

Provo City Planning Commission

# Report of Action

November 18, 2020

- \*Item 3      The Development Services Dept. requests Ordinance Text amendments to Sections 14.32.060 and 14.32.090 to clarify the spacing requirements for accessory structures in relation to main buildings in the Residential Conservation (RC) zone. Citywide Impact. Dustin Wright 801-852-6414 dwright@provo.org PLOTA20200291
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The following action was taken by the Planning Commission on the above described item at its regular meeting of November 18, 2020:

## RECOMMENDED APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen

Second By: Daniel Gonzales

Votes in Favor of Motion: Lisa Jensen, Daniel Gonzales, Ally Jones, Debora Jones, Laurie Urquiaga, Dave Anderson, Brian Henrie

Dave Anderson 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**

- 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.

### 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:

- No comments were made from the public.

### APPLICANT RESPONSE

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

- Properties in the RC zone commonly are smaller lots and would not be able to have a shed in the back yard with a 20 foot setback between the house and shed.
- Other residential zones have a six foot setback for accessory structures.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Multi-family zones have a fifteen foot setback for main buildings and have a six foot requirement for accessory structures.
- The proposed change is straight forward and would be good to add the needed clarity.



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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

## 14.32.090 Distance Between Buildings.

- (1) The minimum distance between main buildings shall not be less than twenty (20) feet.
- (2) The distance between any accessory buildings and a main building shall not be less than six (6) feet.

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## 14.32.060 Yard Requirements.

(5) Accessory Building Outside the Buildable Area. Accessory buildings that do not meet the setback requirements (outside the buildable area) for a main dwelling shall meet the conditions in Subsection (4) above and the following:

...

- (g) Comply with distance between buildings requirements in 14.32.090(2).