



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

1:30 PM, Tuesday, November 17, 2015
Room 310, Provo City Conference Room
351 W. Center St., Provo, Utah

THE FOLLOWING ELECTED OFFICIALS WERE PRESENT:

Council Member David Sewell
Council Member Calli Hales
Council Member Gary Winterton
Council Member Harold L. Miller, Jr.
Council Member Gary Garrett
Mayor John R. Curtis

Excused: Council Member Kim Santiago
Council Member Vernon K. Van Buren

Conducting: Council Chair Gary Garrett

Agenda

Roll Call

Opening Prayer

Kevin Taylor, Senior Electric Project Engineer, Energy Department, offered the opening prayer.

Mr. Taylor described his duties in the Energy Department.

Council Business: Outcomes and Ends Policies

1. A discussion on a proposed process for developing housing policies per the Municipal Council priority list. (15-055)

Matthew Taylor, Executive Director, presented. This item is a Council top priority, and the discussion focused on strategies for the appropriate distribution of life-cycle housing types, including affordable housing city-wide (Attachment 1). Because low-income housing distribution is a priority for the current Council, its legal implications and limitations were considered. Some of the highlights of the discussion were:

1. Get initial feedback on the scope of the study.

2. Collect data on the number of houses, square footage, renter vs. occupied, and households by income class.
3. Identify an appropriate balance of low-income housing needs, workforce housing and housing needs city-wide.
4. Collect data on markets that have high demand but are not being supplied.
5. Collect data on appropriate life-cycle housing that enables residents to move according to stage of life without leaving the city.
6. Compile market datasets by which to better understand market demand.
7. The Zoning Summit will help the Council better understand the relevant housing issues.
8. The Scope of Study should be ready by December 1st.
9. The Council will establish a task force to start in mid-January, 2016, to identify root causes of the current problems.
10. The Task Force will be asked to author a problem statement for the Council's review 3 to 4 weeks after the Task Force begins its work.
11. The Task Force will be expected to recommend policy statements a few weeks later.
12. It is recommended that two Council Members be appointed as liaisons to the Task Force.
13. Michael Hathorne, representing the Utah Congress of Urbanism, has proposed that a two-day Form Based Code Conference be held in Provo in the spring of 2016.
14. The proposed conference will include Workforce Housing session.
15. The Task Force's draft policy be presented to the Council in May, 2016.
16. The Council will refer the draft policy to Community Development and the Planning Commission for their review.
17. The Planning Commission will be asked to consider adopting the revised draft policy into the General Plan.
18. Once adopted by the Council, the Administration will be asked them to draft an implementation plan that will take effect in the fall of 2016.

Council Members voiced their support of the direction in which Mr. Taylor is moving.

2. A discussion on a process for the update of Provo City Vision 2030. (15-062)

Council Member Hal Miller introduced this item. At the Council Policy Governance Committee meeting last Thursday, the discussion centered on a proposal introduced at its previous meeting by Bill Peperone, Assistant Director of Community Development. The proposal included a 5-year review-and-revision cycle for Vision 2030 and then went on to enumerate ways in which the policy relation between Vision 2030 and the City's General Plan and Zoning Code might best be realized.

Mr. Peperone reported that he had also introduced a list of the existing City boards and commissions that could be transitioned into the review- and-revision process for Vision 2030. For instance, the Planning Commission would review the Land Use and Development chapter of the document. The Landmarks Commission would review the

Heritage chapter.

The subcommittee proposed that City Code language be drafted at the end of the review-and-revision process. The Vision 2030 Steering Committee would be asked to review the draft ordinance and to offer its recommendation to the Council. At the Council Meeting on December 1st, a formal proposal for the initial step in the review-and-revision process will be presented. Subsequently codification will take place. Mr. Miller suggested that a draft of the full proposal for the ordinance amendment be sent to the Council Members for their information, along with the statement of policy relation to the General Plan, again, for information only. Mr. Peperone said he would also include an updated document about the reassignment of boards and commissions.

This item was included for reporting purposes only and will be heard at the Council's Work Meeting on December 1st.

Council Business: Governance Process and Rules

3. A discussion on proposed amendments to Chapter 2.29 - Neighborhood Program - Provo City Code. (15-140)

Council Member David Sewell presented the proposed amendments to Provo City Code Chapter 2.29, Neighborhood Program. He outlined the principal changes to the ordinance:

- 2.29.030 (1)(a) – Sets a new standard for having at least two Vice Chairs serve with the Chair, subject only to the availability of residents willing to serve.
- 2.29.030 (1)(b) – Codifies the current practice of having the BYU President be the University Neighborhood Chair with the ability to designate Vice Chairs.
- 2.29.030 (1)(b) – Renames the Central Business District Neighborhood the Downtown Neighborhood.
- 2.29.030 (1)(c) – Allows for the election of a Business Vice Chair by business owners in the neighborhood. This Vice Chair cannot substitute for the Chair in representing the Neighborhood.
- 2.29.030 (1)(f) – Authorizes the Council to call for an election when a Chair has become inactive. Currently, when a Chair becomes inactive, the Neighborhood is unrepresented because there is no mechanism to call for an election before the Chair's term expires.

Mayor John Curtis stated that this revision of the Neighborhood Program policy will

help to build a compatible relationship with the Neighborhoods. The formal representation of Neighborhood businesses will add resources to the Neighborhood and bring other positive effects. This will help small businesses, in particular, to feel a part of the Neighborhood.

Motion: Council Member Harold L. Miller, Jr. moved this item to the December 1st Council Meeting. Seconded by Council Member Calli Hales.

Roll Call Vote: The motion passed 5:0. Council Members Van Buren and Santiago excused.

4. Consideration of a proposed Municipal Council rule regarding the process for providing advice to the Mayor and subsequent Municipal Council consent for the appointment of individuals to statutory boards and commissions. (15-102)

Council Chair Gary Garrett presented the draft proposal of City Board and Commission appointments to the Council Members (Attachment 2). The current process has the Mayor presenting nominees to Boards and Commissions to the Council for their approval. The Rules Committee suggests that there be adequate time for Council Members to consider those recommendations and provide feedback to the Mayor before the nominee is presented for approval in a Council Meeting.

The draft includes four elements:

1. After receipt of the Mayor's recommendation for Board and Commission appointments and reappointments, along with specified supplemental information, the Council Executive Director will distribute the recommendations and supplemental information to all Council Members for their review and evaluation.

2. Council Members will have 14 days following receipt of the recommendations and supplemental information to evaluate the nominees and provide feedback directly to the Mayor and to Council Leadership.

3. Should the Mayor sustain the nominee after considering the feedback from Council Members, the Council Executive Director, at the direction of Council Leadership, will invite the nominee to attend an upcoming Municipal Council Meeting (or a Council Work Meeting, if it is more convenient for the nominee) in order to be introduced to the Council Members to begin building a relationship and thank them for their willingness to serve. If the nominee does not attend a Municipal Council Meeting or Work Meeting, the introduction to Council Members and approval of the consent resolution will be continued to a subsequent meeting.

4. At the discretion of Council Leadership, nominees for reappointment to a Board or Commission may be forwarded for approval without first appearing at a Municipal Council

Meeting or Work Meeting.

(2:36 PM - Kim Santiago joined the meeting.)

Mr. Sewell stated that the goal of the proposed process is to:

1. Provide Council Members with additional information to assist their advice and consent
2. Allow a two-week period for a private vetting process
3. Assure that new appointees are introduced to the Council in person so as to allow for the expression of gratitude

Mayor John Curtis stated his approval of the effort to amend the current process and also some concerns.

This item was returned to the Rules Committee for further clarification.

Break

Upcoming Policy Items referred from the Planning Commission

- 5. An update from Community Development regarding the impact of legislation that was passed in March 2015 - An ordinance amending Provo City Code Section 14.29.100 (Building Height) to reduce allowed building height in a Planned Industrial Commercial (PIC) zone when that zone abuts a residential zone. City-wide Impact. (14-0012OA)**

The PIC Zone is located in the southeast sector of the City. The original proposal by Mr. Tim Brough, the Spring Creek Neighborhood Chair at that time, was revised by the Community Development Department and then approved by Mr. Brough. Novatec was the only complainant to this revision. Novatec has since moved to another part of the Neighborhood.

Mary Miller, the current Neighborhood Chair, reported that there are five remaining homes and that three of the residents have no plans for relocating. The current owner of the other houses, Mr. David Hall, is not looking to abandon his interest in the properties but has changed his focus.

This item was included for reporting purposes only.

- 6. Gardner & Associates request a General Plan Amendment from Residential to Commercial for property located at 1360 North 800 West in the General**

Commercial (GC) Zone. Rivergrove Neighborhood. 15-0005GPA

Bill Peperone, Community Development Assistant Director, presented. This property has been purchased to expand the site of Molly's Restaurant and Marvellous Catering to allow sufficient off-street parking for guests of the restaurant and for employees and equipment related to both the restaurant and catering operations. Parking during lunch hours is a continual challenge, as Molly's Restaurant is a popular establishment. The proposed project plan would add approximately 30 parking spaces.

The subject property is a single-family residence site. The home to the north has been purchased by Marvellous Catering and has been incorporated into the proposed project plan. The lot to the north is already designated as Commercial on the General Plan land-use map and is already zoned General Commercial.

This item will be heard at the December 1, 2015 Council Meeting.

7. Gardner & Associates request a zone change from R1.6 to General Commercial for a single lot located at 1360 North 800 West. Rivergrove Neighborhood. 15-0012R

Bill Peperone, Community Development Assistant Director, presented. The subject property is a single-family residence site that is less than 10,000 square feet in area. The home to the north has been purchased by Marvellous Catering and has been incorporated into the proposed project plan. The lot to the north is already designated as Commercial on the General Plan land use map and is already zoned General Commercial.

Vehicular access onto 800 West has intentionally not been included in the project plan in order to minimize impact on the residential neighborhood to the west.

This item will be heard at the December 1, 2015 Council Meeting.

8. The Community Development Department requests an Ordinance Text Amendment to Provo City Code 14.23.030 to include subdivisions in the definition of new development for the purpose of adding clarity to the intent of the ordinance. City Wide. 15-0015OA

Bill Peperone, Community Development Assistant Director, presented. The Interim Transit Oriented Development Zone (ITOD) is focused on providing valuable development potential surrounding the Provo Intermodal Hub. The purpose of the zone states that these "measures are intended to prevent land uses and development that would hinder long-range City goals while achieving quality housing, attracting long-term residents, on properties surrounding the proposed Intermodal Hub site." (Provo City Code 14.23.010)

Although the intent of this zone is to encourage quality redevelopment that can capitalize on alternative transportation options, the current language found in section 14.23.030 is counter-intuitive to this intent. The purpose of the proposed amendment is to clarify and

protect the intent.

While in the process of preparing the Community Development-initiated amendment, the Economic Development Department has also requested that the minimum lot-size requirement be reduced from one acre to 20,000 square feet in order to provide more potential development opportunities, yet remain at a size necessary for quality development.

This item will be heard at the December 1, 2015 Council Meeting.

9. Premier Reality Investments requests Preliminary Project Plan approval for a 75-unit, townhome development on 4.38 acres, located at approximately 1040 South 1000 East in a proposed Medium Density Residential (MDR) Zone. Spring Creek Neighborhood. 13-0005PPA.

Bill Peperone, Community Development Assistant Director, presented.. When the Council considered the MDR zone for the property, the developer offered to build a lower-density, townhome development in lieu of the stacked condominium project the Planning Commission considered in July. The Council desired to have the Planning Commission's recommendation for the alternative townhome plan.

The developer is willing to cap the development at 75 units and sign a development agreement stating this. Another recent change is to bring street access to the north of the development. A completed traffic study concluded that the proposed development will produce low traffic counts if connected to the existing access on 1060 South. The question is still the quality of life for the residents on 1060 South, as they are used to very little traffic. Community Development now recommends this project for approval because it will be viable under the proposed changes.

This item will be heard at the December 1, 2015 Council Meeting.

10. John Dester is requesting the rezoning of two properties totaling approximately 0.45 acres, from R1.6 (Residential – 6,000 sq.ft. lot minimum) to MDR (Medium Density Residential), located at approximately 550 West 300 North. The rezoning would facilitate the development of a 7-unit townhome project. Dixon Neighborhood. 15-0009R

Dustin Wright, Community Development Department Planner, presented. The rezone request will allow two parcels to be rezoned from a One-Family Residential (R1.6A) zone that allows for an accessory apartment in the home on a 6,000 square foot lot to a Medium Density Residential (MDR) zone. The MDR zone allows up to 30 units per acre. The two properties combined, totaling 0.45 acres, would result in 13 units if zoned MDR. The proposed project includes seven units on the site, which would have a density of 15.55 units per acre. The Low Density Residential (LDR) zone allows up to 15 units per acre, which is just under the desired density for the seven units.

The Planning Staff expressed a concern to the applicant regarding the potential density of 13 units for this site if rezoned, even though there only seven are shown in the proposed project plan. The applicant proposed a development agreement that would address these concerns by limiting the site to seven (7) units.

The Professional Office zone is located to the east of the subject property, and the R1.6A zone is located on all other sides of the property. The lots to be rezoned are currently vacant with no structures. These lots will need to be consolidated into one parcel if the rezone is approved.

This item will be heard at the December 1, 2015 Council Meeting.

11. Andrew Coats requests a zone map amendment for approximately 0.93 acres from the RA to the R1.10 Zone, to facilitate the creation of a two-lot subdivision on property located at approximately 1650 East 1400 South. Provost South Neighborhood. 15-0011R

Dustin Wright, Community Development Department Planner, presented. The subject property is a large lot resulting from a previous subdivision and is subject to building restrictions due to seismic fault hazards. Prior to this meeting, a variance to the lot width requirement was granted by the Board of Adjustment and a plat was approved at an Administrative Hearing, contingent on the approval of the zone-map amendment.

The applicant is requesting the same zone as the surrounding residential properties in order to accommodate the planned subdivision. The zone-map amendment will allow the subdivision of the property and the construction of two houses that are consistent with the surrounding neighborhood. No neighborhood concerns were noted.

This item will be heard at the December 1, 2015 Council Meeting.

Mayor's Items and Reports

12. A report and discussion regarding the UMPA Joint Action Agency Agreement. (15-143)

Travis Ball, Director of Energy, presented The purpose of this resolution is to extend Provo City's association with Utah Municipal Power Agency (UMPA). The agency was established in 1980 to "Develop a reliable and economic power supply program to meet all the required electric power and energy needs of its member municipalities." If all its questions are answered satisfactorily, the Energy Department will request a resolution authorizing the changes in the agreements with UMPA. Provo City will not be able to participate in new long-term power-supply contracts or the purchase of new resources if the agreements are not extended. In that event, the association with UMPA would need to be dissolved through legal action, and new employees would need to be hired at Provo

City. The cost would be significant.

In order to extend the life of UMPA and to participate in new resource projects, the extended agreements must be signed before the current agreements expire in 2020. Any new projects would require UMPA to be in a contractual relationship for at least another 40 years. The proposed extension would accomplish that goal in addition to providing reliable energy at a budgeted rate.

The City requested that the following items be included in the new agreements:

1. A member may purchase a resource up to 5% of its energy needs outside of the agency.
2. Distributed generation by large customers would be allowed at transmission voltages.
3. Voting powers will be clarified so that all large financial decisions are made by weighted vote with the ability to call for a weighted vote on any issue.

UMPA has agreed to all the requests by Provo City.

This item will be heard at the December 1, 2015 Council Meeting.

13. A discussion regarding a proposed resolution brought forward by the Sustainability and Natural Resources Committee encouraging the state legislature in efforts related to improving air quality. (15-146)

Council Member Hal Miller introduced Don Jarvis, Sustainability and Natural Resources Committee chair. Mr. Jarvis presented a proposed resolution encouraging the State Legislature in efforts related to clean air that would draw from the International Code on building standards.

Mr. Jarvis stated that this proposal would affect new owners in the cost of building new homes, specifically, through adoption of the energy section of the IECC. Although the cost will be more to build a home, Mr. Jarvis claims this will improve air quality and eventually result in savings to the owner.

Motion: Council Member Harold L. Miller, Jr. moved to put this item on the December 1, 2015 Council meeting agenda. Seconded by Gary Winterton.

Roll Call Vote: The motion passed 5:2. Council Members Calli Hales and Kay Van Buren opposed.

14. A quarterly report from the Finance Division regarding the 4th Quarter of fiscal

year 2014-2015.

John Borget, Director of Administrative Services, presented the 4th Quarterly Finance Report.

Report only. No further action was required.

Administrative Updates

Mayor John Curtis gave a few instructions regarding the upcoming Mayor's Retreat.

Closed Meeting

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

Brian Jones, Council Attorney, noted that a closed session had been requested. He stated that a closed meeting could be held for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation; and/or to discuss the purchase, sale, exchange, or lease of real property; and/or the character, professional competence, or the physical or mental health of an individual. Mr. Jones understood the topics to be considered fell under one of those areas.

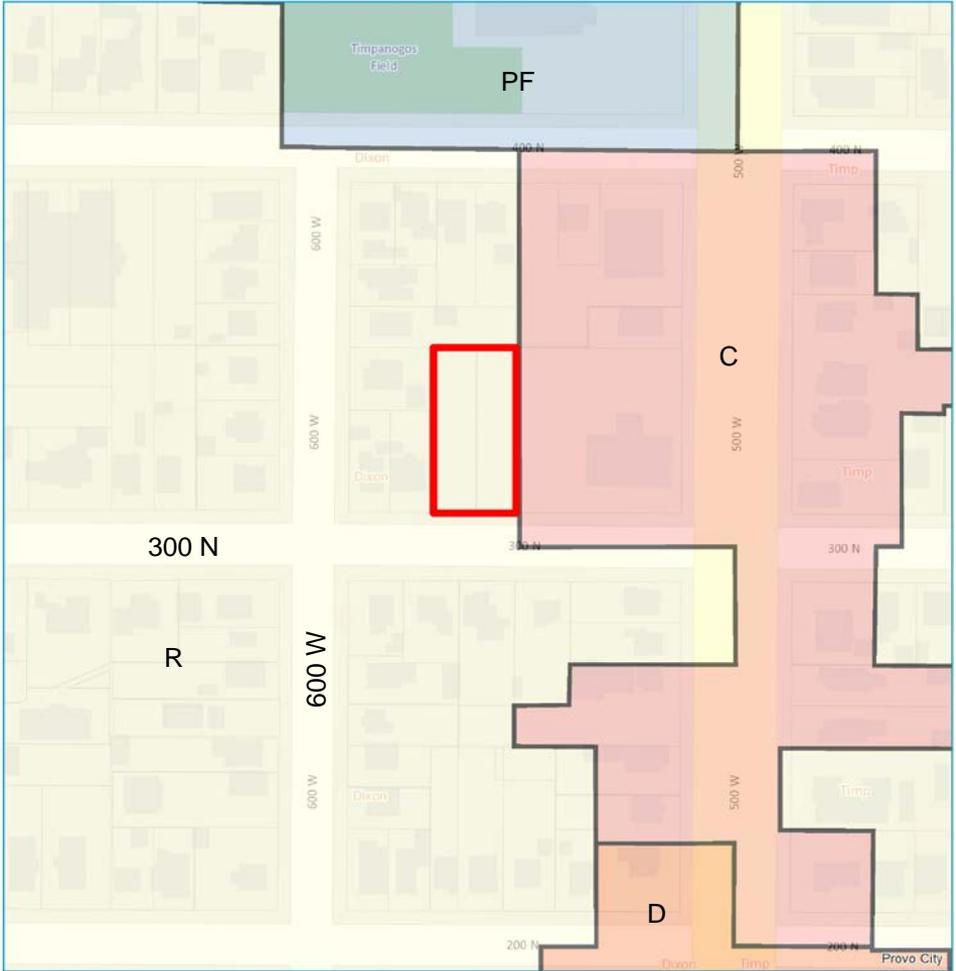
Motion: Council Member Calli Hales moved to close the meeting. Seconded by Council Member Harold L. Miller, Jr.

Roll Call Vote: The motion passed 7:0.

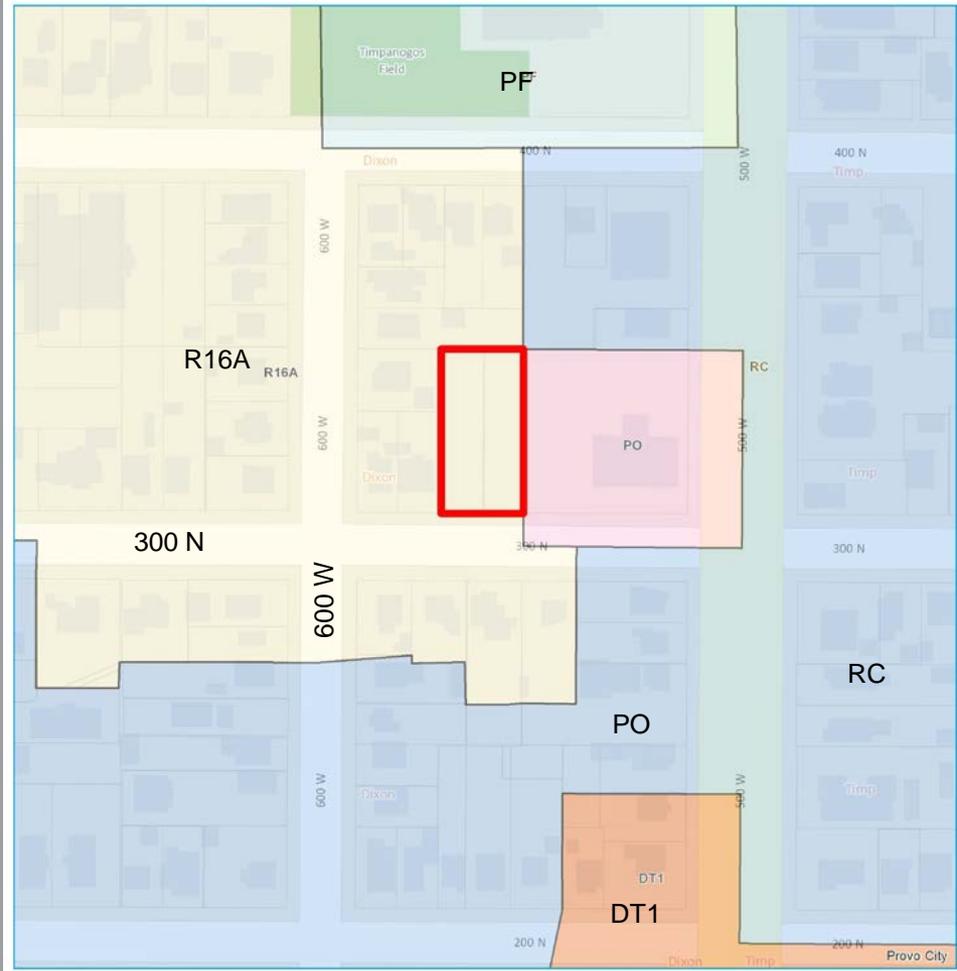
Motion: Council Member Harold L. Miller, Jr., moved to adjourn. Seconded by Council Member Kim Santiago.

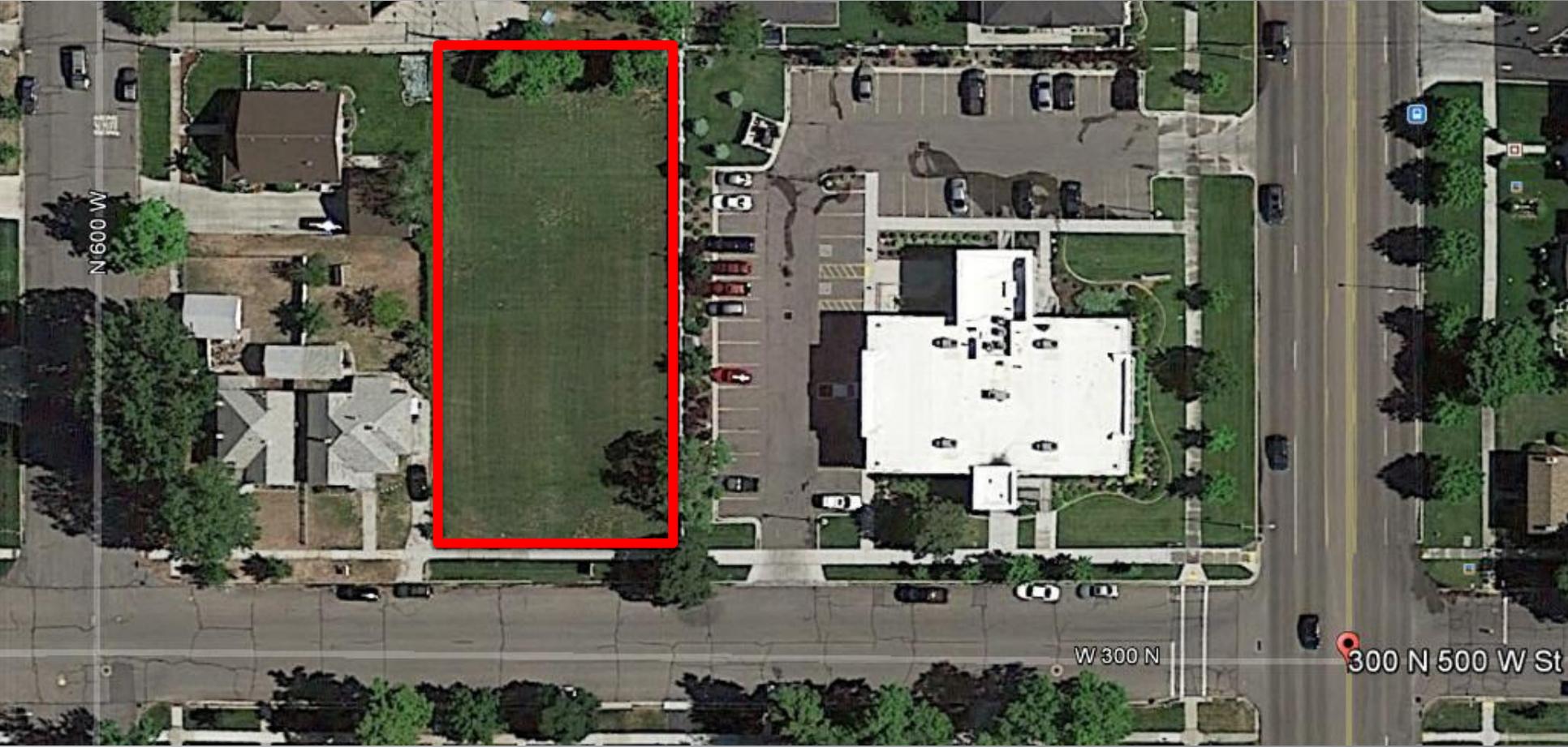
Roll Call Vote: The motion passed 7:0.

General Plan Map



Zoning Map











DIXON PLACE

End Elevations

	Vents/Trim/Bays/ Soffit/Fascia <i>White</i>	30-year Arch Shingles <i>Black</i>	Iron Railing Deck Railing <i>White</i>	Stucco <i>Amarillo White</i>	Horizontal Siding <i>Desert Sand</i>
Overall Building Elements					



SOUTH ELEVATION



NORTH ELEVATION

Door/Shutters <i>Black</i>	Brick <i>Cape Cod</i>	Horizontal Siding <i>Desert Sand</i>
		

Individual
Unit Elements

Shutters <i>Musket Brown</i>	Brick <i>English Tudor</i>	Horizontal Siding <i>Desert Sand</i>
		

DIXON PLACE

End Elevations

	Vents/Trim/Bays/ Soffit/Fascia <i>White</i>	30-year Arch Shingles <i>Black</i>	Iron Railing Deck Railing <i>White</i>	Stucco <i>Amarillo White</i>	Horizontal Siding <i>Desert Sand</i>
Overall Building Elements					



SOUTH ELEVATION



NORTH ELEVATION

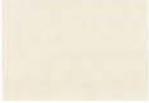
Door/Shutters <i>Black</i>	Brick <i>Cape Cod</i>	Horizontal Siding <i>Desert Sand</i>
		

Individual
Unit Elements

Shutters <i>Musket Brown</i>	Brick <i>English Tudor</i>	Horizontal Siding <i>Desert Sand</i>
		

DIXON PLACE

Front Elevation

Overall Building Elements	Vents/Trim/Bays/ Soffit/Fascia White	30-year Arch Shingles Black	Iron Railing White	Stucco Amarillo White	Horizontal Siding Desert Sand
					



UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 6

UNIT 7

Door/Shutters
Black



Brick
Cape Cod



Horizontal Siding
Desert Sand



Door
Tuxedo Grey



Stone
Summit



Horizontal Siding
Desert Sand



Door
Musket Brown



Brick
Country Manor



Board & Batten Siding
Desert Sand



Door
Bordeaux



Stone
Cottonwood



Shake Shingle
Sahara



Door
Midnight Green



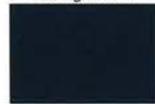
Brick
Cape Cod



Horizontal Siding
Desert Sand



Door/Shutters
Midnight Blue



Stone
Desert Washed



Shake Shingle
Sahara



Door
Musket Brown



Brick
English Tudor



Horizontal Siding
Desert Sand

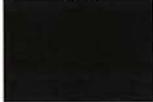
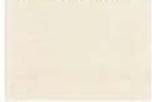
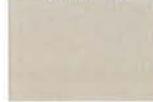


Individual Unit Elements

DIXON PLACE

Rear Elevation

Overall Building Elements

Vents/Trim/Bays/ Soffit/Fascia <i>White</i>	30-year Arch Shingles <i>Black</i>	Deck Railing <i>White</i>	Stucco <i>Amarillo White</i>	Horizontal Siding <i>Desert Sand</i>	Garage Doors <i>Sandstone</i>
					



UNIT 7

Shutters
Musket Brown



Brick
English Tudor



Horizontal Siding
Desert Sand



UNIT 6

Shutters
Midnight Blue



Stone
Desert Washed



Shake Shingle
Sahara



UNIT 5

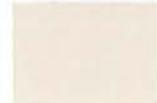
Shutters
Midnight Green



Brick
Cape Cod



Horizontal Siding
Desert Sand



UNIT 4

Shutters
Bordeaux



Stone
Cottonwood



Shake Shingle
Sahara



UNIT 3

Shutters
Musket Brown



Brick
Country Manor



Board & Batten Siding
Desert Sand



UNIT 2

Shutters
Tuxedo Grey



Stone
Summit



Horizontal Siding
Desert Sand



UNIT 1

Shutters
Black



Brick
Cape Cod



Horizontal Siding
Desert Sand



Individual Unit Elements



								Nov 1 - Nov 7 '15			
								S	M	T	W
ID	Name	Duration	Start	Finish	Predecessors	Resources					
1	Demographic and Market Analysis	40d	11/11/2015	01/19/2016							
2	Literature Review	40d	11/11/2015	01/19/2016							
3	Council Presentation: Overview of Process	0.8d	11/17/2015	11/17/2015							
4	Define Scope of Study	8.8d	11/17/2015	12/01/2015							
5	Council Presentation: Final Approval of Study Scope and First Look	0.8d	12/01/2015	12/01/2015							
6	Zoning Summit and Leadership Recap	6d	12/03/2015	12/14/2015							
7	Develop List of Stakeholders and Housing Task Force Members	9d	12/21/2015	01/05/2016							
8	Council Presentation: Update - Analysis, Stakeholder Committee	11d	01/05/2016	01/06/2016							
9	Stakeholder Interviews	29d	01/06/2016	02/25/2016							
10	Council Adopt Formal Task Force Scope of Study	1d	01/19/2016	01/20/2016							
11	Task Force Meetings	29d	01/19/2016	03/09/2016							
12	Council Presentation: Task Force Recommended Problem Statement	0.8d	02/16/2016	02/16/2016							
13	Council Presentation: Task Force Recommended Policy Outcome	0.8d	03/15/2016	03/15/2016							
14	Citizen Engagement, Neighborhood Meetings and Surveying	32.8d?	02/17/2016	04/13/2016							
15	Housing Summit & FBCL Training Seminar	2.4d?	04/06/2016	04/08/2016							
16	1st Review of Draft Outcome Policies for Council Adoption	1d?	04/19/2016	04/20/2016							
17	Task Force Input on Final Draft	4.8d?	04/20/2016	04/27/2016							
18	Council Referral of Policies to Planning Commission for General F1d?		05/03/2016	05/04/2016							
19	Planning Commission Process	24.8d?	05/04/2016	06/15/2016							
20	Housing Policy Adoption and General Plan Amendment Adoption	1d?	07/05/2016	07/06/2016							
21	Request Mayor to Formulate a Housing Policy Execution Task Force	1d?	07/05/2016	07/06/2016							
22	Development of Action Plan to Execute Housing Policy	52d?	06/08/2016	09/06/2016							
23	Council Updates: Bi Monthly	1d?	09/06/2016	09/07/2016							



WELCOME HOME

PLANNING COMMISSION

OCTOBER 14, 2015

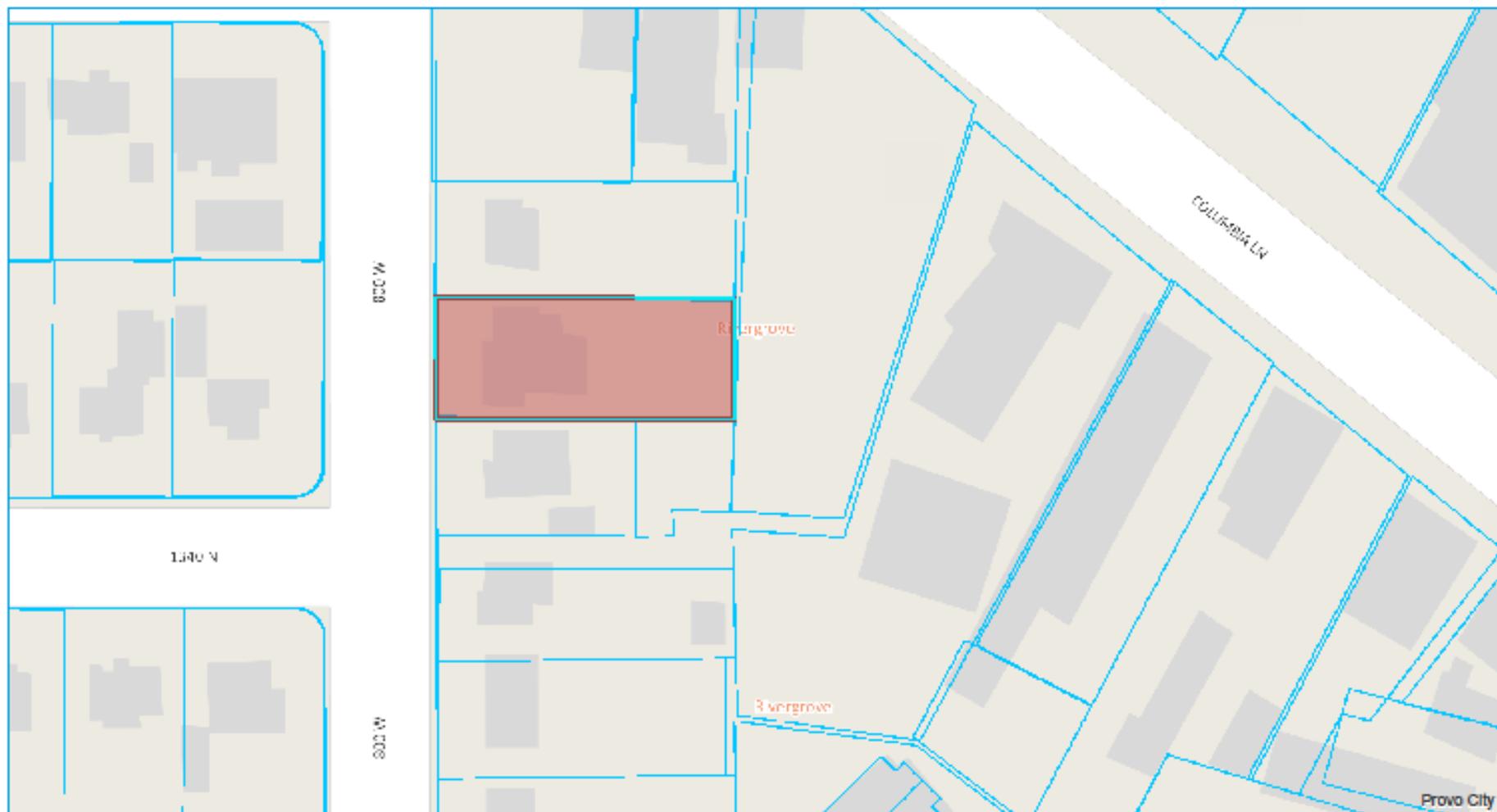
ITEM 2*

Gardner & Associates request a zone change from R1.6 to General Commercial for a single lot located at 1360 North 800 West.

Rivergrove Neighborhood.

15-0012R



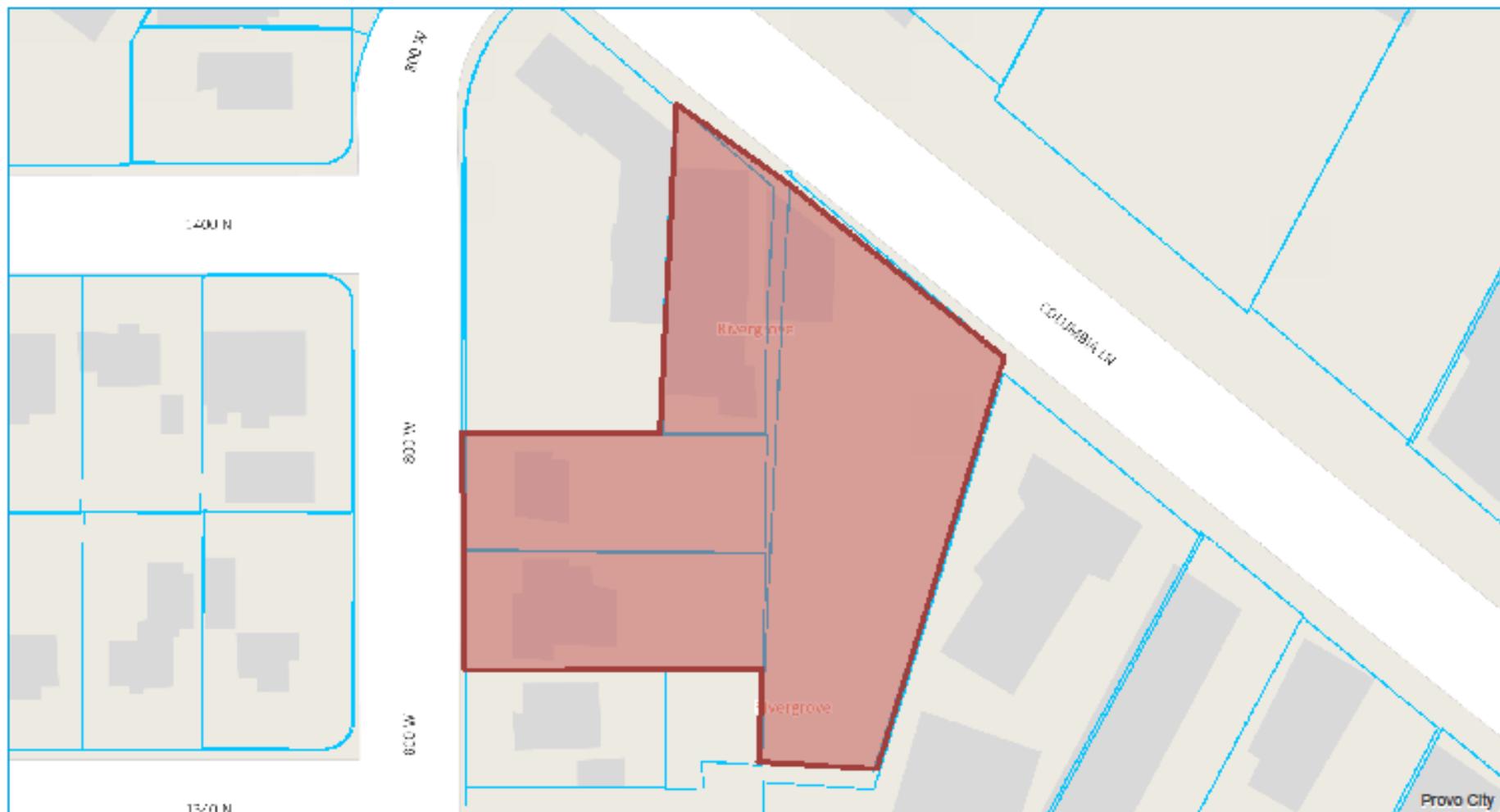


0 45 90 180 Feet

Author: Provo City

Date: 10/1/2015

This map is for graphical representation only and not for construction or defining feature locations.



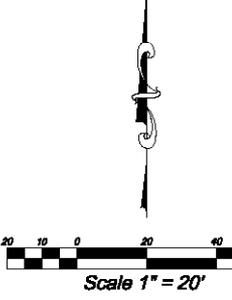
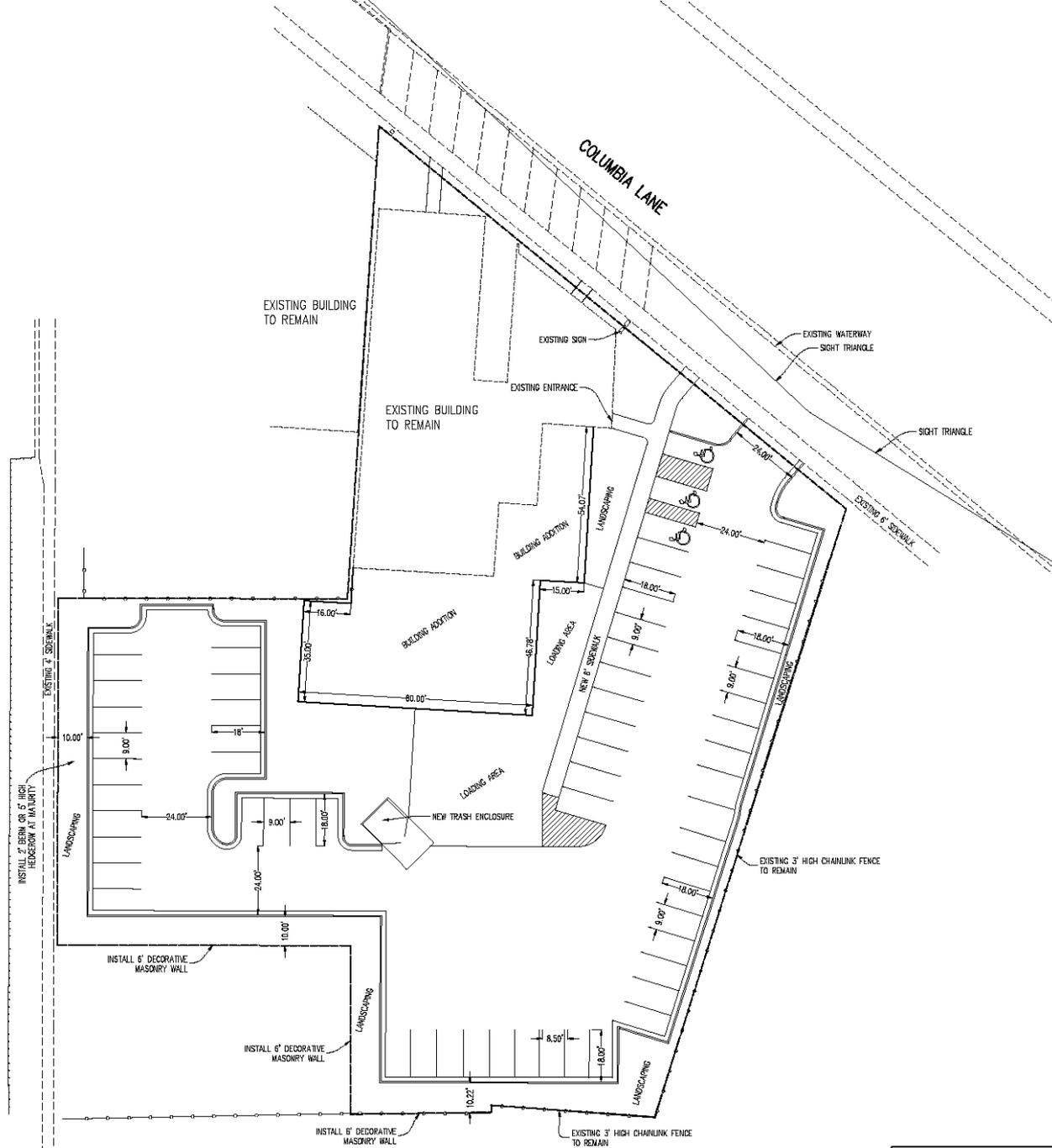
0 45 90 180 Feet

Author: Provo City

Date: 10/1/2015

This map is for graphical representation only and not for construction or defining feature locations.

800 WEST



REVISIONS		
Rev.	Date	Description

Property Owner: MARVELOUS CATERING



WELCOME HOME

PLANNING COMMISSION

OCTOBER 14, 2015

ITEM 6*

The Community Development Department requests an Ordinance Text Amendment to Provo City Code 14.23.030 to include subdivisions in the definition of new development for the purpose of adding clarity to the intent of the ordinance.

City Wide.

15-0015OA



Key Points

- Amendment strikes “New Development” from the section title in order to conform to language more consistent with other chapters in the ordinance
- Minimum lot size changed from one acre to 20,000 square feet at the request of Economic Development
- Subdivision of a lot or parcel added to the definition of development to align the ordinance with the purpose and intent of the chapter.



Proposed Text Amendment

14.23.030. ~~New Development~~ Lot Area.

The minimum lot area for any new development in the ITOD zone shall be ~~one (1) acre~~ **twenty-thousand (20,000) square feet**. For the purpose of this Section, new development is defined as any new principal building **or subdivision of a lot or parcel**.



I have first hand knowledge of another incident of sexual harrasment by Chief King.

I suggest you somehow convey the message and guarantee of protection and identity to all Female employees.

This person is terrified to contact Human Resource, The Police Administration or the Mayor.
The current laws or procedures by the City do not convey any sense of security for the victim.

2.29.010. Neighborhood Organizations Created.

(1) Neighborhoods and Neighborhood Areas. There are hereby established geographic areas within the City which shall be known as Neighborhoods and Neighborhood Areas as shown on an Official Neighborhood Map adopted by the Municipal Council and which by this reference ~~are~~ made a part of this Chapter. The term Neighborhood ~~means-refers to~~ a geographically distinct portion of the City which is ~~headed-represented~~ by a Neighborhood Chair as set forth in this Chapter. The term Neighborhood Area ~~means-refers to~~ four (4) or more geographically adjacent Neighborhoods. The boundaries of Neighborhoods and Neighborhood Areas shall be determined by the Municipal Council and shall ~~be shown~~appear on the Official Neighborhood Map.

(2) Neighborhood Area Councils. A Neighborhood Area Council is hereby created for each Neighborhood Area. Each Neighborhood Area Council shall consist of ~~C~~chairs from each Neighborhood located within the boundaries of the Neighborhood Area Council to which it belongs as shown on the Official Neighborhood Map. Each Neighborhood Area Council ~~members~~ shall elect one member who shall serve as the Area Representative and ~~one-a different~~ member who shall serve as ~~an~~ the Assistant Area Representative.

(3) Neighborhood Advisory Board. A Neighborhood Advisory Board is hereby created. The Neighborhood Advisory Board shall consist of ~~the-each~~Area Representatives ~~and Assistant Area Representatives or their designated replacement (as described in 2.29.030 (2))from each Neighborhood Area Council.~~

(4) Neighborhood Program. The ~~neighborhood-Neighborhood~~ organizations and their associated activities created by this Chapter shall be referred to as the Neighborhood Program.

2.29.020. Purposes.

(1) Neighborhoods. The purposes of organizing the ~~City-city~~ into Neighborhoods are to:

(a) ~~Help-i~~ identify and build on the strengths and assets of each Neighborhood in order to solve local problems and meet local needs and desires;

(b) Bring Neighborhood residents and other local stakeholders (including Neighborhood businesses and residential landlords) together to ~~work toward and independently~~ achieve the shared goals ~~of the Neighborhood without City assistance, unless otherwise appropriate;~~

(c) Develop Neighborhood-focused policy and forward legislative recommendations to the Municipal Council;

(d) ~~Provide coordination~~Work together with the Municipal Council to develop programs, initiatives, and remedies ~~with their~~ partnership ~~of with~~ City administrative departments and other ~~partnering pertinent~~ organizations;

(e) Provide each Neighborhood with a direct line of communication to and from the Municipal Council and Mayor through the Neighborhood Chair; and

(f) Address any other goals of the Neighborhood Program as determined by the Municipal Council.

2.29.025. Duties.

(1) ~~Neighborhood Chair. The intent of the Neighborhood Program is to provide each Neighborhood with a direct line of communication between the Neighborhood Chair and the Municipal Council.~~The Neighborhood Chair shall ~~communicate to inform~~ Neighborhood residents ~~information on of~~ current City issues ~~on a regular basis by holding local meetings and/or passing out flyers.~~ The Neighborhood Chair shall ~~gather information on survey~~ Neighborhood ~~strengths, assets,~~ needs, ~~desires recommendations,~~ and problems and shall provide ~~such information a summary of such~~ to the Municipal Council ~~and the Mayor.~~ Neighborhood Chairs shall also assist ~~the Council and Administration~~ in the implementation and operation of Neighborhood-related City programs, ~~initiatives, and projects~~ in their Neighborhoods ~~as requested.~~

(2) Neighborhood Area Councils. ~~The Neighborhood Area Councils shall work together to achieve the purposes articulated in 2.29.020. help identify and solve area-wide problems and needs and do any other thing to accomplish the goals of the Neighborhood Program as determined by the Municipal Council.~~Area Representatives and Assistant Area Representatives shall ~~assist in providing to each Neighborhood a direct line of communication between Neighborhood Chairs and the Municipal Council.~~Area Representatives shall communicate ~~information on~~ current City issues ~~by holding local meetings to the Neighborhood Chairs~~ within their Neighborhood Area ~~and report issues raised by Neighborhood Chairs back to the Municipal Council and the Mayor.~~

~~Neighborhood Chairs Seminar. The Municipal Council Executive Director shall organize a training seminar for all Neighborhood Chairs at least twice a year.~~

~~Neighborhood Area Council Meeting. Each Area Representatives shall should hold convene on an as-needed basis, but at least once a year, Neighborhood Area Council meetings Meetings at least twice a year in to which all Neighborhood Chairs from in the Neighborhood Area shall be invited to attend. Such meetings may be held~~

as breakout sessions before or after a Neighborhood Chairs Seminar. Area Representatives shall gather information on ~~area~~ Area needs and ~~desires~~ recommendations from Neighborhood Chairs and shall provide such information to the Municipal Council and the Mayor. Area Representatives shall also assist the Council and the Mayor in the implementation and operation of ~~area~~ Area-related City programs, initiatives, and projects in their Neighborhood Area as requested.

(3) Neighborhood Advisory Board. The Neighborhood Advisory Board shall assist Neighborhood Chairs and Area Representatives in achieving the purposes articulated under 2.29.020. ~~help identify and solve local problems and needs for the Neighborhood Chairs they represent and solve local problems and needs and do any other thing to accomplish the goals of the Neighborhood Program as determined by the Municipal Council.~~ ~~The Neighborhood Advisory Board shall assist communication between each Neighborhood and the Municipal Council.~~ The Neighborhood Advisory Board shall be responsible for receiving, reviewing and approving Neighborhood ~~matching~~ matching-fund applications according to procedures established by the Municipal Council ~~and any other Neighborhood Program tasks assigned by the Municipal Council.~~

2.29.030. Organization.

(1) Neighborhoods. Each Neighborhood shall be ~~governed~~ guided by the provisions of this Subsection.

(a) ~~Each Neighborhood, in~~ a meeting held under the direction of the Municipal Council Executive Director, each Neighborhood shall ~~may~~ elect its ~~own~~ Chair, and ~~two~~ may elect one (1) or more Vice-~~Chairs~~, subject to the availability of residents willing to serve. ~~Vice-Chairs to~~ serve in the absence of the Chair and ~~to~~ assist with Neighborhood Chair responsibilities. ~~Each such~~ The Chair and ~~each~~ Vice-~~Chair~~ shall be a resident of the Neighborhood in which the election is held and shall be elected, or re-elected, to a four (4) year term by majority vote of the residents of the Neighborhood who are of voting age and who are present in person at the election meeting. ~~Each such Chair shall serve for a minimum of one (1) four (4) year term. Four (4) years after a Neighborhood Chair is elected, the Council Executive Director shall initiate a Neighborhood Chair election. A Chair may be re-elected by majority vote of the residents of the Neighborhood who are present at an election meeting.~~ Newly elected Neighborhood Chairs shall be formally recognized at an ensuing Municipal Council Meeting.

(b) An exception shall be made in the University, Downtown ~~CBD~~ and East Bay Neighborhoods. In the Downtown ~~CBD~~ and East Bay Neighborhoods, ~~the~~ Downtown Provo Inc. Alliance and the East Bay Association, respectively, shall appoint the Chair and business owners may vote at Neighborhood meetings.

(c) The University Neighborhood Chair shall be appointed by the Brigham Young University President the Neighborhood Advisory Board based upon recommendations from residents and the Neighborhood Program Coordinator. The Chair may appoint one or more Vice Chairs as designated representatives.

(d) Each Neighborhood, in a meeting held under the direction of the Municipal Council Executive Director, shall allow owners of the businesses operating within the Neighborhood to elect a representative who shall serve as the Business Vice-Chair. The Business Vice-Chair shall act as liaison for the businesses in the Neighborhood and represent their interests at Neighborhood meetings and in presentations to the Municipal Council. Business Vice-Chairs shall not be eligible to fill in for the Neighborhood Chair in matters representing the voice of the Neighborhood residents.

(eb) Each Neighborhood Chair may appoint other local Neighborhood representatives from different areas residents of the Neighborhood to assist in the Chair's duties. The Neighborhood Chair, Vice-Chair(s), and other appointed representatives the Chair's appointees shall constitute a Neighborhood Committee. Each Neighborhood Committee may establish its own bylaws to effectuate the orderly administration of its Neighborhood; provided, however, that a the Neighborhood Chair and Vice Chairs shall be elected as set forth in Subsection (1)(a) of this Section.

(fe) The Neighborhood Chair may be removed from office according to the following procedure. Whenever there shall be presented to the Municipal Council Executive Director a petition form may be, obtained from the Municipal Council Executive Director's office, signed by representatives of at least fifty (50) households of any Neighborhood praying for submission of the question of the removal of a Neighborhood Chair in the Neighborhood requesting the removal of the Neighborhood Chair, and submitted to the Executive Director. It shall then be the duty of the Executive Director to submit the question of such removal to the residents of the Neighborhood at a Neighborhood meeting Meeting called convened for that purpose. No vote on the removal of the a Neighborhood Chair shall be taken unless seventy-five percent (75%) of those signing who signed the petition are present in person at the meeting called for that purpose. No Neighborhood Chair shall be removed unless two-thirds (2/3) of the residents of the Neighborhood who are present in person at the removal meeting shall vote in favor of such removal. A proposition of petition for removal of the Neighborhood Chair shall not be submitted

until six (6) months after the Chair was elected or re-elected. A petition for removal may not be submitted more than ~~twice~~ during a ~~Neighborhood Chair's four (4)~~~~two (2)~~ year term ~~of a Neighborhood Chair~~.

~~(g) The Municipal Council Executive Director shall notify the Municipal Council in writing when a Neighborhood Chair is no longer actively performing the duties of a Chair. If the Executive Director has not been able to resolve the situation within two weeks of the time such notice was given, the Council may give written notice to the Executive Director that a new election for neighborhood Chair shall be held.~~

(2) Neighborhood Area Councils. Each Neighborhood Area Council shall be ~~governed~~guided by the provisions of this Subsection.

(a) Each Neighborhood Chair shall ~~sit~~serve as the Neighborhood's representative ~~on~~to the Neighborhood Area Council. ~~Each Chair may designate a Vice-Chair to serve in their absence at Neighborhood Area Council meetings.~~

(b) Each Neighborhood Area Council shall ~~select from among its members~~Chairs ~~one Chair~~member to serve as the Area Representative and one Chair to serve as the Assistant Area Representative. The Assistant Area Representative, or a designated neighborhood Chair from the area, may of the Neighborhood Area Council and to serve as a member of the Neighborhood Advisory Board. Each Neighborhood Area Council shall also select from among its member Chairs one (1) member to serve as an Assistant Area Representative to serve in the absence of the Area Representative on the Neighborhood Advisory Board.

(c) Area Representatives and Assistant Area Representatives shall be elected by majority vote of Neighborhood Chairs within that area present in person at the Neighborhood Chair ~~training Seminar meeting which shall be held~~at which the election is held each year in the fall of each year. A ~~special~~ election shall be ~~held~~convened by the Municipal Council Executive Director to fill any vacancy that may arise in Area Representative or Assistant Area Representative positions.

~~(d) Neighborhood Area Councils may alter Neighborhood boundaries within its area~~Area by a unanimous vote of its members with subsequent approval of the Municipal Council.

(3) Neighborhood Advisory Board. The Neighborhood Advisory Board shall be ~~governed~~ guided by the provisions of this Subsection.

(a) The Neighborhood Advisory Board ~~shall consist of Area Representatives who~~ shall meet ~~as a Board at a monthly meeting, and~~ at such ~~other~~ times as the Advisory Board or Municipal Council deems necessary. Minutes of this meeting shall be distributed to all Neighborhood Chairs and Municipal Council members.

(b) A quorum of the Neighborhood Advisory Board shall be present to vote on any issue. Motions by Board members shall be passed by majority vote of those Area Representatives present in person at the meeting. Assistant Area Representatives and Neighborhood Chairs may attend ~~monthly meetings~~, but only Area Representatives shall vote, except when an Assistant Area Representative or other designated Neighborhood Chair has been requested to attend in the absence of the Area Representative.

2.29.040. Neighborhood Meetings.

(1) Local Issue Meetings. A Neighborhood Chair may call a Neighborhood meeting at any time to discuss issues of concern to residents of the Neighborhood.

(2) Development Proposal Meetings.

(a) Within five (5) calendar days after receiving a complete land use application for any matter subject to a public hearing, the Community Development Department shall mail notice of the application to the Neighborhood Chair of the Neighborhood where the subject property is located. If the subject property is located within one thousand (1,000) feet from an adjoining Neighborhood, the Community Development Department shall also notify the Chair of that Neighborhood.

(b) Within seven (7) calendar days after application submittal, the applicant shall contact the Neighborhood Chair to discuss the application. The Neighborhood Chair shall determine whether a Neighborhood meeting should be held.

(c) Within fourteen (14) calendar days after the Community Development Department mails notice of the application to a Neighborhood Chair, the Chair shall notify the Municipal Council Executive Director in writing that the Neighborhood:

(i) will organize a meeting to review and comment on the application; or

(ii) waives the right to hold a Neighborhood meeting.

(iii) If within the fourteen (14) day period set forth above, the Executive Director does not receive notice from the Neighborhood Chair, the Neighborhood meeting requirement shall be waived.

(d) A Neighborhood meeting shall be held subject to the following procedures:

(i) The meeting shall be called and organized by the Neighborhood Chair. The Neighborhood Chair shall set the agenda and conduct the meeting.

(ii) The meeting shall be scheduled for a date no later than forty-five (45) calendar days after the date when the Community Development Department mails notice of the application to the Neighborhood Chair and at least twenty-one (21) calendar days before the date of the Planning Commission hearing.

(iii) The meeting shall be held within the boundaries of the Neighborhood or at another location as reasonably determined by the Neighborhood Chair.

(iv) The applicant shall bear the cost of printing and distributing information necessary for the meeting.

(v) At least three (3) calendar days prior to the Neighborhood meeting the applicant shall provide notice of the meeting to the Council Office and all neighbors within one thousand (1,000) feet of the proposed development. Upon request of the Neighborhood Chair notice shall be provided to the entire Neighborhood area.

(vi) The Neighborhood Chair shall file a written report of the meeting with both the Council Office and the Community Development Department within five (5) calendar days following the Neighborhood meeting. Reports should include information on who was present at the meeting, a breakdown of the type of opinions/responses voiced at the meeting and received by the Chair outside of the meeting, and any specific concerns or recommendations.

(vii) If the Neighborhood Chair is unable to fulfill the foregoing responsibilities, the Chair may designate the Neighborhood Vice-chair, the Neighborhood Area Council Representative, or an individual who resides within the Neighborhood boundaries to carry out these responsibilities.