



PROVO MUNICIPAL COUNCIL and REDEVELOPMENT AGENCY GOVERNING BOARD Work Meeting

2:30 PM, Tuesday, August 06, 2024

Provo Peak Room (1st Floor)

Hybrid meeting: 445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

The in-person meeting will be held in the **Council Chambers**. The meeting will be available to the public for live broadcast and on-demand viewing on YouTube and Facebook at: [youtube.com/provocitycouncil](https://www.youtube.com/provocitycouncil) and [facebook.com/provocouncil](https://www.facebook.com/provocouncil). If one platform is unavailable, please try the other. If you do not have access to the Internet, you can join via telephone following the instructions below.

To listen to the meeting by phone: August 06 Work Meeting: Dial 346-248-7799. Enter Meeting ID 859 7939 6354 and press #. When asked for a participant ID, press #.

Agenda

Roll Call

Business

1. Update on Provo River Bridge and Trail at 820 North (24-067)
2. An ordinance amending Provo City Code Chapter 14.15 (Residential Manufactured Home Park Zone); Citywide application (PLOTA20240155)
3. A discussion regarding an ordinance to amend Provo City Code for parking requirements in the Mixed-Use Zones; citywide application (PLOTA20240173)
4. A discussion regarding an ordinance to amend On-premises Short Hold Time Electronic Display Sign standards; citywide application (PLOTA20240164)
5. A discussion regarding an ordinance to amend the Zone Map classification of real property located at 210 S 500 W, from Residential Conservation (RC) Zone to General Commercial (CG) Zone – Franklin Neighborhood (PLRZ20240163)
6. A discussion regarding an ordinance to prohibit parking in front of mailboxes in certain areas in proximity to Timpview High School (24-060)
7. A discussion regarding the Provo City Council Housing Summit (24-071)
8. A discussion regarding the Provo Youth City Council (24-072)

Closed Meeting

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with 52-4-204 and 52-4-205 et. seq., Utah Code.

Adjournment

If you have a comment regarding items on the agenda, please contact Councilors at council@provo.org or using their contact information listed at: provo.org/government/city-council/meet-the-council

Materials and Agenda: agendas.provo.org

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To send comments to the Council or weigh in on current issues, visit OpenCityHall.provo.org.

The next Work Meeting will be held on Tuesday, August 20, 2024. The meeting will be held in the Council Chambers, 445 W. Center Street, Provo, UT 84601 with an online broadcast. Work Meetings generally begin between 12 and 4 PM. Council Meetings begin at 5:30 PM. The start time for additional meetings may vary. All meeting start times are noticed at least 24 hours prior to the meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the ADA, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting are invited to notify the Provo Council Office at 445 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email rcaron@provo.org at least three working days prior to the meeting. Council meetings are broadcast live and available for on demand viewing at youtube.com/ProvoCityCouncil.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-207(4), which supersedes some requirements listed in Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at agendas.provo.org. Council meeting agendas are available through the Utah Public Meeting Notice website at utah.gov/pmn, which also offers email subscriptions to notices.

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: JMCKNIGHT
Department: Public Works
Requested Meeting Date: 08-06-2024

SUBJECT: Provo River Bridge and Trail at 820 North Update (24-067)

RECOMMENDATION: Informational only

BACKGROUND: Public Works presented to the City Council on April 16th about the 820 North bridge history and replacement design. Since that time 18 other public presentations have been given at neighborhood meetings, a Provo City School District board meeting, and to other interest groups. The purpose of this presentation is to update the Council on the process we took, the feedback we received, and our final design decision.

FISCAL IMPACT: None

PRESENTER'S NAME: Gordon Haight

REQUESTED DURATION OF PRESENTATION: 15 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 24-067

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: AARDMORE
Department: Development Services
Requested Meeting Date: 08-06-2024

SUBJECT: An ordinance amending Provo City Code Chapter 14.15 (Residential Manufactured Home Park Zone); Citywide application (PLOTA20240155)

RECOMMENDATION: Staff recommends that the City Council approve the proposed text amendments.

BACKGROUND: Development Services is bringing forward text amendments to the RM Zone code in order to remove garages as a permitted use and to clarify standards throughout the chapter. These changes are being proposed as a result of enforcement actions taking place around the city in some of the mobile home parks with illegally built structures that are creating hazards for the tenants and neighbors. The purpose of the RM Zone is to have a large tract of land that can have mobile structures placed in designated areas to provide residential communities for mobile homes and modular housing units. Over the years in Provo, some of these parks have been expanded to include permanent structures which create issues with fire code, building code, and HUD standards. The attached amendments look to clarify the standards in these parks to avoid ongoing and future safety issues.

Planning staff reviewed these amendments with the Provo Legal Department and was provided with a number of additional edits to clarify standards and regulations for RM Zones. These include, but are not limited to, grammatical fixes, other code references, and updates to be consistent with other sections of Provo City Code.

FISCAL IMPACT: None

PRESENTER'S NAME: Aaron Ardmore

REQUESTED DURATION OF PRESENTATION: 5 minutes (both meetings)

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

With any text amendment staff must review the proposed language against the goals and objectives of the General Plan. Section 14.02.020 of the Provo City Code provides specific criteria for this evaluation. That evaluation is as follows: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for the amendments is to help provide safer development in mobile home parks, restricting additions and structures that sacrifice the

safety of mobile homes. Additionally, the more minor changes will help the public to more easily understand the rules and regulations in the RM Zone.

(b) Confirmation that the public purpose is best served by the amendment in question.
Staff response: Staff believes that the proposed amendments are the best way to address the above public purpose.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: The proposed amendments help to meet goals of the General Plan, specifically, Chapter 3, goal 3, to “review and revise Provo City Code to make it more consistent and accessible” as well as Chapter 7, goal 5, to “continue to plan and work to mitigate the impacts of emergencies and hazards”.

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

Staff response: Staff believes that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff response: Staff believes the only adverse impacts from these amendments would be to mobile park owners/tenants that attempt to obtain building permits for structures that are not allowed by the RM Zone code.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CITYVIEW OR ISSUE FILE NUMBER: PLOTA20240155

ORDINANCE 2024-_____.

AN ORDINANCE AMENDING PROVO CITY CODE CHAPTER 14.15
(RESIDENTIAL MANUFACTURED HOME PARK ZONE). CITYWIDE
APPLICATION. (PLOTA20240164) (24-____)

RECITALS:

It is proposed that Provo City Code ChapterTitle 14.15 be amended regarding permitted land uses allowance and other code clarifications within the RM Zone; and

On June 26th, 2024, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 8:0; **and**

On August 6th, 2024, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

Provo City Code Chapter Title 14.15 is hereby amended as set forth in Exhibit A.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.
- C. This ordinance takes effect immediately after it has been posted or published in accordance with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

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44 D. The Municipal Council directs that the official copy of Provo City Code be updated to
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90 EXHIBIT A
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92 **Chapter 14.15**
93 **RM - RESIDENTIAL MANUFACTURED HOME PARK ZONE**

94 **... Sections:**

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96 **14.15.010 Purpose and Objectives.**
97 **14.15.020 Definitions.**
98 **14.15.030 Permitted Uses.**
99 **14.15.040 Minimum Development Standards.**
100 **14.15.050 Lot Area.**
101 **14.15.060 Lot Width.**
102 **14.15.070 Lot Frontage.**
103 **14.15.080 Prior Created Lots.**
104 **14.15.090 Lot Area Per Dwelling.**
105 **14.15.100 Yard Requirements.**
106 **14.15.110 Accessory Buildings.**
107 **14.15.120 Projections into Yards.**
108 **14.15.130 Building Height.**
109 **14.15.140 Second Access.**
110 **14.15.150 Parking, Loading and Access.**
111 **14.15.160 Building Permits and Business License Required.**
112 **14.15.170 Project Plan Approval.**
113 **14.15.180 Fencing Requirements and Perimeter Buffer Yard.**
114 **14.15.190 Entrance Treatments.**
115 **14.15.200 Landscaping Requirements.**
116 **14.15.210 Signs.**
117 **14.15.220 Other Requirements.**

118 **14.15.010**

119 **Purpose and Objectives.**

120 The Residential Manufactured Home Park (RM) zone is established to provide a residential
121 environment within the City primarily for the accommodation of manufactured homes and modular
122 housing units, either within ~~a~~ Manufactured Home Park under one (1) ownership and control, or
123 with a Manufactured Home Subdivision or Manufactured Home Co-op ~~or Planned Unit Development~~,

124 under multiple ownership, where all are controlled by restrictive covenants. The manufactured home
125 residential zone is intended to reflect standards established for five-star parks and become a high
126 quality development. A park should be characterized by attractively landscaped manufactured
127 homes and modular units with amenities comparable to that of any residential **planned** development.
128 This zone is intended to have a residential density of approximately five (5) to seven (7) units per
129 acre. These provisions are intended to create more attractive and more desirable environments
130 within the residential areas of Provo City. Properties should be located on Arterial or Collector
131 streets with good freeway access or within a reasonable proximity which will permit traffic to utilize
132 the arterial or collector streets subject to City Engineer's recommendation and Planning
133 Commission's approval. A traffic study may be required to determine appropriate locations.

134 **(Rep&ReEn 1995-93)**

135 **14.15.020**

136 **Definitions.**

137 As used in this Chapter, the following terms shall apply:

138 **"Awning"** A shade structure supported by posts or columns and partially supported by a home
139 installed, erected, or used on a lot. Must be architecturally compatible with main home as to color
140 and style, and professionally installed. (See Section 14.15.220, Provo City Code for clarification.)
141 **The Awning covering the deck, porch or landing located in front of the main entrance must be a**
142 **minimum of eight (8) feet by fourteen (14) feet and cover said entrance appropriately.**

143 **Community Building** A substantial permanent building providing management offices, indoor
144 recreation areas, toilet facilities, laundry and/or other facilities for use in common by the occupants of
145 the Manufactured Home Parks.

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147 **"Decorative Masonry Walls"** Walls consisting of brick, or concrete block, with decorative styles that
148 may include but not be limited to the following: Split face, scored, fluted, combed, hi-lite projection
149 shadow wall. The intent is to provide a wall with a pattern(s) that would give variations to style. A
150 grey cinder block wall is not acceptable unless a sufficient number of decorative blocks are used to
151 provide a pattern subject to Planning Commission's approval. If the wall is required by the Planning
152 Commission to be painted, the paint should **be** a type that will resist graffiti or where graffiti could be
153 easily removed.

154 **Fence** The term shall include any tangible barrier, lattice work, screen, wall, hedge, or
155 continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage
156 or view across the fence line. Fences must be architecturally compatible and comply with Restrictive
157 Covenants.

158 **“Manufactured Home”** A manufactured home means a transportable factory-built housing unit
159 constructed on or after June 15, 1976 as defined in Utah Code Annotated, Title 58 Chapter 56, as
160 amended. As used in this Chapter “mobile home” and “manufactured home” have the same
161 meaning.

162 ...**“Mobile Home”** See definition of “Manufactured Home.”

163 **“Permit”** An official written document issued by the Building Inspection Division, authorizing
164 performance of a specific activity.

165 **“Recreational Vehicles (RV)”** Campers, trailers, boats, wave runners, snowmobiles and motor
166 homes, etc. are considered recreational vehicles for the purposes of this Chapter.

167 **“Skirting”** A continuation of the facing material of the home, or a decorative masonry, block, brick,
168 vinyl material that is architecturally compatible with the home and is professionally installed.

169 (Rep&ReEn 1995-93)

170 **14.15.030**

171 **Permitted Uses.**

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

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

179 **(3)** Manufactured Home (PD) Performance Development. The Performance Development Overlay
180 Zone may be used in conjunction with the RM Manufactured Home Park Zone, for purposes of
181 accommodating land ownership. However, use of the PD Overlay ~~shall~~may not be construed to allow
182 variations from the normal requirements of this Chapter ~~as to~~regarding setbacks, lot size, lot width
183 etc.

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

186 **(5) Permitted Principal Uses.** The following principal uses and structures, and no others, are
187 permitted in the RM zone:

Use No.	Use Classification
	1111 One-family dwelling – detached (See Section 14.34.310, Provo City Code)
1241	Assisted Living Facility, Residential Health Care Facility
1291	Residential Facility for Elderly Persons (See Section 14.34.230, Provo City Code)
1292	Residential fFacility for pPersons with a dDisability (See Section 14.34.230, Provo City Code).
1410	Manufactured Home Parks/ Manufactured Home Co-op/ Manufactured Home Planned Unit Development
	Communications
4700	4811 Electric transmission right-of-way (Identifies areas where the surfaces 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

Use No.	Use Classification
	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)
6910	Religious activities

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

Use No.	Use Classification
1420	Travel Trailer Parks (meeting standards of Chapter 14.39, Provo City Code)

Use No.	Use Classification
4814	Electricity regulating substations
4818	<u>Small Generation</u>
4829	<u>Other gas utilities, NEC</u>
4834	<u>Water storage as part of a utility system</u> <u>(covered including water storage</u> <u>standpipes)</u>
4872	<u>Debris basin (A dam and basin for</u> <u>intercepting debris)</u>
4874	<u>Spreading grounds (Area for percolating</u> <u>water into under-ground)</u>
6722	<u>Police Protection and related activities,</u> <u>branch (Office only)</u>

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

194 (a) Accessory buildings such as garages, carports, gardening sheds and similar structures
 195 (provided they comply with the HUD Code and Provo City Code Section 14.15.110 of the Provo
196 City Code) which are customarily used in conjunction with, and incidental to, a principal use or
 197 structure; and

198 ~~... (b) Household pets, provided that no more than two (2) dogs and two (2) cats six (6) months~~
199 ~~of age or older shall be kept at any residence or commercial establishment at any time. Nothing~~
200 ~~herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or~~
201 ~~discomfort or endangering the health and safety of any person or property.~~

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203 ~~(Rep&ReEn 1995-93, Am 1997-49, Am 1998-07, Am 1998-10, Am 1998-50, Am 2005-18, Am 2021-33)~~

204 **14.15.040**

205 **Minimum Development Standards.**

206 ~~... Development standards are established under the provisions of this Chapter and all~~
207 ~~developments shall conform to the standards and requirements of this Section 14.15.040, Provo City~~
208 ~~Code. Development permits shall be granted or denied on the basis of performance measured~~
209 ~~against development standards adopted in accordance with this Chapter 14.15, Provo City Code, as~~
210 ~~amended, and on the findings by the Planning Commission as outlined.~~

211

212 (1) *General Standards.*

213 (a) *SINGLE OWNERSHIP OR CONTROL.* The area proposed for a Manufactured Home Park
214 shall be in one (1) ownership or control during development to provide for full supervision and
215 control of said park, and to ~~to~~ ensure conformance with these provisions and all conditions
216 imposed upon the preliminary and final development plans. Mere development agreements
217 between individuals ~~shall~~may not satisfy this requirement. Individual ownership, partnerships,
218 corporations, and other legally recognized entities are acceptable. A Cooperative ownership
219 may be considered by the Planning Commission upon verification of compliance with Utah
220 Code.

221 ~~... (b) *DESIGN TEAM.* The preliminary development plans shall be prepared by a design team~~
222 ~~composed of a landscape architect and an engineer or land surveyor. Said architect, engineer~~
223 ~~and land surveyor shall be licensed to practice in the State of Utah.~~

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225 ~~(c) *SENSITIVE LANDS.* If located in "sensitive lands," "high water table," and/or "floodplain,"~~
226 ~~the project must comply with all provisions of the Sensitive Lands and/or Floodplain sections~~
227 ~~and chapters of the Provo City Code and other applicable ordinances.~~

228 (d) *HOMEOWNERS ASSOCIATION.* When multiple owners exist, A homeowners association
229 must be formed and Restrictive Covenants must be submitted to and approved by Provo City

230 and recorded in the Utah County Recorder's Office prior to or in conjunction with the recording
231 of the final plan. (See Section 14.15.210, Provo City Code.)

232 (e) *RESTRICTIVE COVENANTS.* When they are required in (d) above, The restrictive
233 covenants must contain provisions regarding landscaping maintenance, parking prohibitions,
234 RV storage, etc., maintenance of homes, yards, noise and pet control, and failure to comply with
235 Restrictive Covenants provides management methods to correct any discrepancies and bill the
236 home owner for a reasonable fee. The Covenants shall provide for an Architectural Review
237 Committee to be established within the park to review any homes that are to be placed within
238 the park for compatibility with other homes within said park as to age, appearance, style, etc.
239 These covenants must be approved by the Planning Commission or their representatives.
240 These covenants are considered as a part of the Park rules and may not be modified without
241 noticing and explaining the changes to the home owners and receiving approval from the City.

242 ... (f) TOWING HITCHES/WHEELS. All towing hitches or devices and wheels must be
243 removed from the manufactured or modular home prior to occupancy of the unit.

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245 (g) *AGE OF HOMES.* Manufactured or Mobile Homes willmay not be permitted in the park
246 unless:

247 ... (i) It complies with Utah Code Annotated, Title 58, Chapter 56, as amended.

248
249 (ii) IsIt is not older than five (5) years from the date of construction. Any home that is older
250 than five (5) years must be reviewed by an Architectural Review Committee (regulated by
251 the Homeowners Association) and must comply with Standards as established within the
252 approved Restrictive Covenants. These standards shall address issues such as to the style
253 of home, architecture, and other issues which addresses the compatibility of said home with
254 the intent of the Park Regulations, and of the Provo City Code, or other ordinancelaws.

255 ... (iii) Existing homes can not be removed based on age of structure once structure is
256 approved and complies with current code, unless it is deemed by park management to be
257 noncompliant with Covenants.

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259 (Rep&ReEn 1995-93, Am 2021-33)

260 **14.15.050**

261 **Lot Area.**

262 (1) *Area of Zone.* The RM zone ~~may shall~~ not be applied to a land area of less than fifteen (15) acres.

264 (2) *Subdivided Lots or Manufactured Home Spaces.* Each subdivided lot, ~~or~~ Manufactured Home Space, or parcel of land in the RM zone shall have an area of not less than four thousand five hundred (4,500) square feet.

267 ~~(Rep&ReEn 1995-93)~~

268 **14.15.060**

269 **Lot Width.**

270 Each lot, ~~or~~ parcel of land in the RM zone, or each individual space within a Manufactured Home Park shall have a minimum average width of not less than fifty (50) feet.

272 ~~(Rep&ReEn 1995-93)~~

273 **14.15.070**

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275 **Lot Frontage.**

276 ~~Each site or space in a Manufactured Home Park shall abut a paved, private or public street constructed to standards required by this Chapter for the distance of thirty-five (35) feet, on a line parallel to the center of said street or along the circumference of a cul-de-sac improved to standards approved by the Provo City Planning Commission.~~

280 ~~(Rep&ReEn 1995-93)~~

281 **14.15.080**

282 **Prior Created Lots.**

283 Lots or parcels of land which were created prior to the effective date of this Chapter, (November 26, 1995), shall have the RM zone applied to them only if they meet the minimum area requirements set forth in this Chapter. Manufactured Home Parks existing prior to the above date may have the RM

286 zone applied to them and may shall not be denied occupancy of spaces and use of facilities solely
287 because of non-conformance to the provisions of this Chapter.

288 (Rep&ReEn 1995-93)

289 **14.15.090**

290 **Lot Area Per Dwelling.**

291 Not more than one (1) manufactured home or modular housing unit shall be placed upon each lot,
292 parcel of land, or space in a Manufactured home subdivision or park approved under the provisions
293 of this Chapter.

294 (Rep&ReEn 1995-93)

295 **14.15.100**

296 **Yard Requirements.**

297 ...The following yard requirements shall apply to all lots, parcels or spaces in a Manufactured Home
298 Park or subdivision: (Note: All setbacks are measured from the property line or approved
299 Manufactured home space.)

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301 (1) Front Yard. Each lot, parcel site or space in the RM zone shall have a front yard of not less than
302 ten (10) feet;

303 (2) Side Yard. Except as provided in Subsections (3), (4), and (5) of this Section, each lot, parcel,
304 site or space in a Manufactured home subdivision or Manufactured Home Park shall have a side
305 yard of at least six (6) feet;

306 (3) Side Yard - Corner Lot. On corner lots or spaces, the side yard contiguous to a private street
307 shall not be less than ten (10) feet; except that when the side yard is adjacent to a public street
308 which is not within the Manufactured Home Park or Manufactured home subdivision, the side yard
309 adjacent to said street shall be twenty (20) feet. This side yard may shall not be used for vehicle
310 parking;

311 (4) Side Yard - Driveway. When used for access to a garage, carport, or a parking area, a side yard
312 shall be wide enough to provide an unobstructed, eighteen (18)twelve (12) foot, paved driveway; and

313 ...(5) Rear Yard. Each lot, parcel, space, or site shall have a rear yard of not less than ten (10)
314 feet in depth.

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316 (Rep&ReEn 1995-93)

317 **14.15.110**

318 **Accessory Buildings.**

319 ~~...An Accessory building may be located in the rear or interior side yard setback area if the following~~
320 ~~conditions are met:~~

321

322 (1) ~~Only one (1) accessory structure is permitted on said lot, space or site;~~

323 (2) ~~Said structure may not be larger than twelve (12) feet high;~~

324 (3) The structure may not have more than two hundred (200) square feet in area; **and**

325 (4) ~~Any structure greater than one hundred twenty (120) square feet in area requires a building~~
326 ~~permit; and~~

327 (5)(4) ~~To~~ The structure must be of uniform design provided by the mobile home park
328 owner.

329 (Rep&ReEn 1995-93)

330 ~~...14.15.120~~

331 **Projections into Yards.**

332 ~~The following structures may be erected on or projected into any required yard in the RM zone:~~

333 (1) ~~Fences and walls in conformance with the Provo City Code and other City codes and~~
334 ~~ordinances;~~

335 (2) ~~Landscape elements including trees, shrubs, agricultural crops and other plants which do not~~
336 ~~hinder the movement of the manufactured home in or out of manufactured home spaces;~~

337 (3) ~~Necessary appurtenances for utility service;~~

338 (4) ~~Awnings, decks, carports that are open on three (3) sides may project into any yard (except~~
339 ~~street side yards on corner lots) no closer than three (3) feet from said property line or required~~
340 ~~sidewalk, whichever is closer, of said lot or space; and~~

341 (5) ~~Required sidewalks which abut and run parallel with streets.~~

342 (Rep&ReEn 1995-93)

343 **14.15.130**

344 **Building Height.**

345 ~~No lot or parcel of land in the RM zone shall have a building or structure which exceeds a height of fifteen (15) feet with the exception of club houses with a maximum height of thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.~~

349 ~~(Rep&ReEn 1995-93, Am 2021-33)~~

350 **14.15.140**

351 **Second Access.**

352 ~~A Manufactured Home Park shall have at least two (2) vehicle accesses to public streets (one (1) of which may be controlled access as approved by the Fire Department).~~

354 ~~(Rep&ReEn 1995-93)~~

355 **14.15.150**

356 **Parking, Loading and Access.**

357 (1) Each lot, space or site in the RM zone shall have on the same lot, located within the buildable area or an interior side yard, a paved parking area ~~for two (2) vehicles~~ with minimum measurements that comply with Section 14.37.100, Provo City Code. ~~of at least eighteen (18) feet in width by twenty-six (26) feet in length located adjacent to the street, in addition to any required sidewalk. Two (2) parking spaces must be covered by a carport which has a minimum inside dimension of not less than eight and one half (8 1/2) feet in width by eighteen (18) feet in length for each space. The carport must be architecturally compatible as to style and color and must be professionally installed.~~

364 Said parking area shall only serve one (1) lot, space or site and shall not be located closer than ten (10) feet from a parking area on an adjacent lot, space or site.

366 ~~... (2) Visitor parking must be provided throughout the park at one (1) space for each five (5) units. The location of the visitor parking is subject to Planning Commission approval and must be distributed evenly throughout the park.~~

369 ~~(3) No parking is permitted on the street unless the street is wider than twenty-four (24) feet.~~

370 (4) All parking spaces shall be built as described in Section 14.37.090, Provo City Code, provided with a paved ~~concrete~~ access from an approved street, and well maintained.

372 ~~... (5) In addition to the above requirements, space shall be provided within the park or subdivision~~
373 ~~for the storage of boats, campers, trailers, and other recreational vehicles, etc. Said spaces shall be~~
374 ~~provided at a rate of one (1) space for each ten (10) dwelling units. This storage area is to be fully~~
375 ~~enclosed with a six (6) foot masonry wall, opaque fence or screening material as approved by the~~
376 ~~Planning Commission.~~

377 (6) When multiple owners exist, ~~P~~rovisions shall be made for perpetual maintenance of said
378 parking facilities through a homeowners association.

379 ~~(Rep&ReEn 1995-93, Am 2020-09, Am 2021-33)~~

380 ~~... 14.15.160~~

381

~~Building Permits and Business License Required.~~

383 ~~(1) A Building Permit must be obtained from the Building Inspection Division of the City prior to any~~
384 ~~placement, including relocation of homes within same park, additions, accessory buildings, prior to~~
385 ~~placement or construction.~~

386 ~~(2) The Park owner must obtain a Business License from the City prior to the occupancy of homes~~
387 ~~within the park and said license must be renewed on a yearly basis.~~

388 ~~(Rep&ReEn 1995-93)~~

389 **14.15.170**

~~Project Plan Approval.~~

391 ~~See Sections 15.03.300 and 15.03.310, Provo City Code.~~

392 ~~(Rep&ReEn 1995-93, Am 2001-10)~~

393 **14.15.180**

Fencing Requirements and Perimeter Buffer Yard.

395 (1) Fences ~~six (6)~~ seven (7) feet or less in height ~~shall~~do not require a building permit. Fences over
396 ~~six (6)~~ seven (7) feet in height must obtain a building permit from the Building Inspection Division.
397 Any fence, wall, screen, hedge or other material serving as a fence, may~~shall~~ not create a sight
398 distance hazard to vehicular or pedestrian traffic as determined by the Provo City Traffic Engineer.

399 All interior fencing, if permitted by Park Management, must be consistent with Restrictive Covenants
400 on file and all materials used must be consistent within park.

401 ~~... (2) A decorative masonry wall, (See Section 14.15.020 – Definitions, Provo City Code), six (6)~~
402 ~~feet in height is required around the perimeter of the Manufactured Home Park or subdivision where~~
403 ~~the Manufactured Home Park or subdivision fronts a public street. A decorative masonry wall or an~~
404 ~~alternative style of fencing six (6) feet in height is required around the remaining perimeter of the~~
405 ~~Manufactured Home Park or subdivision as approved by the Planning Commission. Where the~~
406 ~~Manufactured Home Park or subdivision fronts a public street, said wall must be set back a minimum~~
407 ~~of ten (10) feet from property line. However, a greater setback may be required depending on the~~
408 ~~zoning of adjacent properties. This area must be appropriately landscaped as outlined in Section~~
409 ~~14.15.200, Provo City Code.~~

410

411 ~~(3) Grade differences. Where there is a difference in the grade of the properties on either side of a~~
412 ~~fence, wall or other similar structure, the height of the fence shall be measured from the natural~~
413 ~~grade of the property upon which it is located.~~

414 ~~(4) Retaining Walls. Where a retaining wall protects a cut below or a fill above the natural grade~~
415 ~~and is located on the line separating lots or properties, such retaining wall may be topped by a~~
416 ~~fence, wall or hedge of the same height that would otherwise be permitted at the location if no~~
417 ~~retaining wall existed.~~

418 ~~(5) Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot~~
419 ~~subject to staff review.~~

420 ~~(6) Exceptions. The provisions of this Section 14.15.180, Provo City Code do shall not apply to~~
421 ~~certain other fences such as tennis court backstops or patio enclosures as approved by the Zoning~~
422 ~~Administrator, if it is determined that such do not create a hazard or violation of the Provo City Code~~
423 ~~or other ordinances. All other exceptions must obtain Planning Commission approval. Standards for~~
424 ~~barbed wire and similar types of fences are listed in Section 9.14.020, Provo City Code, as~~
425 ~~amended.~~

426 ~~(Enacted 1995-93, Am 2021-33)~~

427 **14.15.190**

428 **Entrance Treatments.**

429 ~~...The main entrance to the park must be in compliance with the following standards:~~

430 ~~(1) Entryways. Entry masonry walls to park entrances may not exceed six (6) feet at the highest~~
431 ~~point, except lamps on pillars, and must comply with the provisions of Section 14.34.100, Provo City~~

432 ~~Code. Fence pillars shall be allowed to extend up to eighteen (18) inches above the allowable height~~
433 ~~of a fence provided that the pillars shall have a minimum spacing of no less than six (6) feet,~~
434 ~~measured face to face, as approved by the Planning Commission;~~

435 (2) Entrance treatments shall include a monument sign or entrance wall sign stating the name and
436 address of the mobile home park or subdivision not to exceed the height of five (5) feet. Said sign
437 ~~may~~ shall not exceed thirty-two (32) square feet in area; and

438 (3) Second entrances shall be required as outlined in Section 14.15.140, Provo City Code.

439

440 ~~(Enacted 1995-93)~~

441 **14.15.200**

442

443 **Landscaping Requirements.**

444 ~~See Chapter 15.20, Provo City Code.~~

445 ~~(Enacted 1995-93, Am 1999-61)~~

446 **14.15.210**

447 **Signs.**

448 ~~See Chapter 14.38, Provo City Code.~~

449 ~~(Enacted 1995-93, Am 2022-43)~~

450 **14.15.220**

451 **Other Requirements.**

452 ~~... (1) Street Standards. Streets constructed within a Manufactured Home Park shall be provided in~~
453 ~~such a pattern as to provide convenient traffic circulation within said park. Streets shall be built to the~~
454 ~~following standards:~~

455

456 (a) ~~All Manufactured Home Park streets shall have a width of not less than thirty-six (36) feet,~~
457 ~~including curbs and sidewalks.~~

458 (b) There shall be concrete standard (non-rolled) curbs on each side of all Manufactured Home
459 Park streets. Each curb shall have a width of not less than two (2) feet and shall be designed to
460 minimize an automobile's travel from the street onto the sidewalk (non-rolled), except at
461 designated driveways or at other places required by the Americans with Disability Act (ADA).

462 (c) The Manufactured Home Park shall have paved streets in accordance with street paving
463 standards of Provo City.

464 (2) *Sidewalk Standards.* There shall be concrete sidewalks on each side of all Manufactured Home
465 Park streets. Each sidewalk shall have a width of not less than four (4) feet. An additional pedestrian
466 circulation system may be provided, which can be separate from the street circulation system. Any
467 additional pedestrian system shall be constructed of concrete, be at least four (4) feet in width and
468 may shall not be in lieu of the sidewalks required to abut and run parallel with the streets.

469 ... (3) Street Lighting Standards. Streets shall be lighted in accordance with the requirements of the
470 Provo City Energy Department. Streets within a manufactured home subdivision shall meet all of the
471 public street standards established by Provo City.

472
473 (4) *Administrative Office.* Every mobile home park shall include a permanent building for
474 office/administrative use and a Community Center. Said building may include a one-family dwelling
475 for the exclusive use of the owner or manager. This building shall provide adequate square footage
476 for gatherings and recreational purposes to accommodate a minimum of twenty percent (20%) of the
477 residents within the park to meet.

478 (5) *Laundry Facilities.* Every manufactured home subdivision, park or Recreational Vehicle Park
479 shall have one (1), or more, laundry room equipped with automatic washers and dryers unless every
480 home has its own electrical and water fixtures for laundry.

481 (6) *Manufactured Home Skirting.* Skirting materials shall be provided entirely around the periphery
482 of a mobile home to conceal the open area beneath the Manufactured home frame. Said skirting
483 materials shall be of durable construction and shall be compatible with the exterior finish of the
484 mobile home unit and comply with Subsection 14.15.020(6), Provo City Code, as amended.

485 (7) *Telephones.* A Manufactured Home Park shall contain at least one (1) public telephone for the
486 use of park residents. There shall be no such requirement in a manufactured home subdivision.

487 (8)(7) *Utilities.* All utility distribution facilities, including electrical service and television antenna
488 services, within a Manufactured Home Park or manufactured home subdivision shall be placed
489 underground. Transformers, terminal boxes, meter cabinets, pedestals, and other such necessary
490 appurtenances to the underground facilities may be placed above ground. All Manufactured home
491 sites and lots, whether within a Manufactured Home Park or manufactured home subdivision, must
492 be served with water, gas, electricity, and City sewer.

493 (9) ~~Community Television Antenna, Satellite Dish and DSS (Digital) Dish. Individual roof top or~~
494 ~~outdoor television antennas shall not be permitted in a Manufactured Home Park or manufactured~~
495 ~~home subdivision within the RM zone. Individual roof top Digital or Satellite Dishes twenty (20)~~
496 ~~inches or smaller may be located on the rear portion of the home. One (1) single television antenna,~~
497 ~~Satellite or DSS (Digital) Dishes for community service may be situated within the Manufactured~~
498 ~~Home Park or within the common areas of a manufactured home subdivision. Said antenna system~~
499 ~~within a manufactured home subdivision shall become part of the common facilities and shall be~~
500 ~~maintained in perpetuity in conjunction with the other common open spaces and recreation areas.~~
501 ~~Small satellite dishes may be placed to the rear of the home.~~

502 (10)(8) *Porches, Decks and Landings.* All porches, landings, which are required to be erected in
503 front of any doorway, must be covered by an awning and be architecturally compatible and
504 professionally installed. This includes all structures over twenty-four (24) inches in height, with the
505 exception of decks and other similar structures which are detached from the main structure three (3)
506 feet or greater. The minimum size of said porch, deck or landing to be located in front of the main
507 entrance must be eight (8) feet by fourteen (14) feet in size and the required awning must cover said
508 porch as required in this Chapter.

509 (11)(9) *Park Management.* Park Management shall have the responsibility set forth as follows:

- 510 (a) The person to whom a license for a Manufactured Home Park is issued shall operate the
511 park in compliance with this Title and regulations issued hereunder and shall provide adequate
512 supervision to maintain the park, its facilities and equipment in good repair and in a clean and
513 sanitary condition;
- 514 (b) The park management shall notify park occupants of all applicable provisions of this Title
515 and inform them of their duties and responsibilities under this Title and of Restrictive Covenants
516 approved and filed in the Office of the Utah County Recorder;
- 517 (c) The park management shall supervise the placement of each manufactured home on its
518 space which includes securing its stability and installing all utility connections;
- 519 (d) The park management shall ~~i~~ensure that prior to any manufactured home is located or
520 relocated within the park, a building permit has been obtained as required by the City;
- 521 (e) The park management shall maintain a register containing the names of all park occupants.
522 Such register shall be available to any authorized person inspecting the park;
- 523 (f) A member of the park management must reside within the park; and
- 524 (g) If tenant does not maintain property, then park management has the responsibility to bring
525 property into compliance with Restrictive Covenants and Park Rules after a fourteen (14) day
526 notice. A reasonable fee may be collected by park management for work completed.

527

(Enacted 1995-93, Am 1995-99, Am 1996-72, Am 2021-33)

528

Provo City Planning Commission
Report of Action

June 26, 2024

*ITEM 2 Development Services requests approval of Ordinance Text Amendments to Chapter 14.15 (Residential Manufactured Home Park Zone) to update and clarify standards. Citywide application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240155

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 26, 2024:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Lisa Jensen

Second By: Robert Knudsen

Votes in Favor of Motion: Lisa Jensen, Robert Knudsen, Adam Shin, Andrew South, Jeff Whitlock, Daniel Gonzales, Jonathon Hill, Barbara DeSoto

Daniel Gonzales was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.
- This item was City-wide or affected multiple neighborhoods.

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: None.

APPLICANT RESPONSE

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

- Planning Staff addressed questions from the Planning Commission regarding specific changes on garage allowance, building permits, parking, and ownership in the RM Zone.
- Staff confirmed that any accessory buildings that were approved by a building permit in the RM Zone will be “grandfathered in” or legally, nonconforming.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Commission view cleanup ordinances positively and there were no concerns.



Planning Commission Chair



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 Development Services, 445 W Center St, 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

Chapter 14.15 RM - RESIDENTIAL MANUFACTURED HOME PARK ZONE

Sections:

- 14.15.010 Purpose and Objectives.**
- 14.15.020 Definitions.**
- 14.15.030 Permitted Uses.**
- 14.15.040 Minimum Development Standards.**
- 14.15.050 Lot Area.**
- 14.15.060 Lot Width.**
- 14.15.070 Lot Frontage.**
- 14.15.080 Prior Created Lots.**
- 14.15.090 Lot Area Per Dwelling.**
- 14.15.100 Yard Requirements.**
- 14.15.110 Accessory Buildings.**
- 14.15.120 Projections into Yards.**
- 14.15.130 Building Height.**
- 14.15.140 Second Access.**
- 14.15.150 Parking, Loading and Access.**
- 14.15.160 Building Permits and Business License Required.**
- 14.15.170 Project Plan Approval.**
- 14.15.180 Fencing Requirements and Perimeter Buffer Yard.**
- 14.15.190 Entrance Treatments.**
- 14.15.200 Landscaping Requirements.**
- 14.15.210 Signs.**
- 14.15.220 Other Requirements.**

14.15.010

Purpose and Objectives.

The Residential Manufactured Home Park (RM) zone is established to provide a residential environment within the City primarily for the accommodation of manufactured homes and

modular housing units, either within a Manufactured Home Park under one (1) ownership and control, or with a Manufactured Home Subdivision or Manufactured Home Co-op ~~or Planned Unit Development~~, under multiple ownership, where all are controlled by restrictive covenants. The manufactured home residential zone is intended to reflect standards established for five-star parks and become a high quality development. A park should be characterized by attractively landscaped manufactured homes and modular units with amenities comparable to that of any residential ~~planned~~ development. This zone is intended to have a residential density of approximately five (5) to seven (7) units per acre. These provisions are intended to create more attractive and more desirable environments within the residential areas of Provo City. Properties should be located on Arterial or Collector streets with good freeway access or within a reasonable proximity which will permit traffic to utilize the arterial or collector streets subject to City Engineer's recommendation and Planning Commission's approval. A traffic study may be required to determine appropriate locations.

(Rep&ReEn 1995-93)

14.15.020

Definitions.

As used in this Chapter, the following terms shall apply:

"Awning" A shade structure supported by posts or columns and partially supported by a home installed, erected, or used on a lot. Must be architecturally compatible with main home as to color and style, and professionally installed. (See Section 14.15.220, Provo City Code for clarification.)

~~The Awning covering the deck, porch or landing located in front of the main entrance must be a minimum of eight (8) feet by fourteen (14) feet and cover said entrance appropriately.~~

"Community Building" A substantial permanent building providing management offices, indoor recreation areas, toilet facilities, laundry and/or other facilities for use in common by the occupants of the Manufactured Home Parks.

"Decorative Masonry Walls" Walls consisting of brick, or concrete block, with decorative styles that may include but not be limited to the following: Split face, scored, fluted, combed, hi-lite projection shadow wall. The intent is to provide a wall with a pattern(s) that would give

variations to style. A grey cinder block wall is not acceptable unless a sufficient number of decorative blocks are used to provide a pattern subject to Planning Commission's approval. If the wall is required by the Planning Commission to be painted, the paint should be a type that will resist graffiti or where graffiti could be easily removed.

"Fence" The term shall include any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line. Fences must be architecturally compatible and comply with Restrictive Covenants.

"Manufactured Home" A manufactured home means a transportable factory-built housing unit constructed on or after June 15, 1976 as defined in Utah Code Annotated, Title 58 Chapter 56, as amended. As used in this Chapter "mobile home" and "manufactured home" have the same meaning.

"Mobile Home" See definition of "Manufactured Home."

"Permit" An official written document issued by the Building Inspection Division, authorizing performance of a specific activity.

"Recreational Vehicles (RV)" Campers, trailers, boats, wave runners, snowmobiles and motor homes, etc. are considered recreational vehicles for the purposes of this Chapter.

"Skirting" A continuation of the facing material of the home, or a decorative masonry, block, brick, vinyl material that is architecturally compatible with the home and is professionally installed.

(Rep&ReEn 1995-93)

14.15.030

Permitted Uses.

- (1) Those uses or categories of uses as listed herein, and no others, are permitted in the RM 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) Manufactured Home (PD) Performance Development. The Performance Development Overlay Zone may be used in conjunction with the RM Manufactured Home Park Zone, for purposes of accommodating land ownership. However, use of the PD Overlay ~~shall~~may not be construed to allow variations from the normal requirements of this Chapter ~~as to~~regarding setbacks, lot size, lot width etc.

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

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

Use No.	Use Classification
1111	One-family dwelling - detached (See Section 14.34.310, Provo City Code)
1241	Assisted Living Facility, Residential Health Care Facility
1291	Residential Facility for Elderly Persons (See Section 14.34.230, Provo City Code)
1292	Residential f Facility for p Persons with a d Disability (See Section 14.34.230, Provo City Code).

Use No.	Use Classification
1410	Manufactured Home Parks/ Manufactured Home Co-op/ Manufactured Home Planned Unit Development
4700	Communications
4811	Electric transmission right-of-way (Identifies areas where the surfaces 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

Use No.	Use Classification
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)
6910	Religious activities

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

Use No.	Use Classification
1420	Travel Trailer Parks (meeting standards of Chapter 14.39, Provo City Code)
4814	Electricity regulating substations
4818	Small Generation
4829	Other gas utilities, NEC

Use No.	Use Classification
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 under-ground)
6722	Police Protection and related activities, branch (Office only)

(7) *Permitted Accessory Uses.* Accessory uses and structures are permitted in the RM 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, gardening sheds and similar structures ([provided they comply with the HUD Code and Section 14.15.110 of the Provo City Code](#)) which are customarily used in conjunction with, and incidental to, a principal use or structure; and
- (b) Household pets, provided that no more than two (2) dogs and two (2) cats six (6) months of age or older shall be kept at any residence or commercial establishment at any time. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

(Rep&ReEn 1995-93, Am 1997-49, Am 1998-07, Am 1998-10, Am 1998-50, Am 2005-18, Am 2021-33)

14.15.040

Minimum Development Standards.

Development standards are established under the provisions of this Chapter and all developments shall conform to the standards and requirements of this Section 14.15.040, Provo City Code.

Development permits shall be granted or denied on the basis of performance measured against development standards adopted in accordance with this Chapter 14.15, Provo City Code, as amended, and on the findings by the Planning Commission as outlined.

(1) *General Standards.*

- (a) *SINGLE OWNERSHIP OR CONTROL.* The area proposed for a Manufactured Home Park shall be in one (1) ownership or control during development to provide for full supervision and control of said park, and to ~~ensure~~ conformance with these provisions and all conditions imposed upon the preliminary and final development plans. Mere development agreements between individuals ~~shall~~may not satisfy this requirement. Individual ownership, partnerships, corporations, and other legally recognized entities are acceptable. A Cooperative ownership may be considered by the Planning Commission upon verification of compliance with Utah Code.
- (b) *DESIGN TEAM.* The preliminary development plans shall be prepared by a design team composed of a landscape architect and an engineer or land surveyor. Said architect, engineer and land surveyor shall be licensed to practice in the State of Utah.
- (c) *SENSITIVE LANDS.* If located in "sensitive lands," "high water table," and/or "floodplain," the project must comply with all provisions of the Sensitive Lands and/or Floodplain sections and chapters of the Provo City Code and other applicable ordinances.
- (d) *HOMEOWNERS ASSOCIATION.* When multiple owners exist, A homeowners association must be formed and Restrictive Covenants must be submitted to and approved by Provo City and recorded in the Utah County Recorder's Office prior to or in conjunction with the recording of the final plan. *(See Section 14.15.210, Provo City Code.)*
- (e) *RESTRICTIVE COVENANTS.* When required in (d) above, The restrictive covenants must contain provisions regarding landscaping maintenance, parking prohibitions, RV storage, etc., maintenance of homes, yards, noise and pet control, and failure to comply with Restrictive Covenants provides management methods to correct any discrepancies and bill t

he home owner for a reasonable fee. The Covenants shall provide for an Architectural Review Committee to be established within the park to review any homes that are to be placed within the park for compatibility with other homes within said park as to age, appearance, style, etc. These covenants must be approved by the Planning Commission or their representatives. These covenants are considered as a part of the Park rules and may not be modified without noticing and explaining the changes to the home owners and receiving approval from the City.

(f) **TOWING HITCHES/WHEELS.** All towing hitches or devices and wheels must be removed from the manufactured or modular home prior to occupancy of the unit.

(g) **AGE OF HOMES.** Manufactured or Mobile Homes ~~will~~may not be permitted in the park unless:

(i) It complies with Utah Code Annotated, Title 58, Chapter 56, as amended.

(ii) ~~is~~ left not older than five (5) years from date of construction. Any home that is older than five (5) years must be reviewed by an Architectural Review Committee (regulated by the Homeowners Association) and must comply with Standards as established within the approved Restrictive Covenants. These standards shall address issues such as to the style of home, architecture, and other issues which addresses the compatibility of said home with the intent of the Park Regulations, ~~and of the~~ Provo City Code, or other ~~ordinance~~ laws.

(iii) Existing homes can not be removed based on age of structure once structure is approved and complies with current code, unless it is deemed by park management to be noncompliant with Covenants.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.050

Lot Area.

(1) **Area of Zone.** The RM zone shall not be applied to a land area of less than fifteen (15) acres.

(2) *Subdivided Lots or Manufactured Home Spaces.* Each subdivided lot or Manufactured Home Space or parcel of land in the RM zone shall have an area of not less than four thousand five hundred (4,500) square feet.

(Rep&ReEn 1995-93)

14.15.060

Lot Width.

Each lot or parcel of land in the RM zone or each individual space within a Manufactured Home Park shall have a minimum average width of not less than fifty (50) feet.

(Rep&ReEn 1995-93)

14.15.070

Lot Frontage.

Each site or space in a Manufactured Home Park shall abut a paved, private or public street constructed to standards required by this Chapter for the distance of thirty-five (35) feet, on a line parallel to the center of said street or along the circumference of a cul-de-sac improved to standards approved by the Provo City Planning Commission.

(Rep&ReEn 1995-93)

14.15.080

Prior Created Lots.

Lots or parcels of land which were created prior to the effective date of this Chapter, (November 26, 1995), shall have the RM zone applied to them only if they meet the minimum area requirements set forth in this Chapter. Manufactured Home Parks existing prior to the above date may have the RM zone applied to them and shall not be denied occupancy of

spaces and use of facilities solely because of non-conformance to the provisions of this Chapter.

(Rep&ReEn 1995-93)

14.15.090

Lot Area Per Dwelling.

Not more than one (1) manufactured home or modular housing unit shall be placed upon each lot, parcel of land or space in a Manufactured home subdivision or park approved under the provisions of this Chapter.

(Rep&ReEn 1995-93)

14.15.100

Yard Requirements.

The following yard requirements shall apply to all lots, parcels or spaces in a Manufactured Home Park or subdivision: (Note: All setbacks are measured from the property line or approved Manufactured home space.)

- (1) *Front Yard.* Each lot, parcel site or space in the RM zone shall have a front yard of not less than ten (10) feet;
- (2) *Side Yard.* Except as provided in Subsections (3), (4), and (5) of this Section, each lot, parcel, site or space in a Manufactured home subdivision or Manufactured Home Park shall have a side yard of at least six (6) feet;
- (3) *Side Yard - Corner Lot.* On corner lots or spaces, the side yard contiguous to a private street shall not be less than ten (10) feet; except that when the side yard is adjacent to a public street which is not within the Manufactured Home Park or Manufactured home subdivision, the side yard adjacent to said street shall be twenty (20) feet. This side yard shall not be used for vehicle parking;

(4) *Side Yard - Driveway.* When used for access to a ~~garage~~, carport, or a parking area, a side yard shall be wide enough to provide an unobstructed, ~~eighteen (18)~~twelve (12) foot, paved driveway; and

(5) *Rear Yard.* Each lot, parcel, space, or site shall have a rear yard of not less than ten (10) feet in depth.

(Rep&ReEn 1995-93)

14.15.110

Accessory Buildings.

An Accessory building may be located in the rear or interior side yard setback area if the following conditions are met:

- (1) Only one (1) accessory structure is permitted on said lot, space or site;
- (2) Said structure may not be larger than twelve (12) feet high;
- (3) The structure may not have more than two hundred (200) square feet in area; and
- (4) ~~Any structure greater than one hundred twenty (120) square feet in area requires a building permit; and~~
- (5)(4) ~~To~~ The structure needs to be of uniform design provided by the park.

(Rep&ReEn 1995-93)

14.15.120

Projections into Yards.

The following structures may be erected on or projected into any required yard in the RM zone:

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

- (2) Landscape elements including trees, shrubs, agricultural crops and other plants which do not hinder the movement of the manufactured home in or out of manufactured home spaces;
- (3) Necessary appurtenances for utility service;
- (4) Awnings, decks, carports that are open on three (3) sides may project into any yard (except street side yards on corner lots) no closer than three (3) feet from said property line or required sidewalk, whichever is closer, of said lot or space; and
- (5) Required sidewalks which abut and run parallel with streets.

(Rep&ReEn 1995-93)

14.15.130

Building Height.

No lot or parcel of land in the RM zone shall have a building or structure which exceeds a height of fifteen (15) feet with the exception of club houses with a maximum height of thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.140

Second Access.

A Manufactured Home Park shall have at least two (2) vehicle accesses to public streets (one (1) of which may be controlled access as approved by the Fire Department).

(Rep&ReEn 1995-93)

14.15.150

Parking, Loading and Access.

- (1) Each lot, space or site in the RM zone shall have on the same lot, located within the buildable area or an interior side yard, a paved parking area ~~for two (2) vehicles~~ with minimum measurements that comply with Section 14.37.100, Provo City Code. ~~of at least eighteen (18) feet in width by twenty-six (26) feet in length located adjacent to the street, in addition to any required sidewalk. Two (2) parking spaces must be covered by a carport which has a minimum inside dimension of not less than eight and one-half (8 1/2) feet in width by eighteen (18) feet in length for each space. The carport must be architecturally compatible as to style and color and must be professionally installed.~~ Said parking area shall only serve one (1) lot, space or site and shall not be located closer than ten (10) feet from a parking area on an adjacent lot, space or site.
- (2) Visitor parking must be provided throughout the park at one (1) space for each five (5) units. The location of the visitor parking is subject to Planning Commission approval and must be distributed evenly throughout the park.
- (3) No parking is permitted on the street unless the street is wider than twenty-four (24) feet.
- (4) All parking spaces shall be built as described in Section 14.37.090, Provo City Code, provided with a paved ~~concrete~~ access from an approved street, and well maintained.
- (5) In addition to the above requirements, space shall be provided within the park or subdivision for the storage of boats, campers, trailers, and other recreational vehicles, etc. Said spaces shall be provided at a rate of one (1) space for each ten (10) dwelling units. This storage area is to be fully enclosed with a six (6) foot masonry wall, opaque fence or screening material as approved by the Planning Commission.
- (6) ~~When multiple owners exist, P~~rovisions shall be made for perpetual maintenance of said parking facilities through a homeowners association.

(Rep&ReEn 1995-93, Am 2020-09, Am 2021-33)

14.15.160

Building Permits and Business License Required.

- (1) A Building Permit must be obtained from the Building Inspection Division of the City prior to any placement, including relocation of homes within same park, additions, accessory buildings, prior to placement or construction.
- (2) The Park owner must obtain a Business License from the City prior to the occupancy of homes within the park and said license must be renewed on a yearly basis.

(Rep&ReEn 1995-93)

14.15.170

Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code.

(Rep&ReEn 1995-93, Am 2001-10)

14.15.180

Fencing Requirements and Perimeter Buffer Yard.

- (1) Fences ~~six (6)~~ seven (7) feet or less in height ~~shall do~~ not require a building permit. Fences over ~~six (6)~~ seven (7) feet in height must obtain a building permit from the Building Inspection Division. Any fence, wall, screen, hedge or other material serving as a fence, shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the Provo City Traffic Engineer. All interior fencing, if permitted by Park Management, must be consistent with Restrictive Covenants on file and all materials used must be consistent within park.
- (2) A decorative masonry wall, (See Section 14.15.020 - Definitions, Provo City Code), six (6) feet in height is required around the perimeter of the Manufactured Home Park or subdivision where the Manufactured Home Park or subdivision fronts a public street. A decorative masonry wall or an alternative style of fencing six (6) feet in height is required around the remaining per14.15.200, Provo City Code.
- (3) *Grade differences.* Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

(4) *Retaining Walls.* Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

(5) *Double Frontage Lots.* A fence or wall may be erected in the rear yard of a double frontage lot subject to staff review.

(6) *Exceptions.* The provisions of this Section 14.15.180, Provo City Code shall not apply to certain other fences such as tennis court backstops or patio enclosures as approved by the Zoning Administrator, if it is determined that such do not create a hazard or violation of the Provo City Code or other ordinances. All other exceptions must obtain Planning Commission approval. Standards for barbed wire and similar types of fences are listed in Section 9.14.020, Provo City Code, as amended.

(Enacted 1995-93, Am 2021-33)

14.15.190

Entrance Treatments.

The main entrance to the park must be in compliance with the following standards:

(1) *Entryways.* Entry masonry walls to park entrances may not exceed six (6) feet at the highest point, except lamps on pillars, and must comply with the provisions of Section 14.34.100, Provo City Code. Fence pillars shall be allowed to extend up to eighteen (18) inches above the all

owable height of a fence provided that the pillars shall have a minimum spacing of no less than six (6) feet, measured face to face, as approved by the Planning Commission;

(2) Entrance treatments shall include a monument sign or entrance wall sign stating the name and address of the mobile home park or subdivision not to exceed the height of five (5) feet. Said sign shall not exceed thirty-two (32) square feet in area; and

(3) Second entrances shall be required as outlined in Section 14.15.140, Provo City Code.

(Enacted 1995-93)

14.15.200

Landscaping Requirements.

See Chapter 15.20, Provo City Code.

(Enacted 1995-93, Am 1999-61)

14.15.210

Signs.

See Chapter 14.38, Provo City Code.

(Enacted 1995-93, Am 2022-43)

14.15.220

Other Requirements.

(1) *Street Standards.* Streets constructed within a Manufactured Home Park shall be provided in such a pattern as to provide convenient traffic circulation within said park. Streets shall be built to the following standards:

- (a) All Manufactured Home Park streets shall have a width of not less than thirty-six (36) feet, including curbs and sidewalks.
- (b) There shall be concrete standard (non-rolled) curbs on each side of all Manufactured Home Park streets. Each curb shall have a width of not less than two (2) feet and shall be designed to minimize an automobile's travel from the street onto the sidewalk (non-rolled), except at designated driveways or at other places required by the Americans with Disability Act (ADA).
- (c) The Manufactured Home Park shall have paved streets in accordance with street paving standards of Provo City.

(2) *Sidewalk Standards.* There shall be concrete sidewalks on each side of all Manufactured Home Park streets. Each sidewalk shall have a width of not less than four (4) feet. An additional pedestrian circulation system may be provided, which can be separate from the street circulation system. Any additional pedestrian system shall be constructed of concrete, be at least four (4) feet in width and shall not be in lieu of the sidewalks required to abut and run parallel with the streets.

(3) *Street Lighting Standards.* Streets shall be lighted in accordance with the requirements of the Provo City Energy Department. Streets within a manufactured home subdivision shall meet all of the public street standards established by Provo City.

(4) *Administrative Office.* Every mobile home park shall include a permanent building for office/administrative use and a Community Center. Said building may include a one-family dwelling for the exclusive use of the owner or manager. This building shall provide adequate square footage for gatherings and recreational purposes to accommodate a minimum of twenty percent (20%) of the residents within the park to meet.

(5) *Laundry Facilities.* Every manufactured home subdivision, park or Recreational Vehicle Park shall have one (1), or more, laundry room equipped with automatic washers and dryers unless every home has its own electrical and water fixtures for laundry.

(6) *Manufactured Home Skirting.* Skirting materials shall be provided entirely around the periphery of a mobile home to conceal the open area beneath the Manufactured home frame. Said skirting materials shall be of durable construction and shall be compatible with the e14.15.020(6), Provo City Code, as amended.

(7) ~~Telephones. A Manufactured Home Park shall contain at least one (1) public telephone for the use of park residents. There shall be no such requirement in a manufactured home subdivision.~~

(8) *Utilities.* All utility distribution facilities, including electrical service and television antenna services, within a Manufactured Home Park or manufactured home subdivision shall be placed underground. Transformers, terminal boxes, meter cabinets, pedestals, and other such necessary appurtenances to the underground facilities may be placed above ground. All Manufactured home

sites and lots, whether within a Manufactured Home Park or manufactured home subdivision, must be served with water, gas, electricity, and City sewer.

(9) Community Television Antenna, Satellite Dish and DSS (Digital) Dish. Individual roof top or outdoor television antennas shall not be permitted in a Manufactured Home Park or manufactured home subdivision within the RM zone. Individual roof top Digital or Satellite Dishes twenty (20) inches or smaller may be located on the rear portion of the home. One (1) single television antenna, Satellite or DSS (Digital) Dishes for community service may be situated within the Manufactured Home Park or within the common areas of a manufactured home subdivision. Said antenna system within a manufactured home subdivision shall become part of the common facilities and shall be maintained in perpetuity in conjunction with the other common open spaces and recreation areas. Small satellite dishes may be placed to the rear of the home.

(10)(8) Porches, Decks and Landings. All porches, landings, which are required to be erected in front of any doorway, must be covered by an awning and be architecturally compatible and professionally installed. This includes all structures over twenty-four (24) inches in height, with the exception of decks and other similar structures which are detached from the main structure three (3) feet or greater. The minimum size of said porch, deck or landing to be located in front of the main entrance must be eight (8) feet by fourteen (14) feet in size and the required awning must cover said porch as required in this Chapter.

(11)(9) Park Management. Park Management shall have the responsibility set forth as follows:

- (a) The person to whom a license for a Manufactured Home Park is issued shall operate the park in compliance with this Title and regulations issued hereunder and shall provide a

dequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition;

- (b) The park management shall notify park occupants of all applicable provisions of this Title and inform them of their duties and responsibilities under this Title and of Restrictive Covenants approved and filed in the Office of the Utah County Recorder;
- (c) The park management shall supervise the placement of each manufactured home on its space which includes securing its stability and installing all utility connections;
- (d) The park management shall ensure that prior to any manufactured home is located or relocated within the park, a building permit has been obtained as required by the City;
- (e) The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park;
- (f) A member of the park management must reside within the park; and
- (g) If tenant does not maintain property, then park management has the responsibility to bring property into compliance with Restrictive Covenants and Park Rules after a fourteen (14) day notice. A reasonable fee may be collected by park management for work completed.

(Enacted 1995-93, Am 1995-99, Am 1996-72, Am 2021-33)

***ITEM 2** Development Services requests approval of Ordinance Text Amendments to Chapter 14.15 (Residential Manufactured Home Park Zone) to update and clarify standards. Citywide application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240155

Applicant: Development Services

Staff Coordinator: Aaron Ardmore

ALTERNATIVE ACTIONS

1. Continue to a future date to obtain additional information or to further consider information presented. *The next available meeting date is July 10th, 2024, at 6:00 P.M.*
2. **Recommend Denial** of the requested Ordinance Text Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: The RM Zone was established in 1995. Since that time there have been six different amendments to Section 14.15.030 (Permitted Uses). The proposed amendments in this report started with removing a “garage” from permitted uses for the Building and Fire divisions but staff have found several cleanups throughout the chapter to bring forward through this process.

Neighborhood Issues: This is a citywide application, no issues with the proposed amendments have been brought to staff at the time of this report. However, this application began to address safety issues found with illegal building additions in a few RM zones in Provo.

Summary of Key Issues:

Enforcement actions in mobile home parks encouraged staff to review and revise code regulations in the RM Zone.

The most substantive amendments are to remove garages as permitted accessory uses and to update parking regulations for consistency with the current code.

There are several grammar and wording changes that have no substantial impact on the zone.

Staff Recommendation: Staff recommends that the Planning Commission recommend approval of the proposed text amendments to the City Council.

OVERVIEW

Development Services is bringing forward text amendments to the RM Zone code in order to remove garages as a permitted use and to clarify standards throughout the chapter. These changes are being proposed as a result of enforcement actions taking place around the city in some of the mobile home parks with illegally built structures that are creating hazards for the tenants and neighbors.

The purpose of the RM Zone is to have a large tract of land that can have mobile structures placed in designated areas to provide residential communities for mobile homes and modular housing units. Over the years in Provo, some of these parks have been expanded to include permanent structures which create issues with fire code, building code, and HUD standards. The attached amendments look to clarify the standards in these parks to avoid ongoing and future safety issues.

Planning staff reviewed these amendments with the Provo Legal Department and was provided with a number of additional edits to clarify standards and regulations for RM Zones. These include, but are not limited to, grammatical fixes, other code references, and updates to be consistent with other sections of Provo City Code.

STAFF ANALYSIS

With any text amendment staff must review the proposed language against the goals and objectives of the General Plan. Section 14.02.020 of the Provo City Code provides specific criteria for this evaluation. That evaluation is as follows: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for the amendments is to help provide safer development in mobile home parks, restricting additions and structures that sacrifice the safety of mobile homes. Additionally, the more minor changes will help the public to more easily understand the rules and regulations in the RM Zone.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Staff believes that the proposed amendments are the best way to address the above public purpose.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: The proposed amendments help to meet goals of the General Plan, specifically, Chapter 3, goal 3, to “review and revise Provo City Code to make it more consistent and accessible” as well as Chapter 7, goal 5, to “continue to plan and work to mitigate the impacts of emergencies and hazards”.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Staff believes that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff response: Staff believes the only adverse impacts from these amendments would be to mobile park owners/tenants that attempt to obtain building permits for structures that are not allowed by the RM Zone code.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CONCLUSIONS

These proposed amendments are necessary and vital for protecting residents within and adjacent to mobile home parks. The proliferation of illegal structures constructed in some of these parks has created dangerous situations that are currently being remedied. The size of tenant spaces in these parks and the intent of the RM Zone do not lend themselves for garage construction. Cleaning up the RM Zone chapter is an important step to ensuring the intent of the zone is met and safety is secured.

ATTACHMENTS

1. Proposed Amendments

ATTACHMENT 1 – PROPOSED AMMENDMENTS

Chapter 14.15
RM - RESIDENTIAL MANUFACTURED HOME PARK ZONE

Sections:

- 14.15.010** Purpose and Objectives.
- 14.15.020** Definitions.
- 14.15.030** Permitted Uses.
- 14.15.040** Minimum Development Standards.
- 14.15.050** Lot Area.
- 14.15.060** Lot Width.
- 14.15.070** Lot Frontage.
- 14.15.080** Prior Created Lots.
- 14.15.090** Lot Area Per Dwelling.
- 14.15.100** Yard Requirements.
- 14.15.110** Accessory Buildings.
- 14.15.120** Projections into Yards.
- 14.15.130** Building Height.
- 14.15.140** Second Access.
- 14.15.150** Parking, Loading and Access.
- 14.15.160** Building Permits and Business License Required.
- 14.15.170** Project Plan Approval.
- 14.15.180** Fencing Requirements and Perimeter Buffer Yard.
- 14.15.190** Entrance Treatments.
- 14.15.200** Landscaping Requirements.
- 14.15.210** Signs.
- 14.15.220** Other Requirements.

14.15.010

Purpose and Objectives.

The Residential Manufactured Home Park (RM) zone is established to provide a residential environment within the City primarily for the accommodation of manufactured homes and

modular housing units, either within a Manufactured Home Park under one (1) ownership and control, or with a Manufactured Home Subdivision or Manufactured Home Co-op ~~or Planned Unit Development~~, under multiple ownership, where all are controlled by restrictive covenants. The manufactured home residential zone is intended to reflect standards established for five-star parks and become a high quality development. A park should be characterized by attractively landscaped manufactured homes and modular units with amenities comparable to that of any residential ~~planned~~ development. This zone is intended to have a residential density of approximately five (5) to seven (7) units per acre. These provisions are intended to create more attractive and more desirable environments within the residential areas of Provo City. Properties should be located on Arterial or Collector streets with good freeway access or within a reasonable proximity which will permit traffic to utilize the arterial or collector streets subject to City Engineer's recommendation and Planning Commission's approval. A traffic study may be required to determine appropriate locations.

(Rep&ReEn 1995-93)

14.15.020

Definitions.

As used in this Chapter, the following terms shall apply:

"Awning" A shade structure supported by posts or columns and partially supported by a home installed, erected, or used on a lot. Must be architecturally compatible with main home as to color and style, and professionally installed. (See Section 14.15.220, Provo City Code for clarification.)
~~The Awning covering the deck, porch or landing located in front of the main entrance must be a minimum of eight (8) feet by fourteen (14) feet and cover said entrance appropriately.~~

"Community Building" A substantial permanent building providing management offices, indoor recreation areas, toilet facilities, laundry and/or other facilities for use in common by the occupants of the Manufactured Home Parks.

"Decorative Masonry Walls" Walls consisting of brick, or concrete block, with decorative styles that may include but not be limited to the following: Split face, scored, fluted, combed, hi-lite projection shadow wall. The intent is to provide a wall with a pattern(s) that would give

variations to style. A grey cinder block wall is not acceptable unless a sufficient number of decorative blocks are used to provide a pattern subject to Planning Commission's approval. If the wall is required by the Planning Commission to be painted, the paint should [be](#) a type that will resist graffiti or where graffiti could be easily removed.

"Fence" The term shall include any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line. Fences must be architecturally compatible and comply with Restrictive Covenants.

"Manufactured Home" A manufactured home means a transportable factory-built housing [unit](#) constructed on or after June 15, 1976 as defined in Utah Code Annotated, Title 58 Chapter 56, as amended. As used in this Chapter "mobile home" and "manufactured home" have the same meaning.

"Mobile Home" See definition of "Manufactured Home."

"Permit" An official written document issued by the Building Inspection Division, authorizing performance of a specific activity.

"Recreational Vehicles (RV)" Campers, trailers, boats, wave runners, snowmobiles and motor homes, etc. are considered recreational vehicles for the purposes of this Chapter.

"Skirting" A continuation of the facing material of the home, or a decorative masonry, block, brick, vinyl material that is architecturally compatible with [the](#) home and is professionally installed.

(Rep&ReEn 1995-93)

14.15.030

Permitted Uses.

- (1) Those uses or categories of uses as listed herein, and no others, are permitted in the RM 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) Manufactured Home (PD) Performance Development. The Performance Development Overlay Zone may be used in conjunction with the RM Manufactured Home Park Zone, for purposes of accommodating land ownership. However, use of the PD Overlay ~~shall~~may not be construed to allow variations from the normal requirements of this Chapter ~~as to~~regarding setbacks, lot size, lot width etc.

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

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

Use No.	Use Classification
1111	One-family dwelling - detached (See Section 14.34.310, Provo City Code)
1241	Assisted Living Facility, Residential Health Care Facility
1291	Residential Facility for Elderly Persons (See Section 14.34.230, Provo City Code)
1292	Residential f Facility for p Persons with a d Disability (See Section 14.34.230, Provo City Code).

Use No.	Use Classification
1410	Manufactured Home Parks/ Manufactured Home Co-op/ Manufactured Home Planned Unit Development
4700	Communications
4811	Electric transmission right-of-way (Identifies areas where the surfaces 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

Use No.	Use Classification
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)
6910	Religious activities

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

Use No.	Use Classification
1420	Travel Trailer Parks (meeting standards of Chapter 14.39, Provo City Code)
4814	Electricity regulating substations
4818	Small Generation
4829	Other gas utilities, NEC

Use No.	Use Classification
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 under-ground)
6722	Police Protection and related activities, branch (Office only)

(7) *Permitted Accessory Uses.* Accessory uses and structures are permitted in the RM 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, gardening sheds and similar structures (provided they comply with the HUD Code and Section 14.15.110 of the Provo City Code) which are customarily used in conjunction with, and incidental to, a principal use or structure; and
- (b) Household pets, provided that no more than two (2) dogs and two (2) cats six (6) months of age or older shall be kept at any residence or commercial establishment at any time. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

(Rep&ReEn 1995-93, Am 1997-49, Am 1998-07, Am 1998-10, Am 1998-50, Am 2005-18, Am 2021-33)

14.15.040

Minimum Development Standards.

Development standards are established under the provisions of this Chapter and all developments shall conform to the standards and requirements of this Section 14.15.040, Provo City Code.

Development permits shall be granted or denied on the basis of performance measured against development standards adopted in accordance with this Chapter 14.15, Provo City Code, as amended, and on the findings by the Planning Commission as outlined.

(1) *General Standards.*

(a) *SINGLE OWNERSHIP OR CONTROL.* The area proposed for a Manufactured Home Park shall be in one (1) ownership or control during development to provide for full supervision and control of said park, and to ensure conformance with these provisions and all conditions imposed upon the preliminary and final development plans. Mere development agreements between individuals ~~shall~~may not satisfy this requirement. Individual ownership, partnerships, corporations, and other legally recognized entities are acceptable. A Cooperative ownership may be considered by the Planning Commission upon verification of compliance with Utah Code.

(b) *DESIGN TEAM.* The preliminary development plans shall be prepared by a design team composed of a landscape architect and an engineer or land surveyor. Said architect, engineer and land surveyor shall be licensed to practice in the State of Utah.

(c) *SENSITIVE LANDS.* If located in "sensitive lands," "high water table," and/or "floodplain," the project must comply with all provisions of the Sensitive Lands and/or Floodplain sections and chapters of the Provo City Code and other applicable ordinances.

(d) *HOMEOWNERS ASSOCIATION.* When multiple owners exist, A homeowners association must be formed and Restrictive Covenants must be submitted to and approved by Provo City and recorded in the Utah County Recorder's Office prior to or in conjunction with the recording of the final plan. *(See Section 14.15.210, Provo City Code.)*

(e) *RESTRICTIVE COVENANTS.* When required in (d) above, The restrictive covenants must contain provisions regarding landscaping maintenance, parking prohibitions, RV storage, etc., maintenance of homes, yards, noise and pet control, and failure to comply with Restrictive Covenants provides management methods to correct any discrepancies and bill t

he home owner for a reasonable fee. The Covenants shall provide for an Architectural Review Committee to be established within the park to review any homes that are to be placed within the park for compatibility with other homes within said park as to age, appearance, style, etc. These covenants must be approved by the Planning Commission or their representatives. These covenants are considered as a part of the Park rules and may not be modified without noticing and explaining the changes to the home owners and receiving approval from the City.

(f) **TOWING HITCHES/WHEELS.** All towing hitches or devices and wheels must be removed from the manufactured or modular home prior to occupancy of the unit.

(g) **AGE OF HOMES.** Manufactured or Mobile Homes ~~will~~may not be permitted in the park unless:

- (i) It complies with Utah Code Annotated, Title 58, Chapter 56, as amended.
- (ii) ~~Is~~It is not older than five (5) years from date of construction. Any home that is older than five (5) years must be reviewed by an Architectural Review Committee (regulated by the Homeowners Association) and must comply with Standards as established within the approved Restrictive Covenants. These standards shall address issues such as to ~~the~~ style of home, architecture, and other issues which addresses the compatibility of said home with the intent of the Park Regulations, ~~and of the~~ Provo City Code, or other ~~ordinance~~laws.
- (iii) Existing homes can not be removed based on age of structure once structure is approved and complies with current code, unless it is deemed by park management to be noncompliant with Covenants.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.050

Lot Area.

(1) **Area of Zone.** The RM zone shall not be applied to a land area of less than fifteen (15) acres.

(2) *Subdivided Lots or Manufactured Home Spaces.* Each subdivided lot or Manufactured Home Space or parcel of land in the RM zone shall have an area of not less than four thousand five hundred (4,500) square feet.

(Rep&ReEn 1995-93)

14.15.060

Lot Width.

Each lot or parcel of land in the RM zone or each individual space within a Manufactured Home Park shall have a minimum average width of not less than fifty (50) feet.

(Rep&ReEn 1995-93)

14.15.070

Lot Frontage.

Each site or space in a Manufactured Home Park shall abut a paved, private or public street constructed to standards required by this Chapter for the distance of thirty-five (35) feet, on a line parallel to the center of said street or along the circumference of a cul-de-sac improved to standards approved by the Provo City Planning Commission.

(Rep&ReEn 1995-93)

14.15.080

Prior Created Lots.

Lots or parcels of land which were created prior to the effective date of this Chapter, (November 26, 1995), shall have the RM zone applied to them only if they meet the minimum area requirements set forth in this Chapter. Manufactured Home Parks existing prior to the above date may have the RM zone applied to them and shall not be denied occupancy of

spaces and use of facilities solely because of non-conformance to the provisions of this Chapter.

(Rep&ReEn 1995-93)

14.15.090

Lot Area Per Dwelling.

Not more than one (1) manufactured home or modular housing unit shall be placed upon each lot, parcel of land or space in a Manufactured home subdivision or park approved under the provisions of this Chapter.

(Rep&ReEn 1995-93)

14.15.100

Yard Requirements.

The following yard requirements shall apply to all lots, parcels or spaces in a Manufactured Home Park or subdivision: (Note: All setbacks are measured from the property line or approved Manufactured home space.)

- (1) *Front Yard.* Each lot, parcel site or space in the RM zone shall have a front yard of not less than ten (10) feet;
- (2) *Side Yard.* Except as provided in Subsections (3), (4), and (5) of this Section, each lot, parcel, site or space in a Manufactured home subdivision or Manufactured Home Park shall have a side yard of at least six (6) feet;
- (3) *Side Yard - Corner Lot.* On corner lots or spaces, the side yard contiguous to a private street shall not be less than ten (10) feet; except that when the side yard is adjacent to a public street which is not within the Manufactured Home Park or Manufactured home subdivision, the side yard adjacent to said street shall be twenty (20) feet. This side yard shall not be used for vehicle parking;

(4) *Side Yard - Driveway.* When used for access to a ~~garage~~, carport, or a parking area, a side yard shall be wide enough to provide an unobstructed, ~~eighteen (18)~~twelve (12) foot, paved driveway; and

(5) *Rear Yard.* Each lot, parcel, space, or site shall have a rear yard of not less than ten (10) feet in depth.

(Rep&ReEn 1995-93)

14.15.110

Accessory Buildings.

An Accessory building may be located in the rear or interior side yard setback area if the following conditions are met:

- (1) Only one (1) accessory structure is permitted on said lot, space or site;
- (2) Said structure may not be larger than twelve (12) feet high;
- (3) The structure may not have more than two hundred (200) square feet in area; and
- (4) ~~Any structure greater than one hundred twenty (120) square feet in area requires a building permit; and~~
- (5)(4) ~~To~~ The structure needs to be of uniform design provided by the park.

(Rep&ReEn 1995-93)

14.15.120

Projections into Yards.

The following structures may be erected on or projected into any required yard in the RM zone:

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

- (2) Landscape elements including trees, shrubs, agricultural crops and other plants which do not hinder the movement of the manufactured home in or out of manufactured home spaces;
- (3) Necessary appurtenances for utility service;
- (4) Awnings, decks, carports that are open on three (3) sides may project into any yard (except street side yards on corner lots) no closer than three (3) feet from said property line or required sidewalk, whichever is closer, of said lot or space; and
- (5) Required sidewalks which abut and run parallel with streets.

(Rep&ReEn 1995-93)

14.15.130
Building Height.

No lot or parcel of land in the RM zone shall have a building or structure which exceeds a height of fifteen (15) feet with the exception of club houses with a maximum height of thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.140
Second Access.

A Manufactured Home Park shall have at least two (2) vehicle accesses to public streets (one (1) of which may be controlled access as approved by the Fire Department).

(Rep&ReEn 1995-93)

14.15.150

Parking, Loading and Access.

- (1) Each lot, space or site in the RM zone shall have on the same lot, located within the buildable area or an interior side yard, a paved parking area **for two (2) vehicles** with minimum measurements that comply with Section 14.37.100, Provo City Code, ~~of at least eighteen (18) feet in width by twenty-six (26) feet in length located adjacent to the street, in addition to any required sidewalk. Two (2) parking spaces must be covered by a carport which has a minimum inside dimension of not less than eight and one-half (8 1/2) feet in width by eighteen (18) feet in length for each space. The carport must be architecturally compatible as to style and color and must be professionally installed.~~ Said parking area shall only serve one (1) lot, space or site and shall not be located closer than ten (10) feet from a parking area on an adjacent lot, space or site.
- (2) Visitor parking must be provided throughout the park at one (1) space for each five (5) units. The location of the visitor parking is subject to Planning Commission approval and must be distributed evenly throughout the park.
- (3) No parking is permitted on the street unless the street is wider than twenty-four (24) feet.
- (4) All parking spaces shall be built as described in Section 14.37.090, Provo City Code, provided with a paved **concrete** access from an approved street, and well maintained.
- (5) In addition to the above requirements, space shall be provided within the park or subdivision for the storage of boats, campers, trailers, and other recreational vehicles, etc. Said spaces shall be provided at a rate of one (1) space for each ten (10) dwelling units. This storage area is to be fully enclosed with a six (6) foot masonry wall, opaque fence or screening material as approved by the Planning Commission.
- (6) **When multiple owners exist, P**rovisions shall be made for perpetual maintenance of said parking facilities through a homeowners association.

(Rep&ReEn 1995-93, Am 2020-09, Am 2021-33)

14.15.160

Building Permits and Business License Required.

- (1) A Building Permit must be obtained from the Building Inspection Division of the City prior to any placement, including relocation of homes within same park, additions, accessory buildings, prior to placement or construction.
- (2) The Park owner must obtain a Business License from the City prior to the occupancy of homes within the park and said license must be renewed on a yearly basis.

(Rep&ReEn 1995-93)

14.15.170

Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code.

(Rep&ReEn 1995-93, Am 2001-10)

14.15.180

Fencing Requirements and Perimeter Buffer Yard.

- (1) Fences ~~six (6)~~ seven (7) feet or less in height ~~shall~~do not require a building permit. Fences over ~~six (6)~~ seven (7) feet in height must obtain a building permit from the Building Inspection Division. Any fence, wall, screen, hedge or other material serving as a fence, shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the Provo City Traffic Engineer. All interior fencing, if permitted by Park Management, must be consistent with Restrictive Covenants on file and all materials used must be consistent within park.
- (2) A decorative masonry wall, (See Section 14.15.020 - Definitions, Provo City Code), six (6) feet in height is required around the perimeter of the Manufactured Home Park or subdivision where the Manufactured Home Park or subdivision fronts a public street. A decorative masonry wall or an alternative style of fencing six (6) feet in height is required around the remaining per14.15.200, Provo City Code.
- (3) *Grade differences.* Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

(4) *Retaining Walls.* Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

(5) *Double Frontage Lots.* A fence or wall may be erected in the rear yard of a double frontage lot subject to staff review.

(6) *Exceptions.* The provisions of this Section 14.15.180, Provo City Code shall not apply to certain other fences such as tennis court backstops or patio enclosures as approved by the Zoning Administrator, if it is determined that such do not create a hazard or violation of the Provo City Code or other ordinances. All other exceptions must obtain Planning Commission approval. Standards for barbed wire and similar types of fences are listed in Section 9.14.020, Provo City Code, as amended.

(Enacted 1995-93, Am 2021-33)

14.15.190 Entrance Treatments.

The main entrance to the park must be in compliance with the following standards:

(1) *Entryways.* Entry masonry walls to park entrances may not exceed six (6) feet at the highest point, except lamps on pillars, and must comply with the provisions of Section 14.34.100, Provo City Code. Fence pillars shall be allowed to extend up to eighteen (18) inches above the all

owable height of a fence provided that the pillars shall have a minimum spacing of no less than six (6) feet, measured face to face, as approved by the Planning Commission;

(2) Entrance treatments shall include a monument sign or entrance wall sign stating the name and address of the mobile home park or subdivision not to exceed the height of five (5) feet. Said sign shall not exceed thirty-two (32) square feet in area; and

(3) Second entrances shall be required as outlined in Section 14.15.140, Provo City Code.

(Enacted 1995-93)

14.15.200

Landscaping Requirements.

See Chapter 15.20, Provo City Code.

(Enacted 1995-93, Am 1999-61)

14.15.210

Signs.

See Chapter 14.38, Provo City Code.

(Enacted 1995-93, Am 2022-43)

14.15.220

Other Requirements.

(1) *Street Standards.* Streets constructed within a Manufactured Home Park shall be provided in such a pattern as to provide convenient traffic circulation within said park. Streets shall be built to the following standards:

- (a) All Manufactured Home Park streets shall have a width of not less than thirty-six (36) feet, including curbs and sidewalks.
- (b) There shall be concrete standard (non-rolled) curbs on each side of all Manufactured Home Park streets. Each curb shall have a width of not less than two (2) feet and shall be designed to minimize an automobile's travel from the street onto the sidewalk (non-rolled), except at designated driveways or at other places required by the Americans with Disability Act (ADA).
- (c) The Manufactured Home Park shall have paved streets in accordance with street paving standards of Provo City.

(2) *Sidewalk Standards.* There shall be concrete sidewalks on each side of all Manufactured Home Park streets. Each sidewalk shall have a width of not less than four (4) feet. An additional pedestrian circulation system may be provided, which can be separate from the street circulation system. Any additional pedestrian system shall be constructed of concrete, be at least four (4) feet in width and shall not be in lieu of the sidewalks required to abut and run parallel with the streets.

(3) *Street Lighting Standards.* Streets shall be lighted in accordance with the requirements of the Provo City Energy Department. Streets within a manufactured home subdivision shall meet all of the public street standards established by Provo City.

(4) *Administrative Office.* Every mobile home park shall include a permanent building for office/administrative use and a Community Center. Said building may include a one-family dwelling for the exclusive use of the owner or manager. This building shall provide adequate square footage for gatherings and recreational purposes to accommodate a minimum of twenty percent (20%) of the residents within the park to meet.

(5) *Laundry Facilities.* Every manufactured home subdivision, park or Recreational Vehicle Park shall have one (1), or more, laundry room equipped with automatic washers and dryers unless every home has its own electrical and water fixtures for laundry.

(6) *Manufactured Home Skirting.* Skirting materials shall be provided entirely around the periphery of a mobile home to conceal the open area beneath the Manufactured home frame. Said skirting materials shall be of durable construction and shall be compatible with the e14.15.020(6), Provo City Code, as amended.

(7) *Telephones.* A Manufactured Home Park shall contain at least one (1) public telephone for the use of park residents. There shall be no such requirement in a manufactured home subdivision.

(8) *Utilities.* All utility distribution facilities, including electrical service and television antenna services, within a Manufactured Home Park or manufactured home subdivision shall be placed underground. Transformers, terminal boxes, meter cabinets, pedestals, and other such necessary appurtenances to the underground facilities may be placed above ground. All Manufactured home

sites and lots, whether within a Manufactured Home Park or manufactured home subdivision, must be served with water, gas, electricity, and City sewer.

(9) ~~Community Television Antenna, Satellite Dish and DSS (Digital) Dish. Individual roof top or outdoor television antennas shall not be permitted in a Manufactured Home Park or manufactured home subdivision within the RM zone. Individual roof top Digital or Satellite Dishes twenty (20) inches or smaller may be located on the rear portion of the home. One (1) single television antenna, Satellite or DSS (Digital) Dishes for community service may be situated within the Manufactured Home Park or within the common areas of a manufactured home subdivision. Said antenna system within a manufactured home subdivision shall become part of the common facilities and shall be maintained in perpetuity in conjunction with the other common open spaces and recreation areas. Small satellite dishes may be placed to the rear of the home.~~

(10)(8) *Porches, Decks and Landings.* All porches, landings, which are required to be erected in front of any doorway, must be covered by an awning and be architecturally compatible and professionally installed. This includes all structures over twenty-four (24) inches in height, with the exception of decks and other similar structures which are detached from the main structure three (3) feet or greater. The minimum size of said porch, deck or landing to be located in front of the main entrance must be eight (8) feet by fourteen (14) feet in size and the required awning must cover said porch as required in this Chapter.

(11)(9) *Park Management.* Park Management shall have the responsibility set forth as follows:

- (a) The person to whom a license for a Manufactured Home Park is issued shall operate the park in compliance with this Title and regulations issued hereunder and shall provide a

dequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition;

- (b) The park management shall notify park occupants of all applicable provisions of this Title and inform them of their duties and responsibilities under this Title and of Restrictive Covenants approved and filed in the Office of the Utah County Recorder;
- (c) The park management shall supervise the placement of each manufactured home on its space which includes securing its stability and installing all utility connections;
- (d) The park management shall ~~ensure~~ that prior to any manufactured home is located or relocated within the park, a building permit has been obtained as required by the City;
- (e) The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park;
- (f) A member of the park management must reside within the park; and
- (g) If tenant does not maintain property, then park management has the responsibility to bring property into compliance with Restrictive Covenants and Park Rules after a fourteen (14) day notice. A reasonable fee may be collected by park management for work completed.

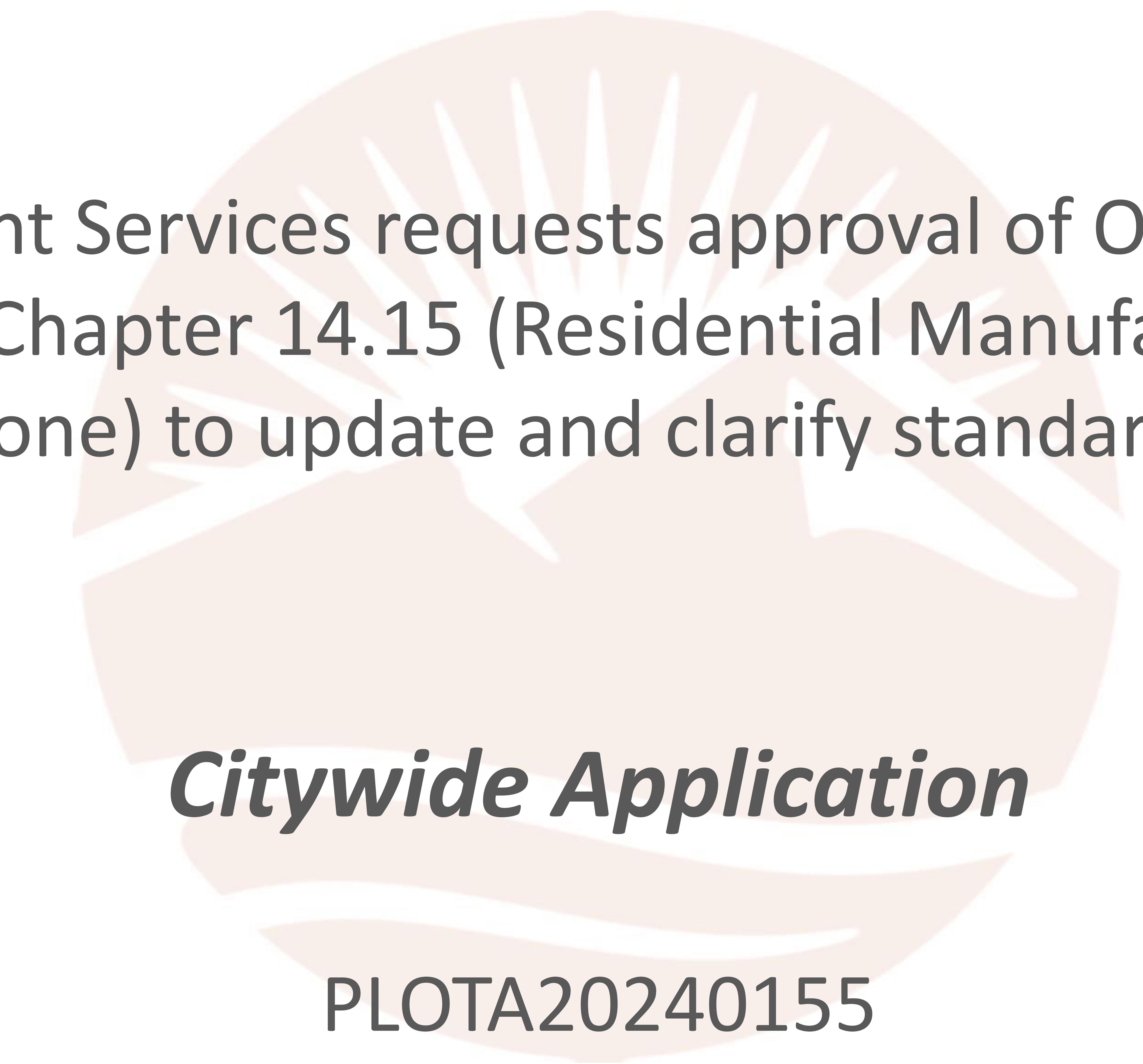
(Enacted 1995-93, Am 1995-99, Am 1996-72, Am 2021-33)



WELCOME HOME

City Council

August 6, 2024



Development Services requests approval of Ordinance Text Amendments to Chapter 14.15 (Residential Manufactured Home Park Zone) to update and clarify standards.

Citywide Application

PLOTA20240155

Chapter 14.15 OTA

- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

Chapter 14.15

RM - RESIDENTIAL MANUFACTURED HOME PARK ZONE

Sections:

- 14.15.010 Purpose and Objectives.
- 14.15.020 Definitions.
- 14.15.030 Permitted Uses.
- 14.15.040 Minimum Development Standards.
- 14.15.050 Lot Area.
- 14.15.060 Lot Width.
- 14.15.070 Lot Frontage.
- 14.15.080 Prior Created Lots.
- 14.15.090 Lot Area Per Dwelling.
- 14.15.100 Yard Requirements.
- 14.15.110 Accessory Buildings.
- 14.15.120 Projections into Yards.
- 14.15.130 Building Height.
- 14.15.140 Second Access.
- 14.15.150 Parking, Loading and Access.
- 14.15.160 Building Permits and Business License Required.
- 14.15.170 Project Plan Approval.
- 14.15.180 Fencing Requirements and Perimeter Buffer Yard.
- 14.15.190 Entrance Treatments.
- 14.15.200 Landscaping Requirements.
- 14.15.210 Signs.
- 14.15.220 Other Requirements.

14.15.010

Purpose and Objectives.

The Residential Manufactured Home Park (RM) zone is established to provide a residential environment within the City primarily for the accommodation of manufactured homes and

modular housing units, either within a Manufactured Home Park under one (1) ownership and control, or with a Manufactured Home Subdivision or Manufactured Home Co-op or ~~Planned Unit Development~~, under multiple ownership, where all are controlled by restrictive covenants. The manufactured home residential zone is intended to reflect standards established for five-star parks and become a high quality development. A park should be characterized by attractively landscaped manufactured homes and modular units with amenities comparable to that of any residential ~~planned~~ development. This zone is intended to have a residential density of approximately five (5) to seven (7) units per acre. These provisions are intended to create more attractive and more desirable environments within the residential areas of Provo City. Properties should be located on Arterial or Collector streets with good freeway access or within a reasonable proximity which will permit traffic to utilize the arterial or collector streets subject to City Engineer's recommendation and Planning Commission's approval. A traffic study may be required to determine appropriate locations.

(Rep&ReEn 1995-93)

14.15.020

Definitions.

As used in this Chapter, the following terms shall apply:

"Awning" A shade structure supported by posts or columns and partially supported by a home installed, erected, or used on a lot. Must be architecturally compatible with main home as to color and style, and professionally installed. (See Section 14.15.220, Provo City Code for clarification.)

~~The Awning covering the deck, porch or landing located in front of the main entrance must be a minimum of eight (8) feet by fourteen (14) feet and cover said entrance appropriately.~~

"Community Building" A substantial permanent building providing management offices, indoor recreation areas, toilet facilities, laundry and/or other facilities for use in common by the occupants of the Manufactured Home Parks.

"Decorative Masonry Walls" Walls consisting of brick, or concrete block, with decorative styles that may include but not be limited to the following: Split face, scored, fluted, combed, hi-lite projection shadow wall. The intent is to provide a wall with a pattern(s) that would give

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variations to style. A grey cinder block wall is not acceptable unless a sufficient number of decorative blocks are used to provide a pattern subject to Planning Commission's approval. If the wall is required by the Planning Commission to be painted, the paint should be a type that will resist graffiti or where graffiti could be easily removed.

"Fence" The term shall include any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line. Fences must be architecturally compatible and comply with Restrictive Covenants.

"Manufactured Home" A manufactured home means a transportable factory-built housing unit constructed on or after June 15, 1976 as defined in Utah Code Annotated, Title 58 Chapter 56, as amended. As used in this Chapter "mobile home" and "manufactured home" have the same meaning.

"Mobile Home" See definition of "Manufactured Home."

"Permit" An official written document issued by the Building Inspection Division, authorizing performance of a specific activity.

"Recreational Vehicles (RV)" Campers, trailers, boats, wave runners, snowmobiles and motor homes, etc. are considered recreational vehicles for the purposes of this Chapter.

"Skirting" A continuation of the facing material of the home, or a decorative masonry, block, brick, vinyl material that is architecturally compatible with the home and is professionally installed.

(Rep&ReEn 1995-93)

14.15.030

Permitted Uses.

- (1) Those uses or categories of uses as listed herein, and no others, are permitted in the RM 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) Manufactured Home (PD) Performance Development. The Performance Development Overlay Zone may be used in conjunction with the RM Manufactured Home Park Zone, for purposes of accommodating land ownership. However, use of the PD Overlay ~~shall~~ may not be construed to allow variations from the normal requirements of this Chapter ~~as to~~ regarding setbacks, lot size, lot width etc.

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

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

Use No.	Use Classification
1111	One-family dwelling - detached (See Section 14.34.310, Provo City Code)
1241	Assisted Living Facility, Residential Health Care Facility
1291	Residential Facility for Elderly Persons (See Section 14.34.230, Provo City Code)
1292	Residential f Facility for p Persons with a d Disability (See Section 14.34.230, Provo City Code).

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- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

Use No.	Use Classification	Use No.	Use Classification
1410	Manufactured Home Parks/ Manufactured Home Co-op/ Manufactured Home Planned Unit Development	4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4700	Communications	4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4811	Electric transmission right-of-way (Identifies areas where the surfaces devoted exclusively to the right-of- way of the activity)	6910	Religious activities
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)	(6) <i>Conditional Uses.</i> The following uses and structures are permitted in the RM zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.	
4824	Gas pressure control stations	1420	Travel Trailer Parks (meeting standards of Chapter 14.39, Provo City Code)
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)	4814	Electricity regulating substations
4835	Irrigation distribution channels	4818	Small Generation
4836	Water pressure control stations and pumping plants	4829	Other gas utilities, NEC
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)		
4844	Sewage pumping stations		

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- Reasons for the changes:

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Use No.	Use Classification
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 under-ground)
6722	Police Protection and related activities, branch (Office only)

(7) *Permitted Accessory Uses.* Accessory uses and structures are permitted in the RM 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:

- Accessory buildings such as ~~garages~~, carports, gardening sheds and similar structures (provided they comply with the HUD Code and Section 14.15.110 of the Provo City Code) which are customarily used in conjunction with, and incidental to, a principal use or structure; and
- Household pets, provided that no more than two (2) dogs and two (2) cats six (6) months of age or older shall be kept at any residence or commercial establishment at any time. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort or endangering the health and safety of any person or property.

(Rep&ReEn 1995-93, Am 1997-49, Am 1998-07, Am 1998-10, Am 1998-50, Am 2005-18, Am 2021-33)

14.15.040

Minimum Development Standards.

Development standards are established under the provisions of this Chapter and all developments shall conform to the standards and requirements of this Section 14.15.040, Provo City Code. Development permits shall be granted or denied on the basis of performance measured against development standards adopted in accordance with this Chapter 14.15, Provo City Code, as amended, and on the findings by the Planning Commission as outlined.

(1) *General Standards.*

(a) *SINGLE OWNERSHIP OR CONTROL.* The area proposed for a Manufactured Home Park shall be in one (1) ownership or control during development to provide for full supervision and control of said park, and to ~~ensure~~ ensure conformance with these provisions and all conditions imposed upon the preliminary and final development plans. Mere development agreements between individuals ~~shall~~ may not satisfy this requirement. Individual ownership, partnerships, corporations, and other legally recognized entities are acceptable. A Cooperative ownership may be considered by the Planning Commission upon verification of compliance with Utah Code.

(b) *DESIGN TEAM.* The preliminary development plans shall be prepared by a design team composed of a landscape architect and an engineer or land surveyor. Said architect, engineer and land surveyor shall be licensed to practice in the State of Utah.

(c) *SENSITIVE LANDS.* If located in "sensitive lands," "high water table," and/or "floodplain," the project must comply with all provisions of the Sensitive Lands and/or Floodplain sections and chapters of the Provo City Code and other applicable ordinances.

(d) *HOMEOWNERS ASSOCIATION.* When multiple owners exist, A home owners association must be formed and Restrictive Covenants must be submitted to and approved by Provo City and recorded in the Utah County Recorder's Office prior to or in conjunction with the recording of the final plan. (See Section 14.15.210, Provo City Code.)

(e) *RESTRICTIVE COVENANTS.* When required in (d) above, The restrictive covenants must contain provisions regarding landscaping maintenance, parking prohibitions, RV storage, etc., maintenance of homes, yards, noise and pet control, and failure to comply with Restrictive Covenants provides management methods to correct any discrepancies and bill t

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he home owner for a reasonable fee. The Covenants shall provide for an Architectural Review Committee to be established within the park to review any homes that are to be placed within the park for compatibility with other homes within said park as to age, appearance, style, etc. These covenants must be approved by the Planning Commission or their representatives. These covenants are considered as a part of the Park rules and may not be modified without noticing and explaining the changes to the home owners and receiving approval from the City.

(f) **TOWING HITCHES/WHEELS.** All towing hitches or devices and wheels must be removed from the manufactured or modular home prior to occupancy of the unit.

(g) **AGE OF HOMES.** Manufactured or Mobile Homes ~~will~~may not be permitted in the park unless:

(i) It complies with Utah Code Annotated, Title 58, Chapter 56, as amended.

(ii) ~~Is~~It is not older than five (5) years from date of construction. Any home that is older than five (5) years must be reviewed by an Architectural Review Committee (regulated by the Homeowners Association) and must comply with Standards as established within the approved Restrictive Covenants. These standards shall address issues such as to ~~the~~ style of home, architecture, and other issues which addresses the compatibility of said home with the intent of the Park Regulations, ~~and of the~~ Provo City Code, or other ~~ordinance~~laws.

(iii) Existing homes can not be removed based on age of structure once structure is approved and complies with current code, unless it is deemed by park management to be noncompliant with Covenants.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.050 Lot Area.

(1) **Area of Zone.** The RM zone shall not be applied to a land area of less than fifteen (15) acres.

(2) **Subdivided Lots or Manufactured Home Spaces.** Each subdivided lot or Manufactured Home Space or parcel of land in the RM zone shall have an area of not less than four thousand five hundred (4,500) square feet.

(Rep&ReEn 1995-93)

14.15.060 Lot Width.

Each lot or parcel of land in the RM zone or each individual space within a Manufactured Home Park shall have a minimum average width of not less than fifty (50) feet.

(Rep&ReEn 1995-93)

14.15.070 Lot Frontage.

Each site or space in a Manufactured Home Park shall abut a paved, private or public street constructed to standards required by this Chapter for the distance of thirty-five (35) feet, on a line parallel to the center of said street or along the circumference of a cul-de-sac improved to standards approved by the Provo City Planning Commission.

(Rep&ReEn 1995-93)

14.15.080 Prior Created Lots.

Lots or parcels of land which were created prior to the effective date of this Chapter, (November 26, 1995), shall have the RM zone applied to them only if they meet the minimum area requirements set forth in this Chapter. Manufactured Home Parks existing prior to the above date may have the RM zone applied to them and shall not be denied occupancy of

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(Rep&ReEn 1995-93)

14.15.090

Lot Area Per Dwelling.

Not more than one (1) manufactured home or modular housing unit shall be placed upon each lot, parcel of land or space in a Manufactured home subdivision or park approved under the provisions of this Chapter.

(Rep&ReEn 1995-93)

14.15.100

Yard Requirements.

The following yard requirements shall apply to all lots, parcels or spaces in a Manufactured Home Park or subdivision: (Note: All setbacks are measured from the property line or approved Manufactured home space.)

- (1) *Front Yard.* Each lot, parcel site or space in the RM zone shall have a front yard of not less than ten (10) feet;
- (2) *Side Yard.* Except as provided in Subsections (3), (4), and (5) of this Section, each lot, parcel, site or space in a Manufactured home subdivision or Manufactured Home Park shall have a side yard of at least six (6) feet;
- (3) *Side Yard - Corner Lot.* On corner lots or spaces, the side yard contiguous to a private street shall not be less than ten (10) feet; except that when the side yard is adjacent to a public street which is not within the Manufactured Home Park or Manufactured home subdivision, the side yard adjacent to said street shall be twenty (20) feet. This side yard shall not be used for vehicle parking;

(4) *Side Yard - Driveway.* When used for access to a ~~garage~~, carport, or a parking area, a side yard shall be wide enough to provide an unobstructed, ~~eighteen (18)~~twelve (12) foot, paved driveway; and

(5) *Rear Yard.* Each lot, parcel, space, or site shall have a rear yard of not less than ten (10) feet in depth.

(Rep&ReEn 1995-93)

14.15.110

Accessory Buildings.

An Accessory building may be located in the rear or interior side yard setback area if the following conditions are met:

- (1) Only one (1) accessory structure is permitted on said lot, space or site;
- (2) Said structure may not be larger than twelve (12) feet high;
- (3) The structure may not have more than two hundred (200) square feet in area; and
- (4) ~~Any structure greater than one hundred twenty (120) square feet in area requires a building permit; and~~
- (5) ~~4) To~~ The structure needs to be of uniform design provided by the park.

(Rep&ReEn 1995-93)

14.15.120

Projections into Yards.

The following structures may be erected on or projected into any required yard in the RM zone:

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

Chapter 14.15 OTA

- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

(2) Landscape elements including trees, shrubs, agricultural crops and other plants which do not hinder the movement of the manufactured home in or out of manufactured home spaces;

(3) Necessary appurtenances for utility service;

(4) Awnings, decks, carports that are open on three (3) sides may project into any yard (except street side yards on corner lots) no closer than three (3) feet from said property line or required sidewalk, whichever is closer, of said lot or space; and

(5) Required sidewalks which abut and run parallel with streets.

(Rep&ReEn 1995-93)

14.15.130

Building Height.

No lot or parcel of land in the RM zone shall have a building or structure which exceeds a height of fifteen (15) feet with the exception of club houses with a maximum height of thirty-five (35) feet. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

(Rep&ReEn 1995-93, Am 2021-33)

14.15.140

Second Access.

A Manufactured Home Park shall have at least two (2) vehicle accesses to public streets (one (1) of which may be controlled access as approved by the Fire Department).

(Rep&ReEn 1995-93)

14.15.150

Parking, Loading and Access.

(1) Each lot, space or site in the RM zone shall have on the same lot, located within the buildable area or an interior side yard, a paved parking area **for two (2) vehicles** with minimum measurements **that comply with Section 14.37.100, Provo City Code. of at least eighteen (18) feet in width by twenty-six (26) feet in length located adjacent to the street, in addition to any required sidewalk. Two (2) parking spaces must be covered by a carport which has a minimum inside dimension of not less than eight and one-half (8 1/2) feet in width by eighteen (18) feet in length for each space. The carport must be architecturally compatible as to style and color and must be professionally installed.** Said parking area shall only serve one (1) lot, space or site and shall not be located closer than ten (10) feet from a parking area on an adjacent lot, space or site.

(2) Visitor parking must be provided throughout the park at one (1) space for each five (5) units. The location of the visitor parking is subject to Planning Commission approval and must be distributed evenly throughout the park.

(3) No parking is permitted on the street unless the street is wider than twenty-four (24) feet.

(4) All parking spaces shall be built as described in Section 14.37.090, Provo City Code, provided with a paved **concrete** access from an approved street, and well maintained.

(5) In addition to the above requirements, space shall be provided within the park or subdivision for the storage of boats, campers, trailers, and other recreational vehicles, etc. Said spaces shall be provided at a rate of one (1) space for each ten (10) dwelling units. This storage area is to be fully enclosed with a six (6) foot masonry wall, opaque fence or screening material as approved by the Planning Commission.

(6) **When multiple owners exist, P**rovisions shall be made for perpetual maintenance of said parking facilities through a homeowners association.

(Rep&ReEn 1995-93, Am 2020-09, Am 2021-33)

Chapter 14.15 OTA

- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

14.15.160

Building Permits and Business License Required.

(1) A Building Permit must be obtained from the Building Inspection Division of the City prior to any placement, including relocation of homes within same park, additions, accessory buildings, prior to placement or construction.

(2) The Park owner must obtain a Business License from the City prior to the occupancy of homes within the park and said license must be renewed on a yearly basis.

(Rep&ReEn 1995-93)

(4) *Retaining Walls.* Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

(5) *Double Frontage Lots.* A fence or wall may be erected in the rear yard of a double frontage lot subject to staff review.

(6) *Exceptions.* The provisions of this Section 14.15.180, Provo City Code shall not apply to certain other fences such as tennis court backstops or patio enclosures as approved by the Zoning Administrator, if it is determined that such do not create a hazard or violation of the Provo City Code or other ordinances. All other exceptions must obtain Planning Commission approval. Standards for barbed wire and similar types of fences are listed in Section 9.14.020, Provo City Code, as amended.

(Enacted 1995-93, Am 2021-33)

14.15.170

Project Plan Approval.

See Sections 15.03.300 and 15.03.310, Provo City Code.

(Rep&ReEn 1995-93, Am 2001-10)

14.15.190

Entrance Treatments.

The main entrance to the park must be in compliance with the following standards:

(1) *Entryways.* Entry masonry walls to park entrances may not exceed six (6) feet at the highest point, except lamps on pillars, and must comply with the provisions of Section 14.34.100, Provo City Code. Fence pillars shall be allowed to extend up to eighteen (18) inches above the all

14.15.180

Fencing Requirements and Perimeter Buffer Yard.

(1) Fences ~~six (6)~~ seven (7) feet or less in height ~~shall~~do not require a building permit. Fences over ~~six (6)~~ seven (7) feet in height must obtain a building permit from the Building Inspection Division.

Any fence, wall, screen, hedge or other material serving as a fence, shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the Provo City Traffic Engineer. All interior fencing, if permitted by Park Management, must be consistent with Restrictive Covenants on file and all materials used must be consistent within park.

(2) A decorative masonry wall, (See Section 14.15.020 - Definitions, Provo City Code), six (6) feet in height is required around the perimeter of the Manufactured Home Park or subdivision where the Manufactured Home Park or subdivision fronts a public street. A decorative masonry wall or an alternative style of fencing six (6) feet in height is required around the remaining per14.15.200, Provo City Code.

(3) *Grade differences.* Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

Chapter 14.15 OTA

- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

owable height of a fence provided that the pillars shall have a minimum spacing of no less than six (6) feet, measured face to face, as approved by the Planning Commission;

- (2) Entrance treatments shall include a monument sign or entrance wall sign stating the name and address of the mobile home park or subdivision not to exceed the height of five (5) feet. Said sign shall not exceed thirty-two (32) square feet in area; and
- (3) Second entrances shall be required as outlined in Section 14.15.140, Provo City Code.

(Enacted 1995-93)

14.15.200

Landscaping Requirements.

See Chapter 15.20, Provo City Code.

(Enacted 1995-93, Am 1999-61)

14.15.210

Signs.

See Chapter 14.38, Provo City Code.

(Enacted 1995-93, Am 2022-43)

14.15.220

Other Requirements.

- (1) *Street Standards.* Streets constructed within a Manufactured Home Park shall be provided in such a pattern as to provide convenient traffic circulation within said park. Streets shall be built to the following standards:

(a) All Manufactured Home Park streets shall have a width of not less than thirty-six (36) feet, including curbs and sidewalks.

(b) There shall be concrete standard (non-rolled) curbs on each side of all Manufactured Home Park streets. Each curb shall have a width of not less than two (2) feet and shall be designed to minimize an automobile's travel from the street onto the sidewalk (non-rolled), except at designated driveways or at other places required by the Americans with Disability Act (ADA).

(c) The Manufactured Home Park shall have paved streets in accordance with street paving standards of Provo City.

(2) *Sidewalk Standards.* There shall be concrete sidewalks on each side of all Manufactured Home Park streets. Each sidewalk shall have a width of not less than four (4) feet. An additional pedestrian circulation system may be provided, which can be separate from the street circulation system. Any additional pedestrian system shall be constructed of concrete, be at least four (4) feet in width and shall not be in lieu of the sidewalks required to abut and run parallel with the streets.

(3) *Street Lighting Standards.* Streets shall be lighted in accordance with the requirements of the Provo City Energy Department. Streets within a manufactured home subdivision shall meet all of the public street standards established by Provo City.

(4) *Administrative Office.* Every mobile home park shall include a permanent building for office/administrative use and a Community Center. Said building may include a one-family dwelling for the exclusive use of the owner or manager. This building shall provide adequate square footage for gatherings and recreational purposes to accommodate a minimum of twenty percent (20%) of the residents within the park to meet.

(5) *Laundry Facilities.* Every manufactured home subdivision, park or Recreational Vehicle Park shall have one (1), or more, laundry room equipped with automatic washers and dryers unless every home has its own electrical and water fixtures for laundry.

(6) *Manufactured Home Skirting.* Skirting materials shall be provided entirely around the periphery of a mobile home to conceal the open area beneath the Manufactured home frame. Said skirting materials shall be of durable construction and shall be compatible with the e14.15.020(6), Provo City Code, as amended.

(7) ~~Telephones. A Manufactured Home Park shall contain at least one (1) public telephone for the use of park residents. There shall be no such requirement in a manufactured home subdivision.~~

(8) ~~Utilities.~~ All utility distribution facilities, including electrical service and television antenna services, within a Manufactured Home Park or manufactured home subdivision shall be placed underground. Transformers, terminal boxes, meter cabinets, pedestals, and other such necessary appurtenances to the underground facilities may be placed above ground. All Manufactured home

Chapter 14.15 OTA

- Reasons for the changes:

1. Recent enforcement actions from Development Services and Fire in mobile home parks.
2. Updates, cleanups, and grammar corrections.

sites and lots, whether within a Manufactured Home Park or manufactured home subdivision, must be served with water, gas, electricity, and City sewer.

~~(9) Community Television Antenna, Satellite Dish and DSS (Digital) Dish. Individual roof top or outdoor television antennas shall not be permitted in a Manufactured Home Park or manufactured home subdivision within the RM zone. Individual roof top Digital or Satellite Dishes twenty (20) inches or smaller may be located on the rear portion of the home. One (1) single television antenna, Satellite or DSS (Digital) Dishes for community service may be situated within the Manufactured Home Park or within the common areas of a manufactured home subdivision. Said antenna system within a manufactured home subdivision shall become part of the common facilities and shall be maintained in perpetuity in conjunction with the other common open spaces and recreation areas. Small satellite dishes may be placed to the rear of the home.~~

~~(10)(8) Porches, Decks and Landings.~~ All porches, landings, which are required to be erected in front of any doorway, must be covered by an awning and be architecturally compatible and professionally installed. This includes all structures over twenty-four (24) inches in height, with the exception of decks and other similar structures which are detached from the main structure three (3) feet or greater. The minimum size of said porch, deck or landing to be located in front of the main entrance must be eight (8) feet by fourteen (14) feet in size and the required awning must cover said porch as required in this Chapter.

~~(11)(9) Park Management.~~ Park Management shall have the responsibility set forth as follows:

- (a) The person to whom a license for a Manufactured Home Park is issued shall operate the park in compliance with this Title and regulations issued hereunder and shall provide a

dequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition;

- (b) The park management shall notify park occupants of all applicable provisions of this Title and inform them of their duties and responsibilities under this Title and of Restrictive Covenants approved and filed in the Office of the Utah County Recorder;
- (c) The park management shall supervise the placement of each manufactured home on its space which includes securing its stability and installing all utility connections;
- (d) The park management shall ensure that prior to any manufactured home is located or relocated within the park, a building permit has been obtained as required by the City;
- (e) The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park;
- (f) A member of the park management must reside within the park; and
- (g) If tenant does not maintain property, then park management has the responsibility to bring property into compliance with Restrictive Covenants and Park Rules after a fourteen (14) day notice. A reasonable fee may be collected by park management for work completed.

(Enacted 1995-93, Am 1995-99, Am 1996-72, Am 2021-33)

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: AARDMORE
Department: Development Services
Requested Meeting Date: 08-06-2024

SUBJECT: An ordinance amending Provo City Code regarding parking requirements in the Mixed-Use Zones; citywide application (PLOTA20240173)

RECOMMENDATION: Staff recommends that the City Council approve the proposed text amendment.

BACKGROUND: Development Services is proposing a text amendment to the Mixed-Use Zones Parking Loading and Access section (14.14D.110) to remove the automatic twenty-five percent (25%) parking reduction that is currently given. This change is being proposed to correct

an issue that has been found in the use of the zone. While staff had hoped that the zone would be used for a more walkable community with a variety of uses, the application of it seems to be closer to a residential zone with a commercial tenant. This approach to the zone, along with the areas of the city that it is being used in, cannot justify an automatic parking reduction. Suburban areas that are not walkable and have limited mass transit services would not justify a significant reduction in parking by-right.

Additionally, suburban locations would have the most potential for spillover parking to impact residential neighborhoods.

While staff encourage the most efficient use of land without large surface parking lots, the tools in Section 14.37.050 and 14.37.080 that allow for parking reductions and joint parking use between uses can satisfy this goal on a case-by-case basis, without unintentionally creating parking problems with an automatic reduction.

FISCAL IMPACT: None

PRESENTER'S NAME: Aaron Ardmore

REQUESTED DURATION OF PRESENTATION: 5 minutes (both meetings).

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

The following guidelines shall be used to determine consistency with the General Plan: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for this amendment is to ensure that development in the MU zones provides sufficient parking for all users.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Staff believe that the proposed amendment is the best solution for the stated purpose above.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: This amendment will help to meet the goals of the General Plan. Specifically, Chapter 3, goal 4, to “utilize and update standards to further establish Provo as an attractive, healthy, and high-functioning city” and Chapter 6, goal 3, to “find the right balance of parking to promote the local economy”.

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

Staff response: Staff believe that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff response: There should be no adverse impacts on adjacent landowners with this amendment, and it should bring potentially positive results to neighbors of mixed-use developments.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CITYVIEW OR ISSUE FILE NUMBER: PLOTA20240173

ORDINANCE 2024- _____.

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING SECTION 14.14D.110 (PARKING REQUIREMENTS, LOADING, AND ACCESS) IN THE MIXED-USE ZONES. CITYWIDE APPLICATION. (PLOTA202401643) (24-____)

RECITALS:

It is proposed that Provo City Code SectionTitle 14.14D.110 be amended regarding parking requirements for the Mixed-Use Zones; and

On June 26th, 2024, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 8:0; and

On August 6th, 2024, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

Provo City Code SectionTitle 14.14D.110 is hereby amended as set forth below in

14.14D 110 Parking, Loading, and Access

(1) Each lot or parcel in the Mixed-Use zones need only provide seventy-five percent (75%) of the must provide required off-street parking as set forth in Chapter 14.37, Provo City Code.

37
38 PART II:
39

40 A. If a provision of this ordinance conflicts with a provision of a previously adopted
41 ordinance, this ordinance prevails.
42
43 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
44 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
45 the ordinance is not affected by that determination.
46
47 C. This ordinance takes effect immediately after it has been posted or published in accordance
48 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
49 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.
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51 D. The Municipal Council directs that the official copy of Provo City Code be updated to
52 reflect the provisions enacted by this ordinance.
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EXHIBIT A

98 **14.14D.110 Parking, Loading, and Access.**

99 ~~(1) Each lot or parcel in the Mixed Use zones need only provide seventy-five percent (75%) of~~
100 ~~the must provide required off street parking as set forth in Chapter 14.37, Provo City Code.~~

101 ~~... (2) Shared use of parking may be allowed if the Planning Commissions deems it suitable. A~~
102 ~~parking study is required if seeking this option.~~

103 ~~(3) Parking must be located behind the main building. In no case may parking be located~~
104 ~~between the building and a public street.~~

105 ~~(4) A parking agreement may be entered into with a property owner who owns a parking garage~~
106 ~~within one (1) block of the development to supplement the required parking. This agreement~~
107 ~~must be notarized and recorded at Utah County.~~

108 ~~(5) Structured parking is not permitted above the minimum habitable floor area along primary~~
109 ~~streets.~~

110 ~~(6) At grade parking shall be wrapped by habitable space except at entrance and exit points.~~

111

Commented [AB1]: I am suggesting that we remove the exhibit for such short language and include the amendment in the ordinance.

Provo City Planning Commission

Report of Action

June 26, 2024

***ITEM 4** Development Services request an Ordinance Text Amendment to Section 14.14D.110 (Mixed Use Zones Parking, Loading, and Access) to remove the parking reduction from the Mixed-Use Zones. Citywide application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240173

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 26, 2024:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Robert Knudsen

Second By: Lisa Jensen

Votes in Favor of Motion: Robert Knudsen, Lisa Jensen, Barbara DeSoto, Daniel Gonzales, Jonathon Hill, Jeff Whitlock, Andrew South, Adam Shin

Daniel Gonzales was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.

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: None.

APPLICANT RESPONSE

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

- Staff responded to questions from the Commission on reasons for the change, examples of the use of the MU Zone, and what other tools are still available for developers to use to reduce parking in a project.
- Staff indicated that parking would be a subject that gets careful attention with the ongoing Title 14 re-write.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Whitlock confirmed that mixed-use projects can still achieve the 75% reduction with the available tools in Chapter 14.37.
- Commissioner Shin verified that there are other zones (DT1, DT2, ITOD) that still give an automatic parking discount.
- The Commission discussed tools to reduce parking and why the MU Zones aren't being used in the areas they were intended to be applied to.
- Commissioner DeSoto expressed a desire to have staff look at parking regulations and find opportunities to reduce parking supply, as appropriate.
- Commissioner Whitlock shared his thoughts that the city should be consistent with parking regulations and believes that more mixed-use with lower parking spaces can help maintenance budgets for the city. These concerns were echoed by other commissioners.



Planning Commission Chair



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 Development Services, 445 W Center St, 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

14.14D.110 Parking, Loading, and Access.

- (1) Each lot or parcel in the Mixed-Use zones ~~need only provide seventy-five percent (75%) of~~ the must provide required off-street parking as set forth in Chapter [14.37](#), Provo City Code.
- (2) Shared use of parking may be allowed if the Planning Commissions deems it suitable. A parking study is required if seeking this option.
- (3) Parking must be located behind the main building. In no case may parking be located between the building and a public street.
- (4) A parking agreement may be entered into with a property owner who owns a parking garage within one (1) block of the development to supplement the required parking. This agreement must be notarized and recorded at Utah County.
- (5) Structured parking is not permitted above the minimum habitable floor area along primary streets.
- (6) At grade parking shall be wrapped by habitable space except at entrance and exit points.

(Enacted 2022-28)

Planning Commission Hearing Staff Report

Hearing Date: June 26, 2024

***ITEM 4** Development Services request an Ordinance Text Amendment to Section 14.14D.110 (Mixed Use Zones Parking, Loading, and Access) to remove the parking reduction from the Mixed-Use Zones. Citywide Application. Aaron Ardmore (801) 852-6404
aardmore@provo.org PLOTA20240173

Applicant: Development Services

Staff Coordinator: Aaron Ardmore

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is July 10th, 2024, at 6:00 P.M.*
2. **Recommend Denial** of the requested Ordinance Text Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: Chapter 14.14D (Mixed Use Zones) was enacted in 2022 to provide zones that can meet the future land use plans within the General Plan. The zone has been applied once since its adoption, and other developers are now looking to use the zone in southwest Provo. Staff found that the use of the zone has been and is anticipated to be used in areas that can't justify an automatic parking reduction, so this amendment was brought forward.

Neighborhood Issues: Staff have not received any feedback on this amendment request, but the public hearings for the one use of the zone showed concerns about sufficient parking in the concept plan.

Summary of Key Issues:

The mixed use zones are anticipated to be used in more residential areas without the walkability needed for an automatic 25% parking reduction. Staff found that the initial use of the zone showed a lack of sufficient parking in concept plans. Developers will still have the ability to request parking reductions through Section 14.37.050 and 14.37.080, Provo City Code.

Staff Recommendation: Staff recommend that the Planning Commission recommend approval of the proposed text amendment to the City Council.

OVERVIEW

Development Services is proposing a text amendment to the Mixed-Use Zones Parking Loading and Access section (14.14D.110) to remove the automatic twenty-five percent (25%) parking reduction that is currently given. This change is being proposed to correct an issue that has been found in the use of the zone. While staff had hoped that the zone would be used for a more walkable community with a variety of uses, the application of it seems to be closer to a residential zone with a commercial tenant. This approach to the zone, along with the areas of the city that it is being used in, cannot justify an automatic parking reduction. Suburban areas that are not walkable and have limited mass transit services would not justify a significant reduction in parking by-right. Additionally, suburban locations would have the most potential for spillover parking to impact residential neighborhoods.

While staff encourage the most efficient use of land without large surface parking lots, the tools in Section 14.37.050 and 14.37.080 that allow for parking reductions and joint parking use between uses can satisfy this goal on a case-by-case basis, without unintentionally creating parking problems with an automatic reduction.

STAFF ANALYSIS

To analyze this amendment staff will use the criteria in Section 14.02.020, as follows:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for this amendment is to ensure that development in the MU zones provides sufficient parking for all users.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Staff believe that the proposed amendment is the best solution for the stated purpose above.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: This amendment will help to meet the goals of the General Plan. Specifically, Chapter 3, goal 4, to “utilize and update standards to further establish Provo as an attractive, healthy, and high-functioning city” and Chapter 6, goal 3, to “find the right balance of parking to promote the local economy”.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Staff believe that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff response: There should be no adverse impacts on adjacent landowners with this amendment, and it should bring potentially positive results to neighbors of mixed-use developments.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CONCLUSIONS

Development Services have created somewhat new regulations with the Mixed Use Zones, and after seeing a few examples of what type of development the zone could bring, would hope to make this adjustment to the parking regulations to ensure that mixed-use developments provide sufficient parking for all the users of the site. The ability to still be creative with parking is provided in Chapter 14.37, which gives staff the confidence to propose this amendment.

ATTACHMENTS

1. Proposed Amendment

ATTACHMENT 1 – PROPOSED AMMENDMENT

Section 14.14D.110, Provo City Code, Parking, Loading, and Access

Page 1 of 1

14.14D.110 Parking, Loading, and Access.

- (1) Each lot or parcel in the Mixed-Use zones ~~need only provide seventy-five percent (75%) of~~ the must provide required off-street parking as set forth in Chapter [14.37](#), Provo City Code.
- (2) Shared use of parking may be allowed if the Planning Commissions deems it suitable. A parking study is required if seeking this option.
- (3) Parking must be located behind the main building. In no case may parking be located between the building and a public street.
- (4) A parking agreement may be entered into with a property owner who owns a parking garage within one (1) block of the development to supplement the required parking. This agreement must be notarized and recorded at Utah County.
- (5) Structured parking is not permitted above the minimum habitable floor area along primary streets.
- (6) At grade parking shall be wrapped by habitable space except at entrance and exit points.

(Enacted 2022-28)



WELCOME HOME

City Council

August 6, 2024



Development Services request an Ordinance Text Amendment to Section 14.14D.110 (Mixed Use Zones Parking, Loading, and Access) to remove the parking reduction from the Mixed-Use Zones.

Citywide Application

PLOTA20240173

Section 14.14D.110 OTA

- **Reasons for the change:**

1. Use of Mixed Use Zones has not warranted automatic parking reduction.
2. Areas of application appear to be more suburban, not as walkable.
3. Developers can still request reductions through 14.37.050 and 14.37.080.

14.14D.110 Parking, Loading, and Access.

- (1) Each lot or parcel in the Mixed-Use zones ~~need only provide seventy-five percent (75%) of~~ the must provide required off-street parking as set forth in Chapter [14.37](#), Provo City Code.
- (2) Shared use of parking may be allowed if the Planning Commissions deems it suitable. A parking study is required if seeking this option.
- (3) Parking must be located behind the main building. In no case may parking be located between the building and a public street.
- (4) A parking agreement may be entered into with a property owner who owns a parking garage within one (1) block of the development to supplement the required parking. This agreement must be notarized and recorded at Utah County.
- (5) Structured parking is not permitted above the minimum habitable floor area along primary streets.
- (6) At grade parking shall be wrapped by habitable space except at entrance and exit points.

(Enacted 2022-28)

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: AARDMORE
Department: Development Services
Requested Meeting Date: 08-06-2024

SUBJECT: An ordinance amending On-premises Short Hold Time Electronic Display Sign standards; citywide application (PLOTA20240164)

RECOMMENDATION: That the City Council approves the proposed text amendment.

BACKGROUND: Liisa Hancock, in representing the Medical Center Company LLC owners, requests an ordinance text amendment to the sign code to add additional area where on-premises short hold electronic display signs would be permitted. The LLC, which has a building at 1355 North University Avenue, has expressed a desire to have this type of sign permitted so the multiple tenants can better advertise on a rotating display in front of its building. Adding this area to the existing standards of Section 14.38.025 would bring in an additional five (5) properties permitted to have a short hold electronic display sign through this corridor, since the underlying zone would still restrict the residential properties along this section of University Avenue from this sign type. The CVS and Panda Express in this corridor already have the sign permitted, fronting Cougar Blvd.

FISCAL IMPACT: None

PRESENTER'S NAME: Aaron Ardmore

REQUESTED DURATION OF PRESENTATION: 5 minutes (work) / 10 minutes (council)

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

The following is that analysis from the applicant, and then from staff: (applicant response in italics, (staff response in bold)

(a) Public purpose for the amendment in question.

Applicant Response: To “provide those individuals living, working, traversing through and using restaurant and retail areas in the BYU [area] knowledge of services available within a couple of blocks.” To allow the public to benefit from nearby Provo businesses.

Staff response: The public purposes stated by the applicant are valid and are supported by staff.

(b) Confirmation that the public purpose is best served by the amendment in question.

Applicant Response: The current sign allowances are insufficient for the number of businesses within the medical building at 1355 N University Ave. Allowing this change allows all the businesses in the area to have equal opportunities for advertising.

Staff response: Staff believes that the proposed amendment is the best way to address the above public purpose, and that by making the change, allows businesses to advertise on a level playing field.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Applicant Response: The General Plan Chapter 3 recognizes purpose to “strive for development that will create places for individuals, families, businesses, and institutions to thrive” and “promot[ing] safe and convenient walkability and bikeability where possible.” Also, Chapter 5 identifies the goal to “strive for a resilient and vibrant economy that supports good jobs and a high quality of life for all residents”. And finally, page 53 acknowledges that “removing unnecessary code requirements and policy impediments can be key in making sure Provo has a healthy and prosperous economic environment.”

Staff response: The proposed amendments help to meet goals of the General Plan, specifically, Chapter 3, goal 3, to “review and revise Provo City Code to make it more consistent and accessible” as well as the above stated goals referenced by the applicant.

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

Staff response: Staff believes that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Applicant Response: “The amendment has minimal impact on adjacent landowners. The high-density housing to the back is not impacted because the sign placement will front University Avenue. The neighbors to the south are located in the LZ3 lighting zone.”

Staff response: Staff agrees with the above statement from the applicant on potential impacts.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Confirmed.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CITYVIEW OR ISSUE FILE NUMBER: PLOTA20240164

ORDINANCE 2024-____.

AN ORDINANCE AMENDING ~~PROVO CITY CODE SECTION 14.38.025~~ (ON-PREMISES SHORT HOLD TIME ELECTRONIC DISPLAY SIGN STANDARDS). CITYWIDE APPLICATION. (PLOTA20240164) (24-____)

RECITALS:

It is proposed that Provo City Code SectionTitle 14.38.025 be amended regarding locations for short hold electronic display signs-; and

On July 10th, 2024, the Planning Commission held a public hearing to consider the proposed amendment, and after the hearing, the Planning Commission recommended approval to the Municipal Council by a vote of 4:0; **and**

On August 6th, 2024, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

Provo City Code SectionTitle 14.38.025 is hereby amended as set forth below in exhibit

A:

14.38.025 On-Premises Short Hold Time Electronic Display Sign Standards.

(1) On-premises short hold time electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2, FI, MP, PIC and PF zones which have frontage on the following streets and locations:

(a) University Parkway, from 100 West northwesterly to the boundary line of the City of Provo;

(b) North State Street, from Cougar Boulevard (1230 North Street) northwesterly to 1720 North;

43

44 (c) Cougar Boulevard, from Canyon Road (200 East) westward to North State
45 Street;

46

47 (d) Freedom Boulevard, from 100 North northward to University Parkway;

48

49 (e) 820 North Street, from I-15 eastward to 1350 West Street;

50

51 (f) Draper lane from 820 North to 600 South;

52

53 (g) University Avenue, from 600 South southward to Lakeview Parkway (1860
54 South);

55

56 (h) 4800 North from Provo River to University Avenue;

57

58 (i) Towne Centre Boulevard; ~~and~~

59

60 (j) University Avenue from 4800 North to 5200 North; and

61

62 (k) University Avenue from Cougar Boulevard northward to University Parkway.

63

64

65 PART II:

66

67 A. If a provision of this ordinance conflicts with a provision of a previously adopted
68 ordinance, this ordinance prevails.

69

70 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
71 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
72 the ordinance is not affected by that determination.

73

74 C. This ordinance takes effect immediately after it has been posted or published in accordance
75 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
76 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

77

78 D. The Municipal Council directs that the official copy of Provo City Code be updated to
79 reflect the provisions enacted by this ordinance.

Provo City Planning Commission

Report of Action

July 10, 2024

***Item 2** Liisa Hancock requests an Ordinance Text Amendment to Section 14.38.025 (On-Premises Short Hold Time Electronic Display Sign Standards) to add allowance on University Avenue between Cougar Blvd and University Pkwy. Carterville Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240164

The following action was taken by the Planning Commission on the above described item at its regular meeting of July 10, 2024:

RECOMMENDED APPROVAL

On a vote of 4:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Adam Shin

Second By: Barbara DeSoto

Votes in Favor of Motion: Adam Shin, Barbara DeSoto, Jeff Whitlock, Jonathon Hill
(Melissa Kendall abstained)

Jeff Whitlock was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

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.

- Staff responded to questions from the Commission on other areas of the city that allow electronic signs of this type.
- Staff summarized restrictions for the sign in response to questions from Planning Commissioners.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting will be held on 08/21/2024.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.

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:

- An email from Anna Smith was received after the staff report was written indicating concerns for the proposal due to safety concerns associated with electronic signage.

APPLICANT RESPONSE

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

- Liisa Hancock described that the sign will be placed on the south side of the frontage, away from the residential zones to the north.
- Ms. Hancock also gave an overview of the request and justification for the proposal.
- Mitch Adams (a tenant in the building at 1355 N) described his need for the sign.
- Brad Holmes (manager of the 1355 N building) detailed the use of the building and justification for the sign.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Jonathon Hill recommended that the city look at making the allowances for electronic signs more consistent and standardized to help the public and staff to understand where they are permitted.
- The Commission discussed the proposal, that the applicant had addressed all the concerns, and that the proposal will have a very limited impact and seems to be consistent with the area.



Planning Commission Chair



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 Development Services Department, 445 W Center Street, 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

14.38.025 On-Premises Short Hold Time Electronic Display Sign Standards.

(1) On-premises short hold time electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets and locations:

- (a) University Parkway, from 100 West northwesterly to the boundary line of the City of Provo;
- (b) North State Street, from Cougar Boulevard (1230 North Street) northwesterly to 1720 North;
- (c) Cougar Boulevard, from Canyon Road (200 East) westward to North State Street;
- (d) Freedom Boulevard, from 100 North northward to University Parkway;
- (e) 820 North Street, from I-15 eastward to 1350 West Street;
- (f) Draper Lane from 820 North to 600 South;
- (g) University Avenue, from 600 South southward to Lakeview Parkway (1860 South);
- (h) 4800 North from Provo River to University Avenue;
- (i) Towne Centre Boulevard; ~~and~~
- (j) University Avenue from 4800 North to 5200 North; and
- (k) University Avenue from Cougar Boulevard northward to University Parkway.

***ITEM 2** Liisa Hancock requests an Ordinance Text Amendment to Section 14.38.025 (On-Premises Short Hold Time Electronic Display Sign Standards) to add allowance on University Avenue between Cougar Blvd and University Pkwy. Carterville Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240164

Applicant: Liisa Hancock

Staff Coordinator: Aaron Ardmore

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is August 14, 2024 at 6:00 P.M.*
2. **Recommend Denial** of the requested ordinance text amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Relevant History: Section 14.38.025 was enacted in 2013, amended in 2018, and again in 2021. Both 2018 and 2021 amendments were to adjust areas where on-premises short hold electronic display signs are permitted. This subject proposed amendment came about after speaking with the applicant on the best way to allow the businesses along University Avenue to install electronic displays.

Neighborhood Issues: Staff have not been made aware of any issues at the time of this report. The request is set to be on the August 21st Neighborhood District Meeting, after the City Council hearing on August 6th. Due to this timing the district has been notified on social media to send comments to staff and/or attend these public hearings.

Summary of Key Issues:

- The request is to add a 1/3 mile section of University Ave. (from 1230 N to University Pkwy) to areas that permit short hold electronic displays.
- The result would allow an additional five properties access to this sign type.
- Staff believes this area is appropriate for the requested amendment.

Staff Recommendation: Staff recommend that the Planning Commission recommend approval of the proposed amendment to the City Council.

OVERVIEW

Liisa Hancock, in representing the Medical Center Company LLC owners, requests an ordinance text amendment to the sign code to add additional area where on-premises short hold electronic display signs would be permitted.

The LLC, which has a building at 1355 North University Avenue, has expressed a desire to have this type of sign permitted so the multiple tenants can better advertise on a rotating display in front of its building.

Adding this area to the existing standards of Section 14.38.025 would bring in an additional five (5) properties permitted to have a short hold electronic display sign through this corridor, since the underlying zone would still restrict the residential properties along this section of University Avenue from this sign type. The CVS and Panda Express in this corridor already have the sign permitted, fronting Cougar Blvd.

STAFF ANALYSIS

To ensure that the proposed amendment is consistent with the General Plan of the city, staff have analyzed the proposal against the criteria in Section 14.02.020. The following is that analysis from the applicant, and then from staff: (applicant response in *italics*, staff response in **bold**)

(a) Public purpose for the amendment in question.

Applicant Response: To "provide those individuals living, working, traversing through and using restaurant and retail areas in the BYU [area] knowledge of services available within a couple of blocks." To allow the public to benefit from nearby Provo businesses.

Staff response: The public purposes stated by the applicant are valid and are supported by staff.

(b) Confirmation that the public purpose is best served by the amendment in question.

Applicant Response: The current sign allowances are insufficient for the number of businesses within the medical building at 1355 N University Ave. Allowing this change allows all the businesses in the area to have equal opportunities for advertising.

Staff response: Staff believes that the proposed amendment is the best way to address the above public purpose, and that by making the change, allows businesses to advertise on a level playing field.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Applicant Response: *The General Plan Chapter 3 recognizes purpose to “strive for development that will create places for individuals, families, businesses, and institutions to thrive” and “promot[ing] safe and convenient walkability and bikeability where possible.” Also, Chapter 5 identifies the goal to “strive for a resilient and vibrant economy that supports good jobs and a high quality of life for all residents”. And finally, page 53 acknowledges that “removing unnecessary code requirements and policy impediments can be key in making sure Provo has a healthy and prosperous economic environment.”*

Staff response: **The proposed amendments help to meet goals of the General Plan, specifically, Chapter 3, goal 3, to “review and revise Provo City Code to make it more consistent and accessible” as well as the above stated goals referenced by the applicant.**

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan’s articulated policies.

Staff response: Staff believes that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Applicant Response: *“The amendment has minimal impact on adjacent landowners. The high-density housing to the back is not impacted because the sign placement will front University Avenue. The neighbors to the south are located in the LZ3 lighting zone.”*

Staff response: Staff agrees with the above statement from the applicant on potential impacts.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Confirmed.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

APPLICABLE ZONING CODES

14.38.025 On-Premises Short Hold Time Electronic Display Sign Standards.

(1) On-premises short hold time electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets and locations:

- (a) University Parkway, from 100 West northwesterly to the boundary line of the City of Provo;
- (b) North State Street, from Cougar Boulevard (1230 North Street) northwesterly to 1720 North;
- (c) Cougar Boulevard, from Canyon Road (200 East) westward to North State Street;
- (d) Freedom Boulevard, from 100 North northward to University Parkway;
- (e) 820 North Street, from I-15 eastward to 1350 West Street;
- (f) Draper Lane from 820 North to 600 South;
- (g) University Avenue, from 600 South southward to Lakeview Parkway (1860 South);
- (h) 4800 North from Provo River to University Avenue;
- (i) Towne Centre Boulevard; and
- (j) University Avenue from 4800 North to 5200 North.

(2) Properties described in Subsection [\(1\)](#) of this Section that have frontage along Interstate 15 (I-15) shall not have any on-premises short hold time electronic display signs located closer than one thousand two hundred (1,200) feet from another on-premises short hold time electronic display sign.

(3) All short hold time electronic display signs shall be subject to the following requirements:

- (a) Comply with all other provisions of the respective zoning districts as set forth in this Title, including all sign regulations described in this Chapter.

- (b) Comply with all the provisions of Chapter [6.06](#), Provo City Code, regarding minimum hold times and use of electronic display signs by a business.
- (c) Prior to the issuance of any permit for construction or conversion, the owner shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the illumination and brightness standards found in Chapter [6.06](#), Provo City Code.

Chapter 6.06

USE OF ELECTRONIC SIGNS

Sections:

- 6.06.010 [Scope.](#)**
- 6.06.015 [Lighting Zones.](#)**
- 6.06.020 [Hold Time and Transitions.](#)**
- 6.06.030 [Brightness.](#)**

6.06.010

Scope.

Any business operating an on-premises electronic display sign shall comply with the requirements of this Chapter in order to qualify for a business license.

(Enacted 2018-06, Am 2021-12, Am 2021-45)

6.06.015

Lighting Zones.

For purposes of regulating hold times and brightness of electronic display signs, three (3) lighting zones within the City are designated:

LZ1: Low ambient light. This zone consists of all areas within the zones listed in Section [14.38.010\(3\)](#), Provo City Code, where on-premises electronic display signs are prohibited.

LZ2: Moderate ambient light. This zone is for primarily mixed-use areas and consists of all areas that are not designated as being in the LZ1 or LZ3 zones.

LZ3: Moderately high ambient light. This zone is for business district street sections and consists of those areas that are specifically listed in Section [14.38.025\(1\)](#), Provo City Code.

(Enacted 2021-45)

6.06.020

Hold Time and Transitions.

(1) The minimum hold time for an electronic display sign is the minimum amount of time that a message must be displayed before transitioning to a new message. The minimum hold time for all on-premises electronic display signs in the LZ2 lighting zone is one (1) hour.

(2) The minimum hold time for an on-premises electronic display sign in the LZ3 lighting zone shall be:

- (a) Eight (8) seconds for a sign adjacent to and facing Interstate 15;
- (b) Fifteen (15) seconds for a sign located in an SC3 zone and associated with a commercial building housing twenty (20) or more different tenants; and
- (c) One (1) minute for all other signs in the LZ3 zone that are not described in Subsection [\(2\)\(a\)](#) or [\(2\)\(b\)](#) of this Section.

(3) The images and messages displayed shall be static, and the transition from one (1) static display to another shall be instantaneous with no special effects or the transition may provide a black screen for at least one (1) second.

(4) Electronic display signs shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out in any manner imitating movement, or any other means not providing constant illumination.

(5) An electronic display sign that was in operation prior to May 28, 2013, is not subject to the requirements of this Section so long as the sign is not replaced, reconstructed, upgraded, moved, or otherwise substantially changed.

(Enacted 2018-06, Am 2021-12, Am 2021-45)

6.06.030

Brightness.

- (1) The following nighttime brightness standards shall apply beginning thirty (30) minutes after sunset and ending thirty (30) minutes before sunrise. No electronic display sign shall exceed a nighttime brightness level of two hundred (200) candelas per square meter (nits) in the LZ2 lighting zone or three hundred (300) candelas per square meter (nits) in the LZ3 lighting zone.
- (2) Notwithstanding Subsection [\(1\)](#) of this Section, signs adjacent to and facing Interstate 15 are exempt from the nighttime brightness standard.
- (3) Prior to the issuance or renewal of a business license, the owner of an electronic display sign shall provide the City with a certification from the sign manufacturer stating that the sign is capable of complying with the above brightness provisions.
- (4) An electronic display sign that was in operation prior to May 28, 2013, and that is not reasonably capable of complying with the brightness standards in this Section is not subject to the requirements of this Section so long as the sign is not replaced, reconstructed, upgraded, moved, or otherwise substantially changed.

(Enacted 2018-06, Am 2021-45)

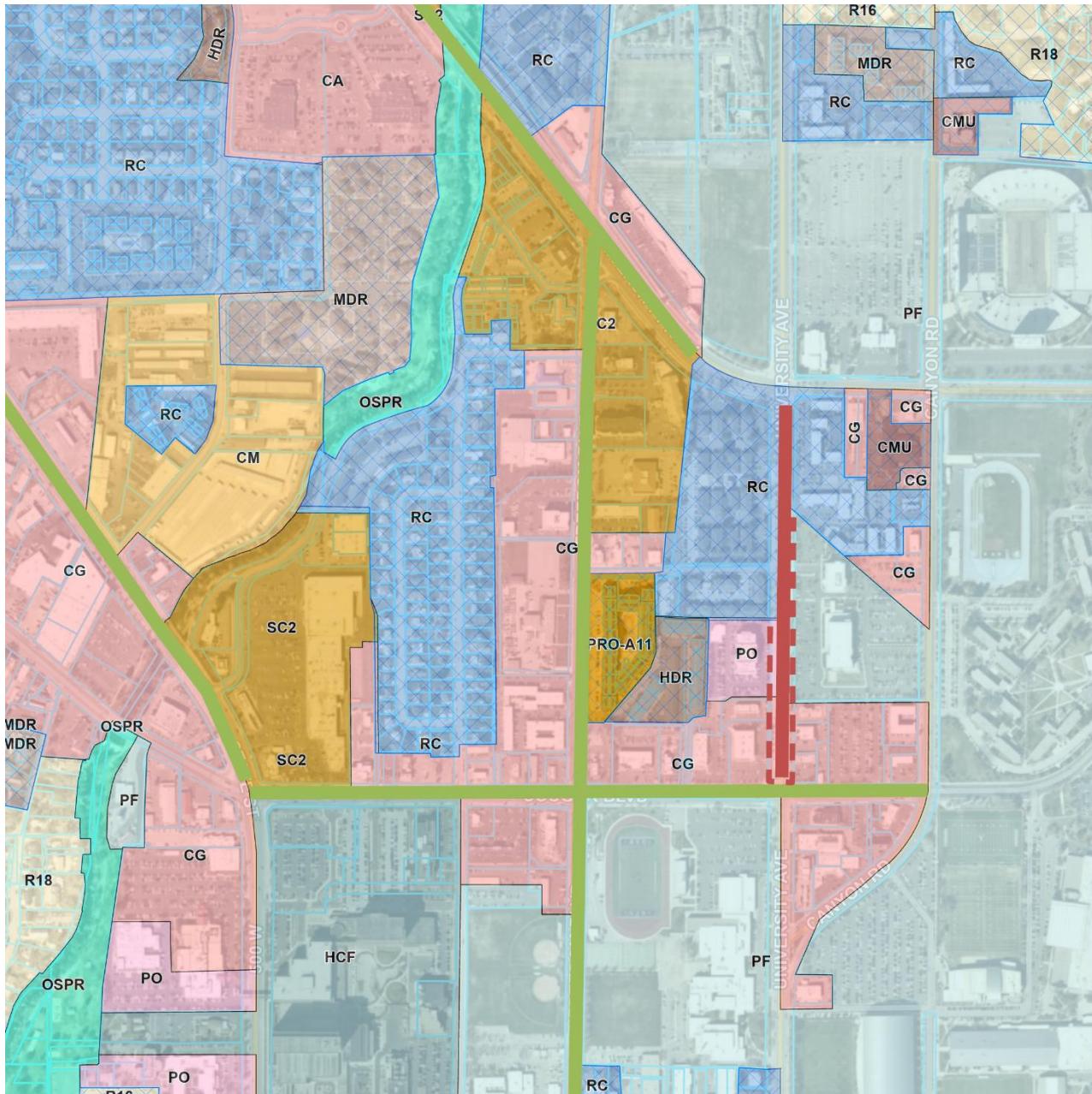
CONCLUSIONS

Staff believe the proposed amendment is appropriate and will benefit the businesses in this corridor without opening short hold electronic displays to areas that would be inappropriate or have negative impacts.

ATTACHMENTS

1. Area Reference Map
2. Proposed Amendment

ATTACHMENT 1 – AREA REFERENCE MAP



= Existing On-Premises Short Hold Electronic Display Areas

 = Proposed Area

— = Frontages permitted for new electronic display

ATTACHMENT 2 – PROPOSED AMENDMENT

14.38.025 On-Premises Short Hold Time Electronic Display Sign Standards.

(1) On-premises short hold time electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets and locations:

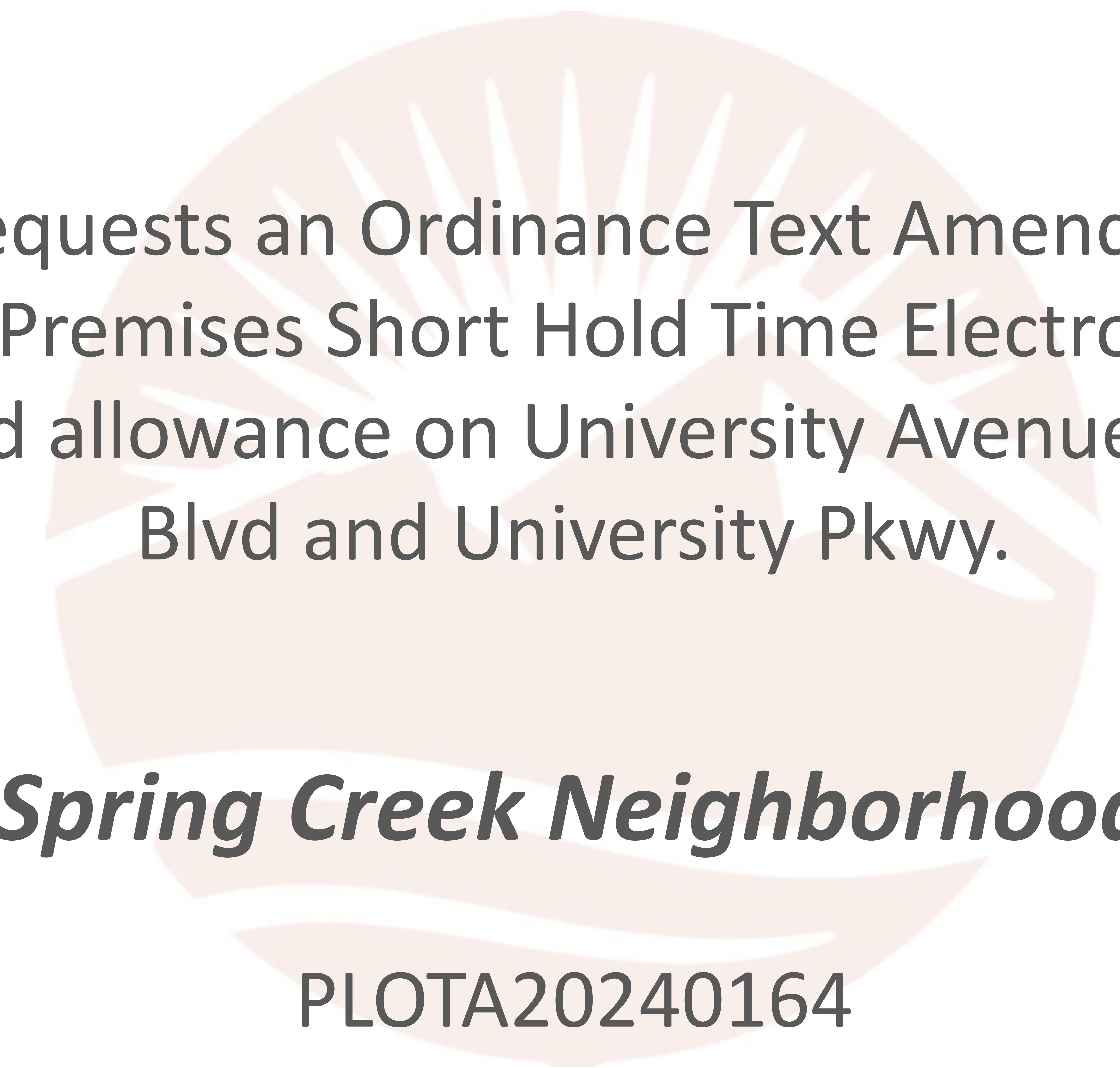
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- (h) 4800 North from Provo River to University Avenue;
- (i) Towne Centre Boulevard; ~~and~~
- (j) University Avenue from 4800 North to 5200 North; ~~and~~
- (k) University Avenue from Cougar Boulevard northward to University Parkway.



WELCOME HOME

City Council

August 6, 2024



Liisa Hancock requests an Ordinance Text Amendment to Section 14.38.025 (On-Premises Short Hold Time Electronic Display Sign Standards) to add allowance on University Avenue between Cougar Blvd and University Pkwy.

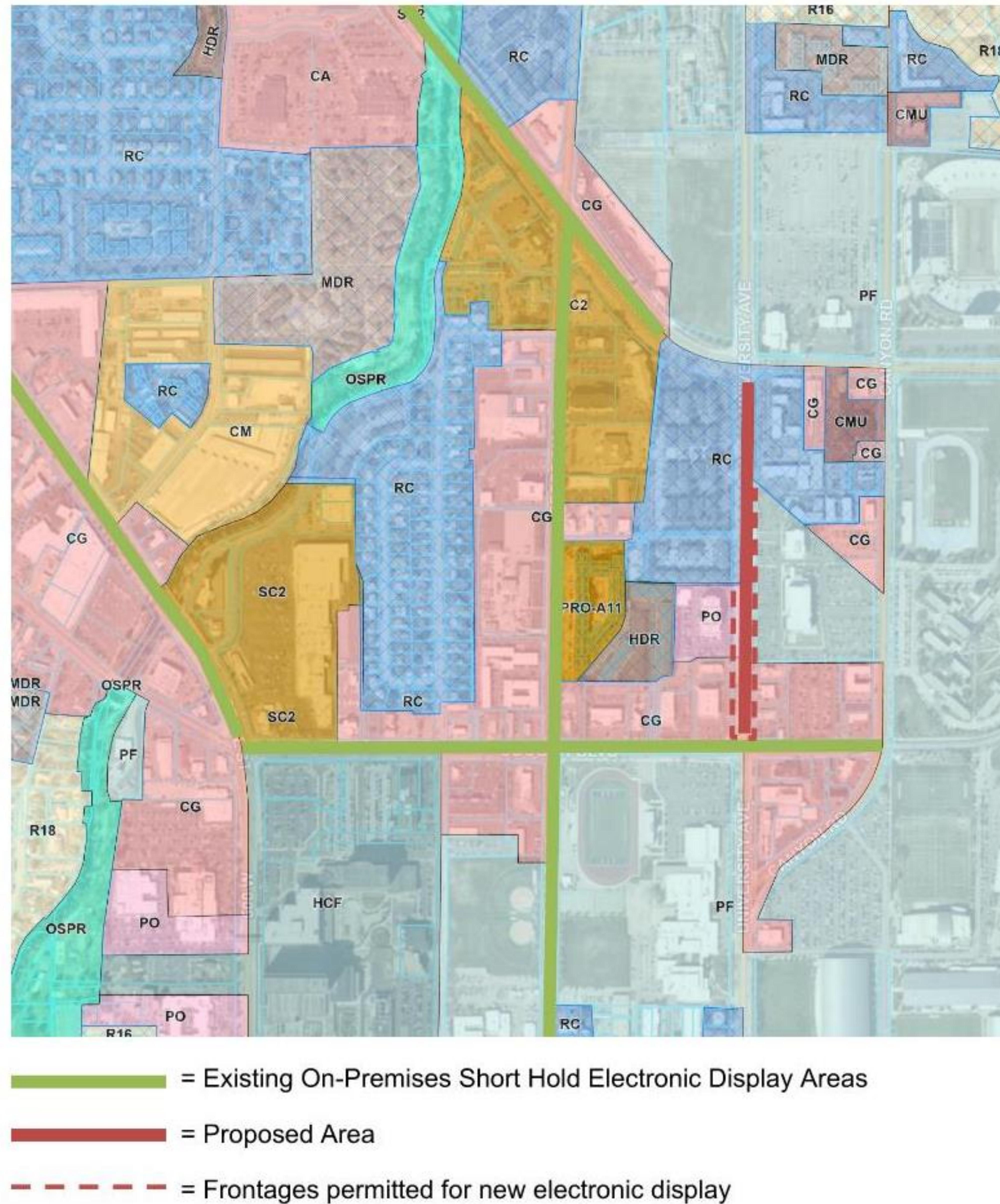
Spring Creek Neighborhood

PLOTA20240164

Chapter 14.38.025 OTA

• Reasons for the changes:

1. Medical Offices at 1355 N University Ave. has multiple tenants that desire to advertise.
2. Proposal brings an additional 1/3 mile of University Ave to permit short hold electronic display signs.
3. Could allow for five (5) additional properties between Cougar Blvd and University Pkwy to install short hold electronic signs.



14.38.025 On-Premises Short Hold Time Electronic Display Sign Standards.

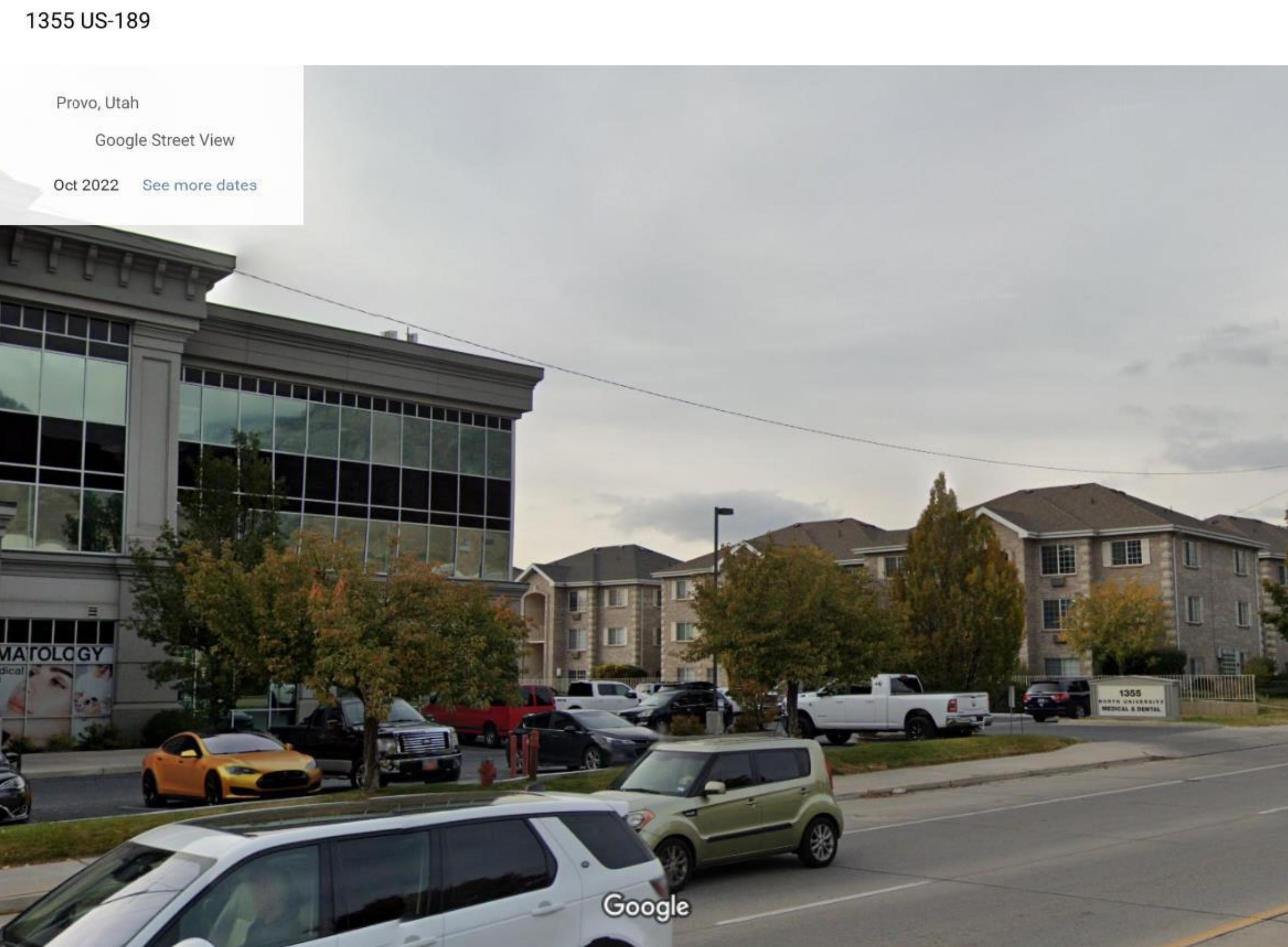
(1) On-premises short hold time electronic display signs are prohibited in all areas of the City of Provo, except for properties within the GW, WG, FC, FC2, CA, CG, PO, CM, SC1, SC2, SC3, M1, M2 FI, MP, PIC and PF zones which have frontage on the following streets and locations:

- (a) University Parkway, from 100 West northwesterly to the boundary line of the City of Provo;
- (b) North State Street, from Cougar Boulevard (1230 North Street) northwesterly to 1720 North;
- (c) Cougar Boulevard, from Canyon Road (200 East) westward to North State Street;
- (d) Freedom Boulevard, from 100 North northward to University Parkway;
- (e) 820 North Street, from I-15 eastward to 1350 West Street;
- (f) Draper Lane from 820 North to 600 South;
- (g) University Avenue, from 600 South southward to Lakeview Parkway (1860 South);
- (h) 4800 North from Provo River to University Avenue;
- (i) Towne Centre Boulevard; **and**
- (j) University Avenue from 4800 North to 5200 North; **and**
- (k) University Avenue from Cougar Boulevard northward to University Parkway.

Chapter 14.38.025 OTA

- Reasons for the changes:

1. Medical Offices at 1355 N University Ave. has multiple tenants that desire to advertise.
2. Proposal brings an additional 1/3 mile of University Ave to permit short hold electronic display signs.
3. Could allow for five (5) additional properties between Cougar Blvd and University Pkwy to install short hold electronic signs.



Google Maps 1394 N University Ave

Provo, Utah
Google Street View
Oct 2022 See more dates



Image capture: Oct 2022 © 2024 Google

Google Maps 1355 US-189

Provo, Utah
Google Street View
Oct 2022 See more dates

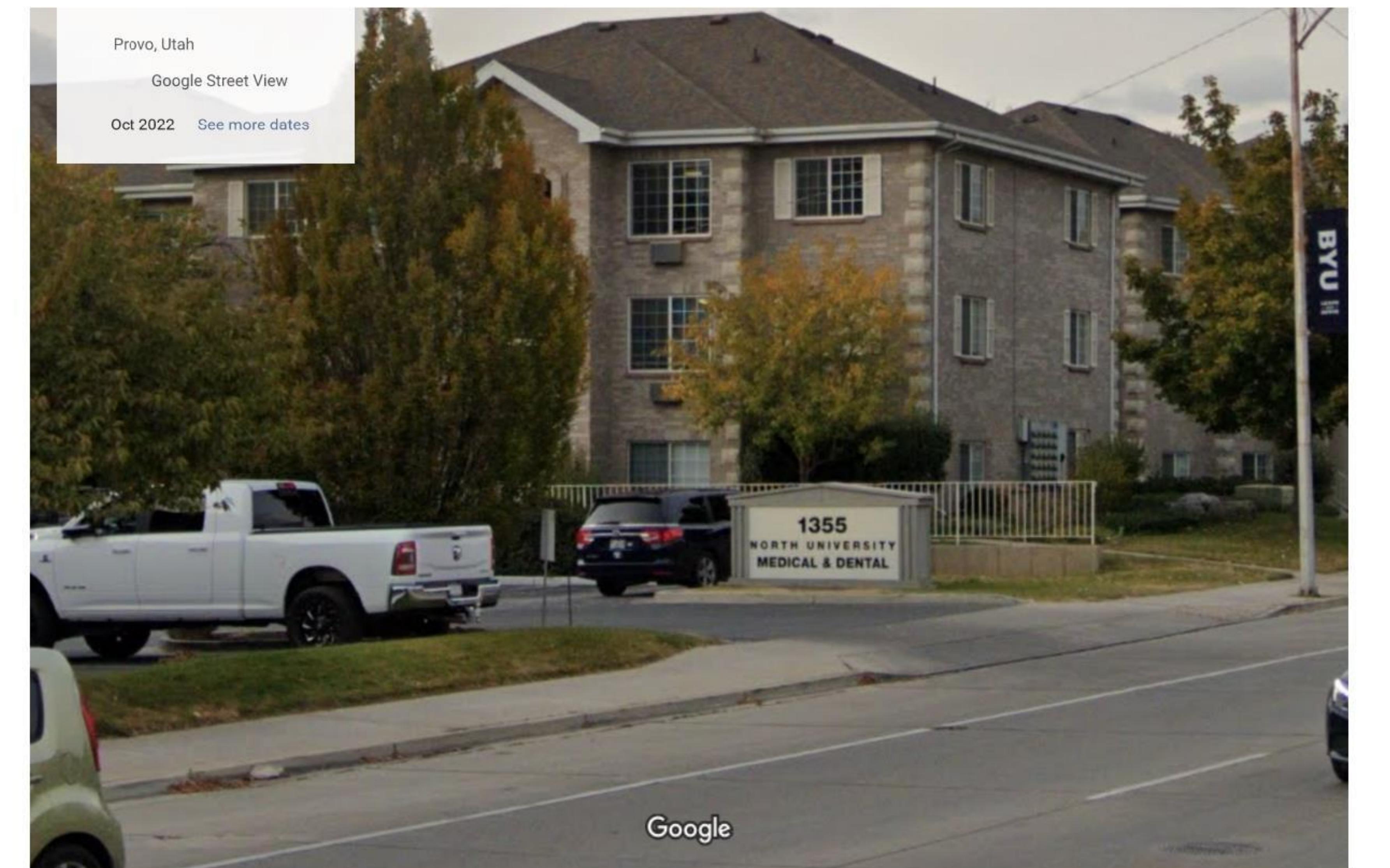


Image capture: Oct 2022 © 2024 Google

Applicant Slides

MEDICAL CENTER COMPANY, LLC

ORDINANCE AMENDMENT APPLICATION



1355 N University Avenue, Provo, UT
Parcel #: 57:062:0003 Zone PO/LZ2

MEDICAL CENTER CURRENT BUSINESSES

Currently housing 13 separate businesses and 40 primary providers

Dental/Periodontic-Related Practices (6 businesses)

- The Dental Edge (1 dentist plus staff)
- Provo Family Dentistry (3 dentists plus staff)
- Stone Haven Dental (2 dentists plus staff)
- Sundance Implant and Periodontal Center (1 dentist plus staff)
- Clark & Schiffman Dental (2 dentists plus staff)
- Ashman Dental (2 dentists plus staff) <https://www.ashmandental.com/>

Medical Practices (3 businesses)

- Utah Valley Pediatrics—North Provo Pediatricians (5 physicians plus staff) <https://www.uvpediatrics.com/physicians/>
- Summit Foot and Ankle (2 podiatrists plus staff) <https://www.randygarrdpm.com/>
- Provo Dermatology & Medical Spa (at least 1 dermatologist plus staff) <https://springvillederm.com/provo-utah/>

Mental Health Practice

- Preferred Family Clinic (11 psychiatrists, counselors, plus staff) <https://www.preferredfamilyclinic.net/>

Eyecare Practice

- Utah Valley Vision Care (3 optometrists plus staff)

Insurance Agency

- GMI Insurance Agency (6 agents plus staff) <https://www.gmiins.com/>

Mediation Law Firm

- Peaceful Dissolution (1 attorney plus staff) <http://www.peacefuldissolution.com/>

Google Maps 1394 N University Ave

Provo, Utah

Google Street View

Oct 2022 See more dates

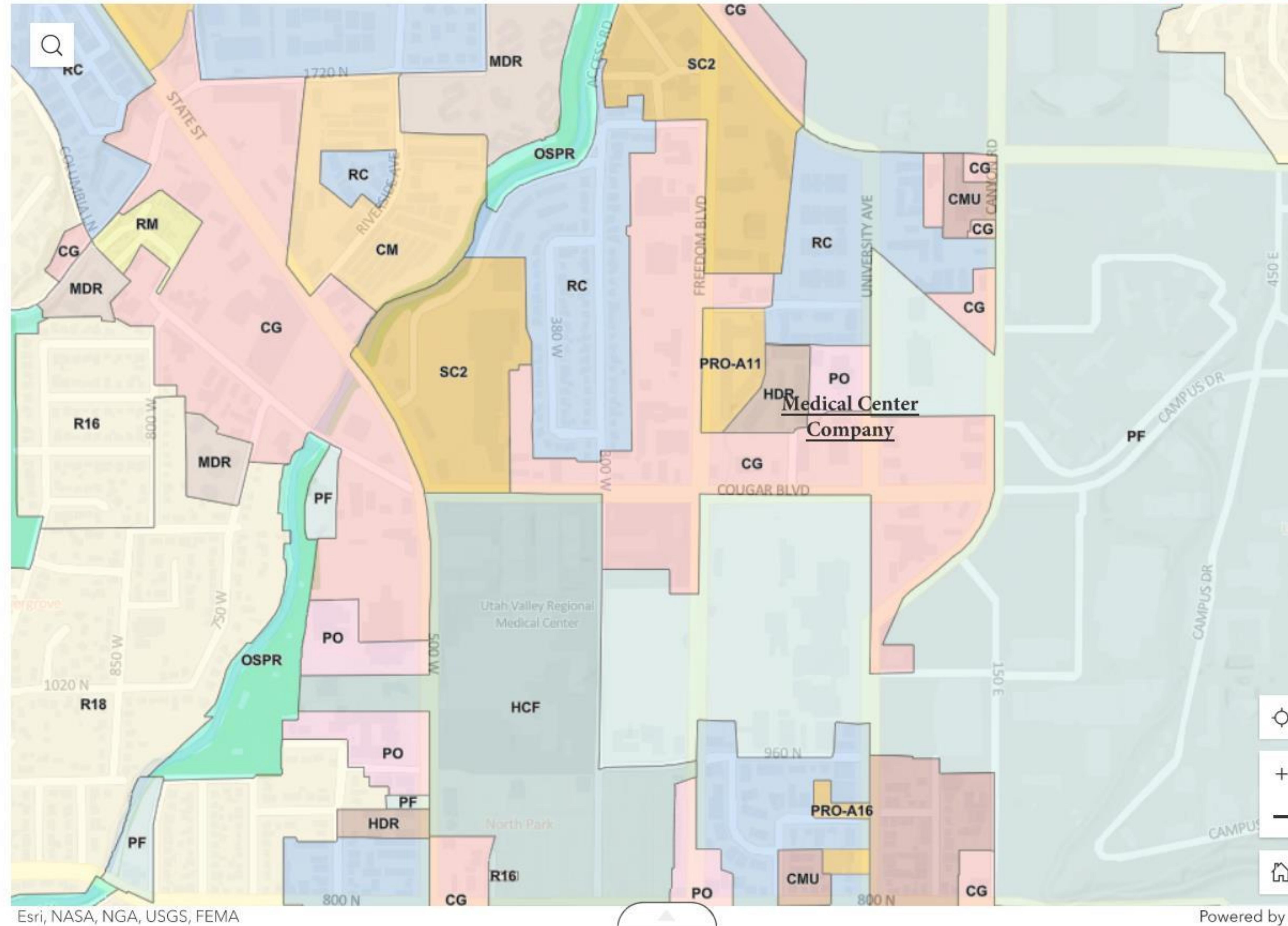
Medical Center - Current Sign



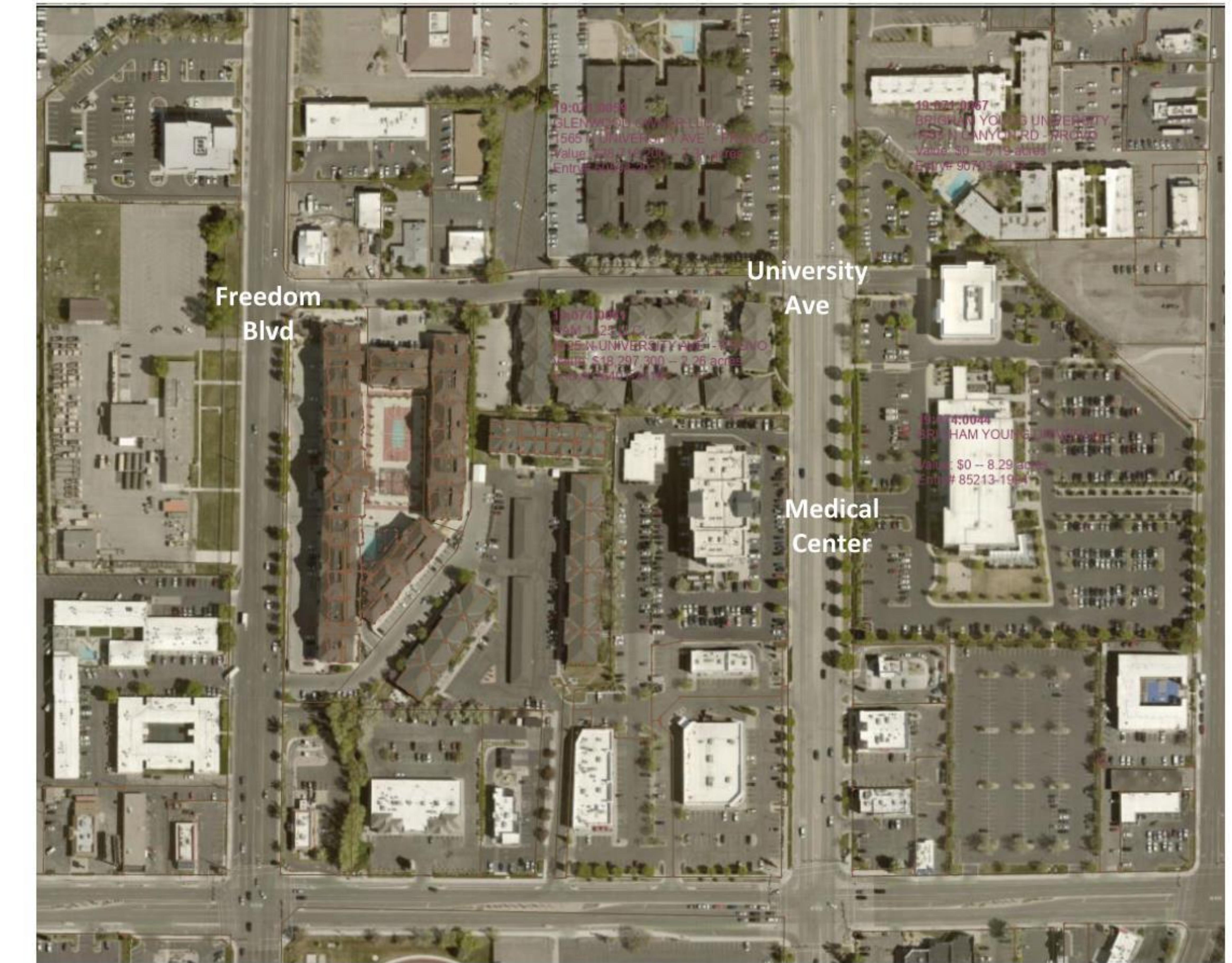
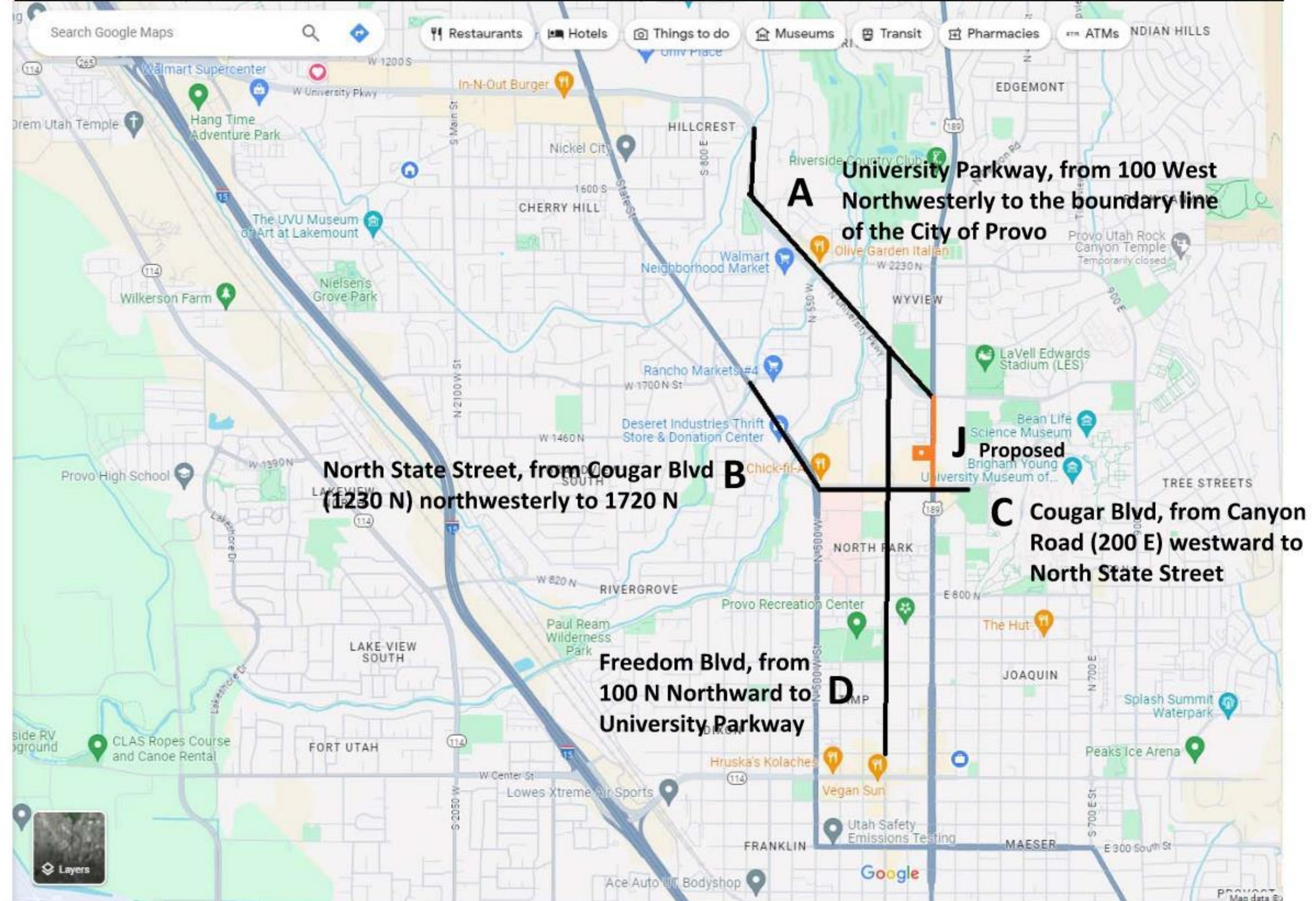
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Image capture: Oct 2022 © 2024 Google

Provo Zoning Map



14.38.025 On-Premises Short Hold Time Electronic Display Sign Allowed (a)-(d) and Proposed Location (j)



PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: MABARNES
Department: Development Services
Requested Meeting Date: 08-06-2024

SUBJECT: An ordinance amending the Zone Map classification of real property located at 210 S 500 W, from Residential Conservation (RC) Zone to General Commercial (CG) Zone - Franklin Neighborhood (PLRZ20240163)

RECOMMENDATION: Development Services is recommending denial. Please see supporting documents.

BACKGROUND: Justin Zsiros is proposing to rezone his property located at 210 S 500 W from the RC zone to CG. This rezone was initiated specifically to allow the homeowner to keep a short-term rental. Short-term rentals are not permitted in the RC zone, and they are conditional use in the CG zone. The applicant has stated that this rezone makes sense due to the existing commercial abutting the subject property to the south. A short-term rental would help to fund the maintenance of the historic home.

Development Services is recommending denial to this rezone because the General Plan and Franklin Neighborhood future land use maps do not match the proposed amendment. Additionally, rezoning to commercial would allow many other uses that are not compatible with the surrounding residential uses, and it would validate the establishment of a short-term rental within a residential neighborhood that is dealing with development pressures. This rezone does not meet the goals of the General Plan. The planning commission recommended denial on June 26, 2024.

FISCAL IMPACT:

PRESENTER'S NAME: Mary Barnes

REQUESTED DURATION OF PRESENTATION: Work Meeting: 20 mins (10 minutes of presentation). Council/Night meeting: 15 mins (7 minutes of presentation)

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:
Please see pages 4&5 in the staff report.

CITYVIEW OR ISSUE FILE NUMBER: PLRZ20240163

ORDINANCE 2024-_____.

AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF REAL PROPERTY, GENERALLY LOCATED AT 210 SOUTH 500 WEST, FROM THE RESIDENTIAL CONSERVATION (RC) ZONE TO THE GENERAL COMMERCIAL (CG) ZONE. FRANKLIN NEIGHBORHOOD. (PLRZ20240163)

RECITALS:

It is proposed that the classification on the Provo Zoning Map for 0.20 acres of real property, generally located at 210 South 500 West (an approximation of which is shown or described in Exhibit A and a more precise description of which is will be attached as Exhibit B ~~after the Zone Map has been updated~~), be amended from the Residential Conservation (RC) Zone to the General Commercial (CG) Zone; and

On June 26th, 2024, the Planning Commission held a public hearing to consider the proposal, and after the hearing the Planning Commission recommended denial of the proposal to the Municipal Council by a 8:0 vote; and

On August 6th, 2024, the Municipal Council met to determine the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the Planning Commission's recommendation and the facts presented to the Municipal Council, the Council finds that (i) the Provo Zoning Map should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

The classification on the Provo Zoning Map is amended from the Residential Conservation (RC) Zone to the General Commercial (CG) Zone for the real property described in this ordinance.

PART II:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance controls.

41 B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part,
42 sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of
43 the ordinance is not affected by that determination.

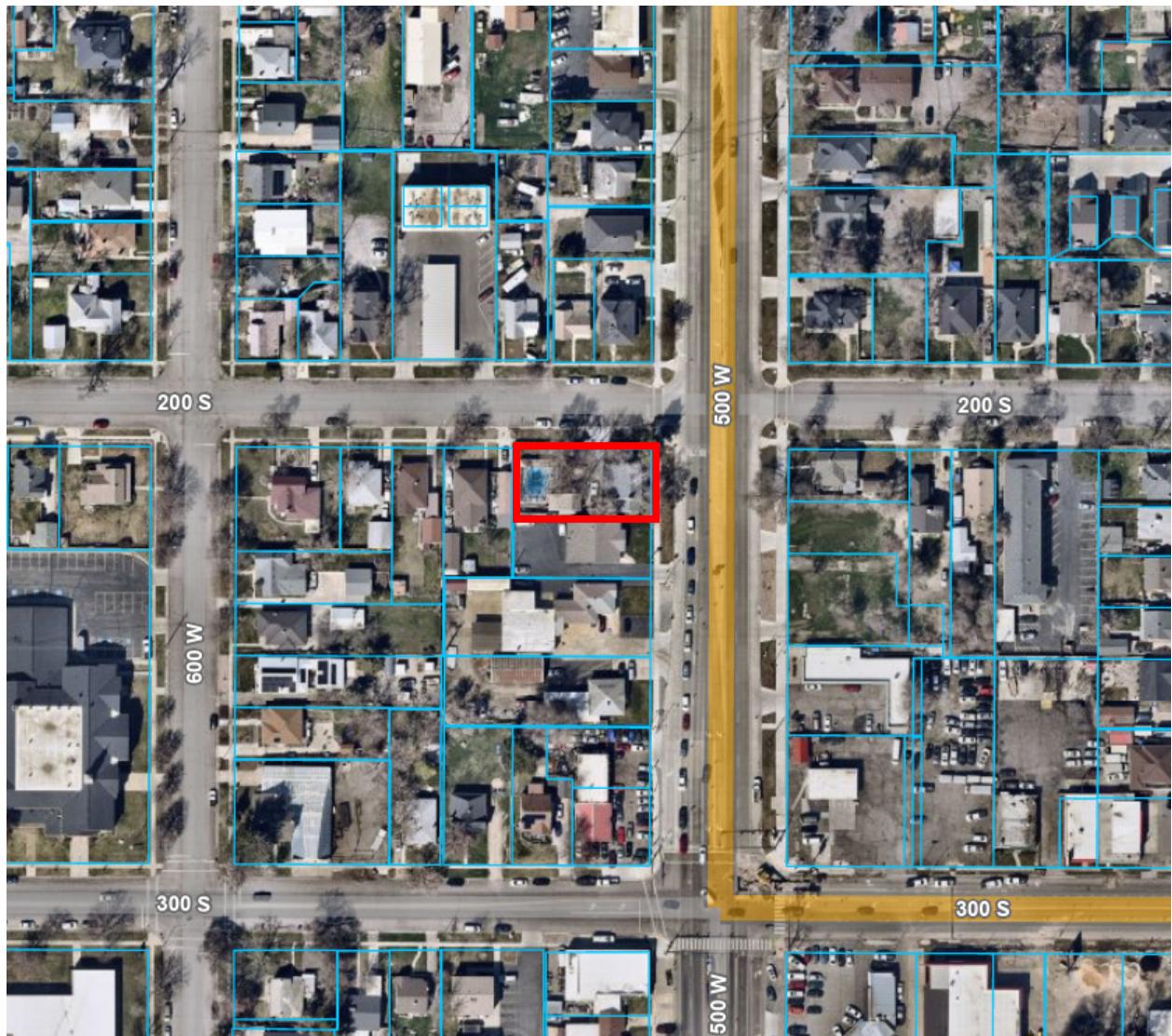
44
45 C. This ordinance takes effect immediately after it has been posted or published in accordance
46 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
47 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

48
49 D. The Municipal Council directs that the Provo Zoning Map be updated and codified to
50 reflect the provisions enacted by this ordinance.

51

52 END OF ORDINANCE.

Exhibit A – Zone Map



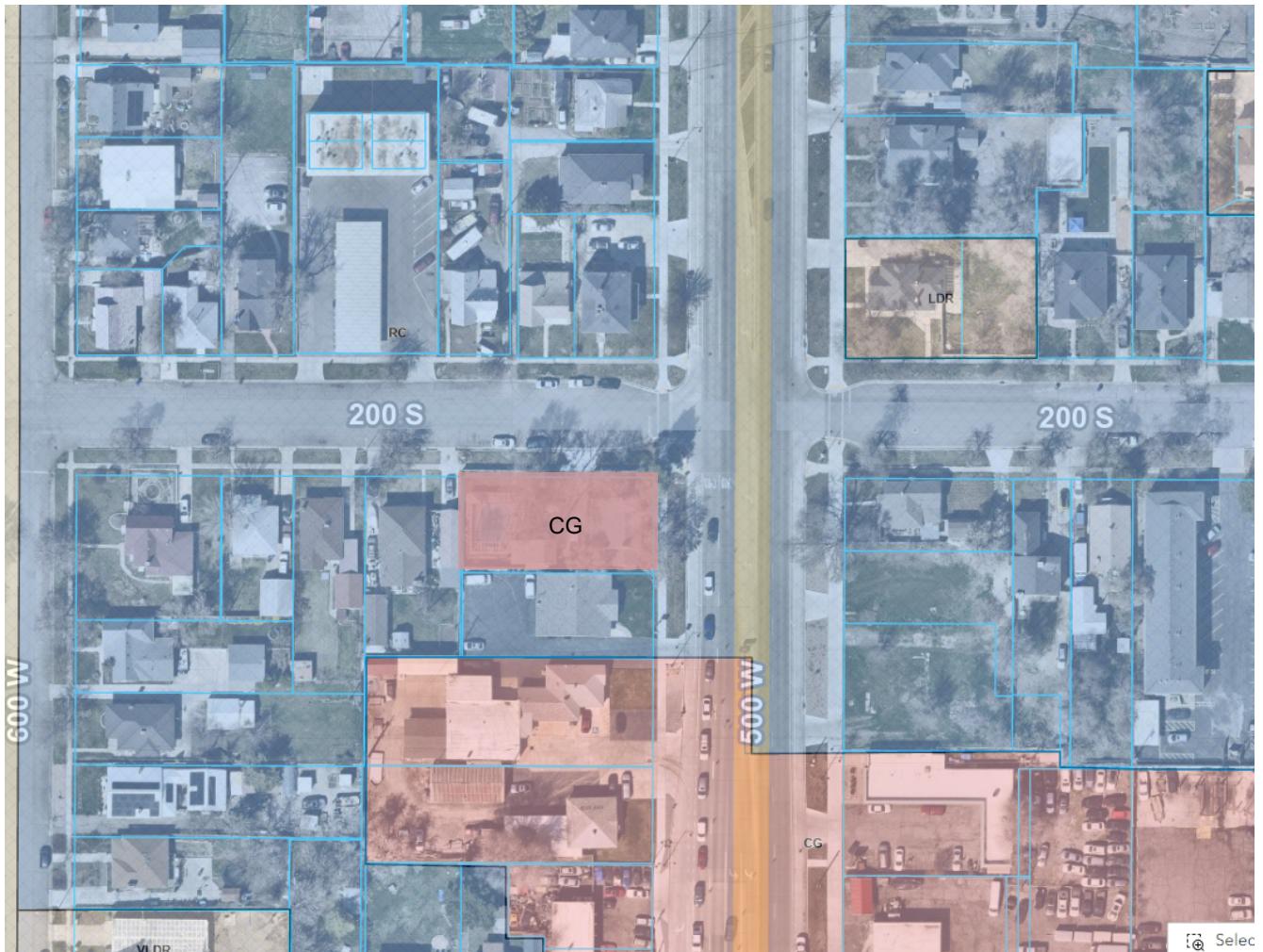


Exhibit B – Legal Description

COM. AT NE COR OF BLK 39, PLAT A, PROVO CITY SURVEY; W 8
RODS; S 4 RODS; E 8 RODS; N 4 RODS TO BEG.

Property Address: 210 South 500 West, Provo, UT 8460

Parcel: 04:036:0011



DEVELOPMENT SERVICES
TEL (801) 852-6400
445 W Center St.
PROVO, UT 84601

Memo

To: Provo City Council
From: Scott Johnson, Aaron Ardmore
CC: Mayor Kaufusi, Bill Peperone
Date: 5/30/2024
Re: PLRZ20240163 – 210 S 500 W – Short Term Rental Use/Enforcement

Dear Provo City Council,

On September 18, 2023, a complaint was received regarding the property located at 210 S 500 W being used as a short-term rental in a residential neighborhood. Provo City Code Enforcement investigated this complaint and found the property was being used as a short-term rental. A Notice of Violation (NOV) was sent to Mr. Zsiros on November 29, 2023, for operating a short-term rental in a residential zone (Case number: CESTR202300818). Mr. Zsiros appealed our NOV and on January 24, 2024, participated in an Administrative Appeal Hearing where his appeal of our NOV was heard by our Administrative Hearing Officer, Christine Petersen. At the hearing Mrs. Petersen found that Mr. Zsiros was operating this property as a short-term rental in violation of Provo City Code, and she ordered Mr. Zsiros “to cease all short-term rentals at the property located at 210 South 500 West, Provo, Ut 84601 until other avenues are approved.” This order was signed on February 29, 2024, and a copy was provided to Mr. Zsiros. This code enforcement case was closed on March 11, 2024, due to our understanding that Mr. Zsiros had at that point complied with all orders from the Administrative Appeal Hearing.

On April 10, 2024, we learned that the property was being used again as a short-term rental due to Provo City Fire being called to the property for a gas leak. Code Enforcement opened a new case (Case number: CESTR202400226) which was immediately escalated to Provo Legal for review and filing. Mr. Zsiros was served notice on April 22, 2024, for his scheduled court hearing on July 17, 2024. While I understand that Mr. Zsiros was discussing options for making legal changes to allow for his use of this property as a short-term rental, no application for such change had been entered into our system until May 31, 2024 (Application number: PLRZ20240163). Mr. Zsiros was in court on July 17, 2024, and his case was continued at that time to August 21, 2024.

A Temporary Leave of Absence was granted on February 26, 2024, and then closed by City Staff on July 2, 2024, due to staff learning during the Planning Commission meeting on June 26, 2024, that Mr. Zsiros had moved back into the property. The necessity (or lack thereof) for a Leave of Absence should have no bearing on the Councils decision on this rezone request.

The zone map amendment was offered as a possible solution by the Planning Staff when Mr. Zsiros asked what he could do to keep renting the property. Staff have been trained to give the public every option available to them, but that does not equate to giving support or a positive recommendation for any of the said options. A meeting was scheduled and held with Mr. Zsiros and Planning Staff on June 24th to discuss options again. Staff responded to what he possibly could and couldn't do and gave Mr. Zsiros notes to take back with him. Again, at none of these meetings nor with subsequent email correspondence did the Planning Staff indicate support for his proposal of short-term rentals.

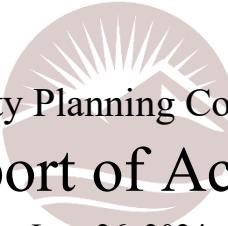
Thank you,



SCOTT JOHNSON
DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
TEL (801) 852-6433



AARON ARDMORE
DEVELOPMENT SERVICES
PLANNING SUPERVISOR
TEL (801) 852-6404



Provo City Planning Commission

Report of Action

June 26, 2024

ITEM 1* Justin Zsiros requests approval of a Zone Map Amendment from the RC (Residential Conservation) Zone to the CG (General Commercial) Zone in order to allow short-term rental at the property located at 210 South 500 West. Franklin Neighborhood. Mary Barnes (801) 852-6408 mabarnes@provo.org
PLRZ20240163

The following action was taken by the Planning Commission on the above-described item at its regular meeting of June 26, 2024:

RECOMMENDED DENIAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Jeff Whitlock

Second By: Robert Knudsen

Votes in Favor of Motion: Robert Knudsen, Lisa Jensen, Jeff Whitlock, Jonathan Hill, Andrew South, Daniel Gonzales, Barbara DeSoto, and Adam Shin.

Daniel Gonzales was present as Chair.

Votes against the Motion: None

- Includes facts of the case, analysis, conclusions, and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

MAP AMENDMENT

A map representing 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. Additional key points addressed in staff's presentation to the Planning Commission included the following:

- The current and future land use for the surrounding properties.
- The code enforcement timeline
- Permitted and conditional uses within the General Commercial (CG) zone that are not compatible with the surrounding residential properties and the residential street.
- The impact of a short-term rental on the neighborhood, and the character of the neighborhood.
- If the rezone is approved, the lack of required parking for the short-term rental on the property.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- This application affects the Franklin Neighborhood in District 5. This item was briefly mentioned in the June 5th District 5 meeting. The rezone application was too late to officially be on the June 5th District 5 neighborhood meeting agenda. Planning staff did not present at the meeting.

APPLICANT PRESENTATION

The applicant is Justin Zsiros. The applicant's attorney, Jon Hogelin, started the presentation. Key points addressed in the Mr. Hogelin's presentation to the Planning Commission included the following:

- 500 W is a busy street, and all properties to the south of the subject property are commercial. The subject property is not an attractive option for a family to live in due to the proximity of the commercial, the busy road, and a fourplex directly north of the property. This is a lone residential unit amongst the commercial.
 - The resale value of the property goes down if it is only allowed to be a single-family home, it's not an ideal situation for families.
- 200 S represents a clear division between residential along 500 W and commercial along 500 W.
 - This parcel is the "ugly duckling", it's the only non-commercial property fronting on 500 W within this block. It has nothing to do with the adjacent residential properties.
- The concern that a new commercial use may replace the proposed home/short term rental use is misplaced, it would have to be a very small commercial footprint. This property is no different from the rest of the block of commercial properties to the south. If this parcel becomes commercial, it will not intrude on the residential neighborhood.
 - On 100 S/500 W, there is an H&R Block. We have an intermittent commercial and residential trend along 500 W. This is just making the block uniform, finishing it out.
- As for parking, there is space for 5 parking spots on the property. There is plenty of space for parking so that the neighborhood is not burdened. It would not crowd the street.
 - The garage has only 1 room, and the main house has 5 rooms. Sometimes the entire home is rented out to 1 family, or individual rooms are rented out to individuals. This could change depending on a possible future conditional use permit, if the rezone is approved.
- The operation of the short-term rental helps to pay for repairs and upkeep on the historical home. Right now, the maintenance is self-sufficient.
- Staff recommended applying for a commercial zone to get short-term rental. The applicant stated that he was not made aware of any other possible options, such as an ADU or a higher density rezone.

NEIGHBORHOOD AND PUBLIC COMMENT

- The neighborhood Chair was not present and did not address the Planning Commission during the hearing.

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:

- *Johnny Griffith, Franklin Neighborhood.* It's important to recognize the history of conservation here. There is an unknown element when your house backs onto commercial properties, and the existing commercial is grandfathered in. It's a done deal. This is not a done deal; the red line of commercial cannot be extended into the neighborhood. Concerned about the loss of historical integrity.
- *Brent Hutchinson, Franklin Neighborhood.* There has been a lot of changes in this neighborhood as commercial zones have expanded. It is a mistake to expand the commercial zone. If that house was on the market, it would not last a week. Housing is short, and research shows that short term rentals diminish housing supply. Franklin Neighborhood does not need more high-density housing and commercial.
- *Christopher Wilson, Franklin Neighborhood.* It is a beautiful property. Not against using it for a rental, would like to preserve it in its current state. However, parking is the biggest concern. A tenant of the short-term rental parked in front of Mr. Wilson's driveway a few weeks ago. The tenant was told that they could not park on the subject property, and that they had to park on the street. An ADU would require parking spots to be available on the property. If the rental is approved, ensuring there is adequate parking on the property would be great.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

After staff presentation:

- Commissioner Whitlock asked for more information on the RC zone, specifically questioning why the neighboring property to the south is permitted to continue as a locksmith, despite its RC zoning. The RC zone is a unique zone that allows the uses that existed in April 2002 to continue as permitted uses. If that use changes, it must either

conform to the permitted uses found in the RC zone or change into a different zone. Many commercial businesses were included in the RC zone back in 2002.

- Commissioner Gonzales asked what residential zones allow short term rentals. Currently, no primarily single-family residential zones allow short term rentals.
 - Commissioner Shin requested information regarding zones that would allow a short-term rental to co-exist with other single family residential homes. Short-term rentals are only permitted or conditional in commercial zones.
- Commissioner Jensen asked some clarifying questions on ADU requirements. This property could be eligible for an ADU, which would be a permitted use pending a review of the property.

After public comment:

- Commissioner Shin asked about the parking on the property and the tandem parking requirement for an ADU. The applicant reiterated that there are about three spots perpendicular to the driveway, and three tandem spots on the driveway. Staff responded that tandem parking is only permitted for a maximum of two cars, and parking space dimensions also need to be considered.
- Commissioner DeSoto stated that having a lot of traffic on 500 W is not a good justification for commercial. Housing stock is important, and the commercial properties are already encroaching on the neighborhood. Need to think of the future, and future traffic calming can help to improve the frontages. Commercial properties can increase crime because there are less people there at night. Investment properties have been detrimental to housing access. If it gets rezoned to commercial, it could be torn down.
- Commissioner Whitlock said that a short-term rental isn't a bad idea for this particular property, but making this property CG would create an opportunity for someone to tear down the property and create a new commercial use. The city has a limited toolkit when it comes to short-term rentals, there is clearly a need for them in residential neighborhoods. Looking into an ADU short-term rental use could be a good idea in the future.
 - Commissioner Hill agreed, saying that there is a significant demand for short term rentals. It would be nice if there were better tools, like an owner-occupied short-term rental.
 - Commissioner Shin pointed out that there is a market for short term rentals, and it provides a way for people to better participate in the local economy. Creating space for small-scale owner-occupied bed and breakfasts in neighborhoods could be worth looking into.
- Commissioner Jensen stated that this property would be the perfect match for an ADU, or possibly a duplex. There are housing needs in the state and in the city, and short-term rentals can diminish the housing stock in Provo. Putting this property on the list of historical properties with the Landmarks Commission can provide different avenues for restoration funds.
 - Most of the surrounding uses are not commercial, they are historical homes. This is not a commercial corner. Someone must be the boundary between the commercial and the residential, and it abuts only one commercial property. Short term rentals do not help to preserve or protect the neighborhood.
- Commissioner Gonzales summarized the applicant's arguments by saying that the busyness of 500 W and the adjacent commercial use is persuasive. However, this is an attractive house that people would buy despite the busy street. There are neighbor complaints about the short-term rental. Basic maintenance of a house should not be dependent on a city's decision on a rezone, that is an included cost in homeownership. The Landmarks Commission could help with grant funding to preserve the home. This does not meet the general and neighborhood plan for future land use.

DuAQ

Planning Commission Chair

Bill Peperane

Director of Development Services

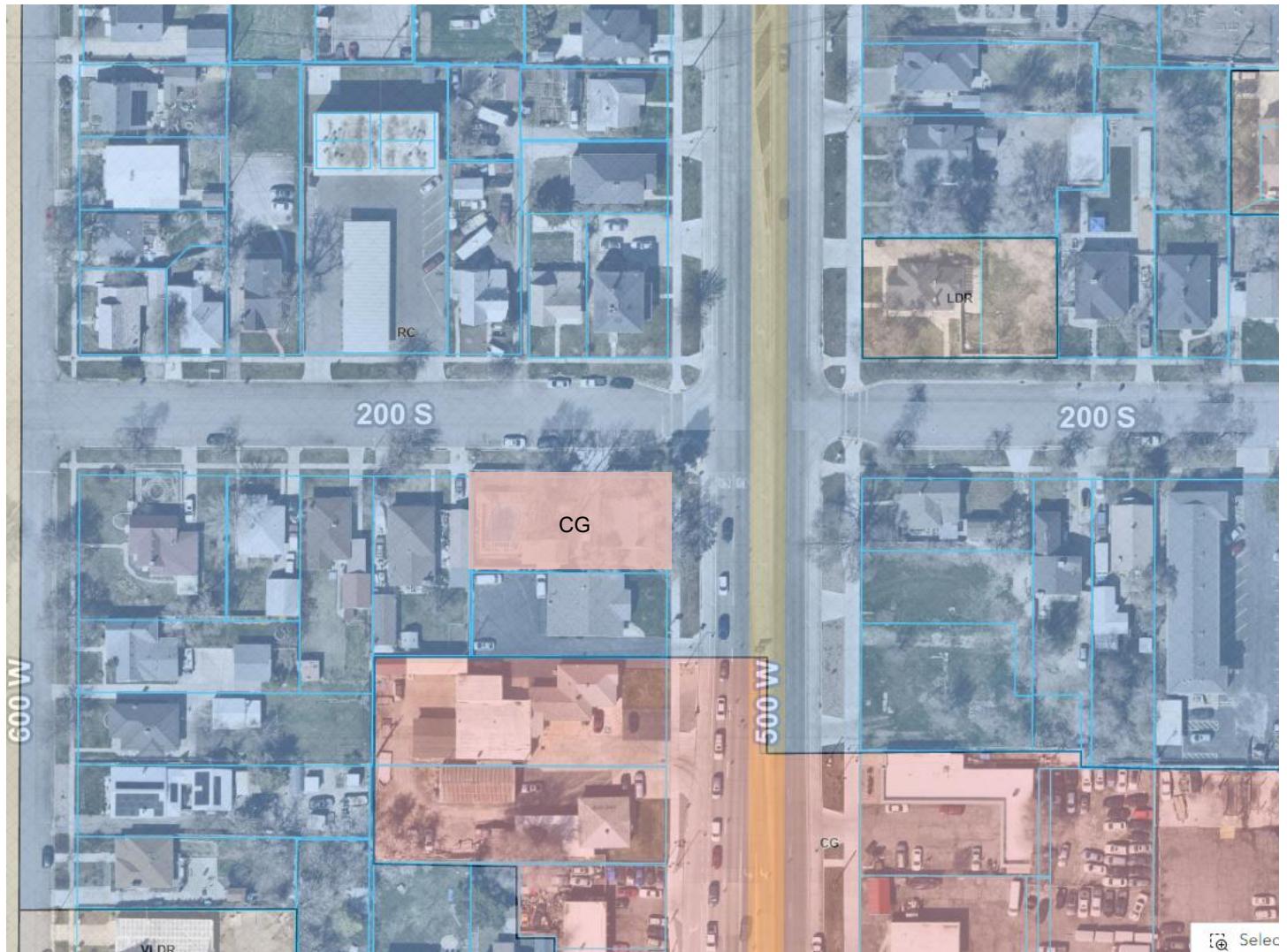
See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ 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 Development Services, 445 W Center St, 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



LEGAL DESCRIPTION: COM. AT NE COR OF BLK 39, PLAT A, PROVO CITY SURVEY; W 8 RODS; S 4 RODS; E 8 RODS; N 4 RODS TO BEG.

PROPERTY ADDRESS: 210 South 500 West, Provo, UT 8460

PARCEL: 04:036:011

***ITEM 1** Justin Zsiros requests approval of a Zone Map Amendment from the RC (Residential Conservation) Zone to the CG (General Commercial) Zone in order to allow short-term rental at the property located at 210 South 500 West. Franklin Neighborhood. Mary Barnes (801) 852-6408 mabarnes@provo.org PLRZ20240163

<p>Applicant: Justin Zsiros</p> <p>Staff Coordinator: Mary Barnes</p> <p>Property Owner: Justin Zsiros</p> <p>Parcel ID#: 04:036:0011</p> <p>Acreage: .20 acres</p> <p>Number of Lots: 1</p> <p>Current Zone: Residential Conservation (RC)</p> <p>Proposed Zone: General Commercial (CG)</p> <p>ALTERNATIVE ACTIONS</p> <ol style="list-style-type: none">1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is June 10, 6:00 P.M.</i>2. Recommend Approval of the requested ordinance text amendment. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should <u>state new findings.</u></i>	<p>Current Legal Use: Single-family home</p> <p>Relevant History: Short-term rentals are not permitted in the RC zone. At the end of 2023, the property owner was taken to court for an illegal short-term rental. At that time, the issue was resolved. In April, a new code enforcement case was begun due to the continued existence of a short-term rental. The property owner wants to rezone this property to CG, which allows short-term rentals as a conditional use. The property owner is currently attending grad school in Salt Lake County.</p> <p>Neighborhood Issues: This application was submitted a few days before the District 5 neighborhood meeting, therefore it was not on the agenda. It was briefly brought up by Council staff, and residents raised concerns about the impact of short-term rentals.</p> <p>Summary of Key Issues: This is connected to an open code enforcement case. Short-term rentals are not permitted in the RC zone. The future land use maps in the Franklin neighborhood plan and the general plan show this property's future land use as residential.</p> <p>Staff Recommendation: That the Planning Commission recommend denial of the zone map amendment to the Provo City Council.</p>
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OVERVIEW

The applicant has requested a zone map amendment for a single-family home located at 210 S 500 W, from Residential Conservation (RC) to General Commercial (CG). Short-term rentals are not a permitted use in the RC zone, but they are a conditional use in the CG zone. The applicant has stated that a short-term rental is necessary to preserve the historic value of the property, and it has been a great community resource. Therefore, the applicant has requested this rezone to be able to legally have a short-term rental within the home.

This zone map amendment is the result of an ongoing code enforcement case against the applicant due to an existing short-term rental within the home.

The General Plan Future Land Use Map designates this area as residential, and the Franklin Neighborhood Plan Future Land Use Map does the same, as seen in Figure 1 & 2 below. Preserving the character of the neighborhood is another reason why Provo does not currently allow short-term rentals in residential areas.

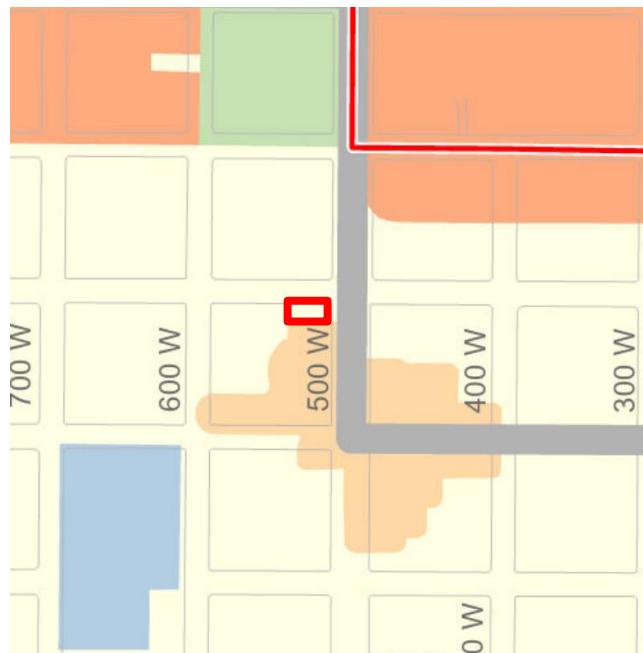


Figure 2: General Plan Future Land Use Map

Residential	Mixed Use	Downtown
Facilities	Parks	

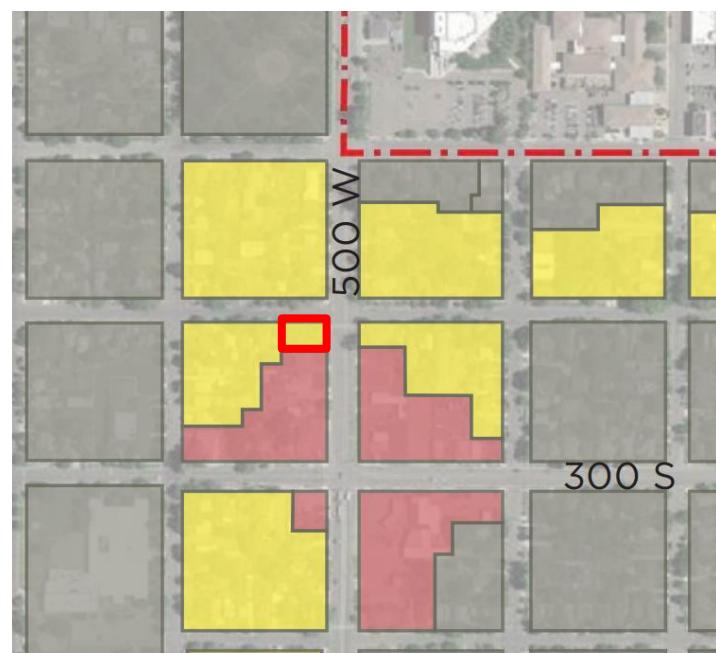


Figure 1: Franklin Neighborhood Plan Future Land Use Map

R1.6	Mixed Use	No change
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Surrounding zones

North: Single-family home and four-plex, Residential Conservation (RC)
South: Arco Lock and Security, Residential Conservation (RC)
East: 500 W and single-family home, Residential Conservation (RC)
West: Single-family home, Residential Conservation (RC)

FINDINGS OF FACT

1. The current zoning on the parcel is RC (Chapter 14.32)
2. The proposed zoning is CG (Chapter 14.22)
3. The general plan designation is Residential.
4. The proposed use is as a short-term rental. If approved, the applicant will have to apply for a conditional use permit.
5. This home is not on the Provo Landmarks Register. It was featured in the 2016 Historic Homes tour, which is put together by the Landmarks Commission every year.

STAFF ANALYSIS

This property and most of the surrounding area is zoned RC, or the Residential Conservation zone. This zone was created to encourage the conservation of existing housing by limiting the use of a given lot or parcel to the use that existed in April 2002. These existing uses are able to continue. However, when the use is changed to something more intense, such as a short-term rental, a rezone is needed. New short-term rentals are not permitted in the RC zone, or any single-family residential zones, such as the R1 zones.

Code Enforcement History

Below is a timeline of city staff's dealings with this property.

- November 2023, the applicant is sent a code enforcement letter regarding an illegal short-term rental. The complaint came from a neighbor in the area.
- January 24th, the applicant appears at an administrative court hearing regarding his case. In this hearing, the code enforcement officer provided documentation proving that the house is being used as a short-term rental and has been used as such since 2015. The applicant is presented with the option of either turning this into a legal long-term rental of 30 days or longer or applying for a rezone.
- February 4th, the applicant decides to go the long-term rental route. This case is closed.
- April 9th, the Provo Fire Department was called to the house due to a gas leak. While there, they discover numbered doors, two occupants in the home, and one occupant in a building in the backyard. It is clearly still a short-term rental.
- April 10th, a new code enforcement case is opened due to the presence of an illegal short-term rental.
- May 31st, the applicant applied for a rezone to CG to make a short-term rental a conditional use.

General Plan

Provo City Code Title 14.02.020(2) sets forth the following guidelines for consideration of amendments:

1. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public and is consistent with

the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- a) Public purpose for the amendment in question.

Staff response: According to the applicant, the public purpose of this amendment is that this property will provide temporary housing for locals that are in need of short-term accommodation. Also, a short-term rental will allow the applicant to be able to pay for needed repairs of this older home. Staff disagrees, there is no public purpose for this amendment. This amendment will benefit only the applicant.

- b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Community support services are available with the Provo Housing Authority and the Community Action Services and Food Bank. It would be difficult to monitor how much community support a private homeowner provides in a private short-term rental. There are opportunities for grants for historical homes with the Landmarks Commission or CDBG program.

- c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: The proposed zone map amendment is not consistent with the General Plan goals. In fact, this rezone would further reduce the current residential neighborhood. The General Plan goals generally aim to increase the amount of available housing within the residential neighborhoods through infill developments.

- d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: This rezone is not compatible with any General Plan goals, therefore there are no timing and sequencing provisions.

- e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Staff believes that this proposal does have the potential to hinder or obstruct General Plan policies.

- f) Adverse impacts on adjacent landowners.

Staff response: The original code enforcement case was submitted by a neighbor in the area. At the neighborhood meeting, a neighbor stated that they were worried about short-term rentals in the Franklin neighborhood. Common adverse impacts of short-term rentals include noise and traffic.

- g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: The original zoning (RC) matches the general plan designation (Residential).

- h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: There is a conflict between the General Plan Map and Policies. In this case, the Plan Policies do not warrant this zone map amendment.

CONCLUSIONS

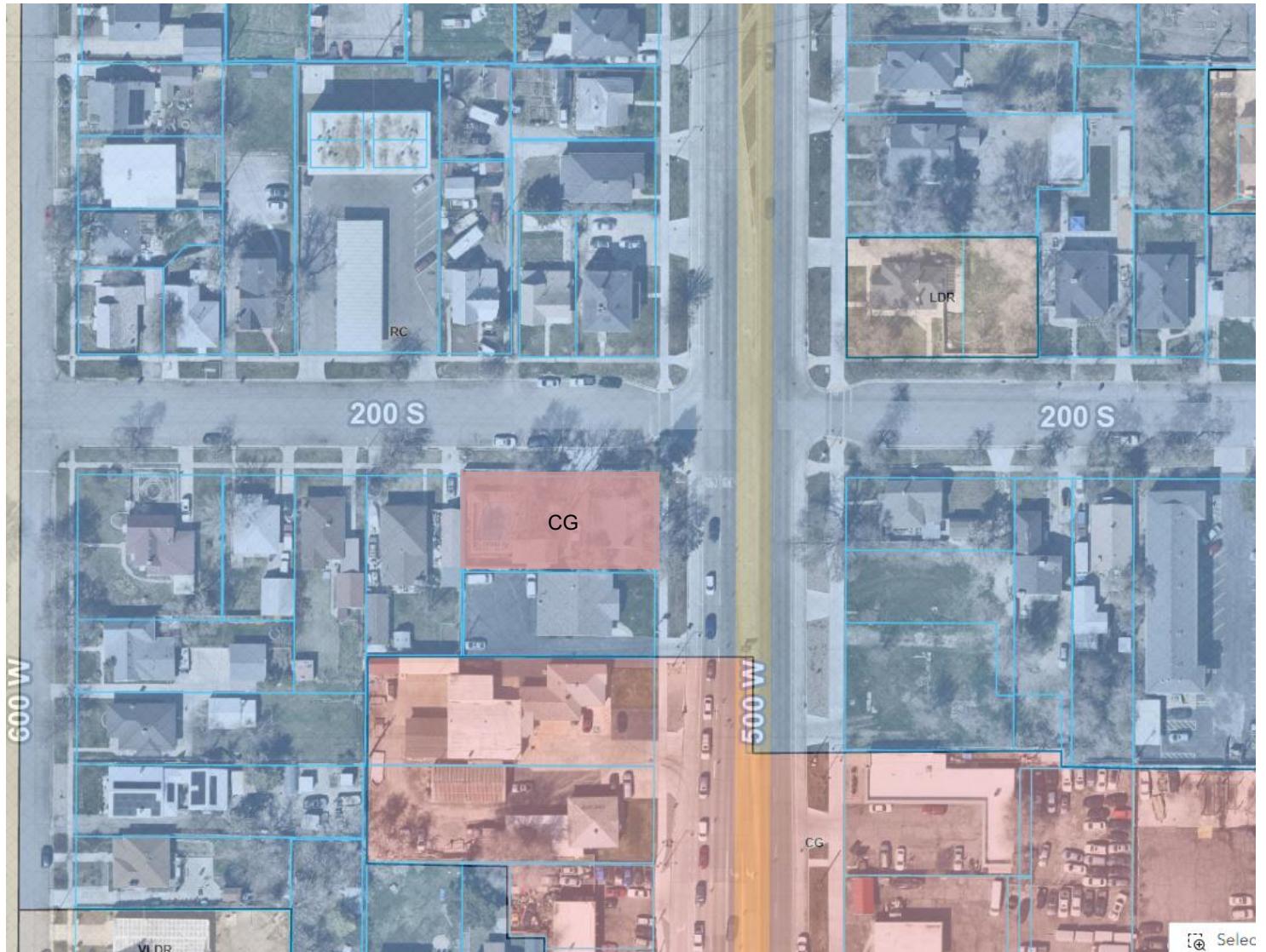
In conclusion, staff recommends that the Planning Commission recommend denial for this zone map amendment. The applicant has stated that a legal short-term rental at this location would increase the number of tourists in the downtown area, provide temporary housing for locals in need, and help to fund the preservation of the home. The applicant also stated that 500 W is a busy street that is not well-suited for families.

Franklin Neighborhood has seen a lot of development pressure due to its proximity to downtown. There are other options available to the applicant to fund the preservation of the home, and other options for locals in need. Tourists are welcome to stay in short-term rentals or hotels within the appropriate zones that surround the downtown area, such as DT-1 and DT-2. With the mounting pressure on cities to provide viable housing options, rezoning a home within a largely residential neighborhood specifically for a short-term rental is counter intuitive. Staff recommends denial to help preserve the neighborhood.

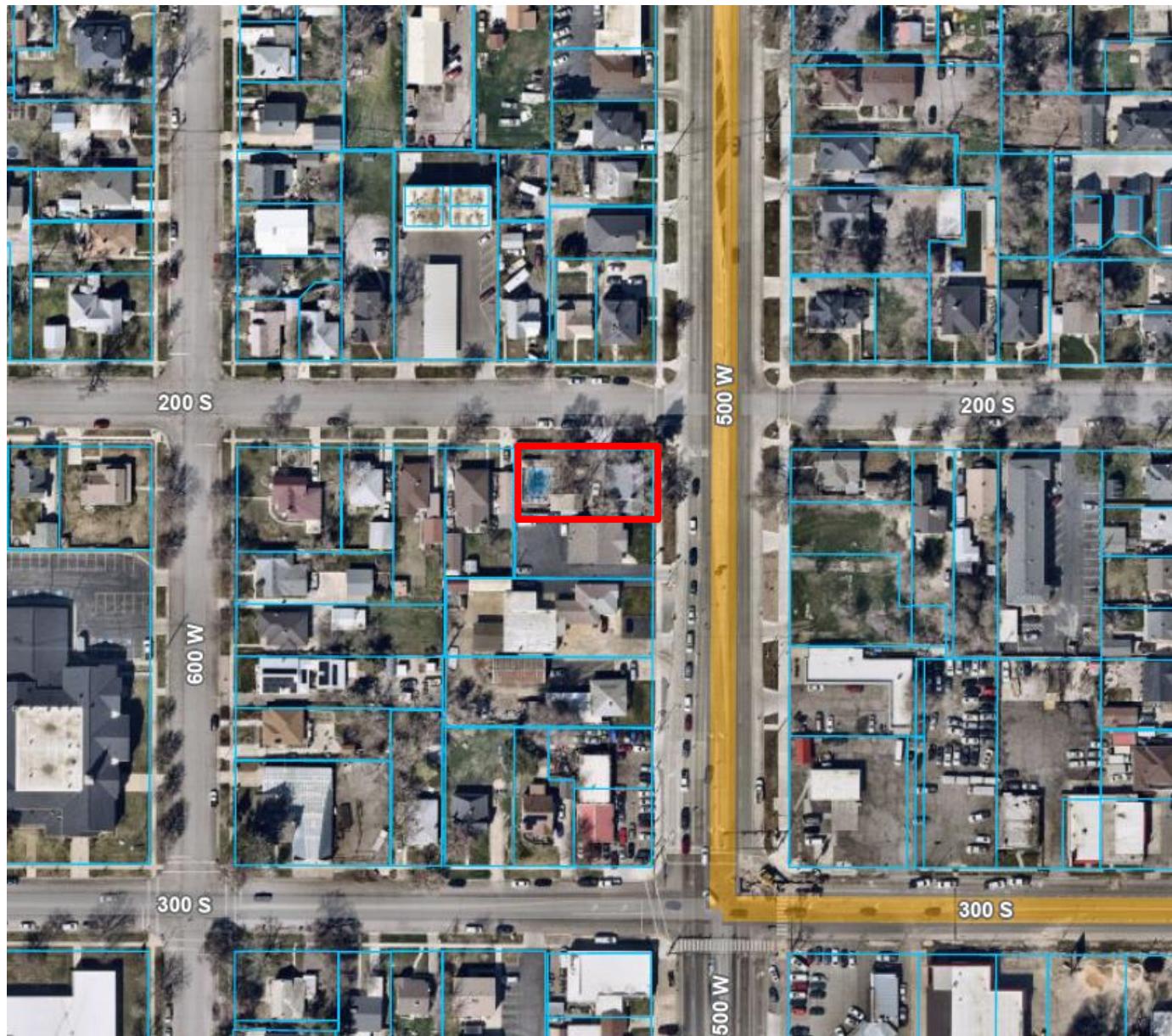
ATTACHMENTS

1. Proposed Zone Map Amendment
2. Area Map
3. Applicant's Letter – Intended Use of the Property
4. Applicant's Letter – Rezone

ATTACHMENT 1: PROPOSED ZONE MAP AMENDMENT



ATTACHMENT 2: AREA MAP



ATTACHMENT 3: APPLICANTS LETTER – INTENDED USE OF PROPERTY

Intended Use of Property Statement

Property Location: 210 South 500 West, Provo, UT

Current Zoning: RC LDR (Residential Conservation Low-Density Residential)

Proposed Zoning: CG (General Commercial)

Intended Use:

The proposed zone amendment for the property at 210 South 500 West is aimed at converting the existing residential home into a mixed-use commercial space. This change is essential to preserve the historic value of the property while ensuring its financial sustainability. The primary goals are to maintain the residence, allow for short-term rentals, and continue to provide a community resource.

Key Components of the Intended Use:

1. Short-Term Rental Accommodations:

- The property will offer short-term rental units, attracting tourists and business travelers. Guests will appreciate the unique, historically charming environment and the proximity to downtown shopping, the City Center Temple, and other local attractions.
- The revenue generated from these rentals will cover the high maintenance costs of the historic home, including necessary repairs and restorations using materials and techniques akin to those used in significant projects like the Salt Lake Temple, and Provo Tabernacle renovation.

2. Owner Occupancy:

- A portion of the property will remain as the owner's residence, ensuring the property is well-maintained and managed with a personal touch. This aspect will help preserve the property's historic appeal and ensure continuity in its upkeep.

3. Community Support Services:

- The property will provide temporary housing for locals facing life challenges such as unemployment, family bereavements, divorce, or other emergencies. This service supports the community by offering an affordable, home-like environment for those in need of short-term accommodation.

4. Historic Preservation and Enhancement:

- The historic character of the home will be preserved and enhanced. Restoration efforts will focus on maintaining the property's private, treed, and beautifully maintained appearance, contributing to the cultural and architectural heritage of the area.
- The house, which has been part of the historic homes tour, requires substantial investment to repair its 150-year-old adobe structure. Converting to a commercial zone is necessary to fund these preservation efforts adequately.

Compliance and Community Benefits:

Rezoning the property to a commercial use will ensure compliance with city zoning regulations and support the property's intended mixed-use functions. This conversion will bring several benefits to the community:

- Increased economic activity by attracting visitors who will patronize local businesses, enhancing the vibrancy of the commercial district.
- Continued provision of essential temporary housing services for local residents in need, fulfilling a critical community function.
- Preservation of a historically significant property, which contributes to the neighborhood's aesthetic and cultural value.

Conclusion:

The intended use of the property at 210 South 500 West reflects a thoughtful integration of commercial potential with community-oriented services and historic preservation. The project seeks to balance economic viability with the preservation of a historically significant property, ensuring the home remains a valuable asset to the community. By aligning the property's zoning with the surrounding commercial area and the Provo City General Plan, the proposed amendment supports the growth of mixed-use development and the conservation of the neighborhood's historical assets. This change will allow the property to continue serving as a residence while also providing temporary accommodations, thereby meeting both residential and commercial needs within the community.

ATTACHMENT 4: APPLICANTS LETTER – REZONE

Justin Zsiros
210 South 500 West
Provo, UT 84601
jzsiros@gmail.com
801-494-3956
May 31, 2024

City of Provo Planning and Development Department
Provo, UT

To whom it may concern,

I am writing to request a zone amendment for my property located at 210 South 500 West, Provo. The current zone designation is RC LDR (Residential Conservation Low-Density Residential), and I propose to change it to CG (General Commercial).

Reason and Justification for the Zone Amendment:

The historic nature of my home has been recognized by the community, as evidenced by its inclusion in the historic homes tour in 2015. However, maintaining such a historic property is financially challenging. For instance, this week alone, I am faced with a \$6,000-\$8,000 repair bill to address crumbling adobe that is over 150 years old. We are using the same materials as those used in the renovation of the Salt Lake Temple to ensure the preservation of its historic character. This level of maintenance is not feasible for a single-family residence.

Additionally, the location on a busy thoroughfare and state highway makes it less desirable for a family residence, particularly for those with young children or those seeking a quiet neighborhood. The property is better suited for a different function that can both sustain its maintenance and align with the city's development plans.

Promotion of Zoning Title and General Plan Objectives:

The proposed zone amendment aligns with the Provo City General Plan and Policies by supporting mixed-use development in this area. The intended use of the property will maintain its residential character while allowing for short-term stays, thereby supporting the city's vision of integrating residential and commercial uses.

The goals of this conversion are:

1. To maintain and enhance the historic value of the home.
2. To provide short-term rental accommodations, attracting visitors and supporting local businesses.

3. To continue offering temporary housing for locals facing life challenges, thus supporting the community.

The amendment will also bring the property into compliance with city zoning ordinances, allowing me to legally continue offering short-term rentals and maintain my residence within the property.

Community and Economic Benefits:

Rezoning to CG will allow me to generate the necessary funds for ongoing maintenance and restoration of this historic property. This conversion is not intended to be a lucrative business venture; rather, it aims to cover costs and preserve the home's historic beauty. By charging \$35-50 per night for a room, I can cover maintenance expenses and provide part-time jobs, and temporary places to stay for local community members, as I have been doing. In fact, several of my guests are local residents who for one reason or another need a pleasant, affordable home for a short term (divorce or family problems, temporary unemployment, hospital stays, or temporary homelessness, etc.).

Preservation Commitment:

My goal is not to demolish the historic home and replace it with a commercial building. Instead, I intend to preserve and enhance its historic character. The residential function of the property will continue, offering temporary stays for visitors and locals in need. This approach ensures the property remains a valuable part of the community while complying with city ordinances.

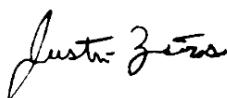
The proposed amendment supports the intent of the general plan by maintaining the residential structure and function. If the city prefers, changing the general plan to commercial for this property would also align it with the property's immediate neighbor to the south (locksmith, plumber, etc). This alignment between the zone and general plan is not always required, as seen with properties along 500 West, such as the H&R Block office.

Conclusion:

The requested zone amendment for 210 South 500 West is essential for preserving its historic value, supporting the local community, and aligning with Provo City's development goals. This conversion represents the best way to maintain the building and its function, ensuring it remains an integral part of the neighborhood.

I appreciate your consideration of this application and look forward to your support in preserving this historic property.

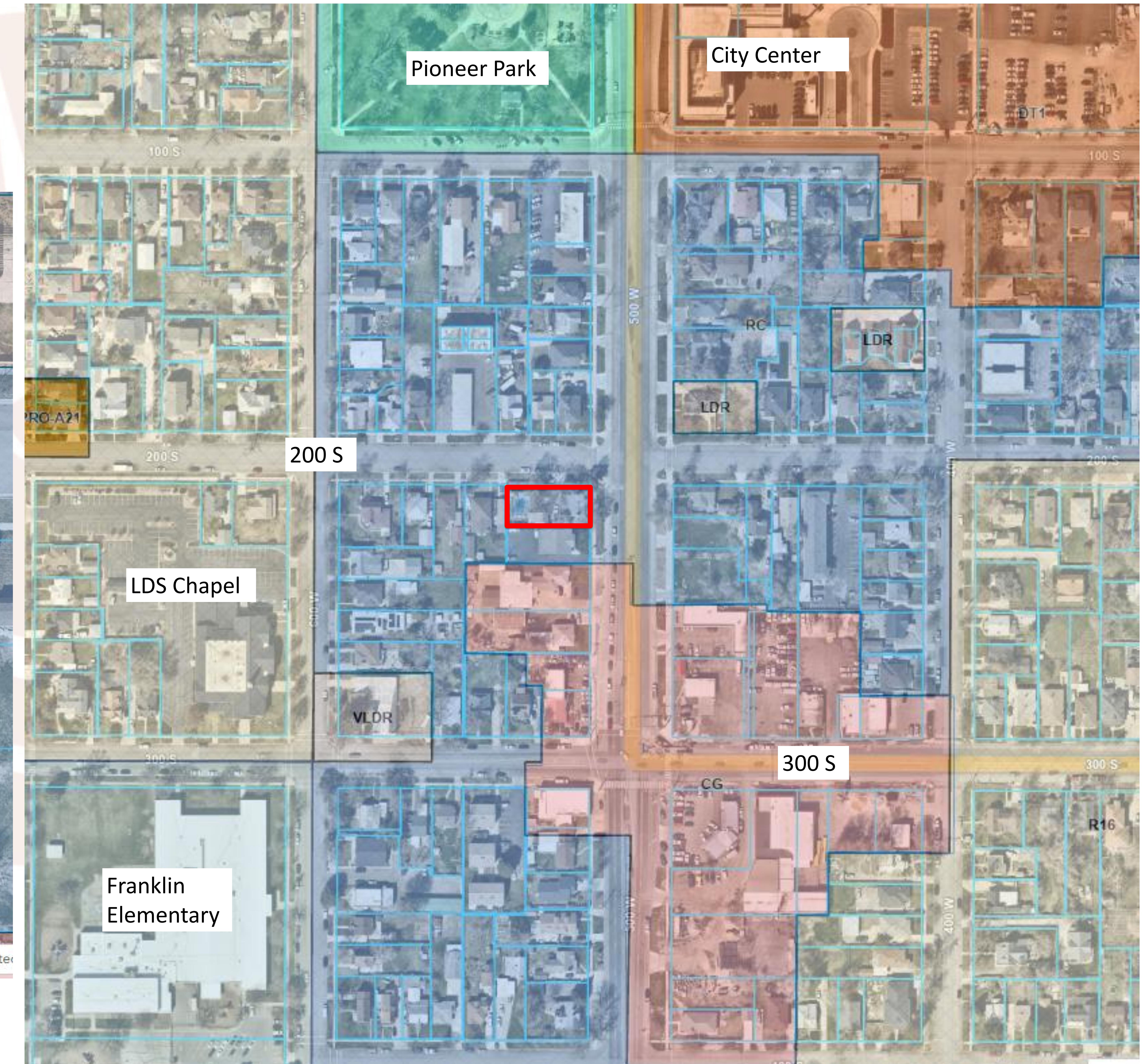
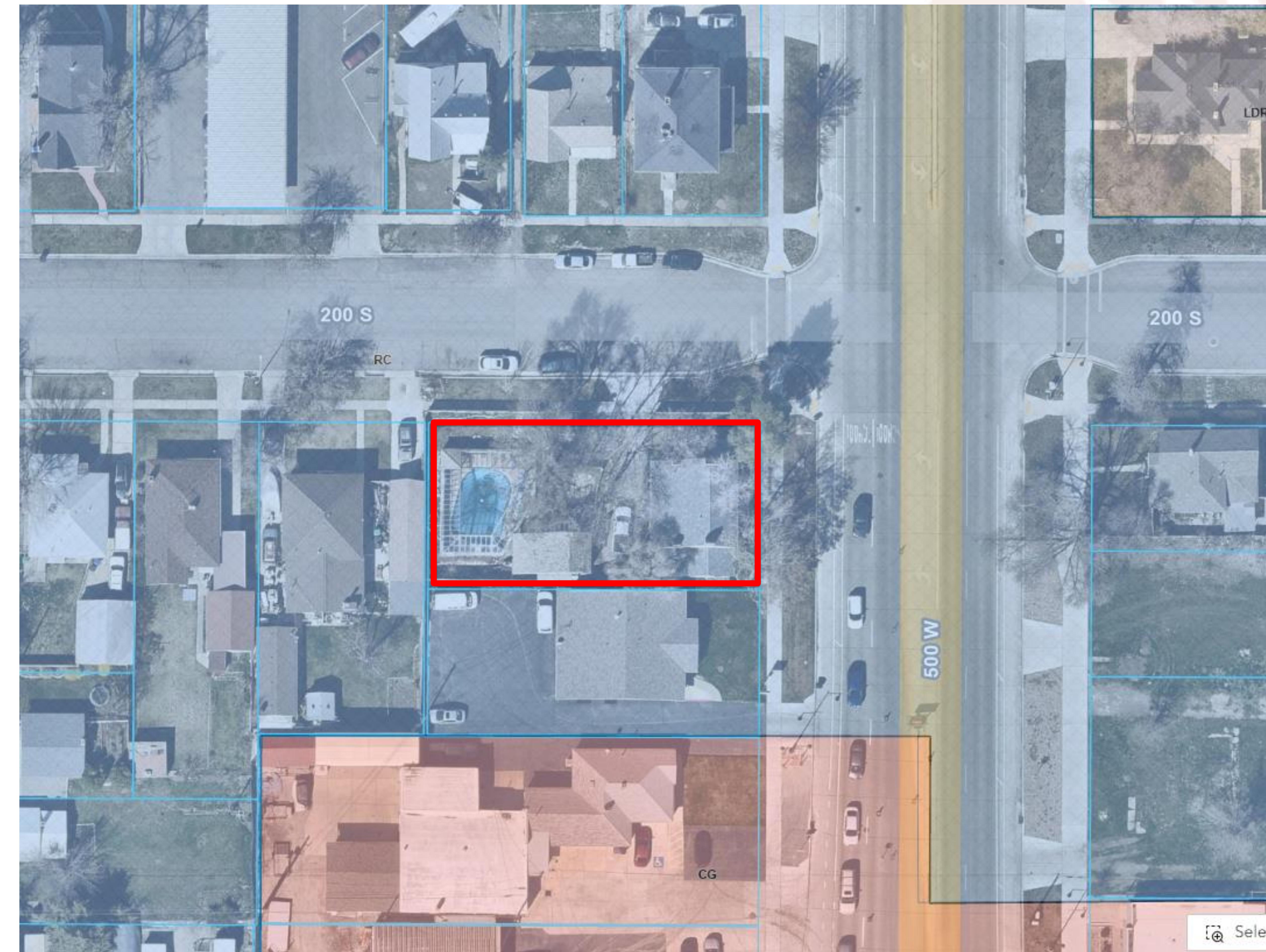
Sincerely,



Justin Zsiros

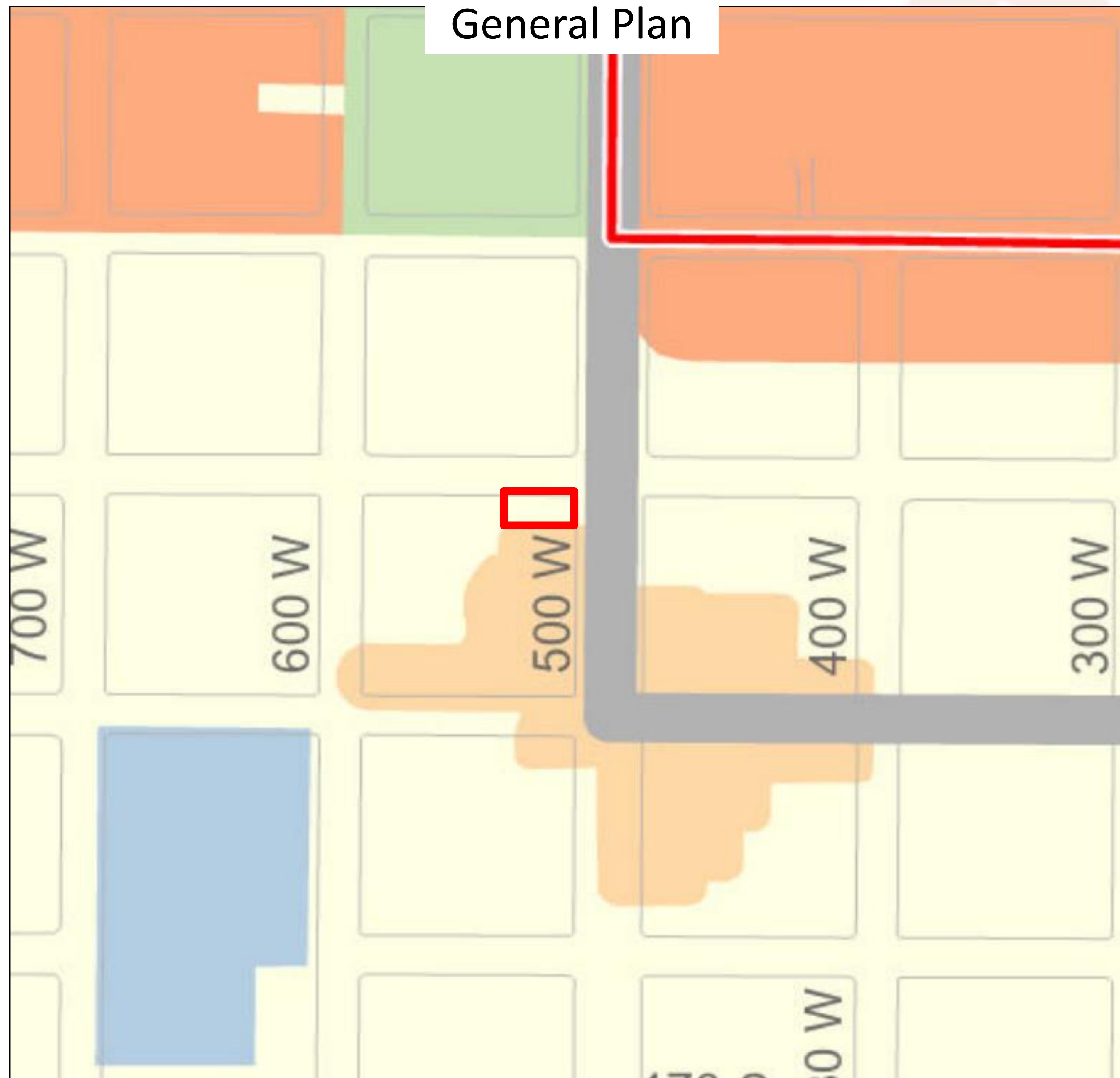
Context

RC to CG Zone Map Amendment



Future Land Use Maps

RC to CG Zone Map Amendment

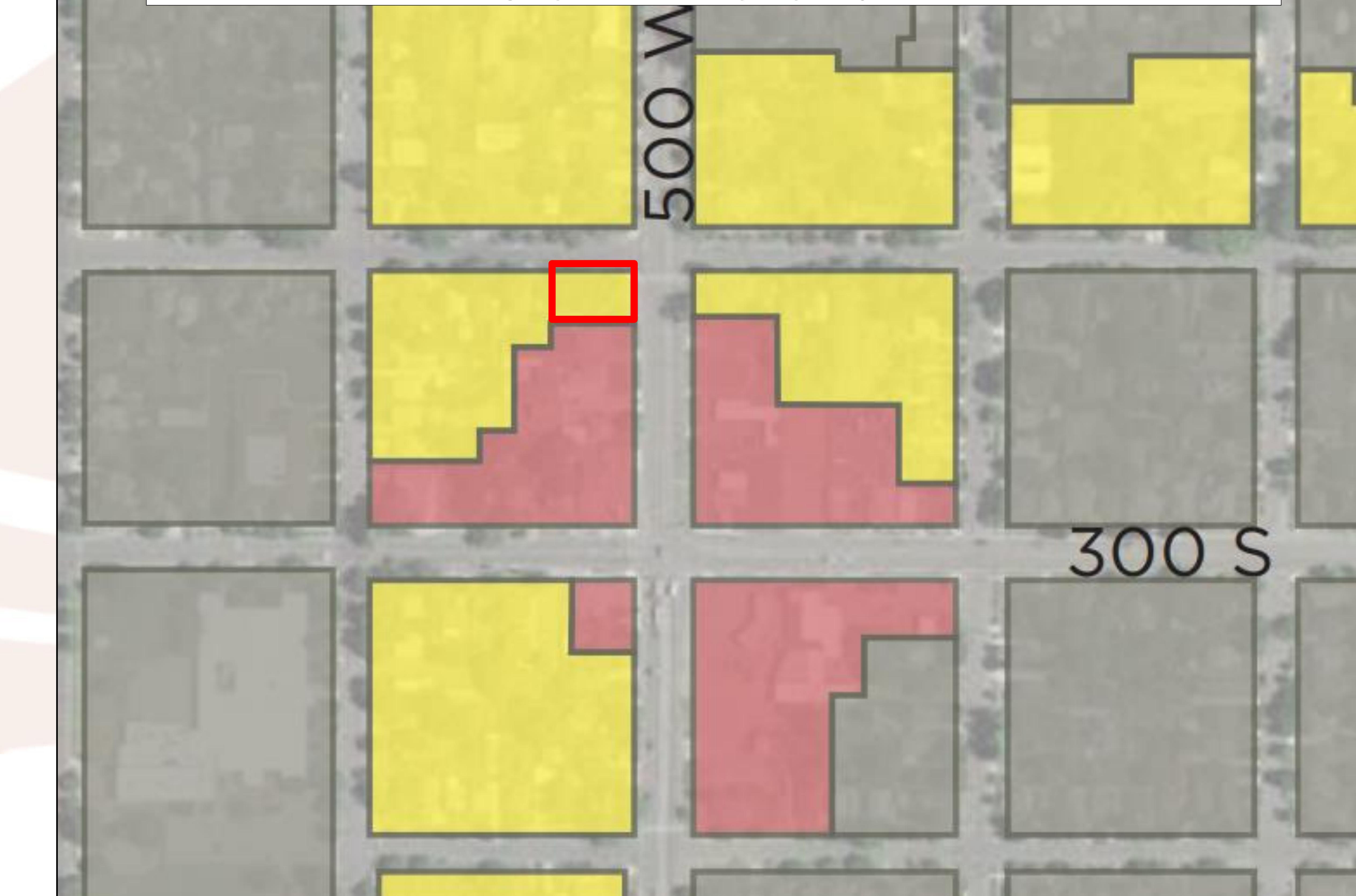


Residential Mixed Use Downtown
Facilities Parks

Franklin Plan

The advisory committee and public stated a desire to protect and strengthen the single-family environment of the neighborhood using the R1.6 future land use.

The CG area around the intersection of 300 S and 500 W, is one of repeated concern and focus when meeting with Franklin residents, Provo City staff, and the Franklin Neighborhood advisory committee. It was designated as mixed use in the Franklin Plan, for neighborhood scale multi-use buildings, plazas, and property residential buffers.



R1.6 Mixed Use No change

Reasons for Proposed Amendment (from applicant)

RC to CG Zone Map Amendment

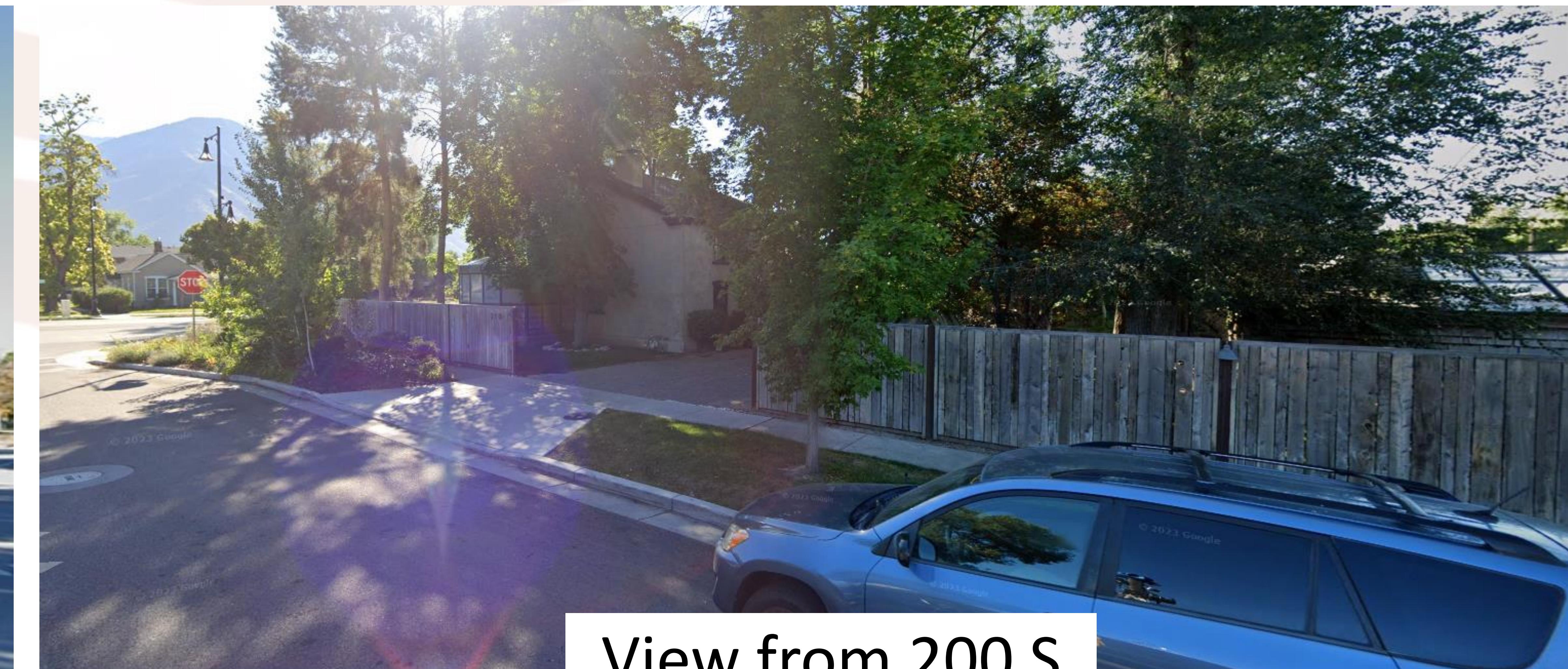
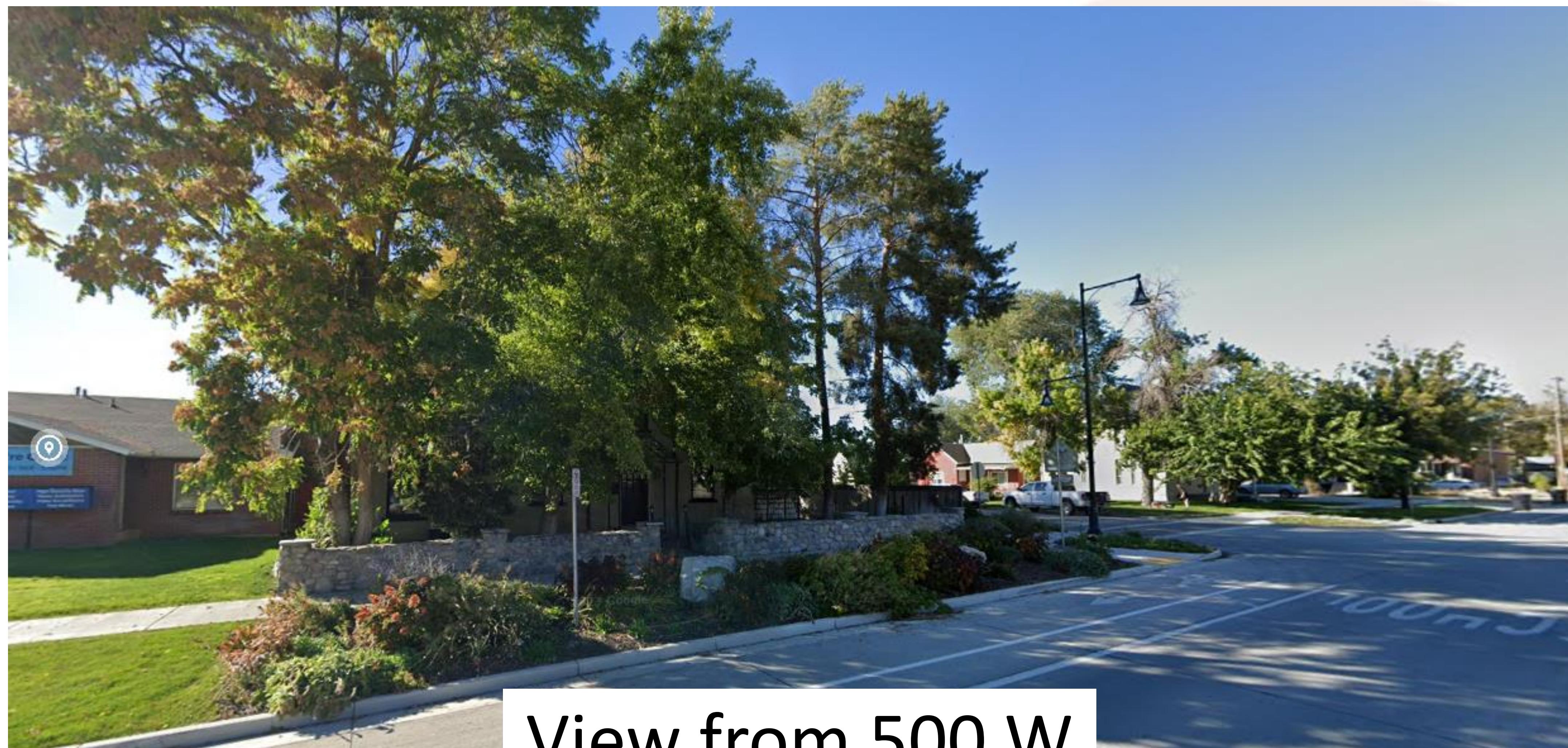
- This has been an AirBnB for the past 11 years with no complaints.
- 500 W is a busy road and keeping it RC will hurt the resale value.
- There are existing businesses to the south and across the road to the southeast.
- This lot is a residentially-zoned island, this rezone is needed to finish the block of commercially zoned properties.
 - 200 S is a clear division between residential and commercial properties on the west side of 500 W
 - It does not intrude onto the existing residential properties.
- A short-term rental helps to pay for the upkeep of the historical home
- No other options were presented
- Gathered support from neighbors

Reasons for Denial

RC to CG Zone Map Amendment

- Is not compatible with the General Plan Map, Goals, or the Franklin Plan.
- The CG zone allows uses that are not compatible with the single-family neighborhood to the west.
- Short-term rentals do not preserve the character of a neighborhood.

- There is no public purpose for this amendment, it will only benefit the property owner.
- Provo City's Zoning team often gets complaints about short term rentals and occupancy, specifically regarding noise and traffic. It is Provo's policy to discourage them in residential zones.
- A short-term rental would require 2 parking spaces for the residents, and 1 per guest room. There are 5 guest rooms, which would require 7 spaces.



CE History

- **September 2023**, a neighbor submits a complaint regarding the STR
- **November 2023**, after compiling evidence and history regarding the STR, a code enforcement letter is sent to the applicant
- **January 2024**, applicant appears at admin court hearing regarding illegal STR
- **February 2024**, code enforcement case is closed. Code enforcement officer was under the impression that the STR had been discontinued.
- **April 2024**, existence of STR was confirmed by Fire Department, new case opened.
- **May 2024**, applicant applies for rezone.

CG Uses

Permitted:

Retail trade (apparel, books, sporting supplies, etc.)
Services (laundromat, beauty, barber, etc.)
Food (restaurant, food stores)
Athletic clubs
Banks

Conditional:

Short Term Rentals/Motels
Used car dealership
Wedding reception centers and dance halls
Automobile repair
Car wash
Thrift store
Furniture repair

Planning Commission June 26th

RC to CG Zone Map Amendment

Planning Commission recommended denial.

- Three neighbors raised concerns about a permitted STR in their neighborhood.
- Good location for an owner-occupied ADU.
- Current STR rentals are restrictive, could look into expanding STR options.
- Commercial uses are not compatible with the residential street (200 S).
 - Single-family homes are attractive to buyers despite the busy streets they are on.
 - Commercial uses do not surround the subject property.
 - It would reduce the housing supply and possibly set a precedence.
 - Other funding options for home maintenance.

Staff's recommendation

RC to CG Zone Map Amendment

Provo City staff recommend denial on this item.

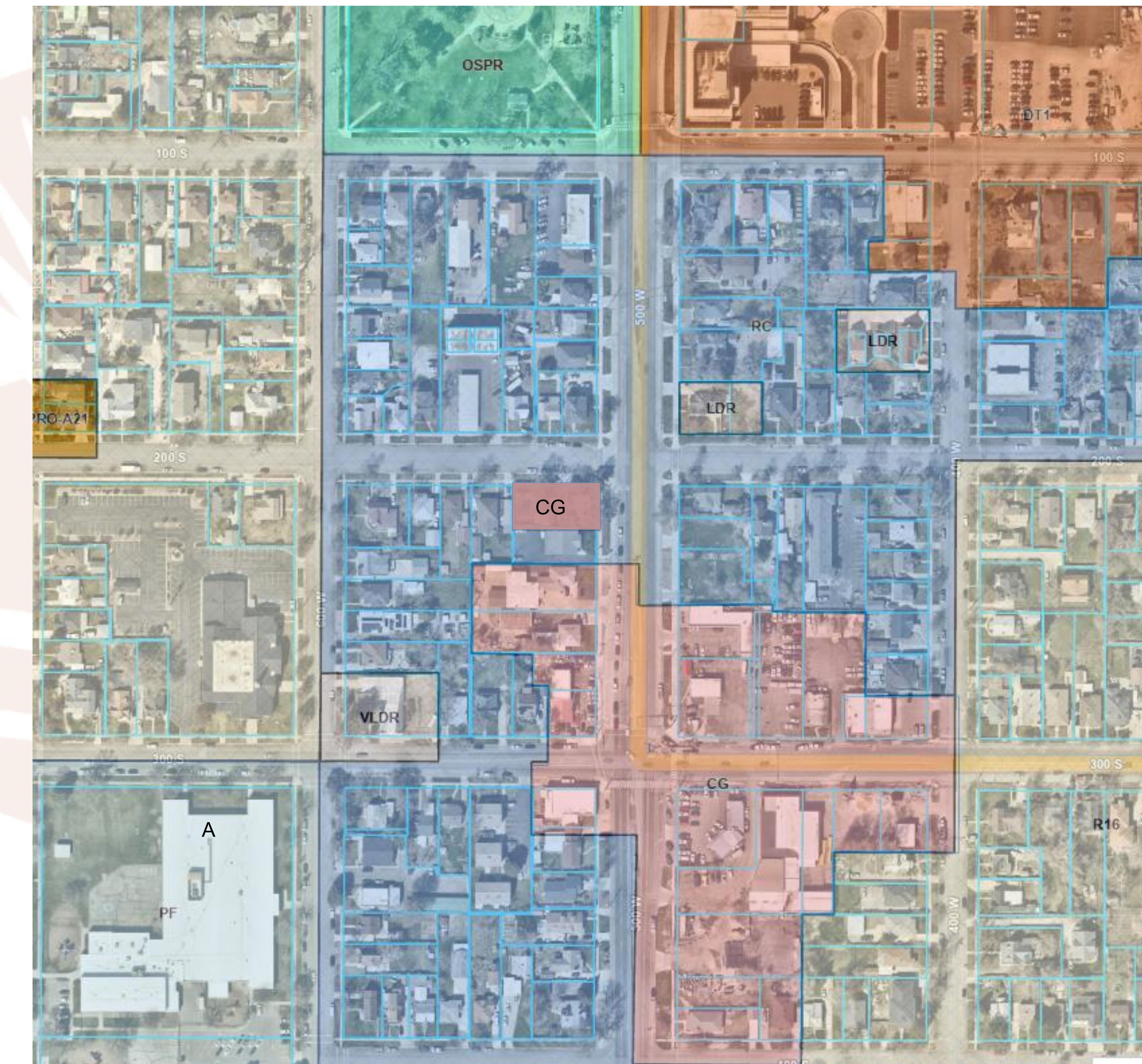
Approving this rezone could send a message to other homeowners on busy streets or near commercial that the city will support rezones for short-term rentals.

It does not help to meet the goals of the General Plan, and it does not match the General Plan future land use map.

A commercial rezone opens up this property to other commercial uses, which could further encroach into the neighborhood in the future.

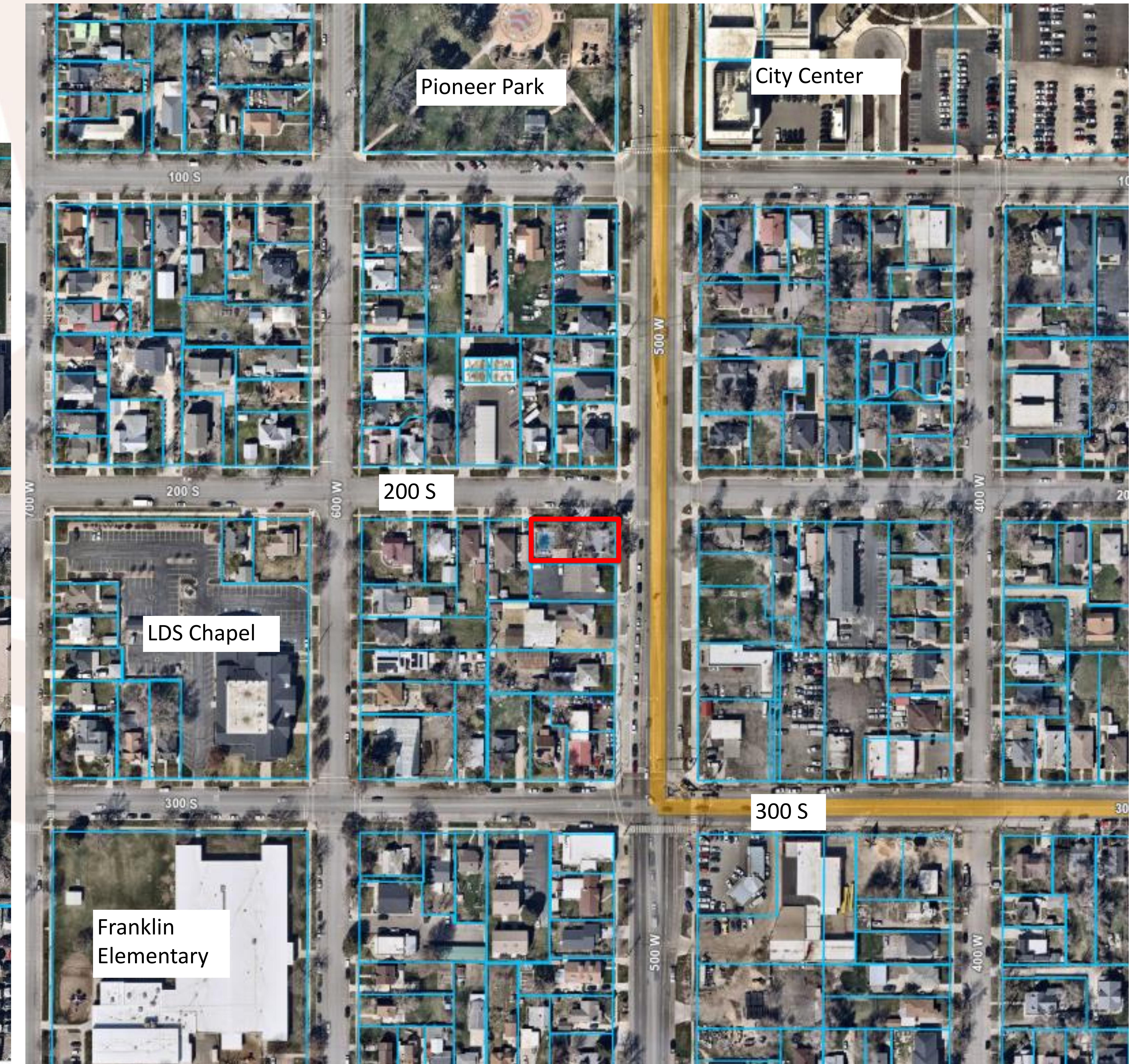
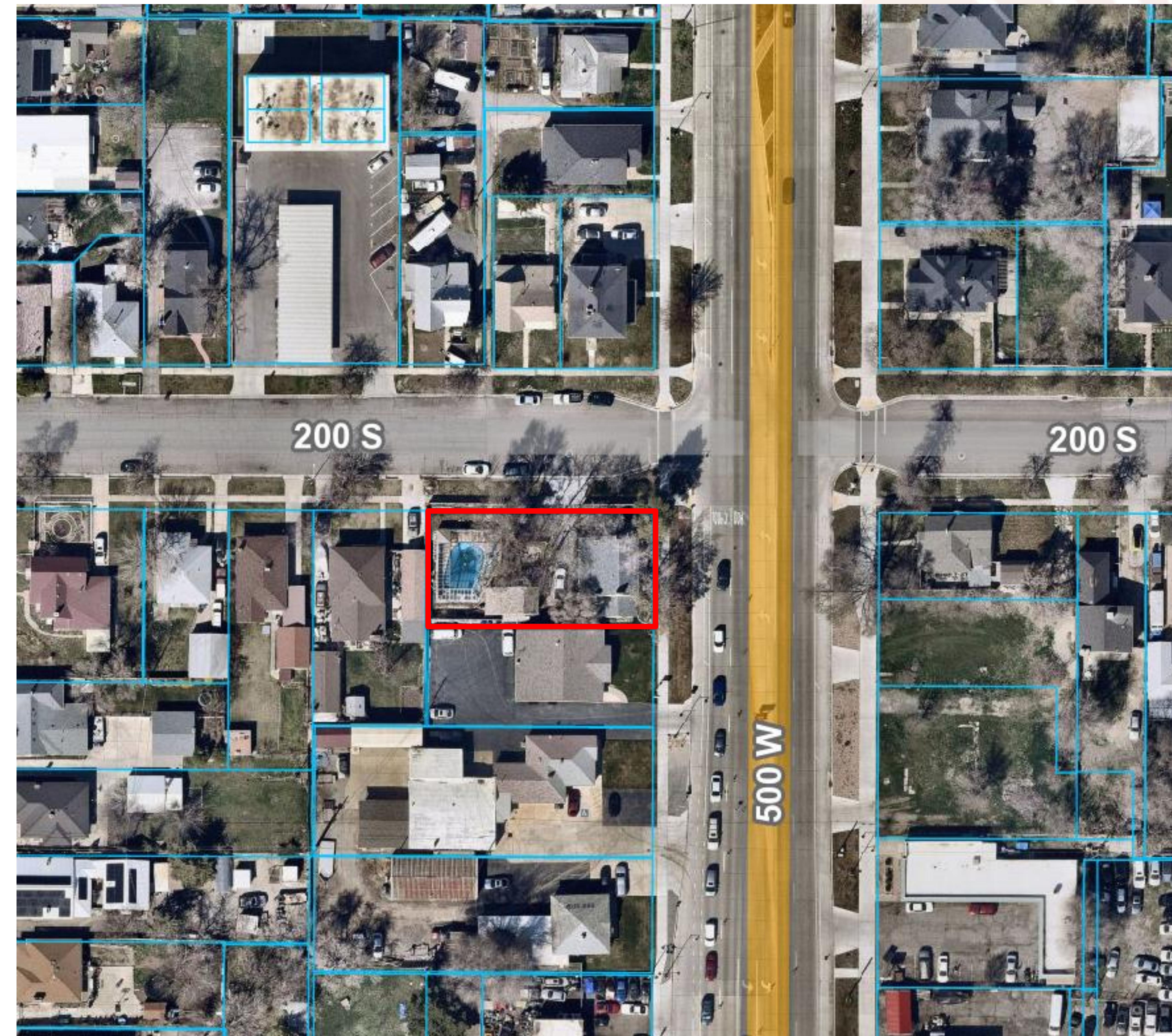
Proposed New Zoning Map

RC to CG Zone Map Amendment



Aerial

RC to CG Zone Map Amendment



Exhibits

Justin Zsiros
Provo City Council Meeting
August 6, 2024



Faces 500 West with four bedrooms having their windows along the second busiest street in Provo.



Historic home best shared with the community. Long term tenants tend to destroy, deteriorate, and abuse homes. Due to its historic and sensitive structure this house cannot well endure sustained long term rentals.



Historic home best shared with the community, and maintained through above average expensive experts.



Historic home best shared with the community, and maintained through above average expensive experts.

What was it like at 210 S 500 W?

- mix of short, medium, long term and owner occupied
- displaced, on the verge of homeless, in between housing, emergency **affordable** short term local residents
- families looking for a unique home style stay
- business professionals coming to convention center, etc.

BEFORE

100 years ago this was a beautiful quiet residential area

Waterway

Spacious lots

Subject Property



NOW

20,000 cars a day

Corridor to downtown

4 lane State Highway

Heavy & General Commercial,
Hospital, Downtown, Etc.



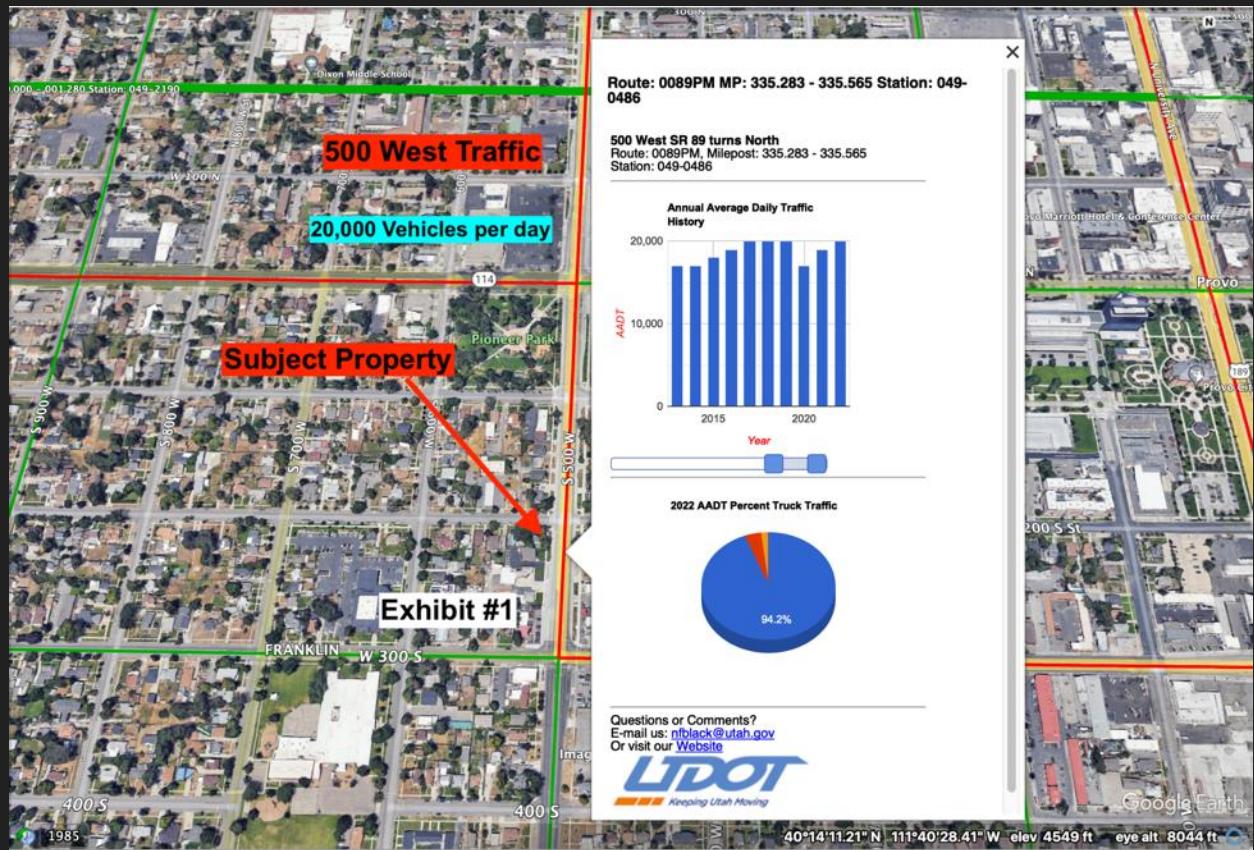
SR 89 (500 West) Is Not A Residential Street

20,000 vehicles per day

Highway designation
(SR 89)

Busier than Center
Street

300 South (inside
neighborhood) only 500
cars per day



Commercial Characteristics of SR 89 (500 West)



Commercial Characteristics of SR 89 (500 West)



Commercial Characteristics of SR 89 (500 West)



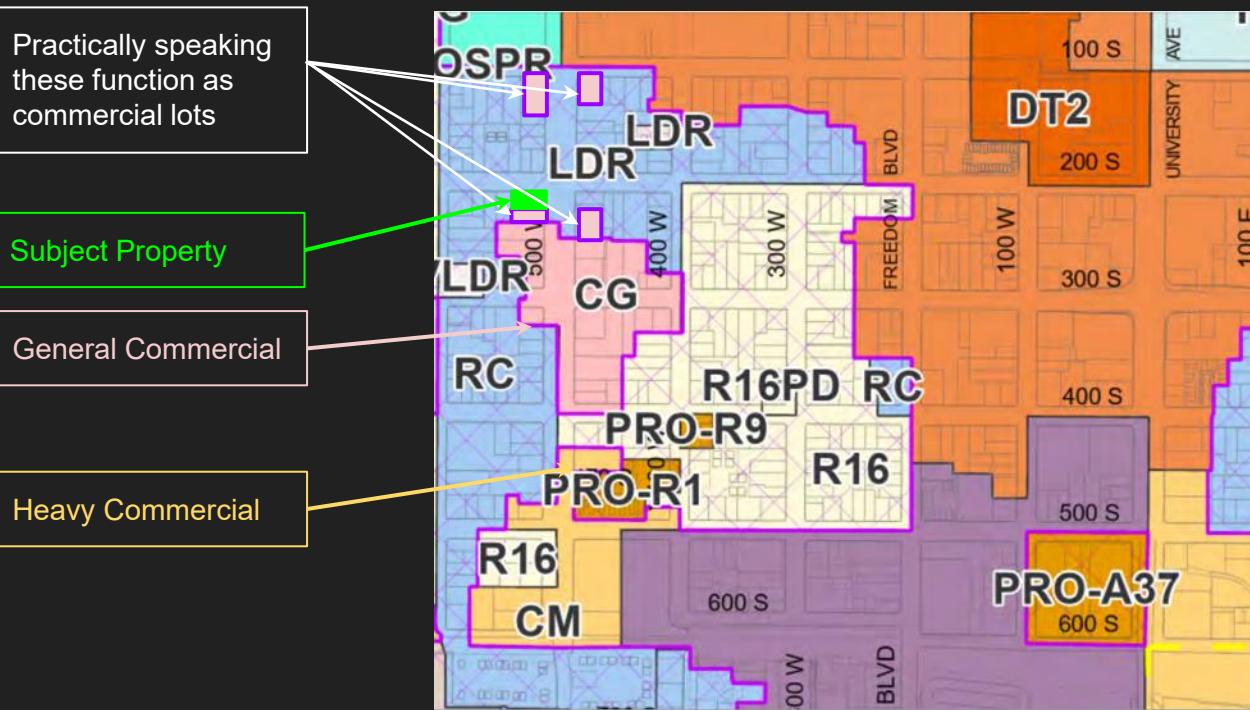
Commercial Characteristics of SR 89 (500 West)



Commercial Characteristics of SR 89 (500 West)

-Heavy & General Commercial, Downtown, Hospital, Etc.

-This parcel is in a commercial part of the city not a residential area



Problem: Land Use Conflict

- not ideal spot for single family home
- commercial abutting and all down the street (loud)
- motel across the road with drugs, and frequent police presence
- 20,000 cars a day (loud, busy, unsafe for raising a family)

Solution: Approval of bed and breakfast

- approve for commercial (to allow for bed and breakfast function) or add language to RC Zone to allow for Bed and Breakfast for historic homes
- maintain as dwelling
- add home to the historic registry, so that should ownership change from me, the home would still be preserved

Benefits

- buffer between true residential and 500 W while not adding to the noise level of other commercial in the area
- reduces land use conflict
- employs local residents for cleaning, maintenance etc.
- economic benefit stays in the community (unlike corporate hotels)
- supports small local business
- maintains a historic building
- invites visitors to see a unique and historical aspect of Provo's foundation
- balance of short term tenants walkable distance to downtown limits vehicles

Support from Our Neighbors

I offer my full support to the property owner in rezoning to commercial.

Van Linford

224 - 260 S 500 W

I've never had a problem with his Airbnb its never bothered me or my family. I think his Airbnb is great.

Irma Osegueda

520 W 200 S

I believe Airbnbs should have their place in any community, adding to the diversity of options for short term stays. I believe in regulations for these types of properties but Justin is an example of how a well managed short term rental can contribute to a neighborhood.

Megan Geilman

231 S 600 W

I have never seen any problems while running his Airbnb.

Jaime Osegueda

520 W 200 S

Justin's Airbnb is an asset to our neighborhood. His diligent management, respectful guests, and the positive economic impact all contribute to making our community a better place to live. I fully support Justin and his efforts and believe that his Airbnb should be recognized for the positive influence it has on our area.

McKenzie Goulding

165 S 500 W

Future of Commercial on 500 West ?

Status quo



Alternative



Why Approve the Rezone?

Unique location, unique structure, unique situation

Reduce land use conflict between this parcel and its abutting commercial neighbors

Bring zone in line with actual function of area it is in.

Maintain the look and feel of a residential neighborhood while providing a buffer between true residential and busy highway / commercial street

Improve the area

Additional...

Letters of support echo the same sentiment...

To whom it may concern,

I am in support and recommend having Justin's Air B+B stay in business. Since Justin bought the home about 14 years ago he has made many valuable upgrades to the interior and the exterior of this historical property. It is one of the oldest homes in Provo and is a unique asset to this community. It makes me wonder why anyone would object to this being in operation when it is located in a commercial area and faces a busy roadway just south of downtown.

I personally have been able to speak with many of the guests, some of who are repeat customers, that have come from near and far to visit Provo. Without exception, each person I spoke with has been impressed by the beauty and the detail that has gone into preserving this property. Justin not only receives registered guests from out of town but he has been very generous in allowing local families to gather at this location and use the facilities including the beautiful pool for special events and family activities.

It would be a shame not to be able to continue to share this historical treasure with anyone that wishes to experience it while enjoying the other great attractions that Provo has to offer.

Gap in the regulations...

RC Zone allows for the following commercial uses in historic homes:

- mail and phone order business
- dry goods and general merchandise
- candy, nut, and confectionary
- apparel and accessories
- custom tailoring shop
- miscellaneous retail trade (pharmacy, sporting goods, fuel store, etc. +100)
- antiques
- second hand clothing
- barbershop
- mortuary
- personal & professional services

Problem: no current legal framework

- one size fits all is never a good policy
- there is a gap in allowing for the following commercial uses in historic homes in the RC zone but not a bed and breakfast (personal services, mortuary, beauty and barber shop, studio, tailor, retail stores (antiques, clothing, general merchandise, dry goods, candy, mail and phone order, etc.).

Solution: add language to RC Zone to allow for Bed and Breakfast in historic homes

- approve for commercial (to allow for bed and breakfast function) or add language to RC Zone to allow for Bed and Breakfast for historic homes
- maintain as dwelling
- add home to the historic registry, so that should ownership change from me, the home would still be preserved

If Residential Zone For This Lot Remains

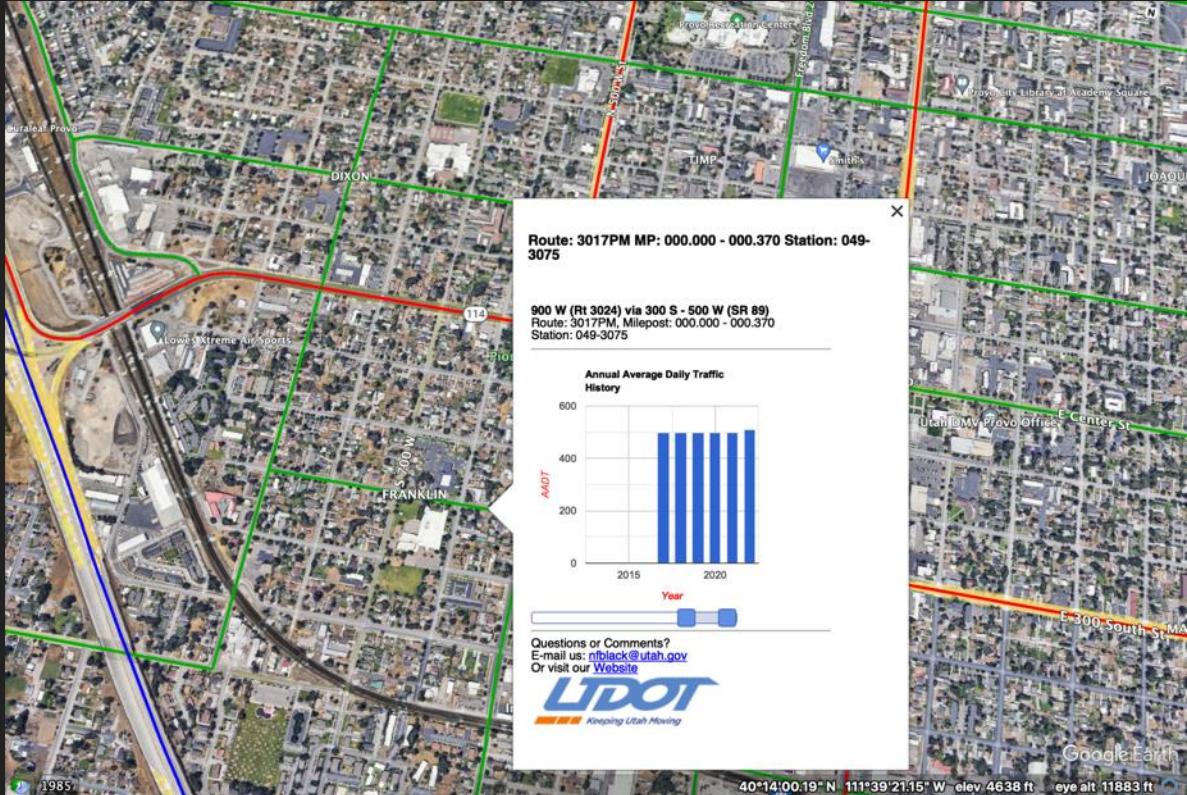
Status quo continues

Future land use conflict between residents and abutting commercial

Noise and traffic complaints as 500 West continues to get busier

Undue burden on homeowner unable to sell a single family home surrounded by commercial

300 South inside neighborhood has 500 cars a day

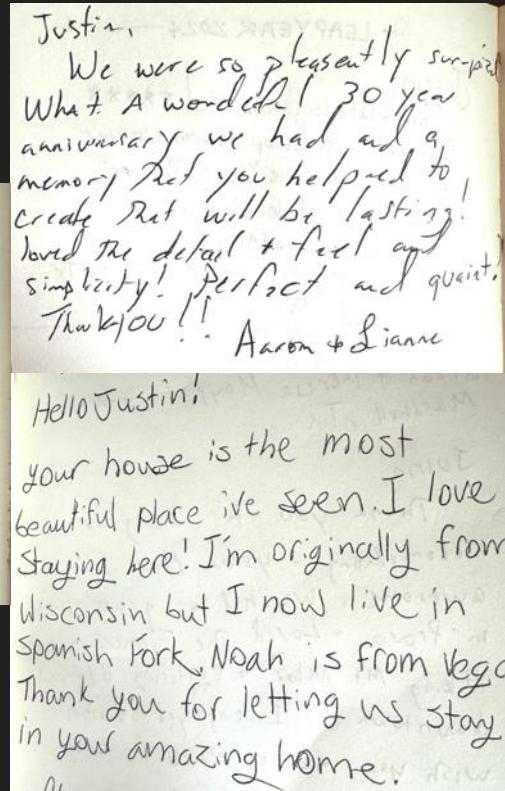


Future of Commercial on 500 West ?

Status quo

 Angel Told	1/5
Everyone does crack. The guy next door dropped his pants and when i rejected him he almost broke ym door down. Two doors down wasas a lady who is a cockroach queen her toom is literally full of cockroaches so all the hotels also have cockroaches. Theres no internet. They turned my water off for a week. The place is for crackers if ur not a cracker dont go here they will kick u out for not doing crack with them.	Rooms 1.0 Service 1.0 Location 1.0 ...
 Collin Fisher	1/5
I didnt even stay buggggs!!!!!! I heard about the place cause im in a pinch went to go check it out gross!! I alway look for bugs before i stay any where I went it smelled like something dead mold everywhere bed was gross no sheets no blanket no shower curtain then i open the cabinet door and roaches everywhere I am a big guy and i yelled! There had to be every bit of 300 roaches I didnt even get my money back cause i wasnt stay around to get it for your own good DO NOT STAY HERE !!!!!!	Rooms 1.0 Service 1.0 Location 2.0 ...
 Joshua Garner	1/5
Should be called the worst Motel. I suppose it is good if you like sharing a motel with druggies, prostitutes, and having the cops bust down doors all night and day arresting these low life losers. Management knows it is an awful place. they never even come around. it's like a cesspool of all of the worst kind of people you didn't know existed in provo.	Rooms 1.0 Service 1.0 Location 1.0 ...

Alternative



PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: MDAYLEY
Department: Recorder
Requested Meeting Date: 08-06-2024

SUBJECT: An ordinance prohibiting parking in front of mailboxes in certain areas in proximity to Timpview High School. (24-060)

RECOMMENDATION: Draft ordinance discussion- Council motion needed for further action.

BACKGROUND: The City has received complaints from residents who cannot receive their daily mail because their mailbox is obstructed by parked vehicles. Staff has done some preliminary research and prepared a couple of options for the Council to consider, should they choose to pursue the issue.

FISCAL IMPACT: N/A

PRESENTER'S NAME: David Pyle, Council Intern

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 24-060

ORDINANCE 2024-_____.

AN ORDINANCE PROHIBITING PARKING IN FRONT OF MAILBOXES IN CERTAIN AREAS IN PROXIMITY TO TIMPVIEW HIGH SCHOOL. (24-060)

RECITALS:

It is proposed that Provo City Code Section 9.31.010 be amended to prohibit on-street parking in front of mailboxes between the hours of 6 AM and 6 PM, Monday through Saturday, in the designated areas near Timpview High School, as described in Exhibit A and shown in Exhibit C, until January 1, 2030;

This ordinance will prevent obstruction of mailboxes that prevents Provo residents from receiving their mail, often for days at a time;

On July, 18, 2024 and August 6, 2024, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

After considering the facts presented to the Municipal Council, the Council finds that (i) Provo City Code should be amended as set forth below, and (ii) such action furthers the health, safety, and general welfare of the citizens of Provo City.

THEREFORE, the Municipal Council of Provo City, Utah ordains as follows:

PART I:

Provo City Code Section 9.31.010 is amended as shown in Exhibit A.

PART II:

Provo City Code Section 9.17.060 is amended as shown in Exhibit B.

PART III:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance prevails.
- B. This ordinance and its various sections, clauses, and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance is not affected by that determination.

42

43 C. This ordinance takes effect immediately after it has been posted or published in accordance
44 with Utah Code Section 10-3-711, presented to the Mayor in accordance with Utah Code
45 Section 10-3b-204, and recorded in accordance with Utah Code Section 10-3-713.

46

47 D. The Municipal Council directs that the official copy of Provo City Code be updated to
48 reflect the provisions enacted by this ordinance.

49 EXHIBIT A

50

51 **9.31.010 Stopping, Standing or Parking Prohibited – No Signs Required.**

52 It shall be unlawful to stop, stand or park a vehicle, except when necessary to avoid conflict with other
53 traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of
54 the following places:

55 (1) On or over a sidewalk;

56 (2) In front of a public or private driveway;

57 (3) Within an intersection;

58 (4) Within fifteen (15) feet of a fire hydrant;

59 (5) On or over any portion of a crosswalk;

60 (6) Within twenty (20) feet of a crosswalk at an intersection;

61 (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal
62 located at the side of a roadway;

63 (8) On a traffic island in the middle of a street, or in any place in the middle of a divided highway;

64 (9) Within fifty (50) feet of the nearest rail of a railroad crossing;

65 (10) Within twenty (20) feet of the driveway entrance to any fire station;

66 (11) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking
67 would obstruct traffic; **and**

68 (12) In a bike lane; **and**

69 (13) Within 10 feet of a mailbox between the hours of 6 a.m. and 6 p.m., Monday through Saturday,
70 until January 1, 2030 on either side of the streets in the following areas:

71 (a) The area bounded by 3950 North on the north, Timpview Drive on the east, 3050 North on the
72 south, and 450 East on the west;

73 (b) 3900 North east of Timpview Drive;

74 (c) 3800 North and 3750 North east of Timpview Drive and all roads intersecting them;

75 (d) Quail Valley Drive between Timpview Drive and Little Rock Drive, and all roads intersecting with
76 it in that span;

77 (e) 3230 North east of Timpview Drive; and

92 (f) [3100 North east of Timpview Drive.](#)

93

94 The provisions of this Chapter prohibiting the standing or parking of a vehicle shall apply at all times, or
95 at those times herein specified, or as indicated on official signs, except when it is necessary to stop a
96 vehicle to avoid conflict with other traffic rules and regulations or in compliance with the directions of a
97 police officer or official traffic-control device.

100 **9.17.060 Fee for Infractions - Payment.**

101 (1) Fees and other money related to civil infractions shall be paid to the Finance Department in such
102 manner, not inconsistent with this Chapter, as the Finance Director shall direct. No Hearing Examiner or
103 any subordinate thereof shall receive any fees or other money related to civil infractions over which the
104 Hearing Examiner has jurisdiction.

105

106 (2) The fee for the violation of a regulation listed below shall be as shown in Subsection [\(8\)](#) of this
107 Section:

108

109 (a) All overtime restricted parking violations;

110

111 (b) Parking within an intersection in violation of Section [9.31.010](#), Provo City Code;

112

113 (c) Double parking in violation of Section [9.31.030](#), Provo City Code;

114

115 (d) Parking out of stall in violation of Section [9.31.020](#), Provo City Code;

116

117 (e) Parking in a red or yellow curbed area in violation of Section [9.31.020](#), Provo City Code;

118

119 (f) Parking across or on a sidewalk in violation of Section [9.31.010](#), Provo City Code;

120

121 (g) Parking in noncompliance with a parking sign or parallel parking requirements
122 established under Section [9.31.020](#), Provo City Code;

123

124 (h) Parking in a crosswalk in violation of Section [9.31.010](#), Provo City Code;

125

126 (i) Parking left side of curb in violation of Section [41-6-104](#), Utah Code;

127

128 (j) Vehicles parked with expired registration in violation of Section [41-1a-215](#), Utah Code;

129

130 (k) Parking too close to a fire hydrant in violation of Section [9.31.010](#), Provo City Code, or for parking in
131 a fire access lane in violation of Section [9.32.120](#), Provo City Code;

132

133 (l) Parking or leaving a vehicle unattended over seventy-two (72) hours in violation of Section [9.31.050](#),
134 Provo City Code;

135

136 (m) Except as specifically allowed under Chapter [9.32](#), Provo City Code, parking along a public street or
137 highway which obstructs or partially obstructs clear passage of vehicular entrance or egress to any
138 driveway abutting upon a public street or highway in violation of Section [9.31.010](#), Provo City Code;

139

140 (n) Parking in a disability parking space in violation of Section [41-1a-414](#), Utah Code;

141

142 (o) **Parking within 10 feet of a mailbox in violation of Provo City Code Section 9.31.010;**

143

144 (p) Any other parking violation found in the Provo City Code or State law, but not specifically mentioned

145 in this Section; and

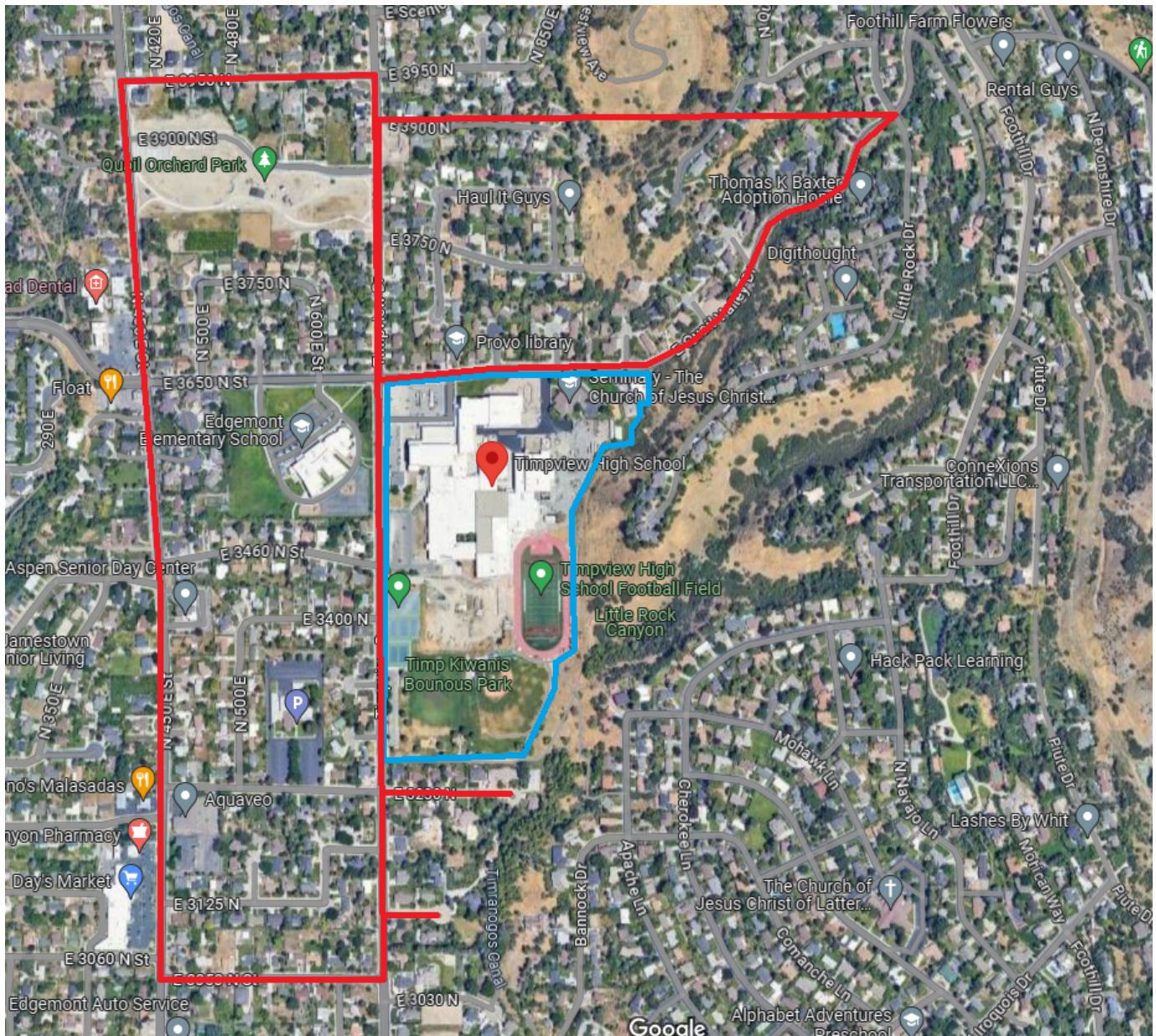
146

147 (p)-(q) Violations of Section [9.32.170](#), Provo City Code.

148

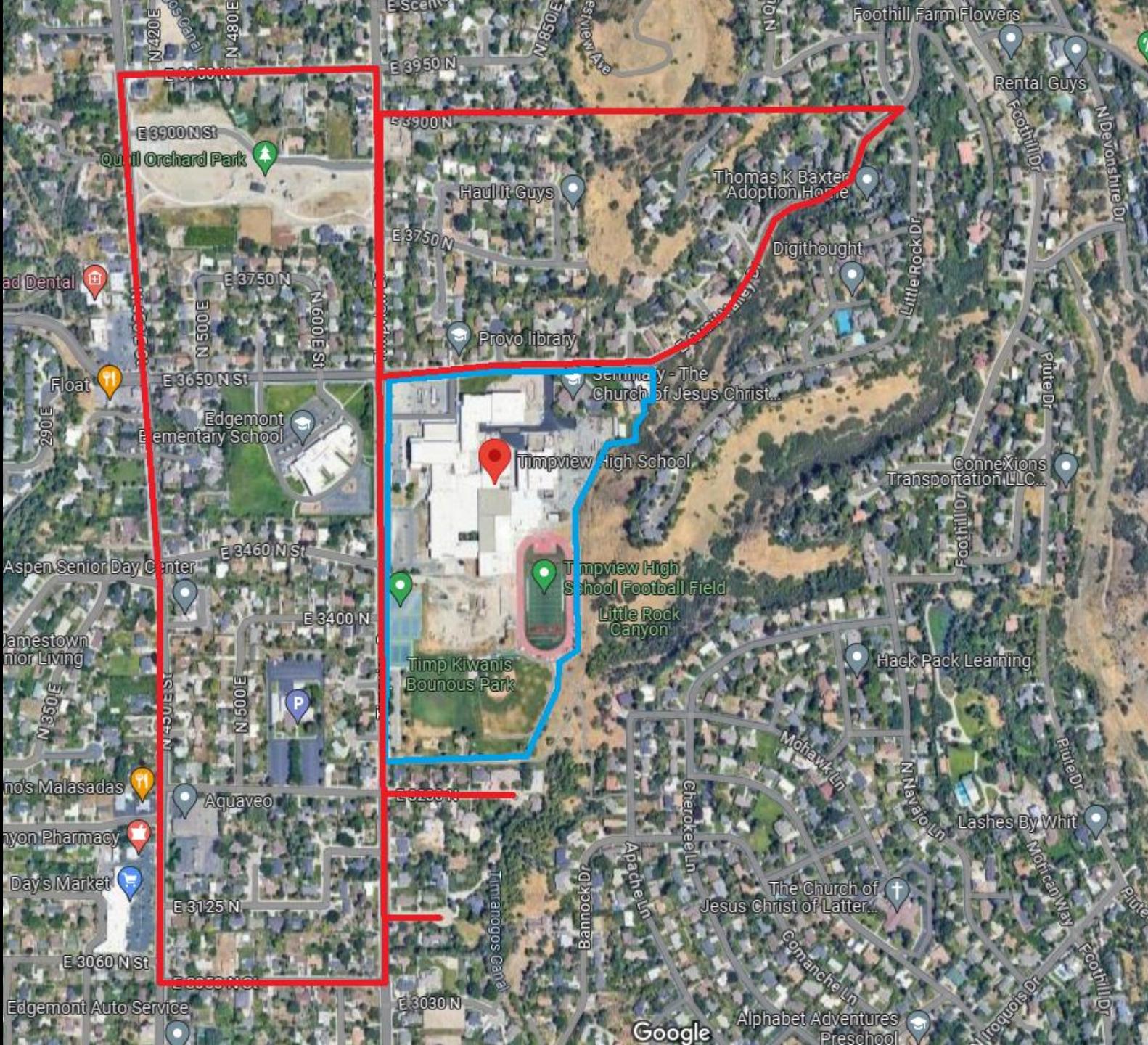
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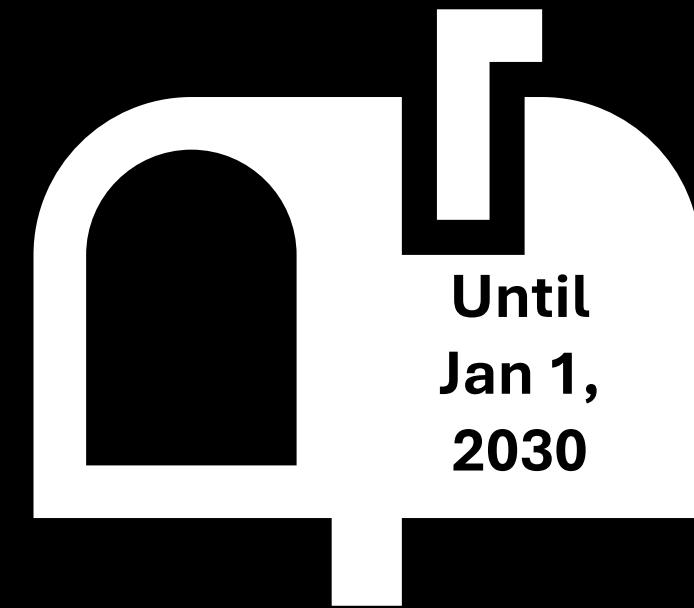
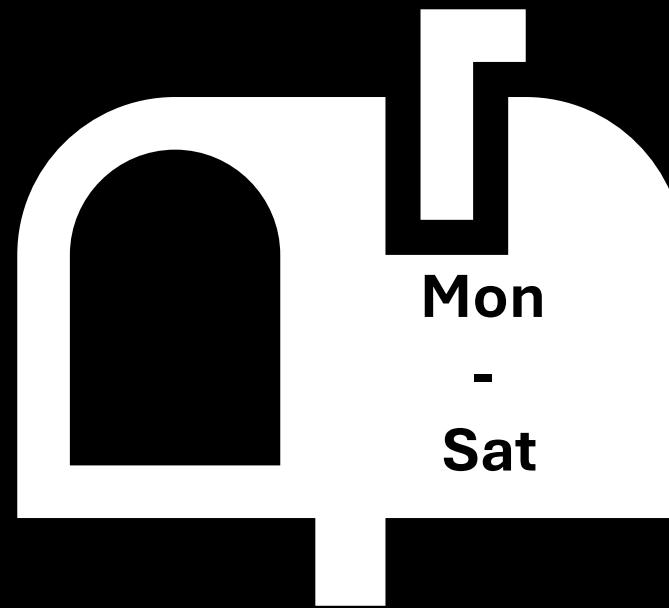
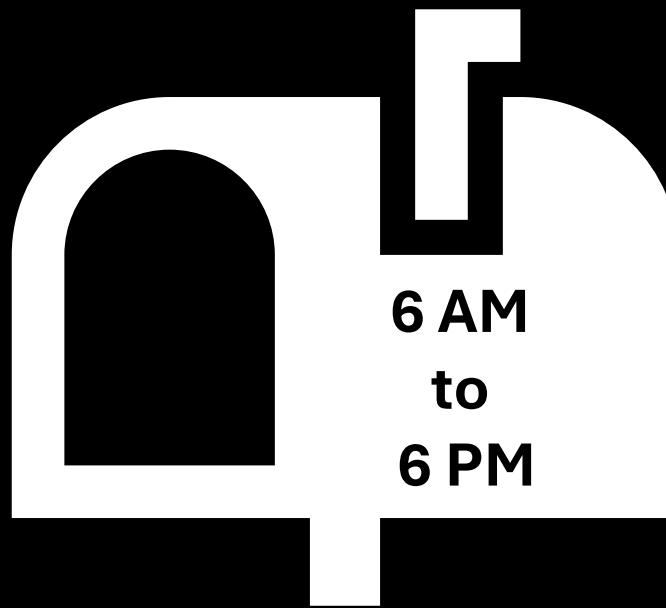
EXHIBIT C





Mailbox Parking (Part 2)









Mailbox Parking - citywide

August 1, 2024, 10:47 AM

Contents

i.	Introduction	2
ii.	Summary of statements	3
iii.	Individual statements	4

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

Introduction

The Provo City Council is considering implementing on-street parking regulations in front of mailboxes. When cars are parked in front of mailboxes, the US Postal Service will not deliver mail which has become an issue in some neighborhoods around the city, especially for those residents living by Timpview High School.

Please let us know if this is a problem in your area and which streets/neighborhoods are affected and also let us know your opinion on the following regulation considerations --

Current regulation considerations:

Timing

Option 1: no parking between 7am-5pm, Monday-Friday

Option 2: no parking 24/7

Location

Option 1: citywide

Option 2: Specific geographic area either by neighborhood or a radius from a central point (i.e. Timpview High School)

Length of Regulation

Option 1: Sunset clause for regulation to end once construction is completed at Timpview High School

Option 2: in perpetuity

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

Summary Of Statements

As of August 1, 2024, 10:47 AM, this forum had:

	Topic Start
Attendees:	52 July 18, 2024, 11:44 AM
Statements:	26
Minutes of Public Comment:	52

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

Individual Statements

Name not available

July 19, 2024, 1:33 AM

Please do not regulate parking in front of mailboxes for the whole city this will be expensive to set up and unnecessary. If a neighborhood really has this issue, I suppose they can have parking in front of mailboxes made illegal, but I still find it hard to enforce and an expensive solution to a minor problem

Name not available

July 19, 2024, 7:45 AM

I see this helping some and hurting others. I don't think it should apply to everyone and I'm really curious how many people are currently affected by this. Parking is already an issue and Provo and this sounds like it will make it worse. I'd like to know more about the situations in the locations or this is happening.

Justine Dorton

inside City Boundary

July 19, 2024, 8:19 AM

I honestly thought it was already a violation to park in front of boxes! It's definitely a practical idea as it really inhibits mail delivery.

Name not available

July 19, 2024, 10:11 AM

I have a problem occasionally with my mail not being delivered, because the neighbor's visitors park in front of my mailbox. It is extremely frustrating when you are expecting something in the mail. I feel this should be citywide and in perpetuity. I feel the 24/7 no parking is the best option, people are not going to remember when the can and can't park. I would like to be able paint the curb red by my mailbox.

Name not available

July 19, 2024, 4:39 PM

As a resident near Timpview I would say we need more parking supervision without the residents having to report the people doing the parking. I don't have the mail issue as our mail is delivered to the house still but I have neighbors who can't stay home all day watching and calling to have someone deal with the cars when they block the mailboxes. Another issue is having no where on the street to put our trash cans on trash pickup day because there are so many cars and our street is narrow so you can't just put the can on the street side of the cars.

Rachel Breen

inside City Boundary

July 20, 2024, 2:31 PM

Comment from Provo Neighborhood District 2 Facebook page:

A MULTIPLE BOX pick up area for the neighborhoods -- may be the answer -- this would need to be done thru the USPO -- it may also bring up "neighboring" when people stopped to pick up the mail -- In our older neighborhoods -- where the streets are laid out on the GRID SYSTEM -- you could do a total of 8 block (single sided) -- with one collection box -- It must have USPO approval for any of those "neighborhood" boxes -- if u were to place one on say -- 100 E 100 S in Provo-- that would serve 100 East from Center to 200 South and from University to 200 East --- so 8 blocks coverage -- for one stop at a mailbox -- less pollution - and a time saver.

Comment from What's Happening in Lakewood (WHL) Facebook page:

I think this should be left to the post office. They already have a policy to not have to deliver. If the home owner wants their mail leave it up to them to do the right thing or get there mail late or even have to retrieve it from the post office themselves. This sounds like over reach to me on the councils part and another way for the city to get more money.

Andrea Busby

inside City Boundary

July 22, 2024, 2:02 PM

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

Similar to another commenter, I grew up in another state and was not aware that it was not against the law to park in front of mailboxes here. I am in support of a city-wide 24/7 ban of parking in front of mailboxes. This is not an issue in my city center neighborhood (Timp) and I believe most city center neighborhoods (e.g., Joaquin) where parking is a major concern because we don't have mailboxes, but I think that people should not be allowed to park in a way that blocks residents' access to receiving mail. Having certain times or certain neighborhoods where it is illegal is more confusing to me than just a blanket ban on parking in front of mailboxes. Furthermore, at least in the city center, we sometimes have mail delivered on the weekend so I don't think that a Monday-Friday ban would cover all of the mail delivery windows.

Name not shown

inside City Boundary

July 22, 2024, 2:30 PM

Almost no parking ordinances are enforced currently. Cars, boats, trailers parked on the street for months (sometimes in front of mailboxes) and never move. The only exception are if someone calls and reports them.

So this will just be another situation where there is selective enforcement except for those who have neighbors who hate them and call on everything, or the postal carrier reporting them.

Name not available

July 22, 2024, 7:19 PM

Paint the curbs red that you don't want people parking at.

Name not available

July 23, 2024, 9:47 AM

I am very much in favor of a 24/7 citywide ordinance. I live by a park and people are constantly blocking my mailbox and half of my driveway.

Name not shown

inside City Boundary

July 23, 2024, 9:51 AM

I like the regulation. It should be City wide 7 am to 5 pm Monday to Friday.

Art Occon

inside City Boundary

July 23, 2024, 10:35 AM

This is so unnecessary, in my opinion.

Postal workers can easily move around a parked vehicle.

Quit finding new ways to take money from Provo residents

1 Supporter

Name not shown

inside City Boundary

July 23, 2024, 10:54 AM

In neighborhoods like Maeser, you're only taking away parking in the already tight parking situation.

Also speaking to our local mailman with usps, the mail in our area is delivered on foot. The mailman parks somewhere, then gets out and walks the area delivering mail. We are on sight mangers for the business we manage and live at. Our mailbox is one of the only mailboxes on our street. But where the mailman walks it to the box, or even our door, all you would be doing is removing a perfectly fine parking space, to allow usps to potentially drive up and deliver my mail, when they don't do that. Removing a parking space for something that doesn't happen. I know that people in other neighborhoods have issues with it like around timpview high school, but from my understanding the issue is only in a few areas. You'll be taking away parking in areas it's not causing problems, creating a greater parking issue. I know it's difficult to only have selected areas, and really it's either everyone has the same rule or no one has it. But this is not good. What about houses with the mailbox on next to their front door on their porch? Will the entire front yard of the house be no parking? Will I have to move our businesses/residents mailbox from the sidewalk back 20 feet onto the house so that I can park in front of it, or so customers can park in front, which will make the mailman have to walk further? Seems anti productive. Will the city enjoy dealing with the hundreds of complaints coming in from parking citations being issued for parking somewhere that's never been a problem until apparently now? Put up no parking signs

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

around the few problem areas. Leave the rest alone, please.

1 Supporter

Name not shown

inside City Boundary

July 23, 2024, 11:42 AM

In the dixon area, the mailman parks and walks around the neighborhood to deliver mail. I don't understand what parking or not parking in front of a mail box solves when they are walking anyway. It's taking away the limited parking in the area when it wouldn't even solve anything.

3 Supporters

Name not available

July 23, 2024, 12:03 PM

Dont know why it's just about timview! This is a problem city wide. I have a car parked in front of my mail box almost 24/7. Ive gone without packages a number of times. Having to pick them up from the office. They were marked as undeliverable.

Name not available

July 23, 2024, 12:57 PM

I think mailboxes should be a no parking zone. I believe that when taking your drivers license test you have to stay a certain number of feet away from a mailbox when parking. These areas should be protected for mail delivery. A no parking zone would be best. Making too many exceptions or guidelines just makes it more complicated for enforcement.

Name not available

July 23, 2024, 1:34 PM

Rather than creating another ordinance, why don't we just ask the postal service to change the delivery for the affected areas? For instance moving the mailboxes to the other side of the sidewalk.

Glade Thompson

inside City Boundary

July 23, 2024, 2:49 PM

It is NOT a city responsibility to enforce postal codes. This is just another tax. My rep better be against this. It also is another way for bitter people to turn in their neighbors that they hate. The city's job is to protect us from harm not my appliance repairman not noticing the location of the mail box. Let the post office enforce their codes.

2 Supporters

Name not available

July 24, 2024, 6:30 AM

We live in Grandview South area, e would prefer no parking on front of mailboxes 24/7.

Name not available

July 24, 2024, 9:06 AM

I don't mind not getting my mail. There's usually nothing in it but junk mail anyway, but don't ticket me if I'm parked in front of the mailbox. Sometimes it's necessary.

Name not shown

inside City Boundary

July 24, 2024, 10:23 AM

This is one of the most ridiculous things Provo is trying to do. It is punishing property owner's rights for parking in front of their own home. We have several elderly people who come to our home often, and having to park even further away makes it even more of a struggle for them to come to our house.

2 Supporters

Name not available

July 24, 2024, 10:28 AM

This is the most ridiculous issue yet that Provo city has decided to bully its residents about. Most people only have room enough for one or two cars in front of their homes. I would venture to say this would half the available parking

Mailbox Parking - citywide

What do you think about the City regulating on-street parking so cars are not blocking mailboxes?

for most residents and it's absolutely ridiculous and outrageous to even consider.

Roma Hardy

inside City Boundary

July 24, 2024, 4:25 PM

1- no parking 7-5
2-city wide
3-permanently

Name not available

July 25, 2024, 11:13 AM

It makes sense to not have parking in front of mailboxes during the day except Sundays. There are enough parking spaces in our city to accommodate anyone's needs.

Name not available

July 26, 2024, 7:22 PM

I'd be in favor of only doing it only during the daytime, in the Timpview and only during construction.

Name not shown

outside City Boundary

July 29, 2024, 12:01 AM

Provo parking is already ridiculous. Let's not add more of a headache.

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter:

Department:

Requested Meeting Date:

SUBJECT: A discussion regarding the Provo City Council Housing Summit. (24-071)

RECOMMENDATION: Presentation only

BACKGROUND: In preparation for the October 10th Provo City Council Housing Summit, Council staff is reviewing the Summit goals and draft agenda with the Council.

FISCAL IMPACT: N/A

PRESENTER'S NAME: Council Staff

REQUESTED DURATION OF PRESENTATION: 20 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 24-071



PROVO CITY COUNCIL **HOUSING SUMMIT**

Review of Summit goals, agenda, & preparations

DETAILS OF THE SUMMIT

What: An event led by Provo City Council bringing everyone to the table to discuss challenges & solutions to homeownership in Provo

When: October 10, 2024; 6-8:30 pm

Where: Provo City Council Chambers

Who: Provo City, State & Federal Legislators, Nonprofits, Housing industry stakeholders



What we want	What we're doing	Our challenges	Ways to help
(1) More new builds to be for sale	<p>Leveraging city property to work with developers to increase for sale housing construction</p> <p>Utilizing development agreements to ensure owner occupancy</p>	<p>New builds are quickly being bought by investors</p> <p>Developers highly favor for rent models vs for sale models</p> <p>Infrastructure Limits</p>	<p>State Infrastructure Fund</p> <p>Limits on # of <u>units</u> investors can own</p> <p>Empower cities in development agreements</p>
(2) Renter households with a desire to buy a house, have attainable options	<p>Home Purchase+ Program</p> <p>West Side Land Trust</p> <p>Moderate income housing strategies</p> <p>Zoning code rewrite</p>	<p>Resident income level-price/income ratio for homes is extremely high</p> <p>Limited & restricted state and federal resources</p>	<p>Expand Law Enforcement First-Time Homebuyer Program</p> <p>Expand First Time Home Buyer program</p>
(3) Existing rental single-family housing converted into owner-occupied housing	<p>Make renting homes less enticing to investors by capping the number of renters per house</p>	<p>Limited penalty options for landlord/investors when violating the code</p>	<p>Owner-Occupancy Overlay Zone</p> <p>Permit greater penalties for landlords</p>

DRAFT

SUMMIT AGENDA

PART 1

The Story of Provo's Housing

Review City's
current work
towards increasing
homeownership

PART 2

Navigate the Market

Experience the
housing market from
3 unique
perspectives

PART 3

Next Steps Together

Review challenges
& proactive
solutions

WHAT'S NEXT

August

Staff continue to prepare w/ Council input

Meet with partners & stakeholders

September

Housing Summit Guide review

Utah Housing Conference, Sept 9-11

October

Final review during October 1st Work Meeting

October 10th Summit

Post-Summit

Continue engagement



QUESTIONS & DISCUSSION

PROVO MUNICIPAL COUNCIL

STAFF REPORT



Submitter: JUHARRISON
Department: Council
Requested Meeting Date: 08-06-2024

SUBJECT: A discussion regarding the Provo Youth City Council (24-072)

RECOMMENDATION: Presentation and discussion

BACKGROUND: Title 2.37 of Provo City Code (PCC) created the Provo Youth City Council in 1995 and various changes have been made to the Youth Council in the past 30 years. The purpose of the Provo Youth City Council is to provide training and opportunity to local youth to interact with the Municipal Council and other important organizations, to allow for an opportunity for input from local youth to local government, to deal with local issues impacting Provo's youth. The program is a volunteer program under the direction of the Council Chair or the Council Chair's delegate. The Provo Youth City Council may communicate information on current City issues, hold meetings, report to the Municipal Council, gather information on youth issues and assist in providing suggestions on policy to be implemented by the Municipal Council over issues involving youth, youth programs, and do any other thing to accomplish the goals of the Provo Youth City Council as determined by the Municipal Council which promotes and protects the public's health, safety, morals and general welfare.

The Provo Youth City Council is primarily a youth citizen's committee intended to give advice to the Municipal Council on issues pertaining to youth and shall be directed by the Municipal Council Chair, or the Council Chair's delegate, such as, but not limited to, a Council subcommittee, subject to the provisions of this Section:

- (1) The Council Executive Director shall establish program criteria to accomplish the purposes of the Provo Youth City Council. The criteria shall be set forth in writing and available to participants and the general public.
- (2) Any person who is attending a high school in the state and a bona fide resident of Provo may request to participate in the program, subject to the program criteria established by the Executive Director.

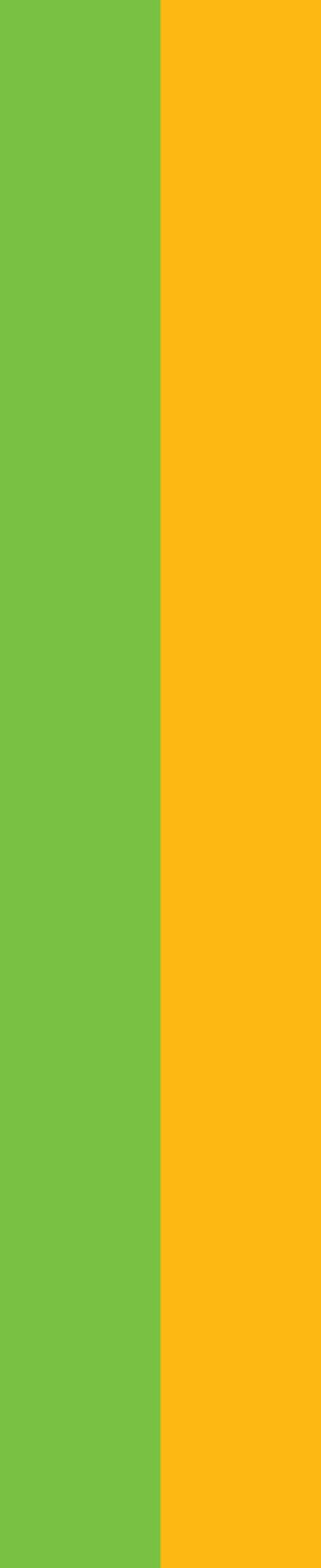
FISCAL IMPACT:

PRESENTER'S NAME: Justin Harrison, Council Executive Director

REQUESTED DURATION OF PRESENTATION: 15 minutes

COMPATIBILITY WITH GENERAL PLAN POLICIES, GOALS, AND OBJECTIVES:

CITYVIEW OR ISSUE FILE NUMBER: 24-072



PROVO YOUTH CITY COUNCIL

August 6, 2024

PURPOSE

- Provide training and opportunity to local youth to interact with the Municipal Council and other important organizations
- Allow for an opportunity for input from local youth to local government
- Deal with local issues impacting Provo's youth

ORGANIZATION

- Under the direction of the Council Chair or the Council Chair's delegate
- Council Executive Director shall establish program criteria
- Any person who is attending a high school in the state and a bona fide resident of Provo may request to participate in the program



**What is the
Council's vision for
the Provo Youth
City Council?**