

Provo City Planning Commission

# Report of Action

July 13, 2022

- \*ITEM 3 Brad Mackay requests approval of Ordinance Text Amendments to Chapter 14.49E, Provo City Code, to adjust development standards in the SDP-5 (Villages at Celebration Specific Development Plan Overlay) zone and to amend the related Development Agreement. Lakeview North Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20220107
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The following action was taken by the Planning Commission on the above described item at its regular meeting of July 13, 2022:

## CONTINUED

On a vote of 6:0, the Planning Commission continued the above noted application.

Motion By: Melissa Kendall

Second By: Raleen Whalin

Votes in Favor of Motion: Melissa Kendall, Raleen Whalin, Lisa Jensen, Andrew South, Daniel Gonzales, Robert Knudsen

Lisa 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.

### **RELATED ACTIONS**

The Planning Commission also continued a related General Plan Map Amendment at the July 13<sup>th</sup> hearing (Item #2, file #PLGPA20220207)

### **DEVELOPMENT AGREEMENT**

- Does not apply at this stage of review or approval.

### **TEXT AMENDMENT**

The text of the proposed 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. Staff gave an overview of the report and responded to questions from the Planning Commission.

### **CITY DEPARTMENTAL ISSUES**

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

### **NEIGHBORHOOD MEETING DATE**

- No information was received from the Neighborhood Chair.

## **NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.

## **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:

- Brad Mackay responded to questions regarding the concerns listed in the staff report. He stated that he is happy to revise his proposal to address the concerns of Planning staff and the Planning Commission.
- Mr. Mackay also responded to questions regarding other landowners within the map area, that villages 3 and 5 on the proposed map are owned by other parties but will still be bound by the zone code as they are now. He also mentioned that the majority of villages one and two are already built.
- Mr. Mackay described the thinking behind the lot coverage proposals, but said he can revise the text to mitigate concerns that the larger lot coverage standards could be applied throughout the zone. He also mentioned that the HOA will have governing power over the standards of the proposed zone and clarified that those properties that are not part of the HOA would still maintain their own landscaping and park strip.

## **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- Daniel Gonzales shared concerns about the proposed lot coverage standard and asked the applicant for examples where the proposed standard has worked.
- Lisa Jensen stated that she shares the concerns that were described in the staff report and verified with the applicant that he can work with staff to revise the proposed text to resolve the listed concerns.
- Melissa Kendall mentioned that she would like to see the revised copy before it moved on to the Council. Raleen Whalin followed that with her appreciation of the applicant to be openly willing to revise the text to address concerns.
- Lisa Jensen brought forward to the rest of the Commission the idea of listing the concerns that need to be addressed and if that list should match what is described in the staff report. The Commission agreed with this strategy and listed a number of items to revise (see below for list).

## **FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION**

The Planning Commission identified the following findings as the basis of this decision or recommendation:

- That the applicant needs to come back to the Planning Commission after revising the following:
  - Remove proposal to reduce parking standard.
  - Keep the requirement for dumpster enclosures.
  - Revise the land use tables, specifically removing rock crushing from permitted uses.
  - Move the lot coverage standard into the bulk/intensity table and separate between villages.
  - Add language to clarify who is responsible for park strip maintenance.
  - Clean up formatting and organization issues.



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Planning Commission Chair



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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

EXHIBIT A

Chapter 14.49E

SDP-5 - ~~Villages at Celebration~~Broadview Shores Specific Development Plan Overlay Zone.

- 14.49E.010. Purpose and Objectives.
- 14.49E.020. Compliance with Other Provisions Required.
- 14.49E.030. Permitted Uses.
- 14.49E.040. Architectural Design and Control.
- ~~14.49E.050. Table of Bulk And Intensity Requirements~~
- ~~14.49E.050. One Family Homes at Celebration (Village 1).~~
- ~~14.49E.060. Mansion Home at Celebration (Village 2).~~
- ~~14.49E.070. Courtyard Town Homes at Celebration (Village 3).~~
- ~~14.49E.080. Urban Town Homes at Celebration (Village 4).~~
- ~~14.49E.090. Town Center Residential at Celebration (Village 5).~~
- ~~14.49E.100. Village Town Center at Celebration (Village 6).~~
- 14.49E.060110. Parks and Open Space.
- 14.49E.070120. Project Plan Review- Design Standards.
- 14.49E.080130. Fences, Walls, Entry Treatments.
- 14.49E.090140. Signs.
- 14.49E.10050. Landscaping Requirements.
- 14.49E.11060. Occupancy Requirements.
- ~~14.49E.170. Other Requirements.~~
- 14.49E.12080. Existing Agricultural Uses.
- ~~14.49E.13090. Other Requirements. Illustrations.~~

**14.49E.010. Purpose and Objectives.**

(1) ~~The Villages at Celebration~~Broadview Shores is a residential/commercial mixed use development set in the Lakeview area. This development is located between 1300 North and 2000 North, Geneva Road and Utah Lake. The overall development will contain approximately ~~three hundred fifty acres~~Three Hundred Sixty Five Acres-when fully developed. The development provides a large variety of housing types, ample open space, parks, trails and amenities throughout. A village commercial center may include residential mixed use, retail, office and service uses in a village setting.

(2) A wide assortment of residential dwellings will provide diversity through a mixture of different building types and architectural forms while maintaining an overall architectural design theme. Each residential village will be unique in character meeting the housing needs of various income groups, ages and lifestyles.

(3) The standards set forth herein are intended to encourage pedestrian movement within the neighborhoods and to reduce automobile use from residential areas to village commercial uses.-\_The commercial element will be designed to encourage a wide variety of retail and service uses on a smaller scale that would meet the needs of the surrounding neighborhoods and those in the general area. (Enacted 2009-36)

**14.49E.020. Compliance with Other Provisions Required.**

In addition to the specific development standards contained in this chapter, land areas placed in the Broadview Shores (SDP-5) zone shall conform to:

- 41 (1) the general criteria and enabling provisions contained in Chapter 14.49, Provo City Code; and  
 42 (2) applicable provisions of Titles 14 and 15, Provo City Code.  
 43 (Enacted 2009-36)

44 **14.49E.030. Permitted Uses.**

- 45 (1) Those uses or categories of uses as listed herein, and no others, are permitted in the zone.  
 46 ~~(2) All uses contained herein are listed by number as designated in the Standard Land Use Code~~  
 47 ~~published and maintained by the Planning Commission. Specific uses are identified by a four (4) digit number~~  
 48 ~~in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified~~  
 49 ~~by a four (4) digit number in which the last one (1) or two (2) digits are zeros.~~  
 50 (32) All such categories listed herein and all specific uses contained within the Standard Land Use Code  
 51 will be permitted in the ~~Villages at Celebration~~**Broadview Shores** Mixed Use Specific Development Plan  
 52 Overlay Zone (SDP-5) subject to the limitations set forth herein.  
 53 (34) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted  
 54 within the designated Villages as described. Commercial uses are permitted within the Village ~~Town Center~~  
 55 ~~(Village 6)8~~ only:  
 56 (a) Residential Uses. All residential uses are specifically allowed in the individual Villages as  
 57 designated below. No accessory units or apartments are permitted. ~~Churches (SLU 6911) are permitted in all~~  
 58 ~~residential designated Villages.~~

59 **BROADVIEW SHORES**

60 **TABLE OF USES – RESIDENTIAL DISTRICTS**

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<u>USE</u>	<u>Low Density Single Family Villages 1,3,5</u>	<u>Medium Density Single Family Villages 2,4</u>	<u>Medium Density Single Family, Multi Family &amp; Cluster Single Family Villages 2,4,6,7</u>	<u>High Density Multi-Family Village 4,6,7</u>
<u>RESIDENTIAL DWELLING TYPES</u>				
<u>Single-Family Dwelling</u>	P	P	P	P
<u>Two-Family Dwelling</u>			P	P
<u>Three-Family Dwelling</u>			P	P



<u>USE</u>	<u>Low Density Single Family Villages 1,3,5</u>	<u>Medium Density Single Family Villages 2,4</u>	<u>Medium Density Single Family, Multi Family &amp; Cluster Single Family Villages 2,4,6,7</u>	<u>High Density Multi-Family Village 4,6,7</u>
<u>Four-Family Dwelling</u>			P	P
<u>Accessory Apartment</u>				C
<u>Modular Home</u>	P	P	P	P
<u>Multi-Family Dwellings (&gt;4 dwelling units)</u>			P	P
<u>Townhouses/Condominiums</u>			P	P
<b><u>PUBLIC/CIVIC USES</u></b>				
<u>Churches (places of worship)</u>	C	C	C	C
<u>Golf Courses &amp; Country Clubs</u>	P	C	C	C
<u>Parks, Playgrounds, Open Space, Trails and Greenways</u>	P	P	P	P
<u>Public/Civic Buildings</u>	P	P	P	P
<u>Schools</u>	C	C	C	C
<u>Sports Fields</u>	P	P	P	P
<b><u>UTILITIES</u></b>				
<u>Electrical Substations and Power Transmission Lines, Municipal</u>	P	P	P	P
<u>Electrical Substations and Power Transmission Lines, Non-Municipal</u>	C	C	C	C
<u>Oil &amp; Gas Transmission Lines</u>	C	C	C	C
<u>Public Utility Buildings, Lines, Structures and Rights of Way, Municipal</u>	P	P	P	P

<u>USE</u>	<u>Low Density Single Family Villages 1,3,5</u>	<u>Medium Density Single Family Villages 2,4</u>	<u>Medium Density Single Family, Multi Family &amp; Cluster Single Family Villages 2,4,6,7</u>	<u>High Density Multi-Family Village 4,6,7</u>
<u>Public Utility Buildings, Lines, Structures and Rights of Way, Non-Municipal</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>OTHER USES</u>				
<u>Adult Day Care</u>				<u>C</u>
<u>Agriculture (Horticulture)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Assisted Living Facility</u>				<u>C</u>
<u>Bed and Breakfast Inn</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Child Daycare (commercial)</u>				<u>C</u>
<u>Commercial Riding Facilities</u>				
<u>Gravel Pits, Clay Pits</u>				<u>P(Temporary)</u>
<u>Greenhouses (private, as an accessory use)</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Greenhouses (commercial)</u>	<u>N</u>			
<u>Model Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Portable Storage Container</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Residential Facilities For Elderly Persons</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Rest Home, Nursing Home</u>				<u>C</u>

<u>USE</u>	<u>Low Density Single Family Villages 1,3,5</u>	<u>Medium Density Single Family Villages 2,4</u>	<u>Medium Density Single Family, Multi Family &amp; Cluster Single Family Villages 2,4,6,7</u>	<u>High Density Multi-Family Village 4,6,7</u>
<u>Retirement Home/Retirement Center</u>				<u>C</u>
<u>Rock Crushers</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P(Temporary)</u>
<u>Swimming Pools (private)/Private Recreation Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Temporary Construction Buildings &amp; Yards (12 months maximum)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Temporary Sales Office (12 months maximum)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

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<u>Use- No.</u>	<u>Use Classification</u>
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4414	One-family dwelling, detached
4412	One-family dwelling, attached (three (3) to five (5) units attached)
4413	One-family dwelling, attached (dwelling units must be above/over the commercial)
4460	Multifamily (contains twelve (12) units)
6044	Churches

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(b) Commercial Uses. All commercial uses are permitted in the ~~Town Center~~ (Village 68) only. All uses must be conducted within an enclosed building, except uses that are customarily conducted outdoors. Individual buildings within the center shall be limited to ground floor footprints no larger than fifteen thousand (15,000) square feet, except as approved by the Planning Commission through the issuance of a conditional use permit.

TABLE OF USES – COMMERCIAL AND NONRESIDENTIAL DISTRICTS



	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<b><u>RESIDENTIAL USES</u></b>		
<u>Bed and Breakfast Inn</u>	P	N
<u>Dwelling unit (ground floor and above ground floor)</u>	N	N
<u>Dwelling unit for caretaker/security guard (must be within primary structure and not as an accessory unit)</u>	C	C
<u>High Density Residential</u>	C	N
<u>Juvenile Group Home</u>	N	N
<u>Modular Home</u>	N	N
<u>Mixed-use single family residential and commercial structure/project complying with the use and development standards</u>	C	N
<u>Mixed Use Commercial and Residential</u>	C	N
<u>Nursing Home, Assisted Living</u>	P	N
<u>Residential Facilities for Elderly Persons</u>	N	N
<u>Residential Facilities for Persons with Disability</u>	N	N
<u>Retirement Home/Center</u>	P	N
<u>Single-Family Dwelling</u>	C	N
<b><u>PUBLIC/CIVIC USES</u></b>		
<u>Churches (places of worship)</u>	C	N
<u>Cultural and artistic uses, such as museums, galleries, libraries, performing arts studios</u>	P	P

	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<u>Golf Courses, Country Clubs, and Putting Greens</u>	N	P
<u>Parks, playgrounds, Open Space, Trails and Greenways</u>	P	P
<u>Parking Lot or Parking Structure, Municipal or Joint Venture(public/private)</u>	P	P
<u>Public/Civic Buildings</u>	P	P
<u>Schools</u>	C	N
<u>Sporting Facilities, Arenas, Municipal</u>	C	P
<u>Sporting Facilities, Arenas, Non-Municipal</u>	P	P
<u>Sports Fields</u>	P	P
<b><u>COMMUNICATION &amp; UTILITIES</u></b>		
<u>Communication facilities and towers</u>	C	C
<u>Electrical substations and power transmission lines, Municipal</u>	P	P
<u>Electrical substations and power transmission lines, Non-Municipal</u>	C	C
<u>Oil &amp; gas transmission lines</u>	C	C
<u>Public Utility Buildings, lines, structures and rights of way, Municipal</u>	P	P
<u>Public Utility Buildings, lines, structures and rights of way, Non-Municipal</u>	C	C
<b><u>COMMERCIAL/NONRESIDENTIAL USES</u></b>		
<u>Accessory buildings and uses incidental to an authorized use</u>	P	P
<u>Adult day care</u>	C	N

	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<u>Artisan Shop</u>	P	N
<u>Athletic Instruction, Including Dance, Gymnastics, and Martial Arts</u>	P	N
<u>Automobile sales/rental</u>	C	N
<u>Automobile service and repair</u>	C	N
<u>Building maintenance services</u>	C	N
<u>Building Materials Supply Store with no outside storage</u>	P	N
<u>Building Materials Supply Store with outside storage</u>	C	N
<u>Campground</u>	N	N
<u>Car Wash</u>	P	N
<u>Check Cashing, Title Loans &amp; other Credit Services</u>	C	N
<u>Commercial Laundries, Linen Service, Diaper Service</u>	P	N
<u>Commercial Parking Lot/Structure</u>	P	P
<u>Commercial Recreational Facility</u>	P	P
<u>Conference Center, Convention Center</u>	C	N
<u>Convenience store, with or without gasoline sales</u>	P	N
<u>Child Day-care (Commercial)</u>	C	N
<u>Construction Sales and Service</u>	C	N
<u>Construction Service</u>	C	N
<u>Equipment Sales and Rental</u>	C	N

	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<u>Financial Institutions and Services</u>	P	N
<u>Financial Institutions and Services with drive through facilities</u>	P	N
<u>Funeral home</u>	P	N
<u>Furniture Repair</u>	P	N
<u>Hardware Store with no outside storage</u>	P	N
<u>Hardware Store with outside storage</u>	C	N
<u>Health Care Facility</u>	P	N
<u>Health Club</u>	P	P
<u>Heliport</u>	C	N
<u>Hotels and Motels</u>	C	N
<u>Hospital (Small Animal)</u>	C	N
<u>Junk Yards and Salvage Yards</u>	N	N
<u>Laboratory, medical, dental, optical</u>	P	N
<u>Laundrette, Laundromat</u>	P	N
<u>Liquor Store/Bar/Private club</u>	N	N
<u>Manufactured home sales and service</u>	N	N
<u>Medical Research Facility</u>	C	N
<u>Medical and Dental Clinics</u>	P	N

	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<u>Model Home</u>	P	N
<u>Moving and storage facilities</u>	C	N
<u>Neighborhood Commercial/Retail Sales including General Retail and Pharmacies(maximum 5,000 square foot bld. Footprint or as approved by Planning Commission)</u>	P	N
<u>Nightclub</u>	C	N
<u>Offices, professional</u>	P	N
<u>Offices, Warehouse</u>	C	N
<u>Outdoor sales, display and storage (excluding junk yards and salvage yards)</u>	C	N
<u>Outdoor storage of materials, products and equipment incidental to an allowed use(excluding junk yards and salvage yards)</u>	C	N
<u>Pawn Shops</u>	C	N
<u>Personal services</u>	P	N
<u>Personal services including a Body Art Facility</u>	C	N
<u>Photofinishing lab</u>	P	N
<u>Portable Storage Container and Container Sales</u>	N	N
<u>Plant Nursery with outside display</u>	P	N
<u>Public Dance Hall</u>	C	N
<u>Race Tracks for Go-Carts, ATV and Motocross or Motorized Sports Recreational Facilities(includes private or commercial)</u>	C	N
<u>Recreational vehicle sales and services</u>	C	N
<u>Regional Commercial/Retail sales (minimum 10 acre site)</u>	P	N



	<u>Commercial Land Use Areas Village 7</u>	<u>Open Space/Recreation Land Use Areas</u>
<u>Restaurant</u>	P	P
<u>Restaurant, fast food with drive up window(s)</u>	P	N
<u>Research and development facilities</u>	P	N
<u>Retail facilities and services accessory to a principal use</u>	P	N
<u>Retail facilities and services with drive-up window(s)</u>	P	N
<u>Retail sales, general and goods establishments including general retail, department store, grocery store, drug store, variety store</u>	P	N
<u>Rock Crushers</u>	C	C
<u>Schools - Vocational and Technical</u>	P	N
<u>Service Station</u>	C	N
<u>Storage-Mini (Storage units)</u>	C	N
<u>Temporary Construction buildings &amp; yards (12 months maximum)</u>	C	N
<u>Temporary sales office (12 months maximum)</u>	P	N
<u>Theater</u>	P	N
<u>Tobacco Products Shop</u>	N	N
<u>Towing and Impound Yard</u>	N	N
<u>Veterinary Office, within building and keeping animals overnight only for treatment purposes</u>	C	N

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<u>Use No.</u>	<u>Use Classification</u>
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6399	Other retail trade—general merchandise
6400	Feed

5600	Apparel
6700	Furniture, home furnishings and equipment (retail only)
6810	Eating places
6910	Drug stores, pharmacy
6931	Antiques
6932	Secondhand clothing, furniture and books
6937	Stamp and coin collectors
6940	Books, stationery, art and hobby supplies
6950	Sporting goods, bicycles and toys
6969	Garden supplies, includes garden centers
6970	Jewelry
6990	Misc-retail trade
6100	Finance, insurance and real estate services (except 6123- Pawn brokers, 6124-Bail bonds)
6200	Personal service (except 6240-Funeral parlor, cemeteries and crematory services, 6290-Personal services, NEC)
6330	Duplicating, mailing, stenographic and office services (except telemarketing)
6340	Dwelling and other building services
6360	News services
6369	Employment services
6395	Photo finishing services
6510	Professional services (except 6515-Behavior drug and alcohol treatment centers, 6516-Sanitariums, convalescent and rest- home services)
6710	Executive, legislative and judicial functions (except military operations)
6720	Police and fire protection services
6730	Postal services
6815	Day nursery—child care centers
6930	Business, professional and labor organizations and services
6990	Misc-services
7110	Cultural activities
7190	Cultural activities and nature exhibitions, NEC
7211	Amphitheaters
7212	Motion picture theaters (indoors)
7214	Legitimate theaters
7234	Civic theaters and halls

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Parks (includes play fields, tot lots, etc.)

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(5) Permitted Accessory Uses (~~Villages 1-5~~). Accessory uses and structures are permitted in residential villages ~~1-5~~ provided they are incidental to, and do not substantially alter the character of the permitted principal uses or structures. Such permitted accessory uses and structures include, but are not limited to the following:

(a) Accessory buildings such as garages, carports, bath houses, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to a principal use or structure;

(b) Swimming pools and incidental bath houses subject to the standards of Section 14.34.210, Provo City Code;

(c) Vegetable and flower gardens and noncommercial orchards;

(d) Home occupations subject to the regulations of Chapter 14.41, Provo City Code;

(e) Storage of materials used for construction of 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;

(f) Household pets, provided there shall be no more than two (2) such pets over the age of four (4) months per dwelling unit. 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.

(Enacted 2009-36; Am 2011-28)

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#### 14.49E.040. Architectural Design and Control.

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~~(1) Prior to approval and issuance of any building permits, the overall architectural design theme, exterior building materials, elevations, landscaping and colors to be used within the Villages at Celebration shall be approved by the Provo City Design Review Committee as set forth in Chapter 14.04A, Provo City Code. The following design criteria shall be followed:~~

~~(a) The following architectural styles, and no others, may be used within the Villages at Celebration: colonial, cottage, country, craftsman, farmhouse, French country, prairie, ranch and Tudor.~~

~~(b) At least three or more design elements must be carried throughout the entire Villages at Celebration.~~

~~(c1) No vinyl or aluminum siding may be used, except for soffits, gutters, and window trim unless the Design Review Committee approves other used for a design features as part of an element of the overall design.~~

~~(d2) Exterior building materials may consist only of stucco, stone, brick, Hardiboard siding, metal, wood trim, composition roofing, and other design features which are part of an element of the overall design approved by the Design Review Committee.~~

~~(23) In Village 1 there shall be a minimum of ten (10) different elevations and floor plans to provide a variety in housing styles and no similar elevations may be located adjacent to each other. (Enacted 2009-36)~~

114 **14.49E.050. TABLE OF BULK AND INTENSITY REQUIREMENTS.**

115 **RESIDENTIAL DISTRICTS**

	<u>Low Density</u>  <u>Single Family</u>  <u>Villages 1,3, &amp; 5</u>	<u>Medium Density</u>  <u>Single Family</u>  <u>Villages 2,4,7</u>	<u>Medium Density</u>  <u>Single Family &amp;</u> <u>Cluster Single Family</u>  <u>Villages 2,4,6,7</u>	<u>Medium Density</u>  <u>Multi-Family</u>  <u>Villages 4,6,7</u>	<u>High Density</u>  <u>Multi-Family</u>  <u>Village 4,6</u>
<u>Minimum Lot Size</u>	<u>Single-Family Dwelling 6,000 Sq.Ft</u>  <u>Other Allowed Uses 8,000 Sq.Ft</u>	<u>Single-Family Dwelling 3,500 Sq.Ft</u>  <u>Other Allowed Uses 8,000 Sq.Ft</u>	<u>Single-Family Dwelling 2,000 Sq.Ft</u>  <u>Other Allowed Uses 8000 Sq.Ft</u>	<u>Attached, Stacked, or Clustered Units with Density Controlling Number of Units</u>  <u>Other Allowed Uses 8000 Sq.Ft</u>	<u>Attached, Stacked, or Clustered Units with Density Controlling Number of Units</u>  <u>Other Allowed Uses 8000 Sq.Ft</u>
<u>Maximum Dwelling Units Per Acre</u>	4.0	10	15	20	45
<u>Minimum Lot Width</u>	50'	33' * Single Family	30' * Single Family	NA	NA
<u>Minimum Front Yard</u>	<u>9' to Porch/Living Space</u> <u>20' to garage from back of sidewalk from loaded garage</u>	<u>9' to Porch/Living Space</u> <u>18' to garage from back of sidewalk from loaded garage</u> <u>2' rear load garage</u>	<u>2' to Porch/Living Space</u> <u>18' driveway to garage from Top Back curb or sidewalk</u> <u>2' rear load garage</u>	NA	NA
<u>Minimum Rear Yard (Interior Lots)</u>	<u>15' Front Loaded Garage</u> <u>18' driveway or 6' rear loaded garage from Top Back Curb/Sidewalk</u>	<u>10' Front Loaded Garage</u> <u>18' driveway or 6' rear loaded garage from Top Back Curb/Sidewalk</u>	<u>6' Front Loaded Garage</u> <u>18' driveway or 6' rear loaded garage from Top Back Curb/Sidewalk</u>	NA	NA
<u>Minimum Front and Rear Yard (Perimeter)</u>				15'	15'



117

<b>Minimum Rear Yard (Corner Lots)</b>	<u>15' Front Loaded Garage</u> <u>18' driveway or 5' rear loaded garage from Top Back Curb/Sidewalk</u>	<u>10' Front Loaded Garage</u> <u>18' driveway or 5' rear loaded garage from Top Back Curb/Sidewalk</u>	<u>7' Front Loaded Garage</u> <u>18' driveway or 5' rear loaded garage from Top Back Curb/Sidewalk</u>	NA	NA
<b>Minimum Side Yard</b>	<u>Residential Uses 5 Ft. Total Side Yards Not Less Than 10 Ft. Other Allowed Uses 20 Ft. Total Side Yards Not Less Than 40 Ft.</u>	<u>Residential Uses 0 Ft. Total Side Yards Not Less Than 5 Ft. Other Allowed Uses 20 Ft. Total Side Yards Not Less Than 40 Ft. All buildings to be a minimum of 5 ft between homes.</u>	<u>Residential Uses 0 Ft. Total Side Yards Not Less Than 5 Ft. Other Allowed Uses 20 Ft. Total Side Yards Not Less Than 40 Ft. All buildings to be a minimum of 5 ft between homes.</u>	<u>Residential Uses 0 Ft. Total Side Yards Not Less Than 10 Ft. Other Allowed Uses 20 Ft. Total Side Yards Not Less Than 40 Ft. All buildings to be a minimum of 10 ft between buildings.</u>	<u>Residential Uses 0 Ft. Total Side Yards Not Less Than 10 Ft. Other Allowed Uses 20 Ft. Total Side Yards Not Less Than 40 Ft. All buildings to be a minimum of 10 ft between buildings.</u>
<b>Minimum Side Yard (Corner Lot)</b>	10 Ft	5 Ft	2 Ft	NA	NA
<b>Height</b>	Max. 40 Ft. or 2 Stories. Min. 1 Story	Max. 40 Ft. or 2 Stories. Min. 1 Story	Max. 52 Ft. or 3 Stories. Min. 1 story	Max. 52 Ft. or 5 Stories. Min. 1 story	Max. 77 Ft. or 5 Stories. Min. 1 story
<b>Minimum Finished Floor Area Per Residential Unit</b>	<u>1,000 Sq.Ft.</u> <u>(Ground Floor Not Less Than 850 Sq.Ft. on two story single family detached unit with attached 2-car garage.</u>	<u>900 Sq.Ft.</u> <u>(Ground Floor Not Less Than 300 Sq.Ft. With Total of 1,300 Sq.Ft. Min. For Stacked Units)</u>	<u>900 Sq.Ft.</u> <u>(Ground Floor Not Less Than 300 Sq.Ft. With Total of 1,300 Sq.Ft. Min. For Stacked Units)†</u>	<u>900 Sq.Ft.</u> <u>(Ground Floor Not Less Than 200 Sq.Ft. With Total of 1,000 Sq.Ft. Min. For Stacked Attached Units)‡</u>	<u>500 Sq.Ft.</u>

118

119 **14.49E.050. One Family Homes at Celebration (Village 1).**

120 Villages comprising of subdivision lots for one-family detached dwellings shall be classified as Village 1 (V1) and are subject to the following regulations:

122 (1) Lot Area. The minimum area of any lot or parcel of land shall be as indicated by the subzone used in conjunction with a designation. Subzones shall be designated by adding a suffix number to an area developed into subdivision lots. The suffix number shall be the minimum square lot area for the sub zone as follows:

- 125 (a) V1.5: five thousand (5,000) square feet in area
- 126 (b) V1.6: six thousand (6,000) square feet in area
- 127 (c) V1.8: eight thousand (8,000) square feet in area, and
- 128 (d) V1.10: ten thousand (10,000) square feet in area.

129 (2) Lot Width. Each lot or parcel of land within a Village 1 (V1) designation, except corner lots, shall have a width of not less than the following for the subzone in which said lot or parcel of land is situated. Corner lots shall be ten (10) feet wider than interior lots. Widths shall be measured at the interior side of the front yard setback line.

132



- 133 (a) V1.5: fifty three (53) feet wide  
134 (b) V1.6: sixty (60) feet wide  
135 (c) V1.8: eighty (80) feet wide, and  
136 (d) V1.10: ninety (90) feet wide.
- 137 (3) Lot Depth. Each lot or parcel of land within a V1 designations shall have a minimum lot depth of ninety  
138 (90) feet.
- 139 (4) Lot Frontage. Each lot or parcel of land within a V1 designations shall abut a street for a minimum  
140 distance of thirty-five (35) feet. No residential structure may front on an arterial or collector street.
- 141 (5) Lot Area Per Dwelling. Not more than one (1) one-family dwelling may be placed upon a lot, building  
142 pad, or parcel of land in the Village 1 (V1) development of the Villages at Celebration SDP.
- 143 (6) Yard Requirements. The following minimum yard requirements shall apply in a Village 1 (V1)  
144 development of the Villages at Celebration SDP:
- 145
- 146 (a) Villages 1.5 (V1.5) and Villages 1.6 (V1.6).
- 147 (i) The minimum depth of a front yard shall be a minimum of fifteen (15) feet and a maximum of  
148 twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether attached or not  
149 which are front loading to a public or private street, shall be setback at least twenty-six (26) feet from the  
150 property line to ensure a twenty (20) foot driveway depth, measured from the back of the sidewalk.
- 151 (ii) The minimum depth of a rear yard shall be fifteen (15) feet where dwellings have front-loading  
152 garages. If a dwelling has an alley-loading garage, then the garage shall be setback at least twenty (20) feet  
153 from the property line or shall be located within five (5) feet of said property line.
- 154 (iii) The minimum depth of a side yard shall be five (5) feet on one (1) side and eight (8) feet on  
155 the other side which shall be designated as a public utility easement. On a corner lot, a side yard contiguous  
156 to a street shall not be less than fifteen (15) feet wide and shall not be used for vehicle parking, except any  
157 portion devoted to driveway use for access to a garage or carport.
- 158 (b) Villages 1.8 (V1.8) and Villages 1.10 (V1.10).
- 159 (i) The minimum depth of a front or rear yard shall be a minimum of fifteen (15) feet and a  
160 maximum of twenty-two (22) feet. Notwithstanding a lesser setback for the main building, garages, whether  
161 attached or not, shall be setback at least twenty-six (26) feet from the property line when necessary to ensure  
162 a twenty (20) foot driveway depth, measured from the back of sidewalks.
- 163 (ii) The minimum depth of a side yard shall be eight (8) feet. On a corner lot, a side yard  
164 contiguous to a street shall not be less than fifteen (15) feet and shall not be used for vehicle parking, except  
165 any portion devoted to driveway use for access to a garage or carport.
- 166 (iii) Within the buildable area, an accessory building meeting all setback requirements (within the  
167 buildable area) for the main dwelling shall:
- 168 (A) have a building footprint and height less than the main dwelling  
169 (B) comply with all lot coverage requirements,  
170 (C) comply with the latest adopted edition of the International Building Code,

- 171  
172                   (D) only be used for those accessory uses allowed in the respective zone, and  
173                   (E) maintain architecturally similar material and colors with the main building.  
174           (iv) An accessory building that does not meet the setback requirements (outside the buildable  
175 area) for the main dwelling shall meet the conditions in Subsection (iii) above and shall:  
176                   (A) be no closer to the front property line than the main building.  
177                   (B) be no larger than ten per cent (10%) of the actual lot area of said property,  
178                   (C) be set back a minimum of three (3) feet from any property line,  
179                   (D) not be located within a recorded public utility easement, unless a release can be secured  
180 from all public utilities,  
181                   (E) have no portion of the building exceed twelve (12) feet in height within ten (10) feet of a  
182 property line,  
183                   (F) not be located within a front or street side yard,  
184                   (G) comply with distance between buildings requirements, and  
185                   (H) maintain architecturally similar material and colors with main building.  
186       (7) Projections into Yards.  
187       (a) The following structures maybe erected on or project into any required yard:  
188           (i) fences and walls in conformance with 14.49E.130;  
189           (ii) landscape elements including trees, shrubs, and other plants; and  
190           (iii) necessary appurtenances for utility services.  
191       (b) The structures listed below may project into a yard setback not more than two (2) feet:  
192           (i) cornices, eaves, belt courses, sills, buttresses, or other similar architectural features,  
193           (ii) fireplace structures and bays, provided that they are not wider than eight (8) feet, measured  
194 generally parallel to the wall of which they are a part, and  
195           (iii) Stairways, balconies, door stoops, fire escapes, awnings and planting boxes or masonry  
196 planter not exceeding twenty four (24) inches in height.  
197       (c) A covered deck not more than one (1) story in height may project into a rear yard twelve (12) feet  
198 if open on three (3) sides.  
199       (8) Building Height. No lot or parcel of land in a Village 1 (V1) designation shall have a building which  
200 exceeds a maximum height of thirty five (35) feet, measured at each building facade individually, except that  
201 the front elevation shall not exceed thirty (30) feet as defined in this title.  
202       (9) Permissible Lot Coverage.  
203       (a) All buildings, including accessory buildings and structures, shall not cover more than forty per cent  
204 (40%) of the area of the lot or parcel of land.  
205       (b) At least forty per cent (40%) of the area of any lot shall be maintained in landscaping as defined in  
206 Section 15.20.040, Provo City Code.  
207       (c) Permitted accessory structures shall not be located in a front or side yard.  
208       (10) Parking, Loading and Access.



209 (a1) Each lot shall have, on the same lot, a minimum of two (2) off-street parking spaces within an  
210 enclosed garage. The garage shall have a minimum interior width and length of twenty (20) feet.

211 (ba) Said spaces shall be ~~paved with~~ concrete and shall be provided with a ~~paved-concrete~~ driveway  
212 from a street or alley as defined in Section 14.37, Provo City Code.

213 (eb) Except for tandem parking on a driveway as provided in Subsection 14.37.080(1)(c)(i), Provo  
214 City Code, no parking spaces shall be provided within the front yard setback.

215 (ec) The total area of all parking spaces on a lot (including a garage and uncovered parking slabs)  
216 and associated access lanes shall cover not more than thirty per cent (30%) of the lot.

217 (ed) No property may have driveway access to an arterial or collector street.

218 (e) All shared driveways will have a minimum asphalt width of 16 ft. If asphalt is used a 2 ft concrete curb will  
219 be installed on both sides to access garages. No Parking will be allowed on alleys if less than 24 feet of  
220 asphalt width.

221 (f) Parking Requirements

222 1. Multi-Family Dwellings – One bedroom or less

223 1 stall per dwelling unit + 1 guest parking stall per 4 dwelling units. Each unit shall have one  
224 stall within a fully enclosed garage.

225 2. Multi-Family Dwellings – Two bedrooms

226 3. 1.5 stalls per dwelling unit + 1 guest parking stall per 4 dwelling units. Each unit shall have  
227 one stall within a fully enclosed garage.

228 4. Multi-Family Dwellings – Three or more bedrooms

229 2 stalls per dwelling unit + 1 guest parking stall per 4 dwelling units. Each unit shall have one  
230 stall within a fully enclosed garage.

231 5. Carports for multi-family villages will be evaluated on a project by project basis by the

232 Reviewing Departments. If carports are used, they must contain architectural features that  
233 relate to the buildings. In no case will the number of carports allowed exceed 70% of the  
234 required garage stalls.

235 6. All rear load units will have a 5 ft driveway/apron at a minimum between the curb and the  
236 garage. If parking is allowed in the driveway the minimum depth shall be 18 feet between  
237 the curb and the garage.

238 (f) ~~Recreational vehicles shall be stored and parked only within an enclosed structure.~~

239 (11) ~~Minimum Finished Floor Area Requirement. All one-family detached dwellings shall have a minimum-~~  
240 ~~finished floor area (exclusive of garage) as indicated below:~~

241 (a) ~~V1.5: 1,100 square feet~~

242 (b) ~~V1.6: 1,200 square feet~~

243 (c) ~~V1.8: 1,500 square feet, and~~

244 (d) ~~V1.10: 1,750 square feet.~~

245 (Enacted 2009-36)

247 **14.49E.060. Mansion Homes at Celebration (Village 2).**

248 Villages comprising one-family attached dwellings (three [3] units attached) shall be classified as Village 2  
249 (V2). These structures architecturally shall be designed to appear as a large home. Village 2 development  
250 shall be subject to the following regulations:

251 (1) Yard Requirements. The following minimum yard requirements shall apply in the Village 2 (V2)  
252 developments of the Villages at Celebration SDP.

253 (a) The minimum depth of the front yard shall be fifteen (15) feet.

254 (b) Each structure shall have alley-loading garages. The garage portion of the structure shall be  
255 setback at least twenty (20) feet from the rear property line or shall be located within five (5) feet of said  
256 property line. Except for the garage, the minimum rear yard depth shall be fifteen (15) feet.

257 (c) The minimum width of a side yard shall be fifteen (15) feet.

258 (2) Distance Between Buildings. The distance between main buildings shall be fifteen (15) feet.

259 (3) Building Height. No structure in a Village 2 (V2) designation shall have a building which exceeds a  
260 maximum height of thirty-five (35) feet, measured at each building facade, except that the front elevation shall  
261 not exceed thirty (30) feet as defined in this title.

262 (4) Parking, Loading and Access.

263 (a) Each structure shall have a minimum of two (2) off-street parking spaces within an enclosed  
264 garage for each unit. The garage shall have a minimum interior width and length of twenty (20) feet.

265 (b) Said spaces shall be paved with concrete and shall be provided with a paved driveway from a  
266 street or alley as defined in Chapter 14.37, Provo City Code.

267 (c) Except for tandem parking on a driveway as provided in Subsection 14.37.080(1)(c)(i), Provo City  
268 Code, no parking spaces shall be provided within a front yard setback.

269 (d) No structure may have driveway access to an arterial or collector street.

270 (e) Visitor parking shall be provided at one (1) space per three (3) dwelling units.

271 (f) Recreational vehicles shall be stored and parked only within an enclosed structure.

272 (5) Minimum Finished Floor Area Requirement. All one-family attached dwellings shall have a minimum-  
273 finished floor area (exclusive of garages) of at least one thousand two hundred (1,200) square feet. (Enacted-  
274 2009-36)

275 **14.49E.070. Courtyard Town Homes at Celebration (Village 3).**

276 Villages comprising of one-family attached dwellings (three [3] to five [5] units attached) shall be classified  
277 as Village 3 (V3). These structures shall be three (3) story attached one-family dwellings with garage access  
278 from an alley. The dwelling units shall be developed in a courtyard design with buildings facing one another  
279 along a pedestrian courtyard. Patio spaces shall be developed for each dwelling unit along the pedestrian  
280 courtyard. See illustrations in Section 14.49E.100 of this chapter. Village 3 development shall be subject to  
281 the following regulations:

282 (1) Yard Requirements. The following minimum yard requirements shall apply in Village 3 (V3)  
283 development of the Villages at Celebration SDP.

284 (a) The minimum depth of a front yard shall be fifteen (15) feet.



- 285 ~~(b) These structures shall have alley-loading garages. The garage portion of the structure shall be~~  
286 ~~setback at least twenty (20) feet from the rear property line or shall be located within five (5) feet of such~~  
287 ~~property line. Except for a garage, the minimum depth of a rear yard shall be fifteen (15) feet.~~  
288 ~~(c) The minimum depth of a side yard on a corner shall be fifteen (15) feet.~~  
289 ~~(2) Distance Between Buildings. The distance between buildings shall be fifteen (15) feet.~~  
290 ~~(3) Building Height. No structure in a Village 3 (V3) designation shall have a building which exceeds a~~  
291 ~~maximum height of thirty five (35) feet, measured at each building facade, except that the front elevation shall~~  
292 ~~not exceed thirty (30) feet as defined by this title.~~  
293 ~~(4) Parking, Loading and Access.~~  
294 ~~(a) Each structure shall have a minimum of two (2) off-street parking spaces within an enclosed~~  
295 ~~garage per unit. The garage shall have a minimum interior width and length of twenty (20) feet.~~  
296 ~~(b) Parking spaces shall be paved with concrete and shall be provided with a paved driveway from a~~  
297 ~~street or alley as defined in Chapter 14.37, Provo City Code.~~  
298 ~~(c) Except for tandem parking on a driveway as provided in Subsection 14.37.080(1)(c)(i), Provo City~~  
299 ~~Code, no parking spaces shall be provided within a front yard setback.~~  
300 ~~(d) No structure may have driveway access to an arterial or collector street.~~  
301 ~~(e) Visitor parking shall be provided at one (1) space per three (3) dwelling units.~~  
302 ~~(f) Recreational vehicles shall be stored and parked only within an enclosed structure.~~  
303 ~~(5) Minimum Finished Floor Area Requirement. All one-family attached dwellings shall have a minimum~~  
304 ~~finished floor area (exclusive of garages) of at least one thousand two hundred (1,200) square feet. (Enacted~~  
305 ~~2009-36)~~

306 **14.49E.080. Urban Town Homes at Celebration (Village 4).**

307 Village 4 consists of one-family attached dwellings (three [3] to four [4] units attached) shall be classified  
308 as Village 4 (V4) similar to the courtyard town homes, with the exception courtyard provisions. Village 4  
309 development shall be subject to the following regulations:

- 310 (1) Yard Requirements. The following minimum yard requirements shall apply in Village 4 (V4)  
311 development of the Villages at Celebration SDP,  
312 (a) The minimum depth of a front yard shall be fifteen (15) feet.  
313 (b) These structures shall have alley-loading garages. The garage portion of the structure shall be  
314 setback at least twenty (20) feet from the rear property line or shall be located within five (5) feet of such  
315 property line. Except for a garage, the minimum depth of a rear yard shall be fifteen (15) feet.  
316 (c) The minimum depth of a side yard on a corner shall be fifteen (15) feet.  
317 (2) Distance Between Buildings. The distance between buildings shall be fifteen (15) feet.  
318 (3) Building Height. No structure in the Village 4 (V4) designation shall have a building which exceeds a  
319 maximum height of thirty five (35) feet, measured at each



320 building facade individually, except that the front elevation shall not exceed thirty (30) feet as defined by this  
321 title.

322 (4) Parking, Loading and Access.

323 (a) Each structure shall have a minimum of two (2) off-street parking spaces within an enclosed  
324 garage per unit. The garage shall have a minimum interior width and length of twenty (20) feet.

325 (b) Such spaces shall be paved with concrete and shall be provided with a paved driveway from a  
326 street or alley as defined in Chapter 14.37, Provo City Code.

327 (c) Except for tandem parking on a driveway as provided in Subsection 14.37.080(1)(c)(i), Provo City  
328 Code, no parking spaces shall be provided within a front yard setback.

329 (d) No structure may have driveway access to an arterial or collector street.

330 (e) Visitor parking shall be provided at one (1) space per three (3) dwelling units.

331 (f) Recreational vehicles shall be stored and parked only within an enclosed structure.

332 (5) Minimum Finished Floor Area Requirement. All one family attached dwellings shall have a minimum  
333 finished floor area (exclusive of garages) of at least one thousand two hundred (1,200) square feet. (Enacted  
334 2009-36)

335 **14.49E.090. Town Center Residential at Celebration.**

336 Village 5 (V5) consists of multi-family structures (twelve plexes) adjacent to the Village Town Center.  
337 These units shall be designed to provide affordable home ownership for young families, singles, and retired  
338 persons.

339 (1) Yard Requirements. The following minimum yard requirements shall apply in the Village 5 (V5)  
340 development of the Villages at Celebration SDP.

341 (a) The minimum depth of a front yard shall be twenty-five (25) feet.

342 (b) The minimum depth of a rear yard shall be five (5) feet.

343 (c) The minimum depth of a side yard on a corner shall be fifteen (15) feet.

344 (2) Distance Between Buildings. The distance between buildings shall be twenty (20) feet.

345 (3) Building Height. No structure in a Village 5 (V5) designation shall have a building which exceeds a  
346 maximum height of forty (40) feet, measured at each building facade, except that the front elevation shall not  
347 exceed thirty-five (35) feet as defined in this title. In no case shall a building exceed three (3) stories in height.

348 (4) Parking, Loading and Access.

349 (a) A minimum of two (2) parking spaces per unit shall be provided for all units.

350 (b) Such spaces shall be paved with asphaltic cement or concrete and shall be provided with a paved  
351 access from a public street or alley.

352 (c) No parking spaces shall be provided in a front yard setback.

353 (d) No structure may have driveway access to an arterial or collector street.

354 (e) Visitor parking of one (1) space per three units shall be required.

355 (f) Recreational vehicles shall be stored and parked only within an enclosed structure.

356 (5) Minimum Finished Floor Area Requirement. All attached dwellings shall have a minimum finished floor  
357 area of at least nine hundred (900) square feet. (Enacted 2009-36)



358 **14.49E.100. Village Town Center at Celebration (Village 6).**

359 The Village Town Center (V6) shall be comprised of retail and office uses that are architecturally  
360 compatible with the Villages within the development. The center is not intended for "big box" type retailers, but  
361 is intended to promote smaller retailers and office units. Individual buildings within the center shall be limited  
362 to ground floor footprints no larger than fifteen thousand (15,000) square feet, except as approved by the  
363 Planning Commission through the issuance of a conditional use permit. Manufacturing uses or other uses that  
364 would encourage heavy vehicle traffic into the area shall be prohibited. Buildings with street frontages shall  
365 have a front facade.

366 (1) Yard Requirements. The following minimum yard requirements shall apply in the Village 6 (V6)  
367 development of the Villages at Celebration SDP:

368 (a) The maximum depth of a front yard shall be ten (10) feet for any building fronting on a public  
369 street.

370 (b) The minimum depth of a rear yard shall be ten (10) feet for any building fronting on a public street.

371 (c) The minimum depth of a side yard on a corner shall be ten (10) feet.

372 (2) Distance Between Buildings. The distance between buildings shall be determined by the International  
373 Building Code.

374 (3) Building Height. No structure in the Village 6 (V6) designation shall have a building which exceeds a  
375 maximum height of thirty-five (35) feet, measured at each building facade, except that the front elevation shall  
376 not exceed thirty (30) feet as defined in this title. In no case shall a building exceed two (2) stories in height.

377 (4) Parking, Loading and Access.

378 (a) Parking shall be required for all retail and office uses at one (1) space per two hundred (200)  
379 square feet of gross floor area. All parking spaces shall be located within the interior of the center and not  
380 within the yard setback areas.

381 (b) Such spaces shall be paved with asphaltic cement or concrete and shall be provided with a paved  
382 access from a public street or alley.

383 (c) Parking spaces shall be maintained as set forth in Section 14.37.090, Provo City Code.

384 (d) All parking spaces shall be designed as set forth in 14.37.100 Provo City Code.

385 (e) Disabled parking spaces shall be provided and designed as set forth in Section 14.37.110, Provo  
386 City Code.

387 (f) The parking spaces located within the town center may be used by visitors of the adjacent  
388 residential villages after closing of normal business hours if the business owners association so permits  
389 through a permitting process. Any vehicles parked in these parking areas overnight shall be removed prior to  
390 the opening of normal business hours. Signs shall be required to be posted regulating the parking standards.  
391 Storage or parking of recreational or inoperable vehicles shall not be permitted. (Enacted 2009-36)

392  
393 (7h) Projections into Yards.

394 (a) The following structures maybe erected on or project into any required yard:

395 (i) fences and walls in conformance with 14.49E.130;

396 (ii) landscape elements including trees, shrubs, and other plants; and

397 (iii) necessary appurtenances for utility services.



- 398 (b) The structures listed below may project into a yard setback not more than two (2) feet:  
399 (i) cornices, eaves, belt courses, sills, buttresses, or other similar architectural features,  
400 (ii) fireplace structures and bays, provided that they are not wider than eight (8) feet, measured  
401 generally parallel to the wall of which they are a part. and  
402 (iii) Stairways, balconies, door stoops, fire escapes, awnings and planting boxes or masonry  
403 planter not exceeding twenty-four (24) inches in height.  
404 (c) A covered deck ~~not more than one (1) story in height~~ may project into a rear yard twelve (12) feet  
405 if open on three (3) sides.

406 ~~(8) Building Height. No lot or parcel of land in a Village 1 (V1) designation shall have a building which~~  
407 ~~exceeds a maximum height of thirty five (35) feet, measured at each building facade individually, except that~~  
408 ~~the front elevation shall not exceed thirty (30) feet as defined in this title.~~

409 (9) Permissible Lot Coverage.

410 (a) All buildings, including accessory buildings and structures, shall not cover more than ~~forty per~~  
411 ~~cent~~ Seventy Five Percent (75.40%) of the area of the lot or parcel of land.

412 (b) ~~At least forty per cent (40%) of the area of any lot shall be maintained in landscaping as defined in~~  
413 ~~Section 15.20.040, Provo City Code.~~

414

#### 415 **14.49E.110060. Parks and Open Space.**

416 The ~~Villages at Celebration~~ Broadview Shores have been designed providing several parks and open  
417 space throughout the development. Parks and open space shall be installed as the individual phases are  
418 developed within one (1) year of the approval of a final plat. All parks and open spaces shall be considered as  
419 private and shall be maintained through a Village homeowner's association. Any parks and open space  
420 dedicated to and accepted by Provo City shall be maintained by Provo City. Amenities such as ball parks, play  
421 areas, tot lots, amphitheaters, water features, fountains, statues, flower gardens, sports courts, and other  
422 features are permitted as accessory uses. Trails shall be paved at a minimum width of six (6) feet. All  
423 landscaping shall comply with the requirements in Section 14.49E.140 of this chapter. (Enacted 2009-36)

#### 424 **14.49E.120070. Project Plan Review-Design Standards.**

425 (1) Pursuant to Section 14.49.070(3), Provo City Code, the design of development within the ~~Villages at~~  
426 ~~Celebration~~ Broadview Shores SDP-5 zone shall meet the requirements of Section 14.34.280(3), Provo City  
427 Code. ~~Such development design shall also conform to requirements set forth in the Villages at Celebration~~  
428 ~~Design Standards Manual. Such manual shall:~~

429 (a) establish:

430 (i) an architectural design theme, building materials, typical elevations, and colors for the Villages at  
431 Celebration; and

432 (ii) coordinated and detailed standards for construction of roadways, buildings, parking areas,  
433 landscaping, signage, and lighting within the Villages at Celebration SDP-5 zone; and

434 ~~(b) be adopted by the Municipal Council by reference after first receiving a recommendation from the~~  
435 ~~Planning Commission and Design Review Committee.~~

436 ~~(2) Subject to the requirements set forth in Subsection (1)(a) of this section, development within the~~  
437 ~~Villages at Celebration shall be approved by the Design Review Committee as set forth in Chapter 14.04A,~~  
438 ~~Provo City Code, as part of a final plan approval process for each phase before the issuance of any building~~  
439 ~~permits. All structures shall contain a minimum of three (3) design elements as approved by the Design~~  
440 ~~Review Committee. (Enacted 2009-36)~~

441 **14.49E.130080. Fences, Walls, Entry Treatments.**

442 (1) Fence Design and Materials. ~~All fencing and wall design and materials shall be approved by the~~  
443 ~~Design Review Committee.~~

444 (a) Typical lot fencing includes all lot fencing for one-family detached lots ~~(Village 1 all inclusive)~~  
445 except where a yard is adjacent to a collector or arterial street.

446 (b) The design of fencing adjacent to a collector or arterial street, except Geneva Road, shall be  
447 comprised of solid vinyl fence elements and shall include a pillar constructed of masonry or stone a minimum  
448 every twenty (20) feet. A pillar may extend up to eighteen (18) inches above the allowable height of a fence.  
449 Or a Masonry fencing can be installed in Lieu of the Vinyl fencing with pillars.

450 (c) Fencing along Geneva Road adjacent to residential lots shall be constructed of brick, stone or a  
451 combination thereof, ~~as approved by the Design Review Committee.~~ The fence shall be coated with a graffiti  
452 resistant material and installed by the developer with the appropriate phase that fronts on Geneva Road. This  
453 fence shall be six (6) feet in height.

454 (2) Fences and Walls.

455 (a) No fence or wall shall create a sight distance hazard to vehicular or pedestrian traffic as  
456 determined by the Provo City Traffic Engineer.

457 (b) No fence or wall may exceed three (3) feet in height in any required front yard setback.

458 (c) Fences or walls may be constructed to a maximum height of six (6) feet.

459 (d) Walls and fences in a rear yard shall be a maximum of six (6) feet in height.

460 (3) Village Entrance Treatments. Entry wall or fence treatments to village entrances may not exceed ~~six-~~  
461 ~~ten (6-10)~~ feet at the highest point, except lamps on pillars, and shall comply with the provisions of Section  
462 14.34.100, Provo City Code. A pillar may extend up to eighteen (18) inches above the allowable height of a  
463 fence or wall provided each pillar is no less than six (6) feet from an adjoining pillar, measured face to face.

464 (4) Materials. All fencing shall be constructed of vinyl, brick, stone, concrete, or masonry. ~~unless other~~  
465 ~~materials are approved by the Design Review Committee or as provided in this chapter.~~ The type of fencing  
466 should be consistent throughout an individual village. The color used throughout the community shall be  
467 consistent and determined at the time of final plat approval, ~~by the Design Review Committee and the~~  
468 ~~Planning Commission.~~ Pillars shall be constructed of a consistent masonry or stone material that will  
469 contribute to the overall project. ~~(Enacted 2009-367)~~



470 **14.49E.140090. Signs.**

471 Unless otherwise prohibited by law, signs of the type and description listed below, and no others, may be  
472 placed on private property to which they pertain.

473 (1) Villages ~~1-5-7~~

474 (a) One (1) name plate not exceeding two (2) square feet in area and displaying only the name and  
475 address of the occupant on the wall of the building.

476 (b) One (1) temporary sign with a maximum area of six (6) square feet each, pertaining to the sale,  
477 lease, or rent of the particular building, property, or premises upon which it is displayed. No sign is permitted  
478 in a street right-of-way, including landscaped planter strips.

479 (c) One (1) monument sign may be erected at the entrance of each of each village not exceeding  
480 thirty-two (32) square feet placed upon an ornamental masonry wall which identifies a minimum of the name  
481 and/or address of the village or group of buildings. The sign shall be architecturally compatible as approved by  
482 the Design Review Committee.

483 (2) Village ~~Town Center~~ (Village ~~6~~)~~8~~.

484 (a) One (1) freestanding sign not to exceed twenty (20) feet in height may be located at the entrance  
485 of a commercial center. Said sign shall conform with the following provisions:

486 (i) The area of the sign shall be in accordance with the provisions of Table 2, Section 14.38.130,  
487 Provo City Code. The name of the center shall be displayed on the sign. The name of one (1) or more of the  
488 tenants or business establishments in said shopping center may be displayed on said signs.

489 (ii) No such sign shall project over any property line nor more than five (5) feet into any required  
490 front yard.

491 (iii) Said signs may be lighted with interior or exterior soft lighting.

492 (iv) Twenty-five per cent (25%) of the sign may include electronic messages. No messages or  
493 material may rotate or flash any greater than eight (8) revolutions per minute.

494 (iv) If a sign is located where a pedestrian can walk directly beneath the sign, the bottom of the  
495 sign cabinet shall be at least eight (8) feet above the ground.

496 (b) Each business establishment or tenant of the Village Town Center may have wall signs in  
497 conformance with the following:

498 (i) The sign area shall as provided on Table 3, Section 14.38.140, Provo City Code.

499 (ii) There may be one (1) wall sign for the front face of each business or tenant. There may, in  
500 addition, be one (1) sign for each business establishment or tenant having a rear building face with a public  
501 entrance.

502 (iii) No part of a wall sign shall extend above the top level of a wall upon or in front of which it is  
503 situated.

504 (iv) No sign, including any light box or structural part, shall project more than eighteen (18) inches  
505 from the face of the building to which it is attached. Copy shall not be permitted on the sides of any such sign.

506 (c) All signs shall be architecturally compatible with design elements, materials, colors, and design  
507 themes, ~~approved by the Design Review Committee.~~



508 (d) Special purposes signs as described in Section 14.38.050, Provo City Code, may be permitted.  
509 Community signs may be erected for the purpose of providing information, such as trail access, directional,  
510 and other similar signage as necessary for the movement of pedestrians or for general information purposes  
511 for the community. These signs may not exceed three (3) feet in height or be larger than twelve (12) square  
512 feet in area and shall be architecturally compatible.

513 (e) One (1) flag or banner no larger than two (2) feet by three (3) feet may be attached to a utility pole  
514 for the purpose of displaying seasonal activities relating to holidays or special events that relate to the  
515 development and not individual businesses or advertising of retail merchandise. The Community Development  
516 Department shall review and approve these signs prior to installation of said signs. Written permission shall be  
517 granted by the utility company if placed on a utility pole. A building permit shall be required if a new pole is to  
518 be installed. There must be a clearance of a minimum of eight (8) feet below the sign from the ground.  
519 (Enacted 2009-36)

520 **14.49E.150100. Landscaping Requirements.**

521 A detailed landscaping plan ~~for any open space/common area~~ shall be ~~approved by the~~ submitted for  
522 ~~review with the Design Review Committee prior to the~~ approval of any final plat. The requirements of this  
523 section shall apply in addition to other requirements of Chapter 15.20, Provo City Code.

524 (1) ~~Villages 1-5.~~ The requirements of this section shall apply to ~~Villages 1-5~~ in addition to other applicable  
525 requirements of Chapter 15.20, Provo City Code.

526 (a) All open areas except driveways, parking areas, walkways, utility areas, decks, patios, porches,  
527 etc., shall be landscaped with plants, shrubs, trees, grass, and similar materials.

528 (b) A minimum of two (2), one and one-half (1 1/2) inch caliper deciduous trees or six (6) foot tall  
529 evergreen trees, and four (4), five (5) gallon shrubs shall be planted for each lot or pad in a subdivision or  
530 village, as well as building foundation planting of appropriate shrubs, flowers, or ground covers. In areas  
531 where grass is designated, sod shall be installed.

532 (c) The developer shall install landscaping in each front and side yard including a sprinkler system for  
533 all ~~lots smaller than 5,000 sf~~ ~~V1.5 and V1.6~~ lots ~~prior to occupancy of the structure~~ if weather permitting or  
534 bond for the installation of the landscaping as required in Section 15.20.130, Provo City Code, including the  
535 landscaping of the street planter strip.

536 (d) The owner of any ~~lot larger than 5,000 sf~~ ~~all V1.8 and V1.10~~ lots shall install landscaping and a  
537 sprinkler system as required by Chapter 15.20, Provo City Code, meeting the above requirements.

538 (e) All parking lots shall be landscaped as provided in Section 15.20.090, Provo City Code.

539 ~~(f) The developer shall install landscaping and sprinkler systems for all V2-5 Villages prior to~~  
540 ~~occupancy of any structures.~~

541 (2) Village ~~Town Center~~.

542 (a) A minimum of fifteen (15), two (2) inch calipers deciduous or six (6) foot evergreen trees per acre  
543 or any combination thereof shall be installed in the Village ~~Town Center~~. All shrubs shall be five (5) gallon in  
544 size.

545 (b) All parking lots shall be landscaped as provided in Section 15.20.090, Provo City Code.

546 (c) Chapter 15.20 shall apply where applicable.

547 (3) Park Strips. All park strips within the ~~Villages at Celebration~~Broadview Shores shall be maintained by  
548 a home owners association or to be maintained by the home owner. Street trees shall be planted in park strips  
549 in addition to lawn or waterwise landscaping as provided in Chapter 15.20, Provo City Code.

550 (4) Parks and Open Space.

551 (a) Parks and open space shall be landscaped with grass and trees and other landscaping materials  
552 as approved by the Design Review Committee.

553 (b) Parks and open space shall be landscaped by the developer as part of each phase of the  
554 development as approved by the Planning Commission.

555 (c) All amenities indicated on the approved plans shall be installed as part of the phase (Village) as  
556 approved.

557 (d) A minimum of fifteen (15) inch and one-half (1 1/2) inch caliper deciduous or six (6) foot evergreen  
558 trees per acre or any combination thereof shall be required to be installed.

559 (e) All trails shall be a minimum of six (6) feet wide and paved with asphalt or concrete. (Enacted  
560 2009-36)

561 **14.49E.160110. Occupancy Requirements.**

562 (a) Each dwelling unit located within the ~~Villages at Celebration~~Broadview Shores may be occupied by a  
563 family or three (3) singles as defined in Section 14.06.020, Provo City Code, relative to Lakeview North  
564 Neighborhood requirements.

565 ~~(b) Second kitchens may be permitted in the V1.10 and V1.8 zones if a second kitchen agreement is~~  
566 ~~approved and recorded by Provo City as provided in this title. No second kitchens shall be permitted within the~~  
567 ~~any other portion of the Villages at Celebration development. (Enacted 2009-36)~~

568 **14.49E.170. Other Requirements.**

569 ~~(1) Home Owners Association – Guarantees and Covenants.~~

570 ~~(a) Adequate guarantees and covenants shall be provided for permanent retention and maintenance~~  
571 ~~of all parks, open space, trails, and other amenities owned in common within the Villages at Celebration~~  
572 ~~development. No final plat may be approved until restrictive covenants have been submitted to and approved~~  
573 ~~by the Community Development Department. Said guarantees shall include the following:~~

574 ~~(i) A home owner's association for the entire development shall be created.~~

575 ~~(ii) The care and maintenance of the area within any open space reservation shall be insured by~~  
576 ~~the developer by establishing a private association or corporation responsible for such maintenance which~~  
577 ~~shall levy the cost thereof as an assessment on the property owners within the Villages at Celebration.~~  
578 ~~Ownership and tax liability of private open space reservations shall be established in a manner acceptable to~~  
579 ~~the City and made a part of the conditions of the final plan approval.~~

580 ~~(iii) Maintenance of open space reservations shall be managed by a person, partnership, or~~  
581 ~~corporate entity which has adequate expertise and experience in~~



582 ~~property management to assure that maintenance is accomplished efficiently and at a high standard of quality.~~

583 ~~(b) Parking and occupancy requirements, association funds, and establishment of maintenance-~~  
584 ~~estimates and funds shall be disclosed prior to any purchase of property within the development.~~

585 ~~(c) Ongoing maintenance fees that will be assessed prior to the purchase or lease of property shall be~~  
586 ~~disclosed.~~

587 ~~(2) Recreational Vehicle Storage. Recreational vehicles shall be stored and parked only within an~~  
588 ~~enclosed structure.~~

589 ~~(3) Trash Storage.~~

590 ~~(a) Refuse bins (dumpster) shall be stored in a screened enclosure which has a six (6) foot masonry-~~  
591 ~~wall or vinyl fence and which is architecturally compatible in style and materials with the character of the~~  
592 ~~development. Such structures may not be located in a front yard setback.~~

593 ~~(b) Storage of trash, abandoned, wrecked, or junked vehicles shall be prohibited. Storage of~~  
594 ~~miscellaneous materials shall conform to the requirements of Section 14.34.080, Provo City Code.~~

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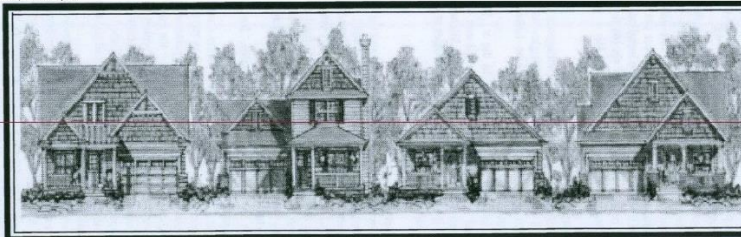


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609 ~~(4) Outdoor Lighting. All outdoor lighting shall comply with Section 15.21, Provo City Code, where~~  
610 ~~applicable. The Design Review Committee shall approve all outdoor lighting elements.~~

611 ~~(5) Transitional Development Standards. Where a commercial structure is located adjacent to residential~~  
612 ~~property, the requirements of Chapter 14.34.300, Provo City Code, shall apply. (Enacted 2009-36)~~

613 **14.49E.120. Existing Agricultural Uses.**

614 Recognizing agricultural uses exist within the designated ~~Villages at Celebration~~Broadview Shores  
615 Specific Development zone, any use legally established as of the effective date of this chapter shall be  
616 deemed a permitted conforming use and may be continued pursuant to the Utah County zoning provisions  
617 existing when the property was annexed to the City. Such uses may be continued until the property is  
618 developed as part of the ~~Villages at Celebration~~Broadview Shores. At that point, such existing uses shall be  
619 deemed legal non-conforming uses. (Enacted 2009-36)

620 **14.49E.190. Illustrations: Other Requirements:**

621 (1) Home Owners Association - Guarantees and Covenants.

622 (a) Adequate guarantees and covenants shall be provided for permanent retention and maintenance  
623 of all parks, open space, trails, and other amenities owned in common within the Broadview Shores  
624 development. No final plat may be approved until restrictive covenants have been submitted to and approved  
625 by the Community Development Department. Said guarantees shall include the following:

626 (i) A home owner's association for the entire development shall be created.

627 (ii) The care and maintenance of the area within any open space reservation shall be insured by  
628 the developer by establishing a private association or corporation responsible for such maintenance which  
629 shall levy the cost thereof as an assessment on the property owners within the Broadview Shores. Ownership  
630 and tax liability of private open space reservations shall be established in a manner acceptable to the City and  
631 made a part of the conditions of the final plan approval.

632 (iii) Maintenance of open space reservations shall be managed by a person, partnership, or  
633 corporate entity which has adequate expertise and experience in property management to assure that  
634 maintenance is accomplished efficiently and at a high standard of quality.

635 (b) Parking and occupancy requirements, association funds, and establishment of maintenance  
636 estimates and funds shall be disclosed prior to any purchase of property within the development.

637 (c) Ongoing maintenance fees that will be assessed prior to the purchase or lease of property shall be  
638 disclosed.

639 (  
640 (2) Trash Storage.

641 (a) Storage of trash, abandoned, wrecked, or junked vehicles shall be prohibited. Storage of  
642 miscellaneous materials shall conform to the requirements of Section 14.34.080, Provo City Code.

643 (3) Outdoor Lighting. All outdoor lighting shall comply with Section 15.21, Provo City Code, where  
644 applicable.



645 (4) Transitional Development Standards. Where a commercial structure is located adjacent to residential  
646 property, the requirements of Chapter 14.34.300, Provo City Code, shall apply. (Enacted 2009-36)  
647

648  
649 ~~The following graphics are provided for illustration purposes only and are representative of the typical~~  
650 ~~architecture that will be found throughout the entire village. All architecture is subject to approval of the Design~~  
651 ~~Review committee:~~

652 ~~1. Site Plans and Elevations (Examples)~~

653 ~~A. Villages 1 One Family – Alley loaded garage homes at least ten (10) feet. This section shall not apply to~~  
654 ~~the DT1 (General Downtown) or GW (Downtown Gateway) zone.~~

655 ~~(2) Where the side yard of a commercial or multiple family residential corner lot abuts the same street as~~  
656 ~~the front yard of an adjoining residential property facing the same street, the minimum side yard setback on~~  
657 ~~the corner lot shall be twenty (20) feet from the street right-of-way line.~~

658 ~~(3) Where a lot in any multiple family residential, business, commercial or industrial zone abuts a lot in~~  
659 ~~any one-family residential, residential agricultural or agricultural zone or where a business, commercial or~~  
660 ~~industrial zone abuts a lot in a multiple family residential zone, there shall be provided a landscaped front yard~~  
661 ~~on such lot equal to that of the residential use on the abutting property.~~

662 ~~(4) Any multiple family residential, business, commercial or industrial parking lot consisting of four (4) or~~  
663 ~~more spaces and that portion of the driveway back of the building line shall be screened from the street and~~  
664 ~~from adjoining properties in the abutting residential, residential agricultural or agricultural zones by either a~~  
665 ~~landscape berm two (2) feet high at the crown, a hedgerow at least five (5) feet high at maturity, or a masonry~~  
666 ~~wall not less than three (3) feet high in the front yard, and not more than six (6) feet high located back of the~~  
667 ~~building line.~~

668 ~~(5) All building and parking lot lighting shall comply with the outdoor lighting regulations of Title 15, Provo~~  
669 ~~City Code.~~

670 ~~(6) Notwithstanding a permitted or conditional use provision to the contrary, a use that involves open~~  
671 ~~storage of merchandise or equipment, off-premise signs, trade or industry that is noxious or offensive by~~  
672 ~~reason of the emission of odor, smoke, gas, vibration or noise shall be strictly prohibited on a lot abutting a~~  
673 ~~residential, residential agricultural or agricultural zone.~~

674 ~~(7) No overhead/bay doors shall be permitted in the wall of a building which faces a residential,~~  
675 ~~residential agricultural or agricultural zone if said wall is closer than twenty-five (25) feet to the property line.~~

676 ~~(8) All mechanical equipment (e.g., air conditioners, fans, pumps, etc.) should be located within the~~  
677 ~~building or on a roof with parapet walls. Any mechanical equipment located on the outside of a building within~~  
678 ~~twenty-five (25) feet of the nearest residential use shall have a visual/noise barrier (masonry wall or~~  
679 ~~landscaping) that completely surrounds the equipment and extends at least one (1) foot above the equipment.~~  
680 ~~Noise from mechanical equipment shall not exceed the decibel level set forth in Section 9.06.030, Provo City~~  
681 ~~Code.~~

- 682 (99) No loading dock or delivery pickup area shall be located within fifty (50) feet of a residential use.  
683 These areas shall be screened from public view with a six (6) foot masonry wall.
- 684 ~~(1010)~~ No trash container shall be located closer than twenty-five (25) feet from the side property line of a  
685 lot in a residential, residential agricultural or agricultural zone.
- 686 ~~(1111)~~ All of the above-listed requirements shall apply, unless the Planning Commission approves an  
687 alternative buffering arrangement equal to or better than the requirements set forth in this Subsection. The  
688 Planning Commission shall make specific findings justifying the alternate buffering arrangement. (Enacted  
689 1990-32, Am 1993-90, Am 1995-58, 1998-06, Am 1999-49, Am 2010-31)