

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, May 11th, 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 5/11/2022 - YouTube](#) (Ctrl
7 + Click to follow link)

8
9 **HR. MIN. SEC.** in **GREEN** above items are time stamps for YouTube Video of the Planning Commission meeting

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11 **Call to Order:** Brian Marble, Vice Chair

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

13 **Members in Attendance:** Robert Perry, Brian Marble, Tyler Riggs (appeared via Zoom)

14 **Excused:** Michael Fortune & Joe Chambers.

15 **Staff in Attendance:** Ryan Snow (City Manager), Ty Cameron (City Recorder) & Skarlet Bankhead (Land Use
16 Director), Rob Stapley (Public Works Director)

17 **Pledge of Allegiance:** Brian Marble

- 18
19 • Brian Marble called meeting to order and took attendance of members present. Indicated that
20 Michael Fortune and Joe Chambers were unable to make it to tonight's meeting and that Tyler Riggs
21 was attending via zoom.

22
23 **(1 MIN 35 SEC.)**

24 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for April 27th, 2022.
25 **(MINUTES)**

- 26
27 • Brian Marble called for the approval of the minutes from last meeting. Robert Perry indicated that he
28 believed there was an issue with voting as Michael Fortunes name was not included in any of the
29 voting. Parties discuss who was present and who was able to vote last meeting.

30
31 **Motion to table approval of the minutes until next meeting to clarify Michael Fortunes vote –**
32 **Brian Marble 2nd- Tyler Riggs.**

33 **Vote:**

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

35 **Ney-**

36 **Abstained-**

37 **Absent- Michael Fortune & Joe Chambers**

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39 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction.

40 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
41 by text 435-752-9441. By law, email comments are considered public record and will be shared
42 with all parties involved, including the Planning Commission and the applicant.

- 43
44 • Brian Marble opened the floor for public comment. No comments were made. Brian Marble
45 closed the public comment portion of the meeting.

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48 **Public Hearings:**

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50 **(7 MIN. 15 SEC.)**

51 ➤ **Item No. 1 Providence City Code 10-8-3 Retaining Wall Amendment:** The Planning
52 Commission will take comments and questions from the public regarding a request to amend Providence
53 City Code 10-8-3 Retaining Walls.

- 54
- 55 • Brian Marble called item 1, indicated that this was a public hearing and opened the floor to the
56 public for any comments or questions. Brian Marble gave an overview of the request and history
57 behind it.
- 58 • Melissa Clegg asked about the current height retaining walls could be set at and what the request
59 changed.
- 60 • Brian Marble responded with what the request stated and emphasized that overall, it sought to
61 incorporate averages.
- 62 • Melissa Clegg commented on how averaging the retaining wall size would cause a lot of
63 problems for neighbors that would have to look at it.
- 64 • Steve Sampson commented on the request and the averages and agreed with Ms. Clegg that
65 averaging the wall size would not be good and would cause more issues than solutions.
- 66 • Brent Ward, applicant of the amendment request, commented on current retaining wall code and
67 its comparison with those of other cities, indicting the Providences City's retaining wall code
68 seemed very restrictive.
- 69 • No further comments or questions were made. Brian Marble closed the public hearing.
- 70

71 **Legislative – Action Item(s):**

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73 **(19 MIN. 40 SEC.)**

74 ➤ **Item No. 2 Providence City Code 10-8-3 Retaining Wall Amendment Recommendation:**
75 The Providence City Planning Commission will discuss and may take action on a request to amend PCC
76 10-8-3 Retaining Walls. **(CODE REVIEW)** **(CODES FROM OTHER CITIES)**
77 **(REQUEST)**

- 78
- 79 • Brian Marble called item 2 and indicated that this item will be their decision or recommendation
80 regarding the public hearing that was just held. Brian Marble gave a brief overview of the quest
81 and motioned that this item be indefinitely continued. Robert Perry seconded that motion, but
82 Tyler Riggs voted nay. With the motion not receiving a unanimous vote, based on there only
83 being 3 Commission Members present tonight, the motion dies.
- 84 • Skarlet Bankhead reviewed with the Planning Commission the process of code amendment
85 requests and the Planning Commissions options moving forward. Skarlet Bankhead reviewed
86 with the Planning Commission the staff report regarding the request and the current setback
87 requirements. Skarlet Bankhead discussed with the Planning Commission the request for
88 averages and what that would mean.
- 89 • Tyler Riggs commented on the amendment and the request to establish averages and indicated
90 that he would recommend that they deny the request. He also noted that amending the code is
91 something worth looking into, as more and more people build up into the benches. Tyler Riggs
92 commented on maybe having specific mountainous zones that allowed for bigger retaining walls

93 and possibly having a code about retaining walls with illustrations as Ms. Bankhead alluded to.
94 Indicated at this moment he would like to see what the City Council decides.

- 95 • Robert Perry commented on the current code and the possible need for changes as Mr. Riggs has
96 pointed out.

97
98 **Planning Commission agreed that amending PCC 10-8-3, as it relates to retaining walls, would be**
99 **worth looking into in more depth; but agreed that this request to amend the code with averages**
100 **for the wall height would cause more problems. Planning Commission believes there is a better**
101 **way to amend the code. Planning Commission will seek to have this request denied.**

102
103 **Motion to recommend to City Council that the request to amend PCC 10-8-3 Retaining Walls be**
104 **denied – Tyler Riggs. 2nd – Robert Perry.**

105 **Vote:**

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

107 **Ney-**

108 **Abstained-**

109 **Absent- Michael Fortune & Joe Chambers**

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111 **Motion passes.**

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

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115 **(35 MIN. 55 SEC.)**

- 116 ➤ **Item No. 3 Larsen Subdivision Final Plat:** The Planning Commission will consider and may
117 take action on a request to approve a final plat for the Larsen Subdivision, a 3-lot inner block
118 development located in the general area of 150 E. 200 S. **(ANALYSIS)**

- 119
120 • Brian Marble called item 3, gave a brief introduction and asked Skarlet Bankhead to give an
121 overview of the final plat.
- 122 • Skarlet Bankhead reviewed with the Planning Commission the staff report regarding the final plat,
123 referenced the general plan, and indicated that this is an inner block development. Discussed with
124 the Planning Commission the findings of fact, conclusions of law and conditions regarding the plat.
125 Indicated that there was a construction note about the road width possibly being too small and a
126 possible water fee-in-lieu. Highlighted the additional conditions and requirements the developers or
127 applicants would need to meet.
- 128 • Parties discussed the buildable area for all lots. Parties discussed inner block developments in
129 general and the number of lots allowed. Parties discussed access points and curb and gutter
130 requirements.
- 131 • Tyler Riggs commented on staff report and wondered if item 4 was correct. Skarlet responded that
132 she will of course double check.
- 133 • Christie Larsen, applicant, commented on the outbuildings and that they have been torn down.
134 Parties discussed the building envelopes of each lot and the possible asphalt or access issue and it
135 needing to be 20' instead of the 10'.
- 136 • Planning Commission stated that the applicant needs to be aware that the access to the back lots need
137 to always remain open. Parties discussed the possible need for a retaining structure at the front
138 entrance of both the east and west access points.

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- Ryan Snow commented on the possible need for retaining walls, access requirements and grading work.
 - Tyler Riggs commented on the conditions and what has been discussed and suggested that the Planning Commission table this item to allow more members of the Planning Commission to be present to weigh in on the issues; and for the applicant to update their plat with the requests that have been discussed here tonight.
 - Parties discussed current plat, retaining walls and the conditions that have been referenced.
 - Skarlet Bankhead commented on the purpose of plats and that the issues brought up tonight can be checked and added to the constructions plans and or the development agreement; lot of time they won't know what is exactly needed until they get the construction drawings.
 - Tyler Riggs commented and asked if a note needed to be added to the plat indicating that the access needs to remain unobstructed.
 - Ms. Larsen commented on the 10' road width and that it is not a typo or error but that the Fire Marshall approved the width as the other road width was 20' and would allow access to the whole back property.

155 **Motion to approve the final plat of the Larsen Subdivision with the accompanying staff report**
156 **which includes the findings of fact, conclusions of law, conditions, Fire Marshalls letter and any**
157 **requirements in red – Robert Perry, 2nd - Tyler Riggs.**

158 **Vote:**

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

160 **Ney-**

161 **Abstained-**

162 **Absent- Michael Fortune & Joe Chambers**

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164 **Motion passes.**

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166 **(1 HR. 10 MIN. 45 SEC.)**

167 ➤ **Item No. 4 Homes on the Knoll Preliminary Plat:** The Planning Commission will consider
168 and may take action on a request to approve a preliminary plat for Homes on the Knoll, a 98-lot
169 residential subdivision located in the general area of 300 N Sarah Street. **(ANALYSIS)**

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- Brian Marble called item 4, gave a brief introduction and asked Skarlet Bankhead to give an overview of the preliminary plat request.
 - Skarlet Bankhead discussed with the Planning Commission the purpose of preliminary plats and reviewed with them the staff report which included the findings of fact, conclusions of law and conditions. Referenced the possible need for an irrigation line that would need to be verified as she could not tell based on the parcel viewer if it was on their property or not. Discussed with the Planning Commission the developable and non-developable areas. Discussed with the Planning Commission the roadway requirements and their plans for storm water retention with storm water chambers.
 - Parties discussed where the storm water chambers would be located and how they work.
 - Danny MacFarland, applicant, reviewed with the Planning Commission their plans for the area and what the development will possibly look like. Indicated that they have done storm water chambers in

183 other areas and detailed how they would work. Indicated to the Planning Commission that the
184 irrigation line that Skarlet referenced is not on their land and has been verified.

- 185 • Parties discussed the building envelopes and the storm water system.
- 186 • Rob Stapley, public works director, commented on the storm water chambers and retention, and that
187 it will have to be followed closely to make sure that it is a viable method for the area and
188 development. Commented that they need to make sure lot lines aren't drastically affected.
- 189 • Mr. MacFarland indicated that they would work closely with the public works department and that if
190 it ended up not working out, they could do a retention pond.

191
192 **Motion to approve the preliminary plat for Homes on the Knolls with its accompanying staff**
193 **report which includes the findings of fact, conclusions of law, conditions, Fire Marshalls letter and**
194 **any requirements written in red – Robert Perry 2nd Brian Marble.**

195 **Vote:**

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

197 **Ney-**

198 **Abstained-**

199 **Absent- Michael Fortune & Joe Chambers**

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201 **Motion passes.**

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203 **Motion to adjourn meeting – Tyler Riggs. 2nd – Robert Perry.**

204 **Vote:**

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

206 **Ney-**

207 **Abstained-**

208 **Absent- Michael Fortune & Joe Chambers**

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210 **Meeting Adjourned.**

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212 Minutes approved by the planning commission on _____ of _____ 2022.

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217 Michael Fortune, Chair

Ty Cameron, City Recorder