

1 **PLANNING COMMISSION MEETING MINUTES**

2 Wednesday, September 13th, 2023, 6:00 pm

3 Providence City Office Building, 164 North Gateway Dr., Providence Ut

5 To view the video recording account of the meeting please visit the City's YouTube page found [HERE](#).

7 **HR. MIN. SEC.** in **GREEN** are timestamps of the YouTube recording.

9 **Call to Order:** Michael Fortune

10 **Chair Roll Call of Commission Members:** Shelly Nazer, Robert Henke, Michael Fortune, Bob Washburn,
11 Tyler Riggs & Joe Chambers.

12 **Members Absent:** Brian Marble

13 **Staff in Attendance:** Skarlet Bankhead (Community Development Director), Ryan Snow (City Manager) & Ty
14 Cameron (City Recorder).

15 **Pledge of Allegiance:** Robert Henke

17 **1 MIN. 30 SEC.**

18 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for August 9th, 2023.

19 **(MINUTES)**

- 21 • Michael Fortune called for the approval of the minutes of August 9th, 2023.
- 22 • The Commission noted that lines 235, 150 and 168 had misspellings of Brian Marble, Shelly Nazer and
23 resident Norman Gillespie name. Commission also noted that CCNRs should be spelled CC&Rs.
- 24 • Joe Chambers commented that he would abstain from the vote to approve the minutes as he was not
25 present for that meeting.

27 **Motion to approve the minutes of August 9th, 2023, subject to stated corrections – Shelly Nazer. 2nd Joe
28 Chambers.**

29 **Vote:**

30 **Yea- Shelly Nazer, Michael Fortune, Tyler Riggs & Bob Washburn.**

31 **Nay-**

32 **Abstained- Joe Chambers**

33 **Absent- Brian Marble.**

35 **Motion passes. Minutes approved.**

37 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction.

38 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
39 by text 435-752-9441. By law, email comments are considered public record and will be shared
40 with all parties involved, including the Planning Commission and the applicant.

- 42 • Michael Fortune opened the floor of public comment.
- 43 • Staff indicated that no comments had come in via email or text.
- 44 • No comments were received. Michael Fortune closed the public comment portion of the meeting.

Public Hearings/Presentations:

4 MIN. 40 SEC.

- **Item No. 1 CAPSA Presentation:** October is Domestic Violence Awareness Month. CAPSA will present to the Planning Commission and City their ongoing efforts to share valuable information and shed light on the support offered to survivors of domestic violence.
- Michael Fortune called item 1, gave a brief introduction and asked Maddie Soto to introduce herself.
 - Maddie Soto introduced herself as a representative of CAPSA and thanked the Commission for allowing her to be here tonight to present to them and the city what CAPSA has been doing and to remind everyone that next month, October, is Domestic Violence Awareness month.
 - Ms. Soto presented to the Commission recent statics of what CAPSA has provided in the last year which included supporting 327 individuals through their emergency shelter, 7,062 through their crisis phone line, which comes out to an average of 19 calls per day, and 1,558 individuals through outreach case work.
 - Ms. Soto discussed CAPSA's mission of providing prevention, education, and collective action against domestic violence. She highlighted CAPSAs growing shelter services and encouraged all city and public leaders to take proactive roles in helping CAPSA reduce domestic violence.
 - The Commission noted that there had been a rise in domestic violence over the years and asked Ms. Soto if they had seen a decrease at all. Ms. Soto responded that there was a bit of an increase during the covid pandemic and that the numbers have gone down a bit, but that CAPSA has also grown their services and are helping more people.
 - Parties advertised volunteer opportunities and how to donate items that CAPSA are in need of. Parties discussed current spacing and available beds for individuals and families. Parties discussed the average length of stay for those being assisted by CAPSA. Ms. Soto commented on children and teen programs that CAPSA have and highlighted that their organization does have a youth council that helps with certain programs.
 - The parties discussed the influx of migrants in cities and the need for caseworkers to help diverse populations.
 - Commission thanked Ms. Soto for her presentation here tonight and highlighted the importance of what they do and offer to individuals going through domestic violence.
 - Shelly Nazer commented that it would be a good idea for staff to put something in the City Newsletter highlighting CAPSA and their organization.

For more information regarding CAPSA please visit their website found [\(HERE\)](#)

Study Items(s):

18 MIN. 40 SEC.

- **Item No. 2 Accessory Dwelling Unit Ordinance Revisions:** The Providence City Planning Commission will review & discuss revisions to the City's ADU Ordinance [\(EXHIBIT\)](#)

- Michael Fortune called item 2, gave a brief introduction.
- Parties outlined the next steps in the process after they feel comfortable with the changes and input they propose tonight with this code revision. Staff responded that the next step would be to take it to a public hearing, make any additional revisions, and then make a recommendation to the city council.
- Joe Chambers asked that before they begin with their comments and suggestion if staff could give an overview and history of this ADU ordinance.
- Skarlet Bankhead discussed the history of the accessory dwelling unit ordinance in Providence City, which was adopted in 1998 and updated in 2019. Noted that the real estate community encouraged homeowners to purchase homes with internal dwelling units, leading to a preference for duplex neighborhoods over single-family ones. As part of the affordable or moderate-income housing program, the ordinance allowed internal ADU's, which was later mandated by the state legislature. After allowing internal ADUs, public hearings were held to discuss detached accessory dwelling units and small homes and what changes or additions should or needed to be added.
- Noted that the ordinance has been in place for many years, but the city hasn't seen many residents utilizing it. She commented on the moderate-income housing plan and took the feedback they have received in recent years and made recommendations based on that feedback.
- The parties discussed square feet requirements for ADU's, and issues of converting buildings or dwellings built prior to after the ordinance. Parties discussed setback restrictions and requirements.
- Mrs. Bankhead expressed that some residents are unhappy with the idea of a large, tall building or ADUs in their neighborhood, which can be as tall as 30 feet. Some people have expressed concerns about the extra height, even though the square footage is the same. To address this issue, part of this ordinance amendment has been proposed, which includes a five-foot reduction in the height of 30 feet. The ordinance also proposes that the roof pitch should be limited to prevent small units with large high roofs from becoming a nuisance or eye sore to other residents.
- The parties discussed clarifying the definition of accessory dwellings and accessory apartments. Expressed that it is important to note that accessory buildings and dwellings are different. Mrs. Bankhead commented on code requirements between ADU's and accessory apartments.
- Ryan Snow commented on the issue of enforcement for ADU's and internal ADU's and not being able to know the change or intent of the owners or applicants regarding their plans for the future of the structure. Mrs. Bankhead also noted the issue of selling ADU's.
- Joe Chambers commented on circumventing these types of ordinances with leases. Gave an example of an ADU/Air BnB in his neighborhood and a current issue in North Logan where the owners live in the ADU and Air BnB their main residence.
- Parties discussed conditional uses.
- Skarlet Bankhead commented on the upcoming revisions that the Commission will be reviewing regarding subdivisions.
- Parties talked about ADU's, internal ADU's and zoning.
- Michael Fortune indicated that he is a distributor for accessory dwelling units and has been building these units for the past three to five years, supporting them and collaborating with state

representatives and cities. The company began addressing the accessory dwelling unit aspect as a non-profit working to provide housing for veterans. Noted that the three main reasons or desire for the units were adult children with special needs, families with struggling or older parents, and rentals for profit. Commented that he would excuse himself from voting when the time comes to recommend the revisions.

- Parties clarified the public hearing process and making changes after public input.
- Parties discussed issues of parking with ADU's and the possibility and issues of properties with multiple ADUs.
- The Planning Commission talked about how best to move forward to address these revisions or changes and give their input and comments.
- Tyler Riggs commented on disallowing ADU's in certain zones. Parties discussed lot size as an ineligibility restriction.
- Bob Washburn commented on making sure the definitions were clear and descriptive.
- Robert Henke commented on the mobile home section and possible issues or concerns to address in that section.
- Parties discussed the recent code codification.
- The Planning Commission agreed to each review and make comments on the ordinance revision which staff will then compile into one document to be studied during the next meeting. Staff advised the Commission not to discuss or share comments between one another as that could be seen as a meeting outside the confines of public access or input.
- Michale Fortune commented on the current housing market and how ADUs can help with affordable housing.
- Parties talked about the possible requirements of making sure ADUs are consistent with the surrounding buildings or neighborhoods in terms of function and looks.

Motion to adjourn meeting – Joe Chambers. 2nd – Bob Washburn.

Vote:

Yea- Shelly Nazer, Michael Fortune, Tyler Riggs & Bob Washburn, Joe Chambers.

Nay-

Abstained-

Absent- Brian Marble.

Motion passes, meeting adjourned.

Minutes approved by vote of Planning Commission on _____ day of _____ 2023.

Michael Fortune, Chair

Ty Cameron, City Recorder.