



SMITHFIELD CITY PLANNING COMMISSION MINUTES November 17, 2021

The Planning Commission of Smithfield City met in the City Council Chambers
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, November 17, 2021

The following members were present constituting a quorum:

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

Members Excused: Stuart Reis

City Staff: Brian Boudrero, Clay Bodily, Jon Wells (City Councilmember)

Others in Attendance: Brian Higginbotham, Erich Grosser, Paige Hale, Wendy & Bert El-Bakri, Tina Hulse, Sue & Zane Hyer, Wendy Brown, Brittany Andrus, 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 October 20, 2021 meeting to stand as submitted.

RESIDENT INPUT – No comments

AGENDA ITEMS

Public Hearing, no sooner than 6:35 P.M., for the purpose of discussing Ordinance 21-37, an Ordinance rezoning Cache County Parcel Number 08-130-0018 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 41 North 470 East and is 0.28 acres.

6:35 p.m. Public Hearing Opened

Wendy Brown has lived in the area for 30 years. The streets are very narrow with no sidewalk. When cars are parked along the road there is only room for one vehicle to travel. She wants it to remain a single-family neighborhood. If this rezone is approved, she is concerned that it will set a precedent for future requests. A petition, signed by several neighbors objecting to the proposal, was submitted (see Attachment 1).

6:39 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-37

Paige Hale currently lives in the home and rents out a portion of the house as an accessory apartment. The residence is already set up as a duplex and they want to use it as such. Parking will be in the driveway and the home is structurally set up as two units with separate entrances. The home will have two families, whether as an ADU or a duplex. The reason for the application for a rezone is because of the ADU requirement that the property owner live onsite. They would like to be able to rent both units if they move.

Commissioner Freidenberger expressed concern that the change could allow for more than a duplex. Councilmember Wells clarified that the number of dwelling units allowed is based on the size of the property, not just the zone. This lot size will only allow a maximum of two (2) units.

Commissioner Daniels said although this change may not impact the traffic and parking, he is concerned about what this may potentially open up down the road.

Mr. Boudrero said the major caveat in changing it from an ADU to a duplex is the fact that duplexes have to be inspected and there are more code requirements. Councilmember Wells highlighted Municipal Code 17.92.020(5) "*The design and size of the apartment conforms to all applicable standards in the health, building and other codes*". If the additional unit is already being rented out, it is not in compliance with the correct procedure of the City ordinance.

Ms. Hale said there are a lot of people who need housing, and this could be a benefit to the community. This is also a source of income for her family and she would like the Commission to carefully consider the request. Commissioner Heaps pointed out that financial implications is not something that the Commission can consider when making a decision. An ADU allows for two families, which can help meet the housing need, without changing the zone.

Chairman Gibbons pointed out that the ADU ordinance already allows for an attached dwelling unit, regardless of the zone. This proposal and decision will not change that fact. Commissioner Weber said considering the surrounding zone is part of decision-making process.

Commissioner Holbrook is concerned that this might be setting a precedent. Commissioner Heaps agreed and would prefer to keep the zone R-1-10.

MOTION: Motion made by Commissioner Heaps to **forward a recommendation to the City Council to deny Ordinance 21-37**, an Ordinance rezoning Cache County Parcel Number 08-130-0018 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 41 North 470 East and is 0.28 acres. Commissioner Holbrook seconded the motion. **Motion approved (5-2).**

Vote:

Aye: Daniels, Gibbons, Heaps, Holbrook, Weber

Nay: Bell, Freidenberger

Public Hearing, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 21-36, an Ordinance amending the Construction & Design Standards Part I “Design Standards”, Chapter 4.0 “Site Design”, and Section 4.2 “Subdivisions”.

7:10 p.m. Public Hearing Opened

7:11 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-36

Mr. Bodily explained that this ordinance proposes to make changes to the “Construction and Design Standards. The current standards measure the maximum length of a street between two outlets as 1,600’ and the proposal is to change the maximum length to 1,200’. 1,600’ is an incredibly long distance without any type of outlet. This will allow for more convenient pedestrian and vehicular circulation.

MOTION: Motion made by Commissioner Freidenberger to **forward a recommendation to the City Council to approve Ordinance 21-36**, an Ordinance amending the Construction & Design Standards Part I “Design Standards”, Chapter 4.0 “Site Design”, and Section 4.2 “Subdivisions”. Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

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

OTHER

Councilmember Wells said Ordinance 21-34, rezoning 0.36 acres from CC (Community Commercial) to CBD (Central Business District) at 1215 South Main was discussed at the November 10, 2021, City Council meeting. The Council denied the request; however, they think there should be another type of zone that has a zero front setback. Other commercial zones have a 30’ front setback. The applicant wanted the zero setback because he wants to dedicate some of his property for a street that would head to the west. This item will be added to next month’s Planning Commission agenda to discuss. Chairman Gibbons asked that the City Council share their recommendations as part of the discussion.

The Cache Summit will be held tomorrow at the Cache County Events Center.

Mr. Bodily said the 1000 South intersection should be done within the month.

MEETING ADJOURNED at 7:25 p.m.

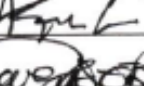
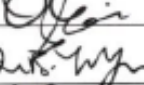
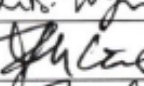
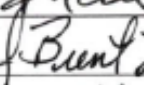
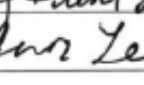
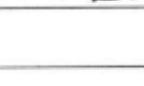
Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman

- ATTACHMENT 1 -

Petition to Object to re-zoning

Petition summary and background	We are against the re-zoning of residential dwelling location 41 N 470 E, Smithfield UT, 84335.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to <u>decline the petition for re-zoning</u> the above location to multi-family dwelling, leaving it as it was originally zoned for, single family.

Printed Name	Signature	Address	Comment	Date
Jeff Saxton		493 E. 100 N.		11/17/21
Aaron Mills		50 N 425 E		11/17/21
Nancy Hansen		60 N 425 E		11/17/21
Kevin Corns		71 N. 425 E		11/17/2021
DOUG Brown		61 N 425 E		11/17/21
Doug Cronin		31 W 425 E.		11/17/21
John B. Mayres		65 South 455 E		11/17/21
Harry Gieske		444 E. Center St		11/17/21
J. BRENT LEE		10 N 470 E		11/17/21
Judy Lee		105 S. 455 E.		11/17/21