

1 **PROVIDENCE CITY**
2 **ADMINISTRATIVE LAND USE AUTHORITY**
3 **Tuesday, December 18, 2018 10:00 AM**
4 Providence City Office Building
5 164 North Gateway Drive, Providence UT 84332
6

7 Attendance: Skarlet Bankhead, Max Pierce, Rob Stapley
8 Others:
9 Mindi Petersen, Jeff Barrett, Immaculate Construction
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12 **ACTION ITEMS:**
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14 **Item No. 1. Conditional Use - Site Plan:** The Providence City Administrative Land Use Authority will consider a
15 request by Immaculate Construction for approval of a conditional use site plan for a single-family residence located
16 at 421 N Sarah Street, Providence UT.
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18 **FINDINGS OF FACT:**

- 19 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes
20 conditional uses and provisions for conditional uses that require compliance with standards set for in an
21 applicable ordinance.
22 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
23 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all
24 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the
25 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),
26 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the
27 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before
28 any permit shall be issued.
29 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
30 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare
31 of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
32 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
33 gatherings of people, or other causes.
34

35 **CONCLUSIONS OF LAW:**

- 36 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
37 conditional uses.
38 2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard area.
39 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
40 detrimental effects of the proposed use.
41 4. Paul Berntson, Cache County Building Official and Craig Humphreys, Fire Marshal – Logan City Fire
42 Department, reviewed the parcel in the interest of the fire safety provisions and regulations as adopted
43 by the State of Utah and in accordance with the International Fire Code in addition to a letter from Aaron
44 Walker, Fire Inspector – Logan City Fire Department dated December 10, 2018.
45 5. The request meets the requirements of the Codes listed in the Findings of Fact with the following
46 conditions:
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48 **CONDITIONS:**

- 49 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,

- 50 codes, ordinances.
- 51 2. The applicant will mitigate Wildfire Area by:
- 52 a. See attached Letter from Aaron Walker dated 11/07/2018
- 53 b. Providence City Code 10-5-7. C. Property owners are encouraged to implement the following:
- 54 1. Construct the roof with fire-resistant materials like tile or metal, asphalt or fiberglass
- 55 shingles. Clean roof surfaces and gutters of pine needles, leaves, branches, etc. regularly
- 56 to avoid accumulation of flammable materials.
- 57 2. Inspect your property regularly, clearing dead wood and dense vegetation from at least
- 58 30' around your house. Rake piles of leaves and twigs. If on a hill, more space will be
- 59 needed to protect your home. A fuel break should be maintained around all structures.
- 60 3. Move firewood away from the house or attachments like fences or decks.
- 61 4. Cover vents with wire mesh no larger than 1/8 of an inch to keep sparks from enter your
- 62 home through vents.
- 63 5. Driveways should be wide enough for firefighting equipment to maneuver.
- 64 3. This conditional use is for the residence only.
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66 **DECISION:**

67 The Providence Administrative Land Use Authority met on December 18, 2018.

68 The above Findings of Facts, Conclusions of Law, and Conditions were presented during the meeting.

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70 **Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions – R Stapley,**

71 **second – M Pierce**

72 **Vote: Yea: S Bankhead, M Pierce, R Stapley**

73 **Nay: None**

74 **Abstained: None**

75 **Excused: None**

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77 **Motion to adjourn the meeting: R Stapley – Second M Pierce**

78 **Vote: Yea: S Bankhead, M Pierce, R Stapley**

79 **Nay: None**

80 **Abstained: None**

81 **Excused: None**

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86 Skarlet Bankhead, Administrative Services Director

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