

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, November 13, 2019 7:00 p.m.

CONDUCTING Kirk Beecher

COMMISSIONERS Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan

EXCUSED John Cowan, Adam Billings

STAFF Jill Spencer, City Planner
 Daniel Jensen, Planner II
 Kevin Stinson, Admin Assistant

OTHERS Lanelle Smith, Ryan Eaves, Kim Eaves

1. Call to Order

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

2. Roll Call

Five commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Frisby

4. Consent Agenda

4.1 Approval of the amended minutes for the regular meeting of August 28, 2019

MOTION: Commissioner Marzan- To approve the amended consent agenda. Motion seconded by Commissioner Moore. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

4.2 Approval of minutes for the regular meeting of October 9, 2019

MOTION: Commissioner Marzan- To approve the consent agenda. Motion seconded by Commissioner Morgan. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING – Housing Chapter of the Payson City General Plan, including provisions related to moderate income housing.

Staff Presentation:

Jill stated we are requesting a recommendation for chapter 7 on Housing of the General Plan. This chapter has a deadline of December 1st by the State. We do anticipate to refine this chapter in the coming months.

Affordable housing has been on the news. Labor, material and land prices have gone up. Land prices have increased 40% in the last 12 years.

Utah code requires that any municipality must have a general plan and any municipality that wants to annex land into the city must have an annexation policy plan.

There are three things required for the general plan, Land use, transportation and moderate income housing.

Our last general plan is from 2003. There are significant changes that have come over the years, like front runner, that require modifications to our plan. Many minor changes have been made throughout the years, but it is now time to have a complete update. We are hoping to have this completed and ready to be adopted the first part of next year. We have taken on a big endeavor to update our general plan, utility plan, master plans and strategic plan.

House bill 295 in 1996, bill 259 in 2018 and bill 34 in 2019 mandate that cities need to address the need for moderate income housing. The latest bill will withhold transportation funding from those cities that do not provide housing in the moderate income housing.

Federal and State municipalities have provided many tools and trainings to help us reach these goals. There are several groups that need to work together to help us reach these goals. Developers and realtors, construction, laborers, land cost and community all need to come together to help make these work. It is good planning sense to work together. Cities do not build houses, they are not developers. Cities need to work with developers and both need to stick with the city's general plan. Moderate or low income housing does need to be located in the right location. It does not need to be in every development.

We decide what gets built and where. It is mandated that we need to provide low and moderate housing in our community. It is about great community building. Low and moderate income housing does not mean, and cannot mean low quality.

We provide the framework for the types of housing and affordability for all income levels.

Review of graphs

Affordable housing is where the tenant is spending no more than 30% of their income on housing.

Payson is on track to double in size in the next 10-15 years

That is 12,000 more units. That growth will put a big demand on our infrastructure, roadways and city. That is why this process is so important. We need to understand this growth to provide and plan for our city.

Payson has a diverse age, ethnicity and income level. The average income in Payson is \$67000.

This data is showing that we do not have enough rental units and/or affordable housing units.

There has be a change of diversity over the last 17 years. There has been an increase in the Hispanic population. We believe that is because of the jobs we offer with the orchards.

Do we want to offer smaller lots? 3000-5000 square foot housing. Developers are telling us that smaller houses and lots are what are selling. Jill is wondering if that is because that is all that is being offered. Are we comfortable with 3000-5000 square foot lots? Based on work sessions it looks like we are not comfortable with that. We need to be looking into other cities and what they are doing, selling and building. What are other options?

What is defined as a small lot? It can be different to each community. Builders will be wanting to know these numbers, sizes and specifications.

Affordable housing for rentals in Payson is \$1,064 and \$1,735 for home ownership. This is 30% of income. Payson is mostly owner occupied single family housing.

Graphs showing numbers of type of houses that need to be provided each decade of growth.

We had surveys, interview and many other methods of input from the community for this general plan. Feedback is still single family and town homes and even small lots, but again the small lot size was not defined.

Goals and strategies for helping us reach the required marks are listed in the plan. Jill will like to add some more measurement tool to help us reach the goals.

Payson has an interstate that helps us concentrate growth around the interstate. Transit is also a big plus to concentrate our growth. Do we want to have requirements to make these new developments include affordable housing?

We need to work together with all the different groups involved to help make this happen.

We are always willing to consider a new product when developers present them as long as they are done well. Higher density housing can be grouped with commercial areas. Development needs to be in the right location. There is a great opportunity with the new growth and transit interchange on the north east side.

We also need to look at reinvesting in the older areas to keep them vital.

We need to move forward with support.

MOTION: Commissioner Frisby- To open the public hearing. Motion seconded by Commissioner Moore. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

Public Hearing:

Lanelle Smith - Director of Housing Authority of Utah County. She helps many with housing throughout the county. Her job has become difficult throughout the last several year because housing is no longer affordable for all incomes. She applauds what Jill and staff have done. Every community needs to make sure they provide housing to the work force. Park City has done labor force housing to help the lower income labor have affordable housing.

Kim Eaves – Agrees with what was stated. She has rentals that are easy to rent because of the need. A plan is needed to make sure that affordable housing is maintained and kept nice. Otherwise it become undesirable over time and becomes an eyesore for the city. Those that want to move into affordable housing will not want to move into those communities because of the poorly maintained houses.

Randy Eaves – What are people afraid of with the low income housing? It is not the house, but the behavior in the house. We need policy to curb the undesirable behavior like un-kept yard, old cars parked in the yards.

MOTION: Commissioner Moore- To close the public hearing, item 6.1. Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

Commission Discussion:

Commissioner Beecher said that 3000 square foot lots are common all over Utah County. This is not a strange thing. We need to not look at this as a “not in my backyard” approach.

Commissioner Marzan is concerned that the frontage is small. Her house is 42 feet.

Commissioner Beecher showed an 1800 square foot home on a 3000 square foot lot. They are only 8 feet apart. He said this is a good thing and very common all over Utah County.

These small lot houses are affordable for young families.

Commissioner Morgan stated these are starter homes to get people a home with the goal to move into larger homes as they grow.

Commissioner Beecher plotted a map to see where we can put these communities.

Check graphic errors in the document. Make the charts the same scale.

Commissioner Marzan liked Park City’s work force housing idea. We can encourage more work force housing. People need to live close for these jobs because they are not high paying jobs. Work force housing is needed.

Commissioner Frisby stated we need a measureable goal and way to measure it. We need specific items that are needed to measure.

More discussion and training on these topics are still coming. What ideas do you have for these areas and future growth?

The adjusted rent range on page 120 shows \$800 a month this is not common in Payson. Housing north of Payson is very high and it is pushing everyone to Payson. This is a recommend to approve the chapter, but it can still be added to after.

MOTION: Commissioner Marzan- To recommend the approval of the Housing chapter of the Payson City General Plan, including provisions related to moderate income housing, with an addition to add information or consideration for work force housing and measurable metrics tools. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

6.2 PUBLIC HEARING – Request by Randy Eaves to amend Title 19, Zoning Ordinance, specifically amendments associated with the proposed NC, Neighborhood Commercial Overlay.

Staff Presentation:

Daniel stated this is general applicability that deals with zoning not zoning a specific piece of property. The Eaves would like to open a reception center in a residential location. Staff has looked at several options. The overlay looks to be the best option. Overlays are legislative action that can be only applied to this property and not the whole zone. This will be applied to this specific property.

Staff has made several drafts of this overlay and still needs some review by our legal counsel. This is in a neighborhood commercial zone. Staff would like to remove the neighborhood commercial zone and apply the neighborhood commercial overlay. The applicant will provide a specific proposal of what is planned. It would only apply to that property and that particular business only. If they were to sell the property, another reception center could be used there again, but anything else would need to be reapplied by any new applicants.

There are some needs to look at and change frontage and setbacks, parking, design standards, size of the business, types of accessory standards. Are we receptive of the idea of a reception center in a residential area?

This is an action item, staff recommend it is remanded back to staff to work on the details.

MOTION: Commissioner Frisby- To open the public hearing. Motion seconded by Commissioner Moore. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

Public Hearing:

Randy Eaves parking will be addressed. They are working with Nebo school district to use some of their parking located across the street. If needed they can take down the old house on the property. This is east of Parkview Elementary. They have about 1.3 acres.

MOTION: Commissioner Marzan- To close the public hearing, item 6.1. Motion seconded by Commissioner Morgan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

Commission Discussion:

Commissioner Beecher – Parking is an issue. You will have a lot of parking in a short amount of time. He likes the idea better than the fixed zone. Parking and disturbance to the neighborhood needs to be addressed.

Commissioner Frisby question of limit 1 acre limit. This should be stricken.

MOTION: Commissioner Morgan- To remand amendments to Title 19, Zoning Ordinance, specifically amendments associated with the proposed NC, Neighborhood Commercial Overlay for additional changes and attorney review for future action. Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

7. Commission and Staff Reports and Training

Training by Daniel - Legislative vs. Administrative

Daniel talked about zoning, land use and how cities can and cannot manage the land use.

There are two types of powers given to the cities. General Law – Everything is a “no” unless the state says “yes”. Home Rule is the opposite. The city can do anything it wants unless the state says “no”.

Utah is a home rule state. We can do what we want unless the state says “no”. We have broad powers.

Cities are restricted in statutory purposes. We can do many things as long as it is for our health, safety and welfare.

Legislative – very broad authority, broad public input, this is where rules are set.

Motions need to be clear and articulated.

Legislative – amendments, zone change, general plan

Administrative – Limited options, rules are set you must follow them not set them.

General plan – big picture

Planning Commission makes administrative decisions regarding if the proposal meets zoning land use codes. If it is a legislative action, the planning commission will recommend something based on our opinion. The planning commission is not a legislative body.

The time to make our decisions is when we have the legislative authority.

Once our General plan is accepted we need to stick to it. We cannot deny an applicant if they follow the code or plan.

Variance – code must be met before the board can grant variance.

If it is not in the code we can not require it.

We can regulate legislative not administrative.

As a city we do not want let ugly projects get to the administrative step. We need to see the whole project from the beginning. We need to see the final product from the beginning.

We need to make sure our ordinances are clean and clear. Administrative decisions can be kept in the staff level and some with planning commission.

Planning commission needs to be careful with what is said. They are an administrative body only.

Feelings should not be said. Facts only

Jill stated there is a trail planning meeting November 21st. To review forebay and trails from Provo to Santaquin. We are working with the National Park Service to see what improvements are wanted. Right now it is mostly being used as mountain biking.

There is an email about computer security. Please take the training

Wednesday night there is an open forum to talk about the pressurized irrigation.

David Charles sent Commissioner Beecher an email on an annex. He did not respond to him or talk to his about it. He told Daniel.

8. Adjournment

MOTION: Commissioner Marzan– To adjourn. Motion seconded by Commissioner Moore.

Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan. The motion carried.

This meeting adjourned at 9:00 p.m.

Kevin Stinson, Administrative Assistant