

Provo City Planning Commission

Report of Action

November 14, 2018

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

The following action was taken by the Planning Commission on the above described item at its regular meeting of November 14, 2018:

RECOMMENDATION TO APPROVE

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

Conditions of Approval:

1. Exclude chain link as a fencing material.
2. Increase the proposed twenty-foot landscape buffer to be thirty feet.
3. Remove the proposed requirement limiting towing companies at one site when not adjacent to residential zone.

Motion By: Shannon Ellsworth

Second By: Robert Knudsen

Votes in Favor of Motion: Shannon Ellsworth, Robert Knudsen, Deborah Jensen, Dave Anderson

Deborah Jensen was present as Chair.

- Additional Report of Action for item previously continued after a public hearing or other discussion: July 25, 2018 Continued and September 12, 2018 Continued.
- 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.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

Attachment 1 from the Staff Report dated November 14 with the changes noted in the conditions above.

STAFF PRESENTATION

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

NEIGHBORHOOD MEETING DATE

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

NEIGHBORHOOD AND PUBLIC COMMENT

- This item was City-wide or affected multiple neighborhoods.
- Multiple Neighborhood Chair(s) were present or addressed the Planning Commission.
- Neighbors or other interested parties were present or addressed the Planning Commission.

CONCERNS RAISED BY PUBLIC

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

- The State of Utah has established criteria for impound yards.
- The area on south State has a neighborhood plan and design criteria for the corridor that would require better development than what is seen there now on some properties.
- 40 to 50 feet of buffer would better for these uses.
- Masonry fence should be on all sides when adjacent to residential.
- These uses look similar to auto body yards.

APPLICANT RESPONSE

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

- Fences are not always enough to separate dissimilar uses.
- Having a tow yard as a permitted use could lead to oversight on regulation.
- The 10 to 20 foot buffer area will not be maintained well.
- 200 foot buffer will help mitigate a lot of the concerns when these uses are adjacent to residential uses.
- Clarification is needed for masonry fencing to be on all sides when adjacent to residential zone.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Providing 30 to 40 feet of buffering would allow for trees to be used in conjunction with a wall to provide adequate buffering when the lot is adjacent to a residential zone. Evergreens would also help in screening year round and the tree spacing would be important too.
- The future land use in the area where there are tow yards on south State is Mixed Use.



Director of Community Development

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

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

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

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS