

1 **Providence City Planning Commission Minutes**

2 **Providence City Office Building**

3 **15 South Main, Providence UT 84332**

4 **August 10, 2016 6:00 p.m.**

5
6 Attendance:

7 Chairman: Robert James

8 Commissioners: Rowan Cecil, Wendy Simmons, John Parker, Mike Harbin

9 Excused: Andrea Diamond

10
11 Council Member, John Drew

12 Skarlet Bankhead, Administrative Services Director

13
14 **Robert James brought the meeting to order at 6:00 PM.**

15
16 **Approval of the Minutes:**

17 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of June 22, 2016.

18 **Motion to approve the minutes of July 22, 2016 made by R Cecil, second - W Simmons.**

19 **Vote: Yea: R Cecil, M Harbin, J Parker, W Simmons**

20 **Nay: None**

21 **Abstained: Robert James**

22 **Excused: Andrea Diamond**

23 **Item No. 2.** The Providence City Planning Commission will consider for approval the minutes of July 27, 2016.

24 **Motion to approve the minutes of July 27, 2016 made by J Parker, second - R Cecil.**

25 **Vote: Yea: R Cecil, M Harbin, J Parker, W Simmons**

26 **Nay: None**

27 **Abstained: Robert James**

28 **Excused: Andrea Diamond**

29 **Item No. 3.** The Providence City Planning Commission will consider for approval the minutes of August 2, 2016.

30 **Discussion**

- 31 • R James reviewed the change to the moderate income housing plan, lines 44 thru 47. As identified in bold,
32 this is what we proposed and I want to make sure we are in agreement. The statement reads "The
33 Planning Commission will review the future zoning maps, area regulations and usage regulations to
34 ensure Providence City is providing reasonable opportunity to provide for a variety of housing including
35 moderate income housing." All council members were in agreement.

36 **Motion to approve the minutes of August 2, 2016 made by R Cecil, second- M Harbin.**

37 **Vote: Yea: R James, R Cecil, M Harbin, J Parker, W Simmons**

38 **Nay: None**

39 **Abstained: None**

40 **Excused: Andrea Diamond**

41 **Action Items:**

42 **Item No. 1. Proposed Request for Proposal:** The Providence City Planning Commission will consider for
43 recommendation to the City Council a request for proposal for assistance in preparation of comprehensive
44 amendments to the City's General Plan.

45 **Discussion**

- 46 • A two-step process will be required to bring in a professional consultant. The Planning Commission must
47 first receive approval from the City Council. If the City Council approves the request, the Planning
48 Commission can proceed with a Request for Proposal (RFP). The entire process may take six to eight
49 months.
- 50 • R James requested that everyone review the proposal elements.
- 51 • Discussion revolved around the advantages of requesting guidance from a consultant for assistance to
52 make the plan more comprehensive with the expectation that results will provide a detailed
53 comprehensive plan to in all areas: zoning, planning, transportation etc. (see General Plan Update
54 attached).

- Advantages include working with a profession consultant which is a rigorous process, but very thorough. Expected results would be to that this ensures compliance with Utah State Code and provides clear guidance with more detail and direction incorporated into the plan with the object being to achieve the desired overall vision residents’ desire regarding growth and development in Providence.
- The consultant drives the project and provides tracking and control.

Motion to recommend the city council consider a request for proposal for a general plan consultant made by R Cecil, second- M Harbin.

Vote: Yea: R James, Wendy Simmons, J Parker, R Cecil, M Harbin
Nay: None
Abstained: None
Excused: Andrea Diamond

Study Items:

Item No. 1. Proposed General Plan Amendment – Moderate Income Housing: The Providence City Planning Commission will discuss the Providence City Moderate Income Housing element of the General Plan with the intent of amending the plan to reflect the current and future needs of the city. In drafting the moderate income housing element, the planning commission will consider the Legislature’s determination that cities facilitate a reasonable opportunity for a variety of housing, including moderate income housing to meet the needs of people desiring to live there; and to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life.

- Decision made to invite comment through a public hearing.
- R James asked if there were any concerns with taking this to a public hearing.
- The public hearing on this topic will be scheduled two week from today on August 23, 2016.
- No motion required.

Item No. 2. Proposed Code Amendment: The Providence City Planning Commission will discuss amendments to Providence City Code Title 11 Subdivision Regulations Chapter 3 and Chapter 5 with regards to the required warranty bond.

Discussion

- Discussion on whether to consider making a change to the timing of when a warranty bond is required. A warranty bond is currently required in the initial phase of the development process. Lots can be sold when a warranty bond is submitted by the developer after his plans are approved and filed.
- S Bankhead identified that consideration can be made to shift this to mid-process. This places the warranty bond requirement at the point after which plans have been approved and filed and minimum improvements have been completed and at which point lots can be sold and building permits can be issued. The purpose of the warranty bond is to provide a measure of surety to those purchasing lots that minimum improvements will be made by the developer that includes everything except the sidewalk and asphalt.
- Stan Checketts mentioned that this was turned down by the city council and he is in favor of doing what is best for the city but to hold things up for two years and to make a developer tie up those funds for that long does not make sense.
- Several points were made as to why an exception cannot or should not be made. City Council has rejected making an exception to the current ordinances.
- R James confirmed that there will be no further study by the Planning Commission to make changes to Title 11 Subdivision Regulations Chapter 3 and Chapter 5 in regard to required warranty bond and the Planning Commission have no intent to make any further recommendations to City Council.

Item No. 3. Rezone Request: The Providence City Planning Commission will discuss a rezone request to change the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family Traditional (SFT).

Discussion

- Planning Commission reviewed future zoning map in comparison to current zoning map and the general plan. Discussion evolved around comparisons of SFT, SFL or SFE zones respectively.
- Stan Checketts commented that it would be unwise to make a determination for larger lots in this area until it is determined how the lots will sell. The larger the lot; the higher the expenses. Many people like the idea of larger lots but there are few that can afford it.
- J Drew mentioned it was not about the lot size but the neighborhood; it being a rural neighborhood.

- 1 • Stan Checketts commented that we should consider whether we can sell estate lots in that area. This is a
2 very rocky area where very little will grow. He is not opposed to estate lots there but is not convinced
3 that they will sell.
- 4 • R James identified that the current general plan identifies this as Single-Family Traditional (SFT). At
5 previous meetings the discussion was about making these lots Single-Family Large (SFL) and Single-Family
6 Estate (SFE) which is what we are considering today.
- 7 • S Bankhead commented that one also needs to consider density size identifying that SFT allows for 3.75
8 homes per acre, SFL allows 2.13 homes per acre and SFE allows 1 home per acre. The terrain also impacts
9 how many lots can be placed in an area. The difference in frontage requirements also needs to be considered
10 and it is important to consider all these aspects in addition to the size of the lot.
- 11 • R James commented that this is at the heart of the issues we are dealing with when we do not have
12 a good general plan.
- 13 • Dan McFarland commented that affordability for those purchasing a larger lot may be an issue.
- 14 • S Bankhead commented that growth and development are going to happen and therefore how we design
15 our area should generally be in accordance with the general plan.
- 16 • Stan Checketts questioned whether the bigger lots would sell or not.
- 17 • W Simmons recalled that Nate Webb from the title company remarked that he had many requests for one
18 acre lots. He said five or ten would not be a problem to sell.
- 19 • Stan Checketts commented that many factors come into play in respect to affordability including but not
20 limited to costs of development and market aspects in regard to what the market demand can afford or
21 will afford.
- 22 • J Parker mentioned that in looking at a long term view of the city, Providence is landlocked. We do not
23 have the land and we are running out of land.
- 24 • R James commented that much of the indecision occurs because of not having a detail general plan. What
25 can we do to not hold Stan up on this prior to getting a general plan in place.
- 26 • R James asked if there are other things we need to know or would like to know before the public hearing.
27 We would certainly like to have our general plan in place but that is not going to happen. This is a study
28 items only. How should we determine the criteria to make a decision? Any additional information we
29 need to collect and review? Do we need an unbiased study on who would be buying in this area?
- 30 • Stan agrees that a study should be done and would welcome the study to see the recommendation on
31 how best to use the area. Providence would be wise to consider all these things.
- 32 • R James asked how long can we make this a study item or how would we move forward from here? We
33 cannot hold up Stan indefinitely.
- 34 • S Bankhead reviewed that we can have the public hearing; just add it as an action item on the agenda.
35 After two weeks and up to four to six weeks, the Planning Commission makes a determination. That
36 determination is to change the zoning or to not change the zoning at all.
- 37 • J Drew commented that this is a 77 acre parcel. Could it be made into two zones?
- 38 • Further discussion occurred as to whether it would even need to be rezoned at this time or not. Other
39 options are using two different zones. There are many options.
- 40 • R James commented that we know we will be getting a great deal of input when we have a public hearing.
41 I would like to delay the public hearing to determine what additional facts we need to have for review.
42 Anything else we need to know before the public hearing in two weeks on August 24, 2016?
- 43 • J Drew noted that we do have a unique situation on this parcel with the power lines. This parcel is not
44 your ordinary parcel. It really does not lend itself well to development.
- 45 • W Simmons mentioned she is not concerned about the public hearing and does not think this will create a
46 problem.
- 47 • S Bankhead suggested that we do need to review the transportation plan and how the flow of traffic will
48 be affected.
- 49 • Sharell Eames, Secretary of Spring Creek Water Company, commented that the company is taking steps to
50 ensure that all water rights assigned to the company are beneficially used. There is more water coming
51 from the canyon this year than we have had for several years. I will briefly review this. Providence City
52 owns nearly 1/4 of the water shares in Spring Creek Water Company. Since the city does not use it all, it is
53 divided among those who do use it. We have every shareholder every year sign an affidavit saying they

1 are beneficially using the water, which use prevents any loss of water rights. We also have the renters sign
2 an affidavit as well.

- 3 • S Bankhead mentioned that we were able to convert rights to municipal use. In April and October
4 when agriculture is not able to use as much as, the city is able to use it's 25% share in the system and we
5 take care of it for all the city uses. During the summer we allow our residents to use it through use of
6 water agreements.
- 7 • S Eames: We have installed a measuring device in the mouth of the canyon and we measure the incoming
8 flow regularly.
- 9 • R James commented that the goal is to accomplish things so we will end discussion and move forward. I
10 would ask everyone to please review the general plan and the water section as well. If we can obtain the
11 information needed about the two questions on the market study and water usage to address, can we
12 move the public hearing to September 14, 2016? I would just like to have this information to us and
13 reviewed prior to the public hearing.
- 14 • The Planning Commission will not hold a general plan workshop next week.
- 15 • Begin looking at the general plan and get an attack plan in place.
- 16 • R James will try to schedule a quick appointment with the Mayor and possibly be there when they
17 consider the proposal for the consultant for the general plan on the August 23, 2016.

18 Study session ended.

19 **Reports:**

20 Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

21 Request by S Bankhead to add a study item

- 22 • S Bankhead asked to add a study item on changing zoning setback requirements on small accessory
23 buildings less than 200 sq. ft.
- 24 • The staff has received several requests from residents who want to build or place (Tuff Sheds) accessory
25 buildings (less than 200 sq. ft.) closer than five feet from the property line.
- 26 • Request to place this on the agenda as a study item for the planning committee.
- 27 • Objective is to determine impact of reducing the setback requirements, identify what is realistic for
28 property owners and determine how the city would enforce the ordinances in regard to these accessory
29 buildings.
- 30 • The planning commission will review changing current zoning regulations for these buildings and discuss
31 how regulations will be enforced.

32 Commission Reports: Items presented by the Commission Members will be presented as informational only; no
33 formal action will be taken.

- 34 • None

35 **Motion to adjourn: R Cecil, second – J Parker**

36 **Vote: Yea: R James, Wendy Simmons, M Harbin, R Cecil, J Parker**

37 **Nay: None**

38 **Abstained: None**

39 **Excused: Mayor Don Calderwood**

40 **Absent: Andrea Diamond**

41
42 Meeting adjourned at 7:30 pm.

43 Minutes recorded and prepared by K Merrill.

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49 Robert James, Chairman

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49 Kristine Merrill, Office Specialist