

Provo City Planning Commission

Report of Action

February 10, 2021

Item 1* The Development Services Department requests an Ordinance Text amendment to remove the Design Review Committee requirement from Section 14.33A.040 of the Provo City Code. Citywide impact. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLOTA20210014

The following action was taken by the Planning Commission on the above-described item at its regular meeting of February 10, 2021:

RECOMMENDED APPROVAL

On a vote of 9:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen
Second By: Deborah Jensen

Votes in Favor of Motion: Ally Jones, Deborah Jensen, Russell Phillips, Lisa Jensen, Daniel Gonzales, Laurie Urquiaga, Brian Henrie, Robert Knudsen, and Dave Anderson

Dave Anderson was present as Chair.

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. Key points addressed in Staff's presentation to the Planning Commission included the following: Staff gave an overview of the proposal and Staff's recommendation, as set forth in the Staff Report.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods. No comments were received from the public on this item at this meeting. Any comments received prior to completion of the Staff Report are addressed in said report.

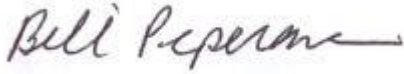
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The collective view of the Planning Commission appeared to be that this proposal would eliminate redundant requirements from the City Code and would help the Critical Hillside Overlay (CH) Zone better harmonize with other zones, insofar as Design Review Committee requirements are concerned.



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 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

Subsection 14.33A.040 is proposed to be amended, as follows:

14.33A.040

Development in Critical Hillside (CH) Overlay Zone.

- (1) All development in the CH Zone, including, but not limited to, grading, clearing, and excavation, shall comply with the applicable provisions of this Chapter.
- (2) The submittal of maps, plans, narratives, or any other document necessary to demonstrate compliance with this Chapter shall be submitted to the Coordinator Review Committee for review.
- ~~(3) Notwithstanding any other provision in Title 14 or 15, Provo City Code, all proposals for residential and nonresidential developments in the CH Zone, as well as all proposals for main buildings, except for one-family detached dwellings, shall obtain a recommendation from the Design Review Committee.~~
- (43) The provisions of this Chapter shall not apply in the following situations:
 - (a) For lots created prior to the effective date of the ordinance establishing the Critical Hillside (CH) Overlay Zone;
 - (b) For developed parcels (not lying in a development plat) developed prior to the effective date of the ordinance establishing the Critical Hillside (CH) Overlay Zone;
 - (c) For parcels or lots actively and solely used in the operation of a public or private cemetery; and
 - (d) For public parks.