



## SMITHFIELD CITY PLANNING COMMISSION MINUTES January 19, 2022

The Planning Commission of Smithfield City met in the City Council Chambers  
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, January 19, 2022

The following members were present constituting a quorum:

**Members Present:** Katie Bell, Scott Gibbons, Brian Higginbotham, Bob Holbrook, Jasilyn Heaps, Stuart Reis

**Members Excused:** Brooke Freidenberger, Juli Weber

**City Staff:** Clay Bodily, Jon Wells (City Councilmember), Sue Hyer (City Councilmember), Mayor Monson

**Others in Attendance:** Josh Runhaar, Jeff Barnes, Debbie Zilles

**6:32 p.m. Meeting called to order by Chairman Gibbons**

### **Consideration of consent agenda and approval of meeting minutes**

After consideration by the Commission, Chairman Gibbons declared the meeting agenda and the minutes from the December 15, 2021 meeting to stand as submitted.

**RESIDENT INPUT** – None

### **AGENDA ITEMS**

Discussion and possible approval of amendments to the Final Plat for Smithfield Pointe, Phase 2, an (18) lot/unit subdivision located at approximately 540 East 680 North. Zoned R-1-10 PUD (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).

Neighborhood Nonprofit Housing Corporation (NNHC) is requesting approval for a plat amendment to the Smithfield Pointe Phase 2 final plat. small portion on the southwest corner of the final plat needs to be amended. It borders the proposed Phase 3 final plat that is zoned MPC.

Josh Runhaar explained that there are minor lot line adjustments to Lot 46.

**MOTION:** Motion made by Commissioner Bell to **approve** the amendments to Final Plat for Smithfield Pointe, Phase 2, an (18) lot/unit subdivision located at approximately 540 East 680 North. Zoned R-1-10 PUD (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone). Commissioner Holbrook seconded the motion. **Motion approved (6-0).**

**Vote:**

Aye: Bell, Gibbons, Heaps, Higginbotham, Holbrook, Reis

Discussion and possible vote on the request by Neighborhood Nonprofit Housing Corporation for approval of the Final Plat for Smithfield Pointe, Phase 3, a (55) lot/unit subdivision located at approximately 750 North 480 East. Zoned MPC (Master Planned Community).

Josh Runhaar explained that this will be combining Phases 3 and 5, which need to be put in at the same time for infrastructure. There will be the same number of lots, however, some of the lots at the south end of Pointe View Circle needed to be shifted a bit. Mr. Bodily confirmed that nothing from the STRC has changed from the preliminary plat, except the minor change that Mr. Runhaar mentioned.

Mr. Runhaar confirmed that there will be sidewalks throughout the development and this design cleans up many of the dead-end roads. They are working with the City on a CDBG application to help provide access through the area.

Commissioner Higginbotham asked about the private drives. Mr. Runhaar explained that they are the driveways for the cluster home rear garages (detached single-family homes on common space). The HOA will maintain the private drives. Lots 82, 83, 84, 85 are accessed from a private drive.

Chairman Gibbons noted that the City does not administer nor enforce HOAs. Mr. Runhaar advised that CCRs are recorded with the plat. There will be one HOA for the entire area with three (3) tiers.

Councilmembers Wells pointed out that CCRs are approved in a PUD ordinance, however not the MPC. This is something the Commission may want to consider changing in the future.

**MOTION:** Motion made by Commissioner Heaps to **approve** the request by Neighborhood Nonprofit Housing Corporation for the Final Plat for Smithfield Pointe, Phase 3, a (55) lot/unit subdivision located at approximately 750 North 480 East. Zoned MPC (Master Planned Community). Commissioner Reis seconded the motion. **Motion approved (6-0).**

Vote:

Aye: Bell, Gibbons, Heaps, Higginbotham, Holbrook, Reis

Continued discussion on setbacks in commercial zones.

Chairman Gibbons explained that the City Council, at the November 10, 2021 meeting, asked the Commission to review the setbacks in commercial zones.

The Commissioners briefly discussed the purpose statement. Commissioner Heaps suggested coming back to this part of the discussion after reviewing the ordinance. She asked Commissioners to consider if the purpose should be pedestrian-oriented or not. Chairman Gibbons also questioned whether this should only be appropriate for the “older section” of downtown which relates to the use of the language “historical flavor” in the purpose statement. He also pointed out “convenient shopping” and said there could be other types of business rather than

retail. Councilmember Wells pointed out that it could include light commercial and/or industrial uses (e.g. real estate office, physical therapy, accounting office).

Commissioner Bell noted that there is not a lot of walking traffic downtown.

Mr. Holbrook suggested changing Central Business District (CBD) to Business District (BD).

Mr. Higginbotham pointed out that Smithfield does not have a pedestrian-friendly historic district like Logan, having one business zone may simplify things.

Mr. Holbrook said the biggest challenge with the Central Business District is the zero setback, other commercial zones have a 30' setback.

Dan Sundstrom requested a rezone of his property at 1215 South Main from Community Commercial (CC) to Central Business District (CBD) to have a zero setback because of the road that will be put in. The City Council denied the request at the November 10, 2021 meeting (see pages 5-7 of the Council minutes). The Commission discussed the variables of this particular example.

Commissioner Higginbotham suggested keeping the Central Business District the same and creating a new Business District zone which would allow for live/work structures. Chairman Gibbons noted that the Mixed-Use Overlay can be used over a CC zone, however, the overlay does not allow for a zero setback.

Chairman Gibbons said the CBD should have a defined north and south boundary and questioned whether it can be changed to fit some of the needs that have been expressed.

Councilmember Wells asked the Commission to consider different businesses and pointed out that the insurance office is closer to the road than Wendy's (on the south end of town). Wendy's has parking between the building and the road. Commissioner Bell noted that Smithfield Implement is on the property line.

Councilmember Wells said one option could be to change the front setback allowance in CC zone to zero. He can understand there may be concerns along the highway.

Chairman Gibbons pointed out that Commissioner Freidenberger has expressed concern with any type of residential having a zero setback. Commissioner Bell said it could be different if the structure were rear loaded; she does not see any problem with the live/work units on 200 East in North Logan. Chairman Gibbons asked why a zero rear setback would not be allowed; Councilmember Wells said a rear setback is currently allowed in the CC zone unless it abuts a residential zone. The front setback in CC is 30'.

Mr. Bodily pointed out that the Smithfield City building has a 5' setback from the property line.

The Commission reviewed the zoning map, specifically CC areas.

Chairman Gibbons suggested changing the front setback of the CC zone to zero unless it fronts a state road/highway. Councilmember Wells said the current language in 17.68.030 regarding side and rear yards both have an exception if the yard abuts a residential zone. A change could include similar language for a front setback except if it is along a state road.

The Commission suggested to change the Community Commercial (CC) Section 17.68.030 to “C. Front yard: *“No minimum”* and add “F. Setbacks along a state road/highway will be 15”.

**MOTION:** Motion made by Commissioner Bell to **schedule this item for a public hearing at the February 16, 2022 meeting.** Commissioner Heaps seconded the motion. **Motion approved (6-0).**

Vote:

Aye: Bell, Gibbons, Heaps, Higginbotham, Holbrook, Reis

Other

Commissioner Higginbotham noted last month’s meeting minutes (page 7) “ *it was asked staff to consider adjustments that need to be made regarding corner lot setbacks in Ordinance 21-32, which could then be re-sent to the City Council for consideration because that is what they expressed concern with. Chairman Gibbons asked that this be added to next month’s agenda for discussion.*” He requested that the discussion regarding corner setbacks be added to the next meeting agenda.

Councilmember Wells explained that the Council had concerns about changing the setbacks in a residential zone. There is a provision in the Code regarding corner lots. 17.45.050 C.1 “*On corner lots, the least of the two (2) front yards shall be a minimum of twenty feet (20’) and the combination of the two together shall total a minimum of fifty feet (50’).*” The wording could be eliminated and/or changed and the discussion should address this topic. Chairman Gibbons asked that this be added to the February 16, 2022 agenda; he will work with Mr. Boudrero on it before the meeting.

Mr. Higginbotham researched other city regulations regarding Accessory Dwelling Units (ADU). He presented the information to the Commission:

- Sandy Section 21-11-1 “*It shall be prohibited to install separate utility meters and separate addresses*”.

- Springville Section 11-6-134 “*...accessory dwelling shall have one (1) but no more than two (2) meters ... each meter shall be in the property owner’s name*”.

- North Salt Lake Section 10-1-44 “*...shall have the same address number but shall refer to the accessory dwelling unit as unit B.*” “*...may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner’s name and the property owner shall be responsible for payment of all utilities.*

- North Logan 12C-515.2 “*...they must share a single water meter, and sewer lateral, whether the accessory dwelling unit is attached, or detached. A single-family dwelling and accessory dwelling unit shall receive one monthly bill from the City for municipal*

*services that shall be sent to the owner of the lot on which the primary single-family residence and accessory dwelling unit are located.”*

Mr. Higginbotham said this was discussed at the December 8, 2021 City Council meeting. There was a motion to adopt the ordinance, however, there was no second, so the motion failed and did not go to a vote. There were some comments about having a dedicated water/sewer line to a detached unit as a way to potentially mitigate some of the hypothetical concerns about subdividing. He said the common theme should be to reinforce the fact that ADUs are not multi-family residences. He appreciates the concerns but feels that separating utilities would be contrary to the goals of an ADU. Chairman Gibbons said a homeowner would be just as inconvenienced as a tenant if utilities were shut off.

Mr. Higginbotham pointed out that the fundamental question is why these are being allowed in basements or other parts of a home but are not allowed in a detached unit. Chairman Gibbons noted that they would be required to be licensed/registered with the City, which is an important component.

Mr. Higginbotham said it is important to have the Commission in attendance when the City Council discusses it, he also asked Councilmembers Wells and Hyer if they have any additional concerns or questions from the Council.

Commissioner Heaps said there have been joint meetings in the past with the Council and the Commission. Councilmember Wells said a joint meeting might be a good idea, Chairman Gibbons said he will talk to Mayor Monson. Commissioner Heaps said a combined meeting might also be a good time to discuss setback issues and concerns.

**MEETING ADJOURNED** at 8:15 p.m.

Minutes submitted by Debbie Zilles

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Scott Gibbons, Chairman