

1 **Providence City Administrative Land Use Authority Minutes**

2 **Wednesday, January 13, 2021 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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7 **Call to Order:** Skarlet Bankhead, Chair

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

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

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11 **Item No. 1 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
12 for approval a request by Visionary Homes for a home located at 152 E. 520 N., Providence, UT.

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14 **Item No. 2 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
15 for approval a request by Visionary Homes for a home located at 528 N. 275 E., Providence, UT.

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 - **It was decided by the staff that these two items be combined for the purpose of the meeting.**

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19 **Background Information:**

20 Complete Application was received January 5, 2021; application contained:

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 1. Providence City Conditional Use application and Residential Site Plan application
 2. Payment of \$100 application fee
 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on January 7, 2021.

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26 **FINDINGS OF FACT:**

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 1. UCA 10-9a-507. Conditional Uses allows 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. 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), Hazard Earthquake Primary Fault (HE), or Hazard Wildfire (WF), 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.
 3. 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.

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42 **CONCLUSIONS OF LAW:**

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 1. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.
 2. This parcel is in a Hazard Water Table 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:

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51 **CONDITIONS:**

- 52 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
53 codes, and ordinances.
54 2. The applicant will mitigate Hazard Water Table by:
55 a. See submitted mitigation letter and Window Well Drain Detail
56 3. This conditional use is for the residence only as shown on the site plan date stamped January 5, 2021.
57 4. Payment of fees listed on the Providence City Zoning Permit.
58 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
59 their agents from their responsibility to understand and conform to local, state, and federal laws.
60 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
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62 **Comments:**

- 63 • S Bankhead read from Dallas Nicols' letter dated January 9, 2020.
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65 **Motion to approve the conditional use for Visionary Homes for a home located at 152 E. 520 N. and the**
66 **conditional use requested by Visionary Homes for a home located at 528 N. 275 E. according to the Findings of**
67 **Fact, Conclusions of Law, and Conditions listed in the staff report: — M. Pierce, second — R. Stapley**

68 **Vote:**

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

70 **Nay: None**

71 **Abstained: None**

72 **Excused: None**
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74 **Motion to adjourn: — R. Stapley, second — M. Pierce**

75 **Vote:**

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

77 **Nay: None**

78 **Abstained: None**

79 **Excused: None**
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81 Meeting adjourned at approximately 2:38 PM
82 Minutes prepared by Kris Hobbs Clemente
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87 Skarlet Bankhead, Chair