

1 **Ordinance No. 2018-011**

2  
3 AN ORDINANCE AMENDING PROVIDENCE CITY CODE TITLE 10-8-5: COMMERCIAL ZONED  
4 DISTRICTS-SITE DEVELOPMENT. THIS AMENDMENT REQUIRES A PRECONSTRUCTION MEETING  
5 BEFORE BEGINNING CONSTRUCTION ON A COMMERCIAL SITE PLAN.  
6

7 WHEREAS UCA § 10-9a-102.(2) states “. . . municipalities may enact all ordinances, resolutions,  
8 and rules and may enter into other forms of land use controls . . .” and  
9

10 WHEREAS Providence City desires to provide for the health, safety, and welfare, and promote  
11 the prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality  
12 and its present and future inhabitants and businesses, to protect the tax base, to secure  
13 economy in governmental expenditures, to foster the state's agricultural and other industries, to  
14 protect both urban and nonurban development, to protect and ensure access to sunlight for  
15 solar energy devices, to provide fundamental fairness in land use regulation, and to protect  
16 property values in areas that may be considered sensitive, including but not limited to fire  
17 danger, slope, soil content.

- 18 • Providence City staff prepared the attached code amendment.
- 19 • Planning Commission studied the proposed amendment and prior to making a  
20 recommendation, held a public hearing on October 10, 2018.

- 21 • Providence City Planning Commission took the following action on October 10, 2018:  
22 **Item No. 1. Proposed Code Amendments.** *The Providence Planning Commission will consider for*  
23 *recommendation to the City Council approval of amendments to Providence City Code for the*  
24 *following:*

25 *10-8-5:Commercial Zoned Districts-Site Development*

26 *10-9-4 Frontages: Curb, Gutter, and Sidewalk*

27 *Improvements should be made in accordance with city standards including but limited to*  
28 *Providence City standards and specifications manual*

29 *Pre-construction meeting*

30 *11-3-3 Final Plat*

31 *11-5 Public Improvements Inspection report and/or punch list*

32 *Motion to recommend the City Council approve the amendments to Providence City Code for 10-*  
33 *8-5,10-9-4,11-3-3 and 11-5 – B Perry, second – J Parker*

34 *Vote:*

35 *Yea: B Perry, G Sonntag, R Holloway, J Parker*

36 *Nay: None*

37 *Abstained:*

38 *Excused: R Cecil*

39 *Excused Alternate:*

- 40 • The City Council considered the following:

41 Findings of Fact:

- 42 ○ Providence City Code (PCC) 10-1-5:A. states changes and amendments to this  
43 Zoning Title shall be done in accordance with state law.
- 44 ○ UCA § 10-9a-501 states the legislative body may enact land use ordinances and  
45 a zoning map consistent with the purposes set forth in in this chapter.
- 46 ○ UCA § 10-9a-502 Requires the planning commission provide notice and hold a  
47 public hearing on a proposed land use ordinance or zoning map; and prepare  
48 and recommend to the legislative body a proposed land use ordinance and  
49 zoning map that represent the planning commission’s recommendation.

1           ○ UCA 10-9a-503.(1) The legislative body may amend: (b) any regulation of or  
2           within the zoning district; or (c) any other provision of a land use ordinance.

3           Conclusions of Law:

4           ○ The proposed amendment has been processed in accordance with the Finding  
5           of Facts.

6           Conditions:

7           ○ None

9           THEREFORE be it ordained by the Providence City Council

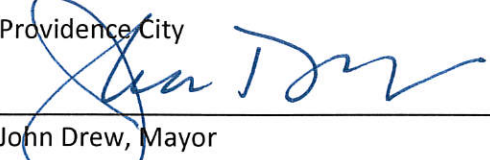
- 10           • The attached code amendment shall be approved based on the findings of fact,  
11           conclusions of law, and conditions listed above and the recommendation of the  
12           Providence City Planning Commission.
- 13           • This ordinance shall become effective immediately upon passage and posting or 30 days  
14           after final passage, whichever is closer to the date of final passage.


16           Ordinance adopted by vote of the Providence City Council this 23 day of October 2018.

18           Council Vote:

19           Allen, Kirk	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
20           Eck, Kristina	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
21           Fresz, Brent	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
22           Giles, Dennis	( ) Yes	( ) No	(X) Excused	( ) Abstained	( ) Absent
23           Sneddon, Roy	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

25           Signed by Mayor John Drew this 23 day of October 2018.

27           Providence City  
  
 29           \_\_\_\_\_  
 30           John Drew, Mayor

32           Attest:  
  
 34           \_\_\_\_\_  
 34           Scarlet Bankhead, Recorder

