



SMITHFIELD CITY PLANNING COMMISSION MINUTES May 18, 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, May 18, 2022

The following members were present constituting a quorum:

Members Present: Katie Bell, Brooke Freidenberger, Scott Gibbons, Jasilyn Heaps, Bob Holbrook, Juli Weber

Members Excused: Stuart Reis

City Staff: Brian Boudrero, Clay Bodily, Councilmember Jon Wells, Mayor Monson

Others in Attendance: Roger Davies, Scott Archibald, Nate Reasch, Lisa Peterson, Jared Smart, Ken Chalmers, Jeff Barnes, Larry Bradley, Brian Higginbotham, Curtis Wall, Debbie Zilles

6:30 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 April 20, 2022 meeting to stand as submitted.

RESIDENT INPUT – None

Introduction of new alternate commission member Roger Davies.

AGENDA ITEMS

Public Hearing, no sooner than 6:35 P.M., for the purpose of discussing Ordinance 22-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.56 “R-1 Single-Family Residential Zone”, Sections 17.56.030 “Area, Width and Yard Regulations” and 17.56.050 “Modifying Regulations”.

6:40 p.m. Public Hearing Opened

6:41 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-08

Ordinance 22-08 is a proposal to alter the residential setbacks, both the front yard main building and the garage. The consensus was that the front and side yards could be set back to a minimum of 20’, and the garage setback must be a minimum of 25’. These changes would stand for all standard residential zones (R-1-10, R-1-12, R-1-20).

MOTION: Motion by Commissioner Holbrook to **forward a recommendation of approval** to the City Council for Ordinance 22-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.56 “R-1 Single-Family Residential Zone”, Sections 17.56.030 “Area, Width and Yard Regulations” and 17.56.050 “Modifying Regulations”. Commissioner Freidenberger seconded the motion. **Motion approved (6-0).**

Vote:

Aye: Bell, Freidenberger, Gibbons, Heaps, Holbrook, Weber

Public Hearing, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 22-09, an Ordinance rezoning Cache County Parcel Number 08-044-0068 from R-1-10 (Single-Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 460 North Main and is approximately 1.06 acres.

6:42 p.m. Public Hearing Opened

6:43 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-09

Ken Chalmers and Rigo Chaparro want to rezone the property (1.06 acres) located at 460 North Main Street from R-1-10 to Multi-Family Residential. The surrounding area is zoned R-1-10 except for the Mixed-Use Community Commercial across the main street.

Mr. Bodily said there is not enough of a road to be able to subdivide the property. There is a sewer line to the north and stormwater to the south. Because it cannot be subdivided, they would like to be able to have as much density as possible.

Chairman Gibbons pointed out that the parcel across from this used to be an old dairy and was zoned Community Commercial for a long time before being changed to Mixed-Use Community Commercial Overlay.

Commissioner Holbrook said the frontage will primarily access the back of the lot and dwelling units will not be along Main Street.

Commissioner Freidenberger asked if it would have to be zoned Multi-Family if there are townhomes. Chairman Gibbons said because the property cannot be subdivided it limits what can be done.

Commissioner Heaps said multi-family makes sense on this parcel and in this area. Commissioner Weber agreed this is a smart approach to create housing opportunities without sprawling out more.

Mr. Boudrero reviewed the map and areas where multi-family units are located. Most of the time, it is done because nothing else will work on those parcels.

Mr. Bodily reminded the Commission that the height of units in the RM zone has changed from 35' to 50' (**17.60.040 HEIGHT REGULATIONS** *No building or structure shall be erected to a height greater than fifty feet (50'), to be measured from the threshold of the main entrance at street level to the highest point of the roof. Accessory buildings and other buildings shall not be erected to a height greater than the dwelling, but in no case shall it exceed twenty feet (20') in height. Excluding Master Planned Community (MPC) Zone).*

MOTION: Motion by Commissioner Holbrook to **forward a recommendation of approval** to the City Council for Ordinance 22-09, an Ordinance rezoning Cache County Parcel Number 08-044-0068 from R-1-10 (Single-Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 420 North Main and is approximately 1.06 acres. Commissioner Bell seconded the motion.
Motion approved (4-2).

Vote:

Aye: Bell, Heaps, Holbrook, Weber

Nay: Gibbons, Freidenberger

Public Hearing, no sooner than 6:45 P.M., for the purpose of discussing Ordinance 22-10, an Ordinance rezoning a portion of Cache County Parcel Number 08-044-0041 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is approximately 16.54 acres of which 7.46 acres is already zoned R-1-12. The parcel is located at approximately 510 East 600 North and the acreage being requested to be rezoned is approximately 9.08 acres.

6:57 p.m. Public Hearing Opened

Lisa Peterson pointed out the importance of preserving agricultural land as indicated in the Master Plan.

6:58 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-10

Danny McFarlane and Lend LLC want to rezone the property (9.21 acres) to match the zoning of the rest of the property, which is R-1-12. The north portion of the property has been in the county and was successfully annexed into Smithfield. The lower portion of the property is zoned R-1-12. They want to rezone the north portion of the property located at approximately 480 North and 500 East to R-1-12 to match.

Commissioner Holbrook said this makes sense due to what is around it and the fact that this property has not been used in decades. Commissioner Heaps agreed that this will help unify this area.

Mr. Bodily said they have some preliminary plans designed with a road going to 680 North and another going to 480 North and eventually down 350 North. Commissioner Freidenberger said Crow Mountain Road (600 East) has become quite congested.

Councilmember Wells said NNHC will extend to 680 North and will be completed within Phase 3-4. NNHC received a grant to do the road quicker.

MOTION: Motion by Commissioner Heaps to forward a recommendation of approval to the City Council for Ordinance 22-10, an Ordinance rezoning a portion of Cache County Parcel Number 08-044-0041 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is approximately 16.54 acres of which 7.46 acres are already zoned R-1-12. The parcel is located at approximately 510 East 600 North and the acreage being requested to be rezoned is approximately 9.08 acres. Commissioner Weber seconded the motion. **Motion approved (6-0).**

Vote:

Aye: Bell, Freidenberger, Gibbons, Heaps, Holbrook, Weber

Discussion and possible vote on the request by Pick Me Up LLC to have a Home Occupation – Disruptive Business License for a business located at 190 West 100 North.

Pick Me Up LLC is asking for permission to have a disruptive home occupation business on their property located at 190 West 100 North. They have an existing shed that meets the code requirements for an at-home business, however, they have two employees and delivery/pick up from a FedEx truck. The city has approved a zoning clearance for a large shed on the south side of the property, which will be for private use only.

Nate Reasch moved in last May. They have started a company that sells small trinket boxes. Originally, they had a warehouse in Logan, but the business model changed and they do not need that much space. There would be no large freight, items shipped out via FedEx and USPS. A few people will help with inventory occasionally.

Mr. Holbrook said parking on street cannot be toward the parking requirement. Mr. Reasch said they will only have a few inventory deliveries per month. The employees who help with social media will work offsite. Customers will not pick up anything, everything is shipped out.

MOTION: Motion by Commissioner Bell to approve Pick Me Up LLC's request for a Home Occupation–Disruptive Business License for a business located at 190 West 100 North. Commissioner Freidenberger seconded the motion. **Motion approved (6-0).**

Vote:

Aye: Bell, Freidenberger, Gibbons, Heaps, Holbrook, Weber

Discussion on commercial vehicle parking regulations.

Mr. Boudrero said the city has received a few complaints about large commercial trucks parking in residential areas. Smithfield currently does not have a code on this, he has researched other cities.

Commissioner Bell asked what would define “commercial”. Mr. Boudrero said the truck would be used by a licensed company and have USDOT qualification. This would not include motor homes or school buses.

Commissioner Weber said her dad was a commercial truck driver and she appreciates the reason for parking near their home, however, she also understands the need for some regulations, especially on narrow streets.

Mr. Boudrero said this would be enforced on a complaint basis.

Commissioner Freidenberger thinks the City could benefit from this type of regulation.

Councilmember Wall has a family member who drives a commercial truck and they park it in the city building’s parking lot rather than on a residential street. He mentioned that there are large parking lots where arrangements can be made that allow for parking. He also pointed out that parking is addressed within the Code (Chapter 10) and does not think this is within the Commission’s purview to deal with.

The Commission decided to let the City Council work on this issue.

Initial discussion on Ordinance 22-11, 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”.

Chairman Gibbons understands the concerns from City Council regarding having an ADU on the same meter as the primary. Commissioner Freidenberger said any rental unit could have the same problem if the bill is not paid. Commissioner Heaps said ADUs need to be owner-occupied. Having a requirement to have separate meters will make it much more difficult to use.

Commissioner Freidenberger asked about charging impact fees. Commissioner Higginbotham said there are specific rules about impact fees. He noted that the City Council previously discussed this issue and the Council was not unanimous either way.

Suggestions for changes include:

17.92.020 2. Any accessory dwelling unit may be connected to, and served by, the same water and sewer services that serve the primary building.

17.92.020 3c. Any wall of a detached accessory dwelling unit shall be a minimum of ten feet (10') away from any wall of the primary structure. Back setback will make the difference, feel comfortable with 10'.

The Commission asked for this to be a public hearing at the July meeting and then forwarded to the City Council in August since they are currently busy with the budget.

Other

- 1000 South is almost done, just needs striping on east side.
- The bridge by Smithfield Implement has not been put out to bid by the state.
- The sewer project on 600 West is on hold due to manhole accessibility.
- The well is still being designed.
- CIP for reservoir tank – negotiation with landowners and looking at sites
- Golden Forest has all underground in and is now putting in curb & gutter.
- Neighborhood Nonprofit Housing Corporation on 740 is being paved.
- Cache Mid-Summer Summit will be on June 23

MEETING ADJOURNED at 7:57 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman