

1 **Providence City Administrative Land Use Authority (ALUA) Minutes**

2 **Wednesday, July 15, 2020 2:30 PM**

3 Providence City Office Building 164 North Gateway Drive, Providence UT 84332

4 **Members of the ALUA may be attending this meeting electronically.**

5 **This meeting was live streamed on Providence City's YouTube Channel**

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7 **Call to Order:** Skarlet Bankhead, Chair

8 **Members in Attendance:** Skarlet Bankhead, Max Pierce, Rob Stapley

9 **Others in Attendance:** Ryan Snow, April Fredrickson, Diane Campbell, and Jeff Barrett representing the
10 applicant

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12 **Item No. 1 Conditional Use – Shop:** The Providence City Administrative Land Use Authority will consider for
13 approval a request by Doug Adams and Immaculate Construction for shop located at 736 Grandview Dr.

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15 **Background Information:**

16 A complete application was received June 24, 2020 and contained:

- 17 1. Providence City Conditional Use Application and Residential Site Plan application.
- 18 2. Payment of \$100 fee, June 24, 2020
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure June 26, 2020.
- 20 4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated July 9, 2020.

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22 **FINDINGS OF FACT:**

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

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39 **CONCLUSIONS OF LAW:**

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

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CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The applicant will mitigate Wildfire Area by working with Fire Marshal to meet fire mitigation requirements.
 - a. See email dated June 29, 2020.
 - b. See letter from Aaron Walker, Deputy Fire Marshall, dated July 9, 2020.
3. The applicant will mitigate slope by using the structure itself. The engineered proposed structure will serve as retention and slope mitigation in the disturbed area. See email dated June 29, 2020.
4. This conditional use is for the shop only as shown on the site plan date stamped June 24, 2020.
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.

Comments:

- The above Findings of Fact, Conclusions of Law, and Conditions were read, summarized, and gone over.
- Aaron Walker’s letter dated July 9, 2020 was read.
- The applicant was warned if any changes were made such as making it a residential site to sleep in, or with the slope and building etc., the plan would need to be reviewed again.
- M Pierce brought up the drainage at the back of the garage to make sure it was taken care of. This was discussed along with the slope.
- S Bankhead reminded everyone that an accessory building must use less than 25% of the back yard area.

Motion to approve the conditional use for construction of a shop located at 736 Grandview Dr. based on the Findings of Fact, Conclusions of Law, and conditions listed in the staff report and discussed during the meeting: –

– R. Stapley, second — M. Pierce

Vote:

Yea: S. Bankhead, M. Pierce, R. Stapley

Nay: None

Abstained: None

Excused: None

Motion to adjourn: — M. Pierce, second — R. Stapley

Vote:

Yea: S. Bankhead, M. Pierce, R. Stapley

Nay: None

Abstained: None

Excused: None

Meeting adjourned at approximately 2:47 PM

Minutes prepared by Kris Hobbs Clemente

Skarlet Bankhead

Chair