

1 **Providence City Planning Commission Minutes**  
2 **Providence City Office Building, 164 North Gateway Drive, Providence UT 84332**  
3 **June 12, 2019 6:00 p.m.**

4  
5 **Call to Order:** Gary Sonntag, Chair

6 Attendance:

7 Voting: Laura Banda, Rowan Cecil, Ruth Ann Holloway, Bob Perry, Gary Sonntag  
8 Non-voting alternates: Josh Paulsen, Sharon Johnson  
9

10 **Approval of the Minutes:**

11 **Item No. 1.** The Planning Commission will consider approval of the minutes for May 22, 2019.

12 **Motion to approve the minutes: — R Cecil, second — B Perry**

13 **Vote:**

14 **Yea: L Banda, R Cecil, R Holloway, B Perry, G Sonntag**

15 **Nay:**

16 **Excused:**

17 Corrections:

18 Line 43: council commission

19 Line 67 & 70: lawyer attorney

20 Line 141: location applicant

21 Line 274: ~~explained the changes that he penciled on to the map~~ explained some of the suggested changes that he  
22 had penciled onto the map

23 Line 280: Bike routes that follow most of that route  
24

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

- 28 • No public comment.

29  
30 **Public Hearing(s):** None

31  
32 **Action Item(s):**

33 Action Item Note: Should the Planning Commission not be able to make a decision or take exception to an Action  
34 Item(s), then that item will be tabled and revert back to a study category.  
35

36 **Item No. 1. Preliminary Plat:** The Providence Planning Commission will consider for approval The Corner Lot 1  
37 Amendment – Preliminary Plat; a two-lot commercial subdivision located in the general area of 506 West 100  
38 South.

39 **Motion to approve the preliminary plat for The Corner Lot 1 Amendment: — R Cecil, second — R Holloway**

40 **Yea: L Banda, R Cecil, R Holloway, B Perry, G Sonntag**

41 **Nay:**

42 **Excused:**

- 43 • Danny McFarlane of Civil Solutions Group spoke about the plat. The intent is that there will be two  
44 separate buildings built on the parcel. They are splitting the parcel so that each building can sit on its own  
45 lot.
- 46 • G Sonntag asked about the access.
- 47 • D McFarlane said that there will be a driveway on the northwest corner. Both lots will share a parking lot  
48 and the same access. There will be cross access easements that will be filed with the plat. Each lot will  
49 have equal access to use the parking lots in either lot.
- 50 • G Sonntag asked about the storm water retention basin. D McFarlane said that there will be a similar  
51 agreement for the basin.
- 52 • D McFarlane said that utilities placement is still being worked out with the Public Works Department.
- 53 • S Bankhead said that this is a preliminary plat for an amended final plat. Danny McFarlane is an agent  
54 acting on behalf of the applicant.

- 55 • S Bankhead read from the Staff Report included in the agenda packet.
- 56 • J Paulsen asked if we have code that specifies how close driveways can be to an intersection or
- 57 roundabout.
- 58 • S Bankhead said that we do have code for that. The driveway was put where it is because that was the
- 59 closest it is allowed to be. Providence City built the roundabout and built the road cut for that driveway as
- 60 part of the roundabout project.
- 61 • B Perry asked if the two lots will have separate parcel numbers. D McFarlane said they will have separate
- 62 numbers.

63  
64 **Item No. 2. Amended Final Plat:** The Providence Planning Commission will consider for approval Sunrise Acres 3  
65 Amended Final Plat; an eight-lot residential subdivision located in the general area of 646 South 330 West.

66 **Motion to approve Sunrise Acres Phase 3 Amended Final Plat: — R Cecil, second — B Perry**

67 **Vote:**

68 **Yea: L Banda, R Cecil, R Holloway, B Perry, G Sonntag**

69 **Nay:**

70 **Excused:**

- 71 • S Bankhead said that Sierra Homes is the applicant for this amended final plat. Matt Nelson is the agent. S
- 72 Bankhead read from the staff report included in the agenda packet. She explained that after the final plat
- 73 was recorded in January 2016, property owners on the south side of the property filed a lawsuit disputing
- 74 the location of 700 South. Those property owners prevailed in the lawsuit, necessitating the relocation of
- 75 the proposed 700 South. This amendment reduces the frontage of the eight lots involved along 330 West
- 76 and moves the location of the road to the north.
- 77 • S Bankhead continued reading from the staff report included in the agenda packet.
- 78 • S Bankhead explained that the applicant has worked with the city for a long time to do the best they can
- 79 to put in a road down there and still keep their subdivision intact.

80  
81 **Item No. 3. Final Plat:** The Providence Planning Commission will consider for approval the final plat for Vineyard  
82 Phase 1, a Life Cycle Residential subdivision containing 18 single-family detached homes, 20 townhomes, and 10  
83 condominium units, located in the general area of 170 East Spring Creek Parkway.

- 84 • G Sonntag said that the applicant has asked for this item to be removed from the agenda.

85  
86 **Item No. 4. Providence Planning Commission Bylaws:** The Commission will consider for recommendation to the  
87 City Council amendments to the Providence Planning Commission Bylaws.

88 **Motion to continue the item to a future meeting until section 6.4 can be reviewed: — B Perry, second — R Cecil**

89 **Yea: L Banda, R Cecil, R Holloway, B Perry, G Sonntag**

90 **Nay:**

91 **Excused:**

- 92 • G Sonntag said that the Mayor and the city staff have recommended that the commission include
- 93 language in their bylaws clarifying the duties of a planning commission member.
- 94 • S Bankhead: 3.1 e (2)(iii) ~~hear~~ **heard**
- 95 • G Sonntag asked if the city attorney has reviewed the bylaws. S Bankhead said that she has sent it to him.
- 96 He has not sent back any additional comments.
- 97 • R Cecil noted that there are two section 3.1s. We need to re-number the sections.
- 98 • G Sonntag: 6.4 ~~as they desire~~
- 99 • G Sonntag spoke about section 6.4 a & b. This section was added in an attempt to preserve the order and
- 100 decorum of the meetings while also allowing the public to speak.
- 101 • B Perry said that he thinks this new section is important. We should have something available so that the
- 102 public can view these rules.
- 103 • R Cecil said that we should put these rules near the sign in sheet for speakers.
- 104 • S Bankhead asked if applicants who are on the agenda need to sign the list. G Sonntag said that they
- 105 would not need to because they are on the agenda.
- 106 • R Holloway had some suggestions for clarifying the language:
  - 107 • When speakers sign-in, they will designate if they would like to speak ~~to~~ **on**
  - 108 • ~~They will include on the sign in sheet~~ **The sign in sheet will include**

- 109                   • They wish to speak ~~to~~ upon
- 110                   • Speaking or presenting and possible comments from the audience
- 111                   • G Sonntag suggested that we include the language that S Bankhead suggested earlier: that those who are
- 112                   on the agenda do not have to sign the speaker sheet.
- 113                   • J Paulsen asked if we will also require applicants who are on the agenda to come at the beginning of the
- 114                   meeting. If not, we are setting a double standard by requiring the citizens who would like to comment to
- 115                   come at the beginning of the meeting.
- 116                   • G Sonntag asked if those who want to speak can get on the agenda. S Bankhead said that if someone
- 117                   contacts her about speaking to the commission, she then asks the chair if the chair would like to designate
- 118                   the speaker as an agenda item or if they would like to suggest that they speak during the public comment
- 119                   portion.
- 120                   • G Sonntag felt that applicants and members of the public are two different categories.
- 121                   • R Holloway said that if everyone is here at the beginning of the meeting there is less disruption. She felt
- 122                   that we should require the applicants to be here on time. Sometimes meeting schedules shift, and so
- 123                   having everyone here on time would help the meeting proceed smoothly.
- 124                   • B Perry said that developers and applicants should already know that they need to be here on time.
- 125                   • L Banda asked about section b wherein it says that the chair may delete time from a speaker. She said
- 126                   that it is important for people to know how long they have to speak in advance so that they can prepare
- 127                   their statement accordingly.
- 128                   • J Paulsen said that it would be good to have a time limit. The chair gets to decide how that is enforced.
- 129                   • B Perry suggested that we combine the public hearing and public comment sections into one category on
- 130                   the agenda.
- 131                   • R Holloway said that on other commissions she has served on, the chair has asked that those with a
- 132                   prepared statement come forward first.
- 133                   • G Sonntag asked if we should allow those who sign in to tell us how many minutes they would like to
- 134                   speak.
- 135                   • B Perry said that we may know in advance which issues will have the most comments. We can adjust the
- 136                   time for the public hearing accordingly.
- 137                   • R Holloway said that if there is a group of individuals, they can pick someone to be their spokesperson. If
- 138                   we suggest this to them, they may do it.
- 139                   • G Sonntag asked if we can prepare an instruction list for those who are commenting. S Bankhead said that
- 140                   we can do that.
- 141                   • J Paulsen said that those with prepared statements aren't the ones that take up the most time. The time
- 142                   is taken up by the exchange between those speaking and the commission. He suggested that the
- 143                   commission have a question sheet that people can fill out at the beginning of the meeting. If the
- 144                   commission could answer some of those questions, it would reduce the amount of time for back-and-
- 145                   forth. During their comments, we would simply listen. We should eliminate the expectation that we will
- 146                   have an exchange with them. It is not practical.
- 147                   • R Cecil said that there are times when the commission members want to ask a question of someone who
- 148                   has commented.
- 149                   • J Paulsen said that we can reserve the right to ask questions, even if we don't always ask them.
- 150                   • R Cecil said that we should include a statement on our instructions that says that if there is a group of
- 151                   people coming in to speak on a topic, they should choose a spokesperson for the group.
- 152                   • J Paulsen asked whether a speaker will be allowed to speak on multiple agenda items. The current
- 153                   language makes it unclear.
- 154                   • J Paulsen: ~~A public hearing~~ **The purpose of a public hearing**
- 155                   • G Sonntag read sections 7.1-7.5.
- 156                   • J Paulsen asked about section 7.5. He asked if administrative decisions can be appealed to the Appeal
- 157                   Authority.
- 158                   • S Bankhead said that they can.
- 159                   • G Sonntag brought up section 6.4 again.
- 160                   • B Perry said that he likes the speaker sign in sheet.
- 161                   • G Sonntag brought up the question sheet suggested by J Paulsen.

- 162 • R Holloway said that we could ask on the sign in sheet whether they are representing a group.
- 163 • R Cecil said that we should put in language to the effect that with the sign in sheet, we will include a sheet
- 164 with the rules for public comment.
- 165 • G Sonntag agreed.
- 166 • R Holloway said that we could also include language on the form that says that those commenting can
- 167 also present materials such as charts, maps etc. G Sonntag said that those types of presentations should
- 168 probably get on the agenda. R Holloway said that in that case, the form should inform them of that, and
- 169 tell them what they can do to get on the agenda.
- 170 • L Banda asked if the city council is adopting similar bylaws.
- 171 • S Bankhead said that they will be amending their bylaws soon.
- 172 • S Bankhead cautioned the council to avoid language that makes people expect that they can bring up an
- 173 item that is not on the agenda and get a response or action on it.
- 174 • J Paulsen said that we have generally allowed public comment on the agenda items. If there is anyone in
- 175 the audience that has comments on these bylaws, he would like to hear their comments.
- 176 • G Sonntag said that due to the time, he doesn't want to open this item to public comment.
- 177 • B Perry said that in section 2.6, we should emphasize that commissioners are encouraged to attend
- 178 trainings. G Sonntag said that it is already emphasized.

179 **Item No. 5. General Plan revision review:** The Commission will review and discuss the draft chapters for the  
 180 general plan revision.

- 181 • R Cecil said that he found some typos. S Bankhead said that the consultants will probably fix the typos.
- 182 • R Cecil brought up page 4. He would like to change "Mormon settlement" to "Latter-day Saint
- 183 settlement."
- 184 • R Cecil, page 4 bottom right paragraph: Secondly, the ~~Plan~~ **Plan**
- 185 • J Paulsen said that we should not go over spelling errors as a commission. We should send those changes
- 186 to S Bankhead.
- 187 • R Cecil, page 6 top right paragraph: ~~Mormon~~ Latter-day Saint
- 188 • R Cecil asked when gas was first provided in Providence. S Bankhead didn't know.
- 189 • G Sonntag asked the commission to send their minor grammar/spelling revisions to S Bankhead within
- 190 seven days.
- 191 • S Bankhead said that it would be easier to do the public hearing in July rather than in June since some
- 192 revisions are going to be made.
- 193 • G Sonntag said that we will schedule the public hearing for July 10.

194  
 195 **Study Items(s):**

196 **Item No. 1. Ordinance and Design Standards for Life Cycle Residential Zone, LCR:** The Commission will review and  
 197 discuss the proposed changes for Title 10 Chapter 4, LCR Zone.

- 198 • G Sonntag asked how the commission would like to proceed on this.
- 199 • B Perry asked if the council has given any guidance on this.
- 200 • S Bankhead said that it has been discussed in executive staff. She said that there are some parts of the
- 201 LCR ordinance that would have ripple effects on other parts of the code. We could discuss those in the
- 202 next meeting and schedule the public hearing for July if we have everything ready.
- 203 • G Sonntag felt that we should have the public hearings for the General Plan and the Life Cycle Zone at
- 204 separate meetings.
- 205 • G Sonntag suggested that the commission members email their comments on the LCR ordinance to S
- 206 Bankhead so that the commission can be prepared to discuss them next time. This will save time in the
- 207 meeting.
- 208 • J Paulsen said that there are some areas of the ordinance that require discussion, and there are others
- 209 that are simply minor wording issues. J Paulsen said he will mark the areas that he thinks are important
- 210 for discussion on the PDF that he sends to S Bankhead. S Bankhead said that she can incorporate those
- 211 comments into the document that she creates and mark them by author.

212  
 213 **Reports:**

214 **Staff Reports:** Any items presented by Providence City Staff will be presented as informational only.  
 215 S Bankhead, Administrative Services Director

- 216 • Executive staff is still working on the setback ordinance. People are interpreting the ordinance in ways
- 217 that the original ordinance did not intend.
- 218 • We are also working on an ordinance for accessory apartments, which are accessory dwelling units within
- 219 the dwelling.
- 220 • We will be scheduling a planning commission public hearing for June 26 for the zone assignment of the
- 221 Fuhriman-Low property [Chamberlain development] at the west end of 500 South. Their annexation
- 222 request has been certified [but not yet approved]. The city council could hold their public hearing for July.
- 223 • J Paulsen asked what the requested zone assignment for that property is.
- 224 • S Bankhead said that they requested single family high. J Paulsen asked if that is what is shown on our
- 225 current general plan. S Bankhead said that it is not. G Sonntag said that it is shown as commercial.
- 226 • S Bankhead said that because this is not a zone that has been discussed for those parcels, the council felt
- 227 that the planning commission should make a recommendation.
- 228 • S Bankhead reported that the city council discussed the water agreement with Spring Creek Water
- 229 Company. The attorneys seem to be making progress. They also discussed 100 South. There have been
- 230 some problems with the title on a small piece of property that need to be cleared up. At some point, the
- 231 council would like to open up that road. The road has been closed for about 10 years.
- 232 • S Bankhead reported that the city council had a public hearing on the budget for 2020. They passed a
- 233 preliminary proposal for the tentative budget that will get us through until the Truth in Taxation hearing
- 234 in August. In August, they will approve the tentative budget.
- 235 • S Bankhead said that there will be a tax increase. Most of it will go towards the Logan City fire contract.
- 236 Some of it will go towards hiring a city manager. We are also considering hiring a code compliance officer.
- 237 • S Bankhead said that we also changed our personnel policy to match with recent adjustments in state law.
- 238 We had to designate which positions are eligible to be exempt from Utah Retirement Systems.
- 239 • R Holloway asked about the accessory apartment ordinance. She feels that there are many people who
- 240 rent out rooms in Providence. S Bankhead said that you can have someone live in your house or rent a
- 241 room as long as there are no more than four unrelated individuals and they all operate as one household
- 242 (sharing the kitchen, etc).
- 243 • B Perry asked about Airbnb. S Bankhead said that our city code prohibits short-term rentals. However,
- 244 state code prohibits us from taking action against a homeowner solely because they advertised their
- 245 home as a short-term rental.
- 246 • S Bankhead said that there was a time when we allowed separate units within the home, and they were
- 247 called accessory dwelling units. Now we have defined an accessory dwelling unit as a detached dwelling
- 248 unit, and will rename the old ordinance about units within the home to accessory apartments. Both of
- 249 these types require owner occupancy.
- 250 • S Bankhead said that after the council voted to stop allowing accessory dwelling units within the home,
- 251 there were a few that we still had to allow to keep operating. Those are still operating today.

252  
 253 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no  
 254 formal action will be taken.

- 255 • G Sonntag said that we will want to put the bylaws and the LCR ordinance on our next agenda. He asked
- 256 the commission to review the other parts of the code that would be affected by the LCR ordinance.
- 257 • G Sonntag asked about Providence Canyon. It is a watershed area. Has there ever been a discussion on
- 258 cleaning it up? There are messes from people doing shooting practice.
- 259 • S Bankhead said that there are several groups that come through once or twice a year to clean it. The
- 260 canyon itself is in the county. Sometimes we do help facilitate that cleanup. A trails group often helps
- 261 organize the cleanup.
- 262 • J Paulsen said that state code says that those shooting must be 150 yards from a stream or public
- 263 occupied space. It is also against the law to shoot across any body of water including a stream. It is also
- 264 state law that casings and skeet need to be removed.
- 265 • G Sonntag asked about the roundabouts that the commission recommended in the transportation plan.
- 266 Who on the city staff puts it into the budget so that it can be built?
- 267 • S Bankhead said that we have a proposal from our engineering firm for a traffic analysis. Once that is
- 268 finished, we will know how to plan for the capital improvements associated with the transportation plan.

269 We will have to consider which improvements can be made with impact fee money, and which must be  
270 made with general fund revenue. That information should be available within the next six months or so.  
271

272 **Motion to close the meeting: — R Cecil, second — L Banda**

273 **Yea: L Banda, R Cecil, R Holloway, B Perry, G Sonntag**

274 **Nay:**

275 **Excused:**

276

277 Meeting adjourned at approximately 8:25 PM

278 Minutes prepared by Jesse Bardsley

279 Minutes approved by vote of the commission on June 26, 2019

280

281

282

283 \_\_\_\_\_  
Gary Sonntag, Chair

\_\_\_\_\_   
Skarlet Bankhead, City Recorder