

1 **Providence City**  
2 **Administrative Land Use Authority**  
3 **Minutes – Thursday, January 31, 2019, 8:00 AM**  
4 Providence City Office Building  
5 164 North Gateway Drive, Providence UT 84332  
6

7 Attendance: Skarlet Bankhead, Max Pierce, Rob Stapley  
8 Others: Mindi Petersen, Matt Cook, Kerstin Jenson, Lana Linares  
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10 **Item No. 1. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will consider for  
11 approval a request by Cook Homes for approval of a conditional use site plan for a single-family residence located  
12 at 626 E 400 N, Providence UT.  
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14 **FINDINGS OF FACT:**

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

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

- 44 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,  
45 codes, and ordinances.
- 46 2. The applicant will mitigate Wildfire Area by:  
47 a. Letter from Aaron Walker dated 01/30/2019
- 48 3. This conditional use is for the residence only as shown on the site plan date stamped 01/28/2019.
- 49 4. Payment of fees listed on the Providence City Zoning Permit.
- 50 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or  
51 their agents from their responsibility to understand and conform to local, state, and federal laws.  
52 Providence City’s approval is not intended to and cannot be construed to allow any laws to be violated.  
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**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**

**Item No. 2. Commercial Use – Site Plan:** The Providence City Administrative Land Use Authority will consider for approval a request by Benjamin Wynn for approval of a commercial use site plan for construction of a modular unit at Centro de la Familia, located at 316 Gateway Drive, Providence UT.

**FINDINGS OF FACT:**

1. UCA 10-9a-507: Conditional uses
2. The following Providence City Code (PCC) sections list regulations and requirements to be considered: 10-8-5: Commercial Zoned Districts; Site Development.
3. Official Zoning Map Revised October 2018

**CONCLUSIONS OF LAW:**

1. The property is located in a CGD zone.
2. The applicant meets the requirements of 10-8-5 with the following conditions.

**CONDITIONS:**

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The applicant has met the parking requirements: 25 required- 27 provided. Once the construction drawings are reviewed and approved, if any changes to the construction drawings are made, the parking will need to be reviewed to make sure it still meets Providence City standards.
3. The applicant will submit a site plan showing required 5ft landscaping around the proposed modular.
4. The applicant will verify with Logan City if the dumpster can be moved.
5. The applicant will work with the building inspector and State Fire Marshall to extend the fire alarm system into the modular and specify the distance between the main building and the modular as well.
6. 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, Max Pierce, Rob Stapley

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

**Motion to approve the conditional use on the findings of facts, conclusions of law, and conditions – 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**

106            **Abstained:**     **None**  
107            **Excused:**        **None**  
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109            Meeting Adjourned approximately 8:40 AM.  
110            Minutes prepared by Mindi Petersen  
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                 Skarlet Bankhead, Administrative Services Director

DRAFT