

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



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

2:30 PM | September 8, 2026

Provo Peaks Conference Room (110)

445 W. Center Street, Provo, UT 84601

Roll Call

Council Chair Katrice MacKay, conducting
Council Vice-Chair Craig Christensen
Councilor Gary Garrett
Councilor Jeff Whitlock
Councilor Becky Bogdin
Councilor Travis Hoban
Councilor Rachel Whipple
Mayor Marsha Judkins

Approval of Minutes

- August 25, 2026 Work Meeting
- Approved by unanimous consent

Business

1. A presentation regarding the Consolidated Annual Performance and Evaluation Report (CAPER) public hearing (26-025) [00:01:03](#)

Community Grants Coordinator Melissa McNalley presented the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2025–26 HUD program year, noting that the item required no Council action and was presented in preparation for a public hearing in two weeks. The report covered accomplishments under the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs.

McNalley highlighted that 456 individuals were served through residual HOME ARP funding via tenant-based rental assistance, and that 24,732 individuals were served as an area benefit through infrastructure improvements in qualifying census tracts, specifically Safe Routes to Schools projects administered through Public Works. The report also noted 46 down payment assistance loans issued through the HOME program, a significant increase over prior years attributed to program adjustments made after the previous year. McNalley noted that the program serves both Provo residents and Utah County residents, with enhanced assistance offered to Provo residents specifically. She indicated she would provide a breakdown of Provo-specific loan counts prior to the public hearing.

Rehabilitation activity was also summarized, including rental housing rehabilitation and homeowner assistance programs such as egress windows and emergency repair. McNalley

clarified that HOME-funded rental rehabilitation is directed toward subsidized housing, primarily through housing authorities, and that all HOME-assisted properties are subject to affordability periods and periodic inspections, with liens placed to protect the city's interest. Demographic data on beneficiaries served directly in Provo was also reviewed, along with public service assistance recipients through programs such as Community Action and Project Read.

McNalley noted that a QR code and survey are available for public feedback to inform upcoming funding decisions for the 2027–28 program year, with applications opening in early October.

Councilor Whitlock requested context on the 37 HOME-funded homes in Salem that were not completed. McNalley explained that the developer was unable to meet the four-year completion deadline despite receiving a one-year extension, resulting in repayment of HOME funds to HUD for reallocation in the next program year. The underlying project is expected to continue serving lower-income families through USDA funding. Councilor Whitlock also asked about the shift toward down payment assistance relative to new construction. McNalley explained that the consortium board elected to pause funding to the developer currently engaged in affordable construction in Payson pending assessment of timely completion of an existing \$3,000,000 investment, and redirected available funds to down payment assistance in the interim.

A question was raised regarding the report's reference to an increasing trend in larger family sizes. McNalley attributed this likely to multigenerational living arrangements and noted the data originated from an outside study conducted as part of the Consolidated Plan process.

2. A resolution supporting the submittal of the 2026 Outdoor Recreation Legacy Partnership Grant application to secure grant funding to aid in providing park improvements for the Epic Regional Sports Park (26-065)

[00:14:37](#)

Parks & Recreation Director Brad Raney presented an overview of Epic Regional Sports Park operations and introduced a federal grant opportunity. Erin Scott, Director of Destination Sales from Explore Utah Valley provided an economic impact summary, noting that large tournaments hosted at the park since opening have generated an estimated \$17,000,000 in total direct economic impact, calculated using the Destinations International industry-standard methodology. Scott noted that tournament participants spread hotel stays across Provo and Utah County, with significant spillover benefit to downtown Provo restaurants and retail. She acknowledged that the park's ability to attract nationally recognized events such as USYS National Championships—at a pace faster than anticipated—indicated strong momentum, and confirmed that existing tournament organizers have expressed interest in bringing larger events contingent on additional field capacity.

Director Raney noted that park operating costs have been covered by revenue since the first year of operations, which he described as uncommon in the industry. He estimated approximately 3,500 to 4,000 Provo youth utilize the facility through local clubs and parks and recreation leagues. He noted a drop-in field program launched in the past two months, with one rotating field available for public use.

Regarding the grant itself, Raney explained that the 2026 Outdoor Recreation Legacy Partnership (ORLP) Grant opportunity opened in August and is due in mid-September. The grant is a 50/50 federal match program, with the city's application targeting an \$8,000,000 project encompassing the south five fields, adjacent parking, a restroom facility, and two synthetic turf fields with lighting. The proposed match would draw from Utah County, Park CIP funds, and in-kind contributions from the city. Raney noted this grant has not previously been awarded to any Utah city and that the resolution represents a statement of support for submittal, not a commitment of funds.

Councilor Bogdin expressed concern about the financial implications of a potential \$4,000,000 city match and the trade-offs to other capital projects, requesting that such analysis be provided prior to any funding commitment. Director Raney acknowledged that the obligation would come only upon execution of a grant agreement and that partner contribution levels would need to be confirmed before project impact on other CIP items could be assessed.

Councilor Whitlock characterized the resolution as a "free option," noting the city could decline the grant if awarded, and indicated he would want additional information on CIP impacts, return on investment, and how economic activity translates to sales tax revenue before committing funds. Councilor Whipple concurred, requesting a clear accounting of total city investment to date and anticipated incremental benefit from the additional fields. Scott confirmed that tournament organizers have already indicated they are at maximum capacity and would bring larger events with more fields available, including the USYS National Championships, which had to be split with Salt Lake due to insufficient field count.

3. A resolution appropriating \$330,000 to pay for Fort Utah Park improvements for the fiscal year ending June 30, 2027. (26-066) [00:36:43](#)

Director Raney presented a request for a \$330,000 appropriation to fund the Fort Utah Park improvement project. He explained that while the majority of the project work was recently bid out, bids came in slightly higher than anticipated. Staff worked to self-perform portions of the work to reduce the gap, with city crews already on site beginning demolition. The appropriation would fund the playground installation, representing the third of three contracts for the project—alongside the design-build contract for the skate bowl and pump track, and the civil contract covering parking, utilities, and demolition. Funds would be drawn from unassigned balances in the Parks Capital Improvement Fund.

City Attorney Brian Jones confirmed there were no substantive changes to the project scope from what was previously presented. Council Executive Director Ezra Nair clarified a discrepancy Councilor Bogdin identified between the CIP document and the budget book, noting that the budget book reflects the final adopted budget from the completed cycle while the CIP document had not been updated accordingly, and that steps would be taken to keep the referenced document current.

Park Projects Manager John Bunderson clarified that the fund balance includes reserves to cover upfront grant expenditures for the Fort Utah and Provo River Trail Central projects (totaling over \$4,000,000 in anticipated grant reimbursements), ensuring the city can cover contractor

payments prior to reimbursement. He confirmed the \$330,000 appropriation would not jeopardize those reserves.

4. An ordinance regarding outdoor lighting standards exemptions. (26-067) **00:43:24**

Council Policy Intern Britton Johnson presented proposed amendments to Provo City Code Section 15.21.040, the exemptions section of the outdoor lighting standards, focusing on three categories of lighting.

Holiday Lighting. Johnson reviewed proposed revisions to the holiday lighting exemption. The Council reached consensus to allow holiday lighting, including but not limited to internally illuminated decorations, string lights, and string light displays, from June 15 through July 25 and during the months of October, November, December, and January. Colored festoon lighting was initially proposed for inclusion in the definition of holiday lighting; however, following advice from City Attorney Brian Jones, the Council directed that it be removed from the definition because colored festoon lighting would now be permitted year-round in any color. The approved language retained the requirement that such lighting not create dangerous glare on adjacent streets or properties and removed the existing requirement that all holiday lighting be turned off by 10:00 PM nightly.

Permanent Outdoor LED Façade Lighting. Johnson presented proposed language governing permanently installed LED façade lighting, commonly referred to as “JellyFish” lighting, which is currently not exempt under the code and therefore technically non-compliant. The proposal would permit such lighting when the light track is shielded, directed downward, and mounted horizontally in the soffit, subject to a 3,000 Kelvin color temperature limit outside designated holiday windows. After discussion, the Council reached consensus to retain the provision allowing permanent outdoor LED façade lighting year-round and the restriction against dangerous glare and unreasonable annoyance or discomfort, while removing the proposed color-temperature restrictions. The Council also approved an exception for existing residential outdoor lighting fixtures as of August 25, 2026, while clarifying that permanent outdoor LED façade lighting regulated under this subsection is not considered an attached lighting fixture for purposes of that exception.

Festoon String Lighting. Johnson presented proposed language that would permit festoon string lighting (decorative café-style bulb-string lighting) subject to color temperature and lumen-per-linear-foot requirements. After discussion, the Council reached consensus to simply allow festoon string lighting without additional regulation. City Attorney Jones advised that festoon string lighting should be removed from the definition of holiday lighting in the first subsection, as it would now be permitted year-round rather than only during designated holiday periods.

5. An ordinance amending the zone map classification of real property, generally located at 113 and 191 N Geneva Road, from the General Commercial (CG) zone to the Mixed-Use (MU) zone. Fort Utah Neighborhood. (PLRZ20260264) [01:15:52](#)

City Planner Megan Van De Graaff presented a rezone application for a just-over-one-acre property along Geneva Road at Center Street. The property was previously considered for a rezone to Medium Density Residential for 26 townhomes, which was denied in part due to neighborhood preference for retail or commercial uses. The current application requests a rezone from General Commercial to Mixed-Use. The revised concept includes four flex commercial units fronting Geneva Road and 18 townhomes behind them. The future land use map designates the area as village center commercial mixed use. Van De Graaff noted the commercial units are described by the applicant as flex office space, each with a 500-square-foot ground-floor garage. Councilor Whitlock asked whether the proposed flex commercial space aligned with the neighborhood's previously expressed preference for more traditional retail-type commercial uses, and Van De Graaff confirmed that the neighborhood had favored retail over warehouse-style uses.

6. An ordinance amending the zone map classification of real property, generally located at 2000 N Canyon Road, from the One-family Residential (R1.6) zone to the Low Density Residential (LDR) zone. Pleasant View Neighborhood. (PLRZ20260116) [01:18:55](#)

City Planner Dustin Wright presented the rezone application for a property at 2000 North Canyon Road. The Planning Commission did not approve the concept plan and recommended denial of the rezone. The applicant's concept proposes developing the property with townhomes and twin homes totaling 33 lots, an increase from the 19 detached single-family homes permitted under the current R1.6 zoning approved approximately one year prior. Issues identified by the Planning Commission included insufficient amenity space and a street width that no longer met the updated 30-foot minimum standard, as the design was based on the prior 24-foot minimum.

The Council discussed the history of the property at length. Councilor Whitlock noted that the original proposal before the Planning Commission involved a more clustered development integrated into the hillside, requiring less grading, and that successive land use changes led to the hillside excavation and current retaining wall conditions. Public Works Director Gordon Haight confirmed that the retaining wall is approximately 90–99 percent complete and meets all city engineering criteria and specifications, and that the slope and wall configuration were geotechnically approved as part of the subdivision approval. He noted the developer intends to landscape the hillside as part of the approved landscape plan.

Council Chair MacKay raised concerns about the visual appearance of the exposed hillside above the retaining wall, and Councilor Whitlock acknowledged broader concerns about public perception when hillside development occurs, referencing community sensitivity to visible land disruption. Director Haight noted that a fence or additional landscaping at the top of the wall could be explored to address safety and aesthetic concerns.

City Attorney Jones noted that the likely driving factor behind the rezone request was the increased cost of construction making the approved 19-lot single-family project financially difficult for the developer. The developer had indicated construction costs have risen to a point where homes would need to sell at \$1,500,000 or more, which he does not believe the market at that location will support.

7. An ordinance to repeal and replace Provo City Code Title 14. Citywide Application. (PLOT20260414) [01:34:14](#)

City Planner Dustin Wright provided an overview of the Title 14 code rewrite effort, which began approximately three years ago with consultant assistance. The initiative aimed to address an outdated, redundant, and inconsistently organized zoning code that was difficult for staff, developers, and residents to navigate. City Attorney Brian Jones contributed significantly to the legal review, improving consistency and removing non-functional language throughout. A consultant also participated and was present to answer questions.

Key improvements highlighted include a 50 percent reduction in code length through the removal of 68 chapters, consistent formatting, updated language to align with current state statutes, a consolidated development standards table, and a consolidated land use table to allow users to quickly identify which zones permit particular uses. The rewrite also addresses outdated "pro zones"—zones created for specific completed residential developments that remained in the code as standalone chapters. The consultant clarified that the goal was to make standard zones flexible enough that pro zones are no longer necessary for typical projects, while City Attorney Jones noted that a pro zone for a unique or complex project type (such as the Vesper Amphitheater project) would remain possible under the new code.

The Transit-Oriented Development zone was renamed from ITOD (Interim TOD) to TOD and was substantively rewritten as a form-based code, which Wright noted was one area where the zone was completely replaced rather than merely reformatted.

Councilor Bogdin raised several questions regarding provisions carried forward into the proposed code, including the continued allowance of bed-and-breakfasts, conditional use standards for car washes near residential areas, and the definition of "family." City Attorney Jones explained that much of the questioned language exists in the current code and discussed how the definition applies to additional related or unrelated persons living as part of a single nonprofit household. Jones indicated that additional explanatory materials regarding the definition could be provided to the Council.

Councilor Whitlock noted that two versions of Exhibit A had been uploaded to OnBase with substantive differences, including discrepancies in parking and visitor parking standards, and requested that the correct version be identified and clarified prior to the next review. Councilor MacKay and Councilor Whitlock both requested that as the Council reviews the code in chunks, staff provide a clear summary of every substantive policy change in each section, not merely a description of formatting or organizational changes. Councilor Whipple asked how Councilors should submit questions arising from their individual review. City Attorney Jones encouraged Councilors to submit questions in advance and indicated that he would coordinate with Wright to

establish a logical sequence for reviewing the code in chunks rather than necessarily proceeding in published order.

Closed Meeting

City Attorney Jones identified the following approved topics for closed session: deployment of security personnel, devices, or systems; pending or reasonably imminent litigation; and the character or professional competence of an individual, pursuant to Utah Code Sections 52-4-204 and 52-4-205.

Councilor Garrett moved to close the meeting. Councilor Christensen seconded the motion. The motion passed: 7-0.

Adjournment