

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

2 **Wednesday, February 10, 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:** Ryan Snow, Diane Campbell, April Fredrickson, Jessica Williamson, Lindsay Jenkins

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 new home, located at 575 N 275 E, Providence, UT (Vineyard Lot
13 61).

14
15 **Background Information:**

- 16 1. Complete Application was received February 8, 2021; application contained:
17 2. Providence City Conditional Use application and Residential Site Plan application
18 3. Payment of \$100 application fee
19 4. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on February 9,
20 2021.

21
22 **FINDINGS OF FACT:**

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

37
38 **CONCLUSIONS OF LAW:**

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

46
47 **CONDITIONS:**

- 48 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
49 codes, and ordinances.
50 2. The applicant will mitigate Hazard Water Table by:
51 a. See submitted mitigation letter and Window Well Drain Detail
52 3. This conditional use is for the residence only as shown on the site plan date stamped February 8, 2021.

- 53 4. Payment of fees listed on the Providence City Zoning Permit.
54 5. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or
55 their agents from their responsibility to understand and conform to local, state, and federal laws.
56 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.
57

58 **Comments:**

- 59 • S Bankhead read from Dallas Nichol's letter dated January 9, 2020.
60

61 **Motion to approve the conditional use for a new home located at 575 N. 275 E. in Providence, which is also**
62 **Vineyard Lot 61: — M. Pierce, second — R. Stapley**

63 **Vote:**

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

65 **Nay:** None

66 **Abstained:** None

67 **Excused:** None
68
69

70 **Item No. 2 – Conditional Use – In-home Salon:** The Providence City Administrative Land Use Authority will
71 consider for approval a request by Lindsay Jenkins for an in-home Salon located at 580 Foxridge Dr. Providence,
72 UT.
73

74 **Background Information:**

- 75 1. Application was received February 2, 2021; application contained:
76 2. Providence City Conditional Use Application
77 3. Payment of \$100 fee
78 4. Business Plan
79 5. A Site plan, statement describing request, and list of adjacent properties
80

81 **FINDINGS OF FACT:**

- 82 1. The following Providence City Code (PCC) list regulations and requirements to be considered.
83 2. UCA 10-9a-507. Conditional Uses allows the City to adopt a land use ordinance that includes conditionals
84 uses and provisions for conditional uses that require compliance with standards set forth in an applicable
85 ordinance.
86 3. PCC 10-3-5 allows the City to impose reasonable conditions: to mitigate the reasonably anticipated
87 detrimental effects of the proposed use on the health, safety, or general welfare of persons residing,
88 working, or conducting business in the vicinity; to mitigate injury to property in the vicinity; to mitigate any
89 risk to safety of persons or property because of vehicular traffic or parking, large gatherings of people, or
90 other causes . . .
91 4. PCC 10-6-1 Use Chart
92

93 **CONCLUSIONS OF LAW:**

- 94 1. Providence City has adopted ordinances in compliance with UCA 10-9a-507.
95 2. PCC 10-3-5: E establishes the standards for reasonable conditions.
96 3. PCC 10-6-1: F-4 provides that barber/beauty shops are permitted by conditional use as a home business in
97 a SFT zone.
98 4. The applicant meets the requirements of the Findings of Facts with the following conditions:
99

100 **CONDITIONS:**

- 101 1. The applicant will apply for business license pursuant to PCC 3-1-5.
102 2. The applicant will meet the requirements for a home business listed in PCC 3-4-5.
103 3. The applicant will meet the requirements listed in the fire inspector review.
104 4. The applicant will operate the business in the manner described in the site and business plan.

- 105 5. The applicant will continue to meet all federal, state, county, and Providence City rules, laws, codes,
106 ordinances, related to the operation of a home salon.
107 6. No more than 2 technicians will be allowed to operate in the salon at any time.
108 7. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or
109 their agents from their responsibility to understand and conform to local, state, and federal laws.
110 Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

111
112 **Comments:**

- 113 • M Pierce asked about the entrance and where customers would be entering. It is on the East
114 side and there is a door to the salon.
- 115 • Parking was also discussed and looked at on a map to be sure of the location.
- 116 • There was also a discussion about how many people would be parked there at a certain time.
117 There will be a 10-15 interval between customers. If she gets another hair stylist, parking will be
118 adjusted. It has been added in the conditions in number four.
- 119 • S Bankhead advised about winter parking.
- 120 • It was clarified that only two people minimum would be working there at one time.

121
122 **Motion to approve the conditional use for an in home salon located at 580 Foxridge Dr. in Providence, Utah**
123 **requested by Lindsay Jenkins based on the Findings of Fact, Conclusions of Law, and Conditions:** — M. Pierce,
124 **second** — R. Stapley

125 **Vote:**

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

127 **Nay:** None

128 **Abstained:** None

129 **Excused:** None

130
131 **Motion to adjourn:** — R. Stapley, second — M. Pierce

132 **Vote:**

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

134 **Nay:** None

135 **Abstained:** None

136 **Excused:** None

137
138 Meeting adjourned at approximately 2:55 PM

139 Minutes prepared by Kris Hobbs Clemente

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143 _____
144 Skarlet Bankhead, Chair
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