

CHAPTER 1

**GENERAL PROVISIONS**

SECTION:

- 11-1-1: Title
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11-1-1: **TITLE:** This Title shall be known as the SUBDIVISION TITLE OF PROVIDENCE CITY, COUNTY OF CACHE, STATE OF UTAH. (Subd. Ord., 1-24-1990)

11-1-2: **PURPOSES:** The purposes of this Title are to promote an adequate and efficient street and road system, to prevent congestion on streets and promote traffic safety, to secure desirable public space, to ensure proper distribution of population, to provide for adequate utilities and public improvements, to provide for orderly growth, and to improve the health, safety and general welfare of the people. (Subd. Ord., 1-24-1990)

11-1-3: **DEFINITIONS:** The following terms used in this Title shall have the respective meanings hereinafter set forth:

**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.

**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.

**CITY:** Providence City, County of Cache, State of Utah.

**CITY COUNCIL:** The elected ruling body of Providence City, Cache, Utah

**CITY ENGINEER:** Any professional civil engineer licensed by the State of Utah and appointed by the City Council to accomplish the objectives of this Title; provided, that no such person may serve the City and a sub-divider simultaneously where he would have to check his own work or the work of a member of his firm in connection with any subdivision in the City.

**COMMERCIAL STREET:** A commercial street functions to collect and distribute traffic between residential streets and other commercial and/or major

streets and intersects with commercial properties. Commercial streets shall have a designated right of way of eighty feet (80').

- 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 street having one open end and being terminated at the other end by a vehicular turnaround; and shall not exceed 600' in length. A residential street cross-section shall be used.
- DEVELOPER:** Any legal entity who subdivides a parcel of land. He may also be referred to as a subdivider.
- 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.
- EASEMENT:** A quantity of land, existing distinct from the ownership of the land, over which a liberty, privilege or advantage in land without profit is granted to the public or some particular person or part of the public.
- 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.
- GENERAL PLAN:** A plan, including maps or reports or both, which has been approved by the City Council and the Planning Commission, which helps to establish lines of current and future planned streets, roads, highways, etc., as provided in Utah Code Annotated, as amended.
- IMPROVEMENTS:** Devices, facilities or utilities required to be constructed or installed in a subdivision. Such improvements may include, but are not limited to, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, streets, trees, street signs, street lights, traffic-control of safety devices, fire hydrants and such other facilities or construction required by this Subdivision Title.
- LANE:** A public or private way, which affords primary access to abutting property.

LOT:	A portion of a subdivision or land, intended as a unit for building development or transfer of ownership.
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 ninety-nine feet (99').
RESIDENTIAL STREET	A residential street is supplementary to a commercial and/or major street and for low to moderate volumes of traffic of limited continuity which serves or is intended to serve the local needs of a neighborhood. The right-of-way shall be sixty-six feet (66').
OFFICIAL MAP:	Any map adopted by the Planning Commission and/or the City Council under the provisions of Utah Code Annotated, as amended.
OWNER:	Shall mean and refer to the person, partnership, corporation, or other entity in which is vested the fee simple, unencumbered title of the property to be subdivided, unless otherwise clearly indicated.
PLANNING COMMISSION:	The Providence City Planning Commission, unless another planning commission is specifically named.
PRELIMINARY PLAT:	A map or plan of a proposed land divisions or subdivision prepared in accordance with the requirements of this Title.
SKETCH PLAN:	A conceptual drawing of the proposed development prepared in accordance with the requirements of this Title.
SUBDIVIDE (And any Derivative Thereof):	Shall have reference to the term "subdivision", as defined in this Section.
SUBDIVIDER:	Any legal entity who subdivides a parcel of land. May also be referred to as a developer.
SUBDIVISION:	The division of a tract of lot or parcel of land into two (2) lots or more. Further, this definition shall not apply to the sale or conveyance of any parcel of land which may be shown as one of the lots of the subdivision of which the plat has heretofore been recorded in the office of the County Recorder.
SUBDIVISION OF LAND FOR AGRICULTURAL	A division of a parcel into two (2) or more lots, none of which is smaller than five (5) acres.

PURPOSES:

SUBDIVISION REQUIREMENTS: Those requirements that are adopted by the various governing bodies in the City for the necessary proper development of the proposed subdivision.

SUSTAINED STREET GRADE: A length of street that exceeds 150' in length, measured along the centerline of the street. Sustained grades shall not be in excess of eight percent (8%).

11-1-4: **AMENDMENTS; CHANGES:** Changes and amendments shall be done in accordance with State law. 1. (Subd. Ord., 1-24-1990)

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<sup>1</sup> U.C.A. § 10-9-803.