



SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield Planning Commission will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, February 21, 2024**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Brian Higginbotham

1. Approval of Planning Commission Meeting Minutes from January 17, 2024.
2. Resident Input
3. Discussion and possible vote on the request by Webster Smithfield SPV for approval of the Preliminary Plat for the South Main Retail Subdivision, a (5) lot/unit subdivision located at approximately 1050 South Main Street.
4. Introduction and Public Hearing for the purpose of discussing Ordinance 24-08, an Ordinance amending the Smithfield City Municipal code Title 17 "Zoning Regulations", Chapter 17.36 "Signs", Section 17.36.060 "Permitted Signs; Permits Not Required".
5. Discussion and possible vote on Ordinance 24-08.
6. Introduction and Public Hearing for the purpose of Discussing Ordinance 24-09, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.04 "General Provisions", Section 16.04.050 "General Responsibilities", Chapter 16.06 "Minor Subdivision", Section 16.06.050 "Approval Of The Minor Subdivision", Chapter 16.07 "Major Subdivisions", Sections 16.07.030 "Preliminary Plat", 16.07.040 "Final Plat", Chapter 16.09 "Preliminary Plats", Section 16.09.040 "Approval Of Preliminary Plat", and Chapter 16.12 "Final Plats", Section 16.12.030 "Preparation And Required Information".
7. Discussion and possible vote on Ordinance 24-09.

Adjournment

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

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



SMITHFIELD CITY PLANNING COMMISSION MINUTES January 17, 2024

The Planning Commission of Smithfield City met in the City Council Chambers at 96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, January 17, 2024.
Welcome remarks by Stuart Reis

The following members were present constituting a quorum:

Members Present: Jamie Anderson, Brooke Freidenberger, Brian Higginbotham, Bob Holbrook, Chris Olsen, Jim Marshall, Stuart Reis

Members Excused: Katie Bell, Lazaro Soto

City Staff: Brian Boudrero, Kenzie Nelson

Others in Attendance: Jeff Barnes, Dan Sundstrom, Tom Swinford, Kim & Liz Dodge, Nataha Doolan, Danny Scott, Michelle Andeson, Lance Harvey, Lee & Lupe Helms, Steven Olsen, Robert Hansen, Chris Sorensen, Caralee Stokes

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

Consideration of consent agenda and approval of meeting minutes

After consideration by the Commission, Chairman Anderson declared the minutes from the December 20, 2023 meeting to be approved with a minor change reflecting that Chairman Anderson was not in favor of HOA owning the lift station.

RESIDENT INPUT – No resident input

AGENDA ITEMS

Introduction and **Public Hearing** for the purpose of discussing Ordinance 24-02, an Ordinance rezoning Cache County Parcel Number 08-086-0097 from R-1-12 (Single-Family Residential 12,000 Square Feet) to RM (Multiple-Family Residential). The parcel is located at 80 South 200 West and is 0.67 acres. The request was submitted by Graybird, LLC.

Graybird LLC and BJ Sparrow are requesting a rezone for this property located at approximately 85 South 200 West. The parcel is currently vacant. The block has lots that are larger than the minimum requirements for R-1-12 and has R-1-10 to the east.

Danny Scott, representing Graybird LLC and BJ Sparrow, provided a quick history of the parcel's ownership. The property was known as the Merrill Farm in the 1980s. Mr. Merrill passed away in 1987. In 1991 Debra Fowler purchased the property. She lived out of state and the property fell into disrepair. Graybird LLC purchased the property in 2023 with the intention of a 4-5-plex.

6:36 p.m. Public Hearing Opened

Thomas Swinford moved to the area from Indiana 6 years ago. They were attracted to the west side of Smithfield because of its history and quaintness; it was an idyllic

community. He said although he understands the need to grow, not all development is good, especially at the expense of not maintaining a historic part of the community. His home is on the edge of the old Fort area. He thinks this property would be a good location for two single-family homes. He would like to keep this a wonderful community.

Chris Sorensen is against this proposal. He grew up in Hyde Park and he and his wife wanted to live in a similar neighborhood. When these types of developments are proposed it is important to consider the impacts they will have on the people who live there. There is a small cottage on his property and he is a landlord himself, he is responsible for their behavior because it will affect him. A 5-plex would bring a lot of people to the area and he is worried about how it would be managed and how much accountability there would be.

Lance Harvey, owns the property to the west of this proposal. His wife's family has owned this property since 1860. His wife serves on the Historical Preservation Commission. The proposed rezone of this piece of property is improper because it will create a "zoning island" and that is not the type of growth that the City is about. As growth occurs, it should be done the right way. This property is more suited for single-family homes, similar to what surrounds it. He wants to see growth happen smartly and have pride in the City's heritage and its future.

Natasha Doolan lives across the street. She understands the need to grow but is concerned that this proposal might bring at least two cars per household which will make the road more dangerous. She has two small children and is concerned about their safety. The road is busy during the mornings and afternoons when school starts and ends. Many kids walk to school along this road and their safety should be considered.

Liz Dodge is against this proposal. She agrees with the previous comments. It is important to note that two single-family homes can be put in location, there is no reason it needs to be multi-family. She hopes the Commission will consider the residents' feelings because they live there.

Steve Olsen said a 5-plex does not fit into this neighborhood, environment, or community. He questioned what will be allowed in other areas nearby when they are opened up.

Robert Hansen is a local dairy farmer and he likes to see land use wisely, but development should also fit the area. Having multi-family in a single-family area does not fit, and it would create an odd island. There are not many options when lots within City blocks are filled in, he would like to see more flexibility in the way to do single-family homes (such as frontages).

Caralee Stokes agrees with the comments that have been expressed. These types of developments are discussed monthly; there is a need to keep more single-family homes. Developers all want multi-family because it is financially better for them. She would like the concerns to be considered.

Lee Helms would like to see common sense used with these types of development requests. Growth is inevitable and housing is needed, but the homeowners who live

around these properties should be respected because they are the ones invested in living there.

6:53 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 24-02.

Commissioner Olsen said the application indicates a 4-plex but there was a handwritten note that it would be a 5-plex. Mr. Scott said it would be a 5-plex because they have the frontage and they would be sold or rented individually.

Mr. Scott answered for Commissioner Freidenberger that there are no irrigation rights.

Commissioner Reis does not feel a 5-plex would fit in this location.

Commissioner Marshall noted that this is a rezone request for multi-family. The request is not consistent with the General Plan that calls for medium-density residential housing.

Commissioner Freidenberger asked about lot size for a PUD. Mr. Boudrero said he would have to look that information up but it would be too small for this consideration.

Commissioner Olsen agrees with Commissioners Reis and Marshall. He went out and looked at the area and thought single-family housing would fit better. He also talked to residents in the area and no one was in favor of this changing to multi-family.

Chairman Anderson said his voting record is consistent; he does not like to have multi-family development in the middle of single-family areas.

MOTION: Motion by Commissioner Freidenberger to **forward a recommendation for denial** to the City Council for Ordinance 24-02, an Ordinance rezoning Cache County Parcel Number 08-086-0097 from R-1-12 (Single-Family Residential 12,000 Square Feet) to RM (Multiple-Family Residential). The parcel is located at 80 South 200 West and is 0.67 acres. The request was submitted by Graybird, LLC. Commissioner Olsen seconded the motion. **Motion approved (6-0).**

Vote:

Yes: Anderson, Freidenberger, Holbrook, Marshall, Olsen, Reis

Abstain: Higginbotham (due to owning property to the north)

Introduction and **Public Hearing** for the purpose of discussing 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.

Dan Sundstrom and Ivan Keller are requesting a rezone for the Keller property located at 420 South 1000 East. The parcel is currently being used for agriculture. Some A-10 properties to the east have not been rezoned. The parcel has residential to the north and east. This request is for the R-1-10 (Residential) zone.

Mr. Sundstrom pointed out that this property is surrounded by single-family homes. The request is consistent with what is there. The development will be single-family homes with no lots less than 10,000 SF.

7:01 p.m. Public Hearing Opened

Caralee Stokes disapproves of this request and feels that all the lots in this area should be 12,000 SF or larger. It does not matter if there are smaller lots in the area, they were approved a long time ago and should not have been. Small lots do not fit and will create more traffic (300 South and 600 South are already bad). Roads, schools, traffic, and water have been discussed before. She is not against single-family homes, but they should all be 12,000 SF or larger.

Robert Hansen is in favor of this proposal, as he mentioned before, this is a good use of the land and matches what is there.

Chris Sorensen said this request makes sense. This could open up more home ownership ability and prove more stability and longevity in the area. Neighborhoods provide a sense of belonging and this will help create that type of environment.

7:06 p.m. Public Hearing Closed

Discussion and possible vote on <u>Ordinance 24-04</u> .
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Chairman Anderson pointed out that the property was annexed into the City at A-10 (which is the normal procedure). The General Plan lists this area as medium residential density, which does not stipulate between R-1-10 and R-1-12.

Commissioner Freidenberger asked about water rights. Mr. Sundstrom does not know what the actual rights or shares are. She asked if there would be an HOA, and Mr. Sundstrom said there would not be; there is no overlay or common area.

Commissioner Olsen likes the idea of single-family homes. He knows a few people who live in this area who would like to see a park go in. Mr. Sundstrom said he would never propose an MPC in Smithfield again. An MPC could have a park, however, these will be single-family, individually-owned lots.

Commissioner Freidenberger said this is a smart use of the land and the perfect place for this request.

Commissioner Holbrook agreed the City is burning up the available farmland, and R-1-10 is a better use than R-1-12.

Commissioner Marshall said this area is appropriate for this type of development. The quality of housing along the bench will prevent this area from becoming a poverty trap.

Commissioner Olsen asked about the size of homes that could be built. Chairman Anderson said 10,000 and 12,000 SF have to meet the same setbacks, homes could vary a bit. He also noted that this development will be located west of the power line, there has been some hesitation to build to the east for fire control prevention.

Commissioner Freidenberger said some 10,000 SF lots near where she lives have 2,700 SF homes (with smaller yards). The recent setback changes can allow for larger homes on lots.

MOTION: Motion by Commissioner Marshall to **forward a recommendation for approval** to the City Council for 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. Commissioner Holbrook seconded the motion. **Motion approved (6-1).**

Vote:

Yes: Anderson, Freidenberger, Higginbotham, Holbrook, Marshall, Reis

No: Olsen

Introduction and **Public Hearing** for the purpose of discussing for the purpose of discussing 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”.

This ordinance amends the subdivision review code in Section 16. A paragraph is being inserted that reiterates the need for an individual subdivision review before being presented to the Planning Commission for all subdivisions that are not administrative subdivisions. This review was once required by the Subdivision Technical Review Committee (STRC). Bb-housekeeping to make ordinance clear.

7:16 p.m. Public Hearing Opened

Caralee Stokes would like to see it explained better. Mr. Boudrero said the only type of development that could be approved by the Land Use Authority is single-family or townhome residential with all the required zone and Code requirements being met. Any other type of development will come through the normal process of being presented to the Planning Commission and City Council. This is only changing a paragraph in the ordinance clarifying that point.

7:19 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 24-05.

Commissioner Marshall noted one grammatical suggestion/change to 16.040.050 I-1 (second sentence) read “The review by the Land Use Authority does not apply to ...” (invert the sentence).

Commissioner Olsen said this makes sense.

MOTION: Motion by Commissioner Marshall to **forward a recommendation for approval** to the City Council for 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” with the change to the second sentence of I-1 to read “*The administrative review does not apply to*

Commercial, Industrial, Manufacturing, Mixed-Use and Multi-Family developments.”
Commissioner Freidenberger seconded the motion. **Motion approved (7-0).**

Vote:

Yes: Anderson, Freidenberger, Higginbotham, Holbrook, Olsen, Marshall, Reis

Other

Commissioner Marshall would like to see the Commission involved in the General Plan update and suggested adding a workshop item to next month's agenda where the Commission can consider ideas that they would like to see discussed in the update. Mr. Boudrero said the Steering Committee will include members from various segments of the City (including residents, Commission, City Council, staff, etc.). He does not have the specific dates but will find out and email the Commission. There will be opportunities for anyone to provide ideas and input. Commissioner Marshall would like to see some ideas coordinated from the Commission and recommended creating an opportunity to discuss them before the steering committee designation. Mr. Boudrero suggested sending an email to the City Council with their ideas. He will provide the Commission with more information once he knows.

MEETING ADJOURNED at 7:28 p.m.

Jamie Anderson, Chairman



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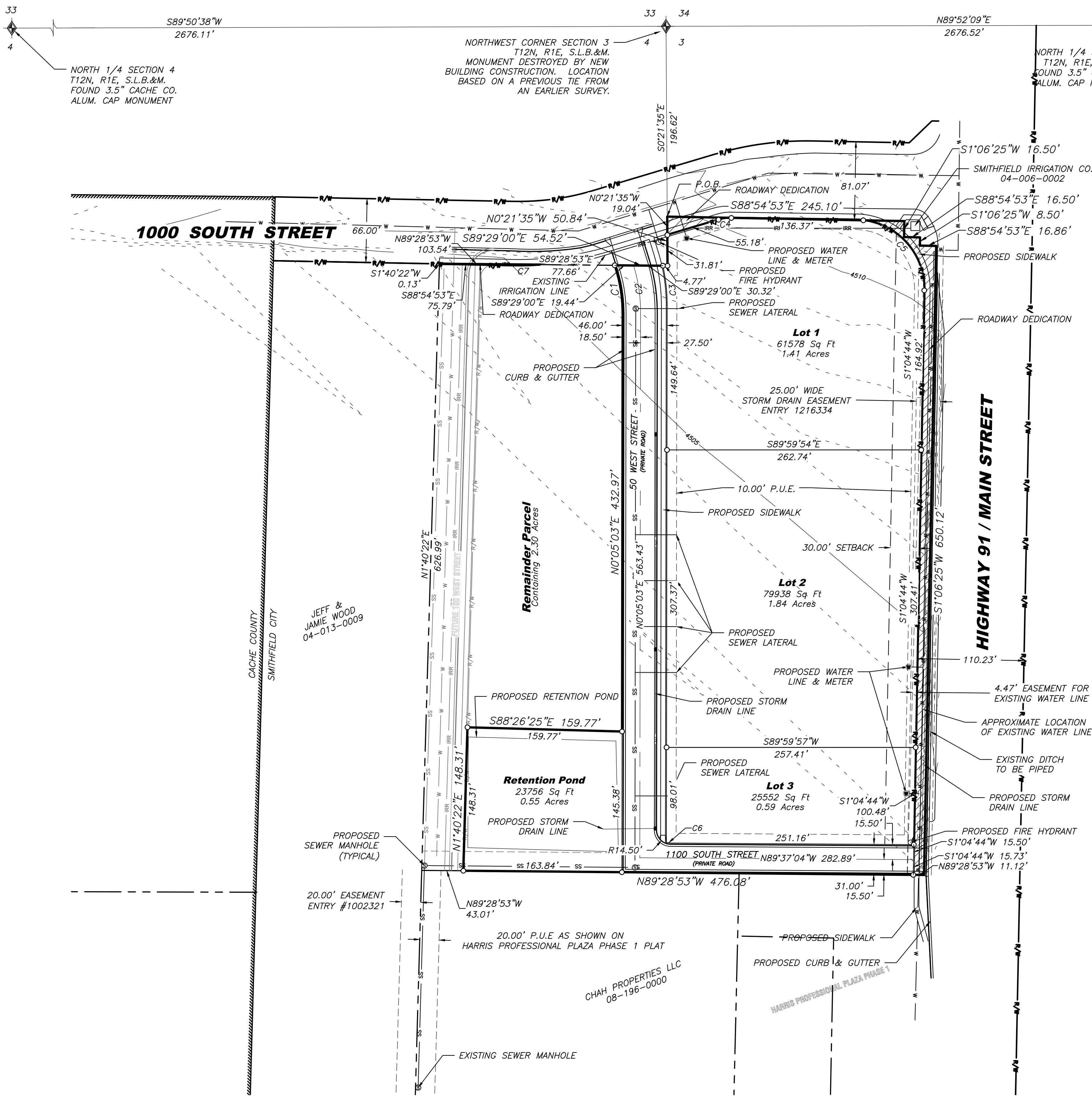
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Adjournment

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A PRELIMINARY PLAT FOR:
South Main Retail Subdivision
A PART OF THE NORTHWEST QUARTER OF SECTION 3, AND THE NORTHEAST QUARTER OF SECTION 4,
TOWNSHIP 13 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE & MERIDIAN

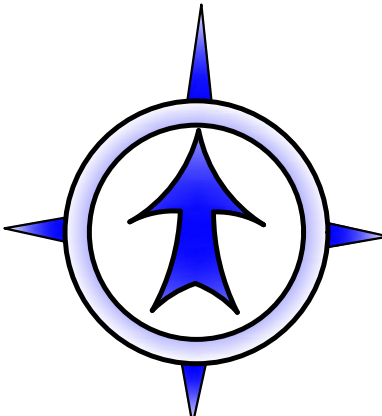


SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: TANNER WEBSTER SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

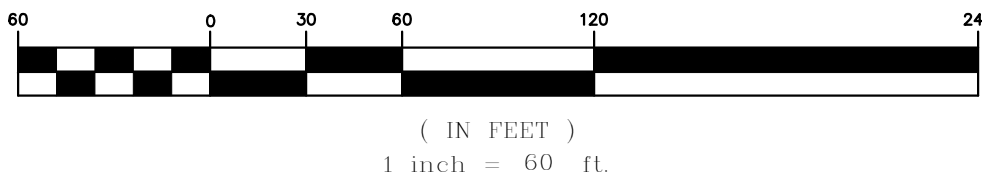
Subdivision Boundary

A PART OF THE NORTHWEST QUARTER OF SECTION 3 AND THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT SOUTH LINE OF PARCEL 08-117-0041 LOCATED SOUTH 00°21'35" EAST, A DISTANCE OF 196.62 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 3 AND RUNNING THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 245.10 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 01°06'25" WEST, A DISTANCE OF 16.50 FEET; THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 16.50 FEET; THENCE SOUTH 01°06'25" WEST, A DISTANCE OF 8.50 FEET; THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 16.86 FEET TO THE WEST RIGHT OF WAY LINE OF HIGHWAY 91; THENCE SOUTH 01°06'25" WEST, A DISTANCE OF 650.12 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTH LINE OF HARRIS PROFESSIONAL PLAZA PHASE 1; THENCE NORTH 89°28'53" WEST, A DISTANCE OF 476.08 FEET ALONG SAID NORTH LINE; THENCE NORTH 01°40'22" EAST, A DISTANCE OF 148.31 FEET; THENCE SOUTH 88°26'25" EAST, A DISTANCE OF 159.77 FEET; THENCE NORTH 00°05'03" EAST, A DISTANCE OF 432.97 FEET TO THE POINT OF CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 89°58'26" WEST, A RADIAL DISTANCE OF 149.69 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 19°00'23", A DISTANCE OF 49.66 FEET WITH A LONG CHORD BEARING NORTH 09°31'45" WEST, A DISTANCE OF 49.43 FEET; THENCE SOUTH 89°29'00" EAST, A DISTANCE OF 54.52 FEET; THENCE NORTH 00°21'35" WEST, A DISTANCE OF 50.84 FEET TO THE POINT OF BEGINNING. CONTAINING 5.42 ACRES IN THREE LOTS AND A RETENTION POND PARCEL.



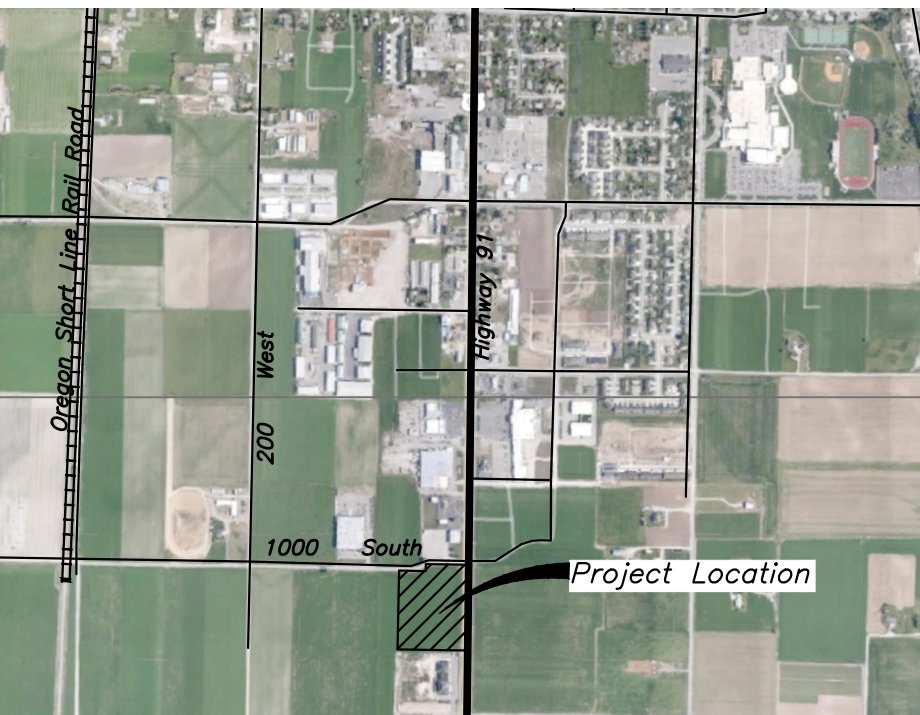
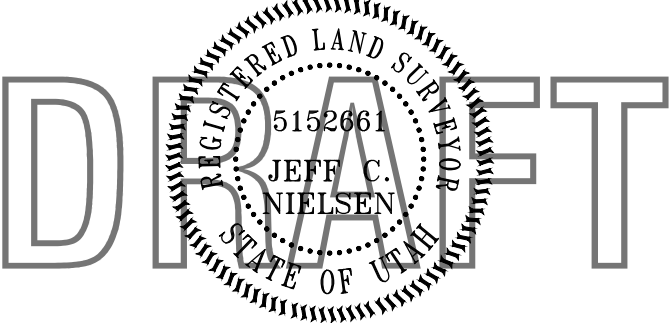
February 7, 2024

GRAPHIC SCALE



LEGEND:

- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PROPERTY
- RIGHT-OF-WAY LINE
- CORPORATE LIMITS LINE
- CENTERLINE
- PUBLIC UTILITY EASEMENT
- PROPOSED CURB
- PROPOSED SEWER LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED WATER LINE
- ROADWAY DEDICATION
- PROPOSED SEWER MANHOLE
- PROPOSED WATER METER
- PROPOSED FIRE HYDRANT
- FOUND REBAR
- SECTION MONUMENT
- SET 3/8" REBAR W/CAP



VICINITY MAP
SMITHFIELD CITY UTAH

LLC ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF CACHE) SS.

ON THIS _____ DAY OF _____, 2024, _____ PERSONALLY APPEARED BEFORE ME, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE, AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE IS THE _____ OF WEBSTER SMITHFIELD SPV, A UTAH LIMITED LIABILITY COMPANY, AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS OPERATING AGREEMENT OR RESOLUTION OF ITS MEMBERS, AND HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE PLAT. WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN UTAH
(PRINT NAME) _____

COMMISSION NUMBER - EXPIRES _____

(SEAL)

COUNTY RECORDERS NO. _____

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED
AT THE REQUEST OF: _____
DATE: _____ TIME: _____ FEE: _____
BOOK: _____ PAGE: _____

CACHE COUNTY RECORDER

SHEET 1 OF 2

FORESIGHT
LAND SURVEYING

2005 North 600 West, Logan, Utah
435-753-1910

Drawn by JH 23-228.dwg 2/7/24

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE-DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS TO HEREAFTER BE KNOWN AS TANNER WEBSTER SUBDIVISION, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL ROADS AND AREAS INTENDED FOR PUBLIC USE AS SHOWN ON THIS PLAT TO SMITHFIELD CITY. FURTHER, WE CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. WE ALSO CONVEY ANY OTHER EASEMENTS AS SHOWN ON THE PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN. IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR SIGNATURES THIS _____ DAY OF _____, 2024.

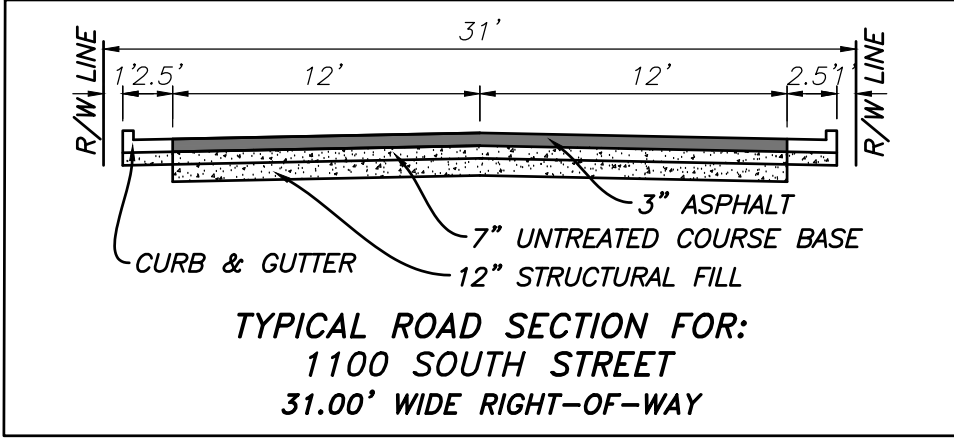
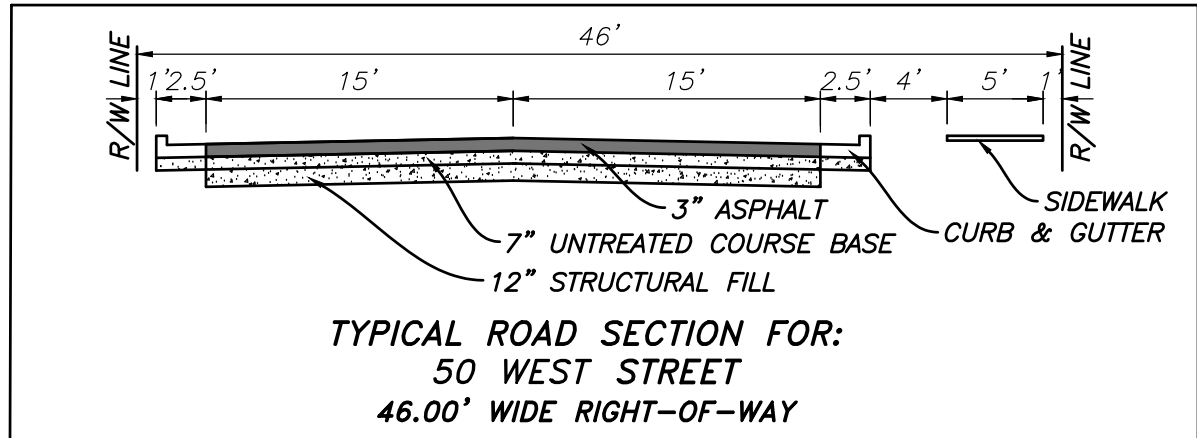
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FORESIGHT
LAND SURVEYING

2005 North 600 West, Logan, Utah
435-753-1910
Drawn by JH 23-228.dwg 1/2/24

Record Owners: Webster Smithfield SPV LLC
1496 East Jamestown Drive
Murray, Utah 84121
Engineer: Sunrise Engineering
2100 North Main Street
North Logan, Utah 84341

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	49.66	149.69	19°00'23"	N9° 31' 45"W	49.43
C2	49.32	165.00	17°07'33"	N8° 28' 40"W	49.14
C3	41.00	186.00	12°37'45"	N6° 13' 50"W	40.92
C4	13.43	44.00	17°29'38"	N82° 06' 37"E	13.38
C5	105.21	71.55	84°14'48"	S41° 02' 30"E	95.98
C6	4.59	13.50	19°28'47"	N80° 16' 26"W	4.57
C7	27.78	333.00	4°46'46"	N88° 41' 44"E	27.77



- Notes:
- ALL LOTS WITHIN THIS SUBDIVISION SHALL HAVE UNRESTRICTED ACCESS TO THE INTERIOR PRIVATE ROADS 50 WEST STREET AND 1100 SOUTH STREET.
 - MAINTENANCE AND SNOW REMOVAL ON PRIVATE INTERIOR ROADS 50 WEST STREET AND 1100 SOUTH STREET WILL BE THE RESPONSIBILITY OF THE HOA.
 - THE RETENTION POND PARCEL SHALL BE USED FOR THE CONSTRUCTION OF A STORM WATER RETENTION POND WITH MAINTENANCE AND UPKEEP BEING THE RESPONSIBILITY OF THE HOA.
 - ALL SEWER LINES WITHIN THE SUBDIVISION ARE PRIVATELY OWNED BY THE HOA AND ALL MAINTENANCE AND REPAIRS SHALL BE THE RESPONSIBILITY OF THE OWNER.

SHEET 2 OF 2

ADDRESSES	
LOT 1	1025 SOUTH MAIN STREET
LOT 2	1065 SOUTH MAIN STREET
LOT 3	1095 SOUTH MAIN STREET

UTILITY COMPANY APPROVALS
THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED
QWEST _____ DATE _____
COMCAST _____ DATE _____

CITY ENGINEERS CERTIFICATE
I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE CITY ENGINEER

PLANNING COMMISSION APPROVAL
RECOMMEND APPROVAL THIS _____ DAY OF _____
A.D. 2024 BY THE SMITHFIELD CITY PLANNING AND ZONING COMMISSION.

BY: CHAIRPERSON

CITY ATTORNEY APPROVAL
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND CITY ORDINANCE THIS _____ DAY OF _____, 2024.

SMITHFIELD CITY ATTORNEY

CITY COUNCIL APPROVAL AND ACCEPTANCE
PRESENTED TO THE SMITHFIELD CITY COUNCIL THIS _____ DAY OF _____ A.D. 2024, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR _____ ATTEST



Smithfield City Staff Report

Community Development Department

Administration • Engineering • Planning • Zoning

South Main Retail Subdivision

February 21, 2024

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: 04-006-0003

Applicant: Tanner Webster

Action Type: Administrative

Staff Recommendation: Approval

Project Location

Location:

1000 South Main Street
Smithfield, Utah

Lot Size:

7.34 Acres

Surrounding Uses:

North - Commercial (GC)
South - Commercial (GC)
East - Agricultural (A-10)
West - Commercial (GC)

Current Zoning:

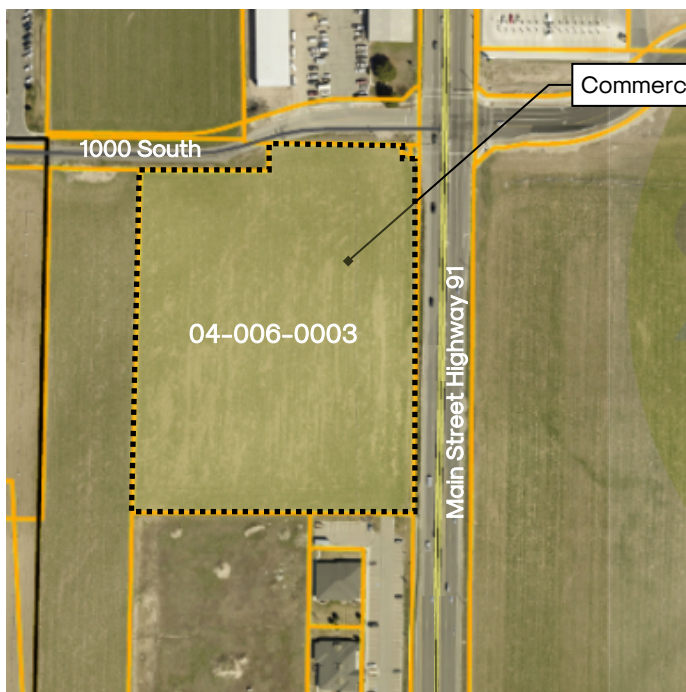
CC (Commercial)

Proposed Zoning:

None

Project Summary

Tanner Webster with Webster Smithfield SPV are requesting approval for a commercial subdivision located on the 7.34 acre property at 1000 South and Main Street. They are proposing building in two phases. The three parcels along Main Street would be developed in the first phase with the fourth as the retention/detention pond. The West half would be constructed in the second phase. They have submitted a preliminary plans that show all requirements being met and reviewed.



Findings of Fact

1. The details and information in this plat meets the requirements found in the major subdivision chapter. §16.07.030 (040)
2. The preliminary plat was submitted and reviewed in accordance with the municipal code. §16.09.020 (030)
3. All drawing details in this plat have been reviewed by the city. §16.09.040

Conclusion and Recommendation

Based on the findings of fact listed above, the staff recommends **approval** of the South Main Retail Subdivision Preliminary Plat, as meeting the requirements of Smithfield City Municipal Code.



ORDINANCE NO. 24-08

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.36 “SIGNS”, SECTION 17.36.060 “PERMITTED SIGNS; PERMITS NOT REQUIRED”.

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

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

17.36.060 PERMITTED SIGNS; PERMITS NOT REQUIRED
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- I. Political Campaign/Election Signs: Signs or posters announcing the candidates seeking political office and/or political issues, and data pertinent thereto up to an area of twelve (12) square feet. These signs shall be confined to private property and located no closer than two hundred feet (200') to a polling place. ~~Primary election signs shall not be installed sooner than thirty (30) days before the Primary Election and must be removed within seven (7) days after the Primary Election. General election signs shall not be installed sooner than thirty (30) days before the General Election and must be removed within seven (7) days after the General Election.~~ These signs shall be in compliance with the standards identified in SMC 17.36.090, "Signs At Street Intersection", of this chapter;
 1. In areas where there is not a sidewalk or curb and gutter; signs must be placed a minimum of ten feet (10') from the edge of the road surface.
 2. In areas where there is not a sidewalk but there is curb and gutter; signs must be placed a minimum of ten feet (10') from the back edge of the curb and gutter.
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 13th day of March, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Municipal Code Changes

February 21, 2024

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

Ordinance 24-08 Election Signs

- This ordinance removes the verbiage that details the time frame that election campaign signs can be installed and removed. The city will not dictate the interval of time that the signs are used, so far as they are on private property.



ORDINANCE NO. 24-09

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”, CHAPTER 16.06 “MINOR SUBDIVISION”, SECTION 16.06.050 “APPROVAL OF THE MINOR SUBDIVISION”, CHAPTER 16.07 “MAJOR SUBDIVISIONS”, SECTIONS 16.07.030 “PRELIMINARY PLAT”, 16.07.040 “FINAL PLAT”, CHAPTER 16.09 “PRELIMINARY PLATS”, SECTION 16.09.040 “APPROVAL OF PRELIMINARY PLAT”, AND CHAPTER 16.12 “FINAL PLATS”, SECTION 16.12.030 “PREPARATION AND REQUIRED INFORMATION”.

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

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

16.04.050 GENERAL RESPONSIBILITIES

- I. The specific preliminary **and final** review and approval by the “Administrative Land-Use Authority,” applies only to single-family, two-family and townhome subdivisions. Condominium, mixed-use, ~~and~~ multi-family **and intrablock** developments do not apply **and must still receive approval from the Planning Commission and City Council.**

16.06.050 APPROVAL OF THE MINOR SUBDIVISION
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- A. A final plat shall be submitted to the planning department, with a complete application and fee payment determined by the current fee schedule. The final plat will be reviewed by the Administrative Land-Use Authority. Upon receiving approval from the Administrative Land-Use Authority, the final plat must be submitted to the county recorder's office.
- B. The process of review by the **Administrative Land-Use Authority** ~~subdivision review staff~~, will be considered a “review cycle.” A total of four (4) review cycles can occur before approval or denial is given. Failure to submit a completed application, the final plat and paying the appropriate fees will result in the review process being restarted.

- C. Following the review of the proposed minor subdivision, the **Administrative Land-Use Authority** ~~subdivision review staff~~ shall either approve, propose conditions, or deny the final plat.
- D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas **and Intra-block Subdivisions**.
- E. All applications and fees will start over after the four (4) cycles.
- F. A total of four (4) review cycles are provided by the city. Each review for a final plat shall be completed with twenty (20) business days after complete application submission.

16.07.030 PRELIMINARY PLAT

- A. A preliminary plat shall be submitted to the planning department, with a complete application and fee payment determined by the current prevailing fee schedule. The preliminary plat will be reviewed by the Administrative Land-Use Authority. Upon receiving approval from the Administrative Land-Use Authority, the preliminary plat ~~may then~~ **will either** advance to the final plat process **or be submitted to the Planning Commission for approval or denial, see §SMC16.04.050 (I).**
- B. The process of review will be considered a review cycle. A total of four (4) review cycles can occur before approval or denial by the Administrative Land-Use Authority. Failure to submit a completed application, preliminary plat and paying the appropriate fees will result in the review process being restarted.
- C. Following the review of the proposed subdivision, the Administrative Land-Use Authority shall either approve, reject, propose conditions, or ~~reject~~ **submit** the preliminary plat **to the Planning Commission, see §SMC16.04.050 (I).** Once approval has been given, the preliminary plat will be reviewed by the City Attorney and a full set of construction documents shall be provided to the City Engineer.
- D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas.
- E. All applications and fees will start over after the four (4) cycles.
- F. A total of four (4) review cycles are provided by the city. Each review for a preliminary plat shall be completed with fifteen (15) business days after complete application submission.
- G. Granting of a preliminary plat approval by the Administrative Land-Use Authority shall not constitute a final acceptance of the subdivision. Nor shall approval of the preliminary plat relieve the subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all city standards and requirements.

16.07.040 FINAL PLAT

Within eighteen (18) months of the approval of the preliminary plat by the Administrative Land-Use Authority, **or the Planning Commission,** the subdivider shall prepare a final plat in accordance with the provisions of chapters SMC 16.12 and SMC 16.16 of this title. One (1) electronic version shall be submitted to the planning department. The "Administrative Land-use Authority" shall, upon receiving the final plat, review, approve or deny, based on the Smithfield City Municipal Code. The

process of final review will be considered a review cycle. A total of four (4) review cycles can occur before approval or denial by the Administrative Land-Use Authority. Failure to submit a completed application, final plat and paying the appropriate fees will result in the review process being restarted. Following the final determination by the "Administrative Land-Use Authority" and after compiling all requisite signatures, the subdivider shall then submit the final plat to the County Recorder.

16.09.040 APPROVAL OF PRELIMINARY PLAT

- A. A preliminary plat shall be submitted to the planning department, with a complete application and fee payment determined by the current prevailing fee schedule. The preliminary plat will be reviewed by the Administrative Land-Use Authority. Upon receiving approval from the Administrative Land-Use Authority, the preliminary plat may then advance to the final plat process: or be submitted to the Planning Commission for approval or denial, see §SMC16.04.050 (I).
- B. The process of review will be considered a review cycle. A total of four (4) review cycles can occur before approval or denial by the Administrative Land-Use Authority. Failure to submit a completed application, preliminary plat and paying the appropriate fees will result in the review process being restarted.
- C. Following the review of the proposed subdivision, the Administrative Land-Use Authority shall either approve, reject, propose conditions, or reject submit the preliminary plat to the Planning Commission, see §SMC16.04.050 (I). Once approval has been given, the preliminary plat will be reviewed by the City Attorney and a full set of construction documents shall be provided to the City Engineer.
- D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas.
- E. All non-compliant applications and fees will start over after the four (4) cycles.
- F. A total of four (4) review cycles are provided by the city. Each review for a preliminary plat shall be completed within fifteen (15) business days after complete application submission.
- G. Granting of a preliminary plat approval by the Administrative Land-Use Authority shall not constitute a final acceptance of the subdivision. Nor shall approval of the preliminary plat relieve the subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all city standards and requirements.

16.12.030 PREPARATION AND REQUIRED INFORMATION

- C. **Standard Forms For The Final Plat:** The final plat shall include:
 - 1. A registered land surveyor's certificate of survey in the form required by state law;
 - 2. The owner's certificate of dedication;
 - 3. A notary public's acknowledgment;
 - 4. The eCity Planning Manager's certificate of approval;
 - 5. The City Engineer's certificate of approval;
 - 6. The City Attorney's certificate of approval;

7. A space in the lower left hand corner of the drawing for the Cache County Recorder's use;
8. The Planning Commission approval [if required by §SMC16.04.050 (I)];
9. The City Council approval [if required by §SMC16.04.050 (I)];
10. City Manager's certificate of approval

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 13th day of March, 2024

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder



Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Municipal Code Changes

February 21, 2024

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

Ordinance 24-09 Land Use Authority

- Verbiage has been changed to add "final" plat to the review in addition to preliminary.
- The Intrablock subdivision was added to the developments that need to go to both Planning Commission and City Council for approval. They are typically single family, however, they are not a part of the standard single family code and require a conditional use permit.
- The term "Administrative Land Use Authority" will replace the term "Subdivision Review Staff."
- Inserting verbiage that differentiates when a plat will be submitted to the Planning Commission or the Administrative Land Use Authority.
- Adding signature stamps to the list of required stamps. Specifically the Planning Commission and City Council Stamps that were removed, and the City Manger Stamp required by the County Recorder in specific situations.

