

Ordinance 2023-34

SHORT TITLE:

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 6.9 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 3155 WEST CENTER STREET, FROM A1 (AGRICULTURAL) TO AI (AIRPORT INDUSTRIAL). PROVO BAY NEIGHBORHOOD. (PLRZ20230166)

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	

This ordinance was passed by the Municipal Council of Provo City, on the 22nd day of August 2023, on a roll call vote as described above. Signed this 31st day of August 2023.

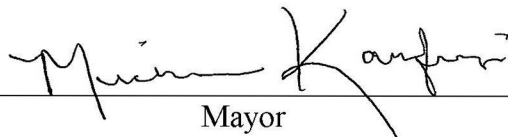


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 4th day of September 2023.


Mayor

Ordinance 2023-34

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 5th day of September 2023 and was published on the Utah Public Notice Website on the 23rd day of August 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-34.



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

City Recorder

ORDINANCE 2022-34

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF APPROXIMATELY 6.9 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT 3155 WEST CENTER STREET, FROM A1 (AGRICULTURAL) TO AI (AIRPORT INDUSTRIAL). PROVO BAY NEIGHBORHOOD. (PLRZ20230166)

WHEREAS, it is proposed that the classification on the Zone Map of Provo for approximately 6.9 acres of real property, generally located 3155 W Center Street (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 Agricultural (A1) to Airport Industrial (AI); and

WHEREAS, on July 26, 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 August 22, 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 Agricultural (A1) Zone to the Airport Industrial (AI) Zone for approximately 6.9 acres of real property generally located at 3155 W Center Street, as described herein.

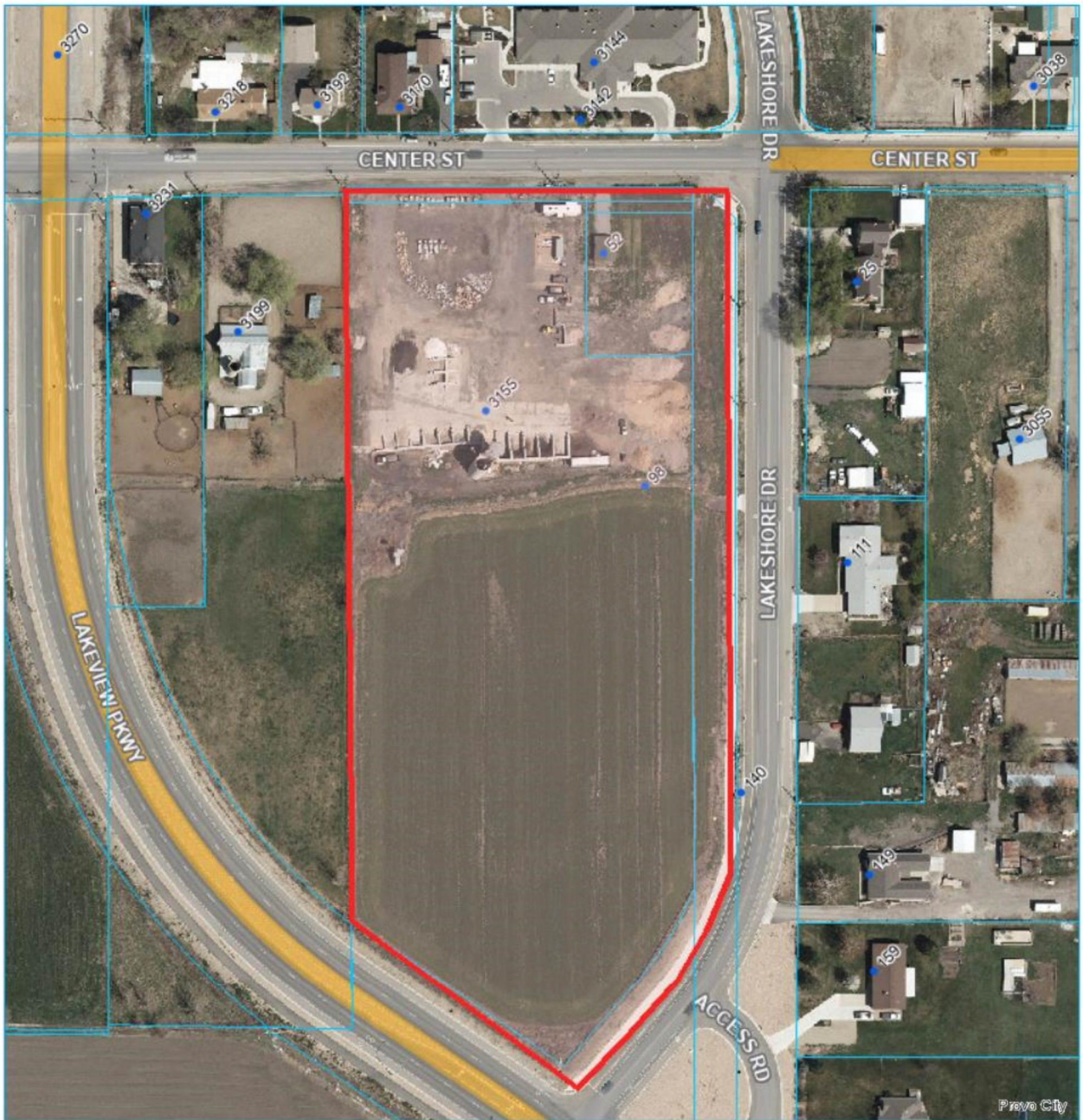
41 PART II:
42

- 43 A. If a provision of this ordinance conflicts with a provision of a previously adopted
44 ordinance, this ordinance shall prevail.
45
- 46 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
47 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
48 invalid, the remainder of the ordinance shall not be affected thereby.
49
- 50 C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City,
51 Utah be updated and codified to reflect the provisions enacted by this ordinance.
52
- 53 D. This ordinance shall take effect immediately after it has been posted or published in
54 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
55 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.
56

57 END OF ORDINANCE

EXHIBIT A – ZONE MAP

Provo Map



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-
-



0 0.0175 0.035 0.07 mi

Author: Provo City

Date: 7/18/2023

This map is for graphical representation only and not for construction or defining feature locations.

Exhibit B

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

Legal Description

PARCEL ID 21:034:0125

COM N 903.74 FT & W 290.01 FT FR NW COR. SEC. 10, T7S, R2E, SLB&M.; N 89 DEG 46' 42 E 254.02 FT; S 162.14 FT; E 111.83 FT; S 0 DEG 2' 52" W 561.38 FT; ALONG A CURVE TO R (CHORD BEARS: S 31 DEG 5' 10" W 109.25 FT, RADIUS = 316 FT); S 41 DEG 2 26" W 124.18 FT; ALONG A CURVE TO L (CHORD BEARS: N 54 DEG 13' 22" W 32.68 FT, RADIUS = 776.99 FT); N 55 DEG 25' 41" W 199.85 FT; ALONG A CURVE TO R (CHORD BEARS: N 53 DEG 36' 54" W 40.81 FT, RADIUS = 645 FT); N 0 DEG 16' 0" W 753.06 FT TO BEG. AREA 6.516 AC.

PARCEL ID 21:022:0174

COM N 892.32 FT & E 76.04 FT FR SW COR. SEC. 3, T7S, R2E, SLB&M.; S 0 DEG 2' 52" W 149.74 FT; W 111.9 FT; N 149.74 FT; E 112.03 FT TO BEG. AREA 0.385 AC.

PORTION OF PARCEL ID 21:034:0109

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN PROVO, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT LOCATED N00°13'49"W ALONG THE SECTION LINE 183.07 FEET AND EAST 76.18 FROM THE SOUTHWEST QUARTER CORNER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE N00°02'52"E 716.91 FEET; THENCE S89°57'08"E 14.67 FEET; THENCE S44°46'24"E 8.72 FEET; THENCE S00°19'15"E 547.99 FEET; THENCE S03°32'31"W 96.59 FEET; THENCE S08°19'13"W 47.28 FEET; THENCE S30°50'33"W 22.76 FEET TO THE POINT OF BEGINNING. AREA: 15,363 SQUARE FEET OR 0.353 ACRES

Exhibit B

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

Rezone: A1 (Agricultural) to AI (Airport Industrial)

Project Name: McCoard Property

Project Address: 3155 W Center St

Applicant: Ryan McCoard

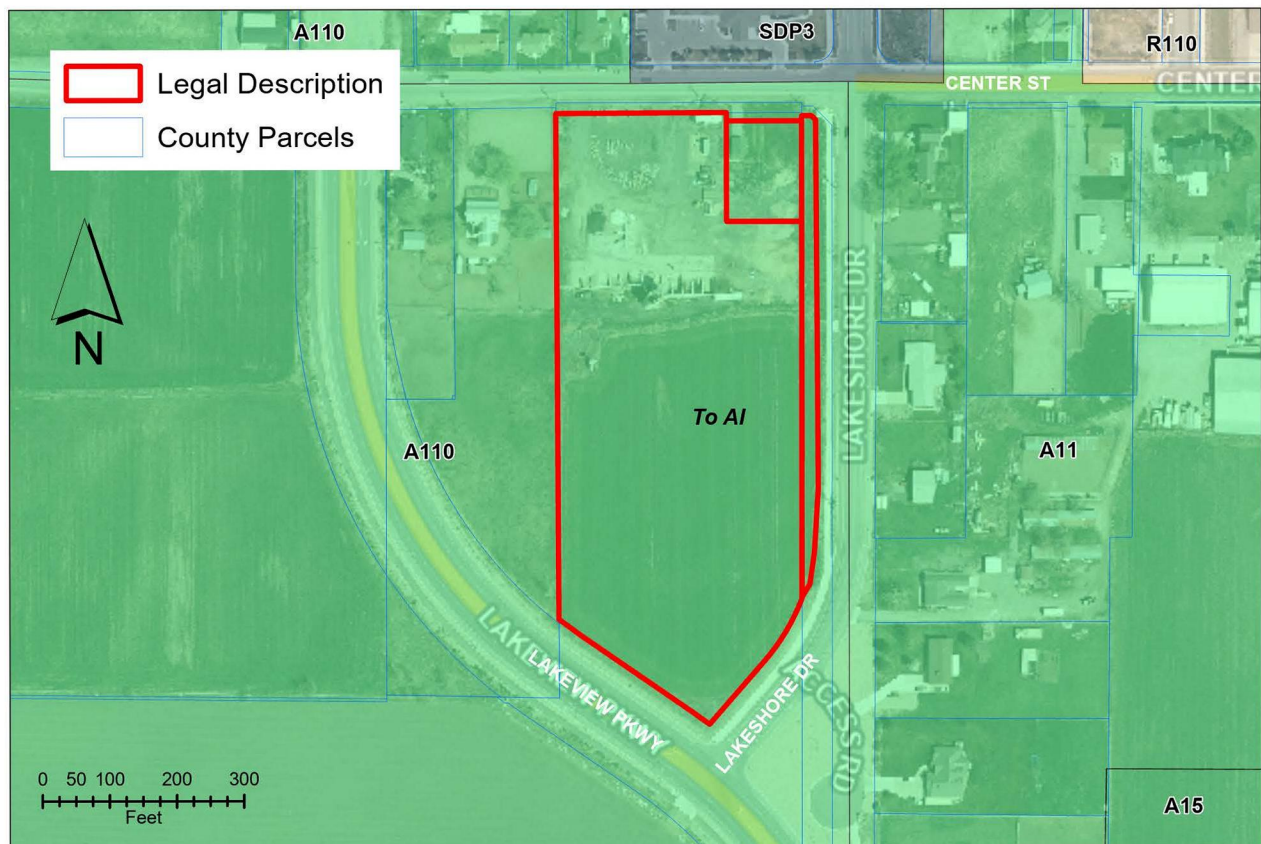
Community Development File #: PLRZ20230166

Confirmed correct by: Admin GIS Team, September 20, 2023

Note: This legal description represents parcel IDs 21:034:0125, 21:022:0174, and a portion of 21:034:0109.

Legal Description

SEE FULL LEGAL DESCRIPTION ON PAGE 2 OF EXHIBIT B



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