

Provo City Planning Commission

# Report of Action

May 10, 2023

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\*ITEM #2 Development Services requests Ordinance Text Amendments to Sections 14.21A.150 and 14.21B.140 to add parking exemptions for existing structures in portions of downtown. Downtown Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20230094

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The following action was taken by the Planning Commission on the above-described item at its regular meeting of May 10, 2023:

## RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Melissa Kendall

Second By: Andrew South

Votes in Favor of Motion: Melissa Kendall, Andrew South, Jeff Whitlock, Daniel Gonzales, Lisa Jensen

*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.

### 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.

### CITY DEPARTMENTAL ISSUES

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

### NEIGHBORHOOD MEETING DATE

- The Neighborhood Chair was notified but no neighborhood meeting was held.

### NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present and no public comment was received.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Daniel Gonzales asked if the proposed amendment had changed since the Planning Commission discussed this item in a work session. He was told that it had not.
- Lisa Jensen asked if alternative formatting for where the amended language would make it easier to understand.
- Lisa Jensen also asked if the meaning of "structural modification" was clear.

*Lisa Jensen*

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Planning Commission Chair

*Bill Peperone*

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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 Development Services, 445 W Center Street, 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

## 14.21A.150

### Parking, Loading, and Access.

(1) Each lot or parcel in the DT1 zone shall provide a minimum of seventy-five percent (75%) of the required off-street parking as set forth in Chapter 14.37, Provo City Code, except:

(a) Buildings or portions of buildings located in the required sixty (60) foot transitional setback shall comply with the following parking requirements:

(i) Residential units shall have a minimum of one and one-half (1 1/2) spaces for one (1) bedroom units and two and one-quarter (2 1/4) spaces for units with two (2) or more bedrooms. This requirement does not include any disabled parking spaces required by Section 14.37.110, Provo City Code; and

(ii) Commercial uses shall provide the minimum parking required by Chapter 14.37, Provo City Code.

(2) Residential parking may be reduced to one (1) space per unit for one (1) bedroom units and to one and one-quarter (1 1/4) spaces for units with two (2) or more bedrooms subject to Planning Commission approval of a Transportation Demand Management (TDM) program as described in Section 14.37.050(2), Provo City Code.

(3) Parking for existing structures described in Subsection (3)(a) shall not be required to provide any new off-street parking, so long as the building is not being expanded.

(a) The above parking exception in Subsection (3) shall apply to properties that front Center Street between 500 West and 100 East, and properties that front University Avenue between Center Street and 300 North.

~~(3)~~(4) *Parking Design.* Parking shall be designed to the requirements of Section 14.37.100, Provo City Code.

(a) Surface parking shall not be provided within thirty (30) feet of a front or street side yard property line of any property adjacent to a primary street. Surface parking is not permitted within the first six (6) feet of properties fronting secondary streets and must be separated from the street by a six (6) foot wide berm that is a minimum of twenty-four (24) inches in height.

## 14.21B.140

### Parking, Loading, and Access.

(1) Each lot or parcel in the DT2 zone shall provide a minimum of seventy-five percent (75%) of the required off-street parking as set forth in Chapter [14.37](#), Provo City Code.

(2) Residential parking may be reduced to one (1) space per unit for one (1) bedroom units and to one and one-quarter (1 1/4) spaces for units with two (2) or more bedrooms subject to Planning Commission approval of a Transportation Demand Management (TDM) program as described in Section [14.37.050\(2\)](#), Provo City Code.

(3) Parking for existing structures described in Subsection (3)(a) shall not be required to provide any new off-street parking, so long as the building is not being expanded.

(a) The above parking exception in Subsection (3) shall apply to properties that front Center Street between 500 West and 100 East, and properties that front University Avenue between Center Street and 300 North.

~~(3)~~(4) *Parking Design*. Parking shall be designed to the requirements of Section [14.37.100](#), Provo City Code.

(a) Surface parking shall not be provided within thirty (30) feet of a front or street side yard property line of any property adjacent to a primary street. Surface parking is not permitted within the first six (6) feet of properties fronting secondary streets and must be separated from the street by a six (6) foot wide berm that is a minimum of twenty-four (24) inches in height.