

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo

Regular Meeting Minutes

5:30 PM, Tuesday, November 10, 2020

Electronic meeting: <https://www.youtube.com/provocitycouncil>

Roll Call

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Councilor Shannon Ellsworth

Councilor Bill Fillmore

Councilor George Handley

Councilor David Harding

Councilor Travis Hoban

Councilor David Sewell

Councilor David Shipley

Mayor Michelle Kaufusi

Chief Administrative Officer Wayne Parker

Council Attorney Brian Jones

Council Executive Director Cliff Strachan

Conducting: Council Chair George Handley

Prayer – Councilor David Shipley

Pledge of Allegiance – Councilor David Sewell

Presentations, Proclamations, and Awards

1. *****CONTINUED*** A recognition and commendation for a Provo Citizen that through his actions helped police solve multiple crimes. (20-238)**

Public Comment

There were no public comments.

Approval of Minutes ([0:12:47](#))

The following minutes were approved by unanimous consent:

- April 14, 2020 Council Meeting Minutes
- May 5, 2020 Council Meeting Minutes
- June 2, 2020 Council Meeting Minutes

Action Agenda

2. **Resolution 2020-41 appointing HBME as Provo City's auditors for FY 2021 through FY 2023. (20-239) ([0:13:32](#))**

Motion: An implied motion to approve Resolution 2020-41, as currently constituted, has been made by council rule.

Clifford Strachan, Executive Council Director, presented. The proposed resolution would renew the Council's contract with Hansen, Bradshaw, Malmrose & Erickson (HBME) for auditing services. He noted a \$5,000 discount was given to the City.

Chair Handley invited public comment. There was no response to the request.

With no council discussion, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

3. Resolution 2020-42 authorizing the Mayor to sign a contract for the Urban Deer Control Program and appropriating \$7,625 from the General Fund in support of the contract. (20-224) ([0:16:00](#))

Motion: An implied motion to approve Resolution 2020-42, as currently constituted, has been made by council rule.

Camille, Williams, Assistant City Attorney, presented. On July 7, 2019 Provo City entered into an agreement with Humphries Archery, LLC to provide for urban deer removal, in accordance with the Urban Deer Plan approved by the Council. We were in the fourth year of this program and the final year of the current contract. The program ran from August 1 through December 31 of each year. The proposed ordinance would allow the City to renew the contract for two years and appropriate \$7,625 in 2020 to remove up to 32 deer from two sites. For years 2021 and 2022, up to \$12,500 per year would be budgeted for removal of 32 deer from four sites.

Chair Handley invited public comment. There was no response to the request.

With no council discussion, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

4. Ordinance 2020-48 amending the zone map classification of approximately 18 acres of real property, generally located at 1920 South 500 West, from Agricultural (A1.20) to Low Density Residential (LDR). Lakewood Neighborhood. (PLRZ20190182) ([0:24:18](#))

Motion: An implied motion to adopt Ordinance 2020-48, as currently constituted, has been made by council rule.

Aaron Ardmore, Provo City Planner, presented. He stated that D.R. Horton was requesting a zone change from A1.20 to LDR for a townhome development near 1920 South and 500 West. They have been working through different versions of the concept plan since 2019 and have been waiting for sewer capacity issues to be resolved. The first phase of the plan would include 40 units, as well as a public street connecting 730 West to 500 West. In total, there would be 206 townhomes, of three different designs, brought in over six phases of 40 or fewer units at a time. Proposed open spaces included a volleyball area, a tot lot, pickleball courts, with additional park space on the northeast and along Lakeview Parkway. The proposed zone change included a development agreement requiring the developer to build according to the approved site plan, which included improvements along the two city street frontages (500 West and Lakeview Parkway).

Chair Handley invited public comment.

Becky Bogdin, Lakewood Neighborhood Chair, said the majority of residents attending the neighborhood meeting were opposed to the development, but would enjoy another access point into the area. Residents in the Osprey neighborhood were concerned about parking and congestion on their streets, as well as points of access into the area. They would prefer three different types of housing, including single family residential, not just three different townhome looks. If these issues were resolved, she felt the neighbors would be supportive.

Seeing no more public comments, Chair Handley invited council discussion.

Chair Handley asked about housing diversity in the area, including higher end single-family homes. Mr. Ardmore said there were plenty of homes that met that criteria with a range from R1.6 to R1.20. The plan that had been adopted for this area contained housing diversity. Many of the areas slated for a little more density included developments at the cross sections of major roads. A lot of the undeveloped land on the west side was slated for R1 residential.

Councilor Ellsworth stated that this area did not have any similar type of housing as the proposed multi-family homes, but there would be a diversity of housing nearby. She thought it was a good project.

Councilor Harding said the westside development policies included a future land use map, approved by the council. He referenced the following policies included in Section 3 of the plan:

- Encourage sustainable residential development standards.
- Detached, single-family homes should be the predominant type of housing.
- Other types of housing should augment, and not detract from, the single-family feel of the area.
- Housing types should be mixed, without barriers separating the types or densities.
- The scale and style of the residences should enhance the surrounding areas.
- The overall density of the area should average four units to the acre.

Mr. Harding said he liked some things about the proposal but he did not think it lived up to the vision of the policy. He would like to see a mixture of housing types within the development, rather than just three types of townhomes.

In response to a question from Councilor Harding, Mr. Ardmore said the overall area would be four units per acre. Some areas, such as the proposed development, would be higher than that and some would be lower, but the net would be four units per acre.

Councilor Shipley asked about the traffic concerns brought up by Ms. Bogdin. Mr. Ardmore said some residents felt the road connecting 730 West to 500 West had an adverse impact. However, planning professionals thought this provided connectivity through the area and outweighed the concerns. Additional connections would not be permitted in this area because of Lakeview Parkway's road class.

In response to a question from Councilor Harding, Krisel Travis, with DR Horton, said they were not targeting any demographic. This was affordable and attainable housing. It would appeal to those that struggled in the market to afford a stand-alone home.

Councilor Harding said that the proposal exceeded the parking requirement. He worried that this area would become short-term rentals by investors due to proximity to the airport. Ms. Travis responded by

saying they had a policy in projects like this where they did not accept investors. Their CC&R's defaulted to the city code that governed these types of properties. Their target was the family, not the investor.

Councilor Sewell said that if we permit the density for this project, we were setting aside the goal of four units per acre. The density in future projects would be limited. For instance, you could only put ten units in a 36-acre project. A 72-acre project would only allow 2.1 units per acre. It was not realistic to think we would build future projects at only two or three units per acre.

Councilor Ellsworth said if they stayed with the four units per acre goal, they may never be able to attract a grocer to the area. More analysis may be needed to manage all the goals and objectives.

Chair Handley said one of the moving targets was which areas of open space and agriculture would be preserved. They were in the midst of negotiation on a couple of properties to the north, but it was not entirely clear which areas were feasible for preservations.

Mr. Ardmore displayed the Southwest Area Future Land Use Map, which showed the areas they needed to consider to arrive at four units per acre. Councilor Harding appreciated the explanation and was comfortable with the proposal. If the Council was willing to follow the map, they would achieve four units per acre.

Brian Jones, Council Attorney, reminded the Council there had been a comment about a development agreement. They would need a substitute motion to substitute the current ordinance with a version of the ordinance making the effective date contingent on signing a development agreement. It would make sense to make that motion regardless of whether or not they continued the item.

Motion: Councilor Harding made a motion to make the implied motion refer to the ordinance with the development agreement. The motion was seconded by Councilor Fillmore.

Chair Handley called for a vote on the motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

Councilor Sewell was inclined to deny the rezone request. He understood Councilor Ellsworth's desire, but at this time it did not seem realistic to approve a development at this density and expect future councils to deny a similar request. Unless the policy was to be changed, he wanted lower density and additional housing types in this project.

Councilor Ellsworth appreciated Mr. Sewell's ideas, but this was already pretty far into the process. This was a location near two large roads. She was not sure what the best type of housing would be near such a major road, but this project seemed to fit. She expected that, in the future, there would be commercial nearby. With the new medical school across the freeway, they would need housing. She also preferred diversity, but thought this was a problem with the code, not the developer.

Councilor Fillmore liked the project and wanted to support it. The location made sense, and helped encourage a future grocery store in the southwest.

Councilor Shipley said he lived on the far west side and was generally supportive of the proposal. There were already many single-family homes and this project provided diversity. It was unfortunate there

were pods of really dense developments, but this was surrounded by single family homes. This was an ideal location for this type of development.

Councilor Hoban agreed, saying this was a good balance between other ideas and proposals. He did not see any negative impacts in terms of traffic or parking. It made sense to have higher density closer to the freeway.

Councilor Harding wanted to avoid pods or concentrations of zoning types. He was frustrated that, for almost two years since the policy had been passed, projects were being approved despite not being a great match. It was possible to approve this and remain committed to the overall goal of four units per acre. He was not thrilled with the layout of the development and thought a better mix of housing would be more attractive. In terms of timing costs for developers, he and Councilor Sewell streamlined the process while still allowing for public input. Two public hearings was not a burden and it was still quicker than the old process.

Councilor Sewell thought this could be a good project but continued to get distracted by the numbers. A vote to approve this would set aside the goal of four units per acre. He did not want this development to restrict property owners from developing their property in the future because of the acreage requirements. He was opposed to the rezone under the current policy.

Chair Handley thought Councilor Sewell's comment may be reason to continue this item. It would be helpful to put this under closer evaluation. A second reason to continue was to reconsider the current zoning. He wanted to make sure there was a clear signal to developers. There were no other opportunities like this in the city. He wanted to get this right and wanted the very best zoning amendments and calculations to get higher quality results.

Councilor Hoban said there were 112 acres allocated to LDR in this area; this project was only 18 acres. We have another 90 or so acres of LDR left and an additional 1,500 acres left to accomplish the net goal of four units per acre. If not approved in this location, it would be somewhere less convenient. There may be more difficult decisions in the future, and this was a decent option.

Councilor Ellsworth agreed that density should be by the freeway. If not, we are putting density where residents have to drive through town. Hopefully this would reduce congestion and traffic. She did not think they could get a grocery store on the west side if it was all single family and four units per acre.

After clarification that open space was being counted as part of the acreage, Councilor Sewell felt comfortable voting on the request that night.

Chair Handley called for a vote on the implied motion to approve the zone change.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

5. Ordinance 2020-49 amending Provo City Code to increase the permissible lot coverage in the Del Coronado PRO Zone. Maeser Neighborhood. (PLOTA20200318) ([1:30:39](#))

Motion: An implied motion to adopt Ordinance 2020-49, as currently constituted, has been made by council rule.

Dustin Wright, Provo City Planner, presented. The Del Coronado PRO Zone was established in 2008 on an acre of land that was subdivided into three parcels. The largest parcel was developed with an apartment and the other two parcels were designed for single-family homes. The applicant would like to build two new, equally sized, homes on these lots. The applicant ran into an issue with the requirement in the zone that regulated how much of the lot could be covered by the structure. The current code allowed no more than thirty percent coverage. He was requesting that this be slightly increased to 35 percent to allow for these homes to be built.

This item was approved by the Planning Commission. They proposed that the minimum be increased to 40 percent to give more flexibility to the developer. Mr. Wright said that staff was comfortable with the proposal.

Chair Handley opened public comment, there was no response.

With no council discussion, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

6. Ordinance 2020-50 amending the zone map classification of approx. 1.7 acres of real property, generally located at 1320 South 1080 East, from Residential (R1.10) to Low Density Residential (LDR). Spring Creek Neighborhood. (PLRZ20200319) ([1:34:54](#))

Motion: An implied motion to adopt Ordinance 2020-50, as currently constituted, has been made by council rule.

Mr. Ardmore said the proposal would change the zone map classification of 17 acres from the R1.10 (One-family Residential) zone to the LDR (Low Density Residential) zone. This was a portion of the substation property not being used, and was being surplus by Provo City. The development would include ten twin homes on the north, eight detached, single-family homes on the west, and a parking lot and pickleball court on the south. The site would be accessed off of 1080 East and 1320 South. Only three lots would have direct access from these streets.

Councilor Harding said that, even though it was an odd-shaped parcel, he liked the layout of the development. It was a well-thought out development with twin homes, single-family homes, and open space.

Chair Handley opened public comment.

Mary Millar, Spring Creek Neighborhood Chair, was online, but unable to unmute in order to comment. Mr. Ardmore said she reported the neighborhood was in favor during the Planning Commission meeting.

Ally Christiansen, Provo, liked the proposal but wanted to know if bike lanes would be proposed.

Melanie McCoard, Provo, was glad the area plan was being followed. Putting high-density housing adjacent to an arterial road was good because traffic would not have to go through a neighborhood. The proposed rezoning was part of a plan to correct the problem created by bad planning east of State Street. She noted the developer offered a development agreement stating the homes would not be sold to investors. She said they had that same agreement with projects east of State Street and the developer sold to investors anyway. She disagreed with the statement made by Councilor Ellsworth

during work session earlier in the day when it was stated that over occupancy along Slate Canyon Drive was not a problem. Traffic and congestion on Slate Canyon Drive was still a concern, along with over occupancy, and the neighborhood was not going to let it go.

Chair Handley closed the public hearing and invited council discussion.

Ms. Ellsworth thanked the staff for working on this project. It was unique because the city did own the property. She appreciated the extra effort working with the developer to make it a little lower density, diversify housing types, and increase the quality of the exteriors.

With no more discussion, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

7. An ordinance amending the Zone Map classification of approximately 1.07 acres of real property, generally located at 50 East 3900 North, from Residential (R1.10) to Low Density Residential (LDR). Riverbottoms Neighborhood. (PLRZ20190265) ([1:48:34](#))

Motion: An implied motion to adopt the ordinance, as currently constituted, has been made by council rule.

Aaron Ardmore, Provo City Planner, presented. He referenced a map showing the area at 3900 North University Avenue from 70 East to 100 East. A single-family home located on the property, zoned R1, would be demolished. The property owner requested a zone change to LDR (Low Density Residential). He offered a development agreement to keep the development to ten units - three pairings of two and one pairing of four – a reduction from earlier plans. The latest plan changed the orientation and architecture of the buildings to address previous concerns.

In response to a request from the council earlier in work session, Mr. Ardmore gave an overview of the zones in the area and said the zone change would make it consistent with the other LDR zones on the east side of University Avenue. It provided a diversity of housing that transitioned from one area to another, not just clusters of housing.

In response to a question from Councilor Ellsworth, Mr. Ardmore said the VLDR (Very Low Density Housing) would allow up to seven units per acre. The LDR zone, because he applied almost a year ago, would allow up to 15 units per acre. He offered a development agreement that would limit the development to ten units per acre.

Councilor Sewell pointed out that the development just north of 3900 North shows LDR but the southern half of the developer was actually VLDR. They just did not have that zone at the time it was built. There were some very nice townhomes on the property that the neighborhood really liked. Also, just south of 3900 North there were three R1.10 PD zones that were very similar to the VLDR zone with attached homes.

Chair Handley felt there was already diversity in the area. In fact, it seemed there were more LDR zones. Mr. Ardmore said that with Old Ivy, and other developments to the north, there was a mix of twin homes or three unit townhomes. This action would continue this trend, but the layout and designs would be different.

Chair Handley invited public comment.

Dave Rosen, Riverbottoms Neighborhood Chair, expressed concern that the City was carving up and dividing their single-family neighborhoods. The City was sending a message that single-family neighborhoods were not going to be preserved in the future. The neighborhood had worked to put single-family homes across the street and behind the apartments on 4800 North in order to preserve that row of single-family homes. In the past, single-family homes had been built on larger lots, anywhere from 0.8 acres to three plus acres. By allowing developers to build multiple homes on those sites it would dramatically change the area. They have asked Mr. LaFontaine to consider VLDR and putting six units on the property instead of ten. The four unit building would be across the street from single-family homes. He asked the council to consider the decision they were making that night and preserve single-family neighborhoods.

Michael Call, Provo, said the action would not create a consistent corridor. The development to the north and the Old Ivy development had separate entrances and exits so they did not feel contiguous. The proposed development would not be connected to the main arteries – the exits and entrances on the streets did not connect. The neighborhood approved the Old Ivy development and worked with Legacy to the North in order to provide different kinds of housing. Where does this trend stop? Where did the development stop and the single-family neighborhood get preserved?

Phyllis Rosen, Provo, said that Mr. LaFontaine had not tried to work with the neighborhood. They have tried to work out a compromise but he refused to talk to them. This property did not touch University Avenue so it was not part of that corridor. It needed to stay a separate neighborhood. The neighborhood was very close socially and that was why they liked living there. Only one person wanted this to go forward. Why should they dictate to the rest of them what happened in their neighborhood?

Brian Zilich, Provo, said since this property was not on University Avenue, there could not be an entrance or exit on University Avenue. This made it different than other properties they were trying to compare it to. They would have to access the development from neighborhood streets and this was a safety concern. People were already cutting through their neighborhood to avoid the light at 3700 North. Adding ten families, with limited parking spaces, would only bring more congestion to the area. While a VLDR zone would be better, it was more conducive to split the lot into two single-family homes.

Susan Sewell, longtime resident of Canyon Cove, was one of the first people to build in the area. When they first built their home, there were restrictive covenants that all homes had to meet, such as home size, lot size, etc. They have had to fight the city many times to keep it a single-family neighborhood. This development would replace one existing home with ten townhomes. They would have to exit onto 3700 North, which had a right in and right exit access to University Avenue. This development did not belong in the neighborhood.

Melanie McCoard, Provo, was in favor of the development. It fit with the larger city plan. She had been watching city redevelopment more than 20 years and had been frustrated that the Riverbottoms area seemed to get away from providing their fair share of affordable housing. The location for the development made logical sense. At one point in her southeast Provo neighborhood, it was 63 percent multiple family housing. It was unsustainable for the school, church congregations, and neighborhood projects.

With no more public comment, Chair Handley invited council discussion.

Councilor Sewell said the reason he got involved in City politics was to give the residents a voice. The residents in the area were pleased with the development just north of the neighborhood. It included an assisted living home and the townhomes. The original plans for the development were quite different and it took the developer and city, working with the neighborhood, to come up with a plan that everyone could agree on. It was a win-win situation. Sometimes a domino effect with developments was hard to disrupt. That experience influenced his decision to run for council. He wanted to be sympathetic to voices being heard.

Councilor Sewell gave an example of another development in the area that was built after a majority of residents approved of the project. A special exemption was given in the LDR zone; which allowed the development to build seven feet higher and the setback was reduced by five feet. At the time, he was not worried about the exemption. However, after it was too late to change the plans, he realized the townhomes were pretty tall and right up close to the LaFontaine's fence.

As for the current proposal, he felt the proposed LDR zone was not an appropriate zone for this property. There was no direct access to University Avenue and it did not front University Avenue. The 3900 North entrance to the neighborhood did not have full access to University Avenue. The development would exit onto 3900 North. The 3900 North entrance to the neighborhood did not have full access to University Avenue, it was right in - right out, as required by UDOT. We do need more townhomes, and they had a growing number in the area, but there was also a need for more single-family homes. This project was not a good fit in that neighborhood. By making it a VLDR zone, and removing just three units, would make a huge difference in the way it would integrate with the neighborhood.

Councilor Sewell considered both of the significant developments to the north as win-win situations. It would be a huge loss if they failed to achieve that this time. He wanted to deny the LDR rezone request and open up an opportunity for the applicant to bring something back a VLDR or R1.10 PD zone project.

Chair Handley was not convinced this area did not have diverse housing types. This was such a small parcel that the differences in housing types became more symbolic than practically workable. He did not feel so much was at stake that he felt inclined to go against the feeling of the neighborhood. He was prepared to vote against the rezone.

Councilor Harding said the applicant had already made several changes based on the feedback of the neighbors. As a council they talk about zoning and housing policies from a high level and, in principle, everyone was on board with offering affordable housing throughout the community. We rely on our staff's professional training to pursue these policies and make good decisions. That was great until we had concrete proposals on the ground. At that point, we ran into good people that thought a single-family neighborhood, built 30 years ago, should not be changed. We should make decisions that were good for the whole community but in certain areas the policies are not followed.

The Planning Commission recommended the rezone. Our planning staff addressed some of the concerns and gave reasons why this was a good fit for the area. He felt like this was a good location because of its proximity to University Avenue. It would not be setting a precedent that single-family homes on larger lots would be redeveloped like this. He did not feel the VLDR zone was a bad fit either and he agreed that removing three units would improve the layout.

Councilor Harding asked if the council could approve a VLDR zone that night. This would allow the applicant to submit a new proposal without having to go through the entire process again.

Mr. Jones, council attorney, said this had happened in the past. The council was supposed to have a recommendation from the Planning Commission before they acted on a rezone. The council could approve a zone that was more restrictive than the zone the Planning commission reviewed. They could not do this if the zone would be more permissive. However, he was not aware of the council changing a zone request without consulting with the developer first.

Councilor Fillmore said the council needed to listen to their constituents. The Council would need a good reason to approve this request, particularly when the majority of residents were opposed. In this case, there were concerns about the extra traffic, children's safety issues, an odd access route, limited parking, and no or limited green space. There were various developments along north University and south of Riverwoods. This particular project did not seem to fit this area.

Councilor Shipley said they would still get housing diversity if the project were reduced by three units. He understood the neighborhood would agree to a project with the VLDR zone that would be more consistent with the area a little better. He agreed the council should discuss affordable housing. However, in the context of north Provo, they could put a tough shed on this property and it still would not be affordable.

Chair Handley said the Council had three options. They could vote on the current implied motion, vote on a substitute motion to include a development agreement, or someone could request to have this item continued.

Councilor Harding asked if the applicant would have to file a new project and pay the fees again. Mr. Jones said that would normally be the case. If the applicant just went back to the planning staff and wanted to do a VLDR zone, council leadership could just put this item back on the agenda. They would have all the same information as if they had started all over.

Chair Handley called for a vote on the implied motion.

Vote: The motion failed 1:6 with Councilors Fillmore, Handley, Harding, Hoban, and Sewell and Shipley opposed and Councilor Ellsworth in favor.

8. Ordinance 2020-51 amending the Zone Map classification of approximately 0.25 acres of real property, generally located at 189 South 500 West, from Residential Conservation (RC) to Low Density Residential (LDR). Franklin Neighborhood. (PLRZ20200124) ([2:59:53](#))

Motion: An implied motion to adopt Ordinance 2020-51, as currently constituted, has been made by council rule.

Brandon Larsen, Provo City Planner, presented. The applicant had a 10,000 square foot lot that he wanted to divide. The existing home would remain on a 6,000 square foot parcel and a single-family dwelling would be built on the remaining parcel. The applicant was asking for a rezone from RC (Residential Conservation) to LDR (Low Density Residential). The LDR zone would allow him to build a single-family home on a lot as small as 4,000 square feet. The applicant proffered a development agreement that would limit the use of the property to one single-family home.

One of the goals of the Franklin Neighborhood Plan was to make positive changes in the area by converting property to another zone. Mr. Larsen said that rezoning this property would accomplish that goal. Staff recommended approval of the request.

Chair Handley invited public comment. There was no response to the request.

Chair Handley expressed concern that the home could be purchased as an investment and become a rental. Mr. Larsen said the development agreement did not require the home to be owner occupied.

Mr. Jones said the current ordinance did not include the development agreement. The Council would need to make a substitute motion to replace the current ordinance with an ordinance that included the development agreement.

Motion: Councilor Sewell made a motion to change the implied motion to include the ordinance with the development agreement language, as shown. Councilor Fillmore seconded the motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

With no Council discussion, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

9. Ordinance 2020-52 amending Provo City Code to update Engineering Design Standards for 2021. Citywide Application. (PLOTA20201348) (3:08:41)

Motion: An implied motion to adopt Ordinance 2020-52, as currently constituted, has been made by council rule.

Mr. Ardmore presented this item. This was an annual update of the Public Works standards and drawing design manuals for 2021.

David Day, Development Engineering Coordinator, gave a brief summary of the updates. Of the 31 changes, 14 of those were Storm Water design manual amendments already seen and approved by the Council in April 2020. The other 17 were minor changes to the design standards. They included:

- Adding requirements for CAD files.
- Changing the code in Water Resources and Storm Water regarding protection of drinking water sources to keep the water clean.
- Changing the Storm Water design manual to address source protection, particulate filtration, and hydrodynamic separators.

With no request to continue this item, Chair Handley called for a vote on the implied motion.

Vote: The motion was approved 7:0 with Councilors Ellsworth, Fillmore, Handley, Harding, Hoban, Sewell, and Shipley in favor.

10. An ordinance amending Provo City Code regarding permitted uses in the Neighborhood Shopping Center (SC1), Community Shopping Center (SC2), And Regional Shopping Center (SC3) Zones and related provision. Citywide Application. (PLOTA20190429) (3:13:12)

Javin Weaver, Provo City Planner, requested that this item be continued to address some technical issues.

Chair Handley invited public comment.

Melanie McCoard, Provo, said she had watched these annual reviews for many years. This, and the building code standards, were national standards accepted by Provo City. Provo did not have a system for looking at these amendments by citizen experts. We had a water board and power board but we did not have a public works board. She recommended putting together an ad-hoc committee to look at sustainability issues we should consider when adopting these standards. We could consider increasing our standards above what the national standards recommended.

There were no more public comments.

Chair Handley continued this item until the next meeting at the recommendation of planning staff.

11. *****CONTINUED*** The Community and Neighborhood Services Dept. requests Zone Changes for various city parks from Public Facilities (PF) to the Open Space, Preservation and Recreation (OSPR) zone. Citywide Impact PLR220200304**
12. *****CONTINUED*** Adding Open Space, Preservation and Recreation (OSPR) zone as City Code Chapter 14.33. Amend City Codes: 15.20.080(2)(c), supplemental landscape reqs; 14.38.075, signs permitted within OSPR zone. Citywide application. (PLOTA20200140)**
13. *****CONTINUED*** A General Plan Amendment to Sections 1.2.9 and 1.2.10 of the Provo City General Plan, relating to key land use policies and the annexation policy plan. Citywide application. PLGPA20200357**
14. *****CONTINUED*** An ordinance amending the zone map classification of approx. 5.33 ac of property, generally located at 1724 S State St, from Agricultural (A1.5) & Residential (R1.6) to Community Shopping Center (SC2). Spring Creek Nbhd. (PLR220190426)**

Adjourn

The meeting was adjourned at 8:53 p.m. by unanimous consent.