PROVO MUNICIPAL COUNCIL

Work Meeting

1:00 PM, Tuesday, June 15, 2021
Hybrid meeting: youtube.com/provocitycouncil or 351 W Center Street, Provo, UT 84601

This meeting will be conducted as a hybrid meeting, with in-person components as well as virtual meeting access. The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: youtube.com/provocitycouncil and facebook.com/provocouncil. If one platform is unavailable, please try the other. If both services are down or unavailable, after a reasonable (but short) time waiting to see if the services resume, the remainder of the meeting will be postponed to the next week, with appropriate public notice given of the rescheduled date. If you do not have access to the Internet, you can join via telephone following the instructions below. The in-person meeting will be held in the **Council Chambers**.

To listen to the meeting by phone: June 15 Work Meeting: Dial 346-248-7799. Enter Meeting ID 846 7652 2398 **and press #. When asked for a participant ID, press #.**

Agenda

Roll Call

Prayer

Business

1. A presentation regarding a Local Government Disaster Fund. (21-066)

2. A discussion regarding the Rental Dwelling License Fees. (21-063)

3. A presentation regarding Property Taxes (21-064)

4. A Resolution Transferring $200,000 from the General Fund to the Energy Fund for Land Acquisition and Appropriating $465,844 in the General Fund for a Metal Building and Incinerator. (21-058)

5. A presentation regarding the Intent Statement for the Southwest Area Plan. (21-067)

Redevelopment Agency Governing Board

6. A presentation regarding the Redevelopment Agency operations. (21-070)

7. Approval of an Exclusive Negotiating Agreement with McWhinney Real Estate and Appropriate $100,000 from the New Development (Fund 279) Fund Balance to help pay for studies (21-072)

Policy Items Referred from the Planning Commission

8. An ordinance amending the Zone Map classification of approximately 3.8 acres of real property, generally located at 5600 N University Avenue, from Manufacturing Park (MP) to General Commercial (CG) Zone. Riverbottoms Neighborhood. (PLRZ20200272)

9. An ordinance amending the Zone Map classification of approximately .80 acres of real property, generally located at 690 E 500 S, from Residential Conservation (RC) to Medium Density Residential (MRD) zone. Maeser Neighborhood. (PLRZ20210086)

10. An Ord. amending the Zone Map classification of approx 23.5 acres of real property, generally located at 200 N Lakeshore Dr. from Agricultural (AL.10) and (AL.5) to Residential (RL.8) and Residential Agricultural (RA) Zone. Fort Utah Nbh PLRZ20210049

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.

Adjournment

Hybrid Meeting Protocol

For the past year, the Provo City Municipal Council has been meeting without an anchor location, pursuant to Utah's *Open and Public Meetings Act*, and has instead conducted all meetings online. Notwithstanding the ongoing coronavirus pandemic and Utah County's moderate level of coronavirus transmission, **the Municipal Council has determined to hold its meetings at an anchor location AND online**. We invite interested persons to participate:

- in the Council Chambers located at the City Center building; OR
- online by watching the live broadcasts at youtube.com/provocitycouncil and facebook.com/provocouncil.

There will be limited seating available in the Council Chambers and we encourage attendees to maintain appropriate health protocols such as wearing masks and social distancing. Public comment may be received in person OR online (by calling in or logging onto the Zoom Webinar) which are detailed in meeting notices and agendas, and on the broadcasts. Follow the instructions provided on public notices of each meeting.

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.org or using their contact information listed at: provo.org/government/city-council/meet-the-council

Materials and Agenda: agendas.provo.org
Council meetings are broadcast live and available later on demand at youtube.com/ProvoCityCouncil

To send comments to the Council or weigh in on current issues, visit OpenCityHall.provo.org.

The next Work Meeting will be held on Tuesday, July 6, 2021. The meeting will be conducted **as a hybrid meeting**. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings may vary. All meeting start times are noticed at least 24 hours prior to the meeting.

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

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative 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. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

There will be no anchor location for this meeting; it will be conducted exclusively using online means and will be available to view on YouTube at youtube.com/ProvoCityCouncil. This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: JMAGNESS
Department: Council
Requested Meeting Date:

SUBJECT: A presentation regarding a Local Government Disaster Fund. (21-066)

RECOMMENDATION: Presentation and discussion; the Council may consider action by majority vote.

BACKGROUND: There has been a discussion about creating a Local Government Disaster Fund as authorized in UCA 53-2a-605. Creation of a Local Government Disaster Fund would be used to fund the services and activities of the local government in response to a declared disaster within the boundaries of the local government, the aftermath of the disaster within the boundaries of the local government, and emergency preparedness (it can spend up to 10% of the money deposited for emergency preparedness). The State's Disaster Recovery Fund will make loans to local governments on preferential rates depending on the amount reserved in the fund over the five previous fiscal years; the local government must reserve at least 50% of the amount authorized in UCA 53-2a-605 over the previous five fiscal years to qualify for a loan. That number is based on a percentage of the total estimated revenues of the local government for the current fiscal period that are not restricted or otherwise obligated.

There are few issues that might discussed:
1. Creation of a Local Government Disaster Fund itself
2. How to fund it.
3. How much should the fund balance should be.

The Council may consider a motion to create a Local Government Disaster Fund and to insert intent language into the budget ordinance.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Cliff Strachan, Council Executive Director

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-066

Disaster Recovery Funding

Overview: Provo has a plan and an Emergency Management Executive Committee that has overall responsibility for emergency preparedness and disaster response – though ultimate responsibility rests with the Mayor. Financial preparedness is an important part of an effective disaster response plan.

Utah Code Section 10-6-116(2) limits the accumulation of a fund balance in the city general fund to 25% of total revenue for the current fiscal period. This is sometimes referred to as a "rainy day" fund that the city can use to solve problems or take advantage of opportunities. However, there is no guarantee that there will sufficient rainy day funds available when disaster strikes.

Section 53-2a-605 allows cities to create a local government disaster fund ("disaster fund"), for use only to fund services and activities in response to a declared disaster or its aftermath, or in limited amounts for emergency preparedness. The city may accumulate money in the disaster fund up to 10% of total estimated revenues for the current fiscal period that are not restricted or otherwise obligated. Accumulating money in the disaster fund does not affect the maximum limit for the rainy day fund.

Section 53-2a-607 creates a state Local Government Emergency Response Loan Fund. As per Section 53-2a-608, cities who experience a disaster may apply to receive a loan from this fund for:

(i) costs incurred providing emergency disaster services as defined in Section 53-2a-602
(ii) providing matching funds to secure federal funds or grants related to a declared disaster

Cities are not eligible to receive loans from this state loan fund unless they have maintained an average balance, over five years, in their disaster fund of at least half of the maximum authorized. The interest rate and maximum payback period also differ according to average disaster fund balance as follows:

Average balance as % of revenue	Interest Rate	Maximum Payback Period
9% to 10%	State prime rate +0%	10 years
7% to 9%	State prime rate +2%	5 years
5% to 7%	State prime rate +4%	3 years
less than 5%	*** Not eligible***	*** Not eligible ***

The statute also states that if multiple cities submit loan requests concurrently, priority will be given to the cities who developed their disaster funds the most.

Proposal: Establish a local government disaster fund and a policy that we will build up both the "rainy day" general fund balance and the disaster fund until both have reached their maximums. Currently, we replenish our rainy day balance when there is an excess of revenue at the end of the fiscal year above budget projections. Instead of putting 100% of this excess into the rainy day fund, consider establishing a policy of putting X% (perhaps in the range of 10-25%) into the disaster fund and the remainder in the rainy day fund. In cases where either fund has reached its maximum, 100% of the excess would go to the other until both have reached their maximum. If there is no excess of revenue beyond projections in a given year, neither fund would receive a contribution that year.

PROVO MUNICIPAL COUNCIL
Work Meeting Minutes

12:30 PM, Tuesday, November 27, 2018
Room 310, Provo City Conference Room
351 W. Center Street, Provo, UT 84601

Agenda (0:00:00)

Roll Call

The following elected officials were present:

Council Chair Gary Winterton, conducting
Council Vice-Chair David Harding
Council Member Kay Van Buren
Council Member David Sewell
Council Member David Knecht
Council Member George Stewart
Council Member George Handley

Excused: Mayor Michelle Kaufusi

Prayer

The prayer was given by Hannah Salzl, Policy Analyst.

Business

1. A discussion on the proposed Council Meeting schedule for 2019 (18-104) (0:03:52)

Cliff Strachan, Council Executive Director, introduced the tentative 2019 meeting schedule for the Provo Municipal Council. Mr. Strachan highlighted dates when holidays have affected the schedule, as well as election events and other schedule shifts. Mr. Strachan indicated that this schedule would be presented for Council approval at the Council Meeting on December 11, 2018. ***Presentation only.***

2. A presentation on the option for municipalities to create a local government disaster fund (18-096) (0:08:30)

Jona Whitesides, Preparedness Bureau Chief with the Utah Department of Public Safety (DPS), introduced the presentation. Kris Hamlet, Director of the Utah Division of Emergency Management, presented. Utah falls 48th in the nation for federally declared disasters. However, Utah has the potential for catastrophic earthquakes due to fault lines along the Wasatch Front. The DPS has sought to work with the State Legislature to expand the abilities of municipalities to address disaster situations. Following a flood disaster in St. George, leftover funds were used to create a state disaster recovery fund. This fund is for the disposal of state agencies and state budgets affected by working in a disaster scenario to meet unbudgeted needs. There is currently

about $24 million in this fund. When the State has a surplus, a percentage of the surplus is deposited into this fund. The State Legislature wanted this tool to be available to cities, but for there to be a buy-in component in order to implement some reciprocity in covering the costs to the State. The fund has added some language which gives cities the ability to create a local government disaster fund. The legalities of the statute are somewhat complicated, and the DPS was open to input from Provo City officials to improve the process. The City may put up to 10% of its given revenues into this local disaster fund annually, and any interest generated by the account may be reinvested into the fund. The Ctiy may also withdraw up to 10% from the fund during a given year to address preparedness initiatives.

Mr. Hamlet outlining other parameters of the program. The fund was designed for cities to contribute to the fund for at least five years. Mr. Hamlet took some questions from Councilors and addressed several clarifications about the program and how it works. Mr. Hamlet noted that the legislation looks at the projected revenues of a city. FEMA has encouraged states to do more locally to prepare for natural disasters at the state and local levels. Mitigation and preparedness were important elements in the process to anticipate the impacts of natural disasters.

Mr. Hamlet also outlined the pre-disaster mitigation program. He noted a great program that Salt Lake City runs which focuses on retrofitting homes and structures to bolster habitable buildings against damage from earthquakes. FEMA has put these kinds of programs as a priority and continues to provide funding for those kinds of programs.

Councilor David Knecht asked whether there were a limit to the size of the fund. Councilors discussed the language in the statute, which had a number of ambiguities with the city's ability to put funds into this program.

Councilor George Stewart expressed his view that the electric power grid would be one of the main costs associated with a disaster, and he felt that there was an adequate reserve in place.

Mr. Hamlet explained that earthquakes are one of the largest concerns, but there were also concerns with wildfires, flooding, and other natural disasters. Mr. Hamlet explained that there is typically about a 20% match for utilizing federal funds for disaster recovery. If a disaster were highly catastrophic, the match requirement may be waived, but it was best to plan for a match requirement. Mr. Hamlet explained that the last time Utah had a federally declared disaster was in Box Elder County in 2017 due to winter thaw and related flooding.

Councilor David Harding applauded the federal government's move toward placing responsibility back on local and state agencies. Mr. Harding also applauded the State Legislature for creating the program and encouraging cities' participation. Mr. Harding suggested that a 5% or 10% proportion would be about $3 million or $6 million; with $30 million in the enterprise fund reserves, he felt the City was in a good position with regard to disaster recovery. He felt that overall, the City was in a good position but it may be advantageous to utilize the program while conditions were positive.

Mr. Strachan gave a policy consideration for Council to consider; the Council could theoretically put the program in place to utilize as a repository for any surplus which exceeded the 25%

maximum for the general fund. Council Chair Gary Winterton invited Councilors to consider the implications of the program and to continue the conversation among themselves to see whether there was consensus on the process forward regarding a local government disaster fund.

Mr. Knecht felt there was a lot of appeal to the program. Councilor David Sewell felt there was a dual benefit to participating, although further review may be needed after the State legislature clarified requirements. Mr. Sewell felt that if designated funds were not set aside, during a disaster it may be complicated to find the funds among other City funds. Mr. Sewell explained that this program also increased the City's access to low-cost loans from the State. Mr. Stewart felt that was an important question to consider.

Mr. Sewell proposed putting a small percentage of the City's excess revenue into the disaster recovery fund. During years where there was not an excess, then no money could be added to the fund, but with this process there would be a clear designation. Councilor George Handley suggested a more aggressive policy option would be to earmark a certain amount of the rainy day fund now for the disaster recovery fund if there were enough to start the program. Mr. Sewell said that Representative Curt Oda would be available to speak with the Council and clarify the various aspects of the statute. Mr. Hamlet indicated that there was a bill in progress and he could incorporate feedback from Provo City. ***Presentation only.***

3. A discussion on an ordinance amending Provo City Code to clarify that unauthorized energy generation shall not receive any rate or bill credits (18-103) (0:42:43)

Travis Ball, Energy Director, presented. He explained that city code outlined requirements for businesses generating power under 25 kW and the proposed ordinance would clarify requirements for those generating power over 25 kW. In a buy-all, sell-all scenario, any energy generated on-site would still be charged at the rate mandated by the primary utility. The ordinance would also address the process for a business engaging in unlicensed self-generation, which would result in the business not being paid for their energy generated and their being disconnected from the network. Mr. Ball explained that this was not a net-metering situation.

In response to a question from Councilor David Harding, Brian Jones, Council Attorney, clarified that this ordinance was a change in what the ordinance said, but was not a change in what the ordinance was intended to do. In Provo City Code 12.03.090, there was a class of customers that may receive a designation from the federal Department of Energy for power generation, but there was a specific process in place for this designation. The ordinance specifies what the purchase price would be for power generated by such entities.

Mr. Ball explained that these changes would be consistent with changes that would be proposed at the Utah Municipal Power Agency Board Meeting on November 28, 2018. ***Presentation only. This item was anticipated to return to the December 11, 2018 Work and Council Meetings.***

4. A presentation about the Utah Valley Chamber of Commerce (18-070) (0:49:02)

Rona Rahlf, President of the Utah Valley Chamber of Commerce, presented. Councilor David Harding had invited her to share the Chamber's feedback on the housing resolution proposed by

Effective 5/10/2016

53-2a-608 Purposes and criteria for loans.

(1) Money in the fund shall be used by the division, as prioritized by the director, only to:

(a) provide loans to local government entities for:

(i) the costs incurred by a local government entity for providing emergency disaster services as defined in Section 53-2a-602; or

(ii) providing any state or local matching funds to secure federal funds or grants related to a declared disaster, as defined in Section 53-2a-602;

(b) pay the Division of Finance for the costs of administering the fund, providing loans, and obtaining repayments of loans; and

(c) provide funds to state agencies for the costs of responding to a declared disaster.

(2) The division shall establish the terms and conditions of the loans and the repayment schedule consistent with the following criteria:

(a) the interest rate charged and the maximum payback period on all loans shall be:

(i) the state's prime interest rate at the time of loan closing, plus zero percent, with a maximum payback period of 10 years if the applicant has reserved an average of 90% to 100% of the amount authorized in Section 53-2a-605 over the previous five fiscal years;

(ii) the state's prime interest rate at the time of loan closing, plus 2%, with a maximum payback period of five years if the applicant has reserved an average of 70% up to 90% of the amount authorized in Section 53-2a-605 over the previous five fiscal years; or

(iii) the state's prime interest rate at the time of loan closing, plus 4%, with a maximum payback period of three years if the applicant has reserved an average of 50% up to 70% of the amount authorized in Section 53-2a-605 over the previous five fiscal years; and

(b) the division may not authorize a loan from this fund on any terms or conditions to local government entities that have reserved an average of less than 50% of the amount authorized in Section 53-2a-605 over the previous five fiscal years.

(3) If the division receives multiple loan applications concurrently, priority shall be given to applicants based on the extent of their participation in the reserve account authorized in Section 53-2a-605.

Enacted by Chapter 134, 2016 General Session

Effective 5/10/2016

53-2a-602 Definitions.

(1) Unless otherwise defined in this section, the terms that are used in this part mean the same as those terms are defined in Part 1, Emergency Management Act.

(2) As used in this part:

(a) "Agent of the state" means any representative of a state agency, local agency, or non-profit entity that agrees to provide support to a requesting intrastate or interstate government entity that has declared an emergency or disaster and has requested assistance through the division.

(b) "Declared disaster" means one or more events:

(i) within the state;

(ii) that occur within a limited period of time;

(iii) that involve:

(A) a significant number of persons being at risk of bodily harm, sickness, or death; or

(B) a significant portion of real property at risk of loss;

(iv) that are sudden in nature and generally occur less frequently than every three years; and

(v) that results in:

(A) the president of the United States declaring an emergency or major disaster in the state;

(B) the governor declaring a state of emergency under Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act; or

(C) the chief executive officer of a local government declaring a local emergency under Part 2, Disaster Response and Recovery Act.

(c) "Disaster recovery account" means the State Disaster Recovery Restricted Account created in Section 53-2a-603.

(d)

(i) "Emergency disaster services" means:

(A) evacuation;

(B) shelter;

(C) medical triage;

(D) emergency transportation;

(E) repair of infrastructure;

(F) safety services, including fencing or roadblocks;

(G) sandbagging;

(H) debris removal;

(I) temporary bridges;

(J) procurement and distribution of food, water, or ice;

(K) procurement and deployment of generators;

(L) rescue or recovery;

(M) emergency protective measures; or

(N) services similar to those described in Subsections (2)(d)(i)(A) through (M), as defined by the division by rule, that are generally required in response to a declared disaster.

(ii) "Emergency disaster services" does not include:

(A) emergency preparedness; or

(B) notwithstanding whether or not a county participates in the Wildland Fire Suppression Fund created in Section 65A-8-204, any fire suppression or presuppression costs that may be paid for from the Wildland Fire Suppression Fund if the county participates in the Wildland Fire Suppression Fund.

(e) "Emergency preparedness" means the following done for the purpose of being prepared for an emergency as defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
(i) the purchase of equipment;
(ii) the training of personnel; or
(iii) the obtaining of a certification.
(f) "Governing body" means:
(i) for a county, city, or town, the legislative body of the county, city, or town;
(ii) for a local district, the board of trustees of the local district; and
(iii) for a special service district:
(A) the legislative body of the county, city, or town that established the special service district, if no administrative control board has been appointed under Section 17D-1-301; or
(B) the administrative control board of the special service district, if an administrative control board has been appointed under Section 17D-1-301.
(g) "Local district" means the same as that term is defined in Section 17B-1-102.
(h) "Local fund" means a local government disaster fund created in accordance with Section 53-2a-605.
(i) "Local government" means:
(i) a county;
(ii) a city or town; or
(iii) a local district or special service district that:
(A) operates a water system;
(B) provides transportation service;
(C) provides, operates, and maintains correctional and rehabilitative facilities and programs for municipal, state, and other detainees and prisoners;
(D) provides consolidated 911 and emergency dispatch service;
(E) operates an airport; or
(F) operates a sewage system.
(j) "Special fund" means a fund other than a general fund of a local government that is created for a special purpose established under the uniform system of budgeting, accounting, and reporting.
(k) "Special service district" means the same as that term is defined in Section 17D-1-102.
(l) "State's prime interest rate" means the average interest rate paid by the state on general obligation bonds issued during the most recent fiscal year in which bonds were sold.

Amended by Chapter 83, 2016 General Session
Amended by Chapter 134, 2016 General Session

Effective 5/12/2015

53-2a-605 Local government disaster funds.

(1)

(a) Subject to this section and notwithstanding anything to the contrary contained in Title 10, Utah Municipal Code, or Title 17, Counties, Title 17B, Limited Purpose Local Government Entities - Local Districts, or Title 17D, Chapter 1, Special Service District Act, the governing body of a local government may create and maintain by ordinance a special fund known as a local government disaster fund.

(b) The local fund shall consist of:

(i) subject to the limitations of this section, money transferred to it in accordance with Subsection (2);

(ii) any other public or private money received by the local government that is:

(A) given to the local government for purposes consistent with this section; and

(B) deposited into the local fund at the request of:

(I) the governing body of the local government; or

(II) the person giving the money; and

(iii) interest or income realized from the local fund.

(c) Interest or income realized from the local fund shall be deposited into the local fund.

(d) Money in a local fund may be:

(i) deposited or invested as provided in Section 51-7-11; or

(ii) transferred by the local government treasurer to the state treasurer under Section 51-7-5 for the state treasurer's management and control under Title 51, Chapter 7, State Money Management Act.

(e)

(i) The money in a local fund may accumulate from year to year until the local government governing body determines to spend any money in the local fund for one or more of the purposes specified in Subsection (3).

(ii) Money in a local fund at the end of a fiscal year:

(A) shall remain in the local fund for future use; and

(B) may not be transferred to any other fund or used for any other purpose.

(2) The amounts transferred to a local fund may not exceed 10% of the total estimated revenues of the local government for the current fiscal period that are not restricted or otherwise obligated.

(3) Money in the fund may only be used to fund the services and activities of the local government creating the local fund in response to:

(a) a declared disaster within the boundaries of the local government;

(b) the aftermath of the disaster that gave rise to a declared disaster within the boundaries of the local government; and

(c) subject to Subsection (5), emergency preparedness.

(4)

(a) A local fund is subject to this part and:

(i) in the case of a town, Title 10, Chapter 5, Uniform Fiscal Procedures Act for Utah Towns, except that:

(A) in addition to the funds listed in Section 10-5-106, the mayor shall prepare a budget for the local fund;

(B) Section 10-5-119 addressing termination of special funds does not apply to a local fund; and

(C) the council of the town may not authorize an interfund loan under Section 10-5-120 from the local fund;

(ii) in the case of a city, Title 10, Chapter 6, Uniform Fiscal Procedures Act for Utah Cities, except that:
(A) in addition to the funds listed in Section 10-6-109, the mayor shall prepare a budget for the local fund;
(B) Section 10-6-131 addressing termination of special funds does not apply to a local fund; and
(C) the governing body of the city may not authorize an interfund loan under Section 10-6-132 from the local fund; and
(iii) in the case of a county, Title 17, Chapter 36, Uniform Fiscal Procedures Act for Counties, except that:
(A) Section 17-36-29 addressing termination of special funds does not apply to a local fund; and
(B) the governing body of the county may not authorize an interfund loan under Section 17-36-30 from the local fund;
(iv) in the case of a local district or special service district, Title 17B, Chapter 1, Part 6, Fiscal Procedures for Local Districts, except that:
(A) Section 17B-1-625, addressing termination of a special fund, does not apply to a local fund; and
(B) the governing body of the local district or special service district may not authorize an interfund loan under Section 17B-1-626 from the local fund; and
(v) in the case of an interlocal entity, Title 11, Chapter 13, Part 5, Fiscal Procedures for Interlocal Entities, except for the following provisions:
(A) Section 11-13-522 addressing termination of a special fund does not apply to a local fund; and
(B) the governing board of the interlocal entity may not authorize an interfund loan under Section 11-13-523 from the local fund.
(b) Notwithstanding Subsection (4)(a), transfers of money to a local fund or the accumulation of money in a local fund do not affect any limits on fund balances, net assets, or the accumulation of retained earnings in any of the following of a local government:
(i) a general fund;
(ii) an enterprise fund;
(iii) an internal service fund; or
(iv) any other fund.

(5)
(a) A local government may not expend during a fiscal year more than 10% of the money budgeted to be deposited into a local fund during that fiscal year for emergency preparedness.
(b) The amount described in Subsection (5)(a) shall be determined before the adoption of the tentative budget.

Amended by Chapter 265, 2015 General Session

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: JMAGNESS
Department: Council
Requested Meeting Date:

SUBJECT: A discussion regarding the Rental Dwelling License Fees. (21-063)

RECOMMENDATION: Presentation and discussion; the Council may consider action by majority vote.

BACKGROUND: Currently the cost for a Residential Dwelling License (RDL)is $20.00 (twenty dollars) and no more than $60.00 (sixty dollars), the difference is determined by how many properties a license holder has. There are 2,713 RDL's in Provo that are projected to generate $150,000 for FY 2022. The cost associated with administering the program is estimated to be $100.00 (one hundred dollars) per license. Staff are asking the Council for direction in reevaluating how costs for the licenses are assigned to ensure that the program is operating at a cost recovery model and not taking funds from the General Fund.

FISCAL IMPACT: Possible increase to the General fund depending on the amount of increase for the license.

PRESENTER'S NAME: John Magness, Policy Analyst

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-063

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: JMAGNESS
Department: Council
Requested Meeting Date: 06-01-2021

SUBJECT: A presentation regarding Property Taxes (21-064)

RECOMMENDATION: Presentation and discussion; the Council may consider action by majority vote.

BACKGROUND: As part of the FY 2022 budget discussions, a suggestion was made that additional police officers could be added if the city were to increase property tax revenues by increasing the certified tax rate by some amount. It was noted that property taxes have not been raised for several years and that the property tax portion of total general revenues is diminishing in significance.

At the June 1, 2021 Work meeting staff presented on the Truth in Taxation process and the projected revenues a rate increase would generate. The presentation on June 15 will discuss the rates set by Utah County and its impact on the City's budget.

Should the Council wish to increase property tax revenues by increasing the certified tax rates, a motion to make the changes and to initiate a truth in taxation process will be needed.

FISCAL IMPACT: TBD

PRESENTER'S NAME: Cliff Strachan, Council Executive Director

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-064

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: DMORTENSEN
Department: Finance
Requested Meeting Date: 06-15-2021

SUBJECT: A Resolution Transferring $200,000 from the General Fund to the Energy Fund for Land Acquisition and Appropriating $465,844 in the General Fund for a Metal Building and Incinerator. (21-058)

RECOMMENDATION: Presentation only during the 6/15/21 Work Meeting. Approval of the Resolution during the 7/6/21 Council Meeting.

BACKGROUND: The Police Department is in need of space suitable to park and store equipment. The Energy Fund owns a piece of land that could be used for this purpose. The land would be purchased from the Energy Fund via a transfer from the General Fund. A metal building would be constructed on the property. A new evidence incinerator is also needed. An RFP was issued, and bids reviewed. The low bid was $421,000 for the building and $42,450 for the incinerator.

FISCAL IMPACT: $665,844 from General Fund Balance

PRESENTER'S NAME: Chief Ferguson and Dick Blackham

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-058

RESOLUTION 2021-.

A RESOLUTION TRANSFERRING $200,000 FROM THE GENERAL FUND TO THE ENERGY FUND FOR LAND ACQUISITION AND APPROPRIATING $465,844 IN THE POLICE DEPARTMENT IN THE GENERAL FUND FOR A METAL BUILDING AND INCINERATOR. (21-029)

WHEREAS, the Municipal Council of Provo City Corporation has received a recommendation from the Provo City Police Department that $200,000 be transferred from the General Fund to the Energy Fund for land acquisition; and

WHEREAS, The Police Department also recommends an appropriation of $465,844 in the General Fund for construction of a metal building on the land acquired from the Energy Fund and an evidence incinerator; and

WHEREAS, on July 1, 2021, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, all persons for and against the proposed transfer and appropriation were given an opportunity to be heard; and

WHEREAS, after considering the Mayor's recommendation, and facts and comments presented to the Municipal Council, the Municipal Council finds the proposed transfer and appropriation reasonably furthers the health, safety, and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah as follows:

PART I:

A $200,000 transfer from the General Fund to the Energy Fund for land acquisition is hereby authorized, applying to the fiscal year ending June 30, 2022.

PART II:

An appropriation of $465,844 in the Police Department in the General Fund for construction of a metal building and an evidence incinerator is hereby authorized, applying to the fiscal year ending June 30, 2022.

PART III:

This resolution shall take effect immediately.

END OF RESOLUTION.

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: JMAGNESS
Department: Council
Requested Meeting Date:

SUBJECT: A presentation regarding the Intent Statement for the Southwest Area Plan. (21-067)

RECOMMENDATION: Presentation and discussion; the Council may consider action by majority vote.

BACKGROUND: This will be a discussion about the Southwest Area Plan and the policies developed by the Westside Planning Committee. As development keeps happening in the Southwest Area of Provo we need to look at the policies that govern this area these include the General Plan, Westside Development Policies and the Southwest Area Future Land Use Map, to ensure that development in this area proceeds in a manner that is consistent with adopted Council Policies.

FISCAL IMPACT: none

PRESENTER'S NAME: Cliff Strachan, Council Executive Director

REQUESTED DURATION OF PRESENTATION: 30 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-067

2/28/2017 The Westside Planning Committee, after considering comments received at the stakeholders' meeting held 2/16/2017 and online at Open City Hall concerning draft policy statements, amended and approved the policy statements herein.

Westside Development Policies

As Recommended by the Westside Planning Committee

Purpose

The purpose of these policies is to guide development in southwest Provo in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future residents while respecting Provo's agricultural heritage.

Policies

1. Preserve Provo's agricultural heritage and support agriculture for as long as farmers choose to farm:
    a. Approve the creation of a Provo Agricultural Commission to support local commercial and non-commercial agriculture.
    b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including non-traditional farmers, and recommend ways to remove these obstacles.
    c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: conservation easements, transfers of development rights, community land trusts, a privately funded farmland trust fund, and Utah's "Agricultural Protection" Program.[1]
    d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.
    e. Encourage Development-Supported Agriculture[2] and Agritourism[3] to help preserve Provo's agricultural heritage.
    f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.[4]
    g. Protect agricultural operations from the impact of residential encroachment.
    h. Identify agricultural land owners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

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[1] Utah Code Title 17 Chapter 41- a law that helps preserve vital food-producing land.

[2] Development-supported agriculture (DSA) is a movement in real estate development that preserves and invests in agricultural land use. As farmland is lost due to the challenging economics of farming and the pressures of the real estate industry, DSA attempts to reconcile the need for development with the need to preserve agricultural land.

[3] Agritourism involves any agriculturally based operation or activity that brings visitors to a farm or ranch.

[4] The LeRay McAllister Critical Land Conservation Fund is an incentive program providing grants to encourage communities and landowners to work together to conserve their critical lands. The fund targets lands that are deemed important to the community such as agricultural lands, wildlife habitat, watershed protection, and other culturally or historically unique landscapes.

2. Preserve and Create Quality Usable Open Space
    a. Update and utilize the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.
    b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands.
    c. Provide parks and trails of different uses and sizes.[5]
    d. Encourage agritourism as a means to provide agriculturally themed open space.
    e. Useable neighborhood open space should be an integral part of neighborhood design or combined to serve larger areas than the immediate development.

3. Encourage Sustainable Residential Development Patterns
    a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
    b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
    c. Housing types should be mixed without barriers separating types or densities.
    d. The scale and style of residences should enhance the surrounding area, regardless of housing type.
    e. Create design standards for important road corridors in southwest Provo.
    f. The overall density of the area should average four units to the acre.

4. Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations
    a. Regional commercial uses may be located adjacent to the I-15 or within the Airport Related Activities district.
    b. Neighborhood and Community Shopping zones may be located at or adjacent to arterial or collector streets.
    c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use.

5. Create a Robust Transportation Network

    a. Update the Transportation Master Plan to accommodate the changing needs of southwest Provo.
    b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.
    c. Update the Provo City Major & Local Street Plan to include a network of proposed local streets to ensure connectivity in between the land between collector and arterial roads.

[5] Examples include neighborhood parks, pedestrian, equestrian, and bike trails, community/school gardens, a regional sports park, a farm-themed park, and the Provo Beach concept.

d. Utilize Complete Streets Policies to ensure all modes of transportation are considered.
e. Utilize the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.
f. Lakeview Parkway is to be maintained as an arterial roadway with limited access.

6. Require Proper Integration and Sequencing of Development
    a. The full block should be considered when rezoning away from agricultural uses
    b. Conceptual Integrated Development Plan for the entire block should be required for zone change applications.
    c. Discourage rezoning of land that is surrounded by agricultural zoning.[6]
    d. Development may be limited or deferred depending on the availability of adequate municipal infrastructure (such as sewer, storm drainage, water, etc.).

7. Restrict Development in Wetlands and other Environmentally Sensitive Areas
    a. Land south and west of the Lake View Parkway up to Center Street (excepting the airport protection area) should be preserved for open space and agricultural uses.
    b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

[6] That is, no leap frog development.

1.2
Background

SECTION HEADINGS

1.2.1 Relationship between the General Plan Map and Land Use Element
1.2.2 Relationship between Land Use Policies and Zoning
1.2.3 Urban Growth
1.2.4 Urban Design
1.2.5 Design Standards
1.2.6 Design Corridors Approved by Ordinance
1.2.7 General Plan Designations
1.2.8 Zoning and Development Policy Changes
1.2.9 Key Land Use Policies (by Area and Neighborhood)
1.2.10 Additional Tools for Urban Growth and Land Use Annexation Policy Plan

1.2.1 Relationship between the General Plan Map and Land Use Element

The General Plan Map is developed from the policies in this chapter, but is not intended to be used as a stand-alone reference. The neighborhood policies in this chapter are intended to be used in conjunction with the map. Where there seems to be a discrepancy between the two, the written policies generally take precedence.

However, in some cases, a restrictive map designation serves as notice that physical limitations or hazards may be associated with development of some lands. These are often found in the areas designated as Developmentally Sensitive (DS), described further in Chapter 4, Natural Resources and Environment, although a parcel's location outside the DS boundaries cannot be taken as assurance that similar characteristics do not exist on that property. Any lands with specific characteristics, whether located within this generally defined DS boundary or outside the boundary, will be subject to Title 15 of the Provo City Code, relating to Sensitive Lands.

Likewise, the broad-brush application of the DS map designations does not, in itself, indicate that a specific parcel of land within this boundary is not suitable for development – or even that there will be problems associated with the development of a specific area within or comprising one parcel or multiple parcels. It does indicate a higher likelihood that additional studies may be required prior to determining whether the land can or should be developed. It also indicates a higher likelihood that special requirements and restrictions may apply to any development that is approved on at least some portion of these lands.

Existing zoning designations govern the use of land within Provo City limits until a change in land use is approved through the rezoning of property. Written policies in this element provide additional insight and guidance for evaluating zone change proposals.

1.2.2 Relationship between Land Use Policies and Zoning

Land use designations on the General Plan Map are often not indicative of the current zoning on the land and may or may not be clearly indicative of an appropriate zoning for future use. The Council should use discretion in determining the most appropriate zone district in relation to the guidance available.

Zoning is legislation that regulates the use and development of property. The General Plan Map designation does not change current zone regulations; rather it informs interested parties of what types of land uses may be considered for future development. The written policies of this chapter are consulted in the analysis of such proposals, but with consideration for the uses and the development parameters of the current zone applied to the property.

General Plan Map designations and General Plan policies included in this chapter may strongly influence zone change requests. The rezoning of property is a legislative act that amends the Zoning Map, which is an integral part of Title 14, Zoning, of the Provo City Code.

Proposed changes in zoning that do not comply with the General Plan will be considered only after making a decision on an application to amend the General Plan. The General Plan should be substantially reliable as a guide to land use to those who may reside in an area or who may be considering purchasing or investing in an area of the City.

General Plan Map designations are broader or more specific depending on areas of the City and the level of concern over specific parcels of property. These differences may be influenced by the density of the area, the special character of an area, a development aspect unique to a parcel, or some other concern that warrants a greater level of specificity in defining land use boundaries. For this reason, there may be times when the Council will use its discretion in determining that a parcel complies with the generalized boundary of a recommended land use designation, or with the overall guiding principles of the General Plan, and may make zoning decisions without the requirement for a General Plan amendment.

1.2.3 Urban Growth

Provo's population growth, and the resulting demands on the built environment, continues at a steady rate. Much of Provo is developed, with limited areas for new construction (particularly east of I-15).

Redevelopment (replacing or rehabilitating existing development) and infill development (making use of confined parcels of land surrounded by existing development) are useful tools in these areas for meeting the City's current and expanding needs for housing, businesses, schools, medical facilities, recreational spaces and other uses.

Provo has geographic limitations, which can limit traditional growth patterns. The Wasatch Range blocks the City's physical growth to the east, and Utah Lake limits physical growth to the west and southwest. Orem and Springville block physical growth to the north and south, though there are still some areas within Provo's influence that can be annexed to Provo. If it is the desire of Provo to accommodate some of the projected population increase for Utah County, a variety of housing products and forms will need to be considered due to the lack of available raw land.

Provo is a mature city with an established infrastructure. Nevertheless, the City must balance demands for development with cost effective capacity in meeting the needs for water, sewer, storm drainage, flood protection, fire protection, police services, street construction and maintenance, and other aspects of public support for the City's residents and businesses. Infill development may be more timely and appropriate in order to provide for logical growth of the built environment and control of costs to taxpayers for expansion of municipal services. Those constraints on new growth are particularly important when considering the mountainous bench areas to the east and on the agricultural lands of west Provo.

The 5,200-foot elevation from mean sea level is generally considered the approximate boundary for urban development along the eastern benches of the City. This corresponds roughly with the natural gas easement that traverses the City. A system of trails for recreation and access to the canyons is being developed along the easements and service roads through this area. The Bonneville Shoreline Trail is envisioned to someday provide nearly continuous trail access from Logan to Spanish Fork along the ancient "shoreline" Lake Bonneville. Efforts should be made to ensure that public access to these trails and canyons is maintained.

For the most part, lands above these elevations become too steep for development (usually 25 percent slope and greater) and are fraught with geologic hazards and natural drainage ways that should not be disturbed.

Slopes of 30 percent or greater are restricted from development by Chapter 15.05 of the Provo City Code, relating to Sensitive Lands. These areas are designated as Developmentally Sensitive (DS) in the General Plan. Providing services to these areas brings inordinate costs or, in some cases, is simply impossible. Residents in these areas may be at risk because of the natural hazards and the City's limited capability to provide services to these areas. The DS designation and related physical constraints of the land are further discussed in Chapter 4, Natural Resources and Environment.

The natural boundary to urban growth on the west side has historically corresponded roughly with the Federal Emergency Management Agency's (FEMA) definition of the "AE" flood zone, as defined on the Flood Insurance Rate Map (FIRM). Policies intended to ensure that infrastructure for development can be extended in a logical manner without "leap-frogging" (expanding to noncontiguous properties by jumping over undeveloped land and areas without municipal services) will continue to influence decisions about the use of agricultural lands and properties west of I-15 for the foreseeable future. These areas include those designated as DS on the General Plan Map.

For sustained growth, the demands on our natural and manmade resources should be in balance with the ability of those resources to be replenished. The City needs to wisely utilize its available resources; conserving where necessary and replenishing where possible. Having a strong agricultural base may become extremely important to the City if normal interurban or interstate lines of transportation are disrupted, if weather conditions adversely affect major agricultural suppliers, or if the supply of fossil fuels is suddenly disrupted.

The protection of some rural, natural, and even "wild" places in urban areas is something Provo's residents seek, almost as a refuge from the urbanization that is taking place all around the City. Many communities that have set out to preserve significant open spaces on their periphery, and to guide development into more compact urban corridors, have found that their communities have become even more attractive places to live and work. Many high-tech companies gravitate to those types of communities for the quality of life.

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.

Design Review Process

A Design Review Committee (DRC), consisting of professionals in various fields of design, architecture, and planning, was established to address general design relationships and site planning principles that are applicable citywide. District guidelines, based on existing design characteristics, as well as needs observed in particular districts, are also addressed in design review.

The design review process seeks to ensure compatibility of structures in districts. This can be achieved by repeating building lines and surface treatment and by requiring a degree of uniformity in detail, scale, proportion, textures, materials, color, and building form. Harmony of design is sought to protect visual patterns of the community and to enhance visual relationships and transitions between older and newer buildings.

Visible Design Influences in Provo

Provo has not developed as a design-oriented community, nor does it have thematic districts; however, areas with strong design elements do exist. Developments and infrastructure improvements have helped to establish a character for localized regions of the City and have, in some cases, influenced the design of new projects occurring on nearby properties. Favorable examples of urban design elements may be seen in the Jamestown office park region along N. University Avenue, the pedestrian-oriented historic downtown Provo region of the Central Business District, the Provo City Old Academy Library, the Shops at Riverwoods and Riverwoods Research and Business Park, and the South University Avenue/East Bay planned commercial and industrial complex.

Landscaping is a common element that enhances the appearance of any site. Best practices for incorporating water-wise landscape design should be used where and when possible. Plantings and design, including endemic and drought-tolerant plants, should be utilized to reduce unnecessary water use.

The absence of freestanding signs and the use of small-scale signs reduce the amount of visual clutter. Architectural design has improved the appearance of buildings that could otherwise be mundane. Urban design is not limited to exterior design of buildings. It takes into account the appearance of the entire built environment and all aspects of development.

The implementation of urban design requirements will establish citywide design standards to beautify the City as a whole and will help to carry out the values, goals, and objectives of Provo's citizens.

1.2.5 Design Standards

The following categories are to be implemented in some type of policy, regulation, or ordinance to establish urban design criteria within Provo City. Design elements should promote public health, safety, and general welfare while serving the general interest of the public. Policies should be implemented in a timely fashion to encourage the style of development requested by the general citizenry.

Landscaping

Landscaping adds aesthetic qualities to the built environment. Without trees, shrubs, grass, and other greenery, the environment may be dull and unattractive. Landscaping improves the look and feel of the community. It softens hard surfaces, adds color and visual contrast, provides pedestrian appeal and comfort, creates human scale along large-scale building faces, screens parking or mechanical areas, provides transition between uses, and provides shade and cooling in urban areas. To avoid becoming a concrete and asphalt-paved community, the City should require developments to meet landscaping standards.

Signs

Without restrictions, signs can become garish and overbearing. Provo City has a sign ordinance, but further steps need to be taken to improve the appearance of signs throughout the city. Steps need to be taken to improve the desirability of monument signs. Signs should be required to reflect the building's architecture and complement landscaped areas. Billboards should be removed from developed sites.

Construction

Incentives that encourage diversity in appearance (material, height, form) in multi-structure projects need to be provided. While diversity is encouraged, compatibility needs to exist in architecture and themes. Multi-structure projects that could benefit from incentives include commercial, multiple-family, and one-family residential subdivisions. New construction in older, developed areas should be sympathetic to existing form, color, material, style, and scale. Remodels and additions should also be sympathetic to form, color, material, style, and scale of the existing structure. However, there may be a few areas of the city where there are no aesthetic qualities. In these areas, a new design or style may benefit the community and offer diversity in theme, form, color, material, style, and scale.

1.2.6 Design Corridors Approved by Ordinance

Design corridors preserve the aesthetic integrity of an area by imposing criteria for the appearance and design of buildings within the corridor. In 1997, twelve design corridors were proposed to improve design and beautify the city; the list has since been expanded to fourteen. Map 1.1 – Design Corridors Map shows the current and proposed design corridors for Provo. As Table 1.1, Current Design Corridors, indicates, five design corridors have been implemented by ordinance. The design corridors should be comprehensively evaluated and amended, where appropriate. As these corridors typically straddle neighborhood boundaries, amendments should be developed to all design corridors that will make meaningful connections between neighborhoods.

TABLE 1.1 – CURRENT DESIGN CORRIDORS

Design Corridor	Location of Design Corridor
North University Avenue	500 North to 960 North
North University Avenue Riverbottoms	2230 North to the mouth of Provo Canyon
West Center Street	Interstate 15 to Utah Lake
South State Street	300 South to Highway 75
East Center Street	200 East to Roundabout at Seven Peaks Boulevard

Proposed—Standards to Be Developed

Listed below, in Table 1.2, Proposed Design Corridors, are design corridors that still need implementation. Some of the proposed corridors are dilapidated and there are no aesthetic qualities to maintain. In these corridors, it is hoped that attractive, uniform design will aid redevelopment efforts. Each corridor will be established with design requirements specific to that corridor. Developments in these corridors will be subject to design review. Corridors at City entryways will have logos, landscaping, and welcome signs. Utah Department of Transportation (UDOT) rights-of-way also need to be beautified, but are subject to special regulations and approvals through the State of Utah.

TABLE 1.2 – PROPOSED DESIGN CORRIDORS

Design Corridor	Approximate Location of Design Corridor
University Parkway	University Avenue to City Boundary
North State Street	1230 North to City Boundary
South University Avenue	600 South to Interstate 15
Downtown University Avenue	500 North to 600 South
500 West	300 South to 1230 North
Center Street	1100 West to 200 East
4800 North	University Avenue to City Boundary
3700 North	University Avenue to City Boundary
300 South	500 West to 850 East

TABLE 1.2 – PROPOSED DESIGN CORRIDORS

Design Corridor	Approximate Location of Design Corridor
Columbia Lane	500 West to 1200 West/City Boundary
Geneva Road	Center Street to 2000 North/City Boundary

1.2.7 General Plan Designations

Table 1.3, General Plan Land Use Designations, shows the names and acronyms of the land use designations as used on the General Plan Land Use Map. It also shows the zoning districts that may be allowed in the various land use designations. When property is annexed to the city, the property annexed is zoned to the lowest density or intensity zone allowed under that land use designation.

For order of lowest to highest density or intensity of zones, please refer to Table 1.3, General Plan Land Use Designations.

TABLE 1.3 – GENERAL PLAN LAND USE DESIGNATIONS

Designation	Zones
Developmentally Sensitive (DS)	A1.40 when annexing to Provo City. Lands currently within City limits retain their current zoning designations, but are designated as DS on the City General Plan Map to denote the need for additional studies needed to determine if lands can or should support new development or redevelopment.
Agricultural (A)	A1.40, A1.20, A1.10, A1.5, A1.1, and RA
Residential (R)	R1.20, R1.15, R1.10, R1.9, R1.8, R1.7, R1.6, RC, RM, R2, R2.5, R3, R4, R5, SDP1, SDP2, LDR, MDR, HDR, CHDR, and PRO-R or PRO-A
Public Facilities (PF)	PF
Commercial (C)	SSC, PO, SC1, SC2, SC3, CA, CBD, CG, MP, CM, PIC, and PRO-C
Industrial (I)	FI, PIC, M1, and M2

TABLE 1.3 – GENERAL PLAN LAND USE DESIGNATIONS

Mixed-Use (M)	PRO and future zoning districts tailored for this designation
Transit Oriented Development (TOD)	ITOD and future zoning districts tailored for this designation
Downtown Planning Area (D)	CBD and future zoning districts tailored for this designation
Airport Related Activities (AR)	PIC, M1 and future zoning districts tailored for this designation

Using the above General Plan Land Use Designations in Table 1.3, Table 1.4, Acres of General Plan Land Use Designations, shows the acres of land for each category as proposed on the General Plan Map.

TABLE 1.4 – ACRES OF GENERAL PLAN LAND USE DESIGNATIONS

Designation	**Acres without Seven Peaks Annexation**	**Acres with Seven Peaks Annexation**
Agricultural (A)	9,508 (36.4%)	16,734 (50.2%)
Residential (R)	8,748 (33.5%)	8,748 (26.2%)
Public Facilities (PF)	3,594 (13.8%)	3,594 (10.8%)
Commercial (C)	821 (3.1%)	821 (2.5%)
Industrial (I)	1,651 (6.3%)	1,651 (5.0%)
Mixed-Use (M)	528 (2.0%)	528 (1.6%)
Transit Oriented Development (TOD)	350 (1.3%)	350 (1.0%)
Downtown Planning Area (D)	268 (1%)	268 (0.8%)
Airport Related Activities (AR)	651 (2.5%)	651 (2%)
Total	26,120	33,345

1.2.8 Zoning and Development Policy Changes

This subsection identifies several major issues Provo is facing and sets forth goals, objectives, and specific actions to deal with these issues. Refinements in overall build-out have been modified downward as a result of the scarcity of developable land, politically unacceptable changes in the quality of life, and the adequacy of public facilities.

Protecting Viable One-Family Neighborhoods, while Meeting the Need for Affordable Owner-Occupied Housing

Past City policies of rezoning older neighborhoods for multifamily housing created a hodgepodge of densities in some central city neighborhoods. Potential homeowners have to compete with outside investors who are willing to pay duplex, triplex, and four-plex prices for homes. As a result, these once affordable homes are being priced outside the reach of many homebuyers.

Apartment licensing was started in 2003 to help enforce existing occupancy requirements. The object of apartment licensing is to make sure all rentals are legal, safe, and have sufficient parking. Zoning verification is part of the licensing process and can identify units that were illegally, and often unsafely, created. Landlords must also provide the name of a responsible agent within 20 miles of the rental, which helps with any enforcement issues. In the end, legal and safe rentals make things better for renters, as well as for homeowners, both of whom reside in the same neighborhood. NeighborWorks of Provo, Provo Housing Authority, Habitat for Humanity, and other interested groups have combined forces and are working with the Redevelopment Agency to provide new and refurbished housing units for families desiring to stay in, or move to, the Pioneer neighborhoods. Residents of these neighborhoods have also made a positive difference by working with the Community Oriented Policing (COP) program and by forming Neighborhood Watch organizations.

In addition to the Pioneer Neighborhoods, other neighborhoods are also struggling and have requested that homebuyer assistance programs be made available outside the current boundaries for these programs.

Finding Ways to Reduce the Exponential Growth of Automobile Traffic

In many neighborhoods, the number of vehicle trips made by households exceeds national averages. Provo's development pattern has historically segregated land use activities, causing reliance on the automobile which probably will not change significantly unless area-specific plans are adopted and implemented that facilitate reductions in vehicle miles traveled (VMT). However, in developing and redeveloping areas, changes in development patterns—such as a mix of uses and modern housing alternatives—could help decrease automobile traffic. Much can be done to encourage pedestrian travel, bicycle usage, and other forms of transportation.

Efforts to reduce commuter traffic to locations of employment, commerce, and major educational institutions are likely to be most effective in automobile trip reduction. New public transit options such as FrontRunner and Utah Valley Express (UVX), the bus rapid transit system, provide increased opportunities for decreased automobile dependence. Both residents and nonresidents benefit from increased transit usage through reduced traffic congestion and reduced emissions.

Transit Oriented Development

Provo's Intermodal Center and UVX route have great potential to combine transit ridership and higher-density residential and commercial development in a development pattern known as Transit Oriented Development

(TOD), which is a significant opportunity to decrease local and regional vehicle miles traveled and traffic congestion. The Mountainland Association of Governments – which helps facilitates regional transportation planning – has indicated the UVX line may be upgraded to light rail in the future if warranted.

The Interim Transit Oriented Development (ITOD) zone around the intermodal center sets the stage for this development pattern. Future TOD areas should be planned and tailored for selected bus-rapid transit station areas. Special attention should be given to each TOD plan and regulating zone to:

- Determine the appropriate mix and intensity of residential and commercial development near UVX stations.
- Be cognizant of creating an appropriate transition from UVX stations to established neighborhoods using transitional zoning standards in building form, mass and scale.
- Define the desired urban form with emphasis on enhancing the pedestrian scale and relationship to the planned environment through carefully articulated form and design standards.
- Enhance transit ridership through carefully sited retail locations, civic and open spaces, and density.
- Reduce the need for parking and automobile ownership.
- Enhance additional alternative transit modes such as pedestrian, bicycle and bike and car-sharing facilities to FrontRunner and UVX stations.

Transit Oriented Planning Areas are identified on the General Plan Map as TOD.

Mixed-Use Development Areas

Occasionally areas within the General Plan call out mixed-use (commercial and residential) development areas that currently have limited access to alternative transit options such as bus and bike facilities. Reductions in parking and automobile facilities in these areas should be augmented by development of alternative transit options along with a traffic demand management plan. However, these mixed-use planning areas, like TOD, should:

- Determine the appropriate mix and intensity of residential and commercial development near future determined neighborhood centers.
- Be cognizant of creating an appropriate transition from neighborhood centers to established neighborhoods using transitional zoning standards in building form, mass and scale.
- Define the desired urban form with emphasis on enhancing the pedestrian scale and relationship to the planned environment through carefully articulated form and design standards.
- Enhance transit ridership, where available, through carefully sited retail locations, civic and open spaces and density.
- Enhance additional alternative transit modes such as local bus service, pedestrian, bicycle, and car-sharing facilities.

Within newly developing areas, careful attention to placement of housing types, commercial and public services, and employment, in relation to each other and in relation to key transportation corridors, helps to reduce the resulting need for excessive automotive trips. Throughout the city, much can be done to encourage walking and bicycling as a primary means of transportation and to access transit and for travel independent of transit.

Protecting Historic Neighborhood Character

The mix of land uses, density, and design affect neighborhood character. Historically significant design themes should be preserved through rehabilitation and protection of significant existing properties. New construction should be compatible with existing design themes in an area. Provo City's Design Review Committee is raising the level of awareness of design issues, and quality projects are being constructed because of this awareness. The Landmarks Commission is identifying properties worthy of preservation, finding ways to provide preservation incentives, and protecting historic properties.

Promoting Safe Development, Promoting Open Space Preservation, and Protecting Public Access to Recreational Areas in the Foothills

Current policies regarding hillside development should be strictly enforced and periodically reevaluated to ensure public services are not strained, homes are safe, and access to open space is preserved.

Increasing the Tax Base through Commercial Development

Residential development requires more services than property taxes and user fees provide. This is also true of many institutional land uses, such as churches and schools. To offset this, opportunities to establish and sustain revenue-producing uses, or to revitalize old uses, need to be found. Provo City should be a "full service" community, providing consumer choices and convenient shopping opportunities.

Replacing and/or Consolidating Neighborhood Plans Adopted Since 1977

Lacking resources to revise the 1977 General Plan, the City adopted neighborhood plans. They were substitutes for a comprehensive general plan and filled policy voids. The neighborhood plans resulted in an amalgam of policies, codes, and requirements that proved cumbersome to administer and difficult to interpret. Since that time, Provo City has worked with many stakeholders to provide a more comprehensive General Plan. The creation of that General Plan in 1997 provided one document, ensuring consistency within the document and with overall citywide needs. The comprehensive update to the plan, adopted in 2004, addressed changing needs and circumstances in a number of these neighborhoods, but through a comprehensive, citywide planning process. Since the 2009 General Plan Update, several other neighborhood plans have been adopted. These plans have been incorporated into the General Plan and added as appendices.

For a discussion regarding the population and demographic characteristics of Provo City, please see the Plan's Population section.

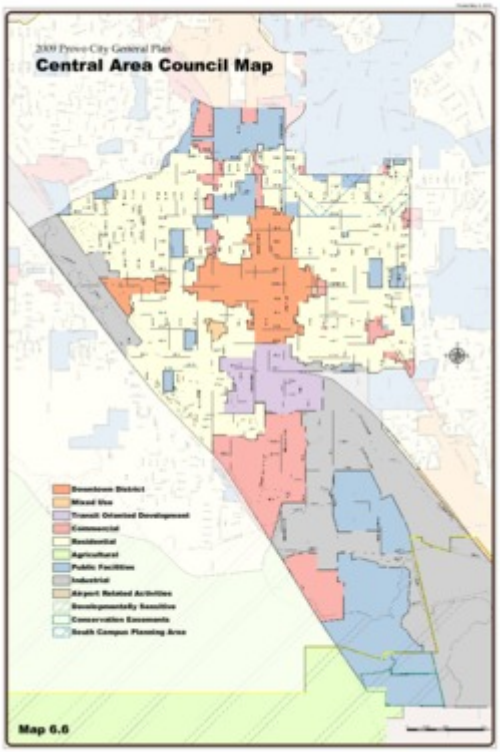
1.2.9 Key Land Use Policies (by Area and Neighborhood)

Neighborhood Structure in Relation to Land Use Policies

The City is divided into 34 neighborhoods within five area neighborhood councils. Map 1.2 – Provo City Neighborhoods Map shows the 34 neighborhood boundaries. Map 1.3 – General Plan Map shows the General Plan land use designations for all of Provo. Area Neighborhood Council Maps for the various area neighborhood councils can be found in the map document accompanying the General Plan with its land use designations (Maps 1.4 to 1.8). They include the Central Area Neighborhood Council, Northeast Area Neighborhood Council, Northwest Area Neighborhood Council, Southeast Area Neighborhood Council, and the Southwest Area Neighborhood Council.

Land Use Policies by Area Council and Neighborhood

Map 1.4 - Central Area Neighborhood Council Map (PDF)



CENTRAL AREA NEIGHBORHOODS

Downtown	Franklin	Maeser
Dixon	Franklin South	North Park
East Bay	Joaquin	Timp

The Central Area Neighborhood Council consists of nine neighborhoods. They include the Downtown, Dixon, East Bay, Franklin, Franklin South, Joaquin, Maeser, North Park, and Timp. Five of those neighborhoods are defined as Pioneer Neighborhoods; they are Dixon, Franklin, Joaquin, Maeser, and Timp. The Pioneer

Neighborhoods are being targeted for neighborhood conservation by protecting one-family structures. By protecting these homes, the City hopes that the real estate market will stabilize so these homes will be preserved for residential uses and to make it possible and desirable for greater numbers of families to move back into these neighborhoods.

While the single-family dwelling should remain the ideal, this emphasis should not exclude a growing demand for housing types for middle-income individuals who often are priced out of larger family homes and not looking to move into student apartments.

Key policies for the Central Area Council are listed below, with policies to address issues shared, to some degree, within all Central Area neighborhoods, followed by policies of specific importance.

Central Area Guiding Principles, Policies and Goals

The following policies and goals are considered to be shared, to some degree, by all of the Central Area neighborhoods and apply in addition to the policies listed individually for each neighborhood:

1. Residents in the Central Residential Area strongly support establishing and encouraging healthy neighborhoods where residents and property owners live and invest their time, energy, and money because they are family friendly and because financial investment makes economic sense. Actions include:

    a. Increasing owner occupancy; and

    b. Establishing the one-family dwelling as the principal residential use except in areas designated for higher-density, campus-oriented redevelopment in the Joaquin South Campus Planning Area, the Central Business District zone, Transit Oriented Development zones and areas identified as Transit Oriented Development, Downtown or Mixed-Use on the General Plan Map.

Within Central Residential Area neighborhoods, the City must continue to strongly support and participate in revitalization programs and ensure responsible management of nonresident owned properties through enforcement of the Rental Dwelling Business Licensing ordinance.

2. Strengthen and enhance the Community Oriented Policing, mobile watch, and Neighborhood Watch programs, to increase crime awareness, provide key contact people and a process for reporting crime concerns, and to educate neighbors in neighborhood safety. Report back to the neighborhoods and maintain a responsive relationship between law enforcement and citizens.

3. Pedestrian-friendly design is strongly encouraged to achieve standards of “livability” within urban corridors, with special concern for safety aspects of collector streets for pedestrians and bicyclists, including children using these corridors to access schools, parks, libraries and community-oriented commercial services.

4. Integrity in architecture is strongly urged for any new development or redevelopment; the styles that exist may vary between neighborhoods and within sections of a neighborhood.

5. Evaluate development proposals against the backdrop of the community goals to promote homeowner occupancy, but also with consideration for the character and general scale of housing on surrounding and nearby properties. Projects should reflect the type of housing and architectural style of the surrounding neighborhood and be compatible with the density of the neighborhood. The benefits of redevelopment should be weighed against the current use of the property in order to achieve the most desirable result, but not as a substitute for good maintenance of existing uses through responsible property management and enforcement of the rental dwelling business-licensing requirements.

6. Ensure that businesses comply with zoning laws.

7. Monitor and enforce truck routes for businesses that impact neighborhoods with illegal truck routing, stacking and standing. Continue to improve infrastructure to provide appropriate and adequate street access for trucking, as an alternative to unsatisfactory routes through residential areas. The need for social service clients to reside near public transit or within walking distance of social service agency offices, places of employment and shopping is acknowledged; yet there is concern with concentrating special populations within a particular neighborhood and the possible inequitable burden placed on a neighborhood's residents as a result of this concentration of high-impact residents.

8. Plan for appropriate transit-oriented redevelopment (TOD), to focus new development and redevelopment along transit corridors, with (a) appropriate residential densities to support transit use, (b) mixing of uses to reduce the need for vehicle trips, and (c) efficient use of infrastructure, in such a way as to further support a reduced reliance on individual automobile trips.

9. Plan for new street connections to open up large blocks of land that have inadequate access for good development or redevelopment.

10. Consider possibilities for grade separation of streets (including pedestrian walkways) and railroad tracks to:

    a. Reduce access issues related to trains blocking streets for buses and automobiles using the intermodal station; and

    b. Facilitate pedestrian access between the Amtrak station (located north of the railroad tracks on 600 South, west of Freedom Boulevard) and the intermodal station; and

    c. Improve safety and access for other walking and bicycling trips to surrounding dwellings, services, and businesses.

11. Work with the railroads to resolve feasibility issues for transit improvements impacting neighborhoods:

    a. Impacts to traffic related to neighborhood access and related to scheduling of buses traveling to and from the planned intermodal station and providing local bus service;

b. Safety, noise and aesthetic issues for existing, new and redeveloped residential and business uses in the vicinity of the intermodal station through facility enhancement of the existing heavy rail lines (such as fencing, landscaping, walkways and bicycle paths) and through operations management related to heavy rail use and switching yards; and

c. Work with UTA and railroad companies to improve quiet zones in conjunction with commuter rail.

12. Commercial development fronting an arterial or collector road should not be extended beyond existing property lines to include other lots that do not front on an arterial or collector road. The rear yard of a lot fronting on a local street should not be used to extend the depth of a lot used for commercial purposes.

13. Study the feasibility of establishing a transferable development rights (TDR) program to increase owner occupancy in targeted areas. Potential TDR sending and receiving areas should include, but not be limited to, the North Joaquin, Interim Transit Oriented Development and Center Street areas, including West Center Street to I-15.

14. Structures originally built for residential use on the streets listed below should be allowed to retain commercial uses. A feasibility study should be conducted of historic and other aesthetically valuable structures along arterial and collector roads that have been identified for mixed-use and commercial redevelopment to determine costs and viability of their relocation within adjacent neighborhoods as a tool for neighborhood revitalization programs.

- Center Street: 100 East to 400 East and 600 West to 800 West
- 500 West: 200 North to 500 North
- University Avenue: 500 North to 960 North

15. Freeway-oriented commercial zoning should be initiated for property adjacent to I-15, excepting the property to the southeast of the intersection of 1860 South and I-15. Planning for the area should identify and implement mechanisms to ensure that frontage properties are developed with adequate street access to the north and south.

16. Center Street, between 500 West and the railroad tracks, should be studied and planned to capitalize on the reconstruction of the Interstate 15 Center Street interchange. An analysis of appropriate mixed-use and commercial land uses, densities and other factors should guide the development of any zoning ordinances regulating this area.

Key land use policies for individual neighborhoods within the Central Area Council are listed below by neighborhood:

Downtown Neighborhood

The Municipal Council adopted the Downtown Master Plan on April 7, 2015, as a component of the General Plan. The Downtown Master Plan provides specific details on the existing conditions of the

Downtown Neighborhood. Guidance for future land uses and development patterns are detailed in the Downtown Master Plan. Additionally, it sets forth urban design criteria and gives direction for parks and open space as well as transportation patterns and circulation. The Downtown Master Plan is incorporated into the General Plan by reference, and it should be adhered to as redevelopment projects within the area are reviewed.

Dixon Neighborhood

One of the first areas settled in historic Provo, Dixon Neighborhood is adjacent to Downtown and has a rich heritage. It offers an attractive and sustainable mix of housing focused on long-term homeownership while meeting the needs of a variety of short-term residents, both homeowners and renters. Dixon Neighborhood is a walkable community due to its proximity and convenient access to numerous and varied destinations in the neighborhood and nearby neighborhoods, including parks and trails, schools, churches, libraries, community centers, arts, entertainment and recreation venues, government and business offices, grocery and other shopping opportunities, medical centers and a post office. Close to public transportation, Dixon offers a safe, attractive, atmosphere of large, tree-lined streets, sparse traffic and friendly neighbors. Dixon residents envision the neighborhood as a family-oriented area with one-family households, residing in one-family dwellings, with or without accessory apartments.

Goals of the Neighborhood

1. Increase permanent residents to support community, school and a mix of ages.

2. Improve the housing choices to accommodate the people who do want to stay. Provide good housing options for all life stages.

3. Maintain the family nature of the neighborhood while welcoming people of various household structures. Maintain and improve on the great quality of life while addressing the changing development pressures and resident preferences.

4. Maintain and improve on the historical feel, sense of place, and heritage of the area. Become the premier location for families and individuals looking for a semi-urban lifestyle. (As properties within the neighborhood redevelop, architectural styles to be reflected include Victorian, Victorian Classic, Modern Victorian, Tudor Revival, bungalow, Salt Box, Post-War and Modern Ranch in order to preserve the historic character of the community.)

5. Support and encourage quality businesses that serve the needs of the residents. Improve the pedestrian-friendly aspects of our neighborhood.

6. Improve the sense of safety and well-being of people out in the neighborhood.

7. Improve the transportation options for residents. Improve the feeling of belonging and of mutual concern among residents, particularly across demographic differences.

8. Improve the two existing schools (Dixon Middle School and Timpanogos Elementary) to meet the demands of new population growth and to replace, or bring up to code, existing structures.

Key Land Use Policies to Achieve the Goals of the Dixon Neighborhood

1. Protect viable, significant areas of one-family structures in areas designated as Residential (R).

2. Restrict commercial uses along Center Street from 500 West to 1000 West from extending into the Residential (R) General Plan designation.

3. Ensure that approved redevelopment projects will move Dixon Neighborhood forward to realize the neighborhood vision.

4. Study the feasibility of placing landscape medians in Center Street from 500 West to 900 West to enhance the proposed design corridor.

5. Study the feasibility of conducting a historic designation survey in the Dixon Neighborhood.

6. If redevelopment of the Fresh Market Commercial Center—located between 600 West and 500 West Center Street—should occur, the plan should provide for a more appropriate transition between commercial and residential uses on 600 West. Loading docks, block walls and other uninviting design is strongly discouraged. Preferably, residential development should front 600 West.

7. Support the Gateway, West Gateway, Freeway Commercial, and Freeway Commercial Two zones, to transform Center Street into a fitting entry into the City and to take full advantage of the prime freeway access of the Draper Lane area. Consider a pedestrian bridge to connect Draper Lane to the rest of the neighborhood near 200 North.

8. Consider Complete Street principles when planning any road maintenance or improvement.

East Bay Neighborhood

1. Restrict the heavy commercial and heavy manufacturing uses from encroaching into the retail shopping areas.

2. Evaluate the Planned Industrial/Commercial Zone to determine whether greater distinction should be drawn between the industrial park development and the commercial development, using East Bay as the foundation for the evaluation. Distinction in principal uses, conditional uses, sign standards and colors, and traffic circulation may be appropriate for greater distinction between the industrial and commercial areas.

3. Evaluate the East Bay covenants, conditions and restrictions (CC&Rs) for conflicts with the PIC zone language and consider revisions that impact the City's issuance of permits in conformance with City ordinances that may conflict with the East Bay covenants.

4. The Neighborhood Chair will continue to serve on the East Bay Association Board of Directors during the development phase of East Bay and work toward establishing and maintaining long-term, successful businesses in the planned industrial/commercial park.

5. Continue to encourage quality development and redevelopment near the Provo Towne Centre Mall, including an attractive, well landscaped frontage along University Avenue, to create a more significant entrance to this vital retail anchor. Uses that complement and support the shopping mall should be actively sought and encouraged. Ordinances should be reviewed for uses that could detract from the long-term success of the Provo Towne Centre Mall. Design to facilitate traffic circulation between the mall and these University Avenue businesses should be required during the development process.

Franklin Neighborhood

Neighborhood Vision, Challenges, and Goals

Franklin Neighborhood encompasses the first permanently settled area in what is now Utah County. The Franklin Neighborhood Plan was adopted by the Municipal Council, and it is incorporated in the General Plan by reference. It details existing conditions in the neighborhood and provides additional detail on acceptable future land uses. It should be closely followed as properties redevelop.

Franklin South Neighborhood

Goals of the Franklin South Neighborhood are as follows:

1. Add another access across the railroad tracks;

2. Develop intermodal plans and design all development around the plan;

3. Develop better road infrastructure and access to the neighborhood;

4. Increase homeowner occupancy;

5. Eliminate existing blighted, high-density properties and identify locations for appropriately located and designed public recreational parks to serve this densely populated neighborhood;

6. Complete sidewalks and off-site improvements to provide walkability throughout the neighborhood and adjoining communities.

Challenges for the Neighborhood

Franklin South Neighborhood is one of Provo's more population-dense neighborhoods, yet lacks recreation facilities for children and families. Children are bussed to schools outside the

neighborhood, and central park space is not available. Neighborhood cohesion that builds on the strengths of diversity is also a challenge.

Franklin South needs the cooperative efforts of the City and other agencies to achieve appropriate new development and redevelopment. The neighborhood could significantly benefit from the Provo Redevelopment Agency homebuyer assistance programs and other related neighborhood programs.

Franklin South is the gateway to the Provo Towne Centre Mall. Transportation connections between this neighborhood and the mall and other commercial services should include walkways, bikeways, traffic calming measures, and transit. Improvements for pedestrian access from the neighborhoods to the mall should be identified and implemented.

Key Land Use Policies for the Franklin South Neighborhood

1. Protect viable, significant areas of one-family structures in areas designated as Residential (R) on the General Plan Map.

2. Encourage an open public place or a small park for any large-scale redevelopment within the neighborhood.

3. New development should be coordinated with the intermodal center and related street network and redevelopment guidelines, including mixed-use, transit-oriented development in appropriate locations. Residential development in mixed-use projects should be developed above the ground floor. Commercial development on ground floors within mixed-use zoning should be carefully sited to ensure maximum success and long-term viability with the neighborhood.

4. Develop a dialogue between citizens, the City and social service agencies.

5. Continue to evaluate how eligible neighborhoods may effectively utilize neighborhood revitalization initiatives, such as Community Development Block Grant (CDBG).

Joaquin Neighborhood

Vision, Challenges, and Goals of the Joaquin Neighborhood

The Joaquin neighborhood has long been a desirable area to live in Provo due to its excellent location, peaceful tree-lined streets and rich architectural history, but has experienced special challenges due to its proximity to Brigham Young University. The Joaquin Neighborhood Plan was adopted by the Municipal Council, and it is incorporated into the General Plan by reference. It further describes the existing conditions of the Joaquin Neighborhood and provides guidance for implementation of future land uses. The Joaquin Neighborhood Plan should be closely followed when considering redevelopment of properties in the neighborhood.

Maeser Neighborhood

Vision, Challenges, and Goals of the Maeser Neighborhood

The Maeser neighborhood is one of the Pioneer Neighborhoods of Provo, with a desirable central location and pleasing architectural styles that reflect the history of the area. The Maeser School is a valuable historical architectural resource and a reflection of community values through the efforts to preserve this structure, which have resulted in an adaptive reuse of the school building and surrounding grounds to one-family dwellings. The Maeser Neighborhood Plan was adopted by the Municipal Council, and it is incorporated into the General Plan by reference. It further describes plans for projected growth, goals and objectives that reflect the needs of the areas, and a discussion on guiding principles for the residents of the Neighborhood. The Maeser Neighborhood Plan should be closely followed when considering redevelopment and land use decisions in the neighborhood.

North Park Neighborhood

Vision, Challenges, and Goals of the North Park Neighborhood

The North Park Neighborhood shares many of the characteristics of the other Central Area neighborhoods. There is a desire to reestablish one-family occupancy and opportunities for home ownership and residency by families and individuals who can make a long-term commitment to the neighborhood. A high rate of rental properties and a general decline in the condition of many properties provides a challenge for the revitalization of the neighborhood. The architectural character of historic homes contributes character to the neighborhood, and there is a desire to see these homes preserved and restored.

1. Increase the number of owner-occupants to stabilize and strengthen the neighborhood.

2. Improve and support the availability of off-street parking and enforce current requirements.

3. Improve the pedestrian-friendly and safety aspects of the neighborhood.

4. Reduce crime and implement programs to have a drug-free neighborhood.

5. Preserve and maintain the family-oriented public recreational facilities in the neighborhood, including Exchange Park, North Park, Paul Ream Wilderness Park, and Riverside Park.

6. Maintain the architectural heritage on University Avenue that is a unique part of Provo's heritage.

Key Land Use Policies to Address the Goals of the North Park Neighborhood

1. Protect viable, significant areas of one-family structures designated as Residential (R) on the General Plan Map. Promote owner occupancy throughout the neighborhood by limiting new development to detached, one-family homes and the rehabilitation of existing one-family homes, where designated as Residential (R) on the General Plan Map.

2. Study the feasibility of doing a historic designation survey in the North Park Neighborhood with the goal of preserving homes and buildings of historic and architectural value that help to create the character of the neighborhood.

3. Should redevelopment occur, efforts should be made to incorporate historic structures into the development or to relocate them.

4. Encourage responsible property management through the enforcement of the Rental Dwelling Business Licensing ordinance and other applicable zoning ordinances.

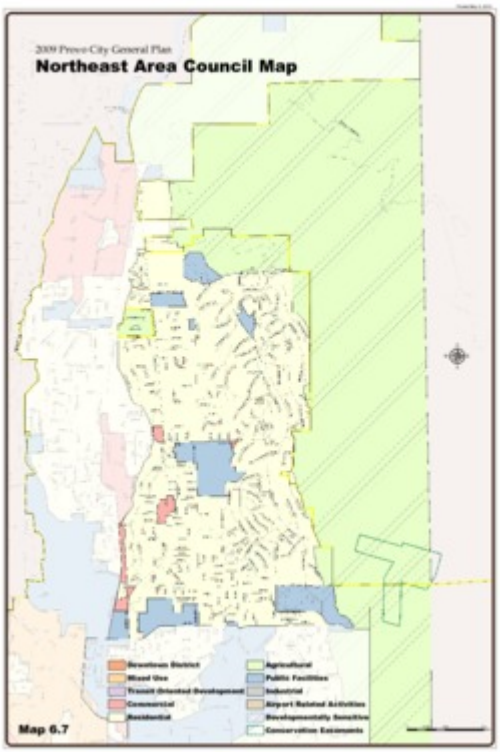
5. Develop a dialogue between neighborhoods, the City, landlords, and social service agencies to review concerns and complaints about social service clients living in the neighborhood. Evaluate the service the agencies are providing, the degree of responsibilities for clients by these agencies, and possible changes to reduce neighborhood resident complaints and concerns resulting from these services.

Timp Neighborhood

Vision, Challenges, and Goals of the Timp Neighborhood

The Timp Neighborhood is considered one of the most walkable neighborhoods in Provo. With this, the neighborhood emphasizes creating an inviting environment for residents with a diverse range of ages, income levels, and backgrounds. The Timp Neighborhood has protected the unique residential attributes that allow families and individuals to thrive in a close-knit environment while still enjoying the social and commercial benefits of walkability to downtown Provo and surrounding areas. The Timp Neighborhood is home to, and located near, some of the most historically significant sections of downtown. Restoring and maintaining the historic features of the neighborhood and continuing emphasis on owner occupancy will provide balance and stability to this neighborhood. The Timp Neighborhood Plan was adopted by the Municipal Council, and it is incorporated into the General Plan by reference. It further describes the existing conditions of the Timp Neighborhood and provides guidance for implementation of key land use policies and future land uses. The Timp Neighborhood Plan should be closely followed when considering restoration and redevelopment of properties in the neighborhood.

Map 1.5 - Northeast Area Neighborhood Council Map (PDF)



NORTHEAST AREA NEIGHBORHOODS

Edgemont	North Timpview	Sherwood Hills
Indian Hills	Rock Canyon	

The Northeast Area Neighborhood Council consists of five neighborhoods: Edgemont, Indian Hills, North Timpview, Rock Canyon, and Sherwood Hills. Key policies for the Northeast Area Council are listed below, with policies to address issues shared, to some degree, within all Northeast Area neighborhoods, followed by policies of specific importance, by neighborhood.

Northeast Area Guiding Principles, Policies and Goals

The following policies and goals are shared, to some degree, by all of the Northeast Area Neighborhoods, and they apply in addition to the policies listed for each individual neighborhood:

1. Protect viable, significant areas of one-family structures in areas designated as Residential (R) on the General Plan Map.

2. Maintain the Residential (R) General Plan designation with one-family residential development with a goal of increasing the amount of owner-occupied housing units.

3. Any new development within areas with the Provo City General Plan Map designation of Developmentally Sensitive (DS) will be subject to studies of potential geologic hazards, geotechnical

constraints, slopes or other conditions, as required by the City Engineer or State Geologist. This will ensure that sensitive lands are appropriately developed or, where necessary to protect people, property or significant natural features, withheld from development.

4. Establish policies and ordinances for Rock Canyon that limit commercial activity and development as well as protect and enhance the area as a citywide recreational asset.

5. Any properties within the Northeast Area identified for possible future annexation in the Annexation Policy Plan designated as "Agricultural" on the General Plan Land Use Map, shall be assigned to the Open Space, Preservation, and Recreation (OSPR) Zone upon being annexed.

Key land use policies for individual neighborhoods within the Northeast Area Neighborhood Council are listed below by neighborhood:

Edgemont Neighborhood

1. Maintain all existing one-family residential areas of the neighborhood as one-family, detached housing. Duplexes, twin homes, condominiums, and apartments are not compatible with the goals for this neighborhood. Housing should be developed at the scale of surrounding existing development. The neighborhood may consider design regulations to control housing scale in established residential areas to prevent incompatible infill development.

2. Limit rural agricultural tracts south of Timpview High School to one-family residential development. If developed as performance developments, they should be limited to one-family dwellings.

3. Prohibit existing commercial and office nodes from expanding into the Residential (R) General Plan designation.

4. Retain the auto repair service and gas station property on the northeast corner of 2950 North and Canyon Road as Residential (R) on the General Plan Map to reflect neighborhood concern that this property not be sold for commercial redevelopment or change in commercial use. The City has approved a PRO (Project Redevelopment Option) zone to allow facility expansion and redesign of the existing, nonconforming business within the original parcel boundaries, using the PRO process. This action recognizes that this business has provided a needed service to the community for many years, but is in need of modernization to compete economically and to better integrate into this substantially one-family residential area.

a. This action is not intended to encourage or facilitate further commercial development at this intersection, but to allow this nonconforming use to establish as a conforming business through the PRO process. It is not the Council's intent to amend the General Plan Map upon rezoning, but to maintain the R map designation.

b. The adjoining lot(s) under the same ownership, fronting 2950 North, would remain designated as Residential (R) for the purpose of one-family residential use. The General Plan

boundary for expansion of the existing commercial use is considered to be the existing property line.

5. The property located generally at 3645 North Canyon Road, now used for a car wash, may be redeveloped for low-density residential use (R1.10 Zone) with areas exceeding 30 percent slope restricted from development. Any development must be compatible in density, scale and design with adjoining residential development. Consolidating the property with additional property is encouraged.

6. The Fire Station along Canyon Road should be designated as Residential on the General Plan Map. If the property is sold by the City, it should be developed comparable to the R1.10 Zone.

Indian Hills Neighborhood

1. Prohibit development in the unincorporated USDA Forest Service land east of Indian Hills within the Provo City General Plan Map designation of Developmentally Sensitive (DS).

2. Work with the Provo City Traffic Engineer to explore the possibilities of developing a traffic-calming improvement plan to address issues of traffic speed concerns, particularly on Navajo Lane and Indian Hills Drive.

North Timpview Neighborhood

1. Prohibit new Agricultural (A) designations, within the City limits, which grant animal rights, except where agricultural use is established on property that may be annexed into City limits.

2. Strive for increased owner occupancy. Density higher than R1.10 zoning is not within the goals of this neighborhood.

3. Although not shown on the map as PF – Public Facilities, the anticipation is that the East Lawn Cemetery will expand in a manner consistent with the PF designation. Provo City recognizes the need to appropriately expand the East Lawn Cemetery to provide services for Provo's population and does not intend this expansion to require an amendment to the Provo City General Plan.

4. Work to establish an infrastructure improvement plan that focuses on installing, replacing, or repairing sidewalks and streetlights. Also, improve access of private residences to sewer laterals to replace existing septic systems.

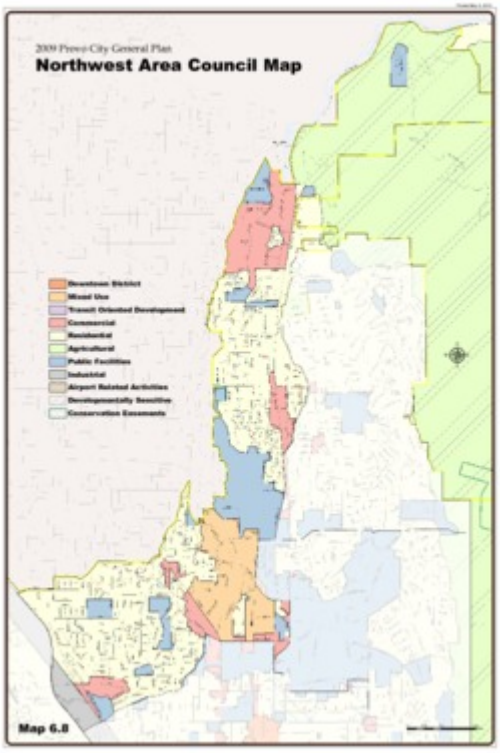
Rock Canyon Neighborhood

See the Country Club Manor Specific Development Plan for information pertaining to Rock Canyon Neighborhood.

Sherwood Hills Neighborhood

New development above the 5,200-foot elevation within the Provo City General Plan Map designation of Developmentally Sensitive (DS) is restricted due to conditions described in Chapter 4, Natural Resources and Environment, of this General Plan.

Map 1.6 - Northwest Area Neighborhood Council Map (PDF)



NORTHWEST AREA NEIGHBORHOODS

Carterville	Grandview South	Rivergrove
Grandview North	Riverbottoms	Riverside

The Northwest Area Neighborhood Council consists of six neighborhoods: Carterville, Grandview North, Grandview South, Riverbottoms, Rivergrove, and Riverside. Key policies for the Northwest Area Council are listed below. Policies to address issues shared, to some degree, within all Northwest Area neighborhoods, are followed by policies of specific importance, by neighborhood.

Northwest Area Guiding Principles, Policies and Goals

The following policies and goals are shared, to some degree, by all of the Northwest Area Neighborhoods, and they apply in addition to the policies listed for each individual neighborhood:

1. Protect viable, significant areas of one-family structures within areas designated as Residential (R) on the General Plan Map.

2. Maintain the Residential (R) General Plan designation with one-family residential development.

Key land use policies for individual neighborhoods within the Northwest Area Neighborhood Council are listed below by neighborhood:

Carterville Neighborhood

1. Property designated as Mixed-Use (M) on the General Plan Map should not develop under mixed-use guidelines until an area master plan has been established. The area master plan should specifically address how development interacts with the Provo River frontage. Policies that encourage a pedestrian-friendly, mixed-use Riverwalk area are highly encouraged.

Grandview North Neighborhood

1. This neighborhood is well established and expected to remain consistent in its uses and continue to meet the guiding principles for the Northwest Area.

Grandview South Neighborhood

1. This neighborhood is well established and expected to remain consistent in its uses and continue to meet the guiding principles for the Northwest Area.

2. Plan, adopt, and implement a landscaping plan for property adjacent to the 1375 West corridor in order to beautify the area and mitigate safety hazards created by vegetative overgrowth into the sidewalk and right-of-way.

Riverbottoms Neighborhood

1. Maintain the Residential (R) General Plan designation with one-family residential development, except as otherwise provided. All new residential developments along University Avenue should be one-family residential development.

2. Any properties north of 4800 North and west of University Avenue that consist of 20 acres or more in size may develop as independent research and business park. Land assembly may be required for smaller parcels. Individual lots along 50 West or Edgewood Drive should be redeveloped for research and business park uses. The entire residential uses that are currently zoned A1.1 should be redeveloped, or none of it should. It is an already isolated residential enclave, and should not be further encroached upon, making it more difficult and costly to redevelop as research and business park. This area should be developed to the same standards as those required in the Riverwoods Research and Business Park.

3. Designate the property located at approximately 5600 North, east of University Avenue and Canyon Road, as Residential (R). Approximately two acres of the site are flat and developable if adequate access can be provided, subject to the Sensitive Lands ordinance as it may apply to property proposed for development or access. The remaining four acres are too steep to develop, and are in the middle of a natural drainage channel.

4. The northeast corner of 4800 North University Avenue (4878 N. University Ave.), containing approximately two acres, to be developed with a Commercial use.

5. The proposed design corridor along 4800 North should be extended to Canyon Road.

See Village at Riverwoods Specific Development Plan for documents.

Rivergrove Neighborhood

1. Provide alternative land use designations for the mobile home park at Columbia Lane and Grandview Lane as Commercial (C), Residential (R), or Mixed-Use (MU). Any of these designations could be appropriate in this location, and would facilitate the redevelopment of that parcel. Whatever is approved on this site should have landscaping along the street frontage consistent with the residential developments on the northeast and southwest corners, and commercial buildings should be designed to fit in with the residential character.

2. Encourage the commercial redevelopment of Columbia Lane from State Street to the residential development just south of Grandview Lane. Sidewalk, curb, and gutter should be installed for safety and to prohibit parking backing out onto Columbia Lane. Land uses should be better screened in the future or promote retail rather than automotive-related uses. The Council may consider a design corridor for this area. Bike lane planning should be included in the development of a design corridor plan and ordinance.

3. Encourage the improvement of the neighborhoods by supporting policies and ordinances that attract a mix of family types, including retirees and singles, increasing owner occupancy, encouraging neighborhood activities, requiring the proper maintenance of homes, and landscaping.

4. Work with law enforcement programs, such as Community Oriented Policing (COP), to decrease illegal activities within the neighborhood.

5. Work to develop and implement an infrastructure improvement plan to install sidewalks in areas that do not have them.

6. Preserve and maintain park and open space by working with the Parks Department to repair, maintain, improve and increase recreational facilities within the neighborhood.

7. Commercial uses should not encroach into established residential areas.

Riverside Neighborhood

1. All undeveloped land along the University Avenue corridor, lying between 50 West and 100 East, may be developed for professional offices within the Commercial designation, while any land west of 50 West and any land east of 100 East should be one-family detached homes. This presents a consistent University Avenue business corridor, while providing high-quality, low-density housing for Provo residents, and supports Provo's goal to encourage new neighborhoods of one-family detached homes.

2. All undeveloped land lying between 3300 North and 3080 North, and east of 100 East, may be developed for professional offices within the Commercial designation.

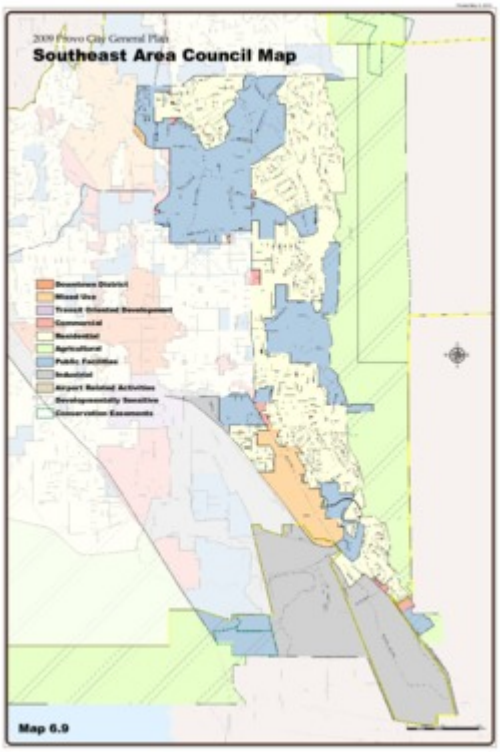
3. All new professional office use must be consistent in architecture and style to existing office buildings to provide a planned presentation.

4. All efforts must be made to preserve the natural trees, foliage and land topography in order to maintain a mature, natural look and feel to the Riverside area.

5. In order to prevent excessive traffic in residential areas, direct and indirect access should not be permitted or accommodated between University Avenue and 3700 North through residential neighborhoods.

6. The Mixed-Use (M) designation should not develop under mixed-use guidelines until an area master plan is established. The area master plan should specifically address how development interacts with the Provo River frontage. Policies that encourage a pedestrian-friendly, mixed-use river walk area are highly encouraged.

Map 1.7 - Southeast Area Neighborhood Council Map (PDF)



SOUTHEAST AREA NEIGHBORHOODS

Foothills	Provost	University

SOUTHEAST AREA NEIGHBORHOODS

Oak Hills	Provost South	Wasatch
Pleasant View	Spring Creek	

The Southeast Area Neighborhood Council consists of eight neighborhoods: Foothills, Oak Hills, Pleasant View, Provost, Provost South, Spring Creek, University, and Wasatch. Key policies for the Southeast Area Neighborhood Council are listed below by neighborhood. Key policies for the Southeast Area Council are listed below, with policies to address issues shared, to some degree, within all Southeast Area neighborhoods, followed by policies of specific importance, by neighborhood.

Southeast Area Guiding Principles, Policies, and Goals

The following policies and goals are shared, to some degree, by all of the Southeast Area Neighborhoods, and they apply in addition to the policies listed for each individual neighborhood:

1. Viable, significant areas of one-family structures within the Residential (R) should be protected for continued one-family use.

2. Maintain the Residential (R) General Plan designation with one-family residential development, except where specified otherwise.

3. Any proposed development within Developmentally Sensitive areas will be subject to studies of potential wetlands, floodplains or other conditions, as required by the City Engineer or by any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed or, where necessary to protect people, property or significant natural features, withheld from development.

4. Establish policies and ordinances that protect and enhance Slate Canyon.

South State Street Corridor Development Policies

South State Street is the main entrance into southeast Provo City and traverses from the intersection of State Road (SR) 75 (Springville City Limits) to 300 South. From approximately 900 South to the city limits, State Street divides the Provost South and Spring Creek Neighborhoods from each other.

The intent of this policy is to create a mixed-use corridor with uniform public and private property design and development standards that are conducive to both of the adjacent neighborhoods and that will enhance the character of South State Street. The policy encompasses all properties located between the existing railroad tracks west of State Street and all properties adjacent to State Street on the east side.

Due to the length and character of South State Street, the corridor is divided into two large areas for discussion of land use policy. These areas are described as Area A (North of 1860 South) and Area B (South of 1860 South). The Public Way Design Standards are for the entire length of South State Street.

Public Way Policies

Policies should address uniform public way improvements for the entire corridor including the following:

1. All new and existing utilities should be placed underground when development occurs where feasible.

2. The street design (acceptable to UDOT and Provo City by mutual agreement) should include, but not be limited to: uniform curb, gutter, sidewalks, street width, street lighting, landscaping, street signage, etc. and provide for efficient movement of traffic and pedestrians.

Key land use policies for individual neighborhoods within the Southeast Area Neighborhood Council are listed, below, by neighborhood:

Foothills Neighborhood

Vision, Challenges, and Goals of the Foothills Neighborhood

Over time, the Foothills neighborhood has become a diverse neighborhood including homes ranging in size from small, post-war starter homes to large luxury homes. The neighborhood includes a small but distinct commercial zone and a strip of high-density student housing. This mix of uses creates advantages and challenges for the neighborhood.

Foothills is an ideal place for young couples just starting out to rent or even own a small home, duplex, or basement apartment as they transition toward permanent housing. At the same time, there is a significant number of families that have lived in the neighborhood for decades. New, larger homes on the east side of the neighborhood are also very attractive to established families that are looking for a place to sink roots.

Additionally, baching singles rent student housing along 450 North.

The vision for this neighborhood is to maintain the current delicate balance of residents and uses in a way that is sustainable economically and socially. Some of the keys to making this viable:

1. Attracting permanent residents to the neighborhood is a critical focus. Having permanent residents provides community stability and support for those who are just starting out.

2. Encourage policies that prompt baching singles to reside in the South Campus Planning Area and reclaim dwellings for one-family occupancy.

3. Ensure that all property owners are aware of the neighborhood rules and municipal regulations.

4. Enforce occupancy and Rental Dwelling Licensing rules.

Past efforts to maintain this balance have focused on stricter enforcement of zoning requirements, modification of parking requirements and zones, and the implementation of

restrictive covenants in new developments. The intent of these efforts has been to make housing pleasant and attractive to families appropriate to the size of the home as well as to providing adequate, usable, and attractive housing in areas designated for baching singles.

It is the goal of the neighborhood to work with owners of condominium complexes in the heart of the neighborhood to encourage the unit owners to abide by occupancy limitations and other noise, nuisance, and parking issues as regulated by Provo City Code.

The City-owned property near 1480 North may be developed as a park in the future.

Goals of the Foothills Neighborhood

1. Increase owner occupancy within the neighborhood.

2. Attract longer-term residents to increase neighborhood stability.

3. Foster a sense of community.

4. Find a permanent resolution to the occupancy violations and concerns within the condominium complexes.

5. Ensure that existing designated student housing remains an attractive option for baching singles.

New residential developments should focus on creating housing that will encourage permanent residents.

1. Promote owner occupancy throughout the neighborhood by limiting new development to detached, one-family dwellings.

2. Maintain all existing one-family residential areas of the neighborhood as one-family detached housing. Higher-density residential housing, such as duplexes, twin homes, condominiums, and apartments, is not compatible with the goals for this neighborhood.

3. It is the intent of Council that a boundary between the higher-density uses of Brigham Young University (BYU) on the west side of 900 East and the one-family residential uses of the Foothills neighborhood be maintained. This plan designates 900 East as the boundary that best respects existing uses and protects both uses from the incompatibility of having high-density residential or commercial uses next to one-family residential uses. Because 900 East provides the most logical buffer between these two incompatible uses, this plan designates that residential properties on 900 East, where currently zoned and used for one-family detached homes, should be maintained as one-family detached housing. Higher-density residential housing, such as duplexes, twin homes, condominiums, and apartments, is not compatible with the goals for this area.

4. Commercial and other nonresidential development not be allowed to expand.

5. Residential project plans for property under the Residential (R) General Plan Map designation east of the Seven Peaks Water Park Resort may develop with a variety of housing types, including one-family detached, one-family semi-detached (twin homes), or one-family attached (townhomes or condominiums not stacked above or below each other). Multiple-family configurations incorporating stacked units may be suitable if designed with dispersed massing (not centrally located in a few buildings). Any project should be designed with sensitivity to the adjacent hillside and should integrate with existing residential development to the north. The project design should not draw attention to itself but rather seek to blend the new residential use with the surrounding land uses.

Oak Hills Neighborhood

1. Limit development east of 1550 East to one row of homes one lot in depth, with no flag or panhandle lots.

Pleasant View Neighborhood

The Pleasant View neighborhood has long been a desirable area to live in Provo due to its excellent location, peaceful streets and varied architectural history. The location is both a benefit and a challenge due to the immediate proximity of Brigham Young University, major arterial roads, and significant public transportation nodes.

Residential

1. *Single-Family Homes*

Maintain, protect and allow the turnover that naturally occurs in the viable and significant areas of one-family structures in the neighborhood. These areas are designated as single-family residential (R1) on the General Plan Map. Promote owner occupancy throughout the single-family home areas of the neighborhood. Restrict the Supplementary Residential and Accessory overlay zones from expanding beyond the current boundaries. Continue enforcement of zoning laws to ensure public safety and the quality of residential properties. Nonresidential uses such as commercial, public facilities, and professional office must not be allowed within the residential area on the north side of University Parkway between 450 East and 650 East. The single-family residential area between University Avenue and North Canyon Road south of 2200 North and north of Stadium Avenue must be maintained without loss of any property to higher-density residential or nonresidential development.

2. *Condominiums, Apartments, and Performance Developments*

The higher-density residential housing, such as condominiums, apartments, and performance developments, in the neighborhood provide a mix of housing opportunities. This housing is located in existing R2, RC, R3 and R4 zones. The expansion of these types of higher-density housing may occur into adjacent properties zoned General Commercial (GC) or Public Facility (PF) but not into property with a single-family (R1) use.

3. *Commercial and Public Facility*

Existing commercial and public facility developments should not be allowed to expand into the Residential areas (R) identified on the General Plan. Conversion of land designated Public Facility use to a Professional Office (PO) or Commercial (GC) use is not consistent with the long-term growth and sense of community in this neighborhood.

4. *Traffic*

Reduce cut-through traffic on local (residential) streets, provide appropriate speed limit controls and enforcement on local, collector and arterial streets, and improve pedestrian and bicycling access.

5. Maintain the current boundary between the higher-density uses such as Brigham Young University (BYU) in existing Public Facility zones and the single-family residential uses of the Pleasant View neighborhood. These boundaries best respect existing uses and protect both uses from the incompatibility of having high-density residential or commercial uses next to single-family residential uses.

Provost Neighborhood

1. Maintain the Public Facility (PF) General Plan designation for the detention basins along Slate Canyon Drive.

2. Maintain the one-family character of the neighborhood by:

a. Limiting development in the R designation to detached, one-family dwellings;

b. Enforcing relevant zoning laws to resist conversion of owner-occupied, one-family homes into two-family dwellings;

c. Being included in neighborhood revitalization initiatives.

3. Property in the Developmentally Sensitive designation is of notable concern for protection from inappropriate development.

4. Continue implementation of the South State Street Design Corridor.

Provost South Neighborhood

1. New, quality, one-family homes should be developed to provide adequate living space for growing families that wish to relocate to or remain within the Provost South neighborhood, including detached homes. Focus for new development for mixed housing types suitable for owner occupancy should develop using appropriate rezoning tools and provide adequate open space, amenities, buffering from nonresidential uses, and such architectural styles and orientation as to not give the appearance of multiple-family housing.

2. Encourage and/or maintain owner occupancy.

3. Evaluate the impacts of road designations to existing residents, especially collector designations. Evaluate the impacts of new development on street parking in constrained areas such as the east bench and implement traffic-calming measures and parking restrictions as determined appropriate.

4. Provide and upgrade infrastructure, including appropriately designed and located public recreational space.

5. Continue to implement the South State Street Design Corridor from the south City limits to 300 South for new development and redevelopment. Properties along the South State Street corridor should develop for quality businesses that are compatible with adjoining and nearby residential development, with focus on retail commercial and shopping center uses within a planned, well designed configuration.

6. The Slate Canyon Area Master Plan has been adopted as Key Land Use Policy for the area of the Provost South Neighborhood encompassed by the Plan.

Spring Creek Neighborhood

1. Ironton should be developed as an upscale business park, with industrial and commercial uses in a park-like atmosphere. Ironton Boulevard should connect to Larsen Parkway with adequate traffic control for the area.

2. Mixed-use development should be considered for the property along the west side of South State Street (US 89), between 900 South and 1860 South, after an area master plan has been completed. Multi-family housing may be developed within this area with or without the commercial elements if developed as part of a project redevelopment option (PRO), performance development (PD), or specific development plan (SDP) zone.

a. Flexibility in interpretation of these use boundaries and careful planning in establishing uses within the corridor, based on need and the desire to “soften” the frontage with limited areas of residential, are encouraged.

b. Mixed-use neighborhood centers should be focused near the intersections of 1320 South State and 1860 South State. The highest vertical mixed-use intensities should be closest to these mixed-use neighborhood centers with residential density and commercial intensities tapering off between the general centers.

c. Exceptions to this policy should be made for existing businesses, developed within the M-1 zone, that have made significant investment in the area and have upgraded their properties to comply more closely with the expectations of the adopted design corridor through enhanced landscaping, architectural improvements, and other standards.

3. Continue to implement the South State Street Design Corridor from the south City limits to 300 South for new development and redevelopment.

4. Properties along the South State Street corridor should develop for quality businesses that are compatible with adjoining and nearby residential development.

5. Provide public recreational space to service the residents of this neighborhood.

6. Evaluate the process by which CDBG eligible neighborhoods may effectively utilize revitalization initiatives.

University Neighborhood

1. The University is an exception to the guiding principles of the Southeast Area Neighborhood Council as there are no significant areas of one-family housing within its boundaries.

2. Due to its magnitude and unique characteristics, Brigham Young University (BYU) is significantly different from other public facility land uses. In particular, BYU-owned properties that lie within or in proximity to the boundaries of the adjoining Joaquin Neighborhood South Campus Planning Area should be reviewed for compatibility with key land use policies for campus-oriented student housing, mixed-use development, and ancillary services in the areas south and west of the BYU campus.

Wasatch Neighborhood

1. The Supplementary Residential Overlay Zone should not expand beyond its current boundaries.

2. Promote owner occupancy throughout the neighborhood.

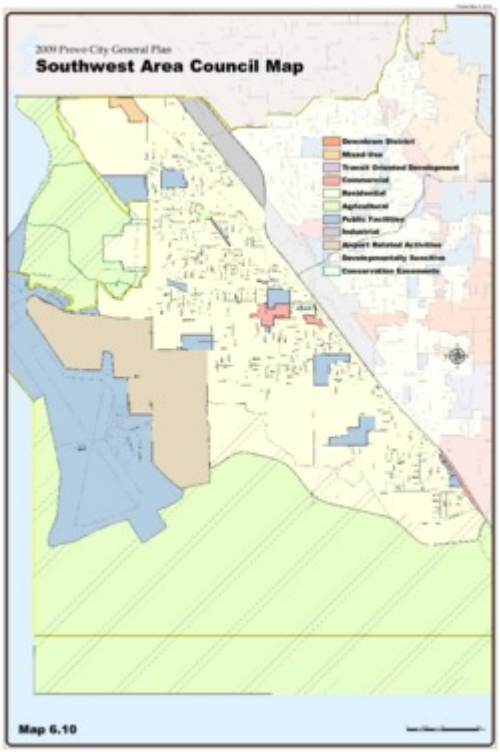
3. Maintain all existing one-family residential areas of the neighborhood as one-family detached housing. Duplexes, twin homes, condominiums, and apartments are not compatible with the goals for this neighborhood.

4. A boundary between the higher-density uses of Brigham Young University (BYU) on the west side of 900 East and the one-family residential uses of the Wasatch neighborhood should be maintained. This plan designates 900 East as the boundary that best respects existing uses and protects both uses from the incompatibility of having high-density residential or commercial uses next to one-family residential uses.

5. Existing commercial development should not be allowed to expand to the degree that it encroaches into the Residential (R) General Plan designation.

6. Nonresidential uses such as commercial, public facilities, and professional office should not be allowed within the residential area on 900 East between Cedar Avenue and the Public Facilities (PF) Zone.

Map 1.8 - Southwest Area Neighborhood Council Map (PDF)



SOUTHWEST AREA NEIGHBORHOODS

Fort Utah	Lakewood
Lakeview North	Provo Bay
Lakeview South	Sunset

The Southwest Area Neighborhood Council consists of six neighborhoods: Fort Utah, Lakeview North, Lakeview South, Lakewood, Provo Bay, and Sunset. Key policies for the Southwest Area Neighborhood Council are listed below by neighborhood. Key policies for the Southwest Area Council are listed below, with policies to address issues shared, to some degree, within all Southwest Area neighborhoods, followed by policies of specific importance, by neighborhood.

Southwest Area Guiding Principles, Policies and Goals

Purpose

The purpose of these policies is to guide development in southwest Provo in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future residents while respecting Provo's agricultural heritage.

Policies

1. Preserve Provo's agricultural heritage and support agriculture for as long as farmers choose to farm:

    a. Approve the creation of a Provo Agricultural Commission to support local commercial and noncommercial agriculture.

    b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including nontraditional farmers, and recommend ways to remove these obstacles.

    c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: conservation easements, transfers of development rights, community land trusts, a privately funded farmland trust fund, and Utah's "Agricultural Protection" Program.

    d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.

    e. Encourage Development-Supported Agriculture and Agritourism to help preserve Provo's agricultural heritage.

    f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.

    g. Protect agricultural operations from the impact of residential encroachment.

    h. Identify agricultural land owners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

2. *Preserve and Create Quality Usable Open Space*

    a. Update and utilize the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.

    b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands.

    c. Provide parks and trails of different uses and sizes.

    d. Encourage agritourism as a means to provide agriculturally themed open space.

    e. Useable neighborhood open space should be an integral part of neighborhood design or combined to serve larger areas than the immediate development.

3. *Encourage Sustainable Residential Development Patterns*

    a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.

b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.

c. Housing types should be mixed without barriers separating types or densities.

d. The scale and style of residences should enhance the surrounding area, regardless of housing type.

e. Create design standards for important road corridors in southwest Provo.

f. The overall density of the area should average four units to the acre.

4. *Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations*

a. Regional commercial uses may be located adjacent to I-15 or within the Airport Related Activities district.

b. Neighborhood and Community Shopping zones may be located at or adjacent to arterial or collector streets.

c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use.

5. *Create a Robust Transportation Network*

a. Update the Transportation Master Plan to accommodate the changing needs of southwest Provo.

b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.

c. Update the Provo City Major and Local Street Plan to include a network of proposed local streets to ensure connectivity in the land between collector and arterial roads.

d. Utilize Complete Streets Policies to ensure all modes of transportation are considered.

e. Utilize the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.

f. Lakeview Parkway is to be maintained as an arterial roadway with limited access.

6. *Require Proper Integration and Sequencing of Development*

a. The full block should be considered when rezoning away from agricultural uses.

b. Conceptual Integrated Development Plan for the entire block should be required for zone change applications.

c. Discourage rezoning of land that is surrounded by agricultural zoning.

d. Development may be limited or deferred depending on the availability of adequate municipal infrastructure (such as sewer, storm drainage, water, etc.).

7. *Restrict Development in Wetlands and Other Environmentally Sensitive Areas*

a. Land south and west of the Lakeview Parkway up to Center Street (excepting the airport protection area) should be preserved for open space and agricultural uses.

b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

Key land use policies for individual neighborhoods within the Southwest Area Council are listed, below, by neighborhood:

Fort Utah Neighborhood

1. Encourage 100 feet of public open space along the south side of the Provo River with the development of each property.

2. Center Street, between Geneva Road and Interstate 15, should be studied to capitalize on the Interstate 15 Center Street interchange. An analysis of appropriate mixed-use and commercial land uses, densities and other factors should guide the development of any zoning ordinances regulating this area.

Lakeview North Neighborhood

1. The property west and parallel of Geneva Road from Lakeshore Drive to 2000 North should be developed for uses compatible with the Residential (R) land use designation.

2. Property within and to the west of land located within the “AE” flood zone of the FEMA Flood Insurance Rate Map (FIRM) should receive the Provo City General Plan Map designation of Developmentally Sensitive (DS) and be subject to the same provisions as defined under the guiding principles for the SW Area.

3. Infrastructure needs should continue to be evaluated in order to resolve issues for existing and future residents, particularly where road conditions may be hazardous.

4. Continue to review for appropriately siting the airport access road and consider potential impacts to current residents along Lakeshore Drive.

5. The area between 1680 North and 2000 North, and between Geneva Road and I-15, which is zoned R1-20, should be developed as the current zoning allows or as a Specific Development Plan

comprised primarily of single-family residential dwellings with a mix of housing types not to exceed the allowed density for the Southwest Area. No commercial uses should be permitted between Geneva Road and the Frontrunner Railroad Line.

Lakeview South Neighborhood

1. An infrastructure improvement plan should be considered for improvements to sidewalks, drainage, parks, landscaping, and traffic conditions.

2. All development within the Residential (R) designation should develop as one-family detached homes with lot sizes of one-half acre or greater, and may include limited animal rights unless a proposed subdivision is designed as a "cluster" type development, wherein smaller lots enable the developer to provide a significant amount of common open space.

3. Retail development should be discouraged within the Lakeview South Neighborhood.

4. The neighborhood supports the mobile home park known as Leisure Village to redevelop to consist of one-family detached, one-family semidetached (twin homes), and/or one-family attached (townhomes).

Lakewood Neighborhood

1. Continue to evaluate airport access and the potential impacts or benefits to existing residents resulting from planned road connections to the airport access road.

    a. The need for northbound and southbound access on I-15 into the neighborhood should be evaluated and implemented if warranted.

    b. The collector road system should seek to make minimal impacts on existing farming/ agricultural properties.

    c. 500 West should be carefully evaluated as a collector road and appropriate design measures should be incorporated into the design to mitigate detriments to the neighborhood.

2. Continue to work toward infrastructure improvements to serve existing residents and to ensure that infrastructure is in place prior to new development, to provide adequate storm drainage, street connections and appropriately designed and located public park space.

3. New development should be appropriately incorporated to respect the rural feel of the Lakewood area, to complement and enhance the neighborhood, and to provide adequate living space for growing families that wish to relocate to or remain within the Lakewood neighborhood.

4. Provide sidewalks where they currently do not exist.

5. Evaluate environmental impacts prior to approving any new development in the Lakewood Neighborhood.

6. The Lakewood Park expansion should be implemented when resources allow.

7. Mitigate traffic and on-street parking impacts from Footprinters Park.

Provo Bay Neighborhood

Goals of the Provo Bay Neighborhood

1. Preserve the current open feel of the neighborhood.

2. Achieve a balance of sizes and styles when new one-family homes are developed.

3. Provide better recreational opportunities and take advantage of recreational opportunities afforded by Utah Lake.

4. Evaluate and encourage retail development in appropriate areas that would provide needed neighborhood services.

5. Evaluate the feasibility of locating new arterial roads in locations that are not adjacent to current residential development.

Key Land Use Policies – Provo Bay Neighborhood

1. Discourage residential development west of 3110 West to avoid airport flight paths and the airport protection area, as identified in the Airport Master Plan.

2. Achieve a balance of sizes and types of one-family residential development. New developments should complement and enhance the neighborhood, providing adequate living space for growing families that wish to relocate to or remain within the Provo Bay Neighborhood.

3. Enhance recreational opportunities and take advantage of the proximity to Utah Lake. These include but are not limited to developing recreation access to Provo Bay and trails along Lakeview Parkway. The purchase of Utah Lake State Park from the State should be evaluated and considered. Access from the proposed West Side Connector to Provo Bay for canoeing, bird watching, and fishing, along with a paved trail system to provide residents with biking, walking and other activities along the Provo Bay shoreline should be considered.

4. Retail development should be encouraged at proper locations within the neighborhood, such as along Center Street and Lakeview Parkway. Retail should include but not be limited to grocery and banking services.

5. The area west of 1600 West and South of 600 South that borders the proposed West Side Connector road should be developed as a Specific Development Plan consisting of commercial, retail and residential use. This Specific Development Plan should be initiated by the City and not left entirely up to developers and landowners. This property, if properly planned, could have a combination of retail and residential uses.

6. Study the feasibility of maintaining 3110 West as a residential arterial road and align Lakeview Parkway to the edge of the airport development area as it proceeds north.

7. Conduct a study to identify appropriate land uses within the Airport Related Activities designation.

Sunset Neighborhood

1. The area between 600 South and 1150 South from 1100 West to 1600 West should be developed with uses compatible with the Residential (R) land use designation. The following guidelines should be considered in the development of this area:

a. The area should be developed (allowably in phases under multiple ownerships) as a whole and integrated plan using the SDP process as described in the SW Area Guiding Principles and Goals.

b. Those currently wishing to maintain animal rights should do so through the application of a Residential Agricultural (RA) zone on their property.

c. The area should develop with a rural character in mind and should incorporate a balanced distribution of lot sizes, which should be interspersed amongst each other and should not exceed density limitations expressed in the SW Area Guiding Principles and Goals.

d. Equestrian-based facilities and trail systems are highly encouraged.

e. Footprinters Park should be expanded to add additional neighborhood recreational facilities.

f. Commercial and nonrecreational public facilities are currently not encouraged but may be considered if designed as part of the SDP process and demonstrated that they will be an asset to the development and surrounding neighborhood.

g. Road connectivity is encouraged in the design of the SDP. Cul-de-sacs will be highly discouraged unless it is demonstrated that alternatives do not exist.

2. Evaluate opportunities to expand public park services to better serve the Sunset Neighborhood and to resolve traffic, parking and light pollution impacts to neighborhoods in the vicinity of the ball park.

3. An infrastructure improvement plan should be considered for improvements to sidewalks, drainage, parks, landscaping, and traffic conditions.

1.2.10 Additional Tools for Urban Growth and Land Use Annexation Policy Plan

Provo City's Annexation Policy Plan was brought to the Planning Commission for a public hearing in 2002 and was approved by Resolution 2003-15 of the Municipal Council on February 4, 2003. This plan has received subsequent review through public hearings of the Planning Commission and Municipal Council in association with the Comprehensive Update to the 1997 General Plan, initiated in 2002 and approved in 2004. As the changes effected

through recent annexations reflect policies of the Municipal Council and elements of agreements with Utah County, Springville City, Orem City, and the U.S. Forest Service, the plan incorporated herein as part of the Provo City General Plan retains the 2003 Annexation Policy Plan, but notes which annexations have been completed at the time of adoption of the update to the General Plan in Fall 2009.

Need for an Annexation Policy Plan

It is necessary that the City maintain an annexation policy plan to assure orderly growth and development of the community. An annexation policy will also protect the general interests of the taxpaying public, as well as those individual property owners who wish to annex to the City. There must be specific policy guidelines by which a proposed annexation is evaluated. The following constitutes the guidelines established for the Provo City annexation policy plan:

Annexation Policy Plan Guidelines

Each annexation under consideration should be expanded to include the greatest amount of property possible, within the limits shown on the attached map, to assure that:

1. Public reaction in and around the annexation area is appropriately balanced with the needs of the community;

2. Duplication of services is eliminated;

3. City standards related to improvements are maintained consistently on a contiguous block face and on adjoining properties to the greatest extent possible;

4. No piecemeal annexation of individual small properties which would diminish the potential for later annexation of small pockets or "islands" of opposing unincorporated area;

5. Expansion of City boundaries will include some unimproved land which will provide an inventory for future development;

6. The circulation system of streets and highways is enhanced by placing a system in one jurisdiction to eliminate maintenance confusion;

7. There is an increased ability to plan for orderly community and area wide development;

8. Fire, police, and other safety-oriented service systems are more controlled with logical political boundaries;

9. Utilities and other public services have more systematic city boundaries;

10. The City's self-determination and local home rule is enhanced through the resulting city boundaries;

11. The City is able to exercise greater regulation over improper and undesirable land uses and development in the fringe areas.

The Character of the Community

Annexation proposals should be evaluated based upon the compatibility of the proposed land uses with the character of the overall surrounding neighborhood and City.

The Need for Municipal Services in Developed and Undeveloped Unincorporated Areas

Provo City utility services shall not be provided to unincorporated areas, but shall only be made available to those areas which are annexed to Provo City. The only exception shall be those extensions made to other units of government under the Interlocal Government Cooperation Act, as deemed appropriate by the Municipal Council.

The Municipality's Plans for Extension of Municipal Services

City services should be extended to annexed areas as soon as practicable after annexation. The requirements for extension of such utilities are set forth on an area-by-area basis described in "Areas Proposed for Future Annexation," below.

The City feels the responsibility of developing the backbone of the various utility distribution and collection systems in newly developing areas. This work includes the development of new water wells, reservoirs, and utility trunk lines. However, specific commitments and the construction period for such utilities will be dependent upon development demand and sufficient capital budgets. Such commitments and time frames will be determined when annexation occurs and will be a part of the impact report required by the Provo City Code.

How Services Will Be Funded

Provo City's policy is to participate with developers in the cost of improvements which benefit the City as a whole. For instance, when utility mainlines are required to be a certain size to serve an entire area, but that size is larger than that required to service a given subdivision, the City will fund the difference in the cost of providing the larger size. The City's share is financed by the general fund, gas tax, road funds, and connection and user fees.

An Estimate of the Tax Consequences to Residents Both Currently within the Municipal Boundaries and in the Expansion Area

Tax consequences and interests of affected entities, relative to a proposed annexation, should be considered. Present mil levies in Provo City are comparable to adjacent County areas, including Utah County residents in the Nebo and Alpine School Districts. Utility costs, particularly for electricity, are less expensive in the City than in the County. Thus, many times it is economically beneficial for property owners to annex to Provo City.

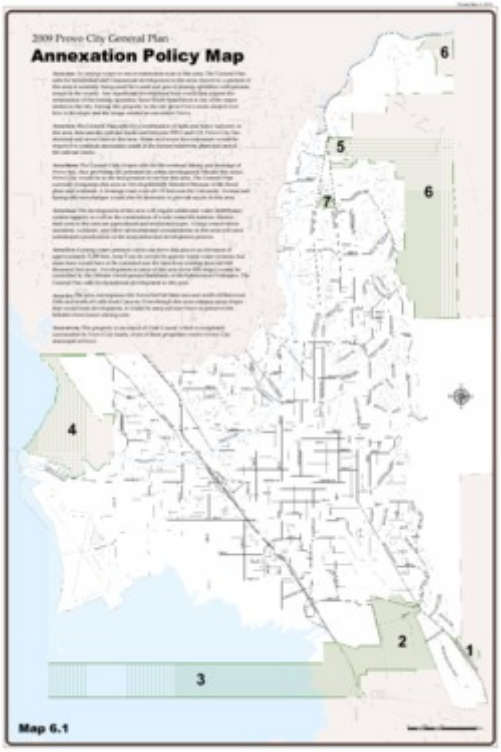
Additionally, such property owners receive many benefits in return for higher tax assessments. These include snow removal, increased police and fire protection, and other City services.

The Interests of All Affected Entities

Areas proposed for annexation are logical expansions of Provo City's corporate limits and will not unduly affect the tax revenues of adjacent entities. Utah County, the City of Springville, and the City of Orem may also be impacted by land annexed into and developed in Provo City. Noticing and coordination with these jurisdictions, along with noticing and coordination with special improvement or service districts and school districts, should also occur.

Areas Proposed for Annexation:

Map 1.9 - Annexation Policy Map (PDF)



Area One

Area One is bounded by existing Provo City limits on the north and west. No serious water or sewer constraints exist in this area. There are gravity flow sewers in the immediate vicinity, and the culinary water supply to the area was extended with the East Mountain development. The General Plan calls for Residential (R) and Commercial (C) development in this area. However, a portion of this area is currently being used for a sand and gravel mining operation with permits issued in the county. Any significant development here would first require the reclamation of the sand and gravel operation. There is also an auto salvage operation just south of the East Mountain development and Utah County's Public Works buildings. Since South State Street is one of the major entries to the city, having this property in the City gives Provo some control over how it develops, and the image created as one enters Provo. South State Street is an adopted design corridor.

Annexation Ordinance 2006-1, annexing approximately 1.25 acres of real property, located generally at 2400 S. Alaska Avenue, Provost South Neighborhood, was approved by the Municipal Council on May 6, 2009. 08-0001(A).

Area Two

Area Two is bounded by I-15 on the west, existing Provo City limits on the north and east, and the Provo/ Springville City Boundary Agreement Line on the south. The General Plan calls for a combination of light and heavy industry (I) in this area, between the railroad tracks and between Kuhni Road and I-15. Provo City has electrical lines in this area and has extended sewer lines as far south as the Kuhni rendering plant. Water and

sewer line extensions would be required to continue annexation south of the rendering plant and east of the railroad tracks.

Area Three

Area Four

Area Four is bounded by existing Provo City limits on the south and east, Utah Lake on the west, and 2000 North on the north. The development of this area will require additional water system distribution capacity as well as the construction of wastewater lift stations. Present land uses in this area are agricultural and residential types. A large conservation easement, wetlands, and other environmental factors in this area will need substantial consideration in the annexation and development process.

Annexation Ordinance 2004-1, annexing approximately 139 acres of real property, located generally between 1552 North, 2000 North, Geneva Road and I-15, Lakeview Neighborhood, was approved by the Municipal Council February 3, 2004. 03-0002(A). This represents the northeast portion of the Area Four proposed annexation.

Annexation Ordinance 2009-2, annexing approximately 346.72 acres of real property, located generally between 1300 North and 2000 North from Geneva Road to the Utah Lake 100 Year Flood Plain Meander Line, Lakeview North Neighborhood, was approved by the Municipal Council on October 8, 2009. 08-0001(A).

Area Five

Area Five is bounded on the west and south by existing Provo City limits, and on the east by the Uinta National Forest boundary. Existing water pressure zones can serve this area to an elevation of approximately 4,876 feet. Area Five can be served by gravity wastewater systems, but main lines would have to be extended into the area from existing lines several thousand feet away. Development in most of this area (over 10% slope) would be controlled by the Hillside Development Standards of the Subdivision Ordinance. The General Plan Map calls for residential development in a portion of this area; however, any property identified as "agricultural" on the map should be included in the Open Space, Preservation, and Recreation (OSPR) zone upon being annexed. Any future development project requiring a rezone from the OSPR zone would be required to demonstrate a substantial benefit to the City and would be subject to the requirements of the Critical Hillside Overlay Zone.

Additionally, Area Five should be expanded to include any properties in Area Six that are privately held.

A petition to annex 4.6 acres, known as the Loveless Annexation, within Area Five, generally located at 5001 N. Canyon Road, between Canyon Road and University Avenue, application 04-0002(A), was approved in 2004. [Approved 11/9/2004, Annexation Ordinance 2004-2.]

An annexation of 1.18 acres, known as the Gillespie Annexation, within Area Five, generally located at 5290 N. Canyon Road, application 05-0001(A), was approved by action of the Municipal Council on 10/18/2005, Annexation Ordinance 2005-1, in response to a petition to annex 0.93 acre.

An annexation of 9.04 acres, known as the Budge Annexation, within Area Five, generally located at 5240 N. Canyon Road, application 09-0001(A), was approved by action of the Municipal Council on August 8, 2009, Annexation Ordinance 2009-01.

Area Six

Area Six is bounded on the west, south, and north by Provo City limits and on the east by Utah County. The area encompasses the Forest Service land east and north of Sherwood Hills and north of Little Rock Canyon. Even though this area contains steep slopes that would limit development, it would be annexed into Provo to preserve the hillsides from future mining uses. Upon annexation, properties in this area should be included the OSPR zone. Any future development project requiring a rezone from the OSPR zone would be required to demonstrate a substantial benefit to the City and would be subject to the requirements of the Critical Hillside Overlay Zone. Area Six should consist of property that is owned by government entities.

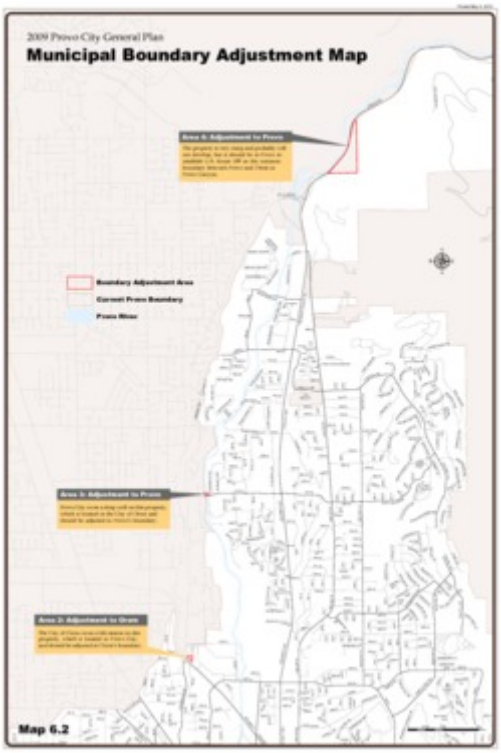
Area Seven

Area Seven is located between 4400 North and 4600 North from University Avenue to Canyon Road. This property is an island of Utah County, which is completely surrounded by Provo City limits. Most of these properties receive Provo City municipal services.

A City-initiated petition in 2003 to annex 26 acres within Area Seven for the purpose of street improvements did not meet the requirements of annexation due to protest by more than 50 percent of the property owners living in the area. The petition to annex was withdrawn. 03-0001(A). Based on the intended use stated by the property owners, the land has been designated on the General Plan Map as A – Agricultural rather than its previous designation of R – Residential.

Areas Proposed for Municipal Boundary Adjustment:

Map 1.10 - Municipal Boundary Adjustment Map (PDF)



Area One

Area One is located along 1700 North 2100 West and should be adjusted with the City of Orem to allow for the Ercanbrack property to be developed in Orem. The railroad right-of-way that Provo City owns should be purchased by the Ercanbracks and should also be adjusted to Orem's boundary.

Area One has been accomplished by agreement with the City of Orem.

Area Two

Area Two is located in Provo just before the Carterville Road bridge northeast of University Parkway. The City of Orem owns a lift station on this property, which is located in Provo City, and should be adjusted to Orem's boundary.

Area Three

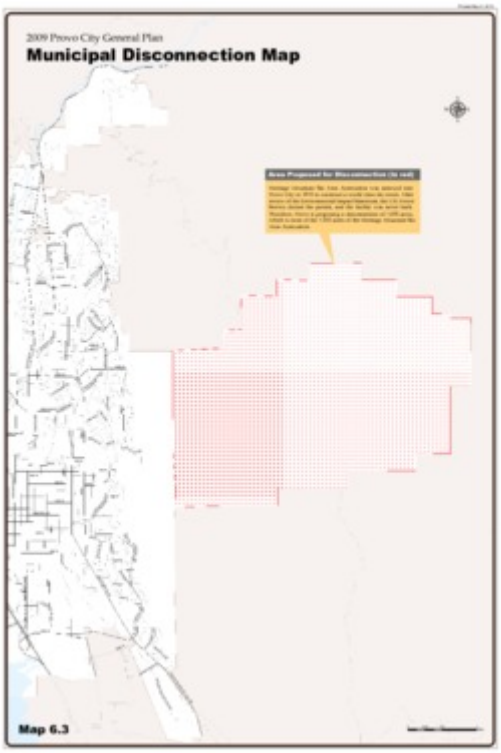
Area Three is located in Orem just north of 3700 North and just east of the Provo River. Provo City owns a deep well on this property, which is located in the City of Orem and should be adjusted to Provo's boundary.

Area Four

Area Four is located in Orem east of the Provo River at the entrance of Provo Canyon and should be adjusted to Provo's boundary. The property is very steep and probably will not be developed, but it should be in Provo to establish U.S. Route 189 as the common boundary between Provo and Orem in Provo Canyon.

Areas Proposed for Municipal Disconnection:

Map 1.11 - Municipal Disconnection Adjustment Map (PDF)



Area One

Area One is the Heritage Mountain Ski Area Annexation and was annexed into Provo City in 1978 to construct a world-class ski resort. After review of the Environmental Impact Statement, the U.S. Forest Service denied the permit, and the facility was never built. Therefore, Provo is proposing a disconnection of 7,035 acres, which is most of the 7,515 acres of the Heritage Mountain Ski Area Annexation.

The Provo City General Plan is current through Ordinance 2020-61, passed December 1, 2020.

Disclaimer: The city recorder has the official version of the Provo City General Plan. Users should contact the city recorder for resolutions passed subsequent to the resolution cited above.

Note: This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

City Website: www.provo.org
City Telephone: (801) 852-6000
Code Publishing Company

Southwest Area Future Land Use

Land Use (Proposed)	Acres
Agricultural/Open Space	304 ac
Airport Support Businesses	385 ac
Commercial	78 ac
Residential (~4,006 new units)	816 ac
MDR - 36 ac (729)	
LDR - 112 ac (1512)	
R1 @ net - 579 ac (1621)	
RA - 89 ac (144)	
Total	1,583 ac

Existing Policy Analysis
1,583 ac - 587 (non-dev) = 996 remaining
996 ac x 4 u/a = 3,984 units

1 Mixed Use Village Center
- Area listed as MDR to be required to have a mix of 4-5 housing types.
- Appropriate transition buffer to park.
- Commercial center to include additional residential component.
- Design standards to create a cohesive community center.

2 Neighborhood Gateway
- LDR density with twinhome or bungalow court transitional density buffer at edges adjacent to R1.
- Highly encouraged Neighborhood MU

3 LDR Node
- Min. 3 housing types required, dispersed throughout the development.
- Dry Creek required to be amenitized.

Airport Overlay

100 Year Flood Area

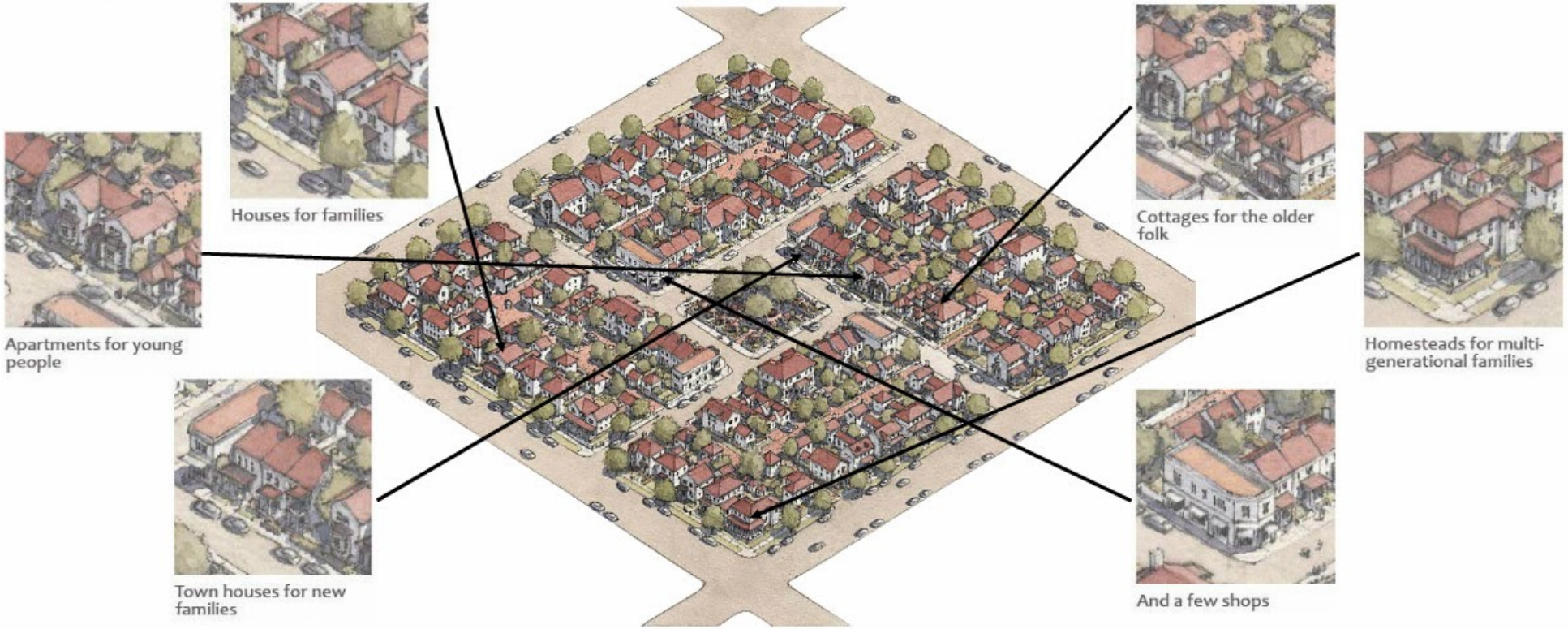
Lakeview Pkwy
Future TH
Trailhead
Park (5 ac)
Provo River Trail
Trailhead
Park (4 ac)
Exist. Park (13 ac)
1 MDR (36 ac) -243 ex. units
RES (15 ac)
RES (14 ac)
RES (32 ac)
Exist. RA
RES (8 ac)
Village Center Comm/MU (22 ac)
Neighborhood Mixed Use Allowed
Center Street
AR (20 ac)
AR (13 ac)
RES (9 ac)
RA (52 ac)
Airport Compatible Industrial/Comm. (152 ac)
Exist. School (10 ac)
2530 West
RES (45 ac)
2050 West / Geneva Road
1600 West
Infill 4 ac (12 units) 4 u/a
A1.10 (70 ac)
A1.10 (68 ac)
RES (8 ac)
Exist. Park (14 ac)
Park (3 ac)
Exist. School (13 ac)
Neighborhood Mixed Use Allowed
600 South
Airport Ind./Comm. (38 ac)
Airport Ind./Comm. (44 ac)
Airport Ind./Comm. (27 ac)
RES (56 ac)
RES (80 ac)
RES (60 ac)
Airport Ind./Comm. (55 ac)
Regional Park (100 ac)
Neighborhood Mixed Use Allowed
890 South
1100 West
Infill 12 ac (36 units) 4 u/a
RES (38 ac)
RES (27 ac)
LDR (10 ac)
RA (17 ac)
Exist. Park (21 ac)
LDR (10 ac)
LDR (18 ac)
2
Neighborhood Mixed Use Allowed
LDR (7 ac)
Trailhead
RES (29 ac)
RES (22 ac)
1150 South
RA (10 ac)
Infill 8 ac (24 units) 4 u/a
Exist. Park (3 ac)
RA (10 ac)
3
LDR (24 ac)
Dry Creek
RES (79 ac)
Park (3 ac)
500 West
Trailhead
Neighborhood Mixed Use Allowed
LDR (12 ac)
Neighborhood Mixed Use Allowed
RES (33 ac)
Lakeview Pkwy
LDR (10 ac)
COMM. (26 ac)
LDR (21 ac)
Trailhead
COMM. (30 ac)

Future Land Use Intent Statement
for the
Southwest Area of Provo

The Municipal Council of the City of Provo, Utah reaffirms our intent to implement the previously adopted Westside Development Policies and the Southwest Area Future Land Use Map, and adopts this statement to provide additional clarity as to our intent.

- We request the assistance of the Planning Division in drafting ordinances, and in particular zoning, to accomplish Development Policy 3.a.
- The overall density of the Southwest Area should be four units to the *gross* area. Each development in areas designated as “RES” should be kept below four units to the gross area.
- The sub-policies 3.a through 3.d should apply to all residential developments, as much as practicable, outside of the area designated as Mixed Use Village Center and infill developments (less than 1 acre). We do not intend to approve rezone requests without sufficient assurance that these policies will be followed within each development.
    - In areas designated by “RES,” these policies could be satisfied in the following ways:
        - A small, four-unit development might have two regular-sized lots, one smaller lot, and one larger lot.
        - A six-unit development might include a single twin home or duplex on a corner lot.
        - An eight-unit development might be configured as a pocket neighborhood, with plenty of green-space to stay under the density limit.
        - A ten-unit development might include four “clustered” homes with a shared driveway and two lots with oversized garden areas.
        - A twelve-unit development might include a four-unit mansion house, designed to blend in with the surrounding single-family detached homes.
        - Larger developments may include a combination of the above ideas.
    - In areas designated “LDR” on the Southwest Area Future Land Use Map
        - Single-family detached housing should still be the predominant type. The higher density allowed in these areas can be achieved through clustering and smaller yards.
        - Ample use of single-family attached housing may help maintain the “single-family feel.”
        - Multi-family buildings are encouraged, to provide dispersed rental opportunities, but must be done in a way to “augment” and “enhance,” as called for in the Development Policies.
        - The “Diversity within the block” graphic, shown below, is one example of how a development might look.

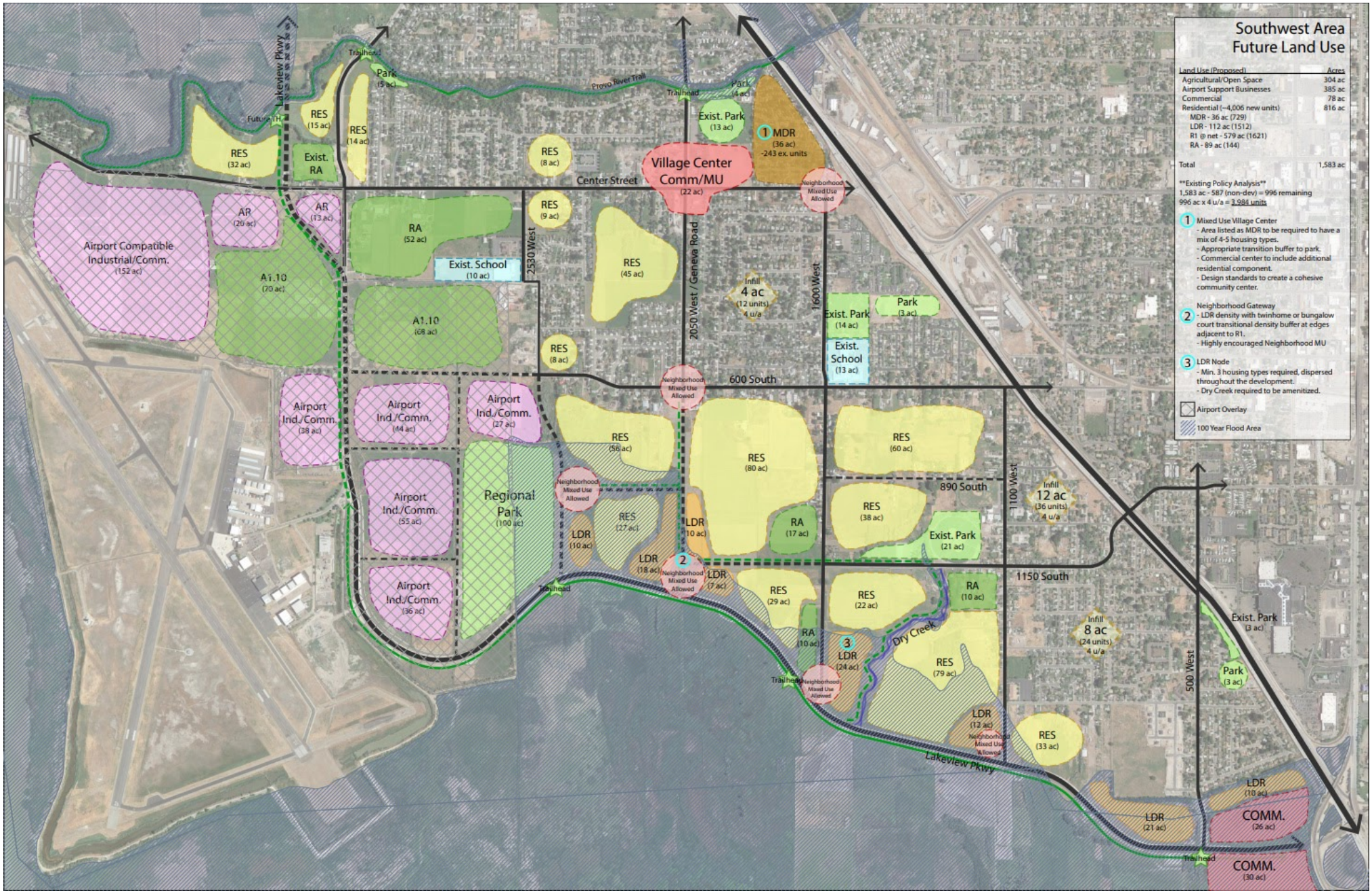
Diversity within the block



Excerpt from the Westside Development Policies

3. Encourage Sustainable Residential Development Patterns
    a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
    b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
    c. Housing types should be mixed without barriers separating types or densities.
    d. The scale and style of residences should enhance the surrounding area, regardless of housing type.
    e. Create design standards for important road corridors in southwest Provo.
    f. The overall density of the area should average four units to the acre.

A slightly out-of-date version of the Southwest Area Future Land Use Map



The Redevelopment Agency of Provo City



A tool

Separate from the City

Not a taxing entity

State Statute

Eliminate Blight

Development Goals



WHO IS IT



WHO IS IT

Property Rehabilitation

Parking

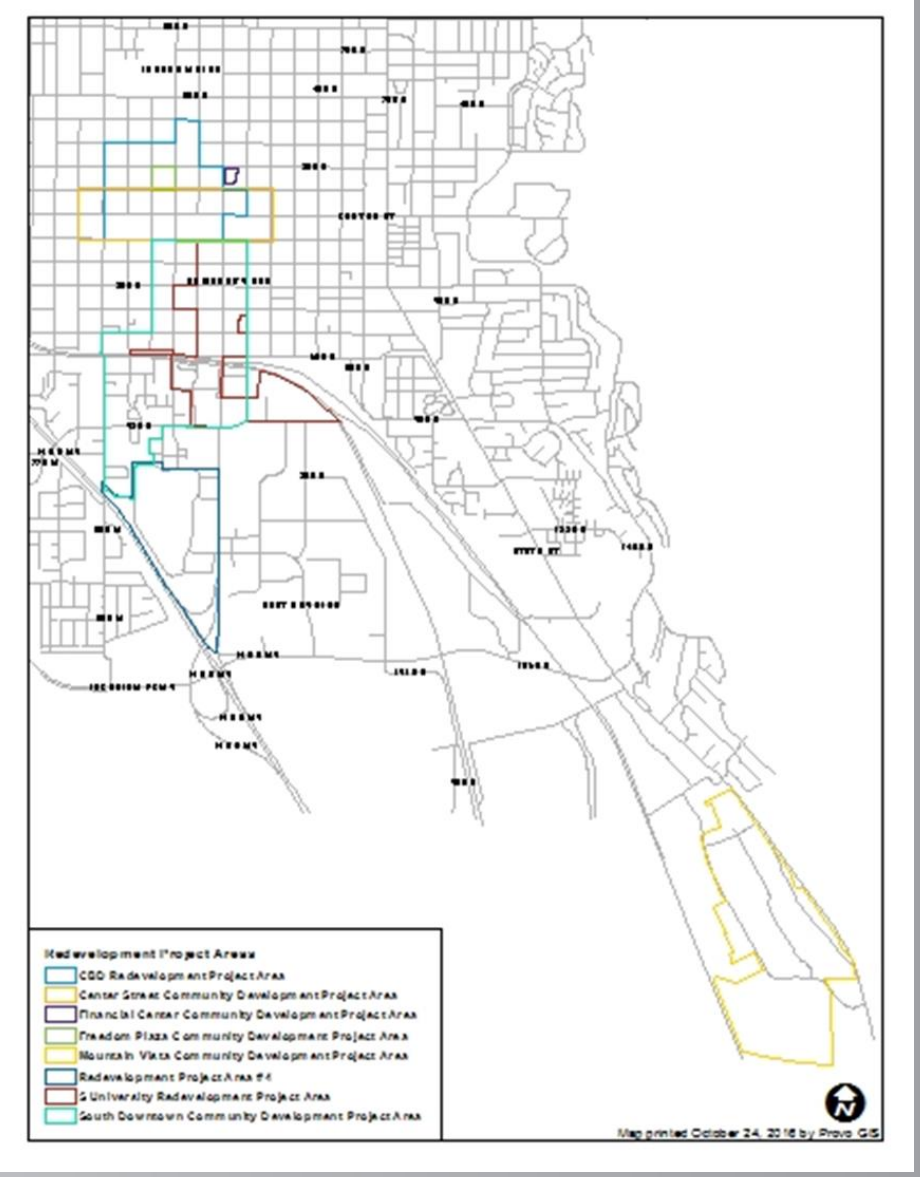
Property Assembly

Infrastructure Upgrades

Upgrading outdated Commercial Areas

Established in 1972

First Project Area 1974



Aviation Services Community Development Project Area
Center Street Community Development Project Area
Financial Center Community Development Project Area
Freedom Plaza Community Development Project Area
Mountain Vista Community Development Project Area
Redevelopment Project Area #4
S University Redevelopment Project Area
South Downtown Community Development Project Area

PROJECT AREAS

Value $	10,000
Tax rate	1%
Taxes $	100



TAX INCREMENT

	Tax Rate	Taxes
City	0.001888	$ 18.88
County	0.000732	$ 7.32
School	0.007576	$ 75.76



TAX INCREMENT

New Value $	100,000
Tax rate	1%
Taxes $	1,000
Participation	50%



TAX INCREMENT

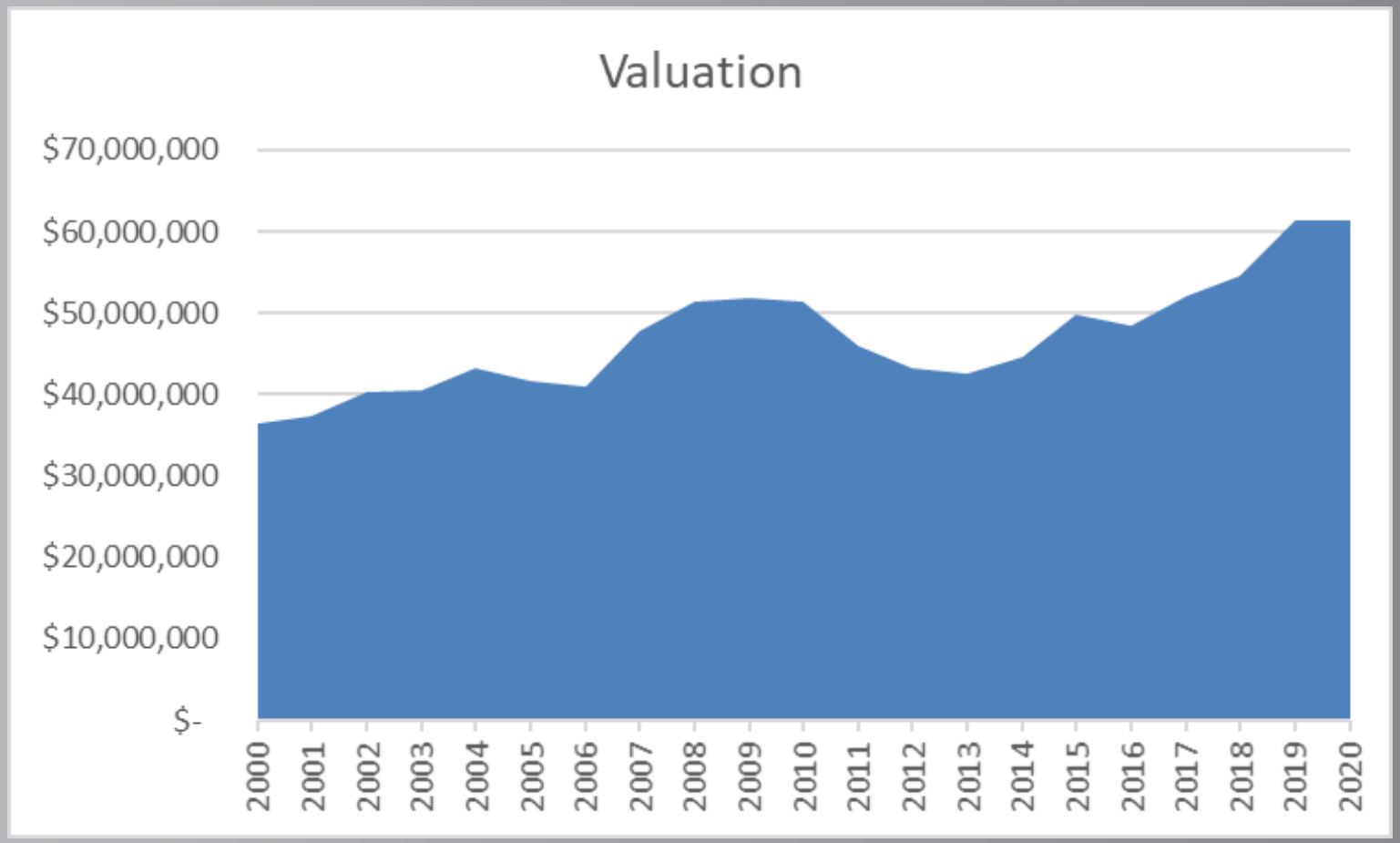
	Tax Rate	Taxes
City	0.001888	$ 84.96
County	0.000732	$ 32.94
School	0.007576	$ 340.92



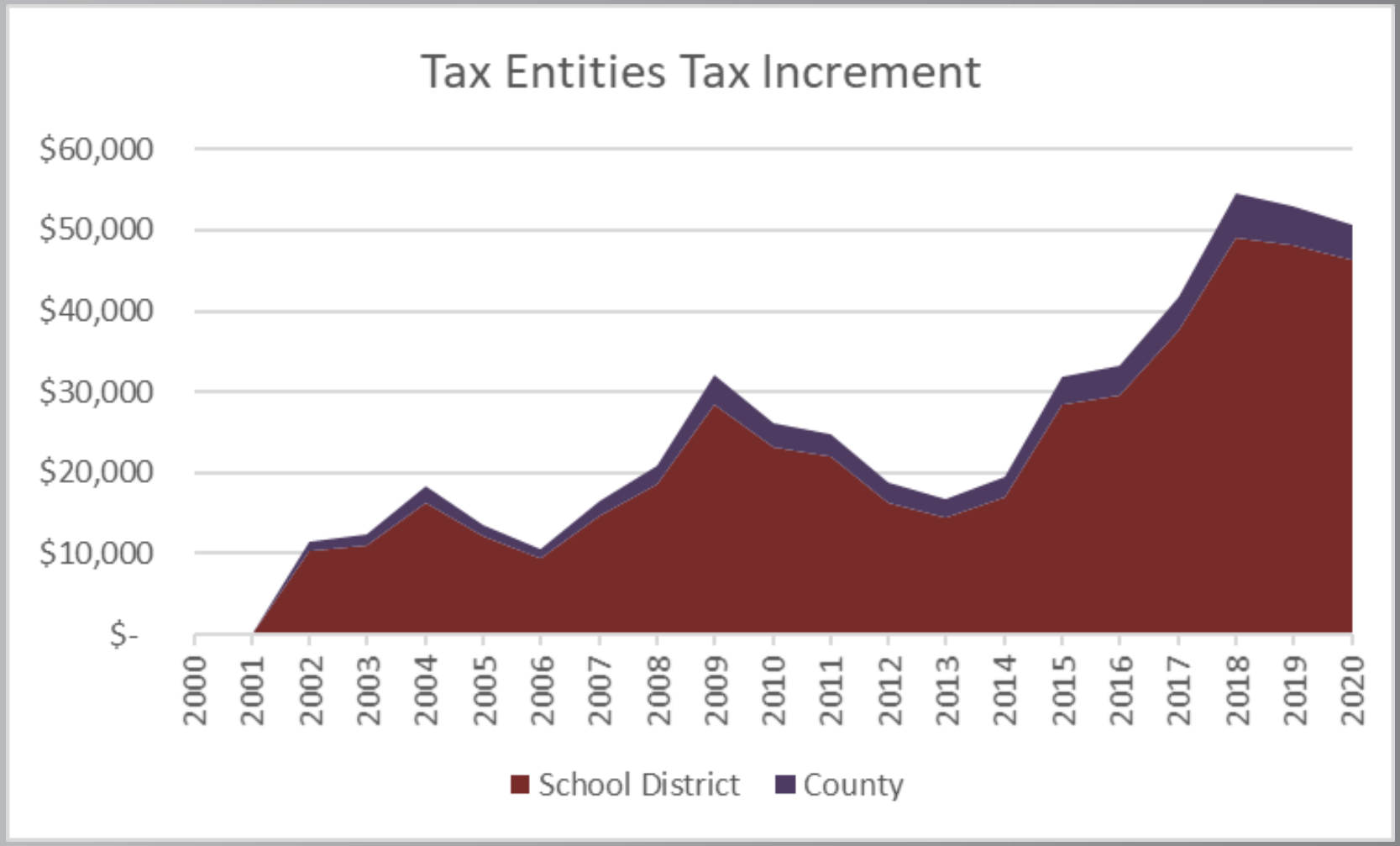
TAX INCREMENT

	$10,000 Value		$100,000 Value	
	Tax Rate	Taxes	Tax Rate	Taxes
City	0.001888	$ 18.88	0.001888	$ 94.40
County	0.000732	$ 7.32	0.000732	$ 36.60
School	0.007576	$ 75.76	0.007576	$ 378.80

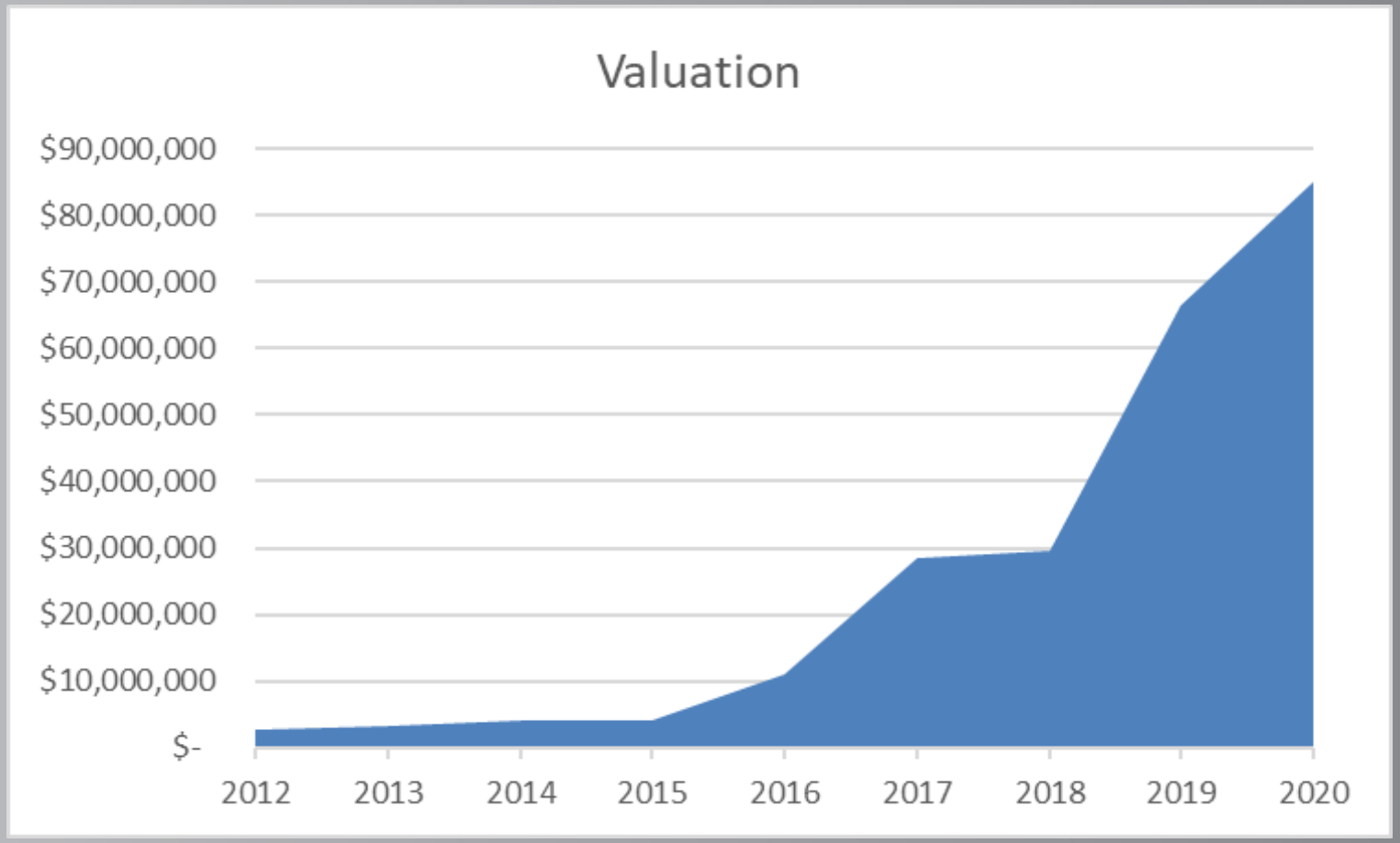
400% increase in taxes AFTER giving up 50%



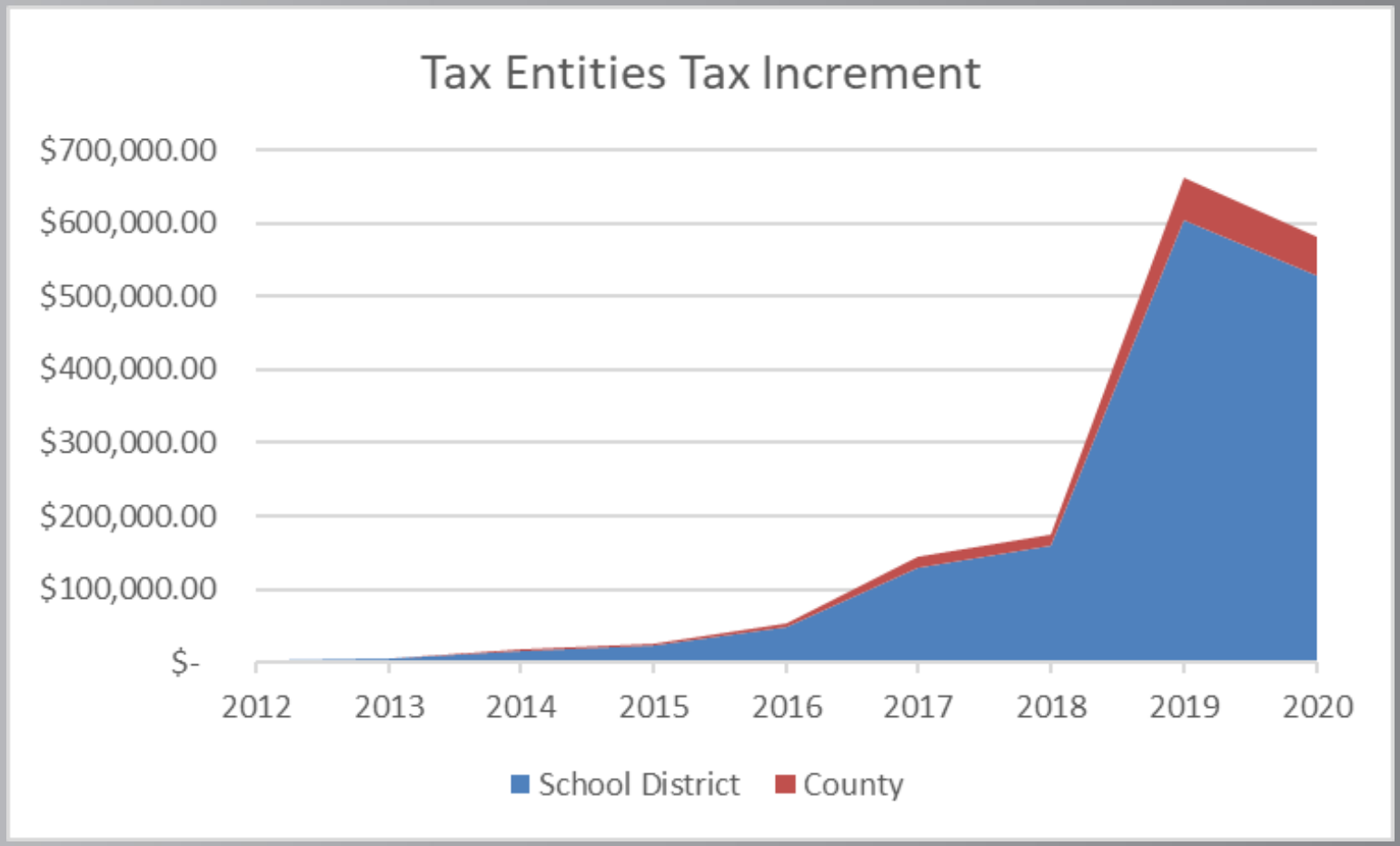
PROJECT AREA VALUATION – SOUTH UNIVERSITY AVENUE



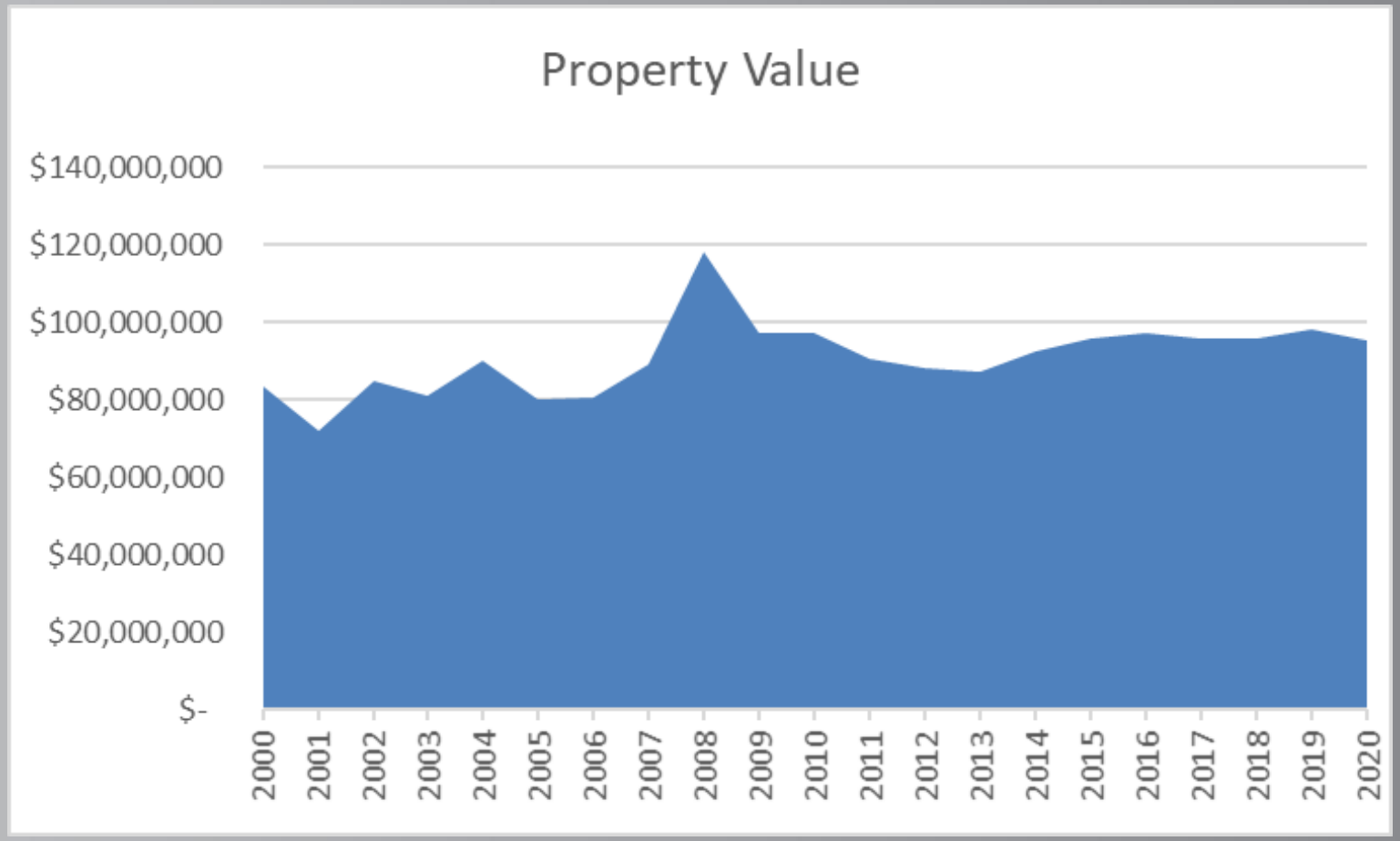
SOUTH UNIVERSITY AVENUE PASS THROUGH AMOUNTS



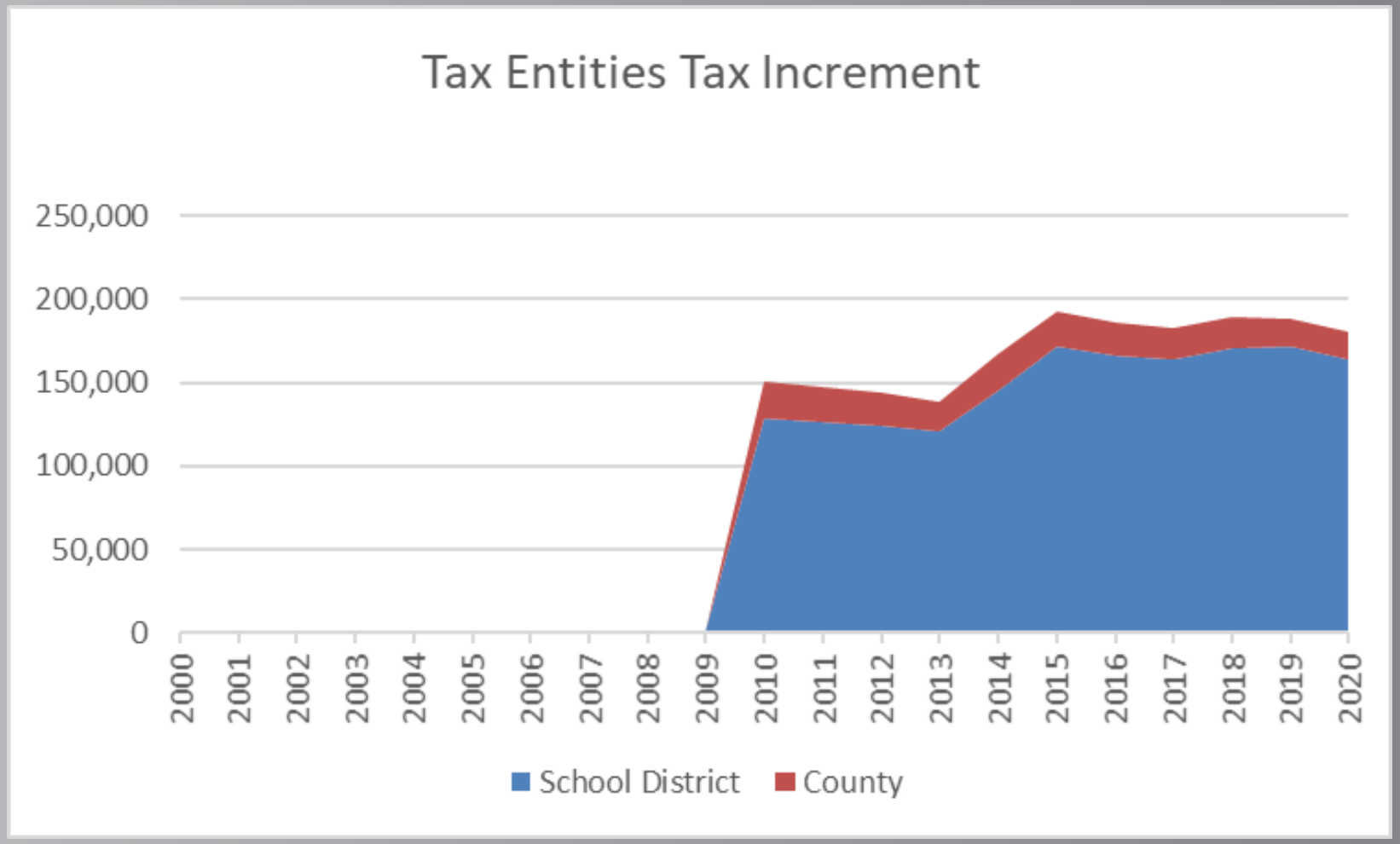
PROJECT AREA VALUATION – MOUNTAIN VISTA



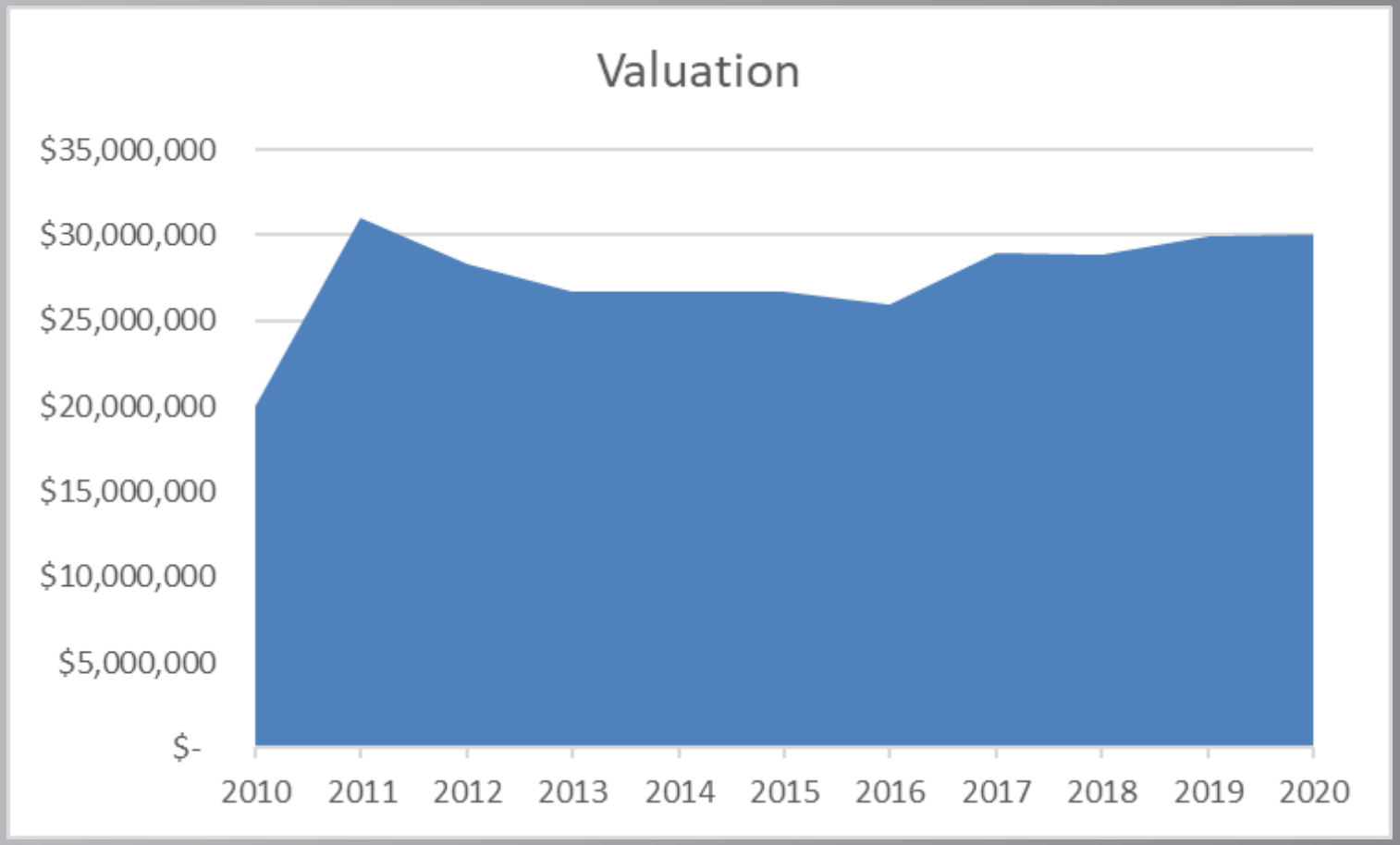
MOUNTAIN VISTA PASS THROUGH PAYMENTS



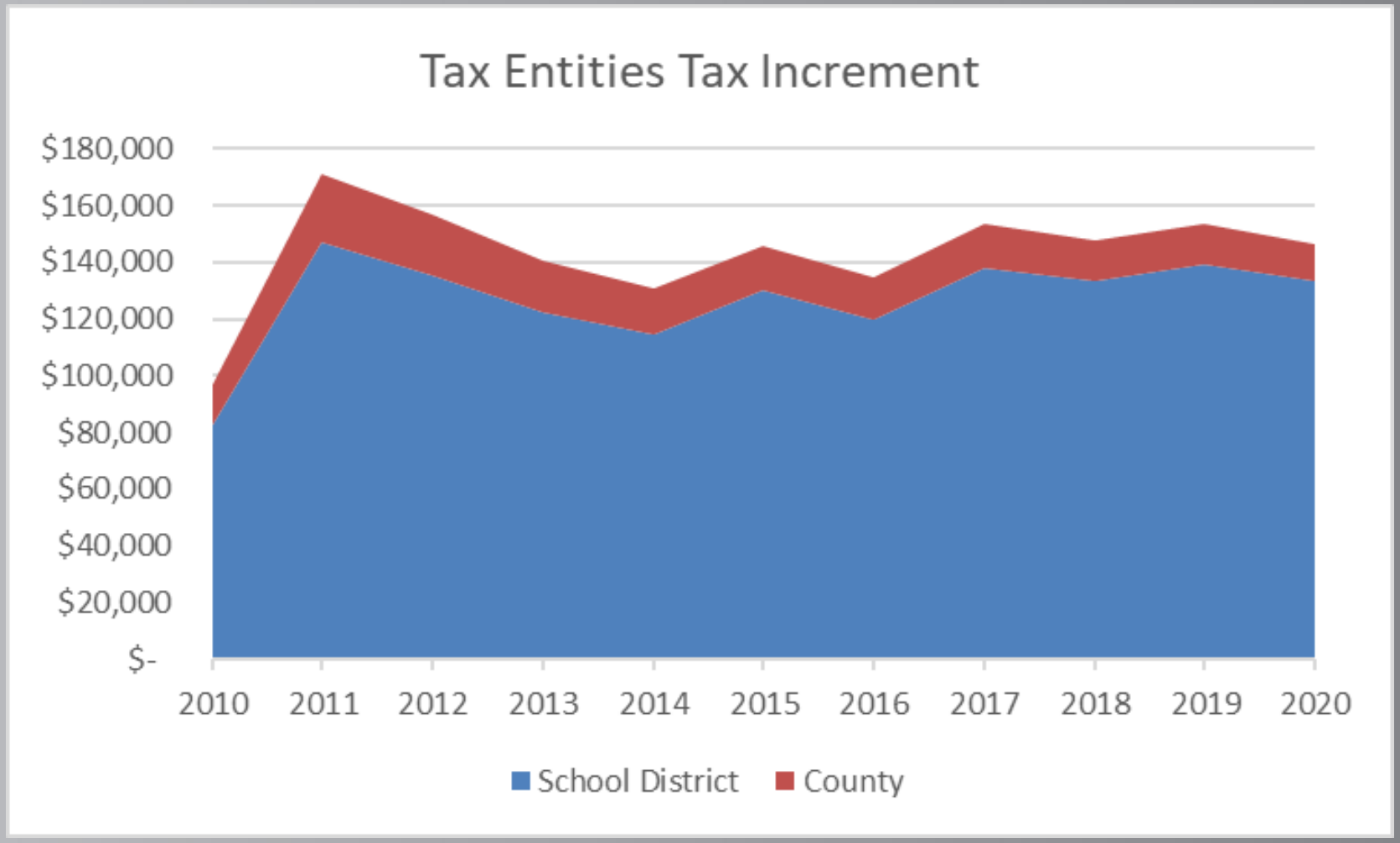
PROJECT AREA VALUATION – PROVO TOWNE CENTRE MALL



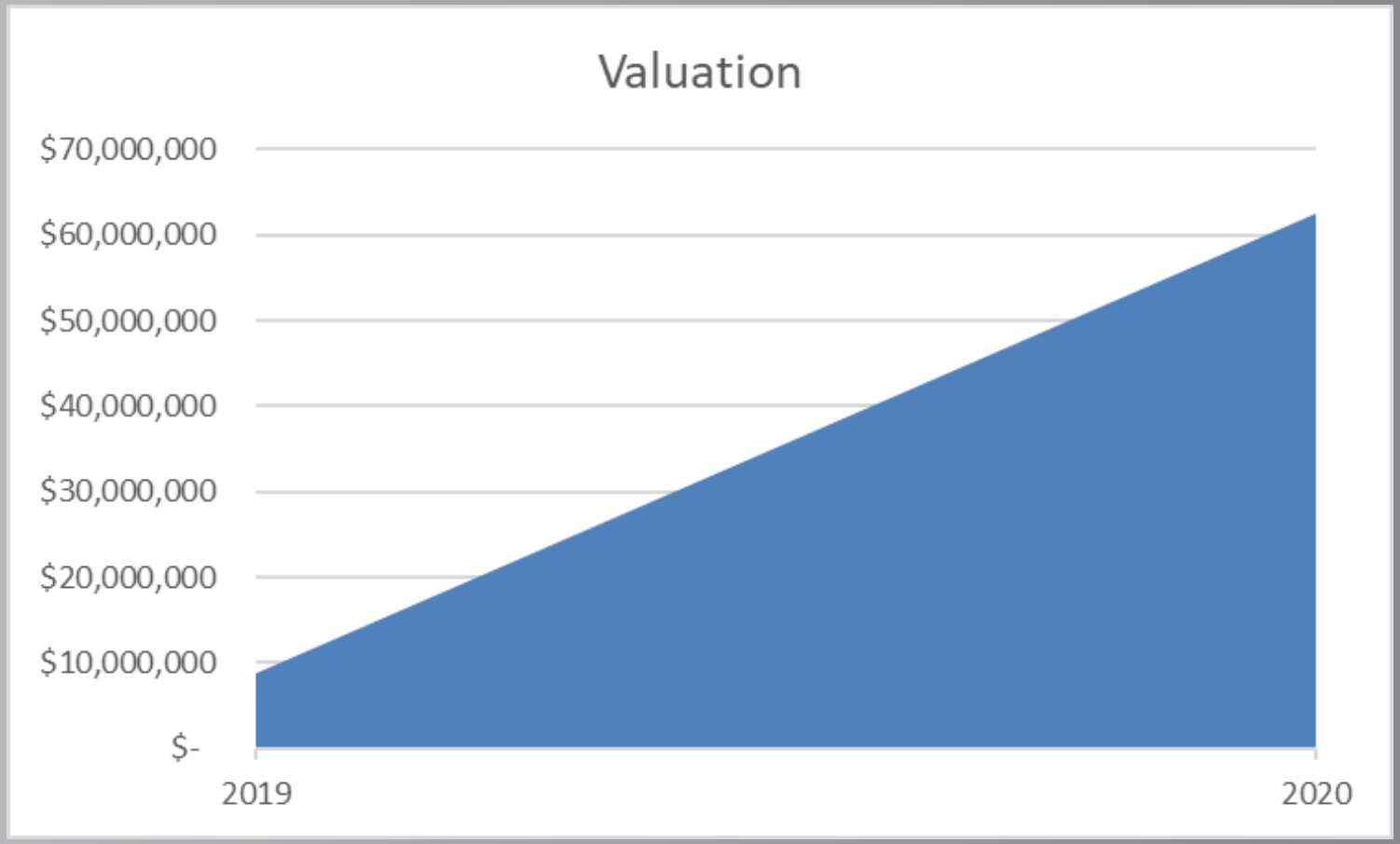
PROVO TOWNE CENTRE MALL PASS THROUTH AMOUNTS



PROJECT AREA VALUATION – FINANCIAL SERVICES AREA



FINANCIAL SERVICES AREA PASS THROUGH AMOUNTS



PROJECT AREA VALUATION – AVIATION SERVICES AREA

63 East

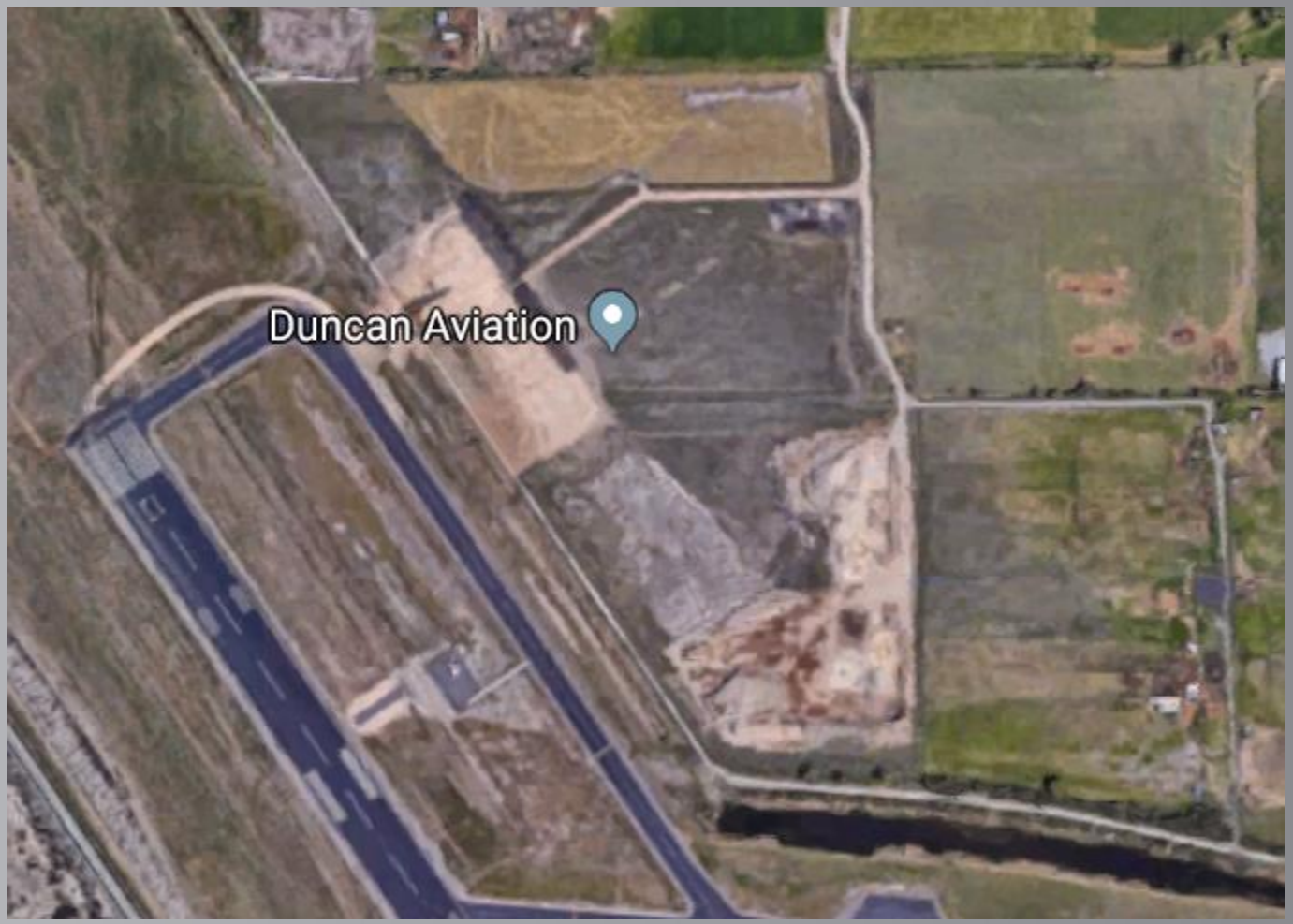


Before

After



Duncan Aviation



Duncan Aviation



Convention Center



Before

After



Mill Race



Before

Mill Race



After

QUESTIONS?



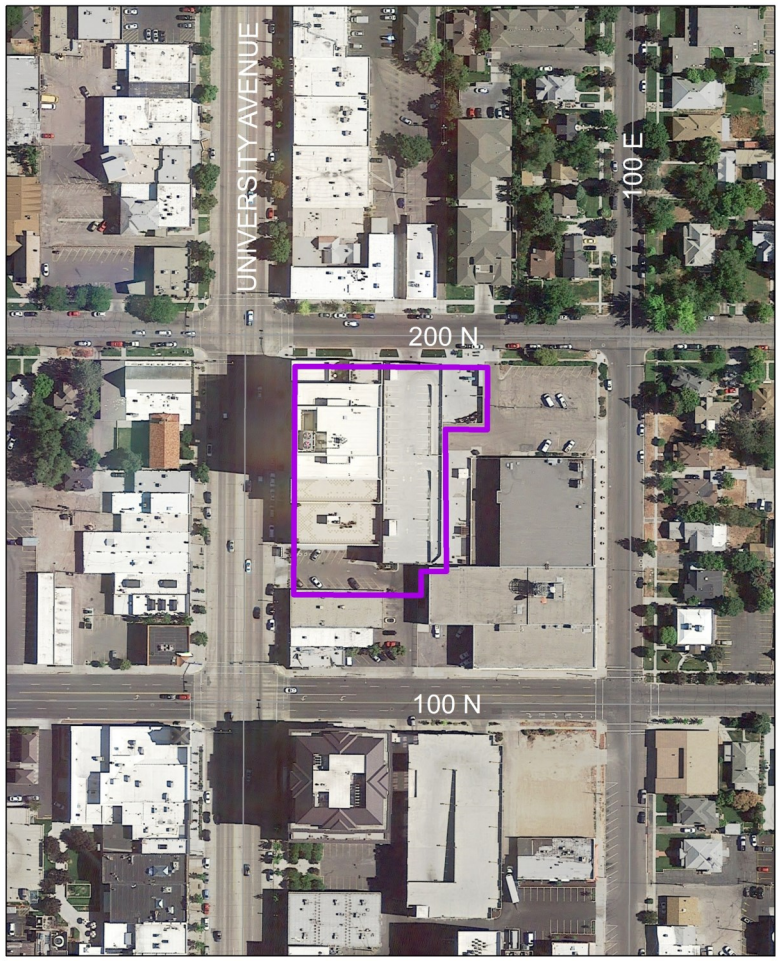
Aviation Services Historic Value

Year	Valuation	% Change	Increment paid to RDA
2019	$ 8,841,350	-%	$ 81,308.29

Financial Center Historic Value

Year	Valuation	% Change	Increment paid to RDA
2010	$ 19,998,438		$ 145,624.05
2011	$ 31,005,800	55.04%	$ 265,978.74
2012	$ 28,293,708	-8.75%	$ 247,568.02
2013	$ 26,642,400	-5.84%	$ 223,467.30
2014	$ 26,670,100	0.10%	$ 208,362.02
2015	$ 26,685,300	0.06%	$ 212,634.80
2016	$ 25,985,400	-2.62%	$ 196,080.73
2017	$ 28,934,300	11.35%	$ 218,586.02
2018	$ 28,833,700	-0.35%	$ 197,878.59
2019	$ 29,964,900	3.92%	$ 223,909.10

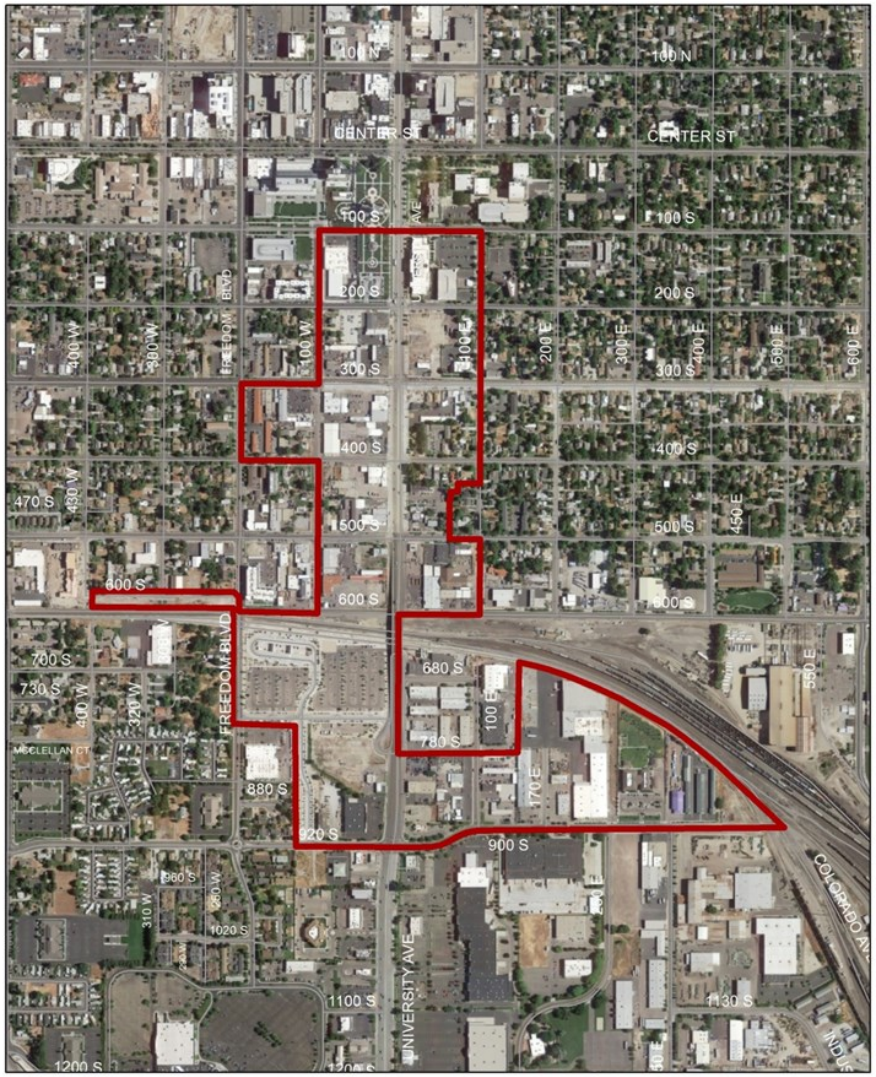
Financial Center Community Development Project Area



South University Historic Value

Year	Valuation	% change	Increment Paid to RDA
2000	$ 36,396,256		
2001	$ 37,324,956	2.55%	$ 93,889.23
2002	$ 40,198,650	7.70%	$ 67,175.47
2003	$ 40,428,023	0.57%	$ 71,616.96
2004	$ 43,258,006	7.00%	$ 107,076.16
2005	$ 41,626,097	-3.77%	$ 78,986.27
2006	$ 41,051,277	-1.38%	$ 61,383.41
2007	$ 47,761,938	16.35%	$ 96,810.38
2008	$ 51,432,181	7.68%	$ 121,621.74
2009	$ 51,954,316	1.02%	$ 149,510.08
2010	$ 51,402,822	-1.06%	$ 151,860.13
2011	$ 46,061,705	-10.39%	$ 108,432.20
2012	$ 43,253,380	-6.10%	$ 87,996.70
2013	$ 42,516,330	-1.70%	$ 78,254.26
2014	$ 44,709,870	5.16%	$ 91,234.41
2015	$ 49,844,050	11.48%	$ 137,304.67
2016	$ 48,518,449	-2.66%	$ 111,597.30
2017	$ 52,119,555	7.42%	$ 137,483.63
2018	$ 54,549,020	4.66%	$ 115,389.86
2019	$ 61,325,255	12.42%	$ 149,495.26

S University Redevelopment Project Area



Redevelopment Project Area #4



RDA #4 Historic Value

Year		Property Value	% Change		Increment paid to RDA
2000	**$**	**83,531,735**	0%	$	847,184.18
2001	**$**	**72,023,430**	-14%	$	739,483.34
2002	**$**	**84,829,835**	18%	$	778,973.33
2003	**$**	**80,963,476**	-5%	$	726,487.23
2004	**$**	**90,097,585**	11%	$	705,112.57
2005	**$**	**80,310,093**	-11%	$	535,151.02
2006	**$**	**80,588,464**	0%	$	570,569.23
2007	**$**	**89,063,600**	11%	$	522,604.32
2008	**$**	**118,237,909**	33%	$	717,907.53
2009	**$**	**97,160,021**	-18%	$	636,411.23
2010	**$**	**97,377,569**	0%	$	671,107.97
2011	**$**	**90,756,900**	-7%	$	674,040.79
2012	**$**	**88,233,110**	-3%	$	671,725.15
2013	**$**	**87,432,010**	-1%	$	651,056.09
2014	**$**	**92,627,700**	6%	$	609,829.54
2015	**$**	**95,784,481**	3%	$	646,878.68
2016	**$**	**97,310,251**	2%	$	625,454.52
2017	**$**	**95,624,824**	-2%	$	599,631.87
2018	**$**	**95,665,191**	0%	$	582,485.21
2019	**$**	**98,119,105**	3%	$	633,549.86

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: DWALTER
Department: Development Services
Requested Meeting Date: 06-15-2021

SUBJECT: A presentation regarding the Redevelopment Agency operations. (21-070)

RECOMMENDATION: A presentation to the Council on the Redevelopment Agency

BACKGROUND: RDA staff will discuss the Redevelopment Agency, some of its functions, and address questions about TIF and other issues.

FISCAL IMPACT: None

PRESENTER'S NAME: David Walter, Redevelopment Director

REQUESTED DURATION OF PRESENTATION: 30 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 21-070

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: DWALTER
Department: Development Services
Requested Meeting Date: 05-18-2021

SUBJECT: Approval of an Exclusive Negotiating Agreement with McWhinney Real Estate and Appropriate $100,000 from the New Development (Fund 279) Fund Balance to help pay for studies (21-072)

RECOMMENDATION: Presentation and discussion only; formal action will be taken in the evening meeting.

BACKGROUND: Through a RFP selection process, staff has selected McWhinney Real Estate from Denver, Colorado to redevelop the existing City Hall block once we vacate our offices and move into the new building. The attached Exclusive Negotiating Agreement allows McWhinney to perform studies to determine the size, scope and feasibility of the project. The Agency is asking to contribute $100,000 to that effort with the understanding we will be able to reimburse ourselves from the tax increment generated on the site. We are also going to receive copies of all studies performed on the property.

This presentation will be an introduction of the McWhinney team to the Council and an opportunity to discuss the project.

FISCAL IMPACT: $100,000

PRESENTER'S NAME: David Walter, Redevelopment Director

REQUESTED DURATION OF PRESENTATION: 30 Minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:
Pursue economic development initiatives
Eliminate blight
Provide a vibrant downtown environment

CITYVIEW OR ISSUE FILE NUMBER: 21-072

Redevelopment Agency of Provo City Corporation

Staff Memorandum

Approval of the Exclusive Right to Negotiate

May 4, 2021

Department Head

Bill Peperone
852-6402

Presenter

David Walter
852-6167

Required Time for Presentation

15 Minutes

Is This Time Sensitive

Yes

Case File # (if applicable)

Not applicable

Purpose of Proposal

- Approve the Exclusive Right to Negotiate (ERN) with McWhinney

Action Requested

- Staff recommends that the Redevelopment Agency Board approve the attached resolution approving the Exclusive Right to Negotiate and authorizing the Chief Executive Officer or her designee to sign the Exclusive Right to Negotiate

Relevant City Policies

- Pursue economic development initiatives
- Eliminate blight
- Provide a vibrant downtown environment

Budget Impact

- $100,000, Source of funds, fund balance Fund 279

Description of this item

- With the construction of the new City Hall and Public Safety building well underway, staff began the process of selection of a developer for the property where the existent City Hall building stands. On May 5, 2020, the City issued a Request or Proposals and received 8 qualified responses. The selection committee reviewed all proposals and ultimately selected McWhinney Development, based in Denver, Colorado, as the developer best suited to redevelop and revitalize the

	block. ● McWhinney is an established developer with a proven history of quality redevelopment projects undertaken collaboratively with the communities in which they develop. McWhinney anticipates having a robust dialog with the Provo community about its plans for the redevelopment of the City Hall block. Those plans will include the abatement and demolition of the existing structure. ● The attached Exclusive Right to Negotiate allows McWhinney to have 240 days to refine their planning for the redevelopment and bring a Joint Development Agreement for approval to the City Council. There are a number of studies that will be undertaken in order to determine the feasibility proposed redevelopment. The ERN contemplates McWhinney being able to withdraw from the project based on the results of those studies. McWhinney estimates they will spend upwards of $350,000 on those studies. Staff is proposing the Agency contribute $100,000 towards those studies. In return, we will get copies of all studies performed and the chance to reimburse ourselves first from the tax increment generated from the redevelopment of the property. Staff recommends that the Redevelopment Agency Board approve the attached resolution approving and authorizing the Chief Executive Officer or her designee to sign the ERN.

RESOLUTION 2021-RDA-.

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO SIGN AN EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH MCWHINNEY REAL ESTATE DEVELOPMENT FOR THE REDEVELOPMENT OF THE EXISTING CITY HALL PROPERTY DOWNTOWN AND APPROPRIATING $100,000 IN THE NEW DEVELOPMENT FUND FOR FEASIBILITY STUDIES RELATED THERETO. (21-072)

WHEREAS, the building currently being used as a City Hall and Public Safety facility has reached the end of its useful life; and

WHEREAS, the citizens of Provo agreed to support the construction of a new City Hall and Public Safety facility by the passage of bond for the construction of same; and

WHEREAS, the existing building needs to be removed, leaving the property available for reuse; and

WHEREAS, the City and citizens of Provo seek a dynamic mixed-use project that will serve as a continuation to the attractiveness of Provo's Center Street; and

WHEREAS, the redevelopment of the block is a significant opportunity to create a destination development in the Provo downtown region that will add a high quality and tax generating project to the community; and

WHEREAS, a Request for Proposals was released in May of 2020 seeking developers for such a project; and

WHEREAS, the City received responses to its Request for Proposals; and

WHEREAS, after vetting the responses, the City selected McWhinney Real Estate Development as the entity best suited for the redevelopment of the property; and

WHEREAS, the Agency anticipates the transfer of the property from the City and has negotiated the Exclusive Right to Negotiate Agreement with McWhinney; and

WHEREAS, the Governing Board of the Provo City Redevelopment Agency has received a recommendation from Redevelopment Agency Staff that $100,000 be appropriated in the New Development Fund for feasibility studies related to redevelopment of the City Hall block; and

WHEREAS, on June 15, 2021, the Governing Board met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Board's consideration; and

WHEREAS, all persons for and against the proposed appropriation were given an opportunity to be heard; and

WHEREAS, after considering the recommendation, and facts and comments presented to the Governing Board, the Governing Board finds the proposed appropriation reasonably furthers the health, safety, and general welfare of the citizens of Provo City

NOW, THEREFORE, be it resolved by the Governing Board of the Provo City Redevelopment Agency as follows:

PART I:

The Agency hereby approves the Exclusive Right to Negotiate Agreement with McWhinney as outlined in Exhibit A.

PART II:

The Chief Executive Officer or her designee is authorized to sign the attached Exclusive Right to Negotiate. The Chief Executive Officer is also authorized to make minor changes and sign any additional paperwork as may be necessary for this action.

PART III:

The Chief Executive Officer is hereby authorized to appropriate $100,000 in the New Development Fund for feasibility studies related to redevelopment of the City Hall block, applying to the fiscal year ending June 30, 2021.

PART IV:

This resolution shall take effect immediately.

END OF RESOLUTION.

Exclusive Negotiation Agreement

This AGREEMENT is made as of the Effective Date (defined in Section 14 below) by and between, MCWHINNEY REAL ESTATE SERVICES, INC. ("Developer"), and THE REDEVELOPMENT Agency OF PROVO CITY CORPORATION ("Agency").

RECITALS

A. Agency currently owns a 3.6-acre parcel, currently in use as the offices of the Provo City Corporation, as more particularly described on the legal description attached hereto as Exhibit "A" ("Site"). Parcel 1, at address 351 West Center Street., Assessor Parcel Number: 04:058:0001.

B. In response to a Request for Proposals ("RFP") issued on May 5, 2020 by Agency, the DEVELOPER has submitted a proposal for a joint development project ("Project") at this Site ("DEVELOPER's Proposal").

C. The Project proposed by DEVELOPER is a commercial and residential mixed-use and replacement public parking development on the Site in the City of Provo, Utah.

D. On January 14th the Agency approved the selection of the DEVELOPER for the purpose of negotiating the terms of and preparing a Joint Development Agreement ("JDA") pertaining to the Site under a 240-day Exclusive Right to Negotiate period.

E. Together, Agency and the Developer (collectively referred to as "Parties", or if referred to in the singular form "Party") desire to negotiate exclusively for the development of the Project at the Site.

The Parties agree to negotiate exclusively and in good faith to enter into a JDA upon the following terms and conditions.

1. Agreement to Negotiate Exclusively: Good Faith Negotiations

Agency agrees that, during the Negotiation Period (as defined in Section 2 below) and provided that DEVELOPER is not in default of its obligations under this Agreement (subject to reasonable notice and opportunity to cure such default), Agency shall negotiate exclusively and in good faith with DEVELOPER, with respect to a JDA to be entered into between Agency and DEVELOPER concerning the rights and obligations of each respective Party concerning the development of the Site. During the Negotiation Period, Agency shall not solicit or entertain offers or proposals from other third parties concerning the Site. DEVELOPER acknowledges, however that Agency may, from time to time, be contacted by other developers respecting the Site and that such contact is expressly permitted so long as Agency neither

initiates nor furthers the contact and indicates to such other developers that Agency has executed this Agreement with DEVELOPER and that Agency is unable to: (1) discuss anything concerning the Project; (2) discuss anything concerning these negotiations with DEVELOPER; (3) entertain any other offer or proposals; or (4) negotiate with any other developer until this Agreement expires or is terminated, as provided in Section 2 below.

The Parties agree, in consideration of this Agreement, to negotiate in good faith with each other with respect to the terms and conditions as set forth in the RFP and the proposed Project to be included in the JDA and to cooperate in the preparation thereof. The Parties shall provide each other with any information regarding the Site or Project that may be reasonably requested by the other Party.

2. Period of Negotiation

The Parties agree to negotiate in good faith for a period of 240 days from the Effective Date, as defined in Section 14 hereof (the "Negotiation Period"). If the Parties have not executed the JDA by such date, then this Agreement shall automatically terminate; provided, however, that, if the Parties have not executed a JDA to their satisfaction prior to expiration of the Negotiation Period, the parties may extend the Negotiation Period up to 90 days by executing a written addendum to this Agreement

This Agreement may also be terminated if the Parties mutually agree in writing that a successful consummation of the negotiations is impossible.

3. Test and Surveys

During the Negotiation Period, DEVELOPER shall conduct such due diligence and other analyses as the DEVELOPER deems necessary to determine the feasibility of designing, constructing, leasing and financing the Project and shall complete such tests, surveys, and other analyses as promptly as possible within the Negotiation Period. For these purposes, Agency shall provide to DEVELOPER, its agents and/or representatives, the right to enter onto the Site and to conduct such due diligence and other procedures ("Tests"). The Site is an active Agency and City administration and public parking facility area servicing residents and patrons of Agency and Provo City, and DEVELOPER shall take all commercially reasonable efforts to ensure that such Tests shall not unreasonably interfere with the parking facility operations, or other City or Agency activities on the Site. DEVELOPER shall indemnify and hold harmless the City of Provo ("City"), the Agency and their respective departments, Boards, Officers, agents, employees, assigns, and successors in interest from and against all suits and causes of action, claims, losses, demands and expenses, including but not limited to, attorneys' fees (both in house and outside counsel) and cost of litigation (including all actual litigation costs incurred by the City or Agency, including but not limited to, costs of experts and consultants), damages or liability of any nature whatsoever, for death or injury to any person, including DEVELOPER's and any contractor's and subcontractor's employees and agents, or damage or destruction of any property of any property of the Parties hereto or of third parties, arising in any manner by reason of the negligent acts, errors, omissions or willful misconduct incident to any such entry on the Site by DEVELOPER, its agents or representatives, provided that such indemnity shall not relate to existing Site conditions that differ substantially from existing plans and drawings, and could not have been discovered by reasonable visual inspection or non-intrusive tests prior to any intrusive testing. DEVELOPER shall provide the following minimum insurance coverage from companies holding a General Rating of ""A"" or better and a financial size category of VIII or better, as set forth in the most current issue of Best's Key Rating Insurance Guide written for not less than the following, or greater if required

by law, and all such insurance shall be primary to any insurance maintained by Agency or City, and shall name Agency and City as additional insureds for ongoing and completed operations and shall include a waiver of subrogation endorsement in favor of the City or Agency.

a. Workers' Compensation Insurance: Statutory workers' compensation insurance (Part A). Such insurance shall also include employer's liability (Part B) insurance in a limit of not less than $1,000,000 for each: accident, disease, employee. No owner or officer may be excluded.

b. Automobile Liability Insurance: Automobile liability insurance for the Contractor's liability arising out of the use of owned (if any), leased (if any), non-owned and hired vehicles of the Contractor, with no less than $2,000,000 limit per accident for combined bodily injury and property damage and containing appropriate no-fault insurance provisions wherever applicable. All owned and/or leased automobiles shall be covered using symbol "1" (any auto).

c. General Liability Insurance: Commercial general liability insurance on an occurrence basis arising out of claims for bodily injury (including death) and property damage. Such insurance shall provide coverage for ongoing operations and products-completed operations, blanket contractual, broad form property damage, personal and advertising injury, independent contractors and sudden and accidental pollution liability [pollution liability arising out of a hostile fire] with not less than $3,000,000 per occurrence limit combined bodily injury and property damage, with not less than $3,000,000 aggregate limit, provided the general policy aggregate shall apply separately to the Contractor on a per project basis. Any aggregate limit that does not apply separately to the premises shall be at least double the required per occurrence limit.

d. Contractors Pollution (Environmental) Liability Insurance: Environmental liability insurance for the Contractor's liability arising out of their operations in an amount not less than $2,000,000 each claim, $2,000,000 aggregate. Coverage shall apply to all operations untaken by the contractor.

e. Professional Liability Insurance: Professional liability insurance for the Contractor's liability arising out of their architectural, engineering, design and consulting activities in an amount not less than $3,000,000 each claim, $3,000,000 aggregate.

f. Excess Liability Insurance: The amounts of insurance required in the foregoing subsections may be satisfied by the Contractor purchasing coverage in the amounts specified or by any combination of primary and excess insurance, so long as the total amount of insurance meets the required limits specified above. Evidence of excess liability or umbrella policies shall include a schedule of underling coverages.

The Developer shall furnish to the Agency Certificates of Insurance verifying that such insurance has been obtained. Such certificates will provide that Agency and City will receive prompt written notice of any material change in, cancellation of, or non-renewal of such insurance.

4. Essential Terms

DEVELOPER's rights and obligations as specifically set-forth in the JDA shall include without limitation all of the following:

1) Project Description;

2) Scope of Development;

3) DEVELOPER Site Inspection rights;

4) Design and construction of the Project, including Agency review, approval, and inspection rights, and DEVELOPER assurances, in each case, in accordance with a performance schedule to be agreed between the Parties;

5) Deposits and Costs Reimbursements;

6) Schedules of Performance, including effect of any change;

7) Restrictions on Transfers;

8) Escrow provisions, including title, deliveries to escrow, conditions to close of escrow and delivery of Site, parts thereof;

9) Insurance and Indemnity;

10) Defaults, remedies and termination;

11) Encumbrances and rights of lenders;

12) Agreement on all other matters necessary to reach a full comprehensive agreement; and

13) Restrictions on use of Site.

5. <u>Development Goals for Site</u>

a) Coordinate with Agency on the development and leasing of the Site for commercial and residential uses for the purpose of generating revitalizing and reinvigorating this area of downtown Provo.

b) Provide for rental housing opportunities to residential tenants of varying incomes.

c) Ensure that all uses on the Site are consistent with the local jurisdiction's adopted land use plans.

d) Sensibly integrate the development with the existing fully functional rail mass transit station as one essential factor in neighborhood revitalization and economic development.

e) Create a development which increases mobility, economic development (including job creation), and meets other community needs.

f) Design of a mixed-use development that includes ground floor commercial uses, rental and for-sale residential uses that include units available for a variety of income levels, and public parking for new and existing commercial tenants.

6. Topics for Negotiation

In addition, or as supplement to the Essential Terms, as described in Section 4, the topics for negotiation (to the extent of, and as limited by the terms of the Proposal) shall include, among other things:

a) Project assembly [e.g. re-subdivision of Site, maintaining current subdivision of Site, etc.];

b) Structure of the transaction;

c) The terms of the proposed JDA and other agreements as described in Section 4 above;

d) Availability of the Site to the DEVELOPER;

e) Proposed land uses and appropriate assurances regarding the continued use of the Project improvements for their original intent;

f) Site layout and conceptual architectural and urban design plans;

g) Replacement of existing public parking spaces;

h) Parking plan during construction period;

i) Mix and affordability of for-sale and rental residential units throughout development;

j) Aesthetic considerations;

k) Quality and type of construction;

l) DEVELOPER's responsibility to obtain environmental clearances, entitlements, and project financing;

m) Terms of DEVELOPER's construction financing;

n) Project schedule and any other considerations necessary to fully implement the proposed Project in a timely fashion.

7. DEPOSIT

Prior to and as a condition precedent to the execution of this Agreement by Agency, DEVELOPER shall submit to Agency a good faith deposit ("DEPOSIT") in the amount of TEN THOUSAND DOLLARS ($10,000) in the form of cash or certified check to ensure that DEVELOPER will proceed diligently and in good faith to negotiate and perform all of DEVELOPER's obligations under this Agreement. The Deposit, when received by Agency, shall be deposited into an interest-bearing trust account selected by Agency's Treasurer, in its sole and absolute discretion. Interest, if any, shall remain in the Deposit trust account and be held as securely for the DEVELOPER's obligation herein.

If this Agreement is terminated without execution of the JDA, Agency shall promptly refund the entire Deposit plus interest so long as the DEVELOPER has demonstrated a good faith effort in attempting to fulfill the DEVELOPER'S responsibilities described in Section 13.

8. BROKER's FEES

The Parties represent and warrant to each other that no broker or finder has been engaged or is in any way connected with the transactions contemplated by this Agreement. In the event any claim for brokers' of finders' fees is made in connection with the transaction contemplated by this Agreement, the Party upon whose statement, representation or agreement the claim is made shall indemnify, hold harmless and defend the other Parties from and against such claims.

9. Assignment

As a condition to any proposed assignment of this Agreement, DEVELOPER shall be required to make full disclosure to Agency of the principals, officers, stockholders, partners, etc., and all other reasonably pertinent information concerning the assignee of DEVELOPER and its associates.

No assignment by DEVELOPER of its rights and obligations hereunder shall be made without the express written consent of Agency, which consent shall be given or withheld at the sole discretion of Agency. Upon any permitted assignment by DEVELOPER of its rights and obligations hereunder, DEVELOPER and the permitted assignee shall execute a written assignment agreement and the succeeding entity shall be deemed DEVELOPER for all purposes under this Agreement. Notwithstanding anything which may be or appear to be herein to the contrary, no assignment hereof by DEVELOPER shall relieve DEVELOPER of its obligations under this Agreement unless specifically agreed to in writing by Agency.

DEVELOPER shall along with any request for approval of any assignments hereof, deliver to Agency the most recent financial statement and/or the financial statements of the assignee. Agency understands and acknowledges the proprietary nature of said information and, to the extent permitted by law, agree not to disclose said information to any person or entity other than representatives of Agency or their consultants having a need to know. Developer and assignee shall clearly designate, or mark as required by Utah Code 63G-2-309 any materials for which proprietary or business confidentiality is claimed.

Agency shall not assess a fee for their approval or any assignment, except to the extent that it incurs direct third party expenses, consultant or legal fees related to approval of the assignment in which event the fee shall not exceed the total of the direct costs incurred by Agency related to approval of the assignment.

10. **Agency Obligations**

During the Term of this Agreement, Agency shall deliver, within 15 days of receipt of written request thereof, any existing information, studies, reports, site and construction plans or other documents which DEVELOPER may reasonably request to facilitate the Project design without cost or expense to DEVELOPER and to which Agency has reasonable access. The Parties shall cooperate to ensure timely review and revision of any DEVELOPER documents or plans.

This Agreement is an agreement to enter into a period of exclusive negotiations according to the terms hereof. Each Party expressly reserves the right to decline to enter into a JDA in the event the Parties fail to negotiate such agreement to their mutual satisfaction. Except as expressly provided in this Agreement, neither Party shall have any obligation or duty hereunder nor any liability whatsoever in the event the Parties fail to timely execute a JDA as long as they negotiate exclusively in good faith and cooperate in the preparation of the JDA in accordance with Section 1 above.

DEVELOPER acknowledges and agrees that Agency has not agreed to fund subsidize or otherwise financially contribute in any manner toward the development of the Project other than those representations contained in the Agency's RFP; provided, however, Agency acknowledges and agrees that DEVELOPER anticipates the possibility of Agency assistance and participation in connection with the Project.

By its execution of this Agreement, Agency is not committing to or agreeing to undertake: (i) disposition of land to DEVELOPER; or (ii) any other acts or activities requiring the subsequent independent exercise of discretion by Agency, other than their good faith obligation to negotiate exclusively with DEVELOPER as provided herein.

The Parties recognize that one or more of the conditions to DEVELOPER's Proposal set forth herein may fail to be met as a result of subsequent studies, reviews and proceedings invoking the exercise of discretion by Agency or any public Agency having regulatory jurisdiction.

11. Non-Liability of Officials and Employees

Without limitation on the provisions set forth herein, no member, official, representative, director, attorney, or employee of a Party shall be personally liable to the other Party or any successor in interest, in the event of any default or breach by such Party or any obligations under the terms of this Agreement, or of any amount which may become due to a Party or to its successor under the terms of this Agreement.

12. Plans, Reports, Studies and Investigation

Agency and DEVELOPER acknowledge that DEVELOPER shall undertake to commission and prepare several reports and studies (collectively, the “Plans and Studies”) during the Negotiation Period in order to ascertain the feasibility of development on the Site. All Plans and Studies shall be prepared at DEVELOPER's sole cost and expense and, except with respect to the Agency’s contribution described below, DEVELOPER agrees to indemnify, defend and hold harmless the City of Provo, the Agency and their

respective departments, and its members, representatives, employees, officials, directors, attorneys, successors and assigns (collectively, "Representatives") from losses, liability, claims, causes of action, injury or expense, including without limitation, reasonable attorneys' fees and costs (collectively, "Loss and Liabilities') arising from or in any way related to the cost of preparation of such Plans and Studies. Notwithstanding the foregoing, or anything to the contrary set forth herein, DEVELOPER shall not be required to spend in excess of $350,000 in the aggregate, inclusive of the Agency's contribution described below (the "Cost Cap") in connection with the preparation and delivery of the Plans and Studies or similar information requested by Agency hereunder.

The Agency desires to assist in the preparation of the Plans and Studies and agrees to contribute up to a maximum amount equal to $100,000 towards the cost of such Plans and Studies. In exchange for the Agency's contribution, the Agency shall have access to and retain a copy of all reports prepared for the feasibility of development on the Property. The DEVELOPER shall have responsibility of the hiring of any and all consultants for the preparation of the work to be done under this ENA. The Agency shall not be obligated to pay more than an amount equal to the$100,000 and in any event shall not be obligated to pay any amount in the absence of receipts or invoices submitted by the DEVELOPER. Agency and DEVELOPER agree that Agency shall have the right to repay itself from the tax increment generated on the Site as a result of the future development on the Site by DEVELOPER. If the JDA is executed by the Parties, then upon such execution, this ENA shall terminate, and all rights and obligations of the Parties shall be as set forth in the executed JDA.

For the purposes hereof, "Confidential Information" shall mean this Agreement and the terms and conditions contained herein, the Plans, any and all information disclosed by or learned about a Party's business, including, without limitation, technical, marketing, financial, customer, vendor, employee, manufacturing, marketing, sales, research and development, and any other information that is communicated by a disclosing party to a receiving party orally, in writing or otherwise, except (a) as may be required by applicable law, (b) with respect to information already known by the receiving party or developed independently from disclosure by the disclosing party, (c) with respect to publicly available information, or (d) disclosure to such Party's legal counsel, accountants, consultants, advisors and actual and prospective lenders and investors. Each Party shall keep all Confidential Information strictly confidential. Each Party shall inform its agents, consultants, attorneys and representatives of the terms of this Confidentiality section and shall use commercially reasonable efforts to cause each such party to abide by the terms of this Confidentiality section. Each Party shall not use the Confidential Information for any purpose other than to evaluate and pursue the potential transaction between the Parties.

Notwithstanding this section's definition of "Confidential Information," the Parties acknowledge that under Utah Code 63G-2-301(3)(d) generally "contracts entered into by a governmental entity" are public records subject to disclosure under the Government Records Access Management Act. Developer shall clearly designate, or mark as required by Utah Code 63G-2-309 any materials for which proprietary or business confidentiality is claimed.

13. Developer's Responsibilities

Without limiting any other provision of this Agreement, during the Negotiation Period, DEVELOPER, at its sole cost and expense, but at all times subject to the Cost Cap, shall prepare and submit the following documents and perform the following acts all in furtherance of the negotiation process:

A. Submittals. Within 180 days after execution of this Agreement (subject to receipt of all plans and studies requested by DEVELOPER of Agency pursuant to Section 10), DEVELOPER shall submit to Agency (i) a framework for the conceptual level of design for the Project created in partnership with Agency as described in clause B below; and (ii) a framework for the conceptual level of pricing for the Project based on DEVELOPER's assumption that Agency assistance will be available for the development and construction of the Project.

B. Design Review. Agency will require planning and design approval for the Project. During the Negotiation Period, DEVELOPER shall meet with representatives of Agency and City to review and come to a clear understanding of the planning and design criteria to be required by Agency.

C. Further Information. Subject at all times to the Cost Cap, Agency reserves the right at any time to request from DEVELOPER additional or updated information including data, and commitments to ascertain the depth of the DEVELOPER's capacity and desire to develop the Site expeditiously. Agency will provide a reasonable time for DEVELOPER to submit to the Agency such additional information.

14. Effective Date: The Agreement shall be deemed effective upon the date on which this Agreement is executed by all Parties, as evidenced by the date of the last signature on the signature pages hereto (the "Effective Date").

15. Entire Agreement: This Agreement represents the entire agreement of the Parties with respect to the matters set forth herein. This Agreement may not be amended except in writing signed by all the Parties hereunder.

16. Covenant Against Discrimination

DEVELOPER shall not discriminate against nor segregate any person, or group of persons on account of sex, race, color, age marital status, religion, handicaps, creed, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the Site, nor shall the DEVELOPER establish or permit any such practice or practices of discrimination or segregation in the selection, location, number, use or occupancy of tenants, lessees, subtenants, subleases or vendees of the Site.

17. Notices

All notices required or permitted hereunder shall be delivered in person, by overnight courier, by registered or certified mail, postage prepaid, return receipt requested or by e-mail (with pdf or similar attachment) to such party at its address shown below, or to any other place designated in writing by such Party.

DEVELOPER

McWhinney Real Estate Services, Inc.
1800 Wazee St
Suite 200
Denver, CO 80202
Attention: Trae Rigby (trae.rigby@mcwhinney.com)
Kirsty Greer (kirsty.greer@mcwhinney.com)

Agency:

Redevelopment Agency of Provo City Corporation
351 West Center Street
Provo, Utah 84061
Attention: Michelle Kaufusi, CEO, The Redevelopment Agency of Provo City Corporation (michelle@provo.org)

cc: Wayne Parker, Chief Administrative Officer. The Redevelopment Agency of Provo City Corporation(wparker@provo.org)

Any such notice shall be deemed received upon delivery, if delivered personally, the next business day after delivery by a courier, if delivered by courier, or three (3) days after deposit into the United States Mail, if delivered by registered or certified mail, and e-mail notices shall be effective when sent.

[Signatures to follow]

IN WITNESS WHEREOF, Agency AND DEVELOPER have signed this Agreement as of the dates set forth below.

Agency

Redevelopment Agency of Provo City Corporation

By: _____

Michelle Kaufusi
Chief Executive Officer

Approved as to form:

Agency Attorney

By: _____

DEVELOPER

McWhinney Real Estate Services, Inc.,
a Colorado corporation

By: Ray Pittman _____
Name: Ray Pittman
Title: President & COO

Legal Description

All of Block 63 of Plat A in Provo City

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: NLA
Department: Development Services
Requested Meeting Date: 06-15-2021

SUBJECT: An ordinance amending the Zone Map classification of approximately 3.8 acres of real property, generally located at 5600 N University Avenue, from Manufacturing Park (MP) to General Commercial (CG) Zone. Riverbottoms Neighborhood. (PLRZ20200272)

RECOMMENDATION: This item was heard at the June 9, 2021 Planning Commission and was reccomended for approval 6:0 Please see supporting documents.

BACKGROUND: The applicant is asking for the properties on approximately 3.8 acres located at approximately 5600 N University Avenue to be rezoned from the Manufacturing Park (MP) to the General Commercial (CG). There are two properties, each with an existing building located on them. These building have been vacant for a while and have needed repairs and improvements. The applicant would like to bring new life and appeal to these buildings and this area at the northern entrance into Provo City by making the needed improvements.

FISCAL IMPACT:

PRESENTER'S NAME: Dustin Wright, Planner

REQUESTED DURATION OF PRESENTATION: 10 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: PLRZ20200272

DEVELOPMENT SERVICES

Planning Commission Hearing Staff Report Hearing Date: June 9, 2021

***ITEM # 2** 5600 N University, LLC requests a Zone Change from Manufacturing Park (MP) to General Commercial (CG) for approximately 3.8 acres located at 5600 N University Ave. Riverbottoms Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20200272

Applicant: 5600 N University, LLC

Staff Coordinator: Dustin Wright

Property Owner: Q INVESTMENTS LLC

Parcel ID#: 20:014:0013 & 20:014:0096

Acreage: 3.8

Number of Properties: 2

Council Action Required: Yes

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 23, 2021, at 6:00 p.m.*

2. **Recommend Denial** for the requested Rezone. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use:
Existing vacant buildings in the MP zone.

Relevant History:
This property has been vacant, and the existing structures needed repairs. Utah County owns a portion of land along the University Avenue frontage of this location. The applicant has been working on an agreement with the County to acquire this property or an access agreement.

Neighborhood Issues:
A neighborhood meeting was held in September 2020 and this item has been placed on Open City Hall.

Summary of Key Issues:

- This property is located on the Provo-Orem border with a portion of the land to be used to serve the proposed development located in Orem City.
- The street frontage on University Avenue is part of the Provo River trail.
- The existing building along University Avenue is considered a non-conforming structure as it does not meet the front setback of the current or proposed zone.

Staff Recommendation:
Recommend Approval to the Municipal Council for the requested Rezone with the following conditions:

1. A development agreement is recorded that ensures that the required parking that is located on the adjacent property is dedicated for this site.

BACKGROUND

The applicant is asking for the properties on approximately 3.8 acres located at approximately 5600 N University Avenue to be rezoned from the Manufacturing Park (MP) to the General Commercial (CG). There are two properties, each with an existing building located on them. These building have been vacant for a while and have needed repairs and improvements. The applicant would like to bring new life and appeal to these buildings and this area at the northern entrance into Provo City by making the needed improvements.

ANALYSIS

Sec. 14.020.020(2) establishes criteria for the amendments to the zoning title as follows: (Staff response in bold type)

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

Staff response: Amending the zoning map will help bring new life to a dilapidated property at the northern entrance of the City. The amendment will also bring the zoning of the property into conformance with the General Plan designation of commercial land use.

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

Staff response: A General Commercial zone in this location complies with the General Plan and the applicant will be improving the trail along this section adjacent to their property. Street improvements along 5600 N will also benefit the public by improving access to the Provo River.

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

Staff response: This proposed change would help promote goals outlined in 1.4.1 in the General Plan to encourage a pedestrian-friendly environment by improving trails and sidewalk connectivity to the Provo River. It will help create a neighborhood gathering place and entrance into the city to help promote Goal 1.4.2. It will be a great adaptive reuse of a dated structure and land use that

promotes sustainability and will capitalize on local natural resources as desired in 1.4.6. It will help improve access to recreational amenities with the river and canyon. There will be a beautification of an important gateway and corridor into the city as outlined in 1.4.9.3 and 1.4.9.4. This will also align with goals from 1.4.12.4 to revitalize blighted or distressed centers.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: No issues with the timing and sequencing of the General Plan.

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

Staff response: Staff does not see an issue that would hinder attaining policies in the General Plan; as noted above, the proposed amendment would help facilitate the attainment of many established goals and policies in the General Plan.

(f) Adverse impacts on adjacent landowners.

Staff response: The applicant owns other property to the north; there is a river to west and a major corridor to the east. To the south there is agricultural property and then Medium Density Residential. The proposed use would be more harmonious with these zones than the current zone they have been adjacent to.

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

Staff response: The General Plan designation is Commercial so this rezone would be bringing this into conformance.

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

Staff response: No conflicts.

FINDINGS OF FACT

1. Existing zone is MP.
2. General Plan designation is Commercial.
3. The existing zone does not conform with the General Plan Map designation.
4. The proposed zone would conform with the General Plan Map Commercial designation.
5. The existing structures are non-conforming as to their front setback and with the design corridor standards.

STAFF ANALYSIS

Staff finds that the rezone will bring the property into alignment with the General Plan Map designation for commercial at this location. The amendment will also support many goals from the General Plan. This amendment to the zoning map will allow for a new land use to be established on a property that has sat vacant and is dilapidated. This would be a positive change for the northern gateway into the City.

Since this property is located on the Provo-Orem border and the applicant also owns the adjacent property to the north in Orem, there would need to be an agreement recorded with the property that allows access and use of that property for a portion of the development requirements of this site. The applicant has approval from the City of Orem to use this portion in their City as parking for this development.

The existing building along University Avenue is considered a non-conforming structure as it does not meet the front setback of the current or proposed zone. The building will be improved, but the location will stay.

The land use would change from manufacturing to commercial. Change in land use would bring the property into conformance with the existing General Plan that designates this area to be commercial and not manufacturing.

STAFF RECOMMENDATION

Recommend Approval to the Municipal Council for the requested Rezone with the following conditions:

1. A development agreement is recorded that ensures that the required parking that is located on the adjacent property is dedicated for this site.

ATTACHMENTS

1. Aerial of Site

2. Current Zone Map

3. General Plan Map

Attachment 1 – Aerial of Site



Attachment 2 – Current Zone Map



Attachment 3 – General Plan Map



ORDINANCE 2021-.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 3.8 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 5600 N UNIVERSITY AVENUE, FROM MANUFACTURING PARK (MP) TO GENERAL COMMERCIAL (CG). RIVERBOTTOMS NEIGHBORHOOD. (PLRZ20200272)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 3.8 acres of real property, generally located at 5600 N University Avenue (an approximation of which is shown or described in Exhibit A and a more precise description of which will be attached hereto as Exhibit B after the Zone Map has been updated), be amended from Manufacturing Park (MP) to General Commercial (CG); and

WHEREAS, on June 9, 2021, the Planning Commission held a duly noticed public hearing to consider the proposal, and after such hearing the Planning Commission recommended approval of the proposal to the Municipal Council by a 6:0 vote; and

WHEREAS, the Planning Commission's recommendation was based on the project design presented to the Commission; and

WHEREAS, on June 15, 2021, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo, Utah should be amended as described herein; and (ii) the proposed zone map classification amendment for the real property described herein reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The classification on the Zone Map of Provo, Utah is hereby amended from the Manufacturing Park (MP) Zone to the General Commercial (CG) Zone for approximately 3.8 acres of real property generally located at 5600 N University Avenue, as described herein.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE

EXHIBIT A – ZONE MAP



Provo City Planning Commission

Report of Action

June 09, 2021

*Item 2 5600 N University, LLC requests a Zone Change from Manufacturing Park (MP) to General Commercial (CG) for approximately 3.8 acres located at 5600 N University Ave. Riverbottoms Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20200272

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 09, 2021:

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

Conditions of Approval:

1. A development agreement is recorded that ensures that the required parking that is located on the adjacent property is dedicated for this site.

Motion By: Laurie Urquiaga
Second By: Robert Knudsen
Votes in Favor of Motion: Laurie Urquiaga, Robert Knudsen, Ally Jones, Lisa Jensen, Daniel Gonzales, Dave Anderson. Dave Anderson was present as Chair.

- Includes facts of the case, analysis, conclusions, and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the General Commercial (CG) Zone is described in the attached Exhibit A.

RELATED ACTIONS

PLCP20200279 Item 1 June 9, 2021 Planning Commission Hearing.

DEVELOPMENT AGREEMENT

- Applies – The agreement will be sent to the City Attorney for review.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 09/17/2020.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- No public spoke at the hearing.

APPLICANT RESPONSE

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

- The applicant has been working with UDOT, Provo and Orem cities, and Utah County to get this project where it is.
- The applicant expressed that they would be expending a lot of money to install and maintain the trail and landscaping.
- They would also be improving 5600 North and would help generate a good tax base within the City.
- There will be new restaurants, retail, a gym, bike rentals, and other tenants at this location.
- The improved green space will allow people to have food brought to them from the restaurants and watch a movie on the lawn or have other live events and music.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- There will be a project plan that will come back to the Planning Commission if the rezone is approved.
- There is an existing building within the 100 foot setback of the Provo River. This predated the ordinance to not have a structure located within 100-feet of the river.
- The trail is located between University Ave. and the applicant's property.
- The zoning in Orem on the adjacent property that the applicant owns is a commercial zone.
- Public Works indicated that there will be a signalized intersection at 5600 N and University Ave. at some point in the future. This causes a concern with the location of the private drive shown on the concept plan, but not with the proposed zone change.



Planning Commission Chair



Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

Exhibit A



ITEM 2*

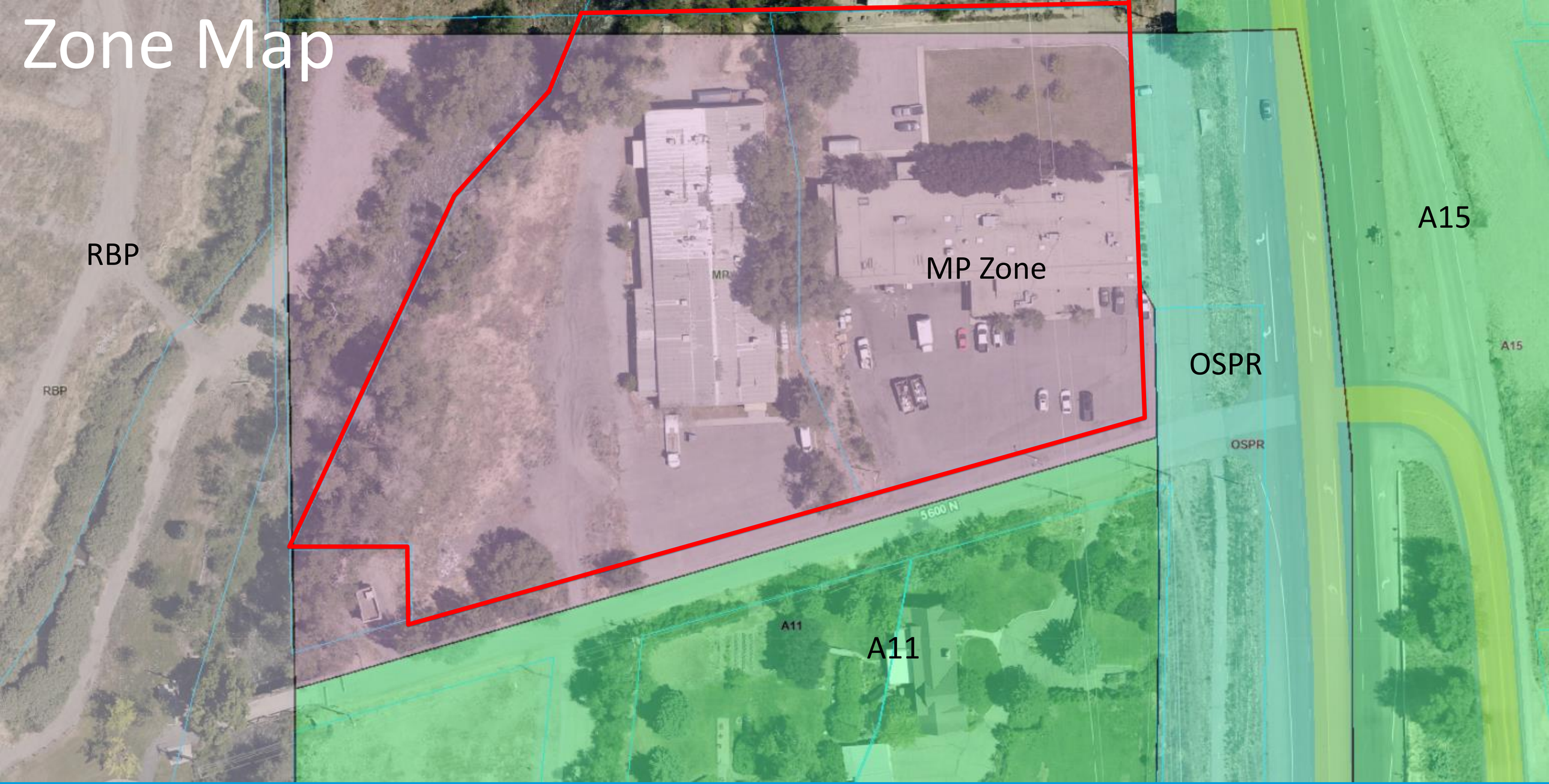
5600 N University, LLC requests a Zone Change from Manufacturing Park (MP) to General Commercial (CG) for approximately 3.8 acres located at 5600 N University Ave.

Riverbottoms Neighborhood

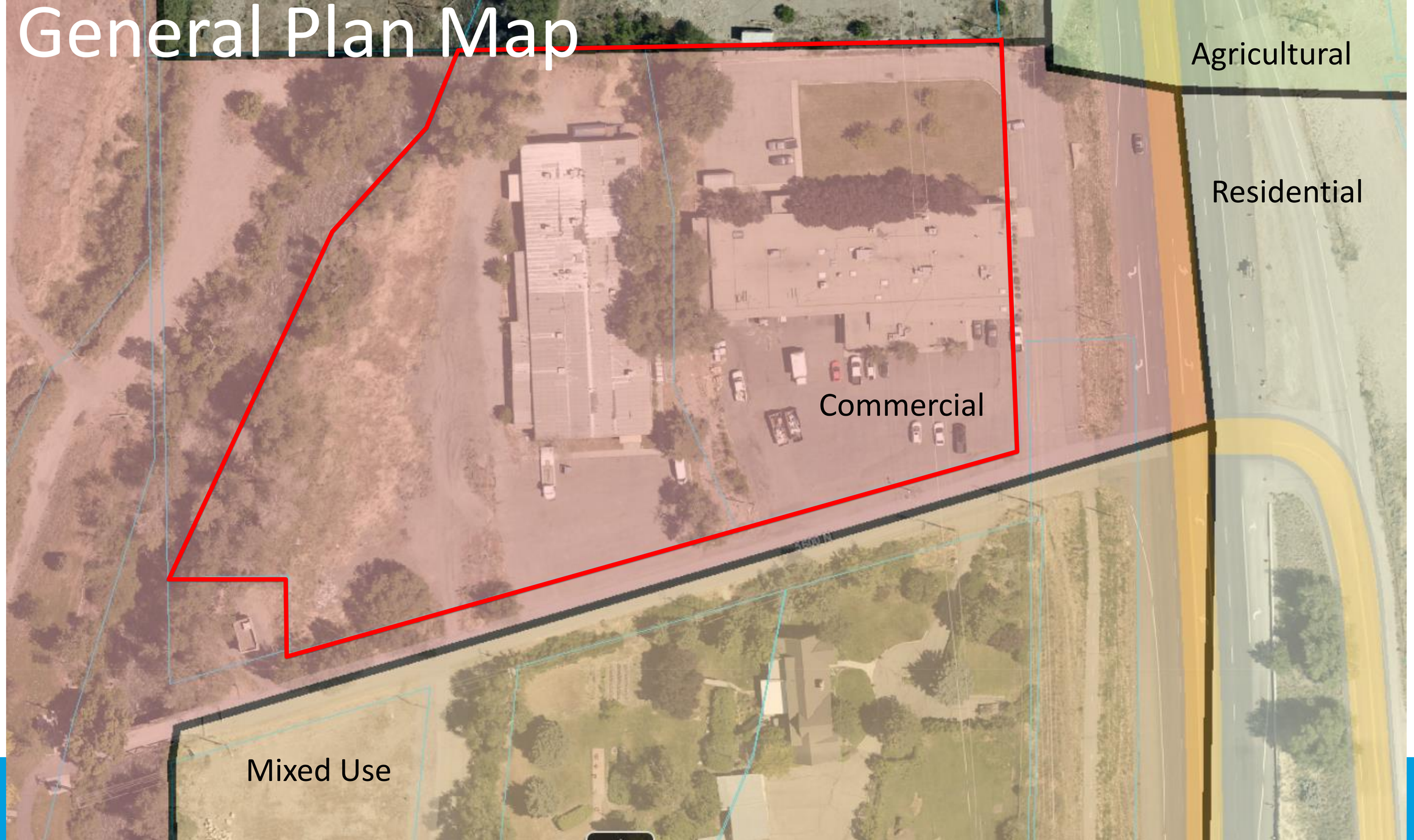
PLRZ20200272


University Ave
5600 N
5600 N

Zone Map



General Plan Map




Existing Building
3,000 sq.ft. Restaurant
12,343 sq.ft. Retail
FFE 4792.50
Existing Building
4,626 sq.ft. Restaurant
11,746 sq.ft. Retail
FFE 4794.00
ASPHALT
ASPHALT
ASPHALT
LANDSCAPE
LAWN (SOD)
LANDSCAPING
LANDSCAPE / PATIO AREA
LANDSCAPE PATIO AREA
PATIO
SEATING
PAVILION
FUTURE PAD SITE
FUTURE PAD SITE
Drive thru
Drive thru
10.00' Water Main Easement
in favor of Provo City
NEW RIVER WALKWAY
FINAL LOCATION T.B.D.
NEW RIVER WALKWAY
FINAL LOCATION T.B.D.
TOP BANK OF RIVER
TOP BANK OF RIVER
TOP BANK OF RIVER
5600 NORTH
UNIVERSITY AVENUE



NEW SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



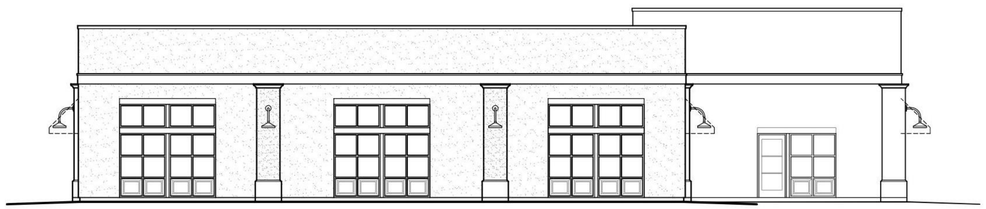
NEW EAST ELEVATION

SCALE: 1/8" = 1'-0"



NEW NORTH ELEVATION

SCALE: 1/8" = 1'-0"



NEW WEST ELEVATION

SCALE: 1/8" = 1'-0"

SUZANN
5600 NORTH FI
PROVO,

15 JUNE

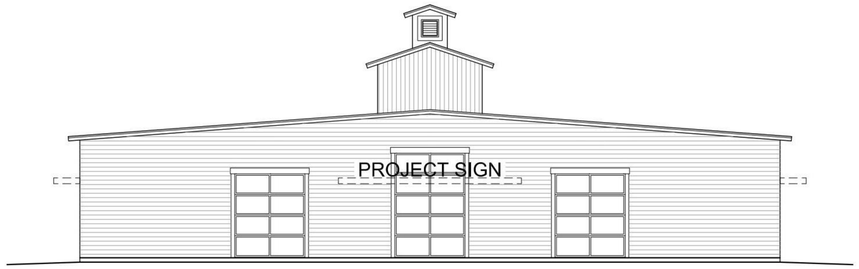
CURTIS M
ARCHITE

233 SOUTH PLEASAN



NEW EAST ELEVATION

SCALE: 1/8" = 1'-0"



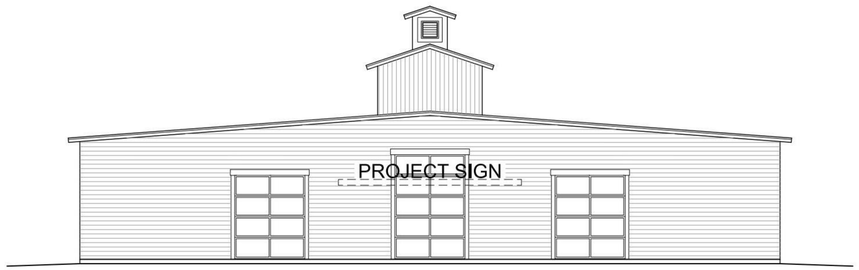
NEW NORTH ELEVATION

SCALE: 1/8" = 1'-0"



NEW WEST ELEVATION

SCALE: 1/8" = 1'-0"



NEW SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: NLA
Department: Development Services
Requested Meeting Date: 06-15-2021

SUBJECT: An ordinance amending the Zone Map classification of approximately .80 acres of real property, generally located at 690 E 500 S, from Residential Conservation (RC) to Medium Density Residential (MRD) zone. Maeser Neighborhood. (PLRZ20210086)

RECOMMENDATION: This item was heard at the June 9, 2021 Planning Commission and was reccomended for approval 6:0 Please see supporting documents.

BACKGROUND: The 0.82-acre subject property lies in the RC Zone in an area of mixed uses. There are many residents in the area, which appear to be single-family. There is attached housing just to the south of the subject property. A large apartment complex is under construction just to the northeast of the property. There are a few small businesses near the subject property. The property lies approximately one-half block north of the Provo City Cemetery. Two (2) dwellings and a detached garage lie on the subject land. The subject property has an abundance of open space that may be currently under-utilized.

FISCAL IMPACT:

PRESENTER'S NAME: Brandon Larsen, Planner

REQUESTED DURATION OF PRESENTATION: 10 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: PLRZ20210086

DEVELOPMENT SERVICES

Planning Commission Hearing Staff Report Hearing Date: June 9, 2021

ITEM # 4* Sidney Allsop requests a Zone Change for approximately .80 acres from Residential Conservation (RC) to Medium Density Residential (MDR) for a townhome development, located at 690 E 500 S. Maeser Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20210086

Applicant: Sidney Allsop

Staff Coordinator: Brandon Larsen

Property Owner: Wayne H. McDonald, et al.

Parcel ID#: 220280003, et al.

General Plan Designation: Residential

Maeser Neighborhood Plan Designation: Single-Family Residential

Current Zoning: RC (Residential Conservation)

Proposed Zoning: MDR (Medium Density Residential)

Acreage: approx. .82 acres

Number of Properties: 3

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 9, 2021, 6:00 P.M.*
2. **Recommend Denial** of the proposed zone map amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use: Two dwellings

Relevant History:
The subject properties have been utilized for residential use since the 1940s -1950s.

Neighborhood Issues:
The Maeser Neighborhood chair did not feel a meeting was necessary. The City Council staff agreed to waiving the meeting if the item was posted on Open City Hall. Staff has received no comments on this proposal.

Summary of Key Issues:

- The applicant is requesting MDR zoning to facilitate the development of a 15-unit townhome complex.
- The proposed rezone appears to be in harmony with the Maeser Neighborhood chair, if the applicant can assure the City that the requested zoning will be used for single-family residential.

Staff Recommendation:
Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the RC Zone to MDR Zone, if the applicant can provide assure the requested zoning will be used for single-family residential.

BACKGROUND

The 0.82-acre subject property lies in the RC Zone in an area of mixed uses. There are many residents in the area, which appear to be single-family. There is attached housing just to the south of the subject property. A large apartment complex is under construction just to the northeast of the property. There are a few small businesses near the subject property. The property lies approximately one-half block north of the Provo City Cemetery. Two (2) dwellings and a detached garage lie on the subject land. The subject property has an abundance of open space that may be currently under-utilized.

There is quite a mix of zoning near the subject property. The land to the east and west is zoned RC. The land to the south, despite being used for attached dwellings, is zoned CG (General Commercial). The land to the north is zoned R1.6A (One-Family Residential w/ accessory unit option), CG, and HDR (High Density Residential). A manufacturing area lies a couple of blocks to the west of the property.

Natural hazards do not appear to be a readily apparent issue for the subject property. It does not lie in any areas of hazard concern.

GENERAL PLAN AND NEIGHBORHOOD PLAN POLICIES

The subject property lies in the Maeser Neighborhood, which is one of the Central Area Neighborhoods. Policy 1 of the Central Neighborhoods section of the General Plan states the following:

"Residents in the Central Residential Area strongly support establishing and encouraging healthy neighborhoods where residents and property owners live and invest their time, energy, and money because they are family friendly and because financial investment makes economic sense."

Rezoning the subject property to the MDR Zone would facilitate what staff believes would be a good redevelopment project for the area to promote and strengthen the health of the neighborhood, especially the immediate vicinity. This project, in addition to the apartment complex currently under construction, would help revitalize the area.

The Maeser Neighborhood Plan calls for single-family residential on the subject property. The Plan does not establish if there is a preference for detached or attached single-family residential. Attached single-family residential or townhomes are proposed by the applicant for the subject property, as shown on the associated concept plan. The zoning requested, however, could facilitate apartments and multi-family housing. Goal 2b of the Future Land Use section of the Maeser Neighborhood Plan states: "Consider zoning changes to the current zoning map when they reflect the desired uses on the future land use map." If more certainty can be achieved that the subject property will be developed for attached, single-family residential, the proposal appears to be in-line with the Maeser Neighborhood Plan land use designation noted above.

Findings of Fact. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is

consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (responses in bold)

(a) Public purpose for the amendment in question.

The proposal would provide additional housing opportunities in the Maeser Neighborhood and help revitalize a portion of it.

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

Additional one-family housing is needed in the City and this portion of the Maeser Neighborhood is in need of revitalization.

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

If more certainty can be achieved that only one-family residential development will be constructed on the property, it appears the requested rezone is in harmony the Maeser Neighborhood Plan. Staff sees no issues with harmony with the General Plan.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff is not aware of any timing or sequencing issues with this request.

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

See (c) above.

(f) Adverse impacts on adjacent landowners.

Staff sees this proposed rezone and concept plan as a great opportunity to revitalize the area around the subject property.

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

The General Plan and zoning have been verified for correctness.

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

The General Plan Map and Maeser Neighborhood Plan appear to support this proposal.

Conclusion. The proposed zone map amendment appears to be a benefit to the Maeser Neighborhood. Staff is aware of the proposed concept plan, however, more certainty that the requested zoning will be used for attached, one-family residential would help staff feel comfortable about the rezone request. If that certainty can be achieved, staff is supportive of this proposal.

ATTACHMENTS

1. Current Zoning

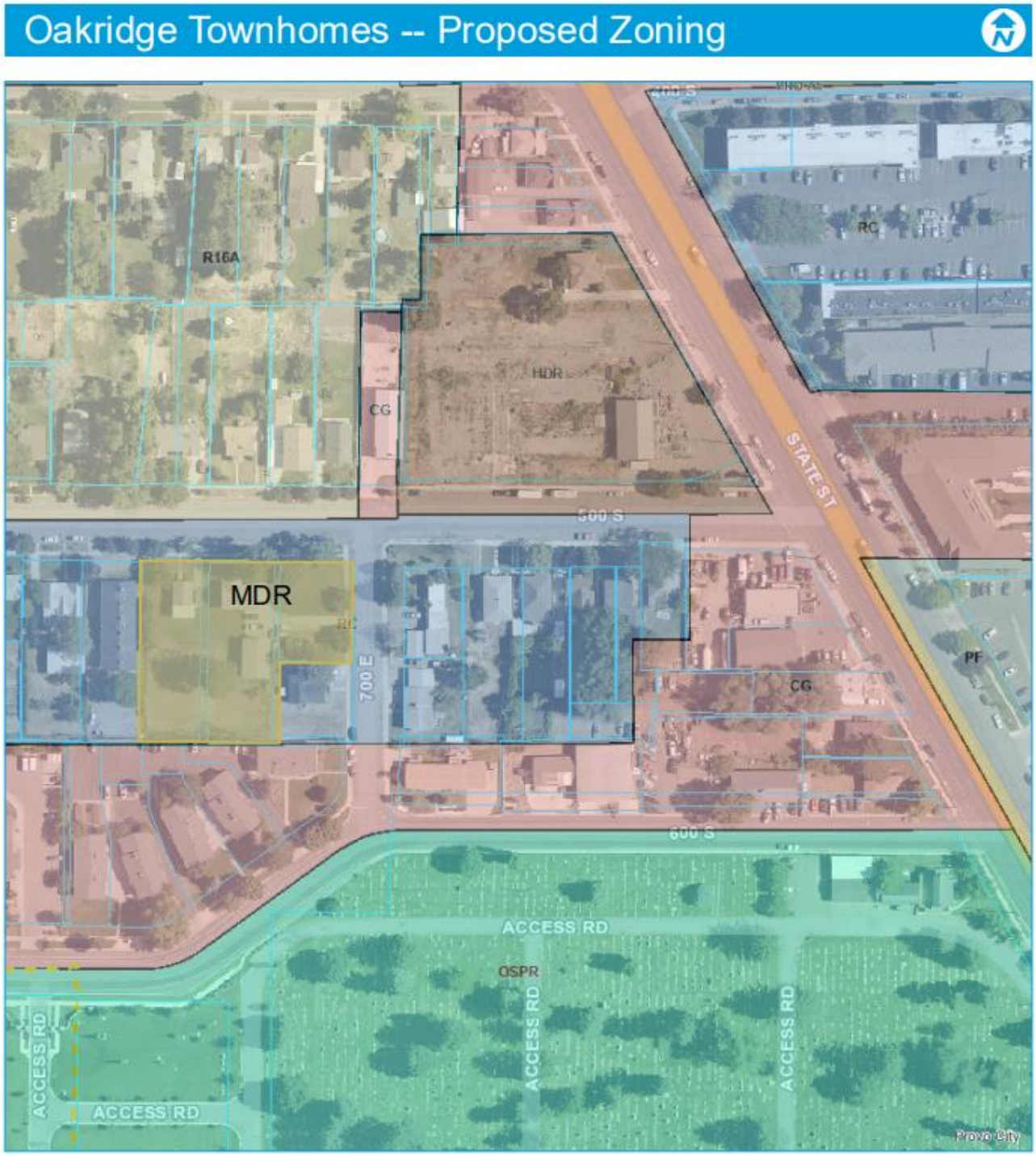
2. Proposed Zoning

3. Concept Plan

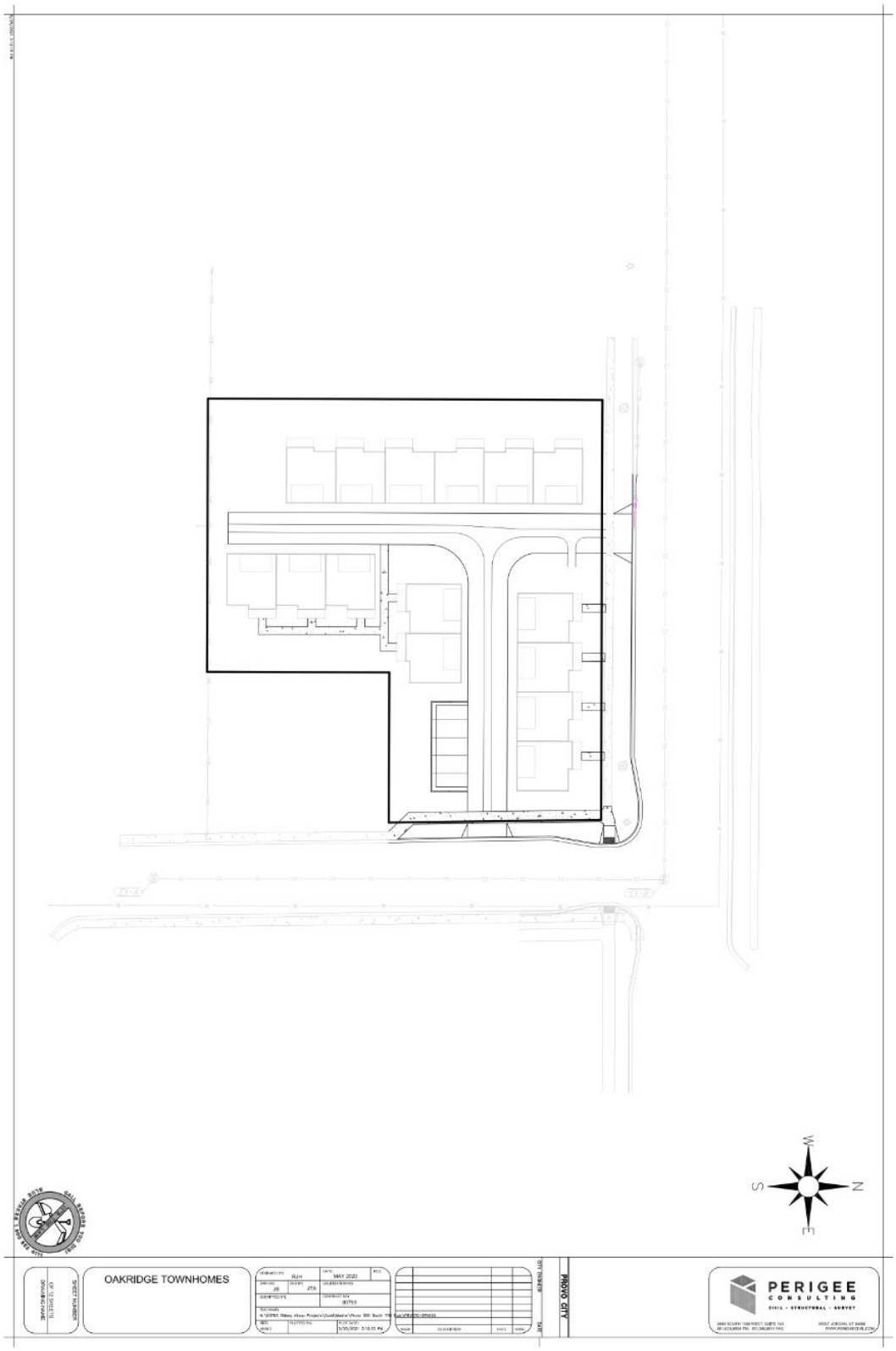
ATTACHMENT 1 – Current Zoning



ATTACHMENT 2 – Proposed Zoning



ATTACHMENT 3 – Concept Plan



ORDINANCE 2021-.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 0.80 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 690 E 500 S, FROM RESIDENTIAL CONSERVATION (RC) TO MEDIUM DENSITY RESIDENTIAL (MDR). MAESER NEIGHBORHOOD. (PLRZ20210086)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 0.80 acres of real property, generally located at 690 E 500 S, (an approximation of which is shown or described in Exhibit A and a more precise description of which will be attached hereto as Exhibit B after the Zone Map has been updated), be amended from Residential Conservation (RC) to Medium Density Residential (MDR); and

WHEREAS, on June 9, 2021, the Planning Commission held a duly noticed public hearing to consider the proposal, and after such hearing the Planning Commission recommended approval of the proposal to the Municipal Council by a 6:0 vote; and

WHEREAS, the Planning Commission's recommendation was based on the project design presented to the Commission; and

WHEREAS, on June 15, 2021, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo, Utah should be amended as described herein; and (ii) the proposed zone map classification amendment for the real property described herein reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The classification on the Zone Map of Provo, Utah is hereby amended from the Residential Conservation (RC) Zone to the Medium Density Residential (MDR) Zone for approximately 0.80 acres of real property generally located at 690 E 500 S, as described herein.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

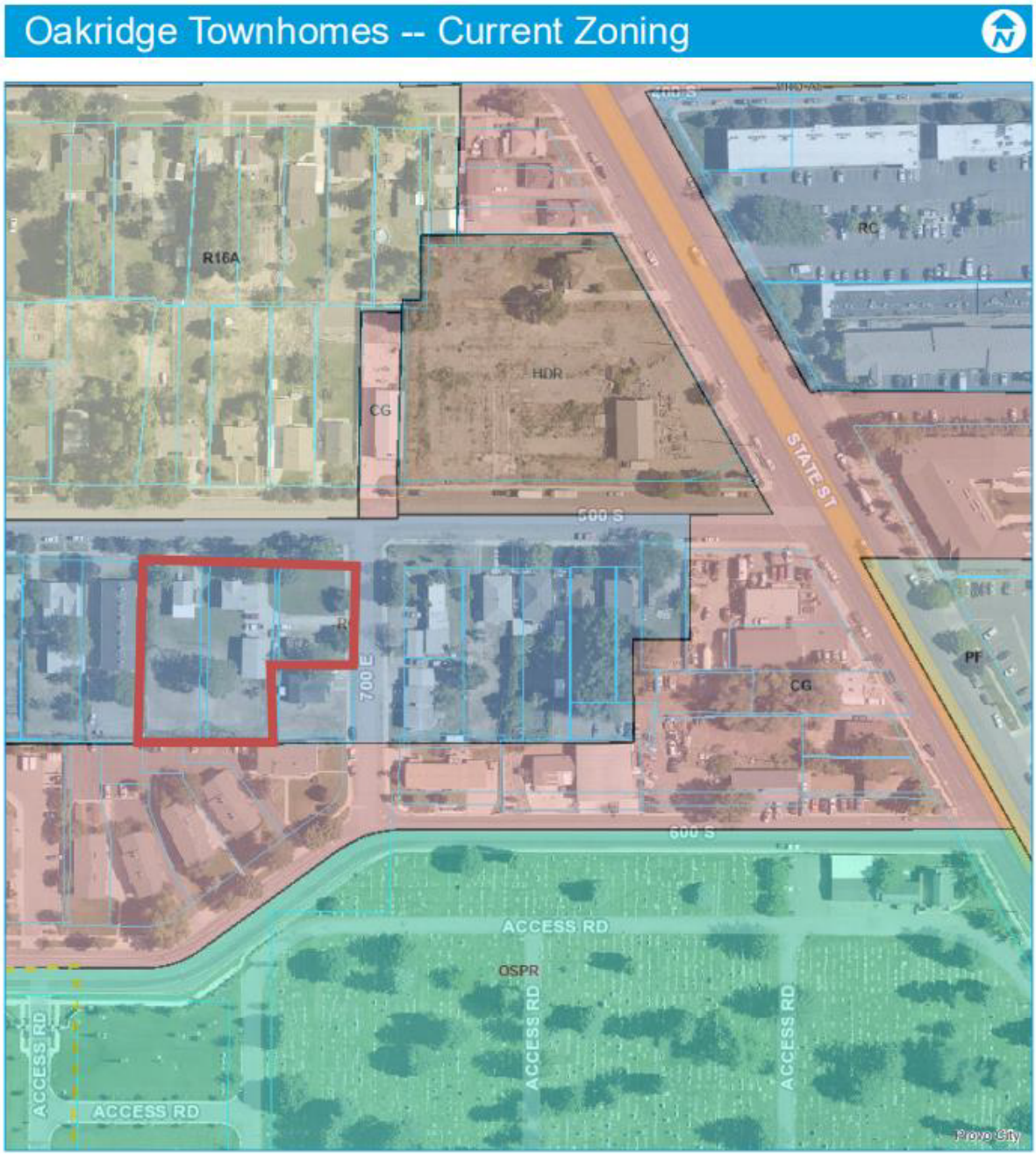
B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE

EXHIBIT A – ZONE MAP



PLRZ20210086 - Maeser Neighborhood comments

June 10, 2021, 1:38 PM

Contents

i.	Summary of registered statements	2
ii.	Individual registered statements	3

Topic Registration Type: Registration required

PLRZ20210086 - Maeser Neighborhood comments

Maeser Neighborhood - What do you think about the proposed zone change for the Oakridge Townhomes project?

Summary Of Registered Statements

Topic Registration Type: Registration required

As of June 10, 2021, 1:38 PM, this forum had:	
Attendees:	18
Registered Statements:	2
Minutes of Public Comment:	4

Topic Start

June 2, 2021, 5:59 PM

PLRZ20210086 - Maeser Neighborhood comments

Maeser Neighborhood - What do you think about the proposed zone change for the Oakridge Townhomes project?

Individual Registered Statements

Topic Registration Type: Registration required

Rodney Bills
¼ to ½ mile
June 2, 2021, 6:25 PM

I oppose this action. If changing a conservation zone becomes as simple as purchasing a property and applying for a zoning change then the hard work of creating zoning laws and the sought after protections that they were Meant to provide become meaningless. This one changes and then the property next to it and so on until it all becomes apartments and townhomes

1 Supporter

Diana Larson
more than 2 miles
June 3, 2021, 7:50 PM

Provo should take a good look at Oakley, Utah. which has STOPPED development due to the severe drought. The building in Provo is almost at a frenzy, with lots being filled and filled and filled by the same developers. At the state level, complaints against developers of these new projects and homes has increased 300%. This is appalling. Protect our resources. Protect the land and water for mine and your children and grandchildren. Provo will soon be engaged in the severe drought and increase fires in the area. The water aquifer for the State of Utah is dropping faster than projected. Protect our delicate resources. Provo does not need more population, but a secure population. Taxes rise and resources lower with a high population. Quality over quantity.

1 Supporter

Provo City Planning Commission

Report of Action

June 9, 2021

*ITEM 4 Sidney Allsop requests a Zone Change for approximately .80 acres from Residential Conservation (RC) to Medium Density Residential (MDR) for a townhome development, located at 690 E 500 S. Maeser Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20210086

The following action was taken by the Planning Commission on the above-described item at its regular meeting of June 9, 2021:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Laurie Urquiaga
Second By: Robert Knudsen
Votes in Favor of Motion: Ally Jones, Laurie Urquiaga, Dave Anderson, Daniel Gonzales, Lisa Jensen, and Robert Knudsen

Dave Anderson was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED
The property to be rezoned to the Medium Density Residential Zone (MDR) is described in the attached Exhibit A.

RELATED ACTIONS
The Planning Commission also approved the related Concept Plan, Item 3, at the June 9, 2021 hearing.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES
- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE
- A neighborhood meeting was waived by the Neighborhood Chair.

NEIGHBORHOOD AND PUBLIC COMMENT
- The Maeser Neighborhood Chair was not present for the meeting.
- Staff read or summarized comments from the following members of the Public:
    - Diana Larson is concerned about the amount of development occurring in the city, the ongoing drought, and depletion of resources and asked the City to be judicious in their decisions.

- Rodney Bills is opposed to the development. Mr. Bills made the following statement: "If changing a conservation zone becomes as simple as purchasing a property and applying for a zoning change then the hard work of creating zoning laws and the sought-after protections that they were meant to provide become meaningless."
- Kathleen and Paul Damron are concerned whether the proposed development would raise property taxes. They also questioned whether the development would increase the need for police patrols and impact local schools.

APPLICANT RESPONSE

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

- Mr. Sid Allsop stated the developer would be happy to enter into a development agreement with the City, so that the developer obtains desired development rights and to ensure the property is used for single-family residential use. He said what you see on the concept plan is essentially what will be developed on the subject property. The developer is willing to comply with design standards.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lisa Jensen believes the requested use is compatible with existing residences in the area. She believes the proposal could help facilitate an owner-occupied development to support existing, owner-occupied units near the subject property.
- Commissioner Lisa Jensen believes the proposed development is a good buffer use (it buffers single-family residences to the north from attached residences to the south).
- Commissioner Laurie Urquiaga made the following motion: Recommendation of approval of the proposed zone map amendment with a condition that the applicant enter into a development agreement to develop the attached, single-family residential development shown in the proposed, approved concept plan. The motion passed, 6-0.



Planning Commission Chair



Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF 500 SOUTH, SAID POINT BEING SOUTH 89°48'08" EAST 346.329' FROM NORTHEAST CORNER OF BLOCK 1, PLAT "C", PROVO CITY SURVEY OF BUILDING LOTS, SAID POINT ALSO BEING NORTH 811.785' AND WEST 147.442' FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 07, TOWNSHIP 7 SOUTH, RANGE 3 EAST SLB&M; AND RUNNING THENCE SOUTH 89°48'08" EAST 212.800 FEET; THENCE SOUTH 00°44'43" EAST 107.588 FEET; THENCE NORTH 89°46'57" WEST 76.108 FEET; THENCE SOUTH 00°13'03" WEST 92.480 FEET; THENCE NORTH 89°46'57" WEST 138.500 FEET; THENCE NORTH 00°13'03" EAST 199.980 FEET TO THE POINT OF BEGINNING.

PROPERTY CONTAINS 0.822 ACRES, 35,790 SQUARE FEET.

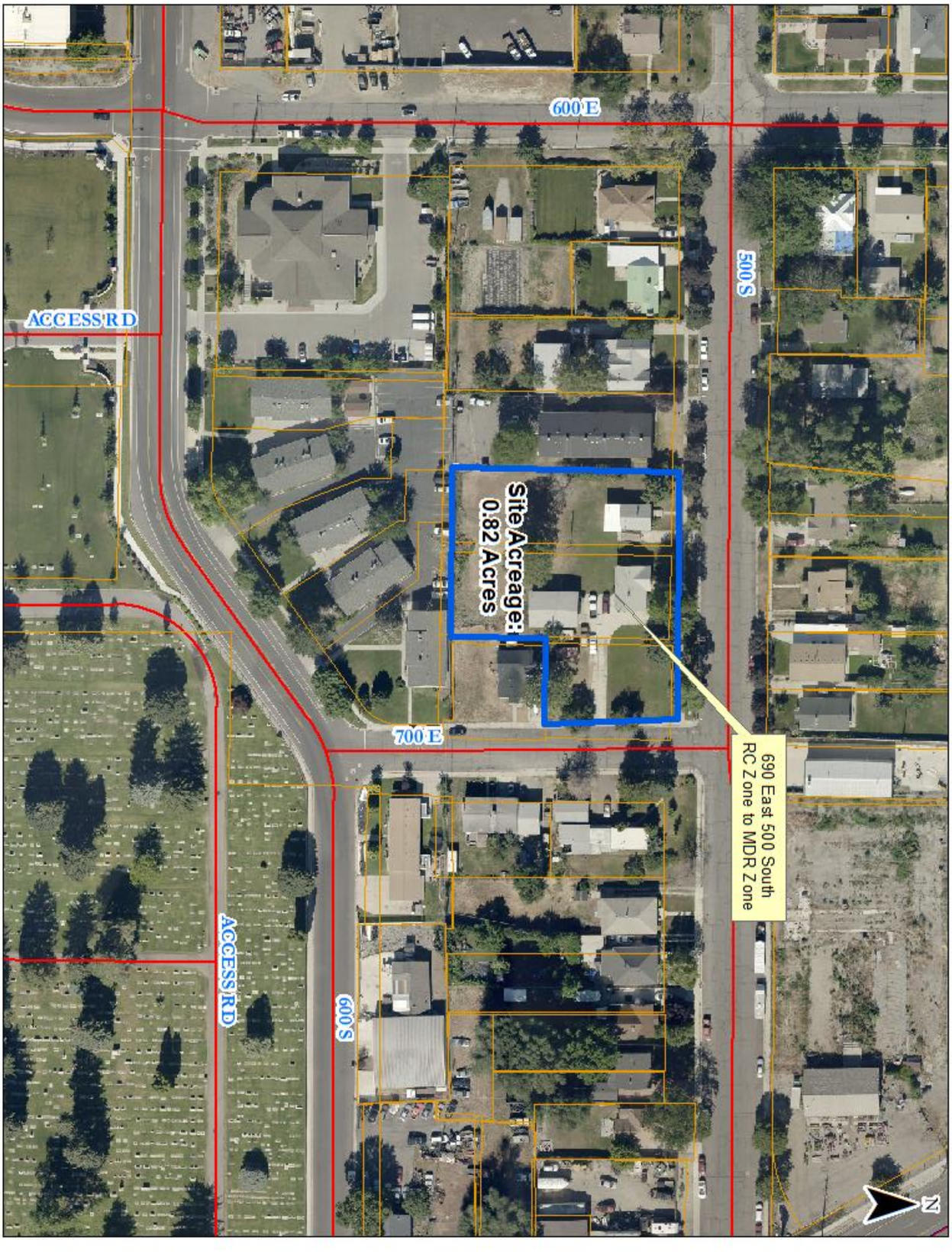
ITEM 4*

Sidney Allsop requests a Zone Change for approximately .80 acres from Residential Conservation (RC) to Medium Density Residential (MDR) for a townhome development, located at 690 E 500 S.

Maesar Neighborhood

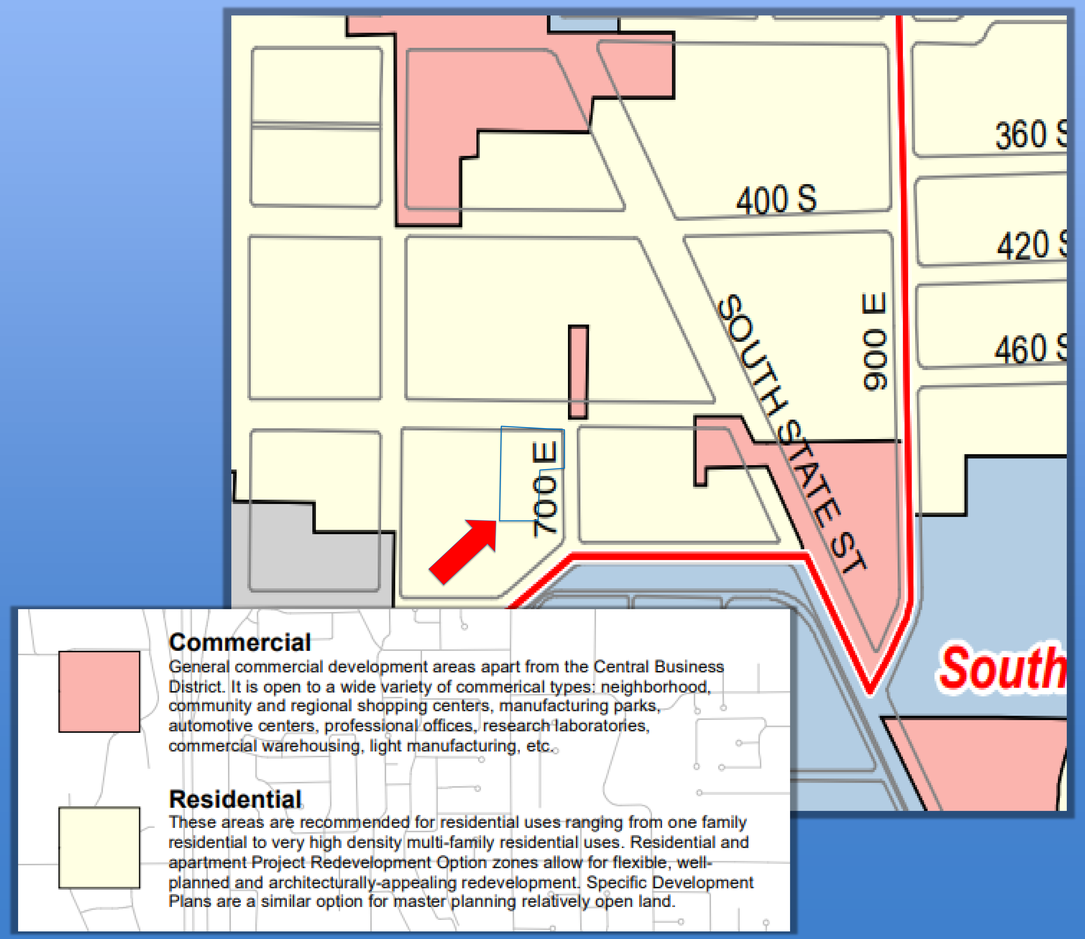
PLRZ20210086

Vicinity Map

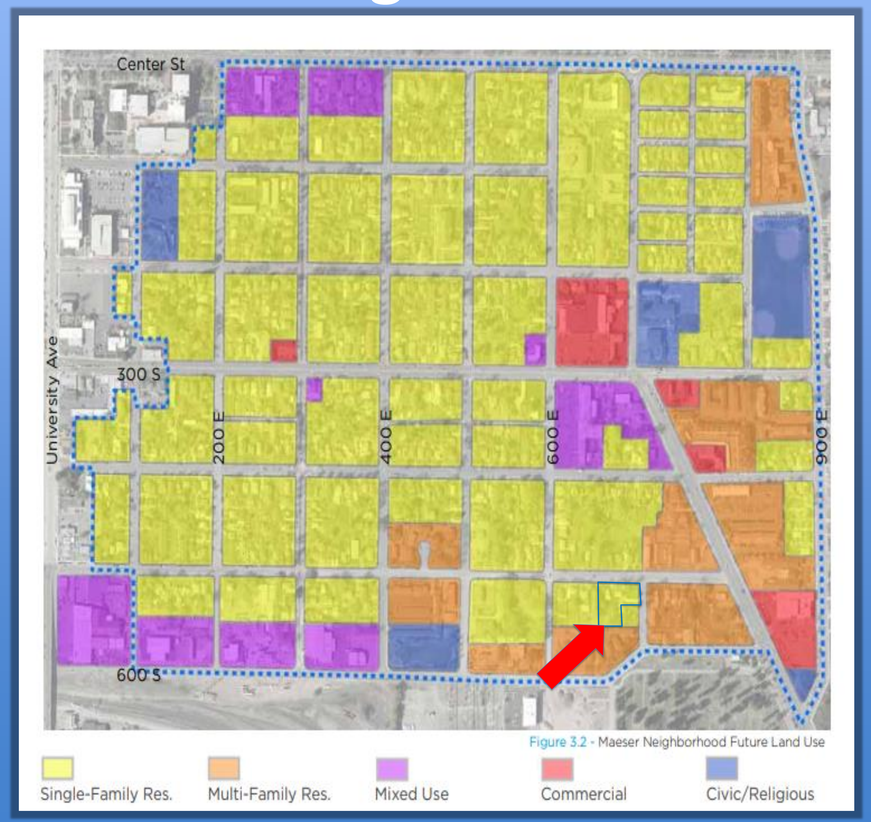


Land Use Maps

General Plan Map

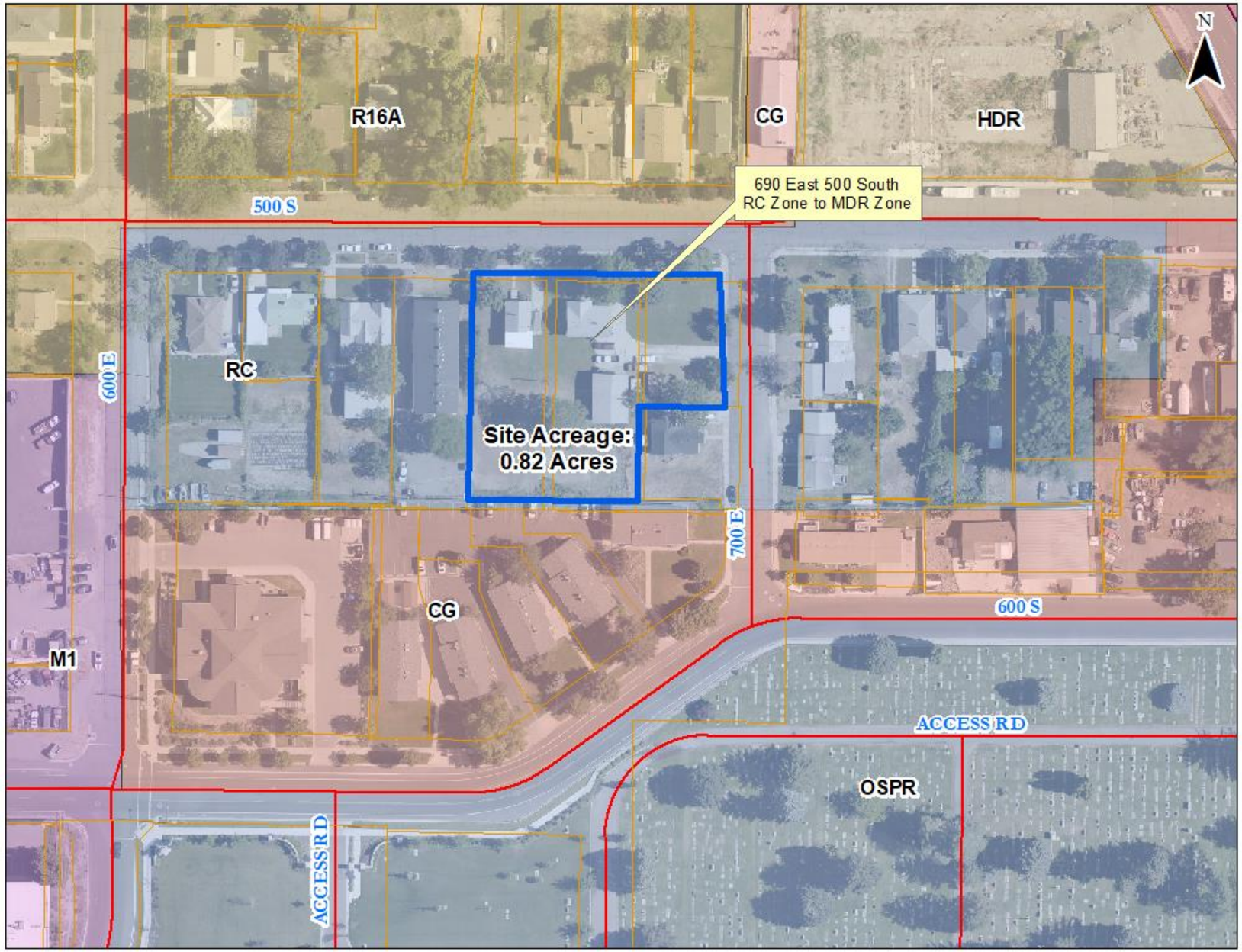


Maeser Neighborhood Plan



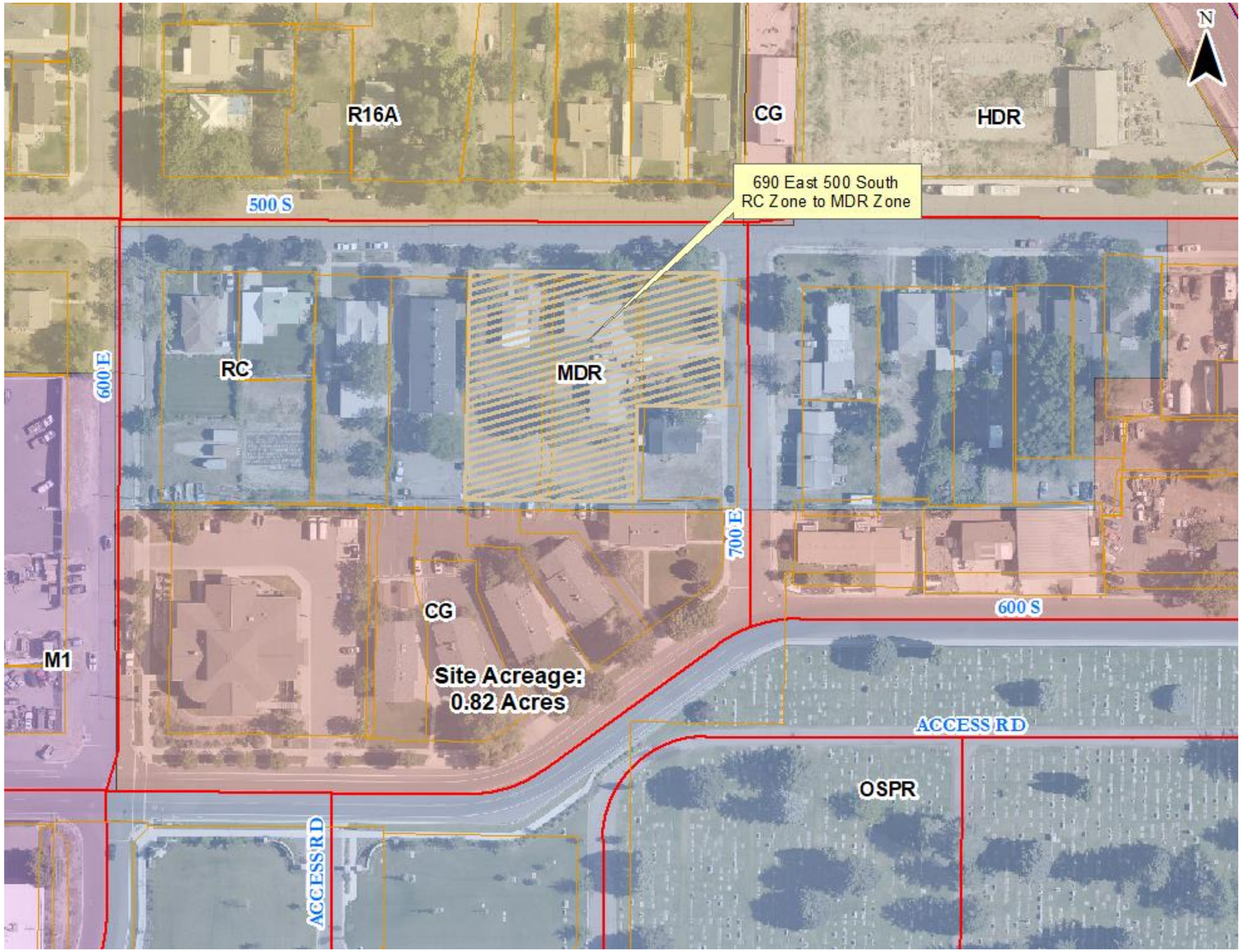
Current Zoning and Land Use Designations

- Current Zoning:
  - **RC (Residential Conservation)**
- General Plan Land Use Designation
  - **Residential**
- Maeser Neighborhood Plan:
  - **Single-Family Residential**



Proposed Zoning

- RC (Residential Conservation) zoning for approx. 0.82 acres



Concept Plan

- 15 Townhomes

- Net density: approx. 23 units per acre
- Gross density: approx. 18 units per acre
- Max gross density in the MDR Zone is 30 units per acre

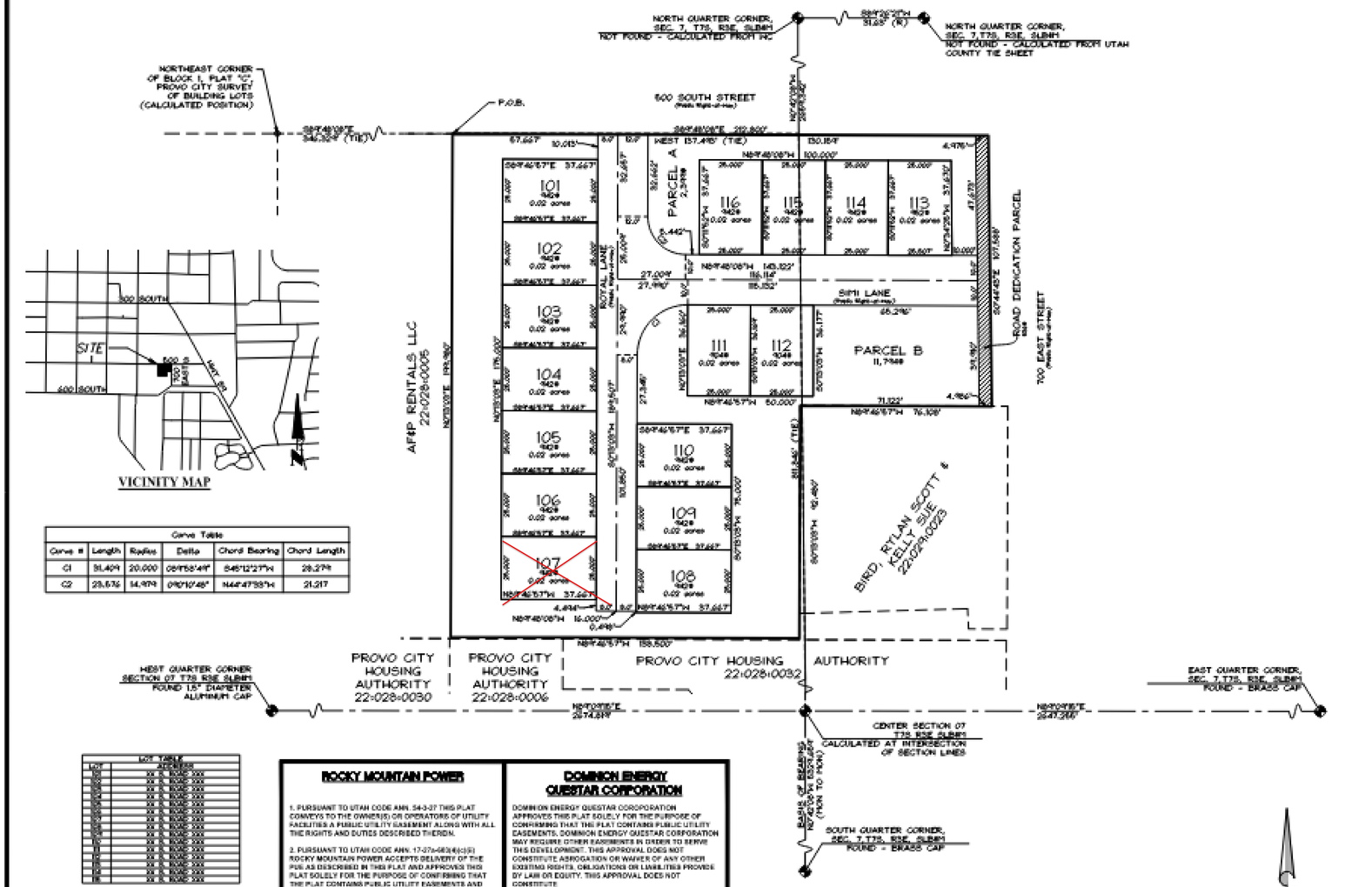
- 35 parking spaces proposed
- 34 parking spaces are required

- Lot coverage is less than 42%
- Lot coverage max in MDR Zone is 50%



OAKRIDGE TOWNHOMES

LOCATED IN A PORTION OF THE NORTH HALF OF SECTION 7,
TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN
CITY OF PROVO, UTAH COUNTY, UTAH



VICINITY MAP

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	31.404'	20.000'	090°00'49"	S45°12'27"W	28.274'
C2	23.676'	54.979'	049°24'46"	N44°47'33"W	21.217'

LOT TABLE	
LOT	AREA (SQ. FT. & ROUND)
101	XX SF, ROUND XXXX
102	XX SF, ROUND XXXX
103	XX SF, ROUND XXXX
104	XX SF, ROUND XXXX
105	XX SF, ROUND XXXX
106	XX SF, ROUND XXXX
107	XX SF, ROUND XXXX
108	XX SF, ROUND XXXX
109	XX SF, ROUND XXXX
110	XX SF, ROUND XXXX
111	XX SF, ROUND XXXX
112	XX SF, ROUND XXXX
113	XX SF, ROUND XXXX
114	XX SF, ROUND XXXX
115	XX SF, ROUND XXXX
116	XX SF, ROUND XXXX

OWNER/DEVELOPER

Russell Major Properties

PERIGEE CONSULTING
CIVIL • HYDROLOGICAL • SURVEY
3302 SOUTH 1320 WEST, SUITE 100, WEST JORDAN, UT 84088
801.634.0004 TEL 801.900.6411 FAX WWW.PERIGEECONSULTING.COM

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

a. A RECORDED EASEMENT OR RIGHT-OF-WAY
b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
c. TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
d. ANY OTHER PROVISION OF LAW

APPROVED THIS _____ DAY OF _____, 20__

ROCKY MOUNTAIN POWER

DOMINION ENERGY QUESTAR CORPORATION

DOMINION ENERGY QUESTAR CORPORATION APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY QUESTAR CORPORATION MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY QUESTAR CORPORATION'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

APPROVED THIS _____ DAY OF _____, 20__

BY _____

TITLE _____

DOMINION ENERGY QUESTAR CORP.

LEGEND

- FOUND UTAH COUNTY SECTION CORNER
- BLOCK CORNER
- PROPOSED STREET LIGHT
- PROPOSED FIRE HYDRANT

GRAPHIC SCALE

0 10 20 30
(IN FEET)
1 Inch = 20 ft.

BOUNDARY DESCRIPTION

A parcel of land situated in the Northeast Quarter of Section 26, Township 6 South, Range 1 West, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF 600 SOUTH, SAID POINT BEING SOUTH 89°45'08" EAST 348.329' FROM NORTHEAST CORNER OF BLOCK 1, PLAT "C", PROVO CITY SURVEY OF BUILDING LOTS, SAID POINT ALSO BEING NORTH 0°14'20" WEST 611.849' AND WEST 131.492' FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 07, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SLBMH, AND RUNNING THENCE SOUTH 89°39'08" EAST 212.660 FEET; THENCE SOUTH 0°34'43" EAST 197.508 FEET; THENCE NORTH 89°45'57" WEST 15.938 FEET; THENCE SOUTH 0°13'03" WEST 56.499 FEET; THENCE NORTH 89°46'57" WEST 136.580 FEET; THENCE NORTH 00°13'03" EAST 198.868 FEET TO THE POINT OF BEGINNING.

PROPERTY CONTAINS 0.932 ACRES, 38,790 SQUARE FEET.

Acres: 0.932 ACRES
Square Footage: 38,790 SQUARE FEET
# of Lots: 16
# of Parcels: 2

SURVEYOR'S CERTIFICATE

I, Eric D. Robins do hereby certify that I am a Professional Land Surveyor, and that I hold a license, certificate No. 5152571, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that by the authority of the owners, I have made a survey of the tract of land shown on this plat and described below, have subdivided said tract of land into lots, streets, and easements, have completed a survey of the property described on this plat in accordance with Utah Code Section 17-23-17, have verified all measurements, and have placed monuments as represented on the plat. I further certify that every known existing right-of-way and easement grant of record for underground facilities, as defined in Utah Code Section 54-8a-2, and for other utility facilities, is accurately described on this plat and that this plat is true and correct to the best of my knowledge. I also certify that I have filed or will file within 90 days of the recordation of this plat, a map of the survey I have completed with the Utah County Surveyor.

OWNER'S DEDICATION

Know all men by these presents that the undersigned owner(s) of the above described tract of land have caused the same to be subdivided into lots, parcels, and streets, together with easements and rights-of-way, to be hereafter known as:

OAKRIDGE TOWNHOMES

and do hereby dedicate for the perpetual use of the public and City all parcels, lots, streets, easements, rights-of-way, and public amenities shown on this plat as intended for public or City use and pursuant to Utah Code 10-9A-604(D), the owner hereby conveys the common area, as shown indicated hereon, ???????. The owner(s) and all agents, successors, and assigns, voluntarily defend, indemnify, and save harmless the City against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and
The owner(s) and all agents, successors, and assigns voluntarily defend, indemnify, and hol
any claim arising from the owner's creation of this subdivision, the alteration of the ground su
drainage, or surface or sub-surface water flows within this subdivision, and the development activity within this subdivision by the owners and all agents, successors, and assigns.
In witness whereof ___ have hereunto set ___ this _____ day of _____ A.D. 20___

Signature Print Name Title & Entity

Signature Print Name Title & Entity

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH) S.S.
County of Utah)

On this day of ___ 20___ personally appeared before me , who being by me _____ duly sworn, did aknow to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed this plat with full authority of the owner(s).

I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public Full Name: _____

Commission Number: _____

My commission expires: _____

A Notary Public Commissioned in Utah

COMMUNITY DEVELOPMENT DIRECTOR APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 2021.

_____
DIRECTOR

OAKRIDGE TOWNHOMES

SUBDIVISION

LOCATED IN A PORTION OF THE NORTH HALF OF SECTION 7,
TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN
CITY OF PROVO, UTAH COUNTY, UTAH

SHEET 1 OF 2

SURVEYORS SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL
ERIC D. ROBINS No. 5152571 STATE OF UTAH		

OAKRIDE TOWNHOMES CONCEPTUAL ELEVATIONS

REAR LOADED CONCEPT







HILLWOOD HOMES

HILLWOOD HOMES UT
HEBER CITY, UT 84032
(801) 895-7066

RE ADVISED:
THESE PLANS MAY NOT BE USED FOR THE CONSTRUCTION OF ANY BUILDING EXCEPT THE ONE FOR WHICH THESE PLANS WERE ORIGINALLY ISSUED. SUCH USE WILL INDICATE AN UNAUTHORIZED USE OF COPYRIGHTED MATERIAL

© ALL RIGHTS RESERVED

Project Details:
OAKRIDGE TOWN HOMES PROVO UT
Parcel ID:
OWNER:

APPROVED PLAN

Drawings Produced By:
Sawtelle Home Design

Engineered By:
York Engineering

Original Release:
May 27, 2021

Revision Dates:
XX/XX/XXXX
XX/XX/XXXX
XX/XX/XXXX

BUILDER:
HILLWOOD

PLAN NAME:

SCALE:
24X36 - 1/4" = 1 FT

SHEET NAME:
ROOF FRAMING

S2.1

THESE DRAWINGS ARE THE PROPRIETY WORK PRODUCT AND PROPERTY OF HILLWOOD HOMES UTAH LLC FOR THE EXCLUSIVE USE OF HILLWOOD HOMES UTAH LLC. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT WRITTEN PERMISSION FROM HILLWOOD HOMES UTAH LLC IS PROHIBITED.

OAKRIDE TOWNHOMES CONCEPTUAL ELEVATIONS

FRONT LOADED CONCEPT







HILLWOOD HOMES

HILLWOOD HOMES UT
HEBER CITY, UT 84032
(801) 335-7066

RE-NOTICE:
THESE PLANS MAY NOT BE USED FOR THE CONSTRUCTION OF ANY BUILDING EXCEPT THE ONE FOR WHICH THESE PLANS WERE ORIGINALLY ISSUED. SUCH USE WILL INDICATE AN UNAUTHORIZED USE OF COPYRIGHTED MATERIAL

© ALL RIGHTS RESERVED

Project Data/Address:
OAKRIDGE TOWN HOMES PROVO UT

Parcel ID:

OWNER:

APPROVED PLAN

Drawings Produced By:
Sawtelle Home Design

Engineered By:
York Engineering

Original Release:
May 27, 2021

Revision Dates:
XX/XX/XXXX
XX/XX/XXXX
XX/XX/XXXX

BUILDER:
HILLWOOD

PLAN NAME:

SCALE:
24X36 - 1/4" = 1 FT

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Floor Plan


MAIN LEVEL
195 SQ. FT.
GARAGE
STORAGE
MECH
MUD ROOM
PORCH
SECOND LEVEL
721 SQ. FT.
DINETTE
LIVING ROOM
KITCHEN
PANTRY
1/2 BATH
THIRD LEVEL
771 SQ. FT.
BEDROOM
BEDROOM
OWNER'S BATH
BATH
LAUNDRY
OWNER'S SUITE
WIC

From: Kathleen Damron
Sent: Tuesday, June 8, 2021 11:34 AM
To: Brandon Larsen
Subject: Provo City Planning Commission Hearing Wed., June 9, 2021

Dear Mr. Larsen,

As per our phone conversation this morning about Items 3 & 4 on the the agenda for the Provo Planning Commission Hearing on Wednesday, June 9, 2021, I am expressing some concerns, as follows:
1) Increasing the population density by changing the zoning classification from Residential Conservation (RC) to Medium Density Residential (MDR) raises questions about the sustainability of *existing infrastructure and services*. Will this result in increasing the **taxes** on adjacent properties?
2) If this proposal is approved and goes forward, will this increase the need for *police patrols and services.* Especially concerning is the possibility that this will not become a hotbed of ethnic and indigent strife--much like one hears occurring in West Valley City.
3) In very large cities such as London, U.K., "large green space" is provided for the public to recreate, compete in sports, etc. I believe this may be in an effort to allow diversion from day to day stress. What *"green space"* is available to meet these needs if this proposal goes forward?
4) What will be the impact on *schools* if the changes occur?

Thank you kindly for addressing these questions. I am sincerely grateful for your service to the residents and property owners in Provo City.

Very truly yours,

Kathleen & Paul Damron

PROVO MUNICIPAL COUNCIL STAFF REPORT

Submitter: NLA
Department: Development Services
Requested Meeting Date: 06-15-2021

SUBJECT: An ordinance amending the Zone Map classification of approximately 23.5 acres of real property, generally located at 200 N Lakeshore Drive, from Agricultural (A1.10) and (A1.5) to Residential (R1.8) and Residential Agricultural (RA) Zone. Fort Utah Neighborhood. (PLRZ20210049)

RECOMMENDATION: This item was heard at the June 9, 2021 Planning Commission and was reccomended for approval 5:0 Please see supporting documents.

BACKGROUND: The applicant proposes R1.8 zoning for the 23+ acre subject property to develop 69 single-family lots (one lot is proposed to be zoned RA or Residential Agricultural) near 200 N and Lakeshore Drive. The subject land has historically been used for agricultural use. The subject property is bounded on the north by the Provo River and on the south and east by residential development. Agricultural land and the Provo River lie to the west of the property. A park is proposed for land north of the development and west of Lakeshore Dr. West, beyond the Provo River, the land lies in unincorporated Utah County. Land lying west and south of the proposed rezone area has agricultural and residential agricultural zoning. The vast majority of land lying east and northeast of the subject land has single-family residential zoning (R1.8 and R1.10). The land lying directly north of the property has agricultural zoning.

FISCAL IMPACT:

PRESENTER'S NAME: Brandon Larsen, Planner

REQUESTED DURATION OF PRESENTATION: 10 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: PLRZ20210049

DEVELOPMENT SERVICES

Planning Commission Staff Report Hearing Date: June 9, 2021

ITEM # 6* Jason Bennett requests a Zone Change from A1.10 and A1.5 to R1.8 for 68 single-family lots, and from A1.5 and A1.10 to the RA Zone for 1 lot, located at approximately 200 N Lakeshore Drive. Fort Utah Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20210049

Applicant: Jason Bennett

Staff Coordinator: Brandon Larsen

Property Owner: Forward Development Group, LLC, et al.

Parcel ID#: 21:0290063, 210290078, 210290063, 210290080, 210220176, 210220182, 210220168, 210220154, and 210220155

General Plan Designation &Southwest Area Future Land Use Designation: Residential

Current Zoning: A1.10 and A1.5 (Agricultural Zones)

Proposed Zoning: R1.8 (Single-Family Residential Zone for 68 lots) and RA (Residential Agricultural for one lot)

Acreage: Approximately 23.5

Number of Properties: 10

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 23, 2021, 6:00 P.M.*

2. **Recommend Denial** of the proposed zone map amendment. *This action would not be consistent with the recommendations in the Staff Report. The Planning Commission should state new findings, if they act to recommend denial.*

Current Legal Use:
Agricultural land

Relevant History:
The historic use of the subject property is agriculture. The property has been sold for development purposes.

Neighborhood Issues:
Two (2) neighborhood (Fort Utah) meetings were held (one on May 6, 2021, and the other March 25, 2021). Strong neighborhood support for the proposed rezone and originally proposed development, consisting exclusively of single-family lots, were expressed at both meetings. At the May 6, 2021, neighborhood meeting, the developer presented two (2) additional development concept plans. One of the additional plans called for a mix of single-family lots and townhomes. The other additional plan was mainly single-family lots with a small number of multiple-family mansion homes interspersed through the development.

Summary of Key Issues:

- The proposal could facilitate the development of many detached, single-family dwellings on the westside of the City.
- The proposal is in harmony with the General Plan Map and Southwest Future Land Use Map land use designations. It closely aligns with the Westside Development Policies.

Staff Recommendation:
Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the A1.5 and A1.10 Zones to the R1.8 Zone for 68-single-family lots, and the RA Zone for one (1) single-family lot.

OVERVIEW

The applicant proposes R1.8 zoning for the 23+ acre subject property to develop 69 single-family lots (one lot is proposed to be zoned RA or Residential Agricultural) near 200 N and Lakeshore Drive. The subject land has historically been used for agricultural use. The subject property is bounded on the north by the Provo River and on the south and east by residential development. Agricultural land and the Provo River lie to the west of the property. A park is proposed for land north of the development and west of Lakeshore Dr. West, beyond the Provo River, the land lies in unincorporated Utah County.

Land lying west and south of the proposed rezone area has agricultural and residential agricultural zoning. The vast majority of land lying east and northeast of the subject land has single-family residential zoning (R1.8 and R1.10). The land lying directly north of the property has agricultural zoning.

The subject property lies in a highwater table area, and a small portion of the land (lying near the Provo River) appears to lie in the one-hundred-year floodplain.

The application would like to establish 69 single-family dwelling sites on the land. These lots range in size from approximately 8300 SF to an acre.

GENERAL PLAN POLICIES

The subject property has a Residential land use designation both on the General Plan Map and the Southwest Area Future Land Use Map. The General Plan Map does not prescribe a specific type of residential use, nor does it prescribe a certain density. The Southwest Area Future Land Use Map appears to call for R1 zoning developed on a net density basis. Policy 3f of the Southwest Area Guiding Principles, Policies and Goals states: “The overall density of the area should average four units to the acre.” Taking this General Plan policy in concert with the previously mentioned Southwest Area Future Land Use policy, it appears development on the property should occur at a net density of four (4) units per acre.

Again, the applicant is asking for the R1.8 Zone to develop 68 single-family lots and the RA Zone for one (1) lot. The net density of his conceptual development is 3.72 lots per acre. The applicant’s zoning request appears to be in harmony with the policies and land use designations noted above.

Staff also notes Policy 6a of the General Plan, which states: “The full block should be considered when rezoning away from agricultural uses.” This proposal calls for rezoning this property from agricultural use to single-family use. The associated concept plan appears to consider all of the land along Lakeshore Drive, except the proposed park—from Provo River on the north to the adjacent subdivision on the south—and all the land from Provo River (and the future section of Lakeview Parkway) on the west to the single-family development to the east. So, it appears this rezoning would be in harmony with the policy to consider the whole block with agricultural rezones.

Westside Development Policies were recommended by the Westside Planning Committee in February 2017. These policies have been adopted by the City Council and included in Section 1.2.9 of the General Plan. The purpose of these policies is to “promote a smart, sustainable, vibrant community…while respecting Provo’s agricultural heritage.” Staff would like to briefly highlight a few of these policies and consider them in relation to the proposal.

- Policy 1: *"Preserve Provo's agricultural heritage and support agriculture for as long as farmers choose to farm:"*
    - The former property owner(s) appeared to hold the land for decades utilizing it for agricultural use. However, it was recently sold for development purposes.
- Sub-policy 2b: *"Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands."*
    - The applicant has submitted a conceptual development proposal in connection with his rezone application. This conceptual development does appear to include a couple of connections through the development to Provo River, but no trail dedication appears to be proposed. The Provo Parks and Recreation Department (P&R) recently expressed a desire for a trail dedication to not be required, by the City, for a property, along the Provo River, and about 800 feet southwest of the subject property. P&R raised entanglements with the Provo River Delta restoration project, and questions about the governmental entity responsible for trail maintenance along certain portions of the Provo River Trail, as reasons for encouraging the City to not accept a recent proposed trail dedication.
- Sub-policy 3a: *"Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life."*
    - The associated concept plan includes a mix of lot sizes. No lot is smaller than approximately 8300 SF. Also, the conceptual single-family development does not propose a mix of housing types. Staff notes this sub-policy does not state that every development should have a mix of housing type; the policy is quiet on an area of application for this policy, other than it being applicable to the Southwest Area Neighborhoods. Fort Utah Neighborhood Chair, Jonathon Hill, has explained in public meetings that his neighborhood is planned to have a mix of housing types and uses. Staff notes the existing and proposed MDR zoning and mixed uses proposed near the I-15 and the intersection of Geneva Road and Center Street. Further, the Fort Utah Neighborhood has been very vocal about their desire for a single-family development on the subject property.
- Sub-policy 3b: *"Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area."*
    - The proposed concept plan includes detached single-family homes exclusively. The applicant did prepare an alternative plan that included a small number of mansion home (multi-family dwelling units) interspersed through the conceptual development. The neighborhood was not supportive, but it offered a mix of housing, while seemingly not detracting from the single-family feel of the area. This alternative may be worth more consideration, but, again, staff does not see a policy that requires separate developments to contain mixed housing types.
- Sub-policy 6d: *"Development may be limited or deferred depending on the availability of adequate municipal infrastructure (such as sewer, storm drainage, water, etc.)."*
    - Sewer infrastructure is limited in this area of the City. The applicant's conceptual development includes a phasing plan, which divides the development into three (3) phases. The phases appear to be in-line with the provision in Subsection 15.03.105(1)(d), Provo City Code, that restricts sewer connections to no more than

40 for new developments west of 1-15, and other certain areas of the City (phased developments may be allocated additional connections).

Staff believes the proposed rezone is in harmony with the General Plan Map and Southwest Future Land Use Map land use designations. Landowners that conducted agricultural uses on the subject property have chosen to no longer engage in those uses and sell the land. The associated concept plan proposes a detached, single-family development and no other housing types. Again, the policy calls for a mix of housing types, but it is silent on the area where the mix should occur. We do know the policy is applicable to the southwest neighborhoods. An alternative plan exists that may more closely line-up with the Westside Development Policies, but this plan is not supported by the neighborhood. The neighborhood desires a detached, single-family development for the subject property.

Concept plans are conceptual and can change at the development application stage. Zone designations are only changed by the City Council. Staff believes careful consideration should be given to the question: Does the proposed zone designation make sense for the subject property and is the designation in harmony with adopted policies of the City?

FINDINGS OF FACT

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (responses in bold)

(a) Public purpose for the amendment in question.

The public purpose is providing additional zoning to facilitate additional detached, single-family dwellings.

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

Provo City has approved hundreds of apartments and townhomes, but the number of detached, single-family developments have been small in comparison. There is a great need for additional detached, single-family homes.

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

This proposed zoning designation is in harmony with the General Plan Map and the Southwest Future Land Use Map. The Westside Development Policies call for a mix of housing types, but the document does not establish the area that must have a mix. Further,

there is no ordinance that requires a mix of housing types. The associated concept plan does not include a mix of housing types.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff is not aware of a timing and sequencing issue with the proposed zone amendment. Availability of sewer will impact future development on this property.

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

This proposal appears to be in harmony with the General Plan Map and the Southwest Future Land Use Map. While not providing a mix of housing types, it closely aligns with the Westside Development Policies.

(f) Adverse impacts on adjacent landowners.

This proposal will contribute to the further decline of agricultural production in the area.

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

The General Plan and zoning have been verified for correctness.

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

The General Plan Map and policies appear to substantially support this proposal.

STAFF ANALYSIS and CONCLUSION

The proposed rezone is in harmony with the General Plan Map and Southwest Future Land Use Map land use designations. It closely aligns with the Westside Development Policies. The proposal will help facilitate the construction of a housing type that has seen limited growth in the City for many years. There is a great demand for detached, one-family dwellings.

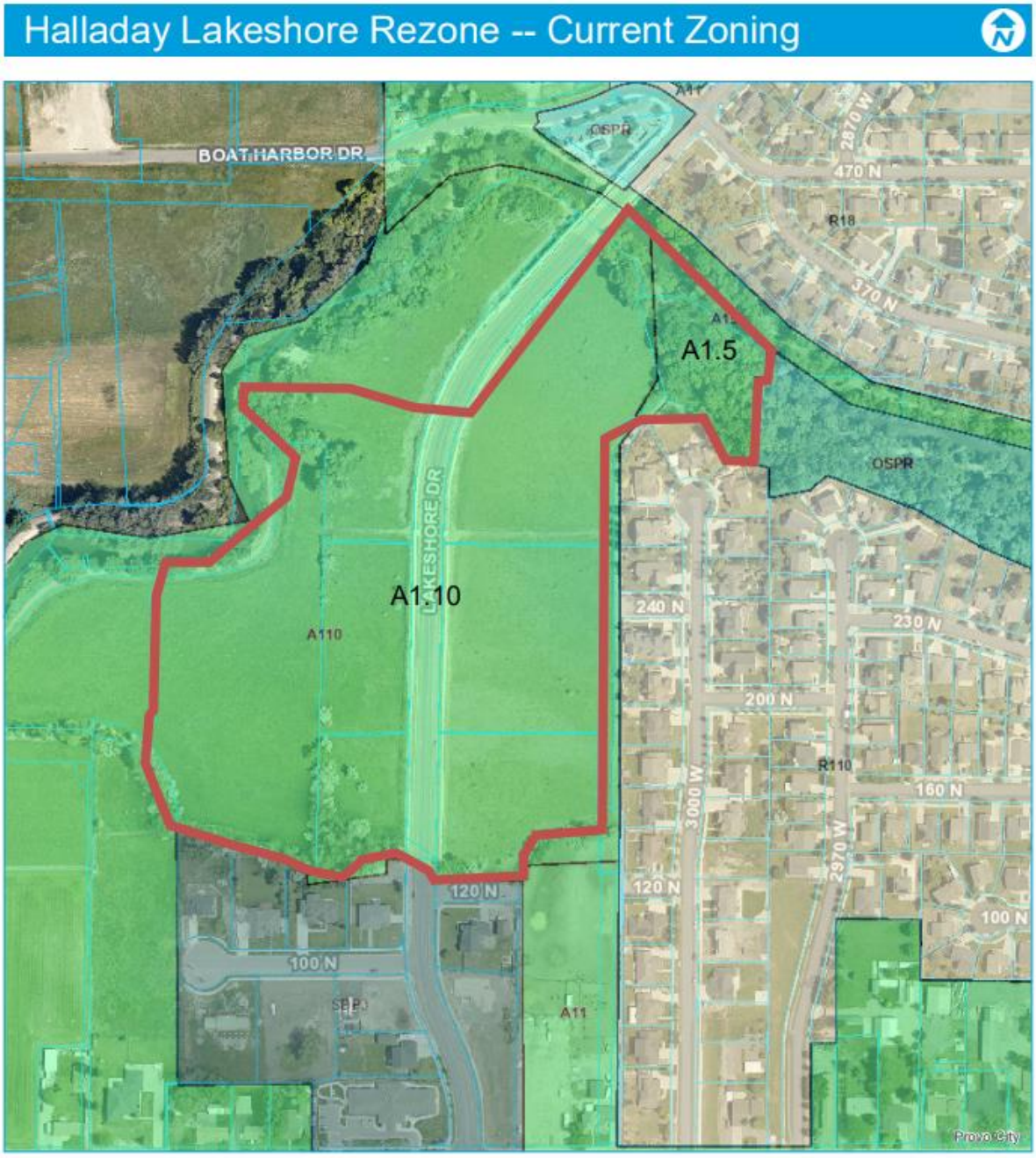
STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the A1.5 and A1.10 Zones to the R1.8 Zone for 68-single-family lots, and the RA Zone for one (1) single-family lot.

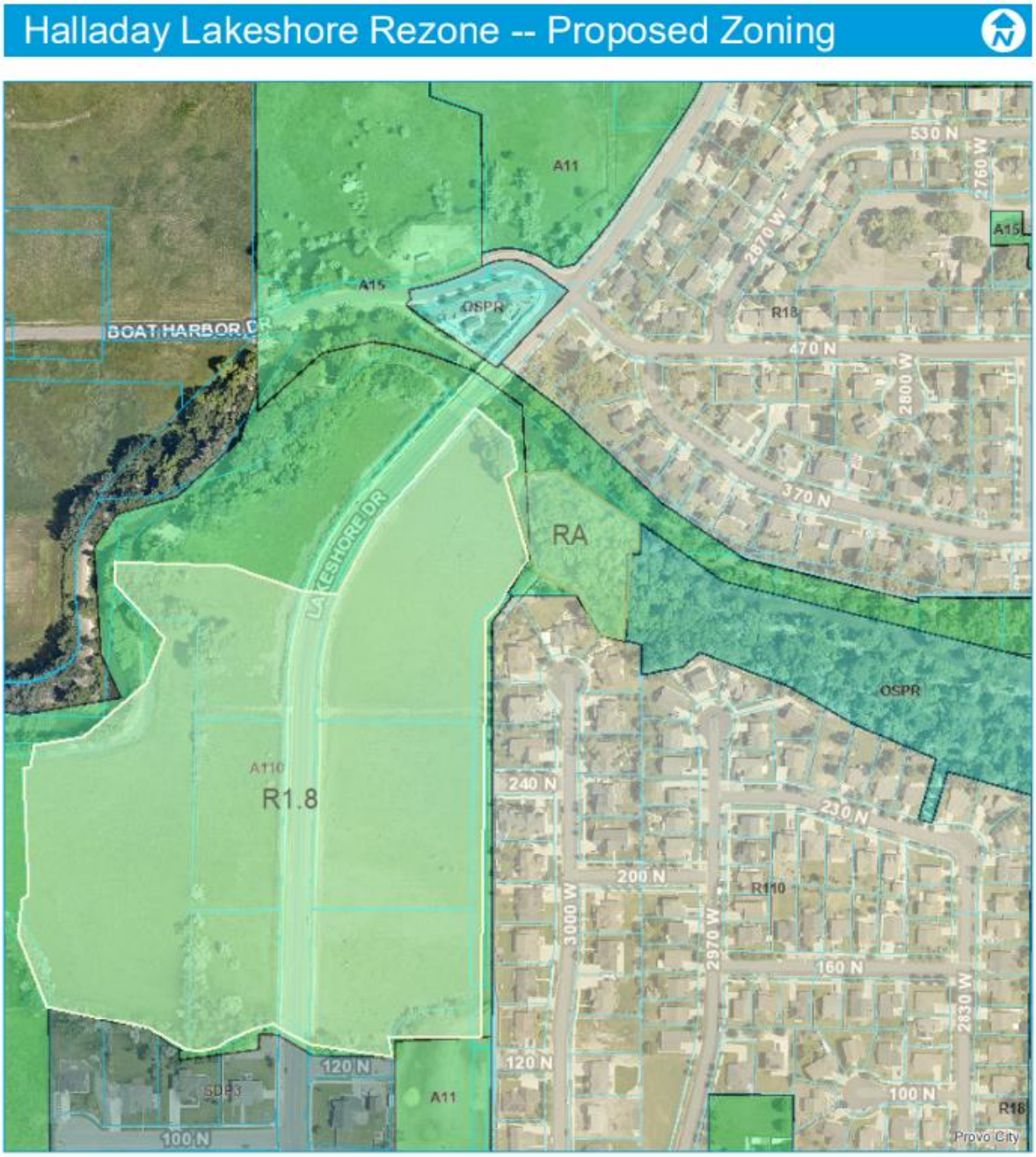
ATTACHMENTS

1. Current Zoning
2. Proposed Zoning
3. Concept Plan

ATTACHMENT – Current Zoning



ATTACHMENT – Proposed Zoning



ATTACHMENT – Concept Plan



ORDINANCE 2021-.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 23.5 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 200 N LAKESHORE DRIVE, FROM AGRICULTURAL (A1.10) AND (A1.5) TO RESIDENTIAL (R1.8) AND RESIDENTIAL AGRICULTURAL (RA). FORT UTAH NEIGHBORHOOD. (PLRZ20210049)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 23.5 acres of real property, generally located at 200 N Lakeshore Drive (an approximation of which is shown or described in Exhibit A and a more precise description of which will be attached hereto as Exhibit B after the Zone Map has been updated), be amended from Agricultural (A1.10) and (A1.5) to Residential (R1.8) and Residential Agricultural (RA); and

WHEREAS, on June 9, 2021, the Planning Commission held a duly noticed public hearing to consider the proposal, and after such hearing the Planning Commission recommended approval of the proposal to the Municipal Council by a 5:0 vote; and

WHEREAS, the Planning Commission's recommendation was based on the project design presented to the Commission; and

WHEREAS, on June 15, 2021, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo, Utah should be amended as described herein; and (ii) the proposed zone map classification amendment for the real property described herein reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

The classification on the Zone Map of Provo, Utah is hereby amended from the Agricultural (A1.10) and (A1.5) Zones to the Residential (R1.8) and Residential Agricultural (RA) Zones for approximately 23.5 acres of real property generally located at 200 N Lakeshore Drive, as described herein.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

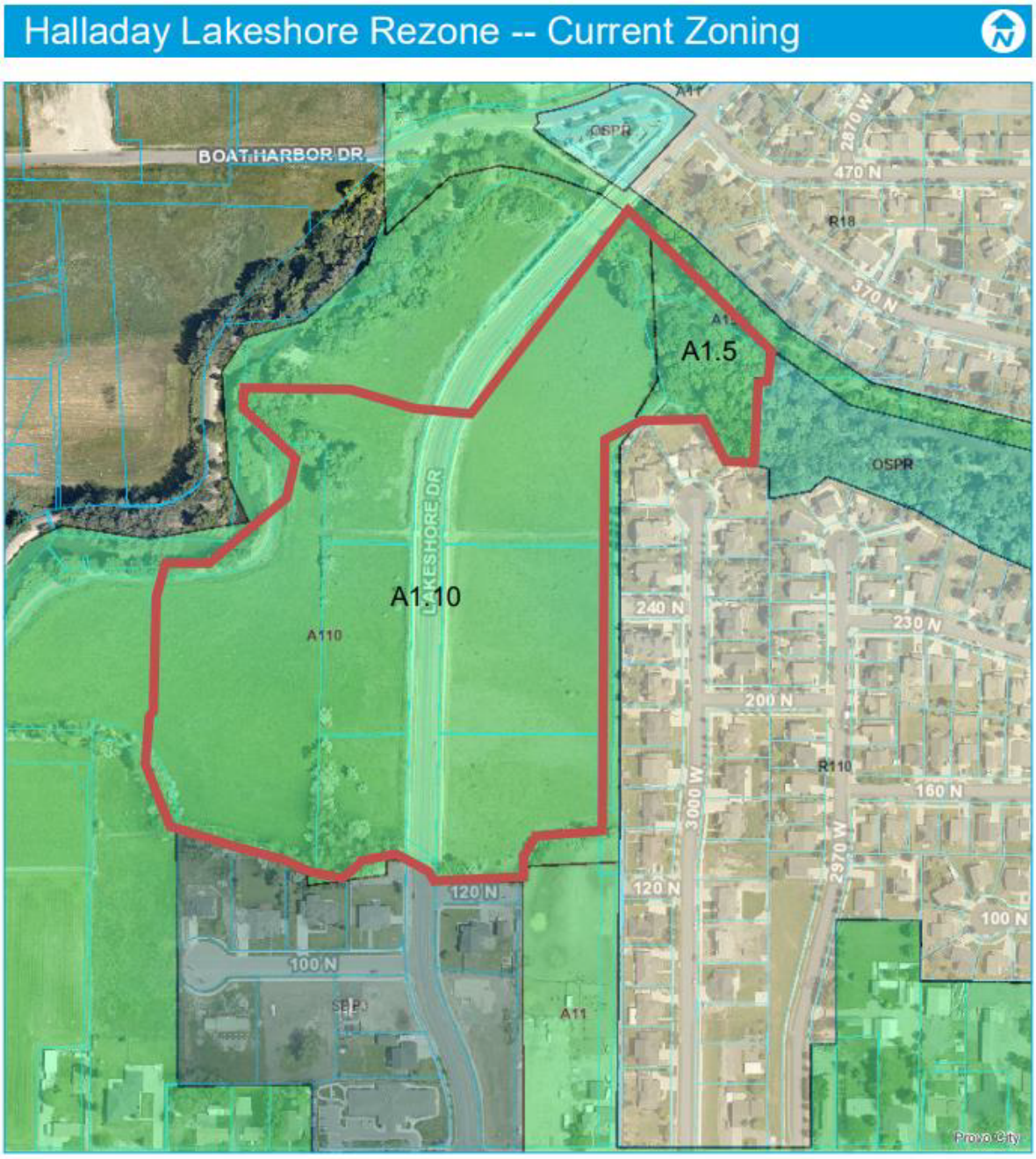
B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE

EXHIBIT A – ZONE MAP



From: **Fort Utah** fortutah@gmail.com
Subject: Re: Concept Plan MIXED-Provo.pdf
Date: May 13, 2021 at 9:03 AM
To: Rick Smith bishoprick328@yahoo.com

FU

Jonathon:

As I understand it, the position advocated by Council member Dave Harding is that the single-family development plan proposed for the Lakeshore Drive property does not comply with the Westside Development Policies, specifically Policy 3.a. which, he believes, requires a mix of housing types. As I will explain below, this position is untenable.

The policy in question provides:

"*3. Encourage Sustainable Residential Development Patterns*
a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life."

There is only one requirement of paragraph a, which is to **establish ordinances** that will, when established, require a mix of housing types. The policy wisely contemplates the Council's careful deliberative process to define mixed housing requirements and to establish them by ordinance. The Council must define parameters and scope for mixed housing types. Those could be to adopt the map created by the committee you and I sat on as the mix of housing types in the southwest quadrant of the city; or on the other extreme to require mixed housing in every single subdivision regardless of size; or something in between.

The differences in opinions of just what the requirements for mixed housing types should be underscores the need for well thought out ordinances. These differences also emphasize the importance of the Council being cautious and purposeful in it's work. But that work as set forth in the policy has not yet been accomplished. At present no ordinances have been enacted, and there are no requirements, either in ordinance or policy, for a mix of housing types in the Lakeshore Drive development, or in any other development on the southwest side.

If the City Council were to deny approval of the proposed single-family development plan of the Lakeshore Drive property on the basis that it does not include a mix of housing types such a denial would be arbitrary and capricious, first because there is no ordinance or policy requiring it, and second because no other development has been held to this non-existent standard. It would be improper to create some sort of de facto ordinance to apply at this moment to this development for no discernible reason.

The Council may want to consult the City Attorney prior to contemplating such an action.

From: **Aaron McCullough** mercedesbuff@gmail.com
Subject: RE: Concept Plan MIXED
Date: May 12, 2021 at 4:41 PM
To: Fort Utah fortutah@gmail.com

AM

Hi Jonathan,

Thank you for organizing the Zoom calls on the new developments; they're very helpful. I'm hoping my comments below will be constructive, as you present the neighborhood's viewpoints.

The city council's role in development is to ensure that the developer's plan aligns with area planning and respects and follows the input of the neighborhood. In this case, the developer's single-family plan aligns with the southwest area map. And we met as a neighborhood, worked with the developer and voted to move forward.

However, instead of approving the plan, the city council has inserted themselves in order to advance personal ideals, which they evidently believe should outweigh those of the neighborhood. I have heard the sentiment expressed, over the years, that Provo westside residents routinely receive short shrift from the City. I have not personally felt this way, until now.

Feelings aside, the so-called policies that have been cited, in an attempt to bolster Mr. Harding's contention that mixed use must be mandated in this development, cannot be cleanly interpreted, let alone extrapolated, to support his claims.

There is an important caveat regarding the neighborhood's acceptance of the developer's plan: The initial single-family development plan that we as a neighborhood agreed upon a couple months ago actually represented a compromise from what we were hoping to see there. Specifically, the single-family 1/4 - 1/3 acre lots were smaller than the 1/2 acre to 1.0 acre RA lots that we would truly love to see, as a continuation of the existing, neighboring lots. So it should be noted that we are already "settling" on the single-family 1/4 to 1/3 acre lots.

Lastly, if the city council chooses to mandate mixed use in this development, whereas they have not mandated the same in other west-side residential developments, and whereas the "policies" they cite as justification are nebulous and unenforceable, they may be exposing the City to potential legal liability.

Again, I appreciate your help. I'm happy to join in any additional conversations or meetings, as you feel appropriate.

Aaron McCullough
(801) 592-3250

From: **Sandra Brady** sdjbrady1@gmail.com
Subject: house development
Date: May 3, 2021 at 11:57 AM
To: jonathon.t.hill@gmail.com

SB

Jonathon,
This is Boyd and Sandy Brady, we would like to express our concerns on the plans from the two city councilors, from someone who actually lives on center street. We will try and make this short.
This is not the only development that is being proposed, there is the land West of Tom Halliday and East of Benjamin Allen, where approx 72 homes are also being proposed. There is Duncan Aviation that employs hundreds, we have a hard time backing out of our driveway, Boyd has to drive out forward in the morings due to the employees going to work. We spoke to Steve Gleason the Airport manager about the expansion of the airport, we asked how many commercial airlines they are planning on, he said as many as they can get. Right now when a jet lands the line of cars going up center street is steady and that's only one airline. What about the schools if there are smaller houses/apartments/townhouses, that means small families with young children, the elementary school is full, I don't see where land is to build another school. I am sure that Rick Smith can tell you how far the cars get backed up past his house turning onto center street when the high school gets out. Also the turn around on those small houses they will eventually get bought up from investors and turned into rentals, I have seen this happen with the Rivers in our neighborhood. Our son who was the president of his HOA said that one person from California had bought three condos that he is renting out, Boyd and I are also guilty of this since we were self employed we bought two townhouse in Springville and Spanish Fork for investments to help with our retirement, that will happen here also, the dynamic of the neighborhood will change drastically good people will move out.
Thank you for taking the time to read this, if you have any questions for us or more of our concerns please ask, also please let us know that you received this email.
Thank you
Boyd and Sandy Brady

From: **Christian vom Lehn** cvomlehn@gmail.com
Subject: Quick Neighborhood Development Comments
Date: May 10, 2021 at 9:24 AM
To: Jonathon jonathon.t.hill@gmail.com

CL

Hi Jonathon,

I don't know that I have strong feelings on the proposed developments (and hence have taken a long time to chime in), but I thought I'd just go on the record to flesh out the pool of responses you're getting.

It seems like the clustered proposal is untenable to anyone locally and the city, despite its desires for more development, is unlikely to push this one (and maybe it is simply more of a negotiating tactic; I don't remember what exactly the origins of this plan were). It seems to be inconsistent with the current state of infrastructure and locals are very hostile to it. Now, if the city did really want to push this, I would think it would be necessary for them to simultaneously articulate the changes they want to make to infrastructure to make this feasible (and not just in a, yeah, we have some ideas about how to address this -- actual maps, plans, proposals, cost estimates, etc.).

When it comes to the mixed vs. original proposal, I don't have the strongest of feelings. It seems like at the heart of the debate are two issues: congestion and culture.

For me, I don't have much to say on the culture front, to be honest. I know people have strong feelings about this, but I don't think either side has the moral right (unless you get into past promises/expectations, etc.); there are just two different dogmas. Many locally feel like there is a certain culture and way of life that should be preserved in Provo, yet the city views this as cover for NIMBYism (which is surely true in some part for some persons). The city feels dogmatically about providing sufficient housing and certain development principles including having mixed housing, yet locals perceive an emotional distance and disconnect (the council members really failed empathy 101 from what I could overhear from the Zoom call while juggling kids) and perhaps alternative interests that undermine the city's position.

I actually think the city could make a potentially compelling case for their vision if they would spend the time and energy to both (a) back their dogmas with empirical evidence (which does exist in some forms) and (b) transparently lay out a vision for the whole city and how we fit into that and what infrastructure reforms will be made to support their vision. To be honest, some of the local arguments made for the West side culture felt counteproductive to their cause and cringe-worthy to an outsider (and even to some other locals). The hard thing in this case is that the stakes feel so small and the city seems to be trying to send a message more broadly with a small stakes issue; I perceive the overall threat to the West side culture or the overall gains from the mixed development to be significantly overstated by both parties. It seems like neither side wants to back down for fear of ceding ground in the next conflict (though it does seem like a bit of a dance, since, should the city plow ahead with more dense housing out West, the exact recourse available to locals on the West side is admittedly unclear to me).

That said, even though the "macro" congestion from the mixed vs. the original development is unlikely to be large overall (at least so it would seem, though the city could have made it clearer what the estimates would be from this), the "micro" congestion to locals is potentially highly significant. Whether it's street parking, dangers to children from added traffic, etc. it seems like the details of the new developments can matter a lot for people living nearby. What's hard to separate is safety and efficiency from nuisance (which is not to be overlooked either), but the city has felt aloof on this point. In this sense, I'm inclined to defer to those living on 3000 W and Lakeshore barring the city providing a detailed estimate of how congestion would change (they did not seem prepared with such info, but maybe I missed that in the meeting). Since the big picture stakes are small, but the small stakes for those adjacent to the development are potentially large, it seems to argue in favor of the original development. But again, the city could try to make a more compelling case here if they would present more estimates. That said, maybe the city feels like there is no amount of effort possible to move people on this issue and so they don't feel that time spent is worth it (though it would help their credibility a lot dynamically).

Anyway, all that to say, like the vast majority, I come down on the side of the original development plan, but I think it's not by a large margin and it could be changed if the city would do due diligence on the full impacts of the mixed development instead of the original one. I'm largely turned off by the culture battle though, and I think both sides would benefit from more understanding and perspective (the city having a coherent big picture vision would help here a lot).

Thanks for all the hard work you put into this!

Best,
Christian

From: hill.jands@gmail.com
Subject: Fwd: Fort Utah Neighborhood Meeting
Date: May 6, 2021 at 7:51 AM
To: Fort Utah fortutah@gmail.com

SH

Sent from my iPhone

Begin forwarded message:

> **From:** Terry Griffin <griffin.terry@gmail.com>
> **Date:** May 5, 2021 at 8:40:07 PM MDT
> **To:** hill.jands@gmail.com
> **Subject: Fort Utah Neighborhood Meeting**
>
> May 5, 2021
>
> Fort Utah Neighborhood Meeting
>
> Land Development/Planning Provo City
>
> Dear Neighborhood Representative,
>
> I would like to bring to your attention the Osprey nests/habitats which are located within the development around/near Lakeshore drive (just West of 3000 West). These birds have nested in this area for years. They were displaced when the earthmovers, drillers, pilings, etc., were employed to build Lakeshore Drive road/bridge but are now back (just this year). This new development will not only disrupt the Ospreys for now but will upset their environment for years to come, most likely never to return.
>
> We also have pheasants, geese, migratory birds close by that will be disrupted as well.
>
> Also, the earthmovers disturb the field mice. Each time the dirt is disturbed, we see more and more mice.
>
> Additionally, the trails and roads need to be clear of debri so Ryan can move around the area in his wheelchair.
>
> Thanks Much
>
> --
> Terry
> ...as for me and my house, we will serve the Lord. Joshua 24:15

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Jonathon

Manage Group

Fort Utah Neighborhood
Public group

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Edit

Fort Utah Neighborhood

Public group · 394 members

Invite

About Discussion More

About

Group to share information among residents of Provo's Fort Utah Neighborhood. Sign up for email updates from your neighborhood at http://bit.ly/... **See More**

Public
Anyone can see who's in the group and what they post.

Visible
Anyone can find this group.

Utah

General

Jonathon Hill
Admin · April 29 at 7:19 PM ·

Membership

Support

Education Center

(Edit: I have heard different things from different people on how these plans came about. To be fair to everyone, I relabeled them with descriptive names rather than which is favored by certain people. We will make sure everyone will have a chance to share their views at the meeting.)
(Edit2: In an effort to not misrepresent any opinions, names have now been completely removed. Sorry for the confusion.)

Hi Neighbors,

As many of you know, we had a neighborhood meeting a little over a month ago where a developer presented a plan for a single-family home development on both sides of Lakeshore Drive between Center Street and the Provo River. We as a neighborhood supported the project and they began to prepare to present to the Planning Commission and the City Council. However, concerns and alternatives proposed, and we have been to discuss the alternatives. I have attached all three option here as a picture.

The top one is the original one that was proposed and overwhelmingly supported by the neighbors. (Edit: This plan is still favored by the developer.)

The middle one is the “Mixed Density Plan”. It is not much more dense than the original, as it only nets 8-12 extra units, but it does raise the overall unit density to about 4.5 units per acre. The increased density comes from four four-plex lots. (These 4-plexes are labeled on the map as lots 13, 14, 59, and 60.) According to the developer, Dave Harding specifically requested they become rental units instead of being sold. The plan also calls for 14 lots on shared driveways and increases the number of flag lots from 2 to 3.

The bottom plan is the “Clustered Plan.” This plan incorporates town homes, a lot of shared driveways, and several 5000 sq ft lots. The density of this one is much higher, as the number of units almost doubles.

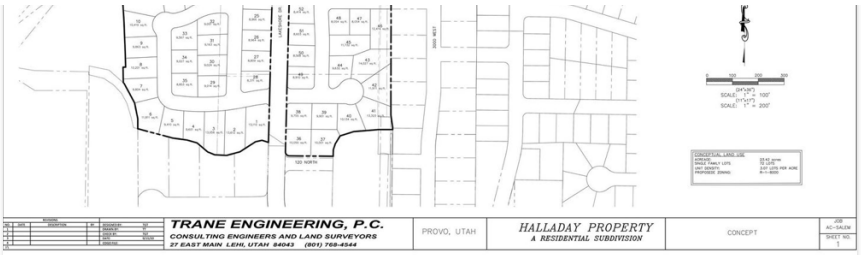
We are being asked to hold another neighborhood meeting to evaluate all three options and let them know which we like best. The meeting will be quite unique, as the two city councilors who favor the alternative plans will also be there to talk about them and the benefits they see in adding more housing types. I will post an event soon. Please come and share your thoughts on the future of our neighborhood.

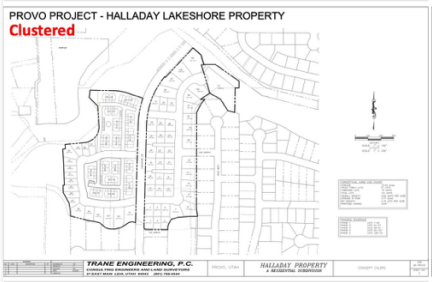
Thank you,

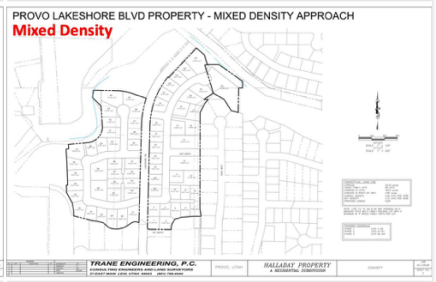
Jonathon Hill

PS. I know this is different than the normal process, so please let me know if you have any questions.









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Matt Peterson
This is very close to my home and while for my own quality of life I'd probably prefer less density I also recognize that we are in an unprecedented housing crisis so it's hard for me to object in good conscience to whatever plan provides the most possible housing for the available space.

Like · Reply · Share · 1w 1

Kristen Randle
Matt Peterson - The place we are in terms of economy and housing values (thank you, California) - it just nearly puts me in a panic. Will the county decide to readjust our home values and kill us with much higher property taxes because of this very strange surge of money from the coast? Is anybody else scared of this?

Like · Reply · Share · 1w



Sarah Christensen Hill
While I completely understand that we are in a difficult spot when it comes to housing in Utah, I do not believe that this area is the right one for the kind of housing that the 2 councilors are proposing. The west side does not have the infrastructure necessary to support large amounts of housing units, as has been pointed out by various government agencies and in many meetings over the last few years. The Southwest Neighborhood Plan clearly states that we need larger lots and lower densities in order to prevent problems with traffic on Center Street, sewer issues, and more. That plan was supported by the neighborhood and the city council at the time. There were clear locations marked where higher densities could be included, and this is not one of them. I am so appreciative of the developer who tried so hard to meet the needs and wants of the neighborhood in the original plan, and I fully support it moving forward. We were made promises by the city about the types of developments that would be allowed, and I would like to believe that the city council would honor those. What is right for one area is not right for all. The west side has a unique character and quality that should be preserved.

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View 4 more replies



Rebecca Richards
Sarah Christensen Hill yes! Thank you!

Like · **Reply** · **Share** · 1w 1



Gary Jolley
I'm a little disappointed in their vision.

Like · **Reply** · **Share** · 1w 6



Ross Martin
I'm disappointed that all of the hard work done by the West Side Planning Committee has been given so little respect by these two council members. And I'm disappointed that these particular council members are pushing their agendas on us. They don't live here and none of us had the opportunity to vote for or against them.

Like · **Reply** · **Share** · 1w 11

David Harding, Provo Councilor
I'm trying to find the best place to put this response and I hope you don't mind that I put it here. I, too, share your frustration that all of the hard work done by the West Side Planning Committee has taken so long to be given the consideration that ... **See More**



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West Side Planning Committee

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Jonathon Hill Admin
Thanks for the update. It helps clarify things and advance the conversation. I was not on the committee that made the principles, but I was on the committee that made the map (not sure why they were different). We had to interpret and implement the policies the best we could. Two particular issues were difficult to apply to a map. The first was the desire to preserve agriculture, as farmers told us they planned to leave. Thus, we acknowledged that without a preservation group willing to buy the land, it would be difficult to keep agriculture in the area and simply asked that the text of the plan (which never was finished) emphasize that agriculture uses currently being done would be allowed to stay. We also knew that mixed housing types were desired, but we apparently interpreted the scale differently to accommodate differences in traffic infrastructure throughout the area. We decided to have differing mixes in different areas. As you can see, MDR (which is the zone for apartments), was clustered around the freeway entrance where it would have minimal impact on local roads. LDR (aka townhomes) were to be placed along Lakeview Parkway, which is a planned four lane road. Areas around the vulnerable Center Street Corridor and in the center of the map were designated as single family homes to prevent expensive and unpopular widening of Center Street and 600 S, which both have existing homes along them.

Like · **Reply** · **Share** · 1w 1

Rachel Pollock
David Harding, Provo Councilor I understand the need for mixed housing in a city but that doesn't mean every development needs mixed housing and that neighborhoods can't have clusters of only single family homes or only apartments. Every real estate and financial expert I have ever talked with has said that well kept, family friendly single family home neighborhoods are always the most desirable and in demand so I don't understand how that type of neighborhood in south west Provo wouldn't be smart, sustainable, and vibrant for current and future residents.

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Write a public reply...

Ross Martin
And yes, thank you very much to the developer who has listened to the neighborhood and followed the accepted West Side Plan.

Like · **Reply** · **Share** · 1w 7

Dezmond Jooju
What infrastructure plans come with the developement plans?

Like · **Reply** · **Share** · 1w 3



Jonathon Hill Admin

Dezmond Jooju I think that is a very important question. When I was on the Southwest Planning Committee, we looked at the infrastructure constraints in the area and how that would affect development costs for the city. While higher density is usually more efficient, we found two major limitations in the area that made higher density much more expensive: roads and sewage.

Because of the river directly to the north of us and limited road access to the other side of I-15, we are very dependent on Center Street, which is a two lane road with driveways along both sides in our area. Developing at 4 units per acre will max the capacity of the road when everything is filled in in our area, and anything higher will lead to a very expensive widening of the road—likely resulting in removal of homes by eminent domain. Low density in the existing developments also hinders the feasibility of expanding Public Transportation in the area.

For sewage, the important factor is that the entire area is at a lower elevation than the sewage treatment plant. The city currently runs several pumps to pipe the sewage uphill to the treatment plant behind East Bay. This costs millions per year. They are now building a large pump station near the airport to consolidate the pumps and lower costs. However, public works told the committee that the capacity of the pump station is limited by the size of the pipe laid years ago under I-15. Again, they told us that the area needs to average 4 units per acre to stay within the designed capacity.

In both cases, the original developer plan fits with existing infrastructure while higher densities may require expensive upgrades.

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14



Brittany Vom Lehn

Seems like a simple math equation and a valid reason to not go forward with high density plans. If many homes will ultimately be removed through eminent domain to widen center street, how many households would the city even be gaining? I doubt that the new taxes from the new housing would make up for the price tag of that kind of “rearranging.”

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7



David Harding, Provo Councilor
I mostly agree with what has been written here, but I think the order is a bit reversed. Going way back, the City broadly planned for this area to be four units to the acre. It wasn't a very well-defined plan, just a convenient point of reference -- a placeholder until more in-depth planning could take place. Public Works came and spoke at length with the West Side Planning Committee (which developed and proposed the Westside Development Policies) about the impacts that our planning would have. The infrastructure plans would accommodate development at 4 units to the acre, but much of that infrastructure was not yet in place. We were told that we could change the planned density and the infrastructure plans could be updated to accommodate a new density. But, once the infrastructure was in place, it would be very costly to then change the density significantly. We, as a committee, recommended staying at four units to the acre. This was later adopted by the Council.

So again, what has been said here is pretty much all true, but we didn't have to stick to four units to the acre because of the infrastructure, we built the infrastructure to accommodate four units to the acre because that is what we committed to.

Like · **Reply** · **Share** · 1w · Edited



David Harding, Provo Councilor
As noted in my comment below, the "Mixed Density" plan would increase the number of units by two to four units and would stay below 4 units to the acre (or I won't vote for it).

Like · **Reply** · **Share** · 1w



Sarah Christensen Hill
David Harding, Provo Councilor I don't love that the plan you helped with includes rentals. Provo is overflowing with rentals, but there are so few areas left for single family homes. People leave the city and take their tax dollars with them because they cannot find single family homes. I also think shared driveways are problematic in many ways and not what homeowners want. However, I am grateful you are willing to stick to the 4 units per acre. Our traffic issues on Center Street are of great concern to me, and I feel it would be disastrous for our neighborhood to proceed with the high density plan that has been drawn up.

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2

Jonathon Hill Admin
Here are the numbers for Center Street Traffic based on the Traffic Master Plan developed in 2011. Center street is designated by the city as a two-lane arterial with many conflicts (driveways), which has a livability limit of 15,900 cars per day. The plan says that the goal should be to keep roads at 90% of that capacity, which leaves 14,310 cars per day. At the time (before the high school, Duncan Aviation, and regular commercial flights), there were approximately 10,000 cars per day on the road. Thus, we can add 4,310 cars per day to the road without overloading it. The city also says that the average home produces 15.2 car trips per day, so that means the road can sustain 283 new homes along the road. There are 172 developable acres along Center Street. So, we absolutely cannot go over 4 units per acre without severe consequences.

Like · Reply · Share · 1w 1

Dezmond Jooju
What about a second water treatment plant near the area so less pumping is needed?

Like · Reply · Share · 1w · Edited

Jonathon Hill Admin
Dezmond Jooju That was considered by public works when the pump station was designed. I don't know exactly why, but it was determined to be more expensive in the long run than the pump station.

Like · Reply · Share · 1w

Dezmond Jooju
Hmmm... I wonder why... employee cost etc. Seems like city utilities are a "all our eggs in one basket" situation as fast as emergency issues go.

Like · Reply · Share · 1w 1

Rachel Pollock
Jonathon Hill there has been a lot of development on the west side since 2011 in both housing and the airport. I'd be interested in what a more current study would show. I feel like we are probably already pretty close to the max on Center even before adding these new developments

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Rick Smith
The Ellsworth plan is remarkably similar to the plan that was presented a couple of years ago. That plan was unanimously and energetically rejected at our neighborhood meeting. A bit mind boggling that here we are again. It seems as though our voices a... **See More**

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12



Kristen Randle
Rick Smith They never give up. We have meetings - and this has been going on for decades - and we tell them no. But they always come back at us - like we're going to grow up and change our minds. I resent all of this, and I'm sorry to write so much, but absurdity makes me anxious.

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1



Shannon Ellsworth for Provo City Council District 3
That's not my plan. Someone put my name on it and I don't know why.

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1



Write a public reply...



JoLynn Francom Griner
I'm not sure why this is being revisited when a perfectly good plan was approved by the city council and neighborhood with the best interest of the area and neighborhood in mind. The original plans line up fence lines the best with the existing homes on the east side of the development with less density. The Harding plan seems to have them all over the place. This makes it difficult to match up fences. Really curious what the plan is to match up the existing grade with the new developments.

Like · Reply · Share · 1w

8



Ammon Richard Hale
The new development needs to match the current neighborhood.

Like · Reply · Share · 1w

8



Shelley Pollock
I would agree with the voice of the neighborhood. The original plan best meets the west side capabilities. I am appalled that two council members wants would override the desires of those who are impacted with this addition. Please City council follow the wishes of the neighborhood as they have already been expressed. My vote keep the original plan.

Like · Reply · Share · 1w

6



Kristen Randle
Shelley Pollock They didn't run in our area, but they feel that they can walk in and decide for us.

Like · Reply · Share · 1w

1



Rachel Pollock
I also think the original plan best meets the needs of our neighborhoods. I don't want the plans suggested by the other council members

Like · Reply · Share · 1w

3



Diana Darrington
While progress matches on, I say stay with the original plan. It's hard enough now to get out of my neighborhood onto Center Street.

Like · Reply · Share · 1w

3



David Harding, Provo Councilor
Hey, all! I hope you don't mind if I clarify some things and respond to some of the comments here. I had a good visit with **Jonathon Hill** yesterday. I contacted him soon after the developer contacted me and asked to meet with him, but he was unavailable until yesterday, so this information was posted before we had a chance to talk.

For some time now, Development Services Staff have presented various proposals for developments in west Provo to the Council. Some have been like the River Front Meadows Rezone with 72 single-family detached homes. And others have been like the 202 townhome development proposed by D.R. Horton. I, and a few other councilors, have pushed back on all of these because they do not follow the Westside Development Policies and/or Southwest Area Future Land Use Map. Staff countered that the developers had been working on these projects since before the Council adopted the Land Use Map (but definitely not before we adopted the Development Policies) and so we shouldn't hold them to it. I usually relented, but I kept warning that I'm about to the point where I will refuse to vote for any rezone that doesn't better comply with the Policies and Map. The current "Halladay Lakeshore" project was definitely started AFTER both the Policies and Map were adopted by the Council.

Development Services Staff warned the developer that several on the Council were looking for some mixed housing types and may not vote for a rezone that didn't include them. The developer reached out to me, not the other way around, to try to get a better understanding of what I understand the Westside Development Policies to mean. The developer had ALREADY created what is labeled "Ellsworth Plan" (though I don't believe Councilor Ellsworth had ever had any contact with the developer at this point). I'm guessing that Staff knew my thinking well enough that they knew I would not be happy with that proposal, so I

they knew I would not be happy with that proposal, so I believe they suggested that the developer contact me. And sure enough, I was very upset by the "Clustered" concept plan (as it was called by the developer). It does NOT follow either the Westside Development Policies or the Southwest Area Future Land Use Map.

I meet virtually with the developer along with Staff and I met with him in person to walk around to look at various housing types. He wanted to pin me down and have me dictate exactly what I thought should go there, but I kept pointing back to the Policies. I tried to help him understand the kind of things I was looking for, but explained that there are many ways that the policies could be satisfied and that he needed to figure out what he thought was best. Towards the end of our meeting, I felt like he understood what I was looking for and picked out a couple of housing types that he was familiar with and comfortable with and asked if he did two of these and two of those would I think that it would satisfy the policies. I told him that I thought that his proposal would satisfy the policies. He asked if I had a preference between selling the "mansion house" units individually (like townhouses) or if they retain ownership of the mansion houses and manage them as rentals. I first said that I didn't have a preference, but after more thought, I told him that I would prefer that they managed them, and I am happy to get into my reasoning why. The developer indicated that they would be happy to manage them as that is part of their business model.

The next day I received via email the concept plan that is labeled here as "Harding Plan". I did not propose this. I did not create this. But it was created in response to the discussion with me about how the Policies could be satisfied. The developer told me that the four "Mansion Style Multifamily" lots would have three units each, so that each unit would have access to its own yard space. If this is done, the number of units would go from 72 in the original plan to 76. I told him that by my calculations of his numbers, he would need to not go over 74 in order to stay under the 4 net units to the acre, which is an important threshold for me because it is in the Policies and Map. He told me that by their calculations they are under 4.0 with 76. That is a detail I'm happy to let him work out with Staff, but for me, 4 units to the acre is the standard and they need to stay under it. So this "Mixed Density" plan, as they call it, would net between two and four additional units, but would comply with the Policies and Map. This isn't about adding more units or adding more density. This is about following the Principles and the Map.

The "four-plex lots" described here are called "Mansion Style Multifamily" in the concept plan. I've heard them called Mansion Houses and I've added a collage of them below taken from an AARP publication. From these pictures, you can see that they can be

styled so that they fit in with whatever style the surrounding houses are. The point is that they are almost indistinguishable from the single-family detached homes nearby. I prefer the designs that have a single front door and a common foyer inside that is used to access the different units, but that is a level of detail that I think is best worked out between Staff and the developer. The point is that they shouldn't look out of place or detract from the single-family detached feel of the rest of the neighborhood. And this gets to the reason I prefer them to be owned and managed by a single entity. Historically, over time, throughout Provo, townhome developments tend to become half owner-occupied and half rentals. By having these be multifamily three-plexes instead of individually owned, there will be a single landlord and a single property manager. This landlord is the developer, and at least one partner in the development is planning to live in the development. The developer/property-manager has every reason to make sure they do these Mansion Houses well so that they can still sell the surrounding homes for top-dollar and so that they are a boon to the community and not a bane.

The other housing type introduced by this plan is the clustered homes. They are still single-family detached, but they have a shared driveway and smaller yards. I hope that the developer will design some of them, or some other homes in the development, to be attractive to empty-nesters who are looking to downsize but still stay in a great community. But this concept plan does not get into that level of detail.

I want to get into the actual Westside Development Policies, but this comment is long enough and I think I'll talk about them in the responses to the comments above.



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David Harding, Provo Councilor

Perhaps this is the best place to talk about the actual policies in the Westside Development Policies. Most of the policies that affect this proposed development are in section "3: Encourage Sustainable Residential Development Patterns". All six points in this section are pertinent to this project:
a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate
various stages of life.
b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
c. Housing types should be mixed without barriers separating types or densities.
d. The scale and style of residences should enhance the surrounding area, regardless of housing
type.
e. Create design standards for important road corridors in southwest Provo.
f. The overall density of the area should average four units to the acre.

Carefully reread these points and ask yourself if you agree with them. Is it good for developments to have a mix of lot sizes and designs to accommodate various life stages? Should detached single-family homes be the predominant housing type? Should the mixture of housing types enhance and augment the single-family feel? Should the overall density of the area average four units to the acre?

Now ask yourself which of the three concept plans are best aligned with these six points.

Like · **Reply** · **Share** · 1w



Jonathon Hill Admin

David Harding, Provo Councilor Thanks for the update. It helps clarify things and advance the conversation. I was not on the committee that made the principles, but I was on the committee that made the map (not sure why they were different). We had to interpret and implement the policies the best we could. Two particular issues were difficult to apply to a map. The first was the desire to preserve agriculture, as farmers told us they planned to leave. Thus, we acknowledged that without a preservation group willing to buy the land, it would be difficult to keep agriculture in the area and simply asked that the text of the plan (which never was finished) emphasize that agriculture uses currently being done would be allowed to stay. We also knew that mixed housing types were desired, but we apparently interpreted the scale differently to accommodate differences in traffic infrastructure throughout the area. We decided to have differing mixes in different areas. As you can see, MDR (which is the zone for apartments), was clustered around the freeway entrance where it would have minimal impact on local roads. LDR (aka townhomes) were to be placed along Lakeview Parkway, which is a planned four lane road. Areas around the vulnerable Center Street Corridor and in the center of the map were designated as single family homes to prevent expensive and unpopular widening of Center Street and 600 S, which both have existing homes along them.

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2



David Harding, Provo Councilor

Jonathon, that makes a lot of sense. The Committee agonized over word choices to try to strike the right balance and to communicate clearly. We tried to stick to broad principles to allow the next committee (yours) and the professional planners to fill in the details. We weren't going to preserve agriculture on lands where farmers wanted to sell. So it says to "encourage" (not require) ag, to "preserve" the "agricultural heritage", and to support ag operations "as long as farmers choose to farm. The last thing we wanted was for the farmers to feel like the City was trying to push them out, but we also didn't want to stand in the way of farmers selling their land if that is what they wanted to do.

I think your committee did a great job identifying locations where densities higher than 4u/a made sense. And averaging all of it together would come out to 4u/a overall, so Public Works could continue to execute their plans to accommodate this level of development...as long as we stick to the plan. I want to note that LDR tops out at townhomes and MDR tops out at condos/apartments, but they are actually quite flexible in the variety of housing types that they allow. BUT in contrast to what Policy 3a calls for, these zones do not REQUIRE a variety of housing types. I appreciate what you said about different interpretations of the intended scale, or granularity, of the mixed housing types policy. Perhaps the culprit is the word "area", which in Policy 3, I interpreted to mean the area being developed, but I see it could easily be understood as meaning the Southwest Area. I would love to see "a mix of housing types, lot sizes, and designs to accommodate various stages of life" in every development. In areas designated as "RES" on the Map, this mixture would still be capped at 4u/a. In areas marked "LDR" the density could go higher so the mixture would look different. And even more so for the area designated "MDR".

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Rachel Pollock

David Harding, Provo Councilor the way I look at A. Is an overall mix of housing in the entire area, not every single development. In this particular case I feel like additional types of housing other than detached single family homes would detract from the single-family feel of the area. The road corridors in this development can't support anything other than larger lot single family homes. In this development the overall density should not exceed 4 units to the acre, not even 4.1. I also think for this particular project less than 4 units would be my preference not the standard but I would be willing to go for a maximum of 4 units per acre so long as they are detached single family homes. Finally, and this is just my personal experience most of the mansion style homes I have seen feel cheap, like a greedy landlord trying to squeeze several rental units into one property. That is not the feel I want for Provo and definitely not in my neighborhood

Like · **Reply** · **Share** · 5d

2



Mike Nielson

David Harding, Provo Councilor . Where do they park in the so called mansion houses? Garages? How many bedrooms are each unit? How many cars could that one house have parking. 12-15? As far as one developer living near by that is definitely not guaranteed right.

Like · **Reply** · **Share** · 2d · Edited



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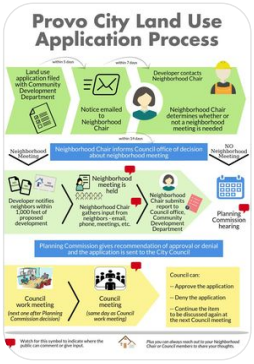
Jonathon Hill Admin

(Edit: I have heard different things from different people on how these plans came about. To be fair to everyone, I relabeled them with descriptive names rather than which is favored by certain people. We will make sure everyone will have a chance to share their views at the meeting.)

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Karen Tapahe
Hi, everyone. I am the person in the City Council office who coordinates with all of Provo's neighborhoods. I just wanted to clarify a few things about the process. The applicant (developer) submits their application to Provo City and various city departments start evaluating things. Certain items (zone changes) require a neighborhood meeting so neighbors can learn more about it and share their feedback. The Neighborhood Chair gathers that feedback and reports it to the Planning Commission and City Council. Your input as residents is an important part of the information that the Council uses to make their decisions. I have often seen Councilors bring up questions and concerns that came from residents.

A key thing to remember is that the applications aren't approved or rejected at the neighborhood level. Suggestions for changes or stating preferences for one plan idea over another are welcome, but it is up to the applicant/developer whether or not to incorporate them.



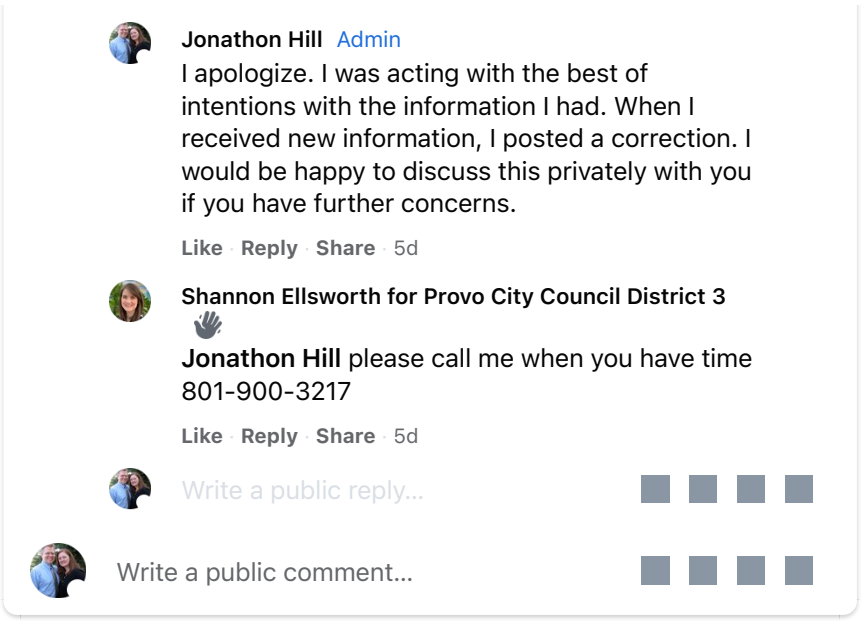
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Shannon Ellsworth for Provo City Council District 3
I'm afraid the post and the titles put on those plans are misrepresenting my positions. **Jonathon Hill** did you label that plan with my name or did the developer do that?

Like · Reply · Share · 5d

Jonathon Hill Admin
I received those names from the developer. After talking to David Harding, I changed the names to neutral descriptive names, posted a note about the edits, and asked the developer to not use them in the meeting tonight.

Like · Reply · Share · 5d


Jonathon Hill Admin
I apologize. I was acting with the best of intentions with the information I had. When I received new information, I posted a correction. I would be happy to discuss this privately with you if you have further concerns.
Like · Reply · Share · 5d
Shannon Ellsworth for Provo City Council District 3
Jonathon Hill please call me when you have time 801-900-3217
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Jonathon

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Edit

Fort Utah Neighborhood

Public group · 394 members

Invite

About Discussion More

About

Group to share information among residents of Provo's Fort Utah Neighborhood. Sign up for email updates from your neighborhood at http://bit.ly/... **See More**

Public
Anyone can see who's in the group and what they post.

Visible
Anyone can find this group.

Utah

General

Jonathon Hill
Admin · May 7 at 10:58 AM ·

Thank you to everyone who participated in the meeting last night. If you were unable to make it or had technical difficulties, you can find the recording here:

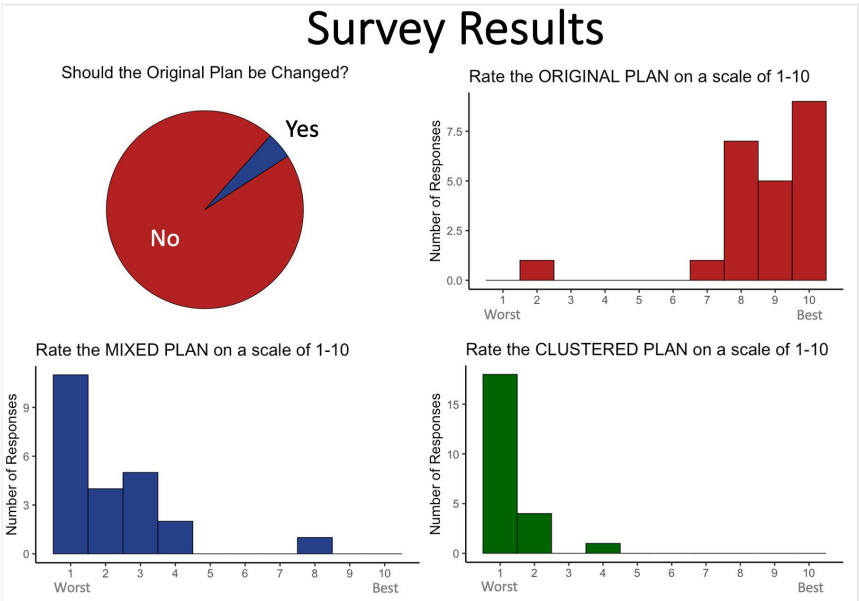
https://byu.zoom.us/.../v4l0PoyJYbToTJG...

I have also processed the survey results and made some charts. Here they are:

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All Comments

Shennon Gibbons Mercer
Thank you Jonathan 3
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Kristen Randle
We, too, are grateful for your effort and this post. 1
Like · Reply · Share · 5d · Edited

Kristen Randle
With gratitude and respect, **Jonathon Hill**
Like · Reply · Share · 4d

Jonathon Hill Admin
By the way, I will be collecting more comments over the weekend. All opinions are welcomed and encouraged. You can post here or email me at fortutah@gmail.com 3
Like · Reply · Share · 5d

Jed Ashford
Jonathon Hill can you share a link to the 'original plan' referenced in the attached images?
Like · Reply · Share · 5d

Jonathon Hill Admin
Yes, here are all three plans that were presented. You can also find them in the original meeting post.



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Rebecca Richards
Thank you.

Like · Reply · Share · 5d

Lianne Dickey Cardon
Is the one vote from all the rest Hardings?

Like · Reply · Share · 5d 1

Jonathon Hill Admin
Lianne Dickey Cardon No, he did not participate in the poll.

Like · Reply · Share · 5d

Alex Redmon
Are the Osprey the reason that bulldozer left?

https://digitallibrary.utah.gov/awweb/awarchive...

Like · Reply · Share · 4d

Ali Bird Vigue
I'm seriously invested in that osprey nest! I hope they'll at least wait until the osprey are done before they start construction.

Like · Reply · Share · 4d 2

Rebecca Richards



Like · Reply · Share · 4d

Rebecca Richards



Like · Reply · Share · 4d

Rebecca Richards
Two new developments going in on 6th south and I don't see ANY mixed housing. Why do those "rules" not apply with these developments? I know the one development is very small, but the other one seems to have a large piece of land that could easily acco... **See More**

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JoLynn Francom Griner
Very good point Rebecca. This shouldn't be forced on this development.

Like · Reply · Share · 4d 3

Rebecca Richards
JoLynn Francom Griner Well it's sure is seeming very forced.

Like · Reply · Share · 4d 1

JoLynn Francom Griner
My daughter is building in the Ethan Meadows development. She had looked everywhere in Provo for a place to build a single family home and get away from living in a town home. She was so excited to find this development to build in and the last thing she would have wanted was to live in another development with town homes.

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View 1 more reply

Gary Jolley
Thanks for doing this and I am grateful for the work you do. It would be nice if the Council would listen to their residents in these matters.

Like · Reply · Share · 4d 5

Kristen Randle
Gary Jolley A deep Amen to this. For all your points.

Like · Reply · Share · 4d

Write a public comment...

00:28:48 Cameron Crossett:It appears like part of the presentation is being cut off. Are other people seeing that?
00:29:22 Benjamin Bikman: It looks good now.
00:31:20 KristenR: me too
00:40:41 Mercer: I worry about our school crossing with the increased traffic over the years.
00:41:32 Lianne: Shennon--the school community council has been working with the police depart and the safety committee on that issue.
00:43:42 Rachel: I do feel like we are already coming close to the max Center can handle. I know during peak times we have waited upwards of 10 minutes before we could get from our cross street onto Center
00:45:55 Robert Mills: LDR is 12 units per acre.
00:46:04 Robert Mills: :)
00:47:21 KristenR: Cynthia Richards: Kristen Randle I read your FB post and you,Äôre right. I hope your neighbors can have the same important vision. Good growth takes work, wisdom, foresight and understanding. You need and deserve someone who really cares and really listens - and then really teams up with those that care long term. It,Äôs got to be about people,Äôs long term well being.
00:47:38 Mercer: When was that traffic study done? During the school year or during the summer?
00:47:46 KristenR: Yes but we had the west side study - and it was just thrown out after years of work.
00:47:56 Staci: Who did the traffic study?
00:48:12 KristenR: Those people were saints. Their work deserves respect and attention.
00:50:11 KristenR: I went to a few - it was serious business
00:50:13 Guy Randle: I think the map makes a lot of sense, and shows that a LOT of work and thought went into it.
00:52:33 Ross: yes, agree Guy
00:52:55 Staci: Has anyone talked to UDOT or MAG to get their traffic studies? Do they show the same info?
00:56:19 KristenR: I,Äôm with Staci
00:57:00 Cameron Crossett:Can we get an understanding of where this development is on the larger 10,000 foot view of the map with the different nodes?
00:57:12 Mercer: Jason could you please turn your camera on so we can put a name with a face?
00:57:52 Mercer: Whats a 3 plex mansion. And what does it mean to be the owner?
00:58:03 Sarah Hill: Is it normal to have to submit 2 plans to the city? That seems unusual.
00:58:32 KristenR: I,Äôd like to see him, too.
00:59:19 Jamie Martin: I'm for the original plan--for single plan homes. That's the one we were all for in the last meeting, and it fits the map and the west side plan.
00:59:39 KristenR: me too
00:59:41 Kathy Van Wagoner: Where is this relative to center street? I agree with single family homes.
00:59:46 Lianne: does anyone actually upsize or downsize and stay in the same 2 block radius??
01:00:28 Kathy Van Wagoner: Where is that relative to Busker,Äôs house?
01:00:50 Jamie Martin: It's right North of Busker's house

01:00:55 Rachel: I believe it is just north of the Busker's
01:00:56 Jesse Busker: bordering on the north
01:00:56 Kathy Van Wagoner: And that church?
01:01:04 David Harding: Here are some images of mansion houses: https://cdn.aarp.net/content/dam/aarp/livable-communities/housing/2020/1140x665-fourplexes.web.jpg
01:01:11 MrG_iPhone: How will these affect the grade with the existing development on the west wide of the new development. Will they build a retaining wall with new fencing?
01:01:15 Guy Randle: Why would the threeplex ,Äúmansions,Äù have to be rentals?
01:01:40 Kathy Van Wagoner: Jesse, between you and the river? How can that be?
01:02:47 Guy Randle: Those elevations of the mansions look nice, for what that,Äôs worth.
01:03:04 Kathy Van Wagoner: Jesse, I,Äôm sorry.
01:03:45 Lianne: It seems that if there are only 271 SF homes vs 1800+ apartments (according to the data given by Jonathan on building permits) that there would be a NEED for SF lots.
01:03:46 Michael Nielson: How many total acres are you developing. How many lots on the single family home plan. And can you show us how big the lots are not in square feet. (like .19, .25 etc.) Also how many homes per acre does your single family home plan average per lot not including roads. The actual house site acreage.
01:03:56 Rachel: I like the first plan with just single family housing the best
01:04:10 Shannon Ellsworth: I,Äôm a renter. I,Äôm a good neighbor.
01:04:38 Shannon Ellsworth: I,Äôve got to step away for another meeting with a non-profit board. I can be reached at sellsworth@provo.org or 801-900-3217.
01:06:38 Kathy Van Wagoner: 1/4 - 1/2 acre lots sounds reasonable.
01:07:44 MrG_iPhone: The smaller lots and townhomes is not a good plan for the area. In my opinion.
01:08:53 Cameron Crossett: I would only be in favor of proposal 1 that has the single family homes. Those size lots match the surrounding areas and fits with the ,Äúfeel,Äù of the area, in my opinion.
01:09:03 Rachel: What is the estimated increase in traffic? Strain on the sewer system?
01:09:15 Lianne: would the 'trail' between that property and existing homes disappear?
01:09:41 Mikell Heinz: I vote to keep the development single family as proposed at the last meeting. it seemed like everyone was happy with that and it goes along with the general city plan that was just shown.
01:10:55 Jamie Martin: I agree with keeping it low density to match the surrounding neighborhoods and to preserve the river.
01:11:43 Teri McCabe: Melanie Allen has her hand raised
01:12:20 Kathy Van Wagoner: YEah!!!! A park!
01:13:36 Lianne: How do the number of homes in this development and the other one you keep showing affect the number of children feeing into Amelia Earhart Elementary.
01:14:18 Christa Lydiksen: I support the plan with single family homes.
01:15:53 Rachel: I have been over in the Vineyard area lately where they are putting lots of town homes and apartments with single family housing and the traffic is horrible, even though they have wider roads

than we do. I don't want our neighborhood to go in that direction. Especially where we don't have a lot of commercial resources in our area (grocery store, food establishments,etc). We also don't have good public transportation connecting us to the center of the city and to the east side.
01:16:42 Teri McCabe: Lianne- The city community development said Provo has 3.4 kids per unit from the Census records. Depending on how many units actually get built x by 3.4 and that's how many more kids are going to Amelia.
01:17:08 Lianne: I 2nd everything Rick is saying!
01:17:23 Cameron Crossett:AMEN!
01:18:10 Kathy Van Wagoner: Rick is spot on!
01:18:22 Rebecca,Äôs iPhone: I also 100% agree with Rick! That IS the draw to this area. Take that away and what do we have left? Tons of traffic and an airport.
01:18:30 Andrew: Have any plans or studies been done to address the additional traffic this would create on center street? Could we get a light at the intersection to Amelia Earhart?
01:18:44 Jamie Martin: I agree with Rick 100%
01:19:12 Kathy Van Wagoner: Yes - to multi-family units don,Äôt fit ,Äî it is bad enough to keep adding more single-family houses.
01:19:15 Rachel: The Pollock family 100% agrees with Rick
01:19:27 Lianne: Police Department study says 'there is not enough traffic consistently' to support a light there.
01:20:05 Rebecca,Äôs iPhone: We understand people want to live here and will. But do it right. Plenty of apartments are going up in downtown for renters.
01:20:12 Teri McCabe: Andrew- There are plans to change the intersection at 2530 West and Center Street for all the kids walking/biking to Amelia.
01:20:38 Jean Mulliner: I also agree with Rick. I love this area and I hate to see the green areas disappear and they will disappear. Help us keep it green and sort of wild.
01:20:41 Kathy Van Wagoner: PLEASE don,Äôt sell to people who want a city experience and are likely to complain about smelly cows/horses.
01:21:52 Mikell Heinz: Yes! we moved here 11 years ago for peace and quiet. Ivory Homes ruined that for us which is why we purchased our land there on the river. Please keep it quaint! Thank you Rick! Very well said!
01:22:00 Mercer: I have my hand up
01:22:04 Lianne: Teri- the SF plan adds 72 lots--adding 245 kids siphoning through Amelia Earhart. That doesn't include the other development or how many more the High Density plan would add. AME doesn't have that much expansion room.
01:22:36 KristenR: YES
01:23:10 Lianne: The plan for the school crossing intersection is to create actual turn lanes. That's it.
01:23:34 Teri McCabe: Yep, including the developments happening in the Lakewood and Provo Bay neighborhoods, the schools will be busting.
01:24:23 Rachel: Yes only Option A
01:25:43 Jamie Martin: Yes only option A
01:26:14 danielle: So question then? To Rick and everyone else do they not realize that a farmer sold their land to build their home?

01:26:54 Rebecca,Äôs iPhone: Yes. We understand that. We just don,Äôt want condos.
01:27:28 KristenR: Yes with Jamie, Rick and Rachel
01:27:49 Andrew: Aaron we feel the same. Considered Mapleton instead.
01:28:32 Kathy Van Wagoner: Sadly, many of us will be leaving due to the growth. I can,Äôt imagine staying when the field behind me goes up in houses.
01:29:28 Rebecca,Äôs iPhone: Yes. We will probably be leaving if this all goes in townhomes and small lots with tons of cars parked everywhere.
01:30:42 Rachel: I lived in Russia and Romania where there are very few houses and mostly apartments that are 5-10 stories high and it is a very different feel from what we are trying to create in this area. They also had a grocery store or cafe in every other building and excellent public transportation all things we don't or wouldn't have. I know that what I experienced there is an extremely different concept then what is being proposed here but I also worry that moving the line even a little away from single family homes will lead to bigger changes in the future
01:32:47 Jamie Martin: Let's not forget about problems that could arise such as sewer problems, raising taxes to pay for even more improvements to the sewer, and imminent domain on center street to accommodate traffic.
01:32:59 Kathy Van Wagoner: I lived in a housing tract of 1/2 horse property lots ,Äî it was fabulous. A horse trail ran between our back fence lines. Can we do some developments like that around her?
01:33:14 Kathy Van Wagoner: *here
01:34:49 KristenR: Amen to this.
01:35:55 KristenR: Amen in spades.
01:37:00 Jamie Martin: Amen to Shennon. Traffic already backups quite a bit on Lakeshore Drive also when the high school gets out. I look out my window and see a line of cars and In think what is going on, and then I remember, oh i'ts school getting out.
01:37:01 Rick Smith: What we ask for is development that is thoughtful, that strives to preserve what we have. The original single family home plan is the best of the proposals. The other two result in greater diminution of the quality and character of the surrounding area.
01:37:32 Rachel: I appreciate that the developer's original plan was in line with what we in the area want, I hope the city council will get on board
01:38:06 Jamie Martin: I hope the city council will respect the plan and our wishes
01:38:09 Aaron McCullough: One important point to consider: The grocery stores that have told the city "no" have cited that West Provo has an average income per household that is too low. This single-family development with large lots and large homes will increase the average household income on the west side, thereby getting us that much closer to a grocery store. However, if this development moves to high density, then the average income per household will not have the positive bump.
01:40:40 Kathy Van Wagoner: We do a clean up once a year. Ben is talking about a system that perpetually cleans the river.
01:41:19 Miurvy Busker: I live on Lakeshore Drive, when Provo High School gets out and it is combined a flight departure from the airport,

we can't get out of our driveway. in occasion it has taken me about 4 minutes to get out of my driveway.
01:42:44 Lianne: There is a community feel here because of the openness--when you cram in the housing, people don't care about the community, the river becomes someone else's problem. (speaking from experience).
01:43:03 Ross: Yes, David, but the land has sold. The developer presented a plan. The neighborhood approved it.
01:43:10 Kathy Van Wagoner: David, that is why we are asking for development that perpetuates the way of life out here as best as possible ,Äî larger lots, more space, fewer houses/people
01:43:58 Rachel: If the farmer wants to sell the field and another farmer doesn't want to take it over then I am ok with development with large lots and single family homes, green space with parks and trails not apartments or lots of town homes.
01:44:14 Lianne: no one here is asking for this land to stay fields. we understand development has to happen, growth happens. We are only asking to keep it consistent with the existing life out here.
01:44:45 Ross: If you want to talk about property rights--what about the developer? They came up with a plan that they thought would be most profitable. And WE APPROVED THAT PLAN.
01:45:16 Mercer: More open green larger areas. When development happens. Larger lots.
01:45:20 Rick Smith: But the policy says to "enact ordinances" regarding the mixed development. It does not say every development must have mixed. Have the ordinances been enacted?
01:45:47 Jamie Martin: What doesn't fit
01:47:06 Gary: sounds like the council has its mind made up and the neighborhood has no say. Very disappointing
01:47:12 Rachel: David Harding, you don't live in our area but you still have a responsibility to uphold the wishes of the neighborhood and we have shown how this does fit the plan for this area!
01:47:43 KristenR: No kidding
01:47:51 Rick Smith: Again, the mixture of housing types is NOT required by the policies. The policy is that the Council should enact ordinances.
01:48:04 KristenR: Amen
01:48:05 Rachel: This is exactly what everyone was worried about, that the city won't uphold their end of our plans
01:48:43 Mercer: How many cars are going to be for those people leaving in those mansions?
01:48:59 Sarah Hill: It seems like a bit of a conflict of interest to tell us that you will not vote for anything except the plan that you helped to create. That is disappointing to me. The original plan meets the plan, so you should vote for it.
01:49:10 Lianne: The neighborhood on 3000 west has all types, retirees, families with teens, families with elementary, and families with children who haven't gone to school yet. we have all the same size lot and house (more or less)
01:49:16 Ross: Yes. absolutely agree Sarah!
01:49:34 Gary: totally agree!
01:49:34 Christa Lydiksen: Most of my neighbors that are moving are leaving West Provo because there aren't any larger lots with homes available. There are still a lot of people that do not want to have tiny

yards and be crammed in next to their neighbors. There is no mixture of homes if there aren't larger lots and home options to choose from in West Provo.
01:49:37 Jamie Martin: Yes to Sarah as well
01:49:56 KristenR: I have lost my trust in the process and the people.
01:50:37 Rachel: The city council's responsibility is to the citizens it represents not their own interests and agendas
01:50:38 Lianne: Do people actually buy homes with shared driveways???
01:50:59 KristenR: Shared drives are actually against the zoning poicies
01:51:30 Rachel: Yes it is threatening! Plan A is in alignment with the plan, get on board with our (the people's) wishes
01:51:45 Becky,Äôs : What are the opinions of the other 2 council members in this meeting?
01:51:53 KristenR: He won,Äôt stop till he wears everyone down.
01:52:34 Rachel: He won't wear me down, I'm ready for a fight!!!
01:53:21 Gary: you need to listen to the people you represent
01:54:21 KristenR: And don,Äôt throw out concern for the poor farmers at me. I KNOW John Hinkley. I know what he,Äôs gone through with the city. The City doesn,Äôt love the farmers. I wish when they were finished, they,Äôd sell the land to PEOPLE - but the swooping developers take EVERYTHING. People have NO CHANCE to compute. When Nellie,Äôs son in law sold me that lot He SAVED my heart. And the last thing he said to me was DO NOT LET THEM get the land.
01:55:15 Rachel: Correct, it does not maintain that character
01:55:56 Jesse Busker: I agree, the layout and shared access is not congruent
01:56:19 Rachel: I agree with Ross, it does follow the plan
01:56:27 KristenR: We,Äôve heard developers lie to our faces and we sent one to prison for fraud. They don,Äôt care about the people. They don,Äôt care about the character of our home. And I don,Äôt feel like the city cares about the single people at ALL. It,Äôs big money that brings the pressure - and I,Äôve caught more than one man in a lie. And I,Äôve seen what happens when the builders take short cuts and build badly. So why couldn,Äôt the farmer allow people to get together with them and leave the damn developers out of it.
01:57:28 KristenR: Single family homes. Less cars. Less property taxes do to hauling in huge sewer systems DAVE - SERVE US. That,Äôs your job.
01:57:32 Jesse Busker: Here here
01:57:36 Rachel: Thank you Aaron!!!!
01:58:47 Sarah Hill: ,ÄúCan,Äôt the tie go to the neighbors?,Äù That is the question of the night. Please respect the people who live here.
01:59:04 Lianne: and TECHNICALLY 4.1 lots/acre is still OVER 4. . .
01:59:12 Rachel: Amen Sarah!
01:59:36 KristenR: BUT???? BUT???
02:00:08 KristenR: The best way. maybe not what you think
02:00:09 Jamie Martin: We have a strong vibrant community
02:00:10 Mercer: Says you!!
02:00:13 Jesse Busker: broad and apparently silent and non-existent
02:00:53 Gary: No

02:01:15 Rachel: David, how many of these mixed multi-family/residential "best practices" areas are in your neighborhood and are you voting for in your area?
02:01:17 Mercer: So this meeting is a mute point. David you have already made up your mind on which one your picking?
02:01:20 Sarah Hill: I don,Äôt see any single family homes being put in downtown. One housing type,Ä¶ Why do you think your opinion is more important than everyone else,Äôs?
02:01:22 Rebecca,Äôs iPhone: I,Äôve lived in this area for 40 years. I disagree with it being a more vibrant community with mixed housing. At least in this little pocket.
02:01:25 KristenR: We do already. We have a strong community. YOU are bringing in so much that will change things - cost more, more traffic. It doesn,Äôt add up.
02:01:43 Ross: very good point Sarah
02:01:59 KristenR: 1/10 should be the very smallest
02:02:16 Jesse Busker: nope
02:02:40 KristenR: WE DID HAVE ONE
02:02:41 Rebecca,Äôs iPhone: Are there not going to be more chances for apartments and condos on lakeshore parkway
02:03:10 KristenR: We HAD a plan, thank you very much.
02:03:38 KristenR: Me either
02:04:14 Rachel: So, all the hard work and effort that went into the plan Jonathon described at the beginning of this meeting isn't really the plan? My understanding is that we do have a plan
02:06:31 Mercer: So you get the large lots?
02:06:48 Lianne: what are the square footage ranges for the HOUSES and how are you counting lot 72 as a lot since you said you don't have that land.
02:08:06 KristenR: I like the option to exit the cookie cutter thing. WE built our own house in a terribly boring development - than heaven I love my neighbors.
02:08:33 Kathy Van Wagoner: Can we do the poll now and let the discussions continue? I doubt the discussions are going to influence poll decisions
02:08:54 Lianne: Thank you JASON!!
02:09:34 KristenR: YES!
02:09:53 KristenR: YOU GO, SARAH!!!
02:10:14 Lianne: ie. how many apartments are going into the 14 story millrace apartments? not a SF house on that property
02:10:24 Jesse Busker: the plan is... oh yeah silent?
02:10:29 KristenR: Jonathan and David disagree, and so do SO many of US disagree with David.
02:10:30 Gary: That is just your preconceived plan
02:10:37 MrG_iPhone: Well said Sarah.
02:11:23 Ross: exactly!
02:11:39 Shannon Ellsworth: Downtown there are single family homes, townhomes, and apartments within a mile radius.
02:12:09 Ross: but not in a newly approved development
02:12:32 Emma Gadeski: can someone clarify for me? what policies is everyone referring to?
02:12:33 Ross: within multiple developments that occurred over the course of many, many years

02:13:12 KristenR: But we want to make it something that we, now, desire. for the rest of our own lives.
02:14:23 Mercer: Where did that survey go?
02:14:56 Lianne: won't let me submit
02:15:39 Christa Lydiksen:Will you clarify which plans are clustered and mixed?
02:17:15 Gary: It wont et us move beyond #3
02:17:23 Gary: yes
02:17:40 Mercer: Done
02:17:53 KristenR: Because it won,Äôt let you go if you don,Äôt pick something.
02:19:09 MrG_iPhone: The original plan is the only one that should be considered
02:19:23 iPhone: So which plan is the front running with the city council now?
02:19:50 Rebecca,Äôs iPhone: Thank you Jonathan and all who came and shared.
02:19:57 Rachel: Thanks Jonathon for hosting this and thank you to everyone who participated
02:20:07 Gary: Thank you Jonathan
02:20:22 Michael Nielson: thanks jonathon
02:21:05 Ross: Thanks Jonathan
02:21:20 cox family: ThANK YOU FOR YOUR WORK, NO YELLING
02:21:34 cox family: sorry caps on

Fort Utah Neighborhood Meeting Report

May 6, 2021
Jonathon Hill
Neighborhood Chair

Zoom Recording Link: https://byu.zoom.us/rec/share/v4l0PoyJYbToTJG-hySZcRyPfLhnuvJ9dxbAxPTBIbPcnrYHW-W4zeG_Ke9VbjFv.5OMfj6lvAQ6s4mJ6?startTime=1620349525000

Attendance: ~44

Presentation Summary

The Fort Utah neighborhood held a meeting on May 6, 2021 to discuss three plans for a potential development on Lakeshore Drive between Center Street and the Provo River. The meeting began with a presentation by the neighborhood chair to provide information and background (note: a complete recording is available at the link above, and the PowerPoint used is attached as Appendix 1). First, a reminder was given summarizing the land use application process and where the neighborhood meeting falls within that process. Neighbors were reminded that they do not officially approve or vote on a development, but that their feedback is an important component of the decision. They were also told when and how they can participate directly during the Planning Commission and City Council phases. Next, the neighborhood chair let them know that all opinions were welcome during the meeting and asked all participants to remain civil.

As has become customary in the neighborhood, the chair then reviewed the Southwest Neighborhood Plan. This plan was created in two parts by two committees. The first committee, the Westside Planning Committee, created a set of policies (Appendix 2) to guide development in the Southwest region (west of I-15 and south of the Provo River). This plan was adopted by city council as a guiding document for a Neighborhood Master Plan. The Community Development department then assembled a second committee, referred to here as the Southwest Land Use Map Committee, to make a map implementing the principles. This map (Appendix 3) was also approved by City Council. This history was explained to the neighborhood and, as a result of conversations before the meeting, more time than is typical was spent highlighting both the principles and the map, as well as talking about how the two committees interpreted particular stipulations in the policies differently. The presentation ended with a summary of current development citywide and in the Southwest Area.

After the neighborhood chair presentation, the time was turned over to the developer who presented the three development options (see Appendix 4). One of these plans had been previously presented to the neighborhood at a meeting in March (designated the “Original” plan). This plan consists of 72 single-family homes on mostly one-quarter to one-half acre lots (3.9 units per net acre). The developer stated that this was his preferred plan and that his ideal situation would be to sell the lots for custom homes. Two alternative plans were also presented (Please see end note for clarification on the history and naming of these plans). One of these plans, the “Mixed Density” plan, included the addition of four 3–4-unit mansion style

apartments and three shared driveway clusters (14 homes). The total number of units, 76-80 units, and the overall density (4.1 units per net acre) of this plan are only slightly higher because other lots were enlarged to compensate. The third plan (the "Clustered" plan) increased the number of units from 72 to 131 (resulting in 6.7 units per net acre) by incorporating 70 townhomes and two shared driveway clusters as well as shrinking many of the other lots to ~5,000-6,000 square feet

Discussion and Survey Results

Following the developer presentation, a discussion was held for approximately one hour, and a survey was conducted to gauge neighborhood opinion at the end of the meeting. The survey results, as well as the comments made during the meeting and on the related Facebook post, showed that the sentiment of the neighborhood is strongly against either of the two alternative developments (Figure 1). One question on the survey asked participants to designate whether they thought the original plan should be changed. Results were nearly unanimous against changing the plan (22 out of 23 poll respondents). Participants were then given the opportunity to rate each plan individually to gauge the strength of their preference. The average rating for the "Original" plan was an 8.7 (with 10 being the best), and this plan was the highest rated plan for ALL participants. The "Mixed Density" plan received an average rating of 2.2, and the Clustered plan's average rating was 1.7. Of note, the one person that voted to change the plan rated the "Original" as a 2 and both alternatives as a 1—apparently indicating that they did not like any of the proposals.

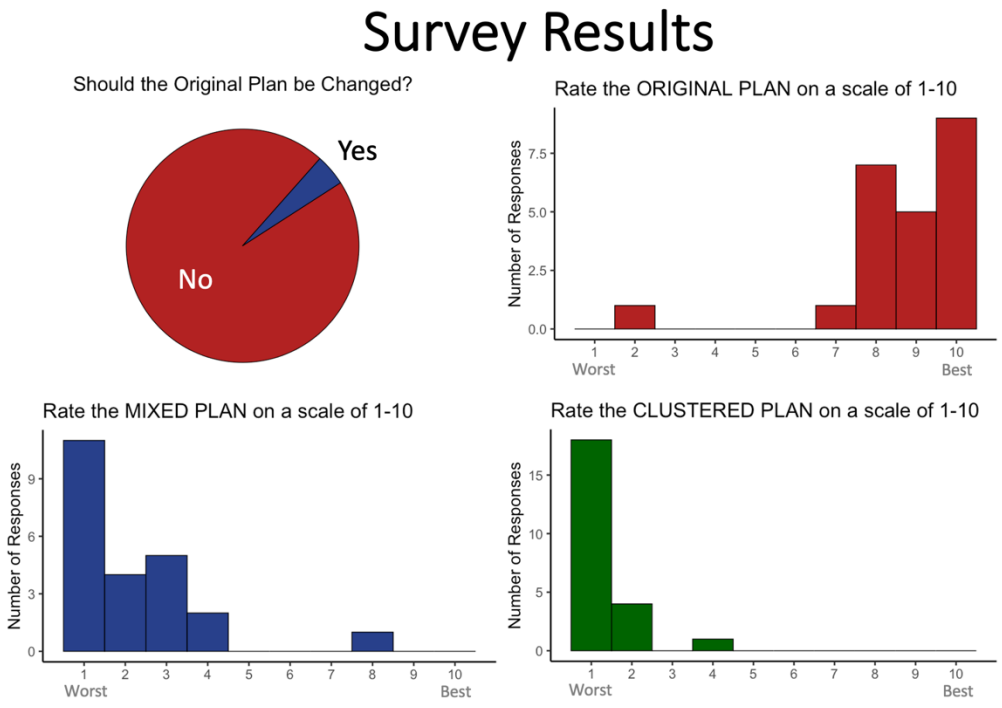


Figure 1: Neighborhood Survey Results.

Concerns expressed in the meeting, online, and by email have mainly centered on four main areas: overall housing development in Provo, adherence to the Southwest Plan, impact on infrastructure, and effects on the feel of the area. I will summarize and give examples of the key points for each of these areas here. However, it will be impossible to fully capture the subtleties of what was expressed. I recommend interested parties watch the full recording and read the emails attached to this report.

1. **Overall Housing Development in Provo.** The issue in the minds of many has expanded beyond this one development to larger questions about development in Provo. The presentation included an analysis of the Provo Planning Commission Reports of Action that showed that, over the last two years, approvals for multifamily units have outpaced single family units by a ratio of 9:1. Several individuals cited personal experience of having difficulty finding single family lots in Provo, driving young people to move out of the city. One person in attendance even said that as they look at the next phase of their life, they would be interested in the "Original" plan but would likely look elsewhere if the other plans were enacted. Finally, one woman asked why the city council is so concerned about having multiple housing types in west side developments, while at the same time, ignoring these same concerns for large apartment complexes that are being built downtown. On the other side, the two comments on Facebook in favor of the alternative plans cited the potential to provide more affordable housing in the city. Finally, an email I received after the meeting stated that they would like to see the city show the neighborhood why, in the larger picture, it is necessary to incorporate multifamily homes in *every* development. He wanted to see data and more information that would justify a need to change the "Original" plan.
2. **Adherence to the Southwest Plan.** Differing opinions on how the Southwest Plan should be interpreted were discussed at the meeting. David Harding, a city councilor and the chair of the original West Side Planning Committee, stated that the intent of the West Side Policies was that there would be a mixture of housing types throughout the area. However, three members of the Southwest Land Use Map Committee (Jonathon Hill, Rick Smith, and Aaron McCullough) stated that the policies only vaguely stated that multiple housing types should be included in the area, with single family homes the predominant type. The Land Use Map Committee then interpreted this to allow them to consider infrastructure and current housing types to designate where such mixed housing types should be located. Thus, the final map does not designate multiple housing types in the areas labeled "Res" but does dictate mixes at the three numbered nodes (see map). It was also noted that the map, if followed, would result in the addition of approximately 4000 new units to the area, including approximately 2200 units in the multi-family (MDR and LDR zones) and 1800 units in the single-family zones (R1.X and RA). Thus, the further addition of mixed housing types in the lower density zones would not meet the goal of making single-family homes the predominant housing type. Overall, most residents in attendance agreed with the Land Use Committee interpretation of the policies and the map.

   Since the meeting, several questions have been raised about the implications of requiring multiple housing types in every development, including how many types of housing would be required? What ratios of housing types would be acceptable? And is

there a minimum size of development that would be required to incorporate multiple types? Uneven enforcement was also questioned. One member of the Land Use Map Committee stated in the meeting and in an email afterward, "If the City Council were to deny approval of the proposed single-family development plan of the Lakeshore Drive property on the basis that it does not include a mix of housing types such a denial would be arbitrary and capricious, first because there is no ordinance or policy requiring it, and second because no other development has been held to this non-existent standard. It would be improper to create some sort of de facto ordinance to apply at this moment to this development for no discernible reason."

3. **Impact on Infrastructure, especially Center Street traffic and Amelia Earhart Elementary.** Concerns in this area revolve around the fact that the position of the river makes this part of the neighborhood very reliant on Center Street for access to I-15 and other parts of Provo. Data from the 2011 Traffic Master Plan was presented showing that any development above 4 units per acre along the Center Street Corridor would overload the street, even without accounting for increased airport, high school, and business traffic that has affected the road since the study was completed. Expansion of the road is not feasible, as it would require extensive eminent domain to remove houses on at least one side, leading to an expensive and politically unpopular project. Several people also raised concerns about impacts on the local elementary school and whether it could be expanded, or another school built in the area.
4. **Impact on the overall feel of the area.** Comments on the changing feel of the area generally centered on the position of this area as the gateway to the delta that is currently under construction and the current animal life that exists in the area, as well as overall density and traffic compared to other parts of Provo. Concern was raised about the nesting Osprey within the boundaries of the development and the effects of burying the stream that passes along the southern border of the property on the pheasants, ducks, owls, and other wildlife that are commonly seen in the area. Others noted the "slower" feel of the west side with many talking about why they moved to the area and their appreciation for an area of Provo that is more spread out than most of the city. Finally, several neighbors commented on the inclusion of rental properties as a reason that they did not support the other plans. They felt rentals would distract from the urgent need for homeownership opportunities in Provo, as well as fail to match the current neighborhood. The lack of adequate parking in the 3-4 unit complexes due to the constraints of the building type and the property was also a sticking point for many. Shared driveways were also problematic for some saying that they create legal issues and are not desirable for homeowners.

In conclusion, while salient points were made on multiple sides of the argument, the vast majority of participants and comments favored the "Original" development plan with 72 single family homes. The neighborhood believes that the "Original" plan is consistent with the Southwest Land Use Map and the Westside policies, addresses an important need for more single-family home inventory, and will minimize the impact on local infrastructure and schools. On these points, the developer and the neighborhood are in complete agreement. In fact, the developer stated in an email to city staff following the meeting that he will push forward with the "Original" plan and does not find either of the other plans viable.

Thank you for your time and thoughtful consideration of these issues.

Sincerely,

Jonathon Hill
Fort Utah Chair

End Note: The two new plans brought forward were a result of the developer's contact with councilors Harding and Ellsworth in an effort to find a plan that would be approved by the city council. When the developer reached out to me, he called the new plans the "Harding" and "Ellsworth" plans. I was under the impression those were the agreed upon names and was even told that the city councilors would be at the neighborhood meeting to support the new options. I posted the plans on Facebook so the neighborhood could study them and come prepared to the meeting. After reaching out to Miss Ellsworth by email, she let me know that she did not design the plan and did not want her name attached to it. I immediately changed the name on the plans to descriptive titles and apologized in an effort to not misrepresent anyone's views.

I honestly believe that the names did nothing to influence opinions on this development. I can say this because the neighborhood has consistently and strongly opposed similar plans over the last few years. The issues described here are not related to the plan's name or source, but rather an issue with the plans themselves.

Provo City Planning Commission

Report of Action

June 9, 2021

*ITEM 6 Jason Bennett requests a Zone Change from A1.10 and A1.5 to R1.8 for 68 single-family lots, and from A1.5 and A1.10 to the RA Zone for 1 lot, located at approximately 200 N Lakeshore Drive. Fort Utah Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20210049

The following action was taken by the Planning Commission on the above-described item at its regular meeting of June 9, 2021:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen
Second By: Robert Knudsen
Votes in Favor of Motion: Laurie Urquiaga, Dave Anderson, Daniel Gonzales, Lisa Jensen, and Robert Knudsen

Dave Anderson was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED
The property to be rezoned to the R1.8 Zone (One-Family Residential) and RA Zone (Residential Agricultural) is described in the attached Exhibit A.

RELATED ACTIONS
The Planning Commission also approved the related Concept Plan, Item 5, at the June 9, 2021 hearing.

STAFF PRESENTATION
The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

CITY DEPARTMENTAL ISSUES
- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE
- Two (2) neighborhood meetings were held (one on May 6, 2021, and the other March 25, 2021).

NEIGHBORHOOD AND PUBLIC COMMENT

- Jonathon Hill, Fort Utah Neighborhood Chair, noted that his neighborhood was polled twice concerning the proposal and the neighborhood was overwhelmingly in favor of it.
- He noted the following reasons for neighborhood support of the proposal:
    - Adheres to the Southwest Plan
    - Proposal improves the housing mix in Provo
    - Preserves open feel of the area near proposal
    - Minimizes impacts on Center Street traffic and local schools
- Staff read or summarized comments from the following members of the Public:
    - Dean Griffin: He is opposed to the proposed R1.8 rezone because of the potential of smaller lots, as opposed to the R1.10 lots in the area. Dean expressed concerns about the affect a new development (built with an R1.8 zoning designation) would have on the property values. An R1.10 zoning designation is more preferably to Mr. Griffin, but he would rather not see any development take place on the subject property.
    - Kristen Zimmerman: Expressed support for the proposal.
    - Sara Hill: Sara noted the lack of westside infrastructure for development and Center Street being near capacity. She would like new homes to fit in with existing homes and enhance the natural beauty of the area. We need more single-family homes to give people the option to stay in Provo when they want to purchase a new home. The proposal fits well with the Southwest area map.
    - Rick Smith: Mr. Smith appreciated the developer being attentive to the neighborhood's desires. He noted the larger size of lots in the vicinity of subject property. Proposed lots fit well with nearby neighborhoods.
    - Christian Vom Lehn: He is supportive of high or mixed density housing, but feels the City has not given a clear vision for how this should look. The City has an existing vision for this area and the proposal is consistent with that vision. He supports the proposal.

APPLICANT RESPONSE

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

- Mr. Jason Bennett clarified that his proposal includes dedication of access trails to the adjacent walking trail near the river. They will bring fill onto the site to facilitate sewer service. Tony Trane, the project engineer, stated a willingness to coordinate with the City on trail issues.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission was supportive of the proposal. Commissioner Anderson said it was easy to support this proposal from every perspective.
- Commissioner Lisa Jensen does not believe the R1.8 and R1.10 zones are incompatible next to each other.
- Commissioner Lisa Jensen made the following motion: Recommend approval of the proposed zone map amendment. The motion passed, 5-0.

Planning Commission Chair

Director of Development Services

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

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

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

Property to be rezoned to R1.8 Zone (One-Family Residential):

BOUNDARY DESCRIPTION AREA 1 (WEST SIDE)

Beginning at a point which is South 00°13'50" East 80.44 feet along the section line and East 97.06 feet from the West Quarter Corner of Section 3, Township 7 South, Range 2 East, Salt Lake Base and Meridian: thence along a Quit Claim Deed Entry No. 57196:1996 the following two courses 1) Southwesterly 207.82 feet along the arc of a 666.00 foot radius curve to the left, through a central angle of 17°52'42", the chord of which bears South 10°23'18" West 206.97 feet; 2) South 01°26'57" West 758.03 feet; thence along the northerly boundary of Pelican Creek Plat "A" the following ten courses 1) North 72°21'33" West 26.17 feet 2) South 77°16'25" West 25.60 feet; 3) South 57°16'21" West 72.08 feet; 4) South 74°59'10" West 52.80 feet; 5) North 87°03'40" West 46.19 feet; 6) North 67°59'42" West 29.30 feet; 7) North 49°43'16" West 54.09 feet; 8) North 74°13'09" West 40.09 feet; 9) North 81°56'44" West 55.83 feet; 10) North 74°49'19" West 140.78 feet; thence along a Warranty Deed Entry No. 59745:2017 the following nine courses 1) North 00°13'15" West 37.46 feet; 2) North 11°13'15" West 63.00 feet; 3) North 28°10'18' West 84.85 feet; 4) North 48°23'50" West 4.41 feet; 5) North 00°57'26" West 59.74 feet; 6) North 88°45'27" East 10.00 feet; 7) North 02°33'55" West 278.42; 8) North 86°15'37" East 20.00 feet; 9) North 03°44'23" West 34.58 feet; thence along a Special Warranty Deed Entry No. 118586:2016 the following four courses 1) South 87°15'09" East 13.07 feet; 2) North 84°10'43" East 133.52 feet; 3) Northeasterly 199.76 feet along the arc of a 130.00 foot radius curve to the left, through a central angle of 88°02'30", the chord of which bears North 40°09'32" East 180.68 feet; 4) North 03°51'39 West 148.83 feet; thence North 46°00'32" West 90.66 feet; thence North 06°59'28" East 56.00 feet; thence South 89°10'05" East 194.86 feet; thence Southeasterly 84.99 feet along the arc of a 275.00 foot radius curve to the right, through a central angle of 17°42'27", the chord of which bears South 80°20'22" East 84.65 feet; thence South 71°29'08" East 138.75 feet to the point of beginning.

10.871 acres more or less.

Basis of bearing: The line between the West Quarter Corner and the Southwest Corner of Section 3, Township 7 South, Range 2 East, Salt Lake Base and meridian which bears South 00°13'50" East as per Utah County Resurvey Plat NAD 83.

BOUNDARY DESCRIPTION AREA 2 (EAST SIDE)

Beginning at a point which is South 00°13'50" East 1092.92 feet along the section line and East 101.23 feet from the West Quarter Corner of Section 3, Township 7 South, Range 2 East, Salt Lake Base and Meridian: thence along a Quit Claim Deed Entry No. 57196:1996 the following two courses 1) North 01°26'57" East 807.48 feet 2) Northeasterly 403.12 feet along the arc of a 600.00 foot radius curve to the right, through a central angle of 38°29'43", the chord of which bears North 20°41'49" East 395.58 feet; thence South 50°03'20" East 8.00 feet; Northeasterly 36.40 feet along the arc of a 592.00 foot radius curve to the right, through a central angle of 03°31'22", the chord of which bears North 41°42'22" East 36.39 feet; thence North 43°28'02" East 277.29 feet; thence South 49°00'32" East 82.67 feet; thence South 16°40'32" East 79.26 feet; thence South 89°59'28" West 19.93 feet; thence South 16°30'32" East 227.70 feet; thence South 56°29'24" West 42.24 feet; thence South 54°44'25" West 44.84 feet; thence North 89°59'28" East 33.90 feet; thence along Lakeside Village "A" the following four courses 1) South 39°32'58" West 45.70 feet; 2) South 27°23'47" West 73.46 feet; 3) South 00°06'55" West 746.12 feet; 4) South 08°25'31" East 35.75 feet; thence along a Boundary Line Agreement Entry No. 1082:2008 the following six courses 1) South 68°01'16" West 55.22 feet; 2) South 85°34'12" West 98.20 feet; 3) South 72°21'36" West 55.23 feet; 4) South 31°26'53" West 36.19 feet; 5) South 18°12'17" West 23.61 feet; 6) South 01°20'31" West 32.45 feet; thence along the northerly boundary of Pelican Creek Plat "A" the following two courses 1) North 89°23'20" West 167.32 feet; 2) Northwesterly 20.33 feet along the arc of a 25.00 foot radius curve to the right, through a central angle of 46°35'50", the chord of which bears North 66°05'25" West 19.78 feet to the point of beginning.

11.145 acres more or less.

Basis of bearing: The line between the West Quarter Corner and the Southwest Corner of Section 3, Township 7 South, Range 2 East, Salt Lake Base and meridian which bears South 00°13'50" East as per Utah County Resurvey Plat NAD 83.

EXHIBIT A, continued

Property to be rezoned to RA Zone (One-Family Residential):

BEGINNING AT A POINT WHICH IS SOUTH 40.92 FEET AND EAST 616.87 FEET FROM THE WEST QUARTER CORNER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 16°30'00" WEST 227.70 FEET; THENCE EAST 111.39 FEET; THENCE SOUTH 55°00'00" EAST 219.25 FEET; THENCE SOUTH 01°00'00" WEST 52.77 FEET; THENCE WEST 28.45 FEET; THENCE SOUTH 01°00'00" WEST 189.82 FEET; THENCE NORTH 75°30'00" WEST 56.09 FEET; THENCE NORTH 32°00'00" WEST 102.30 FEET; THENCE NORTH 59°58'40" WEST 98.32 FEET TO THE POINT OF BEGINNING.

ITEM 6*

Jason Bennett requests a Zone Change from A1.10 and A1.5 to R1.8 for 68 single-family lots, and from A1.5 and A1.10 to the RA Zone for 1 lot, located at approximately 200 N Lakeshore Drive.

Fort Utah Neighborhood

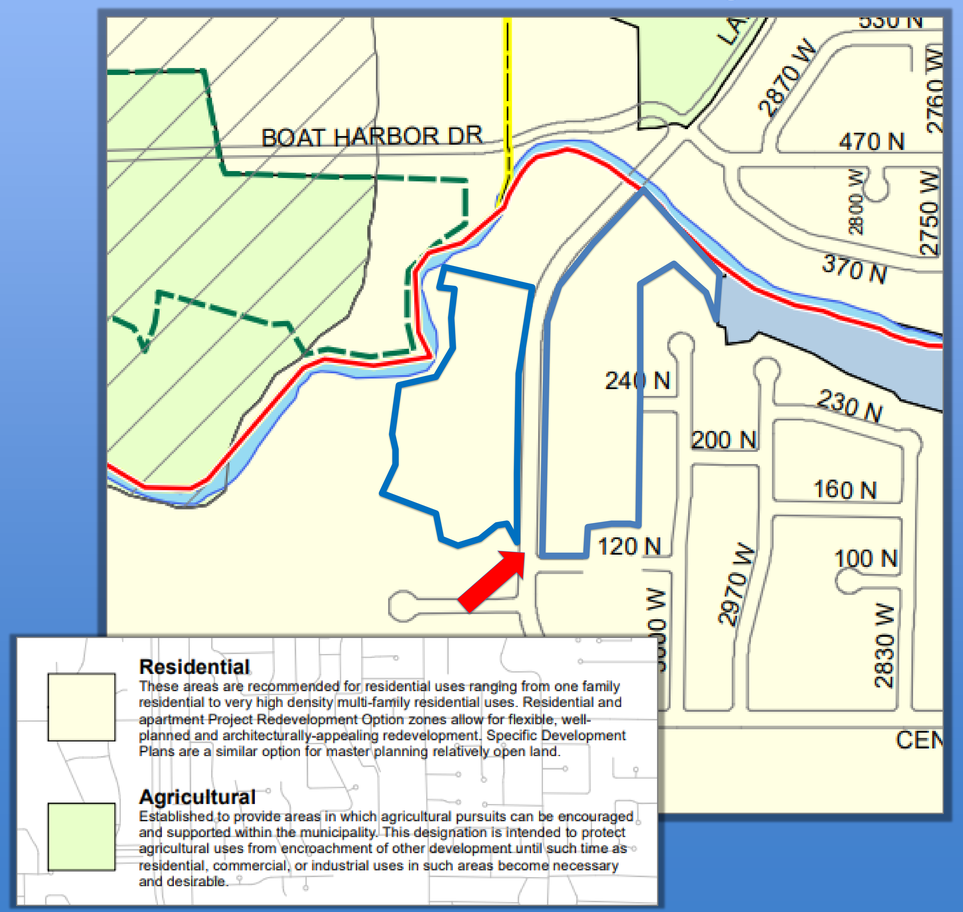
PLCP20210054

Vicinity Map

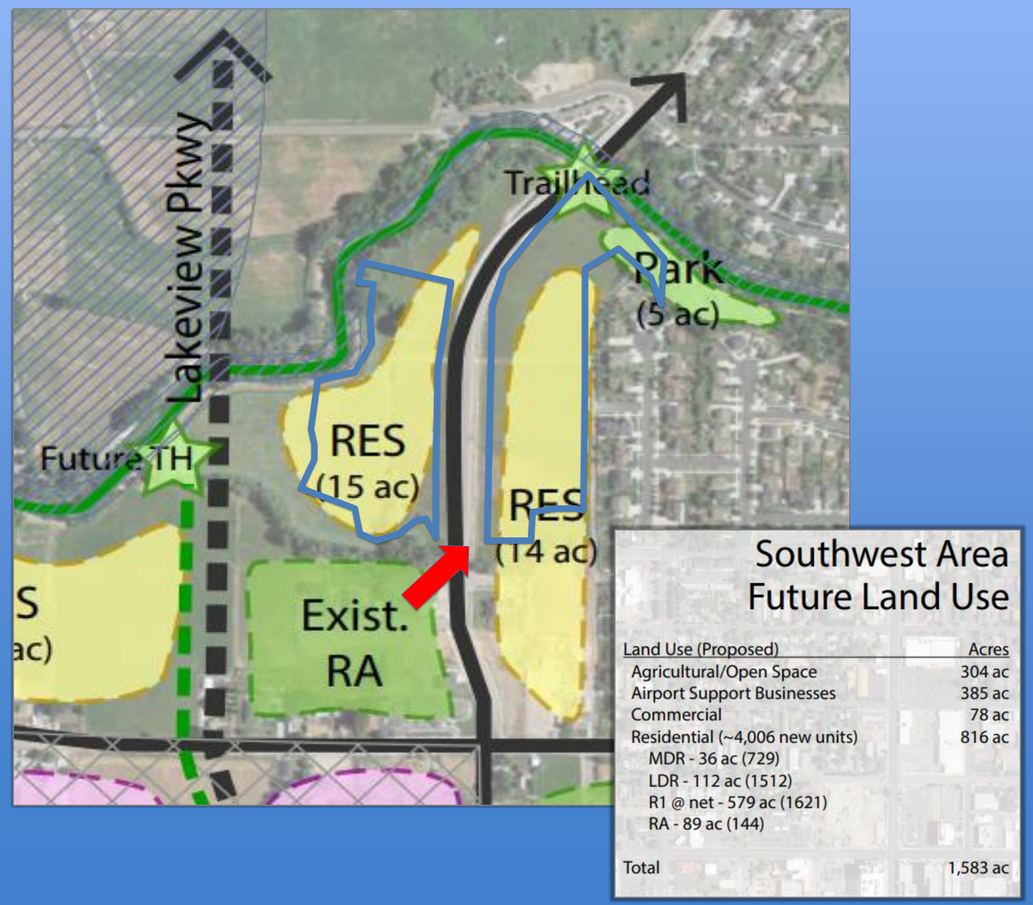


Land Use Maps

General Plan Map

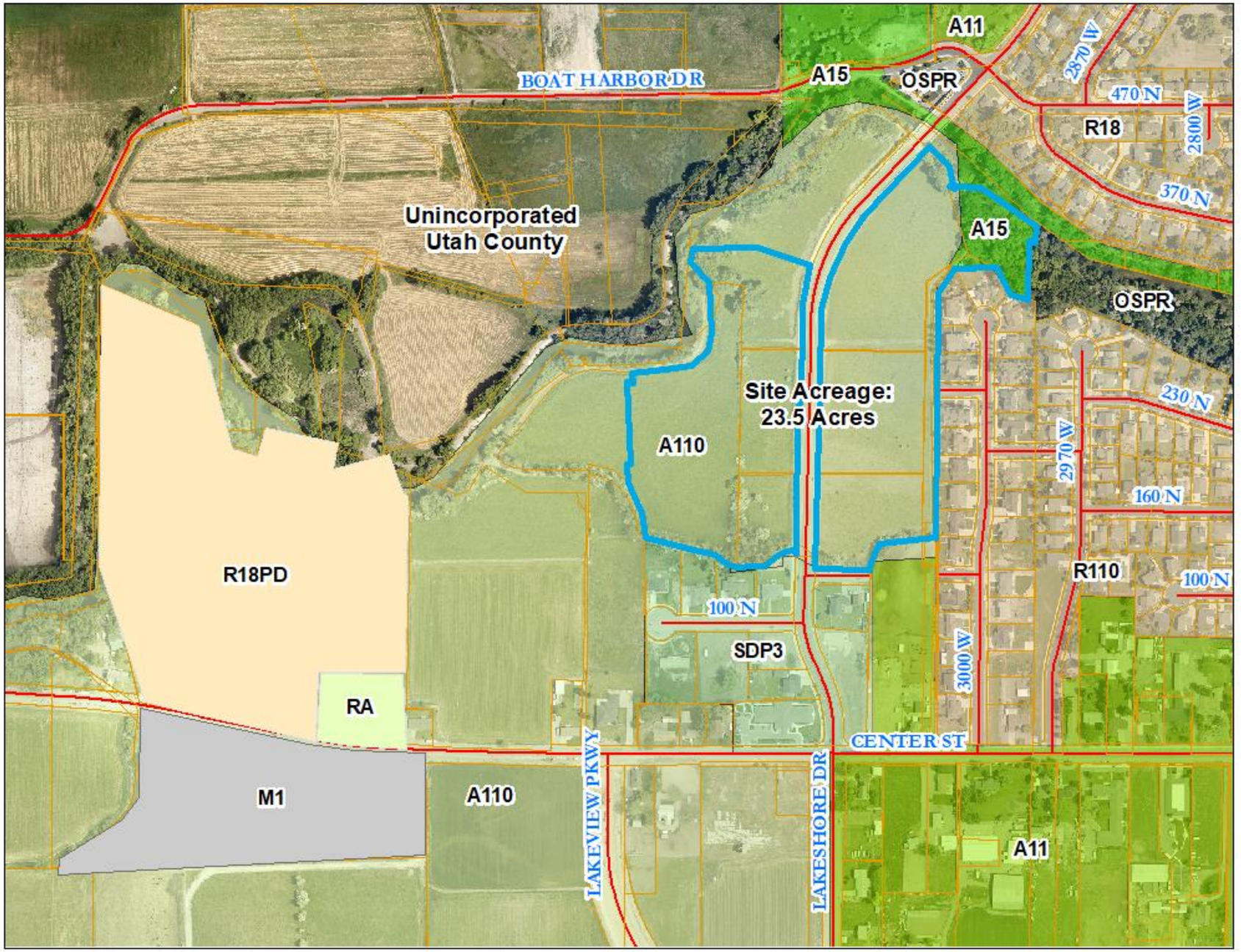


Southwest Area Future Land Use



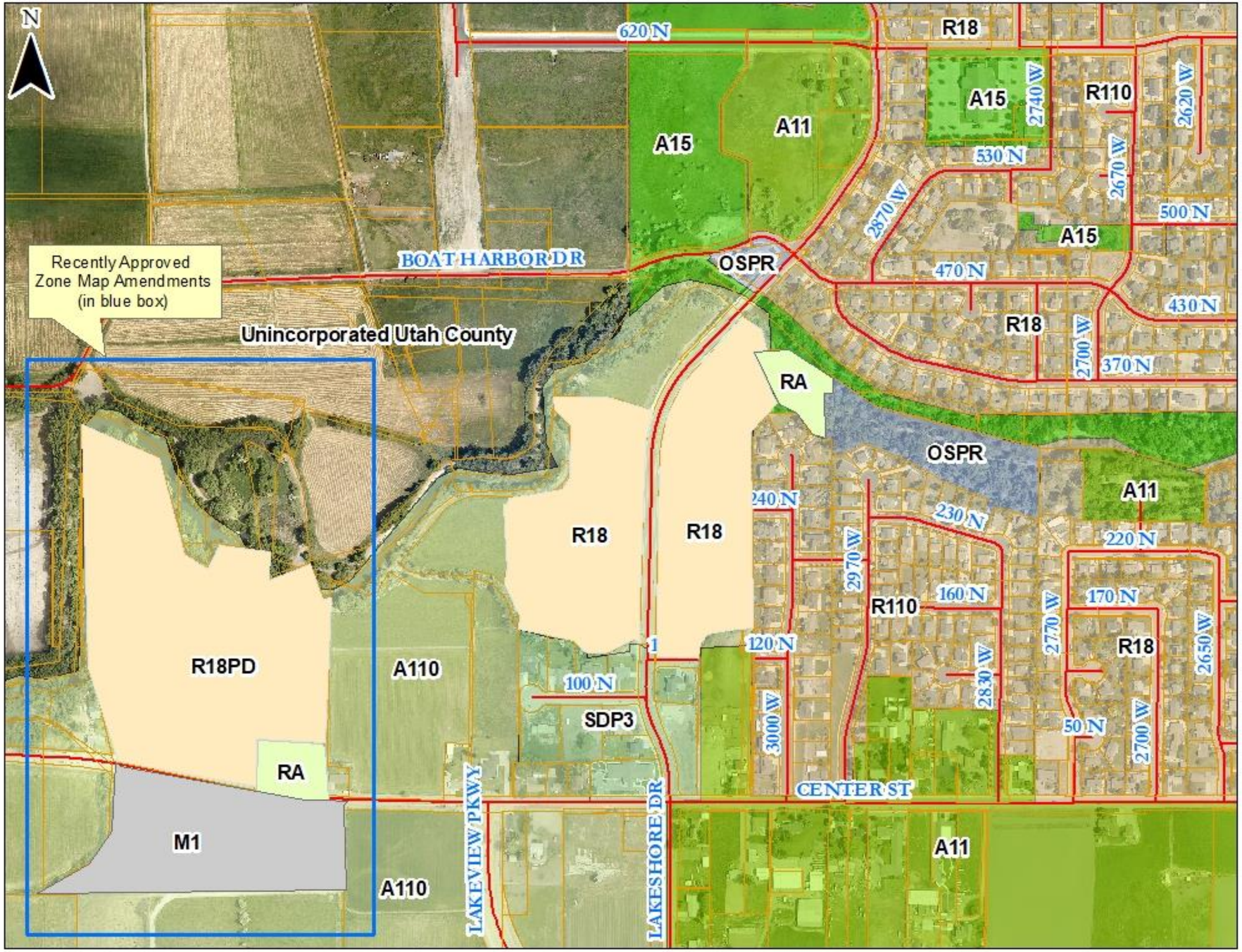
Current Zoning and Land Use Designations

- Current Zoning:
  - **A1.5 Zone** (Agricultural, 5 acre); and
  - **A1.10 Zone** (Agricultural, 10 acre)
- General Plan Land Use Designation
  - **Residential**
- Southwest Area Future Land Use Designation:
  - **Residential**



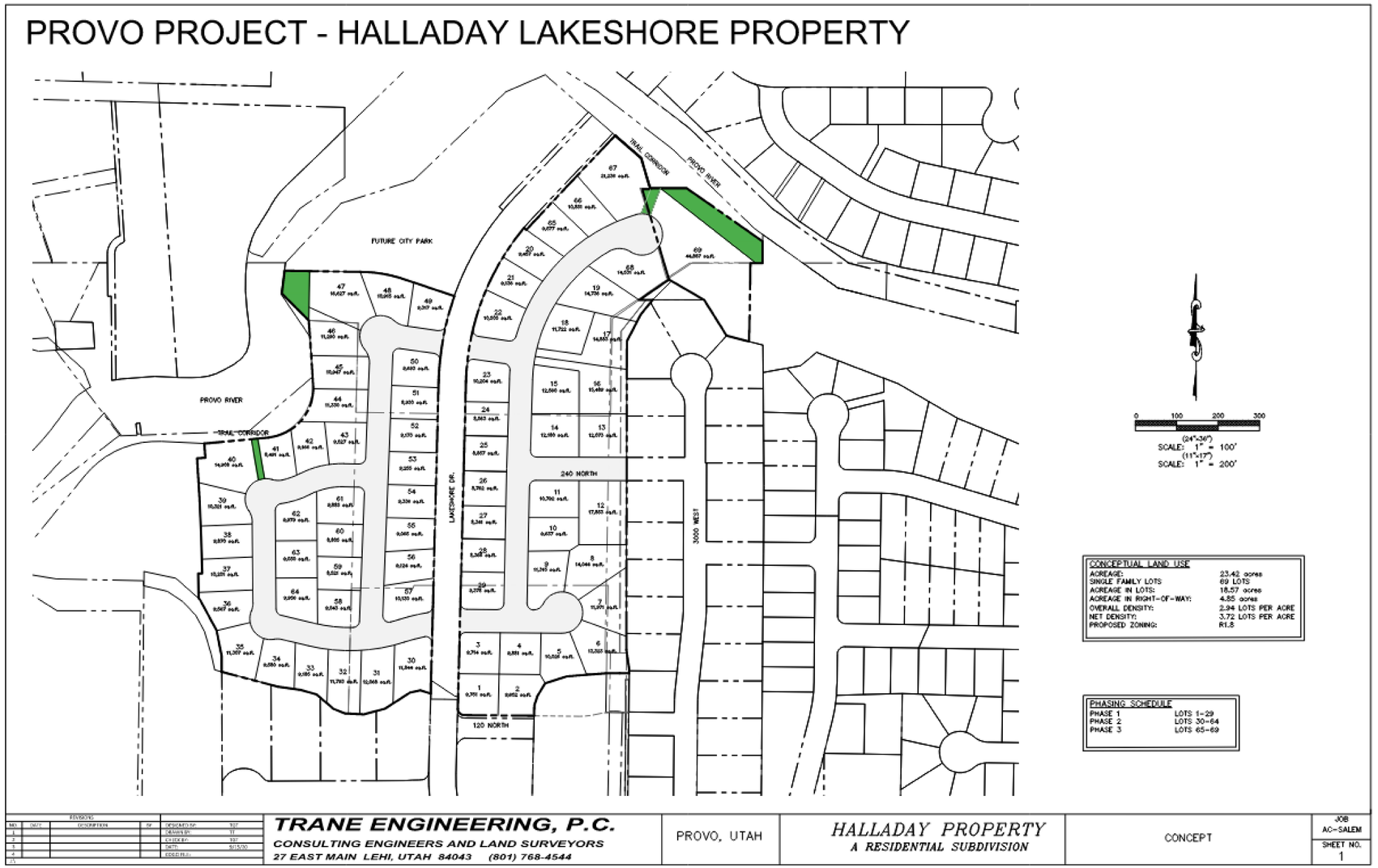
Proposed Zoning

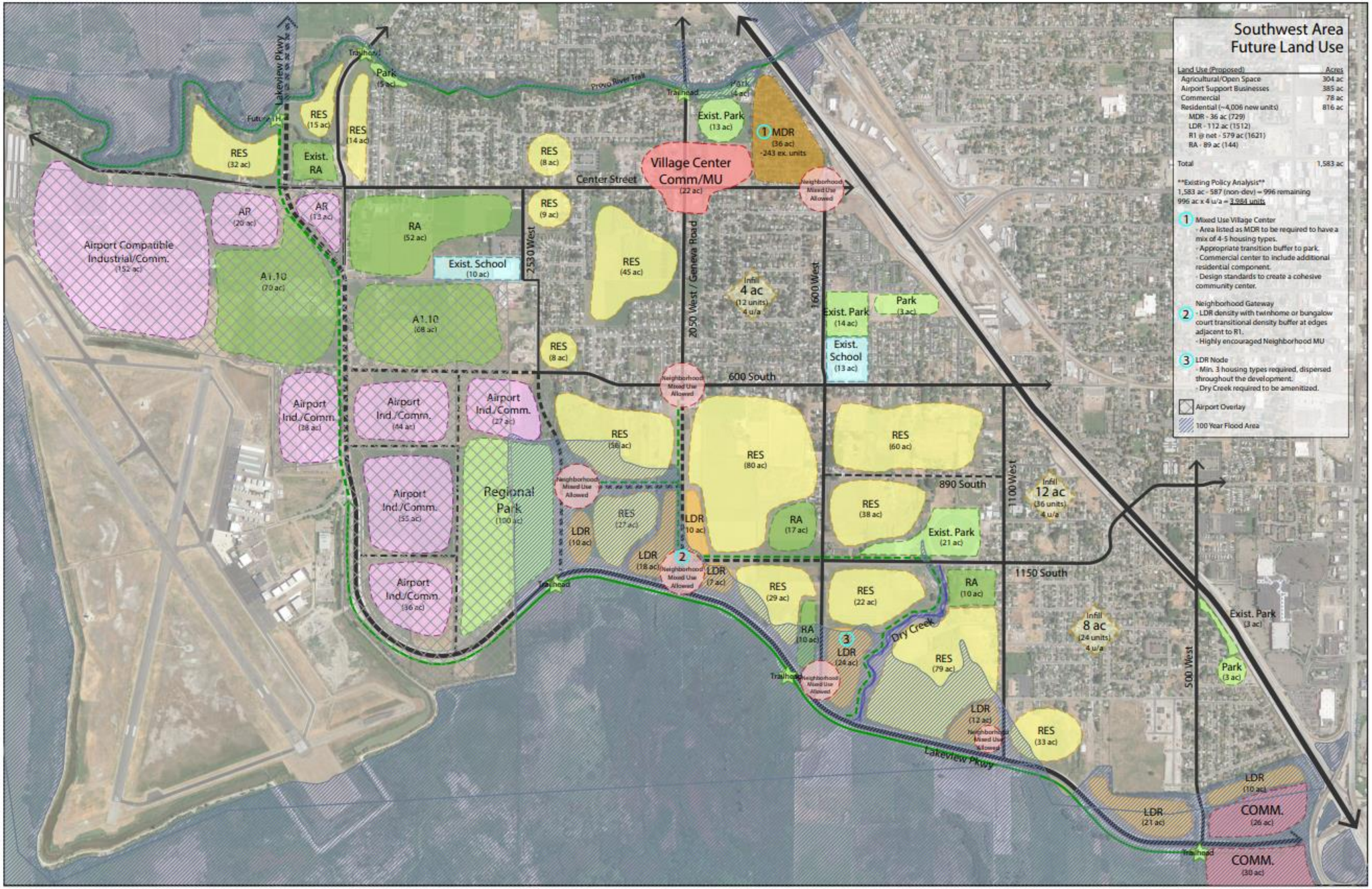
- R1.8 (One-family Residential, 8000 SF) zoning for approx. 22 acres east and west of Lakeshore Drive
- RA (Residential Agricultural) zoning for approx. 1.4 acres west of Lakeshore Drive and near the Provo River



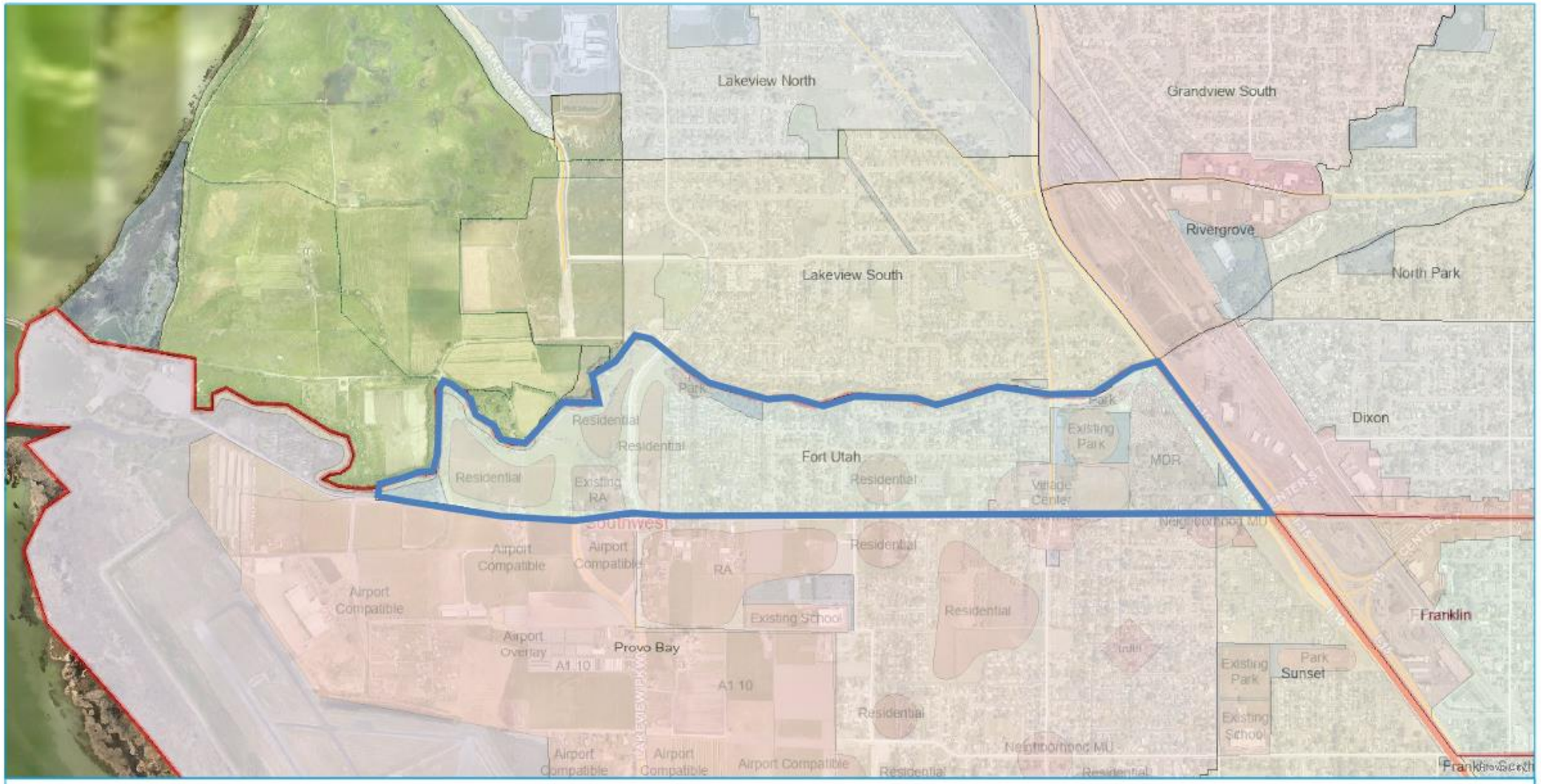
Concept Plan

- 69 new, one-family dwelling sites would be platted
  - Smallest lot – 8,341 SF
  - Largest lot – 44,887 SF
- Net density: 3.72 units per acre
- Acreage in lots: 18.57
- Acreage in ROW: 4.85
- Three (3) phases
  - Phase 1: Lots 1-29
  - Phase 2: Lots 30-64
  - Phase 3: 65-69

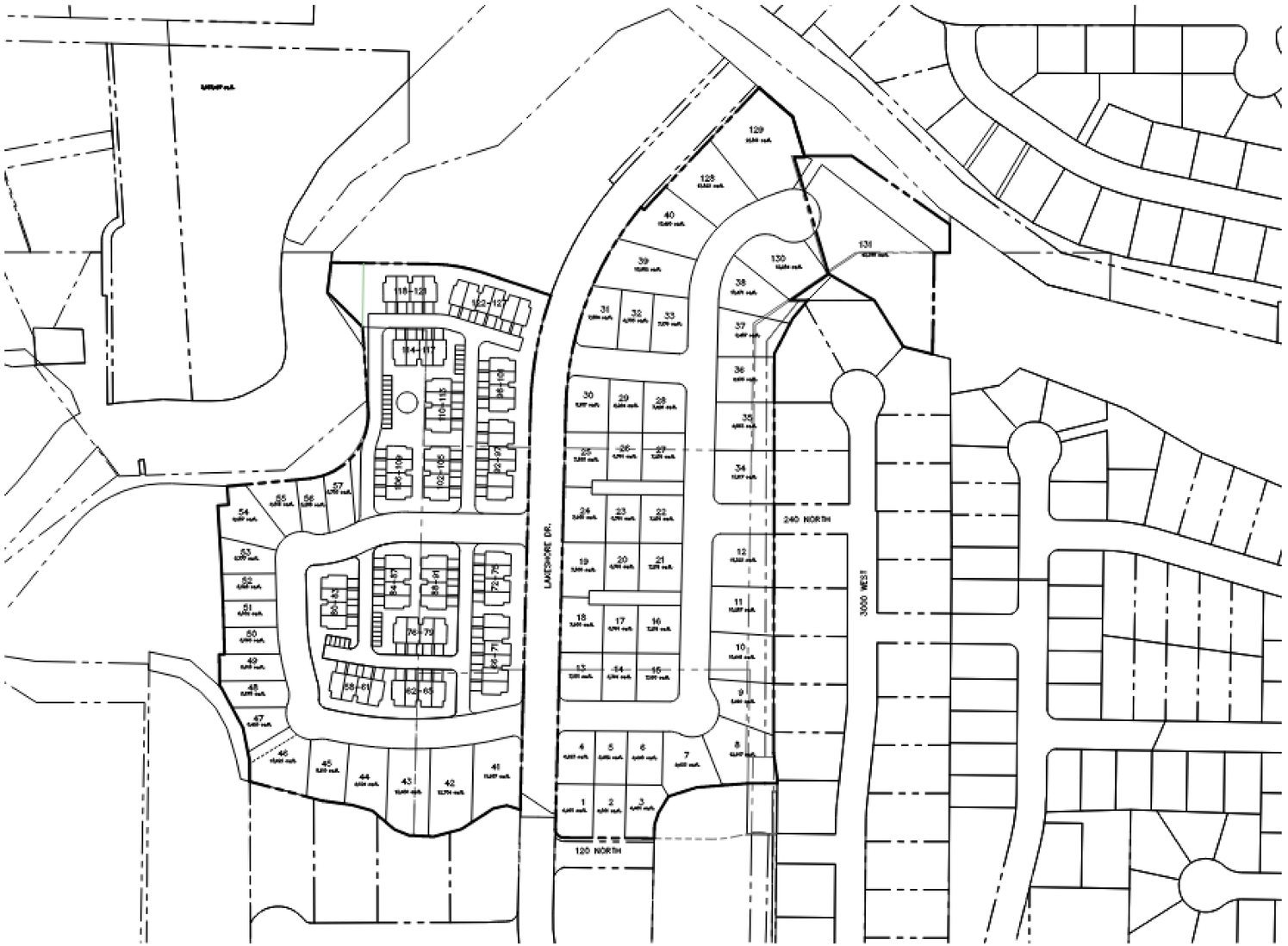



Southwest Area
Future Land Use
Land Use (Proposed) Acres
Agricultural/Open Space 304 ac
Airport Support Businesses 385 ac
Commercial 78 ac
Residential (~4,006 new units) 816 ac
MDR - 36 ac (729)
LDR - 112 ac (1512)
R1 @ net - 579 ac (1621)
RA - 89 ac (144)
Total 1,583 ac
Existing Policy Analysis
1,583 ac - 587 (non-dev) = 996 remaining
996 ac x 4 u/a = 3,984 units
1 Mixed Use Village Center
- Area listed as MDR to be required to have a mix of 4-5 housing types.
- Appropriate transition buffer to park.
- Commercial center to include additional residential component.
- Design standards to create a cohesive community center.
2 Neighborhood Gateway
- LDR density with twinhome or bungalow court transitional density buffer at edges adjacent to R1.
- Highly encouraged Neighborhood MU
3 LDR Node
- Min. 3 housing types required, dispersed throughout the development.
- Dry Creek required to be amenitized.
Airport Overlay
100 Year Flood Area
Lakeview Pkwy
Trailhead
Park (5 ac)
Provo River Trail
Park (4 ac)
Exist. Park (13 ac)
1 MDR (36 ac) -243 ex. units
Village Center Comm/MU (22 ac)
Neighborhood Mixed Use Allowed
Center Street
RES (15 ac)
RES (14 ac)
RES (32 ac)
Exist. RA
RES (8 ac)
RES (9 ac)
AR (20 ac)
AR (13 ac)
RA (52 ac)
Airport Compatible Industrial/Comm. (152 ac)
A1.10 (70 ac)
Exist. School (10 ac)
2530 West
RES (45 ac)
2050 West / Geneva Road
1600 West
Infill 4 ac (12 units) 4 u/a
Exist. Park (14 ac)
Park (3 ac)
Exist. School (13 ac)
A1.10 (68 ac)
RES (8 ac)
600 South
Airport Ind./Comm. (38 ac)
Airport Ind./Comm. (44 ac)
Airport Ind./Comm. (27 ac)
RES (56 ac)
RES (80 ac)
RES (60 ac)
890 South
1100 West
Infill 12 ac (36 units) 4 u/a
Regional Park (100 ac)
Airport Ind./Comm. (55 ac)
RES (38 ac)
Exist. Park (21 ac)
LDR (10 ac)
RES (27 ac)
RA (17 ac)
LDR (10 ac)
LDR (18 ac)
2
LDR (7 ac)
1150 South
Airport Ind./Comm (36 ac)
RES (29 ac)
RES (22 ac)
RA (10 ac)
Infill 8 ac (24 units) 4 u/a
Exist. Park (3 ac)
RA (10 ac)
3 LDR (24 ac)
Dry Creek
RES (79 ac)
500 West
Park (3 ac)
LDR (12 ac)
RES (33 ac)
LDR (10 ac)
COMM. (26 ac)
LDR (21 ac)
COMM. (30 ac)

Fort Utah Neighborhood



PROVO PROJECT - HALLADAY LAKESHORE PROPERTY





CONCEPTUAL LAND USE (VLDR)	
ACREAGE:	23.42 acres
SINGLE FAMILY LOTS	61 LOTS
TOWNHOME LOTS	70 UNITS
TOTAL LOTS	131 UNITS
OVERALL DENSITY:	5.60 UNITS PER ACRE
ACREAGE IN ROW:	3.77 acres
NET DENSITY:	6.70 LOTS PER ACRE
PROPOSED ZONING:	VLDR

PHASING SCHEDULE	
PHASE 1	LOTS 1-40
PHASE 2	LOTS 41-57
PHASE 3	LOTS 58-91
PHASE 4	LOTS 92-127
PHASE 5	LOTS 128-131

REVISIONS					
NO.	DATE	DESCRIPTION	BY	DESIGNED BY:	TGT
1				DRAWN BY:	TT
2				CHECKED BY:	TGT
3				DATE:	8/13/20
4				SCALE:	
5					

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

PROVO, UTAH

HALLADAY PROPERTY
A RESIDENTIAL SUBDIVISION

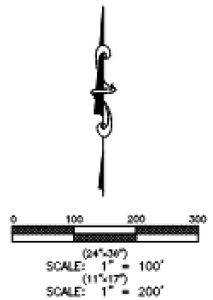
CONCEPT (VLDR)

JOB
JB-PROVO

SHEET NO.
1

PROVO LAKESHORE BLVD PROPERTY - MIXED DENSITY APPROACH





CONCEPTUAL LAND USE	
ACREAGE:	23.42 acres
SINGLE FAMILY LOTS	68 LOTS
ACREAGE IN LOTS:	18.57 acres
ACREAGE IN RIGHT-OF-WAY:	4.85 acres
OVERALL DENSITY:	2.94 LOTS PER ACRE
NET DENSITY:	3.72 LOTS PER ACRE
PROPOSED ZONING:	VLDR

NOTE: LOTS 13, 14, 59 & 60 ARE INTENDED AS A MANSION STYLE MULTI FAMILY BUILDING LOT WITH A MAXIMUM OF 4 SINGLE FAMILY UNITS PER LOT.

PHASING SCHEDULE	
PHASE 1	LOTS 1-26
PHASE 2	LOTS 27-61
PHASE 3	LOTS 62-69

REVISIONS				
NO.	DATE	DESCRIPTION	BY	
1				DESIGNED BY: TJT
2				DRAWN BY: TJT
3				CHECKED BY: TJT
4				DATE: 8/14/20
5				CODE FILE:

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

PROVO, UTAH

HALLADAY PROPERTY
A RESIDENTIAL SUBDIVISION

CONCEPT

JOB AC-SALEM

SHEET NO. 1

Westside Development Policies

As Recommended by the Westside Planning Committee

Purpose

The purpose of these policies is to guide development in southwest Provo in order to promote a smart, sustainable, vibrant community that offers a high quality of life for current and future residents while respecting Provo's agricultural heritage.

Policies

1. Preserve Provo's agricultural heritage and support agriculture for as long as farmers choose to farm:
    a. Approve the creation of a Provo Agricultural Commission to support local commercial and non-commercial agriculture.
    b. Request that the Provo Agricultural Commission identify obstacles to the success of current and prospective farmers, including non-traditional farmers, and recommend ways to remove these obstacles.
    c. Request that the Provo Agricultural Commission explore tools for agricultural preservation. These tools may include: conservation easements, transfers of development rights, community land trusts, a privately funded farmland trust fund, and Utah's "Agricultural Protection" Program.[1]
    d. Encourage the Provo Agricultural Commission to improve the productive use of agricultural land.
    e. Encourage Development-Supported Agriculture[2] and Agritourism[3] to help preserve Provo's agricultural heritage.
    f. Encourage our state lawmakers to increase funding for the LeRay McAllister Fund.[4]
    g. Protect agricultural operations from the impact of residential encroachment.
    h. Identify agricultural land owners, have their properties listed on developmental maps to better avoid encroachment onto agricultural lands.

2. Preserve and Create Quality Usable Open Space
    a. Update and utilize the Parks and Recreation Master Plan to provide developed parks and open space that satisfy a range of leisure and recreational needs.
    b. Preserve and develop natural amenities for sustained enjoyment by the community. Examples include the Provo River and banks, the Provo River Delta, Utah Lake shoreline, and wetlands.
    c. Provide parks and trails of different uses and sizes.[5]
    d. Encourage agritourism as a means to provide agriculturally themed open space.
    e. Useable neighborhood open space should be an integral part of neighborhood design or combined to serve larger areas than the immediate development.

3. Encourage Sustainable Residential Development Patterns
    a. Establish ordinances to require a mix of housing types, lot sizes, and designs to accommodate various stages of life.
    b. Detached single-family homes should be the predominant housing type and the use of other types should augment and not detract from the single-family feel of the area.
    c. Housing types should be mixed without barriers separating types or densities.
    d. The scale and style of residences should enhance the surrounding area, regardless of housing type.
    e. Create design standards for important road corridors in southwest Provo.
    f. The overall density of the area should average four units to the acre.

4. Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations
    a. Regional commercial uses may be located adjacent to the I-15 or within the Airport Related Activities district.
    b. Neighborhood and Community Shopping zones may be located at or adjacent to arterial or collector streets.
    c. Design, scale and intensity of commercial zones or properties should transition to adjacent residential uses to minimize impact on the residential use.

5. Create a Robust Transportation Network

    a. Update the Transportation Master Plan to accommodate the changing needs of southwest Provo.
    b. The planned collector road network should be built as development occurs. No development should interrupt the collector road network.
    c. Update the Provo City Major & Local Street Plan to include a network of proposed local streets to ensure connectivity in between the land between collector and arterial roads.

d. Utilize Complete Streets Policies to ensure all modes of transportation are considered.
e. Utilize the Transportation Master Plan to identify corridors that should have sufficient right-of-way to accommodate public transit.
f. Lakeview Parkway is to be maintained as an arterial roadway with limited access.

6. Require Proper Integration and Sequencing of Development
    a. The full block should be considered when rezoning away from agricultural uses
    b. Conceptual Integrated Development Plan for the entire block should be required for zone change applications.
    c. Discourage rezoning of land that is surrounded by agricultural zoning.[6]
    d. Development may be limited or deferred depending on the availability of adequate municipal infrastructure (such as sewer, storm drainage, water, etc.).

7. Restrict Development in Wetlands and other Environmentally Sensitive Areas
    a. Land south and west of the Lake View Parkway up to Center Street (excepting the airport protection area) should be preserved for open space and agricultural uses.
    b. No development should occur in flood-prone areas unless the risks can be mitigated. Plans for mitigation should be reviewed for adequacy by the Provo City Engineer and any State or Federal regulatory agency with jurisdiction to ensure that sensitive lands are appropriately developed to protect people, property or significant natural features. Mitigation plans should not adversely affect adjacent properties.

Lakeshore Drive Development



Neighborhood Opinion



STRONG Support

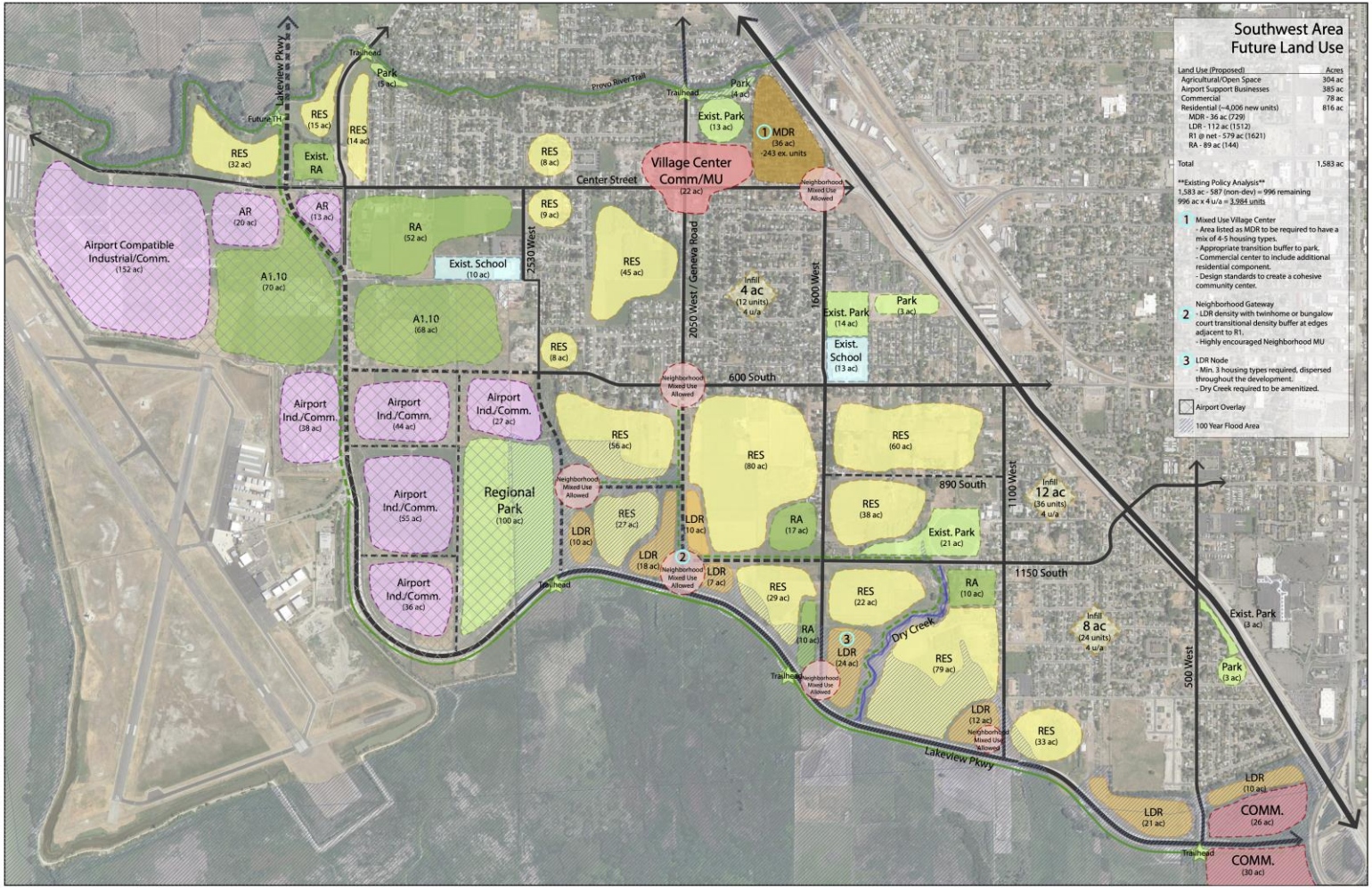
- Two polls taken. First one was 100% in favor (~60 people). Second was 97% in favor (~40 people).
- Facebook: Pro development comment with 29 likes; against comment with 1 like.
- Email: 1 neutral and 5 in favor.
- Open City Hall: Only 3 comments, but all in favor

Neighborhood Opinion



Reasons for support:

- Adheres to the Southwest Plan


Southwest Area
Future Land Use
Land Use (Proposed) Acres
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996 ac x 4 u/a = 3,984 units
1 Mixed Use Village Center
- Area listed as MDR to be required to have a mix of 4-5 housing types.
- Appropriate transition buffer to park.
- Commercial center to include additional residential component.
- Design standards to create a cohesive community center.
2 Neighborhood Gateway
- LDR density with twinhome or bungalow court transitional density buffer at edges adjacent to R1.
- Highly encouraged Neighborhood MU
3 LDR Node
- Min. 3 housing types required, dispersed throughout the development.
- Dry Creek required to be amenitized.
Airport Overlay
100 Year Flood Area
Lakeview Pkwy
Center Street
600 South
890 South
1150 South
2530 West
2050 West / Geneva Road
1600 West
1100 West
500 West
Provo River Trail
Dry Creek
Trailhead
Park (5 ac)
Park (4 ac)
Exist. Park (13 ac)
Village Center Comm/MU (22 ac)
MDR (36 ac) -243 ex. units
Neighborhood Mixed Use Allowed
Future TH
RES (15 ac)
RES (14 ac)
RES (32 ac)
Exist. RA
RES (8 ac)
RES (9 ac)
AR (20 ac)
AR (13 ac)
Airport Compatible Industrial/Comm. (152 ac)
RA (52 ac)
Exist. School (10 ac)
A1.10 (70 ac)
A1.10 (68 ac)
RES (45 ac)
Infill 4 ac (12 units) 4 u/a
Exist. Park (14 ac)
Park (3 ac)
Exist. School (13 ac)
RES (8 ac)
Airport Ind./Comm. (38 ac)
Airport Ind./Comm. (44 ac)
Airport Ind./Comm. (27 ac)
Airport Ind./Comm. (55 ac)
Airport Ind./Comm. (36 ac)
Regional Park (100 ac)
RES (56 ac)
RES (80 ac)
RES (60 ac)
RES (27 ac)
LDR (10 ac)
LDR (18 ac)
LDR (7 ac)
RA (17 ac)
RES (38 ac)
Exist. Park (21 ac)
Infill 12 ac (36 units) 4 u/a
RES (29 ac)
RES (22 ac)
RA (10 ac)
RA (10 ac)
LDR (24 ac)
RES (79 ac)
Infill 8 ac (24 units) 4 u/a
Exist. Park (3 ac)
Park (3 ac)
LDR (12 ac)
RES (33 ac)
LDR (10 ac)
LDR (21 ac)
COMM. (26 ac)
COMM. (30 ac)

Neighborhood Opinion



Reasons for support:

- Adheres to the Southwest Plan
- Improves the housing mix in Provo

City Wide



Consumer Preference of Gen Z



6 : 1



Planning Commission Approvals

1 : 8

Neighborhood Opinion



Reasons for support:

- Adheres to the Southwest Plan
- Improves the housing mix in Provo
- Preserves open feel of the area
- Minimizes impacts on Center Street Traffic and local schools



Total: 199 acres

Traffic On Center Street

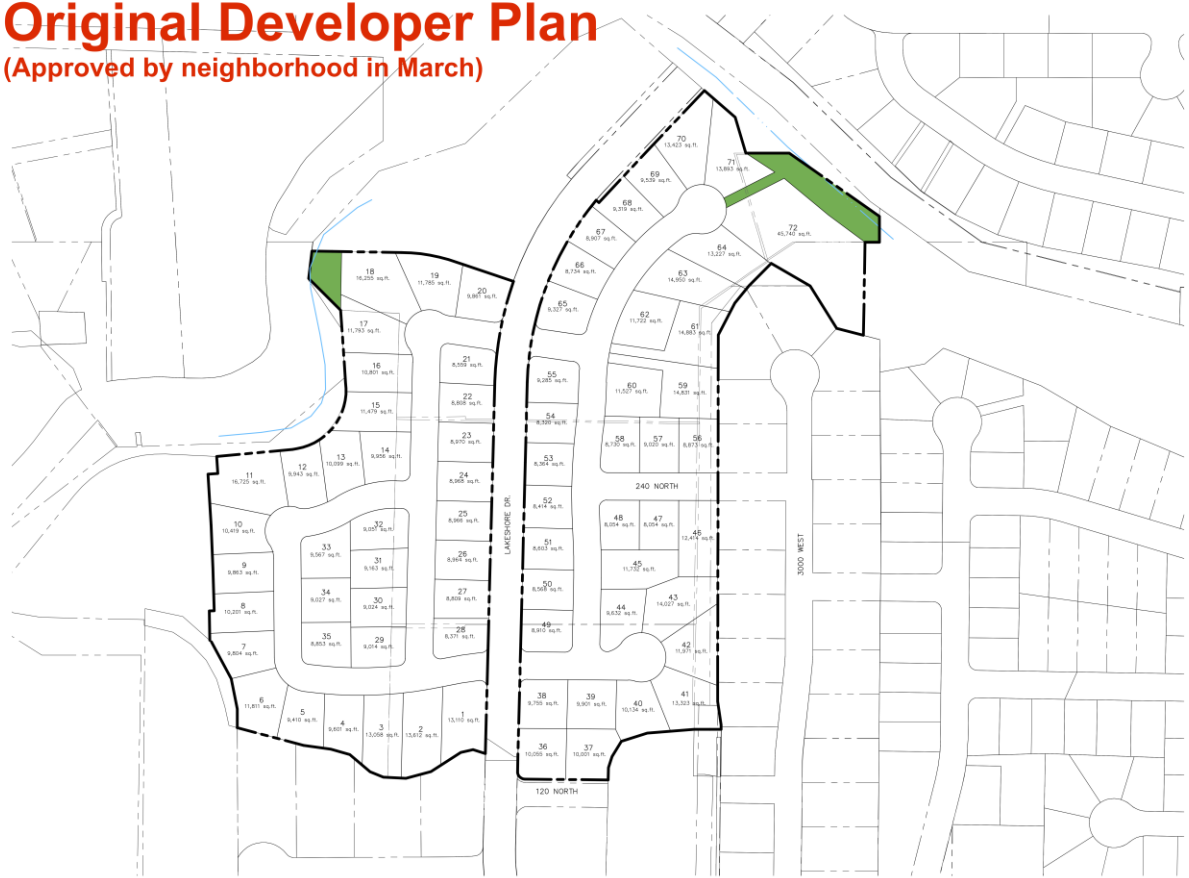


- Traffic on Center as of last traffic study = 10,000
- Max traffic on Center = 14,500
- 4,500 to spare
- 4500/15 ADT = 300 homes
- 300 homes/199 acres = 1.5
- Assume 50% of traffic will go on center = 3 homes/acre gross or 4 homes/acre net.

PROVO PROJECT - HALLADAY LAKESHORE PROPERTY

Original Developer Plan

(Approved by neighborhood in March)



0 100 200 300

(24"x36")
SCALE: 1" = 100'
(11"x17")
SCALE: 1" = 200'

CONCEPTUAL LAND USE	
ACREAGE:	23.42 acres
SINGLE FAMILY LOTS	72 LOTS
UNIT DENSITY:	3.07 LOTS PER ACRE
PROPOSEDE ZONING:	R-1-8000

REVISIONS					
NO.	DATE	DESCRIPTION	BY	DESIGNED BY:	TGT
1				DRAWN BY:	TT
2				CHECK BY:	TGT
3				DATE:	9/15/06
4				COGO FILE:	

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

PROVO, UTAH

HALLADAY PROPERTY
A RESIDENTIAL SUBDIVISION

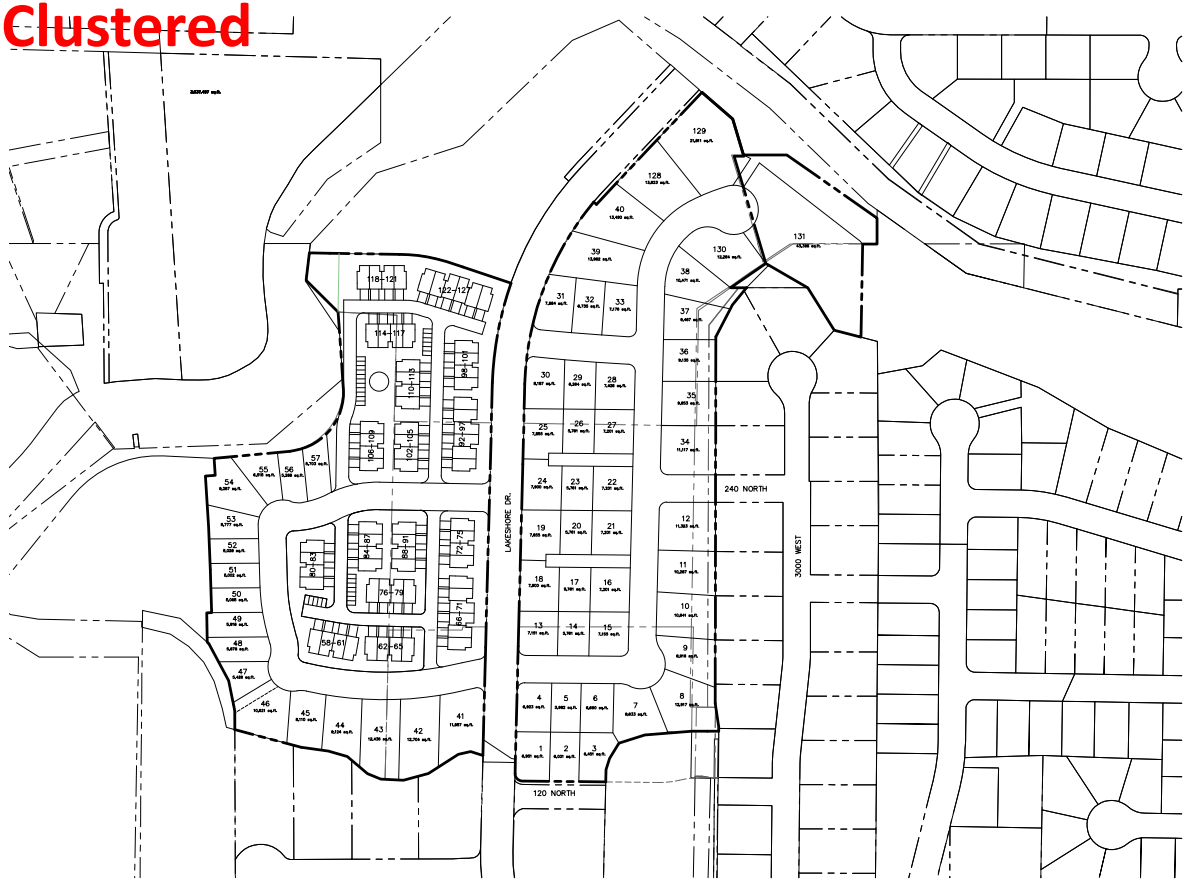
CONCEPT

JOB AC-SALEM

SHEET NO. 1

PROVO PROJECT - HALLADAY LAKESHORE PROPERTY

Clustered



0 100 200 300

(24"x36")
SCALE: 1" = 100'
(11"x17")
SCALE: 1" = 200'

CONCEPTUAL LAND USE (VLDR)	
ACREAGE:	23.42 acres
SINGLE FAMILY LOTS	61 LOTS
TOWNHOME LOTS	70 UNITS
TOTAL LOTS	131 UNITS
OVERALL DENSITY:	5.60 UNITS PER ACRE
ACREAGE IN ROW:	3.77 acres
NET DENSITY:	6.70 LOTS PER ACRE
PROPOSED ZONING:	VLDR

PHASING SCHEDULE	
PHASE 1	LOTS 1–40
PHASE 2	LOTS 41–57
PHASE 3	LOTS 58–91
PHASE 4	LOTS 92–127
PHASE 5	LOTS 128–131

REVISIONS NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

DESIGNED BY: TGT
DRAWN BY: TT
CHECK BY: TGT
DATE: 9/15/20
COGO FILE:

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

PROVO, UTAH

HALLADAY PROPERTY
A RESIDENTIAL SUBDIVISION

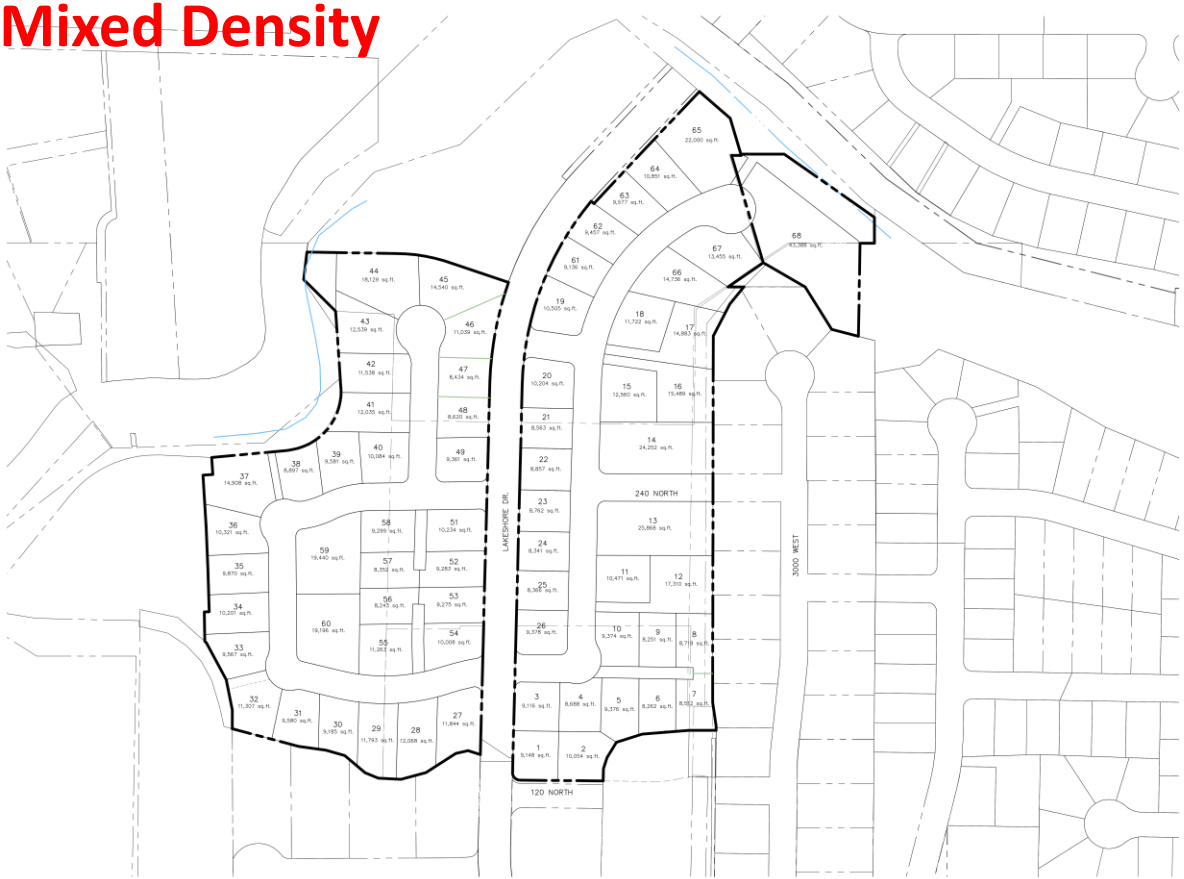
CONCEPT (VLDR)

JOB
JB–PROVO

SHEET NO.
1

PROVO LAKESHORE BLVD PROPERTY - MIXED DENSITY APPROACH

Mixed Density



0 100 200 300

(24"x36")
SCALE: 1" = 100'
(11"x17")
SCALE: 1" = 200'

CONCEPTUAL LAND USE	
ACREAGE:	23.42 acres
SINGLE FAMILY LOTS	68 LOTS
ACREAGE IN LOTS:	18.57 acres
ACREAGE IN RIGHT-OF-WAY:	4.85 acres
OVERALL DENSITY:	2.94 LOTS PER ACRE
NET DENSITY:	3.72 LOTS PER ACRE
PROPOSED ZONING:	VLDR

NOTE: LOTS 13, 14, 59 & 60 ARE INTENDED AS A MANSION STYLE MULTI FAMILY BUILDING LOT WITH A MAXIMUM OF 4 SINGLE FAMILY UNITS PER LOT.

PHASING SCHEDULE	
PHASE 1	LOTS 1-26
PHASE 2	LOTS 21-61
PHASE 3	LOTS 62-69

REVISIONS					
NO.	DATE	DESCRIPTION	BY	DESIGNED BY:	TGT
1				DRAWN BY:	TT
2				CHECK BY:	TGT
3				DATE:	9/15/20
4				COGO FILE:	
5					

TRANE ENGINEERING, P.C.
CONSULTING ENGINEERS AND LAND SURVEYORS
27 EAST MAIN LEHI, UTAH 84043 (801) 768-4544

PROVO, UTAH

HALLADAY PROPERTY
A RESIDENTIAL SUBDIVISION

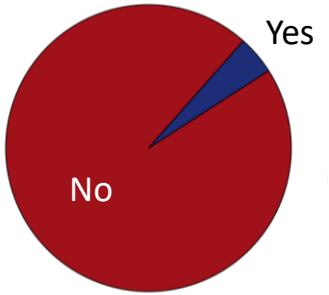
CONCEPT

JOB
AC-SALEM

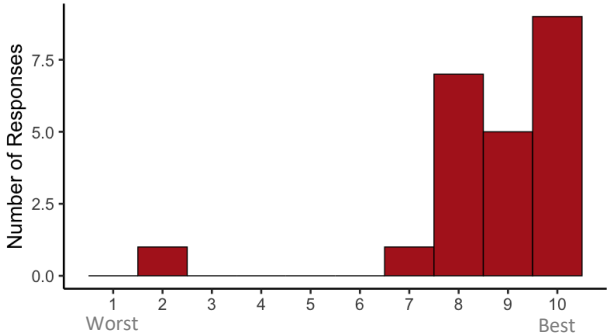
SHEET NO.
1

Survey Results

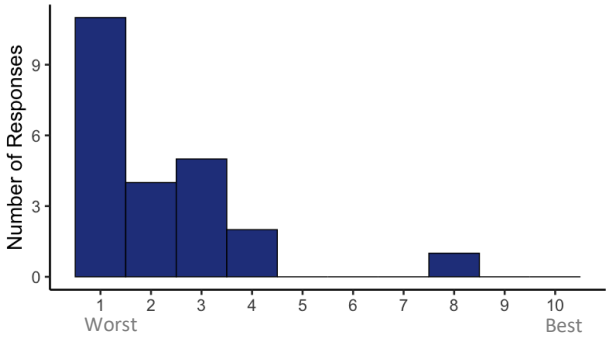
Should the Original Plan be Changed?



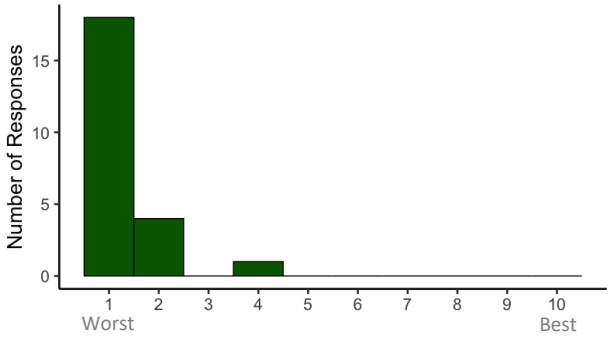
Rate the ORIGINAL PLAN on a scale of 1-10



Rate the MIXED PLAN on a scale of 1-10



Rate the CLUSTERED PLAN on a scale of 1-10



From: Dean Griffin
Sent: Wednesday, June 09, 2021 5:07 PM
To: Brandon Larsen
Subject: opposed to zone change Item #5, Item #6 - 200 N Lakeshore Dr.

Brandon,

Thank you for your call today. Here are some of the concerns I have with the proposed zone change. For the record I live on 3000 West, just East of the proposed changes.

* The proposed lot size .18 is significantly smaller than the existing lot size on 3000 West of .27 (avg). This will result in smaller homes and put downward pressure on the value of existing homes.

* The subdivision just south of the proposed development has an average lot size of .67, again negatively affecting the value of existing homes, with a much smaller lot size.

* People say that the land owner has a right to develop his property but I say the existing homeowners also have a right to protect their investment. They purchased their land and built homes based on existing zoning rules and any changes that will affect their investments must be considered.

* Even if you change the zoning it should be consistent with the surrounding neighborhoods. Look at the subdivisions located to the East and they are zoned R1.10 not the smaller R1.8.

* By putting larger lots you will have fewer homes and putting less pressure on the infrastructure, by using less water, gas, electricity, smaller sewer flows, etc.

* While I would prefer not to have any development take place, I strongly suggest that at a minimum, you make the zoning R1.10 not the smaller R1.8.

Respectfully
Dean Griffin
[redacted]
Provo, Ut 84601
[redacted]

PLRZ20210049 - Fort Utah Neighborhood comments

June 10, 2021, 1:35 PM

Contents

i.	Summary of registered statements	2
ii.	Individual registered statements	3

Topic Registration Type: Registration required

PLRZ20210049 - Fort Utah Neighborhood comments

Fort Utah Neighborhood - What do you think about the proposed zone change for the Halladay Lakeshore property?

Summary Of Registered Statements

Topic Registration Type: Registration required

As of June 10, 2021, 1:35 PM, this forum had:	
Attendees:	32
Registered Statements:	4
Minutes of Public Comment:	14

Topic Start

June 2, 2021, 5:01 PM

PLRZ20210049 - Fort Utah Neighborhood comments

Fort Utah Neighborhood - What do you think about the proposed zone change for the Halladay Lakeshore property?

Individual Registered Statements

Topic Registration Type: Registration required

Kirsten Zimmerman
½ to 1 mile
June 2, 2021, 9:00 PM

Yes! We like the 68 single family homes in this area, especially being so close to the river. It's definitely the best option here.

7 Supporters

Sarah Hill
¼ to ½ mile
June 3, 2021, 8:49 PM

I am in full support of this development. Although I adore the wide open space of my neighborhood currently, I understand that development must go forward. However, the right type of development is crucial, and this one checks all the boxes for me. The west side has a lack of infrastructure (sewer) and roads that are near capacity (Center Street), so we must have developments that stay under 4 units per acre in density. We also want them to fit in with the current homes in the area, as well as enhance the natural beauty of the river, lake, and future delta. Provo also needs more single family homes so that families can stay in Provo instead of taking their families and tax dollars to neighboring cities. This plan does just that! I have been so pleased with what has been proposed and presented. It perfectly fits the Southwest area map that was presented to our neighborhood and was approved by the city council. I believe that this development hits on every point that the Southwest area committee worked so hard to include. Even though a few city councilors have tried to push for higher densities and even rental apartments, I applaud and appreciate this developer for listening to the neighbors and submitting a plan that we can support and that will be good for our area. I urge the city council to support the Fort Utah neighborhood and approve this plan and the accompanying zone changes.

7 Supporters

Rick Smith
within ¼ mile
June 3, 2021, 11:44 PM

I appreciate a developer who actually listens to the residents of the neighborhood! The proposed development fits in this very unique spot on Provo's southwest side. Immediately south are custom homes on 1/2 to 1 acre lots, to the east are custom homes on approx. 1/3 acre lots, to the north a small park is being built, then the Provo river with it's trails, and then the wonderful new Delta. The proposed single family homes with an average 4 lots per acre, including some larger lots, integrates well into the surrounding area. The proposal also extends the unique unpaved equestrian trail on the south side of the river, and maintains the character and "feel" that we love in this area. I support this proposal and urge that it be approved.

5 Supporters

Christian vom Lehn
¼ to ½ mile
June 8, 2021, 8:33 PM

As I understand it, the chief opposition to this particular zone change proposal is that it does not include high or mixed density housing.
I suspect that, among the residents of my Fort Utah neighborhood, I am probably among the most sympathetic to this concern. I can see several compelling reasons for us to be thinking about a vision of a future Provo which involves both more high density and more mixed density housing options. That said, for several reasons, I still support this proposed zone change.

First, while I am sympathetic to higher and more mixed density housing in Provo, I am yet to hear a clear vision of how that should look throughout Provo, let alone in the Fort Utah neighborhood. Such a vision could make a clear and quantitative case for such development (economic, environmental, cultural, etc.) and address concerns about costs and infrastructure needs (which are already close to binding in the Fort Utah area as is). If there is a genuine desire to revisit the future urban plan for Provo, I would be excited to hear the details of this vision articulated clearly and carefully (with construction, infrastructure, economic detail and more). It could then be made publicly and

clearly available for voters to respond to, both in comment and at the ballot box. But since no such plan has yet to be clearly stated, it seems premature to be used as the basis for zoning policy.

Second, not only is a new vision for Provo yet to be articulated, there is an existing vision that has been put in writing, particularly for this region of the city (as spelled out in the Southwest area plan). While I acknowledge there has been some disagreement as to what that vision allows for and how binding it is, the fact is, it exists and this proposed development is perfectly consistent with that plan/vision. Much work has gone into crafting this plan and I believe it should be honored, as it reflects input from many stakeholders. It is hard to see how allowing for higher and more mixed density housing (as has been shown in varied proposals over the last 5 years) would be consistent with the qualitative character of that plan.

Lastly, the truth is, the neighborhood is overwhelmingly in favor of this proposal. While that shouldn't always be the basis for zoning policy, I am yet to hear an objection which carefully articulates why the neighborhood's desires and the existing development plans are not in the best interests of Provo as a whole (including and especially these residents). If such objections exist, it would be great to hear them and be able to engage with them in open discussion. But barring such well-formed objections, it seems like a natural choice to respect the desires of the residents of the neighborhood in this matter.

Therefore, I support the proposal for the zone change for the Halladay Lakeshore property.

1 Supporter