

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

2 **Wednesday, June 10, 2020 2:40 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.**

6
7 **Call to Order:** Skarlet Bankhead, Chair

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

9 **Others in Attendance:** Ryan Snow, Diane Campbell, April Fredrickson, and Dennis Gehrke

10
11 **Item No. 1 Conditional Use – Accessory Building:** The Providence City Administrative Land Use Authority will
12 consider for approval a request by Dennis and Katherine Gehrke, for an accessory building located at 198 E. 200 S,
13 Providence, UT.

14
15 **Background Information:**

16 A complete application was received June 1, 2020 and contained:

- 17 1. Providence City Conditional Use Application and Residential Site Plan application.
- 18 2. Payment of \$100 fee, June 2, 2020
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure June 5, 2020.
- 20 4. Aaron Walker, Fire Inspector, reviewed site; see letter dated June 9, 2020.

21
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.

38
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 a Wildfire Hazard area.
- 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, Fire Inspector – Logan City Fire Department, reviewed the parcel in the interest of the fire
46 safety provisions and regulations as adopted by the State of Utah and in accordance with the
47 International Fire Code.
- 48 5. The request meets the requirements of the Codes listed in the Findings of Fact with the following
49 conditions:

50
51 **CONDITIONS:**

- 52 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
53 codes, and ordinances.
54 2. The applicant will mitigate Wildfire Area by:
55 a. See letter from Aaron Walker dated June 9, 2020.
56 3. This conditional use is for the accessory building only as shown on the site plan date stamped June 1,
57 2020.
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 **Comments:**

- 63 • S Bankhead read from Aaron Walker's letter.
64 • R Stapley covered the zone fire flow pressure and said it is unlikely to change unless there was a leak or
65 something.
66 • Access to and from the project address was discussed, that along with codes on the right of way and the
67 personal driveway of the applicant.
68 • Sewer locations were discussed as well and it was said there will be no changes as of now but they will be
69 brought up if a future need arises.
70 • It was brought up there would be additional code requirements if he decides to have a living space in the
71 garage. Setbacks were discussed.
72 • It was cautioned to check the accessory dwelling code with the building inspector on that so it can be
73 converted in the future easily.
74 • The decision was made to have an accessory dwelling unit as opposed to only an accessory building. It
75 was advised to look into all of the codes and that a new site plan application would need to be
76 resubmitted with different wording. No extra fee will be charged.
77 • M Pierce covered setbacks if there is an addition and it was confirmed by the applicant that the surveyor
78 had gone over that.
79

80 **Motion to continue this item and give us some time to review it under an accessory dwelling unit instead of an**
81 **accessory building. ----M Pierce, second---- R Stapley**

82 **Vote:**

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

84 **Nay:**

85 **Abstained:**

86 **Excused:**
87

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

89 **Vote:**

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

91 **Nay:**

92 **Abstained:**

93 **Excused:**
94

95 Meeting adjourned at approximately 3:07 PM

96 Minutes prepared by Kris Hobbs
97

98 _____
99 Skarlet Bankhead

100 Chair
101