

MEMORANDUM

September 1, 2021

TO: Provo City Planning Commission

FROM: Bill Peperone, Development Services

SUBJECT: Planning Commission Agenda, Item 2 - Amendments to Title 15 Review and Approval Process

Recently, it was realized that the Provo City Code has no criteria under which an appeal of impact fees may be heard. The following amendments are intended to clarify this deficiency. This is the beginning of an amendment process the staff would like to pursue. It is the recommendation of staff that the Planning Commission continue this item while the staff works on additional details.

Amendment to Title 15 regarding the process and requirements for appeals related to impact fees.

Amend 15.08.090 (Impact Fee Adjustment) to outline (1) the process for a developer to request a credit against an impact fee or an adjustment to an impact fee from a department and from the Mayor, (2) the kinds of studies and data considered acceptable to support such a request, (3) the standard for review, and (4) the criteria for a department or the Mayor to grant an adjustment to the fees.

Amend 15.08.100 (Administrative Challenges and Appeals Procedure) to distinguish between the procedure for (a) filing a challenge to an impact fee and (b) the procedure for requesting an impact fee adjustment, and clarifying the appeal rights for each.

Amend Chapter 15.08 as otherwise needed to implement the above changes.