



**PROVO MUNICIPAL COUNCIL  
REDEVELOPMENT AGENCY OF PROVO  
PROVO CITY STORMWATER SERVICE DISTRICT**

**Regular Meeting Agenda**

5:30 PM, Tuesday, June 04, 2024

Council Chambers

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/provocitycouncil](https://www.youtube.com/provocitycouncil) and [facebook.com/provocouncil](https://www.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).

**June 04 Council Meeting: Dial 346 248 7799.** Enter Meeting ID 810 6568 4248 and press #. When asked for a participant ID, press #. To join via computer, visit [zoom.us](https://zoom.us) and enter the meeting ID and passcode: **199442**.

**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 Citizens Budget for FY2025 (24-007)

## **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 attesting to the review of the Municipal Wastewater Planning Program (MWPP) Survey - 2024 in accordance with the Utah Pollutant Discharge Elimination System Permit (UT0021717) (24-048)
3. An ordinance adjusting the common boundary between Provo and Orem along 2000 South in Orem (24-019)
4. An ordinance adjusting the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem (24-019)
5. An ordinance concurring with Utah County on the Common Boundary between Provo and Orem near the intersection of 1030 East in Orem and 2250 North in Provo (24-019)
6. An ordinance amending the Zone Map classification of real property, located at 2662 West Lakeview Parkway, from Open Space, Preservation, and Recreation (OSPR) Zone to the Community Shopping Center (SC2) Zone - Provo Bay Neighborhood (PLRZ20240059)
7. An ordinance amending the Zone Map classification of property, located at 1098 N Geneva Rd, from the Agricultural (A1.5) Zone to the One-Family Residential with Transferable Development Rights Receiving Overlay (R1.6 - TDR-R) Zone (PLRZ20230227)
8. An ordinance amending the Zone Map classification of certain properties in the Oak Hills, Indian Hills, and Sherwood Hills neighborhoods, to add the Transfer of Development Rights-Sending (TDR-S) Overlay Zone (PLRZ20240127)
9. A resolution approving the Year Five Annual Action Plan related to Utah Valley HOME Consortium and CDBG funding (24-046)
10. A public hearing regarding the Fiscal Year 2024-2025 Provo City Budget. (24-007)

## **Stormwater Service District**

11. A public hearing regarding the Fiscal Year 2024-2025 Stormwater Service District budget (24-007)

## **Redevelopment Agency of Provo**

12. A public hearing regarding the Fiscal Year 2024-2025 Provo City Redevelopment Agency Budget (24-007)

## **Adjournment**

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

Materials and Agenda: [agendas.provo.org](http://agendas.provo.org)

Council meetings are broadcast live and available later on demand at [youtube.com/ProvoCityCouncil](https://youtube.com/ProvoCityCouncil)

To send comments to the Council or weigh in on current issues, visit [OpenCityHall.provo.org](http://OpenCityHall.provo.org).

The next Council Meeting will be held on Tuesday, June 18, 2024. 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 [rcaron@provo.org](mailto:rcaron@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](https://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](http://agendas.provo.org). Council meeting agendas are available through the Utah Public Meeting Notice website at [utah.gov/pmn](http://utah.gov/pmn), which also offers email subscriptions to notices.

# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** AMACCABEE  
**Department:** Council  
**Requested Meeting Date:** 06-06-2023

**SUBJECT:** A presentation of the Citizens Budget for FY2025 (24-007)

**RECOMMENDATION:** Presentation Only

**BACKGROUND:** Every year the Council office creates a Citizen's Budget which aims to summarize the key components and highlights from the upcoming fiscal year's budget. The Citizen's Budget will be published on the Council's social media and website after final budget adoption.

**FISCAL IMPACT:**

**PRESENTER'S NAME:** David Pyle, Council Intern

**REQUESTED DURATION OF PRESENTATION:** 10 minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

**CITYVIEW OR ISSUE FILE NUMBER:** 24-007

# Provo City Citizens Budget FY 2025



Prepared by municipal council staff with information based on the TENTATIVE budget for the 2025 fiscal year, currently being reviewed by the City Council before final approval.

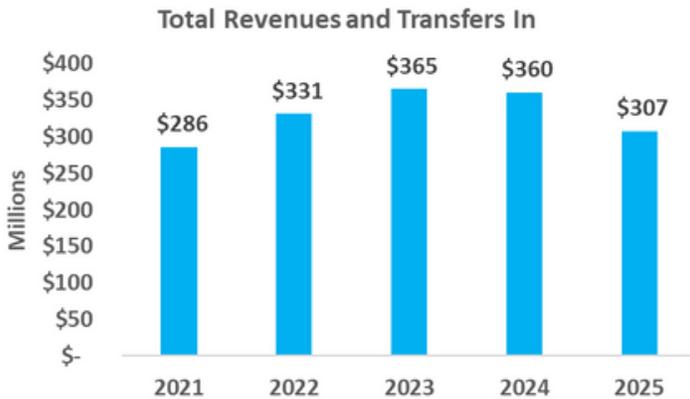
**PROVO MUNICIPAL COUNCIL**  
445 W CENTER STREET, PROVO  
801-852-6120



# Revenue Summary

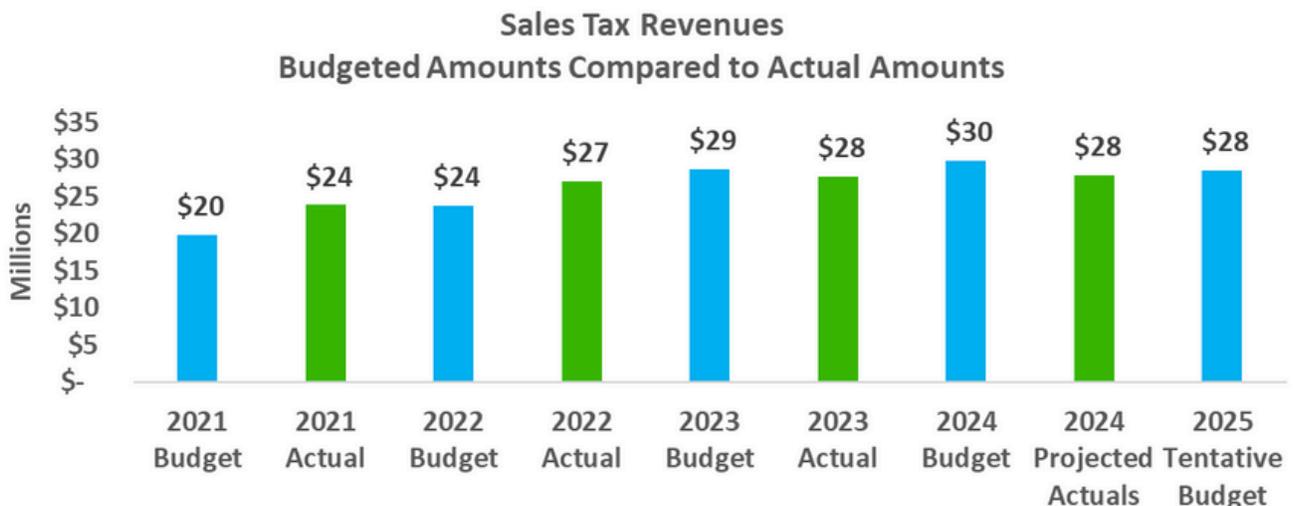
## TOTAL REVENUES AND TRANSFERS IN: \$307.4M

For the 2025 fiscal year, Provo City's estimated total revenues and transfers in account for approximately \$307 million (M). The most significant revenues come from sales of utility services (\$121.8M), fees (\$33.1M), and sales tax (\$28.5M). General Fund revenues are primarily derived from three sources: taxes, fees, and transfers.



Taxes consist of sales tax, property tax, and road tax. Fees include inspection fees, franchise fees, user fees, park fees, business licenses, apartment licenses, and other fees. Transfers in include transfers from enterprise funds. Other sources of revenue include intergovernmental revenues, grants, interest income, land sales, and miscellaneous revenue.

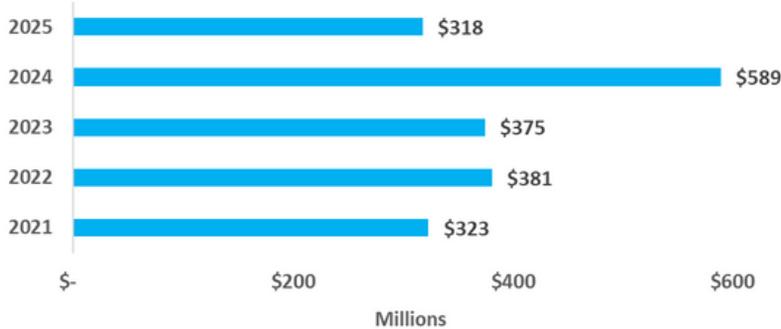
Provo City has been named one of the best cities to do business in the United States and welcomes new businesses to help boost the economy even further. The graph below compares sales tax revenue over the last five years.





# Expenses Summary

Total Expenditures and Transfers Out



## TOTAL EXPENDITURES AND TRANSFERS OUT: \$318.3M

For the 2025 fiscal year, Provo City's estimated total expenses and transfers out account for approximately \$318M. The most significant expenses come from enterprise funds (\$155M), the General Fund (\$87.3M), and internal service funds (\$25M).

### The City Budget is split into six funds to help organize and track expenses and revenues:

The General Fund pays for functions typically associated with municipal government (e.g. police, fire, streets, parks & recreation, etc.) and receives its revenues from taxes, fees, and transfers in.

Enterprise Funds are government-owned funds that sell goods and services to the public (e.g. power, water, airport, etc.) and must abide by the same generally accepted accounting principles that private companies do.

Internal Service Funds primarily provide either benefits or goods and services to other funds and departments within the city on a cost-reimbursement basis to break even rather than turn a profit (e.g. employee benefits, facility services, vehicle maintenance).

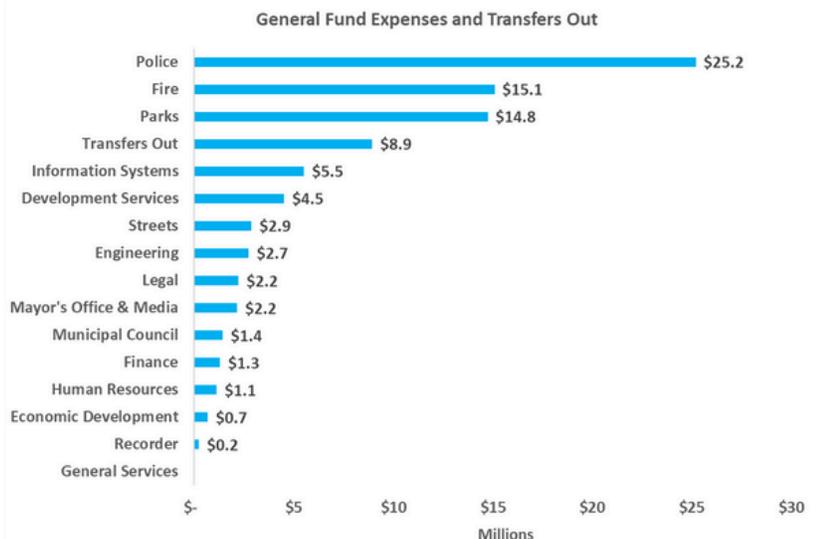
Capital Improvement (CIP) Funds are used to account for resources designated to construct governmental capital assets that may require more than one fiscal year for completion. More detailed information is found on pg. 4 with a summary of capital project expenditures.

Special Revenue Funds are accounts established by a government to collect money that must be used for a specific project. These funds provide an extra level of accountability and transparency to taxpayers and signify that their tax dollars will go to an intended purpose (e.g. Library, Covey Center, Justice Court, Cemetery).

Debt Service Funds account for all bonds issued by the city.

## GENERAL FUND EXPENDITURES AND TRANSFERS OUT: \$87.3M

The breakdown of the General Fund to the right shows the 15 departments across Provo City and the funding they receive in order to operate. Transfers out of the General Fund support enterprise, special revenue, and capital improvement funds. Major transfers include \$1.4M for emergency response, \$2.7M for roads, and \$2M for Parks and Rec CIP.





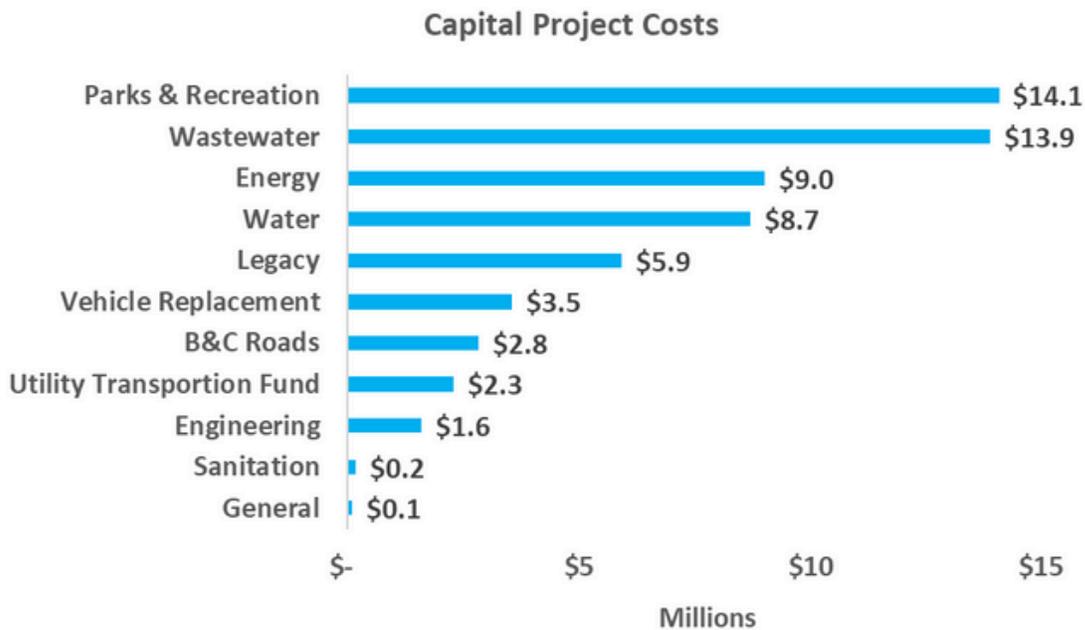
# Capital Projects

## CAPITAL PROJECT COSTS: \$121.3M

The Capital Improvement Plan (commonly referred to as the CIP) consists of the construction and maintenance of the City's infrastructure and capital assets (tangible property with a useful life of at least three years that costs more than \$5,000).

Capital projects are funded through different revenue streams (e.g. bonds, loans, grants). The image below shows the total project costs for the capital projects across Provo City.

Note: The figures in the Five-Year Capital Improvement Plan include funded, unfunded, and partially funded projects.



### Significant Capital Projects in FY2025 include:

**Replacing Fire Station #1**

Replacing Fire Station #1 with a full service station with additional personnel and equipment, expanding the fire department's capacity to serve the city's residents

**Estimated Expenditure in FY2025: \$5.9M**

**Water Treatment Plant**

The construction of a new water treatment plant will help the city to treat river water, more fully utilizing the city's water rights

**Estimated Expenditure in FY2025: \$4.8M**

**Parks & Rec**

The creation or restoration of several outdoor recreational areas, including the establishment of the Delta Gateway Park, public access enhancements at Rock Canyon Trailhead, and construction of the Epic 100 regional sports park, which will be the largest in the region

**Estimated Expenditure in FY2025: \$6.5M**

**West Side Sewer Lines**

The installation of new sewer lines on the west side of the city will help to accommodate anticipated growth in the coming years

**Estimated Expenditure in FY2025: \$5M**

The five-year Capital Improvement Plan for 2025 can be viewed [here](#)



# Funding & Saving

Provo City strives to deliver quality services to its citizens. To maximize its ability to do so, the City is constantly reviewing ways in which it can save on expenses and increase revenues to fund City services. These include such sources as property taxes and utility rates, which are being constantly reviewed by the City Council to meet growing demand. In addition to these, Provo City's departments strive each year to render services in a more efficient manner, decreasing operational costs:

## Police Vehicles

The City was awarded a federal Police Vehicle Grant, funding the purchase of 20 new patrol vehicles and creating a positive impact on the general fund

## Cybersecurity

Enhanced cybersecurity measures reduced the frequency of phishing emails from over 63 cases per month to just 1 per month, simultaneously reducing the IT department's workload by about 3 hours daily

## Airport

7 airport operations staff became cross-trained and ARFF certified to minimize the required number of Fire Department personnel on commercial flights

## Library

Installed a canopy to eliminate the need to rent a canopy for outdoor summer programming

## Cemetery

Mowing on cemetery grounds was done with mulching blades that allow grass clippings to be recycled into usable nutrients, reducing the need for supplemental fertilizers



# Elected Officials



Mayor  
Michelle Kaufusi  
801 852 6105  
michelle@provo.org



Council District 2  
George Handley  
801 574 6672  
georgebhandley@gmail.com



Citywide District 1  
Katrice McKay (Chair)  
253 632 2026  
kmackay@provo.org



Council District 3  
Becky Bogdin  
801 852 6132  
bbogdin@provo.org



Citywide District 2  
Gary Garrett  
801 852 6131  
ggarrett@provo.org



Council District 4  
Travis Hoban  
801 872 8471  
travis4provo@gmail.com



Council District 1  
Craig Christensen  
801 852 6128  
cchristensen@provo.org



Council District 5  
Rachel Whipple (Vice-Chair)  
385 219 9804  
rwhipple@provo.org

The City Council oversees the budget for the city of Provo. The proposed budget is available to the public at least 10 days before the adoption of the final budget (usually in June). A public hearing must be held before adopting the budget. The dates for the hearing will be formally set when the budget is tentatively adopted. According to Utah State Code, interested individuals may attend the public hearing and have the opportunity to voice their support or concerns about any item in the budget. Visit <https://tinyurl.com/5ar62h92> to stay updated on meetings with the City Council.

TO SEE THE FULL FY 2025 TENTATIVE BUDGET, [CLICK HERE](#)

# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** JMCKNIGHT  
**Department:** Public Works  
**Requested Meeting Date:** 04-30-2024

**SUBJECT:** A resolution attesting to the review of the Municipal Wastewater Planning Program (MWPP) Survey - 2024 in accordance with the Utah Pollutant Discharge Elimination System Permit (UT0021717) (24-048)

**RECOMMENDATION:** Resolution approval

**BACKGROUND:** The Municipal Wastewater Planning Program (MWPP) Annual Survey is required to be reviewed by the City Council as a condition of our wastewater discharge permit from the State of Utah. The survey evaluates the collection system, treatment plant, and the finances of the Sewer Fund.

**FISCAL IMPACT:** No

**PRESENTER'S NAME:** Dave Torgersen, Water Reclamation Manager

**REQUESTED DURATION OF PRESENTATION:** 10 minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

**CITYVIEW OR ISSUE FILE NUMBER:** 24-048

1 RESOLUTION 2024-

2  
3 A RESOLUTION ATTESTING TO THE REVIEW OF THE MUNICIPAL  
4 WASTEWATER PLANNING PROGRAM (MWPP) SURVEY – 2024 IN  
5 ACCORDANCE WITH THE UTAH POLLUTANT DISCHARGE ELIMINATION  
6 SYSTEM PERMIT. (UT0021717) (24-048)

7  
8 RECITALS:

9  
10 In 2012 the state of Utah implemented a general permit for the collection of  
11 wastewater, to develop programs for the prevention, control, and abatement of new or  
12 existing pollution of the waters of the state;

13  
14 Provo City submitted a Notice of Intent at the time of inception stating that the City  
15 will comply with the requirements of the general permit;

16  
17 The Municipal Wastewater Planning Program (MWPP) Annual Survey is required  
18 to be reviewed by the City Governing Board to ensure that all appropriate actions have  
19 been taken to comply with the Utah Pollutant Discharge Elimination System permits;

20  
21 The MWPP Survey – 2024, which pertains to the calendar year 2023, is attached  
22 as Exhibit A for the Council’s review;

23  
24 On June 4, 2024, the Municipal Council met to ascertain the facts regarding this  
25 matter and receive public comment, which facts and comments are found in the public  
26 record of the Council’s consideration; and

27  
28 After considering the facts and comments presented to the Municipal Council, the  
29 Council finds that the Utah Water Quality Board should be advised that the Council has  
30 reviewed the MWPP Survey – 2024 as required, and such action reasonably furthers the  
31 health, safety, and general welfare of the citizens of Provo City.

32  
33 THEREFORE, the Municipal Council of Provo City, Utah resolves as follows:

34  
35 PART I:

36  
37 The Mayor is authorized to inform the Utah Water Quality Board that:

- 38  
39 1. The Municipal Council has reviewed the MWPP Survey – 2024, as attached in  
40 Exhibit A.  
41  
42 2. The City has taken all appropriate actions necessary to maintain effluent  
43 requirements contained in the Utah Pollutant Discharge Elimination System  
44 permit.  
45

46 PART II:

47

48           This resolution shall take effect immediately.

49

50   END OF RESOLUTION.

## David Torgersen

---

**From:** Google Forms <forms-receipts-noreply@google.com>  
**Sent:** Friday, March 15, 2024 10:04 AM  
**To:** David Torgersen  
**Subject:** Full MWPP Survey - 2024

**CAUTION:** This email originated from outside of Provo's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please immediately report any suspicious messages to the IS Help Desk.



Thanks for filling out [Full MWPP Survey - 2024](#)

Here's what was received.

[Edit response](#)

# Full MWPP Survey - 2024

Municipal Wastewater Planning Program survey for 2024.

Email \*

dtorgersen@provo.org

Section I: General Information

Name of the Facility? \*

Provo Water Reclamation Facility

What is the name of the person responsible for this organization?

\*

Gary Calder

What is the title of the person responsible for this organization? \*

Water Sources Division Director

What is the email Address for the person responsible for this organization? \*

gcalder@provo.org

What is the phone number for the person responsible for this organization? \*

801-852-6782

Facility Location? \*

Please provide either Longitude and Latitude, address, or a written description of the location (with area or point).

1685 S East Bay Blvd, Provo UT 84606

## Federal Facility Section

Are you a federal facility?

A federal facility is a military base, a national park, a facility associated with the forest service, etc.

Yes

No

## Financial Evaluation Section

This form is completed by [name]? \*

Jimmy McKnight

### Part I: GENERAL QUESTIONS

Please answer the following questions regarding GENERAL QUESTIONS.

Are sewer revenues maintained in a dedicated purpose enterprise/district account?

Yes

No

Are you collecting 95% or more of your anticipated sewer revenue?

\*

Yes

No

Are Debt Service Reserve Fund requirements being met?

Yes

No

Where are sewer revenues maintained?

General Fund

Combined Utilities Fund

Other

What was the average annual User Charge for 2023?

If there is more than one rate divide the total municipal yearly User Charge collected, by the total number of connections.

1292

Do you have a water and/or sewer customer assistance program (CAP)?

Yes

No

## Part II: OPERATING REVENUES AND RESERVES

Please answer the following questions regarding OPERATING REVENUES AND RESERVES.

Are property taxes or other assessments applied to the sewer systems?

Yes

No

Revenue from these taxes =

N/A

Are sewer revenues sufficient to cover operations & maintenance costs, and repair & replacement costs (OM&R) at this time?

Yes

No

Are projected sewer revenues sufficient to cover operation, maintenance, and repair (OM&R) costs for the next five years?

Yes

No

Does the sewer system have sufficient staff to provide proper OM&R?

Yes

No

Has a repair and replacement sinking fund been established for the sewer system?

Yes

No

Is the repair & replacement sinking fund sufficient to meet anticipated needs?

Yes

No

### Part III: Capital Improvements, Revenues and Reserves.

Please answer the following questions regarding Capital Improvements, Revenues and Reserves.

Are sewer revenues sufficient to cover all costs of current capital improvements projects?

Yes

No

Has a Capital Improvements Reserve Fund been established to provide for anticipated capital improvement projects?

Yes

No

Are projected Capital Improvements Reserve Funds sufficient for the next five years?

Yes

No

Are projected Capital Improvements Reserve Funds sufficient for the next ten years?

Yes

No

Are projected Capital Improvements Reserve Funds sufficient for the next twenty years?

Yes

No

#### Part IV: FISCAL SUSTAINABILITY REVIEW

Please answer the following questions regarding FISCAL SUSTAINABILITY REVIEW.

Have you completed a rate study within the last five years?

Yes

No

Do you charge Impact fees?

Yes

No

Impact Fee (if not a flat fee, use average of all collected fees) =

2370.64

Have you completed an impact fee study in accordance with UCA 11-36a-3 within the last five years?

Yes

No

Do you maintain a Plan of Operations?

Yes

No

Have you updated your Capital Facility Plan within the last five years?

Yes

No

In what year was the Capital Facility Plan last updated?

2021

Do you use an Asset Management system for your sewer systems?

Yes

No

Do you know the total replacement cost of your sewer system capital assets?

Yes

No

Replacement Cost =

N/A

Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost?

Yes

No

What is the sewer/treatment system annual asset renewal cost as a percentage of its total replacement cost?

N/A

**Describe the Asset Management System.**

Check all that apply

Spreadsheet

GIS

Accounting Software

Specialized Software

**Please answer the following: - 2023 Capital Assets Cumulative Depreciation?**

52,688,944

**Please answer the following: - 2023 Capital Assets Book Value?**

Book Value = total cost - accumulated depreciation

164,097,838

**Part V: PROJECTED CAPITAL INVESTMENT COSTS**

Please answer the following questions regarding PROJECTED CAPITAL INVESTMENT COSTS.

**Cost of projected capital improvements - Please enter a valid numerical value. - 2023?**

42,759,352

**Cost of projected capital improvements - Please enter a valid numerical value. - 2024 through 2028?**

85,974,000

**Cost of projected capital improvements - Please enter a valid numerical value. - 2029 through 2033?**

69,490,000

Cost of projected capital improvements - Please enter a valid numerical value. - 2034 through 2038?

29,500,000

Cost of projected capital improvements - Please enter a valid numerical value. - 2039 through 2043?

29,500,000

Purpose of Capital Improvements - 2023?

Check all that apply.

- Replace/Restore
- New Technology
- Increased Capacity

Purpose of projected Capital Improvements - 2024 through 2028?

Check all that apply.

- Replace/Restore
- New Technology
- Increased Capacity

Purpose of projected Capital Improvements - 2029 through 2033?

Check all that apply.

- Replace/Restore
- New Technology

Increased Capacity

### Purpose of projected Capital Improvements - 2034 through 2038?

Check all that apply.

Replace/Restore

New Technology

Increased Capacity

### Purpose of projected Capital Improvements from 2039 through 2043?

Check all that apply.

Replace/Restore

New Technology

Increased Capacity

To the best of my knowledge, the Financial Evaluation section is completed and accurate.

True

False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to [wqinfodata@utah.gov](mailto:wqinfodata@utah.gov) and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

## Do you have a collection system?

The answer to this question is obvious in most cases, but for clarification, some wastewater systems consist of only wastewater collections (answer Yes). Some wastewater systems do not have a collection system but receive wastewater from separate collection system jurisdictions (answer No). Some wastewater systems have treatment and collections and consider their entire system as one entity (answer Yes). Some wastewater systems have treatment and collections, but consider their collections a separate entity from treatment (answer No). If you have treatment but have an independent collection system and you answered "No," you must enter your collection system separately as an independent response to the survey.

Yes

No

## Collection System

The collection of wastewater in a system of pipes and possibly pump stations that deliver wastewater to a treatment system that may or may not be independent of the treatment system.

## This form is completed by [name]?

The person completing this form may receive Continuing Education Units (CEUs).

David Torgersen

## Part I: SYSTEM DESCRIPTION

Please answer the following questions regarding SYSTEM DESCRIPTION.

### What is the largest diameter pipe in the collection system?

Please enter the diameter in inches.

42-inch

### What is the average depth of the collection system?

Please enter the depth in feet.

10-feet

What is the total length of sewer pipe in the collection system?

Please enter the length in miles.

320

How many lift/pump stations are there in the collection system?

16

What is the largest capacity lift/pump station in the collection system?

Please enter the design capacity in gpm.

2500

Do seasonal daily peak flows exceed the average peak daily flow by 100 percent or more?

Yes

No

What year was your collection system first constructed (approximately)?

1920

In what year was the largest diameter sewer pipe in the collection system constructed, replaced or renewed?

If more than one, cite the oldest.

2019

## Part II: DISCHARGES

Please answer the following questions regarding DISCHARGES.

How many days last year was there a sewage bypass, overflow or basement flooding in the system due to rain or snowmelt?

0

How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals)?

0

### Sanitary Sewer Overflow (SSO)

**Class 1** - a Significant SSO means a SSO backup that is not caused by a private lateral obstruction or problem that:

- (a) affects more than five private structures;
- (b) affects one or more public, commercial or industrial structure(s);
- (c) may result in a public health risk to the general public;
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or
- (e) discharges to Waters of the State.

**Class 2** - a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria

What is the number of Class 1 SSOs in Calendar year 2023?

0

What is the number of Class 2 SSOs in Calendar year 2023?

3

Please indicate what caused the SSO(s) in the previous question.

Rags and flushable wipes, Asphalt and road construction debris entering manholes, grease buildup from homes and restaurants.

Please specify whether the SSOs were caused by contract or tributary community, etc.

Caused by street overlay contract

### Part III: NEW DEVELOPMENT

Please answer the following questions regarding NEW DEVELOPMENT.

Did an industry or other development enter the community or expand production in the past two years, such that flow or wastewater loadings to the sewerage system increased by 10% or more?

Yes

No

Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will increase flow or BOD5 loadings to the sewerage system by 25% or more?

Yes

No

What is the number of new commercial/industrial connections in 2023?

39

What is the number of new residential sewer connections added in 2023?

150

How many equivalent residential connections are served?

31459

### Part IV: OPERATOR CERTIFICATION

Please answer the following questions regarding OPERATOR CERTIFICATION.

How many collection system operators do you employ?

7

What is the approximate population served?

132900

State of Utah Administrative Rules require all public system chief operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at no less than the Facility's Grade. List the designated Chief Operator/DRC for the Collection System by: First and Last Name, Grade, and email.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Trevor Halladay, Grade IV, thalladay@provo.org

Please list all other Collection System operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Sam Francis, Grade IV Aaron Higgins, Grade IV Jason Christensen, Grade IV

Please list all other Collection System operators by name and certification grade. Please separate names and certification grades for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Matt Blackett, Grade IV Tom Squire, IV Ben Shell, Non-Certified

Is/are your collection DRC operator(s) currently certified at the appropriate grade for this facility?

Yes

No

## Part V: FACILITY MAINTENANCE

Please answer the following questions regarding FACILITY MAINTENANCE.

Have you implemented a preventative maintenance program for your collection system?

Yes

No

Have you updated the collection system operations and maintenance manual within the past 5 years?

Yes

No

Do you have a written emergency response plan for sewer systems?

Yes

No

Do you have a written safety plan for sewer systems?

Yes

No

Is the entire collections system TV inspected at least every 5 years?

Yes

No

Is at least 85% of the collections system mapped in GIS?

Yes

No

### Part VI: SSMP EVALUATION

Please answer the following questions regarding SSMP EVALUATION.

Have you completed a Sewer System Management Plan (SSMP)?

Yes

No

Has the SSMP been adopted by the permittee's governing body at a public meeting?

Yes

No

Has the completed SSMP been public noticed?

Yes

No

SSMP Public Notice Date

Date of public notice?

MM

11

/

DD

14

/

YYYY

2023

Continue 1

During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan?

Yes

No

What adjustments were made to the SSMP (i.e. line cleaning, CCTV inspections, manhole inspections, and/or SSO events)?

Updated to reflect our current equipment

During 2023, was any part of the SSMP audited as part of the five year audit?

Yes

No

If yes, what part of the SSMP was audited and were changes made to the SSMP as a result of the audit?

N/A

Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Plan?

Yes

No

#### Part VII: NARRATIVE EVALUATION

Please answer the following questions regarding NARRATIVE EVALUATION.

Describe the physical condition of the sewerage system: (lift stations, etc. included)

The wastewater system is generally in good condition. Staff routinely inspects, repairs, cleans, operates, and maintains the system, and completes updates to keep the system operational. Lift Stations are routinely cleaned, we are currently conducting a condition assessment study of our lift stations, and will identify repairs that will be needed.

What sewerage system capital improvements does the utility need to implement in the next 10 years?

Exchange Park sewer upsize Harbor Park Interceptor Skipper Bay Interceptor Lakeview Parkway to NW Lift Station  
Mt Vista Sewer Upgrade

What sewerage system problems, other than plugging, have you had over the last year?

Grease Buildup, root intrusion, age related degradation, sedimentation buildup, inflow and infiltration, areas difficult to access, rag buildup from "flushable wipes"

Is your utility currently preparing or updating its capital facilities plan?

Yes

No

Does the municipality/district pay for the continuing education expenses of operators?

100%

Partially

Does not pay

Is there a written policy regarding continued education and training for wastewater operators?

Yes

No

Do you have any additional comments?

To the best of my knowledge, the Collections System section is completed and accurate

True

False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to [wqinfodata@utah.gov](mailto:wqinfodata@utah.gov) and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

## Wastewater Treatment Options

You have either just completed or just bypassed questions about a Collection System. This section (the questions below) determines the next set of questions that you will be presented based on the choice you make for treatment.

What kind of wastewater treatment do you have in your wastewater treatment system?

If you have treatment, you must choose from Mechanical Plant, Discharging Lagoon, or Non-Discharging Lagoon. If you don't have treatment then choose "No Treatment." Choose only one answer.

Mechanical Plant

Discharging Lagoon

Non-Discharging Lagoon

No Treatment of Wastewater

## Mechanical Plant

Form completed by [name]?

The person completing this form may receive Continuing Education Units (CEUs).

David Torgersen

### Part I: INFLUENT INFORMATION

Please answer the following questions regarding INFLUENT INFORMATION.

What is the design basis or rated capacity for average daily flow in MGD?

21

What is the design basis or rated capacity for average daily BOD loading in lb/day?

27700

What is the design basis or rated capacity for average daily TSS loading in lb/day?

29500

What was the 2023 average daily flow in MGD?

12.4

What was the 2023 average daily loading for BOD in lb/day?

180.3

What was the 2023 average daily loading for TSS in lb/day?

190.9

What is the percent of capacity used by the 2023 average daily flow?

59%

What is the percent of capacity used by the 2023 average daily BOD load?

67.4%

What is the percent of capacity used by the 2023 average daily TSS?

67%

## Part II: EFFLUENT INFORMATION

Please answer the following questions regarding EFFLUENT INFORMATION.

How many Notices of Violations (NOVs) did you receive for this facility in 2023?

0

How many days in the past year was there a bypass or overflow of wastewater at the facility due to high flows?

0

### Part III: FACILITY AGE

Please answer the following questions regarding FACILITY AGE.

In what year was your HEADWORKS evaluated?

2023

In what year was your HEADWORKS most recently constructed, upgraded, or renewed?

2023

What is the age of your HEADWORKS?

2016

In what year was your PRIMARY TREATMENT evaluated?

2023

In what year was your PRIMARY TREATMENT constructed, upgraded or renewed?

2005

What is the age of your PRIMARY TREATMENT?

18

In what year was your SECONDARY TREATMENT evaluated?

2023

In what year was your SECONDARY TREATMENT constructed, upgraded or renewed?

2015

What is the age of your SECONDARY TREATMENT?

8

In what year was your TERTIARY TREATMENT evaluated?

2023

In what year was your TERTIARY TREATMENT constructed, upgraded or renewed?

1998

What is the age of your TERTIARY TREATMENT?

25

In what year was your SOLIDS HANDLING evaluated?

2023

In what year was your SOLIDS HANDLING constructed, upgraded or renewed?

2012

What is the age of your SOLIDS HANDLING?

11

In what year was your DISINFECTION evaluated?

2023

In what year was your DISINFECTION constructed, upgraded or renewed?

2016

What is the age of your DISINFECTION?

7

In what year was your LAND APPLICATION/DISPOSAL evaluated?

2023

In what year was your LAND APPLICATION/DISPOSAL constructed, upgraded or renewed?

2000

What is the age of your LAND APPLICATION/DISPOSAL?

23

#### Part IV: DISCHARGES

Please answer the following questions regarding DISCHARGES.

How many days in the last year was there a bypass or overflow of wastewater at the facility due to equipment failure?

1

## Part V: BIOSOLIDS HANDLING

Please answer the following questions regarding BIOSOLIDS HANDLING.

Biosolids disposal (check all that apply)

Landfill

Land Application

Give Away/Other Distribution

## Part VI: NEW DEVELOPMENT

Please answer the following questions regarding NEW DEVELOPMENT.

Number of new commercial/industrial connections in the last year?

39

Number of new residential sewer connections added in the last year?

150

Equivalent residential connections served?

31459

## Part VII: OPERATOR CERTIFICATION

How many treatment system operators do you employ?

14

State of Utah Administrative Rules require all public system chief operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at no less than the Facility's Grade. List the designated Chief Operator/DRC for the Treatment System by: First and Last Name, Grade, and email. Grades: Grade I, Grade II, Grade III, and Grade IV.

Matt Kesler, Grade IV, mkesler@provo.org

Please list all other wastewater treatment system operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Joel Bennett, Grade IV

Please list all other wastewater treatment operators by name and certification grade. Please separate names and certification grades for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Bob Cassingham Grade I, Tyler Dawe Grade I, Ryan Barton Grade III, Skyler Tulley Grade IV, Triston Schlepp Grade II, Cortney Janis Grade III, Brandon OBrien Grade IV, Shellie Turnbow Grade IV, Greg Foy Grade IV, Jeff Elbert Grade IV, Shane Gunnerson, Grade II, Ryan Monighetti Grade III

Is/are your DRC operator(s) currently certified at the appropriate grade for this facility?

Yes

No

## Part VIII: FACILITY MAINTENANCE

Please answer the following questions regarding FACILITY MAINTENANCE.

Have you implemented a written preventative maintenance program for your treatment system?

Yes

No

Have you updated the treatment system operations and maintenance manual within the past 5 years?

Yes

No

Please identify (below) the types of treatment equipment and processes installed at your facility.

Indicate as many as you need.

Screens

Grit Removal

Primary Clarifier

Imhoff Tanks

Fixed Film Reactor

Activated Sludge

Aerobic Suspended Growth Variations

Anaerobic Suspended Growth Variations

Physical-Chemical Systems for Organic Removal w/o Secondary Treatment

Physical-Chemical Systems for Organic Removal Following Secondary Treatment

Membrane Filtration

Suspended-Growth Nitrification and Denitrification

Air Stripping

Phosphorus Removal - Chemical

Phosphorus Removal - Biological

Ion Exchange

Reverse Osmosis

Media Filtration

Dissolved Air Flotation

Micro Screens

Chlorine Disinfection

UV Disinfection

Effluent Use/Reuse

To the best of my knowledge, the Mechanical Plant section is completed and accurate.

True

False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to [wqinfodata@utah.gov](mailto:wqinfodata@utah.gov) and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

Adopt & Sign

I have reviewed this report and to the best of my knowledge the information provided in this report is correct. \*

True

False

Has this been adopted by the City Council or District Board? \*

yes

No

### Not Adopted by Council

What date will it be presented to the City Council or District Board? \*

MM

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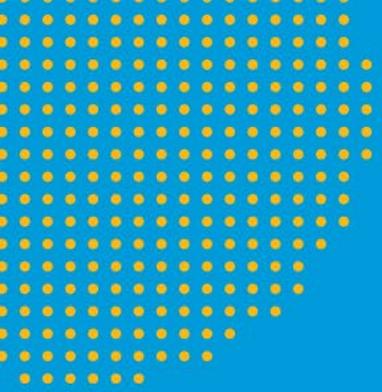
2024

### End of Survey

This is the end of the survey. Please make sure you have submitted your responses for each section. Thank you for your participation.

[Create your own Google Form](#)

[Report Abuse](#)



# MUNICIPAL WASTEWATER PLANNING PROGRAM

2023 MWPP ANNUAL SURVEY

04/30/24



**provo**  
PUBLIC WORKS

# Municipal Wastewater Planning Program - 2023 Annual Self-Assessment Survey

- Meets the REQUIRED annual reporting under the Utah Sanitary Sewer Management Program
  - Survey Completion Required by April 15<sup>th</sup> of each Year
  - Survey Submission Date was March 15, 2024
- Seeking a Resolution Approving the MWPP Survey – 2024  
(for Calendar Year 2023).

# Survey Contents

- **Financial Self Evaluation**

- General Sewer Fund Assessment (Revenue Fund, Debt Service, User Charges)
- Operating Revenues and Reserve Fund Balances (O&M/Repairs/Maintenance Costs)
- Capital Improvement Fund Balances
- Fiscal Sustainability Review (Rate Studies, Impact Fees, Capital Facility Plan, Asset Management, Etc)
- Projected Capital Investment Cost



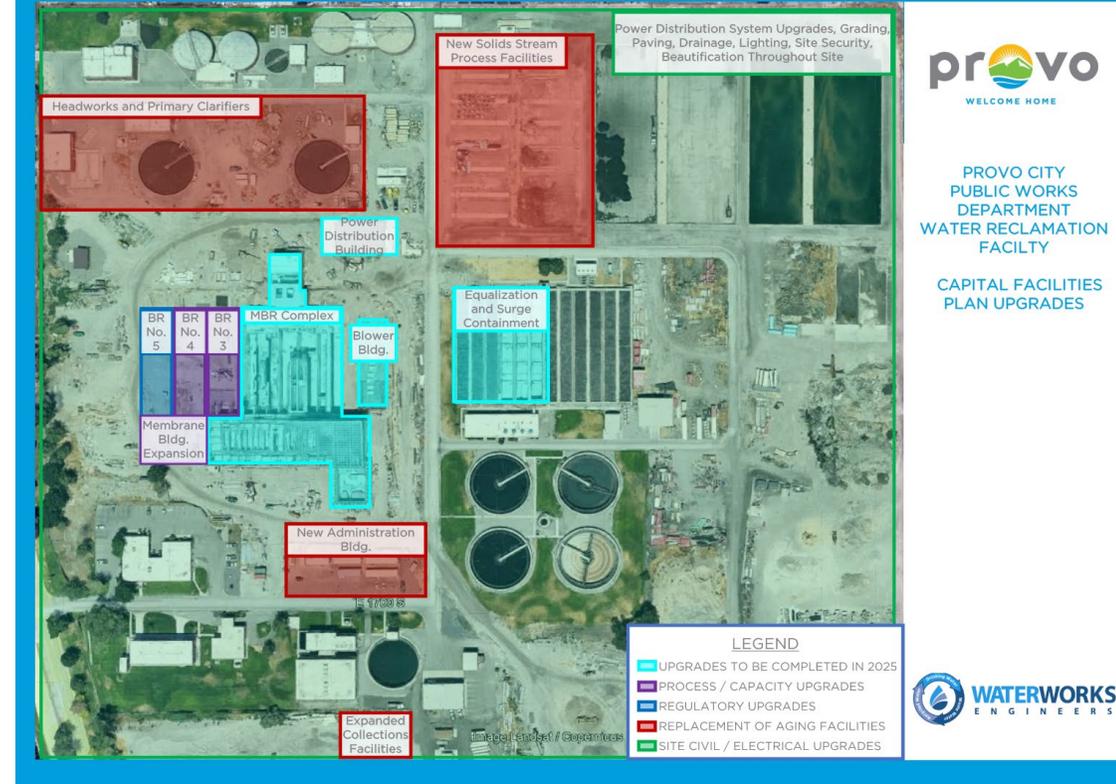
# Survey Contents Cont'd.

- **Collection System Self Evaluation**
  - System Description (Diameter, Age, Depth, Length, Lift Stations, etc.)
  - System Discharges (#of SSO's)
    - Class 1 – Significant Overflow (5000+ gals, 5+ Residents, etc)
      - ZERO Reported
    - Class 2 – Non-significant (Not caused by Private Lateral)
      - 3 Reported
  - New Development (# of new commercial/Residential Connections added last year)
  - Operator Certifications – 7 Cert. Operators, 4 DRC's
  - Facility Maintenance (Preventative Maintenance Plan, CCTV inspection, Emergency Response Plan)
  - SSMP Evaluation – (SSMP and SECAP Completed and Adopted December 2023)
  - Physical Condition Description of System



# Survey Contents Cont'd.

- **Wastewater Treatment Plant Self Evaluation**
  - Influent Information (Flows – 12.4 MGD , Loads, Capacity 21.0 MGD)
  - Effluent Information (Notice of Violations – ZERO)
  - Facility Age – Date of latest upgrades
    - (Headworks, Primary Treatment Secondary Treatment, Solids Handling, Disinfection, etc)
  - Discharges - 1 Reported Bypass Construction Related
  - Biosolids Handling – All Land Applied at Elberta Valley Agriculture Farm
  - New Development
  - Operator Certification - 14 Cert. Operators, 2 DRC's
  - Facility Maintenance - Preventative Maintenance Plan, Safety Response Plan, Equipment Types, Etc.



RESOLUTION 2024-

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A RESOLUTION APPROVING THE MUNICIPAL WASTEWATER PLANNING PROGRAM (MWPP) SURVEY FOR CALENDAR YEAR 2023 IN ACCORDANCE WITH THE UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT. (UT0021717)

WHEREAS, in 2012 the state of Utah implemented a general permit for the collection of wastewater, to develop programs for the prevention, control, and abatement of new or existing pollution of the waters of the state; and

WHEREAS, Provo City submitted a Notice of Intent at the time of inception stating that the City will comply with the requirements of the general permit; and

WHEREAS, the Municipal Wastewater Planning Program (MWPP) Annual Survey is required to be reviewed by the City Governing Board to ensure that all appropriate actions have been taken to comply with the Utah Pollutant Discharge Elimination System permits; and

WHEREAS, on May 14, 2024, 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 facts and comments presented to the Municipal Council, the Council finds the MWPP Survey - 2024, attached hereto as Exhibit A, is hereby approved, and such action reasonably furthers 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:

The Mayor is hereby authorized to inform the Utah Water Quality Board of the following actions:

1. The Municipal Council has reviewed the MWPP Survey - 2024, as attached in Exhibit A.
2. The City has taken all appropriate actions necessary to maintain effluent requirements contained in the Utah Pollutant Discharge Elimination System permit.

PART II:

This resolution shall take effect immediately.

END OF RESOLUTION.

Questions?

# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** JDAHNEKE  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** An ordinance adjusting the common boundary between Provo and Orem along 2000 South in Orem (24-019)

**RECOMMENDATION:** Public hearing and approval of the ordinance

**BACKGROUND:** An ordinance was previously adopted to approve the boundary line adjustment between Provo and Orem along 2000 South in Orem on February 6, 2024. In the process of trying to get the boundary lines recorded with Utah County, the Recorder's Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor's Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council's May 28th meeting.

**FISCAL IMPACT:** None

**PRESENTER'S NAME:** Jessica Dahneke

**REQUESTED DURATION OF PRESENTATION:** 5 Minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

**CITYVIEW OR ISSUE FILE NUMBER:** 24-019



DEVELOPMENT SERVICES

TEL (801) 852-6400

445 W CENTER ST

PROVO, UT 84601

To: City Council

From: Development Services

Date: May 22, 2024

RE: Boundary Line Adjustments Between Orem and Provo

Provo City Council and Orem City Council previously approved three adjustments to the Provo/Orem boundary line at the following locations:

- An adjustment to the common boundary between Provo and Orem along 2000 South in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem near the intersection of 1030 East in Orem and 2550 North in Provo was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.

In the process of trying to get the boundary lines recorded with Utah County, the Recorder's Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor's Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council's May 28<sup>th</sup> meeting.



41 PART II:

42

43 Ordinance 2024-6, previously approved on March 7, 2024, is rescinded.

44

45 PART III:

46

47 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
48 ordinance, this ordinance prevails.

49

50 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,  
51 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of  
52 the ordinance is not affected by that determination.

53

54 C. This ordinance shall be uncodified.

55

56 D. This ordinance shall take effect immediately after it has been posted or published in  
57 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah  
58 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713. Notwithstanding  
59 the foregoing, if the Orem Municipal Council does not pass an ordinance approving the  
60 boundary line adjustment described herein by January 31, 2025, this ordinance shall expire  
61 and shall be null and void.

62



**PROVO MUNICIPAL COUNCIL  
STAFF REPORT**



**Submitter:** JDAHNEKE  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** An ordinance adjusting the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem (24-019)

**RECOMMENDATION:** Public hearing and approval of the ordinance.

**BACKGROUND:** Provo City Council previously approved a boundary line adjustment between Provo and Orem near the intersection of University Avenue in Provo and 800 North in Orem on February 6, 2024. In the process of trying to get the boundary lines recorded with Utah County, the Recorder’s Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor’s Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council’s May 28th meeting.

**FISCAL IMPACT:** No

**PRESENTER’S NAME:** Jessica Dahneke

**REQUESTED DURATION OF PRESENTATION:** 5 Minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**  
The approval of this boundary line adjustment allows for a housing development to be completed in this area of Provo which aligns with the General Plan goals for increasing the number of housing units of all types across the whole of Provo.

**CITYVIEW OR ISSUE FILE NUMBER:** 24-019



DEVELOPMENT SERVICES

TEL (801) 852-6400

445 W CENTER ST

PROVO, UT 84601

To: City Council

From: Development Services

Date: May 22, 2024

RE: Boundary Line Adjustments Between Orem and Provo

Provo City Council and Orem City Council previously approved three adjustments to the Provo/Orem boundary line at the following locations:

- An adjustment to the common boundary between Provo and Orem along 2000 South in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem near the intersection of 1030 East in Orem and 2550 North in Provo was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.

In the process of trying to get the boundary lines recorded with Utah County, the Recorder's Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor's Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council's May 28<sup>th</sup> meeting.



40 The Provo Municipal Council approves the adjustments to the common boundary between  
41 Provo City and Orem shown on the attached Exhibit A.

42

43 PART II:

44

45 Ordinance 2024-7, previously approved on February 15, 2024, is rescinded.

46

47 PART III:

48

49 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
50 ordinance, this ordinance prevails.

51

52 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,  
53 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of  
54 the ordinance is not affected by that determination.

55

56 C. This ordinance shall be uncodified.

57

58 D. This ordinance shall take effect immediately after it has been posted or published in  
59 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah  
60 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713. Notwithstanding  
61 the foregoing, if the Orem Municipal Council does not pass an ordinance approving the  
62 boundary line adjustment described herein by January 31, 2025, this ordinance shall expire  
63 and shall be null and void.



# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** JDAHNEKE  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** AN ORDINANCE CONCURRING WITH UTAH COUNTY ON THE COMMON BOUNDARY BETWEEN PROVO AND OREM NEAR THE INTERSECTION OF 1030 EAST IN OREM AND 2550 NORTH IN PROVO

**RECOMMENDATION:** Public Hearing and approval of the ordinance

**BACKGROUND:** The boundary line adjustment between Provo and Orem for the area near 1030 East in Orem and 2550 North in Provo was already approved by council on February 6, 2024. In the process of trying to get the boundary lines recorded with Utah County, the Recorder's Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor's Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council's May 28th meeting.

**FISCAL IMPACT:** No

**PRESENTER'S NAME:** Jessica Dahneke

**REQUESTED DURATION OF PRESENTATION:** 5 Minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

**CITYVIEW OR ISSUE FILE NUMBER:** 2024-19



DEVELOPMENT SERVICES

TEL (801) 852-6400

445 W CENTER ST

PROVO, UT 84601

To: City Council

From: Development Services

Date: May 22, 2024

RE: Boundary Line Adjustments Between Orem and Provo

Provo City Council and Orem City Council previously approved three adjustments to the Provo/Orem boundary line at the following locations:

- An adjustment to the common boundary between Provo and Orem along 2000 South in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem near the intersection of 1030 East in Orem and 2550 North in Provo was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.
- An adjustment to the common boundary between Provo and Orem to accommodate a new residential development near the intersection of University Avenue in Provo and 800 North in Orem was approved by Orem City January 23<sup>rd</sup>, 2024, and Provo City February 6<sup>th</sup>, 2024.

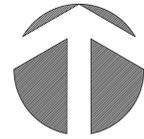
In the process of trying to get the boundary lines recorded with Utah County, the Recorder's Office stated that boundary line adjustments have to be certified with the Lieutenant Governor in a process similar to annexations. By the time all the required documents were collected and submitted to the Lieutenant Governor's Office, the 60-day time frame for certification as stated in Utah Code 10-2-425 had already passed. For the boundary line adjustments to be recorded, Provo City Council and Orem City Council need to pass new ordinances. The boundary line adjustments are scheduled to be on Orem City Council's May 28<sup>th</sup> meeting.



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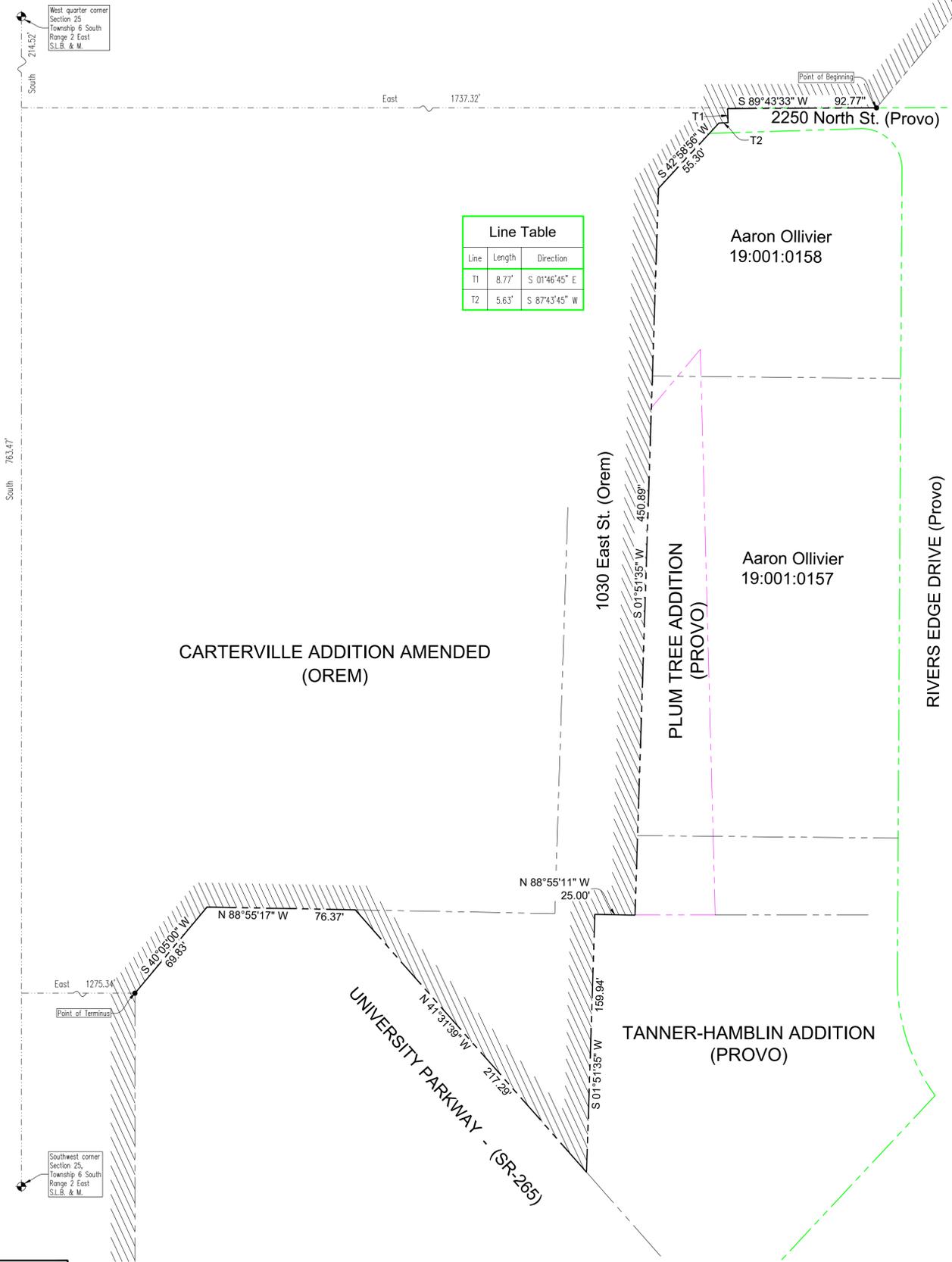
PART III:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance shall be uncodified.
- 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. Notwithstanding the foregoing, if the Orem Municipal Council does not pass an ordinance approving the boundary line adjustment described herein by January 31, 2025, this ordinance shall expire and shall be null and void.



NORTH  
1" = 40'

# EXHIBIT A



Line	Length	Direction
T1	8.77'	S 01°46'45" E
T2	5.63'	S 87°43'45" W



VICINITY MAP

### Surveyor's Certificate

I, ROGER D. DUDLEY, do hereby certify that I am a Professional Land Surveyor and that I hold a license, Certificate No. 1427089, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that I have made a Survey of the Boundary Line Adjustment shown on this plot and described below and the same has been correctly surveyed and this plot is true and correct.

Roger D. Dudley - Professional Land Surveyor

Date

SURVEYOR'S SEAL

### Boundary Description

Commencing at the intersection of the Tanner-Hamblin addition and Rivers Edge on University Subdivision Plot, said point being located South 214.52 feet and East 1737.32 feet from the West quarter corner of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along Rivers Edge on University Subdivision the following three (3) courses: South 89°43'33" West 92.77 feet, South 01°46'45" East 8.77 feet, South 87°43'45" West 5.63 feet; thence South 42°58'56" West 55.30 feet; thence South 01°51'35" West partially along Plum Tree Addition and extension thereof 450.89 feet more or less to the Tanner-Hamblin Addition; thence North 88°55'11" West along Tanner-Hamblin Addition 25.00 feet; thence South 01°51'35" West 159.94 feet to the easterly boundary line of University Parkway; thence North 41°31'39" West along University Parkway 217.29 feet more or less to the Tanner-Hamblin Addition; thence North 88°55'17" West along said Tanner-Hamblin Addition 76.37 feet more or less to the Carterville Addition to Orem, Amended; thence South 40°05'00" West along said Tanner-Hamblin Addition 69.83 feet more or less to the point of terminus.

Basis of Bearing is the Utah State Plane Coordinate system.

### Orem City Acceptance

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as a Municipal Boundary Adjustment Plat.

\_\_\_\_ (Signature)  
\_\_\_\_ (Printed Name)  
\_\_\_\_ (Title)

Attest: \_\_\_\_\_  
RECORDER

RECORDER'S SEAL

### Provo City Acceptance

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as a Municipal Boundary Adjustment Plat.

\_\_\_\_ (Signature)  
\_\_\_\_ (Printed Name)  
\_\_\_\_ (Title)

Attest: \_\_\_\_\_  
RECORDER

RECORDER'S SEAL

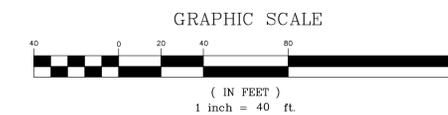
### Acceptance by the County Surveyor

This Plat has been reviewed by the County Surveyor and is hereby certified as a Final Local Entity Plat, pursuant to Utah Code Annotated 17-23-20 Amended.

County Surveyor

Date

COUNTY SURVEYOR'S SEAL



### MUNICIPAL BOUNDARY ADJUSTMENT PLAT

## OREM CITY / PROVO CITY COMMON BOUNDARY ADJUSTMENT

Provo City, \_\_\_\_\_ Utah County, Utah  
Scale: 1" = 40 Feet

Recorded # \_\_\_\_\_  
State of Utah, County of Utah, Recorded and Filed at the request of:

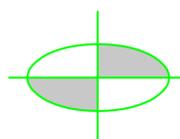
Date: \_\_\_\_\_ Time: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_  
\$ \_\_\_\_\_  
UTAH COUNTY RECORDER

Date of Preparation

January 31, 2023

Prepared by:

Dudley and Associates, Inc.  
353 East 1200 South  
Orem, Utah 84058  
office 801-224-1252  
fax 801-224-1264



# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** MABARNES  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** An ordinance amending the Zone Map classification of real property, located at 2662 West Lakeview Parkway, from Open Space, Preservation, and Recreation (OSPR) Zone to the Community Shopping Center (SC2) Zone - Provo Bay Neighborhood (PLRZ20240059)

**RECOMMENDATION:** Development Services is recommending approval. Please see supporting documents.

**BACKGROUND:** Development Services is proposing to rezone a 5.079-acre section of the OSPR zone in Provo Bay Neighborhood to SC2. The city has initiated this zone map amendment on city-owned property to allow for commercial and hospitality support services directly south of the new Regional Sports Park on the west side of Provo, and directly north of the new Airport terminal.

The proposed re-zone is proactive, there is no concept plan for the subject area at this time. The city is planning on leasing the land to a future developer, which will help to fund the ongoing maintenance and development of the Regional Sports Park. The Regional Sports Park site plan will not be affected by this zone change, and the park will stay OSPR. The proposed rezone is supported by the General Plan policies and goals.

**FISCAL IMPACT:**

**PRESENTER'S NAME:** Keith Morey

**REQUESTED DURATION OF PRESENTATION:** Work meeting: 20 mins (with 10 mins for presentation). Council/Night meeting: 25 mins (with 8 mins of presentation)

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**  
Please see page 5-6 in the staff report.

**CITYVIEW OR ISSUE FILE NUMBER:** PLRZ20240059



Provo City Planning Commission

# Report of Action

May 8, 2024

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\*Item 2      Development Services requests a Zone Map Amendment from the OSPR (Open Space, Preservation, and Recreation) Zone to the SC2 (Community Shopping Center) Zone for five (5) acres of land to attract businesses south of the Regional Sports Park, located approximately at 2662 West Lakeview Pkwy. Provo Bay Neighborhood. Mary Barnes (801) 852-6408 mabarnes@provo.org PLRZ20240059

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The following action was taken by the Planning Commission on the above-described item at its regular meeting of May 8, 2024:

## RECOMMENDED APPROVAL

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

Motion By: Jeff Whitlock

Second By: Lisa Jensen

Votes in Favor of Motion: Robert Knudsen, Lisa Jensen, Jeff Whitlock, Jonathan Hill, Barbara DeSoto, Daniel Gonzales, and Melissa Kendall.

Daniel Gonzales was present as Chair.

Votes against the Motion: None

- 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.

### CITY DEPARTMENTAL ISSUES

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

### NEIGHBORHOOD MEETING DATE

- This application affects the Provo Bay Neighborhood in District 3. This item will be discussed in the upcoming May 15<sup>th</sup> District 3 neighborhood meeting, and the topic will be presented by city staff.

### APPLICANT PRESENTATION

The applicant is Provo City. Key points addressed in the applicant's presentation to the Planning Commission included the following:

- The reason behind the requested re-zone is the need for support services in the area. Also, this property will be leased to a developer to help generate some revenue for the city, and to assist with the upkeep of the park.
- The configuration of the Regional Sports Park, and how it has changed over time.

- Permitted uses in the SC-2 zone.
- Potential traffic impacts on the neighborhoods, and concerns with parking for the park.
  - Doug Robins, Parks and Rec Director, addressed the concerns regarding parking for the Regional Sports Park. Currently an average of 83 stalls are provided per sports field. Nothing was designed in the subject area besides that overflow parking in the previous iteration, because it is a strange shape. Wayfinding signs to help direct people to Lakeview Parkway for access to and from the park will be installed. This will hopefully help to reduce traffic impacts in the adjacent neighborhood.

### **NEIGHBORHOOD AND PUBLIC COMMENT**

- The neighborhood Chair was not present and did not address the Planning Commission during the hearing.

### **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:

- *Jeff Stubbs, Provo Resident.* Concerned about how the overflow parking has been eliminated on the Regional Sports Park plan. The park has not opened yet, therefore the amount of overflow parking needed cannot be known. If more parking is needed, where will it go?

### **PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

After staff presentation:

- Commissioner Knudsen expressed concerns about traffic from the re-zone area going through the neighborhoods on the northeast side of the park. Patrons of the commercial support services may want to cut through the Southwest neighborhoods to get back home to their neighborhoods.
  - Commissioner Jensen stated that she would prefer to get onto Lakeview Parkway and use the more prominent collector roads to get back to her home quickly. Residents in the immediate surrounding neighborhoods will probably cut through Epic Ln and 600 S, but other residents are most likely going to take the quicker routes home.
  - Commissioner Hill agreed that there will be a traffic increase on 600 S, but it will be marginal. It will probably be traffic from the park, and not as much from the commercial piece.
- Commissioner Gonzales discussed whether SC-2 is intense enough for the desired uses, specifically regarding building height. Also, a car wash would not be a welcomed use.
  - Commissioner Jensen agreed that making sure the final use is something classy is important.
- Commissioner Jensen wanted clarification on why this section of property is not called out as commercial on the general plan map. Proposals for development could filter in for this area due to the neighborhood plan designations, and commercial could fill in to the direct west of the park.
  - Commissioner Hill commented that the purpose of the Airport Industrial/Commercial areas on the neighborhood plan was to provide commercial areas to support the airport.

After public comment:

- Commissioner Jensen stated that most City Parks were fairly recently rezoned to the OSPR zone. With this rezone, an inadvertent message may be sent to developers that Provo City will rezone their parks for commercial projects. Concerned that justifying this re-zone by stating “it will support the airport and Regional Sports Park” is something that can be said for the entire area. Do not want all agricultural land or open space to be swallowed up into this. However, this does meet the goals of the General Plan and it’s a great location. The city will be the landlord, which is great as well. Want to make sure people think of the rezone repercussions.
  - Commissioner Gonzales replied, saying that this situation is different because there isn’t a great use for this property if it stays open space. Sports fields can’t fit into the triangle, and overflow parking is not needed. Because of the location and the surrounding major uses, this is most likely the best use for the subject area.

*DQAQ*

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Planning Commission Chair

*Bill Peperone*

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Director of Development Services

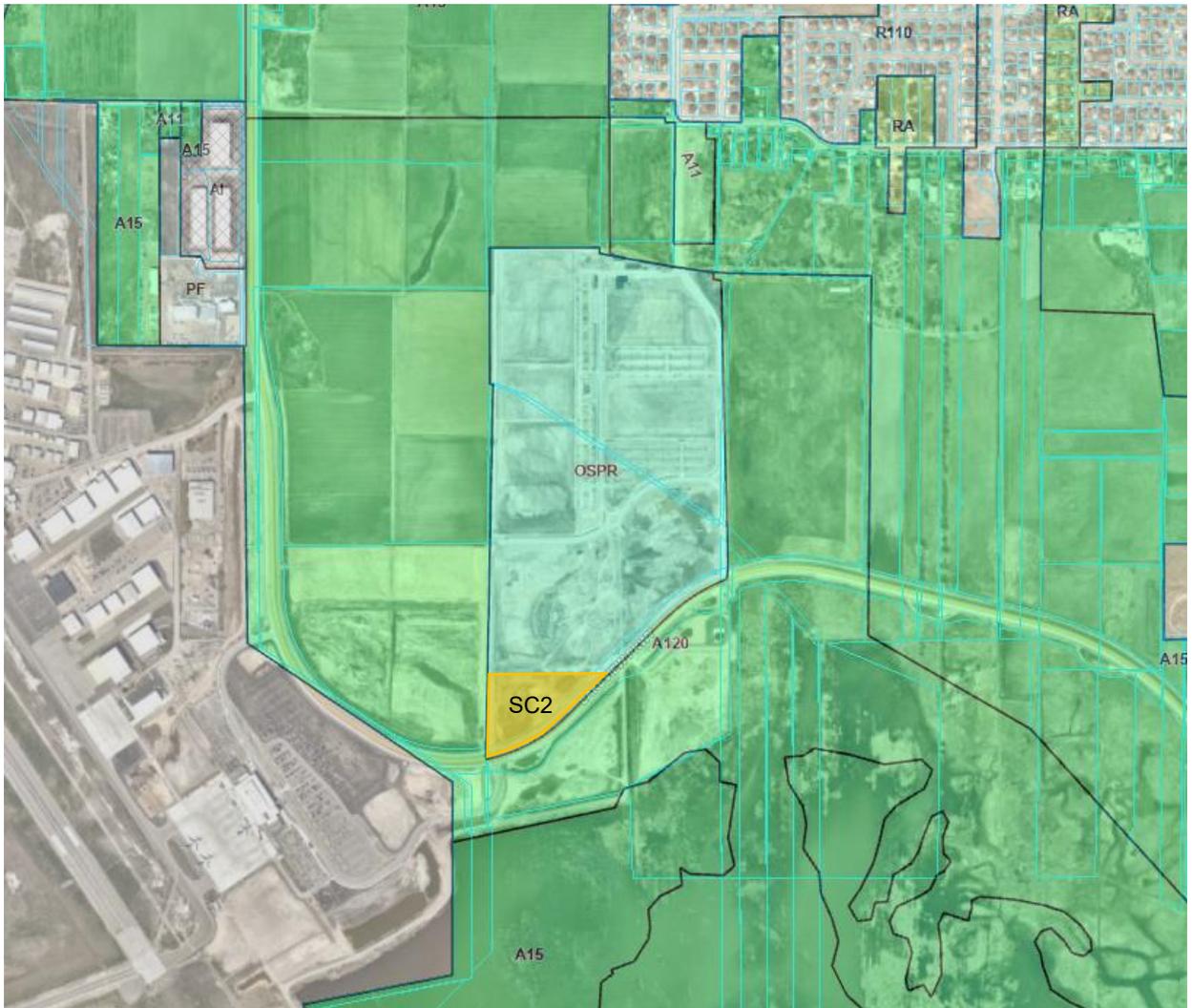
See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ 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 West 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



## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY, LOCATED WEST 2882.39 FEET AND SOUTH 178.55 FEET FROM THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY THE FOLLOWING (2) COURSES; THENCE S46°00'16"W 405.97 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 960.00 FOOT RADIUS CURVE TO THE RIGHT 488.87 FEET, THROUGH THE CENTRAL ANGLE OF 29°10'39" (CHORD BEARS: S60°35'35"W 483.61 FEET); TO THE EAST RIGHT-OF-WAY LINE OF 2770 WEST STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF 2770 WEST STREET THE FOLLOWING (2) COURSES; THENCE NORTHERLY ALONG THE ARC OF A 473.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 69.64 FEET, THROUGH THE CENTRAL ANGLE OF 08°26'11" (CHORD BEARS: N03°40'04"W 69.58 FEET) THENCE N00°33'01"E 450.03 FEET; THENCE N90°00'00"E 713.48 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY AND THE POINT OF BEGINNING.

AREA: 221,256 SQUARE FEET OR 5.079 ACRES

**\*ITEM 2** Development Services requests a Zone Map Amendment from the OSPR (Open Space, Preservation, and Recreation) Zone to the SC2 (Community Shopping Center) Zone for five (5) acres of land to attract businesses south of the Regional Sports Park, located approximately at 2662 West Lakeview Pkwy. Provo Bay Neighborhood. Mary Barnes (801) 852-6408 mabarnes@provo.org PLRZ20240059

<p><b>Applicant:</b> Provo City</p> <p><b>Staff Coordinator:</b> Mary Barnes</p> <p><b>Property Owner:</b> Provo City Corporation</p> <p><b>Parcel ID#:</b> 21:039:0024</p> <p><b>Acreage:</b> 5.079 acres</p> <p><b>Number of Lots:</b> 1</p> <p><b>Current Zone:</b> Open Space and Preservation (OSPR)</p> <p><b>Proposed Zone:</b> Community Shopping Center (SC2)</p> <p><b><u>ALTERNATIVE ACTIONS</u></b></p> <ol style="list-style-type: none"> <li><b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is May 22, 6:00 P.M.</i></li> <li><b><u>Recommend Denial</u></b> of the requested ordinance text amendment. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should <u>state new findings.</u></i></li> </ol>	<p><b>Current Legal Use:</b> Vacant lot</p> <p><b>Relevant History:</b> The idea of attracting commercial or hospitality support services to this area has been in the works for a while. Over the many iterations of the Regional Sports Park site plan, this area has been shown as a multi-use field and overflow parking. The adopted final site plan completely excludes this area of the property. The goal is to attract commercial and hospitality support services into the area. This zone map amendment is proactive, there is no commercial developer at this time. Therefore, there is no concept plan.</p> <p><b>Neighborhood Issues:</b> This application has been scheduled for the May 15<sup>th</sup> District 5 meeting.</p> <p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"> <li>Due to the current and potential heavy use and traffic from Provo Airport and the Regional Sports Park, commercial and hospitality support services are necessary.</li> <li>This location will ensure that park and airport patrons will have quick access, and there will be minimal access from the commercial support services into existing or future neighborhoods.</li> </ul> <p><b>Staff Recommendation:</b> That the Planning Commission recommend approval of the zone map amendment to the Provo City Council.</p>
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## **OVERVIEW**

The city has initiated this zone map amendment to allow for commercial and hospitality support services directly south of the new Regional Sports Park on the west side of Provo. This is city-owned property. Please see figure 1 and 2 below for the specific subject area.

- The property is currently zoned OSPR, which is the primary zone used for public open space amenities, such as parks, trails, sport courts, etc.
- The city is proposing to rezone a 5.079-acre section of the property to SC2, which is known as the Community Shopping Center Zone. A list of permitted and conditional uses within this zone can be found within this staff report.
  - o This proposed re-zone is proactive. Therefore, there is no concept plan for this parcel at this time.
  - o The city is planning on leasing the land to a future developer. This lease will help to fund the ongoing maintenance and development of the Regional Sports Park.
- The Regional Sports Park site plan will not be affected by this zone change, and the park will stay OSPR.



Figure 2: Overall aerial view of subject area

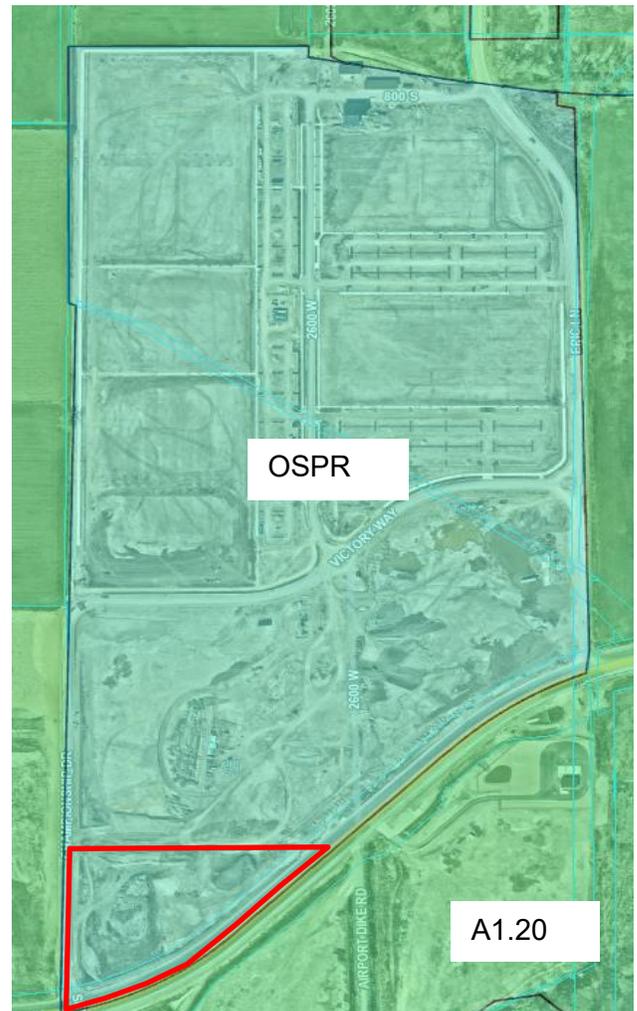


Figure 1: Current zoning map

- The subject area is located directly across Lakeview Parkway from the airport, and it is directly adjacent to the Regional Sports Park. Commercial and hospitality support services will help to facilitate multi-day sports tournaments within the Regional Sports Park, while also providing an area for concessions in the form of a gas station or some other small commercial and retail food outlet. Having a small eating establishment or a hotel would also serve airport patrons.



Figure 3: Regional context

## **FINDINGS OF FACT**

1. The current zoning on the parcel is OSPR (Chapter 14.33)
2. The proposed zoning is SC2 (Chapter 14.19)
3. The general plan designation is Parks, Recreation and Open Space. Staff did not include a general plan amendment with this rezone request. The general plan policies take precedence over the map amendment, as seen in 14.02.020(2h).
4. There is no specific proposed use at this time. Any new development will have to submit a project plan and a subdivision plat. Because this is city-owned property, Development Services has the opportunity to ensure that the future use of this subject area will properly serve the surrounding area.

### **Permitted and Conditional Uses in the SC2 Zone**

All permitted and conditional uses can be found in 14.19.020. This zone allows the following uses:

- General retail (shopping centers, department stores, etc.)
- Retail food and restaurants
- Hotels and motels
- Gas stations and car washes
- Personal services (beauty and barber services, laundry, banks, etc.)
- Gyms
- Vehicle Rental (with strict requirements)
- General professional services (physician, dental, legal, other)
- Amusements (ice skating, bowling, roller skating, other)

Conditional uses include day care, dance halls, and vet services.

### **Interaction with the Regional Sports Park and Provo Airport**

The City approved the new Regional Sports Park in January 2021 with mostly multi-use fields. Since then, the site plan for the Park has been altered to include 21 multi-use fields, 45 pickleball courts, and 1,744 off-street parking spaces. Two signalized intersections on Lakeview Parkway have already been installed to help direct traffic from the airport, park, and potentially this small commercial area. There is no specific access connecting this small commercial area to any existing neighborhoods.

Past iterations of the Regional Sports Park plan showed multi-use fields and overflow parking within this area. Please see attachment 3 for these previous site plans. Further design and calculations, along with the addition of the pickleball courts and an extra parking lot, have proven that the overflow parking lot is not needed. Instead, Provo City has the opportunity to work with future developers and create a space that will be heavily used by the Regional Sports Park and Provo Airport patrons. Parks and Recreation and Provo Airport support this rezone.



Figure 5: Final site plan overlaid on aerial.

## **STAFF ANALYSIS**

### **General Plan**

Provo City Code Title 14.02.020(2) sets forth the following guidelines for consideration of amendments:

1. 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 public purpose of the amendment is to facilitate the provision of support services for the Regional Sports Park and Provo Airport. With the new terminal and increased capacity of the airport, and the regional and far-reaching draw of the Sports Park, there will be an increase in use within the area. Therefore, support services are needed.

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

**Staff response: Commercial and hospitality services are needed to support the expected volumes of visitors and residents who will be using the new and improved facilities.**

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

**Staff response: The proposed text amendment is consistent with the General Plan economic development goals, specifically goal 2: “Encourage growth around the Provo Municipal Airport and facilitate development where appropriate”. Goal 2b states, “Encourage economic development and business opportunities at and around the airport”.**

- 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: Goal 2b of the economic development chapter is indicated to have a “short-long” timing in the implementation matrix. According to the reading notes in the implementation matrix chapter, “short” timing is 1-3 years, and “long” timing is 10-20 years. This re-zone would be within the “short” period.**

- 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 not hinder or obstruct General Plan policies.**

- f) Adverse impacts on adjacent landowners.

**Staff response: There should be limited impact on adjacent landowners. Most of the land surrounding the project is currently being used as agricultural land. There are no direct connections between the subject area and existing neighborhoods, although it will be possible to get to the existing neighborhoods through Epic Lane. Due to the location of the subject area, it is expected that most traffic generated by a commercial development will be directed towards Lakeview Parkway or the roads within the Regional Sports Park. Traffic is not expected to go through existing or possible future neighborhoods.**

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

**Staff response: The original zoning (OSPR) matches the general plan designation (Parks, Recreation, Open Space).**

- 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: In this case, there is a conflict between the general plan map and plan policies. Precedence has been given to the plan policies, which call for more economic development and services around the airport.**

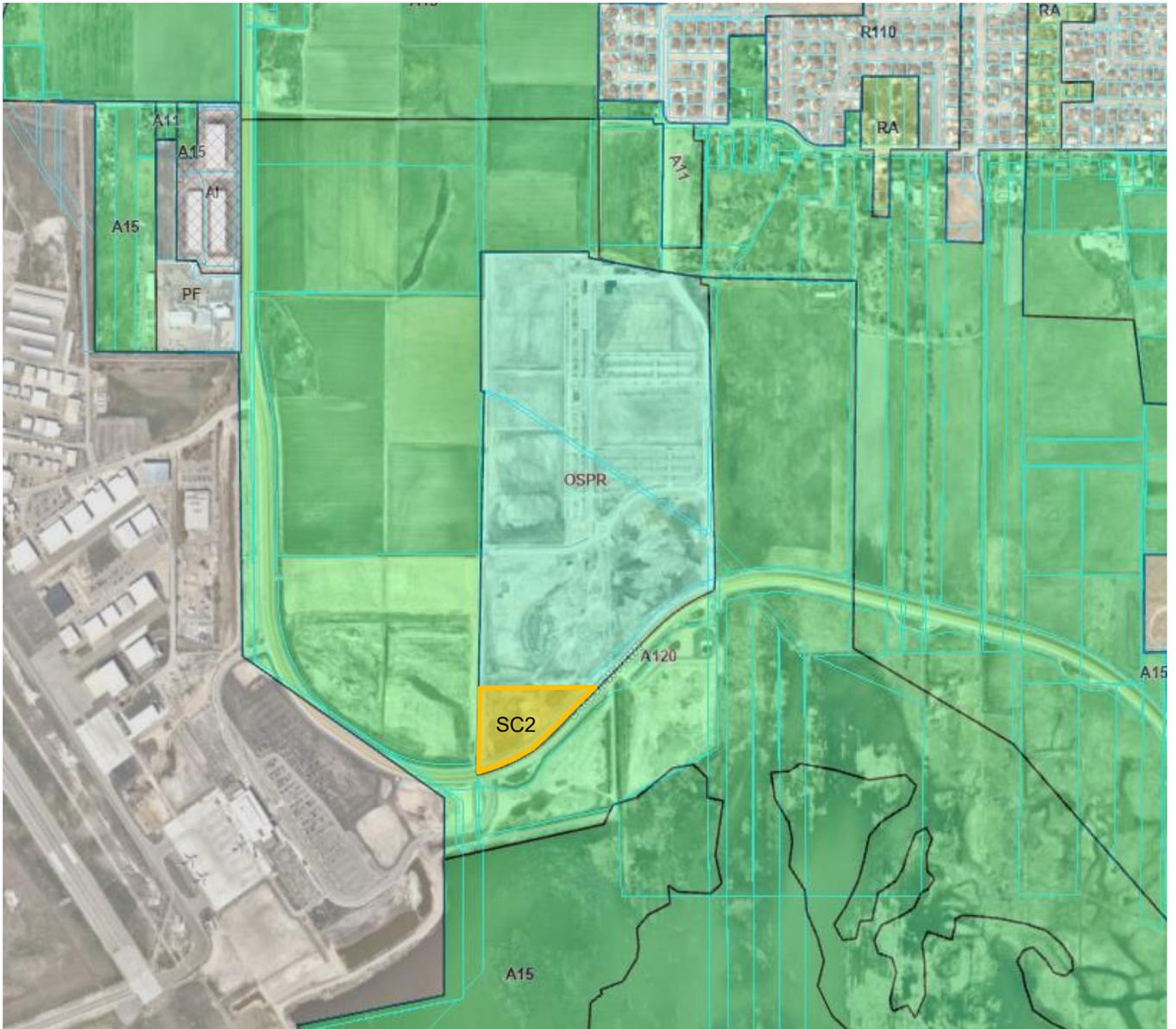
## **CONCLUSIONS**

In conclusion, staff recommends that the Planning Commission recommend approval for this zone map amendment. Provo Airport, Parks and Recreation, and Economic Development are in support for commercial development in the subject area. The volume of visitors and residents traveling through this area is expected to increase, and this proactive rezone will help to draw high-quality commercial development. Any new development will be required to go through project plan and subdivision plat approval.

## **ATTACHMENTS**

1. Proposed Zone Map Amendment
2. Exact boundary of the subject area
3. Final Regional Sports Park Plan
4. Previous iterations of the Regional Sports Park Plan

**ATTACHMENT 1: PROPOSED ZONE MAP AMENDMENT**



**ATTACHMENT 2: EXACT BOUNDARY OF THE SUBJECT AREA**



**ATTACHMENT 3: FINAL REGIONAL SPORTS PARK**



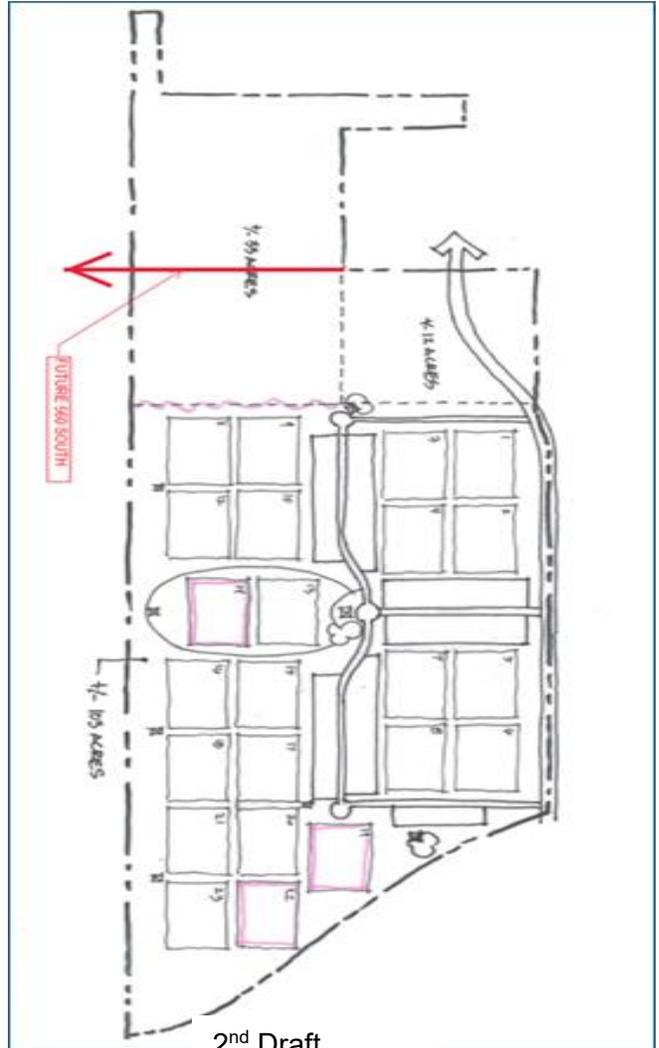
**PROVO REGIONAL SPORTS PARK**  
MASTER PLAN



**ATTACHMENT 4: PREVIOUS ITERATIONS OF THE REGIONAL SPORTS PARK PLAN**



1<sup>st</sup> Draft



2<sup>nd</sup> Draft



3<sup>rd</sup> Draft



4<sup>th</sup> Draft



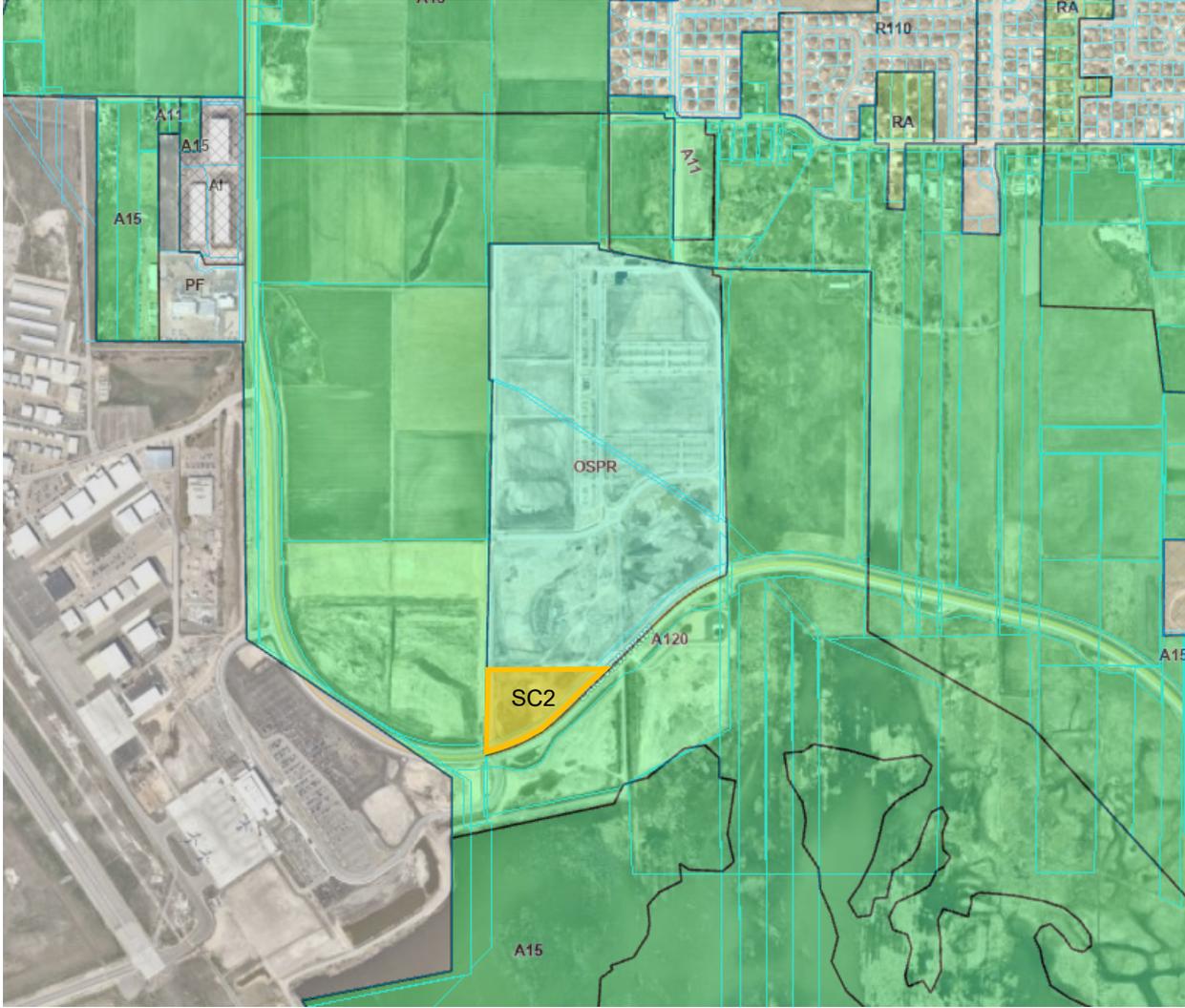
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- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
- D. The Municipal Council directs that the Provo Zoning Map be updated and codified to reflect the provisions enacted by this ordinance.

END OF ORDINANCE.

**Exhibit A – Zone Map**





**Exhibit B – Legal Description**

BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY, LOCATED WEST 2882.39 FEET AND SOUTH 178.55 FEET FROM THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY THE FOLLOWING (2) COURSES; THENCE S46°00'16"W 405.97 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 960.00 FOOT RADIUS CURVE TO THE RIGHT 488.87 FEET, THROUGH THE CENTRAL ANGLE OF 29°10'39" (CHORD BEARS: S60°35'35"W 483.61 FEET); TO THE EAST RIGHT-OF-WAY LINE OF 2770 WEST STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF 2770 WEST STREET THE FOLLOWING (2) COURSES; THENCE NORTHERLY ALONG THE ARC OF A 473.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT 69.64 FEET, THROUGH THE CENTRAL ANGLE OF 08°26'11" (CHORD BEARS: N03°40'04"W 69.58 FEET) THENCE N00°33'01"E 450.03 FEET; THENCE N90°00'00"E 713.48 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LAKEVIEW PARKWAY AND THE POINT OF BEGINNING.

AREA: 221,256 SQUARE FEET OR 5.079 ACRES



WELCOME HOME

City Council

June 6, 2024



**Development Services requests a Zone Map Amendment from the OSPR (Open Space, Preservation, and Recreation) Zone to the SC2 (Community Shopping Center) Zone for five (5) acres of land to attract businesses south of the Regional Sports Park, located approximately at 2662 West Lakeview Pkwy.**

***Provo Bay Neighborhood***

**PLRZ20240059**

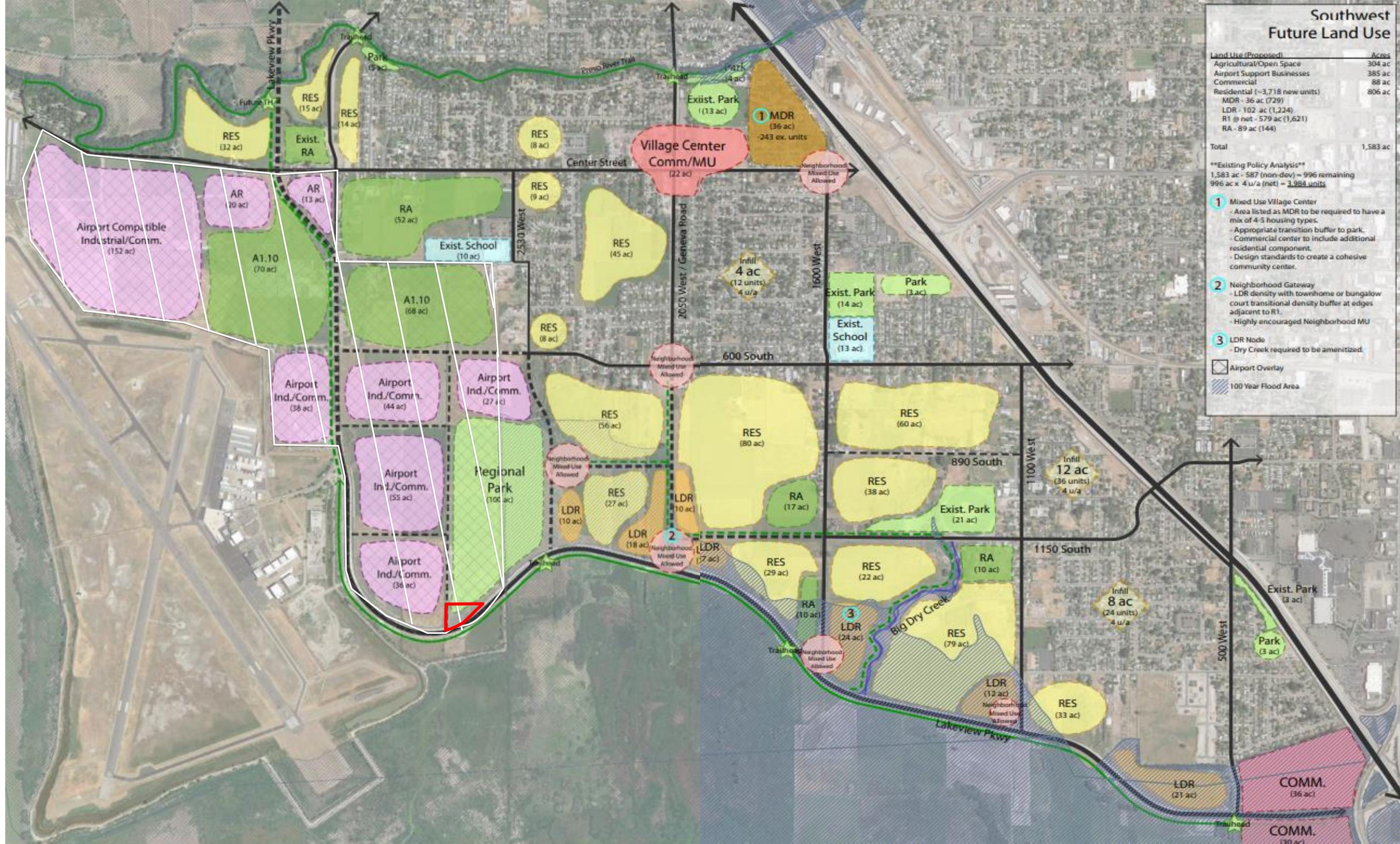
## OSPR to SC2 Rezone

- 52% of Provo land is non-taxable, resulting in a lower revenue for the city. The regional sports park provides a community amenity while attracting external dollars to support our economy.
- The park is projected to draw **78,000** visitors annually and **generate thousands** of hotel room nights.
- The passenger traffic for Provo Airport is **3.3 million** annually and growing.
- The park and the airport creates a **nexus of opportunity** for commercial support services
- The commercial area was not included in the overall water conservation plan for the park. This area was never truly intended to be within the Regional Sports Park.

**Therefore, support services are CRUCIAL in this area.**



# Southwest Future Land Use Plan



### Southwest Future Land Use

Land Use (Proposed)	Acres
Agricultural/Open Space	304 ac
Airport Support Businesses	385 ac
Commercial	88 ac
Residential (~3,718 new units)	806 ac
MDR - 36 ac (729)	
LDR - 102 ac (1,224)	
R1 @ net - 579 ac (1,621)	
RA - 89 ac (144)	
<b>Total</b>	<b>1,583 ac</b>

**\*\*Existing Policy Analysis\*\***  
 1,583 ac - 587 (non-dev) = 996 remaining  
 996 ac x 4 u/a (net) = 3,984 units

- 1 Mixed Use Village Center**
  - Area listed as MDR to be required to have a mix of 4-5 housing types.
  - Appropriate transition buffer to park.
  - Commercial center to include additional residential component.
  - Design standards to create a cohesive community center.
- 2 Neighborhood Gateway**
  - LDR density with townhome or bungalow court transitional density buffer at edges adjacent to R1.
  - Highly encouraged Neighborhood MU
- 3 LDR Node**
  - Dry Creek required to be amenitized.

  Airport Overlay  
  100 Year Flood Area

## OSPR to SC2 Zone Map Amendment

- Addressing for the Epic Sports Park is intentionally located near Lakeview Parkway to ensure navigational mapping directs users to Lakeview.
- Freeway directional signage will guide users to the University Avenue exit and Lakeview Parkway, and not Center St.
- Traffic from the park and commercial property will be directed to Lakeview Parkway.
- No parking is permitted along the exterior road. This is to direct parking into the Complex's parking field.
- Two traffic signals have been placed at Championship Dr/Lakeview and Epic Ln/Lakeview.



**The purpose of this commercial property is to REDUCE the impact to neighborhoods to the northeast.**

# Staff's recommendation

## OSPR to SC2 Zone Map Amendment

Provo City staff recommend approval on this item.

This rezone will allow the city to start conversations with developers about the needs in this area.

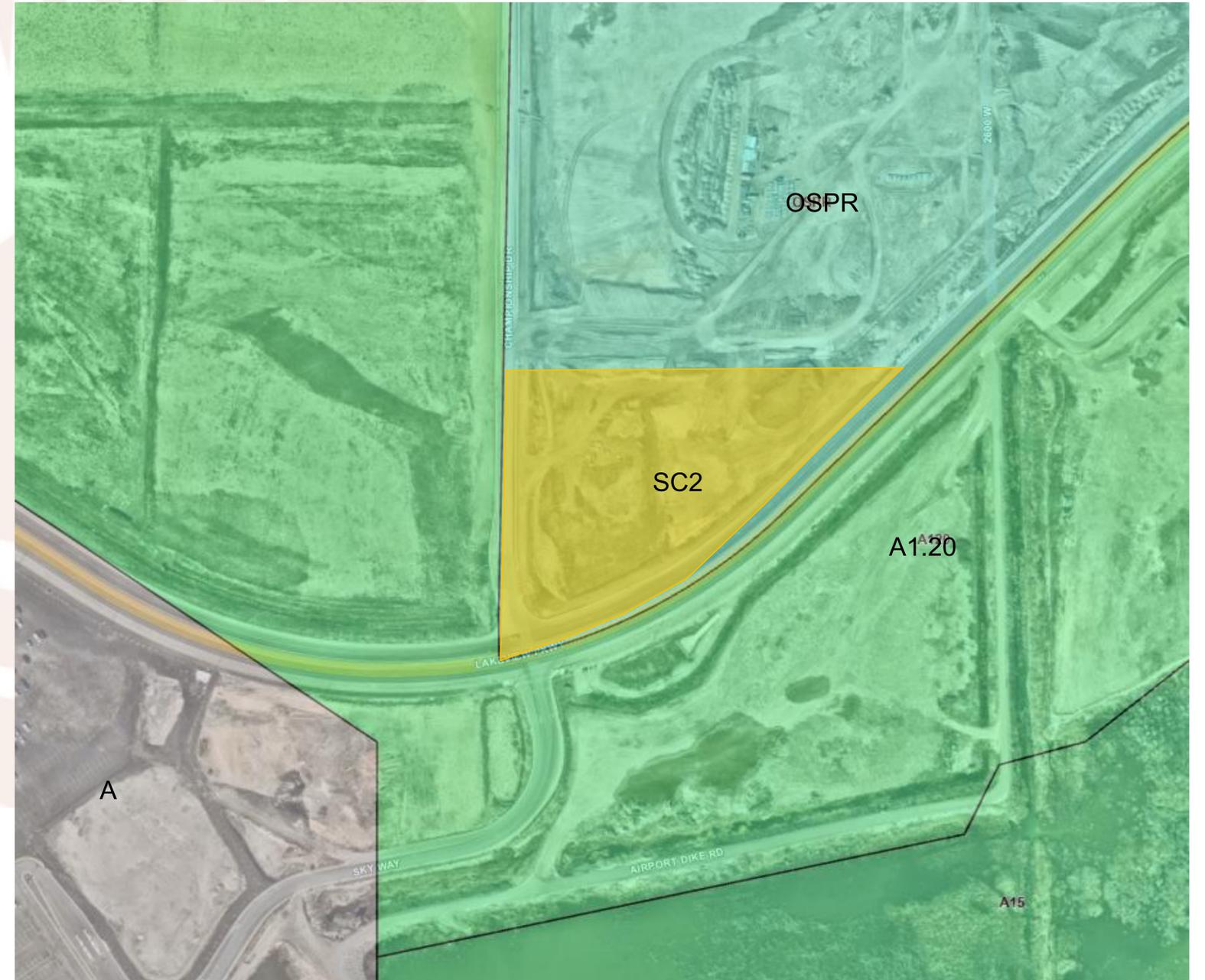
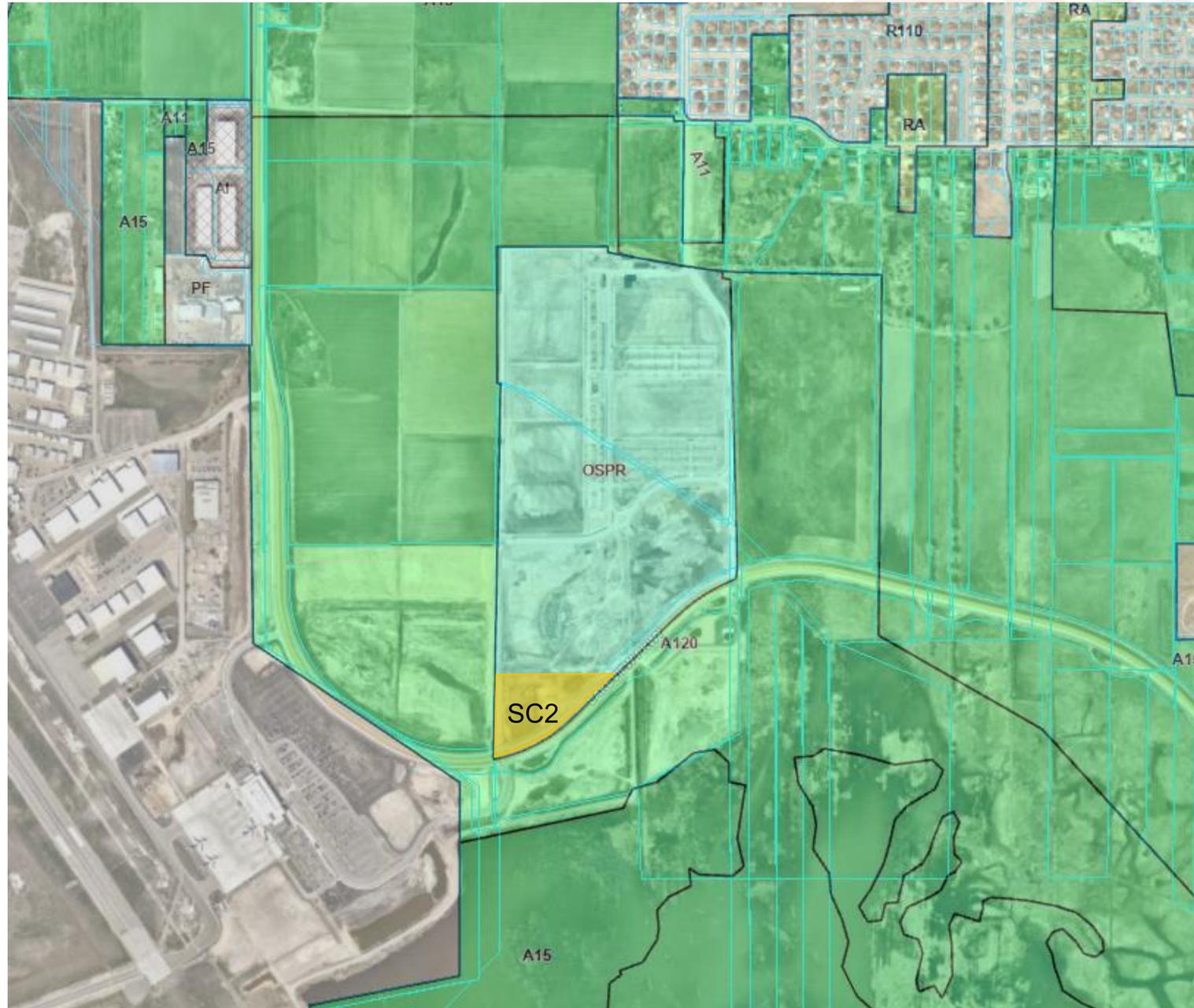
The plan for the Sports Complex always anticipated a commercial component to support the operation and maintenance of the Park.

It will meet the goals of the General Plan.

Support services are needed for the increased capacity of the airport and for the regional sports park.

# Proposed New Zoning Map

## OSPR to SC2 Zone Map Amendment



# Reasons for Proposed Amendment

## OSPR to SC2 Zone Map Amendment

- A rezone to SC2 (Community Shopping Center) would allow for commercial and hospitality support services for the regional park and airport.
- The regional sports park is projected to have many visitors. Additionally, with increased service due to the updated terminal, the airport is projected to have many visitors as well. A small commercial establishment will help to serve these visitors, as well as residents and employees.
- The city is planning on a partnership with a future developer, to help fund the ongoing maintenance of the Regional Sports Park.
- Economic Development, Parks and Recreation, and Airport are in favor of this zone map amendment.
- This rezone will meet General Plan goals, including to, “Encourage economic development and business opportunities at and around the airport”.
- Commercial services in this area will direct hungry tournament goers to the south of the park, instead of directing them to Center St or through the neighborhoods.

# Permitted uses in the SC2 zone

## OSPR to SC2 Zone Map Amendment

- General retail (shopping centers, department stores, etc.)
- Retail food and restaurants
- Hotels and motels
- Gas stations and car washes
- Personal services (beauty and barber services, laundry, banks, etc.)
- Gyms
- Vehicle Rental (with strict requirements)
- General professional services (physician, dental, legal, other)
- Amusements (ice skating, bowling, roller skating, other)

Conditional uses include day care, dance halls, and vet services.





**Development Services requests a Zone Map Amendment from the OSPR (Open Space, Preservation, and Recreation) Zone to the SC2 (Community Shopping Center) Zone for five (5) acres of land to attract businesses south of the Regional Sports Park, located approximately at 2662 West Lakeview Pkwy.**

***Provo Bay Neighborhood***

**PLRZ20240059**

# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** NROBISON  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** An ordinance amending the Zone Map classification of property, located at 1098 N Geneva Rd, from the Agricultural (A1.5) Zone to the One-Family Residential with Transferable Development Rights Receiving Overlay (R1.6 - TDR-R) Zone (PLRZ20230227)

**RECOMMENDATION:** Recommend Approval of Zone Change

**BACKGROUND:** David Pitcher is requesting approval of a concept plan to create a 38-lot subdivision at this time adjacent to Geneva Rd at approximately 1098 north. The current zone is Agricultural (A1.5). There is a single-family home at 1138 N Geneva Rd, in addition to a barn and a couple of sheds. There is an additional single-family home at 1098 N Geneva Rd with a detached garage. The third property is landlocked and does not have access to Geneva Road and there are no structures on this property.

The neighborhood would have one access point on Geneva Road. Additionally, they would connect to the neighborhood on the north at 2430 West and Reese Drive. The property to the north is zoned R2PD with twin homes and a Performance Development Overlay. The property to the south is A1.5, to the east is Freeway Industrial (FI) and to the west there are A1.1 and R1.8 zones.

There was a neighborhood meeting held and the residents were concerned about access onto Geneva Road, including increased traffic. They asked if there will be traffic signals, what kind of sewer and storm drain improvements would be made, and what would be the future of the canal to the west of the property. There were also questions about the project having road access to lead to future development to the south, and if the rezone should be RA (Residential Agricultural) for property owners to maintain agricultural rights.

Staff and the applicant would not like to restrict this area to only 38 lots, but to have the ability to create another possible 10 lots in the future. Staff suggested they pursue the transfer of development rights from the east side. The developers have two lots under contract in the Transferable Development Rights Sending Zone (TDR-S). This will allow the Beukers one of the homeowners to have the ability to develop their property in the future if they desire. This will also be motivation to create future road connections.

Engineering has determined that these additional lots will not exceed the four unit per acre as a gross calculation. Additionally, there will not be a problem with sewer capacity with these additional lots.

**FISCAL IMPACT:** None

**PRESENTER'S NAME:** Nancy Robison

**REQUESTED DURATION OF PRESENTATION:** 20 minutes

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

This zone change is compatible with the General Plan

**CITYVIEW OR ISSUE FILE NUMBER:** PLRZ20230227

# Planning Commission Hearing Staff Report

## Hearing Date: May 22, 2024

**ITEM # 5** David Pitcher requests a Zone Map Amendment from the A1.5 (Agricultural) Zone to the R1.6(TDR-R) (One Family Residential with a Transferable Development Rights Receiving Overlay) Zone in order to create 48 new residential lots, located approximately at 1098 N Geneva Road. Lakeview North neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLRZ20230227

<p><b>Applicant:</b> David L Pitcher</p> <p><b>Staff Coordinator:</b> Nancy Robison</p> <p><b>Property Owners:</b> COLLEDGE, ANN N (ET AL) BEUKERS, DAVID &amp; KATHERINE and VANWAGENEN, MARK S</p> <p><b>Parcel ID#:</b> 19:048:0026, 19:048:0031, 19:048:0039</p> <p><b>Acreage:</b>12.17</p> <p><b>Number of Properties:</b> 3</p> <p><b>Number of Lots:</b>48</p> <p><b><u>ALTERNATIVE ACTIONS</u></b></p> <p>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is June 12, 2024 at 5:00 P.M.</i></p> <p>2. <b>Deny</b> the requested variance. <i>This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i></p>	<p><b>Current Legal Use:</b> The current legal use is a single-family residence.</p> <p><b>Relevant History:</b> The current zone for these properties is Agricultural (A1.5) The request for a rezone to R1.6 was supported by Planning Commission on the March 13<sup>th</sup>, 2024. Recommending approval for a zone map amendment to be sent to City Council. Since that time the applicant and staff have worked to get additional density to the proposed property so that future development could take place on the remaining undeveloped lots. The applicant is now asking for an R1.6 (TDR-R) zone. (One Family Residential with a Transferable Development Rights Receiving Overlay)</p> <p><b>Neighborhood Issues:</b> A Neighborhood meeting was held on October 12<sup>th</sup>, 2023. The residents did have some concerns about this growth in the area (Neighborhood meeting minutes attached)</p> <p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"> <li>• Current zone is Agricultural (A1.5)</li> <li>• Applicant asking for One Family Residential (R1.6)</li> <li>• Planning Commission voted on March 13, 2024 to recommend approval to City Council.</li> <li>• To keep the option open for future development applicants would like to have an overlay zone of Transferable Development Rights (TDR-R)</li> <li>• The applicant has a contract with individuals on the east side Transferable Development Rights Sending zone (TDR-S) to buy two lots.</li> </ul> <p><b>Staff Recommendation:</b> Staff recommends that the Planning Commission recommend approval of the zone map amendment to the City Council.</p>
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## **OVERVIEW**

David Pitcher is requesting approval of a concept plan to create a 38-lot subdivision, at this time, adjacent to Geneva Rd at approximately 1098 north. The current zone is Agricultural (A1.5). There is a single-family home at 1138 N Geneva Rd, in addition to a barn and a couple of sheds. There is an additional single-family home at 1098 N Geneva Rd with a detached garage. The third property is landlocked and does not have access to Geneva Road and there are no structures on this property.

The neighborhood would have one access point on Geneva Road. Additionally, they would connect to the neighborhood on the north at 2430 West and Reese Drive. The property to the north is zoned R2PD with twin homes and a Performance Development Overlay. The property to the south is A1.5, to the east is Freeway Industrial (FI) and to the west there are A1.1 and R1.8 zones.

There was a neighborhood meeting held and the residents were concerned about access onto Geneva Road, including increased traffic. They asked if there will be traffic signals, what kind of sewer and storm drain improvements would be made, and what would be the future of the canal to the west of the property. There were also questions about the project having road access to lead to future development to the south, and if the rezone should be RA (Residential Agricultural) for property owners to maintain agricultural rights.

Staff and the applicant would not like to restrict this area to only 38 lots, but to have the ability to create another possible 10 lots in the future. Staff suggested they pursue the transfer of development rights from the east side. The developers have two lots under contract in the Transferable Development Rights Sending Zone (TDR-S). This will allow the Beukers one of the homeowners to have the ability to develop their property in the future if they desire. This will also be motivation to create future road connections.

Engineering has determined that these additional lots will not exceed the four unit per acre as a gross calculation. Additionally, there will not be a problem with sewer capacity with these additional lots.

## **STAFF ANALYSIS**

In analyzing any rezone request for housing, staff is encouraged to reference the questions asked in on page 45 of the General Plan (Chapter 4 – Housing). Those questions are as follows: **(staff response in bold)**

- Would the rezone promote one of the top 3 housing strategies (promote a mix of home types, sizes, and price points; support zoning to promote ADUs and infill development; recognize the value of single-family neighborhoods)? **Single-family homes in this neighborhood can be a mix of types. Because of the size of the lots, the homes would be smaller but could still accommodate ADU's. The plan does not address infill development since it is a rezone of agricultural property. The third strategy is met by the proposal as the plan exists with only single-family homes.**
- Are utilities and streets currently within 300 feet of the property proposed for rezone? **Yes, access and utilities would come from Geneva Road, 2430 West and Reese Dr.**
- Would the rezone exclude land that is currently being used for agricultural use? **The land is currently zoned Agriculture 1.5**
- Does the rezone facilitate housing that has reasonable proximity (1/2 mile) to public transit stops or stations **There is a bus stop just over ½ mile away.**
- Does the rezone encourage development of environmentally or geologically sensitive, or fire or flood prone, lands? **No, the land does not contain any hazards.**
- Would the proposed rezone facilitate the increase of on-street parking within 500 feet of the subject property? **No, the proposal has sufficient off-street parking for the number of proposed units to meet code and keep vehicles off the streets.**
- Would the rezone facilitate a housing development where most of the housing units are owner-occupied? Is that applicant willing to guarantee such? **Yes, the proposed development would be single family homes.**
- Would the proposed rezone facilitate a housing development where at least 10% of the housing units are attainable to those making 50-79% AMI? **Potentially, because of the option of ADU's. The applicant hasn't proposed any type of affordable units.**

Section 14.020.020(2) establishes criteria for the amendments to the zoning title as follows: **(Staff response in bold type)**

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 public purpose for the request is to provide additional residential lots on the west side of Provo.**

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

**Staff response: Staff believes that the proposed zone change, and related concept plan do help to meet the stated purposes above.**

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

**Staff response: Chapter Four identifies goals for housing related to the proposal, including “allow for different types of housing in neighborhoods and allow for a mix of home sizes at different price points.” Although there may not be a great mix of home sizes, the fact that the lots are smaller would allow a lower price point for single-family homes in the Provo area.**

(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 provisions articulated for this property.**

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

**Staff response: The proposed zone change will not hinder or obstruct attainment of the General Plan policies.**

(f) Adverse impacts on adjacent landowners.

**Staff response: The only impact associated with this request to the surrounding properties would be an increase in traffic in the area.**

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

**Staff response: Staff has verified the correctness of the General Plan and zoning for this area.**

(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: Staff has found no such conflict.**

## **CONCLUSIONS**

The proposals for these properties have been continually revised to get to a point where the developer can now provide additional housing and value for the land, and the city will have more owner-occupied units. Additionally, the process of transferring the development rights from the uninhabitable land to the east and slightly increasing the density on the west side is a win for Provo City. This will also encourage more developers to look into this option. Finally, allowing this zone will be a motivation for future road connectivity.

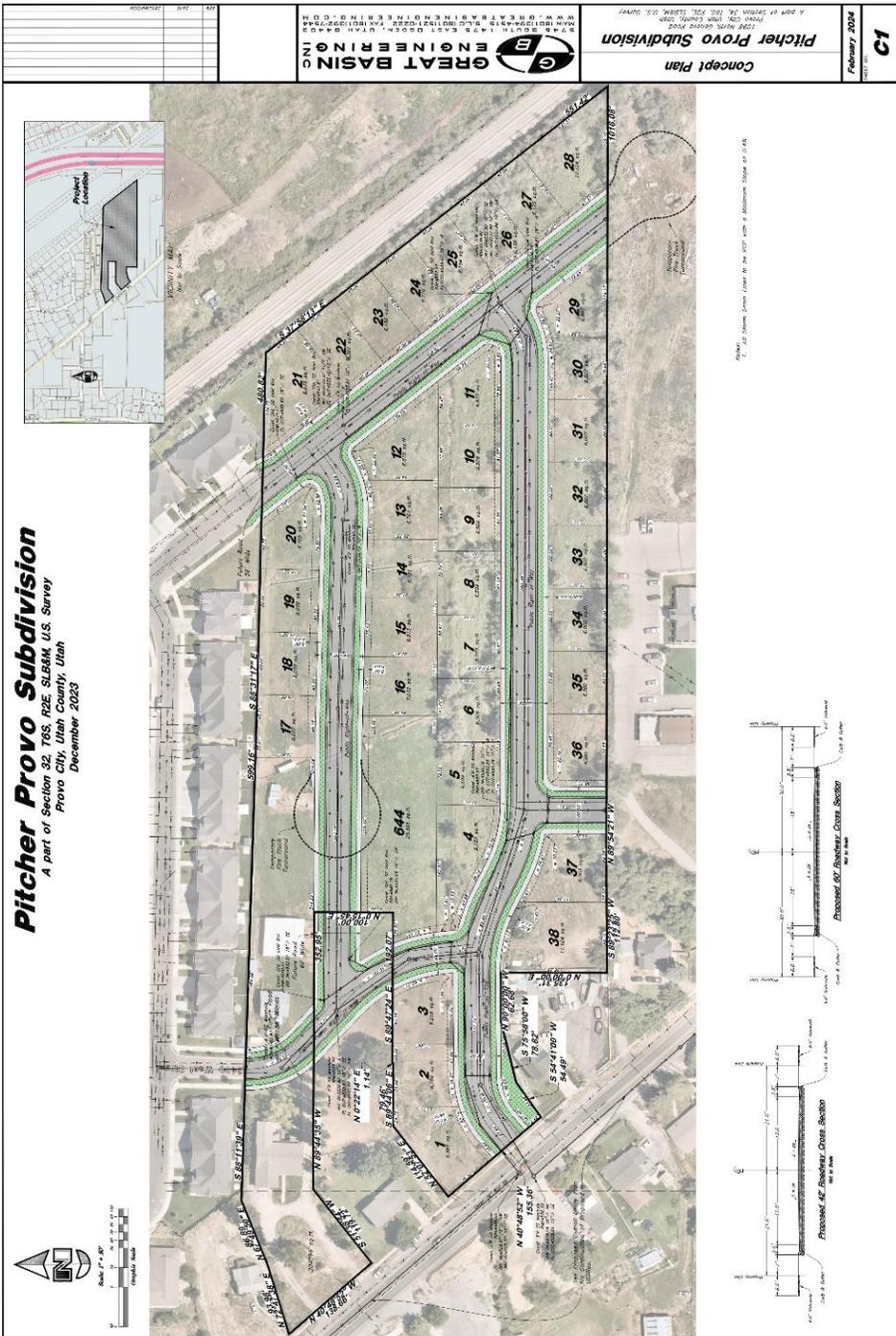
## **ATTACHMENTS**

1. Area Map
2. General Plan Future Land Use
3. Current Subdivision Concept Plan
4. Future Subdivision Concept Plan
5. Property Photos
6. Applicants statement
7. Neighborhood meeting report



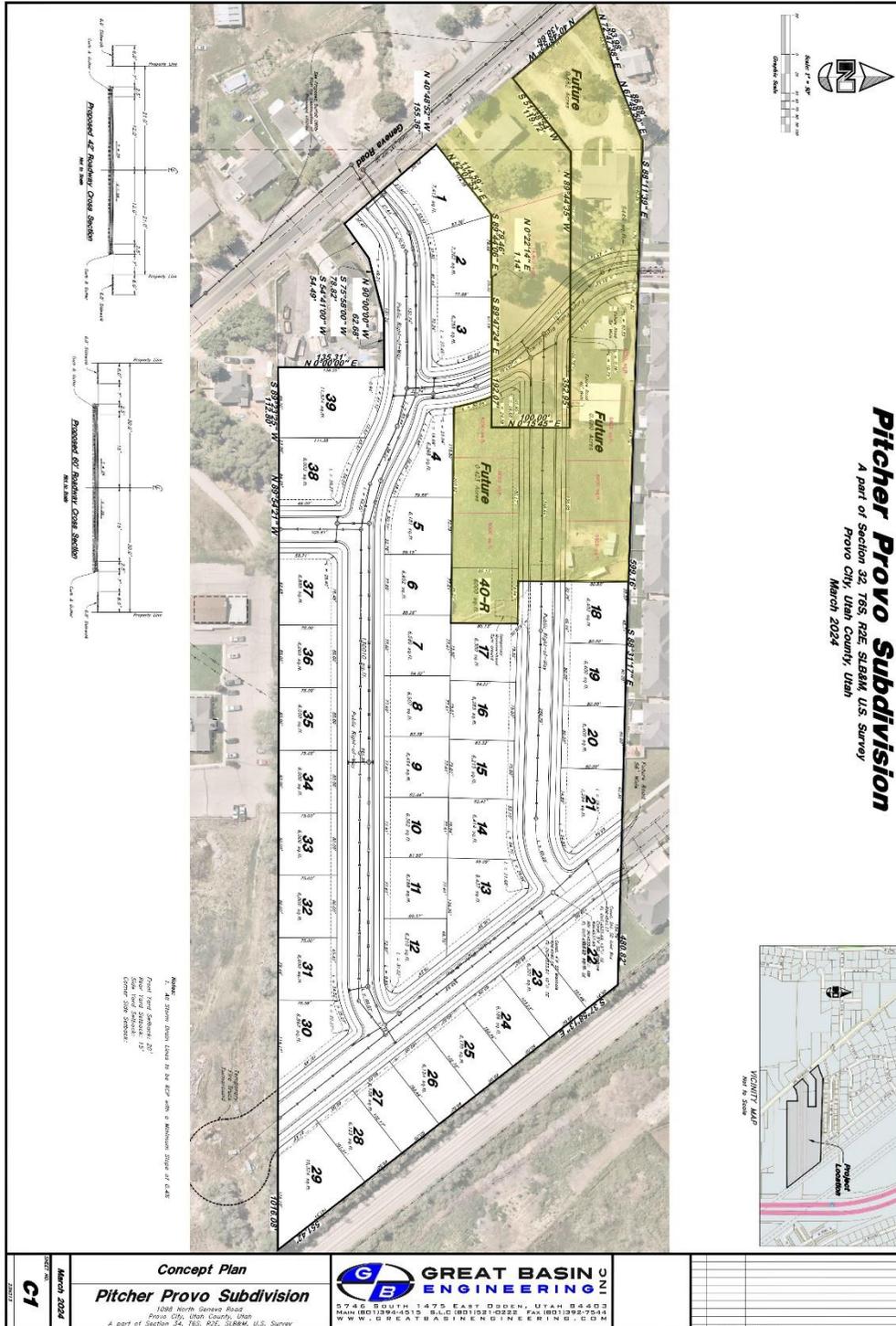


#3 Subdivision Concept Plan



#4 Future Subdivision Plan

PREPARED BY: GREAT BASIN ENGINEERING, INC. 1475 EAST DOBSON, UTAH 84403  
 DRAWN BY: J. B. HARRIS, P.E. 1475 EAST DOBSON, UTAH 84403  
 CHECKED BY: J. B. HARRIS, P.E. 1475 EAST DOBSON, UTAH 84403  
 DATE: MARCH 2024



#5 Property Photos



## #6 Applicants Statement

September 14, 2023

Applicant desires to rezone the property to Single Family zoning for the purpose of developing the lots for semi-custom homes.

Applicant is aware of the need in Provo for single family lots. Applicant believes that due to the property location in close proximity to I-15, adjacent to the Rail Road tracks and abutting Genega Rd. a higher density is warranted. Applicant desires a R-1-6 Zoning.

The requested zoning is proportionate in size to the R2PD zoning (6,000 sqft) directly North of this parcel yet fulfills the need for single family lots, and the R18 lots in the vicinity.

## #7 Neighborhood Meeting Report

Neighborhood District 3 Meeting Minutes

(Lakeview North, Lakeview South, Fort Utah, Provo Bay, Sunset, Lakewood) Thursday, October 12, 2023; 6:30-8:00 PM

City Hall Council Chambers, 445 W Center St, Provo

### Attendance

District 3 Board Members: Shaun Hilton, Vice Chair (Sunset); Brooke Barnes, Vice Chair (Lakewood).

In-Person: Vern Keeslar, Katy Beuker, Mark Van Wagner, David Lewis, Michael Smyer, Monica Broadbent, Becky Bogdin, Beth, Rob Hunter, David Pitcher, Teri McCabe, Nancy Robison (and others who didn't sign in).

Zoom: Todd, Cindy B, Tyler Young (Monica Broadbent), Brian Voight, Victor & Lynda Sorensen, Rick Smith.

Conducting: Shaun Hilton, Vice Chair.

2. Planning Item: David Pitcher requests a Zone Map Amendment from the A1.5 (Agricultural) Zone to the R1.6 (One Family Residential) Zone to create 41 new

residential lots, located approximately at 1098 N Geneva Road. Lakeview North neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLRZ20230227

Pitcher said there were boundary issues and overlap that took time to get worked out. He feels that the 6,000 square foot single lots are a good fit for the area. The surrounding lots are R2PD (twin homes) and single-family lots. The railroad tracks are directly east. City staff said there's a lot of multi-family lots in the city, so they chose to go with the single-family lots, which may be more easily approved. There are already two houses on the lot. For the northern property, they're purchasing only the eastern 2/3 of the parcel – the owners will retain ownership of lot 1 to keep their barns and animals. The other older home will be removed.

Pitcher said they are being required by the city to run a sewer line and storm drain (main line / trunk line / capital improvement) from Geneva Road down to the intersection.

Victor Sorensen asked what other access is on Geneva Road, saying there is no other access between 820 North and 1210 North on Geneva Road to this date. What will your brand-new access be like?

Pitcher showed the proposed road below lot 2, off Geneva Road. He has a future stub on the east to connect to the existing neighborhood in the northeast and stub it to the southeast for future expansion (property owned by the Tongan Church – not interested in selling at this time).

A District 3 resident asked if from 820 North to their new access, are they tied into the public sewer system or are they septic? Do they need to tie into the new sewer system?

Pitcher stated he didn't know, but a member of the community said they are on septic. The applicant said there may be a smaller line and the community member said that some are, and some aren't. The applicant is assuming he will need to put in stubs since it's a major line and said it might be an extension of an existing line that stops further northwest.

Beth asked about talking to the Canal District about the open canal and piping the canal in that area.

Pitcher said he will double check but was under the impression that the canal runs along the north part of the property and then comes out through the property – but

either way they would have to pipe that, and the engineers will determine what size that pipe is. If there's a canal there that has servicing properties other than ours, they always must be piped because they have a grandfather easement, or a right-of-way and they'll work with the canal company if that's the case.

Beth asked about the storm drain system – are you piping under Geneva to go into the open field or are you piping into a network of pipes that isn't going to be just raw dumped into a field across Geneva?

Pitcher said they're running a storm drain that goes into another storm drain system and that the state doesn't allow you to just run it into fields anymore. There's a difference between retention and detention.

Beth wanted clarification on "anymore" and what's existing now.

Pitcher said they will retain most of the storm water (about 80%) on their property and if there's a 100-year- flood then it's essentially a retention pond with a spillway. It will all be part of engineering and design, but not that far along with soil studies.

Beth asked if could be rezoned to an RA.6 instead of an R1.6 to allow people to do agriculture on a smaller scale. City planner Nancy Robison said they could investigate that, but right now the applicant is requesting R1.6.

Beth asked about access to other properties between here and 1210 North, and if other properties can be developed and have access to Geneva Road, cutting other people off from developing their property.

Robison said that may be in the General Plan and right now it's just a concept plan asking for the zone change. Hilton asked about Geneva Road being a state road and limiting access.

Pitcher said that state roads sometimes limit access to driveways. He's rezoning the entire area to residential, not just the area they're developing and the homeowner in the northwest corner is in favor of the zone change. He cannot speak for the other property owners because they do not want to rezone at this time. There is room for a cul de sac on lot 1.

The owner of the entire property asked about two access points to develop her property in the future. Robison said they would investigate these concerns.

Pitcher said this is just a rough concept, right now they're asking for the zone change – they haven't submitted a plat yet. They are working with the seller on what they want to build.

Beth reiterated her concern that other property owners are not landlocked.

Pitcher said that he's not seeing that they are locking any other properties. They are just asking for the zone change within the property outline.

Hilton said there are other factors to consider when they get further in the process. Pitcher said the top left corner is up to the property owner.

Brian Voight asked about traffic and traffic signals.

Robison said it's too early to say what the demand will be.

Voight said it would be good to know these things before a zone change is approved.

Robison said that city staff can calculate and project what is going to be needed. There will be discussion between the developer and city staff.

(Other questions were asked by District 3 residents, but audio was not picked up by the recording)

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ORDINANCE 2024-\_\_\_.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF REAL PROPERTY, GENERALLY LOCATED AT 1098 N GENEVA RD, FROM THE AGRICULTURAL (A1.5) ZONE TO THE ONE- FAMILY RESIDENTIAL WITH TRANSFERABLE DEVELOPMENT RIGHTS RECEIVING OVERLAY (R1.6 – TDR-R) ZONE. LAKEVIEW NORTH NEIGHBORHOOD. (PLRZ20230227)

RECITALS:

It is proposed that the classification on the Provo Zoning Map for approximately 12.17 acres of real property, generally located at 1098 N Geneva Rd (an approximation of which is shown or described in Exhibit A and a more precise description of is attached as Exhibit B), be amended from the Agricultural (A1.5) Zone to the One-Family Residential with Transferable Development Rights Receiving Overlay (R1.6 - TDR-R) Zone;

On May 22, 2024, the Planning Commission held a public hearing to consider the proposal, and after the hearing the Planning Commission recommended **approval** of the proposal to the Municipal Council by a 7:0 vote;

On June 4, 2024, the Municipal Council met to determine 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

After considering the Planning Commission’s recommendation and the facts presented to the Municipal Council, the Council finds that (i) the Provo Zoning Map should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

The classification on the Provo Zoning Map is amended from the Agricultural (A1.5) Zone to the One-Family Residential with Transferable Development Rights Receiving Overlay (R1.6 - TDR-R) Zone for the real property described in this ordinance.

39 PART II:

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41 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
42 ordinance, this ordinance controls.

43

44 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,  
45 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of  
46 the ordinance is not affected by that determination.

47

48 C. This ordinance takes effect immediately after it has been posted or published in accordance  
49 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code  
50 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

51

52 D. The Municipal Council directs that the Provo Zoning Map be updated and codified to  
53 reflect the provisions enacted by this ordinance.

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**EXHIBIT A**

**Commented [AB1]:** We need the map of the real property (as it is now) attached here.

**EXHIBIT B**

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Parcel # 19-048-0031

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4  
COR SEC 34, T6S, R2E, SLM; N 14°38'E 72.33 FT; S 89-44'06"E 192.12 FT; N 15'54"E 100

Parcel # 19-048-0030

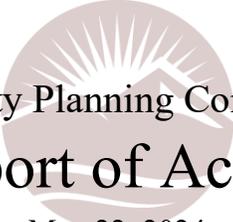
SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4  
COR SEC 34, T6S, R2E, SLM; N 14°38'E 72.33 FT; N 89 DEG 44'06"W 80.07 FT; S 52 DEG

Parcel # 19-048-0026

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM. 9.28 CHS S & 13.65 CHS E & 2.39 CHS N  
40 15' W FROM NW COR OF S 1/2 OF SE 1/4 OF SEC 34, T6S, R2E, SLB&M; E 8.02 CHS; N

Parcel # 19-048-0039

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM E ALONG SEC LINE 862.27 FT & N  
796.64 FT FR S 1/4 COR SEC 34,T6S, R2E, SLM; N 41 04'W 67.50 FT; E 164.65 FT; S 75 58'W



Provo City Planning Commission

# Report of Action

May 22, 2024

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**Item 5** David Pitcher requests a Zone Map Amendment from the A1.5 (Agricultural) Zone to the R1.6(TDR-R) (One Family Residential with a Transferable Development Rights Receiving Overlay) Zone in order to create 48 new residential lots, located approximately at 1098 N Geneva Road. Lakeview North neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLRZ20230227

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The following action was taken by the Planning Commission on the above described item at its regular meeting of May 22, 2024:

## RECOMMEND APPROVAL

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

Motion By: Jeff Whitlock

Second By: Lisa Jensen

Votes in Favor of Motion: Barbara DeSoto, Lisa Jensen, Robert Knudsen, Daniel Gonzales, Jeff Whitlock, 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.

### **LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED**

The property to be rezoned to the R1.6 (TDR-R) Transferable Development Rights Receiving Overlay Zone is described in the attached 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.

### CITY DEPARTMENTAL ISSUES

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

### NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on October 12th, 2023.

### NEIGHBORHOOD AND PUBLIC COMMENT

### APPLICANT RESPONSE

The question was asked by the commission whether or not there should be a new neighborhood meeting held. The answer is no, because nothing more is being asked for than what was presented at the October 12<sup>th</sup>, 2023, meeting. If any further development will be pursued, the applicant will need to go through all the steps for that new development.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following: They were in support of the proposal just like the last time it was presented. They were happy that the Transfer of Development Rights was already working. They also thought it is better so that the property owners will still have the opportunity to develop more in the future if that is their desire.



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Planning Commission Chair



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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

**Exhibit A**

Parcel # 19-048-0031

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4 COR SEC 34, T6S, R2E, SLM; N 14'38"E 72.33 FT; S 89-44'06"E 192.12 FT; N 15'54"E 100

Parcel # 19-048-0030

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4 COR SEC 34, T6S, R2E, SLM; N 14'38"E 72.33 FT; N 89 DEG 44'06"W 80.07 FT; S 52 DEG

Parcel # 19-048-0026

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM. 9.28 CHS S & 13.65 CHS E & 2.39 CHS N 40 15' W FROM NW COR OF S 1/2 OF SE 1/4 OF SEC 34, T6S, R2E, SLB&M; E 8.02 CHS; N

Parcel # 19-048-0039

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM E ALONG SEC LINE 862.27 FT & N 796.64 FT FR S 1/4 COR SEC 34, T6S, R2E, SLM; N 41 04'W 67.50 FT; E 164.65 FT; S 75 58'W

# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** AARDMORE  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** An ordinance amending the Zone Map classification of certain properties in the Oak Hills, Indian Hills, and Sherwood Hills neighborhoods, to add the Transfer of Development Rights-Sending (TDR-S) Overlay Zone (PLRZ20240127)

**RECOMMENDATION:** Request for approval of the zone map amendment.

**BACKGROUND:** Development Services and Engineering departments are proposing that the new Transfer of Development Rights Sending (TDR-S) Overlay Zone be applied to sixty-six (66) properties in east Provo with known geological risks or other natural hazards. The purpose of the overlay is to allow an alternative to development in hazardous areas and allow property owners to retain value in lots that have been found to have inherent risks on or near their properties.

The zone language was written by planning staff in conjunction with engineering staff to incorporate specific lots on the east bench of Provo. These lots have been found to be in danger associated with debris flow, landslide, rockfall, and/or surface fault rupture through geological studies. It is in the interest of Provo City and private citizens to discourage building homes on the identified lots and allow the property owners to sell or transfer their right to develop to a safer property. This will allow these lots to remain unbuilt for dwelling units while allowing current owners to enjoy some economic benefit. It would be up to private property owners to request a TDR-R (receiving site) overlay zone once they have a TDR-S (sending site) lot under contract to purchase. This request would go through the city's normal zone change process.

**FISCAL IMPACT:** None

**PRESENTER'S NAME:** Aaron Ardmore

**REQUESTED DURATION OF PRESENTATION:** 15 minutes (work) / 15 minutes (action agenda)

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

This proposal is compatible with, and directly addresses, the following goals:

- General Plan Chapter 3, goal 2a “encourage development in areas that are less prone to natural hazards”.
- General Plan Chapter 7, goal 5 “continue to plan and work to mitigate the impacts of emergencies and hazards”.

- General Plan Chapter 8, goal 2a “create a strategic plan that includes tools and funding opportunities in order to conserve, connect, and protect vulnerable lands and open space”.
- Hillsides and Canyons Plan goal 3b “limit development in environmentally sensitive areas”.

**CITYVIEW OR ISSUE FILE NUMBER:** PLRZ20240127



# Planning Commission Hearing Staff Report Hearing Date: May 22, 2024

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**\*ITEM #2** Development Services requests approval for Zone Map Amendments to place the TDR-S (Transfer of Development Rights - Sending Sites) Overlay Zone on 66 properties with known hazards in east Provo. Oak Hills, Indian Hills, and Sherwood Hills Neighborhoods. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20240127

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**Applicant:** Development Services

**Staff Coordinator:** Aaron Ardmore

**Property Owners:** BASSETT, DAMEN & JANN; CLARKE, KEITH; MC GARRY, PAUL T; JAKINS, GINA; OLSON, GREGORY B & TIFFANY W; OLSEN, STEVEN; ALVORD, CHERIE; NELSON, JAY S; BOLINDER, DAVID V; FRANKLIN RESEARCH LLC; QUICK, TYLER; OLSEN, BURTON K (ET AL); THOMSON PROPERTIES LLC; SADERUP, BRUCE R; MILE HIGH DRIVE LC; BRAMHALL, CHRISTOPHER E & CHRISTINE; FIGUEROA, JUAN CARLOS; SYMPHONY HOLDINGS LLC; STEWART, MICHAEL G & KRISTA L; SUNRIDGE DEVELOPMENT CORPORATION; TAYLOR, RUSSELL N & JIL R; BUCKWALTER, BRIANT A; KENNARD, LEE G; PRICE IS RIGHT PROPERTIES LLC; SCHNECK, HEIDI L; CROCKETT, MICHAEL & GRETA; MOONSTONE ENTERPRISES LP; SMITH, DANIEL A (ET AL); STONE, GARY E (ET AL); OVERTON, JARED D; RED MAPLE REAL ESTATE LLC; UPTON, BILL E & GRACE; PRIME DIRECTIVE LLC; SMITH, DANIEL A; ROSS, M TIMOTHY; CHAPMAN, KENNETH MAX & CONNIE SUE (ET AL); CHENEY, JU CHUN LIN; MC HENRY, KENNETH W; SHRADER, VINCENT E & MICHELLE S (ET AL); CLARK, ROBERT W

**Parcel IDs#:** 35:079:0001; 35:079:0002; 35:079:0003; 35:079:0004; 35:079:0005; 35:079:0006; 35:079:0007; 35:079:0008; 35:079:0009; 35:079:0010; 35:079:0011; 35:079:0012; 35:081:0001; 35:081:0002; 35:081:0003; 35:081:0004; 35:081:0005;

**Current Legal Use:** Of the 66 properties to have the overlay zone applied, three (3) have single- family homes and the rest are vacant parcels.

**Relevant History:** In June 2023 staff began to study problematic lots on the east bench of the city. As Public Works identified lots with a variety of hazards, Planning staff began to create an ordinance to allow the transfer of development rights from these lots to others in the city. A draft of this ordinance and overview of its goals was presented to a combined Planning Commission and City Council on October 11<sup>th</sup>, 2023; and had a positive response. A refined proposal was taken through staff review and was adopted on February 20<sup>th</sup>, 2024.

**Neighborhood Issues:** No issues reported to staff at the time of this report. Staff is presenting this phase of the TDR project to Neighborhood District Meetings over the next month.

**Summary of Key Issues:**

- Initial 66 properties have been identified as hazardous to build on by Provo City Engineering.
- Applying the TDR-S Overlay Zone to these properties will give the property owners a renewed value that they can market and sell.
- Removing these properties from possible building will protect the city and it's residents.

48:048:0044; 48:048:0045; 48:048:0046;  
48:048:0047; 48:048:0048; 48:048:0049;  
48:048:0050; 48:048:0051; 48:060:0016;  
48:060:0017; 52:117:0087; 52:117:0114;  
52:117:0120; 52:131:0006; 52:131:0007;  
52:131:0033; 52:131:0040; 52:131:0065;  
52:131:0092; 52:131:0102; 52:131:0103;  
52:135:0004; 52:166:0004; 52:166:0007;  
52:166:0008; 52:166:0011; 52:166:0012;  
52:166:0013; 52:166:0014; 52:166:0015;  
52:166:0016; 52:166:0017; 52:166:0021;  
52:166:0046; 52:166:0055; 52:166:0056;  
52:166:0057; 52:166:0058; 52:166:0059;  
52:166:0060; 52:166:0072; 52:166:0073;  
52:166:0074; 52:166:0075; 52:166:0076;  
52:166:0077; 52:166:0094; 53:014:0009;  
53:014:0011

**Number of Lots:** 66

### **ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 12<sup>th</sup>, 2024, 6:00 P.M.*
2. **Recommend Denial** of the requested Zone Map Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

**Staff Recommendation:** Staff recommends that the Planning Commission recommend approval of the proposed zone map amendment to the City Council.

### **OVERVIEW**

Development Services and Engineering departments are proposing that the new Transfer of Development Rights Sending (TDR-S) Overlay Zone be applied to sixty-six (66) properties in east Provo with known geological risks or other natural hazards. The purpose of the overlay is to allow an alternative to development in hazardous areas and allow property owners to retain value in lots that have been found to have inherent risks on or near their properties.

The zone language was written by planning staff in conjunction with engineering staff to incorporate specific lots on the east bench of Provo. These lots have been found to be in danger associated with debris flow, landslide, rockfall, and/or surface fault rupture through geological studies. It is in the interest of Provo City and private citizens to discourage building homes on the identified lots and allow the property owners to sell or transfer their right to develop to a safer property. This will allow these lots to remain unbuilt for dwelling units while allowing current owners to enjoy some economic benefit.

It would be up to private property owners to request a TDR-R (receiving site) overlay zone once they have a TDR-S (sending site) lot under contract to purchase. This request would go through the city's normal zone change process.

### **STAFF ANALYSIS**

As with any zone map amendment request, Planning Staff evaluates the proposal against the General Plan by using the criteria in Section 14.02.020, as follows: (staff response 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 public purpose for the amendment is to protect the general health, safety and welfare of the public by discouraging development of lots known to have geological constraints to home construction.**

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

**Staff response: Staff believe that this amendment is a fair and reasonable way to discourage development of residences in areas with known hazards, while still allowing the property owners to have value in their land.**

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

**Staff response: This proposal is compatible with, and directly addresses, the following goals:**

- **General Plan Chapter 3, goal 2a “encourage development in areas that are less prone to natural hazards”.**
- **General Plan Chapter 7, goal 5 “continue to plan and work to mitigate the impacts of emergencies and hazards”.**
- **General Plan Chapter 8, goal 2a “create a strategic plan that includes tools and funding opportunities in order to conserve, connect, and protect vulnerable lands and open space”.**
- **Hillside and Canyons Plan goal 3b “limit development in environmentally sensitive areas”.**

(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 not hinder or obstruct General Plan policies.**

(f) Adverse impacts on adjacent land owners.

**Staff response: The only adverse impact that staff could imagine with this rezone request is that neighbors of the TDR-S lots may have to help code enforcement know when the natural vegetation / weeds grow too tall.**

(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 designation.**

(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: Does not apply.**

## **CONCLUSIONS**

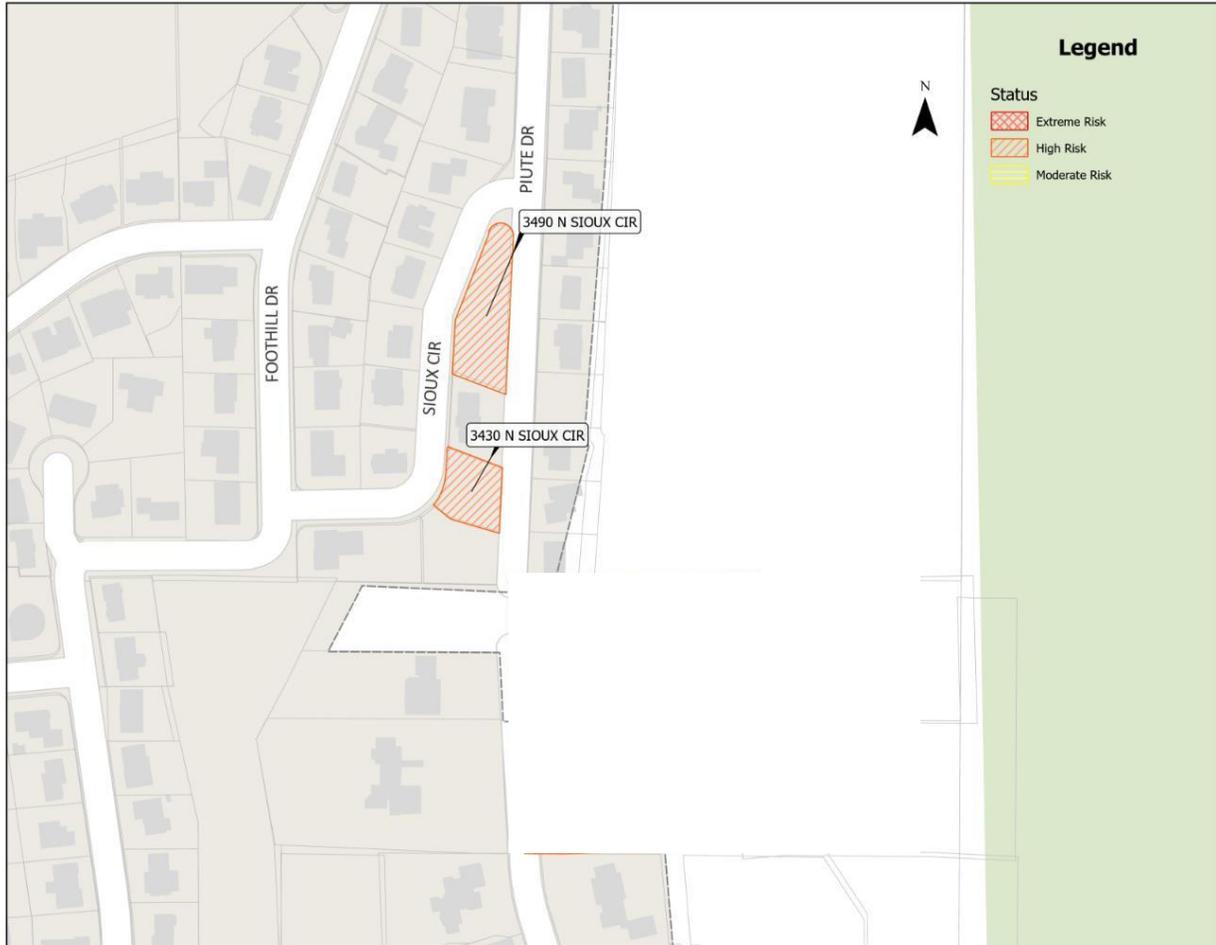
With the recent adoption of the TDR Overlay Zone (Chapter 14.33B), staff are prepared to apply the TDR-S Overlay to these initial 66 properties to protect them from development and give the property owners value, while still allowing the number of

housing units to be built in other areas of the city. Staff recommends that the overlay is approved for these lots.

### **ATTACHMENTS**

1. Zone Maps
2. Hazard Maps

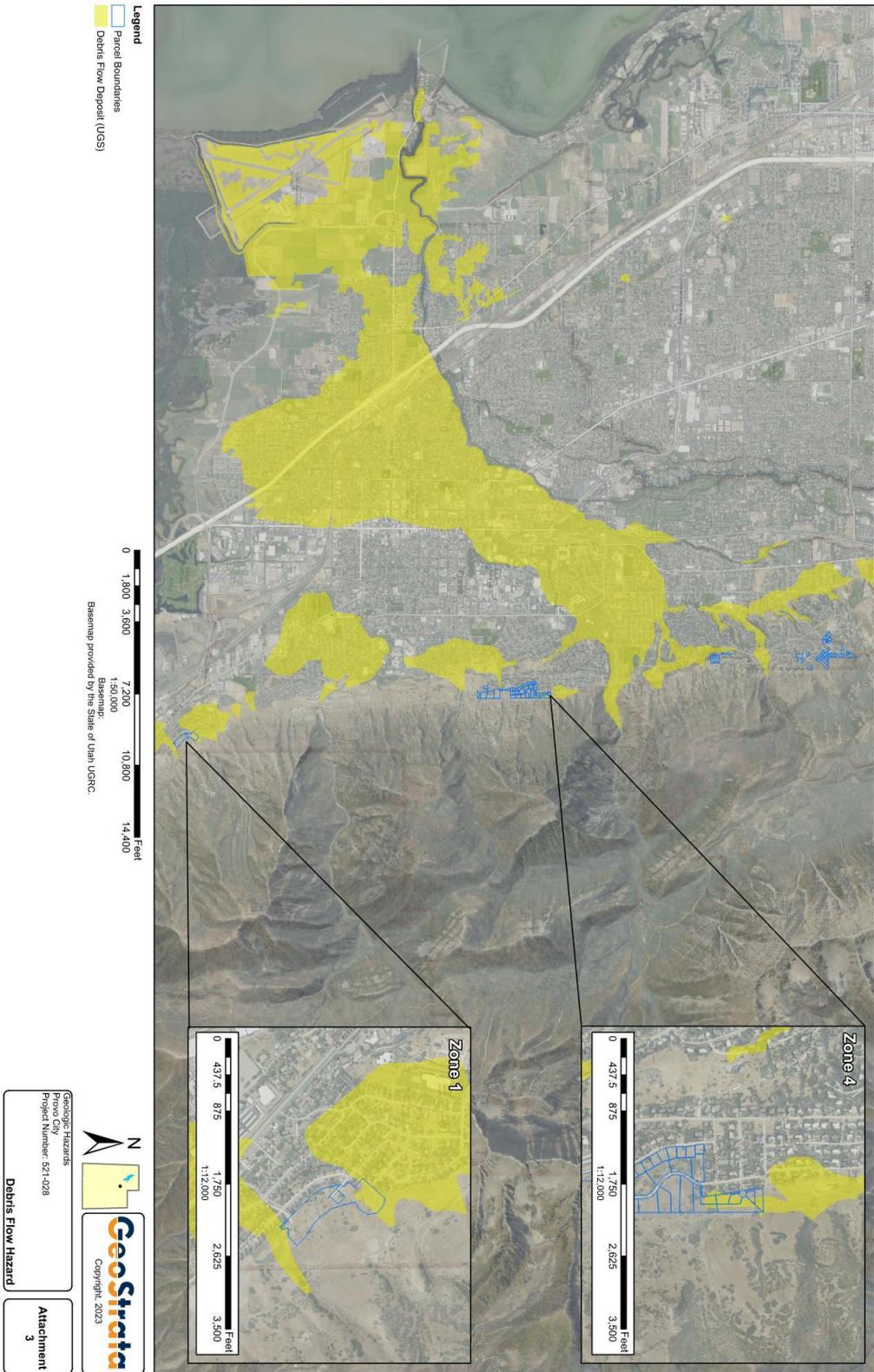


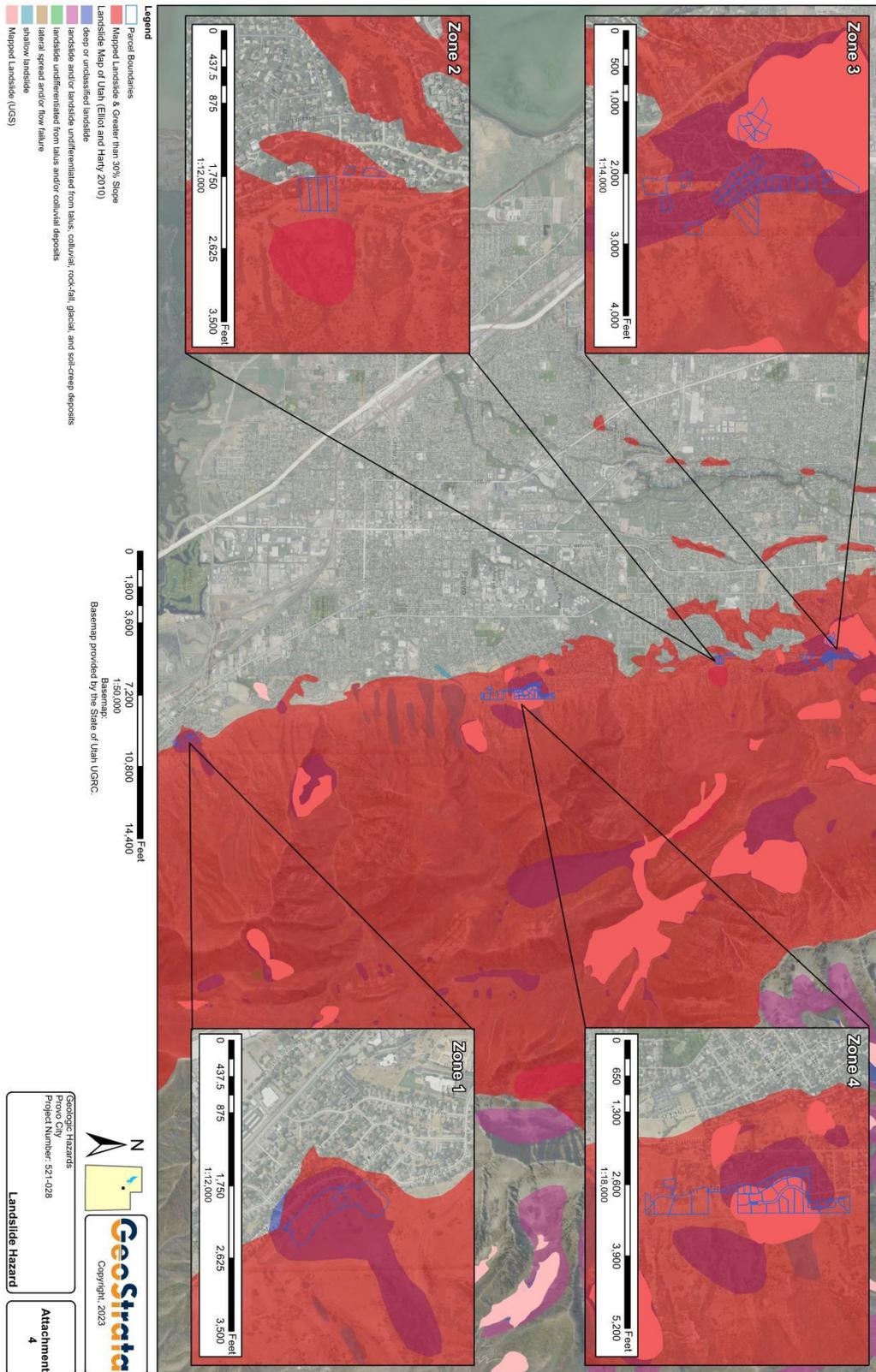


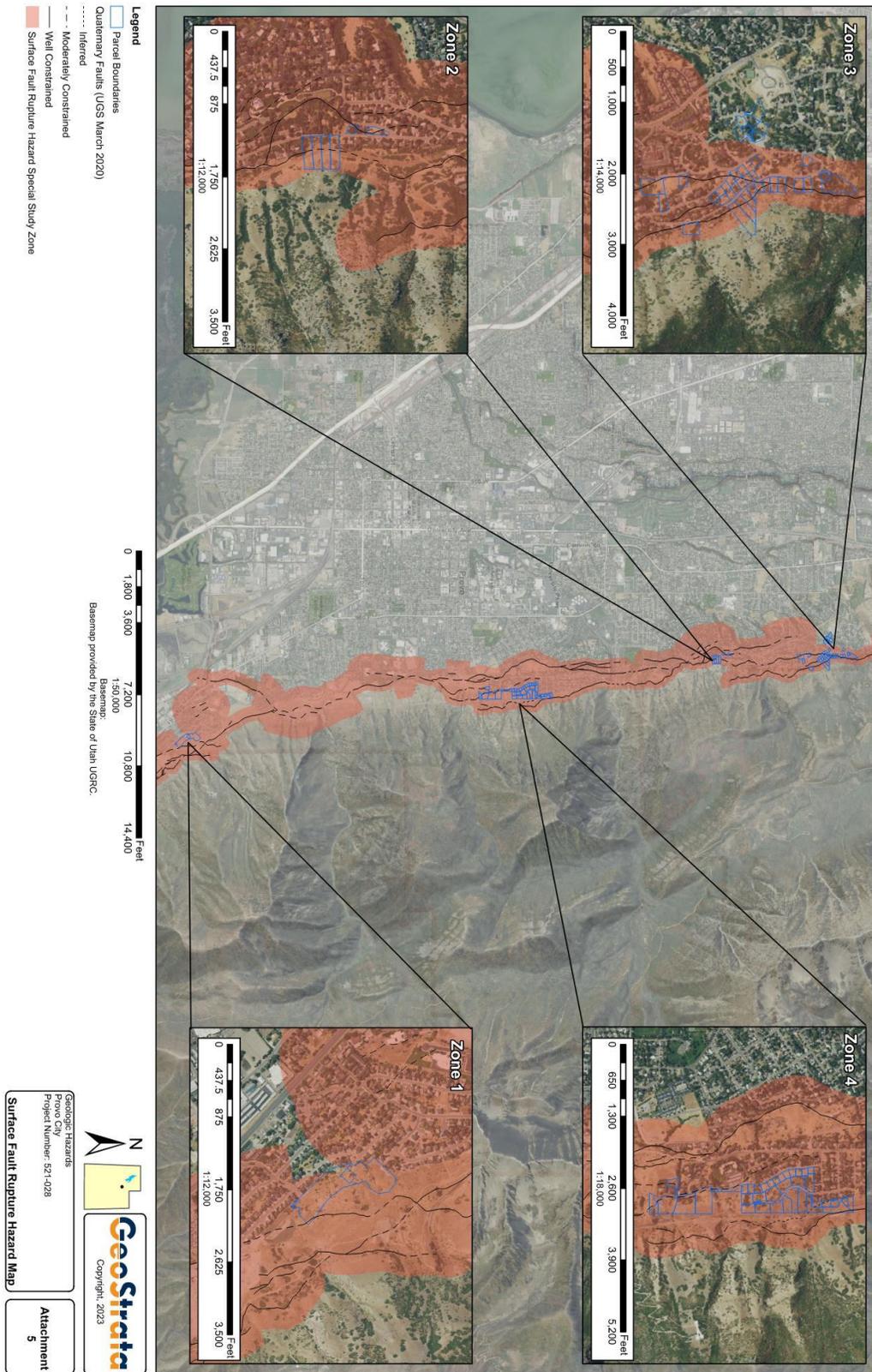


### ATTACHMENT 2 – HAZARD MAPS









ORDINANCE 2024-\_\_\_\_.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF CERTAIN PROPERTIES IN THE OAK HILLS, INDIAN HILLS, AND SHERWOOD HILLS NEIGHBORHOODS, TO ADD THE TRANSFER OF DEVELOPMENT RIGHTS-SENDING (TDR-S) OVERLAY ZONE. OAK HILLS, INDIAN HILLS, AND SHERWOOD HILLS NEIGHBORHOODS. (PLRZ20240127)

RECITALS:

It is proposed that the classification on the Provo Zoning Map for approximately 66 properties property be amended to include the Transfer of Development Rights-Sending (TDR-S) Overlay Zone;

The properties proposed for inclusion are identified by the following parcel serial numbers: 35:079:0001; 35:079:0002; 35:079:0003; 35:079:0004; 35:079:0005; 35:079:0006; 35:079:0007; 35:079:0008; 35:079:0009; 35:079:0010; 35:079:0011; 35:079:0012; 35:081:0001; 35:081:0002; 35:081:0003; 35:081:0004; 35:081:0005; 48:048:0044; 48:048:0045; 48:048:0046; 48:048:0047; 48:048:0048; 48:048:0049; 48:048:0050; 48:048:0051; 48:060:0016; 48:060:0017; 52:117:0087; 52:117:0114; 52:117:0120; 52:131:0006; 52:131:0007; 52:131:0033; 52:131:0040; 52:131:0065; 52:131:0092; 52:131:0102; 52:131:0103; 52:135:0004; 52:166:0004; 52:166:0007; 52:166:0008; 52:166:0011; 52:166:0012; 52:166:0013; 52:166:0014; 52:166:0015; 52:166:0016; 52:166:0017; 52:166:0021; 52:166:0046; 52:166:0055; 52:166:0056; 52:166:0057; 52:166:0058; 52:166:0059; 52:166:0060; 52:166:0072; 52:166:0073; 52:166:0074; 52:166:0075; 52:166:0076; 52:166:0077; 52:166:0094; 53:014:0009; 53:014:0011;

Maps showing a visual depiction of the affected properties is included in Exhibit A;

On May 22, 2024, the Planning Commission held a public hearing to consider the proposal, and after the hearing the Planning Commission recommended **approval** of the proposal to the Municipal Council by a 7:0 vote;

On June 4, 2024, the Municipal Council met to determine 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

After considering the Planning Commission’s recommendation and the facts presented to the Municipal Council, the Council finds that (i) the Provo Zoning Map should be amended as

40 set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens  
41 of Provo City.

42

43 THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

44

45 PART I:

46

47 The classification on the Provo Zoning Map is amended to add the Transfer of  
48 Development Rights-Sending (TDR-S) Overlay Zone to the real property described in this  
49 ordinance.

50 PART II:

51

52 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
53 ordinance, this ordinance controls.

54

55 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,  
56 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of  
57 the ordinance is not affected by that determination.

58

59 C. This ordinance takes effect immediately after it has been posted or published in accordance  
60 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code  
61 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

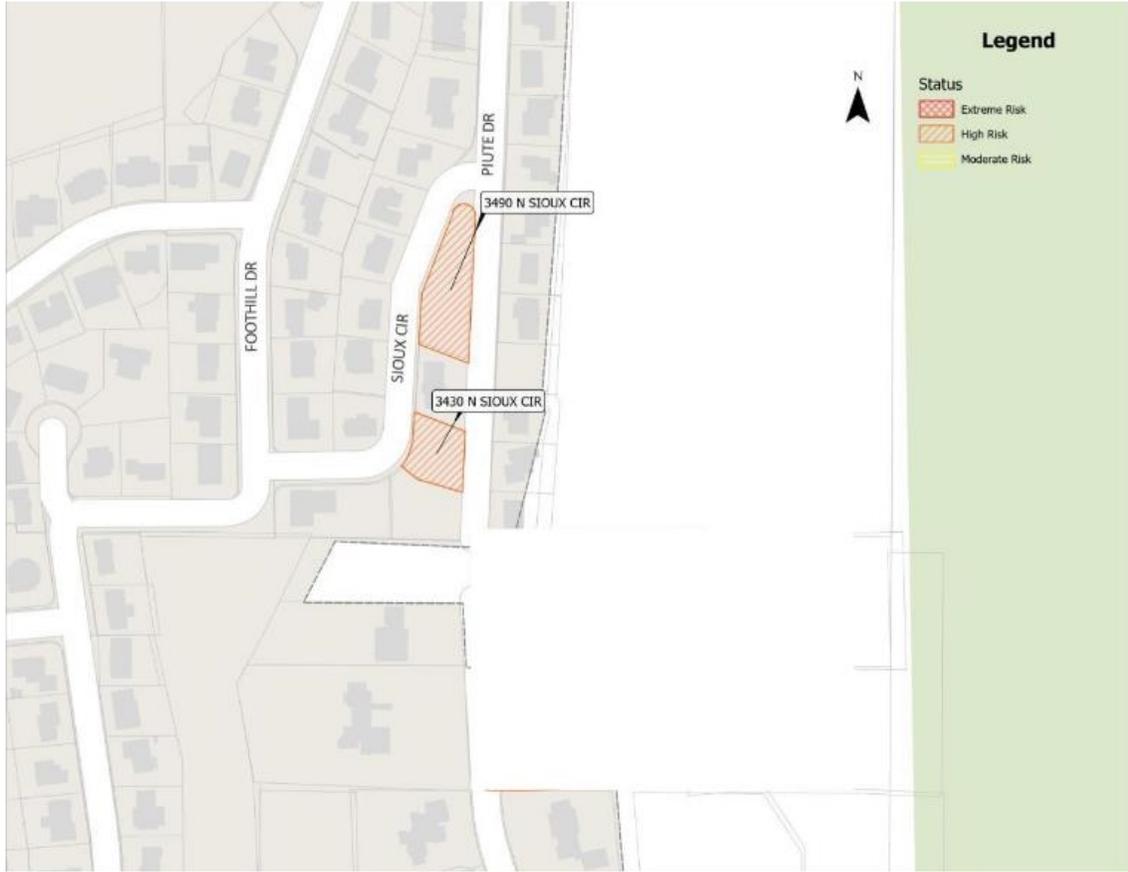
62

63 D. The Municipal Council directs that the Provo Zoning Map be updated and codified to  
64 reflect the provisions enacted by this ordinance.

65

66  
67

# EXHIBIT A



68  
69  
70  
71







Provo City Planning Commission

# Report of Action

May 22, 2024

\*ITEM 2      Development Services requests approval for Zone Map Amendments to place the TDR-S (Transfer of Development Rights - Sending Sites) Overlay Zone on 66 properties with known hazards in east Provo. Oak Hills, Indian Hills, and Sherwood Hills Neighborhoods. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20240127

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The following action was taken by the Planning Commission on the above described item at its regular meeting of May 22, 2024:

## RECOMMENDED APPROVAL

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

Motion By: Melissa Kendall

Second By: Robert Knudsen

Votes in Favor of Motion: Melissa Kendall, Robert Knudsen, Daniel Gonzales, Barbie DeSoto, Lisa Jensen, Andrew South, Jeff Whitlock

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.

### **LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED**

The properties to be rezoned with the TDR-S Overlay Zone are described in the attached 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.

### **CITY DEPARTMENTAL ISSUES**

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

### **NEIGHBORHOOD MEETING DATE**

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

### **NEIGHBORHOOD AND PUBLIC COMMENT**

- This item was City-wide or affected multiple neighborhoods.
- There was no public comment on this item.

### 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: None.

### APPLICANT RESPONSE

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

- Staff responded to questions from the PC regarding plans to present the idea to all the Neighborhood Districts and what property owners have been notified of or discussed the zone change with staff. The TDR-S will be shared with Districts at upcoming meetings and staff have had contact with some of the sending site owners.
- Staff clarified the number of dwelling units available for transfer and that the property owners still have choice to try to build on their lots after the TDR-S Overlay is placed on their lot.
- Staff responded to questions about maintenance and ownership of lots after the development rights have been transferred off them.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Jeff Whitlock shared his experience of being in contract on one of these lots and indicated that this change will be helpful to notify the public of the risks and that he believes it is a good idea.
- Lisa Jensen stated that she likes the idea but is concerned that there are occupied homes within the proposed zone map amendment, other commissioners indicated that those owners still have the same rights and haven't called in opposition to the change, and that if they aren't included, they can be stuck in dangerous situation.
- The Commission discussed the history of these lots and the options it gives to these owners, believe it does not do harm, but only gives the owners another option.

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Planning Commission Chair

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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.

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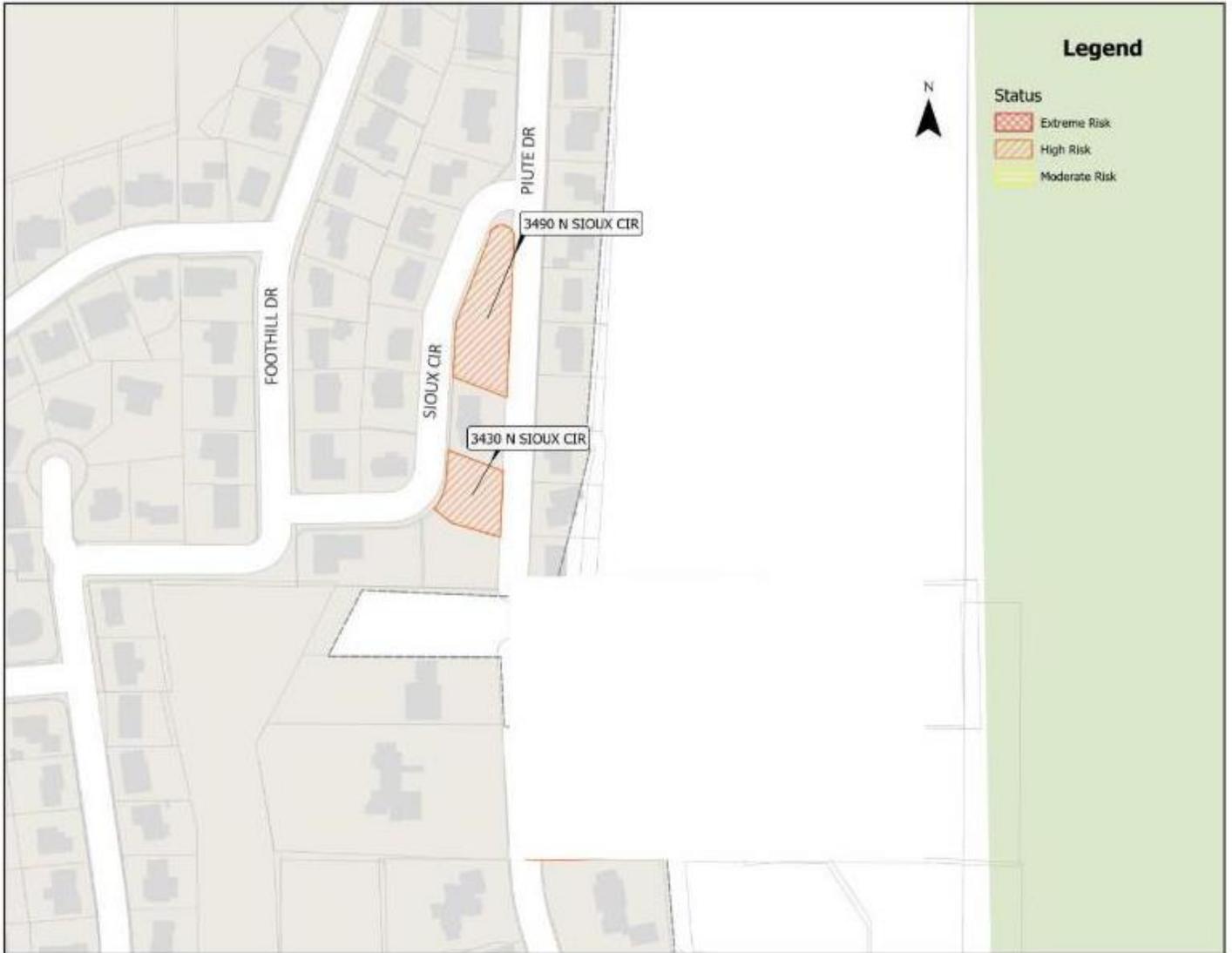
BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

Parcels for TDR-S Overlay to be placed:

35:079:0001; 35:079:0002; 35:079:0003; 35:079:0004; 35:079:0005; 35:079:0006; 35:079:0007; 35:079:0008;  
35:079:0009; 35:079:0010; 35:079:0011; 35:079:0012; 35:081:0001; 35:081:0002; 35:081:0003; 35:081:0004;  
35:081:0005; 48:048:0044; 48:048:0045; 48:048:0046; 48:048:0047; 48:048:0048; 48:048:0049; 48:048:0050;  
48:048:0051; 48:060:0016; 48:060:0017; 52:117:0087; 52:117:0114; 52:117:0120; 52:131:0006; 52:131:0007;  
52:131:0033; 52:131:0040; 52:131:0065; 52:131:0092; 52:131:0102; 52:131:0103; 52:135:0004; 52:166:0004;  
52:166:0007; 52:166:0008; 52:166:0011; 52:166:0012; 52:166:0013; 52:166:0014; 52:166:0015; 52:166:0016;  
52:166:0017; 52:166:0021; 52:166:0046; 52:166:0055; 52:166:0056; 52:166:0057; 52:166:0058; 52:166:0059;  
52:166:0060; 52:166:0072; 52:166:0073; 52:166:0074; 52:166:0075; 52:166:0076; 52:166:0077; 52:166:0094;  
53:014:0009; 53:014:0011

Maps of properties:







# PROVO MUNICIPAL COUNCIL STAFF REPORT



**Submitter:** MMCNALLEY  
**Department:** Development Services  
**Requested Meeting Date:** 06-04-2024

**SUBJECT:** A resolution approving the Year Five Annual Action Plan related to Utah Valley HOME Consortium and CDBG funding (24-046)

**RECOMMENDATION:** Approval of the 2024-25 Annual Action Plan, year five of the 2020-24 Consolidated Plan as amended.

**BACKGROUND:** Public hearing and recommended action to adopt the 2024-25 AAP. This is a follow up to the Work Session and Council item from April 30, 2024.

\* Please note that the Annual Action plan contains recommended funding as well as project descriptions and populations served for the coming year.

**FISCAL IMPACT:**

**PRESENTER'S NAME:** Melissa McNalley, Community Grant Administrator

**REQUESTED DURATION OF PRESENTATION:** 15 minutes to present and allow for questions.

**COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:**

**CITYVIEW OR ISSUE FILE NUMBER:** 24-046



# Year Five Annual Action Plan

July 1, 2024, through June 30, 2025

Year five of the 2020-2024 Five-Year Consolidated  
Plan  
as Amended

City of Provo (City)  
Utah Valley HOME Consortium (UVHC)  
Provo City Corporation – Development Services  
445 West Center  
Provo, Utah 84601



## AP-05 Executive Summary - 91.200(c), 91.220(b)

### 1. Introduction

Provo City and the Utah Valley HOME Consortium Program Year 2023 Annual Action Plan (2024-AAP) is the Fifth Year Action Plan of the 2020-2024 Five-Year Consolidated Plan (ConPlan), as amended.

The Annual Action Plan includes Provo City's application for the federal grants received from the U.S. Department of Housing and Urban Development (HUD) and administered by the Office of Community Planning and Development (CPD), and division of HUD, through which Provo City receives an annual allocation, or formula grant, from the CPD programs:

- **Community Development Block Grant (CDBG)**  
The CDBG program's primary objective is to promote the development of viable urban communities by providing decent housing, suitable living environments and expanded economic activities to persons of low and moderate income.
- **Home Investment and Partnerships Program (HOME)**  
The primary objective of the HOME program is to create affordable housing for low-income households. Communities often partner with nonprofit and for-profit organizations to fund a wide variety of activities including building, buying and/or rehabilitating affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

Provo City has designated its Development Services Department to manage and administer all funding received from HUD.

The Utah Valley HOME Consortium (Consortium) is an inter-jurisdictional partnership between the Cities of Provo, Orem, Lehi, and Utah County, formed to receive HOME Program Funds directly from HUD. The Cities of Orem and Lehi receive their own CDBG entitlement allocation and Utah County, as a qualified Urban County, also receives its own allocation of CDBG funding. All jurisdictions within Utah County, which have signed an Interlocal Agreement to receive CDBG funding through Utah County, are also eligible to benefit from HOME funds. As the designated Lead Entity for the Consortium, Provo City administers the HOME Program.

Regulations in the HOME Program establish that Participating Jurisdictions (PJs) are provided affordable homeownership limits annually by HUD, however the regulations also allow PJs to determine these limits on their own through a local market analysis. The Consortium now conducts such an analysis annually and determines its own affordable homeownership limits. The process and results are outlined in Section AP-90-Program

Specific Requirements of this Action Plan by completing a market analysis ensuring enough recent housing sales are included in the survey.

## **2. Summarize the objectives and outcomes identified in the Plan**

Based on Citizen and City Council input, Provo City will prioritize its activities and projects in three categories of Locally Targeted Objectives: Decent Housing, Suitable Living Environment, and Creating Economic Opportunities.

Housing – Assist in the expansion of housing opportunities, particularly for low-and moderate-income households and encouraging diversification of housing stock.

- Support down payment assistance programs that provide access to home ownership.
- Support housing programs to address the needs of updating aging housing stock through emergency, spot, and full rehabilitation.
- Support rental assistance programs to special needs populations, including efforts to assist families more rapidly from homelessness into permanent housing.
- Support development of new affordable housing to increase the number, types, affordability, and condition of both rental and homeownership housing.

Public Services – Support public service agencies that assist low-and moderate-income persons.

- Support organizations that provide services to populations with special needs (e.g., elderly, persons with disabilities, homeless persons, victims of domestic violence, etc.).
- Support organizations that provide education, including job training.
- Support organizations that provide services to seniors.
- Support organizations that provide healthcare services and health education.
- Support organizations that assist at-risk youth (e.g., after-school programs, recreation programs, mentoring programs).
- Support organizations that provide housing services.

### Economic Opportunities

- Support local small businesses and entrepreneurs by providing mentoring and technical assistance, including support to Microenterprise Development.
- Utilize, when available, Section 108 Loan Guarantees.
- Support improvements visibility of small business storefront in the Central Business District.

### Public Facilities

- Support creation and improvement of public facilities and improvements (i.e., streets, sidewalks, curb & gutter, and sewer/water improvements).
- Support creation and improvement of public and nonprofit neighborhood community facilities and health centers.

### **3. Evaluation of past performance**

The CDBG and HOME Investment Partnership funding have been used to make long-lasting improvements serving low-income residents. Past programs have focused on community needs that continue to exist including affordable housing, neighborhood improvements, and public service support for low-income residents.

At the conclusion of each Program Year, Provo City prepares its Consolidated Annual Performance Evaluation Report (CAPER). The CAPER is then submitted to HUD within 90 days of the end of the Program Year (PY).

While specific accomplishment data for Program Year 2023 (PY2023), fourth year of the 2020-24 ConPlan, are not yet available, we believe the programs and projects carried out have benefited greatly and assisted in meeting community needs as projects are moving forward to provide more affordable housing choices throughout Utah County as well as funding used this Program Year to help make various public services available to low-income individuals and assist those with disabilities.

### **4. Summary of Citizen Participation Process and Consultation Process**

Citizen Participation is an integral part of the ConPlan process, as it provides for goals and priorities that are defined in the context of community needs and preferences. In addition, the citizen participation process provides a format to educate the community about the federal grants received by City of Provo and the Consortium. To this end, Provo City solicited involvement from a diverse group of stakeholders and community members during the development of the 2020-2024 ConPlan, as amended. A comprehensive public engagement process included stakeholder meetings, citizen's survey available in both English and Spanish, public hearings, committee meetings, and a public comment period.

Through the AAP planning process, citizen advisory committees met several times to hear presentations, discuss the needs of Provo City, and made recommendations for funding. All public notices for the Annual Action Plan were published in the Daily Herald newspaper and Provo City website.

Funding recommendations by citizen committees will be presented to the Municipal Council in two public hearings conducted on April 30 and June 4, 2024, with recommended  
Annual Action Plan

funding amount available for review by the public, citizens committees and boards, and applicants. Provo City's Municipal Council adopted the final draft of the 2024-AAP at the public hearing held on June 4, 2024.

**5. Summary of public comments**

\*Once received, public comments will be included in this section as well as Action Plan Appendices.

**6. Summary of comments or views not accepted and the reasons for not accepting them**

\*Any public comments received are included in the AAP appendices.

**7. Summary**

The Annual Action Plan provides for the allocation of CDBG and HOME funds for the Program Year 2024 (PY2024) and the reprogramming of existing funds. It also reflects the coordinated efforts of local governments and citizens, as well as the wide networks of housing and human service providers in Utah County.

## PR-05 Lead & Responsible Agencies - 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	PROVO CITY	DEVELOPMENT SERVICES
CDBG Administrator	PROVO CITY	DEVELOPMENT SERVICES
HOME Administrator	PROVO CITY	DEVELOPMENT SERVICES
CDBG Administrator	OREM CITY	MOUNTAINLAND ASSOCIATION OF GOVERNMENTS
CDBG Administrator	LEHI CITY	MOUNTAINLAND ASSOCIATION OF GOVERNMENTS
CDBG Administrator	UTAH COUNTY	MOUNTAINLAND ASSOCIATION OF GOVERNMENTS

Table 1 - Responsible Agencies

#### Narrative

Provo City is the Lead Agency of Entitlement Programs regulated by the Office of Community Planning and Development (CPD) of the United States Department of Housing and Urban Development (HUD). Provo City's Community Programs Division in the Development Services Department is responsible for the administration of CPD-HUD entitlement grants. These entitlement grants include the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program (HOME). Provo City is also responsible for the preparation of the Consolidated Plan (ConPlan), Annual Action Plans (AAP), and Consolidated Annual Performance and Evaluation Reports (CAPER) for Provo City and the Utah Valley HOME Consortium. Mountainland Association of Governments administers the Cities of Orem and Lehi, and Utah County's CDBG Programs.

#### Consolidated Plan Public Contact Information

Provo City and its CDBG entitlement partners welcome questions and/or comments regarding this Annual Action Plan update. Please contact the following:

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#### Provo City CDBG & Utah Valley HOME Consortium

Melissa McNalley, Community Grants Administrator  
Development Services, Provo City  
445 West Center Street  
Provo, UT 84601  
801-852-6164  
[mmcnalley@provo.org](mailto:mmcnalley@provo.org)

**Cities of Orem and Lehi and Utah County CDBG**

Debby Lauret

Community and Economic Development Program Manager, Mountainland Association of Governments

586 E 800 N

Orem, UT 84057

801-319-8655

[dlauret@mountainland.org](mailto:dlauret@mountainland.org)

## AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

### Introduction

Provo City, along with the Mountainland Association of Governments, engaged in a collaborative effort to consult with City departments, representatives of low-income neighborhoods, non-profit and for-profit housing developers, service providers, lenders, public service agencies, homeless service providers, community stakeholders, community partners, and beneficiaries of entitlement programs to inform and develop the priorities and strategies contained within the ConPlan and subsequent annual action plans.

#### **1. Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health, and service agencies (91.215(l)).**

In preparing the Program Year 2024 Annual Action Plan, Provo City held consultations with various organizations that provide services throughout Utah County, including local leaders, housing providers, and service providers.

Provo City also participates in regular meetings with other CDBG grantees in Utah County to streamline and simplify the process for new and renewing applicants.

#### **2. Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The vision of the Mountainland Region Continuum of Care (CoC) is to provide decent, safe, and affordable housing and effective support services to homeless, chronic homeless families and individuals including: Initial stabilization, transitional housing, permanent housing, access to mainstream resources and independence from governmental assistance. United Way of Utah County (United Way) leads the CoC, of which Provo City is a member, represented by several City departments including Fire, Police, and Development Services among them. The CoC is an organized body of local jurisdictions, government agencies, local nonprofit organizations, faith-based service and housing organizations, and other agencies and partners seeking to maximize resources and avoid duplication of services while providing consistent and unified planning in Utah County. As it does annually, the CoC led the efforts for the point in time count, in which volunteers participated in an outreach to find homeless individuals. The event was advertised in the local paper.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS.**

Neither Provo City, nor any other jurisdiction with membership in the HOME Consortium receives ESG funding.

**3. Agencies, groups, organizations and others who participated in the process and consultations**

<b>Agency/Group/ Organization</b>	<b>Agency/Group/ Organization Type</b>	<b>What section of the Plan was addressed by Consultation?</b>	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>
<b>1</b>			

Rocky Mountain University of Health Professionals	Health Agency	Non-Homeless Special Needs	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>2</b>			
The Refuge	Housing Services – Children Services – Victims of Domestic Violence Services – Homeless Services – Education	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>3</b>			
Community Action Services & Food Bank	Services – Housing Services – Children Services – Homeless Services – Education	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>4</b>			
Community Health Connect	Services – Health	Housing Needs Assessment Public Housing Needs Homeless Needs (all) Non-Homeless special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>5</b>			

Family Support & Treatment Center	Services – Children Services – Education Services – Victims	Housing Needs Assessment Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services
<b>6</b>			
Food & Care Coalition	Services – Housing Services – Persons with Disabilities Services – Health Services – Homeless Services – Education	Housing Needs Assessment Public Housing Needs Homeless Needs (all) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>7</b>			
Friends of the UT County Children’s Justice Center	Services – Children Services – Victims	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>8</b>			
Mountainland Head Start	Services – Children Services – Education	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>9</b>			

Centro Hispano	Services – Health Services – Education Services – Employment	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>10</b>			
Housing Authority of Utah County	Public Housing Authority	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>11</b>			
Neighborworks Provo	Housing Services – Education	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>12</b>			
Mountainlands Community Health Center	Health Agency	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>13</b>			

Mountainlands Continuum of Care	Services – Homeless	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>14</b>			
Project Read	Services – Elderly Persons Services – Education Services- Employment	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>15</b>			
Provo City Housing Authority	Public Housing Authority	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>16</b>			
Rural Housing Development Corporation	Housing	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
<b>17</b>			

Wasatch Mental Health	Other Government: State Services – Persons with Disabilities Services – Homeless	Housing Needs Assessment Public Housing Needs Homeless Needs (All) Non-Homeless Special Needs Market Analysis	The organization responded to the survey and participated in the 2020 Consolidated Plan discussion. Continue to make available financial support to provide services.
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**Table 2 – Agencies, groups, organizations who participated**

**Identify any Agency Types not consulted and provide rationale for not consulting**

The Action Plan process provided opportunity and encouraged participation and comments from all relevant organizations and agencies.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care Plan	United Way of Utah County	Assist Persons who are Homeless and at risk of homelessness.
Analysis of Impediments – 2019 Utah Valley	Provo City Corporation	Affirmatively Furthering Fair Housing
Housing Needs Assessment – 2019 Utah Valley	Provo City Corporation	Housing Needs
Moderate Income Housing Plan	Provo City Corporation	Housing Needs
Performance Audit of Utah Housing Policy	State of Utah	Housing Needs
CASFB Community Needs Assessment 2022	Community Action Services and Food Bank	Income, Employment and Housing
Utah Valley HOME Consortium HOME-ARP Allocation Plan	Provo City Corporation	Assist persons who are homeless or at risk of homelessness

**Table 3 – Other local / regional / federal planning efforts**

**Narrative**

As Lead Entity of the Utah Valley HOME Consortium, Provo City engages with other Consortium members discussing community needs and long-term housing strategies. Provo City is also an active member of the Mountainland Continuum of Care and the Utah County Council of Governments. In preparing for the upcoming plan year Provo City engaged with Mountainland Association of Governments, who administers the CDBG programs for Orem City, Lehi City, and Utah County. These collaborative efforts offer better funding opportunities by creating a unified application process requiring less duplicative efforts for both CDBG entitlements and Subrecipients. The focus of these efforts is to provide a more immediate and complete impact for public services in need of capital improvement funding as well as a better application/reporting/monitoring system. Efforts are also joined to gather regional data and provide wholistic analysis of the regional housing needs, housing market and barriers to affordable housing.

## AP-12 Participation - 91.401, 91.105, 91.200(c)

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation

#### Summarize citizen participation process and how it impacted goal-setting

Provo City sought public participation in the development of this plan from citizens at large, non-profit organizations, elected officials and other interested parties through public meetings, public hearings, social media, and website posting. Citizen Advisory Committees and Boards met to evaluate applications and listen to presentations from agencies seeking funding from both CDBG and HOME programs. Residents were invited to participate in the Public Hearings where the projects and/or programs for the fifth-year Action Plan were presented and provide input in its adoption.

The public comment period for this plan will run from April 30, 2024 to June 4, 2024. Comments are solicited in person during the Provo City Council Public Hearings on April 30, and June 4, 2024. Comments will also be accepted through the website:

<https://www.provo.org/departments/development/cdbg-home>

Interested parties may also provide input via email to the Community Grants Administrator for Provo City: [mmcnalley@provo.org](mailto:mmcnalley@provo.org); by phone: (801) 850-6164; and by mail to Provo City Corporation, ATTN: PY-2024 Annual Action Plan, Development Services 445 West Center STE 200, Provo, UT 84601.

**Citizen Participation Outreach**

Mode of Outreach	Target of Outreach	Summary of Response/ attendance	Summary of Comments received	Summary of comments not accepted and reasons	URL (If applicable)
Website	Non-Targeted/B road Community	See Appendix			<a href="https://www.provo.org/departments/development/cdb-g-home">https://www.provo.org/departments/development/cdb-g-home</a>
Public Council Work Session	City Officials	See Appendix			
Public Hearing	City Officials Non-targeted/B road Community	See Appendix			
Public Hearing	City Officials Non-targeted/B road Community	See Appendix			
Social Media	Non-targeted/B road Community	See Appendix			FB/Insta Council FB page and Development Services FB page

Table 4 – Citizen Participation Outreach

## Expected Resources

### AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

#### Introduction

Table 5 summarizes the anticipated resources for the fifth year of the 2020-24 Consolidated Plan

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 5				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public Federal	Admin and Planning Economic Development Housing Land Acquisition Public Improvements Public Services	\$1,213,803	\$14,190	\$36,393	\$1,264,386	\$0	Year 5 and final year of the 2020-24 Consolidated Plan, Program Income is generated from housing loan repayment.
HOME	Public Federal	Acquisition Homebuyer Assistance Homeowner Rehab Multifamily Rental new construction New construction for ownership TBRA	\$1,293,715	\$308,579	\$61,228	\$1,663,524	\$0	Year 5 and final year of the 2020-24 Consolidated Plan, Program Income is generated from housing loan repayment.

Table 5 - Expected Resources - Priority Table

**1. Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.**

- Provo City's Public Facilities projects use CDBG funding as gap financing, allowing leveraging of other sources of funds.
- HOME funding is also used to leverage private funding, frequently in addition to the 25 percent match required by the program. Match is met through a combination of private financing, cash contributions, donated material, services, and labor.

**2. If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan.**

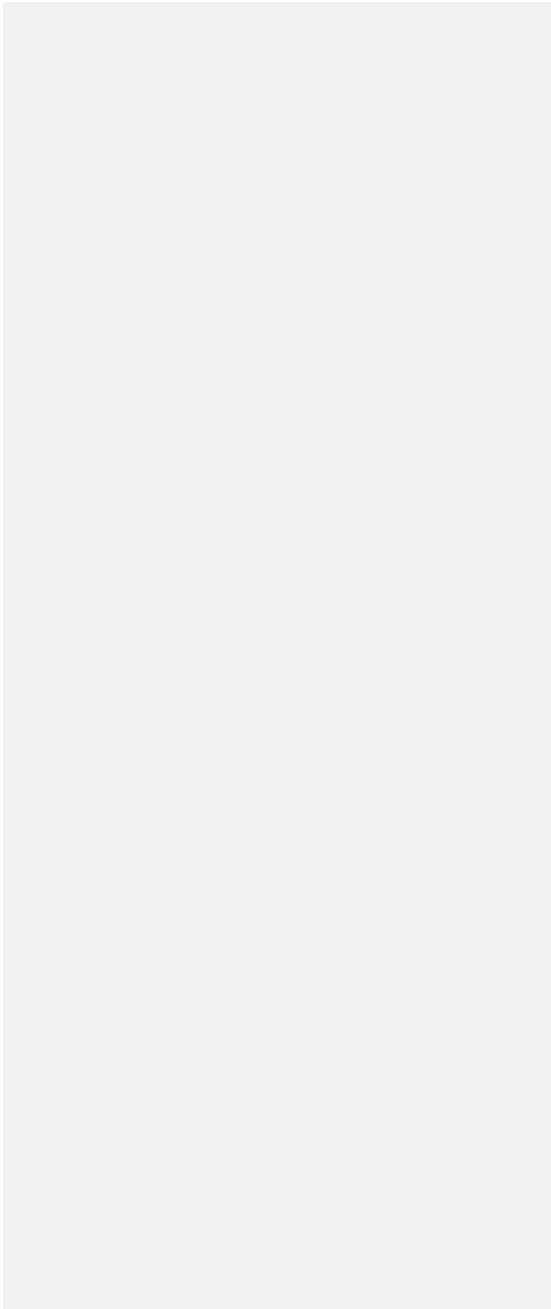
N/A

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**ANNUAL GOALS AND OBJECTIVES**

**AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)**

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## Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Homeowner/Homebuyer	2020	2024	Affordable Housing	City/Consortium Wide	Affordable Housing	CDBG:\$28,161 HOME:\$1,266,302	Homeowner Housing Constructed: 37 Homeowner Housing Rehabilitated: 3 Direct Financial Assistance to Homebuyers: 10
2	Rental Housing	2020	2024	Affordable Housing	City/Consortium Wide	Affordable Housing	HOME: \$267,850	Tenant-Based Rental Assistance: 0 Rental Units Constructed: 24
3	Public Facilities	2020	2024	Non-Housing Community Development	City/Consortium Wide	Suitable Living Environments	CDBG: \$369,394	Public Facility of Infrastructure Activities other than Low/Moderate Income Housing Benefit: PF for Low/Mod: 13431
4	Public Services	2020	2024	Homelessness Non-Homeless Special Needs	City/Consortium Wide	Suitable Living Environments	CDBG: \$182,070	Public Service Activities other than Low/Moderate Income Housing Benefit: 5100
5	Stimulate Economic Growth	2020	2024	Non-Housing Community Development	City Wide	Economic Development	CDBG: \$100,000	Façade Treatment/business building, Rehabilitation, Jobs created/Retained 4 Businesses Assisted 2
6	Administration	2020	2024	Non-Housing Community Development	City Wide	All	CDBG:\$242,760 HOME:\$129,371	

Table 6 - Goals Summary

## Goal Descriptions

1	<b>Goal Name</b>	Homeowner/Homebuyer Affordability
	<b>Goal Description</b>	The purpose of this goal is to increase the affordability, availability, accessibility, and sustainability of owner-occupied housing.
2	<b>Goal Name</b>	Rental Housing Affordability
	<b>Goal Description</b>	The purpose of this goal is to increase the affordability, availability, accessibility, and sustainability of rental housing.
3	<b>Goal Name</b>	Public Facilities
	<b>Goal Description</b>	This goal strives to improve neighborhood infrastructure and access to basic services for lone-income and special needs populations.
4	<b>Goal Name</b>	Public Services
	<b>Goal Description</b>	This goal consists of activities to help low-income individuals and families, as well as individuals with special needs, receive therapy, supportive services, education, medical assistance, and other needed services.
5	<b>Goal Name</b>	Stimulate Economic Growth
	<b>Goal Description</b>	This goal includes activities that create or retain jobs, foster entrepreneurship, and increase access to employment centers for low- and moderate-income populations.

**Table 7 – Goal Descriptions**

## P-35 Projects - 91.420, 91.220(d)

### Introduction

Five different entitlement allocations from HUD for the PY2024 come to Consortium members. For CDBG programs Provo City will receive \$1,213,803, Utah County’s allocation is \$1,449,720, City of Orem with receive \$599,494, and Lehi’s allocation is \$343,852. Additionally, the HOME Consortium will receive \$1,293,715 in HOME funds. To those amounts Provo City Adds \$322,770 in Program Income and \$97,622 reprogrammed funding from previous years. Provo City’s total amount available for funding is \$2,927,910 (CDBG \$1,264,386; HOME \$1,663,524).

#	Project Name
1	CDBG: Administration
2	CDBG: 108 Loan Repayment
3	CDBG: Rocky Mountain University
4	CDBG: Boys and Girls Club of Utah County
5	CDBG: Timpanogos Legal Services
6	CDBG: Centro Hispano
7	CDBG: The Refuge
8	CDBG: RAH
9	CDBG: Project Read
10	CDBG: Family Haven
11	CDBG: Provo Police Victim’s Services
12	CDBG: Food and Care Coalition-Capital Improvements
13	CDBG: Utah Regional Housing – Capital Improvements
14	CDBG: Provo Public Works – Joaquin Improvements
15	CDBG: Emergency Home Repair
16	CDBG: Commercial Facades
17	HOME: Administration
18	HOME: RHDC Santaquin Project
19	HOME: Loan to Own – Down Payment Assistance
20	HOME: Building Beginnings – Property Acquisition

Table 8 – Project Information

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Provo City is taking a strategic approach to direct funding. Priorities include continued efforts to expand affordable housing opportunities throughout the Consortium, providing critical services for the most vulnerable residents, expanding self-sufficiency for at-risk populations, and improving neighborhood conditions in concentrated areas of poverty.

High land and property costs continue to be the biggest obstacle to affordable housing options. High costs are compounded by higher rates of interest than in recent years. Consortium members continue to look for solutions to overcome these challenges.

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## AP-38 Project Summary

### Project Summary Information

<b>1</b>	<b>Project Name</b>	<b>CDBG: Administration</b>		
	<b>Target Area</b>	Serving Provo Residents		
	<b>Goals Supported</b>	Homeownership Rental Housing Public Facilities Public Services Economic Development		
	<b>Needs Addressed</b>	Housing Public Facilities Public Services Economic Development		
	<b>Funding</b>	CDBG: \$242,761		
	<b>Description</b>	CDBG Administration budgets are determined by 20% of the Entitlement. Development Services staff personnel and overhead costs to administer the CDBG and HOME programs.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>			
	<b>Location Description</b>	445 West Center, Provo, UT 84601		
	<b>Planned Activities</b>	Manage and Monitor CDBG and HOME Programs		
	<b>Matrix Code</b>	21A General Program Administration		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>
	<b>2</b>	<b>Project Name</b>	<b>CDBG: Section 108 Loan Repayment</b>	
<b>Target Area</b>		Provo City		
<b>Goals Supported</b>		Economic Development		
<b>Needs Addressed</b>		Economic Development		

	<b>Funding</b>	CDBG: \$342,000		
	<b>Description</b>	Funds will be used to repay the Section 108 loan that was used to cover costs associated with building/updating infrastructure at the Provo City Airport.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>			
	<b>Location Description</b>	3421 Mike Jensen Parkway, Provo, UT 84601		
	<b>Planned Activities</b>	Payment of Principal and Interest		
	<b>Matrix Code</b>	19F Planned Repayment of Section 108 Loans 24A Payment of Interest on Section 108 Loans		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity X
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
<b>3</b>	<b>Project Name</b>	<b>CDBG: Rocky Mountain University</b>		
	<b>Target Area</b>	Serving residents of Provo and Utah County		
	<b>Goals Supported</b>	Public Services		
	<b>Needs Addressed</b>	Health Services		
	<b>Funding</b>	CDBG: \$18,136		
	<b>Description</b>	Provide physical therapy services to underserved citizens in Utah County.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Program will serve approximately 1,010 LMI beneficiaries, of which, about 300 will be Provo residents.		
	<b>Location Description</b>	587 South State Street, Provo, UT 84606		
	<b>Planned Activities</b>	Physical Therapy		
	<b>Matrix Code</b>	05M Health Services		

	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment X	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
<b>4</b>	<b>Project Name</b>	<b>CDBG: Boys and Girls Club of Utah County</b>		
	<b>Target Area</b>	Serving Residents throughout Utah County		
	<b>Goals Supported</b>	Public Services		
	<b>Needs Addressed</b>	Public Services/Homeless Services		
	<b>Funding</b>	CDBG: \$9,068		
	<b>Description</b>	Funding will provide funding for housing support specialists to assist families with housing assistance and wraparound services for families experiencing homelessness or at risk of homelessness		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	It is estimated that funding will benefit 2 low-income families, 10 very low-income families, and 20 extremely low-income families. Of those, approximately 12 will be from Provo.		
	<b>Location Description</b>	Provo City		
	<b>Planned Activities</b>	Provide housing assistance, and housing support.		
	<b>Matrix Code</b>	03Z Other Public Facilities 01 People		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability X	Sustainability <input type="checkbox"/>
	<b>5</b>	<b>Project Name</b>	<b>CDBG: Timpanogos Legal Services</b>	
<b>Target Area</b>		Provo City		
<b>Goals Supported</b>		Public Services		
<b>Needs Addressed</b>		Public Services/legal services		
<b>Funding</b>		CDBG: \$18,136		
<b>Description</b>		Legal Assistance for low-income persons in need of representation for divorce, protective orders, and housing cases.		
<b>Target Date</b>		6/30/2025		
<b>Estimate the number and type of families that</b>		Fund will benefit approximately 300 low-income persons, 400 very low-income persons, and 300 extremely low-income persons. Of those, about 300 will be from Provo City.		

	<b>will benefit from the proposed activities</b>	
	<b>Location Description</b>	3301 N University Ave, Provo, UT 84604
	<b>Planned Activities</b>	Funds will be used to provide additional attorney hours to provide services to low- and moderate-income residents of Provo City.
	<b>Matrix Code</b>	05C Legal Services
	<b>Objective</b>	Decent Housing <input type="checkbox"/> Suitable Living Environment X Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X Affordability <input type="checkbox"/> Sustainability <input type="checkbox"/>
6	<b>Project Name</b>	<b>CDBG: Centro Hispano</b>
	<b>Target Area</b>	Provo City
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Public Services/Legal Services
	<b>Funding</b>	CDBG: \$18,136
	<b>Description</b>	Funding will be used to fund the non-profit immigration legal clinic for low and moderate-income individuals.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Funding will be used to assist approximately 66 low-income individuals, 75 very low-income individuals, and 129 extremely low-income individuals. Of those, about 80 will be from Provo City.
	<b>Location Description</b>	650 W 100 N Ste 100, Provo, UT 84601
	<b>Planned Activities</b>	Funds will be used to assist individuals with immigrant naturalization, family petitions, asylum, VAWA, UVISA, waivers and adjustment of status applications.
	<b>Matrix Code</b>	05C Legal Services
	<b>Objective</b>	Decent Housing <input type="checkbox"/> Suitable Living Environment X Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X Affordability <input type="checkbox"/> Sustainability <input type="checkbox"/>
7	<b>Project Name</b>	<b>CDBG: The Refuge</b>
	<b>Target Area</b>	Serving Provo Residents
	<b>Goals Supported</b>	Public Services
	<b>Needs</b>	Public Services

	<b>Addressed</b>	
	<b>Funding</b>	CDBG: \$9,068
	<b>Description</b>	Funds will be used for costs associated with providing services to victims of abuse and domestic violence.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 570 very low-income beneficiaries will be served with this funding. Of which, 200 will be residents of Provo City.
	<b>Location Description</b>	1433 East 840 North, Orem, UT 84097
	<b>Planned Activities</b>	Provide financial assistance to sustain facilities, maintain equipment, and support overall operating costs.
	<b>Matrix Code</b>	05G Services for abused spouses and their families.
	<b>Objective</b>	Decent Housing <input type="checkbox"/> Suitable Living Environment X      Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X      Affordability <input type="checkbox"/> Sustainability <input type="checkbox"/>
<b>8</b>	<b>Project Name</b>	<b>CDBG: RAH</b>
	<b>Target Area</b>	Serving Provo Residents
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Public Services
	<b>Funding</b>	CDBG: \$43,247
	<b>Description</b>	Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve their lives through the ABLE project.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 3 low-income people will be served, 5 very low-income people will be served, and 114 extremely low-income people will be served, of which, about 31 will be Provo residents.
	<b>Location Description</b>	815 N 800 W, Provo, UT 84604
	<b>Planned Activities</b>	Educational and Recreational activities for LMI individuals with physical and mental disabilities.
	<b>Matrix Code</b>	05B Services for Persons with Disabilities.

	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment X	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>
<b>9</b>	<b>Project Name</b>	<b>CDBG: Project Read</b>		
	<b>Target Area</b>	Serving Provo Residents		
	<b>Goals Supported</b>	Public Services		
	<b>Needs Addressed</b>	Public Services		
	<b>Funding</b>	CDBG: \$22,670		
	<b>Description</b>	Help adults achieve self-sufficiency by helping them acquire literacy and life skills.		
	<b>Target Date</b>	6/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Illiterate adults are identified as presumed eligible, however, Project Read will serve approximately 29 low-income people and 31 very low-income people, of which, about 30 will be Provo Residents.		
	<b>Location Description</b>	550 North University Ave #215, Provo, UT 84601		
	<b>Planned Activities</b>	Literacy lab, digital literacy/technology, health literacy and education, writing labs.		
	<b>Matrix Code</b>	05H Employment Training		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment X	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>
	<b>10</b>	<b>Project Name</b>	<b>CDBG: Family Haven</b>	
<b>Target Area</b>		Serving Residents throughout Utah County		
<b>Goals Supported</b>		Public Services		
<b>Needs Addressed</b>		Public Services		
<b>Funding</b>		CDBG: \$14,944		
<b>Description</b>		Therapy will be provided to children who have experienced child abuse, neglect, or other traumatic situations to low and moderate-income individuals.		
<b>Target Date</b>		6/30/2025		
<b>Estimate the number and type of families that will benefit</b>		Funds will benefit approximately 22 low-income individuals, 8 very low-income individuals, and 6 extremely low-income individuals. Of those served, about 9 will be Provo City residents.		

	<b>from the proposed activities</b>	
	<b>Location Description</b>	1255 N 1200 E, Orem, UT 84057
	<b>Planned Activities</b>	Funding will provide individual and family therapy to low-income children who have experienced child abuse, neglect, or other traumatic situations.
	<b>Matrix Code</b>	05N Services for Abused and Neglected Children
	<b>Objective</b>	Decent Housing <input type="checkbox"/> Suitable Living Environment X      Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X      Affordability <input type="checkbox"/> Sustainability <input type="checkbox"/>
11	<b>Project Name</b>	<b>CDBG: Provo Police Victim's Services</b>
	<b>Target Area</b>	Serving Provo Residents
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Public Services
	<b>Funding</b>	CDBG: \$28,665
	<b>Description</b>	Funds will be used for program delivery of services offered to victims of domestic violence and/or abuse.
	<b>Target Date</b>	6/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Provo Police Department Victim's Services will provide services to approximately 2,000 persons. Of those served, about 500 will be low-income people.
	<b>Location Description</b>	445 West Center Street, Provo, UT 84601
	<b>Planned Activities</b>	Referrals to resources, court counseling, assistance in interviews with responding officers, emergency sheltering placement.
	<b>Matrix Code</b>	05G Services for victims of domestic violence, dating violence, sexual assault, or stalking.
	<b>Objective</b>	Decent Housing <input type="checkbox"/> Suitable Living Environment X      Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X      Affordability <input type="checkbox"/> Sustainability <input type="checkbox"/>
12	<b>Project Name</b>	<b>CDBG: Food and Care - Capital Project</b>
	<b>Target Area</b>	Utah County
	<b>Goals Supported</b>	Public Services/Facilities
	<b>Needs Addressed</b>	Homeless Facilities

	<b>Funding</b>	CDBG: \$91,000		
	<b>Description</b>	Needed replacement of flooring in the supportive housing units in the Food and Care Coalition.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Funding will benefit approximately 7 very low-income individuals and 93 extremely low-income individuals. Of those assisted about 50 will be Provo City residents.		
	<b>Location Description</b>	299 E 900 S, Provo, UT 84606		
	<b>Planned Activities</b>	Funds will be used to replace flooring in the supportive housing units in the Food and Care Coalition.		
	<b>Matrix Code</b>	03c Homeless Facilities (not operating costs)		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility X	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>
<b>13</b>	<b>Project Name</b>	<b>CDBG: URH - Capital Improvements</b>		
	<b>Target Area</b>	Provo City		
	<b>Goals Supported</b>	Public Services/Facilities		
	<b>Needs Addressed</b>	Senior Housing		
	<b>Funding</b>	CDBG: \$28,394		
	<b>Description</b>	Funds will be used to repair brick and mortar on the Maeser School Apartments structure.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 31 low-income residents will benefit from this funding. All residents are from Provo.		
	<b>Location Description</b>	688 West 100 North Provo, UT 84601		
	<b>Planned Activities</b>	Repair of historic molding and brickwork on the historic Maeser School apartments.		
	<b>Matrix Code</b>	14B Rehabilitation: Multi-Unit Residential		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>

	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
<b>14</b>	<b>Project Name</b>	<b>CDBG: Public Works – Joaquin Neighborhood Improvements</b>		
	<b>Target Area</b>	Provo Joaquin Neighborhood		
	<b>Goals Supported</b>	Public Facilities		
	<b>Needs Addressed</b>	Public Facilities Improvements		
	<b>Funding</b>	CDBG: \$250,000		
	<b>Description</b>	Funds will be used to make improvements creating safe routes to school for children throughout Joaquin and surrounding neighborhoods.		
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 13,300 LMI people will benefit from these neighborhood improvements in the Joaquin neighborhood in Provo.		
	<b>Location Description</b>	Joaquin Neighborhood		
	<b>Planned Activities</b>	Funds will be used to replace deteriorated sidewalks, add crosswalks and signage, ADA ramps, flashing beacons and bulb-outs.		
	<b>Matrix Code</b>	03L – Sidewalks (People)		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment X	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
<b>15</b>	<b>Project Name</b>	<b>CDBG: Emergency Home Repair</b>		
	<b>Target Area</b>	City of Provo		
	<b>Goals Supported</b>	Homeownership		
	<b>Needs Addressed</b>	Housing		
	<b>Funding</b>	CDBG: \$28,161		
	<b>Description</b>	Emergency Home Repairs		
	<b>Target Date</b>	6/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed</b>	Funding is expected to provide about three low-income homeowners with emergency repair grants.		

	<b>activities</b>			
	<b>Location Description</b>	Eligible single-family properties in Provo City.		
	<b>Planned Activities</b>	Rehabilitation of heating/air conditioning, water, electrical, plumbing systems; roof leaks; sewer. May include other repairs to ensure a healthy/sanitary living environment.		
	<b>Matrix Code</b>	14A Rehabilitation; Single-Unit Residential		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
<b>16</b>	<b>Project Name</b>	<b>CDBG: Business Façade Program</b>		
	<b>Target Area</b>	Provo City		
	<b>Goals Supported</b>	Economic Development		
	<b>Needs Addressed</b>	Economic Development		
	<b>Funding</b>	CDBG: \$100,000		
	<b>Description</b>	Funds will be used to provide matching grants for commercial façade renovation leading to job creation for low and moderate-income individuals.		
	<b>Target Date</b>	6/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	About two facades will be rehabilitated creating approximately four jobs will be created for low- and moderate-income persons.		
	<b>Location Description</b>	445 West Center		
	<b>Planned Activities</b>	Façade renovation and rehabilitation – Job Creation		
	<b>Matrix Code</b>	14E Rehabilitation; Publicly or Privately Owned Commercial		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity X
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability X
	<b>17</b>	<b>Project Name</b>	<b>HOME: Administration</b>	
<b>Target Area</b>		Consortium Wide		
<b>Goals Supported</b>		Homeownership Rental Housing		
<b>Needs Addressed</b>		Housing		
<b>Funding</b>		HOME: 129,372		
<b>Description</b>		Funds will be used to pay for administration costs of the		

	activities for the Utah Valley HOME Consortium.			
	<b>Target Date</b>	06/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>			
	<b>Location Description</b>	445 West Center, Provo, UT 84601		
	<b>Planned Activities</b>	Administration and planning		
	<b>Matrix Code</b>	21A General Program Administration		
	<b>Objective</b>	Decent Housing <input type="checkbox"/>	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>
18	<b>Project Name</b>	<b>HOME: RHDC – Santaquin Project</b>		
	<b>Target Area</b>	Santaquin, Utah		
	<b>Goals Supported</b>	Homeownership		
	<b>Needs Addressed</b>	Housing		
	<b>Funding</b>	HOME: \$715,111 HOME CHDO: \$194,057		
	<b>Description</b>	Purchase of a 12.2 Acre parcel for development of 37 single family lots.		
	<b>Target Date</b>	06/30/2027		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Approximately 148 low-income people will benefit from this project.		
	<b>Location Description</b>	200 East 900 North Santaquin, UT 84655		
	<b>Planned Activities</b>	Acquisition of 12.2-acre parcel of land.		
	<b>Matrix Code</b>	01 Acquisition of Real Property – LMH Housing Units		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability X	Sustainability <input type="checkbox"/>

19	<b>Project Name</b>	<b>HOME: LTO – Down Payment Assistance</b>		
	<b>Target Area</b>	Utah County Consortium Areas		
	<b>Goals Supported</b>	Homeownership		
	<b>Needs Addressed</b>	Housing		
	<b>Funding</b>	HOME: \$357,134		
	<b>Description</b>	Funding will provide down payment assistance to low-and moderate-income households within the consortium boundaries.		
	<b>Target Date</b>	6/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Funding will benefit approximately 40 low- and moderate-income people within the consortium boundaries.		
	<b>Location Description</b>	445 West Center Provo, UT 84601		
	<b>Planned Activities</b>	Funding will provide down-payment assistance to low-and moderate-income first-time homebuyers.		
	<b>Matrix Code</b>	05R-Homebuyer downpayment assistance		
	<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
	<b>Outcome</b>	Availability/Accessibility <input type="checkbox"/>	Affordability X	Sustainability <input type="checkbox"/>
20	<b>Project Name</b>	<b>HOME: Building Beginnings</b>		
	<b>Target Area</b>	Utah County-Spanish Fork		
	<b>Goals Supported</b>	Rental Housing		
	<b>Needs Addressed</b>	Housing		
	<b>Funding</b>	HOME: \$267,850		
	<b>Description</b>	Funding will be used for the acquisition of rental housing for extremely low-income individuals exiting correctional facilities.		
	<b>Target Date</b>	6/30/2025		
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Funding is anticipated to benefit approximately 24 extremely low-income individuals per year with rental housing.		
	<b>Location</b>	42 East 300 North, Spanish Fork, UT 84660		

<b>Description</b>			
<b>Planned Activities</b>	Purchase of a property to rehabilitate for low-income rental housing.		
<b>Matrix Code</b>	01 Acquisition of Real Property - LMH Housing Units		
<b>Objective</b>	Decent Housing X	Suitable Living Environment <input type="checkbox"/>	Economic Opportunity <input type="checkbox"/>
<b>Outcome</b>	Availability/Accessibility X	Affordability <input type="checkbox"/>	Sustainability <input type="checkbox"/>

Table 9 - Project Summary

DRAFT

## **AP-50 Geographic Distribution - 91.420, 91.220(f)**

**Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

At this time, neither Provo City nor the Utah Valley HOME Consortium is establishing specific geographic areas of service.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
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Table 2 - Geographic Distribution

### **Rationale for the priorities for allocating investments geographically**

#### **Discussion**

NA

DRAFT

## Affordable Housing

### AP-55 Affordable Housing - 91.420, 91.220(g)

#### Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	124
Non-Homeless	101
Special-Needs	0
Total	205

Table 10- One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	37
Rehab of Existing Units	158
Acquisition of Existing Units	10
Total	205

Table 11 - One Year Goals for Affordable Housing by Support Type

#### Discussion

Housing activities will be supported through both CDBG and HOME and will provide subsidies for individuals and families ranging from 0% to 80% AMI. Activities will include homeowner housing rehabilitation, construction of new affordable single-family housing, rehabilitation of rental housing and supportive housing units, and direct financial assistance for eligible homebuyers.

## **AP-60 Public Housing - 91.420, 91.220(h)**

### **Introduction**

The Housing Authority of Utah County and Provo City Housing Authority are responsible for managing the public housing inventory, developing new affordable housing units, and administering the Section 8 voucher programs for Utah County and Provo City. They provide affordable housing opportunities throughout their jurisdiction by developing new and rehabilitating existing housing that is safe, decent, sanitary, and affordable a place where an individual's income level or background cannot be identified by the neighborhood or housing in which they live.

### **Actions planned during the next year to address the needs to public housing**

The Provo City Housing Authority is currently in the process of rehabbing existing rental units. They also manage several properties and keep them well maintained.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

Housing Authority of Utah County (HAUC) residents are invited to participate each year in a Resident Advisory Board where proposed policies are reviewed prior to implementation. HAUC has a resident currently serving on our Board of Commissioners. HAUC promotes self-sufficiency to all residents, to the extent they are able to achieve. Clients are referred to various agencies who provide budgeting, homeownership, and financial counseling. Clients are often notified about various homeownership opportunities available.

Provo City Housing Authority (PCHA) has a Family Self Sufficiency program for families on the Housing Choice Voucher program. The program offers case management for participants who want to work to self-sufficiency and home ownership is part of that program. PCHA is opening the program to public housing residents.

PCHA develops a five year and annual plan. Residents are invited and encouraged to provide feedback on plan goals and include initiatives the residents may have.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Neither Housing Authority is designated as troubled.

### **Discussion**

## **AP-65 Homeless and Other Special Needs Activities - 91.420, 91.220(i)**

### **Introduction**

The Consortium, through the Mountainland Continuum of Care (CoC), works with several homeless agencies to reduce the number of persons experiencing homelessness, reduce the length of time individuals experience homelessness, increase successful transitions out of homelessness, and reduce the instances of return to homelessness.

Representatives from Provo City and Consortium cities participate in the CoC executive committee specifically, so the CoC's priorities are considered during funding allocations.

The Mountainland Continuum of Care contracts with the State of Utah to administer HMIS. All service agencies in the region and the rest of the state are under a uniform data standard for HUD reporting and local ESG funders. All ESG funded organizations participate in HMIS, which is supported by Client Track.

The Mountainland Continuum of Care conducts an annual Point-In-Time count at the end of January to count sheltered (emergency sheltered and transitional housing) and unsheltered homeless individuals. Unsheltered homeless individuals are counted by canvassing volunteers. The volunteers use the Vulnerability Index & Service Prioritization Decision Assistance Tool (VI-SPDAT) to interview and try to connect unsheltered homeless individuals into services.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:**

#### **1. Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

Provo City and Consortium cities will continue to partner with the Mountainland Continuum of Care and its partner agencies and provide CDBG funding to support the efforts to reaching out to unsheltered individuals to assess their needs.

#### **2. Addressing the emergency shelter and transitional housing needs of homeless persons**

State of Utah allocations are awarded to Community Action Services and Food Bank and the Food and Care Coalition. These agencies use the funding to support services such as: providing motel vouchers, access to safe facilities, case management, etc.

Additionally, HOME-ARP funding has been awarded to several agencies to deliver supportive services and Tenant-Based Rental Assistance specifically to populations experiencing homelessness, at risk of homelessness and people fleeing or attempting to flee domestic violence, human trafficking and stalking.

#### **3. Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied**

**youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

HOME-ARP funding has been awarded to several agencies to deliver supportive services and Tenant-Based Rental Assistance specifically to populations experiencing homelessness and other eligible populations according to the eligible Qualifying Populations under the grant.

**4. Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

HOME-ARP funding has been awarded to several agencies to deliver supportive services and Tenant-Based Rental Assistance specifically to populations at risk of homelessness, fleeing or attempting to flee domestic violence, human trafficking and stalking, or other populations at risk of homelessness as described in the HOME-ARP notice and referenced above.

Provo City and the Mountainland Association of Governments (MAG) are active participants in the Continuum of Care Executive Committee. Goals to reduce homelessness in the Consortium service area are addressed through the Mountainland Continuum of Care. The following Strategic Goals have been adopted by the CoC for the 2024-25 year:

- Encourage leveraging flexible funds to pay for expenses that either preserve or immediately re-direct someone at risk of homelessness to permanent housing.
- Increase support for local landlord engagement by providing training resources and targeted recommendations (e.g. a comprehensive list of funding sources that allow landlord incentive costs, training on sales techniques to increase landlord engagement, training on use of mitigation funds).
- Collect ongoing and meaningful feedback from people with lived experience of homelessness about their experiences with homeless systems of care and their assessment of how to make these systems as inclusive and equitable as possible.
- Support local and statewide efforts to identify housing needs of specific subpopulations, including but not limited to youth and survivors of domestic

violence.

- Create an equity toolkit for localities that address the following: How localities can use a racial equity framework that allows for utilization of common definitions and understanding of core concepts necessary for racial equity work.
- Provide opportunities for people who have lived experience of homelessness to provide paid peer-to-peer support as a living wage level.
- Provide at least annual training on racial equity, cultural competency, and equal access and require this training for all staff and recipients of funding.
- Create resource guide to help support cities and counties to develop innovative housing strategies (e.g. shared housing, tiny homes, single room occupancy and microunits).
- Leverage 211 to make quick connections for prevention assistance to address time sensitive cases.
- Develop operational guidelines and standard notices/intervention plans for all LHCs and agencies involved in responding to encampments, that combines and coordinates: intensive outreach and engagement; housing, shelter, safe parking or sanctioned encampment placement; clearance, and closure.

### **Discussion**

While Provo City and Consortium cities do not have regular funding specifically to address homelessness, the recent HOME-ARP grant has been awarded to several agencies to address homelessness through housing and supportive services to help individuals obtain eventual self-sufficiency. We anticipate this funding to cover these issues for the next two years.

## AP-75 Barriers to affordable housing -91.420, 91.220(j)

### Introduction

The most critical public policy barriers (direct and indirect) to the production and preservation of affordable housing according to any analysis of impediments to fair housing choice conducted in 2019 include the following:

1. Supply of rental units for large families
2. Limited land for development
3. Construction costs
4. Zoning
5. Hispanic and other minority groups mortgage application denial rates
6. Continued high rents and sales prices

### **Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

Zoning, building, and safety regulations can create barriers to affordable housing. To avoid barriers, Provo City has an ongoing practice of updating its zoning code. Provo City has a zoning ordinance in place which open opportunities for different housing types. Specifically, it promotes attached housing, small lots for single-family homes, apartment development and units above commercial space. Provo City recently expanded its Accessory Dwelling Unit Overlay zone to provide and promote more housing opportunities. Provo City conforms to the standards set by the International Building Code (IBC), which is utilized through the State of Utah and enforcement of IBC regulations does not create unique restraints on construction or rehabilitation projects.

### Discussion

## AP-85 Other Actions - 91.420, 91.220(k)

### Introduction

Provo City and Consortium cities will engage in various activities intended to further local housing and community development goals.

#### 1. Actions planned to address obstacles to meeting underserved needs

Provo City and Consortium cities will continue to collaborate and partner with a wide network of housing and human services providers, government officials, business leaders, and citizens to identify areas of need in the community. A coordinated effort will be made to continually improve service delivery systems, reduce duplicative services and to create a process that is flexible enough to meet new needs as they develop.

#### 2. Actions planned to foster and maintain affordable housing

Provo City and Consortium cities will continue to operate single-family rehabilitation programs. In the past few years, the State of Utah has put emphasis on affordable housing options in every city. This directive will open more options in Consortium cities. First-time homebuyer and rental projects will continue this year and additionally street improvements are planned in low-to-moderate-income neighborhoods in Provo.

#### 3. Actions planned to reduce lead-based paint hazards

Lead risk assessments will be completed for all housing units receiving assistance through the housing rehabilitation programs. When conditions are found which indicate a potential lead-based paint hazard, appropriate remedial action will be included as part of the proposed work. All lead work will be conducted in accordance with federal regulations and performed by an appropriate certified and/or licensed contractor.

#### 4. Actions planned to reduce the number of poverty-level families

Provo City and Consortium cities have well-established service networks to provide services to impoverished people. These include:

- County Health Program to provide medical coverage for those who need it.
- Provo City and Consortium address other critical needs by supporting, coordinating, and referring families and individuals to resources such as:
  - Circles initiative, which helps individuals living in generational poverty recognize and overcome their barriers to self-reliance. This is sponsored by Community Action Services and Food Bank (CASFB).
  - Bridges Out of Poverty Training, conducted by CASFB.
  - Community gardens, community kitchen, food bank, family development

- program, homebuyer and mortgage counseling through CASFB.
- Weatherization and energy conservation programs are available from the Utah Department of Workforce Services.
- Down payment assistance through Provo City administered programs
- Partner nonprofit agencies that provide medical services to extremely low and very low-income families and individuals.

#### **5. Actions planned to develop institutional structure**

Provo City will continue to coordinate activities and foster relationships in the community among public and non-governmental entities.

In the coming year, Provo City and the Utah Valley HOME Consortium will:

- Continue to seek additional ways to share resources and costs to maintain an acceptable level of program and management capacity.
- Identify service gaps and improve efficiency and effectiveness in their delivery. Program delivery and design will be enhanced.
- Efforts will continue in strengthening existing and establishing new relationships in the community.
- Subrecipients and Community Housing Development Organizations (CHDOs) will continue to be monitored. Monitoring will be performed through risk assessment and Technical Assistance will be provided to the degree needed.

#### **6. Actions planned to enhance coordination between public and private housing and social service agencies**

Provo City and Utah Valley HOME Consortium will enhance coordination with service providers and housing providers through coordination meetings, participating in community-wide-committees, and engaging local experts to provide programs for their target populations. A major tool for this coordination is through the collaborative relationship with the Mountainland Continuum of Care.

#### **Discussion**

## Program Specific Requirements

### AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

#### Introduction

In this section, Provo City addresses various program specific requirements and how it complies with federal regulations specific to the grants received. This section provides a calculation of total CDBG Program Income. The guidelines established to comply with statutory requirements of the HOME program are also included.

#### Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income available for use included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed.	\$650.02
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	\$0.00
3. The amount of surplus funds from urban renewal settlements.	\$0.00
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	\$0.00
5. The amount of income from float-funded activities	\$0.00
<b>Total Program Income</b>	<b>\$650.02</b>

Table 12 CDBG Program Income

#### Other CDBG Requirements

1. The amount of urgent need activities

**HOME Investment Partnership Program (HOME)**  
**Reference 24 CFR 91.220(I)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The Utah Valley HOME Consortium utilizes only forms of investment as outlined in Section 92.205.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

The following provisions will apply to subrecipients, Contractors and Developers (including CHDOs) or other entities that will provide homebuyer assistance with HOME funds provided through the Utah Valley HOME Consortium.

- The length of the affordability period will be established by the HOME Program statute depending on the amount of funding received for the project.
- The chosen method is Recapture.
- The Utah Valley HOME Consortium will require full payment of assistance provided to the homebuyer of the assisted HOME unit is sold during the affordability period. However, if there are no net proceeds or insufficient proceeds to recapture the full amount of the HOME investment due, the amount subject to recapture will be limited to what is available from the net proceeds. Net proceeds are defined as the sales price minus the superior non-HOME loan repayments and closing costs excluding realtor commissions.
- Written agreements will reflect this requirement.
- Affordability provision will be enforced through a recorded Deed of Trust.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The description of the guidelines for homebuyer activities (Question #2 in this section) applies here as well. Please refer to the response to question AP-90 #2.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The Consortium has no plans to exercise this section of the HOME statute during this five-year period.

5. If applicable to a planned HOME TBRA activity, a description of the preference for persons with special needs or disabilities. (See 24 CFR 92.209(c)(2)(i) and CFR 91.220(I)(2)(vii)).

The current local market in Utah County shows that the affordable homeownership limits provided by HUD (\$475,000 for a 1-unit structure) are discordant.

Regulations require that:

- A. The 95 percent of median area purchase price must be established in accordance with a market analysis that ensures a sufficient number of recent housing sales are included in the survey.
- B. Sales must cover the requisite number of months based on volume: For 500 or more sales per month, a one-month reporting period; for 250 through 499 sales per month, a 2-month reporting period; for less than 250 sales per month, at least a 3-month reporting period. The data must be in ascending order of sales price.
- C. The address of the listed properties must include the location within the Participating Jurisdiction. Lot, square, and subdivision data may be substituted for the street address.
- D. The housing sales data must reflect all, or nearly all, of the one-family house sales in the entire Participating Jurisdiction.
- E. To determine the median, take the middle sale on the list if an odd number of sales, and if an even number, take the higher of the middle numbers and consider it the median. After identifying the median sales price, the amount should be multiplied by 0.95 to determine the 95 percent of the median area purchase price.

Following the requirements above, PJ staff gathered and analyzed data of all single-family housing sales in Utah County for the months of January 2024 through March 2024. A total of 1169 single-family homes sales were identified. The average price amongst all sales is \$660,346.67. Following the instructions of paragraph E) above, the median price is: \$566,000 and therefore **the 95% of median is \$537,700.**

- 6. If applicable to a planned HOME TBRA activity, a description of how the preference for a specific category of individuals with disabilities (e.g. persons with HIV/AIDS or chronic mental illness) will narrow the gap in benefits and the preference is needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2)(ii) and 91.220(l)(2)(vii)).

No HOME TBRA activities are planned with the funding for the Fifth year Annual Action Plan.

- 7. If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

Not Applicable.

1 RESOLUTION 2024- .  
2

3 A RESOLUTION APPROVING THE YEAR FIVE ANNUAL ACTION PLAN  
4 RELATED TO HOME AND CDBG FUNDING. (24-046)  
5

6 RECITALS:  
7

8 Provo City (the “City”) as the Lead Entity of the Utah Valley HOME Consortium  
9 (“Consortium”) is required to prepare an Annual Action Plan update to the Five-Year Consolidated  
10 Plan and submit it to the United States Department of Housing and Urban Development (“HUD”) in order to obtain funding for Community Development Block Grant (CDBG) and HOME Investment and Partnerships Program (HOME);  
11  
12  
13

14 The City has prepared the Year Five Annual Action Plan (the “Plan”) as shown in Exhibit  
15 A, which is the fifth year update to the 2020-24 Five-Year Consolidated Plan, in compliance with federal requirements;  
16  
17

18 The City expects to receive from HUD an entitlement amount of \$1,213,803 in CDBG  
19 funds and expects to reprogram \$50,583 in Program Income and unexpended previous years’  
20 Program funds, as shown in Exhibit B;  
21

22 The City as Lead Entity for the Consortium estimates to receive from HUD \$1,293,715 for  
23 the HOME Program, and expects to reprogram \$369,809 in Program Income and unexpended  
24 previous years’ Program funds, as shown in Exhibit C;  
25

26 A public comment period began on April 30, 2024, to give citizens, partner agencies, and  
27 other interested parties an opportunity to provide comment on the proposed Plan;  
28

29 After considering applications received and the needs of the City and the Consortium,  
30 Advisory Committees (the “Committees”) made recommendations to the Municipal Council  
31 regarding the use of CDBG and HOME funds;  
32

33 On April 30, and June 4, 2024, the Municipal Council held public hearings to receive and  
34 consider public comment and ascertain the facts regarding the Plan and the use of CDBG and  
35 HOME funds, which facts and comments are found in the hearing record;  
36

37 All persons for and against the proposed Plan and funding recommendations were given  
38 an opportunity to be heard;  
39

40 After considering the recommendations of the Committees and facts and comments  
41 presented to the Provo Municipal Council, the Council finds that (i) the Year Five Annual Action  
42 Plan, attached as Exhibit A, should be approved; (ii) CDBG and HOME funds should be  
43 apportioned as shown in the attached Exhibits B and C; and (iii) such use of CDBG and HOME  
44 funds reasonably furthers the health, safety, and general welfare of the citizens of Provo City.  
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46 THEREFORE, the Municipal Council of Provo City resolves as follows:

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PART I:

1. The Year Five Annual Action Plan, as shown in Exhibit A, is authorized and adopted.

2. The Municipal Council adopts a CDBG Program for Program Year 2024 in the total amount of \$1,213,803, plus \$50,583 in Program Income and reprogrammed funds, as shown in Exhibit B.

3. The Municipal Council adopts a HOME Program for Program Year 2024 in the total amount of \$1,293,715, plus \$369,809 in Program Income and reprogrammed funds, as shown in Exhibit C.

4. The Mayor is authorized to (i) submit the Year Five Annual Action Plan and related documents to the U.S. Department of Housing and Urban Development; and (ii) execute appropriate certifications, Final Statements, and Program Applications in conjunction with the Plan's submittal.

PART II:

This resolution takes effect immediately.

END OF RESOLUTION.

## Exhibit B - 2024 CDBG Funding

<b>2024-25 CDBG Entitlement Amount</b>	<b>\$ 1,213,803.00</b>
2023 Program Income	\$ 14,190.00
Unused CDBG funding reprogrammed	\$ 36,393.00
<b>Total Program Income And Reprogrammed funds</b>	<b>\$ 50,583.00</b>
<b>Total Funding available for FY24-25</b>	<b>\$ 1,264,386.00</b>
Admin	\$ 242,760.60
108 Loan Principal and Interest	\$ 342,000.00
<b>Available for Public Service Projects</b>	<b>\$ 182,070.45</b>
Provo Police Victim's Services	\$ 28,665.00
Rocky Mountain University	\$ 18,136.03
Boys and Girls Club of Utah County	\$ 9,068.02
Timpanogos Legal Services	\$ 18,136.03
Centro Hispano	\$ 18,136.03
The Refuge-Services	\$ 9,068.02
RAH	\$ 43,247.18
Project Read	\$ 22,670.04
Family Haven	\$ 14,944.09
<b>Available for Capital Projects</b>	<b>\$ 497,554.95</b>
Food and Care Coalition	\$ 91,000.00
Utah Regional Housing	\$28,394.00
PW Joaquin Improvements	\$250,000.00
Emergency Home Repair	\$ 28,161.00
Commercial Façade Program	\$ 100,000.00
<b>Total Admin and Projects</b>	<b>\$ 1,264,386.00</b>

### Exhibit C - 2024 HOME Funding

<b>2024-25 HOME Entitlement Amount</b>	<b>\$ 1,293,715.00</b>
2023 Program Income	\$ 308,580.00
Reprogrammed funds	\$ 61,228.92
<b>Total PI and reprogrammed Funding</b>	<b>\$ 369,808.92</b>
Admin	\$ 129,371.50
<b>Funding Available for Projects</b>	<b>\$ 1,534,152.42</b>
<b>CHDO 15% Set Aside funding</b>	<b>\$ 194,057.25</b>
RHDC	\$ 715,110.52
RHDC CHDO	\$ 194,057.25
Loan to Own	\$ 357,133.89
Building Beginnings	\$ 267,850.41
<b>Total Projects</b>	<b>\$ 1,534,152.07</b>

## Exhibit C - 2024 HOME Funding

<b>2024-25 HOME Entitlement Amount</b>	<b>\$ 1,293,715.00</b>
2023 Program Income	\$ 308,580.00
Reprogrammed funds	\$ 61,228.92
<b>Total PI and reprogrammed Funding</b>	<b>\$ 369,808.92</b>
Admin	\$ 129,371.50
<b>Funding Available for Projects</b>	<b>\$ 1,534,152.42</b>
<b>CHDO 15% Set Aside funding</b>	<b>\$ 194,057.25</b>
RHDC	\$ 715,110.52
RHDC CHDO	\$ 194,057.25
Loan to Own	\$ 357,133.89
Building Beginnings	\$ 267,850.41
<b>Total Projects</b>	<b>\$ 1,534,152.07</b>



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**NOTICE OF PUBLIC HEARINGS BEFORE THE PROVO CITY MUNICIPAL COUNCIL, PROVO CITY REDEVELOPMENT AGENCY GOVERNING BOARD, AND PROVO CITY STORMWATER SERVICE DISTRICT GOVERNING BOARD**

Notice is hereby given that the Municipal Council of the City of Provo, Utah, the Provo City Redevelopment Agency Governing Board, and the Provo City Stormwater Service District Governing Board will hold public hearings at two meetings, one that will begin at 5:30 p.m. on Tuesday June 4, 2023 **to present the documents for the Fiscal Year 2024-2025 Budget**, and one that will begin at 5:30 p.m. on Tuesday, June 18, 2023 **to adopt the Fiscal Year 2024-2025 Budget**, pursuant to Utah Code Sections 10-6-114 and 10-6-135 for Provo City Corporation, Provo City Redevelopment Agency, and Provo City Stormwater Service District, respectively.

Citizens who wish to view the budgets in advance may do so by visiting this link:

<https://www.provo.org/home/showpublisheddocument/24251>

The meetings will also be available to the public for live broadcast and on-demand viewing at: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil). Those who would like to participate in the meetings virtually may do so via Zoom. To join the Zoom meeting on **June 4, 2024**, visit [zoom.us/join](https://zoom.us/join) and enter Meeting ID **810 6568 4248** and Passcode **199442**. To join the Zoom meeting on **June 18, 2024**, visit [zoom.us/join](https://zoom.us/join) and enter Meeting ID **879 8644 5445** and Passcode **803801**. To listen or comment via phone, dial **346-248-7799**, enter the appropriate Meeting ID for the meeting you are attending and press #. Press # again for participant ID. Once connected, press \*9 to indicate that you would like to comment. For more information regarding how to comment in the electronic meeting, visit [agendas.provo.org](https://www.agendas.provo.org) and click on the meeting agenda.

Kelsey Zarbock, Budget Officer



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