

1 **PROVIDENCE CITY PLANNING COMMISSION MINUTES**

2 **March 28, 2012**

3 **Providence City Office Building**

4 **15 South Main, Providence, UT 84332**

5
6 **Chairman: R Sneddon**

7 **Commissioners: J Baldwin, G Allred, R Cecil, G Walker**

8 **Excused:**

9 **Alternates:**

10
11 **APPROVAL OF THE MINUTES:**

12 The Providence City Planning Commission will consider for approval the minutes of March 14, 2012.

13 **Motion to approve: R Cecil, G Allred second**

14 Page 2 – Line 3 – still has concerns with 25 feet

15 Line 6 – could

16 **Vote: Yea: R Sneddon, J Baldwin, G Allred, G Walker, R Cecil**

17 **Nay: None**

18 **Abstain: None**

19 **Excused: None**

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21 **ACTION ITEMS:**

22 **Item No. 1:** The Providence City Planning Commission will consider for recommendation to the City Council a
23 request to amend Providence City Code Title 10, Chapter 1, Section 6, Notice Requirements to make consistent with
24 State Code.

25 **Motion to approve: J Baldwin, R Cecil second**

26 J Baldwin asked if the on-site sign was to be part of the noticing.

27 R Sneddon said that is correct.

28 **Vote: Yea: R Sneddon, J Baldwin, R Cecil, G Allred, G Walker**

29 **Nay: None**

30 **Abstain: None**

31 **Excused: None**

32
33 **STUDY ITEMS:**

34 **Item No. 1:** The Providence City Planning Commission will discuss amending the ordinances with regard to lot
35 configuration.

36 R Sneddon said he handed out a concept for a lot consolidation for a recorded Subdivision Plat.

37 J Baldwin said he feels like the size of the consolidation are self controlling and if the piece is too small it won't serve a
38 construction purpose if you are building on it.

39 R Sneddon asked if there is a way around that.

40 J Baldwin doesn't want to be too restrictive. He doesn't want to go smaller than 25 feet. He doesn't know why someone
41 would consolidate a piece so small that you couldn't do anything with it. We've already discussed not changing the use.

42 R Sneddon said a 1 foot strip 600 feet long is something that is happening right now in the City.

43 J Baldwin said that is why we decided that you have to build your accessory building at the same time or after the main
44 building so that can't happen again. We can't go back and change what is already done.

45 R Sneddon said an owner wanted to block the transfer of property so they attempted to consolidate the property. It was
46 for the exact purpose of preventing someone from buying the property.

47 J Baldwin said that would discourage this

48 G Allred said wouldn't the seller have the option to do that. He doesn't see why we need an ordinance to stop this.

49 Planned use to some degree is taken by the owner.

50 J Baldwin said he is not concerned about minimum width unless it is too small to use it for anything. It's based on what
51 you can build with your setbacks.

52 G Allred said the connection is to change the nature of the 3rd piece of property.

53 R Cecil drew an example to show combining two lots which share an adjoining boundary.

54 J Baldwin suggested making it a minimum of 10 feet or more wide in the new recorded deed.

55 R Sneddon feels like the minimum has to be able to pass a vehicle. It is presumed that when you combine two lots you
56 can't have two front lots.

1 G Allred asked if there are places in town where it is an island. A lot of properties can use a lot line adjustment.
2 S Bankhead said if you're doing a lot line adjustment your increasing one lot and decreasing another.
3 G Walker said you are not creating a new tax ID number you are just combining the property and only using one tax ID
4 number.
5 G Allred said to some degree it feels like we are going to have paperwork and rules that will haunt us in the end.
6 R Sneddon said he wants to be able to say plainly enough that you can't do whatever you want.
7 J Baldwin asked when lot lines are changed do we require a survey from an engineer.
8 R Sneddon said it would be a recorded deed.
9 S Bankhead said she doesn't know what the County requires. We require a legal description.
10 R Cecil suggested going with what the County requires.
11 G Allred asked why they have to have it approved with Planning and Zoning if all the holes are sealed up. Why can't
12 Planning and Zoning just approve it or not when it's necessary?
13 R Sneddon said he wanted to do that a while ago but we have to have a plan.
14 J Baldwin said we are here because of a mix between residential and commercial. Residential will always be residential
15 and commercial will always be commercial even if it's connected.
16 R Sneddon said a business use is only one possibility. There are also recreational uses.
17 G Allred said he doesn't know where to go with this.
18 R Cecil likes the suggestions that R Sneddon has come up with.
19 R Sneddon asked if anyone has problems with the general requirements of the proposed ordinance.
20 J Baldwin asked if we could have a notice requirement added to the ordinance to let the neighbors know about the lot
21 consolidation.
22 G Walker said there is a lot of discretion with zoning issues but not with subdivision issues. It needs to be specific
23 standards. Standards cannot be vague and ambiguous.
24 J Baldwin asked if we're going to stop property owners from using their property through lot consolidation.
25 Mary Hubbard said it seems like your reading peoples minds.
26 R Cecil said we need to notice the neighborhood about the lot consolidation.
27 Dave Weeton asked why someone would want to buy 2 lots and consolidate them.
28 S Bankhead said the reason for this discussion is to make it very clear what the intent is for the property.
29 G Allred said this is to try and stop secondary uses on residential property.
30 R Blossom said anyone can buy 2 lots and combine them into one piece. If it's not taken care of in your use standards
31 for residential areas it needs to be.
32 R Sneddon said the property requires a residence first and then an accessory building. You can't have an accessory
33 building on a piece of property by itself.
34 D Weeton suggested not allowing property to be consolidated unless they are contiguous.
35 B Bissland suggested using the word adjacent. Part of the zoning problem is avoiding conflict. 15 to 20 feet would be
36 large enough to allow a dump truck or fence.
37 R Sneddon asked if the Commission is ok with striking out the sentence concerning blocking the sale.
38 G Walker is candidly concerned with the whole concept.
39 J Baldwin said unless you want the land to grow grass on, the size of the adjoining property needs to be big enough to
40 house a building.
41 The Commission discussed what would happen if a neighborhood decided to put in a tennis court or pool.
42 S Bankhead said she feels like they need to talk about lot consolidation and not boundary line adjustments. You could
43 word it like 2 lot consolidations by a boundary line adjustment is invalid.
44 R Cecil asked if S Bankhead could take the proposed ordinance and work with the wording.
45 D Weeton said in a planned community you would have to specify what the use could be.
46 S Bankhead said she will take all the ideas that the Commission has come up with and put them together for the next
47 meeting.
48 R Sneddon said a minimum width still needs to be talked about.
49 J Baldwin said anything less than 15 feet won't give you enough property to do anything with.
50 R Sneddon would like to be able to put this ordinance to bed next meeting.
51
52 **Item No. 2:** The Providence City Planning Commission will consider amending the Providence City Use Chart to
53 allow cell towers as a conditional use.
54 R Sneddon asked if the towers we're talking about are low power.
55 The Commission doesn't think they are.
56 R Sneddon thinks they're for short range communication.

1 S Bankhead said she can get Craig Call to get definitions so the Commission knows better what they're talking about.
2 R Sneddon wants to continue this to the next meeting.
3 B Peterson explained the difference between high and low power.
4 V Fielding explained that he believes that this will be low power towers.
5 The audience is concerned about where, when and how.
6 G Walker said right now they're not allowed anywhere. The Commission is going to decide the where, when and how.
7 R Sneddon explained that the City has to provide a place for cell towers. They are required by the FCC. This is why the
8 Commission is looking at an ordinance. Residential areas are not being considered at this time.
9 R Blossom suggested piggy backing onto other cities ordinances.

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11 **Item No. 3:** The Providence City Planning Commission will discuss light manufacturing.
12 S Bankhead explained that the Council asked the staff to revamp the use chart and home businesses. The Council
13 wanted to continue the cottage industry in the City. Craftsman is allowed as a permitted use for a home business. Staff
14 went through a lot of discussion and came up with light manufacturing as a definition. Staff just wants a definition that
15 will allow people to put together certain things so the City has more control over size, electrical distribution, noise and
16 traffic. Staff just would like to have more control over mitigating circumstances. The intent was to allow someone to put
17 together duffle bags or custom furniture that did not disrupt the harmony of the neighborhood.
18 G Walker suggested limiting what a craftsman can do and coming up with a definition.
19 S Bankhead said that is what we were trying to do. She explained how the home business offices are set apart as low,
20 medium and high impact. Similar conditions could probably be looked at for craftsman.
21 G Walker said he felt like that would work. He agrees with going with low, medium and high impact.
22 R Call asked if the size of the business matters.
23 G Allred said number of employees, etc.
24 S Bankhead said that is what is looked at for home business offices. She explained how each impact was decided. Size
25 was the most significant impact.
26 B Bissland said the ordinance says it should be incidental and secondary to the neighborhood.
27 R Sneddon said the power requirement should also be looked at.
28 J Baldwin said 3 phase power isn't allowed in residential areas in Brigham City.
29 G Allred suggested controlling hours of operation.
30 L Fisher said their neighborhood had a request for 3 phase power which was allowed by the City even though it was
31 against the ordinance. This has been very upsetting to the neighborhood. She would like light manufacturing not be
32 allowed in any residential area. There needs to be very specific language in this definition.
33 R Sneddon asked if there is a sunset clause in conditional use. Do you have to re-apply for conditional uses every year?
34 S Bankhead said if nothing in the business has changed the City doesn't re-inspect. As long as the use is maintained
35 consistently and under the conditions that have been set up you can't re-inspect. If negative circumstances come up the
36 business can be revoked. If the neighbors make a complaint we go out to re-check the business.
37 R Sneddon said he doesn't place a lot of faith in definitions. He doesn't know if the Commission can pin it down. Can
38 we place conditions of performance as opposed to names of what they're doing?
39 S Bankhead said most people that are doing business do it in such a manner that neighbors don't know about them.
40 R Sneddon suggested not putting names on businesses just consider the different impact the business has on the
41 neighborhood.
42 S Bankhead said there might be some businesses that you would want to strictly prohibit in Providence City.
43 G Walker said he doesn't mind having specific names as long as they concur with the low, medium and high impact.
44 D Calderwood suggested considering the integrity of the residential zone and can the business be associated with a
45 home.
46 G Walker asked if light manufacturing was stricken from the residential zone would it create a problem.
47 S Bankhead said we don't have any industrial zones. We have nothing that addresses that. Maybe we need to look at
48 that in commercial zones.
49 L Fisher talked about a conditional use permit that is not that conditional. This business hasn't had a business license
50 since December, 2010. At this time the business is still doing business. The neighborhood has complained about the
51 signage and nothing has been done. Anything concerning granite cutting industries has been linked to cancer and
52 arthritis.
53 G Walker said the Planning Commission doesn't have the power to enforce their decisions. He would also like looking
54 at striking light manufacturing from the residential zone.
55 R Blossom said he has had some request for an industrial zone. He would like to see that in the commercial zone.

1 R Call wants to point out that sometimes small home businesses can morph into larger businesses. There needs to be
2 limitations as to what you can do out of your home. It's more related to size than the nature. The Council is also looking
3 at an industrial zone in the City.
4 J Baldwin asked if the City Council has the authority to close down a home business if it gets to large.
5 S Bankhead said the Land Use Authority or the City Council can shut a business down.
6 R Sneddon would like this item to come back to the next meeting.

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8 **STAFF REPORTS:**

9 None

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11 **COMMISSION REPORTS:**

12 None

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14 **Motion to adjourn: R Cecil, J Baldwin second**

15 **Vote: Yea: R Sneddon, J Baldwin, R Cecil, G Allred, G Walker**

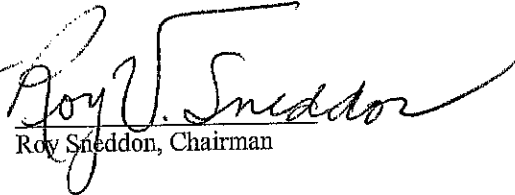
16 **Nay: None**

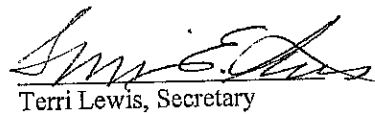
17 **Abstain: None**

18 **Excused: None**

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20 Meeting adjourned at 8:07 p.m.

21 Minutes taken and prepared by Terri Lewis

22
23
24 
25 Roy Sneddon, Chairman

26 
Terri Lewis, Secretary

Planning Commission Meeting

March 28, 2012

Please Sign In

Name

City of Residence

ELANOR BOOTHMAN
Kricia Petersen
Sharell Eames
Mary Hubbard
Ralph Call
Vern Fielding
John Gilbert
SARA PETERSEN
Ray Blass
Ned Miller
Hank Weber
BOB BLOOMFIELD

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