

Provo City Planning Commission

Report of Action

April 12, 2023

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

The following action was taken by the Planning Commission on the above-described item at its regular meeting of April 12, 2023:

CONTINUED

On a vote of 6:0, the Planning Commission continued the item to the next Planning Commission date, which is May 10th, 2023.

Motion By: Daniel Gonzales

Second By: Jeff Whitlock

Votes in Favor of Motion: Jeff Whitlock, Melissa Kendall, Lisa Jensen, Daniel Gonzales Robert Knudsen, Andrew South
Lisa Jensen 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.

DISTRICT MEETING DATE

- Multiple district meetings were held on March 9th, 16th, and 30th, 2023.
- The District Chair determined that a neighborhood meeting would not be required for District 1 and 4.
- City-wide application: all District Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The District Chair Representative (District 3) was present/addressed the Planning Commission during the public hearing.
- This item was City-wide or affected multiple neighborhoods.
- Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

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

- Karen Saluone – Addressed a stat that was given to her concerning the percentage of cases that address this section of code. She addressed that there is more harm creating a space or storing it outside of an owner’s property compared to parking it on the driveway. She asked to recommend denial and repeal part 1 of section 14.34.060.
- Jonathan Saluone – He mentioned driving on the road he commutes to work would affect 12 properties. Most people who would be affected are the working class. You are only hurting the citizens by enforcing this. This is not being enforced in the neighborhood he lives in. His recommendation is to repeal.
- Art Phillips – He mentioned he has multiple trailers. He received 2 tickets for his trailers. Lisa Jensen asked what type of tickets he received. He said parking tickets for parking on the street. He owns everything he has. He doesn’t understand the proposed section of code.
- Becky Bogdin – There are many people in Lakewood neighborhood that would like to park their trailers on their driveways.
- Eldin Johnston – Hope this statute is fully repealed. He understood how some of the statute came to be. There needs to be some leniency on this.

APPLICANT RESPONSE

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

- Equality of enforcing all trailers.
- Address occupancy in trailers on private property.
- Add several definitions of trailers to section 14.06.020.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Knudsen – Keep bringing up things about pads. Was there ever part of this ordinance mention about a pad?
- South – Does the space need to be improved at all as long as it refers to off-street?
- Kendall - What if there is no space on the property to put a pad or off-street parking space?
- Jensen – Worried about the outcry about this being enforced when it hasn’t been in the past. Where are all the trailers going to go? She agrees it will hurt the small owners. Even without the text amendment, there are 12 violators on the street. Why can’t we just enforce on-street parking and junk vehicles? She hasn’t seen the current version of the law enforced.
- Gonzales – Some language we can agree on. 2(c). There’s a situation in Orem that has a large parcel with multiple campers and use it as a homeless camp. There’s some type of balance that needs to occur to enforce health and safety while also recognizing the needs of community members to park their trailers on their property.
- Whitlock – Agrees with a lot of what Jensen said. He agrees with all of 2, but there are problems with 1. It is not enforced.
- Kendall – Trailers on the street are a safety issue. We have laws on them and they need to be enforced. Agrees with almost all of 2 except for the front yard part.
- South – Agree with staff on consistency and almost all of 2, but why? What’s the objective?
- Scott Johnson – We see violations of code enforced in the city and have difficulty enforcing some types of trailers on one property and not the others. The way the code is currently written isn’t equal with all types of trailers. We want to make it equal with all types of trailers. Planning Commission can make a recommendation to City Council to allow trailers to be parked on driveways, staff and make that change.
- Jensen – Allowing trailers parked on the driveway addresses public concerns and addresses the commissioners concerns.
- South – How do we tackle the root of this part of the ordinance? Is there another way to get a pull on how this can affect others, not just directly affected by people with trailers?
- Jensen – If there was a wide knowledge of this, the language adaptation would not be a problem. Because there is so much ignorance that this is on the books, it will be a tough sell.
- Scott Johnson – The suggestion made does not include the street. It includes minor tweaks to the language to allow parking on the driveway.
- Jensen – Always a big-time advocate for parking the trailer properly. This has been discussed before with not great adoration. Let’s move forward to continue this item.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The Planning Commission identified the following findings as the basis of this decision or recommendation:

- Allow parking on the driveway.
- Address the occupancy.



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, 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

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

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

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

(a) The trailer or recreational vehicle shall be parked off the street.

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

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

14.06.020 Definitions

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

....

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

(a) Recreational vehicle includes:

- (i) a travel trailer;
- (ii) a camping trailer;
- (iii) a motor home;
- (iv) a fifth wheel trailer; and
- (v) a van.

....

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

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