

1 **Providence City Planning Commission Minutes**  
2 **Providence City Office Building,**  
3 **164 North Gateway Drive, Providence UT 84332**  
4 **November 13, 2019 6:00 p.m.**  
5

6 **Call to Order:** Bob Perry, Acting Chair

7 **Roll Call of Commission Members:** Bob Perry

8 **Pledge of Allegiance:** Josh Paulsen

9 **Attendance:** Laura Banda, Rowan Cecil, Ruth Ann Holloway, Bob Perry, Josh Paulsen (voting alternate)

10 **Excused:** Kathleen Alder  
11

12 **Special Election of Chair and Vice Chair:** In accordance with the Providence City Planning Commission Bylaws 3.3,  
13 the Planning Commission will elect a chair and vice chair.

14 **Nomination to appoint B Perry as chair:** — R Cecil, second — L Banda

15 **Vote:**

16 **Yea:** L Banda, R Cecil, R Holloway, J Paulsen, B Perry

17 **Nay:**

18 **Abstained:**

19 **Excused:** K Alder

20 **Nomination to appoint Kathleen Alder as vice chair:** — R Cecil, second — R Holloway

21 **Vote:**

22 **Yea:** L Banda, R Cecil, R Holloway, J Paulsen, B Perry

23 **Nay:**

24 **Abstained:**

25 **Excused:** K Alder

26 **Nomination to appoint Laura Banda as vice chair:** — J Paulsen

27 **Died for lack of second.**  
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30 **Approval of the Minutes:**

31 **Item No. 1.** The Planning Commission will consider approval of the minutes for October 23, 2019.

32 **Motion to approve the minutes of October 23, 2019:** — R Cecil, second — R Holloway

33 **Vote:**

34 **Yea:** R Cecil, R Holloway, B Perry

35 **Nay:**

36 **Abstained:** J Paulsen, L Banda

37 **Excused:** K Alder

38 **Corrections:**  
39

40 **Public Comments:** Citizens may appear before the Planning Commission to express their views on issues within  
41 the City's jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per  
42 person. The total time allotted to public comment is 21 minutes. Persons wishing to address the Commission  
43 during Public Comments should sign on the public comment sign-in sheet located at the entry to the meeting  
44 room.

- 45
  - No public comments  
46

47 **Public Hearing(s):** Remarks during the hearing are limited to 5 minutes per person. The total time allotted to  
48 hearing comment is 50 minutes. Persons wishing to address the Commission during public hearing should sign on  
49 the sign-in sheet for the public hearing located at the entry to the meeting room. You may also email comments to  
50 the City Recorder, [sbankhead@providence.utah.gov](mailto:sbankhead@providence.utah.gov) by 2:00 PM the day of the meeting. By law, email comments  
51 are considered public record and will be shared with all parties involved, including the Planning Commission and  
52 the applicant.  
53

54 **Action Item Note:** Should the Planning Commission not be able to make a decision or take exception to an Action  
55 Item(s), then that item will be tabled and revert back to a study category. The applicant will have 15 minutes to  
56 introduce and make a brief presentation.  
57

58 **Public Hearing Item No. 1. 6:10 PM – Proposed Rezone:** Prior to making a recommendation on the proposed  
59 rezone for Parcel No. 02-162-0015; a 1.47-acre parcel located at 220 N Spring Creek Parkway, Providence UT, the  
60 Planning Commission is holding a public hearing. The property is currently zoned Commercial General District  
61 (CGD). The applicant is requesting Multi-Family High (MFH). The purpose of the public hearing is to provide an  
62 opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission  
63 invites you to attend the hearing in order to offer your comments. You may also email comments to the City  
64 Recorder, [sbankhead@providence.utah.gov](mailto:sbankhead@providence.utah.gov) by 2:00 PM the day of the meeting. By law, email comments are  
65 considered public record and will be shared with all parties involved, including the Planning Commission and the  
66 applicant.

- 67 • Gene Ashton, representing Danny MacFarlane, asked if the Commission had any questions about the  
68 proposed rezone. The intention is to put 24 townhomes on this parcel. G Ashton read from the packet he  
69 passed out to the Commission about design standards, traffic, etc. The townhomes will help the traffic  
70 issue, because the alternative would be to build a commercial building that would generate more traffic.  
71 The owner had previously proposed a 13,000 square foot office building. The estimated number of daily  
72 vehicular trips from the offices would be 470, and from the townhomes 93.
- 73 • G Ashton said that there could be a problem with the dumpsters, but they are a problem everywhere.
- 74 • G Ashton said that the property rezone will not devalue the surrounding properties. D Macfarlane is  
75 paying the commercial land price for the parcel.
- 76 • G Ashton said that the current parking area [for the mini golf] will be used for the proposed town homes.  
77 He said that this would not be a spot zone because there is multi-family next to it. He also said that the  
78 area is not very good for retail, because there is not enough traffic going by. The average daily traffic is  
79 9,600 trips per day. The traffic in front of Macey's is 21,000 trips per day
- 80 • G Ashton said that more taxes would be collected by the city from the proposed multi-family housing than  
81 from an office building.
- 82 • R Holloway asked if each townhome will have its own parking spot in addition to the parking that is in the  
83 current parking lot. If they do not, she is concerned that there will not be enough parking.
- 84 • G Ashton said that he believes that each townhome will have a garage.
- 85 • S Bankhead said that this is the time to consider the rezone, not the design standards. They will have to  
86 meet city code as far as parking.
- 87 • J Paulsen asked about the tax comparison. He was concerned that the paper that G Ashton passed out  
88 does not have a proper comparison between the property tax generated by the office building and the tax  
89 generated by the proposed townhomes.
- 90 • Linda Christensen is a part owner in the property just south of the proposed rezone. She was interested in  
91 knowing what the plans are for the parcel. She also asked about the city's [access easement] into the park  
92 property.
- 93 • S Bankhead said that the developer intends to put townhomes there. The city intends to use the access  
94 easement. We have worked with the developer to make sure that it will be available.
- 95 • L Christensen asked if it will be open between the new townhomes and the surrounding businesses or if  
96 there will be a buffer.
- 97 • S Bankhead said that currently, we are considering the rezone. Later on, the developer will have to get  
98 specific with meeting city code and design standards. She is not sure what type of buffering there will be  
99 yet.
- 100 • L Christensen asked if she will have to have a buffer between her property and the townhomes.
- 101 • S Bankhead said she will have to find out.
- 102 • J Paulsen said that L Christensen would probably have vested rights as an existing property owner [so that  
103 she would not have to put in a buffer].
- 104 • L Christensen said that she doesn't necessarily have any objections to multi-family housing there. She  
105 came so that she could be informed about what was happening.  
106

107 **Legislative Recommendation - Action Item No. 1 – Proposed Rezone:** The Planning Commission will consider for  
108 recommendation to the City Council a rezone request by Danny Macfarlane, agent for DLMAC LLC, for Parcel No.  
109 02-162-0015; a 1.47-acre parcel located at 220 N Spring Creek Parkway, Providence UT. The property is currently  
110 zoned Commercial General District (CGD). The applicant is requesting Multi-Family High (MFH).

111 **Motion to recommend that the city council rezone parcel number 02-162-0015 located at 220 N Spring Creek**  
112 **Parkway: — R Cecil, second — J Paulsen**

113 **Vote:**

114 **Yea: R Cecil, B Perry**

115 **Nay: R Holloway, J Paulsen, L Banda**

116 **Abstained:**

117 **Excused: K Alder**

118 **Comments:**

- 119 • L Banda said that she has two concerns about this property. One is about losing commercial area along a  
120 main street, and the other is about traffic with so many multi-family homes.
- 121 • J Paulsen said that he fears a domino effect in this area. We are justifying adding more multi family  
122 housing because of what was previously approved to the north. He is an advocate of preserving our  
123 commercial core.
- 124 • S Bankhead reviewed the history of the lot to the north. The Planning Commission recommended to keep  
125 the lot to the north as commercial, but the City Council decided to rezone it to multi-family.
- 126 • B Perry said that the lot in question is near services, a commercial area, and a bus stop.
- 127 • R Cecil said that the golf course is losing money. It is no longer a viable entity.
- 128 • J Paulsen said that he understands that the golf course is no longer viable, but felt that business  
129 profitability issues should have no bearing on his decision. If they were proposing mixed use, he might  
130 consider it. But he can't see multi-family. He felt that the multi-family in this area will continue to expand.
- 131 • R Holloway said that it is hard to get more land for commercial. Also, a mixed use might yield more taxes.  
132 Maybe we should discuss this.
- 133 • J Paulsen said that the state may end up taxing services, and therefore we may get more taxes from  
134 offices than we do now.

135  
136 **Public Hearing Item No. 2. 6:15 PM – Proposed Code Amendment:** Prior to making a recommendation on the  
137 proposed code amendment to Providence City Code Title 10 Zoning Regulations-Chapter 14-Section 1 Cluster and  
138 Inner Block Development, by clarifying hearing notice requirements and expanding the area where inner block  
139 development can occur; and Section 2 Planned Unit Development by adding requirements for a storm water  
140 system, allowing home businesses, clarifying public and private right-of-ways, the Planning Commission is holding a  
141 public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment  
142 on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer  
143 your comments. You may also email comments to the City Recorder, [sbankhead@providence.utah.gov](mailto:sbankhead@providence.utah.gov) by 2:00 PM  
144 the day of the meeting. By law, email comments are considered public record and will be shared with all parties  
145 involved, including the Planning Commission and the applicant.

- 146 • No public comments.

147  
148 **Legislative Recommendation - Action Item No. 2 – Proposed Code Amendment:** The Planning Commission will  
149 consider for recommendation to the City Council proposed amendments to Providence City Code Title 10 Zoning  
150 Regulations-Chapter 14-Section 1 Cluster and Inner Block Development, by clarifying hearing notice requirements  
151 and expanding the area where inner block development can occur; and Section 2 Planned Unit Development by  
152 adding requirements for a storm water system, allowing home businesses, clarifying public and private right-of-  
153 ways.

154 **Motion to recommend approval to the City Council for Proposed Code Amendment Chapter 14 Special**  
155 **Developments: — J Paulsen, second — R Cecil**

156 **Vote:**

157 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

158 **Nay:**

159 **Abstained:**

160 **Excused: K Alder**

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- S Bankhead said that we received a formal request to allow inner-block development [in the downtown area] and private roads in a Planned Unit Development.
- S Bankhead explained some of the changes to private road requirements. Currently, developers do not have a reason to do a Planned Unit development because they have to adhere to the same infrastructure standards as a normal subdivision while also providing open space.
- S Bankhead read from the staff report. The staff recommends that these amendments be recommended for approval.
- S Bankhead said that she did not receive any emailed public comments about either of the public hearings tonight.
- J Paulsen asked if Max Pierce, City Engineer, had reviewed the varied street profiles. He thought that M Pierce was a proponent of consistent streets widths.
- S Bankhead said that he has reviewed it. S Bankhead explained that the members of the executive staff committee reviewed this together.
- J Paulsen asked about the expansion of inner-block development. Are we just making changes that make it easier or are we changing the map [of where it is allowed]?
- S Bankhead said that there are some areas of the city where we allow inner block development already [outside of the downtown area]. We are not creating something new, but rather expanding the area where it is allowed.
- L Banda asked about the section that is struck out in 10-14-1 D. Are these areas that inner block development will now be allowed?
- S Bankhead said that they are.

**Administrative - Action Item(s):**

**Item No. 1. Final Plat:** The Providence Planning Commission will consider for approval the final plat for Providence Highlands Subdivision Phase 4, a 12-lot residential subdivision, located at approximately 1170 South 800 East.

**Motion to approve the final plat for Providence Highlands Subdivision phase 4 located at 1170 South 800 East:**

**— R Cecil, second — R Holloway:**

**Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

**Nay:**

**Abstained:**

**Excused: K Alder**

Discussion:

- S Bankhead explained that this plat was approved in 2016. If an applicant doesn't record a plat within one year of approval, the developer has to go back through the final plat approval process. Since the time the original plat was submitted, our code has become stricter. This new plat has "R" on some lots to indicate that they are restricted. These lots must obtain a conditional use permit before building. This will be the final number of lots that the developer can put on the south side of 1000 south because there is a limit on the number of homes that can use a single access.
- S Bankhead said that this plat was redone with current standards in mind, including sensitive areas.
- S Bankhead explained that there will be a temporary turnaround. The previous one will be vacated. The new temporary turnaround is outside of Providence City limits, but it is on the developer's property.
- S Bankhead said that the lots meet the standards for lots in the Single Family Large zone.
- B Perry asked if all the lots are restricted.
- S Bankhead said that they are. Some of them are in a wildfire hazard area, some are in slope hazard areas, etc. According to a geotechnical study that was done, all the lots are far enough away from the fault line that they will not be more significantly affected than other areas in the city.
- J Paulsen asked if the lot lines are the same as the plat that was originally approved. S Bankhead said that they are. He was concerned about the lots that go under the power line easement.
- S Bankhead said that Rocky Mountain Power puts limitations on what can be done there. We tell the applicants about these restrictions when they come in for a conditional use permit.
- J Paulsen asked if any of the lots intrude on the Highlands Homeowner's Association park. S Bankhead said that they do not.

- 215 • R Holloway asked if the development will have public or private roads. S Bankhead said that they will be
- 216 public.
- 217 • J Paulsen asked about water pressure for the homes.
- 218 • S Bankhead said that the state standard is 40 PSI. All of the homes will meet that standard.
- 219 • J Paulsen asked if these homes will affect the water pressure of existing homeowners in the Highlands
- 220 Area.
- 221 • S Bankhead said that it should not affect the water pressure of existing homeowners in the Highlands.
- 222 • S Bankhead said that it is good if the homeowners get their landscapers to design [sprinkling systems] for
- 223 the appropriate pressure.
- 224 • S Bankhead said that the Administrative Land Use Authority, which consists of S Bankhead, Max Pierce,
- 225 (City Engineer), and Rob Stapley (Public Works Director) reviews the conditional uses for these homes.
- 226 They also get input from Aaron Walker from Logan City Fire Department.
- 227 • R Holloway said that the state has suggestions and requirements for landscaping in wildfire areas. Perhaps
- 228 we could suggest these guidelines for the subdivision.
- 229 • S Bankhead said that we recommend that the homeowner maintain a 30 ft or 50 ft fire break. This is a
- 230 recommendation, not a requirement. We go through these as part of the conditional use application.

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232  
233 **Item No. 2. Final Plat:** The Providence Planning Commission will consider for approval the final plat for Vineyard  
234 Phase 2, a life-cycle residential development containing 15 single-family detached lots and 24 single-family  
235 attached units (townhomes), located in the general area of Spring Creek Parkway and 300 East.

236 **Motion to postpone a decision on Item No 2 Final Plat for the Life Cycle Residential Development: — J Paulsen,**  
237 **second — R Cecil**

238 **Vote:**

239 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

240 **Nay:**

241 **Abstained:**

242 **Excused: K Alder**

243 Discussion:

- 244 • S Bankhead said that the overall development is proposing 149 lots. Phase 1 proposed 48 lots. Phase 2 is
- 245 proposing 39 lots.
- 246 • S Bankhead read from the staff report. This phase follows the preliminary plat approved by the Planning
- 247 Commission.
- 248 • S Bankhead noted that although the code mentions apartments, there are no apartments in this
- 249 development.
- 250 • S Bankhead noted an error in the staff report under “Conclusions of Law: Transportation Corridors.” The
- 251 temporary road will be constructed in Phase 2, not Phase 1.
- 252 • S Bankhead said that staff is recommending that we work a little deeper into the construction drawings
- 253 and the development agreement before approving the final plat.
- 254 • B Perry asked if the things that we need to look into involve the turnaround and the bridge issue.
- 255 • S Bankhead said that they do, but we also want to make sure that everyone is onboard with the
- 256 maintenance agreement. She also said that we had originally intended to make a single development
- 257 agreement for phases 2 and 3, but then during the process of the review, we felt that they should have
- 258 separate agreements.
- 259 • J Paulsen asked if the requirements for snow removal for the trail that is replacing the sidewalk are the
- 260 same as for a sidewalk on a city street. S Bankhead said that this will go into the development agreement.
- 261 • R Holloway asked when the homeowners’ association has to be filed. S Bankhead said that it needs to be
- 262 in place before the recording. S Bankhead said that she believes that this is already in place.
- 263 • J Paulsen asked where the emergency access road will sit.
- 264 • S Bankhead said that it will sit on the parcel that is under referendum. It doesn’t violate any county zoning
- 265 ordinance as far as she knows, but she will have to check again.
- 266 • Correction: J Paulsen noted that the groundwater was found at 8 ft, not 11 ft.
- 267 • J Paulsen noted that our code says that [in hazard water table areas buildings or paved surfaces] may not
- 268 cover more than 40% of the lot, parcel or site. He said that this code was designed to prevent

269 contamination, not just to prevent basement flooding. If we did this calculation based on the site as a  
270 whole, someone could put all the buildings in one area, and all the green space in another area. This could  
271 create a runoff issue that could lead to contamination. He said that to avoid contamination, we would  
272 need to read this code as “lot, parcel and site.”  
273 • S Bankhead said that this may be true, but if the code says “or” we have to interpret it that way.  
274 • J Paulsen said that the issue may be that our code says “or” rather than “and.” He felt that we need to  
275 update the sensitive area language in our code.  
276 • S Bankhead said that once the Commission approves the plat, the applicants don’t have to come back in  
277 to get a conditional use from the Administrative Land Use Authority. The Commission’s approval grants  
278 the conditional use.  
279

280 **Item No. 3. Final Plat:** The Providence Planning Commission will consider for approval the final plat for Vineyard  
281 Phase 3, a life-cycle residential development containing 6 single-family detached lots, 15 single-family attached  
282 units (townhomes), and 40 single-family attached units (condominiums), located in the general area of 170 East  
283 Spring Creek Parkway.

284 **Motion to postpone the final plat for Vineyard Phase 3: — L Banda, second — R Holloway**

285 **Vote:**

286 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

287 **Nay:**

288 **Abstained:**

289 **Excused: K Alder**

290 Discussion:

- 291 • S Bankhead said that she will not read the entire staff report because much of it is the same as the staff  
292 report for the previous phase.
- 293 • S Bankhead said that this phase will complete all the phases for this project.
- 294 • Correction: S Bankhead said that we will make the same “8 ft” correction that we did for phase 2  
295 regarding the depth at which groundwater was found.
- 296 • S Bankhead said that the wetland area only impacts the future extension of Spring Creek Parkway, not any  
297 future lots.
- 298 • S Bankhead said that we received an email from FEMA. They have received the application relative to the  
299 Spring Creek Crossing, and they will try to get that back to us within 90 days.
- 300 • Correction: As part of Phase 2 (page 4) the developer will construct a temporary emergency access.
- 301 • B Perry asked about the retention area. S Bankhead said that it is across the street (off-site). It was dealt  
302 with in Phase 1.
- 303 • S Bankhead read from the conditions in the staff report.
- 304 • S Bankhead said that even though we are approving further phases, the developer is still required to  
305 construct the Spring Creek Crossing as part of Phase 1.

307 **Item No. 4. Final Plat:** The Providence Planning Commission will consider for approval of the Final Plat of  
308 Providence Gateway Condominiums Phase G; located in the general area of 470 W 15 S, Providence UT.

309 **Motion to approve the final plat of Providence Gateway Condominiums Phase G: — L Banda, second — R Cecil**

310 **Vote:**

311 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

312 **Nay:**

313 **Abstained:**

314 **Excused: K Alder**

315 Discussion:

- 316 • S Bankhead explained that this phase includes one 10-unit condominium building, parking, and an area  
317 retained for a club house.
- 318 • S Bankhead explained that the original plat had apartments. The developer later decided that they  
319 wanted to do condominiums instead of apartments. The preliminary plat was amended.
- 320 • S Bankhead read from the staff report. The executive staff recommends that the Planning Commission  
321 approve the final plat.

- 322 • S Bankhead explained that the developer proposed to do a secondary water system for this development.  
323 There are some off-site improvements that they do not have control over. They are waiting, and putting  
324 the fee for the water requirement in escrow, so that if they are not able to use the secondary water  
325 system, the city will take the money as a fee-in-lieu. S Bankhead noted that the original water calculations  
326 were done for the apartments, so we will check to make sure they still apply to the condominiums.  
327

328 **Item No. 5. Planning Commission Bylaws Proposed Amendment:** The Providence Planning Commission will  
329 consider for approval a proposed amendment adding training requirements to the Planning Commission Bylaws.

330 **Motion to postpone Item No 5 Planning Commission Bylaws Proposed Amendment and refer the amendment to**  
331 **the City Attorney to verify the language: — J Paulsen, second — R Cecil**

332 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

333 **Nay:**

334 **Abstained:**

335 **Excused: K Alder**

336 **Discussion:**

- 337 • B Perry read from the proposed bylaws amendment. He added a section about newly appointed  
338 Commission members starting out as alternates until they complete a training requirement.
- 339 • J Paulsen asked if we can dictate that someone starts as an alternate before moving up to a full member.  
340 The mayor appoints people to be Commission Members or Alternates.
- 341 • S Bankhead said that we will have to check with the City Attorney about that. However, we do need there  
342 to be a quorum. Therefore, if we didn't have a quorum of voting members, the alternates would have to  
343 be allowed to vote regardless of their training status.
- 344 • S Bankhead said that we want to make sure everyone has the opportunity to get training. Everyone is  
345 supposed to go through Open Meetings Act training. We want the Commission members to have enough  
346 training to be comfortable when they have to make unpopular decisions.
- 347 • B Perry felt that the proposed time frame of one year is enough time for new Commission members to  
348 complete the trainings we are requiring.
- 349 • S Bankhead said that the City Council will have to approve any change in the bylaws. The Commission is  
350 only recommending the changes.
- 351 • R Cecil said that alternate voting members are members of the Commission. They don't need to be  
352 reappointed as a voting member.
- 353 • S Bankhead said that they are members of the Planning Commission serving as alternates. We will have to  
354 check with the attorney as far as the training requirements that are being proposed. We don't want to  
355 jeopardize the ability of an alternate to act as a voting member in the case that they are needed to form a  
356 quorum.
- 357 • J Paulsen asked if alternate members of the Commission move up to voting member status when a  
358 vacancy opens among the regular members of the Commission. S Bankhead said that this is how we have  
359 traditionally done it.
- 360 • R Holloway felt that the proposed wording changes need some work. We need to look into the legalities  
361 of the time frames, making sure alternates can still act as voting members, etc.  
362

363 **Study Items(s):**

364 **Item No. 4. PCC 10-8-1, 2, & 3 Set Backs:** Proposed amendments make changes to the setback requirements.

- 365 • S Bankhead said that [staff] has changed the proposed rear yard setback from the last time we looked at  
366 this.
- 367 • S Bankhead explained that the Planning Commission wanted different setbacks for different zones, but  
368 staff felt that consistency was important. If the Planning Commission would like, they can recommend  
369 different setbacks.
- 370 • J Paulsen said that he is frustrated by the back and forth between the Commission and city staff on this  
371 issue. It is not working to have city staff guess what the Planning Commission wants. We will probably  
372 have to go through the setbacks line-by-line and recommend numbers.
- 373 • S Bankhead said that she would welcome specific guidance.
- 374 • J Paulsen said that the biggest challenge has been with the rear setbacks. The Commission members  
375 should probably decide what they each feel comfortable with for a rear yard setback for each zone.

- 376 • R Holloway suggested that we go through each type of land use [zone] and discuss all of its setbacks.
- 377 • The commission discussed the Agricultural Zone.
- 378 • J Paulsen felt that it should feel the most open of all the zones. With the 5 acre minimum lot size, there is
- 379 no reason that they would need to put their home close to another home. The larger the lot size, the
- 380 larger the setback numbers should be. He would like to increase all of the setbacks for the Agricultural
- 381 Zone.
- 382 • R Cecil said that someone who bought agricultural land might want to maximize the agricultural space in
- 383 the back by putting their house close to the front.
- 384 • J Paulsen felt that with 5 acre lots, they probably wouldn't notice 5 more feet of setback requirement.
- 385 • R Holloway felt that we should go back to 25 feet across the board for the AGR zone. L Banda agreed. J
- 386 Paulsen agreed.
- 387 • R Holloway said that maybe the rear yard setback should be less, such as 20 ft. Some people might want
- 388 their home at the back of their agricultural lot.
- 389 • J Paulsen said that with that size of a lot, 5 feet doesn't make a difference.
- 390 • B Perry asked what our minimum setback is for fire code issues.
- 391 • S Bankhead said that you can meet fire code with a zero lot line if you use the proper building techniques.
- 392 Staff's goal was to make sure that a fire fighter could get around the home. Staff decided that 10 feet was
- 393 the minimum that they wanted for a setback.
- 394 • R Cecil said that his father-in-law wanted his house as close to the road as possible to maximize the
- 395 agricultural area. Farmers want to maximize their profitable area.
- 396 • R Holloway said that if we gave a lower setback for the rear yard, it would give them flexibility. J Paulsen
- 397 and L Banda liked the consistency of 25 ft for all sides of the lot.
- 398 • J Paulsen felt that the setbacks should get smaller as the lots get smaller.
- 399 • B Perry suggested using the same setbacks for Agricultural, Single Family Estate, and Single Family Large.
- 400 • J Paulsen suggested 20 ft for all sides in the SFE zone.
- 401 • L Banda suggested 20 ft for all sides in the SFL zone.
- 402 • S Bankhead said that there will be a large amount of pushback from [landowners in the SFL zone] against
- 403 that setback distance. Currently, homes in the SFL zone are often extending from one 10 ft side setback to
- 404 the other. She is fine if the Commission wants to do this, but she wants them to know that we will get a
- 405 lot of pushback from contractors and [landowners].
- 406 • J Paulsen said that we could also write different setbacks into the code for Accessory Dwelling Units.
- 407 • J Paulsen said that maybe we should just deal with the pushback on the SFL lots. Those are large lots, and
- 408 they should feel more open.
- 409 • James Holloway of Providence asked if we have had input from the Fire Department.
- 410 • S Bankhead said that Aaron Walker of the Fire Department participated in staff's discussion about
- 411 setbacks. We came up with 10 ft as our minimum [for most zones]. Some lots in the Single Family High
- 412 zone or Single Mobile Home zone are only 60 or 50 feet wide respectively. When you get down that low,
- 413 even 5 feet makes a difference. For this reason, we allowed a 5 ft side setback in these zones on one side
- 414 of the lot, and 10 feet on the other side.
- 415 • Decision: S Bankhead noted that the commission decided to propose 25 ft setbacks across the board for
- 416 the Agricultural Zone, and 20 ft across the board for the Single Family Estate zone.
- 417 • The Commission discussed the SFL zone.
- 418 • B Perry said that we should keep in mind that a house on a corner lot would have two front yards.
- 419 • J Paulsen felt that we should consider reducing the side setback for an SFL lot. A large side yard setback
- 420 really collapses what you can do with that lot. Some lots are narrow and deep.
- 421 • S Bankhead agreed. She said that some of those lots are 100 ft wide. With a 20 ft side setback, you could
- 422 only build a house 60 ft wide.
- 423 • J Paulsen asked if we can create separate setbacks for ADUs. S Bankhead said that we could. J Paulsen said
- 424 that we could be more flexible for new homes, but require people who want to add an ADU to an existing
- 425 neighborhood to meet a higher standard.
- 426 • L Banda said that setbacks also set the tone of the neighborhood.

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- R Holloway said that we should discuss each zone, including all of the different uses such as accessory uses, before proceeding to the next zone. Or, we could each go home, think about it, and come back next time with notes.
  - S Bankhead said that it would be better to take the time to do it right than to make a decision under pressure. This is a quieter time of year when we are not receiving as many building permits.
  - S Bankhead said that the way the detached Accessory Dwelling Unit ordinance reads, they have to meet the same setbacks as the primary structure.
  - J Paulsen said that we need to decouple them.
  - S Bankhead said that we could create an Accessory Dwelling Unit category in the Area Regulations.
  - R Holloway agreed with J Paulsen. She said that tiny houses are a trend that will not be going away.
  - R Cecil said that we should consider the SFH zone. Similar developments in Logan have a 10 ft front setback.
  - B Perry said that the commission should prepare thoughts about setback numbers for Accessory Dwelling Units for the next meeting on December 11. If they have time, the Commission could also come up with numbers for the other setbacks within each zone. They could come up with a range of what they would be willing to accept.
  - J Paulsen asked if we could send the Commission members an editable chart so that they can play with it.
  - B Perry asked if there is any reason that we need to have another meeting in November. S Bankhead said that it is up to the Commission.

447 **Reports:**

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

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- S Bankhead said that the City Council approved the election results. Josh Paulsen will be on the Council, along with Brent Speth, Jeanell Seally, and Carrie Kirk. The Oath of Office will be done on the first Monday in January.
  - The City Council approved the Development Agreement for The Corner lot amendment. They also approved the Development Agreement for Providence Highlands Phase 4.
  - The Council appointed Sharon Johnson to the Historic Preservation Commission.
  - The City Council approved amendments to the Council bylaws including rules about conflict of interest.
  - The Council changed their meeting times to the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays.
  - The City Council approved the ordinance allowing for Bed and Breakfast in multi-family zones as a conditional use.
  - The City Council approved the code amendment for annexations that the Commission recommended.
  - The City Council approved the Moderate Income Housing plan as was recommended by the Commission. S Bankhead updated the demographic information and changed the look of the charts.
  - The Council has finished the review of the General Plan draft. We are working on getting all of the recommendations to the consultants. Then they can provide a final draft that the Council can approve.
  - B Perry asked if there will be an open house when the Plan is complete. S Bankhead said that we could do something like that, but we wouldn't entertain public comment to make more changes to it.

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

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- B Perry said that we had a great turnout at the land use training and the Cache Summit.

471 **Motion to adjourn: — R Cecil, second — R Holloway**

472 **Yea: L Banda, R Cecil, R Holloway, J Paulsen, B Perry**

473 **Nay:**

474 **Abstained:**

475 **Excused: K Alder**

476 Meeting adjourned at 8:57 PM

477 Minutes prepared by Jesse Bardsley

478 Minutes approved by vote of the Commission on January 22, 2020

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Robert Perry, Chair

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Skarlet Bankhead, City Recorder