

Ordinance 2023-31

SHORT TITLE:

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 1.36 ACRES OF REAL PROPERTY, GENERALLY LOCATED BETWEEN 5065 N CANYON ROAD AND 5075 N CANYON ROAD, FROM ONE-FAMILY RESIDENTIAL (R1.20) TO ONE-FAMILY RESIDENTIAL (R1.10). NORTH TIMPVIEW NEIGHBORHOOD. (PLRZ20230073)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6	0	

This ordinance was passed by the Municipal Council of Provo City, on the 18th day of July 2023, on a roll call vote as described above. Signed this 21st day of August 2023.

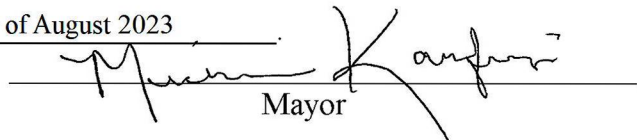


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 23rd day of August 2023.


Mayor

Ordinance 2023-31

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 24th day of August 2023 and was published on the Utah Public Notice Website on the 19th day of July 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-31.



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

City Recorder

ORDINANCE 2023-31

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 1.36 ACRES OF REAL PROPERTY, GENERALLY LOCATED BETWEEN 5065 N CANYON ROAD AND 5075 N CANYON ROAD, FROM ONE-FAMILY RESIDENTIAL (R1.20) TO ONE-FAMILY RESIDENTIAL (R1.10). NORTH TIMPVUE NEIGHBORHOOD.
(PLRZ20230073)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 1.36 acres of real property, generally located between 5065 N Canyon Road and 5075 N Canyon Road (an approximation of which is shown or described in Exhibit A and a more precise description of which will be attached hereto as Exhibit B after the Zone Map has been updated), be amended from One-Family Residential (R1.20) to One-Family Residential (R1.10); and

WHEREAS, on June 14, 2023, 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 a 6:0 vote; and

WHEREAS, the Planning Commission's recommendation was based on the project design presented to the Commission; and

WHEREAS, on July 18, 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 Zone Map of Provo, Utah should be amended as described herein; and (ii) the proposed zone map classification amendment for the real property described herein 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:

The classification on the Zone Map of Provo, Utah is hereby amended from the One-Family Residential (R1.20) Zone to the One-Family Residential (R1.10) Zone for approximately 1.36

41 acres of real property generally located between 5065 N Canyon Road and 5075 N Canyon Road,
42 as described herein.

43
44 PART II:
45

- 46 A. If a provision of this ordinance conflicts with a provision of a previously adopted
47 ordinance, this ordinance shall prevail.
48
- 49 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
50 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
51 invalid, the remainder of the ordinance shall not be affected thereby.
52
- 53 C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City,
54 Utah be updated and codified to reflect the provisions enacted by this ordinance.
55
- 56 D. This ordinance shall take effect immediately after it has been posted or published in
57 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
58 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.
59

60 END OF ORDINANCE

EXHIBIT A – ZONE MAP

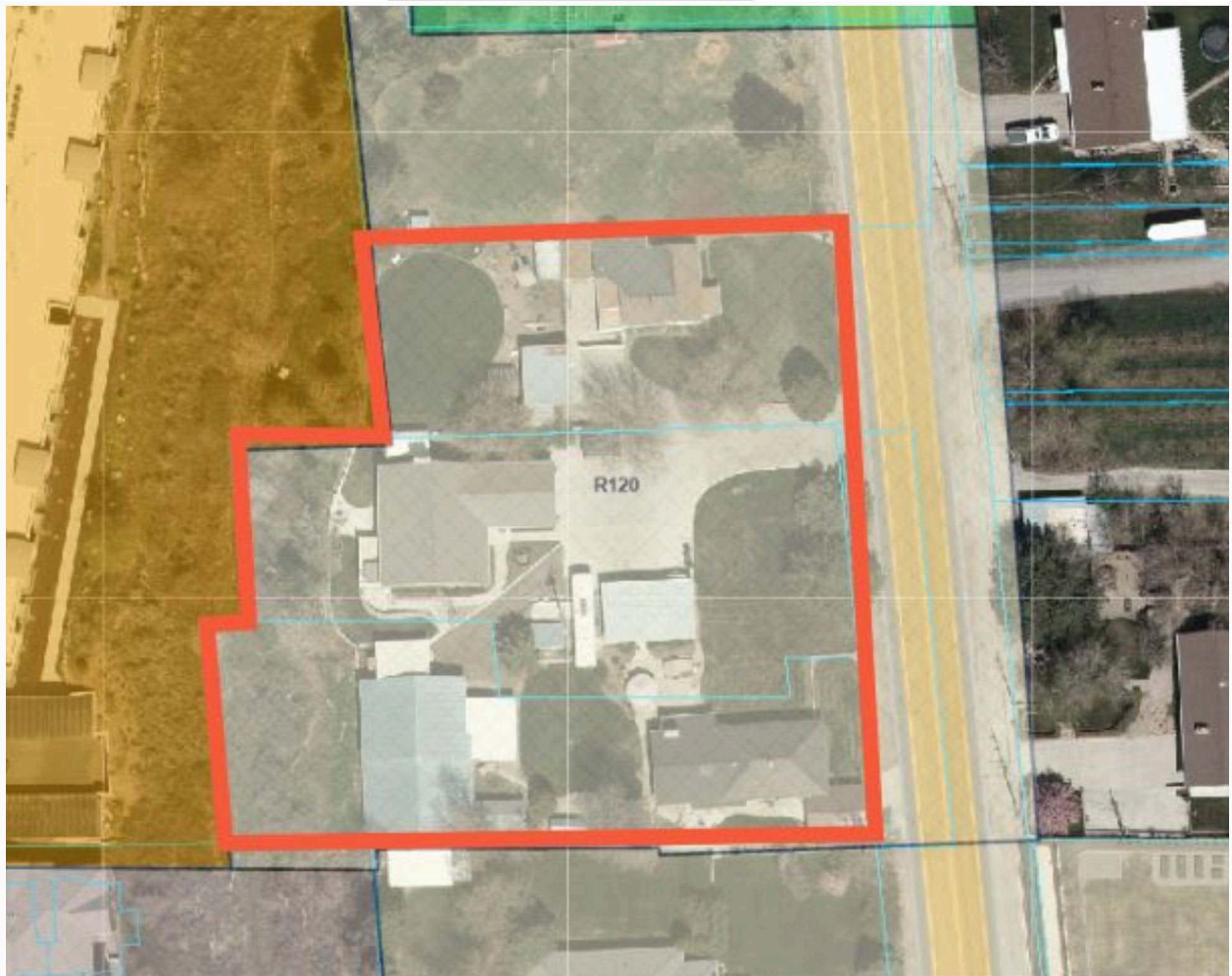


Exhibit B

*A legal description changing the zone classification of land within the city of Provo, Utah**

Rezone: R1.20 to R1.10

Project Name: Loveless Rezoning

Project Address: 5065 N Canyon Rd, 5075 N Canyon Rd

Applicant: Boyd Loveless

Community Development File #: PLRZ20230073

Confirmed correct by: Admin GIS Team, September 7, 2023

Note: This legal description represents parcel IDs 20:027:0088, 45:160:0001, and 34:458:0002.

Legal Description

5075 CANYON RD - 20:027:0088

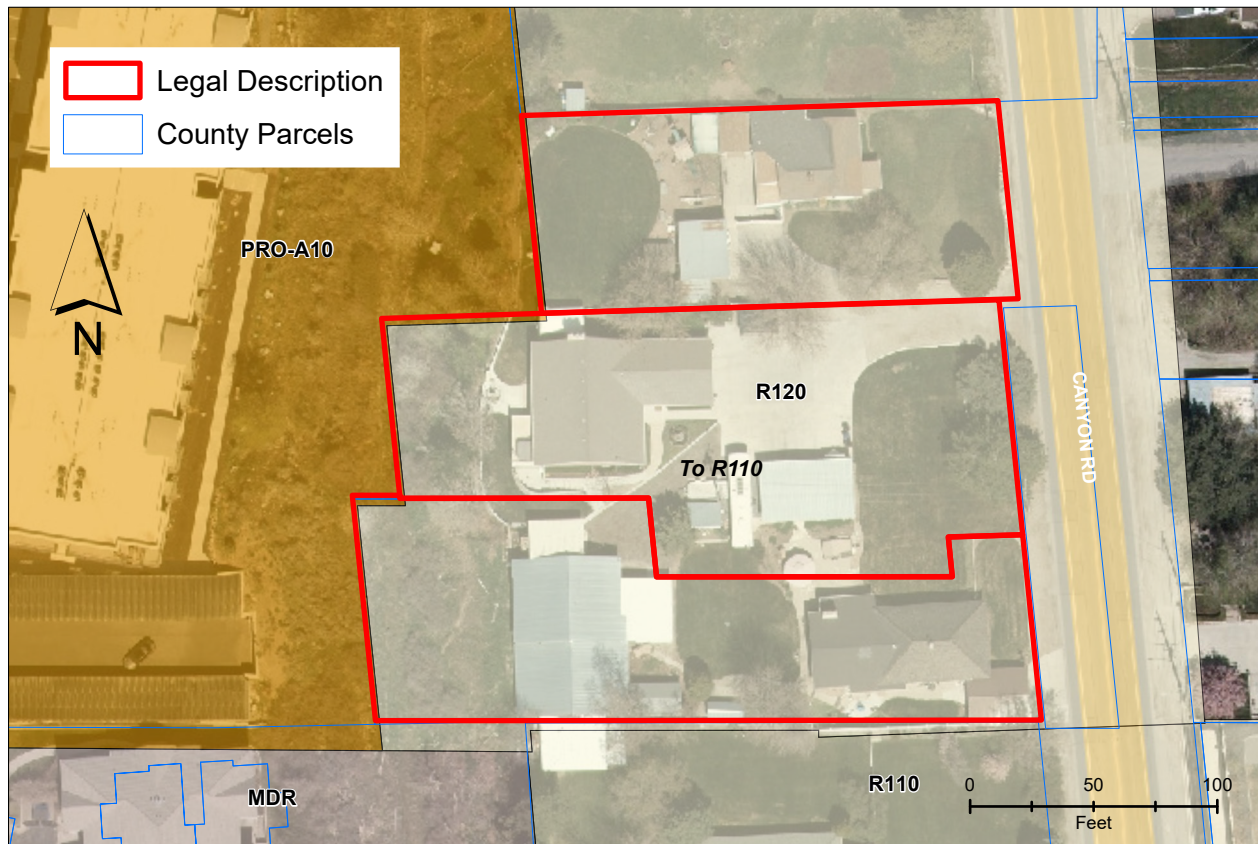
COM N 1158.31 FT & E 712.87 FT FR W 1/4 COR. SEC. 18 T6S R3E SLB&M.; N 5 DEG 50' 9" W 80.38 FT; N 88 DEG 16' 10" E 72.16 FT; N 88 DEG 7' 42" E 120.72 FT; S 5 DEG 50' 0" E 80.6 FT; S 88 DEG 16' 10" W 191.84 FT TO BEG. AREA 0.355 AC.

5069 CANYON RD - 45:160:0001

LOT 1 PLAT A LOVELESS. AREA 0.538 AC.

5065 N CANYON RD - 34:458:0002

LOT 2, PLAT B, ARBORS ON THE AVENUES SUBDV. AREA 0.459 AC.



* This zone change does not take effect until passed by ordinance and published publicly.