

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, March 27th, 2024, 6:00 pm

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

4
5 To view the video recording of the meeting please visit our YouTube Channel found [HERE](#).

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7 **HR. MIN. SEC.** above agenda items are timestamps of the YouTube video recording.

8
9 **Call to Order:** Michael Fortune

10 **Chair Roll Call of Commission Members:** Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn &
11 Joe Chambers.

12 **Members Absent:** Robert Henke

13 **Pledge of Allegiance:** Bob Washburn

14 **Staff in Attendance:** City Manager Ryan Snow, Community Development Director Skarlet Bankhead, and
15 City Recorder Ty Cameron.

16
17 **2 MIN. 20 SEC.**

18 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for updated minutes of
19 February 28th, 2024, And the minutes of March 13th, 2024. [\(FEB. 28th\)](#) [\(MAR. 13th\)](#)

- 20
21
 - Michael Fortune called for the approval of the minutes of February 28th.
 - Bob Washburn noted a few changes that he previously discussed with Ty.

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23
24 **Motion to approve the minutes of February 28th, 2024 – Shelly Nazer. 2nd – Bob Washburn**

25 **Vote:**

26 **Yea- Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn.**

27 **Nay-**

28 **Abstained – Joe Chambers.**

29 **Absent –**

30
31 **Motion passes minutes of February 28th approved.**

- 32
33
 - Michael Fortune called for the approval of the minutes of March 13th.
 - Bob Washburn made the following corrections: on line 84 Loretta was spelled incorrectly, on line 90 to include entity or business or something like that; and on line 160 ‘there’ should be spelled ‘their’.

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37 **Motion to approve the minutes of March 13th, with corrections. – Brian Marble. 2nd- Shelly Nazer.**

38 **Vote:**

39 **Yea- Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn.**

40 **Nay-**

41 **Abstained – Joe Chambers.**

42 **Absent –**

43
44 **Motion passes minutes of March 13th approved.**

45

46 **Public Comments:** Citizens may express their views on issues within the Planning Commission’s jurisdiction.
47 The Commission accepts comments: in-person, by email providencecityutah@gmail.com , and
48 by text 435-752-9441. By law, email comments are considered public record and will be shared
49 with all parties involved, including the Planning Commission and the applicant.

- 50 • Michael Fortune opened the floor for public comment for items not on the agenda. Staff indicated that
- 51 there were no public comments or emails submitted prior to the meeting.
- 52 • No issues or comments were brought forward.
- 53 • Michael Fortune closed the public comment section of the meeting.

54 **Public Hearings:**

55
56 **7 MIN. 00 SEC.**

57 ➤ **Item No. 1 PCC Amendments Regarding the Use and Construction of ADUs, IADUs &**
58 **Structures:** The Providence Planning Commission will take comments and questions regarding
59 proposed changes to the city code that regulates the use and construction of ADUs, IADUs & Structures
60 and make any recommended changes or suggestions.

- 61
- 62 • Michael Fortune called item 1, gave a brief introduction, and opened the floor for public
- 63 comment.
- 64 • The Commission conducted a public hearing to consider comments and questions about
- 65 proposed changes to the city code regulating Accessory Dwelling Units (ADUs), Internal
- 66 Accessory Dwelling Units (IAUs) and other structures.
- 67 • The Commission discussed the lack of attendance issues public hearings and the need to gather
- 68 feedback from the public regarding these code changes.
- 69 • Supportive comment from a community member Eric Broadbent was expressed as he has interest
- 70 in adding an ADU on his property.
- 71 • The Commission emphasized the code amendments would improve usability while respecting
- 72 individual and community needs.

73
74 **Legislative – Action Item(s):**

75
76 **11 MIN. 30 SEC.**

77 ➤ **Item No. 2 PCC Amendments Regarding the Use and Construction of ADUs, IADUs &**
78 **Structures:** The Providence Planning Commission will review and discuss proposed changes to the city
79 code that regulates the use and construction of ADUs, IADUs & Structures and make any recommended
80 changes or suggestions. **(EXHIBIT)**

- 81
- 82 • Michael Fortune called item 1, gave a brief introduction and asked Skarlet Bankhead to give an
- 83 overview of the amendments.
- 84 • Mrs. Bankhead first noted that these amendments also include changes to 1-3 and 10-8 and not
- 85 just 10-12 and 10-13. Mrs. Bankhead continued her overview and stated that the staff reports are
- 86 now including awareness of the moderate-income housing plan that the city passed, and one
- 87 strategy is to improve ordinances to make it easier for people to use the ADUs. She noted that
- 88 over the years, people have reported difficulty meeting the current ordinance, particularly in the
- 89 front yard where there are restrictions in place.

- 90 • Mrs. Bankhead commented that the city council initially allowed accessory buildings on
91 properties to be converted into ADUs as long as they used 1200 square feet. However, this was
92 problematic for those wanting to build larger buildings with a shop and ADU. The planning
93 commission in previous meetings stated that they wanted to combine all accessory buildings into
94 one chapter, repealing chapter 10-13, and combining all ADUs etc. into chapter 10-12, which
95 this code does. The commission will make a recommendation to the city council regarding these
96 amendments.
- 97 • The ordinance has been updated to reflect the changes approved by the city council in their last
98 meeting. The ordinance now requires off-street parking for single-family houses. If a house has a
99 four-car garage and ample space, additional parking may not be required. The street view of an
100 ADU should be substantially similar in design to the primary dwelling unit. The goal is to make
101 it easier to get approved and have like structures while respecting current property owners and
102 making it a part of the community.
- 103 • Staff noted that there have been a few people who have come to the city with plans to do an
104 ADU if these amendments get approved.
- 105 • Parties discussed the \$100 incentive for those who report their ADUs and IADUs.
- 106 • Parties discussed the legislation that clarifies and defines ADUs and encourages people to
107 identify properties that could be used as ADUs or IADUs. This will help to identify properties
108 available and housing options for moderate income housing opportunities within the community.
109 The moderate-income housing plan objective aims to create or allow for and reduce regulations
110 related to ADUs in residential zones and eliminate impact fees for non-ADU units.
- 111 • Brian Marble commented on the street view aspect requirement of these buildings, stating that
112 they should not have to be designed to match the color or design of the house.
- 113 • Bob Washburn stated that he believes that having a similar design to the primary dwelling unit is
114 important to maintain a sense of community and avoid making the community look out of place.
115 Parties noted that most features won't appear from the street view. Parties also suggested that the
116 street view of the ADU should match similar to the house, as it is important for the community
117 and neighbors to be ok with what is being built in their neighborhood.
- 118 • Parties discussed the idea of a buildings looking similar to a house and noted that it is important
119 to consider the line of sight and other factors when designing it. Parties noted that the building
120 should not stand out and distract from the neighborhood. They also mentioned that the city
121 broadens the scope of compliance by considering primary structures in the surrounding area.
- 122 • Parties discussed enforcement.
- 123 • Parties continued discussions on whether changes needed to be applied to section I of 10-12-4.
- 124 • The Commission reviewed and discussed the code amendments extensively. They looked to
125 clarify definitions and streamline the process of establishing ADUs while maintaining city
126 standards for design appearance. The commission members debated the significance and
127 necessity of street view design similarities between ADUs and main structures, ultimately
128 keeping the provision with some flexibility. A motion was made to advance the recommendation
129 to the city council.

130
131 **Motion to recommend to the City Council that the approve the amendments to the city code**
132 **regarding ADUs, IADUs and Structures including changes to the Area Regulations code and**
133 **Definitions subject to the findings of fact, conclusion as law and conditions as found in the staff**
134 **report. – Shelly Nazer. 2nd- Bob Washburn.**

135 **Vote:**

136 **Yea- Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn & Joe Chambers.**

137 **Nay-**

138 **Abstained –**
139 **Absent –**
140 **Motion passes.**

141
142 **Study Items(s):**

143
144 **1 HR. 02 MIN. 20 SEC.**

- 145 ➤ **Item No. 3 CH Champlain LLC Partial Rezone:** The Planning Commission will review and
146 discuss a rezone application for part of parcel located in the general area of 500 S 600 W.

147 **(A. WALKER LTR.) & (EXHIBIT)**

- 148
149 • Michael Fortune called the study item which is a partial rezone request from Champlain LLC.
150 The Planning Commission reviewed and discussed an application for the rezone of a portion of a
151 parcel in the general area of 500 South, 600 West.
152 • It was noted that there is existing infrastructure to support such a rezone, and the general plan
153 and master plan maps were examined. The staff and applicants outlined the reasoning behind the
154 proposed rezone with staff not issuing a direct recommendation but instead presenting findings
155 and the city's general plans and master plans as it relates to this area.
156 • The developers explained their intention to expand an existing community that's in the area,
157 addressing the housing demands that the market currently calls for.
158 • Issues including existing commercial zone widths and potential future developments were
159 touched upon, and the CHD and R-1-6 zones were compared.

160
161 **Motion to move this item to a public hearing. – Joe Chambers. 2nd- Shelly Nazer.**

162 **Vote:**

163 **Yea- Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn & Joe Chambers.**

164 **Nay-**

165 **Abstained –**

166 **Absent –**

167
168 **Motion passes. Public hearing to be set in April.**

169
170 **Motion to adjourn. – Brian Marble. 2nd – Shelly Nazer.**

171 **Vote:**

172 **Yea- Michael Fortune, Shelly Nazer, Brian Marble, Bob Washburn & Joe Chambers.**

173 **Nay-**

174 **Abstained –**

175 **Absent –**

176
177 **Motion passes, meeting adjourned.**

178
179 **Minutes approved by vote of commission on _____ day of _____ 2024**

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181
182 _____
183 **Michael Fortune, Chair**

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181
182 _____
183 **Ty Cameron, Recorder**