

**WILLARD CITY
ORDINANCE NO. 2021-9**

**AN ORDINANCE ADOPTING CHAPTER 12-700, RECREATIONAL VEHICLES AND
RECREATIONAL VEHICLE PARKS OF THE WILLARD CITY MUNICIPAL CODE**

WHEREAS, the Willard City Council desires to separate the allowable uses in Chapter 12-500 between Mobile Homes and Recreational Vehicles in order to meet the City's objectives of governing said uses differently under State law; and

WHEREAS, the City Council of Willard City does hereby determine that it is in the best interest of the health, safety, and welfare of the citizens of Willard City to adopted Chapter 12-700, Recreational Vehicles and Recreational Vehicle Parks of the Willard City Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Willard City as follows:

Section 1. Adoption. Chapter 12-700 is adopted as Recreational Vehicles and Recreational Vehicles Parks of the Willard City Municipal Code.

12-700 Purpose.

To permit and require the development and use of facilities for recreational vehicles in appropriate districts and to require that recreational vehicle accommodations will be of such character as to promote the objectives and purposes of this chapter, to protect the integrity and character of the districts contiguous to those in which recreational vehicle parks are located, and to protect the land use values of others contiguous to or near recreational vehicle parks or campground uses.

12.701 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) Business License. A written license issued by Willard City, allowing a person to operate and maintain a recreational vehicle park under the provisions of this chapter.

(2) Local Health Officer. The health officer employed by or officially representing Willard City.

(3) 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. Recreational Vehicle shall include but is not limited to the following: Travel trailer, camping trailer, motor home, fifth wheel trailer, truck camper, van, camp car, motor coach, or other vehicle, with or without motive power, designed and/or constructed to travel on public thoroughfares in accordance with the Utah Vehicle Code, and designed or used for human habitation.

(5) Recreational Vehicle Park. Any area or tract of land or a separate designated section within a mobile home park, where lots and/or spaces are rented or held for rent to one (1) or more owners or users of recreational vehicles for temporary use or for a limited period of time.

(6) Recreational Vehicle Space. A space within a Recreational Vehicle Park, designated and intended for the accommodation of one (1) Recreational Vehicle.

(7) Owner. Shall mean any person with any ownership interest in or who is directing the operation of a Recreational Vehicle Park.

12-702 Location and Use.

No Recreational Vehicle shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed Recreational Vehicle Parks and except as otherwise provided herein.

(1) Recreational Vehicle Parks shall be generally located:

(a) Adjacent to or in close proximity to a major traffic artery or highway.

(b) Within or adjacent to a mobile home park.

(2) No space or spaces within a Recreational Vehicle Park shall be rented or leased to any owner of a Recreational Vehicle or one individual Recreational Vehicle for more than ninety (90) consecutive days, nor shall any space or spaces within a Recreational Vehicle Park be rented or leased to any one individual recreational vehicle for a period longer than ninety (90) days within a three-hundred sixty-five (365) day period, except under the following circumstances and conditions:

(a) Recreational Vehicle Parks may reserve one (1) space for every twenty-five (25) spaces in the park for the sole use of park employees who provide on-site maintenance, security and operations functions.

(b) Spaces may be used for long term, temporary housing of transient employee(s) provided the employer provides a letter to the Recreational Vehicle Park stating that the Recreational Vehicle is not being used for permanent housing, explains the circumstances that make the need for long-term temporary housing necessary, and provide a projected end date for the space lease not to exceed twelve (12) consecutive months with the option of renewal with a new letter from the employer at the end of the twelve (12) month period. Long-term use will be limited to one-quarter (1/4) of the spaces available in the Recreational Vehicle Park.

(c) For the purpose of this chapter, transient employee(s) shall mean a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in how the work is to be performed. Employer shall mean one who employs the services of others; one for whom employees work and who pays the employee's wages or salary.

(d) Recreational Vehicles occupying space in a Recreational Vehicle Park on a long-term, temporary (over ninety days but not permanent) basis must be owner occupied, have proof of ownership of the recreational vehicle, and must have a current license and registration, and the recreational vehicle must be operable for travel.

(3) It shall be unlawful for the Owner, operator, and/or property manager of any Recreational Vehicle Park to allow any guest to register under a different name in order to avoid the length of stay requirements as set forth herein. Moreover, an Owner, operator, and/or property manager shall not allow any Recreational Vehicle to move to a different Recreational Vehicle Space to avoid the length of stay requirements set forth herein.

(4) Recreational Vehicles shall not be used for living quarters in Willard City or on any city right-of-way, except in properly designated Recreational Vehicle Parks. Except and solely limited to the following circumstance:

(a) Temporary use, not to exceed seven (7) days, on an occupied residential lot, by residents or guests of the residents, will be permitted.

(5) Recreational Vehicles which are unoccupied for living space may be stored on a private parcel of land, including an occupied residential lot, provided they do not violate any required setbacks for front, rear, or side yards. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction activities are permitted only as provided in the Willard City Zoning Ordinances.

(a) Recreational Vehicles may be stored, displayed, sold, serviced, but not used for living quarters in a sales lot in a commercial or manufacturing district when such use is a permitted or conditional use.

(6) Recreational Vehicles may be accommodated in an approved and licensed mobile home park, provided that:

(a) The Recreational Vehicle park or campground portion of the mobile home park is separated by barriers, screens, or otherwise from the area of mobile homes.

(b) The Recreational Vehicle use area shall have direct access to a collector or arterial street; and

(c) Separate ingress and egress shall be provided for Recreational Vehicles when required by the Planning Commission.

12-703 Requirements for Approval.

A. A Recreational Vehicle Park or campground may not be constructed unless first approved by the Planning Commission. Before such approval is given by the Planning Commission the proposed development will:

(1) Be in conformity and maintain the general character of the district within in which it is to be located.

(2) Be located on a parcel of land of not less than five (5) acres, unless attached to a mobile home park, in which case no minimum area is required.

(3) Have at least twenty-five (25) spaces completed and ready for occupancy before first occupancy is permitted, or an approved schedule of financing, construction, and phase completion, and approved security, to assure compliance and completion.

(4) Meet all standards and requirements of 12-705 of this chapter and all other requirements of any applicable ordinances, and state and local law.

(5) Meet all requirements and maintain compliance with "Recreational Vehicle Park Sanitation" under Utah Administrative Code R-392-301 *et seq.*

(6) Obtain written approval of the Local Health Official.

(7) Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development.

B. The Planning Commission shall not approve any application for a Recreational Vehicle Park if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot assure the Recreational Vehicle Park will be completed within a reasonable time; if the Planning Commission or Willard City Council determines there would be danger of flood, fire or other hazard; or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:

- (1) Create excessive costs for public services and facilities.
- (2) Endanger the health or safety of the public.
- (3) Unreasonably hurt or destroy the environment.
- (4) Cause excessive air or water pollution, or soil erosion; or
- (5) Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

12-704 Development Plan for Recreational Park

A. An overall plan for development of a recreational park shall be submitted to the Planning Commission for review. The plan shall be drawn to a scale of 24 x 36. Four (4) hard copies and one (1) digital copy shall be provided to the City Planner. The plan shall show:

- (1) The topography of the site, when required by the Planning Commission, represented by contours shown at not greater than two (2') foot intervals.
- (2) The proposed street and trailer or vehicle space pad layout.
- (3) Proposed reservation of common areas designated for parks, playgrounds, open space, and tabulations for the percent of area to be devoted to parks, playgrounds, and open space, the number of Recreational Vehicle spaces, and total area to be developed.
- (4) Proposed location, number and design of parking spaces.
- (5) Generalized landscaping and utility plan, including location of water, sewer, electricity, gas lines, and fire hydrants.
- (6) Any other data the Planning Commission or City Planner may require.

B. For all Recreational Vehicle Parks the Planning Commission shall review the proposed development plan to determine its compliance with all portions of the local general plan. In considering the overall plan, the Planning Commission among other things shall make sure that such development will constitute a residential environment of sustained desirability and stability and that the proposed Recreational Vehicle Park will not adversely affect the amenities in the surrounding area. The Planning Commission may require changes to be made in the plan and development standards in excess of the minimum standards contained in this chapter, such as walls, buffers and set-backs. Greater amounts of landscaping, or parking space may be imposed as conditions of the approval when determined by the Planning Commission to be necessary to ensure that the development will mix harmoniously with contiguous and nearby uses.

12-705 Application.

The applicant shall pay the application fee at the time the application is submitted. The application fee shall be as established by the City Council. Applications for approval shall be in writing, submitted to the Planning Commission at its regular meeting and shall be granted or denied within thirty (30) days unless, an extension of time is approved by the applicant. An application denied by the Planning Commission may be appealed to the City Council, which appeal must be made in writing within ten (10) days after denial is made by the Planning Commission.

12-706 Standards

The development of a Recreational Vehicle Park shall conform to the following standards and subject to the approval of the Planning Commission:

(1) The area shall be in one (1) ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.

(2) The plans for a Recreational Vehicle Park shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission in consultation with the City Planner.

(3) In all Recreational Vehicle Parks, a strip of land at least fifteen (15') feet wide surrounding the entire park, shall be left unoccupied and shall be planted and maintained in lawn, shrubs, trees, and include an approved wall or fence, designed to afford privacy to the recreational park.

(4) Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage of water in or adjacent to the development to prevent the accumulation of stagnant pools of water in or adjacent to the development.

(5) Not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10%) percent common area required for parks or playgrounds for occupants, provided, however, that in initial stages of development or special smaller developments the minimum area shall be not less than one-half (1/2) acre or ten (10%) percent, whichever is greater.

(6) Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the recreational park.

(7) All areas that are not covered, contain asphalt or concrete, or built upon, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.

(8) All off-street parking spaces and driveways shall be comprised of asphalt or concrete before the adjacent Recreational Vehicle spaces may be occupied.

(9) The roadways shall be designed to accommodate anticipated traffic and built in conformance with the Willard City Public Work Standards.

(10) All storage and solid waste receptacles, outside of the confines of any Recreational Vehicle must be housed in a closed structure compatible in design and construction to any service buildings within the Recreational Vehicle Park and approved by the Planning Commission. The service buildings shall be constructed in accordance with Willard City building codes and kept in good repair.

(11) A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park.

12-707 Violations, Enforcement and Penalties.

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

(2) Any Recreational Vehicle Park that fails to comply with any duty imposed under this chapter result in the denial, suspension, or revocation of a Business License.

(3) The Zoning Administrator 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.

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

Section 2. Conflict. If any portion of this code is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City code, the provision which establishes the higher standard shall prevail.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this code or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this code, or the application of the provision to other persons or circumstances is in effect and shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall take effect immediately upon posting and publication in the manner as required by law.

PASSED AND ADOPTED by the City Council on this 8th day of July 2021.


KENNETH BRAEGGER, MAYOR

ATTEST:


MICHELLE VEST SNARR,
CITY RECORDER



CERTIFICATION OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Willard, Utah, hereby certify that Ordinance No. 2021-9 was duly passed and published on the Utah Public Notice Website the 9th day of July, 2021, and posted on the Willard City Website.

Michelle K. Vest Jandl DATE: July 9, 2021
City Recorder

