



## PROVO MUNICIPAL COUNCIL

### West Side Planning Committee Minutes

5:00 PM, Tuesday, January 31, 2017

Room 310, City Conference Room

351 West Center Street, Provo, UT 84601

## Agenda

### Roll Call

Committee Members	Staff
Council Member David Harding, Chair Council Member David Knecht Council Member Gary Winterton Council Member Kay Van Buren LaDonn Christianson Sarah McNamara Bill Hulterstrom Beth Alligood Shannon Ellsworth (conference call) <b>Excused:</b> Terry Herbert, Phillip Rash	Clifford Strachan, Council Executive Director Dixon Holmes, Economic Development David Day, Development Engineering Coordinator Greg Beckstrom, Public Services Division Director Elizabeth VanDerwerken, Council Executive Assistant  <b>Excused:</b> Community Development staff

**Public Attendees:** Becky Bogdin, Diana Taylor, Mac Carter, Krisel Travis, Peter Matson

### Approval of Minutes

- January 24, 2017 West Side Planning Committee Minutes

**Motion:** Bill Hulterstrom moved to approve the minutes of the January 24, 2017 West Side Planning Committee. Seconded by Beth Alligood.

**Roll Call Vote:** Approved 9:0.

### Policy Choices – Continued

The Committee discussed suggested edits to the West Provo Development Policies. The Committee discussed the nomenclature of “West Provo”; Mr. Strachan indicated that the current capitalization suggests that West Provo is its own community; he suggested clarifying this by revising the text to read: “the southwest area of Provo,” or “southwest Provo.” The general consensus of the Committee was to support this change.

The Committee discussed the purpose statement and its intent. Bill Hulterstrom thought it would skew the plan in the wrong direction when the purpose statement is so specific. Council Member Gary Winterton also struggled with the purpose statement, wondering what it meant

to support the farmers. He reiterated that he wants farmers to stay as long as they want to stay and continue farming, but does “support” carry a connotation with it that the City will spend a lot of money, etc. Mr. Winterton thought this assumption, which could be made due to the general nature of this word, could be problematic and he sees this word being used as a weapon. Clifford Strachan, Council Executive Director, shared several definitions of the verb *support*: “to bear all or part of the weight,” “to give assistance financially or physically,” and “to enable to act.” Mr. Strachan thought the definition was broad enough that the existing and future Councils will be able to weigh those decisions. Sarah McNamara and Council Member and Committee Chair David Harding believed the items which follow the purpose statement lend clarification to the idea of “support.”

Mr. Hulterstrom shared his view on this portion of the purpose statement; his view was that he was not invited onto a committee to protect farmers—farmers were one of the many interests under consideration. He thinks having it in the purpose statement shifts the aim of the Committee away from what he thought they were originally asked to do. He is thinking of the other citizens who are not farmers; he wants to make sure this is representative and reflects the purpose of why the Committee was organized in the first place.

Committee members discussed suggested changes pertaining to section 1. “Preserve Provo’s Agricultural Heritage and Support Agriculture for as long as farmers choose to farm”:

- Shannon Ellsworth pointed out that “rural” has numerous meanings and is open to interpretation; she thinks use of this word needs to be more specific.
- Mr. Hulterstrom likes the broader intent of “Provo’s agricultural heritage.”
- Phillip Rash submitted a comment regarding water rights; Committee members confirmed that this concern has been acknowledged.
- Mr. Hulterstrom asked about the Agricultural Commission; he wants to make sure this is something the agricultural residents want. Mr. Harding explained that many residents were in favor and the Commission was in process for Council approval. He also acknowledged that several Commission members were in attendance.
- Council Member Kay Van Buren suggested removing “the City” from 1.b. “recommend ways the City can remove the barriers,” as there are limits to what the City can do.
- Several committee members debated the merits of naming (or not naming) specific tools the Agricultural Commission could explore. The general consensus was to leave these in the policy statements, as it provided guidance as far as a starting point.
- In section 1.d., change this to read “improve the productive use of agricultural land”; as stated, several committee members thought the policy statement implied only one means of productivity, e.g., “more bushels per acre.” Mr. Harding would prefer that land is in production rather than just fallow. Mr. Hulterstrom thought, however, that putting a measure of productivity around agricultural land lends conflicting views to this statement; he was intrigued by the Wheeler Farm concept – it’s not “productive” agricultural land per se, but is still an example of desirable agricultural usage, so he thinks this might be at odds with other parts of the vision.
- The intent of 1.h. was to address agricultural concerns following the example of the

City of Lehi; residents moving in will be aware (whether by understanding the surrounding area, signing a form, etc.) that they are moving into an agricultural area, which comes with some of the associated sounds and smells.

- Krisel Travis, D.R. Horton said that in Saratoga Springs, there is a note on the recorded plat which acknowledges this.
- There was discussion of the Provo City Farmland Trust; several committee members wondered whether this trust were necessary and what role Provo City intended to take. The Agricultural Commission has dedicated \$20,000 which they would like to place in this fund and will encourage the trust to the Council. It was suggested this item be moved to a footnote, explaining details and the scope of the Provo City Farmland Trust, or that it perhaps be combined with 1.c. listing potential tools.
- Regarding section 1.g., Ms. Ellsworth liked the idea, but not the way it had been proposed. She clarified that we're not protecting farms; we're just preventing residential areas from complaining about the farms nearby. Mr. Strachan indicated that this wording came from Community Development, who understood its intent. Mr. Hulterstrom and Mr. Knecht qualified this item by viewing "impact" with the recognition that there will be some degree of impact.
- The committee discussed section 1.h. on Eminent Domain [since deleted, with adjusted numbering of the outline]. Mr. Hulterstrom didn't know how this class should be protected any better or differently than other spaces from eminent domain – as stated, this creates a protected class and becomes problematic as policy. Eminent domain is already a last resort, so the committee removed this particular policy statement.
- LaDonn Christianson felt that section 1.h. (formerly 1.i.) would give space for angry farmers and landowners, as an acknowledgement of their presence in the ongoing plans for development. The committee kept this section in the policy statements.

The Committee continued discussion, moving on to Section 2, "Preserve and Create Quality Usable Open Space":

- 2.a. Change "Update" → "Utilize"
- Mr. Winterton liked this update to section 2.a.; this revision may not require a comprehensive update, but encourage an update to relevant sections of the Parks and Recreation Master Plan.

Due to limited time remaining in the meeting, the Committee changed pace in order to discuss the rest of the draft policy statements. The conversation around Section 3: "Encourage Sustainable Residential Development Patterns," included the following discussion points:

- Mr. Strachan offered clarification as to the intent of 3.b.; he believed this referred to a gated community.
- The removal of "and attached" from section was suggested; this doesn't limit, but encouraged a certain type of housing.
- Section 3.e. was rewritten from more exclusionary language. Mr. Strachan said that this referred to superblocks of one housing type, which is what this statement is seeking to discourage. Mr. Hulterstrom understands the concept, but pointed out that

enforcing it would be problematic. Many Committee members thought that 3.a. covered the intent of this section, so this item was deleted [resulting in revised numbering of outline].

No committee members submitted comments for section 4. Mr. Hulterstrom observed that elsewhere throughout the policy statements document, the language reflects specific desired elements that the community wants, but the language in section 4 becomes passive. He thought the passivity of this section as written was in direct conflict with the general desire for some commercial development as voiced by committee members and residents. He felt that the policy in section 4 left out the success and possibility of commercial development. The committee did not make any changes to this section at the time, but noted this as an area which could use improvement.

The committee discussed items in Section 5, “Create a Robust Transportation Network”:

- Section 5.a. change “Update” → “Utilize”
- Section 5.e. change “Update” → “Utilize”
- Both of these edits reflect that this policy statement is not a binding plan to future development, but it identifies a way this could happen in the future.

The committee discussed items in Section 6, “Require Proper Sequencing of Development”:

- Regarding section 6.a., Mr. Van Buren asked if a small landowner wanted to develop a small piece of land to build 3 houses for their kids, whether they would be able to do so. David Day, Development Engineering Coordinator, confirmed that this policy statement factors in the current 500-foot radial plan required for submission.
- In section 6.c., “surrounded” means no leapfrogging development; development should follow a linear pattern. A footnote was added to 6.c. to clarify that this means no leapfrog development.

Terry Herbert (excused) had submitted a question pertaining to Section 7: “Restrict Development in Wetlands and other Environmentally Sensitive Areas.” His question was shared by several committee members and centered on the definition being used for these policies; Chair Harding suggested the Committee may need clarification from Bill Peperone and Community Development. Further discussion points included:

- David Day indicated that to the west beyond 3110 West Street, the airport has a sewer line, and there is also sewer up to Utah Lake State Park.
- Chair Harding clarified that section 7.a. refers to new development here.
- Chair Harding noted that in section 7.b., our policy is general but the Planners and law can be more specific.
  - Greg Beckstrom suggested that from a practical standpoint, it is extremely ineffective and expensive to do lake-water flood mitigation on a development-by-development basis. If we’re serious about allowing development in areas subject to flooding from lake elevation, then we need to specify the requirements of flood mitigation.

Chair Harding proposed that the committee vote on approval of the draft policy statements: items 1 through 7 as well as the purpose statement.

**Motion:** Bill Hulterstrom moved to approve the draft of “West Provo Development Policies and to submit said draft policies for public comment, including at a West Side Stakeholders Meeting and on Open City Hall for comments.  
Seconded by Council Member Gary Winterton.

**Roll Call Vote:** Approved 7:0. The following Committee members were present for the vote: Council Member David Harding, Council Member David Knecht, Council Member Gary Winterton, Council Member Kay Van Buren, Bill Hulterstrom, Sarah McNamara, and LaDonn Christianson.

## **Other**

## **Adjournment**

**Motion:** Bill Hulterstrom moved to adjourn. Seconded by Sarah McNamara.

**Roll Call Vote:** Approved 6:0.

- *Next Meeting:* Tuesday, February 28, 2017 at 5:00 PM
- *West Side Stakeholders Meeting:* Thursday, February 16, 2017 at 6:30 - 8:00 PM at Amelia Earhart Elementary School

1/31/2016 The Westside Planning Committee approved the following draft policy statements with direction to submit said draft policies for public comment at a west side stakeholders' meeting and to post on [OpenCityHall.Provo.org](http://OpenCityHall.Provo.org) for comments.

# Proposed West Provo Development Policies

For Recommendation by the Westside Planning Committee to the  
Provo Municipal Council

## Purpose

The purpose of these policies is to guide development in southwest Provo in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future resident while respecting Provo's agricultural heritage.

## Policies

1. Preserve Provo's Agricultural Heritage and Support Agriculture for as long as farmers choose to farm:
  - a. Approve the creation of a Provo Agricultural Commission to support local commercial and non-commercial agriculture.
  - b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including non-traditional farmers, and recommend ways to remove these obstacles.
  - c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: conservation easements, transfers of development rights, community land trusts, a privately funded farmland trust fund, and Utah's "Agricultural Protection" Program.<sup>1</sup>
  - d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.
  - e. Encourage Development-Supported Agriculture<sup>2</sup> and Agritourism<sup>3</sup> to help preserve Provo's agricultural heritage.
  - f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.<sup>4</sup>
  - g. Protect agricultural operations from the impact of residential encroachment.
  - h. Identify agricultural land owners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

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<sup>1</sup> Utah Code Title 17 Chapter 41- a law that helps preserve vital food-producing land.

<sup>2</sup> Development-supported agriculture (DSA) is a movement in real estate development that preserves and invests in agricultural land use. As farmland is lost due to the challenging economics of farming and the pressures of the real estate industry, DSA attempts to reconcile the need for development with the need to preserve agricultural land.

<sup>3</sup> Agritourism involves any agriculturally based operation or activity that brings visitors to a farm or ranch.

<sup>4</sup> The LeRay McAllister Critical Land Conservation Fund is an incentive program providing grants to encourage communities and landowners to work together to conserve their critical lands. The fund targets lands that are deemed important to the community such as agricultural lands, wildlife habitat, watershed protection, and other culturally or historically unique landscapes.

2. Preserve and Create Quality Usable Open Space
  - a. Utilize the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.
  - b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands.
  - c. Provide parks of different scope. Examples include neighborhood parks, trails, community/school gardens, a regional sports park, a farm-themed park<sup>5</sup>, and the Provo Beach concept.
  - d. Encourage agritourism as a means to provide agriculturally themed open space.
  - e. Neighborhood open space should be an integral part of neighborhood design.
3. Encourage Sustainable Residential Development Patterns
  - a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
  - b. Housing types should be mixed without barriers separating types or densities.
  - c. The scale and style of residences should enhance the surrounding area, regardless of housing type.
  - d. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
  - e. Create design standards for important road corridors in southwest Provo.
4. Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations
  - a. Regional commercial uses may be located adjacent to the I-15 or within the Airport Related Activities district.
  - b. Neighborhood and Community Shopping zones may be located at high-volume intersections.
  - c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use.
5. Create a Robust Transportation Network
  - a. Utilize the Transportation Master Plan to accommodate the changing needs of Southwest Provo.
  - b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.
  - c. Update the Provo City Major & Local Street Plan to include a network of proposed local streets to ensure connectivity in between the land between collector and arterial roads.
  - d. Adopt a Complete Streets Policy to ensure all modes of transportation are considered.
  - e. Utilize the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.

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<sup>5</sup> Like Wheeler Farm

6. Require Proper Integration and Sequencing of Development
  - a. The full block should be considered when rezoning away from agricultural uses.
  - b. A Conceptual Integrated Development Plan for the entire block should be required for zone change applications.
  - c. Discourage rezoning of land that is surrounded by agricultural zoning.<sup>6</sup>
7. Restrict Development in Wetlands and other Environmentally Sensitive Areas
  - a. Land south and west of the Lake View Parkway up to Center Street (excepting the airport protection area) should be preserved for open space and agricultural uses.
  - b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

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<sup>6</sup> That is, no leap frog development.



# West Provo Development Policies

As Recommended by the Westside Planning Committee  
to the Provo Municipal Council

## Purpose

The purposes of these policies are to support farmers for as long as they choose to farm, and to guide development when it occurs; in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future residents.

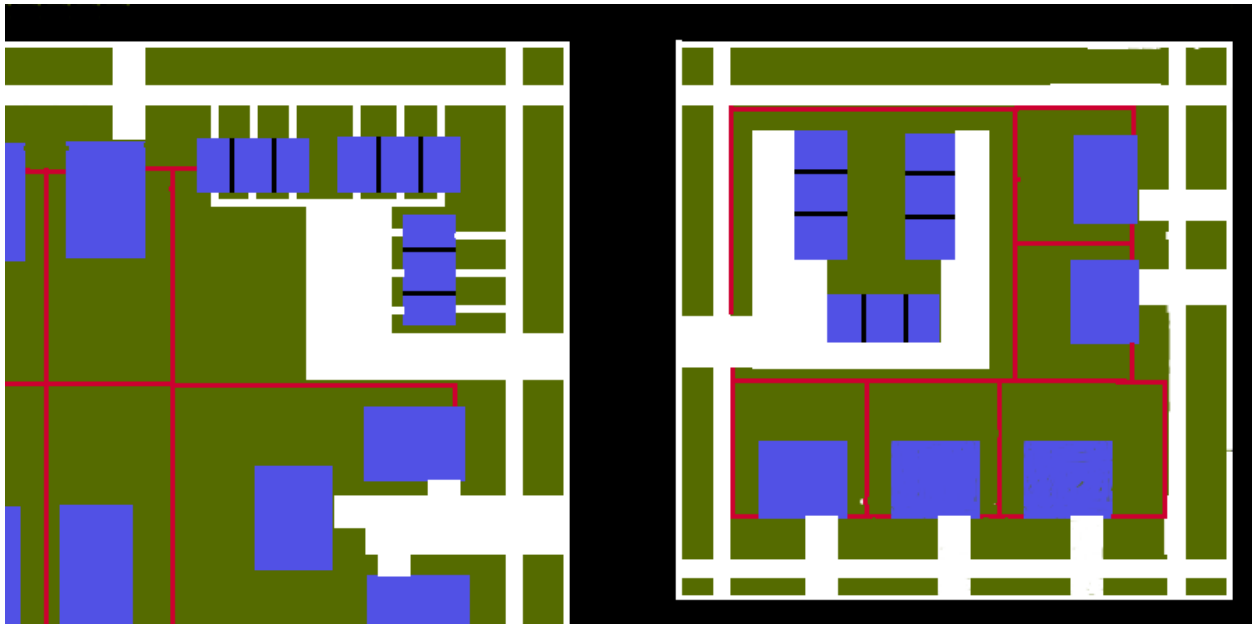
## Policies

1. Support Agriculture and Preserve Agricultural Heritage
  - a. Approve the creation of a Provo Agricultural Commission to support local commercial and non-commercial agriculture.
  - b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including non-traditional farmers, and recommend ways the City can remove these barriers.
  - c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: Conservation Easements, Transfers of Development Rights, Community Land Trusts, and Utah County's "Agricultural Protection" Program.
  - d. Work with the Provo Agricultural Commission to encourage the productivity of agricultural land.
  - e. Support Agriculturally Oriented Development and Agritourism. See below for definitions.
  - f. Encourage our state lawmakers to increase the LeRay McAllister Fund.<sup>1</sup>
  - g. Explore the creation of a Provo City Farmland Trust Fund. (Money contributed to this fund by private citizens could be used as the local match for State and Federal programs.)
  - h. Identify and employ ways to protect agricultural operations from residential encroachment.
2. Preserve and Create Quality Usable Open Space
  - a. Update the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.
  - b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta<sup>2</sup>, Utah Lake shoreline, and wetlands.
  - c. Provide parks of different scope. Examples include neighborhood parks, community/school gardens, a regional sports park, a farm-themed park (like Wheeler Farm<sup>3</sup>), and the Provo Beach concept.

- d. Encourage agritourism as a means to preserve agricultural heritage. See below for a definition of agritourism.
  - e. Neighborhood open space should be an integral part of the neighborhood design.
- 3. Encourage Sustainable Residential Development Patterns
  - a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
  - b. Housing types should be mixed without barriers separating types or densities. (See illustration below)
  - c. The scale and style of residences should fit in with and enhance the surrounding area, regardless of housing type.
  - d. Detached and attached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
  - e. Concentrations of housing targeting a particular age demographic and concentrations of a single housing type should be discouraged.
  - f. Create design standards for important road corridors in Southwest Provo.
- 4. Allow for Commercial Amenities and Employment Opportunities in Appropriate Locations.
  - a. Regional commercial uses may be located adjacent to the I-15 or within the Airport Related Activities district.
  - b. Neighborhood and Community Shopping zones may be located at high-volume intersections; and
  - c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use;
- 5. Create a Robust Transportation Network
  - a. Update the Transportation Master Plan to accommodate the changing needs of Southwest Provo.
  - b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.
  - c. Update the Provo City Major & Local Street Plan to include a network of proposed local streets to ensure connectivity in between the land between collector and arterial roads.
  - d. Adopt a Complete Streets Policy to ensure all modes of transportation are considered.
  - e. Update the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.
- 6. Require Proper Integration and Sequencing of Development
  - a. The full block should be considered when rezoning away from agricultural uses.
  - b. A Conceptual Integrated Development Plan for the entire block should be required for zone change applications.
  - c. Discourage rezoning of land that is surrounded by agricultural zoning.
- 7. Restrict Development in Wetlands and other Environmentally Sensitive Areas

- a. No buildings designed to be occupied by humans should be allowed south and west of the Lake View Parkway up to Center Street (excepting the airport protection area).
- b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

## Illustrations and Definitions



The block on the left is a better example of mixing housing types without barriers than the example on the right. Both corners feature three three-unit townhouses. In the example on the left, the townhouses are integrated better with the rest of the block. In the example on the right, the townhouses are segregated from the rest of block. (No mocking of the “professional” art work! I imagine if we feel this is helpful we can have a better rendering done before it goes out to the public).

## Agritourism

Agritourism or agrotourism, as it is defined most broadly, involves any agriculturally based operation or activity that brings visitors to a farm or ranch. Agritourism has different definitions in different parts of the world, and sometimes refers specifically to farm stays, as in Italy. Elsewhere, agritourism includes a wide variety of activities, including buying produce direct from a farm stand, navigating a corn maze, slopping hogs, picking fruit, feeding animals, or staying at a bed and breakfast (B&B) on a farm.[1]

Agritourism is a form of niche tourism that is considered a growth industry in many parts of the world, including Australia,[2] Canada,[3] the United States,[4] and the Philippines.[5] Other terms associated with agritourism are "agritainment", "value added products", "farm direct marketing" and "sustainable agriculture".

### **Development-supported agriculture**

Development-supported agriculture (DSA) is a nascent movement in real estate development that preserves and invests in agricultural land use. As farmland is lost due to the challenging economics of farming and the pressures of the real estate industry, DSA attempts to reconcile the need for development with the need to preserve agricultural land. The overall goal of DSA is to incubate small-scale organic farms that co-exist with residential land development, providing benefits to farmers, residents, the local community, and the environment.

A related term, agricultural urbanism, refers to agricultural operations located in proximity to and integrated with urban areas. The term of agricultural urbanism was coined by Mark Holland and Janine de la Salle, and is based on their book by the same name, published by Green Frigate Press in 2010 (De la Salle and Holland et al.). The term and concept of Agricultural Urbanism was originally developed in British Columbia in 2008 during a planning process for a development project called Southlands in South Delta, Metro Vancouver and was introduced to planner, real estate developer, and founder of the New Urbanism movement, Andres Duany, as part of the preparation for a design charrette which Duany and his team were involved in.

Two academics who authored a chapter (Patrick Condon from UBC and Kent Mulnix from Kwantlen Polytechnic) posited the original idea of using development to support agriculture by using mechanisms such as transferring density rights from agricultural land onto adjacent areas and preserving the agricultural land through covenants while harvesting the development land value in the adjacent area that received the transferred development rights.