

1 **Providence City Administrative Land Use Authority (ALUA) Minutes**
2 **Wednesday, January 20, 2021 2:30 PM**
3 Providence City Office Building 164 North Gateway Drive, Providence UT 84332

4 **Members of the ALUA may be attending this meeting electronically.**
5 **This meeting will live stream on Providence City's YouTube Channel**
6

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

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

9 **Others in Attendance:** Diane Campbell, April Fredrickson, Ryan Snow, and Jessica Williamson
10

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 545 N 275 E., Providence, UT (Vineyard Lot 58).
13

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 555 N. 275 E., Providence, UT. (Vineyard Lot 59)
16

17 **Item No. 3 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
18 for approval a request by Visionary Homes for a home located at 565 N. 275 E., Providence, UT. (Vineyard Lot 60)
19

20 **Background Information:**

21 Complete Application was received January 13, 2021; application contained:

- 22 1. Providence City Conditional Use application and Residential Site Plan application
- 23 2. Payment of \$100 application fee
- 24 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on January 15,
25 2021.
26

27 **FINDINGS OF FACT:**

- 28 1. UCA 10-9a-507. Conditional Uses allows a municipality to adopt a land use ordinance that includes
29 conditional uses and provisions for conditional uses that require compliance with standards set for in an
30 applicable ordinance.
- 31 2. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional Use Permit Required states, all
32 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the
33 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW), Hazard Earthquake Primary Fault (HE), or
34 Hazard Wildfire (WF), shall be dealt with as a request for a conditional use permit under the provisions of
35 Section 10-3-5 of this Title. All applications shall comply with the following regulations before any permit
36 shall be issued.
- 37 3. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
38 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare
39 of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
40 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
41 gatherings of people, or other causes.
42

43 **CONCLUSIONS OF LAW:**

- 44 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
45 conditional uses.
- 46 2. This parcel is in a Hazard Water Table area.
- 47 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
48 detrimental effects of the proposed use.
- 49 4. The request meets the requirements of the Codes listed in the Findings of Fact with the following
50 conditions:
51

52 **CONDITIONS:**

- 53 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
54 codes, and ordinances.
55 2. The applicant will mitigate Hazard Water Table by:
56 a. See submitted mitigation letter and Window Well Drain Detail
57 3. This conditional use is for the residence only as shown on the site plan date stamped January 13, 2021.
58 4. Payment of fees listed on the Providence City Zoning Permit.
59 5. Approval by the City of any application submitted, or paperwork does not alleviate the owners and/or
60 their agents from their responsibility to understand and conform to local, state, and federal laws.
61 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
62

63 **Comments:**

- 64 • S Bankhead read from Dallas Nicols, the development manager's letter dated January 9, 2020.
65

66 **Motion to approve items one, two and three, which are conditional use for a home located at 545 N. 275 E., 555**
67 **N. 275 E., and 565 N. 275 E. Each of these will receive their own Record of Decision. There will be one to go**
68 **with each building. — M. Pierce, second — R. Stapley**

69 **Vote:**

70 **Yea: S. Bankhead, M. Pierce, R. Stapley**
71 **Nay: None**
72 **Abstained: None**
73 **Excused: None**
74

75 **Item No. 4 – Conditional Use – Townhomes:** The Providence City Administrative Land Use Authority will consider
76 for approval a request by Visionary Homes for a townhome building located at 550-570 N. 245 E., Providence, UT
77

78 **Background Information:**

79 Complete Application was received Jan 14, 2021; application contained:

- 80 1. Providence City Conditional Use application and Residential Site Plan application
- 81 2. Payment of \$100 fee, Jan. 14, 2020
- 82 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on Jan. 15, 2020.
83

84 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS:** They are the same as above.
85

86 **Comments:**

- 87 • There are six units in this building.
- 88 • S Bankhead said the townhomes are different in that they are not using the land drains but being built
89 slab on grade.
90

91 **Motion to approve a request for Conditional Use by Visionary Homes for a townhome building located at 550-**
92 **570 N. 245 E. in Providence: — R. Stapley, second — M. Pierce**

93 **Vote:**

94 **Yea: S. Bankhead, M. Pierce, R. Stapley**
95 **Nay: None**
96 **Abstained: None**
97 **Excused: None**
98

99 **Item No. 5 – Conditional Use – Condominiums:** The Providence City Administrative Land Use Authority will
100 consider for approval a request by Visionary Homes for a condominium building located at 537 N. 130 E.,
101 Providence, UT
102

- 103 • Item 5 was withdrawn. The developer is completing minimal improvements.

- 104 • S Bankhead brought up an email that was sent to her from Jim Anderson through the Providence City
105 Gmail. He said that there should not be any more condominiums in the Vineyard area, only single family
106 homes. There are citizens still concerned about this issue. S Bankhead covered the explanation she sent
107 back to J Anderson telling him that the condominiums were approved with the plat and the development
108 plan and that this is only looking at the conditional use for a building in a high ground water area.
109

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

111 **Vote:**

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

113 **Nay:** **None**

114 **Abstained:** **None**

115 **Excused:** **None**

116

117 Meeting adjourned at approximately 2:44 PM

118 Minutes prepared by Kris Hobbs Clemente

119

120

121

122

123



Skarlet Bankhead, Chair