

Providence City Planning Commission Agenda  
Providence City Office Building, 15 South Main, Providence UT 84332  
October 12, 2016 6:00 p.m.  
Anyone interested is invited to attend.

**Approval of the Minutes:**

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of September 28, 2016.

**Study Items:**

Item No. 1. Discussion: The Providence City Planning Commission will review a proposed amendment to Providence City Code Title 11 Chapter 1 Section 3 Definitions by changing the definitions for Major Street, Collector Street, and Minor Street; and amending the Providence City Corporation Department of Public Works Standards and Specifications Manual by changing the standard street cross-sections. This code amendment is being requested by Todd Hendricks.

Item No. 2. Discussion: The Providence City Planning Commission will review a proposed amendment to Providence City Code Title 11 Chapter 3 Section 1 Concept Plan and Section 2 Preliminary Plat, by adding requirements for the phasing of a subdivision. This code amendment is being requested by Providence City staff.

**Reports:**

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

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

Agenda posted by Skarlet Bankhead on October 10, 2016.



Skarlet Bankhead  
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

1 **Providence City Planning Commission Meeting**  
2 **15 South Main, Providence UT 84332**  
3 **September 28, 2016 6:00 p.m.**  
4

5 Attendance

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6 Chairman: Robert James  
7 Commissioners: Rowan Cecil, Andrea Diamond (Alternate), Mike Harbin, John Parker, Wendy Simmons  
8  
9 Excused: None  
10 Absent: None

11  
12 Skarlet Bankhead, Administrative Services Director

13  
14 **Robert James called the meeting to order at 6:00 PM.**

15  
16 **Approval of the Minutes:**

17 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of September 14,  
18 2016.

19 No corrections

20 **Motion made to approve the minutes of September 14, 2016 – R Cecil, second- J Parker.**

21 **Vote: Yea: R Cecil, M Harbin, R James, J Parker, W Simmons**  
22 **Nay: None**  
23 **Abstained: None**  
24 **Excused: None**  
25

26 **Public Hearing(s):**

27 **Item No. 1. Providence City Code Amendment:** The Planning Commission is holding a public hearing. The purpose  
28 of the public hearing is to provide an opportunity for anyone interested to comment on amending Providence City  
29 Code Title 10 Zoning Regulations, Chapter 1 Section 4 Definitions by adding a definition for Accessory Building  
30 (small) and Chapter 8 Section Area Regulations by adding Accessory building (small) to the Space Requirement  
31 Chart before action is taken. The Planning Commission invites you to attend the hearing in order to offer your  
32 comments.  
33

34 No public comments

35  
36 **Item No. 2. Rezone:** The Planning Commission is holding a public hearing. The purpose of the public hearing is to  
37 provide an opportunity for anyone interested to comment on the rezone request to change the zone of parcel no.  
38 02-005-0005, a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East,  
39 from Agricultural (AGR) to Single-Family Traditional (SFT) before action is taken. The Planning Commission invites  
40 you to attend the hearing in order to offer your comments.  
41

- 42 • James Brackner, Mayor of River Height, submitted a letter regarding the rezone. River Heights is  
43 concerned about the increased traffic resulting from the rezone that will be inevitable on 600 South  
44 where River Heights Elementary is located. He asked to have this concern communicated at the public  
45 hearing on September 28, 2016. Letter read at meeting by R James.
- 46 • Danny McFarland, Providence, I have my own opinions about it. The last time I shared the information  
47 that the larger lots verses the single family traditional and the tax revenue and smaller lots use more  
48 water per acre than larger lots which means that the larger lots are going to resolve the loss of revenue  
49 so there are two revenue streams that are going to be reduced. We also talked about the fact that there  
50 are only so many people that can afford the larger lots making this a no growth mentality. Just from a  
51 practical stand point, it is un-American to dictate to this level what someone does with their property. I  
52 think they should be given the flexibility to do what they want with their property and as the market  
53 dictates.
- 54 • A Diamond read and reviewed the overall purpose of fundamental land use regulations according to Utah  
55 state law which is to provide for the health, safety and welfare and promote the prosperity, improve the

1 moral peace, and good order, comfort and convenience and esthetics of each municipality for its present  
2 and future inhabitants and businesses. Further identifying purpose as the greater good of the whole and  
3 the sometimes contradictory and conflicting interests that arise. There is a real need to work together for  
4 the general peace, health, safety and prosperity of our community while we make decisions on changes in  
5 zoning particularly large areas like this.

- 6 • Ned Miller, Providence, 40 N 400 E, commented that he was concerned with the rate of change on this  
7 zoning request which is of course the first step in development. He lives in the area and this can be very  
8 disrupting. I would like to see more information on the plans for development in the area. It is one of the  
9 more pristine places left in Providence and he is concerned with the impact the development will have on  
10 the area.

11  
12 Public comments session closed.

13  
14 **Action Items:**

15 **Item No. 1. Rezone Request:** The Providence City Planning Commission will consider for recommendation to City  
16 Council a rezone request to change the zone of parcel no. 02-005-0005, a 77.5 acre parcel located in the  
17 northeast corner of the City at approximately 500 North 600 East, from Agricultural (AGR) to Single-Family  
18 Traditional (SFT).

19  
20 **Motion made approval proposal to City Counsel to rezone request to change the zone of parcel no. 02-005-005,**  
21 **a 77.5 acre parcel located in the northeast corner of the City at approximately 500 North 600 East, from**  
22 **Agricultural (AGR) to Single-Family Traditional (SFT).- W Simmons, second- J Parker.**

23  
24 **Vote: Yea: R Cecil, M Harbin, R James, J Parker, W Simmons**  
25 **Nay: None**  
26 **Abstained: None**  
27 **Excused: None**

28  
29 Discussion prior to motion

- 30 • R James commented on the review process and consideration of Single-Family Large and Single-Family  
31 Estate although the future zoning maps currently showed this parcel as Single-Family Traditional (SFT).
- 32 • R Cecil commented that he had talked to a number of people, particularly those that lived in the older  
33 sections of town who all wanted SFT. They did not want large or estate. We have plenty of water and all  
34 that is needed is another storage tank.
- 35 • Danny McFarland said Stan Checketts offered to dedicate the land for the storage tank. The tank would be  
36 installed with impact fees.
- 37 • Don Calderwood asked Rob Stapley to review the water situation in zone 2 because it does present some  
38 difficulties.
- 39 • R Stapley commented that a zone 2 does require more water capacity and reviewed the options including  
40 the pro and cons regarding the location. Sewer wise we are doing fantastic, the water lines will always  
41 need to be updated and demand maintenance but with the expansion of storage capacity these will be  
42 resolved. Ultimately a new reservoir will need to be constructed which will take a year or so. There are  
43 some concerns about storm water concerns. All we can do is look at each area as it is developed o see  
44 what the impact will be.
- 45 • Mayor commented that it is not a well situation; it is a reservoir situation. We have the ability to pump  
46 water we do not have the ability to store water so we are looking for the best location to do this
- 47 • Dan McFarland commented on the various options available and that there are multiple ways to get water  
48 to the land.
- 49 • Mayor stated that we can supply Little Baldy with water without water storage.
- 50 • R Cecil commented about Baker property changing from SFT to SFL. We screwed Baker property.
- 51 • A Diamond if we are going to have water issues building out this development what safeguards do we  
52 have in place.
- 53 • R James said since this is a rezoning request and all we control is the minimum and average size of the  
54 map.
- 55 • W Simmons asked about updating the zoning maps.

- R James responded that they will be updated.
- R James asked Rob Stapley about how we are looking at traffic loads in the area.
- R Stapley replied that yes, and eventually Spring Creek Parkway will become a through way road. The rezone does not affect the traffic at this point. He also explained how the Executive Staff monitors each development in relation to traffic loads.
- Danny McFarland added comments on how provide an example
- Brad Skinner wanted to address concerns from Mayor James Brackner and commented that if Spring Creek Road were extended it would take a lot of traffic flow off that area by the elementary school that Mayor Bracken is concerned about.
- R James commented on what the traditional use and purpose of single-family large and single-family traditional zonings were according to city code.
- A Diamond reviewed R2 zoning are affected by lifestyle changes in that we may no longer be using the area for agriculture but that the need for greenspace now needs to be taken into account and the breathability of the city to incorporate nature and reserves to protect the value and integrity of rural and residential neighborhoods.
- J Drew commented about greenspace and how to create green space here in Providence. What this really should be are ranches or family farms. How do we create greenspace when most of the land will no longer be used for agriculture?
- W Simmons responded that one way would be to incorporate more parks.
- J Drew responded that citizen involvement is an important aspect of making that happen by getting people involved and opening doors to let this happen.
- Stan Logan, Providence commented that they had been trying to do just that but it just has not happened.
- Danny commented about working with others in partnerships on developing areas.

**Item No. 2. Preliminary Plat:** The Providence City Planning Commission will consider for approval a preliminary plat for the Providence Heights Subdivision, a 30-lot residential subdivision located at approximately 900 South 400 East.

**Motion to approve preliminary plat for the Providence Heights Subdivision, a 30-lot residential subdivision located at approximately 900 South 400 East with the condition that the applicate will meet all applicable city, state, and federal laws, codes, and rules. – R Cecil, second- J Parker.**

**Vote:**

<b>Yea:</b>	<b>R Cecil, M Harbin, R James, J Parker, W Simmons</b>
<b>Nay:</b>	<b>None</b>
<b>Abstained:</b>	<b>None</b>
<b>Excused:</b>	<b>None</b>

Discussion prior to motion

- R James commented that this is an almost unbuildable lot without extensive ground water mitigation because it is full of water most of the year.
- Matt Hansen, representing Sierra Homes, reviewed the plans for the retention wall and also addressed what the green space for this area would look like. There will be a retention pond in the subdivision there will be no fish but there be a fence around it and it will be built to code.
- R James asked if a traffic study was required and completed.
- Matt responded that no they did not because the traffic flow would not increase enough to warrant it.
- W Simmon asked if this was open access or private.
- Matt responded that it is a city right of way that is not privately owned.
- J Drew asked about the southeast corner of the property in which large amounts of Spring Creek irrigation water seeping into the ground. How will the flow be mitigated because it is a termination point for that lateral?
- Rob Stapley responded that there are issues there, and many options are currently being evaluated. We think this is the perfect subdivision to work on as a secondary water supply. We are evaluating partnerships on water rights. This subdivision is unlike many we have seen because it is at the tail end of the water company's ditch system. Water has always dispersed in this area. It is not just the irrigation

- 1 company that will need to address it; the water users above the subdivision will need to water differently.  
 2 Water management will need to be more diligent and the water company will need to lead the resolve.
- 3 • Sheryl Eames commented on the water issue. The policy of Spring Creek Water Company is that are that  
 4 when it is your turn you are responsible for that water. Unfortunately that water has been allowed to run  
 5 without any supervision and that is where the problem is coming from. It is very easy to shut water off  
 6 from a lateral to prevent that kind of thing. Spring Creek Water can address this.
  - 7 • A Diamond asked if what the other issues are on this that we need to address and review.
  - 8 • Matt Hansen commented that they did run into problems due to the single-family large zoning. Many  
 9 aspects had to be changed. We would have more flexibility with smaller lots and configuration of the  
 10 roads in which concessions had to be made for larger lots.
  - 11 • W Simmon commented on the review of the executive staff review to approve the plans.
  - 12 • Matt added that various concepts were reviewed. We are responsible for 33 ½ ft. of road improvement  
 13 and they met all the requirements and recommendation from the executive staff review.
  - 14 • R James reviewed specifications and code requirements for the lot size and setbacks comparing plans to  
 15 executive staff review and discussed size variations on the lots.
  - 16 • R Cecil discussed issue about the water and suggested that we table the issue.
  - 17 • A Diamond commented on working with the developer on park space and possibly tabling the request and  
 18 if changes could be made on preliminary plans.
  - 19 • Matt Hansen commented that they did meet all recommendations from executive staff.
  - 20 • J Drew commented that the water issue must be dealt with and resolved.
  - 21 • Rob Stapley commented several aspects will be dealt with as the development moves forward.
  - 22 • Matt added they employee very competent engineers who are working with the city and he has no doubt  
 23 that they can resolve the water issues.
  - 24 • John Parker commented that the water companies are responsible for taking care of their water. It is not  
 25 the property owner’s liability. To delay it because the water company may have been irresponsible is not  
 26 the fault of the land owners and they should not be penalized.
  - 27 • Mayor added that he wanted to stress that it was a storm water issue not an irrigation issue. When this is  
 28 built most of the storm water will be contained. I recommend you approve the preliminary plans.

29  
 30  
 31 **Item No. 3. Code Amendment: The Providence City Planning Commission will consider for recommendation to**  
 32 **City Council proposed code amendments to Providence City Code Title 10 Zoning Regulations Chapter 1 General**  
 33 **Provisions Section 4 Definitions by adding a definition for an “Accessory Building (Small)” and Providence City**  
 34 **Code Title 10 Zoning Regulations Chapter 8 Area Regulations and Parking Requirements Section 1 Area**  
 35 **Regulations, Space Requirement Chart by adding setback and height requirements for “Detached Accessory**  
 36 **Building (Small)”.**

37  
 38 **Motion to recommend to City Council the proposed code changes to Title 10, Section 4 by adding a definition for**  
 39 **accessory building and the change to Title 10, chapter 8, Section 1 area regulation space requirement. – J Parker,**  
 40 **second – R Cecil.**

41  
 42 **Vote: Yea: R Cecil, M Harbin, R James, J Parker, W Simmons**  
 43 **Nay: None**  
 44 **Abstained: None**  
 45 **Excused: None**

46  
 47 **Discussion**

- 48 • R James commented that this addresses a secondary definition to the code for small accessory buildings.
- 49 • A Diamond asked about grandfathering sheds build prior to 1991.
- 50 • Mayor confirmed that those built prior to this date the ordinances were change would be grandfathered.

51  
 52 **Study Items:**

53 **Item No. 1. Discussion:** The Providence City Planning Commission will report on their assigned sections and/or  
 54 elements of the General Plan and other items of concern.

- R James requested that the study item be tabled until the next meeting.
- A Diamond commented that sections of the plan and which area each would focus on were identified.
- R James invited Todd Hendrickson to come forward to discuss new information and research on what he felt may justify a review and possible change to ordinance.
- R James reviewed that although the previous proposal did not qualify as an exception and was not approved as such, the possibility of an ordinance change will be reviewed in response to new information being presented.
- Todd Hendrickson presented his research findings that identified new information on street classifications. He emailed these findings to all members of the planning commission which included proposed ordinance changes. Questions, answers and discussion ensued.
- A Diamond – noticed that Providence requires a minimum 5 ft. sidewalk.
- R James concluded that further discussion will be on considering this new information and whether an ordinance change is justified. He would like to make this a study items at the next meeting.

**Reports:**

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

- No current updates

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

Agenda posted by Skarlet Bankhead on September 23, 2016.

**Motion to adjourn Planning Commission meeting of September 28, 2016. J Parker, second – R Cecil.**

<b>Vote:</b>	<b>Yea:</b>	<b>R Cecil, W Simmons, R James, M Harbin, J Parker</b>
	<b>Nay:</b>	<b>None</b>
	<b>Abstained:</b>	<b>None</b>
	<b>Excused:</b>	<b>None</b>

Meeting adjourned at 8:31 p.m.

Minutes recorded and prepared by K Merrill.

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Robert James, Chairman

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Kristine Merrill, Office Specialist

## Roadway Classification & Street Width Ordinance Review

### Summary

Providence City's roadway classification ordinance and corresponding street cross-section widths need to be changed for the following reasons:

1) Providence City's current roadway classification definitions are not based on estimated average daily traffic (ADT) volume. Cache County, River Heights, Millville, and Nibley (surrounding cities) all base their roadway classifications on estimated traffic volume. In contrast, Providence City bases its roadway classifications on road length or number of lots on a street (in case of current feeder street definition) or, by which road it connects to (in case of connector street definition). As a consequence this leads to much wider than necessary roads which unnecessarily leads to higher maintenance costs, more storm water runoff, less safe roads (i.e. higher traffic speeds and makes it more difficult for pedestrians to cross), etc. Generally speaking excessively wide roads make for less pedestrian friendly neighborhoods with higher overall long-term costs to maintain and upkeep the roadways;

2) The current Providence City roadway classification definitions (11-1-3) could be validly argued, in some cases, that they don't account for certain new subdivisions where the streets will be both too long and/or have too many lots to be classified as a feeder street (according to the current feeder street definition) and also don't fit the current definition of a collector street because the road doesn't connect to a major street as per the definition. This lack of clarity could become a legal issue for Providence City.

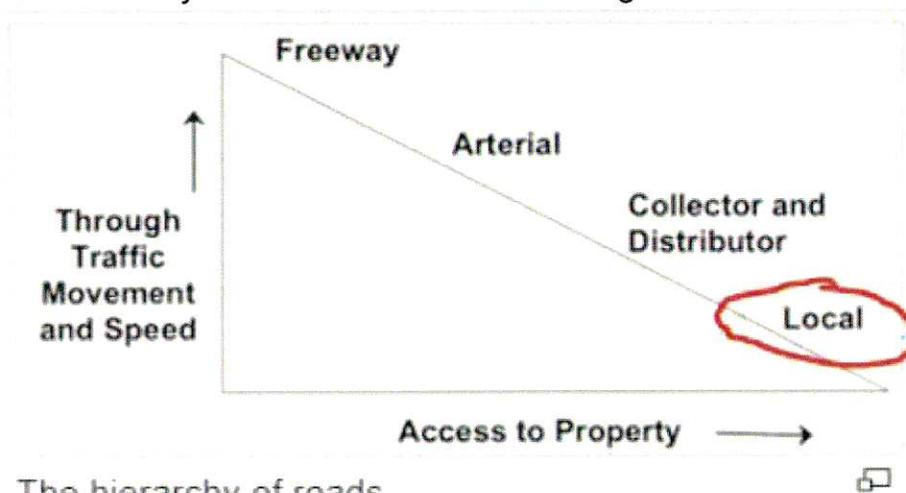
Below is research done on roadway classification definitions and street widths in Cache County, River Heights, Millville, and Nibley and then compared with Providence City.

It has been stated that Providence City likes to remain consistent with Cache County and the surrounding cities as much as possible and to the extent it makes sense.

It appears Providence is out of alignment with Cache County and the surrounding cities of Nibley, Millville, and River Heights (all that were looked at) with regards to roadway classification to determine the correct right-of-way and street widths for optimal traffic flow and safety on the streets within Providence. All other cities evaluated make their classification based on anticipated traffic flow volume as opposed to the method used by Providence City which is based on a methodology that doesn't necessarily reach the end goal of getting the proper size street for the traffic volume.

While the naming conventions differ slightly they generally mean the same thing, but appears Providence is missing a key roadway classification because of its narrowly defined roadway classification definitions. From largest to smallest the generally accepted roadway classifications (compiled) are: Arterial/Major, Collector, Local/Residential/Minor (with a possibly smaller subset of Local being Neighborhood/Feeder). It appears Providence City is missing a local/residential/minor roadway classification by too narrowly defining its current feeder classification based on the following method, "Except when used in a cul-de-sac, feeder streets shall not exceed 350' in length and shall not be adjacent to more than 8 lots". This current classification doesn't even attempt to estimate traffic volume. In fact, because it is so narrowly defined very few streets qualify as a feeder street basically by default then requiring, under current classification definitions, that the street would then have to become a collector street (i.e. Which means in most cases Providence City doesn't currently have a Local/Residential/Minor which should actually make up the vast majority of streets in Providence). The only other classification, by default, currently available for residential (local) roads is the collector classification which is widely accepted to be defined for higher traffic volume at typically moderate speeds due to increased widths. In the River Heights code it states, "Access from residential units to collector streets shall generally be prohibited at and in all new subdivisions. Access to a collector street from a residential unit shall only be allowed where no other option or solution exists." This seems evident that a change to the current ordinances are needed.

The hierarchy of roads shows the following:



The hierarchy of roads.

Local roads - At the bottom of the hierarchy are local streets and residential roads. These roads have the lowest speed limit, and carry low volumes of traffic.

( [https://en.wikipedia.org/wiki/Hierarchy\\_of\\_roads](https://en.wikipedia.org/wiki/Hierarchy_of_roads) )

## CACHE COUNTY

### MANUAL OF ROADWAY DESIGN & CONSTRUCTION STANDARDS (22 OCTOBER 2013)

#### 2.1 Roadway Functional Classification

##### A. Current Roadway Classification

Cache County has a tiered classification system for all roadways that are under the jurisdiction and maintenance of the County (See Table 2.1). *Appendix E - Current Road Conditions Classification* provides for a graphical reference to the County's roadways and their classification.

**Table 2.1**  
**Roadway Functional Classifications**

Category Assignment	County Designation
	Level-of-importance
A	Arterial
C	Collector
L	Local
R	Rural
P	Private
M	Mountain
U	Unimproved

Cache County Roadway Classification definitions:

1. Arterial (A) – This category is appropriate for use on roadways that have the capacity for moderate speed (generally 45 mph or higher) and moderate to high traffic volumes. There is a reasonable ability for direct access, but the priority is for safety, through transit, and mobility needs within this category. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of system importance and through urban areas that have significant potential for development or redevelopment of adjacent land to the highest and best use.
2. Collector (C) – This category is appropriate for use on roadways that have the capacity for moderate to low speeds (generally to a speed range of 40 mph or less) and moderate to high traffic volumes. While this category provides service to through traffic movements, it allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of system importance, but through urban areas that are significantly developed to the point where function (travel speed and capacity) has eroded.
3. Local (L) – This category is appropriate for use on roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.

### 2.3 Roadway Sections

A. Roadway Typical Sections: All Cache County roadways shall comply with the design elements shown on the roadway typical section in Table 2.2. Traveled way width, shoulder width, and clear zone dimensions shall be based on the design speed, design year traffic volumes, and guidance found in the Appendix.

**Table 2.2 - Roadway Typical Sections**

		PUBLIC ROADWAYS					
		Private <sup>6</sup>	Mountain Road <sup>1,2,6</sup>	Rural <sup>6</sup>	Local	Collector	Arterial
Planned	<u>Design Limits - Approximate ADT</u>	Up to 30	Up to 30	Up to 30	<u>40-1500</u>	<u>1600-5000</u>	Over 5000
Minimum Width (ft)	Travel Lane <sup>3</sup>	10	12	10	10	11	12
	Right-of-Way	33	66	66	66	80	100
	Median/Turn Lane <sup>4</sup>	-	-	-	12	12	14
	Shoulder (each side)	0	0	2	2	6	8
	Paved Shoulder	0	0	0	1	3	3
	Clear Zone <sup>7</sup>	0	5	7	7	10	10
	Road Surface Material <sup>5</sup>	Gravel (A)	Gravel (A)	Gravel (A)	Paved (B)	Paved (B)	Paved (C)

<sup>1</sup> Single lane roads may be permitted for Mountain roadways.

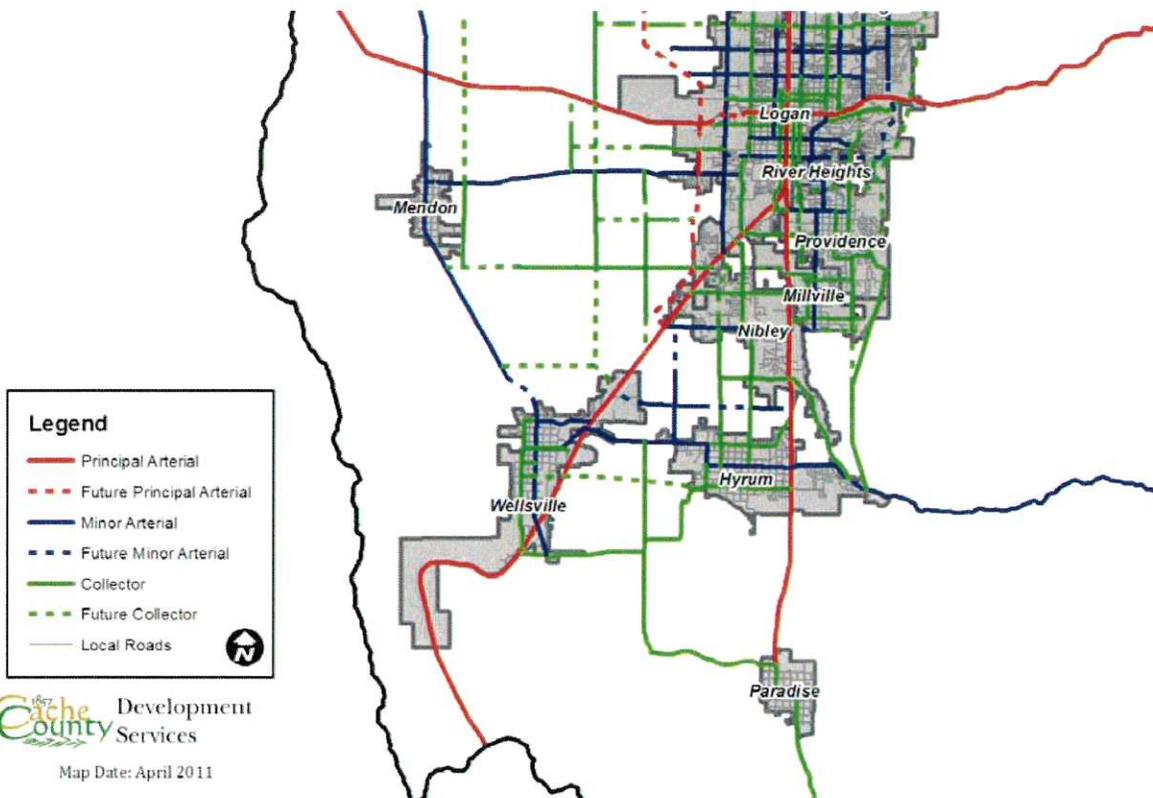
<sup>2</sup> Single lane roads do not provide adequate levels of service to development and may be required to meet the Rural road standard, provide pullouts, or other improvements as deemed necessary to provide adequate service provision in compliance with this standard, the County Code, and the latest edition of the International Fire Code.

<sup>3</sup> Minimum roadway is 2 lanes of traffic unless otherwise specified.

Average daily traffic, abbreviated ADT, is the average total volume of vehicle traffic per day (important for later).

## Cache County Map of Transportation Classifications Buildout Vision Plan

(Interesting Note here is Cache County has most roads in Providence labeled as “local” roads with some collector roads, two minor arterial roads and one principal arterial road (running in front of Macey’s)).



**Nibley City (consistent with Cache County for roadway classifications):**

**STREET, MAJOR:** A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled-access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

**STREET, COLLECTOR:** A street, existing or proposed, which is the main means of access to the major street system.

**STREET, MINOR:** A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.

C. Minimum Street Widths: The minimum street widths shall be:

Road Type	Right Of Way Width	Pavement Width
Arterial <i>major</i>	99 feet	66 feet
Collector	80 feet	49 feet
→ Residential <i>minor</i>	66 feet	35 feet
Neighborhood	60 feet	29 feet

1. The neighborhood street may be used in areas that would not generally be considered a through street or a street that would carry significant amounts of traffic other than that generated on that street. A cul-de-sac may be a neighborhood street.
2. All sidewalks shall be a minimum of five feet (5') in width. Planting strips shall be at least seven feet (7') in width.
3. The design of road types shall be in accordance with the Nibley City Design Standards & Specifications, and as follows:

( [https://nibley.municipalcodeonline.com/book?type=ordinances#name=11-5-5\\_Streets](https://nibley.municipalcodeonline.com/book?type=ordinances#name=11-5-5_Streets) )

Nibley Residential Right-of-Way 66 feet used up by: road asphalt width 35 feet, 7 feet minimum park strip, 5 feet minimum sidewalk, and 1 foot inside onto owners property. Second Residential (Neighborhood) Right-of-Way is 60 feet for neighborhood streets with reduced traffic flow (as listed in item #1 above generally only carry traffic from that subdivision/neighborhood street(s).

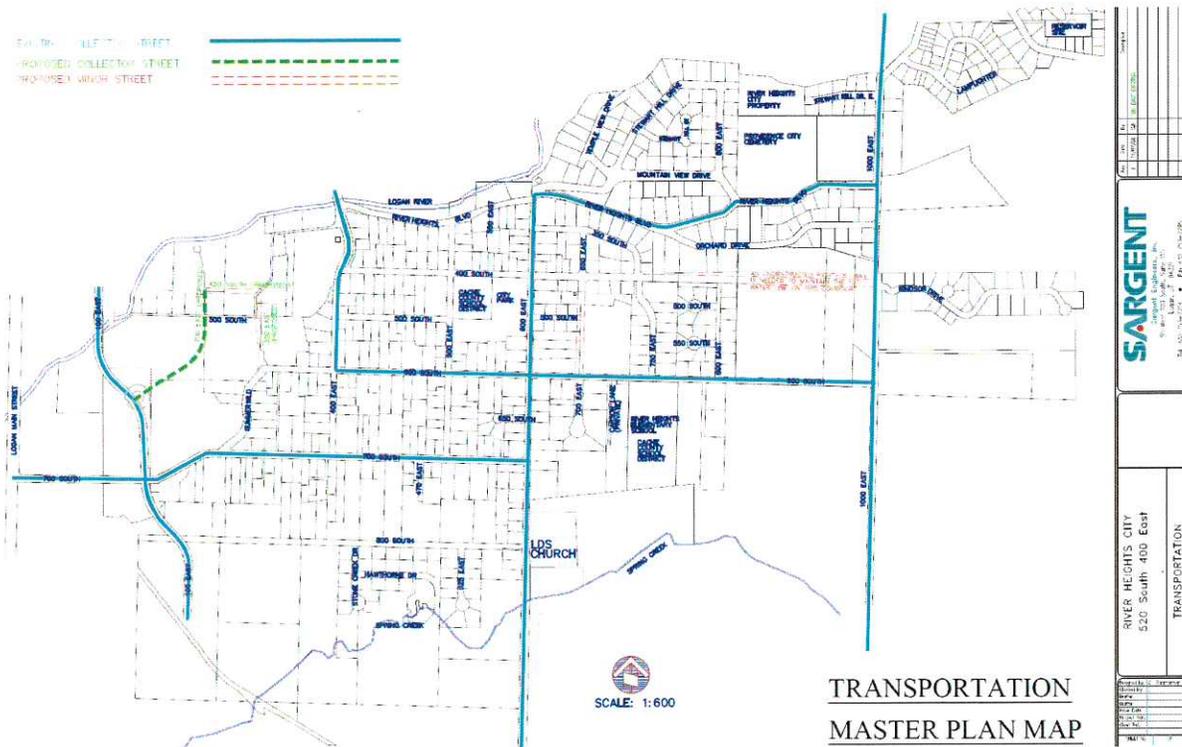


11-6-3 C. Right Of Way Width: The total street right of way width shall be standard at sixty six feet (66') for collector streets and fifty feet (50') for minor, local and cul-de-sac streets. All references to the "total width" of a street, road, right of way or easement shall refer to the total width stated in the property title or right of way rights transferred or dedicated to the city. The paved or traveled portion of the same may be less than the total width to allow for curb, gutter, sidewalk and other necessary improvements or other requirements.

11-6-3 N. ...Street classification and roadway widths shall be in accordance with the master road plan of the city.

River Heights appears it could also stand to add one additional roadway classification, but has instead chosen to simply allow for a narrow city right-of-way that covers most all residential classifications as opposed to requiring most areas to meet the collector right-of-way specification. River Heights Residential (local/minor) road asphalt width is 30 feet, 4 feet sidewalk minimum, park strip in remaining. Appears can flex on widths within right-of-way with approval for sidewalks, park strips, etc.

River Heights Transportation Master Plan Map



## Millville City (consistent with Cache County for road classifications)

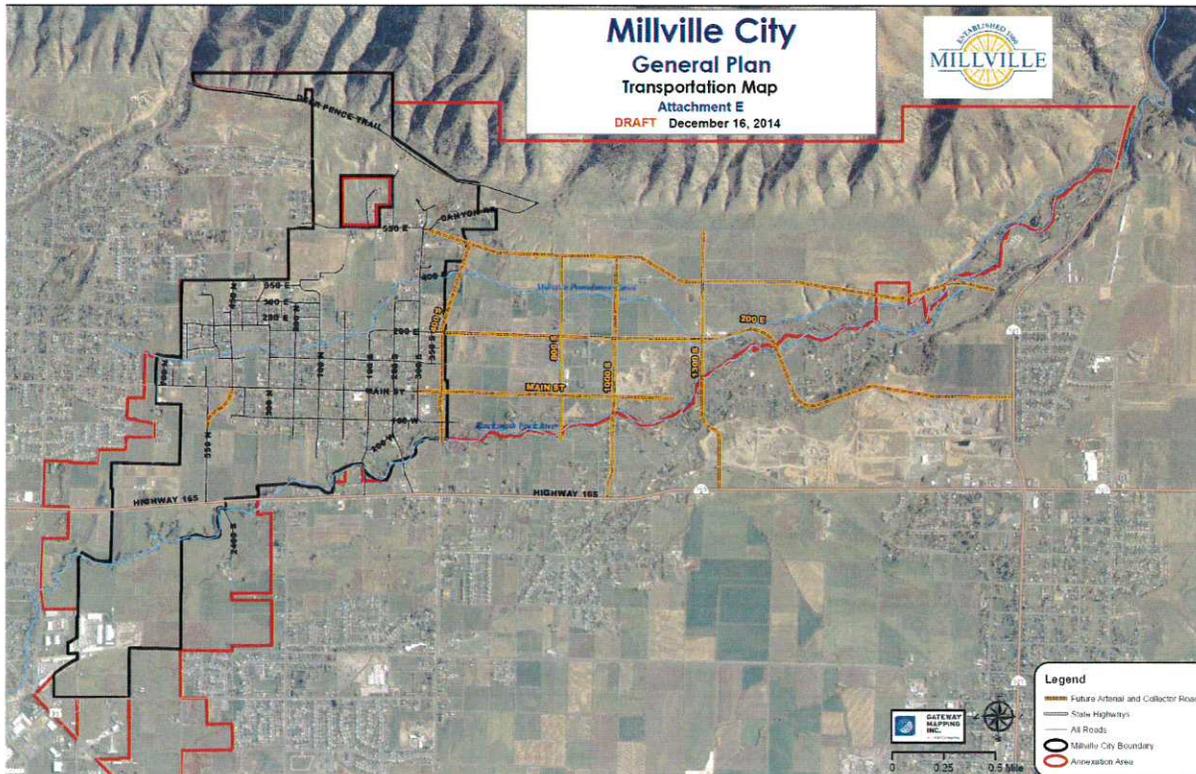
### Street Typical Sections

1. Arterial & Collector Streets - Arterial and collector streets shall be provided at locations designated on the Millville City Roadway corridor study. Road sections shall conform to Plan No. 250-N of the Manual of Standard Plans. Where two sections are given for a classification, the planning commission shall decide which section will be allowed. For areas where the street plan has not been completed at the time the preliminary plan is submitted to the Planning Commission, arterial or collector streets shall be provided as required by the Planning Commission.

2. Residential Streets - Residential streets shall have a minimum right-of-way width of 66 feet. Residential road sections shall conform to Plan No. 250-N of the Manual of Standard Plans. Where two sections are given for a classification, the planning commission shall decide which section will be allowed.

Millville 66 ft right-of-way shows for residential 35 feet asphalt, 8 feet park strip, and 4 feet wide minimum sidewalks (5 feet minimum sidewalk when adjacent to curb) and 1 foot inside sidewalk onto property.

### Millville Transportation Map



**Providence City (current roadway classification definitions and current street widths)**

This is the current Providence City roadway classification definitions:

In Title 11 Chapter 1 Section 3 Definitions of our Providence City Code.

Major Street is a street which serves as a major traffic way, controlled-access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan and shall have a designated right of way of 80'.

Collector Street is a street which carries traffic to the major street system, and shall have a right-of-way of 66'.

Feeder Street is a street which carries traffic to a collector street system and shall have a designated right-of-way of 56'. *Except when used in a cul-de-sac, feeder streets shall not exceed 350' in length and shall not be adjacent to more than 8 lots.*

In 11-4-3:C.1. of the city code it says the total street right of way shall be standard at eighty feet (80') for major streets, sixty-six feet (66') for collector streets; and fifty-six feet (56') for feeder streets. All reference to the "total width" of a street, road, right of way or easement shall refer to the "total width" stated in the property title or right-of-way rights transferred or dedicated to the City. The paved or traveled portion of the street or road may be less than the "total right of way" to allow for public improvements in accordance with City ordinances.

In other words it does not state the asphalt widths in the code itself only the right-of-way width. The asphalt width is in the drawings of the Standards and Specifications Manual (which appears to be last updated 07/06/2007 according to the date listed on standards/specs).

The sidewalk width is called out in city code 11-4-3:J. The current design standards code says, "Sidewalks placed on both sides of public streets shall be concrete and five feet (5') wide minimum and four inches (4") thick minimum..."

Below is a screen snippet from the providence city codes book (last updated in 07-06-2007) for the current right-of-ways with street widths:

**TYPICAL STREET CROSS-SECTIONS**

TYPE of STREET	WIDTHS				
	A RIGHT-OF-WAY	B ASPHALT	C CURB & GUTTER	D PARK STRIP	E SIDEWALK
FEEDER STREET	56'	29'	2.5'	6.0'	5.0'
COLLECTOR STREET	66'	39'	2.5'	6.0'	5.0'
MAJOR STREET	80'	53'	2.5'	6.0'	5.0'

I was unable to locate a Providence City Transportation map that shows the streets with their current/futures roadway classifications like I had found for the county/surrounding cities. Not sure if one currently exists, but I was unable to locate.

## Conclusion

Here is a comparison summarizing the above listed data for the current residential (local) designations from the cities/county and using the Providence City's current collector specs in attempt to do an apples-to-apples comparison:

### Comparison of Road/Asphalt Widths for Residential/Local Roads (non-collector/non-arterial roadways)

Residential/Local	RIGHT-OF-WAY	ASPHALT
Cache County	66'	34'
Nibley	66'	35'
Millville	66'	35'
Providence (Collector Specs)	66'	39'
River Heights	56'	30'

Providence City's current residential road width is simply too wide and goes contrary to making the streets more pedestrian friendly. Wider streets promote higher rates of speed for cars and is harder to cross for pedestrians making it less safe. Wider roads cost more to upkeep and maintain (costing the city a lot more in the long-term). Additionally, the wider the road the more storm water runoff that can also have adverse side effects both from a cost perspective as well as not having the water in the ground where it falls versus mitigation-in-place in park strips and rolling off of sidewalks to keep in the proper localized areas. Regulation with storm water runoff is getting to be an area of focus for EPA/regulators.

## Ordinance Change Recommendations

It is recommended that the new roadway classification definitions for the Providence City be based on average daily traffic volume and be more in alignment with widely accepted roadway classification definitions such as the following:

Major Street - A street which serves as a major traffic way, controlled-access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan and shall have a designated right of way of 99'.

Collector Street - A street, existing or proposed, which is the main means of access to the major street system and shall have a right-of-way of 80' and is anticipated to have moderate to high traffic volumes with moderate to low speeds.

Minor Street - A residential or neighborhood street, existing or proposed, which is supplementary to a collector street and for moderate volumes of traffic of limited continuity which serves or is intended to serve the local needs of a neighborhood. The right-of-way shall be either 60' or 66' depending the anticipated average daily traffic (ADT) volume and as recommended by the Planning Commission and approved by the City Council.

It is also recommended that the ordinance for street widths, for the above defined roadway classifications, be changed to the following:

PROPOSED STREET CROSS-SECTIONS

TYPE OF STREET	WIDTHS					Estimated Average Daily Traffic (ADT)
	A RIGHT-OF-WAY Width	B ASPHALT Width	C CURB & GUTTER	D PARK STRIP	E SIDEWALK	
MAJOR STREET	99'	66'	2.5'	Minimum 7.0'	Minimum 5.0'	Over 5000
COLLECTOR	80'	49'	2.5'	Minimum 7.0'	Minimum 5.0'	1501-5000
RESIDENTIAL	66'	35'	2.5'	Minimum 7.0'	Minimum 5.0'	251-1500
NEIGHBORHOOD	60'	29'	2.5'	Minimum 7.0'	Minimum 5.0'	Up to 250

1. The neighborhood street may be used in areas that would not generally be considered a through street or a street that would carry significant amounts of traffic other than that generated on that street or immediate neighborhood.
2. All sidewalks shall be a minimum of five feet (5') in width. Park strips shall be at least seven feet (7') in width.
3. The street cross-section shall be in accordance with the Providence City Design Standards & Specifications.

## Travel Lane Optimal Widths

The primary US guidance for road widths etc. (i.e. the US authority on all design and road matters which is used by all state and local municipalities) is found in *A Policy on Geometric Design of Highways and Streets* published by the American Association of State Highway and Transportation Officials (AASHTO) also referred to as the "Green Book".

**Geometric design of roads** (Takeaway is that travel lanes should be 10 feet wide now instead of 12 feet wide according to all the newest research to keep speeds down and basically supposed to be more safe if urban areas with no increase in accident rates.)

### Lane width

The selection of lane width affects the cost and performance of a roadway. Typical lane widths range from 3 meters (9.8 ft) to 3.6 meters (12 ft). Wider lanes and shoulders are usually used on roads with higher speed and higher volume traffic, and significant numbers of trucks and other large vehicles. Narrower lanes may be used on roads with lower speed or lower volume traffic. (All speed limits within Providence city are 25 miles per hour).

Narrow lanes cost less to build and maintain, but also reduce the capacity of a road to convey traffic. Wider roads increase the time needed to walk across, and increase storm water runoff.

### Lane Width: Flexibility in the AASHTO Guidelines

The AASHTO Green Book (2) recognizes the need for flexibility and provides that flexibility, citing how lane width can be tailored, to a degree, to fit the particular environment in which the roadway functions (e.g., low-volume rural roads or residential areas versus higher volume rural or urban facilities). The formulation of these values demonstrates considerable flexibility.

For lower speed, lower volume rural/residential roads and highways with little or no truck traffic, lane widths as low as 9 ft (2.7 m) may be acceptable; lane widths substantially less than 12 ft (3.6 m) are considered adequate for a wide range of volume, speed, and other conditions.

For the reconstruction of rural two-lane highways, the AASHTO Green Book (2) notes that less than 12-ft or 3.6-m lane widths may be retained "where alignment and safety record are satisfactory." In other words, widening a narrow existing highway is not mandated if its safety performance is acceptable. Flexibility is also evident for lower-class roads and streets, with recommended narrower lane widths consistent with lower design speeds on such roads.

The discussion of lane width in the AASHTO Green Book (2) for urban areas also reflects a high degree of flexibility. It is noted that lane widths "may vary from 10 to 12 ft (3.0 to 3.6 m) for arterials." [http://contextsensitivesolutions.org/content/reading/lane\\_width\\_flex/](http://contextsensitivesolutions.org/content/reading/lane_width_flex/)

AMERICAN ASSOCIATION OF STATE HIGHWAY  
AND TRANSPORTATION OFFICIALS  
COMMITTEE CORRESPONDENCE  
Elizabeth Hilton, Secretary  
AASHTO Technical Committee on Geometric Design  
Federal Highway Administration (HIPA-20)  
300 East 8th Street, Room 826  
Austin, TX 78701

September 19, 2014

AASHTO – Green Book

- Urban/suburban arterials:
  - Possibly only lane width (<10') and SSD (w/hidden features) unless design speed >45mph that are designed more like rural highway

In The Truth About Lane Widths

The Influence of Lane Widths on Safety and Capacity:

A Summary of the Latest Findings

According to the AASHTO Green Book, for rural and urban arterials, lane widths may vary from 10 to 12 feet. It goes on to say that 12-foot lanes should be used where practical on higher speed, free flowing, principal arterials. However, under interrupted-flow (roads with signals) and conditions operating at low speeds (45 mph or less) narrower lane widths are normally quite adequate and have some advantages.<sup>1</sup>

<sup>1</sup> AASHTO. Geometric Design of Highways and Streets, pg. 473, AASHTO, Washington, D.C.

# PROVIDENCE CITY

## Executive Staff Review

Date: 10/10/2016

**Request:** Amend Providence City Code Title 11 Subdivision Regulations, Chapter 3 Plat Procedures and Requirements, Section 1 Concept Plan and Section 2 Preliminary Plat to add requirements for phasing a subdivision.

**Item Type:** Code Amendment

**Applicant:** Providence City

**Prepared by:** S Bankhead

### Staff Report Summary of Key Issues:

1. Providence City Code allows phasing in subdivisions. However, there are very few guidelines or requirements listed in the Code for implementing phasing.
2. The proposed amendments clarify the acreage to be included in the legal description a subdivision plan; and clarify the City's intent for phasing public infrastructure, facilities, and services in a timely and orderly manner that provides the City the ability to protect and promote public health, safety, and welfare.

### FINDINGS OF FACT:

1. Providence City Code (PCC) 10-1-5:A. states changes and amendments to this Zoning Title shall be done in accordance with state law.
2. UCA § 10-9a-102 Purposes -- General land use authority.  
*(1) The purposes of this chapter are to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, 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.*  
*(2) To accomplish the purposes of this chapter, municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.*
3. UCA § 10-9a-501 states the legislative body may enact land use ordinances and a zoning map consistent with the purposes set forth in in this chapter.
4. UCA § 10-9a-502 Requires the planning commission provide notice and hold a public hearing on a proposed land use ordinance or zoning map; and prepare and recommend to the legislative body a proposed land use ordinance and zoning map that represent the planning commission's recommendation.
5. UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or within the zoning district; or (c) any other provision of a land use ordinance.

### CONCLUSIONS OF LAW:

1. The proposed code amendment has been processed consistent with the above Findings of Fact.

### CONDITIONS:

1. That the process continue in accordance with all applicable federal, state, and city codes, rules, and regulations.

### RECOMMENDATION:

That the Providence City Planning Commission study the proposed amendment and schedule a public hearing to received public input on the proposed amendments.

1 11-3-0: **DEPENDENT SUBDIVISIONS:** A subdivision or phase that is dependent upon another subdivision and/or phase  
2 for access or public works improvements shall not receive approval, conditional or otherwise, for the final plat until the  
3 Final Plat and construction documents for the independent subdivision or phase are approved, substantial completion  
4 inspection performed, and the items listed on the substantial completion inspection punch list are competed. Changes  
5 will place the dependent subdivision or phase on hold until all modifications to the independent subdivision are  
6 approved. (Ordinance Modification 002-00, 01/25/00)

7 A. Exception: If the Land Use Authority for Subdivisions determines for good cause that any phase of plan/plat  
8 approval for the dependent subdivision would be inadequate to protect the public health, safety, and welfare,  
9 the dependent subdivision shall not receive approval, conditional or otherwise, for any phase of plan/plat until  
10 the Final Plat and construction documents for the independent subdivision or phase are approved, substantial  
11 completion inspection performed, and the items listed on the substantial completion inspection punch list are  
12 competed. Changes will place the dependent subdivision or phase on hold until all modifications to the  
13 independent subdivision are approved.  
14

15 11-3-1: **CONCEPT PLAN:** A concept plan shall be submitted to the city executive staff (which may include the city  
16 administrator, public works director, city engineer, public works secretary, zoning personnel, mayor and council  
17 member) for review and compliance with the Providence City General Plan, and Title 10 and 11 of the Providence  
18 City Code.

19 A. Complete application: Providence City has thirty (30) days to review an application for completeness. At that  
20 time the City will provide a written notice of acceptance or denial to the developer and/or their agent. If the  
21 application is denied; professional fees for review may be billed.

22 1. **The total acreage (total acreage includes all property within the parcel(s) and all phases whether current or**  
23 **future) of the proposed development.**

24 2. In addition to lot and street layout, a concept plan shall show all non-developable sensitive areas and all  
25 potentially developable sensitive areas within the boundaries of the development and within one hundred  
26 feet (100') of the development.

27 3. The following roads do not require curb, gutter, and sidewalk: Grandview Drive and Foothill Drive in the  
28 Grand View Hills Subdivision; Canyon Road east of 400 East. 400 East from Canyon Road south to the City's  
29 south boundary line does not require curb, gutter, and sidewalk on the west side; curb, gutter, and  
30 sidewalk are required on the east side.

31 4. See the Downtown Street Cross-Sections C-1A in the Providence City Corporation Department of Public  
32 Works Standard Construction Drawings for profiles on all other streets.

33 B. Expiration:

34 1. Concept Plan Application. A concept plan application shall expire if it is determined by the City's land use  
35 authority that the developer and/or its agent did not proceed with reasonable diligence to meet any  
36 items/conditions prescribed in City ordinances and/or listed on the city executive staff review comments;  
37 or

38 2. Approved Concept Plan. An approved concept plan shall expire if a complete preliminary plat application  
39 has not been submitted to the City by the developer and/or its agent within one (1) year after city  
40 executive staff approves the concept plan.

41 3. An expired plan is considered withdrawn and any vested right to proceed obtained by the developer shall  
42 terminate.  
43

44 11-3-2: **PRELIMINARY PLAT:** A preliminary plat application will not be accepted by the City without the City's written  
45 approval of the concept plan. The following procedure shall be followed in submittal and review of the preliminary plat:

46 A. Preparation: The preliminary plat shall be prepared in accordance with all requirements of the City and shall  
47 include all proposed phases.  
48

49 B. Contents:

50 1. Drawing Requirements: The title block of the preliminary plat shall include the following:

51 a. The proposed name of the development.

52 b. The section, township and range of the development.

53 c. The names, addresses, and contact information of the owners, developer(s), if other than the  
54 owners, and surveyors or and designers of the development.

55 d. Scale of drawing and north arrow.

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2. Existing Conditions: The preliminary plat shall also show:
- a. The legal description basis of bearing, and total acreage (total acreage includes all property within the parcel(s) and all phases whether current or future) of the proposed development, certified by a licensed land surveyor.
  - b. Location, street number and name of existing streets within one hundred feet (100) of the development and of all previously platted streets or other public ways, railroad and utilities rights of way, parks and other public open spaces, permanent buildings and structures, and corporate lines within and adjacent to the tract.
  - c. The location of all wells, proposed, active and abandoned, springs, and all reservoirs within the tract and to a distance of at least one hundred feet (100') beyond the development boundaries.
  - d. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries, indicating pipe size, grades, manholes and accurate location.
  - e. Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; and a letter, from the affected users indicating the plans are acceptable, must be submitted to the City.
  - f. Accurate boundary lines certified by a licensed land surveyor and ownership of adjacent parcels of land. (Subd. Ord., 1-24-1990)
  - g. By means of an overlay method or directly on the plat, vertical contour intervals of not more than two feet (2') or one foot (1') on predominantly level land.
  - h. A vicinity map shall show how the development is situated in its surrounding neighborhoods extending a minimum of two (2) blocks or more outward from the boundaries of the development. The vicinity map shall include all major, collector, standard and feeder streets within the area, both existing streets and those proposed on the Master Plan. (Subd. Ord., 1-24-1990; amd. Ord., 1-9-1996)
3. Proposed Conditions: The preliminary plat shall also show;
- a. The layout of streets showing location, widths and other dimensions of proposed streets (designated by actual or proposed names and numbers), crosswalks, alleys and easements.
  - b. The location for culinary water improvements, waste water improvements, storm drainage and street lights for all lots proposed within the development.
  - c. The layout, numbers, hazard setback, and typical dimensions of lots and square footage.
  - d. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the development.
  - e. Written statement by the design engineer verifying that all lots have an adequate buildable envelope with regards to hazardous slope, building, water, zoning setbacks, etc.
  - f. Easements for water, sewer, drainage, utility lines and other utilities.
  - g. Typical street cross-sections and preliminary street grades if required.
  - h. Copies of any agreements with adjacent property owners relevant to the proposed development.
  - i. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use.
  - j. A professionally prepared plat having been prepared on a minimum twenty inch by thirty inch (20" x 30") or maximum twenty-four inch by thirty-six inch (24" x 36") approved reproducible drafting medium.
  - k. A signature block along the right-hand margin of the preliminary plat, providing for the following certifications or approvals:
    - (1) Prior to City review, an affidavit or certificate of clear title to the effect that the applicant is the owner of, or that he is authorized by the owner in writing to make application for, the land proposed to be subdivided. The affidavit or certificate shall state clearly in which status, a copy of said written authorization from the owner shall be submitted with the preliminary plat. A title report shall also be submitted which indicates in whom the fee simple title to such property is vested and any liens or encumbrances thereon. A statement from the property owner disclosing any options or unrecorded contacts/agreements associated with

1 the property.

2 4. Phasing. It is the City's intent, if phasing is approved, the development shall be phased in such a manner to  
3 provide public infrastructure, facilities, and services in a timely and orderly manner that provides the City  
4 the ability to protect and promote public health, safety, and welfare.

- 5 a. When developing a large tract of land, developers may choose to construct the subdivision in  
6 phases rather than develop the entire property at once. However, in no case should a phase  
7 contain less than 6 lots; and no less than two acres of land area.
- 8 b. Phases shall be planned to ensure the efficient construction of adjacent future phases (those  
9 phases immediately next to the subject phase, sharing a common boundary line), and to ensure  
10 that phased development does not allow for leapfrog development.
- 11 c. Each proposed phase shall provide no less than a proportionate fair share of required open space,  
12 recreation facilities, and/or dedications for public use concurrent with development. In cases  
13 where construction of a proportionate fair share improvement is not feasible or would result in  
14 incomplete facilities which do not mitigate the impacts of the phase, construction of the entire  
15 improvement shall be required.
- 16 d. All phases shall be required to be stand-alone. No proposed prior phase shall be dependent on  
17 the completion of subsequent phases to be consistent with any required approvals and/or  
18 conditions, including but not limited to: the looping of roads and utilities; the provision of fire  
19 flow; and the mitigation of transportation, recreation and/or public services impacts. Landscaping  
20 and parking improvement shall be provided within each phase as required.
- 21 e. Infrastructure improvements which are required to serve the entire project may be constructed  
22 with in a nonadjacent phase.
- 23 f. Phasing Plans shall include the following information:
- 24 i. Illustrative maps for each proposed phase which clearly mark in heavy lines the  
25 boundaries of the subject phase, label the phase alphabetically (to avoid confusion with  
26 lot numbers) and depict roads, lots infrastructure, easement, dedications and open  
27 space which are included within the subject phase. The plan shall also illustrate those  
28 proposed improvements which mitigate impacts associated with the unbuilt portions of  
29 the project which are not located within the boundaries of the subject phase. Previously  
30 established phases, including roads, lots, infrastructure, easement, dedications, and  
31 open space, should be show on the map shaded or gray-scaled. All phasing maps shall  
32 be drawn at the same scale.
- 33 ii. A narrative description or table which describes each phase and its associated  
34 improvements, in addition, the narrative or table shall demonstrated that each phase  
35 would comprise a "stand-alone" development which, should no subsequent phases be  
36 constructed, would meet or exceed the standards of this title and all other conditions of  
37 approval. The narrative should also describe the proposed timeline for completion of  
38 the entire project and any proposals to bond for required unbuilt or yet-to-be-  
39 constructed improvements.
- 40 g. Choosing to phase the subdivision does not relieve developer of the requirement to present the  
41 entire subdivision in its phases, for final approval by the Planning Commission within one year of  
42 receiving approval of the preliminary plat by the Planning Commission.

43 C. Submittal: Four (4) copies (20"x30" minimum , 24" x 36" maximum size) and one (1) 11" x 17" copy of the  
44 preliminary plat shall be submitted to the City for review a minimum of seven (7) days prior to the initial City  
45 review. The City will complete the first review within thirty (30) days. Each subsequent review is subject to an  
46 additional thirty (30) day review period. If all required information is not included, city has the right to refuse  
47 the package.

48  
49 D. Staff Review: Upon review, the city executive staff will provide written comments, conclusions and  
50 recommendations to the Land Use Authority. (Subd. Ord., 1-24-1990; amd. Ord., 1-9-1996)

51  
52 E. Approval: No preliminary plat shall be approved by the Planning Commission, the City Council, or any other  
53 designated Land Use Authority unless it complies with or can be shown that a final plat will be likely to comply  
54 with all the provisions set forth in the Providence City Ordinances. No preliminary or final plat shall be  
55 approved if a commitment-of-service letter has not been issued for the plat pursuant to Section 8-1-21.

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1. A preliminary plat is not considered approved until all conditions have been satisfied and the plat has been signed by the City Engineer, Land Use Authority, and the Developer.

F. Complete application: Providence City has thirty (30) days to review an application for completeness. At that time the City will provide a written notice of acceptance or denial to the developer and/or their agent. If the application is denied, the application fee may be refunded; professional fees for review may be billed. To be considered complete, an application must contain the following:

1. a completed Providence City Application Form;
2. payment of the application fee;
3. the proposed preliminary plat and all required copies;
4. a title report shall also be submitted which indicates in whom the fee simple title to such property is vested and any liens or encumbrances thereon;
5. a copy of the City's written approval of the concept plan.

G. Expiration:

1. Preliminary Plat Application. A preliminary plat application shall expire if it is determined by the City's Land Use Authority that the developer and/or its agent did not proceed with reasonable diligence to meet any items/conditions identified in City ordinances and/or in city executive staff review comments; or
2. Approved Preliminary Plat. An approved preliminary plat shall expire if a complete final plat application has not been submitted to the City by the developer and/or its agent within one (1) year after approval of the preliminary plat.
3. An expired plat is considered withdrawn and any vested right to proceed obtained by the developer shall terminate.