
***ITEM # 2** Provo City Development Services requests Text Amendments to Section 14.34.060 (Location of Boats, Boat Trailers, and Travel Trailers). Citywide Application. Abinadi Borja (801) 852-6421 aborja@provo.org PLOTA20230034

Applicant: Development Services

Staff Coordinator: Abinadi Borja

Property Owner: Citywide Application

ALTERNATIVE ACTIONS

1. **Approve** the requested appeal. *This action would be consistent with the recommendations of the Staff Report.*

2. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is April 26th 2023, at 5:00 P.M.*

3. **Deny** the requested variance. *This action would not be consistent with the recommendations of the Staff Report. The Board of Adjustment should state new findings.*

Relevant History: The Development Services Department desires to revise Section 14.34.060 of the Municipal Code to clarify the text and include other types of trailers. This will allow for an easier understanding of requirements within this section of code, as well as a more equitable enforcement on trailers throughout the city. It is also requested that a list of definitions be added to section 14.06.020 Definitions.

Neighborhood Issues: Staff attended District 2, 3, and 5 meetings. District 2 had no comment. District 3 had one comment on the restriction of the proposed amendment to RVs and trailers and where they can park in Residential Zones. District 5 asked for clarification of the proposed text amendment.

Staff Recommendation: Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council to amend Sections 14.34.060 and 14.06.020, as proposed.

OVERVIEW

Section 14.34.060 of the Provo City Code currently regulates the location of boats, boat trailers and travel trailers in residential zones of Provo City. Development Services Department wishes to amend the text of this section to clarify the wording as well as include Trailers, along with a definition of Trailers in section 14.06.020. It is believed that this will allow for a more equitable enforcement of trailers in general throughout Provo City Residential Zones.

FINDINGS OF FACT

1. Provo City Code 14.34.060 currently regulates the location of boats, boat trailers, and travel trailers in Residential Zones.
2. Provo City Code does not regulate the location of all other types of trailers in Residential Zones.
3. Provo City Code specifically defines "Travel Trailers" as "a motorized or non-motorized vehicle which is designed or used for temporary human habitation and for travel or recreational purposes, which does not at any time exceed eight (8) feet in width and forty (40) feet in length and which may be moved upon a public highway without a special permit or chauffeur's license, or both, without violating provisions of the Vehicle Code." This definition will change to meet state statute.
4. Provo City Code does not specifically define "Trailers."

APPLICABLE ZONING CODES

14.34.060 Location of Boats, Boat Trailers, and Travel Trailers

14.06.020 Definitions

ANALYSIS

Section 14.34.060 of Provo City Code currently states:

"Boats, boat trailers, or travel trailers may not be placed, kept, or maintained within the front yard areas of any residential [R] zones, except that such boats or trailer may be located anywhere on the lot., except in a clear vision zone of a corner lot as defined in Section 14.34.100, Provo City Code 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 if such facility is owned by a bona fide guest of the occupants of the premises."

This section of code is currently used by Code Compliance Officers to enforce on property owners for having boats, boat trailers, and travel trailers parked in front yard areas of residential zones, When a property owner is enforced on for violation this section of code, a copy of this section is sent along with a Notice of Violation to the property owner. As written currently, this section can lend to confusion and misunderstanding as to what is and what is not allowed.

As Officers are enforcing on properties, they generally look along the street to verify if additional properties are also in violation of the same section of code. They often find that, while some

properties have trailers that fit this section of code and are enforceable violations of code (see Attachment 3), other nearby properties have trailers (see Attachment 5) that do not fit the definitions of any trailer mentioned in section 14.34.060.

At times Officer have found one trailer that is enforceable and another trailer which is not enforceable located on the same lot and in similar locations (see Attachment 4). Including the various proposed definitions to Section 14.34.060 (see Attachment 2) would allow for a more equitable enforcement of various trailers parked in front yard areas of Residential Zones.

City Staff has found properties where camp trailers are being used and/or rented as a separate dwelling unit. In addition, some of these trailers have discharged their waste onto the property, and not into the appropriate discharge location (see Attachment 2 & 3).

CONCLUSIONS

Based on the Findings of Fact and Analysis, staff recommends the Planning Commission forward a positive recommendation of the proposed text amendment to Municipal Council.

ATTACHMENTS

1. Current Text from Section 14.34.060.
2. Proposed Text Amendment for Sections 14.34.060 & 14.06.020.
3. Examples of trailers that are in violation of current text of Section 14.34.060.
4. Examples of properties that have one trailer enforceable, and another trailer not enforceable of current text.
5. Examples of trailers not enforceable under current text but would be with new text amendment.

ATTACHMENT 1 – CURRENT TEXT SECTION 14.34.060

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

Boats, boat trailers, or travel 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 in a clear vision zone of a corner lot as defined in Section [14.34.100](#), Provo City Code 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 if such facility is owned by a bona fide guest of the occupants of the premises.

The Provo City Code is current through Ordinance 2023-01, passed January 17, 2023.

Disclaimer: The city recorder has the official version of the Provo City Code. Users should contact the city recorder for ordinances passed subsequent to the ordinance cited above.

[City Website: www.provo.org](http://www.provo.org)

[City Telephone: \(801\) 852-6000](tel:(801)852-6000)

[Code Publishing Company, A General Code Company](#)

**ATTACHMENT 2 – PROPOSED TEXT AMENDMENT FOR SECTIONS
14.34.060 & 14.06.020**

14.34.060 ~~Location of Boats, Recreational Vehicles, and Boat Trailers, and Travel Trailers.~~

(1) Boats, recreational vehicles, boat or trailers, ~~or travel 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~~ in a clear vision area zone of a corner lot as defined in Section 14.34.100, Provo City Code or in a street side yard of a corner lot. However, such items may be allowed in these locations for:

(a) a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes, or

(b) for temporary storage not to exceed seven (7) days, provided the item ~~if such facility~~ is owned or rented by a bona fide guest of the occupants of the premises.

(2) Travel trailers and other recreational vehicles may be occupied on a temporary basis on a lot in a single-family residential (R) zone for traveling guests or visitors subject to the following:

(a) The trailer or recreational vehicle must be parked off the street, and not within the front yard areas;

(b) The occupancy must be limited to not more than seven (7) consecutive days and not more than a total of thirty (30) days in any calendar year; and

(c) Discharge of any sewage (black water) waste must be done properly by accessing a dump station so as to not pose environmental harm or create unsanitary conditions.

14.06.020 Definitions

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“**Block Face**” means all property fronting upon one (1) side of a street between intersecting and intercepting streets, or between the street and the railroad right-of-way, waterway, terminus of a dead end street, city boundary, public park, or other natural boundary. An intercepting street shall determine only the boundary of the block face of the side of the street which it intercepts.

“**Boats**” means every type of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

...

“Building-Main” means the principal building on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. Where a permissible use involves more than one (1) structure designed or used for the primary purpose, as in the case of apartment groups, each such permitted building on one (1) lot as defined by this Title shall be construed as constituting a main building.

“Camping van” means a van designed, used, and maintained primarily to provide a mobile dwelling, sleeping place, or facilities for human habitation or for camping.

...

“Public” means that which is under the ownership of the United States Government, Utah State, or any subdivision thereof, Utah County, or Provo City (or any departments or agencies thereof).

“Recreational vehicle” means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, that is either self-propelled or pulled by another vehicle.

(a) Recreational vehicle includes:

(i) a travel trailer;

(ii) a camping trailer;

(iii) a motor home;

(iv) a fifth wheel trailer; and

(v) a camping van.

...

“Trailer” means a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

~~**“Travel trailers” and “recreational vehicles” means a motorized or non-motorized vehicle which is designed or used for temporary human habitation and for travel or recreational purposes, which does not at any time exceed eight (8) feet in width and forty (40) feet in length and which may be moved upon a public highway without a special permit or chauffeur’s license, or both, without violating provisions of the Vehicle Code.**~~ means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

**ATTACHMENT 3 – EXAMPLES OF TRAILERS THAT ARE IN VIOLATION OF
CURRENT TEXT OF SECTION 14.34.060**





ATTACHMENT 4 – EXAMPLES OF PROPERTIES THAT HAVE ONE TRAILER ENFORCEABLE, AND ANOTHER TRAILER NOT ENFORCEABLE OF CURRENT TEXT



**ATTACHMENT 5 – EXAMPLES OF TRAILERS NOT ENFORCEABLE UNDER
CURRENT TEXT, BUT WOULD BE WITH THE NEW TEXT AMENDMENT**

