



**SMITHFIELD CITY CORPORATION**  
**96 South Main**  
**Smithfield, UT 84335**

**AGENDA**

Public Notice is given that the Smithfield Planning Commission will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, September 20, 2023**. The meeting will begin at 6:30 PM.

Call to Order

1. Election of Planning Commission Chairperson.
2. Election of Planning Commission Vice Chairperson.
3. Approval of Planning Commission Meeting Minutes from August 16, 2023
4. Resident Input
5. Discussion and possible vote on the "Home Child Care or Preschool" Conditional-Use Permit Application by Torie Prestwich to operate Sunshine Academy Preschool at 613 South 280 East. Parcel Number 08-210-0027. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).
6. Public Hearing for the purpose of discussing Ordinance 23-26, an Ordinance rezoning Cache County Parcel Number 08-117-0007 from CC (Community Commercial) to GC (General Commercial). The parcel is located at 869 South Main and is 0.68 acres.
7. Discussion and possible vote on Ordinance 23-26.
8. Public Hearing for the purpose of discussing Ordinance 23-25, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.04 "General Provisions", adding in its entirety Section 16.04.090 "Subdivision Amendments".
9. Discussion and possible vote on Ordinance 23-25.
10. Public Hearing for the purpose of discussing Ordinance 23-27, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.36 "Signs", Section 17.36.060 "Permitted Signs: Permits Not Required".

11. Discussion and possible vote on Ordinance 23-27.
12. Public Hearing for the purpose of discussing Ordinance 23-28, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.12 "Final Plats", Section 16.12.030 "Preparation and Required Information" and Title 17 "Zoning Regulations", Chapter 17.89 "Mixed-Use Overlay Zone", Section 17.89.110 "Screening".
13. Discussion and possible vote on Ordinance 23-28.

#### 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 PLANNING COMMISSION MINUTES August 16, 2023

The Planning Commission of Smithfield City met in the City Council Chambers  
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, August 16, 2023

The following members were present constituting a quorum:

**Members Present:** Jamie Anderson, Katie Bell, Brooke Freidenberger, Scott Gibbons, Brian Higginbotham, Jasilyn Heaps, Stuart Reis

**Members Excused:** Bob Holbrook, Lazaro Soto

**Alternate Members In Attendance:**

**City Staff:** Councilmember Sue Hyer, Brian Boudrero, Kenzie Nelson

**Others in Attendance:** Leslie Phillips, Todd Orme, Michelle Anderson, Jordan Dahl, Dallas Nicoll, Jeff Barnes, Jenn Staker, Debbie Zilles

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

**Consideration of consent agenda and approval of meeting minutes**

After consideration by the Commission, Chairman Gibbons declared the minutes from the July 19, 2023 meeting to stand as submitted.

### **RESIDENT INPUT**

Kenneth Bell thanked the Commission for all their hard work to help develop Smithfield for future generations and growth.

Todd Orme asked if the new well is online and functioning. Chairman Gibbons encouraged him to talk to the City Engineer. Mr. Orme agrees that Smithfield needs to grow, however, he would like to see it done correctly. He is concerned that the City continues to ignore needed infrastructure and keeps approving items that put demand on the infrastructure. In April, the City Council discussed funding for a new storage tank (for the new well), infrastructure to support the new well, and improving what is coming out of the original well, which is undersized and leaking. He said the minutes from the Council meeting indicated several times that it is currently inadequate, yet new developments are continually approved that further that load. He is concerned about what will happen when those repairs do need to be made. He encouraged the Commission to think seriously about organized growth and infrastructure that meets what the growth requires.

### **AGENDA ITEMS**

Discussion and possible vote on "Home Child Care or Preschool" conditional use permit application by Leslie Phillips to operate the Magic Moments Daycare facility at 578 East 260 South. Parcel Number 08-154-0020. Zoned R-1-10 (Single-Family Residential 10,000 Square Feet).

Leslie Phillips previously ran a daycare at the home four years ago. She stopped in 2021 and is wanting to begin again. She will have up to eight (8) children. She confirmed for Commissioner Higginbotham that the state license requirement is to offer at least an hour of outdoor time (even in the winter). She has a large patio that is shoveled off for the children to use. It has not been an issue in the past.

Mr. Boudrero explained that the state requires the applicant to first obtain a local business license to apply for a state license.

**MOTION:** Motion by Commissioner Bell to **approve** “Home Child Care or Preschool” conditional use permit application by Leslie Phillips to operate the Magic Moments Daycare facility at 578 East 260 South. Parcel Number 08-154-0020. Zoned R-1-10 (Single-Family Residential 10,000 Square Feet). Commissioner Freidenberger seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson Bell, Freidenberger, Gibbons, Heaps, Higginbotham, Reis

Discussion and possible vote on the request by Visionary Homes for approval of the Final Plat for The Village at Fox Meadows PUD, Phase 7, a 16 lot/unit subdivision located at approximately 600 North 770 West. Zoned R-1-10 PUD (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone).

Dallas Nicoll, Visionary Homes, said nothing has changed from the preliminary plat. This is the final phase of the PUD.

Commissioner Higginbotham asked about any water concerns, to help address Mr. Orme’s earlier comments. Mr. Boudrero said a water model was submitted and reviewed by the Subdivision Technical Review Committee (STRC) and met all the applicable requirements. There were no concerns from City staff. All submitted projects are reviewed by the City Engineer. Mr. Nicoll noted that this was addressed in the preliminary plat. Commissioner Higginbotham said he wanted to be sure this was reflected in the record because it is a concern of many. He has not seen any presentation from staff about water issues.

Commissioner Reis asked if traffic studies have been done in this area. Mr. Boudrero said a study was completed and found to be sufficient. State law mandates what is required.

**MOTION:** Motion by Commissioner Heaps to **approve** the request by Visionary Homes for approval of the Final Plat for The Village at Fox Meadows PUD, Phase 7, a 16 lot/unit subdivision located at approximately 600 North 770 West. Zoned R-1-10 PUD (Single-Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone. Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson Bell, Freidenberger, Gibbons, Heaps, Higginbotham, Reis

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-23, an ordinance rezoning Cache County Parcel Numbers 08-039-0015, 08-089-0003, and 08-089-0004 from A-10 (Agricultural 10-Acre) to R-1-10 (Single-Family Residential 10,000 Square Feet). The parcels are located on the southwest corner of 440 North 800 West and total approximately 31.56 acres.

Chairman Gibbons reminded the Commission that this is only a consideration for a zone change.

#### **6:47 Public Hearing Opened**

Jordan Dahl is concerned with traffic on 800 West because there are a lot of children who live in the area. He noted that construction trucks drive the fastest.

#### **6:49 Public Hearing Closed**

Discussion and possible vote on Ordinance 23-23.

Mr. Nicoll confirmed for Commissioner Higginbotham that the property was annexed in 2020. Chairman Gibbons said property is annexed into the City as Agricultural (A-10).

Commissioner Higginbotham asked about the Master Plan for 800 West. Mr. Boudrero said the future land use is designated as open space or agriculture; the road will have a 66' right-of-way. Mr. Nicoll said 440 North is also a 66' right-of-way.

Commissioner Higginbotham asked if the City Council is considering updating the Future Land Use Map. Mr. Boudrero said there has been discussion with an engineering firm about a possible update, however, he does not know the specifics.

Commissioner Higginbotham said Visionary Homes has been good to work with, however, if they know that the future of this area will include a larger road, he recommended that the proposed development be required to be set further off the road. If it is not noted publically there would be no reason for them not to possibly fill the entire space. Mr. Boudrero advised that the requirement for a 25' setback from the road stays the same. There is no mechanism at this point to enforce a larger setback for a specific area. Plats will be required to follow current codes. Mr. Nicoll said that the potential development layout for this area is for no driveways along 800 West or 440 North to help mitigate traffic concerns. Chairman Gibbons pointed out that the road will remain the same until development happens; tonight's discussion is only for a rezone.

Chairman Gibbons noted that, in the past, there has not been any encouragement for development west of 800 West, however, the property has been annexed. His opinion is that because it has been annexed, he does not see why a zone change would not be appropriate.

Commissioner Freidenberger believes that the Future Land Use Map should be honored; if it is designated as open space or agriculture, the zone should be kept the same until the General Plan is updated.

Chairman Gibbons pointed out that property is annexed into the City as Agricultural. He questioned whether the future land use specifies that the land remain as Agricultural. Mr. Boudrero said a General Plan is required, but that does not preclude the City from making decisions or zone changes as necessary. Commissioner Higginbotham agreed that if the City intended for the property to remain as Agricultural they should not have annexed it. Commissioner Freidenberger questioned the need to change it if the Future Land Use Map is used to make decisions. Chairman Gibbons said this is considered whenever property is annexed.

Mr. Boudrero said the Future Land Use Map was created in 2017 and went into effect in 2018. When an update is done, there is an opportunity for citizen input. Commissioner Anderson said that is the perfect time for citizens to voice their concerns, suggestions, and recommendations.

Mr. Nicoll said this parcel was annexed in as part of a larger piece. As part of the overall development, they were required to install a lift station. In determining the location of the lift station, there was quite a bit of discussion about Smithfield's future plans. The City's Sewer Master Plan contemplates a regional sewage lift station (that would be owned by the City) a half-mile west of this property, which indicates more planned growth to the west.

Commissioner Freidenberger asked if annexation equals higher-density housing. Commissioner Anderson said it does not. Chairman Gibbons said a landowner has a right to develop their land.

Commissioner Anderson said the Future Land Use Map is a guide. Areas have changed over time and proposals should be considered on a case-by-case basis. Commissioner Bell agreed that it is a guide, not a hard and fast requirement. The Commission is charged with helping owners do what they want to do with their property. Chairman Gibbons said the Commission helps determine what is best for the City as a whole. Commissioner Heaps said there has been discussion about updating the map for years, many things have changed since 2018. Mr. Boudrero noted that laws are constantly changing.

Commissioner Higginbotham considers adjacent property uses when reviewing a rezone; to the east is residential and to the north is a City-owned lot. Mr. Boudrero confirmed that there is nothing specific planned for that lot.

**MOTION:** Motion by Commissioner Heaps to **forward a recommendation of approval to the City Council** for **Ordinance 23-23**, an ordinance rezoning Cache County Parcel Numbers 08-039-0015, 08-089-0003, and 08-089-0004 from A-10 (Agricultural 10-Acre) to R-1-10 (Single-Family Residential 10,000 Square Feet). The parcels are located on the southwest corner of 440 North 800 West and total approximately 31.56 acres. Commissioner Bell seconded the motion. **Motion approved (6-1).**

**Vote:**

Aye: Anderson Bell, Gibbons, Heaps, Higginbotham, Reis

Nay: Freidenberger

Chairman Gibbons advised this would be his last meeting; he is stepping down from the Commission because he has accepted a part-time employment position with the City which precludes his ability to serve on the Commission.

Commissioner Higginbotham is aware of a group of individuals who are willing to put in a lacrosse field but have been told by members of the City that it cannot happen. He is curious if there is community interest and community resources to put in a turf field that will have no maintenance by the City, why they are being told no. Chairman Gibbons said this would be a question for the City Council. The parcel being talked about is not currently in the City and would have to be annexed. Mr. Boudrero encouraged Commissioner Higginbotham to talk to members of the City Council directly rather than speculate what has been discussed. He also noted that even a turf field requires some maintenance, such as water to cool it down.

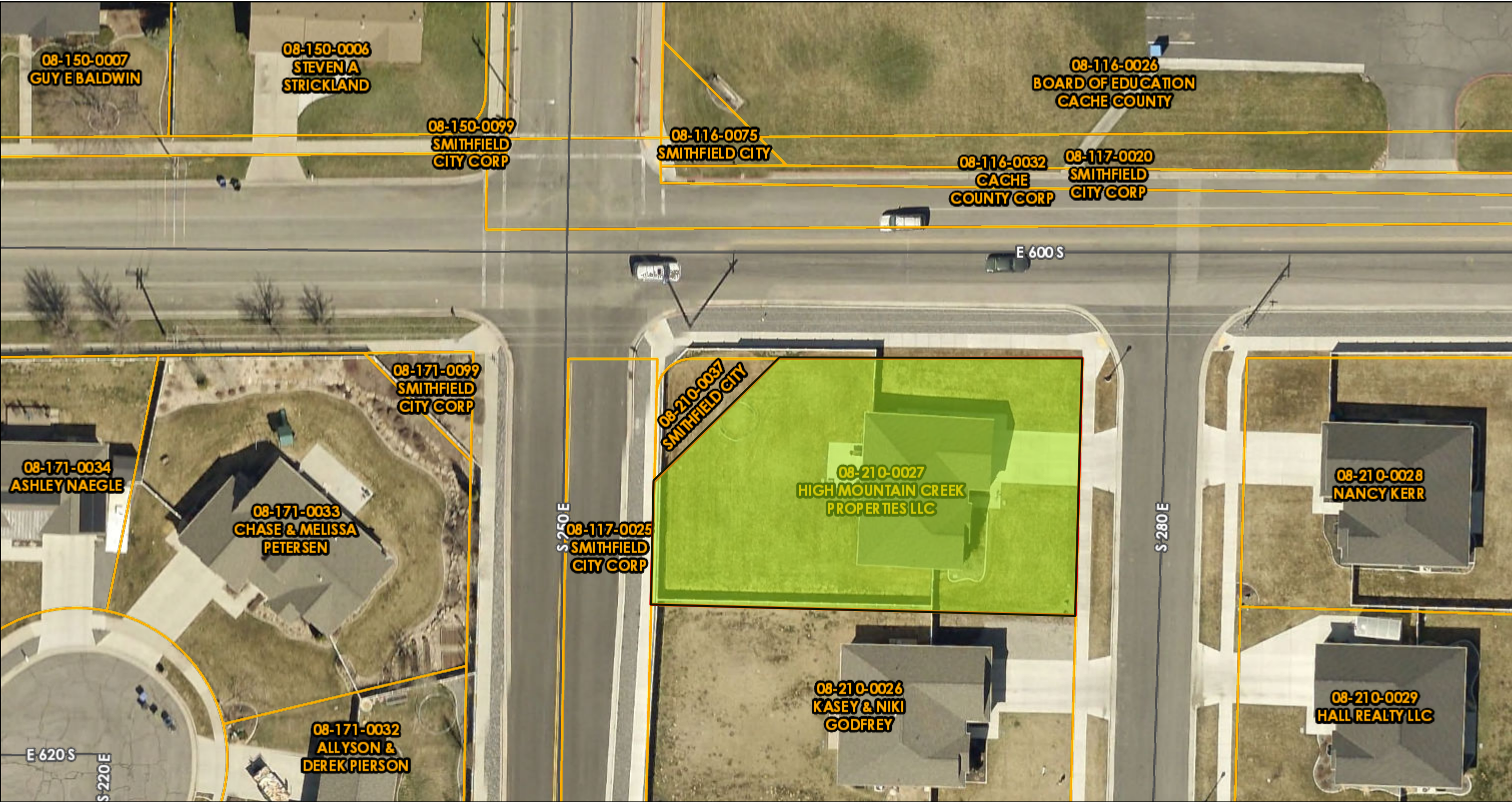
**MEETING ADJOURNED** at 7:20 p.m.

Minutes submitted by Debbie Zilles

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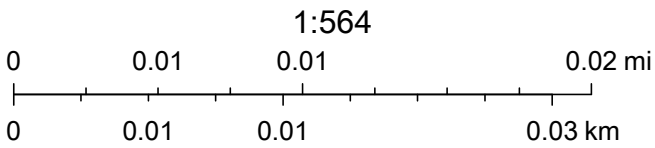
Planning Commission Chairperson

Parcel Map



9/7/2023, 5:02:04 PM

- Override 1
- Override 1
- Class B Surface Type
- ASPHALT
- GRAVEL
- DIRT
- Municipal Boundaries
- County Boundary
- Cache Parcels



Maxar, Microsoft



# Smithfield City Staff Report

## Community Development Department

Administration • Engineering • Planning • Zoning

### Tori Prestwich Home Day Care Conditional Use Permit

September 20, 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.

#### Project Information

**Parcel ID:** 08-210-0027

**Applicant:** Torie Prestwich

**Action Type:** Administrative

**Staff Recommendation:** Approval

#### Project Location

**Location:**

613 South 280 East  
Smithfield, Utah

**Lot Size:**

0.31 Acres

**Surrounding Uses:**

North - Institutional (I-1)

South - Residential (R-1-10)

East - Residential (R-1-10)

West - Residential (R-1-10 PUD)

**Current Zoning:**

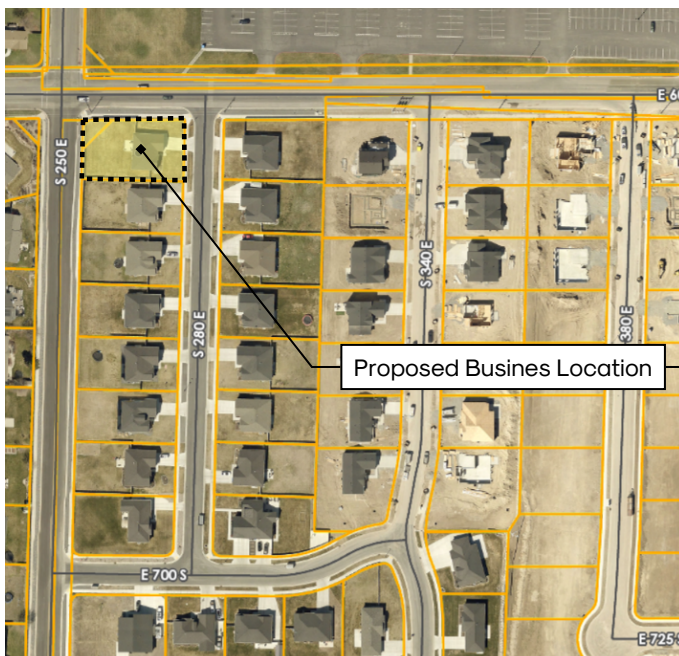
R-1-10 Residential

**Proposed Zoning:**

None

#### Project Summary

Torie Prestwich is requesting approval of a conditional use permit for a home based preschool business. She would like to operate her child care business out of the home she lives in. Torie has met all of the city codes that apply to child care/preschool and is exempt from a state license. She has a written letter of approval from the home owner for the proposed business. She lives in the residence and is proposing to teach approximately 8-10 children, twice a day. Her residence consists of only two additional off street parking spaces, however the surrounding streets have room for loading and drop off.



09/11/2023

Smithfield City Community Development  
96 South Main Street, Smithfield, Utah 84335

Phone: (435) 563.6226  
Email: [info@smithfieldcity.org](mailto:info@smithfieldcity.org)

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

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## Findings of Fact

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1. The Use Matrix Table shows a "disruptive home occupation" to be a conditional use in R-1-10. §17.120.010
2. The definition of conditional use is found in the General Provisions of our zoning code. §17.04.070
3. Review criteria and general information for conditional uses can be found in §17.32.00.
4. The proposed business has been approved for all required county and state licenses as required in §5.20

## Conclusion and Recommendation

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Based on the findings of fact listed above, the staff recommends **approval** of the Torie Prestwich Preschool conditional Use Permit.

- A home occupation is allowed by conditional use in the residential zone (R-1-10). The proposed business complies with all of the required criteria found in §17.32.020.



**ORDINANCE NO 23-26**

**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 CC (Community Commercial) to GC (General Commercial).

Approximate Property Location: 869 South Main

**Cache County Parcel Number: 08-117-0007**

BEG 1242.80 FT N OF SW COR SEC 34 T 13N R 1E & TH E 355 FT TO THE W LN OF HWY 91 TH N 83 FT TH W 359 FT TH S 83 FT TO BEG CONT 0.68 AC M/L (TAX DESC)

APPROVED by the Smithfield City Council this 11th day of October, 2023.

**SMITHFIELD CITY CORPORATION**

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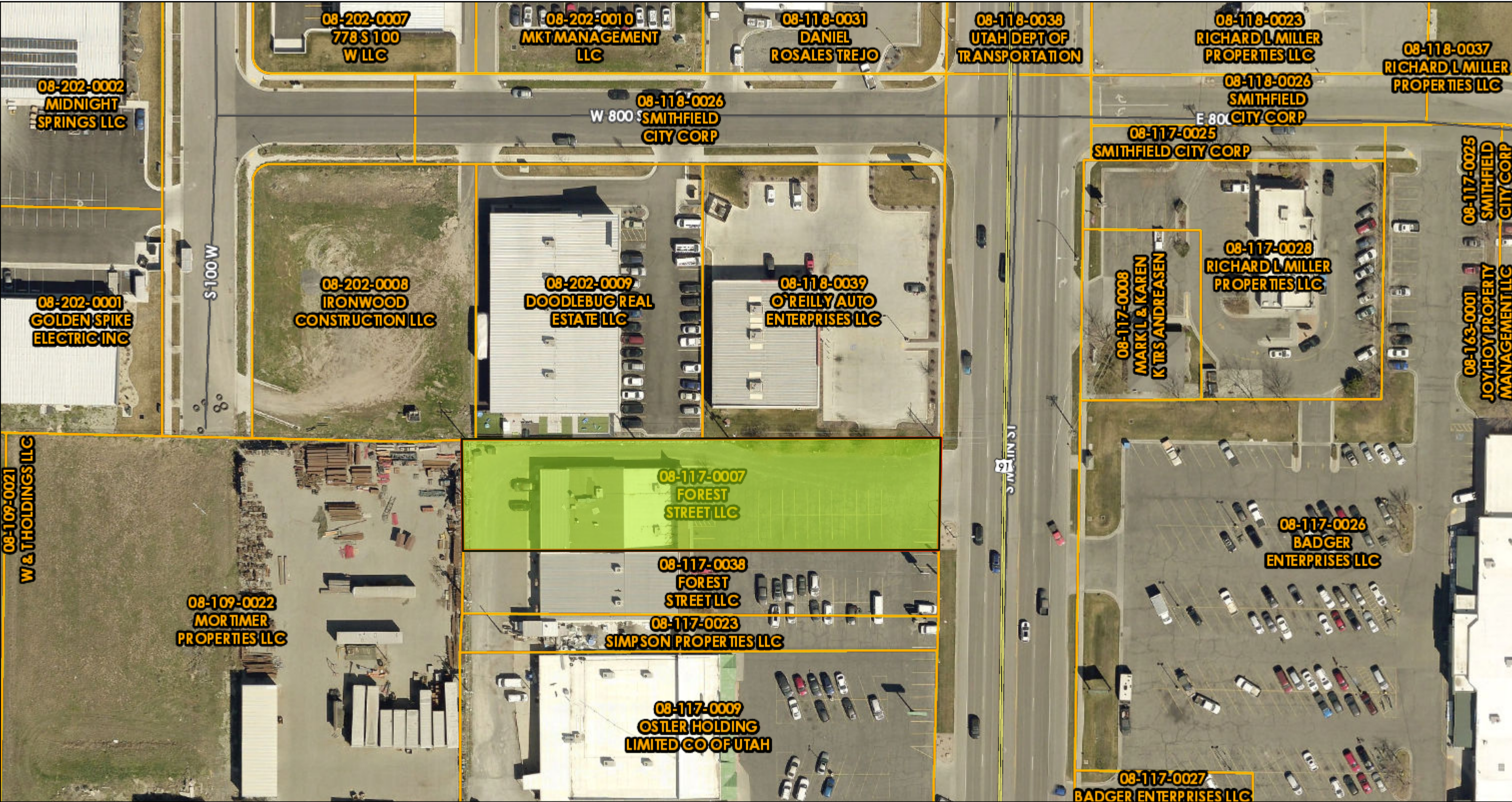
Kristi Monson, Mayor

**ATTEST:**

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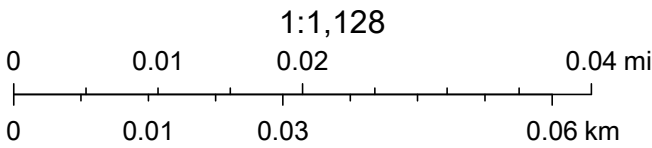
Justin B. Lewis, City Recorder

Parcel Map



8/28/2023, 4:49:08 PM

- Override 1
- Override 1
- Class B Surface Type
- ASPHALT
- GRAVEL
- DIRT
- County Boundary
- Cache Parcels
- Municipal Boundaries



Maxar, Microsoft



# Smithfield City Staff Report

## Community Development Department

Administration • Engineering • Planning • Zoning

### Roberts Commercial Rezone

September 20, 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.

#### Project Information

**Parcel ID:** 08-117-0007

**Applicant:** Jess Roberts

**Action Type:** Legislative

**Staff Recommendation:** None

#### Project Location

**Location:**  
869 South Main Street  
Smithfield, Utah

**Lot Size:**  
0.68 Acres

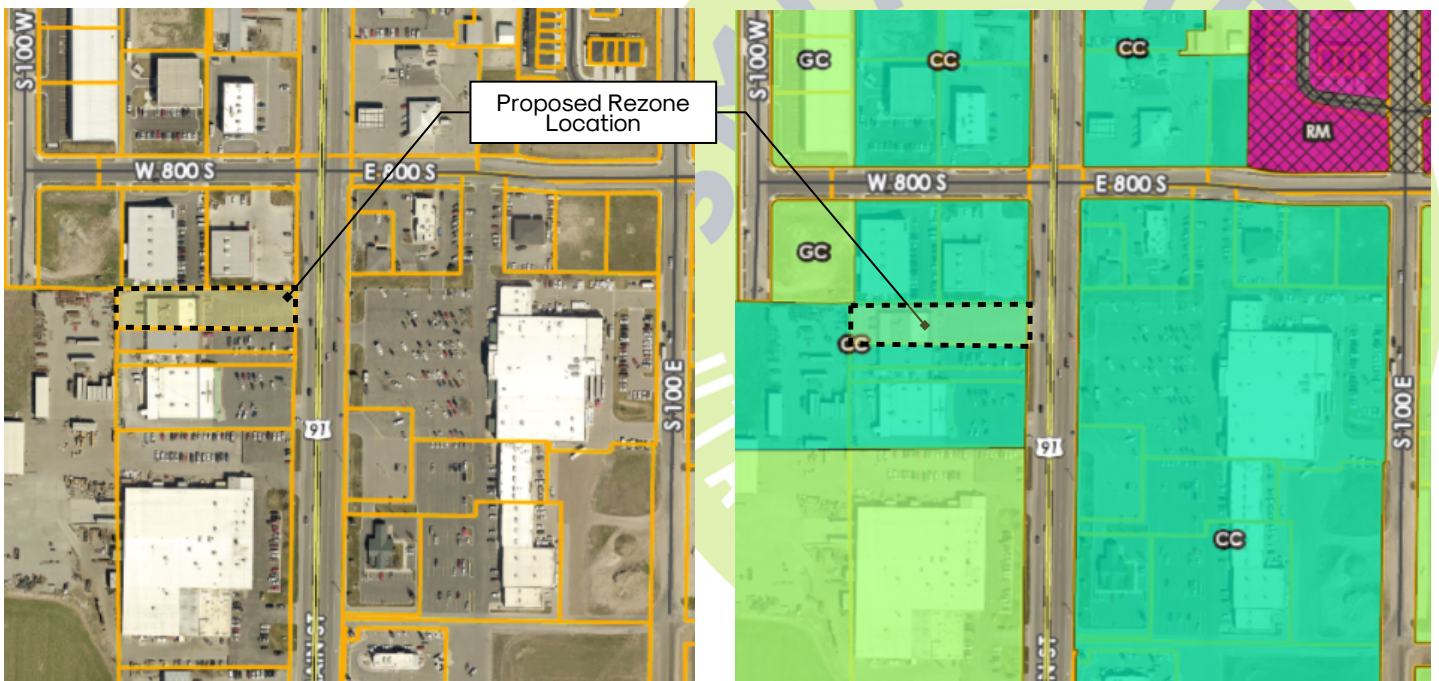
**Current Zoning:**  
CC Community Commercial

**Proposed Zoning:**  
GC General Commercial

**Surrounding Uses:**  
North - Community Commercial CC  
General Commercial GC  
South - Community Commercial CC  
East - Community Commercial CC  
West - Community Commercial CC  
General Commercial GC

#### Project Summary

Jess and Brooke Roberts with Skin Haus Salon are requesting a rezone from Community Commercial to the General Commercial zone. They are requesting a zone change that would allow them to have a tattoo shop with the current beauty salon. The current property is leasing to Skin Haus LLC and Liam's Cards and Games. Liam's Cards and Games would still be an allowed use. There are currently no residential units within the surrounding businesses and have received authorization for the rezone from the property owner.



## ORDINANCE NO. 23-25

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 16 “SUBDIVISION REGULATIONS”, CHAPTER 16.04 “GENERAL  
PROVISIONS”, ADDING IN ITS ENTIRETY SECTION 16.04.090  
“SUBDIVISION AMENDMENTS”.**

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.

|                                         |
|-----------------------------------------|
| <b>16.04.090 SUBDIVISION AMENDMENTS</b> |
|-----------------------------------------|

For subdivision amendments, refer to [Utah State Code annotated §10-9a-608](#).

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 11th day of October , 2023

**SMITHFIELD CITY CORPORATION**

\_\_\_\_\_  
Kristi Monson, Mayor

**ATTEST:**

\_\_\_\_\_  
Justin B. Lewis, City Recorder



# Smithfield City Staff Report

Community Development Department  
Administration • Engineering • Planning • Zoning

## Municipal Code Changes

September 20, 2023

This summary analysis of the proposed ordinance is based on previously adopted city codes and standard city development practices. This report is to be used to review and consider the proposed changes to the Smithfield Municipal Code.

## Ordinance 23-25 Subdivision Amendment

- Adding a link to the state code that dictates the rules and methods for amending an existing subdivision.



## ORDINANCE NO. 23-27

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 17.36 “SIGNS”, SECTION 17.36.060 “PERMITTED SIGNS; PERMITS NOT REQUIRED”.**

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.

|                                                        |
|--------------------------------------------------------|
| <b>17.36.060 PERMITTED SIGNS; PERMITS NOT REQUIRED</b> |
|--------------------------------------------------------|

I. **Political Campaign/Election Signs:** Signs or posters announcing the candidates seeking political office and/or political issues, and data pertinent thereto up to an area of twelve (12) square feet. These signs shall be confined to private property and located no closer than two hundred feet (200') to a polling place. Signs shall not be installed sooner than thirty (30) days before the Primary Election and/or General Election. Signs must be removed within seven (7) days after the Primary and General election. These signs shall be in compliance with the standards identified in SMC 17.36.090, "Signs At Street Intersection", of this chapter;

1. In areas where there is not a sidewalk; signs must be placed a minimum of ten feet (10') from the edge of the road surface.
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 11th day of October, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder



# Smithfield City Staff Report

Community Development Department  
Administration • Engineering • Planning • Zoning

## Municipal Code Changes

September 20, 2023

This summary analysis of the proposed ordinance is based on previously adopted city codes and standard city development practices. This report is to be used to review and consider the proposed changes to the Smithfield Municipal Code.

### Ordinance 23-27 Permitted Signs

- Adds verbiage to the time political or election signs can be installed prior to an election. Adds location perimeters in instances there isn't a sidewalk.



## ORDINANCE NO. 23-28

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 16 “SUBDIVISION REGULATIONS”, CHAPTER 16.12 “FINAL PLATS”,  
SECTION 16.12.030 “PREPARATION AND REQUIRED INFORMATION” AND  
TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.89 “MIXED-USE  
OVERLAY ZONE”, SECTION 17.89.110 “SCREENING”.**

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.

|                            |
|----------------------------|
| <b>17.89.110 SCREENING</b> |
|----------------------------|

- A. All trash or refuse receptacle areas shall be completely screened from surrounding properties by a masonry wall or screening that is a minimum of six feet high with a gate that obscures the view of refuse containers from the surrounding area, and shall be located as per letter of approval from the Logan Environmental Department.

|                                                       |
|-------------------------------------------------------|
| <b>16.12.030 PREPARATION AND REQUIRED INFORMATION</b> |
|-------------------------------------------------------|

~~G. The locations for the placement of garbage receptacles. A letter from the Logan Environmental Department approving the location(s) shall be included with the final plat.~~

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 11th day of October, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder



# Smithfield City Staff Report

Community Development Department  
Administration • Engineering • Planning • Zoning

## Municipal Code Changes

September 20, 2023

This summary analysis of the proposed ordinance is based on previously adopted city codes and standard city development practices. This report is to be used to review and consider the proposed changes to the Smithfield Municipal Code.

### Ordinance 23-28 Logan City Garbage

- Removes the phrase "Logan City Environmental Department" from the mixed use code that discusses garbage enclosures. Removes the line in the Final Plat section of the subdivision code that reads the "Logan Environmental Department" determines receptacle location.

