

Providence City Administrative Land Use Authority (ALUA) Minutes

Wednesday, February 3, 2021 2:30 PM

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

Members of the ALUA attended this meeting electronically.

This meeting was live streamed on Providence City's YouTube Channel

Call to Order: Skarlet Bankhead, Chair

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

Others in Attendance: Ryan Snow, Diane Campbell, Brian Colton

Item No. 1 - Conditional Use – New Home: The Providence City Administrative Land Use Authority will consider for approval a request by Arianne Colton and Perspective Construction for a new home, located at 665 Spring Creek Pkwy, Providence, UT.

Background Information:

A complete application was received January 21, 2021, and contained:

1. Providence City Conditional Use Application and Residential Site Plan application.
2. Payment of \$100 fee, January 21, 2020
3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure January 28, 2021.
4. Aaron Walker, Deputy Fire Marshal/Fire Inspector, reviewed site; see letter dated January 27, 2021.

FINDINGS OF FACT:

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

CONCLUSIONS OF LAW:

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

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The applicant submitted a Landslide Report stating low hazard risk associated with this area.
3. This conditional use is for the home only as shown on the site plan date stamped January 22, 2021.

- 53 4. Aaron Walker, Deputy Fire Marshall/Fire Inspector – Logan City Fire Department, reviewed the parcel in
54 the interest of the fire safety provisions and regulations as adopted by the State of Utah and in
55 accordance with the International Fire Code.
56 5. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or
57 their agents from their responsibility to understand and conform to local, state, and federal laws.
58 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
59

60 **Comments:**

- 61 • S Bankhead read from Aaron Walker's letter.
62 • S Bankhead went over the report from the developer concerning the landslide area. It was done by
63 Michael Taylor from the Civil Solutions Group.
64 • S Bankhead cautioned about the setbacks and window wells and making sure to follow guidelines.
65

66
67 **Motion to approve the Conditional Use requested by Arianne Colton and Perspective Construction for a new**
68 **home located at 665 Spring Creek Pkwy in Providence, based on the Findings of Fact, Conclusions of Law, and**
69 **Conditions stated in the staff report: — M. Pierce, second — R. Stapley**

70 **Vote:**

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

72 **Nay:** None

73 **Abstained:** None

74 **Excused:** None
75

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

77 **Vote:**

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

79 **Nay:** None

80 **Abstained:** None

81 **Excused:** None
82

83 Meeting adjourned at approximately 2:44 PM

84 Minutes prepared by Kris Hobbs Clemente
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88 Skarlet Bankhead, Chair
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