

1 **PROVIDENCE CITY LAND USE AUTHORITY MINUTES**

2 APRIL 15, 2014 9:30 am

3 Providence City Office Building

4 15 South Main, Providence UT 84332

7 Call to Order: S Bankhead

8 Attendance: S Bankhead, R Eck, G Knighton

9 Audience Attendance: Wayne Southwick

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11 **ACTION ITEMS:**

12 **Item No. 1.** The Providence City Administrative Land Use Authority will consider a request from Wayne
13 Southwick for a conditional use and site plan approval for a cell tower located at 575 West 100 North.

- 14 • S Bankhead reviewed history of this project and also reviewed City Ordinances regarding this
15 project. Radio cell tower is allowed by conditional use in the Commercial District. At this time,
16 Cache County will do the inspection for the tower and Mr. Southwick will have to get a building
17 permit from the County. Skarlet asked that he notify the City when he is ready to submit for his
18 building permit. She explained that two permits will be required; one from the County for the
19 actual buildings on the site, and one from Providence City for the conditional use permit and the
20 site work which needs to be done.
- 21 • G Knighton said what has been submitted on the site plan is not accurate information and the
22 tower cannot be built according to what has been submitted. The City is also concerned about
23 how close the structure will be built to the wetlands.
- 24 • R Eck also asked for clarification from Mr. Southwick. Randy is concerned that the submittal
25 from Mr. Southwick is for an idea rather than concrete plans for building structures.
- 26 • Rocky Schutjer from Rage Development participated by phone (9:40 am). Mr. Schutjer said the
27 property was surveyed.
- 28 • G Knighton felt like the aerial photos were okay for FCC and FAA requirements, but not
29 adequate for the City to grant a conditional use permit. He asked for plans to be submitted with
30 proper dimensions noted. Lot dimensions should be included. He suggested a civil engineer
31 prepare the site plan.
- 32 • S Bankhead said the legal descriptions which have already been submitted are adequate. The
33 existing sidewalk, curb and gutter need to be shown as well as any proposed sidewalk, curb and
34 gutter.
- 35 • R Schutjer felt that could be done within the next couple of weeks.
- 36 • There was discussion about the landscape requirements around the perimeter of the structures.
- 37 • R Eck asked when they anticipate putting in curb and gutter, or anticipate a carrier on the
38 property.
- 39 • W Southwick said the property will either be leased and the leasee will build or the family that
40 Mr. Southwick represents will build. There is already a carrier that is ready to build on this
41 property. He is hoping there will be a tower up by mid-summer.

42 Motion to continue: R Eck, second – G Knighton

43 Vote: Yea: S Bankhead, R Eck, G Knighton

44 Nay: None

45 Abstain: None

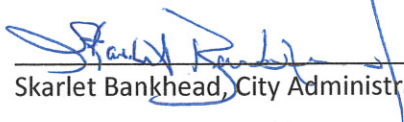
46 Excused: None


47 Motion to adjourn: G Knighton, second – R Eck

1 Vote: Yea: S Bankhead, R Eck, G Knighton
2 Nay: None
3 Abstain: None
4 Excused: None

5 Meeting adjourned at 10:15 am.
6 Minutes prepared by C Craven.

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11 _____
12 Skarlet Bankhead, City Administrator



Caroline Craven, Secretary

PROVIDENCE CITY
Land Use Authority – Record of Decision
Meeting Date: 04/15/2014

Request: Approval of a site plan and conditional use for a cell tower.

Item Type: Site Plan / Conditional Use

Applicant: Wayne Southwick

Address: 585 West 100 N

Parcel ID #: 02-212-0006

General Plan: CGD

Zone: CGD

Background Information:

1. Application was received June 18, 2012; application contained:
 - a. Providence City Application
 - b. Payment of \$100 fee
 - c. A copy of the County Recorder plat
 - d. A site plan describing the request. The plan used for this meeting was stamped and signed by Marvin B Tangren on 3/18/2014; received on March 25, 2014.

FINDINGS OF FACT:

The following Providence City Code (PCC) list regulations and requirements to be considered.

1. 10-3-5 Conditional Use Permits
2. 10-6-1:D.7. Radio/TV/Cellular Tower "C" in CGD
3. 10-8-5: Commercial Zoned Districts: Site Development
4. 10-8-8: Low Power Towers and Antennas
5. Official Zoning Map Revised August 9, 2011

CONCLUSIONS OF LAW:

1. The applicant has submitted the completed application. 10-3-5 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 . . .
2. 10-6-1: D.7. Radio/TV/Cellular Tower "C" in CGD

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances related to the installation and operation of a cell tower
2. Prior to installation of the site improvements, the applicant will provide security of performance as required by 10-8-5:E. Installation; Performance Security.
3. Prior to the installation of the site improvements, the applicant will schedule a pre-construction meeting with the City.

