

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

2 **Wednesday, March 24, 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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8 **Call to Order:** Skarlet Bankhead, Chair

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

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

11 **Excused:** April Fredrickson

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14 **Item No. 1 - Conditional Use – New Home:** The Providence City Administrative Land Use Authority will consider
15 for approval a request by Visionary Homes for a new home, located at 570 N 275 E, Providence, UT (Vineyard Lot
16 62).

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18 **Background Information:**

19 Complete Application was received March 4, 2021; application contained:

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

24
25 **FINDINGS OF FACT:**

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

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41 **CONCLUSIONS OF LAW:**

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

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50 **CONDITIONS:**

- 51 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
52 codes, and ordinances.

- 53 2. It is noted that lots 61 and 62 have interior setbacks on the north side. This will need to be taken into
- 54 consideration by Visionary Homes with any future development to the north of these lots.
- 55 3. The applicant will mitigate Hazard Water Table by:
- 56 a. See submitted mitigation letter and Window Well Drain Detail
- 57 4. This conditional use is for the residence only as shown on the site plan date stamped March 4, 2021.
- 58 5. Payment of fees listed on the Providence City Zoning Permit.
- 59 6. 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 Nichols' letter dated in January 2020 discussing the Gio tech report
- 65 that was done.
- 66 • S Bankhead brought up the temporary road north of lots 61 and 62. Her concern is if the location
- 67 of the road changes, it cannot be placed to make these into corner lots.
- 68 • M Pierce clarified that it couldn't become permanent because they don't have the proper
- 69 setbacks for that.
- 70

71 **Motion to approve the request for a conditional use for the new home located at 570 N. 275 E. Vineyard Lot 62**

72 **based on the Findings of Fact, Conclusions of Law, and Conditions with the note that Lot 61 and Lot 62, the**

73 **homes have been designed with the North side being the interior side and so future development will have to**

74 **take that into consideration so that they will continue to meet the proper setbacks: — M. Pierce, second —**

75 **R. Stapley**

76 **Vote:**

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

78 **Nay: None**

79 **Abstained: None**

80 **Excused: None**

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

83 **Vote:**

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

85 **Nay: None**

86 **Abstained: None**

87 **Excused: None**

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89 Meeting adjourned at approximately 2:42 PM

90 Minutes prepared by Kris Hobbs Clemente

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95 Skarlet Bankhead, Chair