

SECTION I: DEFINITIONS

ACCESSORY BUILDING:	A subordinate building, attached or detached, and used for a purpose customarily incidental to the main structure on a lot, such as a private garage, offices, storage or repair facilities, etc.
ACCESSORY DWELLING UNIT:	A subordinate portion of a single-family dwelling unit which is arranged, occupied or intended to be occupied as living quarters for a single family or no more than two (2) individuals unrelated by blood, marriage or adoption. An accessory dwelling unit shall include sanitary, sleeping and food preparation facilities and shall comply with all applicable health, building and safety codes, as well as all requirements set forth under the issuance of a conditional use permit.
AGRICULTURE:	The process of raising field, horticultural or garden crops or produce or the raising of domestic animals, fowl or honeybees for the purpose of commercial or home crop production as allowed by the use chart contained in Section 10-6-1 of this Title.
ALLEY:	A narrow public or private way which affords a secondary means of access to abutting property. An alley is not intended for general travel and must be less than twenty six feet (26') in width.
APPEAL AUTHORITY (IES):	A committee of citizens appointed by the Mayor for the purpose of hearing and considering special cases that do not conform to adopted City ordinances, regulations or guidelines, in accordance with Utah Code Annotated. (Subd. Ord., 1-24-1991; Ord., 11-12-1996, eff. 11-13-1996; Ord. 92-7, 10-27-1992, eff. 11-28-1998; 1998 Code)
APPROVAL:	Written permission signed by the appropriate city official.
BENCH MARK:	A mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.
BLOCK:	A piece of land surrounded by streets or other rights-of-way other than an alley; or land which is designated as a block on any recorded subdivision plat.
BOARD OF HEALTH:	See Providence City Code Title 4 Chapter 6: General Health Regulations.

BUILDING:	Any permanent structure having a roof supported from the ground by columns or walls.
BUILDING, HEIGHT OF:	The vertical distance as measured from the highest point of the roof of the building down to a point representative of the average finished grade of the land around the perimeter of the building.
BUILDING, MAIN:	The principal building upon a lot or the building which houses the principal use upon a lot, such as a residence, business, etc.
CHURCH:	A permanent building for the purpose of conducting religious services and other activities associated with a religious denomination.
CITY:	Providence City Corporation and its duly elected and appointed officials and employees.
CITY COUNCIL:	The elected ruling body of Providence City, Cache, Utah
CITY ENGINEER:	A Professional Civil Engineer appointed by Providence City. The City Engineer shall not serve the City and a developer simultaneously, where he would have to check his own work, or the work of a member of his firm, in connection with any development in the City.
CLUSTER HOUSING:	A development of land consisting of separate residential lots of record where conventional setbacks, lot sizes or density may be varied with adjacent land held in common, usually as open space, and where said common land is maintained by the City, private management or a homeowners' association.
COLLECTOR STREET:	A street which carries traffic to the major street system, and shall have a right of way of either sixty (60) or sixty-six (66) feet, as determined by the Planning Commission (Ordinance Modification 98-OM013 06/08/98)
CONDITIONAL USE:	A use that may locate in certain zoning districts, provided it will not be detrimental to the public health, safety and welfare and will not impair the integrity and character of the zoned district. It is a use for which a conditional use permit is required pursuant to Section 10-6-1 of this Title.
CONSTRUCTION DRAWINGS:	Plans submitted by the developer to the City for approval.

CONTRACTOR:	The licensed entity responsible for construction. He/she could be the developer.
COURT:	An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings. The width of a court shall be its least horizontal dimension as measured between opposite sides in the same direction as the yard or lot line on which the court opens. The length of a court shall be its least horizontal dimension as measured at a right angle to its width.
CROP PRODUCTION, COMMERCIAL:	The process of raising field, horticultural or garden crops or produce for the purpose of providing food production for sale.
CROP PRODUCTION, HOME:	The process of raising field, horticultural or garden crops or produce for the purpose of providing food production for the owner of the land upon which the crops or produce are raised, or for someone designated by said landowner, but not intended for sale.
CROSSWALK OR WALKWAY:	A right of way designated for use by pedestrians and not intended for use by motor vehicles of any kind when in use by a pedestrian.
CUL-DE-SAC:	A minor street having one open end and being terminated at the other end by a vehicular turnaround.
DAIRY:	A commercial establishment set up for the purpose of manufacturing and/or processing or dairy products. This definition shall also include any accessory buildings related to dairying activities.
DAIRYING:	The keeping of milk-producing animals, offspring and breeding stock primarily for the production of milk and/or the processing of milk products.
DEVELOPER:	Any person or legal entity (or an agent or contractor representing such) who develops real estate, especially by preparing a site for residential or commercial use.
DEVELOPMENT:	Changes to a subdivision, parcel of property, or a group of dwellings/buildings that cause a tract of land to serve a particular purpose.

DISTRICT:	A portion of the incorporated area of the City as shown on the Zoning Map and associated with this Zoning Title and given a formal zoning district designation.
DRIVEWAY:	A private roadway, the use of which is limited to persons residing, employed at or otherwise using or visiting the lot on which the roadway is located.
DWELLING:	Any building or portion thereof which is designed for residential purposes, except the following: hotels, motels, boarding houses, lodging houses, fraternities, sororities, trailers or dormitories.
DWELLING UNIT:	A building or portion of a building which is arranged, occupied or intended to be occupied as living quarters and includes sanitary, sleeping and food preparation facilities which shall be accessible and available to all occupants of the unit.
DWELLING, TWO-FAMILY:	A single structure designed and constructed with two (2) dwelling units under a single roof for occupancy by two (2) families on one lot of record.
DWELLING, THREE-FAMILY:	A single structure designed and constructed with three (3) dwelling units under a single roof for occupancy by three (3) families on one lot of record.
DWELLING, FOUR-FAMILY:	A single structure designed and constructed with four (4) dwelling units under a single roof for occupancy by four (4) families on one lot of record.
DWELLING, SINGLE-FAMILY ATTACHED:	A dwelling joined to another dwelling at one or more sides by a party wall or abutting separate walls, each dwelling being erected upon a separate lot of record which is designed for occupancy by one family on each lot of record.
DWELLING, SINGLE-FAMILY DETACHED:	A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract, and having no physical connection to a building located on any other lot or tract.
DWELLING, MULTIPLE-FAMILY:	Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as five (5) or more dwelling units which is occupied as a home or place of residence by five (5) or more families living in independent dwelling units.

EASEMENT:	The right to use the real property of another for a specific purpose.
FAMILY:	Means any one of the following: <ul style="list-style-type: none"> A. an individual living alone, or B. the head of household and all persons related to the head of household by marriage, legal guardian, or conservator as a parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent, great-grandchild, or C. two or three related or unrelated persons living together as one housekeeping unit. (Ordinance Modification 003-2004 01/13/04)
FAMILY ANIMAL KEEPING:	The keeping, in addition to household pets, of large animals in accordance with Chapter 13 of this Title. This includes animals such as chickens, pheasants, rabbits, turkeys, ducks, geese and pigeons.
FARM, RANCH OR ORCHARD:	An area of five (5) or more acres which is used for the commercial production of crops or the keeping of the usual farm poultry and animals and normal accessory uses for these purposes.
FEEDER STREET:	A street which carries traffic to a collector or major street system and shall have a designated right of way of fifty feet (50').
FINAL PLAT:	A subdivision map prepared in accordance with the provisions of this Title that is accurately surveyed and with such survey results marked on the ground so that the streets, alleys, lanes, blocks, lots and other divisions thereof can be identified. The final plat is designated to be placed on record in the office of the County Recorder.
FRONTAGE:	The distance across the front of a lot, which said front of lot shall be adjacent to a public road right of way.
GARAGE, PRIVATE:	An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common.

- GARAGE, PUBLIC:** A building, or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, selling or storing of motor driven vehicles.
- GENERAL PLAN:** See Utah State Code.
- GRAVEL OR SAND PIT:** An open excavation from which gravel or similar material such as sand is obtained by digging, cutting or blasting.
- GREENHOUSE:** A building primarily constructed of clear or translucent material for the purpose of growing plants.
- HANDICAPPED PERSON:** A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.
- HEALTH DEPARTMENT:** See “Board of Health.” Bear River Health Department.
- HOME BUSINESS:** Any use conducted entirely on homeowner’s land and carried on by up to four (4) individuals, related or unrelated, and does not change the character of the surrounding neighborhood. Also, all parking and needed facilities for the people are completely and entirely provided on the homeowner’s land. There shall not be any commercial display, nor any disturbances created by the occupation, such as noise, parking problems, increased traffic above and beyond the four (4) individuals, unsightliness or pollution, etc. Home businesses are subject to all licensing, inspections, laws and regulations, etc., as any other business.
- HOME OCCUPATION:** Any use conducted entirely within a dwelling and carried on by members of the residing family, which use is clearly incidental and secondary to the use of the dwelling and does not change the character thereof. There shall not be any commercial display, other than an unlighted nameplate sign, which is less than two (2) square feet in area, nor any

disturbances created by the occupation, such as noise, parking problems, increased traffic, unsightliness or pollution, etc. Home occupations are subject to all licensing, inspections, laws and regulations, etc., as any other business.

HOTEL: Any building containing six or more guest rooms intended or designed to be used, or that are used, rented, or hired out to be occupied for sleeping purposes by guests. (Ordinance Modification 98-OM011 06/09/98)

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in a house and kept for company or pleasure (i.e., dogs, cats, small birds, etc.)

IMPROVEMENTS: Devices, facilities or utilities required to be constructed or installed. Such improvements may include, but are not limited to, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage/storm water facilities, streets, trees, street signs, street lights, traffic-control or safety devices, fire hydrants and such other facilities or construction required by the Subdivision Title.

IMPROVEMENT DISTRICT: As defined by Utah State law and as modified by the City ordinance.

INNER BLOCK DEVELOPMENT: Residential development of dwelling structures occurring in the interior of existing blocks.

INSPECTOR: An authorized inspector or representative of the City.

JUNK: Old or scrap metal, rope, rags, batteries, paper trash, rubber, debris, waste, dismantled or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

JUNK YARD: The use of any lot, portion of any lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metal, other scrap material or for the dismantling, demolition or abandonment of automobiles, vehicles, machinery, appliances, etc., or any parts thereof.

KENNEL: Owning, keeping or maintaining more than three (3) dogs over the age of three (3) months at the same residence.

LANE: A public or private way which affords primary access to abutting property.

- LARGE ANIMALS:** Horses, cows, sheep, goats and other similarly sized domestic animals, except those expressly defined as household pets.
- LIVESTOCK:** The keeping of domestic animals such as cattle, horses, sheep, hogs or goats that are raised for commercial or home use.
- LODGING HOUSE:** Any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise. (Ordinance Modification 98-OM011 06/09/98)
- LOT:** A parcel of land, legally recognized by the City, occupied, or to be occupied, by a main building, or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area as required by this Title and having sufficient frontage upon, or access easement to, a public street.
- MAJOR STREET:** A street which serves as a major traffic way, a controlled-access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan, and shall have a designated right of way of eighty feet (80').
- MANUFACTURED HOUSE:** A structure transportable in one of more modules which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation and footing when connected to required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The manufactured house shall be permanently attached to an approved foundation and footing. Units manufactured prior to June 1976 not stamped approved by HUD (National Mobile Home Construction and Safety Standards Act of 1974) shall not be considered a "manufactured house", as defined herein. For clarification, this definition excludes mobile homes, trailers, campers and other similar units as may be defined in this Title and which are permitted in mobile home parks or mobile home subdivisions under the relevant regulations of this and other Providence City ordinances and regulations. Also excluded from this definition are other types of manufactured housing often referred to as factory built or modular units. Such units shall be designed and constructed to satisfy all provisions of the Uniform Building Code (UBC) and other related codes. If so designed and constructed, then said units are similar to site built structures in design and construction, except that

they would be modular in design to facilitate transportation. Said factory built or modular units would be considered prefabricated construction regulated by chapter 50 of the UBC and for this reason would not be included as a “manufactured house”, as defined herein.

- MAY:** Is permissive.
- MINING AND SIMILAR ACTIVITIES:** Any mining or similar activity including gravel and/or sand pits, quarries, oil, gas and mineral extractions and treatment activities, facilities and operations. Sod farms, land leveling for agricultural purposes and excavation for permitted uses as per this Zoning Title shall not be included in said definition.
- MOBILE OR TRAILER HOME:** A vehicle with or without motive power, designed to be used for human habitation. Also, a vehicular portable structure built on a chassis and designed to be used without a permanent foundation for human habitation not taxed as real property by Cache County, State of Utah.
- MUSEUM:** A permanent building for the purpose of storing, preserving and exhibiting historic, artistic or scientific objects.
- NONCOMPLYING STRUCTURE:** See Utah State Code.
- NONCONFORMING USE:** See Utah State Code.
- NURSERY, HORTICULTURAL:** A place where young trees and/or other plants are raised.
- OFFICIAL MAP:** Any map adopted by the Planning Commission and/or the City Council under the provisions of Utah Code Annotated, as amended.
- OPEN SPACE:** Land with nondevelopment or minimum development types of uses (examples: golf courses, agricultural uses, parks, low density residential development) or land left undeveloped for aesthetic [or environmental, health, welfare, or safety] reasons (examples: greenbelts, floodways, steep unstable slopes, or wetlands).
- ORCHARD, FARM OR RANCH:** An area of five (5) or more acres which is used for the commercial production of crops or the keeping of the usual farm poultry and animals and normal accessory uses for

these purposes.

- OVERLAY ZONE:** A zone which allows for the imposition of additional or special regulations to a unique situation which may not be delineated on a zoning map. The special regulations or standards do not negate the existing regulations of the underlying district, but are supplemental to them for the unique situation. (Ordinance Modification 011-99 04/13/99)
- OWNER:** The person, partnership, corporation, or other entity in which is vested the fee simple, unencumbered title of the property to be developed unless otherwise clearly indicated.
- PERSON:** An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity, and/or their heirs, assigns or agents.
- PLANNED UNIT DEVELOPMENT (PUD):** A development of land consisting of separate residential lots of record where conventional setbacks, lot sizes or density may be varied with adjacent land held in common, usually as open space, and where said common land is maintained by the City, private management or a homeowners' association.
- PLANNING COMMISSION:** Providence City Planning Commission.
- PRELIMINARY PLAT:** A map or plan of a proposed land divisions or subdivision prepared in accordance with the requirements of this Title.
- PUBLIC BUILDING:** Any building, or group of buildings, constructed by a government entity and intended for use by the general public as established by State law (i.e., public schools, government offices, etc.).
- PUBLIC INFRASTRUCTURE:** Any work or product which will become the property of the City: i.e. ,streets, curb and gutter, sidewalk, waterworks, sanitary sewer system, storm water system, culverts, bridges, fencing, etc.
- PUBLIC PARK:** A tract of land set aside for the purpose of providing recreation for the general public.
- RANCH, ORCHARD OR FARM:** An area of five (5) or more acres which is used for the commercial production of crops or the keeping of the usual farm poultry and animals and normal accessory uses for these purposes.

RESIDENCE HOME FOR THE AGED	See Utah State Code.
RESTRICTED LOT:	A parcel of land severed or placed in ownership after April 8, 1963 and which does not meet all area, width, setback, yard and other space requirements of this Title for a lot. Also a parcel of land which does not meet all the requirements of this Title for a lot, but the creation of which has caused any adjacent or contiguous lot from which it was severed to be insufficient in area, width, setback, yard or space requirements, when such adjacent lot has a structure on it, or a building permit issued for the construction of a structure.
SECONDARY RESIDENTIAL STRUCTURE:	A subordinate dwelling unit (detached) other than a mobile home.
SETBACK:	The shortest distance from a building on a lot to any property line, lot line or public road right of way adjacent to said lot.
SHALL:	Is mandatory.
SHOULD:	Is encouraged but not mandatory.
SKETCH PLAN:	A conceptual drawing of the proposed development prepared in accordance with the requirements of this Title.
SPECIFICATIONS:	The latest revision of the Providence City Standards and Specifications Manual or any part thereof, including all appendices and references to state and federal regulations and national construction and manufacturing standards.
STANDARD DRAWINGS:	The latest revision of the Providence City Standard Construction Drawings, which shall be a part of the City Standards and Specifications Manual.
STRUCTURE:	Any assemblage of materials into a finished product that stands above the ground such as a building, fence, wall, etc.
SUBDIVISION:	See Utah State Code.
SUBDIVISION REQUIREMENTS:	Those requirements that are adopted by the various governing bodies in the City for the necessary proper development of the proposed subdivision.

TIRE SALES, RETAIL	A building or premises used for the retail sale and installation of tires and related under car services; but not including paint, body and frame repair, or rebuilding of engines, transmissions, or differentials. (Ordinance Modification 001-01 02/27/01)
TRAILER CAMP OR MOBILE HOME PARK:	Any area or tract of land used or designed to accommodate two (2) or more trailers, mobile homes or camping vehicles.
TRAILER OR MOBILE HOME:	A vehicle with or without motive power, designed to be used for human habitation. Also, a vehicular portable structure built on a chassis designed to be used without a permanent foundation for human habitation not taxed as real property by Cache County, State of Utah.
UDOT:	Utah Department of Transportation.
UNDER CAR SERVICES:	For the purposes of this Title, the following shall be considered under car services: front-end alignment, brakes, shocks, struts, and lube, oil and filter. (Ordinance Modification 001-01 02/27/01)
YARD:	A space on a lot, other than a court, unoccupied and unobstructed by buildings and/or structures from the ground upward, except as otherwise provided herein.
ZONE:	A portion of the incorporated area of Providence City shown on the approved Zoning Map and associated with this Zoning Title and given a formal zoning district designation. (Zon. Ord., 5-8-1991; Ord., 2-16-1994; Min., 8-28-1996; Ord., 4-9-1996; Ord. 97-OM003, 2-11-1997, eff. 2-11-1997; 1998 Code)
ZONING:	The most recent zoning ordinances as adopted by Providence City.