

Providence City Administrative Land Use Authority (ALUA) Minutes

Wednesday, July 21, 2021 2:35 PM

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

This meeting was live streamed on Providence City's YouTube Channel

Call to Order: Skarlet Bankhead, Chair

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

Others in Attendance: Ryan Snow, Tyler Cameron, Diane Campbell, April Fredrickson, Jessica Williamson

Excused: None

*Items 2-4 were discussed first and together.

Item No. 1 - Conditional Use – Pool: The Providence City Administrative Land Use Authority will consider for approval a request by River Pools of Salt Lake for Brent Miller for a pool located at 254 N. 850 E., Providence, UT.

*There was no representation.

Motion to continue this item for next time: — M. Pierce, second — R. Stapley

Vote:

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

Nay: None

Abstained: None

Excused: None

Item No. 2 - Conditional Use – Townhomes: The Providence City Administrative Land Use Authority will consider for approval a request by Visionary Homes for a townhome building located at 555-565 N. 100 E., Providence, UT (Vineyard Bldg. 12).

Background Information:

Complete Application was received July 9, 2021; application contained:

1. Providence City Conditional Use application and Residential Site Plan application
2. Payment of \$100 application fee.
3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on July 12, 2021.

FINDINGS OF FACT:

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

CONCLUSIONS OF LAW:

1. Providence City has adopted land use ordinances that include conditional uses and provisions for conditional uses.

2. This parcel is in a Hazard Water Table area.
3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.
4. The request meets the requirements of the Codes listed in the Findings of Fact with the following conditions:

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, and ordinances.
2. The applicant will mitigate Hazard Water Table by: See High Water Mitigating Strategies.
3. This conditional use is for the townhomes building only as shown on the plat map date stamped July 12, 2021.
4. Payment of fees listed on the Providence City Zoning Permit.
5. Approval by the City of any submitted application or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

Comments:

- S Bankhead stated that under the mitigation strategy the single-family homes are attached to a land drain. It is slab on grade but meets that strategy.
- R Stapley suggested since they were all in the subdivision combining items 2,3 and 4 in the discussion.

Item No. 3 - Conditional Use – New Home: The Providence City Administrative Land Use Authority will consider for approval a request by Visionary Homes for a new home located at 144 E. 520 N., Providence, UT (Vineyard lot 78)

Background Information:

Complete Application was received July 14, 2021; application contained:

1. Providence City Conditional Use application and Residential Site Plan application
2. Payment of \$100 application fee
3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on July 16, 2021.

***Findings of Fact, Conclusions of Law, and Conditions except for two are the same as in Item 2.**

CONDITIONS:

1. The applicant will mitigate Hazard Water Table by:
 - a. See submitted mitigation letter and Window Well Drain Detail
2. This conditional use is for the residence only as shown on the site plan date stamped July 14, 2021.

Item No. 4 - Conditional Use – New Home: The Providence City Administrative Land Use Authority will consider for approval a request by Visionary Homes for a new home located at 94 E. 520 N., Providence, UT (Vineyard Lot 83).

Background Information:

Complete Application was received July 8, 2021; application contained:

1. Providence City Conditional Use application and Residential Site Plan application
2. Payment of \$100 application fee
3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on July 12, 2021.

***Findings of Fact, Conclusions of Law, and Conditions except for two are the same as in Item 2.**

CONDITIONS:

- 105 1. The applicant will mitigate Hazard Water Table by:
106 a. See submitted mitigation letter and Window Well Drain Detail
107 2. This conditional use is for the residence only as shown on the site plan date stamped July 8, 2021.
108

109 **Comments:**

- 110 • S Bankhead read from the GIS parcel summary explaining the mitigation strategies for single family
111 homes. It was by A. Cache Corp on June 5, 2019.
112 • S Bankhead cautioned J Williamson to make sure the exterior facades as they are being built meet the
113 plans that they were looking at in the meeting and that the planning commission had approved. Then A
114 Fredrickson will need to be informed as well.
115 • R Stapley asked about the different color codes on the plan, and it was clarified that it was for different
116 floor plan layouts in the subdivision.
117 • S Bankhead reminded J Williamson to have the property lines surveyed so that when the building
118 department comes out to check setbacks, they have those lines to go off of.
119

120 **Motion to approve item number 2 for the townhome building located at 555-556 N. 100 E., item number 3 for**
121 **the home located at 144 E. 520 N., and item number 4 for a home at 94 E. 520 N. based on the Findings of Fact,**
122 **Conclusions of Law, and Conditions: — R. Stapley, second — M. Pierce**

123 **Vote:**

124 **Yea:** S. Bankhead, M. Pierce, R. Stapley
125 **Nay:** None
126 **Abstained:** None
127 **Excused:** None
128

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

130 **Vote:**

131 **Yea:** S. Bankhead, M. Pierce, R. Stapley
132 **Nay:** None
133 **Abstained:** None
134 **Excused:** None
135

136 Meeting adjourned at approximately 3:50 PM

137 Minutes prepared by Kris Hobbs Clemente
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141 Skarlet Bankhead, Chair
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