

1 **Providence City**  
2 **Administrative Land Use Authority**  
3 **Minutes – November 14, 2019**

4 Providence City Office Building  
5 164 North Gateway Drive,  
6 Providence UT 84332 2 PM  
7

8 Member Attendance: Skarlet Bankhead, Rob Stapley, Max Pierce,  
9 Other attendance: Diane Campbell (zoning staff), Nic Porter (on behalf of the applicant).  
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11 **Item No. 1. Conditional Use – Site Plan:** The Providence City Administrative Land Use Authority will consider for  
12 approval a request by Simple Group Consultants for a conditional use site plan for a single-family residence located  
13 at 505 N Sarah St., Providence UT.  
14

15 **Background Information:**

16 Complete Application was received Nov. 5, 2019; application contained:

- 17 1. Providence City Conditional Use application and Residential Site Plan application
- 18 2. Payment of \$100 fee, Nov. 5, 2019
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on Nov. 8, 2019
- 20 4. Aaron Walker, Fire Inspector, approval letter dated Nov. 8, 2019
- 21 5. Diane Campbell, Office Specialist, reviewed and signed the Zoning Permit.  
22

23 **FINDINGS OF FACT:**

- 24 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes  
25 conditional uses and provisions for conditional uses that require compliance with standards set for in an  
26 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, all  
29 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the  
30 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),  
31 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the  
32 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before  
33 any permit shall be issued.
- 34 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the  
35 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare  
36 of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the  
37 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large  
38 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 for  
42 conditional uses.
- 43 2. The Cache County GIS Parcel Summary indicates this parcel is in a Moderate Wildfire Hazard area.
- 44 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated  
45 detrimental effects of the proposed use.
- 46 4. Aaron Walker, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest of the fire  
47 safety provisions and regulations as adopted by the State of Utah and in accordance with the  
48 International Fire Code.
- 49 5. The request meets the requirements of the Codes listed in the Findings of Fact with the following  
50 conditions:  
51

52 **CONDITIONS:**

- 53 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,

- 54 codes, and ordinances.
- 55 2. The applicant will mitigate Wildfire Area by:
- 56 a. S Bankhead read from the letter from Aaron Walker dated Nov 8, 2019
- 57 3. This conditional use is for the residence only as shown on the site plan stamped Nov 5, 2019.
- 58 4. Payment of fees listed on the Providence City Zoning Permit.
- 59 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
- 60 their agents from their responsibility to understand and conform to local, state, and federal laws.
- 61 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
- 62

63 Discussion:

- 64 • S Bankhead said that in addition to the required mitigation strategies in A Walker's letter, Providence City  
65 Code 10-5-7 encourages property owners to: "Inspect your property regularly, clearing dead wood and  
66 dense vegetation from at least 30' around your house. Rake piles of leaves and twigs. If on a hill, more  
67 space will be needed to protect your home. A fuel break should be maintained around all structures.  
68 Move firewood away from the house or attachments like fences or decks."
  - 69 • R Stapley noted that the 20 ft storm water/sewer easement on the property does not appear to be  
70 running at the same angle as the property line. This could affect the setback and the building placement.
  - 71 • S Bankhead and M Pierce said that there are some inaccuracies on the site plan. We will need to have an  
72 accurate site plan.
  - 73 • R Stapley said that based on the site plan, the water meter will end up in line with the garage. We will  
74 have to relocate it.
  - 75 • N Porter asked if they can relocate it themselves, or if the city does it. R Stapley said that we work with  
76 the contractor who is hired by the applicant. The city needs to approve the scheduling of the water  
77 shutoff, etc.
- 78

79 **Motion to approve the conditional use requested by Simple Group for a single family residence located at 505 N**  
80 **Sarah Street in Providence with the addition of the condition that the applicant follow the process to move the**  
81 **water meter and that we get a corrected drawing for the site plan: — R Stapley, second — M Pierce**

82 **Vote:**

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

84 **Nay:**

85 **Abstained:**

86 **Excused:**

87

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

89 **Vote:**

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

91 **Nay:**

92 **Abstained:**


93 **Excused:**

94

95 Meeting adjourned at approximately 2:20 PM

96 Minutes prepared by Jesse Bardsley

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100 Skarlet Bankhead, Chair

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