



PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON DECEMBER 14, 2022 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.

Centerville City Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Commission reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.

The full agenda packet and backup materials can be found on the Centerville City website at:

<https://centervilleutah.gov/129/Agendas-Minutes>

A. CALL TO ORDER

- 1. ROLL CALL**
- 2. LEGISLATIVE PRAYER OR THOUGHT**
- 3. PLEDGE OF ALLEGIANCE**

B. BUSINESS ITEMS

Business action or discussion items to be considered by the Planning Commission.

1. 2023 Annual Meeting Schedule
Review and approve the proposed Planning Commission meeting schedule for the calendar year 2023.
2. Public Hearing - General Plan Amendments - Section 12-490 - Moderate Income Housing
Additional Implementation Changes are Required to comply with State Statutes

C. COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Community Development Director's Report
Next Planning Commission Meeting - **January 11, 2023**
Tentative Items:
 - Moderate Income Housing Plan - Continued, to review proposed and needed language changes
 - Application Deadline is 12-21-2022 - TBD

D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. Minutes Review and Approval

E. ADJOURNMENT

CERTIFICATE OF POSTING

I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

**Jennifer Robison
Centerville City Recorder**

**PLANNING
COMMISSION**

Staff Report
12/14/2022

Item No. 1.

Title: 2023 Annual Meeting Schedule

Initiated By: Staff

Staff Representative: Whittney Black, Assistant Planner

SUBJECT:

Review and approve the proposed Planning Commission meeting schedule for the calendar year 2023.

RECOMMENDATION:

Recommended Motion: *"I hereby make a motion to accept the 2023 Planning Commission meeting schedule as proposed."*

BACKGROUND:

The Utah Open and Public Meetings Act set forth in the Utah Code § 52-4 requires a public body which holds regular meetings that are scheduled in advance over the course of a year to give public notice at least once a year of its annual meeting schedule.

ATTACHMENTS:

1. 2023 PC Meeting Schedule



Centerville City Planning Commission 2023 Meeting Schedule

Meetings of the Centerville City Planning Commission are generally held at 7:00pm on the second and fourth Wednesday of each month. Except in the months of November and December where only one meeting is held on the second Wednesday, and when otherwise noted. Unless otherwise determined by the Planning Commission, all meetings are held in the Council Chambers at the Centerville City Hall Building, 250 North Main Street, Centerville, Utah.

The meeting schedule for 2023 shall be as follows:

January 11th	January 25th
February 8th	February 22nd
March 8th	March 22nd
April 12th	April 26th
May 10th	May 24th
June 14th	June 28th
July 12th	July 26th
August 9th	August 23rd
September 13th	September 27th
October 11th	October 25th
November 8th	
December 13th	

**PLANNING
COMMISSION**

Staff Report
12/14/2022

Item No. 2.

Title: Public Hearing - General Plan Amendments - Section 12-490 - Moderate Income Housing

Initiated By:

Staff Representative:

SUBJECT:

Additional Implementation Changes are Required to comply with State Statutes

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 12-14-2022 PC Staff Memo MIH Plan Amendments vs Work Force Services Deeming Plan Non-Compliance
2. Centerville City Notice of Non Compliance
3. Strategy & Implementation Plan Examples
4. E-mails regarding Centerville Moderate Income Housing Report- Notice of Non Compliance
5. Ord. No 2022-18 Moderate Income Housing Amendments

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

STAFF MEMORANDUM

TO: CENTERVILLE CITY PLANNING COMMISSION

FROM: PLANNING STAFF

**SUBJECT: 2022 MODERATE INCOME HOUSING PLAN POLICIES VS.
DEPARTMENT OF WORK FORCE SERVICES (DWFS) NON-
COMPLIANCE LETTER**

BACKGROUND

As the Planning Commission is aware, HB 462 (*of 2022*) required cities to review and update their General Plan in relation to Moderate Income Housing (*MIH*). The Bill requires municipalities to adopt a minimum of three (3) strategies with an implementation plan, or five (5) strategies for priority consideration of Transportation Investment Funds (*TIF*) or Transit Transportation Investment Funds* (*TTIF*).

As required, the MIH Plan was submitted to the Department of Work Force Services by October 1, 2022. After DWFS review, the submitted plan was **DEEMED NON-COMPLINANT** with regards to the needed “**implementation benchmarks**,” *see attachments for this staff report*. The Planning Commission should be aware that about 75% of all cities failed to meet the review criteria – *see e-mail chain attached with this report*.

Consequently and as per state law, **THE CITY HAS BEEN GIVEN 90-DAYS OR UNTIL FEBRUARY 16, 2023 TO CORRECT THE DEFICIENCIES AND RE-SUBMIT THE MIH PLAN.**

CITY WEBSITE LINK FOR CURRENT 2022 MODERATE INCOME HOUSING PLAN STRATEGIES
<https://www.centervilleutah.gov/DocumentCenter/View/1126/2022-Moderate-Income-Housing-Amendments-PDF>

PLANNING STAFF ANALYSIS AND SUGGESTIONS

Subsequent to receiving the non-compliance letter, staff has attended available on-line meetings and appointments with individuals to better understand how to comply with the DWFS expectations. As requested by staff, the City has been provided some examples to assist achieving compliance – *see Strategy & Implementation Plan Examples attached with this report*.

- RE-EVALUATE AND SELECT JUST **3 TO 5 STRATEGIES** AND ELIMINATE OTHERS FOR THE TIME BEING (3 IS MINIMUM REQUIRED).
- REVISE **ONLY THE IMPLEMENTATION PORTIONS** OF SELECTED STRATEGIES
- USE THE FOLLOWING **FORMULA FOR IMPLEMENTATION**

1. *Establish Yearly Steps or Benchmarks (must use a 5-year framework)*
2. *Clearly Identify The Action To Be Taken With Each Step or Benchmark*
3. *Describe the Anticipated Outcome or Achievement*

STAFF PROPOSED EXAMPLE:

PLAN ELEMENT 6

Local Government Regulation and/or
Investment Strategies

Projected Strategy Implementation Next 5
Years

6.A. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality

6.A. Implementation Objective: 1-4 years

Phase One (2023) – Review/Understand Average Housing Costs within the City. Evaluate Employee Compensation Schedule & Compare Salaries to Housing Costs to determine the level of potential need/opportunity.

Phase Two (2024) – Research and Evaluate Other Cities' Programs for Mortgage Assistance and determine capability/capacity of implementing a program.

Phase Three (2025) – If deemed suitable, implement a Mortgage Assistance for City Employees, and promote a defined/desired outcome.

Phase Four (2026) – Consider expanding such program for other public employers, employer of publicly contacted services, Davis County and/or State of Utah employees.

Responsible Agency: City Council & Mayor, City Manager & Attorney. Other elected officials as deemed appropriate.



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

**Department of
Workforce Services**

CASEY R. CAMERON
Executive Director

GREG PARAS
Deputy Director

NATE MCDONALD
Deputy Director

KEVIN BURT
Deputy Director

November 18, 2022

To: Mayor and City Council
Centerville City

From: Department of Workforce Services
Housing and Community Development Division

Re: Moderate Income Housing Report 2022—Notice of Non-Compliance

Dear Centerville City Mayor and City Council,

Thank you for submitting the Annual Moderate Income Housing Report. Following review of the submitted plan and report, the Housing and Community Development Division has determined that the submission does not fulfill the requirements set forth in State Code section 10-9a-408. Please see the below description of deficiencies and actions the City must take to comply with the Code.

Section 10-9a-403(2)(c) notes that the City shall draft implementation plans that establish a timeline for implementing selected strategies, identify specific measures and benchmarks for implementing each selected strategy, and provide flexibility for the municipality to adjust as needed. Additionally, section 10-9a-408(2)(c) requires each municipality's report starting in 2023 to describe action taken by the municipality towards implementation of the selected strategies, including how each land use decision or regulation supports the implementation of the moderate income housing strategies, barriers encountered, accessory dwelling unit information, the market's response to the strategies and implementation plans, and recommendations to the State regarding how the State can support the municipality in implementing strategies. Thus, implementation plans in the 2022 reporting year must be of a sufficient quality to show specific details on actionable tasks, timelines for implementation, measures used to demonstrate progress, and what resources the municipality will use to achieve the strategies selected. Actions which are complete, ongoing, or current should include details and a timeline for future monitoring, next steps, and implementation.

The City's specific benchmarks and measures for strategies M, N, O, P, and T are unclear and insufficient. Ongoing actions, Strategies 5.A., 5.B., 5.D., and 6.A. do not detail where in the implementation process the strategy is and they do not provide actions and timeline information for monitoring, continued implementation, etc. in future years. Strategies 5.A., 5.B., 5.C., 5.D.,



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and 6.A. implementation metrics must include specific benchmarks or measures to show that progress is being made. Is this a number of units developed or preserved, funds applied for or allocated, applications submitted, etc. Looking specifically at 5.A., the city could consider several different questions when developing the implementation metrics: what is the outcome of the Evaluations? Is there an action or timeline that prompts them? Are there next steps following the evaluations? What is the evaluation for?

Deficiency Corrective Action: The City must update the Moderate Income Housing Element of the General Plan to identify actionable and specific benchmarks and measures for strategies 5.A., 5.B., 5.C., 5.D., and 6.A. The City should identify metrics and benchmarks which are suitable for the goals and vision of the community, however each of the metrics and benchmarks must also be specific and measurable and the City should consider how they will demonstrate progress on the strategy.

The Moderate-Income Housing Report requests a copy of the adoption ordinance for the General Plan updates. The copy included in the Centerville City submission did not include an adoption ordinance. Please include a signed copy of the ordinance and updated General Plan when the city resubmits.

Please review the State Code sections referenced and submit your report using the form found here: <https://jobs.utah.gov/housing/affordable/moderate/reporting/>.

Section 10-9a-408(6) allows for each community 90 days from the date after this notice is sent to come into compliance with State Code. **Per section 10-9a-408(7)(b), failure to cure the described deficiencies in your municipality's report by February 16, 2023 will make your community ineligible for Utah Department of Transportation (UDOT) Transportation Investment Fund of 2005, including the Transit Transportation Investment funding and the Governor's Office of Planning and Budget (GOPB) Covid-19 Local Assistance Matching Grant for the 2024 fiscal year.**

The Housing and Community Development Division is available to help you work through the noted deficiencies. If you have any questions or concerns, please contact Alyssa Gamble at angamble@utah.gov, or schedule a time to meet with her using this link: <https://calendar.app.google/QfJHXwmR5WNtkhHh6>.

Sincerely,

Alyssa Gamble
Program Manager – Moderate Income Housing Database
Housing and Community Development
Department of Workforce Services

Strategy G example:

Strategy 1	G. Amend Land Use Regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.				
Description	Year 1 Benchmark	Year 2 Benchmark	Year 3 Benchmark	Year 4 Benchmark	Year 5 Benchmark
Actions	Development of a district area plan. Adoption and application of mixed-use zone code.				
	Coordination with regional partners on route and stop locations for the City's public transit corridor route. Projects are identified in the MPO regional plan.				
	Review by planning staff of plan results. Prioritization of selected projects by Planning Commission and City Council.				
	Funding sources identified, compiled, and shared between engineering and planning staff and the planning commission and city council.				

This community opted to include timelines by year, as indicated in the color coding to support strategy G. The community included active language to identify funding sources, coordinate with partners, and develop a plan in support of this strategy.

Strategy O Example:

Strategy O: apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act , an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing	• Continue to collaborate with private sector partners on creating moderate income housing developments. • Work with qualifying moderate income housing developers on possible incentives to offset the cost of providing affordable housing units. Include a portion of those incentives into the Zoning code update by 2023. • Utilize the CRA housing set aside funds or other funding sources to create additional moderate income housing units or partner with a private sector developer to create an additional 100 housing units targeted for households at 50% AMI or less by 2027.
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This strategy included years as the timeline included in the benchmark. They coordinate with developers and use CRA housing set aside funds to develop housing. A specific benchmark is the identification of additional units at 50% AMI which will be developed by 2027.

Strategy A example:

Goal II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

State Strategy A: Rezone for densities necessary to facilitate production of moderate-income housing.

- Issue an RFP to identify a public private partnership to rezone a portion of the City-owned Aspen Street parcel to provide higher density for the development of affordable/employee housing.
- Projected completion: August 2023.

This community included significant detail in the implementation benchmark, describing the process and location for the rezone and intended purpose for the site. The timeline is included as the month and year. This particular strategy illustrates that the implementation plan can be succinct and meet requirements.

Example of Strategy W:

5. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;

Policy Recommendations

- Create a Downtown Master Plan and review housing policy within the downtown. Consider eliminating or reducing single-family zoning for infill development and creating mixed-use standards within the downtown. The Downtown Master Plan is scheduled to begin in August 2022 and is anticipated to take six to eight months.
- Look at areas where “Missing Middle Housing” and mixed-use zones can be implemented within existing and future residential and commercial developments. Areas for review include new development along SR-7, Sand Hollow Road Commercial Areas, and around 3400 W on the north side of SR-9.
- Review the Planned Commercial Zoning density bonus factors.

Implementation Schedule:

Timeframe	Policy #	Item	Steps
Summer 2022-Spring of 2023 Adopt Zoning Code and Standards as Downtown Master Plan Recommends	5	Downtown Master Plan	Update Downtown Master Plan and recommend standards for housing, mixed use development, and create recommendation for design standards. Consider eliminating or reducing single family zoning in downtown area. Follow implementation plan form within the General Plan
Summer 2023	3 and 5	Inclusionary Zoning Policy	Add density bonus for Planned Development Overlay for affordable units. This could include deed-restricted units or units that will be constructed by nonprofit housing organizations. Create incentives for developers to pay fees into a housing fund that could help support the creation or construction of affordable units. Evaluate density bonus incentive for affordable housing within the Planned Commercial Mix Use Zone. Look at allowing land transfers for density bonuses or use Transfer of Development Rights to create more affordable developments in exchange for keeping other property open. This policy should be reviewed and implemented by the Summer of 2023.

This community opted to include a detailed table for the implementation strategy in a section separate from the strategies. The implementation table offers greater detail about timelines and technical actions which will be taken to support the strategy. The strategy is linked to the implementation schedule through the policy number in the second column.

Strategy X example:

Goal 6- demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing

Strategy 1: Amend the Development Code to create an affordable housing overlay zone and outline in the Code the approval process and requirements that can be waived.

- Research other cities that have affordable housing overlay zones
- Propose an amendment to allow applications for affordable units in any zoning district, outline what is required for applications, what Code requirements and fees can be waived, and any other needed information.
- Work with the Planning Commission and City Council to get it approved

Timeline

October-November 2022 Research other cities with affordable housing overlay

December 2022- January 2023 Draft a Code Amendment creating the affordable housing overlay

February-April 2023 work with the Planning Commission and City Council on adopting the amendment

This community included strategy x and used the timeline to restate the benchmarks which will support the strategy. This shows the incremental steps which are taken toward the strategy. The implementation benchmarks provide high level steps which the city will take to bring the development code to Council.

From: [Cory Snyder](#)
To: [Gina Hirst](#); [Bill Ince](#); [George McEwan](#); [Robyn Mecham](#); [Spencer Summerhays](#); [Clark Wilkinson](#)
Cc: [Brant Hanson](#); [Lisa Romney](#)
Bcc: [Whittney Black](#)
Subject: RE: Centerville Moderate Income Housing Report- Notice of Non Compliance
Date: Tuesday, November 22, 2022 11:50:00 AM

I feel a bit more relieved about our MIH Plan rejection after reading this:

"You should have received a letter from the Department of Workforce Services notifying you this past Friday. If it makes you feel any better, about 75% of us are currently deemed non-compliant."

Corvin M. Snyder, AICP
Community Development Director
Centerville City/ 801-292-8232

From: Cory Snyder
Sent: Monday, November 21, 2022 12:52 PM
To: Alyssa Gamble <angamble@utah.gov>; Gina Hirst <gina.hirst@centervilleutah.gov>; Bill Ince <bill.ince@centervilleutah.gov>; George McEwan <george.mcewan@centervilleutah.gov>; Robyn Mecham <robyn.mecham@centervilleutah.gov>; Spencer Summerhays <spencer.summerhays@centervilleutah.gov>; Clark Wilkinson <clark.wilkinson@centervilleutah.gov>
Cc: Jennifer Domenici <jdomenici@utah.gov>; Christina Oliver <coliver@utah.gov>
Subject: RE: Centerville Moderate Income Housing Report- Notice of Non Compliance

Hi Alyssa,

After reading the non-compliance letter that was sent, it seems quite over-whelming for a city of our size and resources to comply with your described shortcomings. Sure, could we add a few deadlines, and so forth, Yes. But we do not have expertise and experience in the listed housing programs of our goals, although we were willing to explore them.

It seems to me that we maybe should now abandon such efforts, at least for now eliminate such goals from the plan and choose only the minimum required by law and work about anything else later.

FYI - We don't think simply rezoning for density will work in Centerville to create the needed housing. Our home prices and rents already exceed any ability to meet future needs regardless of density. Thus, we chose the originally submitted goals for housing programs and employee subsidies that hoping for a more probable outcome. We just don't have enough experience in the housing programs to set deadlines, measurements, benchmarks, etc.

So in preparation of my scheduled meeting with you on Dec. 1st. Could you provide or be prepared to explore with us some of the following:

- Examples of Implementation Plans that are similarly related to the goals we selected.

- Please better explain to us the acceptable what are benchmarks, timeframes, etc. and provide to us how you are making such judgments.
- We are concerned with being judged against Cities that have more experience or staff. Please provide an explanation for us on how various cities may come into compliance with very different needs or circumstances, but the strategies listed in the law are the same for all.

The Feb 16th deadline barely allows us time to meeting the GP noticing guidelines and meet with both the Planning Commission and City Council to properly debate and adopt needed changes. I need greater detail for what will be acceptable to have an adequate new document to be resubmitted.

Look forward to our discussion.

Corvin M. Snyder, AICP
Community Development Director
Centerville City/ 801-292-8232

From: Cory Snyder

Sent: Friday, November 18, 2022 3:22 PM

To: Alyssa Gamble <angamble@utah.gov>; Gina Hirst <gina.hirst@centervilleutah.gov>; Bill Ince <bill.ince@centervilleutah.gov>; George McEwan <george.mcewan@centervilleutah.gov>; Robyn Mecham <robyn.mecham@centervilleutah.gov>; Spencer Summerhays <spencer.summerhays@centervilleutah.gov>; Clark Wilkinson <clark.wilkinson@centervilleutah.gov>

Cc: Jennifer Domenici <jdomenici@utah.gov>; Christina Oliver <coliver@utah.gov>

Subject: RE: Centerville Moderate Income Housing Report- Notice of Non Compliance

Thanks, you for the feedback. We will discuss this further and likely contact you for clarification.

FYI – In your report you indicated that the adoption ordinance was not included. However, our e-mail to DWS did have the signed ordinance. It is attached again for your reference.

Respectfully,

Corvin M. Snyder, AICP
Community Development Director
Centerville City/ 801-292-8232

From: Alyssa Gamble <angamble@utah.gov>

Sent: Friday, November 18, 2022 3:17 PM

To: Cory Snyder <cory.snyder@centervilleutah.gov>; Gina Hirst <gina.hirst@centervilleutah.gov>; Bill Ince <bill.ince@centervilleutah.gov>; George McEwan <george.mcewan@centervilleutah.gov>; Robyn Mecham <robyn.mecham@centervilleutah.gov>; Spencer Summerhays <spencer.summerhays@centervilleutah.gov>; Clark Wilkinson <clark.wilkinson@centervilleutah.gov>

Cc: Jennifer Domenici <jdomenici@utah.gov>; Christina Oliver <coliver@utah.gov>
Subject: Centerville Moderate Income Housing Report- Notice of Non Compliance

Dear Centerville Mayor and City Council,

The Division of Housing and Community Development has completed the review of your city's Moderate Income Housing report as required by State Code section 10-9a-408. Unfortunately, the submitted report is not in compliance and further updates are required for your community to comply with 10-9a-408.

Attached see the Non Compliance Notice which includes steps that your City must take to remedy deficiencies in the report and comply with the Code. Please be aware that non compliance will make your City ineligible for certain funding opportunities, as described in the notice.

I am available to meet and discuss your questions or comments about the deficiencies in the submitted report. Please select from my available time slots on [this booking page](#) to schedule a meeting with me. If there is not a date or time available that fits your schedule, please contact me directly.

The Housing and Community Development Division will also provide a curing period workshop to all communities with required corrections. Please join us on Tuesday, December 6 from 2-3 PM for a virtual workshop to talk about resubmitting and the reporting requirements. The meeting can be accessed at: <https://meet.google.com/opv-btfh-hjb>
Or dial: (US) +1 502-518-3313 PIN: 762 792 854#
More phone numbers: <https://tel.meet/opv-btfh-hjb?pin=7229328485887>

Please be in touch as edits are made to your general plan and the report is resubmitted. I am available to meet with you as needed to ensure the City meets the moderate income housing report requirements.

Best,

ALYSSA GAMBLE, AICP

MODERATE INCOME HOUSING PROGRAM MANAGER

P: 385-249-4808

E: angamble@utah.gov



ORDINANCE NO. 2022-18

AN ORDINANCE AMENDING SECTION 12-490 OF THE CENTERVILLE CITY GENERAL PLAN REGARDING MODERATE INCOME HOUSING

WHEREAS, the City Council has previously adopted Section 12-490 of the Centerville City General Plan regarding Moderate Income Housing in accordance with *Utah Code Ann.* § 10-9a-403 which requires the City to adopt a moderate income housing element as part of its General Plan; and

WHEREAS, the City Council desires to amend various provisions of Section 12-490 regarding Moderate Income Housing to address recent statutory amendments adopted by the Utah Legislature in HB 462 (2022); and

WHEREAS, the proposed amendments to the General Plan as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the General Plan; and

WHEREAS, the City Council finds it is in the best interest of the public and the citizens of Centerville City to adopt the amendments to Section 12-490 of the General Plan regarding Moderate Income Housing as more particularly provided herein to bring plan provisions into compliance with applicable provisions of State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Repeal. Plan Element 5 of Section 12-490 of the Centerville General Plan regarding State Statute Recommendations for Development of Moderate Income Housing is hereby repealed in its entirety.

Section 2. Adopt. A new Plan Element 5 of Section 12-490 of the Centerville General Plan regarding Inter-Agency Cooperation and Coordination Strategies is hereby adopted to read in its entirety as more particularly set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 3. Repeal. Plan Element 6 of Section 12-490 of the Centerville General Plan regarding the City's Plan to Provide a Realistic Opportunity to Meet the Need for Additional Moderate Income Housing is hereby repealed in its entirety.

Section 4. Adopt. A new Plan Element 6 of Section 12-490 of the Centerville General Plan regarding Local Government Regulation and/or Investment Strategies is hereby adopted to read in its entirety as more particularly set forth in Exhibit B, attached hereto and incorporated herein by this reference.

Section 5. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

Section 6. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 6th DAY OF SEPTEMBER, 2022.

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 9-19-2022

RECORDED this 19th day of Sept, 2022.

PUBLISHED OR POSTED this 19th of Sept, 2022.



EXHIBIT A

CENTERVILLE CITY GENERAL PLAN SECTION 12-490 (MODERATE INCOME HOUSING)

PLAN ELEMENT 5

PLAN ELEMENT 5

Inter-Agency Cooperation & Coordination Strategies

5.A. Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing

5.B. Demonstrate creation of, or participation in, a community land trust program for moderate income housing

5.C. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing

5.D Apply for or partner with:

5.D.1. An entity that applies for state or federal funds or tax incentives to promote the construction of moderate-income housing,

5.D.2. An entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity,

Projected Strategy Implementation Next 5 Years

5.A. Implementation: 1-2 years, ongoing

Progress Metric: Evaluate RDA Programs and Annual Budget

Responsible Agency: City's RDA & City Council & Mayor, City Manager

5.B Implementation: 4-5 years, ongoing

Progress Metric: Discuss with Davis County and Local Surrounding Cities

Responsible Agency: City Council & Mayor, Planning Commission, City Manager & Attorney

5.C. Implementation: 2-4 years

Progress Metric: Discuss with Davis County and Local Surrounding Cities

Responsible Agency: City Council & Mayor, City Manager & Attorney

5.D.1. Implementation: 1-5 years, ongoing.

Progress Metric: Seek Marketplace Opportunities, Research and Contact Qualifying Entities

Responsible Agency: City Council & Mayor, City Manager, Community Development Director

5.D.2. Implementation: 1-5 years, ongoing.

Progress Metric: Seek Marketplace Opportunities, Research and Contact

5.D.3. An entity that applies for affordable housing programs administered by the Department of Workforce Services,

5.D.4. An entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act,

5.D.5. An entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or

5.D.6. Any other entity that applies for programs or services that promote the construction or preservation of moderate-income housing

Qualifying Entities

Responsible Agency: City Council & Mayor, City Manager, Community Development Director

5.D.3. Implementation: 1-5 years, ongoing.

Progress Metric: Seek Marketplace Opportunities, Research and Contact Qualifying Entities

Responsible Agency: City Council & Mayor, City Manager, Community Development Director

5.D.4. Implementation: 1-5 years, ongoing.

Progress Metric: Seek Marketplace Opportunities, Research and Contact Qualifying Entities, Better Understand the Local Cooperation Act

Responsible Agency: City Council & Mayor, City Manager & Attorney, Community Development Director

5.D.5. Implementation: 2-4 years, ongoing.

Progress Metric: Discuss Opportunities with Davis County Housing Authority

Responsible Agency: City Council & Mayor, City Manager, Community Development Director

5.D.6 Implementation: 1-5 years, ongoing.

Progress Metric: Seek Marketplace Opportunities

Responsible Agency: City Council & Mayor, City Manager, Community Developer Director

EXHIBIT B

CENTERVILLE CITY GENERAL PLAN SECTION 12-490 (MODERATE INCOME HOUSING)

PLAN ELEMENT 6

PLAN ELEMENT 6

Local Government Regulation and/or Investment Strategies

6.A. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality

Projected Strategy Implementation Next 5 Years

6.A. Implementation: 1-2 years,
ongoing

Progress Metric: Evaluate City
Compensation Program and Annual
Budget

Responsible Agency: City Council &
Mayor, City Manager & Attorney

**PLANNING
COMMISSION**

Staff Report
12/14/2022

Item No. 1.

Title: Community Development Director's Report

Initiated By: Planning Commission

Staff Representative: Cory Snyder, Community Development Director

SUBJECT:

Next Planning Commission Meeting - **January 11, 2023**

Tentative Items:

- *Moderate Income Housing Plan* - Continued, to review proposed and needed language changes
- *Application Deadline is 12-21-2022 - TBD*

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

**PLANNING
COMMISSION**

Staff Report
12/14/2022

Item No. 1.

Title: Minutes Review and Approval

Initiated By:

Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 11-9-22 PC

1 **PLANNING COMMISSION MINUTES OF MEETING**
2 **Wednesday, November 9, 2022**
3 **7:00 p.m.**
4

5 A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the
6 meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.
7

8 **MEMBERS PRESENT**

9 Kevin Daly, Chair
10 Shawn Hoth
11 Matt Larsen
12 Christina Wilcox
13

14 **MEMBERS ABSENT**

15 Mason Kjar
16 Heidi Shegrud
17 Becki Wright
18

19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director
21 Lisa Romney, City Attorney
22 Jennifer Robison, City Recorder
23

24 **VISITORS**

25 Sam Anderson, Clubhouse Motor Company
26 Walker Wood, CW Land
27 Kelly Payne
28 Jeff Payne
29

30 **PLEDGE OF ALLEGIANCE**

31
32 Chair Daly suggested staff present related business agenda items one and two together.
33

34 **PARKING MODIFICATION REQUEST AND CONDITIONAL USE PERMIT REQUEST**
35 **(TABLED FROM 10-12-22) – CLUBHOUSE MOTOR COMPANY AT 71 NORTH 1400 WEST**
36

37 The Planning Commission reviewed and tabled the Conditional Use Permit request from
38 Clubhouse Motor Company on October 12, 2022 because of questions related to parking
39 availability at the location. Community Development Director Cory Snyder explained the Parking
40 Modification request submitted by the applicant (shared-use scenario), and commented that
41 under the Commercial Use Zone, the Planning Commission had broad discretion to modify
42 parking requirements depending on the situation. Due to the hobby nature of the proposed use,
43 Mr. Snyder suggested the three parking spots available at the location would be sufficient if the
44 applicant were willing to agree to maintain the narrow business model submitted.
45

46 Sam Anderson, applicant, said he had consistently observed at least ten parking spots
47 available during business hours at the location.
48

49 Commissioner Larsen **moved** for the Planning Commission to grant a Parking
50 Modification for Clubhouse Motor Company located at 71 North 1400 West with the following
51 conditions, and for the following reasons for action. Commissioner Wilcox seconded the motion,
52 which passed by unanimous vote (4-0).
53

Conditions:

1. This modification is only for Clubhouse Motor Company and is not transferable to another location or another user at this location.
2. This modification amends the required parking spaces for this use at this specific location from four to three.
3. This modification is contingent on the approval of a subsequent Conditional Use Permit.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.
- b) The Planning Commission finds that this parking modification is consistent with the June 2003 approved site plan.
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will adequately accommodate the operations of the Clubhouse Motor Company.

Commissioner Wilcox **moved** for the Planning Commission to approve a Conditional Use Permit for Clubhouse Motor Company located at 71 North 1400 West with the following conditions, and for the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. This Conditional Use Permit shall apply to the user space located at 71 North 1400 West, or otherwise known as Clubhouse Motor Company. This permit shall not be transferred to another similar user, unless approved by the City.
2. This Conditional Use Permit approval is for vehicle rental or sale, used, limited.
3. All display vehicles shall be located inside the building only.
4. Other business operations at this tenant location shall cease prior to the opening of Clubhouse Motor Company.
5. All customers shall be served by appointment only.
6. No repairs, washing, or other maintenance to the vehicles shall be made onsite, other than the general cleaning, such as vacuuming and detailing or similar preparation work for selling the vehicle.
7. The transport of display vehicles shall not be loaded or unloaded using the public rights-of-way.
8. If the use does not adhere to the parameters of this conditional use permit or creates additional impacts beyond the approved conditions addressed by the CUP, the permit shall be amended, and if not mitigated, may be revoked per CZC 12.62.060.

Reasons for action:

- a) A complete application for a conditional use permit has been submitted per CZC 12.21.100(d)(1).
- b) The application meets the required established evidence for an approval of a conditional use permit 12.21.100(e)(3).
- c) With the approved parking modification, the request for a conditional use permit meets the factors to be reviewed and considered for an approval under CZC 12.21.100(e)(5)(A-J).

- d) The proposed use, vehicle rental or sale, used, limited is a conditional use in the Industrial-High Zone under CZC 12.36.040.

FINAL SITE PLAN AMENDMENT SUBMITTAL – THE HIVE DEVELOPMENT AT 555 NORTH 400 WEST

Mr. Snyder reviewed with the Planning Commission the request to amend Site Plan Approval for The Hive Development to add a 1' to 3' retaining wall, and then install the approved 6-foot fence on top of the retaining wall along the entire northern property line due to final site grading. The final height of the fence would range from 7 feet to 9 feet. Mr. Snyder explained the proposed drainage plan was reviewed and approved by the Building Official and the City Engineer.

Walker Wood, representing the applicant, said no changes were made since the previous submittal to the City.

Commissioner Hoth **moved** to approve the Final Site Plan requesting an increased fence height for the Hive Development with the following conditions, and for the following reasons for action. Commissioner Larsen seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. The proposed increased fence height of 1' to 3' shall be limited to the submitted Final Site Plans depicted on Sheet C4 and C4.1. Drainage Plan, Sheet C5.1, Drainage Plan, and the Retaining Wall System designed by Focus Engineering & Surveying, LLC, dated August 24, 2022.
2. Nevertheless, the fencing shall be reduced/limited to the allowable 48-inch height in the front yard setback area of 400 West and 800 West – See CZC 12.55.110(b) – miss labeled/typed as (a).
3. This accepted amendment to the fencing, retaining wall system, and the drainage plan may still be modified, if necessary, to be in compliance with the City Engineer's final review and approval, provided however, the modification does not exceed the proposed 1'-3' increase in height.
4. This accepted amendment to the fencing and retaining wall system may still be modified, if necessary, to be in compliance with the City Building Official's final review and approval, provided however, the modification does not exceed the proposed 1'-3' increase in height.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.55.110, Fences and Walls, the Planning Commission may approve a fence, wall, or similar structure not to exceed 10 feet in a rear area or side yard in the R-H Zone.
- b) The Planning Commission finds that on February 24, 2021, as part of the original Final Site Plan approval, the Commission communicated and encouraged the possibility of allowing an increased fence height.
- c) The Planning Commission finds that the increased fence height will assist in buffering the new development in this higher density zone that is adjacent to the residential low zone to the north (see CZC 12.55.110(4)(B)).
- d) Therefore, the Planning Commission finds that, with the conditions imposed, the increased fence height is a benefit to the surrounding properties and/or would help to buffer the new uses being constructed in The Hive Development project and is in the City's best interest for the overall development outcome of the property.

PARKING MODIFICATION REQUEST – 380 SOUTH MAIN STREET, NATHAN AND KELLY PAYNE

Mr. Snyder explained that the applicant had leased a portion (600 square feet) of the building located at 380 South Main Street. The total building size was estimated to be approximately 2,300 square feet. Because of the increased intensity of the new tenant's use and the City's parking calculations, the sum of the tenant's parking requirement would exceed the existing formal parking stalls. Based on the actual use of the current tenants and the nature of the applicant's business as a medical service to "at home patients and no more than three patients per hour," Mr. Snyder said the applicant argued the high calculation for formally developed parking was unnecessary for the true use of the property. Mr. Snyder added that gravel areas on the property had been historically used for parking in addition to the formal parking stalls. Responding to a question from Chair Daly, Mr. Snyder said he did not believe emergency access would be a concern with the proposed parking modification.

Kelly Payne, applicant, explained the majority of her husband's podiatry practice would involve in-home patient visits, but they would like the option for patients to be seen in the office. She said the medical practice would not grow with regard to staff, and no more than three patients would be seen per hour.

Chair Daly commented that the property was unique, and said it appeared to him that plenty of parking was available between formal and gravel parking areas. Commissioner Wilcox **moved** for the Planning Commission to approve the proposed parking modification with the following conditions, and for the following reasons for action. Commissioner Larsen seconded the motion, which passed by unanimous vote (4-0).

Conditions:

- 1) The proposed parking modification is for the on-site parking counts located at 380 South Main Street.
- 2) The proposed parking modification count is as follows:
- 3) The parking modification is narrowly defined for and limited to the following businesses:
 - a. Cook Rentals Office – operating Monday-Friday from 9am to 12pm
 - b. Global Security Office – a provider of security systems
 - c. Both Cook Rentals and Global Security shall not exceed a combined total of three employees.
 - d. A podiatry Office – consisting of only one medical provider and shall not exceed an operational patient capacity of three persons per hour.
- 4) Any changes to the uses, as defined in this parking modification, or any proposed additional uses to the site shall NOT be undertaken, unless additional approvals are obtained from the City.
- 5) This parking modification shall become null and void if the conditions of this approval are found to be in violation or the approved uses are altered or abandoned in manner that required additional parking capacity, unless otherwise approved by the City.
- 6) The property owner shall sign an "affidavit of acknowledgement" to agree to the terms and conditions of this parking modification and intent to comply with the approval, which shall return to the Community Development Department.
- 7) This "parking modification" shall not become effective until the affidavit of acknowledgement is submitted, as per Condition 6.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.
- b) The Planning Commission finds that based on the historical construction sales and service use of the site for the parking of customer, employee, and equipment, the current actual uses and the proposed medical service use limited to "at home patients and no more three patients per hour," the ordinance required calculations are unnecessary at this time.
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will accommodate the current parking demand for the site.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on December 14, 2022. Mr. Snyder updated the Planning Commission regarding recent actions of the City Council. The Planning Commission and staff discussed a possible update of the General Plan, and discussed proposed parking requirement modifications forwarded to the City Council earlier in the year. Chair Daly expressed a desire for the Commission to meet in a joint discussion with the City Council to discuss the proposed parking modifications.

MINUTES REVIEW AND APPROVAL

Minutes of the October 12, 2022 Planning Commission meeting were reviewed. Commissioner Larsen **moved** to approve the minutes. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

ADJOURNMENT

At 7:51 p.m., Chair Daly **moved** to adjourn the meeting. Commissioner Wilcox seconded the motion, which passed by unanimous vote (4-0).

Jennifer Robison, City Recorder

Date Approved