Chapter 14.26. MP - Manufacturing Park Zone.

14.26.010. Purpose and Objectives.
14.26.020. Permitted Uses.
14.26.030. Lot Area.
14.26.040. Lot Width.
14.26.050. Lot Frontage.
14.26.060. Prior Created Lots.
14.26.070. Minimum Building Area.
14.26.080. Yard Requirements.
14.26.090. Projections into Yards.
14.26.100. Building Height.
14.26.110. Distance Between Buildings.
14.26.120. Permissible Lot Coverage.
14.26.130. Parking, Loading, and Access.
14.26.140. Project Plan Approval.
14.26.150. Other Requirements.

14.26.010. Purpose and Objectives.

The Manufacturing Park (MP) zone is established to provide an environment conducive to the establishment of quality laboratory, processing, and light manufacturing uses in a park-like atmosphere. The zone is therefore more restrictive than a conventional manufacturing zone to provide for architectural excellence and an abundance of attractive green landscaping. This zone is intended to be located in the fringe areas of the City in open, readily developed land. In many cases it will be located adjacent to quality residential development and must be properly screened and beautified to create the highest degree of compatibility. This zone is to be characterized by attractively designed buildings and off-street parking lots situated among spacious lawns, trees, shrubs, and other landscape features. The most distinguishing characteristic of this zone is a park like appearance of grounds surrounding the buildings and the parking areas. In order to accomplish the purposes and objectives of this zone, the following regulations shall apply in the MP (Manufacturing Park) zone.

14.26.020. Permitted Uses.

(1) Those uses or categories of uses as listed herein, and no others, are permitted in the MP zone.

(2) All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Commission. Specific uses are identified by a four-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one (1) or two (2) digits are zeros.

(3) All such categories listed herein, and all specific uses contained within them in the Standard Land Use Code, will be permitted in the MP zone subject to the limitations set forth herein.

(4) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the MP zone:

Use No.	Use Classification
2150	Bakery products
2170	Confectionery and related products
2300	Apparel and other finished products made from fabrics, leathers, etc.
2700	Printing, publishing, and allied industries
2830	Drugs (manufacturing)
3500	Professional, scientific, and controlling instruments
3970	Motion picture production
3980	Audio products
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
5320	Mail and Phone order houses
6110	Finance, insurance, and real estate services
6130	Security and commodity brokers, dealers, exchanges, and services
6140	Insurance carriers, agents, brokers, and services
6150	Real estate and related services
6297	Gymnasiums, athletic clubs, body building studios
6311	Advertising services
6320	Consumer and mercantile credit reporting services; Adjustment and collection services
6330	Duplicating, mailing and stenographic services
6379	Warehousing with office spaces Businesses must verify that they comply with the following criteria to be issued a business license under SLU #6379: (a) No fleet vehicles parked on the site; (b) No outside emission of smoke, fumes, noise, odors, or pollution generated from the business or building; (c) No outdoor storage of any type; (d) All business operations must be conducted entirely within the building; (e) No large appliance, automobile or equipment repair on the premises, including lawn mowers, stoves, auto repair, paint booths, etc; (f) That a project consisting of four (4) or more small or incubator businesses in the MP zone be subjected to Covenants, Conditions and Restrictions that are recorded with the property to provide for maintenance of the buildings and grounds; (g) That adequate off-street parking be provided for all employees; (h) No direct retail sales from the premises.
6391	Commercial testing laboratories and services
6500	Professional Services (except 6513, Hospitals (public or private); 6515, Behavior, Drug and Alcohol treatment centers; and 6516, Convalescent, Rest Home and Nursing Home Services)
6710	Governmental services
6720	Protective functions

6730	Postal services
6900	Miscellaneous Service Organizations (office only)
7424	Recreation and community centers
7600	Parks

(5) Permitted Accessory Uses. Accessory uses and structures are permitted in the MP zone provided they are incidental to, and do not substantially alter, the principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

(a) Parking lots which are properly paved and drained in accordance with City standards and are provided with peripheral and internal landscaping;

(b) Cafeterias and snack bars which are incidental to a permitted use and are provided for the exclusive use of persons employed upon the premises and their guests;

(c) Caretaker dwellings, provided that such dwellings comply with the supplementary development standards for caretaker dwellings set forth in Section 14.34.220, Provo City Code.

(d) Offices and office buildings which are incidental to and accessory to a permitted use, and are designed to architecturally compliment the building or buildings in which the principal permitted use is housed.

(e) Signs, only when mounted flat against a building, housing a principal use and lighted only by an indirect light source.

(6) Conditional Uses. The following uses and structures are permitted in the MP zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

Use No.	Use Classification
3430	Other machinery (small appliances and electronic components only)
3990	Miscellaneous manufacturing (except 3992, 3993, 3995, 3996, 3997, and 3999)
4700	Communications (Subject to 14.34.420)
4814	Electricity regulating substations
4818	Small Generation
4823	Natural or manufactured gas storage; distribution points
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (A dam and basin for intercepting debris)
4874	Spreading grounds (Area for percolating water into underground)
5814	Restaurants, subject to the following conditions: (a) That the restaurant be architecturally compatible with surrounding buildings; (b) That there be no short-order/fast food or drive-in restaurants; (c) That signs, landscaping, number of employees, and distance from existing commercial zones, and related matters, shall be factors considered in the review and approval of a conditional use permit
6516	Convalescent, Rest Home and Nursing Home Services
6722	Police Protection and related activities, branch (Office only)
6800	Educational services
7413	Indoor and outdoor tennis courts

(Am 1986-10, Am 1989-56, Am 1990-18, Am 1993-24, Am 1994-110, Am 1995-20, Am 1996-23, Am 1996-69, Am 1997-13, Am 1997-49, Am 1998-25, 1999-29, Am 1999-35, 1999-44)

14.26.030. Lot Area.

Every lot or parcel of land created in the MP zone shall be of sufficient size to provide for required setbacks, landscaping and off-street parking for any permitted uses, building, or structures on the site. No single MP zone, however, shall contain less than twenty (20) acres.

(1) Single ownership or control. In the case of large tracts of land being developed, the land shall be in single ownership or single control in order to provide for integrated development. The term "single control" shall be construed to allow the recording of a Record of Survey which is in conformance with the "Final Development Plans" the "Final Approval by Mayor," the "Standards and Requirements," and the "Guarantees and Covenants" sections of the Planned Development Chapter of this Title (Sections 14.31.070(1) and 14.31.080, Provo City Code). The Record of Survey must be approved and recorded prior to the issuance of any building permits and must be in compliance with all applicable sections of the Provo City Code and other Building Codes adopted the City. Failure to maintain single ownership or single control may result in the initiation of action to return the property to the zones existing prior to the establishment of the MP zone. (Am 1993-24, Am 1997-13)

14.26.040. Lot Width.

Each lot or parcel of land in the MP zone shall have a lot width adequate to provide for the width of any proposed building, driveway access to the rear of said building, and peripheral landscaping adjacent to said driveway access at a width of at least five (5) feet.

14.26.050. Lot Frontage.

Each lot or parcel of land in the MP zone shall abut a public street for the minimum distance of eighty (80) feet.

14.26.060. Prior Created Lots.

Lots or parcels of land which were created prior to the application of this zone (December 12, 1974), shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

14.26.070. Minimum Building Area.

All buildings constructed within the MP Zoning District shall have a minimum gross floor area of five thousand (5,000) square feet. In the case of a planned business park consisting of two (2) or more buildings a building may have less than five thousand (5,000) square feet if they are clustered and a Covenants, Conditions and Restrictions are provided to guarantee that the development will maintain single ownership or control. (Am 1994-110)

14.26.080. Yard Requirements.

The following minimum yard requirements shall apply in the MP zone: (Note: All setbacks are measured from the property line.)

(1) Front Yard. Each lot or parcel in the MP zone shall have a front yard of not less than thirty (30) feet. In addition, the portion of any building having a height greater than twenty (20) feet shall have an additional foot of front yard for every foot of height above twenty (20) feet. There shall be no vehicular parking within the front yard of any lot in the MP zone.

(2) Side Yard. There shall be no required side yards within the MP zone, except that adequate space shall be maintained between any building and the side property line, to provide ingress and egress

to parking areas in the rear of the building in conformance with Subsection (4) of this Section. Where driveway areas are provided along the side of said buildings, a planted area of not less than five (5) feet in width shall be provided between the driveway and the adjacent property line.

(3) Side Yard - Corner Lots. On corner lots, the side yard contiguous to the street shall not be less than twenty (20) feet. Said side yard shall not be used for vehicular parking, but shall be appropriately landscaped and beautified.

(4) Side Yard - Driveway. See Section 14.37.100, Provo City Code.

(5) Side Yard - Accessory Building. The side yard of any accessory building in the MP zone shall be the same as that required for a principal building.

(6) Rear Yard. Each lot or parcel of land in the MP zone shall have a rear yard of not less than thirty (30) feet.

(7) Rear Yard - Accessory Building. An accessory building may be located on the rear property line so long as:

(a) It has no opening on the side contiguous with the rear property line;

(b) It has one (1) hour fire-resistant construction in the wall adjacent to said property line;

(c) It provides for all roof drainage to be retained on the subject lot or parcel;

(d) That the materials used on the side of said building and adjacent to the rear property line shall present an attractive architectural appearance to the adjacent property and shall not be a detriment to said adjacent property. (Am 1993-24, Am 1995-02)

14.26.090. Projections into Yards.

(1) The following structures may be constructed on or may be projected into any required yard:

(a) Fences and walls in conformance with the Provo City Code and other City codes and ordinances;

(b) Landscape elements including trees, shrubs, turf and decorative lighting;

(c) Necessary appurtenances for utility service.

(2) The structures listed below may project into a minimum front or rear yard not more than eight (8) feet, and into a minimum side yard not more than four (4) feet:

(a) Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features;

(b) Fireplace structures and bays, loading docks (except in front yard), and signs when attached to the wall of the building;

(c) Stairways, balconies, door stoops, fire escapes, awnings, and planting boxes or masonry planters not exceeding twenty four (24) inches in height.

14.26.100. Building Height.

No lot or parcel in the MP zone shall have a building or structure which exceeds a height of two (2) stories with a maximum of thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height. (Am 1985-65)

14.26.110. Distance Between Buildings.

The minimum distance between any accessory building and a main building on a lot in the MP zone shall not be less than ten (10) feet. The minimum distance between all other buildings shall be governed by the latest edition of the Uniform Building Code as adopted by the Provo Municipal Council. (Am 1985-65)

14.26.120. Permissible Lot Coverage.

There shall be no requirement except as may be dictated by yard requirements, landscaping requirements, compliance with off-street parking provisions, and project plan approval conditions. (Am 1993-24)

14.26.130. Parking, Loading, and Access.

Each lot or parcel in the MP zone shall have a parking lot improved with asphaltic cement or concrete to the standards of Chapter 14.37, Provo City Code. Said parking lot shall be provided with internal and peripheral landscaping in conformance with a landscaping plan approved by the Planning Commission. (Am 1993-24)

14.26.140. Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code. (Am 1986-10, Am 1994-03, Am 1999-44, Am 2001-10)

14.26.150. Other Requirements.

(1) Signs. Unless otherwise prohibited by law, signs of a type and description listed below, but no others, may be placed and maintained on a parcel of property in the MP zone:

(a) One (1) free standing monument identification sign shall be permitted per lot frontage on a public street. Such sign shall not exceed thirty-two (32) square feet in area. The maximum height above street grade shall not exceed five (5) feet. Such sign shall be set back from the street right-of-way at least five (5) feet.

(b) Two (2) signs for each building not exceeding two hundred (200) square feet each, which shall be mounted flat on the wall of the building to identify the occupant of the building or a product, trade name, or trade symbol associated with said occupant, and no other. These signs may be illuminated only by an indirect light source.

(c) Two (2) temporary signs with a maximum of six (6) square feet each, pertaining to the sale, lease, or rent of a particular building, property, or premises upon which displayed, and no other.

(d) One (1) temporary sign not exceeding seventy-five (75) square feet which announces the construction of a new building. Said sign may contain the name of owners, tenants, architects, engineers, builders, tradesmen, and others associated with the construction and planning of said building. Said sign shall be located on the same premises as the new building which it announces.

(e) Signs and monuments identifying points of interest or sites of historic significance. The size and location of said signs or monuments shall be specifically approved by the Planning Commission.

(2) Landscaping. See Chapter 15.20, Provo City Code.

(3) Uses Conducted Within Buildings. All uses located in the MP zone shall be conducted entirely within a fully-enclosed building. There shall be no outside storage of materials, trash, or equipment other than motor vehicles licensed for street use.

(4) Wall and Fences. A decorative masonry wall, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the masonry wall requirement may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning Commission or its designee, indicating this agreement. In the case where there is not mutual agreement, the masonry wall will be required.

(5) Trash Storage. See Section 14.34.080, Provo City Code.

(6) Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial zone borders a residential zone the standards set forth in Section 14.34.300, Provo City Code shall apply. (Am 1986-10, Am 1987-45, Am 1992-49, Am 1993-

24, Am 1994-28, Am 1995-02, Am 1995-06, Am 1995-56, Am 1996-72, Am 1998-43, Am 1999-61)

Chapter 14.27. M1 - Light Manufacturing Zone.

14.27.010. Purpose and Objectives.
14.27.020. Permitted Uses.
14.27.030. Lot Area.
14.27.040. Lot Width.
14.27.050. Lot Frontage.
14.27.060. Prior Created Lots.
14.27.070. Area of Zone.
14.27.080. Yard Requirements.
14.27.090. Projections into Yards.
14.27.100. Building Height.
14.27.110. Distance Between Buildings.
14.27.120. Permissible Lot Coverage.
14.27.130. Parking, Loading, and Access.
14.27.140. Project Plan Approval.
14.27.150. Other Requirements.

14.27.010. Purpose and Objectives.

The Light Manufacturing (M1) zone is established to provide areas in the City where light manufacturing firms can engage in processing, assembling, manufacturing, warehousing, and storage; and for incidental service facilities and public facilities to serve the manufacturing area. The zone is intended to encourage sound development by providing and protecting an environment for such development, subject to regulations necessary to assure the orderly growth of the City of Provo, and the protection of residential and commercial land uses from noise and other disturbances. This zone is to be characterized by flat, open land suited for industrial uses because of the proximity to major transportation routes and the availability of utilities necessary for successful manufacturing or processes. The areas in which this zone will be applied may provide for land reserves for industrial and manufacturing use. Representative of the uses within the zone are light manufacturing, fabrication, processing, storage warehousing, and wholesale distribution. Uses which generate excessive noise, vibration, smoke, odor, dust, fumes, or danger of explosion have been excluded from this zone. The basic objectives of the M1 zone are:

(1) to provide space for light manufacturing and processing uses within the City in appropriate locations and to discourage uses from locating within this zone which will tend to deteriorate light manufacturing environment, and thwart the use of land for light industrial purposes;

(2) to broaden the tax base and improve the economic base of the community;

(3) to promote new industry to the end that the economic and social well-being of the City and its inhabitants shall be enhanced; and

(4) to discourage the undesirable mixture of incompatible commercial, industrial, and residential uses. (Am 2006-09)

14.27.020. Permitted Uses.

(1) Those uses or categories of uses as listed herein, and no others, are permitted in the M1 zone.

(2) All uses listed herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Commission. Specific uses are identified by a four-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one (1) or two (2) digits are zeros.

(3) All such classes listed herein and all specified uses contained within them in the Standard Land Use Code will be permitted in the M1 zone subject to the limitations set forth herein.

(4) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the M1 zone:

Use No.	Use Classification
2150	Bakery products
2170	Confectionery and related products
2185	Bottling and canning soft drinks and carbonated waters
2200	Textile mill products (except 2296 tire cord and fabric)
2300	Apparel and other finished products made from fabrics, leather, etc. (except 2361 leather tanning and finishing)
2500	Furniture and fixtures
2640	Converted paper and paperboard products (except containers and boxes)
2700	Printing, publishing, and allied industries
2844	Perfumes, cosmetics, and other toilet preparations
2893	Printing ink
3120	Rubber footwear
3210	Flat glass
3220	Glass and glassware (pressed or blown)
3250	Pottery and related products
3270	Cut stone and stone products
3427	Office machines (small)
3430	Miscellaneous machinery
3492	Cutlery, hand tools, and general hardware
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (except film manufacturing)
3900	Miscellaneous manufacturing (except 3993 matches and 3995 morticians goods)
4100	Railroads, rapid-rail transit, and street railway transportation (except 4116 railroad equipment and maintenance yards and 4123 rapid rail transit and street railway equipment maintenance yards)
4600	Automobile parking
4700	Communications (except 4712 telephone relay towers, microwave or other, 4722 telegraph transmitting and receiving stations, 4732 radio transmitting stations and towers, 4742 television transmitting stations and relay towers [including satellite], and 4752 radio and television transmitting facilities only)
4811	Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)

4844	Sewage pumping stations
4846	Sewage company office
4853	Refuse disposal company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (predominantly covered pipes or boxes)
4900	Miscellaneous transportation, communication, and utilities
5100	Wholesale trade (except 5150 farm products, 5182 farm machinery and equipment, 5191 metals and minerals [except petroleum products and scrap], 5192 petroleum bulk stations and terminals, 5193 scrap and waste materials, and 5199 other wholesale trade, NEC)
5200	Building materials, hardware, farm equipment, and supplies
5513	Farm and construction vehicles
5591	Marine craft and accessories
5592	Aircraft and accessories
5593	New and used house trailers and campers
6214	Industrial laundry services
6297	Athletic clubs, body building studios, spas, aerobic centers, (no gymnasiums)
6310	Advertising services
6330	Duplicating, mailing, stenographic, and office services
6340	Dwelling and other building services
6370	Warehousing or storage services (except 6371 farm products, warehousing/storaging, except stockyards, 6372 stockyards)
6390	Business services (except 6396 trading stamp services and 6399 other business services, NEC)
6400	Repair services (except blacksmiths and horse shoeing)
6420	Electrical appliance repair
6600	Contract construction services (not open construction storage yards)
6714	Operations centers (not open storage yards)
6800	Educational services
7415	Roller Skating and Skate Boarding (subject to the standards of Section 14.34.370, Provo City Code)
8221	Veterinarian services
8222	Animal hospital services (except large animals)
8290	Other agricultural-related activities (arborist, horticultural and landscaping services)

(5) Permitted Accessory Uses. Accessory uses and structures are permitted in the M1 zone provided they are incidental to, and do not substantially alter, the character of the principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

(a) Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the M1 zone.

(b) Storage of materials used for construction of buildings, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

(c) Caretaker dwellings, provided that such dwellings comply with the supplementary development standards for caretaker dwellings set forth in Section 14.34.220, Provo City Code.

(6) Conditional Uses. The following uses and structures are permitted in the M1 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

Use No.	Use Classification
2113	Poultry and small game dressing and packing (except slaughtering)
2120	Dairy products
2132	Canning - specialty foods
2133	Canning - fruits, vegetables, preserves, jams, etc.
2137	Frozen fruits, fruit juices, vegetables, etc.
2431	Millwork (includes blinds, shutters, doors, moldings, screens)
2811	Industrial inorganic chemicals (includes air separation facilities)
2821	Plastic materials, synthetic resins, and nonvulcanizable elastomers
2830	Drugs
3140	Miscellaneous plastic products
3190	Miscellaneous fabricated rubber products
3360	Nonferrous foundries (small item casting only)
3424	Metal working machinery and equipment (tool and dye shops, machine shops, etc.)
3498	Fabricated wire products
4200	Motor vehicle transportation
4392	Heliport (pad only without maintenance facilities)
4715	Low power radio communication towers and antennas (subject to Section 14.34.420, Provo City Code)
4814	Electricity regulating substations
4815	Electric utility company office
4818	Small generation
4819	Other electric utility, NEC
4823	Natural or manufactured gas storage; distribution points
4825	Gas company office
4829	Other gas utilities, NEC
4832	Water treatment plants (purification)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4845	Water reclamation plants, sludge drying beds etc.
4849	Other sewage disposal, NEC
4855	Refuse disposals
4861	Combination utilities company storage yards and equipment storage
4869	Combination utilities, NEC
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
4890	Other utilities, NEC
5199	Miscellaneous wholesale trade
5511	New and used car sales
5512	Motor vehicles, automobiles (used only)/retail trade

5530	Gasoline service stations
5711	Furniture, home furnishings, and equipment (only in conjunction with an attached warehousing operation)
5713	Draperies, curtains, and upholstery
5811	Restaurants
6399	Miscellaneous business services
6520	Legal services
6591	Accounting, auditing, book-keeping services
6722	Police protection and related activities, branch (office only)
6815	Day nursery or child care center
6900	Miscellaneous service organizations (subject to the standards of Section 14.34.390, Provo City Code)
7396	Dance halls (subject to the standards of Section 14.34.370, Provo City Code)

(Am 1986-10, Am 1986-46, Am 1989-56, Am 1991-29, Am 1993-09, Am 1994-05, 1995-20, Am 1997-49, 1998-25, Am 1999-29, Am 2003-32, Am 2006-09, Am 2006-33, Am 2007-18)

14.27.030. Lot Area.

The minimum area of any lot or parcel of land in the M1 zone shall be seven thousand (7,000) square feet.

14.27.040. Lot Width.

Each lot or parcel of land in the M1 zone shall have an average width of not less than fifty (50) feet.

14.27.050. Lot Frontage.

Each lot or parcel of land in the M1 zone shall abut a public street for a minimum distance of thirty-five (35) feet on a line parallel to the centerline of said street or along the circumference of a cul-de-sac improved to City standards.

14.27.060. Prior Created Lots.

Lots or parcels of land which were created prior to the application of this zone (December 12, 1974), shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

14.27.070. Area of Zone.

No requirements except that an orderly development pattern following good planning principals shall be used.

14.27.080. Yard Requirements.

The following minimum yard requirements shall apply in the M1 zone:

(1) Front Yard. Each lot or parcel in the M1 zone shall have a front yard of not less than ten (10) feet, unless used for parking, in which case it shall be not less than thirty (30) feet, of which at least ten (10) feet shall be landscaped.

(2) Side Yard. No requirement, except as provided in Subsections (3), (4), and (5) of this Section, and except where adjoining a residential zone, school, or park, in which case a side yard of not less than twenty (20) feet shall be required.

(3) Side Yard - Corner Lots. On corner lots, the side yard contiguous with the street shall be not less than fifteen (15) feet in width, and shall not be used for vehicular parking. Said area shall be appropriately landscaped except those portions devoted to access and driveway use.

(4) Side Yard - Driveway. See Section 14.37.100, Provo City Code.

(5) Side Yard - Accessory Building. An accessory building may be located on a side property line if, and only if, all of the following conditions are met:

(a) The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire-retardant rating.

(b) The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

(6) Rear Yard. No requirement except as may be dictated by off-street parking requirements or by the provisions of the Uniform Building Code as adopted by Provo City.

(7) Rear Yard - Accessory Building. An accessory building may be located on a rear property line if, and only if, the following conditions are met:

(a) The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire-retardant rating.

(b) The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected. (Am 1990-01, Am 1995-02)

14.27.090. Projections into Yards.

(1) The following structures may be erected on or projected into the required front yard:

(a) Fences and walls in conformance with the Provo City Code and other City codes and ordinances;

(b) Landscape elements, including trees, shrubs, turf, and other ornamental landscaping materials;

(c) Necessary appurtenances for utility service.

(2) The structures listed below may project into a minimum front yard not more than four (4) feet, into a minimum side yard not more than two (2) feet, except that required driveways shall remain unobstructed from the ground up.

(a) Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features;

(b) Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

14.27.100. Building Height.

The height of every building or structure hereafter designed, erected, or structurally altered or enlarged, shall conform to the requirements of the most recent edition of the Uniform Building Code as adopted by Provo City.

14.27.110. Distance Between Buildings.

No requirement except as may be dictated by the latest edition of the Uniform Building Code as adopted by Provo City.

14.27.120. Permissible Lot Coverage.

No requirement, except as may be dictated by off-street parking requirements.

14.27.130. Parking, Loading, and Access.

(1) Each lot or parcel of land in the M1 zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements as set forth in Chapter 14.37, Provo City Code.

(2) Except as provided in Section 14.34.350, Provo City Code, all parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street.

(3) Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk.

(4) Loading spaces shall be provided as required by the Planning Commission, using as a guide a standard of one (1) such space per ten thousand (10,000) square feet of gross floor area. (Am 2002-16)

14.27.140. Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code. (Am 1986-10, Am 1999-44, Am 2001-10)

14.27.150. Other Requirements.

(1) Signs. All signs erected in the M1 zone shall be in conformance with the sign provisions of Chapter 14.38, Provo City Code.

(2) Uses Within Buildings. All uses established in the M1 zone shall be conducted entirely within fully-enclosed buildings, except those uses deemed by the Planning Commission to be customarily and appropriately allowed in the zone by a conditional use permit with appropriate screening.

(3) Landscaping. See Chapter 15.20, Provo City Code.

(4) Trash Storage. See Section 14.34.080, Provo City Code.

(5) Walls and Fences.

(a) No wall, fence, or opaque hedge or screening material shall be placed or erected within an area which would restrict the sight distance for vehicular traffic in the public right-of-way. The clear-vision area as defined in Section 14.34.100, Provo City Code shall be maintained for clear visibility as required by the Section.

(b) A decorative masonry wall, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the masonry wall requirement may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning Commission or its designee, indicating this agreement. In the case where there is not mutual agreement, the masonry wall will be required.

(6) Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial zone borders a residential zone the standards set forth in Section 14.34.300, Provo City Code. (Am 1987-45, Am 1990-53, Am 1994-28, Am 1995-02, Am 1995-06, Am 1995-56, Am 1996-72, Am 1998-43, Am 1999-61)

Chapter 14.27A. FI - Freeway Industrial Zone.

14.27A.010. Purpose and Objectives.
14.27A.020. Permitted Uses.
14.27A.030. Lot Area.
14.27A.040. Lot Width.
14.27A.050. Lot Frontage.
14.27A.060. Prior Created Lots.
14.27A.070. Area of Zone.
14.27A.080. Yard Requirements.
14.27A.090. Projections into Yards.
14.27A.100. Building Height.
14.27A.110. Distance Between Buildings.
14.27A.120. Permissible Lot Coverage.
14.27A.130. Parking, Loading, and Access.
14.27A.135. Building Materials.
14.27A.140. Project Plan Approval.
14.27A.150. Other Requirements.

14.27A.010. Purposes and Objectives.

(1) The Freeway Industrial (FI) zone is established to provide areas in the community where clean, non-polluting industrial and manufacturing uses may be located in an environment which protects them from encroachment of commercial and residential uses. The Freeway Industrial (FI) zone is intended to be located along the I-15 freeway in areas which are readily accessible to railroads, and major arterial and collector roads. The intent of the zone is to provide flexibility of land uses without encouraging general traffic through residential areas.

(2) The Freeway Industrial (FI) zone is characterized by enclosed manufacturing, processing, and assembly uses. Front facade building materials are regulated in this zone to enhance the visual appeal of the freeway corridor. Peripheral landscaping will be provided where appropriate, to reduce the effects of the detrimental characteristics of permitted uses and to enhance the appearance of the FI zone. (Enacted 2007-46)

14.27A.020. Permitted Uses.

(1) Those uses or categories of uses as listed herein, and no others, are permitted in the FI zone.

(2) All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planing Commission. Specific uses are identified by a four-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the last one (1) or two (2) digits are zeros.

(3) All such classifications listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the FI zone subject to the limitations set forth herein.

(4) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the FI zone:

Use No No.	Use Classification
2150	Bakery products
2170	Confectionery and related products
2185	Bottling and canning soft drinks and carbonated waters.
2200	Textile mill products (except 2296 Tire cord and fabric)
2300	Apparel and other finished products made from fabrics, leather and similar materials (except 2361 Leather tanning and finishing)
2430	Mill works
2500	Furniture and fixtures
2600	Paper and allied products (except 2610 Pulp)
2700	Printing, publishing and allied industries.
2844	Perfumes, cosmetics, and other toilet preparations
2893	Printing ink
3120	Rubber footwear
3210	Flat glass
3220	Glass and glassware (pressed or blown)
3250	Pottery and related products
3262	Concrete products (includes floor slabs, joists, monuments, poles, posts, fencing, walls, etc.
3270	Cut stone and stone products
3400	Fabricated metal products (except 3410 Ordnance and accessories)
3500	Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks.
3900	Miscellaneous manufacturing (includes jewelry, silverware, plate ware, musical instruments, toys, sporting goods, office and artist's materials, audio products, etc.)
4111	Railroad right-of-way
4121	Rapid transit right-of-way
4800	Utilities (except 4813 Nuclear energy, and 4822 Gas production plants)

5100	Wholesale trade (except 5150 Farm products (raw materials), 5191 Metals and minerals, 5192 Petroleum bulk stations, and 5193 Scrap and waste materials)
6214	Industrial laundry services
6320	Duplicating, mailing, stenographic and office service.
6340	Dwellings and other building services
6370	Warehousing or storage services (indoors only)
6600	Contract construction services
6722	Police Protection and related activities (office only)

(5) Permitted Accessory Uses. Accessory uses and structures are permitted in the FI zone, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to the following:

(a) Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the FI zone.

(b) Storage of materials used for construction of buildings, including the contractor's temporary office, provided that such uses are located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter. Said materials must be located behind the main building as to not be viewed from the freeway.

(c) Caretaker dwellings, provided that such dwelling complies with the supplementary development standards for caretaker dwellings set forth in Section 14.34.220, Provo City Code. Only one (1) such dwelling shall be permitted on the main property where the main use is permitted.

(6) Conditional Uses. The following uses and structures are permitted in the FI zone only after a Conditional Use Permit has been issued and subject to the terms and conditions thereof.

Use No.	Use Classification
2440	Wooden containers
2490	Other lumber and wood products
2811	Industrial inorganic chemicals (includes air separation facilities)
2821	Plastic materials, synthetic resins and nonvulcanizable elastomers
2830	Drugs
3140	Miscellaneous plastic products
3190	Miscellaneous fabricated rubber products
3240	Structural clay products
3286	Nonclay refractories
3350	Rolling. drawing and extruding of nonferrous metal
3360	Nonferrous foundries
3392	Nonferrous forgings
4700	Communications
5510	New and used car sales (if manufactured or restored on the site, within an enclosed structure)
6400	Repair services (indoors only, no outdoor storage except uses subject to Section 14.24.240, Provo City Code) (Enacted 2007-46)

14.27A.030. Lot Area.

The minimum area of any lot or parcel of land in the FI zone shall be ten thousand (10,000) square feet. (Enacted 2007-46)

14.27A.040. Lot Width.

Each lot or parcel of land in the FI zone shall have average width of not less than one hundred (100) feet. (Enacted 2007-46)

14.27A.050. Lot Frontage.

Each lot or parcel of land in the FI zone shall abut a public street for a minimum distance of seventy (70) feet. (Enacted 2007-46)

14.27A.060. Prior Created Lots.

Lots or parcel of lands which were legally created prior to the application of this zone shall not be denied a building permit solely for reason of nonconformance with the lot width, depth, and area requirements of this Chapter. (Enacted 2007-46)

14.27A.070. Area of Zone.

No requirement. The property shall be located within close proximity to the I-15 freeway and meet the purpose and objectives as outlined in this Chapter. (Enacted 2007-46)

14.27A.080. Yard Requirements.

The following minimum yard requirements shall apply in the FI zone. (Note: All setbacks are measured from the property line.

(1) Front Yard. Each lot or parcel of land in the FI zone shall have a front yard of not less than fifteen (15) feet, which shall be landscaped and may not be used for parking.

(2) Side Yard. Except as provided in Subsections (3) and (4) of this section, there shall be no side yard requirement unless imposed by the Planning Commission to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the building code applicable to Provo City.

(3) Side Yard - Corner Lots. On a corner lot, the side yard contiguous to the street shall be not less than fifteen (15) feet in width and shall not be used for parking. Said yard shall be appropriately landscaped and screened.

(4) Side Yard - Driveway. See Section 14.37.100, Provo City Code.

(5) Rear Yard. No requirement except in those instances where the rear property line abuts a residential or commercial zone in which case the rear yard shall be the same as that required by the adjacent zone.

(6) Rear Yard - Accessory Buildings. No requirement except as may be imposed by the building code applicable to Provo City. All roof drainage shall be maintained on the same lot or parcel on which a building is erected. (Enacted 2007-46)

14.27A.090. Projections into Yards.

(1) The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway:

(a) fences and walls in conformance with the Provo City Code,

(b) landscape elements including trees, shrubs and plants, and

(c) necessary appurtenances for utility service.

(2) The structures listed below may project into a front yard not more than four (4) feet, and into a side yard not more than two (2) feet:

(a) cornices, eaves, belt courses, sills, buttresses, or other similar architectural features, and

(b) stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height. (Enacted 2007-46)

14.27A.100. Building Height.

No building shall exceed two (2) stories or thirty-five (35) feet except with the issuance of a conditional use permit. (Enacted 2007-46)

14.27A.110. Distance Between Buildings.

No requirements except as required by building code applicable to Provo City. (Enacted 2007-46)

14.27A.120 Permissible Lot Coverage

No requirement except as may be dictated by applicable landscaping and parking requirements. (Enacted 2007-46)

14.27A.130. Parking, Loading and Access.

(1) Each lot or parcel in the FI zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements set forth in Chapter 14.37, Provo City Code.

(2) All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with a paved access from a public street.

(3) Dock loading spaces shall be provided as required by the Planning Commission, using as a guide a standard of one (1) space per ten thousand (10,000) square feet of floor area. Each dock and loading area should be located behind the main structure to avoid being seen from the I-15 freeway frontage. (Enacted 2007-46)

14.27A.135. Building Materials.

The front facade of any structure which fronts on a public street shall consist of brick, split block, decorative block, stucco, real or artificial rock and shall be approved by the Design Review Committee. Cinder blocks shall not be approved. Architecturally compatible metal roofs shall be allowed. (Enacted 2007-46)

14.27A.140. Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code. All proposed buildings shall be reviewed by the Design Review Committee prior to approval. (Enacted 2007-46)

14.27.150. Other Requirements.

(1) Signs. Each sign erected in the FI zone shall be in conformance with the sign provisions of Section 14.38.100, Provo City Code.

(2) Uses within buildings. Each use established in the FI zone shall be conducted entirely within a fully enclosed building, except uses deemed by the Planning Commission to be customarily and appropriately allowed in the zone by a conditional use permit with appropriate screening.

(3) Landscaping.. See Chapter 15.20, Provo City Code.

(4) Trash Storage. See Section 14.34.080, Provo City Code.

(5) Walls and Fences.

(a) No wall, fence or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a front yard in the FI zone.

(b) A decorative masonry wall at least six (6) feet in height shall be erected along all property lines which are adjacent to a residential zone.

(6) Transitional Development Standards. When a lot or parcel in the F1 zone is located adjacent to a residential zone, the standards set forth in Section 14.34.300, Provo City Code, shall apply. (Enacted 2007-46)

Chapter 14.28. M2 - Heavy Manufacturing Zone.

14.28.010. Purpose and Objectives.
14.28.020. Permitted Uses.
14.28.030. Lot Area.
14.28.040. Lot Width.
14.28.050. Lot Frontage.
14.28.060. Prior Created Lots.
14.28.070. Area of Zone.
14.28.080. Yard Requirements.
14.28.090. Projections into Yards.
14.28.100. Building Height.
14.28.110. Distance Between Buildings.
14.28.120. Permissible Lot Coverage.
14.28.130. Parking, Loading, and Access.
14.28.140. Project Plan Approval.
14.28.150. Other Requirements.

14.28.010. Purpose and Objectives.

The Heavy Manufacturing (M2) zone is established to provide areas in the community where heavy industrial, manufacturing, and extractive uses may be located in an environment which protects them from the encroachment of commercial and residential uses, and which reduces the effect of undesirable characteristics such as odor, dust, and noise upon surrounding residential or commercial areas. The zone is also intended to provide for the development of incidental service facilities such as restaurants, service stations, and public facilities intended primarily to serve the industrial area. The M2 (Heavy Industrial) zone should be located in areas which are readily accessible to railroads and major highway routes. Truck traffic generated by the M2 zone shall not be required to ingress and egress from industrial areas through a residential area or commercial district. Said zone shall also be located in areas which will insure the purity of air and waters within Provo City and will not create hazards to nearby residential, commercial, or light manufacturing areas as the result of noise, dust, fumes, or other disturbances. The M2 (Heavy Industrial) zone will be characterized by the location of open and enclosed manufacturing, processing, and assembly uses which may potentially create hazards, nuisances, or disturbances. These uses will be located in areas which will reduce the effects of these characteristics upon other areas of the community, and in an environment which is attractive but which recognizes the characteristics of the permitted uses. Some peripheral landscaping will be provided, where appropriate, to reduce the effects of the detrimental characteristics of permitted uses, and to enhance the appearance of the entire M2 zone.

14.28.020. Permitted Uses.

(1) Those uses or categories of uses as listed herein, and no others, are permitted in the M2 zone.

(2) All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Commission. Specific uses are identified by a four-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one (1) or two (2) digits are zeros.

(3) All such classifications listed herein, and all specific uses contained within them in the Standard Land Use Code will be permitted in the M2 zone subject to the limitations set forth herein.

(4) Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the M2 zone:

Use No.	Use Classification

2100	Food and kindred products (except 2111 meat packing, 2113 poultry and small game dressing and packing, and 2194 animal and marine fats and oils)
2296	Tire cord and fabric
2361	Leather tanning and finishing
2400	Lumber and wood products
2600	Paper and allied products (except 2610 pulp)
2740	Commercial Printing
2800	Chemicals and allied products (except 2892 explosives and 2899 other chemicals and allied products)
3360	Nonferrous foundries
3392	Nonferrous forgings
3400	Fabricated metal products (except 3410 ordnance and accessories)
3560	Film manufacturing
3993	Matches
3995	Morticians' goods
3999	Other miscellaneous manufacturing as determined by the Planning Commission
4100	Railroad, rapid-rail transit, etc.
4200	Motor vehicle transportation
4600	Automobile parking
4700	Communications (except 4715 low power radio communication towers and antennas)
4800	Utilities (except 4812 electric generation plants - conventional fuel, 4813 electric generation plants - nuclear energy, and 4822 gas production plants)
4811	Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4846	Sewage company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (predominantly covered pipes or boxes)
4900	Miscellaneous transportation, communications, and utilities
5150	Farm products (raw materials) (except 5156 livestock, 5157 horses and mules)
5182	Farm machinery and equipment
5191	Metals and minerals (except petroleum products and scrap)
5192	Petroleum bulk stations and terminals
5198	Lumber and construction materials
5199	Miscellaneous wholesale trade as determined appropriate by the Planning Commission
5211	Lumber yards
5212	Building materials (except lumber)
5220	Heating and plumbing equipment
5252	Farm equipment
5254	Janitorial supplies
5255	Building maintenance materials
5513	Farm and construction vehicles
5961	Hay, grains, and feed
5969	Other farm and garden supplies as deemed appropriate by the Planning Commission
6214	Industrial laundry services
6297	Athletic clubs, body building studios, spas, aerobic centers (no gymnasiums)
6370	Warehousing or Storage Services (except 6371 farm products, warehousing/storaging, 6372 stockyards)
6382	Auction yard (except livestock)
6400	Repair services (except blacksmiths and horse shoeing)
6600	Contract construction services
6714	Operation centers
6750	Military facilities
6800	Educational services
8221	Veterinarian services
8222	Animal hospital services (except large animals)
8290	Other agricultural-related activities (arborist, horticultural and landscaping services)

(5) Permitted Accessory Uses. Accessory uses and structures are permitted in the M2 zone provided they are incidental to, and do not substantially alter, the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

(a) Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the M2 zone.

(b) Storage of materials used for construction of buildings, including the contractor's temporary office, provided that such use be located on the building site or immediately adjacent thereto, and provided further that such use shall be permitted only during the construction period and thirty (30) days thereafter.

(c) Caretaker dwellings, provided that such dwellings comply with the supplementary development standards for caretaker dwellings set forth in Section 14.34.220, Provo City Code.

(6) Conditional Uses. The following uses and structures are permitted in the M2 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

Use No.	Use Classification
2610	Pulp
2892	Explosives
2899	Fireworks only
2920	Paving and roofing materials
2990	Other petroleum refining and related industries as deemed appropriate by the Planning Commission
3130	Reclaimed rubber
3240	Structural clay products
3260	Concrete, gypsum, and plaster products
3286	Nonclay refractories

3310	Blast furnaces, steel works, etc.
3320	Iron and steel foundries
3330	Primary smelting and refining of nonferrous metals
3340	Secondary smelting and refining of nonferrous metals
3350	Rolling, drawing, and extruding of nonferrous metals
3410	Ordinate and accessories
4390	Heliport landing/take-off pads, with maintenance facilities
4715	Low Power Radio Communication Towers and Antennas (Subject to Section 14.34.420, Provo City Code)
4812	Electric generation plants-conventional fuel (including hydro-electric, solar, etc.)
4813	Electric generation plants - nuclear energy
4823	Natural or manufactured gas storage; distribution points
5193	Scrap and waste materials
5199	Fire arms - ammunition only
5530	Gasoline service stations
5810	Eating places
5935	Second-hand auto parts (includes dismantling of automobiles for purposes of selling parts)
5938	Junk dealers and salvage operations
6394	Equipment rentals and leasing services
6397	Truck and trailer rentals without drivers
6411	Truck repair
6722	Police Protection and related activities, branch (office only)
6815	Day nurseries and child care centers
6900	Miscellaneous service organizations (subject to the standards of Section 14.34.390, Provo City Code)
7396	Dance Halls (subject to the standards of Section 14.34.370, Provo City Code)
8601	Recycle Center

(Am 1986-10, Am 1988-52, Am 1989-56, Am 1992-44, Am 1993-09, Am 1993-25, Am 1996-03, Am 1997-49, Am 1999-02, Am 1999-29, Am 2002-41, Am 2006-10, Am 2007-18)

14.28.030. Lot Area.

The minimum area of any lot or parcel of land in the M2 zone shall be ten thousand (10,000) square feet. (Am 1992-44)

14.28.040. Lot Width.

Each lot or parcel of land in the M2 zone shall have an average width of not less than one hundred (100) feet.

14.28.050. Lot Frontage.

Each lot or parcel of land in the M2 zone shall abut on a public street for a minimum distance of seventy (70) feet.

14.28.060. Prior Created Lots.

Lots or parcels of land which were created prior to the application of this zone (December 12, 1974), shall not be denied a building permit solely for reasons of nonconformance with the lot requirements of this Chapter.

14.28.070. Area of Zone.

No requirements provided that the extension of said M2 zone is orderly and the purposes and objectives of the zone have been met.

14.28.080. Yard Requirements.

The following minimum yard requirements shall apply in the M2 zone: (Note: All setbacks are measured from the property line.)

(1) Front Yard. Each lot or parcel of land in the M2 zone shall have a front yard of at least ten (10) feet, unless used for parking, in which case it shall be not less than twenty-five (25) feet, of which at least five (5) shall be landscaped.

(2) Side Yard. Except as provided in Subsections (3) and (4) of this Section, there shall be no side yard requirement unless imposed by the Planning Commission to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the latest provisions of the Uniform Building Code as adopted by Provo City.

(3) Side Yard - Corner Lots. On corner lots, the side yard contiguous to the street shall be not less than fifteen (15) feet in width and shall not be used for vehicular parking. Said yard shall be appropriately landscaped and screened except those portions devoted to access and driveway use.

(4) Side Yard - Driveway. See Section 14.37.100, Provo City Code.

(5) Rear Yard. No requirement, except in those instances where the rear property line abuts on a residential or commercial zone in which case the rear yard shall be the same as that required by the adjacent zone.

(6) Rear Yard - Accessory Buildings. No requirements except as may be imposed by the most recent edition of the Uniform Building Code as adopted by Provo City. Roof drainage from any accessory building shall be maintained on the same lot or parcel on which said building is erected. (Am 1987-45, Am 1990-01, Am 1995-02, 1998-06, 1999-30)

14.28.090. Projections into Yards.

(1) The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway:

(a) Fences and walls in conformance with the Provo City Code and other City codes and ordinances;

(b) Landscape elements including trees, shrubs, and other plants;

(c) Necessary appurtenances for utility service.

(2) The structures listed below may project into a minimum front yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that required driveways must remain unobstructed from the ground upward.

(a) Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

(b) Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

14.28.100. Building Height.

No requirement except as may be imposed by the provisions of the latest edition of the Uniform Building Code as adopted by Provo City.

14.28.110. Distance Between Buildings.

No requirement except as may be imposed by the most recent edition of the Uniform Building Code as adopted by Provo City.

14.28.120. Permissible Lot Coverage.

No requirements, except as may be imposed by off-street parking requirements and by the Planning Commission to reduce the undesirable effects of a particular use upon adjacent properties.

14.28.130. Parking, Loading, and Access.

(1) Each lot or parcel in the M2 zone shall have on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in Chapter 14.37, Provo City Code.

(2) Except as provided in Section 14.34.350, Provo City Code, all parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with a paved access from a public street.

(3) Loading spaces shall be provided as required by the Planning Commission, using as a guide a standard of one (1) space per ten thousand (10,000) square feet of floor area. (Am 1991-14, Am 2002-16)

14.28.140. Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code. (Am 1986-10, Am 1999-44, Am 2001-10)

14.28.150. Other Requirements.

(1) Signs. All signs erected in the M2 zone shall be in conformance with the sign provisions of Chapter 14.38, Provo City Code.

(2) Uses Within Buildings. No requirement, except as may be imposed by the Planning Commission in conjunction with the issuance of a conditional use permit.

(3) Landscaping. See Chapter 15.20, Provo City Code.

(4) Trash Storage. See Section 14.34.080, Provo City Code.

(5) Walls and Fences.

(a) No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a front yard in the M2 zone.

(b) A decorative masonry wall, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the masonry wall requirement may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning Commission or its designee, indicating this agreement. In the case where there is not mutual agreement, the masonry wall will be required.

(6) Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial zone borders a residential zone the standards set forth in section 14.34.300, Provo City Code, shall apply. (Am 1986-10, Am 1987-45, Am 1990-53, Am 1994-28, Am 1995-02, Am 1995-06, Am 1995-56, Am 1996-72, Am 1998-43, Am 1999-61)

Chapter 14.29. PIC - Planned Industrial Commercial Zone.

14.29.010. Purpose and Objectives.
14.29.020. Permitted Uses.
14.29.030. Lot Area.
14.29.040. Lot Width.
14.29.050. Lot Frontage.
14.29.060. Prior Created Lots.
14.29.070. Area of Zone.
14.29.080. Yard Requirements.
14.29.090. Projections into Yards.
14.29.100. Building Height.
14.29.110. Distance Between Buildings.
14.29.120. Permissible Lot Coverage.
14.29.130. Parking, Loading, and Access.
14.29.140. Project Plan Approval.
14.29.150. Other Requirements.
14.29.160. Guarantees and Covenants.

14.29.010. Purposes and Objectives.

The purpose of the Planned Industrial Commercial (PIC) zone is to encourage imaginative and effective utilization of land through large-scale development, greater flexibility, consolidation of open spaces, clustering of buildings, and the integration of compatible land uses. The Planned Industrial Commercial (PIC) zone is intended to provide an exclusive environment for the establishment of quality research laboratories (nonpolluting light manufacturing uses), commercial uses, and professional office uses in a park-type setting. The zone is more restrictive than the conventional manufacturing zone in order to provide buildings which have architectural excellence, grounds which have an abundance of landscaping and trees, and land uses which do not create air or noise pollution. The zone is tentatively to be located on the fringe areas of the City on open, readily developed land. The zone may be located adjacent to quality residential development and must be properly screened and beautified to create the highest degree of compatibility. The zone should always be located adjacent to major streets and other transportation areas. The zone is to be characterized by attractively designed buildings and off-street parking lots situated among spacious lawns, shrubs, and trees which give a "park-like" appearance. Uses allowed within this zone shall include commercial uses, light industrial uses, office uses, and research uses which can provide integrated and complimentary development. Because of the planned integration of these uses, businesses that cause air or noise pollution are strictly prohibited. The PIC zone should be applied only to large parcels of property where land use relationships can be planned, where an assurance can be made that adequate room for the various uses is provided, and where proper buffers are provided between the complimentary but not always compatible land uses. In order to accomplish the purposes and objectives of the zone, the following regulations shall apply in a Planned Industrial Commercial (PIC) Zone.

14.29.020. Permitted Uses.

(1) Those uses or categories of uses as listed herein, and no others, are permitted in the PIC zone.

(2) All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning Commission. Specific uses are identified by a four-digit number in which all digits are whole numbers. Classes or categories of such uses permitted in the zones are identified by a four-digit number in which the last one (1) or two (2) digits are zeros.

(3) All such categories listed hereunder and all specific uses contained within them in the Standard Land Use Code will be permitted within the specific land use category of the PIC zone, subject to the limitations set forth herein.

(4) Permitted Principal Uses. The following principal uses and no others are permitted in the PIC zone:

Use No.	Use Classification
1511	Hotels
1512	Motels
2120	Dairy products (may involve home delivery)
2150	Bakery products (includes pastries, crackers, cones and pies, except meat)
2170	Confectionery and related products
2185	Bottling and canning soft drinks and carbonated waters, nonalcoholic (including drink powders and concentrates)
2199	Other food preparations and kindred products, NEC (includes cider, corn chips, peanut butter, spices, vinegar, yeast, and sandwiches for wholesale trade)
2200	Textile mill products (except 2295 artificial leather, oil cloth and other impregnating and coating fabrics, except rubberizing and 2296 tire cord and fabric)

2300	Apparel and other finished products (except 2360 leather and leather products and 2370 fur goods)
2440	Wooden containers
2500	Furniture and fixtures
2640	Converted paper and paperboard products
2650	Paperboard containers and boxes
2700	Printing, published and allied industries
2820	Plastics and synthetic resins (except 2822 synthetic rubber)
2830	Drugs
2844	Perfumes, cosmetics, and other toilet preparations
3140	Miscellaneous plastic products
3200	Stone, clay and glass products (except 3230 cement, hydraulic, 3260 concrete, gypsum and plaster products and 3280 abrasive, asbestos and miscellaneous nonmetallic mineral products)
3400	Fabricated metal products (except 3412 ammunition, except small arms and 3416 small arms ammunition)
3500	Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks
3900	Miscellaneous manufacturing (except 3960 tobacco and 3993 matches)
4121	Rapid-rail transit and street railway right-of-way
4122	Rapid-rail transit terminals
4212	Bus passenger terminals (local)
4700	Communications (except 4712 telephone relay towers, 4715 low power radio communication towers and antennas, 4732 radio transmitting stations and towers, 4742 television transmitting stations and relay towers and 4752 radio and television transmitting facilities)
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity).
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (Identifies areas where surface are devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4864	Combination utilities' right-of-way (Identifies areas where surface are devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly-covered pipes or boxes)
4920	Transportation services and arrangements
5300	General merchandise
5400	Food
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (may have warehousing on same premises)
5810	Restaurants
5900	Miscellaneous retail trade (except 5920 drinking places, 5935 second hand auto parts, 5938 junk dealers and salvage operations, and 5961 hay, grains and feeds for poultry and live stock, including bulk fertilizer)
6100	Finance, insurance and real estate services
6200	Personal services (except 6242 cemeteries, 6243 crematory, 6244 mausoleums, and 6294 escort services)
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6300	Business services (except 6371 livestock, 6372 stock yards and 6382 auction yards)
6400	Repair services (except 6410 automobile repair and related services and 6499 horse shoeing)
6500	Professional Services (except 6515 behavior drug and alcohol treatment centers)
6720	Protective functions and related activities
6730	Postal service
6800	Educational services
6900	Miscellaneous service organizations
7100	Cultural activities (except 7124 zoos and 7129 zoological gardens)
7300	Amusements (except 7310 fairgrounds and amusement parks, 7394 go-cart tracks, and 7397 billiard and pool halls)
7400	Recreational activities (except 7416 riding academies, schools, and stables, 7418 skiing and tobogganing, 7431 swimming beaches, 7440 marinas, 7452 pistol and rifle range, and 7453 skeet or trap shooting)
7620	Parks - leisure and ornamental
8170	Horticulture specialties
8290	Other agricultural-related activities, NEC (arborist, horticultural and landscaping services)

(5) Permitted Accessory Uses. Accessory uses and structures appropriate to each of the general land use categories are permitted in the PIC zone provided they are incidental to, and do not substantially alter the character of the principal permitted uses or structures within the respective land use categories. Such accessory uses shall include caretaker dwellings, provided that such dwellings comply with the supplementary development standards for caretaker dwellings set forth in Section 14.34.220, Provo City Code.

(6) Conditional Uses. The following uses and structures and no others are permitted in the PIC zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

Use No.	Use Classification
4111	Railroad right-of-way
4300	Aircraft transportation (only adjacent to the Provo Municipal Airport)
4715	Low power radio communication towers and antennas (subject to Section 14.34.420, Provo City Code)
4814	Electricity regulating substations
4815	Electric utility company office
4818	Small generation
4819	Other electric utility, NEC
4823	Natural or manufactured gas storage; distribution points
4829	Other gas utilities, NEC

4834	Water storage as part of a utility system (covered including water storage stand pipes)
4859	Other solid waste disposal, NEC
4872	Debris basins (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
5100	Wholesale trade (except Use Numbers 5143 poultry and poultry products, 5145 fish and foods, fresh, 5146 meat and meat products, fresh, 5152 grain, 5153 hides, skins, raw furs and pelts, 5156 livestock, 5157 horses and mules, 5159 other farm products, 5191 metals and minerals, 5192 petroleum bulk stations and terminals, 5193 scrap and waste materials, 5194 tobacco and tobacco products, 5195 beer, wine and distiller alcoholic beverages, and 5198 lumber and construction materials) 5200 Building materials, hardware, farm equipment and supplies
5500	Automotive, marine craft, aircraft and accessories
6410	Automobile repair and related services
6600	Contract construction services
6722	Police protection and related activities, branch (office only)
7200	Public assembly (subject to the standards of Section 14.34.370, Provo City Code)
7398	Video rental shops
8221	Veterinarian services*
8222	Animal hospital services*
8224	Animal kennels, animal boarding, breeding, training and grooming (excluding large animals)*

*Subject to the following conditions:

(a) Use numbers 8221, 8222, and 8224 shall not be permitted within one thousand (1,000) feet of the Provo Municipal Airport boundary;

(b) on-site services shall be limited to small animals only;

(c) each facility shall be located completely within an air-conditioned and soundproofed building, except for outdoor, on-leash (accompanied by an attendant) walking areas for not more than two (2) animals at a time;

(d) animal noise shall not be audible at the nearest property line;

(e) no services shall be permitted for poisonous or dangerous animals;

(f) experimental or scientific research activities shall be prohibited;

(g) no on-site burial of dead animals;

(h) cremation services shall be:

(i) provided only as an accessory use,

(ii) limited to animals treated at a veterinary clinic or animal hospital where the cremation services are provided, and

(iii) contingent upon obtaining a permit from the Utah State Division of Air Quality. (Am 1986-10, Am 1986-50, Am 1989-56, Am 1990-18, Am 1995-08, Am 1995-44, Am 1997-49, Am 1998-25, Am 1999-29, Am 2000-41, Am 2005-04, Am 2005-11, Am 2005-48, Am 2006-27)

14.29.030. Lot Area.

Every lot or parcel of land created in the PIC zone shall be a minimum of one-half (½) acre in size; however, smaller lots or parcels may be created as part of an approved and recorded Record of Survey which meets the standards and requirements of this Chapter. The area of land within such Record of Survey shall be at least one-half (½) acre.

14.29.040. Lot Width.

Each lot or parcel of land in the PIC zone shall have a lot width adequate to provide for the width of any proposed buildings, driveway access to the rear of such buildings, and peripheral landscaping adjacent to said driveway access at a width of at least five (5) feet. In no event, however, shall the average width of said lot be less than one hundred (100) feet.

14.29.050. Lot Frontage.

Each lot or parcel of land in the PIC zone shall abut on a public street for a minimum distance of sixty (60) feet; however, lots or parcels with lesser frontage, or no frontage, on a public street may be created as part of an approved and recorded Record of Survey which meets the standards and requirements of this Chapter.

14.29.060. Prior Created Lots.

Lots or parcels of land which were created prior to the application of this zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

14.29.070. Area of Zone.

No single PIC zone area shall be less than fifty (50) acres. For purposes of this Section, those areas which are contiguous across a public or private street shall be considered to be a single area.

14.29.080. Yard Requirements.

The following yard requirements shall apply to the PIC zone: (Note: All setbacks are measured from the property line.)

(1) Front Yard. A front yard setback of twenty (20) feet shall be required in all PIC zones, except when a front yard area is used for parking, in which case a minimum of ten (10) feet of landscaping shall be required between the parking area and the street.

(2) Side Yards. Each lot or parcel within the PIC zone, except as set forth in Subsections (3), (4) and (5) of this Section, shall have side yards of at least ten (10) feet.

(3) Side Yard - Corner Lots. On corner lots in the PIC zone, a side yard setback of ten (10) feet shall be required. Side yards on corner lots shall not be used for vehicular parking.

(4) Side Yard - Driveway. See Section 14.37.100, Provo City Code.

(5) Side Yard - Accessory Building. Same as principal structures.

(6) Rear Yard. Each lot or parcel of land in the PIC zone shall have a rear yard of not less than ten (10) feet.

(7) Rear Yard - Accessory Building. Same as principal buildings and structures. (Am 1995-02)

14.29.090. Projections into Yards.

(1) The following structures may be constructed on or may be projected into any required yard:

(a) Fences and walls in conformance with the Provo City Code and other City codes and ordinances;

(b) Landscape elements, including trees, shrubs, turf, and decorative lighting;

(c) Necessary appurtenances for utility service;

(2) The structures listed below may project into a minimum front or side yard not more than four (4) feet, except that all required driveways shall remain unencumbered from the ground up.

(a) Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

(b) Fireplace structures and bays, loading docks (except in front yard) and signs when attached to the wall of the building.

(c) Stairways, balconies, door stoops, fire escapes, awnings, and planting boxes or masonry planters not exceeding twenty-four (24) inches in height.

14.29.100. Building Height.

No lot or parcel in the PIC zone shall have a building or structure which exceeds a height of three (3) stories with a maximum of fifty-five (55) feet, except that a building of greater height may be allowed by the provisions of a conditional use permit granted by the Planning Commission in accordance with the provisions of Section 14.02.040, Provo City Code.

14.29.110. Distance Between Buildings.

The minimum distance between any accessory building and a main building on a lot in the PIC zone shall not be less than ten (10) feet. The minimum distance between all other buildings shall be governed by the latest edition of the Uniform Building Code as adopted by the Provo Municipal Council.

14.29.120. Permissible Lot Coverage.

In the PIC zone, there shall be no requirements except as may be dictated by yard requirements, landscaping requirements, compliance with off-street parking provisions, and project plan approval conditions. Lot coverage, however, shall be in conformance with standards specified in the Guarantees and Covenants required by Section 14.29.160, Provo City Code. (Am 1998-06)

14.29.130. Parking, Loading, and Access.

(1) Except as provided in Section 14.34.350, Provo City Code, each lot or parcel in the PIC zone shall have, on the same lot or parcel, off-street parking improved with asphaltic cement or concrete to the standards of Chapter 14.37, Provo City Code. Off-site parking may be permitted as part of the Project Plan Approval provided the off-site parking is within five hundred (500) feet of the building site.

(2) Said parking lot shall be provided with internal and peripheral landscaping in conformance with the landscaping plan approved by the Planning Commission. (Am 1988-46, Am 2002-16)

14.29.140. Project Plan Approval.

(1) Concurrent with any request to rezone property to the PIC zone, a preliminary project plan as required by Chapter 15.03.300, Provo City Code, shall be submitted to, and approved by, the Provo City Planning Commission.

(2) Approval of a preliminary project plan shall require the following findings by the Planning Commission:

(a) That the proposed development conforms to the purposes and objectives of the PIC zone as set forth in Section 14.29.010, Provo City Code, and with all other provisions of the PIC zone.

(b) That the proposed development shall create no detriment to adjacent property nor to the general area in which it is to be located; that it will be in substantial harmony with the character of existing development in the area; and that appropriate buffers and screening be provided to assure separation of potentially incompatible uses within and at the periphery of the project. The Planning Commission may impose such conditions on a preliminary project plan as it may deem appropriate to meet the purposes and objectives of this Chapter. The preliminary project plan shall be submitted to the Municipal Council with any necessary request for a zone change.

(3) Prior to the construction of any building or structure in the PIC zone, a project plan shall be submitted and approved. Said project plan shall be drawn to scale and, in addition to the information required in Section 14.02.090, Provo City Code, shall contain the architectural design of proposed signs. Said plans may be submitted in units or phases for any portions of the PIC zone which can independently meet the requirements and standards of the PIC zone (except minimum area of zone) and other applicable zoning standards.

(4) Any failure to submit a project plan within two (2) years of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary project plan null and void.

(5) The Planning Commission shall, in the process of project plan approval, pay particular attention to assuring that the quality of landscaping designated in the landscaping plan is at least equal to that established by the typical landscaping plan approved as an element of the preliminary project plan. Said Commission shall also assure that the appearance, quality, and durability of architectural materials used on the exterior elevations of all buildings will be consistent with the purposes and objectives of the PIC zone, and will be compatible with the general character of other buildings in the same PIC development. (Am 2001-10)

14.29.150. Other Requirements.

The following development standards shall apply to all development and land uses conducted in the PIC zone:

(1) Signs. Unless otherwise prohibited by law, signs of a type and description listed below, but no others, may be placed and maintained on a parcel of property in the PIC zone:

(a) Office/business/research areas, manufacturing, heavy commercial, and public facilities areas, as designated on the preliminary project plan approved by the Planning Commission and Municipal Council as specified herein:

(i) Wall signs:

(A) Wall signs located within the Mountain Vista Business Park shall comply with the following requirements:

(1) Each building may have two (2) wall signs per face. No building shall be deemed to have more than four (4) faces.

(2) The total square foot area of wall signs may not exceed fifteen (15) percent of the wall area.

(3) No part of any sign shall extend above the top level of the wall for the first story of the building.

(4) The projection of such sign shall be no more than eighteen (18) inches from the face of the building to which it is attached.

(B) Wall signs located in the PIC zone in areas other than the Mountain Vista Business Park shall comply with the following requirements:

(1) There shall be one (1) such sign for each face of a building which faces onto a public street. In the case of multi-tenant buildings, there may be one (1) such sign for each tenant, or major division of a business which occupies a separate building.

(2) Sign area shall be governed by Figure 14.29.150(a) at the end of this Chapter.

(3) No part of any sign shall extend above the top level of a wall upon or in front of which it is situated.

(4) Identification only of the name and/or identifying symbol of said tenant. Signs may be illuminated only by an indirect or internal light source.

(ii) Free-standing signs under five (5) feet:

(A) One (1) such sign per frontage, plus one (1) additional sign for each two hundred (200) foot increment of frontage in excess of two hundred (200)

feet. Said signs shall be placed no closer than fifty (50) feet apart.

(B) Sign area shall be governed by Figure 14.29.150(b) at the end of this Chapter. In no case shall said sign exceed sixty (60) square feet in size.

(C) Said signs shall be mounted flush to the ground and not mounted on a pole. Signs may be placed on a berm, but in no case shall such signs exceed five (5) feet in height above the finished grade. Said signs must be located fifteen (15) feet from the property line in the front yard, and five (5) feet from the property line in side yard corner lots, and shall not be located in the clear vision area as defined by Section 14.34.100, Provo City Code.

(iii) Temporary signs:

(A) Two (2) temporary signs announcing the construction of a new building or pertaining to the sale, lease, or rent of a building or property. Said signs shall be located on the premises of the building, or upon the property for sale or lease.

(B) No sign shall be larger than one hundred (100) square feet per sign.

(b) Retail commercial areas as designated on the Preliminary Project Plan:

(i) Free-standing signs:

(A) One (1) such sign per frontage of a lot or parcel of property, plus one (1) additional sign for each three hundred (300) foot increment of each frontage in excess of three hundred (300) feet.

(B) Sign area shall be governed by Figure 14.29.150(c) at the end of this Chapter. In no case shall such signs exceed one hundred fifty (150) square feet in size.

(C) No free-standing signs shall be higher than twenty (20) feet.

(D) Said signs shall have a setback of fifteen (15) feet in the front yard, and five (5) feet in side yard corner lots, and shall not block the clear vision area.

(E) Said free-standing signs shall be architecturally integrated with the associated building or shopping center and shall be approved by the Planning Commission as part of the project plan as provided in Section 14.29.140, Provo City Code.

(ii) Wall signs: (Same as other areas except size - see Figure 14.29.150(a) at the end of this Chapter, Retail Commercial Areas)

(iii) Temporary Signs: Same as other areas.

(2) Landscaping. See Chapter 15.20, Provo City Code.

(3) Uses Conducted Within Buildings. All uses located in the PIC zone, except those in areas designated on the preliminary project plan for manufacturing land uses, shall be conducted entirely within a fully enclosed building. This requirement shall not apply to those uses that customarily provide outside customer services which do not include repair, fabrication or materials storage i.e., gasoline service stations and plant nurseries.

(4) Trash Storage. See Section 14.34.080, Provo City Code.

(5) Performance Bonds. Performance Bonds meeting City standards shall be posted with Provo City to guarantee completion of all public street improvements and utilities in common areas within units or phases being submitted for final approval. If occupancy permits are requested before landscaping improvements are installed, a Performance Bond will be required at that time for landscaping.

(6) Pollution Control. All uses in the PIC zone shall be restricted as to amount of air and noise pollution allowed.

(7) Walls and Fences.

(a) No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained closer than ten (10) feet to the top back of curb of any adjacent street or within five (5) feet of any pedestrian sidewalks.

(b) A decorative masonry wall, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the masonry wall requirement may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning Commission or its designee, indicating this agreement. In the case where there is not mutual agreement, the masonry wall will be required.

(c) The clear-vision areas as defined in Section 14.34.100, Provo City Code shall be maintained clear to the extent set forth in that Section.

(8) Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial zone borders a residential zone the standards set forth in Section 14.34.300, Provo City Code shall apply. (Am 1987-45, Am 1990-01, Am 1990-53, Am 1990-60, Am 1994-28, Am 1995-02, Am 1995-56, Am 1996-72, Am 1998-43, Am 1999-61, Am 2009-40)

14.29.160. Guarantees and Covenants.

(1) Prior to or in conjunction with submission of a final development plan for the first building or first phase of any PIC project, a Declaration of Covenants, Conditions and Restrictions for said development shall be submitted to and be approved by the Provo City Planning Commission and shall be recorded with the County Recorder of Utah County.

(2) Said declaration shall contain guarantees for the perpetual maintenance of all common open spaces within the PIC development, and shall assure compliance with the following standards to provide health, safety, general welfare and property value within the development and in the general area.

(3) The following assurances and standards shall be included within the Declaration of Covenants, Conditions, and Restrictions recorded in conjunction with any PIC project:

(a) The declaration shall include management policies for any common open spaces within the development, setting forth the quality of maintenance to be performed and what entity will be responsible for the perpetual maintenance of said spaces. These management policies, as a minimum, shall contain the following:

(i) The establishment of an association or corporation responsible for all maintenance, which shall levy the cost thereof as an assessment to each of the owners of land parcels or units within the PIC development.

(ii) The establishment of a management committee with provisions setting forth the number of persons constituting the committee, the method of selection, and the powers and duties of said committee; and including the person, partnership, or corporation with property management expertise and experience who shall be designated to manage the maintenance of the common area and facilities in an efficient and quality manner.

(iii) The method of calling a meeting of the members of the corporation or association with the members thereof that will constitute a quorum authorized to transact business.

(iv) The method for maintenance, repair, and replacement of common areas and facilities, and distribution of costs thereof.

(v) The method for maintenance of all private streets and private utilities and acknowledgement that such

maintenance is the responsibility of the owners' corporation or association.

(vi) The manner of collection from property or unit owners for their share of common expenses, and the method of assessment.

(vii) Provisions as to percentage of votes by property or unit owners which shall be necessary to determine whether to rebuild, repair, restore, or sell property in the event of damage or destruction of all or part of the project.

(b) There shall be a conveyance in the declaration of an open space easement over all common open spaces, restricting the area against any future building or use, except as approved in the preliminary project plan.

(c) The Declaration shall contain provisions requiring owners of individual parcels of land or condominium units within the PIC project to install landscaping to a standard at least equivalent to that established within the typical landscaping plan approved as an element of the preliminary project plan. Said landscaping must be installed within one (1) year of the issuance of Certificates of Occupancy for condominium units or buildings on individual parcels of property.

(d) The Declaration shall provide for the creation and perpetual provision of an architectural committee, the number of members and composition of which shall be clearly stipulated. This provision shall provide for the approval by said architectural committee of all schematic project plans and elevations of all buildings and signs to be erected in the PIC development prior to submission for project plan approval by Provo City.

(e) The Declaration shall stipulate the method and procedure by which the declaration may be amended.

(f) The Declaration shall specify the maximum percentage of lot area which will be occupied by buildings in the areas of each of the general land use categories as set forth in the approved preliminary project plan.

(g) The Declaration shall state that, "Provo City by virtue of ownership of streets, utilities, rights-of-way and easements in and through the project shall be deemed to be an 'owner' under the terms of this Declaration and shall have authority and standing to initiate actions for enforcement of the provisions and standards herein which are deemed to be in the public interest."

Figure 14.29.150(a). Wall Signs and Painted Wall Signs in the PIC Zone.

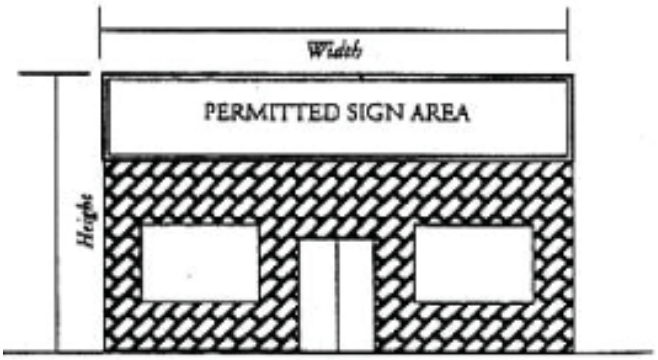
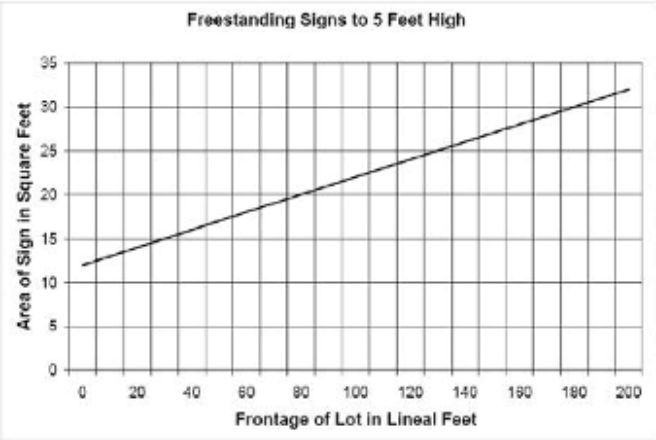


Figure 14.29.150(b). Freestanding Signs up to 5 Feet High in the PIC Zone.



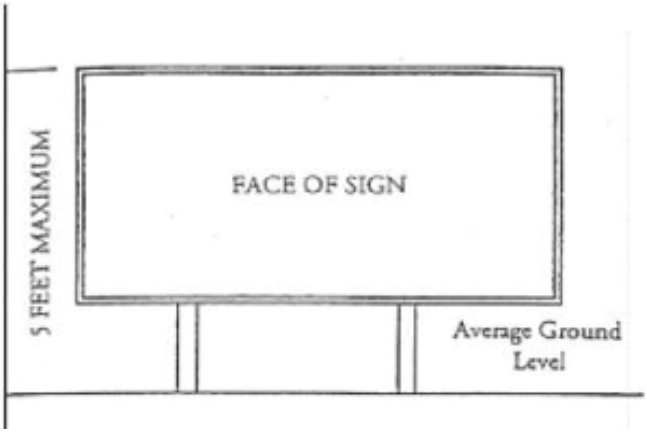
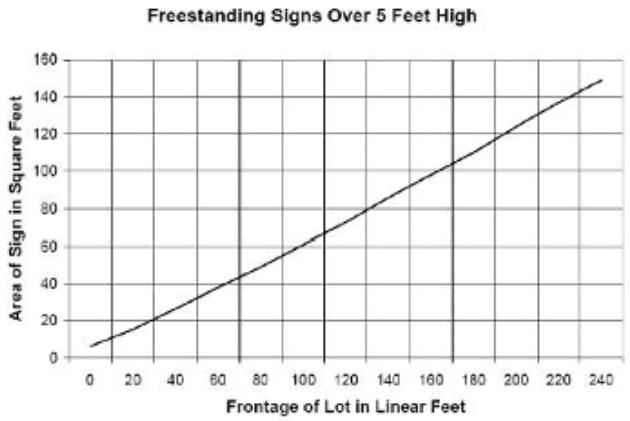
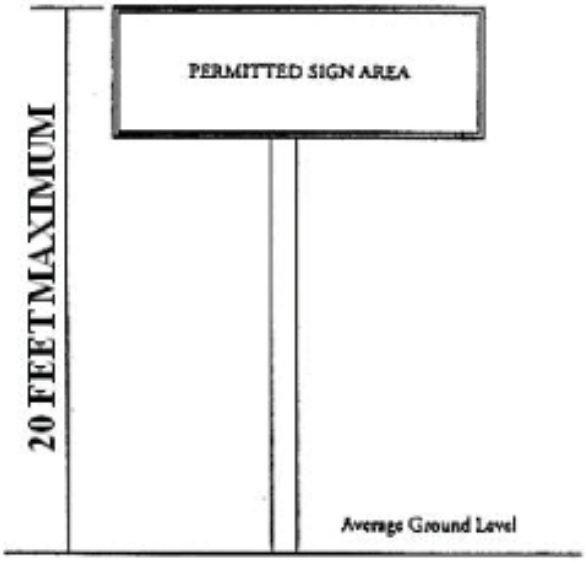


Figure 14.29.150(c). Freestanding Signs Over 5 Feet High in the the PIC Zone.





Chapter 14.30. S - Supplementary Residential Overlay Zone.

14.30.010. Purpose and Objectives.
14.30.020. Use in Combination.
14.30.030. Permitted Uses.
14.30.040. Development Standards.
14.30.050. Area of Zone.
14.30.060. Petition for Zone Adoption.
14.30.070. Parking Requirements.
14.30.080. Nonconforming Uses.
14.30.090. Termination of Nonconforming Uses - Recovery of Investment.

14.30.010. Purpose and Objectives.

The purpose of the Supplementary Residential (S) Overlay Zone is to recognize the unique character of Provo City as a "university community" and to accommodate supplementary living accommodations in some appropriate one-family residential areas of the community. These provisions are intended to meet community demands for residential accommodations for semitransient residents in areas of the community adjacent to major educational and institutional uses. This overlay zone is designed to provide an alternative living environment for said semi-transient residents to that normally found within the higher density multiple residential zones. The (S) overlay zone will therefore protect and enhance the desirable aesthetic characteristics of the underlying one-family residential zone. An R1 zone with a Supplementary Residential (S) Overlay as described in this Chapter is intended to continue the very low density of an R1 zone. The sole function of the overlay is to permit alternate methods of housing the occupancy otherwise permitted in an R1 zone.

14.30.020. Use in Combination.

(1) The Supplementary Residential (S) Overlay Zone may be used only in combination with the R1 (One-family Residential) Zone as designated herein. The provisions of the (S) Overlay Zone shall become supplementary to the provisions of the zone with which it is combined. The (S) Overlay Zone shall not be applied to any land area as an independent zone.

14.30.030. Permitted Uses.

Uses permitted in the Supplementary Residential (S) Overlay Zone shall be limited to those uses listed as permitted uses in an R1 zone with the following additional permitted uses:

(1) Accessory Apartment: For purposes of the Supplementary Residential Overlay Zone, a structure which is in all respects by design, construction, and appearance a one-family dwelling, qualifying as such within an R1 zone, may include an accessory apartment if the accessory apartment:

(a) is located in a basement or in a second level above ground-level and there is a useable interior connection between the accessory apartment and the principal part of the dwelling unit; and,

(b) does not alter the appearance of the structure as a one-family dwelling, and does not cause the dwelling unit within which the accessory apartment is located to resemble in any degree a side-by-side, side-to-back, back-to-back, or other type of two-family dwelling; and

(c) is a one-family dwelling having an accessory apartment under the provisions of this section shall have no more than two (2) kitchens within the dwelling.

(2) Occupancy:

(a) A one-family dwelling with an accessory apartment,

which is authorized by and conforms to the requirements set forth in this section, shall be occupied, either in the accessory apartment or in the principal part of the dwelling unit, by

(i) one (1) person living alone; or

(ii) the head of household and all persons related to the head of household by marriage or adoption as a parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent or great-grandchild. Two (2) or more of these persons shall share the legal relationship of husband and wife, or parent and child or grandparent and child. Such parent or grandparent shall actually reside in the subject dwelling and the dwelling shall be the principal residence of any such person.

(b) That part of the dwelling unit which is not occupied by the persons described in Subsection (2)(a) may be occupied by not more than four (4) related or unrelated persons.

(c) Either the principal part of the dwelling unit or the accessory apartment shall be occupied by the owner of the dwelling. After owner occupancy has been duly established, such occupancy shall not be required when:

(i) the owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, active military duty, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception), or

(ii) the owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

(iii) Owner occupancy shall have the meaning set forth in Section 14.06.020 of this Title. (Am 1998-55, Am 2000-15, Am 2009-17, Am 2010-28)

14.30.040. Development Standards.

All development standards required in the Supplementary Residential (S) Overlay Zone shall be the same as those required by the provisions of the underlying zone with which the (S) zone is combined.

14.30.050. Area of Zone.

The Supplementary Residential (S) Overlay Zone shall be applied to a land area ten (10) acres or more which contains at least forty (40) existing dwelling structures, and which is at least fifty percent (50%) developed. The land area shall be free from islands or peninsulas or any other unreasonable boundary line configurations. Additions to an existing (S) Overlay Zone shall be by petition which conforms to all provisions of this Chapter except acreage, and number of dwellings. (Am 1991-07)

14.30.060. Petition for Zone Adoption.

Rep 2007-32

14.30.070. Parking Requirements.

Parking requirements for the Supplementary Residential (S) Overlay Zone shall be as required by the provisions of Section 14.37.090, Provo City Code, except that any single dwelling with an occupied accessory dwelling shall have at least two (2) additional off-street parking spaces, for a total of four (4) spaces. In no case shall the number of off-street parking spaces be less than the number of vehicles being maintained on the premises. If the owner wishes to rent to more unrelated individuals than there are supplementary parking spaces, this shall only be allowed under the following conditions:

(1) Owners shall take the initiative in enforcing compliance by tenants with the limitations imposed herein upon the number of vehicles allowed their tenants and if a tenant fails to comply with such limitations after appropriate notice, owners shall forthwith evict such tenant;

(2) Owners shall maintain a list of all tenants, together with the make and license plate number of their respective vehicles, which owners shall provide to Provo City upon request;

(3) Owners shall enter into a covenant with Provo City that they will not rent to tenants having a total number of vehicles in excess of the total number of supplementary parking spaces (over and above the two (2) spaces required for the resident family) provided by owners, without the prior written consent of Provo City, which covenant shall be binding on all subsequent owners of the subject apartments. (Am 1990-31)

14.30.080. Nonconforming Uses.

(1) After April 4, 2000, except as provided in subparagraph (2) of this Section, every dwelling unit in the (S) Overlay zone shall conform to the requirements of this Chapter.

(2) Notwithstanding the provisions of Chapter 14.36 of this Title, a one-family dwelling with an accessory dwelling unit which on April 4, 2000 is not owner occupied and which was legally established shall not be required to conform to the owner occupancy and other development standards of this Chapter until April 4, 2003. An owner of property affected by this Subsection may apply for an extension of time to comply with such occupancy and development standards subject to the provisions of Section 14.30.090 of this Chapter. (Am 2000-15)

14.30.090. Termination of Nonconforming Uses - Recovery of Investment.

(1) The Community Development Director or his designee shall grant an owner of property affected by Subsection 14.30.080(2) of this Chapter an extension of the time required to conform with such Section if:

(a) the owner:

(i) by August 4, 2000 files a notice of intent to apply for a time extension as provided in this Section; and

(ii) by April 4, 2001 files a complete application for an extension of time as provided in this Section.

(b) the owner's application for an extension of time demonstrates by a preponderance of evidence that:

(i) the nonconforming use which is the subject of the application was legally established; and

(ii) subject to the formula in Subsection (2) of this Section, the owner is unable to recover prior to April 4, 2003 the amount of the owner's investment in the property.

(2) (a) The time period during which an owner may recover the amount of his investment in property affected by Section 14.30.080(2) of this Chapter shall be determined by dividing the residual value of the property by the average monthly net rental income from the property. The resulting figure is the number of months which the owner shall have to recover his investment in the property.

(b) For the purposes of this Subsection the following definitions shall apply:

"Amount of the owner's investment" means the adjusted present value of a property as of April 4, 2000.

"Adjusted present value" means a property's original purchase price plus any capital improvements and less depreciation and net income from the property, all as adjusted for inflation to April 4, 2000.

"Compliance value" means the appraised value of the property on April 4, 2000 based on compliance with the requirements of this Chapter.

"Residual value" means the difference between a property's adjusted present value and its compliance value as of April 4, 2000.

(c) The time period determined under Subsection (a) of this Section shall apply to the property for which the owner made an application for extension and to the owner's successors, if any, until such time period has run.

(3) Any person aggrieved by a decision of the Community Development Director or his designee applying this Section may appeal such decision to the Board of Adjustment as provided in Chapter 14.05 of this Title.

(4) The Community Development Director may adopt reasonable regulations to carry out the purpose of this Section. (Enacted 2000-15)