PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

5:30 PM, Tuesday, August 01, 2023
Council Chambers (Room 100)
Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or
https://www.youtube.com/provocitycouncil

The in-person meeting will be held in the **Council Chambers**. The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: youtube.com/p rovocitycouncil and facebook.com/provocouncil. If one platform is unavailable, please try the other. If you do not have access to the Internet, you can join via telephone following the instructions below.

TO MAKE A VIRTUAL PUBLIC COMMENT:
To participate in the public comment portion(s) of the meeting, call in as an audience member as the presentation is wrapping up. Be sure to mute/silence any external audio on your end to reduce feedback (if you are viewing the live proceedings on YouTube, mute the YouTube video; you will be able to hear the meeting audio through the phone while you are on the line).

Press *9 from your phone to indicate that you would like to speak. When you are invited to speak, the meeting host will grant you speaking permission, calling on you by the last four digits of your phone number. Please begin by stating your first and last name, and city of residence for the record. After you have shared your comment, hang up. If you wish to comment on a later item, simply re-dial to rejoin the meeting for any subsequent comment period(s).

August 01 Council Meeting: Dial 346 248 7799. Enter Meeting ID 815 5266 8094 and press #. When asked for a participant ID, press #. To join via computer, visit zoom.us and enter the meeting ID and passcode: 813696.

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call

Prayer

Pledge of Allegiance

Presentations, Proclamations, and Awards

1. A presentation of the Environmental Stewardship Award to Provo City (23-011)

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.
Please limit your comments to two minutes.
State Law prohibits the Council from acting on items that do not appear on the agenda.

Action Agenda

2. A resolution appointing an individual to the Board of Adjustment (23-005)
3. An Ordinance amending Provo City Code to allow meeting halls for rent as a conditional use in the Agricultural Zone and establishing standards for that use. Citywide Application PLOTA20230082
4. An ordinance amending the General Plan to adopt the Conservation and Resiliency Plan. Citywide Application. (PLGPA20210367)

Adjournment

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.org or using their contact information listed at: provo.org/government/city-council/meet-the-council

Materials and Agenda: agendas.provo.org
Council meetings are broadcast live and available later on demand at youtube.com/ProvoCityCouncil
To send comments to the Council or weigh in on current issues, visit OpenCityHall.provo.org.

The next Truth in Taxation will be held on Tuesday, August 8, 2023. The meeting will be held in the Council Chambers, 445 W. Center Street, Provo, UT 84601 with an online broadcast. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings may vary. All meeting start times are noticed at least 24 hours prior to the meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting are invited to notify the Provo Council Office at 445 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email evanderwerken@provo.org at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: MDAYLEY
Department: Council
Requested Meeting Date: 07-18-2023

SUBJECT: A presentation of the Environmental Stewardship Award to Provo City (23-011)

RECOMMENDATION: Accept the award.

BACKGROUND: The mission of the Utah Valley Earth Forum (UVEF) is "to help improve and protect the environment of Utah Valley and beyond for the betterment of all people and nature, for now and all future generations." Throughout the year, the UVEF "identifies individuals, businesses, organizations and communities that make exceptional contributions to environmental stewardship or sustainability."

FISCAL IMPACT: N/A

PRESENTER'S NAME: James Westwater, Chairman, Utah Valley Earth Forum

REQUESTED DURATION OF PRESENTATION: 5 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 23-011

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: MDAYLEY
Department: Council
Requested Meeting Date:

SUBJECT: A resolution appointing an individual to the Board of Adjustment (23-005)

RECOMMENDATION: Approve resolution

BACKGROUND: A recommended reappointment of a current Board Member.

FISCAL IMPACT:

PRESENTER'S NAME: Mayor Michelle Kaufusi

REQUESTED DURATION OF PRESENTATION: 5 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 23-005

RESOLUTION 2023-XX

A RESOLUTION APPOINTING AN INDIVIDUAL TO THE BOARD OF ADJUSTMENT. (23-005)

WHEREAS, the Council, acting pursuant to their statutory authority, has reviewed the qualifications of individuals to be appointed to the Board of Adjustment; and

WHEREAS, on August 1, 2023, the Municipal Council met to ascertain the facts regarding this matter, which facts are found in the public record of the Council's consideration; and

WHEREAS, after considering the facts presented to the Municipal Council, the Council (i) appoints the individuals set forth below to the Board of Adjustment and (ii) finds such appointments will reasonably further the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as follows:

PART I:

1. Pursuant to Utah Code Section 10-3-1003, the Municipal Council appoints the individuals listed below to serve on the board for the prescribed term:

Appointee's Name	Board	Term Expiration Date
Amanda Peterson	Board of Adjustment	August 1, 2028

2. Following said appointments, there are 5 members on the Board of Adjustment with 1 alternative, as shown on the attached Exhibit A.

PART II:

This resolution and the appointments indicated herein shall take effect immediately.

END OF RESOLUTION.

EXHIBIT A[1]
BOARD OF ADJUSTMENT APPOINTMENTS

Name	Seat[2]	Term Expiration Date[3]	Appointing Resolution
Eric Chase	1	6/30/2027	2023-7
Maria Winden	2	6/30/2022 6/30/2025	2020-22 2022-52
Thomas Halladay	3	6/30/2026	2021-36
Laureen Urquiaga	4	6/30/2028	2023-21
Andrew Renick	5	6/30/2024	2019-38
Amanda Peterson	Alternate	08/01/2024	2023-005
Vacant	Alternate		

PART I:

1. Pursuant to Provo City Code Section 14.05.010, the Municipal Council consents to the appointment of the individual listed below to serve on the listed board or commission for the prescribed term:

Appointee's Name	Board	Term Expiration Date
Amanda Peterson	Board of Adjustment	August 1, 2028

2. Following said appointment, there are 5 members and 1 vacancy (alternate) on the Board of Adjustment, as shown on the attached Exhibit A.

[1] This Exhibit includes the Board of Adjustment appointees in the resolution to which it is attached. Anyone not so appointed should be removed from the Exhibit.
[2] Alternate seats are optional under city code.
[3] Five-year staggered terms. Vacancies filled for the remainder of unexpired term.

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: SWILMOTH
Department: Development Services
Requested Meeting Date: 08-01-2023

SUBJECT: An Ordinance amending Provo City Code to allow meeting halls for rent as a conditional use in the Agricultural Zone and establishing standards for that use. Citywide Application PLOTA20230082

RECOMMENDATION: To be heard at the August 1, 2023 Work & Council Meeting. Please see supporting documents.

BACKGROUND: Barry Finch requests Ordinance Text Amendments to Section 14.08.020 (Permitted Uses in the A1 Zone) to add "Meeting Halls for Rent" as a new conditional use in the A1 (Agricultural) Zone, as well as new conditions in Section 14.34.250. The request is related to a proposal to build a new commercial structure on the property at 310 South 2470 West to rent out for a variety of events.
Though the applicant is applying for his situation at his property, this request would apply to all A1 and RA zones in Provo, thereby allowing this new commercial use on any agricultural or residential agricultural land in the city. A map to show those areas has been included in the attachments to this report.
As a way to try to mitigate possible adverse impacts caused by meeting halls for rent being allowed in these zones, the applicant has worked with staff to now provided some standard conditions related to parking, noise, security, design, lighting, and access for these sites.

FISCAL IMPACT:

PRESENTER'S NAME: Aaron Ardmore, Planning Supervisor

REQUESTED DURATION OF PRESENTATION: 10 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: PLOTA20230082

ORDINANCE 2022-.

AN ORDINANCE AMENDING PROVO CITY CODE TO ALLOW MEETINGS HALLS FOR RENT AS A CONDITIONAL USE IN THE AGRICULTURAL ZONE AND ESTABLISHING STANDARDS FOR THAT USE. CITYWIDE APPLICATION. (PLOTA20230082)

WHEREAS, it is proposed that Provo City Code 14.08.020 and 14.34.250 be amended; and

WHEREAS, on July 12, 2023, the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and after such meeting, the Planning Commission recommended denial to the Municipal Council by a vote of 4:3; and

WHEREAS, on August 1, 2023, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code should be amended as described herein and (ii) the proposed amendment reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City Code Sections 14.08.020 and 14.34.250 are hereby amended as set forth in Exhibit A.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Exhibit A

14.08.020
Permitted Uses.

. . .

(6) *Conditional Uses.* The following uses and structures are permitted in the A1 zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

Use No.	Use Classification
1516	Bed and breakfast inn
1902	Ranch or farm employee dwellings (one (1) per ten (10) acres of land area)
4700	Communications
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4871	Channel or right-of-way (predominantly open flume-like structure)
4872	Debris basin (a dam and basin for intercepting debris)

Use No.	Use Classification
4874	Spreading grounds (area for percolating water into underground)
6722	Police protection and related activities, branch (office only)
7235	Meeting Halls for Rent (subject to standards in 14.34.250)
7400	Recreation activities

14.34.250
Standards for Conditional Uses.

A conditional use permit is required for the following conditional uses when permitted in the zone and shall only be approved in compliance with Section 14.02.040, Provo City Code. The uses shall comply with the requirements of this Section and shall also comply with any additional conditions resulting from a Planning Commission hearing.

. . .

(12) *Education Services.*

. . .

(d) No exterior lighting may shine directly into adjoining properties.

(13) *Meeting Halls for Rent.*

(a) Where Meeting Halls for Rent are permitted as conditional uses, they are subject to the following standards:

(i) One (1) off-street parking space must be provided for every four (4) potential occupants, based on the maximum occupancy load for the use, and the use must comply with Provo City Code Chapter 14.37, Off-Street Parking Standards. There must be sufficient on-site parking for patrons and employees.

(ii) The use must comply with the requirements of Provo City Code Chapter 9.06, Public Disturbances.

(iii) A minimum of two (2) security personnel must be on site to manage the entrance of vehicles and parking lot during any event. Security personnel must be certified and provided by a licensed and bonded security company.

(iv) The design of the meeting hall building must be characteristic of an agricultural use.

(v) The meeting hall, and associated parking, may not occupy more than forty-nine percent (49%) of the property.

(vi) Lighting may not disperse beyond the subject lot and shall comply with Chapter 15.21, Provo City Code.

(vii) There must be only a single point of access, which will be monitored by security personnel so only invited guests are permitted to enter. Once on-site parking is full, no additional patrons will be allowed to enter.

(viii) Violation of any of the above conditions will be cause for termination of the Conditional Use Permit.

DEVELOPMENT SERVICES

Planning Commission Hearing Staff Report
Hearing Date: July 12, 2023

***ITEM #1** Barry Finch requests Ordinance Text Amendments to Section 14.08.020 (Permitted Uses in the A1 Zone) and 14.09.020 (Permitted Uses in the RA Zone), to add "Meeting Halls for Rent" as a new conditional use in the A1 (Agricultural) and RA (Residential Agricultural) Zones, as well as new conditions in Section 14.34.250. Citywide Application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20230082

Applicant: Barry Finch

Staff Coordinator: Aaron Ardmore

ALTERNATIVE ACTIONS

1. **Recommend Approval** 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.*

2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is July 26th, 2023 at 6:00 P.M.*

Relevant History: The applicant has owned property in the A1 Zone for many years and is now wanting to find a way to establish a commercial rental venue for his agricultural property. After speaking with staff about what would need to be done, he chose to propose a text amendment to the permitted uses in the A1 zone to allow for his desired use. This item was continued at the June 14th Planning Commission meeting.

Neighborhood Issues: The proposal was discussed at the April 27th District Three neighborhood meeting. The following concerns were raised:

- Does the amendment have to apply to all A1 zones?
- There may be issues with noise, light, and parking issues on adjacent properties.

Summary of Key Issues:

- The Finches want to continue their agricultural uses on their land, so a Rezone would not work to allow for the event hall.
- Permitting an event hall or wedding reception center in all A1 Zoned areas could bring adverse impacts to adjacent property owners.
- The proposed use does not fit with the purpose and objectives of the A1 zone.

Staff Recommendation: That the Planning Commission recommends denial of the proposed text amendments.

OVERVIEW

Barry Finch is requesting text amendments to Sections 14.08.020 and 14.09.020, Provo City Code, to add “meeting halls for rent” as a conditional use in the A1 and RA Zones. The request also includes a proposal to add new related standard conditions for that use in Section 14.34.250. The request is related to a proposal to build a new commercial structure on the property at 310 South 2470 West to rent out for a variety of events.

Though the applicant is applying for his situation at his property, **this request would apply to all A1 and RA zones in Provo**, thereby allowing this new commercial use on any agricultural or residential agricultural land in the city. A map to show those areas has been included in the attachments to this report.

As a way to try to mitigate possible adverse impacts caused by meeting halls for rent being allowed in these zones, the applicant has worked with staff to now provided some standard conditions related to parking, noise, security, design, lighting, and access for these sites.

FINDINGS OF FACT

1. Meeting Halls for Rent (7235) are not a permitted or conditional use in the A1 zone (Section 14.08.020) or RA zone (Section 14.09.020).
2. Meeting Halls for Rent are only permitted by-right or conditionally in the DT1, DT2, and CM zones.

STAFF ANALYSIS

Staff have met with the applicant on several occasions to discuss the options for uses on the applicant’s property. During these discussions staff related some of the major concerns that the city would have with the proposed use being allowed in agricultural areas including traffic, noise, and increased police needs in mainly residential areas. In response to those discussions the applicant provided some suggested mitigating conditions that could be associated with the amendment request. Again, staff made the applicant aware that these solutions could not overcome staff concerns regarding the stated purpose and objectives of the agricultural zone compared to the proposed use. Section 14.080.010 states that the agricultural zones should “protect agricultural uses from encroachment of urban development” and that any additional uses in the zone should be incidental to agriculture and “not change the basic agricultural character” of these areas of the city. Staff believes that the proposed amendment would do just that.

To further clarify staff position on this request staff will respond to criteria found in Section 14.02.020(2). This code establishes criteria for staff to evaluate text amendments as follows: (staff responses in bold)

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: The applicant has stated that the public purposes for the amendment are to provide farmers with another means of earning money and providing additional venues for the community to use for celebrations. Staff agrees that this would provide additional income to farmers, but a use as intense and as commercial as this is not consistent with Agricultural zoning.

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

Staff response: Staff does not believe that the proposed amendment is the best way to address the above public purposes. Adding a commercial use to be allowed in all agricultural and residential agricultural zones would likely bring more issues to the neighborhood than it would benefit. Staff have suggested some agricultural related business ideas that could provide additional income for farmers like pumpkin patches, corn mazes, and educational activities that could provide opportunities for the community to come together.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: The applicant did not identify any goals or policies from the General Plan that would be met by the proposed amendment. Staff could not find any alignment with this proposal and the stated General Plan goals.

(d) 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 request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Staff believes that this proposal would hinder attainment of the General Plan policies to conserve agricultural lands, promote a high quality of life for Provo residents, and strike a balanced approach in locating land uses.

(f) Adverse impacts on adjacent land owners.

Staff response: The adverse impacts that staff have identified as possibilities to the applicant are related to the increased vehicular traffic in mostly residential neighborhoods, noise and light complaints in quiet parts of the city, and an increased need for city services.

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

Staff response: Staff have verified the zoning and General Plan for the area in question.

(h) 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.

CONCLUSIONS

Staff have concluded that the proposed use just does not align with the purposes of the agricultural or residential agricultural zones or the stated goals and objectives of the General Plan. Additionally, the proposed conditions may do well to solve some of the adverse impacts of these meeting halls in residential and agricultural zones but would change the character of these areas. Staff recommends that this proposal be denied.

ATTACHMENTS

1. Proposed language
2. Applicant justification statement
3. Map of applicant property
4. Photos of applicant property
5. Maps of all A1 and RA Zones

ATTACHMENT 1 – PROPOSED LANGUAGE

14.08.020
Permitted Uses.

(6) *Conditional Uses.* The following uses and structures are permitted in the A1 zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

Use No.	Use Classification
1516	Bed and breakfast inn
1902	Ranch or farm employee dwellings (one (1) per ten (10) acres of land area)
4700	Communications
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4871	Channel or right-of-way (predominantly open flume-like structure)
4872	Debris basin (a dam and basin for intercepting debris)

Use No.	Use Classification
4874	Spreading grounds (area for percolating water into underground)
6722	Police protection and related activities, branch (office only)
7235	Meeting Halls for Rent (subject to standards in 14.34.250)
7400	Recreation activities

14.09.020
Permitted Uses.

(7) *Conditional Uses.* The following uses and structures are permitted in the RA zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

Use No.	Use Classification
1516	Bed and breakfast inn
4700	Communications
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)

Use No.	Use Classification
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
6241	Mortuaries
6722	Police protection and related activities, branch (office only)
7235	Meeting Halls for Rent (subject to standards in 14.34.250)
8221	Veterinarian services
8222	Animal hospital services

14.34.250
Standards for Conditional Uses.

A conditional use permit is required for the following conditional uses when permitted in the zone and shall only be approved in compliance with Section 14.02.040, Provo City Code. The uses shall comply with the requirements of this Section and shall also comply with any additional conditions resulting from a Planning Commission hearing.

(12) *Meeting Halls for Rent.*

(a) Meeting Halls for Rent shall be permitted as conditional uses in the A1 and RA zones, subject to the following standards:

(i) One (1) off-street parking space shall be provided for each four (4) occupants, based on the maximum occupancy load for the use and shall comply with Chapter 14.37, Provo City Code. There shall be sufficient on-site parking for patrons and employees.

(ii) No musical instruments, stereophonic equipment, sound amplifier or similar device shall be operated in such a manner as to create a noise or vibration disturbance across a real property boundary.

(iii) A minimum of two (2) security personnel shall be on site to manage the entrance of vehicles and parking lot during any event. Security personnel must be certified and provided by a licensed and bonded security company.

(iv) The design of the meeting hall building shall be characteristic of an agricultural use.

(v) The meeting hall, and associated parking, shall not occupy more than forty-nine percent (49%) of the property.

(vi) Lighting shall not disperse beyond the subject lot and shall comply with Chapter 15.21, Provo City Code.

(vii) There shall be a single point of access, which will be monitored by security personnel so only invited guests are permitted to enter. Once on-site parking is full, no additional patrons will be allowed to enter.

(viii) Violation of any of the above conditions will be cause for termination of the Conditional Use Permit.

ATTACHMENT 2 – APPLICANT JUSTIFICATION STATEMENT

First, a brief history of farming in Provo as well as explaining the new reality farmers now face.

Farmers in Provo were greatly impacted by the new road beginning in East Bay and continuing to the Provo Airport. The road ended up cutting in half or completely eliminating the majority of farms in west provo. In simple terms, this change forced many farmers to decide whether to sell their property or to come up with other "out of the box" ways to make a living on their farms.

Personally, as a result of the new road I lost the lease I had on the ground owned then by the Church of Jesus Christ of Latter day Saints as it was purchased by Provo City for a future Sports Park. I have established a horse boarding business in my yard to compensate somewhat for the loss of acreage. Still, we feel the need to expand our earning capacity by building a barn that will invite members of the community to hold events at our living, working farm.

Many other farmers have been impacted similarly. I know farmers who have tried a paint gun business on their property, pheasant hunting, corn maze, pumpkin patch, farm tours with kid games and petting zoos, and even a farm related air b and b. Farmers will undoubtedly continue to search for creative ways to include the community in generating income for their families.

In my opinion, Provo City must work with local farmers to help them transition their farms during this unique time period. If this does not happen, it is my opinion that many of the farms that still exist in Provo will be lost to developers.

Citizens of Provo will then lose out on the richness, history and educational opportunities afforded by family farms.

A). Our farm has always been a destination for our community. Each year thousands of people find their way to our farm to buy produce, walk the pumpkin patch, see animals, buy hay etc. We have always welcomed and in fact depended on people coming to our place. So many people have mentioned how they love to come to our farm to experience a bit of farm life. Our farm is a landmark.

We hope to continue that relationship in a way that people have mentioned to us over the years. People have always told us we should invite people down for big family events. As a result we have allowed more than a few weddings and other celebrations at our farm in the past.

B). Many people in Provo yearn for a connection to their local farm. Many people grew up on farms and miss that connection to the land that is felt for many on a spiritual level. Others just are drawn to agriculture, animals and farm life. Now days almost all farm—community relationships have been cut off. If you want to buy something from a farmer you have to do it at a designated time and place; usually a farmers market. Most products are sold roadside by non farmers. Allowing events to happen at the farm would be one way to help in this matter.

C). Allowing our barn would also be a benefit to minorities in our community. Culturally, many weddings are held at LDS chapels. For many this is fine and a blessing to all those who use these chapels comfortably. If you do not

participate with the local Church however, or have a language barrier you may not feel able to reach out to local church leaders to arrange an event. Our barn would be inclusive to all people. We accommodate all cultures and beliefs. We also have fluent Spanish speakers at the farm.

ATTACHMENT 3 – MAP OF APPLICANT PROPERTY



ATTACHMENT 4 – PHOTOS OF APPLICANT PROPERTY



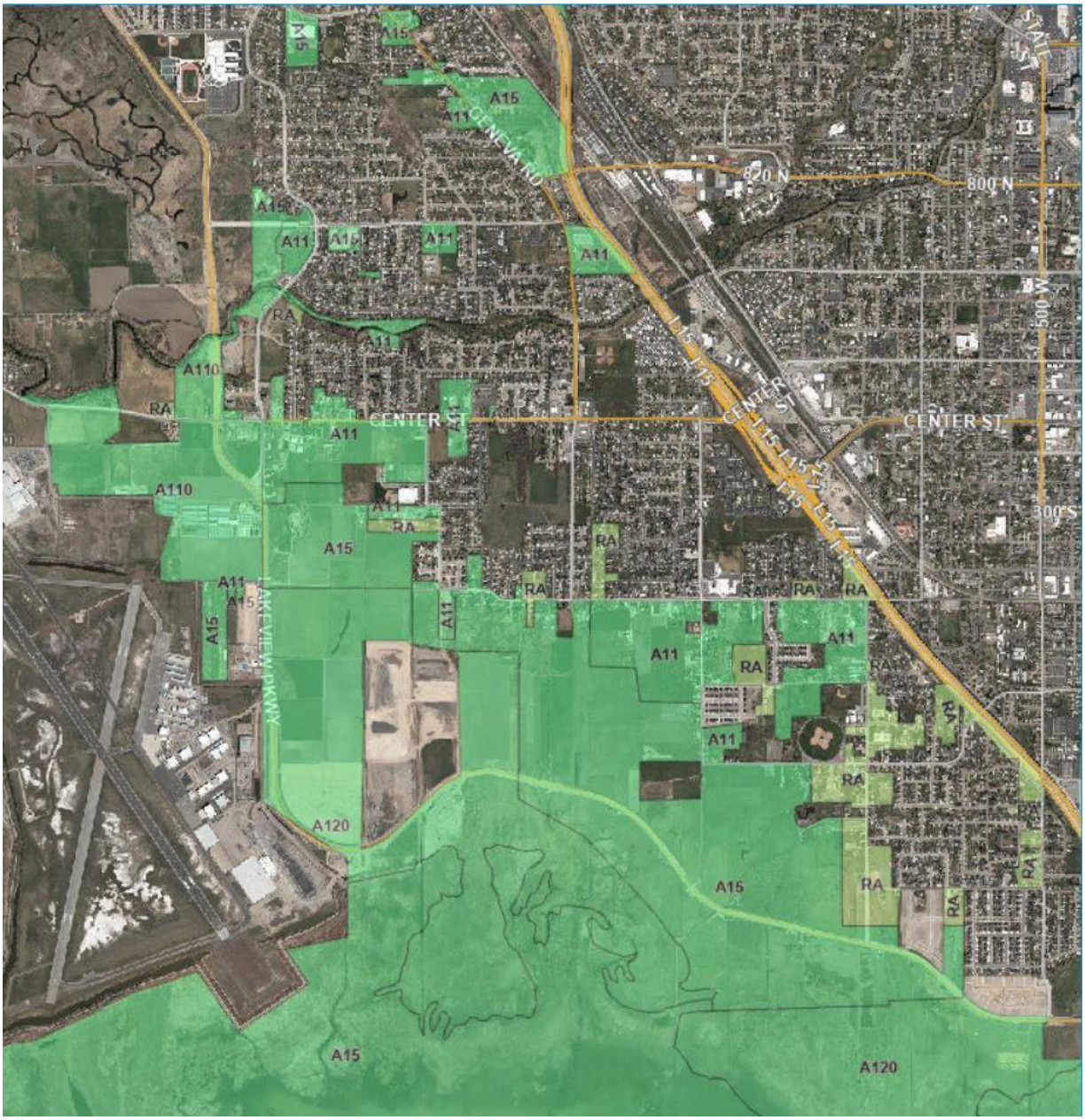


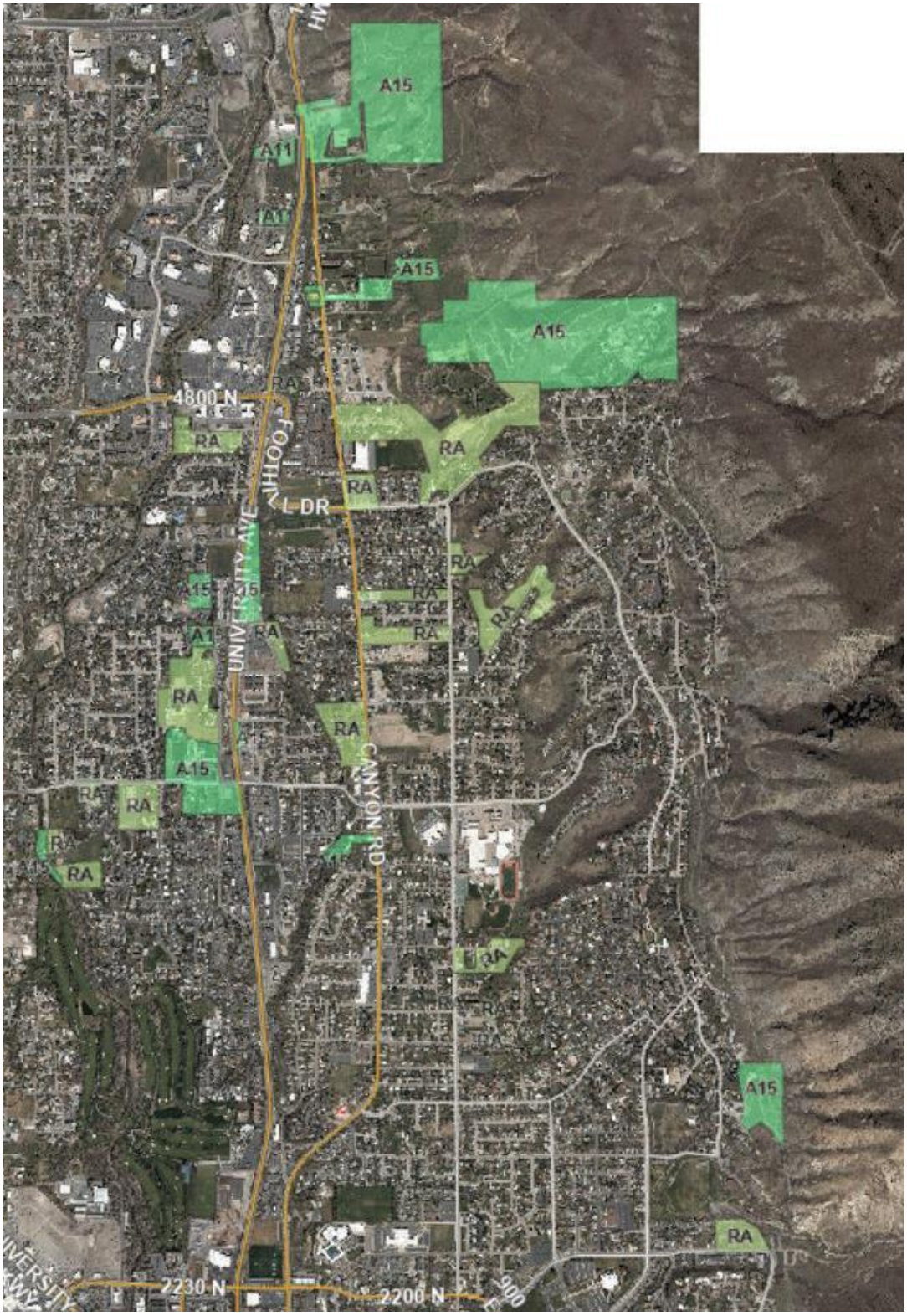


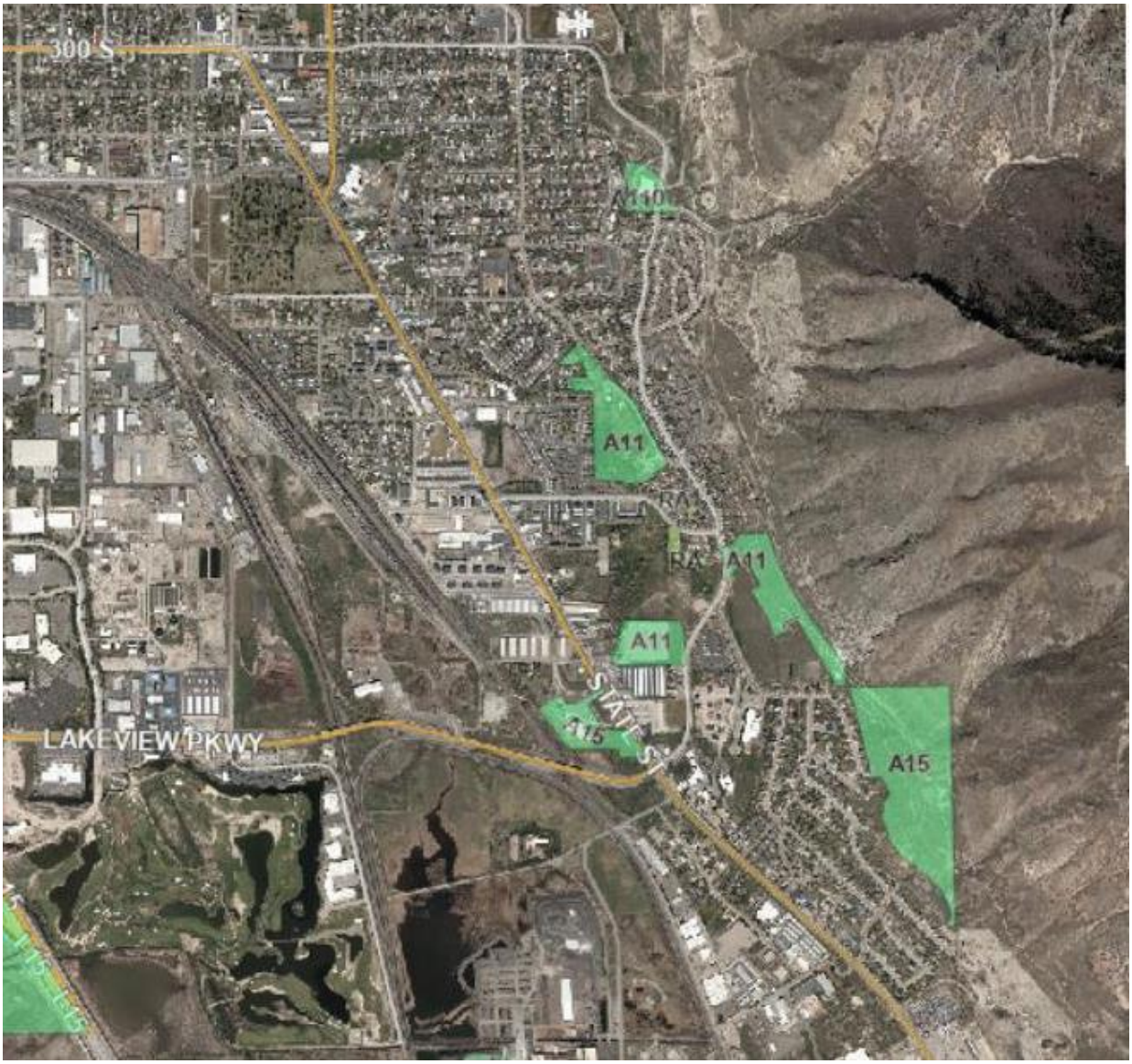




ATTACHMENT 5 – MAPS OF ALL A1 AND RA ZONES




A15
A11
A11
A15
A15
4800 N
RA
RA
RA
RA
FOOTHILL DR
UNIVERSITY AVE
RA
A15
A1
RA
RA
RA
RA
RA
RA
A15
RA
RA
RA
CANYON RD
RA
A15
2230 N
2200 N
900
RA


300 S
A11
A11
A11
A11
A15
A15
LAKEVIEW PKWY

Provo City Planning Commission

Report of Action

July 12, 2023

*ITEM #1	Barry Finch requests Ordinance Text Amendments to Section 14.08.020 (Permitted Uses in the A1 Zone) to add "Meeting Halls for Rent" as a new conditional use in the A1 (Agricultural) Zone, as well as new conditions in Section 14.34.250. Citywide Application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20230082

The following action was taken by the Planning Commission on the above-described item at its regular meeting of July 12, 2023:

RECOMMENDED DENIAL

On a vote of 4:3, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Daniel Gonzales (to approve with conditions)
Second By: Raleen Wahlin
Votes in Favor of Motion: Daniel Gonzales, Raleen Wahlin, Jeff Whitlock
Votes Against the Motion: Barbie DeSoto, Robert Knudsen, Melissa Kendall, Andrew South
Daniel Gonzales 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.

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. Staff also gave some updates and changes that have occurred since the staff report was written; including removing the proposal to amend Section 14.090.020, adding a reference to Chapter 9.06 in proposed condition (ii), and the receipt of public comments. Staff also noted that these venues would not be able to serve alcohol, so that would not be needed in the proposed conditions.

CITY DEPARTMENTAL ISSUES
- Important issues raised by other departments – addressed in Staff Report to Planning Commission

NEIGHBORHOOD MEETING DATE
- A neighborhood meeting was held on 04/27/2023.
- Citywide application: all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT
- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- 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:

- Three written comments were received after the staff report (from Matt Knudsen, Janae and Edward Lewis, and the Provo City Agricultural Commission) that raised concerns about the Finch property being able to meet code, have enough parking, creating noise from events, and creating public safety issues with the access.
- Katherine Lungberg stated her appreciation for animals and farming in the area and would like the city to do what they can to preserve these lands.
- Elizabeth Weeks supports the idea to preserve agriculture in her neighborhood.

APPLICANT RESPONSE

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

- The Finch family gave an overview of their farm, their proposal, and some proposed revisions to the conditions provided in the staff report.
- The applicants proposed that the security condition be changed to not require security at "any event", but to be triggered by events that serve alcohol, have live music, or extend past 10 p.m. at night. Possibly one security guard per 100 guests, and that they be licensed by Utah State.
- They also stated that there won't be an overspill of parking because they will manage it accordingly to the standard.
- Mr. Finch expressed that he only has a choice to try to make money in a new way on his property with events or to sell the property to be developed.
- Mrs. Finch noted that there would be less traffic at their events than there is with the church and school traffic north of the property.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Mr. Knudsen asked some specific questions regarding the proposed conditions and questioned whether the conditions were sufficient to mitigate the impacts of the use.
- There was some discussion about parking and occupancy for event halls on agricultural lots, and how to manage these events.
- The commissioners asked additional questions of staff regarding the recommendation, adjacent uses, and benefits of holding agricultural land (greenbelt incentives).
- The commission discussed the advantages of having these types of events on agricultural land, with some stating that it could help preserve agricultural uses on these lands, but that there are concerns with security and parking.
- The commission discussed possible conditions and changes to the proposed conditions that could help the proposal move forward, including different triggers for security personnel, better design standards, and changes to acreage and lot coverage regulations.
- A number of the commissioners were not comfortable with making citywide changes to the A1 zone to allow the proposed use, but that a new zone or overlay would be a more reasonable solution to allow these types of uses on agricultural land.
- Mr. South noted that adding the commercial use to agricultural zones needs more study and time to carefully look at options for this type of proposal.
- Ms. Kendall stated that more time is needed to investigate alternatives. Mr. Finch stated he would want an up or down vote rather than a continuance.
- The commission continued discussing additional standards to add to Section 14.34.250 for meeting halls in the A1 Zone, trying to find the right wording for the proposal moving forward. Staff offered increasing the design standards for materials (metal only on roofs) and having a minimum lot size for the meeting hall use.
- The commission discussed on altering the conditions in the following manner:
    - Require one security guard per 75 adult guests.
    - Require security for events that have live music or extend past 10 p.m.
    - Require a minimum of five acres to establish the use.
    - Limit building materials to only permit metal on the roof.
- **Ms. Kendall made a motion to continue the item, this was seconded by Mr. Knudsen, but failed on a vote of 3:4 (with Ms. Kendall, Mr. Knudsen, and Ms. DeSoto voting in favor of a continuance)**.

- Discussion continued on minimum lot size and maximum percentage of the lot dedicated to the meeting hall use.
- Mr. Gonzales made a motion to approve the proposal with changes in the following conditions:
    - 14.34.250(12)(a)(ii) include a reference to Chapter 9.06;
    - 14.34.250(12)(a)(iii) a minimum of one security personal per 75 adult guests be on hand, or when an event has live music, or when an event goes past 10 p.m.;
    - 14.34.250(12)(a)(iv) design of building shall only allow metal on roof; and
    - Add a new condition for a minimum acreage of five (5) acres.



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 Development Services, 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

14.08.020
Permitted Uses.

(6) *Conditional Uses.* The following uses and structures are permitted in the A1 zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

Use No.	Use Classification
1516	Bed and breakfast inn
1902	Ranch or farm employee dwellings (one (1) per ten (10) acres of land area)
4700	Communications
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4871	Channel or right-of-way (predominantly open flume-like structure)
4872	Debris basin (a dam and basin for intercepting debris)

Use No.	Use Classification
4874	Spreading grounds (area for percolating water into underground)
6722	Police protection and related activities, branch (office only)
7235	Meeting Halls for Rent (subject to standards in 14.34.250)
7400	Recreation activities

14.34.250
Standards for Conditional Uses.

A conditional use permit is required for the following conditional uses when permitted in the zone and shall only be approved in compliance with Section 14.02.040, Provo City Code. The uses shall comply with the requirements of this Section and shall also comply with any additional conditions resulting from a Planning Commission hearing.

(12) *Meeting Halls for Rent.*

(a) Meeting Halls for Rent shall be permitted as conditional uses in the A1 and RA zones, subject to the following standards:

(i) One (1) off-street parking space shall be provided for each four (4) occupants, based on the maximum occupancy load for the use and shall comply with Chapter 14.37, Provo City Code. There shall be sufficient on-site parking for patrons and employees.

(ii) No musical instruments, stereophonic equipment, sound amplifier or similar device shall be operated in such a manner as to create a noise or vibration disturbance across a real property boundary.

(iii) A minimum of two (2) security personnel shall be on site to manage the entrance of vehicles and parking lot during any event. Security personnel must be certified and provided by a licensed and bonded security company.

(iv) The design of the meeting hall building shall be characteristic of an agricultural use.

(v) The meeting hall, and associated parking, shall not occupy more than forty-nine percent (49%) of the property.

(vi) Lighting shall not disperse beyond the subject lot and shall comply with Chapter 15.21, Provo City Code.

(vii) There shall be a single point of access, which will be monitored by security personnel so only invited guests are permitted to enter. Once on-site parking is full, no additional patrons will be allowed to enter.

(viii) Violation of any of the above conditions will be cause for termination of the Conditional Use Permit.

EXHIBIT B

Matt Knudsen | June 14, 2023
Finch Property

Hello Planning Commission,

Thanks for your service to our city.

I have a lot of concerns with the Finch Property and their desires.

First, their farm is a disgrace to our community. It is an eye sore and needs to be addressed by the city, it isn't safe and isn't something to be proud of, it isn't a LANDMARK by any means.

Second, they don't have enough space to have a venue for the public. They have built pieced up sheds and barns on 80% of their property. Also, they don't have enough space to park 15 cars, let alone enough for an event. We witnessed that the other day, when they had an event, cars were parked down all the streets. I don't think that is safe and fair for the neighbors.

Third, it wasn't that long ago they had a fire and two people died. They haven't made any upgrades or improvements on the property. It actually is worse than before. I don't think they will create a venue that West Provo would be happy with, and represent our city well. In my opinion, you should reject this application and let them work on maintaining and making their property something the city and neighborhood wants to endorse.

Thanks,
Matt

Shawn Miller | July 7, 2023
Barry Finch Amendment Request, Planning Commission

The Provo City Agricultural Commission was solicited for comments regarding Barry Finch's request for a change in permitted uses in the city's agricultural zones. We are of a somewhat divided opinion. While some on the commission do not believe a meeting hall is an appropriate use in an agricultural zone (and also worry about the impact on surrounding residential neighbors), others do not see a significant difference between a meeting hall and the already existing permission to build and run a bed and breakfast in the agricultural zoning. Mr. Finch claims to be seeking income from his land that farming does not provide, and we feel that if this allows him to continue farming on the rest of the property and maintain it as open space, that is a better alternative than Finch selling the land to developers (or subdividing the land himself) and building residential properties or commercial warehouses. We appreciate that the city wants to protect our few remaining agriculturally zoned properties from what they consider non-agricultural uses, but the city has shown little interest in preventing current agricultural zones from being rezoned to residential or commercial. If a bucolic barn/meeting hall can save the farm, as it were, that seems the better alternative.

The Finch case has some peculiarities. The land is not currently being farmed. In the past, the Finch family sold vegetables locally, but at this moment, nearly all the land is being used to stable animals. The constructions that house those animals are substandard (to put it mildly). We believe there have been at least two fires on the property. The most recent stable fire in 2018 killed two people, a father and his son. The fire also killed several goats and nine horses, some of which had to be put down by the police. We would strongly suggest that if this change takes place that one of the required conditions is that every building on these properties must be built to code. If this meeting hall is going to be open to the general public with significant traffic and use, then the scores of dangerous outbuildings currently in place will need to be entirely removed for the safety of Finch's customers. If that were the outcome, the Finches win, the neighbors win, and (if Finch continues to rent stables) the animals win by gaining better housing conditions.

Provo Agricultural Commission
Shawn Miller [redacted]

JaNae and Edward Lewis | July 10, 2023
Hearing Notice Item #1 - public comment

Hello Aaron,

I am writing to provide input for the request of Barry Finch to amend the Ordinance (Section 14.08.020) to permit a "Meeting Halls for Rent" in this A1 zone (PLOTA20230082).

As a resident who lives 3 houses north of the property in question, I am in favor of this change overall, but I submit these concerns:

1. Noise.
    a. Past activities on the property occasionally violate the hours of noise restrictions. The loud music emanating from the property has, on occasion, gone past midnight within the past 3 years that I've lived in this home. I once called the police to address this nuisance. That intervention was effective in reducing the volume of noise. I'm not aware of the problem occurring since.

2. Citizen safety.

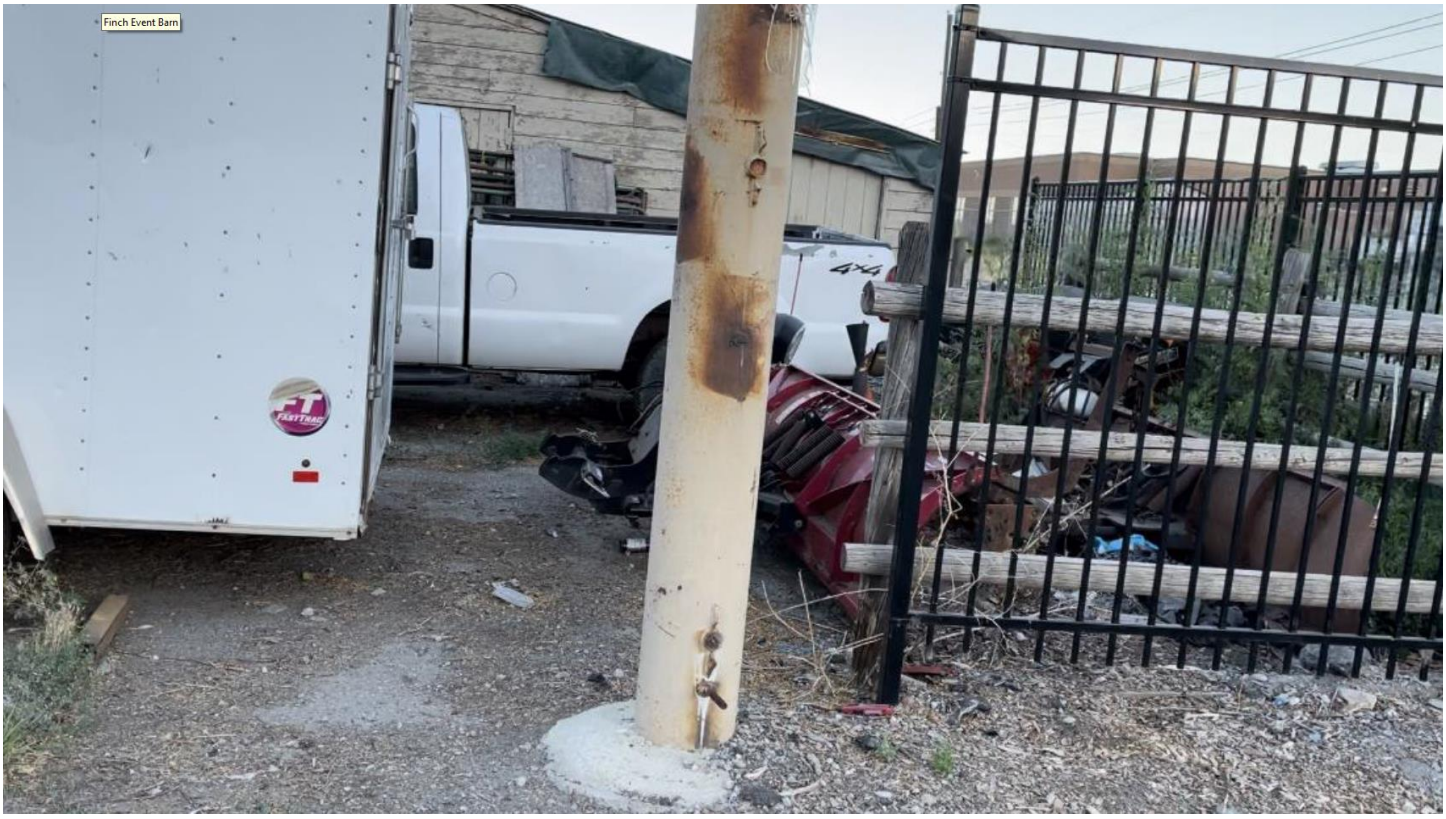
Access to the property, namely 2530 West, is a residential and school zone. Many vehicles frequently drive in great excess of the posted speed limits already. I am concerned that a rented space for public gathering will make this hazard worse if the property's driveway at 2530 West is the public access point for the proposed "meeting hall for rent". The hours of public rental most likely would occur in the evening and the hazard is increased when it's dark.

I am grateful for the Commission's consideration of these concerns as they review this change request. Please feel free to contact me with any questions or any need for clarification.

Warm regards,
JaNae Lewis
231 S. 2530 W. Provo, UT
[redacted]

EXHIBIT C








801.742.51
urvCommunit






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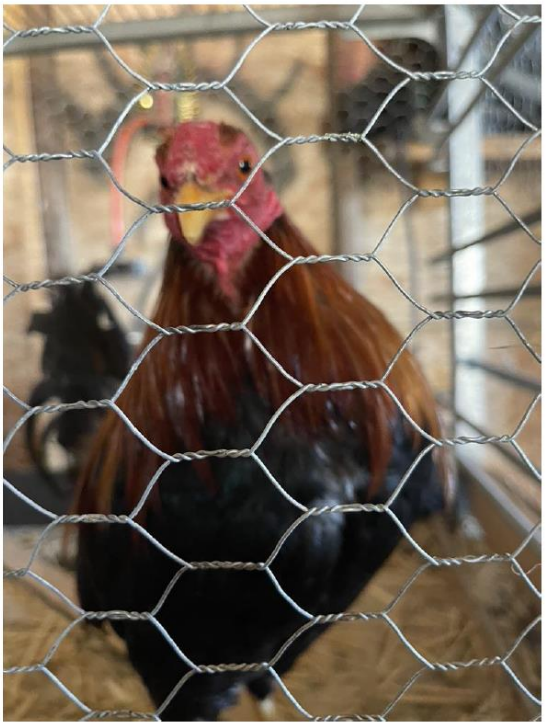














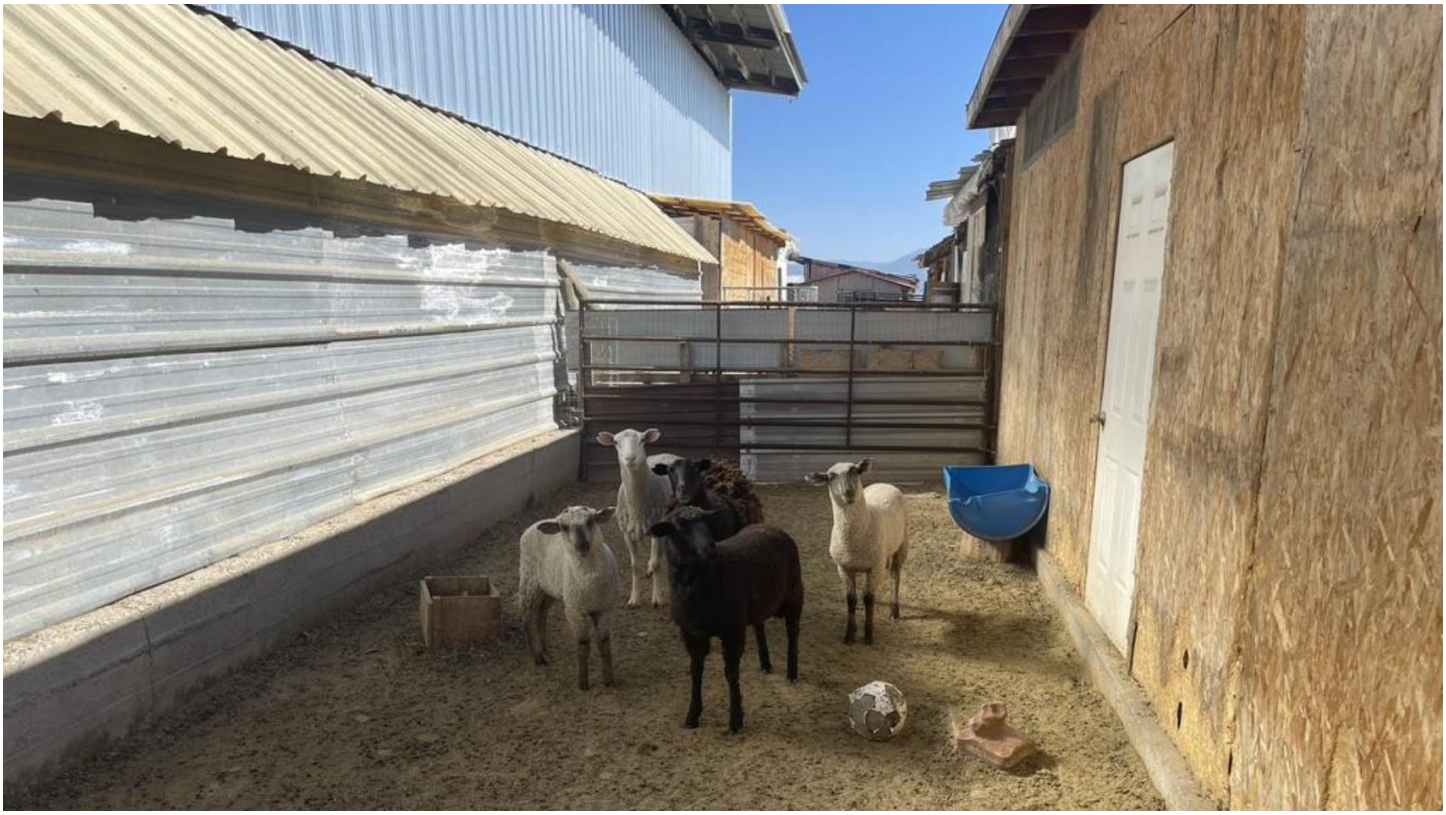


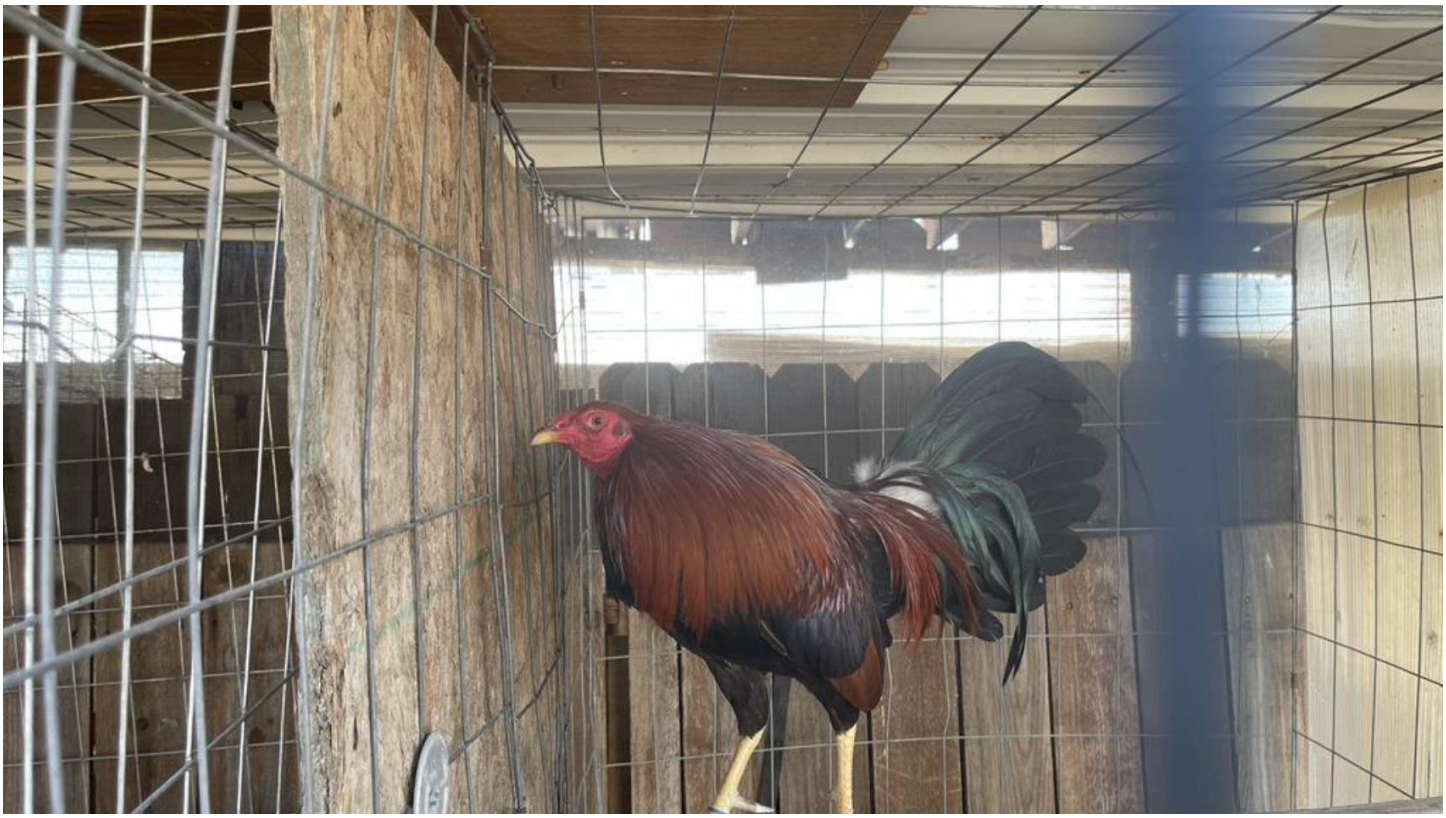







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Staff Recommended conditional use for security

(iii) A minimum of two (2) security personnel shall be on site to manage the entrance of vehicles and parking lot during **any** event. Security personnel must be certified and provided by a licensed and bonded security company.

"**Any**" event would include

- Daytime birthday parties
- Large family dinners
- Primary activities
- Wedding anniversaries
- Family reunions
- Baby showers
- Bridal showers
- Baptism celebrations
- Elementary school tour
- Ect….

Finch's recommended conditional use for security

(iii)for any of the following conditions security will be required:

- Events that provide alcohol
- Events that go past 10:00pm
- Events with live music

When security is required there will be one Security person per every 100 guest.
Security person will have a Utah state security license

(we will not have a liquor license for our event venue but this is a conditional use that will be citywide in the A1 zone)

provo

WELCOME HOME

PLANNING COMMISSION

July 12, 2023

*ITEM 1

Barry Finch requests Ordinance Text Amendments to Section 14.08.020 (Permitted Uses in the A1 Zone) and 14.09.020 (Permitted Uses in the RA Zone), to add "Meeting Halls for Rent" as a new conditional use in the A1 (Agricultural) and RA (Residential Agricultural) Zones, as well as new conditions in Section 14.34.250.

Citywide Application

PLOTA20230082

Updates since Staff Report

- A new Rezone application was submitted on 7/10/23 for the Finch Property, **removing the need to amend the RA Zone**, Section 14.09.020.

- Further clarification has been provided on the noise condition proposed for Subsection 14.34.250(12)(a)(ii) to **add reference to Chapter 9.06** (Public Disturbances).

- Additional public input was received by email since the last meeting from two neighbors and the Provo City Agricultural Commission. **These have been forwarded to the Planning Commissioners.**

Reasons for the Request

- Subject Property: 310 S 2470 W
- Adding “Meeting Halls for Rent” (SLU 7235) to list of conditional uses in A1 zone.
- Adding standard conditions to Section 14.34.250 for the use.



Subject Property: 310 S 2470 W

- Public concerns regarding subject property.



Looking NW from 2470 West



Looking W from 280 South

Subject Property: 310 S 2470 W

- Public concerns regarding subject property.



Looking SW from 280 South



Looking W from intersection at 280 South & 2530 West

Proposed Text Amendments

- Adding “Meeting Halls for Rent” (SLU 7235) to list of conditional uses in A1 zone.

(6) Conditional Uses. The following uses and structures are permitted in the A1 zone only after a conditional use permit has been approved, and subject to the terms and conditions thereof and the standards of Section 14.34.250, Provo City Code:

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Proposed Text Amendments

- Adding “Meeting Halls for Rent” (SLU 7235) to list of conditional uses in A1 zone.

- Adding standard conditions to Section 14.34.250.

14.34.250 Standards for Conditional Uses.

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(ii) No musical instruments, stereophonic equipment, sound amplifier or similar device shall be operated in such a manner as to create a noise or vibration disturbance across a real property boundary, **as per Chapter 9.06, Provo City Code.**

(iii) A minimum of two (2) security personnel shall be on site to manage the entrance of vehicles and parking lot during any event. Security personnel must be certified and provided by a licensed and bonded security company.

(iv) The design of the meeting hall building shall be characteristic of an agricultural use.

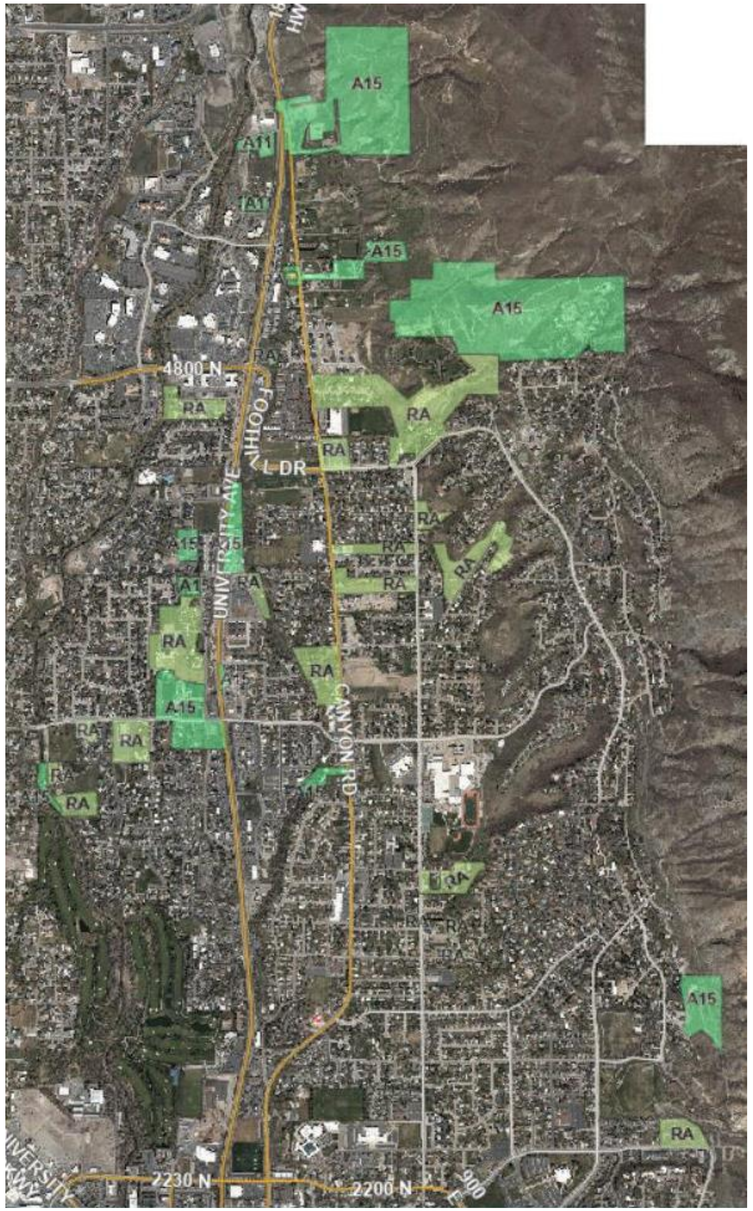
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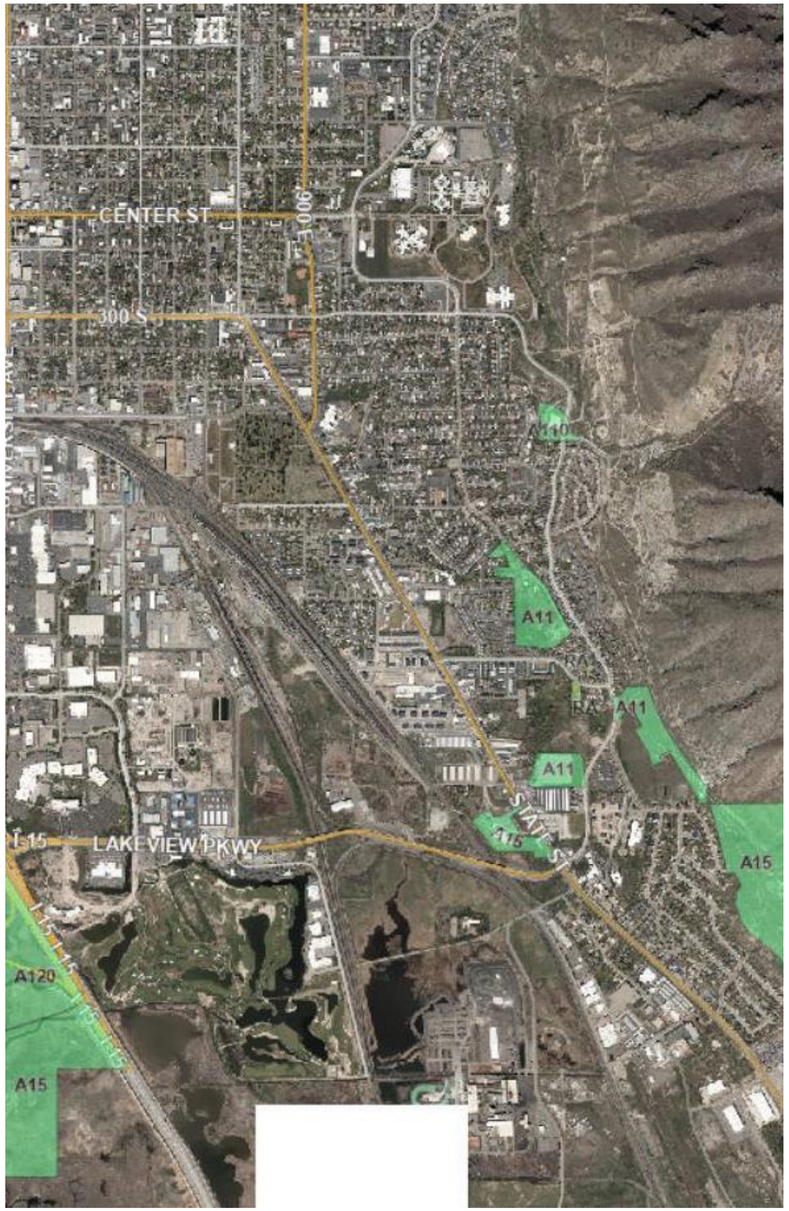
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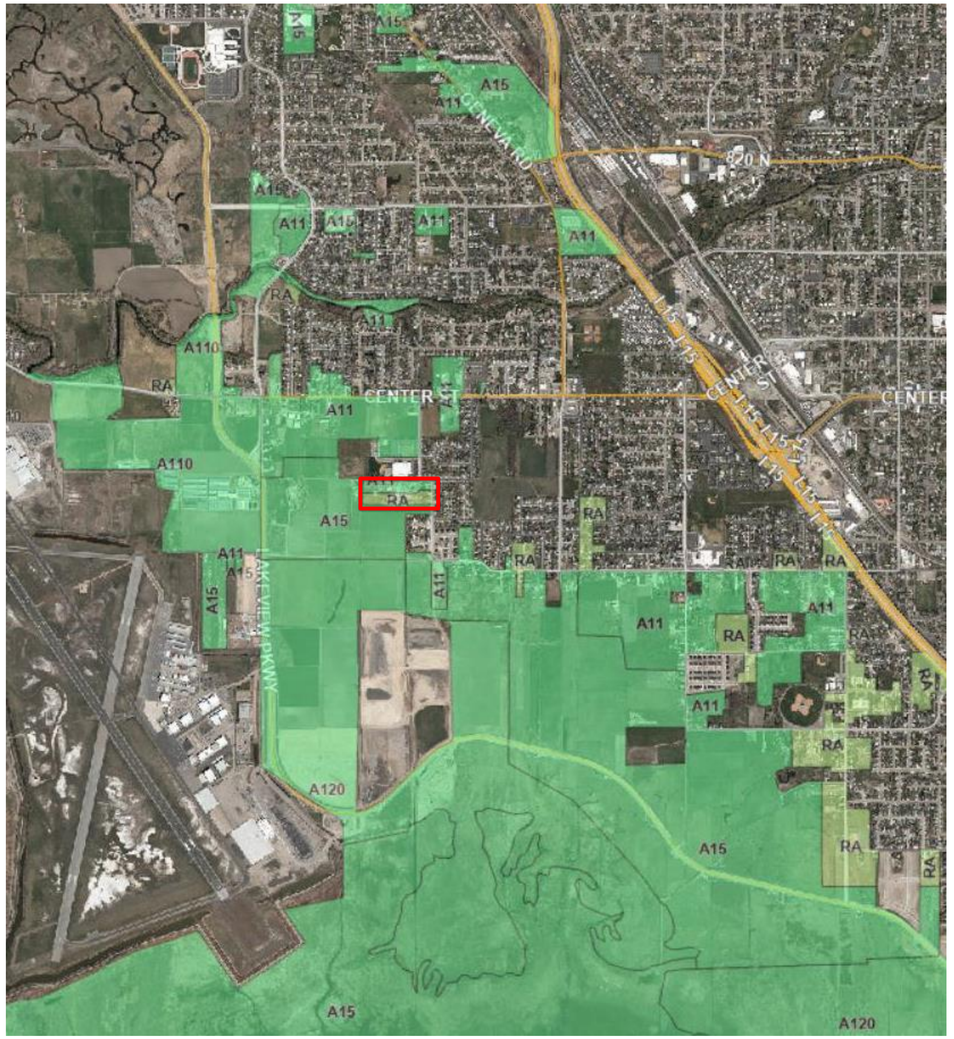
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(viii) Violation of any of the above conditions will be cause for termination of the Conditional Use Permit.

Areas of Impact







Staff Recommendation

- Adding “Meeting Halls for Rent” (SLU 7235) to list of conditional uses in A1 zone.

- Staff have several concerns allowing this commercial use in agricultural zones. (example: 310 S 2470 W)

- Even if some of the adverse impacts could be mitigated, this use does not align with the Agricultural zone or General Plan.

Purpose and Objectives of A1 Zone

The Agricultural Zone (A1) is established to provide areas in which agricultural pursuits can be encouraged and supported within the municipality. **The A1 zone is designed and intended to protect agricultural uses from encroachment of urban development** until such time as residential, commercial, or industrial uses in such areas become necessary and desirable. **Uses permitted in the A1 zone, in addition to agricultural uses, must be incidental thereto and should not change the basic agricultural character of the zone.** Conversion of the agricultural zone to zones allowing urban uses should be accomplished in an orderly and progressive manner, with no “leap-frog” encroachments of such uses or developments into the agricultural area.

General Plan Goals

Chapter 3, Goal #1

Strike a balanced approach in locating land uses that aligns transit, land use, economics, and open space.

Chapter 7, Goal #4

Promote a high quality of life for Provo residents, including our most vulnerable, by ensuring a continued commitment to providing exceptional public safety services.

Chapter 8, Goal #2

Give careful consideration to the conservation of open spaces, scenic areas, and viable agricultural land.

Finch Event Barn

Project

Possible barn for finch event barn








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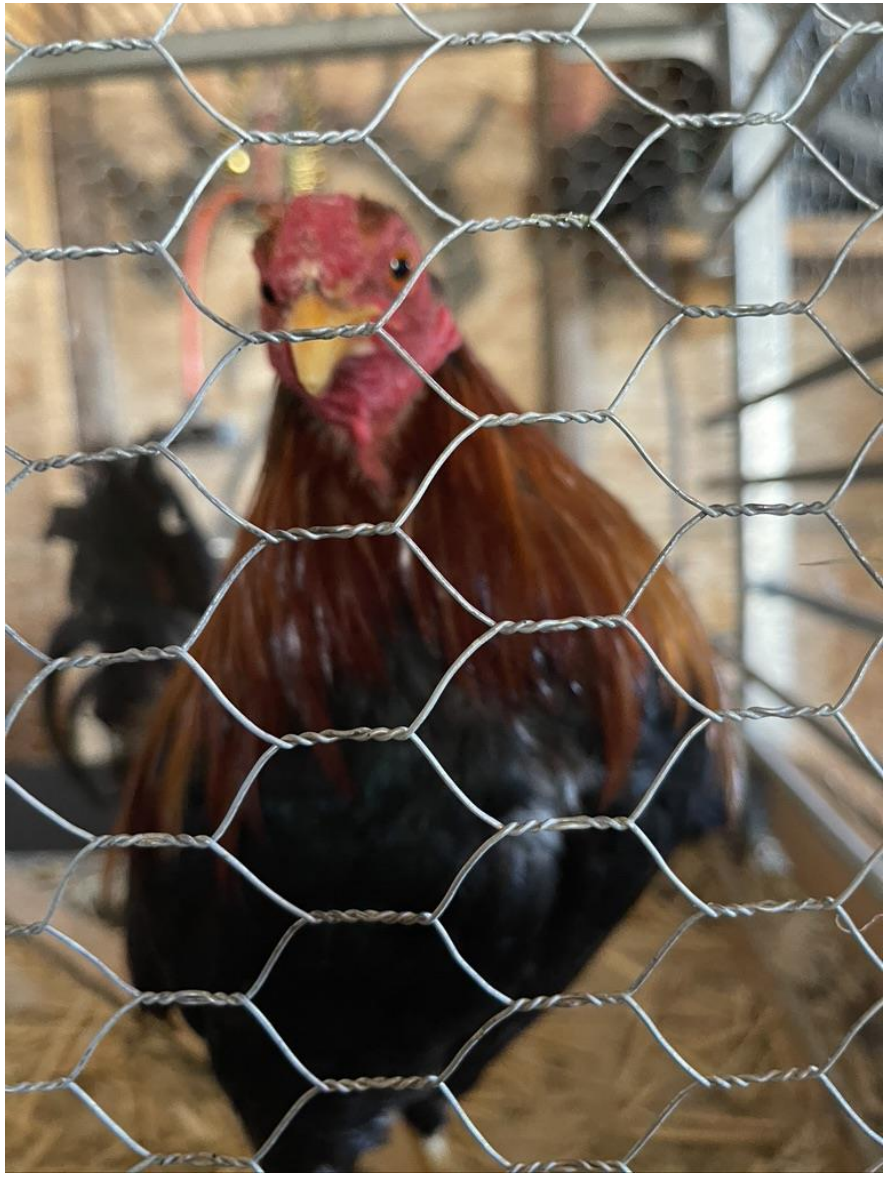























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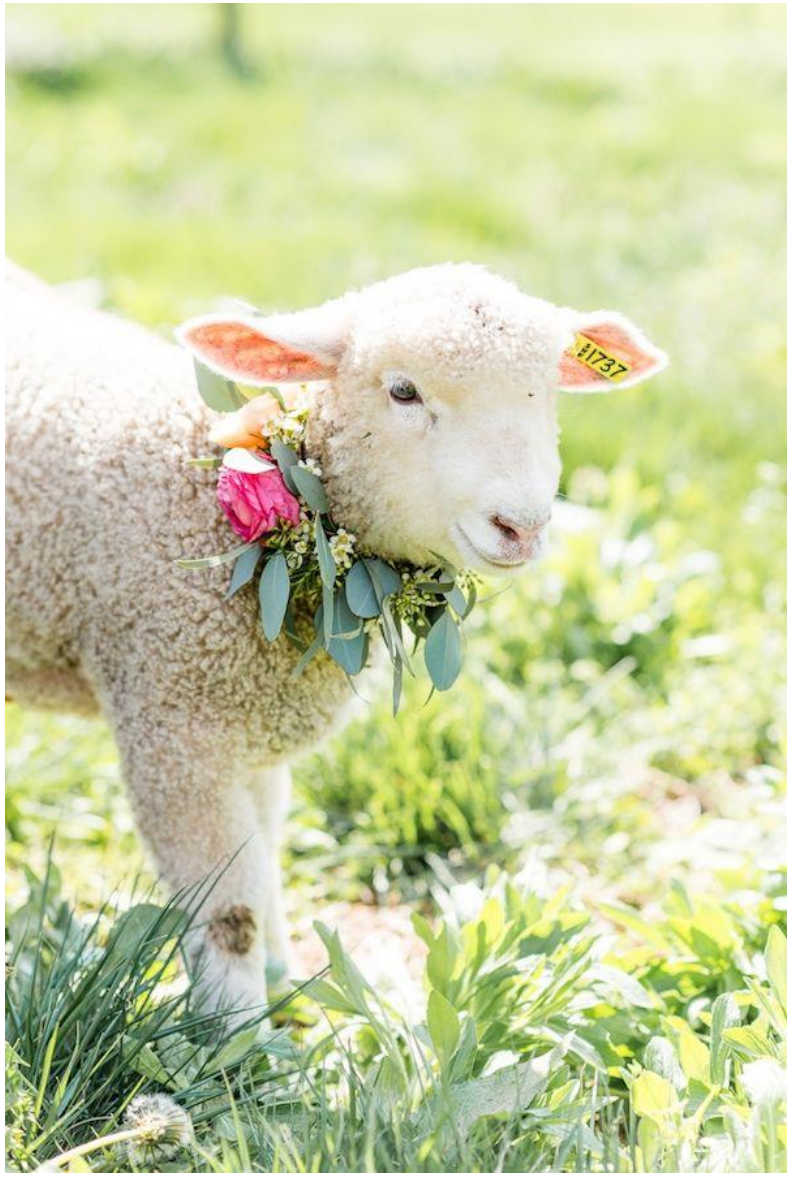











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Conditional Use

Staff Recommended conditional use for security

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Thanks,

Matt

Rachel Breen | July 6, 2023
Open City Hall Feedback for Planning Commission

PLOTA20230082 - Citywide

July 6, 2023, 9:49 AM

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PLOTA20230082 - Citywide

What do you think of the proposed amendment to add "Meeting Halls for Rent" as a new conditional use in the Agricultural zone throughout Provo City?

Summary Of Registered Statements

As of July 6, 2023, 9:49 AM, this forum had:	
Attendees:	6
Registered Statements:	1
Minutes of Public Comment:	2

Topic Start
June 2, 2023, 9:42 AM

PLOTA20230082 - Citywide

What do you think of the proposed amendment to add "Meeting Halls for Rent" as a new conditional use in the Agricultural zone throughout Provo City?

Individual Registered Statements

Aaron Smith
inside City Boundary
July 5, 2023, 2:02 PM

Who would have thought this was a limitation in the first place.

Shawn Miller | July 7, 2023

Barry Finch Amendment Request, Planning Commission

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Provo Agricultural Commission

Shawn Miller [redacted]

JaNae and Edward Lewis | July 10, 2023
Hearing Notice Item #1 - public comment

Hello Aaron,

I am writing to provide input for the request of Barry Finch to amend the Ordinance (Section 14.08.020) to permit a "Meeting Halls for Rent" in this A1 zone (PLOTA20230082).

As a resident who lives 3 houses north of the property in question, I am in favor of this change overall, but I submit these concerns:

1. Noise.
    a. Past activities on the property occasionally violate the hours of noise restrictions. The loud music emanating from the property has, on occasion, gone past midnight within the past 3 years that I've lived in this home. I once called the police to address this nuisance. That intervention was effective in reducing the volume of noise. I'm not aware of the problem occurring since.

2) Citizen safety.

Access to the property, namely 2530 West, is a residential and school zone. Many vehicles frequently drive in great excess of the posted speed limits already. I am concerned that a rented space for public gathering will make this hazard worse if the property's driveway at 2530 West is the public access point for the proposed "meeting hall for rent". The

hours of public rental most likely would occur in the evening and the hazard is increased when it's dark.

I am grateful for the Commission's consideration of these concerns as they review this change request. Please feel free to contact me with any questions or any need for clarification.

Warm regards,

JaNae Lewis

231 S. 2530 W. Provo, UT

[redacted]









Over The Last 5 Months

A. Attended 2 neighborhood meetings
B. Met with zoning and planning multiple times
C. We have had two meetings with the planning commissioners
D. now we're here at the city Council seeking your approval



Staff's concerns

Concern #1

- Our project doesn’t meet the ***Purpose and Objectives of the Agricultural zone.*** Staff stated It’s commercial not agriculture

United States Department of Agriculture
Natural
Resources Conservation Service
Resource Economics and Social Sciences Division
May 2001

Alternative Farm Enterprises – Agritourism Success Stories

‘Agritainment,’ Weddings, Reunions, and Organic Dairy Products

Interview with Tony and Carol Azevedo, Double T A-Cres Ranch and Museum, 22368 West 2nd Avenue, Stevinson, CA 95374, 209-634-0187, fax (209) 632-1965

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Provo City Planning Commission
Report of Action June 14, 2023

PLANNING COMMISSION DISCUSSION

"The majority of the Commission feels that the proposal meets the agricultural goals of the city"

"That the proposed use is one that should work in agricultural zones as a conditional use, if there were standard conditions applied"

- Concern #2 :

- Project not in harmony with Provo City’s General Plan or the Southwest Neighborhood Plan



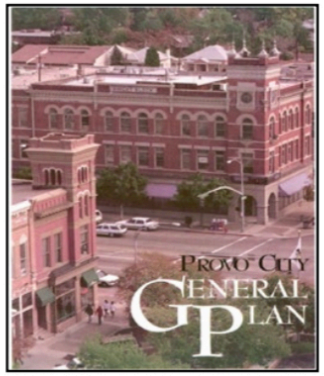
Southwest
Neighborhoods Plan

provo

D. SUMMARY OF EXISTING GOALS AND POLICIES

The goals and policies of the following plans were reviewed and considered in the creation of the Southwest Neighborhoods Plan:

1 - PROVO CITY GENERAL PLAN - 2022



SOUTHWEST AREA GUIDING PRINCIPLES , POLICIES AND GOALS:

The General Plan establishes goals for the Southwest area as well as specific goals for the Fort Utah, Provo Bay, Lakewood, and Sunset neighborhoods. 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 residents while respecting Provo's agricultural heritage.

Policy 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 noncommercial agriculture.
b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including nontraditional 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.
d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.
e. Encourage Development-Supported Agriculture and Agritourism to help preserve Provo's agricultural heritage.
f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.
g. Protect agricultural operations from the impact of residential encroachment.
h. Identify agricultural landowners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

Policy 2 - Preserve and Create Quality Usable Open Space:

a. Update and 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 and trails of different uses and sizes.
d. Encourage agritourism as a means to provide agriculturally themed open space.
e. Useable neighborhood open space should be an integral part of neighborhood design or combined to serve larger areas than the immediate development.

The General Plan **establishes goals** for the Southwest area as well as specific goals for the Fort Utah, Provo Bay, Lakewood, and Sunset neighborhoods. 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 residents while **respecting Provo's agricultural heritage.**

Policy 1 - Preserve Provo's Agricultural Heritage and Support Agriculture for as long as Farmers Choose to Farm:

b. Request that the Provo Agricultural Commission **identify obstacles** to the success of current and prospective farmers, **including nontraditional farmers**, and recommend ways to **remove these obstacles**.

e. **Encourage** Development-Supported Agriculture and **Agritourism** to help preserve Provo's agricultural heritage

g. **Protect agricultural** operations from the impact of residential **encroachment**

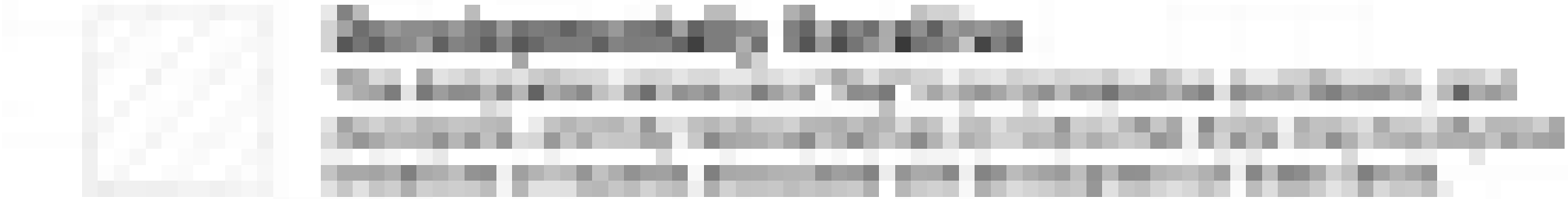
Policy 2 - Preserve and Create Quality Usable Open Space:

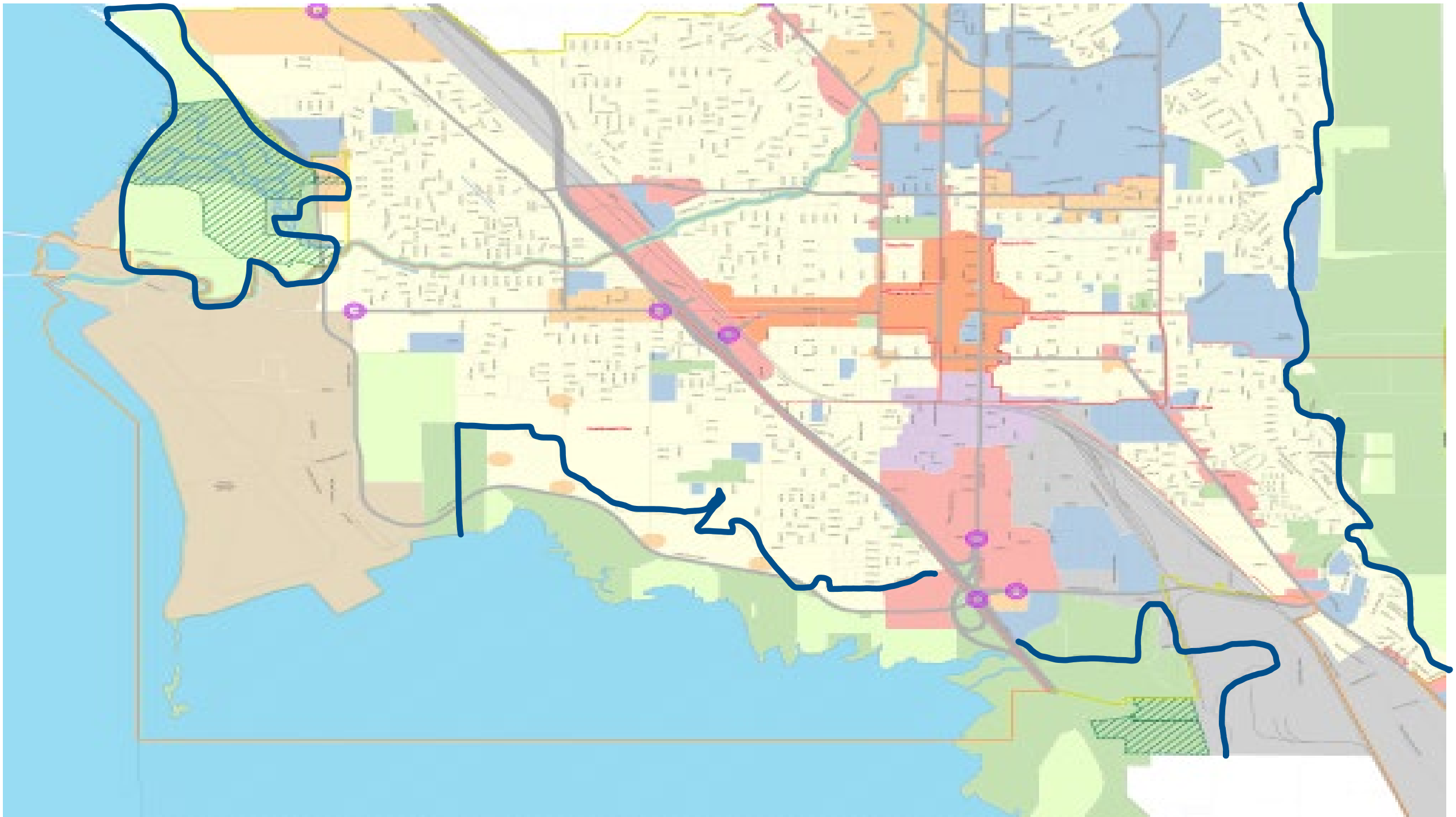
d. **Encourage agritourism** as a means to provide **agriculturally themed open space**.

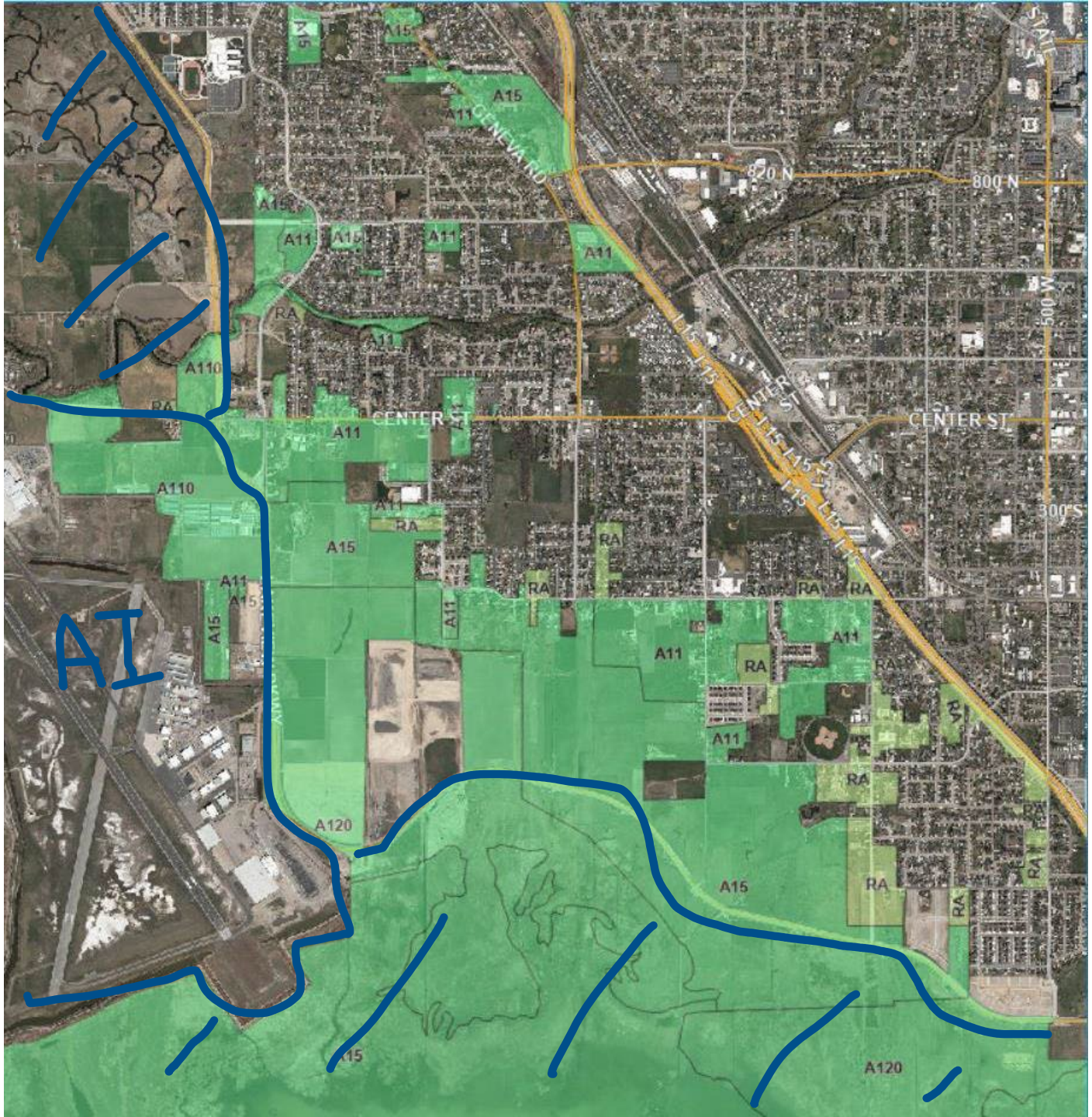
We feel our project is in harmony with Provo City's General Plan and with the Westside Neighbor Plan

Concern #3

The proposed amendment to the A1 zone would have citywide application and could somehow cause future problems for the city







Provo West

Benefits of amended code for Provo city

Citywide application of this amended code would help the city impose conditional uses or restrictions on future projects in A1 zone.

In meetings with staff and the staffing planning commissioners these are the conditional uses discussed

Conditional Uses

(1) off-street parking space shall be provided for each four (4) occupants based on the maximum occupancy.

(2) No musical instruments, stereophonic equipment, sound amplifier or similar device shall be operated such a manner as to create a noise/vibration disturbance across real property boundary as per Provo City sound ordinance

(3) Security will be provided if any of the following conditions exist: live music, alcohol served, event time goes later than 10PM. When security is required there will be one security guard for every 100 people. Security guard will be licensed in Utah

(4) The design of the meeting hall building shall be characteristic of an agricultural use. No outside metal building materials will be used except for the roof

(5) The meeting hall and associated parking shall not occupy more than 1/3 of the total property

(6) Lighting shall not disperse beyond the subject lot and shall comply with Provo city code

(7) There will be a single point of access which will be managed (by security if required.) and only invited guest are permitted to enter. Once onsite parking is full, no additional patrons will be allowed to enter

(8) All activities will end no later than midnight

Summary

1. We meet the ***Purpose and Objectives of the Agricultural zones***

2. We are in harmony with Provo City's general plan and the Southwest Neighborhood Plan

3. ***Citywide conditional use zone amendment will help mitigate the concerns of the city and community.***






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Provo farm 1890






























31737





Positive impacts on the neighborhood

- Preservation of a 70 year old small family farm, making it a “pocket of agriculture” in Provo
- Offers a destination that can help connect people and families to a working farm
- Beautifies an area that is currently agriculture but not very attractive
- Provides a large, agricultural flavored event center that is not currently found in Provo
- Offers a venue for church groups or large families to hold special events
- Will eliminate dust from blowing out of farm yard by asphalting the entry


We want to sell the farm



Not to a developer but to the public

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: HSALZL
Department: Development Services
Requested Meeting Date: 01-01-2018

SUBJECT: An ordinance amending the General Plan to adopt the Conservation and Resiliency Plan. Citywide Application. (PLGPA20210367)

RECOMMENDATION: Discussion only. This item is also scheduled for the Council Meeting on August 1.

BACKGROUND: The full text of the Conservation and Resiliency Plan can be viewed at this link:
https://www.provo.org/home/showpublisheddocument/22686

The proposed Conservation and Resiliency Plan builds on themes introduced in the Resource Management chapter of the General Plan. It is not required by state statute, and there are no external criteria for the plan.

The Conservation and Resiliency Plan addresses eight elements of environmental sustainability:
- Carbon Emissions
- Air Quality
- Renewable Energy
- Urban Nature
- Waste Diversion
- Water
- Mobility
- Fire Risk

For each element, the plan gives the 2019* metrics as well as targets for 2030 and 2050, contextual explanations, a list of resources for more information, and goals to help the City reach the targets. A quick overview of the targets and definitions for each of the eight elements can be found on pages 16-17 of the Conservation and Resiliency Plan as well as in Appendix A of the attached staff report.

* Staff and the consultants selected 2019 as the baseline year to avoid the effects of the COVID-19 pandemic in 2020-2021, which impacted the data for almost all of the eight elements. When staff revised the document in 2022, data for that year was not yet available.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Hannah Salzl, Planner/Sustainability Coordinator 801-852-6423 hsalzl@provo.org

REQUESTED DURATION OF PRESENTATION: 55 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:
Transportation:
4. Coordinate with the Conservation and Resiliency Plan to reduce environmental impacts of single- occupancy vehicle trips.
4a. Consider increasing the total number of public charging stations for electric vehicles.
4b. Relieve automobile congestion and reduce stress on roadways by promoting multimodal choices.
4c. Increase the urban tree canopy and consider looking at the size of parkstrips to accommodate larger trees.

Resource Management:
"The General Plan supports and reaffirms the goals in the Conservation and Resiliency Plan" (page 85).

1. Promote best practices for environmental stewardship.
1a. Complete and implement a Conservation and Resiliency Plan.
1b. Promote the use of water conservative practices, including landscaping.
1c. Encourage waste reduction and recycling.
1d. Explore ways to minimize the impacts of light pollution across the city.
1e. Educate residents about ways to become more sustainable and resilient.
1f. Continue support for the Thousand Trees program.
1g. Increase the urban tree canopy.
1h. Identify locations and projects to improve storm water management using green infrastructure and low impact design.

2. Become a leader in sustainable practices and promote regional collaboration.
2a. Consider ways to increase our regional leadership in energy conservation and clean and renewable energy sources.
2b. Explore independent certification in alignment with adopted Conservation and Resiliency Plan goals.
2c. Coordinate with BYU and other large institutions' sustainability practices to increase overall successful implementation.
2d. Explore innovative approaches to water management.

CITYVIEW OR ISSUE FILE NUMBER: PLGPA20210367

ORDINANCE 2023-.

AN ORDINANCE AMENDING THE GENERAL PLAN TO ADOPT THE PROVO CONSERVATION AND RESILIENCY PLAN. CITYWIDE APPLICATION. (PLGPA20210367)

WHEREAS, it is proposed that the Provo City General Plan be amended to adopt the Conservation and Resiliency Plan; and

WHEREAS, on July 12, 2023 the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and after such meeting, the Planning Commission recommended approval to the Municipal Council by a vote of 7:0; and

WHEREAS, on August 1, 2023, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation and facts and comments presented to the Municipal Council, the Council finds (i) the Provo City General Plan should be amended as described herein and (ii) the proposed amendment reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The Provo City General Plan is hereby amended as set forth in Exhibit A.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.

Exhibit A

The Conservation and Resiliency Plan is too large to attach here in its entirety. It can be viewed online at the link below:

https://www.provo.org/home/showpublisheddocument/22686/638241500710070000

Conservation and Resiliency Plan Document

The Conservation and Resiliency Plan is too large to attach here in its entirety. It can be viewed online at the link below:

https://www.provo.org/home/showpublisheddocument/22686/638241500710070000

DEVELOPMENT SERVICES

Planning Commission Hearing Staff Report
Hearing Date: July 12, 2023

***ITEM #2** Development Services requests the adoption of the Provo Conservation and Resiliency Plan to support the 2021 General Plan Update. Citywide Application. Hannah Salzl 801-852-6423 hsalzl@provo.org PLGPA20210367

Applicant: Development Services

Staff Coordinator: Hannah Salzl

Citywide Application

Council Action Required: Yes

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is July 26, 2023, at 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.*

Current Legal Use: The Conservation and Resiliency Plan would help guide future decisions for the entire city.

Relevant History: As the updated General Plan was being written, it became clear that a separate Conservation and Resiliency Plan was necessary to explore key themes in more detail.

Neighborhood Issues: No issues have been raised on the current version of the Conservation and Resiliency Plan.

Summary of Key Issues: The Conservation and Resiliency Plan addresses the following key elements:

- Carbon Emissions
- Air Quality
- Renewable Energy
- Urban Nature
- Waste Diversion
- Water
- Mobility
- Fire Risk

Staff Recommendation: Staff recommends the Planning Commission recommend approval of the proposed Conservation and Resiliency Plan to the Municipal Council.

OVERVIEW

The full text of the Conservation and Resiliency Plan can be viewed at this link: https://www.provo.org/home/showpublisheddocument/22686

The proposed Conservation and Resiliency Plan builds on themes introduced in the Resource Management chapter of the General Plan. It is not required by state statute, and there are no external criteria for the plan.

The Conservation and Resiliency Plan addresses eight elements of environmental sustainability:

- Carbon Emissions
- Air Quality
- Renewable Energy
- Urban Nature
- Waste Diversion
- Water
- Mobility
- Fire Risk

For each element, the plan gives 2019 metrics as well as targets for 2030 and 2050, contextual explanations, a list of resources for more information, and goals to help the City reach the targets. A quick overview of the targets and definitions for each of the eight elements can be found in Appendix A of this staff report.

Staff and the consultants selected 2019 as the baseline year to avoid data impacted by the COVID-19 pandemic in 2020-2021. When staff revised the document in 2022, data for that year was not yet available.

RELEVANT HISTORY

As Planning Staff and their consultant DesignWorkshop worked on drafting the General Plan update, it quickly became clear that a second, more targeted plan was needed. City staff, DesignWorkshop, and Spirit Environmental, LLC worked closely with the Technical Working Group (see page 2, Acknowledgements) and the Citizens' Sustainability Committee to draft the initial version. That draft was shared with the Planning Commission on November 10, 2021. It was then reviewed and revised by the relevant departments and the Administration to further refine the broad vision of the first draft into more specific, actionable targets and goals.

Because the plans were partially developed in tandem, the Conservation and Resiliency Plan went through the same public engagement process as the General Plan. Early engagement got input from more than 1,500 residents, and a later independent, statistically valid survey

had over 900 responses. The plan is consistent with residents' input, which is summarized in the introduction to the Conservation and Resiliency Plan.

GENERAL PLAN POLICIES

The Conservation and Resiliency Plan was written in tandem with the General Plan to further refine its goals and priorities.

Transportation

4. Coordinate with the Conservation and Resiliency Plan to reduce environmental impacts of single- occupancy vehicle trips.

4a. Consider increasing the total number of public charging stations for electric vehicles.

4b. Relieve automobile congestion and reduce stress on roadways by promoting multimodal choices.

4c. Increase the urban tree canopy and consider looking at the size of parkstrips to accommodate larger trees.

Resource Management

"The General Plan supports and reaffirms the goals in the Conservation and Resiliency Plan" (page 85).

1. Promote best practices for environmental stewardship.

1a. Complete and implement a Conservation and Resiliency Plan.
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1e. Educate residents about ways to become more sustainable and resilient.
1f. Continue support for the Thousand Trees program.
1g. Increase the urban tree canopy.
1h. Identify locations and projects to improve storm water management using green infrastructure and low impact design.

2. Become a leader in sustainable practices and promote regional collaboration.

2a. Consider ways to increase our regional leadership in energy conservation and clean and renewable energy sources.

2b. Explore independent certification in alignment with adopted Conservation and Resiliency Plan goals.

2c. Coordinate with BYU and other large institutions' sustainability practices to increase overall successful implementation.

2d. Explore innovative approaches to water management.

FINDINGS OF FACT

- Provo does not currently have a plan that specifically addresses the environment.
- Public engagement identified "Becoming a more environmentally sustainable city" as the fourth most important element of quality of life for Provo residents.
- Public engagement identified "Becoming a more environmentally sustainable city" as the third most common response for areas the City needs the most improvement.
- Targets have been reviewed and discussed by the Administration, relevant City departments, the Citizens' Sustainability Committee, and representatives from regional entities such as the State Division of Air Quality and Central Utah Water Conservancy District.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of general plan amendments:

   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: **(responses in bold)**

   (a) Public purpose for the amendment in question.

   The proposed Conservation and Resiliency Plan recommends policies that will help improve public health, preserve or improve quality of life, and prevent and mitigate environmental threats and help the City become more resilient.

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

   The proposed plan underwent a long, robust public engagement process and addresses residents' concerns that Provo should become a more environmentally sustainable city.

   (c) Compatibility of the proposed amendment with General Plan policies, goal, and objectives.

   The proposed plan was developed in tandem with the updated General Plan and is fully compatible.

   (d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff is not aware of any timing and sequencing issues with this proposal.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies

The proposed plan was developed in tandem with the updated General Plan and should in no way hinder or obstruct it.

(f) Adverse impacts on adjacent landowners.

Staff is not aware of any adverse impacts to landowners.

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

The proposed citywide plan does not address zoning and does not conflict with the General Plan map.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff are not aware of any conflict.

CONCLUSIONS

In addition to extensive public engagement over several years, staff have gone to great lengths to get support from and represent the interests of all relevant City departments. Although it could not address every concern, the Conservation and Resiliency Plan addresses the most critical issues to help the City become more resilient against environmental threats and maintain a high quality of life for future generations of Provo residents.

ATTACHMENTS

1. **Excerpt: Definitions and Targets**
2. **Conservation and Resiliency Plan**

Attachment 1: Excerpt: Definitions and Targets

The definitions and targets on the following two pages come from pages 16 and 17 of the Conservation and Resiliency Plan.

DEFINITIONS

CARBON EMISSIONS

Carbon emissions are expressed as a carbon dioxide equivalent (CO_2e) and include other greenhouse gases like methane, nitrous oxide, and others, which are converted to their equivalent amounts of carbon dioxide. This KPI currently includes energy generation, on-site emissions, and transportiation.

AIR QUALITY

The top two sources of air pollution are motor vehicles and buildings. Provo will periodically administer the same survey asking residents about their behaviors that impact air quality. The survey has not yet been administered, and the KPI should be updated once the baseline has been established.

RENEWABLE ENERGY

Provo needs reliable electricity, and shifting to renewable sources can improve health, save money, and create jobs. Examples of renewable energy sources are wind, solar, and hydropower. Provo Power partners with the Utah Municipal Power Agency, a joint action energy provider.

URBAN NATURE

The environment has an impact on local temperature through impervious surfaces and albedo (or reflection). Increasing tree canopy also has numerous environmental and social benefits. Provo's canopy coverage is currently unknown, and the KPI should be updated once the baseline has been established.

WASTE DIVERSION

A circular economy (aided by programs like recycling and green waste) focuses on waste reduction strategies to save money and resources. Contamination from non-recyclable and non-compostable waste greatly increases the costs of operations. The KPI should be updated once the transfer station is complete.

WATER

In a semi-arid environment, water must be managed in a way that minimizes threats of water shortages and maximizes efficient and beneficial uses. Storing water in aquifers can be a key part of a resilient water management plan.

MOBILITY

Transportation is the number one cause of air pollution and carbon emissions in Provo (see Carbon Emissions for an explanation of measurements). This KPI includes 100% of emissions from trips within Provo and 50% of trips that begin or end in Provo. It does not include trips that only pass through the city.

FIRE RISK

As water becomes more of a limited resource and temperatures increase, we must plan to mitigate and reduce the risk of fires. The wildfire risk index is measured as a score of 1-12 based on a series of indicators.

BASELINES AND TARGETS

	2019	2030	2050
CARBON EMISSIONS	16.5 Metric Tons CO2e/Year/Capita	15% Decrease	50% Decrease
AIR QUALITY	ND Air Quality Behaviors Survey Score	10% Increase	30% Increase
RENEWABLE ENERGY	33% Renewable Sources	60% Renewable Sources	100% Renewable Sources
URBAN NATURE	ND Tree Canopy Coverage	15% Increase	20% Increase
WASTE DIVERSION	33% Contamination Rate	25% Contamination Rate	20% Contamination Rate
WATER	0 Acre-feet Recharged/Year	10k Acre-feet Recharged/Year	20k Acre-feet Recharged/Year
MOBILITY	3.5 Metric Tons CO2e/Year/Capita	5% Decrease	15% Decrease
FIRE RISK	6 Community Wildfire Risk Index	5 Community Wildfire Risk Index	4 Community Wildfire Risk Index

Attachment 2: Conservation and Resiliency Plan

The full text of the Conservation and Resiliency Plan can be viewed at this link: https://www.provo.org/home/showpublisheddocument/22686

Provo City Planning Commission

Report of Action

July 12, 2023

*ITEM #2	Provo City Development Services requests the adoption of the Provo Conservation and Resiliency Plan to support the 2021 General Plan Update. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.org PLOTA20230079

The following action was taken by the Planning Commission on the above described item at its regular meeting of July 12, 2023:

RECOMMENDED APPROVAL

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

Motion By: Andrew South
Second By: Barbie DeSoto
Votes in Favor of Motion: Melissa Kendall, Robert Knudsen, Raleen Wahlin, Jeff Whitlock, Daniel Gonzales, Andrew South, Barbie DeSoto
Dan Gonzales 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.

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.

NEIGHBORHOOD MEETING DATE
- Citywide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT
- This item was City-wide or affected multiple neighborhoods.
- Don Jarvis spoke during the public comment period in support of the proposed amendment.

PLANNING COMMISSION DISCUSSION
The Planning Commission agreed that the discussion in the Study Session was sufficient. There was no further discussion in the Planning Commission meeting.

Key points discussed by the Planning Commission included the following:

- The contamination rate in the plan is from a transfer facility that services multiple cities. Although this aggregate number is likely representative of Provo's contamination rate, the completion of our transfer station will allow the City to get a more accurate rate. It will also allow the City to determine the contamination rate from different routes and neighborhoods, enabling more targeted education campaigns as needed.
- Water conservation is addressed in the goals of the plan. However, since Provo is already below the State's targets for water use per capita by 2030, staff thought it most appropriate to have the key performance indicator instead reflect efforts to secure reliable sources of water.
- Air quality is heavily impacted by outside sources from neighboring cities to other states to global weather trends. The Conservation and Resiliency Plan maintains a narrow focus on only activities that affect air quality and are within the control of Provo and its residents and businesses.
- Staff have begun work on the Air Quality survey, which was the metric recommended by staff at the Utah Division of Air Quality. It will be added as an appendix to the plan.
- Staff are currently working with Brigham Young University to calculate Provo's urban tree canopy coverage.
- Infrastructure and layout could have a large impact on emissions (e.g., drive-throughs).
- The relevant City departments (especially Public Works, Energy, Parks, and Fire) were very engaged in the revision process. This version better reflects their expert insights and recommendations for the city.
- The language in the goals is loose in order to give future decision makers for the City some flexibility.
- The eight elements were chosen by comparing what benchmark cities have in their plans, what Provo departments are working on, and what residents and the Technical Working Group identified as their priorities. There is no hierarchy or prioritization among those eight elements. Certain topics, such as light pollution/dark sky preservation, were not included only to keep the plan's scope and length manageable.

_____

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

The Conservation and Resiliency Plan is too large to attach here in its entirety. It can be viewed online at the link below:

https://www.provo.org/home/showpublisheddocument/22686/638241500710070000

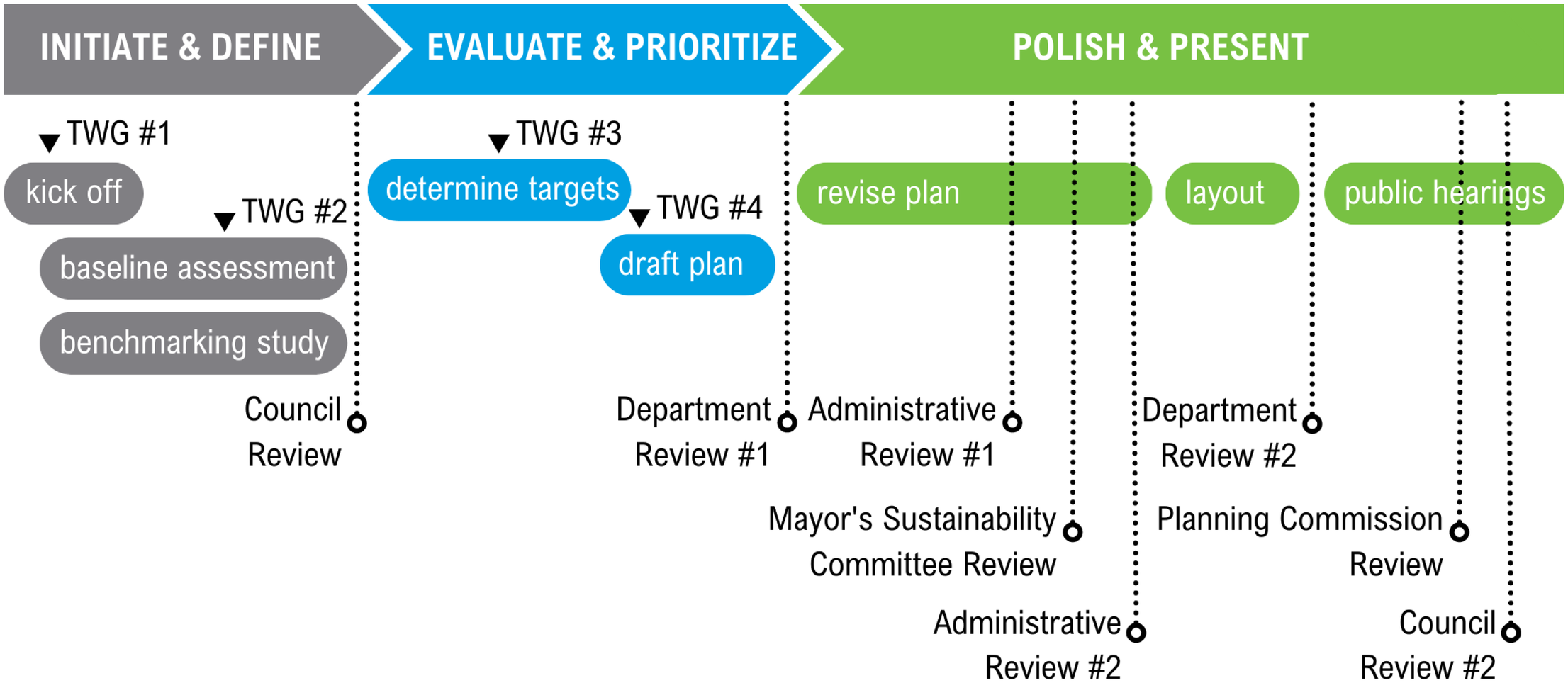
provo

WELCOME HOME

PLANNING COMMISSION

July 12, 2023

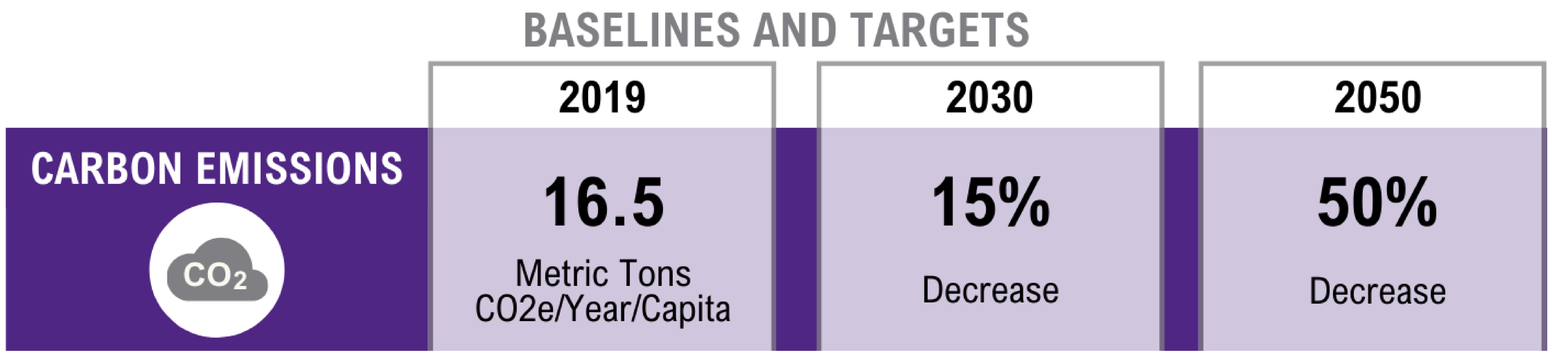
Process


INITIATE & DEFINE
EVALUATE & PRIORITIZE
POLISH & PRESENT
TWG #1
kick off
TWG #2
baseline assessment
benchmarking study
Council Review
TWG #3
determine targets
TWG #4
draft plan
Department Review #1
revise plan
Administrative Review #1
Mayor's Sustainability Committee Review
Administrative Review #2
layout
Department Review #2
Planning Commission Review
public hearings
Council Review #2

Eight Elements



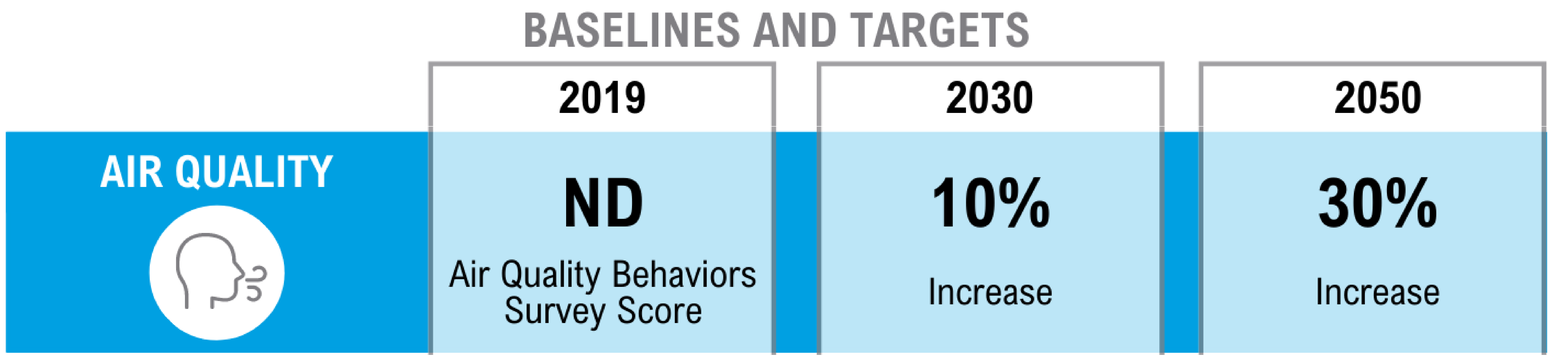
Carbon Emission



Goal Categories

1. Increase the efficiency of commercial buildings.
2. Adopt voluntary stretch code standards for Zero-Emissions Buildings.
3. Develop a comprehensive Greenhouse Gas (GHG) Inventory and identify significant emissions sources.
4. Investigate carbon capture projects for City-owned facilities and land.

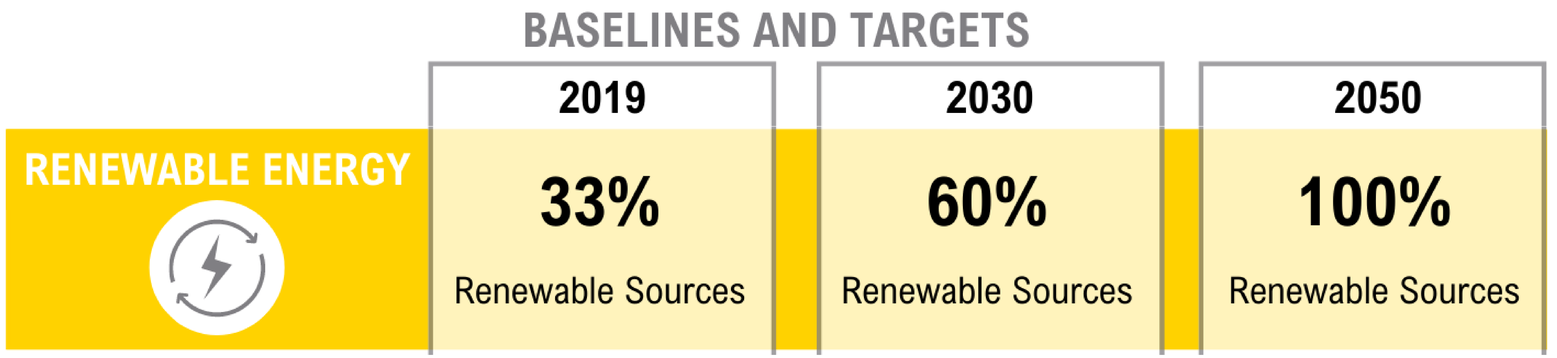
Air Quality



Goal Categories

1. Increase air quality monitoring capacity.
2. Reduce emissions from vehicles.
3. Reduce emissions from buildings and encourage improved indoor air quality.

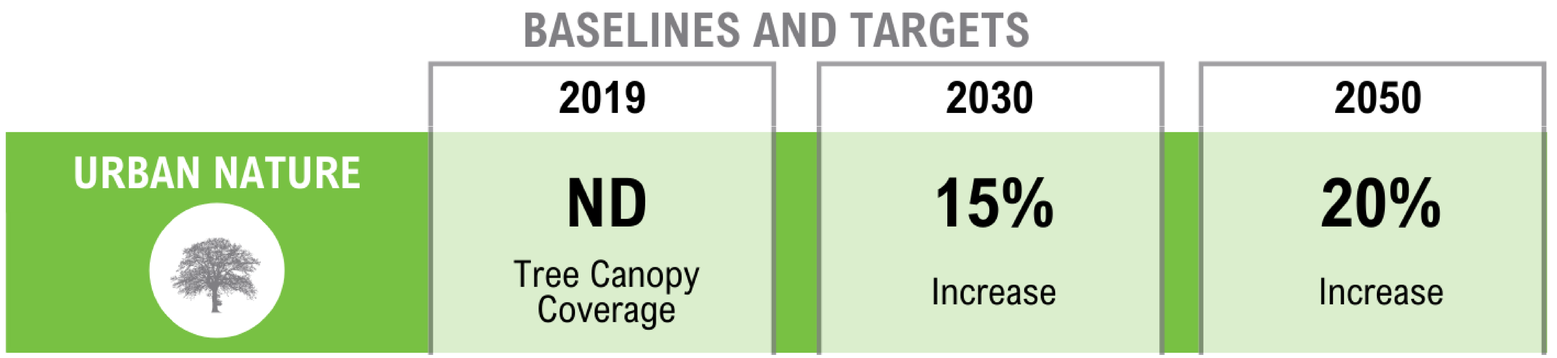
Renewable Energy



Goal Categories

1. Support Provo Power in meeting low-/zero-carbon targets.
2. Empower residents to access low-/zero-carbon energy options.
3. Couple energy storage with renewable energy for resiliency.

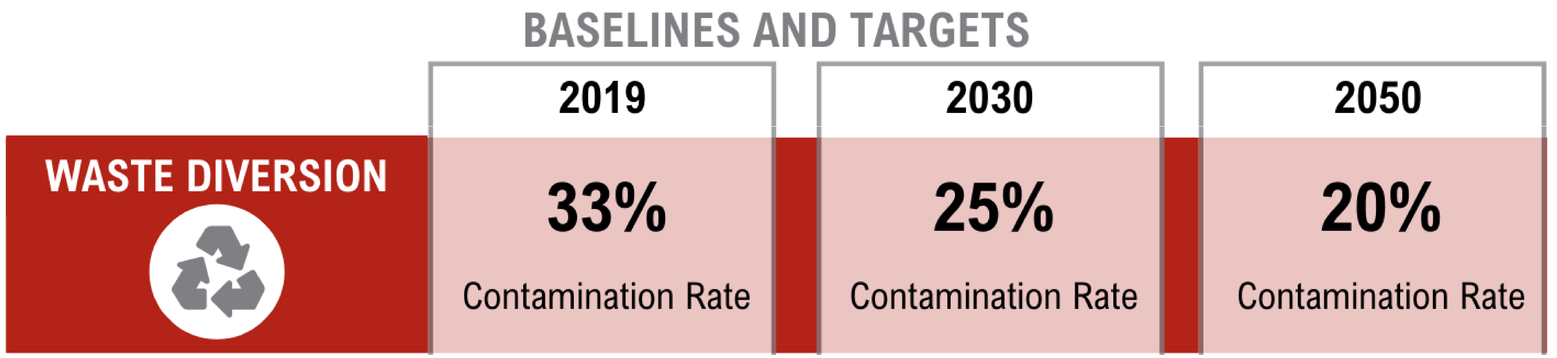
Urban Nature



Goal Categories

1. Inventory the current tree canopy percentage.
2. Develop an Urban Forestry Master Plan.
3. Encourage the planting of regionally appropriate trees on private properties.
4. Increase and preserve open space as appropriate.
5. Create a sustainable tree watering plan.

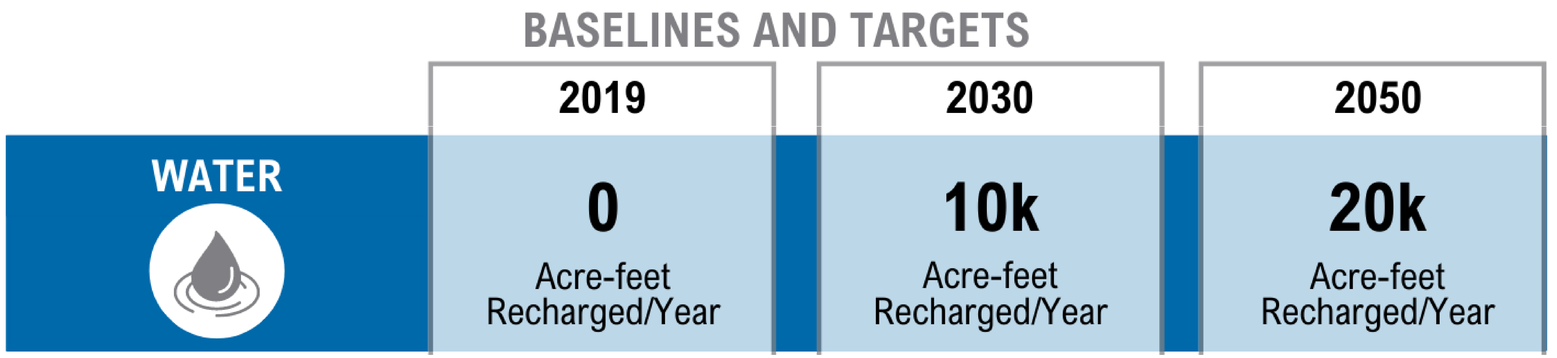
Waste Diversion



Goal Categories

1. Review the targets once the transfer station is complete.
2. Reduce contamination rates for current and new users.
3. Increase the number of single-family, multifamily, and commercial buildings that use the City's recycling and compost services.
4. Increase proper household hazardous waste disposal.
5. Increase participation in the green waste program.

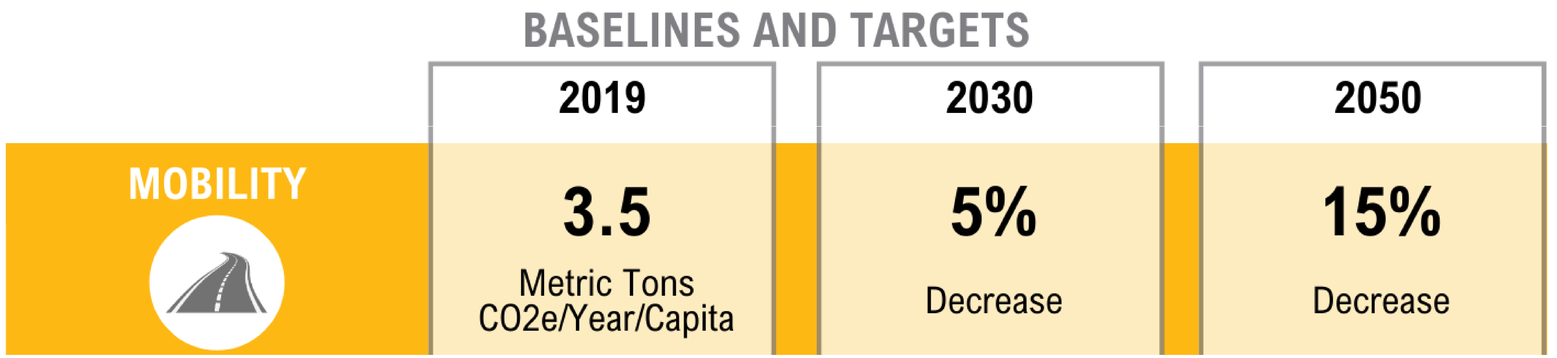
Water



Goal Categories

1. Consider ways to expand the use of water-efficient appliances.
2. Promote the wise use of water by residents and Provo City.
3. Educate property owners about their water use and encourage reducing waste.
4. Increase the appropriate use of non-potable and gray water.

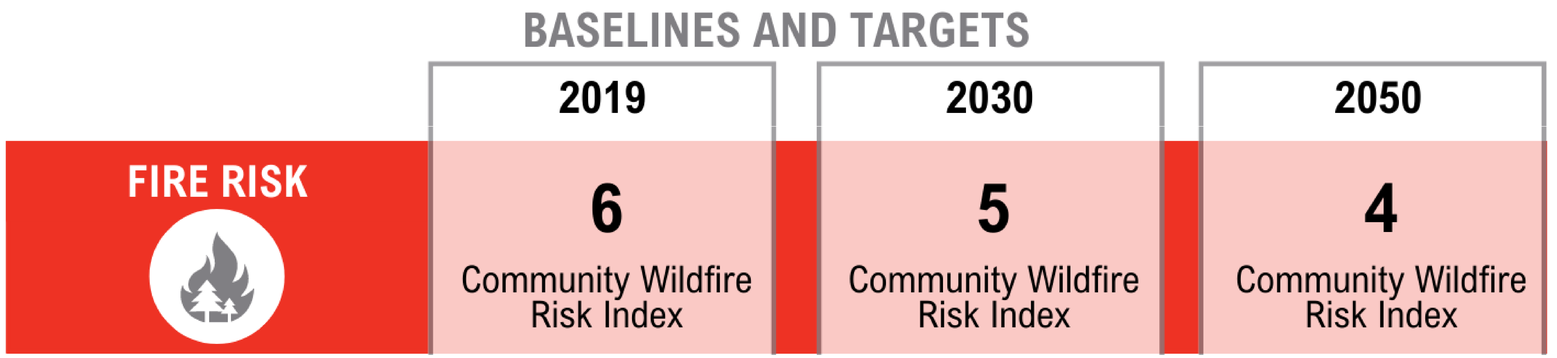
Mobility



Goal Categories

1. Track overall mode split and refine transportation KPI.
2. Implement travel demand management strategies.
3. Work toward maximizing access to different transportation options for all members of the community.
4. Promote the use of mass transit.

Fire Risk



Goal Categories

1. Limit new development in areas with high fire risk.
2. Continue to decrease fuels in and around high and extreme risk areas.
3. Implement wildfire protection and prevention measures.
4. Update the Community Wildfire Preparedness Plan and educate residents.

All Targets

BASELINES AND TARGETS

	2019	2030	2050
CARBON EMISSIONS	16.5 Metric Tons CO2e/Year/Capita	15% Decrease	50% Decrease
AIR QUALITY	ND Air Quality Behaviors Survey Score	10% Increase	30% Increase
RENEWABLE ENERGY	33% Renewable Sources	60% Renewable Sources	100% Renewable Sources
URBAN NATURE	ND Tree Canopy Coverage	15% Increase	20% Increase
WASTE DIVERSION	33% Contamination Rate	25% Contamination Rate	20% Contamination Rate
WATER	0 Acre-feet Recharged/Year	10k Acre-feet Recharged/Year	20k Acre-feet Recharged/Year
MOBILITY	3.5 Metric Tons CO2e/Year/Capita	5% Decrease	15% Decrease
FIRE RISK	6 Community Wildfire Risk Index	5 Community Wildfire Risk Index	4 Community Wildfire Risk Index