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Ordinance No. 2018-013

AN ORDINANCE AMENDING PROVIDENCE CITY CODE TITLE 11-3-3: SUBDIVISION REGULATIONS, FINAL PLAT: THIS AMENDMENT REQUIRES THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND THE ENGINEER'S COST ESTIMATES BE SUBMITTED WITH THE FINAL PLAT AND CONSTRUCTION DRAWINGS.

WHEREAS UCA § 10-9a-102.(2) states “. . . municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls . . .” and

WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values in areas that may be considered sensitive, including but not limited to fire danger, slope, soil content.

- Providence City staff prepared the attached code amendment.
- Planning Commission studied the proposed amendment and prior to making a recommendation, held a public hearing on October 10, 2018.
- Providence City Planning Commission took the following action on October 10, 2018:
Item No. 1. Proposed Code Amendments. *The Providence Planning Commission will consider for recommendation to the City Council approval of amendments to Providence City Code for the following:*

10-8-5: Commercial Zoned Districts-Site Development

10-9-4 Frontages: Curb, Gutter, and Sidewalk

Improvements should be made in accordance with city standards including but limited to

Providence City standards and specifications manual

Pre-construction meeting

11-3-3 Final Plat

11-5 Public Improvements Inspection report and/or punch list

Motion to recommend the City Council approve the amendments to Providence City Code for 10-8-5, 10-9-4, 11-3-3 and 11-5 – B Perry, second – J Parker

Vote:

Yea: B Perry, G Sonntag, R Holloway, J Parker

Nay: None

Abstained:

Excused: R Cecil

Excused Alternate:

- The City Council considered the following:

Findings of Fact:

- Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning Title shall be done in accordance with state law.
- UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning map consistent with the purposes set forth in in this chapter.
- UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a proposed land use ordinance or zoning map; and prepare and recommend to the legislative body a proposed land use ordinance and

1 zoning map that represent the planning commission's recommendation.
2 ○ UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or
3 within the zoning district; or (c) any other provision of a land use ordinance.

4 Conclusions of Law:

5 ○ The proposed amendment has been processed in accordance with the Finding
6 of Facts.

7 Conditions:

8 ○ None
9

10 THEREFORE be it ordained by the Providence City Council

- 11 • The attached code amendment shall be approved based on the findings of fact,
12 conclusions of law, and conditions listed above and the recommendation of the
13 Providence City Planning Commission.
- 14 • This ordinance shall become effective immediately upon passage and posting or 30 days
15 after final passage, whichever is closer to the date of final passage.
16

17 Ordinance adopted by vote of the Providence City Council this 23 day of October 2018.
18

19 Council Vote:

20 Allen, Kirk	(X) Yes	() No	() Excused	() Abstained	() Absent
21 Eck, Kristina	(X) Yes	() No	() Excused	() Abstained	() Absent
22 Fresz, Brent	(X) Yes	() No	() Excused	() Abstained	() Absent
23 Giles, Dennis	() Yes	() No	(X) Excused	() Abstained	() Absent
24 Sneddon, Roy	(X) Yes	() No	() Excused	() Abstained	() Absent

25
26 Signed by Mayor John Drew this 23 day of October 2018.

27
28 Providence City

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31 John Drew, Mayor

32
33 Attest:

34
35 Skarlet Bankhead, Recorder
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