

1 **Providence City**
2 **Administrative Land Use Authority**
3 **Minutes – Monday, July 25, 2019 9:00 AM**
4 Providence City Office Building
5 164 North Gateway Drive, Providence UT 84332
6

7 Member attendance: Skarlet Bankhead, Max Pierce, Rob Stapley
8 Other Attendance: Diane Campbell, Admin. Services Specialist; Seth Putnam; Angie Housely; Blain
9 Housley; Cade Housley.
10

11 **Item No. 1. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will
12 consider for approval a request by Seth and Tiffany Putnam for a conditional use site plan for a single-
13 family residence located at 556 E 1180 S, Providence UT.
14

15 **Background Information:**

- 16 1. Complete Application was received June 27, 2019; application contained:
- 17 2. Providence City Conditional Use Application
- 18 3. Payment of \$50 fee, June 20, 2019. Remaining \$50 CU application fee received June 27, 2019
- 19 4. A complete Zoning Permit Application
- 20 5. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on
21 07/05/2019
- 22 6. Diane Campbell, Admin. Services Specialist, reviewed and signed the Zoning Permit.
23

24 **FINDINGS OF FACT:**

- 25 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that
26 includes conditional uses and provisions for conditional uses that require compliance with
27 standards set for in an applicable ordinance.
- 28 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
- 29 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required
30 states, all requests for permits involving a lot, parcel or site located wholly or partially within an
31 area subject to the Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard
32 Earthquake Primary Fault (HE), Hazard Wildfire (WF) regulations, shall be dealt with as a request
33 for a conditional use permit under the provisions of Section 10-3-5 of this Title. All applications
34 shall comply with the following regulations before any permit shall be issued.
- 35 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate
36 the reasonably anticipated detrimental effects of the proposed use on the health, safety, or
37 general welfare of persons residing, working, or conducting business in the vicinity; to mitigate
38 injury to property in the vicinity; to mitigate any risk to safety of persons or property because of
39 vehicular traffic or parking, large gatherings of people, or other causes.
40

41 **CONCLUSIONS OF LAW:**

- 42 1. Providence City has adopted land use ordinances that include conditional uses and provisions
43 for conditional uses.
- 44 2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard
45 area.
- 46 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably
47 anticipated detrimental effects of the proposed use.

- 48 4. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest
49 of the fire safety provisions and regulations as adopted by the State of Utah and in accordance
50 with the International Fire Code.
51
- 52 5. The request meets the requirements of the Codes listed in the Findings of Fact with the
53 following conditions:

54 **CONDITIONS:**

- 55 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules,
56 laws, codes, ordinances.
57 2. The applicant will mitigate Wildfire Area by:
58 a. See letter from Aaron Walker dated 07/17/2019
59 3. This conditional use is for the residence only as shown on the site plan date stamped
60 06/20/2019.
61 4. Payment of fees listed on the Providence City Zoning Permit.
62 5. Approval by the City of any application submitted or paperwork does not alleviate the owners
63 and/or their agents from their responsibility to understand and conform to local, state, and
64 federal laws. Providence City’s approval is not intended to and cannot be construed to allow any
65 laws to be violated.

66 **Comments:**

- 67 • S Bankhead explained that we have struggled with setbacks. We have instructed the Cache
68 County Building Department that they are not to approve footings and foundations without
69 seeing the property pins. If the pins have been moved during the course of construction, the
70 applicant will need to put them back in the proper location.
71 • S Bankhead read from A Walker’s letter (referenced in the conditions).
72 • S Bankhead referenced Providence City Code 10-5-7 Hazard Wildfire Area, which encourages the
73 following measures (some of which may be required as per A Walker’s letter).

- 74 1. Construct the roof with fire-resistant materials like tile or metal, asphalt or fiberglass
75 shingles. Clean roof surfaces and gutters of pine needles, leaves, branches, etc. regularly
76 to avoid accumulation of flammable materials.
77 2. Inspect your property regularly, clearing dead wood and dense vegetation from at least
78 30’ around your house. Rake piles of leaves and twigs. If on a hill, more space will be
79 needed to protect your home. A fuel break should be maintained around all structures.
80 3. Move firewood away from the house or attachments like fences or decks.
81 4. Cover vents with wire mesh no larger than 1/8 of an inch to keep sparks from enter your
82 home through vents.
83 5. Driveways should be wide enough for firefighting equipment to maneuver.

84 **Motion to approve the request for a conditional use for the Putnam home at 556 E 1180 S: —M**
85 **Pierce, second — R Stapley**

86 **Vote:**

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

88 **Nay:**

89 **Abstained:**

90 **Excused:**

93 **Item No 2. Commercial Site Plan:** : The Providence City Administrative Land Use Authority will consider
94 for approval a request by Angie Housley for a commercial site plan for a drive up drink/cookie shop
95 (FoFizzle) located at 1670 S Hwy 165, Providence UT.
96

97 **Background Information:**

- 98 1. Application was received June 5, 2019; application contained:
- 99 2. Providence City Commercial Site Plan Application
- 100 3. Payment of \$25 fee received June 5, 2019
- 101 4. A drawing describing the request.
- 102 5. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure.
- 103 6. Diane Campbell, Admin. Services Specialist, reviewed and signed the Zoning Permit

104
105 **FINDINGS OF FACT:**

106 The following Providence City Code (PCC) list regulations and requirements to be considered.

- 107 1. 10-8-5 Commercial Zoned Districts; Site Development
- 108 2. Official Zoning Map Revised Jan. 2019

109 **CONCLUSIONS OF LAW:**

- 110 6. The property is located in a CGD zone.
- 111 7. The applicant meets the requirements of 10-8-5 with the following conditions.

112 **CONDITIONS:**

- 113 6. The applicant will continue to meet all relevant federal, state, county, and Providence City rules,
114 laws, codes, ordinances.
- 115 7. The applicant has met the parking and landscaping requirements. Once the construction
116 drawings are reviewed and approved, if any changes to the construction drawings are made, the
117 parking and landscaping will need to be reviewed to make sure it still meets Providence City
118 standards.
- 119 8. Approval by the City of any application submitted or paperwork does not alleviate the owners
120 and/or their agents from their responsibility to understand and conform to local, state, and
121 federal laws. Providence City's approval is not intended to and cannot be construed to allow any
122 laws to be violated.

123
124 **Comments:**

- 125 • Angie Housley explained that they are trying not to lose parking spaces. Because of this, they
126 would like to shift the site of the new building to the north and to the west of where they had
127 previously discussed putting it.
- 128 • A Housley said that if the drink stand becomes very successful and uses up the parking space,
129 they have the option of creating more parking to the east of the Edwards building for the use of
130 the other tenants.
- 131 • M Pierce expressed concerns about the striping of the waiting line. Because there is not enough
132 space, they may have to get rid of a few parking stalls.
- 133 • A Housley said that they don't want to lose those stalls in the official count of available parking
134 until they are sure that the drink/cookie stand is successful.
- 135 • M Pierce said that they may have to lose those stalls to make the traffic function.
- 136 • S Bankhead said that they will probably have to put in parking on the east side anyway. She said
137 that she agrees with M Pierce. We should lean on the side of caution.
- 138 • A Housley said that if things aren't working, they will change it. They have the flexibility and the
139 space.

- 140 • Cade Housley said that eventually, they would like to put the water retention underground, and
141 put parking on top of where the pond currently is.
- 142 • S Bankhead said that they would still need to meet the landscaping requirement. They might be
143 able to get a little bit more parking, but not a lot. The previous developers were using the pond
144 as both required green space and as a retention area for water.
- 145 • S Bankhead said that as for the parking, the city will reevaluate it with each additional use [such
146 as adding restaurants, etc that the applicant is trying to attract].
- 147 • S Bankhead said that the applicant will need to work with the building department on the
148 structure, and make sure that the building does not interfere with drainage.
- 149 • R Stapley said that the applicant should be careful to tie into the water service line, and not the
150 fire suppression line.
- 151 • S Bankhead said that the applicant should contact us for a preconstruction meeting when they
152 are ready to build.

153
154 **Motion to approve the site plan for the drive up drink cookie shop located at 1670 South Highway**

155 **165: – M Pierce, second — R Stapley**

156 **Vote:**

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

158 **Nay:**

159 **Abstained:**

160 **Excused:**

161
162 **Motion to adjourn: — R Stapley, second — M Pierce**

163 **Vote:**

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

165 **Nay:**

166 **Abstained:**

167 **Excused:**

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169 Meeting adjourned at approximately 9:30 AM

170 Minutes prepared by Jesse Bardsley

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176 Skarlet Bankhead, Chair
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