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PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Agenda

5:30 PM, Tuesday, April 16, 2024

Council Chambers

Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin

Councilor Craig Christensen

Councilor Gary Garrett

Councilor George Handley

Councilor Travis Hoban

Councilor Katrice MacKay

Councilor Rachel Whipple

Mayor Michelle Kaufusi

Chief Administrative Officer Scott Henderson

City Attorney Brian Jones

City Recorder Heidi Allman

Conducting: Chair Katrice MacKay

Prayer – Councilor MacKay

Pledge of Allegiance – Councilor Whipple

Public Comment

Chair MacKay read the public comment preamble and opened the public comment period.

Don Jarvis, chair of the Citizens Sustainability Committee in Provo, spoke about the advantages and risks of artificial turf in Agenda Item #5. While artificial turf requires no water, fertilizer, insecticides, or mowing and looks the same year-round, it contains harmful polyfluoroalkyl substances (PFAS). A USU study found that artificial turf contributes microplastics to waterways and leaches harmful chemicals and metals. The National Institutes of Health reported concerns about hazardous chemicals in the crumb rubber cushioning, which includes carcinogens and neurotoxicants. Some sports facilities, like those in the Netherlands, have restricted its use due to health fears. Additionally, artificial turf can become extremely hot, with a BYU study showing it can be much hotter than natural turf, posing a burn risk. Mr. Jarvis urged careful consideration of these health and environmental impacts.

Bonnie Shiffler-Olsen, Ethan Barlow, and Christian William, residents of Provo, addressed the council on the topic of anti-camping ordinances and homelessness. They noted that district courts are reconsidering what constitutes cruel and unusual punishment, not to protect rights, but to clarify the limits of incarcerating the unhoused. They urged the council to consider the importance of self-actualization—realizing one's potential through self-reliance, as explained by Maslow's hierarchy of needs. The group highlighted the basic needs most people take for granted, such as shelter, hygiene, food, and a regulated environment. They stressed that these needs, when unmet, prevent the unhoused from achieving self-esteem and self-actualization. They emphasized that the primary cause of homelessness is the lack of housing, pointing out that Provo lacks affordable housing, sufficient hotel

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vouchers, transitional beds, and safe parking spaces for those living in vehicles. They said Provo's existing shelters are at capacity with long waiting lists, and there is inadequate support for displaced women and children. The group questioned whether denying the unhoused the right to pitch tents is humane, arguing that Provo should be just and welcoming. They called for the immediate repeal of the anti-camping ordinance and urged the creation of a new approach based on Maslow's philosophy to address homelessness, making Provo a model for the nation.

Carol Hurst, of Provo, addressed the council to request funding for safety improvements on 800 North between University and 700 East. She recounted witnessing a severe accident last September where a student was hit by a car in the crosswalk at 600 East, resulting in a traumatic brain injury. She emphasized that a stoplight could have prevented this accident. Ms. Hurst said she has observed numerous near misses from her kitchen window and appreciates the efforts of Mr. Keesler, who recently installed flashing lights. However, another serious accident occurred shortly after these lights were added. She highlighted that students still feel unsafe crossing 800 North, in contrast to Campus Drive, which has three stoplights. Stressing the importance of protecting these young people, Ms. Hurst presented a survey conducted with the help of a public health masterclass at BYU, with over 400 student responses. She urged the council to allocate sufficient funding for more substantial safety changes to 800 North.

Parker Risk, a BYU student, presented survey findings on the dangers at the intersections of 800 North and 700 East, and 700 North and 800 East. The survey revealed that 37% of the 159 respondents had been hit or nearly hit at these intersections, and 47% had witnessed similar incidents, primarily due to poor visibility and high speeds. The most common recommendation was to install flashing signs instructing drivers to yield to pedestrians. Mr. Risk emphasized the need to prioritize improvements at the 800 North and 700 East intersection and suggested flashing yield signs instead of a stoplight.

Eric Chase, a resident of Provo's North Park neighborhood, discussed the proposed bridge expansion on 820 North over the Provo River. He argued that the project should not be framed as enhancing connectivity since a connection already exists, but rather as increasing convenience by accommodating more cars. Chase highlighted that expanding road capacity leads to increased overall traffic, which could pressure the entire road system, requiring further expansions elsewhere. He pointed out that adding 20,000 extra cars daily, especially near the 800 North area south of campus, raises safety concerns for residents and pedestrians. He urged the council to reconsider the project's broader implications on traffic demand and neighborhood safety.

Annalisa Reid, a resident of Provo's Carterville neighborhood and an intern working on Lehi City's bike and pedestrian plan, spoke about the safety of 800 North. Motivated by Carol's sign about street safety, she shared her expertise and personal concern. Reid highlighted that according to the US Department of Transportation, a car traveling at 20 mph has a 20% chance of causing a fatal injury to a pedestrian, which increases to 40% at 30 mph. Many students often exceed the speed limit, exacerbating the danger. She urged the council to consider implementing bike boulevards and separating pedestrian and vehicle networks on 800 North to enhance safety and reduce the risk of fatal accidents.

With no other public comments, Chair MacKay closed the public comment period.

Presentations, Proclamations, and Awards

1 Provo City Employee of the Month Award - April 2024 [0:34:29](#)

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Mayor Kaufusi shared her excitement to present the April employee of the month.

Carla Gordon, Director of Library Services, announced Allison Smith as the recipient of the award. She praised Allison for her exceptional work at the Provo City Library, where she has been employed since 2010. Starting as a part-time page, Allison advanced through various roles, eventually becoming a senior librarian after earning her master's degree in library science. She leads the teen team and has successfully run the Teen Minecraft Club for nearly a decade, engaging 15 to 30 teenagers weekly. Allison also initiated the library's popular video game collection. Known for her calm, kind, and knowledgeable demeanor, she excels at assisting patrons and mentoring new librarians. Carla expressed gratitude for Allison's ongoing stellar service and dedication to the library.

Action Agenda

1 A resolution consenting to the Mayor's appointment of the Public Works Director for Provo City (24-044) [0:38:07](#)

Motion: An implied motion to approve Resolution 2024-16, as currently constituted, has been made by council rule.

Mayor Kaufusi recommended Gordon Haight to fill the vacancy of Public Works Director.

Councilor Handley shared his excitement and said Gordon is exceptionally gifted and effective as a leader.

Chair MacKay echoed Councilor Handley's sentiments. She called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

Mayor Kaufusi shared some thoughts on why Mr. Haight was selected to fill the role. After explaining the various divisions of Public Works, she highlighted his extensive experience and unique qualifications. With nearly 30 years of municipal experience in engineering, public works, and administration, Gordon has a comprehensive understanding of public service. She said Gordon has already contributed significantly to Provo's community projects, including the overhead pedestrian bridge at Provo Central Station, the airport expansion, and enhancements to trails and bike paths. He will continue to lead on major upcoming projects, such as the wastewater and water treatment plants. Gordon's background includes a bachelor's in civil engineering and a master's in engineering management from BYU. Mayor Kaufusi expressed excitement about Gordon's dynamic leadership and innovative approach and thanked the Provo City Council for their unanimous support.

Judge Schreiner gave the oath of office to Mr. Haight.

Mr. Haight expressed gratitude for his appointment by Mayor Kaufusi and her support in his assimilation into Provo's culture. He acknowledged the support of the council and emphasized his commitment to listening to residents' concerns, which he believes has been crucial for his growth as both an engineer and administrator in municipal government. He concluded by thanking everyone for their support.

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2 **Quarterly Report for the 2nd quarter of FY2024 ending December 31, 2023 (24-018)**
[0:45:22](#)

John Borget, Director of Administrative Services, presented. He provided an overview of the quarterly report on Provo City's revenue and expenses. He highlighted various aspects, including general fund revenues and transfers, sales tax revenue trends, franchise fees, and appropriations. Mr. Borget noted that while revenues appeared favorable, there were challenges, particularly in sales tax revenue, which significantly impacted the general fund. He also discussed project balances and emphasized areas of concern.

Councilor Whipple asked why there is a larger shortfall in the RAP tax than the sales tax.

Mr. Borget explained the distribution of sales tax revenue from the state, which occurs in two forms: point of sale and population-based allocation. He noted that half of Provo's distribution is based on actual point of sale within the city, while the other half is allocated based on population. Borget highlighted that while Provo's sales tax revenue is down, the impact is more significant on population-based allocations, such as the RAP tax, indicating that actual sales within Provo have decreased more than the state average.

Councilor Hoban asked for clarification on the innovation grants that were awarded previously.

Mr. Borget said there is a period of time that the funds have to be spent based on the grant.

Chair MacKay thanked Mr. Borget for keeping a close eye on the budget.

3 **An ordinance granting Central Telcom Services, LLC a non-exclusive franchise to operate a Telecommunications Network in Provo City, Utah (24-043)** [0:56:21](#)

Motion: An implied motion to approve Ordinance 2024-17, as currently constituted, has been made by council rule.

Brian Jones, City Attorney, presented on franchise agreements, explaining that they allow companies to operate within city rights-of-way for services like internet, telephone, and gas. These agreements typically include provisions for the company to operate within the city for a set number of years, serve customers, and pay a fee based on their gross proceeds. This fee compensates the city for wear and tear on its streets due to infrastructure installations and repairs. Federal law mandates that cities must allow internet providers to operate without discrimination, ensuring a level playing field for all providers who meet the requirements. In this case, Central Telecom, a small internet service provider with business clients, is seeking to renew its franchise agreement with Provo City. They have previously operated under such an agreement and have accepted all standard terms for renewal.

Councilor Whipple asked if there are separate agreements if the vendor wanted to use the city's poles and infrastructure.

Mr. Jones said there would be a separate pole attachment agreement which could include provisions where the vendor is required to maintain their own lines and clean up after themselves.

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Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

4 A resolution approving an interlocal agreement with Utah County regarding funding for the 600 South Trail – 200 East to 100 West Improvement Project (24-035) [1:01:00](#)

Motion: An implied motion to approve Resolution 2024-17, as currently constituted, has been made by council rule.

Gordon Haight, Director of Public Works, presented. Mr. Haight stated that the city was awarded funds from MAG to use for this improvement project. He said the project includes construction of sidewalks, curbs, gutters, bike lanes, and trees. He requested approval of the interlocal agreement to access the funds for the project.

Councilor Handley asked if there is potential for connecting to the spring creek trails.

Mr. Haight said this funding would not be enough to cover the connection at this point, but it is being looked into with a study being done in coordination with Springville City.

Councilor Handley mentioned an exciting opportunity to connect Springville to Provo through a trail, potentially allowing people to bypass State Street for recreational or commuting purposes. Logan Millsap, a city council member in Springville, inquired about a potential future connection. Councilor Handley noted that the study for this connection has been approved, and he is excited to receive more information as it becomes available in the future.

Chair MacKay called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

5 An ordinance amending Provo City Code regarding landscape design standards (PLOTA20230206 / PLOTA20240071) [1:04:59](#)

Motion: An implied motion to approve Ordinance 2024-18, as currently constituted, has been made by council rule.

Hannah Salzl, Planner and Sustainability Coordinator, clarified misconceptions regarding an item discussed in the work meeting, indicating significant changes from its previous presentation to the council. Originally proposed as a landscape amendment updating vegetative coverage from 35% to 40%, there was subsequent interest in exploring the prohibition of artificial turf within the same code section. The planning commission recommended a more moderate approach, treating artificial turf like non-vegetative coverage. The new proposal removes artificial turf from the list of vegetative coverage, limiting it to 60%, aligning with the commission's compromise. She further clarified that the proposed amendment applies solely to residential properties, specifically targeting yards adjacent to streets, including front and side yards (for corner lots) and park strips/parkways. It does not impact backyards or commercial properties. The amendment maintains provisions for reasonable accommodation for qualifying disabilities under ADA protection. Ms. Salzl briefly mentioned environmental considerations

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regarding artificial turf but encouraged attendees to review them if interested. The proposed text aligns with the summarized points, with the addition of allowing artificial turf in parkways narrower than four feet, mirroring other non-vegetated coverage allowances. Park strips wider than four feet would adhere to the 60% coverage limit, akin to front or side yards. Additionally, the amendment explicitly prohibits outdoor carpeting in park strips, extending existing prohibitions from front and side yards.

Councilor Garrett asked about residents who already have artificial turf installed at their homes.

Ms. Salzl confirmed that those residents would be grandfathered in. She said this code change would be applied to new installations going forward.

Chair MacKay announced the presentation of a short video as part of the meeting. She explained that a local landscaper, who is well-versed in horticulture and landscape architecture, could not attend but provided valuable insights as an expert in the field. The video will serve to convey this expert's perspective on the topic under discussion.

Video shared: https://www.youtube.com/watch?v=qxiZfNrz_28

Councilor Whipple asked when the code change would be in effect.

Mr. Jones explained the effective date.

Motion: Councilor Whipple made a substitute to ban artificial turf entirely in front yards, side yards, and park strips. Councilor Handley seconded.

Councilor Whipple explained that she is proposing a substitute motion because it had the support of all four city departments that reviewed it. She emphasized that these departments recommended banning artificial turf based on their expertise and understanding of Provo City's specific needs, making it a better option for the city.

Bill Peperone, Director of Development Services, speaking on behalf of his department, expressed concern about the heat island effect, which can harm or kill trees and other vegetation, counteracting efforts to maintain greenery. He highlighted that Provo has a heat island issue, as shown in city maps indicating cooler, shaded areas versus hotter regions. Mr. Peperone emphasized that increasing artificial turf would exacerbate this problem, contrary to the city's goal of reducing heat islands.

Doug Robins, Director of Parks and Recreation, speaking on behalf of his department, expressed concern about the potential negative impact of artificial turf on Provo's street trees. With over 30,000 trees that have been growing for many decades, he highlighted the risk that artificial turf might lead to the cessation of irrigation under these trees. He said this could significantly harm the city's existing street tree canopy.

Chair MacKay opened public comment. With none, she closed public comment and called for a vote on the substitute motion.

Vote: The substitute motion was approved 5:2 with Councilors Christensen, Handley, Hoban, MacKay, and Whipple in favor. Councilors Bogdin and Garrett opposed.

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6 An ordinance amending Provo City Code Chapter 6.26 regarding short-term rentals (24-017) [1:21:15](#)

Motion: An implied motion to approve Ordinance 2024-19, as currently constituted, has been made by council rule.

Melia Dayley, Council Policy Analyst, presented. She noted the two changes since the March 19 work meeting which included cleaning up references to short-term rentals in the old chapter and adding a cap on the number of short-term rentals per multi-unit building, set at 10%. She said the ordinance establishes regulations, guidelines, licensing standards, and enforcement for short-term rentals, including hosting platform responsibilities. Hosting platforms like Airbnb must provide semi-annual reports to the city and ensure properties have a city license before booking. She added that the 10% cap aims to balance rental availability with the city's homeownership goals.

Councilor Whipple asked if multi-family buildings are defined in our code.

Aaron Ardmore, Planning Supervisor, confirmed the definition could be found in Title 14 which specifies multi-family as three to four units.

Chair MacKay opened public comment.

Sharon Memmott, of Provo, raised concerns from neighbors about short-term rental units, asking if there are specific code provisions for residential areas beyond multi-dwelling units. She inquired if there is a rule limiting short-term rentals to 10% of a neighborhood or if there are requirements for Airbnb owners to be local residents. She added this local ownership would provide a direct contact for neighbors when issues, like noisy parties, arise, ensuring better accountability and community responsibility.

Chair MacKay explained that the new ordinance included a requirement for short-term rental operators to have a local contact who can respond quickly and be present when needed. Previously, these rentals were regulated under a general rental dwelling license, but now a separate category for short-term rentals has been created due to their unique nature. Chair MacKay clarified that single-family homes in Provo have very limited areas where short-term rentals are legal, primarily in downtown zones where hotels are also permitted. The primary issue being addressed is the high concentration of short-term rentals in new condominium buildings, such as one that quickly became 70% short-term rentals. This was concerning because condominiums are rare in Provo, and the high percentage of short-term rentals drove up prices and reduced availability for long-term residents. She added that concerned residents could call 311 when an issue arises since their department will oversee the license and have access to the contact information.

With no other public comment or council discussion, Chair MacKay called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

7 An ordinance amending the Zone Map classification of real property located at 1098 N Geneva Rd, from the A1.1 (Agricultural) Zone to the R1.6 (One Family Residential) Zone to create 38 residential lots – Lakeview North Neighborhood (PLRZ20230227) [1:31:02](#)

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Continued

8 An ordinance amending Provo City Code regarding Accessory Dwelling Units as a permitted use in a small section of the Foothills neighborhood, 44 homes in area between 1100 E and 1260 E and 820 N to 930 N (PLOTA20230035) [1:31:18](#)

Motion: An implied motion to approve Ordinance 2024-21, as currently constituted, has been made by council rule.

Mary Barnes, City Planner, explained the application met the code requirement of obtaining signatures from at least 66% of property owners, with 41 out of the needed 39 signatures (69%) obtained. The reasons for the proposed ADU overlay include the potential for passive income, increased owner occupancy, and alignment with the general plan's goals for diverse housing options. Currently, individual ADU applications require a \$100 special use permit fee and signatures from adjacent neighbors, but an ADU overlay would eliminate these steps while still mandating compliance with requirements such as four off-street parking spaces. Ms. Barnes addressed concerns from the planning commission and residents which included enforcement, owner occupancy, and parking. She emphasized that each homeowner would need to prove sufficient parking before an ADU is approved, addressing concerns about increased street parking. Despite these concerns, the staff recommends approval due to compliance with code requirements, majority owner support, and alignment with the general plan. She added the Planning Commission unanimously recommended approval in March.

Chair MacKay opened the item for public comment.

Ruth Elderidge-Thomas, applicant, emphasized alignment between the neighborhood's goals and the council's objectives, highlighting efforts to increase housing affordability, foster a vibrant and diverse community, and protect property rights while combatting housing discrimination. She acknowledged the complexity of these goals and presented the neighborhood's proposed solution, supported by homeowners' experiences and a house-by-house survey. Elderidge-Thomas raised practical concerns about converting properties into ADUs, noting challenges such as slab foundations and limited space. She also mentioned existing ADUs in the neighborhood and expressed skepticism about the cost-effectiveness of further conversions.

Councilor Garrett asked how many of the current homes have an ADU.

Ms. Elderidge-Thomas provided further details, specifying that among the 44 homes, there are 20 with slab foundations that could not accommodate ADUs. Additionally, she mentioned the presence of 11 owner-occupied homes with active ADUs, some of which are currently illegal under different codes. These homes are seeking to become legal through the proposed process.

With no other comments, Chair MacKay closed public comment.

Councilor Whipple expressed a mix of admiration and regret for the residents' five-year effort on the ADU issue, noting both their dedication and the challenges they faced with changing regulations. She apologized for any difficulties caused by the shifting process and expressed gratitude for the residents' perseverance. Whipple voiced hope that the outcome of their efforts would benefit their neighborhood positively.

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Councilor Handley commended Ruth for her comprehensive email, which addressed various issues concerning the neighborhood's unique situation. He expressed admiration for the neighborhood's patience throughout the five-year process and emphasized his eagerness to pass the ordinance to allow them to move forward with their plans. Handley highlighted the success of similar measures in neighboring areas, such as the tree streets, in stabilizing homeowner occupancy. He underscored the effectiveness of owner-occupied enforcement in addressing housing issues and advocated for supporting the neighborhood's efforts by passing the ordinance.

Councilor Garrett acknowledged the council's priority to increase homeowner occupancy, noting that only 40% of homes in the city are currently owner-occupied. He expressed concerns about the potential for abuse of the homeowner occupancy requirement in ADU designated areas, where homes may be put in the name of a child who then rents out the ADU, leading to a de facto student duplex. Garrett reflected on his observations of how ADU overlays have changed the character of neighborhoods in various parts of the city, noting both successful and unsuccessful outcomes. While he expressed reservations about the impact of ADUs on neighborhood stability and community relationships, he acknowledged the desires of the North Foothills community and their efforts to shape their neighborhood.

Councilor Christensen expressed concerns about ADUs, highlighting their potential downsides such as driving up property prices and exacerbating the rental to homeownership ratio. He questioned the long-term benefits of ADUs for Provo and expressed skepticism about the proposed approach. However, he acknowledged the efforts of those involved in the process while emphasizing the need for further discussion on the matter.

Chair MacKay and Councilor Bogdin echoed Councilor Garrett and Christensen's concerns.

Councilor Whipple highlighted the importance of respecting the applicant's efforts in navigating the ADU approval process and emphasized the positive impact of ADUs in her own neighborhood. She argued against voting out of fear and encouraged embracing the benefits of ADUs, citing increased neighborhood stability and inclusivity. Whipple expressed support for the neighborhood's request and advocated for a welcoming attitude towards ADUs in the city.

Chair MacKay expressed her intention to vote in favor of the proposal because the neighborhood desires it, highlighting the uniqueness of the city and the importance of considering facts and experiences rather than fear. She emphasized the individual perspectives that shape how people interpret information and stated that their decision is based on their own observations of the neighborhood over the past 10 years.

Councilor Handley expressed appreciation for the support from Councilor Garrett and Chair MacKay despite their reservations about ADUs in general, emphasizing the importance of respecting the neighborhood's unanimous desire for the proposal. He highlighted the lack of compelling data linking ADUs to higher rates of predatory investments and shared evidence from their own neighborhood indicating that ADUs have provided the city with more effective enforcement tools. Councilor Handley concluded by advocating for the approval of the proposal.

Councilor Christensen emphasized that despite personal reservations about ADUs, he would vote in favor of the proposal because the neighborhood had diligently followed the process and expressed

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strong support for it. He acknowledged the need for further discussion on the impacts of ADUs, including their effect on enabling home purchases and enforcement challenges. Councilor Christensen urged against dismissing concerns expressed by residents, stressing the importance of considering diverse perspectives and experiences in decision-making.

Councilor Bogdin highlighted concerns expressed by residents in her neighborhood and other areas of Provo regarding the proliferation of ADUs. These concerns were based on real experiences and feedback received from constituents, including those who had moved to their neighborhood seeking relief from ADU-related issues in other parts of the city. This sentiment was also echoed by individuals such as Lisa Jensen from the planning commission, indicating that the concerns were not isolated but rather widespread among various stakeholders in the community.

With no other comments, Chair MacKay called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

9 An ordinance amending Provo City Code regarding areas where Accessory Dwelling Units are prohibited – Citywide Application (PLOTA20240066) [2:00:40](#)

Motion: An implied motion to approve Ordinance 2024-22, as currently constituted, has been made by council rule.

Councilor Melia Dayley explained that the council made a motion in a previous meeting to remove R2PD and SDP-5 zones from the areas where ADUs are allowed. She added that an adjustment to the ordinance was made after the work meeting when it was discovered that R2PD zones also existed on the west side.

Councilor Whipple confirmed the map associated with this ordinance would be updated after the approval of the last item.

Chair MacKay added that this ordinance is to remove zones where ADUs could not be used anyways so the map highlights a better representative of areas they are permitted. She then opened the item for public comment.

Cheyenne Poulson, a former BYU student and current Provo resident, expressed support for increasing housing options in the city, particularly through ADUs. She emphasized that Provo needs to take steps towards addressing the housing crisis and that ADUs could be a beneficial solution. She was pleased with the recent decision to allow ADUs in a specific neighborhood, viewing it as a positive move forward.

With no other public comments, and no council discussion, Chair MacKay called for a vote.

Vote: The motion was approved 6:1 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, and MacKay in favor. Councilor Whipple opposed.

10 An ordinance amending Provo City Code regarding certain trades and encumbrances of Real Property (24-036) [2:04:24](#)

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Motion: An implied motion to approve Ordinance 2024-23, as currently constituted, has been made by council rule.

Tara Riddle, Property Manager, presented the amendment and said it is intended to clarify when property encumbrance matters should be brought to the council for approval. The amendment mandates that the council must consider all encumbrances, such as easements, rights of way, leases, licenses, and boundary line adjustments, if the value exceeds \$50,000. She added that transactions below this threshold can be negotiated and approved by the administration alone.

Chair MacKay opened the item for public comment. With none and no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

11 A resolution to place approximately 0.96 acres of vacant land at 2435 West 560 South on the surplus property list (24-037) [2:05:53](#)

Motion: An implied motion to approve Resolution 2024-18, as currently constituted, has been made by council rule.

Ms. Riddle stated this resolution would resolve boundary issues at the Regional Sports Park, specifically an overlap with Carter Farms, affecting 0.9678 acres. She explained the proposed property trade that would help with this boundary clean up.

Chair MacKay asked why the city had acquired the land.

Ms. Riddle explained that the city acquired the property several years ago to extend 2470 West, as the property owner insisted on selling the entire parcel, not just the portion needed for the road. She added that the future use of the property is still undetermined; it might be sold for development or used in coordination with the Regional Sports Park, but no final decision has been made.

Councilor Garrett thanked Tara for her dedicated service to the city and her hard work on various issues. He acknowledged that she had presented first in the morning work session at 10 am and was presenting again nearly 10 hours later in the council meeting. He expressed his appreciation for her commitment and excellent work.

Chair MacKay opened the item for public comment. With none, and no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

12 A resolution accepting an annexation petition for further consideration for approximately 15.738 acres of a total 68 acres of property generally located at 1000 North Lakeview Parkway – Lakeview North Neighborhood (24-021) [2:09:20](#)

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Motion: An implied motion to approve Resolution 2024-19, as currently constituted, has been made by council rule.

Mr. Haight explained that an annexation on the west side, previously discussed in a work session, will be divided into two parts after several meetings with city officials. He showed a map indicating the initial proposed annexation area, highlighting two property owners who did not want to participate. He mentioned that to avoid issues, the annexation will proceed in two phases, with the current focus on the first section, which includes property owned by the Provo school district and the city.

Mr. Jones clarified that this resolution only accepts the petition for review and processing; it does not approve the annexation. He noted that state law requires a multi-step process, which can be confusing. This resolution signifies the council's willingness to consider the petition, with the actual approval to come later.

Chair MacKay opened the item for public comment. With none, and no council discussion, she called for a vote.

Vote: The motion was approved 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

With no objections, the Provo Municipal Council adjourned and reconvened as the Governing Board of the Redevelopment Agency of Provo with Chair Rachel Whipple conducting.

Redevelopment Agency of Provo

13 A resolution of the Redevelopment Agency of Provo City approving interlocal agreements for The Mix Community Reinvestment Project Area (24-032) [2:12:31](#)

2024-RDA-04-16-1

Keith Morey, Development Services Assistant Director, presented. He reminded that last year, the council agreed to support amendments to the redevelopment project area around the old Plum Tree Plaza to adjust the timing of tax increments for the new developer. The delay in property possession necessitated this adjustment. Since then, there have been meetings with the county, school district, and Water Conservancy District, along with public hearings, to finalize these agreements. He said this resolution authorizes the finalization and recording of the agreements, which have already been agreed upon by all parties.

Board Member MacKay expressed gratitude for the effort involved in attending numerous meetings and repeating the same information to various entities. She thanked Keith Morey for handling this process, acknowledging the support from those entities, and appreciating that the board did not have to manage those meetings themselves.

With no other comments, Chair Whipple called for a vote.

Vote: The motion was approved 7:0 with Board Members Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

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Adjournment

The meeting was adjourned by unanimous consent at approximately 7:31 PM.