



## SMITHFIELD CITY PLANNING COMMISSION MINUTES February 19, 2020

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 19, 2020

The following members were present constituting a quorum:

Chairman: Andrew Soelberg

Members: Jasilyn Heaps  
Scott Gibbons  
Nathan Wright  
Katie Bell  
Juli Weber  
Stuart Reis

Excused: Hutch Daniels

City Engineer: Clay Bodily

Councilmember: Jon Wells

Attendance: Brooke Friedenberger (Alternate), Dan Turner, Jeff Wood, Bryce Goodin,  
Scott Archibald, Erin Campbell, Debbie Zilles

Oath of Office given to new Commissioners, Juli Weber, Brooke Friedenberger, Katie Bell and Stuart Reis by Justin Lewis, City Recorder.

**6:30 p.m.** Meeting called to order by Vice-Chair Heaps.  
Dan Turner gave an invocation.

### **Consideration of consent agenda and approval of meeting minutes**

After consideration by the Commission, Chairman Soelberg declared the meeting agenda and the minutes from the January 15, 2020 meeting to stand as submitted.

**RESIDENT INPUT** - None

### **AGENDA ITEMS**

**Public Hearing** to discuss Ordinance 20-05, an ordinance rezoning parcel number 04-013-0009 from CC (Community Commercial) to CC(MU) (Community Commercial Mixed-Use Overlay). The parcel is located at approximately 75 West 1000 South and is 5.0 acres.

Jeff Wood is seeking to rezone a parcel on 1000 South (Pump House Road) south of Paragon Tool. The current designation is CC (Community Commercial) and he wants to add a Mixed-Use Overlay Zone so he can have a commercial building as well as multi-family units on the same parcel.

Mr. Bodily pointed out that this is currently zoned Community Commercial (CC), the applicant is asking for the Mixed-Use Overlay. The overlay allows for a mixed-use development which would support residential and commercial.

### **6:43 p.m. Public Hearing Opened**

### **6:44 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 20-05

Commissioner Bell asked about access points. Mr. Bodily said that will be addressed during the development stage, this is currently only a request for a zone change.

Commissioner Reis asked about the surrounding zones. Mr. Bodily said areas to the north and south are zoned Commercial General (CG), the east is Gateway and the west (which is not currently in Smithfield City) is a light industrial area.

Commissioner Gibbons said this request fits with the future land use plan. Commissioner Heaps reviewed the use matrix and said the allowable uses are comparable to what is around the property.

Mr. Bodily confirmed for Commissioner Reis that a residential component can be incorporated in with commercial.

Commissioner Weber asked what the advantage would be for the overlay. Commissioner Gibbons said it would allow for a development with a mixture of uses.

Commissioner Bell asked if there are procedures in place to ensure the safety of a residential area. Mr. Bodily said those concerns would be addressed during a future stage of development.

Commissioner Friedenberger asked if there is a restriction for the percentage of residential that could be allowed. Commissioner Heaps said there are no specific ratios defined in the Mixed-Use Overlay. Commissioner Gibbons noted that ratios are being addressed in the Master Planned Community ordinance that is being worked on.

Mr. Wood confirmed for Commissioner Reis that the property width is 169'.

**MOTION:** Motion made by Commissioner Gibbons to forward a recommendation to the City Council to **approve** Ordinance 20-05, an ordinance rezoning parcel number 04-013-009 from CC (Community Commercial) to CC (MU) (Community Commercial-Mixed-Use Overlay). The parcel is located at approximately 75 West 1000 South and is 5.0 acres. Commissioner Weber seconded the motion. Motion approved unanimously (6-0).

Vote:

Aye: Heaps, Weber, Reis, Bell, Gibbons, Wright

Absent: Soelberg

**Public Hearing** for the purpose of discussing Ordinance 20-03, an ordinance amending the Construction & Design Standards, Part I, “Design Standards”, Section 5.1 “General”, 5.2 “Meters”, 6.1 “General” and replacing/updating the following drawings in Part III “Amendments to the “Manual of Standard Plans””, Part 2 “Roadway”, “249-N Roadway Sections 60 Foot – Local”, “249-N Roadway Sections 66 Foot – Local”, “249-N Roadway Sections 70 Foot – Local”, “249-N Roadway Sections 80 Foot – Collector” and Part 7 “Communications, Lighting, Traffic Control, Power”, “Street Lighting” Drawing “743 Rocky Mountain Power Luminaire Disconnect (1 of 4) – New”.

This is a housekeeping ordinance on the construction standards, including changes to water crossings, water meters, some road and street light drawing updates. Mr. Bodily said the additions in the 5.1 General section are requirements from the Division of Drinking Water.

### **6:56 p.m. Public Hearing Opened**

Bryce Goodin is concerned with the changes being proposed in 5.2 Meters, especially having water meters in the middle of driveways – *“If a site plan for a lot is approved with the meter located in the driveway, a four (4) foot by four (4) foot vault with a personnel access lid is required.”* They try to avoid that because it is not ideal. He would like to see water and sewer allowed to be shifted to the low side of the lot, rather than requiring it to be split on either side of a lot because that is where they are typically located. He reviewed a few potential site plans with 3-car garages and with the proposed changes the meter would be located in the driveway.

### **7:03 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 20-03

Commissioner Gibbons asked if this could be approved without including the changes to Section 5.2 Meters. Mr. Bodily said that could be done.

**MOTION:** Motion made by Commissioner Wright to forward a recommendation to the City Council to **approve** Ordinance 20-03 (**excluding Section 5.2 Meters**), amending the Construction & Design Standards, Part I “Design Standards”, Section 5.1 “General”, **5.2 “Meters”**, 6.1 “General” and replacing/updating the following drawings in Part III “Amendments to the “Manual of Standard Plans””, Part 2 “Roadway”, “249-N Roadway Sections 60 Foot – Local”, “249-N Roadway Sections 66 Foot – Local”, “249-N Roadway Sections 70 Foot – Local”, “249-N Roadway Sections 80 Foot – Collector” and Part 7 “Communications, Lighting, Traffic Control, Power”, “Street Lighting” Drawing “743 Rocky Mountain Power Luminaire Disconnect (1 of 4) – New”. Commissioner Gibbons seconded the motion. Motion approved unanimously (6-0).

#### Vote:

Aye: Heaps, Weber, Reis, Weber, Gibbons, Wright  
Absent: Soelberg

7:05 p.m. Chairman Soelberg arrived.

**Public Hearing** discussing Ordinance 20-04, an ordinance amending the Construction & Design Standards, Part I, “Design Standards”, Chapter 4.0 “Site Design”, Section 4.1 “General”.

This proposed ordinance is at the request of a developer. The developer is asking for the Code to be amended to allow an irrigation canal in the front yard of a building lot. Currently an irrigation canal is only allowed on the side or rear yard.

**7:08 p.m. Public Hearing Opened**

**7:09 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 20-04

Commissioner Gibbons, Commissioner Wright and Chairman Soelberg all questioned the reasoning to allow ditches in front yards as it seems to be a potential safety hazard.

Commissioner Bell asked about the motive for the change; Chairman Soelberg said it was a suggestion from a developer.

Chairman Soelberg felt that “*The subdivider shall work with irrigation, drainage or ditch companies...*” should remain. Commissioner Wright agreed and said it should be kept as written.

**MOTION:** Motion made by Commissioner Gibbons to forward a recommendation to the City Council to **deny** Ordinance 20-04, an ordinance amending the Construction & Design Standards, Part I, “Design Standards”, Chapter 4.0 “Site Design”, Section 4.1 “General” and remain as is. Commissioner Reis seconded the motion. Motion approved unanimously (7-0).

Vote:

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Discussion and possible vote on the request by VHD, LLC for approval of the Final Plat for Fox Meadows 2, a (26) lot/unit subdivision located at approximately 325 West 600 North. Zoned R-1-10.

Bryce Goodin, VHD, said nothing has changed from the preliminary plat; this is the final plat for Fox Meadows Phase 2 which will be north of the school.

Mr. Bodily clarified that on the west side, where it adjoins 800 West, there is a small sliver of land that is currently part of the right-of-way that will be vacated so that the property lines up with the existing to south.

Mr. Wells pointed out that this subdivision will require a lift station for the sewer; the developer will be responsible to build, operate and maintain it. He suggested that a note be added to the final plat indicating that an HOA will be responsible, to indemnify the City and let the homeowners know.

**MOTION:** Motion made by Commissioner Heaps to **table** the request by VHD, LLC for the Final Plat for Fox Meadows 2, a (26) lot/unit subdivision located at approximately 325 West 600 North. Zoned R-1-10 so the developer can include a comment on the plat stipulating that the HOA will operate and maintain the lift station. Commissioner Bell seconded the motion. Motion approved unanimously (7-0).

Vote:

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Discussion and possible vote on the request by VHD, LLC for approval of the Final Plat for the Fairway Ridge Subdivision, an 8-lot/unit subdivision located at approximately 700 East 300 South. Zoned R-1-10.

Mr. Bodily said this is the subdivision along the golf course and because of the road configuration, it will be a cul-de-sac.

**MOTION:** Motion made by Commissioner Gibbons to forward a recommendation to the City Council to approve the Final Plat for the Fairway Ridge Subdivision, an 8-lot/unit subdivision located at approximately 700 East 300 South. Zoned R-1-10. Commissioner Wright seconded the motion. Motion approved unanimously (7-0).

Vote:

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Review of an Annexation Petition by VHD, LLC for parcel number 08-119-0020, which is 8.98 acres located at approximately 350 East 600 South.

Chairman Soelberg said this fits within the future annexation plans.

Commissioner Heaps said there is a park that will be required either there or directly east (across from the football field to the south). If this is annexed, a park should be an element considered. Chairman Soelberg said these types of amenities can be required at the time of annexation.

Commissioner Weber asked about water and sewer issues. Mr. Bodily said there is currently an 8" line down to 700 South.

Commissioner Gibbons asked if water rights would be conveyed to the City. Mr. Bodily said there is water dedication at the time of a subdivision. Mr. Wells said sometimes land is sold, but the owner keeps the water shares so the land comes into the City without water and then the City has to use culinary water. It might not be a bad idea to recommend to the City Council that the irrigation water needs to stay with the land so the developer has the opportunity to use it instead of overtaxing the culinary system. He also suggested adding a note about the park for the Council to consider.

Commissioner Wright noted that the trail goes along the east side of the football field and will not affect this parcel.

Chairman Soelberg noted that the property is contiguous to the boundaries of Smithfield City and the use of the land can be considered at a future stage (either a rezone or a development request).

**MOTION:** Motion made by Commissioner Gibbons to forward a recommendation to the City Council to **approve** a request by VHD, LLC for an Annexation Petition for parcel number 08-119-0020, which is 8.98 acres located at approximately 350 East 600 South with the recommendation that existing water rights remain with the property and conveyed to the City, as well as to review the Parks & Trails Map for potential location of a future park. Commissioner Reis seconded the motion. Motion approved unanimously (7-0).

Vote

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Discussion and possible vote on a request by VHD, LLC for approval of a Preliminary Plat for Fox Meadows 3, a (27) lot/unit subdivision located at approximately 340 North 770 West. Zoned R-1-10.

Mr. Bodily indicated that this has been through the Subdivision Technical Review Committee (STRC). A note can be added about the lift station on the final plat.

Mr. Wells noted that the City Council does not consider or approve preliminary plats, only final plats.

**MOTION:** Motion made by Commissioner Wright to **approve** a request by VHD, LLC for approval of the Preliminary Plat for Fox Meadows 3, a (27) lot/unit subdivision located at approximately 340 North 770 West. Zoned R-1-10 with the stipulation that the final plat contain a note that the HOA will be responsible for operation and maintenance of the lift station. Commissioner Heaps seconded the motion. Motion approved unanimously (7-0).

Vote

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Discussion and possible approval of the Conditional Use Permit request by Rigo Chaparro to allow a two (2) lot minor subdivision/intrablock development, Archie and Chappi Lot Split, located at 30 South 100 East. Parcel number 08-070-0045. Zoned R-1-10.

Rigo Chaparro is proposing an intrablock subdivision at 30 South 100 East. The request is to build one new home behind the existing home.

Scott Archibald explained that this is a deep lot, with the back portion that that has been primarily weeds. The desire is to create another lot and it will meet the Fire Department turnaround requirements.

Mr. Bodily said the front lot is below 10,000 SF; the ordinance allows for a 10% reduction if there are less than four (4) lots being created. The frontage is legally-existing nonconforming. There is a fire hydrant within the requirements for the rear lot. Commissioner Gibbons said the front lot is approximately 9,000 SF, which is within the 10% allowance.

**MOTION:** Motion made by Commissioner Heaps to **approve** the Conditional Use Permit request by Rigo Chaparro to allow a two (2) lot minor subdivision/intrablock development, Archie and Chappi Lot Split, located at 30 South 100 East. Parcel number 08-070-0045. Zoned R-1-10. Commissioner Weber seconded the motion. Motion approved unanimously (7-0).

Vote

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Discussion and possible approval of the Conditional Use Permit request by Rigo Chaparro to allow a two (2) lot minor subdivision/intrablock development, Chaparro Lot Split, located at 67 South 100 East. Parcel number 08-071-0022. Zoned R-1-10.

Scott Archibald confirmed for Commissioner Gibbons that there is an existing home on the property with a small shed; there used to be a barn but that has been removed.

**MOTION:** Motion made by Commissioner Gibbons to **approve** the Conditional Use Permit request by Rigo Chaparro to allow a two (2) lot minor subdivision/intrablock development, Chaparro Lot Split, located at 67 South 100 East. Parcel number 08-071-0022. Zoned R-1-10. Commissioner Heaps seconded the motion. Motion approved unanimously (7-0).

Vote

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

**Public Hearing** for the purpose of discussing Ordinance 20-06, an ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Section 16.04.060 “Compliance Required”.

**7:56 p.m. Public Hearing Opened**

**7:57 p.m. Public Hearing Closed**

Discussion and possible vote on Ordinance 20-06

Mr. Bodily explained that this change is to come into compliance with State Code.

**MOTION:** Motion made by Commissioner Wright to the City Council to **approve** Ordinance 20-06, an ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Section 16.04.060 “Compliance Required”. Commissioner Gibbons seconded the motion. Motion approved unanimously (7-0).

Vote

Aye: Heaps, Weber, Reis, Soelberg, Bell, Gibbons, Wright

Update from Councilmember Wells on upcoming agenda items.

The Master Planned Community ordinance is still being reviewed. The City Council would like the Planning Commission to re-review the recently recommended ordinance related to animals. The Council said there seems to be some discrepancies and contradictions.

**MEETING ADJOURNED** at 8:00 p.m.

Minutes submitted by Debbie Zilles

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Andrew Soelberg, Chairperson