



# Planning Commission Hearing Staff Report Hearing Date: January 9, 2019

---

**ITEM # 1** Rick Ashcraft requests a Conditional Use Permit for outside storage for a business located at 543 E 600 S in the Light Manufacturing (M1) zone. Maeser neighborhood. PLCUP20180383

---

Applicant: RC FAMILY HOLDINGS LLC  
ASHCRAFT, RICK & CRISTINA

Staff Coordinator: Dustin Wright

Property Owner: RC FAMILY HOLDINGS  
LLC

Parcel ID#:05:045:0003 05:045:0008

Acreage:

Number of Properties:

Number of Lots:

### **ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is January 23 6:00 p.m.*

2. **Deny** the requested conditional use permit. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

**Current Legal Use:** Fencing company in the Light Manufacturing Zone (M1).

### **Relevant History:**

In 2006 a variance request (06-0003VB) to allow storage sheds to be built in the required setbacks was denied.

### **Neighborhood Issues:**

Provo City code enforcement received a complaint from a resident about the storage of materials at this location.

### **Summary of Key Issues:**

- Location and quantity of storage on the site.
- Proper screening of materials.
- Maintaining required setbacks on the site.
- Adjacent to residential zone.

### **Staff Recommendation:**

Approve the requested conditional use permit for outside storage for the business located at 543 E 600 S with the following conditions:

1. Storage materials must be screened by surrounding fencing as to not be visible from streets or adjacent properties;
2. Outdoor storage shall not be located in any required setback or area required for a landscaped buffer by Section 14.34.300;
3. All outdoor storage shall be screened by an opaque fence that is six (6) feet high.
4. All outdoor storage areas are to be shown on a site plan that is approved with a project plan application.

## **OVERVIEW**

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for outdoor storage for their fencing company. Provo City code enforcement received a complaint from a resident about the storage of materials at this location and has required the applicant to bring the property into compliance. The applicant has submitted for the CUP in an effort to bring the property into compliance.

The M1 zone requires all uses to be conducted entirely within fully-enclosed buildings, except those uses deemed by the Planning Commission to be customarily and appropriately allowed in the zone by a Conditional Use Permit with appropriate screening (14.27.150(2)).

The applicant would like to continue to store materials 6-9 feet high within required setback areas on site.

## **FINDINGS OF FACT**

- In 2006 a variance request (06-0003VB) to allow storage sheds to be built in the required setbacks was denied.
- The property is located in the M1 zone.
- Front yard setback is 10 feet.
- Side yard adjacent to street has a 15-foot setback.

## **ANALYSIS**

It is not permissible to allow outdoor storage of materials within buffer areas that are required by the Transitional Development Standards for Uses Abutting Residential Zones (Section 14.34.300). If the Planning Commission determines that some outdoor storage is appropriate for this zone, staff would recommend that it be placed in areas that will not create hazards or visual clutter as viewed from adjacent properties or the public rights-of-way.

In comments received from the Fire Marshal, he advised to “keep large stacks of lumber away from the edges that may be close to another structure or neighboring residence and make your yard so the fire apparatus could navigate through it if needed”.

Section 14.27.150(2) states that there needs to be appropriate screening. The Planning Commission should determine what this is. Staff would recommend that screening

include opaque fencing with a minimum height of six (6) feet. The screening should be on all sides so that it is not visible from the street or an adjoining property.

### **STAFF RECOMMENDATION**

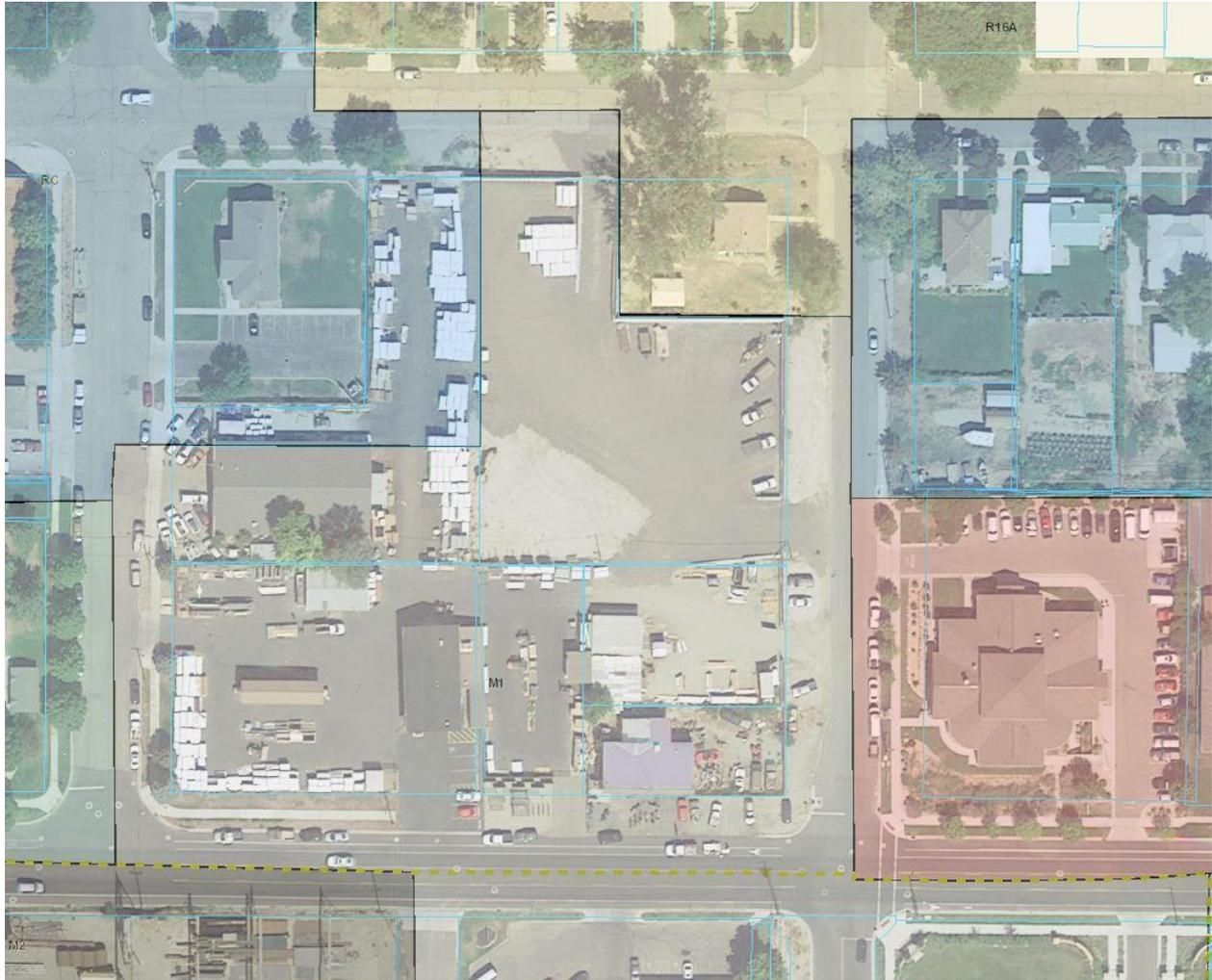
Staff recommends that the Planning Commission approve the requested Conditional Use Permit for outside storage for the business located at 543 E 600 S with the following conditions:

1. Storage materials must be screened by surrounding fencing as to not be visible from streets or adjacent properties;
2. Outdoor storage shall not be located in any required setback or area required for a landscaped buffer by Section 14.34.300;
3. All outdoor storage shall be screened by an opaque fence that is six (6) feet high.
4. All outdoor storage areas are to be shown on a site plan that is approved with a project plan application.

### **ATTACHMENTS**

1. Site zoning
2. Applicant's site plan and storage

**Attachment 1 – Site zoning**



Attachment 2 – Applicant’s site plan and storage

