

Ordinance 2015-19

SHORT TITLE:

An ordinance amending Provo City Code Sections 14.17B.080 (Setback Requirements) and 14.17B.130 (Parking, Loading, and Access) to reduce required setbacks on the Health Care Facilities (HCF) zone to coincide with plans for the UVRMC replacement project located at approximately 1034 North 500 West.

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	CALLI HALES		√	√			
				TOTALS	7	0	0

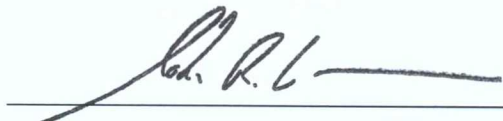
This ordinance was passed by the Municipal Council of Provo City, on the 21st day of April, 2015 on a roll call vote as described above. Signed this 4th day of May, 2015.


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 4th day of May, 2015.


Mayor

ORDINANCE 2015-19

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 4th day of May 2015, with a short summary being published on the 25th day of April 2015, 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 2015-19.



Signed this 4th day of May 2015.

Janene Weiss
City Recorder

ORDINANCE 2015-19.

AN ORDINANCE AMENDING PROVO CITY CODE SECTIONS 14.17B.080 (SETBACK REQUIREMENTS) AND 14.17B.130 (PARKING, LOADING, AND ACCESS) TO REDUCE REQUIRED SETBACKS IN THE HEALTH CARE FACILITIES (HCF) ZONE TO COINCIDE WITH PLANS FOR THE UVRMC REPLACEMENT PROJECT LOCATED AT APPROXIMATELY 1034 NORTH 500 WEST. CITY WIDE IMPACT (15-0002OA)

WHEREAS, it is proposed that an amendment be made to Provo City Code Sections 14.17B.080 (Setback Requirements) and 14.17B.130 (Parking, Loading, and Access) to reduce required setbacks in the Health Care Facilities (HCF) zone to coincide with plans for the UVRMC replacement project located at approximately 1034 North 500 West; and

WHEREAS, this is the only one area in the city zoned HCF; and

WHEREAS, four buildings have been built along 500 West that are seven (7) feet back from the property line and are considered nonconforming, two of which are proposed to be demolished as part of the hospital relocation project; and

WHEREAS, on 500 West the sidewalk is located in the public right-of-way; and

WHEREAS, Chapter 1 of the General Plan (Objective 3.4.4) states, "Hide or soften commercial area parking by using berms and trees with perimeter and interior landscaping"; and

WHEREAS, on March 11, 2015, 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 amendment be approved as set forth below; and

WHEREAS, on April 21, 2015, 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 Sections 14.17B.080 (Setback Requirements) and 14.17B.130 (Parking, Loading, and Access) should be amended on the basis recommended by the Planning Commission and (ii) this action, as set forth below, 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:

Sections 14.17B.080 and 14.17B.130 of the Provo City code are hereby amended as follows:

14.17B.080. Setback Requirements.

The following minimum yard requirements shall apply to the HCF zone:

(1) Front setback: fifteen (15) feet. Lot perimeter setback: ten (10) feet. All buildings and structures within the HCF zone shall be setback a minimum of ten (10) feet from any property line, except buildings with

49 frontage on 500 West may be setback a minimum of seven (7) feet from the property line that abuts 500
50 West.

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52 (2) Parking Structures shall meet the setback requirements of parking lots and not building setbacks.

53 (2) Side setback: ten (10) feet.

54 (3) Side setback—corner lots: fifteen (15) feet.

55 (4) Rear setback: ten (10) feet.

56 (5) Rear setback—accessory buildings: No requirement.

57 (63) Setbacks are also subject to Section 14.17B.100, Provo City Code. (Enacted 2014-09)

58 **14.17B.130. Parking, Loading, and Access.**

59 (1) Parking within the HCF zone shall be provided in accordance with the requirements of Chapter 14.37,
60 Provo City Code.

61 (2) All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved
62 access from the public street.

63 (3) Parking spaces shall not be provided within a required front yard or a side yard fifteen (15) feet of a
64 property line adjacent to a public street. Parking spaces, but not a parking structure, may be setback ten
65 (10) feet off a property line if additional buffering is provided which meets all of the following:

66 (a) An innovative landscaping design is submitted which that is superior to the landscaping that
67 would result from application of minimum required standards is submitted.

68 (b) Buffer shall be a minimum six (6) feet wide and extend the entire length of the parking lot,

69 (c) Buffer shall achieve ninety (90) percent full shrub coverage at plant maturity without
70 extending over the adjacent sidewalk,

71 (d) Buffer shall include a minimum of sixty (60) percent evergreen shrubs. Seasonal interest is
72 highly encouraged. Deciduous shrubs included as part of the landscape buffer shall have dense
73 branching so as to ensure sufficient screening during winter months,

74 (e) Minimum one (1) foot berm; and

75 (f) One (1) shade tree per thirty (30) feet of street frontage with offset spacing from that used for
76 the parkway trees.

77 (4) Paved access for five (5) or less parking spaces shall have a minimum width of twelve (12) feet.

78 (5) Paved access for six (6) or more spaces shall have a minimum width of twelve (12) feet for one (1)
79 way traffic and sixteen (16) feet for two (2) way traffic. (Enacted 2014-09)

80 **PART II:**

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

*** Proof of Publication ***

The Daily Herald
State of Utah, Utah County > SS -----

Provo City Corporation
P.O. Box 1849
Provo, UT 84603

ORDER NUMBER 51888

I, being first duly sworn depose and say that I am the Legal Billing Clerk of The Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the ad attached hereto, and which is a copy, was published in said newspaper; that said notice was published in the regular and entire issue of the paper during that period and times of publication, and was published in the newspaper proper and not in the supplement.

Same was also published online at utahlegals.com, according to Section 45-1-101, Utah Code Annotated, beginning on the first date of publication and for at least 30 days thereafter.

**PROVO CITY CORPORATION
OFFICE OF THE RECORDER
ORDINANCE 2015-19**
Notice is hereby given that in the regular Municipal Council Meeting of April 21, 2015, the Provo Municipal Council passed Ordinance 2015-19. This is an ordinance amending Provo City Code Sections 14.17B.080 (Setback Requirements) and 14.17B.130 (Parking, Loading, and Access) to reduce required setbacks on the Health Care Facilities (HCF) zone to coincide with plans for the UVRMC replacement project located at approximately 1034 North 500 West.
Janene M. Weiss, City Recorder
Legal Notice 51888 Published in The Daily Herald April 25, 2015

W. Jeffrey Gendree


PUBLISHED ON: 04/25/2015

TOTAL AD COST: 23.88
FILED ON: 4/28/2015

Willy Shaw

SIGNATURE

Subscribed and sworn to before me this the 28th DAY OF April, 2015

 **WILLY SHAW**
NOTARY PUBLIC - STATE OF UTAH
COMMISSION# 670719
COMM. EXP. 09-24-2017