



SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, July 12, 2023**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Sue Hyer

1. Approval of the city council meeting minutes from June 14, 2023.
2. Discussion and possible approval of the pioneering agreement request by Birch Creek Business Park, LLC for infrastructure work in the area of 450 West 600 South.
3. Discussion and possible approval of the pioneering agreement request by Neighborhood Nonprofit Housing Corporation for a sewer line installed from approximately 660 N 510 E to 250 E 680 N.
4. Discussion and possible vote on Ordinance 23-21, an Ordinance rezoning Cache County Parcel Number 08-048-0012 from R-1-12 (Single Family Residential 12,000 Square Feet) to MPC (Master Planned Community). The parcel is located east of 200 South 1000 East and is approximately 34.36 acres. The request was submitted by Dan Sundstrom.
5. Discussion and possible vote on Resolution 23-10, a Resolution informing the State of Utah Water Quality Board of actions taken concerning the municipal wastewater planning program report for 2022.
6. Discussion and possible vote on amendments to the Employee Personnel Manual.
7. Discussion and possible vote on Ordinance 23-10, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Sections 17.81.050 "Development Standards", 17.81.090 "Landscaping" and 17.81.100 "Density Bonuses".
8. Discussion and possible vote on Resolution 23-11, a Resolution amending the Prevailing Fee Schedule of the City.

9. City Manager Report
10. Council Member and Mayor 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) 792-7990, at least three (3) days before the date of the meeting.

SMITHFIELD CITY COUNCIL

JUNE 14, 2023

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, June 14, 2023. The meeting began at 6:30 P.M. and Mayor Kristi Monson was in the chair. The welcome/pledge of allegiance and thought/prayer was by Jon Wells.

The following council members were in attendance: Curtis Wall, Deon Hunsaker, Sue Hyer, Jon Wells and Wade Campbell.

City Manager Craig Giles, Interim Fire Chief Jeff Peterson, City Engineer Clay Bodily, Interim Library Director Karen Bowling, Golf Superintendent Chad Daniels, Recreation Director Brett Daniels, Planning Manager Brian Boudrero, Police Chief Travis Allen, Public Works Director Josh Wright and City Recorder Justin Lewis were also in attendance.

VISITORS: Robert Laursen, Rod Hammer, Jeff Barnes, Bayler Gunnell, Karl Lambert, Todd Orme, Bob Holbrook, Aaron Rudie, Jenn Staker, Chris Harrild, Caralee Stokes, Chris Olsen, Stuart Reis

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM MAY 10, 2023.

A motion to approve the May 10, 2023 City Council Meeting minutes was made by Wade, seconded by Sue and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

DISCUSSION WITH CACHE COUNTY FIRE CHIEF ROD HAMMER.

Mayor Monson introduced Cache County Fire Chief Rod Hammer.

Chief Hammer informed the council the proposal in no way effects the current agreement with Richmond City.

The issue is the lack of firefighters during daytime hours in the north end of Cache Valley. It is hard to get volunteers during the day when people are at work.

The proposal is to put two personnel in the Richmond Fire Station, Monday through Friday from 8:00 A.M. to 5:00 P.M.

Richmond is a good location for the employees to be able to quickly get to any area in the north end of the valley.

Because of the contract, Smithfield will have final say in fire service for Richmond City.

The intent is to have a cooperative agreement between the agencies.

There are some large commercial businesses close to Richmond: Lower Foods, Pepperidge Farms, Casper's Ice Cream and Presto Products. If there is a fire at any of those facilities a fast response time is a must.

Wade concurred it is hard to get volunteers and this agreement could be a good thing for all involved.

Chief Hammer mentioned a benefit Smithfield could see is because of the mutual aid contract if the Smithfield fire department is already out on calls and more staffing is needed the employees from Richmond could respond to a call in Smithfield.

Wade asked if new employees would be hired by the county? Chief Hammer replied the intent is to hire part-time employees. The hope is to hire employees from the Smithfield Fire Department who would like extra hours outside of their normal work schedule. These employees already know the policies and procedures of the Smithfield Fire Department. The hours would be limited to less than 30 per week because the job would be non-benefited.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-09, A RESOLUTION OF SUPPORT FOR A COOPERATIVE AGREEMENT BETWEEN RICHMOND CITY, SMITHFIELD CITY AND THE CACHE COUNTY FIRE DISTRICT FOR DAYTIME STAFFING OF FIREFIGHTERS IN THE RICHMOND, UTAH FIRE STATION.

A motion to adopt Resolution 23-09, a Resolution of support for a cooperative agreement between Richmond City, Smithfield City and the Cache County Fire District for daytime staffing of firefighters in the Richmond, Utah fire station was made by Wade, seconded by Curtis and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY BAYLER GUNNELL FOR APPROVAL OF THE FINAL PLAT FOR THE GUNNELL MINOR SUBDIVISION, A (2) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 119 WEST 100 SOUTH. PARCEL NUMBER 08-086-0065. ZONED R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET).

Bayler Gunnell informed the council he owns the property and there is a house currently located on it. The intent is to split off the extra land and create a new building lot.

Wade stated he did not have any concerns where it is not creating a flag lot or interior lot and the new lot will have frontage on an existing city street.

A motion to approve the Final Plat for the Gunnell Minor Subdivision, a (2) lot/unit subdivision was made by Wade, seconded by Jon and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell
No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY VISIONARY HOMES FOR APPROVAL OF THE AMENDED FINAL PLAT FOR THE VILLAGE AT FOX MEADOWS PUD, PHASE 4, A (9) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 735 WEST 600 NORTH. ZONED R-1-10 (PUD) (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET PLANNED UNIT DEVELOPMENT OVERLAY ZONE).

Wade asked why the final plat was being amended? Brian stated the developer wants to split the original Phase 4 into two phases because of the amount of infrastructure which needs to be installed. Rather than one large phase; the developer would like to have two smaller phases. Eventually the remaining parcel will be Phase 7.

Curtis asked if three more phases still need to be approved? Brian replied later in this meeting Phases 5 and 6 will come before the council for consideration. Down the road Phase 7 will come to the council for consideration.

A motion to adopt the amended Final Plat for The Village at Fox Meadows PUD, Phase 4, a (9) lot/unit subdivision was made by Wade, seconded by Sue and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell
No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY VISIONARY HOMES FOR APPROVAL OF THE FINAL PLAT FOR THE VILLAGE AT FOX MEADOWS MPC, PHASE 5, A (61) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 575 NORTH 600 WEST. ZONED MPC (MASTER PLANNED COMMUNITY).

Jon asked if this phase is the first phase that is zoned MPC (Master Planned Community)? Brian replied that is correct.

Jon asked why this is Phase 5 of the project and not Phase 1? Brian replied because the developer is using the phasing numbers for the entire subdivision of which some is zoned PUD (Planned Unit Development) and some is zoned MPC. Curtis asked if there is any issue with how it is named? Brian replied the staff does not have any concern in this regard.

A motion to approve the Final Plat for The Village at Fox Meadows MPC, Phase 5, a (61) lot/unit subdivision was made by Curtis, seconded by Jon and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell
No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY VISIONARY HOMES FOR APPROVAL OF THE FINAL PLAT FOR THE VILLAGE AT FOX MEADOWS MPC, PHASE 6, A (57) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 650 NORTH 550 WEST. ZONED MPC (MASTER PLANNED COMMUNITY).

A motion to approve the Final Plat for The Village at Fox Meadows MPC, Phase 6, a (57) lot/unit subdivision was made by Sue, seconded by Wade and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY NEIGHBORHOOD NONPROFIT HOUSING CORPORATION, FOR APPROVAL OF THE FINAL PLAT FOR THE SMITHFIELD POINTE SUBDIVISION, PHASE 4, A (32) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 540 EAST 780 NORTH. ZONED MPC (MASTER PLANNED COMMUNITY).

Wade asked if this is the first MPC phase in the subdivision? Brian replied this will be the second approved phase in the area with MPC zoning.

A motion to approve the Final Plat for the Smithfield Pointe Subdivision, Phase 4, a (32) lot/unit subdivision was made by Wade, seconded by Sue and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 23-17, 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”.

Wade asked what prompted the creation of this ordinance? Brian replied in the last year he has come across several of these requests which are very similar in nature. They all basically have the same conditions put in place. Not all of these types of businesses, “Home Occupation – Disruptive”, need to go before the planning commission. This would also allow the staff to send any controversial request, which is not a normal request, to be sent to the planning commission for review and approval or denial. One such request will be heard by the planning commission at their meeting on June 21st.

Curtis asked for an example of a disruptive home occupation. Brian replied a flower shop located in a home which has an employee and does deliveries. Basically any home-based business with vehicles coming and going is considered disruptive. Curtis mentioned in this case disruptive is more about traffic than noise? Brian replied that is correct. Any request with a noise related concern will automatically go to the planning commission for approval or denial.

Brian mentioned a daycare is also considered a disruptive business and that is what the request is for next week.

Curtis asked if Preston Watts Autobody is considered disruptive because they have their employees park on the city street during the day? Brian replied they are a commercial business so they have different rules. This ordinance only applies to “Home Occupation – Disruptive” business license requests.

A motion to adopt Ordinance 23-17, 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” was made by Curtis, seconded by Wade and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING RESOLUTION 23-06, A RESOLUTION AMENDING THE FISCAL YEAR 2023 BUDGET WHICH IS THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2023.

The public hearing was opened at 6:53 P.M.

There were not any comments or questions.

The public hearing was closed at 6:54 P.M.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-06.

Wade mentioned all of his questions have been answered as the council has listened to requests over the last several months.

Jon did not have any concerns.

A motion to adopt Resolution 23-06, a Resolution amending the Fiscal Year 2023 Budget was made by Wade, seconded by Jon and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-07, A RESOLUTION ADOPTING THE FISCAL YEAR 2024 BUDGET WHICH IS THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024.

Wade mentioned this has been one of the harder budgets to balance. A lot of time and effort has been spent. The property tax rate and amount will be finalized at a later date.

Mayor Monson mentioned the department heads save money and don't spend up to their budgeted amount if they don't need something. They save money where they can and don't just go out and frivolously buy things. The proposed budget is sound and has been worked on for many months.

Wade mentioned not all requests were funded but he appreciated the department heads for working with what is approved.

Curtis mentioned this was the eighth budget he has worked on. Two with Mayor Simmons, four with Mayor Barnes and two with Mayor Monson. A lot of work was done previously and information disseminated when the property tax rate was held or adjusted in the past.

Curtis stated he was struggling with keeping the status quo on wages and other options should be considered moving forward. The department heads should be able to evaluate each member of their department and give them an increase based on the value of the work they do. The council and staff should consider not doing just a cost-of-living increase moving forward. The amount being given through the cost-of-living increase can amount to a lot of money for those employees on the higher end of the wage scale. This discussion has not taken place in the past but needs to happen in the future. Wade replied there are two different items to discuss; merit increases and cost of living adjustments. Some of the employees are worth the seven percent cost of living increase and some are not. Other factors should be considered in future years. Curtis mentioned the department head should have more control on determining how much each employee is given. Better employees should be paid more. All departments have good employees but some employees are more important than others. Valuable employees should be rewarded. Deon mentioned he stated at the last council meeting he feels there should be a tiered structure over a cost-of-living increase and he feels the same way now. The city does not have the commercial tax base other cities have. Approximately 92% of the taxable property in the city is residential. Residents pay a higher amount here than in other cities because of the lack of commercial businesses. The Cache County Treasurer's Office supplied this information to Deon.

Jon asked how grants are figured into the new budget. Craig replied grants are not included until they are received as they are typically an unknown.

Mayor Monson mentioned Jon will be putting together some property tax information to send out to the residents regarding the proposed increase as well as the public safety utility fee going away.

A motion to adopt Resolution 23-07, a Resolution adopting the Fiscal Year 2024 Budget was made by Wade, seconded by Jon and the motion passed by a vote of 4-1.

Yes Vote: Wall, Hyer, Wells, Campbell

No Vote: Hunsaker

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-08, A RESOLUTION SUPPORTING AN APPLICATION TO THE WATER CONSERVATION FIELD SERVICES PROGRAM.

Craig informed the council the staff would like to apply for a water system optimization grant. The grant is about optimizing the culinary water system. Information gathered from this project can then be used to apply for other funding opportunities in the future. A Resolution of support by the council is required to apply for the grant.

A motion to adopt Resolution 23-08, a Resolution supporting an application to the Water Conservation Field Services Program was made by Jon, seconded by Wade and the vote was unanimous.

Yes Vote: Wall, Hunsaker, Hyer, Wells, Campbell
No Vote: None

DISCUSSION ON CULINARY WATER CAPITAL IMPROVEMENT PROJECTS.

Craig mentioned the Capital Improvement Project list in the Water Enterprise Fund consists of twelve projects with an estimated cost of \$20,000,000. A new water tank is needed. The actual cost, depending on the location, will be approximately four to six million dollars. It is estimated the projects will cost closer to twenty-five million dollars because of inflation.

Costs are still increasing substantially. A sewer project estimated at approximately one million dollars ended up costing between two and three million dollars.

There is a 100-year-old spring line in the canyon which needs to be replaced. It crosses the river several times. There was a concern with the flooding this spring the waterline could be damaged beyond repair. The line is exposed in some places and leaking in others. The estimated project cost is six million dollars.

There is approximately four million dollars in the fund balance. Money has been saved in the past but there is not anywhere near enough funds available for these projects.

The two options are to bond or do nothing. What does the council want to do?

Wade asked if the estimate for the new water tank includes the purchase of land? Clay replied the engineering firm included property acquisition in the estimate but it will vary based on the location and cost.

Jon asked if the tank would be a 2-million-gallon tank or a 3-million-gallon tank as he had heard both numbers. Craig replied both sizes had been considered. A cost benefit ratio was run where the project which is done is the one for the most value for the dollar. Under current conditions a 2-million-gallon tank is the best option. Jon replied the cost per gallon should be optimized on the project. Craig replied the water in the tank needs to churn and not get stagnant as well so that is a factor.

Wade asked if growth is accounted for in these projects? Craig replied it is and the annexation boundary area is also included.

Curtis asked if a 2,500,000-gallon tank was an option? Craig replied 2,000,000- gallon is the size the city can best utilize now for the money spent. Curtis replied if the cost between a 2,000,000-gallon tank and a 3,000,000-gallon tank is around \$500,000 it is better to have more capacity. Even having a 2,500,000-gallon tank is better than 2,000,000. Clay replied the ability to fill the tank must also be considered.

Jon asked if the projects listed are for the next five years? Craig replied the plan includes projects for 1-5 years, 5-10 years, and so on but the current projects being considered are in the five-year window and immediate needs.

Jon asked if the spring collection waterline needs to be done before the new water tank is built? Craig replied the city was sent a letter by state stating the city does not have enough capacity for fire flow purposes.

Craig stated the city has around \$4,000,000 in the fund balance and the water tank project and spring line project will cost over \$12,000,000. The projects cannot be done in phases. Each project has to be completed in its entirety once it starts.

The staff has applied for grants for some of these projects and the applications have been denied. The reason they have been denied is because the city has a high MAGI (Median Adjusted Gross Income) compared to the other applicants who applied. The funding will go to the cities with the lower MAGI.

Jon asked if homeowners will save on their insurance policies once a water tank is built. Clay replied the deficiency is more of a monthly deficiency than a daily deficiency and typically insurance companies are not aware or involved in anything like this. Wade replied insurance companies do take into account the distance a fire station is from a home.

Curtis mentioned really the only way to fund these projects is through bonding. The interest rate will be a big factor. It will be a decision which will need to be considered in the future.

Craig asked the council how they would like to proceed or if they would like to proceed. Mayor Monson replied Preston, Idaho waited for so long the estimated cost of their project doubled. These are necessary projects. If they are not addressed the city could be setting itself up for a disaster. If the spring line breaks and cannot be repaired the city could be out of water. The longer the city waits to do these projects the more they will cost. A decision of how to proceed needs to be made. Wade stated the residents need to be educated on this subject. More residents are attending meetings than in the past. Information on this subject needs to be advertised. The public needs to be heard from on this subject.

Curtis asked when was the last project the city bonded for? Justin replied the new library building. Craig stated the project before that was a water tank.

Jon asked if the Rec Center bond was paid off. Craig replied it was paid off.

Mayor Monson asked the council what they are going to do when the residents say no, we don't want you to spend the money. Are you willing to let the city go without water? Wade replied the residents need to learn and be informed.

Curtis asked if this is something that would be started this year? Craig replied the design of the projects would take around twelve months. The site location for the new tank needs to be finalized.

Curtis asked if the bonding has to be put in place to move forward? Craig replied most likely nothing would happen with any bonding this calendar year it would most likely be in 2024 if the council elects to move forward. Curtis replied bonding information is needed for the council to review. Jon mentioned if the city can get a loan from the state, it will most likely be at lower interest rate than on the open market. Craig agreed and mentioned the state might be able to loan some funding for some of the projects but most likely not all of the projects.

Craig mentioned only one of the twelve projects is related to growth. A small portion of the new water tank can be attributed to growth. The existing residents will pay for these projects because they are not growth related.

Mayor Monson asked the council if they are willing to consider bonding for these projects? Curtis replied information should be gathered for consideration.

The consensus of the council was to gather bonding information to review and consider at a future council meeting.

CITY MANAGER REPORT MUNICIPAL ELECTION UPDATE
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Craig updated the council on the Central Park well project. The new waterline is losing pressure. The contractor is digging up certain areas and doing testing. Once the leak is repaired the intent is to pave 100 West as soon as possible. Some of the electrical components will not arrive until August. Very little progress is being made right now until the leak is fixed.

Curtis asked who will pay to repair the leak? Craig replied the contractor will pay for this portion of the project.

Curtis asked if the new well was supposed to be online by July and now it looks like it will be August. Craig stated that is correct.

Garbage service will stop with Logan City on June 30th and begin with Econo Waste, Inc. on July 1st. Routes are being finalized. The intent is to start pushing out information to the residents the week of June 19th. Information will be spread via social media and email. There is also an entire section of the website dedicated to solid waste service.

The city office is closed on Monday, June 19th in observance of Juneteenth.

Justin updated the council on the upcoming municipal election.

There are twelve candidates running for three city council seats. The candidates are as follows in no particular order: Sarah J. Price, Jay D. Downs, Chris Olsen, Todd Orme, Karl Lambert, Jon Wells, Aaron Rudie, Stuart Reis, Jeffrey H. Barnes, Dan Sundstrom, Ted F. Stokes and Jenn Staker.

The primary election will reduce the number of candidates from twelve to six.

The general election will see the election of three city council members.

Due to the resignation of Representative Chris Stewart the primary election has been rescheduled from August 15th to September 5th. The general election has been rescheduled from November 7th to November 21st. Even though Representative Stewart's replacement will not be on the local ballot Governor Cox wanted all elections to be held on the same day.

Per State of Utah code the upcoming election will be vote by mail only.

Mayor Monson thanked all of the candidates for their willingness to run and she appreciated that the majority of them were in attendance at the council meeting.

COUNCIL MEMBER AND MAYOR REPORTS

Sue did not have any additional items to report.

Mayor Monson mentioned the youth council is done for the summer months while school is out of session.

Jon updated the council on the Douglass Mercantile building renovation project. Demolition work needs to be done to the interior of the building. A contractor toured the building and will hopefully submit a bid. The intent is to do the demolition work and rough plumbing and electrical with the available funds.

Right now there is \$30,000 in RAPZ Tax funding from 2022 and \$50,000 from 2023.

A CLG (Certified Local Government) grant is available for \$20,000 of which \$10,000 is a grant match which means the city can receive up to \$10,000.

There is also approximately \$10,000 in private donations for the project.

Jon mentioned he met with Craig to review the city code regarding project bids. There are bid bonds and other requirements for any city project over \$25,000. Most contractors will not bid on the project because of all the required paperwork on such a small project. Jon suggested

adjusting the amount in the city code from \$25,000 to \$100,000. Craig replied a draft ordinance would be created for the council to review at a future council meeting.

Jon mentioned during the summer months the senior center is only open on a bi-weekly basis. Curtis mentioned consideration should be given to operating the senior center bi-weekly year-round. Some of the volunteers are getting worn out helping on a weekly basis. They expressed their concerns to Curtis.

Curtis mentioned Jon met with a representative of AGM Log Home Maintenance & Restoration. They are from Rigby, Idaho and stopped by to tour the senior center so a bid could be obtained to redo the logs on the building. Jon mentioned he met with the owner on the Saturday before Memorial Day. They toured the building. This type of project is what AGM does and they are experienced in this line of work.

Curtis mentioned the bid is \$77,040. This includes chinking the building as well as stopping the rot from the logs which are not replaced. A new floor is needed but that price is not included in this bid. The intent is to apply for some CDBG (Community Block Development Grant) funding later this year to pay for this project. Approximately \$17,000 needs to be added to redo the flooring as part of this project.

Mayor Monson asked what the carpet would be replaced with. Curtis replied a new engineered flooring material would be put down. The two bids were \$15,000 and \$17,000 respectively.

Curtis mentioned he spoke with Brian Carver, who works for BRAG (Bear River Association of Governments), about the project. Sharon Johnson, a resident, will help to write the grant. The bid was the key to the grant application. The total project cost will be just under \$100,000. The CDBG program is to help with projects such as senior citizens who are on fixed incomes. The city should not have to pay any of the cost of the project. The bid includes ten percent for inflation over the next year as the application will not be submitted until this fall and if approved the project will not start until next year. Alpine Cleaning and Restoration no longer cleans carpet so the existing carpet will not be cleaned until it is replaced next year.

Mayor Monson thanked Curtis and those involved in the project for their time and efforts.

Curtis mentioned if the city submits its Healthy City application before August 1st, the city will be recognized at the fall Utah League of Cities and Towns conference. Will anyone be in attendance? Mayor Monson replied someone from the council will be there if the city is going to receive an award. The problem with the conference is the hotel rooms are very expensive. The city will pay for the cost of the registration fees if any of the council wants to attend.

Curtis mentioned he needs help. The proposed Ordinance on drought resistant landscaping has stalled at the planning commission.

Curtis mentioned he has already spent \$2,000 on his project. Curtis is ready to kill the existing grass.

Around 20 families Curtis has been speaking with are ready to install drought resistant grass as well as two new homes. None of the work can be done until the city adopts an Ordinance in this regard.

Craig mentioned his understanding was the planning commission tabled the Ordinance for further review and consideration. Planning Commission Chairman Scott Gibbons informed the council they reviewed the proposed Ordinance at their last planning commission meeting. The proposed Ordinance is more complex than what is needed. Enforcement was another concern. There are some potential issues. Design specifications are being reviewed as well. The proposed Ordinance was too comprehensive for what is needed. The staff was asked to review the Ordinance and bring it back with the minimum requirements the state is asking for.

Craig asked Scott who is working on this? Scott replied Brian Boudrero and Commissioner Brian Higginbotham.

Curtis mentioned there are only two components which are needed and the Ordinance can be adopted. Craig replied the Ordinance is based off of what the staff was supplied by the state in this regard.

Curtis asked if the planning commission reviews the request in July if that means it comes before the council in August? Craig replied that is correct. Scott mentioned the Ordinance is not on the June 21st planning commission agenda as it is still being reviewed and worked on.

Curtis mentioned himself and others are ready to move forward with their projects but cannot until the Ordinance is adopted. Curtis has already done curbing, had decorative rock delivered and sprinkling system updated. The next step is to remove the existing grass and replace it with drought tolerant grass. The state would reimburse Curtis up to \$4,000 if the Ordinance was adopted and he applied for the grant funding. The two components which are required need to be added to the Ordinance and it needs to be adopted so people can move forward with their projects and be able to apply for grant funding. Scott replied the planning commission does not want a complicated Ordinance which cannot be enforced if needed. Minimum qualifications will not require any enforcement. Curtis mentioned the grant funding cannot be applied for after a project is completed. The project must be approved before the project starts.

Curtis asked if the Ambassador Program could have its own line item in the budget moving forward. Craig replied it has had its own line item for approximately three fiscal years. Curtis replied he was unaware of this.

Deon mentioned the Lions Club is planning a Meet the Candidates night. A date has not yet been set.

Deon stated some people stated at the last council meeting when he mentioned most of the growth in the valley is internal that he was wrong. According to the Kem C. Gardner Policy Institute 85% of the growth in Cache Valley from 2020 through 20260 is natural increase. Housing is needed to meet this demand.

Wade stated the library is going to go to more standard hours so everyone will know what they are. Karen Bowling mentioned starting on July 10th the hours will be from 10:00 A.M. to 7:00 P.M., Monday through Thursday and from 10:00 A.M. to 5:00 P.M. on Friday and Saturday. Wade mentioned the library board is being very active and helping where needed.

Wade asked Chief Peterson for an update on the fire department. Chief Peterson informed the council the exhaust system for the fire station has been installed.

Wade mentioned he had been contacted by a lot of residents about the MPC (Master Planning Community) Ordinance and they do not like it. Some of the candidates running for office oppose it as well. Curtis asked Wade how many people contacted him about the MPC Zone. Wade replied approximately fifteen.

Craig informed the council the staff had been celebrating the mayors birthday as she was born on Flag Day.

Mayor Monson mentioned any of the candidates can attend an upcoming senior center luncheon to introduce themselves as it is hard for the seniors to attend a Meet the Candidates night.

The mayor and Clay attended a WaterSMART workshop for three days. The county is going to make plans on how to conserve water in the valley and be water smart. It will make a difference long term.

****Wade made a motion to adjourn at 7:59 P.M.****

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, June 14, 2023**. The meeting will begin at 6:30 P.M.

Welcome/pledge of allegiance and thought/prayer by Jon Wells

1. Approval of the city council meeting minutes from May 10, 2023.
2. Discussion with Cache County Fire Chief Rod Hammer.
3. Discussion and possible vote on Resolution 23-09, a Resolution of support for a cooperative agreement between Richmond City, Smithfield City and the Cache County Fire District for daytime staffing of firefighters in the Richmond, Utah Fire Station.
4. Discussion and possible vote on the request by Bayler Gunnell for approval of the Final Plat for the Gunnell Minor Subdivision, a (2) lot/unit subdivision located at approximately 119 West 100 South. Parcel Number 08-086-0065. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).
5. Discussion and possible vote on the request by Visionary Homes for approval of the amended Final Plat for The Village at Fox Meadows PUD, Phase 4, a (9) lot/unit subdivision located at approximately 735 West 600 North. Zoned R-1-10 (PUD) (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).
6. Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for The Village at Fox Meadows MPC, Phase 5, a (61) lot/unit subdivision located at approximately 575 North 600 West. Zoned MPC (Master Planned Community).
7. Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for the Village at Fox Meadows MPC, Phase 6, a (57) lot/unit subdivision located at approximately 650 North 550 West. Zoned MPC (Master Planned Community).
8. Discussion and possible vote on the request by Neighborhood Nonprofit Housing Corporation, for approval of the Final Plat for the Smithfield Pointe Subdivision, Phase 4, a (32) lot/unit subdivision located at approximately 540 East 780 North. Zoned MPC (Master Planned Community).
9. Discussion and possible vote on Ordinance 23-17, 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”.

10. Public Hearing for the purpose of discussing Resolution 23-06, a Resolution amending the Fiscal Year 2023 Budget which is the period of July 1, 2022 through June 30, 2023.
11. Discussion and possible vote on Resolution 23-06.
12. Discussion and possible vote on Resolution 23-07, a Resolution adopting the Fiscal Year 2024 Budget which is the period of July 1, 2023 through June 30, 2024.
13. Discussion and possible vote on Resolution 23-08, a Resolution supporting an application to the Water Conservation Field Services Program.
14. Discussion on culinary water capital improvement projects.
15. City Manager Report
Municipal Election Update
16. Council Member and Mayor 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) 792-7990, at least three (3) days before the date of the meeting.

PIONEERING AGREEMENT

This Pioneering Agreement is entered into by and between Smithfield City (the “City”) and Birch Creek Business Park, LLC (the “Developer”).

WHEREAS, Developer desires to complete construction on a building and has applied for a building permit under Smithfield City Municipal Code § 15.08 with Smithfield City (hereinafter the “City”);

WHEREAS the Property that the extension is being made available to has an address roughly 450 W 600 S Smithfield, UT 84335, Tax ID 08-104-0027 (the “Property”);

WHEREAS the Developer desires to bring utility improvement to the development as required by the City to obtain a building permit;

WHEREAS, the Developer desires to split the cost of the extension with other future property developers who will also benefit from the proposed water line extension; and

WHEREAS, the City’s City Council has authorized the Mayor to enter into this Pioneering Agreement (hereinafter “Agreement”) on behalf of the City.

THEREFORE, Developer and the City hereby enter into this Agreement, subject to the following terms and conditions.

DETAILS OF PLANNED DEVELOPMENT

1. The Developer shall be responsible for extending the water line along 200 West Street in Smithfield from 850 South street north to 600 South, and then west from 600 South 200 West along 600 South until a point that is roughly at 450 West 600 South (the “Water Line Extension”). The Developer shall complete the Water Line Extension in accordance with the plans and specifications approved by the City’s Engineer which shall include employing bore drilling beneath the railroad and using the quality of material as required by the City.

2. The Developer shall also extend the sewer line from 150 feet along 600 south from the western boundary of the Property all the way to the southeast corner of the Property, a total extension of roughly 266 foot extension (the “Sewer Line Extension”). The Developer shall complete the Sewer Line Extension in accordance with the plans and specifications approved by the City’s Engineer.

3. The Developer shall complete all work for the Water Line and Sewer Line Extensions in accordance with the City’s Construction and Design Standards as well as all applicable legal requirements, including without limitation, state or federal statute, rule or regulation, local ordinance, and industry standards.

REIMBURSEMENT PROVISIONS

WATER LINE

4. Under this Pioneering Agreement, the City agrees to require that any future developing landowners pay a per-acre reimbursement to the Developer for the Total Cost (as defined below) the Developer incurs in completing the Water Line Extension according to the provisions herein upon the Developer's request or notification by the City by requiring the reimbursement as a condition of approval or an applicable land use or building permit application.

5. The reimbursement which the City will require of future developing landowners shall be calculated by taking the Total Costs incurred by the Developer in completing the Water Line Extension and then dividing it by 56.14, which represents the total estimated acreage of the Water Line Benefitting Parcels listed below to get the cost per acre.

6. The Water Line Benefitting Parcels Tax ID's are 08-109-0006, 08-109-0007, 08-109-0005, 08-105-0058, 08-109-0004, 08-109-0001, 08-109-0002, 08-104-0028, 08-108-0005, 08-105-0022, and 08-105-0020.

SEWER LINE

7. Under this Pioneering Agreement, the City agrees to require that any future developing landowners pay a per-acre reimbursement to Developer for the Total Cost incurred by the Developer in completing the Sewer Line Extension according to the provisions herein upon the Developer's request or notification by the City by requiring the reimbursement as a condition of approval or an applicable land use or building permit application.

8. The reimbursement which the City will require of future developing landowners shall be calculated by taking the Total Costs incurred by the Developer in completing the Sewer Line Extension and then dividing it by 13.77, which represents the total estimated acreage of the Sewer Line Benefitting Parcels listed below to get the cost per acre.

9. The Sewer Line Benefitting Parcels Tax ID's are 08-104-0028, 08-108-0005.

TOTAL COST

10. The Total Cost incurred by the Developer for the Water or Sewer Line Extension shall be based on actual invoices and other documentation necessary to verify the total provided to the City by the Developer within 90 days of completion of either Extension. The Developer submitting this documentation is a condition precedent to the City having to perform under this Agreement.

11. Reimbursements to be triggered when landowners or future developers apply for building permits or land use approvals including, without limitation, final subdivision plat approval. Reimbursements shall be made prior to approval of building permits or land use application.

12. Notwithstanding the foregoing provisions of this Agreement, if a property ties into

the Water Line or Sewer Line Extension during the Reimbursement Period and is not listed among the benefiting properties, the City shall still require the property owner to pay reimbursement as set forth herein. At no time however may the total reimbursement to the Developer exceed the Total Cost incurred by the Developer in completing the Water Line or Sewer Line Extensions.

13. Although the City will attempt to monitor future development activities and contact the Developer of any development request that would result in reimbursement, the City does not assume the responsibility to do so. If the City does not notify the Developer of the reimbursement requirement, then failure on the part of the Developer to request reimbursement prior to the final approval of any building permit request or land use application will result in the forfeiture of the reimbursement required herein.

14. The amount to be reimbursed shall be determined by the City, based on the provisions herein. All reimbursement payments shall be made to Birch Creek Business Park, LLC. Following receipt of the required reimbursement, the Developer shall verify the same to the Smithfield City Recorder.

REIMBURSEMENT PERIOD

15. The total period of time during which the Developer is entitled to reimbursement as set forth herein (the "Reimbursement Period") is fifteen years from the acceptance of the City of the Water Line or Sewer Line Extension respectively. In accordance with Section 16.20.090 of the Smithfield Municipal Code, for the first five (5) years of the Reimbursement Period, the Developer shall be entitled to 100% of the reimbursement set forth in this Agreement. For a period of ten (10) years immediately following the initial five-year period, the percentage of the reimbursement the Developer is entitled to receive shall decreased by an amount equal to one-tenth (1/10) annually until such time that fifteen (15) years have lapsed since the commencement of the Reimbursement Period and the Developer is no longer be entitled to any reimbursement.

GENERAL

16. This Agreement and the documents referred to constitute the entire agreement of the parties with respect to its subject matter. All negotiations, representations, warranties, earnest money and other agreements between the parties are merged herein.

17. A waiver by any party of any provision of this Agreement, whether in writing or by course of conduct or otherwise, shall be valid only in the instance for which it is given and shall not be deemed a continuing waiver of said provision, nor shall it be construed as a waiver of any other provision of this Agreement.

18. In the event that any provision of this Agreement, or any action contemplated pursuant to this Agreement, is found by a court of competent jurisdiction to be inconsistent with or contrary to any law, ordinance or regulation, the latter shall be deemed to control this Agreement and shall be regarded as modified accordingly; and such modified provision, as well as the remainder of this Agreement, shall continue in full force and effect.

19. This Agreement may be amended at any time, but only by a writing signed both by the parties which explicitly states that it is intended to amend this Agreement.

20. Each party hereto has participated in the drafting of this Agreement, which each party acknowledges is the result of negotiations between the parties. This Agreement shall be deemed to be the joint product of the parties, and any rule of construction that a document shall be interpreted or construed against a drafter of such documents shall not be applicable.

21. This Agreement may be executed in one or more counterparts and by facsimile signatures, each of which shall be deemed an original, but all of which shall constitute the same instrument.

22. This Agreement has been negotiated and executed in Cache County, State of Utah. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Utah, including all matters of construction, validity, performance and enforcement, but without giving effect to principles of conflict of laws. The parties hereby consent that any dispute, action, litigation, or other proceeding concerning this Agreement shall be held in the District Court of the First Judicial District of the State of Utah, in and for the County of Cache.

23. Nothing expressed or referred to in this Agreement will be construed to give any person other than the parties to this Agreement any legal or equitable right, remedy, or claim under, or with respect to, this Agreement or any provision of this Agreement, except such rights as shall inure to a successor or permitted assignee pursuant hereto.

24. The rights and obligations of this Agreement may not be assigned or delegated without the express written consent of both parties.

Entered into this date Wednesday, July 12, 2023.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

Birch Creek Business Park, LLC

Rigo Chaparro
Manager/Managing Member

PIONEERING AGREEMENT

This Pioneering Agreement is entered into by and between Smithfield City (the “City”) and Neighborhood Nonprofit Housing Corporation (the “Developer”).

WHEREAS, the Developer has constructed and installed a sanitary sewer line running from approximately the intersection of E 660 N and N 510 E to the approximate intersection of N 250 E and E 680 N (the “Sewer Line Extension”) in Smithfield City;

WHEREAS, the Developer desires to split the cost of the Sewer Line Extension with other future property developers who will also benefit from the Sewer Line Extension; and

WHEREAS, the City’s City Council has authorized the Mayor to enter into this Pioneering Agreement (hereinafter “Agreement”) on behalf of the City.

THEREFORE, the Developer and the City hereby enter into this Agreement, subject to the following terms and conditions.

1. Under this Pioneering Agreement, the City agrees to require that any future developing landowners pay a per lot reimbursement to the Developer for the total cost the Developer incurred in completing the Sewer Line Extension upon the Developer’s request or notification by the City by requiring the reimbursement as a condition of approval or an applicable land use or building permit application.

2. The per-lot reimbursement which the City will require of future developing landowners is \$1,314. This reimbursement amount was calculated by dividing the total cost incurred by the Developer in completion of the Sewer Line Extension of \$285,141 by the estimated number of lots in the Smithfield Pointe Subdivision.

3. Reimbursements are triggered when landowners or future developers apply for building permits or land use approvals including, without limitation, final subdivision plat approvals. Reimbursements shall be made prior to approval of building permits or land use application.

4. At no time may the total reimbursement to the Developer exceed the total cost incurred by the Developer in completing the Sewer Line Extension of \$285,141.

5. Although the City will attempt to monitor future development activities and contact the Developer of any development request that would result in reimbursement, the City does not assume the responsibility to do so. If the City does not notify the Developer of the reimbursement requirement, then failure on the part of the Developer to request reimbursement prior to the final approval of any building permit request or land use application will result in the forfeiture of the reimbursement required herein.

6. The amount to be reimbursed shall be determined by the City, based on the provisions herein. All reimbursement payments shall be made to Neighborhood Nonprofit Housing Corporation. Following receipt of the required reimbursement, the Developer shall verify the same to the Smithfield City Recorder.

7. The total period of time during which the Developer is entitled to reimbursement as set forth herein (the "Reimbursement Period") is fifteen years from June 1, 2021, the date of acceptance of the City of the Sewer Line. In accordance with Section 16.20.090 of the Smithfield Municipal Code, for the first five (5) years of the Reimbursement Period, the Developer shall be entitled to 100% of the reimbursement set forth in this Agreement. For a period of ten (10) years immediately following the initial five-year period, the percentage of the reimbursement the Developer is entitled to receive shall decrease by an amount equal to one-tenth (1/10) annually until such time that fifteen (15) years have lapsed since the commencement of the Reimbursement Period and the Developer is no longer be entitled to any reimbursement. The Reimbursement Period and the schedule of decreasing reimbursement are depicted on the chart attached to this Agreement.

8. This Agreement and the documents referred to constitute the entire agreement of the parties with respect to its subject matter. All negotiations, representations, warranties, earnest money and other agreements between the parties are merged herein.

9. A waiver by any party of any provision of this Agreement, whether in writing or by course of conduct or otherwise, shall be valid only in the instance for which it is given and shall not be deemed a continuing waiver of said provision, nor shall it be construed as a waiver of any other provision of this Agreement.

10. In the event that any provision of this Agreement, or any action contemplated pursuant to this Agreement, is found by a court of competent jurisdiction to be inconsistent with or contrary to any law, ordinance or regulation, the latter shall be deemed to control this Agreement and shall be regarded as modified accordingly; and such modified provision, as well as the remainder of this Agreement, shall continue in full force and effect.

11. This Agreement may be amended at any time, but only by a writing signed both by the parties which explicitly states that it is intended to amend this Agreement.

12. Each party hereto has participated in the drafting of this Agreement, which each party acknowledges is the result of negotiations between the parties. This Agreement shall be deemed to be the joint product of the parties, and any rule of construction that a document shall be interpreted or construed against a drafter of such documents shall not be applicable.

13. This Agreement may be executed in one or more counterparts and by facsimile signatures, each of which shall be deemed an original, but all of which shall constitute the same instrument.

14. This Agreement has been negotiated and executed in Cache County, State of Utah. This Agreement shall be governed by and interpreted in accordance with the laws of the State of

Utah, including all matters of construction, validity, performance and enforcement, but without giving effect to principles of conflict of laws. The parties hereby consent that any dispute, action, litigation, or other proceeding concerning this Agreement shall be held in the District Court of the First Judicial District of the State of Utah, in and for the County of Cache.

15. Nothing expressed or referred to in this Agreement will be construed to give any person other than the parties to this Agreement any legal or equitable right, remedy, or claim under, or with respect to, this Agreement or any provision of this Agreement, except such rights as shall inure to a successor or permitted assignee pursuant hereto.

16. The rights and obligations of this Agreement may not be assigned or delegated without the express written consent of both parties.

Entered into this date: Wednesday, July 12, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

Neighborhood Nonprofit Housing Corporation

(Printed Name & Title)

ORDINANCE NO 23-21

AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from R-1-12 (Single Family Residential 12,000 Square Feet) to MPC (Master Planned Community).

Approximate Property Location: East of 200 South 1000 East

Cache County Parcel Number: 08-048-0012

BEG AT SW COR SE/4 SEC 26 T 13N R 1E & TH N 0°04'29" W 836.60 FT ALG EXISTING BNDRY FENCE LN TH N 89°58'32" E 1838.47 FT ALG EXISTING BNDRY FENCE LN TH S 837.38 FT TO S LN OF SEC 26 TH W 1838.21 FT ALG S LN TO POB SUBJ TO & WITH 60 FT R/W ON DEED CONT 35.32 AC LESS THE W'LY 50 FT TO SMITHFIELD CITY 707/547 0.96 AC NET 34.36 AC

APPROVED by the Smithfield City Council this 12th day of July, 2023.

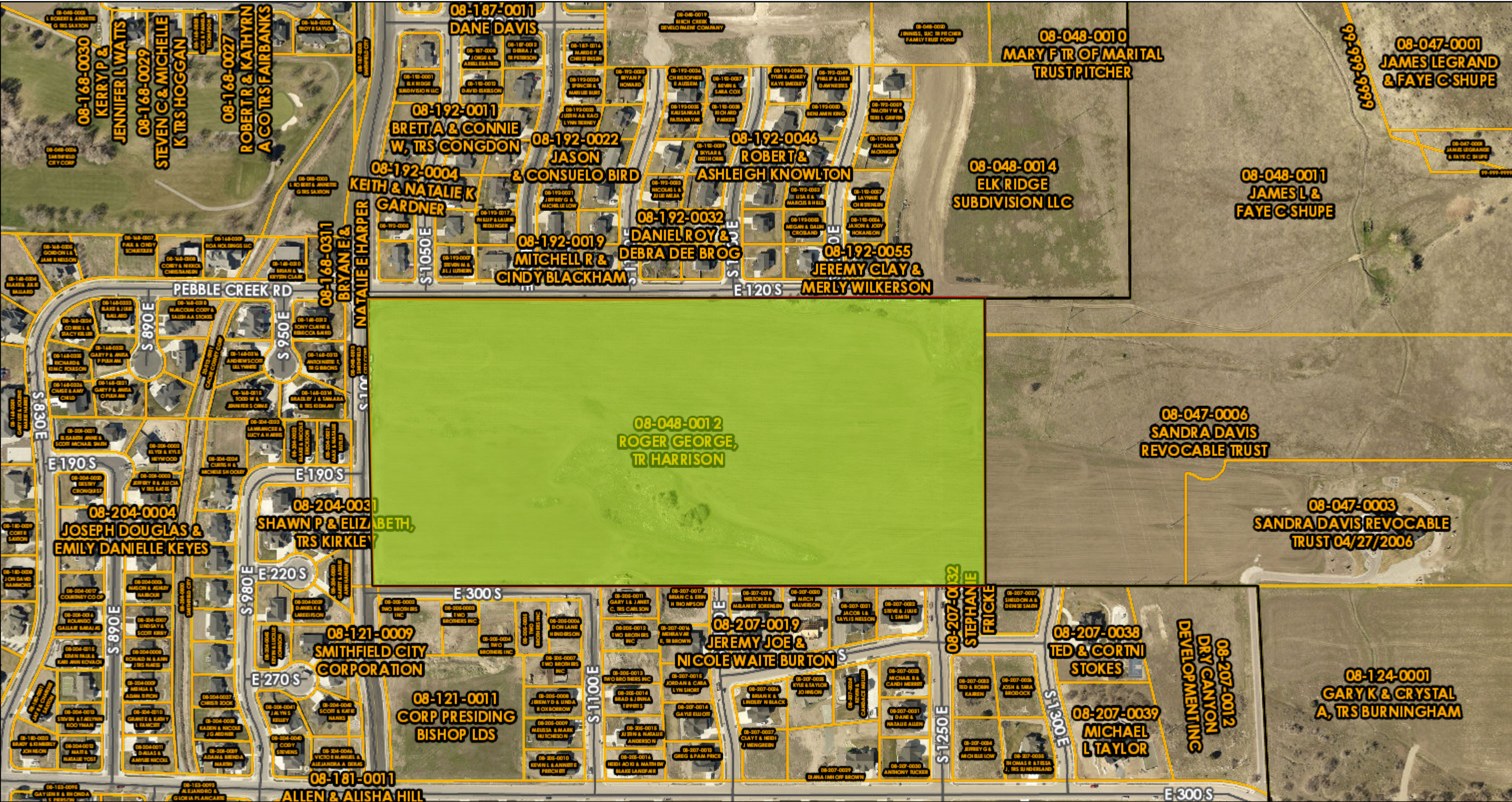
SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

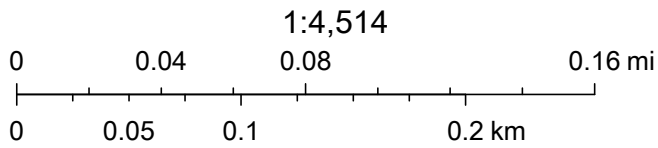
Justin B. Lewis, City Recorder

Parcel Map



11/3/2022, 8:15:21 AM

Override 1	Cache Parcels	UTCACH042027.sid	UTCACH038042.sid	UTCACH036027.sid	UTCACH031027.sid	UTCACH026027.sid	UTCACH018042.sid	UTCACH018030.sid	UTCACH010030.sid
Override 1	UTCACH049024.sid	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1
Class B Surface Type	Red: Band_1	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2
ASPHALT	Green: Band_2	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3
GRAVEL	Blue: Band_3	UTCACH039018.sid	UTCACH036033.sid	UTCACH034038.sid	UTCACH030042.sid	UTCACH023042.sid	UTCACH018038.sid	UTCACH010038.sid	UTCACH010013.sid
DIRT	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1	Red: Band_1
Municipal Boundaries	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2	Green: Band_2
County Boundary	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3	Blue: Band_3



Maxar



Administration • Engineering • Planning • Zoning

June 21, 2023

This staff report is an analysis of the application information base on adopted city codes, standard city development practices and other available information. This report is to be used to review and consider the merits of the application. Additional information may be provided, that supplements or amends this report.

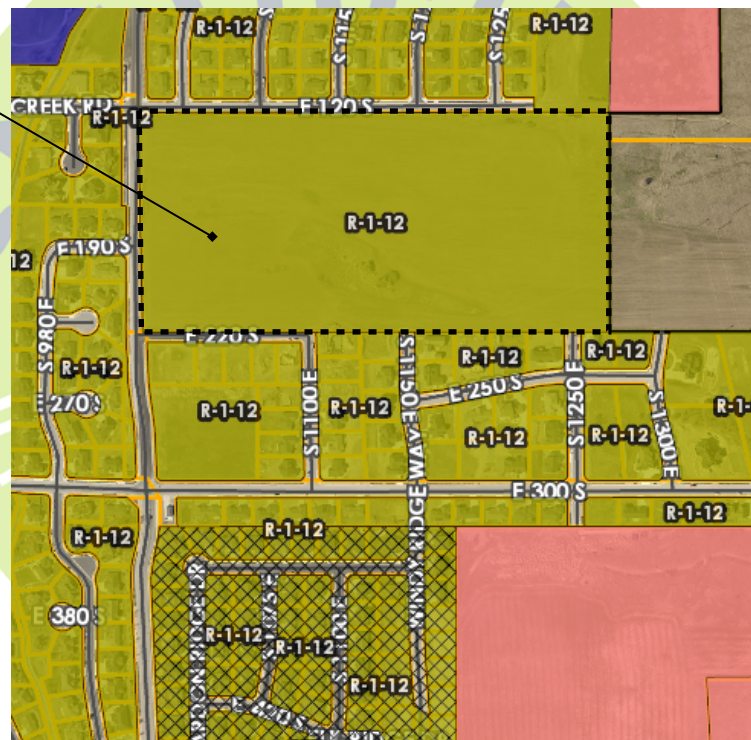
Parcel ID: 08-048-0012

Staff Recommendation: None

Surrounding Uses:
North - Residential R-1-12
South - Residential R-1-12
East - County
West - Residential R-1-12

Proposed Zoning:
MPC Residential

Dan Sundstrom is requesting a rezone for the Harrison property located at 190 South and 1100 East. The parcel is being used for agriculture. There are some A-10 properties nearby that have not been rezoned but is primarily surrounded by residential. Dan is asking to rezone the property to the Master Plan Community Zone and has provided plans.



Page 1

<http://smithfieldcity.org/comdev>
Administration • Engineering • Planning • Zoning

RESOLUTION # 23-10

A RESOLUTION BY THE CITY COUNCIL OF SMITHFIELD CITY, UTAH, TO INFORM THE STATE OF UTAH WATER QUALITY BOARD OF ACTIONS TAKEN CONCERNING THE MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR 2022.

WHEREAS, the Municipal Wastewater Planning Program is a program established by the State of Utah Department of Environmental Quality to assist cities in evaluating their wastewater and treatment facilities, their financial planning for current and future needs, and to assess their preparedness for future development potential.

WHEREAS, the purpose of the municipal wastewater planning annual report is to allow Smithfield City to identify and solve potential problems in the wastewater collection system before they become serious and costly.

WHEREAS, there are benefits for Smithfield City that may be accrued by completion of the Self-Assessment Report, to which; Smithfield City will receive additional points on the Utah wastewater project priority list/system, which is used to allocate funds under the wastewater grant and loan programs. The results of the report are used to focus the state's technical assistance program

NOW, THEREFORE BE IT RESOLVED, by the City Council of Smithfield city, Utah that:

1. One, the City Council acknowledges to the State of Utah Water Quality Board that they have received and reviewed the attached municipal wastewater planning program report for 2022, and
2. The City Council has implemented all appropriate actions necessary to maintain the collection system requirements contained in the Utah Pollution Discharge Elimination System (UPDES) Permit.

Approved and signed this 12th day of July, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder



*Municipal Wastewater Planning Program (MWPP)
Annual Report
for the year ending \${e://Field/ReportYear}
\${e://Field/Facility}*

SUBMIT BY APRIL 15, 2023

Are you the person responsible for completing this report for your organization?

☐ **Yes**

☐ No

This is the current information recorded for your facility:

Facility Name:	SMITHFIELD CITY
Contact - First Name:	Clay

Contact - Last Name:	Bodily
Contact - Title	City Engineer
Contact - Phone:	435-792-7995
Contact - Email:	cbodily@smithfieldcity.org

Is this information above complete and correct?

☐ **Yes**

☐ No

Your wastewater system is described as Collection & Financial:

Classification: COLLECTION

Grade: II

(if applicable)

Classification: -

Grade: -

Is this correct?

WARNING: If you select 'no', you will no longer have access to this form upon clicking Save & Continue. DWQ will update the information and contact you again.

☐ **Yes**

☐ No

Click on a link below to view a previous year's examples of sections in the survey:

(Your wastewater system is described as Collection & Financial)

[MWPP Collection System.pdf](#)

[MWPP Discharging Lagoon.pdf](#)

[MWPP Financial Evaluation.pdf](#)

[MWPP Mechanical Plant.pdf](#)

[MWPP Non-Discharging Lagoon.pdf](#)

Will multiple people be required to fill out this form?

☐ **Yes**

☐ No

Please update the information for the person in charge of filling out each section.

	Email	Name	Notes
	ex. john@email.com	(first and last)	These notes will be s in the invite emai
Financial Evaluation	cbodily@smithfieldcity.org	Clay Bodily	cgiles@smithfieldcity
Collection System	cbodily@smithfieldcity.org	Clay Bodily	jwright@smithfieldcit
Review, sign and submit	cbodily@smithfieldcity.org	Clay Bodily	

Click 'Yes' to send an email to each responsible person with the notes you've included (if any) with a link to the forms and to receive updates

- ☐ Yes, send the link to this form for the next person to fill out.
- ☐ **Continue filling out the form myself and send the link to others later.**

Financial Evaluation Section

Form completed by:

Clay Bodily

Part I: GENERAL QUESTIONS

Yes

No

Are sewer revenues maintained in a dedicated purpose enterprise/district account?

☐☐

Yes

No

Are you collecting 95% or more of your anticipated sewer revenue?

☐☐

Are Debt Service Reserve Fund⁶ requirements being met?

☐☐

What was the annual average User Charge¹⁶ for 2022?

372

Do you have a water and/or sewer customer assistance program^{*}
(CAP)?

- ☐ Yes
- ☐ **No**

Part II: OPERATING REVENUES AND RESERVES

	Yes	No
Are property taxes or other assessments applied to the sewer systems ¹⁵ ?	☐	☐

	Yes	No
Are sewer revenues ¹⁴ sufficient to cover operations & maintenance costs ⁹ , and repair & replacement costs ¹² (OM&R) at this time?	☐	☐

Are projected sewer revenues sufficient to cover OM&R costs for the <i>next five years</i> ?	☐	☐
--	-----------------------	-----------------------

Does the sewer system have sufficient staff to provide proper OM&R?	☐	☐
---	-----------------------	-----------------------

Has a repair and replacement sinking fund ¹³ been established for the sewer system?	☐	☐
--	-----------------------	-----------------------

Yes

No

Is the repair & replacement sinking fund sufficient to meet anticipated needs?

☐☐

Part III: CAPITAL IMPROVEMENTS REVENUES AND RESERVES

Yes

No

Are sewer revenues sufficient to cover all costs of current capital improvements³ projects?

☐☐

Has a Capital Improvements Reserve Fund⁴ been established to provide for anticipated capital improvement projects?

☐☐

Are projected Capital Improvements Reserve Funds sufficient for the *next five years*?

☐☐

Are projected Capital Improvements Reserve Funds sufficient for the *next ten years*?

☐☐

Are projected Capital Improvements Reserve Funds sufficient for the *next twenty years*?

☐☐

Part IV: FISCAL SUSTAINABILITY REVIEW

Yes

No

Have you completed a Rate Study¹¹ within the last five years?

☐☐

Yes

No

Do you charge Impact fees⁸?

☐☐

2022 Impact Fee (if not a flat fee, use average of all collected fees)

=

\$900.00

Yes

No

Have you completed an Impact Fee Study in accordance with UCA 11-36a-3 within the last five years?

☐☐

Do you maintain a Plan of Operations¹⁰?

☐☐

Have you updated your Capital Facility Plan² within the last five years?

☐☐

Yes

No

Do you use an Asset Management¹ system for your sewer systems?

☐☐

Yes

No

Describe the Asset Management System (check all that apply)

- ☐ Spreadsheet
- ☐ **GIS**
- ☐ Accounting Software
- ☐ **Specialized Software**
- ☐ Other

Yes

No

Do you know the total replacement cost of your sewer system capital assets?

☐☐

2022 Replacement Cost =

160000000

Yes

No

Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost?

☐☐

What is the sewer/treatment system annual asset renewal* cost as a percentage of its total replacement cost?

☐☐

What is the sewer/treatment system annual asset renewal* cost as a percentage of its total replacement cost?

35

Part V: PROJECTED CAPITAL INVESTMENT COSTS

Cost of projected capital improvements

	Cost	Purpose of Improvements		
	Please enter a valid numerical value	Replace/Restore	New Technology	Increase Capacity
2023	3000000	☐	☐	☐
2023 thru 2027	5000000	☐	☐	☐
2028 thru 2032	4.500000	☐	☐	☐
2033 thru 2037	5000000	☐	☐	☐

2038 thru 2042	1500000000	☐ Purpose of Improvements ☐
Please enter a valid		New Increase

This is the end of the Financial questions

To the best of my knowledge, the Financial section is completed and accurate.

☐ Yes

This is the end of the Financial section. What would you like to do next?

- ☐ **This entire section is complete. Send the link to the next person in charge. (Once you Save & Continue, you will no longer be able to use the same link to view/edit your responses).**
- ☐ I will continue to fill out/review the next section myself.

Collections System Section

Form completed by:

May Receive Continuing Education /units (CEUs)

Clay Bodily

Part I: SYSTEM DESCRIPTION

What is the largest diameter pipe in the collection system (diameter in inches)?

24

What is the average depth of the collection system (in feet)?

10

What is the total length of sewer pipe in the system (length in

miles)?

62

How many lift/pump stations are in the collection system?

2

What is the largest capacity lift/pump station in the collection system
(design capacity in gallons per minute)?

1000

Do seasonal daily peak flows exceed the average peak daily flow by
100 percent or more?

☐ Yes

☐ **No**

What year was your collection system first constructed
(approximately)?

1990

In what year was the largest diameter sewer pipe in the collection
system constructed, replaced or renewed? (If more than one, cite
the oldest)

1990

PART II: DISCHARGES

How many days last year was there a sewage bypass, overflow or
basement flooding in the system due to rain or snowmelt?

0

How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals)?

1

The Utah Sewer Management Program defines two classes of sanitary sewer overflows (SSOs):

Class 1– a Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that:

- (a) affects more than five private structures;*
- (b) affects one or more public, commercial or industrial structure(s);*
- (c) may result in a public health risk to the general public;*
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or*
- (e) discharges to Waters of the state.*

Class 2 – a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.

Below include the number of SSOs that occurred in year: 2022

Number

Number of Class 1 SSOs in Calendar year

0

Number of Class 2 SSOs in Calendar year

0

Please indicate what caused the SSO(s) in the previous question.

A water main that ran diectly into a manhole.



Please specify whether the SSOs were caused by contract or tributary community, etc.

It was was not.



Part III: NEW DEVELOPMENT

Did an industry or other development enter the community or expand production in the past two years, such that flow or wastewater loadings to the sewerage system increased by 10% or more?

Yes

No

Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will increase flow or BOD5 loadings to the sewerage system by 25% or more?

Yes

No

Number of new commercial/industrial connections in the last year

2

Number of new residential sewer connections added in the last year

105

Equivalent residential connections⁷ served

4200

Part IV: OPERATOR CERTIFICATION

How many collection system operators do you employ?

4

Approximate population served

15000

State of Utah Administrative Rules requires all public system operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at least at the Facility's Grade.

List the designated Chief Operator/DRC for the Collection System below:

	Name First and Last Name	Grade	Email Please enter full email address
Chief Operator/DRC	Josh Wright	III ▾	jwright@smithfieldcity.org

List all other Collection System operators with DRC responsibilities in the field, by certification grade, separate names by commas:

	Name separate by comma
SLS ¹⁷ Grade I:	
Collection Grade I:	

	Name
	separate by comma
Collection Grade II:	Ryan Gleason
Collection Grade III:	Cody Law, Josh Wright, Brady Douglass, James Hunsaker
Collection Grade IV:	

**List all other Collection System operators by certification grade,
separate names by commas:**

	Name
	separate by comma
SLS ¹⁷ Grade I:	
Collection Grade I:	
Collection Grade II:	
Collection Grade III:	

	Name
	separate by comma
Collection Grade IV:	
No Current Collection Certification:	

Is/are your collection DRC operator(s) currently certified at the appropriate grade for this facility?

Yes

No

Part V: FACILITY MAINTENANCE

	Yes	No
Have you implemented a preventative maintenance program for your collection system?	☐	☐
Have you updated the collection system operations and maintenance manual within the past 5 years?	☐	☐
Do you have a written emergency response plan for sewer systems?	☐	☐

Yes No

Do you have a written safety plan for sewer systems?

☐☐

Is the entire collections system TV inspected at least every 5 years?

☐☐

Is at least 85% of the collections system mapped in GIS?

☐☐

Part VI: SSMP EVALUATION

Yes No

Has your system completed a Sewer System Management Plan (SSMP)?

☐☐

Has the SSMP been adopted by the permittee's governing body at a public meeting?

☐☐

Has the completed SSMP been public noticed?

☐☐

During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan?

☐☐

During 2022, was any part of the SSMP audited as part of the five year audit?

Yes

No

Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Program?

Yes

No

Part VII: NARRATIVE EVALUATION

This section should be completed with the system operators.

Describe the physical condition of the sewerage system: (lift stations, etc. included)

It was originally constructed with reinforced concrete pipe, in 1990 there were standards were in place and the pipe is holding up well. there are cracks and fractures that we see as we video the lines.

What sewerage system capital improvements³ does the utility need to implement in the next 10 years?

We are upsizing lines and using the sewer model to decide which lines are upsized.

What sewerage system problems, other than plugging, have you had over the last year?

Other than the water main break that dumbed into a sewer manhole we have not had any issues.

Is your utility currently preparing or updating its capital facilities plan²?

☐ **Yes**

☐ No

Does the municipality/district pay for the continuing education expenses of operators?

100% Covered

Partially cover

Does not pay

Is there a written policy regarding continuing education and training for wastewater operators?

☐ **Yes**

☐ No

Any additional comments?

The current operators, keep up with CEU's and the system is being updated as much as finances allow.

This is the end of the Collections System questions

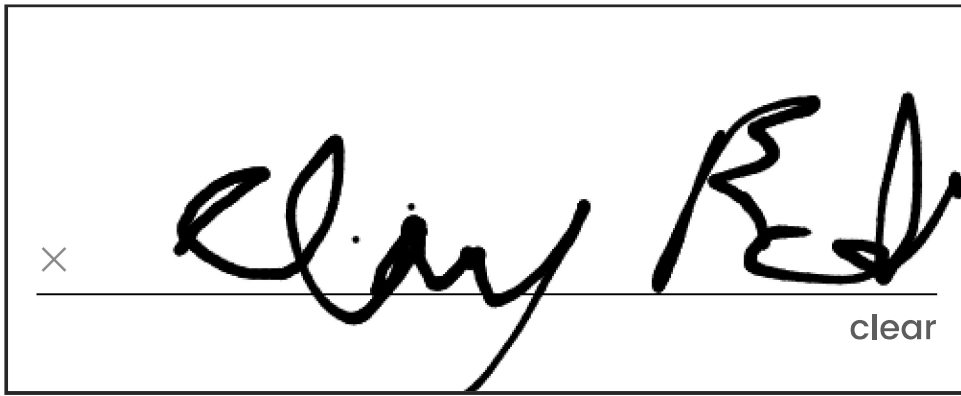
To the best of my knowledge, the Collections System section is completed and accurate.

☐ **Yes**

This is the end of the Collection System section, what would you like to do next?

- This entire section is complete. Send the link to the next person
- ☐ in charge. (*Once you Save & Continue, you will no longer be able to use the same link to view/edit your responses*).
 - ☐ **I will continue to fill out/review the next section myself.**

I have reviewed this report and to the best of my knowledge the information provided in this report is correct.



Has this been adopted by the council? If no, what date will it be presented to the council?

- ☐ Yes
- ☐ **No**

What date will it be presented to the council?

Date format ex. mm/dd/yyyy

08/08/2023

NOTE: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. Completion of the collection section meets the annual reporting requirement for the USMP. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of that assistance. Please answer questions as accurately as possible to

give you the best evaluation of your facility. If you need assistance, please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

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ARTICLE V – FIRE DUTY
POLICY

~~Fire Department operations are governed by the Fire Department Standard Operating Procedures (SOP's) or as directed by the Fire Chief or City Manager.~~

- ~~1. CALL BACK STAFFING: Smithfield Fire Department is required to have a minimum of staffing to respond to Emergency Fires and Emergency Medical Calls. When staffing falls below the minimum staffing level, fire department personnel will be call back to staff for additional emergency calls. In order to meet this need, Full Time Fire Department employees, in addition to their regular work hours, will be responsible for cover call back shifts on a rotation basis. All full time and part-time employees as designated by the Fire Chief shall participate in the call back program.~~

- ~~1. RESPONSIBILITIES OF CALL BACK EMPLOYEES~~

- ~~1. When a Fire Department employee is on Call Back, he/she will be provided access to a department vehicle.~~
- ~~2. The Call Back employee will respond when called. In such cases, minimum compensation will be for one (1) hour.~~

- ~~2. MISCELLANEOUS POLICIES RELATING TO CALL BACK EMPLOYEES~~

- ~~1. Employees will be on a Call Back schedule either from 7 A.M. to 7P.M. and/or 7P.M. to 7A.M. each day.~~
- ~~2. Employees wishing to trade Call Back responsibilities with other employees will be allowed to do so upon approval to the Fire Chief.~~
- ~~3. Employees will be compensated with one (1) hour of regular pay for every 12 hours on call. The hours that the call back employee spends called to staff for additional emergencies shall be compensated as described above.~~
- ~~4. The call back employee may use the City's vehicle only for travel when responding on call back. Persons other than the Fire Department employees may not accompany employees in vehicles except when approved by the Fire Chief or City Manager.~~

ARTICLE V - FIRE DEPARTMENT STAFFING

POLICY

Fire Department operations are governed by the Fire Department Standard Operating Procedures (SOP's) or as directed by the Fire Chief or City Manager.

1. Smithfield City has established a minimum daily staffing level of 6-line personnel on duty at the start of each tour-of-Duty (7:00 A.M. to 7:00 A.M. (48) hours later) for the fire department. These tours-of-duty may be broken down into 12- or 24-hour segments to accommodate part-time personnel.
2. When staffing falls below six and is expected to remain below six for an extended period, more than an hour, or below four for more than ½ hour fire department personnel will be called back to staff the station.
3. Two personnel may voluntarily sign up for 12-hour call back shifts.
4. Additionally, at least one Officer in Charge (OIC) will be on call after hours.

1. MISCELLANEOUS POLICIES RELATING TO CALL-BACK EMPLOYEES

1. The Call-Back schedule is either from 7:00 A.M. to 7:00 P.M. and/or 7:00 P.M. to 7:00 A.M. each day.
2. Employees wishing to trade Call-Back responsibilities with other employees will be allowed to do so after contacting the on-duty captain.
3. Employees will be compensated with one (1) hour of regular pay for every twelve (12) hours on call and a minimum of one (1) hour when called back.

ARTICLE III - OVERTIME COMPENSATION

Workweek defined.

A workweek in Smithfield City is defined as beginning Saturday morning at 12:01 A.M. and ending at 12:00 midnight Friday.

Overtime Policy

As a general rule, non-exempt employees specifically assigned by their department head to work overtime will receive one and one-half (1 ½) the regular hourly rate of the employee if they desire to be paid. However, pursuant to FLSA, employees of public entities have the option to convert the overtime to compensatory time off at one and one-half (1 ½) hours of compensatory time off for each hour of overtime worked.

All compensatory time and/or overtime must be approved by the Department Head and submitted on the current pay period time sheet to the Human Resources Director.

Some employees may be required to take time off during the week to avoid working more than forty (40) hours in the workweek for non-exempt employees or forty-three (43) hours for police officers.

The creation and adoption of a flex time schedule shall not of itself provide the basis for overtime or compensatory time without specific approval of the City Manager in advance.

Department Heads will schedule time off for employees with accrued compensatory time credit.

No overtime pay or compensatory time off is allowed for those employees classified as "Exempt."

Exempt employees may take time off during the day as approved by the City Manager.

Non-administrative fire department employees.

Non-administrative fire department employees working more than forty (40) hours in the above defined workweek will be given compensation for those additional hours at the rate of one and one-half (1 ½) times the hours worked for those hours in excess of fifty-three (53) hours and straight time for those hours worked between forty (40) and fifty-three (53) hours.

~~Compensation shall be in the form of compensatory time off or paid.~~

Non-administrative police department employees.

Non-administrative police department employees working more than forty (40) hours in the above defined workweek will be given compensation for those additional hours at the rate of one and one-half (1 ½) times the hours worked for those hours in excess of forty-three (43) hours and straight time for those hours between forty (40) and forty-three (43) hours.

~~Compensation shall be in the form of compensatory time off or paid.~~

Hours worked in excess of the required forty (40) hours must be authorized by the Department Head.

Each non-exempt employee may accumulate compensatory time up to a maximum of five days (40 hours) which may be carried forward and taken anytime subject to prior approval of the immediate supervisor.

The above policy applies only to permanent non-exempt full-time and permanent part-time employees; all other employees shall receive overtime compensation for hours worked in excess of forty (40) hours per week, at a rate of one and one-half ($1 \frac{1}{2}$) their hourly rate for each hour worked.

Time taken as compensatory time off shall not be regarded as time worked for purposes of determining hours worked during a workweek.

ORDINANCE NO. 23-10

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 17.81 “MASTER PLANNED COMMUNITY (MPC) ZONE”, SECTIONS 17.81.050 “DEVELOPMENT STANDARDS”, 17.81.090 “LANDSCAPING”, 17.81.100 “DENSITY BONUSES” AND 17.81.030 “DEFINITIONS”.

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.

17.81.050 DEVELOPMENT STANDARDS
--

The following are the minimum development standards and regulations for an MPC zone. Developers are encouraged to go above and beyond these requirements, but these are the minimums required to obtain approval of an MPC.

- A. **Project Size:** An MPC shall not be less than fifteen (15) acres in size.
- B. **Primary Use:** An MPC shall be residential.
- C. **Housing Types:** Developers are encouraged to provide a mix of housing types in an MPC. Such types may include, but are not limited to single-family ~~(detached, single-family attached, twin homes, cluster) and multi-family duplex/triplex/ (tri-plex four-plex, five-plex six-plex, etc).~~ **(detached, single-family attached, twin homes, cluster) and multi-family duplex/triplex/ (tri-plex four-plex, five-plex six-plex, etc).**
 1. Developers are required to have at least ~~two~~ **three (3)** types of housing, ~~one~~ **two (2)** of which must be single-family ~~detached~~. Single-family detached housing must make up at least forty percent (40%) of the total housing units in the project but shall not make up more than sixty percent (60%) of the total housing units in an MPC.
 2. Developers may reduce the percentage of required single-family detached housing, in exchange for an increase in open space, as outlined in SMC 17.81.060. In no case shall the percentage of single-family detached housing be less than thirty-five percent (35%) of the total required housing units.
- D. **Base Density:** The base density shall be six (6) units per acre, exclusive of any property in the development which is needed for rights-of-way. Density bonuses shall be calculated by first determining the allowable number of units. The allowable number of units shall be calculated as follows: Net Acreage * 6 = Base # of dwelling units
- E. **Single Primary Structure Required:** Regardless of the number of dwelling units contained in a primary structure, no lot may contain more than one (1) primary structure. All the dwelling units on the lot shall be contained within that primary structure. No

single lot may contain in excess of ~~six (6)~~ **five (5)** dwelling units in the primary structure on that lot.

- F. **Lot Widths/Setbacks:** The primary dwelling structure shall be set back from either the property line or right-of-way lines as shown below. (All measurements are in feet):

	HOUSING TYPE	FRONT SETBACK MAIN ENTRANCE	SETBACK GARAGE	SIDE SETBACK	REAR SETBACK	SIDE SETBACK STREET
PRIMARY STRUCTURE	Single-Family Detached	20'	25'	8'	15'	12'
	Twin Homes	20'	25'	8'	15'	12'
	Multi-Family	20'	25'	8' 10'	15'	12' 20'

ACCESSORY BUILDING	Single Accessory Structures are only allowed in Single family attached detached . In Multi-family buildings, community accessory structures may be allowed so long as they are not developed as individual storage sheds.
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G. **Encroachment into the Setback:**

1. The ordinary projection of bay windows, chimneys, awnings, ornamental features, eaves and general building design projections, may encroach into any of setbacks, provided none of the encroachments exceeds twenty-four inches (24") in depth.
2. Unsheltered decks shall be allowed to project into the rear setback a maximum of ten feet (10'). In no case shall the unsheltered deck be built to a height greater than the uppermost floor level.

- H. **Dwelling Unit Minimum Size:** Each dwelling unit in an MPC shall contain a minimum of eight-hundred fifty (850) square feet of living space, and the ground-floor footprint of any building which contains dwelling units shall not be less than five hundred (500) square feet per dwelling unit.

I. **Building Orientation:**

1. No residential dwelling structure in an MPC may face the rear of another dwelling structure on an adjoining/adjacent parcel/lot.
2. Buildings with their front facing each other shall have a minimum of twenty-five feet (25') between building fronts.

- J. **Height Regulations:** No primary structure shall be erected to a height greater than thirty-five feet (35'), the height being measured from the threshold (finish floor elevation) of the lowest main entrance to the highest point of the main building.

- K. **Signage:** Signage for the MPC should be coordinated and cohesive throughout the entire project. Signs shall comply with the requirements of SMC 17.36, "Signs."

- L. **Lighting:** All lighting shall conform to SMC 9.24, "Outdoor Lighting."

- M. **Trash:** All community trash containers shall be screened from public view and adjacent properties with a six-foot (6') sight-proof fence or wall. The placement of trash containers and access thereto shall be reviewed and approved by the entity designated by Smithfield City to provide waste management services to the MPC. Unless otherwise required by the waste management provider, openings shall be oriented away from public view or screened with opaque gates and shall provide ease of access for trash collection. No trash containers or enclosures may be located within a required front or street-side yard setback, and no single family attached, or multi-family trash containers or enclosures may be located within setback.

N. **Parking:**

1. Each dwelling unit shall be required to have the following off-street parking spaces:

	Dwelling Minimum Resident Parking Spaces Per Unit	Dwelling Guest Parking Spaces Per Unit
Single-Family Detached	2	---
Twin Home/Multi-Family	2	0.50

2. If calculating the required number of parking spaces results in a fraction, the next highest whole number of required parking spaces shall be required. (E.G., 3.25 =

- 4 required parking spaces.)
3. In order to facilitate better design of an MPC, required off-street parking spaces may be grouped together; however, in no case shall more than twenty-five percent (25%) of the required parking spaces be grouped together. A professional parking study may be used to show acceptable alternate parking configurations.

17.81.090 LANDSCAPING

The following provisions shall apply to the open space in all MPC projects:

- A. A preliminary landscaping plan, prepared by a Landscape Designer or Landscape Architect, shall be submitted with the preliminary development plan for the MPC. Said plan shall include the number, type and, size of all proposed plants, trees, and shrubs within the MPC.
 1. The plan shall also include a proposal for how the open-space landscaping shall be irrigated and maintained. Areas landscaped with sod shall have a sprinkler or irrigation system, and all other landscaped areas shall have a drip line or other approved irrigation system.
- B. Developers shall prepare a landscaping plan consisting of a variety of trees, shrubs and other plantings suitable for the climate. Developers are encouraged to use trees found on the Smithfield City list of approved large and small trees. Drought-tolerant, low-water plantings are encouraged. Trees shall be a minimum two-inch (2") caliper.
- C. The developer in an MPC shall be required to landscape open space and the HOA shall provide for the maintenance of the required landscaping, not only within the MPC but also in those areas between the sidewalk and the curb and gutter of a right-of-way, regardless of whether it is a public or private right-of-way.

17.81.100 DENSITY BONUSES

The chart below outlines the requirements and regulations on density bonuses within an MPC. All amenities must be approved by the Planning Commission before the density bonus will be awarded. In no case shall the density bonus exceed fifty percent (50%) of the base density. An amenity or feature may not be used to receive a density bonus under more than one density bonus category.

* **Total project cost** is determined by the cost for infrastructure installation for the development.

Amenity	Requirement	Density Bonus	Max % Bonus
Additional Open Space	Provide open space in excess of the base rate (land area only).	2% density bonus for each 1% of open space above the base rate	20 25
Trails/Bicycle Circulation	Sidewalks less than 8 feet wide do not count as pedestrian/bike trails (land area only).	2% density bonus for each 1% of gross project size dedicated to trails.	10 15
Recreational Facilities	Provide recreational facilities such as playground equipment, swimming pools, recreation centers, etc. (also includes development cost of open space and trails).	(Cost of recreational facilities/total project cost) X12=density bonus	10 10
Off-Site Infrastructure Improvement	Improve City infrastructure with a reasonable nexus to the project that may be deficient and could be negatively impacted by growth directly related to the development	(Cost of off-site infrastructure improvements/total project cost) X12=density bonus	30

17.81.030 DEFINITIONS

Cluster Housing: Cluster housing is a development of at least four (4) or more homes, designed using various forms of architecture, in which the houses are arranged in relatively close groups around a central common space sharing site amenities such as parking and landscaping in a coherent site design, located either on a single lot or individually platted lots.

Five-plex: A multi-family home, arranged or designed to be occupied by five (5) families. The structure having only five (5) dwelling units under individual ownership on one (1) lot.

Four-plex: A multi-family home, arranged or designed to be occupied by four (4) families. The structure having only four (4) dwelling units under individual ownership on one (1) lot.

Tri-plex: A multi-family home, arranged or designed to be occupied by three (3) families. The structure having only three (3) dwelling units under individual ownership on one (1) lot.

Twin Home: Two (2) single family homes that share an adjoining or communal wall, with separate and individual yard space.

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 12th day of July, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder

RESOLUTION 23-11

SMITHFIELD CITY'S PREVAILING FEE SCHEDULE

WHEREAS, Smithfield City, being an incorporated City, desires to provide a combined and complete schedule of fees charged by the City; and,

WHEREAS, Smithfield City has referenced several assessed fees throughout the Municipal Code as being identified on the most current prevailing fee schedule; and,

WHEREAS, these fees are changed from time to time; and,

WHEREAS, in the process of daily administration of the City, it is deemed to be more efficient to consolidate all assessed fees on one schedule,

NOW, THEREFORE, be it resolved;

That the Smithfield City Prevailing Fee Schedule be adopted setting forth the fees to be charged from July 13, 2023 until a future update by the city council (See attached schedule).

Approved and signed this 12th day of July, 2023

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Justin B. Lewis, City Recorder



City of Logan
&
Cache County