

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

2 **Wednesday, November 4, 2020 2:45 PM**

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

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

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

7 **Others in Attendance:** Ryan Snow, April Fredrickson, Jessica Williamson

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9 **Item No. 1 – Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider  
10 for approval a request by Visionary Homes for a home located at 217 E. 520 N. Providence, UT.

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12 **Background Information:**

13 Complete Application was received October 28, 2020; application contained:

- 14 1. Providence City Conditional Use application and Residential Site Plan application
- 15 2. Payment of \$100 application fee
- 16 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on October 29,  
17 2020.

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19 **FINDINGS OF FACT:**

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

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35 **CONCLUSIONS OF LAW:**

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

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44 **CONDITIONS:**

- 45 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,  
46 codes, and ordinances.
- 47 2. The applicant will mitigate Hazard Water Table by:  
48 a. See submitted mitigation letter and Window Well Drain Detail
- 49 3. This conditional use is for the residence only as shown on the site plan date stamped October 15, 2020.
- 50 4. Payment of fees listed on the Providence City Zoning Permit.
- 51 5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or  
52 their agents from their responsibility to understand and conform to local, state, and federal laws.

53 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

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55 **Comments:**

56 • S Bankhead read from Dallas Nichol's mitigation strategy letter dated January 9th.

57 • R Snow asked about the land drains and a discussion followed.

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59 **Motion to approve the conditional use for a single family residence located at 217 E. 520 N. Providence, Utah**  
60 **based on the Findings of Fact, Conclusions of Law, and Conditions listed in the staff report and reviewed during**  
61 **our meeting: — R. Stapley, second — M. Pierce**

62 **Vote:**

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

64 **Nay: None**

65 **Abstained: None**

66 **Excused: None**

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

69 **Vote:**

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

71 **Nay: None**

72 **Abstained: None**

73 **Excused: None**

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75 Meeting adjourned at approximately 2:52 PM

76 Minutes prepared by Kris Hobbs Clemente

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Skarlet Bankhead, Chair

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