

PROVO MUNICIPAL COUNCIL

Work Meeting

3:30 PM, Tuesday, August 05, 2025 Provo Peaks Conference Room (Room 110) Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or https://www.youtube.com/provocitycouncil

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

To listen to the meeting by phone: August 05 Work Meeting: Dial 346-248-7799. Enter Meeting ID 873 5155 1479 and press #. When asked for a participant ID, press #.

Agenda

Roll Call

Approval of Minutes

July 22, 2025 Work Meeting July 22, 2025 Council Meeting

Business

- An ordinance amending the zone map classification of real property, generally located at 1400 South State Street, from the one-family residential (R1) zone to the light manufacturing (M1) zone. Spring Creek neighborhood. (PLRZ20250222)
- An ordinance amending the zone map classification of real property, generally located at 71 West 880 North, from the residential conservation (RC) zone to the campus residential (CR) zone. North Park neighborhood. (PLRZ20250033)

Closed Meeting

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with 52-4-204 and 52-4-205 et. seq., Utah Code.

Adjournment

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

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 Work Meeting will be held on Tuesday, August 19, 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 <u>agendas.provo.org</u>. Council meeting agendas are available through the Utah Public Meeting Notice website at <u>utah.gov/pmn</u>, which also offers email subscriptions to notices.

Please note: These minutes have been prepared with a timestamp linking the agenda items to the video discussion.



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

2:30 PM | July 22, 2025

Provo Peak Room

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

https://www.youtube.com/provocitycouncil

Agenda

Roll Call

Council Chair Gary Garrett, conducting Council Vice-Chair Rachel Whipple Councilor Katrice MacKay Councilor Craig Christensen Councilor George Handley Councilor Becky Bogdin Councilor Travis Hoban (Items 2 – 5) Mayor Michelle Kaufusi

Approval of Minutes

- July 8, 2025 Work Meeting Minutes

Approved by unanimous consent.

Business

Item 1: An Ordinance Amending the Consolidated Fee Schedule to Add a Congressional Expedite Passport Postage Fee. (25-079) 7:59

Britny Densley, Call Center Manager for Customer Service, presented this item. Ms. Densley provided background information on the passport application process, noting that Provo City began accepting passport applications in 2018, initially processing 20-30 per month, with current peak months now exceeding 200 applications.

Ms. Densley further explained that the Western Passport Agency had selected Provo City as one of two agencies in Utah authorized to handle congressional expedite passports. As part of this responsibility, the Western Passport Agency requested the postage cost of \$27.50 be directly charged to the passport applicant. This agenda item proposes an amendment to the consolidated fee schedule to incorporate this additional postage fee.

Councilor Whipple commended the city's passport services, sharing her positive personal experience when renewing passports for her family.

It was clarified during the discussion that this ordinance would be presented for council vote at the meeting scheduled later that evening.

Item 2: A Presentation Regarding Enhancements to Provo311 Customer Service Access (25-077) 10:28

Laramie Gonzales from Customer Service, accompanied by Britny Densley, Call Center Manager, presented this item. They detailed enhancements made to communication channels for Provo residents, emphasizing a new website tool called See-Click-Fix, designed for easy issue reporting.

Gonzales outlined three primary areas of improvement:

- 1. **Social Media:** A Facebook group was created to foster open dialogue with residents, which has resulted in largely positive interactions and effective information dissemination.
- 2. **New Website:** Customer Service now features its own dedicated landing page on the updated city website, streamlining resident access to specific services.
- 3. **See-Click-Fix:** A new, user-friendly tool enabling residents to easily report issues through a mobile app, the website, or by calling 311.

Gonzales and Densley presented a demonstration video showcasing the See-Click-Fix process, highlighting its ability to efficiently streamline issue reporting and management across the city.

Council members expressed enthusiasm and support for the new system and recognized its potential to enhance communication and expedite issue resolution. They discussed additional strategies to promote awareness and encourage resident use of these new resources.

Item 3: An Update Regarding Re-Imagining Code Enforcement (25-053) 31:55

Scott Johnson, Zoning Administrator, presented an update regarding the ongoing initiative to reimagine code enforcement throughout Provo City. Mr. Johnson reported that efforts continue to reconcile city and county data to ensure correct property owner identification for required licenses. To date, approximately 260 letters have been issued, yielding a response rate of around 20%. Responses varied from compliance through license application submissions to clarifications regarding licensing necessity. Mr. Johnson noted the efficiency of this process compared to traditional door-to-door enforcement approaches, significantly reducing required staff time and resources.

Councilor Christensen requested further clarification on the tangible impacts of these new processes, emphasizing the importance of data-driven comparisons in future updates. Councilor Whipple echoed this sentiment, highlighting the need for detailed reports to provide transparency

and context ahead of meetings. Mr. Johnson acknowledged this request and committed to providing comprehensive data in subsequent presentations.

Further updates included progress on issuing a Request for Proposal (RFP) to identify potential software solutions capable of detecting online rental property listings not yet registered with the city. Mr. Johnson reported he is currently undergoing training to utilize the new RFP submission system adopted by the city.

Mr. Johnson also updated the Council on the status of deploying body cameras for code enforcement officers, noting ongoing technical setup challenges anticipated to be resolved soon.

Efforts to enhance public education and digital outreach were highlighted, with particular enthusiasm expressed for upcoming digital media initiatives designed to engage and inform residents about code enforcement practices. Mr. Johnson also emphasized the proactive involvement of his staff in neighborhood meetings.

Regarding civil fines, Mr. Johnson shared positive feedback from enforcement staff, citing noticeable improvements in compliance and efficiency since the implementation of civil fines. Responding to Councilor MacKay's inquiry about enforcement success in the Pleasant View neighborhood, Mr. Johnson affirmed improvements in a general sense but recognized ongoing challenges related to strict code interpretations and adaptive behaviors from residents.

Councilor Garrett concluded the discussion by encouraging continued coordination with district meetings, facilitated by Rachel Breen, to promote community engagement.

Item 4: A Discussion Regarding an Update on Parking Regulations on Slate Canyon Drive Implemented in June 2024. (25-078) 57:04

Melia Dayley, Council Policy Analyst, presented an update reviewing the parking regulations implemented on Slate Canyon Drive in June 2024. The primary objectives of the regulation were to reduce parking congestion, enhance safety by improving visibility and sight lines, and regulate over-occupancy and rental concerns through targeted parking restrictions. The regulation prohibits street parking on Slate Canyon Drive and specific adjacent southern streets from midnight to 6 AM daily.

Key findings from parking, traffic, and code enforcement were discussed:

Parking: Sandra Bussio, Parking Program Manager, noted an increase in disability placard usage due to steep driveway inclines affecting accessibility. A significant reduction in citizen complaints was reported, particularly concerning blocked driveways and abandoned vehicles. Overall, blocked driveway incidents significantly decreased, although rare occurrences still exist. The recommendation was to continue monitoring without changes, as the current approach is effectively meeting established goals.

- Traffic: Vern Keeslar, Traffic Manager, provided traffic data indicating that average speeds have not significantly increased since the implementation of parking regulations, though the highest recorded speeds remain above the posted limit. Additional studies with consistent technology were recommended to offer clearer comparisons in future evaluations. It was also suggested to forward current speed data to the police department to strengthen enforcement efforts.
- Code Enforcement: Dayley, shared that a comprehensive canvass of 106 homes along Slate Canyon Drive identified 29 licensed rental properties and resolved two over-occupancy cases, bringing them into compliance. The overall feedback from residents indicated improvements in neighborhood conditions, including reduced nuisances and enhanced accessibility.

Council members discussed the possibility of implementing a parking permit system, noting concerns about practical challenges and potential costs. The impact on residents with disability placards and those needing street access for work vehicles was specifically considered. After careful consideration, the Council decided to maintain current regulations and continue ongoing monitoring, with requests for more detailed data in future reviews. The Council expressed gratitude to staff for their diligent efforts and recognized the positive outcomes resulting from the implemented regulations.

Item 5: An Ordinance Updating Provo City Code Regarding Application of an Urban Farming Policy for Culinary Water Rates. (25-080) 1:20:46

Barry Prettyman, Water Resources Engineer from Public Works, presented an ordinance regarding the application of an urban farming policy in relation to Provo City's culinary water rates. Mr. Prettyman explained that this update is a response to a legislative requirement mandating consideration of urban farming within the water rate structure. He outlined key requirements, including active cultivation of marketable plants, garden sizes either comprising at least 25% of the parcel or a minimum of 5,000 square feet, continuous use for at least four months during the irrigation season, exceeding Tier 2 water usage, compliance with backflow standards, and efficient irrigation methods.

Mr. Prettyman proposed restrictions limiting eligibility to residential accounts within residential zones and specified that these exemptions would not be transferable. He also explained that after exploring various implementation methods, Public Works recommended applying a credit of \$120 at the year's end to qualifying accounts, simplifying the administration process. Council discussions touched upon issues such as the implications of offering credits annually versus monthly, the potential financial impacts on city utilities, and eligibility criteria concerning commercial versus residential accounts.

City Attorney Brian Jones clarified that the Council could delegate administrative flexibility to Public Works or retain direct oversight within city code. Council members generally expressed support for delegating implementation to Public Works, advocating for a flexible, responsive approach initially, with an annual review for accountability and adjustment.

Council members, including Councilors Whipple, Hoban, and Bogdin, requested further sures joing to cons. The Coure ew and potential ack.

ANALYMAN AND THE COURE EN AND THE COURT EN AND THE COU clarifications on various implementation specifics, such as irrigation efficiency measures and the handling of residential properties conducting commercial activities. Public Works Director

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PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

5:30 PM, Tuesday, July 22, 2025 Council Chambers (Room 100) Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or https://www.youtube.com/provocitycouncil

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Becky Bogdin
Councilor Gary Garrett
Councilor Travis Hoban
Councilor Rachel Whipple
Chief Administrative Officer Scott Henderson
Executive Council Director Justin Harrison
Councilor Craig Christensen
Councilor Craig Christensen
Councilor Craig Christensen
Councilor George Handley
Councilor Katrice MacKay
Mayor Michelle Kaufusi
City Attorney Brian Jones
City Recorder Heidi Allman

Conducting: Chair Gary Garrett

Prayer – Jeff Whitlock

Pledge of Allegiance – Councilor Handley

Councilor Handley introduced two visitors from Iran, Alireza and Maryam Taghderreh, who were in Utah for a visit to Brigham Young University. He shared that Ali would be lecturing the following day and is a translator of works by Henry David Thoreau and Ralph Waldo Emerson. He noted that the couple had been enjoying their time observing different parts of the country, including attending the Provo City Council meeting. He expressed gratitude and honor for their presence.

Presentations, Proclamations, and Awards

1 A presentation recognizing the Provo City Employee of the Month (25-007) <u>0:08:19</u>

Mayor Kaufusi took a moment to recognize an exceptional employee whose dedication, professionalism, and service have positively impacted the community. She emphasized the importance of both teamwork and individual contributions within the City organization. She then invited Airport Director Brian Torgersen to present the July 2025 Employee of the Month Award to a distinguished member of the airport team.

Mr. Torgersen recognized Matt Jensen as the July 2025 Employee of the Month. He praised Matt's professionalism, reliability, and leadership in managing key airport operations, including FAA compliance, scheduling, wildlife management, snow removal, and airline gate coordination. Brian noted Matt's calm attitude, willingness to tackle tough issues, and behind-the-scenes efforts that keep the airport running smoothly. He also thanked Matt's wife for her support.

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2 A presentation recognizing Heidi Allman as a Certified Municipal Clerk (25-007) 0:12:55

John Borget, Director of Administrative Services, presented an award to City Recorder Heidi Allman in recognition of her recent achievement in earning the Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC). He read a letter from IIMC President Dawn Abrahamson, which praised Heidi's educational accomplishments, professional contributions, and commitment to lifelong learning. John expressed his appreciation for Heidi's dedication, noting that she began improving processes and learning her role immediately after her promotion. He commended her close work with the Council and formally recognized her service and commitment to the City.

Kim Crane, on behalf of the Utah Municipal Recorders Association, congratulated Heidi Allman on earning her certification, acknowledging the significant effort required to achieve it. She also thanked the Mayor, City Administration, and staff for supporting Heidi's participation in the necessary training and classes. She shared her admiration for Heidi's achievements.

A presentation recognizing Provo City as the Winner of the 2025 Utah IT Excellence Award (25-007) 0:16:30

Mr. Borget announced that Provo City's Information Systems Division received the 2025 Utah IT Excellence Award for Best Partnership or Leadership. The award recognized the City's leadership in creating the Utah Government IT Mutual Aid Agreement, a statewide effort led by IT Director Josh Ihrig and supported by over 25 jurisdictions. The agreement enables cities and agencies to share IT staff and cybersecurity resources during emergencies. John praised the team's innovation and collaboration, noting this is the third consecutive year Provo's IT Division has received statewide recognition. He formally recognized Josh and his team for their outstanding work.

Chair Garrett, on behalf of the Council, expressed appreciation and gratitude to John Borget for his dedicated service. He highlighted John's trusted guidance during the budget process each year and recognized his 22 years as Administrative Services Director and nearly 29.5 years of total service to Provo City. He commended John's remarkable career and contributions to the city.

Public Comment 0:22:45

Chair Garrett read the public comment guidelines and opened the floor for public comment.

Lionheart, of Provo, shared that he recently returned after spending time in Grants Pass, Oregon, studying approaches to homelessness. As a member of Provo's unhoused population, he expressed concerns about policies that he feels increase the hardship for those without stable housing. He noted that the Food and Care Coalition requires individuals receiving services to leave the area within 15 to 30 minutes, which he said is especially difficult for those with disabilities. He also emphasized the critical importance of obtaining identification, explaining that it is necessary to move forward in life—such as opening a bank account or renting a home. Despite successfully gathering supporting documents, he faced significant challenges accessing the nearest driver's license office, which is over seven miles away. He stated that traveling there and back in a wheelchair took him six days. He urged the Council to

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consider the barriers faced by individuals experiencing homelessness and asked for better opportunities and support.

John Hale, of Provo, shared a personal experience involving the towing of his vehicle after it was borrowed by two employees who were stopped for speeding. He expressed frustration that none of the reasons given by law enforcement—speeding, license issues, and insurance reporting problems—were, on their own, sufficient cause for towing under the law. He stated it took him 11 months of persistent communication with law enforcement, state officials, and media to be reimbursed for the towing fee. John emphasized that although he could have made more money focusing on his work, he chose to pursue justice because of his principles. He concluded by defending the legality of sober homes under the Federal Fair Housing Act and expressed concern that local opposition, including from fellow members of his faith, undermines both the law and his religious convictions.

With no additional public comments, Chair Garrett closed the public comment portion of the meeting.

Action Agenda

4 A resolution consenting to board and commission appointments. (25-031) 0:27:41

Motion: An implied motion to approve Resolution 2025-36, as currently constituted, has been

made by council rule.

Mayor Kaufusi recommended the following for appointments:

Jeff DeMille Airport Board

Beth Provence Transportation and Mobility Advisory Committee
David Hurtado Transportation and Mobility Advisory Committee
Kendall Thurston Transportation and Mobility Advisory Committee

Maryan Shumway
Jenny Spadafora
Alyssa Hansen
Stephanie Breinholt
Nate Keller
Isaac King
Library Board
Arts Council
Arts Council
Arts Council

Matthew Wheelright Planning Commission
Joel Temple Planning Commission

Chair Garrett opened the public comment period, and with no comments from the public or discussion from the Council, he proceeded to call for a vote.

Vote: The motions passed 7:0 with Councilors Bogdin, Christensen, Garrett, Handley,

Hoban, MacKay, and Whipple in favor.

A public hearing regarding the issuance of wastewater revenue bonds for State of Utah loan. (25-075) 0:32:43

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Jimmy McKnight, Public Works Division Director, presented. He introduced the public hearing by providing background on the funding for the next phase of improvements to the City's reclamation plant. He explained that Provo has secured two sources of outside funding: a \$7 million award from the State Water Quality Board—consisting of a \$2.5 million grant and a \$4.5 million loan at 0.75% interest over 20 years—and a \$29 million revenue bond, previously approved by the Council in November 2024 and issued in early 2025. He noted that the purpose of this public hearing was to address the \$4.5 million state loan, which requires additional public notice and comment before final approval. More than 21,000 notices were sent to Provo utility customers in compliance with state requirements. Jimmy concluded by stating that City staff and bond counsel were present to answer any questions related to the funding.

Chair Garrett opened the public hearing. With none, he closed the public hearing period.

An ordinance amending the consolidated fee schedule to add a congressional expedite passport postage fee. (25-079) <u>0:36:30</u>

Motion: An implied motion to approve Ordinance 2025-43, as currently constituted, has been made by council rule.

Britny Densley, Call Center Manager, presented. She said since beginning passport services in 2018, Provo's Customer Service Division has grown from processing 20–30 applications per month to over 200 during peak times. Earlier this year, the Western Passport Agency invited Provo City to become one of only two locations in Utah authorized to accept congressional expedited passport applications. This service supports individuals with urgent travel needs who have received a congressional authorization letter. As part of the expedited process, Provo City is required to Priority Express ship the completed applications to the passport agency. To cover this cost, staff proposed an amendment to the City's fee schedule to include a \$27.50 postage fee, to be paid by applicants.

Chair Garrett opened the public comment period. Hearing none, he closed the public comment and invited discussion from the Council. With no further comments, he proceeded to call for a vote.

Vote: The motions passed 7:0 with Councilors Bogdin, Christensen, Garrett, Handley, Hoban, MacKay, and Whipple in favor.

Adjournment

The meeting was adjourned by unanimous consent at approximately 6:04 PM.

PROVO MUNICIPAL COUNCIL WORK SESSION STAFF REPORT



Submitter: AARDMORE

Presenter: Aaron Ardmore, Planning Supervisor

Department: Development Services

Requested Meeting Date: 08-05-2025
Requested Presentation Duration: 10 minutes
CityView or Issue File Number: PLRZ20250222

SUBJECT: 1 An ordinance amending the zone map classification of real property,

generally located at 1400 South State Street, from the one-family residential (R1) zone to the light manufacturing (M1) zone. Spring Creek neighborhood.

(PLRZ20250222)

RECOMMENDATION: Recommend approval.

BACKGROUND: Property owners at 1400 South State Street are requesting a zone map amendment from the R1.10 Zone to the M1 Zone in order to build additional office space on the ProSteel campus.

Understanding the history of the zoning on this property is important to this request. From the 1940's until 2017, this property was under the M1 Zone. ProSteel started operations at the site in 1947 and have been in operation continuously. When the Southeast Neighborhoods Plan was adopted by the City Council in 2016 it included goals of incentivizing multi-family housing on the west side of South State Street as a strategy to both relieve the housing pressure in the single-family neighborhoods to the east and to restrict incompatible industrial uses in this corridor. Then, in 2017, as an implementation step of the Southeast Neighborhoods Plan, staff brought forward a rezone request for all the M1 properties west of South State Street to be zoned MDR (Medium Density Residential). However, through the Planning Commission and City Council hearings, that zone change was amended to the R1 Zone in order to allow the City Council to review each individual multi-family housing proposal. Since that rezone took place, a majority of the area has been rezoned to different multi-family zones, with the subject property being one of the remaining R1 pieces.

Having ProSteel operate as a legal, nonconforming use in a R1 Zone restricts the use from "expansion or alteration" per Provo City Code 14.36.040 and would not allow the business to grow.

The surrounding uses and zones include industrial to the east and north within the R1 Zone, and a multi-family housing development to the west and south within the MDR Zone.

FISCAL IMPACT: None

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

(a) Public purpose for the amendment in question.

Staff Response: The applicant states the zone change would allow for "continued growth and operations of ProSteel Security Product Inc., a long-standing and successful business headquartered in Provo" and goes on to state, "Retaining and supporting this business is crucial to maintaining high-quality employment and commercial activity in the area."

Staff agree with the above purposes and believe that there are strong economic development purposes for the amendment in question.

- (b) Confirmation that the public purpose is best served by the amendment in question. Staff Response: Staff believe that the proposed M1 Zone is the best way to achieve the above purposes, and that returning to the zone they had previously will enable the business to stay in Provo and grow as needed.
- (c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff Response: The proposed amendment is compatible with goals in Chapter 5 of the General Plan, specifically 1a to "Explore implementing strategic investments to attract new businesses while continuing to support growth of local businesses."

- (d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.
- Staff Response: There are no timing and sequencing issues related to this request.
- (e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff Response: There should be no obstruction of reaching the General Plan's articulated policies with this request.

- (f) Adverse impacts on adjacent landowners.
- Staff Response: The surrounding area includes industrial uses to the east and north, and a multi-family housing development to the south. Becausethe use has already been established, staff do not believe that a small office addition would adversely impact any of the adjacent landowners.
- (g) Verification of correctness in the original zoning or General Plan for the area in question.
- Staff Response: Staff have verified the zoning and General Plan designations are correct.
- (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: The policies of the General Plan take precedence in this case. The importance of retaining quality businesses in the policies of the General Plan outweigh the "residential" designation of the land within the General Plan map.

1	ORDINANCE << Document Number>>
2	AN OPPONIANCE AND PORT THE GOVERNANCE AND GRANGE THOUGH
3	AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF
4	REAL PROPERTY, GENERALLY LOCATED AT 1400 SOUTH STATE
5	STREET, FROM THE ONE-FAMILY RESIDENTIAL (R1) ZONE TO THE
6	LIGHT MANUFACTURING (M1) ZONE. SPRING CREEK NEIGHBORHOOD. (PLRZ20250222)
7 8	NEIGHBORHOOD. (PLRZ20230222)
9	RECITALS:
10	RECITALS.
11	It is proposed that the classification on the Provo Zoning Map for approximately 6.48 acres
12	of real property, generally located at 1400 South State Street (an approximation of which is shown
13	or described in Exhibit A and a more precise description of which is attached as Exhibit B), be
14	amended from the One-Family Residential (R1) Zone to the Light Manufacturing (M1) Zone;
15	unionada irom uno ono rummij reostadinum (rer) zono to uno zigne municiadaming (mri) zono,
16	On July 9, 2025, the Planning Commission held a public hearing to consider the proposal,
17	and after the hearing the Planning Commission recommended approval of the proposal to the
18	Municipal Council by a 6:0 vote;
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20	The Planning Commission's recommendation was based on the project design presented
21	to the Commission;
22	
23	On August 5, 2025, the Municipal Council met to determine the facts regarding this
24	matter and receive public comment, which facts and comments are found in the public record of
25	the Council's consideration; and
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27	After considering the Planning Commission's recommendation and the facts presented to
28	the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii)
29	such action furthers the health, safety, and general welfare of the citizens of Provo City.
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31	THEREFORE, the Provo Municipal Council ordains as follows:
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33	PART I:
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35	The classification on the Provo Zoning Map is amended from the One-Family Residential
36	(R1) Zone to the Light Manufacturing (M1) Zone for the real property described in this ordinance.
37	D. D. W.
38	PART II:
39	A If a marrial of this addition and the said a social of a social of the said
40 41	A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance controls.

42 43 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, 44

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.

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54 EXHIBIT A



 58 EXHIBIT B

Legal Description

Beginning at a point on the subject parcel, thence South 29 degrees 05 minutes 11 seconds East a distance of 166.42 feet; thence South 78 degrees 25 minutes 41 seconds West a distance of 30.39 feet; thence North 89 degrees 10 minutes 30 seconds West a distance of 154.69 feet; thence South 00 degrees 08 minutes 49 seconds East a distance of 162.88 feet; thence North 89 degrees 00 minutes 12 seconds West a distance of 715.01 feet; thence North 38 degrees 13 minutes 22 seconds West a distance of 345.42 feet; thence North 89 degrees 21 minutes 15 seconds West a distance of 25.57 feet; thence North 00 degrees 45 minutes 05 seconds East a distance of 40.00 feet; thence South 89 degrees 21 minutes 15 seconds East a distance of 1,045.15 feet to the point of beginning.



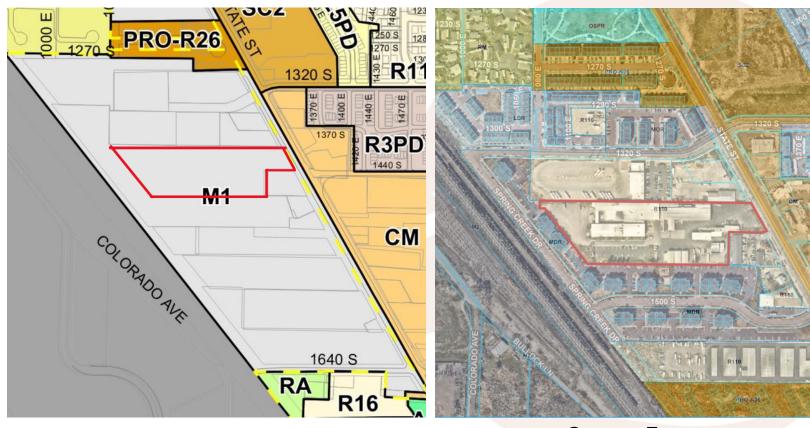




Aerial Map

Zone Map

General Plan Map



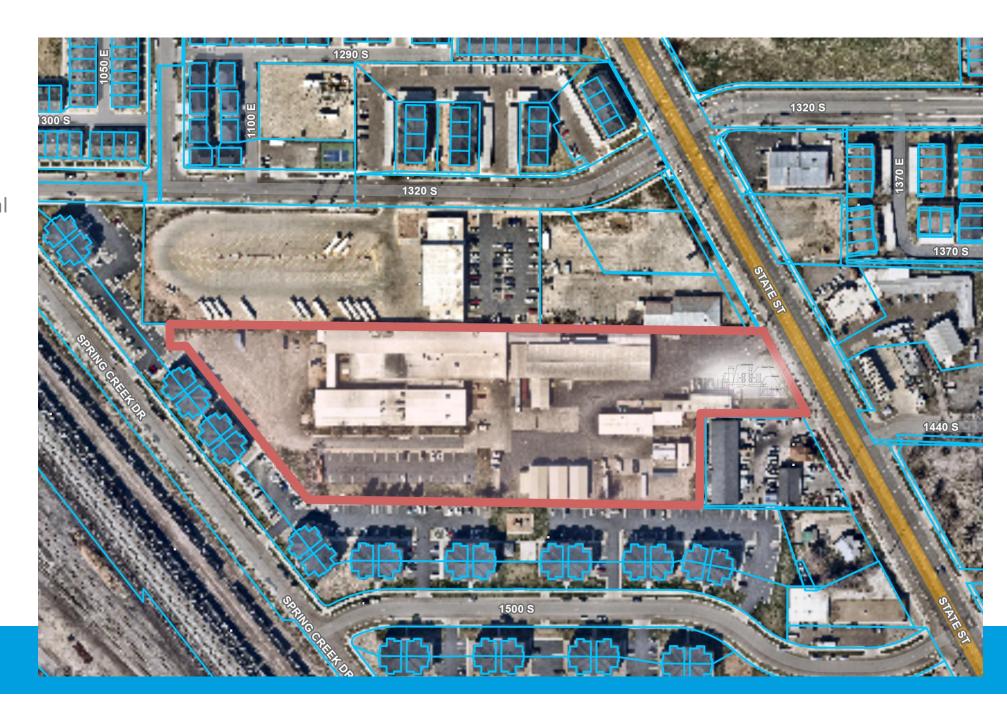


2016 Zone Map

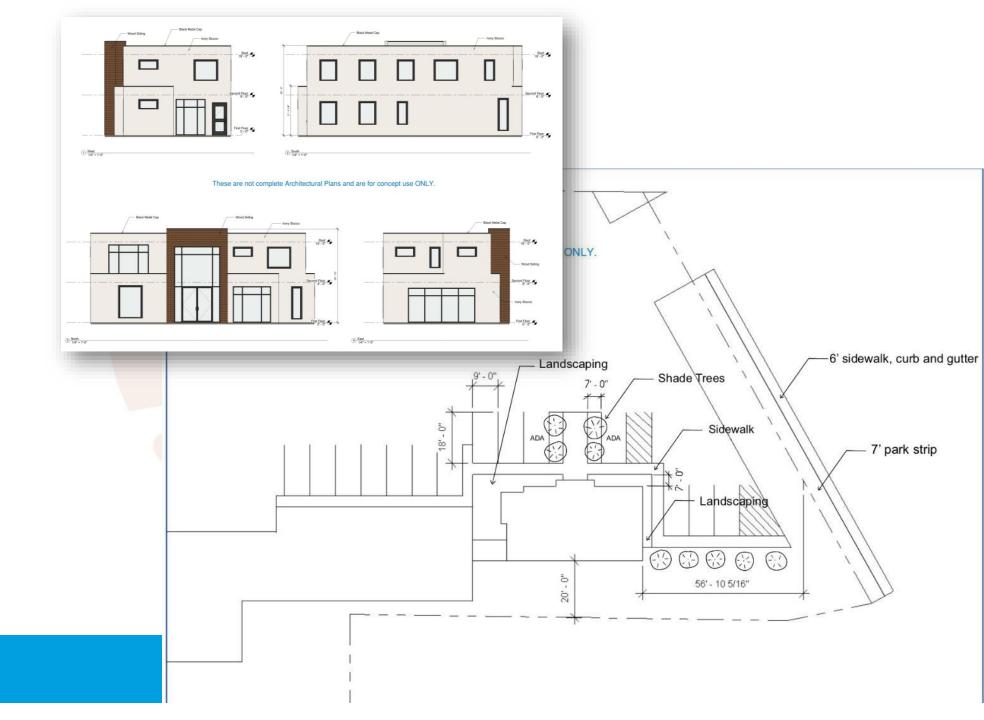
Current Zone Map

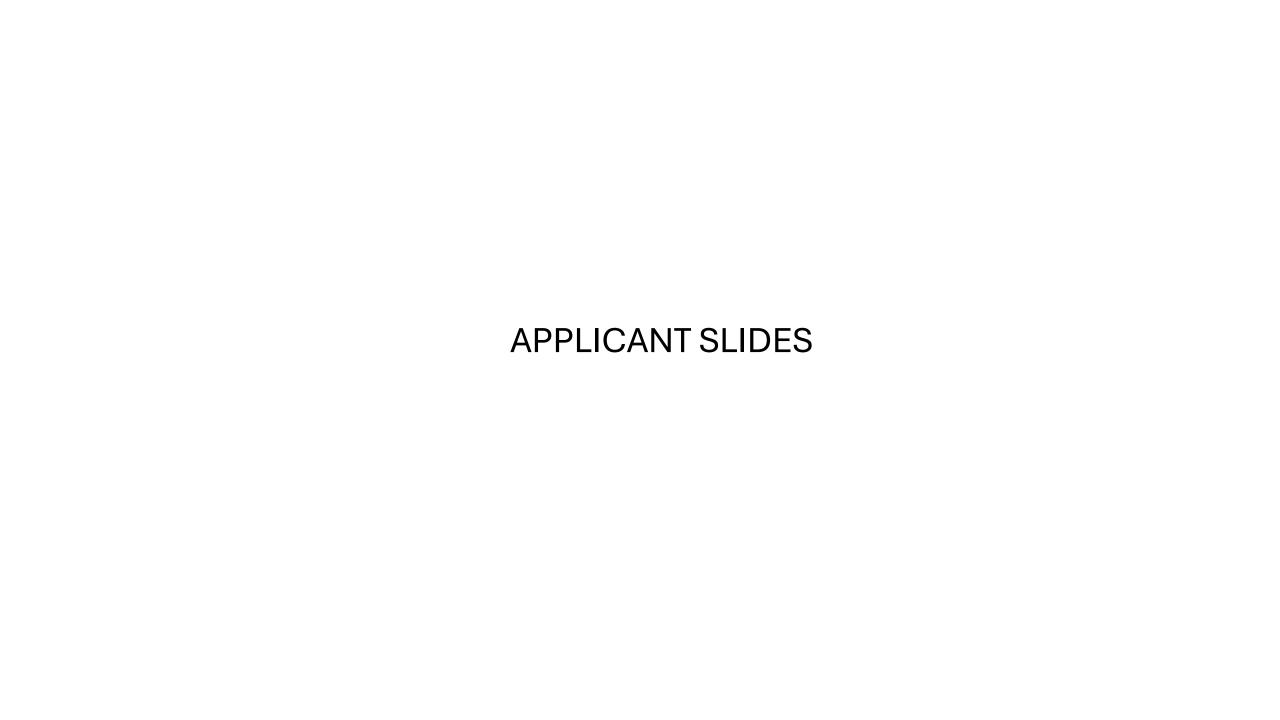
Proposed Zone Map

- Request: Zone Change back to M1 Zone
- Concept: Build additional office space adjacent to State Street



- Request: Zone Change back to M1 Zone
- Concept: Build additional office space adjacent to State Street
- Increased landscaping / parking
- Improved right-of-way



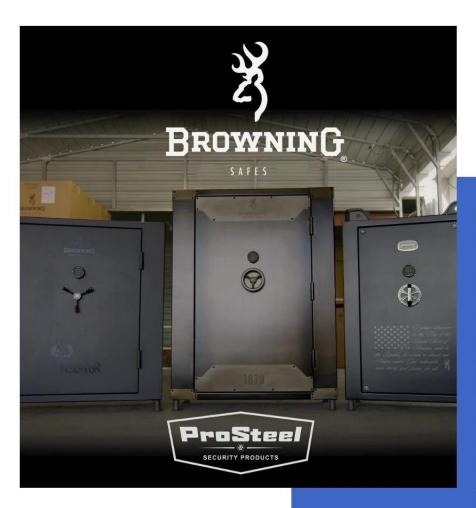


ProSteel Supply Company

Providing Protection and Peace of Mind Since 1947







About ProSteel

Provo Steel & Supply Company was founded in 1947 by F.L. Shurtliff, who envisioned a quality metalworking shop that could serve Utah's construction industry.

In the early 1960s, the renamed ProSteel Supply Company was fortunate to land a contract with the iconic Tropicana Hotel and Casino in Las Vegas, Nevada. The contract catapulted the company to a major supplier of structural steel products.

In February of 1977, ProSteel began manufacturing gun safes. They established a dealer network, selling their safes throughout the United States. The demand for these safes quickly consumed the company's entire manufacturing capacity.

Browning began to inquire about the possibility of marketing ProSteel Security Safes through their dealer network, and in January 1983, they contracted with ProSteel to become their exclusive safe supplier.

Today, ProSteel Security Products Inc. produces Browning Safes, TheftGard Safes, ProSteel Home Safes and Home Safe Deluxe, HSC (High-Security Containers), and Vanguard Doors. We combine quality construction, proprietary technology, and patented interior designs that elevate them above the competition in residential safes, high-security containers, vault doors, and security doors—giving you peace of mind.



ProSteel Rezone Proposal

We are expanding, and we want to take Provo with us.

ProSteel is proposing the construction of a new office building that will include new offices, a conference room and a show room to showcase our top notch products.

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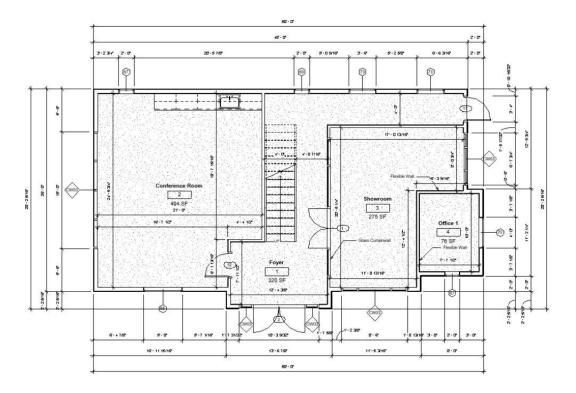
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First Floor



www.m1homesutah.com

Spencer Marcum M1 Homes 1875 N Freedom Blvd, Bld 2 Provo, UT 84604 801.362.3500 spencer@m1homesutah.com

Nicole Anderson Assistant Construction Manager M1 Homes 801.601.6723 nicole@m1homesutah.com

"These drawings are the property of M1 Homes and are not to be copied, reproduced, or used in any way without their express written permission.

Pro Steel US Office Building

1400 S State St, Provo UT 84606

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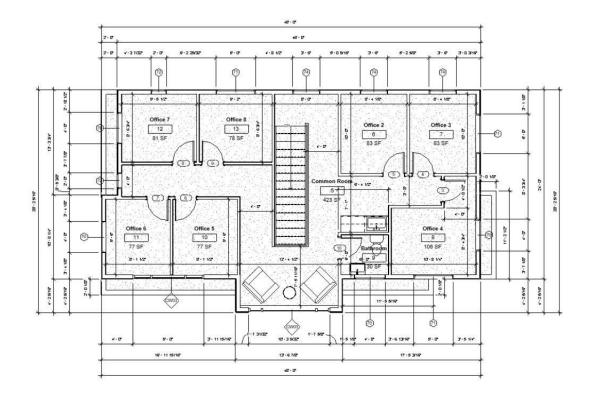
Drawn by

March 7, 2025 Nicole Anderson

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1/4" = 1'-0"





Second Floor





www.m1homesutah.com

Spencer Marcum M1 Homes 1675 N Freedom Blvd, Bld 2 Provo, UT 84604 801.382.3500 spencer@m1homesutsh.com

Nicole Anderson Assistant Construction Manager M1 Homes 801.891.6723 nicole@m1homesutah.com

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Pro Steel US Office Building

1400 S State St, Provo UT 84608

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Second Floor Plan

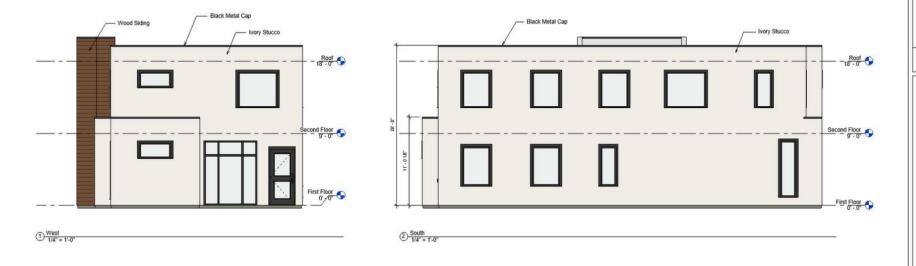
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A2

Scale

1/4" = 1'-0"

Second Floor









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Nicole Anderson Assistant Construction Manager M1 Homes 801.691.6723 nicole@m1homesutah.com

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Pro Steel US Office Building

1400 S State St, Provo UT 84606

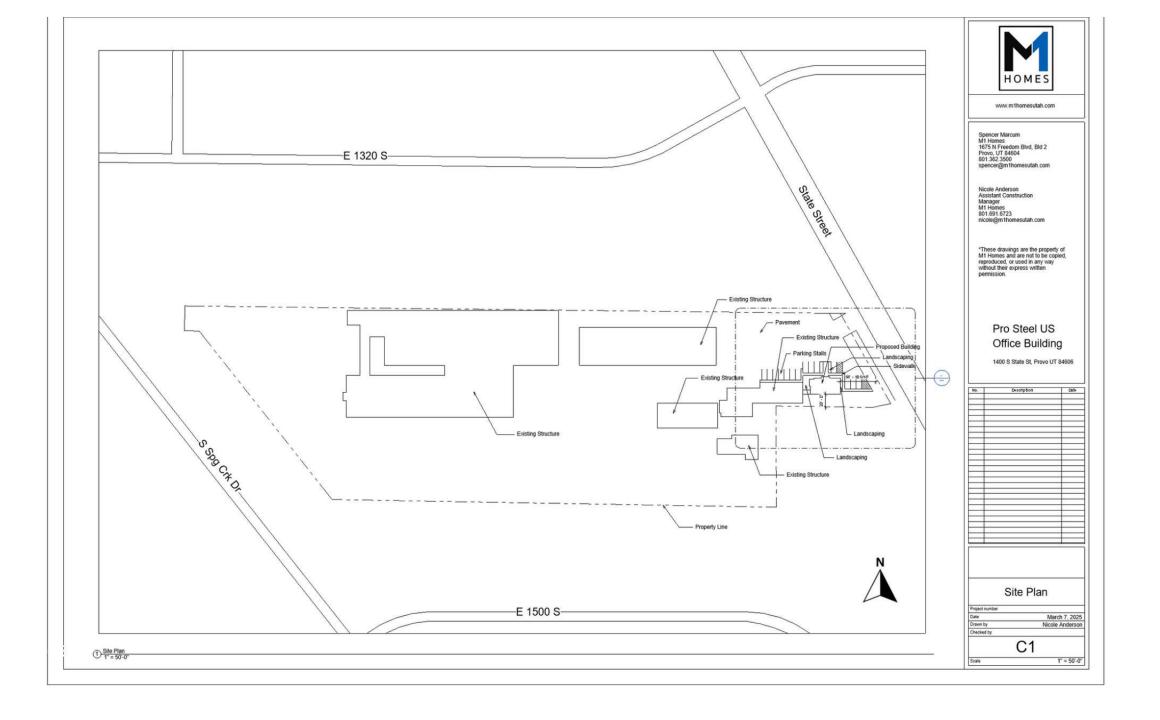
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Elevations

Project number
Date March 7, 2025
Drawn by Nicole Anderson
Checked by

A6

1/4" = 1'-0"



Thank You





Provo City Planning Commission

Report of Action

July 09, 2025

*ITEM 5 Nicole Anderson requests a Zone Map Amendment from the R1.10 (One Family Residential) Zone to the M1 (Light Manufacturing) Zone in order to add a new office building to an existing manufacturing site, located at 1400 S State St. Spring Creek Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLRZ20250222

The following action was taken by the Planning Commission on the above described item at its regular meeting of July 09, 2025:

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Anne Allen Second By: Andrew South

Votes in Favor of Motion: Anne Allen, Andrew South, Melissa Kendall, Barbara DeSoto, Daniel Gonzales, Jonathon Hill *Melissa Kendall 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.

RELATED ACTIONS

Planning Commission approved the related concept plan (PLCP20250229, July 9, 2025 meeting, Item 4).

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff also responded to Planning Commission questions regarding the uses on the property, and the history of the zone changes on the property.

CITY DEPARTMENTAL ISSUES

• Issues raised by other departments – addressed in Staff Report to Planning Commission, to be addressed with the future Project Plan application.

NEIGHBORHOOD MEETING DATE

• A neighborhood meeting is scheduled for 08/12/2025.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

• Tana commented on the nature and uses of the area.

APPLICANT RESPONSE

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

- Nicole Anderson gave a brief history of ProSteel and an overview of the proposal.
- Greg Clemenson responded to questions regarding the manufacturing facility on the property.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Gonzales inquired about the ability/need of the manufacturing use to expand on the site.
- The Commission discussed their appreciation for the longevity of the business at this property and were encouraged that this proposal would improve the frontage and look along the street. They aren't intensifying the manufacturing use on the property; the office expansion is seen as a positive improvement and requires the zone change to allow it to happen.



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



Planning Commission Hearing Staff Report Hearing Date: July 9, 2025

*ITEM 5 Nicole Anderson requests a Zone Map Amendment from the R1.10 (One Family Residential) Zone to the M1 (Light Manufacturing) Zone in order to add a new office building to an existing manufacturing site, located at 1400 S State St. Spring Creek Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.gov PLRZ20250222

Applicant: DHCO PROPERTIES LLC;

Nicole Anderson

Staff Coordinator: Aaron Ardmore

Property Owner: DHCO

PROPERTIES LLC

Parcel ID#: 49:898:0001

Acreage: 6.48

Number of Lots: 1

ALTERNATIVE ACTIONS

- Continue to a future date to obtain additional information or to further consider information presented. The next available meeting date is August 13th, 2025, at 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.

Current Legal Use: The property is occupied by ProSteel Security Products, which includes manufacturing and warehousing of steel products, with associated office spaces.

Relevant History: ProSteel has occupied the property for decades and had previously been in the M1 Zone. City Council action in 2017 (17-0007R) rezoned all of the M1 areas west of South State Street to R1.10 to prevent new industrial development, an outcome of the goals in the Southeast Neighborhoods Plan.

Neighborhood Issues: This item is scheduled for the August 12th District 2 agenda. Staff have not received any feedback at the time of this report.

Summary of Key Issues:

- The property has been operating the same way for decades.
- The R1 zoning makes their use legal, nonconforming; restricting any additions to the office space.
- The requested zone change puts the property back into the M1 Zone to allow for an office expansion.

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

OVERVIEW

Property owners at 1400 South State Street are requesting a zone map amendment from the R1.10 Zone to the M1 Zone in order to build additional office space on the ProSteel campus.

Understanding the history of the zoning on this property is important to this request. From the 1940's until 2017, this property was under the M1 Zone. ProSteel started operations at the site in 1947 and have been in operation continuously. When the Southeast Neighborhoods Plan was adopted by the City Council in 2016 it included goals of incentivizing multi-family housing on the west side of South State Street as a strategy to both relieve the housing pressure in the single-family neighborhoods to the east and to restrict incompatible industrial uses in this corridor. Then, in 2017, as an implementation step of the Southeast Neighborhoods Plan, staff brought forward a rezone request for all the M1 properties west of South State Street to be zoned MDR (Medium Density Residential). However, through the Planning Commission and City Council hearings, that zone change was amended to the R1 Zone in order to allow the City Council to review each individual multi-family housing proposal. Since that rezone took place, a majority of the area has been rezoned to different multi-family zones, with the subject property being one of the remaining R1 pieces.

Having ProSteel operate as a legal, nonconforming use in a R1 Zone restricts the use from "expansion or alteration" per Provo City Code 14.36.040 and would not allow the business to grow.

The surrounding uses and zones include industrial to the east and north within the R1 Zone, and a multi-family housing development to the west and south within the MDR Zone.

STAFF ANALYSIS

Staff believe that the goals and intent of the Southeast Neighborhoods Plan have mostly been met for this area and continuing to have the restrictive R1 Zone on a thriving Provo business would adversely impact the owner and the city. The zone change proposed does not create any new industrial uses but would allow for an attractive office addition for a valued community business.

Further analysis regarding the zone change in relation to the General Plan, per Provo City Code 14.02.020 is below: (staff responses in bold)

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

following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

Staff Response: The applicant states the zone change would allow for "continued growth and operations of ProSteel Security Product Inc., a long-standing and successful business headquartered in Provo" and goes on to state, "Retaining and supporting this business is crucial to maintaining high-quality employment and commercial activity in the area." Staff agree with the above purposes and believe that there are strong economic development purposes for the amendment in question.

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

Staff Response: Staff believe that the proposed M1 Zone is the best way to achieve the above purposes, and that returning to the zone they had previously will enable the business to stay in Provo and grow as needed.

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

Staff Response: The proposed amendment is compatible with goals in Chapter 5 of the General Plan, specifically 1a to "Explore implementing strategic investments to attract new businesses while continuing to support growth of local businesses."

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

Staff Response: There are no timing and sequencing issues related to this request.

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

Staff Response: There should be no obstruction of reaching the General Plan's articulated policies with this request.

(f) Adverse impacts on adjacent landowners.

Staff Response: The surrounding area includes industrial uses to the east and north, and a multi-family housing development to the south. Because

the use has already been established, staff do not believe that a small office addition would adversely impact any of the adjacent landowners.

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

Staff Response: Staff have verified the zoning and General Plan designations are correct.

(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: The policies of the General Plan take precedence in this case. The importance of retaining quality businesses in the policies of the General Plan outweigh the "residential" designation of the land within the General Plan map.

APPLICABLE ZONING CODES

M1 Zone – Provo City Code 14.27

Nonconforming Uses – Provo City Code 14.36.040

CONCLUSIONS

Staff are in full support of the proposed zone change to support the retention and growth of local businesses and jobs in Provo.

<u>ATTACHMENTS</u>

- 1. Property Map
- 2. Zone Map
- 3. General Plan Map
- 4. Concept Site Plan
- **5.** Applicant Rezone Written Description

<u>ATTACHMENT 1 – PROPERTY MAP</u>



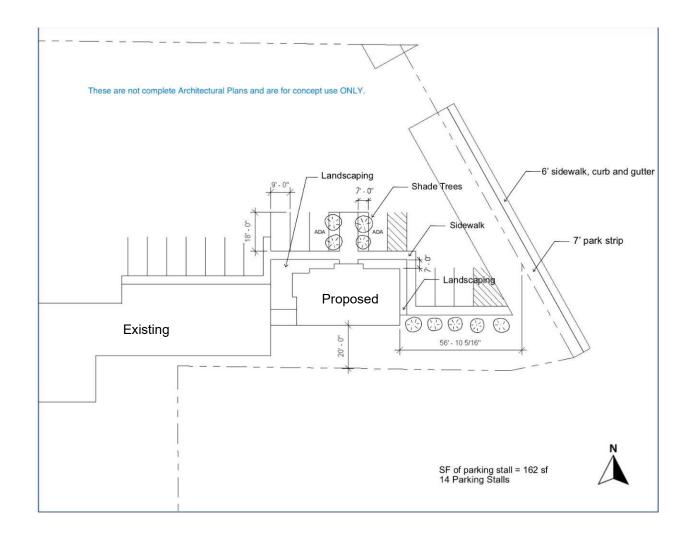
ATTACHMENT 2 – ZONE MAP



<u>ATTACHMENT 3 – GENERAL PLAN MAP</u>



ATTACHMENT 4 - CONCEPT SITE PLAN



<u>ATTACHMENT 5 – APPLICANT REZONE WRITTEN DESCRIPTION</u>

Rezone Written Description

Request

We respectfully petition the Provo City Council to approve a zone change from R110 to M1I for the above-referenced property. This change would allow the construction of a new office building to support the continued growth and operations of ProSteel Security Product Inc., a long-standing and successful business headquartered in Provo.

Justification for Zone Change

Support for Local Business: The property is the operational hub for a highly successful safe manufacturing company that has made contributions to Provo's economy. Retaining and supporting this business is crucial to maintaining high-quality employment and commercial activity in the area.

Historical Land Use: For many years, the property has been used for commercial and industrial purposes, including multiple warehouses and an existing office building. The recent zoning designation as residential was inconsistent with the property's historical and functional use. This change was made against the recommendation of the Planning Commission and under a previous City Council.

Compatibility with Surrounding Uses: The surrounding area already includes industrial and commercial activity, making the proposed zone change compatible with adjacent land uses. The construction of an additional office building would not introduce new or conflicting uses to the neighborhood.

Efficient Use of Land: Allowing additional office development on the site will optimize land that is already developed and serviced by existing infrastructure, avoiding unnecessary sprawl and maximizing the economic utility of the site.

Conformance with the Provo City General Plan

The proposed zone change aligns with the goals and policies of the Provo City General Plan, particularly in the following ways:

Economic Development: The General Plan encourages the retention and expansion of existing businesses that provide stable, long-term employment opportunities. Approving this zone change directly supports this objective by enabling a key employer to grow within city limits.

Land Use Compatibility: The plan supports logical land use transitions and the development of properties in ways that are harmonious with surrounding uses. Restoring the commercial zone to this property aligns with both historical land use and current development patterns in the area.

Smart Growth and Redevelopment: The Plan encourages infill development and redevelopment in established areas where infrastructure already exists. The proposed office expansion represents smart, sustainable growth that avoids the need for additional infrastructure investment.

Conclusion

Respectfully submitted,

We believe the proposed zone change is both reasonable and necessary to support the continued success of a valued local business, ensure consistent land use policy, and advance the objectives of the Provo City General Plan. We respectfully request that the Planning Commission and City Council approve this petition and restore the property's zoning designation to Commercial.

Greg Clements	:%
VP of Finance	
gclements@prosteel.us	

PROVO MUNICIPAL COUNCIL WORK SESSION STAFF REPORT



Submitter: DWRIGHT

Presenter: Dustin Wright, Planner **Department:** Development Services

Requested Meeting Date: 08-05-2025
Requested Presentation Duration: 5 minutes

CityView or Issue File Number: PLRZ20250033

SUBJECT: 2 An ordinance amending the zone map classification of real property,

generally located at 71 West 880 North, from the residential conservation (RC) zone to the campus residential (CR) zone. North Park neighborhood.

(PLRZ20250033)

RECOMMENDATION: Recommended for approval

BACKGROUND: The applicant is requesting approval for a parcel of land, in the Residential Conservation (RC) zone, to be rezoned to the Campus Residential (CR) zone.

An approved concept plan has shown that the property can be developed to meet the CR zoning requirements. The property currently has a single-family home, and it is proposed that it is replaced with a five-unit apartment building. The RC zone doesn't allow new units to be established on a property, so the rezone is needed for the applicant to be able to move forward, increasing the density of the property. The proposed rezone area will consist of one parcel, totaling approximately 0.20 acres of land. The property is currently zoned RC like the properties to the north, east and west. The property to the south is zoned CR, which is the same as what is being requested for this site.

FISCAL IMPACT: N/A

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

The request for residential is compatible with the General Plan Map that calls for residential at this location. The proposed development will allow additional housing development located near BYU. This is a good location for this infill development, and it is consistent with the General Plan goals for areas of small-scale infill housing.

1	ORDINANCE << Document Number>>
2	
3	AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF
4	REAL PROPERTY, GENERALLY LOCATED AT 71 WEST 880 NORTH,
5	FROM THE RESIDENTIAL CONSERVATION (RC) ZONE TO THE
6	CAMPUS RESIDENTIAL (CR) ZONE. NORTH PARK NEIGHBORHOOD.
7	(PLRZ20250033)
8	
9	RECITALS:
10	
11	It is proposed that the classification on the Provo Zoning Map for approximately 0.20 acres
12	of real property, generally located at 71 West 880 North (an approximation of which is shown or
13	described in Exhibit A and a more precise description of which is attached as Exhibit B), be
14	amended from the Residential Conservation (RC) Zone to the Campus Residential (CR) Zone;
15	
16	On July 9, 2025, the Planning Commission held a public hearing to consider the proposal,
17	and after the hearing the Planning Commission recommended approval of the proposal to the
18	Municipal Council by a 6:0 vote;
19	
20	The Planning Commission's recommendation was based on the project design presented
21	to the Commission;
22	
23	On August 5, 2025, the Municipal Council met to determine the facts regarding this
24	matter and receive public comment, which facts and comments are found in the public record of
25	the Council's consideration; and
26	
27	After considering the Planning Commission's recommendation and the facts presented to
28	the Municipal Council, the Council finds that (i) the proposed action should be approved, and (ii)
29	such action furthers the health, safety, and general welfare of the citizens of Provo City.
30	
31	THEREFORE, the Provo Municipal Council ordains as follows:
32	
33	PART I:
34	
35	The classification on the Provo Zoning Map is amended from the Residential Conservation
36	(RC) Zone to the Campus Residential (CR) Zone for the real property described in this ordinance.
37	PART II:
- ,	

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 10-3-713.
 - D. The Municipal Council directs that the Provo Zoning Map be updated and codified to reflect the provisions enacted by this ordinance.

EXHIBIT A – AREA TO BE REZONED



EXHIBIT B

Legal Description:

COM. ON S LINE OF 9TH N WHICH PT IS 12.62 CHS W & S 1 W 4.775 CHS N 89 W 3 RODS FROM NE COR OF SEC 1, T 7 S, R 2 E, SLB&M; W 63 FT; S 1 W 2.07 CHS; S 89 E 63 FT; N 1 E 2.07 CHS TO BEG. AREA .20 OF AN ACRE.



Planning Commission Hearing Staff Report

Hearing Date: July 9, 2025

*ITEM 3 Terry Cirac requests a Zone Map Amendment from the RC (Residential Conservation) Zone to the CR (Campus Residential) Zone in order to develop a 5-unit apartment building, located at 71 West 880 North. North Park Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLRZ20250033

Applicant: Terry Cirac

Staff Coordinator: Dustin Wright

Property Owner: CIRAC, TERRY & LISA

Parcel ID#: 21:009:0034 Acreage: Approximately 0.20 Number of Properties: 1

Current Zone: Residential Conservation (RC) Proposed Zone: Campus Residential (CR)

Council Action Required: Yes Development Agreement: No

ALTERNATIVE ACTIONS

- 1. Continue to a future date to obtain additional information or to further consider the information presented. The next available meeting date is August 13, 2025, at 6:00 p.m.
- 2. Recommend denial of the requested Rezone Application. This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.

Current Legal Use:

Single-family residential.

Relevant History:

The property was rezoned to RC in 2002. The RC zone does not allow new units to be added. Existing units can be replaced but density cannot be added in the RC zone.

A concept plan (PLCP20240345) application has been submitted with this rezone.

Neighborhood Issues:

A district 4 meeting was held on March 5, 2025. No concerns from residents were expressed at the meeting.

Summary of Key Issues:

- The applicant is looking to increase the density from one unit to five units (originally asking for eight).
- The CR zone would allow for the increased density that the applicant is pursuing.
- The General Plan calls for Residential Development, so there is no need to amend the General Plan Map for this rezone.

Staff Recommendation:

The Planning Commission forwards a positive recommendation to the Municipal Council for the requested rezone from RC to CR.

BACKGROUND

The applicant is requesting approval for a parcel of land (Attachment 1), in the Residential Conservation (RC) zone, to be rezoned to the Campus Residential (CR) zone.

The applicant has submitted a concept plan application showing how the property would be developed if the rezone is approved. The property currently has a single-family home, and it is proposed that it is replaced with a five-unit apartment building. The RC zone doesn't allow new units to be established on a property, so the rezone is needed for the applicant to be able to move forward, increasing the density of the property.

The proposed rezone area will consist of one parcel, totaling approximately 0.20 acres of land. The property is currently zoned RC like the properties to the north, east and west. The property to the south is zoned CR, which is the same as what is being requested for this site.

FINDINGS OF FACT

- The original request with the concept plan was for eight units. This unit count has been reduced to five units to be able to meet the CR zoning requirements.
- The General Plan designation for this location is Residential.
- The requested rezone is for a proposed residential use.
- The item was discussed at the March 5, 2025 district meeting.
- The CR zone is established to encourage high density housing near BYU. 14.14E.010
- The property is near BYU.

STAFF ANALYSIS

Staff has reviewed the proposed rezone request and is in support of the rezone because it allows this underutilized parcel to be used more consistently with the surrounding properties that have higher densities. The zone that is being requested works well for this type of infill development within such a close proximity to BYU.

By reducing the number of units originally proposed, the applicant has shown, in concept, how the property could be developed to meet the requirements of the proposed zone and no conflicts with adjacent property are anticipated with the proposed rezone.

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

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

(a) Public purpose for the amendment in question.

Staff response: The proposed CR zone will allow the land to be developed more consistently with the surrounding land and increase the housing options in the area.

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

Staff response: This infill development will create new housing opportunities near BYU.

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

Staff response: The General Plan calls for residential at this location. The proposed development will allow additional housing development located near BYU. This is a good location for this infill development, and it is consistent with the General Plan goals for areas of small-scale infill housing.

(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 that would be affected with this rezone request.

(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 rezone would hinder the General Plan as it is in alignment with the desired land use for the area.

(f) Adverse impacts on adjacent land owners.

Staff response: There would not be any direct impacts on adjacent land owners.

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

Staff response: The land use map from the General Plan has been reviewed and found to be correct for this area.

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

Staff response: There are no conflicts noted by staff.

CONCLUSION

The applicant has reduced the number of units that he was originally planning to be able to meet the zoning requirements of the proposed CR zone. Staff has verified that the concept would be feasible under the CR zone. With a close proximity to BYU, the desired zone provides an appropriate way for the property to develop congruently with the surround property. It will not negatively impact those adjacent property owners.

ATTACHMENTS

- 1. Area to be Rezoned
- 2. Current Zone Map
- 3. General Plan Map

ATTACHMENT 1 – AREA TO BE REZONED



Legal Description:

COM. ON S LINE OF 9TH N WHICH PT IS 12.62 CHS W & S 1 W 4.775 CHS N 89 W 3 RODS FROM NE COR OF SEC 1, T 7 S, R 2 E, SLB&M; W 63 FT; S 1 W 2.07 CHS; S 89 E 63 FT; N 1 E 2.07 CHS TO BEG. AREA .20 OF AN ACRE.

ATTACHMENT 2 – CURRENT ZONE MAP



<u>ATTACHMENT 3 – GENERAL PLAN MAP</u>



Provo City Planning Commission

Report of Action

July 09, 2025

*ITEM 3 Terry Cirac requests a Zone Map Amendment from the RC (Residential Conservation) Zone to the CR (Campus Residential) Zone in order to develop a 5-unit apartment building, located at 71 West 880 North. North Park Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLRZ20250033

The following action was taken by the Planning Commission on the above described item at its regular meeting of July 09, 2025:

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Andrew South Second By: Anne Allen

Votes in Favor of Motion: Andrew South, Anne Allen, Jonathon Hill, Barbara DeSoto, Melissa Kendall, Daniel Gonzales *Melissa Kendall was present as Chair*.

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

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

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

RELATED ACTIONS

Planning Commission, July 9, 2025, Item 2 PLCP20240345, approved with conditions.

DEVELOPMENT AGREEMENT

• May apply with future approvals.

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 present /addressed the Planning Commission during the public 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:

• The district 4 chair informed the Planning Commission that this item came to the district meeting and mentioned that this development seems appropriate for this location and this type of development is needed.

APPLICANT RESPONSE

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

- This development will help provide housing for BYU or future medical students.
- There is going to be management on-site at his neighboring property that will include this development as well.
- There are three people living there now.
- He has improved the site from when he purchased it.
- Additional parking stalls were rented in the past that were not needed for this location.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- This is a great use of this space, and it fits with the surrounding development.
- This is needed for this area.
- The design is interesting but works well with the space.



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

Serial Number: 21:009:0034 Property Address: 71 W 880 NORTH – PROVO

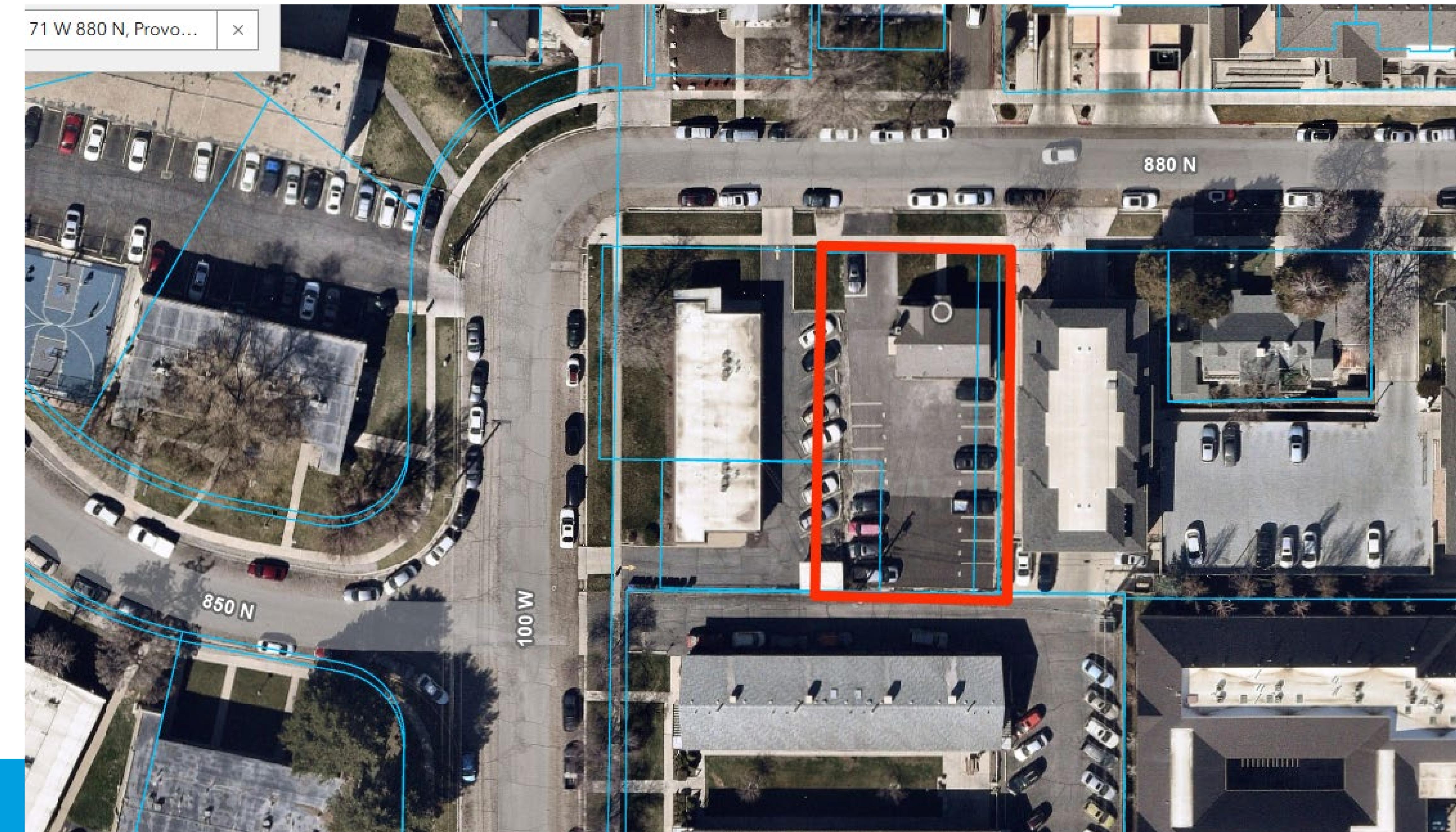
COM. ON S LINE OF 9TH N WHICH PT IS 12.62 CHS W & S 1 W 4.775 CHS N 89 W 3 RODS FROM NE COR OF SEC 1, T 7 S, R 2 E, SLB&M; W 63 FT; S 1 W 2.07 CHS; S 89 E 63 FT; N 1 E 2.07 CHS TO BEG. AREA .20 OF AN ACRE.



Zone Map Amendment from the RC (Residential Conservation) Zone to the CR (Campus Residential) Zone in order to develop a 5-unit apartment building, located at 71 West 880 North. PLRZ20250033

North Park Neighborhood

Project Site





Zoning





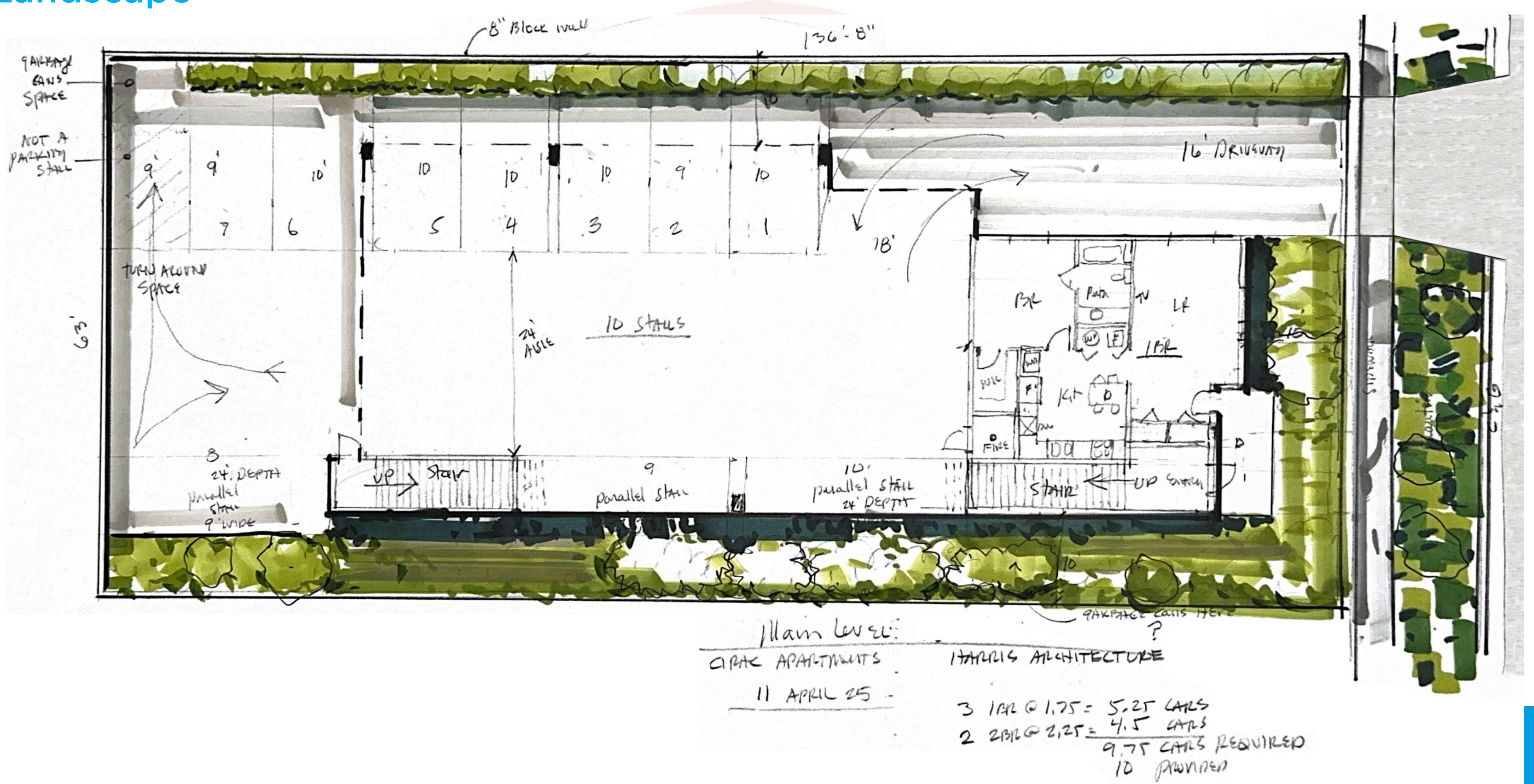
General Plan





PLANTER STRIF

Landscape



Elevations

