

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

2 **Wednesday July 22, 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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7 **Call to Order:** Skarlet Bankhead, Chair

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

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

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11 **Item No. 1 Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider for
12 approval a request by Visionary Homes for a conditional use for a new home located at 176 E 520 N, Providence,
13 UT.

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15 **Background Information:**

16 Complete Application was received July 15, 2020; application contained:

- 17 1. Providence City Conditional Use application and Residential Site Plan application
- 18 2. Payment of \$100 fee
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on July 15, 2020.

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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. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all
26 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the
27 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),
28 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the
29 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before
30 any permit shall be issued.
- 31 3. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
32 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare
33 of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
34 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
35 gatherings of people, or other causes.

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37 **CONCLUSIONS OF LAW:**

- 38 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
39 conditional uses.
- 40 2. This parcel is in a Hazard Water Table area.
- 41 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
42 detrimental effects of the proposed use.
- 43 4. The request meets the requirements of the Codes listed in the Findings of Fact with the following
44 conditions:

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46 **CONDITIONS:**

- 47 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
48 codes, ordinances.
- 49 2. The applicant will mitigate Hazard Water Table by:
 - 50 a. See submitted mitigation letter and Window Well Drain Detail
- 51 3. This conditional use is for the residence only as shown on the site plan date stamped July 15, 2020.

- 52 4. Payment of fees listed on the Providence City Zoning Permit.
53 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or
54 their agents from their responsibility to understand and conform to local, state, and federal laws.
55 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
56

57 **Comments:**

- 58 • Elevations were discussed to make sure everyone was on the same page.
59 • S Bankhead reminded the applicant to have the property pins in place so when it is inspected by the
60 county there are no setback issues.
61

62 **Motion to approve the conditional use for a new home located at 176 E. 520 N. in Providence, based on the**
63 **Findings of Fact, Conclusions of Law, and Conditions listed on the staff report:** — R. Stapley, second — M.
64 Pierce

65 **Vote:**
66 **Yea:** S. Bankhead, M. Pierce, R. Stapley
67 **Nay:** None
68 **Abstained:** None
69 **Excused:** None
70

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

72 **Vote:**
73 **Yea:** S. Bankhead, M. Pierce, R. Stapley
74 **Nay:** None
75 **Abstained:** None
76 **Excused:** None
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79 Meeting adjourned at approximately 2:39 PM
80 Minutes prepared by Kris Hobbs Clemente
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83 Skarlet Bankhead, Chair
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