

1 **PROVIDENCE CITY**
2 **ADMINISTRATIVE LAND USE AUTHORITY**
3 **MINUTES – Tuesday, November 06, 2018 11:00 AM**
4 Providence City Office Building
5 164 North Gateway Drive, Providence UT 84332
6
7

8 Attendance: Skarlet Bankhead, Max Pierce, Rob Stapley
9 Others:
10 DeAnne Heninger
11
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13 **ACTION ITEMS:**
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15 **Item No. 1. Conditional Use - Site Plan:** The Providence City Administrative Land Use Authority will consider a
16 request by Spencer & DeAnne Heninger for approval of a conditional use site plan for a single-family residence
17 located at 560 Hillsboro, Providence UT.
18

19 **FINDINGS OF FACT:**

- 20 1. UCA 10-9a-507: Conditional uses, allows 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 in order to: mitigate
31 the reasonably anticipated detrimental effects of the proposed use on the health, safety, or general
32 welfare of persons residing, working, or conducting business in the vicinity; to mitigate injury to property
33 in the vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking,
34 large gatherings of people, or other causes.
35

36 **CONCLUSIONS OF LAW:**

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

- 50 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
51 codes, ordinances.
52 2. The applicant will mitigate Wildfire Area by:
53 a. See attached letter from Aaron Walker dated 10/24/2018
54 3. The applicant will install a 20-foot wide, all-weather surface driveway on the east side of the property for
55 emergency vehicle access to the back of the home.
56 4. The applicant stated that they will use separation of fire areas within the home as a mitigation strategy
57 for existing fire water flow.
58 5. Conditions 3 and 4 must be shown on the building permit plans and approved by the Building Official and
59 Fire Inspector.
60

61 **DECISION:**

62 The Providence Administrative Land Use Authority met on November 6, 2018.

63 Members present: Skarlet Bankhead, M Pierce, Rob Stapley

64 The above Findings of Facts, Conclusions of Law, and Conditions were presented during the meeting.
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66 **Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions as stated**
67 **pervious to the motion – M Pierce, second – R Stapley**

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

69 **Nay: None**

70 **Abstained: None**

71 **Excused: None**
72

73 **Motion to adjourn the meeting: R Stapley – Second M Pierce**

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

75 **Nay: None**

76 **Abstained: None**

77 **Excused: None**
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82 _____
83 Skarlet Bankhead, Administrative Services Director
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