

1 **Providence City Planning Commission Meeting Minutes**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **July 13, 2016 6:00 p.m.**

5
6 Chairman: Robert James
7 Commissioners: Rowan Cecil, Michael Harbin, John Parker, Wendy Simmons
8 Alternate: Andrea Diamond
9

10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of June 22, 2016.

- 12 • These minutes will be continued to next meeting.

13 **Item No. 2.** The Providence City Planning Commission will consider for approval the minutes of June 29, 2016.

14 Attendance: Chairman is Robert James, A Diamond was also in attendance. J Drew was in attendance.

- 15 • Page 2, Line 5 and 6- rezoned SFT and one recommended SFL.

16 **Motion to approve the minutes of June 29, 2016: W Simmons, second – J Parker**

17 **Vote: Yea: A Diamond, M Harbin, J Parker, W Simmons**

18 **Nay: None**

19 **Abstained: None**

20 **Excused: R Cecil**

21 **Item No. 3.** The Providence City Planning Commission will consider for approval the minutes of July 6, 2016.

- 22 • Page 1, line 45 – resident Brent Fresz

23 **Motion to approve the minutes of July 6, 2016: J Parker, second – M Harbin**

24 **Vote: Yea: A Diamond, M Harbin, J Parker, W Simmons**

25 **Nay: None**

26 **Abstained: None**

27 **Excused: R Cecil**

28 S Bankhead swore in Andrea Diamond as an alternate member of the Planning Commission.

29 **Public Hearing (6:00 PM)**

30 Prior to making a recommendation to the City Council, the Providence City Planning Commission will hold a public
31 hearing to provide an opportunity for anyone interested to comment on the proposed amendments to the
32 Providence City Master Plan Sheet No 5-B Future Re-Zone of existing Districts. This Map is the plan for future
33 rezoning of existing districts within the Providence City Corporate limits.

- 34 • R James explained the purpose of this public hearing.
- 35 • Sharell Eames said that in city council it was said the general plan is a suggestion or a guideline.
- 36 • R James read from state code: *"After the legislative body has adopted a general plan, no street, park or*
37 *other public way, ground, place or space or publicly owned building or structure or public utility, whether*
38 *publicly or privately owned, shall be constructed or authorized until and unless it conforms to the current*
39 *general plan."*
- 40 • S Bankhead annotated the previous statement as Utah Municipal Code 10-9a- 406.
- 41 • There was discussion on city council's role in following the general plan.

42 Rowan Cecil arrived at 6:15 pm.

- 43 • S Eames asked what role the general plan plays in approving subdivisions.
- 44 • R James said it gives guidelines as to how recommendations are passed up to the City Council from the
45 Planning Commission. Recommendations should be made according to the general plan.
- 46 • J Drew said part of the general plan process implies that it is a product of the community. The document
47 is produced with the input of the public.
- 48 • S Bankhead said state code, city code and general plans are fluid documents. She asked the Planning
49 Commission to consider a light industrial zone for possible future needs.

50 **Motion to close the public hearing: W Simmons, M Harbin**

51 **Vote: Yea: R Cecil, A Diamond, M Harbin, J Parker, W Simmons**

52 **Nay: None**

53 **Abstained: None**

54 **Excused: None**

55 **Action Items:**

1 Item No 1. Proposed Master Plan Sheet No 5-B Amendment: The Providence City Planning Commission will
2 consider for recommendation to the Providence City Council, approval of amendments to the Providence City
3 Master Plan Sheet No 5-B Future Re-Zone of existing Districts. This Map is the plan for future rezoning of existing
4 districts within the Providence City Corporate limits.

- 5 • A Diamond wanted to assure that as Providence develops, there are SFE zones that will attract developers
6 and home owners who desire nicer estate lots.
- 7 • R James said that even if an area is zoned SFL, they can put in acre lots. Most developers understand they
8 can go bigger.
- 9 • There was a lengthy discussion about the rezoning of the northeast corner of Providence that is currently
10 zoned AGR. Points of discussion included frontage requirements for SFE, lot size averaging, ability of
11 property owners to keep larger or smaller lots clean and tidy, storm water issues including curb, gutter
12 and sidewalk, etc. The pros and cons of leaving it ARG were discussed, as well as the possibility of
13 rezoning this section in the future. It was suggested that when developers see the zoning map, they will
14 know what is expected and will build to the expectations or vision for Providence City.
- 15 • Brent Fresz commented that frontage and infrastructure requirements, along with topography for SFE
16 would make it almost impossible for developers to make it work.
- 17 • Steve Jenson brought up the issue of lot size averaging.
- 18 • S Bankhead said there is a good reason it is in our ordinance. Some developments need it in order to build
19 out the lots in sensitive and hazardous areas. Lot size averaging applies in SFE, SFL and SFT.
- 20 • R James reminded the commissioners that this is a fluid document that can be changed in the future and
21 also that it is a plan for the long term development of Providence and how it should be zoned. It is not a
22 plan for today. He also reminded the Commission that an economic element also has to be addressed in
23 the general plan. That would give a much better insight as to what may be possible down the road.
- 24 • S Bankhead said you want to encourage development and when you start requiring large frontages that
25 adds a lot of expense because of infrastructure. If you are going to insist on large SFE lots then developers
26 have to be compensated somehow on infrastructure without compromising safety. You don't want to
27 drive developers away with steep demands on each lot. Also, we do have to have a moderate income
28 housing element, and it needs to be updated every two years.
- 29 • Todd Hendricks said the map shows plenty of development designated for SFT with very little SFE. ARG
30 needs to be designated SFE to keep people from selling off to developers who will want smaller lots. He
31 feels the moderate income zoning element is being met.
- 32 • S Bankhead said just because something is zoned SFT, doesn't make it affordable.
- 33 • S Jenson said if something is zoned SFE you have more leverage with the developer to provide parks and
34 recreation areas. If property is zoned smaller, you lose some leverage and negotiation power.
- 35 • S Bankhead said there is less clamor if someone asks for SFE or SFL than if someone asks for SFT, but the
36 point is nobody is rezoning anything. This is what we are *suggesting* as future rezones. The map is a plan,
37 but property is not zoned until it's zoned.
- 38 • R James asked if the commission wants to change the ARG in the upper east corner to SFE.
- 39 • J Drew said SFE with curb and gutter affects storm water. Developers look at the bottom line. Perhaps not
40 requiring curb and gutter in SFE would be a trade-off.
- 41 • S Bankhead said the transportation plan needs to be considered if you are going to start zoning SFE. You
42 have to allow the developer enough flexibility to put in infrastructure, safe streets, etc.
- 43 • There was continued discussion regarding the rezone of this area.
- 44 • J Parker said if it is left ARG, would it be easier to rezone at a future point?
- 45 • R James felt it wouldn't be difficult to rezone it.
- 46 • Cody Davis said he would like to see a study done showing just how much interest there really is in SFE
47 zones.

48 **Motion to recommend to city council that the property located at 400 East and 1000 South, commonly known as**
49 **the Baker property be changed from ARG to SFL on the future rezone map and continue discussion on the rest of**
50 **the map at a future meeting: M Harbin, second – R Cecil**

51 **Vote: Yea: R Cecil, A Diamond, M Harbin, J Parker, W Simmons**
52 **Nay: None**
53 **Abstained: None**
54 **Excused: None**

55 Item No. 2. Final Plat Approval: The Providence City Planning Commission will consider for approval the final plat
56 for Little Baldy Place Subdivision, a 37-lot residential subdivision located generally at 80 North Sherwood Drive.

- 1 • Michael Taylor, Civil Solutions, answered questions from the Planning Commission.
- 2 • R James questioned the intent of the potential 5' berm easement on the general notes.
- 3 • M Taylor said it is to catch storm water on those downhill lots on the west boundary.
- 4 • R James asked if catch basins are typically located on private lots and how they are protected and
- 5 maintained. Does the City feel it is protected from at the risk level?
- 6 • S Bankhead said they are shown on the map as a buyer-beware condition. The basins are to protect the
- 7 homes on those lots. In reality, it probably will never be checked, but this is a risk management to protect
- 8 the city from potential risk as much as possible.
- 9 • R James asked about line item 23, construction of water tank and trail adjustments to skirt the eastern
- 10 boundary of the Bonneville Shoreline Trail. Stan Checketts said he would hold that trail in place until the
- 11 new trail was constructed.
- 12 • S Bankhead said it is in the Development Agreement and it will be required on the final plat.
- 13 • M Taylor said it is shown as a temporary easement on page 2.
- 14 • S Bankhead reviewed the Executive Staff Report for the final plat approval for Little Baldy Place
- 15 Subdivision:

- 16 ○ **Staff Report Summary of Key Issues:**

- 17 1. The minimum lot size in SFL is 20,500 sq. ft.
- 18 2. Providence City Code (PCC) 10-8-2 says: in areas that contain sensitive areas and hazard
- 19 zoned (see Chapter 5 of this Title) Thirty percent (30%) of the lots can be less than the
- 20 minimum lot size and/or reduced frontage width, but no lot can be less than 12,000 sq.
- 21 ft. in the subdivision and the frontage requirement at the setback line must be the
- 22 minimum for the zone.
- 23 3. The minimum lot width at the setback line in a SFL zone is 100 ft. (see PCC 10-8-1: Area
- 24 Regulations)
- 25 4. The Developer has provided results from a water model for the area and the pressures
- 26 are adequate for fire flow requirements.
- 27 5. The Developer has agreed to dedicate the property for a water reservoir. (The developer
- 28 has already had water transferred to a point of diversion that is located in Providence
- 29 and it has been approved by state engineer for municipal use, but they will have to do
- 30 the conveyance before we sign the final plat).

- 31 ○ **Findings of Fact:**

32 The following were used to review this plat:

- 33 1. PCC 10-5 Overlay Zones, including but not limited to:
 - 34 a. PCC 10-5-2: Sensitive Areas
 - 35 b. PCC 10-5-4: Hazard Slope Zone (HS)
 - 36 c. PCC 10-5-6: Hazard Earthquake Primary Fault Zone (HE)
- 37 2. PCC 10-8: Area Regulations
- 38 3. PCC 11-3-3: Final Plat
- 39 4. PCC 11-4: Design Standards

- 40 ○ **Conclusions of Law:**

- 41 1. The final plat meets the above requirements with the following conditions:

- 42 ○ **Conditions:**

- 43 1. A statement from GeoStrata LLC verifying the April 23, 2008 Surface Fault Rupture
- 44 Hazard Assessment must be submitted to the City.
- 45 2. Sheets 2 and 3 must be combined.
- 46 3. Remove the 40 PSI line.
- 47 4. The addresses must be added to the plat.
- 48 5. The constructions plans must be approved and signed by the City Engineer.
- 49 6. The development agreement must be approved by the City Council.
- 50 7. Developer continues to meet all relevant federal, state, and local rules, laws,
- 51 ordinances, etc.
- 52 8. The City does not consider the final plat approved until the construction drawings are
- 53 signed, the development agreement has been signed, and all signatures are on the final
- 54 plat.

- 55 ○ **Recommendation:**

1 That the Planning Commission approves the attached final plat with the findings of fact,
2 conclusions of law, and conditions listed above.

- 3 • S Bankhead pointed out that a number of lots in this subdivision are conditional use lots and will have to
4 go through the CUP process before the owners can build.

5 **Motion to approve the final plat for Little Baldy Place Subdivision located generally at 80 North Sherwood Drive**
6 **with the conditions as shown on the Executive Staff Review, dated July 13, 2016, being met: J Parker, second – R**
7 **Cecil**

8 **Vote: Yea: R Cecil, A Diamond, M Harbin, J Parker, W Simmons**
9 **Nay: None**
10 **Abstained: None**
11 **Excused: None**

12 **Study Items:**

13 **Item No. 1. Proposed General Plan Amendments:** The Providence City Planning Commission will discuss a
14 plan/schedule to review the various elements and aspects of the Providence City general plan.

- 15 • This item was continued to next meeting.

16 **Item No. 2. Proposed Code Amendments:** The Providence City Planning Commission will discuss proposed
17 amendments to Providence City Code Title 2 Chapters 1 and 4, Title 10 Chapters 15 and 16, and Title 11 Chapter 3
18 by changing the words "city administrator" to "administrative services director".

- 19 • S Bankhead explained why this is before the Commission. A public hearing needs to be scheduled because
20 it is a land use ordinance amendment.
21 • Public hearing will be scheduled for July 27, 2016.
22 • There will be another Planning Commission meeting scheduled for August 2nd at 5:00 pm to further
23 discuss the zoning map.

24 **Reports:**

25 **Staff Reports:** Any items presented by Providence City Staff will be presented as informational only.

- 26 • No staff reports.

27 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no
28 formal action will be taken.

- 29 • No commission report.

30 **Motion to adjourn: R Cecil, second – M Harbin**

31 **Vote: Yea: R Cecil, A Diamond, M Harbin, J Parker, W Simmons**
32 **Nay: None**
33 **Abstained: None**
34 **Excused: None**

35 Meeting adjourned at 8:30 pm.

36 Minutes recorded and prepared by C Craven.

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41 _____
Robert James, Chairman

Caroline Craven, Secretary

