

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

2 **Wednesday, July 29, 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**

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

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

10 **Others in Attendance:** Ryan Snow, Diane Campbell, April Fredrickson, Jeff Barrett, and Mike Carter

11
12 **Item No. 1 Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider for
13 approval a request by Immaculate Construction for a new home located at 680 E 525 N., Providence, UT.

14
15 **Background Information:**

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

- 17 1. Providence City Conditional Use Application and Residential Site Plan application.
18 2. Payment of \$100 fee, July 14, 2020
19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure July 14, 2020.

20
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.

37
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 Landslide 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. The request meets the requirements of the Codes listed in the Findings of Fact with the following
45 conditions:

46
47
48 **CONDITIONS:**

- 49 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
50 codes, and ordinances.
51 2. The applicant will mitigate Landslide Area by: See mitigation statement emailed dated July 27, 2020, and
52 drawing on site plan.

- 53 3. This conditional use is for the home only as shown on the site plan date stamped July 14, 2020.
54 4. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
55 their agents from their responsibility to understand and conform to local, state, and federal laws.
56 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
57

58 **Comments:**

- 59 • S Bankhead read the Findings of Fact, Conclusions of Law, and Conditions.
60 • S Bankhead quoted Jeff Barrett's email: 'The long term retention mitigation is provided by the engineered
61 home itself as well as finish grade and landscaping'.
62 • It was discussed what was being done for mitigation and the land slide area along with storm water.
63

64 **Motion to approve the conditional use for the home located at 680 E. 525 N. in Providence, UT based on the**
65 **Findings of Fact, Conclusions of Law, and Conditions listed on the staff report: — M. Pierce, second — R.**

66 **Stapley**

67 **Vote:**

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

69 **Nay: None**

70 **Abstained: None**

71 **Excused: None**
72
73

74 **Item No. 2 Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider for
75 approval a request by Lifestyle Homes for a new home located at 1012 S 600 E., Providence, UT.
76

77 **Background Information:**

78 A complete application was received June 23, 2020 and contained:

- 79 1. Providence City Conditional Use Application and Residential Site Plan application.
80 2. Payment of \$100 fee, June 24, 2020
81 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure June 26, 2020.
82 4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated July 13, 2020.
83

84 **CONCLUSIONS OF LAW:**

- 85 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
86 conditional uses.
87 2. The Cache County GIS Parcel Summary indicates this parcel is in a Hazard Wildfire area.
88 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
89 detrimental effects of the proposed use.
90 4. Aaron Walker, Deputy Fire Marshall/Fire Inspector – Logan City Fire Department, reviewed the parcel in
91 the interest of the fire safety provisions and regulations as adopted by the State of Utah and in
92 accordance with the International Fire Code.
93 5. The request meets the requirements of the Codes listed in the Findings of Fact with the following
94 conditions:
95

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 Wildfire Area by working with Fire Marshal to meet fire mitigation
100 requirements.
101 a. See mitigation statement; email dated July 7, 2020.
102 b. See letter from Aaron Walker, Deputy Fire Marshall, dated July 13, 2020.
103 3. This conditional use is for the home only as shown on the site plan date stamped July 13, 2020.
104 4. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or

105 their agents from their responsibility to understand and conform to local, state, and federal laws.
106 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
107

108 **Comments:**

- 109 • The Findings of Fact are the same as the ones above so were not read again.
110 • Conclusions of Law and Conditions were read.
111 • Aaron Walker's instructions were covered and the conditions approved.
112 • Fire pressure and fire flows were discussed.
113

114 **Motion to approve the home for Lifestyle Homes at 1012 S 600 E., Providence, UT based on the four conditions**
115 **stated on the record of the city: — M. Pierce, second — R. Stapley**

116 **Vote:**

117 **Yea:** S. Bankhead, M. Pierce, R. Stapley
118 **Nay:** None
119 **Abstained:** None
120 **Excused:** None
121

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

123 **Vote:**

124 **Yea:** S. Bankhead, M. Pierce, R. Stapley
125 **Nay:** None
126 **Abstained:** None
127 **Excused:** None
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130 Meeting adjourned at approximately 2:54 PM

131 Minutes prepared by Kris Hobbs Clemente
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133

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135 
136 Skarlet Bankhead, Chair
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