



SMITHFIELD CITY PLANNING COMMISSION MINUTES December 21, 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, December 21, 2022

The following members were present constituting a quorum:

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

City Staff: Brian Boudrero, Councilmember Jon Wells, Councilmember Sue Hyer

Others in Attendance: Roger Davies, Jon Harrop, Sage Higginbotham, Jeff Barnes, Dan Sundstrom, Dallas Nicoll, Debbie Zilles

6:34 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 minutes from the October 19, 2022 to stand as submitted and the November 16, 2022 meeting with a spelling correction on a name approved.

RESIDENT INPUT

Dan Sundstrom he is not opposed to the proposed addition of "Hard Surface Street" in Ordinance 22-23 (to be discussed later in the meeting), however, he is concerned whether this will affect an already-approved subdivision if it is applied retroactively. This change could create a financial hardship for a project that has already been designed.

AGENDA ITEMS

Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for The Village at Fox Meadows PUD, Phase 4, a (28) lot/unit subdivision located at approximately 770 West 600 North. Zoned R-1-10 PUD (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).

Jon Harrop with Visionary Homes advised this is for approval of the Final Plat - Phase 4 of the Village at Fox Meadows PUD. This is a PUD overlay over an R-1-10 residential zone and will be one of the final phases of the PUD portion of the project (the rest are now MPC zone). There are no changes from the preliminary plat. He outlined the sidewalks and the trail. The project has met all the STRC requirements.

MOTION: Motion by Commissioner Higginbotham to **approve** the request by Visionary Homes for the Final Plat for The Village at Fox Meadows PUD, Phase 4, a (28) lot/unit subdivision located at approximately 770 West 600 North. Zoned R-1-10 PUD (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

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

Introduction and **Public Hearing**, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 22-30, an Ordinance rezoning Cache County Parcel Number 08-109-0002 from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing). The parcel is located at approximately 650 South 400 West and is approximately 5.15 acres. The request was submitted by Trueline Contractors, LLC.

Mr. Boudrero outlined the request from Trueline Contractors requesting a rezone of the parcel to be used to house excavation equipment. The request is in line with the future land use/zoning of the area.

6:50 p.m. Public Hearing Opened - No public comments.

6:51 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-30

Commissioner Freidenberger questioned the noise. Chairman Gibbons pointed out that there is manufacturing around the area and this use will likely not be out of line with what is already there.

Commissioner Higginbotham asked if adjacent properties were notified. Mr. Boudrero explained that the notice was posted online as required by law, however, letters are not required to be mailed out to property owners.

Dallas Nicoll, from Trueline Contractors, said they intend to build a shop on the back 2 acres of the property with bays for maintenance/service of the excavation equipment, with flexible space on the front three 3 acres. The use will not be any more disturbing than the current agricultural use and there will be little to no traffic after regular business hours.

Chairman Gibbons reminded the Commission that the request is only for a rezone of the property.

Commissioner Holbrook asked about access off of 400 West. Mr. Nicoll said it is a double-chip seal road that will accommodate the equipment.

Mr. Nichol confirmed for Commissioner Freidenberger that dirt will not be stored onsite although there occasionally may be small amounts of gravel which will not cause any more dust than what is there now.

MOTION: Motion by Commissioner Heaps to **forward a recommendation for approval** to the City Council for Ordinance 22-30, an ordinance rezoning Cache County Parcel Number 08-109-0002 from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing). The parcel is located at approximately 650 South 400 West and is approximately 5.15 acres. The request was submitted by Trueline Contractors, LLC. Commissioner Holbrook seconded the motion. **Motion approved (7-0).**

Vote:

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

Continued discussion and possible vote on Ordinance 22-23, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, and 16.04.060 “Compliance Required”, Chapter 16.06 “Minor Subdivision”, Section 16.06.050 “Compliance Required” and adding in its entirety, Title 17 “Zoning Regulations”, Chapter 17.100 “Site Development and Landscaping”, Section 17.100.046 “Utilities in All City Zones”.

Mr. Boudrero reviewed the changes. This ordinance was tabled last month for the fire code information about separate entrances. The other portions of the ordinance have remained the same except for the compliance code in 16.04.060; the wording has been adjusted to show the multi-family and the requirements for single-family units.

Commissioner Holbrook asked if the hard surface requirement would be retroactive (referring to Mr. Sundstrom’s comment earlier in the meeting). Mr. Boudrero was not certain and said he would have to check.

Councilmember Wells stated that in his opinion if a developer has been granted a temporary turnaround that meets the current requirement it is fine, but as a project proceeds and is reviewed, any new accesses would have to meet the current (new) standard, however, that could be argued on both sides. The concern is that the road would need to handle Fire Department apparatus/access. Commissioner Higginbotham said this seems to be a legal concern. Chairman Gibbons pointed out that the City Council would need to review and ultimately approve the decision and can seek a legal opinion before that is done. He agrees with Commissioner Higginbotham and would like to know how this might impact an existing/approved plat before a decision is made.

Councilmember Wells said the wording in 17.100.046 Utilities in All City Zones does not make sense. Chairman Gibbons suggested removing the second part of the sentence to read “*All culinary water, sewer main lines, and storm drain lines shall be extended to the end of the property (farthest property line)* ~~before existing lots that are not part of the subdivision will be issued a zoning clearance~~”. He will work with staff on clarification.

Review and discussion on municipal code Chapter 17.36 “Signs”.

Chairman Gibbons spoke with Mayor Monson about this review. The objective is to make the code more “business-friendly”. The ordinance should be reviewed from the point of view of what is currently allowed, what businesses feel they need, and whether this section adequately addresses those concerns. He asked the Commission to carefully review this section of the code and be prepared to discuss it at the next meeting.

Mr. Boudrero said each Commissioner has met the annual training requirement for this year.

Commissioner Holbrook noted that one of the recommendations in the Housing Task Force Final Report for the County is to “*Adopt code revisions that allow denser development in the unincorporated areas*”. He sees this as the City losing control of what is done outside the City limits. He would like to see the City be open-minded

when considering annexations. Chairman Gibbons said the minimum size of a County lot has to be two (2) acres. Mr. Boudrero also pointed out that cities are required to submit a Moderate-Income Housing report annually, the state is putting most of the requirement for moderate-income on the cities rather than counties. He also reminded the Commission that the City Council is the authority that deals with annexations. Commissioner Holbrook said Smithfield is ahead of the issue with a variety of housing types allowed.

MEETING ADJOURNED at 7:42 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman