



PROVO MUNICIPAL COUNCIL

Regular Meeting Agenda

6:00 PM, Tuesday, October 07, 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: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil) and [facebook.com/provocouncil](https://www.facebook.com/provocouncil). If one platform is unavailable, please try the other. If you do not have access to the Internet, you can join via telephone following the instructions below.

TO MAKE A VIRTUAL PUBLIC COMMENT:

To participate in the public comment portion(s) of the meeting, call in as an audience member as the presentation is wrapping up. Be sure to mute/silence any external audio on your end to reduce feedback (if you are viewing the live proceedings on YouTube, mute the YouTube video; you will be able to hear the meeting audio through the phone while you are on the line).

Press *9 from your phone to indicate that you would like to speak. When you are invited to speak, the meeting host will grant you speaking permission, calling on you by the last four digits of your phone number. Please begin by stating your first and last name, and city of residence for the record. After you have shared your comment, hang up. If you wish to comment on a later item, simply re-dial to rejoin the meeting for any subsequent comment period(s).

October 07 Council Meeting: Dial 346 248 7799. Enter Meeting ID 872 3156 0306 and press #. When asked for a participant ID, press #. To join via computer, visit zoom.us and enter the meeting ID and passcode: 185104.

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.

Roll Call

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 public hearing to continue to authorize a recreation, arts, and parks (RAP) tax in Provo City for 10 years. (25-076)

- 2 A resolution approving and appropriating lease revenue of \$520,620.12 in the golf course fund. (25-067)
- 3 A resolution approving the appropriation of \$158,396 to add three full-time firefighters for the airport for the fiscal year ending June 30, 2026. (25-094)
- 4 An ordinance amending the General Plan to adopt the FrontRunner and 400 South Station Areas Plan. (PLGPA20250216)
- 5 An ordinance amending the General Plan to adopt the University Avenue Station Areas Plan. (PLGPA20250208)
- 6 An ordinance amending the General Plan to adopt the Joaquin Station Area Plan. (PLGPA20250215)
- 7 An ordinance amending the General Plan to adopt the 2230 North Station Area Plan. (PLGPA20250206)
- 8 An ordinance amending Provo City Code regarding the area where accessory dwelling units are permitted. (PLOT20250427)

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 youtube.com/ProvoCityCouncil

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, October 21, 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: JUHARRISON
Presenter: Gary Garrett, Council Chair
Department: Council
Requested Meeting Date:
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: 25-076

SUBJECT: 2 A public hearing to continue to authorize a recreation, arts, and parks (RAP) tax in Provo City for 10 years. (25-076)

RECOMMENDATION: Public hearing

BACKGROUND: NOTICE OF RECREATION, ARTS, AND PARKS TAX PROPOSITION

Pursuant to the Utah Code, notice is given that a recreation, arts, and park tax proposition will appear on the ballot for the general election to be held on Tuesday, November 4, 2025 for Provo City.

The proposition seeks voter approval for the continuation of a recreation, arts, and park tax to fund local projects and initiatives. Eligible voters residing within the jurisdiction of Provo City are encouraged to participate in this election.

PUBLIC HEARING

A public hearing regarding the recreation, arts, and park tax proposition will be held within 45 days of the election but not closer than 4 days to the election. The exact date, time, and location of the hearing will be announced in a subsequent notice. Notice of the public hearing will be published at least seven days prior to the hearing date, in accordance with statute.

SUBMISSION OF ARGUMENTS

Arguments for or against the recreation, arts, and park tax proposition must be submitted in writing no later than 65 days before the election to the Provo City Recorder. Submissions should be directed to Heidi Allman, 445 W. Center Street, Provo, UT 84601, phone number 801-852-6524.

<https://www.provo.gov/1270/2025-RAP-Tax-Information>

FISCAL IMPACT: TBD

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:
Ballot proposition - November 4, 2025 General Election



NOTICE OF RECREATION, ARTS, AND PARKS TAX PROPOSITION

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For further information regarding the recreation, arts, and park tax proposition, please contact Heidi Allman, 445 W. Center Street, Provo, UT 84601, phone number 801-852-6524.

Heidi Allman, Provo City Recorder

Date of Publication: August 26, 2025

1. Utah Public Notice Website
2. Provo City Website
3. Provo City Hall Bulletin Board



2025 PROVO CITY MUNICIPAL ELECTION NOTICE

Pursuant to Utah Code Section 10-3-301, take notice that the Municipal Offices in Provo City, Utah to be voted on in the 2025 Municipal General Election are:

- Mayor – 4-year term
- City Council District 2 – 4-year term
- City Council District 5 – 4-year term
- City Council City Wide I – 4-year term

2025 MUNICIPAL PRIMARY ELECTION
2025 MUNICIPAL GENERAL ELECTION

August 12, 2025
November 4, 2025

Any Provo City resident intending to run for office must file a Declaration of Candidacy in person between June 1 and June 7, 2025 (Monday through Friday only), from 8:00 AM to 5:00 PM. Forms must be submitted to the Provo City Recorder at Provo City Hall located at 455 W Center St. A filing fee of \$75 is required for City Council candidates, and \$150 for Mayoral candidates.

Candidates must comply with the requirements of Utah Code Section 20A-9-203.

Election information may be obtained:

- Provo City Election page: <https://www.provo.gov/798/Election-Information>
- Utah County Elections page: <https://vote.utahcounty.gov/home>
- Utah State Elections page: <https://vote.utah.gov/>
- Provo City Recorder's Office: 801-852-6524 or recorder@provo.gov

Heidi Allman, Provo City Recorder

Dates of Publication: April 29, 2025

1. Utah Public Notice Website
2. Provo City Website
3. Provo City Hall Bulletin Board

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HALLMAN
Presenter: Brett Watson, Golf Manager and Dan Follett, Division
Director of Finance
Department: Recorder
Requested Meeting Date: 06-03-2025
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: 25-067

SUBJECT: 3 A resolution approving and appropriating lease revenue of \$520,620.12 in the golf course fund. (25-067)

RECOMMENDATION: Approve Resolution

BACKGROUND: On June 3, 2025, the Municipal Council adopted a resolution approving a five-year lease agreement with Zion's Bank for golf course maintenance equipment. However, the resolution did not include authorization to appropriate \$520,620.12 in lease revenue within the Golf Course Fund to cover the equipment costs, as outlined in the lease agreement approved by the Council on June 3. This lease allows Timpanogos Golf Club to upgrade the majority of its day to day golf maintenance equipment to a hybrid model that runs on both gasoline and electric. This combination of John Deere and Ventac Equipment allows Timpanogos to continue providing excellent golf playing conditions while minimizing its environmental impact and upgrading its well used fleet.

FISCAL IMPACT: The annual lease payment amount is currently budgeted into Timpanogos Golf Club's operating.

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES: Supports Provo City's General Plan by promoting healthy and active lifestyles, while advancing the City's commitment to environmental sustainability. This agreement aligns with the City's goals to provide high-quality Parks and Recreation facilities that encourage community well-being and responsible stewardship of natural resources.

1 RESOLUTION <<Document Number>>

2
3 A RESOLUTION APPROVING AND APPROPRIATING LEASE REVENUE
4 OF \$520,620.12 IN THE GOLF COURSE FUND. (25-067)
5

6 RECITALS:
7

8 It is proposed that the Council appropriate \$520,620.12 in lease revenue in the Golf
9 Course fund to pay for maintenance equipment as detailed in the lease agreement approved by
10 the Council on June 3, 2025;
11

12 On October 7, 2025, the Municipal Council met to consider the facts regarding this
13 matter and receive public comment, which facts and comments are found in the public record of
14 the Council's consideration; and
15

16 After considering the facts presented to the Municipal Council, the Council finds that (i)
17 the appropriation should be approved as described herein, and (ii) such action furthers the health,
18 safety, and general welfare of the citizens of Provo City.
19

20 THEREFORE, the Provo Municipal Council resolves as follows:
21

22 PART I:
23

24 The Mayor is authorized to appropriate \$520,620.12 in the Golf Course fund, effective
25 for FY2025.
26

27 PART II:
28

29 This resolution takes effect immediately.



ADMINISTRATIVE
SERVICES
TEL 801 852 6504
351 W CENTER ST
PO BOX 1849
PROVO, UT 84603

NOTICE OF PUBLIC HEARING BEFORE THE PROVO MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on the following item during the Council Meeting that will take place on **Tuesday, October 7th, 2025** at 6:00 p.m. in the Council Chambers located at the Provo City Center Building, 445 West Center Street, Provo, Utah. Anyone interested is invited to attend.

Provo City Council will consider an appropriation of \$520,620.12 in the Golf Course fund for maintenance equipment. The funding source of the appropriation is revenue from a lease the Council previously approved on June 3rd, 2025.

The meeting will also be available to the public for live broadcast and on-demand viewing at: youtube.com/provocitycouncil. Those who would like to participate in the meeting virtually may do so via Zoom. To join the Zoom meeting, visit zoom.us/join and enter Meeting ID **872 3156 0306** and Passcode **185104**. To listen or comment via phone, dial **346-248-7799**, enter Meeting ID **872 3156 0306** and press #. Press # again for participant ID. Once connected, press ***9** to indicate that you would like to comment. For more information regarding how to comment in the electronic meeting, visit agendas.provo.org and click on the meeting agenda.

Resolution 2025-30

SHORT TITLE

A RESOLUTION APPROVING A LEASE AGREEMENT WITH ZION'S BANK FOR GOLF COURSE MAINTENANCE EQUIPMENT OVER 5 YEARS. (25-067)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY			Excused
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6	0	

This resolution was passed by the Municipal Council of Provo City, on the 3rd day of June, 2025, on a roll call vote as described above. Signed this 3rd day of June, 2025.



Chair

Resolution 2025-30

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2025-30.

This resolution was signed and recorded in the office of the Provo City Recorder on the
5th day of June, 2025.





City Recorder

1 RESOLUTION 2025-30

2
3 A RESOLUTION APPROVING A LEASE AGREEMENT WITH ZION'S
4 BANK FOR GOLF COURSE MAINTENANCE EQUIPMENT OVER 5
5 YEARS. (25-067)
6

7 RECITALS:
8

9 The Provo City Timpanogos Golf Club needs to lease golf course maintenance equipment
10 for five years at a rate of \$119,089.06 per year. The Provo City Timpanogos Golf Club and Zions
11 Bancorporation have negotiated a proposed lease agreement;
12

13 On June 3, 2025, the Municipal Council met to ascertain the facts regarding this matter
14 and receive public comment, which facts and comments are found in the public record of the
15 Council's consideration; and
16

17 After considering the facts presented to the Council, the Council finds (i) the city should
18 enter into a lease agreement for the golf maintenance equipment according to the terms described
19 in Exhibit A, and (ii) the lease of the golf maintenance with Zions Bancorporation reasonably
20 furthers the health, safety, and general welfare of the citizens of Provo City.
21
22

23 THEREFORE, the Provo Municipal Council resolves as follows:
24

25 PART I:
26

- 27 1. The Mayor is authorized to enter into a lease with Zions Bancorporation for golf course
28 maintenance equipment according to the terms in Exhibit A, and
29 2. The Mayor or designee is authorized to sign any paperwork necessary to effectuate
30 the deal and to make minor changes to the language and wording of the documents
31 provided such changes do not involve the structure of the deal.
32

33 PART II:
34

35 This resolution takes effect immediately.
36

37 END OF RESOLUTION.
38
39
40
41
42
43
44
45
46
47

Exhibit A

NON-BQ UTAH FIXED EQUIPMENT LEASE

Long Name of Entity: Provo City
Address: 351 W. Center Street
City, State Zip: Provo, UT 84601
Attention: Dan Follett
Public Finance Office: Finance Director
County: Utah
Amount: 520,620.12
Rate: 4.65
Maturity Date: June 12, 2030
First Pmt Date: June 11, 2026
Payment Dates: June 12
Auto Extend: 5
Governing Body: City Council
Resolution Date: June, 2025
Dated Date: June, 2025
Day: 12th
State: Utah

\$520,620.12
Provo City
Non-BQ Lease Purchase Agreement

-
1. Non-BQ Lease/Purchases Agreement of the Provo City
 2. Exhibit A. Calculation of Interest Component
 3. Exhibit B. Description of Leased Property
 4. Exhibit C. Resolution of Governing Body
 5. Exhibit D. Opinion of Lessee's Counsel
 6. Exhibit E. Security Documents
 7. Exhibit F. Delivery and Acceptance Certificate
 8. Form 8038-G
 9. Wire Transfer Request

NON-BQ LEASE/PURCHASE AGREEMENT

Dated as of June 12, 2025

by and between

ZMFU II, INC.,
as Lessor

and

PROVO CITY,
as Lessee

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NON-BQ LEASE/PURCHASE AGREEMENT

THIS NONE-BQ LEASE/PURCHASE AGREEMENT, dated as of June 12, 2025, by and between ZMFU II, INC., a corporation organized under the laws of the State of Utah, as lessor (the “Bank” or “Lessor”), and Provo City (the “Lessee”), a public agency of the State of Utah (the “State”), duly organized and existing under the Constitution and laws of the State, as lessee;

W I T N E S S E T H:

WHEREAS, the Lessee desires to finance the acquisition of the equipment and/or other personal property described as the “Leased Property” in Exhibit B (the “Leased Property”) by entering into this Lease/Purchase Agreement with the Bank (the “Lease”); and

WHEREAS, the Bank agrees to lease the Leased Property to the Lessee upon the terms and conditions set forth in this Lease, with rental to be paid by the Lessee equal to the Lease Payments hereunder; and

WHEREAS, it is the intent of the parties that the original term of this Lease, and any subsequent renewal terms, shall not exceed 12 months, and that the payment obligation of the Lessee shall not constitute a general obligation under State law; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and delivery of this Lease do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the parties hereto are now duly authorized to execute and enter into this Lease;

NOW, THEREFORE, in consideration of the above premises and of the mutual covenants hereinafter contained and for other good and valuable consideration, the parties hereto agree as follows:

ARTICLE I

DEFINITIONS AND EXHIBITS

SECTION 1.1 Definitions and Rules of Construction. Unless the context otherwise requires, the capitalized terms used herein shall, for all purposes of this Lease, have the meanings specified in the definitions below. Unless the context otherwise indicates, words importing the singular number shall include the plural number and vice versa. The terms “hereby”, “hereof”, “hereto”, “herein”, “hereunder” and any similar terms, as used in this Lease, refer to this Lease as a whole.

“Advance” shall have the meaning set forth in Section 2.1(l)(i)(D) hereof.

“Bank” shall have the meaning set forth in the Preamble hereof.

“Business Day” means any day except a Saturday, Sunday, or other day on which banks in Salt Lake City, Utah or the State are authorized to close.

“Code” means the Internal Revenue Code of 1986, as amended.

“Commencement Date” means the date this Lease is executed by the Bank and the Lessee.

“Event of Nonappropriation” shall have the meaning set forth in Section 3.2 hereof.

“Governing Body” means the governing body of the Lessee.

“Lease Payments” means the rental payments described in Exhibit A hereto.

“Lease Payment Date” shall have the meaning set forth in Section 3.4(a) hereof.

“Leased Property” shall have the meaning set forth in the Whereas clauses hereof.

“Lessee” shall have the meaning set forth in the Preamble hereof.

“Net Proceeds” means insurance or eminent domain proceeds received with respect to the Leased Property less expenses incurred in connection with the collection of such proceeds.

“Obligation Instrument” shall have the meaning set forth in Section 2.1(c) hereof.

“Original Term” shall have the meaning set forth in Section 3.2 hereof.

“Permitted Encumbrances” means, as of any particular time: (i) liens for taxes and assessments, if any, not then delinquent, or which the Lessee may, pursuant to provisions of Section 5.3 hereof, permit to remain unpaid; (ii) this Lease; (iii) any contested right or claim of any mechanic, laborer, materialman, supplier or vendor filed or perfected in the manner prescribed by law to the extent permitted under Section 5.4(b) hereof; (iv) easements, rights of way, mineral rights, drilling rights and other rights, reservations, covenants, conditions or restrictions which exist of record as of the execution date of this Lease and which the Lessee hereby certifies will not materially impair the use of the Leased Property by the Lessee; and (v) other rights, reservations, covenants, conditions or restrictions established following the date of execution of this Lease and to which the Bank and the Lessee consent in writing.

“Rebate Exemption” shall have the meaning set forth in Section 2.1(l)(ii)(A) hereof.

“Regulations” shall have the meaning set forth in Section 2.1(l)(i) hereof.

“Renewal Term” shall have the meaning set forth in Section 3.2 hereof.

“Scheduled Term” shall have the meaning set forth in Section 3.2 hereof.

“State” shall have the meaning set forth in the Preamble hereof.

“Term” or “Term of this Lease” means the Original Term and all Renewal Terms provided for in this Lease under Section 3.2 until this Lease is terminated as provided in Section 3.3 hereof.

SECTION 1.2 Exhibits. Exhibits A, B, C, D, E and F attached to this Lease are by this reference made a part of this Lease.

ARTICLE II

REPRESENTATIONS, COVENANTS AND WARRANTIES

SECTION 2.1 Representations, Covenants and Warranties of the Lessee. The Lessee represents, covenants and warrants to the Bank as follows:

(a) Due Organization and Existence. The Lessee is a public agency of the State duly organized and existing under the Constitution and laws of the State.

(b) Authorization; Enforceability. The Constitution and laws of the State authorize the Lessee to enter into this Lease and to enter into the transactions contemplated by, and to carry out its obligations under, this Lease. The Lessee has duly authorized, executed and delivered this Lease in accordance with the Constitution and laws of the State. This Lease constitutes the legal, valid and binding special obligation of the Lessee enforceable in accordance with its terms, except to the extent limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles affecting the rights of creditors generally.

(c) No Conflicts or Default; Other Liens or Encumbrances. Neither the execution and delivery of this Lease nor the fulfillment of or compliance with the terms and conditions hereof, nor the consummation of the transactions contemplated hereby (i) conflicts with or results in a breach of the terms, conditions, provisions, or restrictions of any existing law, or court or administrative decree, order, or regulation, or agreement or instrument to which the Lessee is now a party or by which the Lessee is bound, **including without limitation any agreement or instrument pertaining to any bond, note, lease, certificate of participation, debt instrument, or any other obligation of the Lessee** (any such bond, note, lease, certificate of participation, debt instrument, and other obligation being referred to herein as an "Obligation Instrument"), (ii) constitutes a default under any of the foregoing, or (iii) results in the creation or imposition of any pledge, lien, charge or encumbrance whatsoever upon any of the property or assets of the Lessee, or upon the Leased Property except for Permitted Encumbrances.

By way of example, and not to be construed as a limitation on the representations set forth in the immediately preceding paragraph:

(A) no portion of the Leased Property is pledged to secure any Obligation Instrument; and

(B) the interests of the Lessor in the Leased Property hereunder do not violate the terms, conditions or provisions of any restriction or revenue pledge in any agreement or instrument pertaining to any Obligation Instrument.

If any Obligation Instrument existing on the date of execution of this Lease creates any pledge, lien, charge or encumbrance on any revenues, property or assets associated with the Leased Property that is higher in priority to the Bank's interests therein under this Lease, the Bank hereby subordinates its interests therein, but only to the extent required pursuant to such existing Obligation Instrument.

(d) Compliance with Open Meeting Requirements. The Governing Body has complied with all applicable open public meeting and notice laws and requirements with respect to the meeting at which the Lessee's execution of this Lease was authorized.

(e) Compliance with Bidding Requirements. Either there are no procurement or public bidding laws of the State applicable to the acquisition and leasing of the Leased Property pursuant to this Lease, or the Governing Body and the Lessee have complied with all such procurement and public bidding laws as may be applicable hereto.

(f) No Adverse Litigation. There are no legal or governmental proceedings or litigation pending, or to the best knowledge of the Lessee threatened or contemplated (or any basis therefor) wherein an unfavorable decision, ruling, or finding might adversely affect the transaction contemplated in or the validity of this Lease.

(g) Opinion of Lessee's Counsel. The letter attached to this Lease as Exhibit D is a true opinion of Lessee's counsel.

(h) Governmental Use of Leased Property. During the Term of this Lease, the Leased Property will be used solely by the Lessee, and only for the purpose of performing one or more governmental or proprietary functions of the Lessee consistent with the permissible scope of the Lessee's authority, and the Leased Property will not be subject to any direct or indirect private business use.

(i) Other Representations and Covenants. The representations, covenants, warranties, and obligations set forth in this Article are in addition to and are not intended to limit any other representations, covenants, warranties, and obligations set forth in this Lease.

(j) No Nonappropriations. The Lessee has never non-appropriated or defaulted under any of its payment or performance obligations or covenants, either under any municipal lease of the same general nature as this Lease, or under any of its bonds, notes, or other obligations of indebtedness for which its revenues or general credit are pledged.

(k) No Legal Violation. The Leased Property is not, and at all times during the Term of this Lease will not be in violation of any federal, state or local law, statute, ordinance or regulation.

(l) General Tax and Arbitrage Representations and Covenants.

(i) The certifications and representations made by the Lessee in this Lease are intended, among other purposes, to be a certificate permitted in Section 1.148-2(b) of the Treasury Regulations promulgated pursuant to Section 148 of the Code (the "Regulations"), to establish the reasonable expectations of the Lessee at the time of the execution of this Lease made on the basis of the facts, estimates and circumstances in existence on the date hereof. The Lessee further certifies and covenants as follows:

(A) The Lessee has not been notified of any disqualification or proposed disqualification of it by the Commissioner of the Internal Revenue Service as an issuer which may certify bond issues.

(B) To the best knowledge and belief of the Lessee, there are no facts, estimates or circumstances that would materially change the conclusions, certifications or representations set forth in this Lease, and the expectations herein set forth are reasonable.

(C) The Scheduled Term of this Lease does not exceed the useful life of the Leased Property, and the weighted average term of this Lease does not exceed the weighted average useful life of the Leased Property.

(D) Each advance of funds by the Bank to finance Leased Property under this Lease (each an "Advance") will occur only when and to the extent that the Lessee has reasonably determined and identified the nature, need, and cost of each item of Leased Property pertaining to such Advance.

(E) No use will be made of the proceeds of this Lease or any such Advance, or any funds or accounts of the Lessee which may be deemed to be proceeds of this Lease or any such Advance, which use, if it had been reasonably expected on the date of the execution of this Lease or of any such Advance, would have caused this Lease or any such Advance to be classified as an "arbitrage bond" within the meaning of Section 148 of the Code.

(F) The Lessee will at all times comply with the rebate requirements of Section 148(f) of the Code as they pertain to this Lease, to the extent applicable.

(G) In order to preserve the status of this Lease and the Advances as other than "private activity bonds" as described in Sections 103(b)(1) and 141 of the Code, as long as this Lease and any such Advances are outstanding and unpaid:

(I) none of the proceeds from this Lease or the Advances or any facilities or assets financed therewith shall be used for any "private business use" as that term is used in Section 141(b) of the Code and defined in Section 141(b)(6) of the Code;

(II) the Lessee will not allow any such "private business use" to be made of the proceeds of this Lease or the Advances or any facilities or assets financed therewith; and

(III) none of the Advances or Lease Payments due hereunder shall be secured in whole or in part, directly or indirectly, by any interest in any property used in any such "private business use" or by payments in respect of such property and shall not be derived from payments in respect of such property.

(H) The Lessee will not take any action, or omit to take any action, which action or omission would cause the interest component of the Lease Payments to be ineligible for the exclusion from gross income as provided in Section 103 of the Code.

(I) The Lessee is a "governmental unit" within the meaning of Section 141(b)(6) of the Code.

(J) The obligations of the Lessee under this Lease are not federally guaranteed within the meaning of Section 149(b) of the Code.

(K) This Lease and the Advances to be made pursuant hereto will not reimburse the Lessee for any expenditures incurred prior to the date of this Lease and do not constitute a "refunding issue" as defined in Section 1.150-1(d) of the Regulations, and no part of the proceeds of this Lease or any such Advances will be used to pay or discharge any obligations of the Lessee the interest on which is or purports to be excludable from gross income under the Code or any predecessor provision of law.

(L) In compliance with Section 149(e) of the Code relating to information reporting, the Lessee will file or cause to be filed with the Internal Revenue Service Center, Ogden, UT 84201, within fifteen (15) days from the execution of this Lease, IRS Form 8038-G or 8038-GC, as appropriate, reflecting the total aggregate amount of Advances that can be made pursuant to this Lease.

(M) None of the proceeds of this Lease or the Advances to be made hereunder will be used directly or indirectly to replace funds of the Lessee used directly or indirectly to acquire obligations at a yield materially higher than the yield on this Lease or otherwise invested in any manner. No portion of the

Advances will be made for the purpose of investing such portion at a materially higher yield than the yield on this Lease.

(N) Inasmuch as Advances will be made under this Lease only when and to the extent the Lessee reasonably determines, identifies and experiences the need therefor, and will remain outstanding and unpaid only until such time as the Lessee has moneys available to repay the same, the Lessee reasonably expects that (I) the Advances will not be made sooner than necessary; (II) no proceeds from the Advances will be invested at a yield higher than the yield on this Lease; and (III) the Advances and this Lease will not remain outstanding and unpaid longer than necessary.

(O) The Lessee will either (i) spend all of the moneys advanced pursuant to this Lease immediately upon receipt thereof, without investment, on the portion of the Leased Property that is to be financed thereby; or (ii) invest such moneys at the highest yield allowable and practicable under the circumstances until they are to be spent on the portion of the Leased Property that is to be financed thereby, and track, keep records of, and pay to the United States of America, all rebatable arbitrage pertaining thereto, at the times, in the amounts, in the manner, and to the extent required under Section 148(f) of the Code and the Treasury Regulations promulgated in connection therewith. At least five percent (5%) of the total amount of moneys that are expected to be advanced pursuant to this Lease are reasonably expected to have been expended on the Leased Property within six (6) months from the date of this Lease. All moneys to be advanced pursuant to this Lease are reasonably expected to have been expended on the Leased Property no later than the earlier of: (I) the date twelve (12) months from the date such moneys are advanced; and (II) the date three (3) years from the date of this Lease.

(P) This Lease and the Advances to be made hereunder are not and will not be part of a transaction or series of transactions that attempts to circumvent the provisions of Section 148 of the Code and the regulations promulgated in connection therewith (I) enabling the Lessee to exploit the difference between tax-exempt and taxable interest rates to gain a material financial advantage, and (II) overburdening the tax-exempt bond market, as those terms are used in Section 1.148-10(a)(2) of the Regulations.

(Q) To the best of the knowledge, information and belief of the Lessee, the above expectations are reasonable. On the basis of the foregoing, it is not expected that the proceeds of this Lease and the Advances to be made hereunder will be used in a manner that would cause this Lease or such Advances to be "arbitrage bonds" under Section 148 of the Code and the regulations promulgated thereunder, and to the best of the knowledge, information and belief of the Lessee, there are no other facts, estimates or circumstances that would materially change the foregoing conclusions.

(ii) Arbitrage Rebate Under Section 148(f) of the Code. With respect to the arbitrage rebate requirements of Section 148(f) of the Code, either (check applicable box):

☐ (A) Lessee Qualifies for Small Issuer Exemption from Arbitrage Rebate. The Lessee hereby certifies and represents that it qualifies for the exception contained in Section 148(f)(4)(D) of the Code from the requirement to rebate

arbitrage earnings from investment of proceeds of the Advances made under this Lease (the "Rebate Exemption") as follows:

(1) The Lessee has general taxing powers.

(2) Neither this Lease, any Advances to be made hereunder, nor any portion thereof are private activity bonds as defined in Section 141 of the Code ("Private Activity Bonds").

(3) Ninety-five percent (95%) or more of the net proceeds of the Advances to be made hereunder are to be used for local government activities of the Lessee (or of a governmental unit, the jurisdiction of which is entirely within the jurisdiction of the Lessee).

(4) Neither the Lessee nor any aggregated issuer has issued or is reasonably expected to issue any tax-exempt obligations other than Private Activity Bonds (as those terms are used in Section 148(f)(4)(D) of the Code) during the current calendar year, including the Advances to be made hereunder, which in the aggregate would exceed \$5,000,000 in face amount, or \$15,000,000 in face amount for such portions, if any, of any tax-exempt obligations of the Lessee and any aggregated issuer as are attributable to construction of public school facilities within the meaning of Section 148(f)(4)(D)(vii) of the Code.

For purposes of this Section, "aggregated issuer" means any entity which (a) issues obligations on behalf of the Lessee, (b) derives its issuing authority from the Lessee, or (c) is subject to substantial control by the Lessee.

The Lessee hereby certifies and represents that it has not created, does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 148(f)(4)(D)(i)(IV) of the Code.

Accordingly, the Lessee will qualify for the Rebate Exemption granted to governmental units issuing less than \$5,000,000 under Section 148(f)(4)(D) of the Code (\$15,000,000 for the financing of public school facilities construction as described above), and the Lessee shall be treated as meeting the requirements of Paragraphs (2) and (3) of Section 148(f) of the Code relating to the required rebate of arbitrage earnings to the United States with respect to this Lease and the Advances to be made hereunder.

- or -

☐ (B) Lessee Will Keep Records of and Will Rebate Arbitrage. The Lessee does not qualify for the small issuer Rebate Exemption described above, and the Lessee hereby certifies and covenants that it will account for, keep the appropriate records of, and pay to the United States, the rebate amount, if any, earned from the investment of gross proceeds of this Lease and the Advances to be made hereunder, at the times, in the amounts, and in the manner prescribed in Section 148(f) of the Code and the applicable Regulations promulgated with respect thereto.

SECTION 2.2 Representations, Covenants and Warranties of the Bank. The Bank is a corporation duly organized, existing and in good standing under the State of Utah, has the power to enter into this Lease, is possessed of full power to own and hold real and personal property, and to lease and sell the same, and has

duly authorized the execution and delivery of this Lease. This Lease constitutes the legal, valid and binding obligation of the Bank, enforceable in accordance with its terms, except to the extent limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles affecting the rights of creditors generally.

ARTICLE III

AGREEMENT TO LEASE; TERM OF LEASE; LEASE PAYMENTS

SECTION 3.1 Lease. The Bank hereby leases the Leased Property to the Lessee, and the Lessee hereby leases the Leased Property from the Bank, upon the terms and conditions set forth herein.

Concurrently with its execution of this Lease, the Lessee shall deliver to the Bank fully completed documents substantially in the forms attached hereto as Exhibits B, C, D, E and F hereto. Prior to the Bank making the final Advance hereunder, Lessee shall provide the Bank an executed copy of the Delivery and Acceptance Certificate found in Exhibit F.

SECTION 3.2 Term. The Term of this Lease shall commence on the date of execution of this Lease, including delivery to the Bank by the Lessee of fully completed documents in the forms set forth in Exhibits B, C, D, E and F attached hereto, and continue until the end of the fiscal year of Lessee in effect at the Commencement Date (the "Original Term"). Thereafter, this Lease will be extended for 5 successive additional periods of one year coextensive with Lessee's fiscal year, except for the last such period which may be less than a full fiscal year, (each, a "Renewal Term") subject to an Event of Nonappropriation as described herein below in this Section 3.2 and in Section 3.3(a), with the final Renewal Term ending on June 12, 2030, unless this Lease is terminated as hereinafter provided. The Original Term together with all scheduled Renewal Terms shall be referred to herein as the "Scheduled Term" irrespective of whether this Lease is terminated for any reason prior to the scheduled commencement or termination of any Renewal Term as provided herein.

If Lessee does not appropriate funds for the payment of Lease Payments due for any Renewal Term in the adopted budget of the Lessee for the applicable fiscal year (an "Event of Nonappropriation"), this Lease will terminate upon the expiration of the Original or Renewal Term then in effect and Lessee shall notify Bank of such termination at least ten (10) days prior to the expiration of the Original or Renewal Term then in effect.

SECTION 3.3 Termination. This Lease will terminate upon the earliest of any of the following events:

- (a) upon the expiration of the Original Term or any Renewal Term of this Lease following an Event of Nonappropriation;
- (b) the exercise by Lessee of any option to purchase granted in this Lease by which Lessee purchases all of the Leased Property;
- (c) a default by Lessee and Bank's election to terminate this Lease under Article VII herein; or
- (d) the expiration of the Scheduled Term of this Lease, the Lessee having made payment of all Lease Payments accrued to such date.

SECTION 3.4 Lease Payments.

(a) Time and Amount. During the Term of this Lease and so long as this Lease has not terminated pursuant to Section 3.3, the Lessee agrees to pay to the Bank, its successors and assigns, as annual rental for the use and possession of the Leased Property, the Lease Payments (denominated into components of principal and interest) in the amounts specified in Exhibit A, to be due and payable in arrears on each payment date identified in Exhibit A (or if such day is not a Business Day, the next succeeding Business Day) specified in Exhibit A (the "Lease Payment Date").

(b) Rate on Overdue Payments. In the event the Lessee should fail to make any of the Lease Payments required in this Section, the Lease Payment in default shall continue as an obligation of the Lessee until the amount in default shall have been fully paid, and the Lessee agrees to pay the same with interest thereon, to the extent permitted by law, from the date such amount was originally payable at the rate equal to the original interest rate payable with respect to such Lease Payments.

(c) Additional Payments. Any additional payments required to be made by the Lessee hereunder, including but not limited to Sections 4.1, 5.3, and 7.4 of this Lease, shall constitute additional rental for the Leased Property.

SECTION 3.5 Possession of Leased Property Upon Termination. Upon termination of this Lease pursuant to Sections 3.3(a), or (c), the Lessee shall transfer the Leased Property to the Bank in such manner as may be specified by the Bank, and the Bank shall have the right to take possession of the Leased Property by virtue of the Bank's ownership interest as lessor of the Leased Property, and the Lessee at the Bank's direction shall ship the Leased Property to the destination designated by the Bank by loading the Leased Property at the Lessee's cost and expense, on board such carrier as the Bank shall specify.

SECTION 3.6 No Withholding. Notwithstanding any dispute between the Bank and the Lessee, in connection with this Lease or otherwise, including a dispute as to the failure of any portion of the Leased Property in use by or possession of the Lessee to perform the task for which it is leased, the Lessee shall make all Lease Payments when due and shall not withhold any Lease Payments pending the final resolution of such dispute.

SECTION 3.7 Lease Payments to Constitute a Current Obligation of the Lessee. Notwithstanding any other provision of this Lease, the Lessee and the Bank acknowledge and agree that the obligation of the Lessee to pay Lease Payments hereunder constitutes a current special obligation of the Lessee payable exclusively from current and legally available funds and shall not in any way be construed to be an indebtedness of the Lessee within the meaning of any constitutional or statutory limitation or requirement applicable to the Lessee concerning the creation of indebtedness. The Lessee has not hereby pledged the general tax revenues or credit of the Lessee to the payment of the Lease Payments, or the interest thereon, nor shall this Lease obligate the Lessee to apply money of the Lessee to the payment of Lease Payments beyond the then current Original Term or Renewal Term, as the case may be, or any interest thereon.

SECTION 3.8 Net Lease. This Lease shall be deemed and construed to be a "net-net-net lease" and the Lessee hereby agrees that the Lease Payments shall be an absolute net return to the Bank, free and clear of any expenses, charges or set-offs whatsoever, except as expressly provided herein.

SECTION 3.9 Offset. Lease Payments or other sums payable by Lessee pursuant to this Lease shall not be subject to set-off, deduction, counterclaim or abatement and Lessee shall not be entitled to any credit against such Lease Payments or other sums for any reason whatsoever, including, but not limited to: (i) any accident or unforeseen circumstances; (ii) any damage or destruction of the Leased Property or any part thereof; (iii) any restriction or interference with Lessee's use of the Leased Property; (iv) any defects, breakdowns, malfunctions, or unsuitability of the Leased Property or any part thereof; or (v) any dispute

between the Lessee and the Bank, any vendor or manufacturer of any part of the Leased Property, or any other person.

ARTICLE IV

INSURANCE

SECTION 4.1 Insurance. Lessee, at Bank's option, will either self-insure, or at Lessee's cost, will cause casualty insurance and property damage insurance to be carried and maintained on the Leased Property, with all such coverages to be in such amounts sufficient to cover the value of the Leased Property at the commencement of this Lease (as determined by the purchase price paid for the Leased Property), and public liability insurance with respect to the Leased Property in the amounts required by law, but in no event with a policy limit less than \$1,000,000 per occurrence. All insurance shall be written in such forms, to cover such risks, and with such insurers, as are customary for public entities such as the Lessee. A combination of self-insurance and policies of insurance may be utilized. If policies of insurance are obtained, Lessee will cause Bank to be a loss payee as its interest under this Lease may appear on such property damage insurance policies, and an additional insured on a primary and noncontributory basis on such public liability insurance in an amount equal to or exceeding the minimum limit stated herein. Subject to Section 4.2, insurance proceeds from insurance policies or budgeted amounts from self-insurance as relating to casualty and property damage losses will, to the extent permitted by law, be payable to Bank in an amount equal to the then outstanding principal and accrued interest components of the Lease Payments at the time of such damage or destruction as provided by Section 8.1. Lessee will deliver to Bank the policies or evidences of insurance or self-insurance satisfactory to Bank, together with receipts for the applicable premiums before the Leased Property is delivered to Lessee and at least thirty (30) days before the expiration of any such policies. By endorsement upon the policy or by independent instrument furnished to Bank, such insurer will agree that it will give Bank at least thirty (30) days' written notice prior to cancellation or alteration of the policy. Lessee will carry workers compensation insurance covering all employees working on, in, or about the Leased Property, and will require any other person or entity working on, in, or about the Leased Property to carry such coverage, and will furnish to Bank certificates evidencing such coverages throughout the Term of this Lease.

SECTION 4.2 Damage to or Destruction of the Leased Property. If all or any part of the Leased Property is lost, stolen, destroyed, or damaged, Lessee will give Bank prompt notice of such event and will, to the extent permitted by law, repair or replace the same at Lessee's cost. If such lost, stolen, destroyed or damaged Leased Property is equipment, it shall be repaired or replaced within thirty (30) days after such event. If such lost, stolen, destroyed or damaged Leased Property is other than equipment, it shall be repaired or replaced within one hundred eighty (180) days after such event. Any replaced Leased Property will be substituted in this Lease by appropriate endorsement. All insurance proceeds received by Bank under the policies required under Section 4.1 with respect to the Leased Property lost, stolen, destroyed, or damaged, will be paid to Lessee if the Leased Property is repaired or replaced by Lessee as required by this Section. If Lessee fails or refuses to make the required repairs or replacement, such proceeds will be paid to Bank to the extent of the then remaining portion of the Lease Payments to become due during the Scheduled Term of this Lease less that portion of such Lease Payments attributable to interest which will not then have accrued as provided in Section 8.1. No loss, theft, destruction, or damage to the Leased Property will impose any obligation on Bank under this Lease, and this Lease will continue in full force and effect regardless of such loss, theft, destruction, or damage. Lessee assumes all risks and liabilities, whether or not covered by insurance, for loss, theft, destruction, or damage to the Leased Property and for injuries or deaths of persons and damage to property however arising, whether such injury or death be with respect to agents or employees of Lessee or of third parties, and whether such damage to property be to Lessee's property or to the property of others.

ARTICLE V
COVENANTS

SECTION 5.1 Use of the Leased Property. The Lessee represents and warrants that it has an immediate and essential need for the Leased Property to carry out and give effect to the public purposes of the Lessee, which need is not temporary or expected to diminish in the foreseeable future, and that it expects to make immediate use of all of the Leased Property.

The Lessee hereby covenants that it will install, use, operate, maintain, and service the Leased Property in accordance with all vendors' instructions and in such a manner as to preserve all warranties and guarantees with respect to the Leased Property.

The Lessor hereby assigns to the Lessee, without recourse, for the Term of this Lease, all manufacturer warranties and guaranties, express or implied, pertinent to the Leased Property, and the Lessor directs the Lessee to obtain the customary services furnished in connection with such warranties and guaranties at the Lessee's expense; provided, however, that the Lessee hereby agrees that it will reassign to the Lessor all such warranties and guaranties in the event of termination of this Lease pursuant to Sections 3.3(a) or 3.3(c).

SECTION 5.2 Interest in the Leased Property and this Lease. Upon expiration of the Term as provided in Section 3.3(b) or 3.3(d) hereof, all right, title and interest of the Bank in and to all of the Leased Property shall be transferred to and vest in the Lessee, without the necessity of any additional document of transfer.

SECTION 5.3 Maintenance, Utilities, Taxes and Assessments.

(a) Maintenance; Repair and Replacement. Throughout the Term of this Lease, as part of the consideration for the rental of the Leased Property, all repair and maintenance of the Leased Property shall be the responsibility of the Lessee, and the Lessee shall pay for or otherwise arrange for the payment of the cost of the repair and replacement of the Leased Property excepting ordinary wear and tear, and the Lessee hereby covenants and agrees that it will comply with all vendors' and manufacturers' maintenance and warranty requirements pertaining to the Leased Property. In exchange for the Lease Payments herein provided, the Bank agrees to provide only the Leased Property, as hereinbefore more specifically set forth.

(b) Tax and Assessments; Utility Charges. The Lessee shall also pay or cause to be paid all taxes and assessments, including but not limited to utility charges, of any type or nature charged to the Lessee or levied, assessed or charged against any portion of the Leased Property or the respective interests or estates therein; provided that with respect to special assessments or other governmental charges that may lawfully be paid in installments over a period of years, the Lessee shall be obligated to pay only such installments as are required to be paid during the Term of this Lease as and when the same become due.

(c) Contests. The Lessee may, at its expense and in its name, in good faith contest any such taxes, assessments, utility and other charges and, in the event of any such contest, may permit the taxes, assessments or other charges so contested to remain unpaid during the period of such contest and any appeal therefrom; provided that prior to such nonpayment it shall furnish the Bank with the opinion of an independent counsel acceptable to the Bank to the effect that, by nonpayment of any such items, the interest of the Bank in such portion of the Leased Property will not be materially endangered and that the Leased Property will not be subject to loss or forfeiture. Otherwise, the Lessee shall promptly pay such taxes, assessments or charges or make provisions for the payment thereof in form satisfactory to the Bank.

SECTION 5.4 Modification of the Leased Property.

(a) Additions, Modifications and Improvements. The Lessee shall, at its own expense, have the right to make additions, modifications, and improvements to any portion of the Leased Property if such improvements are necessary or beneficial for the use of such portion of the Leased Property. All such additions, modifications and improvements shall thereafter comprise part of the Leased Property and be subject to the provisions of this Lease. Such additions, modifications and improvements shall not in any way damage any portion of the Leased Property or cause it to be used for purposes other than those authorized under the provisions of State and federal law or in any way which would impair the exclusion from gross income for federal income tax purposes of the interest components of the Lease Payments; and the Leased Property, upon completion of any additions, modifications and improvements made pursuant to this Section, shall be of a value which is not substantially less than the value of the Leased Property immediately prior to the making of such additions, modifications and improvements.

(b) No Liens. Except for Permitted Encumbrances, the Lessee will not permit (i) any liens or encumbrances to be established or remain against the Leased Property or (ii) any mechanic's or other lien to be established or remain against the Leased Property for labor or materials furnished in connection with any additions, modifications or improvements made by the Lessee pursuant to this Section; provided that if any such mechanic's lien is established and the Lessee shall first notify or cause to be notified the Bank of the Lessee's intention to do so, the Lessee may in good faith contest any lien filed or established against the Leased Property, and in such event may permit the items so contested to remain undischarged and unsatisfied during the period of such contest and any appeal therefrom and shall provide the Bank with full security against any loss or forfeiture which might arise from the nonpayment of any such item, in form satisfactory to the Bank. The Bank will cooperate fully in any such contest.

SECTION 5.5 Permits. The Lessee will provide all permits and licenses necessary for the ownership, possession, operation, and use of the Leased Property, and will comply with all laws, rules, regulations, and ordinances applicable to such ownership, possession, operation, and use. If compliance with any law, rule, regulation, ordinance, permit, or license requires changes or additions to be made to the Leased Property, such changes or additions will be made by the Lessee at its own expense.

SECTION 5.6 Bank's Right to Perform for Lessee. If the Lessee fails to make any payment or to satisfy any representation, covenant, warranty, or obligation contained herein or imposed hereby, the Bank may (but need not) make such payment or satisfy such representation, covenant, warranty, or obligation, and the amount of such payment and the expense of any such action incurred by the Bank, as the case may be, will be deemed to be additional rent payable by the Lessee on the Bank's demand.

SECTION 5.7 Bank's Disclaimer of Warranties. The Bank has played no part in the selection of the Leased Property, the Lessee having selected the Leased Property independently from the Bank. The Bank, at the Lessee's request, has acquired or arranged for the acquisition of the Leased Property and shall lease the same to the Lessee as herein provided, the Bank's only role being the facilitation of the financing of the Leased Property for the Lessee. THE BANK MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESS OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, QUALITY, DURABILITY, SUITABILITY, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE OR FITNESS FOR THE USE CONTEMPLATED BY THE LESSEE OF THE LEASED PROPERTY, OR ANY PORTION THEREOF. THE LESSEE ACKNOWLEDGES THAT THE BANK IS NOT A MANUFACTURER OR VENDOR OF ALL OR ANY PORTION OF THE LEASED PROPERTY, AND THAT THE LESSEE IS LEASING THE LEASED PROPERTY AS IS. In no event shall the Bank be liable for incidental, direct, indirect, special or consequential damages, in connection with

or arising out of this Lease, for the existence, furnishing, functioning or Lessee's use and possession of the Leased Property.

SECTION 5.8 Indemnification. To the extent permitted by applicable law, the Lessee hereby agrees to indemnify and hold harmless the Bank, its directors, officers, shareholders, employees, agents, and successors from and against any loss, claim, damage, expense, and liability resulting from or attributable to the acquisition, construction, or use of the Leased Property. Notwithstanding the foregoing, the Bank shall not be indemnified for any liability resulting from the gross negligence or willful misconduct of the Bank.

SECTION 5.9 Inclusion for Consideration as Budget Item. During the Term of this Lease, the Lessee covenants and agrees that it shall give due consideration, in accordance with applicable law, as an item for expenditure during its annual budget considerations, of an amount necessary to pay Lease Payments for the Leased Property during the next succeeding Renewal Term. Nothing herein shall be construed to direct or require that Lessee take or direct that any legislative act be done, or that the Governing Body of Lessee improperly or unlawfully delegate any of its legislative authority.

SECTION 5.10 Annual Financial Information. During the Term of this Lease, the Lessee covenants and agrees to provide the Bank as soon as practicable when they are available: (i) a copy of the Lessee's final annual budget for each fiscal year; (ii) a copy of the Lessee's most recent financial statements; and (iii) any other financial reports the Bank may request from time to time.

ARTICLE VI

ASSIGNMENT AND SUBLEASING

SECTION 6.1 Assignment by the Bank. The parties hereto agree that all rights of Bank hereunder may be assigned, transferred or otherwise disposed of, either in whole or in part, including without limitation transfer to a trustee pursuant to a trust arrangement under which the trustee issues certificates of participation evidencing undivided interests in this Lease and/or the rights to receive Lease Payments hereunder, provided that notice of any such assignment, transfer or other disposition is given to Lessee.

SECTION 6.2 Assignment and Subleasing by the Lessee. The Lessee may not assign this Lease or sublease all or any portion of the Leased Property unless both of the following shall have occurred: (i) the Bank shall have consented to such assignment or sublease; and (ii) the Bank shall have received assurance acceptable to the Bank that such assignment or sublease: (A) is authorized under applicable state law, (B) will not adversely affect the validity of this Lease, and (C) will not adversely affect the exclusion from gross income for federal income tax purposes of the interest components of the Lease Payments.

ARTICLE VII

EVENTS OF DEFAULT AND REMEDIES

SECTION 7.1 Events of Default Defined. The following shall be "events of default" under this Lease and the terms "events of default" and "default" shall mean, whenever they are used in this Lease, any one or more of the following events:

(a) Payment Default. Failure by the Lessee to pay any Lease Payment required to be paid hereunder by the corresponding Lease Payment Date.

(b) Covenant Default. Failure by the Lessee to observe and perform any warranty, covenant, condition or agreement on its part to be observed or performed herein or otherwise with

respect hereto other than as referred to in clause (a) of this Section, for a period of 30 days after written notice specifying such failure and requesting that it be remedied has been given to the Lessee by the Bank; provided, however, if the failure stated in the notice cannot be corrected within the applicable period, the Bank shall not unreasonably withhold their consent to an extension of such time if corrective action is instituted by the Lessee within the applicable period and diligently pursued until the default is corrected.

(c) Bankruptcy or Insolvency. The filing by the Lessee of a case in bankruptcy, or the subjection of any right or interest of the Lessee under this Lease to any execution, garnishment or attachment, or adjudication of the Lessee as a bankrupt, or assignment by the Lessee for the benefit of creditors, or the entry by the Lessee into an agreement of composition with creditors, or the approval by a court of competent jurisdiction of a petition applicable to the Lessee in any proceedings instituted under the provisions of the federal bankruptcy code, as amended, or under any similar act which may hereafter be enacted.

The foregoing provisions of this Section 7.1 are subject to the provisions of Section 3.2 hereof with respect to nonappropriation.

SECTION 7.2 Remedies on Default. Whenever any event of default referred to in Section 7.1 hereof shall have happened and be continuing, the Bank shall have the right, at its sole option without any further demand or notice to take one or any combination of the following remedial steps:

(a) take possession of the Leased Property by virtue of the Bank's ownership interest as lessor of the Leased Property;

(b) hold the Lessee liable for the difference between (i) the rents and other amounts payable by Lessee hereunder to the end of the then current Original Term or Renewal Term, as appropriate, and (ii) the rent paid by a lessee of the Leased Property pursuant to such lease; and

(c) take whatever action at law or in equity may appear necessary or desirable to enforce its right hereunder.

SECTION 7.3 No Remedy Exclusive. No remedy conferred herein upon or reserved to the Bank is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Lease or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the Bank to exercise any remedy reserved to it in this Article it shall not be necessary to give any notice, other than such notice as may be required in this Article or by law.

SECTION 7.4 Agreement to Pay Attorneys' Fees and Expenses. In the event either party to this Lease should default under any of the provisions hereof and the nondefaulting party should employ attorneys or incur other expenses for the collection of moneys or the enforcement of performance or observance of any obligation or agreement on the part of the defaulting party contained herein, the defaulting party agrees that it will pay on demand to the nondefaulting party the reasonable fees of such attorneys and such other expenses so incurred by the nondefaulting party.

SECTION 7.5 Waiver of Certain Damages. With respect to all of the remedies provided for in this Article VII, the Lessee hereby waives any damages occasioned by the Bank's repossession of the Leased Property upon an event of default.

ARTICLE VIII

PREPAYMENT OF LEASE PAYMENTS IN PART

SECTION 8.1 Extraordinary Prepayment From Net Proceeds. To the extent, if any, required pursuant to Section 4.1 the Lessee shall be obligated to purchase the Leased Property by prepaying the Lease Payments in whole or in part on any date, from and to the extent of any Net Proceeds or other moneys pursuant to Article IV hereof. The Lessee and the Bank hereby agree that in the case of such prepayment of the Lease Payments in part, such Net Proceeds or other moneys shall be credited toward the Lessee's obligations hereunder pro rata among Lease Payments so that following prepayment, the remaining annual Lease Payments will be proportional to the initial annual Lease Payments.

SECTION 8.2 Option to Purchase Leased Property. Subject to the terms and conditions of this Section, the Bank hereby grants an option to the Lessee to purchase all or a portion of the Leased Property by paying on any date a price equal to the portion of the outstanding principal component of the Lease Payments that is allocable to such portion of the Leased Property that is being so purchased, without premium, plus the accrued interest component of such portion of the Lease Payments to such payment date. To exercise this option, the Lessee must deliver to the Bank written notice specifying the date on which the Leased Property is to be purchased (the "Closing Date"), which notice must be delivered to the Bank at least thirty (30) days prior to the Closing Date specified therein. The Lessee may purchase the Leased Property pursuant to the option granted in this Section only if the Lessee has made all Lease Payments when due (or has remedied any defaults in the payment of Lease Payments, in accordance with the provisions of this Lease) and all other warranties, representations, covenants, and obligations of the Lessee under this Lease have been satisfied (or all breaches thereof have been waived by the Bank in writing).

Upon the expiration of the Scheduled Term of this Lease and provided that all conditions of the immediately preceding paragraph have been satisfied (except those pertaining to notice), the Lessee shall be deemed to have purchased the Leased Property (without the need for payment of additional moneys) and shall be vested with all rights and title to the Leased Property.

ARTICLE IX

MISCELLANEOUS

SECTION 9.1 Notices. Unless otherwise specifically provided herein, all notices shall be in writing addressed to the respective party as set forth below (or to such other address as the party to whom such notice is intended shall have previously designated by written notice to the serving party), and may be personally served, telecopied, or sent by overnight courier service or United States mail:

If to Bank:

ZMFU II, INC.
One South Main Street, 17th Floor
Salt Lake City, Utah 84133
Attention: Kirsi Hansen

If to the Lessee:

Provo City
351 W. Center Street
Provo, UT 84601
Attention: Dan Follett

Such notices shall be deemed to have been given: (a) if delivered in person, when delivered; (b) if delivered by telecopy, on the date of transmission if transmitted by 4:00 p.m. (Salt Lake City time) on a Business Day or, if not, on the next succeeding Business Day; (c) if delivered by overnight courier, two Business Days after delivery to such courier properly addressed; or (d) if by United States mail, four Business Days after depositing in the United States mail, postage prepaid and properly addressed.

SECTION 9.2 System of Registration. The Lessee shall be the Registrar for this Lease and the rights to payments hereunder. The Bank shall be the initial Registered Owner of rights to receive payments hereunder. If the Bank transfers its rights to receive payments hereunder, the Registrar shall note on this Lease the name and address of the transferee.

SECTION 9.3 Instruments of Further Assurance. To the extent, if any, that the Bank's interest in the Leased Property as Lessor under this Lease is deemed to be a security interest in the Leased Property, then the Lessee shall be deemed to have granted, and in such event the Lessee does hereby grant, a security interest in the Leased Property to the Bank, which security interest includes proceeds, and this Lease shall constitute a security agreement under applicable law. Concurrently with the execution of this Lease, the Lessee has executed, delivered, and filed and/or recorded all financing statements, UCC forms, mortgages, deeds of trust, notices, filings, and/or other instruments, in form required for filing and/or recording thereof, as are required under applicable law to fully perfect such security interest of the Bank in the Leased Property (collectively, "Security Documents"). Attached hereto as Exhibit E are copies of all such Security Documents. The Lessee will do, execute, acknowledge, deliver and record, or cause to be done, executed, acknowledged, delivered and recorded, such additional acts, notices, filings and instruments as the Bank may require in its sole discretion to evidence, reflect and perfect the title, ownership, leasehold interest, security interest and/or other interest of the Bank in and to any part or all of the Leased Property, promptly upon the request of the Bank.

SECTION 9.4 Binding Effect. This Lease shall inure to the benefit of and shall be binding upon the Bank and the Lessee and their respective successors and assigns.

SECTION 9.5 Amendments. This Lease may be amended or modified only upon the written agreement of both the Bank and the Lessee.

SECTION 9.6 Section Headings. Section headings are for reference only and shall not be used to interpret this Lease.

SECTION 9.7 Severability. In the event any provision of this Lease shall be held invalid or unenforceable by a court of competent jurisdiction, to the extent permitted by law, such holding shall not invalidate or render unenforceable any other provision hereof.

SECTION 9.8 Entire Agreement. This Lease and the attached Exhibits constitute the entire agreement between the Bank and the Lessee and supersedes any prior agreement between the Bank and the Lessee with respect to the Leased Property, except as is set forth in an Addendum, if any, which is made a part of this Lease and which is signed by both the Bank and the Lessee.

SECTION 9.9 Execution in Counterparts. This Lease may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SECTION 9.10 Arbitration. To the extent permitted by law, any dispute, controversy or claim arising out of or based upon the terms of this Lease or the transactions contemplated hereby shall be settled exclusively and finally by binding arbitration. Upon written demand for arbitration by any party hereto, the parties to the dispute shall confer and attempt in good faith to agree upon one arbitrator. If the parties have not agreed upon an arbitrator within thirty (30) days after receipt of such written demand, each party to the dispute shall appoint one arbitrator and those two arbitrators shall agree upon a third arbitrator. Any arbitrator or arbitrators appointed as provided in this section shall be selected from panels maintained by, and the binding arbitration shall be conducted in accordance with the commercial arbitration rules of, the American Arbitration Association (or any successor organization), and such arbitration shall be binding upon the parties. The arbitrator or arbitrators shall have no power to add or detract from the agreements of the parties and may not make any ruling or award that does not conform to the terms and conditions of this

Lease. The arbitrator or arbitrators shall have no authority to award punitive damages or any other damages not measured by the prevailing party's actual damages. Judgment upon an arbitration award may be entered in any court having jurisdiction. The prevailing party in the arbitration proceedings shall be awarded reasonable attorney fees and expert witness costs and expenses.

SECTION 9.11 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the Bank has caused this Lease to be executed in its name by its duly authorized officer, and the Lessee has caused this Lease to be executed in its name by its duly authorized officer, as of the date first above written.

ZMFU II, INC., as Lessor

By: _____
Authorized Agent

PROVO CITY, as Lessee

By: _____

Title

EXHIBIT A

FIXED RATE

LEASE PAYMENT DEBT SERVICE SCHEDULE*

1. Interest. Interest components payable on the principal amount outstanding have been computed at the rate of four and sixty-five hundredths' percent (4.65%) per annum calculated based on twelve 30-day months during a 360-day year.

2. Payment Dates and Amounts.

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
06/12/2025	-	-	-	-	-
06/12/2026	94,880.22	4.650%	24,208.84	119,089.06	119,089.06
06/12/2027	99,292.16	4.650%	19,796.91	119,089.07	119,089.07
06/12/2028	103,909.24	4.650%	15,179.82	119,089.06	119,089.06
06/12/2029	108,741.02	4.650%	10,348.04	119,089.06	119,089.06
06/12/2030	113,797.48	4.650%	5,291.58	119,089.06	119,089.06
Total	\$520,620.12	-	\$74,825.19	\$595,445.31	-

EXHIBIT B

DESCRIPTION OF THE LEASED PROPERTY

JOHN DEERE 2700 E-Cut Hybrid \$61,144.00
Triplex Greens Mower VV/ Groomers

JOHN DEERE 2700 E-Cut Hybrid \$61,144.00
Triplex Greens Mower W/ Groomers

JOHN DEERE 2700 E-Cut Hybrid \$61,144.00
Triplex Greens Mower W/ Groomers

JOHN DEERE 2700 Precision Cut \$49,482.04
Triplex Tee Mower

JOHN DEERE 2700 Precision Cut \$49,482.04
Triplex Tee Mower

JOHN DEERE 2700 Precision Cut \$49,482.04
Triplex Tee Mower

JOHN DEERE Pro Gator 2020A \$37,028.00
(Gas)

Cargo Box for Pro Gator 2020A \$2,750.00

JOHN DEERE HD300 Select Spray \$30,465.00
W Storage Stands

TRU TURF RB48 \$17,987.00 X 2 = \$35,974.00

FERRI T430D Boom Mower 10 \$11,000.00

JOHN DEERE Equipment Total \$449,095.12

4520N (39.51225) Ventrac Tractor: KN, 4520N Kubota WG972 EFI \$33,700.00
Included Standard: Weight Transfer, SDLA Hand Controls,
4 Rear Weights, Front Fenders, Foot Pegs

MW722 (39.55147) Attachment: MOWERS - FLAIL \$8,850.00
MW, MW722 72" Flail Mower - Fine Cut

70.8224 Accessory: Kit, Hydraulic Flip Up MW/MY \$600.00

MA900 (39.55170) Attachment: MOWERS - BOOM \$18,855.00
MA, MA900 Boom Mower

70.4164 Accessory: 12V SWITCH & PLUG \$385.00
Kit, 12V Front 4520/4500

70.4164 Accessory: DUAL FRONT HYD AUX \$620.00
Kit, Dual Front Hyd Aux 4520/4500

70.4137 Accessory: MID-WEIGHT BAR KIT \$330.00
Kit, Weight Bar Mid 4500/4520

EC240 (39.55520) Attachment: SOD CUTTER \$605.00
EC, EC240 Sod Cutter

KY400 (39.55455) Attachment: TRENCHER \$7,580.00
KY, KY400 Trencher

EXHIBIT C

RESOLUTION OF GOVERNING BODY

A resolution approving the form of the Non-BQ Lease/Purchase Agreement with ZMFU II, INC., Salt Lake City, Utah and authorizing the execution and delivery thereof.

Whereas, The City Council (the “Governing Body”) of Provo City (the “Lessee”) has determined that the leasing of the property described in the Lease/Purchase Agreement (the “Lease/Purchase Agreement”) presented at this meeting is for a valid public purpose and is essential to the operations of the Lessee; and

Whereas, the Governing Body has reviewed the form of the Lease/Purchase Agreement and has found the terms and conditions thereof acceptable to the Lessee; and

Whereas, either there are no legal bidding requirements under applicable law to arrange for the leasing of such property under the Lease/Purchase Agreement, or the Governing Body has taken the steps necessary to comply with the same with respect to the Lease/Purchase Agreement.

Be it resolved by the Governing Body of Provo City as follows:

SECTION 1. The terms of said Lease/Purchase Agreement are in the best interests of the Lessee for the leasing of the property described therein.

SECTION 2. The appropriate officers and officials of the Lessee are hereby authorized and directed to execute and deliver the Lease/Purchase Agreement in substantially the form presented to this meeting and any related documents and certificates necessary to the consummation of the transactions contemplated by the Lease/Purchase Agreement for and on behalf of the Lessee. The officers and officials of the Lessee may make such changes to the Lease/Purchase Agreement and related documents and certificates as such officers and officials deem necessary or desirable, such approval to be conclusively evidenced by the execution and delivery thereof.

SECTION 3. The officers and officials of the Governing Body and the Lessee are hereby authorized and directed to fulfill all obligations under the terms of the Lease/Purchase Agreement.

Adopted and approved this ____ day of _____, 2025.

By _____

Print Name _____

Title _____

Attest:

By _____

Print Name _____

Title _____

STATE OF UTAH

)

) ss.

COUNTY OF UTAH

)

I, _____ hereby certify that I am the duly qualified and acting
_____ of Provo City (the "Lessee").
(Title)

I further certify that the above and foregoing instrument constitutes a true and correct copy of the minutes of a regular meeting of the governing body including a Resolution adopted at said meeting held on June 3, 2025, as said minutes and Resolution are officially of record in my possession, and that a copy of said Resolution was deposited in my office on _____, 2025.

In witness whereof, I have hereunto set my hand on behalf of the Lessee this _____ day of _____, 2025.

By _____

Print Name _____

Title _____

EXHIBIT D
Opinion of Lessee's Counsel

To: ZMFU II, INC.
One South Main Street, 17th Floor
Salt Lake City, Utah 84133

As counsel for Provo City ("Lessee"), I have examined duly executed originals of the Non-BQ Lease/Purchase Agreement (the "Lease") dated this 12th day of June, 2025, between the Lessee and ZMFU II, INC., Salt Lake City, Utah ("Bank"), and the proceedings taken by Lessee to authorize and execute the Lease (the "Proceedings"). Based upon such examination as I have deemed necessary or appropriate, I am of the opinion that:

1. Lessee is a body corporate and politic, legally existing under the laws of the State of Utah (the "State").
2. The Lease and the Proceedings have been duly adopted, authorized, executed, and delivered by Lessee, and do not require the seal of Lessee to be effective, valid, legal, or binding.
3. The governing body of Lessee has complied with all applicable open public meeting and notice laws and requirements with respect to the meeting at which the Proceedings were adopted and the Lessee's execution of the Lease was authorized.
4. The Lease is a legal, valid, and binding obligation of Lessee, enforceable against Lessee in accordance with its terms except as limited by the state and federal laws affecting remedies and by bankruptcy, reorganization, or other laws of general application affecting the enforcement of creditor's rights generally.
5. Either there are no usury laws of the State applicable to the Lease, or the Lease is in accordance with and does not violate all such usury laws as may be applicable.
6. Either there are no procurement or public bidding laws of the State applicable to the acquisition and leasing of the Leased Property (as defined in the Lease) from the Bank under the Lease, or the acquisition and leasing of the Leased Property from the Bank under the Lease comply with all such procurement and public bidding laws as may be applicable.
7. There are no legal or governmental proceedings or litigation pending or, to the best of my knowledge, threatened or contemplated (or any basis therefor) wherein an unfavorable decision, ruling or finding might adversely affect the transactions contemplated in or the validity of the Lease.
8. The adoption, execution and/or delivery of the Lease and the Proceedings, and the compliance by the Lessee with their provisions, will not conflict with or constitute a breach of or default under any court decree or order or any agreement, indenture, lease or other instrument or any existing law or administrative regulation, decree or order to which the Lessee is subject or by which the Lessee is or may be bound.
9. Although we are not opining as to the ownership of the Leased Property or the priority of liens thereon, it is also our opinion that the Security Documents attached as Exhibit E to the Lease are sufficient in substance, form, and description, and indicated place, address, and method of filing and/or recording, to completely and fully perfect the security interest in every portion of the Leased Property granted under the Lease, and no other filings and/or recordings are necessary to fully perfect said security interest in the Leased Property.

Attorney for Lessee

EXHIBIT E

SECURITY DOCUMENTS

[Attach UCC-1 Financing Statement showing ZMFU II, INC. as the lien holder]

EXHIBIT F

DELIVERY AND ACCEPTANCE CERTIFICATE

To: ZMFU II, INC.
One South Main Street, 17th Floor
Salt Lake City, Utah 84133

Reference is made to the Non-BQ Lease/Purchase Agreement between the undersigned (“Lessee”), and ZMFU II, INC. (the “Bank”), dated June 12, 2025 , (the “Lease”) and to that part of the Leased Property described therein which comprises personal property (collectively, the “Equipment”). In connection therewith we are pleased to confirm to you the following:

1. All of the Equipment has been delivered to and received by the undersigned; all installation or other work necessary prior to the use thereof has been completed; said Equipment has been examined and/or tested and is in good operating order and condition and is in all respects satisfactory to the undersigned and as represented, and that said Equipment has been accepted by the undersigned and complies with all terms of the Lease. Consequently, you are hereby authorized to pay for the Equipment in accordance with the terms of any purchase orders for the same.
2. In the future, in the event the Equipment fails to perform as expected or represented we will continue to honor the Lease in all respects and continue to make our rental and other payments thereunder in the normal course of business and we will look solely to the vendor, distributor or manufacturer for recourse.
3. We acknowledge that the Bank is neither the vendor nor manufacturer or distributor of the Equipment and has no control, knowledge or familiarity with the condition, capacity, functioning or other characteristics of the Equipment.
4. The serial number for each item of Equipment which is set forth on Exhibit “B” to the Lease is correct.

This certificate shall not be considered to alter, construe, or amend the terms of the Lease.

Lessee:

PROVO CITY

By: _____
(Authorized Signature)

Date: _____



Pricing Quote

Quote #: 97660-1004
Contract #: MA2188

Date Quoted: February 11, 2025
Quote Expires: May 11, 2025

Prepared For:

Craig O'Farrell
Timpanogos GC

Prepared By:

Turf Equipment & Irrigation - Salt Lake City
Dana Woodland
1630 S. Gladiola Street
Salt Lake City, UT 84104
Phone: 435-668-7284

Thank you for the opportunity to quote the following Ventrac product(s) for your review. I have added the items that we feel would best serve your needs. Please feel free to contact me with any questions.

QTY	Model #	Description	Utah State Contract	Total
1	4520N (39.51225)	Ventrac Tractor: KN, 4520N Kubota WG972 EFI <i>Included Standard: Weight Transfer, SDLA Hand Controls, 4 Rear Weights, Front Fenders, Foot Pegs</i>	33,700.00	33,700.00
1	MW722 (39.55147)	Attachment: MOWERS - FLAIL MW, MW722 72" Flail Mower - Fine Cut	8,850.00	8,850.00
1	70.8224	Accessory: Kit, Hydraulic Flip Up MW/MY	600.00	600.00
1	MA900 (39.55170)	Attachment: MOWERS - BOOM MA, MA900 Boom Mower	18,855.00	18,855.00
1	70.4161	Accessory: 12V SWITCH & PLUG Kit, 12V Front 4520/4500	385.00	385.00
1	70.4164	Accessory: DUAL FRONT HYD AUX Kit, Dual Front Hyd Aux 4520/4500	620.00	620.00
1	70.4137	Accessory: MID-WEIGHT BAR KIT Kit, Weight Bar Mid 4500/4520	330.00	330.00
1	EC240 (39.55520)	Attachment: SOD CUTTER EC, EC240 Sod Cutter	605.00	605.00
1	KY400 (39.55455)	Attachment: TRENCHER KY, KY400 Trencher	7,580.00	7,580.00

TOTAL USD \$ 71,525.00

Provo City, Utah

\$520,620.12 Equipment Lease Purchase
Dated June 12, 2025

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Provo City, Utah

\$520,620 Equipment Lease Purchase
Dated June 12, 2025

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
06/12/2025	-	-	-	-	-
06/12/2026	94,880.22	4.650%	24,208.84	119,089.06	119,089.06
06/12/2027	99,292.16	4.650%	19,796.91	119,089.07	119,089.07
06/12/2028	103,909.24	4.650%	15,179.82	119,089.06	119,089.06
06/12/2029	108,741.02	4.650%	10,348.04	119,089.06	119,089.06
06/12/2030	113,797.48	4.650%	5,291.58	119,089.06	119,089.06
Total	\$520,620.12	-	\$74,825.19	\$595,445.31	-

Yield Statistics

Bond Year Dollars	\$1,609.14
Average Life	3.091 Years
Average Coupon	4.6500004%
Net Interest Cost (NIC)	4.6500004%
True Interest Cost (TIC)	4.6500004%
Bond Yield for Arbitrage Purposes	4.6500004%
All Inclusive Cost (AIC)	4.6500004%

IRS Form 8038

Net Interest Cost	4.6500004%
Weighted Average Maturity	3.091 Years



Provo City, Utah

\$520,620 Equipment Lease Purchase
Dated June 12, 2025

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
06/12/2030	Term 1 Coupon	4.650%	4.650%	520,620.12	100.000%	520,620.12
Total	-	-	-	\$520,620.12	-	\$520,620.12

Bid Information

Par Amount of Bonds	\$520,620.12
Gross Production	\$520,620.12
Bid (100.000000%)	520,620.12
Total Purchase Price	\$520,620.12
Bond Year Dollars	\$1,609.14
Average Life	3.091 Years
Average Coupon	4.6500004%
Net Interest Cost (NIC)	4.6500004%
True Interest Cost (TIC)	4.6500004%



Provo City, Utah

\$520,620 Equipment Lease Purchase
Dated June 12, 2025

Sources & Uses

Dated 06/12/2025 | Delivered 06/12/2025

Sources Of Funds	
Par Amount of Bonds	\$520,620.12
Total Sources	\$520,620.12
Uses Of Funds	
Deposit to Project Construction Fund	520,620.12
Total Uses	\$520,620.12





May 19, 2025

Ms. Stephanie Green
Provo City
445 W Center Street, Suite 410
Provo, UT 84601

Re: Zions Bank Bid Response, \$520,620 Tax-Exempt Lease Financing for Golf Course Maintenance Equipment

Ms. Green:

This letter and the attached debt payment schedule comprise Zions Bank's response to the City's \$520,620 "Tax-Exempt Lease Financing for Golf Course Maintenance Equipment" Request for Bids, distributed May 6, 2025. The rate that Zions is bidding is 4.65%. The lease is callable at any time at par plus accrued interest. The rate we are bidding is valid for one month from the date the quote was generated, meaning closing would need to be on or before Friday, June 13.

Zions typically funds a lease at closing by direct payment to the vendor. Should the equipment not be ready for delivery, or the payment not be required for some time following the desired closing date, we would propose funding the lease into an escrow account, as was done when Zions financed a similar lease for Provo City in 2019. We have asked Zions Corporate Trust for the cost of funding into an escrow until payment is required, and they have quoted a fee of \$1,500. Should the City prefer not to close for more than a month, Zions would reserve the right to revisit the rate offered.

We hope our rate is competitive and earns us the chance to help with this financing. However, we are confident the City will get a great deal regardless. If you have any questions, please feel free to call me at (801) 844-7381.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Baker", written in a cursive style.

Brian Baker
Senior Vice President

Provo City, Utah

\$520,620 Equipment Lease Purchase

Dated June 13, 2025

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Provo City, Utah

\$520,620 Equipment Lease Purchase

Dated June 13, 2025

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
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All Inclusive Cost (AIC)	4.6500004%

IRS Form 8038

Net Interest Cost	4.6500004%
Weighted Average Maturity	3.091 Years



Provo City, Utah

\$520,620 Equipment Lease Purchase

Dated June 13, 2025

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
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Provo City, Utah

\$520,620 Equipment Lease Purchase

Dated June 13, 2025

Sources & Uses

Dated 06/13/2025 | Delivered 06/13/2025

Sources Of Funds	
Par Amount of Bonds	\$520,620.12
Total Sources	\$520,620.12
Uses Of Funds	
Deposit to Project Construction Fund	520,620.12
Total Uses	\$520,620.12



Quote Summary

Prepared For:

TIMPANOGOS GOLF COURSE PROVO CITY
380 EAST LAKEVIEW PKWY
PROVO, UT 84606
Business: 801-852-7529
BWATSON@PROVO.ORG

Prepared By:

Miller Phillip
Stotz Equipment
11111 West McDowell Road
Avondale, AZ 85392
Phone: 623-936-7131
Mobile: 801-850-2166
phillmiller@stotzeq.com

Quote Id: 29080721
Created On: 20 June 2023
Last Modified On: 23 January 2025
Expiration Date: 30 May 2025

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers	\$ 61,144.00 X	1 =	\$ 61,144.00
JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers	\$ 61,144.00 X	1 =	\$ 61,144.00
JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers	\$ 61,144.00 X	1 =	\$ 61,144.00
JOHN DEERE 2700 PrecisionCut Triplex Tee Mower	\$ 49,482.04 X	1 =	\$ 49,482.04
JOHN DEERE 2700 PrecisionCut Triplex Tee Mower	\$ 49,482.04 X	1 =	\$ 49,482.04
JOHN DEERE 2700 PrecisionCut Triplex Tee Mower	\$ 49,482.04 X	1 =	\$ 49,482.04
JOHN DEERE ProGator 2020A (Gas)	\$ 37,028.00 X	1 =	\$ 37,028.00
Cargo Box for ProGator 2020A	\$ 2,750.00 X	1 =	\$ 2,750.00
JOHN DEERE HD300 SelectSpray W Storage Stands	\$ 30,465.00 X	1 =	\$ 30,465.00
TRU TURF RB48	\$ 17,987.00 X	2 =	\$ 35,974.00
FERRI T430D Boom Mower 10 Month Rental - D0735	\$ 11,000.00 X	1 =	\$ 11,000.00
Equipment Total			\$ 449,095.12

Quote Summary

Salesperson : X _____

Accepted By : X _____



JOHN DEERE



Equipment Total	\$ 449,095.12
SubTotal	\$ 449,095.12
Est. Service Agreement Tax	\$ 0.00
Total	\$ 449,095.12
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 449,095.12

Salesperson : X _____

Accepted By : X _____

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers

Hours:

Stock Number:

Code	Description	Qty
1243TC	2700 E-Cut Hybrid Triplex Mower	1
Standard Options - Per Unit		
001A	United States and Canada	1
183E	JDLink™ Modem	1
0443	All Other Countries (English / Spanish)	1
1024	Smooth Tires and Wheels (20x10.00-10, 4 ply)	1
1190	Two-Wheel Drive (2WD)	1
1214	Quick Adjust 5 (QA5) 14-blade Cutting Units	1
1300	50.8 mm (2-in.) Diameter Machined Grooved Solid Rollers with Solid Endcaps	1
1490	Less Cutting Unit Counterweights	1
1601	50.8 mm (2-in.) Diameter Machined Smooth Solid Rollers	1
2009	Standard Seat	1
3203	Cutting Unit Attaching Yokes and Translucent Yellow Grass Catchers	1
9742	Greens Tender Conditioner Shaft and Blades	1
9743	FTC / GTC / Front Rotary Brush Gear Drive	1
9750	Rear Roller Power Brush Drive	1
9766	LED Work Light Kit	1
9791	Rear Roller Power Brushes	1

JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

Equipment Notes:
Hours:
Stock Number:

Code	Description	Qty
1243TC	2700 E-Cut Hybrid Triplex Mower	1
Standard Options - Per Unit		
001A	United States and Canada	1
183E	JDLINK™ Modem	1
0443	All Other Countries (English / Spanish)	1
1024	Smooth Tires and Wheels (20x10.00-10, 4 ply)	1
1190	Two-Wheel Drive (2WD)	1
1214	Quick Adjust 5 (QA5) 14-blade Cutting Units	1
1300	50.8 mm (2-in.) Diameter Machined Grooved Solid Rollers with Solid Endcaps	1
1490	Less Cutting Unit Counterweights	1
1601	50.8 mm (2-in.) Diameter Machined Smooth Solid Rollers	1
2009	Standard Seat	1
3203	Cutting Unit Attaching Yokes and Translucent Yellow Grass Catchers	1
9742	Greens Tender Conditioner Shaft and Blades	1
9743	FTC / GTC / Front Rotary Brush Gear Drive	1
9750	Rear Roller Power Brush Drive	1
9766	LED Work Light Kit	1
9791	Rear Roller Power Brushes	1

JOHN DEERE 2700 E-Cut Hybrid Triplex Greens Mower W/ Groomers

Equipment Notes:
Hours:
Stock Number:

Code	Description	Qty
1243TC	2700 E-Cut Hybrid Triplex Mower	1

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

Standard Options - Per Unit		
001A	United States and Canada	1
183E	JDLink™ Modem	1
0443	All Other Countries (English / Spanish)	1
1024	Smooth Tires and Wheels (20x10.00-10, 4 ply)	1
1190	Two-Wheel Drive (2WD)	1
1214	Quick Adjust 5 (QA5) 14-blade Cutting Units	1
1300	50.8 mm (2-in.) Diameter Machined Grooved Solid Rollers with Solid Endcaps	1
1490	Less Cutting Unit Counterweights	1
1601	50.8 mm (2-in.) Diameter Machined Smooth Solid Rollers	1
2009	Standard Seat	1
3203	Cutting Unit Attaching Yokes and Translucent Yellow Grass Catchers	1
9742	Greens Tender Conditioner Shaft and Blades	1
9743	FTC / GTC / Front Rotary Brush Gear Drive	1
9750	Rear Roller Power Brush Drive	1
9766	LED Work Light Kit	1
9791	Rear Roller Power Brushes	1

JOHN DEERE 2700 PrecisionCut Triplex Tee Mower

Equipment Notes:
Hours:
Stock Number:

Code	Description	Qty
1233TC	2700 PrecisionCut Triplex Mower	1
Standard Options - Per Unit		
001A	United States and Canada	1
183E	JDLink™ Modem	1
0443	All Other Countries (English / Spanish)	1
1023	Turf Guard Traction Tires and Wheels (20x10.00-10, 2 ply)	1

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

1190	Two-Wheel Drive (2WD)	1
1201	Quick Adjust 5 (QA5) 7-blade Heavy Section Cutting Units	1
1300	50.8 mm (2-in.) Diameter Machined Grooved Solid Rollers with Solid Endcaps	1
1400	Cutting Unit ONLY Counterweights	1
1601	50.8 mm (2-in.) Diameter Machined Smooth Solid Rollers	1
2009	Standard Seat	1
3203	Cutting Unit Attaching Yokes and Translucent Yellow Grass Catchers	1
9766	LED Work Light Kit	1

JOHN DEERE 2700 PrecisionCut Triplex Tee Mower

Equipment Notes:
Hours:
Stock Number:

Code	Description	Qty
1233TC	2700 PrecisionCut Triplex Mower	1
Standard Options - Per Unit		
001A	United States and Canada	1
183E	JDLink™ Modem	1
0443	All Other Countries (English / Spanish)	1
1023	Turf Guard Traction Tires and Wheels (20x10.00-10, 2 ply)	1
1190	Two-Wheel Drive (2WD)	1
1201	Quick Adjust 5 (QA5) 7-blade Heavy Section Cutting Units	1
1300	50.8 mm (2-in.) Diameter Machined Grooved Solid Rollers with Solid Endcaps	1
1400	Cutting Unit ONLY Counterweights	1
1601	50.8 mm (2-in.) Diameter Machined Smooth Solid Rollers	1
2009	Standard Seat	1
3203	Cutting Unit Attaching Yokes and Translucent Yellow Grass Catchers	1
9766	LED Work Light Kit	1

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

Equipment Notes:**Hours:****Stock Number:**

Code	Description	Qty
140CTC	ProGator 2020A (Gas)	1
Standard Options - Per Unit		
001A	US/Canada	1
183E	JDLink™ Modem	1
1139	Standard Front Tires 23x10.5-12 (4 PR)	1
1161	Fairway Rear (2) Tires and (2) Wheels, 26x14-12 (4 PR)	1
1190	2WD Traction Unit	1
2200	Factory Installed Auxiliary Hydraulics	1
9773	Electronic Multi-Mode Throttle/ Governor Control Kit	1
9870	LED Worklight Kit - ProGator	1

Cargo Box for ProGator 2020A

Equipment Notes:**Hours:****Stock Number:**

Code	Description	Qty
BTC10262	Cargo Box	1

JOHN DEERE HD300 SelectSpray W Storage Stands

Equipment Notes:**Hours:****Stock Number:**

Code	Description	Qty
1156TC	HD300 SelectSpray(For ProGators 2020A, 2020 and 2030A, 2030)	1
Standard Options - Per Unit		
001A	United States and Canada	1

Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

2002	Gen2 Automatic Rate Controller for Centrifugal or Diaphragm Pump	1
3000	18 Ft. Spray Boom with Electro-Hydraulic Lift	1
6452	Stainless Steel Centrifugal Pump	1
9000	Extended Range Flat-Fan Style Nozzle Package	1
9005	Flood Style Nozzle Package	1
9010	Low Drift Nozzle Kit	1
9031	Electric Foam Maker	1
9040	Sprayer Storage Stand	1
9045	CleanLoad Chemical Eductor	1
9869	Hose Plumbing Kit	1

TRU TURF RB48

Equipment Notes:

Hours: 0

Stock Number:

Code	Description	Qty
RB48	Tru Turf RB48 light weight greens roller, with dual overlapping smoothing heads and drive roller.	2

Standard Options - Per Unit

R9841	LED light kit	2
-------	---------------	---

FERRI T430D Boom Mower 10 Month Rental - D0735

Equipment Notes:

Hours: 0

Stock Number: U232339

Code	Description	Qty
T430D	Ferri T430D Boom Mower with 14'2" boom and 42" flail head	1



JOHN DEERE

Selling Equipment



Quote Id: 29080721

Customer: TIMPANOGOS GOLF COURSE PROVO CITY

Standard Options - Per Unit		
TD3703	Bracket to Boom Mower	1
TGA4611	Short Stabilizer	1

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: JMCKNIGHT
Presenter: Brian Torgersen, Airport Director; Jeremy Headman, Fire Chief
Department: Public Works
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 10 minutes
CityView or Issue File Number: 25-094

SUBJECT: 4 A resolution approving the appropriation of \$158,396 to add three full-time firefighters for the airport for the fiscal year ending June 30, 2026. (25-094)

RECOMMENDATION: Provo Fire Department in cooperation with the Provo Airport requests an appropriation of \$158,396 in the General Fund and a corresponding appropriation in the Airport Fund chargebacks to add 3 full time fire fighter positions.

BACKGROUND: This request is to provide for continuous ARFF coverage at the Provo Airport necessitated by the increase in the Airport's ARRF Index to Index C.

FISCAL IMPACT: \$158,396 from the General Fund

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

Page 61 of the 2023 General Plan states "Provo should continue to invest in and expand its airport and flight offerings while promoting the city's accessibility regionally, nationally, and internationally." Maintaining sufficient fire protection coverage is an essential component of Airport commercial operations.

1 RESOLUTION <<Document Number>>

2
3 A RESOLUTION APPROVING THE APPROPRIATION OF \$158,396 TO
4 ADD THREE FULL-TIME FIREFIGHTERS FOR THE AIRPORT FOR THE
5 FISCAL YEAR ENDING JUNE 30, 2026. (25-094)

6
7 RECITALS:

8
9 It is proposed that \$158,396 be appropriated in the General Fund to hire three full-time
10 firefighters that will be stationed at the Provo Airport, which will be reimbursed by a chargeback
11 from the Airport Fund;

12
13 The funding source for the appropriation is Airport Fund revenues;

14
15 On October 7, 2025, the Municipal Council met to consider the facts regarding this
16 matter and receive public comment, which facts and comments are found in the public record of
17 the Council's consideration; and

18
19 After considering the facts presented to the Municipal Council, the Council finds that (i)
20 the proposed action should be approved as described herein, and (ii) such action furthers the
21 health, safety, and general welfare of the citizens of Provo City.

22
23 THEREFORE, the Provo Municipal Council resolves as follows:

24
25 PART I:

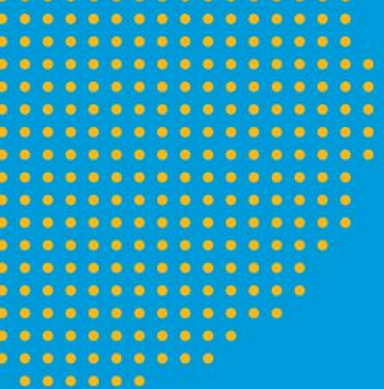
26
27 An appropriation of \$158,396 in the General Fund for three full-time firefighters at the
28 Airport is authorized.

29
30 PART II:

31
32 An appropriation of \$158,396 in the Airport Fund to reimburse the General Fund for
33 services provided at the Airport is authorized.

34
35 PART II:

36
37 This resolution takes effect immediately.



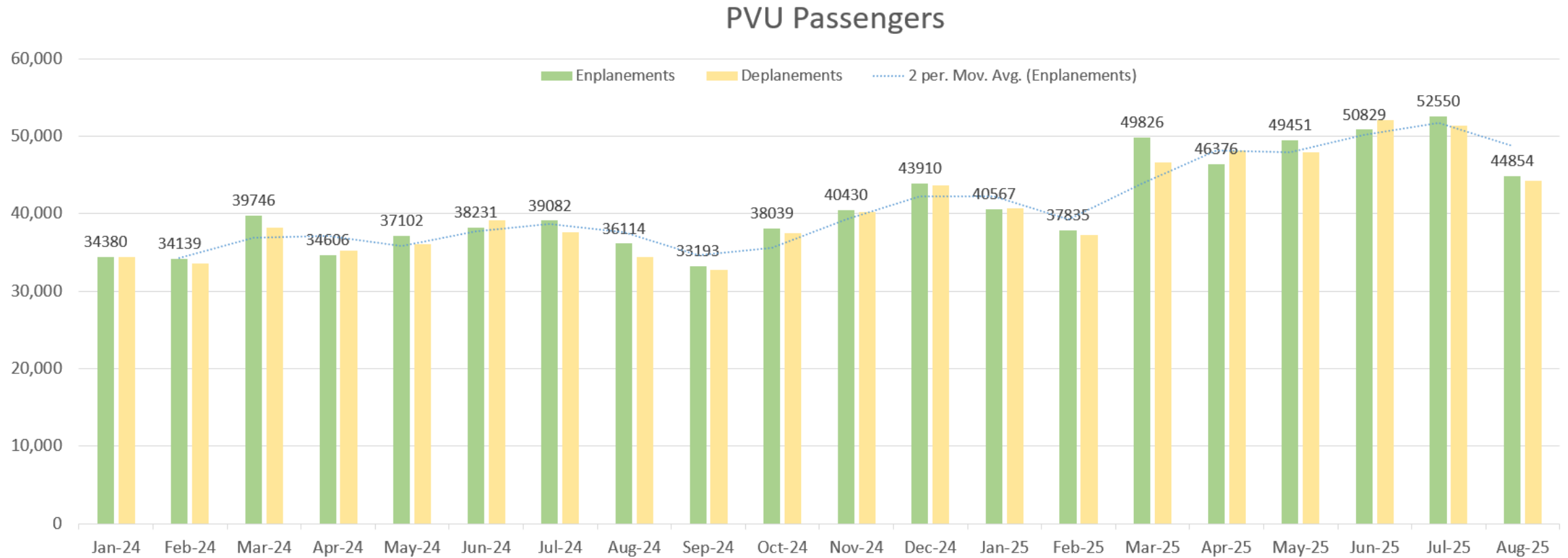
AIRPORT APPROPRIATION

10/7/25



provo
PUBLIC WORKS

PVU Passengers



TOTAL PVU PASSENGERS

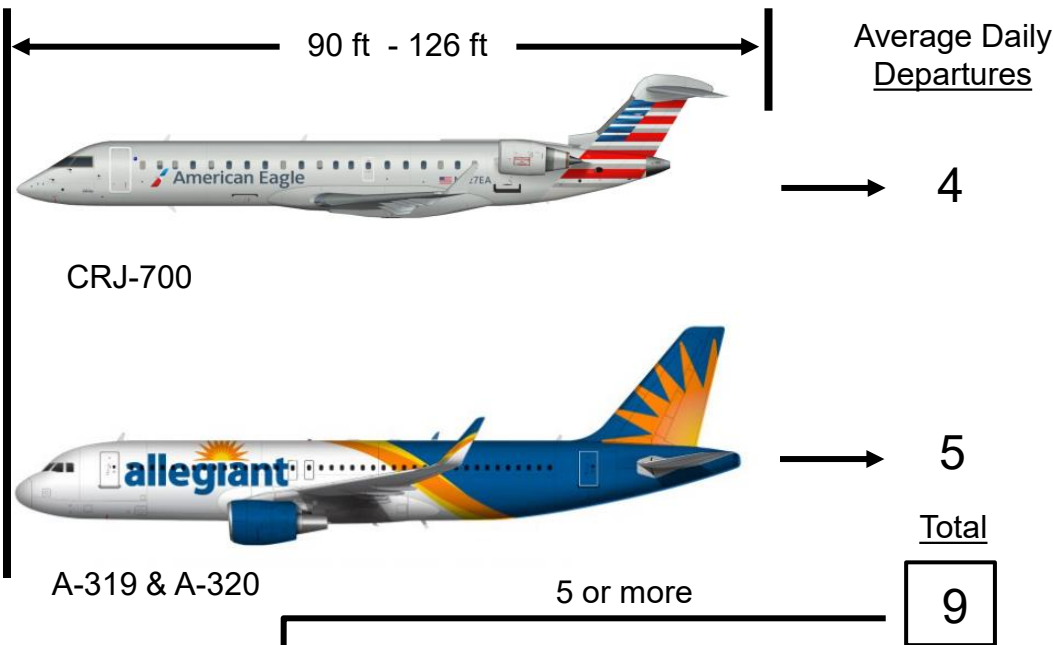
- 2022 – 417,336
- 2023 – 816,126
- 2024 – 910,150
- 2025 – 1,065,000?

June 2025 - 102,908 Passengers!

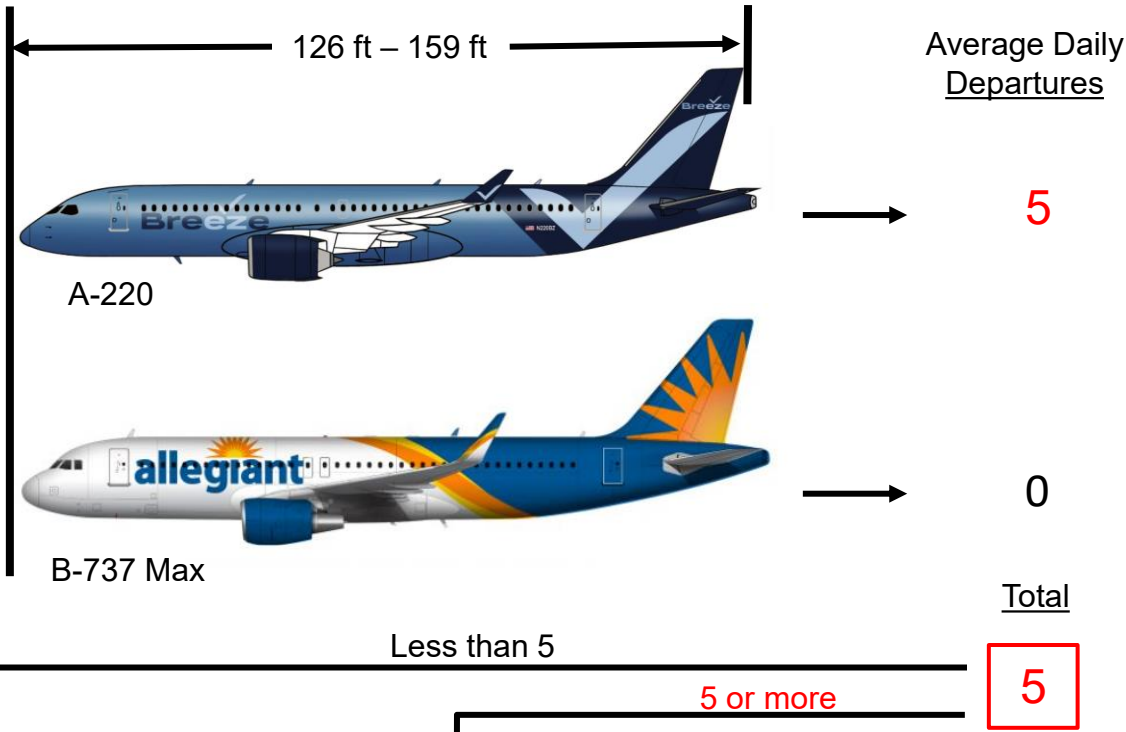
July 2025 – 103,908 Passengers!

Airport ARFF Index

ARFF Index B Aircraft



ARFF Index C Aircraft





RED-1



RED-2,3,&4



Proposed Airport ARFF Staffing - Index C

Index C Requires 24/7/365 ARFF Coverage – January 1, 2026

- 3 ARFF Captains (current ARFF employees)
- Add 3 Full Time ARFF Firefighter Positions



Benefits of adding full time ARFF staff

- Airport Operations will no longer fill ARFF shifts - freeing them up to take care of the operations of the airport.
 - 2.5 FTE equivalent back to Airport Operations
 - No immediate need for additional Operations Staffing
- Dedicated professional Firefighters at the airport 24hrs 7 days a week
- Major reduction in overtime and provides consistency at the Airport
- Firefighters will be better trained for the intricacies of airport firefighting

Addition of 3 Full Time Employees

- Request appropriation of \$158,396 to add three full-time Airport Firefighters for FY2026.
- FY25 revenues - \$1.1 M above budget and expenditures \$65K under budget
- Airport to fund these positions from higher than anticipated FY2025 Airport revenues (fund balance)

Questions





ADMINISTRATIVE
SERVICES
TEL 801 852 6504
351 W CENTER ST
PO BOX 1849
PROVO, UT 84603

NOTICE OF PUBLIC HEARING BEFORE THE PROVO MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on the following item during the Council Meeting that will take place on **Tuesday, October 7th, 2025** at 6:00 p.m. in the Council Chambers located at the Provo City Center Building, 445 West Center Street, Provo, Utah. Anyone interested is invited to attend.

Provo City Council will consider an appropriation of \$158,396 in the general fund to hire three full-time firefighters that will be stationed at the Provo Airport. The funding source of the appropriation is a reimbursement of \$158,396 from the Airport fund.

The meeting will also be available to the public for live broadcast and on-demand viewing at: youtube.com/provocitycouncil. Those who would like to participate in the meeting virtually may do so via Zoom. To join the Zoom meeting, visit zoom.us/join and enter Meeting ID **872 3156 0306** and Passcode **185104**. To listen or comment via phone, dial **346-248-7799**, enter Meeting ID **872 3156 0306** and press #. Press # again for participant ID. Once connected, press ***9** to indicate that you would like to comment. For more information regarding how to comment in the electronic meeting, visit agendas.provo.org and click on the meeting agenda.

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HSALZL
Presenter: Hannah Salzl, City Planner
Department: Development Services
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: PLGPA20250216

SUBJECT: 5 An ordinance amending the General Plan to adopt the FrontRunner and 400 South Station Areas Plan. (PLGPA20250216)

RECOMMENDATION: Approve the Station Area Plan. Any changes to the plans will require another hearing and recertification from Mountainland Association of Governments and the SAP Policy Committee.

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

The Provo City Council approved all four Station Area Plans as to form on July 8, 2025. On September 17, the SAP Policy Committee voted unanimously to certify the plans, pending their final approval by the City Council. Any changes made to these approved plans will require another SAP Policy Committee hearing, which will push final approval beyond the 2025 deadline set by state code.

ABOUT THE STATION AREA PLANS

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.

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING THE GENERAL PLAN TO ADOPT THE
FRONTRUNNER AND 400 SOUTH STATION AREAS PLAN.
(PLGPA20250216)

RECITALS:

It is proposed that the Provo City General Plan be amended to add the FrontRunner and 400 South Station Areas Plan as Appendix AG to satisfy the requirements of House Bill 462 Utah Housing Affordability Amendments (2022);

On June 11, 2025, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 5:0;

On July 8, 2025, the Municipal Council held a public hearing to consider the proposed amendment, and after the hearing, the Municipal Council approved the FrontRunner and 400 South Station Areas Plan as to form by a vote of 6:1;

On September 17, 2025, the Station Area Plan Policy Committee unanimously approved certification of the proposed FrontRunner and 400 South Station Areas Plan, pending final adoption by the Provo City Municipal Council;

On October 7, 2025, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering 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 General Plan is hereby amended as set forth in Exhibit A.

PART II:

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- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance 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

55

56

57 The FrontRunner and 400 South Station Areas Plan and its appendices are too large to attach in
58 their entirety. They can be viewed online at Provo.gov/Planning.

Resolution 2025-33

SHORT TITLE

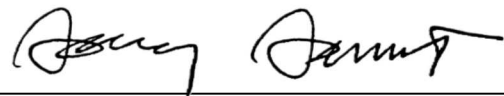
A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.



Chair

Resolution 2025-33

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2025-33.

This resolution was signed and recorded in the office of the Provo City Recorder on the
22nd day of July, 2025.




City Recorder

1 RESOLUTION 2025-33

2 A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO
3 FORM. (25-032)

4 RECITALS:

5 It is proposed that all the proposed Provo Station Area Plans be approved as to form,
6 preliminary to their review by the Mountainland Association of Governments Station Area Plan
7 Policy Committee, which would be followed with adoptions by ordinance;

8 On July 8, 2025, the Municipal Council met to consider the facts regarding this matter and
9 receive public comment, which facts and comments are found in the public record of the
10 Council's consideration; and

11 After considering the facts presented to the Municipal Council, the Council finds that (i)
12 the proposed action should be approved as described herein, and (ii) such action furthers the
13 health, safety, and general welfare of the citizens of Provo City.

14 THEREFORE, the Provo Municipal Council resolves as follows:

15 PART I:

- 16 1. The 2230 North Station Area Plan is approved as to form. (Exhibit A)
17 2. The University Avenue Station Areas Plan is approved as to form. (Exhibit B)
18 3. The Joaquin Station Area Plan is approved as to form. (Exhibit C)
19 4. The FrontRunner and 400 South Station Areas Plan is approved as to form. (Exhibit
20 D)

21 PART II:

22 This resolution takes effect immediately.
23



Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

***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.

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

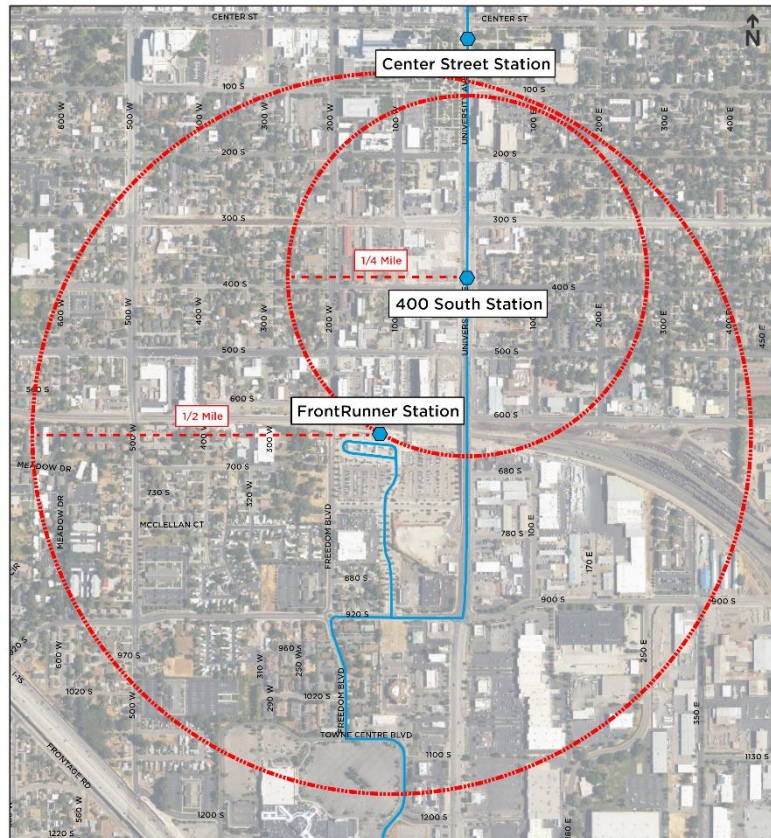
ALTERNATIVE ACTIONS

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.*

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 quarter-mile 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, 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.

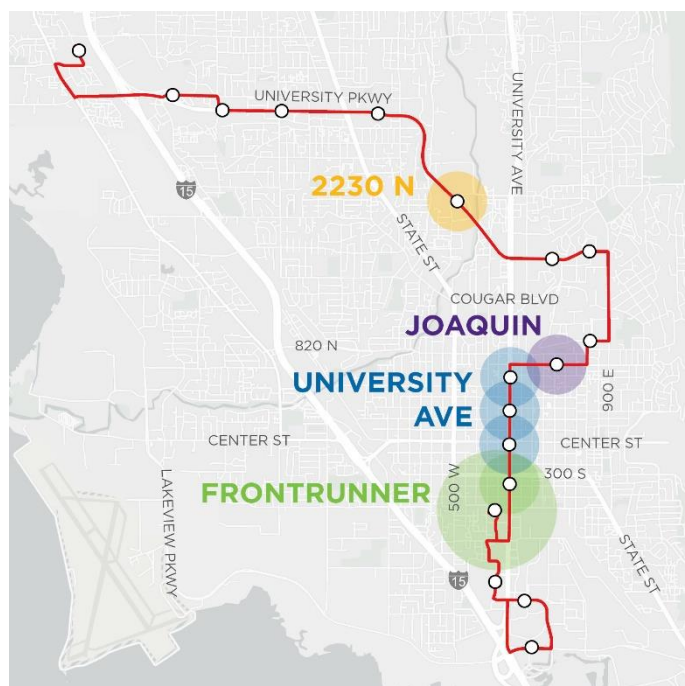
CONCLUSIONS

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.

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:

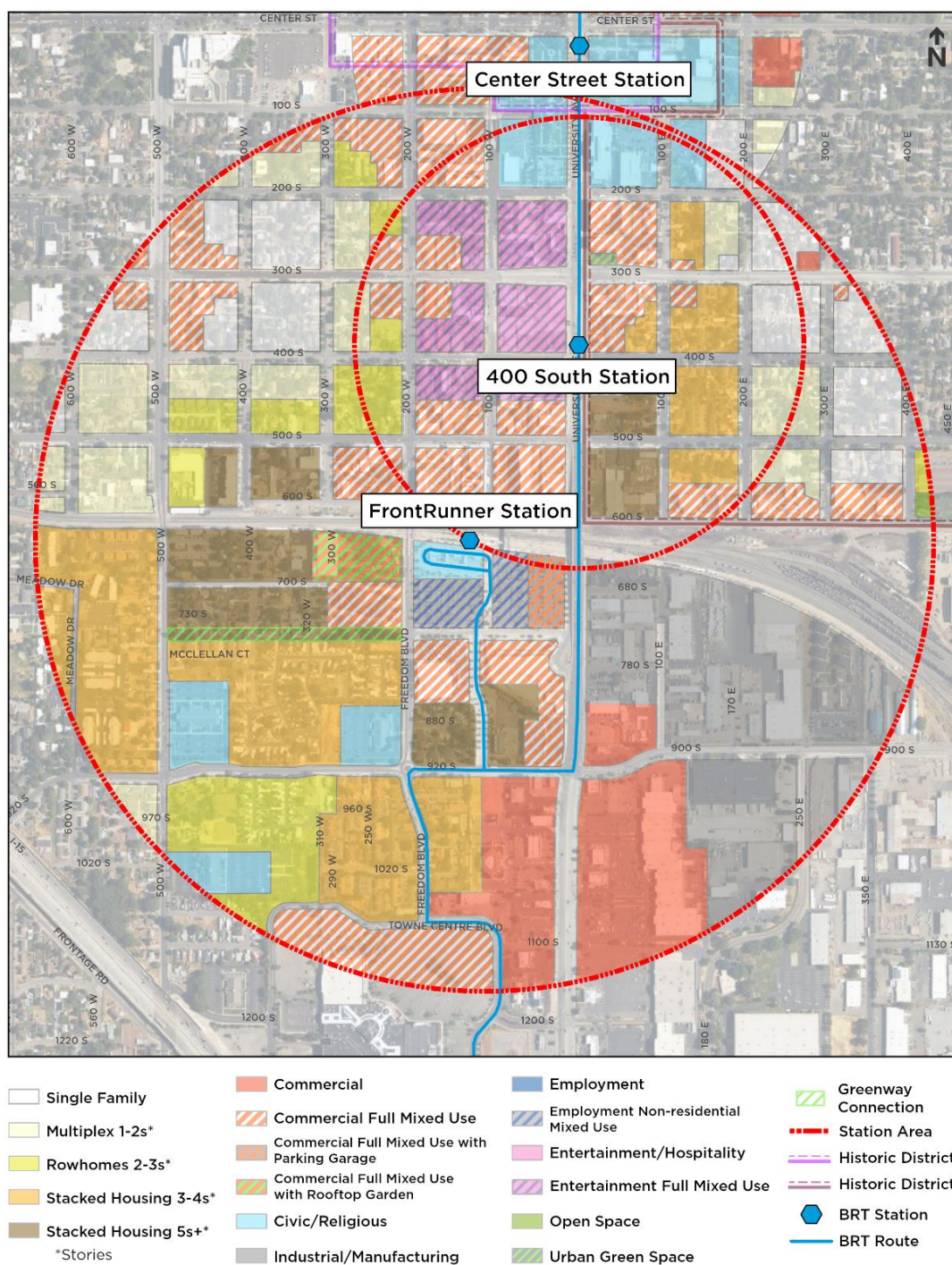
2230 North Station Area Plan
2230 North Station

Joaquin Station Area Plan
Joaquin Station

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

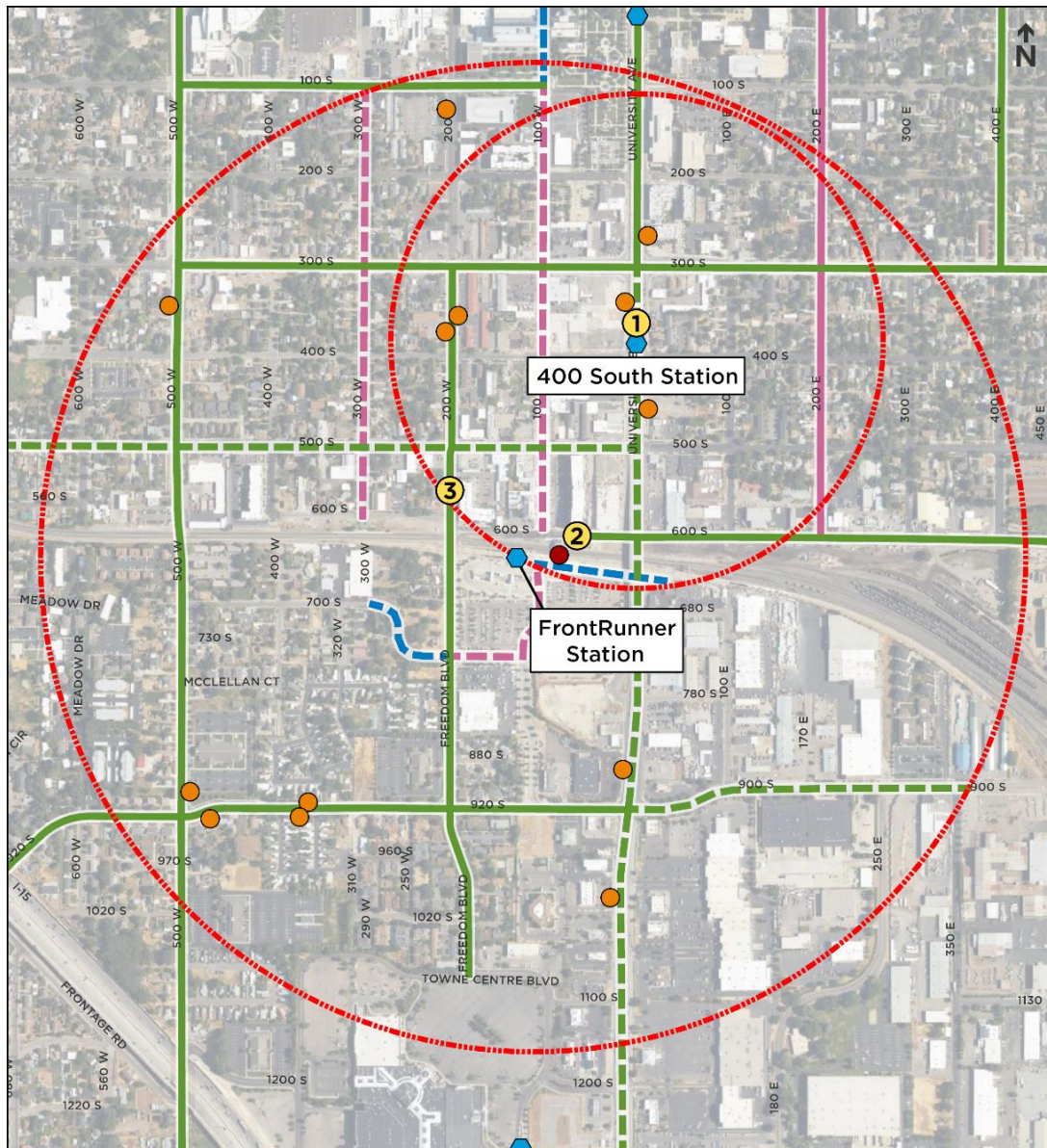
FrontRunner Station Area Plan
400 South Station
FrontRunner Station

ATTACHMENT 2 – FUTURE LAND USE MAP



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

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP



Existing Transportation

- Bike Lane
- - - Sharrow
- Pedestrian Bridge

Future Transportation

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

Future active transportation recommendations for the FrontRunner and 400 South

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



Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 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 MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HSALZL
Presenter: Hannah Salzl, City Planner
Department: Development Services
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: PLGPA20250208

SUBJECT: 6 An ordinance amending the General Plan to adopt the University Avenue Station Areas Plan. (PLGPA20250208)

RECOMMENDATION: Approve the Station Area Plan. Any changes to the plans will require another hearing and recertification from Mountainland Association of Governments and the SAP Policy Committee.

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

The Provo City Council approved all four Station Area Plans as to form on July 8, 2025. On September 17, the SAP Policy Committee voted unanimously to certify the plans, pending their final approval by the City Council. Any changes made to these approved plans will require another SAP Policy Committee hearing, which will push final approval beyond the 2025 deadline set by state code.

ABOUT THE STATION AREA PLANS

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.

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING THE GENERAL PLAN TO ADOPT THE
UNIVERSITY AVENUE STATION AREAS PLAN. (PLGPA20250208)

RECITALS:

It is proposed that the Provo City General Plan be amended to add the University Avenue Station Areas Plan as Appendix AF to satisfy the requirements of House Bill 462 Utah Housing Affordability Amendments (2022);

On June 11, 2025, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 5:0;

On July 8, 2025, the Municipal Council held a public hearing to consider the proposed amendment, and after the hearing, the Municipal Council approved the University Avenue Station Areas Plan as to form by a vote of 6:1;

On September 17, 2025, the Station Area Plan Policy Committee unanimously approved certification of the proposed University Avenue Station Areas Plan, pending final adoption by the Provo City Municipal Council;

On October 7, 2025, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering 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 General Plan is hereby amended as set forth in Exhibit A.

PART II:

- 41 A. If a provision of this ordinance conflicts with a provision of a previously adopted
42 ordinance, this ordinance prevails.
43
- 44 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
45 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
46 the ordinance is not affected by that determination.
47
- 48 C. This ordinance takes effect immediately after it has been posted or published in accordance
49 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
50 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
51
- 52 D. The Municipal Council directs that the official copy of Provo City Code be updated to
53 reflect the provisions enacted by this ordinance.

Exhibit A

54
55
56
57

The University Avenue Station Areas Plan and its appendices are too large to attach in their entirety. They can be viewed online at Provo.gov/Planning.

Resolution 2025-33

SHORT TITLE

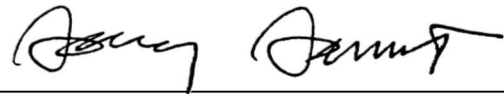
A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.



Chair

Resolution 2025-33

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2025-33.

This resolution was signed and recorded in the office of the Provo City Recorder on the
22nd day of July, 2025.




City Recorder

1 RESOLUTION 2025-33

2 A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO
3 FORM. (25-032)

4 RECITALS:

5 It is proposed that all the proposed Provo Station Area Plans be approved as to form,
6 preliminary to their review by the Mountainland Association of Governments Station Area Plan
7 Policy Committee, which would be followed with adoptions by ordinance;

8 On July 8, 2025, the Municipal Council met to consider the facts regarding this matter and
9 receive public comment, which facts and comments are found in the public record of the
10 Council's consideration; and

11 After considering the facts presented to the Municipal Council, the Council finds that (i)
12 the proposed action should be approved as described herein, and (ii) such action furthers the
13 health, safety, and general welfare of the citizens of Provo City.

14 THEREFORE, the Provo Municipal Council resolves as follows:

15 PART I:

- 16 1. The 2230 North Station Area Plan is approved as to form. (Exhibit A)
17 2. The University Avenue Station Areas Plan is approved as to form. (Exhibit B)
18 3. The Joaquin Station Area Plan is approved as to form. (Exhibit C)
19 4. The FrontRunner and 400 South Station Areas Plan is approved as to form. (Exhibit
20 D)

21 PART II:

22 This resolution takes effect immediately.
23



Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

**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

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.*

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.

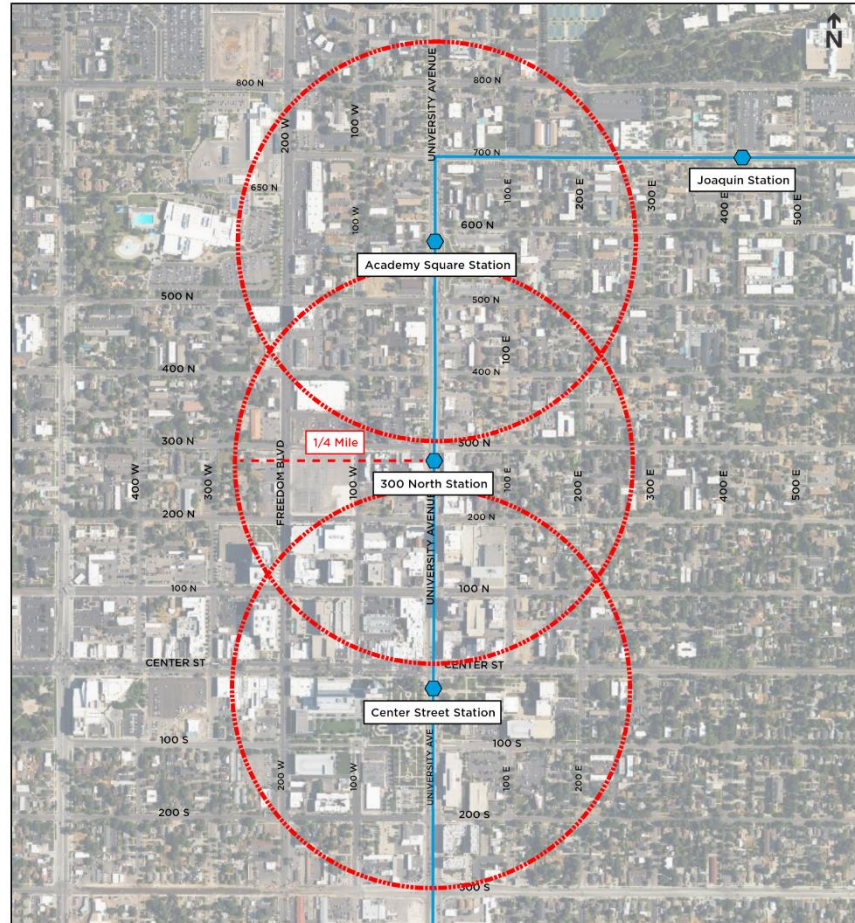
The University Avenue Station Areas Plan covers the overlapping quarter-mile radii around the three northernmost stations along University Avenue. The station areas are in the North Park, Joaquin, Downtown, and Maeser Neighborhood in Districts 4 and 5.

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.

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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).

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 University Avenue Station Areas Plan. These station areas present unique land development, economic, and transportation

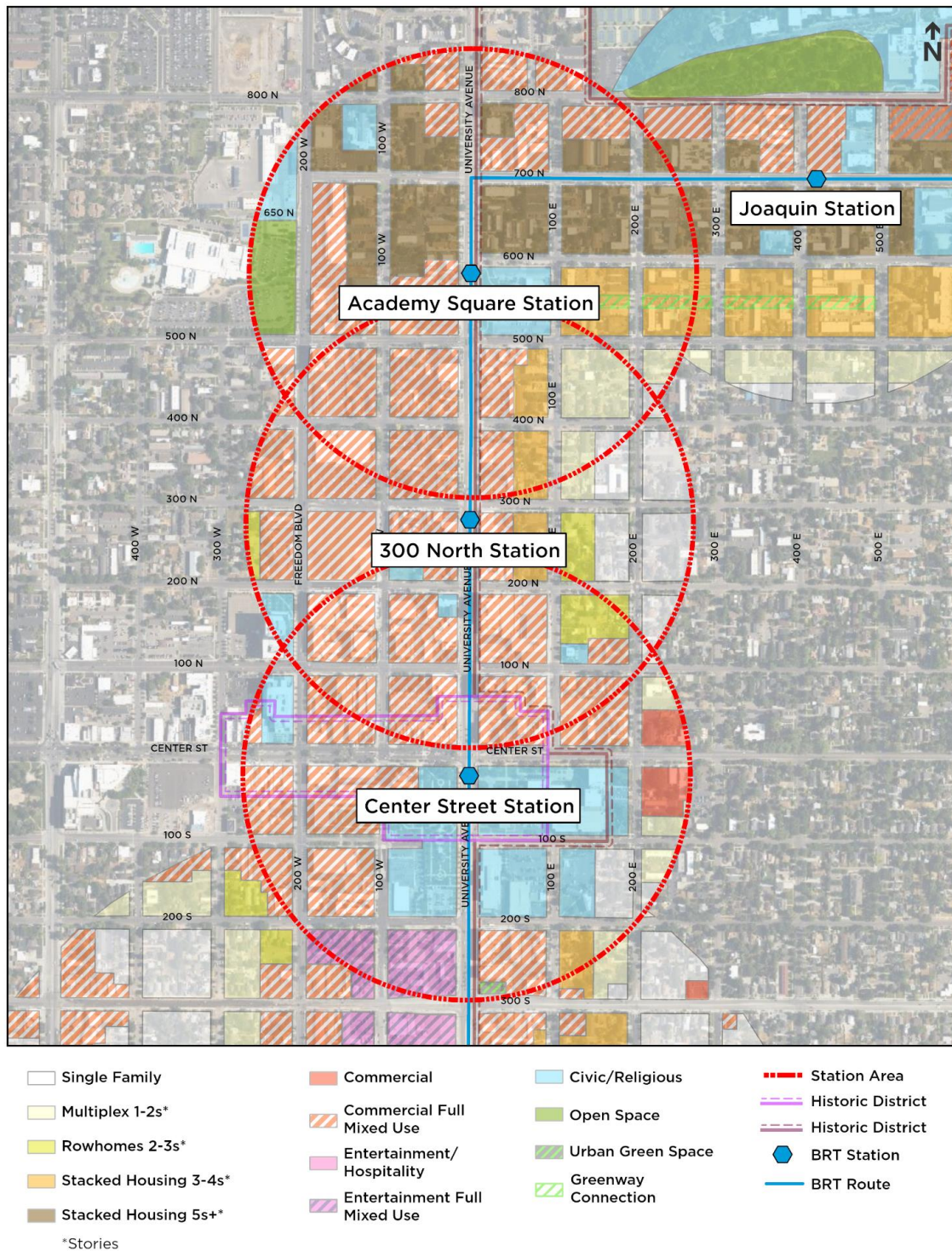
opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region. Moreover, the goals of these Station Area Plans seek to guide this growth in a way that is economically, socially, and environmentally sustainable in accordance with the policies in the General Plan.

ATTACHMENTS

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

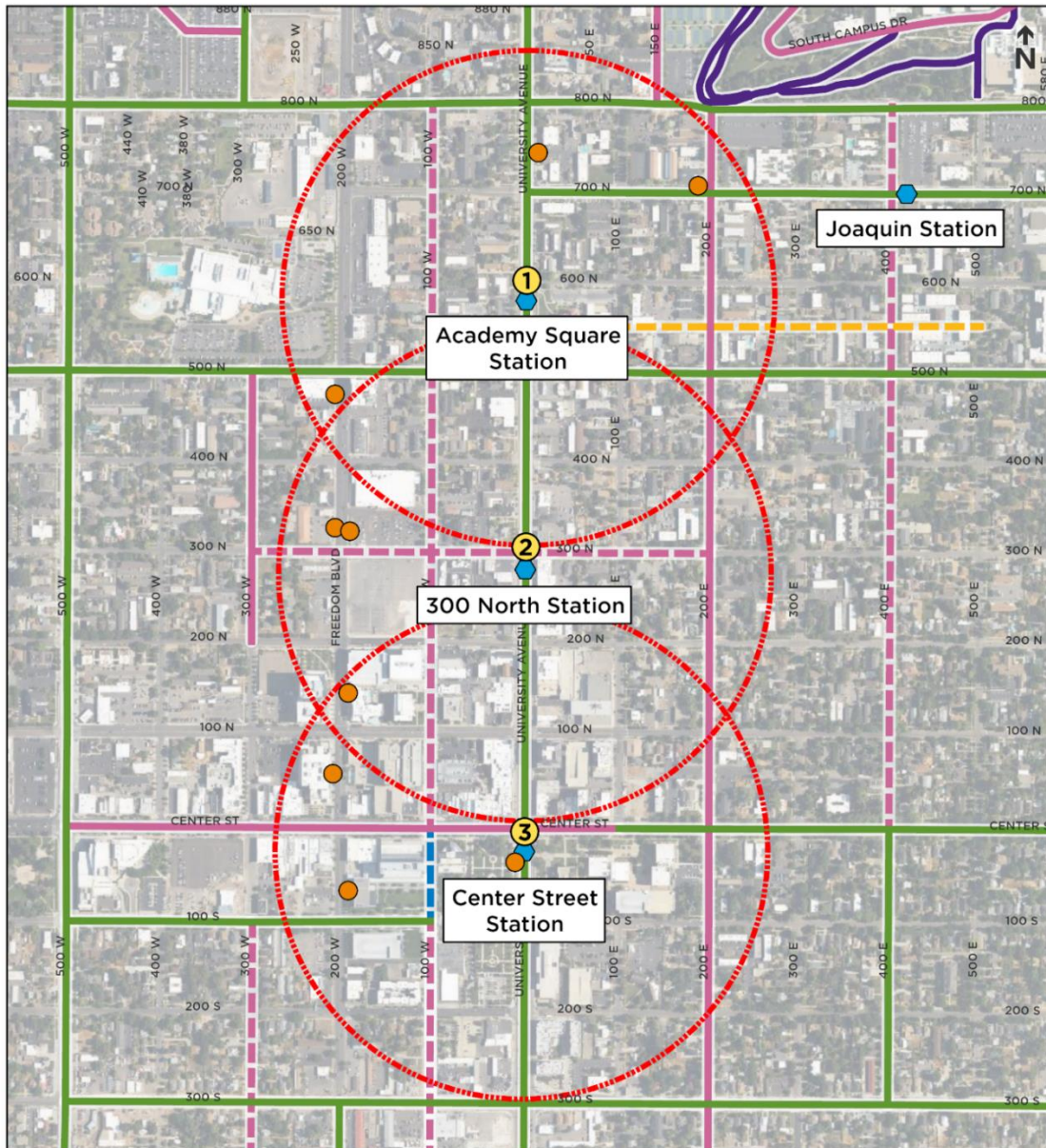
UVX route map with the Provo station areas marked

ATTACHMENT 2 – FUTURE LAND USE MAP



Future Land Use Map for the University Avenue station areas

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP



Existing Transportation

- Bike Lane
- Sharrow
- Trail

Future Transportation

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

Future active transportation recommendations for the University Avenue station areas

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.

Conditions of Approval: 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.



Planning Commission Chair



Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 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 MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HSALZL
Presenter: Hannah Salzl, City Planner
Department: Development Services
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: PLGPA20250215

SUBJECT: 7 An ordinance amending the General Plan to adopt the Joaquin Station Area Plan. (PLGPA20250215)

RECOMMENDATION: Approve the Station Area Plan. Any changes to the plans will require another hearing and recertification from Mountainland Association of Governments and the SAP Policy Committee.

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

The Provo City Council approved all four Station Area Plans as to form on July 8, 2025. On September 17, the SAP Policy Committee voted unanimously to certify the plans, pending their final approval by the City Council. Any changes made to these approved plans will require another SAP Policy Committee hearing, which will push final approval beyond the 2025 deadline set by state code.

ABOUT THE STATION AREA PLANS

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.

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING THE GENERAL PLAN TO ADOPT THE
JOAQUIN STATION AREA PLAN. (PLGPA20250215)

RECITALS:

It is proposed that the Provo City General Plan be amended to add the Joaquin Station Area Plan as Appendix AE to satisfy the requirements of House Bill 462 Utah Housing Affordability Amendments (2022);

On June 11, 2025, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 5:0;

On July 8, 2025, the Municipal Council held a public hearing to consider the proposed amendment, and after the hearing, the Municipal Council approved the Joaquin Station Area Plan as to form by a vote of 6:1;

On September 17, 2025, the Station Area Plan Policy Committee unanimously approved certification of the proposed Joaquin Station Area Plan, pending final adoption by the Provo City Municipal Council;

On October 7, 2025, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering 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 General Plan is hereby amended as set forth in Exhibit A.

PART II:

- 41 A. If a provision of this ordinance conflicts with a provision of a previously adopted
42 ordinance, this ordinance prevails.
43
- 44 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
45 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
46 the ordinance is not affected by that determination.
47
- 48 C. This ordinance takes effect immediately after it has been posted or published in accordance
49 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
50 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
51
- 52 D. The Municipal Council directs that the official copy of Provo City Code be updated to
53 reflect the provisions enacted by this ordinance.

Exhibit A

54
55
56
57

The Joaquin Station Area Plan and its appendices are too large to attach in their entirety. They can be viewed online at Provo.gov/Planning.

Resolution 2025-33

SHORT TITLE

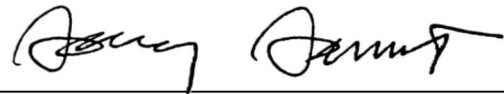
A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.



Chair

Resolution 2025-33

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2025-33.

This resolution was signed and recorded in the office of the Provo City Recorder on the
22nd day of July, 2025.




City Recorder

1 RESOLUTION 2025-33

2 A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO
3 FORM. (25-032)

4 RECITALS:

5 It is proposed that all the proposed Provo Station Area Plans be approved as to form,
6 preliminary to their review by the Mountainland Association of Governments Station Area Plan
7 Policy Committee, which would be followed with adoptions by ordinance;

8 On July 8, 2025, the Municipal Council met to consider the facts regarding this matter and
9 receive public comment, which facts and comments are found in the public record of the
10 Council's consideration; and

11 After considering the facts presented to the Municipal Council, the Council finds that (i)
12 the proposed action should be approved as described herein, and (ii) such action furthers the
13 health, safety, and general welfare of the citizens of Provo City.

14 THEREFORE, the Provo Municipal Council resolves as follows:

15 PART I:

- 16 1. The 2230 North Station Area Plan is approved as to form. (Exhibit A)
17 2. The University Avenue Station Areas Plan is approved as to form. (Exhibit B)
18 3. The Joaquin Station Area Plan is approved as to form. (Exhibit C)
19 4. The FrontRunner and 400 South Station Areas Plan is approved as to form. (Exhibit
20 D)

21 PART II:

22 This resolution takes effect immediately.
23



Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

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.

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

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.*

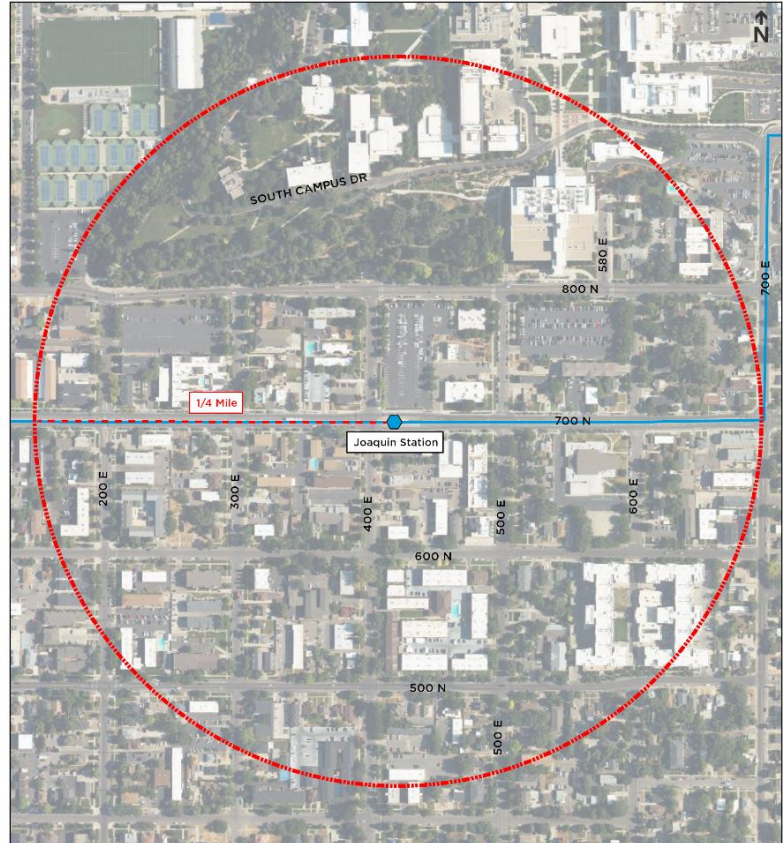
OVERVIEW

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:

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 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*

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).

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 Joaquin 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 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.

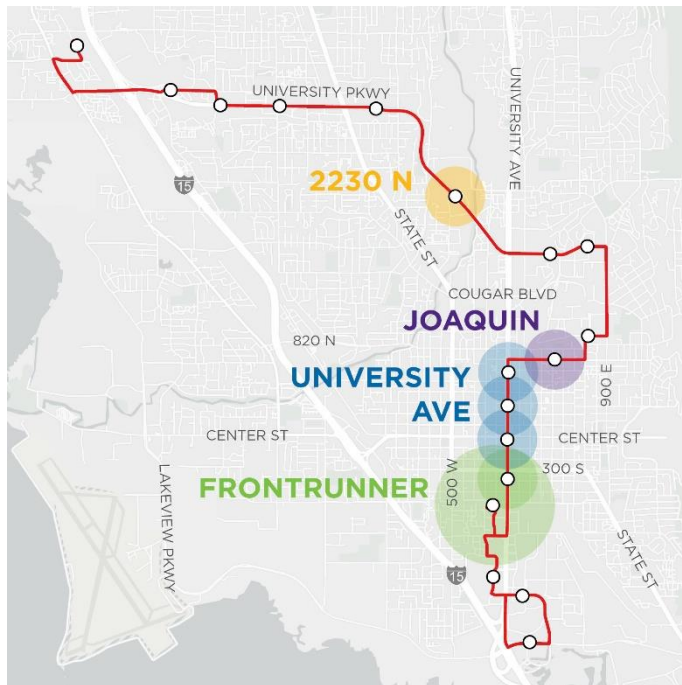
CONCLUSIONS

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:

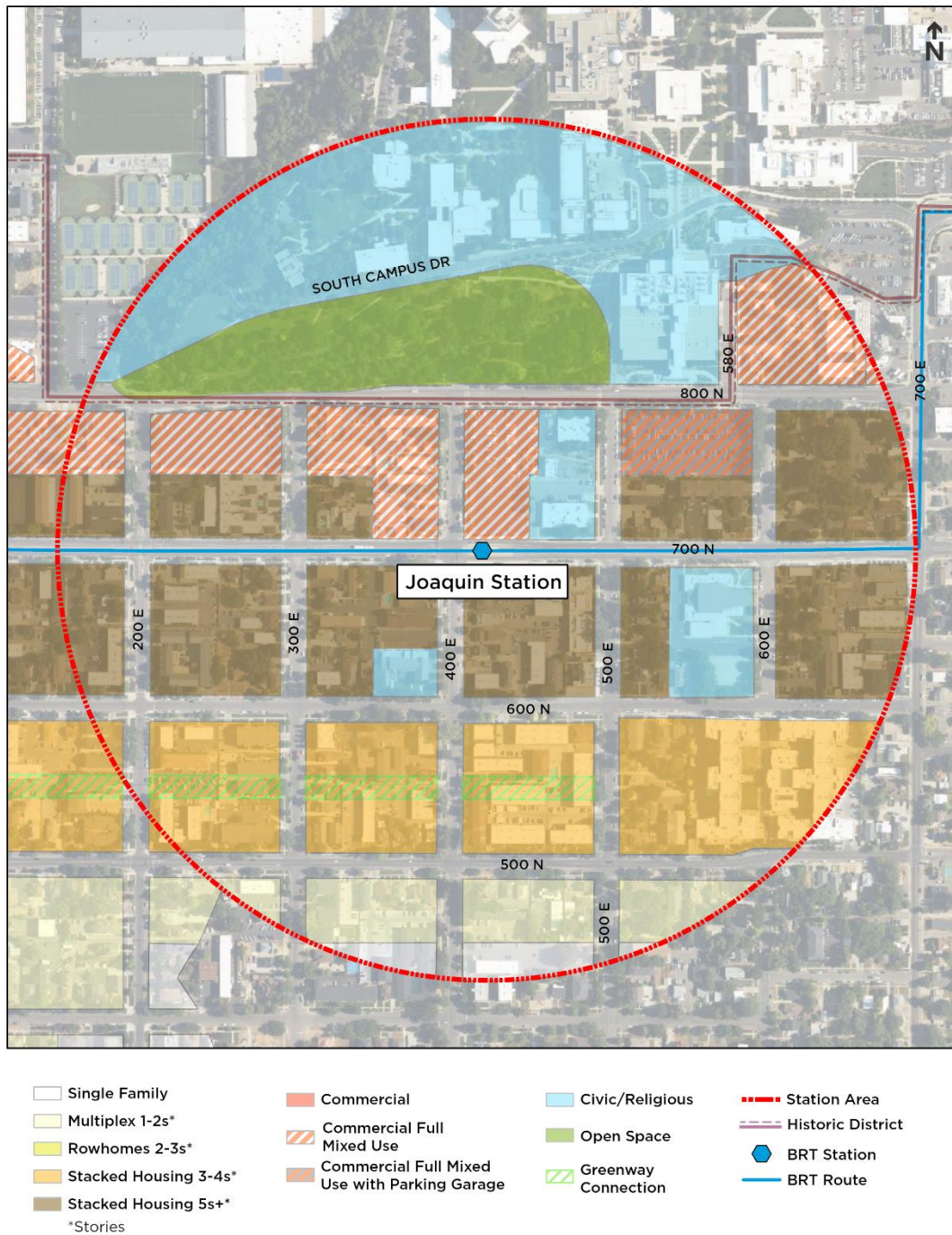
2230 North Station Area Plan
2230 North Station

Joaquin Station Area Plan
Joaquin Station

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

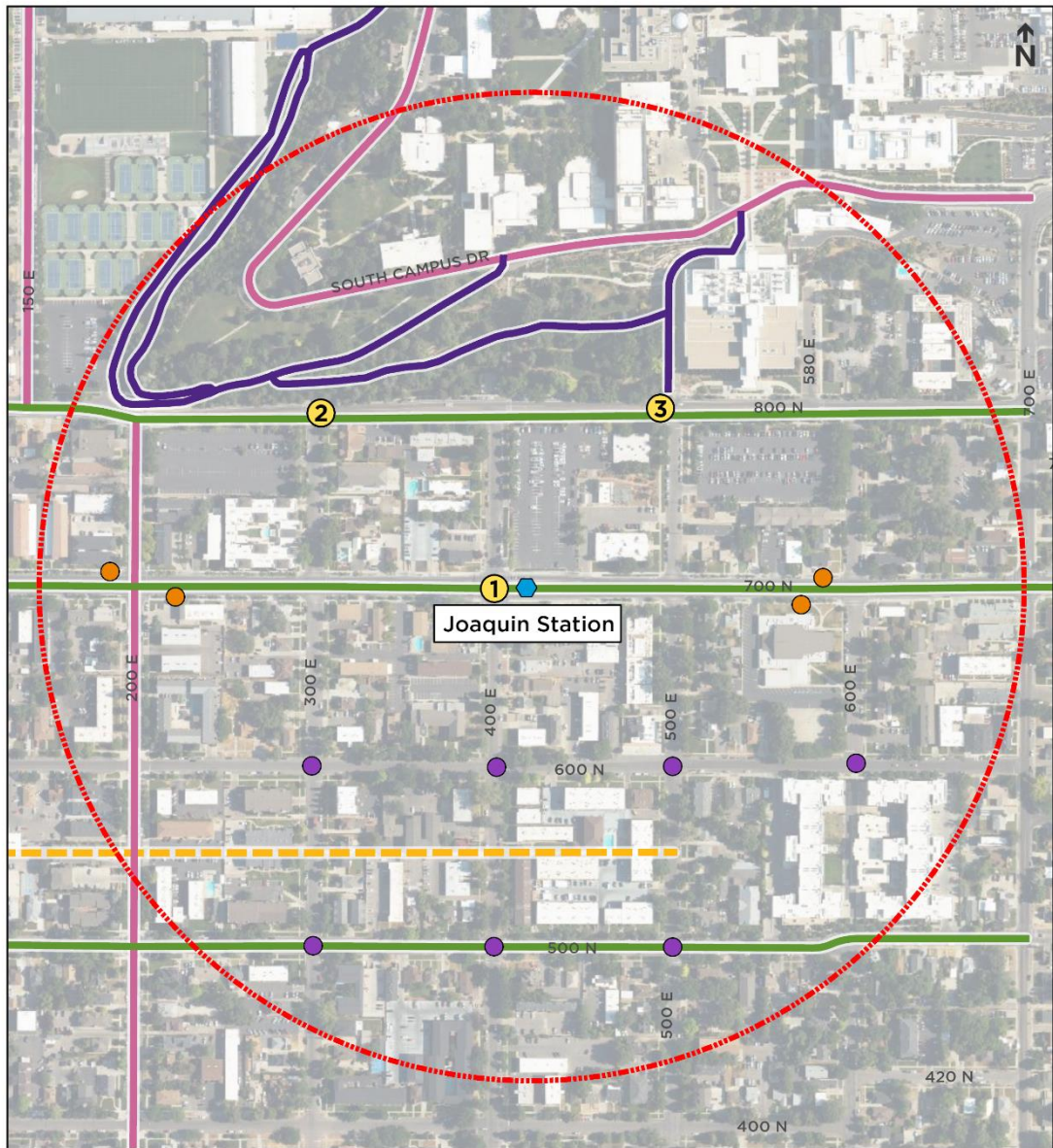
FrontRunner Station Area Plan
400 South Station
FrontRunner Station

ATTACHMENT 2: FUTURE LAND USE MAP



Future Land Use Map for the Joaquin station area

ATTACHMENT 3: FUTURE ACTIVE TRANSPORTATION MAP



Existing Transportation

- Bike Lane
- Sharrow
- Trail

Future Transportation

- Bike Lane
- Sharrow
- Link
- Shared Use Path
- ADA Ramps & Curb Extensions
- Improve Bus Shelter
- Other (see description in plan)

Future active transportation recommendations for the Joaquin station area

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.

Conditions of Approval: 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.



Planning Commission Chair



Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Development Services Department, 445 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 MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: HSALZL
Presenter: Hannah Salzl, City Planner
Department: Development Services
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 5 minutes
CityView or Issue File Number: PLGPA20250206

SUBJECT: 8 An ordinance amending the General Plan to adopt the 2230 North Station Area Plan. (PLGPA20250206)

RECOMMENDATION: Approve the Station Area Plan. Any changes to the plans will require another hearing and recertification from Mountainland Association of Governments and the SAP Policy Committee.

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

The Provo City Council approved all four Station Area Plans as to form on July 8, 2025. On September 17, the SAP Policy Committee voted unanimously to certify the plans, pending their final approval by the City Council. Any changes made to these approved plans will require another SAP Policy Committee hearing, which will push final approval beyond the 2025 deadline set by state code.

ABOUT THE STATION AREA PLANS

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.

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING THE GENERAL PLAN TO ADOPT THE 2230
NORTH STATION AREA PLAN. (PLGPA20250206)

RECITALS:

It is proposed that the Provo City General Plan be amended to add the 2230 North Station Area Plan as Appendix AD to satisfy the requirements of House Bill 462 Utah Housing Affordability Amendments (2022);

On June 11, 2025, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 4:1;

On July 8, 2025, the Municipal Council held a public hearing to consider the proposed amendment, and after the hearing, the Municipal Council approved the 2230 North Station Area Plan as to form by a vote of 6:1;

On September 17, 2025, the Station Area Plan Policy Committee unanimously approved certification of the proposed 2230 North Station Area Plan, pending final adoption by the Provo City Municipal Council;

On October 7, 2025, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering 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 General Plan is hereby amended as set forth in Exhibit A.

PART II:

- 41 A. If a provision of this ordinance conflicts with a provision of a previously adopted
42 ordinance, this ordinance prevails.
43
- 44 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
45 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
46 the ordinance is not affected by that determination.
47
- 48 C. This ordinance takes effect immediately after it has been posted or published in accordance
49 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
50 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
51
- 52 D. The Municipal Council directs that the official copy of Provo City Code be updated to
53 reflect the provisions enacted by this ordinance.

Exhibit A

54
55
56
57

The 2230 North Station Area Plan and its appendices are too large to attach in their entirety. They can be viewed online at Provo.gov/Planning.

Resolution 2025-33

SHORT TITLE

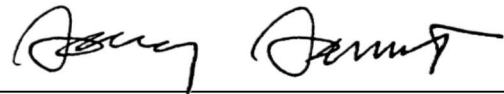
A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.



Chair

Resolution 2025-33

CITY RECORDER'S CERTIFICATE AND ATTEST

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to resolution number 2025-33.

This resolution was signed and recorded in the office of the Provo City Recorder on the
22nd day of July, 2025.




City Recorder

1 RESOLUTION 2025-33

2 A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO
3 FORM. (25-032)

4 RECITALS:

5 It is proposed that all the proposed Provo Station Area Plans be approved as to form,
6 preliminary to their review by the Mountainland Association of Governments Station Area Plan
7 Policy Committee, which would be followed with adoptions by ordinance;

8 On July 8, 2025, the Municipal Council met to consider the facts regarding this matter and
9 receive public comment, which facts and comments are found in the public record of the
10 Council's consideration; and

11 After considering the facts presented to the Municipal Council, the Council finds that (i)
12 the proposed action should be approved as described herein, and (ii) such action furthers the
13 health, safety, and general welfare of the citizens of Provo City.

14 THEREFORE, the Provo Municipal Council resolves as follows:

15 PART I:

- 16 1. The 2230 North Station Area Plan is approved as to form. (Exhibit A)
17 2. The University Avenue Station Areas Plan is approved as to form. (Exhibit B)
18 3. The Joaquin Station Area Plan is approved as to form. (Exhibit C)
19 4. The FrontRunner and 400 South Station Areas Plan is approved as to form. (Exhibit
20 D)

21 PART II:

22 This resolution takes effect immediately.
23

*ITEM 2

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

Citywide Application

PLGPA20250206

*ITEM 3

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

Citywide Application

PLGPA20250208

*ITEM 4

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

Citywide Application

PLGPA20250215

*ITEM 5

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

Citywide Application

PLGPA20250216

Prior Approvals

Planning Commission

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.

Conditions of Approval: 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.

Page 1 of 2

June 11

Council

Resolution 2025-33

SHORT TITLE

A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.

Chair

July 8

SAP Policy Committee

Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

P: 801.229.3800
F: 801.229.3801

www.magutah.gov
586 E 800 N, Provo, UT 84097

September 17

Plan Overview

7 stations, 4 plans

2230 North

Joaquin

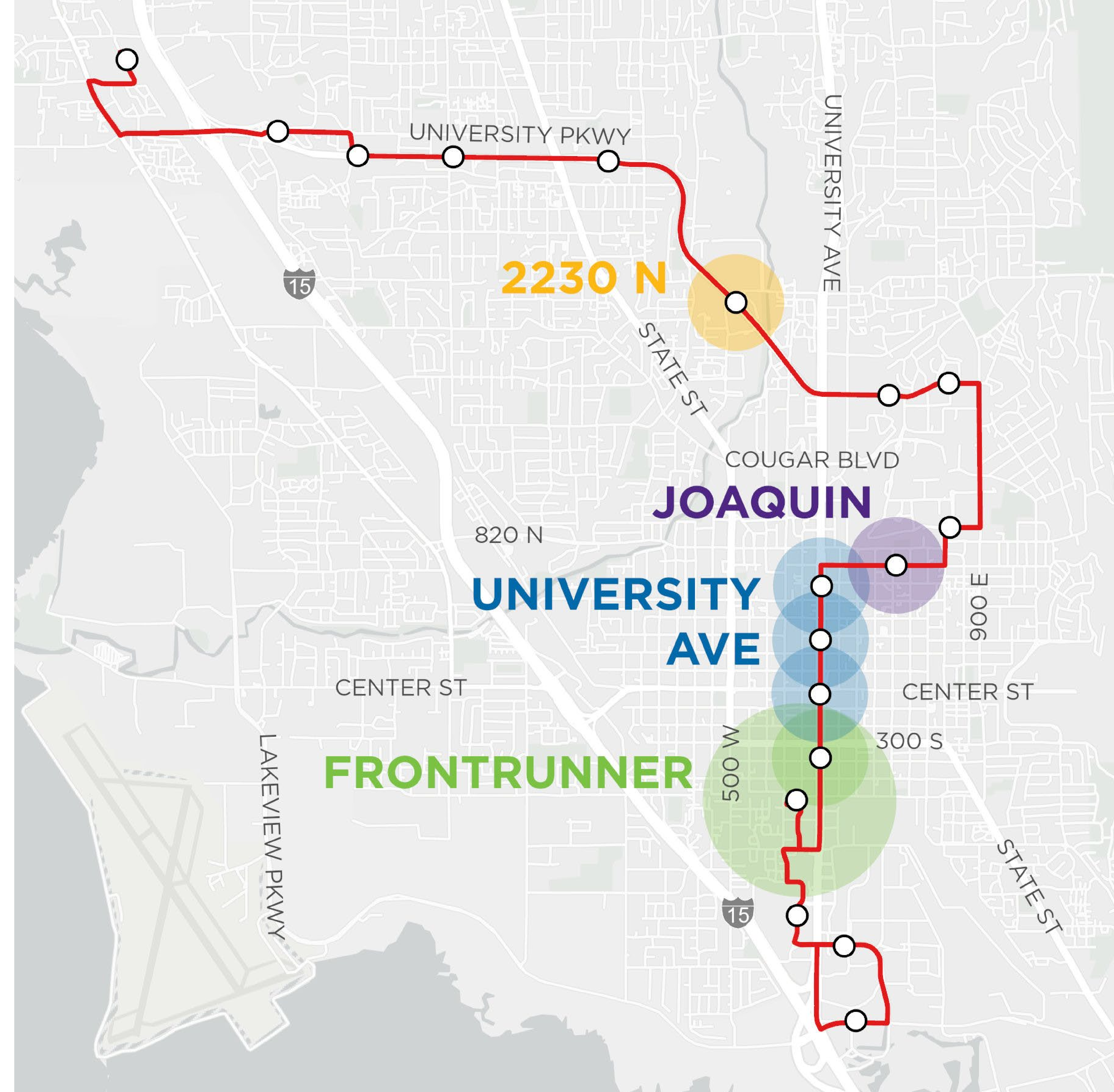
Academy Square

300 North

Center Street

400 South

Provo Central (FrontRunner)



Objectives of All Plans

HOUSING AVAILABILITY & AFFORDABILITY

Focus on strategic redevelopment and infill close to the stations, emphasis on for-sale units

SUSTAINABLE ENVIRONMENT

Reduce dependence on single-occupancy vehicles by establishing/enhancing alternative transportation networks

TRANSPORTATION CHOICES & CONNECTIONS

Solidify networks so they function independently and together and address connectivity challenges

ACCESS TO OPPORTUNITIES

Bring range of uses and services in closer proximity to the stations and housing

Create a Website Account - Manage notification subscriptions, save form progress and more.

Website Sign In

pruvo

LIVEWORKPLAYCITY

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Development Fees

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Planning

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LONG-RANGE PLANNING

ONLINE PORTAL

STANDARD LAND USE CODE

Citywide Plans

GENERAL PLAN

APPENDICES

CONSERVATION & RESILIENCY PLAN

GATEWAYS PLAN

HILL SIDES & CANYONS PLAN

RIVER & LAKE SHORE PLAN

STATION AREA PLANS

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. 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.

The aim of these plans is to guide growth around key transit areas in a way that is economically, socially, and environmentally sustainable, in accordance with the policies in the General Plan.

Download these resources and documents:

2230 North UVX Station

2230 North Station Area Plan DRAFT (PDF)

2230 North Station Area Plan Appendices DRAFT (PDF)

University Avenue UVX Stations (Academy Square, 300 North, And Center Street)

University Avenue Station Areas Plan DRAFT (PDF)

University Avenue Station Areas Plan Appendices DRAFT (PDF)

Joaquin UVX Station

Joaquin Station Area Plan (full text, not final layout) DRAFT (PDF)

Joaquin Station Area Plan Appendices (full text, not final layout) DRAFT (PDF)

Provo Central FrontRunner Station And 400 South UVX Station

FrontRunner and 400 South Station Areas Plan (full text, not final layout) DRAFT (PDF)

FrontRunner and 400 South Station Areas Plan Appendices (full text, not final layout) DRAFT (PDF)

pruvo

DEVELOPMENT SERVICES

Contact Us

Physical Address

445 W Center Street

Suite 200

Provo, UT 84601

Phone: (801) 852-6400

Hours

Monday - Thursday

7:00 AM - 6:00 PM

Building Permits issued until 5:30 PM

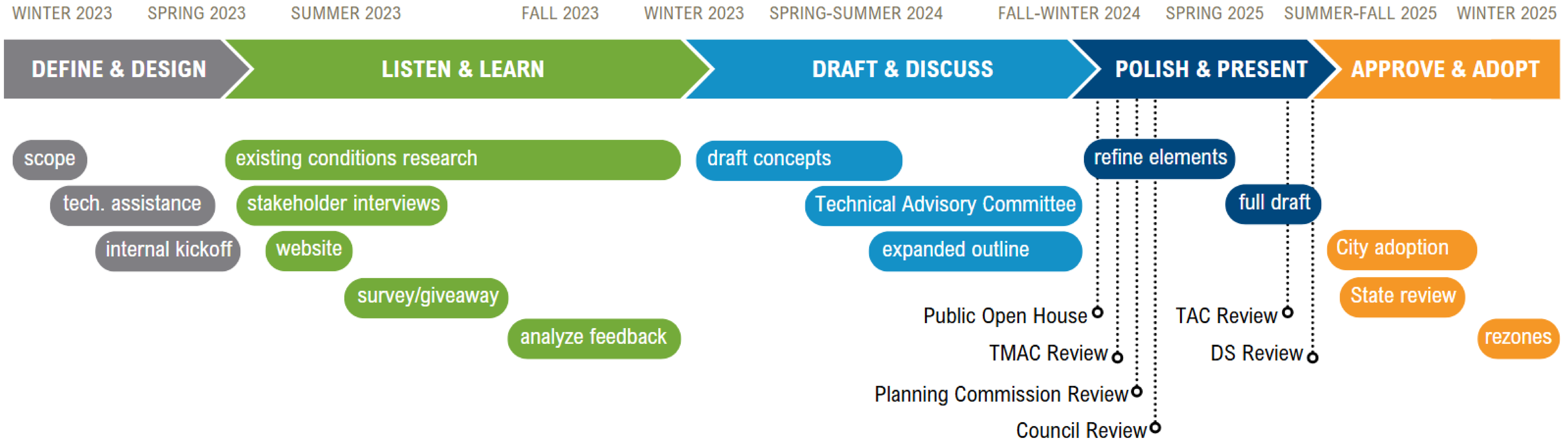
Planning Division

Phone: (801) 852-6419

Map of Current Projects

All plans are available on Provo.gov/Planning

Plan Process



Plan Process – Next Steps



MER-FALL 2025 WINTER 2025



City adoption

State review

rezones

Plan Process – Next Steps

District Meetings for Rezones

- District 4 November 19
- District 5 December 3

Zone changes must comply with the approved Future Land Use Maps

Zone changes do not invalidate current land uses, even if ownership changes



Prior Approvals

Planning Commission

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

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Conditions of Approval: 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
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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:

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Page 1 of 2

June 11

Council

Resolution 2025-33

SHORT TITLE

A RESOLUTION APPROVING THE PROVO STATION AREA PLANS AS TO FORM. (25-032)

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY		✓	
CW 2	GARY GARRETT	✓		
CD 1	CRAIG CHRISTENSEN			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	BECKY BOGDIN	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		4	1	

This resolution was passed by the Municipal Council of Provo City, on the 8th day of July, 2025, on a roll call vote as described above. Signed this 8th day of July, 2025.

Chair

July 8

SAP Policy Committee

Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

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September 17

*ITEM 2

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

Citywide Application

PLGPA20250206

*ITEM 3

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

Citywide Application

PLGPA20250208

*ITEM 4

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

Citywide Application

PLGPA20250215

*ITEM 5

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

Citywide Application

PLGPA20250216



Date: September 22, 2025

To: Provo City
Attn: Hannah Salzl

From: Dan Wayne, Community Planning Manager

Subject: Provo City Station Area Plan Certification

This letter is to confirm that Provo City's Station Area Plans for the 2230 North, Joaquin, University Avenue, and FrontRunner & 400 South Stations were conditionally certified by the SAP Policy Committee on September 17, 2025, pending adoption of the plans by the Provo City Council.

Once Provo City Council has adopted the SAPs by resolution, and said resolutions have been submitted to MAG, documentation of final certification will be sent to the city. This documentation may be used to demonstrate compliance with House Bill 462 (2022) as part of the city's Moderate-Income Housing Plan reporting.

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

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.*

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.

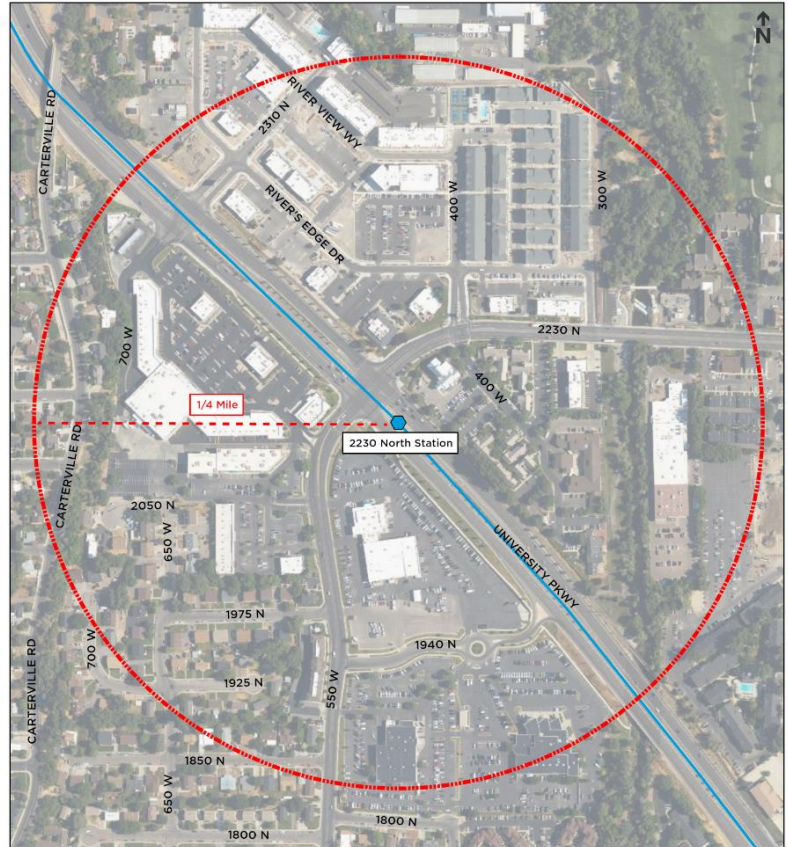
OVERVIEW

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 Cartersville 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:

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 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.*

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.

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

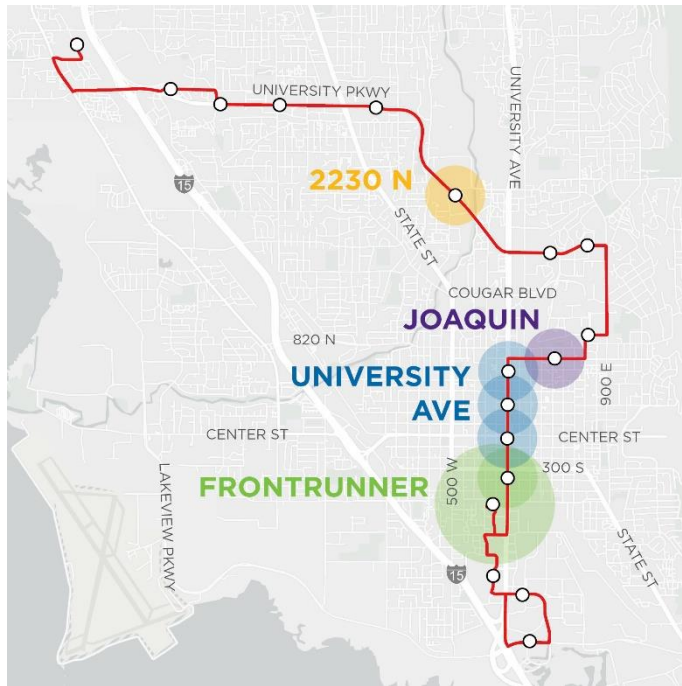
Staff supports the adoption of the proposed 2230 North Station Area Plan. These station areas present unique land development, economic, and transportation opportunities that, if fully realized, would better connect people, goods, and services not only within Provo but also with the surrounding region.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

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

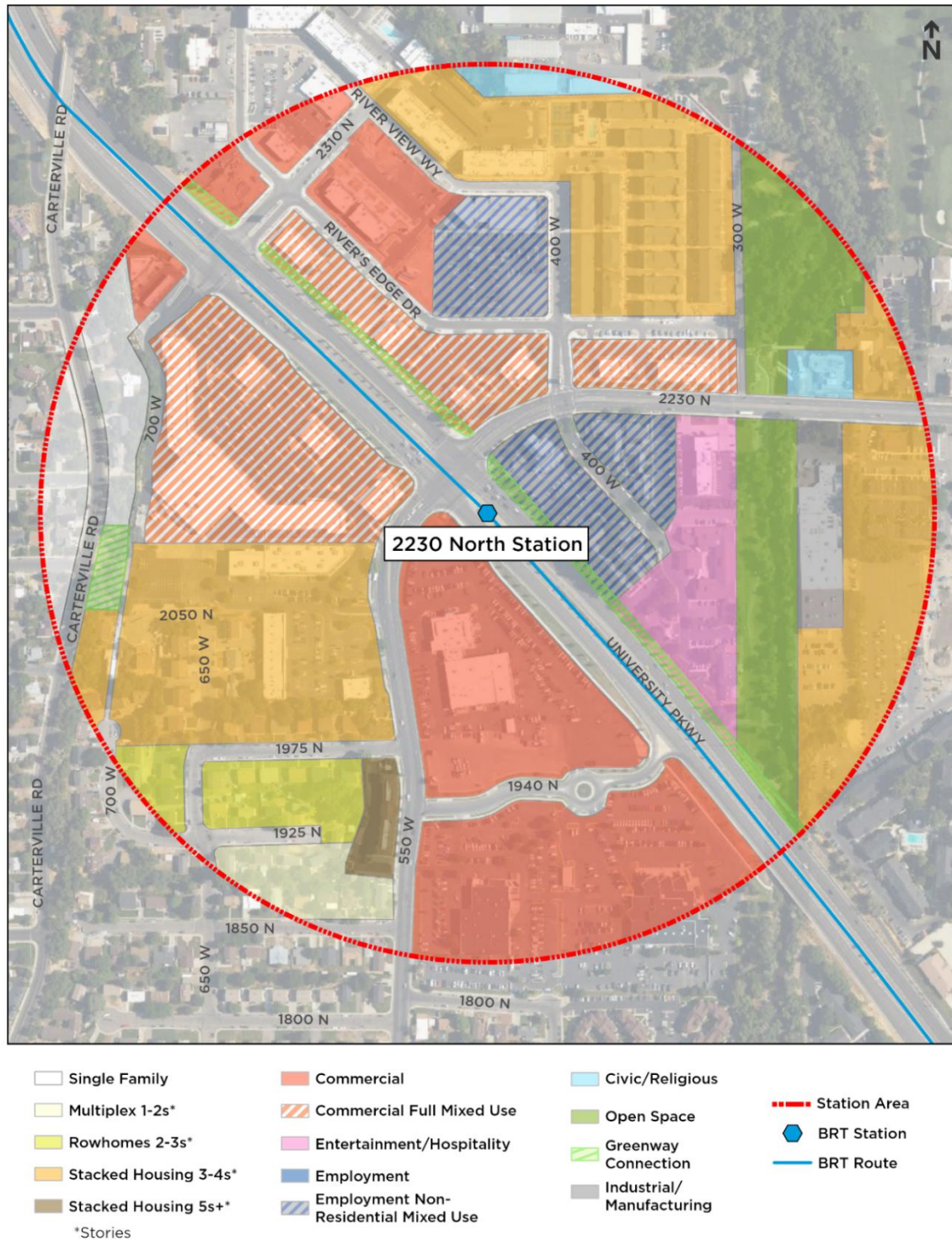
University Avenue Station Area Plan
Academy Square Station
300 North Station
Center Street Station

FrontRunner Station Area Plan

400 South Station
FrontRunner Station

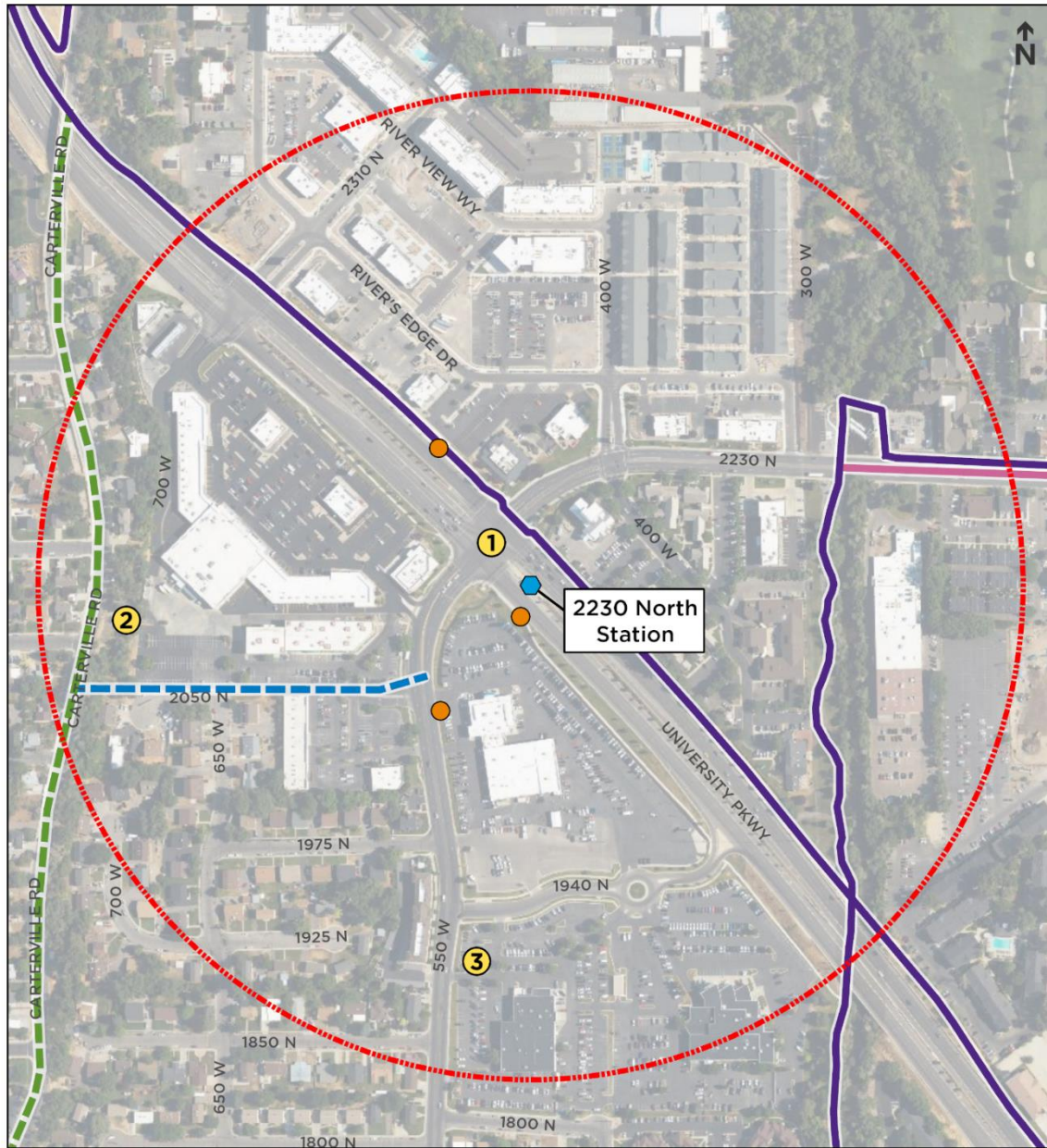
UVX route map with the Provo station areas marked

ATTACHMENT 2 – FUTURE LAND USE MAP



Future Land Use Map for the 2230 North station area

ATTACHMENT 3 – FUTURE ACTIVE TRANSPORTATION MAP



Existing Transportation

- Trail
- Sharrows

Future Transportation

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

Future active transportation recommendations for the 2230 North station area

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.

Conditions of Approval: 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.



Planning Commission Chair



Director of Development Services

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

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BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

PROVO MUNICIPAL COUNCIL COUNCIL MEETING STAFF REPORT



Submitter: JDAHNEKE
Presenter: Jessica Dahneke, City Planner
Department: Development Services
Requested Meeting Date: 10-07-2025
Requested Presentation Duration: 10 Minutes
CityView or Issue File Number: PLOTA20250427

SUBJECT: 9 An ordinance amending Provo City Code regarding the area where accessory dwelling units are permitted. (PLOTA20250427)

RECOMMENDATION: Approve the Ordinance Text Amendment for the property at 1841 N 1550 E

BACKGROUND: In November of 2024, Code Enforcement staff received a complaint regarding occupancy at the property at 1841 N 1550 E. The complaint stated that there was an apartment getting used at the property. Investigation confirmed that a basement apartment was being used. JoAnna and Allen Ludlow are applying for an ordinance text amendment to allow the property at 1841 N 1550 E to have an accessory apartment. While a known violation exists at the property, this application is being pushed forward since 17.03.100 of Provo City Code states that "The City shall not withhold permits or approvals when necessary to obtain a notice of compliance..."

September 10, 2025 Planning Commission met to discuss the item and recommended approval on a vote of 4:3

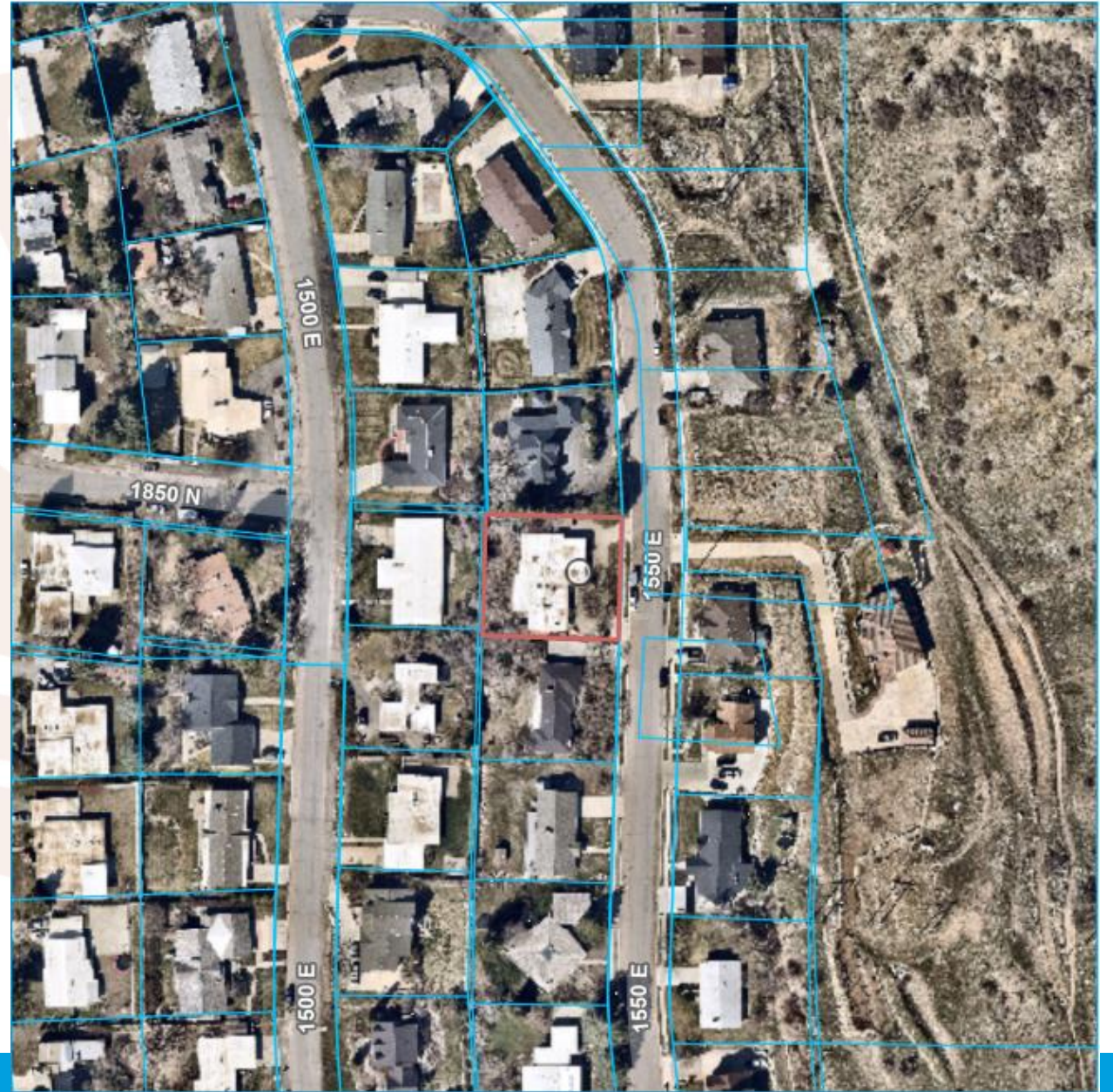
FISCAL IMPACT: N/A

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

4.1 Allow for different types of housing in neighborhoods and allow for a mix of home sizes at different price points including ADUs. Ordinance Text Amendment to Add the Property at 1841 N 1550 E to the Areas Permitting ADUs

1841 N 1550 E ADU

- The property is in the R1.10 zone which doesn't allow Accessory Dwelling Units.
- A complaint was raised against the property which led to a code enforcement investigation.
- The property owner is in the process of reducing the occupancy.
- 17.03.100 of Provo City Code allows for the planning application to move forward.



Special Use Permit vs. Standard Text Amendment

Special Use Permit

- A Special use permit is an ordinance text amendment that only applies to individuals wanting to establish an accessory dwelling and has to meet the requirements of 14.30.040 including:
 - Obtain signatures of support from 66% of the surrounding neighbors.
 - Having a pending rental dwelling license application.

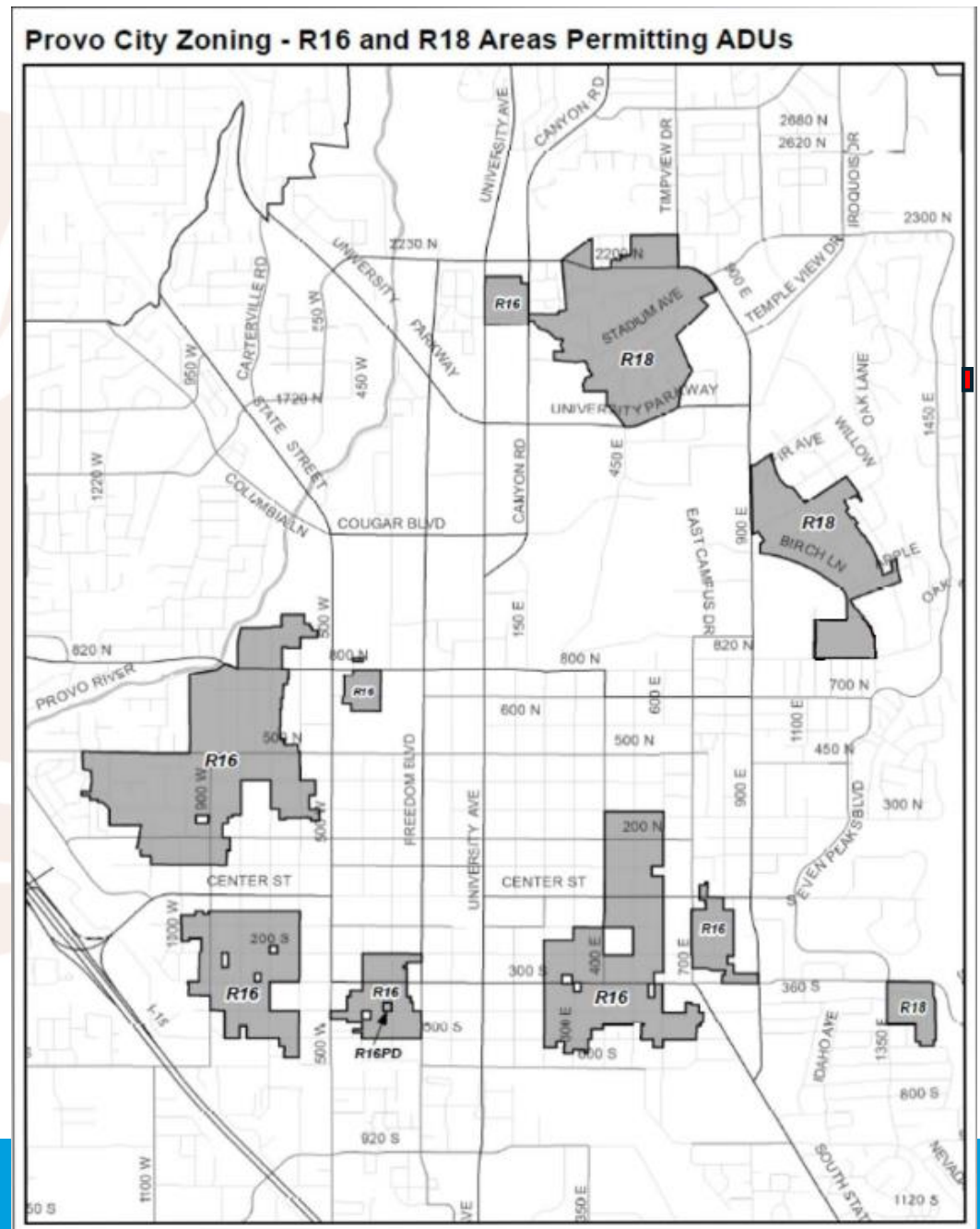
Standard Ordinance Text Amendment

- A standard ordinance text amendment can be applied for to adjust any section of code, and the applicant has to upload the submittals listed in 14.02.020 including:
 - The reason for the proposed title amendment
 - A draft of the proposed title amendment.

*There is no guarantee of approval of either application, uploading the required documents just starts the process. A final decision has to be made by a majority vote from City Council at a Public Hearing.

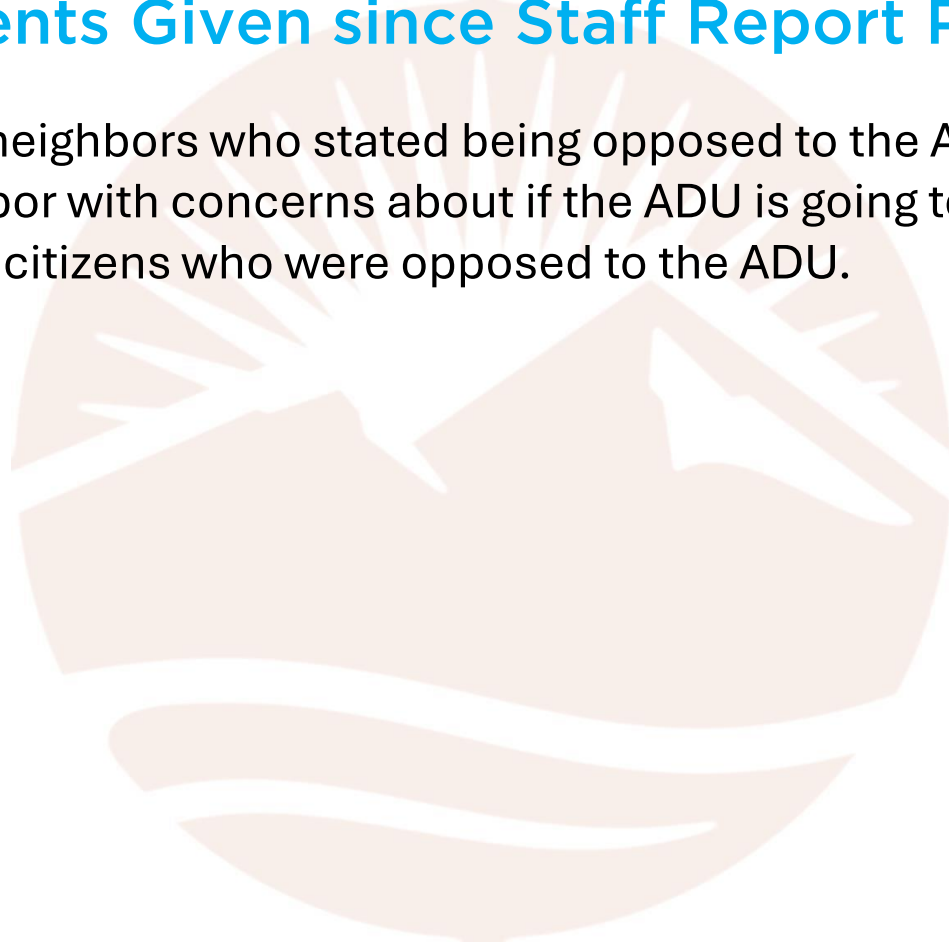
Ordinance Text Amendment

- The proposed ordinance text amendment is to include the property at 1841 N 1550 E onto the map of areas permitting ADUs.
- Approving the text amendment does not grant an ADU at the property, the property owner still needs to show that they meet the code requirements of 14.30.030 and obtain a rental dwelling license.
- Any future owner of this property would have the opportunity to apply for an ADU without doing a text amendment, but they would still need to obtain a rental dwelling license.



Neighborhood Comments Given since Staff Report Publication

- Received over 10 calls from neighbors who stated being opposed to the ADU at the property.
- Received a call from a neighbor with concerns about if the ADU is going to be a detached structure.
- Multiple in person visits with citizens who were opposed to the ADU.





Applicant Slides

Where We Want to Raise Our Family



PROVO
STRONG

ADU request for 1841 N 1550 E

A photograph of a house with a prominent stone wall on the right side. Several large, leafy trees are in the foreground and middle ground, casting shadows on the lawn and driveway. A concrete sidewalk runs across the lower part of the image. The sky is blue with some clouds.

Raising Our Family Here

A home that could grow with us

Remodel Of Our Forever Home



✓ Increase property values

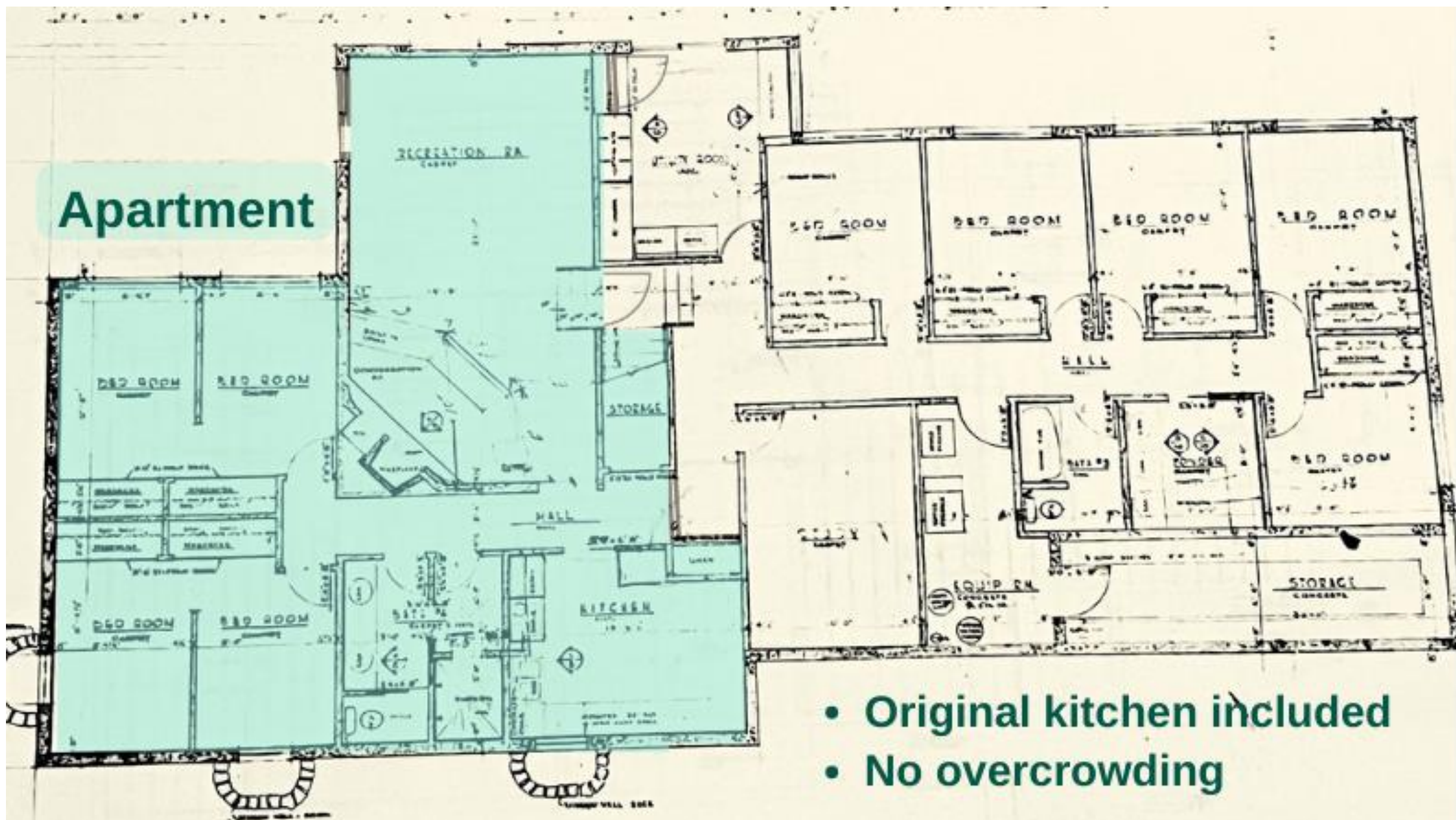


**Started Our Small
Business Here
Helped Thousands**



Full-Time Owner Occupied

Apartment



- Original kitchen included
- No overcrowding

Full-Time Owner Occupied





Maintains Single Family Look:
One Front Entrance
Apartment in back, separate entrance

Ample off-street parking – exceeds 4 spaces:
No extra cars parked on the road









- Owner-occupied (14.30.030(4))
- One ADU only (14.30.030(1), (2))
- Maintains single-family look (14.30.030(3), (8))
- Ample off-street parking – exceeds 4 spaces (14.30.030(5))
- Utility meters compliant (14.30.030(6))
- Fire doors, detectors, licensed contractors (14.30.030(9))
- Rental Dwelling License & deed restriction (14.30.030(10))

Dear Neighbor,

We're reaching out as your neighbors at 1841 N 1880 E to ask for your support as we work with the City to officially approve the basement apartment in our home.

We want you to know:

We keep our property clean and safe, continually improving it to help raise neighborhood home values.

We're committed to being respectful neighbors—no extra street parking, no trash buildup, and quiet living.

Anyone staying here will go through strict background checks to ensure they're responsible and a good fit.

This is only a temporary rental to help with today's high mortgage rates; long-term, we plan to use the apartment to care for our aging parents.

If you're comfortable showing support, please add your name to our Google spreadsheet (linked below). This simply tells the City you have no objection to us renting the basement under these conditions.

We appreciate your kindness and support as we do this the right way with full city approval.

— JoAnna and AJ Ladlow

Name:

Tina Y Robertson

Christy Miller

Michèle Pinter

Bill Pinter

Julie Hadd

Deborah Threlkeld

Lois Tenny

Emma Hodge

Stewart Padd

Leslie Nutall

Ruth Choquerillo

Maura Choquerillo

Frank Pease

Gaby Soto

Sara Kang

Benjamin Kang

The Longwell Family

Scott Smith Family

Hayley Jones

Geri Brinley

Mariusa Munoz

Charish Germaine

Andrea Germaine

Lori Wadsworth

Deag Binkley

Jared Ladlow

Rebekah Webb

Alicia Johnson

Larry Ogothorpe

Kristina Parkman

Catherine Thomas

Barry Thomas

Ellen Holsinger

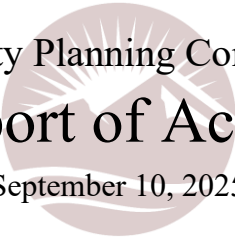
Donald Holsinger





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Provo City Planning Commission

Report of Action

September 10, 2025

*ITEM 2 Allen and Joanna Ludlow request an Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.gov PLOTA20250427

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 10, 2025:

RECOMMENDED APPROVAL

On a vote of 4:3, the Planning Commission recommended that the Municipal Council approve the above noted application

Motion By: Daniel Gonzales

Second By: Joel Temple

Votes in Favor of Motion: Matthew Wheelwright, Daniel Gonzales, Barbara DeSoto, Joel Temple

Votes against the Motion: Melissa Kendall, Lisa Jensen, 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 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 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:

- Sarah Ashby, Oak Hills resident, stated she bought a home in this area specifically because it does not allow for ADUs. She has concerns that with an apartment that large it will be rented to more than the allowed number of tenants and that the city will not be able to enforce the code. She also stated that information some members of the neighborhood had received from the applicant was contradictory to what the city was explaining.
- Sally Clayton, Oak Hills resident, said that the ADU exception is problematic as she chose to live in an area that didn't allow for ADUs. She also stated that the process for an ADU exception is confusing and broken.
- McKay Jones, Provo resident, said that he was in favor of the ADU at the property as it would make more housing available and that all neighborhoods need to make more housing available. He also stated that apartment was original to the house, it was not added by the current owners and that he believed the applicants to be responsible homeowners that would take good care of the property.
- Kim Santiago, Provo resident, stated that she feels single-family neighborhoods are going extinct and that she has seen other neighborhoods completely torn apart by ADUs and over occupancy. She explained that she doesn't feel that it is the right of every homeowner to change the code and it is not the duty of the neighborhood to help

someone afford their home or make money off their home. She bought in this neighborhood specifically because it doesn't allow for ADUs.

- Greg Taylor, Oak Hills resident, said that the applicant knew the zoning when they bought the home and he believes that the changes from allowing the ADU will negatively impact the whole neighborhood.
- Annie Auernig, Oak Hills resident, said that she picked this neighborhood because it was a better environment for her kids and the proposed ADU doesn't benefit the neighborhood. She is opposed to the ADU.
- Mario, Oak Hills resident, explained that he was in favor of an ADU at the property. He believes that the opposition is based in fear and that code should change according to the needs of the population.
- Joseph Valentine, Oak Hill resident, expressed that he was concerned that the applicant might use the ADU as an in-home physical therapy clinic instead of an ADU.
- Heather Jones, Oak Hill resident, stated that families have grown up in this neighborhood and that neighborhoods change. She would hate anyone to feel this neighborhood has become too nice for people to live there. She doesn't feel that the what ifs & the maybes outweigh the positives.
- Craig Goodwin, Oak Hills resident, explained that he is not concerned about approving one apartment, but the fact that this sets a precedent for future approvals at other homes.
- John Payne, Oak Hills resident, explained that he grew up in the neighborhood and that the home has been used as a single-family dwelling with no apartment for all of its existence. He is against the ADU because it opens the door for more ADUs in the neighborhood.
- Stephine Haws, Oak Hills resident, asked if the applicant researched the property before buying and if they were aware that this wasn't allowed. She also wondered how much the signatures weighed into the approval of an ADU in the area when some of the additional signatures weren't property owners. She also stated that there is aging infrastructure and has concerns about adding multiple ADUs in the neighborhood making things like water pressure less reliable. Lastly, she stated that there was a lot of confusion around having a second kitchen at the property. She stated that the information the applicant was giving about second kitchens was unclear.
- Allen Ludlow, co-owner of the subject property, explained that they paid a premium to be in the neighborhood and that ADUs don't lower property values. He stated that the process has been confusing and that the information regarding second kitchens hasn't been clear. He also stated that apartments have existed in the neighborhoods for decades and clarified that there was no intention of building an in-home physical therapy clinic.
- Mike S., Oak Hills resident, said that this is a family neighborhood and he isn't sure how all these rentals happen. His main concern is that approving this ADU will encourage the establishment of more ADUs in the neighborhood.
- Byron Bennion, Oak Hills resident, stated his concern about just the Ludlow's being under investigation and wants to know what is happening to other rentals in the area.
- Emily King, Oak Hills resident, explained that she is against the ADU, she specifically picked a neighborhood that didn't allow ADUs. She also stated that this process is unclear and confusing.
- Mike Stoud, Oak Hills resident, posed a question to the commission based on the public comment for the item, what was the original intent of the ordinance and single-family zoning and has or should that intent change?
- Michael Stevens, Oak Hills resident, stated that he does not like that the applicant bought a home in this neighborhood that doesn't allow ADUs and is trying to establish one anyway. He also stated that the process for approving an ADU is a bad process.
- Jim Woodard, Oak Hills resident, stated that he is concerned about adding to the number of rentals as there are already illegal rentals in the neighborhood and doesn't think adding another rental is appropriate. He asked if the city is currently struggling to enforce current zoning laws why add more complications.
- Martha Cox Valentine, Oak Hills resident, stated that she is opposed to the ADU, the applicant signed the mortgage knowing what they were getting into. She also stated that the process has created a fight in the neighborhood.

APPLICANT RESPONSE

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

- The applicant highlighted that their plan is for this home to be their forever home. They will rent to long-term tenants for the near future, but the apartment will mostly be rented to family members.
- She mentioned that there have always been apartments in the neighborhood.

- She explained that the impact on traffic will be minimal and showed that she would be providing the required amount of off-street parking.
- The applicant highlighted that she went through the process of establishing an accessory apartment at her previous home.
- The applicant stated that there was no intention to use the apartment as a short-term rental.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Jensen stated that the Commission has discussed the same problems that reoccur, one of which is people misrepresenting themselves when enforcement goes out. Commissioner Jensen also asked if there was a second kitchen agreement signed at the property. Staff clarified that this property was built well before the second kitchen agreement was created.
- Commissioner Kendal explained that if there is a second kitchen the occupancy can be family members or if the property owners are over 60 they can apply for an elderly persons extra living space
- Commissioner Jensen asked if there are so many illegal rentals why do we care so much when someone is trying to go through the process legally. She stated that this is something that they discuss every time an ordinance text amendment of an ADU is brought before them to review. She stated that a property that has an ADU recognize has more restrictions around it giving the neighborhood more of a safety net even though it's not perfect. She also stated that based on the public comments it seems like there was a lot of misunderstandings about the process and she doesn't like the process either, but this is what is currently on the books. She felt that this is the type of property that is a good fit for the ADU, so she does not know how to address it when it meets the intent of the ordinance but does not have neighborhood support.
- Commissioner Kendall reiterated the question asked previously "what is the intent of a single-family zoning" because it was a good question and hopes that City Council can give more clarity to that matter. She stated that she doesn't feel comfortable making a recommendation when the process creates as much confusion as it currently does when it's not fair to anyone. She also pointed out that they are making a decision for the property not for the people.
- Commissioner DeSoto highlighted that there are points of contradiction that the General Plan wants to preserve single-family housing and provide different housing options throughout the city. She also pointed out that everyone has the opportunity to apply for an ordinance text amendment or a rezone, but applying doesn't mean approval. She agreed with Commissioner Jensen that this property meets the intent of the ordinance but understands the concern since this change is a text amendment and will not only apply to the current property owners. She believes this process should be a conditional use process. Her other concern is that enforcement still creates a point of conflict because it does require neighbors to report on each other.
- Commissioner Kendall agreed with the idea of making this a conditional use. She highlights the concern that the public raised of allowing one ADU will encourage many other property owners to establish ADUs could be what happens and since they will now run with the property that will hypothetically create a bunch of permanent ADUs in this area.
- Commission DeSoto referenced the history to the changing of how ADUs are approved, and she would like to see this process more stabilized going forward.
- Commissioner Wheelwright stated that he was sad about the contention that this has caused and hopes that will be evaluated going forward. He then asked a few questions regarding ADUs first was regarding the size staff explained that the only size requirement for detached ADUs to stay smaller than the main dwelling. He's second question was about HOAs/CC&R being a method for controlling ADUs as well which is correct. His third question was regarding the process for future owners. Staff explained the rental dwelling license process. His fourth question was regarding infrastructure and if the impact of ADUs could be measured in this area. Staff explained that this is an older neighborhood so the infrastructure might not be as good at supplying water pressure; however, most of these homes are now occupied by less people than they historically have been so getting an accurate comparison on that would be tough. His final question was whether there was parking enforcement in this area. Staff explained that they are public streets so people can park there, but parking enforcement can issue tickets for code violations like inoperable or abandoned vehicles.
- Commissioner Temple asked staff about the impact a single-family dwelling with an ADU vs. without as far as utilities. Staff explained that it's considered to not have any greater impact than a standard single-family dwelling.

- Commissioner Gonzales expressed his concerns about this issue stating that Planning Commission has wrestled with ADUs and where they are permitted many times over his time on the commission. He stated that his focus is on the property and the code and not on the finances of the situation. He highlighted that some of the comments about parking and overcrowding in the neighborhood contradict what is shown seeing that the property in question is large and has a lot of space to provide parking.
- Commissioner Temple stated that an ADU is an attempt to formalize the natural path for many families who have a mother-in-law move in or another family member. He stated that one of the possible reasons that so many properties have second kitchens and illegal ADUs is because this is how the home was used before, but now it's unrelated individuals not just family members.
- Commissioner Hill stated that ADUs are a hard problem to tackle because you hear that it will make your home worth more but that it makes homes affordable, which is contradictory in nature. He also pointed out that the Commission spends hours on a single ADU when in many cases they can approve a 60-unit apartment complex that would provide homes for a lot more people than one ADU. He stated his personal experience is that an ADU doesn't impact a neighborhood that much but could see a threshold where a certain number could create a noticeable impact. He felt that the ADU discussion has distracted from focusing on other approaches to help increase affordable housing that have a far more measurable impact.
- Commissioner Kendall highlighted that she loves that the city has provisions where many uses are already allowed such as the Elderly Persons Extra Living Space or having elderly parents move in.
- Commissioner Hill stated it is important to acknowledge that different neighborhoods do have different values.
- Commissioner Jensen restated that she hates the process, but she still believes that this property meets the intent of the code.
- Commissioner DeSoto agreed and stated that she hopes council will review the process so that the Commission and Council don't have to spend this much time on every single ADU to be applied for as it is not sustainable.



Planning Commission Chair



Director of Development Services

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BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

Bailey Wood | September 10, 2025

ADU Oak Hills

To Whom it May Concern,

I'm writing this email to oppose the upcoming ADU approval for a home in my neighborhood of Oak Hills. Specifically address 1841 N 1550 E. I do not agree that ADU's should be allowed or exceptions should be made for anyone. We all purchased homes in this area for a reason and ADU's threaten to change that. We are concerned about more vehicles, traffic and our kid's safety. I do not believe the owners have gotten neighbor's support in the best way, but have avoided answering certain questions and used guilt tactics to sway opinions. Ultimately, I strongly oppose ADU approval for anyone in the neighborhood and urge you to require more specific resident input in the future approval process. Some of their support comes from residents who won't be directly affected by this decision. Thank you for your time.

Bailey Wood

Sarah Ashby | September 10, 2025

Opposition to ADU Amendment at 1841 N 1550 E

Letter to Planning Commission opposing Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood.

September 7, 2025

Dear Planning Commission,

I am writing in response to the application that Allen and Joanna Ludlow have made to request an Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood.

I am writing as a long-time resident of the Oak Hills Neighborhood to express my opposition to the proposed ordinance amendment that would allow an accessory dwelling unit (ADU) in our neighborhood. While I understand the city's interest in expanding housing options, I am concerned about the long-term consequences of this change on our community.

Our neighborhood was intentionally zoned for single-family residences to preserve its character, safety and livability. Allowing ADUs would undermine this balance in several ways:

1. **Parking and Traffic:** Increased residential density will directly contribute to road congestion and on-street parking shortages. Many of us have children who bike, walk and skateboard every day in our neighborhood. Increased traffic will make our roads less safe for our kids.
2. **Land Use and Zoning Intent:** Homeowners purchased here with the understanding that zoning would maintain a single-family environment. Introducing multi-unit arrangements changes the density and feel of the neighborhood, diminishing the qualities that drew residents here in the first place. This erodes the predictability and fairness that zoning is designed to provide.

3. **Property Values:** This is a two-part problem. 1) Having a legal ADU increases the value of the affected property, making it more difficult for a single family to ever be able to afford it. 2) Higher density development often leads to declining property values - especially in homes around the rental unit. This risks destabilizing what has been a long-standing stable community.
4. **Infrastructure:** Our utilities, water, sewer, and stormwater systems are scaled to current zoning limits.

I encourage the Planning Commission to carefully consider the unintended consequences of this ordinance amendment. Allowing a legal ADU will set a precedent for other home owners to request an exception. If this ordinance amendment passes, it will then be more difficult to deny future homeowners ordinance exceptions.

I encourage the Planning Commission to carefully consider the unintended consequences of this ordinance amendment. Allowing a legal ADU will set a precedent for other home owners to request an exception. If this ordinance amendment passes, it will then be more difficult to deny other home owners ordinance exceptions. This has happened in other Provo neighborhoods. In addition, even with the current ordinance in place, we have seen that enforcement is a challenge. Approving an exception to the ordinance will only make this problem worse.

While I understand there are housing needs in our city, there are more appropriate areas for ADU development with better infrastructure, transit access, and planning capacity. Thank you for your time and consideration.

Respectfully,

Sarah Ashby
1685 N 1500 E
Provo, UT 84604

Additional Concerned Residents Who Support this Letter and Oppose this Amendment:

Gary and Mildred Watts	1763 N 1500 E
Mike and Ruth Stouder	1785 N 1500 E
Judy and Heidi Shimmin	2002 N 1450 E
Michael Stevens	1685 N 1500 E
Michele and Jim Woodard	1922 N 1550 E
Gregg and Terri Taylor	1932 N 1450 E
Linda Sullivan and Gary Stott	1744 N 1500 E
Pat and Mike Esplin	1915 N 1450 E
Richard and Penny Lohner	1720 N 1450 E
Sam and Kristina Parkinson	1888 N 1450 E
Bailey and Brock Wood	1680 N 1450 E
Seth and Stephanie Hawes	1717 N 1450 E
Sally and Samuel Clayton	1811 N 1450 E
Emily and Eddie King	1880 N 1450 E
Aaron and Pam Speirs	2292 N 1430 E
Sharon Gibson	1911 N 1500 E
Randy and Cathy Wade	1910 N 1450 E
Frank and Ella Santiago	1919 N 1550 E
Greg Goodwin	1460 E 2050 N
Martha and Joe Ballantyne	1815 N 1450 E

Owen Jacobson	2009 N 1450 E
Kristin and Craig Nuttall	2050 N 1500 E
Tamara and Kim Thompson	1985 N 1500 E
Martha and Joe Ballantyne	2277 N 1450 E
Helen and Lloyd Patterson	1480 E 2050 N
Frank and Marianne Hayne	1812 N 1450 E
Carolina Nunez and Kendall Hulet	2109 N 1450 E
Racquel and Josh Esplin	1764 N 1450 E
Dan and Kelli Tuttle	2175 N 1450 E

Rian Krommenhoek | September 10, 2025

Item 2 for Public Hearing Sept 10th Allen and Joanna Ludlow, Oak Hills Neighborhood

Provo Municipal Council,

We are writing in as neighborhood members concerning the amendment request by Allen and Joanna Ludlow. We oppose the granting of their request on the grounds that zoning laws should be respected and followed. We bought our home in this neighborhood specifically to avoid the overcrowding of multiple family occupancy houses. If they are allowed to rent out a portion of their home then all homes should be afforded the same and that is not the neighborhood that we have all 1) made the decision to purchase a home in 2) spent years and decades building. Everyone one should be able to buy their homes in good faith that the city will uphold the zoning laws that they committed to when purchasing their homes. The city cannot play favorites or encourage bullying of neighbors by those seeking to break the rules that were in place long before their arrival. Joanna acted in bad faith by stopping neighbors as they were pulling out of their driveway, insisting they sign a paper "to allow us to keep our downstairs kitchen," and has since upset many as they discovered her intentionally deceitful communication. Similarly, and preceding their move into this neighborhood, they made the decision to purchase knowing the rules. We encourage the City Council to deny the request of the Ludlows and are prepared to legally take action against the city if governance proves incapable of upholding zoning laws. The zoning laws are clearly stated by the city and should stand for something. We believe that if the Ludlows request is granted the city will be encouraging others to break zoning laws and showing that by deceit and online harassment neighbors can defy ordinances and city governance. We ask that you do not encourage this behavior.

Sincerely,

Sid and Rian Krommenhoek
1721 N 1500 E
Oak Hills Neighborhood
Provo, Utah 84604

Kristina Parkinson | September 9, 2025

Amendment to city code 14.30.020

Hi Jessica, my name is Kristina Parkinson and I live at 1888 N. 1550 E., Provo. My neighbors the Ludlow's are trying to get

the city to permit ADU's at their residence. About a month ago Joanna Ludlow asked if she could add my name to a list of people in support of the amendment, and I said yes. I have since done more research and actually don't want to support that. I feel bad because I like the Ludlow's and don't want to cause them any problems, but I wanted to let you know that I'm against my neighbors having ADU's. I will not be able to attend the meeting on Wednesday, because of a prior commitment.

Thanks for all you do!

Kristina Parkinson

Kara Stowers | September 9, 2025

ADU public hearing for 1841 N 1550 E

Hello,

I cannot be at the public hearing but was told that someone could read the paragraphs below on my behalf:

Our neighborhood has been established for decades as a single-family community, with many families having lived here for over 50 years. Many of them even have bought the houses that they grew up in and are raising their own children there. The stability of this zoning has preserved the character of the area and provided a safe environment for *generations*. Granting this exception would undermine that stability and set a precedent that could encourage many similar requests, fundamentally altering the well-established nature of the neighborhood.

While ADUs can serve young families well which would be in alignment with Provo's goals as stated by the committee, the more likely outcome in our area—given its proximity to the university—is *occupancy by multiple college students*. This has already been happening illegally in multiple houses in the neighborhood. Therefore, this ADU change would cement this zoning to the neighborhood for multiple houses, bring increased traffic, parking congestion, and *frequent turnover of residents*. Additional cars on our already narrow streets *pose a real safety concern for neighborhood children*.

Most importantly, community input should mean more than collecting signatures. Long-time residents who have invested in this neighborhood for decades deserve to have their voices heard and their concerns weighed which have not been done with proper attention in this proposal.

Thank you. Kara Stowers 1700 N. 1450 E. Provo Utah 84604

Kara Stowers | September 9, 2025

ADU Concerns regarding 1841 N 1550 E

Letter to Planning Commission opposing Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood.

Sept. 9, 2025

Dear Provo City Planner (via Ms. Jessica Dahneke),

I am writing as a resident of Oak Hills, where my family has lived for the past eight years. I am concerned about the requested Ordinance Text amendment change requested by Allen and Joanna Ludlow at 1841 N 1550 E in which they are asking for a zoning change to allow an ADU at that address.

Our neighborhood has been established for decades as a single-family community, with many families having lived here for over 50 years. Many of them even have bought the houses that they grew up in and are raising their own children there. The stability of this zoning has preserved the character of the area and provided a safe environment for *generations*. Granting this exception would undermine that stability and set a precedent that could encourage many similar requests, fundamentally altering the well-established nature of the neighborhood.

While ADUs can serve young families well which would be in alignment with Provo's goals as stated by the committee, the more likely outcome in our area—given its proximity to the university—is *occupancy by multiple college students*. This has already been happening illegally in multiple houses in the neighborhood. Therefore, this ADU change would cement this zoning to the neighborhood for multiple houses, bring increased traffic, parking congestion, and *frequent turnover of residents*. Additional cars on our already narrow streets *pose a real safety concern for neighborhood children*.

Above this, it is important that zoning decisions be consistent and fair. Many of us have accepted restrictions on how we use our homes in order to comply with single-family zoning. We also understand the legacy of the neighborhood and the character that has been cultivated here. *Granting an exception to one household while others are expected to follow the rules would be inequitable and would make enforcement even more challenging*. Especially when the rules are already difficult to enforce.

Most importantly, community input should mean more than collecting signatures. Long-time residents who have invested in this neighborhood for decades deserve to have their voices heard and their concerns weighed which have not been done with proper attention in this proposal.

For these reasons, I respectfully ask you to deny the proposed zoning change. Thank you for your service and for protecting the integrity and safety of our neighborhoods.

Sincerely, Kara Stowers 1700
N 1450 E

Sally Clayton | September 8, 2025
Opposition to ADU code exception request in Oak Hill

Hi Planning Commission,

I would like to submit my opposition to the Ordinance Text Amendment to add an ADU to 1841N 1550E, Oak Hills neighborhood. Our neighborhood is not zoned for any additional rental income units and should be preserved as a single family home neighborhood.

Provo will be a better city if we set and stick to thoughtful zoning practices. When too many exceptions for ADU's are given in neighborhoods meant for single family homes, then we begin to lose the strong permanent residence population that Provo needs.

I moved to Oak Hills so I could raise my kids in a neighborhood where we can ride bikes and walk to neighbor houses. With ADU units in this neighborhood specifically this quickly becomes impossible.

We do not have any infrastructure for the parking needed to accommodate ADU's, and in many sections we don't have sidewalks. Permitting ADU's on an exception basis actual devalues the rest of the homes as part of a strong single family residence neighborhood.

Housing is so critical in Provo right now and we need to be able to support our student population with rental housing that makes sense for them. Our neighborhood is not practical or convenient for this. Instead of working to grant ad-hoc exceptions within specific neighborhoods, the Planning Commission and City Council should be spending more time working with BYU to plan pragmatic housing options that will solve the housing crisis facing students, young adults, and many other populations within Provo today.

Sally Clayton
1811N 1500E

Sarah Ashby | September 8, 2025
opposition to ADU at 1841 N 1500 E

I would like to submit this letter in opposition to the petition for a legal ADU to be established at 1841 N 1550 E. Thank you for your attention. Sarah Ashby

Letter to Planning Commission opposing Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood.

September 7, 2025

Dear Planning Commission,

I am writing in response to the application that Allen and Joanna Ludlow have made to request an Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood.

I am writing as a long-time resident of the Oak Hills Neighborhood to let you know of the way in which the request for this amendment has affected me, and our neighborhood in general.

Joanna Ludlow used an LDS ward text list with over 100 members of the neighborhood to ask everyone to support her application. Over the course of several weeks, she then spread incorrect information to us, claiming that the city would be coming in "with a vengeance" (her words) to rip out all the second kitchens in the neighborhood. She also stated to these 100+ residents that the ADU exception would be granted to only

their family – that it would not stay with the house. She claimed that if they moved, the new owners of the house would have to start the process over and apply for an exception themselves. My understanding from the City is that once the legal ADU is established, it remains with the house.

I am concerned that the residents of our neighborhood were misled. Although people on the thread tried to correct the misinformation on several occasions, Joanna continued to claim that what she said was correct.

I let Joanna and other neighbors know I would be writing a letter opposing the amendment because of my objection to ADUs in the neighborhood. Joanna then began messaging me personally saying that I would be responsible for the student renters in her basement becoming homeless, and that I would be responsible for damage to neighbors' homes because of all the kitchens getting ripped out. She claimed I was personally attacking their family. These texts felt threatening and retaliatory.

I know at least two of the required signatures (of the 66% of adjacent neighbors) were obtained from neighbors who felt very pressured to sign. They felt that if they didn't sign, there would be personal backlash against them.

I bring this to your attention for a few reasons. First, I don't think the current process is a good fit for a community where there is so much interaction because of LDS wards. People don't feel like they can speak their minds because it may affect them on many levels – not just as a neighbor. For example, I have one neighbor in a church leadership position who doesn't feel like he can give his opinion because of his church position.

Second, I am worried that despite efforts to give neighbors correct information, it has not been possible to contact all of them. It's possible the number of neighbors who would have opposed the amendment is an underrepresentation. I don't think support for an amendment that was obtained by misinforming individuals en masse should be considered, let alone approved.

Thank you for your time and consideration.

Respectfully,

Sarah Ashby
1685 N 1500 E
Provo, UT 84604

- *ITEM 2** Allen and Joanna Ludlow request an Ordinance Text Amendment to Provo City Code 14.30.020 to add a property in the R1.10 (One Family Residential) Zone to areas permitting ADUs, located at 1841 N 1550 E. Oak Hills Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.gov PLOTA20250427

Applicant: JoAnna Ludlow LUDLOW, ALLEN J & JOANNALUDLOW, ALLEN J & JOANNA

Staff Coordinator: Jessica Dahneke

Property Owner: LUDLOW, ALLEN J & JOANNA

Parcel ID#: 48:019:0005

Acreage: 0.31

Number of Properties: 1

Number of Lots: 1

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is September 24, 2025, at 6:00 P.M.*
2. **Deny** 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.*

Current Legal Use: Single-Family Dwelling in the R1.10 Zone

Relevant History: In November of 2024, Code Enforcement staff received a complaint regarding occupancy at the property at 1841 N 1550 E. The complaint stated that there was an apartment being used at the property. Investigation confirmed use of a basement apartment. JoAnna and Allen Ludlow are applying for an ordinance text amendment to permit the property at 1841 N 1550 E to have an accessory apartment. While a known violation exists at the property, this application is being pushed forward since 17.03.100 of Provo City Code states that "The City shall not withhold permits or approvals when necessary to obtain a notice of compliance..."

Neighborhood Issues: A complaint was raised regarding the potential accessory apartment.

Summary of Key Issues:

- The property cannot establish an accessory dwelling unit without the ordinance text amendment.
- The applicant obtained the required signatures from the surrounding neighbors stating they had no objections to an accessory dwelling unit at the property.
- 17.03.100 of Provo City Code allows the planning application to be moved forward as approval would bring the property into compliance.

Staff Recommendation: **Recommend Approval** of the requested Ordinance Text Amendment. *This action would be consistent with the recommendations of the Staff Report.*

OVERVIEW

JoAnna and Allen Ludlow are seeking to establish an accessory dwelling unit at 1841 North 1550 East. The R1.10 zone does not allow accessory dwelling units, as such an ordinance text amendment to 14.30.020 of Provo City Code to include 1841 North 1550 East in the area where accessory dwelling units are allowed is necessary.

In November 2024, a complaint was filed regarding the property at 1841 North 1550 East. Following an investigation, Code Enforcement Staff discovered that an accessory dwelling unit was being occupied on the property. The property owners were subsequently notified of this violation and advised of their options moving forward. The ordinance text amendment process stated in 14.30.040 gives the property owner the opportunity to legally establish an accessory dwelling unit at the property. Section 17.03.100 of Provo City Code allows the planning application to continue through the approval process if the approval of the ordinance text amendment would bring the property into compliance. The property owners are aware that if the ordinance text amendment is not approved, they cannot rent the accessory living space at the property.

STAFF ANALYSIS

In evaluating documents uploaded with the application, the applicant has shown that they obtained the signatures of at least 66% of the surrounding neighbors and they meet the owner occupancy and parking requirements to establish an accessory dwelling unit. The code analysis below shows that establishing an accessory dwelling unit aligns with the goals and policies of the General Plan.

CODE ANALYSIS

14.02.020, Provo City Code below: (staff responses in bold)

(a) Public purpose for the amendment in question

Staff Response: The purpose of the amendment is to include the property at 1841 North 1550 East as part of area permitting ADUs.

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

Staff Response: The text amendment creates an additional dwelling unit in the area providing an additional housing option in the neighborhood.

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

Staff Response: This amendment aligns with the following General Plan Goal:

4.1 Allow for different types of housing in neighborhoods and allow for a mix of home sizes at different price points including ADUs.

(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 conflicts with the General Plan’s “timing and sequencing”.

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

Staff Response: Staff do not see any conflicts from the proposed amendment with the General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff Response: The code requires that the property be owner occupied and provide off-street parking for the ADU there should not be any adverse impact on the surrounding landowners.

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

Staff response: The General Plan shows this area as “Residential”. The proposed ordinance text amendment maintains this area as residential.

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

Staff Response: There is no conflict between the General Plan Map and the General Plan Policies.

FINDINGS OF FACT

1. The application submitted a complete application for an ordinance text amendment as required in 14.30.040.
2. The property currently has additional living space that is getting used as an accessory dwelling unit.
3. 17.03.100 allows the application to proceed through the approval process

APPLICABLE ZONING CODES

17.03.100 Prohibition Against Issuance of Municipal Permits and Administrative Approvals.

The City shall withhold business licenses; permits for kennels; any permits or approvals for any alteration, repair, or construction pertaining to any existing or new structures or signs on the property; and any permits or approvals pertaining to the use and development of the real property or the structure where a violation is located. Where a notice of violation has been issued, the City shall not process any requests or applications, proceed with any review or approval process, or grant an approval of any type in relation to the property, business, use, or structure with which the violation is associated. The City shall withhold such permits and approvals until a notice of compliance has been issued by the Director. The City shall not withhold permits or approvals when necessary to obtain a notice of compliance or to correct serious health and safety violations.

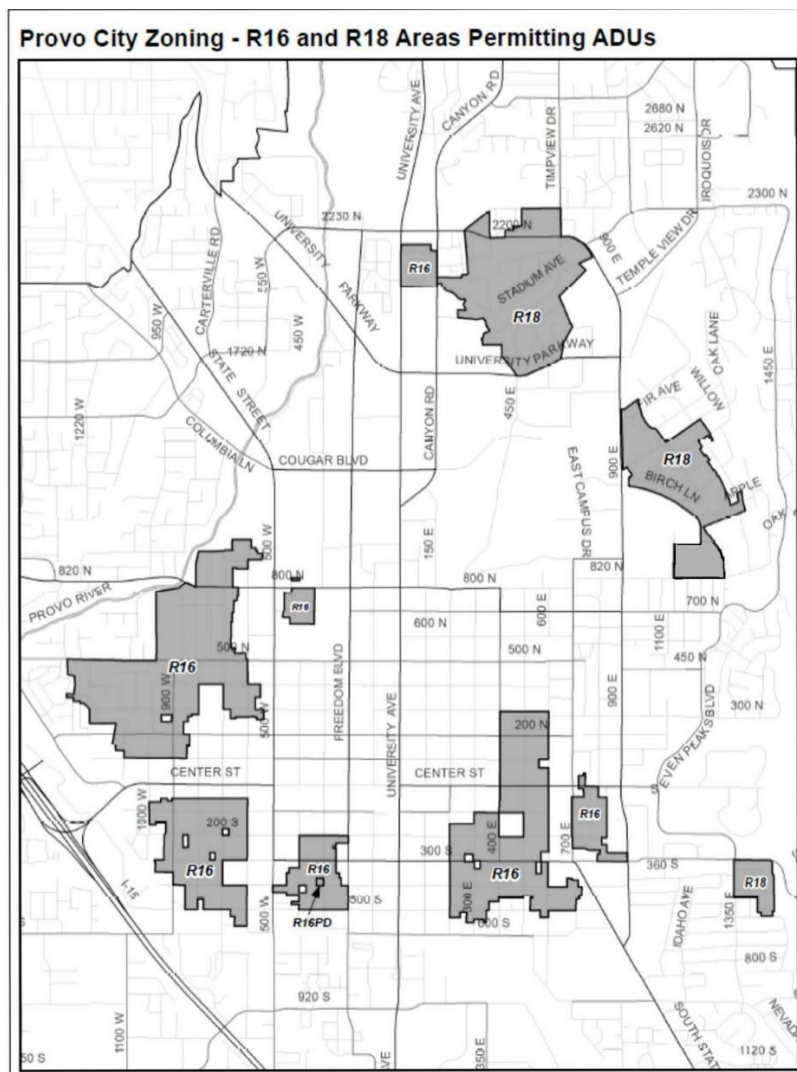
(Enacted 1999-40, Am 2023-12)

14.30.020 Permitted Use of Accessory Dwelling Units.

(1) Notwithstanding the regulation of permitted uses in other chapters of this Title, the regulation of the permitted use of accessory dwelling units is governed by this Section.

(2) Notwithstanding Section 14.30.010, Provo City Code, Utah Code Annotated Section 10-9a-530 allows the prohibition of accessory dwelling units in some areas zoned primarily for residential use. Accordingly, accessory dwelling units are prohibited in the following areas zoned primarily for residential use:

- (a) All Project Redevelopment Option (PRO) zones;
- (b) R2 zones with a Performance Development Overlay (R2PD);
- (c) Areas designated RM, R16, R17, R18, R19, or R110, including such areas with the Performance Development Overlay, except as shown in the map below:



(3) Notwithstanding Subsection (2) of this Section, the use of an accessory dwelling unit in areas zoned primarily for residential use is a permitted use in all areas west of Interstate Highway 15, except the Specific Development Plan Overlay zone 5 (SDP-5) and R2 zones with a Performance Development Overlay (R2PD).

(Am 2021-46, Am 2022-46, Am 2024-03, Am 2024-20, Am 2024-21)

14.30.040 Special Use Permit for Accessory Dwelling Unit.

A property owner, or the owners of multiple contiguous properties, seeking to allow an accessory dwelling unit on a parcel, or parcels, in an area where such units are otherwise prohibited by Chapter 14.30 (Accessory Dwelling Units), Provo City Code, may submit a text amendment application to the Development Services Department seeking to amend this Chapter in order to designate accessory dwelling units as a permitted use for all the applying properties. The application must comply with Section 14.02.020, Provo City Code, except that:

(1) The specific filing fee for this type of application, as listed on the Consolidated Fee Schedule, is required instead of the standard amendment fee; and

(2) The application does not need to comply with Section 14.02.020(1), Provo City Code, but instead must include the following:

(a) A list of addresses including the applying property, or properties, and all immediately adjacent residential properties. For purposes of this Section, “immediately adjacent residential property” means any property:

(i) For which residential use is a permitted use; and

(ii) That shares a common boundary with, is directly across from, is diagonally adjacent to, or is within the same cul-de-sac as an applying property, including any property separated from an applying property only by a local street, canal, right-of-way, or similar feature.

(b) The names, addresses, and signatures of the owners of at least sixty-six percent (66%) of the properties described in Subsection (2)(a)(ii) of this Section, indicating that they are in support of the amendment; and

(c) A completed rental dwelling license application that meets the requirements of Chapter 6.26 (Rental Dwellings), Provo City Code, for each applying property.

(3) Submission of the signatures required by Subsection (2)(b) of this Section does not guarantee approval of the application. They serve to demonstrate a degree of neighborhood support to the Council and are required in place of the standard text amendment fee in order to have the application considered. If an applicant wishes to apply without the required signatures, the application must meet all requirements of Section 14.02.020(1), Provo City Code, including payment of the standard amendment application fee and submission of a written petition to the Planning Commission meeting all the requirements in that Section. Final approval or denial of both types of application is at the sole discretion of the Provo City Municipal Council.

(Enacted 2022-46, Am 2024-03, Am 2024-61)

CONCLUSIONS

The General Plan encourages the establishment of accessory dwelling units as a tool to provide an additional housing option in the city. Since the applicant has provided all the documents required by code showing that if the ordinance text amendment is approved an accessory dwelling unit at the property would be legally occupied Staff recommend that the Planning Commission recommend approval to the Municipal Council.

ATTACHMENTS

1. Aerial Image of the Property
2. Signatures of the Surrounding Property Owners

ATTACHMENT 1 – AERIAL IMAGE OF THE PROEPRTY



ATTACHMENT 2 – SIGNATURES OF THE SURROUNDING PROPERTY OWNERS



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 155E, owned by JuAnna Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

Requirements for which a property/owner must meet to establish and operate an ADU can be found at the following link: <https://provo.municipal.codes/Code/14.30>

If you have any questions or concerns regarding this request, you may call the Provo City Zoning Division at 801-852-6427 or visit us at 445 W Center, Suite 200. (Mon-Thurs 7 AM – 6 PM).

To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am **NOT** in support of this Special Use Permit request.

I am the owner of the property located at 1810 N 1550E.

Printed: Christy Miller Signed: [Signature] Date: 8/12/25



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 1550E, owned by JoAnna Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

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To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am **NOT** in support of this Special Use Permit request.

I am the owner of the property located at 1876 N 1550E.

Printed: Christy Mink

Signed: [Signature]

Date: 8/12/25



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 155E, owned by JoAnna Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

Requirements for which a property/owner must meet to establish and operate an ADU can be found at the following link: <https://provo.municipal.codes/Code/14.30>

If you have any questions or concerns regarding this request, you may call the Provo City Zoning Division at 801-852-6427 or visit us at 445 W Center, Suite 200. (Mon-Thurs 7 AM – 6 PM).

To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am NOT in support of this Special Use Permit request.

I am the owner of the property located at 1815 N 1550E.

Printed: DARHI M. PEDERSEN Signed: Darhi M. Pedersen Date: 8/11/25



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 1550 E, owned by Sharon Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

Requirements for which a property/owner must meet to establish and operate an ADU can be found at the following link: <https://provo.municipal.codes/Code/14.30>

If you have any questions or concerns regarding this request, you may call the Provo City Zoning Division at 801-852-6427 or visit us at 445 W Center, Suite 200. (Mon-Thurs 7 AM – 6 PM).

To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am **NOT** in support of this Special Use Permit request.

I am the owner of the property located at 1838 N 1500 E.

Printed: CATHERINE THOMAS Signed: C. Thomas Date: 8-13-25



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 1550 E, owned by JaAnna Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

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If you have any questions or concerns regarding this request, you may call the Provo City Zoning Division at 801-852-6427 or visit us at 445 W Center, Suite 200. (Mon-Thurs 7 AM - 6 PM).

To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am NOT in support of this Special Use Permit request.

I am the owner of the property located at 1814 N 1500 E.

Printed: John Robin Signed: [Signature] Date: 8/13/25



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Accessory Dwelling Unit Special Use Permit

Dear Neighbor,

The purpose of this letter is to seek your input regarding a request for a Special Use Permit. If granted, this permit would allow an Accessory Dwelling Unit (ADU) on the property located at 1841 N 1550 E, owned by JoAnne Ludlow. This request is being made pursuant to Provo City Code Section 14.30.040.

In applying for a Special Use Permit, the applicant must provide the name, address, and signature of the owners of at least 66% of the properties considered to be an immediately adjacent residential property indicating their support of the Accessory Dwelling Unit. Your property is an immediately adjacent residential property to that of the applicant, and thus your input is requested.

Requirements for which a property/owner must meet to establish and operate an ADU can be found at the following link: <https://provo.municipal.codes/Code/14.30>

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To indicate your support of this request, please mark the appropriate box below, fill in your address, print, sign, and date this form. When completed, please return this form to the applicant.

☒ I am in support of this Special Use Permit request.

☐ I am NOT in support of this Special Use Permit request.

I am the owner of the property located at 1845 N 1550 E.

Printed: Joann Wright Signed: Joann Wright Date: 8-12-25

ORDINANCE <<Document Number>>

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING THE
AREA WHERE ACCESSORY DWELLING UNITS ARE PERMITTED.
(PL0TA20250427)

RECITALS:

It is proposed that the Provo City Code be amended to include an additional property in the areas where accessory dwelling units are permitted;

Provo City Code 14.02.020 states that the planning and zoning title may be amended by the Municipal Council after the proposed amendment has obtained a recommendation from the Planning Commission;

On September 10, 2025, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 4:3;

On October 7, 2025, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering 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:

Provo City Code Section 14.30.020(2)(c) is amended by adding to the map contained in that subsection the property 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.

- 41 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
42 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
43 the ordinance is not affected by that determination.
44
- 45 C. This ordinance takes effect immediately after it has been posted or published in accordance
46 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
47 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
48
- 49 D. The Municipal Council directs that the official copy of Provo City Code be updated to
50 reflect the provisions enacted by this ordinance.

Exhibit A

Proposed Addition to R1 Areas Permitting ADUs

