



Provo City Planning Commission

# Report of Action

February 13, 2019

\*Item 8 - Todd Sinks requests an Ordinance Text Amendment to Section 14.14E.030(2) to remove the maximum density restriction in the Campus Mixed Use Zone. City-wide application. Josh Yost (801) 852-6408 PLOTA20180432

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The following action was taken by the Planning Commission on the above described item at its regular meeting of February 13, 2019:

## RECOMMEND APPROVAL

On a vote of 6:1, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Andrew Howard

Second By: Robert Knudsen

Votes in Favor of Motion: Deborah Jensen, Russ Phillips, Shannon Ellsworth, Andrew Howard, Jamin Rowan, Robert Knudsen

Votes Opposed to Motion: Dave Anderson

*Deborah Jensen 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.

### **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:

The Campus Mixed Use zone establishes regulations for the form of development including height, lot coverage, setbacks and parking. Staff contends that also regulating density imposes limits on the ability of development to respond to unique site conditions and property configurations while providing no additional control over the form of development. A measure of density can describe a result, but has limited utility as a regulatory mechanism.

### **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: No concerns were raised by the public.

### APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following: The applicant concurred with the staff presentation.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Dave Anderson expressed his uncertainty with amending the code without knowing how the request relates to a specific project. He stated that the proposal appeared premature.
- Deborah Jensen expanded on the conclusions of the staff report, explaining that with all of the regulatory elements in the existing zone, that regulating density is essentially redundant or a moot point. She further clarified that site area and parking requirements will be the primary limiting factors on a development in this zone.



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Planning Commission Chair



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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**