



SMITHFIELD CITY PLANNING COMMISSION MINUTES November 16, 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, November 16, 2022

The following members were present constituting a quorum:

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

Members Excused: Katie Bell, Jasilyn Heaps, Bob Holbrook

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

Others in Attendance: Andy & Judy Merkley, Dan Sundstrom, Sage Higginbotham, David Higginbotham, Anita Gerber, Jeff Barnes, Janet Hillyard, Melanie Sorensen, Lee Helms, Debbie Zilles

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

Consideration of consent agenda and approval of meeting minutes

Approval of the October 19, 2022 meeting minutes will be approved at the next meeting.

RESIDENT INPUT - No resident input.

AGENDA ITEMS

Discussion and possible vote on the request by John Merkley for approval of the Final Plat for the 150 East Subdivision, a (2) lot/unit subdivision located at approximately 150 East 200 North. Zoned R-1-10 (Single-Family Residential 10,000 square feet).

Andy Merkley advised that they will be seeking a building permit for a single-family residence on Lot 2. He asked about a variance for the sidewalk. Although he is not opposed to a sidewalk, he does not like the idea of putting one in the middle of a street where there is no plan to connect it across the block. It could be a safety hazard, and no one will use it due to the location/accessibility. He is happy to pay for a sidewalk when the City is ready to put one in. Mr. Boudrero said that concern can be addressed with the City Engineer. Chairman Gibbons explained that the Planning Commission cannot waive the requirement. Mr. Boudrero invited Mr. Merkley to meet with him after the meeting to discuss the concern further.

MOTION: Motion by Commissioner Higginbotham to **approve** the Final Plat for the 150 East Subdivision, a (2) lot/unit subdivision located at approximately 150 East 200 North, zoned R-1-10 (Single-Family Residential 10,000 square feet). Commissioner Freidenberger seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Reis

Public Hearing, no sooner than 6:32 P.M., for the purpose of discussing Ordinance 22-25, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.12 “Final Plats”, Section 16.12.030 “Preparation and Required Information” and adding in its entirety Title 17 “Zoning Regulations”, Chapter 17.12 “Supplementary and Qualifying Regulations”, Section 17.12.240 “Water Model Required”.

6:41 p.m. Public Hearing Opened - No public comments.

6:42 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-25

This proposed ordinance changes (blue text):

Section 17.12.240 Water Model Required: A water model will be required on all new commercial construction projects as part of the city zoning clearance. As part of the zoning clearance, the developer will submit drawings that show the extent of water connection and provide an escrow fee for a water model to be completed. See Utah Office of Administrative Rules R309-500-4.

16.12.030 Preparation and Required Information (Section C):

10. Fire Chief Certificate of Approval

MOTION: Motion by Chairman Gibbons to **forward a recommendation of approval** to the City Council for Ordinance 22-25, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.12 “Final Plats”, Section 16.12.030 “Preparation and Required Information” and adding in its entirety Title 17 “Zoning Regulations”, Chapter 17.12 “Supplementary and Qualifying Regulations”, Section 17.12.240 “Water Model Required”. Commissioner Higginbotham seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Reis

Public Hearing, no sooner than 6:35 P.M., for the purpose of discussing 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”.

6:45 p.m. Public Hearing Opened – No public comments.

6:46 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-23

The proposal includes the following changes (blue text):

16.06.050 APPROVAL OF A MINOR SUBDIVISION

Delete current A. and add new:

- A. *A final plat or record of survey shall be submitted to the STRC (Subdivision Technical review Committee) for review. Upon receiving approval from the STRC, the final plat or record of survey shall be submitted to the planning department at least fourteen (14) days prior to a regularly scheduled meeting of the Planning Commission. No public hearing shall be required.*
- C. After receiving a recommendation from the Planning Commission, the developer shall present the final plat or record survey to the City Council for consideration. ~~Prior to reviewing the final plat or record survey and the recommendation of the Planning Commission, the City Council shall present the final plat or record survey to the STRC for review and approval. Upon receiving an approval from the STRC, the City Council shall review the final plat or record survey and consider the recommendation of the Planning Commission, City Engineer, and other such departments deemed appropriate.~~

16.040.030 DEFINITIONS

HARD SURFACE STREET: *A street that will support a three (3) axle 80,000-pound (lb) vehicle and will not absorb water, making it less stable and reduce bearing capacity. The two options for a hard surface street are asphalt, which is 1 ½ inches **think (sic)** or concrete with a minimum thickness of four (4) inches.*

17.100.046 UTILITIES IN ALL CITY ZONES

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.

16.040.060 COMPLIANCE REQUIRED

- G. *All projects that have more than one hundred (100) proposed dwelling units shall be equipped throughout with two separate and approved access roads. All developments of one or two-family dwellings where the number of dwelling units exceeds thirty (30) shall ~~be~~ provide two (2) separate and approved access roads.*

The Commission discussed Section G. Commissioner Higginbotham suggested striking the word “be” in the last sentence. He also questioned the need for both sentences as it seems to be redundant. Mr. Boudrero said the Fire Chief approved the wording, which is taken from the International Fire Code. Mr. Higginbotham questioned the words “equipped” and “provide” and suggested better consistency. Mr. Boudrero said he would review the information with the Fire Chief.

MOTION: Motion by Chairman Gibbons to **continue** the discussion to the next meeting after verification from the Fire Chief regarding Section 16.040.060 G as discussed. Commissioner Reis seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Reis

Public Hearing, no sooner than 6:40 P.M., for the purpose of discussing Ordinance 22-26, an Ordinance rezoning Cache County Parcel Number 08-048-0012 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is located at approximately 200 South 1000 East and is approximately 34.36 acres. The request was submitted by Dan Sundstrom.

6:58 p.m. Public Hearing Opened

Melanie Sorensen asked about this item and the R-1-12 zone. Chairman Gibbons explained that this request is for a rezone from Agricultural to R-1-12, which means the minimum lot size would be 12,000 SF. Plats for any development will have to be reviewed by the STRC (Subdivision Technical Review Committee) and the Planning Commission. Any development will have to conform to all the requirements within the zone (such as setbacks).

6:59 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-26

Dan Sundstrom is proposing, on behalf of the property owner, that the property located at 1000 East and 200 South be rezoned from A-10 to R-1-12 for possible future development. The parcel is 34.36 acres and is in the City limits.

MOTION: Motion by Commissioner Freidenberger to **forward a recommendation of approval** to the City Council for Ordinance 22-26, an Ordinance rezoning Cache County Parcel Number 08-048-0012 from A-10 (Agricultural 10-Acre) to R-1-12 (Single-Family Residential 12,000 square feet). The parcel is located at approximately 200 South 1000 East and is approximately 34.36 acres. The request was submitted by Dan Sundstrom. Commissioner Reis seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Reis

Public Hearing, no sooner than 6:45 P.M., for the purpose of discussing Ordinance 22-27, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone, Section 17.81.050 “Development Standards” and Chapter 17.88 “Planned Unit Developments”, Section 17.88.060 “Application of PUD to Underlying Zone”.

7:08 p.m. Public Hearing Opened

Lee Helms asked for an explanation of the scope of this ordinance. Chairman Gibbons said this proposal will adjust the front (garage) setbacks to provide consistency with what is required in other similar zones, specifically 25’, so a vehicle parked in a driveway will not hang over the sidewalk. Commissioner Higginbotham pointed out that this will not change existing setbacks, it will be applied to future development.

Jon Wells suggested removing the word “front” in the column and “front yard” in Section C to clarify that this applies to the garage, whether that be on the front, side or corner.

Melanie Sorensen suggested a better explanation for items that are being changed and including what they are being changed from. Mr. Boudrero pointed out that in the packet, the yellow highlighted text is what is being added to the ordinance, any text being removed is indicated with a strikethrough.

Mr. Sundstrom asked if this will affect development that has already been approved. Mr. Boudrero advised that this will be enforced in zoning clearances for individual lots, if a final phase of development has already been approved, this will not change that approval.

7:17 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 22-27

This ordinance will adjust the garage setback in the 'Planned Unit Development' code and the 'Master Plan Community' zones to 25', separating the garage setback from the residence setback.

The proposal includes the following changes (blue text):

17.81.050 Development Standards, Section F (column 2) Front Setback *Main Entrance*; add column 3 *"Front Setback – Garage" with 25' in each housing type.*

17.88.060 Application of PUD to Underlying Zone

C. Yard Setbacks: In residential PUDs where individual lot lines exist, the minimum front yard setback *for the main entrance* shall be twenty feet (20') from the property line. *The minimum front yard setback from the garage shall be twenty-five feet (25') from the property line."*

Commissioner Higginbotham was in favor of deleting the words "front" and "front yard" as suggested by Mr. Wells.

The Commission discussed possible scenarios and ensured that this change will have the desired effect of a 25' driveway setback to avoid vehicles that might block part of the sidewalk when parked in the driveway.

MOTION: Motion by Commissioner Higginbotham to **forward a recommendation of approval**, with the changes as discussed, to the City Council for Ordinance 22-27, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Section 17.81.050 "Development Standards" and Chapter 17.88 "Planned Unit Developments", Section 17.88.060 "Application of PUD to Underlying Zone". Commissioner Freidenberger seconded the motion. **Motion approved (4-0).**

Vote:

Aye: Freidenberger, Gibbons, Higginbotham, Reis

Review/Discussion of Municipal Code Chapter 17.36 “Signs”

Chairman Gibbons asked Mr. Boudrero to email this section to each Commissioner for review before the next meeting, specifically concerning allowances for adjusting the Code to allow for temporary signs for businesses and not allowing electronic display boards for political signs.

MEETING ADJOURNED at 7:42 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman