

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

2 **Wednesday, April 21, 2021 2:45 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, Rob Stapley, Max Pierce

9 **Others in Attendance:** April Fredrickson, Diane Campbell, Clark Wiser, Jaime Wiser, Ryan Short

10 **Excused:** None

11
12 **Item No. 1 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider for
13 approval a request by Clark and Jaime Wiser for a new home located at 189 N. 850 E., Providence, UT.

14
15 **Background Information:**

16 A complete application was received November 5, 2020 and contained:

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

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 of
36 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 Hazard Wildfire and Landslide areas.
- 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, Deputy Fire Marshall/Fire Inspector – Logan City Fire Department, reviewed the parcel in
47 the interest of the fire safety provisions and regulations as adopted by the State of Utah and in
48 accordance with the 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 hazard areas by:
56 a. See letter from Aaron Walker, Deputy Fire Marshall, dated December 4, 2020.
57 b. See Landslide Study dated submitted April 14, 2021.
58 3. This conditional use is for the residence only as shown on the site plan updated and submitted on March
59 30, 2021.
60 4. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or
61 their agents from their responsibility to understand and conform to local, state, and federal laws.
62 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
63

64 **Comments:**

- 65 • S Bankhead read from Aaron Walker's letter dated December 4, 2020.
66 • S Bankhead brought up the land slide hazard and the study that was done on it. She also went over
67 inspections that were approved.
68 • R Stapley discussed how the roadway may change and that could affect the lot and surrounding lots in the
69 future. He also brought up water pressure in the area.
70 • S Bankhead advised the applicant to just stay in their property lines so that future events will not be
71 stressful if the city decides to plow the road or anything else that might come up. A discussion followed.
72 • S Bankhead said this is a big process and if changes were to be made then April and Diane need to be
73 notified before anything can go through.
74 • R Stapley brought up the sidewalk and driveway boundaries and a discussion followed.
75

76 **Motion to approve the conditional use request of Clark and Jaime Wiser for a new home located at 189 N. 850 E.**
77 **in Providence based on the findings of fact, conclusions of law, and conditions in the staff report: – M. Pierce,**
78 **second – R. Stapley**

79 **Vote:**

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

81 **Nay: None**

82 **Abstained: None**

83 **Excused: None**
84

85 **Item No. 2 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider for
86 approval a request by Brady and Carlee Hoggan for a new home located at 215 N. 850 E., Providence, UT.
87

88 **Background Information:**

89 A complete application was received March 23, 2021 and contained:

- 90 1. Providence City Conditional Use Application and Residential Site Plan application.
91 2. Payment of \$100 application fee
92 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure March 25, 2021.
93 4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated April 6, 2021.
94

95 **FINDINGS OF FACT:**

96 They are the same as in item one.
97

98 **CONCLUSIONS OF LAW:**

99 They are the same as in item one.
100

101 **CONDITIONS:**

- 102 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
103 codes, and ordinances.
104 2. The applicant will mitigate hazard areas by:

- 105 a. See letter from Aaron Walker, Deputy Fire Marshall, dated April 6, 2021.
106 b. See Landslide Study dated submitted April 20, 2021.
107 3. This conditional use is for the residence only as shown on the site plan date stamped April 20, 2021.
108 4. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or
109 their agents from their responsibility to understand and conform to local, state, and federal laws.
110 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

111
112 **Comments:**

- 113 • S Bankhead read from Aaron Walker's letter dated April 6, 2021.
- 114 • S Bankhead summarized the Civil Solutions Group report but said the applicants need to fully understand
115 it.

116
117 **Motion to approve the conditional use for a new home requested by Brady and Carlee Hoggan located at 215 N.**
118 **850 E. in Providence: — R. Stapley, second — M. Pierce**

119 **Vote:**

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

121 **Nay: None**

122 **Abstained: None**

123 **Excused: None**

124
125 **Motion to adjourn: — M. Pierce, second — R. Stapley**

126 **Vote:**

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

128 **Nay: None**

129 **Abstained: None**

130 **Excused: None**

131
132 Meeting adjourned at approximately 3:25 PM

133 Minutes prepared by Kris Hobbs Clemente

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137 _____
138 Skarlet Bankhead, Chair