

Ordinance 2015-22

SHORT TITLE:

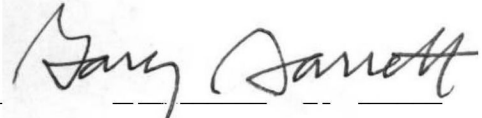
An ordinance amending Provo City Code section 14.34.350 (Recreational Vehicle Storage [includes Boats, Trailers, and Recreational Vehicles] and Towing Impound Yards), striking language requiring such uses to be located on an arterial or collector street.

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.

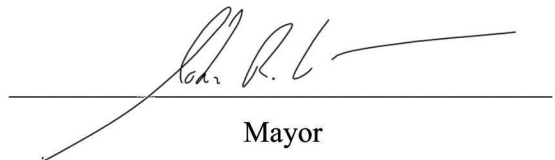


Chair

II

APPROVAL BY MAYOR

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



Mayor

ORDINANCE 2015-22

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 2015-22.



Signed this 7th day of July 2015.



City Recorder

ORDINANCE 2015-22.

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. CITY WIDE IMPACT (15-0006OA)

WHEREAS, it is proposed that amendments be made to 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; and

WHEREAS, clarifying language in the zones will make the intent of the zones more easily understood by property owners and developers; and

WHEREAS, the proposed changes will close a loophole that could create an undesired result of these new zones; and

WHEREAS, this would likely prevent the use of the higher-density zones as a tool to simply subdivide an existing structure into multiple dwelling units; and

WHEREAS, current language regarding a change of use in the ITOD zone or prior created lots in the LDR, MDR, HDR, and CMU zones could be interpreted to allow the splitting up of older housing structures into multiple units; 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 Sections 14.23.020 (Permitted Uses), 14.14A.040, 14.14B.040, 14.14C.040, and 14.14E.040 (Prior Created Lots) 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:

Provo City Code Sections 14.14A.040, 14.14B.040, 14.14C.040, and 14.14E.040 are hereby amended as follows:

14.14A.040. Prior Created Lots.

14.14B.040. Prior Created Lots.

14.14C.040. Prior Created Lots.

14.14E.040. Prior Created Lots.

Lots or parcels of land which were created prior to December 12, 1974, shall not be denied a building permit for a single-family dwelling solely for the reason of nonconformance with the parcel requirements of this Chapter.

PART II:

Provo City Code Section 14.23.020 is hereby amended as follows:

57 **14.23.020. Permitted Uses.**

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61 (7) Change of Use or Density. In the ITOD zone, any change of land use or increase in housing density to an
62 existing residential building ~~in the ITOD zone~~ shall require compliance with all provisions of this Chapter.

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65 PART III:

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

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

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

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

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79 END OF ORDINANCE.