

**\*ITEM #2** Development Services requests Ordinance Text Amendments to Title 14 with Regards to Multifamily Amenities. Citywide application. Hannah Salzl (801) 852-6423  
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## **OVERVIEW**

The proposed amendment would create a list of amenities with a score for each. Developers building multifamily projects with more than a certain number of units (depending on the zone) would be required to include sufficient amenities to reach a minimum total score of 60. Meeting the minimum score would not entitle the developer to additional incentives. It would instead serve as clarification on the existing multifamily amenities requirements.

Scores were determined by assigning each amenity points in the following categories: usefulness to tenants, size of footprint, and cost to developer. Each amenity also received points based on how highly it ranked in the survey of the Council's priorities. Finally, EV charging stations, EV readiness, and open space for pet waste were given extra points because they are higher priorities for the City. The sums of these scores are the numbers in the final table in the proposed amendment.

If a developer would like to include an amenity that is not on the list, the Development Services Director, or his or her designee, may allow for it to use the score of the most similar listed amenity.

The minimum score developers must meet, 60, was found to be a balance that allowed developers to choose one high-scoring item and one-middle scoring item, three middle-scoring items, and so on, but would not allow them to choose only a few low-scoring items. Developers would be able to choose the amenities that best fit the target demographic of their projects.

Staff shared the list with the Utah Valley Home Builders' Association. Their opinion of the proposed amendment was split. Most larger builders found the "menu" idea limiting but were open to it if it were optional and gained them an incentive such as an expedited review process. Most smaller builders liked the idea because knowing what the City wants to see would help them create projects that the City would be more likely to approve quickly, creating a functional expedited review. All agreed with staff that if the City were to adopt such a policy, it should include flexibility for items not on the "menu."

If the Council adopts the proposed amendment and staff finds that the scores need adjusting, they will bring amendments to the Council.

Additionally, the Downtown Core Zone (DT2) currently requires developments with 5 or more units to dedicate at least 20% of gross floor space to amenities. Staff recommends increasing this to 20 or more units, bringing it in alignment with the General Downtown

Zone (DT1). Similarly, staff recommend also increasing the number of units that trigger the amenity requirements in the Neighborhood Mixed-Use Zone from 10 to 20.

### **FINDINGS OF FACT**

1. The proposed amendment offers no incentives for meeting the minimum score but instead serves as clarification on existing policies.
2. A survey of the Council determined the top priority amenities to be outdoor gathering spaces, EV-ready infrastructure, indoor gathering space, EV charging stations, and playgrounds.
3. Because it would be difficult to ensure the continuation of some items on staff's draft list of amenities (recycling and assigned parking spaces) and others should be required instead of encouraged (covered parking), staff determined that they will instead be addressed in the code update.
4. While some municipalities like Salt Lake City require a certain number of EV-ready spaces in multifamily developments, most do not have requirements for amenities beyond a minimum square footage.

### **STAFF ANALYSIS**

Staff support the recommendation to create a scored list of multifamily amenities.

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

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

- (a) Public purpose for the amendment in question.

**Staff response: The amendment would support the City's goals to promote comfortable living spaces while providing developers flexibility in choosing the appropriate amenities.**

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

**Staff response: Staff believes that the proposed amendments serve the public.**

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

**Staff response: The proposed amendments are consistent with the General Plan.**

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

**Staff response: There are no timing and sequencing issues related to this proposal.**

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

**Staff response: This proposal does not hinder or obstruct attainment of the General Plan’s articulated policies.**

(f) Adverse impacts on adjacent land owners.

**Staff response: Staff do not foresee any adverse impacts on adjacent landowners.**

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

**Staff response: This proposal does conflict with zoning or the General Plan.**

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

**Staff response: There is not a conflict.**

## **CONCLUSIONS**

The proposed amendment would help the City achieve its goals to provide EV charging and EV-ready spaces, reduce pet waste damage on park strips, and provide high-quality living spaces while still allowing developers the flexibility to determine what best suits their target demographic. Staff recommend approval of the amendment.

## **ATTACHMENTS**

1. Proposed Language 14.34.330 (Supplementary Development Standards, Multifamily Amenities)
2. Proposed Language for All Multifamily Zones
3. Table of Multifamily Zones and the Current Amenities Thresholds and Requirements

**ATTACHMENT 1 – PROPOSED LANGUAGE 14.34.330 (SUPPLEMENTARY DEVELOPMENT STANDARDS, MULTIFAMILY AMENITIES)**

(1) Each multifamily zone requires that in any new project consisting of a certain number of units, a certain percentage of the residential gross floor area shall be developed for recreational amenities. Landscaping in front and streetside yards, minimum setbacks, and other required areas (such as distance provisions required by the International Building Code) shall not be calculated towards meeting this provision. Only fifty percent (50%) of the required recreational amenity space may be located outdoors at the ground floor level. The open space must be massed or accumulated to be functional as a recreational amenity or gathering space. Amenities that are enclosed may count towards meeting this provision.

(2) Amenities may be selected in any combination from the table below as long as they meet a total score of 60.

(a) If a developer would like to pursue an amenity that is not on this list, the Department Director (or his or her designee) may give authorization to assign that amenity the score of the most similar amenity on the given list.

(b) All amenities shall be maintained for the entire duration of occupancy. Should a developer remove an amenity, they must replace it with an amenity or combination of amenities such that the total score for the new amenities meets the required total score of 60.

AMENITY	SCORE
Open space for pets and pet waste	41
Electric vehicle charging stations (≥5% of spaces)	38
Electric vehicle-ready charging infrastructure (≥5% of spaces)	35
Outdoor gathering space (no clubhouse)	31
Indoor gather space (within main building)	30
Clubhouse (separate from main building)	28
Playground (if ≥50% of units have 2 or more bedrooms)	28
Gym	24
Sport court	24
Pool	24
Playground (if <50% of units have fewer than 2 bedrooms)	23
Bike repair station	20
Co-work space	18
Pet grooming station	17

(3) All amenities shall be for use by the residents of the building and not for commercial use.

## **ATTACHMENT 2 – PROPOSED LANGUAGE FOR ALL MULTIFAMILY ZONES**

### **LOW DENSITY RESIDENTIAL ZONE (LDR)**

#### **14.14A.090 Other Requirements**

...

(6) In any new project consisting of twenty (20) or more residential units, an area equivalent to twenty percent (20%) of the gross lot area shall be developed in residential amenities **per the requirements in 14.34.330.**, ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ Landscaping within the required setbacks shall not be calculated towards meeting this provision.

...

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### **MEDIUM DENSITY RESIDENTIAL ZONE (MDR)**

#### **14.14B.090 Other Requirements**

...

(6) In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in residential amenities **per the requirements in 14.34.330.**, ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ Landscaping within the required setbacks shall not be calculated towards meeting this provision.

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### **HIGH DENSITY RESIDENTIAL ZONE (HDR)**

#### **14.14C.090 Other Requirements**

...

(6) In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in residential amenities **per the requirements in 14.34.330.**, ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ Landscaping within the required setbacks shall not be calculated towards meeting this provision.

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### **MIXED-USE ZONES (MU)**

#### **14.14D.120 Amenities and Landscaping**

...

(1) *Mixed-Use Zone (MU)*. In any new project consisting of twenty (20) or more residential units, an area equivalent to twenty percent (20%) or more of the residential gross floor area must be developed in recreational amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ Landscaping in front and streetside yards, the fifteen (15) foot minimum facade setback, and other required areas (such as distance provisions required by the International Building Code) shall not be calculated towards meeting this provision. Only fifty percent (50%) of the required recreational amenity space may be located outdoors at the ground floor level. Any open space counting towards this requirement must be massed or accumulated to be functional as a recreational amenity or gathering space.

(2) *Neighborhood Mixed-Use Zone (NMU)*. In any new project consisting of [twenty \(20\)](#) ~~ten (10)~~ or more residential units, an area equivalent to ten percent (10%) or more of the gross lot area must be developed in residential amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ . . .

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## CAMPUS RESIDENTIAL ZONE (CR)

### [14.14E.090](#) Other Requirements

...

(6) In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in residential amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof top garden, or other amenity.~~ This space must be massed or accumulated to be functional as a recreational or gathering space.

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## VERY LOW DENSITY RESIDENTIAL ZONE (VLDR)

### [14.14F.090](#) Other Requirements

...

(6) In any new project consisting of ten (10) or more residential units, an area equivalent to ten percent (10%) of the gross lot area shall be developed in residential amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof top garden, or other amenity. Amenities that are enclosed may count towards meeting this provision.~~ Landscaping within the required setbacks shall not be calculated towards meeting this provision.

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## REGIONAL SHOPPING CENTER ZONE (SC3)

### [14.20.150](#) Other Requirements

...  
(7) *Residential Uses.* Residential uses and the necessary appurtenances (e.g., parking, landscape, etc.) are permitted provided they do not comprise more than twenty percent (20%) of the overall project site area and that they comply with the design standards outlined in Section 14.34.287, Provo City Code.

(a) In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed as residential amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, rooftop garden, or other amenity.~~

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**GENERAL DOWNTOWN ZONE (DT1)**  
**[14.21A.160](#) Landscaping and Recreational Amenities**

...  
(2) In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in recreational amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity.~~ ...

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**DOWNTOWN CORE ZONE (DT2)**  
**[14.21B.150](#) Landscaping and Recreational Amenities**

...  
(2) In any new project consisting of [twenty \(20\)](#) ~~five (5)~~ or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in recreational amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity.~~ ...

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**INTERIM TRANSIT ORIENTED DEVELOPMENT ZONE (ITOD)**  
**[14.21B.160](#) Landscaping and Recreational Amenities**

...  
(3) Landscaping. See Chapter 15.20, Provo City Code. In any new project consisting of twenty (20) or more residential units, an area equivalent to ten percent (10%) of the residential gross floor area shall be developed in usable open space or recreational amenities [per the requirements in 14.34.330.](#), ~~such as a common clubhouse, gym, pool, roof-top garden, or other amenity.~~

...



**ATTACHMENT 3 – TABLE OF MULTIFAMILY ZONES AND THE CURRENT AMENITIES THRESHOLDS AND REQUIREMENTS**

“Number of Units” means the number of units that triggers the amenities requirement. Developments with fewer units are not required to provide communal tenant amenities.

“Percent Floor Space” means the percentage of gross floor space that must be dedicated to communal tenant amenities.

ZONE	NUMBER OF UNITS	PERCENT FLOOR SPACE
Very Low Density Residential Zone (VLDR)	10+	10%
Low Density Residential Zone (LDR)	20+	20%
Medium Density Residential Zone (MDR)	20+	10%
High Density Residential Zone (HDR)	20+	10%
Mixed-Use Zone (MU)	20+	20%
Neighborhood Mixed-Use Zone (NMU)	<del>10</del> 20+	10%
Campus Residential Zone (CR)	20+	10%
Regional Shopping Center Zone (SC3)	20+	10%
General Downtown Zone (DT1)	20+	10%
Downtown Core Zone (DT2)	<del>5</del> 20+	10%
Interim Transit Oriented Development Zone (ITOD)	20+	10%