

1 **PROVIDENCE CITY PLANNING COMMISSION MINUTES**

2 **May 26, 2010, 6:00 p.m.**

3 **Providence City Office Building**

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

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6 **Chairman: G Busch**

7 **Commissioners: D Briel, S Flammer, R Gustaveson, R Sneddon**

8 **Excused: C Kirk**

9 **Alternates:**

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11 **CONFLICT OF INTEREST:**

12 None

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14 **NEW BUSINESS:**

15 The Providence City Planning Commission will elect a new Vice-Chairman. R Sneddon nominates D Briel. D Briel declines. R Gustaveson nominates S Flammer. All agree.

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17 **Motion to approve:**

18 **Vote: Yea: G Busch, D Briel, S Flammer, R Gustaveson, R Sneddon**

19 **Nay: None**

20 **Abstain: None**

21 **Excused: C Kirk**

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23 **ACTION ITEM:**

24 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of May 12, 2010.

25 **Motion to approve the minutes: R Sneddon motion, D Briel second.**

26 **Vote: Yea: G Busch, D Briel, S Flammer, R Gustaveson, R Sneddon**

27 **Nay: None**

28 **Abstain: None**

29 **Excused: C Kirk**

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31 **PUBLIC HEARING (6:05):**

32 The Providence City Planning Commission will hold a public hearing to receive public comment on amending Providence City Code Title 10 Chapter 6 Use Regulations, including removing some uses from the use chart and adding new uses to the use chart which may be permitted, conditional, or incidental. Uses being discussed include but are not limited to nondepository financial institutions, personal services, recreation/entertainment and theater. These changes may affect all zoning districts within the City.

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38 G Busch read the introduction for the Public Hearing.

39 S Bankhead, addressing the report from the DRC. Amsource requested CGD zone. They understand where the city is coming from by restricting area. Kevin Hawkins felt comfortable with the uses that are listed on the DRC Report. They have an approved preliminary plat for the lots. G Busch, if they have approved preliminary plats, would they have been approved under CHD? S Bankhead, yes but this is approved for the project, not the uses. R Sneddon thinks they are jumping to D when they talk about parking, landscaping, etc. S Bankhead wanted it to be brought up in the Public Hearing so you can study it or take action. DRC recommends to Planning Commission to deny the request. S Flammer how does that work with Golds Gym? S Bankhead, I have not heard from Golds Gym. They haven't asked for a tenant finish. She does not know how it would impact them. R Sneddon, Mr. Hawkins, is he the Colorado Hawkins? S Bankhead, yes. R Sneddon, how does this benefit them? S Bankhead, They want stand alone buildings. G Busch, is there legal ramification if we do not approve it? S Bankhead, there is always a chance of that. R Sneddon, is that lot there for a bank? S Bankhead, yes, that lot would be for a financial institution. The development is still arguing they need non-sales tax businesses to bring in tax reproducing businesses. S Bankhead, if we hold tight we will still grow, but question is when.

52 R Gustaveson motion to close public hearing, S Flammer second. 6:24pm

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54 **ACTION ITEM CONT:**

55 **Item No. 2.** The Providence City Planning Commission will consider for recommendation to the City Council a code amendment for Providence City Code Title 10 Chapter 6 Use Regulations, including removing some uses from the Use Chart and adding new uses to the Use Chart which may be permitted, conditional or incidental. Uses being discussed include but are not limited to nondepository financial institutions, personal services, recreation/entertainment and

1 theater. These changes may affect all zoning districts within the City. Adding, last bullet of incidental use, deleting  
2 recommendation public buildings in highway district. Page 3 changes are the same that we already talked about. Delete  
3 engineer, dental, it would put a pharmacy as an I, putting studio, art dance in, non-depository institution, not permitting  
4 in any zone.

5 S Bankhead, I think we need to allow by putting a c in CGD, putting only 1 per 7,000 people. Something like that is  
6 reasonable. Put carrots at the bottom. Personal services will fall under what they considered.

7 G Busch, massage, teeth whitening, tanning, they are tax generating businesses aren't they?

8 S Bankhead, I can check into that for you. Need to define what a non-depository institution is.

9 S Bankhead, are you good going with Logan's definition?

10 D Briel, I think that is good. Fuel, define that use. S Bankhead could take it out until we can define it that is good with  
11 me.

12 R Gustaveson, is there any ordinance on storing so much fuel?

13 S Bankhead, in the safety ordinance, it does talk about nuisances and how you structure it. Fire Code just tells how to  
14 structure, not whether we allow it or not. G Busch, does anyone suggest we remove it or leave it how it is.

15 D Briel, leave it how it is.

16 D Briel, Third bullet, took out variety store and put in other retail business.

17 **Motion to approve: D Briel motion to recommend to the City Council to accept all chapter 6 with changes. R**  
18 **Sneddon, second.**

19 **Vote: Yea: G Busch, D Briel, S Flammer, R Gustaveson, R Sneddon**

20 **Nay: None**

21 **Abstain: None**

22 **Excused: C Kirk**

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24 **STUDY ITEM:**

25 **Item No. 1.** The Providence City Planning Commission will consider a request from the Development Review  
26 Committee, at the request of the City Council to amend Providence City Code Title 10 Zoning Regulations, Chapter 8  
27 Area Regulations, by adding Section 7 Site Requirements for Seasonal, Semi-Permanent and Temporary Business  
28 Facilities.

29 S Bankhead, we allow peddlers, transit, etc. We don't have an ordinance as to how we allow them to come. Snow  
30 Cones, Vegetables, Tony's Grove. We decided to have 3 categories. Defined what an approved site is. Lot in an  
31 approved subdivision, with water, sewer, curb, and gutter put in. Not insisting that the landscaping be in. Outside  
32 vendors would need to stay in the commercial area and not plunk down in residential area. If they come in residential  
33 they need to come in as a home business.

34 S Flammer, what about alarm sales door to door. S Bankhead, they are solicitors. They have to come get a solicitors  
35 license.

36 G Busch, who is the land use committee? S Bankhead, City Administrator, Public Works Director, City Engineer.

37 D Briel, some take up a lot of space in the parking lot. Is there something that states how much space can be used or  
38 how many can come into the lot. S Bankhead, It states that they have to have adequate parking for their business and  
39 for the temporary business.

40 S Flammer, do we want to make sure this was also in Seasonal?

41 S Bankhead, yes. No. 1, it does state, but will add the amount of parking in No. 3.

42 D Briel, Snow Cone may want to be there for more that 120 days.

43 S Bankhead, do we want to have an extension of 30 days?

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45 **Item No. 2.** The Providence City Planning Commission will consider conditions for non-sales tax producing businesses  
46 in the Commercial Highway District.

47 S Flammer, we need to strike out #2 on the report.

48 D Briel, if they sell property down the road it could get messy. Over time it is hard to keep documentation.

49 G Busch, DRC also feels it is not a good idea to approve it.

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51 **ACTION ITEM CONT:**

52 **Item No. 3.** The Providence City Planning Commission will consider for recommendation to the City Council  
53 conditions for non-sales tax producing businesses in the Commercial Highway District.

54 **Motion to approve: R Sneddon makes a motion to deny the request, R Gustaveson second.**

55 **Vote: Yea: G Busch, D Briel, S Flammer, R Gustaveson, R Sneddon**

56 **Nay: None**

57 **Abstain: None**

58 **Excused: C Kirk**

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2 **STAFF REPORTS:**  
3 S Bankhead, someone needs to attend City Council meeting. If you have a suggestion for an alternate to fill the empty  
4 spot, please turn into Don Calderwood. G Busch will go to the June 8<sup>th</sup> meeting. R Sneddon will go to the June 22<sup>nd</sup>  
5 meeting. DRC is still working on the sign ordinance. This should come to you as a study item at the next meeting.  
6 City Council last night, they want your input on allowing home businesses to use an accessory building to do their  
7 business. Concern that by allowing the accessory building, should we put a tighter restrictions on the accessory  
8 building. We want to maintain residential look. Be thinking about that and we will have something at the next meeting.  
9 D Briel, what would it matter if they built a building for personal use or if they met the requirements for that building,  
10 how come they can't use it for their businesses. S Bankhead, we are tighter on home businesses. Parking, clients visits,  
11 etc.

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13 **COMMISSION REPORT:**

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15 **Motion to adjourn: S Flammer motion, D Briel second**  
16 **Vote: Yea: G Busch, D Briel, S Flammer, R Gustaveson, R Sneddon**  
17 **Nay: None**  
18 **Abstain: None**  
19 **Excused: C Kirk**  
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21 Meeting adjourned at 7:10 pm  
22 Minutes taken and prepared by Sheri Ward  
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Glen Busch, Chairman

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Sheri Ward