

Ordinance 2017-30

SHORT TITLE:

An ordinance amending Provo City Code to change the uses allowed in the Residential Conservation (RC) Zone. City-wide impact. (17-0009OA)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	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	

This ordinance was passed by the Municipal Council of Provo City, on the 18<sup>th</sup> day of July 2017, on a roll call vote as described above. Signed this 26th day of July 2017.

*David S. Sewell*

Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 31 July 2017.

*John R. L.*

Mayor

Ordinance 2017-30

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 31st day of July 2017, with a short summary being published on the 22<sup>nd</sup> day of July 2017, 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 2017-30.



  
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City Recorder

ORDINANCE 2017-30

AN ORDINANCE AMENDING PROVO CITY CODE TO CHANGE THE USES ALLOWED IN THE RESIDENTIAL CONSERVATION (RC) ZONE. CITY-WIDE IMPACT. (17-0009OA)

WHEREAS, the Provo City Community Development Department seeks to amend Provo City Code Section 14.32.020 to allow Eating Places (SLU #5810) and Personal Services (SLU #6290) within the Residential Conservation (RC) Zone in existing commercial structures and to make other related changes; and

WHEREAS, on June 14, 2017 the Planning Commission held a duly noticed public hearing to consider this proposal and after such hearing the Planning Commission recommended approval to the Municipal Council by a vote of 5:0; and

WHEREAS, on July 11, 2017 and July 18, 2017, the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts and comments are found in the meeting records; and

WHEREAS, after considering the Planning Commission recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 14.32.020 should be amended as set forth in Exhibit A, and (ii) this action 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 14.32.020 is hereby amended as shown in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- 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 it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

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48 END OF ORDINANCE.

## EXHIBIT A

### 14.32.020. Permitted Uses.

(6) Conditional Uses. The following uses and structures are permitted in the RC zone only after a conditional use permit has been issued, and subject to the terms and conditions thereof:

Use No.	Use Classification
4700	Communications
4814	Electricity regulating substations
4818	Small Generation
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
5320	Mail and phone order Houses (only in historic buildings as defined in this Title)
5391	Dry goods and general merchandise (yarn, linen, crafts, fabric, etc.) (only in historic buildings as defined in this Title)
5410	Groceries (only in existing commercial structures that comply with the provisions of Section 14.32.140(5), Provo City Code)
5441	Candy, nut, and confectionery (only in historic buildings as defined in this Title)
5600	Apparel and accessories (only in historic buildings as defined in this Title)
5670	Custom tailoring (only in historic buildings as defined in this Title)
5810	Eating Places (only in existing commercial structures)

- 5811 ~~Restaurants (only in historic buildings as defined in this Title)~~
- 5900 Miscellaneous retail trade (except 5920, 5930, 5960, and 5980; only in historic buildings as defined in this Title)
- 5931 Antiques (includes furniture, glassware, etc.; only in historic buildings as defined in this Title)
- 5932 Second hand clothing, shoes, furniture and books (does not include 5933, flea markets, or 5936, thrift stores; only in historic buildings as defined in this Title)
- 5952 Bicycles and parts (only in existing commercial structures that comply with the provisions of Section 14.32.140(5), Provo City Code)
- 6220 Photography studio (only in historic buildings as defined in this Title)
- 6230 Beauty and barber shop (only in historic buildings as defined in this Title)
- 6241 Mortuary (only in historic buildings as defined in this Title)
- 6290 **Personal Services (only in existing commercial structures, does not include 6294, 6295)**
- 6291 ~~Clothing rental (only in historic buildings as defined in this Title)~~
- 6299 Personal services (wedding chapels and reception centers; only in historic buildings as defined in this Title)
- 6500 Professional services (except 6513 to 6518; only in **existing commercial structures** ~~historic buildings as defined in this Title or as permitted by Section 14.32.025, Provo City Code~~)