

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON FEBRUARY 13, 2019 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 Jacob Smith, Centerville Management Services 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. The full packet can also be viewed on the City's website: <http://centerville.novusagenda.com/agendapublic>.

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

5:30 - 7:00 Planning Commission Work Session on 2019 Goals

- 7:00 PM **A. WELCOME AND ROLL CALL**
 B. PLEDGE OF ALLEGIANCE
 C. PRAYER OR THOUGHT

Becki Wright, Commissioner

D. COMMISSION BUSINESS

- 7:10 1. Public Hearing - Preliminary Subdivision Plat - Barrus Cove ~196 E Chase Lane
 ADMINISTRATIVE DECISION
 The Commission will consider the proposed Conceptual Subdivision Plat, including four lots, Parcels ID 02-096-0010, 02-096-0011, 02-096-0012, and 02-096-0013, proposed to be a 14 (total) single family homes, at approximately 196 E Chase Lane.
- 7:30 2. Public Hearing - Zoning Map Amendment - 484 & 522 W Porter Lane
 LEGISLATIVE DECISION
 The Commission will consider the proposed Zoning Map Amendment for the property at 484 & 522 West Porter Lane, Parcel ID 03-001-0209, from Residential Low to Residential Medium.
- 7:50 3. Public Hearing - Preliminary and Final Subdivision - Cottage on the Corner - 323 E Pages Lane

ADMINISTRATIVE DECISION

The Commission will consider the proposed Preliminary and Final Plat for a condominium subdivision for Cottage on the Corner, located at 323 E Pages Lane.

4. City Council Report
5. Community Development Director's Report

E. MINUTES REVIEW and ACCEPTANCE

January 23rd, 2019

F. ADJOURNMENT

**CENTERVILLE
WORK SESSION
Staff Backup Report
2/13/2019**

Item No.

Short Title: Planning Commission Work Session on 2019 Goals

Initiated By: Planning Commission

Scheduled Time: 5:30 - 7:00

SUBJECT

Prior to the scheduled meeting, the Planning Commission will meet to discuss their 2019 Goals for the year.

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Memo on 2018 and 2019

PLANNING COMMISSION MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION GOALS 2018:

- 1. MORE PROACTIVE PLANNING**
- 2. SOUTH MAIN STREET OVERLAY**
 - ✦ **Table of Uses Amendments:**
 - ✓ 5 Public Meetings total (3 Public Forums, 2 Public hearings)
 - ✓ Discussed at 9 different Meetings!
 - ✓ 1 Work Session
 - Result? TBD....
- 3. ADMINISTRATIVE PROCESS AMENDMENTS**
 - ✓ PC Meeting April 25th – Lisa provided Matrix of Admin/ Legislative decisions
 - ✦ After discussion, No further action desired
 - ✦ **SUBDIVISION ORDINANCE UPDATES**
 - Ongoing
 - ✓ Definitions, and Chapter 1, 2 & 3 all reviewed by PC
- 4. WEST CENTERVILLE**
 - ✓ Discussed at PC Meeting June 13, 2018
- 5. TRAILS AND BIKE LANES**
 - ✓ Joint Work Session with Trails Committee September 26th, 2018
- 6. FOOTHILLS PLAN**
 - Ongoing,.. recent Foothill Management update to City Council
 - Board has reviewed all current documents
 - Awaiting Park and Trails input

IDEAS FOR 2019:

- ✦ Main Street Design Guidelines & Performance Standards
- ✦ Minding the gap : Density between 6 and 9 units an acre
- ✦ Finish Subdivision Series with Lisa
- ✦ Community Pathways Planning - Pedestrian Circulation within the Commercial zones
- ✦ 1250 West Transit Corridor - connecting to Front Runners at Woods Cross and Farmington
- ✦ Shorelands Residential Component

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
2/13/2019**

Item No. 1

Short Title: Public Hearing - Preliminary Subdivision Plat - Barrus Cove ~196 E Chase Lane

Initiated By: Roy Barrus, applicant

Scheduled Time: 7:10

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Conceptual Subdivision Plat, including four lots, Parcels ID 02-096-0010, 02-096-0011, 02-096-0012, and 02-096-0013, proposed to be a 14 (total) single family homes, at approximately 196 E Chase Lane.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ 02-13-2019 Staff Report Barrus Cove Preliminary Subdivision
- ☐ Barrus Cove Preliminary Submittal

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

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: **ROY BARRUS**
196 EAST CHASE LANE
CENTERVILLE, UTAH 94014
(jodibarrus@ymail.com)

AGENT FOR OWNER: **KYLE HONEYCUTT**
1793 EAST 12600 SOUTH
DRAPER, UTAH 94020
(kyle@lavantaconsulting.com)

PROPERTY: **196 EAST CHASE LANE**
PARCELS: **02-096-0010**
 02-096-0011
 02-096-0012
 02-096-0013

ACREAGE: **3.55 ARCES** (*PRELIMINARY PLAN DESCRIPTION*)

TOTAL LOTS: **14 SINGLE-FAMILY LOTS**

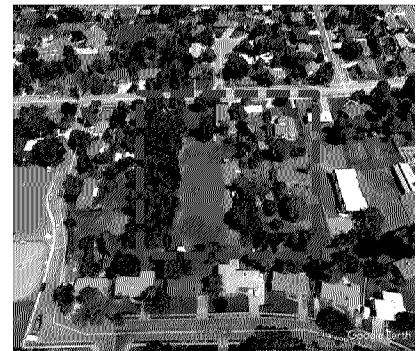
CURRENT ZONING: **RESIDENTIAL-LOW (R-L)**

APPLICATION: **PRELIMINARY SUBDIVISION**

RECOMMENDATION: **APPROVE THE PRELIMINARY PLAN**

BACKGROUND

The owner/applicant desires to further develop several underutilized parcels, while maintaining the existing four (4) homes fronting Chase Lane. The parcels are located with the Residential-Low Zone. The other owners of the various parcels have provided their sanction to include their properties for further subdividing. The proposal is to develop 14 single-family lots (*including the existing homes*). A new proposed cul-de-sac would provide reconfigured lots (*smaller*) for the existing homes (*four*)



an additional 10 new lots for future homes. Furthermore, and according to the preliminary plan survey for the southern boundary of the development, there are some boundary discrepancies that could be disputed between property owners. The applicant has decided to remedy these discrepancies through quit-claim to adjacent land owners as part of the subdivision plat recording process.

PREVIOUS CONCEPTUAL SUBDIVISION ACCEPTANCE

In November of 2018, the Planning Commission reviewed and accepted the Conceptual Subdivision Plan for the proposed development. This Conceptual Acceptance contained the following directives:

1. *The applicant shall submit an application for a preliminary plat and meet all the submittal requirements listed in Chapter 15.3 of the Subdivision Ordinance. (Mostly Complete)*
2. *The preliminary plat shall indicate the following information:*
 - a. *Depict/correct the lot count to 14 lots, including the lots for the existing homes. (Completed)*
 - b. *Adjust the interior side yard and corner lot street front setbacks to meet the R-L Zoning setback regulations. (Completed)*
 - c. *Depict the Buildable Area for each lot, providing a minimum of 2,000 square feet meeting the Buildable Ratio of the Zoning Ordinance. Also, address this matter even more particularly for Lot 9. (Completed)*
 - d. *The preliminary plans need to depict three (3) public utility easements (each lot) with the front measuring 10 feet along the street frontage of each lot and the side and rear yard easement a minimum of 7 feet. (Completed)*
 - e. *The preliminary plans need to address adequate fire protection including all existing fire hydrants and any new fire hydrants as required by the Fire Marshal. (Completed)*
3. *The preliminary subdivision submittal shall address the “accessory building” matter, as outlined in the Staff Report for Conceptual Subdivision. (Completed)*
4. *A soil report and drainage information shall be created or performed and must be submitted to City staff for review as part of the preliminary subdivision plans. (Completed)*
5. *A preliminary title report for the subdivision area to be prepared, submitted and deemed acceptable to the City Attorney. (Completed)*
6. *All missing utility provider sheets shall be submitted with the preliminary subdivision plans indicating all utility providers can service each lot. (Mostly Complete – Missing Gas & Secondary Water Providers)*

PRELIMINARY SUBDIVISION REVIEW - CMC 15.3

15.03.010 Preliminary Plat - Purpose – The purpose of the preliminary plat is to require formal preliminary approval of a subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat and to ensure compliance of the subdivision with City ordinances and regulations. The preliminary plat and all information and procedures relating

thereto, shall in all respects, be in compliance with the subdivision provisions and any other applicable City ordinances and regulations.

GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS - CHAPTER 15.5

Layout Section 15.5.101 and Lots Section 15.5.102

The proposed Barrus Cove Subdivision consists of 14 lots within the Residential-Low (R-L) Zone. From staff's review the preliminary plans, the proposed lots comply or exceed the minimum lot standards and are within the density allowance of the R-L Zone.

R-L Zone Development Standards

R-L Development Standards, Table 12.32.1			
Development Standard	Required	Actual	Compliance
Lot and Parcel Standards			
Minimum Area	None	7,113 to 12,845 Sq. ft.	Null
Minimum Width	40 feet at street & 60 Feet at Setback	(needs verification)	Likely
Density	Max. 4 units per gross acre	4.0 units/acre (3.55 ac. x 4 units)	Yes
Site Standards			
Buildable Area	2,000 Feet	Depicted	Yes
Buildable Area Ratio	Between 2:1 and 1:2	Depicted	Yes
Setbacks (existing homes)			
Front	25 Feet	20 - 25+ Feet	Complies or Non-conforming
Street Side (front)	20 Feet	20 feet	Yes
Rear	20 Feet	20 Feet	Yes
Side	8/10 feet	8/10 feet	Complies or Non-conforming

Street, Drainage, and Utility Improvements Section 15.5.103, 105, 106

The application contains utility provider responses for all utilities, except for natural gas and secondary water services. So far, these utility providers indicated they have capacity to serve the development. Also, the Fire District has reviewed the preliminary plans and recommends approval, with some generalized comments.

The maximum length of a cul-de-sac is 400 feet from the centerline of the intersecting road and the center point of the cul-de-sac. No more than 20 lots are allowed for a cul-de-sac subdivision (*Barrus Cove proposal is for 14 lots*). From review of the preliminary subdivision plan, it appears to be compliant with these requirements.

The ordinance requires three (3) public utility easements (*for each lot*). The preliminary plans depict the required 10-foot easements and required 7-foot side yard (*only one side is required*) and rear yard easements.

PLANNING STAFF RECOMMENDATION

[APPROVING WITH CONDITIONS] – I hereby make a motion for the Planning Commission to APPROVE the Preliminary Subdivision Plan for the Deuel Creek Place Subdivision, with the following directives/conditions:

1. *A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04 of the Subdivision Ordinance.*
2. *The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104.*
3. *The remaining “utility provider” sheets for natural gas and secondary water shall be submitted with the Final Subdivision Application.*
4. *In accordance with the City’s addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City’s Public Works Director.*
5. *The Final Subdivision Submittal shall provide verification of the required Lot Width Requirements of the R-L Zone.*

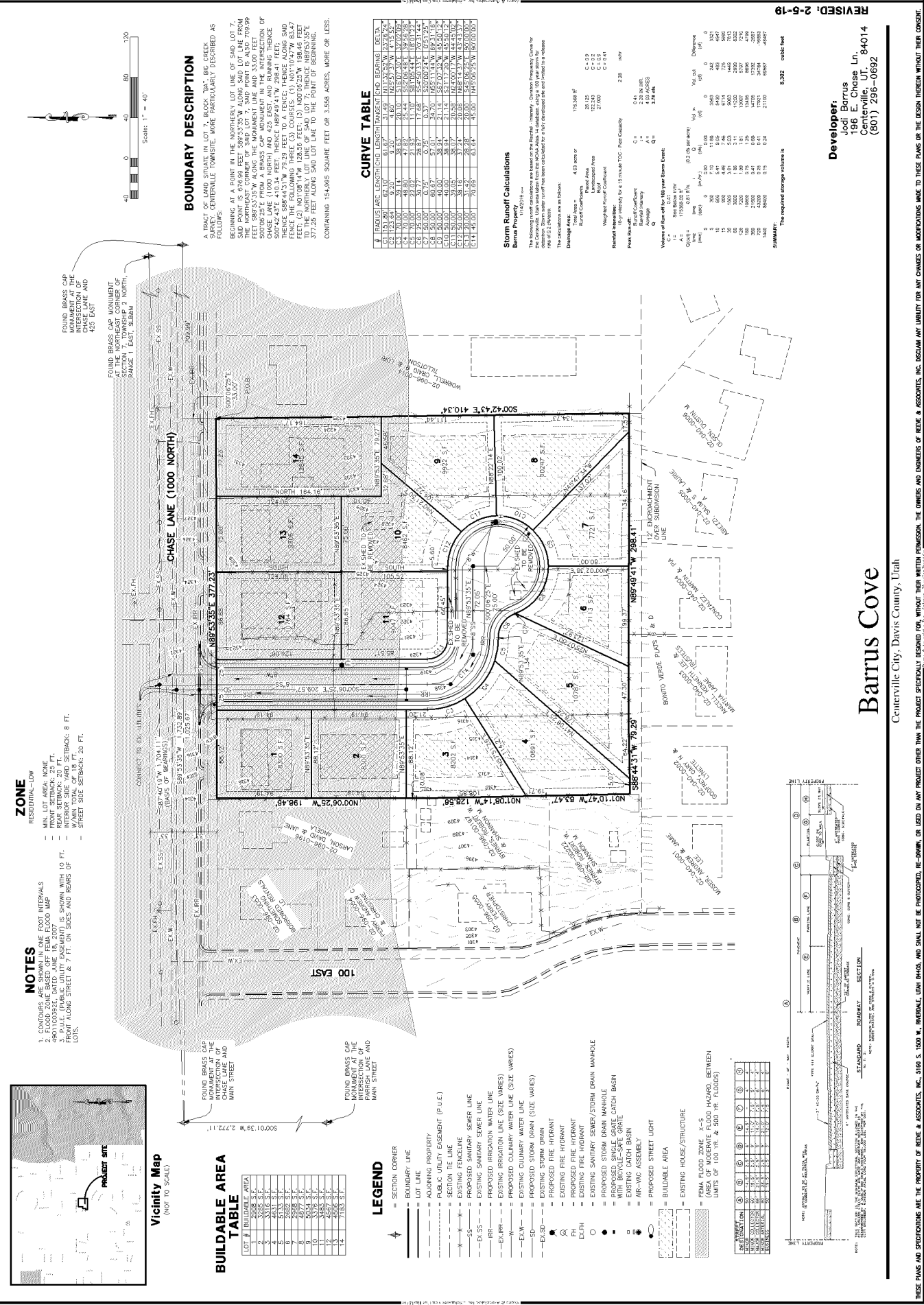
SUGGESTED REASONS FOR APPROVAL ACTION:

- a) *The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent with the previous Conceptual Plan Acceptance.*
- b) *The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.*
- c) *The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City’s Zoning Ordinance, regarding lot development within the R-L Zone.*

Table with 2 columns: REVISIONS, DATE. Contains revision details for the project.

Preliminary Design
Barrus Cove
PART OF LOT 7, BLOCK 'BA', BIG CREEK SURVEY, CENTREVILLE TOWNSHIP

Project Info.
Engineer: M. Reeve
Designer: C. Cozza
Begin Date: 1-18-19
Name: BARRUS COVE
Number: 7043-01
Sheet: 1 of 1



NOTES
1. CONTOURS ARE SHOWN IN ONE FOOT INTERVALS
2. FLOOD ZONE BASED OFF FEMA FLOOD MAP
3. P.U.E. (PUBLIC UTILITY EASEMENT) IS SHOWN WITH 10 FT. FRONT ALONG STREET & 7 FT. ON SIDES AND REARS OF LOTS.

ZONE
RECREATION - LOW
MIN. LOT AREA: NONE
REAR SETBACK: 20 FT.
WIDENING: 10 FT.
STREET SIDE SETBACK: 20 FT.

BOUNDARY DESCRIPTION
A TRACT OF LAND SITUATE IN LOT 7, BLOCK 'BA', BIG CREEK SURVEY, CENTREVILLE TOWNSHIP, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AT A POINT IN THE NORTHERLY LOT LINE OF SAID LOT 7, BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7, SAID POINT IS ALSO 779.59 FEET 39.53'35\"/>

CONTAINING 154.995 SQUARE FEET OR 3.558 ACRES, MORE OR LESS.

FOUND BRASS CAP MONUMENT AT THE INTERSECTION OF CHASE LANE AND MAIN STREET

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LEGEND
SECTION CORNER
BOUNDARY LINE
ADJOINING PROPERTY
PUBLIC UTILITY EASEMENT (P.U.E.)
SECTION LINE

PROPOSED SANITARY SEWER LINE
PROPOSED IRRIGATION LINE (SIZE VARIES)
PROPOSED CULINARY WATER LINE (SIZE VARIES)

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STORM RUNOFF CALCULATIONS
Barrus Prime
10/27/2018

The following runoff calculations are based on the Regional Intensity Duration Frequency Curve for the area. Storm water runoff has been calculated for a fully developed site and limited to a 1% return period.

Runoff Calculations are as follows:

Drainage Area: 4.83 acres or 175,968 sq ft

Runoff Coefficient: 0.25

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REVISID: 2-5-19
Developer:
308 E. Chase Ln
Centerville, UT 84014
(801) 296-0692

Barrus Cove

Centerville City, Davis County, Utah

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
2/13/2019**

Item No. 2.

Short Title: Public Hearing - Zoning Map Amendment - 484 & 522 W Porter Lane

Initiated By: Atieli Hafoka

Scheduled Time: 7:30

SUBJECT

LEGISLATIVE DECISION

The Commission will consider the proposed Zoning Map Amendment for the property at 484 & 522 West Porter Lane, Parcel ID 03-001-0209, from Residential Low to Residential Medium.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ 2-13-19 PC Staff Report Zone Map Amendment Hafoka Porter Lane
- ▣ Applicant's request

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: ATIeli HAFOKA

APPLICANT: SEE PROPERTY OWNER

PROPERTY LOCATION: 484 & 522 WEST PORTER LANE

PARCEL SIZE: 1.04

ZONING DISTRICT: RESIDENTIAL LOW AND RESIDENTIAL MEDIUM

APPLICATION: ZONING MAP AMENDMENT

STAFF RECOMMENDATION: RECOMMEND TO CITY COUNCIL

Background

Mr. Andy Hafoka, the applicant and property owner, owns 1.04 acres between Porter Walton townhomes development and the LDS Church on the corner of Porter and 400 West. While formerly two separately properties, the lot has been combined into a 1.04 acre single parcel property which contains two different zones. There are two single family homes on this property, so the combination of land has also rendered the homes on this property non-conforming under the Residential Low Zone. The applicant wishes to rezone this entire property into a Residential Medium zone, with the possibility of 6-7 dwellings. (The gross acreage of property with half street is not yet confirmed.)

It is **unclear** why the zoning boundary is the way it is shown on the zoning map, or how two single family dwellings were built on the lot.



General Plan 12-480-3: Neighborhood 2, Southwest Centerville

Residential development along Porter Lane from Main Street west to approximately 500 West between Porter Lane and the southern City boundary line should be low-density single family residential. The area from approximately 500 West to the commercial area on the Frontage Road between Porter Lane and the southern City boundary line may be appropriately developed in low or medium density residential. If developed as medium density residential, the use of Planned Unit Developments is desirable and preferred to adequately buffer such developments from both commercial and single-family developments in the area. Ample access from both 400 West and Porter Lane, preferably in the form of public streets, to the interior of this area should be required for residential developments. Care must be taken to buffer homes in this area from other uses that may locate in the area. In addition, a low or medium density Planned Unit Development may be appropriate between the Marketplace project and the north side of Porter Lane from 400 West to the existing retail commercial zoning along Frontage Road. Zoning boundaries should, where practical and logical, follow existing lot lines to avoid potential land use classification conflicts.

Staff Response: The property is already labeled approximately 1/3 Residential Medium according to our Zoning Map. Accordingly to the addressing alone, 500 West would lie between the two homes, but this is difficult to determine because there is no 500 West Street on Porter Lane. But because the homes are on the same property, zoning should be consistent on the entire parcel, as stated in the General Plan [above].



Zoning Map Amendments CZC 12.21.080(e)

1. Whether the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives and policies of the General Plan;

The proposed amendment is mostly in alignment of the General Plan, subject to some interpretation of “500 West”. The Plan states that “approximate” boundary for Residential Medium is 500 West – since there is no such street on Porter Lane, we have to use the “approximation”. Half of this property is already zoned Residential Medium, so it’s possible the City drew the line halfway through the property at some point. Estimating halfway between 400 W and 600 W would draw 500 W to the eastern boundary of Hafoka’s property, encompassing the entire parcel. Either way, Hafoka’s property lies on the edge of what should be considered Residential Medium and can be considered a part of this approximate boundary.

As a consequence of a zoning map amendment, rezoning the entire property Residential Medium would create clear zoning boundaries along property lines and render these two single family homes back into conformity.

2. Whether the proposed Zoning Map amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

Porter Walton Townhomes and Shaela Park, both Residential Medium developments, are directly west and southwest of the property. Recently, Dave Bell’s property also to the west was zoned Residential Medium. Due to these surrounding developments, Residential Medium is generally harmonious with the surrounding area, but much of the land to across the street to the south is still zoned Agricultural Low.

It should also be noted that since Shaela Park and Porter Walton have been built, the Residential Medium density has been lowered from **eight** to **six** units an acre, so this property would have a *lower density* count than the Residential Medium developments that surround it.

As stated in the General Plan, this site should be considered for a PUD during the site plan process. Because this is not a large acreage property, the design could mimic a lower density style of housing.

3. The extent to which the proposed Zoning Map amendment may adversely affect adjacent property;

The addition of 4 units to this block would not largely adversely affect the surrounding properties of this area, based on traffic and character of the area, where there are already a number of townhomes and multi family units on the block.

During the site plan process, care must be taken to ensure there is adequate buffering of the Church to the east of the property.

4. For proposed Zoning Map amendments, 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.

Utilities exist on the property now for the two single family homes. The site plan process would need to ensure adequate circulation and access for fire vehicles to enter the property. Due to the shape of the property, the design could incorporate private drives and dual access points onto Porter Lane.

Porter Lane is considered a “Major collector”, and is meant to accommodate through traffic and not just local residents, and this development would not bring a significant increase in traffic.

The additional units on the property would not affect the services of the surrounding area, including parks, police services, or waste and water supplies.

STAFF RECOMMENDATION

I hereby make a motion to recommend approval to the City Council the following Zoning Map Amendment of Parcel Number 03-001-0209, at 522 & 484 Porter Lane, from Residential Low to Residential Medium Zone.

Proposed Reasons for Action :

- a) The following Zoning Map Amendment is consistent with the General Plan, in that residential medium density is allowed on Porter Lane “approximately” West of 500 West.
- b) The zoning map amendment fits the approval standards as outlined in CZC 12.21.080(e)
- c) Zoning boundaries, as stated in the General Plan 12-480-8 and CZC 12.30.050, should follow lots lines.

To: Planning Commission and City Council Members

Re: Zoning Map Amendment Request

Date: January 23, 2019

Please consider my proposal to change the zoning of my property on 484 and 522 West Porter Lane, Centerville, Ut, from R-L to R-M.

I believe that the change is consistent with the overall character of the neighborhood. Adjacent and directly west of my property is the Porter-Walton Townhome development. Across the street and south of my property is the Shaela Park townhomes. Adjacent and east of property is the Church of Jesus Christ of Latter-day Saints chapel. I believe my plans to develop my property will be appealing, attractive and be in harmony the neighborhood.

I believe present facilities and services are adequate to supply needed services for the proposed change requested.

Thank you for your time and hope for your favorable consideration of my request for zoning change.

Atieli and Monalisa Hafoka

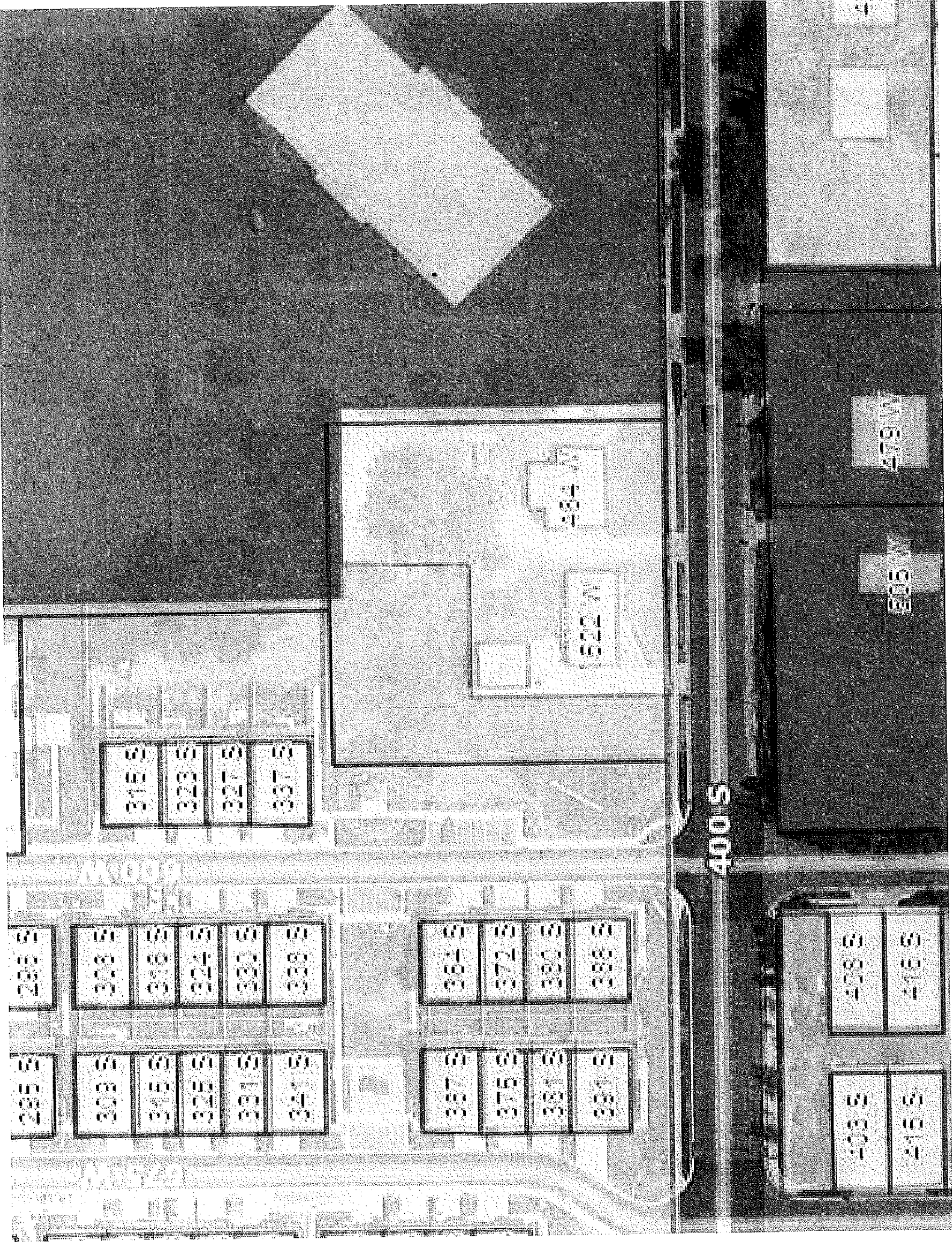
The block contains two handwritten signatures in black ink. The first signature is for Atieli Hafoka and the second is for Monalisa Hafoka. Both are written in a cursive, flowing style.

385-444-8720/Monalisa Hafoka

801-425-2587/Soana Taufa (DAUGHTER TO REPRESENT)

Mlhafoka9@gmail.com

RECEIVED JAN 23 2019



**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
2/13/2019**

Item No. 3.

Short Title: Public Hearing - Preliminary and Final Subdivision - Cottage on the Corner - 323 E Pages Lane

Initiated By: Scott Balling, applicant

Scheduled Time: 7:50

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Preliminary and Final Plat for a condominium subdivision for Cottage on the Corner, located at 323 E Pages Lane.

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 02-13-2019 Staff Report Cottage on the Corner Subdivision
- ▢ Cottages on the Corner PUD Plat Submittal
- ▢ Cottage on the Corner Final Site Plan and CUP Approvals

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

**STAFF REPORT
AGENDA: ITEM 3**

PROPERTY OWNER: SCOTT BALLING
P.O. BOX 805
CENTERVILLE CITY, UT 84014

APPLICANT: SAME AS ABOVE
(jscottballing@gmail.com)

PROPERTY : 323 EAST PAGES LANE
APNs 03-004-0082 & 03-004-0083

ACREAGE: 0.513 NET ACRES & 0.75 GROSS ACRES

ZONING: RESIDENTIAL-MEDIUM (R-M)

LOT COUNT: SIX (6) PLANNED RESIDENTIAL DWELLINGS
(TOWNHOMES)

APPLICATIONS: PRELIMINARY SUBDIVISION APPROVAL WITH
FINAL SUBDIVISION RECOMMENDATION

RECOMMENDATION: CONSIDER APPROVAL OF THE PRELIMINARY
SUBDIVISION PLANS AND RECOMMEND FINAL
SUBDIVISION APPROVAL

BACKGROUND

As the Planning Commission, may be aware, the Cottage on the Corner Conceptual Subdivision Acceptance was occurred in December of 2016. Afterwards in April of 2017, the City approved a Final Site Plan and Conditional Use Permit for the Cottage on the Corner Development. Since these approvals, the applicant has constructed and completed the project, as approved. The applicant now desires to subdivide the site into a Planned Unit Subdivision to allow the opportunity to individually sell each unit in the future. Additionally, since the project has been constructed completed as a single site development project, the applicant is requesting the Planning Commission to approved a preliminary and final plat at the same time. The argument

being made is that physical construction is already complete and it is only the formal paper/linen for subdivision plat that needs to be secured for recording purposes.

PREVIOUS CONCEPTUAL PLAN ACCEPTANCE

On December 14, 2016, the City accepted the conceptual subdivision plan, which allows the developer to move forward with preparation and submittal of the preliminary subdivision plans and plat. The following are the conditions of the conceptual plan acceptance:

1. *The Conceptual Subdivision Plan acceptance is dependent upon the approval of a Final Site Plan and any applicable CUP approval, as being proposed with the related Conceptual Site Plan acceptance of December 14, 2016. (Completed – Final Site Plan & CUP Secured April 2017)*
2. *Once the related Final Site Plan and CUP approvals are secured from the City, the applicant shall prepare and submit a Preliminary Subdivision Plat, depicting how the related site plan will be prepared as a Subdivision Plat, coordination of construction plan elements between site plan development and those to be constructed with subdivision development, and the layout and dedication of common, limited common, and private lots or building envelopes. (Completed – All dwelling units received a Certificate of Occupancy on 9/20/2018, which required all infrastructure to be installed & the submitted Preliminary Plans depict the private, limited common, and common areas)*

PLANNING STAFF REVIEW AND COMMENT

Preliminary Plat and Plans – The preliminary plat and plans appear to be consistent with the original final site plan and conditional use permit approvals. The City Engineer will need to review plat and verify that the plat reflects the correct configuration with the build development.

Applicable Subdivision Improvements and Services - The secondary irrigation company desires verification that the plat reflects the needed easements that the applicant agreed to during the construction of the development (*see attached e-mail from Duel Creek Irrigation Company*). Prior to the recording of the subdivision plat, the City's Building Official and the Fire District will need to verify that the existing construction complies with the requirements to allow for the platting of the townhomes (*staff believes that it was likely constructed meeting the requirements*).

Covenants, Conditions, and Restrictions (CC&Rs) - The submitted Articles of Incorporation and the Declaration of CC&R's generally reflect the expectations and management of the subdivision. Prior to plat recordation, these documents will need to be reviewed by the City Attorney to verify compliance with state statutes.

OTHER RELATED MATTERS

As the Commission is aware, the density for this project was approved with the issuance of a Conditional Use Permit by the City and the development design is subject to specific conditions of approval. The subdivision plat needs to note that the development of the properties is subject to the conditions of the approved Final Site Plan and Conditional Use Permit. Staff would also suggest that such reference should be included in the CC&R's for disclosure to all future owners. For reference the CUP approval has been attached with the posting of this report.

PLANNING STAFF RECOMMENDATION

Suggested Motion for the Preliminary/Final Subdivision for The Cottage on the Corner: I hereby make a motion for the Planning Commission to approve the Preliminary Subdivision Plans and recommend approval of the Final Plat for The Cottage on the Corner Development, subject to the following:

1. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City's Engineer and Attorney.
2. The subdivision plat shall contain necessary notes that the development of the properties is subject to the conditions of the approved Final Site Plan and Conditional Use Permit.
- This approval also suggests that such references should be included in the CC&R's for disclosure to all future owners
3. Prior to plat recordation, the related Articles and CC&R documents will need to be reviewed by the City Attorney to verify compliance with state statutes.
4. Prior to the recording of the subdivision plat, the City's Building Official and the Fire District shall provide verification that the existing construction complies with the requirements to allow for the platting of the townhomes.
5. Prior to plat recordation, the secondary irrigation company shall provide verification that the plat reflects the needed easements that the applicant agreed to during the construction of the development
6. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.
7. The applicant shall provide an updated title report (within 30 days) for review and acceptance of any final paper and/or linen plat, at a time deemed appropriate by the City's Attorney and/or Recorder.

Suggested Reasons for the Action (Findings):

- a) The Planning Commission finds that the subdivision plat and plans and plat are in harmony with the relevant provisions of the City's Zoning Approvals and Subdivision regulations.
- b) The Planning Commission finds that the development has previously been approved by the City and that the subdivision is also subject other terms and conditions, as approved by the City for the related final site plan and conditional use permit.
- c) The Planning Commission finds that with the Conditions listed for this approval, the subdivision can be deemed consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.



means a part of the Surveyed Quarter of Section 18, T.2N., R.1E., S.40E., and is a corner of said development (noted as "City", Davis County, Iowa).



beginning on the North Line of Pages Love, a 66 ft. wide road, at point S69°35'20"W along the North Line of said street 297.72 ft. to the West Line of 400 East Street, said point being also N89°35'58"E 72.60 ft. along the 1/4 Section Line to an Existing Grass Witness Corner Monument and S69°15'55"W 280.04 ft. along the centerline of said 400 East Street and S89°36'20"W 330.72 ft. along said North line of Pages Love from the East Quarter Corner of Section 18, T.2N., R.1E., S.L.B. & M. and running East line of 300 East Street, 136.37 ft. along said North line of Pages Love to the East line of 300 East Street, a 49.50 ft. wide road; thence N95°07'14"W 168.78 ft. along said East line of 300 East Street; thence S00°14'17"E 118.80 ft., thence S00°28'37"E 3.28 ft. to a point on the boundary as described in a certain Deeds County Record as recorded in Book 3176, Page 1642 of Deeds County Records; thence along said boundary N1°05'00"E 12.43 ft., thence N85°30'35"E 130.10 ft., thence S01°07'20"E 5.67 ft., thence S89°16'12"E 12.43 ft., thence S00°00'00"E 152.88 ft., along the East side of a masonry wall to the point of beginning.

Containing 0.527 Acres.

I, J. Scott Bolling, a Professional Land Surveyor holding Certificate No. 162195 as prescribed under the laws of the State of Utah, do hereby certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described hereafter and have subdivided said tract of land into Lots hereafter to be known as The Cottage on the Corner and that the same has been correctly surveyed and staked on the ground as shown.

January 8th, 2019
Date

Known all men by these presents that we the undersigned owners of the above described tract of land having caused the same to be subdivided into Lots and Streets, hereinafter called the College on the Corner, and do hereby dedicate for perpetual use to the public use of said tract shown on this plan for public use (General A) and do not intend to take any of the city's interest against any easement or other encumbrance on the dedicated streets which will interfere with the city's use, maintenance and operation.

In witness whereof we have hereunto set our hand this _____ day of _____, 2019.

On this _____ day of _____, 2019, _____, here personally appeared before me, the undersigned Notary Public, J. Scott Bolling, signers of the Owner's Declaration, who duly acknowledged to me that he is the manager of COTTAGE ON THE CORNER, L.L.C., a Utah Limited Liability Company, which entity is the owner of the tract of land described hereon and that he signed it freely and voluntarily on behalf of said entity for the uses and purposes therein mentioned.

Notary Public: (sign) _____

```
(print)
```

Commission No. _____

My Commission Expires:

CC
A
1

2. Approval of this development plan by Centerville City does not constitute any representation as to the adequacy of sub-surface soil condition nor the location or depth of groundwater tables.
3. All Mailing Addresses are 323 East Pages Lane plus the Individual Unit Number

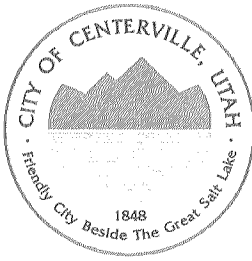
[illegible]

Entry No. _____ Fee Paid _____ Filed for Record _____
and Recorded this _____ day of _____, 2019, at _____

_____ in Book _____ Page _____ of Quin's Register.

David County Records

Abstract



CENTERVILLE CITY

COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West • Centerville, Utah 84014 • (801) 292-8232 • Fax: (801) 292-8251

Mr. Scott Balling

Re: Planning Commission

Mr. Balling:

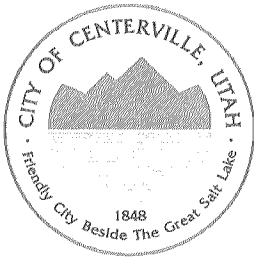
On April 26th, the Centerville City Planning voted to recommend approval to the City Council for your zoning map amendment for the acquired property at 323 E Pages Lane. , and approved your Final Site Plan and Conditional Use Permit for the Cottage on the Corner project located at 323 E Pages Lane.

The following conditions are for the ZONE MAP AMENDMENT of the acquired properties:

1. These amendments include only the .010 acres acquired from the LDS Church to the North and the .004 acres acquired from JAG Enterprises LLC to the East, as provided in the legal description attached.
2. The area is to be combined into a single parcel.

Conditions for your FINAL SITE PLAN Approval by the Planning Commission:

1. City Council approval of the Zone Map Amendment of the small additions of property to the North and East of the original lot, the additional .014 acres of property, rezoned from R-H and R-L to R-M.
2. Approval from South Davis Metro Fire on Final Site Plan is required before Building Permit issuance.
3. A waiver of strict compliance shall be given to accept only 35% landscaping coverage, due to the fact that 4 times the amount of trees required were provided, and were concentrated along the perimeter for buffering and an enhanced streetscape design of corners and entrances.
4. The A-1 Truck disposal or any garbage disposal provider for the project shall be prohibited from backing onto Pages Lane, as required in CZC 12.52.100(d), and shall use the parking lot to turn around. This prohibition on backing onto Pages Lane shall be clearly and permanently posted on the dumpster.
5. A permanent "no parking" sign shall be placed and posted on the northern most parking stall prohibiting parking on days or times when garbage pickup is scheduled.
6. Applicant and applicable HOA shall schedule garbage pickup during off-peak foot traffic times.
7. Applicant shall provide legal descriptions for the required public utility easements (PUEs) for the project in accordance with City Ordinances. Such PUEs shall be submitted to the City Council for acceptance and recorded against the property prior to issuance of a building permit.
8. Final Approval is conditioned upon the acceptance of a Conditional Use Permit, for the desired density, at eight units



CENTERVILLE CITY

COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West • Centerville, Utah 84014 • (801) 292-8232 • Fax: (801) 292-8251

per acre, and six dwelling units for the site.

The following directives are for the **CONDITIONAL USE PERMIT** for the Cottage on the Corner:

1. The Conditional Use Permit is dependent on the acceptance of the zoning map amendment, incorporating the lot line adjustments, if accepted by the City Council.
2. The CUP is dependent on the design, layout and development as depicted and conditioned in the Final Site Plan as approved by the Planning Commission.

Please contact the Community Development Department at 801-292-8232 with any further questions.

Respectfully,

Cassie Younger

Assistant City Planner

CENTERVILLE

**Staff Backup Report
2/13/2019**

Item No. 4.

Short Title: City Council Report

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

**Staff Backup Report
2/13/2019**

Item No. 5.

Short Title: Community Development Director's Report

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 2/13/2019

Item No.

Short Title: January 23rd, 2019

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▣ 1-23-19 PC preliminary minutes

PLANNING COMMISSION MINUTES OF MEETING**Wednesday, January 23, 2019****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

Cheylynn Hayman, Chair

Kai Hintze

Logan Johnson

Becki Wright (left at 7:23 p.m.)

MEMBERS ABSENT

Kevin Daly, Vice Chair

Gina Hirst

STAFF PRESENT

Cory Snyder, Community Development Director

Lisa Romney, City Attorney

Cassie Younger, Assistant Planner

Jamie Brooks, Recording Secretary

VISITORS

Interested citizens

PLEDGE OF ALLEGIANCE**OPENING COMMENT/LEGISLATIVE PRAYER** Chair Hayman**DISCUSSION – SUBDIVISION CHAPTER 3 POSSIBLE REVISIONS**

Lisa Romney, City Attorney, explained that Chapter 3 of the Centerville City Code was quite lengthy and that it addressed general parameters involving all types of subdivisions. She also wished to discuss the State's noticing requirements and determine what, if any, additional noticing the Commission wished to provide.

CMC 15.03.050 listed agricultural exemptions to the subdivision plat process. Ms. Romney pointed out that small subdivisions had not been included since they were not technically exempt from the plat but merely had an expedited procedure. She explained that a new requirement had been added, in that developers were to now submit an electronic copy of everything provided to the City.

Commissioner Wright asked in what way the new application process differed from what had previously been required. Ms. Romney responded that there was not a great deal that had been changed about the application procedures. There were already helpful graphics on the website to assist applicants in understanding the process but there was still much work to be done regarding revising forms since some of the steps in the process were being changed.

Cory Snyder pointed out that that the City was currently moving to an on-line application process. It would require certain actions by the applicant prior to submittal. Although applicants would not be

1 required to use the on-line system, it would be available. Ms. Romney added that the program would also
2 allow applicants to check the status of their application on line.

3
4 Chair Hayman suggested various stylistic changes in the drafted code updates. She also
5 mentioned some inconsistencies in language within 15.03.040 and 15.03.060. Ms. Romney indicated she
6 would take another look at the language.

7
8 Chair Hayman asked about use of the word *may* in 15.030.070(g). She wondered under what
9 circumstances the City might allow a deficient application to move forward. Ms. Romney responded that
10 at times, the City was more lenient than it was required to be by statute.

11
12 Commissioner Wright asked that the Commission address the January 9, 2019 minutes now, since
13 she needed to leave shortly. The Commissioners in attendance agreed to do so.

14 15 **MINUTES REVIEW AND ACCEPTANCE**

16
17 The minutes of January 9, 2019 were reviewed and amendments suggested. Commissioner
18 Johnson made a **motion** to accept the minutes as amended. The motion was seconded by Commissioner
19 Wright and passed unanimously (4-0). Commissioner Wright then left the meeting.

20
21 Ms. Romney pointed out because there was no longer a quorum present, the Commission would
22 take no further formal action during that meeting but only engage in discussion.

23 24 **DISCUSSION – SUBDIVISION CHAPTER 3 POSSIBLE REVISIONS (continued)**

25
26 Chair Hayman welcomed members of Boy Scout Troop 1857 who had joined the meeting. The
27 Commission then continued the review of CMC 15 (Subdivisions).

28
29 Regarding CMC 15.03.100 and the Utah Open and Public Meetings Act, Chair Hayman asked
30 what type of circumstance would qualify as an emergency meeting. Ms. Romney responded that there
31 were very, very few circumstances that would qualify as a valid reason for the Planning Commission to
32 call an emergency meeting. It was her legal opinion that neither forgetting to place an item on the agenda
33 nor adding an item simply because the applicant really wished it to be heard, qualified as a valid reason to
34 hold a meeting with less than 24 hours' notice.

35
36 Commissioner Johnson asked if all four noticing types listed in CMC 15.03.100(a)(2) were
37 required by law. Ms. Romney explained that each was required by either the Open and Public Meetings
38 Act or the Land Use Act.

39
40 Ms. Romney indicated that CMC 15.03.170 allowed the zoning administrator to make
41 administrative interpretations of that section and that CMC 15.03.180 was a completely new section that
42 had been added.

43
44 Commissioner Johnson asked how new changes would affect those developers that had already
45 submitted their applications. Ms. Romney responded that generally, applications would move forward
46 under the code that was in effect when the application was submitted. There was a pending ordinance
47 doctrine that allowed a project to be put on hold pending the creation of a new ordinance. However, the
48 law allowed no more than a six-month delay in such cases. She preferred to grant developers their vested
49 rights once they met the requirements that were currently in place.

50
51 Regarding noticing, a new code required additional noticing. She recommended that for the sake
52 of consistency, the City go to a 10-day notice on-site for everything. She felt that fewer mistakes would
53 be made that way. She had distributed a noticing matrix which illustrated the noticing guidelines the City

1 had been following thus far, as well as the guidelines required by the State. She wished to make a
2 correction regarding noticing on the City and State websites. She indicated that there should be an “x”
3 next to Conceptual Subdivision Plat, Preliminary Subdivision Plat and Small Subdivision Waiver,
4 indicating that the City currently noticed those items on the websites in addition to those that were already
5 marked with an “x”. Ms. Younger mentioned that she always posted on-site for ten days rather than the
6 required three days.

7
8 In order to simplify the process, Ms. Romney wished to recommend eliminating sending the final
9 subdivision plat to the City Council. Commissioner Johnson indicated that he would be in support of
10 making that change.

11
12 Regarding newspaper noticing, Ms. Romney did not recommend any changes to the City’s
13 current practice but it was hoped that the legislature would eventually update the rather archaic statute
14 requiring notices to be placed in a newspaper of general circulation.

15
16 The Planning Commission and Staff discussed the fact that statutorily, *affected entities* included
17 property owners. The City had read the statute quite broadly. If interested in receiving such notifications,
18 a property owner would need to notify the City and do so on an annual basis. City Code currently
19 required noticing when any subdivision dealt with a multi-family, commercial or industrial development.
20 Ms. Romney had been unable to find a State statute wherein that was required. She would continue to
21 look into that, in case such noticing could be eliminated.

22
23 Ms. Romney pointed out that State code currently required that in the case of a text amendment,
24 the City mail a notice to “any property owner whose land was directly affected by the land use ordinance
25 change.” She interpreted that part of the code quite broadly. The Staff and Commission discussed the
26 fact that although this was a burdensome requirement for municipalities, there was some merit to it. Ms.
27 Romney expressed an interest in having a more in-depth conversation about that portion of the code with
28 the planning staff in order to ensure that everyone was on the same page.

29
30 Finally, Ms. Romney pointed out that the City must notify the applicant of every meeting at
31 which an application was to be addressed, and also provide a copy of each applicable staff report.
32 Additionally, she stated that members of the public could sign up through the Utah Public Notice website
33 to be notified of any notices pertaining to the City—or any other public body in Utah. Chair Hayman
34 suggested sharing that information with residents.

35
36 In summary, Ms. Romney stated she had received good information from the Planning
37 Commission and would revise the matrix so that it showed the current noticing practices as well as the
38 recommended changes. Chair Hayman expressed appreciation to Ms. Romney for the work and attention
39 she had put into reviewing the City Code.

40 41 **DISCUSSION – GOALS 2019**

42 Chair Hayman pointed out that she had intended this only to be a preliminary discussion and
43 stated that was particularly true now that there was no longer a quorum present. She mentioned that it
44 appeared there was some tension and lack of communication between the City Council and the Planning
45 Commission. She pointed out that the Planning Commission’s obligation was to examine issues
46 independently from the Council. Both she and Commissioner Hintze thought perhaps more joint work
47 sessions might help increase the level of communication between the two bodies. He felt the tension
48 seemed to be apparent to a resident who had sat through a recent meeting. Commissioner Johnson was
49 unsure if increased work sessions would solve the problem. Chair Hayman pointed out that each body had
50 a different perspective and different goals.

51
52 Mr. Snyder mentioned that Main Street was quite sensitive and that the Council had not always
53 provided clear direction. Some tension was natural but it increased when Main Street was addressed. The

1 Council was not yet sure where they wished to go. Chair Hayman suggested making more of an effort to
2 provide periodic updates to the Council regarding Planning Commission activities so that they could
3 remain in the loop. Mr. Snyder mentioned that the City Council had recently approved adding a Planning
4 Commission action report to their future agendas.

5
6 Councilmember Johnson reiterated that while he was certainly open to holding further joint
7 meetings with the Council, he was not necessarily optimistic. The work session currently scheduled for
8 February 13 was for the Planning Commission only.

9
10 **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

11 Mr. Snyder indicated that several applications had arrived earlier that day in anticipation of the
12 next meeting-- Barrus Cove, Deuel Creek, the preliminary industrial subdivision for the Smith family, and
13 Cottage on the Corner. He would provide a staff report for the Feb 13th work session as well.

14
15 **CITY COUNCIL REPORT**

16 Mr. Snyder reminded the Commission that they had previously sent edits to the City Council
17 regarding the overlay. The Council adopted the side yard edit but had a significant discussion regarding
18 the front yard setback. He had cautioned the City Council about moving towards a General Plan
19 amendment solely for that edit and then turning right around and doing a General Plan revamp. He
20 pointed out that it could lead to confusion. The Council decided not to move forward with the other
21 General Plan amendment but would instead move forward with the revamp. Also, they did not wish the
22 friction with the Planning Commission to continue. Mr. Snyder was now tasked with providing the City
23 Council with an outline for how to accomplish the re-vamp. Part of that task included scheduling a joint
24 work session with the Planning Commission which he hoped would be a two-part discussion. First, come
25 to an agreement regarding how best to meet the revamp timeline. Second, to have an additional
26 discussion regarding Planning Commission goals, once those goals had been identified.

27
28 **ADJOURNMENT**

29
30 Chair Hayman moved to adjourn. Commissioner Hintze seconded the motion. The motion passed
31 unanimously (3-0) and the meeting adjourned at 8:23 p.m.

32
33
34 _____
35 Cheyllynn Hayman, Chair

36
37
38
39 _____
40 Jamie Brooks, Recording Secretary