

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, March 23rd, 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 3/23/2022 - YouTube](#)

7 (Ctrl + 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 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, Rowen Cecil, Tyler Riggs & Joe Chambers.

14 **Excused:** Michael Fortune

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

17 **Pledge of Allegiance:** Tyler Riggs

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19 **(1 MIN. 00 SEC.)**

20 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for March 9th, 2022.

21 **(MINUTES)**

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 - Brian Marble called for the approval of the minutes and asked if there were any corrections that
24 needed to be made.
 - No corrections needed. Commission moved to approve the minutes.

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27 **Motion to approve the minutes of March 9th, 2022- Robert Perry. 2nd – Tyler Riggs**

28 **Vote:**

29 **Yea – Robert Perry, Tyler Riggs, Brian Marble & Joe Chambers.**

30 **Ney-**

31 **Abstained-**

32 **Excused- Rowan Cecil (arrived later in the meeting), Michael Fortune.**

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34 **Motion Passes.**

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

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

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 - Brian Marble opened the floor for public comment.
 - No comments were made, no comments were received via email or text.
 - Brian Marble closed the public comment section of tonight's meeting.

44 **Public Hearing(s):** No Public Hearings

46 **Legislative – Action Item(s):** No Legislative Items

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

50 (2 MIN. 55 SEC.)

51 ➤ **Item # 1 Hillside Meadows Subdivision Final Plat:** The Planning Commission will
52 consider and may take action on a request for approval of a final plat for Hillside Meadows Subdivision,
53 a proposed 2-lot residential subdivision located in the general area of 59 S 300 E **(FINAL PLAT**
54 **ANALYSIS)**

- 55 • Brian Marble called item number 1, gave a brief introduction and asked Skarlet Bankhead to give
- 56 an overview of the final plat.
- 57 • Skarlet Bankhead discussed with the Commission the final plat analysis reviewing the findings
- 58 of fact, conclusions of law and the conditions. Skarlet Bankhead discussed with the Commission
- 59 the utility easement and the possible need for it to be 20 feet instead of 10 feet to allow access for
- 60 any future projects or repairs. Indicated that the applicants would need to provide water
- 61 availability assessment and include a statement stating building permits will not be issued until
- 62 conditions are met.
- 63 • Parties discussed the easement length and needed improvements.
- 64 • Parties discussed the frontage of the lots and asked the applicants if they could answer a few
- 65 questions.
- 66 • Cody and Myra Bland, applicants, discussed with the Commission their plans for the lots and
- 67 understood that there were certain conditions that they needed to work on. Parties discussed the
- 68 flag lot structure and its requirements.
- 69 • Parties discussed the fire marshals concerns and the possible need for a turnaround for lot 2.
- 70 Parties discussed obstruction requirement for allowing access and possibly putting in a note for
- 71 future development.
- 72 • Parties discussed the turnaround request and the setbacks.
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76 **Motion to approve the final plat with its accompanying findings of facts, conclusions of law and**
77 **conditions; as well as the condition that applicants place a note on the plat indicating approval of a 20-**
78 **foot utility easement and a note that the driveway be unobstructed for emergency access – Joe Chambers.**
79 **2nd Rowan Cecil.**

80 **Vote:**

81 **Yea – Robert Perry, Tyler Riggs, Brian Marble, Rowan Cecil & Joe Chambers.**

82 **Ney-**

83 **Abstained-**

84 **Excused- Michael Fortune.**

86 **Motion Passes.**

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88 **Study Items(s):**

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90 **(34 MIN. 50 SEC.)**

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

- 94
- 95 • Brian Marble called the study item for tonight’s meeting, gave a brief introduction, and asked if
- 96 Commission had any comments or questions. Commission indicated that they first wanted to
- 97 hear from the applicants and staff.
- 98 • Mr. & Ms. Ward, applicants, took the stand and gave the Commission an overview of their
- 99 request, why they are making a code amendment request regarding retaining walls and the
- 100 situation they are currently in due to their retaining wall being in violation of the city code.
- 101 • Ryan Snow elaborates on the history of the Ward’s retaining wall and the current violation of it
- 102 regarding the city code and its setbacks.
- 103 • Parties discussed current code and the proposed change to it. Commission asked how their
- 104 neighbors felt about their wall.
- 105 • Parties discussed how this violation occurred and if it could have been avoided. The Wards
- 106 indicated that there was a lot of miscommunications.
- 107 • Parties discussed the proposed planter box in the original and proposed design.
- 108 • Parties discussed retaining wall codes of other cities and how they relate to Providence City’s
- 109 code. Parties discussed what is and isn’t allowed in setbacks and why the retaining wall
- 110 requirement is set at 6 feet. Parties discussed the retaining wall ordinance history.
- 111 • Parties discussed the retroactivity request that is in the application and whether that is a valid
- 112 request. Commission indicate that rarely do code amendments have retroactivity.
- 113 • Parties reviewed the variance process and requirements and the applicants current contract with
- 114 the city regarding the issue. Commission discussed with the applicants their plans if the code
- 115 amendment doesn’t get approved.
- 116 • Parties discussed the easement, setbacks, and property lines regarding the applicants home and
- 117 their neighbors.
- 118 • Parties discussed recommendations and possible solutions.
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120 **Motion to continue this study item allowing staff to gather more information – Robert Perry. 2nd –**
121 **Rowan Cecil.**

122 **Vote:**
123 **Yea – Robert Perry, Tyler Riggs, Brian Marble, Rowan Cecil & Joe Chambers.**
124 **Ney-**
125 **Abstained-**
126 **Excused-, Michael Fortune.**
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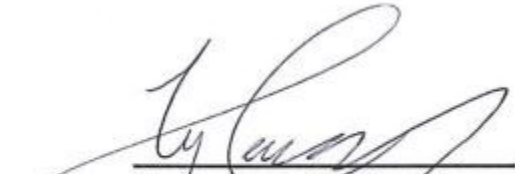
Motion Passes.
Motion to adjourn meeting – Rowan Cecil. 2nd – Tyler Riggs.
Vote:
Yea – Robert Perry, Tyler Riggs, Brian Marble, Rowan Cecil & Joe Chambers.
Ney-
Abstained-
Excused- Michael Fortune.

Motion Passes.
Meeting adjourned.

Minutes prepared by Ty Cameron, City Recorder
Minutes approved by the Planning Commission on the 13th of April 2022.



Michael Fortune, Chair



Ty Cameron, City Recorder

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