Ordinance 2022-02

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY CODE SECTIONS 14.17D.020, 14.17D.040, AND 14.34.296 TO MAKE CHANGES TO THE AIRPORT ZONE PERMITTED USES, AND MINOR LOT, AND DESIGN STANDARDS REQUIREMENTS. CITYWIDE APPLICATION. (PLOTA20210411)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
	TOTALS	7	0	0

This ordinance was passed by the Municipal Council of Provo City, on the 18th day of January 2022, on a roll call vote as described above. Signed this 1st day of February 2022.

Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 1st day of February 2022.

Mayor

Ordinance 2022-02

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 3rd day of February 2022, and was published on the Utah Public Notice Website on the 19th day of January 2022. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2022-02.

SEAL

City Recorder

ORDINANCE 2022-02

AN ORDINANCE AMENDING PROVO CITY CODE SECTIONS 14.17D.020, 14.17D.040, AND 14.34.296 TO MAKE CHANGES TO THE AIRPORT ZONE PERMITTED USES, AND MINOR LOT, AND DESIGN STANDARDS REQUIREMENTS. CITYWIDE APPLICATION. (PLOTA20210411)

WHEREAS, it is proposed that Provo City Code Sections 14.17D.020, 14.17D.040, 14.34.296 be amended as shown in Exhibit A; and

WHEREAS, on January 12, 2022, the Planning Commission held a duly noticed public hearing to consider the proposal, and after such hearing the Planning Commission recommended approval of the proposal to the Municipal Council by of 8:0 vote; and

WHEREAS, on January 18, 2022, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) the proposed amendments should be adopted as described herein; and (ii) the proposed amendments described herein reasonably further 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 Sections 14.17D.020, 14.17D.040, and 14.34.296 are hereby amended as described 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.

END OF ORDINANCE.

EXHIBIT A

Section 14.17D.020. Permitted Uses.

(1) Permitted Principal Uses. The following principal uses, and no others, are permitted in the Airport zones as indicated in Table 14.17D.1:

Table 14.17D.1 – Permitted Uses in Airport Zones			
Key: P = Permitted, C = Conditional, N = Not Permitted			
Uses	A	AI	Standards/Additional Info
Agriculture and Agriculture related activities	N	P	
Air cargo terminal and package delivery facility	P	P	See Chapter 13.06
Aircraft maintenance facilities and related activities	P	P	
Airport and related activities	P	N	See Title 13 - Aviation; Ramp, hangar and other facilities see Chapter 13.10
Airport rescue and firefighting (ARFF) facilities	P	N	
Airports, flying fields and other air transportation	P	N	
Antenna – communication tower	P	P	Subject to 14.34.090 and 14.34.250;
Eating places, restaurants (no drive-through)	P	P	Subject to Section 14.34.250
Federal agencies	P	N	Inside the airport terminal only
Hotels	N	P	
Miscellaneous manufacturing	N	P	
Motels	N	P	
Professional Office	N	P	
Police station (branch only)	P	N	Inside airport terminal only
Professional office related to airport activities	N	P	
Transportation terminal including bus and rail	P	N	
Vehicle parking – offsite	N	P	
Utility right-of-way	P	P	
Vehicle rental facility	P	P	Long term storage shall be provided offsite
Vocational training school (related to aviation)	P	P	
Warehouse ~~(products for air cargo)~~	N	P	

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Section 14.17D.040. Yard Requirements.

Yard requirements are listed in Table 14.17D.3 (measured from the property line):

Table 14.17D.3 – Yard Requirements				
	A		Al	
	Minimum	Maximum	Minimum	Maximum
Front Yard	No Requirement		10 feet	~~20 feet~~No requirement
Side Yard, corner lot			10 feet	~~20 feet~~No requirement
Side Yard, interior			10 feet	No requirement
Rear			20 feet	No requirement
Driveway Access	16 feet	30 feet	12 feet	24 feet

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Section 14.34.296 Airport Adjacent Development Design Standards

. . .

(3) Materials:

(a) Building wall materials shall be combined on each facade horizontally only, with the heavier elements (material or weight) below lighter elements. For example, stone should not be above stucco, and brick should not be below concrete. No material shall have a horizontal length of greater than sixty (60) feet.

(b) The exterior finish material on all buildings shall not consist of vinyl, ~~manufactured stone,~~ metal siding (including sheet or corrugated metal),

plywood, particle board, or other wood products not intended as an architectural finish product with the following exceptions:

(i) Air cargo terminal and package delivery facility, aircraft maintenance facility and related activities, miscellaneous manufacturing, and warehouse permitted uses may use metal composite material.

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