

Planning Commission Chair:	Robert Guillier
Planning Commission Vice-Chair:	Glen Woolsey
Commissioners:	Jon Arends Scott Dixon Brent Stuart Cheryl White
Secretary:	Cheryl White
City Council Representative:	Dave Boothe

UINTAH CITY
PLANNING COMMISSION MEETING
Tuesday, June 25, 2019
7:00 PM



2191 East 6550 South – Uintah, Utah 84405

(801) 479-4130 Fax: (801)476-7269

Attendees: Robert Guillier, Jon Arends, Scott Dixon, Brent Stuart, Daniel Combe, Brett Parke, Debra Wickizer, Dave Boothe, Jeff Holden, William Pope, Linette Arends, Gordon Cutler, Casey Christiansen, Shirlee Nichols, Roger Nichols, Judith Vreeland, Lew Vreeland and Cheryl White

Meeting Minutes

Meeting Called to Order by Robert Guillier

Pledge of Allegiance led by Brent Stuart

Roll Call: Debra Wickizer, Brent Stuart, Robert Guillier, Jon Arends, Scott Dixon

Conflict of Interest - Commission members are required by law to file a public disclosure statement with the Secretary listing business interests and investments that could create a conflict of interest with the duties of the Commission Member. When a matter in which a Commission member has a business or investment interest appears on the agenda, the Commission member must publicly disclose that interest. Robert Guillier asked the Commission if they had any conflicts of interest with tonight's agenda. Brent Stuart stated a conflict with agenda item #3. He will participate in the discussion, but recuse himself from voting.

Agenda Items:

- 1. Public Comment (2 minutes per person) *(recording: 00:01:40)**
 - Roger Nichols – has lived on Combe Rd for 17 years. He stated that there is too much commercial traffic and that the big trucks driving by rattle their windows. He doesn't feel that the one way is working. They have lost pets, mailboxes and wildlife. There is excessive speeding and people have had close calls with cars.
 - Brett Parke – fears for the safety of his children. Cars traveling too fast have swerved into his yard and he's had to put up a fence in hopes of protecting them. He also stated that kids walking to school are in danger. There is too much commercial traffic, residential cut-through traffic is constant and speeding is a problem.
 - Judith Vreeland – in the last 10 years, traffic has increased exponentially. Speeds have increased and speeders have been clocked at 70 mph according to the sheriff's dept. Commercial traffic doesn't belong on Combe Rd. One truck that was too tall, took down a cable line and didn't even stop. Someone working from home was not able to work because of this. Judith stated that she has been incapacitated lately and uses Combe Rd to walk on as part of her rehabilitation. She was almost hit on 2 different occasions by people driving the wrong way on the one-way road. Kids walking on the road are being honked at by drivers, and it isn't even possible to clean snow off the driveway without fear of being hit.

- 2. Approval of the Planning Commission Meeting Minutes held April 23, 2019: *(recording: 00:08:00)**
Presenter: Robert Guillier

Robert asked the commissioners to look carefully at the minutes since several things on tonight's agenda are referenced in last month's minutes. Debra suggested that we add the words "South Weber" in front of "planning commission" on the first item in order to differentiate them from our planning commission. No other suggestions were made. Debra motioned to accept the minutes with that addition. Jon seconded the motion. All in favor, motion passed.

- 3. Discussion/Action on the need for a CUP for Tyson Lloyd: Better Food Farms**
Presenter: Tyson Lloyd *(recording: 00:09:43)

Brent reiterated that he would take part in the discussion, but not vote. When asked to give an overview of his business, Tyson stated that he has been testing out a small farm for about 1 year. His intention is to see if he can make it financially. He grows vegetables on his own leased property as well as the property of 2

neighbors. He uses organic practices and sells mostly at farmer's markets. He has no store, but does sell "farm shares" to a handful of people. Those buying from him at the moment are family and friends. He then asked what the policy was for having customers come to his home to buy and wanted a definition of a "retail shop". He was told that the commissioners need more information to answer his question because they don't have an adequate definition themselves.

Robert stated that this is exactly the type of business we want to encourage in Uintah, and we want to help him make it work.

Brent stated that growing up, his family had a large garden on the same land. His father used to sell/give away the food they produced and he didn't need a CUP or business license. He then submitted the following taken from Uintah City's ordinances:

3-1-3: RULES, LAWS AND REGULATIONS; COMPLIANCE:

- A. Compliance With Other Local, State And Federal Regulations: In addition to complying with the provisions of this business licensing chapter, all businesses operating within the City shall comply with all other local, State and Federal environmental laws, and any and all other laws and/or regulations which may govern the conduct of the business.
- B. Business License Required: It shall be unlawful for any person to engage in, carry on or operate any business in the City referred to in this chapter, or use any property for any such business, without first making application for and obtaining a license from the City for such business, and paying in advance the license fee required therefor as provided in this chapter, except as indicated below:
 - 1. Businesses which are operated only occasionally and by individuals under eighteen (18) years of age.
 - 2. Home occupied businesses which do not require a conditional use permit.
- C. Conditional Use Permit Required: See sections 9-9A-4 and 9-9B-4 of this Code.

9-7A-2: PERMITTED USES:

The following uses are permitted in the RE20 District:

Accessory uses and buildings.

Agriculture; provided, that the sale of goods is limited to materials produced on the premises and there is no retail shop operated in connection therewith.

Dwellings, single-family. Dwellings which are designed to be occupied by two (2) families shall receive a conditional use permit.

Home based businesses; for which the combined offset impact of the home based business and the primary residential use do not materially exceed the offsite impact of the primary residential use alone. These may include home offices and other businesses which receive no more than four (4) customer visits per day.

Manufactured homes.

Pets, the keeping of household pets. (Ord. 241-17, 12-5-2017)

9-13-2: CONDITIONAL USE PERMIT REQUIRED:

A. Uses Requiring Conditional Use Permit: A conditional use permit shall be required where any of the following apply:

- 1. For all uses that are not listed as permitted uses in any zone, those that are not listed that are judged by the Planning Commission to be similar and compatible with the purpose of this title may also be reviewed for approval;
- 2. For the extension, alteration or expansion of a nonconforming building or use; and
- 3. For home based businesses which are determined by the Planning Commission as having a combined offsite impact greater than residential only (Class H2 and H3).

Note: Home based business license application for Class H2 and H3 business licenses must be presented to the Planning Commission and must comply with the requirements listed in this chapter.

Brent asked if Tyson meets that definition. If he does, no CUP is needed; and, if no CUP is needed, no business license is needed.

Jon asked about his website. It states that customers can park on city property and walk to his house. Tyson stated that he put that on without thinking it out well, and he's willing to take it off. Right now he doesn't have enough customers that people would do that anyway. Robert agreed that it would be best to take it out because it could set a precedent for other businesses in the city.

Debra asked if he had a formal lease on any of the properties. Tyson said only on the one where he's living. Debra suggested that he get leases for the other properties, even if they are only for 1 cent. The purpose of this would be to give him control over the property he is using. Robert agreed that this would protect Tyson as well as help the city in case there was a problem later on. Tyson stated that ultimately that was his goal, and he was open to doing it now if necessary. It was decided that the amount of the lease is irrelevant, but he needs something in writing.

Jon asked if he had a retail shop or sold anything he didn't produce. He was told no.

Debra asked how much parking was available if he wasn't using the city park. Tyson said that his property could accommodate about 10 cars. It was suggested that Tyson get with the city to determine parking now, so that he has an idea of what he will be able to accommodate in the future if he opens his farm to tours, etc.

Scott suggested that we let things go as they are for the present and revisit it next year to see how it's grown.

Jon made a motion to allow Tyson to continue as he is for now and revisit the issue next year. Debra seconded the motion. All in favor, motion passed.

4. Discussion/ Action on Boundary Line Adjustment at 1591 E 6600 S/1593 E 6600 S **(recording: 00:31:25)*
Presenter: Meg Krusemark

The Krusemark's did not attend the meeting.

Brent began by stating that he contacted the Weber-Morgan Health Dept. They recommended that we send any boundary line adjustments to them for review. In this case, where the placement of the septic system is unknown, they recommend that it not be approved. It would be detrimental to everyone involved if the septic system from one home was located on someone else's property.

Debra asked about the money the Krusemark's paid for the adjustment. If they found the septic system, would they need to pay another fee to have it considered again? Robert said it was a moot point because they don't meet the requirements for a half-acre lot. They were trying to use leased railroad property to make the parcel conform and that isn't allowed by our ordinances.

Brent made a motion to decline the boundary line adjustment request. Jon seconded the motion. All in favor, motion passed.

5. Discussion/Action for Combe Road Traffic issues **(recording: 00:35:46)*
Presenter: Jon Arends

Robert started by thanking Jon for taking charge of this issue.

Jon then made the following powerpoint presentation:

Upper Combe Road

Cut-Through Traffic Safety Concerns



"We are a family oriented community, founded upon principles of accountability and integrity, while preserving the quality of life for future generations."

UPPER COMBE RD

Out-Through Traffic Safety Concerns

DEFINE - The Problem's

1. EXCESSIVE CUT-THROUGH TRAFFIC

- Transient Traffic – cutting through for Ogden & Weber County (Harrison / Skyline Dr)
- Commercial Traffic – Bypassing 89 due to traffic being backed up on Hwy 89 hill

2. SPEEDING CUT-THROUGH TRAFFIC

- Majority of traffic is hitting speeds in excess of 45 mph
- Commercial traffic is accelerating above the speed limit in order to make it up the one way hill

3. CHILDREN WALKING THE ROAD TO AND FROM SCHOOL OR OTHER HOMES

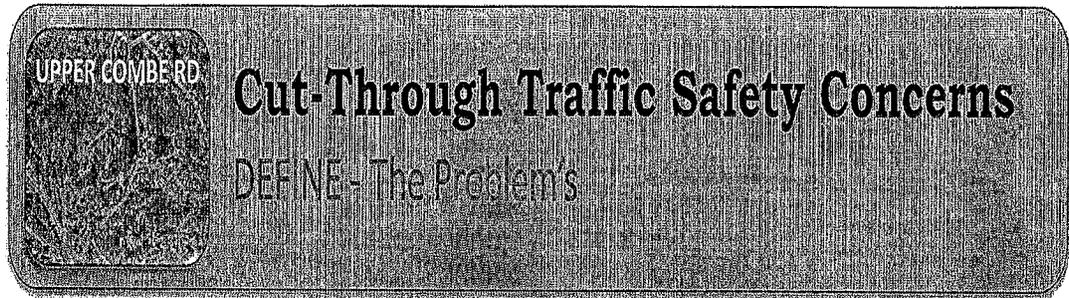
- Many near miss incidents
- Traffic honking horns at children to get out of the way
- Buses will not service Uintah Residents

4. RECREATIONAL SAFETY (Pedestrians, bicycles, etc.)

- Combe Rd is too dangerous to use for recreation purposes

5. CARELESS, RECKLESS, AND ROAD RAGE DRIVERS

- Personal Injury - Traffic using cars to intimidate residents
- Property Damages - mailboxes, landscaping, fences, utility lines, etc.
- Automobile Operators threatening harm to Uintah Residents (yelling, fighting, profane gestures, etc.)



CONTRIBUTING FACTORS

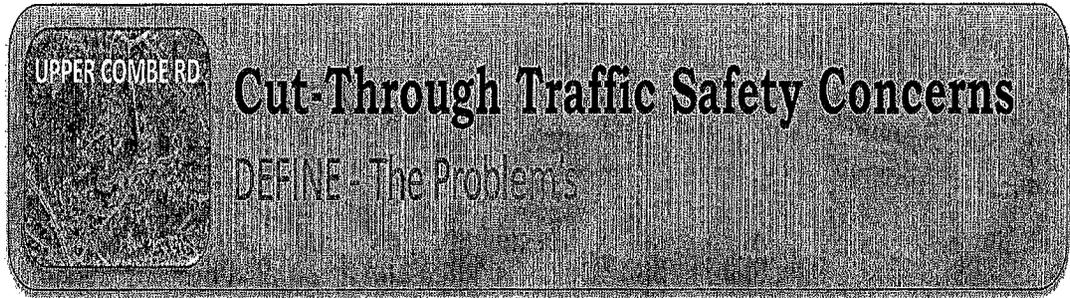
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ROOT CAUSE

WEBER COUNTY FAILED TO DEVELOP AN INFRASTRUCTURE SYSTEM FOR 1000+ HOMES THAT WERE APPROVED FOR RESIDENTIAL ZONING SOMETIME AROUND THE 1990's

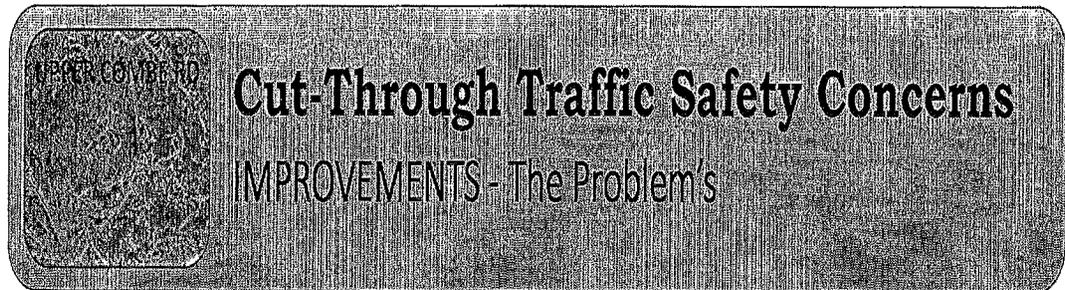
TIMELINE:

- 1990's – Original Requirement
- 2000's – Documents requesting a 6 year timeline
- 2012 – Documents requesting a 6 year timeline
- TODAY.....



UINTAH CITY PROBLEMS

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UINTAH CITY PLANNING COMMISSION HAS BEEN REQUESTED TO AS AN ADVISORY ROLE TO THE CITY COUNCIL

SEQUENTIAL PROCESS FOR ELIMINATING PROBLEMS/RISK

- **ALTERNATE PROCESS** – Do something different, an alternate way eliminating the risk
- **ENGINEERING CONTROLS** – Buy, build, create a control that reduces the risk
- **PROTECTIVE CONTROLS** – Add protection to reduce the risk (police, speed cameras, ticket by mail, etc.)
- **ADMINISTRATIVE CONTROLS** – Create policy to control the environment (Jurisdiction), reducing the risk (Ordinances, Laws, etc.)

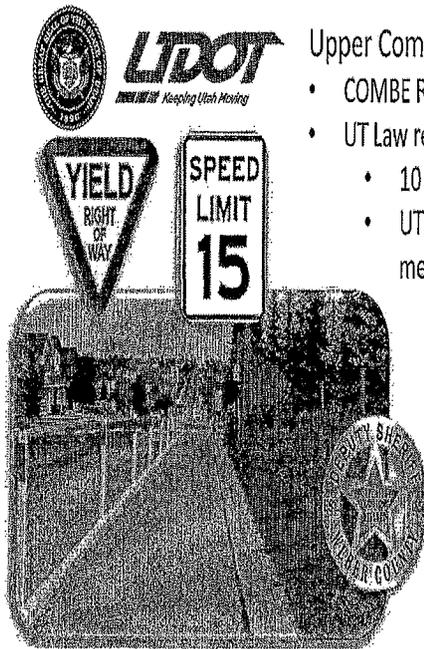
UPPER COMBE RD

Cut-Through Traffic Safety Concerns

IMPROVEMENTS - The Problems

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Upper Combe Rd. is classified by the State as a "Rural Road"

- COMBE ROAD - 17 feet to 20 feet wide
- UT Law requires 26 feet for "Rural Roadways"
 - 10 feet for each auto lane and 3 feet for each shoulder
 - UT Law recommends one of the following for "Rural Roadways" that do not meet the above conditions:
 - Put up signs restricting pedestrian and bicycle traffic, eliminating the risk (ADMINISTRATIVE CONTROL)
 - Reduce the roadway to One Lane traffic.
 - Identify who has the right away
 - One ways restricted to 15 mph in residential zones
 - Install curbs & walkways for pedestrians
 - Paint Lines / Install signs
 - Police presence increased

UPPER COMBE RD.

Cut-Through Traffic Safety Concerns

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ALTERNATE PROCESS

Utah State Commissioners

UDOT

Uintah City Officials

Uintah Residents

PROPOSED 1ST DRAFT PLAN....

PROPOSED 1ST STAGE OF IMPROVEMENTS

Improvements that solve all problems D-1 thru D-3 with minimal one time expense to the city, and the electronic gate being the only maintenance expense.

Proposed removal of one way only sign, opening up two way traffic

Proposed Welcome to Uintah sign

Proposed 3-way Stop Intersection

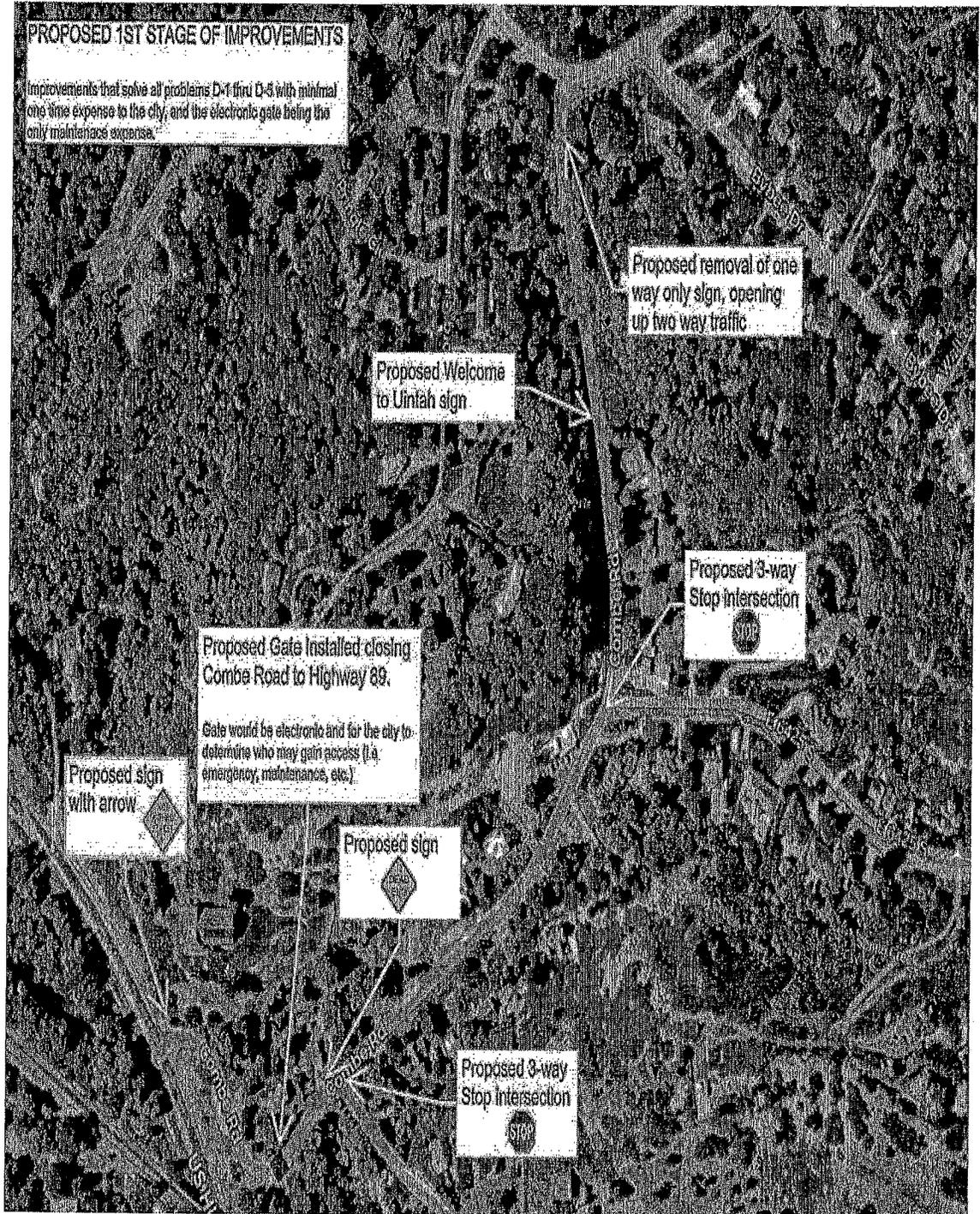
Proposed Gate Installed closing Combe Road to Highway 89.

Gate would be electronic and for the city to determine who may gain access (i.e. emergency, maintenance, etc.)

Proposed sign with arrow

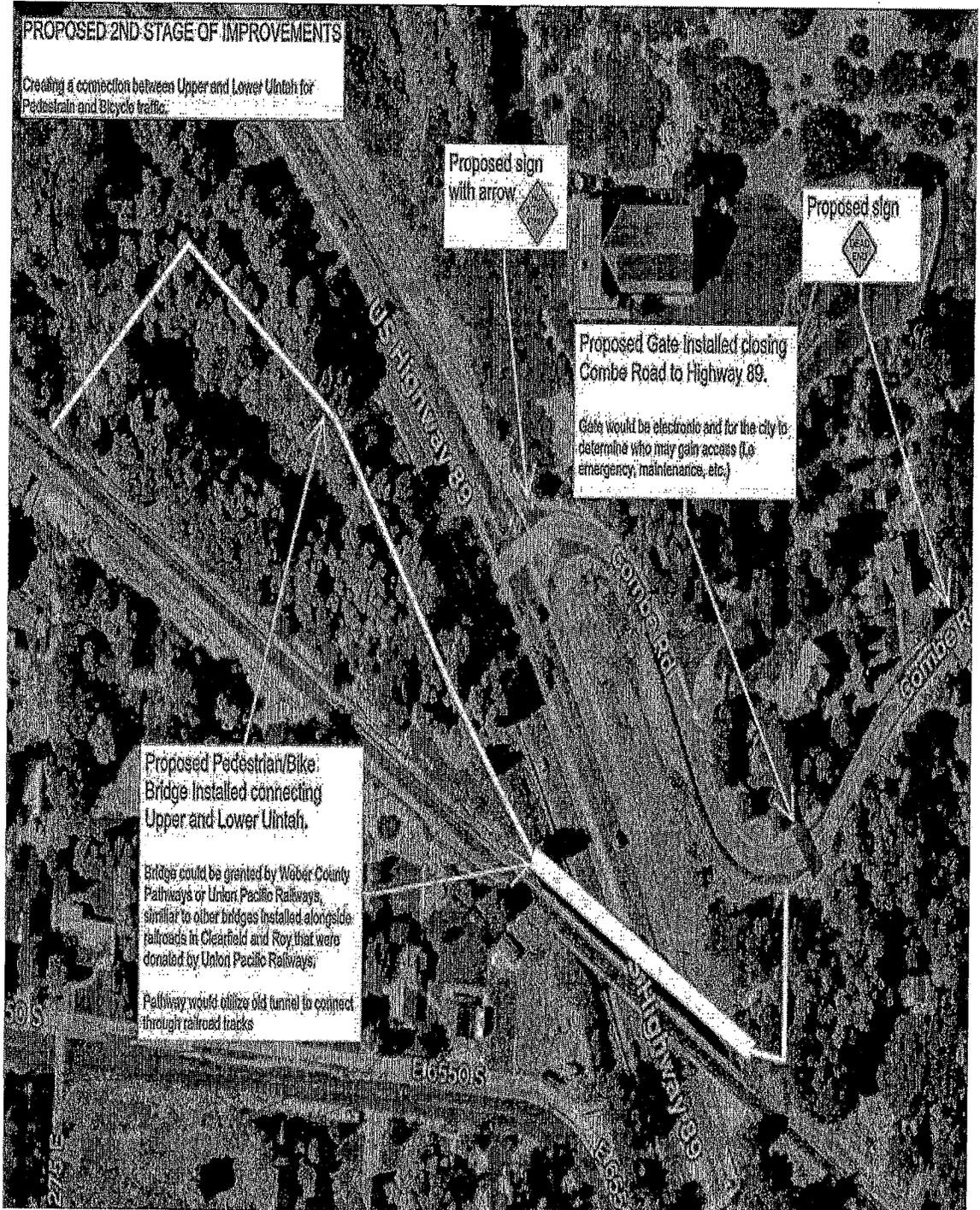
Proposed sign

Proposed 3-way Stop Intersection



PROPOSED 2ND STAGE OF IMPROVEMENTS

Creating a connection between Upper and Lower Uintah for Pedestrian and Bicycle traffic:



Proposed sign with arrow

Proposed sign

Proposed Gate installed closing Combe Road to Highway 89.

Gate would be electronic and for the city to determine who may gain access (i.e. emergency, maintenance, etc.)

Proposed Pedestrian/Bike Bridge installed connecting Upper and Lower Uintah.

Bridge could be granted by Weber County Pathways or Union Pacific Railways, similar to other bridges installed alongside railroads in Clearfield and Roy that were donated by Union Pacific Railways.

Pathway would utilize old tunnel to connect through railroad tracks.

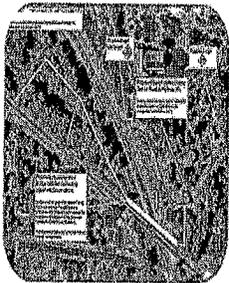
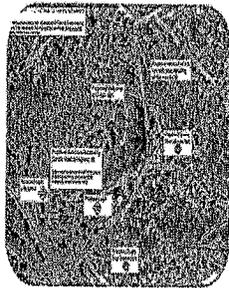


Cut-Through Traffic Safety Concerns

IMPROVEMENTS - The Problem's

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“PROPOSAL” for Recommendation to City Council
as an advisory role for a “Special Project”

- Gives everyone a starting point to work from
- Has Combe Road community support
- Solves all 5 PROBLEMS within our current Ordinances

**REDUCES THE RISK SIGNIFICANTLY
& SUPPORTS OUR MISSION STATEMENT**

CONTROLS

DID THE SOLUTION SOLVE THE PROBLEMS ?

Jon defined the problems as follows: large commercial trucks were using Combe Rd because it was easier on their trucks than the stop and go traffic on Hwy 89. A majority of cars on the road are speeding, and some have been clocked up to 70 mph. Children are in danger. The road is too dangerous for pedestrians and bikers. There has been property damage and threats to citizens.

While these are the problems that the residents of Combe Rd are dealing with, they stem from a larger problem. Weber County is responsible to develop the infrastructure to accommodate the houses they've allowed to be built. For over 30 years they have acknowledged that they need to do something, however, nothing has been done.

Jon reiterated that he is there to make a proposal, and this is just the first draft of the proposal. However, he also pointed out that this proposal completely eliminates all the risks the citizens on Combe Rd face.

Jon then presented a document from the citizens living on Combe Rd that states that all but 3 citizens are in favor of this proposal. There were 2 citizens he was not able to contact and one stated that he was neither for nor against it at this time. This document is filed with the official minutes of this meeting.

Jon also said the he spoke with the city engineer. According to UDOT, Combe Rd is classified as a major collector. This means we are eligible for federal funding. It is also possible to get grant funding from other sources. This is something to take into consideration.

Brent stated that the city has looked into widening the road in the past and residents didn't want that. He also said that he was sympathetic to those in the Highlands. He has been caught in traffic on Hwy 89 and used residential roads to avoid back-ups during accidents etc. He also pointed out that road funding came through Class C road funds, so people on the hill are paying taxes to maintain all roads, just like we are. He feels UDOT has made an effort by completing the road at Skyline to take some of the traffic.

Jon asked if what they've done has worked. There are 3000-6000 cars per day on Combe Rd. Traffic has increased in the last 30 years rather than decreased. He said this solution would take the traffic volume to about 1000 cars per day using UDOT's formula of 3 cars per home and 6 drives per car per day. There are 76 homes that must utilize Combe Rd.

Scott stated that Jon's proposal may be a short-term fix because UDOT will change things when they widen Hwy 89. He felt we should talk to UDOT about our proposals.

Jon stated that this was a city problem and we needed to stay focused on that. He asked for other suggestions. Brent said he didn't have any, but felt that a gate was a bold move. Scott suggested that by doing this, we may force UDOT to look at the section of Hwy 89 in Uintah and move their timetable up.

Scott commended Jon on a job well done. He felt that the city council needs to hear this proposal. We need their oversight in order to move forward.

Robert suggested that we break the project down into steps and take it slow. Possibly start with stop signs. We need to consider relations with Weber County and other entities. Going quickly could cause long-term damage. He also brought up the fact that lower Uintah has only 2 exits and another entity controls one of them. How would we deal with it if they closed that road to us?

Debra asked about the precedent we would be setting, has it been done before? It was stated that there was a gate across a public road by the Ogden Athletic Club.

Scott motioned that Jon present this as a draft to the city council. Brent seconded the motion. All in favor, motion passed.

6. Discussion/Action on recommendation for how close an out-building should be to the property line

**(recording: 01:31:40)*

Presenter: Robert Guiller

Robert asked the Fire Marshall, William Pope, to address fire concerns when having 2 outbuildings only 2 feet apart.

William stated that this was probably a question better answered by the building inspector. The International Fire Code has 3 concerns: Life safety, incident stabilization and preservation of property. In this case, the

IFC would only address an egress issue. You would need to make sure that the door was facing a direction away from the property line. He did say that the amount of flammable liquid allowed depends on the size of the structure, larger amounts require a larger space; but this doesn't apply to small residential outbuildings.

Jon asked if the IFC addressed fire spread. The answer was no.

Robert commented that the table we have in our ordinance is confusing. Brent asked if we should be relying on Jeff Monroe or if the PC should start reviewing building permits. He was told that that was Jeff's area and the PC shouldn't infringe. Scott suggested that it might be a good idea to have Jeff come to a work session and go over how he does things. He felt it would be beneficial to the commissioners as well as a good refresher for Jeff. Brent agreed, stating that we should make sure zoning rules are in line with building codes.

Brent made a motion to invite Jeff Monroe for a work session in August. Jon seconded. All in favor, motion passed.

7. Commissioner's Responsibility Reports and follow-up from previous meeting. *(recording: 01:45:50)

- **New Business Licenses – Cheryl White:** 3 businesses have contacted us to schedule fire inspections, but none have passed them and obtained their license.
- **CUPs – Brent Stuart:** Brent is working with Cheryl to identify and send letters to those with CUP's that need reviewing. They will be on the schedule in the next few months.
- **Commercial Building – Scott Dixon:** none
- **Training – Glen Woolsey:** none
- **Nuisance – Jon Arends:** none
- **Other – Robert Guillier:** none

8. Meeting adjourned. *(recording: 01:46:00)

- Jon made a motion to adjourn, Brent seconded.
- All in favor, motion passed.

APPROVED by the Planning Commission this 27 day of August, 2019.



Planning Commission Chair