



Provo City Planning Commission

Report of Action

May 13, 2020

Item 4* Provo City Council Office requests an ordinance amendment to establish the Critical Hillside (CH) Overlay Zone to provide development standards to help protect the sensitive hillside areas of Provo City's east bench. Citywide Impact. Brandon Larsen (801) 852- 6408 jblarsen@provo.org PLOTA20200077

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 13, 2020:

CONTINUE

On a vote of 7:0, the Planning Commission continued the above noted application.

Motion By: Maria Winden

Second By: Andrew Howard

Votes in Favor of Motion: Maria Winden, Andrew Howard, Deborah Jensen, Dave Anderson, Laurie Urquiaga, Lisa Jensen, and Russ Phillips

Deborah Jensen was present as Chair.

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: Overview of revisions to the proposed ordinance.

NEIGHBORHOOD MEETING DATE

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

NEIGHBORHOOD AND PUBLIC COMMENT

- Steve Grow voiced concern about the limits of disturbance and ridgelines provisions of the proposed ordinance, as well as having East Lawn Cemetery plots included in the CH Zone boundaries. He felt the ordinance should encourage reclamation of already disturbed hillside areas.
- Steve Turley also expressed a desire for the ordinance to encourage reclamation of already disturbed hillside areas. He feels the proposed ordinance will keep him from reclaiming his blighted hillside property(s).
- Kaye Nelson expressed support of the ordinance. She did state concerns about allowing dwellings to be constructed on benches. She supports protecting the aesthetics of the foothills.
- Alex Grow stated that the proposed forty percent (40%) limits of disturbance feels like a forced taking.
- Craig Carlisle also asked that the ordinance encourage reclamation of already disturbed hillside areas. He felt the proposal should be postponed until this issue was addressed.
- John Nixon wanted clarification on the criteria for the inclusion of land in the CH Zone.
- Paul Perry expressed the desire for the proposal to be rejected. He stated that he believes this ordinance is targeted at specific individuals and prevents people from developing their land as people have done for the last several decades.

- Terry Kemp expressed concerns with the inclusion of certain lands. He believes the proposal overly restricts existing homeowners from further improving their property.
- Micah Wheatley expressed concern with setting a minimum acreage for limits of disturbance. He feels developers would take advantage of minimums by intentionally creating small lots.

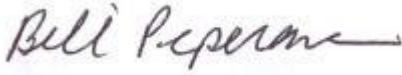
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission continued this item to address:
 - The inclusion of cemetery plots
 - Flexibility for the limits of disturbance
 - Reclamation of existing hillside eyesores



Planning Commission Chair



Director of Development Services

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 Development Services 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