



Provo City Planning Commission

Report of Action

June 10, 2020

Item 2* The Community and Neighborhood Services Department requests an Ordinance Text Amendment to add the Open Space (OS) zone to the Provo City Code as Chapter 14.33 and to amend Provo City Code Section 15.20.080(2)(c), relating to supplemental landscape requirements. Citywide application. Javin Weaver (801) 852-6413 jweaver@provo.org PLOTA20200140

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 10, 2020

CONTINUED

On a vote of 0:6, the Planning Commission recommended that the Municipal Council continue the above noted application

Motion By: Dave Anderson

Second By: Lisa Jensen

Votes in Favor of Motion: Dave Anderson, Lisa Jensen, Deborah Jensen, Andrew Howard, Laurie Urquiaga, and Robert Knudsen

Deborah 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.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The text of the proposed zone is attached as Exhibit A and Exhibit B

STAFF/APPLICANT PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The proposed Open Space (OS) zone was collaboratively created with the Parks and Recreation Department.
- Staff explained the key differences between the proposed OS zone and Public Facilities (PF) (14.17) zone which primarily include the purpose/objectives and permitted uses.
- The proposed OS zone furthers the goals and policies of the General Plan.
- The proposed OS zone may be tool that can be used to preserve open space for the social needs, public health, and wellbeing of the of the citizens of Provo.

NEIGHBORHOOD AND PUBLIC COMMENT

- There was no neighborhood chair or public comment.

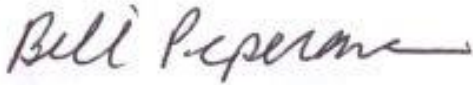
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Lisa Jensen expressed concern about not including public utilities.
- Dave Anderson expressed concern of the benefit of the zone.
- Laurie Urquiaga expressed concern about the addition of a new zone to the Provo City Code.
- Deborah Jensen praised the proposed zone for having the allowance for pocket parks.



Planning Commission Chair



Director of Development Services Department

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 Development 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

Chapter 14.33 Open Space Zone

14.33.010	Purpose and Objectives.
14.33.020	Permitted Uses.
14.33.030	Lot Standards.
14.33.040	Yard Requirements.
14.33.050	Projections into Yards.
14.33.060	Building Height.
14.33.070	Parking, Loading and Access.
14.33.080	Project Plan Approval.
14.33.090	Other Requirements.
14.33.100	Athletic Field Scoreboards.

14.33.010. Purpose and Objectives.

The Open Space (OS) zone is intended to preserve and enhance public and private open space, parks, recreation and natural areas. It will provide for the social needs of the community as those needs relate to open space, whether publicly or privately sponsored. It will enhance the identity and image of the community as a desirable place for human growth and development and help improve the aesthetic and functional features of the community.

14.33.020. Permitted Uses.

(1) Permitted Principal Uses. The following principal uses, and no others, are permitted in the OS zone:

- (a) Parks;
- (b) Golf course;
- (c) Greenbelt;
- (d) Trails;
- (e) Recreational fields;
- (f) Conservation grounds;
- (g) Wetlands;
- (h) Other sensitive lands;
- (i) City owned community garden;
- (j) Federal lands;
- (k) Cemeteries (no crematories); and
- (l) Public utilities.

(2) Conditional Uses. The following uses and structures are permitted in the OS zone only after a conditional use permit has been issued, and subject to the terms and conditions thereof:

- (a) Communication (subject to the standards in 14.34.420, Provo City Code)

(2) Permitted Accessory Uses. Accessory uses and structures are permitted in the OS zone; provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include but are not limited to restrooms, playgrounds, pavilions, clubhouses, seating bleachers, greenhouses, grounds maintenance sheds and similar structures which are customarily used in conjunction with and incidental to a principal use or structure.

14.33.030. Lot Standards.

Lots within the OS zone shall be developed according to the following standards:

- | | |
|------------------------|----------|
| (1) Min. Lot Area: | 2,500 SF |
| (2) Min. Lot Frontage: | 50 feet |
| (3) Min. Lot Width: | 50 feet |
| Corner Lot: | 50 feet |
| (4) Min. Lot Depth: | 50 feet |
| (5) Max. Lot Coverage: | 10% |

14.33.040. Yard Requirements.

Yards shall be provided according to the requirements listed below (measured from the property line):

- | | Minimum | Maximum |
|----------------------------|---------|----------------|
| (1) Front Yard: | 20 feet | No requirement |
| (2) Side Yard, corner lot: | 20 feet | No requirement |
| (3) Side Yard, interior: | 20 feet | No requirement |
| (4) Rear: | 20 feet | No requirement |

(5) Driveway access (see Section 14.37.100, Provo City Code).

14.33.050. Projections into Yards.

The following structures may be erected on or project into any required yard:

- (a) Fences (see section 14.34.500, Provo City Code).
- (b) Landscaping (see section 15.20, Provo City Code).
- (c) Necessary appurtenances for utility service, subject to City approval.

14.33.060 Building Height.

- | | |
|---|-----------|
| (1) Total Maximum Building Height: | 35 feet |
| (2) Maximum Number of Building Stories: | 2 stories |

14.33.070. Parking, Loading and Access.

(1) Each land use in the OS zone shall have sufficient parking sufficient to comply with the requirements of Chapter 14.37, Provo City Code.

(2) If the lot area is no greater than fifty thousand (50,000) SF, the required vehicle parking may be exempt from Chapter 14.37 by the approval of the Development Services Director or designee.

14.33.080. Project Plan Approval.

See sections 15.03.300 and 15.03.310, Provo City Code.

14.33.090. Other Requirements.

(1) Signs (see Chapter 14.38, Provo City Code).

(2) Landscaping (see Chapter 15.20, Provo City Code).

(3) Trash storage (see Section 14.34.080, Provo City Code).

(4) Fencing (see Section 14.34.500, Provo City Code).

14.33.100. Athletic Field Scoreboards.

Scoreboards for recreational athletic fields shall be exempt from height and setback requirements otherwise required in the OS zone, subject to approval of the Development Services Director or designee, through an administrative hearing process to allow for public comment, and subject to the following standards:

(1) Scoreboards are designed to be an integral part of the athletic field and are designed in a manner that is compatible with the scale and mass of the athletic field.

(2) Electronic messages and other displays shall be oriented to the athletic field, rather than to the public street or neighboring properties.

(3) Messages facing the public street or neighboring properties shall be limited to identification and logos of the school and one (1) sponsor. These displays shall be static and illuminated only during official games and other major events.

(4) The size of the sponsor identification and/or logo shall be smaller than and complementary to the size of the Provo Parks and Recreation logo.

EXHIBIT B

15.20.080(2)(c)

Supplemental Landscaping Requirements by Zone.

(c) Within all PO, PF, PFS, SC1, SC2, SC3, CG, CM, MP, M1, M2, OS, PIC, FC1, FC2, HCF, and TF zones, landscaping shall have a minimum of fifteen (15) trees per acre.

(i) The Airport Director and Development Services Director may jointly approve any modifications to a requirement of this Chapter as applied to City-owned property located on or adjacent to the Provo City Airport.

(ii) The Development Services Director or designee may modify the minimum number of trees per acre required in the OS zone by this subsection on a finding that the existing landscaping satisfies the intent of the supplemental landscaping requirements.