



Provo City Planning Commission

Report of Action

September 23, 2020

- *ITEM 8 The Development Services Dept requests Ordinance Text Amendments to the Low Density Residential (LDR) zone and the Very Low Density Residential (VLDR) zone to reduce the minimum lot size for a single-family dwelling from 5,000 sf to 4,000 sf. It is also proposes to reduce the maximum housing density from 15 to 12 units per acre and to reduce the number of townhomes in one building from eight to six in the LDR zone. Citywide Impact. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20200274
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The following action was taken by the Planning Commission on the above described item at its regular meeting of September 23, 2020:

POSITIVE RECOMMENDATION

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen

Second By: Ally Jones

Votes in Favor of Motion: Lisa Jensen, Ally Jones, Laurie Urquiaga, Robert Knudsen, Daniel Gonzales, Deborah Jensen, Brian Henrie, Dave Anderson

Laurie Urquiaga 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

The text of the proposed text amendment is attached as Exhibit A.

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: Staff gave an overview of the proposed amendments, reasons for the changes, and differences between the zones.

NEIGHBORHOOD MEETING DATE

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

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.

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: None.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Staff answered questions regarding massing, garage locations, design standards, and differences between the VLDR and LDR zones.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Deborah Jensen stated her support for a reduced lot size in the zones and had questions regarding the number of townhomes massed together. She also stated that a front-loaded garage is a design that should be avoided.
- Brian Henrie asked if the code has size standards for garages and also stated his preference for rear or side-loaded garages on townhomes.
- The Commission discussed the differences between the LDR and VLDR zones and felt comfortable with the changes.



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 Community and Neighborhood 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

14.14A.020**Permitted Uses.**

(1) *Permitted Principal Uses.* The following principal uses, and no others, are permitted in the LDR zone:

- (a) One-family dwelling - detached;
- (b) One-family dwelling - attached (townhomes), not to exceed six (6) ~~eight (8)~~ units in one (1) building;
- (c) Two-family dwellings (subject to the standards of Section 14.34.340, Provo City Code);
- (d) Assisted living facilities (subject to the standards of Section 14.34.470, Provo City Code);
- (e) Residential facilities for the elderly or disabled (see Section 14.34.230, Provo City Code);
- (f) Public utilities and rights-of-way and accompanying infrastructure (local distribution or services only);
- (g) Police protection and related services, branch (office only);
- (h) Religious activities; and
- (i) Parks.

(2) *Permitted Accessory Uses.* Accessory uses and structures are permitted in the LDR zone, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

- (a) Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms and similar structures which are customarily used in conjunction with and incidental to a principal use or structure;
- (b) Accessory living spaces in conjunction with existing one-family, detached homes, subject to the requirements of Section 14.30.030, Provo City Code;
- (c) Swimming pools and incidental accessory structures, subject to the standards of Section 14.34.210, Provo City Code;

- (d) Home occupations subject to the regulations of Chapter 14.41, Provo City Code;
- (e) Storage of materials used to construct a building, including the contractor's temporary office; provided, that such use is on the building site or immediately adjacent thereto; and provided further, that such use shall be permitted only during the construction period and thirty (30) days thereafter; and
- (f) Household pets; provided, that no more than two (2) dogs and two (2) cats six (6) months of age or older shall be kept at any residence or commercial establishment at any time. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

14.14A.030

Lot Standards.

Lots within the LDR zone shall be developed according to the following standards:

- (1) Min. Lot Area:
- | | |
|----------------------|------------------------------|
| One-family detached: | 4,000 sf 5,000 sf |
| Twin home/duplex: | 8,000 sf |
| One-family attached: | 10,000 sf |
- (2) Housing Density Maximum: 12 ~~15~~ dwelling units per gross acre.
- (3) Min. Lot Frontage: 35 ft
- (4) Min. Lot Width: 40 ft
- | | |
|-------------|-------|
| Corner Lot: | 50 ft |
|-------------|-------|
- (5) Min. Lot Depth: 90 ft
- (6) Max. Lot Coverage: 50%

14.14F.020**Permitted Uses.**

(1) *Permitted Principal Uses.* The following principal uses, and no others, are permitted in the VLDR zone:

- (a) One-family dwelling – detached;
- (b) One-family dwelling – attached (townhomes), not to exceed ~~seven (7)~~ six (6) units in one (1) building;
- (c) Two-family dwellings (subject to the standards of Section 14.34.340, Provo City Code);
- (d) Assisted living facilities (subject to the standards of Section 14.34.470, Provo City Code);
- (e) Residential facilities for the elderly or disabled (see Section 14.34.230, Provo City Code);
- (f) Public utilities and rights-of-way and accompanying infrastructure (local distribution or services only);
- (g) Police protection and related services, branch (office only); and
- (h) Religious activities.

(2) *Permitted Accessory Uses.* Accessory uses and structures are permitted in the VLDR zone, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

- (a) Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms and similar structures which are customarily used in conjunction with and incidental to a principal use or structure;
- (b) Accessory apartments in existing one-family, detached homes, subject to the requirements of Section 14.30.030, Provo City Code;
- (c) Swimming pools and incidental accessory structures, subject to the standards of Section 14.34.210, Provo City Code;

- (d) Home occupations subject to the regulations of Chapter 14.41, Provo City Code;
- (e) Storage of materials used to construct a building, including the contractor's temporary office; provided, that such use is on the building site or immediately adjacent thereto; and provided further, that such use shall be permitted only during the construction period and thirty (30) days thereafter; and
- (f) Household pets; provided, that no more than two (2) dogs and two (2) cats shall be kept at any residence or commercial establishment at any time. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

14.14F.030

Lot Standards.

Lots within the VLDR zone shall be developed according to the following standards:

- | | |
|------------------------------|----------------------------------|
| (1) Min. Lot Area: | |
| One-family detached: | 4,000 sf 5,000 sf |
| Twin home/duplex: | 8,000 sf |
| One-family attached: | 10,000 sf |
| (2) Housing Density Maximum: | 7 dwelling units per gross acre. |
| (3) Min. Lot Frontage: | 35 ft |
| (4) Min. Lot Width: | 40 ft |
| Corner Lot: | 50 ft |
| (5) Min. Lot Depth: | 90 ft |
| (6) Max. Lot Coverage: | 50% |