

Ordinance 2016-15

SHORT TITLE:


An ordinance amending Provo City Code Section 14.50(20).040 to reduce the minimum project area size from 0.9 acre to 0.34 acre in order to build a new duplex on the property generally located at 177 South 1000 West, in the Residential Conservation (RC) zone.

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					Excused	
CD 3	DAVID KNECHT		√	√			
CD 4	KAY VAN BUREN			√			
CD 5	DAVID HARDING			√			
				TOTALS	6	0	0

This ordinance was passed by the Municipal Council of Provo City, on the 7th day of June, 2016, on a roll call vote as described above. Signed this June 29, 2016.

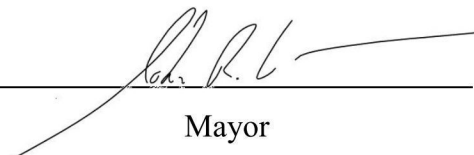


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this June 30, 2016.



Mayor

Ordinance 2016-15

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 30th day of June, 2016, with a short summary being published on the 11th day of June, 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 2016-15.



Signed this 30th day of June, 2016

Janeen Skiss
City Recorder

ORDINANCE 2016-15

AN ORDINANCE AMENDING PROVO CITY CODE SECTION 14.50(20).040 TO REDUCE THE MINIMUM PROJECT AREA SIZE FROM 0.9 ACRE TO 0.34 ACRE IN ORDER TO BUILD A NEW DUPLEX ON THE PROPERTY GENERALLY LOCATED AT 177 SOUTH 1000 WEST, IN THE RESIDENTIAL CONSERVATION (RC) ZONE. FRANKLIN NEIGHBORHOOD. (15-0014OA)

WHEREAS, it is proposed that an amendment be made to Provo City Code 14.50(20).040 to reduce the minimum project area size from 0.9 acre to 0.34 acre in order to build a new duplex on the property generally located at 177 South 1000 West, in the Residential Conservation (RC) Zone; and

WHEREAS, the acreage reduction is requested by the owner of property located in the Franklin Neighborhood to allow the property to redevelop and help achieve the goals of the neighborhood and the Provo City General Plan; and

WHEREAS, on April 13, 2016 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 by a vote of 6:0 that the proposed amendment be approved as set forth below; and

WHEREAS, on May 17, 2016, the Municipal Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts and comments are found in the meeting record; and

WHEREAS, on June 7, 2016, 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 14.50(20).040 should be amended 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 14.50(20).040 is hereby amended as follows:

14.50(20).040. Project Area and Density.

47 The minimum area for any project in the Del Coronado PRO zone shall be ~~nine-tenths~~
48 ~~(0.9)~~ **thirty-four hundredths (0.34)** of an acre. One-family dwellings may be subdivided
49 from the overall project area subject to the lot width, lot depth and lot frontage
50 provisions of this Chapter. Each project within the Del Coronado PRO zone shall be
51 permitted two (2) one-family dwellings and twenty-one (21) multifamily dwelling units.
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53 PART II:
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55 A. If a provision of this ordinance conflicts with a provision of a previously adopted
56 ordinance, this ordinance shall prevail.
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58 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
59 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
60 invalid, the remainder of the ordinance shall not be affected thereby.
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62 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
63 updated to reflect the provisions enacted by this ordinance.
64

65 D. This ordinance shall take effect immediately after it has been posted or published in
66 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
67 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.
68

69 END OF ORDINANCE.
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