



Planning Commission Hearing Staff Report

Hearing Date: December 8, 2021

ITEM 6* Community and Neighborhood Services requests a General Plan Amendment to clarify the existing Westside Development Policies and Future Land Use Map with a Southwest Plan Intent Statement. Citywide. Hannah Salzl (801) 852-6423 hsalzl@provo.org PLGPA20210242

<p>Applicant: Community and Neighborhood Services</p> <p>Staff Coordinator: Hannah Salzl</p> <p>Citywide Application</p> <p>Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <ol style="list-style-type: none"> 1. Approve the proposed General Plan Amendment with or without revisions. 2. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is January 12, 2022, 6:00 P.M.</i> 3. Deny the proposed General Plan Amendment. 	<p>Current Legal Use: The westside is primarily agriculture and residential and includes the airport and part of Provo River.</p> <p>Relevant History: (2016) Westside Planning Committee created to recommend policies to guide development; (2017) Westside Development Policies adopted; (2018) Southwest Area Future Land Use Map adopted; (2021) Council refers proposed Future Land Use Intent Statement to the Planning Commission</p> <p>Neighborhood Issues: Some neighborhood chairs and residents have written expressing mixed support for a statement reaffirming commitment to the current policies and opposition to the proposed finer mix of housing types</p> <p>Summary of Key Issues: The Council has asked the Planning Commission to review the proposed Land Use Intent Statement, which would clarify ambiguities in current policy, slightly increase density, and advise greater integration of housing types within developments.</p>
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OVERVIEW

The west side of Provo is growing, and residents and city staff have collaborated over the last five years to establish design guidelines to direct future development. Councilor Harding has requested that the Council adopt an intent statement that would (1) reaffirm their commitment to the Westside Development Policies (WDP) and Future Land Use map, (2) request assistance from the Planning Commission in drafting ordinances to accomplish WPD 3.a, (3) change the density of four units per acre from net to gross, and (4) clarify where WDP 3.a-d apply and give examples of desired development patterns.

RELEVANT HISTORY

This item has been discussed in the Council Work Meeting on June 15, 2021 and the Planning Commission Meetings on July 14 and 28, 2021. It was discussed again in the Council Meeting on August 3, 2021 and then sent to the Planning Commission with the request for language revisions and new graphics.

Provo's population is expected to double in the next few decades, and much of that growth is anticipated to be on the western/southwestern side of the city between the highway and the river. The area is currently a mix of agricultural, agricultural/residential, and residential uses with some commercial. The Provo Airport is located on the westside and is expected to attract businesses and hotels nearby. The Regional Sports Park will also be located on the westside.

In 2016 the Westside Planning Committee was formed. Chaired by Councilor David Harding, the committee proposed the Westside Development Policies that were adopted by the Council in 2017. In 2018, after much compromise, the Southwest Area Future Land Use Map (General Plan Appendix J) was created and adopted.

As time passed and the policies applied to more developments, Councilor Harding drafted the Future land Use Intent Statement to adjust policies to better align with the intentions of the Westside Planning Committee.

Two of the most crucial points of the discussion surrounding the Intent Statement are the mix of housing types and density.

Although the Westside Development Policies recommends that "Detached single-family homes should be the predominant housing type," it also encourages "Establish[ing] ordinances to require a mix of housing types, lot sizes, and designs" and notes that "Housing types should be mixed without barriers separating types or densities." The Intent

Statement would promote a finer mix of housing types and gives examples of desired developments in Residential (RES) and Low-Density Residential (LDR) areas.

Current zoning permits a mix of housing types, but the City does not have any zones that require different types. Such a zone could merit further discussion should the Planning Commission so desire.

Density in west Provo is limited by sewer capacity with the lift station for the westside. The limit of four units per acre predates the Westside Development Policies by many years. Population density (i.e., whether those units are clustered or spread out) will not have a significant impact. The City will be able to provide water and sewer services to westside residents as long as the total number of units in the area does not exceed an average of four units per acre. It had previously been understood that the average was net, which turns out to be approximately 2.8 units per acre. The Intent Statement would change the limit to four units per acre gross (with a limit of four units per acre in RES zones), a slight increase that could be accommodated by the sewer capacity.

In the Planning Commission discussion on July 14, 2021, the Commissioners expressed support for an intent statement that offered more clarity. It was requested that if such a document were drafted, it should not mandate any requirements, recommend a finer mix of housing types, and have lots of images to make the suggestions easy to understand.

Changes to the Draft Since the Last Public Hearing

- Lowered base density from 4 units per acre gross areawide and 3 units per acre *gross* for RES to 3 units per acre gross areawide and 2 units per acre *net* for RES in order to allow the City to offer a density bonus (up to a maximum of 4 units per acre) in order to incentivize diverse housing types and sizes without mandates;
- To qualify for the density bonus, at least 10% of the total units should be comprised of alternative housing types (this was a previous suggestion that is now incentivized);
- Added that well-maintained green space should also be integrated and doing so may also qualify for a density bonus;
- Added the requirement that developments with varied lot sizes for single-family homes should have an average acreage of 10,000 square feet per parcel;
- Added clarification that mixed-use nodes should be truly mixed-use and not solely commercial;
- Added that stacked housing should be permitted in mixed-use nodes and should not exceed two stories in height;
- Added that for the sake of calculating population density, acreage for mixed-use commercial nodes should be taken from adjacent land-use nodes to allow for

greater density in mixed-use areas to be balanced by lower density in neighboring RES areas;

- Added graphics to show different housing types (including single-family homes on varied lot sizes) and examples of their integration within neighborhoods;
- Added appendix to explain gross and net calculations; and
- Minor editing and word changes for clarity.

GENERAL PLAN POLICIES

After the new General Plan is adopted, staff propose adding the Future Land Use Intent Statement for the Southwest Area of Provo to the new Southwest Area Plan.

Encourage healthy and balanced and stable neighborhoods where schools, businesses, religious congregations, and community organizations can thrive. (Goal 3.4.1)

Maintain and encourage good quality, sustainable housing and infill developments. (Goal 3.4.1.2)

Identify criteria for properties with potential for multi-family and one-family housing. (Goal 3.4.1.5)

Encourage diversity of age groups in neighborhoods. (Goal 3.4.1.6)

Offer a range of housing types within neighborhoods that meets the changing needs of an aging population and facilitate long-term residency. (Goal 3.4.1.7)

Provide sufficient housing options for single professionals. (Goal 3.4.2.5)

Encourage a diverse population within Provo, blend home ownership with rental housing in developments that are not meant for college student housing. (Goal 3.4.3.3)

Encourage housing of diverse design in order to adequately accommodate all types of users (singles, young couples, families and the elderly). (Goal 3.4.4.5)

Encourage housing of diverse design in order to adequately accommodate all types of users (singles, young couples, families and the elderly). (Goal 3.4.4.5)

Provo City will encourage the development of various types of housing inventory to increase the health of existing neighborhoods while providing sufficient accommodations for people who want to work and live in Provo. (Goal 3.4.5)

FINDINGS OF FACT

- Density is limited by sewer capacity to four units per acre. City Engineering has confirmed that the proposed Intent Statement would not cause a problem for sewage.
- The Westside Development Policies and Intent Statement recommend that single-family detached homes should be the predominant housing types and that other types should augment the single-family feel of the area and be mixed without separation or barriers.
- Certain zones permit mixed housing types, but none currently require it.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of general plan amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (responses in bold)

(a) Public purpose for the amendment in question.

The proposed amendment would increase permitted density on the westside, promote a more blended mix of housing types, send more clear messages to developers, and help get the various stakeholders (staff, the Council, residents, developers, etc.) on the same page for future land use decisions.

(b) Confirmation that the public process is best served by the amendment in question.

The proposed amendment clarifies the intent of the Westside Planning Committee and would be clearer and more understandable for developers and landowners in the area.

(c) Compatibility of the proposed amendment with General Plan policies, goal, and objectives.

The proposed amendment advances the goals, policies and objectives of the General Plan and the Westside Development Policies for the Southwest area by refining and clarifying certain policy points.

- (d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*

The proposed amendment is consistent with the timing and sequencing of the General Plan.

- (e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies*

There is no potential of hinderance or obstruction to the General Plan policies with the proposed amendment.

- (f) Adverse impacts on adjacent landowners.*

Some residents might oppose higher density or housing types other than detached single-family in their neighborhood. However, the current policies already encourage that detached single-family should be the predominant housing type and that other types should enhance the single-family feel.

- (g) Verification of correctness in the original zoning or General Plan for the area in question.*

The original zoning and General Plan designation for the area is correct as shown in both the General and Neighborhood Plan.

- (h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.*

No conflict exists.

CONCLUSIONS

Staff await direction from the Planning Commission following the public hearing. Any revisions to the proposed Future Land Use Intent Statement for the Southwest Area of Provo will be sent back to the Council.

ATTACHMENTS

- 1. Future Land Use Intent Statement for the Southwest Area of Provo
(updated text)**
- 2. Westside Development Policies**

Attachment 1: Future Land Use Intent Statement for the Southwest Area of Provo

Future Land Use Intent Statement for the Southwest Area of Provo

Future Land Use Intent Statement for the Southwest Area of Provo

The Municipal Council of the City of Provo, Utah reaffirms our intent to implement the previously adopted Westside Development Policies (Appendix A) and the Southwest Area Future Land Use Map (Appendix C) and adopts this statement to provide additional clarity regarding density and mixed housing sizes, types, and prices.

Density

The overall base density of the Southwest Area should be three units per acre gross. Each development in areas designated as "RES" on the Future Land Use Map should be kept at or below two units per acre net. Opportunities for density bonuses are available, but the overall density in the Southwest should not exceed four units per acre gross and four units per acre net for RES areas. For an explanation of net and gross measurements, see Appendix D.

Mixed Housing Sizes and Types

The Westside Development Policies 3.a-d (Appendix A) should apply to all residential developments as much as practicable outside of infill developments (1 acre or less) and the areas designated as Mixed-Use Village Center on the Future Land Use Map.

The Council encourages not only diversity of density but also diversity of lot sizes, housing types, and home prices for a variety of life stages across all RES and LDR areas on the Southwest Area Future Land Use Map. To this end, we encourage the following development practices. Developments that provide such diversity may qualify for a density bonus. In these areas, single-family detached homes should be the predominant housing type. We especially encourage the development of "move-up" homes.

RES and LDR Area Policies

- The lot size of the zone in Provo City Code should in practice be the average size (in the Southwest only). That is, an area zone for lot sizes of 10,000 square feet should have homes varying in size as long as the mean size is approximately 10,000 square feet per unit for the development.
- To qualify for a density bonus, at least 10% of the total units (not buildings) should be comprised of a housing type (or types) other than single-family-detached (see Appendix B for examples). Larger developments are encouraged to include more types. This does not apply to developments fewer than 10 acres.

Other Policies

- Commercial mixed-use nodes are intended to truly be mixed-use and not solely commercial.
- Stacked housing should be permitted in the mixed-use nodes.
- Stacked housing should not exceed two stories.
- Acreage for mixed-use commercial nodes should be taken from adjacent land-use nodes.

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- Accessible, well-maintained green space should also be integrated. Plans that include green space may also qualify for a density bonus.

Future Ordinances

We request the assistance of Planning Staff in drafting ordinances to accomplish Westside Development Policy 3.a and the policies discussed in the rest of this Intent Statement.

APPENDIX A

Westside Development Policies (excerpt)

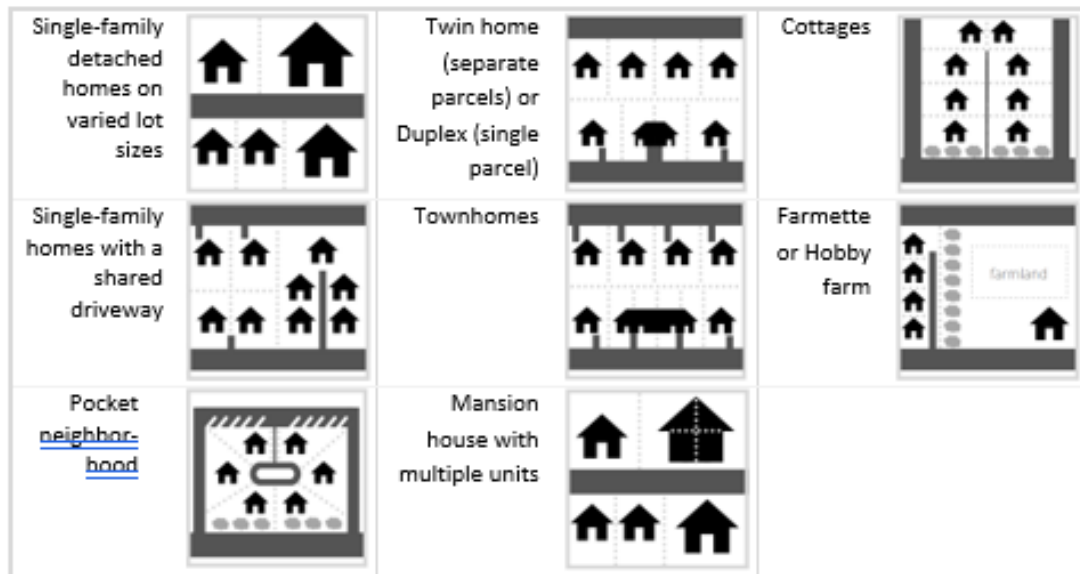
3. Encourage Sustainable Residential Development Patterns
 - a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
 - b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
 - c. Housing types should be mixed without barriers separating types or densities.
 - d. The scale and style of residences should enhance the surrounding area, regardless of housing type.

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APPENDIX B

Examples of Mixed Housing Sizes and Types

Although single-family detached homes should be the predominant housing type, Provo encourages developments that creatively integrate a variety of sizes, types, and prices. A few examples are listed below. This is *not* a comprehensive list of approved housing types.



Examples of Integrated Housing Sizes and Types

The following graphics are some examples of how this variety might be included in a neighborhood in Southwest Provo. These are hypothetical blocks meant to show potential ways to integrate varied lot sizes and housing types and are not necessarily to scale.

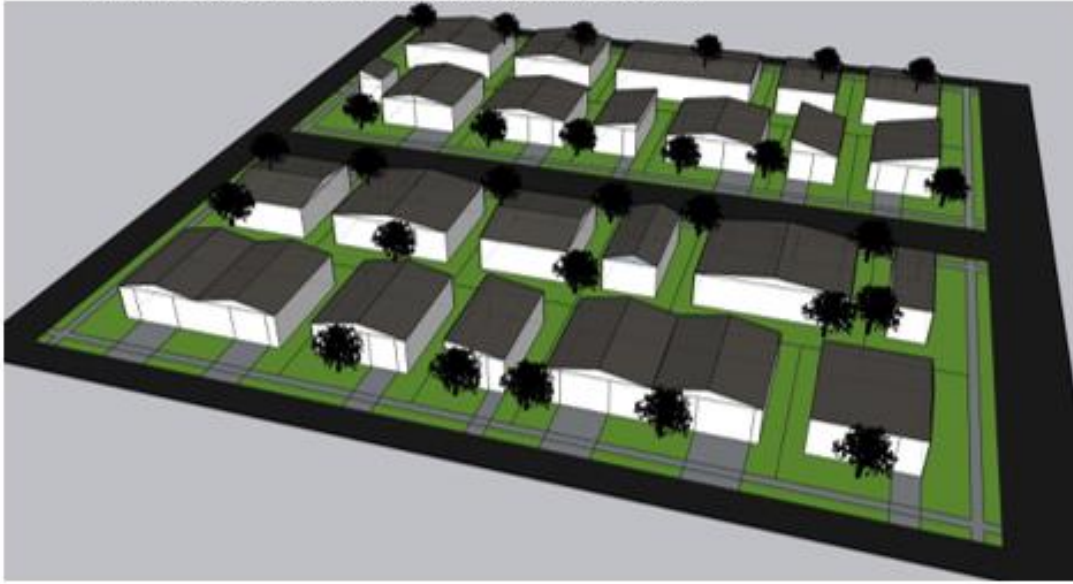
Variety of lot sizes



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Variety of housing types

- This example includes the following housing types: (1) single family detached, (2) single family detached with an accessory dwelling unit, and (3) duplexes.



Variety of lot sizes with a large green space or undevelopable swath



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Integrated mixed-use block

- This example includes a variety of lot sizes and the following housing types: (1) single family detached, (2) duplex, (3) residential on the second floor with commercial on the bottom floor.



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APPENDIX C

Southwest Area Future Land Use Map

The document can be viewed as Appendix J of the General Plan on the Provo City website ([link](#)).



Future Land Use Intent Statement for the Southwest Area of Provo

APPENDIX D

Net and Gross Measurements

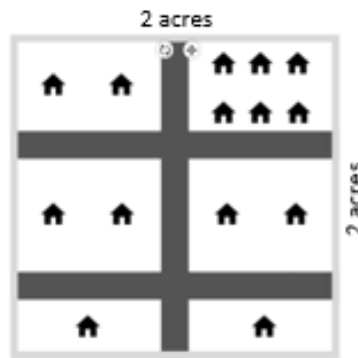
Gross: the total area of a given space

Net: the total area minus undevelopable land (usually roads)

EXAMPLE

The example below uses an area that is 2 acres by 2 acres, giving it a total area of 4 acres of land. This is the same as 4 acres gross. Roads cover about 0.25 acres, which means that land is undevelopable. If this is removed from the total, we are left with 3.75 acres of land, or 3.75 acres net.

There are 14 units on the four acres in this example. We could therefore either say that the area has 3.5 units per acre gross or that it has 3.75 units per acre net. Again, the difference is that the net calculation removes the roads, thereby reducing the total area, while the gross calculation does not remove anything.



total land = 4 acres
 total road coverage = 0.25 acres

GROSS AREA CALCULATIONS

length	2 acres
width	x <u>2 acres</u>
GROSS AREA	4 acres gross
units	14 units
area	÷ <u>4 acres</u>
UNITS/ACRE	3.5 units/acre gross

NET AREA CALCULATIONS

gross area	4 acres
roads	- <u>0.25 acres</u>
NET AREA	3.75 acres net
units	14 units
area	÷ <u>3.75 acres</u>
UNITS/ACRE	3.73 units/acre net

2/28/2017 The Westside Planning Committee, after considering comments received at the stakeholders' meeting held 2/16/2017 and online at Open City Hall concerning draft policy statements, amended and approved the policy statements herein.

Westside Development Policies

As Recommended by the Westside Planning Committee

Purpose

The purpose of these policies is to guide development in southwest Provo in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future residents while respecting Provo's agricultural heritage.

Policies

1. Preserve Provo's agricultural heritage and support agriculture for as long as farmers choose to farm:
 - a. Approve the creation of a Provo Agricultural Commission to support local commercial and non-commercial agriculture.
 - b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including non-traditional farmers, and recommend ways to remove these obstacles.
 - c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: conservation easements, transfers of development rights, community land trusts, a privately funded farmland trust fund, and Utah's "Agricultural Protection" Program.¹
 - d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.
 - e. Encourage Development-Supported Agriculture² and Agritourism³ to help preserve Provo's agricultural heritage.
 - f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.⁴
 - g. Protect agricultural operations from the impact of residential encroachment.
 - h. Identify agricultural land owners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

¹ Utah Code Title 17 Chapter 41- a law that helps preserve vital food-producing land.

² Development-supported agriculture (DSA) is a movement in real estate development that preserves and invests in agricultural land use. As farmland is lost due to the challenging economics of farming and the pressures of the real estate industry, DSA attempts to reconcile the need for development with the need to preserve agricultural land.

³ Agritourism involves any agriculturally based operation or activity that brings visitors to a farm or ranch.

⁴ The LeRay McAllister Critical Land Conservation Fund is an incentive program providing grants to encourage communities and landowners to work together to conserve their critical lands. The fund targets lands that are deemed important to the community such as agricultural lands, wildlife habitat, watershed protection, and other culturally or historically unique landscapes.

2. Preserve and Create Quality Usable Open Space
 - a. Update and utilize the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.
 - b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands.
 - c. Provide parks and trails of different uses and sizes.⁵
 - d. Encourage agritourism as a means to provide agriculturally themed open space.
 - e. Useable neighborhood open space should be an integral part of neighborhood design or combined to serve larger areas than the immediate development.

3. Encourage Sustainable Residential Development Patterns
 - a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
 - b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
 - c. Housing types should be mixed without barriers separating types or densities.
 - d. The scale and style of residences should enhance the surrounding area, regardless of housing type.
 - e. Create design standards for important road corridors in southwest Provo.
 - f. The overall density of the area should average four units to the acre.

4. Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations
 - a. Regional commercial uses may be located adjacent to the I-15 or within the Airport Related Activities district.
 - b. Neighborhood and Community Shopping zones may be located at or adjacent to arterial or collector streets.
 - c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use.

5. Create a Robust Transportation Network
 - a. Update the Transportation Master Plan to accommodate the changing needs of southwest Provo.
 - b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.
 - c. Update the Provo City Major & Local Street Plan to include a network of proposed local streets to ensure connectivity in between the land between collector and arterial roads.

⁵Examples include neighborhood parks, pedestrian, equestrian, and bike trails, community/school gardens, a regional sports park, a farm-themed park, and the Provo Beach concept.

- d. Utilize Complete Streets Policies to ensure all modes of transportation are considered.
 - e. Utilize the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.
 - f. Lakeview Parkway is to be maintained as an arterial roadway with limited access.
6. Require Proper Integration and Sequencing of Development
- a. The full block should be considered when rezoning away from agricultural uses
 - b. Conceptual Integrated Development Plan for the entire block should be required for zone change applications.
 - c. Discourage rezoning of land that is surrounded by agricultural zoning.⁶
 - d. Development may be limited or deferred depending on the availability of adequate municipal infrastructure (such as sewer, storm drainage, water, etc.).
7. Restrict Development in Wetlands and other Environmentally Sensitive Areas
- a. Land south and west of the Lake View Parkway up to Center Street (excepting the airport protection area) should be preserved for open space and agricultural uses.
 - b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

⁶That is, no leap frog development.