

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, July 27, 2022. The meeting began at 6:30 P.M. and Mayor Kristi Monson was in the chair. The opening remarks were made by Jon Wells.

The following council members were in attendance: Curtis Wall, Deon Hunsaker, Sue Hyer, Jon Wells and Wade Campbell.

City Manager Craig Giles and City Recorder Justin Lewis were also in attendance.

VISITORS: Stuart Reis, Cole Bunderson, Vincent Milligan

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JULY 13, 2022.**

\*\*\*A motion to approve the July 13, 2022 city council meeting minutes was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

**EXECUTIVE SESSION TO HAVE A STRATEGY SESSION ON A PROJECT PROPOSAL. UTAH CODE ANNOTATED 52-4-205 (1) (D).**

\*\*\*A motion to close the regular city council meeting and open the executive session was made by Sue, seconded by Wade and the motion passed by a vote of 4-1.\*\*\*

Yes Vote: Hunsaker, Hyer, Wells, Campbell

No Vote: Wall

*The executive session opened at 6:33 P.M.*

Those in attendance: Council Members: Curtis Wall, Sue Hyer, Deon Hunsaker, Jon Wells and Wade Campbell, Mayor Kris Monson, City Manager Craig Giles and City Recorder Justin Lewis

\*\*\*A motion to close the executive session and reopen the regular city council meeting was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

*The executive session closed at 7:24 P.M.*

\*\*\*Jon made a motion to adjourn at 7:25 P.M.\*\*\*

## SMITHFIELD CITY CORPORATION

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

## SMITHFIELD CITY CORPORATION

**96 South Main  
Smithfield, UT 84335**

### AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, July 27, 2022**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jon Wells

1. Approval of the city council meeting minutes from July 13, 2022.
2. Executive Session to have a strategy session on a project proposal. Utah Code Annotated 52-4-205 (1) (d).

Adjournment

**\*\*\*Items on the agenda may be considered earlier than shown on the agenda.\*\*\***

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least three (3) days before the date of the meeting.

## **ORDINANCE NO 22-14**

### **AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.**

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from A-10 (Agricultural 10-Acre) and RA-2 (Residential Agricultural 2-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet)

Approximate Property Location: 440 North 600 West

Cache County Parcel Numbers: 08-042-0009, 08-042-0010, 08-042-0021 and 08-079-0006

#### **Boundary Description:**

ALL OF CACHE COUNTY PARCELS 08-042-0009, 08-042-0010, 08-042-0021, & 08-079-0006, LOCATED IN THE SW1/4 OF SECTION 21 AND THE NW1/4 OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, SMITHFIELD, UTAH, MORE PARTICULARLY DESCRIBED IN THE AGGREGATE AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF PHASE 4, FOX MEADOWS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER, LOCATED S0°17'11"E ALONG THE SECTION LINE 157.68 FEET AND EAST 719.04 FEET FROM THE NORTHWEST CORNER OF SECTION 28, T13N, R1E, S.L.B. & M.; THENCE ALONG SAID PLAT THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES: N0°15'00"E 50.50 FEET; THENCE N2°45'30"E 201.00 FEET; THENCE N0°29'00"E 46.00 FEET; THENCE N2°28'00"E 56.67 FEET TO THE SOUTH LINE OF PHASE 1, THE VILLAGE AT FOX MEADOW PUD, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER; THENCE ALONG SAID PHASE 1 AND ALSO ALONG PHASE 2 THE FOLLOWING 3 (THREE) COURSES AND DISTANCES: S89°31'51"E 527.77 FEET; THENCE N5°15'02"E 1.96 FEET; THENCE S89°03'37"E 294.08 FEET; THENCE S7°26'49"W 187.93 FEET; THENCE S9°57'38"W 181.16 FEET TO THE NORTHERLY LINE OF PHASE 1, FOX MEADOWS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CACHE COUNTY RECORDER; THENCE ALONG SAID PLAT THE FOLLOWING 4 (FOUR) COURSES AND DISTANCES: N68°00'00"W 160.86 FEET; THENCE S89°41'30"W 6.91 FEET; THENCE S4°45'00"W 78.67 FEET; THENCE N86°38'00"W 103.62 FEET; THENCE N86°38'00"W 513.88 FEET TO THE POINT OF BEGINNING.

LESS & EXCEPTING THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF 600 WEST STREET.

Approximately 6.21 Acres

APPROVED by the Smithfield City Council this 24th day of August, 2022.

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

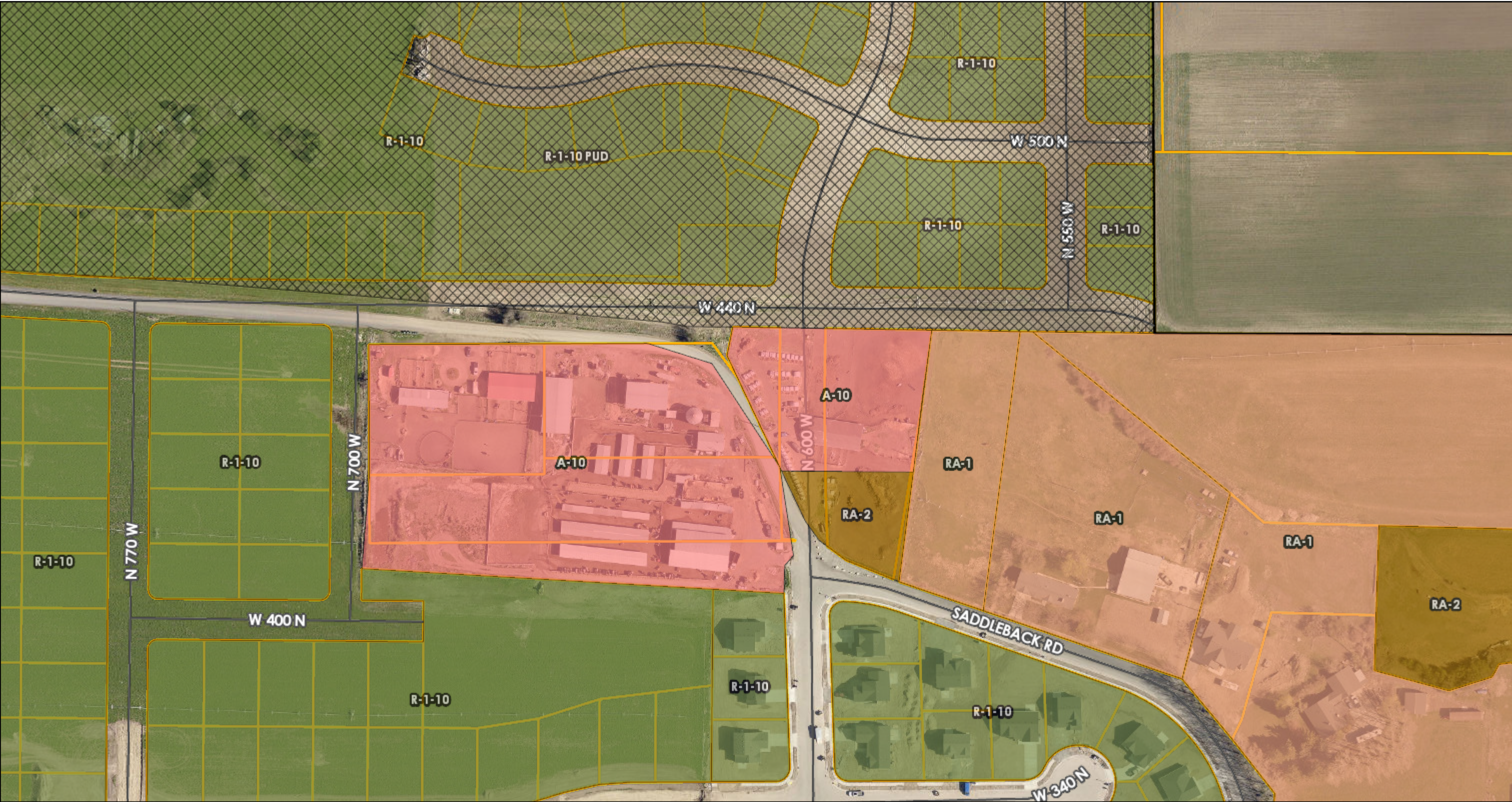
**ATTEST:**

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Justin B. Lewis, City Recorder

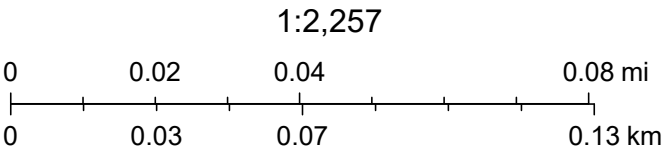


Parcel Map



6/13/2022, 7:23:27 AM

Wellsville Zoning				
NEIGHBORHOOD COMMERCIAL - NC	RESIDENTIAL - 1/2 ACRE	COMMERCIAL C1	AGRICULTURAL - A-5	MANUFACTURING - M1
COMMUNITY COMMERCIAL - C1 - C2	RESIDENTIAL - 12,000 SF	COMMERCIAL C2	AGRICULTURAL - A-10	MULTIPLE FAMILY RESIDENTIAL - RM
GENERAL COMMERCIAL - GC	RESIDENTIAL - MULTIFAMILY	PARK	CENTRAL BUSINESS DISTRICT - CB	RESIDENTIAL AGRICULTURAL - RA-1
HIGHWAY COMMERCIAL - CH	RECREATIONAL PLANNED DEVELOPMENT	RESIDENTIAL	COMMERCIAL PROFESSIONAL	RESIDENTIAL AGRICULTURAL - RA-2
MANUFACTURING	RESIDENTIAL CRITICAL AREA	Smithfield Zoning	COMMUNITY COMMERCIAL - CC	RESIDENTIAL R-1-10
RESIDENTIAL AGRICULTURE - 5 ACRE	FOREST RECREATION - 40 ACRE	PUD OVERLAY	GENERAL COMMERCIAL - GC	RESIDENTIAL R-1-12
RESIDENTIAL - 1 ACRE	AGRICULTURAL	MIXED USE OVERLAY	INSTITUTIONAL - I-1	RESIDENTIAL R-1-20
		AGRICULTURAL - A-3		



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



**ORDINANCE NO 22-13**

**AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.**

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple-Family Residential).

Approximate Property Location: 72 North 100 East

**Cache County Parcel Number: 08-070-0016**

ALL LOT 5 BLK 20 PLAT A SMITHFIELD CITY SVY CONT 1 AC SW/4 SEC 27 T 13N R 1E

Approximately 1.00 Acres

APPROVED by the Smithfield City Council this 24th day of August, 2022.

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

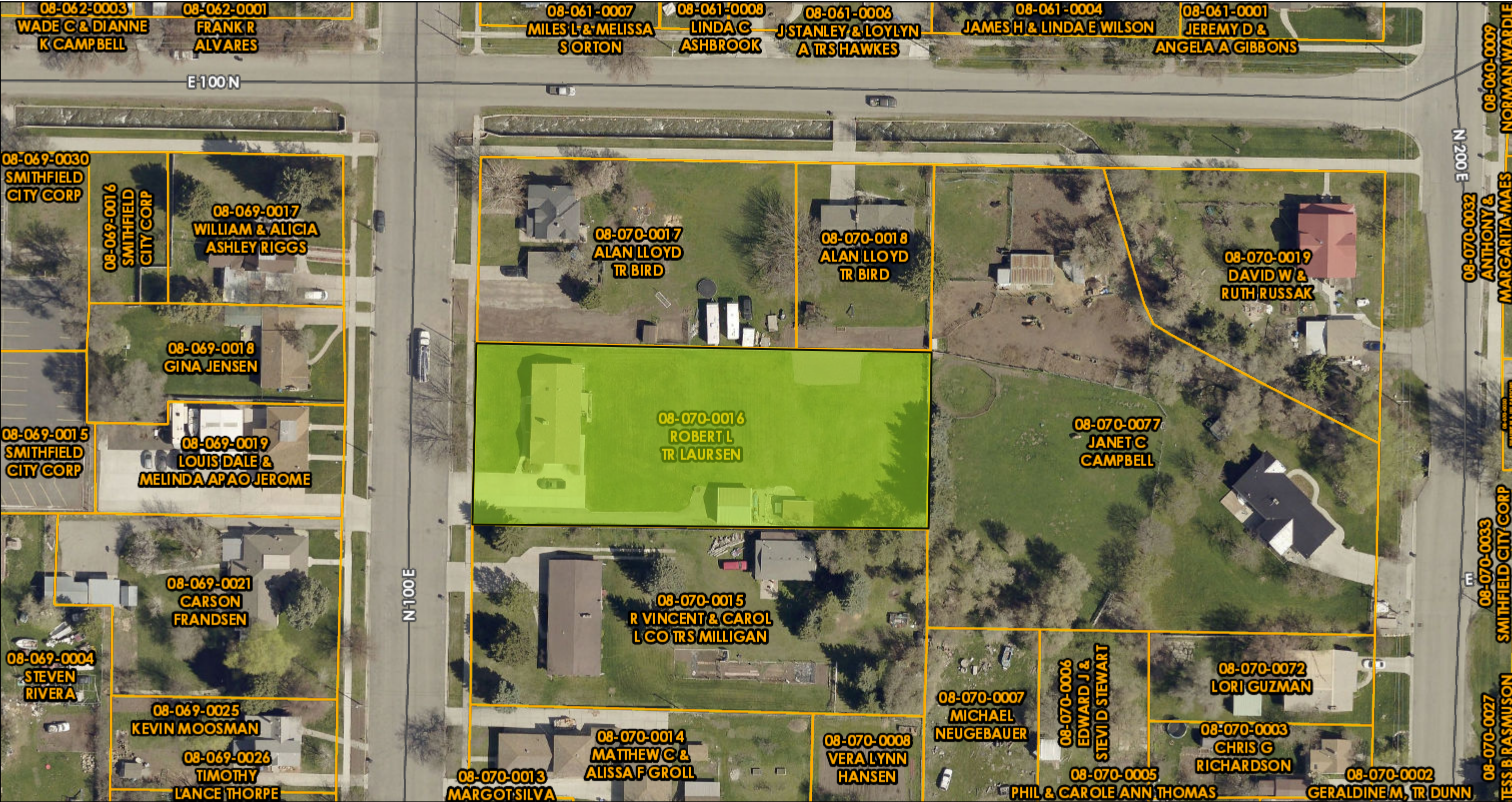
**ATTEST:**

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Justin B. Lewis, City Recorder

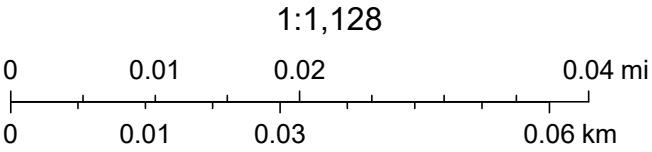


Parcel Map



6/8/2022, 7:53:45 AM

- Override 1
- Class B Surface Type
- ASPHALT
- GRAVEL
- DIRT
- Municipal Boundaries
- County Boundary
- Cache Parcels



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



## **RESOLUTION 22-11**

### **SMITHFIELD CITY'S PREVAILING FEE SCHEDULE**

**WHEREAS**, Smithfield City, being an incorporated City, desires to provide a combined and complete schedule of fees charged by the City; and,

**WHEREAS**, Smithfield City has referenced several assessed fees throughout the Municipal Code as being identified on the most current prevailing fee schedule; and,

**WHEREAS**, these fees are changed from time to time; and,

**WHEREAS**, in the process of daily administration of the City, it is deemed to be more efficient to consolidate all assessed fees on one schedule,

**NOW, THEREFORE**, be it resolved;

That the Smithfield City Prevailing Fee Schedule be adopted setting forth the fees to be charged from August 25, 2022 until a future update by the city council (See attached schedule).

Approved and signed this 24th day of August, 2022

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder



## **RESOLUTION 22-10**

### **SMITHFIELD CITY'S PREVAILING FEE SCHEDULE**

**WHEREAS**, Smithfield City, being an incorporated City, desires to provide a combined and complete schedule of fees charged by the City; and,

**WHEREAS**, Smithfield City has referenced several assessed fees throughout the Municipal Code as being identified on the most current prevailing fee schedule; and,

**WHEREAS**, these fees are changed from time to time; and,

**WHEREAS**, in the process of daily administration of the City, it is deemed to be more efficient to consolidate all assessed fees on one schedule,

**NOW, THEREFORE**, be it resolved;

That the Smithfield City Prevailing Fee Schedule be adopted setting forth the fees to be charged starting with the September 2022 monthly billing by the city council specifically changes to the following Solid Waste Enterprise Fund Rates:

#### **Current Monthly Fees:**

90-Gallon Garbage Can (Black)	\$16.15
60-Gallon Garbage Can (Black)	\$13.90

#### **Monthly Fee Starting September 1, 2022:**

90-Gallon Garbage Can (Black)	\$20.15
60-Gallon Garbage Can (Black)	\$17.90

Approved and signed this 24th day of August, 2022

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

## ORDINANCE NO. 22-11

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

**AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE  
TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.92 “ACCESSORY  
APARTMENT”, SECTIONS 17.92.010 “PURPOSE OF CHAPTER”, 17.92.020  
“CONDITIONS” AND ADDING IN ITS ENTIRETY 17.92.040 “DEFINITIONS”.**

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The attached table shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in **yellow** shall be added.

<b>17.92 ACCESSORY <del>APARTMENT</del> DWELLING UNIT</b>
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<b>17.92.010 PURPOSE OF CHAPTER</b>
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The purpose of permitting an accessory ~~apartment~~ **dwelling unit** is to:

- E. Allow more efficient use of existing single-family dwellings and public infrastructure.**

<b>17.92.020 CONDITIONS</b>
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- A. A **permit** ~~conditional use permit~~ will be granted for a use to be known as an accessory **dwelling unit** ~~apartment rental in owner occupied single family dwellings~~, provided that the following standards and criteria are met:
- ~~1. The apartment will be a separate housekeeping unit that can be isolated within the original unit.~~
  - ~~2. Only one apartment will be created within a single family house.~~
  - ~~3. The owner(s) of the residence in which the accessory apartment is created shall occupy at least one of the units in the dwelling, except for bona fide temporary absences determined by the zoning administrator.~~
  - ~~4. The accessory apartment shall be designed so that the appearance of the building remains that of a one family residence. Any new entrances shall be located on the side or in the rear of the building.~~



- ~~5. The design and size of the apartment conforms to all applicable standards in the health, building and other codes.~~
- ~~6. At least three (3) off street hard surfaced parking surfaces are available for use by the owner-occupant(s) and tenant(s). Parking not to exceed twenty five percent (25%) of front or side property line.~~
- ~~7. Other conditions for accessory apartment:~~
  - ~~a. Building permit;~~
  - ~~b. Upon sale of property, new owner(s) must provide an updated, signed notarized letter, stating that the owner will occupy one of the dwelling units on the premises. No Building Permit is required for those properties that have existing conditional use permits.~~
- ~~8. Any other appropriate or more stringent conditions deemed necessary by the zoning administrator to protect public health, safety and welfare, and the single family character of the neighborhood.~~

1. The original unit, including any accessory dwelling unit, shall all be considered a single-family residence rather than a “duplex” or “multi-family” as defined by the applicable building codes.

2. A detached accessory dwelling unit shall not be connected to, and served by, the same water and sewer services that serve the primary building. See SMC 13.04.140 “Separate Connections” and 13.16.150 “Separate Building Connections Necessary”.

3. Any new construction, remodeling or renovation of an existing structure to accommodate an accessory dwelling unit shall conform to the setbacks, height restrictions, health, fire, building and other code requirements current at the time of application. Additionally,

a. An accessory dwelling unit must have its own entryway with eating, sleeping, and sanitation facilities that can be isolated from the original unit.

b. Any wall of a detached accessory dwelling unit shall be a minimum of ten feet (10') away from any wall of the primary structure.

4. There shall be no more than one attached accessory dwelling unit and one detached accessory dwelling unit, for a maximum of two accessory dwelling units, per single-family residence.

5. An accessory dwelling unit shall not exceed the lesser of fifty percent (50%) of the size of the original dwelling unit or fifteen hundred (1,500) livable square feet.

6. The owner(s) of the residence shall occupy at least one (1) of the units on the lot.

7. Parking:

- a. A single-family residence with one or more accessory dwelling units must have at least one (1) dedicated off street hard surfaced parking area, per accessory dwelling unit, available for use by the owner-occupant(s) and tenant(s). See Utah Code Annotated 10-9a-530 "Internal accessory dwelling units".

8. Other conditions for an accessory dwelling unit:

- a. An accessory dwelling unit shall not be sold separately or subdivided from the original single-family dwelling unit.

<b>17.92.040 DEFINITIONS</b>
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A. Definition of Accessory dwelling unit: A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is:

1. Within or attached to a single-family residential building, or
2. Within a detached accessory structure on the same lot as the associated single-family residence.

B. Accessory dwelling units may go by different names including accessory apartments, extended living areas, over-the-garage or basement living spaces, mother-in-law apartments, casitas, guest houses, tiny homes, etc.

C. Accessory dwelling units are permanent structures. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.

D. Definition of Owner: An individual who is listed on a recorded deed as an owner of the property; any person who is related by blood, marriage, or adoption to an individual who is listed on a recorded deed as an owner of the property; or an individual who is a trustor of a family trust who possesses legal ownership of the property.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 24th day of August, 2022



**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder