



PLANNING COMMISSION AGENDA

Wednesday, July 26th, 2023, 6:00 pm

Providence City Office Building, 164 North Gateway Dr., Providence Ut

This will be an in-person meeting; however, some members of the Planning Commission may be attending this meeting electronically. This meeting will live stream on Providence City's YouTube Channel Presenters: [Providence Utah - YouTube](#)

Public Information:

- For information regarding the responsibilities and duties of the Planning Commission please click [HERE](#)
- For information on Meeting Order and Decorum please click [HERE](#).

Comments: The Planning Commission accepts comments: in-person, by email, and by text. In-person: Providence City Office Building, 164 N Gateway Drive, Providence UT Email: providencecityutah@gmail.com Text: 435-752-9441

Call to Order: Michael Fortune

Chair Roll Call of Commission Members:

Pledge of Allegiance:

Approval of Minutes: The Planning Commission will consider approval of the minutes for June 14th, 2023.
[**\(MINUTES\)**](#)

Public Comments: Citizens may express their views on issues within the Planning Commission's jurisdiction. The Commission accepts comments: in-person, by email providencecityutah@gmail.com, and by text 435-752-9441. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

Public Hearings: None

Legislative – Action Item(s): None

Administrative Action Item(s):

- **Item No. 1 Pleasant View Lane Preliminary Plat:** The Planning Commission will review, discuss, and may take action on a request to approve the preliminary plat for the Pleasant View Lane Subdivision, a 3-lot subdivision located in the general area of 417 N 300 E. [**\(ANALYSIS\)**](#)

- **Item 2 Appointment of new Planning Commission Chair & Vice Chair:** The Providence City Planning Commission will discuss and may take action on appointing a new Planning Commission chair & vice chair.

Study Items(s):

Agenda posted by Ty Cameron on 19th day of July 2023.



Tyler Cameron
Providence City Recorder

- If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting
- Public meetings will be held electronically in accordance with Utah Code Ann. §§ 52-4-207 et. seq., Open and Public Meetings Act. The Providence City Office Building, 164 N. Gateway Dr. is the anchor location; unless otherwise determined by the Chair, in accordance with UCA 52-4-207(4), an electronic meeting will be held without an anchor location.
- Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

PLANNING COMMISSION MEETING MINUTES

Wednesday, June 14th, 2023, 6:00 pm

Providence City Office Building, 164 North Gateway Dr., Providence Ut

To view the video recording account of the Planning Commission meeting please visit the Planning Commission webpage or click on the following YouTube Link: [Planning Commission 6/14/2023 - YouTube](#)

HR. MIN. SEC in **GREEN** are time stamps of the YouTube video of the meeting.

Call to Order: Michael Fortune

Chair Roll Call of Commission Members: Shelly Nazer, Robert Henke, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Commission Member Absent: Tyler Riggs

Staff Present: Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director) & Ty Cameron (City Recorder)

Pledge of Allegiance: Bob Washburn

1 MIN. 20 SEC.

Approval of Minutes: The Planning Commission will consider approval of the minutes for May 10th, 2023.
(MINUTES)

- Michael Fortune called for the approval of the minutes of May 10th, 2023.
- Commission noted that no corrections were needed.

Motion to approve the minutes of May 10th, 2023 – Bob Washburn. 2nd – Shelly Nazer.

Vote:

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs

Motion passes, minutes approved.

Public Comments: Citizens may express their views on issues within the Planning Commission's jurisdiction. The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and by text 435-752-9441. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

- Michael Fortune opened the floor for public comment indicating that this was the time for any general comments and that if audience members had comments regarding any items on tonight's agenda, they could wait till the item is called and comment then.
- Staff indicated that no comments had come in via text or email.

- No comments were made. Michael Fortune closed the public comment portion of the meeting.

Public Hearings:

3 MIN. 55 SEC.

- **Item No. 1 Rezone of Parcel 02-096-0038 Public Hearing:** The Providence Planning Commission will open the floor of public comment regarding a request to rezone parcel 02-096-0038 generally located at 380 W 300 S Providence UT. Applicant seeks to rezone parcel from R-1-1 to R-1-10.
- Michael Fortune called item 1, gave a brief introduction, and opened the floor for public comment.
 - J.D. Rhea, resident, asked about the rezone and what would or wouldn't be allowed in the zone.
 - Michael Fortune stated the R-1-10 zone uses indicating that it's mostly designated for single-family homes with minimum lot size of 10,000 sq. ft.
 - Parties reviewed the city's zoning map that showed the parcel that's being requested for rezone and surrounding area, which showed that the neighboring areas or parcels were also R-1-10.
 - Commission discussed the rezone process and procedures. Parties commented on the R-1-10 zone and what homes could be allowed. Staff indicated that the zone would allow for side-by-side twin homes but no apartments or duplexes.
 - Staff indicated that based on the parcel size a developer could maybe put in 7-8 homes and that all depended on setbacks, road access etc.
 - Parties discussed the City's master plans and zoning maps and where to find them.
 - Eric Holly, resident, commented that he lived right next to this parcel and indicated that he was ok with the rezone and was in support of the planning of like neighborhoods. He noted that this change would conform with the surrounding zones. Mr. Holly asked about lot sizes and off sets on side lots, asked if the owners have any plans for the parcel yet. He commented on high density housing.
 - Staff stated that lot sizes would be a minimum of 10,000 sq. ft. but they could be larger and that if twin homes were built, they would each need a minimum of 6,000 sq. ft.
 - Lisa Stoner, Logan resident, stated that she is here tonight to represent her mother who just moved into that area, and who has a house that borders this property. Ms. Stoner commented on the mature trees that are on the lot and asked if there was any way to make sure those trees don't get disturbed.
 - Parties discussed setbacks related to building restrictions or envelopes.
 - Ms. Stoner commented that the trees bring an aesthetic quality to the area and retaining them would be great for the neighborhood. Asked if easements could be purchased by the neighbors. The Commission responded that that is a possibility, but it would be between the owners and neighbors.
 - No further comments were made. Michael Fortune closed the public hearing.

Legislative – Action Item(s):

23 MIN. 15 SEC.

90 ➤ **Item No. 2 Rezone of Parcel 02-096-0038:** The Providence Planning Commission will discuss
91 and may make a recommendation to the City Council regarding a rezone request for parcel 02-096-0038,
92 which seeks to be rezoned from R-1-1 to R-1-10. (APPLICATION) & (ANALYSIS)
93

- 94 • Michael Fortune called item 2, gave a brief introduction and asked Skarlet Bankhead to give an
95 overview of the application.
- 96 • Skarlet Bankhead reviewed with the Commission the staff analysis commenting on what State
97 and City Codes were used to make sure all requirements have been met. She referenced the city's
98 general and master plans and indicated that the Planning Commission was a recommending body
99 and that the City Council would be the ones to give final approval. Discussed with the
100 Commission the city's zoning districts and reported that the general plan anticipated that this lot
101 would remain R-1-1, but reminded the Commission that the general plan was a guideline.
- 102 • Ms. Bankhead referenced the city's moderate income housing plan and how this rezone could
103 possibly help with completing that plan. Ms. Bankhead reviewed with the Commission the
104 development of the 300 S roadway, 40-year water rights, impact fee, overall system
105 improvements and sensitive areas as they related to this parcel. Indicated that overall, there were
106 no major issues with this request.
- 107 • Ms. Bankhead related to the Commission the difference between the two zones, their lot sizes,
108 setback width, max units per net acre and major uses. Again, noted that twin homes could be
109 built in this R-1-10 zone but no apartments or multi family housing. Conveyed that a developer
110 could do cluster development, like a cul-du-sac, but that there would be a lot to work out, but it is
111 a possibility.
- 112 • Parties discussed transportation access, access points and road designation. Parties talked about
113 private roads, road standards and requirements.
- 114 • Brian Marble asked about lot sizes, twin homes, and max density. Staff responded that based on
115 the size of the parcel and if the rezone were approved, a developer could put in 7-8 homes, but
116 that all depended on road access, setbacks, and overall layout.
- 117 • Jeff White, applicant, expressed to the Commission his reason for the rezone request, indicating
118 that it seemed like a good time to do it. Referenced the city's road and bike path plans they have
119 for the area and doing the rezone in conjunction with those plans in order to be ready in the
120 future if they ever do sell. If they rezoned now, they would already have everything ready for
121 stubbing in if need be. Commented that it just seemed easier to do it now rather than later.
122 Indicated that though they have been contacted by developers they have no plans to sell or
123 develop the parcel.
- 124 • Shelly Nazer asked if a sidewalk would be put in. Applicant and staff responded that completing
125 the sidewalk is part of the road and bike path plans for that part of the road.
- 126 • Michael Fortune excused himself from the Planning Commission discussions as he is an
127 interested party in this application. Asked Brian Marble, Co-Chair, to conduct the discussion and
128 vote.
- 129 • Brian Marble asked the Commission if they had any comments regarding this request.
- 130 • Shelly Nazer commented that it looked like a good plan and with help from the city to complete
131 or better the road in that area it was good timing and needed to happen.
- 132 • Brian Marble asked if the city has an agreement with the applicant for road improvements,
133 sidewalk, bike path etc. Ryan Snow indicated what the city is planning to do in that area with
134 widening the road, putting in storm drain, bike path etc. and that they have presented an
135 agreement to the applicants to help with completing those plans.

- Robert Henke indicated that he was supportive of the rezone.
- Bob Washburn also indicated that he was in support of the rezone and thought it was good timing.
- Joe Chambers stated ditto to what had been said by his fellow Commission members.

Motion to recommend to City Council that this rezone request rezoning parcel 02-096-0038 located in the area of 380 W 300 S from R-1-1 to R-1-10 be granted – Shelly Nazer 2nd – Joe Chambers

Vote:

Yea- Shelly Nazer, Brian Marble, Robert Henke, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs

Motion passes. The Planning Commission recommends to City Council that rezone be granted.

Administrative Action Item(s):

59 MIN. 55 SEC. * item 4 was called before item 3 as applicant for item 3 was not yet present.

- **Item No. 3 Lot Line Adjustment:** The Providence Planning Commission will consider and may take action on a request for a lot line adjustment requested by James Johnson, involving Tax ID 03-086-0016 and 03-086-0001 in the general area of 520 Edgehill Dr. **(STAFF ANALYSIS)**

- Michael Fortune called item 3 and gave a brief introduction. Ms. Bankhead indicated that the applicant is in Idaho but can appear by phone if the Planning Commission approves.
- Ms. Bankhead talked with the Commission the procedures of a lot line adjustment versus that of amending a plat. Indicated that there would be no movement of utilities with this lot line adjustment.
- Planning Commission discussed applicant appearing via zoom or via phone. The Planning Commission decided that rather than continue the item they would allow the applicant to appear via phone. Ms. Bankhead connected the applicant via phone and put him on speaker.
- James Johnson, applicant, introduced himself on speaker and announced why he is applying for a lot line adjustment.
- Brian Marble asked what line was being adjusted and what the new boundaries would look like. Mr. Johnson indicated that the other parcels are his siblings and that the lot line adjustment has been observed for quite some time as that part of the parcel is being used or has been used by the owner who will officially own it if this gets approved.
- Parties clarify lot line adjustment lines and the new shapes of the parcels. Mr. Johnson indicated that this adjustment cleans up the lines a little better.
- Ms. Bankhead reviewed with the Commission the procedures for a lot line adjustment and what the applicant will still need to do with the county and title company if this is approved.
- Ms. Bankhead reported that this adjustment has no impact on the cities general or master plans. Reviewed the staff findings of fact, conclusions of law and conditions.
- Parties discussed the parcels conditions, and what the land is being used for.

- The Commission commented that they don't see any issues with approving this lot line adjustment.

Motion to approve a lot line adjustment for parcels 03-086-0016 and 03-086-0001 located in the area of 520 Edgehill Dr. subject to the findings of fact, conclusions of law and conditions as found in the staff report – Shelly Nazer. 2nd – Bob Washburn.

Vote:

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs

Motion passes, lot line adjustment approved.

52 MIN. 50 SEC.

- **Item No. 4 Park View Heights Lots 3, 4, & 5 Amended Final Plat:** The Providence Planning Commission will consider and may take action on a request to amend the final plat for Park View Heights Lots 3, 4 & 5. [\(PLAT ANALYSIS\)](#)

- Michael Fortune called item 4, gave a brief introduction and asked Ryan Snow to give an overview of the request.
- Ryan Snow reviewed with the Commission the staff analysis indicating that no municipal utility easements would be affected by this change. Reviewed with the Commission the findings of fact, conclusions of law and conditions the applicant would need to continue to meet. Reported that this amendment would help with some of the building envelopes for the parcels involved.
- Dee Barrett, applicant, stated his reasons for this amended plat indicating that it started with lot 5 wanting and little more space to arrange his building envelope in a better position. Mr. Barrett indicated that his daughter owns one of the parcels and that he owned the other and that they were more than ok with the change. Reported that it works better for everyone.
- Parties discussed the current building phase and easements.
- Commission commented that they see no issues with the amended final plat.

Motion to approve the amended final plat for lots 3, 4 & 5 of Park View Heights subject to the findings of fact, conclusions of law & conditions as found in the staff report – Bob Washburn. 2nd – Brian Marble.

Vote:

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs

Motion passes, amended final plat for lots 3,4 & 5 for Park View Heights is approved.

- Michael Fortune reminder Commission members of the Cache Summit conference that will be held tomorrow up on the USU conference.

- Michael Fortune noted that the Housing Crisis Task Force reached out to him to see if the Commission was interested in them doing a presentation at an upcoming Planning Commission meeting. Indicated that they presented back in August to the City Council. The Commission asked staff if there were any exhibits to the presentation that could be sent their way and they could watch the presentation on the City's YouTube channel.
- Parties discussed ADU's in the city and the process for establishing future ADUs and registering current ADUs. Ryan Snow introduced to the Commission a GIS map showing the housing stock in the city. Indicated that it was a work in progress.
- Commission discussed the Mixed-Use zone.

Motion to adjourn the meeting – Joe Chambers. 2nd – Brian Marble

Vote:

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs

Motion passes, meeting adjourned.

Minutes approved by vote of Commission on _____ day of _____ 2023.

Michael Fortune, Chair

Ty Cameron, City Recorder

PROVIDENCE CITY Preliminary Plat Analysis		
Prepared by: S Bankhead	Date: 07/14/2023	Development Name: Pleasant View Lane
Applicant: Chris Rosenthal	Agent: NA	Owner: Chris Rosenthal
Parcel ID: 02-004-0031	Property Address: 417 N 300 E	Date application received: 06/28/2023
Zone: R-1-12	Number proposed Lots: 3	Proposed density: 3.22 units/net acre
Abbreviations & Background Information: <ol style="list-style-type: none"> Providence City Code: PCC The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface Utah Code Annotated: UCA The UCA references are summarized in the analysis. For complete details and code requirements, please review the Utah Code at https://le.utah.gov/xcode/code.html Land Use Authority: Planning Commission (PCC: 10-4-4:B.1) Uses-Allowed (PCC: 10-6-1 Use Chart) 		
Summary of Key Issues: <ol style="list-style-type: none"> 		
Providence City General Plan 2020 <ul style="list-style-type: none"> Vision: <i>Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.</i> Key Initiatives: <ol style="list-style-type: none"> Preserve the 'sense of place' by identifying characteristics that define Providence as a unique place. Make decisions regarding storm water and exterior water us guided by green infrastructure and low impact development best management practices. Consider life-cycle costs in mind when making decisions for design standards (such as road widths) and new capital improvement projects. Ensure that transportation and recreation facilities accommodate a variety of transportation modes (biking, walking, driving) to provide people multi-modal transportation options as a lifestyle and recreation choice. Consider long-term economic development impacts when making land use, transportation, and other planning decisions. Encourage housing options to meet the needs of residents of all ages, income level and family size, regardless of their stage of life. 		

FINDINGS OF FACT:

This review used the following resources:

- Utah Code (UCA) Title 10 Chapter 9a Part 6 Subdivisions gives the legislative body of a municipality the authority to enact ordinances requiring that a subdivision plat comply with the provisions of the municipality’s ordinances and the provisions of Part 6.
- General Plan & Master Plans:
 - General Plan
 - It is the goal of the General Plan to provide an effective and easily understood document that may be utilized by anyone in the City, ranging from City staff appointed to make administrative and planning decisions, to concerned citizens, to land owners and developers. The general plan provides a means for aligning the efforts of different city departments, boards, commissions, and the council, toward achieving the overall vision for the City.
 - General Plan Framework Map.
The Framework Map represents the preferred scenario for planning and managing future growth in Providence. This map reflects the overall characterization and general

location of future nodes and regional centers of employment and shopping. It reflects an integrated approach to the areas identified as priorities for future planning within Providence City.

- Master Plans:
 - Parks, Trails, and Recreation:

This plan helps ensure the City has a clear vision and path for maintenance and enhancements to its current parks, trails, and recreation, and it will provide guidance on future development so that its system meets the community's ongoing needs.

This plan also analyses the radius of service based on park type. Each park is assigned a service radii as follows

 - Local Parks (1/4 mile radius)
 - Neighborhood Parks (1/2 mile radius)
 - Community, Regional, and Specialty Parks (1 mile radius)

The plan shows that Providence City residents would like a well-connected trail and pathway network to enhance the recreational opportunities in Providence; that ensures as many residents as possible have a trail or pathway within 0.25 miles of their residence. This network would utilize five types of trails/pathways/features.

 - Shared Pathways (Dedicated paved pathways (separate from roadways) to accommodate bicyclists and pedestrians)
 - Roadside Pathways (Parallel to existing roadways, integrated as part of the existing asphalt, delineated by striping, accommodates non-motorized uses such as bicycles and pedestrians)
 - Natural Surface Pathways (Natural surface trails uses such as bicycles, pedestrians, and equestrian.
 - Cache Bikeway Pathway
 - Trail heads (Provide clear and concise signage related to trails, may provide, parking, restrooms, drinking fountains)
 - The Transportation Master Plan

The Transportation Master Plan is the adopted vision for long-term planning of transportation infrastructure projects within the City. It is the road map for the next 5 – 30 years and outlines strategic projects and goals for the City to implement and pursue.
 - 2019 40-Year Water Right Plan:

The intent of the water right plan is to provide the city with a long-term plan to guide the city in protecting existing water rights and obtaining new rights as necessary. The plan recommends the city continue to follow PCC 8-1-21 and require the developer to provide water right to meet the demands of new development.

In keeping with the city's water right plan, PCC 8-1-21 explains the water availability requirement is to ensure that the city culinary water system continues to serve all water users connected to the system meets and meets state and federal requirements regarding water usage, water quality, fire protection, and public health and safety. The city also intends to continually plan and prepare for its future water requirements for a period of 40 years into the future.
 - 2020 Wastewater Master Plan

The intent of the wastewater master plan is to recommend improvements to provide a well maintained and correctly function wastewater collection system for existing and future conditions, including the west-side area and futures annexation area. A 20-year planning period was used to develop the plan.
 - 2019 Storm Water Master Plan.

The purpose of the plan is to identify existing major storm water facilities and develop a long-term plan to manage storm water thought the city.

The plan includes the following: inventory of existing major drainage facilities, delineation of hydrologic subbasins, development of a hydrologic/hydraulic model to estimate peak storm water flows throughout the city, evaluate storm water facilities and propose recommendations

for management of storm water throughout the city, develop a storm water capital facilities plan.

- 2022 Culinary Water System Master Plan

The culinary water system plan recommends improvement to further improve operational efficiency, maintenance, and overall health of the culinary water system for existing conditions and future development. A 20-year planning period was used in developing the plan. Future improvement sizing was based on the projected 2041 population using current zoning and city boundary with proposed annexation areas.

3. PCC 8-1-21: Water Availability Requirements list the requirements for water dedication.

The City intends this ordinance to ensure that the City culinary water system continues to serve all water users connected thereto and meets state and federal requirements regarding water usage, water quality, fire protection, and public health and safety. The City also intends through this ordinance to continually plan and prepare for its future water requirements for a period of forty years into the future.

4. PCC 11-3-2: Preliminary Plat list the requirements for a preliminary plat.

Drawing Requirements: The title block of the preliminary plat shall include the following:

- ✓ The proposed name of the development.
- ✓ The section, township and range of the development.
- ✓ The names, addresses, and contact information of the owners, developer(s), if other than the owners, and surveyors or and designers of the development.
- ✓ Scale of drawing and north arrow.

Existing Conditions: The preliminary plat shall also show:

- ✓ The legal description basis of bearing, and total acreage (total acreage includes all property within the parcel(s) and all phases whether current or future) of the proposed development, certified by a licensed land surveyor.
- ☐ Location, street number and name of existing streets within one hundred feet (100) of the development and of all previously platted streets or other public ways, railroad and utilities rights of way, parks and other public open spaces, permanent buildings and structures, and corporate lines within and adjacent to the tract.
- ✓ The location of all wells, proposed, active and abandoned, springs, and all reservoirs within the tract and to a distance of at least one hundred feet (100') beyond the development boundaries.
- ✓ Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries, indicating pipe size, grades, manholes and accurate location.
- ✓ Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; and a letter, from the affected users indicating the plans are acceptable, must be submitted to the City.
- ✓ Accurate boundary lines certified by a licensed land surveyor and ownership of adjacent parcels of land. (Subd. Ord., 1-24-1990)
- ✓ By means of an overlay method or directly on the plat, vertical contour intervals of not more than two feet (2') or one foot (1') on predominantly level land.
- ✓ A vicinity map shall show how the development is situated in its surrounding neighborhoods extending a minimum of two (2) blocks or more outward from the boundaries of the development. The vicinity map shall include all major, collector, standard and feeder streets within the area, both existing streets and those proposed on the Master Plan. (Subd. Ord., 1-24-1990; amd. Ord., 1-9-1996)

Proposed Conditions: The preliminary plat shall also show;

- ✓ The layout of streets showing location, widths and other dimensions of proposed streets (designated by actual or proposed names and numbers), crosswalks, alleys and easements.
- ✓ The location for culinary water improvements, waste water improvements, storm drainage and street lights for all lots proposed within the development.

- ✓ The layout, numbers, hazard setback, and typical dimensions of lots and square footage.
- ✓ Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the development.
- ✓ Written statement by the design engineer verifying that all lots have an adequate buildable envelope with regards to hazardous slope, building, water, zoning setbacks, etc.
- ✓ Easements for water, sewer, drainage, utility lines and other utilities.
- ✓ Typical street cross-sections and preliminary street grades if required.
- ✓ Copies of any agreements with adjacent property owners relevant to the proposed development.
- ✓ Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use.
- ✓ A professionally prepared plat having been prepared on a minimum twenty inch by thirty inch (20" x 30") or maximum twenty-four inch by thirty-six inch (24" x 36") approved reproducible drafting medium.
- ✓ A signature block along the right-hand margin of the preliminary plat, providing for the following certifications or approvals:
 - Prior to City review, an affidavit or certificate of clear title to the effect that the applicant is the owner of, or that he is authorized by the owner in writing to make application for, the land proposed to be subdivided. The affidavit or certificate shall state clearly in which status, a copy of said written authorization from the owner shall be submitted with the preliminary plat. A title report shall also be submitted which indicates in whom the fee simple title to such property is vested and any liens or encumbrances thereon. A statement from the property owner disclosing any options or unrecorded contacts/agreements associated with the property.

Phasing. NA

When developing a large tract of land, developers may choose to construct the subdivision in phases rather than develop the entire property at once. However, in no case should a phase contain less than 6 lots; and no less than two acres of land.

- ☐ The development shall be phased to provide public infrastructure, facilities, and services in a timely and orderly manner and provide the City the ability to protect and promote public health, safety, and welfare.

PCC 11-3-2:E Approval:

- ☐ No preliminary plat shall be approved by the Planning Commission, the City Council, or any other designated Land Use Authority unless it complies with or can be shown that a final plat will be likely to comply with all the provisions set forth in the Providence City Ordinances. No preliminary or final plat shall be approved if a commitment-of-service letter has not been issued for the plat pursuant to Section 8-1-21.

A preliminary plat is not considered approved until all conditions have been satisfied and the plat has been signed by the City Engineer, Land Use Authority, and the Developer.

CONCLUSIONS OF LAW:

1. Providence City has enacted ordinances requiring that a subdivision plat comply with the provisions of the municipality's ordinances and the provisions of UCA Title 10 Chapter 9a Section 6.
2. General Plan & Master Plans:
The proposed preliminary plat is consistent with the general plan and development in the surrounding areas.
 - General Plan
The Framework Map suggests the preferred scenario for this area is residential.
 - The Parks, Open Space, & Urban Trails
This parcel is located in the 1-mile level of service area for Von Baer Park.
The trails map proposes that 300 E be developed with a roadside pathway.
 - The Transportation Master Plan

The updated UDOT functional classification recommendations (Figure 19) recommends 300 E be classified as a minor collector.

Table 1: Typical Street Cross-Sections

<i>Type of Street</i>	Functional Classification	Right-of-way	Paved Asphalt	Curb & Gutter	Park Strip	Sidewalk
<i>Residential</i>	Local	66ft	30ft	2.5ft	7.0ft	5.0ft
<i>Residential G.P.</i>	Minor Collector	66ft	37ft	2.5ft	7.0ft	5.0ft

It appears the existing right-of-way in this area is approximately 50' with approximately 35' of asphalt. There is sidewalk on the east side, but not curb, gutter, or park strip.

The limited access major, commercial, and specified residential roadways Figure 32 identifies this area of 300 E as a limited access road.

- 2019 40-Year Water Right Plan
The water availability information will be provided with the preliminary plat.
 - 2020 Wastewater Master Plan
Lot 3 has an existing sewer service line. As part of the development process, the developer will be required to install sewer service lines into lots 1 and 2.
The wastewater master plan includes capital projects that are eligible for impact fees. The city has enacted an impact fee for the eligible wastewater collection system improvements.
Logan City enacted an impact fee for wastewater treatment. Because Providence City contracts with Logan City for wastewater treatment, Providence enacted the treatment impact fee based on Logan City's plan.
At the time of a zoning clearance for the primary structure, a wastewater collection impact fee and a wastewater treatment impact fee will be collected from lots 1 and 2.
 - 2019 Storm Water Master Plan
The city's storm water system includes conveyance facilities (street side curb and gutter, open channels, pipes and culverts), and storage facilities (detention and retention facilities).
As part of the city's plan, development is required to design storm drainage systems for the entire development. The development's storm drainage system design will be included in the construction plans that will accompany the final plat.
 - 2022 Culinary Water System Master Plan
Lot 3 has an existing water service line. As part of the development process, the developer will be required to install water service lines into lots 1 and 2.
The culinary water system master plan includes capital projects that are eligible for impact fees. The city has enacted an impact fee for the eligible culinary water system improvements.
 - At the time of a zoning clearance for the primary structure, a culinary water system impact fee will be collected from lots 1 and 2
3. PCC 8-1-21: Water Availability Requirements list the requirements for water dedication.
 - Information not provided.
 4. The red comments in the Findings of Fact section are items that need additional information or clarification.

CONDITIONS:

1. Provide the water availability requirement information.
2. Address the comments in red in the Findings of Fact section.
3. Address the comments in A Walker's letter dated July 5, 2023.
4. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances. Approval by the City of any application or paperwork submitted does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

NOTE: This review is not all inclusive, other members of the executive staff may have additional comments