



SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, February 14, 2024**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Jenn Staker

1. Approval of the city council meeting minutes from January 10, 2024
2. Resident Input
3. Recognition of retiring City Treasurer Jane Price for years of dedicated service.
4. General Plan discussion with representatives of J-U-B Engineers.
5. Discussion with representatives of Zions Public Finance regarding financing options for possible upcoming culinary water capital improvement projects.
6. Discussion and possible vote on 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.
7. Discussion and possible vote on Ordinance 24-04, an Ordinance rezoning Cache County Parcel Number 08-121-0005 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcel is located at approximately 400 South 1250 East and is approximately 48.61 acres. The request was submitted by Dan Sundstrom.
8. Discussion and possible vote on Ordinance 24-05, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.04 "General Provisions", Section 16.04.050 "General Responsibilities".
9. Public Hearing for the purpose of discussing Ordinance 24-07, an Ordinance amending the Smithfield City Municipal Code Title 13 "Public Services", Chapter 13.16 "Sewer Service System", Sections 13.16.150 "Separate Building

Connections Necessary” and 13.16.160 “Service Line Extension”.

10. Discussion and possible vote on Ordinance 24-07.
11. Discussion and possible vote on Resolution 24-01, a Resolution to inform the State of Utah Water Quality Board of actions taken concerning the Municipal Wastewater Planning Program Report for 2023.
12. Public Hearing for the purpose of discussing Ordinance 24-06, an Ordinance amending municipal impact fees by modifying the Storm Water Impact Fee.
13. Discussion and possible vote on Ordinance 24-06.
14. City Manager Report

Moderate Income Housing Report

15. Council Member and Mayor Reports

Adjournment

*****Items on the agenda may be considered earlier than shown on the agenda.*****

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least three (3) days before the date of the meeting.

SMITHFIELD CITY COUNCIL

January 10, 2024

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 10, 2024. The meeting began at 6:30 P.M. Mayor Kristi Monson was in the chair. The opening remarks were made by Sue Hyer.

Council Members in Attendance: Wade Campbell, Sue Hyer, Todd Orme, Jenn Staker, Ted Stokes

City Staff: City Manager Justin Lewis, Fire Chief Jeff Peterson, Police Chief Travis Allen, City Engineer Clay Bodily, Planning Manager Brian Boudrero, and City Recorder Dana Lazcanotegui

The new council members (Todd Orme, Jenn Staker, and Ted Stokes) were sworn in on January 3, 2024. The Mayor welcomed them to the meeting and thanked them for their willingness to serve the residents of Smithfield.

New City Recorder Dana Lazcanotegui was sworn in as the new City Recorder by Justin Lewis.

Visitors: Jim Marshall, Quinn Dance, Dave Forrester, Stuart Reis, Chris Olsen, Scott Gittens, Kenneth Bell, Katie Bell, Lyle Coleman, Jeff Barnes, Anita Gerber, Bob Holbrook

Approval of City Council meeting minutes from December 5, 2023.

*****Motion made by Councilmember Campbell to approve the December 5, 2024, City Council meeting minutes. The motion was seconded by Councilmember Hyer. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Resident Input

Kenneth Bell congratulated the new council members and thanked them for their service. In the last campaign season, there was some discussion about culinary water and school concerns. He voiced his opinion that the City is doing a fantastic job with water. There is a plan in place to maintain the water system and he does not see any evidence to the contrary. The school district is aware of future growth and is making necessary plans.

Katie Bell, a current Planning Commission member, thanked the council members for being so willing to serve Smithfield. She said the Council has the responsibility to teach the City that it is all right to disagree, but that it is important to work together to come to conclusions that can satisfy everyone. Councilmember Hyer mentioned the importance of acting with dignity in her opening remarks, and she agreed. The Council needs to look at all the aspects and rights of everyone involved in growth, including the landowner, and not just the emotions of people who voice concerns. The professionals

who help determine roads and water need to be trusted. There are a lot of issues that are raised out of fear, the Council has the wisdom and assets to work on issues.

Initial discussion and introduction with representatives of J-U-B Engineers on the upcoming General Plan and Transportation Plan projects.

Quinn Dance, with J-U-B Engineers, explained that Smithfield was able to obtain funding to work on a new General Plan and Transportation Master Plan update through UDOT's (Utah Department of Transportation) TPA (Technical Planning Assistance) program. A planner will be at the next Council meeting on February 14th. It will be a 12-month process which will include public input and involvement with an open house which will begin this spring. A steering committee will be selected which will include a broad range of people. The Transportation Plan will coincide with the General Plan. There will be a community survey and more outreach during the summer months to help identify target areas and needs. The State Code requires specific areas to be highlighted and discussed and the focus will include land-use, parks, moderate-income housing, transportation and traffic, water use, and trails.

Councilmember Stokes asked about the difference between a Master Plan and a General Plan because the terms are often used interchangeably. Mr. Dance explained that a General Plan is broad and based more on land-use, zoning, and growth (action plans and policies can be determined from a General Plan). Master Plans are more specific to certain issues like transportation, water, and parks. A General Plan sets the stage for growth.

Justin Lewis, City Manager, said J-U-B Engineering, Zions Bank and City staff are all working hand-in-hand with this process.

Councilmember Staker asked how the steering committee would be formed. Mr. Dance said it is left up to the Council to determine how and who to recommend.

One of the things the Mayor hears most often is that "the City is not sticking to its plans". This is going to be a really important plan that will be adhered to and will be the driving force moving forward and helping make decisions for the future. She invited the public to be very involved in the process.

Discussion and update on culinary water projects.

Mayor Monson pointed out that the current spring waterline is 101 years old and needs to be replaced. Justin noted that Mr. Dance from J-U-B is an expert on water issues. J-U-B has specialists in all fields such as land-use, water and roads. Over the last year the staff has been discussing concerns and the 100-year-old waterline is the biggest concern. The staff has been working with J-U-B to determine the deficiencies in the culinary water system, a list of projects has been established and ranked in order of importance:

<u>PROJECT</u>	<u>Engineering Estimate</u>
Replace the 12" Spring Collection Line through Smithfield Canyon	\$ 5,864,697
New 3 MG 5,000 ft. Reservoir including Booster Station and Piping to Tank	\$ 7,261,963
Replacement piping for fire flow deficiency at 200 E between 300 N and 400 N	\$ 181,800
Replacement piping for fire flow deficiency at 300 S between 300 W and 400 W	\$ 164,653
Replacement piping for fire flow deficiency at 500 N between Main St. and 80 W.	\$ 180,200
New piping for fire flow deficiency at the end of 470 N near 200 W	\$ 45,725
New piping for fire flow deficiency at 800 W between 10 S and Maintenance	\$ 159,426
New piping for fire flow deficiency at 200 W and 560 S	\$ 399,110
Repair Existing 500,000 Gallon Tank	\$ 230,561
Replace existing lines less than 6" with 8" lines	\$ 9,005,000
TOTAL	\$ 23,493,135

Discussion about how to potentially fund the projects will begin next month. Zions Bank will be at the February meeting to discuss some potential long-term financing options. The Council will need to discuss and determine what is a priority. This process will involve public meetings and hearings. Tonight is just to introduce some of the needs.

Councilmember Campbell asked about the cost difference between a 3,000,000- and 5,000,000-gallon storage reservoir. Mr. Dance, from J-U-B, said the biggest difference would be the piping that would be necessary. If there is too much water, it does not get cycled as much. The three-million-gallon tank will take care of the current deficiency and the next 10 to 20 years in the future and would not stretch capital resources as much. The cost difference is approximately \$1.50 per gallon. Councilmember Campbell wants to be sure the City is not doing "just enough" and to make sure it is the correct size. Mr. Dance said they believe a 3,000,000-gallon tank is appropriate.

RESCHEDULED - Discussion and possible vote on 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.

This item was not discussed or voted on as it was rescheduled to a future city council meeting.

Discussion and possible vote on 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".

Brian Boudrero, the Planning Manager, explained that as more childcare centers come into the city, the safety requirements should be consistent with those required in

daycares and preschools. The Planning Commission has recommended approval of this ordinance. It addresses health, safety, sanitation, and other general requirements.

Councilmember Campbell asked how complaints would be handled (e.g., a vindictive neighbor who might find a loophole with a current facility). Mr. Boudrero said inspections are required completed by the Health Department and requirements are enforced by the City, although that may not stop every complaint. Councilmember Campbell asked why the verbiage “as listed in the State Code” was not used. Mr. Boudrero said that can be done if the Council prefers. Mayor Monson said she would like it to be easily found by being included in the ordinance. Having to access several different codes can make finding the information difficult.

Councilmember Stokes asked about 5.20.060 A.3 “*The daycare shall have adequate vehicle parking as required by SMC 17 of this code*”. Mr. Boudrero explained that Smithfield City Code Section 17 addresses the parking needs of different types of businesses so it makes sense to refer to that section of the Code. Councilmember Stokes wants to be careful that this requirement will not eliminate the ability to have a business. For example, in 5.20.060 E.8 “*The daycare shall comply with all fire, sanitation and safety requirements within one year from the issuance of the city business license*” allows time to satisfy appropriate requirements. He does not want this to penalize current businesses. Mr. Boudrero agreed and said this will not; however, if the Council thinks something is overreaching it can be changed, the general idea of this ordinance is to make sure the requirements are consistent. Councilmember Stokes noted that the owner of the Learning Turtle Preschool was in attendance and asked if it would be appropriate for her to share her thoughts; he would hate to miss out on something he might not be aware of. Mayor Monson said this is not the time for public discussion; however, it can be added to the agenda next month. She also noted that citizens can send in letters with concerns. Mr. Boudrero said this might be a good idea to reach out to obtain more information from owners and citizens. Any information received can be sent out to the Council before the next meeting.

***** Motion by Councilmember Campbell to TABLE Ordinance 23-36. The motion was seconded by Councilmember Staker. Vote: 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Discussion and possible vote on 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”.

Mr. Boudrero explained that, as requested by the Council, the changes to the Ordinance were presented and discussed by the Planning Commission. Administrative Land-Use Committee was changed to Land-Use Authority and several grammatical changes were made. The Commission requested that two (2) members of the Planning Commission

be selected by the Planning Commission Chairperson. Any member of the Planning Commission may serve on the Administrative Land-Use Authority as approved by the Chairperson but commissioners must be involved from the start of a review process until the request is approved or denied. Commissioners may not be switched until a new review process on a new project is submitted and started.

Councilmember Campbell likes that the Commission will be involved and asked if there would be some compensation for their additional time. Mr. Lewis said there could be; however, that issue will have to be handled separately from the ordinance being discussed tonight. He said the wording of the ordinance is to allow all the members an opportunity to participate over time if they can.

Councilmember Stokes does not like this proposal and feels compelled to express why he believes this is not what the residents of Smithfield want. He agrees with Councilmember Campbell that there should be compensation considered and accounted for but it should not be pinned on the City for a requirement that the State has put in place. He feels like the residents have voiced out against being commandeered by the state. Some people like it, some people do not; however, it was clear by the last election that the majority of Smithfield does not like it. This statute was the most aggressive attempt at housing and development that the state has ever had. In the legislative meeting notes, there were (77) revisions to get to a final statute. Many of the revisions changed integral parts of the language of the statute for the purpose of not letting this be over-commandeering. It is a huge outreach of the state to tell us that we can no longer make these decisions on a Council basis and force us to expedite these decisions so developments can be pushed through quicker. He understands the administrative benefit and agrees that getting these done quicker can be a good thing. He disagrees with some of the interpretations of the statute. He thinks that we have self-imposed restrictions that the statute does not impose if read with legislative intent. In a previous meeting, Councilmember Campbell said “...to the extent that Smithfield City wants its elected officials making its decisions...” and that should be allowed to happen as much as possible. The statute does not require that the Council has to delegate the authority to choose individuals who will serve on the Administrative Land-Use Authority. He read the minutes from the Planning Commission and noted that Chairman Anderson believed that the Council’s desire to select the members was “politically motivated” and he 100% agreed. As a Council, we should be politically motivated to implement what the residents who voted us in have asked us to do, including retaining as many decisions as possible to implement their desires. He believes the Council should appoint the members to the Administrative Land-Use Authority and he does not want it delegated to the Planning Commission. He likes Chairman Anderson as a person and has respect for his integrity, but he does have a different political viewpoint. The bottom line is that the residents of Smithfield voted on what they wanted. He would like to hold on to some legislative authority, which the statute does allow and retain the ability to appoint people to serve on the Administrative Land-Use Authority. He would like to be able to appoint a person because some people have almost unanimously voted for certain types of development their entire time on the Planning Commission. Diversity of thought is very important, but he also wants someone on the Authority who will bring back to the Council concerns with development and the Code. What the Council can do, although

the state has taken some authority, is to identify if there is a loophole in the Code that developers can take advantage of. He would like a person to be willing to bring that to the Council's attention so that those issues can be addressed. He thinks it is very important to be able to select the Commissioners who serve on the Authority. This does not comply with the absolute and apparent desire that was expressed by residents.

Councilmember Orme said if this was done rotationally it might alleviate some of the potentially negative political effects. He does like the fact that it could educate all members of the Commission.

Mayor Monson said a rotation would avoid the "same opinion" and seems like a fair compromise.

Mr. Boudrero noted that this ordinance is only a starting point, this is not a legislative decision, it is all administrative. The Code and Zoning have already been set; decisions cannot be based on opinions. Councilmember Stokes agreed and said decisions need to promote consistency, developers need to know what to expect. The legislative decision tonight is whether the Council wants to retain the authority as to who is appointed. He reiterated the most important point, that the Commissioners involved will know the deficiencies of the Code, and if the right people are on the Authority, they will bring it to the Council's attention to determine whether changes need to be made.

Councilmember Campbell said elected officials need to make decisions as they have been elected to represent the citizens of Smithfield and should be directly involved in decisions as often as possible.

Mr. Lewis said the ordinance can be adopted or amended; however, he asked that it not be tabled altogether. He asked that at least Sections 16.12.050, 16.12.080, and 16.12.090 be adopted and other sections can be discussed and/or amended as needed.

Councilmember Stokes recommended amending Section 16.040.050 to read "two (2) members of the Planning Commission selected by the City Council (removing *by the Planning Commission Chairperson*) and removing *"Any member of the Planning Commission may serve on the Administrative Land-Use Authority as approved by the Chairperson but said commissioners must be involved from the start of a review process until the request is approved or denied. Commissioners may not be switched until a new review process on a new project is submitted and started."*

***** Motion by Councilmember Stokes to adopt 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" as amended. The motion was seconded by Councilmember Campbell. Vote: 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Discussion and possible vote on Ordinance 24-01, establishing a time and place for holding regular meetings during calendar year 2024.

Mayor Monson said the idea of holding meetings at 6:00 P.M. is up for discussion because employees begin work at 7:00 A.M. Wade said he has obligations that make 6:00 P.M. difficult and prefers 6:30 P.M. He has also heard from residents who prefer 6:30 P.M.

Councilmember Stokes asked how employee's time is handled. Mr. Lewis said that time off can be adjusted for meeting time obligations. Councilmember Stokes believes resident input is important and is worried that having an earlier start might impede that.

Councilmember Orme agreed that public input is critical and in an attempt at transparency, believes that keeping the meeting at 6:30 P.M. would be the better option.

***** Motion by Councilmember Campbell to adopt Ordinance 24-01, establishing a time and place for holding regular meetings during the calendar year 2024 with City Council meetings starting at 6:30 P.M. The motion was seconded by Councilmember Stokes. Vote: 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Public Hearing for the purpose of discussing Ordinance 24-03, an Ordinance amending the Smithfield City Municipal Code Title 8 “Health and Safety”, Chapter 8.20 “Garbage Collection and Disposal”, Section 8.20.050 “Service Charges”, Title 13 “Public Services”, Chapter 13.04 “Water Service System”, Section 13.04.080 “Rates and Connection Fees”, and Chapter 13.16 “Sewer Service System”, Section 13.16.050 “Establishment of Fees”.

Mr. Lewis said the reason for this addition is that a resident recently wanted to dispute a utility bill going back five years. This would allow a resident to have twelve months for any dispute.

7:47 P.M. Public Hearing Opened

There were not any comments or questions.

7:48 P.M. Public Hearing Closed

Discussion and possible vote on Ordinance 24-03.

Councilmember Staker said residents must have some type of responsibility to know what is being charged, twelve (12) months is more than generous; Councilmember Orme agreed.

Councilmember Stokes said he feared that the City might be extending the deadline. He

thought a notice of claim statute was 180 days. Mr. Lewis said he did not know the timeline of the statute but he would be fine with adjusting it to six (6) months.

***** Motion by Councilmember Campbell to adopt Ordinance 24-03, an Ordinance amending the Smithfield City Municipal Code Title 8 “Health and Safety”, Chapter 8.20 “Garbage Collection and Disposal”, Section 8.20.050 “Service Charges”, Title 13 “Public Services”, Chapter 13.04 “Water Service System”, Section 13.04.080 “Rates and Connection Fees”, and Chapter 13.16 “Sewer Service System”, Section 13.16.050 “Establishment of Fees” amending the time period from twelve (12) months to six (6) months. The motion was seconded by Councilmember Staker. Vote: 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Selection of Mayor Pro Tempore for 2024.

Councilmember Campbell was selected to serve as Mayor Pro Tempore for 2024.

Mayor Monson thanked him for his willingness to help in her absence when necessary.

Approval of City Manager Justin Lewis as the Smithfield City Committee Member of the Wastewater Rate Setting Committee.

Mr. Lewis said sewage from the city is sent to the Logan City treatment facility. There is a committee, which includes one member from each city who uses the treatment facility to meet and discuss impact fees and other items. Typically, it is the City Manager from each city; meetings are one (1) to four (4) times a year. He attended last week’s meeting. If selected he will bring back information to the Council. The new plant has a grant which will help expand it. Mr. Lewis said any council member can attend; the meetings are open to the public.

***** Motion by Councilmember Campbell to approve City Manager Justin Lewis as the Smithfield City Committee Member on the Wastewater Rate Setting Committee. The motion was seconded by Councilmember Orme. Vote: 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Discussion and update on a storm water impact fee analysis.

Mr. Lewis said the City is in the process of doing three (3) impact fee studies. Every five (5) years an impact study needs to be done. Currently the city is working on stormwater, parks, and culinary water studies. J-U-B Engineering and staff are working on a list of projects needed for new growth. Engineering estimates are created, and information then goes to Zions Bank who does a study and determines what can be charged.

Currently, with the last study, the maximum amount the City could charge for 0.25 acres was \$1,287, and under 0.25 acres was \$643. There has been significant growth in the last five years. The new proposal would be that the fee for a 0.25-acre lot would increase to \$3,968 and under 0.25 acre would increase to \$1,984. He is looking for guidance as to whether the Council wants to charge the maximum increase or less. An ordinance will be drafted and a public hearing will be held. A new rate cannot go into effect until 90 days after the ordinance is adopted.

Councilmember Campbell would like to consider the maximum increase to help with growth.

Councilmember Stokes asked if the state statute requires a different fee for less than 0.25 acre? Mr. Lewis explained that stormwater is complicated and is based on acreage. The calculation is based on a one-acre size and then the fee is determined from that amount.

Councilmember Orme asked if there would be any change to a redevelopment or redesign of an existing residence. Mr. Lewis said this will have no impact on current residences or anything that is currently submitted. It will only affect a development that is proposed after the change goes into effect.

The Council recommended drafting an ordinance with the maximum increase. This will be a public hearing and vote of the city council next month.

City Manager Report

Lieutenant Gary Bunce from the police department will retire on April 1, 2024.

Chief Allen has been doing interviews for a new administrative assistant position.

Treasurer Jane Price will retire next month and will be honored at the next Council meeting.

City offices will be closed on Monday for the Martin Luther King Jr. holiday.

The Birch Creek Golf Course clubhouse carpet will be done by the end of next week. The current carpet lasted for 20 years.

The budget process will begin in March; a new budget will be adopted in June.

Council Member & Mayor Reports

Councilmember Campbell said there will be another CERT class. Fire Chief Peterson said the last class had 30 people attend. Councilmember Campbell said the Library Board will meet next week, there are great improvements and it is running great.

Councilmember Hyer provided an update from the Youth Council. An indoor triathlon will be held at the Recreation Center on February 3rd and a Senior luncheon will be held on March 9th with a Red-Carpet theme at the Lions Lodge.

Councilmember Stokes went to the Chamber of Commerce lunch and met some great people. The Trails Committee has appointed Tara Jensen as the new president. Nicole and Aaron Mecham and Jason Staley are also part of the committee.

Councilmember Staker said Jonathan Young from the Arts Council would like to be replaced and a larger committee is needed. Mr. Lewis will work on getting the information out. Lowe's is donating paint for a mural. Someone is needed to help write grants. Mayor Monson said there have been people who have volunteered to help. The 2024 Health Days Scholarship Pageant theme is "Empowering Women"; applications will be accepted until February 1, 2024. The Senior Citizens Center needs more weekly entertainment ideas. They would like to get another couch and new flooring.

Councilmember Orme attended the Tree Committee last night, there was good attendance. The removal of dead trees from the cemetery will move forward with D's Trees being contracted to do the work. Hayden Downs is in the process of becoming certified as an arborist. Several of the committee members have been looking at the creek area at Forrester Acres where there is good vegetation but some erosion concerns. There was a discussion about having a city garden. They are still looking for a slogan for the Arbor Day poster contest.

Mayor Monson said the City will be posting various facts every Friday on the City's social media sites (3 Things to Know) and on CivicReady (mass notification service). This Friday there will be information about snow plowing. At the end of the month, the 12 items that have been shared will be put into a newsletter for the senior citizens. The Dignity Index training at the Cache County Events Center (based on the three principles of respect, collaboration, and outcomes) has been opened to all mayors, city councilmembers and youth council members. The ULCT (Utah League of Cities and Towns) is paying for it and she is excited that it will help bring a new level of dignity to community meetings moving forward. She would like to create a city statement and used Brian Head as an example. She asked residents and council members to submit ideas.

Executive Session to hold a strategy session to discuss the purchase, exchange or lease of real property and to discuss pending or reasonably imminent litigation. Utah Code Annotated 52-4-205(1) (c) & (d).

*****A motion to close the Council meeting and open the Executive Session to discuss the purchase, exchange, or lease of real property and to discuss pending or reasonably imminent litigation. Utah Code Annotated 52-4-205 (1) (c) & (d) was made by Councilmember Campbell. The motion was seconded by Councilmember Staker. Vote 5-0.*****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

The Executive Session opened at 8:23 P.M.

Those in attendance: Mayor Monson, Todd Orme, Jenn Staker, Sue Hyer, Ted Stokes, Wade Campbell, Justin Lewis, Clay Bodily, Dana Lazcanotegui, Debbie Zilles

****A motion by Councilmember Campbell was made to close the Executive Session and re-open the regular Council Meeting. The motion was seconded by Councilmember Hyer. Vote 5-0.*****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

The Council meeting was re-opened at 9:01 P.M.

Discussion and possible vote on authorizing Mayor Monson and City Manager Justin Lewis to negotiate with representatives of the Kenneth Tuveson regarding the purchase of real property.

****A motion was made by Councilmember Campbell authorizing Mayor Monson and City Manager Justin Lewis to negotiate with representatives of the Kenneth Tuveson estate regarding the purchase of real property. The city council authorizes Mayor Monson and City Manager Justin Lewis to offer an amount not to exceed \$105,000.00 per acre for this purchase. The motion was seconded by Councilmember Orme. Vote 5-0.*****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

***** The meeting adjourned at 9:15. P.M. *****

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



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96 South Main
Smithfield, UT
84335 AGENDA

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

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2. Resident Input
3. Initial discussion and introduction with representatives of J-U-B Engineers on the upcoming General Plan and Transportation Plan projects.
4. Discussion and update on culinary water projects.
5. Discussion and possible vote on 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.
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10. Discussion and possible vote on Ordinance 24-03.
11. Selection of Mayor Pro Tempore for 2024.
12. Approval of City Manager Justin Lewis as the Smithfield City Committee Member on the Wastewater Rate Setting Committee.
13. Discussion and update on a storm water impact fee analysis.

14. City Manager Report
15. Council Member and Mayor Reports
16. Executive Session to hold a strategy session to discuss the purchase, exchange, or lease of real property and to discuss pending or reasonably imminent litigation. Utah Code Annotated 52-4-205 (1) (c) & (d).
17. Discussion and possible vote on authorizing Mayor Monson and City Manager Justin Lewis to negotiate with representatives of the Kenneth Tuveson Estate regarding the purchase of real property.

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
GENERAL PLAN KICK-OFF WORKSHOP
AGENDA



Date and Time: February 14, 2024, at 6:30 pm

PN: 57-24-004-020

Location: City Office Building – 96 South Main, Smithfield

Attendees:

_____ Kris Monson, Mayor	_____ Jamie Anderson, Planning Commission Chairman
_____ Wade Campbell, City Council	_____ Katie Bell, Planning Commission Vice Chair
_____ Todd Orme, City Council	_____ Brooke Feidenberger, Planning Commission
_____ Sue Hyer, City Council	_____ Brian Higginbotham, Planning Commission
_____ Jenn Staker, City Council	_____ Bob Holbrook, Planning Commission
_____ Ted Stokes, City Council	_____ Stuart Reis, , Planning Commission
_____ Justin Lewis, City Manager	_____ Lazaro Soto, Planning Commission
_____ Quinn Dance, J-U-B Engineers	_____ Jim Marshall, Planning Commission (alternate)
_____ Alison Tompkins, J-U-B Engineers	_____ Chris Olsen, Planning Commission (alternate)

Meeting Purpose

1. Review General Plan requirements.
2. Identify key issues and areas of concern.
3. Engage P&Z and Council Members in General Plan update.

Introductions and project schedule

General Plan requirements

- ☐ Utah Code summary as related to General Plans
- ☐ UDOT TPA Grant

Planning area, resources, and coordination

- ☐ Planning area – City limits + 15 year annexation boundary
- ☐ Existing plans and regional plans
- ☐ Coordination
- ☐ Steering Committee role

Key issues and areas of concern

- ☐ Growth and Land use
- ☐ Moderate income housing
- ☐ Transportation and traffic circulation
- ☐ Water use and preservation

Closing comments and next steps

PROJECT ID	Engineering Estimate
Replace 12" Spring Collection Line through Smithfield Canyon	\$ 5,864,697
New 3 MG 5,000 ft Reservoir including Booster Station and Piping to Tank	\$ 7,261,963
Replacement piping for fire flow deficiency at 200 E between 300 N and 400 N	\$ 181,800
Replacement piping for fire flow deficiency at 300 S between 300 W and 400 W	\$ 164,653
Replacement piping for fire flow deficiency at 500 N between Main St. and 80 W.	\$ 180,200
New piping for fire flow deficiency at end of 470 N near 200 W	\$ 45,725
New piping for fire flow deficiency at 800 W between 10 S and Maintenance	\$ 159,426
New piping for fire flow deficiency at 200 W and 560 S	\$ 399,110
Repair Existing 500,000 Gallon Tank	\$ 230,561
Replace existing lines less than 6 inches with 8 inch lines	\$ 9,005,000
	\$ 23,493,135

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:

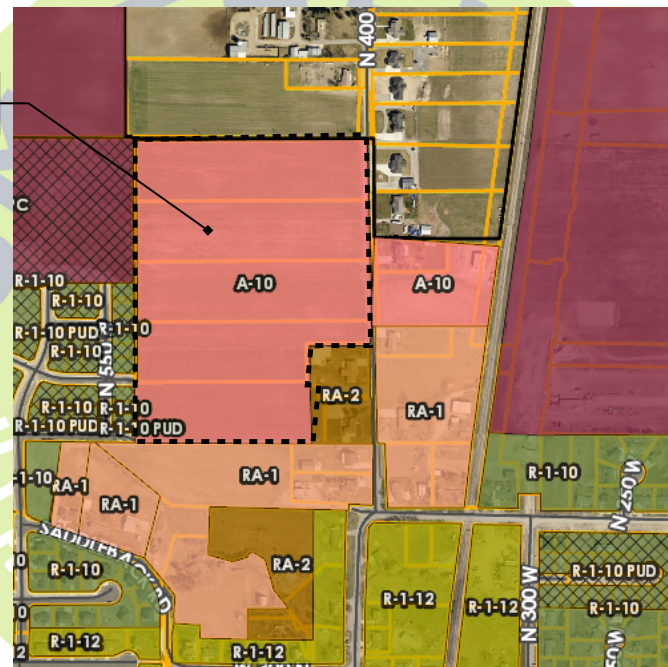
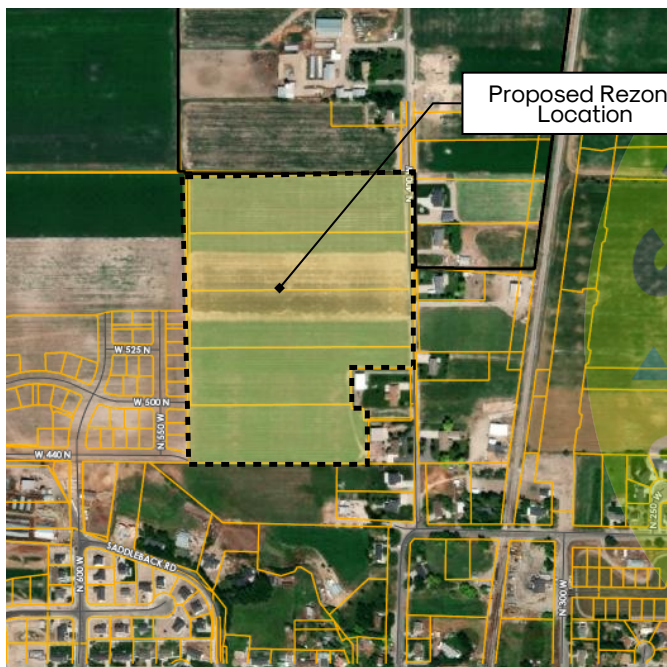
A-10 Agricultural

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

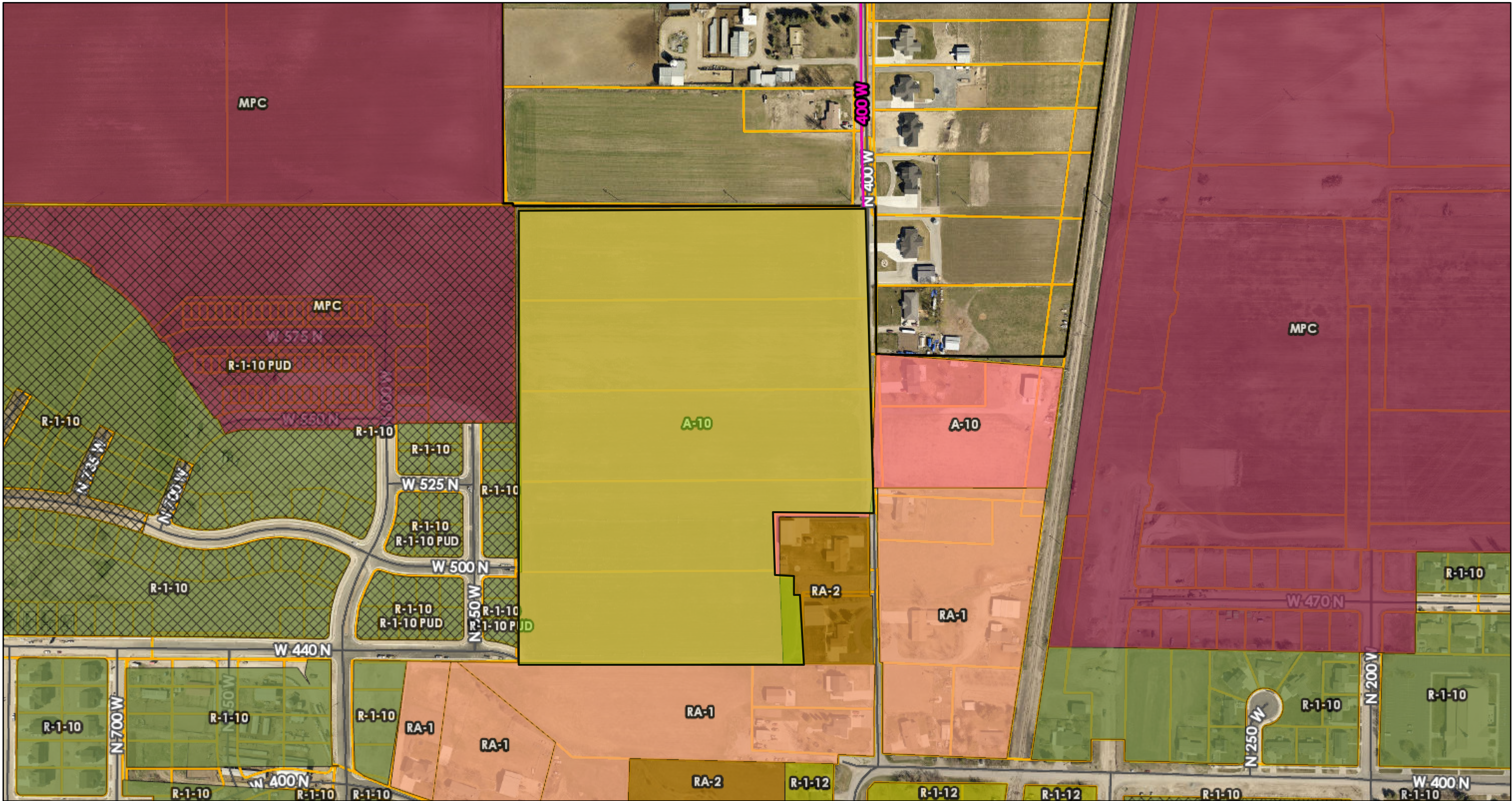
Smithfield City Community Development
96 South Main Street, Smithfield, Utah 84335

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

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

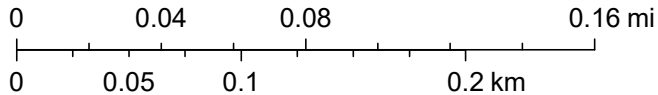
Page 1

Parcel Map



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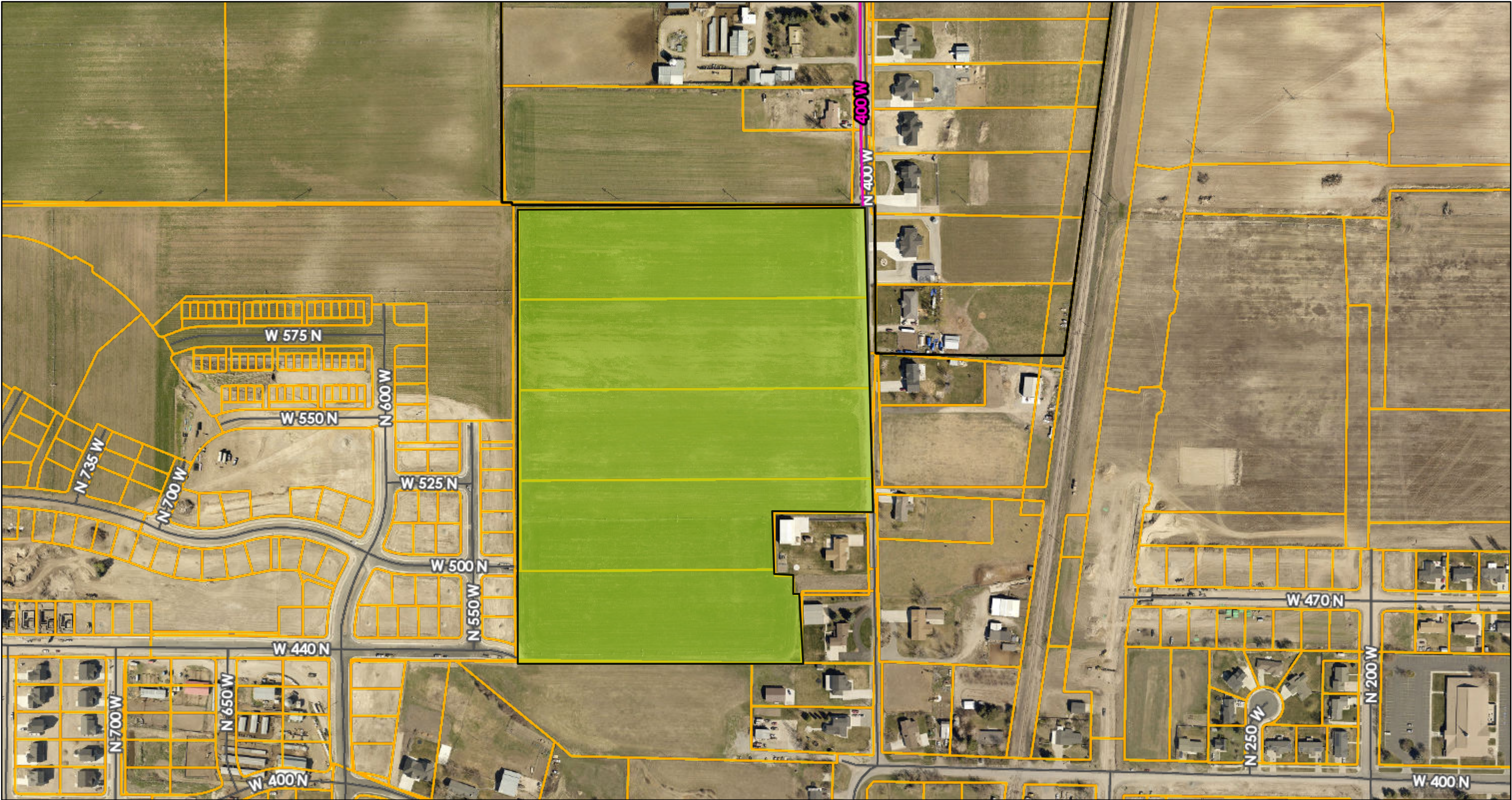
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Maxa

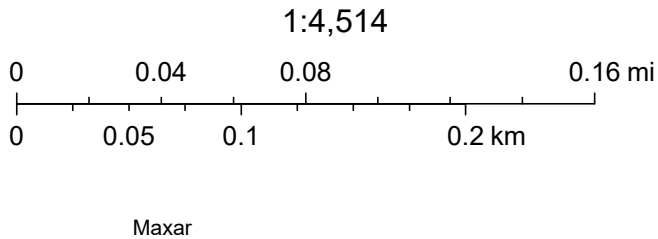
- | | | | | | | | | | |
|----------------------------------|--------------------------------|----------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|---------------------------------|--------------------------------|----------------------------------|
| Override 1 | Trenton Zoning | INSTITUTIONAL - I-1 | HISTORIC | RESIDENTIAL MEDIUM DENSITY RMD | Multiple Residential District R-M-12 | CITY CENTER ADJACENT - CCA | RESIDENTIAL R-1-20 | Residential - R-1A | RESIDENTIAL (R-2) |
| Wellsville Zoning | AGRICULTURAL | MANUFACTURING - M1 | RESIDENTIAL - R-1-8 | PLANNED UNIT DEVELOPMENT | Multiple Residential District R-M-18 | COMMERCIAL GENERAL - CG | RESIDENTIAL R-1-30 | Residential - R-2 | TOWN CENTER (TC) |
| NEIGHBORHOOD COMMERCIAL - NC | COMMERCIAL C1 | MULTIPLE FAMILY RESIDENTIAL - RM | RESIDENTIAL - R-1-10 | RESIDENTIAL MULTI-FAMILY MF | Public District | COMMUNITY COMMERCIAL - CC | RESIDENTIAL SINGLE FAMILY - SF6 | Residential - R-2A | Mendon Zoning |
| COMMUNITY COMMERCIAL - C1 - C2 | COMMERCIAL C2 | RESIDENTIAL AGRICULTURAL - RA-1 | RESIDENTIAL - R-1-12 | CITY | Residential District R-1-1 | DOWNTOWN - DT | RESIDENTIAL MULTI FAMILY - RM | Residential Estate R-E | AGRICULTURAL - A-1 |
| GENERAL COMMERCIAL - GC | PARK | RESIDENTIAL AGRICULTURAL - RA-2 | AGRICULTURAL A-10 | SCHOOL | Residential District R-1-6 | HOSPITAL - HOSP | MIXED RESIDENTIAL 7 - MR7 | Residential Development, R-PUD | COMMERCIAL - C-1 |
| HIGHWAY COMMERCIAL - CH | RESIDENTIAL | RESIDENTIAL R-1-10 | AGRICULTURAL A-5 | TRAILER | Residential District R-1-8 | HIGH-TECH MFG. AND RESEARCH - M-2 | MIXED RESIDENTIAL 8 - MR8 | Floodplain - FP | LIGHT INDUSTRIAL - L-1 |
| MANUFACTURING | PUD OVERLAY | RESIDENTIAL R-1-12 | CENTRAL BUSINESS DISTRICT CBD | PARK | Residential District R-1-10 | MFG. HEAVY COMMERCIAL - MC | PARK LAND | Newton Zoning | RESIDENTIAL - R-1 |
| RESIDENTIAL AGRICULTURE - 5 ACRE | MIXED USE OVERLAY | RESIDENTIAL R-1-20 | PLANNED INDUSTRIAL COMMERCIAL PIC | CEMETERY | Residential District R-1-12 | MIXED USE GENERAL - MXG | RECREATION SCHOOL | (A1) AGRICULTURAL | MULTI-FAMILY - R-2 |
| RESIDENTIAL - 1 ACRE | AGRICULTURAL - A-3 | MASTER PLANNED COMMUNITY - MPC | HIGHWAY COMMERCIAL HC | Providence Zoning | Residential District R-1-20 | PROFESSIONAL - PR | Nibley Zoning | (C1) COMMERCIAL | PUBLIC |
| RESIDENTIAL - 1/2 ACRE | AGRICULTURAL - A-5 | River Heights Zoning | MANUFACTURING - LIGHT INDUSTRIAL MLI | Agicultural District | AGRICULTURAL A-10 | RESIDENTIAL BUSINESS - RB | Agriculture - A | (R1) RESIDENTIAL | Logan Zoning |
| RESIDENTIAL - 12,000 SF | AGRICULTURAL - A-10 | AGRICULTURAL - AG | PLANNED INDUSTRIAL COMMERCIAL PIC | Commercial General District | COMMERCIAL NEIGHBORHOOD | RESIDENTIAL ESTATE - RE-1 | Commercial - C | Milville Zoning | SUBURBAN NEIGHBORHOOD |
| RESIDENTIAL - MULTIFAMILY | CENTRAL BUSINESS DISTRICT - CB | COMMERCIAL - C | RESIDENTIAL ESTATE RE-1 | Commercial Highway District | RESIDENTIAL AGRICULTURAL RA-5 | RESIDENTIAL ESTATE - RE-2 | Industrial - I | AGRICULTURAL (A) | TRADITIONAL NEIGHBORHOOD |
| RECREATIONAL PLANNED DEVELOPMENT | COMMERCIAL PROFESSIONAL | COMMERCIAL PARKING - CP | RESIDENTIAL ESTATE RE-2 | Life Cycle Residential District 4-12 | RESIDENTIAL R-1-10 | RESIDENTIAL R-1-10 | Neighborhood Commercial C-N | COMMERCIAL (C-G) | MIXED RESIDENTIAL TRANSITIONAL |
| RESIDENTIAL CRITICAL AREA | COMMUNITY COMMERCIAL - CC | PARK - PR | RICHMOND, RESIDENTIAL LOW DENSITY RLD | Mixed Use District MXD 25-33 | RESIDENTIAL R-1-12 | RESIDENTIAL R-1-12 | Park/School - P/S | OPEN SPACE (OS) | MIXED RESIDENTIAL LOW (MR-12) |
| FOREST RECREATION - 40 ACRE | GENERAL COMMERCIAL - GC | MIXED USE - MU | | Multiple Residential District R-M-7 | AGRICULTURAL - A10 | RESIDENTIAL R-1-15 | Residential - R-1 | RESIDENTIAL (R-1) | MIXED RESIDENTIAL MEDIUM (MR-20) |

Parcel Map



2/5/2024, 7:28:53 AM

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





LUPINE VILLAGE MASTER PLAN

SMITHFIELD, UTAH

PROJECT TEAM

OWNER	CIVIL
Heritage Land Development 470 N 2450 W Tremonton, UT 84337 Phone: 435.466.0674 Contact: Tami Midzinski Email: tamim@heritagedevelopment.land	Alliance Consulting Engineers 150 E 200 North Suite P Logan, UT 84321 Phone: 435.755.5121 Contact: Adam Mackelprang Email: alliancelogan@yahoo.com

VICINITY MAP

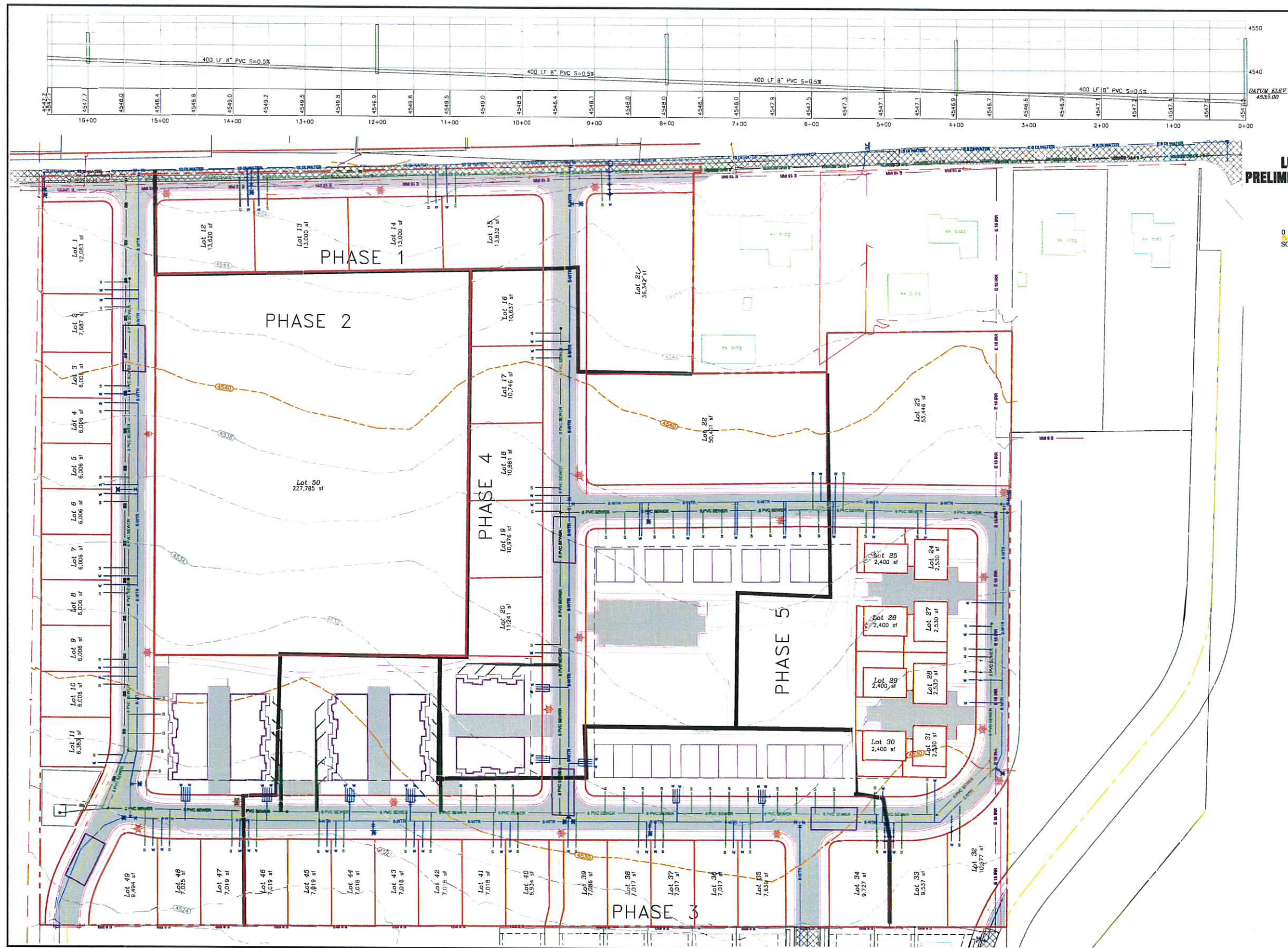


General

PG Cover Cover

Master Plan

PG 01	Preliminary Plat
PG 02	Preliminary Phasing Plat
PG 03	Preliminary Landscaping
PG 04	Master Plan
PG 05	Single Family Homes
PG 09	Townhomes



**LUPINE VILLAGE
PRELIMINARY PHASING PLAN**

NORTH

0 80 120ft.
SCALE 1" = 80'-0" HOR



ALLIANCE CONSULTING ENGINEERS

100 EAST 200 NORTH SUITE 100
SALT LAKE CITY, UT 84143
(801) 466-1123
allianceconsulting.com

AE

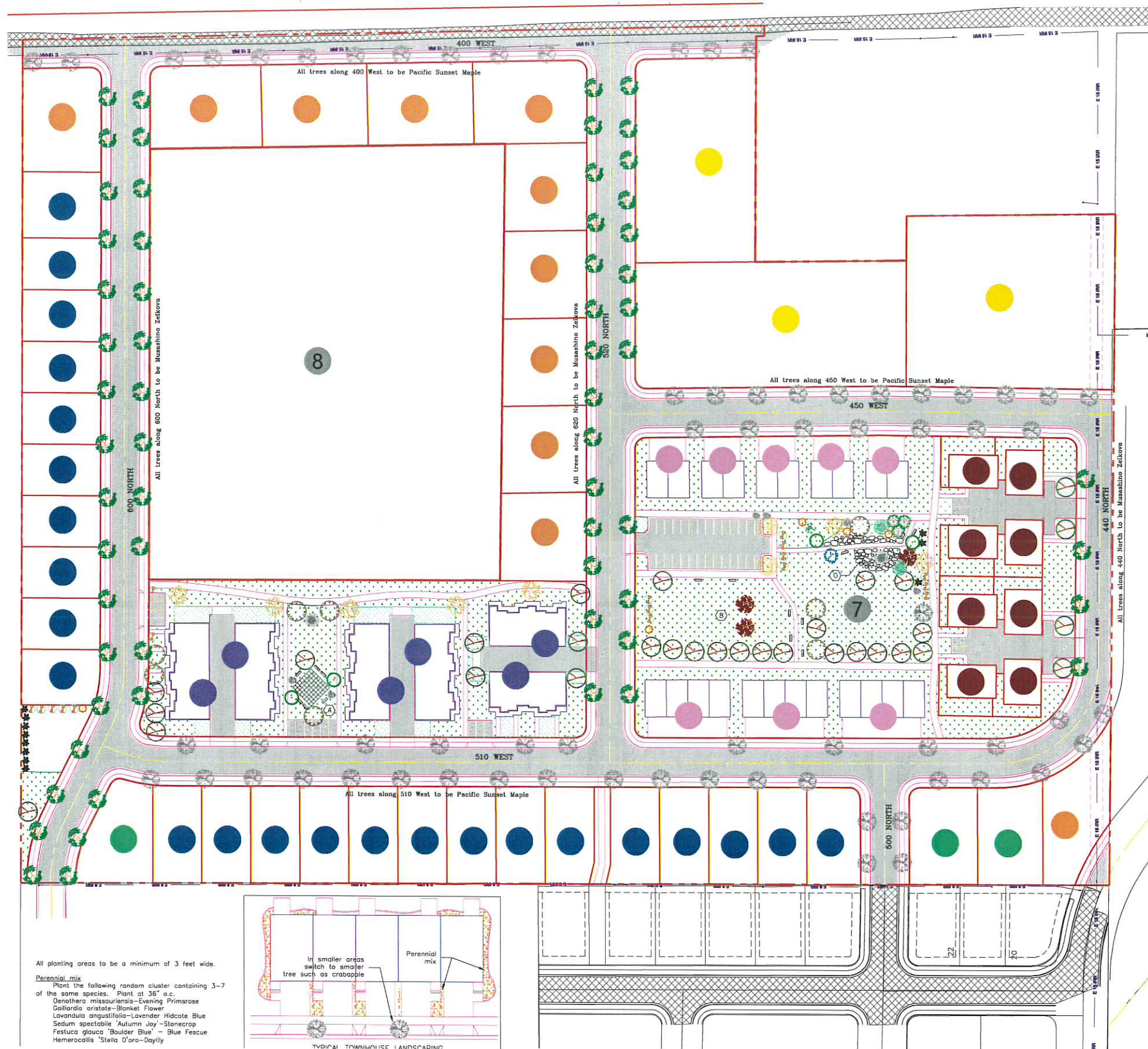
NO.	REVISIONS / SUBMISSIONS	DATE

DESIGNED BY:	DRAWN BY:	PROJECT NO.:
REVIEWED BY:	CHECKED BY:	

LUPINE VILLAGE
PART OF THE EAST HALF OF SECTION 21
TOWNSHIP 13 NORTH, RANGE 1 EAST
SALT LAKE COUNTY, UTAH
SMITHFIELD, UTAH

PRELIMINARY PHASING PLAN

DATE: NOV. 2023
DRAWING NO. **2**



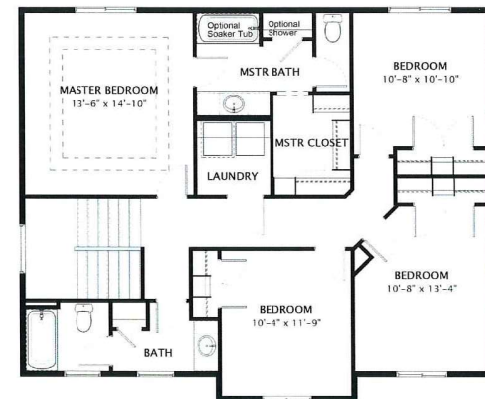
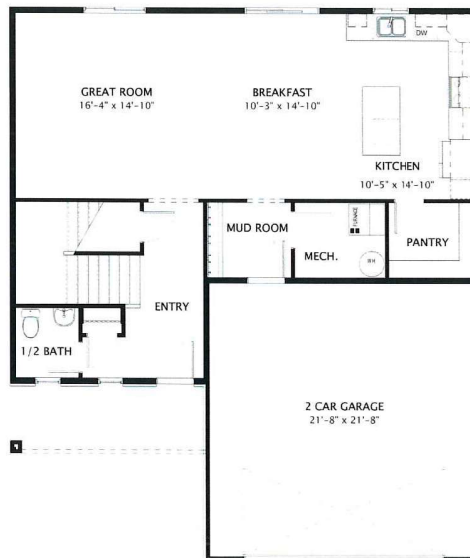
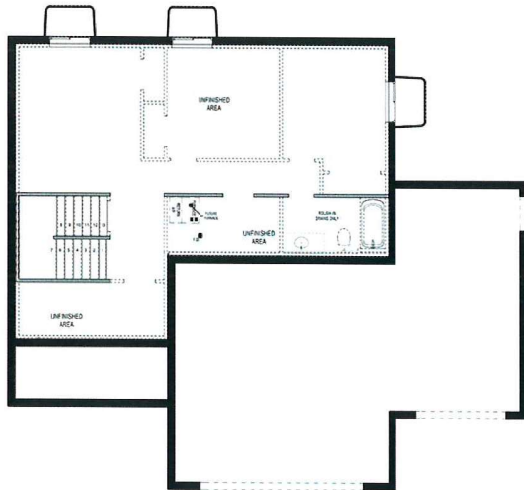
MASTER PLAN

- 1 Spacious Oversized Lots .83-1.22 Acres
- 2 Large Lots .23-.33 Acres
- 3 Standard Lots .18-.22 Acres
- 4 Small Lots .13-.17 Acres
- 5 Townhomes with Garage in Back
- 6 Townhomes with Garage in Front
- 7 Patio Homes
- 8 Common Area
- 9 Reserved for Religious Facility



SINGLE FAMILY HOMES

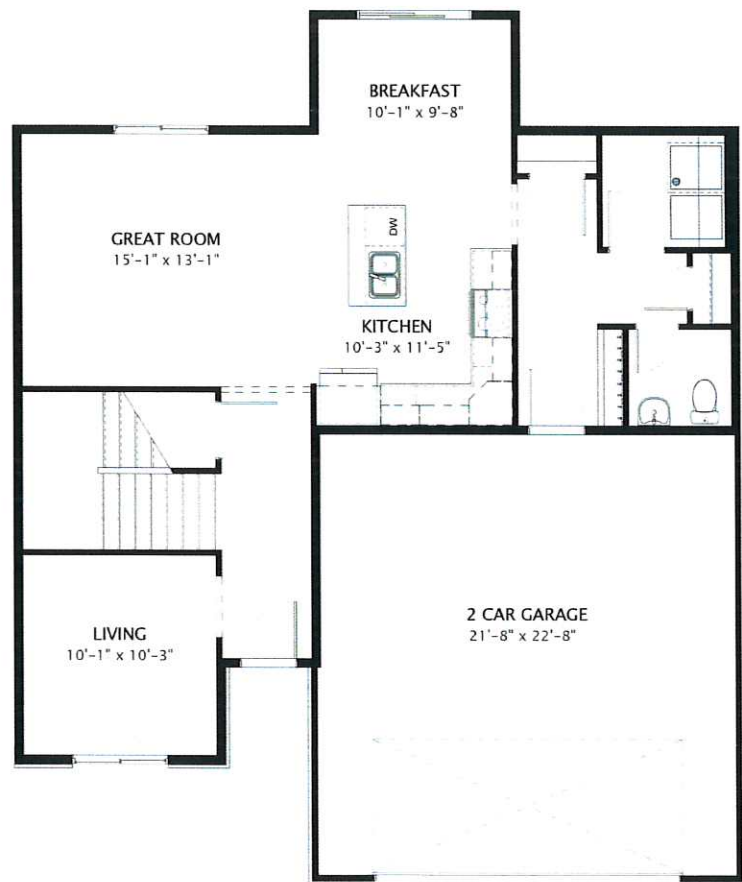
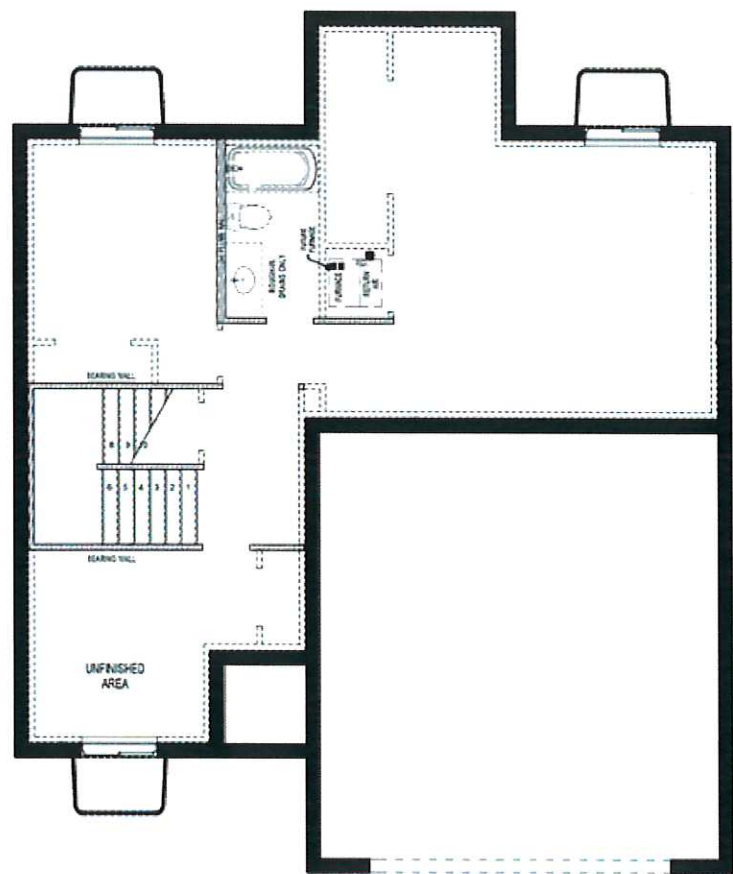
Available For All Lots



LUPINE VILLAGE MASTER PLAN SMITHFIELD, UTAH PG 05
14 FEB 2023

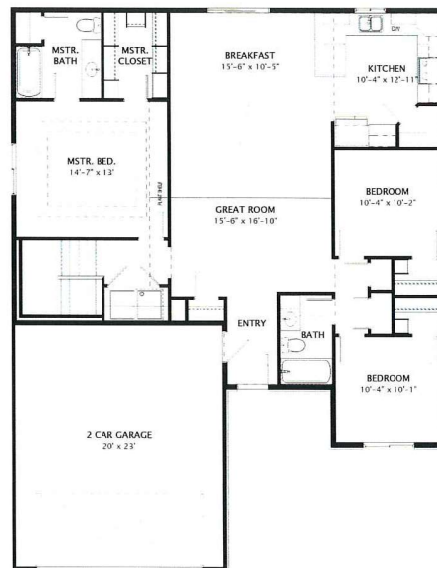
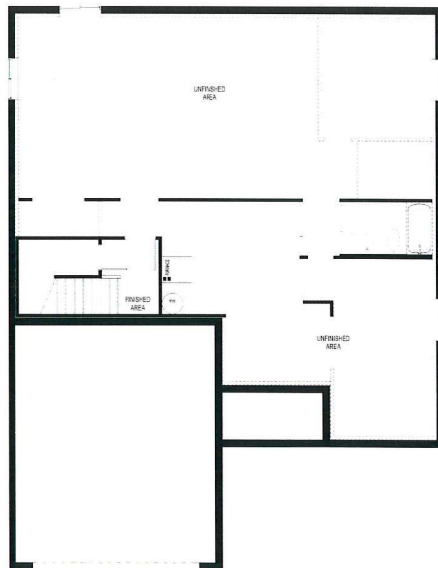
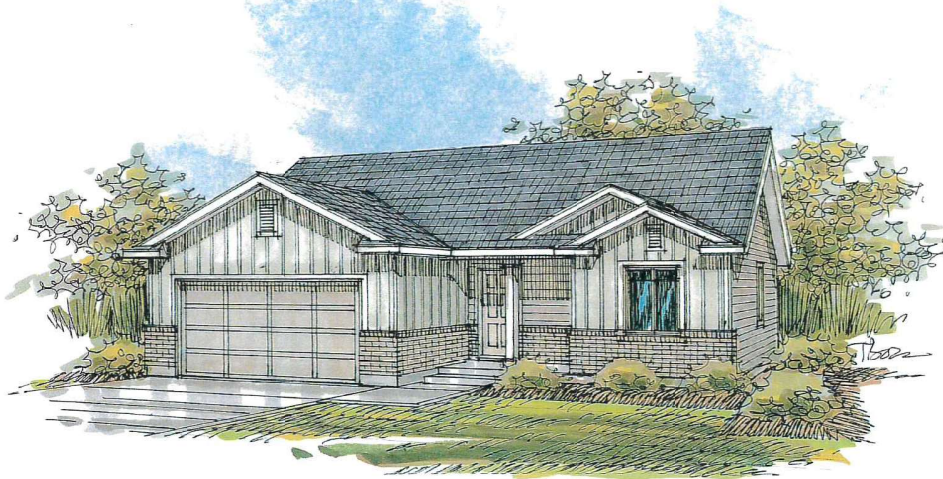
SINGLE FAMILY HOMES

Available For All Lots



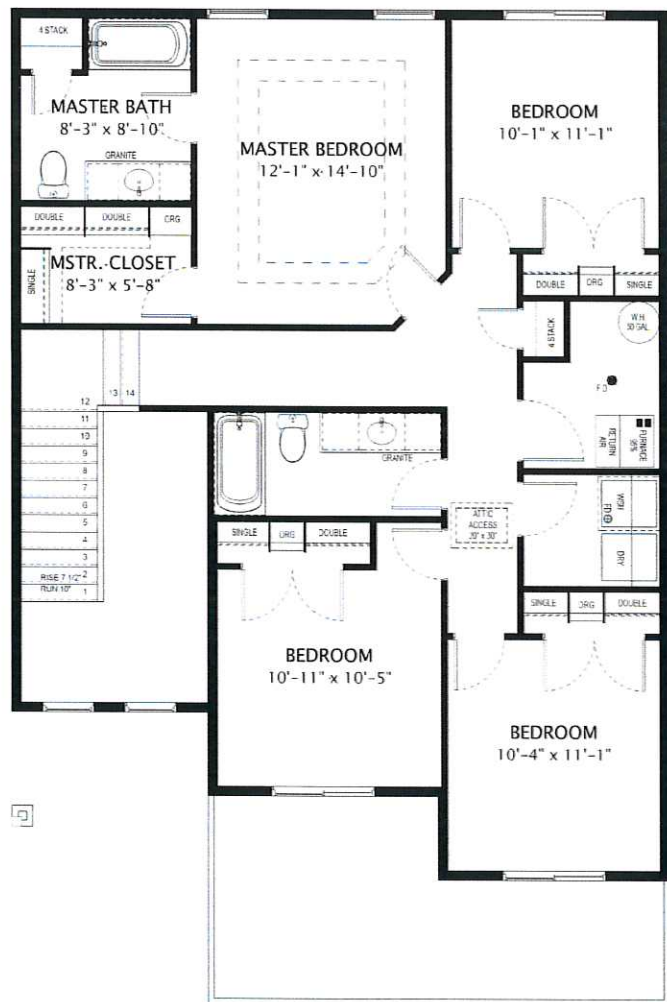
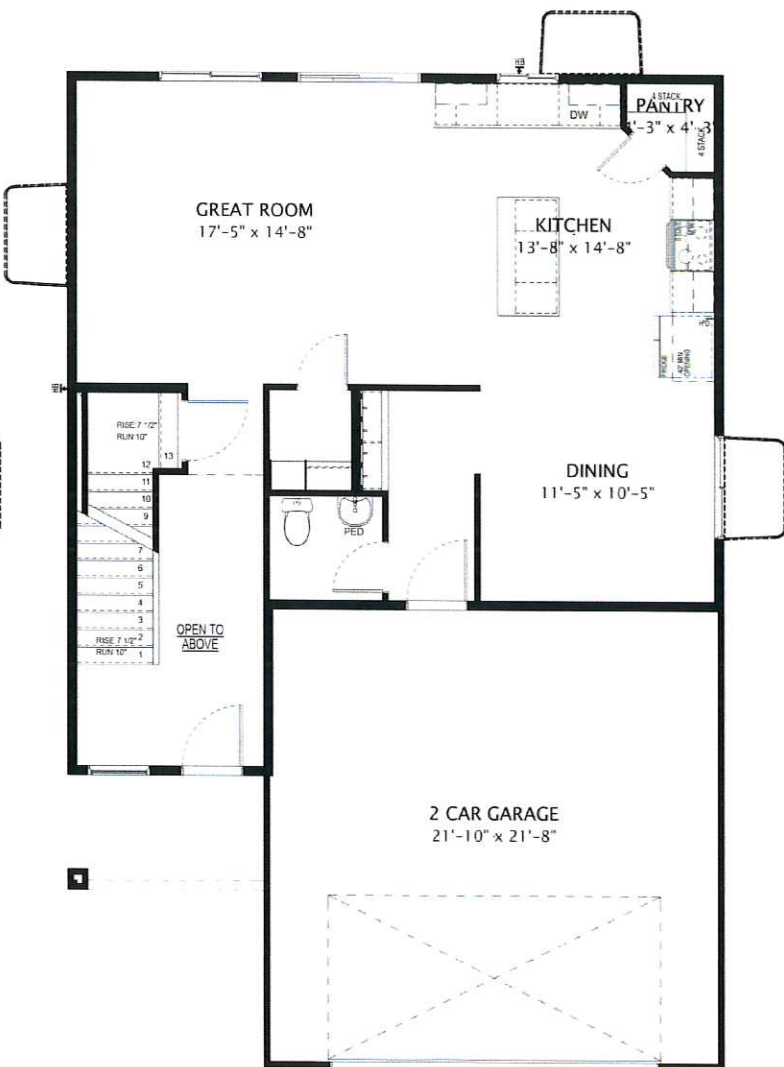
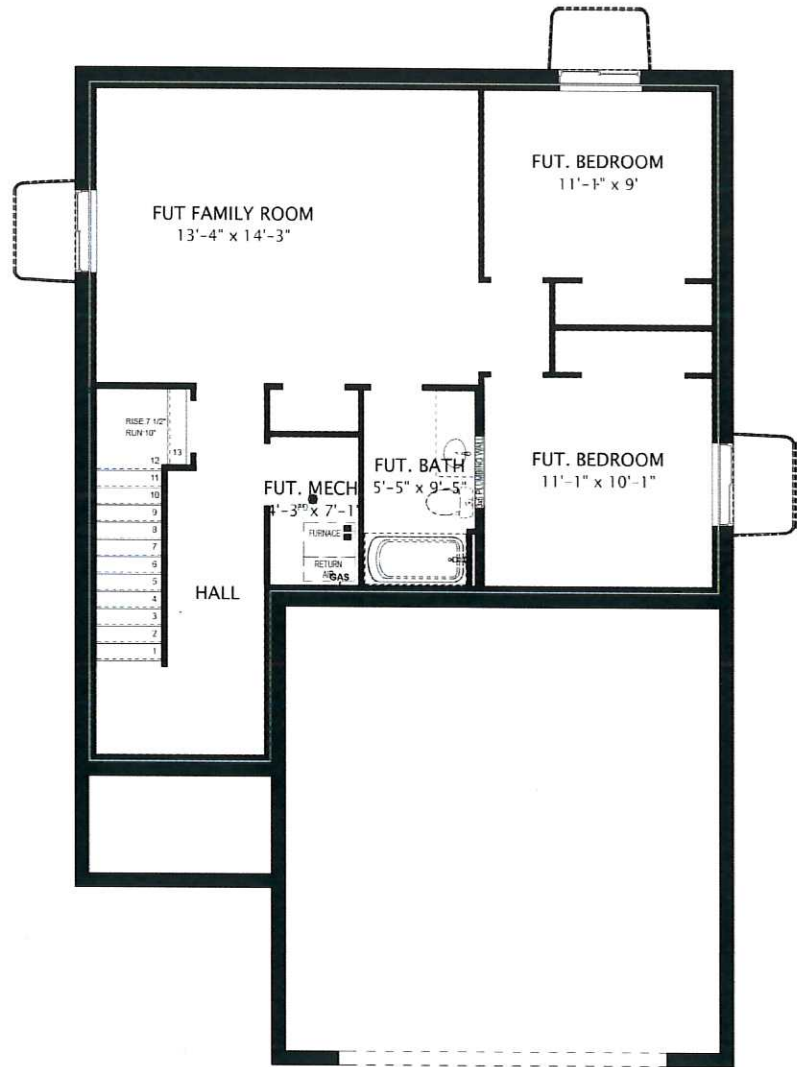
SINGLE FAMILY HOMES

Available For All Lots

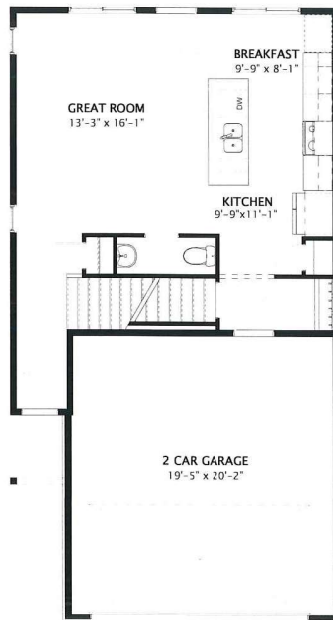


SINGLE FAMILY HOMES

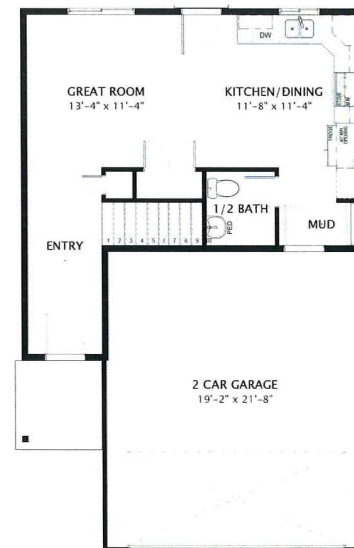
Available For All Lots



MULTI-FAMILY TOWNHOMES



Larger Units



Smaller Units



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 24-04

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 R-1-10 (Single Family Residential 10,000 Square Feet).

Approximate Property Location: 400 South 1250 East

Cache County Parcel Number: 08-121-0005

BEG AT CENTER OF SEC 35 T 13N R 1E & TH N 115 RDS TH E 160 RDS TH S 35 RDS TH W 30 RDS TH S 80 RDS TH W 130 RDS TO BEG CONT 100 AC LESS: 1000 EAST ST DEDICATED TO SMITHFIELD CITY BY PLAT 2001-1517 # 776573 CONT 1.39 AC NET 98.61 AC LESS: BEG ON E LN OF 1000 E ST AS IT EXISTS A 30 FT HALF-WIDTH BEING 102.99 FT N 89°56'38" E & 742.5 FT S 0°03'22" E FROM N/4 COR SEC 35 T 13N R 1E & TH N89°56'38"E 1148.27 FT TH S0°03'E 1903.07 FT TO PT ON 1/4 SEC LN TH S89°46'32"W 1102.87 FT TO PT ON E LN OF 1000 E ST AS IT IS DEDICATED TO A 30 FT HALF-WIDTH TH ALG SD E LN IN 3 COURSES: N2°36'38"W 1711.63 FT TH ALG CURVE TO RIGHT 94.02 FT TH 105.93 FT ALG CURVE TO LEFT TO BEG CONT 50.0 AC M/B (0010) NET 48.61 AC M/L (SEE SVY DESC ON TD ENT 1072980 CONT 49.27 AC)

Approximately 48.61 Acres

APPROVED by the Smithfield City Council this 14th day of February, 2024.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Keller Sundstrom Rezone

January 17, 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: 08-121-0005

Applicant: Dan Sundstrom

Action Type: Legislative

Staff Recommendation: None

Project Location

Location:
420 South 1000 East
Smithfield, Utah

Lot Size:
48.61 Acres

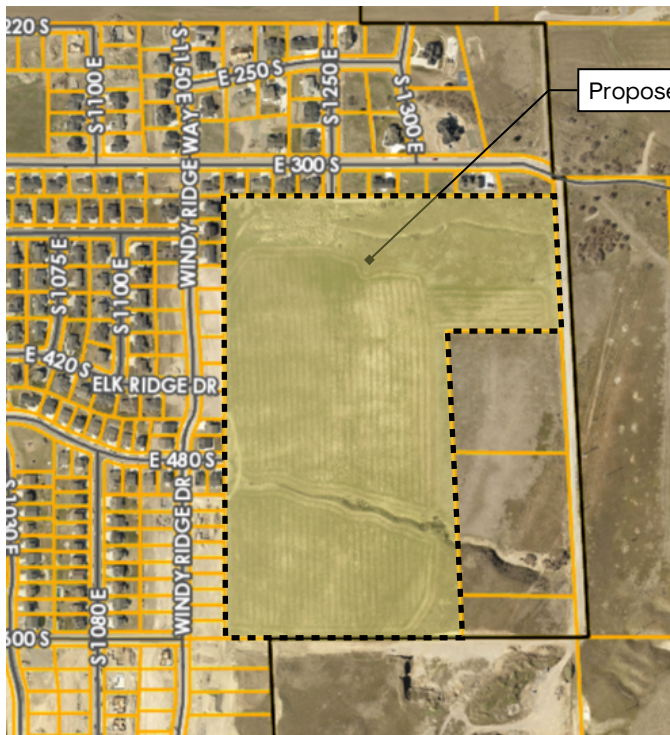
Current Zoning:
A-10 Agricultural

Proposed Zoning:
R-1-10 Residential

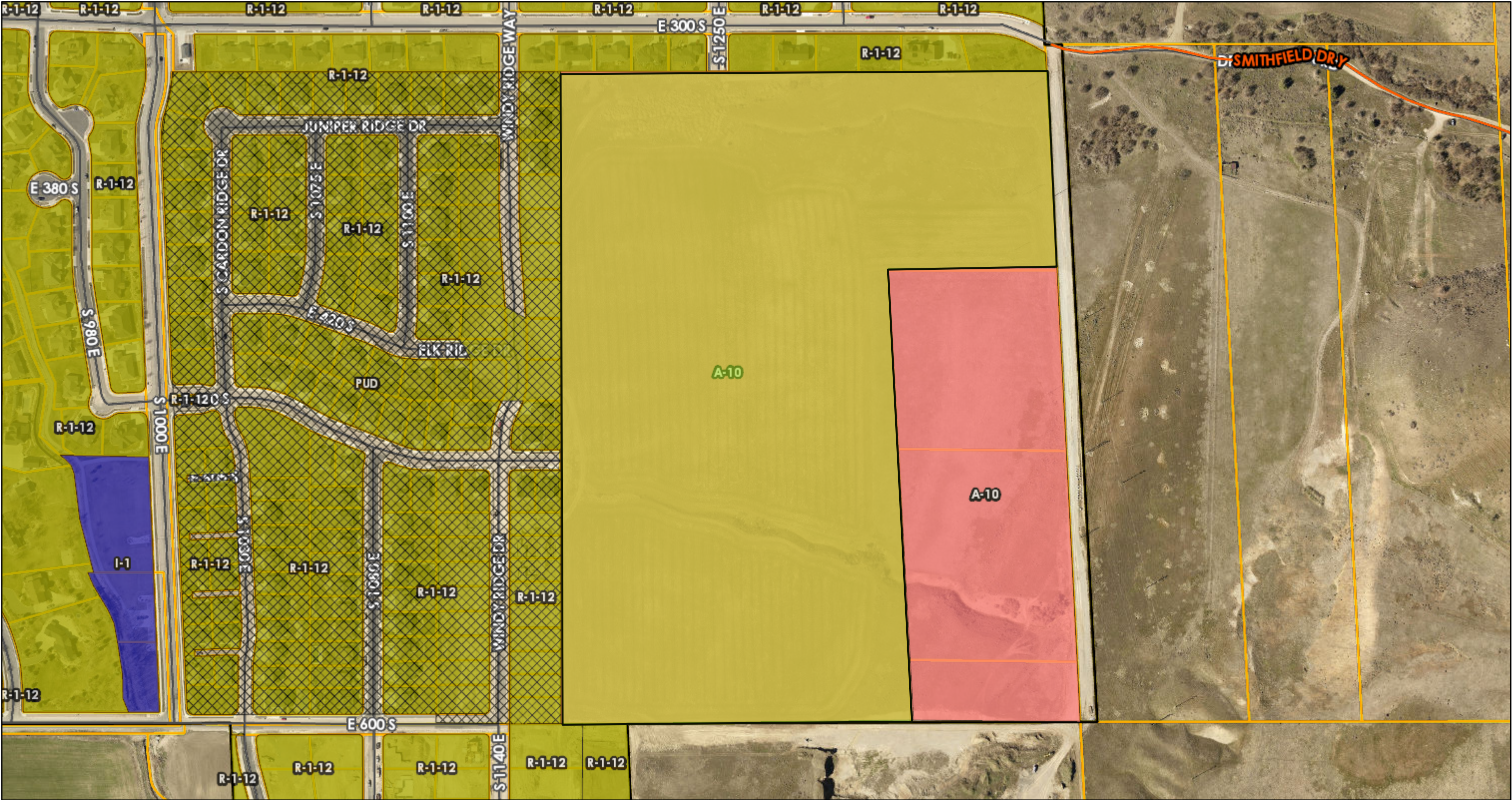
Surrounding Uses:
North - Residential R-1-12
South - County
East - County
Agricultural A-10
West - Residential R-1-12 PUD

Project Summary

Dan Sundstrom and Ivan Keller are requesting a rezone for the Keller property located at 420 South and 1000 East. The parcel is currently being used for agriculture. There are some A-10 properties to the East (in city limits) nearby that have not been rezoned but the parcel has residential to the North and West. Dan is asking to rezone the property to a Residential R-1-10 Zone.

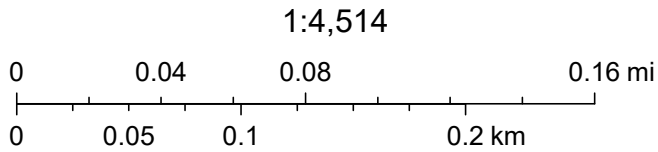


Parcel Map



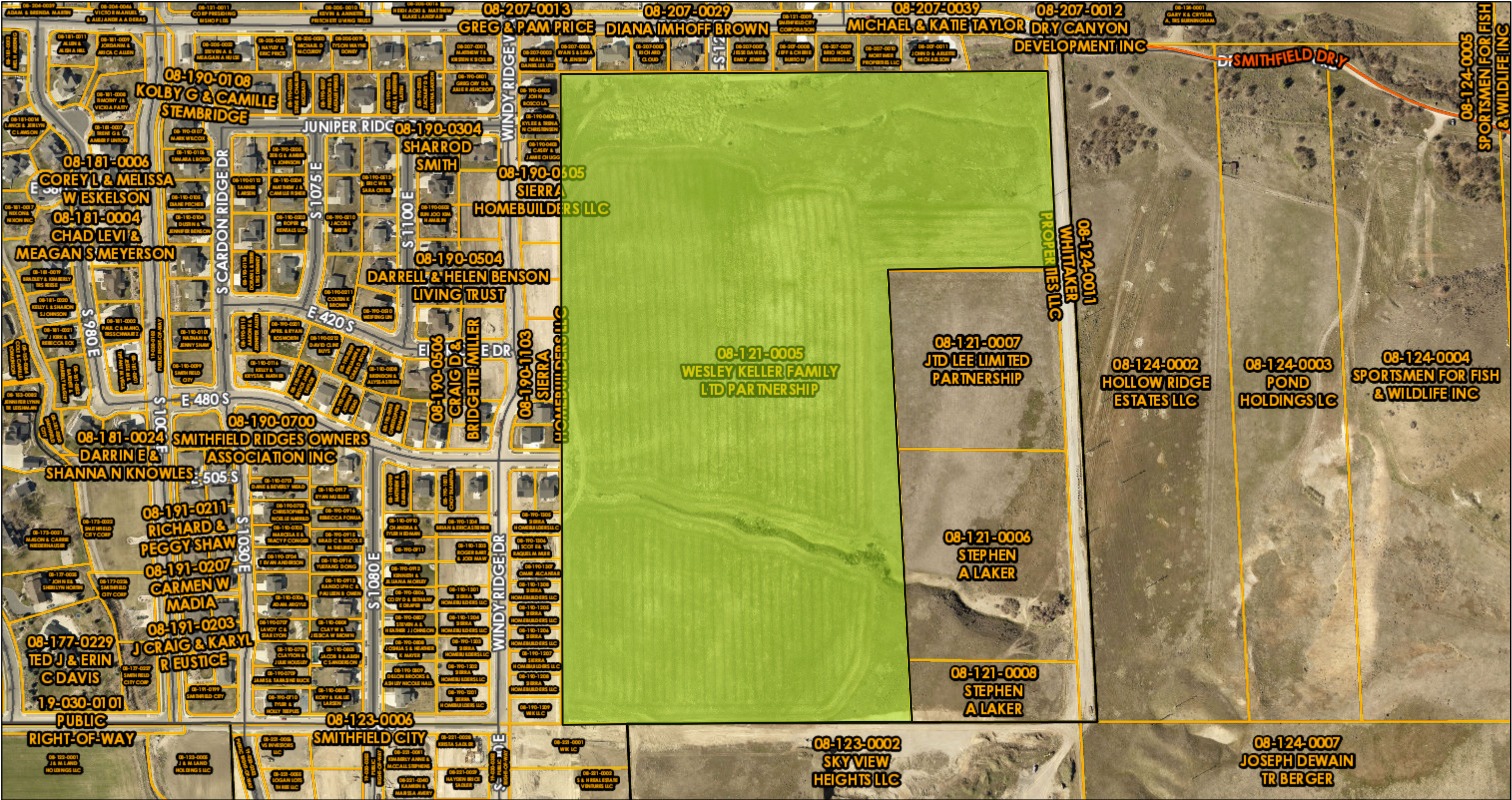
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Override 1 Wellsville Zoning NEIGHBORHOOD COMMERCIAL - NC COMMUNITY COMMERCIAL - C1 - C2 GENERAL COMMERCIAL - GC HIGHWAY COMMERCIAL - CH MANUFACTURING RESIDENTIAL AGRICULTURE - 5 ACRE RESIDENTIAL - 1 ACRE RESIDENTIAL - 1/2 ACRE RESIDENTIAL - 12,000 SF RESIDENTIAL - MULTIFAMILY RECREATIONAL PLANNED DEVELOPMENT RESIDENTIAL CRITICAL AREA FOREST RECREATION - 40 ACRE	Trenton Zoning AGRICULTURAL COMMERCIAL C1 COMMERCIAL C2 PARK RESIDENTIAL PUD OVERLAY MIXED USE OVERLAY AGRICULTURAL - A-3 AGRICULTURAL - A-5 AGRICULTURAL - A-10 CENTRAL BUSINESS DISTRICT - CB COMMERCIAL PROFESSIONAL COMMUNITY COMMERCIAL - CC GENERAL COMMERCIAL - GC	INSTITUTIONAL - I-1 MANUFACTURING - M1 MULTIPLE FAMILY RESIDENTIAL - RM RESIDENTIAL AGRICULTURAL - RA-1 RESIDENTIAL AGRICULTURAL - RA-2 RESIDENTIAL R-1-10 RESIDENTIAL R-1-12 RESIDENTIAL R-1-20 MASTER PLANNED COMMUNITY - MPC AGRICULTURAL - AG COMMERCIAL - C COMMERCIAL PARKING - CP PARK - PR MIXED USE - MU	HISTORIC RESIDENTIAL - R-1-8 RESIDENTIAL - R-1-10 RESIDENTIAL - R-1-12 AGRICULTURAL A-10 AGRICULTURAL A-5 CENTRAL BUSINESS DISTRICT CBD PLANNED INDUSTRIAL COMMERCIAL PIC HIGHWAY COMMERCIAL HC MANUFACTURING - LIGHT INDUSTRIAL MLI PLANNED INDUSTRIAL COMMERCIAL PIC RESIDENTIAL ESTATE RE-1 RESIDENTIAL ESTATE RE-2 RICHMOND, RESIDENTIAL LOW DENSITY RLD	RESIDENTIAL MEDIUM DENSITY RMD PLANNED UNIT DEVELOPMENT RESIDENTIAL MULTI-FAMILY MF CITY SCHOOL TRAILER PARK CEMETERY Paradise Zoning AGRICULTURAL DISTRICT Commercial General District Commercial Highway District Life Cycle Residential District 4-12 Mixed Use District MXD 25-33 Multiple Residential District R-M-7	Multiple Residential District R-M-12 Multiple Residential District R-M-18 Public District Residential District R-1-1 Residential District R-1-6 Residential District R-1-8 Residential District R-1-10 Residential District R-1-12 Residential District R-1-20 COMMERCIAL NEIGHBORHOOD RESIDENTIAL AGRICULTURAL RA-5 RESIDENTIAL R-1.25 North Logan Zoning AGRICULTURAL - A10 CITY CENTER COMMERCIAL - CCC	CITY CENTER ADJACENT - CCA COMMERCIAL GENERAL - CG COMMUNITY COMMERCIAL - CC DOWNTOWN - DT HOSPITAL - HOSP HIGH-TECH MFG. AND RESEARCH - M-2 MFG. HEAVY COMMERCIAL - MC MIXED USE GENERAL - MXG PROFESSIONAL - PR RESIDENTIAL BUSINESS - RB RESIDENTIAL ESTATE - RE -1 RESIDENTIAL ESTATE - RE-2 RESIDENTIAL R-1-10 RESIDENTIAL R-1-12 RESIDENTIAL R-1-15	RESIDENTIAL R-1-20 RESIDENTIAL R-1-30 RESIDENTIAL SINGLE FAMILY - SF6 RESIDENTIAL MULTI FAMILY - RM MIXED RESIDENTIAL 7 - MR7 MIXED RESIDENTIAL 8 - MR8 PARK LAND RECREATION SCHOOL AGRICULTURE - A Commercial - C Industrial - I Neighborhood Commercial C-N Park/School - P/S Residential - R-1	Residential - R-1A Residential - R-2 Residential - R-2A Residential Estate R-E Residential Development, R-PUD Floodplain - FP Newton Zoning (A1) AGRICULTURAL (C1) COMMERCIAL (R1) RESIDENTIAL Milville Zoning AGRICULTURAL (A) COMMERCIAL (C-G) OPEN SPACE (OS) RESIDENTIAL (R-1)	RESIDENTIAL (R-2) TOWN CENTER (TC) Mendon Zoning AGRICULTURAL - A-1 COMMERCIAL - C-1 LIGHT INDUSTRIAL - L-1 RESIDENTIAL - R-1 MULTI-FAMILY - R-2 PARK PUBLIC Logan Zoning SUBURBAN NEIGHBORHOOD TRADITIONAL NEIGHBORHOOD MIXED RESIDENTIAL TRANSITIONAL MIXED RESIDENTIAL LOW (MR-12) MIXED RESIDENTIAL MEDIUM (MR-20)
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Maxar

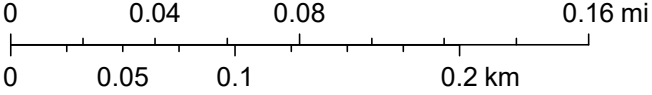
Parcel Map



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



Maxar



ORDINANCE NO. 24-05

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”, 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.

16.04.050 GENERAL RESPONSIBILITIES
--

I. The specific preliminary review and approval by the “Administrative Land-Use Authority,” applies only to single-family, two-family and townhome subdivisions. **Commercial, Industrial, Manufacturing**, Condominium, mixed-use, and multi-family developments do not apply.

1. **All Commercial, Industrial, Manufacturing Mixed-Use and Multi-Family subdivisions must be reviewed by the Administrative Land-Use Authority, prior to being presented to the Planning Commission.**

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 14th day of February, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder

ORDINANCE NO. 24-07

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 13 “PUBLIC SERVICES”, CHAPTER 13.16 “SEWER SERVICE SYSTEM”,
SECTIONS 13.16.150 “SEPARATE BUILDING CONNECTIONS NECESSARY”
AND 13.16.160 “SERVICE LINE EXTENSION”.**

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.

13.16.150 — SEPARATE BUILDING CONNECTIONS NECESSARY
--

~~A separate and independent building sewer shall be provided for every building; except where an accessory building stands at the rear of a main building and a private sewer cannot be constructed to the accessory building through an adjoining alley, court, yard or driveway. In such case, the building sewer from the front building may be extended to the rear accessory building and the whole considered as one building sewer. Both buildings must be under common ownership and the city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.~~

13.16.160 — SERVICE LINE EXTENSION

~~Once the application for sewer service has been made and accepted and the required fees have been paid by the applicant, the city shall extend sewer service to the applicant's property line or one hundred feet (100'), whichever is less, at which point it will be terminated.~~

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 14th day of February, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder

RESOLUTION # 24-01

A RESOLUTION BY THE CITY COUNCIL OF SMITHFIELD CITY, UTAH, TO INFORM THE STATE OF UTAH WATER QUALITY BOARD OF ACTIONS TAKEN CONCERNING THE MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR 2023.

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

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

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

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

1. One, the City Council acknowledges to the State of Utah Water Quality Board that they have received and reviewed the attached municipal wastewater planning program report for 2023, and
2. The City Council has implemented all appropriate actions necessary to maintain the collection system requirements contained in the Utah Pollution Discharge Elimination System (UPDES) Permit.

Approved and signed this 14th day of February, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder

2024 MWPP Survey Questions

This document is provided to assist in gathering the appropriate responses for the survey.

The following questions are populated into a spreadsheet. Each question is numbered by the letter of the column that it falls in. If it so happens that you need to change a response to a question after submitting the form call Harry Campbell at 385-501-9583, identify your facility, report the question label (B, C, D, etc. in front of the question), and provide the correct response.

B. Email cbodily@smithfieldcity.org (email of facility contact)

Section 1. General Information

C. Name of Facility? Smithfield City

D. What is the name of the person responsible for this organization? Clay Bodily

E. What is the title of the person responsible for this organization? City Engineer

F. What is the email Address for the person responsible for this organization? cbodily@smithfieldcity.org

G. What is the phone number for the person responsible for this organization? (435)792-7995

H. Facility Location? Please provide either Longitude and Latitude, address, or a written description of the location (with area or point). .96 South Main 84335 ,41°50' 05" N 111°49'54"W

Federal Facility Section

I. Are you a federal facility? A federal facility is a military base, a national park, a facility associated with the forest service, etc. Yes ☒ No

"If Yes" you will go to the Collection Section

"If No" you will go to the Financial Section

Financial Evaluation Section

J. This form is completed by [name]? Clay Bodily

Part I General Questions - Please answer the following questions regarding GENERAL QUESTIONS.

K. Are sewer revenues maintained in a dedicated purpose enterprise/district account? ☒ Yes No

L. Are you collecting 95% or more of your anticipated sewer revenue? ☒ Yes No

M. Are Debt Service Reserve Fund requirements being met? ☒ Yes No

N. Where are sewer revenues maintained? General Fund Combined Utilities Fund ☒ Other

O. What was the average annual User Charge for 2023? If there is more than one rate divide the total municipal yearly User Charge collected, by the total number of connections. \$660.00

P. Do you have a water and/or sewer customer assistance program (CAP)? Yes ☒ No

Part II: OPERATING REVENUES AND RESERVES - Please answer the following questions regarding OPERATING REVENUES AND RESERVES.

- Q. Are property taxes or other assessments applied to the sewer systems? Yes ☒ No
- R. Revenue from these taxes = _____
- S. Are sewer revenues sufficient to cover operations & maintenance costs, and repair & replacement costs (OM&R) at this time? ☒ Yes No
- T. Are projected sewer revenues sufficient to cover operation, maintenance, and repair (OM&R) costs for the next five years? Yes ☒ No
- U. Does the sewer system have sufficient staff to provide proper OM&R? ☒ Yes No
- V. Has a repair and replacement sinking fund been established for the sewer system? ☒ Yes No
- W. Is the repair & replacement sinking fund sufficient to meet anticipated needs? Yes ☒ No

Part III: Capital Improvements, Revenues and Reserves. - Please answer the following questions regarding Capital Improvements, Revenues and Reserves.

- X. Are sewer revenues sufficient to cover all costs of current capital improvements projects? Yes ☒ No
- Y. Has a Capital Improvements Reserve Fund been established to provide for anticipated capital improvement projects? ☒ Yes No
- Z. Are projected Capital Improvements Reserve Funds sufficient for the next five years? ☒ Yes No
- AA. Are projected Capital Improvements Reserve Funds sufficient for the next ten years? Yes ☒ No
- AB. Are projected Capital Improvements Reserve Funds sufficient for the next twenty years? Yes ☒ No

Part IV: FISCAL SUSTAINABILITY REVIEW - Please answer the following questions regarding FISCAL SUSTAINABILITY REVIEW.

- AC. Have you completed a rate study within the last five years? ☒ Yes No
- AD. Do you charge Impact fees? ☒ Yes No
- AE. Impact Fee (if not a flat fee, use average of all collected fees) = ___900/ unit_____
- AF. Have you completed an impact fee study in accordance with UCA 11-36a-3 within the last five years? ☒ Yes No
- AG. Do you maintain a Plan of Operations? ☒ Yes No
- AH. Have you updated your Capital Facility Plan within the last five years? ☒ Yes No
- AI. In what year was the Capital Facility Plan last updated? ___2022_____
- AJ. Do you use an Asset Management system for your sewer systems? ☒ Yes No
- AK. Do you know the total replacement cost of your sewer system capital assets? ☒ Yes No

AL. Replacement Cost = __1,825,000._____

AM. Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost? Yes No

AN. What is the sewer/treatment system annual asset renewal cost as a percentage of its total replacement cost? __8%_____

AO. Describe the Asset Management System. Check all that apply

- ☐ Spreadsheet
- ☒ GIS
- ☒ Accounting Software
- ☐ Specialized Software

AP. Please answer the following: - 2023 Capital Assets Cumulative Depreciation?
__168,000._____

AQ. Please answer the following: - 2023 Capital Assets Book Value? Book Value = total cost - accumulated depreciation __1,810,500._____

Part V: PROJECTED CAPITAL INVESTMENT COSTS - Please answer the following questions regarding PROJECTED CAPITAL INVESTMENT COSTS.

AR. Cost of projected capital improvements - Please enter a valid numerical value. - 2023?
__2,300,000._____

AS. Cost of projected capital improvements - Please enter a valid numerical value. - 2024 through 2028?
__2,000,000_____

AT. Cost of projected capital improvements - Please enter a valid numerical value. - 2029 through 2033?
__1,500,000_____

AU. Cost of projected capital improvements - Please enter a valid numerical value. - 2034 through 2038?
__2,000,000_____

AV. Cost of projected capital improvements - Please enter a valid numerical value. - 2039 through 2043?
__3,000,000_____

AW. Purpose of Capital Improvements - 2023? Check all that apply.

- ☐ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity

AX. Purpose of projected Capital Improvements - 2024 through 2028? - Check all that apply.

- ☒ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity
- ☐

AY. Purpose of projected Capital Improvements - 2029 through 2033 Check all that apply.?

- ☒ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity

AZ. Purpose of projected Capital Improvements - 2034 through 2038? - Check all that apply.

- ☒ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity

BA. Purpose of projected Capital Improvements from 2039 through 2043? - Check all that apply.

- ☒ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity

BB. To the best of my knowledge, the Financial Evaluation section is completed and accurate. ☒ True
☐ False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our Frequently Asked Questions page.

BC. Do you have a collection system?

The answer to this question is obvious in most cases, but for clarification, some wastewater systems consist of only wastewater collections (answer Yes). Some wastewater systems do not have a collection system but receive wastewater from separate collection system jurisdictions (answer No). Some wastewater systems have treatment and collections and consider their entire system as one entity (answer Yes). Some wastewater systems have treatment and collections, but consider their collections a separate entity from treatment (answer No). If you have treatment but have an independent collection system and you answered "No," you must enter your collection system separately as an independent response to the survey. ☒ Yes ☐ No

"If Yes" you will go to the Collection Section

"If No" you will go to a choice of which Treatment section

Collection System - The collection of wastewater in a system of pipes and possibly pump stations that deliver wastewater to a treatment system that may or may not be independent of the treatment system.

BD. This form is completed by [name]? - The person completing this form may receive Continuing Education Units (CEUs). _Clay Bodily_____

Part I: SYSTEM DESCRIPTION - Please answer the following questions regarding SYSTEM DESCRIPTION.

BE. What is the largest diameter pipe in the collection system? - Please enter the diameter in inches.
____30 inches_____

BF. What is the average depth of the collection system? - Please enter the depth in feet. ____9 foot____

BG. What is the total length of sewer pipe in the collection system? - Please enter the length in miles.
____66.23_____

BH. How many lift/pump stations are there in the collection system? ____2_____

BI. What is the largest capacity lift/pump station in the collection system? - Please enter the design capacity in gpm. ____3000 gpm_____

BJ. Do seasonal daily peak flows exceed the average peak daily flow by 100 percent or more? Yes ☐ No ☒

BK. What year was your collection system first constructed (approximately)? ____1990_____

BL. In what year was the largest diameter sewer pipe in the collection system constructed, replaced or renewed? If more than one, cite the oldest. ____2022_____

Part II: DISCHARGES - Please answer the following questions regarding DISCHARGES.

BM. How many days last year was there a sewage bypass, overflow or basement flooding in the system due to rain or snowmelt? ____0_____

BN. How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals)? ____0_____

Sanitary Sewer Overflow (SSO)

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

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

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

BO. What is the number of Class 1 SSOs in Calendar year 2023? ____0_____

BP. What is the number of Class 2 SSOs in Calendar year 2023? ____0_____

BQ. Please indicate what caused the SSO(s) in the previous question. ____N/A_____

BR. Please specify whether the SSOs were caused by contract or tributary community, etc.
____N/A_____

Part III: NEW DEVELOPMENT - Please answer the following questions regarding NEW DEVELOPMENT.

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

☒ No

BT. Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will increase flow or BOD5 loadings to the sewerage system by 25% or more? Yes ☒ No

BU. What is the number of new commercial/industrial connections in 2023? 2

BV. What is the number of new residential sewer connections added in 2023? 85

BW. How many equivalent residential connections are served? 4165

Part IV: OPERATOR CERTIFICATION - Please answer the following questions regarding OPERATOR CERTIFICATION.

BX. How many collection system operators do you employ? 5

BY. What is the approximate population served? 15,100

BZ. State of Utah Administrative Rules require all public system chief operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at no less than the Facility's Grade. List the designated Chief Operator/DRC for the Collection System by: First and Last Name, Grade, and email.

Grades: Grade I, Grade II, Grade III, and Grade IV. Cody Brenchley, Grade IV, cbrenchley@smithfieldcity.org Josh Wright, Grade III, jwright@smithfieldcity.org Cody Law, Grade III, claw@smithfieldcity.org Brady Douglas, Grade III, bdouglas@smithfieldcity.org

CA. Please list all other Collection System operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas. Grades: Grade I, Grade II, Grade III, and Grade IV. James Hunsaker, Grade III, jhunsaker@smithfieldcity.org Ryan Gleason, Grade II, rgleason@smithfieldcity.org

CB. Please list all other Collection System operators by name and certification grade. Please separate names and certification grades for each operator by commas. Grades: Grade I, Grade II, Grade III, and Grade IV.

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

☒ Yes ☐ No

Part V: FACILITY MAINTENANCE - Please answer the following questions regarding FACILITY MAINTENANCE.

CD. Have you implemented a preventative maintenance program for your collection system? ☒ Yes ☐ No

CE. Have you updated the collection system operations and maintenance manual within the past 5 years? ☒ Yes ☐ No

CF. Do you have a written emergency response plan for sewer systems? ☒ Yes ☐ No

CG. Do you have a written safety plan for sewer systems? ☒ Yes ☐ No

CH. Is the entire collections system TV inspected at least every 5 years? ☒ Yes ☐ No

CI. Is at least 85% of the collections system mapped in GIS? ☒ Yes ☐ No

Part VI: SSMP EVALUATION - Please answer the following questions regarding SSMP EVALUATION.

CJ. Have you completed a Sewer System Management Plan (SSMP)? ☒ Yes ☐ No

CK. Has the SSMP been adopted by the permittee's governing body at a public meeting? ☒ Yes ☐ No

CL. Has the completed SSMP been public noticed? ☒ Yes ☐ No

If "yes" then the question below.

CM. Date of Public Notice? 05/27/2015

If "no" then the question below.

CN. When will the SSMP be public noticed? _____

CO. During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan? ☒ Yes ☐ No

CP. What adjustments were made to the SSMP (i.e. line cleaning, CCTV inspections, manhole inspections, and/or SSO events)? Sonic testing every 10 years, and physical inspections of manholes.

CQ. During 2023, was any part of the SSMP audited as part of the five-year audit? ☒ Yes ☐ No

CR. If yes, what part of the SSMP was audited and were changes made to the SSMP as a result of the audit? Manhole lids to be periodically lifted and manholes inspected

CS. Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Plan? ☒ Yes ☐ No

Part VII: NARRATIVE EVALUATION - Please answer the following questions regarding NARRATIVE EVALUATION.

CT. Describe the physical condition of the sewerage system: (lift stations, etc. included) The sewer system is mostly reinforced concrete pipe and PVC pipe, the two lift stations are relatively new and is shared with Hyde Park City.,

CU. What sewerage system capital improvements does the utility need to implement in the next 10 years? Mostly upsizing and adding capacity to the treatment facility in Logan.

CV. What sewerage system problems, other than plugging, have you had over the last year? None

CW. Is your utility currently preparing or updating its capital facilities plan? ☒ Yes ☐ No

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

- ☒ 100%
☐ Partially
☐ Does not pay

CY. Is there a written policy regarding continued education and training for wastewater operators? **Yes**
No

CZ. Do you have any additional comments?

DA. To the best of my knowledge, the Collections System section is completed and accurate. **True**
False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance, please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our Frequently Asked Questions page.

You have either just completed or just bypassed questions about a Collection System. This section (the questions below) determines the next set of questions that you will be presented based on the choice you make for treatment.

DB. What kind of wastewater treatment do you have in your wastewater treatment system?

If you have treatment, you must choose from Mechanical Plant, Discharging Lagoon, or Non-Discharging Lagoon. If you don't have treatment then choose "No Treatment." Choose only one answer.

- ☐ Mechanical Plant
☐ Discharging Lagoon
☐ Non-Discharging Lagoon
☐ No Treatment of Wastewater
-

Mechanical Plant

DC. Form completed by [name]? - The person completing this form may receive Continuing Education Units (CEUs).

DD. What is the design basis or rated capacity for average daily flow in MGD? _____

DE. What is the design basis or rated capacity for average daily BOD loading in lb/day?

DF. What is the design basis or rated capacity for average daily TSS loading in lb/day?

- DG. What was the 2023 average daily flow in MGD? _____
- DH. What was the 2023 average daily loading for BOD in lb/day? _____
- DI. What was the 2023 average daily loading for TSS in lb/day? _____
- DJ. What is the percent of capacity used by the 2023 average daily flow? _____
- DK. What is the percent of capacity used by the 2023 average daily BOD load? _____
- DL. What is the percent of capacity used by the 2023 average daily TSS? _____

Part II: EFFLUENT INFORMATION - Please answer the following questions regarding EFFLUENT INFORMATION.

DM. How many Notices of Violations (NOVs) did you receive for this facility in 2023?

DN. How many days in the past year was there a bypass or overflow of wastewater at the facility due to high flows? _____

Part III: FACILITY AGE - Please answer the following questions regarding FACILITY AGE.

DO. In what year was your HEADWORKS evaluated? _____

DP. In what year was your HEADWORKS most recently constructed, upgraded, or renewed?

DQ. What is the age of your HEADWORKS? _____

DR. In what year was your PRIMARY TREATMENT evaluated? _____

DS. In what year was your PRIMARY TREATMENT constructed, upgraded or renewed?

DT. What is the age of your PRIMARY TREATMENT? _____

DU. In what year was your SECONDARY TREATMENT evaluated? _____

DV. In what year was your SECONDARY TREATMENT constructed, upgraded or renewed?

DW. What is the age of your SECONDARY TREATMENT? _____

DX. In what year was your TERTIARY TREATMENT evaluated? _____

DY. In what year was your TERTIARY TREATMENT constructed, upgraded or renewed?

DZ. What is the age of your TERTIARY TREATMENT? _____

EA. In what year was your SOLIDS HANDLING evaluated? _____

EB. In what year was your SOLIDS HANDLING constructed, upgraded or renewed?

EC. What is the age of your SOLIDS HANDLING? _____

ED. In what year was your DISINFECTION evaluated? _____

EE. In what year was your DISINFECTION constructed, upgraded or renewed? _____

EF. What is the age of your DISINFECTION? _____

EG. In what year was your LAND APPLICATION/DISPOSAL evaluated? _____

EH. In what year was your LAND APPLICATION/DISPOSAL constructed, upgraded or renewed?

EI. What is the age of your LAND APPLICATION/DISPOSAL? _____

Part IV: DISCHARGES - Please answer the following questions regarding DISCHARGES.

EJ. How many days in the last year was there a bypass or overflow of wastewater at the facility due to equipment failure? _____

Part V: BIOSOLIDS HANDLING - Please answer the following questions regarding BIOSOLIDS HANDLING.

EK. Biosolids disposal (check all that apply)

- ☐ Landfill
- ☐ Land Application
- ☐ Give Away/Other Distribution

Part VI: NEW DEVELOPMENT - Please answer the following questions regarding NEW DEVELOPMENT.

EL. Number of new commercial/industrial connections in the last year? _____

EM. Number of new residential sewer connections added in the last year? _____

EN. Equivalent residential connections served? _____

Part VII: OPERATOR CERTIFICATION

EO. How many treatment system operators do you employ? _____

EP. State of Utah Administrative Rules require all public system chief operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at no less than the Facility's Grade. List the designated Chief Operator/DRC for the Treatment System by: First and Last Name, Grade, and email.

Grades: Grade I, Grade II, Grade III, and Grade IV. _____

EQ. Please list all other wastewater treatment system operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV. _____

ER. Please list all other wastewater treatment operators by name and certification grade. Please separate names and certification grades for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV. _____

ES. Is/are your DRC operator(s) currently certified at the appropriate grade for this facility? Yes No

Part VIII: FACILITY MAINTENANCE - Please answer the following questions regarding FACILITY MAINTENANCE.

ET. Have you implemented a written preventative maintenance program for your treatment system? Yes No

EU. Have you updated the treatment system operations and maintenance manual within the past 5 years? Yes No

EV. Please identify (below) the types of treatment equipment and processes installed at your facility.

Indicate as many as you need.

- ☐ Screens
- ☐ Grit Removal
- ☐ Primary Clarifier
- ☐ Imhoff Tanks
- ☐ Fixed Film Reactor
- ☐ Activated Sludge
- ☐ Aerobic Suspended Growth Variations
- ☐ Anaerobic Suspended Growth Variations
- ☐ Physical-Chemical Systems for Organic Removal w/o Secondary Treatment
- ☐ Physical-Chemical Systems for Organic Removal Following Secondary Treatment
- ☐ Membrane Filtration
- ☐ Suspended-Growth Nitrification and Denitrification
- ☐ Air Stripping
- ☐ Phosphorus Removal - Chemical
- ☐ Phosphorus Removal - Biological
- ☐ Ion Exchange
- ☐ Reverse Osmosis
- ☐ Media Filtration
- ☐ Dissolved Air Flotation
- ☐ Micro Screens
- ☐ Chlorine Disinfection
- ☐ UV Disinfection
- ☐ Effluent Use/Reuse

EW. To the best of my knowledge, the Mechanical Plant section is completed and accurate. True False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our Frequently Asked Questions page.

Discharging Lagoon

EX. This form is completed by [name]? The person completing this form may receive Continuing Education Units (CEUs). _____

Part I: Influent Information - Please answer the following questions regarding INFLUENT into your lagoon.

EY. What is the design basis or rated capacity for average daily flow in MGD? _____

EZ. What is the design basis or rated capacity for average daily BOD loading in lb/day? _____

FA. What is the design basis or rated capacity for average daily TSS loading in lb/day? _____

FB. What was the 2023 average daily flow in MGD? _____

FC. What was the 2023 average daily loading for BOD in lb/day? _____

FD. What was the 2023 average daily loading for TSS in lb/day? _____

FE. What is the percent of capacity used by the 2023 average daily flow? _____

FF. What is the percent of capacity used by the 2023 average daily BOD load? _____

FG. What is the percent of capacity used by the 2023 average daily TSS? _____

Part II: EFFLUENT INFORMATION. - Please answer the following questions regarding EFFLUENT.

FH. How many notices of violation (NOV)s did you receive for this facility in 2023? _____

Part III: DISCHARGES - Please answer the following questions regarding DISCHARGES.

FI. How many days in the past year was there a bypass or overflow of wastewater at the facility due to high flows? _____

FJ. How many days in the past year was there a bypass or overflow of wastewater at the facility due to equipment failure? _____

Part IV: FACILITY AGE - Please answer the following questions about FACILITY AGE. If your plant does not have the treatment unit please enter N/A.

FK. In what year was your HEADWORKS evaluated? _____

FL. In what year was your HEADWORKS most recently constructed, upgraded, or renewed?

FM. What is the age of your HEADWORKS? _____

FN. In what year was your LAGOON evaluated? _____

FO. In what year was your LAGOONS (including aeration) most recently constructed, upgraded, or renewed? _____

FP. What is the age of your LAGOONS (including aeration)? _____

FQ. In what year was your DISINFECTION SYSTEM evaluated? _____

FR. In what year was your DISINFECTION SYSTEM most recently constructed, upgraded, or renewed?

FS. What is the age of your DISINFECTION SYSTEM? _____

FT. In what year was your LAND APPLICATION/DISPOSAL evaluated? _____

FU. In what year was your LAND APPLICATION/DISPOSAL most recently constructed, upgraded, or renewed? _____

FV. What is the age of your LAND APPLICATION/DISPOSAL? _____

Part V: NEW DEVELOPMENT - Please answer the following questions regarding NEW DEVELOPMENT.

FW. How many commercial/industrial connections were added in 2023? _____

FX. How many residential sewer connections were added in 2023? _____

FY. How many equivalent residential connections did you serve in 2023? _____

Part VI: OPERATOR CERTIFICATION - Please answer the following questions regarding OPERATOR CERTIFICATION

FZ. How many treatment operators do you employ? _____

GA. Utah administrative rules require all public system chief operators with Direct Responsible Charge (DRC) to be appropriately certified at no less than the facility's grade. Please list the designated Chief Operator/DRC for the Wastewater Treatment system below. Please give their first and last name, grade level, and email address. Grades: Grade I, Grade II, Grade III, and Grade IV. _____

GB. Please list all other Wastewater Treatment system operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas. Grades: Grade I, Grade II, Grade III, and Grade IV. _____

GC. Please list all other Wastewater Treatment operators by name and certification grade. Please separate names and certification grades for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV. Include operators with no certification. _____

GD. Is/are all your DRC operators currently certified at the appropriate grade level for this facility? Yes No

Part VII: FACILITY MAINTENANCE - Please answer the following questions regarding FACILITY MAINTENANCE.

GE. Have you implemented a preventative maintenance program for your treatment system? Yes No

GF. Have you updated the treatment system operations and maintenance manual within the past five years? Yes No

GG. Identify the types of treatment units at your facility.

- ☐ Screening
- ☐ Grit Removal
- ☐ Lagoon Variations
- ☐ Phosphorous Treatments
- ☐ Chlorine Disinfection
- ☐ UV Disinfection
- ☐ Land Application/Disposal

GH. To the best of my knowledge I certify the discharging lagoon portion of the MWPP survey to be correct and accurate. True False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our Frequently Asked Questions page.

Non-Discharging Lagoon

GI. This form is completed by [name]? The person completing this form may receive Continuing Education Units (CEUs). _____

Part I: INFLUENT INFORMATION - Please answer the following questions regarding INFLUENT into your lagoon.

GJ. What is the design basis or rated capacity for average daily flow in MGD? _____

GK. What is the design basis or rated capacity for average daily BOD loading in lb/day?

GL. What is the design basis or rated capacity for average daily TSS loading in lb/day?

- GM. What was the 2023 average daily flow in MGD? _____
- GN. What was the 2023 average daily loading for BOD in lb/day? _____
- GO. What was the 2023 average daily loading for TSS in lb/day? _____
- GP. What was the percent capacity used by the 2023 average daily flow? _____
- GQ. What was the percent capacity used by the 2023 daily average BOD? _____
- GR. What was the percent capacity used by the 2023 daily average TSS? _____

Part II: FACILITY AGE - Please answer the following questions about FACILITY AGE. If your plant does not have the treatment unit please enter N/A.

- GS. In what year was your HEADWORKS most recently evaluated? _____
- GT. In what year was your HEADWORKS most recently constructed, upgraded, or renewed?

- GU. What is the age of your HEADWORKS? _____
- GV. In what year was your LAGOONS (including aeration) evaluated? _____
- GW. In what year was your LAGOONS (including aeration) most recently constructed, upgraded, or renewed? _____
- GX. What is the age of your LAGOONS (including aeration)? _____
- GY. In what year was your DISINFECTION SYSTEM evaluated? _____
- GZ. In what year was your DISINFECTION SYSTEM evaluated? _____
- HA. What is the age of your DISINFECTION SYSTEM? _____
- HB. In what year was your LAND APPLICATION/DISPOSAL evaluated? _____
- HC. In what year was your LAND APPLICATION/DISPOSAL most recently constructed, upgraded, or renewed? _____
- HD. What is the age of your LAND APPLICATION/DISPOSAL? _____

Part III: DISCHARGES - Please answer the following questions regarding DISCHARGES.

- HE. How many days in the past year was there a bypass or overflow of wastewater at the facility due to high flows? _____
- HF. How many days in the past year was there a bypass or overflow of wastewater at the facility due to equipment failure? _____

Part IV: NEW DEVELOPMENT - Please answer the following questions regarding NEW DEVELOPMENT.

- HG. How many commercial/industrial connections were added in 2023? _____
- HH. How many residential sewer connections were added in 2023? _____

HI. How many equivalent residential connections did you serve in 2023? _____

Part V: OPERATOR CERTIFICATION - Please answer the following question regarding OPERATOR CERTIFICATION.

HJ. How many treatment operators do you employ? _____

HK. Utah administrative rules require all public system chief operators with Direct Responsible Charge (DRC) to be appropriately certified at no less than the facility's grade. Please list the designated Chief Operator/DRC for the wastewater treatment system below. Please give their first and last name, grade level, and email address. Grades: Grade I, Grade II, Grade III, and Grade IV. _____

HL. Please list all other wastewater treatment system operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas. Grades: Grade I, Grade II, Grade III, and Grade IV. _____

HM. Please list all other wastewater treatment operators by name and certification grade. Please separate names and certification grades for each operator by commas. Grades: Grade I, Grade II, Grade III, and Grade IV. Include operators that are not certified. _____

HN. Is/are all your DRC operators currently certified at the appropriate grade level for this facility? Yes No

Part VI: FACILITY MAINTENANCE - Please answer the following questions regarding FACILITY MAINTENANCE.

HO. Have you implemented a preventative maintenance program for your treatment system? Yes No

HP. Have you updated the treatment system operations and maintenance manual within the past five years? Yes No

HQ. To the best of my knowledge I certify the non-discharging lagoon portion of the MWPP survey to be correct and accurate. True False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to wqinfodata@utah.gov and we will contact you as soon as possible. You may also visit our Frequently Asked Questions page.

Adopt & Sign

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

HS. Has this been adopted by the City Council or District Board? Yes ☒ No

"If No"

HT. What date will it be presented to the City Council or District Board? ____ February 7, 2024 ____

"If Yes"

HU. What date was this adopted by City Council or District Board? _____

(At this point you can choose to have a copy of your responses sent to you in a report, if you turn it on before you submit.)

THE END

ORDINANCE NO. 24-06

**AN ORDINANCE AMENDING MUNICIPAL IMPACT FEES BY
MODIFYING THE STORM WATER IMPACT FEE.**

WHEREAS, the City Council has determined that the City's physical growth and urban development has and will continue to increase the demand on the city's storm water system; and

WHEREAS, the City has caused a written analysis to be prepared by Zions Public Finance, Inc., for the storm water impact fee which identified and analyzed the proportionate share of the costs of the impacts on public facilities which are reasonably related to and necessary to service anticipated future growth; and

WHEREAS, the written analysis prepared by Zions Public Finance, Inc. considered all revenue sources for financing the existing and future facility improvements necessary to accommodate future growth and established that impact fees are necessary in order to achieve an equitable allocation of the costs of providing existing and future adequate public facilities and system improvements which are reasonably related to and necessary to service anticipated future growth; and identifies a methodology establishing how the proposed impact fee for such public facilities was calculated; and

WHEREAS, the City has identified and analyzed through the impact fee analysis the statutory criteria as to whether a proportionate share of the cost of such existing and new facilities are reasonably related to new development activity as set forth in the Utah Impact Fee Act; and

WHEREAS, the City has complied with all applicable notice and public hearing requirements as established under the Utah Impact Fees Act and related statutes; and

WHEREAS, the impact fees established by this Ordinance are reasonably related to the cost of providing such public facilities necessitated by anticipated future growth within the City or are reasonably related to public facility costs previously incurred by the City to the extent that new growth and development will be served by the previously constructed improvements and said fees do not exceed the highest fee justified by the written analysis; and

WHEREAS, after a consideration of all the relevant factors, the Smithfield City Council finds and determines that it is in the best interests of its current and future residents to adopt this Ordinance in order to provide for adequate public facilities to service anticipated future growth and development, the need for which is reasonably related to and created by the anticipated future growth;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD, UTAH, as follows:

1. Impact Fees listed in the prevailing fee schedule shall be as follows, effective June 1, 2024 unless otherwise stated:

STORM WATER IMPACT FEE

June 1, 2024 – December 31, 2024

All Commercial and Residential Individual Units (1/4 Acre and larger): \$3,968 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$1,984 per unit

Calendar Year 2025

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,021 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,010 per unit

Calendar Year 2026

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,075 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,037 per unit

Calendar Year 2027

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,130 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,065 per unit

Calendar Year 2028

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,187 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,093 per unit

Calendar Year 2029

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,246 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,123 per unit

Calendar Year 2030

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,306 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,153 per unit

Calendar Year 2031

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,368 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,184 per unit

Calendar Year 2032

All Commercial and Residential Individual Units (1/4 Acre and larger): \$4,432 per unit

All Commercial and Residential Individual Units (Under 1/4 Acre): \$2,216 per unit

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 a 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 upon adoption by the city council.

Approved and signed this 14th day of February, 2024.

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



SMITHFIELD CITY

Storm Water Impact Fee Analysis

Prepared by:
Zions Public Finance, Inc.
January 2024

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Executive Summary

Background Information

Zions Public Finance, Inc. (ZPFI) has prepared this Impact Fee Analysis (IFA) for the calculation of appropriate storm water impact fees in Smithfield City (the “City”). This IFA relies on Smithfield’s Storm Water Impact Fee Facilities Plan (“IFFP”) prepared by J-U-B Engineers, Inc. in April 2023 regarding current system capacity and future storm water capital facility needs, cost, and timing.

An impact fee is a one-time fee imposed on new development activity to mitigate the impact of new development on capital facilities. The recommended impact fee structure presented in this analysis has been prepared to satisfy the Impact Fees Act, Utah Code Ann. § 11-36a-101 et. seq., and represents the maximum impact fees that the City may assess. The City will be required to use revenue sources other than impact fees to fund any projects that constitute repair and replacement, cure any existing deficiencies, or increase the level of service for existing users.

Service Area. There is one service area in the City for the purpose of calculating storm water impact fees.

Level of Service. According to the IFFP, currently the City services 2,198 developed acres. According to the IFFP, the current service level is 0.1 cfs per acre.

Growth Projections. By 2033, the City is expected to grow by 424 developed acres, or an average of 42.4 acres per year. This growth will require the construction of new infrastructure to maintain existing levels of service.

Need for Improvements. The IFFP identifies \$60,515 of existing improvements that have sufficient capacity to serve new development, as well as the construction of 9 new storm water projects over the next 10 years, 7 of which are needed to serve the needs of new development.

Credits for Projects that Benefit Existing Development. The IFFP identifies a portion of the new construction costs that will benefit existing development. Therefore, a credit must be made so that new development does not pay twice – once in the form of impact fees and then again through higher taxes over time to pay for the portion of the system improvements that benefit existing development.

Credits for Outstanding Bonds. The City does not currently have any outstanding bonds used to pay for storm water improvements.

Impact on Consumption of Existing Capacity

Utah Code 11-36a-304(1)(a)

The IFFP identifies 2 pipes that have excess capacity that will accommodate growth in the next 10 years. Therefore, a buy-in component can be charged for impact fees. The impact-fee eligible cost is \$60,515.

Impact on System Improvements by Anticipated New Development

Utah Code 11-36a-304(1)(b)

The City has determined to maintain its current level of storm water service and therefore new improvements to the system are needed as there is not sufficient excess capacity to maintain current service levels given the projected growth. The system improvements needed over the next 10 years have been identified at a total cost of \$18,466,651, of which \$7,553,157 can be attributed to new development over the next 10 years. Existing development will benefit from \$7,535,882 of the costs, with the remaining \$3,377,612 attributable to development after 10 years.

Proportionate Share Analysis and Impact Fee Calculation

Utah Code 11-36a-304(1)(d) and (e) and (2)(a) and (b)

New development will be required to pay for its fair share of existing, excess capacity, the construction of new system improvements necessitated by new development, as well as consultant costs.

TABLE 1: SUMMARY OF 2023 MAXIMUM IMPACT FEE PER ACRE IN 2023

Description	Amount
Excess Capacity	\$142.72
New Construction	\$17,814.05
Consultant Costs	\$34.66
Subtotal	\$17,991.43

The maximum allowable impact fee changes each year in the table below in the shaded, far right column, to account for the credits due from the construction costs that benefit existing development.

TABLE 2: SUMMARY OF MAXIMUM IMPACT FEE, 2023-2033

Year	Dev Acres	Payment	Payment per Acre	NPV* - Credit	Max Fee per Acre
2023	2,198	\$710,824	\$323.40	\$2,325.93	\$15,665.50
2024	2,237	\$710,824	\$317.74	\$2,118.83	\$15,872.60
2025	2,277	\$710,824	\$312.19	\$1,907.03	\$16,084.40
2026	2,317	\$710,824	\$306.73	\$1,690.20	\$16,301.23
2027	2,359	\$710,824	\$301.36	\$1,467.98	\$16,523.45
2028	2,401	\$710,824	\$296.10	\$1,240.02	\$16,751.41
2029	2,443	\$710,824	\$290.92	\$1,005.92	\$16,985.51
2030	2,487	\$710,824	\$285.83	\$765.30	\$17,226.13
2031	2,531	\$710,824	\$280.83	\$517.73	\$17,473.70
2032	2,576	\$710,824	\$275.92	\$262.78	\$17,728.65

*NPV = net present value discounted at 5 percent

Overview of the Storm Water Impact Fees

Summary

An impact fee is intended to recover the City's costs of building storm water system capacity to serve new residential and non-residential development rather than passing all these growth-related costs on to existing users through rates. The Utah Impact Fees Act allows only certain costs to be included in an impact fee so that only the fair cost of expansionary projects or existing unused capacity paid for by the City is assessed through an impact fee.

Costs to be Included in the Impact Fee

The impact fees proposed in this analysis are calculated based upon:

- Excess capacity in the City's storm water system;
- New capital infrastructure for storm water systems that will serve new development; and
- Professional and planning expenses related to the construction of system improvements that will serve new development.

The costs that cannot be included in the impact fee are as follows:

- Costs for projects that cure system deficiencies;
- Costs for projects that increase the Level of Service (LOS) above that which is currently provided;
- Operations and maintenance costs;
- Costs of facilities funded by grants or other funds that the City does not have to repay; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

Utah Code Legal Requirements

Utah law requires that communities prepare an Impact Fee Analysis (IFA) before enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. The City has retained ZPFI to prepare this IFA in accordance with legal requirements.

Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Plan (Utah Code §11-36a-503). This notice must be posted on the Utah Public Notice website.

Preparation of Impact Fee Analysis

Utah Code requires that each local political subdivision, before imposing an impact fee, prepare an impact fee analysis. (Utah Code 11-36a-304).

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis as follows:

- (1) An impact fee analysis shall:
 - (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;
 - (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
 - (c) demonstrate how the anticipated impacts described in Subsections (1)(a) and (b) are reasonably related to the anticipated development activity;
 - (d) estimate the proportionate share of:
 - (i) the costs for existing capacity that will be recouped; and

- (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and
 - (e) identify how the impact fee was calculated.
- (2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:
 - (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
 - (b) the cost of system improvements for each public facility;
 - (c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;
 - (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;
 - (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
 - (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
 - (g) extraordinary costs, if any, in servicing the newly-developed properties; and
 - (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

Calculating Impact Fees

Utah Code states that for purposes of calculating an impact fee, a local political subdivision or private entity may include:

- (a) the construction contract price;
- (b) the cost of acquiring land, improvements, materials, and fixtures;
- (c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and
- (d) for political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements.

Certification of Impact Fee Analysis

Utah Code states that an Impact Fee Analysis shall include a written certification from the person or entity that prepares the Impact Fee Analysis. This certification is included at the conclusion of this analysis.

Impact Fee Enactment

Utah Code states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

Impact from Growth Upon the City's Facilities and Level of Service

Utah Code 11-36a-304(1)(a)(c)

Storm Water Service Area

The City has one service area for the purpose of calculating storm water impact fees.

Growth in Demand

The City projects that it will grow by approximately 424 acres during the 10-year impact fee planning horizon in this IFA. The following table shows storm water growth projections in terms of developed acres. The City's storm water system served 2,198 acres in 2023, which will grow to an estimated 2,622 acres by 2033, or growth of 424 acres.

TABLE 3: STORM WATER GROWTH PROJECTIONS

Year	Developed Acres
2023	2,198
2024	2,237
2025	2,277
2026	2,317
2027	2,359
2028	2,401
2029	2,443
2030	2,487
2031	2,531
2032	2,576
2033	2,622

Source: IFFP

Existing and Proposed Level of Service Analysis

According to the City's IFFP, the existing storm water collection system in Smithfield City requires developments to detain stormwater runoff, with a maximum release rate of 0.1 cubic feet per second per acre (cfs/ac) during a 100-year 24-hour storm. The proposed level of service during the period of this IFA is to equal the existing level of service.

Impact on Capacity from Development Activity

Utah Code 11-36a-304(1)(a)

Existing Capacity

According to the IFFP, there is currently excess capacity in the storm water system. Therefore, new development will be charged a buy-in fee as a part of the proposed storm water impact fee.

TABLE 4: SUMMARY OF EXISTING EXCESS CAPACITY

Item #	Location	Total Project Cost	% of Additional Peak Flow Associated with 10-Year Growth	Estimated Impact-Fee Eligible Cost
1	300 South, east of 1000 East	\$154,804	10.0%	\$15,480
2	630 North from Main Street to 200 East	\$52,920	85.1%	\$45,035
TOTAL		\$207,724		\$60,515

Source: IFFP

System Improvements Required from Development Activity

Utah Code 11-36a-304(1)(b)(c), (2)(b)

Impact on System Improvements by Anticipated New Development

The City has determined to maintain its current level of storm water service. Therefore, additional storm water improvements will be required to maintain the established storm water level of service. The means by which the City will meet growth demands include constructing the following projects as set forth in the IFFP. This will occur through requiring new development to pay for its fair share of new construction projects over the next 10 years.

New construction projects over the next 10 years will total \$18,466,651, based on calculations shown in the IFFP and included in the following table.

TABLE 5: NEW SYSTEM IMPROVEMENTS

Project Number	Project Location	Total Cost	% to Existing Flow	Cost to Existing	% of Cost to 10-Year Growth	Cost to 10-Year Growth
1	1000 South West of Main	\$3,357,573	66%	\$2,215,998	34%	\$1,141,575
2	1000 East	\$499,464	0%	\$0	100%	\$499,464
3	1000 South - East of Main	\$699,494	0%	\$0	100%	\$699,494
4	600 South Connection	\$493,328	100%	\$493,328	0%	\$0
5	1000 South Detention Pond	\$1,434,577	0%	\$0	100%	\$1,434,577
6	200 North Upsize	\$2,071,485	100%	\$2,071,485	0%	\$0
7	Northeast Bench	\$612,364	0%	\$0	100%	\$612,364
8	Saddleback	\$8,844,308	30%	\$2,620,536	34%	\$3,011,096
9	Saddleback Pond	\$454,058	30%	\$134,536	34%	\$154,587
TOTAL		\$18,466,651		\$7,535,883		\$7,553,157

Source: IFFP

A portion of Projects 8 and 9 will benefit development outside of the 10-year horizon in this analysis. It is estimated that 36% of costs for Projects 8 and 9 will be associated with growth beyond 10 years, or \$3,212,676 and \$164,936 respectively. These costs can be captured in future impact fee analyses.

Relation of Anticipated Development Activity to Impacts on System Improvements

The demand placed on existing storm water improvements by new development activity is attributed to the increased developed acres related to both residential and nonresidential growth.

Proportionate Share Analysis

Utah Code 11-36a-304(1)(d)(e)

Maximum Legal Storm Water Impact Fee per Acre

The Impact Fees Act requires the Impact Fee Analysis to estimate the proportionate share of the existing excess capacity and future costs for system improvements that benefit new growth that can be recouped through impact fees.

Buy-in to Existing, Excess Capacity

The existing storm water system has existing, excess capacity; therefore, a buy-in component is factored into the impact fee calculation.

TABLE 6: PROPORTIONATE SHARE ANALYSIS, EXCESS EXISTING CAPACITY ANALYSIS

Existing Excess Capacity	Amount
Actual Cost of System	\$207,724.00
Impact-Fee Eligible Cost	\$60,515.32
Growth in Acres, 2023-2033	424
Cost per Acre	\$142.72

New Construction

The City intends to maintain its existing level of service for storm water services through constructing new system improvements previously detailed in this IFA. Total impact fee eligible costs for new construction, attributable to new development over the next 10 years, are \$7,553,157. Based on the acres served over the next 10 years, the total cost per acre for new improvements is \$17,814.05.

TABLE 7: PROPORTIONATE SHARE ANALYSIS, NEW CONSTRUCTION NECESSITATED BY NEW DEVELOPMENT

Category	Amount
Cost of New Construction, 10-Year Growth	\$7,553,157
Growth in Acres, 2023-2033	424
Cost per Acre	\$17,814.05

Consultant Costs

The Impact Fees Act allows for fees charged to include the reimbursement of consultant costs incurred in the preparation of the IFA.

Consultant costs are estimated at \$14,694.40 to prepare the IFFP and IFA that was necessary to calculate defensible impact fees. The consultant studies are considered to serve development over the next 10 years. Based on the acres served over the next 10 years, the total consultant cost per acre is calculated at \$34.66.

TABLE 8: PROPORTIONATE SHARE ANALYSIS, CONSULTANT COSTS

Category	Amount
ZPFI Consultant Costs	\$6,000
J-U-B Consultant Costs	\$8,694.40
Growth in Acres, 2023-2033	424
Cost per Acre	\$34.66

Impact Fee Fund Balance

The City currently has \$427,647 of funds in its storm water impact fee account. This amount can be used to pay down the construction projects that will benefit existing development and that were collected for these projects.

Credits for Projects Benefitting Existing Development

Credits need to be made for the portion of new projects that will benefit existing development. The IFFP identifies portions of the new improvement projects that will benefit existing development. Therefore, a credit must be made for these projects so that new development does not pay twice – once through the collection of an impact fee and then again through increased taxes to offset the portion benefitting existing development. The total amount of project costs benefitting existing development is \$7,535,883 as shown in Table 7. This cost can be reduced through the fund balance of \$427,647 currently on hand. These costs are spread across 10 years in the following analysis so that credits can be made.

TABLE 9: CREDITS FOR COSTS BENEFITTING EXISTING DEVELOPMENT

Year	Payment	Acres	Payment per Acre	NPV* - Credit
2023	\$710,824	2,198	\$323.40	\$2,325.93
2024	\$710,824	2,237	\$317.74	\$2,118.83
2025	\$710,824	2,277	\$312.19	\$1,907.03
2026	\$710,824	2,317	\$306.73	\$1,690.20
2027	\$710,824	2,359	\$301.36	\$1,467.98
2028	\$710,824	2,401	\$296.10	\$1,240.02
2029	\$710,824	2,443	\$290.92	\$1,005.92
2030	\$710,824	2,487	\$285.83	\$765.30
2031	\$710,824	2,531	\$280.83	\$517.73
2032	\$710,824	2,576	\$275.92	\$262.78

*NPV = net present value discounted at 5 percent

Summary of Impact Fees

The calculated maximum cost per acre, before credits, is \$17,991.43 as shown in Table 10 below.

TABLE 10: SUMMARY OF 2023 IMPACT FEE

Summary	
Excess Capacity	\$142.72
New Construction	\$17,814.05
Consultant Costs	\$34.66
Subtotal – Gross Fee	\$17,991.43

The maximum allowable impact fee changes each year in the table below to account for the credits due from the remaining construction cost amounts that benefit existing development.

TABLE 11: SUMMARY OF MAXIMUM IMPACT FEE, 2023-2032

Year	Payment	Acres	Payment per Acre	NPV*	Gross Fee	Max Fee per Year per Acre
2023	\$710,824	2,198	\$323.40	\$2,325.93	\$17,991.43	\$15,665.50
2024	\$710,824	2,237	\$317.74	\$2,118.83	\$17,991.43	\$15,872.60
2025	\$710,824	2,277	\$312.19	\$1,907.03	\$17,991.43	\$16,084.40
2026	\$710,824	2,317	\$306.73	\$1,690.20	\$17,991.43	\$16,301.23
2027	\$710,824	2,359	\$301.36	\$1,467.98	\$17,991.43	\$16,523.45
2028	\$710,824	2,401	\$296.10	\$1,240.02	\$17,991.43	\$16,751.41
2029	\$710,824	2,443	\$290.92	\$1,005.92	\$17,991.43	\$16,985.51
2030	\$710,824	2,487	\$285.83	\$765.30	\$17,991.43	\$17,226.13
2031	\$710,824	2,531	\$280.83	\$517.73	\$17,991.43	\$17,473.70
2032	\$710,824	2,576	\$275.92	\$262.78	\$17,991.43	\$17,728.65

*NPV = net present value discounted at 5 percent

Manner of Financing, Credits, Etc.

Utah Code 11-36a-304(2)(c)(d)(e)(f)(g) and (h)

An impact fee is a one-time fee that is implemented by a local government on new development to fund and pay for the proportionate costs of public facilities (system improvements) that are needed to serve new development. As a matter of policy and legislative discretion, a City may choose to have new development pay the full cost of its proportionate share of new public facilities and existing facilities that have excess capacity to service new development through impact fees. Alternatively, local governments may elect to subsidize new development by using other sources of revenue (user charges, special assessments, bonds, taxes, grants) to pay for the new facilities required to service new development and use impact fees to recover the cost difference between the total cost of the new facilities and the other sources of revenue.

At the current time, no other sources of funding other than impact fees have been identified, but to the extent that any are identified and received in the future, then impact fees will be reduced accordingly. The City has found that it is necessary to charge an impact fee to maintain the existing level of service into the future.

Additional system improvements beyond those funded through impact fees that are desired to raise the level of service will be paid for by the community through other revenue sources such as user charges, special assessments, General Obligation bonds, general taxes, etc.

Impact Fee Credits

The Impact Fee Act requires that the IFA consider the relative extent to which new development activity will contribute to financing the excess capacity of and system improvements for new and public facilities, by such means as user charges, special assessments, or payment from the proceeds of general taxes so that new development is not charged twice. This IFA clearly identifies the amount of excess capacity to be paid for by new development. This portion of the impact fee calculation can be credited back to the General Fund as a repayment for prior investment in capital facilities.

In terms of new facilities, all impact fee amounts collected must be spent for the specific project improvements identified by the engineering firm contracted by the City and incorporated into this IFA. Impact fees are required to be used within 6 years of collection. No user fees, special assessments, etc., are contemplated to offset any of the costs associated with the new storm water facilities.

Credits may also be paid back to developers who have constructed or directly funded system improvements that are identified by the City's contracted engineering firm or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions for project improvements. Any item for which a developer receives credit should be included in the approved infrastructure and must be agreed upon with the City before construction begins.

The standard impact fee can also be decreased to respond to unusual circumstances in specific cases to ensure that impact fees are imposed fairly. In certain cases, a developer may submit studies and data that clearly show a need for adjustment.

Extraordinary Costs and Time Price Differential

It is not anticipated that there will be any extraordinary costs in servicing newly developed properties. To account for the time-price differential inherent in fair comparisons of amounts paid at different times, actual costs have been used to compute current costs in order to compute impacts on system improvements required by anticipated development activity to maintain the established level of service for each public facility.

Certification

Zions Public Finance, Inc. certifies that the attached impact fee analysis:

1. Includes only the costs of public facilities that are:
 - a. allowed under the Impact Fees Act; and
 - b. actually incurred; or
 - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid.

2. Does not include:
 - a. costs of operation and maintenance of public facilities; or
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
3. Offsets costs with grants or other alternate sources of payment; and
4. Complies in each and every relevant respect with the Impact Fees Act.

The Importance of Planning for Moderate Income Housing

The Utah Code of Amendment sections 10-9a-103(40) and 17-27a-103(43) define moderate income housing as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.” By planning for moderate income housing, jurisdictions will be able to target and direct housing development that will cover a large segment of their population and help to limit the cost burden their residents experience in owning a home.

Planning for moderate income housing by identifying key strategies and how a jurisdiction will implement them within the general plan is a major first step. For a greater impact, and to ensure those strategies and implementations continue to work in the future, it’s imperative to analyze and revise this planning regularly. Our communities are forever changing and the direction and planning we take must be adjusted accordingly to ensure we’re supporting existing and future residents throughout Utah.

Benefits and Limitations

There are benefits for those jurisdictions that meet, or even exceed, the minimum moderate income housing requirement. Priority consideration for the Transportation Investment Fund of 2005, including the Transit Transportation Investment Fund is available for jurisdictions which surpass the minimum number of strategies in their general plan element as follows:

Jurisdiction	Minimum # of Compliant Strategies Required	Minimum # of Compliant Strategies Required for Priority Consideration
County	3	5
Municipality without fixed guideway transit stations	3	5
Municipality without fixed guideway transit stations	5	6

Alternatively, jurisdictions that do not submit their annual report or do not meet the minimum requirements will be deemed ineligible for the following funding:

- Transportation Investment Fund of 2005, including the Transit Transportation Investment Fund and
- State Tax Commission Distribution of Sales and Use Tax to fund Highways for certain jurisdictions (UCA 59-12-2220)

Additionally, starting in 2024, a \$250/day penalty fee will be applied to communities which are determined to be non compliant and ineligible for the above funding sources. At the beginning of a community’s consecutive year of being ineligible for funds, the fee will double to \$500/day.

<https://jobs.utah.gov/housing/affordable/moderate/index.html>

Strategies

Municipalities and counties must include at least three strategies – municipalities with a “fixed guideway transit station” (train or BRT station) must have at least four strategies. The menu of strategies includes the following:

- A. Rezone for densities necessary to facilitate the production of moderate income housing
- B. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing
- C. Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing
- D. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/municipality for the construction or rehabilitation of moderate income housing
- E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones
- F. Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers
- G. Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors
- H. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities
- I. Amend land use regulations to allow for single room occupancy developments
- J. Implement zoning incentives for moderate income units in new developments
- K. Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund
- L. Reduce, waive, or eliminate impact fees related to moderate income housing
- M. Demonstrate creation of, or participation in, a community land trust program for moderate income housing
- N. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality
- O. Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing
- P. Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing
- Q. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act
- R. Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530
- S. Create a program to transfer development rights for moderate income housing
- T. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing
- U. Develop a moderate income housing project for residents who are disabled or 55 years old or older
- V. Develop and adopt a station area plan in accordance with Section 10-9a-403.1
- W. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones
- X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

Part 3

Classification of Municipalities

10-2-301 Classification of municipalities according to population.

- (1) Each municipality shall be classified according to its population, as provided in this section.
- (2)
 - (a) A municipality with a population of 100,000 or more is a city of the first class.
 - (b) A municipality with a population of 65,000 or more but less than 100,000 is a city of the second class.
 - (c) A municipality with a population of 30,000 or more but less than 65,000 is a city of the third class.
 - (d) A municipality with a population of 10,000 or more but less than 30,000 is a city of the fourth class.
 - (e) A municipality with a population of 1,000 or more but less than 10,000 is a city of the fifth class.
 - (f) A municipality with a population under 1,000 is a town.

Amended by Chapter 292, 2003 General Session

10-2-301.5 Classification of metro townships according to population.

- (1) Each metro township, as defined in Section 10-2a-403, shall be classified according to its population, as provided in this section.
- (2) A metro township with a population of:
 - (a) 1,000 or more is a metro township of the first class; and
 - (b) fewer than 1,000 is a metro township of the second class.

Enacted by Chapter 352, 2015 General Session

10-2-302 Change of class of municipality.

- (1) Each municipality shall retain its classification under Section 10-2-301 until changed as provided in this section or Subsection 67-1a-2(3).
- (2)
 - (a) If a municipality's population, as determined by the lieutenant governor under Subsection 67-1a-2(3), indicates that the municipality's population has decreased below the limit for its current class, the legislative body of the municipality may petition the lieutenant governor to prepare a certificate indicating the class in which the municipality belongs based on the decreased population figure.
 - (b) Notwithstanding Subsection (2)(a), the legislative body of a metro township may not petition under this section to change from a metro township to a city or town.
- (3) A municipality's change in class is effective on the date of the lieutenant governor's certificate under Subsection 67-1a-2(3).

Amended by Chapter 352, 2015 General Session

10-2-303 Effect of change in class.

- (1) If a municipality changes from one class to another:

- (a) all property, property rights, and other rights that belonged to or were vested in the municipality at the time of the change shall belong to and be vested in it after the change;
 - (b) no contract, claim, or right of the municipality or demand or liability against it shall be altered or affected in any way by the change;
 - (c) each ordinance, order, and resolution in force in the municipality when it changes classes shall, to the extent that it is not inconsistent with law, not be affected by the change and shall remain in effect until repealed or amended;
 - (d) the change may not affect the identity of the municipality;
 - (e) each municipal officer in office at the time of the change shall continue as an officer until that officer's term expires and a successor is duly elected and qualified; and
 - (f) the municipality maintains after the change in class the same form of government that it had immediately before the change.
- (2)
- (a) A change in class does not affect an action at law, prosecution, business, or work of the municipality changing classes, and proceedings shall continue and may be conducted and proceed as if no change in class had occurred.
 - (b) Notwithstanding Subsection (2)(a), if the law applicable to a municipality under the new class provides the municipality a different remedy with respect to a right that it possessed at the time of the change, the remedy shall be cumulative to the remedy applicable before the change in class.

Amended by Chapter 378, 2010 General Session

10-2-306 Judicial notice taken of existence and class.

All courts in this state shall take judicial notice of the existence and classification of any municipality.

Enacted by Chapter 48, 1977 General Session

Smithfield Committee Bylaws

Name of Committee:

Purpose & Goals:

Budget:

Members: Council member & interested members

Meeting schedule: Monthly or as needed

Leadership: Committee chair, Assistant chair, Secretary

-Chairperson serves for 2-3 years, Assistant Chairperson will then move into the Chairperson slot and Chairperson moves into advisory position.

Term: indefinite with the exception of leadership.