

Ordinance 2023-19

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY GENERAL PLAN APPENDIX  
C REGARDING ANNEXATION MAP AND POLICIES. CITYWIDE  
APPLICATION. (PLGPA20230063)

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			Excused
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		5	0	2

This ordinance was passed by the Municipal Council of Provo City, on the 16<sup>th</sup> day of May 2023,  
on a roll call vote as described above. Signed this 21st day of June 2023.

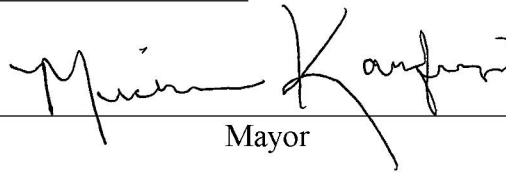


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 21st day of June 2023.



Mayor

## Ordinance 2023-19

### III

#### CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 6th day of July 2023 and was published on the Utah Public Notice Website on the 19<sup>th</sup> day of May 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-19.



A handwritten signature in cursive script, reading "Heidi Allman", is written over a horizontal line.

City Recorder

ORDINANCE 2023-19

AN ORDINANCE AMENDING PROVO CITY GENERAL PLAN APPENDIX  
C REGARDING ANNEXATION MAP AND POLICIES. CITYWIDE  
APPLICATION. (PLGPA20230063)

WHEREAS, it is proposed that Provo City General Plan Appendix C (Annexation Map and Policies) be amended to allow annexation of agricultural properties to be included in the A1 Zone; and

WHEREAS, on April 26, 2023, the Planning Commission held a duly noticed public hearing to consider the proposed amendment, and after such meeting, the Planning Commission recommended approval to the Municipal Council by a vote of 5:0; and

WHEREAS, on May 16, 2023, 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 Provo City General Plan should be amended as described herein and (ii) the proposed amendment reasonably furthers the health, safety and general welfare of the citizens of Provo City.

WHEREAS, all persons for and against the proposed General Plan amendment were given an opportunity to be heard; and

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City General Plan Appendix C is hereby amended as set forth 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 General Plan be updated to reflect the provisions enacted by this ordinance.

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

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51   END OF ORDINANCE.

## Exhibit A

### **Appendix C: Annexation Map and Policies**

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#### **Areas Proposed for Annexation**

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##### **Area Five**

Area Five is bounded on the west and south by existing Provo City limits, and on the east by the Uinta National Forest boundary. Existing water pressure zones can serve this area to an elevation of approximately 4,876 feet. Area Five can be served by gravity wastewater systems, but main lines would have to be extended into the area from existing lines several thousand feet away. Development in sizeable portions of this area would be subject to the city's Hillside Development Standards, as well as the Critical Hillside Overlay (CH) Zone. The General Plan calls for residential development in a portion of this area; however, any property identified as Agriculture on the map should be included in the OSPR zone upon being annexed. *Nevertheless, properties in agricultural use prior to annexation and that are intended to remain in agricultural use after annexation may be included in the Agricultural (A1) zone upon being annexed.* Any future development project requiring a rezone from the OSPR or A1 zone would be required to demonstrate a substantial benefit to the city and would be subject to the requirements of the Critical Hillside Overlay Zone.

##### **Area Six**

Area Six is bounded on the west, south, and north by the Provo City limits and on the east by Utah County. The area encompasses the Forest Service land east and north of Sherwood Hills and north of Little Rock Canyon. Even though this area contains steep slopes that would limit development, it would be annexed into Provo to preserve the hillsides from future mining uses. Upon annexation, properties in this area should be included in the OSPR zone. *Nevertheless, properties in agricultural use prior to annexation and that are intended to remain in agricultural use after annexation may be included in the Agricultural (A1) zone upon being annexed.* Any future development project requiring a rezone from the OSPR or A1 zone would be required to demonstrate a substantial benefit to the city and would be subject to the requirements of the Critical Hillside Overlay Zone. Area Six should consist of property that is owned by government entities.

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