

Provo City Planning Commission

Report of Action

October 27, 2021

Item #7* The Housing Committee of the Provo Municipal Council requests amendments to Sections 14.08.020, 14.09.020, 14.020, and Chapter 14.30 of the Provo City Code to allow Accessory Dwelling Units (ADUs) as accessory uses to owner-occupied, single-family detached dwellings in the Agricultural (A1), Residential Agricultural (RA), and Residential (R1) Zones and to refine the development standards for ADUs. Citywide application. Robert Mills (801) 852-6407 rmills@provo.org PLOTA20210345

The following action was taken by the Planning Commission on the above described item at its regular meeting of October 27, 2021:

RECOMMEND APPROVAL

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

Motion By: Ally Jones

Second By: Brian Henrie

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

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.

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.

- The proposed amendment takes the most permissive approach.
- The proposed amendment would streamline the ADU regulations by removing the "A" and "S" overlays and make ADUs an accessory use, instead.
- Keeps the requirement that an ADU can only be established in an owner-occupied, single-family, detached dwelling.
- The proposed Airport Zones further the goals of the General Plan, Airport Master Plan and Southwest Future Lane Use Map

NEIGHBORHOOD MEETING DATE

- Citywide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item has been posted on Open City Hall for a few weeks. At the time of the hearing 59 people had submitted statements. Of those, 42 were in favor of the proposed amendment, 13 were opposed, and 4 were neutral or had some questions.

- A few members of the public called to offer testimony. There were concerns about enforcement and a citywide application. There was also strong support for allowing ADUs citywide.

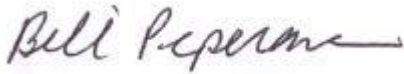
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Dave Anderson remarked that the extensive research he had done shows that ADUs are a very benign use and offer several benefits to landowners and neighborhoods.
- Lisa Jensen asked about infrastructure impacts and hoped there would be a substantial amount of outreach in utility bills and through property records.
- Laurie Urquiaga liked removing the “A” and “S” overlays but was concerned about increasing the occupancy to more than two unrelated adults. She suggested the possibility of a phased approach to rolling ADUs out citywide.
- Ally Jones supports the amendment and felt that the increase to three unrelated adults is consistent with the rest of the code.



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