderson pointed out that the developers were aware of the requirements and that when they submitted their request Jim Gass noticed the issue and brought it for the Commission to consider. He added that the Commission needs to consider impacts that open space have on the city's water supply. He stated that the Commission was not prepared to make a recommendation on the ordinance change and that they were working on understanding what the problems are and what can fix them.

Jon Wells observed that one development usually motivates an ordinance change because it will highlight a problem with the ordinance. He added that the Commission understands that an ordinance change effects multiple developments.

Chairperson Vernon stated that the Commission needed to move on to the next agenda item and that there would be a public hearing before any ordinance changes were recommended.

**The Commission will review Ordinance #11-07, an ordinance amending the Smithfield City land use ordinance (zoning), Title 17; by amending sections: 17.04.070 "Definitions"; 17.36.060 "Permitted Signs"; Permits Not Required"; 17.36.125 "Temporary Signs"; 17.36.160 "Zoning Locations"; 17.40.010 "Building Permit Required"; 17.120.010 "Use Allowance Matrix".**

Chairperson Vernon introduced the agenda item.

Commissioner Price observed that the desired amendments had been made to Ordinance #11-07.

**MOTION:** Commissioner Paskett made a motion to set a public hearing for Ordinance #11- 07 for the October 19th meeting. The motion was seconded by Commissioner Douglas and unanimously carried.

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

**Setting of public hearing for October 19, 2011.**

**ADJOURNMENT**

**MOTION:** Commissioner Paskett made a motion to adjourn the meeting at 8:12 p.m.  
Commissioner McKay seconded the motion and it passed unanimously.

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

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Rik Vernon,  
Chairperson

Attested:

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Charlene Izatt, Deputy Recorder