

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, November 30th, 2022, 6:00 pm

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

4
5 To view the video recording account of the Planning Commission meeting please view the Planning
6 Commission webpage or click on the following link: [Planning Commission 11/30/2022 - YouTube](#)

7
8 **HR. MIN. SEC.** in **GREEN** above agenda item are time stamps of the YouTube Meeting.

9
10 **Call to Order:** Michael Fortune

11 **Chair Roll Call of Commission Members:** Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn,
12 Robert Henke & Joe Chambers.

13 **Members Absent:** Tyler Riggs

14 **City Staff Present:** Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director) & Ty
15 Cameron (City Recorder)

16 **Pledge of Allegiance:** Brian Marble

17
18 **2 MIN. 55 SEC.**

19 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for October 26th, 2022.

20 **(MINUTES)**

- 21
22
- Michael Fortune called for the approval of the minutes of October 26th, 2022.
 - Shelly Nazer indicated that on line 80 the word ‘zone’ should be zoning, on line 133 the word ‘and’ should be had, and on line 137 the word ‘like’ should be liked.
 - Staff indicated that they would make those corrections.
- 23
24
25
26

27 **Motion to approve the minutes of October 26th, 2022, with the stated corrections – Brian Marble. 2nd –**
28 **Shelly Nazer.**

29 **Vote:**

30 **Yea- Shelly Nazer, Brian Marble, Bob Washburn & Joe Chambers.**

31 **Ney-**

32 **Abstained- Michael Fortune.**

33 **Absent- Tyler Riggs.**

34
35 **Motion passes, minutes are approved.**

36
37
38 **Public Comments:** Citizens may express their views on issues within the Planning Commission’s jurisdiction.
39 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
40 by text 435-752-9441. By law, email comments are considered public record and will be shared
41 with all parties involved, including the Planning Commission and the applicant.

- 42
43
- Michael Fortune opened the floor for public comments.
 - No comments were posed.
 - Staff indicated that no comments had come in via email or text.
 - Michael Fortune closed the public comment portion of the meeting.
- 44
45
46

47
48 **Public Hearings:** None

49
50 **Legislative – Action Item(s):** None

51
52 **Administrative Action Item(s):**

- 53
- 54 • Joe Chambers motioned for item 2 to be called first as the applicants for item 1 were not yet present.
- 55

56 **Motion to move to item 2 – Joe Chambers. 2nd – Bob Washburn.**

57 **Vote:**

58 **Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.**

59 **Ney-**

60 **Abstained-**

61 **Absent- Tyler Riggs.**

62
63 **Motion passes, Planning Commission called item 2 before item 1.**

64
65 **1 HR. 18 MIN 15 SEC.**

- 66 ➤ **Item No. 1 Rocky Hollow Estates Subdivision Amended Final Plat:** The Providence City
- 67 Planning Commission will review, consider, and may take action on an amended final plat for the Rocky
- 68 Hollow Estates Subdivision Amendment No. 1 adjusting an internal lot restriction by amending the front
- 69 and street-side setbacks to a minimum 20-ft setback for Lot 1, located at 585 S 480 E. [\(ANALYSIS\)](#)
- 70
- 71 • Michael Fortune called item 1 and indicated that the applicants were not present.
- 72 • Parties discussed the application and the city road width standards.
- 73

74 **Motion to table item 1 so that applicants can be present – Shelly Nazer. 2nd – Bob Washburn.**

75 **Vote:**

76 **Yea- Shelly Nazer, Michael Fortune, Bob Washburn.**

77 **Ney- Brian Marble**

78 **Abstained- Joe Chambers.**

79 **Absent- Tyler Riggs.**

80
81 **Motion passes, item tabled until applicants can be present.**

82
83 **6 MIN. 45 SEC.**

- 84 ➤ **Item No. 2 Providence Gateway Subdivision Phase N Amended Final Plat:** The Providence
- 85 City Planning Commission will review, consider, and may take action on an amended final plat for the
- 86 Providence Gateway Subdivision Phase N Partial Amended No. 1 by removing the Live/Work
- 87 designation for units 69-76, located in the general area of 28 N Gateway Dr. [\(ANALYSIS\)](#)
- 88

- 89 • Michael Fortune called item 2, gave a brief introduction and asked Skarlet Bankhead to give an
90 overview of the staff report and application.
- 91 • Skarlet Bankhead discussed with the Commission the plat analysis, the building code requirements and
92 what was changing from the previous plat. She indicated that the zoning was not changing and reviewed
93 with the Commission internal lot restrictions. Ms. Bankhead reviewed the findings per the staff report,
94 indicating there were no easement issues, that everything still complied with the master plans and
95 general plans, and that Aaron Walker, Deputy Fire Marshall, has approved the amendment. She
96 reminded the Commission that they would need to find good cause to approve this request.
- 97 • Skarlet Bankhead discussed with the Commission the standard conditions and that the applicants would
98 need to address the comments that Aaron Walker put in this letter.
- 99 • The Planning Commission asked about structural changes to the building. Staff indicated that there were
100 no structural changes being made just that the applicants were removing the live work designation.
101 Parties discussed commercial versus residential zonings and what is allowed with the live work
102 designation versus a home business.
- 103 • Bob Washburn commented that he had talked to Aaron Walker to get clarification and stated that the
104 only differences were the fire suppression systems that would have to be used with live work and the
105 separate entrances for the designated business.
- 106 • Jon Harrop, applicant, commented on the application and why they were seeking to remove the live
107 work designation as it required additional costs with very little changes or benefits. He commented on
108 the building codes between the two designations.
- 109 • Parties discussed HOA restrictions, signage regulations and home businesses. Parties asked about costs
110 and taxes associated with the live work designation. Parties discussed zone restrictions and the
111 commercial zone designation that is seen in the surrounding properties.
- 112 • Parties continued discussion on HOA restrictions as it related to live work designations and that of a
113 standard home business. Parties discussed what type of signs could be placed and where regarding live
114 work homes versus regular residential.
- 115 • Parties discussed the building structure and parking for the area. Parties discussed the previous zoning of
116 the area and the history of the live work designation request. Jon Harrop commented that when they
117 asked for the live work designation, they didn't know how exactly it would play out, but now that they
118 have seen the requirements, they believe designating these lots just for townhomes is their best option,
119 even for the people who will reside in them.
- 120 • Shelly Nazer commented on the benefits she sees with the live work designation.
- 121 • Bob Washburn commented that he believed the issue was not zoning this area as commercial when it
122 was first approved.
- 123 • Brian Marble indicated that he is for keeping it as is and commented on other developments in the area
124 and that the area was a good place to have commercial.
- 125 • Joe Chambers commented on the property owners right to change it and use it how they want.
- 126 • Robert Henke asked what the city regulations were regarding signage and commented that he doesn't
127 see the city losing any money with this change.
- 128 • Parties discussed the uses within the different zones and the pros and cons of the live work designation.
129 Parties discussed building codes and possible HOA restrictions.
- 130 • Joe Chambers commented on home businesses and their definition in the city code and use chart.

- Staff instructed the Commission on how to search previous minutes and showed the last time the live work designation was discussed regarding this plat.
- Parties discussed good cause.

Motion to approve the amended final plat of the Providence Gateway Subdivision Phase N partial amended No. 1 with good cause being that this change will bring better alignment to the zoning and building codes of the area subjective to the findings of facts, conclusions of law and conditions as stated in the staff report – Bob Washburn. 2nd – Joe Chambers.

Vote:

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs.

Motion passes, plat amendment approved.

Motion to adjourn meeting – Brian Marble. 2nd – Bob Washburn

Yea- Shelly Nazer, Brian Marble, Michael Fortune, Bob Washburn & Joe Chambers.

Ney-

Abstained-

Absent- Tyler Riggs.

Motion passes, meeting adjourned.

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

Michael Fortune, Chair

Ty Cameron, City Recorder