

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

2 **Wednesday, October 28, 2020 2:30 PM**

3 Providence City Office Building 164 North Gateway Drive, Providence UT 84332

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5 **Call to Order:** Skarlet Bankhead, Chair

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

7 **Others in Attendance:** April Fredrickson, Ryan Snow, Diane Campbell, Jessica Williamson

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9 **Item No. 1 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
10 for approval a request by Dustin Poulsen and Visionary Homes for a home located at 1171 S. 600 E., Providence,
11 UT.

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13 **Background Information:**

14 A complete application was received October 16, 2020 and contained:

- 15 1. Providence City Conditional Use Application and Residential Site Plan application.
- 16 2. Payment of \$100 application fee
- 17 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure October 19,
18 2020.
- 19 4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated October 26, 2020.

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21 **FINDINGS OF FACT:**

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

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38 **CONCLUSIONS OF LAW:**

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

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50 **CONDITIONS:**

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

2. The applicant will mitigate Wildfire Area by working with Fire Marshal to meet fire mitigation requirements.
 - a. See mitigation statement dated October 16, 2020.
 - b. See letter from Aaron Walker, Deputy Fire Marshall, dated October 26, 2020.
3. The applicant will verify corrected square footage of home as 7,996 and this will be submitted to Aaron Walker so he can verify adequate fire flow.
4. This conditional use is for the home only as shown on the site plan date stamped October 16, 2020.
5. 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.

Comments:

- S Bankhead read from Aaron Walker's letter dated October 26, 2020.
- The location of the driveway and measurements for the sidewalk were discussed.
- S Bankhead added the condition that the overall square footage will need to be verified so that it meets the code and submitted to Aaron Walker, where he may need to update his letter.

Motion to approve based on the Findings of Fact, Conclusions of Law, and Conditions that were presented as part of the staff report with the additional condition that the overall square footage, which is approximately 7,900 square feet be verified and our Fire Inspector will verify that and also look at the fire flows. Whatever he says, you will have to do. — M. Pierce, second — R. Stapley

Vote:
Yea: S. Bankhead, M. Pierce, R. Stapley
Nay: None
Abstained: None
Excused: None

Item No. 2 - Conditional Use – New Home: The Providence City Administrative Land Use Authority will consider for approval a request by Aaron Bickers and SS Enterprises for a new home located 65 N. Sherwood Dr., Providence, UT.

*This item was removed from the agenda for the afternoon because the applicant asked for more time to get things accomplished.

Motion to adjourn: — R. Stapley, second — M. Pierce

Vote:
Yea: S. Bankhead, M. Pierce, R. Stapley
Nay: None
Abstained: None
Excused: None

Meeting adjourned at approximately 2:53 PM
 Minutes prepared by Kris Hobbs Clemente

Skarlet Bankhead, Chair