

Providence City Planning Commission Agenda  
Providence City Office Building, 15 South Main, Providence UT 84332  
May 11, 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 April 27, 2016.

**Action Items:**

Item No. 1. Selection of a Vice Chair: The Providence City Planning Commission will select a vice chair.

Item No. 2. Hillcrest Phase 5 Final Plat: The Providence City Planning Commission will consider approval of a final plat for Hillcrest Subdivision Phase 5, a residential subdivision located generally at 530 East 800 South.

**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.

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

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

Agenda posted by Skarlet Bankhead on May 10, 2016.

  
Skarlet Bankhead  
City Recorder

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

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

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

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

1 **Providence City Planning Commission Minutes**  
2 **Providence City Office Building**  
3 **15 South Main, Providence UT 84332**  
4 **April 27, 2016 6:00 pm**  
5

6 Chairman: Larry Raymond  
7 Commissioners: Rowan Cecil, Michael Harbin, Robert James, Wendy Simmons  
8

9 Skarlet Bankhead, City Recorder, swore in Michael Harbin as a member of the Planning Commission.

10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of April 13, 2016.

12 **Motion to approve the minutes of April 13, 2016 as amended: R Cecil, second – W Simmons**

13 Page 2, line 23 – add how

14 Page 3, line 17 & 18 – base ratio

15 Page 3, line 20 – are

16 Page 3, line 30 – is not

17 Page 4, line 52 – addressed

18 **Vote: Yea: R Cecil, M Harbin, R James, L Raymond, W Simmons**

19 **Nay: None**

20 **Abstained: None**

21 **Excused: None**  
22

22 **Action Items:**

23 **Item No. 1. Recommendation – Petition for Exception:** The Providence City Planning Commission will consider for  
24 recommendation to the City Council, a Petition for Exception from the requirements of Title 11 Subdivision  
25 Regulations, filed by Tie Geng and Gary Meunier, for property located at approximately 438 North 300 East.

- 26 • Gary Meunier, owner of subject property, wants to sell lot 0035. It is a narrow deep lot and he would like  
27 to split it into two parcels (north/south split) in order to make it easier to sell. They live on 0032 and  
28 already have existing road and utilities that services lot 0032. The front lot will be .539 acres and the back  
29 lot will be 1.160 acres; with an 18' easement going across the south side of the front lot for access to the  
30 back lot. He feels it would be advantageous to the city because the north/south split is the only feasible  
31 split for that lot due to frontage requirements. The front lot will have direct access onto 300 East; the rear  
32 lot will have an exclusive access via the proposed easement. A licensed surveyor has prepared a plat  
33 showing the dividing line, the easement, and the legal descriptions. He will provide a detailed description  
34 of the easement for the property deeds showing requirements for the back lot to be developed. He will  
35 provide survey work, mapping and easement description prior to approval. He does not feel it is necessary  
36 to go through the subdivision process to split this lot.
- 37 • L Raymond asked how 0017 is accessed.
- 38 • G Meunier said it is accessed through 0026 and 0032 from 300 East. That 16' wide strip is part of parcel  
39 0017.
- 40 • L Raymond asked how 0022 will be accessed.
- 41 • G Meunier said it owned by the same person that owns 0021 so she could have an easement going into  
42 0022.
- 43 • R James asked what exactly G Meunier is asking for.
- 44 • S Bankhead said it would be a complete exception from the subdivision process. It would be sold by metes  
45 and bounds. It would not go through Executive Staff Review, fire inspections, no plats, no approval from  
46 Planning Commission. The staff report should reflect that the existing driveway will not service parcel  
47 0035.
- 48 • L Raymond said staff has recommended this be denied. If it is denied, what happens next?
- 49 • S Bankhead said he will go to city council and request the exception. If the city council denies him, he will  
50 have to go through the subdivision ordinance. He can either sell it as one piece or go through the  
51 subdivision process.
- 52 • R James asked how this benefits the city or the neighbors to bypass the subdivision process.
- 53 • G Meunier said he doesn't see how it will affect the neighbors. He does not see how going through the  
54 subdivision process has any effect on the neighbors. The only issue with the back lot is utilities and access

1 and fire protection. He thinks it creates more work for the city. If he is denied, he will drop his plan to  
2 subdivide and not go through the process. The person who buys the back lot should have to be the one to  
3 follow the subdivision process.

- 4 • L Raymond said the back lot, once the split is made, has no recourse unless something is written to give  
5 them the right of way and utility access.
- 6 • G Meunier said it could be added in the deed to the back lot and in the easement description.
- 7 • R James asked if the exception is given, what requires the owner, or anyone else, to record the easement.
- 8 • S Bankhead said any developer could make the same argument to be exempted from the subdivision  
9 process and those arguments would have the same validity.
- 10 • R James asked if he were to be exempted, what would the next process be?
- 11 • S Bankhead said he would go through a title company and a surveyor and record the deeds.
- 12 • W Simmons said anyone who subdivides their property has to go through the subdivision process.
- 13 • S Bankhead said the planning commission went through the process to change the ordinance taking out  
14 the 2 lot subdivision ordinance. While Mr. Meunier presents valid reasons to be exempted, there are a lot  
15 of people who could make those same points.
- 16 • G Meunier said the subdivision process is not for the right of way and utility easement for one parcel. It is  
17 for a shared right of way and utility easement.
- 18 • R James said he is concerned because a complete exception does not bind Mr. Meunier to anything.
- 19 • G Meunier said under Section 11-2-7.d5 of the code, the city can stipulate conditions for this exception.
- 20 • R James said just because Mr. Meunier does not see any concerns, does not mean concerns do not exist.  
21 He sees no reason to grant a complete exception to Title 11. However, there may be potential for some  
22 exception.
- 23 • L Raymond reminded G Meunier that planning commission only makes recommendations to the city  
24 council and the city council will make the decision.

25 **Motion to deny the petition for exception to the requirements of Title 11 Subdivision Regulations filed by Tie**  
26 **Geng and Gary Meunier: R James, second – R Cecil**

27 **Vote: Yea: R Cecil, M Harbin, R James, L Raymond, W Simmons**

28 **Nay: None**

29 **Abstained: None**

30 **Excused: None**

31 Item No. 2. Recommendation - Rezone: The Providence City Planning Commission will consider for  
32 recommendation to the City Council, a proposed rezone from Agricultural (AGR) to Single-Family Medium (SFM)  
33 for Parcel No. 02-115-0022, an 18.81-acre parcel located at approximately 1100 South 400 East, requested by  
34 Sierra Homes, LLC.

- 35 • L Raymond said executive staff recommends SFT.
- 36 • R James said he has looked at every lot around this parcel. There are about 21 lots surrounding this  
37 parcel; of those, 11 are over an acre in size, regardless of zoning. About 16 of the 21 lots are over 1/3 acre  
38 and 3-4 are closer to a half acre. A number of lots surrounding this area are zoned SFT, some are SFE and a  
39 couple are SFL. The intent of the planning commission is to see what is best for the city and that area.  
40 Larger lots use more water, but have less sewer usage, possibly less fire hydrant usage and less car usage.  
41 The road is narrow. Safety is a concern. The developer says he will put in 30 lots, but it could be as much  
42 as 55 with SFT. That is a significant burden on roads in that area assuming 2 cars per road. SFL would  
43 reduce it to 15-20 lots with a significant potential reduction in traffic. Just from the standpoint of the  
44 planning commission, he leans toward SFL to keep the feel of the area intact and to keep traffic down.
- 45 • S Bankhead said the developer will be required to do some improvements of 400 East, but only for their  
46 portion of the subdivision.
- 47 • R James said there will still be problems on the north and south portion of the road that is not being  
48 addressed by the developer in this subdivision.
- 49 • R Cecil said traffic is a concern. There is barely room for one car.
- 50 • W Simmons agreed.

51 **Motion to recommend to city council that the rezone of the 18.81 acres owned by Benstock, LLC be rezoned**  
52 **from AGR to no smaller than SFL: R James, second – R Cecil**

53 S Bankhead said lot size flexibility is allowed, so some lots will be smaller than 20,000 sf, but none will be smaller  
54 than 12,000 sf.

1 **Vote: Yea: R Cecil, M Harbin, R James, L Raymond, W Simmons**  
2 **Nay: None**  
3 **Abstained: None**  
4 **Excused: None**

5 **Study Items:**

6 Study Item No. 2 was discussed first.

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

- 10 • R James briefly reviewed the past history of this pending ordinance and the fact that the Checketts had  
11 made a distinction between counter top and cabinet shop, and the types of materials they use.
- 12 • W Simmons had a concern that items listed under 10-6-1.H were allowed in AGR, SFE, SFT, SFT, and SFR.  
13 She felt they should be allowed only in CGD, CHD and MXD.
- 14 • There was discussion about conditional use permits and how they operate. They go with the land use, not  
15 the person granted the CUP.
- 16 • S Eames expressed that she did not want any of these conditional uses that are being added.
- 17 • R James said his intent is that people should have some ability to use their property as they wish. Home  
18 businesses happen and are allowed to happen. The purpose of the conditional use permits is to mitigate  
19 any negative affect that that home business may have on any neighborhood. Conditions need to be  
20 mitigated to the point that neighbors do not know the business exists
- 21 • There was further discussion about conditional use permits, mitigating negative effects on the  
22 neighborhood and outgrowing the home use. Home businesses want to succeed and that success is what  
23 drives them from being a home business to a business that needs to be in a commercial zone.
- 24 • It was pointed out that not all businesses want to outgrow their conditional use permits.
- 25 • S Bankhead said there may be some uses that need to be identified specifically so they are not allowed in  
26 the city. Those businesses need to be identified, but then leave the entire row blank to show it is not  
27 allowed.
- 28 • R James said a lot of this was added when the attorney said we needed to add counter top and cabinet  
29 shop to the list. He felt the items should be identified, and he thought that was Heather Hansen’s intent  
30 also. C^ is a separate discussion.
- 31 • There was further discussion about the mitigation of negative effects of home businesses in  
32 neighborhoods and some of the difficulty in enforcing the code when some businesses outgrow home  
33 business status or the conditions of the CUP.
- 34 • R James suggested there is a lot of pushback from the community. He proposes removing conditional uses  
35 on items H.1-H.9. Leave conditional use on auto repair commercial highway or mixed use.
- 36 • S Bankhead asked the planning commission to consider adding P to CGD and MXD so single stand-alone  
37 offices could be included.
- 38 • L Raymond said a distinction needs to be made between landscape and yard or lawn maintenance.
- 39 • H.1 through H.8 will not be allowed. H.9 will be split into landscaping services and lawn  
40 maintenance/snow removal through SFR. Landscaping will not be allowed, lawn maintenance/snow  
41 removal will be allowed as a conditional use.
- 42 • Auto repair will not be allowed as a home based business, but will be allowed in CHD and MXD as a  
43 conditional use.
- 44 • S Bankhead asked planning commission if they wanted to allow any of those businesses (H.1-H.8) in CGD.
- 45 • R James said building maintenance, repair services and lawn maintenance should be allowed in CGD if  
46 they are going to be allowed in residential zones. H.17 should also be allowed in CGD. He thought auto  
47 repair, paint and body shop, bldg maintenance and repair services, general contractor yard,  
48 landscaping/lawn maintenance, HVAC shop/sales, motorcycle/snowmobile/ATV, etc. repair should be  
49 moved to commercial. It is a better category for them and it makes a difference in how the commission  
50 views some of these businesses. Manufacturing is for producing a product, not providing a service.
- 51 • S Bankhead said at one point, since there was a limited amount of commercial area, we did not want it to  
52 fill up with non-tax producing businesses. Now with the CHD zone it gives us the opportunity to allow non-  
53 sales tax types of businesses in CGD.
- 54 • R James said the intent of CHD is to allow sales tax generating businesses on the main thoroughfare.

- 1 • S Bankhead said a certain amount of non-sales tax producing businesses are allowed in CHD because
- 2 people want their banks/credit unions convenient to where they do business. That is considered an
- 3 incidental use (I).
- 4 • S Bankhead will make changes to the Use Chart for the next meeting.
- 5 • J Drew suggested a mission statement for the planning commission.
- 6 • S Bankhead said a statement needs to be put in the general plan.
- 7 • R James said zoning is very undefined.
- 8 • S Bankhead will put statements into the verbiage of the general plan and have it all on one chart.

9 Item No. 1. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission  
10 will discuss possible amendments for the zoning element of the Providence City general plan; including the  
11 definitions for zoning districts.

- 12 • This item was not discussed.

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

- 14 • No staff reports.

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

- 17 • No commission reports.

18 **Motion to adjourn: R Cecil, second - R James**

19 **Vote: Yea: R Cecil, M Harbin, R James, L Raymond, W Simmons**

20 **Nay: None**

21 **Abstained: None**

22 **Excused: None**

23 Meeting adjourned at 7:40 pm.

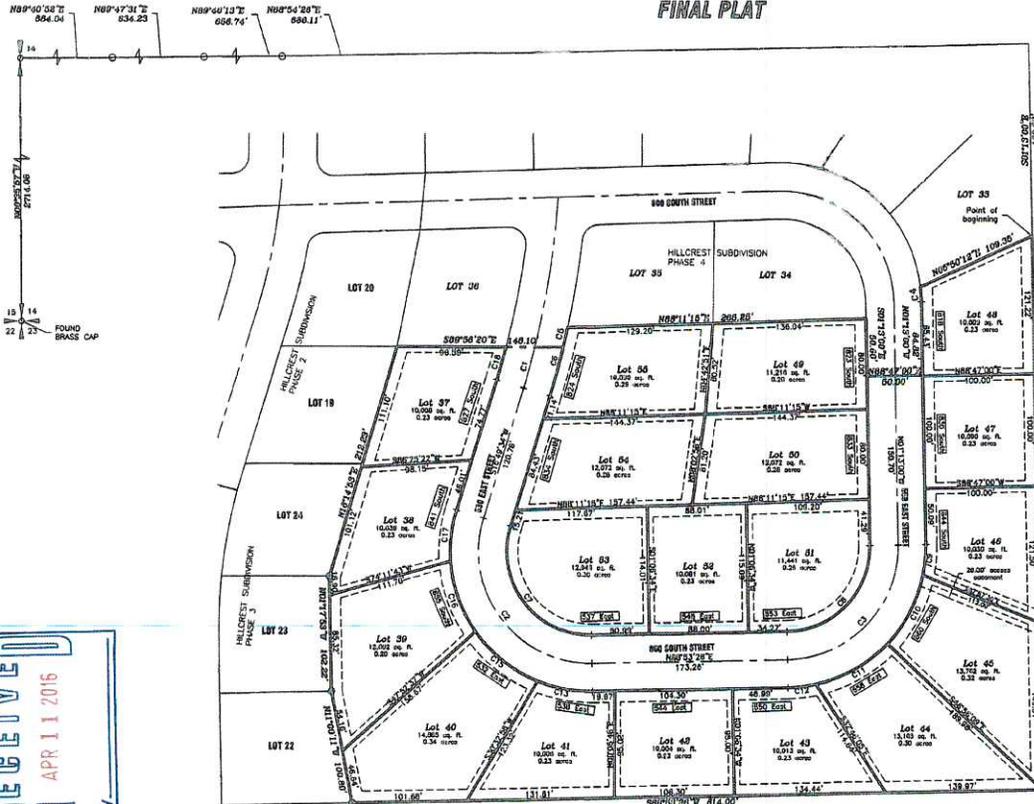
24 Minutes recorded and prepared by C Craven.

25  
26  
27  
28  
29 \_\_\_\_\_  
Larry Raymond, Chairman

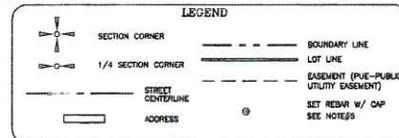
\_\_\_\_\_  
Caroline Craven, Secretary

# HILLCREST SUBDIVISION, PHASE 5

PART OF THE SOUTHWEST QUARTER OF SECTION 14  
TOWNSHIP 11 NORTH, RANGE 1 EAST  
SALT LAKE BASELINE AND MERIDIAN  
PROVIDENCE, UTAH  
**FINAL PLAT**



DORAN & AGNES R BAKER  
02-113-0014



- ### NOTES:
- Building setbacks are as follows:  
Front yard = Rear yard = 20 feet  
with each being a minimum of 20 feet  
Side yard:  
Interior lines = 10 feet from adjacent lot
  - Lot easements unless otherwise noted are as follows:  
Front yard = 10 feet  
Side yard:  
All lots = 5 feet for interior lots  
Corner lot = 10 feet side on street  
Rear yard = 10 feet
  - All expenses involving the necessary improvements or alterations for a sanitary water system, sanitary sewer system, gas service, electrical service, telephone service, cable television service, grading and landscaping, storm drainage systems, curb and gutters, fire hydrants, pavement, sidewalks, signage, street lighting and other improvements shall be paid for by the subdivisor.
  - All construction done as per Providence City standards and construction specifications.
  - 3/8" rebar with cap will be set at all rear and interior property corners. Curb shall be set at the intersection of the lot line with the curbing once it is placed.
  - Par 11-3-3-1-1 of the subdivision ordinance all lots have an adequate building envelope with regards to hazardous stops, zoning setbacks, etc.
  - Par 11-3-3-1-1 of the subdivision ordinance the City will not issue any building permit for any lot until minimum improvements, as specified in Section 11-3-2 of the subdivision ordinance are complete.
  - Par 11-3-3-1-1 of the subdivision ordinance there are no hazardous setbacks shown on the plat.

### CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	37.48	747.95	2.71	37.48	N19°23'28" E
C2	188.38	100.00	107°36'47"	161.74	S37°08'26" E
C3	107.27	100.00	60°56'34"	111.55	N43°29'14" E
C4	131.8	125.00	5°35'34"	131.8	N64°47'17" E
C5	27.63	772.00	118°39"	17.83	N18°50'24" E
C6	65.45	772.00	4°18'28"	65.45	N11°42'22" E
C7	141.29	75.00	107°36'47"	131.25	S37°08'26" E
C8	117.95	75.00	90°20'24"	105.17	N42°39'13" E
C9	173.77	125.00	12°37'17"	173.77	N57°37'17" E
C10	69.58	125.00	38°23'55"	69.58	N2°18'21" E
C11	73.86	125.00	33°26'26"	73.73	N61°18'26" E
C12	65.45	125.00	11°24'44"	65.45	N83°31'51" E
C13	36.26	125.00	2°24'18"	49.92	S79°25'25" E
C14					
C15	71.98	125.00	35°36'31"	73.90	S31°39'49" E
C16	67.18	125.00	30°47'37"	66.30	S19°43'24" E
C17	64.53	125.00	11°29'20"	64.53	S68°14'51" E
C18	85.91	722.00	2°22'44"	85.97	N15°38'18" E

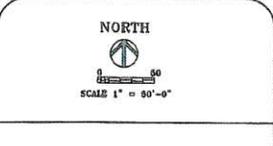
### OWNERS DEDICATION

KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED TO HEREINAFTER BE KNOWN AS HILLCREST SUBDIVISION PHASE 5, DO HEREBY DEDICATE TO THE CITY ALL PUBLIC IMPROVEMENTS WHICH SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, STREETS, STORM WATER SYSTEMS, WATER WORKS, SEWER WORKS, ETC., INCLUDED IN THE PROPOSED DEVELOPMENT.

WITNESSED AND SIGNED BY SAID OWNERS:

\_\_\_\_\_  
JARED NELSON

\_\_\_\_\_  
DAY OF \_\_\_\_\_ 20\_\_\_\_



### SURVEYOR'S CERTIFICATE

I, Brian G. Linn, a Registered Land Surveyor, held Certificate No. 27017; as executed by the laws of the State of Utah, and do hereby certify that by authority of the owners, I have made a survey of the tract of land shown on this plat, which is accurately described therein, and have submitted said levels of land lots and corners to the honorar known as HILLCREST SUBDIVISION PHASE 5.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

### BOUNDARY DESCRIPTION

Part of the Southwest Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian described as follows:

Commencing at the Southwest Corner of Section 14, Township 11 North, Range 1 East of the Salt Lake Baseline and Meridian monumented with a Brass Cap thence N 00°38'37" W 2714.00 feet (Base of Bearing) along the west line of the Southwest Quarter of said Section 14 to the West Quarter Corner of said Section 14 to a point on the east right-of-way line of 350 East Street; thence N 89°47'31" E 634.23 feet to the Northeast Corner of Hillcrest Subdivision Phase 1; recorded January 28, 2009 under Entry No. 008502; thence N89°46'13" E 836.74 feet thence N 89°54'28" E 846.11 feet to the Northeast Corner of Hillcrest Subdivision Phase 4 thence S 01°13'00" E 169.68 feet to the Southeast Corner of Lot 33 and the POINT OF BEGINNING and running:  
thence S 01°13'00" E 491.74 feet;  
thence S 80°32'28" W 814.00 feet to the Southeast Corner of Lot 52, Hillcrest Subdivision, Phase 3;  
thence along Hillcrest Subdivision Phase 3 the next three courses:  
1) thence N 11°00'11" W 100.20 feet;  
2) thence N 01°17'55" W 102.22 feet;  
thence N 10°14'53" E 212.22 feet along Hillcrest Subdivision Phase 2 and Phase 3 to the Southwest Corner of Lot 36, Hillcrest Subdivision, Phase 4;  
thence along Hillcrest Subdivision, Phase 4 the next seven courses:  
1) thence S 89°56'20" E 148.10 feet;  
2) thence 17.85 feet along a non-perpendicular curve to the left having a radius of 772.00 feet (center bears N78°30'09" W), a central angle of 1°18'26", and a chord which bears N 12°52'32" E 17.85 feet;  
3) thence N 88°11'15" E 283.25 feet;  
4) thence S 01°13'00" E 253.60 feet;  
5) thence N 88°47'00" E 50.00 feet;  
6) thence N 01°13'00" W 84.82 feet; thence 13.18 feet along a curve to the left having a radius of 125.00 feet, a central angle of 0°22'34", and a chord which bears N 04°14'17" W 13.18 feet;  
7) thence N 89°50'12" E 109.25 feet to the point of beginning, containing 5.88 acres.

OWNERS:  
PARAMOUNT DEVELOPMENT INC  
399 NORTH MAIN  
LOGAN, UTAH 84321  
84332

### HILLCREST SUBDIVISION, PHASE 5

PART OF THE SOUTHWEST QUARTER OF SECTION 14  
TOWNSHIP 11 NORTH, RANGE 1 EAST  
SALT LAKE BASELINE AND MERIDIAN  
PROVIDENCE, UTAH  
**FINAL PLAT**

**ALLIANCE CONSULTING ENGINEERS**  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435) 755-5121

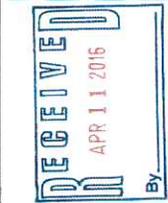
DATE: J-2016

DRAWN BY:

REVIEW BY: BCL

JOB NO.:

SHEET 1 OF 1 SHEETS



### MAYOR APPROVAL

APPROVED \_\_\_\_\_ DAY OF \_\_\_\_\_ BY THE PROVIDENCE CITY MAYOR

PROVIDENCE CITY MAYOR

### CITY ENGINEER APPROVAL

APPROVED \_\_\_\_\_ DAY OF \_\_\_\_\_ BY THE PROVIDENCE CITY ENGINEER

PROVIDENCE CITY ENGINEER

### UTILITIES APPROVAL

Each of the utility companies below state that they have reviewed the plat, that they approve the plat as it relates to their particular company, that they are in agreement with placing all of their utilities underground within the right-of-way as shown on the plans and are willing to provide the needed service for the development.

CITY'S CULINARY WATER AND SANITARY SEWER REPRESENTATIVE \_\_\_\_\_

ROCKY MOUNT POWER REPRESENTATIVE \_\_\_\_\_

QUESTAR REPRESENTATIVE \_\_\_\_\_

COMCAST CABLE REPRESENTATIVE \_\_\_\_\_

CENTURY LINK REPRESENTATIVE \_\_\_\_\_

### ACKNOWLEDGEMENT

STATE OF UTAH  
COUNTY OF \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ PERSONALLY APPEARED \_\_\_\_\_ WHO DULY ACKNOWLEDGED TO ME THAT THEY (HE/SHE) EXECUTED THE SAME.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ RESIDING AT \_\_\_\_\_

### COUNTY RECORDER

STATE OF UTAH  
COUNTY OF CACHE

THIS IS TO CERTIFY THAT THIS PLAT WAS FILED FOR RECORDING IN THE CACHE COUNTY RECORDERS OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK AND IS DULY RECORDED.

PLANO NO. \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_

### PLANNING COMMISSION APPROVAL

RECOMMENDED FOR APPROVAL BY THE CITY OF PROVIDENCE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ A.D.

### CITY ATTORNEY APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ BY THE PROVIDENCE CITY ATTORNEY \_\_\_\_\_

PROVIDENCE CITY ATTORNEY \_\_\_\_\_

### CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH |  
COUNTY OF CACHE |

\_\_\_\_\_ day of \_\_\_\_\_, A.D.,  
20\_\_\_\_ personally appeared before me, JARED NELSON, President of Paramount Development, Inc., a Utah Corporation, signers of the within instrument who declared to me, that they signed this instrument on behalf of the corporation pursuant to a resolution of the board of directors of said corporation.

My commission expires: \_\_\_\_\_

Notary Public \_\_\_\_\_

Reading at: \_\_\_\_\_

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 G D	C H D	M X D	P U B
<b>A.</b>	<b>Residential Uses</b>															
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	

		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 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	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>B.</b>	<b>Accessory/Incidental Uses</b>															
1	Accessory building	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	
5	Private swimming pool	P	P	P	P	P	P			P	P	P	P		P	
<b>C.</b>	<b>Governmental/Institutional/Special Services</b>															
1	Church	P	P	P	P	P	P	P	P	P	P	P				
2	Ministers, rabbis, priests, and other similar ordained religious work	P^														
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	P	I or C*	C											
5	Preschool	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
<b>D.</b>	<b>Utility and Related Service</b>															
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
<b>E.</b>	<b>Professional Services</b>															
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 G D	C H D	M X D	P U B
	medium impact															
2	Business office, low impact	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^	P	I or C*	P											
8	Licensed professional	C^	P	I or C*		P										
9	Mortuary	C^	C^	C^					C^	C^	C^	C^	P			P
10	Optical shop	C^	P	I or C*		P										
11	Pharmacy	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^	P			P										
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	C^	C^	C^	C^										
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	P	I or C*		P										
16	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	C^	C^	C^	C^										
17	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	C^	C^	C^	C^										
18	Veterinarian^^	C^	C^	C^					C^	C^	C^	C^	C			P
<b>F.</b>	<b>Retail/Related Uses</b>															
1	Adult oriented business												C			
2	Food preparation, catering, etc	C^	P	P	P	C										
3	Bakery/Confectionery sales	C^	P	P	P											
4	Barber/beauty shop	C^	P	P	P											
5	Book/Stationery Store												p	p	P	
6	Computer Store												p	p	P	
7	Department store												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 G D	C H D	M X D	P U B
8	Florist Store												p	p	P	
9	Furniture Store												p	p	P	
10	Specialty Store/Shop	C^		P												
11	Grocery store	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	Laundry services	C^														
16	Liquor store (OM 015-2004)												p	p	P	
17	Music Store												p	p	P	
	Paint Store												p	p	P	
18	Pet Grooming	C^	P	P	P											
19	Pet Store												p	p	P	
20	Restaurant/fast food												p	p	P	
21	Shoe repair	C^	p	p	P											
22	Small appliance repair	C^	p	p	C											
23	Variety Store												p	p	P	
24	Commercial complex												p	p	P	
25	Shopping center												p	p	P	
26	Tire sales, retail (OM 001-002, 02/27/01)												c	P		
27	Yard sales on an occasional basis	P^														
<b>G.</b>	<b>Commercial/Related Uses</b>															
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	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^					P	P	P							
14	Recreation/Entertainment												P	I or C*		
15	Research facilities	C^					P									
16	Theater												P	P	P	
17	Vehicle storage															
<b>H.</b>	<b>Industry and Manufacturing</b>															
1	Auto repair, paint and body shop													C	C	
2	Paint and body shop													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 G D	C H D	M X D	P U B
3	Bldg maintenance & repair services												C			
4	<del>Counter top or</del> Cabinet Shop															
5	<del>Counter top shop</del>															
6	Clothing Manufacturer															
7	Furniture Manufacturer															
8	General contractor yard												C			
9	Landscape services															
10	Yard/lawn/snow removal maintenance	C^	C^	C^	C^	C^							C			
11	HVAC shop/sales												C			
12	Ice cream plant															
13	Lumber yard												P			
14	Paint Shop												P			
15	Welding/machine Shop												C			
16	Wholesale outlet/storage and sales												P			
17	Light Manufacturing												C			
18	Motorcycle, Snowmobile, ATV, etc repair	C^														
I.	<b>Agriculture and Related Uses</b>															
1	Beekeeping 4 or less colonies	P^ ^	P^^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^								
1A	Beekeeping More than 4 colonies	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	I	P									
4	Commercial crop production	P	P	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	
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^														
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 10 of this Code, Animal Regulation and Control.  
^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for

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

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

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.
2. The project area is the approved preliminary plat.
3. Incidental uses in the project area are not computed in the 15% limitation.
4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

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

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

B. City Council Action: The City Council will approve or disapprove the recommendation. Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)