



## SMITHFIELD CITY PLANNING COMMISSION MINUTES March 15, 2023

The Planning Commission of Smithfield City met in the City Council Chambers  
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, March 15, 2023

The following members were present constituting a quorum:

**Members Present:** Brooke Freidenberger, Scott Gibbons, Brian Higginbotham, Bob Holbrook, Stuart Reis

**Members Excused:** Katie Bell, Jasilyn Heaps

**City Staff:** Brian Boudrero, Councilmember Jon Wells, Councilmember Sue Hyer, Councilmember Curtis Wall, Councilmember Deon Hunsaker, Clay Bodily

**Others in Attendance:** Dan Sundstrom, Marcus & Lisa Hills, Lucy Harris, Brittany Woytko, Tess Milne & Colton Milne, Tyffanie Jenson, Cortni Stokes, Jackie Davis, Ken Fricke, Jaime & Michelle Anderson, Melanie Sorensen, Shawn Milne, Taylor Johnson, Tami Kidman, Jennie & Todd Orme, Ted Karren, Wes Sorensen, Ken Poulsen, Robert & Morgan Pombo, Jacob & Tayli Nelson, Jon Harrop, Sean Amodt, Ted Stokes, Heather Moller, Dawna Hummel, Lindsey Black, Sage Higginbotham, Jason Staley, Katie Hanks, Robert Hansen, Tom Song, Ryan Bodily, Nathan Whittaker, Jeannie Prescott, Sharrod Smith, Jake Dutson, Pamela Price, Greg Price, Stacey Dority, Caralee Stokes, Chris Morgan, Robert Palmer, Gary Pulham, Robin Karren, Jenna Tippetts, Jeff Barnes, Mindi & Mitch Halverson, 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 minutes from the February 16, 2023 meeting to be approved as submitted.

**RESIDENT INPUT** – No resident input

### **AGENDA ITEMS**

Discussion and possible vote on the Conditional Use Permit request by AT&T Mobility/Smartlink Group LLC to have an unmanned wireless communication facility at approximately 500 Upper Canyon Road. Parcel Number 08-064-0005.

This project has been postponed while details are being worked out. At this time there is no specific meeting date planned.

Introduction and **Public Hearing**, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 23-05, an Ordinance rezoning Cache County Parcel Number 08-048-0012 from R-1-12 (Single-Family Residential 12,000 Square Feet) to MPC (Master Planned Community). The parcel is located east of 200 South 1000 East and is approximately 34.36 acres. The request is submitted by Dan Sundstrom.

Dan Sundstrom is requesting a rezone for the property located at 1000 East and 200 South. The parcel (08-048-0012) is 34.36 acres and is currently unused ground. It is currently zoned and surrounded on three sides by R-1-12.

The Planning Commission will be reviewing this proposal request based on current City ordinances and requirements.

The Commission received and reviewed letters and emails from residents prior to the meeting regarding concerns about this rezone (see [-Attachment 1-](#))

#### **6:43 p.m. Public Hearing Opened**

Katie Hanks is not against growth; however, she is concerned with the schools involved. There are currently 780 students enrolled in Sunrise Elementary. The number of homes in this proposal will significantly impact the already crowded school system. She would like to ensure that resources are available before a development of this size is put in.

Lucy Harris implored the Commission against high-density housing. She left La Jolla, California because of congestion, crowding, and crime, which she believes is a direct result of high-density housing. This project does not seem compatible with the current neighborhood. She has concerns with the size of lots, setbacks, water, and roads. She believes this development would destroy the current neighborhood.

Robert Hansen questioned the labeling and lineup of the proposed roads; he would like to see street connections that make sense.

Heather Moller is concerned with the amount of traffic this type of development will bring to this part of the community. It is difficult watching the City change so much, she understands that it is part of life, however, she purchased a home in this location and never anticipated this much growth. She asked the Commission to deny the rezone request on behalf of the residents who currently live there.

Marcus Hills agrees with Ms. Moller's comments. High-density housing does not fit in this location. Traffic is already a big issue and packing more homes in will only make the situation worse. These types of developments would be better situated near major thoroughfare roads.

Jeannie Prescott shares the sentiments that have been expressed. Sunrise Elementary has many children who walk and/or ride bikes to school and is concerned with additional traffic. She would like to see growth done responsibly and not move ahead too quickly. She had concerns with water and emergency exiting in the case of an emergency. Jennie Orme questioned the plan for open space and recreational common areas.

Ted Stokes noted that the ordinance requires this type of development to be compatible with the surrounding area, and this is not. Walkability is an important component in an MPC development, however, narrow driveways may have vehicles blocking sidewalks and impeding pedestrian traffic. The development lacks specific goals as required by 17.81.040. This area cannot support this type of mass community. The MPC statute was designed to allow for diverse home ownership. He studied all of the City's parcels and discovered that 52% of townhomes are owned by landlords and/or investors. He encouraged the Commission to read the letter he submitted for additional information and why this is an important concern.

Brittany Woytko is in support of what has been said and is opposed to approving this development.

Merly Wilkerson comes from an area where townhomes were put in and it is now a mess regarding traffic. This development will increase the already congested traffic concerns. She questioned how snow removal/storage will be managed. In the event of a natural disaster, it will be difficult to evacuate. She is opposed to the request.

Tom Song agrees with what has been said. He moved to this area for a quiet, peaceful place to live. 300 South is already congested to get to/from school. This request is not a great idea.

Aaron Croshaw said the primary consideration for this development should be the future residents of these homes. High density makes housing more affordable, but there is no bus system in this area, nor would it make sense to run a public bus to this location. Growth needs to be planned for smartly and putting this type of development in this location, which is not that accessible, does not make sense.

Robin Karren sent an email but wanted to reiterate her concern regarding traffic issues. Traffic on 1000 East has drastically increased with the 36 homes built there in the last 12 years. She does not think the current infrastructure can accommodate this development. She fears that this will make the area less "family-friendly". She is not opposed to building, but would rather see more single-family homes put in.

Robert Palmer did not originally attend to speak on this issue. He previously lived in California, in an area where there was poor planning for growth. The school situation was chaotic and he would like to see better planning that can absorb growth carefully.

Gary Pulham moved to Smithfield in 2011 and since then there have been 8,000 more residents. He said previous City leaders have allowed this type of situation to blossom. There are no other communities in the valley that have townhomes that go up the side of a mountain. He has lost water pressure, and traffic has become quite difficult. A new school could take 6-8 years. He said the City does not like parks and thinks a developer should put parks, landscaping, and sidewalks in.

Todd Orme lives west of this proposed development. He is concerned with snow removal and where it will be stored without creating safety concerns.

Lindsey Black lives south of the proposed development and voiced her opposition to the request, especially for school and safety concerns. This type of decision can often become emotional, she asked the Commission to carefully consider all facts when deciding.

Chris Morgan questioned whether the infrastructure and service utilities are ready for this type of development. He is a Logan City firefighter and mentioned that Smithfield's Fire Chief had recently been asked to step down and expressed concern about inadequate police/fire service. "Just because we can, doesn't mean we should". There is a need to slow down and find better ways to keep up with the current growth.

Ken Poulsen suggested requiring parks in these types of developments, similar to some of the new developments in Nibley City.

Carolee Stokes lives by Sunrise elementary and said this area is already jam-packed. She would like to see more common sense with what is approved. She expects consideration about how growth will be managed.

Sharrod Smith agrees with what has been stated. He used to work with iWorQ software system, which calculates the lifespan of roads. The impact of this additional traffic increases the annual average daily traffic which will increase projected maintenance and update costs. He would rather see a better location for this development.

Candace Mullen questioned the Commission's goal, she works in education, and when decisions are made, they make sure that it fulfills the mission/vision of the school. She encouraged taking time to consider whether decisions are in alignment with the vision or mission. She loves living in Cache Valley and would like to keep it a nice quiet place. She would like to consider what is important for the community.

Stacey Dority lives by Sunrise Elementary and agrees with everything that has been said. She questioned whether the City can enforce the current ordinances and is concerned that more development will only compound that problem.

### **7:25 p.m. Public Hearing Closed**

Discussion and possible vote on <u>Ordinance 23-05</u> .
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Chairman Gibbons thanked the residents for their comments and the respectable manner in which they were delivered. He advised that this project has been through the Subdivision Technical Review Committee (STRC) and meets all the current requirements. He realizes the concerns with the schools and pointed out that neither the City nor the Commission have any influence or ability to impact School District matters.

Commissioner Higginbotham agreed with Chairman Gibbons and said the MPC ordinance does not allow for any latitude to consider school district issues. The Commission's charge is to review projects for adherence to current regulations and requirements. The Commission forwards recommendations to the elected officials serving on the City Council for an official determination to be made.

Mr. Sundstrom took notes from the resident's comments and invited anyone to meet with him after the meeting. He grew up in Smithfield and loves the City. He is fully aware of school concerns and will be running for a position on the School Board in 2024. The condos will be required to be owner-occupied and enforced by the HOA. The units will be 5 bedrooms, and 3 baths, with walk-out basements and a patio area. He pointed out the open space and trail areas on the plat. The perimeter lots will all be single-family detached homes to help complement the adjacent neighborhood. He has been very transparent and willing to make recommended changes. A traffic study is being conducted. Vehicles will not be allowed to block the sidewalk and increased setbacks will help accommodate that issue. There is a 50-unit difference between what can be developed in an R-1-12 zone versus this requested change to MPC. The MPC will have more open space and amenities than a residential zone would. All roads meet the current City standards.

Commissioner Higginbotham asked where snow removal/storage will be. Snow will likely be pushed to the side of the paths as is usually done in other residential areas. Snow removal is always a challenge.

Mr. Sundstrom confirmed that the parking requirement has been met. Additional parking will be near the park/open space area. The open space requirement has also been met.

Commissioner Higginbotham is concerned with the slope and how usable the open areas will be, especially with the walkways/path design. Mr. Sundstrom explained that the retaining wall will be along the walking path. Chairman Gibbons agreed that although there is extra open space, he questions how it will be utilized.

Mr. Sundstrom advised that patios will be 13' from the homes. He outlined the phasing plan; Phase 1 will include all the single-family residential lots. Chairman Gibbons noted that developers help put in infrastructure and roads.

Commissioner Higginbotham said because this development will take years to complete, the school district may have more time to make adjustments.

Commissioner Higginbotham asked if fencing would be allowed. Mr. Sundstrom said owners will have the ability to put in a fence, generally, the HOA will call out design standards (e.g., white vinyl). Commissioner Higginbotham questioned whether fencing around a patio would create a "storage space" that is restricted in the MPC zone. Mr. Boudrero said a patio would not be defined as any type of accessory storage.

Mr. Sundstrom pointed out that the roads meet current City standards and will be maintained by the City. Commissioner Higginbotham asked if the HOA could restrict on-street parking. Mr. Boudrero pointed out that these will be City roads and will have to follow the current ordinance.

Commissioner Higginbotham asked about the road connections. Mr. Sundstrom said they have tried to line them up logically and appropriately, but the numbering can be changed if necessary. Mr. Boudrero said a developer will work with the City and USPS to determine the address.

Commissioner Holbrook advised that the enforcement of code violations is complaint-driven. He encouraged residents to contact the City if there are any problems.

Commissioner Freidenberger voiced concern about the usability of the open space. Mr. Sundstrom said they felt it was important to incorporate trails throughout the development, but the design can be changed if necessary. Commissioner Freidenberger recommended that the trails be moved east or west so that the space between the townhomes will be flatter and more usable; no Chantleer Pear trees be put in; adding cross walkways (laterals) east to west; addition of another three (3) visitor parking stalls, and access to the lot that is east of 1275 East. Chairman Gibbons pointed out that they are already in compliance with the parking requirement.

Mr. Sundstrom said amenities will include a playground with swings, a pavilion, and a fire pit.

Chairman Gibbons biggest concern is that the MPC ordinance requires imaginative and efficient utilization of land, developing a sense of community, and ensuring compatibility with adjacent neighborhoods. He understands this can be subjective. His concern with the design is that the surrounding neighborhoods do not have any multi-plex units although he understands the need for them. He would like to see a bit more variation in housing types and more consolidation of open space. The current design seems to be “two developments in one” which doesn’t offer a sense of community. He suggested some senior housing, duplexes, and cluster homes be incorporated. One of the visions of the MPC zone is to develop housing styles for all stages of life. Currently, he does not think the design meets the vision of an MPC and encouraged Mr. Sundstrom to come up with a design with a broader mix of housing types. Mr. Sundstrom said the single-family homes along the perimeter help provide a buffer, however, he can create a design with more variation of housing.

Mr. Sundstrom withdrew this application and will re-submit a design that meets the concerns that have been expressed. No vote was taken by the Commission.

Introduction and **Public Hearing**, no sooner than 6:50 P.M., for the purpose of discussing **Ordinance 23-09**, an Ordinance rezoning Cache County Parcel Number 08-117-0018 from RM (Multiple-Family Residential) to RM (PUD) (Multiple-Family Residential Planned Unit Development Overlay Zone). The parcel is located at approximately 900 South 250 East and is approximately 10.76 acres. The request was submitted by Dan Sundstrom.

This is a request for a rezone for the property located at 900 South and 250 East. The parcel (08-117-0018) is 10.76 acres and is currently zoned RM (multi-family). It is surrounded by multi-family and multi-family PUD on the east and west, R-1-10 on the north, and county property on the South. Mr. Sundstrom is asking to rezone the property with a PUD overlay and has provided plans for the Commission to review.

**8:46 p.m. Public Hearing Opened**

**8:47 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 23-09

The design layout was reviewed.

Commissioner Freidenberger asked if there will any parking by the proposed basketball courts. Mr. Sundstrom said the road is a feeder road and the courts will be completely fenced. Street parking will be enforced by the City requirements.

Mr. Sundstrom answered for Commissioner Holbrook that the PUD overlay is being requested because it matches what is adjacent to it.

Commissioner Freidenberger requested a few parking stalls on the north and south end.

Mr. Sundstrom said there will be two dog washing stations put in (will work with the City on the details). Commissioner Freidenberger requested pet trash bag stations also be put in.

Commissioner Higginbotham would like to see snow removal addressed in the ordinances. Chairman Gibbons said that is a challenge in any area and although it is a problem it may not be able to be solved now. The City has approved the setbacks, roads, and layout as designed. This is a very challenging issue.

**MOTION:** Motion by Commissioner Holbrook to **forward a recommendation for approval** to the City Council Ordinance 23-09, an Ordinance rezoning Cache County Parcel Number 08-117-0018 from RM (Multiple-Family Residential) to RM (PUD) (Multiple-Family Residential Planned Unit Development Overlay Zone). The parcel is located at approximately 900 South 250 East and is approximately 10.76 acres. The request was submitted by Dan Sundstrom. Commissioner Friedenberger seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Holbrook, Reis

Discussion and possible vote on the request by Visionary Homes, for approval of the Final Plat for the Fox Meadows Phase 6 Subdivision, a (23) lot/unit subdivision located at approximately 440 North 600 West. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).

Visionary Homes is seeking approval for 'Phase 6 Final Plat' for Fox Meadows (the final residential piece that will replace the old Dairy on 600 West and 400 North. It is currently zoned as an R-1-10 and is surrounded by R-1-10 zones and R-1-10 PUD (planned unit development) to the north. This will finish the construction of 400 North (connection to the existing Saddleback Road).

All the minor items have been addressed and the project has gone through the STRC process.

**MOTION:** Motion by Chairman Gibbons to **approve** the Final Plat for the Fox Meadows Phase 6 Subdivision, a (23) lot/unit subdivision located at approximately 440 North 600 West. Zoned R-1-10 (Single Family Residential 10,000 Square Feet). Commissioner Freidenberger seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Holbrook, Reis

**Public Hearing**, no sooner than 6:55 P.M., for the purpose of discussing Ordinance 23-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.36 “Signs”, Sections 17.36.125 “Temporary Signs”, 17.36.140 “Wind Sign” and 17.36.150 “Portable or Wheeled Sign”.

These are the changes to the sign code after previous discussions. This proposal will remove the holiday table and replace it with verbiage that reads “*during all approved state and federal holidays.*” It also includes a small verbiage change to the ‘Wind Sign’ section and changing the ‘Portable or Wheeled Sign’ section to allow temporary signs in the right-of-way with specific requirements.

**9:04 p.m. Public Hearing Opened**

**9:05 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 23-08

The proposed changes were reviewed. Section 17.136.125 Part C was discussed to ensure the timeframe around the holidays was addressed. The Commission decided to change the wording to “*Holiday Periods: A business may advertise a special service, product, or sale beginning 14 days prior to all approved state and federal holidays without a permit*”. The change was incorporated into the motion.

**MOTION:** Motion by Commissioner Higginbotham to **forward a recommendation for approval** to the City Council for Ordinance 23-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.36 “Signs”, Sections 17.36.125 “Temporary Signs”, 17.36.140 “Wind Sign” and 17.36.150 “Portable or Wheeled Sign” with a change to 17.136.126 C-1 to read “***Holiday Periods: A business may advertise a special service, product or sale beginning 14 days prior to all approved state and federal holidays without a permit***”. Commissioner Holbrook seconded the motion. **Motion approved (5-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Holbrook, Reis

Initial discussion on Ordinance 23-10, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Sections 17.81.050 “Development Standards”, 17.81.090 “Landscaping” and 17.81.100 “Density Bonuses”.



A small panel of individuals comprised of staff, City Council, and Planning Commission members is proposing some minor changes to the MPC (Master Planned Community) code to make the requirements closer to the written purpose of the code. The proposal includes the following changes:

- Altering the definitions of single-family and multi-family homes and increasing the required building types designed into the MPC.
- Reducing the number of units per structure from six (6) to five (5), and replacing accessory building information (17.81.050 E).
- Removing specific words in the parking table that clarifies the use of additional off-street parking.
- Requiring that planting plans are designed by a Landscape Designer or Landscape Architect (17.81.090).
- Removing the option for off-site infrastructure construction as a density bonus (17.81.100).

Chairman Gibbons pointed out that the change to 17.81-050-C will require a builder to have more than one type of housing to allow for broader variation. The Commission agreed that 17.81.050-C-1 should strike the word detached: “1. *Developers are required to have at least three (3) types of housing, two (2) of which must be single-family detached*”. Single-family (single-family detached) housing must make up at least forty percent (40%) of the total housing units in the project but shall not make up more than sixty percent (60%) of the total housing units in an MPC”.

The various types of housing and terms were discussed.

Commissioner Higginbotham suggested changing the table header under 17.81.050-F to read “*per individual **dwelling units***” for more clarification.

Commissioner Higginbotham asked if the changes address the concern of having high-density housing in the middle of a neighborhood. Chairman Gibbons said the percentage of housing types can be changed if the Commission feels that it is important to do so. Commissioner Freidenberger pointed out that the MPC needs to have a variety of housing types to meet the vision of the ordinance. Commissioner Higginbotham said the important consideration is to find suitable locations for these types of developments

The Commission requested that the changes be made as discussed and to have a public hearing on this at next month’s meeting.

**MEETING ADJOURNED** at 9:42 p.m.

Minutes submitted by Debbie Zilles

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Scott Gibbons, Chairman

## -Attachment 1-

### (correspondence sent to the Commission for consideration prior to the meeting)

Dear Madam Mayor, City Council Members, and Planning Commissioners,

This is regarding agenda item for 3/15/23, for ordinance 23-05 rezoning from R 1 12 to MPC, Master Planned Community.

I understand that Moderate Housing Income requirements were mandated by the State to municipalities. I also know you chose to adopt some generalized strategies, in February 2023, that are benchmarked at 5 years. While I understand there is a State mandate, Smithfield City is beyond the 5 years in updating their master plan, and information was there to help you create an update, and including constituents in the process, where growth was obvious, the future land use map could have been updated more appropriately, with public input, and now your voters have just been swindled out of quality time and conversation.

The only 'rezone' I have seen is a map of rezoning future land use from R1 to MDR, from the 2017 plan. If there was a new future land use prior to this MPC application, I did not see it.

MDR is 3-5 units per acre, and so what are the details of the MPC by the presenter of their proposed plan? Down the road towards 600 south you have single family lots that are MDR examples Anything above 4 single family units will cause some parking issues, we also see this with the example down the road.

On various pages in our *growth and land use*, I would encourage you to be reminded of the following:

1. Multifamily development on interior blocks should be discouraged.
2. Encourage medium density housing developments within the interior of the older city blocks.
3. Protection of open space, whether within the city's limits or along the hillsides, river, or in agricultural areas, will strengthen the rural image and culture of the community and ensure the habitats and natural environments of the area are protected against development.

I have the following concerns and questions:

1. Can you show us the real congestion of traffic this will cause? Our elementary school is a commuter school and there is a ton of congestion during pick up and drop off, what is your way of easing this to an already strained situation?
2. Are you assessing our North Cache bus system which is full and crowded?
3. For an MPC, open space and/or community park is likely required, where is this and how big is it?
4. Parking is a real issue with High Density ,in and amongst Single family homes, if you have ever been to Daybreak in Herriman where MPC is rampant, you will see the lack of parking , plus lack of HOA's mandating parking permits.
5. For a correct Master Planned Community to maintain its features, these communities are usually managed through an HOA or a property management company, and if so, this possibly goes against demographics that are supposed to be Moderate Income, AMI *defined*, homeowners. Therefore, you're turning this into a luxury dwelling and taking the city out of compliance.

Additionally, our own Law Enforcement Department is strained, clearly crime has gone up as shown in the last data on crime in our city. How are we truly ensured you will add more law enforcement that can barely handle what's already happening? Furthermore, unsurprisingly, the residents are concerned the rezone will change the character of the neighborhood, leading to more traffic, safety issues, and noise, as well as a reduction in property values.

Thanks for your time  
Muyly Miller  
112 South 1150 East

From: Amber Linton  
Sent: Monday, March 6, 2023 5:55 PM  
Subject: Rezoning in east Smithfield

Please do not rezone the open land east of 1000 east to townhomes. I understand the need for revenue for our growing community, but our schools are overloaded. There isn't enough room for that many students. The infrastructure needs to keep up with the building. Sunrise was not built for 900 students, and there could be another 100 plus that will be assigned to that school if high density housing goes in. If you want to change the zoning, then build Smithfield a new elementary school. Well, you will say that's a county decision, then work the with the county to get us a new school. That's your job. Help us! Help our kids. We are the best school district in the state of Utah, but our schools cannot handle the growth without more classrooms. We have the talent coming out of Utah State to teach our kids, just not the schools. You can't build more homes without building schools.

Thank you

Ted F. Stokes  
248 South 1300 East  
Smithfield, UT 84335

And

Dry Canyon Neighborhood Watch Inc.  
2072 North Main, Suite 102  
North Logan, UT 84341

Smithfield City Planning Commission  
c/o Chairman Gibbons  
96 South Main  
Smithfield City, UT 84335

Prepared for the Consideration of:

Chairman Gibbons, Vice Chair Heaps, Commissioner Bell, Commissioner Freidenberger, Commissioner Higginbotham, Commissioner Holbrook, Commissioner Reis, Commissioner Soto:

I send this letter in opposition to the Bench Lookout Subdivision which will be heard at the Planning and Zoning Meeting on March 15, 2022, for the reasons stated below, I believe it is in the best interest of the City to deny the proposal:

**A. Lack of Compatibility to Surrounding Areas**

Smithfield's MPC Code requires compatibility with surrounding neighborhoods. This area has long been zoned R12. All surrounding areas in every direction are lot sizes .27 or larger per the zoning. This proposal is not combatable to the surrounding areas as is required by the Code and should therefore be denied.

**B. Lack of Walkability Due to Design Failure**

Smithfield's MPC Code requires neighborhoods to be readily walkable and to encourage safety for pedestrians. As you will see in almost all townhome areas in Smithfield, cars and other vehicles cover many sidewalks at the end of driveways. The MPC Code, with its encouragement on strengthening communities, requires that sidewalks be designed to promote walkability.

In the proposed plan on 1100 East, 1175 East, 1250 East, and 1275 East there will most certainly be vehicles, trailers, and other obstructions over the sidewalks. This creates an eye sore, but also these sidewalks will have heavy pedestrian traffic with intra and inter-neighborhood travel. The MPC Code requires a design that allows for free flow of pedestrians and walkability. This design fails that requirement.

I made a GRAMA Request to Smithfield City that I was hoping the City would respond to by now, but it has not. The Grama request seeks documents of an incident that happened in Smithfield in 2021 that shows just how dangerous it is when sidewalks are covered, and young children resort to entering the road to get around sidewalk obstructions.

One reasons for this is because the developer does not want to sacrifice doors/units. The developer is refusing to use what the MPC encourages and defines as parking aisles/ally ways. Parking aisles/ally ways are not roads but merely access ways to driveways. In parking aisles, a developer is not required to provide sidewalks because they are not used as streets. Parking aisles are common in townhouse communities because they clearly delineate to residents and children where they should and should not walk. In the current proposal 2

very small driveways are proposed in non-ally ways, which will lead to foot and bicycle traffic spewing into “roads” to get around certain obstructions over sidewalks. Therefore, although the driveway size requirement is compatible with the Code, the walkability requirement is not; and therefore, the driveway sizing either needs to be enlarged to prevent the obstructions of walkways or the proposal should be denied. However, I assume the developer would not want to make driveways larger because it would reduce the doors it would build.

#### **C. Lack of Specific Goals as Required by 17.81.040**

Furthermore, the developer has failed to satisfy the standard of 17.81.040, which requires that the proposal specifically sets forth the specific goals and values related to architecture, site design, and walkability. I requested and received the entire application from the City, and nothing therein satisfies this codified requirement.

#### **D. Lack of Suitability Due to Non-Bus School Geographic**

The Ordinance states in 17.81.040 that MPC’s are not suitable for all areas of Smithfield. As all are aware that live within this area, Sunrise Elementary is a non-bus school. Heavy density housing in this area would surely create an abundance of more traffic in general, but more importantly, substantially increased traffic for the elementary pick up and drop off. Parents are already illegally parking and lining their cars up and down all nearby elementary streets and Sunrise has become a congested and dangerous mess for children, parents, and school faculty.

I can only imagine if one or even several MPC’s were approved in this area of Smithfield, what would happen to Sunrise. Point blank, MPC’s cannot be approved in this area if an until Sunrise becomes a busing school. That same GRAMA request I made but that has not yet been responded to, evidences the dangers of school zone traffic at this time under our current City conditions. The GRAMA Request will most certainly also cause you concern for the City Administrations lack of implementation of safety measures and the callousness of some City employees as to the importance of protecting young children from traffic dangers. For this reason, as well, you should deny the proposal.

#### **E. Smithfield City’s Current Code and Conditions are Unsuitable to Accomplish the Intended Goals of MPCs.**

Lastly, and something I’ve given a great amount of study to is confronting the false narrative that high density housing creates affordable housing in Smithfield, Utah. Such is untrue and the affect is actually the opposite. The pressures from State administrators and the State Legislature to create high density housing to help make homes more affordable are unfounded, at least in Smithfield, Utah.

KSL performed an investigation and determined that a large majority of members of our State Legislature have rooted ties to real estate. In other words, the high-density housing push is a self-interest. Over the past few years, if you ever heard investors or builders talk about profit and my favorite word “monetization”, the most important part of the profitability analysis is the “number of doors.” I’m privy to a lot of these discussions in my profession. The more “doors” the more money. However, such does not actually create affordable housing. Through hours of research, I’ve discovered that Smithfield’s high density, private, purchasable units are astonishingly owned by more landlords than actual homeowners. **FIFTY-TWO PERCENT (52%)** of all Smithfield townhomes are not owned by young families or elderly occupants as you’d suspect, they are owned by investors using investment properties as tax breaks, passive income, and a wealth gaining tool. This shouldn’t come as a surprise to this Commission as my research discovered that several of you on this very Commission are the landlords and investors I speak of.

I want to be clear; I don’t have a problem with people wanting to have investment properties, however, we cannot be the City that continues to buy the false narrative that high density housing creates a great opportunity to young families to own a home early in life or elderly foks to go somewhere easier for them to live. I’ve heard Councilman Wall on many occasions talk about his desire that beautiful young families have access to Smithfield. I share that desire, but by building communities where investors rain (sic) supreme we are not promoting Councilman Wall’s goal and we are pushing a false narrative.

Cities throughout Utah and the country have combatted this issue by creating codified, constitutional law that helps to overcome this problem. Some of those laws limit MPC like community purchases to non-investors, meaning that the city requires the actual buyer live in the home for so many years and limits the ability to sell without penalty. These laws are intricate, and I don't profess to understand how they all work, but they are things this City should be looking into. One townhome neighborhood in Smithfield has become a stronghold for VRBOs and vacation rentals. **Remember the goal of MPCs is to create strength in the community and comradery in neighborhoods.** When you are surrounded by VRBOs and the short-term tenants are changes almost daily, not much neighborly strength is happening in the community.

The same goes for rental properties/investment property wherein your neighbors are moving in and out every 6 to 12 months. What I can also tell you from my research is that unlike condos and townhouses in Smithfield where only 48% are lived in by the owner, 94% of single-family homes are lived in by the owner in Smithfield, Utah. Right now, our City Code is not clean enough to permit MPCs to accomplish their intended purpose. However, for the real estate builders and investors it is accomplishing the purpose of more "doors" more money to the builder/developer and more rental properties and VRBOs for real estate investors. Look if you want to build more townhomes and you don't want to be stopped, go ahead, but now that we have the data, it's false and unethical for anyone to claim that townhomes are accomplishing a goal that they actually are not accomplishing. In contrast, the City and this Parcel are currently suitable for the zoning of R12 and this developer can still get plenty of doors built to make the inheritance received a worthwhile endeavor.

## CONCLUSION

I respectfully request that this appointed Commission deny this application because, among other reasons: 1) the proposed MPC lacks compatibility with surrounding neighborhoods; 2) the proposed MPC lacks suitable walkability due to the nature of the proposed townhome driveways and overwhelming evidence that in Smithfield those types of driveways lead to block sidewalks; 3) the developer failed to satisfy the standard in 17.81.040 that requires specific goals to be delineated; 4) high density allowances within Sunrise Elementary's boundaries cannot happen at this time due it being a non-bus school; and 5) at this time, the City's Code is not clean enough to overcome the pitfalls that come with unregulated high density housing which has led to more than half of the City's townhomes to be rental or VRBO properties, which in turn makes the ultimate goal of unity and strength in the community impossible to attain in MPCs.

Best Regards,  
Ted F. Stokes  
And  
Dry Canyon Neighborhood Watch Inc.

From: Taylor Johnson  
Sent: Wednesday, March 15, 2023 3:54 PM

Hi,  
This is Taylor Johnson a resident at 1194 e 250 s.

High density housing is unprecedented in this community. All of the residents have made considerable investments in this area in their properties and felt comfortable doing so based off of how surrounding areas were zoned. Many people are questioning council members intentions. We want council members that are interested in building Smithfield in a sustainable, safe, way with the intentions to look out for the CURRENT residents. Growth is imminent. People want to live here. So let's address the infrastructure first, like schools, water pressure, snow removal, etc so it continues to be the place people want to live.

Because of the state of the economy and housing market, and the owners' right to make their property a lucrative one, .25 acre lots seems like an appropriate compromise already.

My previous neighborhood had issues with Cars/trailers parking on roads, poor yard maintenance This was on .30 properties. It's a great neighborhood but many people anticipated outgrowing these properties, and as a result did not invest time/effort/improvements/and maintenance to make the best of their properties.

I don't oppose growth, it's unreasonable because I too wanted to live here and build here. But I think it is unreasonable of the council to approve townhouses in this permanent residential area and disregard the investments, concerns, and opinions of the residents who love and care and respect this area. It absolutely makes sense and should be necessary that if high density housing is passed in this area, that there should be rigid covenants that should be upheld by some form of hoa to preserve the community and beauty and safety that current residents enjoy.

Thank you for your time! We humbly ask that the council put aside any biases they may have towards certain residents in the neighboring areas, and consider the pros and cons of allowing this, besides profits.

Thank you again!  
Taylor

From: Katie Hanks  
Sent: Monday, March 13, 2023 10:22 PM  
Subject: Smithfield Rezoning Proposal

To whom it may concern,

I am writing with concern in regards to the ordinance 23-05 rezoning from R 1 12 to MPC, Master Planned Community.

I sincerely hope that some factors will be taken into consideration about this proposal. To name a few, major traffic concerns along 1000 East. This is already a problematic area with many children walking to schools in an “only walking” school zone. We do not have buses to transport the kids in the area to Sunrise Elementary and we have expressed many concerns about lack of safety for these kids in our current situation. No crosswalks, many roadsides to not even have sidewalks. The added traffic along 1000 and 300 south poses danger for the children if the amount of cars could potentially double or triple with high density housing. Not to mention parked cars along the main roads outside a high density complex.

Another concern is how this effects the master plan on our community. It is not set up for this kind of housing. Many other concerns include rights and availability, plans for new schools, open space areas which are part of the master plan, road and landscape upkeep, and much more will all need to be readdressed and drastically changed to even acclimate many single family homes in this area let alone a high density housing complex. These are valid concerns that need to be addressed before approving such a high density community.

Thank you for taking these issues into account.

Katie Hanks  
Smithfield Resident



Dear Planning Commission Members,

This letter is regarding an agenda item for the planning commission meeting being held 3/15/23, for ordinance 23-05. I am in strong OPPOSITION of rezoning parcel number 08-048-0012 from R-1-12 single family residential 12,000 sq ft to MPC, Master Planned Community.

I have been lucky enough to live directly across the street from this beautiful parcel of land for over 12 years now. I have always known that someday it would be built on, with more single family homes, so I have cherished every day of the beautiful views that brought us here. I have not been prepared, however, for dense multi family housing to be built on this parcel of land.

According to the general plan posted on the city's website, it states that this parcel of land is to be used as single family residential (12,000 sq ft), and I believe that the current zoning of this has met the requirements needed and has been approved to have 1/4 acre homes built. Why have a general "master" plan, if you are going to change it for any developer that wants more units? Isn't that why a PLAN was created for the current zoning in the first place, so our city planners could determine ahead of time where the best areas for high density housing should, and should not, be? Those planners had already determined that this should not be an area for dense multi family housing.

My main concern with changing the zoning of this is the amount of TRAFFIC this new MPC will create. My house is 1 of only 3 homes that faces 120 South, east of 1000 E. In the 12 years that I have lived here, 36 homes have been built east of me, and the amount of traffic those have brought has been drastic. Because of the slope of the hill, there are not only many MORE cars coming up and down the street, but the SPEED at which they are going has continued to increase drastically as well. This neighborhood is full of young families and small children, and the cars and traffic are a HUGE concern. It was just in the summer of 2020 that my son and I witnessed a collision between a 10 year old girl and a full sized pickup truck and it was horrifying to be the one holding her in the middle of the road as we waited for an ambulance to come as she drifted in and out of consciousness.

If the current zoning is changed for this MPC, I believe there will be an additional 56 homes and 112 townhome units built on this land. 168 families with a range of possibly 2-4 children each on average, could be between 300-600 CHILDREN in this small area! I have seen firsthand what just an additional 36 homes has done to the traffic on 120 South in the last 12 years. The amount of traffic that this zoning change will generate is EXTREMELY dangerous for the young families of Smithfield, and will cause an exorbitant amount of traffic, congestion, and very possibly accidents. Please consider this important factor as you are asked to rezone this area. The current city master plan will be met with 1/4 acre lots which have already been approved.

I, along with most residents of Smithfield, have moved here to get away from the hustle of a bigger city, with bad traffic and busy streets, and overcrowded neighborhoods with high density housing. We have entrusted you to be in charge of maintaining the character and charm of this city that we all love.

Thank you,  
Robin Karren  
1085 E 120 S  
Smithfield, Ut  
435-881-3322

From: Jenna Tippetts  
Sent: Tuesday, March 14, 2023 11:55 PM  
Subject: Parcel Rezone

To whom it may concern:

I am writing concerning the proposed zoning change of parcel # 08-048-0012 from R-1-12 single family residential 12,000 sq ft to MPC, Master Planned Community.

I have concerns about this proposed rezone from single family homes to high density housing. The first concern I have is traffic. There are only two main outlet roads for the area. 300 South and 600 South. Both of these roads run through school zones. Both are overcrowded at certain times of day. The higher volume traffic high density housing would bring is better suited to a different area with more accessible roads and less school zones.

The second concern I have is supporting the new growth with the infrastructure that is already in place. Our already overcrowded schools aren't prepared to accommodate the growth high density housing would bring. Sunrise elementary already has nearly 800 students enrolled. This would cause a great burden on our school system to add this quick growth. The impact on our water supply and other utilities is also very concerning to me. We love Smithfield. We have personally benefited from development in this area. We aren't against development, but it needs to happen in a smart, effective way so we don't overload our resources. Please keep this parcel of land zoned for single family housing.

Thank you for your time and for serving Smithfield city.

Jenna Tippetts  
258 S 1100 E  
Smithfield, Utah

From: Melanie Sorensen <meltsoren@gmail.com>

Sent: Wednesday, March 15, 2023 11:54 AM

To: Jon Wells; jasilyn.heaps; rogerdavies1; lazarosoto33@live.com; Justin Lewis; Kris Monson; Wade Campbell; Deon Hunsaker; Sue

Hyer; curtiswall; bj.holbrook@hotmail.com; br.hayden04; katiebell2355; brian.h

Subject: Rezoning proposal for 200 S 1000 E, Smithfield, UT

I am writing in regards to the proposed zoning change for 200 S 1000 E. This rezoning would allow for medium to high density house in an area that is currently zoned for agricultural or low density housing. This proposal is quite concerning.

1. Traffic. There are only 2 main outlets or roads to access the area. 600 S and 300 S, both of which already have traffic from existing houses, and both that are travelled on quite a bit to reach Sky View and Sunrise. During the winters, the roads are icing and straight downhill. Already dangerous.

2. The Schools. The children in this area already attend an overcrowded elementary school and there are no plans from the country to build a new school. In addition, this area uses a school that has no buses. The drop off and pick up are already very crowded and already poses a safety risk for kids and parents. Add medium to high density housing with no buses, and the safety of the kids and drivers have a high potential of becoming very dangerous. It already is dangerous in the current situation.

3. Infrastructure. The areas around the proposed rezoning development have to pump water up to the houses. Last year, the city already asked the residents to conserve water on yards, etc. Adding high density housing in an area that struggles with water supply already is very concerning. The Infrastructure can't handle high density housing on the proposed area.

4. I am against the rezoning into medium to high density housing. It should stay zoned for agricultural usage and low density housing.

Thank you for time and service to the community.

Melanie Sorensen