



PROVO MUNICIPAL COUNCIL

Work Meeting

1:00 PM, Tuesday, August 21, 2018
Room 310, City Conference Room
351 W Center St, Provo, UT 84601

Agenda

Roll Call

Prayer

Approval of Minutes

July 17, 2018 Work Meeting

Business

1. A presentation on the Congress for the New Urbanism Conference (18-079)
2. A discussion on Council priorities (18-004)
3. A discussion on a Request for Qualifications relating to the creation of a Community Land Trust (18-081)
4. A discussion on inclusionary zoning in Provo City (18-080)
5. An update on the parking/sustainability coordinator position (18-047)
6. A discussion on the parking permit program designation process(18-082)

Closed Meeting

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

Adjournment

Informal discussion may be held in the Council Conference Room between 4:30 pm and 5:30 pm.

Adjournment

Materials and Agenda: <http://publicdocuments.provo.org/sirepub/meet.aspx>

Council Blog: <http://provocitycouncil.blogspot.com/>

If you have a comment regarding items on the agenda, please email or write to Council Members. Their contact information is listed on the Provo website at:

<http://provo.org/government/city-council/meet-the-council>

The next scheduled Regular Council Meeting will be held on 09/11/2018 at 5:30 PM in the Council Chambers, 351 West Center Street, Provo, unless otherwise noticed. The Work Session meeting start times is to be determined and will be noticed at least 24 hours prior to the meeting time, but typically begins between 1:00 and 4:00pm.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email evanderwerken@provo.org at least three working days prior to the meeting. The meeting room in Provo City Center is fully accessible via the south parking garage access to the elevator. The Council Meeting is also broadcast live Provo Channel 17 at <https://www.youtube.com/user/ProvoChannel17>. The Work Meeting is broadcast live at <https://www.youtube.com/user/ProvoCityCouncil>. For access to past Work and Council Meetings, go to playlists on <https://www.youtube.com/user/ProvoChannel17>.

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 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at council.provo.gov. Council Meeting agendas are available through the Utah Public Meeting Notice website at pmn.utah.gov. Email subscriptions to the Utah Public Meeting Notice are available through their website.

Network for public access is "Provo Guest", password "provoguest".



PROVO MUNICIPAL COUNCIL

Work Meeting

1:00 PM, Tuesday, July 17, 2018
Room 310, City Conference Room
351 W. Center St, Provo, UT 84601

Agenda ([0:00:49](#))

Roll Call

The following elected officials were present:

- Council Chair Gary Winterton, conducting
- Council Vice-chair David Harding
- Councilor George Handley
- Councilor George Stewart
- Councilor Kay Van Buren
- Councilor David Knecht
- Councilor David Sewell, via conference call
- Mayor Michelle Kaufusi, arrived approximately 1:20 PM

Prayer

The prayer was given by Councilor George Stewart.

Business

1. A discussion on citywide tax incentives and retail reinvestment (18-057) ([0:06:30](#))

Council Executive Director Cliff Strachan introduced the discussion. Susie Becker, Zions Public Finance, Inc. recently presented on various economic tools that cities can use at an event for the Utah League of Cities and Towns. Susie Becker and Brian Baker, of Zion's Public Finance, Inc. (ZPFI), presented to the Council a similar presentation outlining various economic development tools that cities can use.

Ms. Becker explained that in the last year, there have been record store closures as well as store openings. There have been great expansions in experience-based retail, restaurants, and clustered uses. Ms. Becker outlined four tools at the disposal of cities:

- Opportunity zones
 - New tool under the Trump Administration to spur growth and job creation in distressed communities by providing tax benefits to investors
 - Governor Herbert submitted an opportunity zone in Provo which extends from the downtown area south to some of the business parks at Mountain Vista.
 - ZPFI thought cities should start to take advantage of this before 2026. Cities could layer an opportunity zone with use of low-income housing tax credits, tax increment financing, and could really bring up areas that are struggling.
- Community reinvestment areas
 - Tax increment revenue is the most widely used tool throughout Utah to encourage economic development.
 - Based on the base value of the reinvestment area before projects are completed.

Pending minutes – awaiting approval

- Variety of uses: infrastructure improvements, public improvements, land write-downs, environmental remediation, elimination of blight, demolition of structures, job creation, loans and grants, planning and design, other incentives, affordable housing, landscape and design, signage, and revolving loan funds.
- Special assessment areas
 - Typically created to facilitate infrastructure costs in a developed area.
- Transportation reinvestment zones
 - This tool was buried in Senate Bill 136, and allows two or more public agencies to create a transportation reinvestment zone. At least one agency must have land use authority, but the City could create an area with UDOT or UTA; although UDOT and UTA are not taxing entities, an agreement could be constructed to advance improvements within the purview of those agencies more quickly, such as expanded transit or bus routes.
 - Multijurisdictional boundaries – case study in El Paso, TX

Brian Baker, Zions Public Finance, Inc., explained that the Council recently used the tax increment financing tool with the Duncan Aviation project. Mr. Baker addressed the timing of tax increment revenues, where the revenue is generated several years after the project is begun. There is a funding discrepancy—a decision is made to invest in the infrastructure or property when there is no history showing that the value will increase as anticipated. Mr. Baker described strategies for dealing with the timing and fund gap issues for different economic development tools, particularly with regard to special assessment areas. The City’s interest earnings do not help with borrowing ability, but do aid the city’s assets and reserves.

John Borget, Administrative Services Director, explained why the City had used sales tax revenue bonds versus tax increment financing on some occasions in the past. Mr. Baker also shared his observations on that subject, noting that much of the strength of the financial tools comes from overlapping them creatively to best fit the needs of the project under consideration. ***Presentation only.***

2. A discussion on the Real Estate Purchase Agreement and Development Agreement for a medical school at the golf course (17-136 and 17-143) ([0:41:27](#))

Brian Jones, Council Attorney, introduced the discussion. Mr. Jones outlined several outstanding questions from the most recent drafts of the Real Estate Purchase Agreement and Development Agreement. Officials from Wasatch Educational and Rocky Mountain University were also present to help offer clarification and reach a consensus with the Council on the desired terms. The questions and clarifications are stated below.

- *Real Estate Purchase Agreement:*
 - Clarify costs of relocation: costs to move the holes and to get the course to a playable state (including any pipes that need to be moved, new or updated signage, moving the green, etc.).
 - Right of first refusal
 - Due diligence deadline or timeline: changed from 180 to 120 days
 - 4.2 – restrictive covenant provision removed
 - Section 8 – Further Assurances; Certain Covenants
 - Open-ended timeline for tests and studies accompanied by the 3-year limitation on the moving of the three holes
- *Environmental Indemnity Agreement:*
 - The developer accepted most of Mr. Jones’ changes from the last version.
 - Accepting expenses for known issues of methane mitigation – both groups supported documenting this in the agreement. Nathan Dorius, Wasatch Educational Legal Counsel, explained that Wasatch Educational expected the methane gas as a preexisting condition and they have incorporated this into their costs. The agreement was intended to address any unknown issues. Mr. Jones had added language regarding what the City would cover and what the developer would cover (regarding

environmental mitigation), within the bounds of what is mandated by the EPA and other environmental agencies. Mr. Jones had realized the methane issue had never been made explicit in the agreements, so they had wanted to add it.

Both groups acknowledged the inherent risk in the proposal and project. Mr. Jones was primarily concerned that the agreement could somehow increase the City's liability and wished to remedy any unclear sections. He clarified that were conditions in violation of federal law to be found while on the City's watch, the resolution of those issues would be the City's concern anyway. Mr. Jones outlined three scenarios:

- Leave the golf course as a golf course and do not do anything; liability was controlled by federal law and the risk of release [of environmental toxins] was fairly low.
- No environmental indemnity agreement in place and the City allowed construction to take place. Federal law governs what liability there is if there in the event of a release. Risk of a release increases.
- An agreement was in place and the City allowed the development to take place. Mr. Jones' goal was not to decide whether or not the development should happen; rather, he was focused on the review of the agreement documents to ensure that the City did not assume more liability by having the agreement than the City would have already assumed in not having an agreement.

Camille Williams, Senior Assistant City Attorney, noted that the developer had taken on some risks that other developers haven't; the developers do not expect to be compensated for delays and would not be going after consequential damages. Those are significant costs that they did not presume to take. Mr. Jones' and the Legal Department's feelings were that the City was in a better position risk-wise than Provo would have been by not having an agreement. Mr. Jones explained where the City was accepting more risk.

Councilor George Stewart said the discussed risks were the same risks he heard before—he believed the Council agreed to move ahead months ago knowing the risks, and with the environmental indemnity agreement, Mr. Jones felt that the City had the least risk possible that they could have while still moving forward with the development. Councilor David Knecht asked about the landfill conditions. Mr. Jones indicated that estimating or assessing the risk would require an expert in federal environmental law to perform an assessment of what is in the landfill and what constitutes a hazardous release to the surrounding environment. Wasatch Educational officials explained that underneath landscaped areas, parking, and sidewalks, there would be minimal impacts to the below-ground area; their intent was not to dredge up every piece of garbage in the landfill. John Nemelka, Wasatch Educational, explained that the Division of Environmental Quality would review and approve their excavation methods and provide ongoing consultation during the excavation process.

Councilor Kay Van Buren was concerned about the liability to the residents of Provo. Mr. Jones said he viewed his task as outside the policy decision, that of getting the agreements to the best place possible if the Council decides to go forward with the deal. Mr. Stewart felt the Council has litigated and discussed and if the agreement was in the best state, he was ready to vote on it. Councilors asked additional questions to clarify terms of the agreements. The developer and Legal team responded to these with more details. Mr. Jones continued with the discussion of outstanding questions in the Development Agreement.

○ *Development Agreement:*

- Infeasibility of project – the concerns about this section were resolved with the changes to the environmental indemnity agreement.
- 3.2 Terms – Mr. Jones accepted the change to take out 15 years in favor of the phrasing “completion of the Project Phase 4 as described in this paragraph”—the timeline would not be binding, but the agreement would still exist until the final phase of the project was completed or the developer came in for an amendment.
- Mr. Van Buren requested more specificity in the accommodations and timeline for relocating the 3 holes of the golf course. Wasatch Educational indicated that if the timeline allowed only one

Pending minutes – awaiting approval

growing season, they would lay sod, and if there were time for two growing seasons then they would plant grass seeds—either way, they would ensure the holes were ready for play.

- Mr. Jones requested feedback from Public Works on section 6.4 regarding water. Dave Decker, Public Works Director, indicated that they would need to review and then return their comments.
- Section 10.19.7 – ‘Chief Administrative Officer’ was removed, leaving just the Mayor.
- Mr. Decker expressed concern about how the sewer connection would take place. Mr. Jones and Ms. Williams said they tried to put limiting language as far as protecting the City’s costs. Mr. Decker and his staff would also review this section and return their comments to Mr. Jones.

Motion: George Stewart moved that the resolution for consideration at the July 17, 2018 Council Meeting include language that authorized the Mayor to sign the agreements as long as there were no material changes. Seconded by David Harding.

Roll call vote: Approved 7:0.

Wasatch Educational officials expressed their intent that they would pay any costs associated with connecting to the City’s sewer main line. ***This item was already scheduled at the July 17, 2018 Council Meeting.***

3. A discussion on amending PCC 14.34.350 regarding Recreational Vehicle Storage and Towing Impound Yards (18-077) ([1:44:43](#))

Councilor David Knecht introduced the item, which drew attention after an impound yard opened up on South State Street and quickly drew the attention of neighboring property owners. A developer was going to build a residential project adjacent to the property. Mr. Knecht would argue that having an active impound yard adjacent to a residential use or dwellings would be inappropriate and would not be compatible as a conditional use for the property. The Council could recommend a change of ordinance requiring that the impound yard be located a certain number of feet from a residential zone. A request has been submitted by Steve Turley, Developer, regarding a restriction based on distance. That item would be coming forward shortly as Mr. Turley worked with Community Development Assistant Director Bill Peperone on a related ordinance proposal. The Council was amenable to letting the process proceed in Community Development. ***Presentation only.***

4. A discussion on a purchase option for property located at Provo Towne Centre Mall (18-073) ([1:48:20](#))

Council Executive Director Cliff Strachan introduced the discussion surrounding the possibility of purchasing an option that would keep the purchase option available for a property at the Provo Towne Centre mall. Mr. Strachan outlined some of the policy considerations for the Council. Councilors shared comments on the option.

Councilor George Handley felt that it looked bad to be leaning in any particular direction at this point when the Council had not completed the process of public outreach and engagement surrounding the various choices. Mr. Strachan and Councilors discussed concerns expressed by Police Chief Rich Ferguson regarding locating the police department and public safety services at a mall. Many concerns related to security, safety, and adequate space needs for the public safety services. Engaging a consultant experienced with the requirements and needs of a police department was a step strongly recommended by Chief Ferguson.

Wayne Parker, CAO, explained that the Sears space had 5 separate entrances at the present; creating a separate entrance for the Police Department was not a difficult constraint to meet. Mr. Parker noted that the discussion had not reached that granular phase yet; those discussions would follow with each option. Mr. Parker noted that the option on purchasing the property at the mall was a matter of mitigating risk. The Administration originated the discussion of an option with Brixton, as a method designed for the Council to be able to make a good public policy decision that preserved an alternative. As the Sears building continued to be marketed (Mr. Parker noted

that it was shown regularly to potential tenants), the alternative of the mall may have been precluded at some point. The option was to allow the Council to make a decision about when those risk lines crossed.

Councilors shared comments and feedback regarding the option:

- Councilor David Harding felt that the option was either financially irresponsible, or did not allow for asking for public opinion in good faith. He appreciated Mr. Parker's comments about the risk and why the option was developed. He felt it expedient for the Council to first decide which of the three options would appear on the ballot for a bond; once there were clear direction in that regard, an option on the mall could be considered at that time if appropriate.
- Councilor George Stewart felt that the disruptions of building on the city center site were unacceptable and would be challenging to city operations. He was prepared to vote for the option.
- Councilor George Handley supported a more cautious and careful approach, which examined the trends in the Y2 Analytics survey results and continued to engage public feedback.
- Councilor David Knecht agreed that there was inherent risk that the mall property could be sold, but felt it was bad form for the Council to decide on the option. He felt public outreach and input were critical and wanted to hear as much as possible from the average voter.
- Councilors discussed whether it were possible to issue a resolution or statement expressing that the decision points regarding city facilities were coming. Brian Jones, Council Attorney, explained that the Council could direct staff by motion to prepare a statement.

Motion: David Harding moved to direct staff to prepare a joint statement indicating the Council and Mayor's intent or opinion that addressing the city center needs was necessary.

Amended motion: Mr. Harding amended the motion to include the public safety (police, fire, and dispatch) buildings and Fire Station 2 on Canyon Road, as well as the intent to engage public feedback during the process.

Amended motion: Mr. Harding amended the motion to direct staff to prepare a joint statement indicating the Council and Mayor's intent or opinion that addressing the city center needs, public safety (police, fire, and dispatch) buildings, and Fire Station 2 on Canyon Road were necessary, as well as the intent to engage public feedback during the process, and to allow the statement to be issued following approval by the Mayor and Council Leadership. Seconded by George Stewart.

Roll call vote: Approved 7:0.

City Administration outlined a schedule of upcoming tours of City facilities and Fire Station #2 and open houses which the public could attend to learn more about the condition of the facilities and ask questions of City officials. The Provo Towne Centre was also holding an open house, not sponsored by the City, to allow residents and City officials to see the facility. Mayor Kaufusi outlined materials and information which would be available online. Councilors shared other ideas for outreach and welcomed public input during the process.

Policy Items Referred from the Planning Commission

5. A discussion on a proposed resolution to adopt the amendments to the General Plan text for the General Plan update (PLGPA20180142) ([2:19:37](#))

Council Executive Director Cliff Strachan briefly outlined the steps which had preceded the proposed amendments, including public consultations, and multiple requests for comments on Open City Hall (to the neighborhood program, broader public, Council and staff, and other City staff). The updates were reviewed at various stages by the Council, Council Committees (Housing, Policy Governance), Planning Commission, and

others. Mr. Strachan clarified that the objective of the discussion was to request approval of an amendment that consolidated and aligned the current sections of the General Plan with Vision 2030, which had been adopted after the last adoption of the General Plan. Mr. Strachan also intended to address Councilors' questions concerning the process and the specific amendments to the General Plan. Mr. Strachan explained that the draft was more a reorganization than a substantive update, which included the following elements:

- Text amendment to Land Use chapter based on July 10, 2018 adoption of the Timp Neighborhood Plan
- Incorporation of vision statements and implementation steps of General Plan
- Substantive changes only where adopted elsewhere by the Council (west side development policies)
- Alignment with Vision 2030
- Removal of duplicate material contained in master or neighborhood plans and incorporation by reference

The Planning Commission recommended denial. The Policy Governance Committee recommended that the Council approve and the Mayor sign the amendments and that the Council invite the Planning Commission to undertake a comprehensive and thorough review of the General Plan element by element. By adopting the amendment that staff and Council have spent 1.5 years on, the Council can reach their goal of two years earlier of updating and aligning the General Plan and City's visioning documents. Mr. Strachan illustrated an example of a plan element incorporated by reference (Timp Neighborhood Plan).

Councilors shared comments and feedback on the process, including:

- Councilor David Knecht felt that periodic updates between comprehensive updates were helpful to the process for the more extensive comprehensive updates.
- Councilor George Handley had concerns about the process and the Planning Commission's concern; he felt that proceeding without proper consultation of their professional expertise may have been a misstep and did not contribute to good will between the groups. There was also perhaps confusion or ambiguity regarding the context of an update versus an amendment. He was appreciative of the efforts and work of the Council, Council staff, and Community Development staff and acknowledged that the Planning Commission's concerns regarding both substance and procedure had been duly noted by the Council.
- Mr. Strachan explained that Community Development staff had been involved with the process since November 2017. The Planning Commission also had the same kind of access as the general public, though perhaps the only step missed was not having the Planning Commission perform a more substantive review of the draft earlier in the process.
- Council Attorney Brian Jones clarified the State statute regarding General Plan updates and the involvement of the Planning Commission; the State code does not identify a threshold for when the Planning Commission must initiate the process.
- Councilor George Stewart suggested that the Planning Commission, an advisory body, may have different philosophies than the Council; he did not object to voting even though the Commission recommended denial.
- Councilor Gary Winterton expressed Provo's unique position with two guiding documents and felt there was not a standard procedure for how to follow two visioning documents; this was an effort to remedy that conflict and bring the City into compliance.

Community Development Director Gary McGinn explained that Community Development staff provide a draft to the Planning Commission as a starting point for a major update of the General Plan.

Motion: David Harding moved to include the changes to the section for incorporating the Timp Neighborhood Plan by reference. Seconded by David Knecht.

Councilors discussed whether there was benefit in returning the draft to the Planning Commission with a goal to look at the organization of the document—the Planning Commission had recommended denial on the basis that

they felt they'd not had sufficient time to review the document. Mr. McGinn indicated that the Planning Commission could continue to review and Community Development would aid them with that process.

Roll call vote: Approved 7:0.

6. A discussion on an ordinance amending the General Plan regarding a designation change from Mixed Use to Industrial for 14.17 acres located at approximately 1400 S. State Street. Spring Creek Neighborhood. (PLGPA20180128) ([2:59:05](#))

Austin Corry, Planner, presented. Mr. Corry clarified that the request applied only to the vacant portion of the ProSteel property, an area of about 8 acres. Mr. Corry outlined the history of the property's zoning and the General Plan recommendations. The applicant did not provide detail regarding the intended use of the property, and the neighborhood envisioned a different future use for that area than industrial. Staff felt that the application did not provide sufficient information for analysis on whether this was a compatible change for the General Plan map. As such, staff have recommended denial of the proposal. The applicant did not provide any follow-up clarification. Councilors asked questions to clarify elements of this request and shared comments. Councilor David Knecht expressed that a neighboring property owner, Craig Peay, was supportive of the Council's efforts to introduce more housing on the south State Street area and did not support the applicant's request.

Presentation only. This item was already scheduled for the July 17, 2018 Council Meeting.

7. A discussion on an ordinance amending Provo City Code regarding neighborhood meeting requirements for General Plan amendments and zone changes. Citywide impact. (PLOTA20180186 and 18-036) ([3:07:22](#))

Robert Mills, Planner, presented. This ordinance amendment was forwarded to Community Development from Council staff, regarding substantive changes to the City Code to provide better opportunities for neighborhood chairs to be notified of proposed zone changes and general plan amendments. The new language would allow 45 days from sending of an applicable notice to a neighborhood chair for the neighborhood chair to schedule a meeting or determine whether one was necessary. ***Presentation only. This item was already scheduled for the July 17, 2018 Council Meeting.***

8. A discussion on an ordinance amending Provo City Code regarding allowances and requirements of home occupations. Citywide impact. (PLOTA20180109) ([3:09:40](#))

Brian Maxfield, Planning Administrator, presented changes to the requirements and allowances for home occupations, many of which originated from previous Council discussion. State code recently excluded a requirement for licensing of individuals 18 years of age or younger for businesses that have no impact on adjoining neighborhoods. In Provo City, a minor home occupation has to meet certain conditions, and then does not have to comply with the permitting process. The changes to the City Code would prohibit an accessory apartment and a major home occupation in the same location, and would also add definitions to provide more clarity for the terms of the section. Mr. Maxfield reviewed the proposed changes and responded to questions from Councilors on the section.

Councilor Gary Winterton referenced an advisory opinion from the State of Utah Department of Commerce Office of the Property Rights Ombudsman and asked for clarification on how the City evaluates home occupation businesses. Mr. Maxfield explained that every conditional use that the City has must be approved unless there are specific impacts that are detrimental on an adjoining property that cannot be mitigated. Typically the conditional use is approved with specific recommendations for mitigation efforts. Regarding the advisory opinion from the Property Rights Ombudsman, Council Attorney Brian Jones explained that both the Board of Adjustment and State Property Rights Ombudsman felt that the conditions could have been mitigated and that the conditional use should have been approved. The decision was still ongoing, as the City appealed the

decision on the basis of jurisdiction; the applicant's appeal of the decision at the Administrative Hearing should have been to the Planning Commission and not to the Board of Adjustment.

Mr. Stewart felt there were problems with the major home occupations in the City and that changes to the program were needed. Mr. Maxfield and Mr. Jones addressed Councilors' questions regarding parking requirements for home occupation businesses and accessory apartments. Councilors asked questions to clarify proposed changes, as well as suggested factors (such as property size and outside employees) to examine during future review. Mr. Maxfield explained that so long as a non-conforming business complied with the original conditions of approval for the conditional use permit, they were permitted to continue operating. ***Presentation only. This item was already scheduled for the July 17, 2018 Council Meeting.***

Closed Meeting

9. 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.

None requested.

Adjournment

Adjourned by unanimous consent.



Provo City Municipal Council

Staff Memorandum

Congress for the New Urbanism Conference - Report

August 21, 2018

<p>Presenter Dave Harding</p> <p>Issue File # 18-079</p>	<p>Item Short Title A presentation on the Congress for the New Urbanism Conference (18-079)</p> <p>Background City Councilors are occasionally invited to attend national conferences on topics related to their duties in order to be aware of and informed on best practices and important issues. Work Meeting conference reports are a way to share this information more broadly among the Council and increase the impact of the investment.</p> <p>David Harding attended the Congress for the New Urbanism Conference held in Savannah, Georgia this last May. He will be relaying some of the key points that are most relevant for Provo. "Urban" comes from the Latin word for "city", so "urban design" simply refers to the design of the city. New Urbanism advocates for the return to design principles that guided the evolution of cities for centuries, the same principles that gave us Center Street, Provo. New Urbanism advocates for cities to be designed for human beings, with places that people want to be. For additional information, please see the Charter of the New Urbanism:</p> <p>https://www.cnu.org/sites/default/files/charter_english.pdf</p> <p>Intended Outcome of Discussion/Requested Action Relevant information from a national conference shared and discussed with the Council.</p>
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Compatibility with the General Plan

General Plan, Section 1.2.4: Urban Design:

“Urban design standards for commercial and residential developments should be implemented to promote neighborhood conservation, maintain property values, and enhance Provo City’s appearance. Design standards should promote public health, safety, and general welfare. Design standards should regulate landscaping, signage, architecture, scale, setbacks, height, massing, and the overall style character of developments in order to help protect important views, significant architectural resources, and improve the overall built environment.

“Urban design should also include the overall contextual design of neighborhoods and streets to promote safe and convenient walkability and bike-ability where possible. Easy access to public transportation and basic shopping needs to cut down on automobile traffic and encourage alternative modes of transportation is a positive outcome of effective urban design.”



Provo City Municipal Council

Staff Memorandum

2018 Council Priorities

August 21, 2018

<p>Presenter Cliff Strachan</p> <p>Issue File # 18-004</p>	<p>Item Short Title A discussion on Council priorities (18-004)</p> <p>Background On January 30, 2018, Council members held a retreat during they discussed their priorities for 2018-2019. Most of the Council supported five general themes as possible priorities, some of which were left over from the previous two years. The five themes were:</p> <ul style="list-style-type: none">• Housing<ul style="list-style-type: none">○ Affordable housing, mixed housing type, single housing• Zoning<ul style="list-style-type: none">○ Impediments, resources, housing stock and availability• Economic development• Budgeting for Outcomes<ul style="list-style-type: none">○ Quality of life concerns versus necessities○ Capital Improvement Plan (CIP) priorities, facility improvements, infrastructure planning• Vision 2050<ul style="list-style-type: none">○ Balanced community input (e.g., sample widely— involving the general population in Provo beyond a vocal minority or special interest group), long-term planning, and policy refinement, all resulting in a clear visioning document for the City○ Training on how to get a good turnout at neighborhood meetings – this could be a helpful element in soliciting feedback from neighborhoods on Vision 2050. <p>The Council never formally adopted these topics as priorities at</p>
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the retreat. This discussion will focus on whether the five themes are still relevant as priorities (i.e., Vision 2050 may not be as relevant now that Planning Commission is tackling the General Plan), and whether the Council is satisfied with the identified desired outcomes and performance indicators associated with each priority.

Intended Outcome of Discussion/Requested Action
Adopt Council priorities for 2018-2019.

Alternatives

- Revise the originally-proposed Council priorities and adopt at a later date. This could involve adding priorities to or eliminating priorities from the original list.
- Choose completely new Council priorities and adopt at a later date.
- Do not adopt Council priorities in the future.
- Establish City priorities in conjunction with the Administration.



Provo City Municipal Council

Staff Memorandum

Request for Qualifications Relating to the Creation of a Community Land Trust

August 21, 2018

<p>Presenter David Walter</p> <p>Issue File # 18-081</p>	<p>Item Short Title A discussion on a Request for Qualifications relating to the creation of a Community Land Trust (18-081)</p> <p>Background We are talking about issuing a Request for Qualifications (RFQ) to solicit proposals from qualified agencies interested in developing and managing a Community Land Trust (CLT). The Redevelopment Agency of Provo City Corporation is desirous to extend the benefits of homeownership to more of the city's residents. A Community Land Trust is a vehicle to that end. Our intent with the RFQ is to find an agency willing to establish a non-profit agency and board who would work with Provo to develop a pilot CLT that could be extended citywide. We would look to have the agencies be willing to provide staffing, marketing and resources to operate the CLT.</p> <p>Intended Outcome of Discussion/Requested Action Presentation only</p> <p>Compatibility with the General Plan General Plan, Goal 3.4.1.14: Encourage such tools as community land trusts and inclusionary housing to ensure more stability in owner occupancy rates.</p>
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Provo City Municipal Council

Staff Memorandum

Inclusionary Zoning

August 21, 2018

<p>Presenter Bill Peperone</p> <p>Issue File # 18-080</p>	<p>Item Short Title A discussion on inclusionary zoning in Provo City (18-080)</p> <p>Background Inclusionary zoning is often linked to community land trusts—the topic preceding this one on the work meeting agenda. Bill Peperone will give the Council an overview of inclusionary zoning to provide context for community land trusts.</p> <p>Intended Outcome of Discussion/Requested Action Presentation only</p> <p>Compatibility with the General Plan General Plan, Goal 3.4.5.6: Provo City will set aside a reasonable and effective minimum of any new commercial or residential development for affordable housing units or redevelopment in the City (inclusionary zoning).</p>
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Provo City Municipal Council

Staff Memorandum

Parking/Sustainability Coordinator Position

August 21, 2018

<p>Presenter Gary McGinn</p> <p>Issue File # 18-047</p>	<p>Item Short Title An update on the parking/sustainability coordinator position (18-083)</p> <p>Background During budget season, the Administration proposed combining the already-existing parking coordinator position with a new sustainability coordinator position. Gary McGinn from Community Development will give an update on the efforts to create the position.</p> <p>Intended Outcome of Discussion/Requested Action Update only</p> <p>Compatibility with the General Plan & Parking Strategic Plan</p> <p>General Plan, Chapter 5.3: Municipal Services and Facilities -Vision “As Provo City grows, we will provide sustainable, quality Municipal Services and Facilities that are effectively and efficiently delivered at the level our residents request and at the level the community is willing to pay for.”</p> <p>Parking Strategic Plan, pg. 136 “One of the most important and urgent actions that needs to be undertaken in the authorization and recruitment of a parking manager. We highly recommend that the City recruit and hire a high caliber individual that has both parking and transportation management experience and also excellent communications skills, the vision the guide program development and someone who can work</p>
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	<p>well in a team environment. Parking is more complex and inter-related to many other City functions that most people appreciate. Parking can also be very controversial and needs a manager that can generate confidence and trust while also being politically astute.”</p>
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Provo City Municipal Council

Staff Memorandum

Permit Parking Program Designation Process

August 21, 2018

<p>Presenters Kelsey Zarbock Gary McGinn</p> <p>Issue File # 18-083</p>	<p>Item Short Title A discussion on the permit parking program designation process (18-082)</p> <p>Background In the past month, two residents have either submitted or are preparing to submit proposals for parking permit areas. Currently, when Provo residents want to submit a proposal and petition for a parking permit area, there is not a clear way for them to initiate the process, leading to ambiguity and frustration for residents. Although PCC 9.80.070 (Designation Process) outlines the following process, it does not address the following questions or concerns:</p> <p>If a parking program is proposed by a resident . . .</p> <ul style="list-style-type: none"> • The resident must submit “a petition which shows the names of residents in the proposed permit area who favor the proposal.” PCC 9.80.070(2)(c) <ul style="list-style-type: none"> ○ <i>Does a certain percentage of residents who live in the proposed permit area need to sign the petition before the proposal can come to Council?</i> • “The petition shall be on a form approved by the City Permit Parking Coordinator. . . ” PCC 9.80.070(2)(c) <ul style="list-style-type: none"> ○ <i>There is no form approved by a City Permit Parking Coordinator.</i> ○ <i>Even if such a form existed, from whom or where would you get the form?</i> • “Following the receipt of a proposed permit parking program, the Municipal Council shall hold a public hearing. . . ” PCC 9.80.070(3) <ul style="list-style-type: none"> ○ <i>What is the process for turning in the parking program proposal to the Council?</i>
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Under the status quo, residents interested in submitting a parking program proposal usually contact staff in the Community Development Department first, who provide them with information about the process before referring them to staff in the Council office. In the absence of a form approved by a City Permit Parking Coordinator, Council staff have produced a make-shift form for residents to use, in order to ensure that their proposals and petitions meet the requirements specified in the Code. The resident then submits the completed form back to Council staff, and from there, Council staff schedule the first public hearing on the proposal.

Intended Outcome of Discussion/Requested Action

Direct the Council Policy Governance committee to review the Permit Parking Program Designation Process in PCC 9.80.070, with the directive for the Committee to provide a recommendation at a future work meeting.

Alternatives

- Do not take action at this time.
- Refer to a different committee or department for review.

Compatibility with the General Plan & Parking Master Plan

General Plan, Goal 2.4.2.13: Continue to work with neighborhoods desiring to implement options provided by City ordinance for parking permit programs.

Parking Strategic Plan, pg. 9 – Guiding Principle 3.2: Current and future residential parking permit programs should be enhanced to improve neighborhood parking enforcement operations.