

PLANNING COMMISSION MINUTES

Wednesday, September 24th, 2025, 6:00 pm

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

To view the video recording of the meeting please visit our YouTube channel found [HERE](#).

Call to Order: Vice Chair Juile Martin

Chair Roll Call of Commission Members: Bob Perry, Michael Fortune, Julie Martin & Joe Chambers.

Members Excused: Robert Henke & John Petersen.

Staff in Attendance: City Manager Ryan Snow, Community Development Director Skarlet Bankhead and City Recorder Ty Cameron

Pledge of Allegiance: Joe Chambers.

➤ **Swearing in of new Planning Commission Member Bob Perry.**

- Ty Cameron, City Recorder administered the oath of office to Bob Perry. Bob raised his right hand and solemnly swore to support, obey, and defend the constitution of the United States and the constitution of Utah, and to discharge the duties of his office with fidelity.
- Julie Martin welcomed Bob, noting he had previous experience on the commission.

➤ **Item No. 1 Approval of Minutes:** The Planning Commission will consider approval of the minutes of August 27th, 2025. ([MINUTES](#))

- Julie Martin called for the approval of the minutes of August 27th, 2025.

Motion to approve the minutes of August 27th, 2025 – Michael Fortune. 2nd- Joe Chambers.

Vote:

Yea- Michael Fortune, Julie Martin & Joe Chambers.

Nay-

Abstained- Bob Perry.

Absent- Robert Henke & John Petersen.

Motion passes, minutes approved.

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

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

- Julie Martin opened the meeting for public comments.
- No members of the public were present in the audience. Staff confirmed no comments had been received via email or phone.
- The public comment portion was closed.

Public Hearings: None

Legislative – Action Item(s): None

Administrative Action Item(s): None

Study Items(s):

- **Item No. 2 PCC Addition - PCC 10-9-8 Mining and Similar Activities:** The Providence City Planning Commission will review, discuss and may set for a public hearing a proposed new code to the Providence City Code; 10-9-8 Mining and Similar Activities. ([PCC 10-9-8](#))
- Julie Martin introduced this as a study item for a new code or code revision regarding mining and similar activities. No action would be taken at this meeting other than moving to the next step which would be a public hearing.
 - Community Development Director Skarlet Bankhead presented the proposed code. She explained that state code changes made in May by "critical materials people" - the large gravel pit operators like Geneva Rock - necessitated updating Providence City's code. The city previously had mining regulations that were inadvertently omitted during codification. Given the state's more liberal stance toward mining activities, the city needed regulations to protect residential neighborhoods while allowing developers to utilize natural resources.
 - Skarlet explained she based the proposed code on the previous ordinance from 2021-2022, with additions including provisions for temporary gravel pits - something not in the previous code but found in other counties. She emphasized the focus on temporary pits associated with subdivision development, allowing developers to use on-site materials for infrastructure.
 - The recent catalyst was a developer in the southeast portion of the city who had been operating for several months using materials on-site. While the operation itself generated few complaints, issues arose when large truck traffic began transporting materials off-site. Skarlet noted that the minute the large truck traffic started happening off-site to and from the site, that's when people started noticing something was up.
 - Skarlet then presented her recent idea about the need for more detailed traffic plan requirements. She proposed including specific elements: haul routes with maps and narrative, traffic safety measures, hours of operation, roadway protection and maintenance, truck staging and idling plan, communication and coordination procedures, and compliance and monitoring plan. These would be separate from the overall business plan, recognizing that pit operations might run 7 AM to 5 PM while truck hauling could occur 9 AM to 6 PM.
 - Michael Fortune commented that he supported the traffic plan additions, noting the issues caused by gravel pits in Cache Valley and the Brigham City/Perry area.
 - Joe Chambers inquired about the location, learning it was in the southeast portion of the city, south of Providence Canyon, near 8th East. When the discussion turned to access roads, Skarlet clarified that trucks enter at 8th East and travel south directly to the site.
 - Joe Chambers raised concerns about state legislation allowing expansion of operations with conditional use permits. He explained that under recent bills, if a conditional use permit exists, operators can acquire adjacent land before January 2026, and cities cannot deny expansion unless there are severe safety concerns that cannot be mitigated. As someone who had represented gravel pits since 1998, Joe noted he was familiar with large clients planning to use this legislation.

- Skarlet committed to consulting with the city attorney about whether a conditional use permit was appropriate given Joe's concerns about expansion rights. Parties suggested they might need a different type of permit to avoid triggering state protections for mining operations.
- Julie Martin asked several clarifying questions. She wanted to know if "temporary" was defined elsewhere in code regarding duration and volume. Skarlet acknowledged this was a good point needing definition. Julie also asked about the annual review process - how it would be conducted and what would trigger permit revocation. Skarlet explained that operators would need to prove continued adherence to established conditions, and permits could be denied if they moved to locations where detrimental effects on neighborhoods couldn't be mitigated.
- Julie expressed concern about indefinite renewals of temporary permits, asking if there was a cap on how many years operations could continue. Skarlet agreed this should be addressed in defining "temporary."
- Julie also asked about penalties for violations. Skarlet explained these were covered in Title I of city code, with options for infractions, Class C misdemeanors, and Class B misdemeanors.
- Joe questioned the administrative land use authority designation. The code showed city council approval on line 18 but administrative land use authority on line 50. Skarlet clarified this was an error - it should all be administrative land use authority, consisting of the Community Development Director, Public Works Director, and City Engineer.
- When Joe Chambers asked why Planning Commission was not involved any more. Skarlet explained the history stating that when the code changed around 2006 encouraging cities to remove city councils from administrative processes, they created the administrative land use authority. Since the Planning Commission was more involved in subdivisions, they excluded commission members to avoid conflicts of interest. Now Planning Commission only handles preliminary plats and multi-family design review, plus legislative matters like ordinances. Skarlet noted the three professionals were chosen for their expertise in analyzing technical aspects like traffic and business plans.
- Commission raised technical concerns about slope stability, noting that state Division of Oil, Gas and Mining (DOGM) defaults to 1:1 slopes (45 degrees) while the proposed code allowed disturbing up to 30% grades (approximately 3:1). They suggested this seemed very steep without engineering certification. The discussion became detailed about slope calculations and safety.
- Skarlet explained the 30% threshold came from their sensitive areas designation - they cannot disturb slopes of 30% or greater, though they could create up to 28% slopes if stabilized. Parties suggested incorporating engineering requirements for slope design during active excavation, not just final grading. They discussed various scenarios, including a Pleasant View example where engineers certified very steep rock faces for a future golf course.
- Skarlet agreed to consult with the city engineer about appropriate slope stability requirements, acknowledging the need to protect both workers during active operations and future residents.
- Michael Fortune shared his perspective as someone less familiar with the topic, mentioning the inactive pit in Hyrum (now owned by LeGrand Johnson). Discussion revealed the LeGrand Johnson pit remains very active with trucks entering from the highway. Michael supported the proposed code revisions with suggested improvements, emphasizing the temporary nature - allowing developers to use on-site materials for their projects and remove excess, not operate commercial gravel pits. If developers wanted commercial operations, they would need additional business licensing. He felt comfortable moving to public hearing to gather community input while continuing to refine the code.
- The commission discussed timing for a public hearing.
- Julie Martin expressed comfort, moving to public hearing since no final decisions would be made and work would continue, if necessary, after the public give input.

Motion to move PCC 10-9-8 to a public hearing.- Joe Chambers. 2nd- Bob Perry.

Vote:

Yea- Bob Perry, Michael Fortune, Julie Martin & Joe Chambers.

Nay-

Abstained-

Absent- Robert Henke & John Petersen.

Motion passes, item to be set for a public hearing.

Julie Martin adjourned the meeting.

Next scheduled PC meeting will be October 8th @ 6 pm.

Minutes approved by vote of Planning Commission on ____ day of _____ 2025.

I swear that these minutes are true and correct to the best of my knowledge.

Ty Cameron, City Recorder.