

Ordinance 2017-32

SHORT TITLE:

An ordinance amending City Code to allow accessory dwelling units attached to an industrial use in the Manufacturing Park (MP) zone. Rivergrove Neighborhood. (17-0002OA)

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		6	1	

This ordinance was passed by the Municipal Council of Provo City, on the 8th day of August 2017, on a roll call vote as described above. Signed this 23rd day of August 2017.



Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 29 August 2017.



Mayor

Ordinance 2017-32

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 30th day of August 2017, with a short summary being published on the 12nd day of August 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 2017-32.




City Recorder

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

48
49 C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo
50 City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

51
52 D. This ordinance shall take effect immediately after it has been posted or published in
53 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
54 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

55
56 END OF ORDINANCE.

1 **14.26.020. Permitted Uses.**

2 ...

3 (5) Permitted Accessory Uses. Accessory uses and structures are permitted in the MP zone provided they
4 are incidental to, and do not substantially alter, the principal use or structure. Such permitted accessory
5 uses and structures include, but are not limited to, the following:

6 (a) Parking lots that are properly paved and drained in accordance with City standards and are
7 provided with peripheral and internal landscaping;

8 (b) Cafeterias and snack bars that are incidental to a permitted use and are provided for the
9 exclusive use of persons employed upon the premises and their guests;

10 (c) Caretaker dwellings, provided that such dwellings comply with the
11 supplementary development standards for caretaker dwellings set forth in Section 14.34.220,
12 Provo City Code;

13 (d) Offices and office buildings that are incidental to and accessory to a permitted use, and are
14 designed to architecturally compliment the building or buildings in which the principal
15 permitted use is housed; and

16 (e) Signs, only when mounted flat against a building, housing a principal use and lighted only by an
17 indirect light source.

18 (f) Single family dwellings, attached to a non-residential use, subject to the following standards:

19 (i) Accessory dwellings shall only be occupied by one family as defined by Provo City Code
20 Chapter 14.06.

21 (ii) Accessory dwellings shall only be permitted when attached to a permitted structure wherein
22 the principal permitted use is operating. Only one accessory dwelling unit shall be allowed for
23 each permitted use.

24 (iii) Accessory dwelling units shall not be permitted within 600 feet of a residential zone
25 boundary unless approved by the Planning Commission as part of a Project Plan Application.

26 (iv) In any new project consisting of ten (10) or more accessory dwelling units, an area
27 equivalent to ten percent (10%) of the residential gross floor area shall be developed in

28 residential amenities, such as a common clubhouse, gym, playground, rooftop garden, or
29 other amenity, unless such amenity is already available at a public park or recreation facility
30 within one-thousand (1,000) feet of the project.

31 (v) In cases where accessory dwelling units are anticipated within a Manufacturing Park zone,
32 design of the dwelling units shall include sound and vibration attenuating design and materials.
33 Permit applicants shall provide documentation from an acoustical engineer that “best
34 practices” for sound and vibration attenuation have been incorporated.

35 (vi) To promote public health and safety, any accessory dwelling unit that does not have
36 frontage along a public street shall be provided a logical, hard surface, pedestrian connection
37 to the public street.

38 ...

39 **14.26.080. Yard Requirements.**

40 ...

41 (8) The Community Development Director, or designee, may reduce the setbacks of this zone subject to
42 finding that all of the following conditions exist:

43 (a) The proposed setback is visually compatible with neighboring development and does not
44 cause an undue burden or harm to the adjacent property;

45 (b) The proposed setback does not violate an existing or needed utility easement; and

46 (c) The proposed setback does not cause a violation of the International Building Code or the Fire
47 Code.

48

49 **14.26.100. Building Height.**

50 No lot or parcel in the MP zone shall have a building or structure that exceeds a height of ~~two (2) stories~~
51 ~~with a maximum of~~ thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human
52 occupancy are excluded in determining height.