



Provo City Planning Commission

Report of Action

September 12, 2018

Western Community Crossroads LC requests an Ordinance Text amendment to Section 14.34.350 Recreational Vehicle Storage (Including Boats, Trailers and Recreational Vehicles) and Towing Impound Yards to increase buffering requirements when adjacent to a Residential Zone. City Wide application. PLOTA20180216

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 12, 2018:

CONTINUED

On a vote of 6:0, the Planning Commission continued the above noted application to a future date.

Motion By: Brian Smith

Second By: Russ Philips

Votes in Favor of Motion: Brian Smith, Russ Philips, Shannon Ellsworth, Deborah Jensen, Jamin Rowan, Robert Knudsen

Deborah Jensen was present as Chair.

- Additional Report of Action for item previously continued after a public hearing or other discussion: July 25, 2018 Planning Commission Hearing.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

NEIGHBORHOOD MEETING DATE

- The Neighborhood Chair determined that a neighborhood meeting would not be required.
- No information was received from the Neighborhood Chair.
- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- This item was City-wide or affected multiple neighborhoods.
- Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- The State is looking into tow yards and how they relate to surrounding uses.
- There is a lot of area zoned for tow yards, but not a lot of is available for sale, or costs too much.
- The Council was going to look into a 100 foot buffer for tow yards.
- In some cases it seems like the issue is when there are too many operators utilizing one site for towing causing a greater impact on adjacent uses.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- A tow yard has been set up next to his property and they do not follow the existing criteria and did not get a permit.
- He has a three-story development that had to have a fence and greater setback from the adjacent residential because of the height of the building.
- Hours of operation are in the middle of the night and cause problems with adjacent uses.
- The 200 foot setback request will help mitigate the negative impacts from the tow yard land use.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Encouraged staff to revise the proposed ordinance to include the removal from the CG zone;
- Have tow yards and RV storage yards be a permitted use subject to outlined criteria that will have 20 to 40 feet of buffer with trees;
- Upgrade fencing requirements such as masonry and to not allow chain-link;
- Additionally, staff is to determine how many operators can utilize one site; and
- Be cautious or not allow next to residential.



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS