



MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf,
Zoning Administrator

DATE: April 15, 2013

SUBJECT: Unified Development Code Amendment; Section 15-02-004(B)9
Trailer and Recreational Vehicle Parking

P13-001

Background

An application filed by the Town of Payson to amend the Unified Development Code (UDC) provisions pertaining to the parking of trailers or Recreational Vehicles (RV's) on residential lots and rights-of-way. At the March 7, 2013 Payson Town Council meeting the Council directed staff to work with the Planning and Zoning Commission to evaluate and explore options for potential amendments to the Unified Development Code provisions pertaining to trailers and RV parking.

Analysis

Recent code enforcement efforts have caused some residents to question the reason for current regulations pertaining to trailer and RV parking. In addition, there are multiple recreational vehicles and trailers throughout the Town presently parked or stored in violation of the Unified Development Code. A review of the current code was viewed favorably by the Council in an attempt to determine whether the current provisions need to be modified. Several considerations discussed by staff following Council's direction to explore changes to the current UDC provisions have been outlined below;

- Continue to prohibit parking in the improved portion of the rights of way.
- In residential areas, allow property owners and lessees to park in the unimproved portion of the right of way that is immediately adjacent to their property, so long as such parking is not within 35 feet of an intersection or creating a traffic hazard.
- Allow the Public Works Director to temporarily prohibit parking in a specific section of the unimproved right of way. Allow the Public Works Director, upon confirmation of the Town Manager, to permanently prohibit parking in certain sections of the unimproved right of way.
- Any excavations done or improvements constructed in the right of way shall require a Town right of way permit (as is typical of all driveway work for residential construction).
- Any existing improvements/excavation done without previous permits, should obtain a permit. Town staff will facilitate this process.

Motion

A motion is not necessary at this time. The intent of this first meeting and public hearing on this item is to receive input during the public hearing and the Commission's discussion on this issue. The Commission may direct staff to incorporate specific provisions into a draft of amendments to the Unified Development Code for formal recommendation to the Town Council at the next regularly scheduled meeting.

Attachment(s): Exhibit A - Current trailer and RV parking provisions
 Exhibit B - Copy of the Council Decision Request dated March 7, 2013

Exhibit A

15-02-003(A)

B. Residential District Stipulations and Provisions:

9. Trailers or recreational vehicles shall not be used as a permanent dwelling on any residential or commercial lot, and shall not be connected to a sewer system other than in an approved trailer park, except as otherwise provided in this Code. Trailers, including travel trailers, and recreational vehicles shall be parked only in the residential yard and not on any street. Trailers or recreational vehicles shall not be used for storage purposes or as an accessory building.

15-11 Definitions

RIGHT OF WAY:

A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and is intended to be used as a roadway, crosswalk, railroad, electric transmission lines or other utility.

STREET:

Any street, avenue, boulevard, road, lane, parkway, place, viaduct, easement for access or other way that is an existing state, county, or municipal roadway; or a street or way shown in a plat approved pursuant to law or approved by official action; or, a street or way in a plat duly filed and recorded in the county recorder's office. A street includes the land between the right-of-way lines whether improved or unimproved and may comprise pavement, shoulders, curbs, gutters, sidewalks, parking areas, and lawns.



COUNCIL DECISION REQUEST

SUBJECT: Parking of Trailers and Recreational Vehicles in Town Right of Way

MEETING DATE: 3-7-13

SUBMITTED BY: LaRon Garrett,  Asst. Town Mgr.

SUBMITTAL TO AGENDA
APPROVED BY TOWN MANAGER

AMOUNT BUDGETED: \$0

EXPENDITURE REQUIRED: \$0



EXHIBITS (If Applicable, To Be Attached): Pictures of typical violations of the current Code

POSSIBLE MOTION

I move to direct Staff to work with the Planning and Zoning Commission concerning potential revisions to the current Town Codes relating to the parking of trailers and recreational vehicles in the Town right of way.

SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

Section 15-02-004 (B)(9) of the current Unified Development Code (UDC) it states, in part: "... Trailers, including travel trailers, and recreational vehicles shall be parked only in the residential yard and not on any street...."

In the Definition Section of the UDC a Street is defined, in part, as follows: "... A street includes the land between the right-of-way lines whether improved or unimproved and may comprise pavement, shoulders, curbs, gutters, sidewalks, parking areas, and lawns."

These provisions have been a part of the Town Code since the 1970's. Based on the above provisions, it is a violation of the UDC to park a recreational vehicle, or a trailer of any kind, in the Town Right of Way. However, it is very common for residents to use the street right of way for the parking of all types of motor vehicles. Parking of a car or truck in the street right of way is in compliance with the UDC. Some residents have spent several hundreds of dollars on improving the street right of way in front of their property so they can park a recreational vehicle or trailer there. Due to the size and terrain of some lots it is very difficult to park vehicles, especially larger ones, completely on private property as required by the UDC.

Recently, a formal complaint was received concerning a violation of this section of the UDC in a particular neighborhood. As the violation was investigated, it became evident that there were numerous violations of this sort throughout Payson and that it may be prudent to review this section of the UDC to determine if adjustments are needed. The attached photos each show a trailer or recreational vehicle that is parked in violation of the current Code. The pickups shown in the photos are not parked in violation of the current code.

MAR 07 2013

I. l



COUNCIL DECISION REQUEST

This Council Decision Request is to seek direction from the Town Council on whether or not they desire the existing requirements for parking trailers and recreational vehicles on Town right of way to be reviewed for potential modifications.

PROS:

Reviewing the current regulations may produce recommendations that allow more flexibility for using street right of way for parking.

CONS:

FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:

FM: _____ Date: _____









