

1 **Providence City Administrative Land Use Authority (ALUA) Minutes**
2 **Wednesday, August 5, 2020 2:30 PM**
3 Providence City Office Building 164 North Gateway Drive, Providence UT 84332

4 **Members of the ALUA attended 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, Rob Stapley

9 **Others in Attendance:** Ryan Snow, Diane Campbell, Danny MacFarlane

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11 **Item No. 2 - Conditional Use – Office Bldg:** The Providence City Administrative Land Use Authority will consider
12 for approval a request by Danny Macfarlane for a new office building located at 498 W 100 S, Providence, UT.
13

14 **Background Information:**

15 A complete application was received July 28, 2020; application contained:

- 16 1. Commercial Site Plan Application.
- 17 2. Payment of \$50 fee.
- 18 3. Rob Stapley, Public Works Director, inspected the current infrastructure on August 3, 2020.

19
20 **FINDINGS OF FACT:**

21 The following Providence City Code (PCC) list regulations and requirements to be considered.

- 22 1. 10-8-5 Commercial Zoned Districts; Site Development
- 23 2. Official Zoning Map Revised July 2019

24
25 **CONCLUSIONS OF LAW:**

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

28
29 **CONDITIONS:**

- 30 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
31 codes, ordinances.
- 32 2. The applicant has met the parking requirements. Once the construction drawings are reviewed and
33 approved, if any changes to the construction drawings are made, the parking will need to be reviewed to
34 make sure it still meets Providence City standards.
- 35 3. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
36 their agents from their responsibility to understand and conform to local, state, and federal laws.
37 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

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39 **Comments:**

- 40 • The Findings of Fact, Conclusions of Law, and Conditions were read.
- 41 • S. Bankhead requested the applicant turn in the recorder's plat with notes.
- 42 • The ordinance and trees for the park strip were discussed. R. Stapley will look at the layout and decide
43 how to plant the trees.

44
45 **Motion to approve the site plan for the Civil Solutions Group office building located at 498 W. 100 S. as shown in**
46 **the packet and with the additional information that was received from the applicant this afternoon via email**
47 **also with a statement to be added that Rob will work with Danny on the placement of the park strip trees. It**
48 **was amended that as soon as the construction drawings are signed then they can have the preconstruction**
49 **meeting to move forward.**

50 — R. Stapley, second — M. Pierce

51 **Vote:**

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

53 **Nay:** **None**
54 **Abstained:** **None**
55 **Excused:** **None**
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58 **Item No. 1 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
59 for approval a request by John and Julee Sanchez and Orchid Homes for a new home located at 681 Spring Creek
60 Pkwy., Providence, UT.
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62 **Background Information:**

63 A complete application was received July 22, 2020 and contained:

- 64 1. Providence City Conditional Use Application and Residential Site Plan application.
 - 65 2. Payment of \$100 fee, July 22, 2020
 - 66 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure July 29, 2020.
 - 67 4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated July 29, 2020.
- 68

69 **FINDINGS OF FACT:**

- 70 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes
71 conditional uses and provisions for conditional uses that require compliance with standards set for in an
72 applicable ordinance.
 - 73 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
 - 74 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all
75 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the
76 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),
77 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the
78 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before
79 any permit shall be issued.
 - 80 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
81 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare of
82 persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
83 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
84 gatherings of people, or other causes.
- 85

86 **CONCLUSIONS OF LAW:**

- 87 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
88 conditional uses.
 - 89 2. The Cache County GIS Parcel Summary indicates this parcel is in a Hazard Landslide area.
 - 90 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
91 detrimental effects of the proposed use.
 - 92 4. The request meets the requirements of the codes listed in the Findings of Fact with the following
93 conditions:
- 94
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96 **CONDITIONS:**

- 97 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
98 codes, and ordinances.
- 99 2. The applicant will mitigate Landslide Area by: See mitigation statement date stamped July 28, 2020, and
100 drawing on site plan.
- 101 3. This conditional use is for the home only as shown on the site plan date stamped July 28, 2020.
- 102 4. Aaron Walker, Deputy Fire Marshall/Fire Inspector – Logan City Fire Department, reviewed the parcel in
103 the interest of the fire safety provisions and regulations as adopted by the State of Utah and in
104 accordance with the International Fire Code.

- 105 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
106 their agents from their responsibility to understand and conform to local, state, and federal laws.
107 Providence City’s approval is not intended to and cannot be construed to allow any laws to be violated.
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109 **Motion to continue until arrangements are made where the applicant or contractor can join the next Zoom**
110 **meeting** — M. Pierce, second — R. Stapley

111 **Vote:**
112 **Yea:** S. Bankhead, M. Pierce, R. Stapley
113 **Nay:** None
114 **Abstained:** None
115 **Excused:** None
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118 **Motion to adjourn:** — R. Stapley, second — M. Pierce

119 **Vote:**
120 **Yea:** S. Bankhead, M. Pierce, R. Stapley
121 **Nay:** None
122 **Abstained:** None
123 **Excused:** None
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126 Meeting adjourned at approximately 2:48 PM
127 Minutes prepared by Kris Hobbs Clemente
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132 Skarlet Bankhead, Chair
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