

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



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

1:30 PM | September 9, 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 (Remote)
Councilor George Handley
Councilor Becky Bogdin
Councilor Travis Hoban
Mayor Michelle Kaufusi

Approval of Minutes

August 19, 2025 Work Meeting

August 26, 2025 Board of Canvassers Meeting

Approved by unanimous consent.

Business

Item 1: An ordinance amending the zone map classification of real property, generally located at 1050 West 100 North from the one-family residential (R1.6) zone to the very low density residential (VLDR) zone. Dixon neighborhood. (PLRZ20250332) [00:01:06](#)

Jessica Dahneke, City Planner, presented this item to the Council. She explained that the property at 1050 West 100 North is currently zoned R1.6, which allows for accessory dwelling units. The property owner wishes to subdivide the property to add an additional dwelling unit. If rezoned to VLDR, the property would still be surrounded by R1.6 zoning.

Ms. Dahneke noted that the applicant would need to upload an updated plat as a condominium plat, meaning each home would be its own parcel with the remainder of the area designated as common area shared between the two homes. She explained that the Planning Commission recommended denial of the request due to concerns about maintenance of common areas, owner occupancy, and the creation of a spot zone surrounded by R1.6 zoning.

Staff's original recommendation was also to deny the request, primarily because the existing R1.6 zoning already permits accessory apartments, which would result in a similar increase in density.

Councilor Garrett asked for clarification regarding the absence of a neighborhood plan for the area, which Ms. Dahneke confirmed. He also inquired whether the VLDR zone exists elsewhere in the city. Ms. Dahneke responded affirmatively but was unable to provide specific examples.

Item 2: An ordinance amending the zone map classification of real property, generally located at 2525 West 620 North, from the R1.8 (one family residential) zone to the A1.1 (agricultural) zone. Lakeview South neighborhood. (PLRZ20250348) [00:03:42](#)

Nancy Robison, Planner, presented this item. She noted that after the staff report was written, it was discovered that the property lines had changed by seven feet, as the property is part of a trust where land is being split. The acreage sizes in the Council's memo and Exhibit A reflect the correct legal definition and zone size.

Ms. Robison explained that the entire parcel is currently 9.61 acres and will be divided into two parcels: one of 3.66 acres and another of 5.95 acres. She displayed a map showing how the property would be split, with a portion currently zoned R1.8 and another portion zoned agricultural. The applicant wishes to ensure that one parcel is entirely within the same zone.

It was clarified that the property owner plans to move his property into the agricultural zone, where there is already a house. The remainder of the property will go to siblings. Councilor MacKay noted that this was a rare instance of land being rezoned to agricultural for residential purposes.

Ms. Robison addressed a question about the lower parcel's development potential, explaining that while it cannot be developed as it currently stands without another subdivision proposal, there are plans for future development. She pointed out that there are three stub roads in preparation for future development.

The Council discussed the unusual nature of rezoning to agricultural and the family circumstances driving this request. No further questions were raised, and it was noted that this item would be revisited in the evening session.

Item 3: A discussion regarding the "Owner occupant" definition in Provo City Code Chapter 14.06.020 (25-087) [00:07:54](#)

Melia Dayley, Policy Analyst, presented this item. She explained that the discussion arose from a current accessory dwelling unit (ADU) application for a property on Bannock Drive. The Planning Commission recommended approval based on a clause in the definition of owner occupancy, which staff had interpreted differently.

Ms. Dayley outlined that the current definition includes a clause that could be interpreted as a loophole or exemption to the owner-occupancy requirement. To address this, the Council Office

is proposing a text amendment to remove this exemption, clarifying that an owner must actually reside on the property to be considered an owner-occupant.

Brian Jones, City Attorney, provided additional legal context. He emphasized that the current language does not explicitly create an exemption, but rather states a requirement for document submission that does not logically connect to qualifying as an owner-occupant.

The Council discussed the implications of this change and the broader issues surrounding ADU regulations. Councilor MacKay expressed frustration with the current process for obtaining neighbor signatures for ADUs, noting it has caused confusion and conflict in neighborhoods.

After discussion, two motions were made and passed:

- Councilor Handley moved to accept the proposed removal of the confusing text from the owner-occupant definition. Councilor MacKay seconded the motion. The motion passed with a 7-0 vote.
- Councilor Handley moved to request staff to bring back to a future work session a proposal for addressing the special use permit section in Chapter 14.30. Councilor MacKay seconded the motion. The motion passed with a 7-0 vote.

Item 4: A presentation regarding the FrontRunner 2X Project (25-088) [00:35:43](#)

Brian Allen, Transit Project Director from the Utah Department of Transportation (UDOT), presented information about the FrontRunner 2X project. He explained that the project aims to double-track strategic sections of the FrontRunner line to increase capacity and frequency of service.

Mr. Allen outlined the benefits of the project, including increased ridership, reduced congestion, and improved travel times compared to Interstate 15. He presented a video explaining the concept of double-tracking and why it is necessary to increase train frequency.

The presentation focused on the section south of Provo, which involves complex right-of-way acquisitions and potential impacts to existing properties. Two main alternatives were discussed: relocating Union Pacific tracks or adding a Utah Transit Authority (UTA) track to the west. The western option was presented as the preferred alternative due to lower costs and fewer impacts.

Mr. Allen addressed concerns about noise and vibration impacts, explaining that mitigation studies are ongoing. Michael Richardson, Right of Way (ROW) Agent, also discussed the right-of-way acquisition process, emphasizing that affected property owners would be compensated fairly and provided relocation assistance if necessary.

The Council asked numerous questions about the project's impacts, timelines, and communication with affected residents. Concerns were raised about the initial lack of communication with the City and residents regarding potential property acquisitions.

Mr. Allen acknowledged the communication oversight and committed to improving transparency and engagement moving forward. He announced an upcoming neighborhood meeting for impacted residents on September 18 and outlined the project timeline, with construction anticipated to begin in 2027 and completion targeted for 2030.

Item 5: A presentation regarding conservation easements (25-086) [01:42:01](#)

Wendy Fisher, Executive Director of Utah Open Lands, presented information about conservation easements. She explained that Utah Open Lands is the oldest local land trust in Utah, holding over 64,000 acres in conservation easements.

Ms. Fisher discussed the benefits of open spaces, noting that outdoor recreation opportunities contributed to economic growth during the pandemic. She emphasized that conservation easements can help balance development with preserving quality of life and protecting natural resources.

The presentation covered the legal definition of conservation easements, their components, and how they are tailored to each specific property. Ms. Fisher explained that conservation easements can codify community intentions for land use, protect against private benefit on public lands, and provide long-term protection for important natural and recreational areas.

Council members asked questions about the permanence of conservation easements, funding sources for Utah Open Lands, and the organization's role in enforcing easement terms. Ms. Fisher addressed concerns about the perpetual nature of easements and explained how the organization plans for long-term stewardship and potential transfers of easements if necessary.

The presentation provided context for the Council's upcoming discussion about a potential conservation easement in Bunnels Fork.

Item 6: A presentation regarding a conservation easement in Bunnels Fork (25-086) [02:15:52](#)

Melia Dayley, Policy Analyst, presented information about a potential conservation easement for city-owned parcels in Bunnels Fork. She explained that this initiative stemmed from a request by Councilors Handley and Christensen to explore protecting some or all of the city-owned parcels in the area through a conservation easement.

Ms. Dayley outlined the legal framework for the City to enter into a conservation easement with Utah Open Lands at no cost to the City. She referenced the recently passed amendment to the Hillsides and Canyons Plan, which calls for protecting city-owned lands outside city boundaries.

Mayor Kaufusi expressed strong support for the conservation easement, emphasizing the area's natural beauty, critical water resources, and recreational value. Scott Henderson, Chief Administrative Officer, discussed the logistics of moving forward with the process.

The Council engaged in a discussion about the benefits and potential drawbacks of a conservation easement. Councilor Bogdin expressed reservations about partnering with an outside organization for city-owned land.

After discussion, a motion was made:

- Councilor Whipple moved that the Council show support for continuing the process of exploring a conservation easement in Bunnels Fork. Councilor Christensen seconded the motion. The motion passed with a 6-1 vote, with Councilor Bogdin voting against.

The next steps will include drafting a Memorandum of Understanding with Utah Open Lands, creating a public interest valuation study, and holding a public hearing before final authorization.

Item 7: A presentation regarding certified tax rates for Provo City (25-089) [02:40:55](#)

Rod Mann, Utah County Auditor, presented information about an error in the certified tax rates for Provo City. He explained that due to a mistake in the County's process, over \$500 million of nonexistent taxable value was erroneously added to Provo's property values, resulting in a tax rate approximately 5% lower than it should have been.

Mr. Mann outlined the options for correcting the error: fixing it now or deferring the correction until next year. He recommended fixing it now, which would result in an increase of about \$20 per year for the average residential property and about \$82–\$83 for a business property valued at \$1 million.

The Council discussed the implications of both options, considering the impact on residents and the City's budget. It was noted that the Provo School District had already voted to fix their rates now.

After discussion, the Council reached a consensus to fix the rates immediately. Brian Jones, City Attorney, informed the Council that a resolution with the updated rates would be presented for a vote in the evening meeting.

Closed Meeting [03:00:30](#)

Councilor Whipple moved to close the meeting to discuss the character, professional competence, or physical or mental health of an individual. Councilor Bogdin seconded the motion. The motion passed with a 6-0 vote, with Councilor Christensen excused.

The Council then recessed as the Municipal Council and reconvened as the Redevelopment Agency (RDA) Governing Board.

Board Member Garrett moved to close the RDA Governing Board meeting to discuss pending or reasonably imminent litigation. The motion was seconded by Councilor Handley and passed with a 6-0 vote, with Board Member Christensen excused.