

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
August 26, 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 August 12, 2015.

Action Items:

Item No. 1. Proposed Final Plat: The Providence City Planning Commission will consider for approval, a final plat for 500 North LLC Subdivision, a 33-Lot residential subdivision located generally at 500 North 450 East.

Study Items:

Item No. 1. Proposed Code Amendment: The Providence City Planning Commission will discuss a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 3 Setbacks allowing an uncovered porch to extend into the front yard setback.

Item No. 2. Proposed General Plan Amendments: 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.

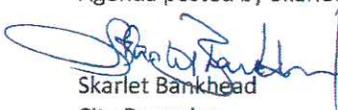
Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will discuss a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District.

Item No. 4. Proposed Code Amendment: The Providence City Planning Commission will discuss proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 15 Sign Regulations, including but not limited to adding Feather Flags (Sail Banners).

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 August 24, 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 Minutes**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **August 12, 2015 6:00 pm**

5
6 Chairman: Larry Raymond
7 Attendance: Kirk Allen, Heather Hansen
8 Alternate: William Baker
9 Excused: Robert James, Wendy Simmons

10
11 Larry Raymond welcomed William Baker as an alternate for Planning Commission.

12
13 **Approval of the Minutes:**

14 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of July 22, 2015.

15 **Motion to approve the minutes for July 22, 2015 with the following changes: K Allen, second – H Hansen**

16 Page 1, line 50 – a not an

17 Page 2, line 43 however the intent of the mixed use was to be the buffer

18 **Vote: Yea: K Allen, W Baker, H Hansen, L Raymond**

19 **Nay: None**

20 **Abstained: None**

21 **Excused: R James, W Simmons**

22
23 **Action Items:**

24 **Item No. 1. Selection of Vice Chair.** The Providence City Planning Commission will select a Vice Chair to replace
25 Sherman Sanders, whose term has expired.

26 **Motion to nominate Heather Hansen as Vice Chairman for Planning Commission: K Allen, second – W Baker**

27 **Vote: Yea: K Allen, W Baker, H Hansen, L Raymond**

28 **Nay: None**

29 **Abstained: None**

30 **Excused: R James, W Simmons**

31 **Item No. 2. Proposed Final Plat.** The Providence City Planning Commission will consider for approval a final plat for
32 the Bungalow Subdivision. A 2-lot residential subdivision located generally at 486 Canyon Road.

- 33
- 34 • L Raymond said the preliminary plat had been approved at the last Planning Commission meeting. The
35 final plat can be approved pending certain conditions that needed to be met. The conditions have been
36 met and the final plat has been updated to show the changes that were made.
 - 37 • S Bankhead said the City Council approved the development agreement. She will forward an updated
38 development agreement to Paul Saunders.

38 **Motion to approve the final plat for Bungalow Subdivision: H Hansen, second – K Allen**

39 **Vote: Yea: K Allen, H Hansen, L Raymond**

40 **Nay: None**

41 **Abstained: W Baker**

42 **Excused: R James, W Simmons**

43 **Item No. 3. Proposed Final Plat:** The Providence City Planning Commission will consider for approval, a final plat for
44 the Zollinger Subdivision; a 2-lot residential subdivision. The property is located at approximately 240 South 325
45 West, Providence.

- 46
- 47 • L Raymond said the preliminary plat was approve a couple of meetings back. There was a
48 recommendation to correct boundary lines. They have been corrected.
 - 49 • H Hansen asked about the identification of the land that is to be dedicated to Providence City. It will be
50 noted and identified on the final plat.
 - 51 • H Hansen commented on the bearing on the center road. It will be corrected before final plat submission.
 - 52 • K Allen pointed out that the lot numbers are incorrect. They will be corrected before final plat submission.

52 **Motion to approve the final plat for the Zollinger Subdivision with the conditions noted to be completed on the
53 final plat submission to the City: K Allen, second – H Hansen**

54 **Vote: Yea: K Allen, W Baker, H Hansen, L Raymond**

1 **Nay:** **None**
2 **Abstained:** **None**
3 **Excused:** **R James, W Simmons**

4 Item No. 4. Proposed Preliminary Plat: The Providence City Planning Commission will consider for approval, a
5 preliminary plat for 500 North LLC Subdivision, a 33-Lot residential subdivision located generally at 500 North 450
6 East.

- 7 • Danny Macfarlane from Civil Solutions answered questions from the Planning Commission.
- 8 • L Raymond had questions about the width of the street north of the church and continuing east.
- 9 • D McFarlane said as part of the development agreement there will be 24' of asphalt going east on the
10 south side of the street and then flare as it gets to the property line to 39' of asphalt.
- 11 • H Hansen asked if there would be parking restrictions on the narrow section of the street and why the
12 street isn't going to be widened at that narrow section.
- 13 • D McFarlane said the land directly north of the street is still part of county property.
- 14 • W Baker said the Providence side of the street could be painted red and designated as no parking and
15 leave the other side of the street for parking.
- 16 • S Bankhead said painting the curb red will have to be specified by the City Council.
- 17 • L Raymond asked about lot 33. It does not appear to have access.
- 18 • D McFarlane said Providence City ordinance allows two lots to be serviced by one driveway.
- 19 • W Baker asked if all 33 lots were part of the subdivision with only one access point. He was under the
20 impression that there were only going to be 30 lots.
- 21 • D McFarlane said the Fire Marshall has approved for 33 lots and they are the limiting agency. The next
22 phase will require a second access point.
- 23 • H Hansen has a concern of only having one access with an unknown date for the second phase and
24 second access coming in.
- 25 • D Macfarlane said the next phase will have to provide a second access connecting all the way to
26 Sherwood or 400 East before any more lots can be developed. There will be a 12" water line eventually
27 connecting up to Sherwood. Majority of bench area sewer will drain on 500 North. Developer has agreed
28 to a 24" storm drain line.
- 29 • H Hansen asked which property will be the second phase.
- 30 • S Bankhead said right now there is no additional property, only an option.
- 31 • K Allen asked about the retention pond that will be open space.
- 32 • D Macfarlane said it will be a private park. It was originally approved as a public park, but city staff did not
33 want to maintain the park so it will be maintained as a private park. A trail following 500 North was
34 suggested, but the city didn't want to maintain the trail.
- 35 • W Baker asked about the water coming off the hill.
- 36 • D Macfarlane said there are two basins. One on property 6 and one on property 19. The basin in the park
37 on space two is a detention pond and it will be discharged by a 24" storm water drain on 500 North.
- 38 • K Allen asked why the city is turning down a walking path when that is part of the desired future plan.
- 39 • S Bankhead said many of the council members do not want to fund parks and trails. Also, people
40 purchasing lots do not desire a trail because of impact. There will be 5' walks on 500 North. The developer
41 had an idea of how they wanted this park to look and it will look very nice, but it is different than how the
42 city would have done it. The HOA will maintain the park.
- 43 • K Allen expressed his hope that the city council will work with the developer to create a public place.
- 44 • D Macfarlane said the developer no longer wants to make this a public space. They want to keep it private
45 in order to create the atmosphere they desire.
- 46 • W Baker asked if there had been any discussion for making this a gated community if the next
47 development doesn't come in for a few years.
- 48 • D Macfarlane said there isn't really a need for this.
- 49 • H Hansen said she has a concern that approving this will prevent the development of 400 East and impact
50 traffic on 200 North.
- 51 • D Macfarlane showed her on the map how 400 East will be developed. He felt this would actually add one
52 more access.
- 53 • S Bankhead said right now most people will use 100 North if they are going south.

- 1 • W Baker asked if the Rinderknecht property was a conservancy.
- 2 • S Bankhead said it is an ag protection property not a perpetual conservancy area.
- 3 • D Macfarlane said Rinderknecht's petitioned the county council prior to selling the property and had the
- 4 ag protection removed.
- 5 • L Raymond asked D Macfarlane if he felt the city of Providence's attitude towards trails and parks
- 6 prevented the developer from pursuing public trails and properties.
- 7 • D Macfarlane felt it was more a matter of timing and interest rates projected to increase over the next
- 8 few months. He felt S Bankhead and the city had managed money very well and would like to see some of
- 9 these funds used to create more public spaces. He expressed that he felt S Bankhead had done an
- 10 excellent job in managing public funds. As a resident, he would like to see some of that money used in
- 11 developing parks and amenities.
- 12 • L Raymond said if trails and parks are developed in this area as part of a private HOA, the city will have to
- 13 skirt this development when it tries to develop its own trail/park system.
- 14 • S Bankhead said this is about a block's worth of 500 North where citizens will have to use sidewalk rather
- 15 than a trail. There is nothing preventing trails in the 500 North area. However, right now that is not a part
- 16 of the general plan. The developer's plan was very nice, but his ideas were not realistic for the city budget.

17 **Motion to approve preliminary plat for 500 North LLC Subdivision: H Hansen, second – K Allen**

18 **Vote: Yea: K Allen, W Baker, H Hansen, L Raymond**

19 **Nay: None**

20 **Abstained: None**

21 **Excused: R James, W Simmons**

22 Heather Hansen was excused at 7:20 pm.

23 **Study Items:**

24 **Item No. 1. Proposed Code Amendment:** The Providence City Planning Commission will discuss a proposed code
 25 amendment to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking
 26 Requirements, Section 3 Setbacks allowing an uncovered porch to extend into the front yard setback.

- 27 • At J Baldwin's request, this item will be moved to next meeting's agenda.

28 **Item No. 2. Proposed General Plan Amendments:** The Providence City Planning Commission will discuss possible
 29 amendments for the zoning element of the Providence City general plan; including the zoning districts for future
 30 annexation and future rezone of existing districts.

- 31 • This item was not discussed.

32 **Item No. 3. Propose Code Amendment:** The Providence City Planning Commission will discuss a proposed code
 33 amendment to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing
 34 regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District.

- 35 • This item was not discussed.

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

- 37 • No staff reports.

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

- 40 • No Commission reports.

41 **Motion to adjourn: W Baker, second – K Allen**

42 **Vote: Yea: K Allen, W Baker, L Raymond**

43 **Nay: None**

44 **Abstained: None**

45 **Excused: H Hansen, R James, W Simmons**

46 Meeting adjourned at 7:30 pm.

47
48
49
50
51
52 _____
Larry Raymond, Chairman

53 _____
Caroline Craven, Secretary

**PROVIDENCE CITY
Development Review Committee Report
Planning Commission Meeting Date: 00/00/2015**

Request: Approval of a final plat for 500 North LLC Subdivision

Item Type: Action	Applicant: Brent Skinner / Danny MacFarlane	Agent:
Prepared by: S Bankhead	General Plan: SFT	Zone: SFT
Parcel ID #: 02-005-0003, 02-004-0013, and 0014 Address: generally 450 E 500 N	Acres: 19.8 Density per acre: Gross: 1.67 Net: 2.04 Min Lot Size: 12,000 sq ft Min Frontage: 95'	Number of Properties: 3 Proposed Lots: 33

Staff Report Summary of Key Issues:

1. This is a 33 lot residential subdivision located at generally at 450 East 500 North.

Background Information:

1. The Providence City Council adopted Ordinance No. 2015-018 on July 21, 2014 annexing the property with a Single-Family Traditional (SFT) zone.
2. The preliminary plat was approved by the Planning Commission on August 12, 2015.
3. The application for final plat was received on

FINDINGS OF FACT:

1. ERS used Providence City Code 11-3-3 Final Plat to review the application and preliminary plat.
2. ERS used the Providence City Corporation Department of Public Works Standards and Specifications Manual to review the application and preliminary plat.

CONCLUSIONS OF LAW:

1. ERS feels the preliminary plat meets the requirements of Providence City Code 11-3-3 with the following conditions:

CONDITIONS:

1. The City Council must approve the development agreement.
2. The City Engineer must approve the construction drawings.

RECOMMENDATION:

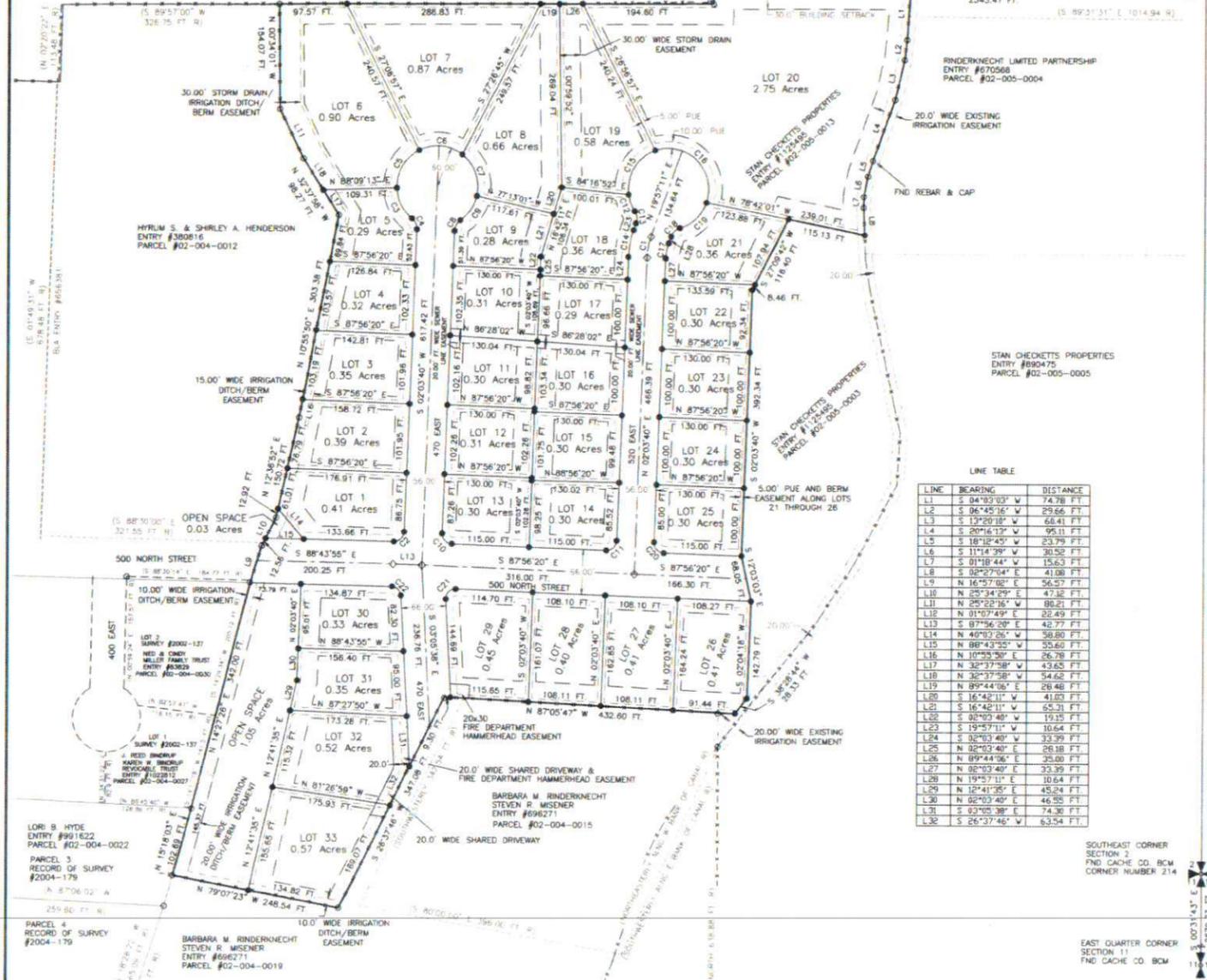
ERS recommends the Planning Commission approve the final plat for 500 North LLC Subdivision with the conditions listed above.

THE FALLS AT PROVIDENCE SUBDIVISION FINAL PLAT

A PORTION OF SECTION 2, TOWNSHIP 11
NORTH, RANGE 1 EAST OF THE SALT LAKE
BASE AND MERIDIAN
PROVIDENCE CITY, CACHE COUNTY, UTAH
AUGUST 2015



SCALE 1 INCH = 100 FEET
100 200 300



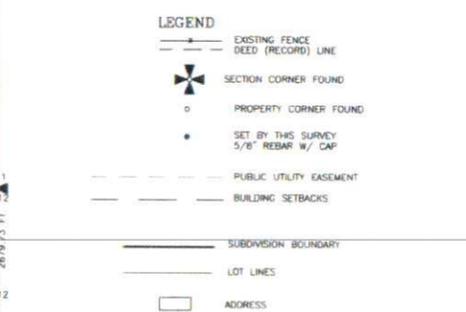
LINE TABLE

LINE	BEARING	DISTANCE
L1	S 04°03'03" W	74.78 FT
L2	S 06°45'16" W	23.66 FT
L3	S 13°29'18" W	68.41 FT
L4	S 20°16'13" W	95.11 FT
L5	S 18°10'45" W	23.79 FT
L6	S 11°14'29" W	30.52 FT
L7	S 01°18'44" W	15.63 FT
L8	S 02°27'04" E	41.08 FT
L9	N 16°57'06" E	56.57 FT
L10	N 25°34'29" E	47.32 FT
L11	N 25°22'16" E	88.21 FT
L12	N 01°07'49" E	22.49 FT
L13	S 87°56'20" E	42.77 FT
L14	N 40°02'28" W	58.80 FT
L15	N 88°43'55" W	55.60 FT
L16	N 10°55'50" E	26.78 FT
L17	N 32°37'58" E	43.65 FT
L18	N 30°37'58" E	34.63 FT
L19	N 89°44'06" E	28.48 FT
L20	S 16°42'11" W	41.83 FT
L21	S 16°42'11" W	65.31 FT
L22	S 02°03'40" E	26.18 FT
L23	N 19°57'11" E	10.64 FT
L24	S 02°03'40" E	33.39 FT
L25	N 02°03'40" E	26.18 FT
L26	N 89°44'06" E	25.80 FT
L27	N 02°03'40" E	33.39 FT
L28	N 19°57'11" E	10.64 FT
L29	N 12°41'35" E	45.24 FT
L30	N 02°03'40" E	44.55 FT
L31	S 02°03'40" E	74.30 FT
L32	S 26°37'46" W	83.54 FT

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, UTAH AND FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 2, FROM WHICH THE SOUTHEAST CORNER OF SECTION 2 BEARS SOUTH 00° 36' 54" WEST 2656.56 FEET;
THENCE SOUTH 00° 36' 54" WEST 962.05 FEET ALONG THE EAST LINE OF SAID SECTION 2;
THENCE NORTH 89° 23' 06" WEST 2343.41 FEET TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON, PLS 13173" SET AT A FENCE CORNER, THE TRUE POINT OF BEGINNING;
THENCE SOUTH 04° 03' 03" WEST 74.78 FEET ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 07° 45' 18" WEST 29.66 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 13° 20' 10" WEST 80.41 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 20° 16' 13" WEST 95.11 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 18° 12' 45" WEST 23.79 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 11° 14' 39" WEST 30.52 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 02° 27' 04" EAST 41.08 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 78° 31' 46" WEST 115.13 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 27° 09' 42" WEST 116.40 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 02° 03' 40" WEST 392.34 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 12° 03' 03" EAST 68.05 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 02° 04' 18" WEST 142.75 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 38° 28' 44" WEST 28.33 FEET TO A 5/8" REBAR WITH CAP;
THENCE NORTH 87° 05' 47" WEST 432.60 FEET ALONG THE EXTENSION OF AND FENCE LINE AND FENCE LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;
THENCE NORTH 79° 07' 23" WEST 248.54 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET ON THE EAST LINE OF PARCEL 3 AS SHOWN ON RECORD OF SURVEY NUMBER 2004-179 IN THE OFFICIAL RECORDS OF CACHE COUNTY;
THENCE NORTH 15° 18' 03" EAST 102.89 FEET ALONG SAID EAST LINE TO A 5/8" REBAR WITH CAP SET ON THE SOUTHEAST CORNER OF LOT 1 AS SHOWN ON RECORD OF SURVEY NUMBER 2002-137 IN THE OFFICIAL RECORDS OF CACHE COUNTY;
THENCE NORTH 14° 27' 28" EAST 342.00 FEET ALONG THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF LOT 2 OF SAID RECORD OF SURVEY NUMBER 2002-137 TO A 5/8" REBAR WITH CAP SET ON THE NORTH-EAST CORNER OF SAID RECORD OF SURVEY NUMBER 2004-179, SAID POINT BEING AT THE EXTENSION OF A FENCE LINE;
THENCE NORTH 16° 57' 02" EAST 56.57 FEET ALONG SAID EXTENSION AND FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 25° 34' 29" EAST 47.12 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 12° 36' 52" EAST 150.72 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 10° 55' 50" EAST 303.38 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 32° 37' 58" WEST 98.27 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 25° 22' 16" WEST 80.21 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 07° 49' 18" WEST 154.07 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER, SAID FENCE CORNER BEING ON THE SOUTH LINE OF RECORD OF SURVEY NUMBER A-0388 IN THE OFFICIAL RECORDS OF CACHE COUNTY;
THENCE NORTH 89° 56' 12" EAST 292.20 FEET ALONG THE NORTH LINE OF SAID PARCEL NUMBER 02-004-0003 TO THE TRUE POINT OF BEGINNING;
CONTAINING 19.78 ACRES OF LAND

SUBJECT TO SPRING CREEK IRRIGATION COMPANIES RIGHT TO ACCESS AND MAINTAIN THEIR CANAL AND PIPELINES ALONG THE EAST AND WEST BOUNDARIES OF THE ABOVE DESCRIBED PARCEL.



- GENERAL NOTES:**
- NO STRUCTURES MAY BE BUILT WITHIN ANY PUBLIC UTILITY EASEMENT EXCEPT AS APPROVED BY THE CITY ENGINEER. PUBLIC UTILITY EASEMENTS ARE 10.00 FT. ALONG THE FRONT OF LOTS AND 5.00 FT. ON THE SIDES AND REAR.
 - ALL EXPENSES INVOLVING THE NECESSARY IMPROVEMENTS OR EXTENSIONS FOR A CULINARY WATER SYSTEM, SANITARY SEWER SYSTEM, GAS SERVICE, ELECTRICAL SERVICE, TELEPHONE SERVICE, CABLE TELEVISION SERVICE, DRAINING AND LANDSCAPING, STORM DRAINAGE, SEWAGE, STREET LIGHTING, CURBS AND GUTTERS, FIRE HYDRANTS, PAVEMENT, SIDEWALKS AND OTHER IMPROVEMENTS SHALL BE PAID FOR BY THE DEVELOPER.
 - CURRENT ZONE: SINGLE FAMILY TRADITIONAL
 - MINIMUM LOT SIZE: 13,000 SF
 - MINIMUM FRONTAGE (MEASURED AT SETBACK) 95 FT
 - BUILDING SETBACKS: SIDE: 10.0 FT. FRONT AND REAR COMBINATION: 50.0 FT (20 FT & 30 FT COMBINATION)
 - ALL DRIVEWAYS SHALL BE 30.0 FT APART PER PROVIDENCE CITY STANDARD
 - THE CLEAR WIDTH HEIGHT ON THE PRIVATE DRIVE MUST BE 13.5 FT
 - LOTS 32 AND 33 SHALL SHARE A COMMON DRIVEWAY ACCESS
 - OPEN SPACE TO BE MAINTAINED AND OWNED BY THE COMMUNITY HOME OWNERS ASSOCIATION
 - ALL LOTS HAVE ADEQUATE BUILDABLE ENVELOPES WITH REGARDS TO HAZARDOUS SLOPES AND ZONING SETBACKS.
 - PROVIDENCE CITY WILL NOT ISSUE ANY BUILDING PERMIT FOR ANY LOT UNTIL MINIMUM IMPROVEMENTS, AS SPECIFIED ARE COMPLETE.
 - THERE ARE NO SPRINGS OR RESERVOIRS WITHIN 100.00 FEET
 - NO TREES DRIVEWAYS OR STRUCTURES ARE ALLOWED WITHIN THE 20.0' SEWER EASEMENT ON LOTS 10, 11, 16 AND 17
 - THERE ARE NO HAZARDOUS SLOPES OR HAZARDOUS SETBACKS.
 - STREET ADDRESS SHALL BE ASSIGNED BY PROVIDENCE CITY
 - SIDE LOT FENCES ARE NOT ALLOWED IN THE 15.0' IRRIGATION DITCH/BERM EASEMENT ALONG LOTS 1 THROUGH 5 OR IN THE 10.0' IRRIGATION DITCH/BERM EASEMENTS ON LOT 33
 - THE STORM WATER BERMS ALONG THE WEST SIDE AND THE EAST SIDE OF THE DEVELOPMENT CAN NOT BE ALTERED OR REMOVED

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00 FT	31.23 FT	S 11°00'26" W	17°53'30"
C2	15.00 FT	23.56 FT	N 47°03'48" E	90°00'00"
C3	60.00 FT	51.55 FT	S 26°29'27" E	49°15'21"
C4	20.00 FT	18.55 FT	N 84°30'14" W	53°07'48"
C5	60.00 FT	67.79 FT	S 30°31'08" W	64°43'30"
C6	60.00 FT	68.01 FT	N 84°30'14" W	64°56'28"
C7	60.00 FT	68.01 FT	N 19°41'30" W	64°56'28"
C8	20.00 FT	18.55 FT	S 26°37'35" W	53°07'48"
C9	60.00 FT	44.41 FT	N 23°59'14" E	42°24'30"
C10	15.00 FT	23.56 FT	N 47°03'48" E	90°00'00"
C11	15.00 FT	23.56 FT	N 47°03'48" E	90°00'00"
C12	60.00 FT	26.48 FT	S 20°34'26" E	25°12'24"
C13	20.00 FT	18.55 FT	S 26°37'35" W	53°07'48"
C14	60.00 FT	39.97 FT	S 11°00'26" W	17°53'30"
C15	60.00 FT	82.48 FT	S 31°24'29" W	78°45'36"
C16	60.00 FT	134.64 FT	N 44°55'27" W	128°34'29"
C17	72.00 FT	22.48 FT	S 11°00'26" W	17°53'30"
C18	60.00 FT	39.97 FT	S 11°00'26" W	17°53'30"
C19	60.00 FT	56.26 FT	N 46°19'21" E	53°45'16"
C20	15.00 FT	23.56 FT	S 26°37'35" W	53°07'48"
C21	13.75 FT	23.36 FT	S 44°29'01" W	97°03'40"
C22	4.32 FT	20.81 FT	N 45°54'09" W	83°11'23"

SURVEYOR'S CERTIFICATE

I, TIMOTHY LYNN CHRISTENSEN, A LICENSED LAND SURVEYOR IN THE STATE OF UTAH, DO HEREBY CERTIFY THAT A SURVEY WAS MADE UNDER MY DIRECTION OF THE PROPERTY DESCRIBED IN THIS BOUNDARY DESCRIPTION AND THAT THE PLAT UPON WHICH THIS CERTIFICATE APPEARS WAS MADE UNDER MY DIRECTION, THAT SAID PLAT SHOWS THE WHOLE OF THE DESCRIBED LAND WHICH IS KNOWN AS THE FALLS AT PROVIDENCE SUBDIVISION, IN CACHE COUNTY, UTAH; THAT SAID PLAT CORRECTLY REPRESENTS THE SURVEY AS SHOWN ON THE PERTINENT RECORDS OF THE OFFICIAL RECORDS OF THE STATUTES OF THE STATE OF UTAH HAVE BEEN COMPLIED WITH I FURTHER CERTIFY THIS IS A TRUE COPY OF SAID PLAT.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE FALLS AT PROVIDENCE SUBDIVISION, DO HEREBY DEDICATE FOR PUBLIC USE AND DO WARRANT, DEFEND AND SAVE THE CITY OF PROVIDENCE HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE MUNICIPALITY'S USE, OPERATION AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN, WITH THE SAME WARRANTY AS GIVE FOR OTHER DEDICATE PROPERTY.

IN WITNESS WE HAVE HERETO UNTO SET OUR SIGNATURES THIS _____ DAY OF _____ 2015.

BY: _____
BRENT SKINNER
500 NORTH LLC MANAGER

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF CACHE

ON THIS _____ DAY OF _____ 2015, BRENT SKINNER, KNOWN OR IDENTIFIED TO ME, TO BE THE MANAGER OF 500 NORTH LLC, PERSONALLY APPEARED TO ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE COUNTY OF CACHE IN SAID STATE OF UTAH; THE SIGNATURE OF THE OWNER'S DEDICATION, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

CITY ENGINEER APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATED THIS _____ DAY OF _____ 2015

CITY ENGINEER

MAYOR APPROVAL

APPROVED THIS _____ DAY OF _____ 2015
BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

CITY ATTORNEY APPROVAL

APPROVED THIS _____ DAY OF _____ 2015 BY THE PROVIDENCE CITY ATTORNEY

PROVIDENCE CITY ATTORNEY

UTILITY COMPANIES APPROVAL

THE UTILITY EASEMENTS SHOWN ON THIS PLAT HAVE BEEN REVIEWED AND ARE APPROVED. WE ARE IN AGREEMENT WITH PLACING ALL OF THE UTILITIES UNDERGROUND WITHIN THE EASEMENTS AS SHOWN ON THE PLANS AND ARE WILLING TO PROVIDE THE NEEDED SERVICE FOR THE DEVELOPMENT.

QUESTAR GAS _____
DATE _____
COMCAST CABLE _____
DATE _____
ROCKY MOUNTAIN POWER _____
DATE _____
CENTURYLINK COMMUNICATIONS _____
DATE _____

CULINARY WATER AND SANITARY SEWER AUTHORITY APPROVALS

PLAT APPROVED BY PROVIDENCE CULINARY WATER AUTHORITY AND SANITARY SEWER AUTHORITY.

DATED THIS _____ DAY OF _____ 2015

CULINARY WATER AND SANITARY SEWER AUTHORITY

CITY ENGINEER APPROVAL

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BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

CITY ATTORNEY APPROVAL

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PROVIDENCE CITY ATTORNEY

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DATED THIS _____ DAY OF _____ 2015

CULINARY WATER AND SANITARY SEWER AUTHORITY

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BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

CITY ATTORNEY APPROVAL

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PROVIDENCE CITY ATTORNEY

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DATE _____
ROCKY MOUNTAIN POWER _____
DATE _____
CENTURYLINK COMMUNICATIONS _____
DATE _____

CULINARY WATER AND SANITARY SEWER AUTHORITY APPROVALS

PLAT APPROVED BY PROVIDENCE CULINARY WATER AUTHORITY AND SANITARY SEWER AUTHORITY.

DATED THIS _____ DAY OF _____ 2015

CULINARY WATER AND SANITARY SEWER AUTHORITY

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BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

CITY ATTORNEY APPROVAL

APPROVED THIS _____ DAY OF _____ 2015 BY THE PROVIDENCE CITY ATTORNEY

PROVIDENCE CITY ATTORNEY

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DATE _____

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PLAT APPROVED BY PROVIDENCE CULINARY WATER AUTHORITY AND SANITARY SEWER AUTHORITY.

DATED THIS _____ DAY OF _____ 2015

CULINARY WATER AND SANITARY SEWER AUTHORITY

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BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

CITY ATTORNEY APPROVAL

APPROVED THIS _____ DAY OF _____ 2015 BY THE PROVIDENCE CITY ATTORNEY

PROVIDENCE CITY ATTORNEY

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DATE _____
COMCAST CABLE _____
DATE _____
ROCKY MOUNTAIN POWER _____
DATE _____
CENTURYLINK COMMUNICATIONS _____
DATE _____

CULINARY WATER AND SANITARY SEWER AUTHORITY APPROVALS

PLAT APPROVED BY PROVIDENCE CULINARY WATER AUTHORITY AND SANITARY SEWER AUTHORITY.

DATED THIS _____ DAY OF _____ 2015

CULINARY WATER AND SANITARY SEWER AUTHORITY

PROPERTY OWNER/DEVELOPER
TIMOTHY LYNN CHRISTENSEN
C/O BRENT SKINNER
brentskinner@gmail.com

THE FALLS AT PROVIDENCE
SECTION 2, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN
PROVIDENCE CITY, CACHE COUNTY, UTAH

DATE: _____
TIMOTHY LYNN CHRISTENSEN

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE FALLS AT PROVIDENCE SUBDIVISION, DO HEREBY DEDICATE FOR PUBLIC USE AND DO WARRANT, DEFEND AND SAVE THE CITY OF PROVIDENCE HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE MUNICIPALITY'S USE, OPERATION AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN, WITH THE SAME WARRANTY AS GIVE FOR OTHER DEDICATE PROPERTY.

IN WITNESS WE HAVE HERETO UNTO SET OUR SIGNATURES THIS _____ DAY OF _____ 2015.

BY: _____
BRENT SKINNER
500 NORTH LLC MANAGER

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF CACHE

ON THIS _____ DAY OF _____ 2015, BRENT SKINNER, KNOWN OR IDENTIFIED TO ME, TO BE THE MANAGER OF 500 NORTH LLC, PERSONALLY APPEARED TO ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE COUNTY OF CACHE IN SAID STATE OF UTAH; THE SIGNATURE OF THE OWNER'S DEDICATION, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

135 SOUTH STATE
PROVIDENCE, UTAH 84303
(202)852-1155

A.A. HUDSON AND ASSOCIATES

RECEIVED
AUG 14 2015

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

	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	6 ^{AAAA}							
Rear yard	8	6	6	6	6	6	6	8
Fences – game								
Front yard, ft.	Not allowed							
Side yard, interior	8	8	8	8	8	8	8	8
Side yard, street	8 ^{AAAA}							
Rear yard	8	8	8	8	8	8	8	8

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	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'		
Setbacks								
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

*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								
Min. lot width (measured at setback line)	80								
Min. lot area increase									
ea. Add'l unit, square feet									
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'								
Setbacks									
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		#	#

Lot Size	MFR	MFM	MFH	CND	CGD	CHD	MXD	PUB	REC
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	IBC							
Accessory Use, ft. max.	35	IBC	IBC	IBC	IBC	IBC	ICB	IBC	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 subparagraph

^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:

- 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.

Providence City Code

Page 4 of 26

Title 10 Zoning Regulations

Chapter 8 Area Regulations and Parking Requirements

Amended (Ordinance No.s: 033-2004, 11/23/04; OM 004-2005, 01/18/05; 011-2009, 12/08/2009; 007-2010, 08/10/2010; 006-2011, 07/26/2011; Ord. 014-2012, 09/25/2012; Ord. No. 015-2013, 11/07/2013; 005-2014 09/23/2014; 2015-015, 06/09/2015; 2015-016, 06/23/2015)

- 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').
 - a. For existing homes, that do not meet the building code for entry landings:
 - i. A covered, unenclosed, entry may extend further than four feet (4') into the required front yard; but shall not extend further than the minimum to meet the requirements in the building code for entry landings.
 - ii. Ramps that are added to allow for ADA access may extend into the required front yard; but shall not extend further than the minimum to meet the grade and landing requirements for ADA access.
 - iii. A site plan shall be submitted for zoning approval.
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.
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.
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)

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.
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 an 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 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

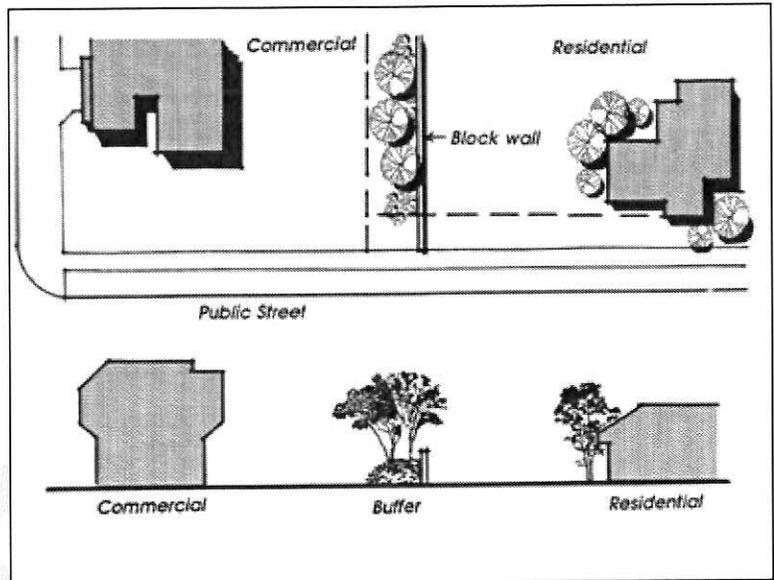
make it inadvisable to have irrigation near the building. In such case, the required amount of landscaping shall be provided elsewhere on the property.

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 ~~10~~ 6 feet (10' 6') wide.
 - f. Planted islands shall be a minimum of twenty-five (25) square feet.
8. Xeriscape. Xeriscape is landscaping that reduces or eliminates the need for supplemental water from irrigation. It is different from natural landscaping, because the emphasis is on selection of plants for water conservation, not necessarily selecting native plants. 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 sites 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. Landscaped buffer. A landscaped buffer is defined as a landscaped area whereby trees and other plan materials are used to create a wide, landscaped park- or garden-like area around the perimeter, or in the side and/or rear yard, of a property in order to physically and visually



separate and mitigate undesirable environmental impacts (such as: noise, dust, stormwater, etc.) between commercial zones and residential zones. 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
 - b. Maximum width: 50 feet
 - c. Where commercial buildings are less than 5,000 square feet in area, a minimum 10 feet buffer is substantial. Otherwise if the building area is greater than 5,000 square feet in area, a landscape buffer should be a minimum 25 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 ratio.
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 illumination of all street sidewalks.
 - d. Pedestrian street lights or lampposts shall reflect the architectural design characteristic of the surrounding area.
 - e. Up-lighting is not permitted, except as approved through the site plan review for highlighting signature landscape features or building elements.
 - f. HID or fluorescent tube lights (except compact fluorescent bulbs) are not permitted as exterior building lights.
 - g. 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. At the discretion of the City a final landscaped plan may require a stamp from a Utah Licensed Landscape Architect.
 - a. The location and dimensions of all existing and 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 on adjacent property within twenty feet (20') of the site.
- e. Location and heights of fences and retaining walls proposed on the site.
- f. At the discretion of the City a final irrigation plan may require a stamp from a Utah Licensed Landscape Architect.

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 areas 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.

- 1. 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.
- 2. 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 parking requirements for individuals with disabilities.). 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)

10-8-7: SITE REQUIREMENTS FOR SEASONAL, SEMI-PERMANENT, AND TEMPORARY BUSINESS FACILITIES:

- A. Purpose: Provide a variety of business opportunities and increase sales revenue.
- B. Approval Authority: The Land Use Authority shall be the approving authority for site approvals for seasonal, semi-permanent, and temporary business facilities.

- C. Definitions:

IMPROVED SITE	A lot in an approved subdivision in which utilities, including water and sewer, curb, gutter, and sidewalk, have been installed according to the approved construction drawings. Landscaping requirements may or may not have been met.
SEASONAL BUSINESS FACILITY	A facility for a business that is operated for a period of 120 days or less; generally associated with a season such as Summer or Fall produce sales, snow cone sales, etc.
SEMI-PERMANENT BUSINESS	A facility for a business that is operated not

FACILITY	more that nine months during a calendar year or nine consecutive months.
TEMPORARY BUSINESS FACILITY	A facility for a business that is operated for a period of forty-five days or less; may be associated with an event, such as fireworks sales, Christmas trees sales, etc.
Unimproved Site	A parcel of property that does not have utilities, culinary water, or sewer (where required) service into the parcel; or A future phase or a remainder parcel in a platted subdivision that does not have utilities, culinary water, or sewer (where required) service into the phase or parcel.

- D. Site Plan Agricultural and Residential Zones: Seasonal and temporary businesses in agricultural and residential zones shall comply with the requirements for a home business.
- E. Site Plan Commercial Zones: Seasonal and temporary business facilities may be located on improved sites or unimproved sites in CHD, CGD, CND, MXD zones with the following conditions:
1. Improved Site. Utilities (if required); parking must be asphalt; restrooms (may be portable units).
 2. Unimproved Site. Utilities (if required); parking and access must be an all weather surface to prevent tracking of mud and debris on the City right-of-way; if restrooms are required, portable units may be used.
 3. Must provide a signed statement from the property owner or assigns that the business may occupy the space and has permission to use the amenities listed in 1 or 2 above from the existing on-site or adjacent permanent facility.
 4. If a parking lot is used to house a temporary or seasonal business, the spaces used must be in excess of those spaces required for the permanent facility.
 5. Must comply with applicable City, County, State, and/or Federal codes, rules, and policies (including but not limited to building, fire, health). Zoning codes for setbacks and landscaping may not apply.
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6. Tents and temporary signs must be secured in such a manner that they not pose a hazard for buildings, vehicles, and/or pedestrians.
 7. If selling from a car, truck, van, trailer, tent, etc., it must not be located in a manner

that blocks required building entrances/exits, ingress and egress, pedestrian and/or vehicular flow and visibility.

8. Must not be located in or on City owned property, including parkstrips and right-of-way, without written consent from the City or as part of a City sponsored event.
 9. Any facility structures, tents, trailers, vehicles, etc. must be removed within ten calendar days after the site approval expires. Temporary signs must be removed within 24 hours after the site approval expires.
- F. Semi-permanent business facilities shall be located on improved sites in CHD, CGD, CND, MXD zones with the following conditions:
1. Must provide a signed statement from the property owner or assigns that the business may occupy the space and has permission to use their utilities (other than culinary water and sewer), storm water facilities, and parking from the existing on-site or adjacent permanent facility. On-site or adjacent permanent facility must have enough parking to meet its requirements and excess to share with the semi-permanent business.
 2. Must have a separate culinary water connection as shown on the approved construction drawings for the development or as approved by the Public Works Director. If portable restroom(s) are used, a separate sewer connection will not be required.
 3. Must comply with applicable City, County, State, and/or Federal codes, rules, and policies (including but not limited to building, fire, and health). Must comply with zoning codes for setbacks and landscaping.
 4. Tents and temporary signs must be secured in such a manner that they not pose a hazard for buildings, vehicles, and/or pedestrians.
 5. Any structures, tents, trailers, debris, etc. must be removed within thirty calendar days after the site approval expires. Temporary signs advertising the business activity must be removed within 24 hours after the site approval expires.

10-8-8: Low Power Towers and Antennas for Radio Communication.

- A. This section addresses planning issues resulting from the rapid growth in demand for low-power radio services within the City. It distinguishes low-power radio from other broadcasting type telecommunication technologies and established provision relating to demand, visual mitigation, noise, engineering, residential impact, health, safety and facility siting. The requirements of this Section apply to both commercial and private low power radio services such as cellular or PCS (Personal Communication System) communications and paging systems (hereinafter referred to as "cellular facilities"). All

cellular facilities shall comply with the regulations set forth in this Section, other applicable ordinances of the City, and any pertinent State and Federal regulations including Federal Communications Commission and the Federal Aviation Administration.

B. Definitions:

1. Low-powered Radio Service. Communication systems which are not used for the broadcasting of information to the public but instead for communication purposes between individuals or entities via radio waves.
2. Personal Communication System. All forms of wireless communications which interconnect with the public switched telephone network.

C. All cellular facilities described herein shall be allowed as a conditional use subject to the conditions set forth in Section 10-3-5 of the Providence City Code. No other cellular facilities shall be allowed. A site plan is required as part of the conditional use application, see Providence City Code 10-8-5; except that when installing a stealth or monopole structure, the fenced area around the structure shall be considered the building for the ten-foot landscape requirement, not the structure or individual buildings within the fenced area. A minimum of one parking space and access drive will be required.

D. Wall-mounted antennas. A wall-mounted antenna is an antenna or series of individual antennas mounted against the vertical wall of a building. A wall-mounted antenna shall comply with the following development standards:

1. Wall-mounted antennas shall not extend above the roof line of the building more than four (4) feet.
2. Wall-mounted antennas may have a maximum area of forty (40) square feet, as determined by drawing straight lines between the outermost portions of the antenna until enclosed.
3. All equipment associated with the operation of the antenna shall be located within the structure to which the antenna is attached, or screened from public view.
4. If associated equipment is located on the ground, it shall be appropriately landscaped.
5. Whip antennas shall not be permitted.

E. Roof-Mounted Antennas. A roof-mounted antenna is an antenna or series of individual antennas mounted on a roof having less than or equal to a 3 – 12 pitch, mechanical

room, or penthouse of a building. A roof-mounted antenna shall comply with the following development standards:

1. A roof-mounted antenna shall be screened, constructed, and/or colored to match the structure to which it is attached.
2. A roof-mounted antenna shall be set back from the building edge one (1) foot for every one (1) foot of antenna height and shall not exceed fifteen (15) feet in height.

F. **Stealth-Fixture Antennas.** A stealth-fixture antenna is one or more antennas attached to a supporting structure which is disguised as part of the structure or otherwise concealed from public view as much as reasonably possible. A stealth antenna shall be subject to the following development standards:

1. A stealth-fixture antenna may be attached to an existing or replacement power pole or light pole or disguised as a flag pole, man-made tree, clock tower, steeple or structure used primarily for another use so long as any antenna located on the structure does not detract visually from the primary use.
2. When a stealth-fixture antenna is attached to an existing or replacement power pole or light pole the following conditions shall be met:
 - a. The antenna shall not exceed the height of an existing pole by more than:
 - ii. Ten (10) feet; or
 - iii. Twenty (20) feet and shall not be located closer to a residential zone boundary than two (2) times the height of the pole;
 - b. If a replacement pole is proposed, the pole shall be installed in the same location as the pole being replaced unless the Land Use Authority specifically approves a different location as provided in a conditional use permit; and
 - c.
 - i. any existing light or power pole located in a public right-of-way or in a required front or side yard shall not be increased in height to accommodate a cellular facility antenna; or
 - ii. Any replacement pole located in a public right-of-way or in a required front or side yard shall not be higher than the pole that it is replacing.
 - iii. Each installation shall be approved by the power utility company (or other utility company, as applicable), including approval and acceptance of any applicable agreements and payment of any required fees. Such approvals shall be received prior to final approval of a conditional use permit.

- iv. A structure to which a stealth fixture antenna is attached shall be designed by a state-certified engineer to verify that the structure can support the stealth fixture antenna.
 - v. The overall height of any structure proposed to be used for a stealth-fixture antenna shall be consistent with any similar structure being used as a model for the stealth structure. Except as otherwise provided in Subsection F.2.a.II. of this section stealth fixture shall be no more than ten (10) feet higher than the structure to which it is attached; provided the fixture and the structure to which it is attached is consistent with the character of similar structures located in the same area, as determined by the Land Use Authority. The Land Use Authority shall make specific findings to support its determination.
 - vi. A stealth fixture antenna, including the mounting structure, shall not exceed thirty (30) inches in diameter; provided, however, that antennas exceeding thirty (30) inches, including the mounting structure, may be permitted if the antenna is a stealth fixture antenna located on or within a clock tower, steeple, man-made tree, or other similar structure.
 - vii. Equipment and/or equipment shelters used in connection with stealth fixture antennas shall be camouflaged behind an effective year-round landscape buffer and/or wooden fence equal to the height of the proposed equipment. Equipment shelters shall not be located within a utility easement.
 - viii. Stealth-fixture antennas and all associated equipment visible to public view shall be painted to match the color of the structure to which it is attached.
 - ix. Electrical wiring shall be located within the pole whenever possible and shall be required when a metal replacement pole is provided.
- d. If a stealth-fixture antenna becomes obsolete or the structure to which it is attached is vacated by the operator of the cellular facility, then within ninety (90) days thereafter the cellular facility operator shall remove the antenna and all associated equipment and shall restore the structure to its original condition. If the requirements of this Subsection (d) are not met, the City shall have the right to enter the subject property and remove the equipment or pole at the expense of the cellular facility operator.

- e. A project plan application for a stealth-fixture shall include the following:
 - i. A letter from the applicant stating the applicant will conform to the requirements of Subsection (d) above; and
 - ii. Verification that the applicant owns the property where the stealth-fixture antenna is proposed to be located or a copy of a lease agreement with the property owner indicating the antenna may be located on the property.
 - f. If all the conditions set forth in this Subsection cannot be met, the requirements of Subsection G below shall apply.
- G. Monopole Structures. A monopole structure is a single pole that acts as the support structure for one (1) or more antennas for a cellular facility as provided in this Subsection.
1. A monopole structure shall comply with the following development standards:
 - a. All tower structures shall be of monopole construction. No lattice constructed towers of any kind shall be allowed.
 - b. All monopole structures shall be designed by a state-certified engineer to allow co-location of antennas owned by at least three (3) separate users on a single pole.
 - c. No monopole structure shall be located closer to a residential zone boundary than two (2) times the height of the monopole.
 - d. A monopole with antennas and antenna support structures shall not be located in a required front setback, front landscaped area, buffer area, or required parking area.
 - e. If a monopole antenna becomes obsolete, then within ninety (90) days thereafter the operator of the cellular facility shall remove the antenna, the top three (3) feet of antenna footing and all associated equipment, and shall restore the site to its original condition. If the requirements of this Subsection are not met, the City shall have the right to enter the subject property and remove the equipment at the expense of the cellular facility operator.
 - f. No monopole structure shall exceed 150 feet in height.
 2. An application for a monopole structure shall include the following:
 - a. A letter from the applicant stating that the applicant will conform to the requirements of Subsection e above, and that the monopole structure is capable of supporting co-located antennas; and
 - b. Verification that the applicant owns the property where the monopole structure is proposed to be located, or a copy of a lease agreement with

the property owner indicating the antenna may be located on the property.

3. Co-location on an existing monopole structure shall be a conditional use and shall be handled administratively.
- H. Temporary Monopole Structures. A temporary monopole structure may be allowed for a maximum of sixty (60) days subject to the following requirements:
1. A temporary monopole structure shall be located in a zone that allows for the placement of a monopole structure as a conditional use.
 2. An application shall be filed with the City for the placement of a permanent monopole structure prior to the placement of a temporary monopole structure.
 3. The placement of a temporary monopole structure shall meet the height requirement set forth in Subsection 10-8-8:G.1.f. of this Section.
 4. A bond in the amount of five hundred dollars (\$500.00) shall be posted to guarantee removal of a temporary monopole structure when:
 - a. A permanent monopole structure is constructed; or
 - b. Sixty (60) days have elapsed and a temporary monopole structure has not been removed. One fifteen (15) day extension may be granted to the sixty (60) day period if an applicant can reasonably demonstrate a need for additional time to complete construction of the monopole structure.
- I. Additional requirements.
1. Each cellular facility shall be considered as a separate use; and an annual business license shall be required for each such facility.
 2. In addition to the conditional use standards set forth in Section 10-3-5, the Land Use Authority shall make the following findings for any cellular facility subject to a conditional use permit:
 - a. That the proposed structure is compatible with the height and mass of existing building and utility structures;
 - b. That co-location of the antenna or other existing structures in the same vicinity such as other towers, buildings, water towers, utility poles etc. are possible without significantly impacting antenna transmission or reception;
 - c. That the antenna location blends with existing vegetation, topography and buildings;
 - d. That the location approval of monopoles will not create a detrimental impact to adjoining properties; and
 - e. That location of cellular facility will not interfere with existing transmission signals.

DRAFT 2

Providence City Code

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Title 10 Zoning Regulations

Chapter 8 Area Regulations and Parking Requirements

Amended (Ordinance No.s: 033-2004, 11/23/04; OM 004-2005, 01/18/05; 011-2009, 12/08/2009; 007-2010, 08/10/2010; 006-2011, 07/26/2011; Ord. 014-2012, 09/25/2012; Ord. No. 015-2013, 11/07/2013; 005-2014 09/23/2014; 2015-015, 06/09/2015; 2015-016, 06/23/2015)

ZONING

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 a modification approved in 2000. In 2009 the City approved a modification to include the Mixed Use District (MXD).

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)

When planning for commercial development, the City should consider the following characteristics for each commercial district:

District	Description
Mixed Use (MXD)	The Mixed Use District (MXD) is established to stimulate by

Commercial Neighborhood (CND)	<p>providing a unique planning environ which combines light commercial, office, and residential development in a pedestrian friendly manner. This district allows increased development on busier streets without fostering a strip commercial appearance. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City.</p> <p>The Commercial Neighborhood District (CND) is intended for small sites in or near residential neighborhoods. The district encourages the provision of small scale retail and service uses for nearby residential areas, and other uses which are small scale and have little impact. Uses are limited in size to promote a local orientation and to limit adverse impacts on nearby residential area. Development is intended to be compatible with the scale of surrounding residential areas. Parking area are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.</p>
Commercial General (CGD)	<p>The Commercial General District is intended to allow auto-accommodating commercial development. This district allows a full range of retail and service businesses. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in pedestrian areas. Development standards promote attractive development, and open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.</p>
Commercial Highway (CHD)	<p>The Commercial Highway District (CHD) is intended to promote full range of retail businesses. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in pedestrian areas. Non-retail uses are allowed but limited in size to ensure they do not dominate the character of the of the retail area.</p>

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.

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

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~~ 1000 South 300 East, 3rd north and 1st east West.
- 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.

10-4-6: Commercial Neighborhood District (CND)

- A. Purpose: To provide for small scale, day-to-day convenience shopping and services for residents of the immediate neighborhood.
1. The CND is intended for small sites in or near residential neighborhoods.
 2. The district encourages the provision of small scale retail and service uses for nearby residential areas, and other uses which are small scale and have little impact. Uses are limited in size to promote a local orientation and to limit adverse impacts on nearby residential area.
- B. Development Standards:
1. Development will be predominantly pedestrian-oriented, creating a traditional neighborhood character with the entrances of the structures facing public streets.
 2. Development is intended to be compatible with the scale of surrounding residential areas. Parking areas are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.
 3. Parking is not permitted between the structure and the street in a CND zone (except in a traditional driveway). CND is intended for neighborhood traffic and shall be designed at pedestrian scale.
 4. Landscaping buffers shall be provided between parking areas and adjacent residential properties. Additional landscaping may be required to buffer adjacent residential properties.
 5. For purposes of business identification the following sign types may be used: blade, ground, and monument. Ground and monument structures shall be no larger than 32 square feet. Animated signs are prohibited. A sign meeting the home business regulations may also be used.
 6. Amplified sound. See Title 4 Chapter 9 of the Code.
 7. Preservation of existing historic structures is encouraged.
- C. Procedure:
1. Changing to a CND zoning district. See Section 2.C of this Chapter.
 - a. A request for CND zoning shall also include a concept site plan and a market analysis which provides an analysis of supportable commercial space that verifies the demand for commercial use.
 - b. A CND development may occur in, and adjacent to, residential areas so long as it is compatible with, and makes a smooth transition to, the surrounding neighborhood.
 2. Site plan approval. The Administrative Land Use Authority (ALUA) shall be the land use authority for approval of site plans within the CND.
 - a. If the site is within the Historic Preservation District, the Historic Preservation Commission shall review the site plan and make recommendation to the ALUA.
 - b. The setback and lot size regulations of the surrounding residential zone shall be used to provide compatibility with the neighborhood.
 - c. CND shall be limited to parcels located at least 500 feet away from other CND zoned properties.
 - d. Ground floor (building(s) footprint) commercial areas shall be limited to 3,000 square feet.
 - e. See 10-8-5:A. for site plan requirements

This is not intended to be part of the code amendment. It is for reference information only.

10-4-2:C. *Changes: Changes in the boundaries of the zoning districts shall be made only by due process as set forth in Section 10-1-5 of this Title. (Zon.Ord., 5-8-1991)*

10-1-5: **AMENDMENTS, CHANGES:**

- A. *Zoning Title: Changes and amendments to this Zoning Title shall be done in accordance with State law¹.*
- B. *Zoning Change: Any change of zoning shall be by a vote of the City Council with at least three (3) Council members voting in favor of said change. Such action shall be taken only after a recommendation concerning such request for zoning change is received from the Planning and Zoning Commission or after the time for response has elapsed, after public notification, and after a public hearing is held in accordance with State law. (Zon. Ord., 5-8-1991)*

10-1-6: **NOTICE REQUIREMENTS:** (Ord. No. 004-2007, 01/23/2007; Ord. No. 001-2012, 04/10/2012)

- A. *Require Notice: At a minimum, the City shall provide actual notice or the notice required by state code, Title 10, Chapter 9a et.seq.*
- B. *Third Party (Adjacent Property Owners) Notice*
 - 1. *Unless otherwise required by Utah State Code, Providence City will require notice to be given to adjacent property owners of the adoption, modification, repeal or other action related to a land use ordinance. The City elects to provide notice to adjacent property owners as follows:*
 - a. *Mail notice to the record owner of each parcel; ~~or~~ and*
 - b. *Post notice on the property with a sign of sufficient size, durability, print quality, and location that is reasonably calculated to give notice to passer-by.*
 - 2. *For purposes of this section, "Adjacent Property Owner" means record owner of real property that shares a common boundary with the applicant's property or is separated by a public right-of-way or canal, stream, etc.*
- C. *Names and Address of Third Party Persons. In addition to any other information required from an applicant or petitioner under the provisions of the Land Use Ordinance, each applicant or petitioner shall submit to the municipality, with the required application or petition, a list stating the names and addresses of all owners of all relevant real property in order to the City to mail notice as set for in this ordinance. The cost of forwarding the notices may be charged to and collected from the applicant or petitioner.*

¹ U.C.A. §§ 10-9-402 and 10-9-403.

CHAPTER 6

USE REGULATIONS

SECTION:

10-6-1: Use Chart

10-6-2: Classification of New and Unlisted Uses

10-6-1: **USE CHART:** Land and buildings in each of the zoning districts may continue to be used, but no land shall herein after be used, and no building or structure shall hereinafter be erected, altered or converted which is arranged, designed or used for other than those uses specified for the district in which it is located as set forth by the following use chart and indicated by:

P = permitted use

C = conditional use permit required

X = special review required

I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area and:

- incidental to a single use (i.e.: a bank is incidental to retail business, not multiple businesses); and
- a department store, grocery store, health fitness center, or other retail business may have more than one incidental use associated with it; and
- the combined total of all incidental uses associated with a building may not exceed 12% of the gross square footage of the building or 6,000 sq ft whichever is less (administrative offices, restrooms, storage areas, and other enities necessary for the operation of the retail business are not considered incidental uses) ; and
- cannot be a stand alone building (an unoccupied drive through structure(s) and/or fueling pads will be counted as part of the 12% but not included in the 6,000 sq ft cap of the incidental use); and
- must share the same public entrance(s); and
- a permitted business is not considered an incidental use; and
- incidental use must have its own business license unless owned and operated by the primary retail business.

= not permitted (absence of symbol)

If a use is not specifically designated, it is prohibited.

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
A.	Residential Uses																
1	Single family, detached	P	P	P	P	P	P	P	P	P			C				P
2	Single family, attached					P	P	P		P	P	P					P
3	Dwelling, two family									P	P	P					P
4	Dwelling, three family									P	P	P					P
5	Dwelling, four family									P	P	P					P
6	Dwelling, multi-family											P					P
7	Manufactured/modular	P	P	P	P	P	P	P	P	P	P	P					P
8	Mobile/trailer home								P								
9	Secondary residential structure (OM 005-2005 01/13/04)	C	C		C												
10	Cluster development			C	C	C	C	C	C	C	C	C					C

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
11	Inner block development		C	C	C												C
12	Planned Unit Development	C	C	C	C	C		C	C	C	P	P					C
13	Bed & Breakfast	C	C	C	C	C							C	C			C
14	Hotel/motel											C	C	C			C
15	Lodging house								C	C	C	C	C				C
16	Residence for persons with disabilities		P	P	P	P	P	P	P	P	P	P					C
17	Residential facility for the aged		P	P	P	P	P	P	P	P	P	P					C
B.	Accessory/Incidental Uses																
1	Accessory building	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
2	Accessory dwelling unit	C	C		C	C	C										P
3	Accessory farm building	P	P	P	P	P											
4	Off street parking incidental to main use	P	P	P	P	P	P			P	P	P	P	P	P	P	P
5	Private swimming pool	P	P	P	P	P	P			P	P	P	P	P			P
C.	Governmental/Institutional/Special Services																
1	Church	P	P	P	P	P	P	P	P	P	P	P					
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	P														
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	P	P	I or C*		C										
5	Preschool	C^	P				C										
6	Public Park	P	P	P	P	P	P	P	P	P	P	P					P
	Private Lessons / public facility																C
7	Public School (OM 020-2004)	P	P	P	P	P	P	P	P	P	P	P					
8	Public building	P	P	P	P	P	P	P	P	P	P	P	P	P			P
D.	Utility and Related Service																
1	Electric substation	C	C														
2	Electric power plant	C															
3	Fire station	P	P	P	P	P	P	P	P	P	P	P	P	P			P
4	Gas meter station	P	P	P	P	P	P	P	P	P	P	P					
5	Irrigation supply	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower													C			C
8	Sewage/water pumping station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Telephone utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Public utilities, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Utility shop, storage and bldgs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Water treatment plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Water well reservoir or storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
E.	Professional Services																
1	Business office,	C^			P												

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
	medium impact												P				
2	Business office, low impact	P^	P			P											
3	Business office, general												C	P	I or C*	P	
4	Clinic, dental												C	P	I or C*	P	
5	Clinic, medical												C	P	I or C*	P	
6	Clinical Social Worker												C	P	I or C*	P	
7	Office for single physician, dentist, or chiropractor	C^	P		I or C*												
8	Licensed professional	C^	C	P	I or C*	P											
9	Mortuary	C^	C^	C^					C^	C^	C^	C^	C	P		P	
10	Optical shop	C^	C	P	I or C*	P											
11	Pharmacy	C^	C	P	I or C*	P											
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	C^	C^	C^	C^											
13	Private school, teaching	C^	C	P		P											
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	C^	C^	C^	C^	P										
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	C	P	I or C*	P											
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	C^	C^	C^	C^	P										
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	C^	C^	C^	C^	P										
15	Veterinarian^	C^	C^	C^					C^	C^	C^	C^	P	C		P	
													C				
F.	Retail/Related Uses																
1	Adult oriented business													C			
2	Food preparation, catering, etc	C^	P	P	P	P	C										
3	Bakery/Confectionery sales												P	P	P	P	
4	Barber/beauty shop	C^	P	P	P	P											
5	Book/Stationery Store												p	p	p	P	
6	Computer Store												p	p	p	P	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
7	Department store													p	p	P	
8	Florist Store												p	p	p	P	
9	Furniture Store													p	p	P	
10	Specialty Store/Shop	C^	P			P											
11	Grocery store	C^	p	p	p	P											
12	Hardware store													p	p	P	
13	Home & Garden store												p	p	p	P	
14	Laundry/dry cleaning store												p	p	p	P	
15	Liquor store (OM 015-2004)													p	p	P	
16	Music Store												p	p	p	P	
17	Paint Store													p	p	P	
	Pet Grooming	C^	P	P	P	P											
18	Pet Store												C	p	p	P	
19	Restaurant/fast food												p	p	p	P	
20	Shoe repair	C^	p	p	p	P											
21	Small appliance repair	C^	P	p	p	C											
22	Variety Store												p	p	p	P	
23	Commercial complex												p	p	p	P	
24	Shopping center													p	p	P	
25	Tire sales, retail (OM 001-002, 02/27/01)													c	P		
26	Yard sales on an occasional basis	P^															
G.	Commercial/Related Uses																
1	Auto Sales – New & Used (OM 016-2004 05/11/04)														P	P	
2	Auto Sales –Used (OM 016-2004 05/11/04)																
3	Auto wash												P	P	P		
4	Bank/financial													C	I or C*	P	
5	^^^Nondepository Financial Institutions													P	I or C*		
6	Building materials													P	P		
7	Dance hall												C	C	C		
8	Gasoline/petroleum storage (not bulk)	C	C	C	C								C	C	C		
9	Gasoline sales/service												P	P	P		
10	Fitness Center Commercial (Gym)												C	P	P	P	
11	Convenience store												P	P	P		
12	Night club																
13	Print shop/sales	C^					P	P	P	P							
14	Recreation/Entertainment													P	I or C*		
15	Research facilities	C^				P											
16	Theater													P	P	P	
17	Vehicle storage																
H.	Industry and Manufacturing																
1	Auto repair, paint and body shop																
2	Bldg maintenance & repair services																

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
3	Cabinet Shop																
4	Clothing Manufacturer																
5	Furniture Manufacturer																
6	General contractor yard																
7	HVAC shop/sales																
8	Ice cream plant																
9	Lumber yard														P		
10	Paint Shop													P			
11	Welding/machine Shop													C			
12	Wholesale outlet/storage and sales													P			
13	Light Manufacturing													C			
14	Motorcycle, Snowmobile, ATV, etc repair	C [^]															
I.	Agriculture and Related Uses																
1	Beekeeping 4 or less colonies	P [^] ^	P [^] ^	P [^] ^	P [^] ^	P [^] ^	P [^] ^	P [^] ^									
C ^{^^} 1A	Beekeeping More than 4 colonies	C [^] ^	C ^{^^} ^	C [^] ^													
2	Breeding or raising animals for sale, food, pleasure, or profit	P [^] ^															
3	Keeping dogs, cats, fish, or exotic caged birds	P [^] ^	P ^{^^} ^	P [^] ^	C	C	I	P									
4	Commercial crop production	P	P	P													
5	Dairy business	P [^] ^	P [^] ^	P [^] ^													
6	Feed lot	C															
7	Gardens and orchards for home use	P	P	P	P	P	P	P	P	P	P	P				P	
8	Ranch/farm production and operation	P	P														
9	Garden and greenhouse plants and produce for wholesale or retail sales OM-007-2006 05/23/2006	C [^]				P											

[^]Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

^{^^}Must conform to Title 5 Chapter 10 of this Code, Animal Regulation and Control.

^{^^^}Nondepository financial institutions are businesses that conduct transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act. Nondepository financial institutions shall be limited by the population of all residents in Providence City. The total population figures shall be based on the US Census Bureau's annual estimates. Only one nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

*The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the

- square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.
2. The project area is the approved preliminary plat.
 3. Incidental uses in the project area are not computed in the 15% limitation.
 4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

10-6-2: CLASSIFICATION OF NEW AND UNLISTED USES:

- A. Request; Referral: Requests for a new use or unlisted conditional use shall be referred to the Planning Commission chairperson for consideration by the Planning Commission. Applications for a new use and unlisted conditional use will be processed in accordance with the procedures listed in subsection 10-3-5:C of this Title to determine if such use should be permitted and added to the current list of approved uses. The Planning Commission shall forward to the City Council a recommendation to accept or reject the request. The Planning Commission shall also forward, with any recommendation for approval of a new use, the necessary ordinance amendments to implement the use.
- B. City Council Action: The City Council will approve or disapprove the recommendation. Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)

CHAPTER 15
SIGN REGULATIONS

SECTION:

- 10-15-1: Definitions
- 10-15-2: Permit Required
- 10-15-3: Application for permit
- 10-15-4: Fee for Permit
- 10-15-5: Permitted Signs; Table
- 10-15-6: Rules, Regulations and Requirements
- 10-15-7: Penalty
- 10-15-8: Illumination
- 10-15-9: Electronic Message Displays (EMD)

10-15-1: DEFINITIONS: As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

A-FRAME: A temporary or removable sign constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.

AWING SIGN: A roofed structure constructed of fabric, metal or other appropriate construction materials placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings in the building, with supports extending back to the building, supported entirely by the building.

BALLPARK ADVERTISING BANNER: A banner attached to an athletic facility fence or building which identifies and advertises the sponsor.

BEACON LIGHT:

- A. Any light with one or more beams, capable of being directed in any direction or directions, or capable of being revolved automatically; or
- B. A fixed or flashing high intensity light, such as a spotlight, a floodlight or a strobe light.

BILLBOARD: A freestanding, pay for use sign, erected for the purpose of advertising or promoting a product, event, person, etc.

BLADE SIGN: An attached sign oriented perpendicular to the face of the building which projects more than twelve inches (12") beyond the surface of the building to which it is affixed or supported.

BUSINESS SIGN: A sign identifying a commercial or industrial business on the same premises as the sign by name and/or logo. Business sign types are: ground, low-profile, nameplate, projecting, roof, wall, and billboard/on-premises signs.

ELECTRONIC MESSAGE BOARD: An electronic sign which flashes on or rolls a message across it about the services or products of the business and may also have the time and temperature displayed. The electronic message sign may be incorporated into a business sign, but may not increase that sign's maximum size or height. Electronic Message Signs will be allowed in

permitted zones only after receiving approval for a conditional use.(OM 014-2005)

FEATHER FLAG:	A banner (flag) on a single pole, designed to stay open and remain taut. Printed image may be single sided or double sided. Feather Flag may be posted for a period of not more than 60 days. Must be placed and secured in a manner that does not impede use of a sidewalk or travel path, and does not create a traffic hazard. Must have a minimum distance of twenty-five feet (25') between flags.
FLAT SIGN:	A sign erected parallel to and attached to the outside wall of a building. Signs flat against buildings or other structures will be allowed to extend two feet (2') above the roof lines or parapet walls of the building. When a building has more than one level, the wall on which the sign is installed will govern.
GROUND SIGN:	A sign supported by a fixed permanent frame or support in the ground with no support or guying from any building. Ground signs must be a minimum of twenty-four inches (24") in height.
HEIGHT – SIGN:	As applied to a sign, height shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and finished grade at the center of the base of the sign.
HEIGHT – LETTER/LOGO:	The height of each individual letter, logo, symbol, and/or icon in a sign.
HIGHWAY SIGN:	A sign along SR165 (and east along the north side of 100 North for a distance not to exceed twenty feet (20') from the Logan/Providence boundary on the north side of 100 North) identifying a commercial or industrial business on the same premises, or within the same development boundaries as shown on the approved preliminary plat, as the sign by name and /or products by name and/or logo. It may also include an electronic sign which flashes on or rolls a message across it. Highway signs must have sufficient clearance and/or setback for visibility so as not to create a safety hazard. (OM006-01; OM 011-2002).
HOME BUSINESS:	One unanimated, non-illuminated, flat, nameplate sign, having an area of not more than three (3) square feet. (OM98-019)
IDENTIFICATION SIGNS:	A sign displayed to indicate the name or nature of buildings, or industrial uses, located upon the same premises as the sign, i.e.: schools, hospitals, churches, etc.
ILLUMINATION:	The enhancement of a sign utilizing electric lights, luminous tubes or other similar means. <ul style="list-style-type: none">• Direct Illumination: Lighting by means of an unshielded light source (including neon tubing) which is effectively visible as part of the sign, where light travels directly from the source to the viewer's eye.• Indirect Illumination: Lighting by means of a light source which

is directed at a reflecting surface in such a way as to illuminate the sign from the front, or the entire building façade upon which the sign is displayed.

- Internal Illumination: Lighting by means of a light source which is within a sign having a translucent background silhouetting opaque letters or designs, or which is within letters or designs which are themselves made of translucent materials.
- Fluorescence: The emission of light by a substance that has absorbed light or other electromagnetic radiation; which produces a short-wave ultraviolet light that then causes a phosphor coating on the inside of the bulb to glow.
- Neon Lighting: Light consisting of brightly glowing, electrified glass tubes or bulbs that contain rarefied neon or other gases.

INFLATABLE:	Any device/object supported by heated air, forced air, or other gases for the purposes of drawing attention to a business.
MENU SIGNS:	Any display of all or part of a food service menu, or a summary thereof, in such a way that it is visible from the exterior of the building.
MONUMENT:	<p>Any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign includes a sign face and sign structure, and may also include a sign base and sign cap as described below:</p> <ul style="list-style-type: none">• Sign Base: The above-ground foundation of the sign, which includes the exposed concrete footing for the sign.• Sign Face: The surface of the sign in which the sign message is located.• Sign Structure: The structure surrounding the sign face.• Sign Cap: A part of the sign structure located above the sign face that is constructed of a different masonry material and/or extends horizontally from the rest of the sign structure.
NAMEPLATE SIGNS:	A sign erected parallel to and attached to the outside wall of a building indicating the name and/or occupation of a person or persons residing on the same premises or legally occupying the same premises, or indication a home business legally existing on the premises of the signs.
OFF-PREMISES:	A sign advertising merchandise, services, or businesses other than those available on the premises. A sign within the same development boundaries as shown on the approved preliminary plat, of the sign's location is not considered off-premises.
POLITICAL SIGN:	A sign used in behalf of a candidate for public office or in opposition to or in support of a ballot proposition as defined under section 20A-1-102 UCA. Political signs are considered expressions of freedom of speech. They must be placed on private property and must be placed so they do not obstruct the view of pedestrians or drivers of vehicles (motorized or non-motorized). Depending on the structure, a permit

may be required.

PROJECTING SIGN:	A sign attached to a building or other structure and extending in whole or in part more than twenty-four inches (24") beyond any wall of the building or structures. The sign may not project above the roof line or tallest part of the structure.
PROPERTY SIGN:	A sign related to the property upon which it is located and offering such property for sale or lease, or announcing improvements to the site during the construction of the project. Property signs may also be used to warn against trespassers.
ROOF TOP SIGN:	A sign attached to the roof top of any part of the structure. Roof top signs are not permitted.
SAIL BANNER: SIGN:	See Feather Flag. Every name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, light or insignia which directs attention to any object, project, service, place, activity, person, institution, organization, or business. The sign consists of the sign area and the sign structure.
SIGN AREA:	A two-dimensional area on a building or other permitted sign structure that is the area that encompasses the proposed sign in its entirety.
SIGN STRUCTURE:	The structure supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon a piece of land.
SERVICE SIGN:	A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots or location of the restrooms.
SNIPE SIGN:	A sign attached to a public utility pole, fixture poles, canopy supports, or the supports for another sign and attached by someone other than the pole or support owner or agent. Snipe signs are not permitted.
STREET BANNER SIGN:	A temporary fabric sign suspended across a City street. The Banner may only advertise a public service event.
STREET SIGN:	Signs used for traffic, including but not limited to: regulatory, directional, stop, speed limit, street closure, construction, etc.
TEMPORARY SIGN:	Any sign, banner, pennant, balloon or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed outdoors for a short period of time. Temporary signs may be posted for a period of not more than 30 days or until 24 hours after the event, whichever is shorter.

TEMPORARY IDENTIFICATION SIGN:	A sign displayed to indicate the name or nature of business, buildings, or industrial uses, located upon the same premises as the sign, i.e.: schools, hospitals, churches, etc. that may be a banner or pennant, constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed outdoors for short periods of time. Temporary identification signs may be displayed for a period of no more than 180 days.
WALKING ADVERTISERS:	Persons carrying or wearing portable advertising signs or costumes designed to advertise a business, event sale or season/holiday. The advertiser must remain on private property and not block the view or path or disrupt motorized or non-motorized vehicles, or pedestrians.
WALL SIGN:	A sign that is either painted on a wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing. (OM 12-233)
WIND SIGN:	A sign consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by the wind or breeze.
WINDOW SIGN:	A sign which is painted on, applied or attached to, or located within three feet (3') of the interior of a window; which sign can be seen through the window from the exterior of the structure.

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- 10-15-2: PERMIT REQUIRED: Unless otherwise provided in this Chapter, all signs erected, altered or relocated within the City shall require a sign permit prior to its erection, installation, alteration or relocation, and must be in compliance with the provisions of this Chapter.
- 10-15-3: APPLICATION FOR PERMIT: Forms for a sign permit will be available in the City office during regular business hours. (OM 12-233) The permit application shall contain the following:
- A. Site Plan. Sign permit applications must contain a site plan drawn to scale indicating the location of the proposed signage, existing signage, existing and future buildings, property lines, streets, sidewalks, landscaped areas, driveways and "clear view"(see Chapter 9 of this Title) areas on corners, driveways or intersections.
 - B. Sign Drawing. A drawing to scale indicating the type of sign, proposed sign dimensions, construction specifications, electrical components and wiring, method of attachment, and illumination specifications.
 - C. Elevation. An elevation drawing of existing and/or future buildings that will display the attached signage.
- 10-15-4: FEE FOR PERMIT: Sign permit applications will be reviewed according to a fee schedule established by resolution of the City Council and/or fees established by the International Building Code.
- 10-15-5: PERMITTED SIGNS; TABLE: The signs described in the table as provided in this Section shall be allowed within the provisions specified therein. Any sign not specifically permitted by this Chapter is

1 prohibited. Unless noted otherwise, the sign dimension regulations identified below are measured in
 2 linear feet.
 3

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max (Sq Ft)	Height Max Linear ft	Height Min Linear ft	Area Max (Sq Ft)	Height Max	Height Min				
A-Frame	8	4					CGD, CHD, CND, MXD	None	No	
Attached										
Awning	Note 1	12	8				CGD, CHD, CND, MXD	In	Yes	
Ballpark Advertising Banner				60			All PUB	No	No	
Billboard							None			
Blade	6		8				CGD, CHD, CND, MXD			
Business										
Electronic Message	40	14					CGD, CHD, CND, MXD	Pr	Yes	
Feather Flag		17		40	17		CGD, CHD, CND, MXD		No	
Flat (Note 2 and 5)	200	35					CGD, CHD, CND, MXD	In-FI-Ne	Yes	
Ground (Note 8)	160	14	2				CGD, CHD, CND, MXD	In-FI-Ne	Yes	
Highway (Note 6)	222	35					CGD, CHD	None	Yes	
Home Business	3						Residential and AG	None	No	
Identification	12	8					All	In-FI	Note 4	
Inflatable	Note 9			Note 9			CGD, CHD			
Low Profile	12	4	2				CGD, CHD, CND, MXD	In	Yes	
Menu	24	6					CGD, CHD, CND, MXD	Pr-In	Yes	
Monument (Note 7 and 8)	100	7					CGD, CHD, CND, MXD	In-FI-Ne-Pr	Yes	
Nameplate	4	8					All	None	No	
Off-Premises										
Political							All			
Projecting	16	14					CGD, CHD, CND, MXD	In-FI-Ne-Pr	Yes	
Property	32	8					All	None	No	
Roof							Non			
Service	18	8					All	In	Yes	
Street Banner										
Snipe							None			
Street Sign							All			
Temporary (Note 3)	32						All	None	No	
Temporary Identification	32	35					CGD, CHD, CND, MXD	None	Yes	
Tower										
Walking							CGD, CHD,			

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max (Sq Ft)	Height Max Linear ft	Height Min Linear ft	Area Max (Sq Ft)	Height Max	Height Min				
Advertisers							CND, MXD			
Wall	6	8					CGD, CHD, CND, MXD	In	Yes	
Wind		8					CGD, CHD			
Window							CGD, CHD, CND, MXD			
<p>Notes:</p> <ol style="list-style-type: none"> Width cannot exceed frontage of building. May not project above roof line. Temporary signs must be removed within 24 hours of event. Permit not required if no illumination Or 20% of building face, whichever is smaller. Must have a conditional use permit and not any closer than 500 foot intervals. 1 per street frontage with a maximum of 2 (separated by a minimum of 500 100 feet). When used in a CND zone, no larger than 32 square feet. 10 feet if tethered or attached so the inflatable stays on the ground, 50 feet if tethered or attached allowing the inflatable to float in the air. <p>Illumination Codes</p> <ol style="list-style-type: none"> Dir – Direct Fl – Fluorescence In – Indirect Int - Internal Ne – Neon Pr - Projection 										

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10-15-6: RULES, REGULATIONS, AND REQUIREMENTS:

- A. Animated, Flashing, Intermittent Signs: Animated, flashing and intermittent signs shall not be permitted in any zone, except when deemed necessary by the City for public safety. These signs are different that “electronic message signs” as defined in Section 1 of this Chapter.
- B. Construction Standards: All signs erected in the City shall comply with the current standards of the National Electrical Code, the International Building Code, and all the provisions of the Title.
- C. Illumination: Signs may be illuminated as indicated in the table provided in Section 5 of this Chapter; and shall be subject to the conditions listed in Section 8 of this Chapter.
- D. Maintenance: All signs shall be maintained in a neat and presentable condition. Those signs damaged by weather conditions or by accident shall be repaired within thirty (30) days or shall be replaced or removed. The removal of signs shall be at owner’s expense.
- E. Public Property: No sign shall be located on or in public property except signs for City sponsored events, regulatory and/or information street signs.
- F. Unsafe Signs: Any sign or portion thereof declared unsafe by the Building Inspector, or other designated City employee/official, must be restored to a safe condition within thirty (30) days of mailing or otherwise giving notice of the unsafe condition or shall be removed within the same thirty (30) day period.
- G. Holiday Decorations and Banners: Holiday decorations and banners placed by the City are not subject to the requirements of this Chapter, except that they are safe. Similar decorations and

1 banners placed by residents on private property are not subject to the requirements of this
2 Chapter except for the consideration for safety and shall not constitute a nuisance, and they shall
3 be entirely on private property.
4

- 5 H. Traffic Hazard: No sign shall be erected at the intersection of any streets in such a manner as to
6 obstruct free and clear vision; or at any location where by reason of the position, shape or color
7 it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal
8 or device or which makes use of the words "stop", "drive-in", "danger", or any other words,
9 phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
10 ~~(OM12-233)~~ Please see Chapter 9, Section 2 of this Title for obstruction of vision regulations.
11
- 12 I. Trip Hazard: To minimize trip hazards, all signs must be a minimum of twenty-four inches (24") in
13 height.
14
- 15 J. The following are not considered signs for the purpose of this Chapter: mail boxes, address
16 names and numbers, national and state flags (flag poles on residential properties shall be no
17 taller than thirty-five feet (35') in height).
18
- 19 K. Closure or Relocation of a Business, Institution, or Non-Profit Business/Organization: Business
20 signs must be removed within thirty (30) days after a business, institution, or non-profit
21 business/organization no longer exists at that location.
22

23 10-15-7: PENALTY, CONFISCATION OF SIGNS:

- 24 A. Penalty: Any person who fails to abide by the provisions of this Chapter shall be guilty of a Class C
25 misdemeanor and subject to penalty as provided in Title 1 Chapter 4 Section 1 of this Code.
26
- 27 B. Confiscation of Signs: The City Administrator, or designee, may confiscate any sign located on
28 public property in violation of this Chapter or any other City ordinance. Confiscated signs shall be
29 stored at a location determined by the City Administrator, or designee, for a period of thirty (30)
30 days; during which time, the owner or person having charge, control, or benefit of the
31 confiscated sign, may redeem the sign after payment of any applicable penalties. The City shall
32 not be liable for damages incurred to signs as a result of their confiscation. Signs not redeemed
33 within thirty (30) days may be destroyed.
34
- 35 C. Liable for Damages: In addition to civil penalties, sign owners and persons having charge, control
36 or benefit of any sign erected in violation of this Chapter shall be liable for any damages caused
37 to public property, public facilities or public utilities by reason of placement, attachment and/or
38 removal of such unlawful signs.
39

40 10-15-8: ILLUMINATION: Illuminated signs shall be subject to the following conditions:

- 41 A. Any direct light used for the illumination of a sign shall be shielded so that the beams or rays of
42 light will not shine directly onto surrounding areas.
43
- 44 B. Neither the direct nor the reflected light from any light sources shall create a traffic hazard or
45 distraction to operators of motor vehicles on public thoroughfares.
46
- 47 C. Signs in residential and agricultural zones shall be non-illuminated, unless illumination is clearly
48 required for safety purposes.
49
- 50 D. Signs in commercial zones may be illuminated, provided they do not shine directly into a
51 residential zone.

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2 E. Lights used for direct illuminated signs may extend from the sign a distance not to exceed five
3 feet (5'), provided such lights are shielded and are on private property.
4
5 F. Individual incandescent bulb illumination which is designed to be an integral part of a sign,
6 marquee, canopy, architectural projection, or building façade embellishment shall be permitted
7 as provided:
8 1. Frosted, translucent or diffused bulb: twenty-five (25) watt maximum per bulb;
9 2. Clear, transparent or bare bulb: seven and one-half (7 ½) watt maximum per bulb;
10 3. Such light shall not blink, flash, move, scintillate, flicker, vary in intensity or color or use
11 electrical pulsations, with the exception of those placed behind rigid, permanently
12 affixed translucent panels and are approved by conditional use. Time-temperature-date
13 signs incorporating the use of blinking lights shall also be permitted if a conditional use
14 permit is granted.
15
16 10-15-9: ELECTRONIC MESSAGE DISPLAYS (EMD): Electronic message displays shall conform to the
17 following:
18 A. EMD shall be allowed as part of a monument or freestanding sign in all commercial zones.
19
20 B. Permits shall be required for all EMD signs pursuant to Section 2 of this Chapter. Before a permit
21 is issued, the applicant must first obtain a conditional use permit.
22
23 C. Off premises advertising on an EMD is prohibited with the exception of public service
24 announcements.
25
26 D. Operators of EMD are encouraged to provide opportunities for the placement of public service
27 announcements on their message boards.
28
29 E. The minimum spacing between EMD signs shall be one hundred feet (100').
30
31 F. Autodimming is required.
32
33 G. The minimum time for sign messages shall be three (3) to five (5) seconds.
34
35 H. A maximum of fifty percent (50%) of the EMD sign may be dedicated to electronic messaging.
36
37 I. EMD signs facing residential housing units shall not be placed such that the housing unit falls
38 within an area formed by an arc projecting from the face of the sign at an angle of fifteen
39 degrees (15°) and extending a distance of three hundred feet (300') in the direction of the
40 projection.
41
42 J. EMD monument signs are not to exceed six feet (6') in height and the base shall not exceed two
43 feet (2') in height.
44
45 K. Prohibited transitions:
46 1. Flashing.
47 2. Travel.
48 3. Scroll
49 4. Video
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51 L. Permitted transitions:

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1. Dissolve.
2. Fade.
3. Frame.
4. Animation, six (6) second maximum.

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