Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
January 27, 2016
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 January 13, 2016.

Study Items:
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.
Item No. 2. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning Commission will consider code amendments to the Use Chart including but not limited to adding the words "counter top or" before the words "cabinet shop" in Item H. Industry and Manufacturing, Use 3.
Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will consider a code amendment adding Chapter 6 Condominium Approval to Providence City Code Title 11 Subdivision Regulations.

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 January 26, 2016.

Skarlet Bankhead
City Recorder

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

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

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

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

Providence City Planning Commission Minutes
Providence City Office Building
15 South Main, Providence UT 84332
January 13, 2016 6:00 pm

Chairman Pro Tem: Heather Hansen
Attendance: Heather Hansen, Robert James, Wendy Simmons
Alternates: Barry Nielsen
Excused: Bill Baker, Larry Raymond

Approval of the Minutes:
Item No. 1. The Providence City Planning Commission will consider for approval the minutes of December 9, 2015.
Motion to approve the minutes of December 9, 2015: R James, second – B Nielsen

Vote:	**Yea:**	**H Hansen, R James, B Nielsen**
	Nay:	**None**
	Abstained:	**None**
	Excused:	**B Baker, L Raymond**

Study Items:
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.

SFE:

- R James asked the purpose of a SFE zone versus a SFL. The SFE has a one acre minimum and the SFL has approximately a half acre minimum. Since there are only minimal areas designated SFE, he wonders if it is worth putting a lot of time into this zone. There is minimal land that can be annexed and he felt what does come in will not be zoned SFE. He feels SFE should not be used any longer.
- J Drew felt slope areas might make it difficult to eliminate SFE, but it was pointed out to him that lots can go larger to accommodate slopes; they just can't go smaller than one acre in SFE.
- R James feels at some future point the Planning Commission should recommend to the City Council to not use SFE.

SFL:

- R James said SFL is identical to SFE, except that SFL does not include protecting natural scenic character and wildlife.
- R James asked for clarification on cluster development.
- S Bankhead said it's when a developer clusters homes in one condensed area to allow for green space. Density may stay the same, but lot sizes may be smaller to allow for the green space. It is a conditional use.
- H Hansen asked about secondary residential structures being allowed in SFL.
- S Bankhead said it increases density if you allow two homes on one lot.
- R James thought it was a little odd that it was allowed in SFL but allowed in SFT. He and Heather felt is should be taken off SFT and perhaps added to SFL.
- H Hansen thought it was something to consider with cost of homes going up.
- B Nielsen also felt it was okay in SFL but not on SFT.
- H Hansen asked about rental rules, accessory dwelling units and secondary residential structures.
- S Bankhead if it is something the Commission wants to allow, she will email the ordinance on accessory dwelling units. An accessory dwelling unit is another dwelling unit within the main residential structure and the secondary residential structure is a second dwelling unit on one lot. An accessory dwelling unit requires the owner of the home to occupy one of the units. New accessory dwellings are currently not allowed.
- H Hansen felt residential facility for the aged should be a conditional use rather than a permitted use.
- S Bankhead said that is a fair housing issue and has to meet state requirements. If a person were to do this as a business, they would still be required to get a business license with all that entails.
- H Hansen had a question about private lessons/public facility.

- S Bankhead said this is about using the parks for private tennis lessons or batting lessons, etc. It was written to prevent people from using the courts/parks and tying them up.
- H Hansen asked why Radio/Cell Phone Tower was only allowed in CGD and Public. She asked why it was not allowed in any other zone.
- S Bankhead said this is because people are worried about having cell towers near their homes. This ordinance restricts them to parks, and in the commercial general district. It could be allowed in agricultural. The tower could be located in such an area that it wouldn't have impact on neighbors. This should be itemized as a conditional use, not a permitted use.
- R James felt it would make sense to allow it in the Commercial Highway District, but not in residential zones.
- The Commission will recommend to the City Council to take mortuaries out of SFL.
- H Hansen felt if accessory buildings are allowed in SFE, then most of the items under Industry/Manufacturing should be allowed as a conditional use for a home business.
- J Drew felt the nature of a small business owner is to grow the business and make it profitable. That may, at some point, pose a problem for neighbors if the business starts to impact the neighborhood.
- R James felt service operation businesses are different than industry/manufacturing businesses. Motorcycle, snowmobile, ATV, etc. repair is allowed but, auto repairs are not. That needs to be addressed.
- There was discussion about which businesses under Industry and Manufacturing should be allowed and which businesses shouldn't be allowed.
- B Nielsen commented that SFL abuts the deer fence and the city may not want manufacturing up there encroaching on the natural habitats.

Item No. 2. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning Commission will consider code amendments to the Use Chart including but not limited to adding the words "counter top or" before the words "cabinet shop" in Item H. Industry and Manufacturing, Use 3.

- H Hansen asked why this is a discussion item.
- S Bankhead said this was a request from the city attorney for clarification and for which zones it will be allowed in.
- R James felt it needs to be allowed.
- There was extensive discussion about itemizing versus not itemizing certain businesses listed under Industry and Manufacturing.
- Chris Checketts commented that the city has a limiting factor of not having more than four employees. More than four would require a move to the commercial business.
- The commission agreed that countertops should have its own line item.
- S Bankhead suggested listing them together as a line item, and also listing them on their own line items. Same with auto repair, paint and body shop. However, that may present a problem with business licensing.
- Auto repair and auto paint and body shop will be on separate line items.

Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will consider a code amendment adding Chapter 6 Condominium Approval to Providence City Code Title 11 Subdivision Regulations.

- This item will be continued to next meeting.

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: R James, second – B Nielsen

Vote:	**Yea:**	**H Hansen, R James, B Nielsen**
	Nay:	**None**
	Abstained:	**None**
	Excused:	**B Baker, L Raymond**

Minutes recorded and prepared by C Craven.

1 Heather Hansen, Chairman Pro Tem Caroline Craven, Secretary

DRAFT

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 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 following residential zones are intended to represent the standard for residential development in the City. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The City should consider the following characteristics for each residential district:

District	Description
Agricultural	5 acre minimum lot size – is established to provide area to

	protect farmland and farming activities from incompatible nonfarm uses, while preserving the rural and semi-rural character of the City.
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~~ Livestock 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~~ livestock 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 Traditional ~~Residential~~	12,000 sq. feet [minimum lot size] – is established to provide areas for low density single-family housing ~~without farm animal uses~~. Horticultural uses may be incorporated. Very limited livestock uses may be incorporated. ~~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~~ moderate 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.
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 7.25 or 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 height of thirty-five feet (35'). This district is appropriate in areas where the applicable master plan policies recommend a density of 12 or 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 of 18 ~~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 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.
~~Commercial Neighborhood (CND)~~	~~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.~~
Commercial General (CGD)	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.
Commercial Highway (CHD)	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.

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.

Agricultural:

General Plan Policy: established to provide area to protect farmland and farming activities from incompatible nonfarm uses, while preserving the rural and semi-rural character of the City.

Area Requirements:

Min. lot area, square feet	5 ac	*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)	150	
Min. lot area increase ea. add'l unit, square feet	5 ac	
Max. unites / ac excluding ROW, infrastructure^	0.2	**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Setbacks		
Principal uses	25	##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Front yard, ft.	25	
Side yard, interior	25	
Side yard, Street (OM 33-2004)	25	###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Rear yard	25	
		^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Detached Accessory Uses		
Front yard, ft.	25	
Side yard, interior	10	^^Lots of record for twin homes are limited to 20% of total lots in development.
Side yard, street	20	
Rear yard	10	
		^^^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.
Distance between residential structures on same lot	20	
Height		
Principal Use, Max. hgt. ft.	35	^^^^See subsection 10-9-2
Accessory Use, ft. max.	35	
Principal Use, ft. min.	10	
Fences – non-game (max. height)		
Front yard, ft.	4	
Side yard, interior	8	
Side yard, street	6^^^^	
Rear yard	8	
Fences – game		
Front yard, ft.	Not allowed	
Side yard, interior	8	
Side yard, street	8^^^^	
Rear yard	8	

		AGR	
A.	**Residential Uses**		
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached		
3	Dwelling, two family		
4	Dwelling, three family		
5	Dwelling, four family		
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)	C	
10	Cluster development		
11	Inner block development		
12	Planned Unit Development	~~C~~	
13	Bed & Breakfast	C	
14	Hotel/motel		
15	Lodging house		
16	Residence for persons with disabilities		
17	Residential facility for the aged		
B.	**Accessory/Incidental Uses**		
1	Accessory building	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.
2	Accessory dwelling unit		
3	Accessory farm building	P	
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	**Governmental/Institutional/Special Services**		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	~~P~~	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	**Utility and Related Service**		
1	Electric substation	C	
2	Electric power plant	C	
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower	P	
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	
13	Water well reservoir or storage tank	P	
E.	**Professional Services**		
1	Business office, medium impact	C^	
2	Business office, low impact	P^	
3	Business office, general		

		AGR	
4	Clinic, dental		
5	Clinic, medical		
6	Clinical Social Worker		
7	Office for single physician, dentist, or chiropractor	C^	
8	Licensed professional	C^	
9	Mortuary	C^	
10	Optical shop	C^	
11	Pharmacy	C^	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	
13	Private school, teaching	C^	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	
15	Veterinarian^	C^	
F.	**Retail/Related Uses**		
1	Adult oriented business		
2	Food preparation, catering, etc	C^	
3	Bakery/Confectionery sales		
4	Barber/beauty shop	C^	
5	Book/Stationery Store		
6	Computer Store		
7	Department store		
8	Florist Store		
9	Furniture Store		
10	Specialty Store/Shop	C^	
11	Grocery store	C^	
12	Hardware store		
13	Home & Garden store		
14	Laundry/dry cleaning store		
15	Liquor store (OM 015-2004)		
16	Music Store		
17	Paint Store		
	Pet Grooming	C^	
18	Pet Store		
19	Restaurant/fast food		
20	Shoe repair	C^	
21	Small appliance repair	C^	
22	Variety Store		
23	Commercial complex		
24	Shopping center		
25	Tire sales, retail (OM 001-002, 02/27/01)		
26	Yard sales on an occasional basis	P^	
G.	**Commercial/Related Uses**		
1	Auto Sales – New & Used (OM 016-2004 05/11/04)		
2	Auto Sales –Used (OM 016-2004 05/11/04)		

		AGR	
3	Auto wash		
4	Bank/financial		
5	^^^Nondepository Financial Institutions		
6	Building materials		
7	Dance hall		
8	Gasoline/petroleum storage (not bulk)	~~C~~	
9	Gasoline sales/service		
10	Fitness Center Commercial (Gym)		
11	Convenience store		
12	Night club		
13	Print shop/sales	C^	
14	Recreation/Entertainment		
15	Research facilities	C^	
16	Theater		
17	Vehicle storage		
H.	**Industry and Manufacturing**		
1	Auto repair, paint and body shop		
2	Bldg maintenance & repair services		
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		
11	Welding/machine Shop		
12	Wholesale outlet/storage and sales		
13	Light Manufacturing		
14	Motorcycle, Snowmobile, ATV, etc repair	C^	
I.	**Agriculture and Related Uses**		
1	Beekeeping 4 or less colonies	P^^	
1A	Beekeeping More than 4 colonies	C^^	
2	Breeding or raising animals for sale, food, pleasure, or profit	P^^	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^	
4	Commercial crop production	P	
5	Dairy business	P^^	
6	Feed lot	C	
7	Gardens and orchards for home use	P	
8	Ranch/farm production and operation	P	
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	
10	Gasoline/petroleum storage (not bulk)	C	

Single Family Estate:

General Plan Policy: 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. Livestock 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.

Area Requirements:

Min. lot area, square feet	1 ac
Min. lot width (measured at setback line)	120
Min. lot area increase ea. add'l unit, square feet	1 ac
Max. unites / ac excluding ROW, infrastructure^	1
Max. lot area per ea. twin home, square feet^^	
Min. lot width, each unit (measured at setback line)	
Setbacks	
Principal uses	
Front yard, ft.	^^^
Side yard, interior	20
Side yard, Street (OM 33-2004)	20
Rear yard	^^^
Detached Accessory Uses	
Front yard, ft.	30
Side yard, interior	5
Side yard, street	20
Rear yard	5
Distance between residential structures on same lot	10
Height	
Principal Use, Max. hgt. ft.	35
Accessory Use, ft. max.	35
Principal Use, ft. min.	10
Fences – non-game (max. height)	
Front yard, ft.	4
Side yard, interior	6
Side yard, street	6^^^^
Rear yard	6
Fences – game	
Front yard, ft.	Not allowed
Side yard, interior	8
Side yard, street	8^^^^
Rear yard	8

*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.

**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.

***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.

##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.

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

^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

		SFE	
A.	**Residential Uses**		
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached		
3	Dwelling, two family		
4	Dwelling, three family		
5	Dwelling, four family		
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)	C	
10	Cluster development		
11	Inner block development	C	
12	Planned Unit Development	C	
13	Bed & Breakfast	C	
14	Hotel/motel		
15	Lodging house		
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	**Accessory/Incidental Uses**		
1	Accessory building	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.
2	Accessory dwelling unit		
3	Accessory farm building	P	
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	**Governmental/Institutional/Special Services**		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	**Utility and Related Service**		
1	Electric substation	C	
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower		
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	
13	Water well reservoir or storage tank	P	
E.	**Professional Services**		
1	Business office, medium impact	C^	
2	Business office, low impact	P^	

		SFE	
3	Business office, general		
4	Clinic, dental		
5	Clinic, medical		
6	Clinical Social Worker		
7	Office for single physician, dentist, or chiropractor	C^	
8	Licensed professional	C^	
9	Mortuary	C^	
10	Optical shop	C^	
11	Pharmacy	C^	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	
13	Private school, teaching	C^	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	
15	Veterinarian^	C^	
F.	**Retail/Related Uses**		
1	Adult oriented business		
2	Food preparation, catering, etc	C^	
3	Bakery/Confectionery sales		
4	Barber/beauty shop	C^	
5	Book/Stationery Store		
6	Computer Store		
7	Department store		
8	Florist Store		
9	Furniture Store		
10	Specialty Store/Shop	C^	
11	Grocery store	C^	
12	Hardware store		
13	Home & Garden store		
14	Laundry/dry cleaning store		
15	Liquor store (OM 015-2004)		
16	Music Store		
17	Paint Store		
	Pet Grooming	C^	
18	Pet Store		
19	Restaurant/fast food		
20	Shoe repair	C^	
21	Small appliance repair	C^	
22	Variety Store		
23	Commercial complex		
24	Shopping center		
25	Tire sales, retail (OM 001-002, 02/27/01)		
26	Yard sales on an occasional basis	P^	
G.	**Commercial/Related Uses**		
1	Auto Sales – New & Used (OM 016-2004 05/11/04)		

		SFE	
2	Auto Sales –Used (OM 016-2004 05/11/04)		
3	Auto wash		
4	Bank/financial		
5	^^^Nondepository Financial Institutions		
6	Building materials		
7	Dance hall		
8	Gasoline/petroleum storage (not bulk)	C	
9	Gasoline sales/service		
10	Fitness Center Commercial (Gym)		
11	Convenience store		
12	Night club		
13	Print shop/sales	C^	
14	Recreation/Entertainment		
15	Research facilities	C^	
16	Theater		
17	Vehicle storage		
H.	**Industry and Manufacturing**		
1	Auto repair, ~~paint and body shop~~		
	Paint and body shop		
2	Bldg maintenance & repair services		
3	~~Counter top or~~ Cabinet Shop		
	Counter top		
4	Clothing Manufacturer		
5	Furniture Manufacturer		
6	General contractor yard		
7	HVAC shop/sales		
8	Ice cream plant		
9	Lumber yard		
10	Paint Shop		
11	Welding/machine Shop		
12	Wholesale outlet/storage and sales		
13	Light Manufacturing		
14	Motorcycle, Snowmobile, ATV, etc repair	C^	
I.	**Agriculture and Related Uses**		
1	Beekeeping 4 or less colonies	P^^	
1A	Beekeeping More than 4 colonies	C^^	
2	Breeding or raising animals for sale, food, pleasure, or profit	P^^	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^	
4	Commercial crop production	P	
5	Dairy business	P^^	
6	Feed lot		
7	Gardens and orchards for home use	P	
8	Ranch/farm production and operation	P	
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	

Single Family Large:

General Plan Policy: established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. Limited livestock 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.

Area Requirements:

Min. lot area, square feet	20,500	*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)	100	
Min. lot area increase ea. add'l unit, square feet	No add'l units	
Max. unites / ac excluding ROW, infrastructure^	2.13	**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		
		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Setbacks		
Principal uses		
Front yard, ft.	^^^	##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Side yard, interior	10	
Side yard, Street (OM 33-2004)	20	
Rear yard	^^^	
		###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Detached Accessory Uses		
Front yard, ft.	30	
Side yard, interior	5	^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Side yard, street	20	
Rear yard	5	
Distance between residential structures on same lot		^^Lots of record for twin homes are limited to 20% of total lots in development.
Height		^^^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.
Principal Use, Max. hgt. ft.	35	
Accessory Use, ft. max.	35	
Principal Use, ft. min.	10	
Fences – non-game (max. height)		^^^^See subsection 10-9-2
Front yard, ft.	4	
Side yard, interior	6	
Side yard, street	6^^^^	
Rear yard	6	
Fences – game		
Front yard, ft.	Not allowed	
Side yard, interior	8	
Side yard, street	8^^^^	
Rear yard	8	

		SFL	
A.	**Residential Uses**		
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached		
3	Dwelling, two family		
4	Dwelling, three family		
5	Dwelling, four family		
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)	C	
10	Cluster development	C	
11	Inner block development	C	
12	Planned Unit Development	C	
13	Bed & Breakfast	C	
14	Hotel/motel		
15	Lodging house		
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	**Accessory/Incidental Uses**		
1	Accessory building	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.
2	Accessory dwelling unit		
3	Accessory farm building	P	
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	**Governmental/Institutional/Special Services**		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	**Utility and Related Service**		
1	Electric substation		
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower		
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	
13	Water well reservoir or storage tank	P	
E.	**Professional Services**		
1	Business office, medium impact	C^	
2	Business office, low impact	P^	
3	Business office, general		
4	Clinic, dental		
5	Clinic, medical		
6	Clinical Social Worker		
7	Office for single physician, dentist, or chiropractor	C^	
8	Licensed professional	C^	

		SFL	
9	Mortuary	~~C^~~	
10	Optical shop	C^	
11	Pharmacy	C^	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	
13	Private school, teaching	C^	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	
15	Veterinarian^	C^	
F.	**Retail/Related Uses**		
1	Adult oriented business		
2	Food preparation, catering, etc	C^	
3	Bakery/Confectionery sales		
4	Barber/beauty shop	C^	
5	Book/Stationery Store		
6	Computer Store		
7	Department store		
8	Florist Store		
9	Furniture Store		
10	Specialty Store/Shop	C^	
11	Grocery store	C^	
12	Hardware store		
13	Home & Garden store		
14	Laundry/dry cleaning store		
15	Liquor store (OM 015-2004)		
16	Music Store		
17	Paint Store		
	Pet Grooming	C^	
18	Pet Store		
19	Restaurant/fast food		
20	Shoe repair	C^	
21	Small appliance repair	C^	
22	Variety Store		
23	Commercial complex		
24	Shopping center		
25	Tire sales, retail (OM 001-002, 02/27/01)		
26	Yard sales on an occasional basis	P^	
G.	**Commercial/Related Uses**		
1	Auto Sales – New & Used (OM 016-2004 05/11/04)		
2	Auto Sales –Used (OM 016-2004 05/11/04)		
3	Auto wash		
4	Bank/financial		
5	^^^Nondepository Financial Institutions		
6	Building materials		
7	Dance hall		
8	Gasoline/petroleum storage (not bulk)	C	
9	Gasoline sales/service		
10	Fitness Center Commercial (Gym)		
11	Convenience store		
12	Night club		
13	Print shop/sales	C^	
14	Recreation/Entertainment		
15	Research facilities	C^	
16	Theater		

		SFL	
17	Vehicle storage		
H.	**Industry and Manufacturing**		
1	Auto repair, ~~paint and body shop~~		
	Paint and body shop		
2	Bldg maintenance & repair services		
3	~~Counter top or~~ Cabinet Shop		
	Counter top		
4	Clothing Manufacturer		
5	Furniture Manufacturer		
6	General contractor yard		
7	HVAC shop/sales		
8	Ice cream plant		
9	Lumber yard		
10	Paint Shop		
11	Welding/machine Shop		
12	Wholesale outlet/storage and sales		
13	Light Manufacturing		
14	Motorcycle, Snowmobile, ATV, etc repair	C^	
I.	**Agriculture and Related Uses**		
1	Beekeeping 4 or less colonies	P^^	
1A	Beekeeping More than 4 colonies	C^^	
2	Breeding or raising animals for sale, food, pleasure, or profit	P^^	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^	
4	Commercial crop production	P	
5	Dairy business	P^^	
6	Feed lot		
7	Gardens and orchards for home use	P	
8	Ranch/farm production and operation		
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	
10	Gasoline/petroleum storage (not bulk)		

Single Family Traditional:

General Plan Policy: established to provide areas for low density single-family housing. Horticultural uses may be incorporated. Very limited livestock uses may be incorporated.

Area Requirements:

Min. lot area, square feet	12,000	*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)	95	
Min. lot area increase ea. add'l unit, square feet	No add'l units	**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Max. unites / ac excluding ROW, infrastructure^	3.75	
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Setbacks		
Principal uses		##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Front yard, ft.	^^^	
Side yard, interior	10	
Side yard, Street (OM 33-2004)	20	
Rear yard	^^^	###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Detached Accessory Uses		
Front yard, ft.	30	^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Side yard, interior	5	
Side yard, street	20	
Rear yard	5	
		^^Lots of record for twin homes are limited to 20% of total lots in development.
Distance between residential structures on same lot	~~10~~ Not allowed	
		^^^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.
Height		
Principal Use, Max. hgt. ft.	35	
Accessory Use, ft. max.	35	
Principal Use, ft. min.	10	
		^^^^See subsection 10-9-2
Fences – non-game (max. height)		
Front yard, ft.	4	
Side yard, interior	6	
Side yard, street	6^^^^	
Rear yard	6	
Fences – game		
Front yard, ft.	Not allowed	
Side yard, interior	8	
Side yard, street	8^^^^	
Rear yard	8	

		SFT	
A.	**Residential Uses**		
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached		
3	Dwelling, two family		
4	Dwelling, three family		
5	Dwelling, four family		
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)	~~C~~	
10	Cluster development	C	
11	Inner block development	C	
12	Planned Unit Development	C	
13	Bed & Breakfast	C	
14	Hotel/motel		
15	Lodging house		
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	**Accessory/Incidental Uses**		^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.
1	Accessory building	P	
2	Accessory dwelling unit	~~C~~	
3	Accessory farm building	P	
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	**Governmental/Institutional/Special Services**		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	**Utility and Related Service**		
1	Electric substation		
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower		
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	
13	Water well reservoir or storage tank	P	
E.	**Professional Services**		
1	Business office, medium impact	C^	
2	Business office, low impact	P^	
3	Business office, general		
4	Clinic, dental		
5	Clinic, medical		
6	Clinical Social Worker		
7	Office for single physician, dentist, or chiropractor	C^	
8	Licensed professional	C^	
9	Mortuary		

		SFT	
10	Optical shop	C^	
11	Pharmacy	C^	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	
13	Private school, teaching	C^	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	
15	Veterinarian^		
F.	**Retail/Related Uses**		
1	Adult oriented business		
2	Food preparation, catering, etc	C^	
3	Bakery/Confectionery sales		
4	Barber/beauty shop	C^	
5	Book/Stationery Store		
6	Computer Store		
7	Department store		
8	Florist Store		
9	Furniture Store		
10	Specialty Store/Shop	C^	
11	Grocery store	C^	
12	Hardware store		
13	Home & Garden store		
14	Laundry/dry cleaning store		
15	Liquor store (OM 015-2004)		
16	Music Store		
17	Paint Store		
	Pet Grooming	C^	
18	Pet Store		
19	Restaurant/fast food		
20	Shoe repair	C^	
21	Small appliance repair	C^	
22	Variety Store		
23	Commercial complex		
24	Shopping center		
25	Tire sales, retail (OM 001-002, 02/27/01)		
26	Yard sales on an occasional basis	P^	
G.	**Commercial/Related Uses**		
1	Auto Sales – New & Used (OM 016-2004 05/11/04)		
2	Auto Sales –Used (OM 016-2004 05/11/04)		
3	Auto wash		
4	Bank/financial		
5	^^^Nondepository Financial Institutions		
6	Building materials		
7	Dance hall		
8	Gasoline/petroleum storage (not bulk)	C	
9	Gasoline sales/service		
10	Fitness Center Commercial (Gym)		
11	Convenience store		
12	Night club		
13	Print shop/sales	C^	
14	Recreation/Entertainment		
15	Research facilities	C^	
16	Theater		
17	Vehicle storage		

		SFT	
H.	**Industry and Manufacturing**		
1	Auto repair, ~~paint and body shop~~		
	Paint and body shop		
2	Bldg maintenance & repair services		
3	~~Counter top or~~ Cabinet Shop		
	Counter top		
4	Clothing Manufacturer		
5	Furniture Manufacturer		
6	General contractor yard		
7	HVAC shop/sales		
8	Ice cream plant		
9	Lumber yard		
10	Paint Shop		
11	Welding/machine Shop		
12	Wholesale outlet/storage and sales		
13	Light Manufacturing		
14	Motorcycle, Snowmobile, ATV, etc repair	C^	
I.	**Agriculture and Related Uses**		
1	Beekeeping 4 or less colonies	P^^	
1A	Beekeeping More than 4 colonies	C^^	
2	Breeding or raising animals for sale, food, pleasure, or profit	P^^	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^	
4	Commercial crop production		
5	Dairy business		
6	Feed lot		
7	Gardens and orchards for home use	P	
8	Ranch/farm production and operation		
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	

Single Family Residential:

General Plan Policy: established to provide areas for moderate density single-family housing in the City.

Area Requirements:

Min. lot area, square feet	10,000	*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
Min. lot width (measured at setback line)	80	
Min. lot area increase ea. add'l unit, square feet	2,000	
Max. unites / ac excluding ROW, infrastructure^	4.5	**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
Max. lot area per ea. twin home, square feet^^	6,000	
Min. lot width, each unit (measured at setback line)	47.5'	
		***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
Setbacks		
Principal uses		
Front yard, ft.	^^^	##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
Side yard, interior	10*	
Side yard, Street (OM 33-2004)	20	
Rear yard	^^^	###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
Detached Accessory Uses		
Front yard, ft.	30	
Side yard, interior	5	^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
Side yard, street	20	
Rear yard	5	
Distance between residential structures on same lot		^^Lots of record for twin homes are limited to 20% of total lots in development.
Height		^^^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.
Principal Use, Max. hgt. ft.	35	
Accessory Use, ft. max.	35	
Principal Use, ft. min.	10	
Fences – non-game (max. height)		^^^^See subsection 10-9-2
Front yard, ft.	4	
Side yard, interior	6	
Side yard, street	6^^^^	
Rear yard	6	
Fences – game		
Front yard, ft.	Not allowed	
Side yard, interior	8	
Side yard, street	8^^^^	
Rear yard	8	

Single-Family Residential			
A.	**Residential Uses**		
1	Single family, detached	P	P = permitted use C = conditional use permit required X = special review required = not permitted (absence of symbol)
2	Single family, attached	P	
3	Dwelling, two family		
4	Dwelling, three family		
5	Dwelling, four family		
6	Dwelling, multi-family		
7	Manufactured/modular	P	
8	Mobile/trailer home		
9	Secondary residential structure (OM 005-2005 01/13/04)		
10	Cluster development	C	
11	Inner block development		
12	Planned Unit Development	C	
13	Bed & Breakfast	C	
14	Hotel/motel		
15	Lodging house		
16	Residence for persons with disabilities	P	
17	Residential facility for the aged	P	
B.	**Accessory/Incidental Uses**		
1	Accessory building	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.
2	Accessory dwelling unit	~~C~~	
3	Accessory farm building	P	
4	Off street parking incidental to main use	P	
5	Private swimming pool	P	
C.	**Governmental/Institutional/Special Services**		
1	Church	P	
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	
3	Community center	P	
4	Day care nursery	C^	
5	Preschool	C^	
6	Public Park	P	
	Private Lessons / public facility		
7	Public School (OM 020-2004)	P	
8	Public building	P	
D.	**Utility and Related Service**		
1	Electric substation		
2	Electric power plant		
3	Fire station	P	
4	Gas meter station	P	
5	Irrigation supply	P	
6	Utility distribution lines	P	
7	Radio/TV/cellular tower		
8	Sewage/water pumping station	P	
9	Telephone utilities	P	
10	Public utilities, other	P	
11	Utility shop, storage and bldgs	P	
12	Water treatment plant	P	
13	Water well reservoir or storage tank	P	
E.	**Professional Services**		
1	Business office, medium impact	C^	
2	Business office, low impact	P^	
3	Business office, general		
4	Clinic, dental		
5	Clinic, medical		
6	Clinical Social Worker		
7	Office for single physician, dentist, or chiropractor	C^	
8	Licensed professional	C^	
9	Mortuary		

		Single-Family Residential	
10	Optical shop	C^	
11	Pharmacy	C^	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	
13	Private school, teaching	C^	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	
15	Veterinarian^		
F.	**Retail/Related Uses**		
1	Adult oriented business		
2	Food preparation, catering, etc	C^	
3	Bakery/Confectionery sales		
4	Barber/beauty shop	C^	
5	Book/Stationery Store		
6	Computer Store		
7	Department store		
8	Florist Store		
9	Furniture Store		
10	Specialty Store/Shop	C^	
11	Grocery store	C^	
12	Hardware store		
13	Home & Garden store		
14	Laundry/dry cleaning store		
15	Liquor store (OM 015-2004)		
16	Music Store		
17	Paint Store		
	Pet Grooming	C^	
18	Pet Store		
19	Restaurant/fast food		
20	Shoe repair	C^	
21	Small appliance repair	C^	
22	Variety Store		
23	Commercial complex		
24	Shopping center		
25	Tire sales, retail (OM 001-002, 02/27/01)		
26	Yard sales on an occasional basis	P^	
G.	**Commercial/Related Uses**		
1	Auto Sales – New & Used (OM 016-2004 05/11/04)		
2	Auto Sales –Used (OM 016-2004 05/11/04)		
3	Auto wash		
4	Bank/financial		
5	^^^Nondepository Financial Institutions		
6	Building materials		
7	Dance hall		
8	Gasoline/petroleum storage (not bulk)		
9	Gasoline sales/service		
10	Fitness Center Commercial (Gym)		
11	Convenience store		
12	Night club		
13	Print shop/sales	C^	
14	Recreation/Entertainment		
15	Research facilities	C^	
16	Theater		
17	Vehicle storage		

	Single-Family Residential		
H.	**Industry and Manufacturing**		
1	Auto repair, ~~paint and body shop~~		
	Paint and body shop		
2	Bldg maintenance & repair services		
3	~~Counter top or~~ Cabinet Shop		
	Counter top		
4	Clothing Manufacturer		
5	Furniture Manufacturer		
6	General contractor yard		
7	HVAC shop/sales		
8	Ice cream plant		
9	Lumber yard		
10	Paint Shop		
11	Welding/machine Shop		
12	Wholesale outlet/storage and sales		
13	Light Manufacturing		
14	Motorcycle, Snowmobile, ATV, etc repair	C^	
I.	**Agriculture and Related Uses**		
1	Beekeeping 4 or less colonies	P^^	
1A	Beekeeping More than 4 colonies	C^^	
2	Breeding or raising animals for sale, food, pleasure, or profit	P^^	
3	Keeping dogs, cats, fish, or exotic caged birds	P^^	
4	Commercial crop production		
5	Dairy business		
6	Feed lot		
7	Gardens and orchards for home use	P	
8	Ranch/farm production and operation		
9	Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006	C^	
10	Gasoline/petroleum storage (not bulk)		

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.

		AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH	MFR	MFM	MFH	CGD	CHD	MXD	PUB
A.	**Residential Uses**															
1	Single family, detached	P	P	P	P	P	P	P	P	P					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	~~C~~											
10	Cluster development			C	C	C	C	C	C	C	C	C			C	

		AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH	MFR	MFM	MFH	CGD	CHD	MXD	PUB
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	
14	Hotel/motel											C	C		C	
15	Lodging house									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	
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	
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^	P^	P^	P^	P^	P^	P^	P^	P^	P^				
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	C	
5	Preschool	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^			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
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				
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
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower	P											C			C
8	Sewage/water pumping station	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
10	Public utilities, other	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
12	Water treatment plant	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
E.	**Professional Services**															
1	Business office,	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^			P	

		AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH	MFR	MFM	MFH	CGD	CHD	MXD	PUB
	medium impact															
2	Business office, low impact	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^			P	
3	Business office, general												P	I or C*	P	
4	Clinic, dental												P	I or C*	P	
5	Clinic, medical												P	I or C*	P	
6	Clinical Social Worker												P	I or C*	P	
7	Office for single physician, dentist, or chiropractor	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^		I or C*		
8	Licensed professional	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
9	Mortuary	C^	C^	~~C^~~					C^	C^	C^	C^	P		P	
10	Optical shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
11	Pharmacy	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
13	Private school, teaching	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		P	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	I or C*	P	
16	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
17	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^				
18	Veterinarian^^	C^	C^	C^					C^	C^	C^	C^	C		P	
F.	**Retail/Related Uses**															
1	Adult oriented business												C			
2	Food preparation, catering, etc	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	C
3	Bakery/Confectionery sales												P	P	P	
4	Barber/beauty shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	
5	Book/Stationery Store												p	p	P	
6	Computer Store												p	p	P	
7	Department store												p	p	P	

		AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH	MFR	MFM	MFH	CGD	CHD	MXD	PUB
8	Florist Store												p	p	P	
9	Furniture Store												p	p	P	
10	Specialty Store/Shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^		P		
11	Grocery store	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	P	
12	Hardware store												p	p	P	
13	Home & Garden store												p	p	P	
14	Laundry/dry cleaning store												p	p	P	
15	Liquor store (OM 015-2004)												p	p	P	
16	Music Store												p	p	P	
17	Paint Store												p	p	P	
	Pet Grooming	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	
18	Pet Store												p	p	P	
19	Restaurant/fast food												p	p	P	
20	Shoe repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	P	
21	Small appliance repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	C	
22	Variety Store												p	p	P	
23	Commercial complex												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^	P^	P^	P^	P^	P^	P^	P^	P^	P^	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		
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		
9	Gasoline sales/service												P	P		
10	Fitness Center Commercial (Gym)												P	P	P	
11	Convenience store												P	P		
12	Night club															
13	Print shop/sales	C^	C^	C^	C^	C^	C^	C^					P	P	P	
14	Recreation/Entertainment												P	I or C*		
15	Research facilities	C^	C^	C^	C^	C^	C^	C^				P				
16	Theater												P	P	P	
17	Vehicle storage															
H.	**Industry and Manufacturing**															
1	Auto repair, ~~paint and body shop~~															
	Paint and body shop															
2	Bldg maintenance & repair services															

		AGR	SFE	SFL	SFT	SFR	SFM	SFH	SMH	MFR	MFM	MFH	CGD	CHD	MXD	PUB
3	~~Counter top or~~ Cabinet Shop															
	Counter top															
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^	C^	C^	C^	C^	C^	C^	C^							
I.	**Agriculture and Related Uses**															
1	Beekeeping 4 or less colonies	P^^	P^^	P^^	P^^	P^^	P^^	P^^	P^^	P^^	P^^^	P^^	P^^	P^^	P^^	P^^
C^^ 1A	Beekeeping More than 4 colonies	C^^	C^^	C^^	C^^	C^^	C^^	C^^	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^^	P^^	P^^	P^^	P^^	P^^	P^^	P^^^	P^^	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^	C^	C^	C^	C^	C^	C^	C^							
10	Gasoline/petroleum storage (not bulk)	C														

^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)

DRAFT 01/13/2015

PROVIDENCE CITY
Development Review Committee Report
Planning Commission Meeting Date:

Request: Amend Providence City Code Title 11 Subdivision Regulations by adding Chapter 6 Condominium Approval		
Item Type: Code Amendment	**Applicant:** Providence City	**Prepared by:** S Bankhead
Staff Report Summary of Key Issues: 1. Providence City currently uses the regular subdivision process (concept, preliminary, and final plat) to divide a building into condominium units. 2. City staff feels the City should have a process specific to condominium units. 3.		

FINDINGS OF FACT:

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

CONCLUSIONS OF LAW:

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

CONDITIONS:

RECOMMENDATION:

That the Providence City Planning Commission make a recommendation to the Providence City Council, that they adopt the attached code amendment to Providence City Code Title

Chapter 6
CONDOMINIUM APPROVAL

11-6-1: PURPOSE AND INTENT:
11-6-2: SUBMISSION OF APPLICATION:
11-6-3: STAFF REVIEW:
11-6-4: PLANNING COMMISSION ACTION:
11-6-5: FINAL PLAT RECORDATION

11-6-1: PURPOSE AND INTENT:

A. The procedures and requirements of this chapter shall apply to and govern the processing of condominium record of survey maps pursuant to the requirements of the condominium ownership act of 1975, Utah Code Annotated title 57, chapter 8. Said procedures and requirements shall supplement zoning, site development, health, building and other ordinances applicable to a particular condominium project, and shall apply to the approval of such projects involving new construction as well as those involving the conversion of existing structures. In addition, condominium projects, which contemplate dedication of real property or improvements for the use of the public, or condominium projects in which units are not contained in existing or proposed buildings shall also be considered subdivisions requiring compliance with the applicable provisions of this chapter.

B. It is the intent of this chapter to establish a reasonable process whereby the city can assess the impact of mixing collective and individual ownerships, as presented in a particular condominium project, upon the public health, safety, welfare and convenience of the city. In the case of conversions of existing commercial or residential buildings to condominiums, corrections of building code violations, the upgrading of vehicle parking facilities, and safety of common functional elements of the structures are of prime importance.

11-6-2: SUBMISSION OF APPLICATION:

A. Documents and Information Required: The owner or developer of a proposed condominium project desiring approval shall file the following with the planning commission:

1. An application for condominium approval on a form prescribed by the city;

2. Four (4) copies (20"x30" minimum , 24" x 36" maximum size) and one (1) 11" x 17" copy of the proposed record of survey map required by Utah Code Annotated section 57-6-13. The map shall also:

   a. Be drawn to a scale no smaller than one inch equals forty feet (1" = 40');
   b. Contain diagrammatic floor plans identifying boundaries of the project units, convertible and expandable areas or spaces and common areas;
   c. Contain a designation of the intended use of common areas, such as storage areas, recreational areas, parking areas for owners, guests, open space, etc.;
   d. Contain a designation of the common areas which are open to the public, which are assigned to specific units and which are semiprivate and available only to unit owners; and

e. Contain a detailed description of existing or proposed driveways, pedestrian ways, curb cuts, walls, structures, fences, landscaping and sprinkling systems;
f. Show individual utility connections for each unit. The culinary water must be master metered. Providence City will bill the Condominium Association, not individual units.

3. Two (2) copies signed in the original of the proposed condominium declarations and bylaws.

4. A condominium application filing fee, which shall be equal to the filing fee the developer pays for the subdivision application.

5. Proposed covenants, conditions and restrictions which to provide adequate guarantees for retention and maintenance of the development as approved;

B. Meetings: The City staff (or their assigns) may, at their discretion, meet with developers to comment on incomplete applications. Such meetings shall not be deemed acceptance of such incomplete applications for purposes of determining vested rights, and the city departments shall not retain copies of such incomplete applications. The city shall not schedule meetings and hearings before the planning commission on an application that is not complete.

11-6-3: STAFF REVIEW:

Upon receipt of a completed application for approval of a condominium project, the city staff shall route copies of the application and development plans in the same manner as a standard subdivision. Additionally, preliminary review by the planning staff and fire chief shall include, but not be limited to, the following:

A. Staff Review:

1. Letter of Intent: A letter of intent shall be submitted indicating proposed concept of project for staff review. The condominium declarations and bylaws shall be reviewed as part of the final approval process and will include provisions addressing and fixing responsibility for the maintenance, upkeep and repair of common areas, including common walls, electrical, mechanical, plumbing or utility systems, recreational areas, landscaping, private streets and parking areas. The declarations shall also restrict the use of any individual residential dwelling unit to single families. The staff shall also review the declaration to require appropriate disclosure of any unusual circumstances, variances or conditions placed upon the condominium project for approval.

   a. Fire Safety Review: The fire marshal shall inspect each structure proposed for conversion and shall submit a report thereon to the planning staff outlining the conditions of the structures as they relate to fire safety. The fire marshal shall stipulate those conditions requiring improvement prior to occupancy in the report.

   b. City Attorney: The city attorney shall review the declaration of condominium to assure its conformance to Utah Code Annotated and city ordinances.

2. Plans and Related Documents: The staff shall review the plans and related documents to determine whether the project conforms to applicable requirements of this title, the status

or extent of nonconforming rights, applicable conditions imposed upon the building or use by ordinance, and/or conditional use permit. If the staff finds there are violations of applicable zoning ordinances or requirements, the staff may recommend denial of the condominium project until such violations have been corrected or requirements completed or monies escrowed for one hundred ten percent (110%) of the cost for correction before a decision can be made by the planning commission.

11-6-4: PLANNING COMMISSION ACTION:

A. Compliance Requirements: Upon completion of the recommendations of the staff, the matter shall be set for consideration by the planning commission. The planning commission shall review the application to determine if it is in full compliance with:

1. Applicable city ordinances;
2. The requirements of the condominium ownership act (UCA 57-8);
3. In every way, the project is ready for final approval.

B. Planning Commission Action: Upon completion of the planning commission's review, it shall take action as the Land Use Authority for Subdivisions.

1. Approval Granted: If the planning commission finds that the project is in compliance with applicable ordinances and the requirements of final plat approval, the planning commission shall grant approval.
2. Disapproval: If the planning commission determines said project is not in conformity with requirements of the ordinances of the city; or if it rejects any offers of dedication; the planning commission may disapprove the plat specifying the reasons for disapproval.
3. Reconsideration: Within thirty (30) days after the planning commission has disapproved any final plat, the developer may file with the City a revised plat and/or documents altered to meet the requirements of the planning commission. Upon receipt of the revised final plat and/or documents, and review by the executive staff, the matter shall be referred back to the planning commission for reconsideration.
4. Approval and Recording Required: No final plat shall have any force or effect until the same has been approved by the signature of the mayor and has been officially recorded with the county recorder within sixty (60) days from the date of the planning commission's approval.

11-6-5: FINAL PLAT RECORDATION:

A. Requirements: For purposes of recordation, the final approved plat shall be recorded as a subdivision and be included in the subdivision plat records of the Cache County recorder's office. Recordation by the city shall only take place after all of the necessary signatures are obtained, all approvals given, and all bonds and fees are posted with the city public works department.

B.. Covenants, Conditions And Restrictions:

1. The city shall require the applicant to submit for recording covenants, conditions and restrictions which will provide adequate guarantees for the permanent retention and maintenance of open space area, landscaping, natural features, private streets, other

privately owned infrastructure and architectural design standards. The covenants, conditions and restrictions shall include, at a minimum, provisions for:

a. The establishment of a condominium association, unless the property will continue to be held in single ownership by either a corporation, partnership or an individual and restrictions are recorded requiring establishment of a condominium association in the event that the unity of title is not maintained; and
b. A provision granting the city the consent of the condominium association and each of its members, after providing notice to each property owner and holding a public hearing, to create a special assessment area comprised of all units and lots within the development, to finance the cost of reasonably necessary maintenance, repair or replacement of commonly owned essential public infrastructure such as streets, sidewalks, street lighting, water systems, etc., in the event of dissolution or default by the condominium association. It is the intent of this provision that once the City uses the special assessment area to finance the reasonably necessary maintenance, repairs, etc., future maintenance and repairs would be treated as any other city infrastructure project.

2. Each phase submitted for review shall include covenants, conditions and restrictions for approval.

3. Two (2) copies of the declaration of covenants, conditions and restrictions shall be submitted to the city signed and prepared for recording at the Cache County recorder's office prior to approval of a final plat. Prior to recordation, the covenants, conditions and restrictions shall be reviewed and approved for compliance with this chapter by the director of community and economic development and city attorney.