

Ordinance 2016-03

SHORT TITLE:

An ordinance amending Provo City Code Section 14.29.150(3) (Uses Conducted Within Buildings) in the Planned Industrial Commercial (PIC) zone to add an allowance for outdoor storage with increased landscape standards.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL		✓	✓			
CW 2	GEORGE STEWART			✓			
CD 1	GARY WINTERTON	✓		✓			
CD 2	KIM SANTIAGO			✓			
CD 3	DAVID KNECHT			✓			
CD 4	KAY VAN BUREN			✓			
CD 5	DAVID HARDING			✓			
				TOTALS	7	0	0

This ordinance was passed by the Municipal Council of Provo City, on the 2nd day of February, 2016, on a roll call vote as described above. Signed this February 18, 2016.

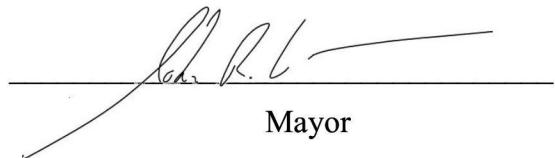


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 2/18/2016.



Mayor

Ordinance 2016-03

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 22nd day of February, 2016, with a short summary being published on the 6th day of February, 2016, 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 2016-03.



Signed this 22nd day of February, 2016

Janeen Steiss
City Recorder

AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.29.150(3) (USES CONDUCTED WITHIN BUILDINGS) IN THE PLANNED INDUSTRIAL COMMERCIAL (PIC) ZONE TO ADD AN ALLOWANCE FOR OUTDOOR STORAGE WITH INCREASED LANDSCAPE STANDARDS. CITY-WIDE IMPACT. (15-0013OA)

WHEREAS, it is proposed that amendments be made to Provo City Code Section 14.29.150(3) (Uses Conducted Within Buildings) in the Planned Industrial Commercial (PIC) Zone to add an allowance for outdoor storage with increased landscape standards; and

WHEREAS, the Planned Industrial Commercial (PIC) Zone defined in the Provo City Code currently does not allow outdoor storage; and

WHEREAS, on December 9, 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 February 2, 2016, the Municipal Council held a duly noticed public hearing to ascertain the facts and receive public comment regarding this matter, which facts and comments are found in the hearing record; and

WHEREAS, all persons for and against the proposed amendment were given an opportunity to be heard during the public hearing; 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 14.29.150(3) (Uses Conducted Within Buildings) 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 Section 14.29.150(3) is hereby amended as follows:

14.29.150(3). Uses Conducted Within Buildings.

(a) All uses located in the PIC zone, ~~except those in areas designated on the preliminary project plan for manufacturing land uses,~~ shall be conducted entirely within a fully enclosed building. This requirement shall not apply to those uses that customarily provide outside customer services which do not include repair, fabrication or materials storage i.e., gasoline service stations and plant nurseries.

(b) Notwithstanding subsection (a) above, outdoor storage shall be allowed as an accessory use in the Mountain Vista Business Park if such storage is a customary accessory use to the principal use and meets the following requirements:

(i) Outdoor storage is limited to finished manufactured product or raw materials used in the manufacturing process;

(ii) Outdoor storage shall only be allowed in the rear yard or side yard and shall be subject to building setbacks;

(iii) The entire perimeter of the area used for outdoor storage shall be adequately screened by a

53 landscape buffer which meets the requirements of 15.20.110(3) and 15.20.070;
54 (iv) Fencing not less than six (6) feet or more than ten (10) feet in height shall be provided by a
55 solid wall, chain-link fence with site-obscuring slats, or comparable site-obscuring material;
56 and
57 (v) Outdoor storage and any associated screening shall not encroach into any sight distance
58 triangle.

59 (c) For purposes of this section, the Mountain Vista Business Park is defined as the area beginning at
60 the southern-most section of State Street within the City, commencing north along State Street to
61 Ironton Boulevard, thence westerly to include all parcels with frontage along Ironton Boulevard to
62 Tracy Hall Parkway, then Southerly along the railroad tracks to the southern limits of the City, then
63 east following the southern boundary of the City returning to the original point of beginning.
64

65
66 PART II:
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- 68 A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance,
69 this ordinance shall prevail.
70
- 71 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
72 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid,
73 the remainder of the ordinance shall not be affected thereby.
74
- 75 C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated
76 to reflect the provisions enacted by this ordinance.
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- 78 D. This ordinance shall take effect immediately after it has been posted or published in accordance
79 with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204,
80 and recorded in accordance with Utah Code 10-3-713.
81

82 END OF ORDINANCE.