



SMITHFIELD CITY PLANNING COMMISSION MINUTES February 17, 2021

The Planning Commission of Smithfield City met in the City Council Chambers
96 South Main, Smithfield, Utah at 6:30 p.m. on Wednesday, February 17, 2021

The following members were present constituting a quorum:

Members Present: Scott Gibbons (Chairman), Katie Bell, Hutch Daniels, Brooke Freidenberger, Bob Holbrook, Stuart Reis, Juli Weber

City Staff: Clay Bodily, Brian Boudrero, Jon Wells, Mayor Jeff Barnes

Others in Attendance: Merrilee Wells, Kenneth Bell, Josh Runhar, Jesse & Tiffany Vega, Casey Hillyard, Josh Jensen, Jared Nielson, Donald Patterson, Brice Sadler, Erin Campbell, Derek Jenson, Scott Archibald, Debbie Zilles

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

Consideration of consent agenda and approval of meeting minutes

After consideration by the Commission, Chairman Gibbons declared the meeting agenda and the minutes from the January 20, 2021 meeting to stand as submitted.

RESIDENT INPUT - None

AGENDA ITEMS

Discussion and possible vote on the request by Neighborhood Nonprofit Housing Corporation for approval of the Preliminary Plat for Smithfield Pointe Phase 2, an (18) lot/unit subdivision located at approximately 540 East 680 North. Zoned R-1-10 PUD (Single-Family Residential 10,000 Square Feet PUD Overlay Zone).

Josh Runhaar with Neighborhood Housing said this is the first phase moving west from the existing development. In this phase, they will cap off the stub roads so there will no longer be dead-end roads. This will tie a bunch of the pieces together. Lots are going in on the north side and down the west side of 540 East – all the infrastructure down 540 East has recently been finalized. Sumps will be put in instead of retention basins. The sewer line to the west is being finalized to connect it from east-west. The road to the south has been stubbed so the owner of the property to the south can make the most of that parcel in the future. There is a utility easement and sewer line which will go down the south side as well.

Commissioner Freidenberger asked about planned open space in the PUD. Mr. Runhaar said there will be two parks, a small pocket park on the southwest side and a larger park with trail systems further north. Commissioner Freidenberger asked if the hillside and the hollows would count toward open space. Mr. Boudrero said it would and they are using it as part of the park.

MOTION: Motion made by Commissioner Bell to approve the request by Neighborhood Nonprofit Housing Corporation for approval of the Preliminary Plat for Smithfield Pointe Phase 2, an (18) lot/unit subdivision located at approximately 540 East 680 North. Zoned R-1-10 PUD (Single-Family Residential 10,000 Square Feet PUD Overlay Zone) with the assurance that all points in the Staff Report (see below) are met. Commissioner Reis seconded the motion. **Motion approved (7-0).**

Excerpt Staff Report:

"...The PUD overlay was accepted, and they are not asking for any density bonuses. The approval of the setbacks for a PUD will still need to be asked for in the minutes if it is approved. The waterline along 600 East will need to be upsized to a 12" – this is an extension of the 12" that comes from the canyon and eventually it will connect to booster pumps and storage tanks as shown in the Water Master Plan. The culinary water line along 680 North will need to be upsized to a 1" line, it will eventually connect to a pressure reducer and connect to 680 North in Hunter Meadows. Along the way, the sewer will parallel the power lines for a distance, and as part of the Sanitary Sewer Easement Ordinance, that was changed. This will be dedicated to the City sewer north of the power lines.

The sanitary sewer line will be put in as the first part of this subdivision, as with all subdivisions, however, this one must connect with 680 North in the Hunter Meadows subdivision. The sewer and storm drain from Smithfield Pointe will be connected to this system thereby vacating a point in the 2019 Smithfield Pointe. It will be asked that the existing pond be abandoned.

There are no PUD road width exceptions that are being asked for, the storm drain will handle it with a series of sumps that will continue to the west and the contractor hope to run across the pipe that feeds the spring down on the Peterson property so that it can be addressed. If this is not found, it will have to be addressed in a future development of this property that is owned by NNH."

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

Discussion and possible vote on the request by Lantern Hill, LLC for approval of the Final Plat for Lantern Hills Phase 3, a (20) lot/unit subdivision located at approximately 680 Upper Canyon Road. Zoned R-1-12 (Single-Family Residential 12,000 Square Feet).

Jared Nielson explained that this is the third and final phase for this development. They were hoping to have Phase 2 constructed before winter; however, the excavating fell behind so they are in the process of excavating that phase and would like to begin Phase 3 at the same time. He indicated that all lots in Phase 2 are under contract but have not closed yet.

MOTION: Motion made by Commissioner Daniels to approve the request by Lantern Hill, LLC for approval of the Final Plat for Lantern Hills Phase 3, a (20) lot/unit subdivision located at approximately 680 Upper Canyon Road. Zoned R-1-12 (Single-Family Residential 12,000 Square Feet). Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

Discussion and possible vote on the request by S&H Development for approval of the Preliminary Plat for Sky view Heights, a (57) lot/unit subdivision located approximately 1080 East 600 South. Zoned R-1-12 (Single-Family Residential 12,000 Square Feet).

Brice Sadler said this is Phase 1 of the development. As required, they will have two asphalt accesses. He pointed out where the retention pond will be located.

Mr. Bodily reminded the Commission that the final plat will come before the Commission for review before it can be recorded.

Commissioner Freidenberger asked about the slopes. Mr. Sadler said the lots vary from 5-25%, some of the larger lots will be built up to help keep the height uniform.

MOTION: Motion made by Commissioner Bell to approve the request by S&H Development for approval of the Preliminary Plat for Sky view Heights, a (57) lot/unit subdivision located at approximately 1080 East 600 South. Zoned R-1-12 (Single-Family Residential 12,000 Square Feet). Commissioner Weber seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

Discussion on adding the MPC (Master Planned Community) Zone to the Use Matrix Table.

The Commission determined uses appropriate for the Master Planned Community.

12.120.010 USE ALLOWANCE MATRIX

AC - “administrative conditional”, **C** – “conditional”, **P** – “permitted”

Accessory apartment – **AC**
Accessory building – **P**
Chickens – **AC**
Childcare center, residential – **AC**
Dwelling, 1 unit attached – **P**
Dwelling, 1 unit detached – **P**
Dwelling, 2 unit – **P**
Dwelling, multi-unit – **P**
Home occupation, disruptive – **C**
Home occupation, non-disruptive – **P**
Household Pets – **P**
Kennel/cattery, non-commercial – **AC**
Preschool, home – **AC**
Stealth antennas – **P**
Foster homes – **C**
Institution of religions – **C**
Recreational club facilities – **C**
Residential facility for elderly persons – **C**
Residential facility for persons with a disability – **C**

School – C
Sewage or water pump station – P
Water wells, reservoir, or storage tank – P
Golf Course – C
Private swimming pool – P
Splash pad – C
Flagpoles – P
Signs – P
Municipal Parks – P
Picnic Pavilion - P

Public Hearing, no sooner than 7:00 p.m., on Ordinance 21-04, an ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Section 16.04.050 “General Responsibilities”, Section 16.04.070 “Required Certificates, Permits and Reviews”, Section 16.04.080 “Fees”, Section 16.06.010 “General Purpose”, Section 16.07.020 “Concept Plan”, Section 16.07.030 “Preliminary Plan”, Section 16.05.040 “Subdivision Technical Review Committee (STRC) and Title 17 “Zoning Regulations”, Section 17.84.030 “Subdivision Requirements”, Section 17.88.090 “Approval Process”, Section 17.88.100 “Approval of Conceptual Plan Review and PUD Overlay Zone” and Section 17.88.130 “Final PUD Plan Approval”.

7:19 p.m. Public Hearing Opened

7:20 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-04.

Mr. Boudrero explained that the wording “concept plan” were removed and Subdivision Technical Review Committee (STRC) was added. This is a housekeeping item to make sure the changes are made in each section of the Code.

MOTION: Motion made by Commissioner Gibbons to forward a recommendation to the City Council to **approve** Ordinance 21-04, an ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Section 16.04.050 “General Responsibilities”, Section 16.04.070 “Required Certificates, Permits and Reviews”, Section 16.04.080 “Fees”, Section 16.06.010 “General Purpose”, Section 16.07.020 “Concept Plan”, Section 16.07.030 “Preliminary Plan”, Section 16.05.040 “Subdivision Technical Review Committee (STRC) and Title 17 “Zoning Regulations”, Section 17.84.030 “Subdivision Requirements”, Section 17.88.090 “Approval Process”, Section 17.88.100 “Approval of Conceptual Plan Review and PUD Overlay Zone” and Section 17.88.130 “Final PUD Plan Approval”. Commissioner Bell seconded the motion.

Motion approved (7-0).

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

Public Hearing, no sooner than 7:10 p.m., on Ordinance 21-07, an ordinance rezoning Parcel Number 08-080-0008 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at approximately 400 North from 200 to 300 West and totals 5.00 acres.

7:22 p.m. Public Hearing Opened

Casey Hillyard asked how many dwellings could be allowed. Mr. Wells said RM allows up to 10 units/acre so there could be up to 50 on the 5-acre parcel. Mr. Hillyard asked what the Master Plan calls out for this area; Chairman Gibbons said it is R-1-10 (which is what it is currently zoned) which allows for 3-5 units/acre. Mr. Hillyard is not excited about the possibility of multi-family dwelling units located here, he thinks 50 units would be too many and encouraged the Commission to deny the request.

Erin Campbell sent an email to the Commission before the meeting and reiterated her opinion that the RM zone does not fit the area and the rezone would benefit a single property owner rather than follow the City's General Plan. Although she does not know what the plan is, 50 units would be too many for this location, she encouraged denial of the request.

Mayor Barnes pointed out that this area is where all the bricks were made for the tabernacle and it is a depressed (situated lower) piece of property.

Kenneth Bell asked what types of buildings would be permitted. Commissioner Gibbons said there is no plan, the request is only for a zone change, but it would allow up to 10 units/acre which could be homes, townhomes, duplexes, or triplexes. A concept plan is not required with a zone change request; however, a preliminary plat is required to be reviewed by the Commission. Mr. Bell said he would not like to see that many units allowed in this area.

Scott Archibald is working with the applicant and said this property has some challenges, the intent is to screen, or do some things to help shield residents. As the Mayor indicated, the east end of the property has some challenges. The request is for RM because there is no zone less dense between RM and Single-Family Residential. The idea is to create some buffering between the commercial area and possible twin homes and/or duplexes.

Kenneth Bell said this is an interesting concept and thanked Mr. Archibald for the information. He said residents have expressed concern about the process. He suggested including more context with a zone change request which would be very helpful for residents.

7:32 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 21-07.

Commissioner Reis asked if a concept plan could be requested and a zone change approved later. Chairman Gibbons said those are two separate items and the decision for a zone change cannot be delayed or dependent upon a plan.

Councilmember Wells pointed out that even if an idea was initially presented, it would not necessarily have to be followed. Chairman Gibbons agreed and said once property is rezoned, an applicant has a right to do whatever is allowed within the zone.

Commissioner Daniels said it is worth considering what is located around, and surrounds, the subject property to determine how impactful a change would be. There are single-family units with a commercial area (Facer Trucking).

Commissioner Freidenberger does not see the point of changing the Master Plan.

Commissioner Weber said there is a point to be made about the commercial property on the west side and the fact that this is not an attractive property, cleaning it up in some form would be nice. She agreed that the elevation of the property does pose some challenges and pointed out that there is a height limitation whether it is multi-family housing or single-family homes.

Commissioner Freidenberger said a PUD might be a better option for this area. Chairman Gibbons agreed that may work, however, the current request is for RM.

MOTION: Motion made by Commissioner Bell to forward a recommendation to the City Council to deny Ordinance 21-07, an ordinance rezoning Parcel Number 08-080-0008 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at approximately 400 North from 200 to 300 West and totals 5.00 acres. Commissioner Freidenberger seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

Discussion on Ordinance 19-15, an ordinance adding in its entirety to the current Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Sections 17.81.010 "Purpose", 17.81.020 "Allowed Uses", 17.81.030 "Definitions", 17.81.040 "Rezone Required", 17.81.050 "Development Standards", 17.81.060 "Open Space", 17.81.070 "Streets, Circulation & Parking", 17.81.080 "Walking/Biking Trails", 17.81.090 "Landscaping", 17.81.100 "Density Bonuses", 17.81.110 "Approval Process", 17.81.120 "Failure to Progress", 17.81.130 "Development Agreement", and 17.81.140 "Modification of Approved Plan".

MOTION: Motion made by Commissioner Gibbons to continue this project to the March 17, 2021 meeting for discussion. Commissioner Bell seconded the motion. **Motion approved (7-0).**

Vote:

Aye: Bell, Daniels, Freidenberger, Gibbons, Holbrook, Reis, Weber

OTHER BUSINESS:

- ✓ The Mixed-Use Overlay will be reviewed by the Commission at next month's meeting, with recommendations about removing requirements about materials – which should not be regulated.
- ✓ New well at Central Park – waiting on the Division of Drinking Water's approval.
- ✓ Summit Creek bridge (by Smithfield Implement) will be repaired; it will go out to bid this fall. There is a hole on the west side of the road, behind the curb. This is a UDOT road. The City may decide to pay for an upgrade in the fence.
- ✓ Annexation of parcels located at approximately 1000 South Main. An intersection at this location was submitted to the County COG; there were 8-10 projects submitted and reviewed and this project was ranked third. A meeting with J-U-B was held yesterday. This is a major project; water and stormwater will be taken under the highway.

MEETING ADJOURNED at 7:55 p.m.

Minutes submitted by Debbie Zilles

Scott Gibbons, Chairman