

PAYSON CITY  
PLANNING COMMISSION MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, October 10, 2018 7:00 p.m.

CONDUCTING            John Cowan, Chair

COMMISSIONERS      Adam Billings (via telephone), Ryan Frisby, Kathy Marzan, Robert Mills  
(7:05 p.m.), Harold Nichols

EXCUSED                Kirk Beecher

STAFF                    Jill Spencer, City Planner  
                             Daniel Jensen, Planner II  
                             Kim E. Holindrake, Deputy Recorder/Admin. Asst.

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:04 p.m.

2. Roll Call

Four commissioners present with one via telephone.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Nichols.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of September 12, 2018

**MOTION: Commissioner Frisby – To approve the minutes from the previous meeting.** Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Kathy Marzan, Harold Nichols. The motion carried.

5. Public Forum

No public comments.

6. Review Item

6.1 Discussion regarding the requirements of the land use ordinances and potential amendments  
(7:06 p.m.)

Staff Presentation:

Jill Spencer stated staff was tasked with updating several section of the city code because of state code changes or loopholes and inconsistencies. Some amendments are minor in nature and others are more complicated. Any suggestions will help staff refine the amendments for the November meeting.

Commissioner Mills stated the Payson ordinances in general are very heavy on city council approval for items such as a landscaping plan. Implementation should be administrative. Going through the ordinance, more administrative power provided frees up the council for legislative actions. It would be beneficial to the city by making the government more efficient. This is the perfect opportunity to make those changes. If a project meets the criteria, the council can't say no so why waste the time.

Daniel Jensen reviewed ordinance amendments.

### I-1 Zone

- Current - Lot coverage at 60%. Proposal - Require 15% landscaping. Current - Setbacks 30 feet with provisions. Proposal - 10 feet.

### Business Park Development (BPD) Zone

- Add/amend signage, lot coverage including outdoor storage, and architectural standards. Current setback standards are 30 feet.

### Short-Term Rentals

- Payson City hasn't seen the economic pressure for short-term rentals. It has been a big discussion statewide. The development of the Frontrunner may increase the economic pressure for rentals.
- Support – Rental income, efficient use of available land/beds, and social connection for travelers/hosts.
- Concerns – Inflate housing prices and push out long-term residents, become party houses (noise, traffic, drugs), disrupt neighborhood and bring in unknown guests, and hard to regulate (tax, safety).
- Payson City Code – Short-Term Rental Housing is defined, but there is no section that uses the term. The definition states, *any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than thirty (30) consecutive days; a short-term rental shall not contain more than four (4) bedrooms.*
- Utah Code 10-8-85.4 – It is not illegal to post a listing for a short-term rental. This doesn't mean cities can't make them illegal.
- Discussion – Daniel Jensen stated people buy homes just to use as a short-term rental. It could be as simple as no short-term rentals in the R-1 zones. Commissioner Mills suggested not spending too much time on this because it's very easy to get around. He doesn't see a problem when the property owner lives there with an approved accessory apartment. He suggested removing the language, *shall not contain more than four (4) bedrooms.* Commissioner Marzan stated the biggest complaint is with traffic and speeding. Commissioner Frisby stated he doesn't see much pressure in the next 10 years. Enforcement will be an issue. He likes requiring the property owners to live there. Commissioner Billings stated he's in favor of doing something preemptively. Daniel Jensen proposed deleting the entire definition for short-term rentals.

### Land Use Codes

- Currently zones include every possible use. The proposal is to simplify based on the impact to the surrounding area. An example includes manufacturing with potential impacts and

manufacturing with very minimal potential impact. Cities can't predict every type of use, but can determine the impact. Commissioner Cowan stated he likes simplifying. Manufacturing and technology is changing rapidly, and the city can't list every type of use. The impact is important. Commissioner Mills stated this works well and allows innovation especially with land use. It allows the zoning to be more robust and allow innovation. This type of land-use code system is determined by interpretation that sets precedent. Staff will need to keep track of how it is interpreted. Commissioner Frisby stated it's easier to list the not allowed items.

#### CC-1

- Remove automobile and truck repairs and restoration. Commissioner Mills suggested removing sales as well.

#### Permanent Structure Exemption

- The current code allows a business without a permanent structure, which has caused problems. The proposal would require a structure. This doesn't affect the temporary use businesses. Jill Spencer stated the city is seeing requests for construction storage yards. Other communities in the area are cracking down on these so businesses are coming to Payson. Commissioner Mills suggested making sure the definition of a permanent structure is clear and solves the concerns. Jill Spencer suggested taking the exemption out and defining a permanent building.

#### Performance Guarantees

- Jill Spencer stated there were changes in state code over the last several years as to what the city can require for improvements. Changes include the amount held for the guarantee and allowing developers to install improvements on an at risk basis. There is still the ability for the city to make requirements for at risk. Another change is to when they can start building homes. The current code requires all improvements and asphalt. The state change allows only a functioning water system and all-weather passable roads. A certificate of occupancy can be withheld until all the improvements are complete. Commissioner Mills questioned building permits before the plat records. Jill Spencer will check the code.

#### Clean-Up

- Signs and Home Occupations – The sign ordinance is very lengthy so this will be a cleanup and consolidation. Home occupations are addressed in two code sections. Commissioner Mills stated the sign ordinance needs to address electronic signs as far as churn rate and light intensity. Commissioner Marzan stated driving by Provo Town Center at night is difficult because of the light intensity.

#### Street Layout-Grid System

- The grid system the city designs now will be with the city for a very long time and effects redevelopment. Walkability metrics include street connectivity, block length, street width, block size, block density, building height, intersection density, and pedestrian route directness. Commissioner Mills would add streetscape.
- The commission watched a video called “4 Ways to Make a City Walkable” by Jeff Speck and MetroFocus / The Greatest Grid: The Master Plan of Manhattan.
- Discussion:
  - Daniel Jensen stated how the city views development now effects how the area develops and how the area develops effects the redevelopment opportunities. The genius of the grid is the ability to redevelop, redevelop, and redevelop. The uses change over time, but the grid accommodates the changes. It's helpful to think about this while going through the process of the master plans as well as changing the code to require a grid. There will be

- many challenges. Most Utah cities don't have a grid requirement. The city needs to make sure there is political capital to tell applicants the city is doing this.
- Commissioner Nichols stated he is good with a grid. The two videos are very pertinent; there was foresight. A grid system is better than meandering streets. There needs to be commercial nodes throughout as well. If the city were able to do this, it would set Payson apart from other cities.
  - Commissioner Cowman stated he definitely prefers the grid system. The southeast part of Payson is like negotiating a rat race.
  - Commissioner Mills stated having political capital to do this is important. This will lay a foundation for future redevelopment; and more important, it contributes to current livability. There is a reason those cities and areas are vibrant. The grid system contributes heavily to livability. The code has to be written without offering exceptions. The grid system can't just be a traditional standard or it will create sprawl again. The designation of the streets in the grid system and standards are important as well as long-term costs. The development pattern of South Salt Lake Valley would be very easy to replicate in south Utah County.
  - Daniel Jensen stated Payson still has the opportunity to resurrect the grid system creating multiple routes to channel traffic and keep connectivity. A grid creates a place to walk, ride a bike, and get across town without being on a crowded street.
  - Commissioner Marzan stated consider how the commercial meets the residential. Another question is the block size.
  - Jill Spencer stated Payson has a basic backbone that is more of the grid. It is walkable in the sense of anticipated trails. It discourages cul-de-sacs or implements a connection at the end of a cul-de-sac. The city council needs to be part of this discussion for the political support. It will not be popular with the development community. Some Utah cities have been changing to the grid and getting push back. From a regional standpoint, Mountainland Association of Governments is promoting and encouraging communities to go back to the grid. The question would be, is Payson ready for it.
  - Daniel Jensen stated staff is on board specifically with snow removal, engineering, public safety, and police.

## 7. Commission and Staff Reports

No reports.

## 8. Adjournment

**MOTION: Commissioner Billings – To adjourn.** Motion seconded by Commissioner Mills. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Kathy Marzan, Robert Mills, Harold Nichols. The motion carried.

This meeting adjourned at 8:43 p.m.

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/s/ Kim E. Holindrake  
Kim E. Holindrake, Deputy City Recorder