

Provo City Planning Commission

Report of Action

April 8, 2015

ITEM 2* The Provo City Community Development Department requests an Ordinance Amendment to Provo City Code Sections 14.23.020(7), 14.14A.040, 14.14B.040, 14.14C.040, and 14.14E.040, in order to clarify language regarding permitted uses and prior created lots. *City Wide Impact*, 15-0006OA, Aaron Ardmore, 801-852-6404

The following action was taken by the Planning Commission on the above described item at its regular meeting of April 8, 2015:

POSITIVE RECOMMENDATION

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Brian Smith

Second By: Jamin Rowan

Votes in Favor of Motion: Brian Smith, Jamin Rowan, Diane Christensen, Ed Jones, Ross Flom

Diane Christensen was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

14.23.020. Permitted Uses.

Existing Language:

(7) Change of Use. Any change of use in the ITOD zone shall require compliance with all provisions of this Chapter.

Proposed Language:

(7) Change of Use **or Density. In the ITOD zone**, any change of **land use or increase in housing density to an existing residential building** ~~in the ITOD zone~~ shall require compliance with all provisions of this Chapter.

14.14A.040. Prior Created Lots.

14.14B.040. Prior Created Lots.

14.14C.040. Prior Created Lots.

14.14E.040. Prior Created Lots.

Existing Language:

Lots or parcels of land which were created prior to December 12, 1974, shall not be denied a building permit solely for the reason of nonconformance with the parcel requirements of this Chapter.

Proposed Language:

Lots or parcels of land which were created prior to December 12, 1974, shall not be denied a building permit **for a single-family dwelling** solely for the reason of nonconformance with the parcel requirements of this Chapter.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- Clarifying language in these zones will make the intent of the zones more easily understood by property owners and/or developers.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods, there were no public comments.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Diane Christensen asked if staff proposed this due a specific property or is this preemptive. Staff answered that it is a little of both.
- Ed Jones asked for a definition of the acronym ITOD.



Planning Commission Chair



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS