

Provo City Planning Commission

Report of Action

June 14, 2023

*ITEM #2 Barry Finch requests an Ordinance Text Amendment to Section 14.08.020 (Permitted Uses in the A1 Zone), to add "Meeting Halls for Rent" as a new conditional use in the A1 (Agricultural) zone. Citywide Application.
Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20230082

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 14, 2023:

CONTINUED

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

Motion By: Melissa Kendall

Second By: Jeff Whitlock

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

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. Bill Peperone added to the staff report by relating the general use of agribusinesses already permitted in Provo.

CITY DEPARTMENTAL ISSUES

- Important issues raised by other departments – addressed in Staff Report to Planning Commission

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 04/27/2023.
- City-wide application: all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- This item was City-wide or affected multiple neighborhoods.
- Neighbors or other interested parties were present or addressed the Planning Commission.

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:

- Adam Finch spoke in favor of the proposal.

APPLICANT RESPONSE

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

- Mr. and Mrs. Finch gave a background on farming and now ranching their property with increased difficulties in maintaining that lifestyle as the City grows. Mr. Finch also responded to potential adverse impacts on the neighbors if the proposal was approved. He also explained ideas that would be part of his business if it was allowed.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Commission discussed available zones for agricultural uses and the application of the proposal as a conditional use.
- The Commission expressed concerns that the universal application of the use could have harmful effects on adjacent properties.
- The process of the Conditional Use Permit was discussed, and what hypothetical conditions could be applied on a case-by-case basis and what could be standard conditions for the use.
- Mr. Knudsen confirmed that the new building the applicant would use for the proposal would have to go through City approval and meet all current codes. He brought up concerns about parking associated with the proposal and the architecture that would be used.
- Mrs. Whalin expressed support for the proposal and imagines that these types of uses on agricultural land will be requested more in the future.
- Mrs. Kendall started a discussion of rezoning the applicant's property into different zones to allow his ranch use on one portion and his desired commercial proposal on the other.
- The Commission discussed possible standard conditions that could help them support the proposal.
- Commissioners discussed a lot of options for conditions and how they can allow it and put enough protections in place with standard conditions.
- The majority of the Commission feels that the proposal meets the agricultural goals of the city and that the associated parking wouldn't create more of a hazard than any other uses that could occur in A1 areas.
- Liquor most likely won't be an option due to DABC standards.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

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

That the proposed use is one that should work in agricultural zones as a conditional use, if there were standard conditions applied to each request. Staff and the applicant will need to come back with additional language to address concerns with the requested use. Example standard conditions were offered as follows:

1. Limitations on occupancy based on lot size and/or parking available.
2. Security on site and/or entrance management to the site.
3. Design standards that align with agricultural architecture.
4. Minimum or maximum percentage of the lot dedicated to agriculture versus the event space.
5. Limitations on lighting.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to Development Services, 445 W Center St, 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

(6) *Conditional Uses.* The following uses and structures are permitted in the A1 zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

Use No.	Use Classification
1516	Bed and breakfast inn
1902	Ranch or farm employee dwellings (one (1) per ten (10) acres of land area)
4700	Communications
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4871	Channel or right-of-way (predominantly open flume-like structure)
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
6722	Police protection and related activities, branch (office only)
7235	Meeting Halls for Rent
7400	Recreation activities