

1 **Providence City**  
2 **Administrative Land Use Authority**  
3 **Minutes– Tuesday, July 2, 2019 4:00 PM**  
4 Providence City Office Building  
5 164 North Gateway Drive, Providence UT 84332  
6

7 Members in attendance: Skarlet Bankhead, Max Pierce, Rob Stapley  
8 Other attendance: Diane Campbell, zoning staff; Steve Coppetiers; Gene Spaulding.  
9

10 **Item No. 1. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will  
11 consider for approval a request by Gene and Cree Spaulding for a conditional use site plan for a single-  
12 family residence with pool and detached garage located at 837 Spring Creek Pkwy, Providence UT.

13 **Background Information:**

- 14 1. Complete Application was received May 23, 2019; application contained:
- 15 2. Providence City Conditional Use Application
- 16 3. Payment of \$100 fee, May 24, 2019
- 17 4. A complete Zoning Permit Application
- 18 5. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on  
19 06/11/2019
- 20 6. Diane Campbell, Admin. Services Specialist, reviewed and signed the Zoning Permit.
- 21 7. During the June 27<sup>th</sup> meeting, Mr Spaulding was asked to revise the site plan to include the  
22 detached garage and pool. The revised site plan was received by the city on June 28<sup>th</sup>, 2019.

23 **FINDINGS OF FACT:**

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

39  
40 **CONCLUSIONS OF LAW:**

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

49 with the International Fire Code.  
50 5. The request meets the requirements of the Codes listed in the Findings of Fact with the  
51 following conditions:

52 **CONDITIONS:**

- 53
- 54 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules,  
55 laws, codes, ordinances.
  - 56 2. Prior to beginning construction, contractor shall contact engineer to establish construction  
57 stakes.
  - 58 3. The applicant will mitigate Wildfire Area by:  
59 a. See letter from Aaron Walker dated 06/25/2019  
60 b. Fire Hydrant will be installed before any combustible material is used for project
  - 61 4. This conditional use is for the residence, pool, and garage only as shown on the site plan date  
62 stamped 06/28/2019.
  - 63 5. Payment of fees listed on the Providence City Zoning Permit.
  - 64 6. Approval by the City of any application submitted or paperwork does not alleviate the owners  
65 and/or their agents from their responsibility to understand and conform to local, state, and  
66 federal laws. Providence City's approval is not intended to and cannot be construed to allow any  
67 laws to be violated.

68 **Comments:**

- 69 • Gene Spaulding said that he provided an updated site plan after the previous meeting. It shows  
70 the size of the shop, the setbacks for the shop, and the pool.
- 71 • R Stapley asked about the change to the shop shape. G Spaulding said that it is now a box shape.
- 72 • R Stapley said that based on the location of these buildings in relation to the mountain, G  
73 Spaulding will want to be extra careful about fire breaks.
- 74 • R Stapley asked if all the area in front of the shop is driveway. This would allow the fire truck to  
75 shift around. G Spaulding said that it is.
- 76 • S Bankhead asked if enough space has been left between the house and the pool for emergency  
77 personnel, including firemen, to access all areas of the house. G Spaulding said that it has.
- 78 • S Bankhead said that if something else comes up during the building process that requires a  
79 change, the city can consider amendments to the conditional use.

80  
81 **Motion to approve the site plan with the conditions discussed today and those that were**  
82 **discussed on June 27<sup>th</sup> 2019.** — R Stapley, — M Pierce

83 **Vote:**

84 **Yea: S Bankhead, M Pierce, R Stapley**

85 **Nay:**

86 **Excused:**

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89 **Item No 2. Conditional Use—Site Plan:** The Providence City Administrative Land Use Authority will  
90 consider for approval a request by Douglas and Diane Brinton for a conditional use site plan for a single  
91 family residence located at 247 N 850 E, Providence UT.

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93 **Background Information:**

- 94 1. Complete Application was received May 14, 2019; application contained:
- 95 2. Providence City Conditional Use Application

- 96 3. Payment of \$100 fee, May 10, 2019  
97 4. A complete Zoning Permit Application  
98 5. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on  
99 05/16/2019  
100 6. Diane Campbell, Office Specialist, reviewed and signed the Zoning Permit.  
101

102 **FINDINGS OF FACT:**

- 103 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that  
104 includes conditional uses and provisions for conditional uses that require compliance with  
105 standards set for in an applicable ordinance.  
106 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further  
107 analysis.  
108 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required  
109 states, all requests for permits involving a lot, parcel or site located wholly or partially within  
110 an area subject to the Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or  
111 Hazard Earthquake Primary Fault (HE), Hazard Wildfire (WF) regulations, shall be dealt with  
112 as a request for a conditional use permit under the provisions of Section 10-3-5 of this Title.  
113 All applications shall comply with the following regulations before any permit shall be issued.  
114 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to  
115 mitigate the reasonably anticipated detrimental effects of the proposed use on the health,  
116 safety, or general welfare of persons residing, working, or conducting business in the  
117 vicinity; to mitigate injury to property in the vicinity; to mitigate any risk to safety of persons  
118 or property because of vehicular traffic or parking, large gatherings of people, or other  
119 causes . . .  
120

121 **CONCLUSIONS OF LAW:**

- 122 1. Providence City has adopted land use ordinances that include conditional uses and  
123 provisions for conditional uses.  
124 2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard  
125 area.  
126 3. Providence City has the authority to impose reasonable conditions to mitigate the  
127 reasonably anticipated detrimental effects of the proposed use.  
128 4. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the  
129 interest of the fire safety provisions and regulations as adopted by the State of Utah and in  
130 accordance with the International Fire Code.  
131 5. The request meets the requirements of the Codes listed in the Findings of Fact with the  
132 following conditions:  
133

134 **CONDITIONS:**

- 135 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules,  
136 laws, codes, ordinances.  
137 2. The applicant will mitigate Wildfire Area by:  
138 a. See email from Aaron Walker dated 05/29/2019  
139 b. See Mitigation Strategies from Steve Coppieters.  
140 3. The applicant will mitigate Steep Slopes by:  
141 a. See Mitigation Strategies from Steve Coppieters  
142 4. This conditional use is for the residence only as shown on the site plan date stamped  
143 05/10/2019.  
5. Approval by the City of any application submitted or paperwork does not alleviate the owners

144 and/or their agents from their responsibility to understand and conform to local, state and  
145 federal laws. Providence City's approval is not intended to and cannot be construed to allow any  
146 laws to be violated.

147 6. Payment of fees listed on the Providence City Zoning Permit.  
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150 Comments:

- 151 • S Coppetiers explained that the second fire hydrant didn't add enough flow to avoid the  
152 necessity of a sprinkler system. Changing the construction techniques would also not be  
153 sufficient. The owners have decided to install a 13D sprinkler system.
- 154 • S Bankhead asked if the homeowner is aware that if there is a greater than 30% slope, they  
155 cannot alter the slope for landscaping purposes.
- 156 • S Coppetiers said that the owner is aware. The owner has had conversations with the developer  
157 about his property. In those conversations, the developer also said that he would put in a berm  
158 at the bottom of the lot.
- 159 • R Stapley said that he has no recollection of the plans showing a berm on the bottom of those  
160 lots.
- 161 • S Copettiers said that he thought it was on the approved plat for some of the lots. He is not sure  
162 about this specific lot.
- 163 • S Bankhead said that if there is a berm, they need to keep it in place.
- 164 • R Stapley expressed concerns about the window wells right up against the setback.
- 165 • M Pierce expressed concerns about the rock walls.  
166

167 **Motion to approve the conditional use with the conditions that we discussed on June 11, 2019,**  
168 **and the additional condition that the applicant follow the recommendation and requirements in**  
169 **Aaron Walker's letter dated June 25 2019, including installing an approved NFPA 13D automatic**  
170 **sprinkler system throughout the required areas of the home.** — M Pierce, second — R Stapley

171 **Vote:**

172 **Yea: S Bankhead, M Pierce, R Stapley**

173 **Nay:**

174 **Abstained:**

175 **Excused:**  
176

177 **Motion to adjourn:** — R Stapley, second — M Pierce

178 **Yea: S Bankhead, M Pierce, R Stapley**

179 **Nay:**

180 **Abstained:**

181 **Excused:**  
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183 Meeting adjourned at approximately 4:20 PM

184 Minutes prepared by Jesse Bardsley  
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188 \_\_\_\_\_  
189 Skarlet Bankhead, Chair