SMITHFIELD CITY
PLANNING COMMISION MINUTES
January 20, 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, January 20, 2021

The following members were present constituting a quorum:

Members Present: Scott Gibbons (Chairman), Katie Bell, Hutch Daniels, Brooke Freidenberger, Jasilyn Heaps, Stuart Reis, Juli Weber

City Staff: Clay Bodily, Brian Boudrero, Jon Wells, Mayor Jeff Barnes

Others in Attendance: Danny Hansen, Kenneth Bell, Bob Holbrook, Brian Bair, Brian Higginbotham, Bryce Goodin, Jeff Jackson, Kristen & Rick Black, Casey Hillyard, Lex Shakespear, Josh Jensen, Cheryl & Alma Burgess, Thom Toolson, Glade Smith, Kip Panter, 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 December 16, 2020 meeting to stand as submitted.

RESIDENT INPUT - None

AGENDA ITEMS

Public Hearing, no sooner than 6:35 p.m., on Ordinance 21-03, an ordinance rezoning parcel numbers 08-042-0007, 08-042-0022 and 08-042-0023 from R-1-10 (Single-Family Residential 10,000 Square Feet) to R-1-10 (PUD) (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone). The parcels are located northeast of 800 West Saddleback Road and total approximately 50.75 acres.

Chairman Gibbons recused himself from the discussion and vote for this item.

Vice-Chair Heaps began conducting the meeting and reviewed the public hearing procedures.

6:37 p.m. Public Hearing Opened

Casey Hillyard lives east of this area. He has been here before and wants residents' voices to be heard. He is concerned about what is "being forced upon us". This property was annexed last fall and rezoned shortly thereafter; he questioned why it should be changed again so soon. He would like to see a forum where residents can meet with City officials, staff, and developers to discuss issues. He feels like the concerns of the citizens in this area are not being heard. He understands that adjacent residents do not own this property and that growth is inevitable, however, they would like to see it done

responsibly. It does not make sense to put small lots next to large lots, where many residents have animals. The roads are not big enough to handle the traffic for a large development. He would like to come to an agreed-upon compromise, the neighbors are considering filing a referendum. He is also concerned about water.

Cheryl and Alma Burgess sent an email before the meeting. She asked that the Commission watch the videos that were attached before a vote is taken. She agrees with Mr. Hillyard's comments and would appreciate the opportunity to meet in some type of forum to discuss concerns and options before a decision is made. At a previous meeting regarding another property, the Commission was asked to follow the future land use map, which was done, and she thanked them for doing so. She is asking that the map be followed in this instance as well. Changing the zone to one lot per 10,000 SF multiplies the potential density on this property by 43 times. They, and others, requested that the original zone not be changed from Agricultural, however, it was approved to R-1-10 because it was not contrary to the future land use map. Now, there is another request to increase density further. Mr. Burgess said a vote in favor of this rezone would be going against the future land use map. Each Commissioner has an office to uphold and to serve the City and he asked for that to be done. He asked that the members of the Commission adhere to the professional planners and engineers who spent the time in developing the future use map so that the culture and atmosphere can be retained. Development and growth need to be responsibly controlled. They feel like this area is being targeted. Development should match the surrounding area. He thanked the Commission and asked them to again honor the future land use map. Ms. Burgess said this is not what the people want. She is aware that the Commission may want this type of development, however, she echoed the request to follow the future land use map.

Rick Black said he is not opposed to growth or development; however, he would like to see it done in a manner that is best for the citizens, the City, and the County. He, too, would like the opportunity to discuss the issues and come to a compromise. They have been talking to people around the state who have been in a similar situation and who are willing to help with a referendum, however, that is not the best option. Decisions will have consequences. He understands that citizens will not get everything they want but would like to see some type of compromise. He agrees with the comments previously stated.

Glade Smith lives on Saddleback Road and agrees with all the comments. He thinks the agenda "*from R-1-10 (Single-Family Residential 10,000 Square Feet) to R-1-10 (PUD) (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone)*" is confusing and misleading. Most residents will think that the size of the lots will not be changed when, in fact, the PUD allows for decreased lot sizes which could permit six (6) homes per acre.

Lex Shakespear lives west of this property and supports what has been said.

6:52 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-03

Jeff Jackson, with Visionary Homes, said they have been coming in for the past few years regarding this area and he understands the concerns. The process of annexation and rezone takes time. They are excited about this project and the City's desire for something different. The property was annexed into the City as Agricultural; it was then rezoned to R-1-10. The purpose of the request to a PUD is to encourage more imaginative and efficient utilization of the land and to allow for more creativity. With this type of development, there are tradeoffs with density and things such as walking trails, recreation amenities, and open space. If a PUD overlay is not allowed, a traditional subdivision can be put in, however, as a citizen of Smithfield, he feels this is in the best interest of the City. He asked the Commission to consider the discussions over the last several years.

Commissioner Freidenberger asked about a way to come together with the concerned residents to reach a compromise. Commissioner Heaps said that is an option but is not something the City would facilitate. Mr. Jackson said he would not be opposed to speaking with the residents but does not want them designing the project. He has listened to the concerns and will work through what they can.

Commissioner Heaps explained that this rezone is to request the PUD overlay. Regarding Mr. Hillyard's question, she explained that the PUD overlay can go over multiple different zones, they are requesting it over the current zone of R-1-10. Commissioner Freidenberger asked about the square footage limit with a PUD; Councilmember Wells said it allows for a maximum of 5.25 units/acre. The lot sizes can decrease because amenities are added (the tradeoff that Mr. Jackson talked about). They cannot go above the density so the developer will calculate the acreage (minus the roads). The base density is 3.5 units/acre and the ordinance allows up to 50% more which could be up to an additional 1.75 units/acre.

Commissioner Reis said residents mentioned growth and doing it "the right way" and questioned what that meant. Commissioner Freidenberger asked what "compromise" the citizens would like to see. Mr. Black said there is a lot of talk about affordable housing, but the cost of $300,000 for a starter home is not affordable. If that is one of the goals of this development, he does not see how that will happen; "stacking people all together" does not provide that. If a profit margin needs to be met, as well as trying to appease the City with green space and parks, homes will need to be squeezed in. As much as we would like to think that everything is for the betterment of society and citizens, it is not always the case. He does not think dense housing works. He encouraged the members to review the literature that he and his wife sent in. Building more homes does not decrease prices. He understands that growth will happen, but he does not want to see "people piled together" with the idea that affordable housing will be reached. This development will affect things such as dogs running around, noise, and traffic.

Glade Smith said infrastructure should be in place before development to make sure there is appropriate access. Nothing has been done to improve the traffic, they have asked for Saddleback Road to be made safer, but no changes have been made.

the starting price will likely be somewhere in the high $200,000 range. He also answered for Commissioner Freidenberger that there will be an HOA fee (likely $65-70 per month). HOAs are required to do an analysis every five years to review the fees. The homes that are currently there have no monthly HOA fee, they paid an investment fee when the homes were purchased (based on a percentage).

Commissioner Heaps reviewed the document that was sent to the Commission regarding responsible growth titled *Affordable Housing and the High-Density Myth*. The section titled *What is the Answer to Affordable Housing* (page 18-20) references the need for investing in all types of housing, not just multi-family. The conclusion was to encourage cities to include small single-family houses, the type usually referred to as starter homes, as opposed to problematic high-density units. This development is not high-density housing, but rather smaller starter homes. High-density is not the only way, or a guarantee, to increase affordability. Affordability is not created when new houses are built, affordability comes later when they are no longer the newest. Construction prices are high currently, but there is a need for increasing the number of homes. The document seemed to be just as much for a PUD as it was against multi-family. She appreciates that the neighbors care and are involved.

Commissioner Daniels asked about the water concerns. Mr. Bodily said every subdivision must go through a water model analysis.

In reference to road concerns, Mr. Bodily explained that in the Transportation Master Plan there is a 66' right-of-way on 600 West (major collector), going into this development. 800 West has always had development-driven improvements and there will eventually be improvements made between the school and the state road. 800 West will be 66' wide where the development is.

Commissioner Freidenberger asked about the referendum. Ms. Black said they wanted to make sure the Commission was aware that this is an option and is not intended as a threat.

Commissioner Heaps said there has been a lot of reference to how Smithfield should be long-term. She said the Wasatch Front is quite different than it was 50 years ago. The land will continue to be used so it makes sense to offer smaller lots and there should be opportunities for future residents.

Commissioner Freidenberger said Smithfield has a little of everything and the least amount of agricultural land left. She questioned where/when it should stop and how much further west should be developed. She would like to see a balance and does not think Smithfield should take on all the growth. Commissioner Reis disagreed that Smithfield is taking all the growth and noted that the south end of the valley is growing the fastest.

Commissioner Bell noted that Smithfield needs to continue to grow to increase the tax base and support the schools. She has heard a lot of "we know that growth has to happen <u>but</u>…". She questioned what the "<u>but</u>" means. Growth will continue regardless of personal opinion.

Commissioner Daniels said the Commission tries to plan, forecast, and organize the best way possible. Agricultural land will eventually get taken up, so the charge of the Commission is to handle it in the best way possible.

Commissioner Heaps moved to Smithfield after college and believes the people are part of what makes the City so great. Many people are trying to find housing and she is not opposed to bringing more people in. She also pointed out that the market will drive the demand. Currently, housing is getting soaked up quickly. “What is best for everyone” has been mentioned a few times and she thinks that future residents should be included. There is a demand for different types of housing and offering creativity can help address different types of populations.

Brian Higginbotham asked if projects are typically voted on before the results of the water model analysis are complete. Mr. Bodily reminded the Commission that the Commission is only a recommending body, the City Council will make the formal decision. A subdivision approval may be considered concurrent with the PUD approval. Mr. Higginbotham said the difference in the number of units could potentially be a factor, he also asked about the floodplain. Mr. Jackson said if a plan had to be 100% perfect before being heard it would never be done. This is part of the process and things can change along the way if needed. The concerns, relative to the water model, are addressing the pressure and size of piping and valves. There will be a way to make this project work, even if something needs to be adjusted. Mr. Bodily also pointed out that water demand is calculated into the water model. Mr. Jackson said they are aware of the floodplain (the south end, which is part of the green space area). If a home is in a floodplain, that information will be recorded on the title.

Mr. Jackson said a referendum is a tool that citizens can use to put a project on hold, however, it would not be until after the City Council's approval. If the PUD is not approved, a traditional 10,000 SF subdivision will be put in. He encouraged the citizens to truly study what is being offered and consider if this type of project would be better or worse than a traditional subdivision with no open space, trails, or amenities. A referendum would only apply to the PUD request and would not apply to the underlying R-1-10 zone.

Commissioner Weber asked about the differences between a PUD and a traditional subdivision. Mr. Jackson said this PUD proposal has eight acres of green space, trails, and recreational and civic amenities. A traditional subdivision would not have any of these items.

Ms. Burgess asked if this proposal is similar to The Vineyard in Providence. Mr. Jackson said it is not, this is 100% single-family homes. He explained that the amenities are in exchange for more density. Ms. Burgess asked why the lots could not be larger and said it is not the City’s responsibility to make sure a project meets their bottom line but that it fits into the community. Commissioner Heaps said City staff is always available to answer questions about projects. She pointed out that it is not the City investing time and money into development. The Commission reviews whether it meets the requirements.

Commissioner Daniels noted that 10-20 years the City was dealing with the same issue when 2-5 acre lots were established; this will always be a concern.

Kristen Black said the concern is that this is pushing up against existing homes. Growth should occur in the City and spread as it moves outward toward the perimeter. There should be larger lots near the County border. She does not disagree with this type of development, just where it is located.

Commissioner Heaps said Smithfield will continue to grow and change. Commissioner Daniels agreed and asked whether it is more appropriate to "grow out or grow up". People do not want taller buildings and more multi-family complexes. Commissioner Heaps noted that the article she referenced earlier recommended against growing up. Unfortunately, there will never be perfect buffer zones everywhere.

Commissioner Reis asked if buffers could be designated within a PUD. Mr. Bodily reminded that the Commission that it is not their responsibility to design a project, just ensure that it meets the current Code requirements.

Bob Holbrook noted that if a buffer zone is created, years from now it will change with development in other areas.

MOTION: Motion made by Commissioner Daniels to forward a recommendation to the City Council to **approve** Ordinance 21-03, an ordinance rezoning parcel numbers 08-042-0007, 08-042-0022, and 08-042-0023 from R-1-10 (Single-Family Residential 10,000 Square Feet) to R-1-10 (PUD) (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone). The parcels are located northeast of 800 West Saddleback Road and total approximately 50.75 acres. Commissioner Bell seconded the motion**. Motion approved (5-1)**.

Vote:
Aye: Bell, Daniels, Freidenberger, Heaps, Weber
Nay: Reis
Abstain: Gibbons

Discussion and possible vote on the request by VHD, LLC, for approval of the Preliminary Plat for Fox meadows PUD, a 206-lot/unit subdivision located northeast of 800 West Saddleback Road. Zoned R-1-10 (PUD) (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).

Mr. Bodily pointed out that the items that need to be addressed include off-street parking, roads, setbacks, and density bonuses.

Mr. Jackson said the PUD gives them the ability to create a unique design. They have worked with staff on the road widths. A typical street has a 60' cross-section, they are proposing to modify the cross-section and take part of it and move it to the trail corridor. The asphalt width is the biggest concern. The City Code has a 50' standard cross-section that has 25' of asphalt (a 60' road has 31' of asphalt). They are proposing that 600 West have a 66' right-of-way, the street coming in from 800 West and tying into 600 West will be 60', the other streets will be a modified cross-section, however, the amount of asphalt will remain at 31'. The west road will have no sidewalk. The park strips in a standard 60' cross-section are 6' and will be 4' in the modified section. Trails will be located to allow access behind the homes, which would allow homes to have a sidewalk in the front and a trail in the back except for the far

west row of homes that are adjacent to an existing development. Those homeowners would have to cross the street to access a sidewalk. There will be trail stubs to the north and west which will allow future developments to pick up the system. The trail is being designed to be meandering with landscaping along both sides. Parking will be allowed on both sides of the street (because the width of the asphalt is not changing). The road around the main park has been increased from 31' of asphalt to 34'. All streets will be City streets, not private roads.

Commissioner Freidenberger asked why pickleball courts and a pool were chosen over other options. Mr. Jackson said that is what is commonly asked for in amenity packages.

Mr. Jackson said the base density is 3.5 units/acre. The requested bonus density is based on 4% for additional open space, 10% for recreational amenities, 10% for off-street parking, 1% for building materials, and 5% for trails for a total of 30%. This would allow for a density of 4.6 units/acre which would equate to 198-206 homes.

Mr. Jackson answered for Commissioner Freidenberger that a pool would not be affected by the floodplain. He is confident that through engineering research and historical water tables, they can submit for a review and possibly have the floodplain designation removed. Floodplains are generally designated broadly and can be adjusted specifically.

Bryce Goodin, with Visionary Homes, said the Code specifically identifies front and rear yards to be 20' setbacks, the sideyards are 15' between structures so they are doing 7.5' on each lot. They are asking for a variation on a street-side lot, there is some ambiguity in the way the Code was written. The request is for a 12' side yard setback on a street-side corner lot.

Mr. Jackson pointed out that the trail system will be a cost-saving to the City as the long-term maintenance and repair will be handled by the HOA. Commissioner Freidenberger asked if the HOA could mandate that the trails be completely private and not be accessed by the public. Mr. Jackson said a public easement could be put across the trail. Councilmember Wells said that can be included in the HOA bylaws, which will be approved by the City.

Mr. Jackson said traffic concerns have been brought up. They have done a preliminary traffic study. Currently, 800 West is built for 79 vehicles/hour or 1,200 vehicles/day, the highway is built for 1,440 vehicles/day; 600 West is built for 900 vehicles/day. Currently 164 vehicles/hour use 600 West, 79 vehicles/hour use 800 West, and 646 vehicles/hour use the highway. These numbers are well below the capacity. With the addition of this project, 800 West will increase to 190 vehicles/hour, the highway would increase to 878 vehicles/hour, and 600 West will increase to increase to 280 vehicles/hour. These are still well below the capacity. Commissioner Freidenberger is concerned for safety near the school, especially with more cars and more parking. Mr. Bodily said the standards for roads have safety concerns built-in. Mr. Jackson has some studies he can send to the Commission for review. Commissioner Heaps asked about the roads to the east. Mr. Bodily said there is a turnaround requirement if they are longer than 150'. Mr. Jackson said they are designed as a hammerhead turnaround.

Mr. Jackson clarified for Commissioner Freidenberger that the pool will be private, with a lock system and will not have a lifeguard. The playgrounds will meet all applicable ADA requirements.

Commissioner Daniels suggested having more parking by the pickleball courts. Mr. Jackson said more spots can be put in near the central amenities. The Commission recommended adding six (6) additional spots.

Commissioner Freidenberger said she is not a fan of modified road design because of safety concerns with crossing the street. Commissioner Weber said changing the road design will not make crossing a street any safer. Commissioner Freidenberger would like to see sidewalks on the road to the west; Commissioner Heaps and Daniels agreed. Commissioner Bell disagreed because there are safety issues anywhere when crossing a street, this should not be pointed out in one particular subdivision. There are other roads in the City without sidewalks, she lives on 200 North and there are no sidewalks to the east. Commissioner Freidenberger is concerned about the proximity to the school. Mr. Higginbotham said his experience, near Sunrise Elementary, was that to be a designated safe walking school, sidewalks were required to be put in, which was done through a grant. Commissioner Heaps agrees that the homes to the west should have front sidewalks (about 550 West). A majority of the Commission agreed that (550 West) should be a 60' standard cross section.

Mr. Jackson answered for Commissioner Freidenberger that the minimum lot size would be 6,280 SF and confirmed for Commissioner Heaps that the trails would be 8-10' wide.

Commissioner Freidenberger would like the lots to be larger.

Mr. Higginbotham pointed out Municipal Code 17.88.100.

G. Approval of a conceptual PUD plan shall require the following findings:

1. *The proposed development is consistent with the standards of the general plan;*
2. *In cases of a residential PUD, the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zone;*
3. *The proposed development creates no detriment to adjacent properties nor to the general area in which it is located, and it will be in substantial harmony with the character of existing development in the area;*
4. *The PUD project will provide more efficient use of the land and more usable open space than a conventional development permitted by the underlying zone;*
5. *Any variations allowed from the development standards of the underlying zone will not create increased hazards to the health, safety, or general welfare of the public within the proposed planned unit development or adjacent areas; and*
6. *The application of a density bonus of up to fifty percent (50%) will be compensated by better site design and by increased amenities.*

He said, of these findings, the only one in question would be "*3. The proposed development creates no detriment to adjacent properties*". This is the issue that most of the citizens have expressed concern about and it is hard to not be sympathetic that these proposed lots do not match the larger lots. In the spirit of compromise, he asked if the lots on the outer perimeter could be increased.

Mr. Jackson disagreed because there is 50 acres of agricultural land to the west that acts as a buffer. He pointed out that for every home removed there will have to be a balance with the amenities.

The Commission agreed to pass on to the council with the following conditions:

- Six (6) additional parking stalls near the pool and pickle ball courts.
- Bonus densities for 30% bonus density based on 4% for Open Space, 10% for Recreational Space, 10% for Off-street Parking, 1% for Building Materials (brick and/or stone), and 5% for Trails.
- Widening 550 West to be a 60' right-of-way so that a sidewalk can be added to the east side of the street.
- Side yard setbacks on corners to be 12' rather than the required 20'.

MOTION: Motion made by Commissioner Heaps to **approve** the Preliminary Plat for Fox meadows PUD; a 206-lot/unit subdivision located northeast of 800 West Saddleback Road. Zoned R-1-10 (PUD) (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone) with approval for a 30% density bonus, the addition of six (6) parking spots in the central recreation area, sidewalks along the west (550 West) road and increase right-of-way to 60 feet rather than 50 feet, and the setbacks at 12' rather than the required 20'. Commissioner Weber seconded the motion**. Motion approved (6-0)**.

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

Discussion on Accessory Dwelling Units

Mr. Boudrero explained that a property owner can apply for an Accessory Apartment Conditional Use Permit which can be approved by staff. This allows for infill without increasing infrastructure.

Mr. Bodily suggested having someone contact North Logan City to see how many applications they have received for accessory dwelling units and how many have been approved. This may help establish whether this is something that will be used much.

Chairman Gibbons said the accessory apartment that Smithfield currently has would be attached to the primary structure, which would require a separate entry (not through a garage). The difference is that North Logan allows for a detached unit, such as an outbuilding or barn, which is subservient to the primary structure. Councilmember Wells pointed out that North Logan's requirement for a detached accessory dwelling is that the floor space on the detached unit cannot exceed 50% of the main building, with a maximum allowance of 1,000 SF.

Chairman Gibbons said the North Logan ordinance requires the accessory structure to be on the same service as the primary structure. He suggested, before spending a lot of time working on this idea, researching the actual usage of detached units.

Mr. Higginbotham agreed to talk to his father-in-law, who previously served on the North Logan Planning Commission.

Chairman Gibbons said a challenge with a detached dwelling would be that it would be subject to all applicable building regulations.

Mr. Higginbotham pointed out that many cities have this type of ordinance, as noted in the KSL article that was forwarded to members before the meeting. This could be another quill in the quiver for Smithfield to offer diverse housing options. Chairman Gibbons agreed and said this concept could certainly help provide affordable housing.

The discussion will be continued at next month's meeting.

Chairman Gibbons reminded the Commission about the January 27, 2021, combined meeting with the City Council to discuss water modeling, culinary water, and the MPC ordinance.

MEETING ADJOURNED at 9:20 p.m.

Minutes submitted by Debbie Zilles

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Scott Gibbons, Chairman