

PROVIDENCE CITY
Land Use Authority – Record of Decision
Meeting Date: 01/31/2019

Request: Applicant is requesting approval of a conditional use and zoning approval for a residential site plan for 626 East 400 North, Providence UT.

Item Type: Conditional Use

Applicant: Cook Homes, Inc.

Address: PO Box 353, Logan UT
84323

Parcel ID #: 02-295-0010

General Plan: SFT

Zone: SFT

Background Information:

1. Complete Application was received January 28, 2019; application contained:
2. Providence City Conditional Use Application
3. Payment of \$100 fee, 01/28/2019
4. A complete Zoning Permit Application
5. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on 01/28/2019
6. Mindi Petersen, Office Specialist, reviewed and signed the Zoning Permit.

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:

1. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.
2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard area.
3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.
4. 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.
5. The request meets the requirements of the Codes listed in the Findings of Fact with the following conditions:

CONDITIONS:

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

2. The applicant will mitigate Wildfire Area by:
 - a. Letter from Aaron Walker dated 01/30/2019
3. This conditional use is for the residence only as shown on the site plan date stamped 01/28/2019.
4. Payment of fees listed on the Providence City Zoning Permit.
5. 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.

DECISION:

The Providence Administrative Land Use Authority met on January 31, 2019.

Members present: Skarlet Bankhead, M Pierce, Rob Stapley

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

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

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



Skarlet Bankhead, Chair

Attachments:

1. Fire Inspector email dated January 30, 2019
2. Site plan date stamped January 28, 2019
3. Providence City Zoning Permit