

Ordinance 2018-09

SHORT TITLE:

An ordinance amending Provo City Code to increase the minimum number of residential units giving rise to a requirement for recreational amenities in the General Downtown (DT1) Zone. Downtown Neighborhood. (16-00023OA)

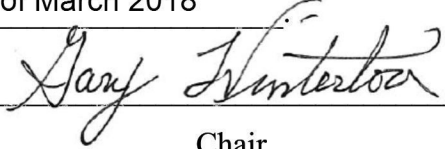
I

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	GEORGE HANDLEY	✓		
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 6th day of March 2018, on a roll call vote as described above. Signed this 14th day of March 2018


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 20 March 2018.


Mayor

Ordinance 2018-09

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 26h day of March 2018, with a short summary being published on the 10th day of March 2018, 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 2018-09.




City Recorder

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ORDINANCE 2018-09.

AN ORDINANCE AMENDING PROVO CITY CODE TO INCREASE THE NUMBER OF RESIDENTIAL UNITS NEEDED FOR RECREATIONAL AMENITIES IN THE GENERAL DOWNTOWN (DT1) ZONE. DOWNTOWN NEIGHBORHOOD. (16-00230A)

WHEREAS, it is proposed that Provo City Code Section 14.21A.160 be amended to increase the number of residential units needed for recreational amenities in the General Downtown (DT1) zone from five to twenty; and

WHEREAS, on February 14, 2018, the Planning Commission held a duly noticed public hearing to consider the proposal, and after such hearing the Planning Commission recommended the Municipal Council approve the proposal by a 6:0 vote; and

WHEREAS, on February 20, 2018 and March 6, 2018, the Municipal Council met to ascertain the facts regarding this matter, which facts are found in the meeting 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 14.21A.160 should be amended as described in the attached Exhibit A; and (ii) the proposed amendment described in the attached Exhibit A 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 14.21A.160 is hereby amended as described in the attached 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 Zone Map of Provo City, Utah be updated and codified 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.

47

48 END

OF

ORDINANCE.

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3 **14.21A.160. Landscaping and Recreational Amenities.**
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5 (1) Landscaping meeting the guidelines of Ch. 15.20 – Landscaping shall be required for all [yards](#) and
6 open [areas](#) not used for vehicular parking or access.

7 (2) In any new project consisting of ~~five~~ **twenty (20)** or more residential units, an [area](#) equivalent to ten
8 per cent (10%) of the residential gross [floor area](#) shall be developed in recreational amenities, such as
9 a common clubhouse, gym, pool, roof-top garden, or other amenity. Landscaping in front
10 and [street](#) side [yards](#), the 15 foot minimum facade set back, and other required [areas](#) (such as
11 distance provisions required by the International [Building](#) Code) shall not be calculated towards
12 meeting this provision. Only 50% of the required recreational amenity space may be located outdoors
13 at the ground floor level.