

Providence City Planning Commission Agenda  
Providence City Office Building, 15 South Main, Providence UT 84332  
May 13, 2015

The Providence City Planning Commission will begin discussing the following agenda items at 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 April 22, 2015.

Study Items:

Item No. 1. The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the zoning districts for future annexation and future rezone of existing districts.

Item No. 2. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-8-5: Commercial Zoned Districts; Site Development and 10-8-6: Parking Regulations.

Item No. 3. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-8-3 allowing attached uncovered decks to extend into the rear setback.

Item No. 4. Proposed Code Amendment. The Providence City Planning Commission will study proposed amendments to Providence City Code 10-5 regarding hazard slope zones, engineering geotechnical report, and disclosures of other natural hazards.

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 May 11, 2015.



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 **Providence City Office Building**  
3 **15 South Main, Providence UT 84332**  
4 **April 22, 2015 6:00 PM**

5  
6 **Attendance:**

7 Vice Chair: Sherman Sanders  
8 Members: Kirk Allen, Robert James  
9 Alternates: Heather Hansen  
10 Excused: Larry Hogge, Larry Raymond, Wendy Simmons

11  
12 **Approval of the Minutes:**

13 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of March  
14 25, 2015.

- 15 • K Allen – strike “Hair-brained idea”

16 **Motion to approve the minutes of March 25, 2015 as corrected: R James, second – K Allen**

17 **Vote: Yea: K Allen, H Hansen, R James, S Sanders**  
18 **Nay: None**  
19 **Abstained: None**  
20 **Excused: L Hogge, L Raymond, W Simmons**

21  
22 **Item No. 2.** The Providence City Planning Commission will consider for approval the minutes of April 8,  
23 2015.

24 **Motion to approve the minutes of April 8, 2015: H Hansen, second – R James**

25 **Vote: Yea: K Allen, H Hansen, R James, S Sanders**  
26 **Nay: None**  
27 **Abstained: None**  
28 **Excused: L Hogge, L Raymond, W Simmons**

29  
30 **Study Items:**

31 **Item No. 1.** The Providence City Planning Commission will discuss possible amendments for the zoning  
32 element of the Providence City general plan; including the zoning districts for future annexation and  
33 future rezone of existing districts.

- 34 • H Hansen asked what qualifications are for each zone. S Bankhead said they are in the use chart  
35 and the area regulation chart, Title 10, Chapters 6 and 8. Title 10, Chapter 4 gives a summary of  
36 some of the other zones. They are not in the general plan. The Commission can add it to the  
37 general plan if they want to.  
38 • S Sanders reviewed a little history of the zoning laws and affordable housing over the past few  
39 decades.  
40 • S Bankhead said at one time Providence had a viable downtown commercial zone, but around  
41 the 1960-1970's the City Councils decided they wanted Providence to be more of a bedroom  
42 community. In the 1990's Mayor Leonhardt felt like that made property taxes too high so he  
43 wanted to bring back some commercial zones. She does not feel the commercial zone has been  
44 given much thought, it has mostly been a reactive situation rather than a proactive situation.  
45 She feels the Commission needs to consider descriptions of the value of the commercial zone  
46 and also consider smaller lot sizes for the future of Providence. Commercial and historic districts  
47 are not in an overlay zone and that should be given consideration. As new annexations take  
48 place, the future citizens of Providence and their needs should be considered.  
49 • S Sanders asked about the annexation of Stan Checketts' property.

- 1 • S Bankhead said in years past, the annexation policy plan used to be fairly conservative. She
- 2 showed the Commission which areas of the map are part of the annexation plan. These
- 3 properties have already been through the State code process so it does not need to do that
- 4 again. Areas that have not been included in the annexation plan, will have to come before the
- 5 Planning Commission. She said some of the areas in Providence may been to be rezoned for
- 6 smaller lots. Performance zoning does not increase density, but it reduces lot size. In exchange,
- 7 there are more open green spaces. So density does not change, but it does cluster.
- 8 • H Hansen prefers to have mixed use zones. She thinks creating larger and smaller lots in a zone
- 9 makes for better neighborhoods.
- 10 • S Bankhead said zoning laws and development have a lot to do with how zones are decided, but
- 11 residential mixed zones can be done.
- 12 • R James asked for clarification on lot size averaging.
- 13 • S Bankhead said the City's attempt at lot size flexing is to allow for clusters with open spaces.
- 14 One of the problems with the flexing is developers always want to develop the residential
- 15 spaces first and the open spaces in later phases. Now each phase has to be able to stand on its
- 16 own and be completed before the next phase begins.
- 17 • S Sanders asked if any of the commissioners has a proposal for mixed zones in residential.
- 18 • J Baldwin said he thinks mixed uses are fine, but multi-family use with single family could be a
- 19 concern.
- 20 • S Bankhead said some multi-family units can work in single family zones, but there have to be
- 21 restrictions.
- 22 • S Sanders said economics will also drive how zones are worked out.
- 23 • K Allen said we need zoning ordinances and areas in our City that don't divide people by income.
- 24 He said some developments in River Heights have town houses in some very nice
- 25 neighborhoods.
- 26 • J Baldwin said there is a downside to allowing multi-family in a single family if the developer
- 27 builds cheap housing. It can downgrade the value of a neighborhood.
- 28 • K Allen said that could be taken care of with zoning requirements by the City.
- 29 • S Bankhead said a mixed residential zone could be included. The ordinance could be written that
- 30 would preserve the integrity of the neighborhood.
- 31 • H Hansen said it would be important to prevent transient neighborhoods.
- 32 • S Sanders asked for discussion on commercial zones. He asked about the property west of
- 33 Macey's and Skarlet said it is zoned Agriculture but in the future the City may want to zone it
- 34 commercial.
- 35 • S Bankhead said the difference between commercial general and commercial highway is
- 36 commercial highway is sales tax based – 88% of the businesses have to be sales tax producing
- 37 businesses. Currently manufacturing is not allowed in Providence, but someone has asked that
- 38 minimal manufacturing be allowed in the back of a building with retail and a showroom at the
- 39 front of the store. Perhaps we should consider whether or not it would be a good idea to allow a
- 40 certain amount of manufacturing with a fair amount of retail.
- 41 • S Sanders felt it could generate tax revenue and jobs. He felt it was viable, but there would have
- 42 to be considerations as to where it would fit. The west side of Highway 165 should be
- 43 considered for commercial Highway. He also thought Gateway Drive should be considered for
- 44 Commercial zoning.
- 45 • H Hansen suggested standardized buffer zones between commercial and residential zones.
- 46 • J Baldwin and K Allen both thought buffer zones could be made to look very nice if they are
- 47 done correctly.
- 48 • S Bankhead felt the commercial business should be the one to have to install the landscape
- 49 buffers.

1 **Motion to recommend that property west of the highway 165 and south of the current CHD zone be**  
2 **zoned Commercial Highway District when it is developed: H Hansen, second – R James**

3  
4 **Motion amended to include east and west side of highway 165 down to Millville city limit zoned CHD**  
5 **when it is annexed: H Hansen, second – R James**

6 **Vote: Yea: K Allen, H Hansen, R James, S Sanders**  
7 **Nay: None**  
8 **Abstained: None**  
9 **Excused: L Hogge, L Raymond, W Simmons**

10  
11 **Motion to recommend property from Providence City limit to Logan City limit at north end of city,**  
12 **west to River Heights be zoned SFT if and when it is annexed into the city. Also recommend property**  
13 **east of Jack Nixon’s property and property east of Stan Checketts property be zoned SFT if and when it**  
14 **is annexed into the City: K Allen, second – H Hansen**

15 **Vote: Yea: K Allen, H Hansen, R James, S Sanders**  
16 **Nay: None**  
17 **Abstained: None**  
18 **Excused: L Hogge, L Raymond, W Simmons**

- 20 • S Bankhead said we have a zone called Commercial Neighborhood District that hasn’t really  
21 been defined or addressed.
- 22 • R James asked about section 10.4.1 c and d. He would like more clarification, recommended  
23 uses and intents of those zones.
- 24 • S Bankhead asked if this is to be added to the ordinance or the general plan.
- 25 • H Hansen said zones should be defined first.
- 26 • R James said we need to take a deeper look at what we intend with the zones.
- 27 • S Bankhead said some parts may want to be descriptive in the general plan per zone, but maybe  
28 not in the ordinances. The intent needs to be a part of the general plan.
- 29 • S Sanders asked if a public hearing was needed.
- 30 • R James and H Hansen felt a public hearing was a good idea, but a plan needs to be in place first.
- 31 • J Baldwin suggested adding limited manufacturing to the public hearing.
- 32 • S Bankhead will email information for mixed residential and commercial zones.
- 33 • S Sanders said this will continue as a study item.
- 34 • S Bankhead asked if the commissioners wanted Historic Preservation Commission to be invited  
35 to the next meeting when the downtown area is discussed. Providence has a large historical  
36 district and some homes are on the National Register. The Historic District is a new district and is  
37 not addressed anywhere.
- 38 • The commissioners felt that now wasn’t the time, but that they would want HPC to come to a  
39 future meeting.

40  
41 **Item No. 2. Proposed Code Amendment. The Providence City Planning Commission will study proposed**  
42 **amendments to Providence City Code 10-8-5: Commercial Zoned Districts; Site Development and 10-8-6:**  
43 **Parking Regulations.**

- 44 • S Bankhead said she would incorporate whatever guidelines the Commissioners want into the  
45 ordinance and pass it on to the City Council.
- 46 • H Hansen said she likes slides 4, 6 and 7. R James agreed.
- 47 • R James would like to consider first paragraph of 8 that discusses shrub heights. He also felt  
48 parking was an issue.

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

- 2 • S Bankhead said City Council denied petition for annexation at this point. They felt they needed  
3 more information. Staff met with the developer today and he tends to resubmit another  
4 petition after they have done a little more homework and can answer questions about  
5 infrastructure needs. The City Council denied the request to add recreation to SFL zone and they  
6 accepted the bees at 4 hives and after that a CUP would be required.

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

- 9 • No reports.

10  
11 **Motion to adjourn: K Allen, second – R James**

12 **Vote: Yea: K Allen, H Hansen, R James, S Sanders**

13 **Nay: None**

14 **Abstained: None**

15 **Excused: L Hogge, L Raymond, W Simmons**

16  
17 Meeting adjourned at 7:30 pm

18  
19  
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22  
23 \_\_\_\_\_  
Sherman Sanders, Vice Chairman

\_\_\_\_\_  
Caroline Craven, Secretary

## ZONING

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### Background

A zoning ordinance was prepared and approved by the city council in 1991. Although eight zones were approved, most of the city was zoned 'R1' for 'single family residential', and 'A' for 'agricultural'. In the late 1980's the first 'R2', 'single family 10,000 sf lot, was approved. In 1996 the Utah State Legislature passed the 'Affordable Housing Bill #295, effective 1998, requiring each jurisdiction to provide their share of affordable housing. In order to meet this requirement a new use chart providing additional zones was adopted in 1999. Smaller lot size in single family, multi-family, and commercial zones were part of this latest modification.

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### Principles

- Protect and promote the health, safety, order, prosperity, and general welfare of the present and future inhabitants of the City.
  - Protect life and property from natural hazards, and assure efficient and safe traffic movement.
  - Conserve the value and integrity of rural residential neighborhoods, assure orderly growth, preserve culturally and historically important sites and landmarks, encourage good visual quality, and high aesthetic standards.
  - Efficiently utilize and conserve the City's resources.
  - Encourage attractive and functional commercial centers, and increase and stabilize the local tax base.
- 

### Master Plan Directive

The major goal of master plan zoning is to propose the direction in which the remaining areas of the city should develop. The city has accepted its responsibility for affordable housing by upgrading the use chart to include higher density zones. These zones should generally be on the perimeter of the city with good access to major roads without going through the core of the city. Zoning limits the number of houses per acre and allows for flexible development concepts.

The property along Highway 165 and the northwest part of Providence must be limited to commercial development. Development should consist mostly of retail sales to allow an increase in the city tax base (**Commercial Highway District – CHD**). Commercial development outside of the mixed use district should have at least 30% green space to preserve the open and green character of the city. (Res 09-035 12/08/2009)

No building construction should be considered above the deer fence.

Flexible planning concepts should be incorporated into the zoning ordinances allowing the city greater opportunity to create neighborhoods consistent with the Master Plan principles.

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Current concerns include:

1. 1999 Use Chart  
The master plan does not currently display the desirable areas for the new zones.
2. Zoning ordinance need further coordination and clarification, including:  
performance based zoning criteria.
3. The new use chart may allow too many small lots

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Future Needs:

#### Residential

- Planning for safe neighborhoods.
- Planning neighborhoods consistent with Master Plan principle.
- As property currently in the County, on the north side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).
- As property currently in the County, on the east side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).

#### Commercial

- Consider neighborhood commercial at 8th south and 10th east, 3rd north and 1st east.
- Offer incentives for retail development.
- Development pays up-front cost.
- Rezone the property on the west side of SR165 to Commercial Highway District (CHD)
- Rezone the property on the east and west sides of SR165 to CHD from 300 South to the Providence / Millville boundary, as the property is annexed into the City.

#### Annexation

- Preserve and protect annexation declaration. Include Theurer property at southwest,

and Celco property at southeast bench. Also include all properties south of Oliver Low's to USU property and west side of Hwy 165, and designate for commercial.

# PROVIDENCE CITY MASTER PLAN

## SHEET No. 5-B

### FUTURE RE-ZONE OF EXISTING DISTRICTS

THIS MAP IS THE PLAN FOR FUTURE  
RE-ZONING OF EXISTING DISTRICTS WITHIN  
THE PROVIDENCE CITY CORPORATE LIMITS  
AS OF JUNE 2001.



PROVIDENCE CITY ENGINEERING DEPARTMENT  
PLANNING DIVISION  
June 10, 2001

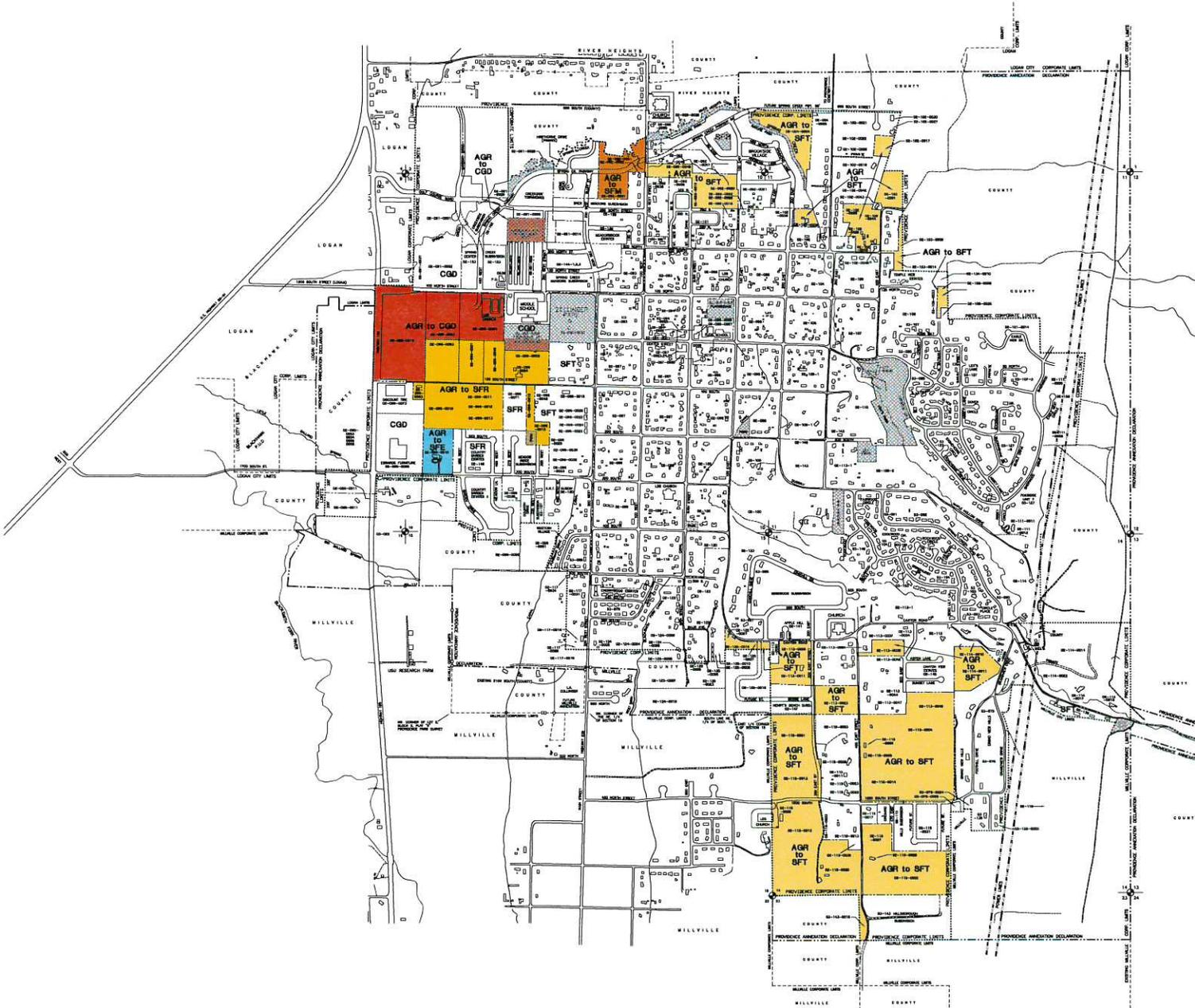
#### LEGEND

-----	PROVIDENCE CORPORATE LIMITS
-----	FUTURE PROVIDENCE CORP. LIMITS
-----	NEIGHBORING CITY LIMITS
-----	ZONING DISTRICT BOUNDARY
-----	PROPERTY LINE
-----	RAILROAD
00-000-0000	PROPERTY TAX NUMBER
+	SECTION CORNER

**ZONING DISTRICTS**

AGR	AGRICULTURAL DISTRICT
SFE	SINGLE FAMILY ESTATE DISTRICT
SFT	SINGLE FAMILY TRADITIONAL DISTRICT
SFR	SINGLE FAMILY RESIDENTIAL DENSITY DISTRICT
SFM	SINGLE FAMILY MEDIUM DENSITY DISTRICT
SFH	SINGLE FAMILY HIGH DENSITY DISTRICT
SMH	SINGLE FAMILY MOBILE HOME DISTRICT
MFR	MULTI-FAMILY RESIDENTIAL DENSITY DISTRICT
MFM	MULTI-FAMILY MEDIUM DENSITY DISTRICT
MFH	MULTI-FAMILY HIGH DENSITY DISTRICT
CND	COMMERCIAL NEIGHBORHOOD DISTRICT
CGD	COMMERCIAL GENERAL DISTRICT
○	OVERLAY ZONE SPECIAL REGULATIONS
○	OVERLAY CITY PROPERTY & PARKS

\* NOTE: THIS MAP SHOWS HOW EXISTING ZONE DISTRICTS WOULD BE GROUPED INTO FUTURE ZONE DISTRICTS. THESE DISTRICTS WOULD BE RE-ZONED TO THE FUTURE ZONING MAP FOR EXISTING ZONE DISTRICTS.  
 ZONING DISTRICTS WOULD BE RE-ZONED TO THE FUTURE ZONING MAP FOR EXISTING ZONE DISTRICTS.  
 DISTRICT BOUNDARIES ARE DETERMINED BY THE USE OF PROPERTY TAX MAPS AND THE ZONING DISTRICT BOUNDARIES ARE SHOWN AS DOTTED LINES.  
 1. ALONG THE CENTER LINE OF A STREET, RAILROAD OR OTHER LANDMARK.  
 2. ALONG THE CITY CORPORATE LIMITS.  
 3. DISTRICT BOUNDARY ALONG THE CENTER LINE OF A PUBLIC STREET.



# PROVIDENCE CITY MASTER PLAN SHEET No. 5-C

## ZONE DISTRICTS OF FUTURE ANNEXATIONS

THIS MAP IS THE PLAN FOR ZONING DISTRICTS IN FUTURE ANNEXATIONS TO PROVIDENCE CITY.



PROVIDENCE CITY ENGINEERING & SURVEYING CO., INC.  
1000 WEST STREET  
PROVIDENCE, RHODE ISLAND 02902

Scale: 1" = 50'

### LEGEND

-----	PROVIDENCE CORPORATE LIMITS
-----	FUTURE PROVIDENCE CORP. LIMITS
-----	NEIGHBORING CITY LIMITS
-----	ZONING DISTRICT BOUNDARY
-----	PROPERTY LINE
-----	SECTION CORNER
00-000-0000	PROPERTY TAX NUMBER
○	ZONING DISTRICTS
AGR	AGRICULTURAL DISTRICT
SFE	SINGLE FAMILY ESTATE DISTRICT
SFT	SINGLE FAMILY TRADITIONAL DISTRICT
SFR	SINGLE FAMILY RESIDENTIAL DENSITY DISTRICT
SFM	SINGLE FAMILY MEDIUM DENSITY DISTRICT
SFH	SINGLE FAMILY HIGH DENSITY DISTRICT
SMH	SINGLE FAMILY MOBILE HOME DISTRICT
MFR	MULTI-FAMILY RESIDENTIAL DENSITY DISTRICT
MFM	MULTI-FAMILY MEDIUM DENSITY DISTRICT
MFH	MULTI-FAMILY HIGH DENSITY DISTRICT
CND	COMMERCIAL NEIGHBORHOOD DISTRICT
CGD	COMMERCIAL GENERAL DISTRICT
○	OVERLAY ZONE SPECIAL REGULATIONS
○	OVERLAY CITY PROPERTY & PARKS

NOTE: THIS MAP SHOWS THE PROPOSED ZONING DISTRICTS FOR FUTURE ANNEXATIONS TO PROVIDENCE CITY. THE ZONING DISTRICTS SHOWN ON THIS MAP ARE SUBJECT TO THE CITY OF PROVIDENCE'S FUTURE ZONING ORDINANCE AND THE CITY OF PROVIDENCE'S FUTURE ANNEXATION ORDINANCE. THE ZONING DISTRICT BOUNDARIES SHOWN ON THIS MAP ARE SUBJECT TO THE CITY OF PROVIDENCE'S FUTURE ANNEXATION ORDINANCE. THE ZONING DISTRICT BOUNDARIES SHOWN ON THIS MAP ARE SUBJECT TO THE CITY OF PROVIDENCE'S FUTURE ANNEXATION ORDINANCE.

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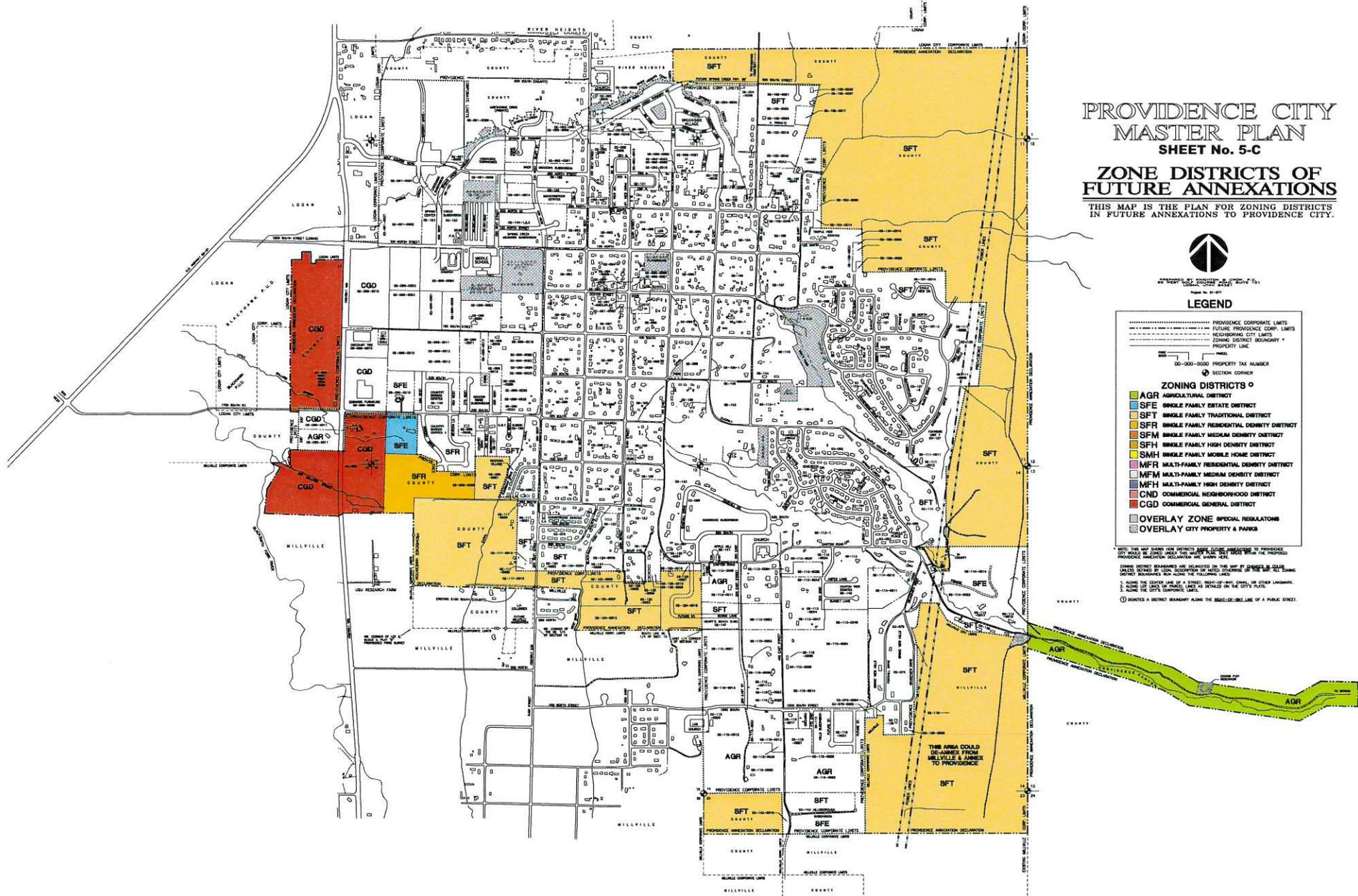
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# OFFICIAL ZONING MAP OF THE CITY OF PROVIDENCE UTAH

SHEET 5-A OF THE PROVIDENCE CITY MASTER PLAN  
REVISED: FEBRUARY 3, 2015



NO SCALE  
SHEET 5-A OF THE PROVIDENCE CITY MASTER PLAN  
REVISED: FEBRUARY 3, 2015

## LEGEND

PROVIDENCE CORPORATE LIMITS  
 NEIGHBORING CITY LIMITS  
 ZONING DISTRICT BOUNDARY \*  
 PROPERTY LINE  
 SECTION CORNER  
 SECTION NUMBER  
 00-000-0000 PROPERTY TAX NUMBER

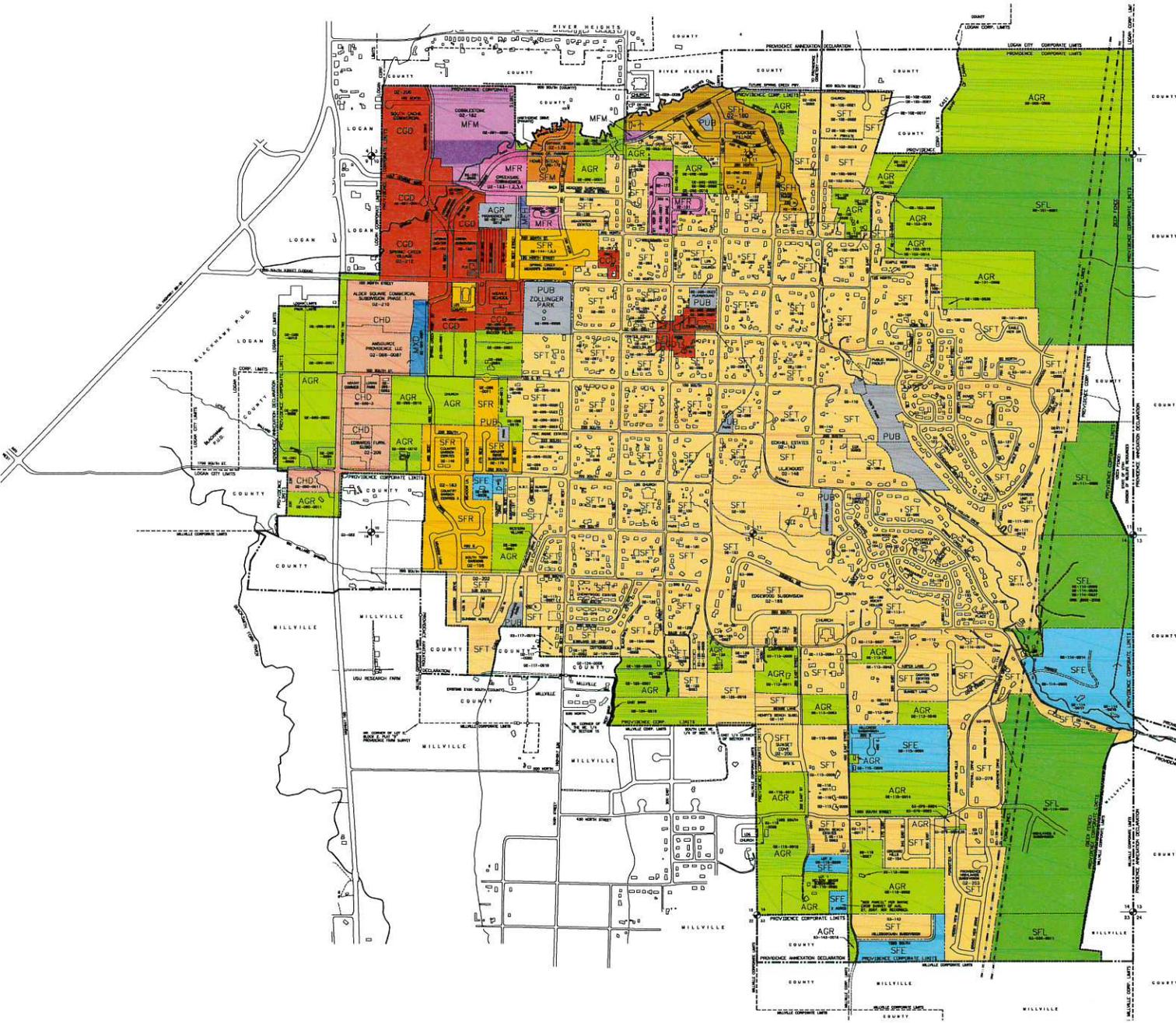
**ZONING DISTRICTS \***

- AGR AGRICULTURAL DISTRICT
- SFE SINGLE FAMILY ESTATE DISTRICT
- SFL SINGLE FAMILY LARGE DISTRICT
- SFT SINGLE FAMILY TRADITIONAL DISTRICT
- SFR SINGLE FAMILY RESIDENTIAL DISTRICT
- SFM SINGLE FAMILY MEDIUM DENSITY DISTRICT
- SFH SINGLE FAMILY HIGH DENSITY DISTRICT
- SMH SINGLE FAMILY MOBILE HOME DISTRICT
- MFR MULTIFAMILY RESIDENTIAL DENSITY DISTRICT
- MFM MULTIFAMILY MEDIUM DENSITY DISTRICT
- MFH MULTIFAMILY HIGH DENSITY DISTRICT
- MXD MIXED USE DISTRICT
- CND COMMERCIAL NEIGHBORHOOD DISTRICT
- CGD COMMERCIAL GENERAL DISTRICT
- CHD COMMERCIAL HIGHWAY DISTRICT
- PUB PUBLIC USE DISTRICT

\* NOTE: THIS ZONING MAP IS A COMPILATION OF ZONING ORDINANCES THAT HAVE BEEN OPAVED ON COPIES OF CASH COUNTY OR DISTRICT PLATS ON FILE AT THE PROVIDENCE CITY OFFICE. UNLESS NOTED BY LOCAL DESCRIPTION OR NOTED OTHERWISE ON THIS MAP, ALL ZONING DISTRICT BOUNDARIES ARE DETERMINED ON THIS MAP BY CHANGES IN COLOR. UNLESS NOTED BY LOCAL DESCRIPTION OR NOTED OTHERWISE ON THIS MAP, ALL ZONING DISTRICT BOUNDARIES RUN ALONG THE FOLLOWING RULES:

1. ALONG THE CENTER LINE OF A STREET, RIGHT-OF-WAY, CANAL, OR OTHER LANDMARK.
2. ALONG LOT LINES OR PARCEL LINES AS SHOWN ON THE CITY'S PLATS.
3. ALONG THE CITY'S CORPORATE LIMITS.

① INDICATES A DISTRICT BOUNDARY ALONG THE RIGHT-OF-WAY LINE OF A PUBLIC STREET.



10-8-5: ~~COMMERCIAL ZONED DISTRICTS; SITE DEVELOPMENT:~~ All site development and landscaping in the commercial zoned districts (C1) shall conform to the minimum regulations specified herein. (Zon. Ord., 5-8-1991; 1998 Code)

A. ~~Landscaping:~~

1. ~~Parking Spaces:~~ Provisions shall be made to accommodate three hundred (300) square feet of landscaped area for every ten (10) parking spaces within the parking lot in any commercial district. The landscaped area shall consist of medians, islands, or area around the structures. A minimum of ten percent (10%) of the total lot is to be landscaped. The landscaped public area between the curb, gutter, and sidewalk is not used to meet the requirement. (Ord. 98-OM007, 3-24-1998)
2. ~~Median Adjacent Parking Aisle:~~ A landscaped median running the length of the adjacent parking aisle shall be provided for every two (2) contiguous double-loaded parking aisles.
3. ~~Width:~~ All planted medians shall be a minimum of ten feet (10') in width.
4. ~~Buffering:~~ All parking areas shall be visually buffered from main roadways with appropriate landscaping.
5. ~~Building:~~ A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc., are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. (Zon. Ord., 5-8-1991)
6. ~~Trees:~~ One tree (minimum 1¾ inch caliper, minimum 10 feet in height) shall be planted and maintained for each one thousand (1,000) square feet of landscaped area. Trees in portable planters shall not qualify to meet the tree requirements. (Ord. 98-OM007, 3-24-1998)
7. ~~Yard, Setback Areas:~~ All yards and setback areas not occupied by buildings or parking shall be landscaped as herein required. (Zon. Ord., 5-8-1991)
8. ~~Public Right of Way:~~ The area within the public right of way between the curb, gutter and sidewalk shall be landscaped. A minimum of one tree per thirty feet (30') frontage shall be planted and maintained. Trees must be a variety listed by the City as acceptable street trees, (minimum 1¾ inch caliper, minimum 10 feet in height). The tree requirement may be reduced or waived by the City for safety reasons. (Ord. 98-OM007, 3-24-1998)

B. ~~Curb, Gutter and Sidewalk:~~

1. ~~A curb shall be provided along all interior roadways to prevent vehicular intrusion.~~
2. ~~Curb/gutter and sidewalk may be required along the entire frontage of the lot if deemed desirable by the City for drainage purposes and pedestrian access, etc.~~

C. ~~Storage:~~ No storage or equipment or materials shall be visible from any public right of way. Storage areas shall be screened appropriately and be within setback lines.

D. ~~Docks, Service Areas:~~ Wherever practical, loading docks and service areas shall be located so as not to be visible from any public right of way. Every reasonable effort shall be made to screen docks and service areas from any public right of way.

E. ~~Installation; Performance Security:~~ No requests for any building, structure or other improvements shall be approved until site and landscape plans satisfactory to the Land Use Authority have been submitted. Landscaping and site developments in accordance with the approved plans shall be

~~installed within thirty (30) days following occupancy of the building. If said completion date is impossible due to adverse weather conditions, a mutually agreed upon completion date shall be determined by the City and the applicant, but in no case shall the completion date be more than one hundred fifty (150) days from the date of occupancy. The developer (or owner) shall hereby deposit a security of performance as specified in subsections 11-5-7B through C of the Subdivision Title as security to assure compliance with all landscaping and site requirements. If the developer or an agent of the developer fails to comply with the above installation and time requirements, the security of performance may be foreclosed upon by the City to cover costs of installing, repairing or replacing said landscaping and site developments.~~

~~F. Maintenance Responsibility: Maintenance of all landscaping shall be the sole responsibility of the landowner/developer. Failure to adequately maintain and protect said landscaping (as determined by the City) shall cause the landowner/developer to be guilty of a misdemeanor as detailed in Section 10-2-2 of this Title. (Zon. Ord., 5-8-1991)~~

10-8-5: **COMMERCIAL ZONED DISTRICTS; SITE DEVELOPMENT:** All site development and landscaping in the commercial zoned districts (C1) shall conform to the minimum regulations specified herein: (Zon. Ord., 5-8-1991; 1998 Code).

A. Site Plan Required. A site plan is an architectural plan, landscape architecture document, and a detailed engineering drawing of proposed improvements to a given lot. A site plan shows a building footprint, travelways, parking, drainage facilities, sanitary sewer lines, water lines, trails, lighting, and landscaping and garden elements. Commercial site plans must include:

1. Show north arrow, scale, building location, property lines, setbacks, abutting rights-of-way, parking layout, ADA parking and ramps, entrances to site, curbs, water and sewer lines, fire hydrants, fire lanes, storm drain lines and appurtenances.
2. Show all existing fire hydrants within 300 feet.
3. Show parking/loading computations for proposed use.
4. **Show connectivity with adjacent parking lots and interior private roadways.**
5. Show landscaping computations for proposed use.
6. Provide elevations with rendered elevations for all elevations. Include color renderings of design concept or intent, site elements, and building facades.
7. Provide floor plans; include the proposed low floor elevation.
8. Provide cross-sections of the site showing spatial relationships between all vertical elements (building, trees, berms, Light standards, etc.) as they relate to activities and use of streetscape, pedestrian, and parking areas.
9. Provide lighting and signage plan for the entire site. Indicate how signs will be illuminated, their design and spatial relationship to other site amenities including buildings, and a graphic example of each type of sign. This does not take the place of a sign permit application.
10. Provide storm water pollution prevention plan if the site disturbs an acre or more, or is part of a larger development.
11. Provide cost estimates for site development, including but not limited to: landscaping, parking/loading areas, pedestrian areas.
12. Summary data indicating the area of the site in the following classification: **total area of the lot**, total area and percentage of the site utilized by buildings, total area and percentage of the site in landscape area, total area and percentage of the site for parking areas (including the number of parking spaces).

**B. Parking / Parking lots. Private parking lots within any development shall provide interior access to adjacent parking lots and interior private roadways. When new developments are being constructed adjacent to existing businesses the project shall join existing drives and parking lots at property lines. When new developments are proposed adjacent to undeveloped land or underdeveloped areas, the new developments shall construct connections which will allow joining of future roads or parking lots.**

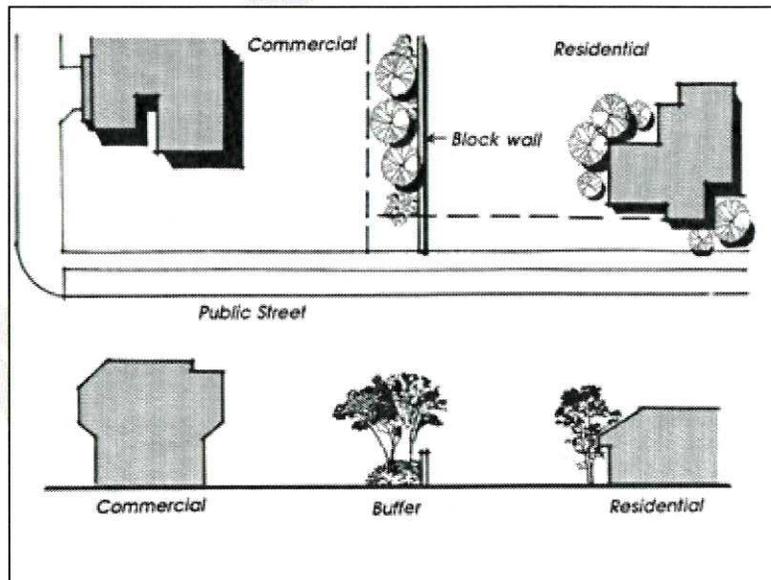
All accesses between interior lots and roads shall be open to the public for customer parking and access. INTERNAL NOTE: The following is being moved from 10-8-6 C.

1. Visitor, guest or customer drop-off zones and parking shall be provided near visitor or customer entrances into buildings and shall be separated from all-day employee parking.
  2. Parking will not be permitted closer than 15 feet to the property line unless it is decided by the Land Use Authority to be in the best interest of the City to permit parking to be closer than 15 feet. (Ordinance Modification 019-99 07/27/99) A business that locates the parking in the rear of the building rather than the front will be allowed a front yard setback of 15 feet. The standard front yard setback will be used when a business locates the parking in the front of the building. When parking is allowed on the street adjacent to the building the standard front yard setback applies. (Ordinance Modification 009-2002 06/11/02)
  3. Parking aisles shall not exceed forty (40) cars in a row. Total parking area shall be broken down into sections not to exceed one hundred (100) cars. Each section shall be separated by internal drives to improve traffic circulation.
  4. All parking spaces must be designated properly by painter lines or other City-approved methods.
  5. Minimum aisle dimensions (from face of curb to face of curb) shall be: 90° parking – 64 feet; 60° parking – 60 feet; 45° parking – 53 feet
  6. One access shall be allowed per lot, as exists on the effective date hereof, or one access shall be allowed for each one hundred fifty feet (150') of frontage with a maximum of two (2) accesses per street frontage. Minimum distance between accesses shall be one hundred feet (100') and the minimum distance from the street intersection shall be one hundred feet (100'), except for service stations which are approved conditional uses where only two (2) accesses are allowed per lot with one frontage. A third access shall be allowed for the other street frontage on corner lots as long as it meets the frontage and distance requirements above. (OM 006-2005 02/08/05)
  7. Handicap Parking: All private, public and City parking lots shall provide accessible handicap parking. Minimum design, sign and identification of handicap parking spaces shall be as specified in the Utah State Building Board Planning and Design Criteria to Prevent Architectural Barriers for the Aged and Physically Handicapped. (Zon. Ord., 5-8-1991)
- C. Landscaping: All landscaped area shall be planted with live plant material and include a permanent automatic irrigation system. The owner, tenant and agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance. The landscaped public area between the curb, gutter, and sidewalk is not used to meet the landscape requirements. See Title 7 Chapter 1 Section 8 of this code for park strip requirements.
1. Design initiatives.
    - a. To establish landscape themes that include street trees and streetscape designs throughout the City to promote and overall character and identity to the community.
    - b. Promote innovative and cost-conscious approaches to the design, installation, and maintenance of landscaping while encouraging water and energy conservation.
    - c. Promote planting techniques that ensure long term health of plant materials.
    - d. Screen unsightly building structures, equipment or materials from the view of persons on public streets or adjoining properties of incompatible land uses.
  2. Definitions:
    - a. Buffering: plants placed intermittently against long expanses of building walls, fences, and other barriers to create a softening effect.
    - b. Landscaping: vegetative plantings such as grass, trees, shrubs, vines and related improvements such as pools, walkways, rockwork and sculpture which is of a design that will beautify and enhance a property, control erosion and reduce glare.

- c. Screening: masonry wall, fence, hedge, berm, or vegetative planning or combination thereof which is of a design (height, width, material, etc.) that will provide a visual and audible barrier between land uses having different intensities of use.
3. Large retail buildings (15,000 square feet and larger): shall require at least ten percent (10%) of the total lot be landscaped.
  4. Retail buildings (detached - less than 15,000 square feet): shall require at least ten percent (10%) of the total lot be landscaped.
    - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
  5. Professional / Office buildings: shall require at least fifteen percent (15%) of the total lot be landscaped.
    - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
  6. Industrial / warehouse buildings: shall require at least fifteen percent (15%) of the total lot be landscaped.
    - a. A ten foot (10') wide minimum landscaped area shall be provided around the entire building, with the exception of where loading docks, ramps, etc. are located. Up to five feet (5') of said ten foot (10') minimum may be sidewalk. The Administrative Land Use Authority may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.
  7. Parking Areas: Landscaping in parking area shall be designed to provide the following:
    - a. Incorporate appropriate plantings that are in scale with their surroundings.
    - b. Separate roadways, travel paths, pedestrian paths etc. using landscaped islands and /or planter strips.
      - (1) Define area where pedestrians are safely separated from the travel path / roads.
      - (2) Reinforce way-finding by emphasizing entrances and circulations patterns.
    - c. Add aesthetic value, provide canopy shade, reduce radiant heat from the surface, reduce headlight glare, and add seasonal interest.
    - d. When possible, preserve mature trees and other significant landscape features which help define the character of the City.
    - e. When planted parking medians are used, they shall be a minimum of 40 6 feet (40' 6') wide.
    - f. Planted islands shall be a minimum of **twenty-five (25)** square feet.
  8. **Xeriscape. Xeriscape landscaping can work well in Utah's desert climate. Xeriscape landscape is not zero-scape; it is an area filled with color, scent and variety. Trees can be used effectively in xeriscape and with property planning, planting, and care, they will thrive in low-water landscape.**
  9. **Low Impact Development (LID). LID is a stormwater management approach with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed decentralized micro-scale controls. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source. Developments are encouraged to implement LID's.**

10. **Trees.** One tree (minimum two inch (2") caliper, minimum 10 feet in height) shall be planted and maintained for each one thousand (1,000) square feet of landscaped area. Trees in portable planters shall not qualify to meet the tree requirements.
  - a. Trees within overhead utility easements shall be of a type that customarily grows to a height not exceeding fifteen feet.
11. **Plants.** The selection of plant materials should consider public health and safety. Plants to be avoided include those with poisonous fruits, large thorns, or invasive growth patterns. The ultimate form and height of plantings as they mature should be considered so they will not create unsafe conditions or block sight lines for pedestrians, bicyclists, or motorists.
  - a. Planting beds may be mulched with bark chips, decorative stone, or similar materials. Mulch shall not be used as a substitute for plants.

12. **Generally accepted scale for landscape buffers.** The following minimum and maximum width of transitional yards and screening should be used between commercial and residential uses:
  - a. Minimum width: 10 feet to 15 feet
  - b. Maximum width: 25 feet to 50 feet
  - c. Where commercial buildings are less than 5,000 square feet in area, a minimum 10 feet to 25 feet buffer is substantial. Otherwise if the building area is greater than 5,000 square feet in area, a landscape buffer should be between 25 feet and 50 feet.



13. **Planting materials in the landscape buffer.**
  - a. Choose plants that will naturally grow to the desired form or height to reduce maintenance. No limbing up (this will lessen the life and strength of the tree).
  - b. Tree canopies should have a natural growth height of at least 8 feet from the ground when located around areas in the clear-view area (see Chapter 9 of this Title). Tree canopies should have a natural growth height of at least 4 feet from the ground when located around parking areas, walkways, etc.
  - c. New trees and shrubs should be evenly spaced at planting, with trees having an 8-foot minimum installed height, and shrubs having a 36-inch minimum installed height.
  - d. Landscaping in the landscape buffer should consist of a minimum of 6 large maturing trees (minimum 50% evergreen) and 40 medium shrubs (minimum 75% evergreen) for each 100 linear feet, to provide continuous coverage. For dimensions of less than 100 feet, plantings and spacing will be in proportion to the basic ration.
14. **Snow storage.** Landscape materials surrounding parking lots and in islands and medians should be able to tolerate large quantities of snow stored during winter months. Delicate plant material should not be used in area where they are likely to be damaged by snow.
15. **Lighting.** The intent of lighting is to provide the necessary lighting to ensure pedestrian safety, night vision for pedestrians and automobiles, add aesthetic value to the city appearance, and not create or cause excessive glare onto adjacent properties.

- a. Lighting height and location shall be designed to illuminate the site only. Light cutoffs are required to prevent spillover of direct light.
  - b. Pedestrian street lights or lampposts located within the public right-of-way are required in all commercial zones.
  - c. Pedestrian street lights or lampposts located within the public right-of-way shall be mounted between 8' to 16' above grade to provide continuous illumination of all street sidewalks.
  - d. Pedestrian street lights or lampposts shall reflect the architectural design characteristic of the surrounding area.
  - e. Exterior building lights affixed to building on street front elevations shall be mounted between 6' to 14' above the adjacent grades.
  - f. Up-lighting is not permitted, except as approved through the site plan review for highlighting signature landscape features or building elements.
  - g. HID or fluorescent tube lights (except compact fluorescent bulbs) are not permitted as exterior building lights.
  - h. Floodlights or directional lights permitted for the lighting of alleys, parking garages and outdoor working areas must be shielded or directed to prevent the source of light (bulb or lamp) from being seen from adjacent properties or public rights-of-way.
16. All landscape plans submitted for approval shall contain the following information unless specifically waived by the City. The final landscaped plan shall be stamped by a Utah Licensed Architect and include a statement demonstrating how the design and installation will conserve water.
- a. The location and dimensions of all existing a proposed structures, property lines easements, parking lots and drives, roadways and rights of way, sidewalks, bicycle paths, ground signs, bicycle parking areas, fences, freestanding electrical equipment, tot lots, and other recreation facilities.
  - b. The location, quantity, size and name, both botanical and common names, of all proposed plants.
  - c. The location, size and common names, of all existing plants including trees and other plants in the parkway, and indicating plants to be retained and removed.
  - d. The locations of existing buildings and structures and plants on adjacent property within twenty feet (20') of the site.
  - e. Location and heights of fences and retaining walls proposed on the site.
  - f. Irrigation plan(s) must also be included and must be stamped by a Certified Irrigation Designer (CID), professional engineer (PE), Licensed Landscape Architect. Irrigation plans must demonstrate water conservation.
17. Completion; Performance Security. No requests for any building, structure or other improvements shall be approved until site and landscape plans have been approved by the Administrative Land Use Authority.
- a. Landscaping and site developments in accordance with the approved plans shall be installed within thirty (30) days following occupancy of the building.
  - b. If said completion date is impossible due to adverse weather conditions, a mutually agreed upon completion date shall be determined by the City and the applicant, but in no case shall the completion date be more than one hundred fifty (150) days from the date of occupancy. The developer (or owner) shall hereby deposit a security of performance as specified in subsections 11-5-7B through C of the Subdivision Title as security to assure compliance with all landscaping and site requirements. If the developer or an agent of the developer fails to comply with the above installation and time requirements, the security of performance may be foreclosed upon by the City to cover costs of installing, repairing or replacing said landscaping and site developments.

D. Undeveloped Area. All area of the parcel on which development is taking place shall be regulated by this chapter. Land which is not covered by the building(s), parking lots, roads, landscaping or otherwise improved shall, as a minimum, be restored with natural vegetation and maintained so as not to create a weed nuisance (see Title 4 Chapter 2 of this Code), or the area may be maintained in agricultural production.

10-8-6: **PARKING REGULATIONS:** Except as herein provided, no building or structure shall be constructed, altered or converted for or to any use unless there shall be provided on the lot or parcel vehicle parking of at least the following ratio of vehicle spaces for the uses specified in the designated districts and that all roadways comply with the standards contained herein. The exception being that, an established use lawfully existing at the effective date hereof need not provide parking or roadways as herein set forth and that no existing vehicle parking or roadways be reduced or further reduced below the minimum standards herein required.

A. Schedule: In all districts, the following off-street parking schedule shall apply:

1. Dwelling Unit:

- a. Two (2) spaces for each unit, except as provided in subsection A1b and A1c of this Section.
- b. Dwelling unit occupied by four (4) or more individuals unrelated by blood, marriage or adoption; two (2) spaces per three (3) individuals, plus one additional space for each additional individual exceeding three (3) and up to and including five (5) individuals.
- c. Multi unit residences for persons with disabilities and/or residential facility for the aged; when evidence presented by the applicant warrants, the Land Use Authority may allow a number less than two (2) space per dwelling unit; but not less than 1.5 spaces per dwelling unit to the City Council. (Ordinance Modification 002-02 03/26/02)

2. Clinic or Doctor's Office: Ten (10) spaces per clinic or four (4) spaces per doctor or dentist, plus three (3) additional spaces for each doctor or dentist over three (3).

3. Restaurant or Cafeteria: One space for each four (4) fixed seats and one space for each forty (40) square feet of floor area for moveable seating under maximum seating arrangement.

4. Office, General: One space for each two (2) employees working the shift with the greatest number of employees.

5. Commercial:

- a. Recreation And Amusement: One space for each two hundred fifty (250) square feet in use.
- b. Retail Or Personal Service: One space for each two hundred fifty (250) square feet in use.

6. Churches, Meeting Rooms, Public Assembly: One space for each five (5) fixed seats and one space for each fifty (50) square feet of floor area for moveable seating under maximum seating arrangement.

7. Storage or Warehouse: One space for each five thousand (5,000) square feet or floor

area.

8. Manufacturing, Process or Repair: One space for each two (2) employees working the shift with the greatest number of employees.

B. General Requirements:

1. Buildings, Developments; Computation: In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements of all of the buildings, structures or uses in the development.
2. Single-Family Dwelling: Single-family dwelling unit (detached or attached) parking shall be provided only in a private garage, **driveway**, or in an area properly located for a future garage.
3. Plan Approval: Prior to the issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be forwarded to the Land Use Authority for the process of City approval. Approval shall be based on:
  - a. Adequate number of spaces, including handicap spaces if required;
  - b. Relationship of parking to use;
  - c. All parking spaces being usable and accessible by adequate roadway/parking configuration; and
  - d. Parking stalls being nine feet in width by twenty feet in length (9' x 20') and on a hard paved surface (see subsection D of this Section for handicap parking requirements). Access to all stalls shall also be of a paved hard surface.
4. Location: Parking space as required above shall be on the same lot with the main building, or in the case of nonresidential buildings, it may be located no further than three hundred feet (300') therefrom. (Zon. Ord., 5-8-1991)

C. ~~Commercial General (CGD) Zoned District:~~

1. ~~Visitor, guest or customer drop-off zones and parking shall be provided near visitor or customer entrances into buildings and shall be separated from all-day employee parking.~~
2. ~~Parking will not be permitted closer than 15 feet to the property line unless it is decided by the Land Use Authority to be in the best interest of the City to permit parking to be closer than 15 feet. (Ordinance Modification 019-99-07/27/99) A business that locates the parking in the rear of the building rather than the front will be allowed a front yard setback of 15 feet. The standard front yard setback will be used when a business locates the parking in the front of the building. When parking is allowed on the street adjacent to the building the standard front yard setback applies. (Ordinance Modification 009-2002 06/11/02)~~
3. ~~Parking aisles shall not exceed forty (40) cars in a row. Total parking area shall be broken down into sections not to exceed one hundred (100) cars. Each section shall be separated by internal drives to improve traffic circulation.~~
4. ~~All parking spaces must be designated properly by painter lines or other City-approved methods.~~
5. ~~Minimum aisle dimensions (from face of curb to face of curb) shall be:~~

When 90° parking — 64 feet  
When 60° parking — 60 feet  
When 45° parking — 53 feet

6. ~~One access shall be allowed per lot, as exists on the effective date hereof, or one access shall be allowed for each one hundred fifty feet (150') of frontage with a maximum of two (2) accesses per street frontage. Minimum distance between accesses shall be one hundred feet (100') and the minimum distance from the street intersection shall be one hundred feet (100'), except for service stations which are approved conditional uses where only two (2) accesses are allowed per lot with one frontage. A third access shall be allowed for the other street frontage on corner lots as long as it meets the frontage and distance requirements above. (OM 006-2005-02/08/05)~~
7. ~~Handicap Parking: All private, public and City parking lots shall provide accessible handicap parking. Minimum design, sign and identification of handicap parking spaces shall be as specified in the Utah State Building Board Planning and Design Criteria to Prevent Architectural Barriers for the Aged and Physically Handicapped. (Zon. Ord., 5-8-1991)~~

CHAPTER 8

AREA REGULATIONS AND PARKING REQUIREMENTS

SECTION:

- 10-8-1: Area Regulations
- 10-8-2: Lot Size
- 10-8-3: Setbacks
- 10-8-4 Height
- 10-8-5: Commercial Zoned Districts; Site Development
- 10-8-6: Parking Regulations
- 10-8-7: Site Requirements for Seasonal, Semi-Permanent, and Temporary Business Facilities
- 10-8-8: Low Power Towers and Antennas for Radio Communication

10-8-1: **AREA REGULATIONS:** Except as herein provided, no building, structure or part thereof shall be erected, altered or converted for any use permitted in the district in which it is located unless it is in conformance with all of the minimum regulations specified on the space requirement chart shown below.

SPACE REQUIREMENT CHART

Lot Size	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Min. lot area, square feet	5 ac	1 ac	20,500	12,000	10,000	8,000	6,000	5,000
Min. lot width (measured at setback line)	150	120	100	95	80	70	60	50
Min. lot area increase ea. Add'l unit, square feet	5 ac	1 ac	No add'l Units	Ø No add'l units	2,000	4,000		
Max. units/ac excluding ROW, infrastructure^	0.2	1	2.13	3.75	4.5	5.5	5.5	8.5
Max. lot area per ea. Twin home, square feet^^					6,000	6,000		
Min. lot width, each unit (measured at setback line)					47.5'	47.5'		
<b>Setbacks</b>								
Principal uses:								
Front yard, ft.	25	^^^	^^^	^^^	^^^	25	20	20
Side yard, interior	25	20	10	10	10*	10	5###	5###
Side yard, street (OM 033-2004)	25	20	20	20	20	20	15	15
Rear yard	25	^^^	^^^	^^^	^^^	20	20	10

	AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH
Detached Accessory Uses								
Front yard, ft.	25	30	30	30	30	25	25	20
Side yard, interior	10	5	5	5	5	5	5	5
Side yard, street	20	20	20	20	20	20	20	20
Rear yard	10	5	5	5	5	5	5	5
Distance between residential structures on same lot:	20	10		10				
Height:								
Principal Use, Max. hgt. ft.	35	35	35	35	35	35	35	35
Accessory Use, ft. max.	35	35	35	35	35	35	35	35
Principal Use, ft. min	10	10	10	10	10	10	10	10
Fences – non game (max. height)								
Front yard, ft.	4	4	4	4	4	4	4	4
Side yard, interior	8	6	6	6	6	6	6	8
Side yard, street	4-6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	4-6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	4-6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	4-6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	4-6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	6 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>
Rear yard	8	6	6	6	6	6	6	8
Fences – game								
Front yard, ft.	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed	Not allowed
Side yard, interior	8	8	8	8	8	8	8	8
Side yard, street	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>	8 <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup> <sup>^</sup>
Rear yard	8	8	8	8	8	8	8	8

\*See subsection 10-8-3B5 of this Chapter for further regulation and explanation.

\*\*See subsection 10-8-3B9 of this Chapter for further regulation and explanation.

\*\*\*See subsection 10-8-3C7 of this Chapter for further regulation and explanation.

#See subsection 10-8-3B4 of this Chapter for further regulation and explanation.

##See subsection 10-8-3C2, C3, and C4 of this Chapter for further regulation and explanation.

###See subsection 10-8-3B10 of this Chapter for further regulation and explanation. New sub-paragraph

^Infrastructure is defined to include rights-of-way, PUB, and REC districts within development.

^^Lots of record for twin homes are limited to 20% of total lots in development.

^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.

^^^^See subsection 10-9-2

Lot Size	MFR	MFM	MFH	CND	CGD	CHD	MXD	PUB	REC
Min. lot area, square feet	10,000					Zone		Zone	Zone
Min. lot width (measured at setback line)	80					not in use		not in use	not in use
Min. lot area increase ea. Add'l unit, square feet						pending ordinance change		pending ordinance change	pending ordinance change
Max. units/ac excluding ROW, infrastructure^	7.25	12	18						
Max. lot area per ea. Twin home, square feet^^	5,000								
Min. lot width, each unit (measured at setback line)	40.0'								
<b>Setbacks</b>									
Principal uses:									
Front yard, ft.	25	25	25	30	35	35			
Side yard, interior	10**	10**	10**	10	#	#		#	#
Side yard, street	20**	20**	20**	20	#	#		#	#
Rear yard	20***	10***	10***	20	#	#		##	##
Detached Accessory Uses:									
Front yard, ft.	25	25	25	30	35	35			
Side yard, interior	5	5	10	5	10	10		#	#
Side yard, street	20	20	25	20	10	10		#	#
Rear yard	5	5	5	5	10	10		##	##
Distance between residential structures on same lot:									
Height:									
Principal Use, Max. hgt. ft.	35	UBC IBC	IBC	UBC IBC	UBC IBC				
Accessory Use, ft. max.	35	UBC IBC	ICB	UBC IBC	UBC IBC				
Principal Use, ft. min	10	10	10	10	10	10	10	10	10
Fences (max. height)									
Front yard, ft.	6^****	6^****	8^****	6^****	C^****	C^****	6^****	8^****	8^****
Side yard, interior	8^****	8^****	8^****	6^****	8^****	8^****	6^****	8^****	8^****
Side yard, street	20**	20**	20**	6^****	C^****	C^****	6^****	8^****	8^****
Rear yard	20***	10***	10***	6	8	8		8	8

\*See subsection 10-8-3B5 of this Chapter for further regulation and explanation.

\*\*See subsection 10-8-3B9 of this Chapter for further regulation and explanation.

\*\*\*See subsection 10-8-3C7 of this Chapter for further regulation and explanation.

#See subsection 10-8-3B4 of this Chapter for further regulation and explanation.

##See subsection 10-8-3C2, C3, and C4 of this Chapter for further regulation and explanation.

###See subsection 10-8-3B10 of this Chapter for further regulation and explanation. New sub-paragraph

^Infrastructure is defined to include rights-of-way, PUB, and REC districts within development.

^^Lots of record for twin homes are limited to 20% of total lots in development.

^^^^See subsection 10-9-2

## 10-8-2: LOT SIZE:

### A. Lot Areas – Flexibility Exception:

1. The individual lot size must meet the minimum square footage requirements as indicated in the space requirement chart, as set forth in Section 10-8-1 of this Chapter. The following exception applies in a subdivision of six (6) lots or more in SFE, SFL and SFT Zones.
  - a. Purpose: To provide a means for desirable development, utilizing public facility space and open space, through the use of variations in lot size and frontage width. This is not intended to increase density.
  - b. The average of all lots must be equal to or greater than the minimum lot size for the zone, excluding non-residential uses such as schools, churches, etc.
  - c. The number of lots cannot exceed the maximum units for the zone.
  - d. A limit of ten percent (10%) of the lots can be less than the minimum lot size and/or reduced frontage width, but no lot can be less than twelve thousand (12,000) square feet in the subdivision and the frontage requirement at the setback line must be a minimum of eighty feet (80').
  - i. In areas that contain sensitive areas and hazard zoned (see Chapter 5 of this Title) thirty percent (30%) of the lots can be less than the minimum lot size and/or reduced frontage width, but no lot can be less than twelve thousand (12,000) square feet in the subdivision and the frontage requirement at the setback line must be the minimum for the zone.
2. Lots having less area than required, which were officially recorded with the Cache County Recorder's office at the effective date hereof, may continue to be used; provided, that all other requirements set forth herein are satisfied. No lot may hereafter be reduced in area below the minimum requirements set forth, except for the provisions of averaging listed in subsection A1 of this Section. (Zon. Ord., 5-8-1991; 1998 Code)
3. A twin home lot size must meet the minimum square footage requirements as indicated in the space requirement chart, as set forth in this Chapter, with the following exceptions:
  - a. Lot size average may be used as listed in subsection A1 of this Section.
  - b. Two adjacent lots with combined area meeting the minimum lot area shown in 10-

8-1 plus the minimum lot area for one additional unit may be used to build a single family attached dwelling on each lot. The dwellings area joined at the boundary between the two lots. This applies to zones where single family attached dwellings are permitted. (Ordinance Modification 98-021 10/13/98)

- B. Lot Width: The minimum lot width for uses in each of the zoning districts shall be in accordance with the information indicated on the space requirement chart shown in Section 10-8-1 of this Chapter. A lot having less width than herein required which was a lot officially on record in the office of the Cache County Recorder at the effective date hereof shall be acceptable; provided, that all other requirements set forth herein are satisfied. No lot may hereafter be reduced in width below the minimum requirements set forth.
1. Where an allowed side yard setback of a dwelling occurs five (5) feet from the property line, the adjacent dwelling shall maintain a minimum side yard of ten (10) feet, for a cumulative total dwelling separation of fifteen (15) feet. Each residential lot allowing five (5) foot side yard setback shall be required to have one side yard setback of ten (10) feet. (Ordinance Modification 011-99 04/13/99)
- C. Restricted Lots:
1. A restricted lot which meets all the requirements of this Title for a lot, but the creation of which has caused any adjacent lot, from which it was severed, to be insufficient in area, width, setback, yard, space or other requirements may be considered otherwise by adding or designating sufficient acreage to the adjacent lot to meet all the requirements of this Title for a lot. The added or designated land must be duly recorded in the Cache County Recorder's Office before a building permit may be issued.
  2. Building permits will not be issued for construction on restricted lots. (Zon. Ord., 5-8-1991)

**10-8-3: SETBACKS:**

- A. Front Yard:
1. The minimum required front yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter.
  2. The front yard shall be measured from the property line to the front face of the building, attached accessory building, accessory building, covered porch or covered terrace. Steps, uncovered porches, eaves and roof extensions may project into the required front yard for a distance not to exceed four feet (4').
  3. Where a building line has been established by a plat or covenant and such line requires a greater setback than is required by this Title, the building line established by plat or covenant shall prevail.

4. Gasoline service station pump islands may not be located closer than fifty feet (50') to the front property line (see subsection 10-8-6C7 of this Chapter.
5. A porch, stoop or stairs which are thirty inches (30") or greater in height shall be regarded as part of the building. Such porch, stoop or stairs requires a railing of not less than thirty inches (30") in height. This requirement applies to side and rear yards as well.
6. In residential districts, accessory buildings may be placed no closer than twenty five feet (25') to the property line, except in the SMH District which shall require only twenty feet (20').

B. Side Yard:

1. The minimum required side yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. Where a lawfully existing building at the effective date hereof has a smaller side yard than required herein, said side yard may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied. No side yard may hereafter be reduced below the minimum requirement set forth.
2. Every part of the required side yard shall be open and unobstructed, except for normal projections of window sills, belt courses, cornices, chimneys and other architectural features projecting no more than twenty four inches (24") into the required side yard, roof eaves projecting no more than thirty six inches (36") into the required side yard and accessory buildings occupying no more space of any principal use side yard than that permitted in Section 10-9-6 of this Title.
3. Where a fire wall of a dwelling, garage or carport is located on a property line, the roof shall be so designed and constructed so as not to drain water onto the adjoining lot and except for properties located in the Mixed Use District abutting other properties also located in the Mixed Use District, there shall be one side yard of at least twenty feet (20').
4. Whenever any use or district not normally requiring a side yard adjoins a use or district requiring a side yard, a minimum ten foot (10') side yard shall be maintained.
5. A single family attached dwelling separated by a fire or party wall need not provide a side yard on the fire or party wall side, except that no complex of attached dwelling units shall exceed three hundred feet (300') in length. A minimum side yard of ten feet (10') on the separated side of any attached dwelling unit shall be required so that the end of any two (2) building complexes shall be at least twenty feet (20') apart. (Ordinance Modification 98-021 10/13/1998)
6. A complex of multiple-family dwelling units shall maintain a minimum side yard of ten feet

(10') so that any two (2) adjacent complexes shall be at least twenty feet (20') apart and maintain an open corridor for fire and other emergency vehicle access.

7. In residential districts, accessory buildings may be placed no closer than five feet (5') to the side property line if adjacent to a separate lot of record, nor less than twenty feet (20') if adjacent to a public street or road.
  8. Gasoline service station pump islands shall be located no closer than twenty feet (20') from the side yard line if adjacent to a separate lot of record, nor less than fifty feet (50') if adjacent to a public street or road.
  9. Structures containing four-family units or more shall maintain a minimum side yard equal to fifty percent (50%) of the building height, but in no case less than ten feet (10') if adjacent to a separate lot of record nor less than twenty feet (20') if adjacent to a public street or road.
  10. Where an allowed side yard setback of a dwelling occurs five (5) feet from the property line, the adjacent dwelling shall maintain a minimum side yard of ten (10) feet, for a cumulative total dwelling separation of fifteen (15) feet. Each residential lot allowing five (5) foot side yard setback shall be required to have one side yard setback of ten (10) feet. (Ordinance Modification 011-99 04/13/99)
  11. Property in a Mixed Use District may have lots which contain no side yards when the buildings on the adjoining lots utilize shared party walls. If the adjoining properties do not share party walls than a minimum of thirty (30) feet is required between adjoining buildings (15 foot side yard on each property.) In the Mixed Use District a thirty (30) foot alley is required a minimum of every 500 feet for access to parking located behind the buildings.
- C. Rear Yard:
1. The minimum required rear yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. Where a lawfully existing building at the effective date hereof has a smaller rear yard than required herein, said rear yard may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied. No rear yard may hereafter be reduced below the minimum requirement set forth.
  2. Nonresidential uses which have a rear lot line adjacent to an alley or other public right of way that is at least twenty feet (20') in width requires no minimum rear yard.
  3. Nonresidential uses which have a rear lot line adjacent or contiguous to another nonresidential use requires no minimum rear yard, provided the rear wall satisfies fire wall standards.

4. Nonresidential uses abutting or adjacent to a residential district shall maintain a minimum rear yard of twenty feet (20').
5. Normal projections of window sills, belt courses, cornices, chimneys and other architectural features may project no more than twenty four inches (24") into the required rear yard and roof eaves projecting no more than thirty six inches (36") into the required rear yard.
6. A deck is considered as an exterior floor system supported on at least two opposing sides by adjoining structures and/or posts, piers or other independent supports.
  - a. A deck which is less than 120 square feet and less than 30 inches above adjacent grade, and independently supported, will not require a building permit and is not considered part of the main structure.
  - b. An attached covered deck is considered part of the main dwelling and required to meet the associated setbacks.
  - c. A portion of an attached uncovered deck may project into the required rear yard no more than ½ of the distance of the required rear yard (ie: required rear yard is 20 feet, the deck can project no more than 10 feet into the required yard); and, the projection may take up no more than 50% the required rear yard. The projection of the deck is included in the overall 25% limitation in Chapter 9 Section 6 of this Title.
  - d. Detached decks (designed and constructed having no physical connection to the primary structure) are considered an accessory use; and must be a minimum of five feet (5') from the primary structure.
  - e. No portion of any deck is permitted to be located within an easement or within 5 feet of a property line.
6. 7. Accessory buildings may be placed no closer than five feet (5') to the rear property line in residential districts (see Section 10-9-6 of this Title) and no closer than ten feet (10') in nonresidential districts.
7. 8. Structures containing four-family dwelling units or more shall maintain a minimum rear yard equal to fifty percent (50%) of the building height, but in no case less than twenty feet (20').  
Zon. Ord., 5-8-1991)

**10-8-4: HEIGHT:**

- A. Established: The maximum and minimum heights for principal (or main) structures and the maximum height for accessory structures in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter. There shall be no minimum height required of accessory structures. Where a lawfully existing building at the effective date hereof has a greater or lesser height than allowed herein, said height may be altered if said alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied.
- B. Determination: The height of a building or structure shall be determined as the vertical distance as

measured from the highest point of the roof of the building or structure down to a point representative of the average finished grade of the land around the perimeter of the building or structure. (Zon. Ord., 5-8-1991)

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CHAPTER 5

OVERLAY ZONES

SECTION:

- 10-5-1: Conditional Use Permit Required
- 10-5-2: Sensitive Areas
- 10-5-3: Hazard Flood Zone (HF)
- 10-5-4: Hazard Slope Zone (HS)
- 10-5-5: Hazard Water Table Zone (HW)
- 10-5-6: Hazard Earthquake Primary Fault Zone (HE)
- 10-5-7: Hazard Wildfire Zone (WF)
- 10-5-8: Engineering Geotechnical Report
- 10-5-9: Disclosure of Natural Hazard by Engineering Geotechnical Report

10-5-1: **CONDITIONAL USE PERMIT REQUIRED:** All requests for permits involving a lot, parcel or site located wholly or partially within an area designated on the Zoning Map as an overlay zone including; Hazard Flood Zone (HF), Hazard Slope Zone (HS), Hazard Water Table Zone (HW) or Hazard Earthquake Primary Fault Zone (HE), Hazard Wildfire Zone (WF), shall be dealt with as a request for a conditional use permit under the provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before any permit shall be issued. (Zon. Ord., 5-8-1991) (Ordinance Modification 011-99 04/13/99)

10-5-2: **SENSITIVE AREAS (NDSA) AND (PDSA):**

A. Sensitive areas are defined as follows:

Non-developable sensitive areas	The following areas are non-developable. None of the acreage encumbered by any of the following sensitive areas may be considered for development density, and none of the areas may be built upon or within except for required public utility and facilities. Any acreage encumbered by the following sensitive areas may be appealed to the Providence City Appeal Authority; and a determination of their development potential may be made.
	1. Jurisdictional Wetlands                      As defined by the US Army Corps of Engineers.
	2. Steep Slopes:                      Where the rise or fall of the land is equal to or exceeds thirty percent (30%) over a horizontal distance of fifty feet (50') or greater
	3. Natural Waterways or open water:                      Including but not limited to: rivers, creeks, or streams. Identified as those areas where surface waters flow sufficiently to produce a defined

channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetation litter or loosely rooted vegetation by action of moving water. The channel or bed need not contain water year round. This definition is not meant to include stormwater runoff devices or entirely artificial watercourse unless they are used to store or convey pass through stream flows naturally occurring prior to construction of such devices. Watercourses where the definition may apply are those that appear on the US geological survey quad maps excluding irrigation canals and ditches. For instance, an irrigation canal following a natural or jurisdictional watercourse would not be exempt but others would be exempt.

Potentially developable sensitive areas.

The following areas are determined to be sensitive areas of Providence City and are subject to the requirements of this Chapter. These areas may be built upon based on the requirements of this section and other applicable city, state, and federal requirements. All acreage encumbered by any of the following sensitive areas may be considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s) with expertise in the field being discussed.

1. Steep slopes: Where the rise or fall of the land is between twenty percent and thirty percent (30%) over a horizontal distance of fifty feet (50') or greater.
2. Floodplains: See definitions in Chapter 16 Section 3 of this Title.
3. Crucial wildlife habitat areas: As identified by the State Division of Wildlife Recourses (DWR).
4. Geologic hazard areas: Earthquake fault lines or areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the US

Geological Survey (USGS).

5. Wildfire hazards areas:	Areas of the City designated as having moderate to extreme potential for wildfire hazards as identified by the City.
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B. Development of Sensitive Areas:

1. No land designated as a Non Developable Sensitive Area Overlay Zone may be considered for development density or disturbed in any manner during the development of adjacent lands except as reasonably necessary for the installation of required public utilities.
2. The lands within a Potentially Developable Sensitive Area Overlay Zone may be developed and built upon, subject to the requirements of this section and other applicable city, state, and federal requirements.
3. Land within a Potentially Developable Sensitive Area Overlay Zone may be considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s) with expertise in the field being discussed.
4. The designation of land as within a Non-developable Sensitive Area Overlay Zone or within a Potentially Developable Sensitive Area Overlay Zone, and the application of other requirements imposed under the authority of this chapter may be appealed to the Providence City Appeal Authority, as provided for in Chapter 2-5 of this Code.

10-5-3: **HAZARD FLOOD ZONE (HF):**

- A. An Area which may be subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commercial and City services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which could adversely affect the public health, safety and general welfare of the citizens of the City. The Hazard Flood Zone (HF) as shown on the Zoning Map is based upon the flood hazard data provided to the City by FEMA. Flood hazard data will be provided in the form of a Flood Insurance Rate Map (FIRM) (hereafter referred to as the "flood map") and a Flood Insurance Study (FIS) (hereafter referred to as the "flood study").
- B. Building Regulations: No dwelling unit, accessory building, church, school, public building, health care facility, residence or nursing home for the elderly or handicapped, nor any commercial, retail or industrial structure shall be constructed within a minimum distance as determined by the City from the top inside edge of the bank of any natural or manmade waterway that is located in a Hazard Flood Zone (HF). Under no circumstance shall any structure be permitted or constructed within thirty feet (30') of the top inside edge of the bank

of any natural or manmade waterway that is located in a Hazard Flood Zone (HF).

C. See Chapter 16 of this Title for flood plain regulations.

10-5-4: **HAZARD SLOPE ZONE (HS):**

A. Conditional Use Permit Required: An area where the natural slope of the land exceeds an average gradient through the building zones of thirty percent (30%) or greater and lands within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater may be designated as the Hazard Slope Overlay Zone. Within the Hazard Slope Overlay Zone, no construction or earth moving activity shall occur until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. A conditional use permit shall not be considered until adequate plans and engineering data are delivered to the City showing that:

1. No building or structure is to be located on any existing slope with an average gradient through the building zone of thirty percent (30%) or greater, nor within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater; and
2. A detailed erosion control, revegetation and bank stabilization plan has been approved by the City Engineer for any disturbances planned to existing slopes within the Hazard Slope Zone; and
3. A detailed site plan for any buildings or earth moving activities (roads, driveways, sewer or water lines, etc.) that show the location of the planned facilities and how they would fit in with the existing slope and landscape of the area (as shown by before and after contours) has been approved by the designated Land Use Authority.

B. New Subdivisions: In the case of new subdivisions, these conditional use permit requirements for all public facilities (roads, sewer and water lines, etc.) within a Hazard Slope Zone (HS) shall be included in the final plat and construction drawing phases of the approval process and approval of the final plat shall serve as the ~~conditional use permit for uses within the Hazard Slope Zone, conditional use permit for roads, sewer, and water line and similar utility and infrastructure uses within the Hazard Slope Zone. An additional conditional use permit shall be required for the construction of buildings or structures, including homes, garages, and other such improvements within the Hazard Slope Zone (HS).~~"

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10-5-45: **HAZARD WATER TABLE ZONE (HW):** Areas where potential ground water levels may occur within 12 feet of the natural grade may be designated as Hazard Water Table Overlay Zone. Within a Hazard Water Table Overlay Zone, no permit shall be issued for any construction or use until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. A conditional use permit

shall not be approved until adequate plans and engineering data are delivered to the Land Use Authority showing that no basement or cellar is to be built, that the percentage of the lot, parcel or site to be covered by buildings, parking spaces and paved surfaces does not exceed forty percent (40%) of the area of the lot, parcel or site and that the proposed use is not of a character to increase quantities of chemicals, fertilizers, pesticides or minerals or in any other way likely to contaminate the ground water.

**10-5-6 : HAZARD EARTHQUAKE PRIMARY FAULT ZONE (HE):** No construction shall be permitted in any identified Hazard Earthquake Primary Fault Zone (HE) and/or landslide area until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. Said conditional use permit shall not be given until adequate plans and engineering data are provided showing:

- A. Location of Structures: Where public facilities, occupancy facilities, large structures and sewer and water systems are to be constructed. Detailed geotechnical investigations may be required so as to accurately and very specifically locate faults and/or landslide areas;
- B. Lines and Systems: Any sewer lines or disposal systems located beneath culinary water facilities; and
- C. Ground Response Map: Ground response maps identifying the areas most susceptible to ground motion. (Zon. Ord., 5-8-1991)

**10-5-7 : HAZARD WILDFIRE ZONES:** Areas having moderate to extreme potential for wildfire hazards shall be designated with the Hazard Wildfire Overlay Zone. Within the Hazard Wildfire Overlay Zone:

- A. Development shall provide for ready access to fire and other emergency equipment and for routes of escape to safely handle evacuations.
- B. Measures to mitigate wildfire hazards and risks may be required by the appropriate Land Use Authority based on the recommendation and review of the Fire Marshall.
- C. Property owners are encouraged to implement the following:
  - 1 Construct the roof with fire-resistant materials like tile or metal, asphalt or fiberglass shingles. Clean roof surfaces and gutters of pine needles, leaves, branches, etc. regularly to avoid accumulation of flammable materials.
  - 2. Inspect your property regularly, clearing dead wood and dense vegetation from at least 30' around your house. Rake piles of leaves and twigs. If on a hill, more space will be needed to protect your home. A fuel break should be maintained around all structures.

3. Move firewood away from the house or attachments like fences or decks.
4. Cover vents with wire mesh no larger than 1/8 of an inch to keep sparks from enter your home through vents.
5. Driveways should be wide enough for firefighting equipment to maneuver.

10-5-8: ~~ENGINEERING GEOTECHNICAL REPORT: For those areas identified as an active or potential mapped earthquake fault and landslide areas, or areas determined by review to contain geologically unstable conditions, development may be permitted by the designated Land Use Authority upon the review and approval of an engineering geotechnical report.~~

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A. ~~The engineering geotechnical report shall be prepared by a licensed geotechnical engineer. The report shall be signed and dated by the preparer and shall also include the qualifications of the preparer.~~

B. ~~The report shall be site specific and identify all known or suspected potential geotechnical or natural hazards, originating on site or off site, affecting the particular property.~~

C. ~~The report shall include a detailed site map showing the location of the hazard(s) with delineation of the recommended setback distances from such hazard(s) and the recommended location for proposed structures.~~

D. ~~The report shall address the potential effects of the hazard(s) on the proposed development and occupants thereof, in terms of risk and potential damage.~~

E. ~~The report shall contain recommendations for avoidance or mitigation of the effects of the hazard(s). The evidence on which the recommendations and conclusions are based shall be clearly stated in the report. Trench logs, soil borings, aerial photographs, references with citations, and other supporting information as applicable, shall also be included in the report.~~

F. ~~All engineering geotechnical reports submitted to the City shall be reviewed by the Utah geological survey for completeness, accuracy, and appropriate recommendations.~~

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10-5-910-5-8. ENGINEERING GEOTECHNICAL REPORT: For those areas identified as an active or potential mapped earthquake fault and landslide areas, or areas determined by review to contain geologically unstable conditions, and for all areas designated by a Sensitive Lands Overlay Zone Hazard Slope Zone (HS) or Hazard Primary Fault Zone (HE), development may be permitted by the designated Land Use Authority upon the review and approval of an engineering geotechnical report that complies with the provisions of this section. If a conditional use permit is required, the engineering geotechnical report shall be considered in the review of the conditional use permit application.

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A. The site-specific soil/geologic report by a qualified geotechnical engineer shall identify all geologic hazards, whether on or off-site, if such hazard or hazards affects the particular property including the following hazard(s), unless determined prior to the preparation of the report by the City Engineer that the specific potential hazard or hazard does not need to be considered in the report:

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1. Flood history and potential; proximity to known canals, lakes, streams and alluvial fan flooding;

2. Definition of any zones of deformation with respect to active faults and recommended setbacks therefrom;

3. Evidence for other mass movement of soil and rock (landslides, debris flows, rock falls);

4. Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of site;

5. Determination of ground water characteristics; and

6. Uncontrolled fill material within the building envelope of a lot or other uncompacted soils.

B. The report shall contain written recommendations for construction of structures and avoidance or mitigation of the hazards. Land drains along private property are not allowed and are discouraged through public property because long-term maintenance of drains cannot be guaranteed;

C. The report shall consider and contain data regarding the nature, distribution, and strength of soils within the project area. The soil report shall include a unified classification of all soils with an estimate of susceptibility to erosion, plasticity index, liquid limit, shrink-swell potential, and general suitability for development;

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D. The report shall contain an estimate of the likely highest level of the water table considering the long-term effects of development and irrigation.

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E. The report shall include a statement by the qualified geotechnical engineer preparing the report that the safety and integrity of the proposed building or structure is not compromised by potential geologic hazards and that the proposed building or structure, as designed and proposed, can be built in a manner that complies with the soils, footings and foundation requirements of the applicable building code.

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F. After the application is received by the City, the geologic and soil report will be reviewed by staff and, if the report finds that geologic hazards exist, the report will be reviewed by other geotechnical advisors which may include the Utah Geologic Survey (UGS). If after review, the geotechnical advisors concur with the geologic and soil report and the proposed remedial measures submitted by the applicant, the item will be forwarded to the land use authority designated to review the application for a conditional use permit.

G. The required reports and the plans to address the concerns set forth in those reports shall be stamped and approved by a licensed professional engineer. If the City Engineer does not agree with the applicant's geologic and soils report, the

City and the applicant for a conditional use permit may utilize the procedure for resolving such disputes found in Utah Code Ann. 10-9a-703(20 for the appeal of a determination made under a municipality's geologic hazards ordinance.

H. As provided in Section 10-3-5(E)(4) of this Ordinance, a conditional use permit may be denied, and use of the property therefore prohibited, if geologic hazards associated with the property cannot be substantially mitigated by the imposition of reasonable conditions and/or the requirements of the geologic and soil report and the provisions of the applicable building code related to soils, footings, and foundations are not met.

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10-5-10 : DISCLOSURE OF NATURAL HAZARD BY ENGINEERING GEOTECHNICAL REPORT: Wherever a potential natural hazard is identified by a required geotechnical report under this chapter, the owner of such parcel shall record a restrictive covenant running with the land in a form satisfactory to the City prior to the approval of any development or subdivision of such parcel, which shall include the following:

- A. Notice of the existence and availability of the engineering geotechnical report that identifies the natural hazards for public inspection in the City Office; and
- B. An agreement by the owner of the parcel and any successor in interest to comply with any conditions set by the City to minimize potential adverse effects of the natural hazard(s).

10-5-10: DISCLOSURE OF OTHER NATURAL HAZARDS: At any time after the designation of a particular parcel of land, or any portion thereof, as within a Sensitive Land Overlay Zone, the City may cause to be recorded at the Office of the Cache County Recorder a notice related to that land stating that the land lies within a Sensitive Land Overlay Zone. The notice may state that the construction of buildings and improvements on that land is subject to the provisions of the Providence City Ordinances related to Sensitive Lands, including a potential requirement to obtain a conditional use permit prior to the construction of a home or other buildings, structures or improvements on the land. Use of the land may not be allowed until a professional review is conducted, as provided in city ordinance, and reports are submitted that establish that any proposed home, building, or other structures or improvements to be erected upon the land can be built in compliance with relevant building codes and appropriate soil, flooding, and earthquake requirements. If qualified professionals cannot establish that a proposed use of the land can be conducted in a manner that complies with the health and safety provisions of the building code and other relevant standards, the proposed use of the land may be prohibited.

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