

1 **PROVIDENCE CITY PLANNING COMMISSION**

2 Providence City Office Building, 164 North Gateway Drive, Providence UT 84332

3 December 13, 2017 6:00 p.m.

4
5 **ATTENDANCE**

6 **Chair:** B Fresz

7 **Commissioners:** J Parker, R Cecil,

8 **Alternates:** R Perry, G Sonntag

9 **Absent:** R James, R Holloway

10
11 **Approval of the Minutes:**

12 Item No. 1. The Providence City Planning Commission will consider for approval the minutes for October 25, 2017.

13
14 **Motion to approve the minutes of October 25, 2017 made by R Cecil, seconded by R Perry.**

15
16 **Corrections:**

17 **Page 1, line 38: Add “where he has almost hit”**

18 **Page 1, line 43: Add “City Council” between last and meeting and change “City Council” to “they”**

19 **Page 1, line 44: Take out one “that” at the end of the sentence”**

20
21 **Vote**

22 **Yea:** J Parker, R Cecil, B Fresz, R Perry, G Sonntag

23 **Nay:** None

24 **Abstained:** None

25
26 **Public Comments:** Citizens may appear before the Planning Commission to express their views on issues within
27 the City’s jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per
28 person. The total time allotted to public comment is 15 minutes.

29
30 Mayor Calderwood came to thank the Planning Commission members for their hard work.

31
32 Public Comments were closed.

33
34 **Public Hearing(s):** None

35
36 **Action Item(s):** None

37
38 **Study Item(s):**

39 **Item No.1. Discussion:** Danny Macfarlane will discuss development options and potential zoning for Parcel No. 02-
40 096-0089, located generally at 490 West 100 South.

41
42 Michael Taylor, a civil engineer working with Danny MacFarlane, reported that if the rezone were approved, they
43 would like to build a two-suite office building that would house Danny MacFarlane and Michael Taylor’s company,
44 Civil Solutions, as well as Daryl Arnell’s Edward Jones office. Michael and Danny understand that this property is
45 zoned for residential use under the General Plan, but because of the close proximity to the nearby roundabout,
46 and the need for driveway access management, Michael and Danny feel that the best use of the property is
47 commercial use instead of residential use.

48 It was clarified that this property is currently zoned Agriculture, S Bankhead asked if they should start preparing to
49 amend the general plan to allow the rezone to be made.

50 The Commission members discussed that rezoning the property to a commercial zone, would fit within what the
51 Commission has discussed and foreseen for this property. There were no objections to the proposed rezone.

52
53 **Item No. 2. Code Amendment:** The Providence Planning Commission will discuss proposed amendments to
54 Providence City Code Title 10 Zoning Regulations, Chapter 9 Supplemental Regulations within All Districts, Section
55 2 Corner Lot Obstruction.

1
2 Jeff Baldwin, Providence City Councilman, reviewed the revised Section 2 Corner Lot Obstruction, which he wrote.
3 He is concerned that the City is changing the code to fix one particular corner in the city. It is his opinion that if a
4 proper stop is made at a corner, there are very few situations that would warrant the necessity of the clear view
5 ordinance. There are some areas within the city with yield signs that do warrant the necessity of the clear view
6 ordinance. He is questioning if the city is trying to solve a traffic problem by changing the clear view ordinance,
7 because people do not want to stop at stop signs; or is there a real safety issue. In the case of a yield sign, there
8 could be a real safety issue, in the case of a stop sign there is no safety issue as long as people on the road are
9 obeying traffic laws. He also posed a question of where measurements are taken from when measuring out the
10 clear view. As we wrote the section, he tried to write it so that it could apply to every corner in the city. He tried to
11 find a good medium when deciding on measurements; he wants to keep people safe but wants to be realistic
12 when it comes to cutting down people's foliage in their yards. He also discussed the matter of where
13 measurements are taken, because where a driver sees starts in the middle of the road where they are driving, it
14 doesn't start at the sidewalk, which is how the current code is written.

15 R Cecil stated that J Baldwin believes that the corners where there are stop signs, that there is no need for a clear
16 view, but R Cecil is concerned about all the corners where there is no stop sign or yield sign.

17 J Baldwin agreed with R Cecil that on corners where there is no stop or yield sign, a clear view is needed, and he
18 thinks that something should be done for those corners and that could be written into the code.

19 B Fresz believes that the current ordinance needs to be addressed, because of the problem with measuring off the
20 property line to determine the clear view. He addressed the code J Baldwin wrote; he is concerned that it is too
21 technical, that not all citizens would be able to understand it. B Fresz had questions concerning why a 20 foot
22 setback is needed at an intersection with a stop sign, he also questioned the 12 inch cross section of trees.

23 R Perry asked J Baldwin what references he used when determining how measurements would be taken to
24 determine the clear view.

25 J Baldwin reported that he used a civil engineering manual and another book about road design.

26 S Bankhead and J Baldwin stated that this was a first attempt at re-writing the section for corner lot obstructions,
27 the City Council will be discussing the code amendment as well.
28

29 **Item No.3. Code Amendment:** The Providence Planning Commission will discuss proposed amendments to
30 Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts by adding Section 6: Life
31 Cycle Residential zone.
32

33 Shari Phippen reported to the Commission concerning the Life Cycle Residential zone. She stated that she has
34 looked at how to incorporate hillside development conditions into the section, she determined with staff that the
35 best option is to create a separate hillside development ordinance that can be referenced in each zone/district.
36 She is working on creating that document but it is not ready to be discussed by the Commission.

37 One of the commissioners was concerned about apartment complexes backing up to each other, he wondered if a
38 sentence could be included to prevent that problem.

39 S Phippen stated that she would follow up with the City Attorney to see if something could be included to prevent
40 that from happening but she was concerned about trying to control property rights. She stated that they could
41 include a setback for each project to remain a certain feet away from the property line to create a buffer between
42 dwellings.

43 Mark Reeder, owner of Landmark Company, he had a concern on the first page of the document, concerning an
44 assisted living facility. He knows that an assisted living facility needs more than eight residents to survive so he
45 would like to see that number go up significantly. He mentioned Pinedale, Wyoming that just did what Providence
46 is trying to do by creating this Life Cycle Residential zone. He also found a discrepancy concerning maximum
47 density, it is currently at 12 units per acre, and he believed that Providence had just approved a similar property at
48 18 units per acre, so he felt that needed to be consistent between properties and zones. He felt that some of the
49 numbers should be increased to make it worthwhile for a developer. He also discussed the possibility of including
50 commercial business within this zone, he also did not see the need to have the Life Cycle zone be its own zone, but
51 to have it implemented throughout the city within other zones.

52 S Phippen disagreed with Mr. Reeder on certain aspects he had just discussed with the Commission. She reminded
53 the Commission that when the City started on the path to creating this zone, they decided early on that
54 commercial property would not be part of this zone, that it would be purely residential. She stated that because
55 the Life Cycle zone will be implemented throughout the City, the maximum density was put at 12 units per acre so

1 the dwellings would still mesh with surrounding residential dwellings. She also addressed the matter of a
2 residential care facility for eight persons or less, because state law has mandated that a city cannot prohibit a care
3 facility in a residential zone for eight persons or less.

4 S Bankhead reminded the Commission that the Use Chart in the city code would still apply to this zone. This zone
5 will determine what kind of buildings will be allowed, what goes on in the buildings are determined by the use
6 chart, not by this code.

7
8 Jeff Jackson, Ironwood Development, expressed his concerns: A typical town home is 20' x 40', to have a minimum
9 lot area for a townhome of 1,800 is too large for a minimum. How townhomes work is that the actual footprint of
10 the home is what the homeowner owns, the HOA owns everything else. The minimum lot area number should be
11 closer to what the actual square footage will be of each townhome. He had the same concern for apartments.
12 Most apartments are typically between 750-950 square feet, to have a minimum lot are for apartments to be
13 1,500 sq. ft. is unrealistic. He felt that whatever the maximum density is will control how large or small the single-
14 family attached (townhomes) would be without needing a minimum lot area. He is also concerned about having a
15 minimum frontage for townhomes, to get good design you need to have varying widths. He would suggest not
16 having a minimum frontage for townhomes, but allowing the architects to decide that to allow for good design. He
17 also questioned setbacks, are private streets allowed, and how are setbacks measured? To allow for open space,
18 the 20 feet minimum needs to be decreased significantly to allow for open space in the back yards of the
19 townhomes, or for it to be pushed together for a park or open area. He is also concerned about maximum
20 structure height, three story townhomes are being more and more popular because of density and growth; when
21 you start talking a 3-story home, 40 feet is not enough height to accommodate a 3-story dwelling when having to
22 factor in 6:12 pitch roof. He would suggest 45 feet as a maximum building height. His last concern is about off-
23 street parking, the code is written incorrectly, because it disincentivizes developers from building garages. He
24 recommends looking at parking as a whole and would recommend requiring each unit to have two and a half or
25 three parking spaces. He also expressed concern about having 50% of one project be composed of one housing
26 type. He felt that would work for a large project, but for a small project that would be hard to make happen. He
27 also recommended that the design standards are very clear and understandable; he showed an example on page
28 three concerning applicability, it was unclear what type of dwellings the design standards applied. He also pointed
29 that nowhere in the code does it say what a developer needs to do to apply for this zone and how they go about
30 applying for this zone. He discussed in elevations and clarifying when it states "A minimum of 30% of the front
31 façade..." is the front façade the combine front of all units or each unit individually. He would recommend looking
32 at the front as a whole instead of individually, it would allow for more variation and a better design. He discussed
33 concerns with having 10% of the front façade and side façade covered with windows. He also discussed roof pitch
34 and discussed how new materials have been developed so that a flatter roof can be functional and still look good.
35 A lot of discussion ensued concerning how to go about allowing different roof types and pitches, it was discussed
36 that a conditional use permit might be the answer, but they were unsure if that would solve the problem or not.
37 He suggest working through parking lot space amounts as well as garage spaces. He also discussed that the current
38 proposal does not allow for any accessory building, he is concerned because most townhome communities have a
39 clubhouse and/or a shed for yard maintenance.

40 B Fresz thanked Jeff for coming on short notice to talk to the Commission and express his concerns.

41 Discussion ensued concerning the placement of garages. Everyone's opinions differed and alley loaded homes
42 were discussed as an option as well as private drives.

43 S Bankhead asked for opinions as to whether or not developers would be willing, and would it be fair to ask
44 developers, to build private roads to regular road standards. Then, when an HOA needs help from the City with
45 their roads, the City knows what they are dealing with. It would benefit the residents of the community, because it
46 would be a better road.

47 J Jackson discussed the reason why developers want to build private roads, because City roads are required to
48 have a much larger cross section than a private road. He thought that if the city would allow a developer to build a
49 road with a small cross section that would still allow for all the necessary services, such as fire and garbage, then
50 he thinks developers would be more open to building a public street instead of a private road. He thought that if
51 the city would allow a 30 or 40-foot cross section, he would think twice about doing a private road, if it were
52 possible to build a public road at 30 or 40 feet.

53 S Bankhead brought up the biggest problem the City has when building a road is the snow load when the city
54 plows a road, the road needs to be wide enough to accommodate the snow load. Most private streets are not wide
55 enough to accommodate for snow load and the snow needs to be trucked out.

1 B Fresz stated that he thinks they should add to the section concerning private roads that a private road needs to
2 meet City construction standards, not widths.

3 **Item No. 4. Code Amendment:** The Providence Planning Commission will discuss proposed amendments to
4 Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements by adding
5 Section 9 Design Standards for Residential Development.

6
7 B Fresz clarified with S Bankhead that they had already discussed the design standards in the previous study item.
8 J Baldwin reported that Roy Sneddon, City Council member, presented to the City Council concerning design
9 standards, there might be something in what R Sneddon put together that would help the Commission when
10 considering the design standards.

11
12 **Reports:**

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

14
15 S Bankhead wished the Commission a Merry Christmas and discussed the change this year of not giving gift cards
16 as they have done in previous years, so the money is being added to payroll. She thanked the Commission for their
17 service to the City.

18
19 Commission Reports: Items presented by the Commission Members will be presented as informational only; no
20 formal action will be taken.

21
22 J Baldwin informed the Commission that at the next meeting there will be a lot of new technology added to the
23 room. They will have training on how to use the equipment for everyone.

24 B Fresz asked Jeff's opinion on requiring solar ready technology; meaning that a conduit would be run from the
25 electrical panel to the attic.

26 Jeff stated that he thinks it is a good idea and that his company does it automatically, requiring it would take away
27 some of his competitive edges.

28 B Fresz also asked Jeff's opinion on requiring a 50-amp breaker in the garage for future electric cars or batteries.
29 Jeff stated that he has never heard of that, but he thinks it is a good idea.

30 B Fresz also wondered about having a percentage of roofs being required to be south facing or be flat roofs.

31 Jeff stated that he does not think that is a good idea, especially for affordable housing, that is easy to do for large
32 custom homes, but requiring that for affordable housing would be very difficult. Jeff also discussed a challenge his
33 company is working through, they have had people ask them to put in their CCR's to not allow solar panels on the
34 front roofs of homes it doesn't look good and people don't want to drive into their neighborhood and see solar
35 panels.

36
37 **Motion to close meeting of December 13, 2017 made by R Cecil, seconded by J Parker.**

38
39 **Vote**

40 **Yea:** R Cecil, B Fresz, G Sonntag, R Perry, J Parker

41 **Nay:** None

42
43 Minutes prepared by K Soelberg.

44 **MINUTES APPROVED 01/10/2018**

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48 _____
Brent Fresz, Vice Chair

Skarlet Bankhead, Recorder