

PROVIDENCE CITY COUNCIL MEETING AGENDA
November 1, 2016 6:00 PM
Providence City Office Building, 15 South Main, Providence UT

The Providence City Council will begin discussing the following agenda items at 6:00 p.m. Anyone interested is invited to attend.

Call to Order: Mayor Calderwood
Roll Call of City Council Members: Mayor Calderwood
Pledge of Allegiance:

Approval of the minutes

Item No. 1. The Providence City Council will consider approval of the minutes of October 11, 2016 City Council meeting.

Public Comments: Citizens may appear before the City Council to express their views on issues within the City's jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.

Public Hearing (6:15 PM): Prior to making adjustments to the 2017 Budgets for Capital Project Fund, Water Fund, Sewer Fund, and Storm Water Fund, the City Council is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the adjustments before action is taken. The City Council invites you to attend the hearing in order to offer your comments.

Business Items:

Item No. 1. Budget Adjustment - Resolution 043-2016: The Providence City Council will consider for adoption a resolution amending the 2017 Budgets for Capital Project Fund, Water Fund, Sewer Fund, and Storm Water Fund.

Item No. 2. Lawn Care Services – Resolution 045-2016: The Providence City Council will consider for adoption a resolution selecting a firm to provide Lawn Care Services for a 5 year period, with an annual renewal unless cancelled by either party, and authorizing the Mayor and Administrative Services Director to negotiate a contract.

Item No. 3. City Engineer – Resolution 046-2016: The Providence City Council will consider for adoption a resolution selecting a firm to provide general engineering services for the City; and authorizing the Mayor and Administrative Services Director to negotiate a contract.

Item No. 4. Code Amendment – Ordinance 2016-024: The Providence City Council will consider for adoption an ordinance amending Providence City Code Title 11 Chapter 1 Section 3 Definitions by changing the definitions for Major Street, Collector Street, removing Feeder Street and adding Minor Street; amending Title 11 Chapter 4 Section 3; and amending the Providence City Corporation Department of Public Works Standards and Specifications Manual by changing the standard street cross-sections. This amendment would add cross-sections, amending the required asphalt width and increasing the minimum park strip width from 6' to 7'. The minimum sidewalk width would remain at 5'.

Item No. 5. Annexation Petition for Further Consideration - Resolution 044-2016: The Providence City Council will consider for adoption a resolution accepting an annexation petition further consideration filed by Gina and Mark Thompson, requesting Providence City annex Parcel No. 02-117-0005, located

generally at 500 West 500 South.

Item No. 6. Rezone – Ordinance 2016-022: The Providence City Council will consider for adoption an ordinance changing the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family Traditional (SFT).

Staff Reports: Items presented by Providence City Staff will be presented as information only.

Council Reports: Items presented by the City Council members will be presented as informational only; no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.

Agenda posted the 28 day of October 2016.


Skarlet Bankhead
City Recorder

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

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 015-2006, adopted 11/14/2006, allows City Council member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) will be connected to the electronic meeting by teleconference.

1 **PROVIDENCE CITY COUNCIL MEETING AGENDA**
2 **October 11, 2016 6:00 PM**
3 **Providence City Office Building, 15 South Main, Providence UT**
4
5

6 Call to Order: Mayor Calderwood
7 Roll Call of City Council Members: Mayor Calderwood
8 In Attendance: Kirk Allen, Jeff Baldwin, John Drew, Dennis Giles, Roy Sneddon
9 Absent:
10 Excused:
11 Pledge of Allegiance:

12
13 Meeting began at 6:00 pm

14
15 Oath of office administered to the Providence Youth Council.

16
17 **Approval of the minutes**

18 **Item No. 1.** The Providence City Council will consider approval of the minutes of September 13, 2016 City Council
19 meeting.

20 **Motion to approve minutes of September 13, 2016 City Council Meeting - J Drew, seconded: D Giles**

21 **Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon**
22 **Nay: None**
23 **Abstained: None**
24 **Excused: None**
25

- 26
- All revisions to the minutes were made as requested.
- 27

28 **Public Comments:** Citizens may appear before the City Council to express their views on issues within the City's
29 jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total
30 time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the
31 posting of this agenda and the City Council determines that an emergency exists.
32

33 **Public Comments**

- 34
- Richard Eames directed his comments to Councilman Drew asking what happened to his comments about sauerkraut and to consider this his public comment for 2017. He appreciates the stop signs on 4th South but wanted to know why there were no stop signs on Main. It is a two-way stop now but it is the wrong way. It needs to be a 4-way stop.
 - Nathan Peterson wanted to comment on the proposed rezoning. He owns a lot in Providence Hollow adjacent to the new subdivision. It was the larger lots, a half-acre or above, that sold first in the Providence Hollow Subdivision. The larger lots are more desirable and in demand. He would recommend that the zoning be single-family large which many families in Providence Heights and Millville would prefer because they allow for larger yards and green areas.
 - Danny MacFarlane commented on how smaller lots subsidize the larger lots and a mix is best.
 - Ron W. Smith commented that Thursday night is a good night to hold a public forum and to please come prepared.
 - Mimi Richter, Providence, commented on the rezone of 77 acres and asked that the council use caution and a conservative approach. This is one of the last open green spaces of its size left in Providence. She urged the city to use phase development due to the huge impact it will have on the neighborhood.
 - Rowan Cecil commented on the number of people he talked with who wanted single-family traditional identifying that Providence is a middle income community and they want it to stay that way.
 - J Drew commented that the city can control zoning but how a parcel is developed is up to the developer.
 - Danny MacFarlane commented that the city and developer can work together and be responsive to requests being made during the development process.
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- Public comments closed.

Business Items:

Item No. 1. Discussion: The Providence City Council will discuss the Draft Technical Analysis of the Comprehensive Wastewater Treatment and Collection Rate Study commissioned by the City of Logan. This study is associated with the City of Logan's plans to construct a new \$111 million wastewater treatment facility, with an operating cost of approximately \$5.0 million. The purpose of the study is to establish and approve rates sufficient to meet bond requirements and projected annual operating costs.

Discussion

- J Drew provided some background information on the rate study, how it was developed and the current status of the project. He identified that a second draft is underway.
- Council engaged in further discussion regarding costs, collections, rates and impact to Providence and surrounding areas.
- Mayor commented that this is something we need to pay close attention to. This is just getting started and we will continue to monitor the situation closely.

Item No. 2. Discussion: The Providence City Council will discuss removing some of the deer within Providence City.

Discussion

- Dennis Giles provided an update. He is working with North Logan to find out how they have effectively addressed the issue and reported what they are doing currently. He provided options that Providence may want to explore.
- Mayor commented that the city will continue to review this issue and evaluate the best way to deal with the deer problem.

Item No. 3. Discussion: The Providence City Council will discuss the progress of the Gateway Drive Building remodel.

Discussion

- J Baldwin reported on the progress of the remodel. They are almost ready to start painting. The sheet rock is done and the electrical. Additional wainscoting has been applied. All tile and carpet colors were picked but they were unable to match the carpet in certain areas and he recommends replacing the carpet in those areas. He discussed the need to submit a change order for the additional wainscoting and carpet replacement. Copies of this change order were distributed to each council member and details of the change order and costs were discussed.
- Mayor asked if all members agreed to the proposed change order.
- K Allen agreed.
- J Drew agreed.
- D Giles asked why it was not on the original bid.
- S Bankhead commented that it may be covered by the contingency allowances included in the overall bid. If it is covered by the bid, there will be no need to change the budget. If any change to the budget is required, a public meeting will need to take place.
- J Baldwin will review the bid.

Item No. 4. Discussion – Providence Blacksmith Fork Irrigation Company: John Hubbard, Secretary/Treasurer Providence Blacksmith Fork Irrigation Co (PBFIC), will discuss major changes coming to the PBFIC in the next year.

Discussion

- John Hubbard read a company overview on the Blacksmith Fork Irrigation Company announcing that both John Hubbard and David Olsen are retiring and no longer have the resources to manage the water. They

1 are looking for insight and leadership to the issues this will present. Providence City is the major
2 stockholder of the company.

- 3 • John Hubbard stressed that there are serious issues that need to be addressed and felt that this should
4 become part of the city's infrastructure.
- 5 • Brian Olsen asked if, given the immediate need for leadership, it would be possible for someone from
6 Providence City to step up and take this over.
- 7 • The stockholder's meeting is on Monday, December 5.

8
9 **Item No. 5. Committee Member Selection:** The Providence City Council will select a council member to sit on the
10 City Engineer Selection Committee.

11
12 **Motion made to appoint Jeff Baldwin to the City Engineer Selection Committee. –K Allen, second-Dennis Giles**

13 Vote

14 Yea: K Allen, J Baldwin, D Giles, J Drew, R Sneddon

15 Nay: None

16 Abstained: None

17 Excused: None

- 18
19 • J Baldwin volunteered to sit on the City Engineer Selection Committee.

20
21 **Item No. 6. Committee Member Selection:** The Providence City Council will select a council member to sit on the
22 General Plan Consultant Selection Committee.

23
24 **Motion made to appoint John Drew to sit on the General Plan Consultant Selection Committee. –John Drew,**
25 **second-J Baldwin**

26 Vote

27 Yea: K Allen, J Baldwin, D Giles, J Drew, R Sneddon

28 Nay: None

29 Abstained: None

30 Excused: None

31
32 Discussion

- 33 • S Bankhead reviewed the process of the proposal. It is anticipated that the consultant will be elected in
34 late October. She suggested that the committee initially be made up of the Mayor, the Public Works
35 Director, the Planning Commission Chairman, the Administrative Services Director and a City Council
36 Member selected by the council. She would also recommend with the council's permission, that once the
37 decision is down to a couple of firms, it would be good to involve the Planning Commission in its entirety.
38 They could then recommend a firm to council for approval. So far five firms submitted proposals: Rural
39 Community Consultants, Landmark Design, CRSA, Logan Simpson Design and KLJ.
- 40 • J Drew added that he had an opportunity to speak with several engineering firms during the Utah League
41 of City and Towns Conference. He will contact Brian Carver to find out more information about grants
42 available for cities working on their master plan and look into whether Providence City can qualify. He
43 volunteered to sit on the General Plan Consultant Selection Committee.

44
45 **Item No. 7. Resolution 042-2016:** The Providence City Council will consider for adoption a resolution appointing
46 Brent Fresz as an alternate member to the Planning Commission.

47
48 **Motion made to adopt resolution 042-2016 appointing Brent Fresz as an alternate member to the Planning**
49 **commission. –K Allen, second-R Sneddon**

50 Vote

51 Yea: K Allen, J Baldwin, D Giles, J Drew, R Sneddon

52 Nay: None

1 Abstained: None
2 Excused: None

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4 Discussion

- 5 • Brent Fesz reviewed his background and qualifications then addressed various questions from council
6 members. He has been attending the Planning Commission meetings and has become familiar with the
7 projects being handled.

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9 **Item No. 8. Rezone – Ordinance 2016-022:** The Providence City Council will consider for adoption an ordinance
10 changing the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at
11 approximately 500 North 600 East, from Agricultural (AGR) to Single-Family Traditional (SFT).
12

13 **Motion made to adopt change in Ordinance 2016-022 and change the zone of parcel no. 02-005-0005, a 77.5**
14 **acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from Agricultural**
15 **(AGR) to Single-Family Traditional (SFT). –R Sneddon, second-K Allen.**

16
17 **Substitute motion made to continue review of rezone of parcel no. 02-005-0005, a 77.5 acre parcel located in**
18 **the northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family**
19 **Traditional (SFT).– J Drew, second -J Baldwin.**

20
21 **Vote**

22 Yea: J Baldwin, J Drew, R Sneddon
23 Nay: K Allen and D Giles
24 Abstained: None
25 Excused: None

26
27 Discussion

- 28 • Mayor commented that he and several councilmen received calls from a resident regarding the rezone.
29 This resident and several others expressed concern that the city is moving too fast on this.
- 30 • K Allen commented that he expects the development to take much longer than most think. The city will
31 need to be diligent to ensure that our ordinances and city code are being complied with and meets the
32 needs for that part of town. We need to be sure that we have the ordinances in place to cover the needs
33 of transportation, water, parks, walking paths and all those things important to the city and residences as
34 develop occurs. This will be a great asset to the city over the years and he does not think we can stop it
35 from happening. He believes the property owner has the right to develop their land, but they must do
36 within our codes and ordinances.
- 37 • R Sneddon indicated that he approved of the rezone.
- 38 • J Baldwin expressed several concerns that he felt may turn into problems as the development progresses.
39 He felt that further deliberation with developer was needed to ensure the right decision is made.
- 40 • Extensive discussion took place regarding water pressure, road development and what the implications
41 and impact to the city would be by approving the rezoning from AGR to SFT.

42
43 **Item No. 9. Code Amendment – Ordinance 2016-023:** The Providence City Council will consider for adoption an
44 ordinance amending Providence City Code Title 10 Zoning Regulations, Chapter 1 Section 4 Definitions by adding a
45 definition for Accessory Building (small) and Chapter 8 Section Area Regulations by adding Accessory building
46 (small) to the Space Requirement Chart.
47

48 **Motion made to adopt code amendment to Ordinance 2016-023, Providence City Code Title 10 Zoning**
49 **Regulations, Chapter 1, Section 4, Definitions by adding a definition for Accessory Building (small) and Chapter 8**
50 **Section Area Regulations by adding Accessory building (small) to the Space Requirement Chart. - J Baldwin,**
51 **second-J Drew.**

52 **Vote**

1 **Yea:** K Allen, J Baldwin, D Giles, J Drew, R Sneddon

2 **Nay:** None

3 **Abstained:** None

4 **Excused:** None

5
6 **Discussion**

- 7 • J Baldwin asked about specifications and setbacks and confirmed that there have not been any changes
8 made since the last review was completed.
9 • D Giles also asked questions on setback requirements.
10 • S Bankhead responded to various questions clarifying reasons for the current setbacks specifications.

11
12 **Staff Reports:** Items presented by Providence City Staff will be presented as information only.

- 13 • S Bankhead reviewed the tax report and how sales tax is tracking over the last six years. She also wanted
14 to thank everyone who helped with the City Celebration. She received many positive comments about the
15 parade, car show and dinner.
16 • R Stapley provided a written update on current projects. The high reflectivity street sign replacement is
17 going well. Close to 75 percent of the signs have been replaced. The cemetery expansion is complete and
18 the Pickleball courts are underway. He will send xeriscape design to all council members for their
19 comments and approval.
20

21 **Council Reports:** Items presented by the City Council members will be presented as informational only; no formal
22 action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and
23 the City Council determines that an emergency exists.

- 24 • Jeff Baldwin recommended purchasing new welding equipment for the Public Works shop because the old
25 equipment was very outdated and needs to be replaced.
26 • J Drew attended the Utah League of City and Towns Conference and provided an overview of the
27 conference and insights he gained from attending the conference.
28

29 Mayor announced that they would break prior to entering into an executive session at 9:39 pm.
30

31 **Executive Session Notice:**

32 The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as
33 allowed by Utah Code 52-4-205(1)(c).

34 The Providence City Council may enter into a closed session to discuss professional competence or other factors
35 allowed by Utah Code 52-4-205(1)(a).

36 The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property
37 Utah Code 52-4-205(1) (d) and (e).
38
39

40 **Motion made to enter into executive session by J Baldwin, second by Roy Sneddon.**

41 **Vote**

42 **Yea:** K Allen, J Baldwin, D Giles, J Drew, R Sneddon

43 **Nay:** None

44 **Abstained:** None

45 **Excused:** None
46

47 **Motion made to adjourn City Council meeting of October 11, 2016. -J Baldwin, -second- K Allen.**

48 **Vote:**

49 **Yea:** K Allen, J Baldwin, D Giles, J Drew, R Sneddon

50 **Nay:** None

51 **Abstained:** None

52 **Excused:** None
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Agenda posted the 9 day of September 2016.

Providence City Council Meeting Minutes

Tuesday, October 11, 2016

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Meeting adjourned at 9:45 p.m. Executive Session adjourned at 10:30 p.m.
Minutes recorded and prepared by K. Merrill.

Don W. Calderwood, Mayor

Skarlet Bankhead, City Recorder

DRAFT

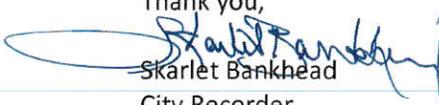
PROVIDENCE CITY COUNCIL
PUBLIC HEARING – RESCHEDULED

Hearing Description: 2017 Budget Adjustments for the Capital Project Fund, Water Fund, Sewer Fund, and Storm Water Fund
Hearing Date: ~~Tuesday, October 25, 2016~~ RESCHEDULED November 1, 2016
Hearing Time: 6:15 p.m.
Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making adjustments to the 2017 Budgets for Capital Project Fund, Water Fund, Sewer Fund, and Storm Water Fund, the City Council is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the adjustments before action is taken. The City Council 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): ~~10/18/2016~~ 10/26/2016

Posting Date: ~~10/17/2016~~ 10/25/2016

Posted on www.providencecity.com and the Utah Public Notice Website

Resolution 043-2016

A RESOLUTION ADJUSTING THE 2017 BUDGETS FOR THE CAPITAL PROJECT FUND, WATER FUND, SEWER FUND, AND STORM WATER FUND

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, "Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . ."

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 the City and its present and future inhabitants and businesses.

Whereas Providence City anticipated and allocated money for the 164 North Gateway Drive Building remodel and construction projects during the 2016 Budget Year. The projects did not move forward as fast as the city anticipated, and the money was not spent during the 2016 Budget Year. The projects are now underway and Staff is requesting the following amounts be moved forward into the 2017 Budget Year:

- Capital Project Fund: increase Prior Year Funds from \$785,000 to 797,600; a \$12,600 increase.
- Capital Project Fund: increase Expenditures Administrative Engineering from \$0 to \$12,600; a \$12,600 increase for the 164 N Gateway Dr. building.
- Water Fund: increase Prior Year Funds from \$450,000 to \$669,900; a 219,900 increase.
- Water Fund: increase Capital Outlay Other from \$20,000 to \$43,900; a \$23,900 increase for building remodel.
- Water Fund: increase Storage and Construction from \$0 to \$196,000; a \$196,000 increase for construction projects.
- Sewer Fund: increase Prior Year Funds from \$0 to \$14,600; a \$14,600 increase.
- Sewer Fund: increase Capital Outlay – Special Project from \$0 to \$14,600; a \$14,600 increase for building remodel.
- Storm Water Fund: increase Prior Year Excess from \$0 to \$154,600; a \$154,600 increase
- Storm Water Fund: increase Capital Outlay from \$0 to \$4,000; a \$4,000 increase for building remodel.
- Storm Water Fund: increase Construction Projects from \$0 to \$150,600; a \$150,600 increase for construction projects.

THEREFORE be it resolved by the Providence City Council:

- The above adjustments to the 2017 Budgets shall be approved and the budgets shall be amended to reflect the changes.
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 1 day of November, 2016.

Council Vote:

Allen, Kirk	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Baldwin, Jeff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Drew, John	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Giles, Dennis	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sneddon, Roy	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

Providence City

Don W Calderwood, Mayor

Attest:

Skarlet Bankhead, Recorder

Item No. 2. Lawn Care Services – Resolution 045-2016: The Providence City Council will consider for adoption a resolution selecting a firm to provide Lawn Care Services for a 5 year period, with an annual renewal unless cancelled by either party, and authorizing the Mayor and Administrative Services Director to negotiate a contract.

Item No. 3. City Engineer – Resolution 046-2016: The Providence City Council will consider for adoption a resolution selecting a firm to provide general engineering services for the City; and authorizing the Mayor and Administrative Services Director to negotiate a contract.

Documentation for Item No 2 will be available on Monday, October 31.

Documentation for Item No 3 will be available on Tuesday, November 1.

Ordinance No. 2016-024

AN ORDINANCE AMENDING PROVIDENCE CITY CODE TITLE 11 CHAPTER 1 SECTION 3 DEFINITIONS BY CHANGING THE DEFINITIONS FOR MAJOR STREET, COLLECTOR STREET, REMOVING FEEDER STREET AND ADDING MINOR STREET; AMENDING TITLE 11 CHAPTER 4 SECTION 3; AND AMENDING THE PROVIDENCE CITY CORPORATION DEPARTMENT OF PUBLIC WORKS STANDARDS AND SPECIFICATIONS MANUAL BY CHANGING THE STANDARD STREET CROSS-SECTIONS. THIS AMENDMENT WOULD ADD CROSS-SECTIONS, AMENDING THE REQUIRED ASPHALT WIDTH AND INCREASING THE MINIMUM PARK STRIP WIDTH FROM 6' TO 7'. THE MINIMUM SIDEWALK WIDTH WOULD REMAIN AT 5'.

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.

- Todd Hendricks a Providence resident submitted a request for exception to reduce the asphalt width in a 66' right-of-way.
- The City Council considered the request on September 13, 2016. They tabled the request and asked that the city code be reviewed.
- T Hendricks provided a proposed code amendment to the City staff and Planning Commission.
- Providence City staff prepared the attached code amendment in response to T Hendricks' proposal.
- Planning Commission studied the proposed amendment and held a public hearing, on October 26, 2016, prior to making a recommendation.
- The Planning Commission 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-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*

1 *foregoing purposes with a landowner's private property interests, height and location of*
2 *vegetation, trees, and landscaping, unless expressly prohibited by law.*

- 3 ○ UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning
4 map consistent with the purposes set forth in in this chapter.
- 5 ○ UCA § 10-9a-502 Requires the planning commission provide notice and hold a public
6 hearing on a proposed land use ordinance or zoning map; and prepare and recommend
7 to the legislative body a proposed land use ordinance and zoning map that represent
8 the planning commission's recommendation.
- 9 ○ UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the
10 zoning district; or (c) any other provision of a land use ordinance.

11 Conclusions of Law:

- 12 ○ The proposed code amendment has been processed consistent with the above Findings
13 of Fact.

14 Conditions:

- 15 ○ None
- 16 ● On October 26, 2016, the Providence City Planning Commission recommended the Providence
17 City Council deny the request to amend the City Code (R James, R Cecil, M Harbin, J Parker – yea;
18 A Diamond – nay). The Planning Commission felt General Plan update should be considered
19 before making changes.

20
21 THEREFORE be it ordained by the Providence City Council

- 22 ● The attached code amendment shall be approved based on the findings of fact, conclusions of
23 law, and conditions listed above.
- 24 ● This ordinance shall become effective immediately upon passage and posting or 30 days after
25 final passage, whichever is closer to the date of final passage.

26
27 Ordinance adopted by vote of the Providence City Council this 1 day of November 2016.

28
29 Council Vote:

30 Allen, Kirk	() Yes	() No	() Excused	() Abstained	() Absent
31 Baldwin, Jeff	() Yes	() No	() Excused	() Abstained	() Absent
32 Drew, John	() Yes	() No	() Excused	() Abstained	() Absent
33 Giles, Dennis	() Yes	() No	() Excused	() Abstained	() Absent
34 Sneddon, Roy	() Yes	() No	() Excused	() Abstained	() Absent

35
36 Signed by Mayor Don W Calderwood this day of 2016.

37
38 Providence City

39
40 _____
41 Don W. Calderwood, Mayor

42
43 Attest:

44
45 _____
46 Skarlet Bankhead, Recorder
47

CHAPTER 1

GENERAL PROVISIONS

SECTION:

- 11-1-1: Title
- 11-1-2: Purposes
- 11-1-3: Definitions
- 11-1-4: Amendments; Changes

11-1-1: **TITLE:** This Title shall be known as the SUBDIVISION TITLE OF PROVIDENCE CITY, COUNTY OF CACHE, STATE OF UTAH. (Subd. Ord., 1-24-1990)

11-1-2: **PURPOSES:** The purposes of this Title are to promote an adequate and efficient street and road system, to prevent congestion on streets and promote traffic safety, to secure desirable public space, to ensure proper distribution of population, to provide for adequate utilities and public improvements, to provide for orderly growth, and to improve the health, safety and general welfare of the people. (Subd. Ord., 1-24-1990)

11-1-3: **DEFINITIONS:** The following terms used in this Title shall have the respective meanings hereinafter set forth:

ALLEY: A narrow public or private way which affords a secondary means of access to abutting property. An alley is not intended for general travel and must be less than twenty six feet (26') in width.

BENCH MARK: A mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

BLOCK: A piece of land surrounded by streets or other rights of way other than an alley; or land which is designated as a block on any recorded subdivision plat.

CITY: Providence City, County of Cache, State of Utah.

CITY COUNCIL: The elected ruling body of Providence City, Cache, Utah

CITY ENGINEER: Any professional civil engineer licensed by the State of Utah and appointed by the City Council to accomplish the objectives of this Title; provided, that no such person may serve the City and a sub-divider simultaneously where he would have to check his own work or the work of a member of his firm in connection with any subdivision in the City.

COLLECTOR STREET (COMMERCIAL & LOCAL): ~~A street which carries traffic to the major street system, and shall have a right of way of sixty-six (66) feet.~~

A commercial collector street functions to collect and distribute traffic between collector streets and other collector/major streets and intersects with commercial properties. A local collector street primarily functions to collect and distribute traffic between minor streets and other collector/major streets. Collector streets provide an equal balance of both access and traffic movement. Direct access to non-residential (commercial) facilities frequently occurs with commercial collector streets, but direct access to residential properties (i.e. driveway cutouts) should be avoided with all collector streets. Unlike commercial collector streets, local collector streets typically do not intersect with businesses. Commercial collector Streets shall have a designated right of way of eighty feet (80') and local collector streets a right of way of sixty-six feet (66').

1		
2	CROSSWALK OR	A right of way designated for use by pedestrians and not
3	WALKWAY:	intended for use by motor vehicles of any kind when in use by a
4		pedestrian.
5		
6	CUL-DE-SAC:	A street having one open end and being terminated at the other
7		end by a vehicular turnaround; and shall not exceed 600' in
8		length. A connector street shall be used if the cul-de-sac
9		contains sixteen (16) or more lots. A feeder street may be used
10		in a cul-de-sac containing fifteen (15) lots or less.
11		
12	DEVELOPER:	Any legal entity who subdivides a parcel of land. He may also be
13		referred to as a subdivider.
14		
15	DRIVEWAY:	A private roadway, the use of which is limited to persons
16		residing, employed at or otherwise using or visiting the lot on
17		which the roadway is located.
18		
19	EASEMENT:	A quantity of land, existing distinct from the ownership of the
20		land, over which a liberty, privilege or advantage in land without
21		profit is granted to the public or some particular person or part
22		of the public.
23		
24	FEEDER STREET:	A street which carries traffic to a collector street system and
25		shall have a designated right of way of fifty-six feet (56'). Except
26		when used in a cul-de-sac, feeder streets shall not exceed 350'
27		in length and shall not be adjacent to more than eight (8) lots.
28		
29	FINAL PLAT:	A subdivision map prepared in accordance with the provisions
30		of this Title that is accurately surveyed and with such survey
31		results marked on the ground so that the streets, alleys, lanes,
32		blocks, lots and other divisions thereof can be identified. The
33		final plat is designated to be placed on record in the office of

1		the County Recorder.
2		
3	IMPROVEMENTS:	Devices, facilities or utilities required to be constructed or
4		installed in a subdivision. Such improvements may include, but
5		are not limited to, water facilities, sewer facilities, sidewalks,
6		curbs and gutters, drainage facilities, streets, trees, street signs,
7		street lights, traffic-control of safety devices, fire hydrants and
8		such other facilities or construction required by this Subdivision
9		Title.
10		
11	LANE:	A public or private way which affords primary access to abutting
12		property.
13		
14	LOT:	A portion of a subdivision or land, intended as a unit for building
15		development or transfer of ownership.
16		
17	MAJOR STREET:	A street which serves as a major traffic way, a controlled-access
18		highway, major street parkway or other equivalent term to
19		identify those streets comprising the basic structure of the
20		street plan, and shall have a designated right of way of eighty
21		ninety-nine feet (80') (99').
22		
23	MASTER PLAN:	A plan, including maps or reports or both, which has been
24		approved by the City Council and the Planning Commission,
25		which helps to establish lines of current and future planned
26		streets, roads, highways, etc., as provided in Utah Code
27		Annotated, as amended.
28		
	MINOR STREET (RESIDENTIAL & NEIGHBORHOOD)	A residential or neighborhood street is supplementary to a collector street and for moderate volumes of traffic of limited continuity which serves or is intended to serve the local needs of a neighborhood. The right-of-way shall be sixty-six feet (66') for a residential minor street or sixty feet (60') for a neighborhood street.
29		
30	OFFICIAL MAP:	Any map adopted by the Planning Commission and/or the City
31		Council under the provisions of Utah Code Annotated, as
32		amended.
33		
34	OWNER:	Shall mean and refer to the person, partnership, corporation, or
35		other entity in which is vested the fee simple, unencumbered
36		title of the property to be subdivided, unless otherwise clearly
37		indicated.
	PLANNING COMMISSION:	The Providence City Planning Commission, unless another
		planning commission is specifically named.
38		
39	PRELIMINARY PLAT:	A map or plan of a proposed land divisions or subdivision

1		prepared in accordance with the requirements of this Title.
2		
3	SKETCH PLAN:	A conceptual drawing of the proposed development prepared in accordance with the requirements of this Title.
4		
5		
6	SUBDIVIDE (And any Derivative Thereof):	Shall have reference to the term "subdivision", as defined in this Section.
7	SUBDIVIDER:	Any legal entity who subdivides a parcel of land. May also be referred to as a developer.
8		
9		
10	SUBDIVISION:	The division of a tract of lot or parcel of land into two (2) lots or more. Further, this definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of the subdivision of which the plat has heretofore been recorded in the office of the County Recorder.
11		
12		
13		
14		
15	SUBDIVISION OF LAND FOR AGRICULTURAL PURPOSES:	A division of a parcel into two (2) or more lots, none of which is smaller than five (5) acres.
	SUBDIVISION REQUIREMENTS:	Those requirements that are adopted by the various governing bodies in the City for the necessary proper development of the proposed subdivision.
16	SUSTAINED STREET GRADE:	A length of street that exceed 150' in length, measured along the centerline of the street. Sustained grades shall not be in excess of eight percent (8%).
17		
18	11-1-4: AMENDMENTS; CHANGES:	Changes and amendments shall be done in accordance with State law. 1. (Subd. Ord., 1-24-1990)
19		
20		
21		
22		

¹ U.C.A. § 10-9-803.

1
2 CHAPTER 4
3

4 DESIGN STANDARDS
5

6 SECTION:
7

- 8 11-4- 1: Standards and Specifications
9 11-4- 2: Blocks, Lots and Open Spaces
10 11-4- 3: Streets and Street Improvements
11 11-4- 4: Water System
12 11-4- 5: Sewer System
13 11-4- 6: Storm Drainage
14 11-4- 7: Irrigation Ditches
15 11-4- 8: Trees
16 11-4- 9: Lighting
17 11-4-10: Signs
18 11-4-11: Monuments
19

20 11-4-1: **STANDARDS AND SPECIFICATIONS:** Standards for design, construction specifications,
21 and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood
22 control facilities shall be provided by the City Engineer; standards for water distribution and
23 sewage disposal facilities by the Board of Health; and similar standards for fire protection by the
24 Fire Department. All developers shall comply with the standards established by such
25 departments and agencies of the City, County and State; provided, that such standards shall be
26 approved by the City Council. Construction specifications approved and as may be amended
27 from time to time by action of the City Council are hereby adopted by reference as if fully set
28 forth herein, three (3) copies of which are on file in the City Recorder's office for public
29 inspection. These standards and specifications, in addition to the general standards set forth in
30 this Title, shall be used by all developers and/or development. (Subd. Ord., 1-24-1990; 1998
31 Code)
32

33 11-4-2: **BLOCKS, LOTS AND OPEN SPACES:** The design of the preliminary and final plats of the
34 development in relation to streets, blocks, lots, open spaces and other design factors shall be in
35 harmony with design standards recommended by the Planning Commission and by other
36 departments and agencies of City government as necessary. Design standards shall be approved
37 by the City Council and shall include provisions as follows, which are hereby approved by the
38 City. All improvements shall be designed by a professional engineer licensed in the State.
39

- 40 A. Length: Streets shall not exceed two blocks, which is typically one thousand three
41 hundred twenty feet (1,320'), in length between intersections with functioning cross
42 streets (not a cul-de-sac).
43
44 B. Width: Blocks shall be wide enough to adequately accommodate two (2) tiers of lots.
45
46 C. Walkways/Trails. Dedicated walkways/trails may be required. Such trails shall be a
47 minimum of eight feet (8') in width, but may be required to be wider where determined

1 necessary by the City. The developer shall surface the full width of the walkway with an
2 approved surface.

3
4 D. Multi-Family Housing: Multi-family dwellings or other types of cluster housing will be
5 considered at the option of the City. If approved, adequate space for off-street parking
6 shall be required.

7
8 E. Arrangement; Design: The lot arrangement and design shall be such that lots will
9 provide satisfactory and desirable sites for buildings, be properly related to topography,
10 to the character of surrounding development and to existing requirements.

11
12 F. Adjoin Street: Each lot shall abut on a street or lane shown on the development plat or
13 on an existing publicly-dedicated street. Double frontage lots shall be prohibited,
14 except where unusual conditions make other designs undesirable.

15
16 G. Open Space: A portion of land or development site that is permanently set aside for
17 public or private use and will not be developed. Open space may be used as community
18 open space or preserved as green space. Green Space is open space maintained in a
19 natural, undisturbed, or revegetated condition.

20
21 11-4-3: **STREETS AND STREET IMPROVEMENTS:**

22
23 A. Arrangement: The arrangement of streets in new development shall make provision for
24 the continuation of existing streets in adjoining areas and shall provide access to
25 unsubdivided adjoining areas insofar as such continuation or access shall be deemed
26 necessary by the City.

27
28 B. Connection: New streets must connect with existing public streets. (Subd. Ord., 1-24-
29 1990)

30
31 C. Width; Costs:

32
33 ~~1. The total street right of way shall be standard at eighty feet (80') for major streets,~~
34 ~~sixty-six feet (66') for collector streets; and fifty-six feet (56') for feeder streets. All~~
35 ~~reference to the "total width" of a street, road, right of way or easement shall refer to~~
36 ~~the "total width" stated in the property title or right of way rights transferred or~~
37 ~~dedicated to the City. The paved or traveled portion of the street or road may be less~~
38 ~~than the "total right of way" to allow for public improvements in accordance with City~~
39 ~~ordinances. (Ordinance Modification 98-OM013-06/08/98) The neighborhood street~~
40 ~~may be used in areas that would not generally be considered a through street or a street~~
41 ~~that would carry significant amounts of traffic other than that generated on that street~~
42 ~~or immediate neighborhood.~~

43
44 2. Costs of new roads and repairs to existing roads caused by development for collector
45 (66 feet) and feeder (56 feet) streets shall be borne by the developer. Where a major
46 (80 feet) street is required, the cost of paved section over and above that required to
47 the collector (66 feet) street may be shared by the City. The City's participation shall be

1 determined by cost estimates reviewed by the City Engineer and approved by the City
2 Council. The approved estimates shall be part of the development agreement attached
3 to the final plat. (Ordinance Modification 98-OM013 06/08/98)
4

5 D. Surfacing: All streets shall be improved as shown in the current Providence City
6 Department of Public Works Standards and Specifications Manual.
7

8 E. Grades:
9

10 1. Grades of streets shall not be in excess of fifteen percent (15%) for a maximum of
11 one hundred fifty feet (150') measured along the center line of the street, nor in excess
12 of eight percent (8%) on sustained grades (a length of street that exceeds 150'), unless
13 otherwise approved by City. Grades of roads shall be a minimum of one-half of one
14 percent (0.5%).
15

16 2. Streets shall be designed and constructed to a grade of less than four percent (4%)
17 for a distance of at least one hundred feet (100') approaching all intersections. The
18 measurement of the intersection centerline to the beginning of a vertical curve shall be
19 one hundred feet (100')
20

21 3. All changes in street grade shall be connected by vertical curves of a minimum length
22 equivalent to fifteen (15) times the algebraic difference in the rate of grade for major
23 streets and collector streets and one-half (½) of this minimum for all feeder streets.
24 (Subd. Ord., 1-24-1990)
25

26 F. Curvature On Center Line: Minimum radii of curvature on center line shall be as follows:
27 major streets, five hundred feet (500'); collector streets, three hundred feet (300'); and
28 feeder streets, one hundred feet (100'); unless otherwise approved by the City.
29

30 G. Partial Streets: When a partial street is approved, it will require sufficient right of way to
31 construct improvements as shown on the partial street cross section in the current
32 Providence City Department of Public Works Standards and Specifications Manual.
33

34 H. Intersection Angles; Curb Radii: In general, streets should intersect at right angles,
35 feeder streets should approach the major or collector street at an angle of not less than
36 eighty-five degrees (85°) and not more than ninety-five degrees (95°), and curb corners
37 should have radius of not less than twenty feet (20').
38

39 I. Curbs and Gutters:
40

41 1. All streets within the development shall be improved as shown in the current
42 Providence City Department of Public Works Standards and Specifications Manual.
43

44 2. Minimum grades for curb and gutters and streets shall not be less than one-half of
45 one percent (0.5%), and from crown of the road to the lip of the curb shall be a
46 minimum of two percent (2%). (Ord., 11-12-1996, eff. 11-13-1996)
47

- 1 J. Sidewalks: Sidewalks may be required on both sides of all public streets. Sidewalks
2 placed on both sides of public streets shall be concrete and five feet (5') wide minimum
3 and four inches (4") thick minimum. All sidewalks that cross residential driveways shall
4 be six inches (6") thick minimum. All sidewalks that cross commercial driveways shall be
5 eight inches (8") thick minimum. Sidewalks at all intersections of public streets shall
6 conform to adopted American Disabilities Act standards.
7
- 8 K. Existing and Proposed Streets: The developer shall improve existing and proposed
9 streets in all development, except on the rear of lots that back on streets where access
10 is not permitted. Timetable of completion and the security performance of all
11 improvements will be listed in the development agreement. (Ord., 11-12-1996, eff. 11-
12 13-1996)
13
- 14 L. Damage: In the event existing sidewalks or curbs and gutters are damaged at any time,
15 the damaging party shall repair or replace the damaged items as per Section 7-3-1 of
16 this Code. (Subd. Ord., 1-24-1990)
17
- 18 M. Nonconnecting Streets: Turnarounds: At all temporary ends to streets on nonconnecting
19 streets, provisions shall be provided by the developer for a turnaround for snow plows,
20 garbage trucks and other service vehicles. Turnarounds must be paved with hot mix
21 asphalt. See the current Providence City Department of Public Works Standards and
22 Specifications Manual (Subd. Ord., 1-24-1990)(Ordinance No. 009-2009 10/27/2009)
23
- 24 N. Park Strips: Park strips shall be at least seven feet (7') in width.
- 25
- 26 O. Bicycle Lanes: On commercial collector and local collector streets, bicycle lanes should
27 be added where possible. If necessary and approved by the City Council, bicycle lane(s)
28 may be added in lieu of a sidewalk and/or park strip on one side of the street to help
29 accommodate alternative modes of transportation.
30
- 31 P. Residential Access to a Collector Street: Access to a collector street from a residential
32 unit (i.e. driveway cutout) shall only be allowed where no other option or solution
33 exists.
34
- 35 Q. Parking: Parking on collector streets should be limited to areas designated by
36 Providence City, so as to not impede the flow of traffic.
37

38 11-4-4: **WATER SYSTEM:**

- 39
- 40 A. Design; Construction: The entire system shall be designed and constructed in
41 accordance with City standards and the State Health Department standards. If there is
42 conflict between the standards, the most stringent shall rule.
43
- 44 B. City Standards. The city standards are contained in the current Providence City
45 Department of Public Works Standards and Specifications Manual.
46
- 47 C. Fees: The costs for connection to the City water supply shall be specified in the fee

1 schedule to be held in the City office. (Subd. Ord., 1-24-1990)

2
3 D. Fire Hydrants: Fire hydrants shall be installed at the expense of the developer and in
4 accordance with the regulations of the Fire Department and City standards.

5
6 E. City Line to Development: Where a development does not border an existing City water
7 line, the developer shall install and bear all costs of pipeline from the development to
8 the nearest existing City water line.

9
10 11-4-5: **SEWER SYSTEM:**

11
12 A. Standards and Specifications: See the current Providence City Department of Public
13 Works Standards and Specifications Manual.

14
15 B. Fees: The costs for connection to the City sewer system shall be specified in the fee
16 schedule to be held in the City office.

17
18 C. Wastes Allowed: Domestic wastes only shall be allowed to enter a common collection
19 system. Downspouts for roof drains, basement drains which lower ground water
20 conditions, and other similar possible inflows to the sewer system shall not be allowed.
21 Under no circumstance shall hazardous wastes or drainage from garage floors be
22 allowed to enter a common collection system.

23
24 D. City Main to Development: As with the water system, the developer shall be responsible
25 for extending and connecting to the nearest existing sewer main. The final line sized
26 and final approval shall also be subject to approval by the City Engineer.

27
28 11-4-6: **STORM DRAINAGE:**

29
30 A. Ditches; Canals: No ditch or canal shall be approved as suitable for the use of storm
31 drainage without the written permission of the appropriate ditch or canal company. At
32 the discretion of the City, ditches, canals or other waterways may be prohibited on
33 property dedicated or to be dedicated for public use.

34
35 B. Structures Provided: Storm drains, cross-gutters, and other appurtenant structures shall
36 be provided by the developer as required to adequately dispose of the 100-year
37 frequency flood flows developed within the limits of the development along with the
38 existing flows entering the proposed development from adjacent properties. The
39 developer shall have the responsibility of providing "off-site" storm drain extensions in
40 order to satisfactorily dispose of drainage.

1 C. Plans: Complete drainage systems for the entire development area shall be designed by
2 a professional engineer, licensed in the State and qualified to perform such work, which
3 shall be shown geographically. All existing drainage features which are to be
4 incorporated in the design shall be so identified. If the development is to be platted in
5 phases, a general drainage plan for the entire area shall be presented with the first
6 phase, and appropriate development stages for the drainage structures shall be
7 indicated. All proposed surface drainage structures shall be indicated on the plans. All
8 appropriate designs, details, and dimensions needed to clearly explain proposed
9 construction materials and elevations shall be included in the drainage plans. Design of
10 System: The drainage system shall be designed to accommodate a one hundred (100)
11 year storm event, using the rain fall data from sufficient sources, including but not
12 limited to the nearest official weather station to track one hundred year storm events.
13 Systems shall be designed to:

- 14 1. Permit the unimpeded flow of natural watercourses;
- 15 2. Ensure adequate drainage of all low points; and
- 16 3. Ensure applications of the following regulations regarding development in designated
17 flood plains:
 - 18 a. Construction of buildings shall not be permitted in a designated floodway
19 with a return frequency more often than a 100-year flood.
 - 20 b. Building construction may occur in the portion of the designated floodway
21 where the return frequency is between a 100-year and a maximum probability
22 flood, provided all usable floor space is constructed above the designated
23 maximum probable flood level. (Subd. Ord., 1-24-1991; 1998 Code)

24
25
26
27
28
29
30 11-4-7: **IRRIGATION DITCHES:** The subdivider shall work with irrigation, drainage or ditch
31 companies and the City Engineer with regards to ditches or canals as to:

- 32 A. Covering, Realigning, Eliminating: Methods of covering, realigning or eliminating ditches
33 or canals within or adjoining the subdivision.
- 34 B. Pipe Size; Culverts: The size of pipe and culverts required.
- 35 C. Responsibility: The responsibility for the periodic inspecting, cleaning and maintaining of
36 such ditches, pipes and culverts. In cases where canals or ditches cross public roads or
37 proposed public roads, specifications and grades for pipe or culvert must be approved
38 by the City Engineer. (Subd. Ord., 1-24-1990)

39
40
41
42 11-4-8: **REPEALED.**

43 11-4-9: **LIGHTING:**

44 The developer is responsible for the street lights, location(s) to be determined by the City. The
45 developer is responsible for the street lights along the frontage of and within the development.
46
47

1 The developer will be responsible for all associated costs pertaining to the street lights and all
2 coordination with the power company will be handled by the developer.

3

4 11-4-10: **SIGNS:** To assure uniformity, the City shall make available all required street
5 signs and the cost thereof shall be charged to and paid by the developer. (Subd. Ord., 1-24-
6 1990)

7

8 11-4-11: **MONUMENTS:** Permanent monuments shall be furnished in conformance with
9 the current Providence City Department of Public Works Standards and Specifications Manual.

Roadway Classification & Street Width Ordinance Review

Summary

Providence City's roadway classification ordinance and corresponding street cross-section widths need to be updated and changed for the following reasons:

- 1) Providence City's current roadway classification definitions are not based on estimated average daily traffic (ADT) volume. Cache County, River Heights, Millville, and Nibley (surrounding cities) all base their roadway classifications on estimated traffic volume. In contrast, Providence City bases its roadway classifications on road length or number of lots on a street (in case of current feeder street definition) or, by which road it connects to (in case of connector street definition). As a consequence this leads to wider than necessary roads which unnecessarily leads to higher maintenance costs, more storm water runoff, less safe roads (i.e. higher traffic speeds and makes it more difficult for pedestrians to cross), etc. Generally speaking excessively wide roads make for less pedestrian friendly neighborhoods with higher overall long-term costs to maintain/upkeep the roadways and eventually replace them;
- 2) The current Providence City roadway classification definitions (11-1-3) could legally be argued, in some cases, that they don't account for certain new subdivisions where the streets will be both too long and/or have too many lots to be classified as a feeder street (according to the current feeder street definition) and also don't fit the current definition of a collector street because the road doesn't connect to a major street as per the definition. This lack of clarity could become a legal issue for Providence City and can easily be remedied with better roadway classifications and correct corresponding street widths.

Below is research done on roadway classification definitions and street widths in Cache County, River Heights, Millville, and Nibley and then compared with Providence City.

It has been stated that Providence City likes to remain consistent with Cache County and the surrounding cities as much as possible and to the extent it makes sense.

It appears Providence is out of alignment with Cache County and the surrounding cities of Nibley, Millville, and River Heights (all that were looked at) with regards to roadway classification to determine the correct right-of-way and street widths for optimal traffic flow and safety on the streets within Providence. All other cities evaluated make their classification based on anticipated traffic flow volume as opposed to the method used by Providence City which is based on a methodology that doesn't necessarily reach the end goal of getting the proper size street for the traffic volume.

While the naming conventions differ slightly they generally mean the same thing, but appears Providence is missing a key roadway classification because of its narrowly defined roadway classification definitions. From largest to smallest the generally accepted roadway classifications (compiled) are: Arterial/Major, Collector, Local/Residential/Minor (with a possibly smaller subset of Local being Neighborhood/Feeder). It appears Providence City is missing a local/residential/minor roadway classification by too narrowly defining its current feeder classification based on the following method, *"Except when used in a cul-de-sac, feeder streets shall not exceed 350' in length and shall not be adjacent to more than 8 lots"*. This current classification doesn't even attempt to estimate traffic volume. In fact, because it is so narrowly defined very few streets qualify as a feeder street basically by default then requiring, under current classification definitions, that the street would then have to become a collector street (i.e. Which means in most cases Providence City doesn't currently have a Local/Residential/Minor which should actually make up the vast majority of streets in Providence). The only other classification, by default, currently available for residential (local) roads is the collector classification which is widely accepted to be defined for higher traffic volume at typically moderate speeds due to increased widths. In the River Heights code it states, "Access from residential units to collector streets shall generally be prohibited at and in all new subdivisions. Access to a collector street from a residential unit shall only be allowed where no other option or solution exists." This seems evident that a change to the current ordinances are needed.

The hierarchy of roads shows the following:



The hierarchy of roads.

Local roads - At the bottom of the hierarchy are local streets and residential roads. These roads have the lowest speed limit, and carry low volumes of traffic.

(https://en.wikipedia.org/wiki/Hierarchy_of_roads)

CACHE COUNTY

MANUAL OF ROADWAY DESIGN & CONSTRUCTION STANDARDS (22 OCTOBER 2013)

2.1 Roadway Functional Classification

A. Current Roadway Classification

Cache County has a tiered classification system for all roadways that are under the jurisdiction and maintenance of the County (See Table 2.1). *Appendix E - Current Road Conditions Classification* provides for a graphical reference to the County's roadways and their classification.

Table 2.1
Roadway Functional Classifications

Category Assignment	County Designation
	Level-of-importance
A	Arterial
C	Collector
L	Local
R	Rural
P	Private
M	Mountain
U	Unimproved

Cache County Roadway Classification definitions:

1. Arterial (A) – This category is appropriate for use on roadways that have the capacity for moderate speed (generally 45 mph or higher) and moderate to high traffic volumes. There is a reasonable ability for direct access, but the priority is for safety, through transit, and mobility needs within this category. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of system importance and through urban areas that have significant potential for development or redevelopment of adjacent land to the highest and best use.
2. Collector (C) – This category is appropriate for use on roadways that have the capacity for moderate to low speeds (generally to a speed range of 40 mph or less) and moderate to high traffic volumes. While this category provides service to through traffic movements, it allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of system importance, but through urban areas that are significantly developed to the point where function (travel speed and capacity) has eroded.
3. Local (L) – This category is appropriate for use on roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.

2.3 Roadway Sections

A. Roadway Typical Sections: All Cache County roadways shall comply with the design elements shown on the roadway typical section in Table 2.2. Traveled way width, shoulder width, and clear zone dimensions shall be based on the design speed, design year traffic volumes, and guidance found in the Appendix.

Table 2.2 - Roadway Typical Sections

		PUBLIC ROADWAYS					
		Private ⁶	Mountain Road ^{1,2,6}	Rural ⁶	Local	Collector	Arterial
Planned	<u>Design Limits - Approximate ADT</u>	Up to 30	Up to 30	Up to 30	<u>40-1500</u>	<u>1600-5000</u>	Over 5000
Minimum Width (ft)	Travel Lane ³	10	12	10	10	11	12
	Right-of-Way	33	66	66	66	80	100
	Median/Turn Lane ⁴	-	-	-	12	12	14
	Shoulder (each side)	0	0	2	2	6	8
	Paved Shoulder	0	0	0	1	3	3
	Clear Zone ⁷	0	5	7	7	10	10
	Road Surface Material ⁵	Gravel (A)	Gravel (A)	Gravel (A)	Paved (B)	Paved (B)	Paved (C)

¹ Single lane roads may be permitted for Mountain roadways.

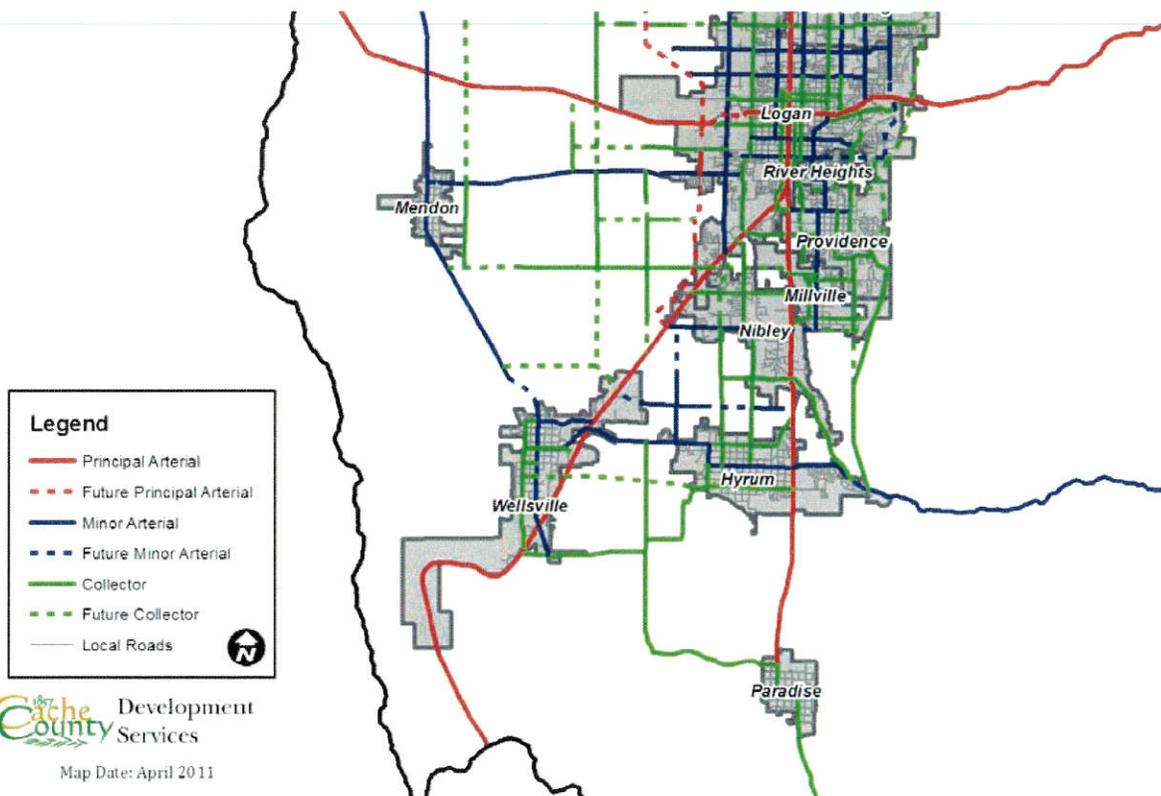
² Single lane roads do not provide adequate levels of service to development and may be required to meet the Rural road standard, provide pullouts, or other improvements as deemed necessary to provide adequate service provision in compliance with this standard, the County Code, and the latest edition of the International Fire Code.

³ Minimum roadway is 2 lanes of traffic unless otherwise specified.

Average daily traffic, abbreviated **ADT**, is the average total volume of vehicle traffic per day (important for later).

Cache County Map of Transportation Classifications Buildout Vision Plan

(Interesting Note here is Cache County has most roads in Providence labeled as “local” roads with some collector roads, two minor arterial roads and one principal arterial road (running in front of Macey’s)).



Nibley City (consistent with Cache County for roadway classifications):

STREET, MAJOR: A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled-access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET, COLLECTOR: A street, existing or proposed, which is the main means of access to the major street system.

STREET, MINOR: A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.

C. Minimum Street Widths: The minimum street widths shall be.

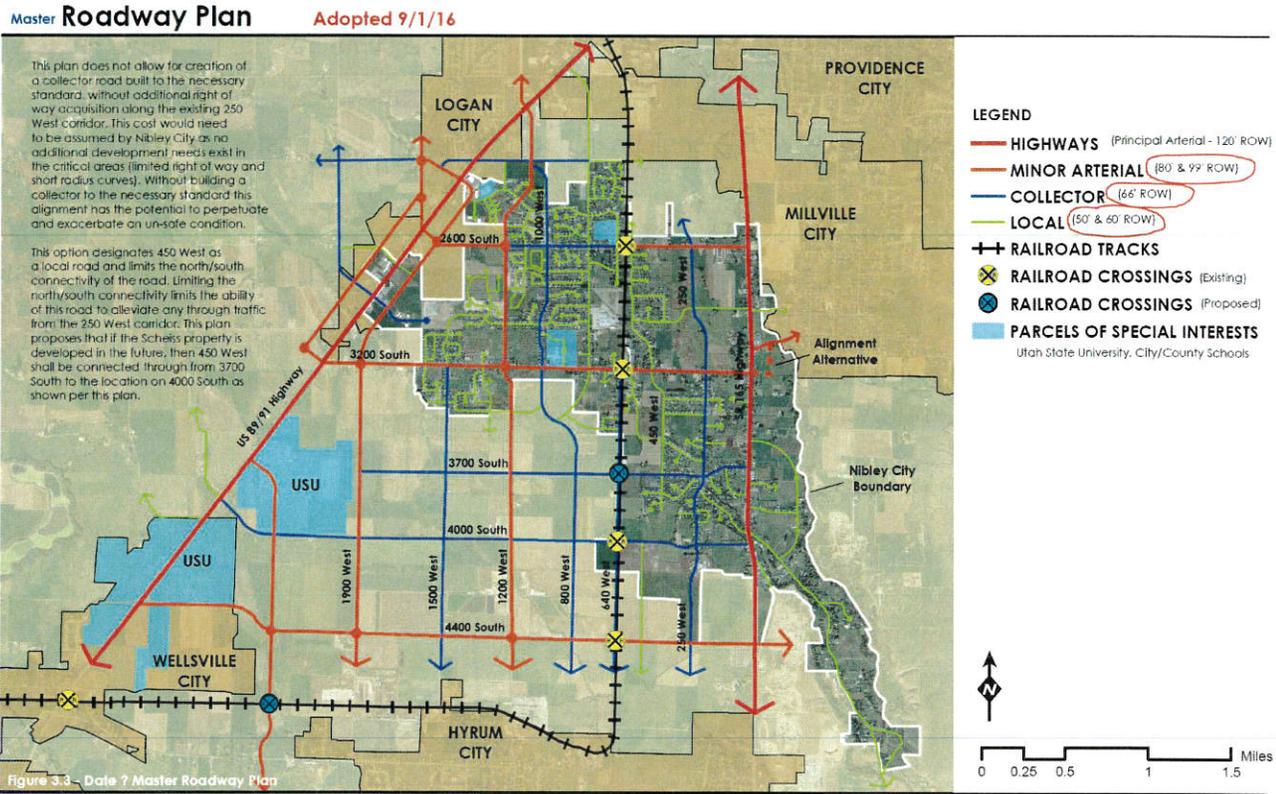
Road Type	Right Of Way Width	Pavement Width
Arterial <i>major</i>	99 feet	66 feet
Collector	80 feet	49 feet
→ Residential <i>minor</i>	66 feet	35 feet
Neighborhood	60 feet	29 feet

1. The neighborhood street may be used in areas that would not generally be considered a through street or a street that would carry significant amounts of traffic other than that generated on that street. A cul-de-sac may be a neighborhood street.
2. All sidewalks shall be a minimum of five feet (5') in width. Planting strips shall be at least seven feet (7') in width.
3. The design of road types shall be in accordance with the Nibley City Design Standards & Specifications, and as follows:

(https://nibley.municipalcodeonline.com/book?type=ordinances#name=11-5-5_Streets)

Nibley Residential Right-of-Way 66 feet used up by: road asphalt width 35 feet, 7 feet minimum park strip, 5 feet minimum sidewalk, and 1 foot inside onto owners property. Second Residential (Neighborhood) Right-of-Way is 60 feet for neighborhood streets with reduced average daily traffic flow (as listed in item #1 above generally only carry traffic from that subdivision/neighborhood street(s)).

Updated Nibley Map as of 9/1/16 showing roadway classifications for Local, Collector, & Major Streets



River Heights City (consistent with Cache County for roadway classifications)

Collector Street: A street, existing or proposed, which serves or is intended to serve as a major trafficway and which is designated on the master street plan as a controlled access highway, major street or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.

Minor (Local) Street: A street, existing or proposed, which is supplementary to a collector street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

Noteworthy from River Heights Code:

11-6-3 K. Residential Unit Access to Collector Streets: Access from residential units to collector streets shall generally be prohibited at and in all new subdivisions. Access to a collector street from a residential unit shall only be allowed where no other option or solution exists.

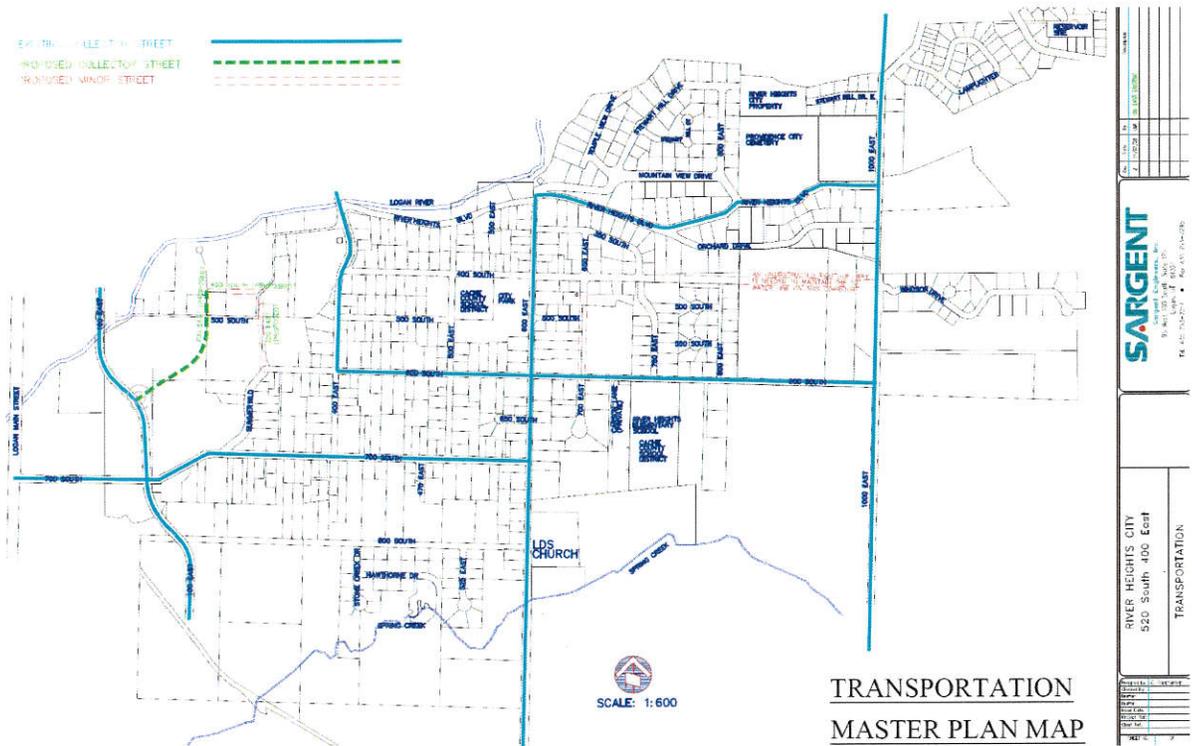
11-6-1 C. Walkways: Dedicated walkways through a block may be required where access is necessary to a point designated by the planning commission. Such walkways shall be a minimum of six feet (6') in width, but may be required to be wider where determined necessary by the planning commission.

11-6-3 C. Right Of Way Width: The total street right of way width shall be standard at sixty six feet (66') for collector streets and fifty feet (50') for minor, local and cul-de-sac streets. All references to the "total width" of a street, road, right of way or easement shall refer to the total width stated in the property title or right of way rights transferred or dedicated to the city. The paved or traveled portion of the same may be less than the total width to allow for curb, gutter, sidewalk and other necessary improvements or other requirements.

11-6-3 N. ...Street classification and roadway widths shall be in accordance with the master road plan of the city.

River Heights appears it could also stand to add one additional roadway classification, but has instead chosen to simply allow for a narrow city right-of-way that covers most all residential classifications as opposed to requiring most areas to meet the collector right-of-way specification. River Heights Residential (local/minor) road asphalt width is 30 feet, 4 feet sidewalk minimum, park strip in remaining. Appears can flex on widths within right-of-way with approval for sidewalks, park strips, etc.

River Heights Transportation Master Plan Map



Millville City (consistent with Cache County for road classifications)

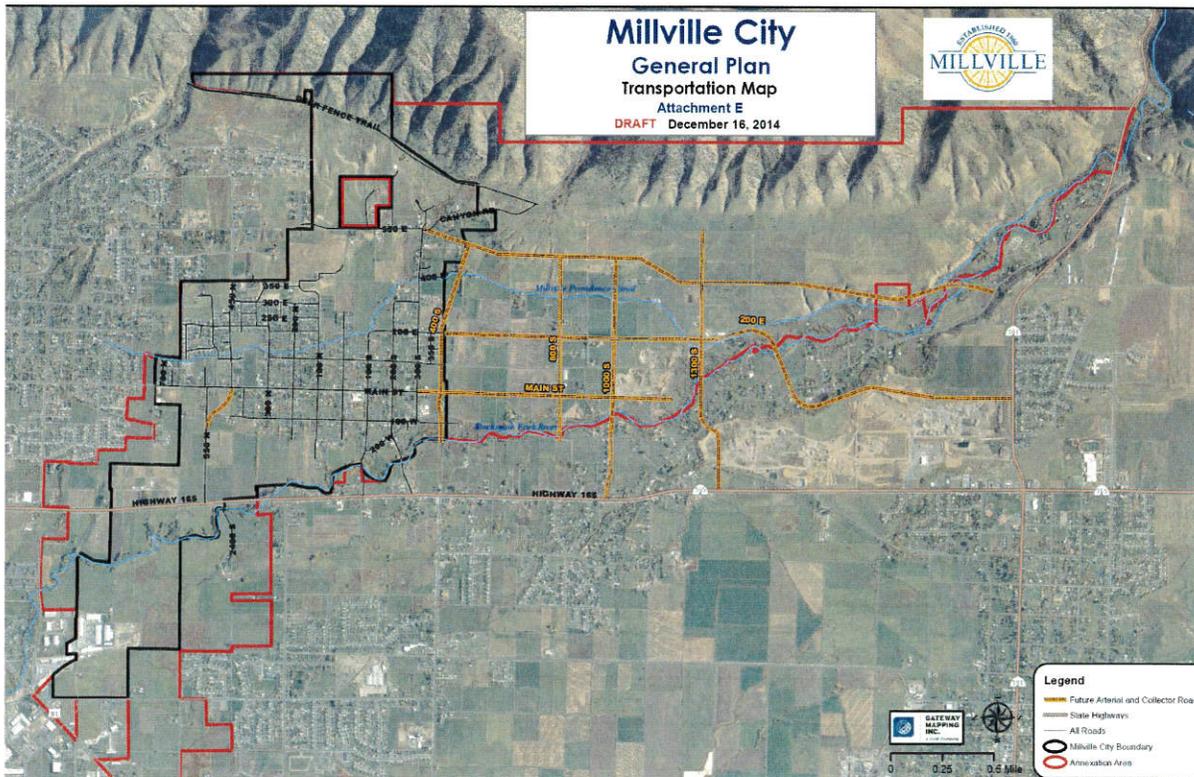
Street Typical Sections

1. Arterial & Collector Streets - Arterial and collector streets shall be provided at locations designated on the Millville City Roadway corridor study. Road sections shall conform to Plan No. 250-N of the Manual of Standard Plans. Where two sections are given for a classification, the planning commission shall decide which section will be allowed. For areas where the street plan has not been completed at the time the preliminary plan is submitted to the Planning Commission, arterial or collector streets shall be provided as required by the Planning Commission.

2. Residential Streets - Residential streets shall have a minimum right-of-way width of 66 feet. Residential road sections shall conform to Plan No. 250-N of the Manual of Standard Plans. Where two sections are given for a classification, the planning commission shall decide which section will be allowed.

Millville 66 ft right-of-way shows for residential 35 feet asphalt, 8 feet park strip, and 4 feet wide minimum sidewalks (5 feet minimum sidewalk when adjacent to curb) and 1 foot inside sidewalk onto property.

Millville Transportation Map



Providence City (current roadway classification definitions and current street widths)

This is the current Providence City roadway classification definitions:

In Title 11 Chapter 1 Section 3 Definitions of our Providence City Code.

Major Street is a street which serves as a major traffic way, controlled-access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan and shall have a designated right of way of 80'.

Collector Street is a street which carries traffic to the major street system, and shall have a right-of-way of 66'.

Feeder Street is a street which carries traffic to a collector street system and shall have a designated right-of-way of 56'. *Except when used in a cul-de-sac, feeder streets shall not exceed 350' in length and shall not be adjacent to more than 8 lots.*

In 11-4-3:C.1. of the city code it says the total street right of way shall be standard at eighty feet (80') for major streets, sixty-six feet (66') for collector streets; and fifty-six feet (56') for feeder streets. All reference to the "total width" of a street, road, right of way or easement shall refer to the "total width" stated in the property title or right-of-way rights transferred or dedicated to the City. The paved or traveled portion of the street or road may be less than the "total right of way" to allow for public improvements in accordance with City ordinances.

In other words it does not state the asphalt widths in the code itself only the right-of-way width. The asphalt width is in the drawings of the Standards and Specifications Manual (which appears to be last updated 07/06/2007 according to the date listed on standards/specs).

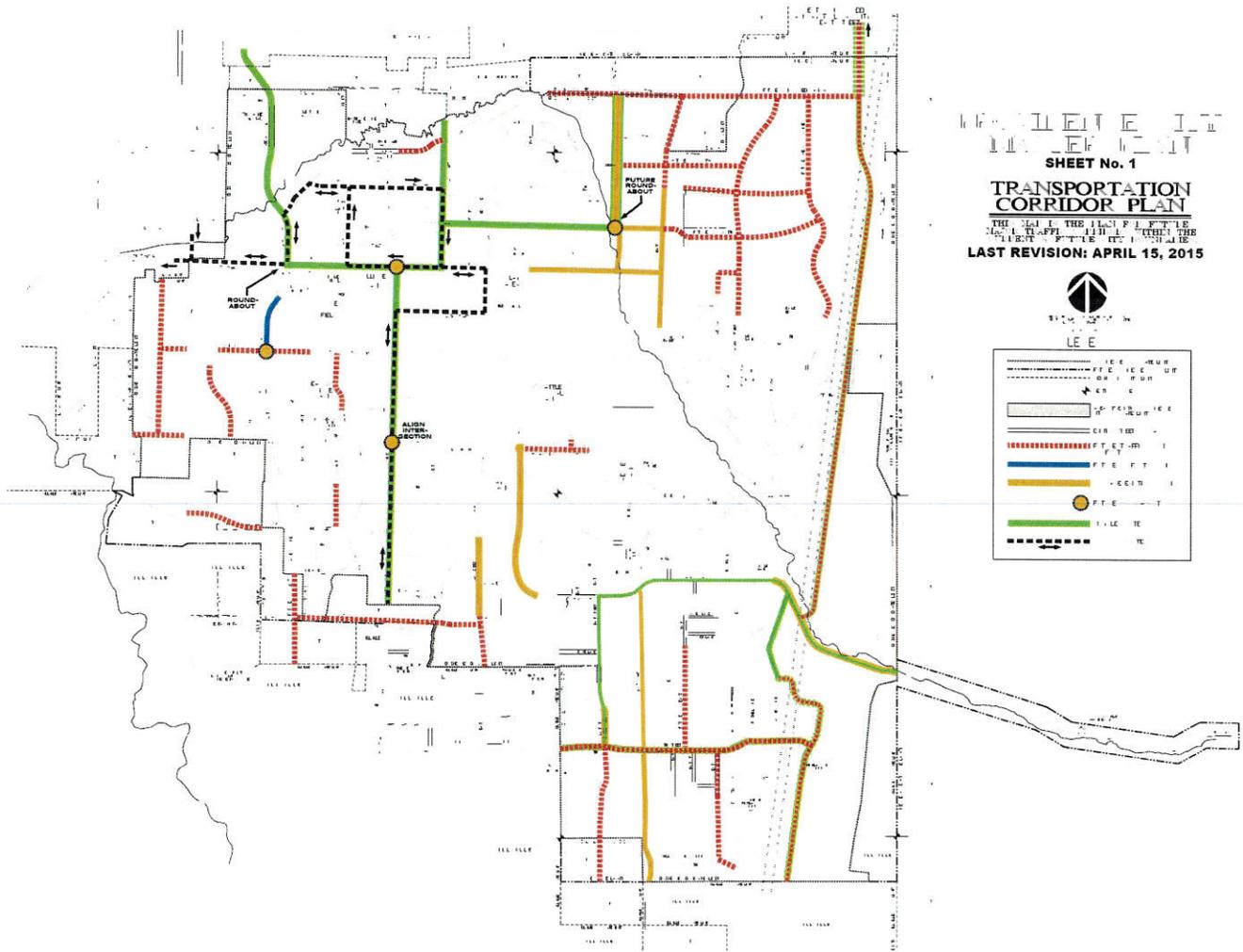
The sidewalk width is called out in city code 11-4-3:J. The current design standards code says, "Sidewalks placed on both sides of public streets shall be concrete and five feet (5') wide minimum and four inches (4") thick minimum..."

Below is a screen snippet from the providence city codes book (last updated in 07-06-2007) for the current right-of-ways with street widths:

TYPICAL STREET CROSS-SECTIONS

TYPE of STREET	WIDTHS				
	A RIGHT-OF-WAY	B ASPHALT	C CURB & GUTTER	D PARK STRIP	E SIDEWALK
FEEDER STREET	56'	29'	2.5'	6.0'	5.0'
COLLECTOR STREET	66'	39'	2.5'	6.0'	5.0'
MAJOR STREET	80'	53'	2.5'	6.0'	5.0'

Providence City Transportation map currently shows proposed major traffic corridors but currently does not break out by roadway classifications as the county and other surrounding cities do. The county's map breaks out Providence as having one minor arterial road (between Providence & Millville), several collector streets and the rest local (minor streets) (see county map above), but Providence's map does not show the same granularity (they key is hard to read).



Conclusion

Here is a comparison summarizing the above listed data for the current residential (local) designations from the cities/county and using the Providence City's current collector street specs in attempt to do an apples-to-apples comparison:

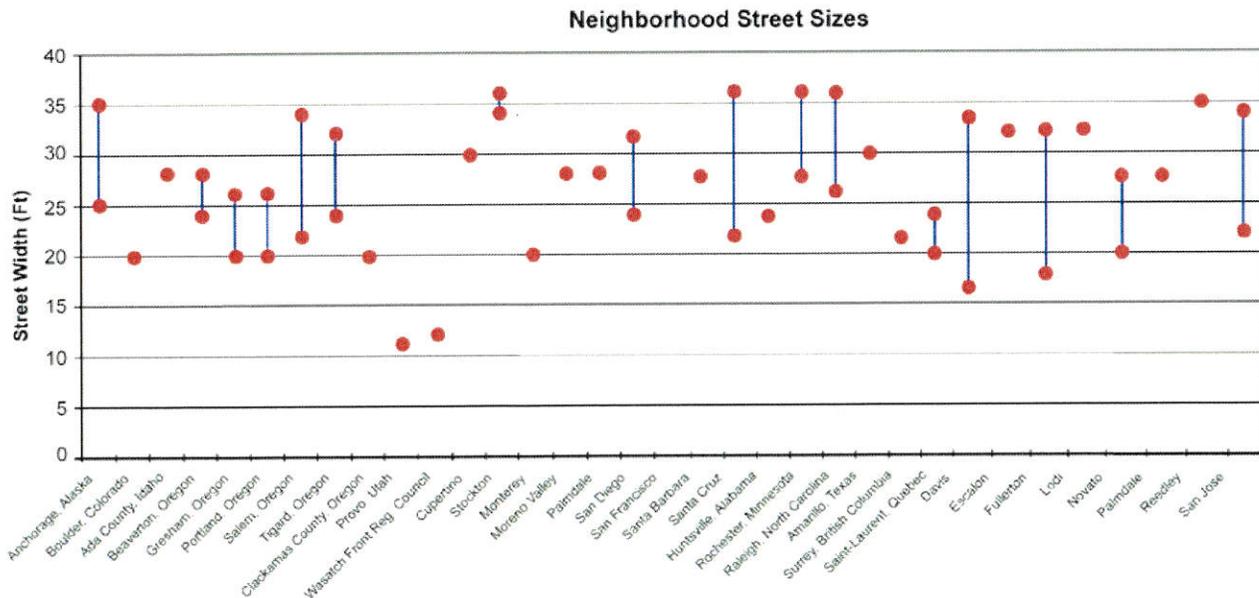
Comparison of Road/Asphalt Widths for Residential/Local Roads (non-collector/non-arterial roadways)

Residential/Local	RIGHT-OF-WAY	ASPHALT
Cache County	66'	34'
Nibley	66'	35'
Millville	66'	35'
Providence (Collector Specs)	66'	39'
River Heights	56'	30'

Providence City's current residential road width (i.e. collector specs due to the current roadway classification ambiguity) is wider than necessary and goes contrary to making the streets more pedestrian friendly. Wider streets promote higher rates of speed for cars and is harder to cross for pedestrians making it less safe. Wider roads cost more to upkeep and maintain (costing the city a lot more in the long-term once replacement is necessary). Additionally, the wider the road the more storm water runoff that can also have adverse side effects both from a cost perspective as well as not having the water in the ground where it falls (i.e. mitigation-in-place) in park strips and rolling off of sidewalks to keep in the rainfall properly in localized areas it falls.

Figure 2 below depicts the range of neighborhood street widths found in the street standards of thirty-four communities. Much of the variation on the low end has to do with whether on-street parking is permitted. Nevertheless, the fact that widths vary by a factor of three in cities with the same sized automobiles, fire trucks, etc. indicates that there is more freedom to match street widths to the local context than most people realize. What's interesting to note is not a single one of the thirty-four cities has a residential street width over 36 feet. And the overall average for communities with on-street parking is a width of 28 feet (closer to River Heights).

Figure 2: Neighborhood Street Sizes



Updated Ordinance Change Recommendations

It is recommended that the new roadway classification definitions for the Providence City be based on estimated average daily traffic volume and be more in alignment with widely accepted roadway classification definitions and sync with the current county map of Providence such as the following:

Major Street - A major street serves as a major traffic way, controlled-access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan and is anticipated to have high traffic volumes and shall have a designated right of way of ninety-nine feet (99').

Collector Streets (Commercial & Local) – A commercial collector street functions to collect and distribute traffic between collector streets and other collector/major streets and intersects with commercial properties. A local collector street primarily functions to collect and distribute traffic between minor streets and other collector/major streets. Collector streets provide an equal balance of both access and traffic movement. Direct access to non-residential (commercial) facilities frequently occurs with commercial collector streets, but direct access to residential properties (i.e. driveway cutouts) should be avoided with all collector streets. Unlike commercial collector streets, local collector streets typically do not intersect with businesses. Commercial collector Streets shall have a designated right of way of eighty feet (80') and local collector streets a right of way of sixty-six feet (66').

Minor Streets (Residential & Neighborhood) - A residential or neighborhood street is supplementary to a collector street and for moderate volumes of traffic of limited continuity which serves or is intended to serve the local needs of a neighborhood. The right-of-way shall be sixty-six feet (66') for a residential minor street or sixty feet (60') for a neighborhood street.

It is also recommended that the ordinance for street widths, for the above defined roadway classifications, be changed to the following:

PROPOSED STREET CROSS-SECTIONS

TYPE OF STREET	WIDTHS					Estimated Average Daily Traffic (ADT)
	A RIGHT-OF-WAY	B ASPHALT	C CURB & GUTTER	D PARK STRIP	E SIDEWALK	
MAJOR STREET	99'	66'	2.5'	Minimum 7.0'	Minimum 5.0'	Over 5000
COLLECTOR - COMMERCIAL	80'	49'	2.5'	Minimum 7.0'	Minimum 5.0'	1000-5000
COLLECTOR - LOCAL	66'	39'	2.5'	Minimum 7.0'	Minimum 5.0'	751-5000
MINOR - RESIDENTIAL	66'	35'	2.5'	Minimum 7.0'	Minimum 5.0'	251-750
MINOR - NEIGHBORHOOD	60'	29'	2.5'	Minimum 7.0'	Minimum 5.0'	Up to 250

1. The neighborhood street may be used in areas that would not generally be considered a through street or a street that would carry significant amounts of traffic other than that generated on that street or immediate neighborhood.
2. All sidewalks shall be a minimum of five feet (5') in width. Park strips shall be a minimum of seven feet (7') in width.
3. On Commercial Collector and Local Collector Streets bicycle lanes should be added where possible. If necessary and approved by the City Council, bicycle lane(s) may be added in lieu of a sidewalk and/or park strip on one side of the street to help accommodate alternative modes of transportation. Access to a collector street from a residential unit (i.e. driveway cutout) shall only be allowed where no other option or solution exists. Parking on collector streets should be limited to areas designated by Providence City, so as to not impede the flow of traffic.
4. The design of road types shall be in accordance with the Providence City Design Standards & Specifications.

If the City Council chooses to adopt Ordinance No. 2016-024, the following will need to be further defined:

1. The criteria used to determine “if necessary”.
 2. The criteria used to determine “limited areas . . . so as not to impede the flow of traffic”.
- O. Bicycle Lanes: On commercial collector and local collector streets, bicycle lanes should be added where possible. **If necessary** and approved by the City Council, bicycle lane(s) may be added in lieu of a sidewalk and/or park strip on one side of the street to help accommodate alternative modes of transportation.
- Q. Parking: Parking on collector streets should be **limited to areas designated by Providence City, so as to not impede the flow of traffic.**

Resolution 044-2016

A RESOLUTION accepting an annexation petition further consideration filed by Gina and Mark Thompson, requesting Providence City annex Parcel No. 02-117-0005, located generally at 500 West 500 South.

WHEREAS UCA § 10-7-717 Purpose of resolutions, states, "Unless otherwise required by law, the governing body may exercise all administrative powers by resolution . . ."

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 the City and its present and future inhabitants and businesses.

WHEREAS Providence City received a complete Petition for Annexation and zoning request on October 6, 2016:

- The property is located adjacent to the west boundary of Providence City, located generally at 500 West 500 South.
- The property is Parcel No. 02-117-0005 with the legal description and acreage shown on the attached map.
- Providence City Code 10-3-6: Annexation states, *A. Classification: New area annexed to the City shall be annexed into the City as agricultural, unless otherwise approved by the City Council as provided in Utah Code Annotated, as may be amended.*
 - Applicant is annexing the property with the intent of residential development and is requesting the property be zoned Single-Family Residential (SFR).
- Pursuant to Utah Code 10-2-405.(1)(a)(i) A municipal legislative body may: (A) subject to Subsection (1)(a)(ii), deny a petition filed under Section 10-2-403; or(B) accept the petition for further consideration under this part.

THEREFORE be it resolved by the Providence City Council:

- The Petition for Annexation signed by Gina and Mark Thompson, shall be accepted for further consideration; and
- This resolution shall become effective immediately upon passage.

Passed by vote of the Providence City Council this 1 day of November, 2016.

Council Vote:

Allen, Kirk	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Baldwin, Jeff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Drew, John	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Giles, Dennis	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
Sneddon, Roy	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent

Providence City

Don W Calderwood, Mayor

Attest:

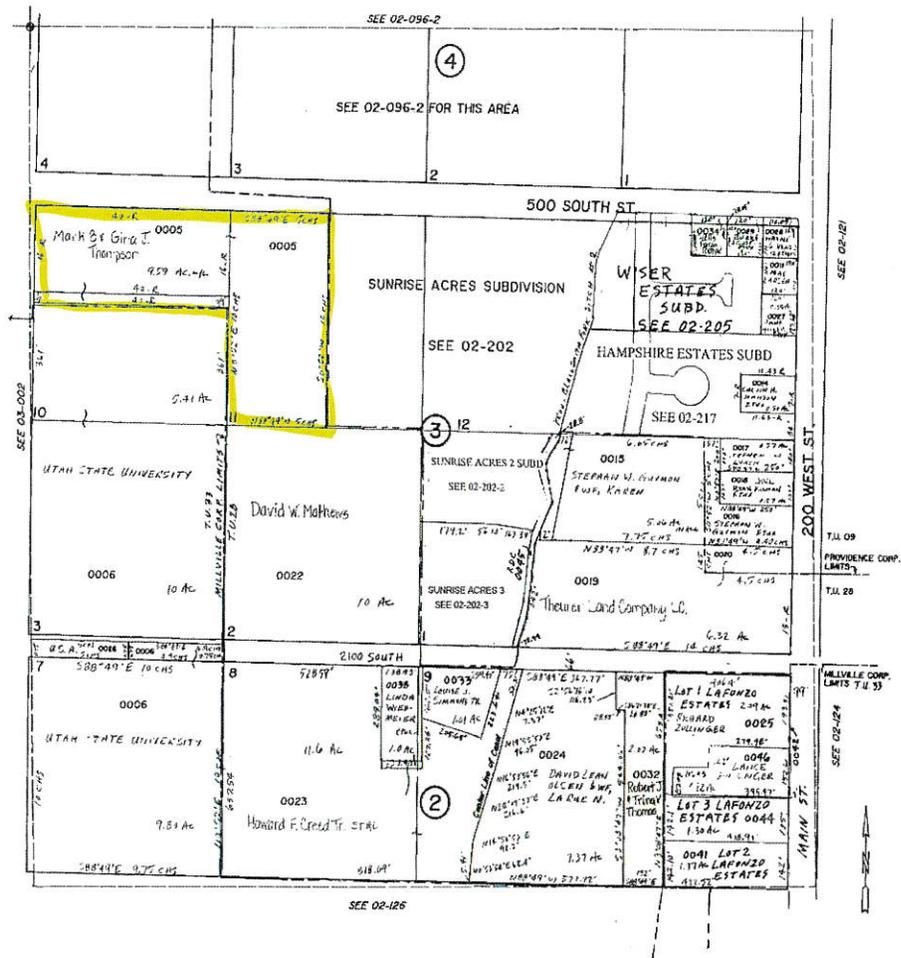
Skarlet Bankhead, Recorder

Section 15 Township 11 North Range 1 East
NW⁴ Scale 1 Inch = 200 Feet

02
17

T.U. 09, 28, 33

PT. PLAT "D" PROVIDENCE FARM SVY.



BEG 10.23 CHS E 8.50 CHS S OF NW COR OF NW/4 SEC 15 T 11N R 1E S 88°49'E 5 CHS S 52' W 10 CHS N 88°49' W 5 CHS N 0°52'E 10 CHS TO BEG ALSO: BEG NE COR LOT 10 SD BLK 3 PLT D PROVIDENCE FARM SVY & TH W 40 RD S 16 RDS E 40 RDS N 16 RDS TO BEG ALSO: BEG 361 FT N FROM SW COR LOT 10 BLK 3 N 35 FT E 40 RDS S 39 FT NWLY 40 RDS TO BEG 9.59 AC NET

1
2
3 **Ordinance No. 2016-022**

4 AN ORDINANCE AMENDING THE PROVIDENCE CITY ZONING DISTRICT(S) AND ZONING MAP BY CHANGING
5 THE ZONE OF PARCEL NO. 02-005-0005, A 77.5 (+/-) ACRE PARCEL, LOCATED IN THE NORTHEAST CORNER
6 OF THE CITY AT APPROXIMATELY 500 NORTH 600 EAST, FROM AGRICULTURAL (AGR) TO SINGLE-FAMILY
7 TRADITIONAL (SFT)

8 WHEREAS on 07/20/2016 Stan Checketts filed an application requesting the AGR Zone be changed to SFT
9 for Parcel No. 02-005-0005, a 77.5 (+/-) acre parcel located in the northeast corner of the City at
10 approximately 500 North 600 East.

11
12 WHEREAS UCA § 10-9a-102.(2) states “. . . municipalities may enact all ordinances, resolutions, and rules
13 and may enter into other forms of land use controls . . .” and

14
15 WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote the
16 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its
17 present and future inhabitants and businesses, to protect the tax base, to secure economy in
18 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban
19 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide
20 fundamental fairness in land use regulation, and to protect property values in areas that may be
21 considered sensitive, including but not limited to fire danger, slope, soil content.

- 22 • UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a
23 proposed land use ordinance or zoning map; and prepare and recommend to the legislative body
24 a proposed land use ordinance and zoning map that represent the planning commission's
25 recommendation.
- 26 • Planning Commission studied the proposed amendment and held a public hearing on September
27 28, 2016 prior to making a recommendation.
- 28 • The Planning Commission considered the following:

29 **FINDINGS OF FACT:**

- 30 1. Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning
31 Title shall be done in accordance with state law.
- 32 2. UCA § 10-9a-505(1)(a) The legislative body may divide the territory over which it has
33 jurisdiction into zoning districts of a number, shape, and area that it considers
34 appropriate to carry out the purposes of this chapter.
- 35 3. UCA § 10-9a-505(3)(a) There is no minimum area or diversity of ownership requirement
36 for a zone designation. (b) Neither the size of a zoning district nor the number of
37 landowners within the district may be used as evidence of the illegality of a zoning
38 district or of the invalidity of a municipal decision.
- 39 4. UCA § 10-9a-102 Purposes -- General land use authority.
40 *(1) The purposes of this chapter are to provide for the health, safety, and welfare, and*
41 *promote the prosperity, improve the morals, peace and good order, comfort,*
42 *convenience, and aesthetics of each municipality and its present and future inhabitants*
43 *and businesses, to protect the tax base, to secure economy in governmental*
44 *expenditures, to foster the state's agricultural and other industries, to protect both*
45 *urban and nonurban development, to protect and ensure access to sunlight for solar*
46 *energy devices, to provide fundamental fairness in land use regulation, and to protect*
47 *property values.*
48 *(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances,*
49 *resolutions, and rules and may enter into other forms of land use controls and*
50 *development agreements that they consider necessary or appropriate for the use and*
51 *development of land within the municipality, including ordinances, resolutions, rules,*
52 *restrictive covenants, easements, and development agreements governing uses, density,*
53 *open spaces, structures, buildings, energy efficiency, light and air, air quality,*

1 transportation and public or alternative transportation, infrastructure, street and
2 building orientation and width requirements, public facilities, fundamental fairness in
3 land use regulation, considerations of surrounding land uses and the balance of the
4 foregoing purposes with a landowner's private property interests, height and location of
5 vegetation, trees, and landscaping, unless expressly prohibited by law.

- 6 5. UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning
7 map consistent with the purposes set forth in in this chapter.
- 8 6. UCA § 10-9a-502 Requires the planning commission provide notice and hold a public
9 hearing on a proposed land use ordinance or zoning map; and prepare and recommend
10 to the legislative body a proposed land use ordinance and zoning map that represent
11 the planning commission's recommendation.
- 12 7. UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the
13 zoning district; or (c) any other provision of a land use ordinance.
- 14 8. Providence City Master Plan 1December 2000 – Zoning Master Plan Directive
- 15 9. Providence City Master Plan Sheet 5-B Future Re-Zone of Existing Districts
- 16 10. Providence City Master Plan Sheet 5-C Zone Districts of Future Annexations

17
18 **CONCLUSIONS OF LAW:**

- 19 1. The proposed code amendment has been processed consistent with the above Findings
20 of Fact.
- 21 2. Executive Staff feels changing the AGR zone to SFT zone is consistent with the City's
22 Master Plan.

23
24 **CONDITIONS:**

- 25 1. The Applicant will continue to meet all relevant federal, state, county, and Providence
26 City rules, laws, codes, and ordinances.
 - 27 2. The application will process will continue to meet all relevant federal, state, county, and
28 Providence City rules, laws, codes, and ordinances; including but not limited to: the
29 Planning Commission scheduling and holding a public hearing prior to making a
30 recommendation to the City Council.
- 31
 - 32 • The Providence City Planning Commission took the following action on September 28, 2016:
33 *Motion to recommend that the City Council the accept the request of the 77.5 acre-parcel and*
34 *change the zone from Agricultural to Single-family Traditional – Wendy Simmons, second – John*
35 *Parker*
36 *Yea: R Cecil, M Harbin, R James, J Parker, W Simmons*
37 *Nay: None*
38 *Abstained: None*
39 *Excused: None*

40
41 THEREFORE be it ordained by the Providence City Council:

- 42 • The request to change zone from AGR to SFT for Parcel No. 02-005-0005, a 77.5 (+/-) acre parcel
43 located in the northeast corner of the City at approximately 500 North 600 East shall be
44 approved based on the findings of fact, conclusions of law, and conditions listed above and the
45 recommendation of the Providence City Planning Commission.
- 46 • This ordinance shall become effective immediately upon passage and posting or 30 days after
47 final passage, whichever is closer to the date of final passage.

48
49 Ordinance adopted by vote of the Providence City Council this 1 day of November 2016.

50
51 Council Vote:

52 Allen, Kirk () Yes () No () Excused () Abstained () Absent

1 Baldwin, Jeff Yes No Excused Abstained Absent
2 Drew, John Yes No Excused Abstained Absent
3 Giles, Dennis Yes No Excused Abstained Absent
4 Sneddon, Roy Yes No Excused Abstained Absent
5

6 Signed by Mayor Don W Calderwood this day of November 2016.
7

8 Providence City
9

10 _____
11 Don W. Calderwood, Mayor
12

13 Attest:
14

15 _____
16 Skarlet Bankhead, Recorder
17