

PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

5:30 PM, Tuesday, July 08, 2025 Council Chambers (Room 100)

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

https://www.youtube.com/provocitycouncil

The in-person meeting will be held in the **Council Chambers**. The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: <u>youtube.com/provocitycouncil</u> and <u>facebook.com/provocouncil</u>. 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).

July 08 Council Meeting: Dial 346 248 7799. Enter Meeting ID 818 1280 7773 and press #. When asked for a participant ID, press #. To join via computer, visit zoom.us and enter the meeting ID and passcode: 936024.

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

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

- 1 A resolution approving the Provo Station Area Plans as to form. (25-032)
- A resolution imposing fire restrictions due to hazardous environmental conditions. (25-071)
- An ordinance amending Provo City Code regarding nuisance abatement and chronic nuisances. (25-068)
- A resolution to submit an opinion question to the residents of Provo City in the November 4, 2025 election regarding authorization to impose a local option sales tax as described in Utah Code Section 59-12-1402. (25-076)
- An ordinance amending the General Plan Appendix B to include new moderate income housing strategies. (PLGPA20250197)
- An ordinance amending the zone map classification of real property, generally located at 1200 North Independence Avenue, from the Manufacturing Park (MP) Zone to the Low Density Residential (LDR) Zone. Grandview South Neighborhood. (PLRZ20250072)

Adjournment

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.gov or using their contact information listed at: provo.gov/434/City-Council

Materials and Agenda: agendas.provo.org

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

The next Council Meeting will be held on Tuesday, July 22, 2025. 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 kmartins@provo.gov at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

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

Notice of Compliance with Public Noticing Regulations

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

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HSALZL

Presenter: Hannah Salzl, Planner **Department:** Development Services

Requested Meeting Date: 01-01-2018
Requested Presentation Duration: 15 minutes

CityView or Issue File Number: 25-032, PLGPA20250206 (2230 North),

PLGPA20250208 (University Avenue), PLGPA20250215 (Joaquin), PLGPA202502016 (FrontRunner and 400

South)

SUBJECT: 5 A resolution approving the Provo Station Area Plans as to form. (25-032)

RECOMMENDATION: Approve the resolution approving the four plans as to form, preliminary to their review by the Mountainland Association of Governments Station Area Plan Policy Committee and eventual adoption by ordinance.

BACKGROUND: Plans and appendices can be viewed under the "Station Area Plans" tab on the Planning webpage: www.provo.gov/Planning

The four Station Area Plans (SAPs) cover a quarter mile around six of Provo's UVX stations and half a mile around the FrontRunner station. A map and list of stations can be found in Attachment 1 of any of the attached staff reports. The staff reports also include the Future Land Use Maps and Future Active Transportation Maps for quick reference.

These plans are required by state code, and these versions of the plans meet the requirements as set forth in Utah Code 10-9a-403. Per the requirements, each plan addresses housing availability and affordability, access to opportunities, transportation, and environmental health within the project areas.

Each plan works toward three goals based on those policy areas:

- 1. LAND USE Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.
- 2. REDEVELOPMENT Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.
- 3. TRANSPORTATION AND ENVIRONMENT Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

Strategies to meet those goals are outlined in the Implementation chapters at the end of each plan, and the concepts are discussed in more detail in the relevant chapters of each plan.

It should be noted that where the plans' Future Land Use Maps conflict with current zoning on any parcels, the state will require the City to rezone the parcels by the end of 2025 to bring them into conformity. The Implementation chapter includes a map that highlights all such parcels in each project area.

The State will require regular reporting on progress on the goals in the Station Area Plans.

FISCAL IMPACT: N/A

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

Land Use

- 1b. Encourage infill opportunities in downtown, mixed use, and transit-oriented developments.
- 4b. Expand the list of arterials with design corridor standards.

Housing

- 1a. Encourage opportunities for small scale, infill housing development.
- 1f. Encourage more options for entry level housing including smaller lots and mixed housing, as well as smaller unit sizes including studios and apartments.
- 2. Strive to increase the number of housing units of all types across the whole of Provo in appropriate and balanced ways.
- 2a. Promote housing that is attainable for all income levels.
- 2d. Identify key locations where attainable housing is needed and utilize best practices such as deed restrictions and HUD housing programs to provide below market rate housing.

Economic Development

1e. Encourage incorporation of gateway developments and compact commercial properties that integrate both social and retail needs into designated mixed-use centers.

Transportation

- 1. Prioritize street corridors that are safe and have adequate capacity for all modes of transportation as appropriate.
- 1a. Encourage connections to increase east to west mobility.
- 1b. Design residential and collector roadways to control traffic speeds using complete street standards such as bulbouts, roundabouts, and bike lanes.
- 1c. Plan future transportation networks to accommodate future growth and avoid congestion.
- 2. Strive to create a robust system of local and regional transportation alternatives including rail, bus, biking, and walking options.
- 3c. Encourage walkability in downtown, mixed use centers, and at transit locations to reduce vehicular trips.

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

Community Identity

1a. Consider ways to support development, uses, and activities that continue to energize the historic downtown.

1	RESOLUTION << Document Number>>
2	A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)
4	RECITALS:
5 6 7	It is proposed that all the proposed Provo Station Area Plans be approved as to form, preliminary to their review by the Mountainland Association of Governments Station Area Plan Policy Committee, which would be followed with adoptions by ordinance;
8 9 10	On July 8, 2025, the Municipal Council met to consider 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
11 12 13	After considering the facts presented to the Municipal Council, the Council finds that (i) the proposed action should be approved as described herein, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.
14	THEREFORE, the Provo Municipal Council resolves as follows:
15	<u>PART I:</u>
16 17 18 19	 The 2230 North Station Area Plan is approved as to form. The University Avenue Station Areas Plan is approved as to form. The Joaquin Station Area Plan is approved as to form. The FrontRunner and 400 South Station Areas Plan is approved as to form.
20	PART II:
21	This resolution takes effect immediately.



Planning Commission Hearing Staff Report

Hearing Date: June 11, 2025

*ITEM 2 Development Services requests the adoption of the 2230 North Station Area Plan.

Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.org PLGPA20250206

Applicant: Development Services

Staff Coordinator: Hannah Salzl

Current Legal Use: The current zones within the project area (a quarter-mile radius around the 2230 North UVX station) are shown on Map 2.1 in the plan.

Relevant History: The state introduced Station Area Plan requirements in H.B. 462 (2022), now found in Utah Code 10-9a-403.

Neighborhood Issues: No issues have been raised about the current version of the Station Area Plan.

ALTERNATIVE ACTIONS

- Continue to a future date to obtain additional information or to further consider information presented. The next available meeting date is June 25, 2025 at 6:00 P.M.
- <u>Deny</u> the requested variance. This action would not be consistent with the recommendations of the Staff Report.
 The Board of Adjustment should state new findings.

Summary of Key Issues: The Station Area Plan meets state requirements and addresses land use, redevelopment, transportation, and the environment (focusing on air quality from transportation) within the project area.

Staff Recommendation: Staff recommends the Planning Commission recommend approval of the proposed Station Area Plan to the Municipal Council.

OVERVIEW

This is one of Station Area Plans (SAPs), which cover six UVX stations and the FrontRunner station. A map and list of stations can be found in Attachment 1.

The 2230 North Station Area Plan covers the quarter-mile radius around the 2230 North UVX station at the intersection of University Parkway and 2230 North. It is entirely within the Carterville Neighborhood in District 4.

These Station Area Plans meet the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022). The code requires that each plan promotes the following four objectives within the station area:

> Increasing the availability and affordability of housing, including moderate income housing;

- To the station of the
- 2. Promoting sustainable environmental conditions;
- 3. Enhancing access to opportunities; and
- 4. Increasing transportation choices and connections.

This plan translates those four objectives into the following vision, goals (in bold), and objectives (in italics), around which the plan will be organized. Strategies to achieve these objectives are outlined in the Implementation chapter to create a cohesive action plan.

Transportation and Environment will be combined, as the most impactful environmental benefit of these station areas is reduced emissions from multimodal travel.

VISION

The 2230 North station area will become a commercial, housing, and multimodal transit hub by promoting vertical mixed use, synergistic multimodal transit, and strategic densification that will serve as a gateway of opportunity for the city.

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Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

- 3. Increase the number of affordable units in the area.
- 4. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 5. Enhance access to green spaces within the station area.
- 6. Ensure infill development and redevelopment provide appropriate on-site parking.
- 7. Create a design corridor along University Parkway.
- 8. Work with developers to include upscaling wastewater and water lines in certain areas as demand increases.

Transportation and Environment

Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 9. Implement the Future Active Transportation Map infrastructure and improvements.
- 10. Improve connectivity within the station area.

The Land Use chapter proposes a Future Land Use Map (Attachment 2). If the proposed land uses are approved and developed, staff estimates that there could be an addition of approximately 1,087 residential units in the 2230 North station area. Although the maximum development density is unlikely, the proposals in the Land Use chapter would help meet the state's goal to increase housing availability and affordability around station areas.

Where the Future Land Use Map conflicts with current zoning on any parcels, the state will require the City to rezone the parcels by the end of 2025 to bring them into conformity. The Implementation chapter includes a map of such areas.

The Redevelopment chapter notes additional redevelopment opportunities and constraints, recommendations, and tools. Projects in the 2230 North station area might require additional wastewater and water infrastructure upgrades as demand increases, depending on their location.

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The Transportation and Environment chapter lists all planned roadway and active transportation infrastructure plans within the station area. It also maps all of the traffic accidents in the area between 2017-2022. It makes further recommendations in the Future Active Transportation Map (Attachment 3).

The Implementation chapter identifies funding tools, lists all goals and strategies for each chapter of the plan, and maps where the proposed changes would be needed.

STAFF ANALYSIS

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan (responses in bold):

(a) Public purpose for the amendment in question.

Staff response: The addition of the proposed plan as an appendix to the General Plan meets the state requirement for municipalities with certain transit infrastructure to adopt station area plans.

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

Staff response: Staff believes that the proposed amendments serve the public.

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

Staff response: The proposed amendments are consistent with the General Plan.

(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 proposal.

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

Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent land owners.

Staff response: Any rezones required to bring current zoning into compliance with the Future Land Use Map will allow the current uses to continue as a legal, non-conforming (grandfathered) uses that run with the land. This means that they may continue their use even if the property changes hands. The new land use and zone regulations will apply if the property should ever change uses or be entirely redeveloped.

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

Staff response: This proposal does not conflict with zoning or the General Plan.

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

Staff response: There is not a conflict.

FINDINGS OF FACT

- 1. Staff support the recommendation to adopt the proposed 2230 North Station Area Plan.
- 2. Staff worked with the following consultants on the plan: Psomas; Wall Consulting Group; Lewis, Robertson, & Burningham.
- 3. Staff and the consultants conducted thorough public and stakeholder engagement, including a survey that received 644 responses, four focus groups, five stakeholder interviews, and ongoing work with a Technical Advisory Committee.
- 4. Staff collaborated closely with the Public Works and Parks and Recreation Departments to ensure the proposed plan fit with their goals for the station area.
- 5. The proposed plan meets the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022).

APPLICABLE ZONING CODES

The Future Land Use Map (Attachment 2) shows uses rather than zones, though the uses correspond loosely to existing zones. The final choice for the most appropriate zones will be made during the rezone discussions after the proposed SAPs have been adopted.

CONCLUSIONS

Staff supports the adoption of the proposed 2230 North Station Area Plan. These station areas present unique land development, economic, and transportation opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region. Moreover, the goals of these

Staff Report *ITEM 2
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Station Area Plans seek to guide this growth in a way that is economically, socially, and environmentally sustainable in accordance with the policies in the General Plan.

ATTACHMENTS

- 1. Map and List of All Station Areas
- 2. Future Land Use Map
- 3. Future Active Transportation Map

ATTACHMENT 1 - MAP AND LIST OF ALL STATION AREAS



The following stations are included in the plans as listed below from north to south:

2230 North Station Area Plan 2230 North Station

Joaquin Station Area Plan Joaquin Station

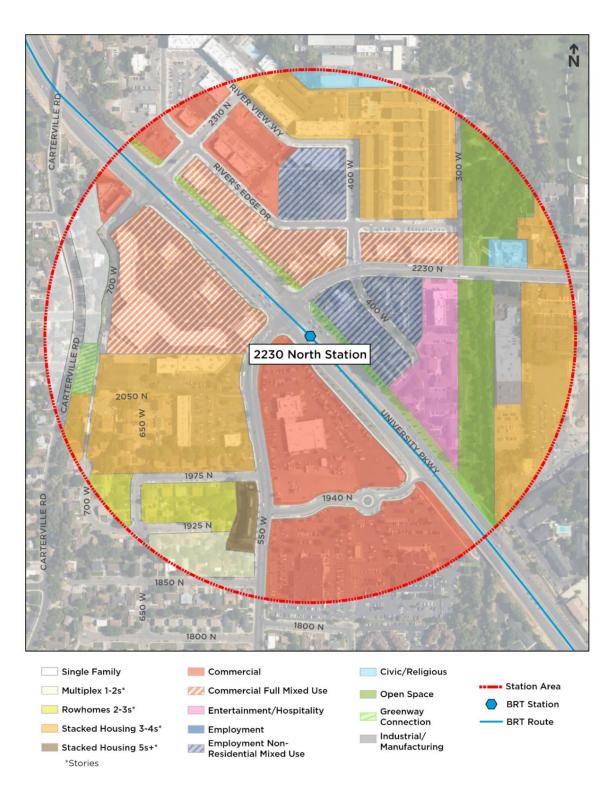
University Avenue Station Area Plan
Academy Square Station
300 North Station
Center Street Station

FrontRunner Station Area Plan

400 South Station
FrontRunner Station

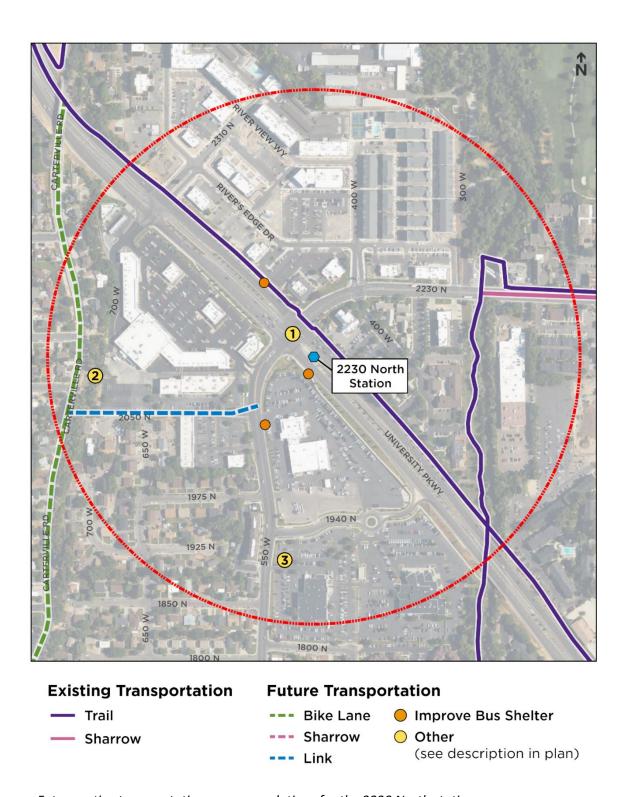
UVX route map with the Provo station areas marked

ATTACHMENT 2 - FUTURE LAND USE MAP



Future Land Use Map for the 2230 North station area

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP



Future active transportation recommendations for the 2230 North station area



Planning Commission Hearing Staff Report

Hearing Date: June 11, 2025

*ITEM 3

Development Services requests the adoption of the University Avenue Station Areas Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250208

Applicant: Development Services

Staff Coordinator: Hannah Salzl

Current Legal Use: The current zones within the project area (quarter-mile radii around the three University Avenue UVX station) are shown on Map 2.1 in the plan.

Relevant History: The state introduced Station Area Plan requirements in H.B. 462 (2022), now found in Utah Code 10-9a-403.

Neighborhood Issues: No issues have been raised about the current version of the Station Area Plan.

ALTERNATIVE ACTIONS

- Continue to a future date to obtain additional information or to further consider information presented. The next available meeting date is June 25, 2025 at 6:00 P.M.
- <u>Deny</u> the requested variance. This action would not be consistent with the recommendations of the Staff Report.
 The Board of Adjustment should state new findings.

Summary of Key Issues: The Station Area Plan meets state requirements and addresses land use, redevelopment, transportation, and the environment (focusing on air quality from transportation) within the project area.

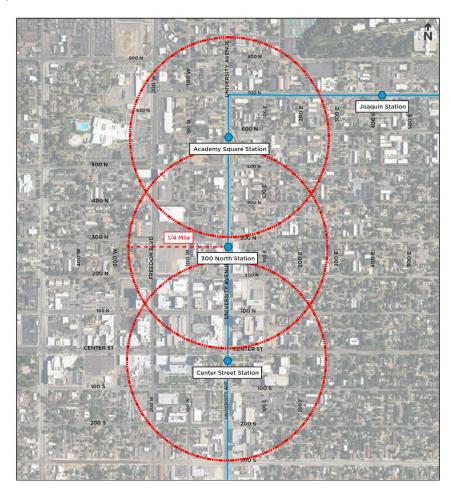
Staff Recommendation: Staff recommends the Planning Commission recommend approval of the proposed Station Area Plan to the Municipal Council.

OVERVIEW

This is one of Station Area Plans (SAPs), which cover six UVX stations and the FrontRunner station. A map and list of stations can be found in Attachment 1.

The University Avenue
Station Areas Plan
covers the overlapping
quarter-mile radii
around the three
northernmost stations
along University
Avenue. The station
areas are in the North
Park, Joaquin,
Downtown, and Maeser
Neighborhood in
Districts 4 and 5.

These Station Area
Plans meet the Station
Area Plan requirements
in Utah Code 10-9a-403
as set forth in H.B. 462
(2022). The code
requires that each plan
promotes the following
four objectives within
the station area:



- 1. Increasing the availability and affordability of housing, including moderate income housing;
- 2. Promoting sustainable environmental conditions;
- 3. Enhancing access to opportunities; and
- 4. Increasing transportation choices and connections.

This plan translates those four objectives into the following vision, goals (in bold), and objectives (in italics), around which the plan will be organized. Strategies to achieve these objectives are outlined in the Implementation chapter to create a cohesive action plan.

Transportation and Environment will be combined, as the most impactful environmental benefit of these station areas is reduced emissions from multimodal travel.

VISION

The University Avenue station area will continue the strategic urban densification and characteristic design of the downtown, improve active transportation corridors, and preserve the historic neighborhoods.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

Transportation and Environment

Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 3. Increase the number of affordable units in the area.
- 4. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 5. Enhance access to green spaces within the station area.
- 6. Ensure infill development and redevelopment provide appropriate on-site parking.
- 7. Preserve historic districts.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

- 8. Implement the Future Active Transportation Map infrastructure and improvements.
- 9. Improve connectivity within the station area.

The Land Use chapter proposes a Future Land Use Map (Attachment 2). If the proposed land uses are approved and developed, staff estimates that there could be an addition of approximately 1,174-7,282 residential units in the University Avenue station areas. Although the maximum development density is unlikely, the proposals in the Land Use chapter would help meet the state's goal to increase housing availability and affordability around station areas.

Where the Future Land Use Map conflicts with current zoning on any parcels, the state will require the City to rezone the parcels by the end of 2025 to bring them into conformity. The Implementation chapter includes a map of such areas.

The Redevelopment chapter notes additional redevelopment opportunities and constraints, recommendations, and tools.

The Transportation and Environment chapter lists all planned roadway and active transportation infrastructure plans within the station area. It also maps all of the traffic accidents in the area between 2017-2022. It makes further recommendations in the Future Active Transportation Map (Attachment 3).

The Implementation chapter identifies funding tools, lists all goals and strategies for each chapter of the plan, and maps where the proposed changes would need to be made.

STAFF ANALYSIS

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(a) Public purpose for the amendment in question.

Staff response: The addition of the proposed plan as an appendix to the General Plan meets the state requirement for municipalities with certain transit infrastructure to adopt station area plans.

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

Staff response: Staff believes that the proposed amendments serve the public.

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

Staff response: The proposed amendments are consistent with the General Plan.

(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 proposal.

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

Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent land owners.

Staff response: Any rezones required to bring current zoning into compliance with the Future Land Use Map will allow the current uses to continue as a legal, non-conforming (grandfathered) uses that run with the land. This means that they may continue their use even if the property changes hands. The new land use and zone regulations will apply if the property should ever change uses or be entirely redeveloped.

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

Staff response: This proposal does not conflict with zoning or the General Plan.

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

Staff response: There is not a conflict.

FINDINGS OF FACT

- 1. Staff support the recommendation to adopt the proposed University Avenue Station Areas Plan.
- 2. Staff worked with the following consultants on the plan: Psomas; Wall Consulting Group; Lewis, Robertson, & Burningham.
- 3. Staff and the consultants conducted thorough public and stakeholder engagement, including a survey that received 644 responses, four focus groups, five stakeholder interviews, and ongoing work with a Technical Advisory Committee.
- 4. Staff collaborated closely with the Public Works and Parks and Recreation Departments to ensure the proposed plan fits with their goals for the station area.
- 5. The proposed plan meets the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022).

<u>APPLICABLE ZONING CODES</u>

The Future Land Use Map (Attachment 2) shows uses rather than zones, though the uses correspond loosely to existing zones. The final choice for the most appropriate zones will be made during the rezone discussions after the proposed SAPs have been adopted.

CONCLUSIONS

Staff supports the adoption of the proposed University Avenue Station Areas Plan. These station areas present unique land development, economic, and transportation Staff Report *Item 3
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opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region. Moreover, the goals of these Station Area Plans seek to guide this growth in a way that is economically, socially, and environmentally sustainable in accordance with the policies in the General Plan.

ATTACHMENTS

- 1. Map and List of All Station Areas
- 2. Future Land Use Map
- 3. Future Active Transportation Map

ATTACHMENT 1 - MAP AND LIST OF ALL STATION AREAS



The following stations are included in the plans as listed below from north to south:

2230 North Station Area Plan 2230 North Station

Joaquin Station Area Plan Joaquin Station

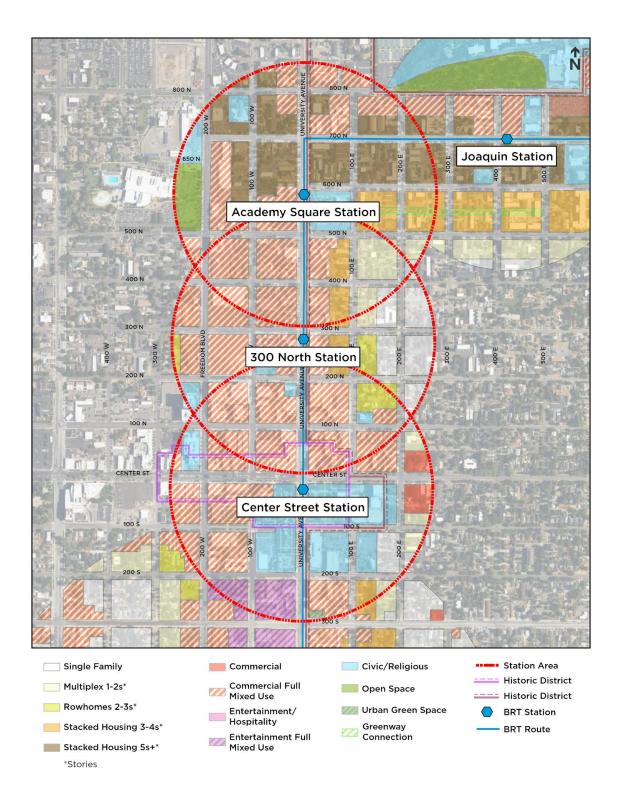
University Avenue Station Area Plan
Academy Square Station
300 North Station
Center Street Station

FrontRunner Station Area Plan

UVX route map with the Provo station areas marked

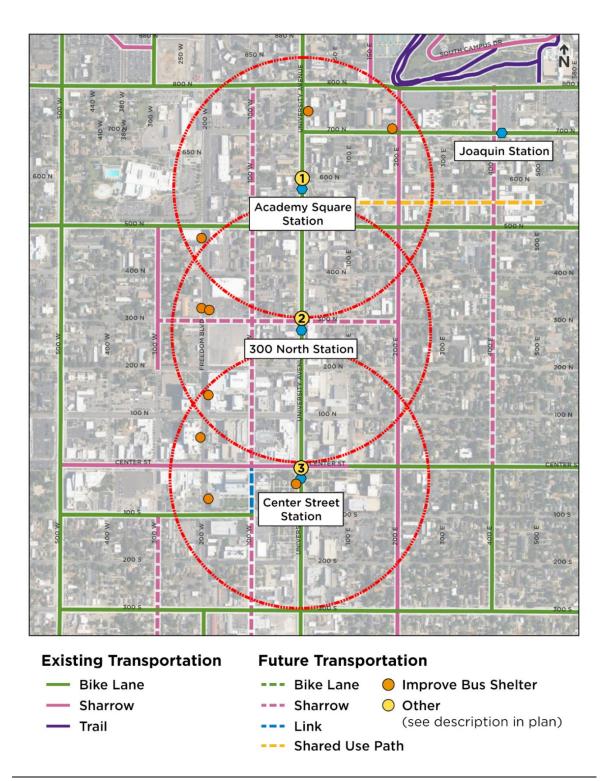
400 South Station
FrontRunner Station

ATTACHMENT 2 - FUTURE LAND USE MAP



Future Land Use Map for the University Avenue station areas

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP





Planning Commission Hearing Staff Report

Hearing Date: June 11, 2025

*ITEM 4

Development Services requests the adoption of the Joaquin Station Area Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250215

Applicant: Development Services

Staff Coordinator: Hannah Salzl

Current Legal Use: The current zones within the project area (a quarter-mile radius around the Joaquin UVX station) are shown on Map 2.1 in the plan.

Relevant History: The state introduced Station Area Plan requirements in H.B. 462 (2022), now found in Utah Code 10-9a-403.

Neighborhood Issues: No issues have been raised about the current version of the Station Area Plan.

Summary of Key Issues: The Station Area Plan meets state requirements and addresses

land use, redevelopment, transportation, and the environment (focusing on air quality from transportation) within the project area.

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 25, 2025 at 6:00 P.M.
- 2. **Deny** the requested variance. *This* action would not be consistent with the recommendations of the Staff Report. The Board of Adjustment should state new findings.

Staff Recommendation: Staff recommends the Planning Commission recommend approval of the proposed Station Area Plan to the Municipal Council.

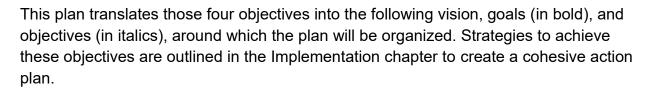
OVERVIEW

This is one of Station Area Plans (SAPs), which cover six UVX stations and the FrontRunner station. A map and list of stations can be found in Attachment 1.

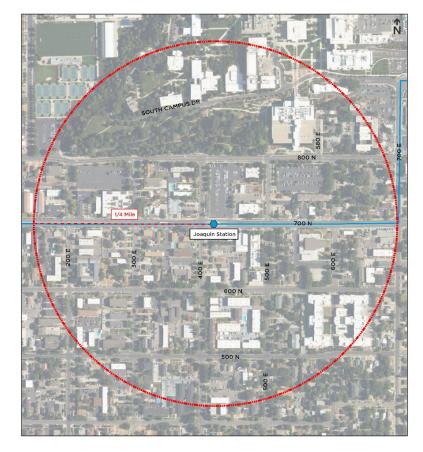
The Joaquin Station Area Plan covers the quarter-mile radius around the Joaquin UVX station at the intersection of 700 North and 400 East. It is in the Joaquin Neighborhood in District 5.

These Station Area Plans meet the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022). The code requires that each plan promotes the following four objectives within the station area:

- Increasing the availability and affordability of housing, including moderate income housing;
- 2. Promoting sustainable environmental conditions;
- 3. Enhancing access to opportunities; and
- 4. Increasing transportation choices and connections.



Transportation and Environment will be combined, as the most impactful environmental benefit of these station areas is reduced emissions from multimodal travel.



VISION

The Joaquin station area will connect more students and visitors to Brigham Young University campus, providing better active transportation connections for visitors and vertically integrated commercial and residential uses to support a greater number of residents.

Staff Report *Item 4
June 11, 2025 Page 3

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

1. Align current zoning with the Future Land Use Map

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

- 2. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 3. Enhance access to green spaces within the station area.
- 4. Ensure infill development and redevelopment provide appropriate on-site parking.
- 5. Preserve historic districts.

Transportation and Environment

Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 6. Implement the Future Active Transportation Map infrastructure and improvements.
- 7. Improve connectivity within the station area.

The Land Use chapter proposes a Future Land Use Map (Attachment 2). If the proposed land uses are approved and developed, staff estimates that there could be an addition of approximately 760-2,221 residential units in the Joaquin station area. Although the maximum development density is unlikely, the proposals in the Land Use chapter would help meet the state's goal to increase housing availability and affordability around station areas.

Where the Future Land Use Map conflicts with current zoning on any parcels, the state will require the City to rezone the parcels by the end of 2025 to bring them into conformity. The Implementation chapter includes a map of such areas.

The Redevelopment chapter notes additional redevelopment opportunities and constraints, recommendations, and tools.

The Transportation and Environment chapter lists all planned roadway and active transportation infrastructure plans within the station area. It also maps all of the traffic accidents in the area between 2017-2022. It makes further recommendations in the Future Active Transportation Map (Attachment 3).

Staff Report *Item 4
June 11, 2025 Page 4

The Implementation chapter identifies funding tools, lists all goals and strategies for each chapter of the plan, and maps where the proposed changes would be needed.

STAFF ANALYSIS

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan (responses in bold):

(a) Public purpose for the amendment in question.

Staff response: The addition of the proposed plan as an appendix to the General Plan meets the state requirement for municipalities with certain transit infrastructure to adopt station area plans.

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

Staff response: Staff believes that the proposed amendments serve the public.

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

Staff response: The proposed amendments are consistent with the General Plan.

(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 proposal.

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

Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent land owners.

Staff response: Any rezones required to bring current zoning into compliance with the Future Land Use Map will allow the current uses to continue as a legal, non-conforming (grandfathered) uses that run with the land. This means that they may continue their use even if the property changes hands. The new land use and zone regulations will apply if the property should ever change uses or be entirely redeveloped.

Staff Report *Item 4
June 11, 2025 Page 5

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

Staff response: This proposal does not conflict with zoning or the General Plan.

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

Staff response: There is not a conflict.

FINDINGS OF FACT

- 1. Staff support the recommendation to adopt the proposed Joaquin Station Area Plan
- 2. Staff worked with the following consultants on the plan: Psomas; Wall Consulting Group; Lewis, Robertson, & Burningham.
- Staff and the consultants conducted thorough public and stakeholder engagement, including a survey that received 644 responses, four focus groups, five stakeholder interviews, and ongoing work with a Technical Advisory Committee.
- 4. Staff collaborated closely with the Public Works and Parks and Recreation Departments to ensure the proposed plan fits with their goals for the station area.
- 5. The proposed plan meets the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022).

APPLICABLE ZONING CODES

The Future Land Use Map (Attachment 2) shows uses rather than zones, though the uses correspond loosely to existing zones. The final choice for the most appropriate zones will be made during the rezone discussions after the proposed SAPs have been adopted.

CONCLUSIONS

Staff supports the adoption of the proposed Joaquin Station Area Plan. These station areas present unique land development, economic, and transportation opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region. Moreover, the goals of these Station Area Plans seek to guide this growth in a way that is economically, socially, and environmentally sustainable in accordance with the policies in the General Plan.

ATTACHMENTS

- 1. Map and list of all station areas
- 2. Future Land Use Map
- 3. Future Active Transportation Map

ATTACHMENT 1 - MAP AND LIST OF ALL STATION AREAS



UVX route map with the Provo station areas marked

The following stations are included in the plans as listed below from north to south:

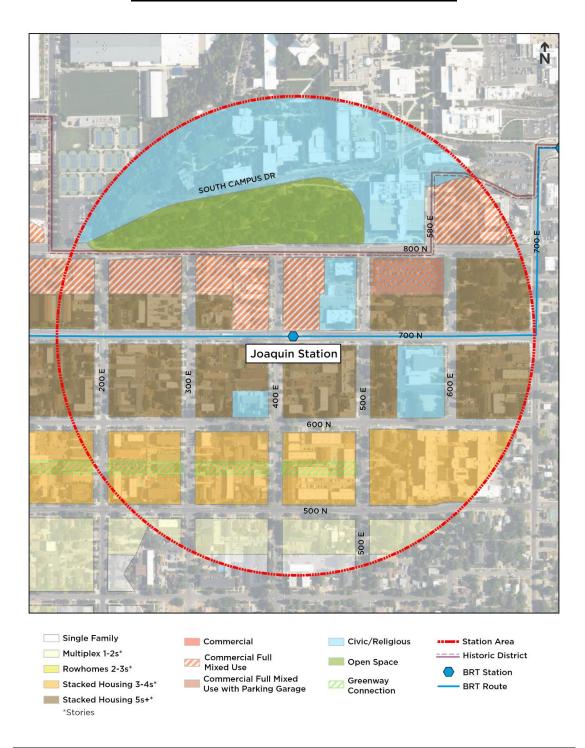
2230 North Station Area Plan 2230 North Station

Joaquin Station Area Plan
Joaquin Station

University Avenue Station Area Plan
Academy Square Station
300 North Station
Center Street Station

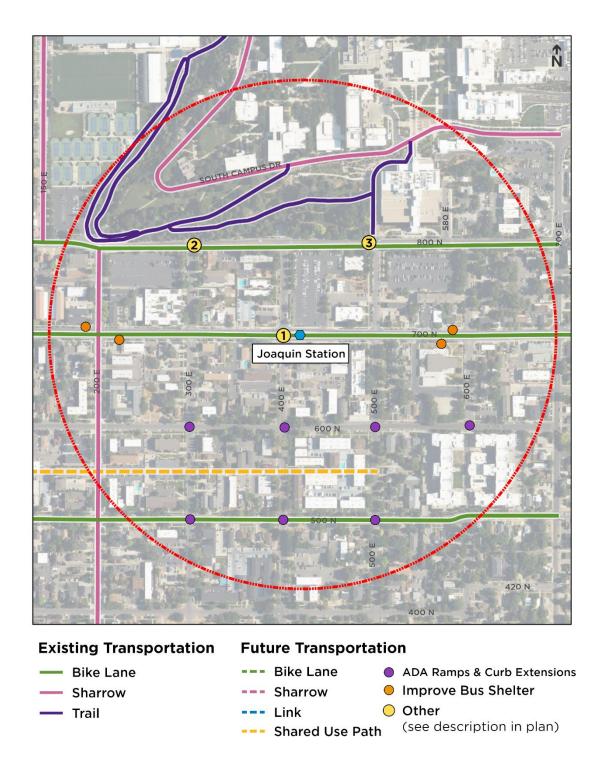
FrontRunner Station Area Plan
400 South Station
FrontRunner Station

ATTACHMENT 2: FUTURE LAND USE MAP



Future Land Use Map for the Joaquin station area

ATTACHMENT 3: FUTURE ACTIVE TRANSPORTATION MAP



Future active transportation recommendations for the Joaquin station area



Planning Commission Hearing Staff Report Hearing Date: June 11, 2025

*ITEM 5 Development Services requests the adoption of the FrontRunner and 400 South Station Areas Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250216

Applicant: Development Services

Staff Coordinator: Hannah Salzl

Current Legal Use: The current zones within the project area (a half-mile radius around the FrontRunner station and a quarter-mile radius around the 400 South UVX station) are shown on Map 2.1 in the plan.

Relevant History: The state introduced Station Area Plan requirements in H.B. 462 (2022), now found in Utah Code 10-9a-403.

Neighborhood Issues: No issues have been raised about the current version of the Station Area Plan.

Summary of Key Issues: The Station Area Plan meets state requirements and addresses land use, redevelopment, transportation, and the environment (focusing on air quality from transportation) within the project area.

ALTERNATIVE ACTIONS

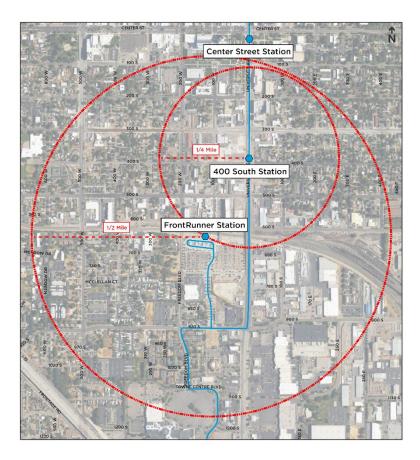
- 1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 25, 2025 at 6:00 P.M.*
- <u>Deny</u> the requested variance. This action would not be consistent with the recommendations of the Staff Report.
 The Board of Adjustment should state new findings.

Staff Recommendation: Staff recommends the Planning Commission recommend approval of the proposed Station Area Plan to the Municipal Council.

OVERVIEW

This is one of Station Area Plans (SAPs), which cover six UVX stations and the FrontRunner station. A map and list of stations can be found in Attachment 1.

The FrontRunner and 400 South Station Areas Plan covers the half-mile radius around the FrontRunner station (also known as the Provo Central Station) between University Avenue and 100 West, adjacent to the train tracks at approximately 700 South. It also covers the quartermile radius around the 400 South UVX station at the intersection of University Avenue and 400 South, which is entirely within the larger FrontRunner station area. The station areas are in the Downtown, Maeser, Franklin,



*Item 5

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Franklin South, and Spring Creek Neighborhoods within Districts 2 and 5.

These Station Area Plans meet the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022). The code requires that each plan promotes the following four objectives within the station area:

- 1. Increasing the availability and affordability of housing, including moderate income housing;
- 2. Promoting sustainable environmental conditions;
- 3. Enhancing access to opportunities; and
- 4. Increasing transportation choices and connections.

This plan translates those four objectives into the following vision, goals (in bold), and objectives (in italics), around which the plan will be organized. Strategies to achieve these objectives are outlined in the Implementation chapter to create a cohesive action plan.

Transportation and Environment will be combined, as the most impactful environmental benefit of these station areas is reduced emissions from multimodal travel.

VISION

The FrontRunner station area will welcome residents of all ages in a diverse community that reflects the city's history while connecting residents and visitors across the Wasatch Front by improving connectivity to existing landmarks and citywide transportation networks.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

- 3. Implement the Future Active Transportation Map infrastructure and improvements.
- 4. Improve connectivity within the station area.

Transportation and Environment

Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 5. Increase the number of affordable units in the area.
- 6. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 7. Enhance access to green spaces within the station area.
- 8. Ensure infill development and redevelopment provide appropriate on-site parking.
- 9. Preserve historic districts.
- 10. Extend Downtown Design Standards around the FrontRunner station
- 11. Evaluate alternatives for a future City park.
- 12. Improve wayfinding signage around the station.

The Land Use chapter proposes a Future Land Use Map (Attachment 2). If the proposed land uses are approved and developed, staff estimates that there could be an addition of approximately 3,640-9,522 residential units in the FrontRunner and 400 South station areas. Although the maximum development density is unlikely, the proposals in the Land Use chapter would help meet the state's goal to increase housing availability and affordability around station areas.

Where the Future Land Use Map conflicts with current zoning on any parcels, the state will require the City to rezone the parcels by the end of 2025 to bring them into conformity. The Implementation chapter includes a map of such areas.

The Redevelopment chapter notes additional redevelopment opportunities and constraints, recommendations, and tools. Projects in this station area might require additional wastewater and water infrastructure upgrades as demand increases, depending on their location.

The Transportation and Environment chapter lists all planned roadway and active transportation infrastructure plans within the station area. It also maps all of the traffic accidents in the area between 2017-2022. It makes further recommendations in the Future Active Transportation Map (Attachment 3).

The Implementation chapter identifies funding tools, lists all goals and strategies for each chapter of the plan, and maps where the proposed changes would be needed.

STAFF ANALYSIS

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan (responses in bold):

(a) Public purpose for the amendment in question.

Staff response: The addition of the proposed plan as an appendix to the General Plan meets the state requirement for municipalities with certain transit infrastructure to adopt station area plans.

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

Staff response: Staff believes that the proposed amendments serve the public.

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

Staff response: The proposed amendments are consistent with the General Plan.

(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 proposal.

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

Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent land owners.

Staff response: Any rezones required to bring current zoning into compliance with the Future Land Use Map will allow the current uses to continue as a legal, non-conforming (grandfathered) uses that run with the land. This means that they may continue their use even if the property changes hands. The new land use and zone regulations will apply if the property should ever change uses or be entirely redeveloped.

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

Staff response: This proposal does not conflict with zoning or the General Plan.

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

Staff response: There is not a conflict.

FINDINGS OF FACT

- 1. Staff support the recommendation to adopt the proposed FrontRunner and 400 South Station Areas Plan.
- 2. Staff worked with the following consultants on the plan: Psomas; Wall Consulting Group; Lewis, Robertson, & Burningham.
- 3. Staff and the consultants conducted thorough public and stakeholder engagement, including a survey that received 644 responses, four focus groups, five stakeholder interviews, and ongoing work with a Technical Advisory Committee.
- 4. Staff collaborated closely with the Public Works and Parks and Recreation Departments to ensure the proposed plan fits with their goals for the station area.
- 5. The proposed plan meets the Station Area Plan requirements in Utah Code 10-9a-403 as set forth in H.B. 462 (2022).

APPLICABLE ZONING CODES

The Future Land Use Map (Attachment 2) shows uses rather than zones, though the uses correspond loosely to existing zones. The final choice for the most appropriate zones will be made during the rezone discussions after the proposed SAPs have been adopted.

CONCLUSIONS

Staff supports the adoption of the proposed FrontRunner and 400 South Station Areas Plan. These station areas present unique land development, economic, and transportation opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region. Moreover, the goals of these Station Area Plans seek to guide this growth in a way that is economically, socially, and environmentally sustainable in accordance with the policies in the General Plan.

*Item 5

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ATTACHMENTS

- 1. Map and list of all station areas
- 2. Future Land Use Map
- 3. Future Active Transportation Map

ATTACHMENT 1 - MAP AND LIST OF ALL STATION AREAS



UVX route map with the Provo station areas marked

The following stations are included in the plans as listed below from north to south:

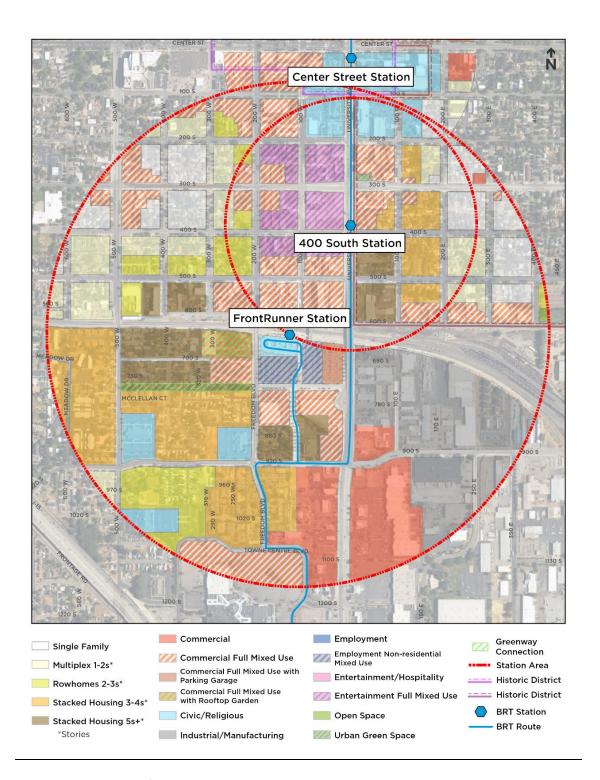
2230 North Station Area Plan 2230 North Station

Joaquin Station Area Plan
Joaquin Station

University Avenue Station Area Plan
Academy Square Station
300 North Station
Center Street Station

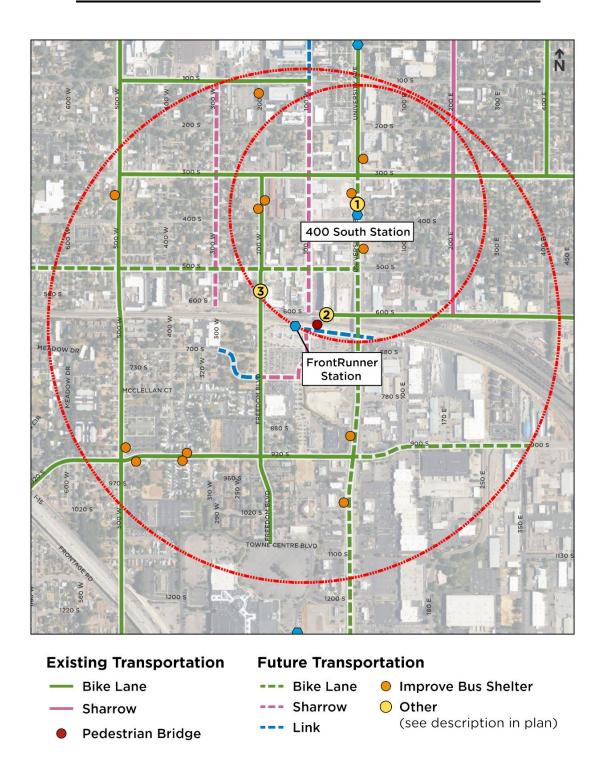
FrontRunner Station Area Plan
400 South Station
FrontRunner Station

ATTACHMENT 2 - FUTURE LAND USE MAP



Future Land Use Map for the FrontRunner and 400 South station areas

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP



Future active transportation recommendations for the FrontRunner and 400 South

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 2 Development Services requests the adoption of the 2230 North Station Area Plan. Citywide Application. Hannah Salzl (801) 8526423 hsalzl@provo.org PLGPA20250206

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 4:1, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

<u>Conditions of Approval:</u> Include language in the text of each of the plans encouraging the City to consider these areas as innovation spaces to test more appropriate design to promote pedestrian and active transportation safety and to consider the NACTO standards. Successes could then be applied in other areas of the city.

Motion By: Barbara DeSoto Second By: Anne Allen

Votes in Favor of Motion: Andrew South, Jonathon Hill, Barbara DeSoto, Anne Allen

Votes in Opposition to the Motion: Lisa Jensen

Jonathon Hill was present as Chair.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

• Citywide Application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.
- No neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

No comments were received.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

• Commissioner DeSoto expressed concerns about 550 West being overdesigned and encouraging speeding, which led staff to suggest an alternative to the sharrows proposed in the Transportation Master Plan. This discussion later led to a motion to include language in the text of each of the plans encouraging Traffic Engineering staff to consider these

- areas as innovation spaces to test more appropriate design to promote pedestrian and active transportation safety. Successes could then be applied in other areas of the city. Several commissioners expressed interest in the NACTO standards. The motion was supported by all Commissioners present.
- Commissioner Jensen expressed concern about rezoning the UCAS and beauty school in the 2230 North to moderate-density housing. She argued that those educational uses are appropriate at the area and should not be rezoned. Staff supports the rezone because the current uses would be grandfathered and permitted, but if they should redevelop, housing would be a good use of the land. Commissioner Jensen later expressed that while she liked the 2230 North plan, she would be voting against it for this reason alone.
- Commissioners Jensen and DeSoto asked about the proposed Carterville trail and how much the City wants to get involved in improving the trail. Goal 9d directs the City to seek funds (completion estimated between 2030-2032) and Goal 9e directs the City to build the trail (2033-2035).

The Planning Commission identified the following findings as the basis of this decision or recommendation:

• The plan furthers the aims of the General Plan and is appropriate for the area.



Bill Reperane

Director of Development Services

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 3 Development Services requests the adoption of the University Avenue Station Areas Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250208

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

<u>Conditions of Approval:</u> Include language in the text of each of the plans encouraging the City to consider these areas as innovation spaces to test more appropriate design to promote pedestrian and active transportation safety and to consider the NACTO standards. Successes could then be applied in other areas of the city.

Motion By: Andrew South Second By: Lisa Jensen

Votes in Favor of Motion: Andrew South, Lisa Jensen, Jonathon Hill, Barbara DeSoto, Anne Allen *Jonathon Hill was present as Chair*.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

• Citywide Application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.
- No neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

No comments were received.

PLANNING COMMISSION DISCUSSION

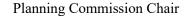
Key points discussed by the Planning Commission included the following:

• Commissioner Hill expressed the opinion that this plan area was the most straightforward because it was already our urban core. The other Commissioners agreed.

• Commissioner DeSoto expressed concern about the existing sharrows on Center Street, where people frequently speed. Should the City ever realize its long-term plans to reduce Center Street to one lane, improved bike safety will certainly be part of the studies.

The Planning Commission identified the following findings as the basis of this decision or recommendation:

• The plan furthers the aims of the General Plan and is appropriate for the area.



Bill Reperane

Director of Development Services

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

<u>Legislative items</u> 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.

<u>Administrative decisions</u> of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 4 Development Services requests the adoption of the Joaquin Station Area Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250215

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

<u>Conditions of Approval:</u> Include language in the text of each of the plans encouraging the City to consider these areas as innovation spaces to test more appropriate design to promote pedestrian and active transportation safety and to consider the NACTO standards. Successes could then be applied in other areas of the city.

Motion By: Lisa Jensen Second By: Barbara DeSoto

Votes in Favor of Motion: Andrew South, Lisa Jensen, Jonathon Hill, Barbara DeSoto, Anne Allen

Jonathon Hill was present as Chair.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

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.
- No neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

No comments were received.

PLANNING COMMISSION DISCUSSION

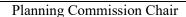
Key points discussed by the Planning Commission included the following:

• Commissioner Jensen asked whether the Future Land Use Map limited developers by forcing them to build a certain number of stories, which might add cost to a project, when a lower number would do. Staff clarified that the standard for future development would be the zoning code, which allows more flexibility. The Future Land Use Map used

- stories rather than zones because it better communicated the sense of scale and vision to the public and state reviewers who are unfamiliar with zoning codes.
- The Commissioners discussed the pros and cons of moving the mixed use from 800 North to 700 North, including proximity to campus, proximity to student residents, and vehicular traffic access. They ultimately agreed with staff to keep it on 800 North.
- The Commissioners voiced strong support for the concept of moving the UVX route to 800 North, should the opportunity arise. Should the station move, the City would have to provide an updated plan.

The Planning Commission identified the following findings as the basis of this decision or recommendation:

• The plan furthers the aims of the General Plan and is appropriate for the area.



Director of Development Services

Bill Reperane

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

<u>Legislative items</u> 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.

<u>Administrative decisions</u> of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 5 Development Services requests the adoption of the FrontRunner and 400 South Station Areas Plan. Citywide Application. Hannah Salzl (801) 852-6423 hsalzl@provo.gov PLGPA20250216

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

Conditions of Approval: (1) Include language in the text of each of the plans encouraging the City to consider these areas as innovation spaces to test more appropriate design to promote pedestrian and active transportation safety and to consider the NACTO standards. Successes could then be applied in other areas of the city. (2) Extend some form of bicycle infrastructure on 600 S between 90 W and 200 W to connect to existing bike lanes on 600 S.

Motion By: Lisa Jensen Second By: Barbara DeSoto

Votes in Favor of Motion: Andrew South, Lisa Jensen, Jonathon Hill, Barbara DeSoto, Anne Allen

Jonathon Hill was present as Chair.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

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.
- No neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

No comments were received.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

• Commissioner Jensen would like some bike infrastructure to extend west along 600 South from its current end at the pedestrian crossing to Freedom Boulevard. This later led to a motion to recommend adding infrastructure to the map,

- which passed with full support. Staff will prepare a version of the map with that addition for the Council to consider.
- Commissioner Jensen asked about the mixed use along 600 South. This was in the Maeser Neighborhood Plan, and it had strong neighborhood support.
- Commissioner Jensen asked how UTA would ensure adequate parking if they redevelop parking at the station once Provo is no longer the southern terminus. UTA plans for a garage on site to handle full capacity, and the plan proposes another parking garage just across Freedom Boulevard to serve the southern downtown and serve as overflow parking.
- Commissioner Jensen asked about the entertainment area. Residents and other local stakeholders have expressed a desire for more entertainment near downtown. The location proposed in the plan would be ideal with its proximity to downtown, the mall, FrontRunner, and UVX. The zone would be broadly commercial, and the Future Land Use Map communicates to developers what the City would like to see in the area. It does not force entertainment as a use.
- Commissioner DeSoto asked where micromobility connections (e.g., mid-block crossings, paseos, etc.) were discussed in the plan. They are discussed in both the Redevelopment and Transportation chapters, and there is a goal in the Implementation chapter.

The Planning Commission identified the following findings as the basis of this decision or recommendation:

• The plan furthers the aims of the General Plan and is appropriate for the area.

Planning Commission Chair

Bill Reperane

Director of Development Services

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

*ITEM2

Development Services requests the adoption of the 2230 North Station Area Plan.

Citywide Application

*ITEM3

Development Services requests the adoption of the University Avenue Station Areas Plan.

Citywide Application

*ITEM 4

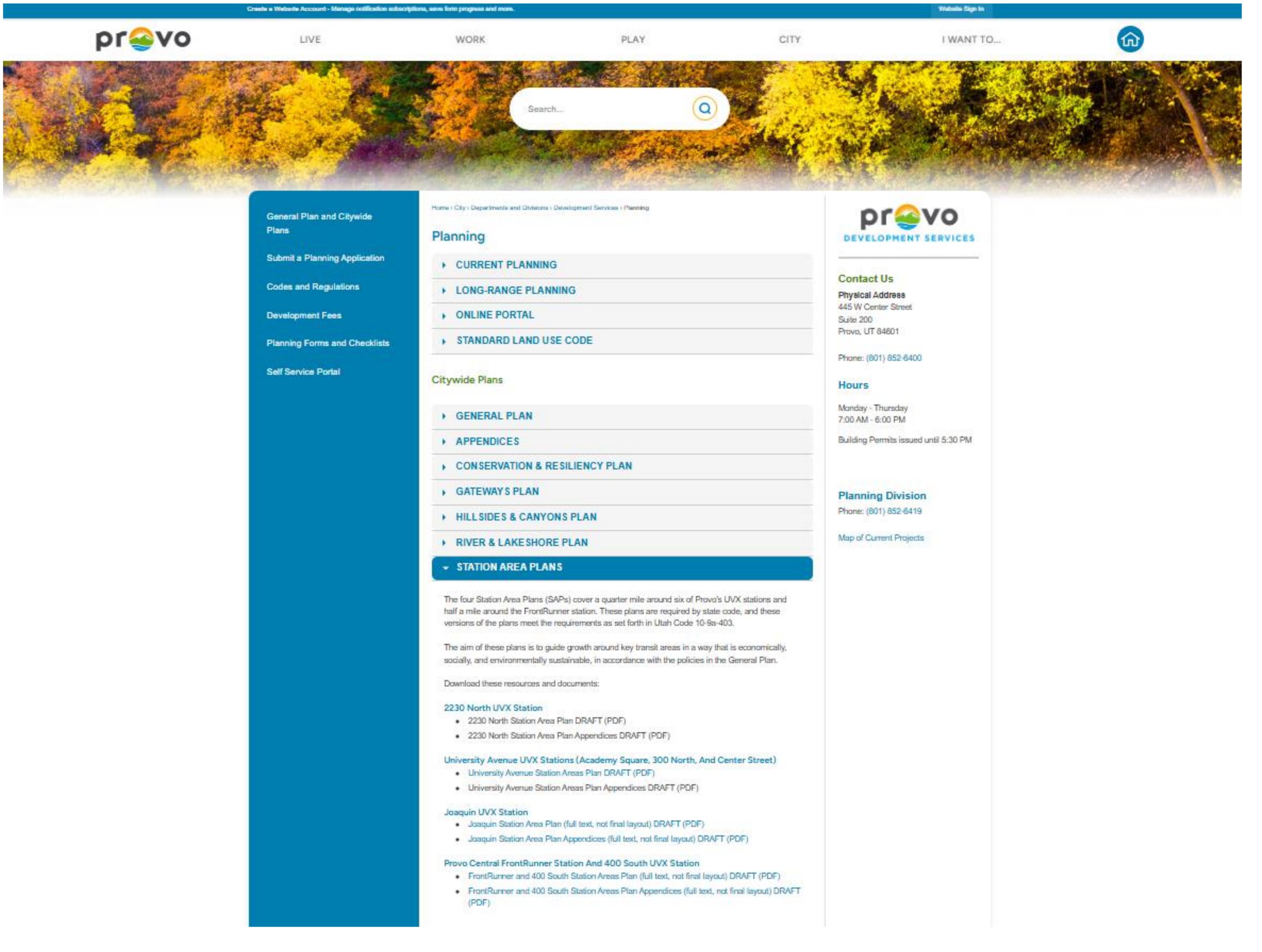
Development Services requests the adoption of the Joaquin Station Area Plan.

Citywide Application

*ITEMS

Development Services requests the adoption of the FrontRunner and 400 South Station Areas Plan.

Citywide Application



All plans are available on Provo.gov/Planning

Plan Overview

7 stations, 4 plans

2230 North

Joaquin

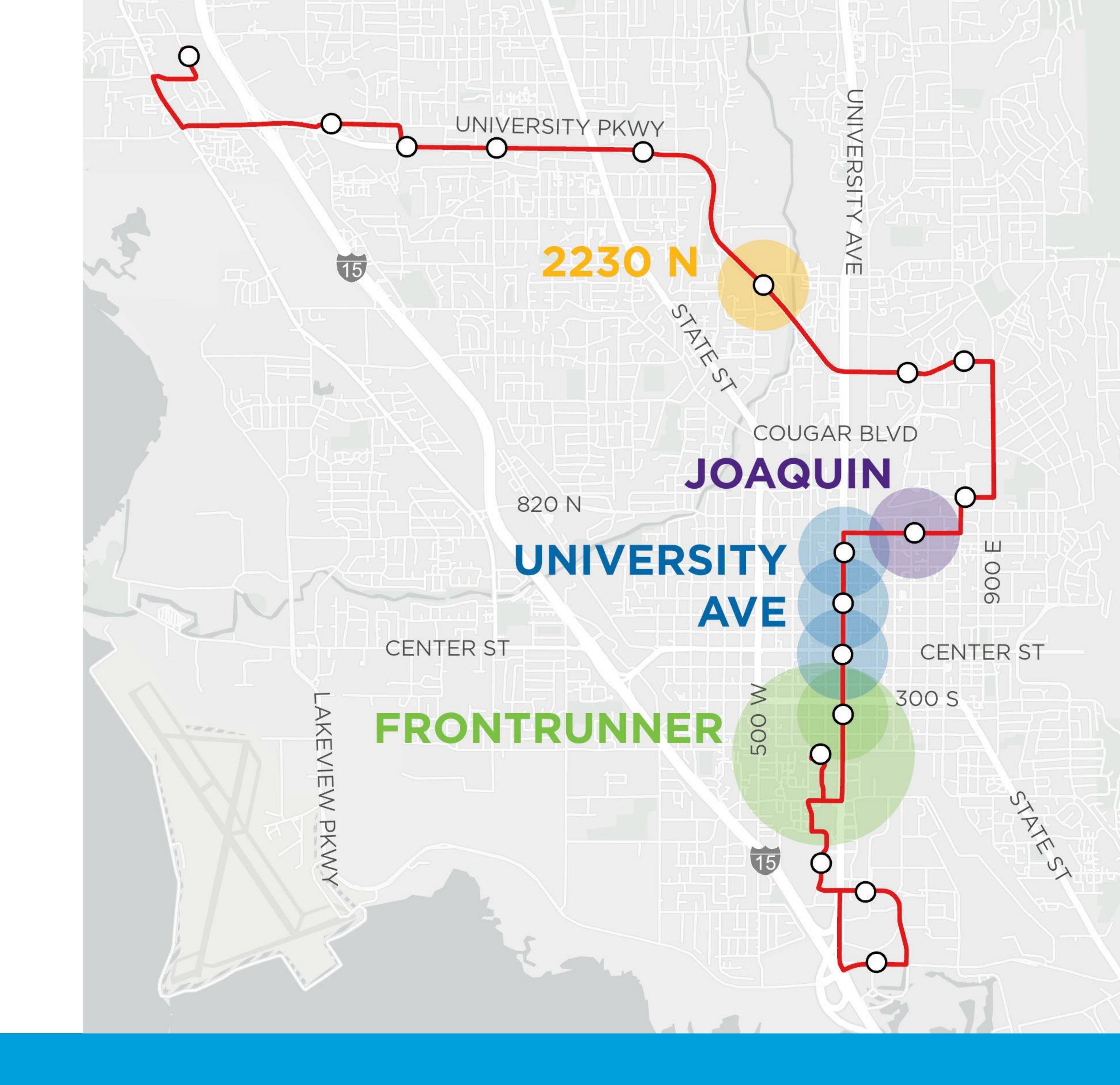
Academy Square

300 North

Center Street

400 South

Provo Central (FrontRunner)

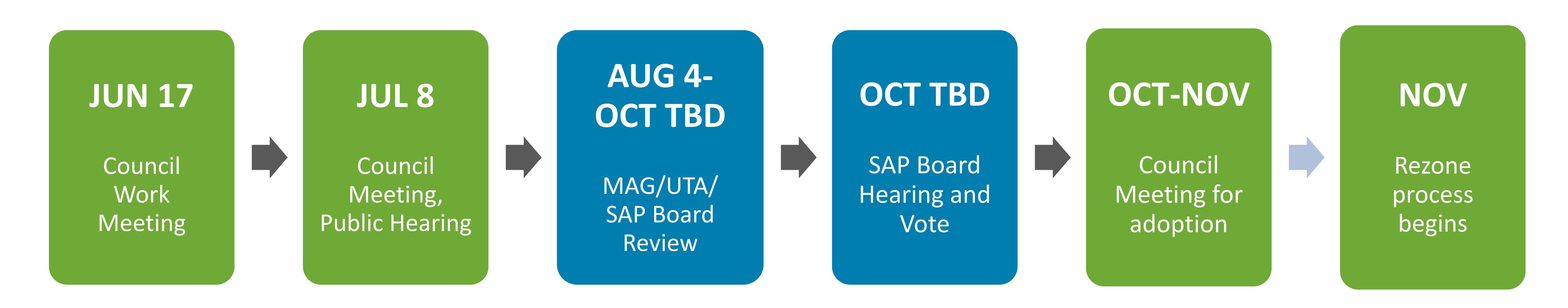


Plan Process



WINTER 2023 SPRING 2023 SUMMER 2023 FALL 2023 WINTER 2023 SPRING-SUMMER 2024 FALL-WINTER 2024 SPRING 2025 SUMMER-FALL 2025 POLISH & PRESENT **DRAFT & DISCUSS DEFINE & DESIGN** LISTEN & LEARN **APPROVE & ADOPT** refine elements existing conditions research draft concepts scope full draft stakeholder interviews **Technical Advisory Committee** tech. assistance City adoption internal kickoff website expanded outline State review survey/giveaway Public Open House • TAC Review • analyze feedback rezones TMAC Review 6 ة DS Review Planning Commission Review • Council Review •

Next Steps



No changes can be made to the Station Area Plans after the SAP Board Hearing vote.

2230 North Vision and Goals

The 2230 North station area will become a commercial, housing, and multimodal transit hub by promoting vertical mixed use, synergistic multimodal transit, and strategic densification that will serve as a gateway of opportunity for the city.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

2230 North Vision and Goals, cont.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

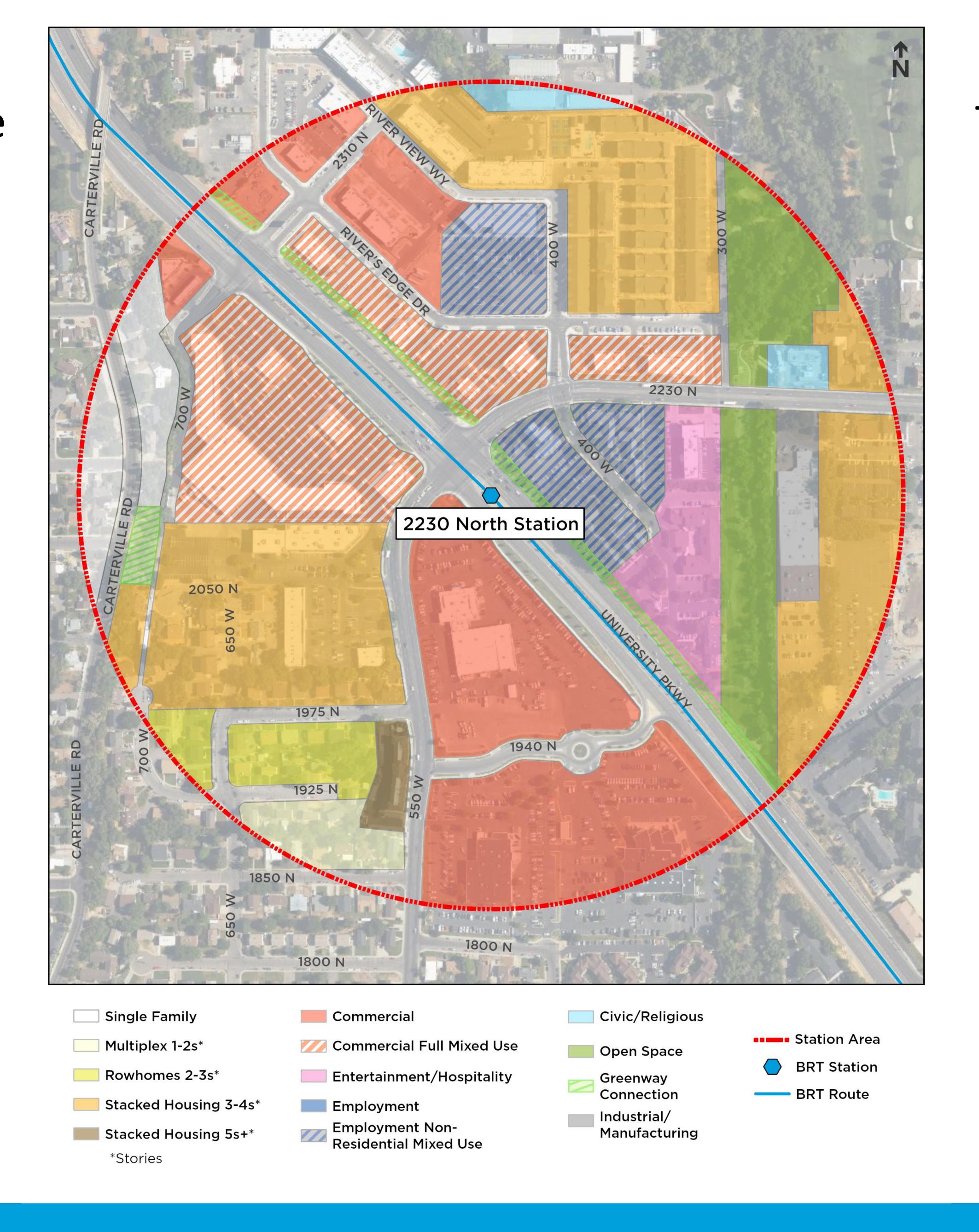
- 3. Increase the number of affordable units in the area.
- 4. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 5. Enhance access to green spaces within the station area.
- 6. Ensure infill development and redevelopment provide appropriate on-site parking.
- 7. Create a design corridor along University Parkway.
- 8. Work with developers to include upscaling wastewater and water lines in certain areas as demand increases.

Transportation and Environment

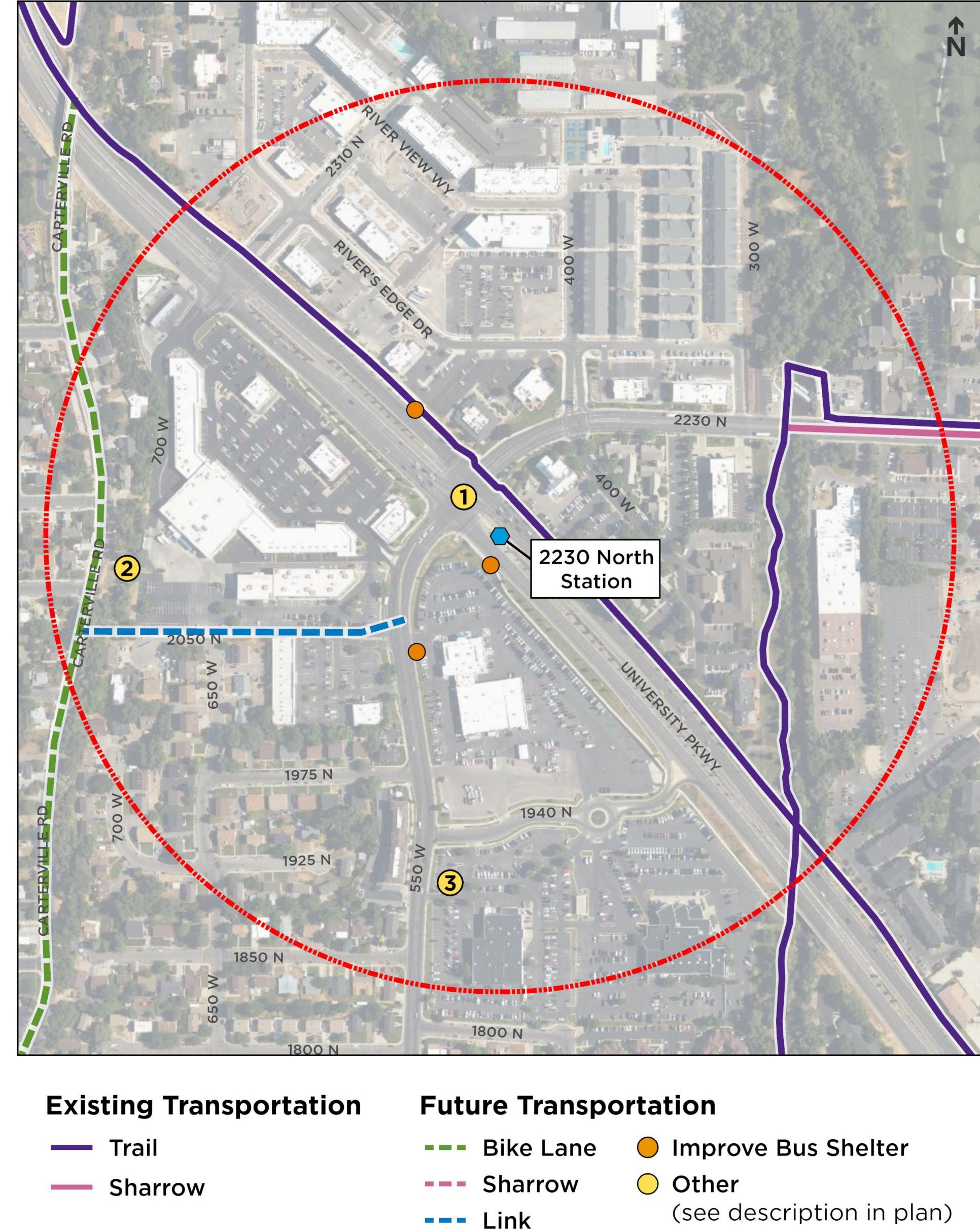
Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 9. Implement the Future Active Transportation Map infrastructure and improvements.
- 10.Improve connectivity within the station area.

Future Land Use



Future Transportation



University Avenue Vision and Goals

The University Avenue station area will continue the strategic urban densification and characteristic design of the downtown, improve active transportation corridors, and preserve the historic neighborhoods.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

University Avenue Vision and Goals, cont.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

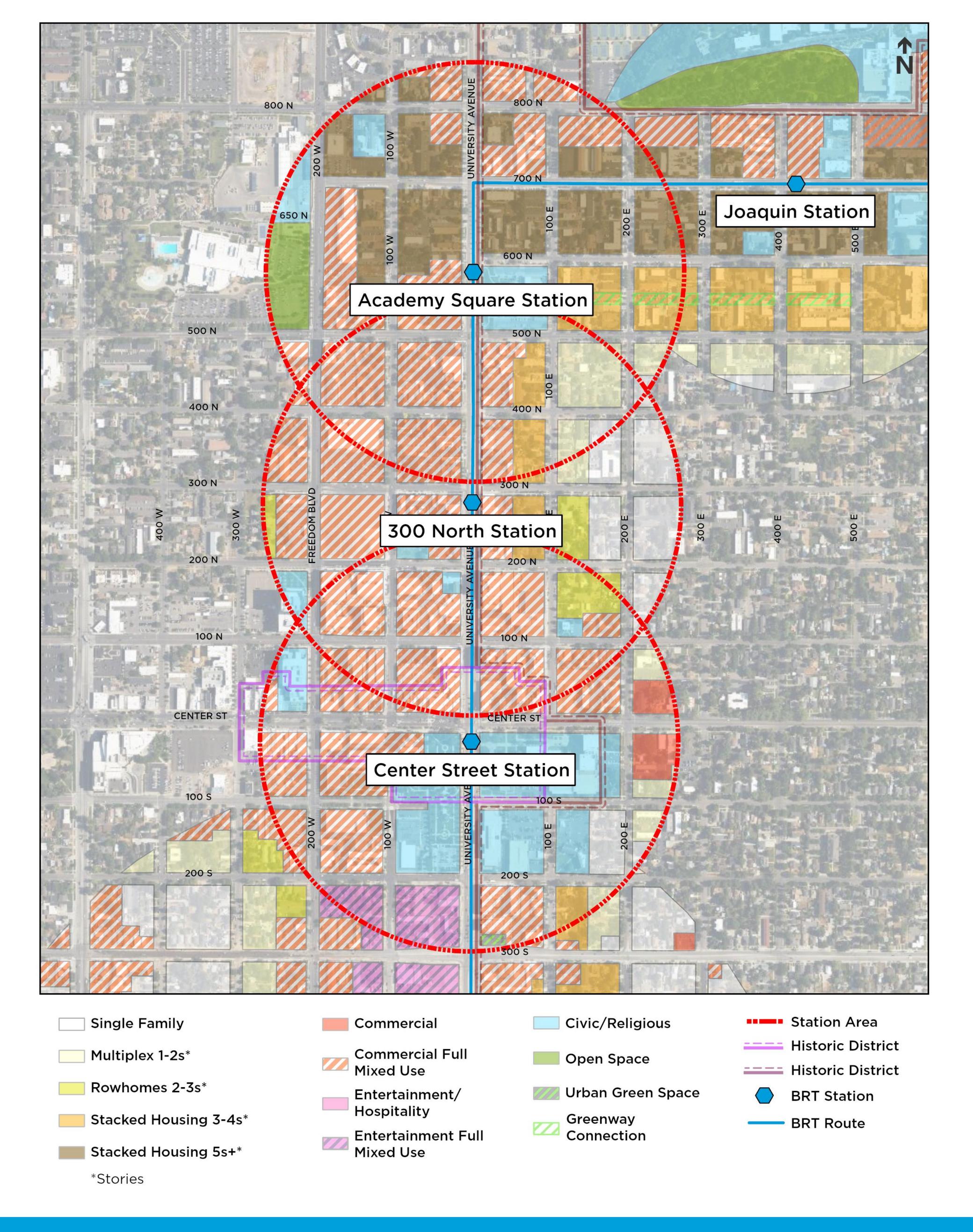
- 3. Increase the number of affordable units in the area.
- 4. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 5. Enhance access to green spaces within the station area.
- 6. Ensure infill development and redevelopment provide appropriate on-site parking.
- 7. Preserve historic districts.

Transportation and Environment

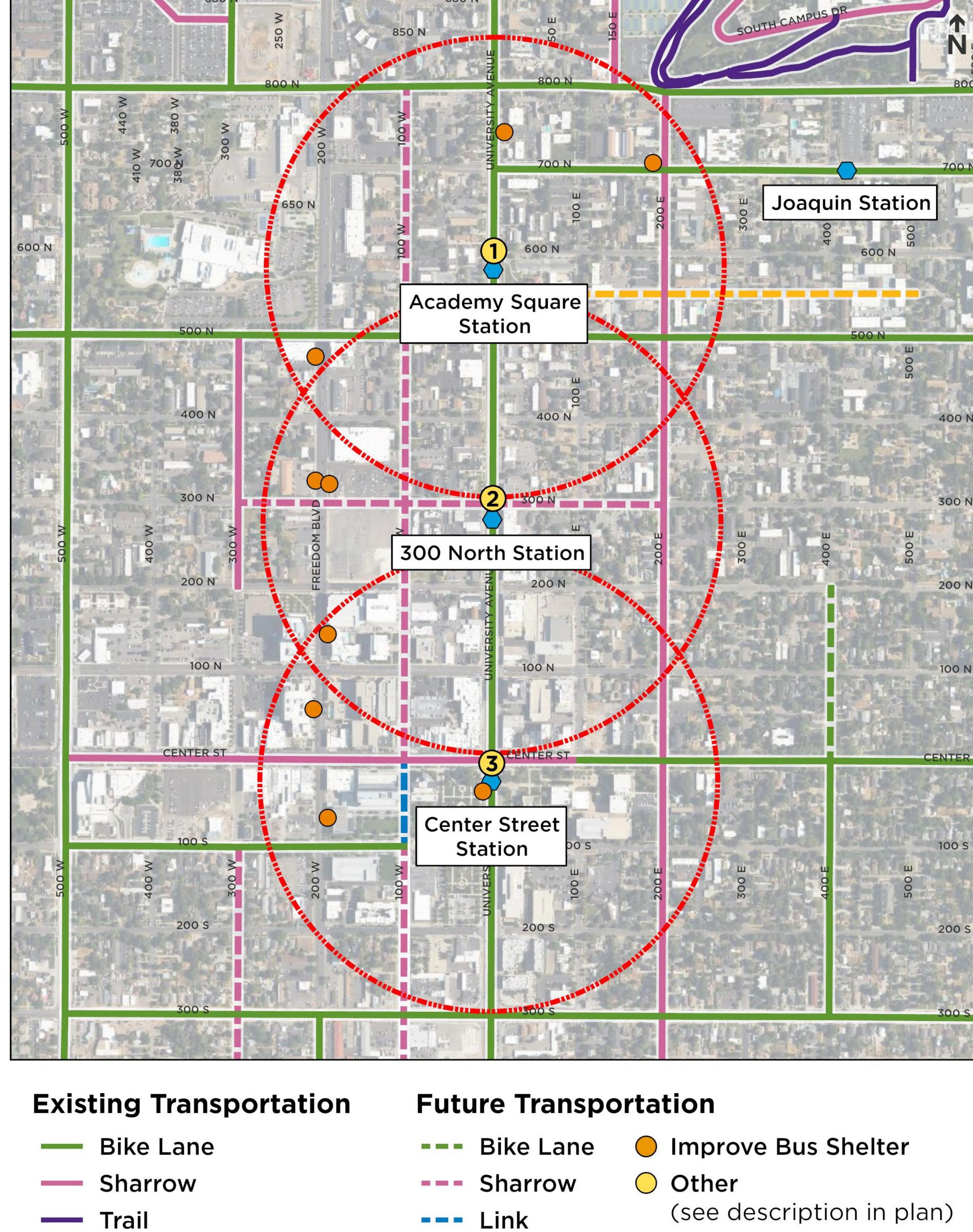
Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 8. Implement the Future Active Transportation Map infrastructure and improvements.
- 9. Improve connectivity within the station area.

Future Land Use



Future Transportation



— Trail

(see description in plan)

Shared Use Path

Joaquin Vision and Goals

The Joaquin station area will connect more students and visitors to Brigham Young University campus, providing better active transportation connections for visitors and vertically integrated commercial and residential uses to support a greater number of residents.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

1. Align current zoning with the Future Land Use Map.

Joaquin Vision and Goals, cont.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

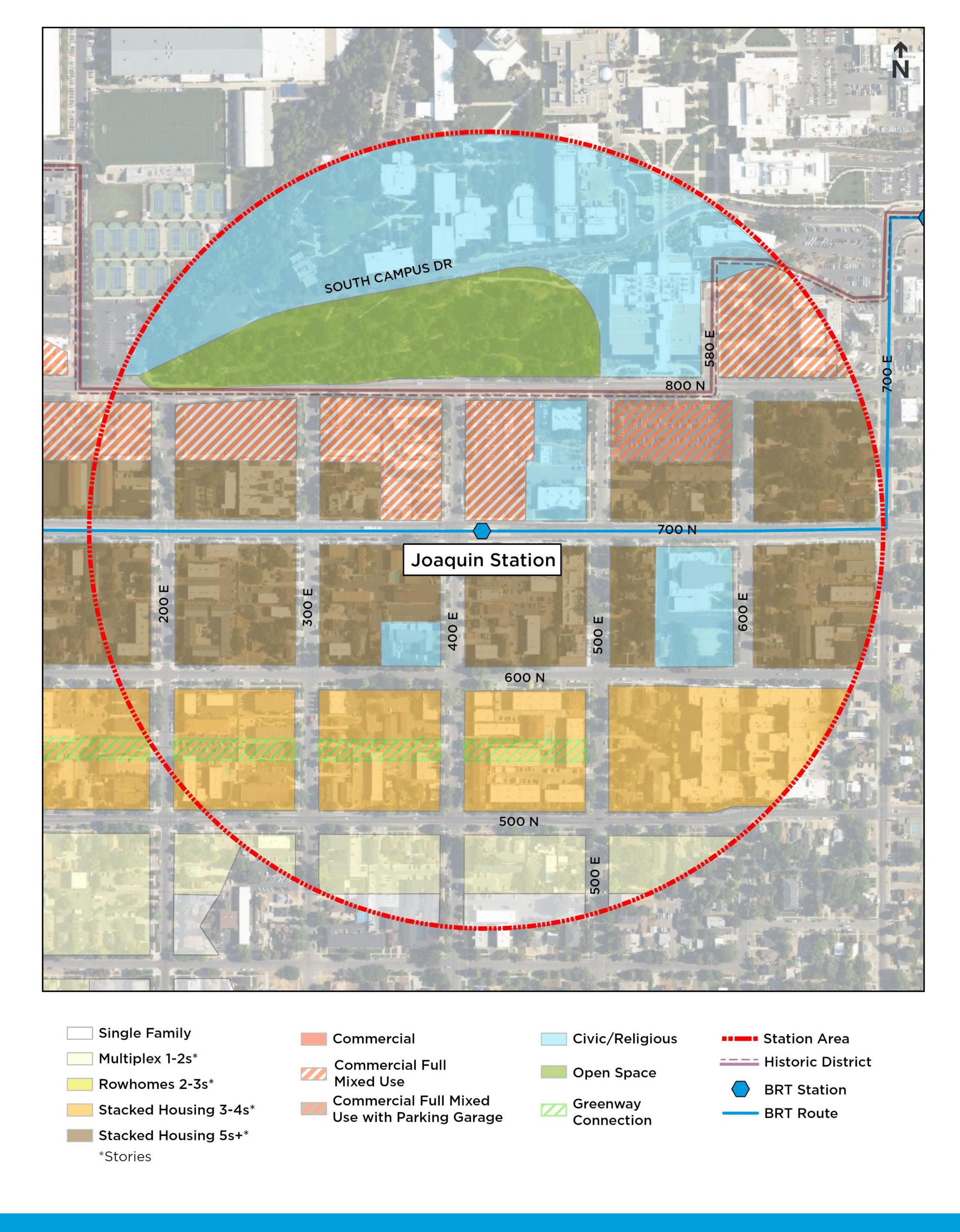
- 2. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 3. Enhance access to green spaces within the station area.
- 4. Ensure infill development and redevelopment provide appropriate on-site parking.
- 5. Preserve historic districts.

Transportation and Environment

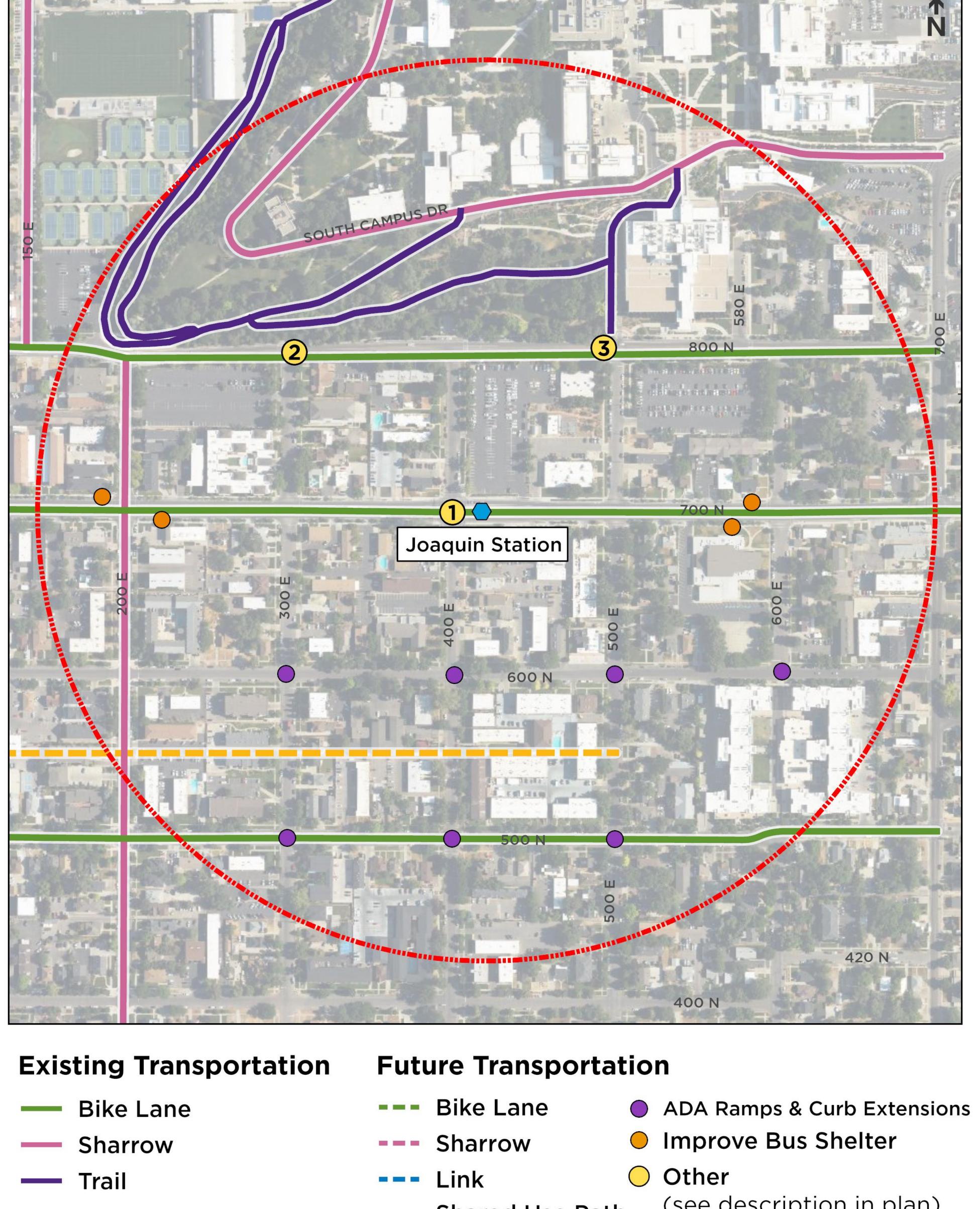
Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 6. Implement the **Future Active Transportation Map** infrastructure and improvements.
- 7. Improve connectivity within the station area.

Future Land Use



Future Transportation



- --- Shared Use Path
- - (see description in plan)

FrontRunner & 400 South Vision and Goals

The FrontRunner station area will welcome residents of all ages in a diverse community that reflects the city's history while connecting residents and visitors across the Wasatch Front by improving connectivity to existing landmarks and citywide transportation networks.

Land Use

Increase the housing supply by focusing on residential redevelopment and infill close to the stations and with an emphasis on for-sale units.

- 1. Increase density throughout the area, especially near the station.
- 2. Increase the number of owner-occupied units in the area.

FrontRunner & 400 South Vision and Goals, cont.

Redevelopment

Enhance economic and business opportunities by bringing a range of uses and services in closer proximity to the stations and housing.

- 3. Increase the number of affordable units in the area.
- 4. Maximize redevelopment opportunities to create diverse uses, with particular emphasis on transit-oriented development.
- 5. Enhance access to green spaces within the station area.
- 6. Ensure infill development and redevelopment provide appropriate on-site parking.
- 7. Preserve historic districts.
- 8. Extend Downtown Design Standards around the FrontRunner station.
- 9. Evaluate alternatives for a future City park.
- 10.Improve wayfinding signage around the station.

Transportation and Environment

Solidify all networks of transportation modes so they function independently and together to build synergy. Improve air quality by reducing dependency on single-occupancy vehicles through establishing and enhancing alternative transportation networks.

- 11. Implement the Future Active Transportation Map infrastructure and improvements.
- 12.Improve connectivity within the station area.

Franklin & Franklin South Affordable Housing Language



- Promote higher utilization of public transit
- Increase availability of housing, including affordable housing and fulfillment of moderate-income housing plans.
- Promote and encourage development of owner-occupied housing
- Improve efficiencies in parking and transportation, including walkability of communities near public transit facilities
- Overcome development impediments and market conditions that render a development cost prohibitive, absent the proposal and incentives
- Conserve water resources through efficient land use
- Improve air quality by reducing fuel consumption and motor vehicle trips
- Encourage transformative mixed-use development and investment in transportation and public transit infrastructure in strategic areas
- Strategic land use and municipal planning in major transit investment corridors
- Increase access to employment, education opportunities, and childcare.

It works through collaboration with Provo City to create a zone and a Community Reinvestment Area (CRA) that requires equal percentage participation by all local taxing entities. 60% of tax increment revenues for a maximum of 15 consecutive years per parcel will be collected and redistributed to relevant developers or property owners.

Only 100 acres of the FrontRunner station area is permitted to be within an HTRZ. At least 51% of the developable acreage within the HTRZ must be residential with a density of at least 39 units/acre.



Commercial and residential on 500 South/Freedom Boulevard

At least 12% of the residential units within an HTRZ must be affordable, with up to 9% of the dwelling units occupied by or set aside for households with an income equal to or less than 80% AMI. At least 3% of the dwelling units must be occupied by or set aside for households with an income equal to or less than 60% AMI.

Please see Utah State Code 63N-3-603 for a complete list of requirements for HTRZs.

Mobile Home Park

The mobile home park in the station area is an excellent location for affordable, dense housing near the transit, though access from the housing to the station itself could be improved. The City has no immediate plans to replace the mobile homes in this area, which provide much needed affordable housing for Provo residents.

This plan's Land Use chapter and Future Land Use Map recommend that should the properties ever redevelop, they should be replaced with moderate-density housing to allow more people to live in this prime residential area. This proposed future land use and the associated rezone (per state requirements that zoning match the



future land use map) does not prevent the mobile home park from continuing to operate as it has. As with many properties in the city, it would be considered a grandfathered non-conforming use, meaning that although it no longer conforms to the current zone, it conformed to the zone in place at the time it was built and may continue to operate in its original capacity until it redevelops at the end of its natural lifecycle.

It is encouraged in the strongest terms that a portion of any new units should be affordable and that developers should consider ways to alleviate the displacement of current residents.

Affordable Housing

Affordable residential units should be spread throughout the area to avoid oversaturating any one neighborhood. Implementing the following strategies will help ensure affordable housing remains a priority in this station area.

Leverage Housing Programs – Developers are encouraged to partner with local, state, and federal programs such as Low-Income Housing Tax Credits (LIHTC), HOME Investment Partnerships, or HUD's Section 8 Project-Based Voucher program to ensure long-term affordability.

Establish Community Partnerships – Developers should reach out to organizations like Provo Housing Authority, faith-based organizations, and other community partners to create specialized housing options for vulnerable populations, including older adults and disabled individuals.

Design for Affordability – Promote "affordability through design" by implementing best practices in efficient building and land use, including smaller unit sizes, shared amenities, and energy-efficient construction.

Prevent Displacement – The City encourages developers to consider detailed anti-displacement strategies such as including phased development, right of first refusal for current residents, rental assistance during transitions, or other appropriate mitigation measures.

Franklin and Franklin South Neighborhoods

These neighborhoods west of Freedom Boulevard are oversaturated with homogenous low-income housing, which has created high turnover in the area and instability in local schools. A variety of housing types and prices (e.g., market rate, single family, etc.) is encouraged in these neighborhoods.

Integration with Transportation

The FrontRunner Station area is a key link in public transportation as it includes the Provo Central station. Redeveloping in a way that supports safe and simple access to public transportation and active transportation will increase opportunities for the residents, increase foot traffic in the area supporting incoming businesses, and reduce vehicular traffic. All this in turn creates a more vibrant, walkable environment which benefits the residents and the city as a whole. Incoming development should carefully consider the Future Active Transportation map (Transportation and Environment Map 4.4) to evaluate the location of their project and how it can integrate with all different modes of transportation.

One important way to integrate with active transportation is for redevelopment projects to work with the city and adjacent property owners to establish the greenway shown on the Future Land Use map. Running from 500 West



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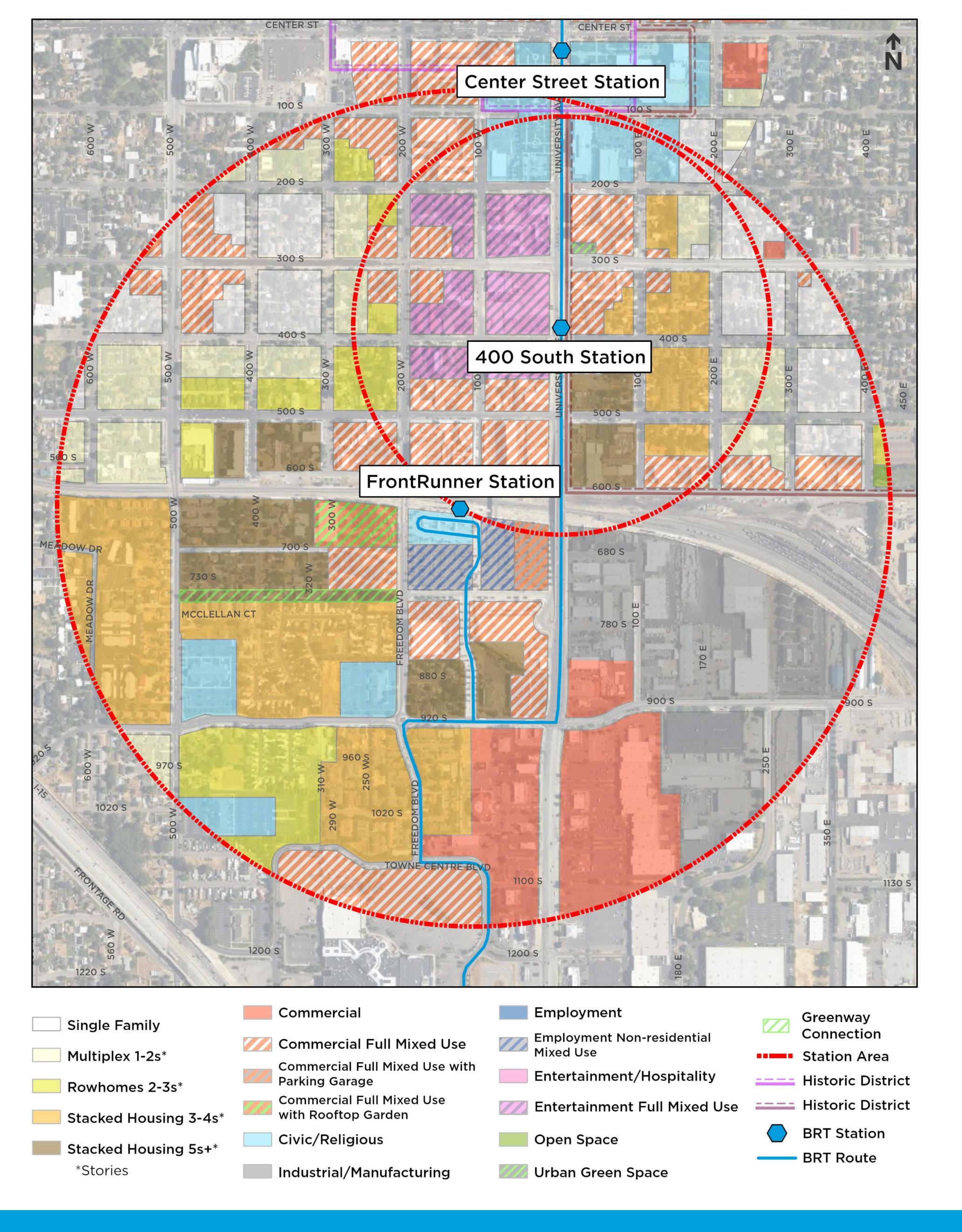
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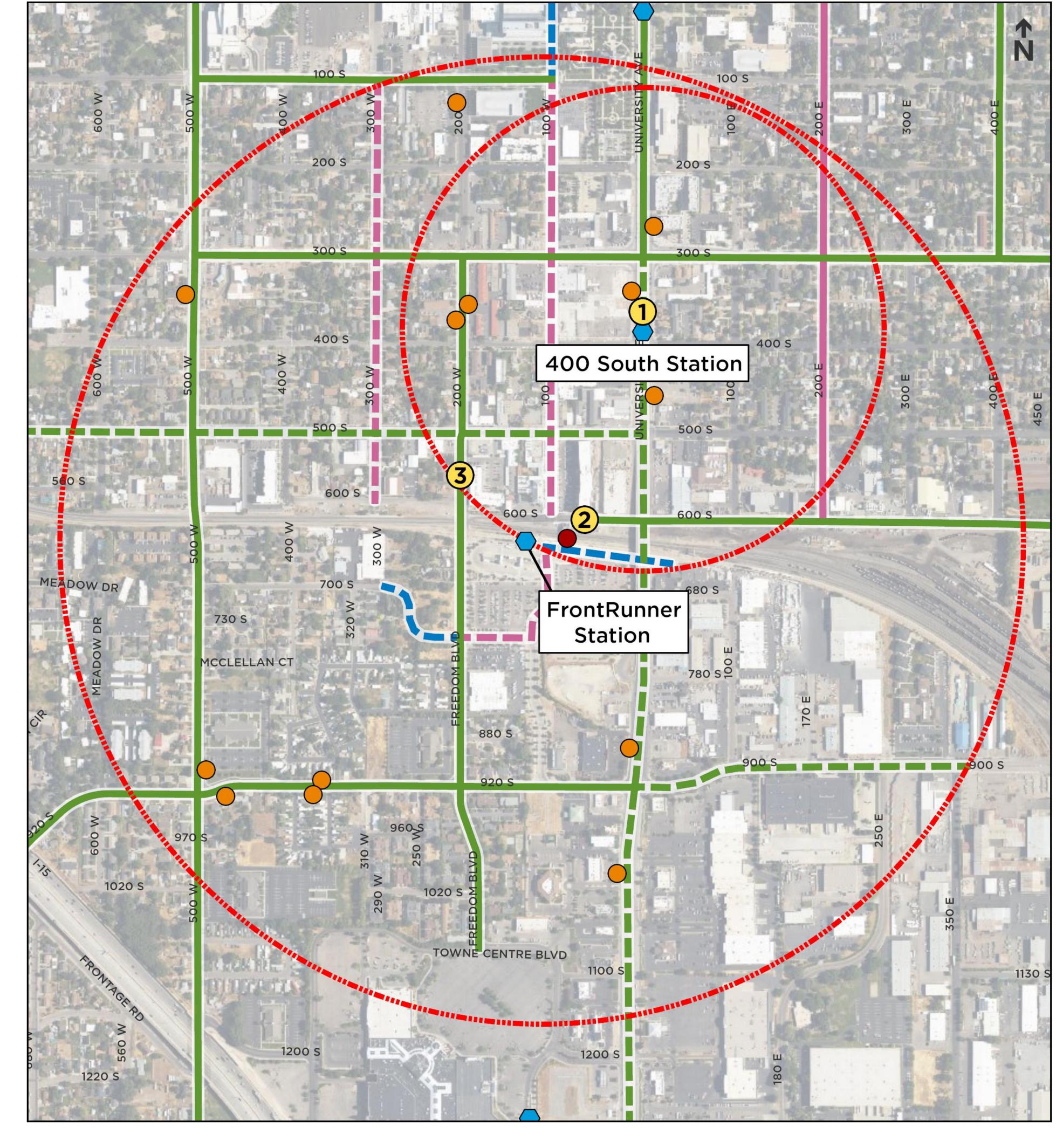
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Future Land Use



Future Transportation





Bike Lane

Sharrow

Pedestrian Bridge

Future Transportation

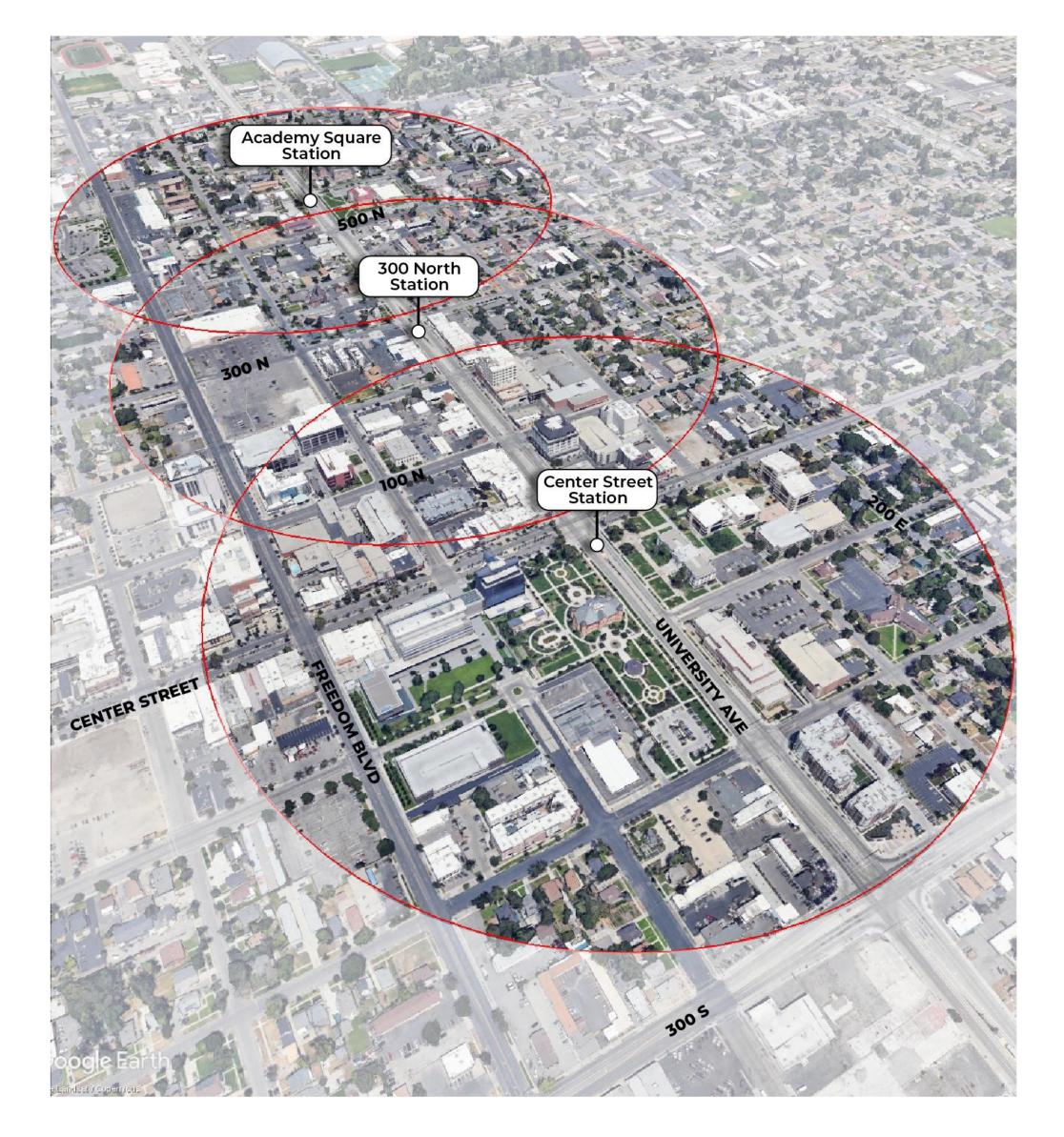
- --- Bike Lane
 - Improve Bus Shelter
- --- Sharrow
- --- Link
- Other (see description in plan)

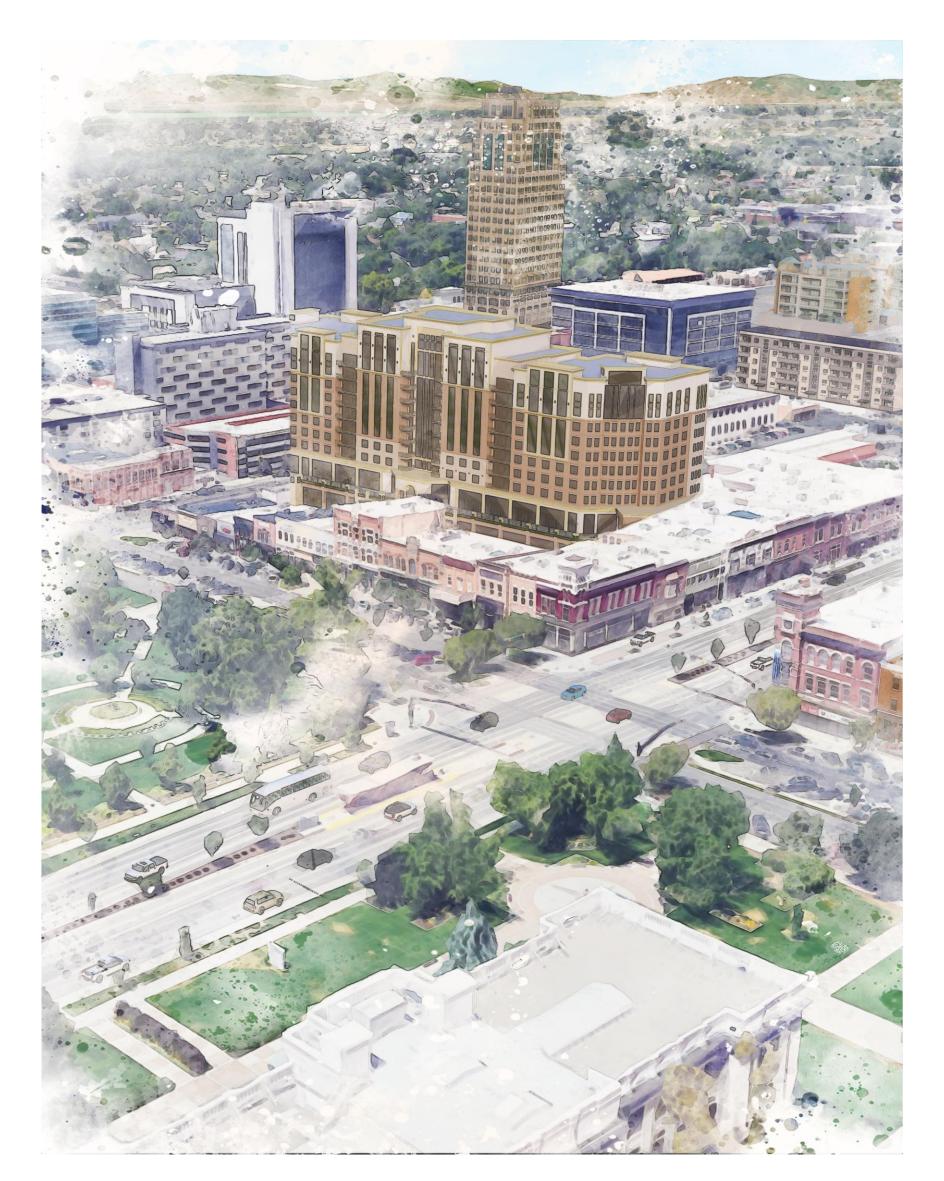
2230 NORTH





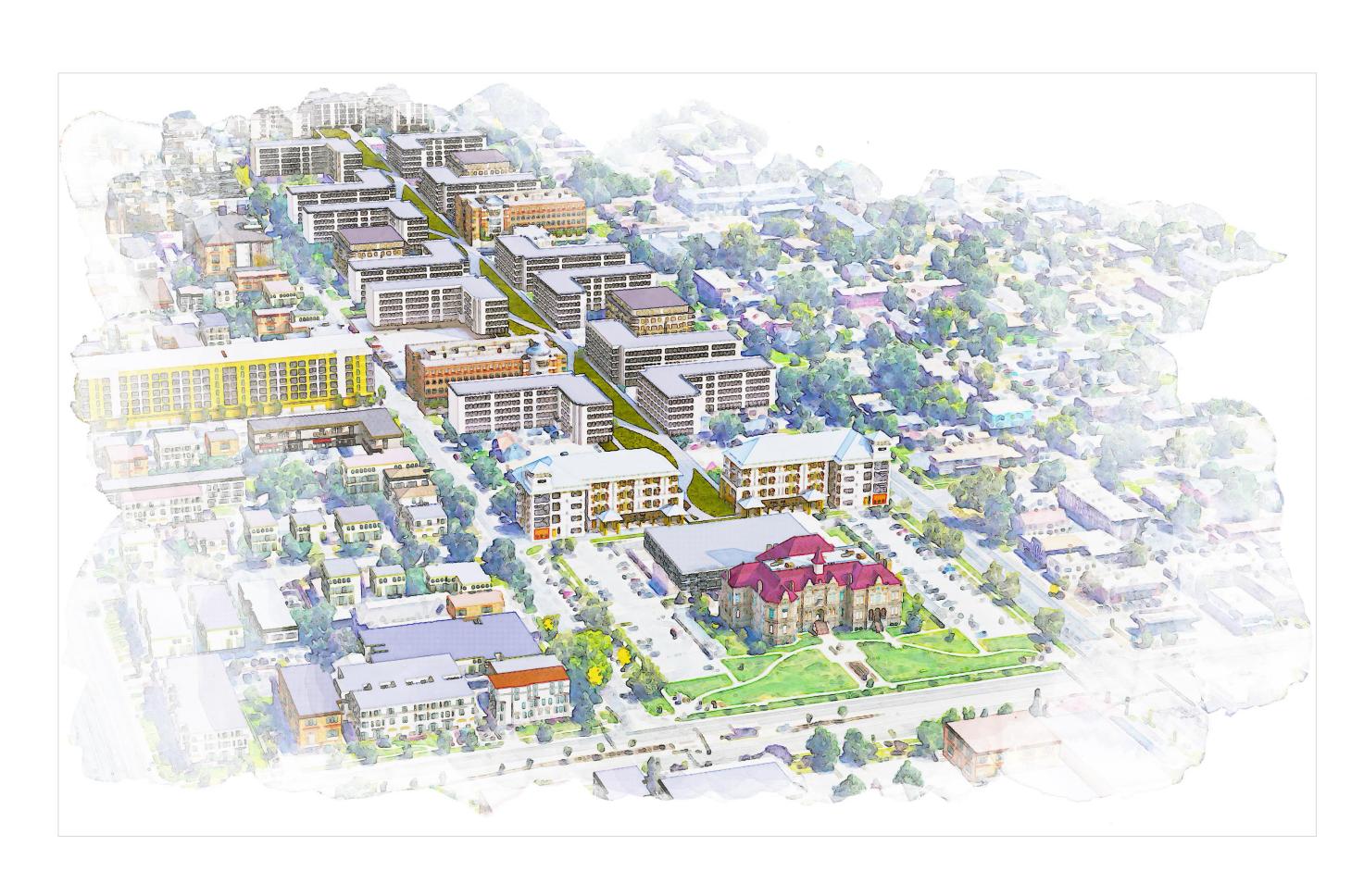
UNIVERSITY AVENUE





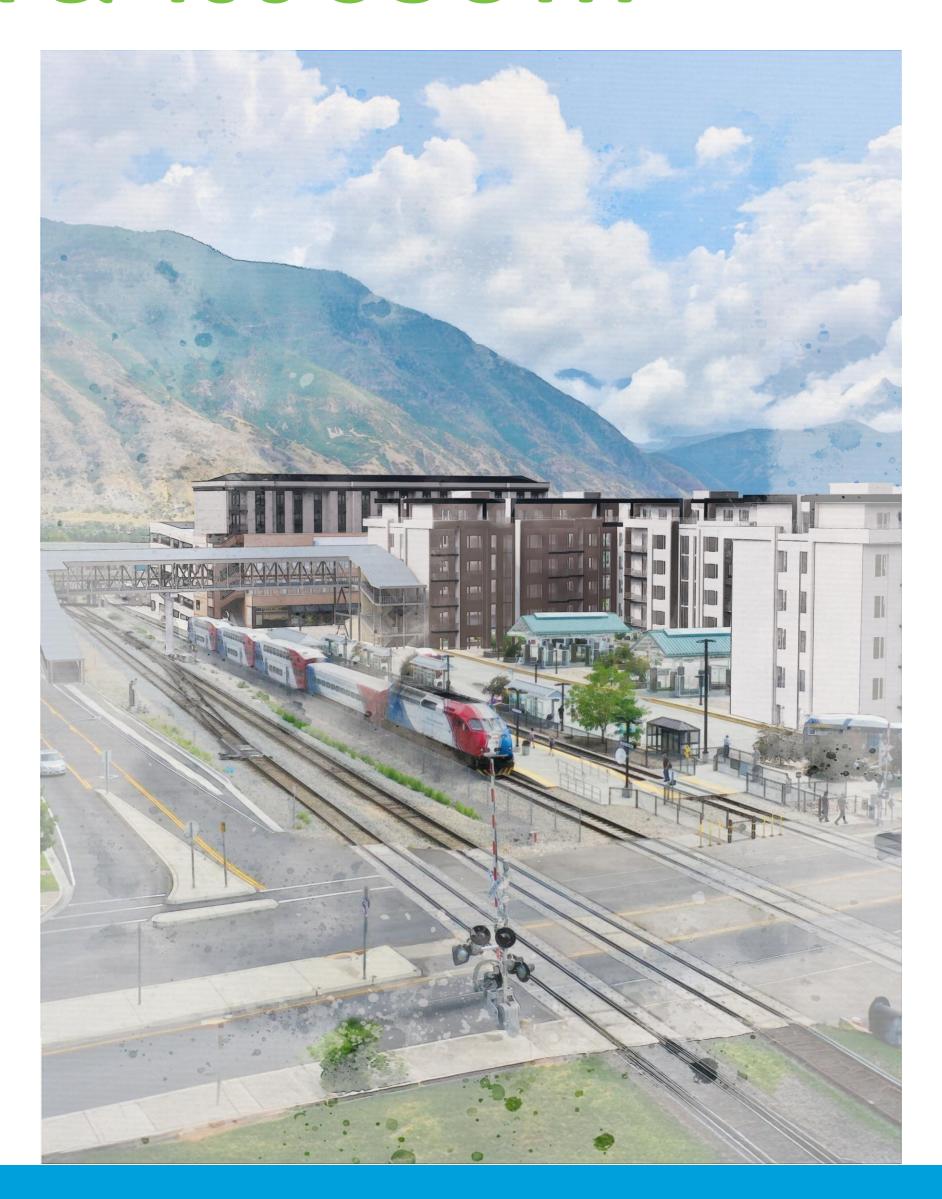
JOAQUIN





FRONTRUNNER & 400 SOUTH





*ITEM2

Development Services requests the adoption of the 2230 North Station Area Plan.

Citywide Application

*ITEM3

Development Services requests the adoption of the University Avenue Station Areas Plan.

Citywide Application

*ITEM 4

Development Services requests the adoption of the Joaquin Station Area Plan.

Citywide Application

*ITEMS

Development Services requests the adoption of the FrontRunner and 400 South Station Areas Plan.

Citywide Application

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: KMARTINS

Presenter: Lynn Schofield, Fire Marshall

Department: Recorder

Requested Meeting Date: 07-08-2025
Requested Presentation Duration: 10 Minutes
CityView or Issue File Number: 25-071

SUBJECT: 1 A resolution imposing fire restrictions due to hazardous environmental

conditions. (25-071)

RECOMMENDATION: Approval of the attached resolution adopting the fire restriction order given on June 15, 2025.

BACKGROUND: The Fire Code authorizes the fire code official to restrict open burning and the use of ignition sources when environmental conditions present an unreasonable fire risk. The Utah State Legislature has amended that provision to require the fire code official to present that order of restriction to the appropriate legislative body for ratification and approval.

FISCAL IMPACT: TBD

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

Public Safety and protection of our watershed

1	RESOLUTION << Document Number>>
2	
3	A RESOLUTION IMPOSING FIRE RESTRICTIONS DUE TO HAZARDOUS
4	ENVIRONMENTAL CONDITIONS. (25-071)
5	
6	RECITALS:
7	
8	The Provo Fire Code Official has determined that existing hazardous environmental
9	conditions necessitate certain ignition source restrictions and it has been proposed that Provo
10	City adopt the restrictions in the Notice of Fire Restrictions attached hereto as Exhibit A;
11	
12	Utah Code 15A-5-202.5 provides that a municipal legislative body may prohibit fire
13	ignition based upon such a finding of the fire code official. The Provo City watershed is faced
14	with a significant light fuel load in our wildland urban interface and watershed, that is now
15	drying out;
16	
17	On July 8, 2025, the Municipal Council met to ascertain the facts regarding this matter
18	and receive public comment, which facts and comments are found in the public record of the
19 20	Council's consideration; After considering the facts presented to the Municipal Council, the Council finds that (i) the attached Notice of Fire Restrictions should be approved, and (ii) such
21	action furthers the health, safety, and general welfare of the citizens of Provo City; and
22	action furthers the health, safety, and general wentare of the entizens of 11000 enty, and
23	THEREFORE, the Provo Municipal Council resolves as follows:
24	THEREI OIL, the Frovo Manierpar Council resolves as follows.
25	PART I:
26	
27	The Notice of Fire Restrictions attached hereto as Exhibit A is approved and the
28	restrictions stated therein are implemented. This order is effective until rescinded in writing by
29	the fire code official.
30	
31	PART II:
32	
33	This resolution takes effect immediately.

Exhibit A

Notice of Fire Restrictions

By order of the Provo City Fire Marshal, the following fire restrictions are in place along the Provo City Watershed effective June 15, 2025. Fires are prohibited in the Provo City watershed *except* in approved fire pits located in improved campgrounds and picnic areas, and within permanent fire pits in residential properties.

The restricted area includes all mountains and canyons beginning at the Springville City line and extends along the east bench of Provo to the Provo City line, then along Provo Canyon up to, and including South Fork.

These restrictions are put in place to protect the Provo City water supply. Due to the drying vegetation following a normal winter, and the need to protect our wildland urban interface, and available water supply, it is incumbent on each of us to decrease the risk of catastrophic fire.

Provo Fire & Rescue encourages a safe and cautious approach to the use of fire near our canyons and mountains. Fires shall be contained in an improved fire ring or pit in improved campgrounds and picnic areas. Violations of this Fire Restriction Order are a Class B Misdemeanor. Questions regarding these fire restrictions may be directed to the Fire Prevention Bureau at Provo Fire & Rescue by calling 801-852-6321 or email at firemarshal@provo.org.

Fire restrictions are effective beginning at midnight on Sunday June 15, 2025, and continue until rescinded. This fire restriction notice is published on Thursday June 12, 2025, at 0800.



CHIEF JEREMY HEADMAN

TEL: 801. 852 .6321 445 West Center St PROVO, UT 84601

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A. Lynn Schofield
Fire Marshal

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: TARAR

Presenter: Sgt. Bryce Lewis

Department: Development Services

Requested Meeting Date: 06-17-2025
Requested Presentation Duration: 10 Minutes
CityView or Issue File Number: 25-068

SUBJECT: 3 An ordinance amending Provo City Code regarding nuisance abatement and

chronic nuisances. (25-068)

RECOMMENDATION: It is proposed that Provo City Code be amended to enact a Chronic Nuisance Chapter to promote public safety and community well-being by reducing excessive service calls to properties that disrupt neighborhood stability, drain public resources, and interfere with the ability of emergency responders to serve the broader community effectively. This ordinance aims to address these issues in a fair and balanced manner while safeguarding the rights of residents to seek emergency assistance without fear of reprisal. A broader discussion will be introduced about additional changes to the code to make a condition for holding a business license that the holder must comply with all State, County, and Cide Codes including but not limited to the Utah County Health Department Code.

BACKGROUND: Provo City's Police and Zoning Departments have been dealing with properties that are chronic nuisances. These proeprties are consistently in noncompiances to zoning regulations and health code. They are often a haven for illegal activity which have resulted in a higher than normal call volume for law enforcement. We would like to discuss ideas on how to address these problems with more proactive enforcement and serious consequence for not being in compliance. Additionally, the discussion will include the recommendation to pull the business license of businesses that are not in compliance with State, County, or City codes, including but not limited to the Utah County Health Department.

FISCAL IMPACT: None

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

The adaptaion of a Chronic Nuisance Chapter is compatible with the General Plans, Policies, Goals, and Objectives of Provo City.

1	ORDINANCE << Document Number>>					
2						
3	AN ORDINANCE AMENDING PROVO CITY CODE REGARDING					
4	NUISANCE ABATEMENT AND CHRONIC NUISANCES. (25-068)					
5						
6	<u>RECITALS:</u>					
7						
8	It is proposed that Provo City Code Chapter 7.01 be amended regarding nuisance					
9	abatement and chronic nuisances as shown in Exhibit A to promote public safety and community					
10	well-being by reducing excessive service calls to properties that disrupt neighborhood stability,					
11	drain public resources, and interfere with the ability of emergency responders to serve the					
12	broader community effectively. This ordinance aims to address these issues in a fair and					
13	balanced manner while safeguarding the rights of residents to seek emergency assistance without					
14	fear of reprisal;					
15						
16	On June 17, 2025, the Municipal Council met to ascertain the facts regarding this matter					
17	and receive public comment, which facts and comments are found in the public record of the					
18	Council's consideration; and					
19	After considering the facts apparented to the Manisimal Council the Council finds that (i)					
20 21	After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health,					
22	safety, and general welfare of the citizens of Provo City.					
23	safety, and general wentare of the chizens of 11000 City.					
24	THEREFORE, the Provo Municipal Council ordains as follows:					
25	THEREI OIL, the Frovo Humelpur Council ordains as follows.					
26	PART I:					
27						
28	Provo City Code Chapter 7.01 is amended as set forth in Exhibit A.					
29						
30	PART II:					
31						
32	A. If a provision of this ordinance conflicts with a provision of a previously adopted					
33	ordinance, this ordinance controls.					
34						
35	B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,					
36 27	sentence, clause, or phrase is judicially determined to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.					
37 38	remainder of the ordinance is not affected by that determination.					
39	C. This ordinance takes effect immediately after it has been posted or published in accordance					
40	with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code					
41	Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.					
42						

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

45		Exhibit A				
46						
47		Chapter 7.01				
48		NUISANCE ABATEMENT				
49	Sections:					
50	7.01.010	Purpose.				
51	7.01.020	Nuisances Defined.				
52	7.01.030	Administrative Actions.				
53	7.01.040	Civil Actions.				
54	7.01.050	Criminal Actions.				
55	7.01.060	Chronic Nuisances.				
56	7.01.010 P	urpose.				
57 58	The purpose of this Chapter is to identify with particularity actions constituting a nuisance so that property within the City may be maintained in a manner that:					
59	(1) Protects	public health and safety.				

7.01.020 Nuisances Defined.

(2) Fosters neighborhood stability.

(4) Reflects community pride and caring.

(5) Protects the general welfare of its citizens.

60

61 62

63

65 It shall be unlawful and declared a public nuisance for any person owning, renting, leasing,

(3) Preserves the appearance, character, and beauty of neighborhoods.

- occupying, or having charge or possession of any property in the City to allow any of the following
- 67 conditions to exist on such property:
- 68 (1) A condition that causes visual blight, is offensive to the senses, creates a harborage for rodents
- 69 or pests, or detrimentally affects property in the surrounding neighborhood or community.
- 70 (2) A condition that impairs the reasonable and lawful use of property.
- 71 (3) A condition that unreasonably or unlawfully affects the health or safety of one or more persons.
- 72 (4) A fire hazard as defined in the Uniform Fire Code.
- 73 (5) Emanation of noxious or unreasonable odors, fumes, gas, smoke, soot or cinders.
- 74 (6) Noxious weeds located on vacant lots or other property, along public sidewalks or outer edge of
- 75 any public street, or weeds in any other location which constitutes an unreasonable fire hazard or is
- contrary to the purpose of this Chapter.
- 77 (7) Keeping or storing of any refuse and waste matter which interferes with the reasonable
- 78 enjoyment of nearby property.
- 79 (8) Polluted or stagnant water which constitutes an unhealthy or unsafe condition.

- 80 (9) Accumulation of soil, litter, debris, plant trimmings, or trash, on sidewalks, in vestibules,
- doorways, passages, breezeways, parking areas or any public right-of-way or alley.
- 82 (10) Accumulation of used or damaged lumber; junk; salvage materials; abandoned, discarded or
- 83 unused furniture; stoves, sinks, toilets, cabinets, or other fixtures or equipment stored so as to be
- visible from a public street, alley, or adjoining property. However, nothing herein shall preclude the
- 85 placement of stacked firewood for personal noncommercial use on the premises.
- 86 (11) Any attractive nuisance dangerous to children and other persons including, but not limited to,
- 87 abandoned, broken, or neglected household appliances, equipment and machinery, ponds,
- 88 abandoned foundations or excavations, or improperly maintained pools in violation of Section
- 89 14.34.210, Provo City Code.
- 90 (12) Dead, decayed, diseased, or hazardous trees, weeds, hedges, and overgrown or uncultivated
- 91 vegetation which is in a hazardous condition, is an obstruction to pedestrian or vehicular traffic, or
- 92 which is likely to harbor rats, vermin or other pests.
- 93 (13) Any front yard or street side yard area which causes excessive dust due to non-maintenance
- or other cause, or which contains the accumulation of debris.
- 95 (14) The keeping, storing, depositing or accumulating on the premises or in the public right-of-way
- 96 for an unreasonable period of time dirt, sand, gravel, concrete, or other similar materials, or
- 97 maintenance of such material on public rights-of-way. Additionally, failing to correct any grading
- 98 activity conducted without a permit including, but not limited to, failing to remove fill placed without a
- 99 permit and failing to place and remediate cuts made or fill removed without a permit.
- 100 (15) The leaving of any garbage can or refuse container in the street, other than on collection day,
- for more than twenty-four (24) hours after collection day.
- 102 (16) Construction equipment or machinery of any type or description parked or stored on property
- when it is readily visible from a public street, alley or adjoining property, except while excavation,
- 104 construction or demolition operations covered by an active building permit are in progress on the
- subject property or an adjoining property, or where the property is zoned for the storage of
- 106 construction equipment and/or machinery.
- 107 (17) Improper maintenance of a sign; or signs which advertise a business that is no longer
- operating on the property or advertising a product that is no longer sold on the property.
- 109 (18) Improper storage of inoperative, unregistered, abandoned, wrecked or dismantled vehicles or
- vehicle parts, including recreational vehicles.
- 111 (19) Any wall, sign, fence, gate, hedge, or structure maintained in such condition of deterioration or
- disrepair as to constitute a hazard to persons or property.
- 113 (20) Graffiti which remains on the exterior of any building, fence, sign or other structure and is
- visible from a public street.
- 115 (21) Maintenance of buildings and/or structures in such condition as to be deemed defective or in a
- condition of deterioration or disrepair including, but not limited to:
- 117 (a) Any building or structure which is unfit for human habitation, or which is an unreasonable
- hazard to the health of people residing in the vicinity thereof, or which presents an unreasonable
- fire hazard in the vicinity where it is located;
- (b) Any building or structure set up, erected, constructed, altered, enlarged, converted, moved
- or maintained contrary to the provisions of Title 14, Provo City Code, or any use of land,
- buildings or premises in violation of Title 15, Provo City Code:
- (c) Buildings which are abandoned, partially destroyed, or left in an unreasonable state of
- partial construction for a period of six (6) months or longer. An "unreasonable state of partial
- construction" is defined as any unfinished building or structure where the appearance or other
- conditions violate conditions as listed in Subsection (1) of this Section;

- 127 (d) Buildings having dry rot, warping, termite infestation, decay, excessive cracking, peeling, or chalking, as to render the building unsightly and/or in a state of disrepair;
- (e) Buildings with missing doors and/or windows containing broken glass and/or no glass at all where the window is of a type which normally contains glass;
- 131 (f) Building exteriors, walls, fences, gates, driveways, sidewalks, walkways, signs or
- ornamentation, or alleys maintained in such condition as to violate Subsection (1) of this
- 133 Section; and
- 134 (g) Buildings or conditions that violate any building, electrical, plumbing, fire, housing, or other code adopted by Provo City.
- 136 (22) Occupancy of any dwelling in excess of the permissible occupancy limits.
- 137 (23) Any violation of the Provo City Code expressly declared to be a public nuisance.
- 138 (24) The unlawful sale, manufacture, service, storage, distribution, dispensing, or acquisition of any
- controlled substance, precursor, or analog specified in Utah Code Annotated Title 58, Chapter 37,
- 140 Utah Controlled Substances Act.
- 141 (25) Gambling as defined in Utah Code Annotated Title 76, Chapter 10, Part 11, Gambling.
- 142 (26) Criminal activity that is committed in concert with three (3) or more persons, as defined in Utah
- 143 Code Annotated Section 76-3-203.1.
- 144 (27) Criminal activity that is committed for the benefit of, at the direction of, or in association with
- any criminal street gang, as defined in Utah Code Annotated Section 76-9-802.
- 146 (28) Criminal activity that is committed to gain recognition, acceptance, membership, or increased
- status with a criminal street gang, as defined in Utah Code Annotated Section 76-9-802.
- 148 (29) Prostitution or promotion of prostitution, as defined in Utah Code Annotated Title 76, Chapter
- 149 10, Part 13, Prostitution.

7.01.030 Administrative Actions.

- Administrative action, including assessment of civil fines, may be taken to abate a nuisance pursuant
- to the notice, process, penalty, and other provisions of PCC Title 17, Provo City Code.

153 **7.01.040 Civil Actions.**

- 154 A civil action to abate or enjoin a nuisance, or for damages for causing or maintaining a nuisance
- (including the cost, if any, of cleaning the subject property), may be brought by Provo City or by any
- 156 private person directly affected.

157

7.01.050 Criminal Actions.

- 158 (1) It shall be is unlawful and a misdemeanor violation for any person to maintain or assist in
- maintaining a nuisance after receiving notice to abate the same. Notice to abate a nuisance shall be
- given as a prerequisite to prosecution by delivering a copy of the notice to abate to the offender by
- 161 personal service in the manner described in the Utah Rules of Civil Procedure, or by mailing a copy
- of the notice to abate to the offending party by certified U.S. mail, return receipt requested.
- 163 (2) Notice to abate for the purpose of criminal proceedings may be served on:
- (a) the property owner of record by delivering the notice in person or by mailing it to the last-
- 165 known address of the owner according to records of the county recorder; or

166 167 168	(b) if the property owner is not an occupant of the property, then either a non-owner occupant or another person responsible for the property who is not the owner of record by delivering the notice in person or by mailing it to the property address.
169 170 171 172	(3) The notice to abate must meet the applicable notice requirements contained in Utah Code. (See UCA 10-11-2(2)(c), as it may be amended.)shall reasonably describe the subject nuisance and the steps necessary to abate the same and shall require abatement to be completed in not less than ten (10) nor more than thirty (30) days.
173	7.01.060 Chronic Nuisances
174	(1) Definitions. For purposes of this Section, the following definitions apply:
175	(a) "Chronic Nuisance" means a property that generates:
176 177	(i) five or more verified emergency-service calls related to nuisance activity within any 90-day period or
178	(ii) ten or more such calls within any 12-month period.
179 180 181	(b) "Enforcement Authority" means the Police Department, the Code Enforcement function of the Development Services Department, or any other City unit the Mayor designates to enforce PCC Title 7.
182 183 184	(c) "Nuisance Activity" means anything that is injurious to health, indecent, offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. This term includes, but is not limited to:
185	(i) All nuisances described in Utah Code 78B-6-1101;
186	(ii) Drug and/or alcohol related criminal activity;
187	(iii) Acts of violence or threats of violence;
188	(iv) Disturbances of the peace, including excessive noise;
189	(v) Solicitation of prostitution;
190	(vi) Harboring individuals committing criminal offenses; and
191 192	(vii) Causing or permitting human occupation of any structure infested with insects or rodents.
193 194	(d) "Verified Emergency Service Call" means a call for police, fire, or medical assistance to respond to the property that is deemed substantiated by the responding agency.
195 196	(2) <i>Exemptions</i> . Emergency service calls related to the following do not count towards the applicable thresholds for designation as a chronic nuisance:
197	(a) Calls made by victims of domestic violence, sexual assault, or stalking;
198 199	(b) Calls made to report medical emergencies or to request assistance in situations involving mental health crises; and
200 201	(c) Calls made in good faith by tenants of the property or property owners attempting to prevent or address nuisance activities.
202	(3) Designation and Required Mitigation.
203 204 205 206	(a) When a property meets the criteria to be designated a chronic nuisance, the Enforcement Authority may issue a written notice to the property owner, or other party responsible for the property, declaring the property a chronic nuisance and requiring compliance with this Section.
207	(b) The notice will include:
208 209	(i) The number of verified emergency service calls and a summary of the nuisance activities giving rise to the designation; and

210 211 212 213 214	(ii) The required corrective actions the property owner or responsible party must take to address the nuisance activities taking place on the property and the deadline for implementing them. Required corrective actions may include any reasonable, specific actions aimed to address and prevent future nuisance activities, including but not limited to:
215 216	(A) enhanced property management practices, including deployment of security personnel;
217	(B) installation of security measures, such as cameras or lighting; and
218	(C) enhanced tenant screening and lease enforcement procedures.
219 220	(c) The notice may be delivered to the property owner in person or by mail to the property address or to the last known address of the owner in the records of the County Recorder.
221 222	(d) Within 10 calendar days of the date on the notice, the property owner or responsible part must either:
223	(i) Submit a written action plan meeting the requirements of subsection (e); or
224 225	(ii) file an appeal of the designation as a chronic nuisance and/or the required corrective actions. Appeals will be handled in accordance with PCC Chapter 3.06.
226 227 228 229	(e) Action Plan. The written action plan required by this Section must detail specifically how the required corrective steps actions will be implemented, how the deadline will be met, and any additional actions the property owner or responsible party intends to take to address and prevent future nuisance activities.
230	(f) Penalties.
231 232 233	(i) It is a violation of this Section to fail to timely submit a written action plan, to fail to comply with the written action plan, or to otherwise fail to implement the required corrective actions by the deadline.
234	(ii) A violation of this Section may be punished by:
235	(A) Criminal prosecution as a Class B misdemeanor;
236 237	(B) Daily civil fines of \$500 per day, rising to \$750 per day after 30 days; and/or
238 239	(C) Revocation, suspension, or denial of any license or permit related to the property or the operation of a business on the property.

Proposed Chronic Nuisance Ordinance

Purpose:

The purpose of this ordinance is to promote public safety and community well-being by reducing excessive service calls to properties that disrupt neighborhood stability, drain public resources, and interfere with the ability of emergency responders to serve the broader community effectively. This ordinance aims to address these issues in a fair and balanced manner while safeguarding the rights of residents to seek emergency assistance without fear of reprisal.

Designation:

- Five or more verified emergency service calls for nuisance activities within 90 days
- Ten or more verified emergency calls for nuisance activities within 12 months

Hotels:

Incidents at Motels for last 2 Years								
Crime	Baymont Inn	Executive Inn	Little Suites	Skyline	Valley Inn	Grand Total		
Aggravated Assault	1	3	1	2	1	8		
Child Abuse			1			1		
Disorderly Conduct	6	6	5	17	10	44		
Domestic Violence	3	7	15	10	5	40		
Drugs	4	20	12	42	14	92		
DUI	3			1	2	6		
Intoxication	2	4	5		2	13		
Noise Disturbance	1	5	11	19	7	43		
Obstruction		2		4		6		
Sex Offense	1	2	8	3	1	15		
Simple Assault	2	3	5	8	1	19		
Grand Total	23	52	63	106	43	287		

Hotels:

Super 8 (01-01-17 to 07-01-20) - Marvin Gardens (07-01-20 to 12-02-21)						
Crime	2017	2018	2019	2020	2021	Grand Total
Aggravated Assault	3	1		1	1	6
Child Abuse	1					1
Disorderly						
Conduct	11	4	9	7	5	36
Domestic Violence	7	5	18	19	12	61
Drugs	3	21	9	12	8	53
DUI			1			1
Intoxication		1	3		2	6
Noise Disturbance	1	1	1	13	5	21
Sex Offense	2	3		2	2	9
Simple Assault	4	1	6	8	4	23
Grand Total	32	37	47	62	39	217

Residential:

3517 N Sioux Circle						
Offense	Count					
Aggravated Assault	1					
Disorderly Conduct	1					
Domestic Violence	4					
Drugs	14					
Noise Disturbance	3					
Simple Assault	1					
Grand Total	24					

Residential:

979 W 1700 N						
Offense	Count					
Aggravated Assault	2					
Disorderly Conduct	1					
Domestic Violence	1					
Drugs	25					
Noise Disturbance	1					
Obstruction	3					
Grand Total	33					

Exemptions:

- ► Calls made by victims of domestic violence, sexual assault, or stalking.
- ► Calls made to report medical emergencies or to request assistance in involving mental health crisis.
- ► Calls made in good faith by tenants or property owners attempting to prevent or address nuisance activities.

Property Owner Responsibilities:

- ► The Owner must submit a written action plan within 10 days of notice detailing measures to address and prevent further nuisance activities.
- Implement corrective measures which may include enhanced property management, installation of security measures, and tenant screening/lease enforcement.

Penalties:

► Fines up to \$500.00 per day for noncompliance, revocation of rental permits or licenses, and legal action to recover the cost of municipal services related to nuisance activities.

Appeals:

Property owners/tenants may appeal a chronic nuisance designation within 15 days of notice which will be heard by a designated hearing officer.

Questions?



PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: DOUGR

Presenter: Doug Robins Director of Parks and Recreation, and

John Bunderson, Project Manager

Department: Parks and Rec **Requested Meeting Date:** 07-08-2025

Requested Presentation Duration: 20 minutes
CityView or Issue File Number: 25-076

SUBJECT: 3 A resolution to submit an opinion question to the residents of Provo City in

the November 4, 2025 election regarding authorization to impose a local option sales tax as described in Utah Code Section 59-12-1402. (25-076)

RECOMMENDATION: Request Provo City Council resolution to place opinion question on Nov. 2025 ballot. This will allow the City to submit the resolution to Utah County, notifying intent to submit the question to voters. Upon receiving a Utah County declaration not to seek a similar tax, Provo may then notify the State prior to deadline of August 21, 2025

BACKGROUND: Provo City is widely recognized for its vibrant quality of life. The RAP Tax is designed to reinvest directly into the community by enhancing neighborhood parks, supporting local arts organizations, upgrading aging recreation infrastructure, and creating new opportunities for youth and families. With careful planning and public transparency, RAP funds could continue to enable the City to preserve and build on the amenities that make Provo a desirable and connected place to live, work, and visit.

The existing RAP Tax in Provo is nearing the end of its authorization period. As stewards of Provo's future, city leaders may place the renewal of the RAP tax on the November 2025 ballot for the Provo voters to decide if they wish to continue with this funding source.

FISCAL IMPACT: Continuation of existing sales tax

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

Agenda item is compatible with existing RAP Tax authorization, General Plan, Parks and Recreation Master Plan and other City goals and objectives.



N

Basics

Results

Plan

Recreation, Arts and Parks "RAP Tax"

What is it? Sales tax

How Much? 1/10th of 1%

Who Pays? Provo Residents

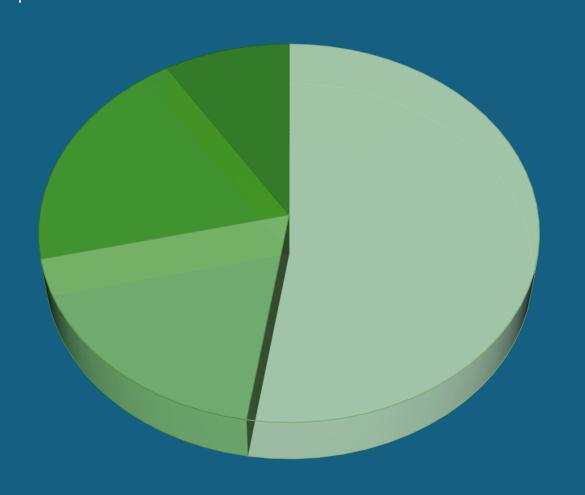
and Visitors

Duration? 10 years

New Tax? Renewal of Existing Not an Increase!



RAP Tax Public Opinion Data



2021 Master Plan Public Opinion Survey

53% would vote for

19% Might vote in favor

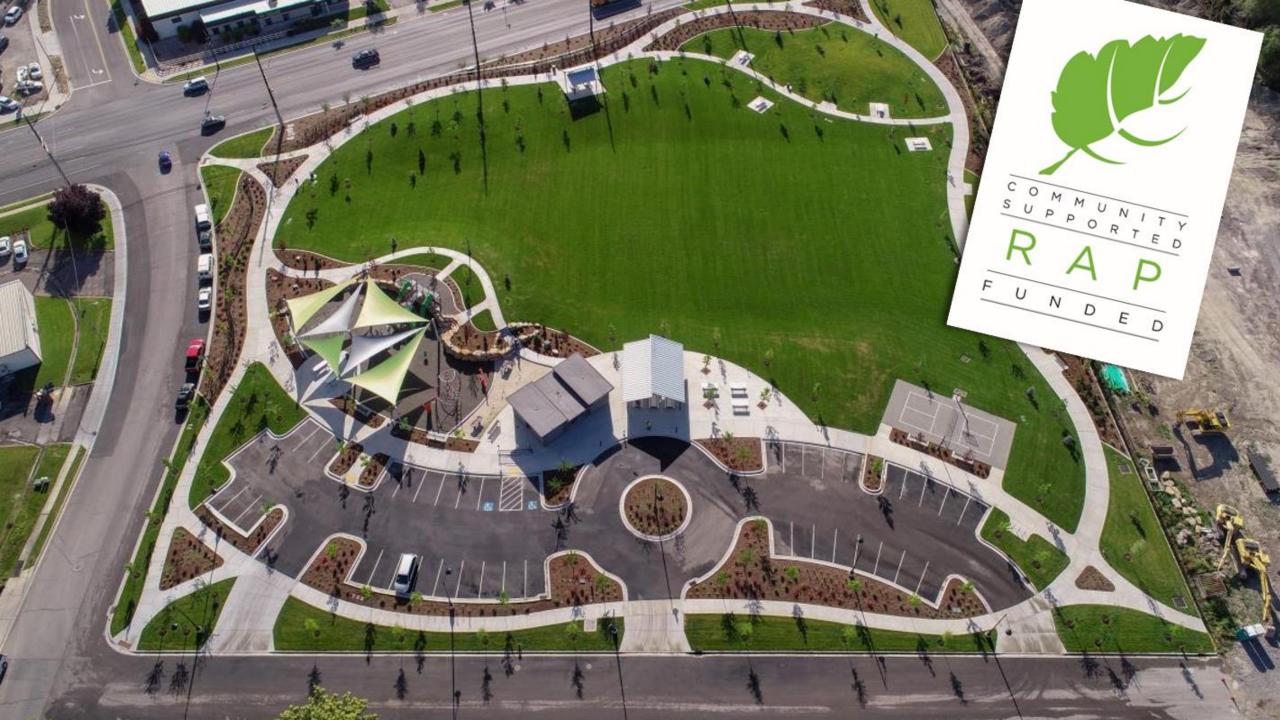
20% Not sure

9% Vote against

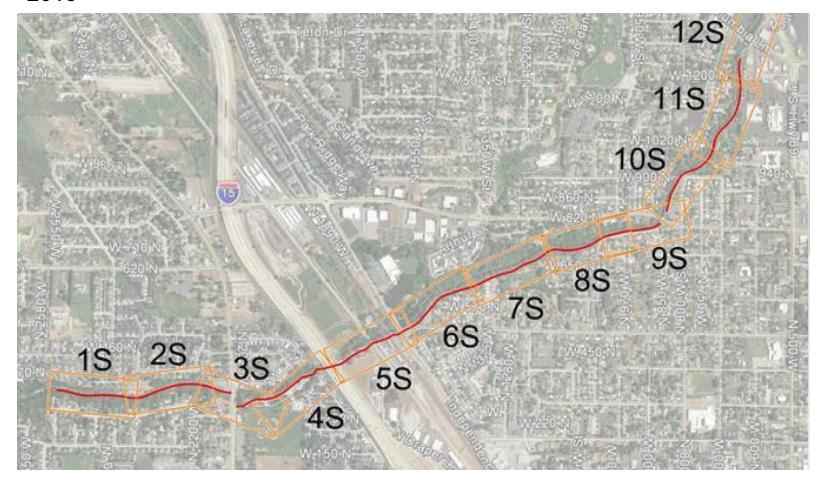
Stretching Each Dollar with Grants

Project	Source	Amount
Rock Canyon Park Playground/Restrooms	Utah County Recreation Grant	\$113,592
Provo River Trail Improvements 2230 N. Connector	Mountainlands Association of Governments (UDOT/MAG)	
Provo River Trail Central/State Street Crossings	Mountainlands Association of Governments (UDOT/MAG)	\$3,300,000 \$4,297,074
Provo River Trail Improvements 2230 N. Connector	State of Utah Utah Outdoor Recreation Grant (UORG)	\$300,000
Delta Gateway Park	U.S. Department of the Interior Mitigation Commission Provo River Delta Restoration	\$3,390,000
Rock Canyon Trailhead	Utah County Tourism, Recreation, Culture & Convention (TRCC)	\$1,781,770
Rock Canyon Trailhead	State of Utah Utah Outdoor Recreation Grant (UORG)	\$750,000
Epic Sports Park	Utah County Tourism, Recreation, Culture & Convention (TRCC)	\$7,500,000
Epic Sports Park	US Federal Government America Rescue Plan Act (ARPA)	\$5,500,000
	Total Grants & Outside Funding:	\$26,932,436

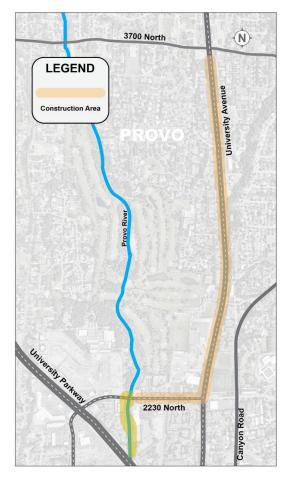




Provo River Trail Improvements















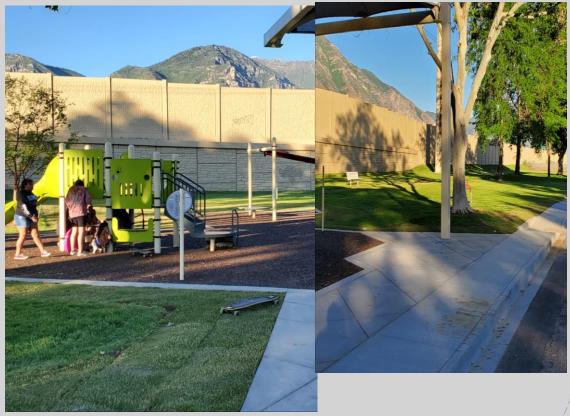
Provo River Trail Improvements



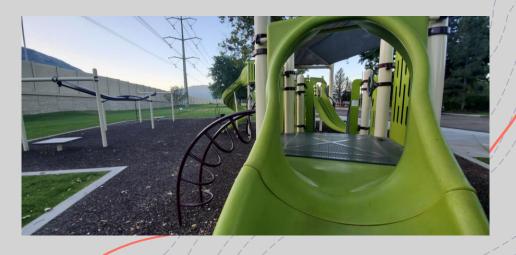
- Widened Trail Surface
- Improved Accessibility
- Lighting added
- Safety Improvements
- Multiple grants supplemented RAP available funds

Lakewood Playground

















Rock Canyon Park

- + Upper Restroom replacement
- + Playground replacement
- + Internal Park pathways replaced and resurfaced







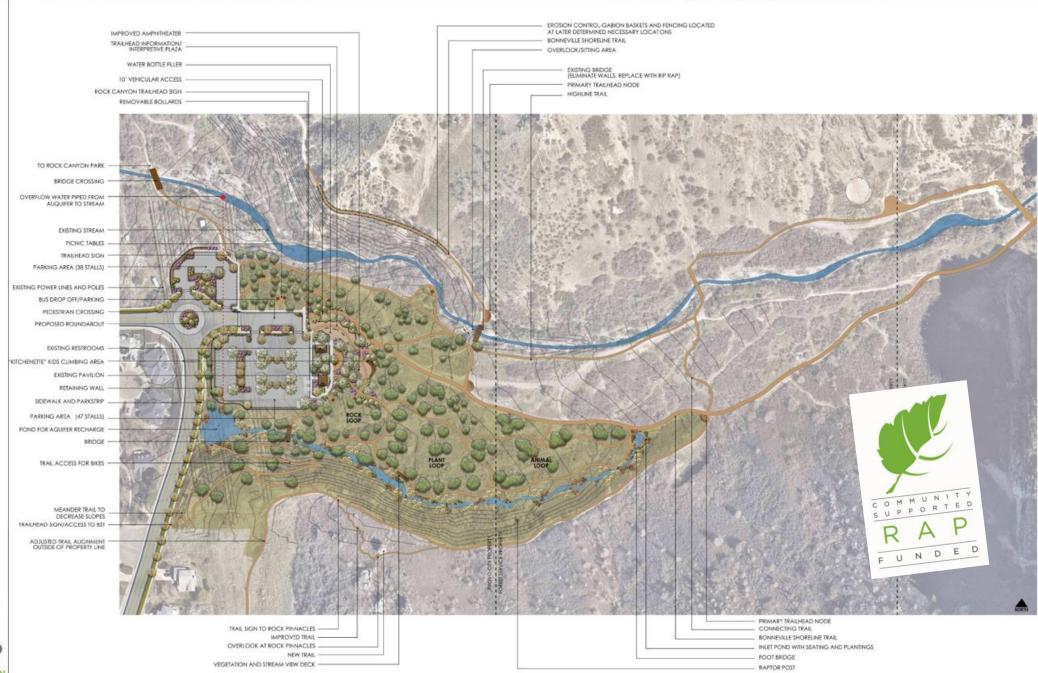


West Park renewal



ROCK CANYON TRAILHEAD

CONCEPTUAL MASTER PLAI









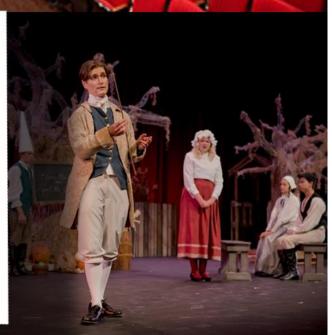


COVEY CENTER FOR THE ARTS











Community Arts Grants

Total Award for Year	\$25,000	\$25,000	\$22,000	\$28,000	\$23,400	\$23,800
APPLICANT	FY 2018-20 ↓ †	FY 2019-20 ▼	FY 2020-20 ▼	FY 2021-20 *	FY 2022-20 ▼	FY 2023-20 🔻
An Other Theater Company - The Moors	No application	\$1,500	No application	No application		
Utah News Works Theatre Project-10 Minute Plays	\$1,500	\$1,000	No application	No application		
Heart & Soul - Hope & Healing Series	\$2,000	\$2,000	No application	No application		
Utah Metropolitan Ballet	\$2,000	\$5,000	No application	\$3,000	\$3,800	\$3,600.00
The Grassroots Shakespeare Co	\$3,000	\$2,000	No application	No application	No application	No application
NAC - Creative Connections	\$3,000	\$3,000	\$4,500	\$3,000	\$2,500	
Excellence in the Community	\$3,500	No application	No application	\$3,000	No application	No application
NAC - Art in the Park/ApART in the Park/Neighborhood Arti	\$5,000	\$3,000	\$4,800	\$3,500	\$4,100	
Downtown Provo, Inc.	\$5,000	\$3,000	No application	\$4,500	\$4,300	\$4,300.00
Utah Theater Bloggers Association	No application	\$0	\$900	\$500	\$100	\$300.00
Tiny Art Show - McKay Lenker	No application	\$1,000	No application	No application	No application	\$600.00
Timp Storytelling Institute-Donald Davis Storyteller	No application	\$1,500	No application	No application		
Harrington Center for the Arts-Maeser Mural	No application	\$2,000	No application	No application		
Org of Am Kodaly Ed First We Sing	No application	No application	\$1,400	No application		
Wasatch Chorale	No application	No application	\$2,000	\$1,000	\$1,600	\$2,300.00
NAC-Day of the Dead Art Experience	No application	No application	\$4,500	No application		
Utah County Art Board - Gomm Stained Glass	No application	No application	\$3,900	\$3,000		
Gracias Choir-International Youth Fellowship	No application	No application	ancelled, not sent	No application		
Utah Chinese Association	No application	No application	No application	\$500		
Wasatch Contemporary Dance	No application	No application	No application	\$1,000	\$1,000	\$1,300.00
NAC - Ella Rises	No application	No application	No application	\$2,000		
Utah Valley Symphony	No application	No application	No application	\$3,000	\$3,100	\$3,000.00
Emily & Jamie Erekson	No application	No application	No application	No application	\$0	
Sites Set for Knowledge	No application	No application	No application	No application	\$1,000	
Utah Valley Interfaith Choir	No application	No application	No application	No application	\$1,900	\$1,700.00
Elizabeth Moulton & Hanna Schneck	No application	No application	No application	No application	\$1,600 - Did not rep	у
Provo Community Congregational United Church of Christ	No application	No application	No application	No application	No application	\$300.00
Carnaval de Provo	No application	No application	No application	No application	No application	\$1,400.00
Katelyn Field-Garcia	No application	No application	No application	No application	No application	\$1,400.00
Utah Fellowship of Local Kodaly Specialists	No application	No application	No application	No application	No application	\$1,500.00
Preservando el Arte	No application	No application	No application	No application	No application	\$2,100.00

Existing Facility Upgrades	New Playgrounds/Pavilions/Pickleball Courts/Dog Park/ New Restrooms
Arts	Covey Center for the Arts/Performance Series/Grants/Library Art Gallery
Trails/Pathways Trailheads	Bridge Replacements, Bonneville Shoreline Trail, Pathway Lighting, Exercise Nodes
Long Term Planning	Land Acquisition/Open Space Preservation/Whitewater River Trail/Timpanogos Wetlands
Land Acquisition Long-term Projects	Pavilion/Restroom Roof/ADA Improvements/Sustainability & Efficiency Improvements/Wayfinding Signs/Playground Shade Structures

Capital Improvement Plan

Ballfield lighting upgrades

Covey Center

Library arts gallery

Bonneville Shoreline Trail

Dog Parks

New Park Restrooms

New Playgrounds

Trailheads

All Wheels Park

Tennis Court Renovations

New Pickleball Courts

Pavilion Renovations

Signage/Wayfinding

Downtown Streetscape Improven

Provo River Trail Landscape and E

Nodes

All-Abilities Park II

White Water Trail

Minor Capital Improvements

Playground Shade Sails

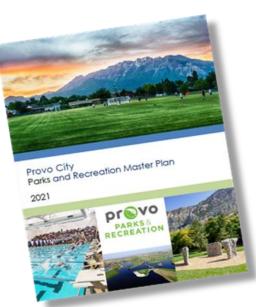
Timpanogos Wetlands

Trail Tunnel Art

Mountain Bike Trail Amenities

Parking Lots...and more





Path Forward

- ☐ Provo City Council resolution to place opinion question on Nov. 2025 ballot.
- ☐ Provo submits resolution to Utah County, notifying intent to submit the question to voters.

- ☐ Provo receives Utah County declaration not to seek a similar tax.
- ☐ Provo notifies the State prior to deadline of August 21, 2025

1	RESOLUTION << Document Number>>							
2								
3	A RESOLUTION TO SUBMIT AN OPINION QUESTION TO THE							
4	RESIDENTS OF PROVO CITY IN THE NOVEMBER 4, 2025 ELECTION							
5	REGARDING AUTHORIZATION TO IMPOSE A LOCAL OPTION SALES							
6	TAX AS DESCRIBED IN UTAH CODE SECTION 59-12-1402. (25-076)							
7								
8	RECITALS:							
9								
10	The Mayor has recommended that Provo City re-implement the local option sales tax of							
11	0.1% authorized by Utah Code § 59-12-1402, the proceeds of which may be used to fund							
12	cultural, recreational, and zoological facilities, and botanical, cultural, and zoological							
13	organizations. This is commonly known as the RAP (Recreation, Arts, and Parks) Tax;							
14								
15	The Parks and Recreation Board has met and discussed the proposed RAP tax and has							
16	unanimously recommended to the Municipal Council that the City pursue re-implementation of							
17	said tax. A RAP Tax may only be imposed after submitting to the residents of the City an							
18	opinion question as to whether the City should be authorized to impose the tax;							
19								
20	Pursuant to Utah Code § 59-12-1402(6), the first step in the process of re-implementing							
21	the RAP Tax is to submit notice to the Utah County Commission of the City's intent to submit							
22	the opinion question to the residents at the next election;							
23								
24	On July 8, 2025, the Provo City Municipal Council met to consider the facts regarding							
25	this matter and receive public comment, which facts and comments are found in the public							
26	record of the Council's consideration; and							
27	A.G							
28	After considering the facts and comments presented to the Municipal Council, the							
29	Council finds that (i) the proposed action should be approved as described herein, and (ii) such							
30	action reasonably furthers the health, safety, and general welfare of the citizens of Provo City.							
31	THEREFORE, the Provo Municipal Council resolves as follows:							
32 33	THEREFORE, the Flovo Municipal Council resolves as follows.							
34	PART I:							
35	TAKT I.							
36	1. The Municipal Council indicates its intent to submit to the residents of Provo City in							
37	the November 2025 election an opinion question regarding whether the City is							
38	authorized to implement a 0.1% local option sales tax for the purpose of funding							
39	cultural facilities, recreational facilities, and zoological facilities, and botanical							

40		organizations, cultural organizations, and zoological organizations, as authorized by
41		Utah Code § 59-12-1402.
42		
43	2.	Pursuant to Utah Code § 59-12-1402(6), Council Staff is directed to submit to the
44		Utah County Commission a copy of this resolution as written notice to the
45		Commission of the Council's intent.
46		
47	3.	The Municipal Council requests that within 60 days after the day this resolution is
48		received by the Utah County Commission, the Commission provides to the Municipal
49		Council either (a) a written resolution stating that the Commission is not seeking to
50		impose this tax on a county-wide basis or (b) written notice that the Commission will
51		submit an opinion question to the residents of the County in order for the County to
52		impose this tax.
53		
54	PART II:	
55		
56	Thi	is resolution takes effect immediately.
57		·
58	END OF F	RESOLUTION.

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: MMCNALLEY

Presenter: Melissa McNalley, Community Grant Administrator

Department: Development Services

Requested Meeting Date: 07-08-2025
Requested Presentation Duration: 15 minutes

CityView or Issue File Number: PLGPA20250197

SUBJECT: 4 An ordinance amending the General Plan Appendix B to include new

moderate income housing strategies. (PLGPA20250197)

RECOMMENDATION: Recommend approval of the Ordinance Text Amendment

BACKGROUND: In 2023 Provo City adopted a new General Plan with accompanying appendices including Appendix B: Moderate Income Housing Supply and Strategies. The strategies included several State required strategies which need to be updated as goals are achieved.

FISCAL IMPACT: potential funding from the State for transportation projects

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

Supports the Moderate Income Housing plan.

1	ORDINANCE << Document Number>>
2	AN ORDINANCE AMENDING THE GENERAL PLAN APPENDIX B
3 4	TO INCLUDE NEW MODERATE INCOME HOUSING STRATEGIES.
5	(PLGPA20250197)
6	(1 LG1 N20230177)
7	RECITALS:
8	<u></u>
9	It is proposed that General Plan Appendix B: Moderate Income Housing Supply and
10	Strategies be amended to include new Moderate Income Housing Strategies as outlined in Utah
11	Code Title 10 to remain compliant with the State Code Requirements;
12	
13	There are some Moderate-Income Housing Strategies in the initial plan that have either
14	been achieved or are no longer viable;
15	
16	Provo City must maintain at least five (5) Strategies as outlined in Utah Code Title 10 to
17	receive state funding on other projects. The proposed amendment will ensure that Provo has at
18	least the required number of strategies as well as additional strategies to receive priority
19	consideration from the State of Utah for the Transportation Investment Fund of 2005, and the
20	Transit Transportation Investment Fund;
21	
22	On June 11, 2025, the Planning Commission held a public hearing to consider the
23	proposed amendment, and after the hearing, the Planning Commission recommended Approval
24	to the Municipal Council by a vote of 4:1;
25	On July 9, 2025, the Manieiral Council met to acceptain the facts accepting this metter.
26	On July 8, 2025, the Municipal Council met to ascertain the facts regarding this matter
27 28	and receive public comment, which facts and comments are found in the public record of the Council's consideration; and
28 29	Council's consideration, and
29 30	After considering the facts presented to the Municipal Council, the Council finds that (i)
31	the proposed action should be approved, and (ii) such action furthers the health, safety, and
32	general welfare of the citizens of Provo City.
33	goneral wonare of the character of the only
34	THEREFORE, the Provo Municipal Council ordains as follows:
35	, 1
36	PART I:
37	
38	Provo City General Plan Appendix B: Moderate Income Housing Supply and Strategies
39	is amended as shown in Exhibit A.

PART II:

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 judicially determined 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 official copy of Provo City Code be updated to reflect the provisions enacted by this ordinance.

Exhibit A

Goal	Status /Benchmark	Cost	Timing	Responsibility	Code Reference
(A) Rezone for densities necessary to facilitate the production of moderate-income housing	Provo will continue to look for areas to rezone as it makes sense. Some Rezoning will take place upon completion of Station Area Plan and the Code rewrite, expected to be completed by the end of 2025.	N/A	Short- Long	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(A)
(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.	Infrastructure is expected to expand on the West side of Provo as more housing units are planned. Some of these units are expected to serve Moderate Income populations. Without this infrastructure in place, development of this area is not possible.	\$ - \$\$\$	Short- Long	Development Services, Council, Public Works	UCA 10-9a- 403(2)(b)(iii)(B)
(D) Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the	Not Yet Started Housing Committee will explore viability by end of 2023	\$\$ - \$\$\$	Short	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(D)

municipality for the construction or rehabilitation of moderate-income housing.					
(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.	Complete/Ongoing ADUs are allowed in most residential zones and in all residential zones west of I-15 Housing Committee will review off-street parking requirements for ADUs by the end of 2023	\$\$	Short	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(E)
(F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed use zones near major transit investment corridors, commercial centers, or employment centers.	Complete/Ongoing Much of the land near commercial and transit hubs is already zoned mixed-use and/or higher density Provo will continue to review rezone applications from the development community	N/A	Complete	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(F)
(I) Amend land use regulations to allow for single room occupancy developments	Complete/Ongoing Provo's Mixed use zone allows for single room occupancy developments	\$	Short	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(I)

	D () () ()				
	Determine feasibility of				
	microunits and pass code				
	by end of 2023	•		<u> </u>	1104 40 0
(O) Apply for or	Complete/Ongoing	\$ -	Short-long	Development	UCA 10-9a-
partner with an entity		\$\$\$		Services, Council,	403(2)(2)(b)(iii)(O)
that applies for state	Provo is the lead entity on			Administration	
or federal funds or tax	the HOME consortium;				
incentives to promote	Provo administers two				
the construction of	downpayment assistance				
moderate income	programs for first-time				
housing, an entity that	home buyers for Provo				
applies for programs	and Utah County; Provo				
offered by the Utah	provides funding for Self				
Housing Corporation	Help Homes which				
within that agency's	provides moderate-				
funding capacity, and	income housing				
entity that applies for	assistance				
affordable housing					
programs	Provo applied for HOME				
administered by the	funding for the next fiscal				
Department of	year to provide down-				
Workforce Services,	payment assistance to				
an entity that applies	first time homebuyers.				
for affordable housing	The goal is to provide 6-				
programs	10 households with				
administered by an	assistance for				
association of	homeownership in Provo				
governments	in the coming year.				
established by an					
interlocal agreement					
under Title 11,					
Chapter 13, Interlocal					
Cooperation Act, an					

entity that applies for programs or services that promote the construction or preservation of moderate income housing.					
(G) Amend land use regulations to allow for higher density or new moderate-income residential development in commercial or mixed-use zones near major transit investment corridors	Complete/Ongoing Much of the land near commercial and transit hubs is already zones mixed-use and/or higher density The Station Area Plans (completed by December 2025) will make further recommendations	\$ - \$\$\$	Short to Mid	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(G)
(H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development neat major transit	Complete/Ongoing Code audit, Station Area Plans	\$ - \$\$\$	Short to Mid	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(H)

investment corridors or senior living facilities.					
(V) (U) Develop and adopt station area plans in accordance with Utah State Code Section 10-9a-403.1	In Progress All seven Station Area Plans adopted by December 2025 (early goal: June 2024)	\$	Short	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(V)
(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;	Provo City will partner with Provo City Housing authority to support CLT. Identify land to include in CLT Utilize RDA housing funds to help subsidize Moderate-income housing	\$ - \$\$\$	Short- Long	Development Services, Provo City Housing, Council, RDA Board	UCA 10-9a- 403(2)(b)(iii)(M)
(N) Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality	Partner with PCHA (other entity) to build workforce housing for Provo City Employees, or Provo School District employees Identify available parcel for development Find developers capable of cost effectively providing housing	\$\$ - \$\$\$	Mid- long term	Development Services, PCHA, Development Community, Council	UCA 10-9a- 403(2)(b)(iii)(N)

(P) Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing	Create separate funding vehicle within the RDA fund for housing set aside. Use of funding is reflected in RDA reporting annually. Reports may be included in MIH reports as housing funds are utilized.	\$\$ - \$\$\$	Mid to long term	Development Services, Redevelopment Agency, Finance Department, RDA Board	UCA 10-9a- 403(2)(b)(iii)(P)
(X) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act	Work with the Redevelopment Agency on the creation of HTRZ near frontrunner station by June 2026 Partner with developer to create mix of housing in HTRZ including moderate income units.	\$ - \$\$\$	short	Development Services, Administration, Council, Redevelopment Agency	UCA 10-9a- 403(2)(b)(iii)(X)



Planning Commission Hearing Staff Report Hearing Date: June 11, 2025

*ITEM 1 Development Services requests a General Plan Text Amendment to Appendix B: (Moderate Income Housing Supply and Strategies) to include new strategies contained in UCA 10-9a-403(2)(b)(iii). Citywide Application. Melissa McNalley (801) 852-6164 mmcnalley@provo.gov PLGPA20250197

Applicant: Development Services

Staff Coordinator: Melissa McNalley

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* 25, 2025 at 6:00 P.M.
- 2. **Recommend Denial** of the requested Ordinance Text Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: In 2023 Provo City adopted a new General Plan with accompanying appendices including Appendix B: Moderate Income Housing Supply and Strategies. The strategies included several State required strategies which need to be updated as goals are achieved.

Neighborhood Issues: There has not yet been a neighborhood meeting on this item and staff has not received any feedback on the request at the time of this report.

Summary of Key Issues:

- Provo City needs to maintain and provide tangible progress on at least 5 strategies outlined in UCA 10-9a-403(2)(b)(iii)
- Some of the goals in the initial Moderate Income Strategies Implementation Table have been achieved or are no longer relevant.
- In order to be considered for State funding in other areas of the City, Provo must maintain a minimum of 5 strategies.

Staff Recommendation: That the Planning Commission recommend approval of the proposed General Plan amendment to the Provo City Council.

Staff Report *ITEM 1
June 11, 2025 Page 2

OVERVIEW

Development Services staff seeks to amend the Moderate-Income Supply and Strategies Implementation table to update or replace goals as required by Utah State Code 10-9a-403(2)(b)(iii) as part of the General Plan element.

FINDINGS OF FACT

- 1. Utah State Law (Title 10-9a-401) requires municipalities to maintain a general plan that includes a moderate-income housing element. State legislation also requires that cities of a certain size with a fixed public transit station shall include a recommendation to implement five or more of the moderate-income housing strategies described in 10-9a-403(2)(b)(iii).
- 2. The City has completed some of the goals set in the initial plan adopted in 2023, and some goals need revisions or replacements to meet the minimum strategy requirement of the State of Utah.
- If the strategies are found non-compliant with State Code, the City is ineligible for Transportation Investment Fund of 2005 and the Transit Transportation Investment Fund, as well as the State Tax Commission Distribution of Sales and Use Tax to fund Highways.
- 4. If there are 6 or more strategies in compliance with State Code, priority consideration will be given for the funding listed above.
- 5. The proposed amendment adds additional strategies to the Implementation Table to ensure compliance with State law.

STAFF ANALYSIS

Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments.

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

Staff response: The amendment would support the City's goals in providing housing types to fit families through all stages of life.

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

Staff response: Staff believes that the proposed amendments serve the public.

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

Staff Report *ITEM 1
June 11, 2025 Page 3

Staff response: The proposed amendments are consistent with the General Plan.

(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 proposal.

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

Staff response: This proposal does not hinder or obstruct attainment of the General Plan's articulated policies.

(f) Adverse impacts on adjacent landowners.

Staff response: Staff do not foresee any adverse impacts on adjacent landowners.

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

Staff response: This proposal does not conflict with zoning or the General Plan.

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

Staff response: There is not a conflict.

CONCLUSIONS

The amendment to the strategies is necessary for consideration of needed transportation funding and priority funding. It is in the best interest of Provo City and its residents to approve these proposed changes.

ATTACHMENTS

1. Proposed Strategy amendments and additions to the General Plan Appendix B: Moderate Income Housing Supply and Strategies Implementation Table.

ATTACHMENT 1 – PROPOSED STRATEGY AMENDMENTS FOR THE GENERAL PLAN APPENDIX B: MODERATE INCOME HOUSING SUPPLY AND STRATEGIES IMPLEMENTATION TABLE.

Goal	Status /Benchmark	Cost	Timing	Responsibility	Code Reference
(A) Rezone for	Provo will continue to look	N/A	Short-Long	Development	UCA 10-9a-
densities necessary to	for areas to rezone as it			Services, Council,	403(2)(b)(iii)(A)
facilitate the	makes sense.			Development	
production of	Some Rezoning will take			Community	
moderate-income	place upon completion of				
housing	Station Area Plan and the				
	Code rewrite, expected to				
	be completed by the end				
	of 2025.				
(B) Demonstrate	Complete/Ongoing	\$ -	Short-Long	Development	UCA 10-9a-
investment in the		\$\$\$		Services, Council,	403(2)(b)(iii)(B)
rehabilitation or	Infrastructure is expected			Public Works	
expansion of	to expand on the West				
infrastructure that	side of Provo as more				
facilitates the	housing units are planned.				
construction of	Some of these units are				
moderate-income	expected to serve				
housing.	Moderate Income				
	populations. Without this				
	infrastructure in place,				
	development of this area				
	is not possible.				
(D) Identify and utilize	Not Yet Started	\$ <u>\$ -</u>	Short	Development	UCA 10-9a-
general fund subsidies		\$\$\$		Services, Council	403(2)(b)(iii)(D)
or other sources of	Housing Committee will				
revenue to waive	explore viability by end of				
construction related	2023				
fees that are otherwise					
generally imposed by					

the municipality for					
the municipality for					
rehabilitation of					
moderate-income					
housing.		**			
(E) Create or allow for,	Complete/Ongoing	\$\$	Short	Development	UCA 10-9a-
and reduce				Services, Council	403(2)(b)(iii)(E)
regulations related to,	ADUs are allowed in most				
internal or detached	residential zones and in all				
accessory dwelling	residential zones west of I-				
units in residential	15				
zones.					
	Housing Committee will				
	review off-street parking				
	requirements for ADUs by				
	the end of 2023				
(F) Zone or rezone for	Complete/Ongoing	N/A	Complete	Development	UCA 10-9a-
higher density or				Services, Council	403(2)(b)(iii)(F)
moderate-income	Much of the land near				
residential	commercial and transit				
development in	hubs is already zoned				
commercial or mixed	mixed-use and/or higher				
use zones near major	density				
transit investment	,				
corridors, commercial	Provo will continue to				
centers, or	review rezone applications				
employment centers.	from the development				
' '	community				
(I) Amend land use	Complete/Ongoing	\$	Short	Development	UCA 10-9a-
regulations to allow for	. 5 5			Services, Council	403(2)(b)(iii)(l)
single room				,	1-11-11-11-11

occupancy	Provo's Mixed use zone				
developments	allows for single room				
	occupancy developments				
	Determine feasibility of				
	microunits and pass code				
	by end of 2023				
(O) Apply for or partner	Complete/Ongoing	\$ -	Short-long	Development	UCA 10-9a-
with an entity that		<u>\$ -</u> \$\$\$		Services, Council,	403(2)(2)(b)(iii)(O)
applies for state or	Provo is the lead entity on			Administration	
federal funds or tax	the HOME consortium;				
incentives to promote	Provo administers two				
the construction of	downpayment assistance				
moderate income	programs for first-time				
housing, an entity that	home buyers for Provo and				
applies for programs	Utah County; Provo				
offered by the Utah	provides funding for Self				
Housing Corporation	Help Homes which				
within that agency's	provides moderate-				
funding capacity, and	income housing				
entity that applies for	assistance				
affordable housing					
programs	Provo applied for HOME				
administered by the	funding for the next fiscal				
Department of	year to provide down-				
Workforce Services,	payment assistance to				
an entity that applies	first time homebuyers. The				
for affordable housing	goal is to provide 6-10				
programs	households with				
administered by an	assistance for				
association of	homeownership in Provo				
governments	in the coming year.				

established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for programs or services that promote the construction or preservation of moderate income housing. (G) Amend land use regulations to allow for higher density or new moderate-income residential development in commercial or mixeduse zones near major transit investment	Complete/Ongoing Much of the land near commercial and transit hubs is already zones mixed-use and/or higher density The Station Area Plans	<u>\$ -</u> \$\$\$	Short to Mid	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(G)
-	The Station Area Plans (completed by December 2025) will make further recommendations				
(H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a	Complete/Ongoing Code audit, Station Area Plans	<u>\$ -</u> \$\$\$	Short to Mid	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(H)

resident is less likely					
to rely on the					
<u>resident's</u> own					
vehicle, such as					
residential					
development neat					
major transit					
investment corridors					
or senior living					
facilities.					
(₩) (U) Develop and	In Progress	\$	Short	Development	UCA 10-9a-
adopt station area				Services, Council	403(2)(b)(iii)(V)
plans in accordance	All seven Station Area				
with Utah State Code	Plans adopted by				
Section 10-9a-403.1	December 2025 (early				
	goal: June 2024)				
(M) demonstrate	Provo City will partner with	<u>\$ -</u>	Short-Long	Development	UCA 10-9a-
creation of, or	Provo City Housing	\$\$\$		Services, Provo City	403(2)(b)(iii)(M)
participation in, a	authority to support CLT.			Housing, Council,	
community land trust				RDA Board	
program for moderate	Identify land to include in				
income housing;	CLT				
	Utilize RDA housing funds				
	to help subsidize				
	Moderate-income housing				
(N) Implement a	Partner with PCHA (other	\$ <u>\$ -</u>	Mid-long	Development	UCA 10-9a-
mortgage assistance	entity) to build workforce	\$\$\$	term	Services, PCHA,	403(2)(b)(iii)(N)
program for	housing for Provo City			Development	
employees of the	Employees, or Provo			Community, Council	
municipality, an	School District employees				

employer that provides contracted services to the municipality, or any other public employer that operates within the municipality (P) Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing	Identify available parcel for development Find developers capable of cost effectively providing housing Create separate funding vehicle within the RDA fund for housing set aside. Use of funding is reflected in RDA reporting annually. Reports may be included in MIH reports as housing funds are utilized.	- -	Mid to long term	Development Services, Redevelopment Agency, Finance Department, RDA Board	UCA 10-9a- 403(2)(b)(iii)(P)
(X) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act	Work with the Redevelopment Agency on the creation of HTRZ near frontrunner station by June 2026 Partner with developer to create mix of housing in HTRZ including moderate income units.	- (4)	short	Development Services, Administration, Council, Redevelopment Agency	UCA 10-9a- 403(2)(b)(iii)(X)

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 1 Development Services requests a General Plan Text Amendment to Appendix B: (Moderate Income Housing Supply and Strategies) to include new strategies contained in UCA 10-9a-403(2)(b)(iii). Citywide Application. Melissa McNalley (801) 852-6164 mmcnalley@provo.gov PLGPA20250197

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL

On a vote of 4:1, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen Second By: Andrew South

Votes in Favor of Motion: Lisa Jensen, Jonathon Hill, Andrew South, Barbara DeSoto.

Commissioner Anne Allen voted against the motion.

Jonathon Hill was present as Chair.

• Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

TEXT AMENDMENT

The text of the proposed amendment is attached as Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

• There were no departmental issues with this General Plan Text Amendment.

NEIGHBORHOOD AND PUBLIC COMMENT

There were no Neighborhood Chairs present, and no Public Comment was received on this item.

CONCERNS RAISED BY PUBLIC

No concerns were raised for this item.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

Concern expressed over the zoning changes by commissioner Allen. Specifically concerned that the zoning will be open and be contrary to the General Plan. Commissioners expressed gratitude that staff is on top of the requirements and including strategies in the amendment that Provo City is already working toward.

Commissioner Allen expressed the concern that the strategies may be opening the door to abolishing the General Plan. Other Commissioners stated some of the strategies are already in place in the General Plan and the new strategies are things Provo City is already working on, this is just a formal implementation.



Director of Development Services

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Exhibit A

Goal	Status /Benchmark	Cost	Timing	Responsibility	Code Reference
(A) Rezone for densities necessary to facilitate the production of moderate-income housing	Provo will continue to look for areas to rezone as it makes sense. Some Rezoning will take place upon completion of Station Area Plan and the Code rewrite, expected to be completed by the end of 2025.	N/A	Short-Long	Development Services, Council, Development Community	UCA 10-9a- 403(2)(b)(iii)(A)
(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.	Complete/Ongoing Infrastructure is expected to expand on the West side of Provo as more housing units are planned. Some of these units are expected to serve Moderate Income populations. Without this infrastructure in place, development of this area is not possible.	<u>\$ -</u> \$\$\$	Short-Long	Development Services, Council, Public Works	UCA 10-9a- 403(2)(b)(iii)(B)
(D) Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by	Not Yet Started Housing Committee will explore viability by end of 2023	\$ <u>\$ -</u> \$\$\$	Short	Development Services, Council	UCA 10-9a- 403(2)(b)(iii)(D)

the municipality for					
the construction or					
rehabilitation of					
moderate-income					
housing.					
(E) Create or allow for,	Complete/Ongoing	\$\$	Short	Development	UCA 10-9a-
and reduce				Services, Council	403(2)(b)(iii)(E)
regulations related to,	ADUs are allowed in most				
internal or detached	residential zones and in all				
accessory dwelling	residential zones west of I-				
units in residential	15				
zones.					
	Housing Committee will				
	review off-street parking				
	requirements for ADUs by				
	the end of 2023				
(F) Zone or rezone for	Complete/Ongoing	N/A	Complete	Development	UCA 10-9a-
higher density or				Services, Council	403(2)(b)(iii)(F)
moderate-income	Much of the land near				
residential	commercial and transit				
development in	hubs is already zoned				
commercial or <u>mixed</u>	mixed-use and/or higher				
use zones near major	density				
transit investment					
corridors, commercial	Provo will continue to				
centers, or	review rezone applications				
employment centers.	from the development				
	community				
(I) Amend land use	Complete/Ongoing	\$	Short	Development	UCA 10-9a-
regulations to allow for				Services, Council	403(2)(b)(iii)(l)
single room					

occupancy	Provo's Mixed use zone				
developments	allows for single room				
·	occupancy developments				
	Determine feasibility of				
	microunits and pass code				
	by end of 2023				
(O) Apply for or partner	Complete/Ongoing	<u>\$ -</u> \$\$\$	Short-long	Development	UCA 10-9a-
with an entity that		\$\$\$		Services, Council,	403(2)(2)(b)(iii)(O)
applies for state or	Provo is the lead entity on			Administration	
federal funds or tax	the HOME consortium;				
incentives to promote	Provo administers two				
the construction of	downpayment assistance				
moderate income	programs for first-time				
housing, an entity that	home buyers for Provo and				
applies for programs	Utah County; Provo				
offered by the Utah	provides funding for Self				
Housing Corporation	Help Homes which				
within that agency's	provides moderate-				
funding capacity, and	income housing				
entity that applies for	assistance				
affordable housing					
programs	Provo applied for HOME				
administered by the	funding for the next fiscal				
Department of	year to provide down-				
Workforce Services,	payment assistance to				
an entity that applies	first time homebuyers. The				
for affordable housing	goal is to provide 6-10				
programs	households with				
administered by an	assistance for				
association of	homeownership in Provo				
governments	in the coming year.				

established by an					
interlocal agreement					
under Title 11, Chapter					
13, Interlocal					
Cooperation Act, an					
entity that applies for					
programs or services					
that promote the					
construction or					
preservation of					
moderate income					
housing.					
(G) Amend land use	Complete/Ongoing	<u>\$ -</u> \$\$\$	Short to	Development	UCA 10-9a-
regulations to allow for		\$\$\$	Mid	Services, Council,	403(2)(b)(iii)(G)
higher density or new	Much of the land near			Development	
moderate-income	commercial and transit			Community	
residential	hubs is already <u>zones</u>				
development in	mixed-use and/or higher				
commercial or mixed-	density				
use zones near major					
transit investment	The Station Area Plans				
corridors	(completed by December				
	2025) will make further				
	recommendations				
(H) Amend land use	Complete/Ongoing	\$ -	Short to	Development	UCA 10-9a-
regulations to		\$\$\$	Mid	Services, Council,	403(2)(b)(iii)(H)
eliminate or reduce	Code audit, Station Area			Development	
parking requirements	Plans			Community	
for residential					
development where a					

resident is less likely					
to rely on the					
<u>resident's</u> own					
vehicle, such as					
residential					
development neat					
major transit					
investment corridors					
or senior living					
facilities.					
(V) (U) Develop and	In Progress	\$	Short	Development	UCA 10-9a-
adopt station area				Services, Council	403(2)(b)(iii)(V)
plans in accordance	All seven Station Area				
with Utah State Code	Plans adopted by				
Section 10-9a-403.1	December 2025 (early				
	goal: June 2024)				
(M) demonstrate	Provo City will partner with	<u>\$ -</u>	Short-Long	Development	UCA 10-9a-
creation of, or	Provo City Housing	\$\$\$		Services, Provo City	403(2)(b)(iii)(M)
participation in, a	authority to support CLT.			Housing, Council,	
community land trust				RDA Board	
program for moderate	Identify land to include in				
income housing;	CLT				
	Utilize RDA housing funds				
	to help subsidize				
AND I I	Moderate-income housing	4.4	NAC I I	Б .	1104400
(N) Implement a	Partner with PCHA (other	\$ <u>\$ -</u>	Mid-long	Development	UCA 10-9a-
mortgage assistance	entity) to build workforce	\$\$\$	term	Services, PCHA,	403(2)(b)(iii)(N)
program for	housing for Provo City			Development	
employees of the	Employees, or Provo			Community, Council	
municipality, an	School District employees				

employer that provides contracted services to the municipality, or any other public employer that operates within the municipality (P) Demonstrate utilization of a moderate income	Identify available parcel for development Find developers capable of cost effectively providing housing Create separate funding vehicle within the RDA fund for housing set aside.	\$ <u>\$ -</u> \$\$\$	Mid to long term	Development Services, Redevelopment	UCA 10-9a- 403(2)(b)(iii)(P)
housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing	Use of funding is reflected in RDA reporting annually. Reports may be included in MIH reports as housing funds are utilized.			Agency, Finance Department, RDA Board	
(X) Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act	Work with the Redevelopment Agency on the creation of HTRZ near frontrunner station by June 2026 Partner with developer to create mix of housing in HTRZ including moderate income units.	<u>\$ -</u> \$\$\$	short	Development Services, Administration, Council, Redevelopment Agency	UCA 10-9a- 403(2)(b)(iii)(X)

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: AARDMORE

Presenter: Aaron Ardmore, Planning Supervisor

Department: Development Services

Requested Meeting Date: 07-08-2025
Requested Presentation Duration: 5 Minutes

CityView or Issue File Number: PLRZ20250072

SUBJECT: 6 An ordinance amending the zone map classification of real property,

generally located at 1200 North Independence Avenue, from the

Manufacturing Park (MP) Zone to the Low Density Residential (LDR) Zone.

Grandview South Neighborhood. (PLRZ20250072)

RECOMMENDATION: Approve the ordinance

BACKGROUND: The applicant has requested a zone map amendment for a .87-acre lot located at 1200 N Independence Avenue, from Manufacturing Park (MP) to Low Density Residential (LDR). In the associated concept plan application, the applicant is proposing to build six townhomes.

The General Plan Future Land Use Map designates this area as residential.

Surrounding zones

North: Freeway Industrial (FI), Agriculture (A1.5)

South: Independence Avenue Project Redevelopment Option (PRO-A12)

East: Single-Family (R1.10) West: Freeway Industrial (FI)

FISCAL IMPACT: None

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES: a)

Public purpose for the amendment in question.

Staff response: The public purpose of this amendment is to increase the housing supply in the area.

- b) Confirmation that the public purpose is best served by the amendment in question. Staff response: With this zone map amendment, the applicant will be able to move forward with a project plan for 6 townhomes. This will increase the housing in the area.
- c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: Goal 1c in the Land Use chapter of the General Plan states, "Promote neighborhood scale development in residential areas, including a mix of density such as pocket neighborhoods, missing middle housing, and small lot single-family" Goal 1a in the Housing chapter of the General Plan states, "Encourage opportunities for small

scale, infill housing development." Goal 1b in the Housing chapter of the General Plan states, "Consider revising regulations to encourage development of a mix of housing types"

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: The implementation chapter of the General Plan states that the timing of all three goals is short. This rezone would be within the short time range of 1-3 years since the General Plan was adopted.

ORDINANCE << Document Number>>
AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF
REAL PROPERTY, GENERALLY LOCATED AT 1200 NORTH
INDEPENDENCE AVENUE, FROM THE MANUFACTURING PARK (MP)
ZONE TO THE LOW DENSITY RESIDENTIAL (LDR) ZONE. GRANDVIEW
SOUTH NEIGHBORHOOD. (PLRZ20250072)
<u>RECITALS:</u>
It is proposed that the classification on the Provo Zoning Map for approximately 0.87 acres
of real property, generally located at 1200 North Independence Ave (an approximation of which
is shown or described in Exhibit A and a more precise description of which is attached as Exhibit
B), be amended from the Manufacturing Park (MP) Zone to the Low Density Residential (LDR)
Zone;
On Iron 11 2025 do Director Commission I 11 and 15 bearing to a continue and
On June 11, 2025, 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 5:0 vote;
The Planning Commission's recommendation was based on the project design presented
to the Commission;
to the Commission,
On July 8, 2025, 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
0.0321411 0.001223013112021, 01120
After considering the Planning Commission's recommendation and the facts presented to
the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii)
such action furthers the health, safety, and general welfare of the citizens of Provo City.
THEREFORE, the Provo Municipal Council ordains as follows:
·
PART I:
The classification on the Provo Zoning Map is amended from the Manufacturing Park (MP)
Zone to the Low Density Residential (LDR) Zone for the real property described in this ordinance.

39 <u>PART II:</u>

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

B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is judicially determined 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.

EXHIBIT A

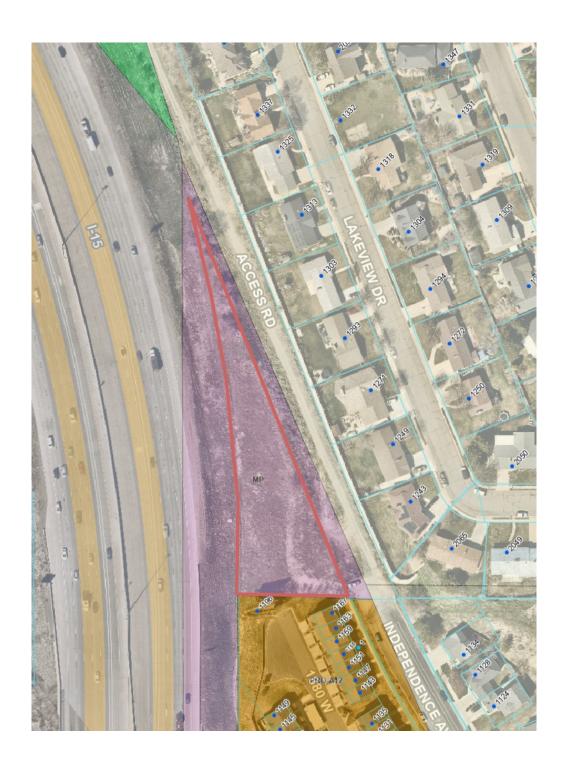


EXHIBIT B

COM N 1 DEG 57' 11" W 1343.84 FT & W 26.08 FT FR SW COR. SEC. 35, T6S, R2E, SLB&M.; N 1 DEG 13' 15" W 105.46 FT; ALONG A CURVE TO L (CHORD BEARS: N 8 DEG 17' 49" W 449.13 FT, RADIUS = 1823 FT); N 15 DEG 22' 22" W 32.13 FT; S 21 DEG 58' 3" E 631.81 FT; N 88 DEG 11' 17" W 160.85 FT TO BEG. AREA 0.875 AC.

Provo City Planning Commission

Report of Action

June 11, 2025

*ITEM 8 Georgetown Development requests a Zone Map Amendment from the MP (Manufacturing Park) Zone to the LDR (Low Density Residential) Zone in order to build a six-townhome development, located at 1200 N Independence Ave. Grandview South Neighborhood. Mary Barnes (801) 852-6408 mbarnes@provo.gov PLRZ20250072

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 11, 2025:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. No conditions

Motion By: Andrew South Second By: Anne Allen

Votes in Favor of Motion: Andrew South, Lisa Jensen, Barbara DeSoto, Anne Allen, Jonathon Hill *Jonathon Hill 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 <u>is generally consistent</u> with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the LDR Zone is described in the attached Exhibit A.

RELATED ACTIONS

PLCP20250071 – Concept Plan for 1200 N Independence Avenue, which was approved by the Planning Commission on June 11, 2025.

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 3/5/2025.

NEIGHBORHOOD AND PUBLIC COMMENT

• The Neighborhood District Chair was not present or 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:

- No public comment.

APPLICANT RESPONSE

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

- There is a significant slope differential from Independence Avenue and the west side of the property, which lends itself to the type of townhome that is being proposed. There will be a 6' fence on the west side of the property, trees and plantings along the fence, and special sound mitigation windows to try and dull the sound of the freeway.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

After staff presentation:

- Commissioner Allen asked about protection from the freeway. There is a barrier to the south of the project, and I-15 does curve away from the project. Staff does not anticipate any conflicts with the northbound traffic. Additionally, the applicant will be installing a fence.
- Commissioner DeSoto asked about landscaping on the north part of the lot. The applicant will be providing a landscaping plan during a potential PPA where this can be further studied. But staff believes that there is adequate landscaping on the parcel. And the natural landscaping does help to stabilize the slope right there. Commissioner DeSoto mentioned a desire to see more native plants in the northern triangle area.
- Commissioner Hill pointed out that these townhomes will blend in with the townhomes to the south.
- Commissioner Jensen asked if the neighbors in the single-family home neighborhood to the east had heard about this project. Postcards were sent out, and this project did go to a neighborhood meeting in March.
 - o Commissioner Jensen said that it is a great transition between the single-family home neighborhoods and the freeway.
- Commissioner Hill asked about a timeline to put Independence Avenue through.
 - David Day from Public Works answered this question. Extending Independence Avenue is in Phase 1 of the Transportation Master Plan; however, it has been difficult to find funding. It will be extended when funding is secured.

After applicant's presentation:

- Commissioner DeSoto asked why the road doesn't loop around the townhomes. The applicant wanted to reduce the accesses on Independence Avenue, and a looping road would cut into a lot of open space. And end units are more appealing for homeowners. This configuration maximizes the number of end units.
- Commissioner Jensen stated that this is a good use for this parcel.
 - O Commissioner Hill agreed. It could be worrying that it is so close to the freeway, but the townhomes to the south do not seem to have any issues with the proximity to the freeway.
 - O Commissioner South agreed. Provo City needs housing, and other townhome residents seem to be okay with the proximity to the freeway.
- Commissioner DeSoto asked if these townhomes would be rented. The applicant stated that they would be for sale units.

Planning Commission Chair

Director of Development Services

Bill Reperane

See <u>Key Land Use Policies of the Provo City General Plan</u>, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Planning Commission</u> 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.

Page 2 of 5

<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.
Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 W Center Street, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).
BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS
Page 3 of 5

EXHIBIT A
Taxing Description: COM N 1 DEG 57' 11" W 1343.84 FT & W 26.08 FT FR SW COR. SEC. 35, T6S, R2E, SLB&M. N 1 DEG 13' 15" W 105.46 FT; ALONG A CURVE TO L (CHORD BEARS: N 8 DEG 17' 49" W 449.13 FT, RADIUS = 1823 FT); N 15 DEG 22' 22" W 32.13 FT; S 21 DEG 58' 3" E 631.81 FT; N 88 DEG 11' 17" W 160.85 FT TO BEG. AREA 0.875 AC.
Page 4 of 5

EXHIBIT B





Planning Commission Hearing Staff Report

Hearing Date: June 11, 2025

*ITEM 8

Georgetown Development requests a Zone Map Amendment from the MP (Manufacturing Park) Zone to the LDR (Low Density Residential) Zone in order to build a six-townhome development, located at 1200 N Independence Ave. Grandview South Neighborhood. Mary Barnes (801) 852-6408 mbarnes@provo.gov PLRZ20250072

Applicant: Georgetown Development

Staff Coordinator: Mary Barnes

Property Owner: OLSEN, CHRIS (ET AL)

Parcel ID: 19:048:0174

Acreage: .87 acres

Number of Lots: 1

Current Zone: Manufacturing Park (MP)

Proposed Zone: Low Density Residential

(LDR)

Current Legal Use: Vacant lot

Relevant History: This vacant property is directly north of the existing Independence Avenue Townhomes project, which was rezoned in 2006 and built out from 2006-2012.

Neighborhood Issues: This application was presented at the District 4 neighborhood meeting on March 5, 2025. At that meeting, the applicant addressed questions on sound mitigation from the freeway, Independence Avenue, and the upper portion of the property.

Summary of Key Issues:

- The General Plan future land use map shows this area as residential, but it is currently zoned MP.
- A concept plan is connected to this application.

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 25, 2025, 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:

That the Planning Commission recommend approval of the zone map amendment to the Provo City Council.

OVERVIEW

The applicant has requested a zone map amendment for a .87-acre lot located at 1200 N Independence Avenue, from Manufacturing Park (MP) to Low Density Residential (LDR). In the associated concept plan application, the applicant is proposing to build six townhomes.

The General Plan Future Land Use Map designates this area as residential. Please see Figure 1 for the future land use map.

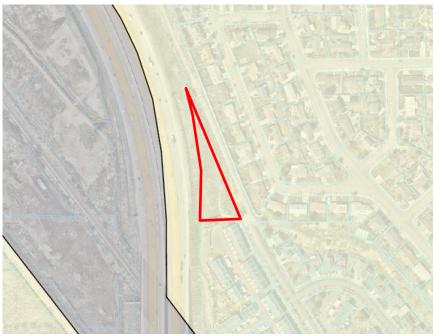


Figure 1: General Plan Future Land Use Map

Residential Industrial

Surrounding zones

North: Freeway Industrial (FI), Agriculture (A1.5)

South: Independence Avenue Project Redevelopment Option (PRO-A12)

East: Single-Family (R1.10) West: Freeway Industrial (FI)

FINDINGS OF FACT

- 1. The current zoning on the parcel is MP (Chapter 14.26). The entire area is .87 acres, or 37,897 sq ft.
- 2. The proposed zoning is LDR (Chapter 14.14A). The applicant is proposing to build six townhomes.
- 3. The General Plan designation is residential.
- 4. The proposed uses would increase the housing supply in the area and ensure the development of a previously untouched corner of Provo. The project would also complete an additional segment of Independence Avenue.
- 5. If the rezone is approved, the applicant will have to come back for Project Plan Approval with the Planning Commission and record a subdivision plat.

STAFF ANALYSIS

This property represents a remnant from the original MP zoning designation that also encompassed the entire Independence Avenue townhome development. Independence Avenue townhomes were rezoned to PRO-A12 in 2006.

If this rezone is approved, the proposed project would introduce 6 additional townhomes and a small extension to Independence Avenue. These units would complement the existing townhomes to the south and offer significantly greater compatibility than industrial development, which is currently permitted under the MP zoning classification.

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 this amendment is to increase the housing supply in the area.

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

Staff response: With this zone map amendment, the applicant will be able to move forward with a project plan for 6 townhomes. This will increase the housing in the area.

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

Staff response: Goal 1c in the Land Use chapter of the General Plan states, "Promote neighborhood scale development in residential areas, including a mix of density such as pocket neighborhoods, missing middle housing, and small lot single-family" Goal 1a in the Housing chapter of the General Plan states, "Encourage opportunities for small scale, infill housing development."

Goal 1b in the Housing chapter of the General Plan states, "Consider revising regulations to encourage development of a mix of housing types"

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: The implementation chapter of the General Plan states that the timing of all three goals is short. This rezone would be within the short time range of 1-3 years since the General Plan was adopted.

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

Staff response: Staff does not believe that this proposal will hinder or obstruct General Plan policies.

f) Adverse impacts on adjacent landowners.

Staff response: Adjacent landowners include the residents in the neighboring townhomes and UDOT. Due to the similar nature of the housing proposed, staff does not anticipate a significant impact on the Independence Avenue townhome residents.

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

Staff response: The General Plan shows this area as "Residential". This rezone supports that 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: There is no conflict.

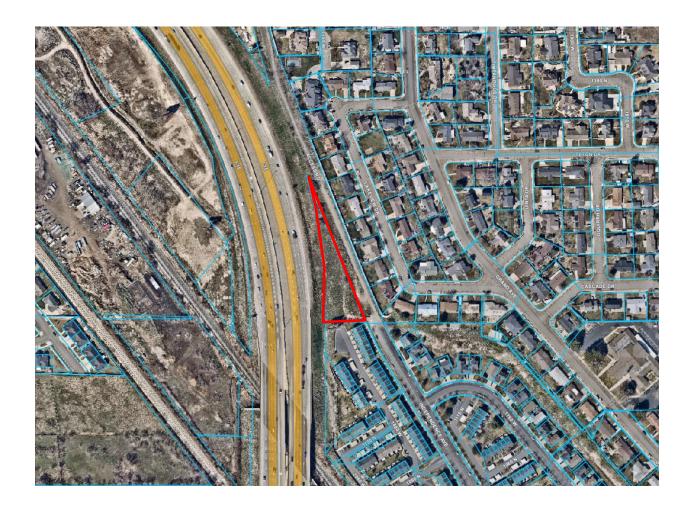
CONCLUSIONS

In conclusion, staff recommends approval of this rezone request and associated concept plan. The proposed zoning designation aligns with the established residential character to the south, ensuring compatible land use development. Additionally, this project will extend Independence Avenue, advancing the roadway toward its planned full completion.

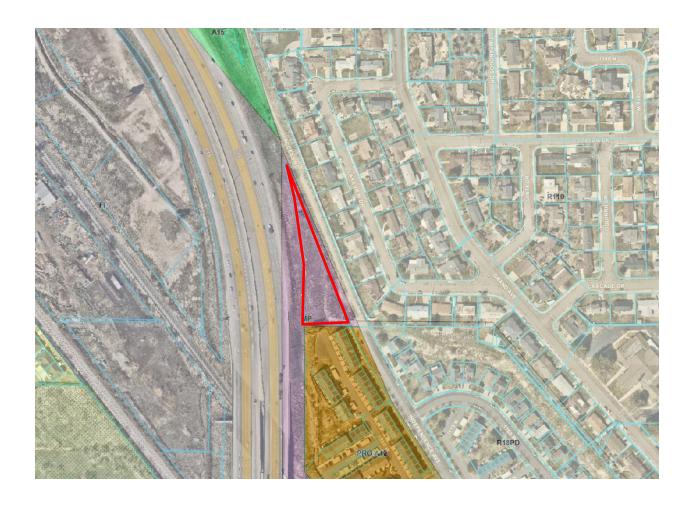
ATTACHMENTS

- 1. Area Map
- 2. Current Zone Map
- 3. Proposed Zone Map Amendment
- 4. Concept Site Plan

ATTACHMENT 1 – AREA MAP



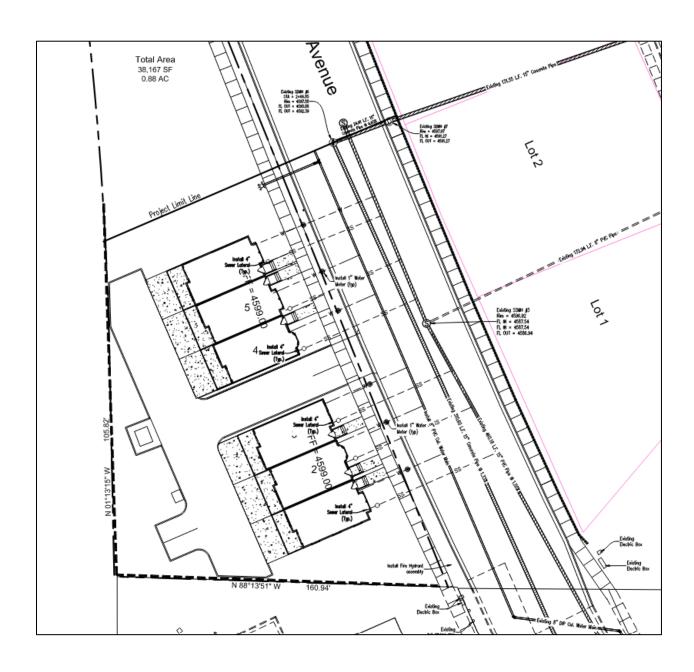
ATTACHMENT 2 – CURRENT ZONE MAP



ATTACHMENT 3 - PROPOSED ZONING MAP



ATTACHMENT 4 - CONCEPT SITE PLAN



Context

Independence Point Rezone and Concept Pla

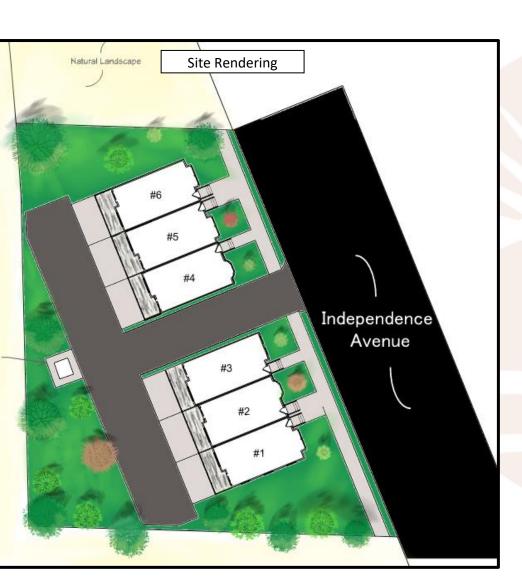


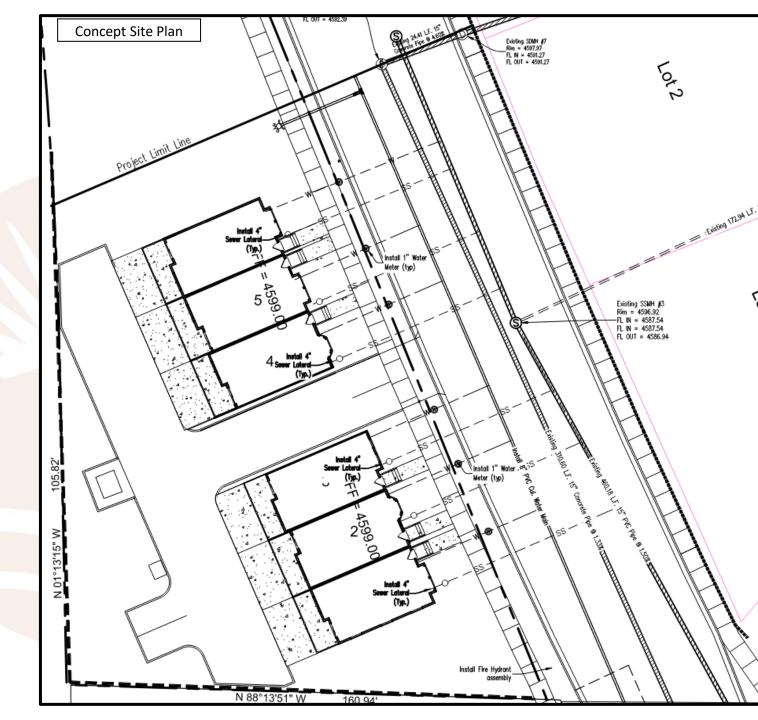
LDR Independence Nenue

Amendment Map Zone **Proposed**

Concept Plan

Independence Point Rezone and Concept Pla



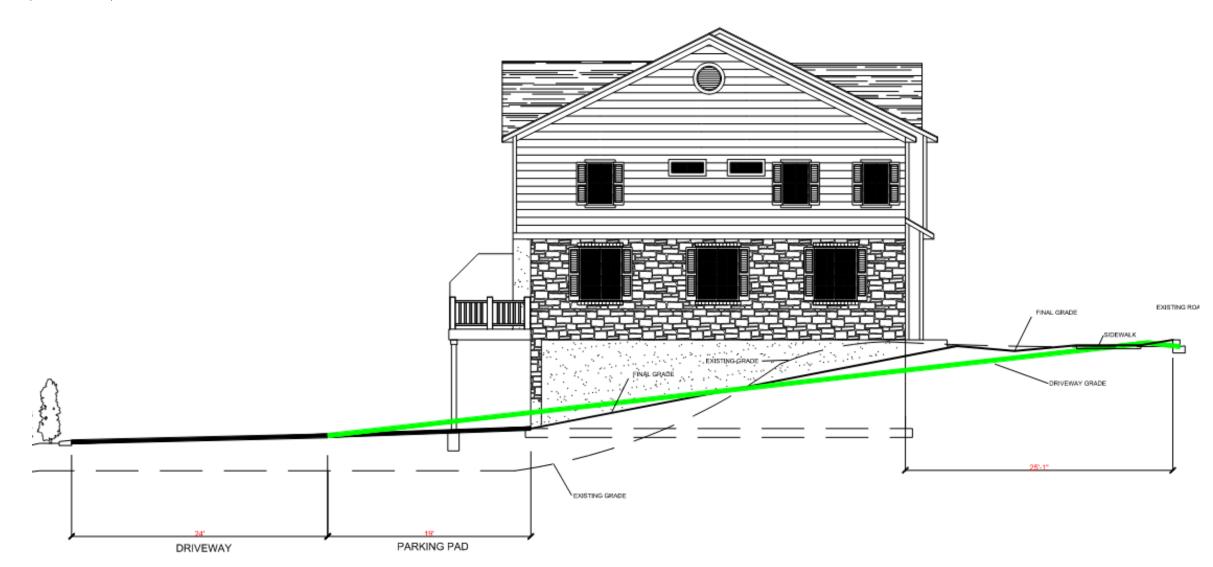


Elevations



Side Elevation

Independence Point Rezone and Concept Plan





ndependence Avenue



Approx. segment of road that would be installed with this concept plan

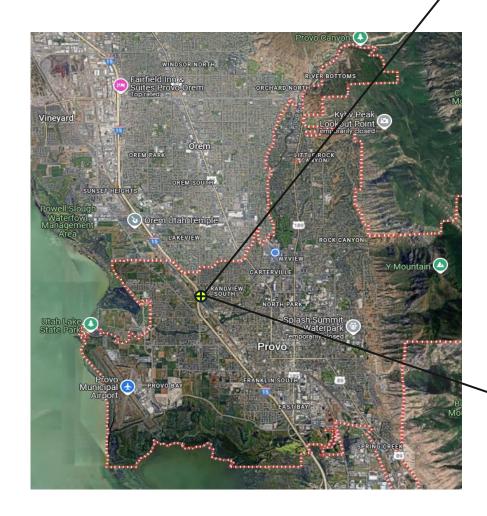
Planned configuration of Independence Ave

-arger area context map

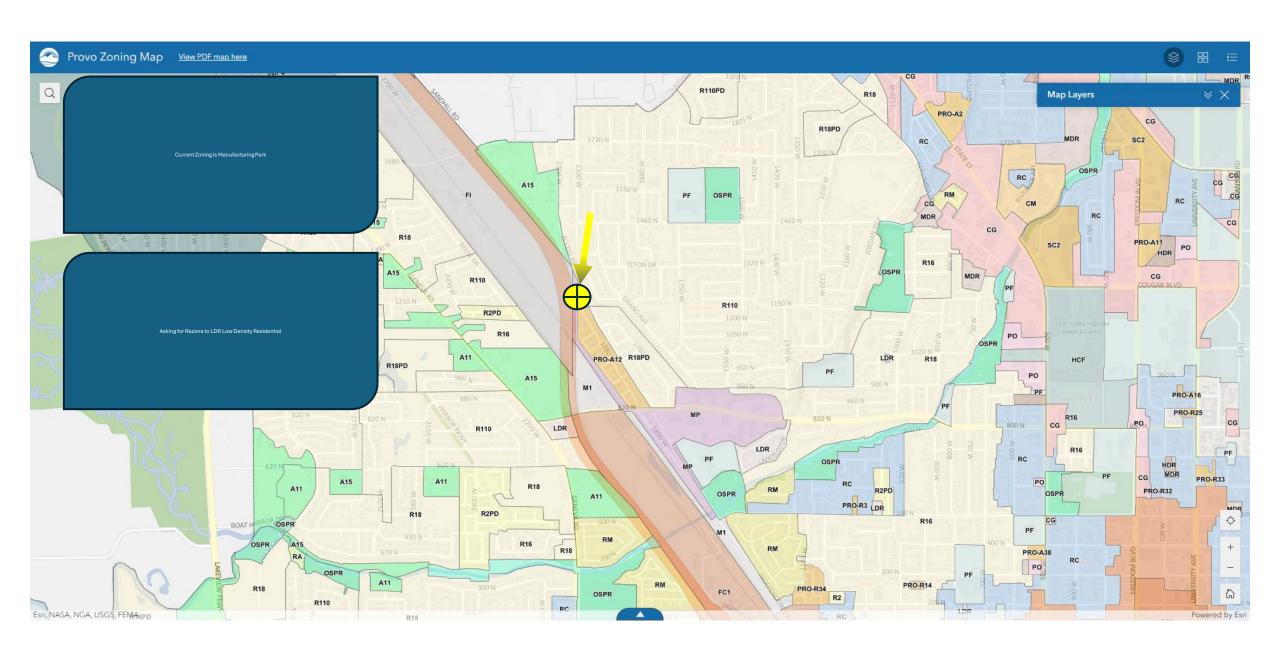
APPLICANT'S PRESENTATION

Project Location

Approximately 1200 N. Independence Avenue







Independence Point Townhomes

24 Parking Spaces – 4/Unit

Two-car Garages

Private Driveway

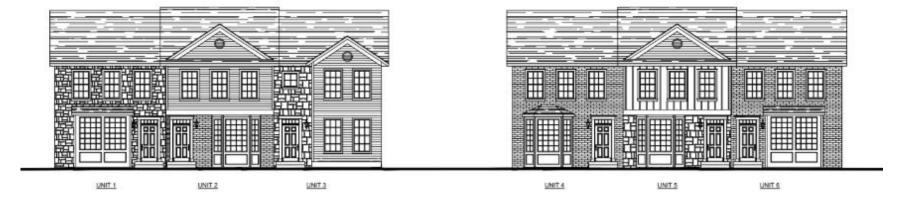
3-Bedroom / 2.5-Bath

Average SQFT 1650





Independence Point General Elevations





Ba



900 East 1140 South Provo, Utah

Source – Google Maps. "Street View at 40.2184°N, 111.6427°W." Accessed June 10, 2025

