



PLANNING COMMISSION AGENDA

Wednesday, May 26, 2021 6:pm

Providence City Office Building, 164 North Gateway Dr., Providence Ut

This will be an in-person meeting; however, some members of the Planning Commission may be attending this meeting electronically. This meeting will live stream on Providence City's YouTube Channel. Presenters and public may attend the meeting via a Zoom link. To request a link, email providencecityutah@gmail.com

Comments: The Planning Commission accepts comments: in-person, by email, and by text. In-person: Providence City Office Building, 164 N Gateway Drive, Providence UT Email: providencecityutah@gmail.com Text: 435-752-9441

Call to Order: Kathleen Alder

Chair Roll Call of Commission Members:

Pledge of Allegiance:

Approval of Minutes: The Planning Commission will consider approval of the minutes for May 12th, 2021 ([Exhibit](#))

Public Comments: Citizens may express their views on issues within the Planning Commission's jurisdiction. The Commission accepts comments: in-person, by email providencecityutah@gmail.com, and by text 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):

- **Item No. 1 :** Public hearing to consider application for rezoning of property in the general area of 1070 S 400 E. ([Exhibit](#))

Legislative – Action Item(s):

- **Item No. 2 Rezone Recommendation:** Providence City Planning Commission will consider and may recommend to the Providence City Council the rezoning of property in the general area of 1070 S 400 E Providence City Utah. ([Exhibit](#))

Administrative Action Item(s):

Study Items(s):

- **Item No. 3 Mixed-Use District:** The Planning Commission will discuss amendments to Providence City Code Title 10 Chapter 4 Section 4 Mixed Use District. ([Exhibit](#))

- **Item No. 4 Design Standards for Attached and Multi-Family Residential Development:** The Planning Commission will discuss amendments to Providence City Code Title 10 Chapter 8 Section 9 Design Standards for Attached and Multi-Family Residential Development. ([Exhibit](#))

Agenda posted by S Bankhead on May 21, 2021



Tyler Cameron
Providence 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 Minutes

May 12, 2021 6:00 p.m.

Location: Providence City Office Building, 164 North Gateway Drive, Providence UT
This meeting was live streamed on Providence City's YouTube Channel

Call to Order: Kathleen Alder, Chair

Roll Call of Commission Members: Kathleen Alder, Chair

Attendance: Kathleen Alder, Rowan Cecil, Joe Chambers, Brian Marble

Excused: Michael Fortune, Robert Perry

Pledge of Allegiance: Rowan Cecil

Approval of the Minutes:

The Planning Commission will consider approval of the minutes for April 14, 2021.

Motion to approve the minutes of April 14, 2021: — R Cecil, second — J Chambers

Vote:

Yea: K Alder, J Chambers, R Cecil, B Marble

Nay:

Abstained:

Excused: M Fortune, R Perry

Public Comments: Citizens may express their views on issues within the Planning Commission's jurisdiction. The Commission accepts comments: in-person, by email providencecityutah@gmail.com, and by text 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): None

Administrative Action Item(s): None

Study Items(s):

Item No. 1. Mixed-Use District: The Planning Commission will discuss amendments to Providence City Code Title 10 Chapter 4 Section 4 Mixed Use District.

- S Bankhead discussed the proposed changes. We will want to add something to clarify that parking garages can be underground.
- The Commission discussed different ways to measure percentages of uses.
- The Commission discussed whether a residential component should be required in the ordinance and what percent should be required.

Motion to take it to public hearing: — R Cecil

Motion died for lack of a second.

- Rooftop greenspace was discussed. J Chambers suggested saying "public green space" in the code to differentiate between space around the buildings accessible by the public and space on top of the buildings that would be private.
- Incorporating green space standards into the Mixed Use ordinance was discussed. It currently relies on Multi Family Design standards and Commercial Site Plan standards.

Item No. 2. Design Standards for Attached and Multi-Family Residential Development: The Planning Commission will discuss amendments to Providence City Code Title 10 Chapter 8 Section 9 Design Standards for Attached and Multi-Family Residential Development.

- S Bankhead discussed the proposed changes.
- A correction was noted in section E.D.6.b.i. It should say "800 square feet per the first 10 units."
- Bicycle parking was discussed. Electric vehicle infrastructure was discussed. The Commission decided to strike section E.D.9.f.iii.

- J Chambers suggested changing section E.E.4 line 2 from “revision may be approved” to “revision will be submitted for approval by.”
- J Chambers suggested placing a heading before E.E.7.c to make it clear that it is referring to the improvement warranty bond.
- B Marble suggested taking out the requirement that the solar panels be mounted “flush to the roof plane” (E.D.9.f.vi). B Marble suggested removing sections related to electric vehicle charging stations including “Maintenance,” “Snow Removal,” and “Cord Management.” S Bankhead suggested removing everything after E.D.9.f.v.i.
- The Commission decided to continue to reference the Multi Family Design Standards and the Commercial Site Plan standards in the Mixed Use code.
- The Commission decided to take the revisions for Mixed Use District and for the Multi Family Design standards to a public hearing at the next meeting.

Item No. 3. Review of suggested training resources: The Planning Commission will discuss training resources.

- K Alder reviewed training requirements for planning commissions.
- Having the state ombudsman’s office present trainings was discussed.

Other discussion:

- B Marble shared information about the city of Sacramento and how they have been dealing with affordable housing issues.

Motion to close the meeting: — R Cecil, second — B Marble

Vote:

Yea: K Alder, J Chambers, R Cecil, B Marble

Nay:

Abstained:

Excused:

Kathleen Alder, Chair

Tyler Cameron, City Recorder



PROVIDENCE CITY APPLICATION FOR A REZONE OF PROPERTY

FOR OFFICE USE ONLY

Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk _____

Please Note: City Staff will **NOT** accept the application and fee payment if they are incomplete. Incomplete applications will **NOT** be processed or scheduled for review by the City. Application fees do not include professional firm fees, which will be billed separately.

Date 5/12/21

Initial [Signature] Name Adam Boly/Sabag LLC

SUBMITTAL REQUIREMENTS

- \$100 application fee
- Cache County Plat Map, current; and a copy of the official recorded final plat (if applicable) that includes any notes.
- Names/addresses of affected entities, as defined by UCA 10-9a-103
- Names/addresses of adjacent property owner(s)
- Property owner's consent for the rezone to be pursued¹
- An 11"x17" map showing the area(s) proposed for rezone
- Combined legal description of the area(s) proposed for rezone
- A written statement of the purpose for the rezone request
- An electronic copy of **ALL** submittals (flash drive or emailed is acceptable)

Staff Check

Applicant Information (all information MUST be provided)

Name Providence Senior Living / Sabag, LLC
Address 40 W Cache Valley Blvd
Phone 435-770-4759 Email AndyBendley75@gmail.com

Party Responsible for Payment (if different than applicant)- the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.

Name Sabag, LLC
Address 40 W Cache Valley Blvd
Phone 435-770-4759 Email AndyBendley75@gmail.com

Property Information (Information must be provided for ALL parcels requesting rezoning. Attach additional sheets if necessary)

Parcel 1

Owner of record Bryan / Bonnie Marie Summers
Owner address 90 N 200 E Hyrum, UT 84319
Owner phone 435-770-4086 Owner email 176bryan060@gmail.com
Parcel address 1075 S 400 E Providence, Utah
Parcel Tax I.D. 02-115-0027
Current zoning _____ Requested zoning MUTH'-Family medium/Senior Living/55+ Community

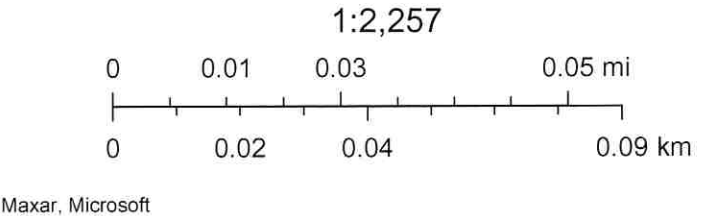
¹ Not required if owner of record is the same as the applicant. If more than one parcel is proposed for rezone, the application must include written consent from the owners of ALL parcels proposed for rezone.

Parcel Map



5/13/2021, 8:11:47 PM

- | | | |
|--|--|---|
|  Override 1 |  GRAVEL |  County Boundary |
|  Class B Surface Type |  DIRT |  Cache Parcels |
|  ASPHALT |  Municipal Boundaries | |





REZONE ANALYSIS

Prepared by: S Bankhead	Date: 05/21/2021	Development Name: Providence Senior Living / Jabaa LLC
Applicant: Providence Senior Living / Jabaa LLC	Agent: Andy Bentley	Owner: Brian & Bonnie Marie Summers
Parcel ID: 02-115-0027	Property Address: General area 1070 South 400 East	Date application received: 05/14/2021
General Plan Proposed Zone: No change to current zone	Current Zone: Agricultural (AGR)	Requested Zone: Multi-Family Medium

Abbreviations & Background Information:

1. Providence City Code: PCC
The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: <https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface>
2. Utah Code Annotated: UCA
The UCA references are summarized in the analysis. For complete details and code requirements, please review the Utah Code at <https://le.utah.gov/xcode/code.html>
3. Land Use Authority: Planning Commission (PCC: 10-4-4:B.1)
4. Uses-Allowed (PCC: 10-6-1 Use Chart)
5. Area regulations (PCC: 10-8-1 Area Regulation Chart)
6. Planned Unit Development: PUD (PCC 10-14-2 Planned Unit Development)

Summary of Key Issues:

1. The applicant is requesting the Multi-Family Medium district, with the intent of developing a senior living PUD very similar to Cache Valley Assisted Living (Mountain View Retirement) in the general area of 200 N Main Street.
2. The property owners have given written permission to Andy Bentley to pursue a rezone of the property.

Providence City General Plan 2020

• 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.

FINDINGS OF FACT:

1. Utah Code (UCA) 10-9a-505: The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of Utah Code Title 10 Chapter 9a.
2. UCA 10-9a-302(1)(b)(ii): The planning commission shall review and make a recommendation to the legislative body for amendments to existing land use regulations.
3. UCA 10-9a-302(2): Before making a recommendation to a legislative body on an item described in Subsection (1)(a) or (b), the planning commission shall hold a public hearing in accordance with Section 10-9a-404.
4. Providence City Code (PCC) 10-4-1 established the City's zoning districts.
5. The Providence City General Plan 2020 and current and anticipated development in the immediately surrounding area,

were considered in the review of the application.

6. PCC 10-5 defines and lists the regulations for sensitive areas.
7. PCC 10-6-1 lists the uses designated in each zone.
8. PCC 10-8-1 lists the area regulations designated in each zone.

CONCLUSIONS:

1. Providence City has divided the city into zoning districts.
2. After holding a public hearing, the Planning Commission will make recommendation to the City Council.
3. The Planning Commission is holding a public hearing prior to making a recommendation on this request to amend an existing land use regulation.
4. The City's zoning districts include the MFM district.
5. The General Plan vision and key initiatives are listed above the Findings of Facts in this report.

This property is currently zoned as AGR (see Illustration A). The General Plan map Future Re-Zoning of Existing Districts & Annexed Area does not anticipate this property's zone changing (see Illustration B. In this illustration, white represents no change).

Illustration A – Current Zoning



Illustration B – Future Zoning



6. PCC 10-5-2:A. The Cache County GIS Parcel Summary does not indicate this parcel has any sensitive areas.
7. Only single-family detached units are permitted in an AGR district; single-family detached homes, single-family units, single-family attached units, and multi-family units are allowed in the MFM district.
8. One unit per net 5-acres, with a maximum height of 35-feet, is allowed in an AGR district; MFM district allows 12 units per net acre with a maximum height of 50-feet.

CONDITIONS:

1. The applicant shall meet all applicable City, state and federal laws, codes, rules. Approval by the City of any application submitted 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.

Code Amendment Review				
Prepared by: S Bankhead	Date: 05/21/2021	Land Use	Yes: X	No:
Code Title: 10 Zoning Regulations	Title Chapter: 4 Establishment of Districts	Chapter Section: 9 Mixed Use District		
Applicant: Providence City	Application Date: NA			
Abbreviations & Authority: 1. Utah Code Annotated: UCA 2. The UCA references are summarized in this analysis. For a complete details and code requirements, please review the online Utah Code at: https://le.utah.gov/xcode/code.html 3. Providence City Code: PCC 4. The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface 5. Land Use Authority: Planning Commission (PCC: 10-4-4:B.1) 6. Legislative body: City Council				
Background Information: 1. Concerns regarding multi-family density, structures, and open area have been expressed to city council members, planning commission members, and city staff. 2. In response to these concerns, the City Council asked city staff and planning commission to review current the current city codes regarding multi-family structures. 3. The purpose and intent of PCC 10-4-4 is 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. 4. The proposed revisions clarify the use percentages, the uses allowed, clarify density, define parking lots and parking garages, add bicycle parking requirements, add electric vehicle charging station requirements, add mailbox requirements, and clarify landscaping requirements 5. The proposed amendment includes the Planning Commission comments from the 05/12/2021 planning commission meeting.				
Enabling Information: Findings of Fact: 1. UCA 10-3-701. Legislative power exercised by ordinance. Except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative powers through ordinances. 2. UCA 10-3-702. The governing body may pass any ordinance to regulate, require, prohibit, govern control or supervise any activity, business, conduct of condition authorized by this act or any other provision of law. 3. UCA 10-9a-102 Purposes – General land use authority. A municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing: (a) uses; (b) density; (c) open spaces; (d) structures; (e) buildings; (f) energy efficiency; (g) light and air; (h) air quality; (i) transportation and public or alternative transportation; (j) infrastructure; (k) street and building orientation; (l) width requirements; (m) public facilities; (n) fundamental fairness in land use regulation; and (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections. 4. UCA 10-9a-201(1) Only a legislative body, as the body authorized to weigh policy considerations, may enact a land use regulation. 5. UCA 10-9a-302(1) The planning commission shall review and make a recommendation to the legislative body for (b) land use regulations, including: (i) ordinances regarding the subdivision of land within the municipality; and (ii) amendments to existing land use regulations.				

6. UCA 10-9a-502 Preparation and adoption of land use regulation. Prior to making a recommendation to the legislative body the planning commission shall provide notice and hold a public hearing, and make a recommendation regarding the proposed land use regulation.

Conclusions of Law:

1. The Providence City Council may enact or amend land use regulations.
2. PCC 10-4-4 is a land use regulation.
3. The Planning Commission is in the process of reviewing PCC 10-4-4.

Conditions:

1. Before making a recommendation to a legislative body on an amendment to an existing land use regulation, the planning commission shall notice and hold a public hearing in accordance with UCA 10-9a-502.

Proposed Code Amendment

Begins on the following page

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. Of the uses~~ (retail, commercial, office, and residential development) included in the development, no one use can be less more than 20% 75% 50% of the entire development. Residential development is required.

1. The percentage of each use is determined by the total square footage of each unit in the particular use.

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:** The variety of uses allowed in a MX District are intended to create a mix of retail, commercial, and residential dwelling land use types that can be developed in a compact design that encourages compatibility of uses. Permitted uses include but are not limited to: single-family and multi-family residential uses, entertainment, office, and personal services such as: business office, dental clinic medical clinic, licensed professional offices, optical shop, pharmacy, studios for art/dance/drama/photography/etc., bakery/confectionery sales, barber/beauty shop, pet grooming, bank/financial, fitness center, and theater. ~~Uses are listed in See 10-6-1 Use Chart for a complete list of uses. 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

Mixed Use District
Adopted 12/08/2009
Ordinance No. 011-2009

Revisions

- Ordinance 2019-001
01/09/2019

DRAFTS

- 04/14/2021
- 05/03/2021
- 05/11/2021
- Current DRAFT
05/12/2021

- 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. **The maximum density for horizontal design is 25 units per net acre.**
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~~ **33** units per **net** 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.
6. **Infrastructure Minimum Improvements. Infrastructure minimum improvements shall be completed and in place before the City will issue a building permit for any lot within the proposed development.**
- a. **The City considers the following public and/or private infrastructure minimum improvements essential or required to meet the building code, fire code, flood or storm water management provisions, street and access requirements.**
- i. **All grading of roads and/or that portion of parking area(s) (including pit run and road base) that serve as access to buildings as shown on the approved construction drawings, and all curb, gutter, and all utility trenches that lay inside the roadway;**
- ii. **All storm water (excluding finish grades and landscaping), water, sewer, and other improvements that may be deemed essential necessary public safety improvements; and**
- iii. **Egress and ingress to provide acceptable and safe travel to and from each proposed structure in the approved development plan.**
- b. **Inspection. All required testing results and redline drawings must be turned in to the City before the minimum improvement inspection takes place. An inspection of the minimum improvements shall be made and the City Engineer will certify to the City, in writing, that the minimum improvements are complete prior to the issuance of any building permits.**
- i. **Asphalt shall not be laid prior to a minimum improvement inspection approval.**
7. **Improvement completion assurance – improvement warranty.**
- a. **Before an applicant conducts any development activity or records a plat, the applicant shall:**
- i. **Complete any required landscaping or infrastructure improvements; or**
- ii. **Post an improvement completion assurance for any required landscaping or infrastructure improvements (does not include infrastructure that is required to be private) of 100% of the incomplete or unaccepted landscaping or infrastructure.**
- b. **Improvement Warranty. Up on acceptance of the landscaping and infrastructure improvements (does not include infrastructure that is required to be private) by the City, the**

applicant shall post a surety bond, letter of credit, or other similar security in an amount of 10% of the lesser of the:

- i. Municipal engineer's original estimated cost of completion; or
- ii. Applicant's reasonable proven cost

~~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. **E. Architectural Design and Materials:** The treatment of building mass, materials and exterior appurtenances finishes 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. **F. 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. G. Parking Areas: Parking areas include parking garages and parking lots. Parking lots shall be considered as structures since they present a three dimensional appearance when occupied. In mixed use districts a parking garage is defined as a multi-story building that provides parking space, and can be underground. A parking lot is defined as an open area of hard paved surface with designated parking spaces and access aisles. A parking garage is required for occupant residential parking; garages contained within individual units may be considered in lieu of a parking garage.

1. Parking lots areas 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. Bicycle Parking. New construction of and additions to retail/commercial structures and multi-unit dwellings must provide bicycle parking spaces.

a. Retail/commercial structures must provide at least 1 space per 4,000 square feet or ten percent (10%) of the required off-street parking spaces, whichever is greater.

b. Multi-unit dwellings must provide at least one (1) space per four (4) units if units do not have a private garage or private storage space for bike storage, or ten percent (10%) of the required off-street parking spaces, whichever is greater.

c. Bicycle spaces must accommodate bicycle storage medium security racks, in which the user may lock both the bicycle frame and the wheels. The spaces must be designed to prevent damage to the bicycle and to facilitate easy and secure storage without interference from or to adjacent bicycles. Bicycle racks or lockers must be anchored and of solid construction, resistant to rust, corrosion, hammers, and saws.

d. Bicycle spaces must be compatible in design and function with the surrounding buildings and with surrounding street fixtures.

e. Bicycle repair and maintenance station. A minimum of one (1) bicycle repair station per development or one (1) per 25 bicycle parking spaces, whichever is greater, must be installed.

f. Bicycle facilities must be located in convenient, highly visible, active well-lighted areas, but shall not interfere with pedestrian movements and snow storage.

4. Electric Vehicle Charging Station Requirements (EVCS).

a. ELECTRIC VEHICLE CHARGING STATIONS. Electric Vehicle Charging Stations are an Allowed Accessory Use in all Zoning Districts.

b. INFRASTRUCTURE. An Applicant shall provide Electric Vehicle Charging Station Infrastructure for twenty percent (20%) of the first one hundred (100) required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development and for five percent (5%) of required Off-Street parking spaces above one hundred (100).

i. The Electric Vehicle Charging Station Infrastructure shall be identified on all construction documents submitted for review.

ii. To put future Property Owners on notice of the Electric Vehicle Charging Station Infrastructure, an Applicant shall provide information in Covenants, Conditions, and Restrictions or other documents governing a homeowner or master owners association for the Development and/or on the breaker panel.

~~c. ELECTRIC VEHICLE - READY. Applicants are required to construct private garages for Duplexes, and Triplexes that are Electric Vehicle - Ready.~~

d. INSTALLATION. An Applicant shall install Electric Vehicle Charging Stations for five percent (5%) of required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development for the first 200 parking spaces.

i. The first Electric Vehicle Charging Station installed shall be a dual-port with one Charging Station that is ADA accessible. This dual-port shall count as one Charging Station. Dual-port Charging Stations installed thereafter shall count as two Charging Stations.

e. STANDARDS.

i. Location. Electric Vehicle Charging Stations shall not obstruct:

1. Building access;
2. Rights-of-Way;
3. sidewalks or pathways;
4. parking space dimensions; or
5. the Sight Distance Triangle.

ii. ~~Signs. An Applicant shall install Electric Vehicle Charging Station signage that complies with the Federal Highway Administration Manual on Uniform Traffic Control Devices, as amended for use in Utah. An Applicant shall install signage as follows:~~

1. ~~At the point of entrance to direct drivers to the location of Electric Vehicle Charging Stations for Parking Structures with fifty (50) or more parking spaces.~~
2. ~~At the point of entrance to direct drivers to the location of Electric Vehicle Charging Stations for Parking Areas with seventy five (75) or more parking spaces.~~
3. ~~For each Electric Vehicle Charging Station to indicate that such Station is for Electric Vehicle charging only.~~

iii. ~~User Information. An Applicant shall label each Electric Vehicle Charging Station with information regarding safety, voltage and amperage levels, usage fees if any, hours of operation, charging time limits, the contact information to report malfunctioning equipment or other issues, and cord management requirements.~~

iv. ~~Cord Management. An Applicant shall install Electric Vehicle Charging Stations that contain a retraction device or place to hang and store cords, cables, and connectors. Cords, cables, and connectors shall not obstruct Building access, sidewalks or pathways, parking spaces, or the Rights-of-Way.~~

v. ~~Protection. An Applicant shall install wheel stops, concrete filled bollards, or other device approved by the Planning Director to protect Electric Vehicle Charging Stations from damage by vehicles.~~

vi. ~~Snow Removal. An Applicant shall install Electric Vehicle Charging Stations that are safe for use in inclement weather. Cords, cables, and connectors shall be stored at least 24 inches above the ground. Property owners shall manage cords so that they do not impede snow removal and shall remove snow from Electric Vehicle Charging Stations in a timely manner.~~

vii. ~~Maintenance. Property owners shall maintain Electric Vehicle Charging Stations in good condition, appearance, and repair. If an Electric Vehicle Charging Station is inoperable, the Property Owner shall replace the Charging Station within three (3) months.~~

f. SOLAR ENERGY SYSTEMS. Solar Energy Systems may be installed on permanent Parking Area Structures for Electric Vehicle Charging Stations in non-Historic Zoning Districts. Solar Energy Systems shall be incorporated in the roof of the permanent Structure and shall be mounted flush to the roof plane. Solar panels, solar devices, and Solar Energy Systems and mounting equipment shall use non-reflective finishes such as an anodized finish.

- 3 5. Parking requirements will be considered as ~~maximum~~ minimum parking requirements. Residential units will require at least one and a half spaces per unit. Nonresidential uses may consider the parking available on public streets as meeting the development requirements. When computing the parking requirements for the development, the total parking requirements shall be the sum of the specific parking space requirements of all of the buildings or uses in the development.

- 1
- 2 † H. **Signage:** Proper design and placement of signs and their lighting is critical and shall be compatible with
3 structures and uses. Permitted signs within the MX District shall be in compliance with this code, except
4 that off-premise signs or billboards shall not be permitted. Typical retail signage is designed upon a
5 pedestrian scale located 8 – 12 feet above the sidewalk and placed on the storefronts.
- 6 ‡ I. **Mailboxes.** Developer shall be required to coordinate placement of clustered mailboxes with the United
7 States Postal Service.
- 8 ¶ J. **Landscaping:** Landscaping shall comply with landscaping requirements in commercial districts and multi-
9 family design standards, except as approved by the Planning Commission in the process of reviewing a MX
10 District Development.
- 11 1. Rooftop landscaping is considered a private amenity and is not eligible for inclusion in the
12 required landscaping percentage.
13
- 14 † K. **Service and Loading Areas:** Loading and refuse collections areas shall not be permitted between buildings
15 and streets, and must be screened from view of public and private streets. Streets shall not be used
16 directly for loading, unloading, or refuse collection. Building and improvements upon lots must be
17 designed to properly accommodate loading, unloading and refuse collection. Loading and refuse
18 collection areas shall be properly screened meeting standards stated herein.
- 19 L. **General Maintenance:** An overall maintenance schedule shall be implemented by property owners in
20 maintaining all buildings, landscaping, fences, walls, drives, and parking lots (including surfacing and
21 striping, signs, or other structures). The above shall be maintained in good and sufficient repair in a safe
22 and aesthetically pleasing manner. Roads and pavements shall be kept true to line and grade and in good
23 repair.

Code Amendment Review				
Prepared by: S Bankhead	Date: 05/21/2021	Land Use	Yes: X	No:
Code Title: 10 Zoning Regulations	Title Chapter: 8 Area Regulations	Chapter Section: 9 Design Standards for Single-Family Attached and Multi-Family Residential Development		
Applicant: Providence City	Application Date: NA			
Abbreviations & Authority: 1. Utah Code Annotated: UCA 2. The UCA references are summarized in this analysis. For a complete details and code requirements, please review the online Utah Code at: https://le.utah.gov/xcode/code.html 3. Providence City Code: PCC 4. The PCC references are summarized in this analysis. For a complete details and code requirements, please review our online city code at: https://providence.municipalcodeonline.com/book?type=ordinances#name=Preface 5. Land Use Authority: Planning Commission (PCC: 10-4-4:B.1) 6. Legislative body: City Council				
Background Information: 1. Concerns regarding multi-family density, structures, and open area have been expressed to city council members, planning commission members, and city staff. 2. In response to these concerns, the City Council asked city staff and planning commission to review current the current city codes regarding multi-family structures. 3. The purpose and intent of PCC 10-8-9 is to ensure that single-family and multi-family development is developed in a manner that provides attractively designed, constructed, and landscaped housing. 4. The proposed revisions clarify submittal requirements, add requirements to landscaping, add bicycle parking requirements, add electrical vehicle charging station requirements, and add requirements in the project approval process. 5. The proposed amendment includes the Planning Commission comments from the 05/12/2021 planning commission meeting.				
Enabling Information: Findings of Fact: 1. UCA 10-3-701. Legislative power exercised by ordinance. Except as otherwise specifically provided, the governing body of each municipality shall exercise its legislative powers through ordinances. 2. UCA 10-3-702. The governing body may pass any ordinance to regulate, require, prohibit, govern control or supervise any activity, business, conduct of condition authorized by this act or any other provision of law. 3. UCA 10-9a-102 Purposes – General land use authority. A municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing: (a) uses; (b) density; (c) open spaces; (d) structures; (e) buildings; (f) energy efficiency; (g) light and air; (h) air quality; (i) transportation and public or alternative transportation; (j) infrastructure; (k) street and building orientation; (l) width requirements; (m) public facilities; (n) fundamental fairness in land use regulation; and (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections. 4. UCA 10-9a-201(1) Only a legislative body, as the body authorized to weigh policy considerations, may enact a land use regulation. 5. UCA 10-9a-302(1) The planning commission shall review and make a recommendation to the legislative body for (b) land use regulations, including: (i) ordinances regarding the subdivision of land within the municipality; and (ii) amendments to existing land use regulations.				

6. UCA 10-9a-502 Preparation and adoption of land use regulation. Prior to making a recommendation to the legislative body the planning commission shall provide notice and hold a public hearing, and make a recommendation regarding the proposed land use regulation.

Conclusions of Law:

1. The Providence City Council may enact or amend land use regulations.
2. PCC 10-8-9 is a land use regulation.
3. The Planning Commission is in the process of reviewing PCC 10-8-9.

Conditions:

1. Before making a recommendation to a legislative body on an amendment to an existing land use regulation, the planning commission shall notice and hold a public hearing in accordance with UCA 10-9a-502.

Proposed Code Amendment

Begins on the following page

10-8-9: Design Standards for Attached and Multi-Family Residential Development:

- A. Purpose and Intent
- B. Compliance With Standards
- C. Applicability
- D. Development Standards
1. Submittals
 2. Site Plan
 3. Architectural Plan
 4. Architectural Design Standards
 5. Landscaping/Irrigation Plan
 6. Landscaping Standards
 7. Parking Plan
 8. Mailboxes
 9. Miscellaneous Site Development Standards
- E. Project Approval Process
- A. **Purpose and Intent.** It is the intent of these design standards to ensure that single-family attached and multi-family development, is developed in a manner that provides attractively designed, constructed and landscaped housing.
- B. **Compliance with Standards.** Substantial compliance with the regulations and other provisions of this title in requiring adequate standards related to the public health, safety and general welfare shall be observed, without unduly inhibiting the advantages of large-scale site planning for residential and related purposes. Additionally, all plans related to the development of the site, including, but not limited to, landscaping and irrigation plans, shall comply with the Providence City Standards and Specifications.
- C. **Applicability.** These guidelines shall govern all single-family attached and multi-family residential development in Providence City, without regard to the underlying zoning designation. In cases where traditional single-family detached housing is developed as part of a mixed-housing type development, the standards contained herein relative to exterior materials and colors, as well as proposed elevations for single family detached housing shall apply
- D. **Development Standards.** Projects shall be developed under the following standards and guidelines.
1. **Submittals.** Each phase of application and approval of projects shall require certain submittals. The various phases of approval, that phase's required submittals, and the details contained in each submittal are as follows:
 - a. Concept Plan: Concept plan submittals shall consist of a general site plan showing approximate building locations, proposed road layouts, proposed open space, general parking layouts, anticipated public & private amenities and their locations. **All conceptual plans shall be clearly marked as a conceptual plan.**
 - b. Preliminary Plat: Preliminary plat submittals shall consist of preliminarily 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 of the project. **All preliminary plans shall be clearly marked as a preliminary plan.**
 - i. **The preliminary architectural plans shall include elevations for all buildings and color renderings of the design concept or intent, site elements, building facades, and a project data sheet listing the proposed exterior materials and the**

Design Standards for
Residential
Development

- Adopted
04/24/2018
- Previous Revisions
None

DRAFTS

- 05/03/2021
- 05/11/2021
- Current DRAFT
05-12-2021

- front façade percentages of the materials.
- ii. 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.
 - iii. The preliminary parking plan shall show parking layout detailing resident parking, visitor parking, covered parking, bicycle parking, electrical vehicle charging stations, and include a data sheet demonstrating that plan meets or exceeds the parking requirements per housing type.
- c. Final Plat: Final plat submittals shall consist of the fully designed and engineered drawings for the Site Plan, Architectural Plan, Landscaping Plan and Parking Plan for the project, with the 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 which may be required as part of the subdivision of property. All final plans shall be clearly marked as a final plan, and shall be stamped with the appropriate professional stamp and signed by the professional.
2. **Site Plan.** Site plans shall contain the following information:
- a. Summary data indicating the area of the site in the following classification: total area of the entire project site, 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.
 - b. Show north arrow, scale, building location, property lines, setbacks, abutting rights-of-way, parking layout, ADA parking and ramps, entrances to site, curbs, water and sewer lines, fire hydrants, fire lanes, storm drain lines and appurtenances.
 - c. Show all existing fire hydrants within 300 feet.
 - d. Show connectivity with adjacent parking lots and interior private roadways.
 - e. Show any and all proposed traffic control measures for the project.
 - f. Provide lighting and signage plan for the entire site. Indicate how signs will be illuminated, their design and spatial relationship to other site amenities including buildings, and a graphic example of each type of sign.
 - g. Provide cross-sections of the site showing spatial relationships between all vertical elements (building, trees, berms, light standards, etc.) as they relate to activities and use of streetscape, pedestrian, and parking areas.
 - h. Provide storm water pollution prevention plan if the site disturbs an acre or more, or is part of a larger development.
 - i. Provide cost estimates for site development, including but not limited to: landscaping, publicly-owned infrastructure, parking/loading areas, pedestrian areas.
3. **Architectural Plan**
- a. Provide rendered elevations for all buildings, both publicly owned and privately held, which the applicant proposes to construct on the property. Include color renderings of design concept or intent, site elements, and building facades.
 - b. Provide proposed floor plans for all buildings on the site.
4. **Architectural Design Standards.** All buildings within a development subject to this chapter shall be designed and built to the following design standards, unless specifically exempted. The City recognizes that architectural trends change from time to time. If the developer feels that the City has not adequately considered a design element or product, the developer may present alternative materials and the City may consider approving those materials.
- a. **Exterior Materials.**
 - i. All exterior materials shall be suitable for the climate and exposure in which the development is located and shall, to the greatest degree possible, be maintenance free. Providence City reserves the right to reject any proposed building material it feels is not in harmony with this requirement.

- b. **Elevations.** The exterior elevation of each group of single-family attached townhomes (typically 4-6 units) shall meet or exceed the following standards:
- i. **Front Elevation.** A minimum of thirty percent (30%) of the front façade shall be comprised of brick, rock, stone (real or synthetic) or other masonry materials. Fiber cement products such as hardy board or similar materials may be approved in place of brick or stone. The remaining seventy percent (70%) of the front façade may be finished with stucco, brick, or a combination thereof. The use of aluminum and/or vinyl siding is prohibited.
- l. Where possible, front elevations shall include a minimum of two (2) windows per above-grade floor. Trim and/or shutters is required on all windows, unless the design of the building is such that trim and/or shutters is not compatible with the overall architectural style.
- ii. **Side Elevation.** With the exception of interior attached townhome units, each side elevation shall include a minimum of two (2) windows per above-grade floor. Trim and/or shutters is required on all windows unless the design of the building is such that trim and/or shutters is not compatible with the overall architectural style.
- c. **Roofs.** Pitched roofs are encouraged but not required.
- d. **Garages.**
- i. **Attached Townhome/Duplex.** Each attached single-family townhome and duplex is required to have a minimum one-car garage which shall be attached to the main structure and shall be of the same or complimentary architectural materials as the primary residence
- ii. **Apartment.** Apartments may have garages but are not required to have garages, provided that at least one covered parking spot is provided for each dwelling unit.
- iii. Garages may be attached or detached from the primary structures, but the use of attached, recessed garages is strongly encouraged.
- iv. Front-loading garages may not protrude beyond the front-plane of the main building façade by more 10' or 50% of the depth of the garage, whichever is less.
- v. Detached garages for apartments shall not exceed 50% of the total square footage of the apartment.
- e. **Accessory Buildings.** Accessory buildings privately owned by an individual homeowner shall not be permitted in any commonly held area.
- f. **Porches, Decks and Overhangs.** In order to provide architectural variety to the development, the use of covered porches, decks and overhangs is encouraged. Such porches, decks and overhangs shall be integrated into the design of the structure in order to avoid the appearance of "add-on" elements.

5. **Landscaping/Irrigation Plan**

- a. Show landscaping and irrigation plans for the entire site, specifically, those areas which will be held in common ownership. The landscaping plans shall include any and all requirements outlined in this chapter.
- b. The applicant must submit a landscape plan documentation package, which shall be prepared by a licensed landscape architect. The documentation package shall be submitted to and approved by the city prior to the issue of any permit. A copy of the approved documentation package shall be provided to the property owner or site manager. The plan documentation package shall consist of the following items:
- i. **Project Data Sheet.** The project data sheet shall contain the following:
- l. Project name and address;
- ll. Applicant or applicant's agent's name, address, phone and fax number;
- lll. Landscape designer's name, address, phone and fax number; and

- 1 IV. Landscape contractor's name, address, phone and fax number, if
2 known.
- 3 ii. **Landscaping Plan.** A detailed landscaping plan shall be drawn at a scale that
4 clearly identifies the following:
- 5 I. Location of all plant materials, a legend with botanical and common
6 names, and size of plant materials;
- 7 II. Property lines and street names;
- 8 III. Existing and proposed buildings, walls, fences, utilities, paved areas
9 and other site improvements;
- 10 IV. Existing trees and plant materials to be removed or retained;
- 11 V. Designation of landscape zones; and
- 12 VI. Details and specification for tree staking (trees less than a two-inch
13 caliper must be double staked until the trees mature to two-inch
14 caliper), soil preparation, and other planting work.
- 15 iii. **Irrigation Plan.** A detailed irrigation plan shall be drawn at the same scale as
16 the planting plan and shall contain the following information:
- 17 I. Layout of the irrigation system and a legend summarizing the type and
18 size of all components of the system;
- 19 II. Static water pressure in pounds per square inch (psi) at the point of
20 connection to the public water supply;
- 21 III. Flow rate in gallons per minute and design operating pressure in psi
22 for each valve and precipitation rate in inches per hour for each valve
23 with sprinklers; and
- 24 IV. Installation details for irrigation components.
- 25 iv. **Grading Plan.** A grading plan shall be drawn at the same scale as the planting
26 plan and shall contain the following information:
- 27 I. Property lines and street names, existing and proposed buildings,
28 walls, fences, utilities, paved areas and other site improvements;
- 29 II. Existing and finished contour lines and spot elevations as necessary for
30 the proposed site improvements;
- 31 III. Grade shall slope away from the structure as required by the
32 International Building Code.
- 33 v. **Plan Review and Construction Inspection.**
- 34 I. As part of the site plan review process, a copy of the plan
35 documentation package shall be submitted to the City for review and
36 approval.
- 37 II. Following construction and prior to issuing the approval for
38 occupancy, an inspection shall be scheduled with the planning
39 department to verify compliance with the approved landscape plans.
- 40 III. The city reserves the right to perform site inspections at any time
41 before, during or after the irrigation system and landscape installation,
42 and to require corrective measures if requirements of this section are
43 not satisfied.
- 44

- 45 6. **Landscaping Standards.** All required landscaping shall be installed prior to Providence City's
46 issuance of any certificate(s) of occupancy on the property, unless seasonal conditions make
47 installation unfeasible, in which case the applicant shall provide cash security or its approved
48 alternative for all landscaping, which landscaping shall be installed by the following May 31st.
- 49 a. **Applicability.** This section applies to all front and rear yard landscaping for multi-family
50 townhome and apartment projects, as well as any common area landscaping which is
51 referenced herein.

- b. **Minimum Landscaped Area.** The applicant shall landscape all common area landscaping and, in the case of single-family attached and duplex housing, all areas which may be privately owned. Landscaped areas shall not be less than five feet (5') wide.
- i. Children's play areas are places specifically designed to enable children to play, such as a playground or play park; and often contain recreational equipment such as slides and swings. The applicant shall provide children's play area(s) at a minimum of 800 square feet per the first 10 units, plus an additional 10 square feet per unit above 10 units.
 - ii. The applicant shall provide open space equal to or greater than 10% of the overall project area. The children's play area(s) can be included in the open space percentage.
 - iii. Rooftop landscaping is considered a private amenity and is not eligible for inclusion in the required landscaping percentage.
- c. **Materials.** Areas requiring landscaping shall be planted with substantial live plant material including: plants, shrubs, trees, sod, etc., for the purpose of buffering, screening, and improving the visual quality of the site. Wherever possible on the project, developers are encouraged to use Low-Impact Development (LID) techniques and materials.
- i. **Types of Vegetation.** Up to twenty-five percent (25%) of the landscaping may be evergreen. Up to twenty-five percent (25%) of the landscape area can include specialty paving, street furniture, and outdoor seating areas. Trees that are planted in the park strip shall meet the specifications described in the standard construction specifications of Providence City.
 - ii. **Plant Selection.** Plants selected for landscape areas shall consist of plants that are suited to the climate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible. Drought tolerant plants are encouraged. Areas with slopes greater than twenty percent (20%) shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.
 - iii. **Mulch.** After completion of all planting, all irrigated non-turf areas shall be covered with a minimum four-inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature.
 - iv. **Size of Trees.** The following standards apply to trees used in the required landscaping of the development.
 - I. **Deciduous Trees.** Deciduous trees shall have a minimum caliper size of two inches (2").
 - II. **Ornamental Trees.** Ornamental trees shall have a minimum caliper size of one and one-half inches (1.5").
 - III. **Evergreen Trees.** Evergreen trees shall have a minimum height of six feet (6').
 - v. **Xeriscaping.** The developer is encouraged to use xeriscaping for a portion of the required landscaping.
- d. **Vegetation Protection.** The property owner must protect existing significant vegetation during any development activity. Development plans must show all significant vegetation within twenty feet of a proposed development.
- e. **Removal.** No landscaping may be removed without replacement of equal quality. This shall include the installation of healthy plant materials as well as a tree for tree

replacement as governed by this ordinance. Utilities and others that disturb landscaped areas shall restore disturbed landscaping to previous condition.

7. **Parking Plan.** Show parking/loading computations for proposed use. Developments shall provide adequate parking, both for residents and their guests, based on the following standards:
- a. **Garage Parking.** Attached housing, shall provide a minimum of one (1) garage parking space for each unit, which shall be owned by the person or persons who own the housing unit.
 - b. **Off-Street Parking.** Housing within the development shall provide the following off-street parking spaces.
 - i. Single Family Detached- 4 per unit
 - ii. Single Family Attached/Townhome- 2 per unit + .25 guest spot per unit.
 - iii. Duplex- 2 per unit
 - iv. Apartments (0-1 bedroom)- 1.5 per unit + .25 guest spots per unit.
 - v. Apartments (2+ bedroom)- 2 per unit + .25 guest spots per unit.
 - vi. At least one of the required parking spaces for apartment shall be a designated, covered parking space.
 - vii. Required visitor parking shall be spaced throughout the development in order to provide ease of access to all dwelling units.
 - c. **Parking Space Dimensions.** Dimensions for all required parking, both on and off-street, as well as any required handicapped parking, are outlined in the Providence City Engineering Design Standards.
 - d. **Bicycle Parking.** New construction of and additions to retail/commercial structures and multi-unit dwellings must provide bicycle parking spaces.
 - i. Multi-unit dwellings must provide at least one (1) space per four (4) units if units do not have a private garage or private storage space for bike storage, or ten percent (10%) of the required off-street parking spaces, whichever is greater.
 - ii. Bicycle spaces must accommodate bicycle storage medium security racks, in which the user may lock both the bicycle frame and the wheels. The spaces must be designed to prevent damage to the bicycle and to facilitate easy and secure storage without interference from or to adjacent bicycles. Bicycle racks or lockers must be anchored and of solid construction, resistant to rust, corrosion, hammers, and saws.
 - iii. Bicycle spaces must be compatible in design and function with the surrounding buildings and with surrounding street fixtures.
 - iv. Bicycle repair and maintenance station. A minimum of one (1) bicycle repair station per development or one (1) per 25 bicycle parking spaces, whichever is greater, must be installed.
 - v. Bicycle facilities must be located in convenient, highly visible, active well-lighted areas, but shall not interfere with pedestrian movements and snow storage.
8. **Mailboxes.** Developer shall be required to coordinate placement of clustered mailboxes with the United States Postal Service.
9. **Miscellaneous Site Development Standards.**
- a. **Walkways and Paths.** Each development shall include common area pedestrian-friendly walkways and paths. Where possible, such walkways and paths shall connect to a larger trail system. The general location and design of such walkways and paths shall be

presented as part of the preliminary site plan. The construction type, size and exact location shall be part of the final development of each phase. All walkways and paths shall be provided with adequate safety lighting.

- b. **Fixtures and Appurtenances.** The type and location of any fixtures or appurtenances (lighting, benches, bike racks, etc.) shall be submitted as part of the final development of each phase and shall be reviewed/approved by the Providence City Council Planning Commission.
- c. **Public Infrastructure.** All public infrastructure improvements shall be constructed according to the Providence City design standards and specifications.
- d. **Lighting.** In order to maintain the residential character in order to shield the lighting from shining on to another residence or lot, all lighting within a development governed by these Standards shall be Dark Sky compliant.
- e. **Signage.** All signage within an LCR shall be in accordance with the Providence City code regulating signage.
- f. **Electric Vehicle Charging Station Requirements (EVCS).**

- i. **ELECTRIC VEHICLE CHARGING STATIONS.** Electric Vehicle Charging Stations are an Allowed Accessory Use in all Zoning Districts.

- ii. **INFRASTRUCTURE.** An Applicant shall provide Electric Vehicle Charging Station Infrastructure for five percent (5%) of the first one hundred (100) required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development and for five percent (5%) of required Off-Street parking spaces above one hundred (100).

- I. The Electric Vehicle Charging Station Infrastructure shall be identified on all construction documents submitted for review.

- II. To put future Property Owners on notice of the Electric Vehicle Charging Station Infrastructure, an Applicant shall provide information in Covenants, Conditions, and Restrictions or other documents governing a homeowner or master owners association for the Development and/or on the breaker panel.

- ~~iii. **ELECTRIC VEHICLE – READY.** Applicants are required to construct private garages for Duplexes, and Triplexes that are Electric Vehicle – Ready.~~

- iv. **INSTALLATION.** An Applicant shall install Electric Vehicle Charging Stations for five percent (5%) of required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development for the first 200 parking spaces.

- I. The first Electric Vehicle Charging Station installed shall be a dual-port with one Charging Station that is ADA accessible. This dual-port shall count as one Charging Station. Dual-port Charging Stations installed thereafter shall count as two Charging Stations.

- v. **STANDARDS.**

- I. **Location.** Electric Vehicle Charging Stations shall not obstruct:

- a) Building access;
 - b) Rights-of-Way;
 - c) sidewalks or pathways;
 - d) parking space dimensions; or
 - e) the Sight Distance Triangle.

- ~~II. **Signs.** An Applicant shall install Electric Vehicle Charging Station signage that complies with the Federal Highway Administration Manual on Uniform Traffic Control Devices, as amended for use in Utah. An Applicant shall install signage as follows:~~

- ~~- a) At the point of entrance to direct drivers to the location of Electric Vehicle Charging Stations for Parking Structures with fifty (50) or more parking spaces.~~

- b) ~~At the point of entrance to direct drivers to the location of Electric Vehicle Charging Stations for Parking Areas with seventy five (75) or more parking spaces.~~
- c) ~~For each Electric Vehicle Charging Station to indicate that such Station is for Electric Vehicle charging only.~~
- III. ~~User Information. An Applicant shall label each Electric Vehicle Charging Station with information regarding safety, voltage and amperage levels, usage fees if any, hours of operation, charging time limits, the contact information to report malfunctioning equipment or other issues, and cord management requirements.~~
- IV. ~~Cord Management. An Applicant shall install Electric Vehicle Charging Stations that contain a retraction device or place to hang and store cords, cables, and connectors. Cords, cables, and connectors shall not obstruct Building access, sidewalks or pathways, parking spaces, or the Rights of Way.~~
- V. ~~Protection. An Applicant shall install wheel stops, concrete filled bollards, or other device approved by the Planning Director to protect Electric Vehicle Charging Stations from damage by vehicles.~~
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- VII. ~~Maintenance. Property owners shall maintain Electric Vehicle Charging Stations in good condition, appearance, and repair. If an Electric Vehicle Charging Station is inoperable, the Property Owner shall replace the Charging Station within three (3) months.~~
- vi. SOLAR ENERGY SYSTEMS. Solar energy systems may be installed on permanent parking area structures for electric vehicle charging stations. Solar energy systems shall be incorporated in the roof of the permanent structure and shall be mounted flush to the roof plane. Solar panels, solar devices, and solar energy systems and mounting equipment shall use non-reflective finishes such as an anodized finish.

E. **Project Approval Process**

1. **Procedure:** In addition to the actions and considerations listed in this section, developers shall be required to follow the approval procedures outlined in Providence City code.
2. **Development Considerations:** In approving with conditions, denying or approving an LCR proposal, the Planning Commission shall consider whether or not the proposed project meets the standards and conditions outlined in this Chapter.
3. **Planning Commission Action:** The Planning Commission, subject to the requirements of this chapter, may approve the project, deny the project, or approve the project with conditions.
4. **Revisions:** In the event an approved preliminary or final site plan requires revision by the developer, the site plan and ~~its any~~ revision shall ~~may be approved~~ will be submitted for approval to ~~by the Providence City Council upon recommendation of the Planning Commission.~~ In the event revision is for a final site plan, all ~~new~~ property owners in the development shall be notified in writing by the

1 planning commission that a revision has been submitted and will be considered by the planning
2 commission.

3
4 **5. Approved Plans:**

- 5 1. Upon approval of a preliminary plan or revised preliminary plan, the applicant shall prepare a
6 copy of the approved plan for signature of the Owner, the Applicant, and the Land Use Authority.
7 2. Upon approval of a final plan or a revised final plan, the applicant shall prepare a copy of the
8 approved plan for signature of the Owner, the Applicant, and the Land Use Authority.

9 **6. Infrastructure Minimum Improvements.** Infrastructure minimum improvements shall be completed
10 and in place before the City will issue a building permit for any lot within the proposed development.

- 11 1. The City considers the following public and/or private infrastructure minimum
12 improvements essential or required to meet the building code, fire code, flood or storm
13 water management provisions, street and access requirements.
14 a) All grading of roads and/or that portion of parking area(s) (including pit run and
15 road base) that serve as access to buildings as shown on the approved construction
16 drawings, and all curb, gutter, and all utility trenches that lay inside the roadway;
17 b) All storm water (excluding finish grades and landscaping), water, sewer, and other
18 improvements that may be deemed essential necessary public safety
19 improvements; and
20 c) Egress and ingress to provide acceptable and safe travel to and from each proposed
21 structure in the approved development plan.
22 2. Inspection. All required testing results and redline drawings must be turned in to the City
23 before the minimum improvement inspection takes place. An inspection of the minimum
24 improvements shall be made and the City Engineer will certify to the City, in writing, that the
25 minimum improvements are complete prior to the issuance of any building permits.
26 3. Asphalt shall not be laid prior to a minimum improvement inspection approval.

27 **7. Improvement completion assurance – improvement warranty.**

- 28 1. Improvement Completion Assurance. Before an applicant conducts any development activity
29 or records a plat, the applicant shall:
30 a) Complete any required landscaping or infrastructure improvements; or
31 b) Post an improvement completion assurance for any required landscaping or
32 infrastructure improvements (does not include infrastructure that is required to be
33 private) of 100% of the incomplete or unaccepted landscaping or infrastructure.
34 2. Improvement Warranty. Up on acceptance of the landscaping and infrastructure
35 improvements (does not include infrastructure that is required to be private) by the City, the
36 applicant shall post a surety bond, letter of credit, or other similar security in an amount of
37 10% of the lesser of the:
38 a) Municipal engineer's original estimated cost of completion; or
39 b) Applicant's reasonable proven cost

40 **8. Building Permit Issuance:** The building inspector shall not issue any permit for the proposed building
41 or use within the project unless such building or use is in accordance with the approved development
42 plan and any conditions imposed. Approved development plans shall be filed with the City.
43

44 **9. Time Limit:** Unless there is substantial action leading toward completion of an HD project or an
45 approved phase thereof within one year from the date of approval, such approval shall expire unless
46 after reconsideration of the progress of the project an extension is approved. Only one extension
47 shall be granted and shall be limited to one additional year.
48