

1 **Providence City**  
2 **Administrative Land Use Authority**  
3 **Minutes – Thursday, March 28, 2019 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: Mindi Petersen, Nathan Ballstaedt, Rob Summers, Jeremy White  
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10 **Item No. 1. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will consider for  
11 approval a request by Jeremy White for approval of a conditional use site plan for a detached accessory boat  
12 storage garage located at 865 E Canyon Road, Providence, UT.

13 **Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions – M Pierce,**  
14 **second – R Stapley;**

15 **Vote: Yea: S Bankhead, M Pierce, R Stapley**  
16 **Nay: None**  
17 **Abstained: None**  
18 **Excused: None**

19 **FINDINGS OF FACT:**

- 20 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes  
21 conditional uses and provisions for conditional uses that require compliance with standards set for in an  
22 applicable ordinance.
- 23 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
- 24 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all  
25 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the  
26 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),  
27 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the  
28 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before  
29 any permit shall be issued.
- 30 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the  
31 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of  
32 persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the  
33 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large  
34 gatherings of people, or other causes.
- 35 5. No grade exceeds the 20% slope within 50 feet maximum
- 36 6. Official Zoning Map Revised October 2018

37 **CONCLUSIONS OF LAW:**

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

48 **CONDITIONS:**

- 49 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,  
50 codes, and ordinances.
- 51 2. The applicant will mitigate Wildfire Area by:  
52 a. See letter from Lloyd Architects dated March 13, 2019  
53 b. All structures shall be constructed a minimum of 30 feet from the creek's high water mark.

- 3. This conditional use is for the accessory boat house/garage only as shown on the site plan date stamped 03/15/2019
- 4. Payment of fees listed on the Providence City Zoning Permit.
- 5. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances.
- 6. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

**Item No. 2. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will consider for approval a request by Nate and Katie Stokes for approval of a conditional use site plan for a single-family residence located at 668 E 400 N, Providence, UT.

**Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions – R Stapley, second – M Pierce;**

**Vote:   Yea:                   S Bankhead, M Pierce, R Stapley**  
**Nay:                   None**  
**Abstained:       None**  
**Excused:           None**

**FINDINGS OF FACT:**

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

**CONCLUSIONS OF LAW:**

- 6. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.
- 7. The Cache County GIS Parcel Summary indicates that this parcel is in a Moderate Wildfire Hazard area.
- 8. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.
- 9. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest of the fire safety provisions and regulations as adopted by the State of Utah and in accordance with the International Fire Code.
- 10. The request meets the requirements of the Codes listed in the Findings of Fact with the following conditions:

**CONDITIONS:**

- 7. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
- 8. The applicant will mitigate Wildfire Area by:
  - a. See letter from Aaron Walker dated 03/21/2019
- 9. This conditional use is for the residence only as shown on the site plan date stamped 03/15/2019.
- 10. Payment of fees listed on the Providence City Zoning Permit.

107 11. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or  
108 their agents from their responsibility to understand and conform to local, state, and federal laws.  
109 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.  
110

111 **Motion to adjourn: – M Pierce, second – R Stapley;**

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

113 **Nay: None**

114 **Abstained: None**

115 **Excused: None**

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117 Meeting Adjourned approximately 10:20 AM

118 Minutes prepared by Mindi Petersen

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122 Skarlet Bankhead, Administrative Services Director

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