

Ordinance 2015-21

SHORT TITLE:

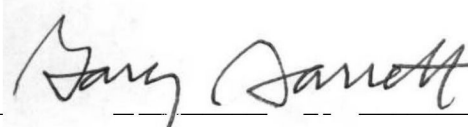
An ordinance amending Provo City Code sections 14.23.020 (Permitted Uses), 14.14A.040, 14.14B.040, 14.14C.040, and 14.14E.040 (Prior Created Lots) to clarify language regarding permitted uses and prior created lots.

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 19th day of May, 2015 on a roll call vote as described above. Signed this 16th day of June, 2015.

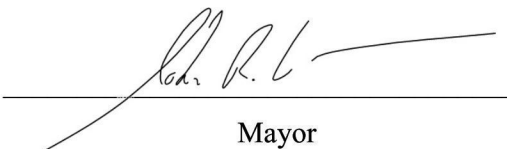


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 29th day of June 2015.



Mayor

ORDINANCE 2015-21

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 7th day of July 2015, with a short summary being published on the 23rd day of May 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 2015-21.



Signed this 7th day of July 2015.

Janeel Steiss
City Recorder

ORDINANCE 2015-21.

AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.34.350 (RECREATIONAL VEHICLE STORAGE (INCLUDES BOATS, TRAILERS, AND RECREATIONAL VEHICLES) AND TOWING IMPOUND YARDS), STRIKING LANGUAGE REQUIRING SUCH USES TO BE LOCATED ON AN ARTERIAL OR COLLECTOR STREET. CITY WIDE IMPACT (15-0006OA)

WHEREAS, it is proposed that an amendment be made to Provo City Code Section 14.34.350 (Recreational Vehicle Storage (Includes Boats, Trailers, and Recreational Vehicles) and Towing Impound Yards), striking language requiring such uses to be located on an arterial or collector street; and

WHEREAS, there are two separate conditional use permits currently pending in the City that cannot be approved at this time, due to the restriction; and

WHEREAS, impound yards are already restricted by zone and the remaining conditions found in 14.34.350; and

WHEREAS, the remaining conditions and existing restrictions found in Title 14 mitigate any concerns that would come from this ordinance amendment; and

WHEREAS, on April 8, 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 May 19, 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 Section 14.34.350 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:

Section 14.34.350 of the Provo City code is hereby amended as follows:

14.34.350. Recreational Vehicle Storage (Includes Boats, Trailers, and Recreational Vehicles) and Towing Impound Yards.

Subject to the standards set forth in Subsections (1) through (9) of this Section and the standards for a conditional use permit set forth in Section 14.02.040, Provo City Code, storage of recreational vehicles shall be allowed as a conditional use in A1 zones and towing impound yards shall be allowed as a conditional use in CM, M1, M2 and PIC zones. The Planning Commission shall consider the circumstances of existing surrounding land uses and existing improvements when applying these standards. Where circumstances warrant it, the Commission may apply the most restrictive standards, subject to making findings justifying such application.

~~(1) Recreational vehicle storage areas and towing impound yards shall have vehicular access to an arterial or collector street.~~

~~(2)~~(1) Every recreational vehicle storage area and towing impound yard shall be screened on one (1) or more sides (as determined by the Planning Commission) by an opaque wall or fence. Fence height shall be at least eight (8) feet for recreational vehicle storage areas and at least six (6) feet for towing impound yards. Fence height may be shorter

57 than if built upon a permanent landscaped berm, and the combined height of the berm and fence meets the
58 requirements of this Subsection.

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60 (a) Fencing appropriate to the area shall be utilized. This may include "Beauty Link" chain link, wood,
61 decorative block, or brick.

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63 (b) An appropriate hedge row capable of growing to a height of at least five (5) feet at maturity may be
64 required along one (1) or more sides of the fence, as deemed necessary by the Planning Commission.

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66 ~~(4)~~(2) The front yard setback shall be landscaped with some combination of trees, shrubs, hedgerows, and turf.
67 Preference shall be given to drought resistant native species. Landscaping shall be irrigated and permanently
68 maintained.

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70 ~~(5)~~(3) When adjoining a residential zone boundary, a minimum ten (10) foot landscaped setback may be required
71 from the residential zone boundary. The landscaped yard shall be located between the property or zone boundary
72 line and the fence.

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74 ~~(6)~~(4) All parking areas shall be graded, drained, and improved with gravel road base material, concrete, or asphaltic
75 cement. The driveway from the street shall be paved with asphaltic cement or concrete. Gravel parking areas shall
76 be maintained in a weed-free condition.

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78 ~~(7)~~(5) One (1) on-premise sign shall be permitted per street frontage in the front or side yard setback. Said sign shall
79 be no higher than five (5) feet, and no more than thirty-two (32) square feet in area.

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81 ~~(8)~~(6) All lighting shall meet the requirements of Chapter 15.21, Provo City Code.

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83 ~~(9)~~(7) Sites adjoining existing residential development may not be appropriate for the land uses permitted by this
84 Section. The Commission shall consider the circumstances of surrounding land uses, and area circulation in making
85 a decision regarding a conditional use permit. It shall be the intent of these standards to discourage recreational
86 vehicle storage areas and towing impound yards from drawing undue attention through signage, lighting, etc.

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88 ~~(10)~~(8) Upon review by the Planning Commission, the Commission may allow up to thirty percent (30%) of a
89 developed project to be fully enclosed or partially enclosed storage structures for the purpose of storing recreational
90 vehicles.

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93 PART II:

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

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

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

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

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107 END OF ORDINANCE.