



SMITHFIELD CITY PLANNING COMMISSION MINUTES May 17, 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, May 17, 2023

The following members were present constituting a quorum:

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

Alternate Members in Attendance: Jamie Anderson, Lazaro Soto

City Staff: Councilmember Jon Wells, Councilmember Curtis Wall, Mayor Kris Monson, Brian Boudrero, Kenzie Nelson

Others in Attendance: Jeff Barnes, Michelle Anderson, Jon Harrop, Bayler Gunnell, Michael Heaps, Angie Heaps, Dustin Rollins, Lee Carter, Debbie Zilles

6:30 p.m. Meeting called to order by Chairman Gibbons

Consideration of consent agenda and approval of meeting minutes

Chairman Gibbons declared the minutes from the April 19, 2023 meeting be approved with the following changes: Commissioner Freidenberger said it should be noted that the NNHC representative confirmed for her that the townhomes would also be 'sweat equity'. Chairman Gibbons suggested listing the Alternate Commissioners rather than identifying them under "Others in Attendance". He also noted that the applicant of the Bench Outlook Subdivision advised that the owner(s)/building(s) will be owner-occupied.

AGENDA ITEMS

Discussion and possible vote on the request by Bayler Gunnell for approval of the Final Plat for the Gunnell Minor Subdivision, a (2) lot/unit subdivision located at approximately 119 West 100 South. Cache County Parcel Number 08-086-0065. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).

Bayler Gunnell said there have been no changes from the preliminary plat. Mr. Boudrero pointed out that two separate lines were called out for the concrete cut; he also advised that the proposal had been reviewed by the Subdivision Technical Review Committee (STRC).

MOTION: Motion by Commissioner Higginbotham to **approve** the request by Bayler Gunnell for approval of the Final Plat for the Gunnell Minor Subdivision, a (2) lot/unit subdivision located at approximately 119 West 100 South. Cache County Parcel Number 08-086-0065. Zoned R-1-10 (Single Family Residential 10,000 Square Feet). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

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

Chairman Gibbons noted that items 5-7 on the published agenda ([see below](#)) will be discussed at a future meeting per the applicant's request.

5. Discussion and possible vote on the request by Heritage Land Development for approval of the Preliminary Plat for the Lupine Village Subdivision, a (162) lot/unit subdivision located at approximately 485 North 400 West.

6. Introduction and Public Hearing for the purpose of discussing Ordinance 23-19, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 485 North 400 West and total approximately 28.95 acres. The request was submitted by Heritage Land Development.

7. Discussion and possible vote on Ordinance 23-19.

Discussion and possible vote on the Conditional-Use Permit request by Trueline Contractors, LLC to operate an excavation business at approximately 600 South 400 West. Cache County Parcel Number 08-109-0001. Zoned M-1 (Manufacturing).

Mr. Boudrero explained that the permit is being amended so it applies to Parcel 08-109-0001.

MOTION: Motion by Commissioner Heaps to **approve** the Conditional-Use Permit request by Trueline Contractors, LLC to operate an excavation business at approximately 600 South 400 West. Cache County Parcel Number 08-109-0001. Zoned M-1 (Manufacturing). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

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

Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for the Village at Fox Meadows MPC, Phase 6, a (57) lot/unit subdivision located at approximately 650 North 550 West. Zoned MPC (Master Planned Community).

Jon Harrop from Visionary Homes said nothing has changed from the preliminary plat. Mr. Boudrero noted that the project was reviewed by STRC.

MOTION: Motion by Commissioner Bell to **approve** the request by Visionary Homes for approval of the Final Plat for the Village at Fox Meadows MPC, Phase 6, a (57) lot/unit subdivision located at approximately 650 North 550 West. Zoned MPC (Master Planned Community). Commissioner Holbrook seconded the motion. **Motion approved (7-0).**

Vote:

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

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-17, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”.

Mr. Boudrero explained that this is being proposed so that most minor Conditional Use Permits (e.g., those that will have no impact) can be approved by staff without having to come before the Commission. The goal is to streamline the process and save time. .

6:43 p.m. Public Hearing Opened – No comments.

6:44 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 23-17

Commission Heaps said this streamlined approach makes sense and will be more efficient.

Mr. Boudrero confirmed that the Commission will be involved if there is anything questionable, if residents will be impacted, or if the request is very disruptive (e.g., a home-based daycare that will have customers coming/going).

Commissioner Reis questioned what criteria would be used if a project were to be denied. Mr. Boudrero said permits will be reviewed/approved/denied based on state law. Conditions of approval can be added to help mitigate any possible detrimental impacts.

Commissioner Freidenberger advised that a similar process should be considered for trailer permits (when someone would like to live in their trailer while a home is being built or remodeled). She spoke with Mr. Boudrero about this before the meeting.

MOTION: Motion by Commissioner Freidenberger to **forward a recommendation of approval to the City Council for Ordinance 23-17**, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”. Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

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

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-20, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.100 “Site Development and Landscaping”, Sections 17.100.010 “Purpose”, 17.100.020 “Definitions”, 17.100.030 “Landscaping in Commercial Zones”, 17.100.040 “Landscaping Requirements in Manufacturing Zones”, 17.100.045 “Landscaping Requirements in Multi-Family Zones”, and adding in their entirety 17.100.021 “Applicability”, 17.100.022 “Water Efficiency Standards”, 17.100.055 “Institutional”, and 17.100.035 “Landscaping Requirements in Residential New Construction”.

Mr. Boudrero said this ordinance is comprised of information pulled from different cities. The state requires a city to have an ordinance in place for citizens to receive a rebate for water-efficient landscaping.

6:50 p.m. Public Hearing Opened – No comments.

6:51 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 23-30

Commissioner Higginbotham asked how this would work if there is an onsite detention basin (as addressed in 17.100.035 Section E) with the wording in Section B. *Limitations on Lawn:” No more than fifty percent (50%) of front and side yard landscaped area in new residential developments is lawn. Lawn limitations do not apply to small residential lots with less than two hundred fifty (250) square feet of landscaped area”*. He asked if there would be any exceptions. Mr. Boudrero said residents can put sod in the basins. He cited two examples of residents who have done this. Commissioner Higginbotham said there are many basins with grass, however, he is not satisfied with this as a solution and suggested a possible exclusion of the 50% requirement for those who have basins. Mr. Boudrero said those types of changes can be made. He will also do more research into the rebate program.

Commissioner Higginbotham said his job deals with water efficiency and he agrees with the efforts being made to accomplish this goal. His understanding of the legislature is that the goal is to incentivize rather than mandate. This proposal seems to be more of a mandate because of the “shall” wording. Section 17.100.022 essentially requires that a smart irrigation controller is required in landscaped areas – which may not work for everyone. Mr. Boudrero said his understanding is this ordinance does not have to be used or implemented unless a rebate is requested, however, agreed that there could be more flexibility in some of the options.

Chairman Gibbons agrees with Commissioner Higginbotham and questioned how this would be enforced. Although he agrees with the idea of water conservation, he encouraged caution with issues that are codified and mandating things that can and cannot be done with water. Mr. Boudrero said one option could be including a disclaimer regarding when/where this ordinance may be used.

Commissioner Anderson asked about the state's specific requirements. Mr. Boudrero said he can do more research and that the wording of the ordinance can mirror those requirements. Chairman Gibbons suggested reviewing the legislation and determining exactly what is required to be in the ordinance. Commissioner Bell suggested adding an explanation for the purpose of the ordinance.

Councilmember Wall provided Mr. Boudrero with a copy of the state requirements and the ordinance that Hyde Park City recently passed. The Utah Division of Water Resources (housed within the Department of Natural Resources) is administering a landscape incentive program (for residents and commercial). Eligible citizens can receive a cash incentive of \$1.50 per sq. ft. for water-wise landscaping changes once a city has an ordinance (there is \$3 million in the fund and Gov. Cox, who has put \$300 million into water savings, said he will continue to fund the program as long as it is being used). Until an ordinance is passed by the City Council, no one will qualify for the rebate.

Chairman Gibbons asked Mr. Boudrero to work with Commissioner Higginbotham on the wording of the ordinance and the Commission will continue the discussion at next month's meeting.

MEETING ADJOURNED at 7:10 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman