

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
November 18, 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 October 28, 2015.

Public Hearing (6:00 p.m.): The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposed code amendments 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; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

Action Items:

Item No. 1. Code Amendments: The Providence City Planning Commission will consider, for recommendation to the City Council, proposed code amendments 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; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

Workshop:

Item No. 1. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the definitions for zoning districts. The uses listed in Providence City Code Title 10-6-1. Use Chart will also be discussed.

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 November 12, 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 **October 28, 2015 6:00 pm**

5
6 Chairman Pro Tem: Heather Hansen

7 Attendance: Kirk Allen, Bill Baker, Wendy Simmons

8 Excused: Larry Raymond, Robert James, Barry Nielsen

9
10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of October
12 14, 2015.

13 **Motion to approve the minutes: B Baker, second – K Allen**

14 **Vote: Yea: K Allen, B Baker, W Simmons**

15 **Nay: None**

16 **Abstained: H Hansen**

17 **Excused: L Raymond, R James, B Nielsen**

18
19 **Action Items:**

20 **Item No. 1. Final Plat:** The Providence City Planning Commission will consider for approval a final plat
21 for Providence Professional Condominium, a 3 unit business condominium located in the building at 65
22 North Gateway Drive.

- 23 • K Allen felt there were concerns about who would be responsible to take care of landscaping for
24 the building.
- 25 • S Bankhead said the doorways, restrooms and stairs are labeled. This final plat meets the
26 building code and fire code requirements. The association for the condos will take care of
27 landscaping and utility billing. The building is already built and is near receiving the Certificate of
28 Occupation. Because this is condos, there will be separate tax ID's for each condo.

29 **Motion to approve the final plat for Providence Professional Condominium: W Simmons, second – K
30 Allen**

31 **Vote: Yea: K Allen, H Hansen, W Simmons**

32 **Nay: None**

33 **Abstained: B Baker**

34 **Excused: L Raymond, R James, B Nielsen**

35
36 **Study Items:**

37 **Item No. 1. Proposed General Plan Amendments:** The Providence City Planning Commission will discuss
38 possible amendments for the zoning element of the Providence City general plan; including the zoning
39 districts for future annexation and future rezone of existing districts.

- 40 • H Hansen said when she first started working on this project, she was unfamiliar with the code.
41 Her intention was not to expand densities for residential zones. She requested continuing this
42 item to next meeting when more commissioners are going to be present.
- 43 • K Allen wondered if redefining zones was necessary.
- 44 • H Hansen said there was a need to evaluate each zone and there weren't definitions for a lot of
45 the zones in the city.
- 46 • S Bankhead said the point was to have policy statements in the general plan about different
47 zones.
- 48 • K Allen felt the policy statement for each zone was stated in the use chart. He felt the use chart
49 was what needed work, then the Use chart could be used as a template for the current zone.

- H Hansen also felt the Use Chart needs to be addressed.
- S Bankhead said the general plan needs to be updated. She feels the General Plan needs policy statements because often it is vague.
- H Hansen suggested studying the use chart before the general plan is finalized.

Motion to continue the discussion on the general plan, the definitions and the use chart to make sure they are all consistent with each other: B Baker, second – K Allen

Vote: Yea: K Allen, B Baker, H Hansen, W Simmons

Nay: None

Abstained: None

Excused: L Raymond, R James, B Nielsen

- W Simmons suggested November’s meeting be a work session to review the use chart, the general plan and the definitions.

Item No. 2. 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.

- S Bankhead said this was supposed to go to public Hearing on November 18. However, since there has been so much time spent on this and it hasn’t moved forward, she thought it might be a good idea to recommend taking CND out of the use chart.
- H Hansen also felt it should be taken out of the general plan. It seems the commissioners have had a difficult time coming to a consensus on this item. She felt that may be due to the fact that this is not the time for Providence City to have CND.
- K Allen felt the residential codes should be addressed and enforced before adding to CND. Grandfathered businesses will be left alone, but other code violations need to be cleaned up before businesses are added to residential neighborhoods.
- B Baker said the CND neighborhoods he has seen in other cities seem to overtake the residential part of the CND.
- K Allen also feels it would encroach on the neighborhoods.
- S Bankhead said this will require a public hearing. It can be done on November 18th.

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

- No staff reports.

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

- No commission reports.

Motion to adjourn: B Baker, second – W Simmons

Vote: Yea: K Allen, B Baker, H Hansen, W Simmons

Nay: None

Abstained: None

Excused: L Raymond, R James, B Nielsen

Meeting adjourned at 6:50 pm.

Minutes prepared and prepared by C Craven.

Heather Hansen, Chairman Pro Tempore

Caroline Craven, Secretary



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435)753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Code Amendment

Applicant: Providence City

Project Description: Proposed code amendments 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; and a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

Hearing Date: November 18, 2015

Hearing Time: 6:00 p.m.

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on the proposed code amendments, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): Friday, November 6, 2015

Posting Date: 11/04/2015

Posting Locations:

1. Providence City Office Building, 15 South Main
2. Also posted on www.providencacity.com and the Utah Public Notice Website

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

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 enmities 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				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
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	P
5	Private swimming pool	P	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	C		P	
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																
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^ ^	P^ ^								
C^^ 1A	Beekeeping More than 4 colonies	C^ ^	C^^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^								
2	Breeding or raising animals for sale, food, pleasure, or profit	P^ ^	P^ ^	P^ ^	P^ ^	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 1 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)

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.

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

District	Description
Single Family Estate	1 acre minimum lot size - is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. This district is intended to protect the natural scenic character of the area by limiting development and to protect wildlife habitat. Farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural areas

and to maintain a rural component of the City.

Single Family Large 0.5 acre [minimum lot size] – is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. Limited farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural area and to maintain a rural component of the City.

Single Family Traditional Residential 12,000 sq. feet [minimum lot size] – is established to provide areas for low density single-family housing without farm animal uses. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.

Single Family Residential Medium Density 10,000 sq. feet [minimum lot size] – is established to provide areas for medium density single-family housing in the City. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.

Single Family High Density 6,000 sq. feet [minimum lot size] – is established to provide for higher density residential developments such as, small lot single-family and multi-family infill developments. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Single Family Mobile Home 5,000 sq. feet [minimum lot size] – is established to provide for mobile home developments. Mobile homes are prohibited in all other districts. Mobile homes must meet the building code standard of construction in order to be established in this zone.

Multi-family 10,000 [sq. feet minimum lot size] – is established to provide

Residential Density	an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.
Multi-family Medium Density	Is established to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum of thirty-five feet (35'). This district is appropriate in areas where the applicable master plan policies recommend a density of less than thirty (30) dwelling units per acre.
Multi-family High Density	Is established to provide an environment suitable for high density multi-family dwelling. This district is appropriate in areas where the applicable master plan policies recommend a maximum density less than eighty-five (85) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

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 providing a unique planning environ which combines light commercial, office, and residential development in a pedestrian friendly manner. This district allows increased

Commercial Neighborhood (CND)	<p>development 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 300 South to USU property and both on the east and west side of Hwy 165, and designate for commercial.

District	Description
Single Family Estate	1 acre minimum lot size - is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. This district is intended to protect the natural scenic character of the area by limiting development and to protect wildlife habitat. Farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural areas and to maintain a rural component of the City.
Single Family Large	0.5 acre [minimum lot size] – is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. Limited farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural area and to maintain a rural component of the City.
Single Family Traditional Residential	12,000 sq. feet [minimum lot size] – is established to provide areas for low density single-family housing without farm animal uses. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.
Single Family Residential Medium Density	10,000 sq. feet [minimum lot size] – is established to provide areas for medium density single-family housing in the City. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.
Single Family Medium Density	8,000 sq. feet [minimum lot size] – is established to provide areas for medium density single-family housing in the City. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.
Single Family High Density	6,000 sq. feet [minimum lot size] – is established to provide for higher density residential developments such as, small lot single-family and multi-family infill developments. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and

	compatible development patterns and to preserve the existing character of the neighborhood.
Single Family Mobile Home	5,000 sq. feet [minimum lot size] – is established to provide for mobile home developments. Mobile homes are prohibited in all other districts. Mobile homes must meet the building code standard of construction in order to be established in this zone.
Multi-family Residential Density	10,000 [sq. feet minimum lot size] – is established to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen (7.25) dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.
Multi-family Medium Density	Is established to provide an environment suitable for a variety of moderate density housing types, including single-family , two-family, and multi-family dwellings with a maximum of thirty-five feet (35'). This district is appropriate in areas where the applicable master plan policies recommend a density of less than thirty (30) 12 dwelling units per acre.
Multi-family High Density	Is established to provide an environment suitable for high density multi-family dwelling. This district is appropriate in areas where the applicable master plan policies recommend a maximum density less than eighty-five (85) of 18 dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

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	
2	Accessory dwelling unit	€	€		€	€	€									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		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	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	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	C		P	
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																
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																
10	Paint Shop														P		
11	Welding/machine Shop														P		
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^ ^	P^ ^								
C^^ 1A	Beekeeping More than 4 colonies	C^ ^	C^^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^								
2	Breeding or raising animals for sale, food, pleasure, or profit	P^ ^	P^ ^	P^ ^	P^ ^	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 1of 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)