

Providence City Planning Commission Agenda
Providence City Office Building, 164 North Gateway Drive, Providence UT 84332
February 10, 2021 6:00 p.m.

Members of the Planning Commission may be attending this meeting electronically.

This meeting will live stream on Providence City's YouTube Channel.

Persons wishing to comment on agenda items may email their comments to providencecityutah@gmail.com or
text comments to 435-752-9441.

Call to Order: Kathleen Alder, Chair

Roll Call of Commission Members:

Pledge of Allegiance:

Approval of the Minutes:

Item No. 1. The Planning Commission will consider approval of the minutes for January 27, 2020.

Public Comments: Persons wishing to express their views on issues within the Commission's jurisdiction may email their comments to providencecityutah@gmail.com or text comments to 435-752-9441. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

Public Hearing(s): None

Legislative – Action Item(s): None

Administrative Action Item(s):

Item No. 1. Final Plat Amendment: The Planning Commission will consider and may vote on a request to approve a final plat for Shoreline Estates Phase 1, a 23-single-family residential subdivision phase located in the general area of 700 East Spring Creek Parkway.

Study Items(s):

Item No. 2. City Code Review and Discussion. The Planning Commission will discuss Providence City Code Title 10 Chapter 4 Section 4 Mixed Use District.

Agenda posted by S Bankhead on February 5, 2021



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.

Public meetings will be held electronically in accordance with Utah Code Ann. §§ 52-4-207 et. seq., Open and Public Meetings Act. The Providence City Office Building, 164 N. Gateway Dr. is the anchor location; unless otherwise determined by the Chair, in accordance with UCA 52-4-207(4), an electronic meeting will be held without an anchor location.

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 Agenda
February 10, 2021 6:00 p.m.

Approval of the Minutes:

Item No. 1. The Planning Commission will consider approval of the minutes for January 27, 2020.

Providence City Planning Commission Minutes
Providence City Office Building
164 North Gateway Drive, Providence UT 84332
January 27, 2021 6:00 p.m.

Members of the Planning Commission may be attending this meeting electronically.
This meeting was live streamed on Providence City's YouTube Channel.

Call to Order: Kathleen Alder, Chair

Roll Call of Commission Members: Kathleen Alder

Attendance: Kathleen Alder, Laura Banda, Brian Marble (non-voting alternate), Rowan Cecil, Michael Fortune, Robert Perry

Pledge of Allegiance: Robert Perry

Approval of the Minutes:

Item No. 1. The Planning Commission will consider approval of the minutes for January 13, 2020.

Motion to approve the minutes for January 13, 2020: — R Cecil, second — R Perry

Corrections:

- Line 52, end of sentence: "top" should be "to."
- Laura Banda was excused.

Vote:

Yea: K Alder, R Cecil, M Fortune, R Perry

Nay:

Abstained: L Banda

Excused:

Public Comments: Persons wishing to express their views on issues within the Commission's jurisdiction may email their comments to providencecityutah@gmail.com or text comments to 435-752-9441. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

- No public comments.

Public Hearing(s): None

Legislative – Action Item(s):

Item No. 1. Request to vacate city right-of-way and adjacent property: The Planning Commission will consider and may vote on a recommendation to the City Council regarding a request to vacate a portion of city right-of-way located in the general area of 293 North Gateway Drive and Parcel 02-171-0036.

- S Bankhead explained that there was a mistake made in preparing the agenda. We will only be able to vacate the portion that is the right-of-way. The parcel will have to be done through a different process.

Motion to make a recommendation to the City Council regarding the request to vacate a portion of the city right-of-way located in the general area of 293 North Gateway Drive, the little bulb, with the good cause being that it will make the development better and it is a part that the city is not using, so it will be to the benefit of the city if this occurs: — R Cecil, second — R Perry

Vote:

Yea: K Alder, L Banda, R Cecil, M Fortune, R Perry

Nay:

Abstained:

Excused:

- K Alder discussed the "leakage report" and the fact that Providence is low on short-term rentals.
- Paul Poteet of the developer said that they have not fully considered what the lease terms will be. K Alder brought up adding a hotel where people could stay for a few weeks. P Poteet said that he can look into it.

Administrative Action Item(s):

Item No. 1. Final Plat Amendment: The Planning Commission will consider and may vote on a request to a final

plat amendment adjusting an internal lot restriction on Lot 33 Little Baldy Place Subdivision Partial Amended, located at 96 N 850 E.

- S Bankhead explained the background of this request. Cameron Widner, property owner, would like us to adjust the buildable envelope on his lot. Some concerns that the buildable envelope was meant to address are water pressure, fire flow, fire access, and slopes.
- S Bankhead explained that although the Administrative Land Use Authority approved the conditional use for C Widner's home, they were assured that the home would be within the buildable envelope.
- Cameron Widner explained that water pressure and fire flow are important to him. He has verified with Aaron Walker [Logan City Fire Marshall] that flows would be sufficient. They have excavated the land, and so they are not asking to go to a higher elevation, but only to go further east at the same elevation. 50 PSI can be maintained across the entire area they are proposing for construction.
- R Perry pointed out a mistake on page 1 of the staff report. The parcel number should be 02-288-0033.
- M Fortune asked about documentation of the fire marshall's approval. C Widner said that he submitted it with an email he sent to S Bankhead.
- S Bankhead explained that during C Widner's excavation work, the city's property was impacted. She asked the commission to include a condition that discussions will need to be had about restoration or repair of the city's property. C Widner agreed.

Motion that the Planning Commission approve a final plat amendment adjusting an internal lot restriction on Lot 33 Little Baldy Place Subdivision Partial Amended, located at 96 N 850 E based on the findings of fact, conclusions of law, and the conditions as set forth by the Providence Staff. In regards to finding good cause, [the Commission bases] that upon hearing [about] the effort that's gone into trying to get the best opportunity for that piece of property for that particular lot, and meeting the requirements of the fire marshal for water flow, etc. [Also], it is very important to make sure that [for] the city property that is there that may have gotten encroached upon while doing some grading work out there, we have to do whatever we can to get it back to normal: — M Fortune, second — R Perry

Vote:

Yea: K Alder, L Banda, R Cecil, M Fortune, R Perry

Nay:

Abstained:

Excused:

Item No. 2. Preliminary Plat: The Planning Commission will consider and may vote on a request to approve a preliminary plat for Providence City-Center Subdivision, a 4-lot (with a remainder parcel) mixed use development containing 3 retail/commercial buildings and 7 residential buildings with a combined total of 54 multi-family dwelling units, located in the general area of 95 South Gateway Drive.

- S Bankhead reviewed the updates on this application. The developer has adjusted their plan so that the residential section of the development connects to the retail section and also to the Alder Square development. They also provided an artistic rendition of the development.
- Danny Macfarlane explained that they also committed to improving one commercial lot for each phase of the residential. The phases are now connected on the plans.
- B Marble asked about street lighting. D Macfarlane said that they are not proposing to put any additional street lights on the city street.

Motion that the planning commission approve a preliminary plat for Providence City-Center Subdivision, a 4-lot (with a remainder parcel) mixed use development, containing 3 retail/commercial buildings and 7 residential buildings with a combined total of 54 multi-family dwelling units, located in the general area of 95 South Gateway Drive with all of the conditions as stated in [the staff report] including concerning the water dedication requirement: — R Cecil, second — L Banda

Vote:

Yea: L Banda, R Cecil, M Fortune, R Perry

Nay:

Abstained: K Alder

Excused:

- K Alder abstained due to a conflict of interest

Study Items(s): None

Discussion:

- B Marble felt that horizontal mixed use is not a good use for the city in guiding developers.
- The next meeting will be February 10th and it will be in-person.

Motion to close the meeting: — R Cecil, second — M Fortune

Vote:

Yea: K Alder, L Banda, R Cecil, M Fortune, R Perry

Nay:

Abstained:

Excused:

Meeting adjourned at approximately 7:06 PM

Minutes prepared by Jesse Bardsley

Kathleen Alder, Chair

Skarlet Bankhead, City Recorder

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PROVIDENCE CITY Final Plat Analysis		
Item Type: Final Plat	Applicant: Charles Fullmer	Agent: Steve Earl
Prepared by: Skarlet	General Plan: SFT & SFL	Zone: SFT & SFL
Parcel ID: 02-005-0008 & part of 02-101-0001 Address: Not assigned General area of 700 East Spring Creek Parkway	Number of Properties: 3 Proposed Lots: 23 (SFL 4 & SFT 19) Acres: 12.91 acres (+/-)	All lots meet or exceed the minimum square footage for lot area.
Background Information: This is a review of the final plat for Shoreline Estates Phase 1 dated 20 January 2021 and received by the City on January 27, 2021.		
Summary of Key Issues: 1. Stan Checketts LLC is retaining ownership of the remainder parcel. 2. The concept plan was received July 20, 2020 and reviewed in preparation for preliminary plat on August 17, 2020 3. The Planning Commission approved the preliminary plat on October 14, 2020. 4. On November 18, 2020, the City Council adopted Ordinance No. 2020-012 vacating a side street stubbed out from Spring Creek Parkway at approximately 400 N and three utility easements in the same general area.		
Providence City General Plan 2020 • Vision: <i>Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.</i> • Key Initiatives: 1. Preserve the 'sense of place' by identifying characteristics that define Providence as a unique place. 2. Make decisions regarding storm water and exterior water use guided by green infrastructure and low impact development best management practices. 3. Consider life-cycle costs in mind when making decisions for design standards (such as road widths) and new capital improvement projects. 4. Ensure that transportation and recreation facilities accommodate a variety of transportation modes (biking, walking, driving) to provide people multi-modal transportation options as a lifestyle and recreation choice. 5. Consider long-term economic development impacts when making land use, transportation, and other planning decisions. 6. Encourage housing options to meet the needs of residents of all ages, income level and family size, regardless of their stage of life.		

FINDINGS OF FACT:

This review used the following resources:

1. Utah Code (UCA) Title 10 Chapter 9a Part 6 Subdivisions gives the legislative body of a municipality the authority to enact ordinances requiring that a subdivision plat comply with the provisions of the municipality's ordinances and the provisions of Part 6.
2. UCA 10-9a-103(29) A land use authority is a person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application.
3. The Providence City General Plan 2020, current development, and anticipated development in the immediately surrounding area were considered to review the final plat.

4. Providence City Code (PCC) 11-3-3: Final Plat list the requirements for a final plat.

CONCLUSIONS OF LAW:

1. The legislative body for Providence City has enacted PCC Title 11 Subdivision Regulations.
2. PCC 2-4-1 designates the Planning Commission as the land use authority for all subdivisions.
3. PCC 10-5-2:A.2. designates steep slopes, where the rise or fall of the land is equal to or exceeds thirty percent (30%) over a horizontal distance of fifty feet (50') or greater (see Section 4 of this Chapter) measured perpendicular to the contour lines, as Non-developable sensitive areas.
 - a. No land designated as a Non Developable Sensitive Area may be considered for development density or disturbed in any manner during the development of adjacent lands except as reasonably necessary for the installation of required public utilities.
4. PCC 10-8-1 Space Requirement Chart. Setback for a side yard-interior is a minimum 10' in both the SFL and SFT zones; side yard-street is a minimum 20' in both zones; the rear yard setback is a minimum 15' in both zones.
5. Lot Areas:
 - a. PCC 10-8-1 SFL minimum lot width measured at setback line 100'; SFT minimum lot width measured at setback line 95'; and
 - b. PCC 10-8-2.d.1. In areas that contain sensitive areas and hazard zoned (see Chapter 5 of this Title) thirty percent (30%) of the lots can be less than the minimum lot size and/or reduced frontage width, but no lot can be less than twelve thousand (12,000) square feet in the subdivision and the frontage requirement at the setback line must be the minimum for the zone.



Lots 1 – 4 and 9 – 23 are in the SFT zone.

Lots 5 – 8 are in the SFL zone.

CONDITIONS:

1. The applicant will need to add the following language in red to Note 7.
 7. Lot 20 is subject to a public utility / storm water pond easement where shown. This area is to be maintained by the owner of Lot 20. It may be landscaped, but the grades within this easement may not be filled or otherwise altered. This area also contains rockery walls. CMT Engineering Laboratories performed a global slope stability analysis for this area. This report is recorded with this plat. The report states, "frequent maintenance, repair, and inspection must be performed on the wall. If any signs of erosion or movement are noticed, CMT must be contacted immediately to provide appropriate recommendations."
2. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

January 20, 2021

Mr. Steven Earl
Cache-Landmark Engineering
95 West Golf Course Road
Logan, Utah 84321

Re: Shoreline Estates Phases 1 to 3
About 400 North 600 East
Providence, Utah
CMT Job No. 15244

Mr. Earl,

At your request we have performed additional global slope stability analyses for the subject project based upon the proposed grading as shown on Sheet C-3.3, Stormwater Profile Stormwater Pond, dated 9 December 2020 prepared by Cache-Landmark Engineering. CMT previously prepared a geotechnical study¹ for the proposed development.

Slope Stability Analysis

The referenced plan indicates that a small detention pond will be built near the toe of the slope on the western portion of the site. We understand the city has expressed concern regarding the effect on the stability of the slope should it become saturated as a result of the detention pond filling during a storm event.

We have evaluated the stability of the slope through the detention pond utilizing the cross section shown on the referenced plan sheet and the general subsurface soil conditions as utilized for the slope stability analysis performed as part of the referenced geotechnical study. The cross section indicated rock walls will be used to create the detention basin, with maximum wall heights of approximately 6 feet. Soil and rock boulder strength parameters used in the stability analyses are as follows:

Material	Internal Friction Angle (degrees)	Apparent Cohesion (psf)	Unit Weight (pcf)
General Slope Soils	32	200	120
Rock Boulders	0 (global)	5000 (global)	145
Rock Boulders	45 (local)	0 (local)	145

We also included a phreatic water surface to represent potential saturated conditions with the pond filled.

¹ Geotechnical Engineering Study, Proposed Shoreline Estates Phases 1 through 3, About 400 North 650 East, Providence, Utah, CMT Project No. 15244, October 9, 2020.

For the seismic (pseudostatic) analysis, a peak horizontal ground acceleration of 0.508 *g* after adjusting for Site Class D was obtained for the site. To model sustained accelerations at the site, about one-half of this value, 0.26 *g*, was used as the pseudostatic coefficient for the seismic stability analysis.

Using the above input parameters, we evaluated the local stability of proposed rock walls using a spreadsheet (**Figure 1**), and global stability of the overall slope using limit equilibrium (Simplified Bishop) methods via the computer program *SLIDE* (version 7.0). Typically, the required minimum factors of safety are 1.5 for static conditions and 1.1 for seismic (pseudostatic) conditions. The results of our analyses indicate that the configuration analyzed meets both these requirements provided our recommendations are followed. The stability analysis results are attached (**Figures 2 & 3**).

For rockery wall construction the following general recommendations are provided.

- Rock walls should not exceed a maximum exposed height of 6 feet.
- Boulders used in the rockery walls should be oriented with the longest dimensions into the hillside. Rock boulders should have a minimum 36 inch nominal diameter for bottom row boulders grading to 18 inches minimum nominal diameter for top row boulders.
- The bottom row of boulders should be embedded a minimum 6 inches below the ground surface.
- The rockery wall facing should slope no steeper than 1H:2V (Horizontal:Vertical).
- Boulders used in rockery walls should be durable (i.e. not limestone, soft sandstone, or other rocks which have weakened planes that could cause rocks to split) and placed in a staggered manner (not creating a vertical column) that will not significantly weaken their internal integrity. There should be maximum rock-to-rock contact when placing the rock boulders and no rocks should bear on a downward-sloping face of any supporting rocks. Larger gaps may be filled with smaller rocks or sealed with a cement grout.
- As shown on the attached detail (**Figure 4**), a drain should be constructed behind the rock wall on the downslope side of the proposed detention basin to reduce the potential for water to flow through the wall face and wash supporting/retained soils out causing a wall failure.

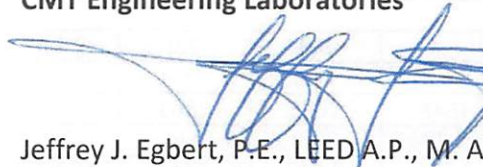
It should be noted that rockery walls are constructed of natural materials and are therefore subject to natural weathering processes and environmental attacks that may, in time, compromise the stability of the rockery walls. Boulders used during construction are subject to natural weathering by seasonal changes, wind, frost action, chemical reaction, water, etc. Additionally, the stability of rockery walls can be affected by other on-site and off-site influences such as saturation of retained soils, saturation of supporting soils, root action of vegetation and trees adjacent to the wall, and animal activities including burrowing and nesting. Rockery walls must be closely monitored for signs of excessive weathering, drainage characteristics, signs of movement in the boulder, obstruction of drain outlets, etc. Frequent maintenance, repair, and inspection must be performed on the wall. If any signs of erosion or movement are noticed, CMT must be contacted immediately to provide appropriate recommendations.

Limitations

The recommendations contained herein are based solely on the results of the local and global stability analysis performed based upon the proposed plan provided to us. If the grading plan is altered CMT should be notified to re-assess slope stability and provide additional recommendations as needed. We cannot assume responsibility for conditions of which we are not aware or have not observed.

We appreciate the opportunity to provide our services on this project. If we can answer any questions please call.

Respectfully submitted,
CMT Engineering Laboratories



Jeffrey J. Egbert, P.E., LEED A.P., M. ASCE
Senior Geotechnical Engineer

Reviewed by:



Andrew M. Harris, P.E.
Geotechnical Division Manager

Local Stability Evaluation

Backfill slope angle:	15	degrees (β)	Foundation soil γ :	120	pcf
Batter angle (from vertical):	26.6	degrees (α)	Foundation soil ϕ :	32	degrees
Soil/wall interface friction:	0	degrees (δ)	Found. soil cohesion:	200	psf
Surcharge pressure:	0	psf	Retained soil γ :	120	pcf
	<u>static</u>	<u>seismic</u>	Retained soil ϕ :	32	degrees
FS against sliding (Static & Seismic):	1.5	1.1	Retained soil cohesion:	200	psf
FS against overturning (Static & Seismic):	2.0	1.5	Rock boulder γ :	145	psf
FS for bearing (Static & Seismic):	2.5	1.5	Rock boulder ϕ :	45	degrees
Horizontal seismic coeff., k_h :	0.26	(typically $\frac{1}{2}$ of PGA)	Embedment depth:	0.5	feet
Vertical seismic coeff., k_v :	0	(typically 0)	Average rockery wall γ :	150	pcf
Rock to Rock interface factor:	0.67	(typically 2/3)	Min. top rock size:	18	inches
Bearing Capacity	19734	psf (Meyerhoff)	Min.bottom rock size:	36	inches

STATIC

Wall Ht, H (ft)	1.0	2.0	3.0	4.0	5.0	6.0	7.0	8.0
Back of wall, y (°)	0.0	0.0	0.0	7.1	11.3	14.0	15.9	17.4
Wall Wt, W (lbs/ft)	338	675	1013	1350	1688	2025	2363	2700
Wall $x_{centroid}$ (ft)	1.39	1.61	1.83	2.06	2.28	2.50	2.62	2.72
Wall $y_{centroid}$ (ft)	0.444	0.889	1.333	1.778	2.222	2.667	3.161	3.622
Coulomb K_a	0.3667	0.3667	0.3667	0.3096	0.2786	0.2590	0.2456	0.2359
F_a (lbs/ft)	0	1	1	1	1	1	27	123
$F_{sliding}$ (lbs/ft)	0	1	1	1	1	1	26	117
$F_{resisting}$ (lbs/ft)	211	422	633	843	1054	1265	1472	1664
FS_{base sliding}	> 100	> 100	> 100	> 100	> 100	> 100	56.2	14.2
FS_{interface shear}	> 100	> 100	> 100	> 100	> 100	> 100	60.5	15.4
$M_{overturn}$ (ft-lbs/ft)	0	0	1	1	2	3	61	313
$M_{resisting}$ (ft-lbs/ft)	469	1088	1856	2775	3843	5061	6167	7206
FS_{overturn}	> 100	> 100	> 100	> 100	> 100	> 100	> 100	23.1
Eccentricity, e (ft)	0.11	-0.11	-0.33	-0.55	-0.78	-1.00	-1.09	-1.09
Bearing Pressure	138	275	562	949	1436	2023	2501	2823
FS_{bearing}	143.5	71.8	35.1	20.8	13.7	9.8	7.9	7.0

SEISMIC

Mononobe-Okabe K_{ae} =	0.7286	0.7286	0.7286	0.6549	0.6168	0.5935	0.5777	0.5663
F_{ae} (lbs/ft)	0	0	0	0	140	357	634	971
$F_{sliding}$ (lbs/ft)	88	176	263	351	576	873	1224	1628
$F_{resisting}$ (lbs/ft)	211	422	633	844	1037	1211	1367	1506
FS_{base sliding}	2.4	2.4	2.4	2.4	1.8	1.4	1.1	0.9
FS_{interface shear}	2.6	2.6	2.6	2.6	2.0	1.6	1.3	1.1
$M_{overturn}$ (ft-lbs/ft)	39	156	350	623	1385	2650	4455	6739
$M_{resisting}$ (ft-lbs/ft)	469	1088	1856	2775	3745	4725	5467	6068
FS_{overturn}	12.0	7.0	5.3	4.5	2.7	1.8	1.2	0.9
Eccentricity (ft)	0.23	0.12	0.01	-0.09	0.08	0.43	1.04	1.78
Bearing Pressure	163	279	346	365	640	1201	2243	3661
FS_{bearing}	120.7	70.8	57.0	54.0	30.8	16.4	8.8	5.4

Max. Recommended Wall Height: 6 feet for 18-inch (top row) to 36-inch (bottom row) size boulders

Notes:

1. Equations from "Recommended Rockery Design & Construction Guidelines" Publication FHWA-CLF/TD-06-006, Nov. 2006.

2. Cohesion included in active pressure force by subtracting ($2 * c * \sqrt{K_a}$), but force is not allowed to be less than 0.

3. Other equations: $W=[p*(\text{average rock radius})^2 * H] * g_{rock}$; $FS_{interface shear}=(\text{Rock to Rock interface factor}) * [W * \tan(f_{rock}) / P_{sliding}]$

Shoreline Estates Phases 1 to 3

Providence, UT

CMT ENGINEERING
LABORATORIES

Evaluation

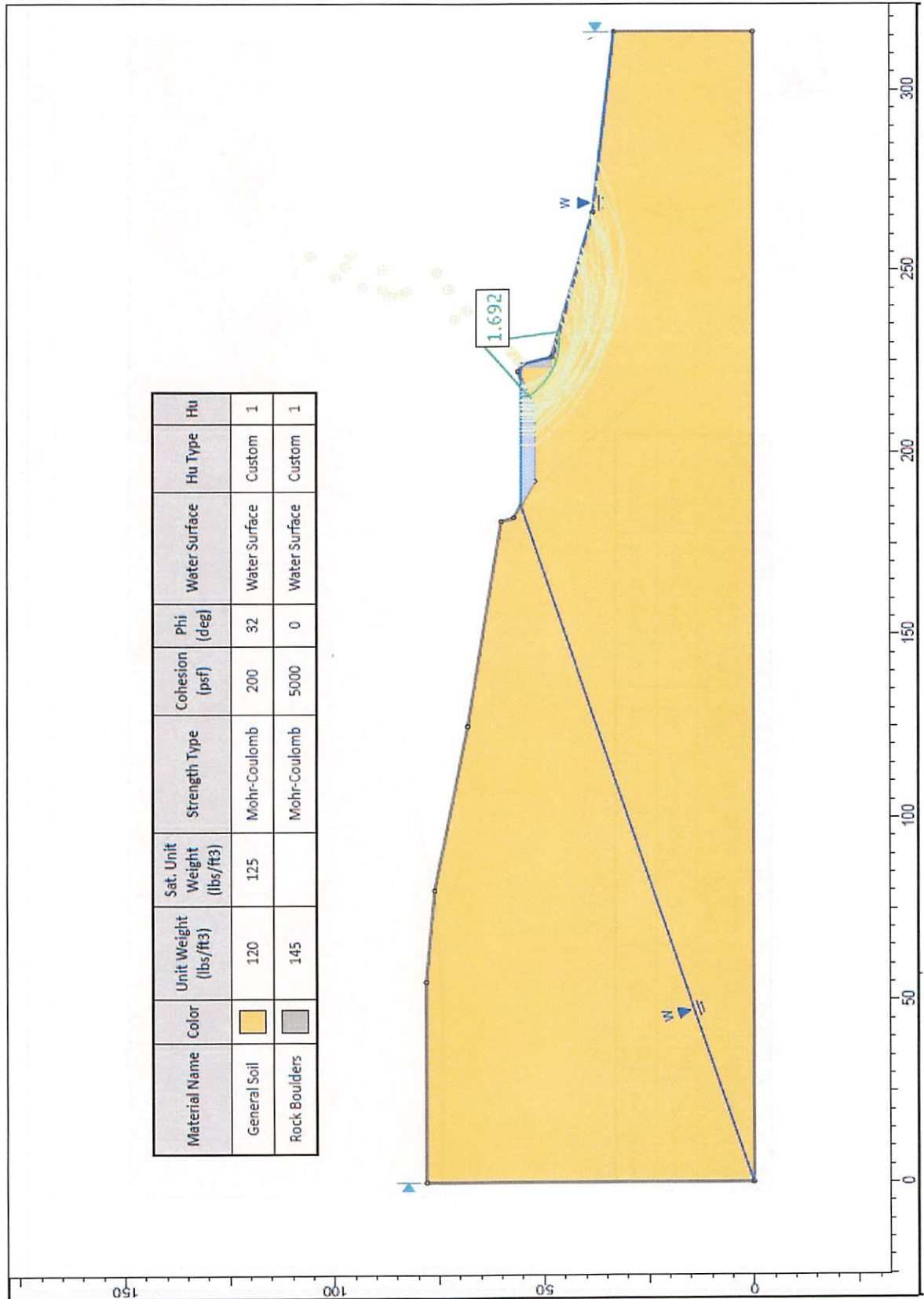
Date 20-Jan-21

Job No. 15244

Figure

1

Stability Results - Static



Shoreline Estates Phases 1 to 3

Providence, UT

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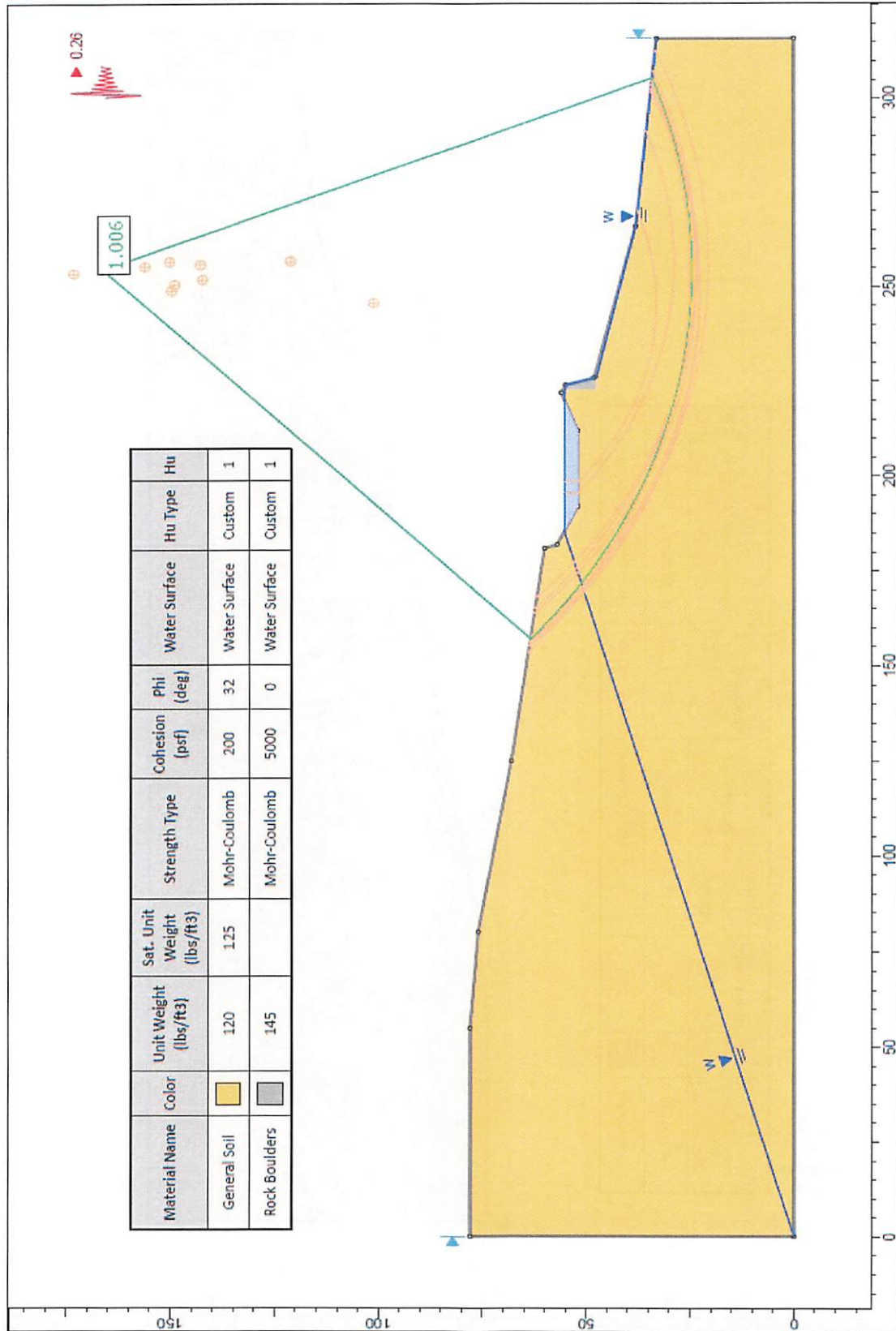
Results

Date	20-Jan-21
Job No.	15244

Figure

2

Stability Results - Seismic



Shoreline Estates Phases 1 to 3

Providence, UT

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Results

Date 20-Jan-21

Job No. 15244

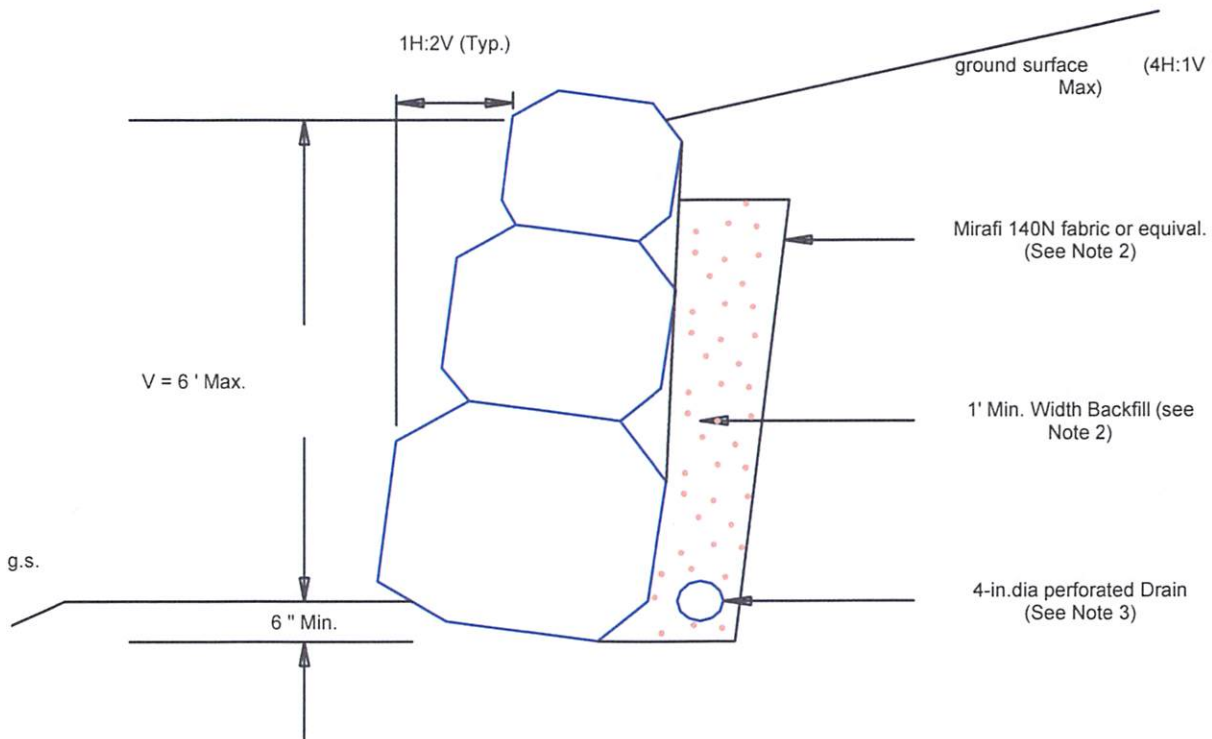
Figure

3

Rockery Wall Details

NOTES:

1. Backfill soils should be placed in loose lifts not exceeding a thickness of 12 inches, moisture conditioned to within 2% of optimum, and compacted to a minimum 95% of the maximum dry density as determined by ASTM D-1557.
2. Free-draining backfill shall consist of clean 3/4-inch to 2-inch size gravel having less than 10% passing the No. 4 sieve and less than 5% passing No. 200 sieve, or may use Miradrain (or equivalent) instead of gravel & fabric above the drain pipe.
3. Perforated drain shall be wrapped with fabric, sloped at a minimum 1%, and discharged to an appropriate drainage device.
4. Boulder depths into the hillside shall be a minimum 36 inches for the bottom row grading to a minimum 18 for the upper row for each tier.



NOT TO SCALE

Shoreline Estates Phases 1 to 3

Providence, UT

CMT ENGINEERING
LABORATORIES

Wall Details

Date 20-Jan-21

Job No. 15244

Figure

4

10-4-4: **MIXED USE DISTRICT:**

- A. **Purpose:** The Mixed Use District is established to stimulate economic development by providing a unique planning environment that combines retail, commercial, office, and residential development in a pedestrian friendly manner. This district encourages creative development and site. The MX District includes a mixture of uses with no one land use type being a constant dominate or prevailing use. However, residential development is required at a maximum of 39 dwelling units per acre.
- B. **Procedures:**
1. The Planning Commission shall be the land use authority for approval of all development proposals in the MX District. All exterior construction visible from adjacent properties or public streets must also be reviewed and approved by the Planning Commission.
 2. Prior to the Planning Commission taking action, plans must be submitted in accordance with the zoning ordinance.
 3. All submissions shall be made in conformance with the adopted application and agenda deadline schedule.
- C. **Uses-Allowed:** Uses are listed in 10-6-1. Any uses not listed on a table in that section are not permitted. Any development in the MX District must include retail and residential uses; and may include office and/or commercial.
- D. **Development Standards:** The following provisions shall apply in a MX District, which District shall also be subject to other provisions of the Zoning Ordinance, except that where conflict in regulations occurs, the regulation specified in this Chapter, or on a development plan approved pursuant to this Chapter, shall apply.
1. Open Space: Usable open space shall be provided within the mixed use development with the amount and type of open space depending upon size, scale, and nature of the development as determined by the Planning Commission. Approved open space may include but is not limited to: commons, pocket parks, plazas, courtyards, landscape features, water fountains and features, and greenbelts. Open space shall be maintained by owners or the homeowners association. The design shall encourage comfortable and safe pedestrian use, including landscaping, seating areas, and lighting as appropriate.
 2. Standards for area, coverage, density, yard requirements, parking and screening for MX District uses shall be governed by the standards of the residential or commercial, zoning districts most similar in nature and function to the proposed MX District use(s), as determined by the Planning Commission, and as modified by the approved general development plan. Standards for public improvements shall be governed by applicable ordinances and laws. Exceptions to these standards by the Planning Commission and by the governing body are possible, when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development or unit thereof.
 3. Horizontal Design. Mixed use projects can utilize horizontal design where commercial, office, and residential uses are designed as a single project, yet constructed in separate and distinct building footprints.
 4. Vertical Design. Vertical design mixed use uses design strategies where commercial, office, and residential uses are designed as a single project and constructed within the same building footprint. Vertical mixed use promotes pedestrian oriented commercial and retail uses on the main level and office and/or residential uses on the upper floors.
 - a. Mixed use projects utilizing vertical mixed use are eligible for a residential density bonus of up to 30% (39 units per acre) provided other applicable standards are met.

5. Maximum building height within the MX District shall be 45'. Building height is defined in Providence City Code 10-1-4.
- E. **Uses:** The variety of uses allowed in a MX District are intended to create a mix of retail, commercial (including but not limited to: entertainment, office, personal services), and residential dwelling land use types that can be developed in a compact design that encourages compatibility of uses. Of the uses included in the development, no one use can be less than 20% of the entire development.
- F. **Architectural Design and Materials:** The treatment of building mass, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding developments. Proposed developments shall be designed with a common theme that reflects the heritage and community of Providence and traditional small town streetscapes. The use of theme in a proposed development shall be reviewed and approved by the Planning Commission. Requirements applicable to all buildings are stated below:
1. All sides of buildings shall receive equal design consideration, particularly where exposed to vehicular or pedestrian traffic and adjacent properties. Façade shifts shall be encouraged on structures with a width greater than 50 feet.
 2. Basic exterior construction materials shall be limited to no more than three types of materials per building and all buildings within the development shall possess a similar architectural theme. Building styles shall be compatible with existing buildings in the MX District.
 3. Buildings shall be designed to relate to grade conditions with a minimum of grading and exposed foundation walls.
 4. Mechanical equipment shall be located or screened so as not to be visible from public and private streets. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or on the roof. Screen materials shall be compatible with those of the building.
 5. Plans for the exterior modifications to any existing structures must be submitted to the Planning Commission for approval and must meet the same requirements as all other structures within the MX District.
 6. The primary entrance to a building shall be located facing the public street. Entrances at a building corner that faces the street may be used to meet this requirement.
- G. **Buffers, Fences, and Walls:** The intent in having special buffer, fence, and wall requirements is to provide quality separation between incompatible commercial uses, and to provide physical and visual protection between commercial and residential uses.
1. Landscape buffers are preferred over fences and walls where a separation is desirable. A visually open look should be encouraged between similar uses. Visual screening is often more important than a physical separation and the Planning Commission may, at its own option, require special treatment of such areas.
 2. Buffer treatment may be required whenever a change occurs between residential and non-residential uses. Additional landscaping and screening may be required at the discretion of the Planning Commission within the setback which separates the uses. Fences or walls will be reviewed for their effectiveness in screening a view, and for their color and texture in relationship to building materials.
 3. Where differing uses are to be developed adjacent to existing residential areas, special consideration shall be made to protect the privacy of residents and requirements shall be the discretion of the Planning Commission. As a minimum, the negative effects of noise and artificial lighting shall be minimized to protect existing residents.
 4. Service areas shall be properly screened. Outdoor lighting shall be designed to prevent exposure of light source to the view of residents. Facilities that require late night customers and activities shall be located away from residential areas to reasonable prevent the disruption of privacy.

- H. **Parking Areas:** Parking areas shall be considered as structures since they present a three dimensional

appearance when occupied.

1. Parking lots shall be located in the central portions of the development and not along streets so they can service a variety of buildings. Location of parking shall be determined not only from its visual relationship to building and site, but also as it relates to safe convenient pedestrian and vehicular circulation patterns. The placing of building and parking elements on a site shall be evaluated by the Planning Commission on the basis of the following factors:
 - a. Type of land use and structure.
 - b. Building height and configuration.
 - c. Relationship to other buildings both horizontally and vertically.
 - d. Natural land features such as slopes and vegetation.
 - e. Physical features such as rail lines, canals, and controlled ingress and egress.
 - f. Visibility from vehicular approaches and distant highways.
 - g. Parking locations are strongly encouraged on the side and to the rear of any proposed structures, with minimum parking between the front of the building and the street.
 - h. Cooperation among neighboring land owners and tenants to share parking for the public and/or employees is encouraged. The availability of shared parking may be used as a justification for the approval of development design and configuration proposals that would otherwise not be approved.
 2. Parking shall not occur adjacent to any public street except when:
 - a. It has been established that such a location is needed or justified by other site or building entrance orientation.
 - b. The use is restricted to visitors and/or key employees.
 - c. Parking is 80% screened by fencing, walls, and/or landscaping from the highway or street by either depressing the paved areas or using elevated landscape berms.
 - d. A minimum of 10 feet of landscaped screening consisting of mixed evergreen and deciduous trees shall surround the periphery of paved areas adjacent to buildings or property lines. The number of trees for this area shall be determined by a standard of 1 tree per every 200 square feet of landscaping required,
 3. Parking requirements will be considered as maximum parking requirements. Residential units will require at least one and a half spaces per unit. Non residential uses may consider the parking available on public streets as meeting the development requirements.
- I. **Signage:** Proper design and placement of signs and their lighting is critical and shall be compatible with structures and uses. Permitted signs within the MX District shall be in compliance with this code, except that off-premise signs or billboards shall not be permitted. Typical retail signage is designed upon a pedestrian scale located 8 – 12 feet above the sidewalk and placed on the store fronts.
- J. **Landscaping:** Landscaping shall comply with landscaping requirements in commercial Districts except as approved by the Planning Commission in the process of reviewing a MX District Development.
- K. **Service and Loading Areas:** Loading and refuse collections areas shall not be permitted between buildings and streets, and must be screened from view of public and private streets. Streets shall not be used directly for loading, unloading, or refuse collection. Building and improvements upon lots must be designed to properly accommodate loading, unloading and refuse collection. Loading and refuse collection areas shall be properly screened meeting standards stated herein.
- L. **General Maintenance:** An overall maintenance schedule shall be implemented by property owners in maintaining all buildings, landscaping, fences, walls, drives, and parking lots (including surfacing and striping, signs, or other structures). The above shall be maintained in good and sufficient repair in a safe and aesthetically pleasing manner. Roads and pavements shall be kept true to line and grade and in good repair.

Mixed Use District – Uses (see PCC 10-6-1)					
A.	Residential Uses		B.	Accessory/Incidental Uses	
1	Single family, detached	P	1	Accessory building	P
2	Single family, attached	P	2	Accessory apartment unit	
3	Dwelling, two family	P	3	Accessory dwelling unit	P
4	Dwelling, three family	P	4	Accessory farm building	
5	Dwelling, four family	P	5	Off street parking incidental to main use	P
6	Dwelling, multi-family	P	6	Private swimming pool	P
7	Manufactured/modular	P			
8	Mobile/trailer home		C.	Governmental/Institutional/Special Services	
10	Cluster development	C	1	Church	
11	Inner block development	C	2	Ministers, rabbis, priests, and other similar ordained religious work	
12	Planned Unit Development	C	3	Community center	
13	Bed & Breakfast	C	4	Day care nursery	C
14	Hotel/motel	C	5	Preschool	C
15	Lodging house	C	6	Public Park	P
16	Residence for persons with disabilities	C		Private Lessons / public facility	
17	Residential facility for the aged	C	7	Public School (OM 020-2004)	
			8	Public building	P

D.	Utility and Related Service		E.	Professional Services	
1	Electric substation		1	Business office, medium impact	P
2	Electric power plant		2	Business office, low impact	P
3	Fire station		3	Business office, general	P
4	Gas meter station		4	Clinic, dental	P
5	Irrigation supply	P	5	Clinic, medical	P
6	Utility distribution lines	P	6	Clinical Social Worker	P
7	Radio/TV/cellular tower		7	Office for single physician, dentist, or chiropractor	P
8	Sewage/water pumping station	P	8	Licensed professional	P
9	Telephone utilities	P	9	Mortuary	P
10	Public utilities, other	P	10	Optical shop	P
11	Utility shop, storage and bldgs	P	11	Pharmacy	P
12	Water treatment plant	P	12	Private school, teaching, tutoring(1 or 2 students at a time)	
13	Water well reservoir or storage tank	P	13	Private school, teaching	P
			14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	
			15	Studio: Art, Dance, Drama, Photography, etc and tutoring	P
			16	Dressmakers, seamstresses, tailors, upholsters, and related occupations	
			17	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	
			18	Veterinarian^^	P

F.	Retail/Related Uses		G.	Commercial/Related Uses	
1	Adult oriented business		1	Auto Sales – New & Used (OM 016-2004 05/11/04)	
2	Food preparation, catering, etc	P	2	Auto Sales –Used (OM 016-2004 05/11/04)	
3	Bakery/Confectionery sales	P	3	Auto wash	
4	Barber/beauty shop	P	4	Bank/financial	P
5	Book/Stationery Store	P	5	^^^Nondepository Financial Institutions	
6	Computer Store	P	6	Building materials	
7	Department store	P	7	Dance hall	
8	Florist Store	P	8	Gasoline/petroleum storage (not bulk)	
9	Furniture Store	P	9	Gasoline sales/service	
10	Specialty Store/Shop		10	Fitness Center Commercial (Gym)	P
11	Grocery store	P	11	Convenience store	
12	Hardware store	P	12	Night club	
13	Home & Garden store	P	13	Print shop/sales	P
14	Laundry/dry cleaning store	P	14	Recreation/Entertainment	
15	Laundry services		15	Research facilities	
16	Liquor store (OM 015-2004)	P	16	Theater	P
17	Music Store	P	17	Vehicle storage	
	Paint Store	P			
18	Pet Grooming	P			
19	Pet Store	P			
20	Restaurant/fast food	P			
21	Shoe repair	P			
22	Small appliance repair	C			
23	Variety Store	P			
24	Commercial complex	P			
25	Shopping center	P			
26	Tire sales, retail (OM 001-002, 02/27/01)				
27	Yard sales on an occasional basis				

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

13	Lumber yard				
14	Paint Shop				
15	Welding/machine Shop				
16	Wholesale outlet/storage and sales				
17	Light Manufacturing				
18	Motorcycle, Snowmobile, ATV, etc repair				

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

^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.

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

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

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

DEVELOPMENT STEPS SUMMARY – MIXED USE DISTRICT (MXD)

This is a summary of the steps and ordinances used in reviewing and approving MXD subdivisions and/or site development. **This list is not exhaustive**; for full details, please see Providence City General Plan 2020 (GP 2020) Providence City Code (PCC), Providence City Department of Public Works Standards and Specifications (Spec Book), and Utah Code (UCA), and any other relevant rules and/or codes.

The applicant is required to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances. Approval by the City of any application or paperwork submitted does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

Land Use Authority: Planning Commission (PC)

Review: Executive Staff (ESR)

GP 2020:

Providence City Vision: “Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.”

Key Initiatives:

1. Preserve the ‘sense of place’ by identifying characteristics that define Providence as a unique place.
2. Make decisions regarding storm water and exterior water use guided by green infrastructure and low impact development best management practices.
3. Consider life-cycle costs in mind when making decisions for design standards (such as road widths) and new capital improvement projects.
4. Ensure that transportation and recreation facilities accommodate a variety of transportation modes (biking, walking, driving) to provide people multi-modal transportation options as a lifestyle and recreation choice.
5. Consider long-term economic development impacts when making land use, transportation, and other planning decisions.
6. Encourage housing options to meet the needs of residents of all ages, income level and family size, regardless of their stage of life.

Submissions: Plans must be submitted in accordance with the zoning ordinance. All submissions shall be made in conformance with the adopted application and agenda deadline schedule.

Purpose: The MXD is established to stimulate economic development by providing a unique planning environment that combines retail commercial, office, and residential development in a pedestrian friendly manner. This district encourages creative development and sites design. The MXD includes a mixture of uses with no one land use type being a constant dominate or prevailing use. Residential development is required

(maximum density – 39 units/acre excluding ROW, infrastructure; infrastructure is defined to include rights-of-way, Public, & Recreation districts within the development; maximum building height 45-ft).

Allowed Uses: Uses are listed in PCC 10-6-1 Use Chart. Any uses not listed on the table in that section are not permitted. Any development in the MXD must include retail and residential uses; and may include office and/or commercial.

The variety of uses allowed in MXD are intended to create a mix of retail, commercial (including but not limited to: entertainment, office, personal services), and residential dwelling land use types that can be developed in a compact design that encourages compatibility of uses. Of the uses included in the development, no one use can be less than 20% of the entire development.

Standards: Standards for area, coverage, density, yard requirements, parking and screening for MXD uses shall be governed by the standards of the residential, commercial, or industrial zoning districts most similar in nature and function to the proposed MXD use(s). Design standards for commercial sites can be found in PCC 10-8-5. Design standards for attached and multi-family residential development can be found in PCC 10-8-9.

Usable open space shall be provided within the MXD with the amount and type of open space depending upon size, scale, and nature of the development.

MXD projects may utilize horizontal design or vertical design. When using horizontal design strategies, commercial, office, and residential uses are designed as a single project, yet constructed in separate and distinct building footprints. Vertical design strategies have commercial, office, and residential uses designed as a single project and constructed within the same building footprint. Vertical design promotes pedestrian oriented commercial and retail uses on the main level and residential uses on upper floors.

Design: The treatment of mass, materials, and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding developments. Proposed developments shall be designed with a common theme that reflects the heritage and community of Providence and traditional small town streetscapes. The use of theme in a proposed development shall be reviewed and approved by the Planning Commission.

Review & Approval: While city staff reviews plans as quickly as possible, Providence City has 30 days to review an application for completeness.

Step	Water Availability Requirement PCC 8-1-21	Subdivision PCC 11-3	Mixed Use PCC 10-4-4	Commercial Site PCC 10-8-5	Design Standards MF PCC 10-8-9
Step 1. ESR review		Concept Plan must include information indicating the	Prior to the Planning Commission taking	Conceptual site plan showing building footprint, travel ways, parking, drainage	General site plan showing approximate building locations,

Timeframe – generally 30 days		total acreage (including all property within the parcel(s) and all phases); lot and street layout; all non-developable sensitive areas and all potentially developable sensitive areas	action, plans must be submitted in accordance with the zoning ordinance. Conceptual site plan showing open space, standards for area, coverage, density yard requirements, parking and screening, and horizontal and/or vertical design.	facilities, connections to water & sewer mains, trails, lighting, and landscaping and garden elements.	proposed road layouts, proposed open space, general parking layouts, anticipated public & private amenities and their locations.
Step 2. ESR review; PC approval Timeframe – generally 30 – 60 days	Calculations for water requirement	Preliminary Plat shall be prepared in accordance with all the requirements of the City; shall include all proposed phases; and shall be certified by a licensed land surveyor.	Theme presentation & Preliminary site plan includes the general development plan, the treatment of building mass, materials and exterior appurtenances; list and area of uses; proposed common theme reflecting the heritage and community of Providence and traditional small town streetscapes.	Preliminary site plan includes, but not limited to: scale, building location, property lines, setbacks, abutting rights—of-way, parking layout, ADA parking & ramps, entrances to site, curbs, water and sewer lines, fire hydrants, fire lanes, storm drain lines, and appurtenances. Elevations, including color renderings of design concept or intent, site elements, and building facades. Summary data indicating the area of the site in the following classification: total area of the lot, total area and percentage of the site utilized by buildings, total area and percentage of the site in landscape area, total area and percentage of the site for parking areas (including number of parking spaces)	Preliminary plat submittals shall consist of preliminary engineered items required in the concept plan submittal, as well as preliminary architectural plans, a preliminary landscaping plan and a preliminary site plan for the overall development. The preliminary landscaping plan shall consist of the general location and type of plants to be used as well as the preliminary calculations demonstrating that landscaping requirements have been met.
Step 3. ESR review PC approval Timeframe – generally 30 – 45 days	Dedication of water	Final Plat shall be prepared in accordance with all the requirements of the City. The final plat shall be prepared by a land surveyor, licensed in the State. Along with the final plat, a complete set of construction drawings, including the storm water pollution prevention plan and	Final site plan consisting of fully designed and engineered drawings & estimated costs, general development plan for architectural design and materials; buffers, fences, & walls; parking areas; signage; landscaping; service	Final site plan consisting of the fully designed and engineered drawings for the site, parking/parking lots, landscaping & cost estimates, and undeveloped area.	Final plat submittals shall consist of the fully designed and engineered drawings for the site plan, architectural plan, landscaping plans and parking plan for the project, with plans meeting all of the requirements outlined herein and which may be added as a condition of conceptual or preliminary approval. This is in addition to any plats and construction drawings

		the engineer's cost estimates shall be submitted	and loading areas; and general maintenance		which may be required as part of the subdivision of property.
Step 4. Development agreement ESR review City Council approval Timeframe – generally 14 – 30 days		The Developer shall enter into and sign an agreement with the City, which shall indicate a timetable for completion of the final improvements as listed in the preliminary and final plat.	Final general development plan. If the mixed use development is subdividing the general development plan can be combined with the development agreement.	See Mixed Use general development plan	See Mixed Use general development plan
Step 5. Recording		Once all documents are approved and signed, and bonding (if required) is in place, the developer takes them to the County Recorder's office for recording. If a final plat is not recorded within one (1) year of approval of the development agreement by the City Council, the plat shall be void.	If part of a subdivision, see Subdivision Step 5.	If part of a subdivision, see Subdivision Step 5.	If part of a subdivision, see Subdivision Step 5.
Step 6. Construction & Inspections		PCC 11-5-4. A pre-construction meeting will be held with the developer, general contractor for the development, and city staff prior to beginning construction in the development, including grading and trenching. The storm water NOI and SWPPP must be in place prior to the preconstruction meeting. See PCC 11-5-4 and Spec Book for mandatory approvals (inspections)	Spec Book Pg. 9 The developer or contractor will contact the city to schedule a meeting prior to the commencement of work. See PCC 11-5-4 and Spec Book for mandatory approvals (inspections)	A pre-construction meeting will be held with the developer, general contractor for the development, and city staff prior to beginning construction in the development, including grading and trenching. The storm water NOI and SWPPP must be in place prior to the preconstruction meeting. See PCC 11-5-4 and Spec Book for mandatory approvals (inspections)	Spec Book Pg. 9 The developer or contractor will contact the city to schedule a meeting prior to the commencement of work. See PCC 11-5-4 and Spec Book for mandatory approvals (inspections)