



SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield Planning Commission will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, August 19, 2026**. The meeting will begin at 6:00 PM.

Welcome/pledge of allegiance and thought/prayer

1. Approval of the Planning Commission Meeting Minutes from July 15, 2026.
2. Public comment on items not on the agenda or not requiring a public hearing during the meeting.
3. Introduction and Public Hearing for the purpose of discussing Ordinance 2026-13, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.92 "Accessory Dwelling Unit", Sections 17.92.010 "Purpose of Chapter", 17.92.020 "Conditions", 17.92.030 "Application Procedures", and Chapter 17.120 "Use Matrix Table", Section 17.120.010 "Use Allowance Matrix".
4. Discussion and possible vote on Ordinance 2026-13.
5. Commissioner Reports

Adjournment

*****Items on the agenda may be considered earlier than shown on the agenda.*****

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Recorder at (435) 792-7997, at least three (3) days before the date of the meeting.



SMITHFIELD CITY PLANNING COMMISSION MINUTES July 15, 2026

The Planning Commission of Smithfield City met in the City Council Chambers at 96 South Main, Smithfield, Utah, at 6:00 p.m. on Wednesday, July 15, 2026

Members Present: Mike Beckstead, Lane Henderson, Klydi Heywood, Jim Marshall, John Meier, Sarah Price, Brad Thatcher

City Staff: Brian Boudrero, McKenzie Nelson

Others in Attendance: Ruth Greene, Caralee Stokes, John Engler, Debbie Zilles

6:00 p.m. Meeting called to order by Chairman Jim Marshall

Approval of the Planning Commission Meeting Minutes from May 20, 2026

After review, Chairman Marshall declared the minutes from the May 20, 2026 meeting to stand as submitted; unanimously approved.

Public Comment on items not on the agenda or not requiring a public hearing

No public comments were received.

Introduction and Public Hearing for the purpose of discussing Ordinance 2026-10, 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 staff have been receiving questions about the potential for a taxidermy business within the city limits. Because this has not been considered before, staff want to ensure the city is prepared for an eventual application. The proposal is to add “taxidermy” to the Use Matrix Table as a conditional use in the manufacturing, agricultural, and general commercial zones.

The Utah DWR (Division of Wildlife Resources) and the Utah State Code have specific rules and limitations that currently govern taxidermy businesses in the state. They require a state license, mandatory animal tag review, and recordkeeping, all of which are inspected by the DWR. See Utah Code Annotated code references: UCA §23-A-5-204 and UAC R657-5-43.

Taxidermy would be permitted with a Conditional Use Permit (CUP) in the CG, M-1, and A zones as proposed.

6:11 p.m. Public Hearing Opened

There were not any comments or questions.

6:12 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2026-10.

Mrs. Heywood asked whether there are small shops in people's homes that have been grandfathered. Mr. Boudrero said they are technically not 'grandfathered'; they do not have a business license and do no more than one or two a year for family or friends. It is considered a hobby shop.

Chairman suggested adding a definition for a Taxidermy Shop/Studio to Section 17.04.070 (Definitions).

Mr. Boudrero will prepare a definition for the Planning Commission to review next month for approval.

Commissioner Beckstead asked why taxidermy needs to be spelled out rather than other small hobbies. Mr. Boudrero said this is because the project may require mitigations that others might not, such as noise, odors, chemical fumes, and airborne dust.

*****Motion by Commissioner Beckstead to recommend approval to the City Council for Ordinance 2026-10, 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 Meier seconded the motion. The motion was approved by a vote of 6-0.*****

Vote:

Yes: Beckstead, Henderson, Heywood, Marshall, Meier, Price

No: None

Introduction and Public Hearing for the purpose of discussing Ordinance 2026-09, an Ordinance amending the Smithfield City Construction & Design Standards, Part I "Design Standards", Chapter 2.0 "Street Design", Section 2.1 "General".

Mr. Boudrero explained that the street design section of the Construction and Design Standards requires review and approval by the STRC (Subdivision Technical Review Committee). Because this committee no longer exists and an Administrative Land Use Authority is used, the term STRC needs to be removed from the code. In addition, the words "and Zoning" are being deleted from the Planning and Zoning Commission.

6:14 p.m. Public Hearing Opened

There were not any comments or questions.

6:15 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2026-09.

Chairman Marshall asked whether, if the STRC no longer exists, an alternate body of authority should be established in its place. Mr. Boudrero said that a change has been made to the Municipal Code, but they do not think it needs to be removed from this Design Standard.

*****Motion by Commissioner Heywood to recommend approval to the City Council for Ordinance 2026-09, an Ordinance amending the Smithfield City Construction & Design Standards, Part I “Design Standards”, Chapter 2.0 “Street Design”, Section 2.1 “General”. Commissioner Henderson seconded the motion. The motion was approved by a vote of 6-0.*****

Vote:

Yes: Beckstead, Henderson, Heywood, Marshall, Meier, Price

No: None

Introduction and Public Hearing for the purpose of discussing Ordinance 2026-11, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.08 “Administration”, Section 17.08.070 “Violation; Penalty”.

The current Municipal Code utilizes a mix of criminal and civil statutes to enforce the zoning ordinances set by the city. Most infractions received and reviewed under the zoning code do not need to be criminally enforced as currently written. In addition, the process used to issue and administer these violations is vague and obscure.

This Ordinance is proposed to implement and clarify the process for penalizing violations of the Smithfield City zoning code. It is also proposed to reduce the cost of current fees adopted under the original code adopted in 1995.

It is recommended that this Ordinance includes the process described below and the ability to appeal that process.

1. An initial warning letter of the infraction or violation.
2. A second warning letter of the infraction or violation.
3. The issuance of a citation for the infraction or violation.
4. The second issuance of a citation for the infraction or violation.
5. A civil suit or property lien for non-payment and non-compliance.

6:17 p.m. Public Hearing Opened

Caralee Stokes asked for a better explanation of the purpose of the proposed ordinance.

Mr. Boudrero provided a recent example involving a resident who constructed a two-story shed alongside his home in violation of the building code. The resident has received two notices of violation. After discussions with the legal department, staff determined that additional enforcement procedures and penalties should be added to the municipal code to strengthen enforcement and encourage better compliance. He answered for Mrs. Stokes that it addresses any violations of this section of the Code.

6:19 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2026-11.

The Commission outlined the changes and suggested wording changes in **bold** font.

§17.080.070 VIOLATION; PENALTY PROCESS

~~Any person, firm or corporation whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this title shall be deemed guilty of a class C misdemeanor and subject to fines and penalties as provided. Upon conviction, the person shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00) or imprisonment in the county jail for a term not exceeding ninety (90) days. If the person violating this title is a corporation, association, partnership or other governmental instrumentalities, then upon conviction, said corporation, association, partnership or other governmental instrumentality shall be subject to a fine not to exceed one thousand dollars (\$1,000.00). Every person, firm or corporation shall be deemed guilty of a separate offense for every day during which any portion of any violation of this title is committed, continues or permitted by such person, firm or corporation.~~

- A. A warning **notice** in the form of a written letter will be sent, indicating the violation of a local zoning ordinance.
 - 1. The warning Notice will indicate the violation, municipal code reference, in addition to the deadline and requirements for compliance. It will also include the contact information of a city official who can answer potential questions.
 - 2. The provided deadline will vary, depending on the type and situation of each violation.
- B. If the recipient does not comply by the required deadline, a second letter will be sent, constituting a final notice of the zoning infraction.
 - 1. The final notice letter will include the violation, municipal code reference in violation, a new deadline for compliance, and the cost of the fine will be assessed for continued noncompliance. It will also include the contact information of a city official who can answer potential questions.
 - 2. The provided deadline will vary, depending on the type and situation of each violation.
- C. If the violation persists, zoning citations will be issued. The fines for violations are found in the approved prevailing fee **schedule** and can be paid at the city office. All **fees** must be paid within 10 days of the date the citation is issued.
 - 1. The first citation will include the fine amount, the municipal code reference, and the deadline for payment.

2. The final citation will include an increased fine amount, the municipal code reference, and the deadline for payment.
- D. In the event of further noncompliance and nonpayment, the city may:
 1. Cause suit to be brought in an appropriate court of law; **damages sought may include** reasonable attorney fees, interest, and court costs;
 2. Refer the matter to the county treasurer for inclusion in the tax notice of the property owner; said property lien will be placed on the parcel for the amount of the combined citations.
- E. An appeal of the administrative decision may occur within 10 days of the first warning notice. An application and payment must be submitted to the city. The city appeal authority shall conduct such proceedings as an appeal of an administrative decision. It shall uphold the decision of the City unless the decision is arbitrary and capricious, not supported by substantial evidence, or plainly illegal.

Mr. Beckstead asked what would happen if a homeowner ignored the citation. Mr. Boudrero said another citation would be sent and that the process as indicated above, including the attorney would proceed up to and including a lien on the home. Chairman Marshall suggested that rather than mimicking the language in the last paragraph, the appropriate code should be cited; this way, if it changes, it changes in only one place. He suggested, "The property owner or agent may appeal the administrative decision as outlined in §17.10.030".

*****Motion by Commissioner Heywood to recommend approval to the City Council for Ordinance 2026-11, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.08 "Administration", Section 17.08.070 "Violation; Penalty" with the following amendments as addressed (above in bold print): adding the word "notice" in A1; adding the prevailing fee "schedule" in sentence 1 of Section C. Also changing the word citations to "fees" in sentence two in Section C; and changing the sentence D1 to read "Cause suit to be brought in an appropriate court of law "damages sought may include..." and change E "The property owner or agent may appeal the administrative decision as outlined in §17.10.030". Commissioner Price seconded the motion. The motion was approved by a vote of 6-0.*****

Vote:

Yes: Beckstead, Henderson, Heywood, Marshall, Meier, Price

No: None

Commissioner Reports

Chairman Marshall said that, due to time constraints, Brad Thatcher has resigned his seat on the commission.

Chairman Marshall invited any other members to join him and Commissioner Heywood in addressing the southwest part of town and how to buffer industrial uses.

He reminded members how to access the information from the Cloud before the meeting.

He asked if members wanted any training; if they let him know, he will make time to address those issues.

Smithfield City has been accepted into the Main Street America Program as a Tier 1 city. This could help the city secure grants and discuss improvements.

The USU LAEP program will provide insight and support over the next year to develop a visioning project for Smithfield. This exciting program will begin next fall.

MEETING ADJOURNED at 7:05 p.m.

Planning Commission Chair/Designee



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ORDINANCE NO. 2026-13

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.92 “ACCESSORY DWELLING UNIT”, SECTIONS 17.92.010 “PURPOSE OF CHAPTER”, 17.92.020 “CONDITIONS”, 17.92.030 “APPLICATION PROCEDURES” AND CHAPTER 17.120 “USE MATRIX TABLE”, SECTION 17.120.010 “USE ALLOWANCE MATRIX”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in yellow shall be added.

17.92.010 PURPOSE OF CHAPTER

The purpose of permitting an accessory dwelling unit is to:

- A. Provide homeowners with a means of obtaining, through tenants in an accessory apartment, rental income, companionship, security and services, and thereby, ~~to~~ enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- B. Add inexpensive rental units to the housing stock to meet the needs of smaller households, both young and old;
- C. Make housing units available to moderate income households who might otherwise have difficulty finding homes within the city;
- D. Develop housing units in single-family neighborhoods that are appropriate for small households at a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for particular services.
- E. Allow more efficient use of existing single-family dwellings and public infrastructure.

17.92.020 CONDITIONS

- A. A permit will be granted for a use to be known as an accessory dwelling unit, provided that the following standards and criteria are met:

1. The original unit, including any accessory dwelling unit, shall all be considered a single-family residence rather than a “duplex” or “multi-family” as defined by the applicable building codes.
2. A detached accessory dwelling unit shall not be connected to, and served by, the same water and sewer services that serve the primary building. See [SMC 13.04.140](#) “Separate Connections” and [13.16.150](#) “Separate Building Connections Necessary”.
3. Any new construction, remodeling or renovation of an existing structure to accommodate an accessory dwelling unit shall conform to the setbacks, height restrictions, health, fire, building and other code requirements current at the time of application. Additionally,
 - a. An accessory dwelling unit must have its own entryway with eating, sleeping, and sanitation facilities that can be isolated from the original unit.
 - b. Any wall of a detached accessory dwelling unit shall be a minimum of ten feet (10’) away from any wall of the primary structure.
 - c. **A Certificate of Occupancy must be issued by the inspecting authority prior to building occupation.**
4. There shall be no more than one attached accessory dwelling unit and one detached accessory dwelling unit, for a maximum of two accessory dwelling units, per single-family residence.
5. An accessory dwelling unit shall not exceed the lesser of seventy-five percent (75%) of the size of the original dwelling unit or fifteen hundred (1,500) livable square feet.
6. The owner(s) of the residence shall occupy at least one (1) of the units on the lot; except for bona fide temporary absences of three (3) years or less for activities such as:
 - a. A temporary job assignment, sabbatical, or voluntary service.
 - b. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.
 - c. City staff will require written documentation verifying the temporary absence.
 - d. The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the Planning Department in writing. They shall include in the request their anticipated length of absence and estimated return date, a forwarding address, phone number and email address where they may be contacted by the city, and the names, phone numbers and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.
7. Parking:
 - a. A single-family residence with one or more accessory dwelling units must have at least one (1) dedicated off street hard surfaced parking area, per accessory dwelling unit, available for use by the owner-occupant(s) and tenant(s). **See Utah Code Annotated 10-21-303 “Internal accessory dwelling units”.**

- b. Any detached accessory unit, over 650 square feet must have (2) dedicated off street hard surface parking area. See [Utah Code Annotated 10-21-304](#) "Detached Accessory Dwelling Unit."
 - 8. Other conditions for an accessory dwelling unit:
 - a. An accessory dwelling unit shall not be sold separately or subdivided from the original single-family dwelling unit.
- B. Accessory dwelling units are allowed in "A" (agricultural zone), "RA" (residential agricultural zone) and "R-1" (single-family residential zone). Internal accessory dwelling units, are allowed in the MPC (master plan community) in a detached single family home only.

17.92.030 APPLICATION PROCEDURES

- A. Application for a permit for an accessory apartment shall be made to the zoning administrator in accordance with the accessory dwelling unit conditional use permit procedures given in this title and, if required, shall include:
 - 1. A new construction zoning clearance.
 - 2. A fee as set forth by the most recent prevailing fee schedule adopted by resolution of the city council to cover the costs of processing the application and code inspection.
- B. Within fourteen (14) days of the receipt of an application, the zoning administrator shall review and render a decision on the application, to ensure that it meets ~~. If the application fails to meet~~ all of the conditions listed in [SMC 17.92.020](#) of this chapter.
- C. The purchasers of a home that have a permit for an accessory apartment who want to continue renting their apartment must demonstrate that all conditions of the existing permit have been met.

17.120.010 USE ALLOWANCE MATRIX

Current:

Accessory apartment: "AC" in A, RA, R-1 and MPC

Accessory, residential unit: "C" in CB, CC, Mixed-Use Overlay and "P" in A, RA and R-1.

Proposed:

Accessory Dwelling Unit: "P" in A, RA, R-1 and MPC

~~Accessory, residential unit: "C" in CB, CC, Mixed-Use Overlay and "P" in A, RA and R-1.~~

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- 2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the

validity of the Ordinance as whole, or any other part thereof.

3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and Signed this 9th day of September, 2026.

SMITHFIELD CITY CORPORATION

Aaron Rudie, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

2026-13 Accessory Dwelling Unit Changes

August 19, 2026

This summary analysis of the proposed ordinance is based on previously adopted city codes and standard city development practices. This report is to be used to review and consider the proposed changes to the Smithfield Municipal Code. This proposal constitutes a [legislative](#) decision and should be considered as such.

Minor Code and Link Changes

In the Accessory Dwelling Unit code found in [SMC§17.92.010](#), there are some minor wording changes, that are based on the recent State Code requirements found in SB 284. These changes are detailed below.

1. We can now require a "Certificate of Occupancy," on new or converted detached dwelling units and this requirement will be including in the condition section of our code.
2. Our municipal code contains two links to both internal and detached accessory dwelling unit requirements in the State code. The State has restructured and relocated the Land Use Code under section [UCA §10-21](#). These links will be updated to the new location.
3. State Code no longer allows municipalities to consider accessory dwelling unit applications under a conditional use. They must be allowed.
4. The Use Matrix Table in [SMC§17.120.010](#) needs to be adjusted to show the recently passed state legislation.
5. We are also making a small changes to the application procedures to clarify requirements, allowed internal dwelling units in an MPC and the required parking for detached dwelling units.

