

1 **Providence City Planning Commission Minutes**  
2 **Providence City Office Building, 164 North Gateway Drive, Providence UT 84332**  
3 **March 13, 2019 6:00 p.m.**

4  
5 **Call to Order:** Gary Sonntag, Chair  
6 Attendance: Ruthann Holloway, Laura Banda, Rowan Cecil, Bob Perry, Gary Sonntag, John Parker  
7 Excused:  
8 Voting Alternate:  
9 Excused Alternate:

10  
11 **Item No. 1. Resignation**

12 Acknowledge receipt of resignation by Robert James, dated February 27, 2019, as a Planning Commission Member  
13 and Chair. Said notification was copied to the Mayor.

14 Bylaws Art.II.2.3

- 15 • G Sonntag stated that he will draft a letter to R James and bring it with him to the next meeting to review  
16 with commission.

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18 **Item No. 2. Succession of Chair**

19 Pursuant to the Planning Commission Bylaws: "If the Chair resigns office or no longer becomes a member of the  
20 Commission, the Vice Chair shall succeed in the office for the remainder of the term". As such Gary Sonntag, who is  
21 a current Planning Commission Member and serves as Vice Chair, will succeed in the office of Planning Commission  
22 Chair. Bylaws Art.III.3.2

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24 **Item No. 3. Selection of Vice Chair**

25 "If the Vice Chair...succeeds the Chair's office, a special election shall be held at the next regular meeting of the  
26 Commission to select a Vice Chair to complete the term. Bylaws Art.III.3.2

27 **Motion to elect Bob Perry as Vice-Chair – R Cecil, second – J Parker**

28 **Vote:**

29 **Yea: G Sonntag, R Holloway, L Banda, R Cecil, J Parker**

30 **Nay:**

31 **Abstained:**

32 **Excused:**

33 **Excused Alternate:**

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35 **Item No. 4. Vacation of Office**

36 Fill office of regular and alternate Planning Commission members left vacant. Bylaws Art.II.2.4

- 37 • S Bankhead explained that there will be 2 vacant spots for regular members in the next two months.  
38 There is also a position for an alternate.

39  
40 **Approval of the Minutes:**

41 **Item No. 1.** The Planning Commission will consider approval of the minutes for February 27, 2019.

42 **Motion to approve the minutes from February 27, 2019 – R Cecil, second – J Parker**

43 **Vote: G Sonntag, L Banda, R Cecil, B Perry, J Parker**

44 **Yea:**

45 **Nay:**

46 **Abstained: R Holloway**

47 **Excused:**

48 **Excused Alternate:**

49 **Corrections:**

- 50 • Page 1 line 5 Call to order **G Sonntag Vice Chair**
- 51 • Page 1 line 38 include Laura Banda
- 52 • Page 3 Line 123 suggested sending this to the **general pan consultants**
- 53 • Line 150 page 3 include L Banda
- 54 • Line 153 excused Robert James and Ruthann Holloway

- Page 2 Line 104 however she thinks SFT would work.

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

- Josh Paulsen wanted to express appreciation to Robert James for his service as Planning Commission Chair.

**Public Hearing(s):**

**Item No. 1.** Proposed amendments to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, Sections 1 and 6 Life Cycle Residential(6:15 PM). Prior to making a recommendation on the proposed code amendment, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken.

- Jana Hawkes of Providence asked for a definition of LCR. G Sonntag read the definition in Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, Sections 1 and 6 Life Cycle Residential:

Purpose and Intent. It is the intent of this zone to guide development in accordance with the following goals:

1. Provide attractively landscaped neighborhoods with a mix of single-family, two-family and multi-family residential lots, structures, and associated uses, in areas where slopes do not exceed twenty percent (20%). Areas with slopes in excess of twenty percent (20%) shall be subject to Providence City Code Chapter 5 of this Title, Sensitive Areas.
  2. Provide an integrated design for the development of residential uses to allow flexibility and initiative in site and building design and location in accordance with an approved plan and imposed general requirements as specified by this chapter.
  3. Maintain a residential character compatible with surrounding traditional single-family neighborhoods.
  4. This chapter provides enabling authority and standards for the review, and approval of applications for Life Cycle Residential (LCR) developments. The intent of this ordinance is to provide an alternative to traditional subdivision design by encouraging innovation and offering flexibility in the design of residential developments, which will result in the enjoyment and benefit of the citizens of Providence, both current and future.
- J Hawkes stated that she felt that a 5,000 sq. ft. lot does not justify an LCR zone. She felt that this type of development will bring increased traffic and only benefits the developer. She stated that Providence City will look like Herriman City in 20 years if this is allowed.
  - Cindy Montoya of Providence explained that she has seen a previous plan that included over 55 active adult homes. When she saw the plans that were shown at the city council meeting it showed condominiums instead. She asked for clarification on the difference between condominiums and apartments.
  - G Sonntag asked J Jackson to explain, from his perspective, the difference between a townhome and condominium. J Jackson explained that with a townhome you are buying a piece of property that sits under the townhome. With a condominium you are buying the airspace inside the sheetrock. Basically it is wall-to-wall, floor-to-ceiling. The condo association owns the floor system. With the townhome you own the walls, the dirt, etc. The HOA typically owns the exterior. He also explained that home ownership always brings more pride in the product.
  - Scott Findley of Providence asked if apartments would be required, and referred to page 11 section a. He explained that according to the proposed changes, apartments would be required on developments of 25 acres or more.
  - Josh Paulsen of Providence explained that there needs to be more clarity in regards to the rules of the LCR code. He explained that he felt that out of the Mayor, S Bankhead, B Fresz, and R Sneddon, maybe two of them were actually elected to write the code. He stated that he takes issue with the changes that are being proposed because he feels that they are not being true to the intent of the functional community space requirement. He felt that a very key piece has been taken out to allow the applications and proposals to easily get through the process.

- J Paulsen stated that he feels that there is “funny business” going on in the city. He feels that the LCR ordinance should not move forward and should have no changes made until 2020, after the next election. He explained that the reason why he felt that it should be stayed is that there will be four council members leaving the council by that time, one of whom was not elected. He stated that if the commission had courage and integrity, they would let this run out and not do things that will enable the city council to zone and redevelop the largest plots of land within Providence.
- Kevin Moon recently moved to Providence. He felt that a good public transportation system is key to a successful development. He felt that people in their 30s want yards and feels that this won’t happen in this zone. He stated that it will create a transient system. He feels that none of the current goals will be met, and the zone will only create problems for the next 40 years.
- Nate Farnsworth of Providence explained that he hasn’t heard any discussion on problems that will arise with a much larger population in our city. Schools, roads, law enforcement and fire services would be greatly impacted. He supports the idea of waiting until 2020 to make a decision on this.
- Jeff Jackson of Visionary Homes explained that deciphering what the current code means has been a challenge. He explained that he felt that fear in the community is due to not knowing what LCR is.
- J Jackson explained that the current code seems to require apartments if the development is over 25 acres. He felt that if the development is over 25 acres, four different life cycles should be required, such as first time home buyers, active adults, move up home buyers, etc. He feels that the focus should be more on demographics than on housing types. For example, you could have two different types of town homes, one type with amenities attractive to millennials, and one with amenities attractive to empty nesters. Or, a developer could build an entire subdivision of single family homes targeted to four different demographics: small two story homes for millennials, larger homes for move-up buyers, single story homes for seniors, and estate homes for the wealthy. He said that while he is in favor of open space, the proposed 25% functional open space is extreme. Most cities have a requirement for open space, and a separate requirement for functional open space. Functional open space is typically 10-15%, and typically 20-25% is the true open space requirement. He said that the 25% requirement would only leave 60% of the ground for housing units after roads and setbacks are taken out. He mentioned that community open space has a lot of issues that need to be worked out, such as liability and maintenance issues. It is also not fair that residents in the development will pay an HOA fee for the upkeep of the open space, and yet it will be accessible to all citizens of Providence.
- Lacey Nye of Providence felt that the way it is currently written would allow apartments to be put across the street from million dollar homes.
- Scott Findley of Providence referred to page 12 section H, and asked why it had been stricken. He encouraged the commission to not strike section H.
- Todd Morrison of Providence stated that he felt that homeowners versus renters do take more pride in homes. He asked if there will be any stipulations with the HOA as to how many of the units can be rented out. He felt that having a stipulation on how many can be rented out is important.

**Item No. 2. Proposed General Plan Map Future Re-Zoning of Existing Districts & Annexed Areas (6:15 PM)**

Prior to making a recommendation on the proposed map, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken.

- S Bankhead explained that many think that by accepting this map into the general plan, the properties are automatically this zone. She stated that this is not the case, and that the map is just a guide.
- J Paulsen thanked the commission for holding the public hearing.
- J Jackson asked whether if this map is shown in the general plan, and a parcel is brought to be rezoned, the map needs to be changed prior to the rezone. S Bankhead explained that in order to cover the bases for policy, they try to change the map along with the rezone. S Bankhead stated that she felt that this is a plan, not an ordinance that limits what can be considered.

**Study Items(s):**

**Item No. 1. Ordinance and Design Standards for Life Cycle Residential Zone, LCR**

The Commission will review and discuss the proposed changes for Title 10 Chapter 4, LCR Zone.

- Page 9 of 12 line 39 - maintain ~~and~~ adjacent

- R Cecil explained that the different housing types could be townhomes, condominiums, single family detached, single family attached. He suggested splitting the housing types out separately because the way it is written makes it look like there are only 3 housing types.
- G Sonntag suggested having 2 housing types for 25 acres and 3 for 25 acres and larger. He explained that he felt that the current code is forcing developers into a particular type of housing.
- S Bankhead explained that aesthetically, multi-family is multi-family to most people. She feels that it is important to work terms such as active adult, first-time home buyer, step up home, etc., should be worked back into the ordinance. She feels that that is really the goal.
- S Bankhead explained that she felt that LCR gives the public the understanding that there can be single family structures and multi family structures in the same area.
- G Sonntag explained that he felt that what the developer builds will be driven by the market. He stated that there is a difference between affordable housing and housing affordability.
- J Parker mentioned the success of the Cobblestone Development. S Bankhead explained that she felt that it had been successful because it was a planned development, and people knew what would be there.
- L Banda explained Cobblestone is close to transportation, and felt that is why it has been successful.
- Dave Knight of Providence stated that he has a petition with over 551 signatures of citizens that are against LCR. He explained that he felt that this will be the beginning of a big mess if LCR is allowed. He stated that the commission only brings up the points that favor their agenda.
- J Paulsen believes that conditional use and PUD will work much better than LCR.
- G Sonntag explained that he feels that the commission needs to step back and redefine what is trying to be done. He explained that by using the zones that are already in place, demographics will be addressed, and there will be enough flexibility for developers.

**Item No. 2. General Plan Map of Future Re-Zone of Existing Districts and Annexation Areas**

The Commission will review and discuss the proposed changes to the Map.

- The commission discussed areas of focus, and agreed that more time is needed to study the map.
- The areas of focus are the Chugg property, the west side of Hwy 165 and the USU area by Millville.

**Item No. 3. Providence Planning Commission Bylaws**

The Commission will review and discuss the Bylaws and consider potential updates.

- Article I – General Provisions
  - 1.3 – An official copy of the ~~rules~~ **bylaws** of the
  - 1.4 – within the Providence City offices, ~~15 South Main~~ **164 N Gateway Drive**, Providence, Utah, 84332
- Article II – Members
  - 2.3 – add language for consideration of negligence
  - **2.5 – Expiration of Term**
  - **2.6 – Orientation and Training** – Training when available/encouraged
- Article III – Officers, Committees, Staff, Duties
  - 3.1 – Regular Election of Chair – Schedule for July 10, 2019
  - 3.2 – R Cecil suggested this be a nomination
  - 3.3 – Roberts Rules of Order, newly revised, ~~shall~~ **may**
  - 3.6 – no more than 2 members should do an inspection

**Reports:**

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

- S Bankhead reported on items from the City Council Meeting.
  - The council was in favor of annexing the Chugg property as LCR.
  - The council was not in favor of the Edwards Furniture rezone. Not all information from the developer was submitted as part of the formal package.
  - The law enforcement and animal services contracts were renewed.
  - CAPSA made a presentation and Mayor Drew signed the proclamation.
  - The council heard from residents about the status of 100 South, west of 200 West.

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

- 217 • None
- 218
- 219 **Motion to adjourn –R Cecil, second – J Parker**
- 220 **Vote:**
- 221 **Yea: G Sonntag, R Holloway, L Banda, R Cecil, J Parker**
- 222 **Nay: None**
- 223 **Abstained: None**
- 224 **Excused:**
- 225 **Excused Alternate:**

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227 The next meeting is Wednesday, March 27, 2019

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229 Meeting adjourned approximately 8:50 PM

230 Minutes prepared by Mindi Petersen

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233 Gary Sonntag, Chair

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234 Skarlet Bankhead, City Recorder

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