

Ordinance 2017-33

SHORT TITLE:

An ordinance amending Provo City Code regarding street-side yards on corner lots. Citywide impact. (17-00070A)

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 8<sup>th</sup> 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 2017-33

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 12<sup>nd</sup> 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 2017-33.



  
\_\_\_\_\_  
City Recorder

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

ORDINANCE 2017-33.

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING STREET-SIDE YARDS ON CORNER LOTS. CITY-WIDE IMPACT. (17-0007OA)

WHEREAS, it is proposed that Provo City Code Subsection 14.10.080(3) (Yard Requirements) be amended to bring the setback required for the street side-yard on corner lots into conformance with recent changes made to the required front yard setback; and

WHEREAS, on June 28, 2017, the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended approval to the Municipal Council by a vote of 4:0; and

WHEREAS, on July 18, 2017 and August 8, 2017, the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts are found in the meeting records; 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 14.10.080 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 Subsection 14.10.080(3) is hereby amended as follows:

14.10.080. Yard Requirements

(3) Street Side Yard- Corner Lots. On corner lots, the side yard contiguous to the street shall ~~not be less than twenty (20) feet~~ meet the same minimum requirement as for a front yard. ~~and shall not be used for vehicle parking, except such portion as is devoted to driveway use for access to a garage or carport.~~

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.

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

49  
50 D. This ordinance shall take effect immediately after it has been posted or published in  
51 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah  
52 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

53  
54 END OF ORDINANCE.