



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 19, 2025**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer

1. Approval of Planning Commission Meeting Minutes from January 15, 2025.
2. Resident Input
3. Continued discussion and possible vote on the conditional-use permit request by Superior Machine to manufacture firearms and firearm parts at 150 West 700 South #B2. The application was submitted by Neal Stevens. Zoned GC (General Commercial).
4. Public Hearing for the purpose of discussing Ordinance 2025-03, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.12 "Final Plats", Section 16.12.030 "Preparation and Required Information", Title 17 "Zoning Regulations", Chapter 17.04 "General Provisions", Section 17.04.070 "Definitions", Chapter 17.81 "Master Planned Community (MPC) Zone" Sections 17.81.130 "Development Agreement", 17.81.140 "Modification of Approved Plan", and adding in their entirety Chapter 17.56 "R-1 Single-Family Residential", Section 17.56.060 "Development Standards", and Chapter 17.100 "Site Development and Landscaping", Section 17.100.025 "Landscaping Requirements for New Construction in Residential Zones".
5. Discussion and possible vote on Ordinance 2025-03.
6. Public Hearing for the purpose of discussing Ordinance 2025-05, an Ordinance amending the Smithfield City Construction & Design Standards, Part I "Design Standards", Chapter 5.0 "Culinary Water System Design", Section 5.1 "General".
7. Discussion and possible vote on Ordinance 2025-05.

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) 792-7997, at least three (3) days before the date of the meeting.



SMITHFIELD CITY PLANNING COMMISSION MINUTES January 15, 2025

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 15, 2025

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

Members Excused: Lazaro Soto

City Staff: Brian Boudrero, McKenzie Nelson

Others in Attendance: Ted Stokes, Michelle Anderson, Andrew Bragg, Emily Cline

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 18, 2024 meeting to stand as submitted. Commissioner Marshall abstained.

RESIDENT INPUT

Ted Stokes wants to emphasize the meeting welcome format the City hopes to obtain at Commission and Council meetings. The past structure seemed to limit what ought to be offered. Members should be allowed and encouraged to provide a thought or a prayer at the beginning of the meeting.

AGENDA ITEMS

Discussion and possible vote on the conditional use permit request by Superior Machine to manufacture firearms and firearm parts at 150 West 700 South #B. The application was submitted by Neal Stevens. Zone GC (General Commercial).

Mr. Boudrero explained that Neal Stevens with Superior Machine requests approval of a conditional-use permit for the manufacturing business in the Foster Commercial complex on 700 South. He would like to supplement his machine shop manufacturing to include firearm sales and manufacturing. Mr. Stevens has received approval from the property owner for the conditional-use. They currently have one (1) full-time employee and run the machines Monday through Friday, eight hours each day.

Commissioner Freidenberger is curious about what exactly he will be producing.

Commissioner Price asked if this request was similar to the one from a few months ago by Mountain Valley Machine. Mr. Boudrero said that was an amendment to their conditional-use permit, similar to this request.

Commissioner Freidenberger asked if they would be selling firearms. Mr. Boudrero said the application indicates they will be manufacturing the parts. The applicant is not in attendance to clarify any further. The applicant is the only employee of the business; he has been machining for many years.

Chairman Anderson asked if the approval would be for firearms and firearms parts. Mr. Boudrero said that is what is being requested. This will allow him to move forward to obtain a Federal Firearms License (FFL), which is issued by ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives). Chairman Anderson said he would like to talk to the applicant; Mr. Boudrero said the request could be continued to the next meeting, at the Commission's discretion, because the applicant is absent.

Commissioner Marshall said an appropriate condition would be securing firearms and parts. Commissioner Olsen said the city does not need to put too many conditions in place for something the federal government will regulate. Commissioner Reis said the FFL does require that everything be secured and they can do inspections.

Mr. Boudrero confirmed for Commissioner Freidenberger that he needs the City's approval before submitting for an FFL.

Commissioner Reis said he thinks this should be continued until the applicant is in attendance to answer questions and explain his plan.

Commissioner Holbrook and Commission Olsen would prefer to proceed with a decision; the request seems to be more of a formality, with nothing out of the ordinary.

Mr. Boudrero said the use in this zone has already been approved by the City Council. The discussion would be to determine if any conditions should be added to mitigate potential impacts. Commissioner Marshall said since the applicant is not in attendance, the Commission can only speculate on what potential impacts might be.

MOTION: Motion by Commissioner Reis to TABLE this discussion to the next meeting for the applicant to be in attendance to answer questions.

Commissioner Freidenberger seconded the motion. Motion approved (5-2).

Vote:

Yes: Anderson, Freidenberger, Marshall, Price, Reis

No: Holbrook, Olsen

OTHER

Tonight is Commissioner Reis and Commissioner Freidenberger's last meeting.

Commissioner Reis said his time on the Commission has been an eye-opening experience. He has learned a lot about the city process and has enjoyed being part of it.

Commissioner Freidenberger is grateful for her time on the Commission and all that she has learned; she has had a good experience.

Chairman Anderson thanked them for all their time and hard work over the years.

Commissioner Holbrook was selected to serve as the Vice-Chair.

Mr. Boudrero said the Mayor and two councilmembers will meet with individuals interested in serving on the Commission to fill the two vacant spots.

Commissioner Freidenberger hopes the Mayor and Council choose to represent all parts of Smithfield.

Commissioner Olsen asked who the appeal authority is; Mr. Boudrero said Paul Larsen, who serves as Hyrum City judge, oversees appeals.

MEETING ADJOURNED at 7:00 p.m.

Jamie Anderson, Chairman



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Welcome/Pledge of Allegiance and/or thought/prayer

1. Approval of Planning Commission Meeting Minutes from December 18, 2024.
2. Resident Input
3. Discussion and possible vote on the conditional use permit request by Superior Machine to manufacture firearms and firearm parts at 150 West 700 South #B2. The application was submitted by Neal Stevens. Zoned GC (General Commercial).

Adjournment

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

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Smithfield City Staff Report

Community Development Department
Administration • Engineering • Planning • Zoning

Superior Machine Conditional Use Permit

January 15, 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: 08-109-0024

Applicant: Neal Stevens

Action Type: Administrative

Staff Recommendation: Approval

Project Location

Location:
700 South 150 West
Smithfield, Utah

Lot Size:
4.52 Acres

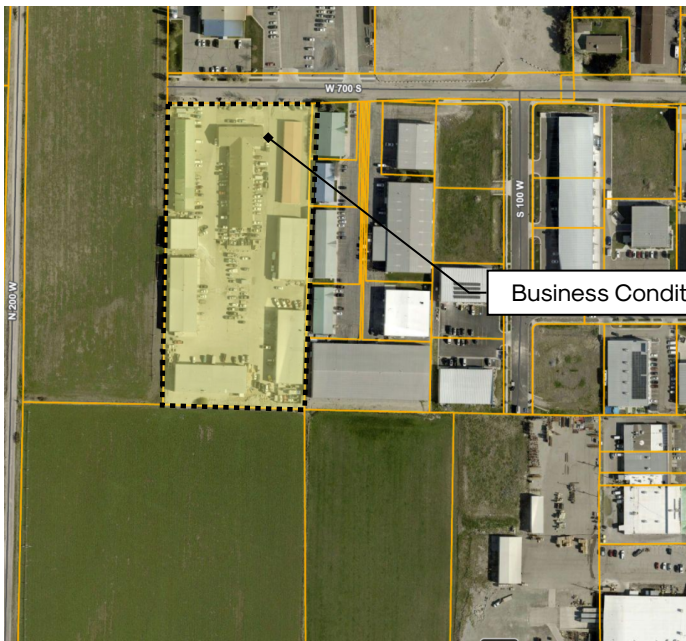
Surrounding Uses:
North - Manufacturing (M-1)
South - General Commercial (GC)
Agricultural (A-10)
East - General Commercial (GC)
West - Manufacturing (M-1)

Current Zoning:
GC General Commercial

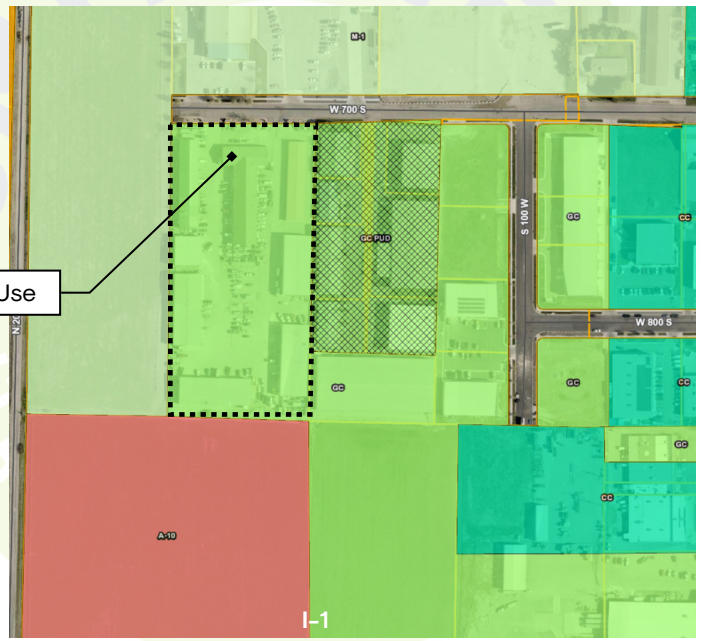
Proposed Zoning:
None

Project Summary

Neal Stevens with Superior Machines is requesting approval of a conditional use permit for the manufacturing business in the Foster Commercial complex. He would like to supplement his machine shop manufacturing to include firearm sale as and manufacturing. Neal has received approval of the property owner, for the conditional use. They currently have (1) one full time employee and run the machines Monday through Friday, 8 hours each day.



Business Conditional Use



Findings of Fact

1. The Use Matrix Table shows a "Gun Shop" to be a conditional use in GC General Commercial Zone. §17.120.010
2. The definition of conditional use is found in the General Provisions of our zoning code. §17.04.070
3. Review criteria and general information for conditional uses can be found in §17.32.00.
4. The proposed business has been approved for all required state federal licenses as required in §5.20

Conclusion and Recommendation

Based on the findings of fact listed above, the staff recommends **approval** of the Superior Machine, (dba) Shepard Arms conditional Use Amendment.



ORDINANCE NO. 2025-03

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

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

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

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 “SUBDIVISION REGULATIONS”, CHAPTER 16.12 “FINAL PLATS”, SECTION 16.12.030 “PREPARATION AND REQUIRED INFORMATION”, TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.04 “GENERAL PROVISIONS”, SECTION 17.04.070 “DEFINITIONS”, CHAPTER 17.81 “MASTER PLANNED COMMUNITY (MPC) ZONE” SECTIONS 17.81.130 “DEVELOPMENT AGREEMENT”, 17.81.140 “MODIFICATION OF APPROVED PLAN”, AND ADDING IN THEIR ENTIRETY CHAPTER 17.56 “R-1 SINGLE-FAMILY RESIDENTIAL”, SECTION 17.56.060 “DEVELOPMENT STANDARDS”, AND CHAPTER 17.100 “SITE DEVELOPMENT AND LANDSCAPING”, SECTION 17.100.025 “LANDSCAPING REQUIREMENTS FOR NEW CONSTRUCTION IN RESIDENTIAL ZONES”.

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.

16.12.030 PREPARATION AND REQUIRED INFORMATION

B. Description And Delineations: The final plat shall show:

- 7. The dedication to the city of all streets and highways included in the proposed subdivision, **with exception of approved private roads and alleys;**

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 City 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 for the Cache County Recorder's use;~~

- ~~8. The Planning Commission approval [if required by SMC 16.04.050 (I)];~~
- ~~9. The City Council approval [if required by SMC 16.040.050 (I)]~~
- ~~10. City Manager's certificate of approval~~

1. Final Plats for Commercial, Industrial, Manufacturing, Condominium, Mixed-Use, Multi-Family and Intra-block Developments must include the following:

- a. A registered land surveyor's certificate of survey in the form required by state law.
- b. The owner's certificate of dedication.
- c. A notary public's acknowledgment.
- d. The City Engineer's certificate of approval.
- e. The City Attorney's certificate of approval.
- f. A space for the Cache County Recorder's use.
- g. The Planning Commission certificate of approval.
- h. The City Council certificate of approval.

2. Final Plats for Single-family, Two-family and Townhome Subdivisions must include the following:

- a. A registered land surveyor's certificate of survey in the form required by state law.
- b. The owner's certificate of dedication.
- c. A notary public's acknowledgment.
- d. The City Planning Manager's certificate of approval.
- e. The City Engineer's certificate of approval.
- f. The City Attorney's certificate of approval.
- g. A space for the Cache County Recorder's use.
- h. The City Manager's certificate of approval.

17.04.070	DEFINITIONS
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LOT: A parcel of land ~~occupied or~~ to be occupied by a main building, or group of buildings (~~main and accessory~~), **(conditional upon the prevailing zone)** together with such yards, open spaces, and yard areas as are required by this title and having frontage upon a street. Except for group dwellings **and detached accessory dwelling units**, ~~not more than one dwelling structure shall occupy any one lot.~~

17.81.130	DEVELOPMENT AGREEMENT COMPLIANCE
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- ~~A. As part of the final MPC approval, the City and developer shall prepare and execute a development agreement which, among other things, shall outline the following:

 - ~~1. By what manner any private roads, open space, or other non-public common areas within the MPC shall be owned, managed, maintained and retain the beneficial use to all owners and occupants of the MPC.~~
 - ~~1. In the case of private ownership of the open space, said spaces shall be protected against building development by conveying to Smithfield City an open space easement over such areas.~~~~

2. ~~How the developer intends to provide financial security for the completion of the project.~~
3. ~~A projected timeline of the associated phasing, including the infrastructure, facilities and amenities.~~
- ~~B. Penalties for non-performance on either the City or the developer's part.~~
- ~~C. Any other conditions of the project which the City Council shall deem appropriate to ensure successful execution of the MPC.~~
- ~~D. The development agreement shall be given preliminary approval as part of the preliminary plan approval and shall be given final approval as part of the final MPC approval.~~
- ~~E. In order to ensure the continuity and viability of the development agreement, said agreement shall be recorded against the property at the time the final MPC approval is granted.~~
- ~~F. No MPC may begin construction until such time as the development agreement has been approved and recorded.~~

Amenities Shall be installed and usable by residents at the same rate as housing development occurs, i.e. fifty percent (50%) area developed equates to fifty percent (50%) usable amenities.

Smithfield City shall have the right, but not the duty, to require, and if necessary, perform or cause to be performed, at the expense of the owner of the open space and other private area(s), including clubhouse, pool and other recreation facilities, (HOA, hereafter), all landscaping, snow removal, and other upkeep and maintenance services, as applicable, within the open space area(s), if the HOA fails adequately to perform such tasks. The city may take these actions when asked to assume responsibility for such upkeep and maintenance tasks by the HOA and the city council may also take such actions when it determines the need based on a pattern of neglect and lack of maintenance and after meeting the procedures outlined in the Covenants, Conditions and Restrictions (CC&Rs), recorded concurrently with this final plat. In the event Smithfield City exercises this right, the city shall be entitled to assess and collect the necessary HOA fees and recover any associated costs and attorney fees. This notation shall not be amended or deleted without the approval of Smithfield City.

17.81.140	MODIFICATION OF APPROVED PLAN
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Any modifications shall follow ~~the current Utah Code Annotated.~~ SMC 17.81.040

17.56.060	DEVELOPMENT STANDARDS
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- A. Before any building is constructed, enlarged, expanded, or experiences a change in land use, a site development plan shall be prepared and approved in accordance with SMC 17.100 of this title.
- B. Residential lots (not part of a subdivision) that do not have curb, gutter and sidewalk shall install the infrastructure as part of the new residential construction. If a structural addition is implemented to a residence, the curb, gutter and sidewalk must be repaired before any deposits are refunded/returned.
- C. Trash storage shall be on the private lot and placed in the right-of-way for forty-eight (48) hours or less on the day of collection.

17.100.025 LANDSCAPING REQUIREMENTS FOR NEW CONSTRUCTION IN RESIDENTIAL ZONES

- A. **Planted Park Strip:** All planted strips that are four (4) feet or wider may have trees or bushes that meet the city standards for pruning and are currently on the Tree Warden’s “Approved Tree List”.
- B. **Curbing:** Where no curb and gutter exists along frontage streets, said curb and gutter and sidewalk shall be installed in accordance with city standards.
- C. **Sidewalk:** If no sidewalk exists along the frontage of the residential lot, then sidewalk shall to installed by the owner/developer before deposits may be refunded. All existing sidewalks that do not meet current city standards must be replaced.

- 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 12th day of March, 2025

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, City Recorder

ORDINANCE NO. 2025-05

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 CONSTRUCTION & DESIGN STANDARDS, PART I “DESIGN STANDARDS”, CHAPTER 5.0 “CULINARY WATER SYSTEM DESIGN”, SECTION 5.1 “GENERAL”.

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.

5.1 GENERAL

H. Fire hydrants shall be installed in all subdivisions in locations designated by the fire department and city engineer. Fire Hydrants shall be spaced such that no structure requiring fire protection is more than 600 feet from a fire hydrant. Fire hydrants shall be of the dry barrel design with a minimum five (5) ft bury. The gate valve for the service line shall be connected to the main line with a flanged fitting. Hydrants shall be Clow, Mueller or Waterous with three (3) outlets.

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.
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