

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, NOVEMBER 13, 2013, AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. This agenda is also posted on the City's website: www.centervilleut.net

Tentative Time: *The times shown below are tentative and are subject to change during the meeting*

- | | | |
|-------------|-----------|---|
| 7:00 | A. | WELCOME AND ROLL CALL |
| | B. | PLEDGE OF ALLEGIANCE |
| | C. | PRAYER OR THOUGHT – Commissioner David Hirschi |
| | D. | BUSINESS |
| | | |
| 7:05 | 1. | MINUTES REVIEW AND ACCEPTANCE
October 23, 2013 meeting minutes |
| | | |
| 7:25 | 2. | PUBLIC HEARING KING COMMERCIAL DEVELOPMENT 330 WEST PARRISH LN
Consideration of a conceptual site plan amendment to the King Commercial Development, located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West Parrish Lane, in the C-VH Zone. Eldon Haacke, TerraForm Companies, Applicant |
| | | |
| 7:45 | 3. | PUBLIC HEARING ZONING TEXT AMENDMENT NOTICING & PUBLIC HEARINGS
Consideration of various proposed zoning ordinance text amendments regarding noticing and public hearing requirements for the City. Lisa Romney, City Attorney, Applicant |
| | | |
| 8:05 | 4. | DOUG COONS RESIDENTIAL BUILDING LOT 82 WEST WALTON LANE
Consideration of a final site plan for an un-platted residential building lot, located at 82 West Walton Lane, for the purpose of constructing a new dwelling, in the R-L Zone. Douglas Coons, Property Owner & Applicant |
| | | |
| 8:25 | 5. | DISCUSSION ONLY WORK GOAL FOR WEST CENTERVILLE NEIGHBORHOOD PLAN
Desired process and public input for amending the West Centerville Neighborhood Plan |
| | | |
| 8:45 | 6. | COMMUNITY DEVELOPMENT DIRECTOR'S REPORT
a. Upcoming Meetings
• PC Meeting December 11, 2013: Nothing scheduled at this time |
| | | |
| 8:50 | E. | Adjournment |

Posted November 8, 2013 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, October 23, 2013

7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Tamilyn Fillmore
David Hirschi
Brian Holman
Kevin Merrill, Chair
Debra Randall
Steven Markham

MEMBERS ABSENT

Scott Kjar

STAFF PRESENT

Corvin Snyder, Community Development Director
Lisa Romney, City Attorney
Kathy Streadbeck, Recording Secretary

VISITORS

Interested Citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Holman

MINUTES REVIEW AND APPROVAL

Minutes of the Planning Commission meeting held October 9, 2013 were reviewed. Commissioner Hirschi made a **motion** to approve the minutes as written. The motion was seconded by Chair Merrill and passed by unanimous vote (4-0). Commissioners Fillmore and Holman abstained from voting as they were not present at the meeting.

DISCUSSION | West Centerville Neighborhood Plan Amendment

Cory Snyder, Community Development Director, distributed a Generalized Outreach and Decision Process Plan (attached). This plan details ideas for research, education, changing, and approving an amendment to the West Centerville Neighborhood Plan. Mr. Snyder explained the current West Centerville Neighborhood Plan does not appropriately address possible future needs or the relationship between the many uses that now exist on the west side. He explained ways to inform, involve, and educate the public. He discussed the possibilities of committees and consultants. He also reviewed the approval process for amending the General Plan including City ordinance and State law requirements.

The Commission discussed several options that could exist on the west side in the future including, mass transit, pedestrian access, residential, commercial, industrial, etc. They agreed the hardest task is getting the public involved early and discussed several strategies including advertisements, branding, and possible drafting/drawing challenges for local students. The Commission agreed an Ad-hoc committee (i.e., stake holders, business owners, residents, City leadership) would be beneficial. They also agreed a consultant may be helpful, but it would be best to first form an Ad-hoc committee and then let the committee decide if a consultant is necessary and at what level. Several Commissioners agreed there is a higher interest among citizens to plan for the future than it seems.

MISCELLANEOUS

Lisa Romney, City Attorney, informed the Commission she is currently working on updating the public noticing requirements in accordance with recent State Law amendments. This update will be ready for review and approval in the coming months. Ms. Romney also informed the Commission that the City is going paperless for its City Council and Planning Commission meetings and agendas. This means all agendas and back up reports will be transmitted electronically in the future.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, November 13, 2013.
2. Upcoming Agenda Items
 - King Commercial
 - Tate Commercial

The meeting was adjourned at 8:14 p.m.

PRELIMINARY DRAFT

Planning Commission Meeting
October 23, 2013

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Kevin Merrill, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

OWNER: GOOD SPRAY LLC
2056 MAPLE RIDGE DRIVE
BOUNTIFUL, UT 84010

APPLICANT: ELDON HAACKE
TERRAFORM CO.
2231 EAST MURRAY-HOLLADAY ROAD
HOLLADAY, UT 84117

EMAIL ADDRESS: ehaacke@terraformco.com

PROPERTY: 330 WEST PARRISH LANE

ACREAGE: 1.16

ZONING: COMMERCIAL – VERY HIGH (C-VH)

APPLICATION: CONCEPTUAL SITE PLAN AMENDMENT

BACKGROUND

On July 31, 2013, the Planning Commission approved the final site plan for the King Commercial Development located at 330 West Parrish Lane. This approval was for a three-lot subdivision consisting of Jiffy Lube on the west, Beans and Brew in the center, and Subway to the east. However, soon after the approval, it was discovered that the ground water level was too high for Jiffy Lube to have a pit. The applicant then reworked the site and moved Jiffy Lube to the center, and Beans and Brew to the west. By making this change, it will now allow Jiffy Lube to have an oil pit installed in their building without the concern of ground water problems. According to Section 12-21-110(i)(3), any amendment to an approved site plan must follow the same procedure as the original approval, which is the conceptual acceptance and final site plan approval. Yet, since the Commission has already reviewed much of the information concerning development within the Commercial-Very High (C-VH) Zone, and the Parrish Lane Guidelines, this report will only briefly mention these topics.

CONCEPTUAL SITE PLAN REVIEW

C-VH Zone Uses Allowed.

According to the Table of Uses in Section 12-36-1 of the Zoning Ordinance, all three uses are allowed within the C-VH Zone. Subway, which is already existing, is considered a fast-food restaurant. The Jiffy Lube falls under the category of "vehicle repair limited" and Beans and Brew is considered "specialty retail."

General Plan

The Centerville City General Plan indicates this area is within Neighborhood 4, Northwest Centerville [Section 12-480-5]. It establishes Parrish Lane as the "dominant commercial center of Centerville" [Section 12-430-2(3)]. Therefore, the General Plan is in support of the proposed type of use within the King Commercial Development.

C-VH Zone Development Standards 12-34-1

Subway Development Standards for a Commercial - Very High Zone			
Development Standards	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	40 Feet	Yes
Maximum Height	45 Feet	Not Available	-
Setbacks			
Front	20 Feet	35 Feet	Yes
Rear	None	60 Feet	Yes
Side Yard	8/10 feet	East 40 Feet	Yes
Side Yard	(Minimum total width of both side yards: 18 feet)	West 27 Feet	

Jiffy Lube Development Standards for a Commercial - Very High Zone			
Development Standards	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	East 50 Feet	Yes
		West 45 Feet	
Maximum Height	45 Feet	Not Available	-
Setbacks			
Front	20 Feet	20 Feet	Yes
Rear	None	57 Feet	Yes
Side Yard	8/10 feet	East 32 Feet	Yes
Side Yard	(Minimum total width of both side yards: 18 feet)	West 38 Feet	

Beans and Brew Development Standards for a Commercial - Very High Zone			
Development Standards	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	East 55 Feet	Yes
		West 50 Feet	
Maximum Height	45 Feet	Not Available	-
Setbacks			
Front	20 Feet	32 Feet	Yes
Rear	None	65 Feet	Yes
Side Yard	8/10 feet	East 14 Feet	Yes
Side Yard	(Minimum total width of both side yards: 18 feet)	West 35 Feet	

Commercial Development Standards

Parking 12-52

Parking Calculations			
Business	Use	Required	Actual
Subway	Fast-Food Restaurant	1 space per 100 square feet of floor area: 12	12
		Stacked Parking – 5 per lane	5
Beans and Brue	Specialty Retail	1 space per 250 square feet of floor area: 14	20
Jiffy Lube	Vehicle Repair Limited	1 space per 250 square feet of floor area: 11	11

It appears each business will meet the required number of parking stalls, although Beans and Brew is considered “specialty retail,” they also have a drive-through window with room for 6 stacked parking spaces. Jiffy Lube does not have designated stacked parking, yet there is room in front of the entrance and exits of each bay, if they get extremely busy.

All parking stalls have measured to meet the City standard of 9' x 18' and all drive-isles are measured to at least 25 feet. The applicant has also provided the necessary number of handicap accessible stalls for each use. All patrons will use the two existing driveways located to the east and west of the project. The applicant will not be making any additional curb cuts on site.

Landscaping 12-51

The applicant has submitted a landscaping plan indicating an overall landscaping of 23.9%. This plan also shows the location of all vegetation to be planted and how it will be irrigated. When calculating the total on site required landscaping for the entire project and the required trees, it

appears the plans are short 2 trees. They are required to have 15, instead of 13, which will need to be indicated on the final plans. Staff would recommend these 2 trees be planted within the parking lot landscaped area.

Screening 12-51-110

According to Section 12-51-110 of the Zoning Ordinance, the dumpster area must be screened from view by a wall or fence that is at least 6 feet in height, provides complete visual screening and be compatible in material and color with the main building. The site plan indicates the location of both dumpster areas (which appear to be fully enclosed), more detail on the style of the dumpster will need to be submitted with the final site plan application.

Signage 12-54

All signage require a separate permit and must be reviewed by staff for approval at the time a sign permit application has been submitted following Chapter 12-54 of the Zoning Ordinance. The applicant will need to depict the location of all signage on the final site plan.

PARRISH LANE GATEWAY DESIGN 12-63

The Zoning Ordinance defines the Parrish Lane Gateway as being "property that has frontage on Parrish Lane, is part of a larger project that has frontage on Parrish Lane, or has a significant visual presence on Parrish Lane, between Main Street and the Legacy Highway right-of-way" [Section 12-63-020(b)]. The Parrish Lane Guidelines were reviewed in the previous approvals and found to be complete.

Architecture 12-63-040

Articulation 12-63-040(a)

"A building *should* reflect a human scale and be inviting to the public." This *must* include breaking up the mass of the building with the stepping of the building horizontally and vertically. In addition, the entrance *must* be accessible from the public sidewalk.

- Staff Response: The building designs have a stepping horizontally and vertically and utilize material and details that are pleasing to the pedestrian. The final site plan will need to depict the accurate elevations for the Beans and Brew building with special attention being made to all walls facing Parrish Lane. The applicant has depicted pathways from the Jiffy Lube and the Beans and Brew to the sidewalk along Parrish Lane. A connection to Subway can be found from the Jiffy Lube sidewalk.

Public Amenities 12-63-040(b)

The creation of public amenities to enhance the pedestrians comfort and experience *should* be encouraged.

- Staff response: Tables and chairs will be added in front of Beans and Brew as a public amenity for customers. Staff also suggests that on the outside of the

building, decorative lighting be added that draws attention to the design of the building.

Colors and Materials 12-63-040(c)

The color and material used *should* harmonize with the existing and surrounding development by providing *required* architectural upgrades for visual relief.

- Staff Response: The storyboard submitted for the final site plan dated July 19, 2013 were found by the Planning Commission to be sufficient and are not being altered with the proposed amendment.

Screening 12-63-040 (d)

Screening *must* be used in order to mitigate the visual impact of utility equipment, service areas and dumpster locations.

- Staff Response: Any roof or wall-mounted equipment must be properly screened from view. The applicant will need to show how this will be accomplished at the time of a building permit application with the construction drawings.

Landscaping and Features 12-63-050 (a)(b)

As mentioned previously, a landscaping plan has been submitted, and aside from the two additional required trees, it does meet the landscaping provisions for Parrish Lane. In addition, the pedestrian circulation has been well thought out and connects each commercial site with the Parrish Lane sidewalk.

Site Grading, Drainage 12-63-050 (b)(c)

Existing land features *should* be kept as part of the design with drainage being integrated in to other landscaping elements.

- Staff Response: No existing land features will be kept, since the location of construction has already been developed. All drainage flows to the west along a designated drainage easement. However, the applicant has stated they will maintain all drainage on site. All drainage will need to be reviewed by the City Engineer.

Water Features and Art and Furnishings 12-63-050(f)(g)

A way to enhance the unique character of a development is to add water features, public art or street furniture, which *should* be encouraged on each development.

- Staff Response: The applicant has not proposed any art features or street furniture. Yet, they have added tables and chairs on the north side of Beans and Brew, which staff believes is sufficient.

Maintenance 12-63-050(h)

Projects *should* demonstrate that maintenance factors have been considered in the landscaping design.

- Staff Response: All of the on site landscaping must be maintained by the owner.

Off-Street Parking and Lighting – Layout 12-63-060, 070

The parking requirements have been addressed in the conceptual site plan review and were found to meet all the required standards. In addition it has been designed as to create a safe vehicular and pedestrian traffic flow. With the amendment, staff believes the traffic flow has become more sufficient especially around the two drive-through areas of Subway and the Beans and Brew. Lighting has also been indicated on the conceptual plans, yet the design has not been identified. This information will need to be included as part of the final site plan application.

Streetscape Standards 12-63-070(a)-(j)

Since this project is found along Parrish Lane, a 2-foot undulated berm is required. The landscape architect has thought of a unique way to create the berms with grass and trees along with sections of shrubs and other vegetation. They have also indicated the standard decorative light that is currently found along the street frontage. However, since this location has overhead street lighting and with the cost of decorative lights increasing substantially, the Public Works Director is reevaluating the decorative Parrish Lane light. Finally, the applicant will need to ensure that all sidewalk/driveway crossings are designed with the City standard of stamped-colored concrete.

Other Issues:

The applicant received preliminary and final approval of the subdivision layout, yet prior to the final approval by the City Council, they discovered the problem with the ground water and the location of the Jiffy Lube. Therefore, since they did not receive this approval and they are adjusting the central property lines, the applicant will need to submit a final subdivision plan for review by the Planning Commission. The final subdivision plat must be submitted with the final site plan application. After receiving final approval by the City Council, the applicant will need to post any necessary bond prior to any construction taking place.

PLANNING STAFF RECOMMENDATIONS**Conceptual Site Plan - Suggested Motion for the Conceptual Site Plan Acceptance:**

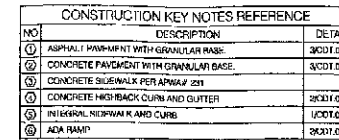
PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the conceptual site plan amendment for the King Commercial Development located at 330 West Parrish Lane, with the following conditions:

1. All pedestrian pathways that cross through vehicular areas shall be stamped-colored concrete.
2. Detail concerning the dumpster enclosures and other screening shall be indicated on the final site plan and meet the requirements found in Section 12-51-110 of the Zoning Ordinance.
3. Specific lighting design shall be submitted as part of the final site plan application.

4. A bond shall be established for all on site improvements by the City Engineer and posted by the applicant prior to receiving any building permits.
5. All proposed signage shall be depicted on the final elevation drawings.
6. The applicant shall submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance, which shall be subsequently reviewed and approved by the Planning Commission.
7. The applicant shall re-address the previously approved landscaping waiver requests with the final site plan.
8. The applicant shall submit a final subdivision plat for a re-review and approval by the Planning Commission with the final site plan application.
9. The applicant shall receive subdivision approval prior to receiving any building permits.
10. All related professional services fees shall be paid to Centerville City.

SUGGESTED REASONS FOR THE ACTION:

1. If an approved site plan is modified, and does not meet the requirements for a Zoning Administrators approval, the site plan must go through the same approval process as the first [Section 12-21-110(i)(3)].
2. A complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
3. The proposed uses of specialty retail, vehicle repair limited and a fast-food restaurant is allowed within the C-VH Zone [Chapter 12-36].
4. With the above conditions being addressed, the proposed development will meet the Parrish Lane Guidelines [Chapter 12-63].
5. A final site plan shall be required prior to any on site construction taking place [Section 12-21-110(e)(1)].



PARTICULARS	S.F.	%
BUILDING	7,634	15.2
HARDSCAPE	20,188	59.9
LANDSCAPE	12,870	28.8
TOTAL	50,692	100.0

PARKING COUNT		
	REGULAR	ADJ.
PARKING STALLS	45	3
TOTAL	48	



QUEST	FRAPD	IN	DATE	08/25/02
LOCATION	DIG			
FIELD NO.	SURVEY			
DATE	07/25/13			
TIME				
	13022416			
SPALL MARKS MUST MATCH ON ALL SIZE SAMPLES AGAINST APPROPRIATELY MARKED SIZE BRICKS				



PRELIMINARY-NOT FOR CONSTRUCTION

**BENCHMARK
ENGINEERING &
LAND SURVEYING**



CENTERVILLE JIFFY LUBE AND RETAIL
TERRAFORM COMPANIES
PARRISH LANE
CENTERVILLE CITY, UTAH

PROJECT NO. 1302021

SITE PLAN

CSP.01
3 OF 15

PARKING LOT

PARKING LOT

KING-TFC
CENTERVILLE
RETAIL [FFE=60.00]

[FFE=60.00]

JIFFY
LUBE

EXISTING
SUBWAY

PARKING LOT

EX. 6' SIDEWALK

PARRISH LANE

0 20 40 60 feet

SCALE: 1" = 20'



NORTH

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 3**

**APPLICANT: CENTERVILLE CITY
 LISA ROMNEY, CITY ATTORNEY**

**APPLICATION: ZONING CODE TEXT AMENDMENTS
 NOTICING AND PUBLIC HEARINGS**

See attached amendments to the following Sections of the Zoning Code:

**Section 12-12-030. Rules of Interpretation
Section 12-21-040. General Requirements
Section 12-21-050. Public Hearings and Meetings
Section 12-21-070. General Plan Amendment
Section 12-21-080. Zoning Map and Text Amendments
Section 12-21-100. Conditional Use Permit
Section 12-21-110. Site Plan Review
Section 12-21-120. Special Exception**

CENTERVILLE CITY PLANNING COMMISSION

Staff Backup Report

Item No.

Short Title: Public Hearing - Zoning Ordinance Text Amendments

Initiated By: City Attorney

Scheduled Time:

SUBJECT

Consider Zoning Ordinance Text Amendments regarding Noticing and Public Hearing Requirements

RECOMMENDATION

Discuss proposed Zoning Ordinance Text Amendments regarding noticing and public hearing requirements, hold public hearing regarding proposed amendments, and table action until next Planning Commission Meeting in December 2013.

BACKGROUND

Staff has reviewed the noticing and public hearing requirements for various land use applications as set forth in the City Zoning Ordinance for compliance with State law provisions. Such review was initiated in response to State law amendments as adopted during the 2013 legislative session. Specifically, HB 88 requires cities to provide additional courtesy notice to owners of real property whose property is subject to a zoning map amendment (rezone). In reviewing relevant provisions of the City's Zoning Ordinance, it was determined to conduct a more comprehensive review of the noticing and public hearing requirements. The proposed amendments are intended to bring City Ordinances into compliance with State law, where necessary, and to recommend additional changes regarding electronic noticing, newspaper publications, and noticing requirements for first and subsequent public hearings. The current Zoning Ordinances provide additional noticing and public hearings above and beyond what State law requires. The proposed amendments are not intended to reduce such additional opportunities for public input regarding zoning and land use applications, but to provide more meaningful and less costly noticing through electronic means. Staff is not recommending action by the Planning Commission at tonight's meeting regarding the proposed amendments. This meeting will be an opportunity for Staff to present the proposed changes and to explain some of the issues involved. After Staff presentation, the Commission should hold a public hearing regarding the proposed amendments. The Commission can provide Staff with any initial comments, questions or discussion regarding the proposed amendments. It is recommended the Commission table this matter for further discussion and action at the next meeting to be held in December.

**Proposed Zoning Ordinance Text Amendments regarding
Noticing and Public Hearing Requirements**

November 6, 2013

12-12-030. Rules of Interpretation.

* * *

(i) *Computation of Time.* The time within which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday, then the last day shall be the next following business day. ~~In computing the time required for public hearing notice, the day of the hearing shall be excluded.~~

12-21-040. General Requirements.

The following requirements shall apply to a proposed land use, development, or other matter which is subject to a procedure set forth in this Title.

(a) *Application Form.* An application shall be submitted on a form provided by the Zoning Administrator and in such numbers as reasonably required by the Zoning Administrator for a particular type of application. Applicants shall be required to submit electronic copies of all drawings, plans, plats, etc., submitted as part of the application process, upon request of the Zoning Administrator. Applicants shall be required to provide a designated contact name and accurate mailing address and email address for receiving legal notice of staff reports, public meetings, public hearings, final action, and other notices required to be provided by the City to applicants.

* * *

12-21-050. Public Hearings and Meetings.

Any public hearing or meeting required under this Title, as the case may be, shall be scheduled and held subject to the requirements of this section.

(a) *Scheduling a Public Hearing or Meeting.* An application requiring a public hearing or meeting shall be scheduled within a reasonable time following receipt of a complete application. The amount of time between receipt of an application and holding a public hearing or meeting regarding the application shall be considered in light of:

- (1) The complexity of the application submitted;
- (2) The number of other applications received which require a public hearing or meeting;
- (3) Available staff resources; and
- (4) Applicable public notice requirements.

(b) *Notice of Public Meeting.* In accordance with the Utah Open and Public Meetings Act, as set forth in *Utah Code Ann.* §§ 52-4-101, 52-4-1, et seq., as amended, the applicable land use authority shall provide public notice of its meetings.

(1) *Annual Meeting Schedule.* The applicable land use authority shall give public notice at least once each year of its annual meeting schedule specifying the date, time and place of such meetings in accordance with Utah Code Ann. § 52-4-202, as amended.

(2) *Individual Meeting.* The applicable land use authority shall also provide not less than 24 hours' public notice of the agenda, date, time and place of each of its meetings in accordance with Utah Code Ann. § 52-4-202, as amended.

(3) For purposes of Subsection (1) and (2), public notice of meetings shall be satisfied by:

- (i) posting written notice in at least three public locations within the City, including at City Hall; and
- (ii) publishing notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended;
- (iii) publishing notice on the City's website; and
- (iv) providing notice to at least one newspaper of general circulation within the area of the City.

(4) *Emergency Meetings.* When because of unforeseen circumstances it is necessary for the applicable land use authority to hold an emergency meeting to consider matters of an emergency or urgent nature, the noticing requirements set forth herein may be disregarded and the best notice practical will be given in accordance with the Utah Open and Public Meetings Act.

(c) *Notice of Public Hearing.* When this Title or any state statute requires a public hearing for any land use application, permit, or matter governed by this Title, notice of the ~~first~~ public hearing regarding such matter shall be provided in accordance with the provisions set forth herein.

(1) *Contents.* Public notice of the public hearing should include the following information:

- (i) a statement summarizing the substance of the application;
- (ii) the date, time and place of the public hearing; and
- (iii) the place where the application may be inspected by the public or the person to contact for further information.

(2) *Notice for First Public Hearing.* Public notice of the first public hearing on an application shall be provided at least ten (10) calendar days before the public hearing. Such notice shall be:

- (i) ~~published in a newspaper of general circulation in the area;~~ published on the Utah Public Notice Website created under *Utah Code Ann. § 63F-1-701*, as amended;
- (ii) ~~mailed to each affected entity (as defined in Section 12-12-040);~~ and
- (iii) ~~posted in at least three public locations within the City or on the City's official website;~~
- (iii) for the first public hearing for general plan enactment or amendment, zoning ordinance enactment or amendment, and zoning map enactment or amendment, notice shall be published at least 10 calendar days before the hearing in a newspaper of general circulation in the area and mailed to each affected entity (as defined in Section 12-12-040); and
- (iv) for the first public hearing regarding a zoning map enactment or amendment, courtesy notice shall be sent at least 10 days prior to the hearing to each owner of private real property whose property is located entirely or partially within the proposed map amendment in accordance with *Utah Code Ann. § 10-9a-205*, as amended.

(3) *Notice for Subsequent Public Hearings.* Public notice of any additional or subsequent public hearing on an application shall be provided at least ten (10) calendar days before the public hearing by:

- (i) publishing notice on the Utah Public Notice Website created under *Utah Code Ann. § 63F-1-701*, as amended; and
- (ii) posting notice on the City's official website.

(d) *Applicant Notice.* For each land use application filed in accordance with the provisions of this Title, the City shall notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application. The City shall provide each applicant a copy of each staff report regarding the applicant or the pending application at least three (3) business days before the public hearing or public meeting, subject to the waiver ~~warranty~~ provisions of *Utah Code Ann. § 10-9a-202*, as amended. Such notice may be provided by mail or email to the designated contact and mailing address or email address provided by the applicant in accordance with Section 12-21-040. The City shall also provide the applicant notice of any final action on a pending application in accordance with the provisions of Subsection (l).

(e) *Notice of Intent to Prepare General Plan Amendment* ~~Notice.~~ Before preparing a proposed general plan or general plan amendment, the City shall provide ten (10) calendar days notice of its intent to prepare a proposed general plan or general plan amendment to the following listed entities or persons. Such notice shall comply with the requirements of *Utah Code Ann. § 10-9a-203*, as amended. Notice of intent shall be provided to:

- (1) each affected entity (as defined in Section 12-12-040);
- (2) the Automated Geographic Reference Center (as defined in *Utah Code Ann. § 63F-1-506*, as amended);
- (3) the association of governments of which the City is a member; and
- (4) the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended. ~~the State Planning Coordinator (appointed pursuant to Utah Code Ann. § 63-38d-202, as amended).~~

(f) *Posting Notice On-Site.* In addition to public notice of a public hearing as provided in this section, the City shall post on-site notice of the first public hearing regarding a proposed zoning map amendment, conditional use permit, or conceptual site plan application at least ten (10) calendar days before the public hearing. Such notice should include the information set forth in Section 12-21-050(c)(1). Applications that involve multiple parcels need not have notice posted on each individual parcel, but shall be posted in a location or locations representative of the proposed project area.

(1) The Zoning Administrator, in his or her sole discretion, may provide additional notice of any application, including, but not limited to, direct mailings to neighboring property owners.

(2) Any on-site posting, direct mailing, or other notice provided under this Subsection (f) is intended as a courtesy only. Any error or failure on the part of the City to provide on-site posting or other courtesy notice shall not affect the adequacy or sufficiency of published and/or posted notice of the meeting or hearing as required by law.

(g) *Challenge of Notice.* Pursuant to Utah Code Ann. § 10-9a-209, as amended, if ~~if~~ notice required by this section or any other applicable provision of this Title is not challenged in accordance with applicable appeal procedures within thirty (30) days from the date of the hearing or meeting for which notice was given, the notice shall be considered adequate and proper.

(h) *Examination of Application.* Upon reasonable request during normal business hours, any person may examine an application and materials submitted in support of or in opposition to an application in accordance with the Government Records Access Management Act, Utah Code Ann., §§ 63G-2-101, ~~63-2-101~~, et seq., as amended. Copies of such materials shall be made available at reasonable cost in accordance with the City's fee schedule.

(i) *Public Hearing and Meeting Procedures.* An application shall be considered pursuant to policies and procedures established by the decision-making body or official for the conduct of its meetings.

(j) *Withdrawal of Application.* An applicant may withdraw an application at any time prior to action on the application by the decision-making body or official. Application fees shall not be refundable if prior to withdrawal:

- (1) A staff review of the application has been undertaken; or
- (2) Notice for a public hearing or meeting on the application has been mailed, posted or published.

(k) *Record of Public Hearing or Meeting.*

(1) Except as provided by law, written minutes and or a digital or tape recording shall be kept of all public hearings or open meetings. Written minutes of an open meeting ~~Such minutes or a digital or tape recording shall include:~~

- (i) The date, time, and place of the meeting;
- (ii) The names of members present and absent;
- (iii) The substance of all matters proposed, discussed, or decided, and a record, by individual member, of votes taken;

(iv) The names of each person who provides testimony or comments to the public body ~~all citizens who appeared~~ and the substance in brief of their testimony or comments; and
(v) Any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

(2) The minutes, ~~tape~~ recordings, all applications, exhibits, papers and reports submitted in any proceeding before the decision-making body or official, and the decision of the decision-making body or official, shall constitute the record thereof. The record shall be made available for public examination as provided in Section 12-21-050(h) of this section.

(l) Final Action Notification. Notice of any final action or decision on a pending application by the decision-making body or official shall be provided to an applicant within a reasonable time. Such notice shall be provided by mail or email to the designated contact and mailing address or email address provided by the applicant in accordance with Section 12-21-040.

12-21-070. General Plan Amendment.

* * *

(3) After an application is determined to be complete or prior to the initiation of a City-initiated General Plan amendment, the Zoning Administrator shall provide notice of intent to prepare or amend the General Plan in accordance with the provisions of Section 12-21-050. After providing the required 10-day notice of intent to prepare or amend the General Plan, the Zoning Administrator shall thereafter review and prepare a staff report evaluating the application.

(4) The Planning Commission shall schedule and hold a public hearing on the proposed amendment. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the Planning Commission shall be deemed the first public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(2). After the public hearing, the Planning Commission may modify the proposed General Plan. The Planning Commission shall then forward its recommendation regarding the proposed General Plan amendment to the City Council.

(5) The City Council shall schedule and hold a public hearing on the proposed General Plan recommended to it by the Planning Commission. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the City Council shall be deemed an additional or subsequent public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(3).

* * *

12-21-080. Zoning Map and Text Amendments.

* * *

(3) The Planning Commission shall schedule and hold a public hearing on the proposed amendment. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the Planning Commission shall be deemed the first public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(2). Prior to the public hearing regarding any zoning map amendment, the Planning Commission shall consider each written objection filed in accordance with *Utah Code Ann. § 10-9a-502, as amended*. After the public hearing, the Planning Commission shall review the application and thereafter submit its recommendation for approval, approval with modifications, or denial thereof to the City Council. The Planning Commission shall forward to the City Council all objections to a zoning map amendment filed in accordance with *Utah Code Ann. § 10-9a-502, as amended*.

(4) Following receipt of a recommendation from the Planning Commission, the City Council shall schedule and hold a public hearing on the application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the City Council shall be deemed an additional or subsequent public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(3). Following a public hearing and after due consideration the City Council may approve, approve with modifications, or deny the proposed amendment.

(e) *Approval Standards.* A decision to amend the text of this Title or the zoning map is a matter within the legislative discretion of the City Council as described in Section 12-21-060(a) of this Chapter. In making an amendment, the following factors should be considered:

- (1) Whether the proposed text or map amendment is consistent with goals, objectives and policies of the City's General Plan;
- (2) Whether the proposed text or map amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- (3) The extent to which the proposed map amendment may adversely affect adjacent property; and

(4) For proposed map amendments, the ~~The~~ adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and waste water and refuse collection.

12-21-100. Conditional Use Permit.

* * *

(4) The Planning Commission shall schedule and hold a public hearing on the proposed conditional use permit application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration the Planning Commission shall approve, approve with conditions, or deny the application pursuant to the standards set forth in Section 12-21-100(e) of this section. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. Any conditions of approval shall be limited to conditions needed to conform the conditional use permit to approval standards.

* * *

12-21-110. Site Plan Review.

* * *

(4) The Planning Commission shall schedule and hold a public hearing on the proposed conceptual site plan. Public notice of the public hearing and public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration, the Planning Commission shall accept, accept with conditions, or reject the application pursuant to the standards set forth herein. Any conditions of acceptance shall be limited to conditions needed to conform the conceptual site plan to approval standards and ordinance requirements. Any conceptual site plan acceptance for a planned development shall not be effective until and unless a corresponding Planned Development Overlay Zone is approved by the City Council.

* * *

12-21-120. Special Exception.

* * *

(4) The Planning Commission shall consider at a public meeting ~~schedule and hold a public hearing regarding~~ the proposed special exception application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration the Planning Commission shall approve, approve with conditions or deny the application pursuant to the standards set forth in Section 12-21-120(e) of this section. Any conditions of approval shall be limited to conditions needed to conform the special exception to approval standards.

* * *

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT
AGENDA: ITEM 4

**PROPERTY OWNER/
APPLICANT:** DOUGLAS COONS
673 WEST 2300 NORTH
WEST BOUNTIFUL, UT 84087

PROPERTY: 82 WEST WALTON LANE

ACREAGE: .198

ZONING: RESIDENTIAL-LOW (R-L)

APPLICATION: FINAL SITE PLAN ACCEPTANCE

BACKGROUND

On September 25, 2013, the Planning Commission accepted the conceptual site plan for the Doug Coons residential lot located at 82 West Walton Lane. The applicant desires to construct a single-family dwelling on a piece of property that has never had a residential dwelling located upon it. Therefore, he is required to go through the site plan approval process, before any construction may take place. The applicant has been working with City staff to ensure that the application and site plan are complete. The applicant is now ready for the Planning Commission to review their final proposal.

PREVIOUS CONDITIONS OF APPROVAL

1. All fees shall be paid; including all related development fees.
 - **Staff Response:** Mr. Coons is currently up to date with all application fees yet will still be responsible to pay any professional service fees.
2. All outstanding fees concerning the Walton Lane Special Improvement District shall be paid prior to receiving a building permit
 - **Staff Response:** This will still need to be verified prior to receiving a building permit.
3. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Ordinance.
 - **Staff Response:** A final site plan application was submitted on October 24, 2013 along with updated site plans.

4. All utilities shall be indicated on the final site plan.
 - **Staff Response:** The applicant has indicated the location of the water meter, sewer and irrigation on the plans. The actual location of the gas and power will be determined by the utility companies prior to construction of the new home and as indicated on the utility provider sheets.
5. All utility provider sheets shall be submitted to City staff at the time of the final site plan application.
 - **Staff Response:** The applicant has indicated that all utility provider sheets have been sent out and the City should be receiving them shortly. Staff has already received a provider sheet from the Fire Marshal stating the site has adequate fire protection.
6. Three (3) public utility easements shall be drawn on the site plan with a 10-foot along the front property line adjacent to Walton Lane, and two (2) additional easements measured at 7 feet.
 - **Staff Response:** The site indicates a 7-foot easement on the north and west; with a 10-foot easement located along Walton Lane (280 South).
7. Legal descriptions of the public utility easements shall be prepared and reviewed by the City Engineer.
 - **Staff Response:** The legal descriptions for the easements have been submitted and will need to be verified by the City Engineer prior to acceptance by the City Council and recording.
8. The applicant should meet with the neighbor to the west, to come up with a solution concerning the historic tree planted adjacent to the project property.
 - **Staff Response:** Mr. Coons did meet with the neighbors to the west, yet found that in order to construct a home on the site the tree adjacent to the property line would need to be trimmed back on the east side and may even need to be removed from the site.

FINAL SITE PLAN REVIEW 12-21-110(e)

Staff believes the plan clearly indicates how the lot will be developed, and how it will have adequate public infrastructure, and the proper easements. As a reminder, these easements must be accepted prior to the applicant receiving a building permit. It may be necessary that a bond be posted for any public infrastructure. The applicant has submitted a current title report that will still need to be reviewed by the City Attorney. The proposed structure and lot is in conformance with all applicable Zoning Ordinance Standards for development within the R-L Zone.

PLANNING STAFF RECOMMENDATION

Suggested Motion for Final Site Plan Approval:

I hereby propose the Planning Commission approve the final site plan for the Doug Coons residential lot, located at 82 West Walton Lane, subject to the following conditions:

1. All professional service fees and development fees shall be paid.

2. All outstanding fees concerning the Walton Lane Special Improvement District shall be paid prior to receiving a building permit.
3. A bond shall be posted for any public improvements.
4. All utility easements and legal descriptions shall be reviewed and approved by the City Engineer prior to City acceptance by the City Council, and recording at the Davis County Recorder's Office. This recording shall take place prior to the issuance of a building permit.
5. The current title report shall be reviewed and approved by the City Attorney prior to a building permit being issued.
6. No construction shall take place on the lot prior to the issuance of a building permit.

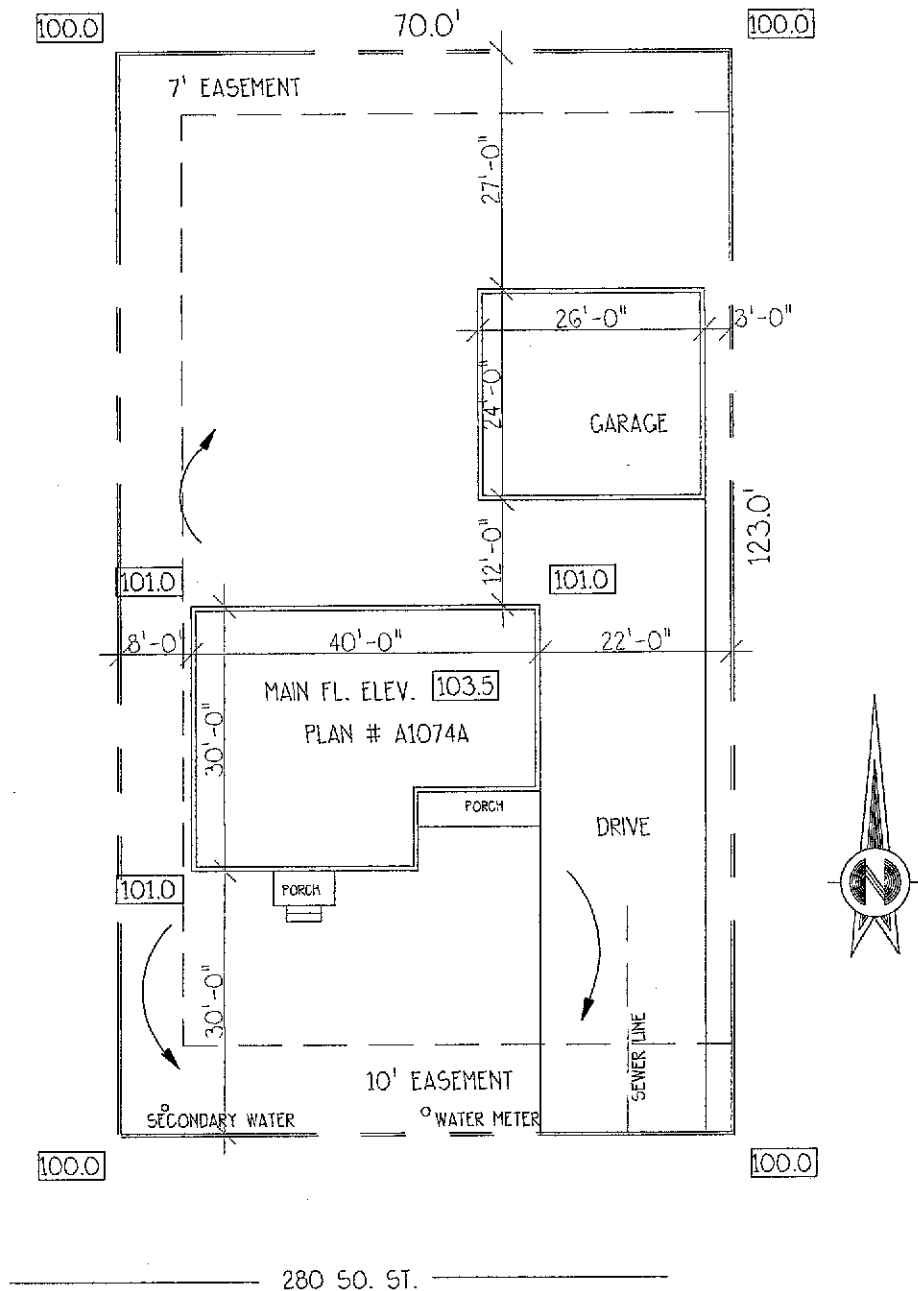
Suggested Reasons (findings):

1. The applicant submitted a full application regarding a final site plan [Section 12-21-110(e)].
2. The final site plan conformed to the conceptual acceptance criteria [Section 12-21-110(f)(1)].
3. All development standards have been satisfied in regard to development within the R-L Zone [Table 12-32-1].

PLOT PLAN

FOR

DOUG COONS



LOT AT 82 W. WALTON LN.

CENTERVILLE, UTAH

TYPE 'B' GRADING, 2% GRADE 10' AWAY FROM HOUSE

SCALE 1" = 20' - 0"

JULY 2013

RECEIVED NOV - 6 2013

WEST CENTERVILLE. SCHEDULE

2014

PROJECT PHASE 1		
Oversight Committee Creation -City Council Names Members- -Notice of Intent Posted-	01.21	2.04
1st Oversight Committee Meeting Create an Awareness & Project Branding Campaign-	02.17	02.28
Awareness & Branding Campaign Implementation	03.10	03.28
2nd Oversight Committee Meeting -A Review of Awareness Campaign- -Create a Public Education & Input Strategy-	3.31	4.11
Public Education & Input Strategy Implementation	4.14	5.02
3rd Oversight Committee Meeting -Review Results of Strategy Implementation- -Amendment Alternatives Discussion- -Determine Needs for Outside Resource Assistance-	5.05	5.16
Outside Resource Evaluations & Recommendations	5.19	5.30
4th Oversight Committee Meeting -Review Outside Resource Recommendations- -Review & Edit Staff Draft of Plan Amendment- -Prepare Appropriate Forum for Public Presentation-	6.02	6.13
PROJECT PHASE 2		
Public Presentation Forum Implementation	6.16	6.27
Final Oversight Committee Meeting -Consent of Final Draft of Plan Amendment-	6.30	7.11
PROJECT PHASE 3		
Formal Process Implementation for Planning Commission Review and Recommendation	JULY	JULY
Formal Process Implementation for City Council Review and Adoption	AUGUST	AUGUST

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WEST CENTERVILLE NEIGHBORHOOD AMENDMENT

PROJECT TIMELINE

COMMUNITY DEVELOPMENT DEPARTMENT

655 NORTH 1250 WEST

CENTERVILLE, UTAH 87014