

Ordinance 2014-09

SHORT TITLE:

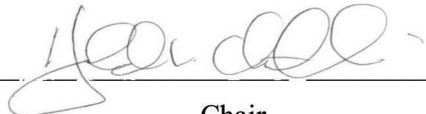
An ordinance enacting Chapter 14.17B (Health Care Facilities Zone) of the Provo City Code and also amending the Zone Map Classification from the Public Facilities (PF) zone to the Health Care Facilities (HCF) zone for property related to Intermountain Health Care (IHC).

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL			✓			
CW 2	GARY GARRETT			✓			
CD 1	GARY WINTERTON			✓			
CD 2	KIM SANTIAGO		✓	✓			
CD 3	HAL MILLER			✓			
CD 4	KAY VAN BUREN	✓		✓			
CD 5	STEPHEN HALES			✓			
				<b>TOTALS</b>	<b>7</b>	<b>0</b>	<b>0</b>

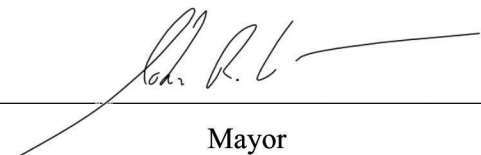
This ordinance was passed by the Municipal Council of Provo City, on the 18<sup>th</sup> day of February, 2014 on a roll call vote as described above. Signed this 12th day of May, 2014.

  
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 Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 12th day of May 2014.

  
 \_\_\_\_\_  
 Mayor

ORDINANCE 2014-09

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 12th day of May 2014, with a short summary being published on the 22nd day of February 2014, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2014-09.



Signed this 12th day of May 2014.

Janeel Stearns  
City Recorder

Ordinance 2014-09

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AN ORDINANCE ENACTING CHAPTER 14.17B (HEALTH CARE FACILITIES ZONE) OF THE PROVO CITY CODE AND ALSO AMENDING THE ZONE MAP CLASSIFICATION FROM THE PUBLIC FACILITIES (PF) ZONE TO THE HEALTH CARE FACILITIES (HCF) ZONE FOR PROPERTY RELATED TO INTERMOUNTAIN HEALTH CARE (IHC). CITY-WIDE IMPACT. (13-00120A)

WHEREAS, it is proposed that amendments be made to Title 14 (Zoning) of the Provo City code to create a sub-zone for health care facilities, by enacting Chapter 14.17B (HCF - Health Care Facilities Zone), and also to amend the zoning map of Provo City from the public facilities zone to the health care zone for certain property related to Intermountain Health Care; and

WHEREAS, on December 11, 2013 the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended to the Municipal Council that the proposed Chapter 14.17B be enacted and that the zoning map be amended as set forth below; and

WHEREAS, on February 18, 2014 the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and

WHEREAS, after considering the Planning Commission’s recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Chapter 14.17B should be enacted and the zoning map should be amended on the basis recommended by the Planning Commission and (ii) these actions, as set forth below, reasonably further 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:

Chapter 14.17B (HCF - Health Care Facilities Zone) of the Provo City code is hereby enacted to create a sub-zone for health care facilities as follows:

- Chapter 14.17B HCF – Health Care Facilities Zone.**
- 14.17B.010. Purpose and Objectives.**
- 14.17B.020. Permitted Uses.**
- 14.17B.030. Lot Area.**
- 14.17B.040. Lot Width.**
- 14.17B.050. Zone Frontage.**
- 14.17B.060. Prior Created Lots.**
- 14.17B.070. Single Ownership and Area of Zone.**
- 14.17B.080. Setback Requirements.**
- 14.17B.090. Projections into Yards.**
- 14.17B.100. Building Height.**

- 48 14.17B.110. Distance Between Buildings.
- 49 14.17B.120. Permissible Lot Coverage.
- 50 14.17B.130. Parking, Loading and Access.
- 51 14.17B.140. Project Plan Approval.
- 52 14.17B.150. Other Requirements.

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54 **14.17B.010. Purpose and Objectives.**

55 The Health Care Facilities (HCF) zone is established to provide areas for the location  
56 and establishment of facilities which, under public or private control, ownership, or  
57 enterprises, provide healthcare services and which utilize relatively large areas of  
58 land. The zone is intended to include primarily the principal structures and related  
59 facilities for such health care services. Typical uses permitted in the HCF zone are  
60 hospitals, physician offices, medical centers and services, dental offices and services,  
61 medical training, rehabilitation, and laboratories and research facilities and services  
62 reasonably related, incidental or ancillary to allowed medical uses.  
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65 **14.17B.020. Permitted Uses.**

66 (1) Those uses or categories of uses as listed herein, and no others, are permitted in  
67 the HCF zone.

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69 (2) Permitted Principal Uses. The following principal uses and structures, and no  
70 others, are permitted in the HCF zone:

71

72 Use Classification

73 (a) Medical and other health services

74

75 (b) Parks

76

77 (c) Public utilities and rights-of-way and accompanying  
78 infrastructure (local distribution of services only)

79

80 (d) Residential facility for persons with a disability

81

82

83 (3) Permitted Accessory Uses. Accessory uses and structures are permitted in the  
84 HCF zone provided they are reasonably related, ancillary, or incidental to and do not  
85 substantially alter the character of the permitted use or structure, and are located on  
86 the same or an adjacent lot as the permitted use. Such permitted accessory uses and  
87 structures include, but are not limited to, the following:

88

89 (a) Storage of materials used for construction of a building, including the  
90 contractor's temporary office; provided, that such use is on the building site or  
91 immediately adjacent thereto; and provided further, that such use shall be  
92 permitted only during the construction period and thirty (30) days thereafter;

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94 (b) Nothing herein shall be construed to permit the open storage of materials or

95 equipment used in conjunction with permitted uses, or shall be concealed from  
96 view from public or private streets.

97  
98 (c) Accessory building and structures which are customarily used in conjunction  
99 with and are incidental to a principal use and structure.

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101 (4) Conditional Uses. The following uses and structures are permitted in the HCF zone  
102 only after a conditional use permit has been issued, and subject to the terms and  
103 conditions thereof:

104  
105  
106 Use Classification

107 (a) Ambulance services (stand-alone)

108  
109 (b) Assisted living, mental health, or substance “at risk” facilities  
110 and services

111  
112 (c) Heliports (located on or adjacent to a hospital)  
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115 **14.17B.030. Lot Area.**

116 The minimum area of any lot or parcel of land in the HCF zone shall be ten thousand  
117 (10,000) square feet.

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120 **14.17B.040. Lot Width.**

121 Each lot or parcel of land in the HCF zone shall have a width of not less than eighty  
122 (80) feet.

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125 **14.17B.050. Zone Frontage.**

126 The HCF zone shall abut on an arterial street for a minimum distance of two hundred  
127 (200) feet, on a line parallel to the centerline of the street.

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130 **14.17B.060. Prior Created Lots.**

131 Lots or parcels of land which were created prior to (December 12, 1974) shall not be  
132 denied a building permit solely for reason of nonconformance with the above parcel  
133 requirements of this Chapter.

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136 **14.17B.070. Single Ownership and Area of Zone.**

137 (1) The minimum area of an HCF zone shall be ten (10) acres.

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139 (2) Land within a given HCF zone shall be in single ownership or single control in  
140 order to provide for an integrated health care campus development.

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142 (3) Land that is under different ownership of an abutting HCF zone may also be

143 zoned HCF if it meets the minimum area requirement for the zone as outlined in this  
144 Section.

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146 (4) Lots or parcels that meet the minimum requirements of this Chapter may be  
147 established if they are under the same single ownership or single control as the zone.  
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150 **14.17B.080. Setback Requirements.**

151 The following minimum yard requirements shall apply to the HCF zone:  
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|-----|--|--------------------------|
| 153 | <u>(1) Front Setback:</u>  | <u>Fifteen (15) feet</u> |
| 154 | <u>(2) Side Setback:</u>   | <u>Ten (10) feet</u>     |
| 155 | <u>(3) Side Setback - Corner Lots:</u>                             | <u>Fifteen (15) feet</u> |
| 156 | <u>(4) Rear Setback:</u>   | <u>Ten (10) feet</u>     |
| 157 | <u>(5) Rear Setback – Accessory Buildings</u>                      | <u>No requirement</u>    |
| 158 | <u>(6) Setbacks are also subject to 14.17B.100 of this Chapter</u> |                          |

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162 **14.17B.090. Projections into Yards.**

163 (1) The following structures may be erected on or projected into any required yard:  
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165 (a) Fences and walls in conformance with the Provo City Code and other City  
166 codes and ordinances;

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168 (b) Landscape elements including trees, shrubs, agricultural crops, and other  
169 plants; and

170  
171 (c) Necessary appurtenances for utility service.  
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173 (2) The structures listed below may project into a minimum front or rear yard not more  
174 than four (4) feet, and into a minimum side yard not more than two (2) feet:  
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176 (a) Cornices, eaves, belt courses, sills, buttresses, or other similar architectural  
177 features;

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179 (b) Fireplace structures and bays, provided they are not wider than eight (8) feet  
180 and are generally parallel to the wall of which they are a part;

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182 (c) Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or  
183 masonry planters not exceeding twenty-four (24) inches in height; and

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185 (d) Carports over a driveway in a side yard, provided that such a structure is not  
186 more than one (1) story in height and twenty-four (24) feet in length, and is  
187 entirely open on at least three (3) sides, except for necessary supporting columns  
188 and customary architectural features.  
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191 **14.17B.100. Building Height.**

192 No lot or parcel of land in the HCF zone shall have a building or structure which  
193 exceeds a height of four (4) stories with a maximum of fifty-five (55) feet, unless the  
194 horizontal setbacks of the building that will exceed the height limit shall be at least twice  
195 the building's height from the nearest residential zone boundary. However, in no case  
196 shall a building height exceed two hundred (200) feet.  
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200 **14.17B.110. Distance Between Buildings.**

201 The minimum distance between any accessory building and a main building on a lot in  
202 the HCF zone shall not be less than ten (10) feet and may be greater if required by  
203 building code. The minimum distance between all other buildings shall be governed by  
204 the latest edition of the International Building Code as adopted by the Provo Municipal  
205 Council. (Am 1985-65, Am 2011-08)  
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208 **14.17B.120. Permissible Lot Coverage.**

- 209 (1) In an HCF zone, all buildings and structures shall not cover more than sixty percent  
210 (60%) of the lot or parcel of land upon which they are placed.  
211 (2) Parking structures will not be considered as part of the lot coverage but will have  
212 additional review by the Planning Commission or its designee in regards to  
213 screening and buffering of parking structure from adjacent properties and public  
214 view.  
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217 **14.17B.130. Parking, Loading, and Access.**

- 218 (1) Parking within the HCF zone shall be provided in accordance with the requirements  
219 of Chapter 14.37, Provo City Code.  
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221 (2) All parking spaces shall be paved with asphaltic cement or concrete, and shall be  
222 provided with paved access from the public street.  
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224 (3) Parking spaces shall not be provided within a required front yard or a side yard  
225 adjacent to a public street.  
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227 (4) Paved access for five (5) or less parking spaces shall have a minimum width of  
228 twelve (12) feet.  
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230 (5) Paved access for six (6) or more spaces shall have a minimum width of twelve (12)  
231 feet for one (1) way traffic and sixteen (16) feet for two (2) way traffic.  
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234 **14.17B.140. Project Plan Approval.**

235 See Sections 15.03.300 and 15.03.310, Provo City Code. (Am 1986-65, Am 1987-45,  
236 Am 1990-53, Am 1991-56, Am 1994-28, Am 1996-72, Am 1998-43, Am 1999-61, Am  
237 2001-10)  
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**14.17B.150. Other Requirements.**

- (1) Signs. See standards and provisions of Chapter 14.38, Provo City Code.
- (2) Landscaping. See Chapter 15.20, Provo City Code.
- (3) Trash Storage. See Section 14.34.080, Provo City Code.
- (4) Transitional Development Standards. Where a lot in the Health Care Facilities zone borders a residential zone, the more restrictive standards set forth in this Section or Section 14.34.300, Provo City Code shall apply. (Enacted 1992-58, Am 1993-26, Am 2001-24)

**PART II:**

.....  
The Zone Map of Provo, Utah is hereby amended for real property owned by Intermountain Health Care, located generally between 880 North and Bulldog Boulevard and between 300 West and Exchange Park, from the PF (Public Facilities) Zone to the HCF (Health Care Facilities) Zone as described in the attached Exhibit A.

**PART III:**

- .....
- 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 Provo City Code be updated to reflect the provisions enacted by this ordinance.
  - D. This ordinance shall take effect immediately after being posted or published as required by law.

**END OF ORDINANCE.**



# Exhibit A

