PROVIDENCE CITY PLANNING COMMISSION MINUTES 1 2 June 11, 2008, 6:00 p.m. 3 **Providence City Office Building** 4 15 South Main, Providence, UT 84332 5 6 **ATTENDANCE:** Chairman: L Campbell 7 W Wimmer, D Briel, G Busch **Commissioners:** 8 **Excused:** H Ames 9 **Alternates:** 10 Staff: Skarlet Bankhead, City Administrator/Recorder 11 Terri Lewis, Secretary

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## **ACTION ITEMS:**

**Item No. 1.** The Providence City Planning Commission will elect a new vice-chair.

L Campbell said he would like to wait until July 9<sup>th</sup> to elect a new chair and vice-chair.

S Bankhead said an e-mail could be sent out to see what date will work for them.

Motion to continue to a July meeting, W Wimmer, D Briel, second

All in favor.

G Busch was sworn in to the Planning Commission by S Bankhead.

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<u>Item No. 2.</u> The Providence City Planning Commission will consider for approval the minutes for May 14, 2008. Motion to move to the next meeting – W Wimmer, D Briel, second

All in favor.

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## **CONTINUED STUDY ITEMS:**

<u>Item No. 1. Ordinance Modification:</u> The Providence City Planning Commission will discuss an ordinance modification to Providence City Code 11-5-8 Water Availability Requirement.

C Smith went through some of the changes. Checked duty map (amount of water used for a purpose with it being wasted) Cache Valley is 4 acre feet of water. The ordinance has the dedication of water rights or recommendation of culinary water authority.

- W Wimmer asked if any other city has a culinary water authority.
- C Smith answered that LUDMA changed the law so that someone with authority and has knowledge of the water system and can approve the final plat. The public works director seemed to be the best person for that.
- W Wimmer said she is hung up on the culinary water authority. What do they do?
- C Smith said it is just making sure they meet the ordinance. Have someone who has first hand knowledge of the Cities system.
- W Wimmer asked why 40 years on the legislative intent.
- C Smith said house bill 51 provides the municipalities to hold there water for 40 years. There was a lot of concern that there were too many ways a city could loose their water. House bill 51 protects that.
- 40 D Briel asked where the LUA matters.
- 41 C Smith said it exists under the LUDMA code.
- 42 G Busch asked how this is different than the old code.
- C Smith said that the city needed to up the amount of water that it required.
- W Wimmer asked if this worked with the secondary water system.
- S Bankhead said this gives us more flexibility.
- 46 C Smith said that in the future we will have a secondary water system. Most places use outdoor water more.
- W Wimmer asked if the .45 still stands.
- 48 C Smith said that will stay the same.
- 49 L Campbell said this helps us use the irrigation water.
- C Smith said on the new law with the water forfeitures, Cities need a plan in place.
- 51 S Eames said one of the concerns of the water initiative was that there is some proof that there is enough water.
- 52 C Smith answered that is one of the responsibilities of the culinary water authority. If the water is being provided by a
- water company the city doesn't know how much water they have. If the water provider is part of LUA they know how much water they have.
- S Bankhead asked if this could be scheduled for Public Hearing.
- L Campbell answered that it could be scheduled on June 26, 2008.

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- Item No. 2. Sexually Oriented Businesses: The Providence City Planning Commission will discuss areas for an
- amendment to the general plan and City Ordinances designating a Sexually Oriented Business (SOB) Zone.
- K Baker asked if this would be too close to the head start school.
- 2 3 4 5 L Campbell said that is a good point. Craig Call will need to address that.
- S Bankhead said we will pull up the state code and see how it needs to be measured.
- 6 L Campbell asked if they had discussed a flat sign.
- 7 S Bankhead said you decide what you want for SOB businesses, then that will apply for everything in that zone.
- 8 L Campbell said if they use a flat sign according to the code it still gives the business quite a lot of leeway. He has been
- 9 looking at the wall sign. This is not a big zone so we need to think about what limits it will put on other businesses.
- 10 S Bankhead said a wall sign is considerably smaller.
- 11 W Wimmer said she likes the wall sign.
- 12 L Campbell asked if we considered how big we were going in this zone.
- 13 S Bankhead said it has to be big enough to put a building on it. You have to be realistic maybe a ½ acre.
- 14 G Busch asked if this was allowed anywhere else in the valley.
- 15 S Bankhead said she thought that the consultant got this ordinance from Provo.
- W Wimmer said that there is no regulation on the temporary signs. 16
- 17 L Campbell said you can put that in your conditions. We need to include an option for a temporary sign.
- 18 S Bankhead said a temporary sign deals more with the site.
- 19 L Campbell said all signs shall be flat wall signs. Is that combining the flat and wall signs.
- 20 S Bankhead said you need to decide which sign you want. We have had request to update our sign ordinance, now 21 would probably be a good time to do that.
- 22 L Campbell said he likes the more restrictive site. Because of the size of the zone there will probably not be many 23 businesses going in there.
- 24 S Bankhead said she will contact Craig Call and see if he can attend the meeting on June 25, 2008 to answer their 25 questions.
- 27 Item No. 3. Final Plat: The Providence City Planning Commission will consider for approval a change to the Final Plat 28 an alteration of Everton Minor Subdivision.
- 29 L Campbell said that the Commission has seen this subdivision for quite a while. Could S Harrison explain what the 30 change is on the plat.
- 31 S Harrison said that D Jensen decided to buy the lot. He incorporated two lots into one.
- 32 W Wimmer asked if there were issues about exiting on 400 East.
- 33 S Bankhead said there were no issues.
- 34 D Briel asked if the easement would be maintained.
- 35 S Harrison answered that there is an existing fence.
- 36 W Wimmer asked if his access was on 400 East.
- 37 S Bankhead said the new lot would not access on 400 East.
- 38 G Busch asked if there is a lot of topography here.
- 39 D Briel said there are a lot of hills.
- 40 L Campbell said that he doesn't want to get into a bind that lot #2 has another access.
- 41 S Harrison said that is the access to the field.
- 42 S Bankhead said either they incorporate or put all the improvements in. The owner of lot #2 didn't want it improved.
- 43 New lot 3 has to have the sewer, so they have to have the access easement. Because there is a 3<sup>rd</sup> lot in the subdivision
- 44 Mr. Harrison has to do some of the improvements.
- 45 S Harrison said that the new owner of lot #3 just wants to keep his options open.
- 46 L Campbell said that Lot 2 will have to assume all responsibility for the fire lane.
- 47 S Bankhead said the staff is fine with this the way it is.

## 49 **ACTION ITEM:**

- 50 Item No. 1. Final Plat: The Providence City Planning Commission will consider for approval a change to the Final
- Plat an alteration of Everton Minor Subdivision. 51
- 52 Motion to approve the change – W Wimmer, G Busch, second
- 53 All in favor.

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## STAFF AND COMMISSION REPORTS

- 56 L Campbell asked about the Wild Land Urban Fire Course to RSVP by Friday.
- 57 S Bankhead said the council is working on new zones, Commercial retail and commercial professional. Professional
- 58 businesses are good for business but they give us no taxes. We are also working to change our business licenses. The

- 1 2 3 4 5 staff is hoping to have that to you by the first meeting in July. Sagecrest is doing everything that you have asked. They are still working on 300 North. Will keep the Commission updated on this.
- K Baker stated that M Hoth made a deal with Anderson development for his property. He is not zoned so the Council doesn't want to put empty laterals in the ground.
- W Wimmer asked what the cities responsibility is to this agreement.
- 6 S Bankhead stated that the developer put in the agreement that it was up to the city. R Eck doesn't want to cut a new 7 road. This is not uncommon for a city to do something like this. The problem is he is still zoned agricultural.
- 8 S Eames asked how to get the information on these agreements.
- 9 L Campbell said that citizens need to come to these meetings.
- 10 W Wimmer asked what the negative impacts are on cutting a road.
- 11 S Bankhead said it cuts the life of the road.
- 12 L Campbell said it requires a lot more maintenance.
- 13 S Bankhead said we don't want anymore infrastructure under the road than is necessary.
- 14 S Bankhead said one of the things they talked about in council was the fact that things that are communicated by people
- 15 coming into planning commission are not always getting to the City Council. They would like to ask the chairman of
- 16 planning to come to the Council meetings once a month.
- 17 S Bankhead said the council doesn't always know what goes into the commission's decision. They don't see the details 18 that the commission has.
- 19 L Campbell said that is a good suggestion. He welcomes the invitation.
- 20 S Bankhead said the council approved the development agreement of S Harrison. He has to resolve the issue of storm 21
- 22 G Busch asked if the Commission approves the subdivisions.
- 23 S Bankhead answered that is correct. The council never sees the subdivisions.
- 24 W Wimmer asked if the Council would be made the LUA.
- 25 K Baker said the council discussed it and will look at it again later. 26

27 Motion to adjourn - D Briel, W Wimmer, second

Yea: D Briel, W Wimmer, G Busch, L Campbell Vote:

29 Nay: None. 30 Abstained: None. 31 Excused: None.

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- 36 Lance Campbell, Chairman
- 37 Meeting adjourned at 7:20 p.m.
- 38 Minutes taken and prepared by Terri Lewis

Terri Lewis, Secretary