

1 **PLANNING COMMISSION MEETING MINUTES**

2 Wednesday, April 13th, 2022, 6:00 pm

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

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5 To view the video recording account of the Planning Commission meeting please view our YouTube video of
6 the meeting that can be found on Providence’s YouTube channel: [Planning Commission 4/13/2022 - YouTube](#) (Ctrl
7 + Click to follow link)

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9 **HR. MIN. SEC.** in **GREEN** above items are time stamps for YouTube Video of the Planning Commission
10 meeting

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12 **Call to Order:** Brian Marble (Vice Chair)

13 **Chair Roll Call of Commission Members:** Brian Marble

14 **Members in Attendance:** Robert Perry, Brian Marble, Tyler Riggs & Joe Chambers (arrived during the public
15 hearing portion of the meeting).

16 **Excused:** Michael Fortune & Rowan Cecil

17 **Staff Attendance:** Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director) & Ty
18 Cameron (City Recorder)

19 **Pledge of Allegiance:** Tyler Riggs

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21 **(2 MIN. 10 SEC.)**

22 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for March 23rd, 2022.
23 **(MINUTES)**

- 24
25 • Brian Marble called for a motion to approve the Planning Commission minutes of March 23rd, 2022.
26 Robert Perry indicated that Brian Marble’s vote needed to be added to the motions in the minutes. Tyler
27 Riggs indicated that Rowan Cecil was present for the motion of item 1, and that line 126 should be
28 removed as it indicates that he was excused.
29 • Minutes will be corrected per motion of the Planning Commission before being signed off.

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31 **Motion to approve the Planning Commission minutes of March 23rd, 2022, with corrections – Robert
32 Perry. 2nd- Tyler Riggs**

33 **Vote:**

34 **Yea- Robert Perry, Brian Marble, Tyler Riggs.**

35 **Ney-**

36 **Abstained-**

37 **Excused- Michael Fortune, Rowan Cecil.**

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39 **Motion Passes.**

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41 **(5 MIN. 20 SEC.)**

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

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- Brian Marble opened the floor for public comment and indicated that this is the time for the public to make any general comments regarding the Planning Commission or the City.
 - No comments were made, Brian Marble closed the public comment section of the meeting.

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51 **(6 MIN 05 SEC.)**

- 52 ➤ **CAPSA Pledge Board Presentation and Report:** April is sexual assault awareness month, and the
- 53 Planning Commission will hear from a representative from CAPSA regarding their programs and pledge
- 54 board initiative. **(PLEDGE)**
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- Brian Marble indicated that a CAPSA representative was here tonight to talk about their ongoing initiatives and programs. Invited Sarah Fitzgerald to the stand to present.
 - Sarah Fitzgerald from CAPSA thanked the Planning Commission for allowing her to be here tonight to present on their organization. Indicated to everyone present that April was Sexual Assault Awareness month and discussed with the Planning Commission the current sexual assault numbers and statistics in the valley. Ms. Fitzgerald reviewed with the Planning Commission CAPAS's goals, resources, and their new pledge that they would like the Planning Commission to sign and be apart of.
 - Parties discussed CAPSA's funding. Ms. Fitzgerald indicated that are a non-profit organization.
 - The Planning Commission reviewed the pledge board CAPSA had brought and signed their name to it.
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68 **Public Hearing(s):**

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70 **(11 MIN. 10 SEC.)**

- 71 ➤ **Item No. 1 Zoning of Parcels 02-004-0001 & 02-004-0002 (Vineyard North Phase):** The
- 72 Providence City Planning Commission will take comments and questions regarding a request from
- 73 Visionary Homes to zone parcels 02-004-0001 & 02-004-0002 located in the general area of 600 S & S
- 74 1000 E. Parcels are currently in the annexation process and zone request seeks to have them zoned as
- 75 Agricultural (AG).
- 76
- Brian Marble called item 1 and gave a brief introduction. Indicated to all present that he would go down the list of those who had signed up to comment. Once their name is called, they could take the stand and give comment. Brian Marble indicated that after he reads all the names, he will allow others who had not signed the comment signup sheet to come up and make comment as well.
 - Bruce Johns took the stand and commented about the change in the zone request and the results of Proposition 1 which showed that the residents of Providence did not want these parcels annexed. The Planning Commission asked Mr. Johns if he is against the annexation or high-density housing. Mr. Johns responded that he is against high density housing.
 - Jeanette Christenson took the stand and commented on what the development could look like or be. Commented on current and possible future road width in the area, and issues with driveways and parking.
 - Barbara Moon took the stand and commented on the zoning request and access points not being feasible.
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- 90 • Ryan Snow, City Manager, commented on the recent statements that have been made and clarifies
91 the zone request and annexation process.
- 92 • Sharlie Gallup took the stand and commented on the zoning request and feasibility report,
93 questioned the accuracy of the report and the time it was done and if a new one was done. Ms.
94 Gallup commented on the conditional use process and the currently built homes in the Vineyard.
- 95 • Sharell Eames took the stand and commented on the zoning request and referenced the Cache
96 County Boundary Commission hearing that was held a few weeks back regarding these parcels and
97 their annexation into Providence City. Ms. Eames referenced the comments the Boundary
98 Commission made during that meeting.
- 99 • Loretta Buckley took the stand and commented on the possible issue of high-density housing in the
100 area.
- 101 • Allison Olson took the stand and commented on the issues of high-density housing, roads and lack
102 of adequate amenities that could happen with this annexation and development.
- 103 • Jason Thompson took the stand and commented on the annexation objection hearing that was had
104 before the Cache County Boundary Commission and the overall comments that were made by them.
105 Indicated to the Planning Commission that he is on the board and commented on the annexation but
106 abstained from voting. Commented on the zone request, the issue of density and the annexation
107 process. Discussed with the Commission the State Laws regarding annexation and the creation of
108 parcel islands. Commented on road access and school density or capacity. Commented on how this
109 annexation and development would affect River Heights City.
- 110 • Ruthann Nelson took the stand and commented on possible road access and the annexation of these
111 parcels.
- 112 • Parties discussed zoning and zoning options.
- 113 • Bruce Johns took the stand and commented on the development and possible annexation risks.
- 114 • Ms. Kingstel took the stand and indicated that she lives in the vineyard and commented on the need
115 for high density housing and the need for housing in the valley in general.
- 116 • Hilary Farnsworth took the stand and commented on the feasibility study and development plans.
117 Commented on Bickmore land a cross from the Vineyard and their potential plans and density.
- 118 • Sharell Eames took the stand and commented on the issue of high-density housing.
- 119 • Howard Christensen took the stand and commented on density, increased school density and
120 affordable housing and gave an example of the affordable housing development that is north of
121 Zollinger park and the need for more neighborhoods like that. Commented on the need for larger
122 road width.
- 123 • Sarah Standcliff took the stand and added her comments regarding the high-density housing needs
124 and the current Vineyard development which she lives in.
- 125 • Kevin Moon took the stand and commented on the zoning and annexation and questioned whether
126 Tyler Riggs, who is a Planning Commission member, should recuse himself because he lives in the
127 Vineyard.
- 128 • Mr. Riggs commented on his residency and for the time being does not plan on recusing himself.
- 129 • Laura Fisher took the stand and commented on the pressures of annexation; and commented on the
130 recent referendum and the time it took for the referendum to be voted on due to previous council not
131 dealing with it.
- 132 • Loretta Buckley took the stand and commented the Gateway amenities being inadequate and high-
133 density housing issues.

- Sharlie Gallop took the stand and commented on the Vineyard amenities and if or where they will be built.
- Ann Johns took the stand and commented on the annexation, proposition one and how they can get the word out about this issue and asking the public what they would like to see happen or what development they would be ok with.
- Ryan Snow responded to Ms. Johns and discussed doing a survey about Proposition 1
- Lara Fisher took the stand and commented on the fiber survey that was done that she thought was inadequate.
- Shery Crosby took the stand and voiced her opposition to the annexation and commented on the Gateway development, amenities, and HOA.
- Josh Paulson, Providence City Council Member, took the stand and commented on what has been said tonight regarding the annexation and zoning of these parcels. Indicated that he would like to put together a bi-city committee with River Heights to discuss these issues and find resolutions. Commented on the conflict of interest that may be present with Mr. Riggs living in the vineyard and being on the Planning Commission. Mr. Riggs responded and stated that he will look into the recusal request.
- Barbra Moon asked that the Planning Commission postpone recommendation until all members have been able to view or listen to the public hearing as Mr. Chambers arrived late and missed some of the hearing.
- No further comments were made. Brian Marble closed the public hearing portion of this item.

Legislative – Action Item(s):

(1 HR. 46 MIN. 50 SEC.)

- **Item No. 2 Zoning Recommendation for Parcels 02-004-0001 & 02-004-0002 (Vineyard North Phase):** The Providence City Planning Commission will review, discuss, and may take action on making a recommendation to City Council regarding the zoning of parcels 02-004-0001 & 02-004-0002. **(ZONE REQUEST) (FEASIBILITY REPORT)**

- Brian Marble called item 2 and gave a brief introduction and asked staff to give all represent a review of the zone, annexation, and overall recommendation.
- Skarlet Bankhead, Community Development Director, discussed with the Planning Commission what has been said during the public hearing and clarifies that tonight’s recommendation from the Planning Commission is simply whether they want to recommend the agriculture zone that vineyard has requested; they will not be making any recommendations regarding the annexation. City Council will hold a public hearing regarding the annexation in the coming months. Ms. Bankhead discussed with the Planning Commission the annexation process, zone request and what would be allowed on agricultural and the city’s general plan for the area. Parties discussed the general plan and the LCR zoning.
- Josh Paulson, City Council Member, quickly commented on the annexation process and public hearing that will be had regarding it and indicated that he was part of the Planning Commission when they were doing the general plan for the area and that the Planning Commission didn’t assign

177 it a direct zone because the parcels were already in the referendum stages and they didn't want to set
178 anything definitive.

- 179 • Parties discussed road width and current code regarding width.
- 180 • Craig Windor, Visionary Homes representative, commented on the previous LCR zone and their
181 current request to get it zoned agricultural. Indicated that vineyard is simply following the process,
182 and this is what is required since they are not requesting the zone that is incorporated into the general
183 plan for the area, which is believed is what people were against with Prop 1. Discussed with the
184 Planning Commission the possible future zoning process as they will most likely request a rezone in
185 the future. Parties discussed questions that were asked during the public hearing and Mr. Windor
186 replied that he never stated that we would answer anyone's questions. Visionary is here today to see
187 if the Planning Commission is ok with the zone request of agricultural for those two parcels.
- 188 • Robert Perry, Planning Commission Member, asked about the geo-tech survey that was done.
- 189 • Dallas Nicoll, Visionary Representative, indicated that they bored the area and found no issues.
- 190 • Joe Chambers, Commission Member, commented on Ms. Moons comments about postponing the
191 recommendation until all members have had a chance to review the comments from the public
192 hearing. Tyler Riggs also commented that he would like to postpone the recommendation so that he
193 can look to see if he needs to withdrawal is vote.
- 194 • Commission discussed the zoning request, density, and the annexation.

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196 **Motion to postpone the recommendation of item 2 until April 27th, 2022, to allow for all members to**
197 **review the comments from the public hearing – Joe Chambers. 2nd- Robert Perry**

198 **Vote:**

199 **Yea- Robert Perry, Brian Marble, Tyler Riggs, Joe Chambers.**

200 **Ney-**

201 **Abstained-**

202 **Excused- Michael Fortune, Rowan Cecil.**

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204 **Motion Passes.**

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206 **Administrative Action Item(s):**

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208 **(2 HR. 27 MIN. 25 SEC)**

209 ➤ **Item No. 3 South Bench Estates Amended Lot 3 Final Plat:** The Planning Commission will
210 review, discuss and may take action on a request for a final plat for South Bench Estates located in the
211 general area of 1039 S 400 E Providence Utah. **(ANALYSIS)**

- 212
- 213 • Brian Marble called item 3 and gave a brief introduction. Skarlet Bankhead indicated that this is her
214 property so she will not be able to give the review. Indicated to the Planning Commission that Diane
215 Campbell, staff member, did the report and Ryan Snow would be willing to give them an overview.
- 216 • Ryan Snow reviewed with the Planning Commission the staff report regarding the final plat with its
217 findings of fact, conclusions of law and conditions. Indicated that a water calculation study would
218 need to be submitted. Ms. Bankhead indicated that the water calculation study would be done.
- 219 • Parties discussed the slope of the property and where the individual plots would be located. Parties
220 reviewed the plat map.

221
222 **Motion to approve the final plat of South Bench Estates with the accompanying staff report which**
223 **includes the findings of fact, conclusions of law and conditions. -Robert Perry. 2nd – Tyler Riggs.**

224 **Vote:**

225 **Yea- Robert Perry, Brian Marble, Tyler Riggs, Joe Chambers**

226 **Ney-**

227 **Abstained-**

228 **Excused- Michael Fortune, Rowan Cecil.**

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230 **Motion Passes.**

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232 **Study Items(s):**

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234 **(2 HR. 36 MIN. 50 SEC.)**

- 235 ➤ **Retaining Wall Code Amendment:** The Planning Commission will review, and discuss a request from
236 Brett & Idena Ward, 879 Grandview Dr, to amend PCC 10-8-3 No. 8 Retaining walls **(CODE**
237 **AMENDMENT REVIEW)**

238 **Other City Retaining Wall Codes:**

239 **St. George North Logan Smithfield Draper Millcreek**

- 240 • Brian Marble called the study item, gave a brief introduction, indicated they discussed this last
241 meeting and asked the Planning Commission if they had any comments or questions to start off with.
- 242 • Robert Perry indicated that is past 9:00 and makes a motion to continue.

243 **Motion to continue meeting – Robert Perry 2nd -Tyler Riggs**

244 **Vote:**

245 **Yea- Robert Perry, Tyler Riggs, Brian Marble,**

246 **Ney- Joe Chambers**

247 **Abstained-**

248 **Excused- Michael Fortune, Rowan Cecil.**

- 249
- 250 • Robert Perry asked Ms. Ward if they had been in contact with the neighbors. Ms. Ward indicated
251 they had not.
- 252 • Ms. Ward commented that they are still pursuing all options.
- 253 • Parties discussed the codes of other cities and how they may relate. Parties discussed if changing the
254 current code was the way to go. Parties discussed sensitive zones and the possible retroactivity of
255 code amendments.
- 256 • Parties discussed wall height requirements and slope exemptions. Parties discussed the conditional
257 use process and if that was still a viable option. Parties discussed revising the code and trying to get
258 the resident or citizens input.
- 259 • Joe Chambers indicated that having a public hearing will at least allow the public to comment on the
260 issue even if they end up not recommending it be changed. Parties discussed amending the code and
261 trying to be concise moving forward.

Motion to hold a public hearing regarding amending PCC 10-8-3 Retaining Walls with the applicants proposal for the language change - Joe Chambers 2nd – Robert Perry

Vote:

Yea- Robert Perry, Tyler Riggs, Joe Chambers

Ney- Brian Marble,

Abstained-

Excused- Michael Fortune, Rowan Cecil.

Motion Passes.

Motion to adjourn meeting – Tyler Riggs. 2nd – Joe Chambers

Vote:

Yea- Robert Perry, Brian Marble, Tyler Riggs, Joe Chambers

Ney-

Abstained-

Excused- Michael Fortune, Rowan Cecil.

Motion passes, meeting adjourned.

Minutes prepared by Ty Cameron, City Recorder

Minutes approved by the Planning Commission on the _____ of _____ 2022

Michael Fortune, Chair

Ty Cameron, City Recorder