

## RECREATIONAL VEHICLES PARKING/STORAGE AND MOBILE HOME AND RECREATIONAL VEHICLE PARKS ORDINANCE

This ordinance overrides Zoning Code 6.01.110 stating that RV parks can only be allowed in C-3.

This ordinance overrides Zoning Code 6.05.020 by including RV Parks requiring a Site Plan.

**I. PURPOSE:** To regulate the use of recreational vehicles (RVs) within city limits while protecting the integrity and character of the Town of Bluff and providing for:

1. Public safety
2. Minimal environmental impact
3. Living facilities during construction in all zones
4. Development and use of facilities for recreational vehicles in appropriate districts
5. Economic and affordable housing opportunities
6. The uses of RVs as part of the tourism based economy of Bluff

**II. DEFINITIONS.** For the purpose of this chapter, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this section.

1. **Buffer** means a structure or area provided to reduce the conflict between two different land uses. Buffers may consist of fencing, walls, landscaping, roads or land set aside to separate particular uses.
2. **Business License** means a written license issued by the Town of Bluff allowing a person to operate and maintain a recreational vehicle park under the provisions of this chapter.
3. **Enforcement Official** means the compliance officer employed by or officially representing the Town of Bluff.
4. **Level I Site Plan Application** means a site plan application for the development of six (6) or fewer units.
5. **Level II Site Plan Application** means a site plan application for the development of seven (7) or more units.
6. **Mobile Home** (post 1976) Also known as a manufactured home, house trailer, park home, trailer, or trailer home means a prefabricated structure, built in a factory on a permanently attached chassis before being transported to site (either by being towed or on a trailer). Used as permanent homes, or for holiday or temporary accommodation, they are often left

permanently or semi-permanently in one place, but can be moved, and may be required to move from time to time for any reasons.

7. **Mobile Home Park** means a designated area for 2 or more mobile homes available for rent or ownership. May allow for a smaller section to be designated for RV rentals.
8. **Modular home** means a prefabricated home built offsite. They are completed in sections called modules, which are then transported and assembled on a permanent foundation on the property. Modular homes are also known as “factory-built,” “systems-built” or “prefab homes”.
9. **Non-functioning** or **Non-operable** means an RV unable to drive in forward and reverse under its own power and steering.
10. **Owner** means any person with any ownership interest in or who is directing the operation of a Recreational Vehicle or Recreational Vehicle Park.
11. **Recreational Vehicle (RV)** means a motor vehicle or trailer mounted on or towed by another vehicle which includes living quarters. Types of RVs include but are not limited to motorhomes, camper vans, coaches, caravans, fifth-wheel trailers, popup campers, and truck campers.
12. **Recreational Vehicle (RV) Park** means any parcel or tract of land under the control of any person, organization or governmental entity wherein two or more designated sites are offered for the use of the public or members of an organization by rent or lease, including park-owned recreational vehicles held out for rent. RV parks are primarily designed to accommodate recreational vehicles and camping.
13. **Recreational Vehicle Space** means a space within a Recreational Vehicle Park, designated and intended for the accommodation of Recreational Vehicle(s) or any uses defined in RV Park.
14. **Repurposed materials** means shipping containers or other existing fabrications used in construction of living, storage and business applications.
15. **Shed** means a simple roofed structure, used as a storage space, a shelter for animals, or a workshop. It can also refer to a larger structure, typically with one or more sides open, for storing or maintaining vehicles or other machinery.
16. **Space** means an area designed to be used for the accommodation of one (1) mobile home or Recreational Vehicle.
17. **Tiny Home or Tiny House** means a structure which provides provisions for living, sleeping, eating, cooking and sanitation as a dwelling unit with a maximum of 400

square feet of floor area, excluding lofts. A tiny house may be permanent (affixed) in nature or non-permanent.

18. **Tiny House on Wheels (THOW)** means a tiny home or house as defined in II-13 that is mobile and/or on wheels and non-permanent.
19. **Temporary Use** means less than 6 months (180 days) per year
20. **Long Term** means thirty (30) or more consecutive days.
21. **Short term** means less than thirty (30) consecutive days.
22. **Unoccupied** means a Recreational Vehicle that is not inhabited while parked on private property.

### III. STANDARDS APPLICABLE TO ALL ZONES

1. **Parking, Storage and Use of Individual Recreational Vehicles (RVs) and Tiny House on Wheels (THOW).** Recreational Vehicles and THOWs shall not be located, placed, used, or occupied for residential, storage, rental purposes in any zone except within approved and licensed Recreational Vehicle Parks or as otherwise provided herein.
  - a. RVs and THOWs may be parked for up to one (1) night within town boundaries on a class C residential street or alley.
  - b. Non-functioning and non-operable RVs and THOWs may be used as storage sheds if on private property within setbacks
  - c. One RV or THOW may be used as a short-term residence (STR license/permit may be required), long-term residence or rental or satellite bedroom with proper utility connections, with permission from the property owner, and subject to setbacks.
2. **Non-Conforming Use: RVs and THOWs in place at least two (2) years prior to the adoption of this ordinance are legally nonconforming.**
  - a. **Uses:**
    - i. **RV and THOWs parked or stored on any right-of-ways.**
    - ii. **RV and THOWs parked or stored adjacent to buildings.**
  - b. **A legally nonconforming RV or THOW shall immediately lose its legally nonconforming status if:**
    - i. **The Property on which the RV is located has changed ownership**
    - ii. **The RV is altered structurally in a manner which makes the RV less in compliance with the requirements of this ordinance than it was before the alteration; or**
    - iii. **The RV is relocated to a position making it less in compliance with this ordinance.**
3. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction activities are permitted only in Factory-Industrial Zone.

#### IV. STANDARDS APPLICABLE TO AGRICULTURAL (A-2 & A-3) & RESIDENTIAL ZONES

1. RVs may be used as long term and short term rental units (STR license/permit required) and are subject to setbacks
2. RV parks of 4 or less RVs or THOWs are allowed.
  - a. Minimum lot size: 1 acre
  - b. Subject to RV Park standards as set forth in this ordinance.
3. Private driveways may host occupied RVs or THOWs with property owners permission on a Temporary Use basis.
4. Unoccupied Recreational Vehicles may be parked on the private parcel of land.
  - a. Not to exceed two (2) per acre.
5. Mobile Home parks are allowed.
  - a. Occupied Recreational Vehicles may be accommodated in an approved and licensed mobile home park.
  - b. Minimum Lot size: 1 acre

#### V. STANDARDS APPLICABLE TO COMMERCIAL ZONES

1. Recreational Vehicles may be lived in during the construction phase.
  - a. All RV's must meet setbacks.
  - b. Not to exceed two (2) construction mobile RVs per acre (e.g. employee housing, commercial office, etc.)
2. One (1) RV is permitted on a commercial lot as living quarters for employees working on site and must meet all health and zoning codes.
3. Recreational Vehicles may be stored, displayed, sold, and serviced in C-3.
4. Recreational Vehicles Parks are allowed in C-3.
  - a. Subject to RV Park Standards as set forth in this ordinance.

#### VI. STANDARDS FOR RECREATIONAL VEHICLE PARKS AND MOBILE HOME PARKS

All parks must meet all local, state and federal regulations and ordinances in addition to:

1. **Recreational Vehicle Park Use.** All RV Park standards apply and in addition:
  - a. Recreational Vehicle Parks may include Tiny Homes, Modular homes, repurposed material converted to habitable structures (*e.g. shipping containers*), and mobile homes
    - i. The RV or Tiny Home On Wheels (THOW)
      1. Operable
      2. Maintains a current license & registration, as required
  - b. All storage and solid waste (non-septic) receptacles, outside of the confines of any Recreational Vehicle space, must be enclosed and contained within the Recreational Vehicle Park.
  - c. All utility connections must meet health and safety codes.
  - d. A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park as long as all septic design is approved.
  - e. Recreational Vehicle Park must provide for public open space.

- i. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be constructed as part of the common area required for parks or playgrounds for occupants.
- f. Buffers not limited to walls and fences are required along the perimeter.

**2. Mobile Home Park Use.** All RV Park standards apply and in addition:

- a. May provide spaces with defined access for Recreational Vehicles.
- b. Must provide foundations and access to utility connections suitable for the proposed number of mobile homes and/or RVs.

**2. Nonconforming Recreational Vehicle or Mobile Home Parks**

- a. A nonconforming use is defined to mean a use of land that does not conform to current land use regulations that legally existed before the enactment of the applicable regulation(s), which has been continuously maintained.
- b. A nonconforming use may continue indefinitely so long as it is not abandoned. The term abandoned means a discontinuance of the nonconforming use for a period of not less than one (1) year. By way of example, and not of limitation, a nonconforming use may be deemed abandoned if a building or structure is:
  - i. voluntarily demolished by its owner;
  - ii. allowed to deteriorate such that it is rendered uninhabitable; or
  - iii. failure to conduct business for a period of not less than a period of one (1) year constitutes abandonment.
- c. A nonconforming use runs with the land and may be transferred to successors in title to the real property on which the use is located at which time all standards must be brought into compliance. OR
- d. A nonconforming use must be brought up to all standards in the event of a sale or transfer of ownership.
- e. A nonconforming use shall not be expanded in scope or extent, except that it may be extended throughout an existing building or structure, provided that no structural alteration is made. In the event of any extension of a nonconforming use throughout an existing building or structure, all construction shall be performed in compliance with applicable building, zoning codes, and health codes. The addition of solar energy devices to a building is not a structural alteration.
- f. If a nonconforming use is interrupted by fire, flood, or other calamity it may be restored, provided that the restoration is completed no later than one (1) year from the date of the calamity that caused the use to be discontinued. Any restoration of a nonconforming use shall comply with subsection (D).
- g. If a nonconforming lot of record is proposed for development it may be developed, provided that the owner can: i) install and maintain an onsite wastewater system in compliance with Utah Administrative Code R.317-4; and ii) comply with other applicable ordinances.

**VII. MOBILE HOME AND RECREATIONAL VEHICLE PARK SITE PLAN SUBMITTAL**

**1. Mobile Home and Recreational Vehicle Park Site Plan Process**

- a. Site Plan shall be submitted to the Planning and Zoning Commission at least two weeks prior to a regular meeting.
  - b. Level I Site Plan Application is required for the development of six (6) or fewer units
  - c. Level II Site Plan Application is required for the development of seven (7) or more units
  - d. The applicant shall pay the Town of Bluff application fee at the time of submission.\*
  - e. The application shall be signed by all owners of the property and the representing agent(s).
  - f. Applications shall be granted or denied within **thirty** (30) days unless an extension of time is approved by the applicant.
  - g. An application denied by the Planning and Zoning Commission may be appealed to the Town Council, which appeal must be submitted in writing within ten (10) days after denial is made by the Planning and Zoning Commission.
  - h. **Town** of Bluff Business License may be required separately.
2. **All Site Plan Applications must show:**
- a. All zoning standards in this ordinance are met,
  - b. Applicable standards and requirements of state and local ordinances, obtaining written approval when necessary, are met.
  - c. The proposed street, trailer, modular home and/or vehicle space pad layout.
  - d. Any other data the Planning and Zoning Commission may require. (e.g. Traffic Study)
3. **Site Plan Review Criteria** For all Mobile Home or Recreational Vehicle Parks the Planning and Zoning Commission shall review the proposed development plan to determine its compliance with the Town of Bluff General Plan. The Planning and Zoning Commission shall make sure that such development will constitute a residential
4. **Reasons for Denial or Condition Requirements.**
- a. The Planning and Zoning Commission may approve with conditions to be made in the Site Plan in excess of the minimum standards contained in this chapter when determined to be necessary to ensure that the development will mix harmoniously with contiguous and nearby uses.
  - b. The Planning and Zoning Commission or Town Council can deny the approval if it is determined the requirements for approval cannot be met or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:
    - i. Create excessive costs for public services and facilities
    - ii. Endanger the health or safety of the public
    - iii. Negatively impacts sensitive flora/fauna within the environment
    - iv. Cause excessive air or water pollution, or soil erosion
    - v. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed
    - vi. Demonstrate danger of flood, fire or other hazard

**VIII. VIOLATIONS, ENFORCEMENT AND PENALTIES.**

Any violation of these standards will receive written notice and be given 7 days to remedy. If the owner fails to comply after this notice, and with the approval of the Mayor, RVs may be towed from the site at the owner's expense.

The Enforcement Official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which may constitute a nuisance or a violation of this chapter at cost to the owner.

Violation of this Ordinance shall be punishable as a Class C Misdemeanor and the imposition of a fine as allowed by law.

Remedies Cumulative. The remedies provided for failure to comply with this chapter may be cumulative and in addition to any other remedy at law or equity.

1. Mobile Home and Recreational Vehicle Parks
  - a. Any Recreational Vehicle Park that fails to comply with any requirement under this chapter may result in the denial, suspension, or revocation of a Business License.
  
2. Individuals
  - a. RVs parked on residential streets will be noted on day 2, allowing one day to move along (referencing section III a.)