



Provo City Planning Commission

# Report of Action

June 24, 2020

- \*ITEM 1      The Community and Neighborhood Services Department requests an Ordinance Text Amendment to Provo City Code Sections 14.06.020 and 14.34.060 to add a definition for "utility trailer" and provide clarification on the location of boats, boat trailers, and travel trailers in residential zones. Citywide application. Scott Johnson 801-852-6433 snjohnson@provo.org PLOTA20200136
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The following action was taken by the Planning Commission on the above described item at its regular meeting of June 24, 2020:

## CONTINUED

On a vote of 7:0, the Planning Commission continued the above noted application to allow staff to come back at an unspecified future date with additional information regarding:

- Definition of RV potentially being included
- Clarification on how definition of Front Yard applies to this section of code
- Amend text to allow one (1) trailer parked in the front yard area on a legal parking space
- Review potential amendments needed to allow for additional parking pad in the front yard (next to the driveway)
- How other cities regulate and enforce on trailers in their jurisdiction

Motion By: Maria Winden

Second By: Laurie Urquiaga

Votes in Favor of Motion: Deborah Jensen, Laurie Urquiaga, Lisa Jensen, Maria Winden, Russ Phillips, Dave Anderson, and Robert Knudsen

*Deborah Jensen was present as Chair.*

### **PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT**

The text of the proposed Amendment is attached as Exhibit A.

### **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. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- Section 14.34.060 was adopted by City Council in the 1970's and has been unrevised since adoption.
- Code enforcement officers are finding more varieties of trailer types being parked in front yard areas.
- Photograph examples of various trailers parked in front yard area on driveways were presented
- If the Planning Commission/City Council desires for the continuation of enforcement on boats, boat trailers, and travel trailers, 14.34.060 should be amended to include utility trailers to allow for more equitable enforcement of trailers throughout Provo.
- If the Planning Commission/City Council is not concerned about boats, boat trailers, travel trailers and utility trailers being parked on driveways in the front yard area, 14.34.060 should be amended to allow for such parking.

#### **NEIGHBORHOOD AND PUBLIC COMMENT**

- Lakewood Neighborhood Chair, Becky Bogdin, voiced concern about the definition of front yard and legal parking space.

#### **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:

- Lakewood Neighborhood Chair, Becky Bogdin provided input regarding her neighborhoods desire to maintain their ability to park their utility trailers on their driveway/property, as well as concern for the city making some property owners have to rent a space for their trailers, sell their trailers, or move from the city to keep their trailers.

#### **APPLICANT RESPONSE**

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

- Staff suggested to the Planning Commission that a question they should consider is whether having boats, travel trailers, or utility trailers parked in the front yard on an otherwise legal parking space is an issue that should be addressed and enforced on.

#### **PLANNING COMMISSION DISCUSSION**

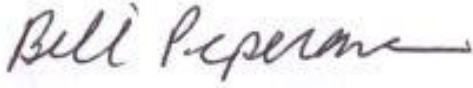
Key points discussed by the Planning Commission included the following:

- Lisa Jensen expressed concern about RV's being included, as well as provided support for the potential for allowing some parking of trailers on the front yard driveway.
- Deborah Jensen expressed concern for property owner rights, as well as desired for more clarification as to how the terms "Front Yard Area" and "Legal Parking Space" are defined and apply to this section of code.
- Maria Winden expressed concern for properties that don't have the space for parking on the side yard, and code is needed to be able to address problem properties. She also expressed concern for the potential of trailers blocking view of vehicles backing from driveways onto the street.
- Dave Anderson expressed concern for property owner rights and suggested favor for allowing for additional parking pad to the side of the driveway in the front yard.
- Laurie Urquiaga expressed desire to know what other communities have similar requirements and how successful is their enforcement.



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Planning Commission Chair



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Director of Development Services

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**

## EXHIBIT A

### **14.34.060 Location of Boats, Boat Trailers, and Travel Trailers.**

Boats, boat trailers, ~~or~~ travel trailers, ~~or utility trailers~~ may not be placed, kept, or maintained within the front yard areas of any residential (R) zones, ~~except that such boats or trailers may be located anywhere on the lot, except~~ or in a clear vision ~~area zone~~ of a corner lot as defined in Section 14.34.100, Provo City Code. ~~Items listed herein may be allowed in such locations~~ for a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes, or for temporary storage not to exceed seven (7) days, ~~provided if~~ such facility is owned ~~or rented~~ by a bona fide guest of the occupants of the premises.

### **14.06.020 Definitions**

**Utility trailer** means a non-motorized vehicle designed to carry property, animals, waste, materials, or any other items on its own structure and to be drawn by a motorized vehicle.