



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

Planning Commission Chairperson