



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, December 20, 2023**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Bob Holbrook

1. Approval of Planning Commission Meeting Minutes from November 15, 2023.
2. Resident Input
3. Discussion and possible vote on the request by Heritage Land Development for approval of the Preliminary Plat for the Lupine Village Subdivision, a (99) lot/unit subdivision located at approximately 485 North 400 West.
4. Introduction and Public Hearing for the purpose of discussing Ordinance 23-32, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to MPC (Master Planned Community). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development.
5. Discussion and possible vote on Ordinance 23-32.
6. Introduction and Public Hearing for the purpose of discussing Ordinance 23-36, an Ordinance amending the Smithfield City Municipal Code Title 5 "Business Licenses and Regulations", amending Chapter 5.20.060 "Childcare Centers; Regulations".
7. Discussion and possible vote on Ordinance 23-36
8. Introduction and Public Hearing for the purpose of discussing Ordinance 23-37, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.12 "Final Plats", Sections 16.12.050 "Administrative Land-Use Committee", 16.12.080 "Recording of the Final Plat", 16.12.090 "Expiration of Final Approval" and Chapter 16.04 "General Provisions", Section 16.04.050 General Responsibilities".
9. Discussion and possible vote on Ordinance 23-37.

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 November 15, 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, November 15, 2023

The following members were present constituting a quorum:

Members Present: Jamie Anderson, Katie Bell, Brooke Freidenberger, Brian Higginbotham, Bob Holbrook, Stuart Reis, Lazaro Soto

Alternates Present: James Marshall, Chris Olsen

City Staff: Councilmember Sue Hyer, Councilmember Jon Wells, Brian Boudrero, Kenzie Nelson

Others in Attendance: Andrew Lillywhite, Todd Orme, Aspen Hansen Madison Ramsey, Michelle Anderson Janet Hillyard, Lee & Lupe Helms, Dixie Neugebauer, Caralee Stokes, Debbie Zilles

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

Welcome/Pledge of Allegiance by Chairman Anderson

Consideration of consent agenda and approval of meeting minutes

After consideration by the Commission, Chairman Anderson declared the minutes from the October 18, 2023 meeting to stand as submitted.

RESIDENT INPUT – No public comments.

AGENDA ITEMS

Discussion and possible vote on the request by Andrew Lillywhite for approval of the Final Plat for the Roger Cantwell Subdivision, a (2) lot/unit subdivision located at 490 West 300 North. Zoned RA-1 (Residential Agricultural 1-Acre).

Andrew Lillywhite and Roger Cantwell are requesting approval of a final plat for a minor subdivision, located approximately 248 North and 500 West. The subdivision creates two individual properties that are zoned as Residential Agriculture (RA-1).

Mr. Lillywhite explained that it is currently an L-shaped property which is just over two (2) acres that they would like to subdivide. 500 West will be widened. They have met all applicable codes and requirements, however, are hoping for an exception to having to put in a curb, gutter, and sidewalk along 300 North as there are already existing homes on that road. Mr. Lillywhite was told that the City Council could consider waiving a requirement or making an exception, but the Planning Commission could not.

MOTION: Motion by Commissioner Higginbotham to **approve** the request by Andrew Lillywhite for approval of the Final Plat for the Roger Cantwell Subdivision, a two (2) lot/unit subdivision located at 490 West 300 North. Zoned RA-1 (Residential Agricultural 1-Acre). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson, Bell, Freidenberger, Holbrook, Higginbotham, Reis, Soto

Discussion and possible vote on the “Home Child Care or Preschool” Conditional-Use Permit Application by Aspen Hansen to operate Lil’ Guppies Home Daycare at 368 East 400 South. Parcel Number 08-157-0009. Zoned R-1-10 (Single Family Residential 10,000 Square Feet).

Aspen Hansen is requesting approval for a conditional use permit for a home-based preschool business. She would like to operate her childcare business out of the home she lives in. Aspen has met all of the city codes that apply to child care and is working to produce the state inspections and licenses. She has a written letter of approval from the homeowner for the proposed business. She lives in the residence and is proposing to care for approximately 8 up to 18 children in the future. The state only allows 16 maximum children if they have a full license and she has been informed. Her residence consists of three total off-street parking spaces and the surrounding streets have room for loading and drop-off.

Ms. Hansen shared some pictures of the inside of the home and improvements in the basement of the home where she will be running the daycare. Her father is the owner of the home. She is currently working on getting her state license; all the required inspections have been done. She is hoping to have it ready to go by the end of December.

Mr. Boudrero clarified for Commissioner Holbrook that a license and Conditional Use Permit is required because of the request for 16 children (which is the maximum amount allowed). Ms. Hansen said her mother would be helping with the daycare.

Commissioner Higginbotham asked about open space, Ms. Hansen said there is a backyard that will be utilized as weather permits. During inclement weather, they will have an area inside to use.

Mr. Boudrero pointed out that the business license will not be issued until the state license is received – which is in progress.

MOTION: Motion by Commissioner Bell to **approve** the “Home Child Care or Preschool” Conditional Use Permit Application by Aspen Hansen to operate Lil’ Guppies Home Daycare at 368 East 400 South. Parcel Number 08-157-0009. 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, Holbrook, Higginbotham, Reis, Soto

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”.

Mr. Boudrero explained that this ordinance will add "Esthetician/Microblading," to the Use Allowance Matrix. It will be added as a conditional use to the Community Commercial and Mixed-Use zones and a permitted use to the Central Business District, General Commercial, and Gateway zones.

6:46 p.m. Public Hearing Opened

6:47 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 23-30.

MOTION: Motion by Commissioner Freidenberger to **forward a recommendation of approval to the City Council** for Ordinance 23-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”. Commissioner Holbrook seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson, Bell, Heaps, Holbrook, Higginbotham, Reis, Soto

Introduction and **Public Hearing** for the purpose of discussing Ordinance 23-31, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.05 “Concept Plan”, Sections 16.050.010 “Purpose”, 16.05.020 “Application and Fees”, 16.05.030 “Concept Plan Submittal”, 16.05.040 “Subdivision Technical Review Committee”, Chapter 16.12 “Final Plats”, Sections 16.12.010 “Purpose”, 16.12.020 “Filing Deadline, Application, and Fees”, 16.12.030 “Preparation and Required Information”, 16.12.040 “Review by the City Engineer”, 16.12.050 “Planning Commission Action”, 16.12.070 “Review by the City Council”, 16.12.080 “Recording of the Final Plat”, 16.12.090 “Expiration of Final Approval”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, 16.04.050 “General Responsibilities”, Chapter 16.07 “Major Subdivisions”, Sections 16.07.010 “Purpose”, 16.07.030 “Preliminary Plat”, 16.07.040 “Final Plat”, 16.07.050 “Improvements”, Chapter 16.06 “Minor Subdivisions”, Sections 16.06.040 “Procedure”, 16.06.050 “Approval of the Minor Subdivision”, 16.06.060 “Disapproval by the City Council”, 16.06.070 “Required Improvements”, 16.06.080 “Recording of Plat or Filing of Record Survey”, Chapter 16.09 “Preliminary Plats”, Sections 16.09.010 “Purpose”, 16.09.020 “Application and Fees”, 16.09.030 “Preliminary Plat Required Information”, and 16.09.040 “Approval of Preliminary Plat”.

- The new subdivision review changes required by the State, for single-family, twin-home, and town-home subdivisions. Revisions and modifications have been made to the existing code, to implement the required review process. The

proposed review process will eliminate the need for a concept plan in addition to the requirement for the STRC (Subdivision Technical Review Committee) meeting.

- The changes required in this ordinance are entirely **administrative** and must be implemented by 02/01/2024. They only reflect modifications in the review of subdivisions that do not need to be rezoned.
- Cities must appoint an "**Administrative Land Use Authority**," for review and approval of preliminary and final subdivision plats. This ordinance is proposing that the following positions be chosen for said authority: The City Engineer, City Planning Manager, City Manager, Public Works Director, and an appointed member of the City Fire Department.
- No definitive changes to the required standards of preliminary and final plats have been prescribed. Only the process of review has been altered efficiency.
- Cities must create and publish application forms, requirements, fees, checklists, documentation, and details for plan submittal both preliminary and final plats. All the required information is posted and placed on the city website.
- Cities must adopt and implement a new "review cycle" process. This includes **complete** application submittal, complete review, and response to developer and developer reply. Each subdivision application (preliminary and final) can only go through this review cycle **(4) four** times before approval or denial.
- The city must identify specific changes to the documents found in the code and the applicant must comply with each requirement, failure to comply negates the review process. The City will have **15 business days** to review preliminary plats and **20 business days** for final plats. If reviews are not responded to, the city has an additional 20 business days to review.
- Failure by a city to correct an issue in the application means it waives its rights to require the developer to correct the issue unless it is federal or state law or is a specific public health safety. If the applicant makes any material or substantial changes to the application above the issued requirements and if the city desires, the (4) four-cycle process begins again.
- As long as the city meets the timely review of all submittals and notifies the applicant of any deficiencies in the documentation, the city is not required to approve a plat, that doesn't meet the ordinance. All applications, plats, and fees will start over after the (4) four cycles.

Mr. Boudrero reminded the Commission that this mandate is for subdivisions that meet all requirements. Any requests for change and/or any rezones or overlays will go through the regular process. This change is only for simple administrative decisions. Public comment can be received at any time on any item. These requests will be posted online and residents can call with questions or concerns.

6:50 p.m. Public Hearing Opened

Caralee Stokes said it can be hard to find the information before public hearings, and often the information is hard to understand. She would like information to be easier to understand, the public deserves to have more detail on items.

Lee Helms said it seems like this is giving the City an avenue to approve developments without public input. This is taking away the freedom to voice opinions and help protect the community.

Todd Orme asked who the reference to the Planning Manager is. Mr. Boudrero said he is the Planning Manager. Mr. Orme agrees with the previous comments that this seems to be taking away some of the freedoms and rights of the residents. He thinks public input is important and strongly disagrees with this change.

James Marshall pointed out that if an applicant complies with all the codes and requirements and does not require any mitigation, it should not have to have any changes due to public input.

Kenneth Bell agrees with Mr. Marshall's comment. If a subdivision meets all the requirements and the owner is already doing what is required in the Code, it should not have to go through the entire Planning Commission/City Council process. If changes need to be made, they should be made as the Code is developed and/or changed.

Chris Olsen pointed out that this is a mandate from the State legislature. There could be consequences if this is not followed. Mr. Boudrero said this information is included in the annotated Code. Mr. Olsen agreed that it is worthy to have a summary of information; Mr. Boudrero said that is always available on the website before the meeting. Residents are always encouraged to contact the City with any questions or concerns regarding projects and/or proposals.

7:00 p.m. Public Hearing Closed

Discussion and possible vote on <u>Ordinance 23-31</u> .
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Mr. Boudrero explained that staff reports include ordinances, which are written via State Code, which he agrees can be confusing. He includes a summary to better understand what is being proposed. The ordinance and full report are included in the packets that are distributed and posted online. He reiterated that this is a mandate that cities adopt and implement a new "review cycle" process. The City is not required to approve a plat that does not meet the ordinances.

Mr. Boudrero outlined the cycle system for Commissioner Higginbotham. Proposals are required to be fully complete upon application and must address any concerns that the Administrative Land Use Authority may have. If the project does not comply with everything, it can be denied. He again assured the Commission and the public that the information is put on the City website for anyone to review and comment.

At Commissioner Freidenberger's request, Mr. Boudrero explained the difference between legislative and administrative decisions. Legislative items such as zone changes, annexations, Code changes, etc. will still have to go through the Planning Commission/City Council process. This will only shorten the amount of time it will take for a project that meets everything required, this is not circumventing the system at all. If, after the 4 cycles of review, it still does not meet all the requirements, the applicant will have to begin all over by re-submitting an application and paying the fees again.

Mr. Boudrero said the City has to have this implemented by February 2024.

The change from one year to 18 months on page 8; 16.07.040 Final Plat, was to bring it in line to match the wording in other ordinances.

Commissioner Freidenberger asked what would happen if a project were denied. Mr. Boudrero said an applicant could appeal the decision to the Utah Property Rights Ombudsman, which could result in an expensive legal battle.

Commissioner Higginbotham said the legislature decided to try and help better streamline the process and with rights associated with property ownership. The City has to follow what is in the Code and cannot selectively add amenities that are not required. This process makes sense for projects that follow all the rules. If there are things the Commission does not agree with, it is important to begin a discussion about possibly changing the Code. Public comment is important with any proposal, he asked if there would be a schedule as to when items would be posted online for review. In the spirit of trying to honor the concerns of the public, it would be good to have specific dates when these are added. Mr. Boudrero said it may be difficult to have specific days, that is something they can look at but subdivisions come in at different times and some withdraw before the process begins. He also encouraged citizens to sign up for the communication system the City has (flyers were available). Citizens can also call in and get information on how to get signed up.

Commissioner Freidenberger asked how citizens can better learn about Codes and ordinances. Mr. Boudrero said he is always willing to take calls and discuss items with citizens at any time. He also encouraged residents to contact their elected City Council members with questions and concerns.

Chairman Anderson said Land Use Authority projects can be listed similarly to other public meetings that are listed on the City's website. He would like, in the spirit of transparency, to make finding the information as easy as possible for residents.

Commissioner Bell said this new format will actually make it easier for public comments to be addressed. As it is now, the public can make comments at the meeting but there is no back-and-forth dialogue. This process will give citizens the ability to address concerns sooner and talk to someone who can answer questions.

Commissioner Reis asked how many of these applications the City is receiving. Mr. Boudrero said it depends but it can be as often as 1 or 2 per month. This review cycle is already in place, this proposal will just streamline the time process – there will still be deadline dates that will be required.

Commissioner Higginbotham asked about the wording under 16.12.030 Preparation and Required Information item G on page 5 "*The city must approve all proposed dumpster locations.*" Mr. Boudrero said this could be for a single-family townhome subdivision that may want a dumpster rather than individual garbage cans. This requirement is determined on a case-by-case basis. It is included to cover any possible scenario. Commissioner Higginbotham asked why it has to be a standalone item and cannot be included under Section B. Mr. Boudrero said that change can be made. He explained that the mailbox location is separate because USPS designates where mailboxes will be located.

Mr. Boudrero confirmed for Chairman Bell that the decisions that will be made are strictly administrative and are based on the requirements in the Code. This is not a loss of freedom for anyone who wants to comment on a project. If there are parts of the Code that citizens do not agree with, he suggested they contact members of the City Council, which is the decision-making body for making changes to the Code.

MOTION: Motion by Commissioner Bell to **forward a recommendation of approval to the City Council** for Ordinance 23-31, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.05 “Concept Plan”, Sections 16.050.010 “Purpose”, 16.05.020 “Application and Fees”, 16.05.030 “Concept Plan Submittal”, 16.05.040 “Subdivision Technical Review Committee”, Chapter 16.12 “Final Plats”, Sections 16.12.010 “Purpose”, 16.12.020 “Filing Deadline, Application, and Fees”, 16.12.030 “Preparation and Required Information”, 16.12.040 “Review by the City Engineer”, 16.12.050 “Planning Commission Action”, 16.12.070 “Review by the City Council”, 16.12.080 “Recording of the Final Plat”, 16.12.090 “Expiration of Final Approval”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, 16.04.050 “General Responsibilities”, Chapter 16.07 “Major Subdivisions”, Sections 16.07.010 “Purpose”, 16.07.030 “Preliminary Plat”, 16.07.040 “Final Plat”, 16.07.050 “Improvements”, Chapter 16.06 “Minor Subdivisions”, Sections 16.06.040 “Procedure”, 16.06.050 “Approval of the Minor Subdivision”, 16.06.060 “Disapproval by the City Council”, 16.06.070 “Required Improvements”, 16.06.080 “Recording of Plat or Filing of Record Survey”, Chapter 16.09 “Preliminary Plats”, Sections 16.09.010 “Purpose”, 16.09.020 “Application and Fees”, 16.09.030 “Preliminary Plat Required Information”, and 16.09.040 “Approval of Preliminary Plat” with the change of the dumpster location verbiage as previously discussed. Commissioner Holbrook seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Anderson, Bell, Heaps, Holbrook, Higginbotham, Reis, Soto

Introduction and Public Hearing on Ordinance 23-33, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.92 “Accessory Dwelling Unit”, Section 17.92.020 “Conditions”.

The change in wording includes:

6. *The owner(s) of the residence shall occupy at least one (1) of the units on the lot; except for bona fide temporary absences of two (2) years or less for activities such as:*
- a. *A temporary job assignment, sabbatical, or voluntary service.*
 - b. *The owner is placed in a hospital, nursing home, assisted living facility, or other similar facility.*
 - c. *City staff will require written documentation verifying the temporary absence.*
 - d. *The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the Planning Department in writing. They shall*

include in the request their anticipated length of absence and estimated return date, a forwarding address, phone number, and email address where they may be contacted by the city, and the names, phone numbers, and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.

7:45 p.m. Public Hearing Opened

Jon Wells suggested changing the term “accessory apartment” to “assessor dwelling unit” for consistency within the ordinance

7:46 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 23-33.

Mr. Boudrero explained that adding the excerpt 17.92.020 6. “...except for bona fide temporary absences of two (2) years or less for activities such as ...” will require documented proof of such absence.

Commissioner Higginbotham suggested changing it to three (3) years for obligations that may last longer than two (e.g., LDS Temple President, Mission President, etc.).

Commissioner Freidenberger asked if someone could rent out the main home if they also have an accessory dwelling unit that is rented out and they leave for a temporary absence. Mr. Boudrero said they can allow someone to stay in and/or rent the main home during the allowed absence. They would have to provide the City with the proper paperwork and a local emergency contact for the property. This will help properties be maintained and things taken care of during short absences – as proposed.

MOTION: Motion by Commissioner Bell to **forward a recommendation of approval to the City Council** for Ordinance 23-33, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.92 “Accessory Dwelling Unit”, Section 17.92.020 “Conditions”. Commissioner Freidenberger seconded the motion, with a wording change to “dwelling unit” in Section B and the change from two (2) years to three (3) years in Section A-6.

Motion approved (7-0).

Vote:

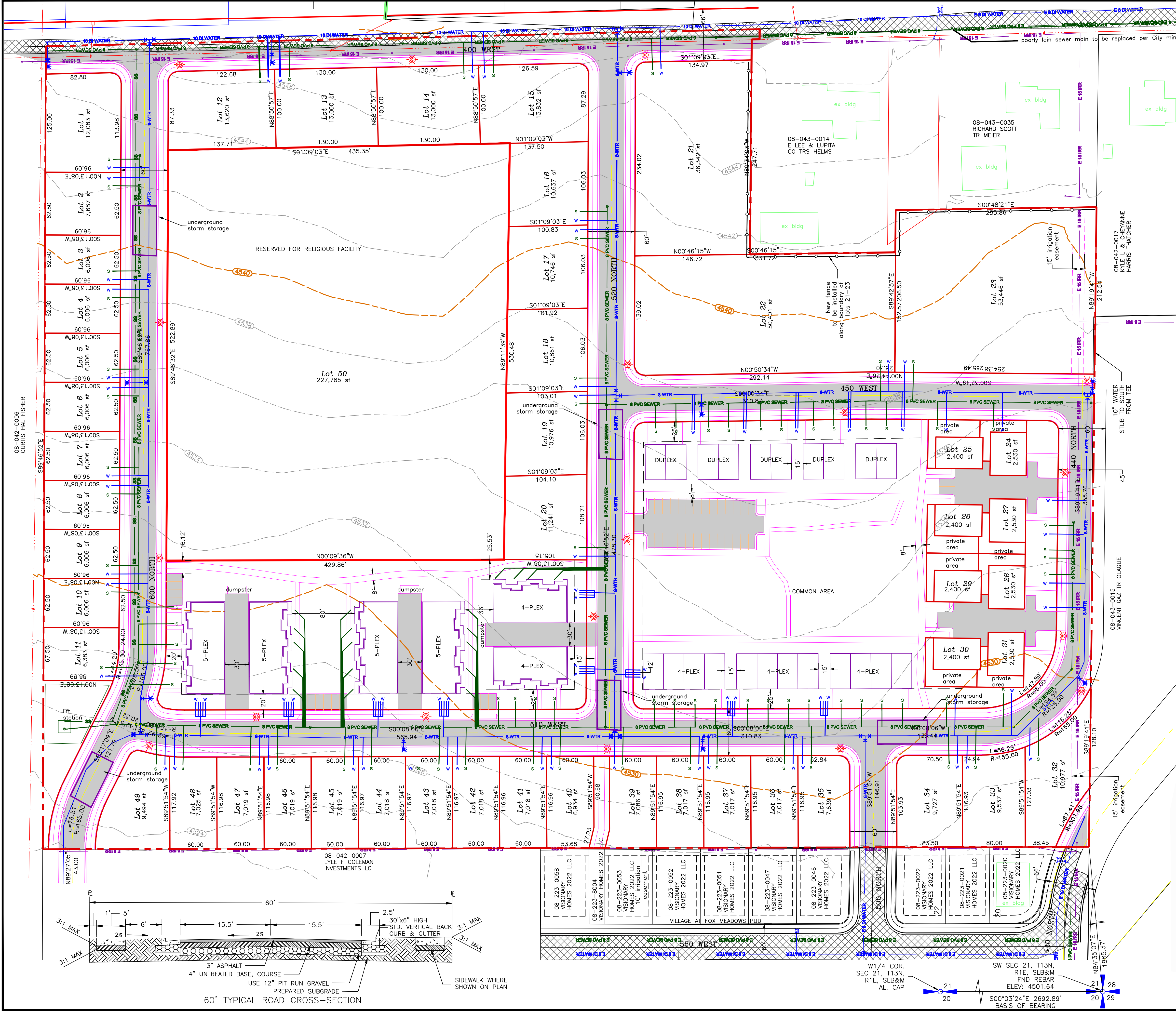
Aye: Anderson, Bell, Heaps, Holbrook, Higginbotham, Reis, Soto

OTHER

MEETING ADJOURNED at 7:54 p.m.

Minutes submitted by Debbie Zilles

Planning Commission Chairman



LUPINE VILLAGE PRELIMINARY PLAT

PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN 400 WEST, 500 NORTH SMITHFIELD, UTAH

NORTH

0 60 120ft.
SCALE 1" = 60'-0" HOR

OWNER: HERITAGE LAND DEVELOPMENT
470 NORTH 2450 WEST
TREMONTON, UTAH
TOTAL AREA: 29.23 ACRES
ROW: 6.72
CHURCH PROPERTY: 5.23
NET AREA: 17.28 ACRES
OPEN SPACE: 3.11 ACRES (18.00%)
DENSITY ALLOWED: 103
DENSITY BONUS: 0
LOT FOR RELIGIOUS FACILITY: 1
TOTAL UNITS: 99

SINGLE FAMILY UNITS: 59 (59.59%)
LOTS: 4
ACTIVE ADULT HOMES: 8
DUPLEX: 10
MULTI FAMILY UNITS: 40
REAR LOAD PLEX: 28
FRONT LOAD 4-PLEX: 12

THERE ARE NO WELLS WITHIN 100 FEET OF THE BOUNDARY.
THE PROJECT IS NOT LOCATED WITHIN A 100 YR FLOODPLAIN

BUILDING SETBACKS
FRONT: 20' (25' to garage)
BACK: 15'
SIDE: 8' (WITH 15' BETWEEN HOUSES)
STREET SIDE: 12'

LOT PUBLIC UTILITY EASEMENTS:
FRONT: 10'
REAR: 5'
SIDE: 5'
STREET SIDE: 10'

LANDSCAPE DESIGNER
BOB BARNHILL PLA

LEGEND

- PROPERTY BOUNDARY
- EASEMENT LINE
- SETBACK LINE
- ROAD C
- EXISTING IRRIGATION
- EXISTING POWER
- EXISTING 8" PVC SANITARY SEWER LINE
- PROPOSED 8" PVC SANITARY SEWER LINE
- EXISTING WATER LINE-SIZE AS SHOWN
- PROPOSED 8" DI WATER LINE
- EXISTING ASPHALT
- PROPOSED ASPHALT
- EXISTING MNR CONTOUR (2')
- EXISTING MNR CONTOUR (10')
- NEW STREET LIGHT

BOUNDARY CERTIFICATE

A tract of land to be included in the corporate limits of Smithfield, Utah located in part of the South Half of Section 21, Township 13 North, Range 1 East of the Salt Lake Meridian described as follows:

Beginning at the West Quarter Corner of Section 21, Township 13 North, Range 1 East of the Salt Lake Meridian monumented with an aluminum cap; thence S00°03'24"E 2692.89 feet to the Southwest Corner of Section 21 monumented with a 5/8" rebar; thence N84°35'07"E 1885.37 feet to an Earl rebar at the Southeast Corner of the Village at Fox Meadows, PUD, Phase 2 and the POINT OF BEGINNING and running

thence N 00°08'19" W 1,332.47 feet (N00°21'15" W, By Record) along the east line of Fox Meadows, PUD, Phase 2 and its projection thereof to an Earl rebar said line also being the existing corporate line of Smithfield City;

thence S 89°46'52" E 1023.00 feet;

thence S 01°22'52" E 909.32 feet;

thence N 89°34'03" W 12.93 feet;

thence N 00°49'07" W 10.00 feet;

thence N 89°34'03" W 273.83 feet;

thence S 00°46'15" E 185.00 feet;

thence S 89°34'03" E 53.93 feet;

thence S 00°49'07" E 255.86 feet;

thence N 89°19'41" W 814.91 feet to the point of beginning, containing 29.23 acres, more or less

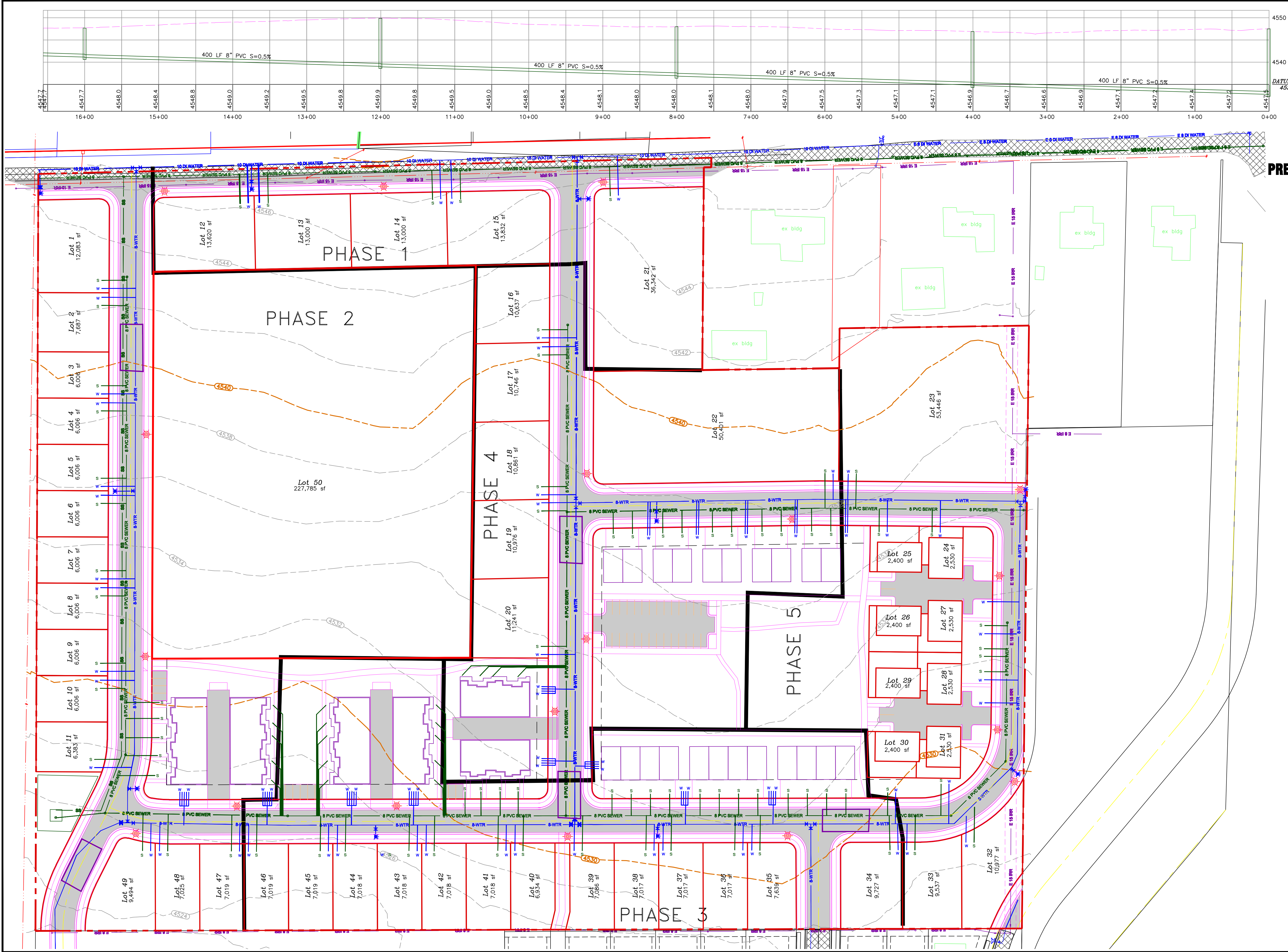
VICINITY MAP

REGISTERED PROFESSIONAL ENGINEER
NO. 36859
ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435) 755-5121
alliance@ace-engineers.com

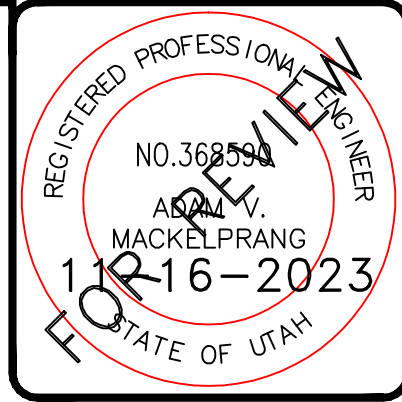
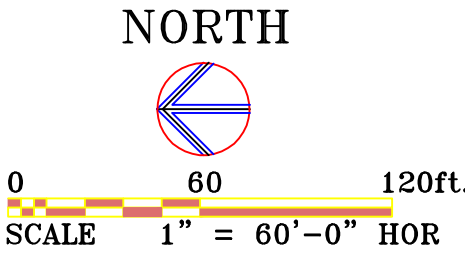
LUPINE VILLAGE
PART OF THE EAST HALF OF SECTION 21
TOWNSHIP 13 NORTH, RANGE 1 EAST
SALT LAKE BASELINE AND MERIDIAN
400 WEST, 500 NORTH
SMITHFIELD, UTAH

PRELIMINARY PLAT

DATE : NOV, 2023
DRAWING No. 1



LUPINE VILLAGE
PRELIMINARY PHASING PLAN



ALLIANCE CONSULTING
ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435) 755-5121
alliancelogon@yahoo.com

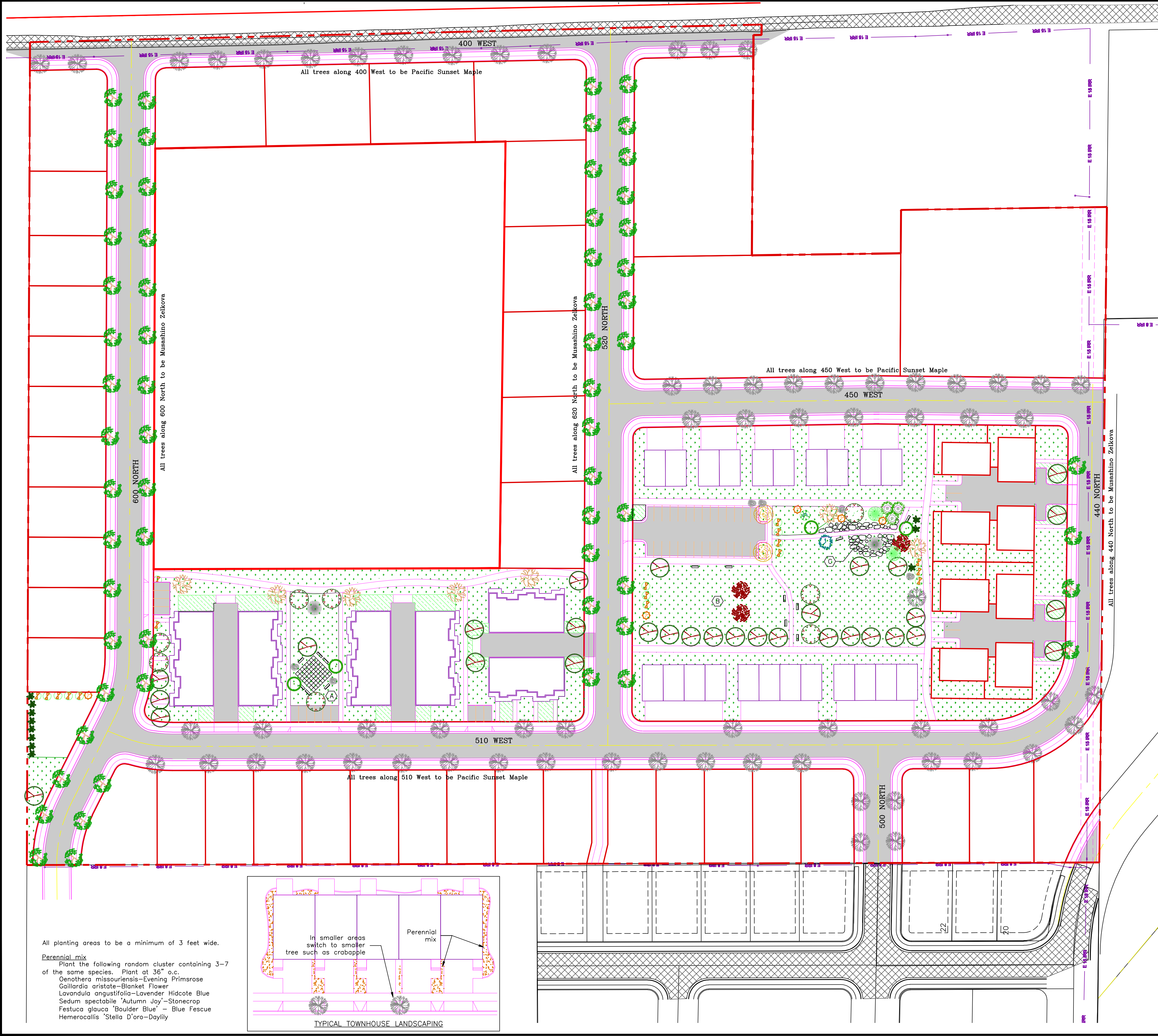
NO.	REVISIONS/ SUBMISSIONS	DATE

REVIEWED :	DRAWN :	PROJECT NO. :

LUPINE VILLAGE
PART OF THE EAST HALF OF SECTION 21
TOWNSHIP 13 NORTH, RANGE 11 EAST
SALT LAKE BASELINE AND MERIDIAN
400 WEST, 500 NORTH
SMITHFIELD, UTAH

PRELIMINARY PHASING PLAN

PROJECT TITLE
DRAWING No. **2**
DATE : NOV, 2023



LEGEND

- (8)–NORWAY MAPLE (2" CAL)
- (2)–MANCHURIAN ASH (2" CAL)
- (7)–LITTLE LEAF LINDEN (2" CAL)
- (31)–PRAIRIE FIRE CRABAPPLE (2" CAL)
- (67)–PACIFIC SUNSET MAPLE (2" CAL)
- (62)–MUSASHINO ZELKOVA (2" CAL)
- ROW OF FORSYTHIA BUSHES (1 GAL)
- (1)–COLUMNAR GINKO BILOBA (2" CAL)
- MEDIUM TO LARGE BOULDERS
- (3)–JAPANESE RED MAPLE (5 GAL)
- (6)–SUMAC (1 GAL)
- (2)–SUBALPINE FIR (2" CAL)
- (4)–FRINGE TREE (5 GAL)
- (2)–JAPANESE LILAC (1 GAL)
- (5)–FORSYTHIA (1 GAL)
- (3)–YELLOW WOOD (CLADRASTIS KENTUKEA) (2" CAL)
- BENCH
- (1)–KENTUCKY COFFEE TREE (2" CAL)

LUPINE VILLAGE
PRELIMINARY LANDSCAPING

NORTH

0 60 120ft.
SCALE 1" = 60'-0" HOR

(A) TILED GRASS FOR HUMAN CHESS/CHECKERBOARD
(B) PLAYGROUND
(C) KIDS BOULDERING AREA

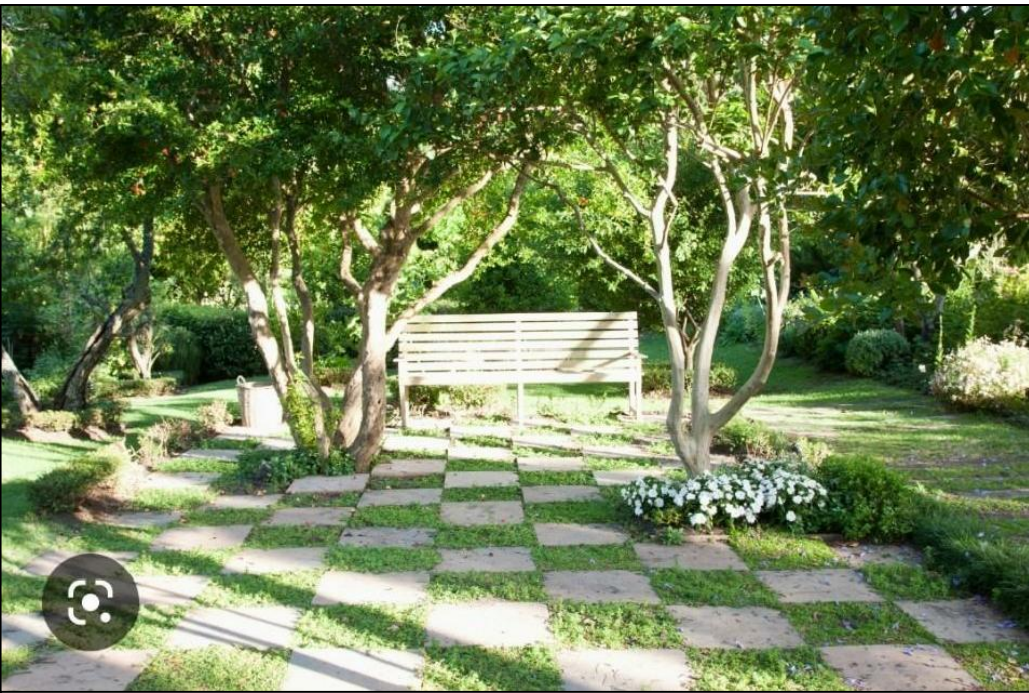
BIONATIVE SOD

Open space to be irrigated using using water rights from Smithfield Irrigation Company. All open space/ common are to be maintained by HOA.

Park strips to be rock mulch using 1" minus.

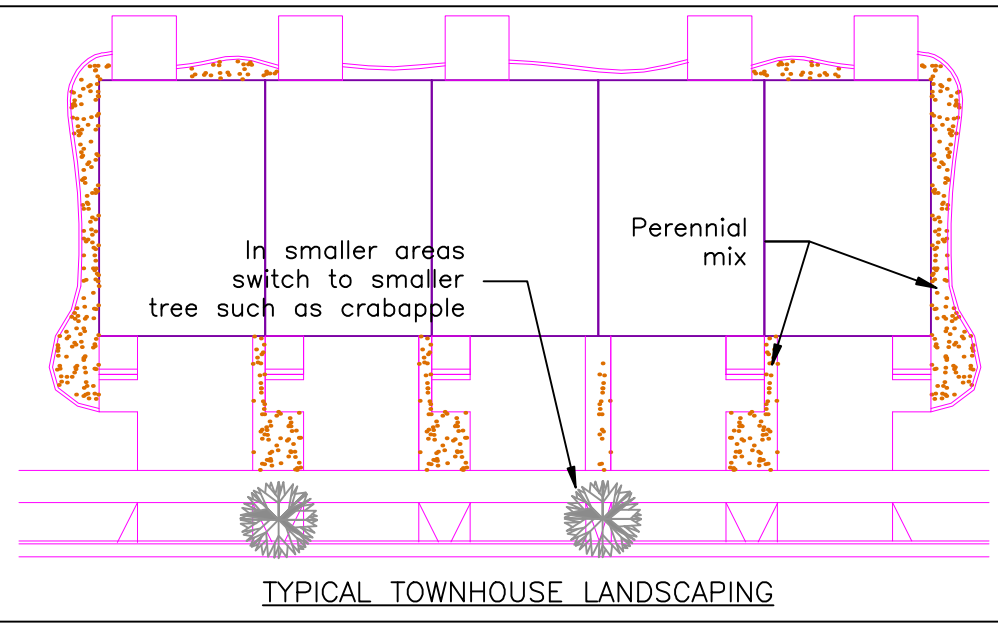
Planting areas with a mix of the following plants.

Dwarf Burning Bush
Pawnee Buttes Sandcherry
Karl Foerster Grass
Miss Kim Lilac
Gro-low Sumac
White Medialand Rose
Gold Cluster Forsythia
Arctic Fire Dogwood
Dwarf Hinoki Cypress



All planting areas to be a minimum of 3 feet wide.

Perennial mix
Plant the following random cluster containing 3–7 of the same species. Plant at 36" o.c.
Oenothera missouriensis–Evening Primrose
Gaillardia aristata–Blanket Flower
Lavandula angustifolia–Lavender Hidcote Blue
Sedum spectabile 'Autumn Joy'–Stoncrop
Festuca glauca 'Boulder Blue' – Blue Fescue
Hemerocallis 'Stella D'oro–Daylily



BOB BARNHILL, PLA

801–682–3558

No.	REVISIONS/ SUBMISSIONS	DATE

REVIEWED :
DRAWN :
PROJECT NO. :

CAD FILE :

LUPINE VILLAGE
PART OF THE EAST HALF OF SECTION 21
TOWNSHIP 13 NORTH, RANGE 11 EAST
SALT LAKE BASELINE AND MERIDIAN
400 WEST, 500 NORTH
SMITHFIELD, UTAH

PRELIMINARY LANDSCAPING

DATE : NOV,2023
DRAWING No. 3



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

Lupine Village MPC Preliminary Plat

December 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: 08-042-0012

Applicant: Heritage Land Development

08-042-0013

Action Type: Administrative

08-042-0014

Staff Recommendation: Approval

08-042-0015

08-043-0015

Project Location

Location:

485 North 400 West
Smithfield, Utah

Lot Size:

28.95 Acres

Surrounding Uses:

North - County
South - Residential R-1-12
East - Residential RA-1
Agricultural A-10
West - Residential MPC
Residential R-1-1- PUD

Current Zoning:

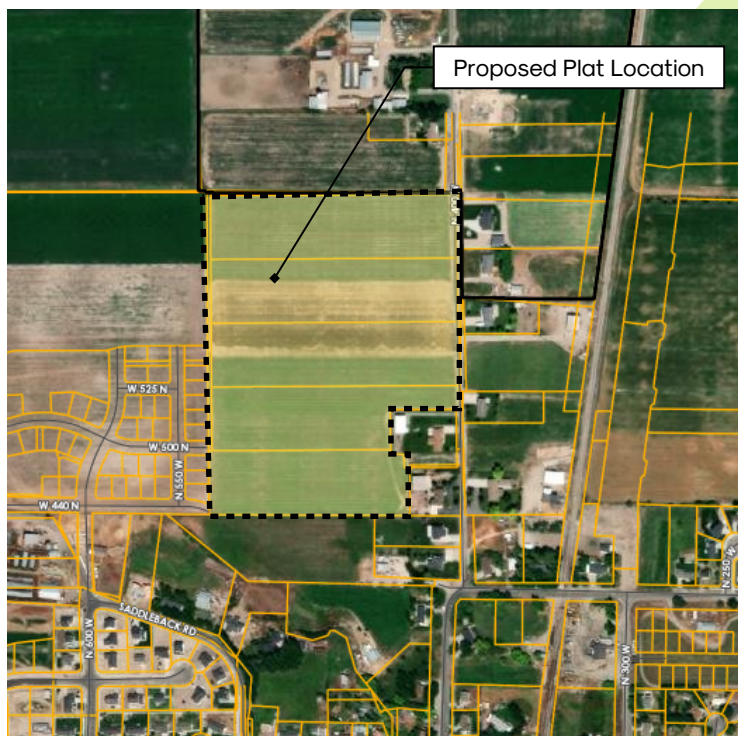
A-10 Agricultural

Proposed Zoning:

MPC Residential

Project Summary

Tami Midzinski and Heritage Land Development have resubmitted a preliminary site plan corresponding with the MPC rezone. In addition to the site and development plan, they have included, (as required) a phasing plan and landscape plan. The updated plan includes 40 multi-family and 59 single family lots, an interconnecting trail system and an open space with amenities. This version includes a separate piece of property to be sold for a religious facility.



11/27/2023

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

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

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

Page 1

Findings of Fact

1. The details and information in this plat meets the requirements found in the major subdivision chapter. §16.07
2. The preliminary site plan meets all the required development standards found in the Master Plan Community zone. §17.81.050
3. All open space, trail corridors and pedestrian circulation, complies with the required code in section §17.81.060, §17.81.070 and §17.81.080.
4. The preliminary landscape plan conforms to chapter §17.81.090
5. All applicable codes in §16.09 have been addressed and the appropriate fees have been paid.

Conclusion and Recommendation

Based on the findings of fact listed above, the staff recommends **approval** of the Lupine Village MPC preliminary plans as follows:

- All the minimum requirements have been met as found in the Smithfield City Code, section §17.81. The addition of the proposed property is not included in calculations.



ORDINANCE NO 23-32

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 A-10 (Agricultural 10-Acre) to MPC (Master Planned Community).

Approximate Property Location: 485 North 400 West

Cache County Parcel Number: 08-042-0012

BEG 23.50 CHS N & 4 CHS E OF SE COR SW/4 SEC 21 T 13 N R 1E, W 15.50 CHS S 4 CHS E 15.6 CHS N 4 CHS TO BEG 6.16 AC

Cache County Parcel Number: 08-042-0013

BEG 19.5 CHS N 4 CHS E OF SE COR OF SW/4 SEC 21 T 13N R 1E W 15.60 CHS S 4 CHS E 15.70 CH N 4 CHS TO BEG 6.16 AC C1221

Cache County Parcel Number: 08-042-0014

BEG 15.51 CHS N & 4 CHS E OF SE COR SW/4 SEC 21 T 13N R1E, W 15.70 CHS S 4 CHS E 15.80 CHS N 4 CHS TO BEG 6.16 AC. C1223

Cache County Parcel Number: 08-042-0015

BEG 11.50 CHS N & 4 CHS E OF SE COR OF SW/4 SEC 21 T 13N R1E, W 15.8 CHS S 4 CHS E 11.80 CHS N 2.50 CHS E 4 CHS N 1.50 CHS TO BEG CONT 5.32 AC LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL PART OF THE SOUTH HALF OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE I EAST OF THE SALT LAKE MERIDIAN MONUMENTED WITH AN ALUMINUM CAP; THENCE S00°03'24"E 2692.89 FEET (BASIS OF BEARING - BEARING AND DISTANCES BASED ON UTAH STATE PLANE NORTH ZONE) TO THE SOUTHWEST CORNER OF SECTION 21 MONUMENTED WITH A 5/8" REBAR; THENCE N84°35'07"E 1885.37 FEET TO AN EARL REBAR AT THE SOUTHEAST CORNER OF THE VILLAGE AT FOX MEADOWS, PUD, PHASE 2; THENCE S89°19'41"E 814.91 FEET TO THE SOUTHWEST CORNER OF PARCEL 08-043-0035; THENCE N 00°49'07" W 201.85 FEET (NORTH 200 FEET, BY RECORD) TO THE NORTHWEST CORNER OF PARCEL 08-043-0035 AND THE POINT OF BEGINNING AND RUNNING THENCE N 00°49'07" W 54.01 FEET; THENCE N 89°34'03" W 53.93 FEET; THENCE N 00°46'15" W 185.00 FEET; THENCE S 89°34'03" E

273.83 FEET; THENCE S 00°49'07" E 239.02 FEET TO THE NORTHEAST CORNER OF PARCEL 08-043-0035; THENCE N 89°34'03" W 220.05 FEET (WEST 220 FEET, BY RECORD) ALONG THE NORTH LINE OF PARCEL 08-043-0035 TO THE POINT OF BEGINNING NET 5.27 AC

Cache County Parcel Number: 08-043-0015

EG 3.5 CHS N OF SW COR SE/4 SEC 21 T 13N R 1E & TH E 44 FT TH N 200 FT TH E 220 FT TO W LN OF ST TH N 64 FT TH W 4 CHS TH S 4 CHS TO BEG CONT 0.59 AC ALSO: BEG 3.5 CHS N OF SW COR OF SE/4 SEC 21 T 13N R1E, N 4 CHS W 12 CHS S 4 CHS E 12 CHS TO BEG 4.8 AC CONT 5.39 AC IN ALL LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL PART OF THE SOUTH HALF OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 1 EAST OF THE SALT LAKE MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE I EAST OF THE SALT LAKE MERIDIAN MONUMENTED WITH AN ALUMINUM CAP; THENCE S00°03'24"E 2692.89 FEET (BASIS OF BEARING - BEARING AND DISTANCES BASED ON UTAH STATE PLANE NORTH ZONE) TO THE SOUTHWEST CORNER OF SECTION 21 MONUMENTED WITH A 5/8" REBAR; THENCE N84°35'07"E 1885.37 FEET TO AN EARL REBAR AT THE SOUTHEAST CORNER OF THE VILLAGE AT FOX MEADOWS, PUD, PHASE 2; THENCE S89°19'41"E 814.91 FEET TO THE SOUTHWEST CORNER OF PARCEL 08-043-0035; THENCE N 00°49'07" W 201.85 FEET (NORTH 200 FEET, BY RECORD) TO THE NORTHWEST CORNER OF PARCEL 08-043-0035 AND THE POINT OF BEGINNING AND RUNNING THENCE N 00°49'07" W 54.01 FEET; THENCE N 89°34'03" W 53.93 FEET; THENCE N 00°46'15" W 185.00 FEET; THENCE S 89°34'03" E 273.83 FEET; THENCE S 00°49'07" E 239.02 FEET TO THE NORTHEAST CORNER OF PARCEL 08-043-0035; THENCE N 89°34'03" W 220.05 FEET (WEST 220 FEET, BY RECORD) ALONG THE NORTH LINE OF PARCEL 08-043-0035 TO THE POINT OF BEGINNING NET 5.06 AC

APPROVED by the Smithfield City Council this 10th day of January, 2024.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

Lupine Village MPC Rezone

December 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: 08-042-0012

Applicant: Heritage Land Development

08-042-0013

Action Type: Legislative

08-042-0014

Staff Recommendation: None

08-042-0015

08-043-0015

Project Location

Location:

485 North 400 West
Smithfield, Utah

Lot Size:

28.95 Acres

Surrounding Uses:

North - County

South - Residential R-1-12

East - Residential RA-1

Agricultural A-10

West - Residential MPC

Residential R-1-1- PUD

Current Zoning:

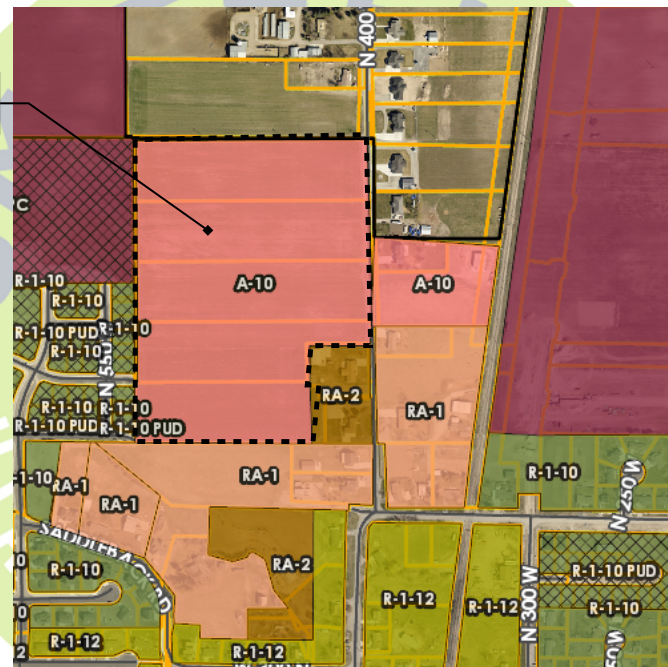
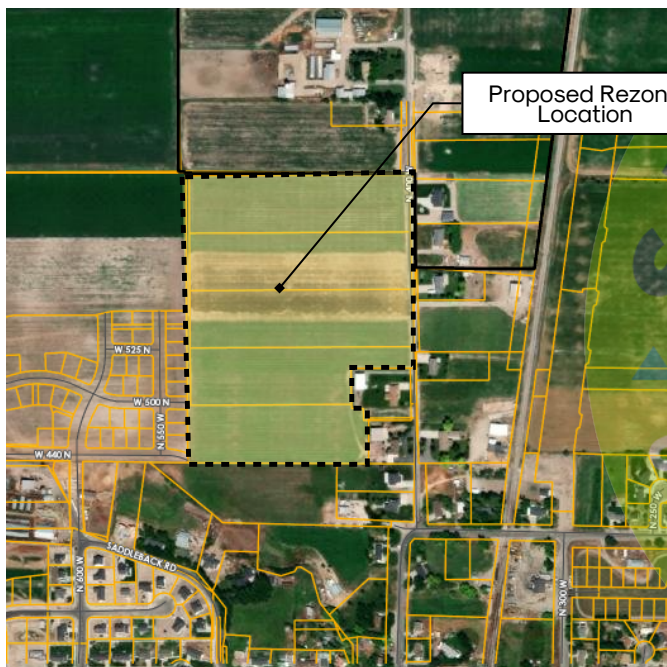
A-10 Agricultural

Proposed Zoning:

MPC Residential

Project Summary

Tami Midzinski and Heritage Land Development are requesting a rezone to the Master Plan Community zone. They have resubmitted preliminary site, phasing and landscape plans corresponding with the MPC rezone.



11/27/2023

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

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

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

Page 1

To: Smithfield City Planning Commission Members

December 19, 2023

This letter is in regard to items 3 and 4 on the Planning Commission Agenda for the meeting scheduled for Wednesday, December 20, 2023.

Heritage Land Development is seeking approval for a Preliminary Plat for a 99 lot/unit subdivision located at 485 North 400 West, as well as, a re-zone of the property at the same location from A-10 (Agriculture 10–Acre) to MPC (Master Planned Community).

As residents who live in this area of Smithfield, we have attended several meetings (Planning Commission and City Council) where we have expressed our concern about having more large land parcels approved for MPC zoning. At this point **more than** 100 acres of land in this area have been approved for MPC zone and are currently being developed. The previous requests for MPC zoning by Heritage have been denied.

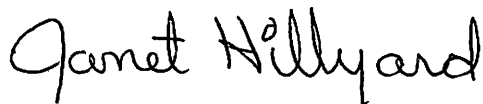
Our concerns are still the same.

1. Roads
2. Traffic, Safety and Crime
3. Public Works
4. Water usage

Nothing has changed in regards to the roads or other infrastructure concerns. The reasons that their previous requests were denied should still be the same. They have made a few small changes within their development plan, but outside of that, nothing has been done to solve the problems that extra congestion and traffic in this area will cause. These issues cannot be ignored! We are already seeing increased traffic on narrow roads. Speeding and ignoring traffic signs is a problem and we have not seen any increase in law enforcement patrolling this area. We are just getting started as these developments are going in. It is after the developers leave that the problems start to manifest themselves (i.e. traffic accidents, water and sewage issues, increase in crime, domestic and neighborhood disputes).

Please hear our concerns when considering the current request for MPC re-zone at 485 North 400 West. As things are, we don't believe that our city can support or sustain another large development of multi-unit housing in this area of Smithfield.

Thank you,

A handwritten signature in black ink that reads "Janet Hillyard". The signature is written in a cursive, flowing style.

We the surrounding residents of the property being considered for re-zoning 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015, 08-043-0015.

Smithfield City Council denied the request for this development on March 22, 2023. Due to concerns of the increased traffic on 400 West. Nothing has changed since. The traffic of 99 homes will still be forced up and down a one lane road (400 West). Summer brings large farm trucks, semi-trucks and horse trailers. The developer will widen the road for a short distance which will then bottle-neck in front of our home to 400 North creating probable hazards for those trying to negotiate the narrow road.

We have suggested that one acre lots be considered, We have invested our lives in this community and the development of this area just to have a developer with the support of some city officials (trying to appease them) which will devastate what we have established here on 400 West.

MPC / PUD developments may have a place but not here, we feel we have been targeted with Visionary homes to the west and Karchner development to the East. Those of us along 400 West have built this area up and are now being threatened with a great deal more traffic, condensed housing, condominiums, and twin homes. We ask that you use some logic and discretion in the development of Smithfield City.

Thank You

Lee & Lupe Helms

? Road requirement are two twelve foot lanes, 400 West is nineteen to twenty feet wide at 485 North 400 West out to 400 North.

ORDINANCE NO. 23-36

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 5 “BUSINESS LICENSES AND REGULATIONS”, AMENDING CHAPTER 5.20.060 “CHILDCARE CENTERS; REGULATIONS”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The attached table shall be amended as indicated. Those portions which are struck out shall be deleted and those that are highlighted in yellow shall be added.

5.20.060	CHILDCARE CENTERS; REGULATIONS
-----------------	---------------------------------------

The legal authority for sections SMC 5.20.010 through SMC 5.20.080 of this chapter is set forth in title 62A, chapter 2 of the Utah Code Annotated, 1953, as amended. The most recent rules, regulations and standards governing childcare centers adopted or published by the state of Utah and amendments thereof are adopted and made a part of this chapter by reference. Sections SMC 5.20.010 through SMC 5.20.080 of this chapter are further regulated by this code. The governing body may adopt, from time to time, such regulations as in its opinion are necessary to implement sections 5.20.010 through 5.20.080 of this chapter and the objectives thereof.

A. General Requirements:

1. Any caregiver living or working in the facility or residence must be free of physical or mental illnesses that would be harmful to the children watched.
2. The daycare facility shall only be located in those areas within the municipality as permitted by SMC 17 of this code.
3. The daycare shall have adequate vehicle parking as required by SMC 17 of this code or as additionally required by the city council.

B. Supervision, Discipline And Activities:

1. The caregiver shall provide adequate supervision at all times to ensure the health and safety of each child.
2. The caregiver shall not use any form of physical punishment. The child shall not be disciplined through the deprivation of food or rest and the caregiver shall not use emotional abuse with children.

C. Indoor And Outdoor Areas And Equipment:

1. Indoor and outdoor areas used by the caregiver shall be clean, present no hazards to the children's health or safety
2. Outdoor activity areas must be fenced. All fences must be constructed so as to contain the children in the activity area, such as a chain-link or solid board fence.

D. Physical Health:

1. The caregiver shall have basic materials available for first aid and emergency procedures.
2. If a child requires immediate medical attention due to accident or illness, the instructor shall notify the parent. If unable to contact the parent, the instructor shall obtain medical services as agreed upon by the parent.

E. Fire, Sanitation And Safety:

1. The caregiver shall be equipped with a smoke detector and a fire department approved fire extinguisher on each floor occupied by children. The instructor and staff shall be knowledgeable on the operation of fire extinguishers.
2. Flammable materials and dangerous materials including matches, cleaning solutions, aerosol sprays, paints, medicine and other hazardous chemicals and poisons, firearms and plastic bags shall be stored so that they are inaccessible to children.
3. The culinary water in the daycare shall be from the municipal public water supply unless otherwise approved by the municipality.
4. The daycare shall be equipped with adequate bathroom facilities which shall be maintained in a sanitary manner and kept in good repair.
5. The daycare is subject to inspection by the local fire department chief or fire inspector prior to the issuance of a license to assure compliance with section 5.20.130 of this chapter and is subject to the implementation of all fire prevention requirements as set forth by the municipal ordinances.
6. The daycare is subject to any required rules, regulations and inspections as set forth by the Bear River district health department.
7. The daycare is subject to inspection by the local building inspector prior to issuance of a license to assure compliance with section 5.20.130 of this chapter and is subject to the implementation of any safety requirements set forth by the municipal ordinances.
8. The daycare shall comply with all fire, sanitation and safety requirements within one year from the issuance of the city business license. The annual business license will not be renewed if the city council determines that the daycare is in violation of these requirements.

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 10th day of January, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

Municipal Code Changes

December 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 23-36 Childcare Center Requirements

- This ordinance will add similar requirements to those conditions that are currently expected for home preschools.
- Home daycare centers will have general requirements that articulate supervision, discipline, indoor areas and outdoor areas, physical health, sanitation and safety.



ORDINANCE NO. 23-37

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”,
SECTIONS 16.12.050 “ADMINISTRATIVE LAND-USE COMMITTEE”, 16.12.080
“RECORDING OF THE FINAL PLAT”, 16.12.090 “EXPIRATION OF FINAL
APPROVAL” AND CHAPTER 16.04 “GENERAL PROVISIONS”, SECTION
16.04.050 “GENERAL RESPONSIBILITIES”.**

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The attached table shall be amended as indicated. Those portions which are struck out shall be deleted and those that are highlighted in yellow shall be added.

16.12.050	ADMINISTRATIVE LAND-USE COMMITTEE AUTHORITY
------------------	--

Upon receipt of the final plat, the Administrative Land-Use ~~Committee~~ Authority shall review the plat to determine whether the plat conforms with the preliminary plat, with all changes requested, and with all requirements imposed as conditions of acceptance. If the submitted final plat is not acceptable, the Administrative Land-Use ~~Committee~~ Authority shall notify the subdivider and specify the respects in which it is deficient. If the Administrative Land-Use ~~Committee~~ Authority determines that the final plat is in conformity with all requirements of the ordinances of the city and with the conditions of acceptance by the Administrative Land-Use ~~Committee~~ Authority, it shall recommend approval of the final plat and forward the plat to the city attorney.

16.12.080	RECORDING OF THE FINAL PLAT
------------------	------------------------------------

Following Administrative Land-Use ~~Committee~~ Authority approval, the completion of the subdivision improvements as described in SMC 16.20 of this title or the filing of the security for performance agreement as described in SMC 16.22 of this title, the filing of the warranty deposit, and the signing of the plat by the City Planning Manager, City Engineer and ~~C~~city ~~R~~ecorder, and all other required officials the final plat shall be presented by the ~~C~~city ~~R~~ecorder to the Cache County ~~R~~ecorder for recording.

16.12.090 EXPIRATION OF FINAL APPROVAL
--

If the final plat is not recorded within eighteen (18) months from the date of Administrative Land-Use ~~Committee~~ **Authority** approval, such approval shall be null and void. This time period may be extended by the city council for up to an additional six (6) month period for good cause shown. The subdivider must petition in writing for an extension prior to the expiration of the original eighteen (18) months. No extension will be granted if it is determined that it will be detrimental to the city.

16.04.050 GENERAL RESPONSIBILITIES
--

- J. The city council has appointed the following individuals as an “**Administrative Land-Use Authority**” for approval of preliminary and final subdivision plats. This committee will consist of the City Engineer, City Planning Manager, City Public Works Representative, a Fire Department Representative, City Manager and ~~three (3)~~ **two (2)** members of the Planning Commission selected by the ~~Planning Commission Chairperson~~ **City Council**.
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 10th day of January, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

Municipal Code Changes

December 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 23-37 Administrative Land Use Authority Code

- This ordinance amends the subdivision review code that was just voted on by the city council on December 5th.
- There are some simple word substitutions in addition to adding two members of the planning commission to the "Administrative Land Use Authority." It will also change the information about what body or individual will appoint the planning commission members.

