



Provo City Planning Commission

Report of Action

August 23, 2017

ITEM 2* Provo City Public Works Department requests an Ordinance Amendment to add Section 15.03.020(3) to adopt Public Works Standards by reference, as required by State Code. *City-Wide Impact*. 17-0017OA, Josh Yost, 801-852-6408

The following action was taken by the Planning Commission on the above described item at its regular meeting of August 23, 2017:

RECOMMEND APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Andrew Howard

Second By: Dave Anderson

Votes in Favor of Motion: Andrew Howard, Dave Anderson, Jamin Rowan, Shannon Ellsworth, Brain Smith

Jamin Rowan was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The recommended text amendment is attached as Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

Provo Public Works Department has applied to amend Title 15 of the Provo City Code to add Section 15.03.020(3) for the purpose of adopting Public Works Standards by reference as required by Utah State Code. This amendment simply adds language to adopt standards by reference and lists those standards. The proposed amendment excludes some standards that are listed in the Draft Complete Streets Policy as proposed to be adopted. Staff related that it may be beneficial to reconcile the ordinance amendment and the draft policy to avoid inconsistencies in the future.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

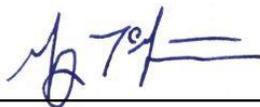
- No neighbors or other interested parties were present or addressed the Planning Commission.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following: David Day, representing Provo Public Works responded to the Commissions questions regarding the additional standards listed in the Draft Complete Streets Policy. He states that the existing standards have been used for years and are very familiar to the department and that they are not familiar with the additional standards not listed in the proposed amendment. The Department plans to return in November to bring forward additional standards for adoption and anticipates adding the additional standards at the time.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following: Jamin Rowan, Planning Commission Chair expressed that he looks forward to the adoption of the additional standards and the greater flexibility they will provide in the design of our rights of way. He requested that the additional standards be presented to the Planning Commission prior to being brought forward for adoption. He added that he would be interested in an overview of any conflicts between the new and existing standards.



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Exhibit A

Proposed Ordinance Ammendment

15.03.020. General Development Standards.

(1) All proposed developments will be reviewed for compliance with the adopted General Plan and the policies found therein. This is to ensure that the land use policy will provide strict development controls in areas with limited local services. For each proposed project, it will need to be determined whether there are adequate public facilities available and whether the project changes or exceeds the “acceptable levels of service” for such things as roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and EMT response times, etc.

(2) The design of developments and subdivisions shall preserve, insofar as it is possible, the natural terrain, natural drainage, existing topsoil, trees and vegetation. Land which is subject to hazardous conditions such as land slides, mud flows, rock falls, snow avalanches, ground subsidence, shallow water table, open quarries, floods, wetlands and polluted water supply shall not be subdivided until the hazards have been eliminated or evidence submitted that the said hazards will be eliminated or mitigated by the development and construction plans. (R&R 1999-34. Am 2011-09)

(3) Provo City adopts and incorporates by reference into this section the Provo Standard Drawing Details, the Provo City Public Works Department Development Guidelines and Design Standards, the 2017 APWA Standards Specifications and Drawings, the Manual on Uniform on Traffic Control Devices (MUTCD), and AASHTO A Policy on Geometric Design of Highways and Streets, ITE Trip Generation, each as it may be subsequently amended or updated.



**Planning Commission
Staff Report
Street Vacation
Hearing Date: August 23, 2017**

ITEM 1* Provo City Public Works Department requests an amendment to the Aspen Loop road dedication to more accurately match the final plat. **Provost Neighborhood**. 17-0002SV, Austin Corry, 801-852-6413

<p>Applicant: Provo City Public Works Staff Coordinator: Austin Corry</p> <p>Property Owner: Provo City Corp. Parcel ID#: 220370127 Current Zone: Residential Planned Development (R2PD) Proposed Zone: Residential Planned Development (R2PD) General Plan Des.: Residential (R) Acreage: 2.12 Number of Properties: 1 Total Building Sq. Ft.: N/A</p> <p>Development Agreement Proffered: No</p> <p>*Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u> 1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is September 6, 2017, 5:30 p.m.</i> 2. Recommend Denial of the proposed Street Vacation. <i>This would be <u>a change from the Staff recommendation; the Planning Commission should <u>state new findings.</u></u></i></p>	<p>Current Legal Use: Vacant</p> <p>Relevant History: The existing right-of-way was dedicated a number of years ago in agreement with the existing property owner, and adjacent property owner, and the City in order to provide access to the adjacent property for future development. The road has not yet been constructed.</p> <p>Neighborhood Issues: No issues have been reported to staff at this time.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• The current right-of-way was dedicated to provide access to adjacent undeveloped property.• The road has not yet been constructed.• The current progress of Aspen Summit is seeking to realign the road prior to construction. <p>Staff Recommendation: Staff recommends that the Planning Commission recommend approval of the proposed street vacation.</p> <p><i>This action <u>would be consistent with the recommendation of the Staff Report.</u> Any additional changes should be stated with the motion.</i></p>
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OVERVIEW

The existing right-of-way for Aspen Loop road was dedicated a number of years ago to provide access rights from the Aspen Summit Planned Development to adjacent property owned by Mr. Steve Turley. This access would grant the secondary ingress/egress necessary for Mr. Turley to meet ordinance requirements for access based on a proposed development called Slate Canyon Heights. This development has not yet been approved by the City, but the access to the property was secured by dedicating Aspen Loop road through Aspen Summit which is being developed in phases.

Aspen Summit has since progressed in development. Mr. Steve Stewart is seeking to adjust the road alignment to better address topography in the area. The proposed street vacation is part one of two, the second part being a new road dedication that will be made as part of Aspen Summit Plat F.

FINDINGS OF FACT

1. The proposed street vacation is to facilitate realignment of Aspen Loop Road.
2. Access to adjacent properties will be maintained as they exist now.

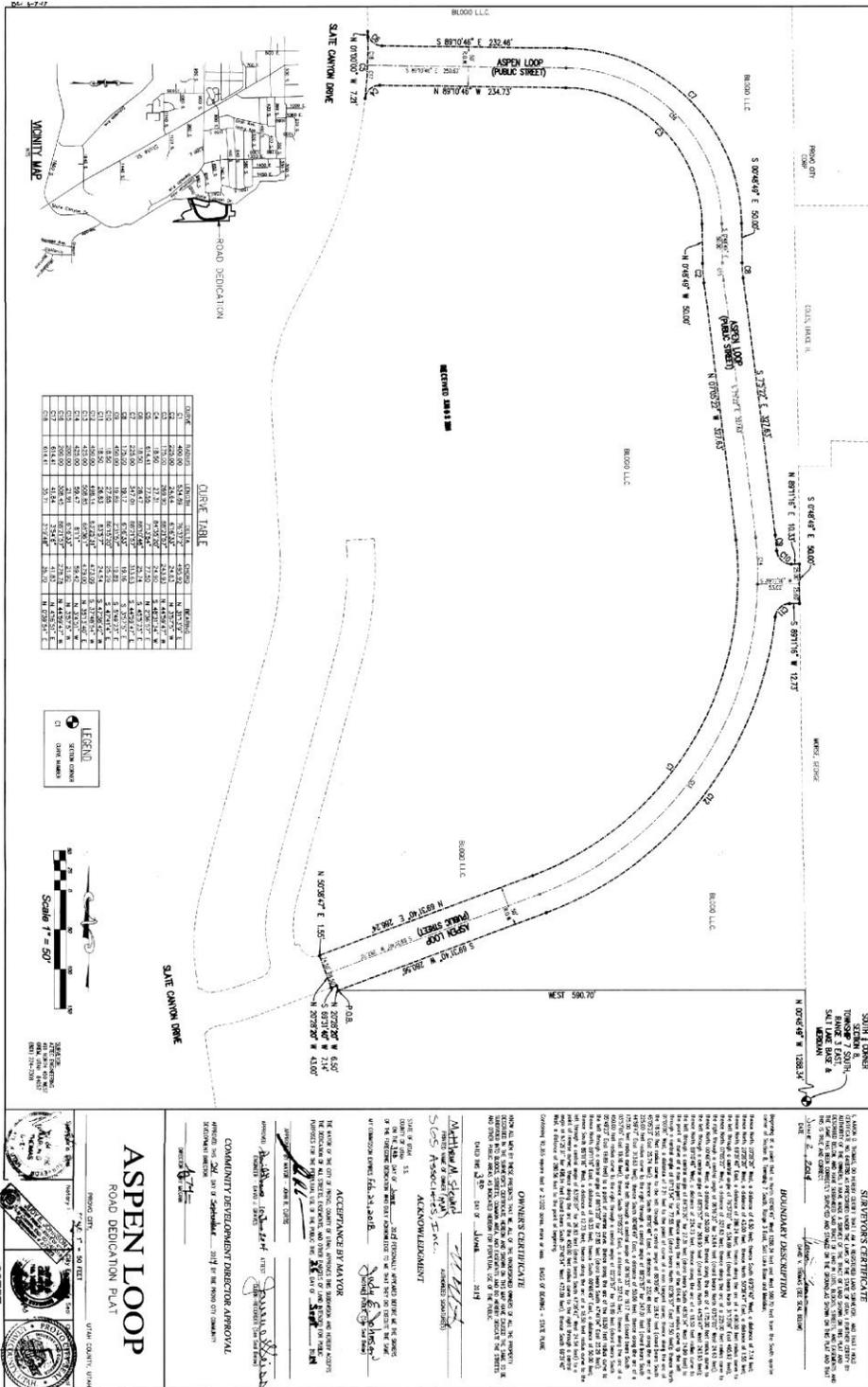
CONCLUSIONS

As a result of the road simply being realigned, no General Plan Policies or ordinances are affected by the proposed change.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **recommend approval** of the proposed street vacation.

ATTACHMENT #1 – EXISTING STREET DEDICATION



OWNER'S CERTIFICATE

I, the undersigned, being the owner of the above described property, do hereby certify that the above described property is the same as that shown on the attached plat, and that the same is to be dedicated to the public use of the State of Colorado as a public street.

ACCEPTANCE BY MAYOR

I, the undersigned, being the Mayor of the City of Aspen, do hereby accept the above described property as a public street, and do hereby certify that the same is to be dedicated to the public use of the State of Colorado as a public street.

COMMITTEE DEVELOPMENT DIRECTOR APPROVAL

I, the undersigned, being the Committee Development Director of the City of Aspen, do hereby approve the above described property as a public street, and do hereby certify that the same is to be dedicated to the public use of the State of Colorado as a public street.

DEPARTMENT DEDICATION

I, the undersigned, being the Department Director of the City of Aspen, do hereby dedicate the above described property as a public street, and do hereby certify that the same is to be dedicated to the public use of the State of Colorado as a public street.

ASPEN LOOP ROAD DEDICATION PLAT

PLAT NO. 20757

