



SMITHFIELD CITY PLANNING COMMISSION MINUTES September 15, 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, September 15, 2021

The following members were present constituting a quorum:

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

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

Others in Attendance: Bob Holbrook, Marshae Stokes (Heritage Land Development), Debbie Zilles

6:32 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 August 18, 2021 meeting to stand as submitted.

RESIDENT INPUT - None

AGENDA ITEMS

Discussion and possible vote on the request by Heritage Land Development for approval of the Final Plat for the Mountain Valley PUD, a (40) lot/unit subdivision located at approximately 80 East 600 South.

Marshae Stokes said there is no difference from the preliminary, all requested changes have been made and civil plans have been submitted. Mr. Bodily said it is the same as was discussed at the last meeting.

MOTION: Motion made by Commissioner Heaps to **approve** the request by Heritage Land Development for approval of the Final Plat for the Mountain Valley PUD, a (40) lot/unit subdivision located at approximately 80 East 600 South. Commissioner Freidenberger seconded the motion. Motion approved (7-0).

Vote:

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

Public Hearing, no sooner than 6:35 P.M., for the purpose of discussing Ordinance 21-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.88 “Planned Unit Developments”, Section 17.88.110 “Subdivision Concurrent With (PUD) Approval, Section 17.88.120 “Preliminary PUD Plan Approval”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Section 17.81.040 “Rezone Required (MPC)” and Chapter 17.89 “Mixed-Use Overlay Zone”, Section 17.89.130 “Site Plan Required”.

6:37 p.m. Public Hearing Opened

There were no comments or questions.

6:38 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-30

Ordinance 21-30 proposes to make changes to multiple chapters of code.

- ✓ 17.88 “Planned Unit Developments” - proposing to add text that details the plans to be submitted as “preliminary site and landscape plan.”
- ✓ 17.81 “Master Plan Community,” - replace the words “site plan,” with “preliminary site and landscape plan and proposing to add a sentence that details the requirement for the developer to return to the commission if the preliminary plan changes.
- ✓ 17.89 “ Mixed-Use Zone,” - proposing to alter the wording to require a preliminary site and landscape plan.
- ✓ In 16.09.040 “Approval of Preliminary Plat,” - add wording to make sure that changes can be approved by the planning commission, with exception to the MPC code.

Mr. Bodily said this will require that a preliminary plat be submitted with a rezone request. Mr. Boudrero pointed out that the term “conceptual” plan was changed to preliminary plan for consistency. A landscaping plan will also be required.

Councilmember Wells suggested changing the word “will” to shall in the first sentence in 17.88.110. The Commission felt the words were interchangeable and decided to let the Council determine if they wanted to change it.

MOTION: Motion made by Commissioner Freidenberger to **forward a recommendation to the City Council to approve** Ordinance 21-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.88 “Planned Unit Developments”, Section 17.88.110 “Subdivision Concurrent With (PUD) Approval, Section 17.88.120 “Preliminary PUD Plan Approval”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Section 17.81.040 “Rezone Required (MPC)” and Chapter 17.89 “Mixed-Use Overlay Zone”, Section 17.89.130 “Site Plan Required”. Commissioner Daniels seconded the motion. Motion approved **(7-0)**.

Vote:

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

Discussion and review of building height requirements and setback requirements in the Municipal Code.

Height:

Commissioner Freidenberger asked about parking and whether it should be considered (outside of, or built-in parking). Mr. Bodily said sometimes it is more economical to add parking underneath a structure to help maximize the available space, however, it would be up to the developer.

Councilmember Wells said height is measured from the lowest part of the building – the threshold of the main floor entrance to the peak of the building and suggested changing that to be measured from the street level. The Commission agreed.

Commissioner Freidenberger suggesting only allowing an increase in the height (up to 50' from street level) within certain zones such as General Commercial (GC), Community Commercial (CC), Central Business District (CBD), Master Planned Community (MPC), and multi-family zones.

Councilmember Wells said that these suggestions will be used to create an ordinance, which the Commission will review, a public hearing will be held, after which it will go to the City Council for final review/approval.

Chairman Gibbons said one of the functional reasons for a proposed height increase is the fact that the Fire Department is able to access higher buildings.

Setback:

Mr. Boudrero provided Commission members a copy of Perry City's dual setback allowances for review before the meeting.

Commissioner Freidenberger likes allowing a minimum 15' front setback and a 25' garage setback. Chairman Gibbons is more inclined with 20'. Mr. Boudrero said that from an architectural standpoint, the 10' difference is quite a distance.

Mr. Bodily confirmed that setbacks are measured from the property line (does not include sidewalk and park strip).

Commissioner Heaps likes the idea of a 15' minimum front setback. Commissioner Weber agreed, especially if the idea is to allow for more flexibility.

Chairman Gibbons pointed out that the 25' garage setback is meant to allow for longer vehicles to be able to park in driveways without hanging out over sidewalks.

Mayor Barnes noted that most new homes have entrances into the home from the garage. Commissioner Freidenberger said this proposal would not be a requirement, it would only provide more options.

Councilmember Wells said the ordinance currently requires that lots have a minimum of 25' frontage from a dedicated street, therefore corner lots that have two sides facing a street require a combined setback of 50' – with a minimum of 20' (e.g. can have 25' & 25' or 20' & 30'). If a change to 15' is allowed, this section will require some

modification. Commissioner Daniels suggested allowing a combined setback of 40' or allow 25' for a garage side and 15' for a front side. Chairman Gibbons said the 15' setback should also be allowed for corner lots (15' on each street-facing side) if desired.

The Commission discussed and agreed to leave side setbacks at 10' from the structure to the property line.

Councilmember Wells explained that the 30' rear setback is calculated from the structure to the property line; the distance is measured from right angles to the building. Commissioner Freidenberger asked if this would affect any Accessory Dwelling Unit (ADU) possibilities. Commissioner Bell said one of the reasons for this idea is the ability to allow for more unconventional designs to provide more housing alternatives. Councilmember Wells said it might be difficult to build a separate structure, however, additions to a current home are allowed. Chairman Gibbons said a secondary structure would have to meet all current building setbacks and questioned whether the idea for adjusting setbacks is to accommodate ADUs or for other reasons. He pointed out that the ADU ordinance is being reviewed by the City Council and he does not believe that this should be based only accommodate ADUs.

Chairman Gibbons wondered if there would be greater demand for recreational areas if rear setbacks were reduced. Commissioner Weber said one of the ideas was to allow for larger backyards if front setbacks were reduced.

Commissioner Freidenberger asked if requests could be reviewed and approved on a case-by-case basis. Mr. Bodily said that cannot be done.

Chairman Gibbons is in favor of keeping the 30' rear setback. Commissioner Heaps agreed and suggested keeping an eye on what other cities are doing.

Mr. Holbrook pointed out that reducing the setback will likely result in a larger home.

Chairman Gibbons summarized the discussion and consensus for 50' maximum height in discussed zones; minimum 15' front setbacks, a 25' garage setback, and maintaining the side and rear setbacks as they currently are. Height should be defined "from the street level".

OTHER

Mr. Bodily said Main Street will be closed, and traffic will be diverted through Hyde Park beginning Friday (Sept. 17) from 4400 South to approximately 800 South from 9:00 p.m. to 8:00 a.m. for underground work.

A site has been chosen in the northeast part of town for a tank reservoir, however, it has not been approved yet.

Councilmember Wells said the Council is working on the ADU ordinance to make sure that it conforms to the Fire Code requirements. The next Council meeting will be held October 27.

ULCT training for the Commission will be held on Thursday, September 30. Mr. Boudrero will email the information out; he will also send out each member's annual training hours.

MEETING ADJOURNED at 7:40 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman