



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435)753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Rezone
Applicant: Sierra Homes

Project Location/Description: Rezone request: from Agricultural (AGR) to Single-Family Traditional (SFT) for an 18.72 acre parcel of property, Parcel No. 02-115-0014, located generally at 900 South 400 East.

Hearing Date: June 8, 2016

Hearing Time: 6:30 PM

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on the proposed rezone from Agricultural (AGR) to Single-Family Traditional (SFT), the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,


Skarlet Bankhead
City Recorder

Newspaper Publication Date(s): Saturday, May 28, 2016

Posting Date: May 27, 2016

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Providence City website www.providencacity.com
3. Utah Public Notice Website
4. Property Sign: located generally at 160 South 100 East.

PROVIDENCE CITY
Executive Staff Report
Review Date: May 24, 2016

Request: Rezone an 18.72acre parcel from Agricultural (AGR) to Single-Family Traditional (SFT)

Item Type: Rezone	Applicant: Sierra Homes	Owner: Doran J & Kathy R TRS Baker
Prepared by: S Bankhead	General Plan: SFT	Zone: AGR
Parcel ID #: 02-115-0014 Address: 900 S 400 E (approximate)	Acres: 18.72	Number of Properties: 1

Background Information:

1. The Applicant filed a Land Use Application with Providence City on May 5, 2016.
2. Executive Staff reviewed the application on May 10 and 24, 2016.
3. Providence City Master Plan Sheet No. 5-B Future Re-Zone of Exiting Districts shows this area as a SFT zone.
4. Single-Family Traditional requirements are as follows: 12,000 sq. ft. minimum lot size; 95 ft. minimum lot width (measured at the setback line); a maximum of 3.75 units per acre (excluding right-of-way (ROW), infrastructure - Infrastructure is defined to include rights-of-way, PUB and REC districts within development)

FINDINGS OF FACT:

1. Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning Title shall be done in accordance with state law.
2. UCA § 10-9a-505(1)(a) The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.
3. UCA § 10-9a-505(3)(a) There is no minimum area or diversity of ownership requirement for a zone designation. (b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.
4. UCA § 10-9a-102 Purposes -- General land use authority.
(1) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, 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.
(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

5. 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.
6. 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 zoning map that represent the planning commission's recommendation.
7. UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the zoning district; or (c) any other provision of a land use ordinance.
8. Providence City Master Plan Sheet No. 5-B Future Re-Zone of Exiting Districts.

CONCLUSIONS OF LAW:

1. The proposed code amendment has been processed consistent with the above Findings of Fact.
2. Executive Staff feels changing the AGR zone to SFT zone is consistent with the City's master plan.

CONDITIONS:

1. The Applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The application will process will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances; including but not limited to: the Planning Commission scheduling and holding a public hearing prior to making a recommendation to the City Council.

RECOMMENDATION:

That the Providence City Planning Commission schedule and hold a public hearing prior to making a recommendation to the Providence City Council.

PROVIDENCE CITY LAND USE APPLICATION

15 South Main * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Please note that each request has a checklist which specifies what information is required in order for your application to be complete and ready for processing. Please check the appropriate box for your type of application. Check only one box. Each application type requires a separate application. If you have questions, please ask.

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED.

Development Review Committee, and/or Planning Commission, and/or City Council

Annexation	Exception to Title	<input checked="" type="checkbox"/> Rezone
Code Amendment	Final Plat	Right-of-way Vacation
Concept Plan	General Plan Amendment	Site Plan
Conditional Use	Preliminary Plat	
Appeal Authority		
Appeal	Variance	

PLEASE NOTE: FILING FEES DO NOT INCLUDE PROFESSIONAL FIRM FEES. THESE WILL BE BILLED SEPARATELY.

Applicant's Name: SIERRA HOMES
 Address: 470 W 2450 W TERRYTON UT 84337
 Phone(s): 435-257-4763 Fax: _____ E-Mail: matth@sierrahomes.com

Party Responsible for Payment: SIERRA HOMES
 Billing Address: - SAME AS ABOVE
 Phone(s): _____ Fax: _____ E-Mail: _____

Property Owner's Name (how it appears on a legal document):
DORAN J & KATHY R TRS BAKER
 Address: P.O. Box 219 PROVIDENCE, UT 84332
 Phone(s): _____ Fax: _____ E-Mail: _____

Architect/Engineer/Surveyor's Name: ALLIANCE ENG.
 Address: 150 E 200 N LOGAN, UT 84321
 Phone(s): 435-755-5121 Fax: _____ E-Mail: alliance@logan.utah.gov

Cache County Property Number(s): 02-115-0014
 Total Acreage: 18.72 Project Name: T30
 City Address of Project (if applicable): _____

I declare under penalty of perjury that I am the owner or authorized agent for the property which is the subject of application, and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant: [Signature] Date: 5/4/16

Do not complete below this line, for office use only.

Application Fee:
General Plan:
Zone:

Receipt Number:
Received By:
Date Stamp:

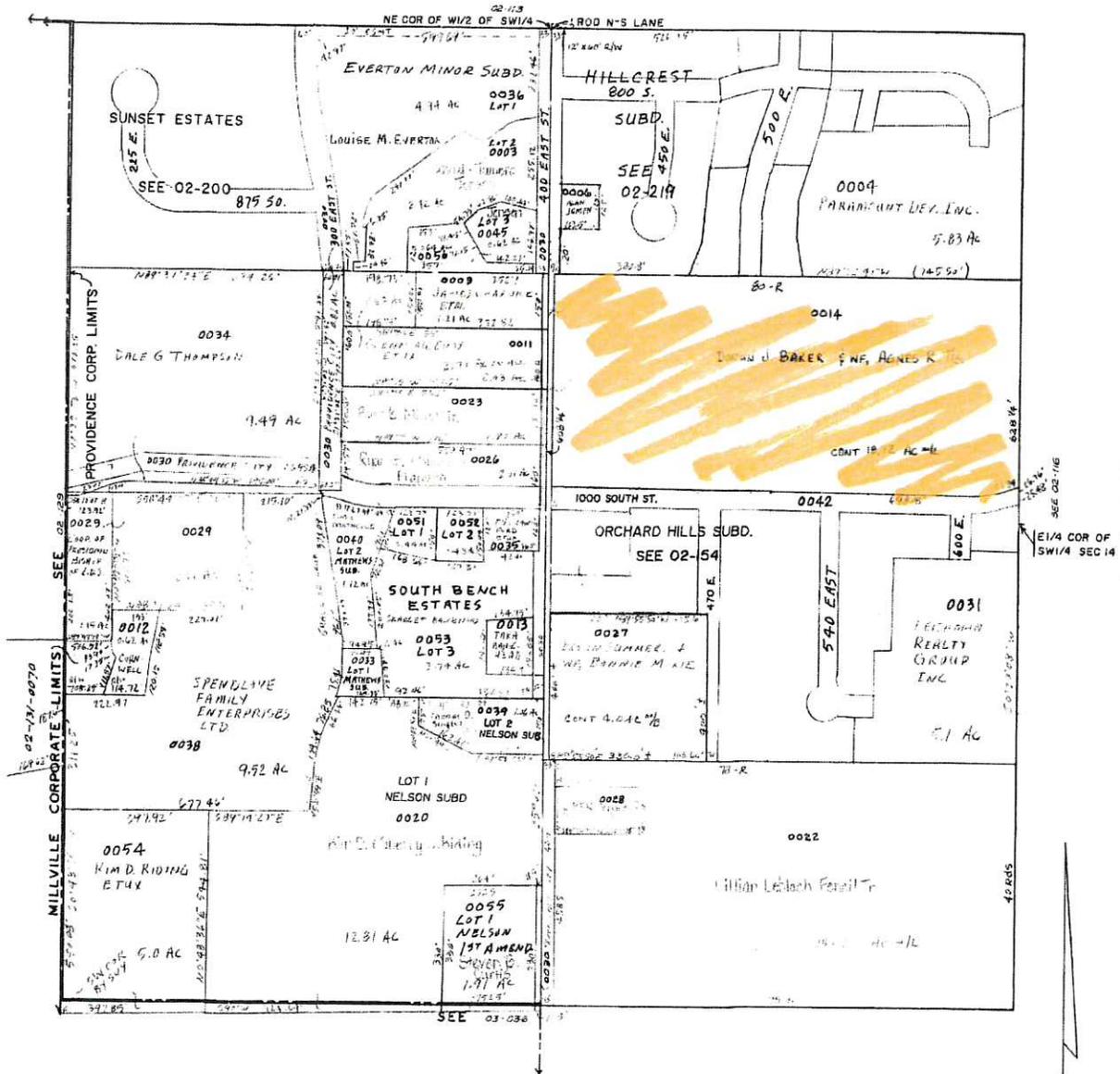


SW⁴Section 14 Township 11 North Range 1 East

02-115

Scale 1 Inch = 200 FEET

TAX UNIT 09



RECEIVED
 MAY 05 2016
 By _____

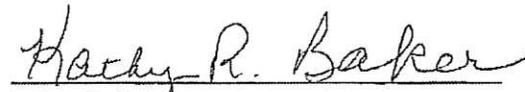
May 2, 2016

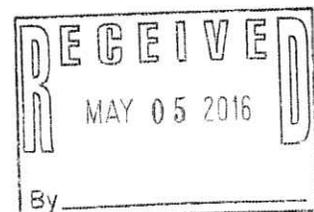
To Whom It May Concern:

We, Doran J. and Kathy R. Baker, hereby grant permission to River Valley Development LLC, Jay Stocking, to enter into the rezoning process of our property, 18.72 acres located at approximately 525 East 1000 South in Providence, UT 84332, Tax ID No. 02-115-0014.

Sincerely,


Doran J. Baker

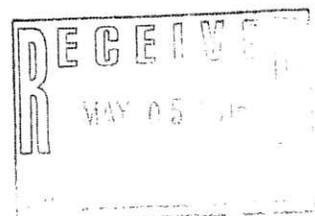

Kathy R. Baker



To Providence City

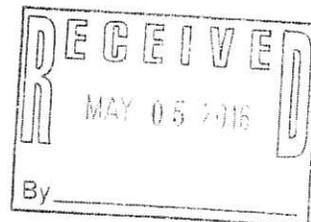
The purpose of this application is to rezone parcel 02-115-0014 from its current zoning to a SFT or 12,000 square foot lot zoning.

Thank you for your consideration



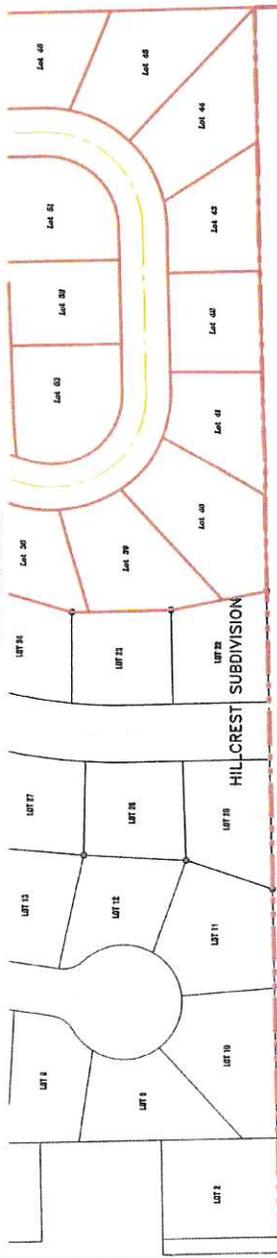
Legal Description:

BEG 40 RDS S OF NE COR SW/4 SEC 14 T 11N R 1E & TH S 628.25 FT TH NW' LY 80 RDS TO PT 608.25 FT S & 80 RDS W OF BEG TH N 608.25 FT TH E 80 RDS TO BEG CONT 18.75 AC LESS: BEG AT NW COR SD LT 34 & TH N 0°23'59" W 26.76 FT TH S 73°17'11" W 53.84 FT TH ALG CURVE TO RIGHT WITH RADIUS OF 280 FT (LC BEARS S 81°31'25" W 80.23 FT) TH N 89°45'39" E 131.11 FT TO BEG (ENT 895680) (PT OF ROAD) CONT 0.03 AC NET 18.72 AC



PROVIDENCE, UTAH
 PROPOSED REZONE
 PARCEL 02-115-0014

LOCATED IN SEC 15,
 T11N, R1E, S16&N



400 EAST STREET

PARCEL
 02-115-0014

GRANDVIEW SUBDIVISION

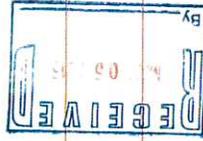
1000 SOUTH STREET

ORCHARD HILLS SUBDIVISION

ORCHARD HILLS
 PHASE 1

NORTH

 SCALE 1" = 60'-0" (647304')



AEI ALLIANCE CONSULTING
 ENGINEERS
 150 EAST 200 NORTH SUITE P
 LOGAN, UTAH 84321
 (435) 758-9121

DATE: 5-2014
 DRAWN BY:
 REVIEW BY: BCL
 JOB NO.:

SHEET 1 OF 1 SHEETS