



PROVO CITY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT
Planning Commission Agenda
September 24, 2025

NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION

The Provo City Planning Commission will hold a public hearing on September 24, 2025 at 6:00 PM. Located at: Council Chambers 445 West Center Street. The items listed below will be discussed, and anyone interested is invited to participate and provide comment. Hearings can be viewed live and on-demand at: YouTube youtube.com/user/ProvoChannel17 and on Facebook facebook.com/provochannel17.

NOTICE OF PUBLIC MEETING BEFORE PROVO MUNICIPAL COUNCIL

On Tuesday, **October 21, 2025**, at 5:30 PM. the Provo Municipal Council will consider the items noted below with a star (*). Items noted on the agendas with a star require legislative action by the Municipal Council. Council agendas can be viewed at the Provo City Council web site on the Thursday prior to the Council meeting at <http://agendas.provo.gov>. For more information, call (801) 852-6120.

Unmarked items are administrative and require the approval only of the Planning Commission. Decisions on the unmarked items may be appealed to the Board of Adjustment by making application by 6:00 PM. **within 14 days of the Planning Commission decision.**

Study Session

1. Discussion of Dance Halls vs Event Spaces – Bill Peperone & Aaron Ardmore

Public Hearings

*Item 1	Provo City Council requests an Ordinance Text Amendment to Provo City Code 14.06.020 to clarify the "owner occupant" definition. Citywide application. Melia Dayley (801) 852-6136 mdayley@provo.gov PLOTA20250503
Item 2	The Airport Services Department requests Project Plan approval for a new two-story addition to the Provo Airport Terminal in the Airport (A) Zone, located at 1331 S Sky Way. Provo Bay Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLPPA20250459
*Item 3	Gardner & Associates request annexation of approximately 16.67 acres of land located at approximately 4505 N Canyon Road. North Timpview Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.org PLANEX20240291

Preceding the public hearing, there will be a Study Session at 5:00 PM. at the Provo Peak Conference Room, 445 W Center Street. The Study Session is open to the public; however, formal presentation of items, public comment and actions will be reserved for the public hearing at 6:00 PM.

To send public comments to Planning Commission members, email them at dspublichearings@provo.gov. Please submit public comment emails before 3:00 PM the day of the hearing. Additional information can be found at provo.gov/publiccomments.

Copies of the agenda materials, public hearing procedure, and staff recommendations are available the week of the hearing at a reasonable cost at 445 W Center Street, Suite 200, Provo between the hours of 7:00 AM. and 6:00 PM., Monday through Thursday. Agendas and staff recommendations are also generally available on the Provo City Development Services web site the week of the meeting at provo.gov/planningcommission.

Provo City will make reasonable accommodations for all citizens interested in participating in this meeting. If assistance is needed to allow participation at this meeting, please call the Development Services Department at (801) 852-6400 before 12:00 PM. the day before the meeting to make arrangements.

By order of the Provo City Planning Commission
Planning Secretary, (801) 852-6424



**Planning Commission Hearing
Council Staff Report
Hearing Date: September 24, 2025**

***ITEM 1** Provo City Council requests an Ordinance Text Amendment to Provo City Code 14.06.020 to clarify the "owner occupant" definition. Citywide Application. Melia Dayley (801) 852-6136 mdayley@provo.gov PLOTA20250503

Applicant: Provo Municipal Council

Council Staff Coordinator: Melia Dayley

Neighborhood Issues: There has not been a neighborhood meeting on this citywide item.

Relevant History: Council staff and the city attorney drafted the proposed text amendment after confusion arose regarding the requirements for deeming an applicant/property owner an "owner occupant."

In their September 9th Work Meeting, the City Council supported the text amendment by a vote of 7:0.

Summary of Key Issues:

- Language in Provo City Code 14.06.020 "Owner Occupant" (d)ii caused confusion as it pertains to the ADU licensing process.
- The Provo City Council seeks to clarify owner occupancy requirements for ADU licensing.

Staff Recommendation: That the Planning Commission **recommend approval** of the proposed text amendments to the Provo City Council.

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is October 8th, 6:00 P.M.*
2. **Recommend Denial** of the requested Ordinance Text Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

OVERVIEW

The City Council motioned to go forward with an amendment to remove 14.06.020 “Owner Occupant” (d)ii to clarify the definition owner occupancy.

Council staff brought the recommended text amendment in an attempt to avoid future confusion around interpretation and intent of owner occupancy requirements and standards for ADUs.

STAFF ANALYSIS

Staff supports the proposal to remove 14.06.020 “Owner Occupant” (d)ii to alleviate confusion around the qualification requirements for owner occupants.

Removing the language would make it clear that the property owner(s)/applicant(s) must all live at the property to be deemed an “owner occupant.”

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: Clarifying intent and standards for owner occupancy related issues.

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

Staff response: Staff believe that the proposed amendment serves the public by clarifying the definition of owner occupant and thereby removing some confusion surrounding ADUs.

(c) 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.

(d) 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.

(e) Adverse impacts on adjacent landowners.

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

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

Staff response: Does not apply.

(g) 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.

FINDINGS OF FACT

1. Provo City Council determined removing the aforementioned clause will decrease confusion for applicants and city staff as part of the ADU land use and permitting processes.

CONCLUSIONS

The Provo City Council voted unanimously to move forward with the proposed text amendment in their effort to make ADU licensing clearer for staff, residents, and applicants.

ATTACHMENTS

1. Proposed Text Amendment

ATTACHMENT 1 – PROPOSED TEXT AMENDMENT

14.06.020

Definitions.

For the purposes of this Title, certain words and phrases have the following meanings:

.

.

.

“Owner occupant” means, except as set forth in Subsection (d) of this definition:

- (a) an individual who:
 - (i) possesses, as shown by a recorded deed, fifty (50) percent or more ownership in a dwelling unit; and
 - (ii) occupies the dwelling unit with a bona fide intent to make it his or her primary residence; or
- (b) an individual who:
 - (i) is a trustor of a family trust which:
 - (A) possesses fee title ownership to a dwelling unit;
 - (B) was created for estate planning purposes by one (1) or more trustors of the trust; and
 - (ii) occupies the dwelling unit owned by the family trust with a bona fide intent to make it his or her primary residence. Each living trustor of the trust must so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit must nevertheless be the domicile of the trustor during the trustor’s temporary absence.
- (c) an LLC which:
 - (i) is currently registered with the state; and

(ii) each member of the LLC occupies the dwelling unit with a bona fide intent to make it his or her primary residence.

(d) A person who meets the requirements of Subsections (a), (b), or (c) of this definition may not be deemed an owner occupant if the property on which the dwelling unit is located has more than one (1) owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

(i) A claim that a person is not an owner occupant may be rebutted only by documentation, submitted to the Development Services Department, showing that the person who occupies the dwelling unit has a bona fide intent to make the dwelling unit one's primary residence as indicated by the following documents which show such person:

(A) is listed as a primary borrower on documents for any loan presently applicable to the property where the dwelling unit is located;

(B) has claimed all income, deductions, and depreciation from the property on one's tax returns for the previous year;

(C) is the owner listed on all rental documents and agreements with tenants who occupy the dwelling unit, including any accessory apartment;

(D) is the owner listed on all insurance, utility, appraisal, or other contractual documents related to the property; and

(E) is a full-time resident of Utah for Utah State income tax purposes.

~~(ii) Any person who claims to be an owner of the dwelling unit, but who does not occupy it, shall provide documentation to the Development Services Department which shows such person:~~

~~(A) has not claimed any income, tax deduction, or depreciation for the property on the person's tax returns for the previous year;~~

~~(B) is not listed as an owner on any rental document or agreement with any tenant who occupies the dwelling unit, including any accessory apartment; and~~

~~(C) is not listed as an owner on any insurance, utility, appraisal, or an agreement related to the property.~~

~~(iii) (ii) Any person, or group of persons, who fails, upon request of the Development Services Department, to provide any of the documents set forth in Subsections (cd)(i) or (c)(ii) of this definition or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this Title that such person or persons shall not be deemed an "owner occupant" of the dwelling unit in question.~~

(e) The provisions of Subsection (d) of this definition shall apply to any person who began a period of owner occupancy after March 1, 2009, regardless of when the person purchased the property where such person resides.

•
•
•

ITEM 2 The Airport Services Department requests Project Plan approval for a new two-story addition to the Provo Airport Terminal in the Airport (A) Zone, located at 1331 S Sky Way, Provo Bay Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLPPA20250459

<p>Applicant: Airport Services Department</p> <p>Staff Coordinator: Aaron Ardmore</p> <p>Property Owner: PROVO CITY CORPORATION</p> <p>Parcel ID#: 21:032:0005</p> <p>ALTERNATIVE ACTIONS</p> <ol style="list-style-type: none">1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is October 8, 2025, at 6:00 P.M.</i>2. Deny the requested project plan. <i>This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i>	<p>Current Legal Use: The legal use of the project area is a commercial airport.</p> <p>Relevant History: The first phase of Provo Airport terminal was completed in July 2022. The city has announced its phased expansion plans, this proposal (phase two) being the first of those plans.</p> <p>Neighborhood Issues: There has not been a formal Neighborhood District meeting on this item. However, the city administration and airport department have had press releases and open houses about the planned terminal expansion. Some feedback from those announcements has shown concern with noise and traffic arising from the airport's growth.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• The current terminal facility is approximately 47,000 square feet with four gates.• The proposed phase two addition would add approximately 9,000 square feet for additional ticketing and baggage processing on the ground floor, with new office and leasing space on the second floor.• This proposal has received CRC (Coordinator Review Committee) staff approval. <p>Staff Recommendation: That the Planning Commission grant Project Plan approval for the Airport Services Department request for a new two-story addition to the Provo Airport terminal.</p>
--	---

OVERVIEW

The Provo Airport Services Department is seeking Planning Commission approval for their phase two addition to the existing terminal building. This addition would create additional ticketing and baggage processing areas on the ground floor, with new lease space and offices on the second floor. The plans also include additional bathrooms, mechanical areas, stairs, and elevators, as well as a new concessions area.

This request is part of a multi-phase vision for the airport expansion that would increase the building footprint, airline gates, and parking on the site (as shown in attachment 1 of this report) and is part of the Provo Airport Master Plan.

While the entire airport area is under one parcel and zoned with the Airport Zoning, surrounding uses include private hangars, training areas, and open space. The adjacent zone to the east is Agricultural (A1.20) but is designated in the General Plan as “Airport Related Activities” and does not cause any adjacent use issues with this request.

FINDINGS OF FACT

1. The current zone is the Airport (A) Zone (PCC 14.17D).
2. The proposed use is a permitted use in the zone.
3. The parking requirement for the zone and use is determined by the Airport Director (PCC 14.17D.070).

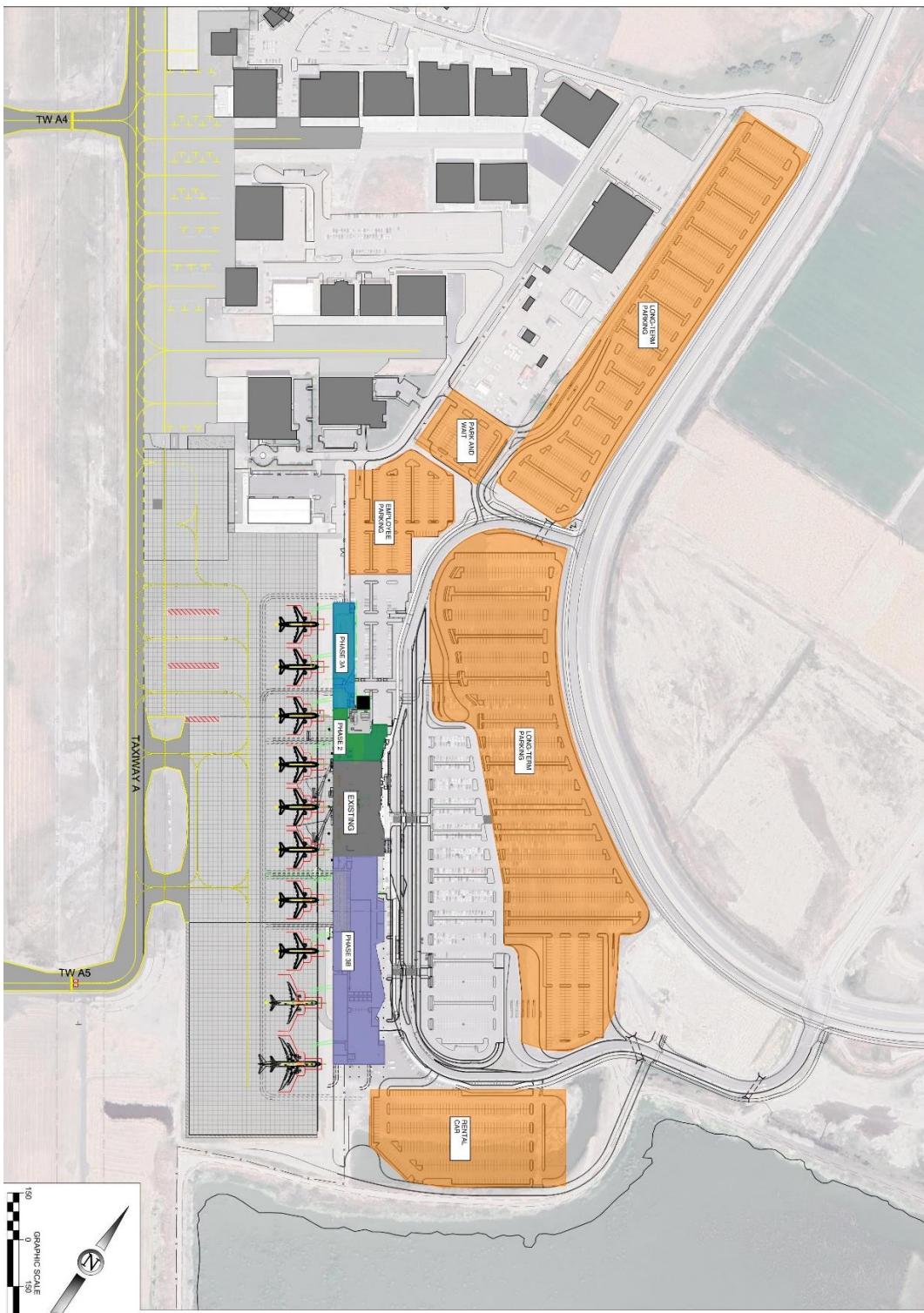
CONCLUSIONS

This proposed phase two addition is in line with the Airport Master Plan and the start to the needed growth of the Provo Airport. The plans have been reviewed and approved by staff to meet city standards and there is a pending building permit awaiting the Planning Commission action.

ATTACHMENTS

1. Terminal Phasing Plan
2. Elevations
3. Floor Plans
4. Zone Map
5. General Plan Map

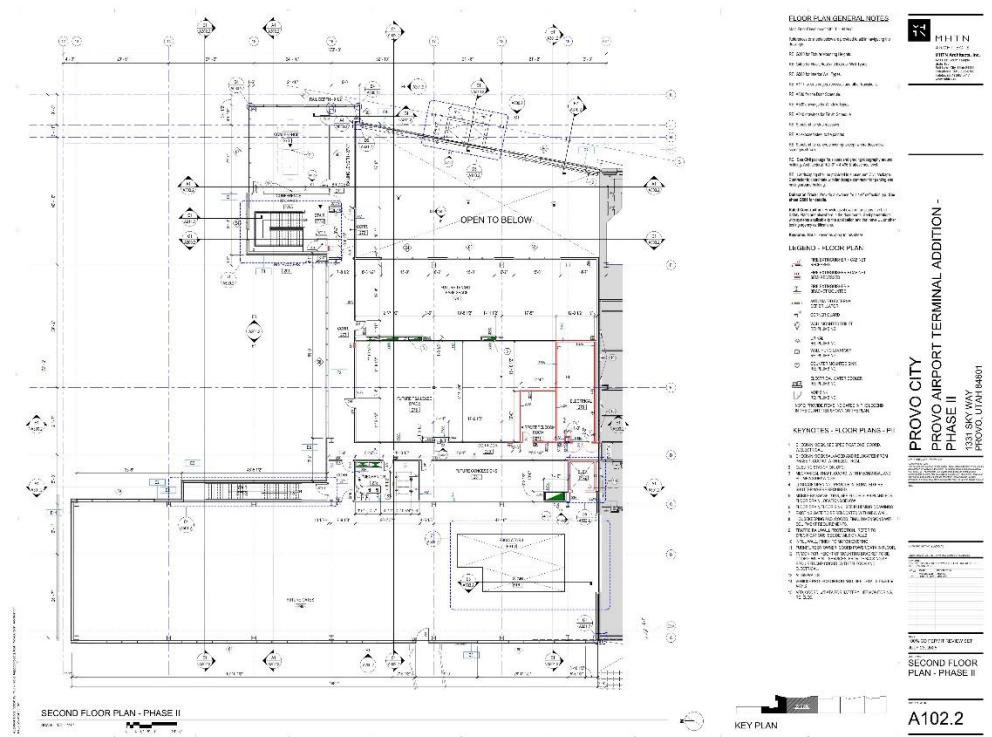
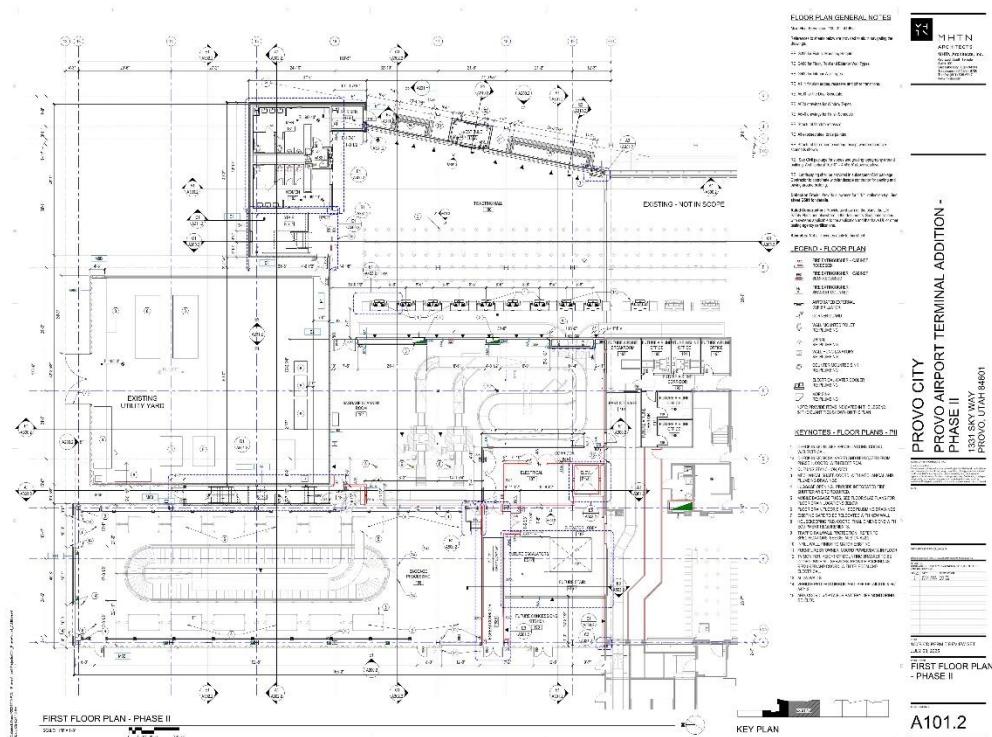
ATTACHMENT 1 – TERMINAL PHASING PLAN



ATTACHMENT 2 – ELEVATIONS



ATTACHMENT 3 – FLOOR PLANS



ATTACHMENT 4 – ZONE MAP



ATTACHMENT 5 – GENERAL PLAN MAP



**Planning Commission Hearing
Staff Report**
Hearing Date: September 24, 2025

***ITEM 3** Gardner & Associates request annexation of approximately 16.67 acres of land located at approximately 4505 N Canyon Road. North Timpview Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.org PLANEX20240291

Applicant: 4500 CANYON PROPERTIES LLC GARDNER & ASSOCIATES (George Bills) 4500 CANYON PROPERTIES LLC PROVO CITY OF THE GROW, ALEXANDER JAMES SPENCER & ANNE STEWART

Staff Coordinator: Jessica Dahneke

Property Owner: 4500 CANYON PROPERTIES LLC 4500 CANYON PROPERTIES LLC PROVO CITY OF THE GROW, ALEXANDER JAMES SPENCER & ANNE STEWART

Parcel ID#: 20:025:0015, 20:025:0017, 20:025:0022, 20:025:0052, 20:025:0054, 20:025:0065, 20:025:0066, 20:025:0094, 20:025:0166

Acreage: 16.67

Number of Lots: 10

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented.
The next available meeting date is October 8, 2025, at 6:00 P.M.
2. **Deny** the requested ordinance text amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: On August 19, 2025, the Municipal Council passed the resolution to accept the petition of annexation and open the protest period.

Neighborhood Issues: This item is scheduled to go to a neighborhood meeting; no concerns have been raised to staff at this time.

Summary of Key Issues:

- The proposed area to be annexed is in area 7 of the Annexation Policy Map

Staff Recommendation: Recommend approval to the Municipal Council for an ordinance annexing 16.67 acres, located at approximately 4505 N Canyon Road, into the city.

OVERVIEW

Gardner & Associates, as representatives of the property owners, are petitioning to annex nine parcels, 20:025:0015, 20:025:0017, 20:025:0022, 20:025:0052, 20:025:0054, 20:025:0065, 20:025:0066, 20:025:0094, 20:025:0166 located along Foothill Drive and Canyon Road. This annexation area includes a portion of Foothill Drive.

The proposed annexation area is located within Area Seven of the Annexation Policy Map. A portion of Appendix C" Annexation Map and Policies set for the following regarding Area Seven:

"Area Seven is located between 4400 North and 4600 North from University Avenue to Canyon Road. The General Plan Map calls for agricultural uses in this area. Most of these properties receive Provo City municipal services."

STAFF ANALYSIS

The proposed annexation area is located entirely within Area Seven of the Annexation Policy Map, keeping in line with the General Plan Policy for Annexation. The Future Land Use Plan Map lists this area to be zoned as agricultural, which is in line with how the majority of the property has historically been used. The incorporation of this area into the city's boundaries reduces a long-standing island of unincorporated land. This annexation has been reviewed by the CRC committee with none of the reviews expressing concerns regarding this land being incorporated into the City. Staff analysis of the annexation did not find any concerns or contradictions with the General Plan.

FINDINGS OF FACT

1. The proposed annexation area falls within area seven of the Provo City Annexation Policy Map.
2. The General Plan Future Land Use Map shows the area as agricultural.

CONCLUSIONS

Staff believe the proposed annexation is consistent with the adopted Annexation Plan and will be a benefit to the city.

ATTACHMENTS

1. Aerial Image of the Property
2. Annexation Plat Map
3. General Plan Annexation Policy Map
4. General Plan Future Land Use Map

ATTACHMENT 1 – AERIAL IMAGE OF THE PROPERTY



ATTACHMENT 2 – ANNEXATION PLAT MAP

ATTACHMENT 3 – GENERAL PLAN ANNEXATION POLICY MAP



ATTACHMENT 4 – GENERAL PLAN FUTURE LAND USE MAP





Provo City Planning Commission

Report of Action

September 24, 2025

***ITEM 1** Provo City Council requests an Ordinance Text Amendment to Provo City Code 14.06.020 to clarify the "owner occupant" definition. Citywide application. Melia Dayley (801) 852-6136 mdayley@provo.gov PLOTA20250503

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 24, 2025:

RECOMMENDED DENIAL

On a vote of 7:1, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Matt Wheelwright

Second By: Joel Temple

Votes in Favor of Motion: Matt Wheelwright, Joel Temple, Jonathon Hill, Barbara DeSoto, Lisa Jensen, Daniel Gonzales, Jon Lyons

Votes Against the Motion: Melissa Kendall

Jonathon Hill was present as Chair.

- New findings stated as basis of action taken by the Planning Commission or recommendation to the Municipal Council; Planning Commission determination is not 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

- Citywide Application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was Citywide 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:

- Housing affordability and the need for parents to help their children financially when buying a house.
- Couples who buy a house together, but then separate or divorce, leaving one individual in the house while both hold ownership.

APPLICANT RESPONSE

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

- Interpretation by Legal Department that Provo City Code 14.06.020 “Owner Occupant” (d)(ii) does not explicitly grant an exemption to the owner occupant definition, and is unclear in purpose.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Housing affordability and the need for parents to help their children financially when buying a house.
- The effect which ADUs have on housing affordability, and the need to encourage them throughout the city.
- The language in Subsection (a) of the owner occupant definition, and its conflict with other subsections.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

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

- Several subsections of the owner occupant definition found in Provo City Code 14.06.020 conflict and cause confusion for ADU applicants.
- Further amendments, or a rewrite of the section, would further clarify the owner occupant definition and avoid future confusion.



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 the Development Services Department, 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

14.06.020

Definitions.

For the purposes of this Title, certain words and phrases have the following meanings:

“Owner occupant” means, except as set forth in Subsection (d) of this definition:

- (a) an individual who:
 - (i) possesses, as shown by a recorded deed, fifty (50) percent or more ownership in a dwelling unit; and
 - (ii) occupies the dwelling unit with a bonafide intent to make it his or her primary residence; or
- (b) an individual who:
 - (i) is a trustor of a family trust which:
 - (A) possesses fee title ownership to a dwelling unit;
 - (B) was created for estate planning purposes by one (1) or more trustors of the trust; and
 - (ii) occupies the dwelling unit owned by the family trust with a bonafide intent to make it his or her primary residence. Each living trustor of the trust must so occupy the dwelling unit except for a trustor who temporarily resides elsewhere due to a disability or infirmity. In such event, the dwelling unit must nevertheless be the domicile of the trustor during the trustor’s temporary absence.
- (c) an LLC which:
 - (i) is currently registered with the state; and
 - (ii) each member of the LLC occupies the dwelling unit with a bonafide intent to make it his or her primary residence.
- (d) A person who meets the requirements of Subsections (a), (b), or (c) of this definition may not be

deemed an owner occupant if the property on which the dwelling unit is located has more than one (1) owner and all owners of the property do not occupy the dwelling unit with a bona fide intent to make the dwelling unit their primary residence.

(i) A claim that a person is not an owner occupant may be rebutted only by documentation, submitted to the Development Services Department, showing that the person who occupies the dwelling unit has a bona fide intent to make the dwelling unit one's primary residence as indicated by the following documents which show such person:

- (A) is listed as a primary borrower on documents for any loan presently applicable to the property where the dwelling unit is located;
- (B) has claimed all income, deductions, and depreciation from the property on one's tax returns for the previous year;
- (C) is the owner listed on all rental documents and agreements with tenants who occupy the dwelling unit, including any accessory apartment;
- (D) is the owner listed on all insurance, utility, appraisal, or other contractual documents related to the property; and
- (E) is a full-time resident of Utah for Utah State income tax purposes.

~~(ii) Any person who claims to be an owner of the dwelling unit, but who does not occupy it, shall provide documentation to the Development Services Department which shows such person:~~

- ~~(A) has not claimed any income, tax deduction, or depreciation for the property on the person's tax returns for the previous year;~~
- ~~(B) is not listed as an owner on any rental document or agreement with any tenant who occupies the dwelling unit, including any accessory apartment; and~~
- ~~(C) is not listed as an owner on any insurance, utility, appraisal, or an agreement related to the property.~~

~~(iii) (ii) Any person, or group of persons, who fails, upon request of the Development Services Department, to provide any of the documents set forth in Subsections (ed)(i) or (e)(ii) of this definition or who provides a document showing that ownership of a dwelling unit is shared among persons who do not all occupy the dwelling unit shall mean for the purpose of this Title that such person or persons shall not be deemed an "owner occupant" of the dwelling unit in question.~~

(e) The provisions of Subsection (d) of this definition shall apply to any person who began a period of owner occupancy after March 1, 2009, regardless of when the person purchased the property where such person resides.

Provo City Planning Commission

Report of Action

September 24, 2025

ITEM 2 The Airport Services Department requests Project Plan approval for a new two-story addition to the Provo Airport Terminal in the Airport (A) Zone, located at 1331 S Sky Way. Provo Bay Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLPPA20250459

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 24, 2025:

APPROVED

On a vote of 8:0, the Planning Commission approved the above noted application.

Motion By: Lisa Jensen

Second By: Jon Lyons

Votes in Favor of Motion: Lisa Jensen, Jon Lyons, Jonathon Hill, Barbara DeSoto, Melissa Kendall, Joel Temple, Daniel Gonzales, Matt Wheelwright

Jonathon Hill 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.

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 District Chair determined that a neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District 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:

- Planning staff (Aaron Ardmore, Bill Pepeone) and Airport staff (Jared Penrod) addressed questions from the Planning Commission regarding phasing of the airport expansion, justification for the expansion, details of phase two, and parking plans for the terminal.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Matt Wheelwright inquired about environmental reports for the terminal construction, which staff confirmed studies were completed and determined that no wetlands were being impacted.
- Jon Lyons asked for the justification of expanding the airport and what benefits it brings to the city, staff responded

noting the need for additional space and the economic benefits to the city. Staff noted that future phases will bring in more gates and flights.

- Commissioners discussed the current parking lots and plans for future expansion of the parking and public transportation for the airport with staff, noting a desire for increased parking and public transport.
- Jon Lyons confirmed with staff that no city funds are going towards this project.
- Commissioners appreciated that this project would make the airport more efficient in its operations and have no concerns with the expansion.



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 the Development Services Department, 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

Provo City Planning Commission

Report of Action

September 24, 2025

***ITEM 3** Gardner & Associates request annexation of approximately 16.67 acres of land located at approximately 4505 N Canyon Road. North Timpview Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.org PLANEX20240291

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 24, 2025:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application

Motion By: Lisa Jensen

Second By: Joel Temple

Votes in Favor of Motion: John Lyons, Joel Temple, Daniel Gonzales, Lisa Jensen, Jonathan Hill, Melissa Kendall, Barbara DeSoto, Matt Wheelwright

Jonathan Hill 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.

LEGAL DESCRIPTION FOR PROPERTY TO BE ANNEXED

The property to be annexed is attached 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 AND PUBLIC COMMENT

- The Neighborhood District 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:

- Leon Moon, Provo resident, asked about plans for development at the property and where a road would be.

APPLICANT RESPONSE

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

- The applicant was not present at the meeting. Staff, on behalf of the applicant, explained that there are no future development plans for the area at this time, they are just seeking to annex into the city.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Wheelwright verified that the City has the capacity to provide utilities to the area. Staff stated that the area was reviewed by the CRC committee, and the CRC committee felt the City would be able to provide utilities.

- Commissioner Lyons asked about the zoning this property would have once annexed into the City. Staff explained that land annexed into the City comes in as Open Space Preservation and Recreation (OSPR) Zoning, but when the use is agricultural, the property can come in zoned as agricultural.
- Commissioner Jensen stated that it is important to keep in mind that at this step the commission is only making a recommendation to the council about the annexation itself, and any development will happen at a later point. She stated that with that view in mind it made sense to have an area surrounded by Provo to be annexed into Provo.
- Commissioner Hill agreed with the statement saying that with such a small island like this it makes sense to bring it into Provo.
- Commissioner Wheelwright also agreed stating that bringing the land in is in line with the city annexation map and helps reduce the size of the unannexed island in the middle of the city.
- Commissioner Temple asked staff if there was a reason why the rest of the area did not annex in at this time. Staff stated that these were the only signatures on the petition.
- Commissioner Jensen made a motion to recommend approval, stating the applicant should clarify which zoning they would intend to Annex in with.



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 the Development Services Department, 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