

1 **Providence City Planning Commission Meeting**  
2 **164 N. Gateway Drive, Providence, UT 84332**  
3 **February 22, 2017 6:00 p.m.**  
4  
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6 **Attendance**

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7 Chair: Mike Harbin, Chairman Pro Temp  
8 Commissioners: Rowan Cecil, Andrea Diamond, Brent Fresz, John Parker  
9 Excused: R James  
10 Absent: None  
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13 **Approval of the Minutes:**

14 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of February 8, 2017.  
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16 **Motion made to approve the minutes of February 8, 2017.-by R Cecil, seconded J Parker.**  
17

18 **Vote: Yea: B. Fresz, R Cecil, A Diamond, M Harbin, J Parker**  
19 **Nay: None**  
20 **Abstained: None**  
21 **Excused: R James**  
22

23 **Public Comments:** Citizens may appear before the Planning Commission to express their views on issues within  
24 the City's jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per  
25 person. The total time allotted to public comment is 15 minutes.  
26

- 27 • Meeting opened for public comments.
- 28 • Sharell Eames, Providence, asked everyone to please speak a little louder because it is a larger room and it  
29 is difficult to hear.
- 30 • No other comments. Public comments session closed.  
31

32 **Study Item(s):**

33 **Item No. 1:** The Providence City Planning Commission will discuss proposed changes to Providence City Code Title  
34 11 Subdivision Regulations, Chapters 1 and 4 amending the definitions for major street, collector street, and minor  
35 street. Also, considering amendments in Chapter 4, including but not limited to: storm water and the arrangement  
36 of future streets shown on the City's General Plan or Master Transportation Plan. The Planning Commission will  
37 also discuss the width of: asphalt, park strip, and sidewalk. (Estimated discussion time: 45 minutes)  
38

39 **Discussion**

- 40 • S Bankhead reviewed new changes that were added as a result of the Executive Staff Meeting last week.  
41 The City attorney expanded wording in Chapter 4, Section 11-4-3: Streets and Street Improvements. The  
42 draft states: *"If a future street or the expansion of an existing street is shown in the City's General Plan or*  
43 *Master Transportation Plan as involving some of the land involved with a proposed new development,*  
44 *then the proposed development shall make the appropriate provisions for the construction of that new*  
45 *street or the expansion of that existing street as the Land Use Authority reviewing the proposed new*  
46 *development shall determine."* The purpose of the change is to help incorporate the General Plan and  
47 Master Transportation Plan as part of the City's street layout requirements when proposed development  
48 is considered. An additional change was made in reference to Item #2 on the agenda which will be  
49 reviewed when we address item #2.
- 50 • Cache County Sheriff, Chad Jensen, provided his perspectives and insights regarding traffic flow, traffic  
51 speed, street widths and public safety. In his experience, the width of the road does not necessarily  
52 determine that increases in speed will occur. People will typically drive faster on wider roads but this  
53 makes sense. His concern with narrower roads is that it reduces reaction time for both drivers and  
54 pedestrians including children and bicyclists especially when cars parked on both sides of the street.

1 Drivers cannot see people stepping off sidewalks or kids coming out from behind cars. A narrower road  
2 really cuts down the lane of travel for cars coming in both directions. The reaction time of a driver is a  
3 very important factor in avoiding accidents and this is his greater concern. All it takes is a dog, a kid or my  
4 daughter to kick a ball across the road and fifteen feet of stopping distance does not allow much time to  
5 avoid a big, big problem. In his opinion, when it comes to public safety, the wider the road the better. The  
6 best way to control speed is to make people stop every couple of blocks by using yield signs or four-way  
7 stop signs and this is regardless of the width of the road. The Y intersection on the highway here is the  
8 goofiest intersection in the State of Utah but there has not been a crash there in 15 to 20 years. It is  
9 counterintuitive. People slow down and pay attention. Sometimes on narrower roads, people slow down  
10 and pay attention too. In our opinion as far as public safety goes, the wider the road the better because it  
11 is the reaction time of the driver that counts.

- 12 • J Parker added that his concern with narrower roads is with a bus or a truck, like a garbage truck, that if  
13 people are walking across there they cannot really look around them very well. He would agree that wider  
14 is better.
- 15 • B Fresz commented that he looked at some traffic accident reports to see where our problem  
16 intersections were and tried to solve street widths verses accidents. The reports he looked at only  
17 identified the closest intersection. He was wondering what it would take officers to actually put in the GPS  
18 location right from their phone. Getting the exact location of the accidents would be very helpful.
- 19 • Sheriff Jensen explained that officers are required to provide distance from the closest intersection on the  
20 DI-9 reports. Officers complete two reports. The case report, which is the officer's detailed narrative,  
21 would provide more information. He would look into collecting that information.
- 22 • A Diamond asked Sheriff Jensen what he would recommend regarding traffic calming on wider roads  
23 when a yield sign or stop sign is not applicable on a long stretch of street.
- 24 • Sheriff Jensen responded that the best deterrents in that case would be posting speed limit signs  
25 frequently along both sides of the road.
- 26 • A Diamond asked about types of public education offered by the Cache County Police Department and if a  
27 Neighborhood Watch Program is available here.
- 28 • Sheriff Jensen identified that Public Safety Announcements are posted on the website regularly. They use  
29 Twitter and Facebook as well. He is supportive of the Neighborhood Watch Program. Providence had one  
30 of the strongest program in the county. It tends to depend on how enthusiastic the residents are about  
31 keeping the program going.
- 32 • A Diamond asked what Sheriff Jensen's views were on roundabouts.
- 33 • J Parker asked which is better as far as stopping traffic accidents; a roundabout or four way stop. He has  
34 seen several accidents at the Providence roundabout.
- 35 • Sheriff Jensen responded that roundabouts tend to make people slow down and pay attention and allows  
36 for traffic flow. He did not have specific data or statistics on accidents at the roundabout in Providence.  
37 He does know that running a stop sign can be a huge problem. The roundabouts confuse people initially  
38 but they are very effective for traffic flow and are a great speed reducer. If the City needs to monitor a  
39 specific area, they would be happy to complete a traffic survey anytime.
- 40 • A Diamond wanted to know the City Ordinance side of it as far as signage.
- 41 • S Bankhead responded that the City uses the Municipal Uniform Traffic Code as a guideline for sign  
42 placement. Striping the lanes and parking creates a visual effect that helps direct traffic and address  
43 parking issues. Before a four-way stop can be put in, the City needs to ensure it complies with the uniform  
44 traffic code guidelines and this does not require any change in ordinance.
- 45 • Todd Hendricks commented on Sheriff Jensen's discussion about street widths. He felt that Sheriff  
46 Jensen's discussion was very general and did not address any specific information about road widths or  
47 the changes in the road width taking place in Providence. In the articles that I emailed to everyone, part 2  
48 addresses issues specific to traffic. It states that accidents rates are the lowest at 29 feet and begin to  
49 increase at 35 feet. The number of accidents continues to increase even more at 39 feet at a rate that is  
50 significant. The increase per accident, per mile, per year between these streets is quite substantial; a  
51 128% increase from 29 to 35 feet and a 68% increase from 35 feet to 39 feet. Doing the math that equates  
52 to a 286% accident rate increase from a 29-foot road to 39-foot road. Once those accidents take place,  
53 the higher the speed the more fatal the injuries. The point is that if our roads are residential and  
54 neighborhood roads, as Jeff Baldwin mentioned a few weeks ago, theoretically all of our speed limits are

1 25 miles per an hour less than almost all other places in the area. If we want people to go slow, create a  
2 natural calming effect, reduce speeds and lower maintenance costs, then what is the advantage of wider  
3 streets. This is the argument for keeping road widths at 29 feet. He asked where the bus tour would be  
4 going because he would like everyone to see what a 29-foot road looks like. He has lived there for 25  
5 years there has not been an issue. A handicap van picks up a resident regularly in the neighborhood and  
6 does not have a problem getting in or out of the area. As long as the accessibility is still there, why widen  
7 the streets if the money could be better used for the maintenance and upkeep of the roads that arguable  
8 could use some attention. If anyone has not had the opportunity to read part 1 and 2 of the article, he  
9 would be a happy to resend it. This is a good reference that sights engineers, seasoned veterans and all  
10 sorts of studies. It addresses accessibility for fire departments verses travel flow for regular vehicles and  
11 neighborhood development including pedestrians and so forth. It is not a one-sided article or a one-sided  
12 perspective. I would encourage you to read it. Does anyone have any questions? Thank you.

- 13 • S Bankhead reminded everyone that the bus tour is scheduled for Thursday, February 23 from noon to  
14 3:00 p.m. and provided a general route outline. The tour go through the residential area where Todd  
15 Hendricks lives. She suggested waiting until after the tour to move this to an action item.
- 16 • M Harbin concluded discussion and move to Item No. 2.

17  
18 **Item No. 2: The Providence City Planning Commission will discuss a pending ordinance proposing changes to**  
19 **Providence City Code Title 10 Chapter 5 changing overlay zones to sensitive areas. (Estimated discussion time: 20**  
20 **minutes)**

21  
22 **Discussion**

- 23 • S Bankhead identified that this item is on the agenda as an introduction on the topic. There are areas all  
24 over the city that can be identified as sensitive or hazard areas. Some areas have high water tables, in  
25 other areas there are steep slopes, even heavy undergrowth and bush that create a potential fire hazards  
26 are considered hazard areas if it is within the city limits. Depicting these areas on maps by zones becomes  
27 problematic because if an area is missed, the city can run into problems trying to enforce guidelines with  
28 the developer that could potentially create a public safety issue. By removing reference to a zone on a  
29 map and identifying the geological features in an area instead, the geological features not the zone  
30 dictate what needs to be addressed for a specific situation. This would then allow the City, if it does come  
31 across an area that is not on our maps, for example, a slope or water table that would cause a public  
32 safety issue to discuss concerns with the developer. This is extremely important particularly in hillside  
33 areas or areas where they may have high water tables. Our city attorney, Craig Call, wrote the ordinance  
34 and one of the critical aspects for non-developable sensitive areas is to ensure the developer fully  
35 understands what this means and how it can impact them. If a developer has eight acres and three acres  
36 are encumbered by hazard issues, then they not only lose their ability to develop those three acres but  
37 they no longer have eight acres to count toward their density credit. For example, in a SFL zone, you have  
38 2.13 units allowed per acre and you began with eight acres. The developer has already taken out for  
39 street improvements and expects to build 18 homes on those eight acres at 2.13 units per acre. If three  
40 acres are in a hazard zone even though a block can adapted to compensate, they have to subtract those  
41 three acres, which brings the original eight acres down to five acres. The developer loses seven lots  
42 according to zoning density. This is why it is important to work with the developers. It would also help  
43 eliminate loopholes that currently allow a developer to assert that if it is not on the map, we should not  
44 have to address it. This is very important to the City because it does not want to see people building  
45 homes, barns or anything else for that matter, in unrealistic places. Several cities in Utah have had  
46 problems with houses sliding because of the wet weather. This includes Sandy, Draper and Salt Lake City  
47 to name a few. Providence would like to avoid these kinds of issues. We do not want to have our  
48 residents buy a brand new home and not be able to live in it. We want to create areas that are safe for  
49 people to live in. Sometimes the development community feels they can make those areas safe when in  
50 fact the better decision is to leave those areas alone and not attempt to build there. This is what the  
51 changes are mainly about and why they are needed. We are going to look at the character and nature of  
52 an area, not if it is just on a map and designated as a particular zone.

- 1 • J Baldwin commented that he thought there was a clause in the ordinance already that allows the City to  
2 mitigate a hazard zone through engineering means if you are changing a slope or putting in  
3 reinforcement. Is the City trying to eliminate that loophole?
- 4 • S Bankhead responded that the City does have ordinances in place and will not eliminate the ability to  
5 mitigate an area. If a developer can safely engineer and safely mitigate, we will allow them to do that.  
6 What we are doing and what we are trying to eliminate is a developer asserting that if it is not shown on a  
7 map in a zone, they do not have a responsibility to address and mitigate it. This requires that a developer  
8 apply for a conditional use permit through the Land Use Authority and works with the City Engineer, the  
9 Public Works Director and the Administrative Service Director. If a developer loses acreage because of a  
10 designated hazard or sensitive area, the City can consider various aspects and may allow an increase in  
11 density or a decrease in some of the lot sizes. The City also wants to avoid having to acquire property  
12 because it is an unbuildable area. As Councilman Baldwin was referring to, the City does have some  
13 provisions in place but we need to expand on the mitigation process. If a development includes a hazard  
14 or sensitive area, a developer will have to show on the engineering design that they can build these  
15 homes safely. They will also need to show where the developable areas are on these lots in the final  
16 plans. If someone wants to buy that lot, we want to ensure they are given as much “buyer beware” as  
17 possible and be informed if the entire lot is not buildable. This is what we are trying to enforce by using  
18 the actual topographical characteristics rather than just a line on a map. This is applicable to Little Baldy  
19 and the Highlands Subdivisions in process now.
- 20 • A Diamond asked what the timeline looked like in getting this completed and implemented.
- 21 • S Bankhead responded that if the Planning Commission approves going forward, a public hearing can be  
22 scheduled at the next Planning Commission Meeting. After the Public Hearing, if the Planning Commission  
23 choses to make a recommendation to City Council, it would then be before City Council to consider  
24 approval the first week in March.
- 25 • A Diamond asked how changing this to an area that crosses zones works with the General Plan.
- 26 • S Bankhead responded that creating an overlay map that shows these areas on a map per zone would be  
27 both difficult and expensive for the city. In some instances, it would require a rezoning process and areas  
28 could potentially be missed. The better way and more efficient way to handle it is to identify these areas  
29 and if an area is part of a proposed development, address and mitigate it on a case-by-case bases as the  
30 developer is doing his engineering studies rather than through a rezoning process.
- 31 • A Diamond added therefore as an area, we remove the zone issue and ensure it is mitigated and asked is  
32 there were other potential effects using area instead of zone would cause.
- 33 • S Bankhead responded that this is why it is in the hands of an attorney and this is what he is reviewing  
34 and addressing.
- 35 • R Cecil commented that he thought changing it from overlay zones to sensitive areas is excellent.
- 36 • S Bankhead added that we may be able to show you a couple of these areas on the city bus tour.
- 37 • J Parker asked what the Highlands included.
- 38 • S Bankhead responded that the Highlands goes all the way to the deer fence.
- 39 • M Harbin asked to change this to an action item on the agenda for the next meeting.
- 40 • S Bankhead will schedule the Public Hearing.
- 41 • B Fresz had a question about the lot with steep slopes. If a lot is flat on one side but the back of the lot  
42 has a slope that goes up, does this mean the developer will not be able to include that half acre with the  
43 slope as part of the lot because the house would have to be built on the flat section only.
- 44 • S Bankhead responded that the developer can include the area on the lot size but he cannot include that  
45 portion of the acreage on his density.
- 46 • B Fresz asked how the Highlands subdivision handled the steep slope in that area.
- 47 • S Bankhead responded that the development in that area is what triggered this new ordinance. The City  
48 wants to get ahead of developers that are doing earth moving to create flatter lands. In this instance, a  
49 very steep area was inadvertently created as a result. This is what we do not want and we do not want it  
50 to happen again. In certain areas, we do not want to entertain mitigation at all in the interest of public  
51 safety. We want as safe a community as possible.
- 52 • J Baldwin commented that Skarlet's point is well taken. He has seen houses sliding down hills in areas  
53 where a developer fills in.

- 1 • M Harbin concluded the meeting and requested to have the public hearing scheduled on March 8, 2017.  
2 The Planning Commission will continue to discuss and study the subject at the next meeting to determine  
3 if a recommendation can be made to City Council at that time.  
4

5 **Reports:**

6 **Staff Reports:** Any items presented by Providence City Staff will be presented as informational only.  
7

- 8 • S Bankhead provide a status update on the General Plan Consulting Contract. The second estimate was  
9 received on the Traffic Analysis portion. Both bids are very close so it seems just a matter of deciding  
10 which firm to choose. This should be on the City Council's agenda next week. If the contract is approved  
11 by City Council, we will move forward with the General Plan Update. Council also approved going forward  
12 to pursue a grant for an economic development plan and that will be on the schedule.  
13 • Mayor mentioned that this is first group to meet in the new conference room and he wanted to welcome  
14 everyone to the new building. A big thanks to Councilman Jeff Baldwin for all the work he did.  
15

16 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no  
17 formal action will be taken.  
18

19 Agenda posted by Skarlet Bankhead on February 20, 2017.  
20

21 **Motion to close the Planning Commission Meeting of February 22, 2017 made by A Diamond, seconded by J**  
22 **Parker.**

23 **Vote:**

24 **Yea:** R Cecil, A Diamond, B Fresz, M Harbin, J Parker

25 **Nay:** None

26 **Abstained:** None

27 **Excused:** R James  
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30 Meeting adjourned at 7:30 p.m.

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32 Minutes prepared by K Merrill.  
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41 Mike Harbin, Chairman, Pro Temp  
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Kristine Merrill, Office Specialist