



VOTER INFORMATION PAMPHLET

2021 GENERAL ELECTION
TUESDAY, NOVEMBER 2nd

Proposition #1

The arguments for or against a ballot proposition are
the opinions of the authors.

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For information about the candidates running for office please visit Vote.Utah.Gov where you can find their campaign profiles.

APPLICATION FOR REFERENDUM

TO THE MAYOR AND CITY COUNCIL OF PROVIDENCE CITY, CACHE
COUNTY, STATE OF UTAH:

We, the undersigned Sponsors hereby submit this Application for Referendum pursuant
to Utah Code Ann. § 20A-7-602 and respectfully certify the following:

1. We are all residents of the State of Utah;
2. We have all voted in a regular municipal election in Utah within the last
three years;
3. We seek to circulate a referendum petition to challenge the adoption of
Ordinance 2019-04, a copy of which is attached to this Application; and
4. We respectfully request that the City Clerk provide us with the required
referendum petitions and signature sheets as required by Utah Code Ann. § 20A-7-604.

Delivered to the Providence City Clerk this 15 day of March, 2019.

SPONSORS:

Sponsor Name: Dwayne Yost
Sponsor Residence Address: 1180 S Hidden View Dr
Providence, UT
84332
Sponsor Signature: D Yost
STATE OF UTAH)
: ss.
County of Cache)

On this 14 day of March, 2019, before me, a notary public, personally appeared
Dwayne Yost, being personally known to me, or having proved on the basis of
satisfactory evidence to be the person whose name is subscribed to in this document, and
acknowledged he/she executed the same.

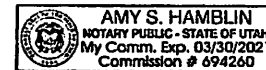
Amy S. Hamblin
NOTARY PUBLIC



Sponsor Name: Cynthia Sue Montoya
Sponsor Residence Address: 111 E Spring Creek Pkwy
Providence, UT 84332

Sponsor Signature: Cynthia Sue Montoya
STATE OF UTAH)
: ss.
County of Cache)

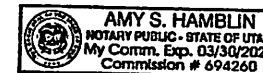
On this 14th day of March, 2019, before me, a notary public, personally appeared
Cynthia Sue Montoya, being personally known to me, or having proved on the basis of
satisfactory evidence to be the person whose name is subscribed to in this document, and
acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name: FRANK MONTROYA JR.
Sponsor Residence Address: 111 EAST Spring Creek Pkwy
Providence, UTAH 84332
Sponsor Signature: FRANK
STATE OF UTAH)
: ss.
County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared
FRANK MONTROYA JR., being personally known to me, or having proved on the basis of
satisfactory evidence to be the person whose name is subscribed to in this document, and
acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name:

Deon Anderson

Sponsor Residence Address:

35 West Springcreek Pkwy
Providence, UT

Sponsor Signature:

La Verna Deon Anderson

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared La Verna Deon Anderson being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name:

LAURA FISHER

Sponsor Residence Address:

1590 CANYON ROAD
PROVIDENCE, UT 84732

Sponsor Signature:

Laura Fisher

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared Laura Fisher being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name:

Hilary Furnsworth

Sponsor Residence Address:

808 S. 500 E
Providence, UT
84732

Sponsor Signature:

Hilary Furnsworth

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared Hilary Furnsworth being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name:

ROBERT BICKLAND

Sponsor Residence Address:

1590 CANYON RD
PROVIDENCE UT
84732

Sponsor Signature:

Robert Bickland

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared Robert Bickland being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



Amy S. Hamblin
NOTARY PUBLIC

Sponsor Name:

Craig Louis Frank

Sponsor Residence Address:

154 NORTH 200 EAST
PROVIDENCE, UTAH
84332

Sponsor Signature:

[Signature]

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared Craig Louis Frank, being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



[Signature]
NOTARY PUBLIC

Sponsor Name:

BENJAMIN THOMAS HILL

Sponsor Residence Address:

187 ANDREWS LN.
PROVIDENCE, UT
84332

Sponsor Signature:

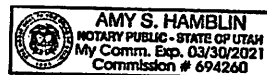
[Signature]

STATE OF UTAH)

: ss.

County of Cache)

On this 14 day of March, 2019, before me, a notary public, personally appeared Benjamin Thomas Hill, being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



[Signature]
NOTARY PUBLIC

Sponsor Name:

Tyson Paul Chesire

Sponsor Residence Address:

145 ANDREWS LN
PROVIDENCE, UT 84332

Sponsor Signature:

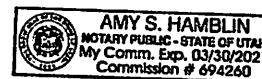
[Signature]

STATE OF UTAH)

: ss.

County of Cache)

On this 14th day of March, 2019, before me, a notary public, personally appeared Tyson Paul Chesire, being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.



[Signature]
NOTARY PUBLIC

Sponsor Name:

Sponsor Residence Address:

Sponsor Signature:

STATE OF UTAH)

: ss.

County of Cache)

On this ____ day of March, 2019, before me, a notary public, personally appeared _____, being personally known to me, or having proved on the basis of satisfactory evidence to be the person whose name is subscribed to in this document, and acknowledged he/she executed the same.

NOTARY PUBLIC

Ordinance No. 2019-004

AN ORDINANCE OF PROVIDENCE CITY GRANTING A PETITION FOR ANNEXATION AND ANNEXING THE PROPERTY DESCRIBED IN THE PARCEL LOCATED ADJACENT TO THE NORTH BOUNDARY OF PROVIDENCE CITY IN THE GENERAL AREA OF 615 NORTH 300 EAST; PARCEL NO. 02-004-0001, 02-004-0002 AND A PORTION OF 300 EAST (1000 EAST – CACHE COUNTY); CONTAINING 22.13 ACRES (+/-); AND ASSIGNING THE PROPERTY THE LIFE CYCLE RESIDENTIAL (LCR) LAND USE ZONE.

WHEREAS, Skarlet Bankhead, the duly appointed and acting City Recorder of Providence City, Cache County, Utah did hereby receive a Petition for Annexation and Plat which was filed with the City by Craig Winder, on behalf of Ridgeview Park LLC; and

WHEREAS, the legal description for said property is as follows:
Part of the Southwest Quarter of Section 2 and the Southeast Quarter of Section 3, Township 11 North, Range 1 East of the Salt Lake Meridian described as follows:
Commencing at the Northeast Corner of Section 2, Township 11 North, Range 1 East of the Salt Lake Meridian monumented with a Cache County Brass Cap, thence S89°42'27"W 5433.19 feet to the Northwest corner of Section 2; thence S00°04'53"W 2997.19 feet to the POINT OF BEGINNING on the south right of way line of 600 South Street and running thence S 88°08'39" E 1,156.12 feet along the south right of way line of 600 South Street and it's projection thereof to the east right of way line of 1000 East Street; thence S 01°20'49" W 825.19 feet along the East right of way line of 1000 East Street; thence N89°05'49"W 1153.52 feet; thence N 01°10'17" E 844.40 feet along the east line of South Fields Subdivision to the point of beginning, containing 22.13 acres, more or less.

WHEREAS, the Petition was accepted by the Providence City Council for further consideration pursuant to UTAH CODE ANN. § 10-2-405 by Resolution 042-2018 adopted and passed by the City Council on December 11, 2018; and

WHEREAS, Skarlet Bankhead did certify, based on information received from Cache County and in consultation with the Providence City Attorney, that the Petition met the requirement of UTAH CODE ANN. Subsections 10-2-403(3), (4), and (5), and on January 18, 2019, did give Notice to the Providence City Council, the Contact Sponsor for said Petition, and Cache County of Certification; and

WHEREAS, pursuant to UTAH CODE ANN. § 10-2-406, Skarlet Bankhead did give Notice of Certification of Annexation Petition to each affected entity; and

WHEREAS, the Notice of Annexation was published in the Herald Journal on January 26, February 2, and 9, 2019; and

WHEREAS, no formal protests to the Petition have been received; and

WHEREAS the Providence City Council advertised and held a public hearing, in accordance with UTAH CODE ANN. § 10-2-407(3)(b), on March 12, 2019; and

WHEREAS, Providence City desires to provide for the health, safety, and welfare, and promote the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values in areas that may be considered sensitive, including but not limited to fire danger, slope, soil content, by following its Annexation Policy Plan and its General Plan; and

WHEREAS, Utah Code Ann. § 10-9a-506(1) states that the legislative body of each municipality shall assign a land use zone or a variety thereof to territory to territory annexed to the municipality at the time the territory is annexed; and Providence City Code 10-3-6:A. states that new areas annexed into the City shall be annexed into the City as agricultural, unless otherwise approved by the City Council; and

WHEREAS, the Petitioner is requesting the Life Cycle Residential (LCR) land use zone; and

WHEREAS, specific conditions that apply to the development of the above referenced property have been outlined in the Annexation Agreement approved by Resolution 007-2019, adopted by the Providence City Council on March 12, 2019.

THEREFORE, BE IT ORDAINED that the Providence City Council:

1. Grants the Petition for Annexation filed by Craig Winder, on behalf of Ridgeview Park LLC subject to the conditions described in the Annexation Agreement referenced above; and

2. The Providence City Corporate limits will be modified to include said property as described above; and

3. The annexed parcel shall be zoned as Life Cycle Residential (LCR); and

4. The Providence City Zoning Map shall also be changed to include the property as described and zoned above; and

5. This Ordinance will become effective immediately upon passage and certification from the Lt. Governor's Office.

Ordinance adopted by vote of the Providence City Council this 12 day of March 2019.

Council Vote:

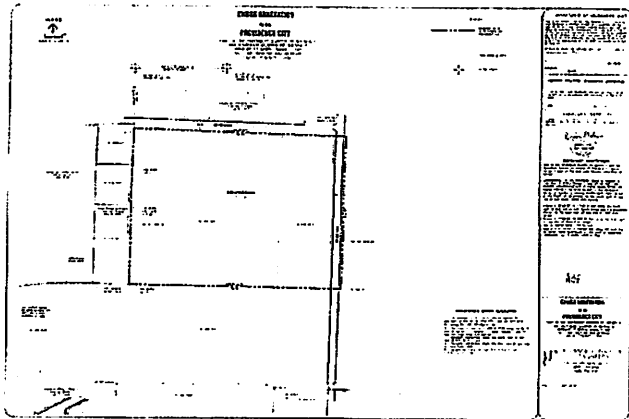
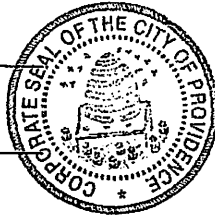
Allen, Kirk	(X) Yes	() No	() Excused	() Abstained	() Absent
Eck, Kristina	(X) Yes	() No	() Excused	() Abstained	() Absent
Fresz, Brent	(X) Yes	() No	() Excused	() Abstained	() Absent
Giles, Dennis	() Yes	() No	(X) Excused	() Abstained	() Absent
Sneddon, Roy	(X) Yes	() No	() Excused	() Abstained	() Absent

1 Signed by Mayor John Drew this 12th day of March 2019.

2
3 Providence City

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6 John Drew, Mayor

7
8 Attesty
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10 Skarlet Bankhead, Recorder





Providence City Attorney's Office
164 North Gateway Drive
Providence Utah
(435) 752-9441
<http://www.providencecity.com>

Date: April 8, 2019

Fiscal Analyst: Skarlet Bankhead

Legal Analyst: Chad Woolley

INITIAL FISCAL AND LEGAL IMPACT STATEMENT

Referendum: Ordinance 2019-004

Good Faith Estimate of the Fiscal and Legal Impact of Repealing the Law the Referendum
Proposed to Repeal (UCA 20A-7-602.5)

Fiscal Impact Estimate	
Total estimated fiscal impact of repealing the law:	
Estimated tax increase or decrease:	\$0.00
Estimated increase or decrease in public debt:	\$0.00
Sources of funding for the estimated costs that would be associated with the law's repeal:	None
Estimated cost or savings if the law were repealed: <i>There is a potential loss of revenue such as, property taxes, sales tax based on population, RAPZ allocation based on population, impact fees, building permit fees, etc. An accurate estimate of these losses is not feasible.</i>	Unknown
Legal Impact Estimate	
Any significant effects on a person's vested property rights;	<i>The property owner/developer's rights as it pertains to the subject property will obviously be significantly affected by a repeal of the law in question.</i>
Any significant effects on other laws or ordinances;	<i>It does not appear that any law or other ordinance will be affected.</i>
Any significant legal liability the city may incur;	<i>Providence City could be subject to potential litigation from parties that are displeased with the outcome of the referendum.</i>
Any other significant legal impact as determined by the budget officer and the legal counsel.	<i>No other significant legal or fiscal impact is apparent at this time.</i>
The City Recorder estimates that repealing the law this referendum proposes to repeal would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt.	

Chad Woolley
Providence City Attorney

Skarlet Bankhead
Administrative Service Director

Referendum Ballot Title for November 2, 2021 Election

PROPOSITION #1

On March 12, 2019 the Providence City Council unanimously passed Ordinance 2019-004 - "Annexation and Zone Assignment for Parcels No. 02-004-0001 & 02-004-0002". This area is on the north side of the Vineyard development and was formerly known as the Chugg property. It is approximately 22.13 acres. The ordinance granted an annexation petition of the two parcels into Providence City from Cache County, modified the City boundaries and assigned a Life Cycle Residential (LCR) land use zone to the two parcels.

Shall the Providence City voters approve Ordinance No. 2019-004?

☐ **FOR**

☐ **AGAINST**

Argument AGAINST Proposition # 1

Argument By:

Hilary Farnsworth
808 S 560 E
Providence UT 84332

On March 12, 2019, the Providence City Council, upon the application and request of a local real estate developer, rezoned a portion of the old Chugg property, North 300 East between from Spring Creek Parkway and East 600 South to be the second phase of the Vineyard community. The rezone was from Agricultural Zone to Lifestyle Residential Zone (LCR). This City Council's decision introduced apartment zoning into a long-established single-family neighborhood. The proposal was met with in-person and written protests from many Providence and River Heights residents.

Many Providence city residents came together and gathered enough signatures to put the LCR rezone and annexation of this property on the ballot as a referendum. 90+% of residents who were asked to sign expressed displeasure with the city's actions and signed. Enough signatures were collected to qualify the referendum for the Providence City ballot.

People are not happy with the Providence City Mayor and City Council's LCR Zone allowing 3-story condos in neighborhoods distant from main collection roads. This is an example of Providence's "build now, plan later" history. Existing infrastructure should be considered when adding such large populations to neighborhoods and should be carefully planned out beforehand.

Referendum supporters oppose the forcing of multi-family zoning into their established single-family neighborhoods, but many agree that townhomes and condos are welcome in appropriate areas of Providence.

This is not just a referendum on one property, it's also a referendum on how the city leaders are changing the look and feel of our neighborhoods. Why do they value developers and future residents more than current residents?

Let's require more resident-friendly planning from city leaders and developers.

Vote NO on Prop 1.

Rebuttal to Argument AGAINST Proposition # 1

Rebuttal By:

Tyler Riggs
173 E 520 N
Providence UT 84332

The opponents' arguments revolve around the notion that Proposition 1 could lead to LCR zoning in other single-family neighborhoods in Providence. This proposition deals exclusively with the annexation of two parcels of land that currently are in unincorporated Cache County.

Additionally, the opponents list among their concerns that apartments and duplexes are permitted within the LCR zone. While this is true, the developers of the parcels under consideration in Prop 1 do not have such housing as part of the development plans. The development to be built on the annexed parcels would mirror the types of housing already built or under construction: Single-family homes, condos, and townhomes.

In the future, if other developers seek to develop in other LCR zones within Providence, their development plans – inclusive of apartments or not – would require City approval, and through that process development characteristics that violated the character of the city or existing zoning would be addressed, alongside ample opportunity for public comment.

Again, Prop 1 does not deal with developments other than the two parcels north of the current "Vineyard" subdivision.

This neighborhood is already budding with a mix of families whose children play joyfully, retired individuals, and young professionals seeking low-maintenance yards. The developer, supported by requirements from the City, is building a community within our community that is attractive, makes efficient use of limited land, and helps Providence grow responsibly.

Providence historically has been a community friendly to middle class families. Vote YES on Prop 1 to continue that.

Argument FOR Proposition # 1

Argument By:

Tyler Riggs

173 E 520 N

Providence UT 84332

Providence residents who want smart growth and want to see their community remain a viable place for young adults to build a family, build a life, and eventually retire, should consider voting YES on Proposition 1.

Proposition 1 is asking us to approve an ordinance the Providence City Council passed in 2019 that called for annexing 22.13 acres of unincorporated land into city boundaries. This land would be zoned "Life Cycle Residential", or LCR. The LCR zone is an innovative zoning policy that allows for families at any stage to build a life in a neighborhood and, should they choose, stay in that neighborhood whilst moving into appropriate housing for any given stage.

Just married and starting off? A modest townhome is available. Have a few children and need more space? A detached single-family home is available across the street. Empty nesters and need to downsize? A condominium requiring minimal maintenance is right there.

This innovative zoning brings a welcome diversity in housing options to Providence, and to understand what housing in this type of zone would look like, voters need not look far: the first half of the "Vineyard" subdivision south of the annexation considered in this proposition is just that: A well-planned neighborhood with a range of housing types and sizes, with amenities that will attract residents to Providence, bringing smart growth that minimizes sprawl, creates efficiencies for utilities and resources – not the least of which being water – and adds to our community's tax base.

There is a misconception among some residents in our community that voting against this proposition will prohibit multi-family developments in Providence. This is not accurate. The issue being considered with your vote is simple: Should these two parcels of land be annexed into Providence?

If this proposition fails, and Providence is not permitted by us, the voters, to annex these parcels, that does not mean that development will not happen on this land – it simply means that Providence will not benefit from the tax revenues of the development, nor will Providence have control in ensuring the development's look and feel are consistent with community standards or what has already been built.

Growth is happening in Providence. City leaders are passionate about ensuring that growth and development occurs in line with both the heritage of and the healthy future of the community.

A scary thing about annexation is that we might not know what annexed land will be used for. That isn't the case with the parcels considered in Proposition 1. We know the plans for this land, and we can see today the quality of development that will come: an innovative neighborhood that gives families a place to grow, play, and thrive not just as people, but as Providence residents.

I ask that you vote YES on Proposition 1 and help the growth that Providence is experiencing happen in a responsible way.

Rebuttal to Argument FOR Proposition # 1

Rebuttal By:

Hilary Farnsworth

808 S 560 E

Providence UT 84332

The above argument, that this land will have high density housing by default, IS FALSE! This is County land and the County does not allow (per County Code) anything but a single house per parcel. This means that these 2 parcels must be annexed into River Heights or Providence before it can be developed. Visionary Homes initially petitioned River Heights City for annexation, it was accepted. Because River Heights would not allow townhomes or condos to be built Visionary withdrew their petition. Visionary then went to Providence City and was granted annexation and high density, LCR zoning.

Providence residents who formed the political interest committee to put the referendum on this ballot and those who signed it, support townhomes and condos in appropriate areas. Providence has allowed high density housing to be built along collector roads which are conveniently located within walking distance to stores and businesses. These roads are wide enough to handle the traffic congestion that high density brings and ensures public safety.

This is not a "not in my backyard" argument. Most of the people who signed the referendum are not directly affected by this development. It is not in their backyard, but they understand that high density housing should not be built in single family established neighborhoods. They also understand that the traffic density will wreak havoc on residential roads and inadequate infrastructure.

VOTE NO on Proposition 1.