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48 Section 14.21A.090 of the Provo City Code is hereby repealed as follows:  
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50 **14.21A.090 Minimum Average Residential Unit Size**

51 ~~Each development that includes a residential use shall provide a minimum average unit~~  
52 ~~size of no less than 800 square feet. This requirement shall not apply to:~~

53 ~~(a) Institutional housing units (i.e. elderly housing, assisted living facilities, etc.)~~

54 ~~(b) Structures with frontage on Center Street or University Avenue between Center~~  
55 ~~Street and 100 North, subject to the following standards:~~

56 ~~(i) The structure was constructed prior to November 15, 2010.~~

57 ~~(ii) The minimum habitable floor depth of the first floor of the structure is~~  
58 ~~dedicated to Commercial uses.~~

59 ~~(iii) Access to all residential units shall be within the interior of the building or~~  
60 ~~provided by an exterior access on the rear of the structure (exterior access to units~~  
61 ~~shall not be allowed on the front or side facades).—~~

62 ~~(iv) Additions to structures utilizing this exception are permitted subject to the~~  
63 ~~addition being not greater than 50% of the habitable floor area of the original~~  
64 ~~structure. Additions shall be located on the rear of buildings and shall be~~  
65 ~~architecturally compatible with the original structure. Residential units that are~~  
66 ~~located in an addition that exceeds 50% of the original habitable floor space shall~~  
67 ~~meet the minimum average residential unit size of 800 square feet.~~

68 ~~(v) Residential units established under this exception, except those located in~~  
69 ~~a structure addition as described above, shall not be required to comply with~~  
70 ~~Section 14.21A.160, Landscaping and Recreational Amenities or provide~~  
71 ~~balconies as required in Section 14.34.295(9), Downtown Development Design~~  
72 ~~Standards.~~

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74 PART II:

75  
76 Section 14.21B.080 of the Provo City Code is hereby repealed as follows:  
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78 **14.21B.080. Minimum Average Residential Unit Size.**

79 ~~Each development that includes a residential use shall provide a minimum average unit~~  
80 ~~size of no less than eight hundred (800) square feet. This requirement shall not apply to~~  
81 ~~institutional housing units (i.e. Elderly housing, assisted living facilities, etc.).~~

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83 PART III:

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85 Section 14.21A.110 of the Provo City Code is hereby amended as follows:  
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87 **14.21A.110. Facade Step-back.**

88 (1) The fifth and sixth story shall step-back fifteen (15) feet from the first story building  
89 facade elevation adjacent to any street (except Center Street between 500 West and 200 East  
90 [14.21A.110(2)]). An architectural expression line, such as a cornice or similar feature, shall be  
91 used at the fourth story roof line.

92 (2) Except as provide in subparagraph (2)(a), the fourth through sixth story shall step-  
93 back sixty (60) feet from the first story building facade elevation adjacent to Center Street  
94 between 500 West and 200 East. An architectural expression line, such as a cornice or similar  
95 feature, shall be used at the third story roof line.

96 (a) Between University Avenue and 100 East the fourth through sixth story shall  
97 step back twenty (20) feet from the first story building facade elevation adjacent to  
98 Center Street. An architectural expression line, such as a cornice or similar feature, shall  
99 be used at the third story roof line.

100  
101 PART IV:

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103 A. If a provision of this Ordinance 2012-\_\_ conflicts with a provision of a previously  
104 adopted ordinance concerning the same title, chapter, and/or section number amended herein, the  
105 provision in this ordinance shall prevail.

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

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111 C. The Municipal Council hereby directs that the official copy of the Provo City Code be  
112 updated to reflect the provisions enacted by this ordinance.

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114 D. This ordinance shall take effect immediately after being posted or published as  
115 required by law.

116  
117 END OF ORDINANCE.