

1 **Ordinance No. 08-2025**

2
3 AN ORDINANCE AMENDING CODE TO REGULATE MINING AND SIMILAR
4 ACTIVITIES. CITY CODE TITLE 10: ZONING REGULATIONS CHAPTER 9:
5 SUPPLEMENTARY REGULATIONS WITHIN ALL DISTRICTS. SECTIONS 8:
6 MINING AND SIMILAR ACTIVITIES.

7
8 WHEREAS UCA § 10-3-701 states, “except as otherwise specifically provided, the
9 governing body of each municipality shall exercise its legislative power through
10 ordinances.” And

11
12 WHEREAS UCA 10-3-702 states that ‘the governing body may pass any ordinance to
13 regulate, require, prohibit, govern control or supervise any activity, business, conduct or
14 condition authorized by this act or any other provision of law’; And

15
16 WHEREAS, At the present time, the City has limited provisions to regulate mining and
17 similar activities. City staff have amended code to enable the regulation of mining and
18 similar activities within the city; to protect citizens and the environment from potential
19 hazards or negative impacts that may result from these activities; and to establish a
20 standard method and form of application and approval for a conditional use permit for
21 mining and similar activities

22
23 WHEREAS, The Providence City Planning Commission held a public hearing regarding
24 this proposed new code on November 19th, 2025, taking comments, questions and
25 recommendations from the public.

26
27 WHEREAS, The Planning Commission, after taking comments and questions from the
28 public, made the following motion:

29
30 **Motion to recommend to the City Council adoption of the changes in the**
31 **mining and similar activities code with the changes discussed regarding**
32 **property lines and truck safety measures on steep grades.**

33
34 **Motion passed unanimously.**

35
36 WHEREAS, the City Council desires to amend code to establish provisions to regulate
37 mining and similar activities.

38
39 WHEREAS, The City Council motions to approve and have incorporated into the city
40 code the attached code review that establishes the definitions, requirements, permits,
41 process, prohibited acts etc. for the regulating of mining and similar activities.

42
43 WHEREAS, Council made and approved the following motion during their approval of
44 this ordinance:

45
46 **Motion to approve ordinance 08-2025, an ordinance amending code to**

47 regulate mining and similar activities, with a modification that item 2A
48 includes language that the fence "reasonably deters children from entering
49 the property."
50

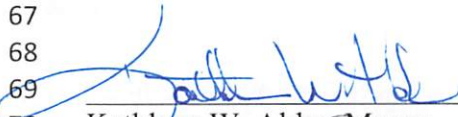
51 THEREFORE, be it ordained by the Providence City Council


- 52 • The attached referenced code shall be approved and added to the city code.
- 53 • This ordinance shall become effective immediately upon passage.

54
55 Passed by vote of the Providence City Council this 17th day of Dec 2025.
56

57
58 Council Vote:

59						
60	Nebeker, Jeff	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
61	Kirk, Carrie	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
62	Kunz, David	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
63	Sealy, Jeanell	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
64	Speth, Brent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Excused	<input type="checkbox"/> Abstained	<input type="checkbox"/> Absent
65						
66						
67						
68						

69 
70 _____
71 Kathleen W. Alder, Mayor

72 Attest: 
73 _____
74 Tyler Cameron, Recorder
75
76
77
78

1 **10-9-8 Mining and Similar Activities**

2 The purpose of this section is to allow for the use of certain natural resources in the city by regulating mining and
3 similar activities within the city; to protect citizens and the environment from potential hazards or negative impacts
4 that may result from these activities; and to establish a standard method and form of application and approval for
5 a conditional use permit for mining and similar activities.
6

- 7 A. Permitted zoning districts. Mining and similar activities shall not be permitted in any zoning district in the City,
8 unless expressly approved by the administrative land use authority. If approved as detailed herein, said use
9 shall operate as a conditional use, subject to annual review by the administrative land use authority. Mining
10 and similar activities shall not be permitted which might violate the provisions of any city master plan.
11
- 12 B. Sensitive areas.
13 1. Mining and similar activities shall not be permitted in any non-developable sensitive area as designated in
14 and subject to Chapter 5 of this title.
15 2. Mining and similar activities may be permitted in potentially developable sensitive areas as designated in
16 and subject to Chapter 5 of this title.
17
- 18 C. Standards for safety. Mining and similar activities are subject to applicable Mine Safety and Health
19 Administration (MSHA) standards and Occupational Safety and Health Administration (OSHA) standards.
20
- 21 D. Mining area. The mining area includes the entire area to be used for the mining operation, including but not
22 limited to, staging areas, crushing areas, stockpile areas, storm water and dust control ponds, etc.
23 1. Distance from residential structures.
24 a. All sections of the mining area must be a minimum of 200 feet from the nearest residential ~~structure~~
25 property line.
26 b. The crusher or similar machinery must be a minimum of 500 feet from the nearest residential
27 structure.
28 2. Security, fencing and signage.
29 a. Fencing. The perimeter entire mining area must be fenced. Fences for areas where active mining is
30 occurring must be a minimum of 6 feet in height with locking gates and reasonably deters children
31 from entering the property.
32 b. Signage. No trespassing signs are required. Additional signage such as, trucks entering roadway, speed
33 limit, and hours of operation may be required.
34
- 35 E. Temporary gravel pit. In conjunction with an approved development or subdivision, the administrative land use
36 authority may approve a temporary gravel pit and associated crusher as a conditional use, subject to annual
37 review. Said gravel pit shall be permitted to:
38 1. provide materials to be used on the approved development or subdivision site related to infrastructure,
39 improvement installation or individual lot improvements;
40 2. export excess materials to an off-site location.
41 3. In addition to the application requirements listed below, the application for a temporary gravel pit shall
42 also include a crushing schedule and the volume of material to be used on-site and the volume of material
43 to be exported to achieve final grading plans.
44
- 45 F. Complete application. A complete conditional use application shall include the following:
46 1. Application and payment of application fee.
47 a. Development fees are established by resolution of the city council. The approved fee schedule is
48 posted on the city's website or available at the city offices.
49 2. Completed, signed and initialed conditional use information form.
50 3. The property owner's affidavit, if other than the applicant.
51 4. A list of the names and addresses for any adjacent property owner as defined in Chapter 1-3 Section 2
52 Definitions of this code.

- 53 5. A business plan with detailed description of the specific use, including hours of operation and safety plans.
- 54 6. A site plan prepared and certified by a licensed surveyor and/or engineer detailing the location of:
- 55 a. all proposed uses on the site;
- 56 b. proposed berms or landscaping to be used for visual and/or noise buffer;
- 57 c. a metes and bounds description of the proposed extraction areas and limits of disturbance;
- 58 d. storm drainage, dust control, and a notice of intent (NOI) and stormwater pollution prevention plan
- 59 (SWPPP);
- 60 e. an air quality plan approved by the Utah Division of Air Quality
- 61 f. an emergency vehicle access and fire prevention/suppression plan; and
- 62 g. any other requested applicable information.
- 63 7. A traffic plan, if exporting material, that includes the following:
- 64 a. haul routes (map and narrative), including precautions used on steep grades (grades over 8%), brake
- 65 checks, and prohibiting shifting on hills;
- 66 b. traffic safety measures;
- 67 c. hours of operation for on-site work;
- 68 d. hours of operation for truck routes;
- 69 e. roadway protection and maintenance;
- 70 f. truck staging and idling plan;
- 71 g. communication and coordination procedures; and
- 72 h. compliance and monitoring plan.
- 73 8. If applicable, a detailed reclamation plan for the site, including extraction, staging, stockpiling and crushing
- 74 areas. Said plan shall be prepared and certified by a licensed surveyor and/or engineer and shall indicate
- 75 proposed final slopes, placement and depths of topsoil, soil and slope stability calculations and proposed
- 76 vegetation materials to be used; and
- 77 a. An estimated reclamation budget prepared by a qualified individual, including projections for inflation
- 78 based on the proposed length of operation; and
- 79 b. A bond or escrow meeting the requirements in Chapter 11-5 Section 7 Improvement Completion
- 80 Assurance of this code.
- 81 G. Criteria for Approval. The administrative land use authority shall make specific findings to confirm that
- 82 mitigation strategies for any proposed mining or similar activity for which an annual conditional use permit is
- 83 requested fully complies with the following criteria:
- 84 1. A determination as to whether the property is located within any waterway, floodplain, or wetland, and if
- 85 so, all federal and state regulations must be satisfied.
- 86 2. A determination that there is adequate emergency vehicle access to and through the area and fire
- 87 hydrants for a water supply.
- 88 3. A determination that, to the extent possible, truck routes avoid school zones and periods of high volume
- 89 school traffic, and have safety precautions for steep grades.
- 90 4. A determination that mining operations (including extraction, stockpiling, staging, crushing) shall meet the
- 91 standards for a conditional use permit listed in Chapter 10-3 Section 5 of this title.