

Chapter 20

RECREATIONAL VEHICLE USE AND RECREATIONAL VEHICLE PARKS

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10-20—1 PURPOSE

It is the intent of this chapter to define the circumstances for the use of recreational vehicles and recreational vehicle parks as a conditional use and temporary use and provide for the orderly storage of recreational vehicles. This chapter is intended to supplement all applicable state and local regulations.

10-20—2 DEFINITIONS

ANSI A119.5: The most current edition of the American National Standards Institute Park Model RV Standard, A119.5.

BUILDING CODE: The International Building Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

RECREATIONAL VEHICLE: A vehicular unit, other than a mobile home or tiny house, designed as a temporary dwelling for travel, recreational and vacation use, that is either driven or is mounted on or pulled by another vehicle, including a travel trailer, camp trailer, fifth-wheel trailer, folding tent trailer, truck camper, or motorhome, which are individually defined as follows:

1. "Camping trailer" is a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use.
2. "Fifth wheel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of such size or weight as not to require special highway movement permit(s), of gross trailer area not to exceed four hundred (400) square feet in the set-up mode, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.
3. "Motor home" is a vehicular unit designed to provide temporary living quarters for recreational, camping or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
4. "Park trailer" is a recreational vehicle that meets the following criteria:
 - a. Built on a single chassis mounted on wheels;
 - b. Having a gross trailer area not exceeding four hundred (400) square feet in the set-up mode;
 - c. Certified by the manufacturer as complying with ANSI A119.5 Park Model RV.
5. "Travel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and of gross trailer area less than three hundred twenty (320) square feet.
6. "Tiny house trailer" is a portable housing unit built on or permanently attached to a single chassis mounted on wheels or on a trailer and constructed to provide temporary living quarters for recreational, travel or seasonal use, consisting of a roof, floor and sides.
7. "Truck camper" is a portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.
8. "Recreational vehicle park" or "RV park" is a tourist facility for parking motor homes, travel trailers and other recreational vehicles.

9. "Storage trailer and van" means a wheeled van or container unit not manufactured as a motorized vehicle or intended for long-term or short-term occupancy but designed and manufactured for the primary purpose of storage and/or transporting commodities and goods.
10. "Used" or "occupied" see definition of "habitation."

RECREATIONAL VEHICLE PARK: Any site, tract or parcel of land that has been developed to provide temporary living quarters for two or more recreational vehicles, must be located in a commercial zone. Including any recreational vehicle park developed or owned by a private, public or non-profit organization catering to the public or restricted to the organizational or institutional members and their guests.

SANITARY DUMP STATION: A facility designed:

- (a) in accordance with requirements set by Plumbing Code and the Utah Department of Environmental Quality, Division of Water Quality;
- (b) to receive the discharge of wastewater from any holding tank or similar device installed in any recreational vehicle; and
- (c) to discharge the contents, in an acceptable manner, to an approved wastewater disposal or treatment system.

SERVICE BUILDING: A structure within a recreational vehicle park that contains toilet, hand sink, and bathing facilities. It may also include laundry facilities, a vending area, or other service type facilities for recreational vehicle park occupant use.

TINY HOUSE: A dwelling that is 400 square feet or less in floor area, constructed on a chassis with wheels. A tiny house is not a park model recreational vehicle as defined in Section 41-1a-101 or any other recreational vehicle type as defined in this rule.

WASTEWATER: Any discharges from any plumbing facility, including rest rooms, kitchen, and laundry fixtures either separately or in combination.

10-20—3 PERMITTED USES

PERMANENT RESIDENCE: An RV is NOT PERMITTED to be used as a permanent residence at any time.

TEMPORARY RESIDENCE: An RV may be used as a temporary residence under the following conditions:

1. **Vacation Use:** Up to forty-five (45) days per year on a residential lot for accommodation of personal and family recreational purposes; No RV Application is required for vacation use.

Only self-contained travel trailers and recreational vehicles will be allowed on private property.

USES DEFINED IN PARAGRAPH 2, 3, and 4 REQUIRE THE SUBMISSION OF A COMPLETED RV APPLICATION THAT IS REVIEWED AND APPROVED BY THE HINCKLEY TOWN PLANNING AND ZONING COMMISSION, AND THE HINCKLEY TOWN COUNCIL PRIOR TO RV PLACEMENT.

2. **Construction Or Renovation:** An RV may be used for temporary living quarters for not more than eighteen (18) months while the occupant thereof is constructing a primary residence on the same property or is renovating the primary residence on the same property. Before an RV is allowed in such an instance, the owner of the property or the person intended to occupy the RV shall secure a conditional use permit for the RV from the Planning and Zoning Commission. Such permit shall be granted upon:
 - a. the submission of plans and the completed application have been reviewed and signed off by Hinckley Town Land Use Authority (LUA);
 - b. intended construction or renovation have been reviewed and approved by the Hinckley Town Planning and Zoning Commission; and
 - c. the plans for the intended construction or renovation have been reviewed and approved by the Building Inspector; and
 - d. the receipt of a signed statement by the applicant that a permanent dwelling will be constructed within eighteen (18) months thereafter.
 - e. Construction must start within sixty (60) days of RV placement. Only one (1) RV shall be permitted on any parcel of land during the construction or renovation of a permanent dwelling.
 - f. Renovations or repairs that are minor and can be confined within the interior shall not be considered.
 - g. Only self-contained travel trailers and recreational vehicles will be allowed on private property.
3. **Economic Hardship:** Under special circumstances the Town Council may approve an application of up to six (6) months that can be renewed up to two (2) times at the Council's digression.
 - a. Disaster- A property owner suffers home damage, and the home is uninhabitable, the property owner may be permitted to live in a recreational vehicle while repairing the home.
 - b. Displacement of Immediate Family – An immediate family member endures a disaster or economic distress, and the family member may be permitted to live in a recreational vehicle.
4. **Recreational Vehicle Parks:**
 - A. LOCATION OF RECREATIONAL VEHICLE PARKS: Recreational Vehicle Parks must be located in a commercial zone.
 - B. GENERAL REQUIREMENTS.
 1. Permit Required: No person, firm or corporation shall construct, enlarge, or alter

any type of Recreational Vehicle Park or subdivision without first obtaining a building permit issued by the Town for the performance of such work.

2. Types of Recreational Vehicle Parks:

- a. Commercial Recreational Vehicle Parks: This type of park has unified ownership, for the purpose of providing rental space to the general public for recreational vehicles.

C. STANDARDS FOR RECREATIONAL VEHICLE PARKS.

1. Size of Development. Each recreational vehicle park shall contain at least two (2) acres.

2. Density. Commercial type recreational vehicle park density shall not exceed eight (8) spaces per acre.

3. Minimum requirements for each recreational vehicle space:

- a. Minimum area: 1,500 square feet
- b. Minimum width: 25 feet
- c. Minimum setback: 25 feet from property line

4. Parking: In addition to the parking at each space, additional parking at a ratio of one (1) space for every five (5) recreational vehicle space(s) in the park shall be provided.

5. Recreation and Play Areas: Recreation and common play areas for the development shall be provided equivalent to 15% of the gross development area, and shall consist of well-kept lawns with randomly placed trees and open space.

6. Water and Sewage Facilities: These shall be provided in each recreational vehicle park with the following minimum standards:

- a. Individual water connections shall be provided for all recreational vehicle spaces.
- b. Water connections to the Town water system shall be metered and separate from any existing residential meter if there are two (2) or more recreational vehicle spaces.
- c. The park developers shall be responsible for the installation of the distribution system within the park and must meet all applicable code requirements.
- d. Individual sewer connections shall be provided for each recreational vehicle space that connects to a central underground tank.
- e. Underground waste tanks will be of sufficient size to support a maximum of six (6) recreational vehicles, or the maximum number of recreational vehicles spaces allowed by ordinance.
- f. Tanks will be connected to Town sewer lines. Monthly connection fees

will be consistent with the cost of system demands.

- g. One recreational vehicle sanitary disposal station shall be provided.
- h. Personal Services Facility: When an operator accommodates dependent recreational vehicles or tents, the operator shall construct and/or maintain a service building according to the requirements of Section R392-301-7.
- i. Solid waste disposal shall be provided with use of covered containers and of adequate volume to ensure that all solid waste is properly contained.

The above list of minimum facilities plus any other water, sewerage or sanitary facilities shall comply with all applicable building, zoning, electrical, plumbing, health, fire, local ordinance codes, and the standard promulgated in the Utah State Division of Health Code of Campers, Trailer Court, Hotel, Motel, and Resort Regulations Parks II and Part V.

8. Utilities. The basic utilities shall be placed underground and located at depths sufficient to assure proper safety.

9. Roadways. Roads within recreational vehicle parks shall remain privately owned and maintained. To maintain the safety and convenience of park users, all roads shall meet the following standards:

- a. Minimum Width: 16 feet, no parking permitted.
 - b. Surface Type: Graveled, according to State standards.
- Turn-arounds shall be provided for all dead-end roads over 100 feet in length and shall have a minimum radius of fifty (50) feet. Maximum length of 660 feet for dead end roads and designated at entrance.

10. Fire Protection. The recreational vehicle park shall provide fire protection according to International Fire Code requirements.

11. Landscaping. The recreational vehicle parks shall be aesthetically pleasing and well kept.

12. Screening and Buffer Area. Each recreational vehicle park may be required to provide screening from adjacent uses, as determined by the Planning and Zoning Commission.

13. Registration and Supervision. A manager or attendant shall be available at all times a recreational vehicle park is open and servicing the public. Every owner or operator of a recreational vehicle park shall maintain a register containing a record of all occupants of the spaces and times occupied. The record shall be retained for two (2) years and open to authorized inspection. The register shall contain the following information:

- a. Names and addresses of occupants of park.
- b. The make and license number of vehicles.
- c. The date of arrival and departure of each vehicle.

14. Permanent Alterations or Construction. There shall be no permanent construction to, or alteration of any recreational vehicle placed in the recreational vehicle park.

Skirting is not permitted, and wheels may be removed for temporary repairs only.

D. APPLICATION PROCESSING.

1. Pre-Application: A form provided by the Town shall be filed with the Town Planning and Zoning Commission by the developer for the purposes of determining the feasibility of the development and identifying approval process.

2. Application: The developer shall file with the Commission a complete application and drawings as required by this Ordinance.

3. Review by the Commission: All recreational vehicle parks are subject to review and approval by the Commission. The review shall be scheduled for the next regular meeting and held as a public hearing following receipt of the complete application and provided that fifteen (15) days' notice is given to adjacent property owners by the applicant. Proof of said notification shall be presented to the Commission.

4. Action Forwarded: The findings and action of the Commission shall be forwarded in writing to the applicant and the Town Council.

5. Preparation of Final Plans: Final plans for the development shall be prepared by the applicant according to the Town requirements and conditions of the Commission in such detail to provide checking of construction work. These plans shall be submitted to the Town Council along with the construction permit fee.

6. Town Council Action: The Town Council shall at their next regularly scheduled meeting following receipt of complete final plans, review and take action on the plans and construction permit considering the following aspects:

- a. Need for project.
- b. Planning and Zoning Commission recommendation.
- c. Compatibility with adjacent properties and public facilities.
- d. Compatibility with Town's Comprehensive Plan.

E. PRE-APPLICATION.

1. Contents:

- a. Pre-application form provided by the Town.
- b. Vicinity map showing the location of the project in relation to the Town and its boundaries.
- c. Narrative statement explaining the proposed size, scope, and intent of the project.

F. APPLICATION.

1. Contents: Application for the construction, enlargement or alteration of a recreational vehicle park shall be made on forms provided by the Town and shall contain

the following information:

- a. Names and addresses of developer and principal professional personnel involved in the plan preparation.
- b. Legal description and proof of ownership of development area.
- c. Size of proposed development in acres.
- d. Amount in acres and percentage of area to be set aside for recreation or common space.
- e. Number of spaces or lots intended for development.
- f. Approximate population of development when totally occupied.
- g. Names and addresses of adjacent property owners within 300 feet of the development boundary.
- h. Recreational Vehicle Park Development Plan. A complete set of drawings of the recreational vehicle park, showing compliance with all applicable provisions of this ordinance and shall contain at least the following:
 1. Title, scale, North arrow and date. A vicinity map of reasonable size showing land uses of adjacent lands and all public and private roads within 300 feet of the development boundary.
 2. Plan drawing showing the direction of drainage with maximum contour intervals of five (5) feet.
 3. Dimensions and boundaries of development area.
 4. Number, location and size of all spaces.
 5. Typical layout and cross-section of a typical designated space showing all improvement and facilities.
 6. Location and width of roadways.
 7. Location and design of any structures built on permanent foundations.
 8. Location, size and specific nature of recreational use area.
 9. Location and size of water lines and their connecting point to the town distribution system.
 10. Such other detail as might be determined necessary and proper.

G. FINAL PLAN.

1. Contents: The final plan shall include all information of the application and development plan plus additional details of the public facilities and utilities to insure proper construction.

H. BONDING

Prior to issuance of a building permit under this section, a cash deposit or performance bond in the amount of 150% of cost of improvements and abandonment shall be submitted to the Town to insure proper final construction including landscaping, roads, water, and sewer.

10-20—4 STORAGE OF RVs

STREET PARKING. No RV shall be parked or stored for more than twenty-four (24) consecutive hours within any seven (7) day period on any public property or right-of-way within the municipal corporate boundaries.

STORAGE ON RESIDENTIAL PROPERTY. RVs parked in a driveway or immediately adjacent to and parallel to the driveway may not encroach into the right-of-way such that any part of the RV extends over any sidewalk, curb, or public right-of-way or travel-way. The RV is setback thirty feet (30'-0") from the front property line and ~~fifteen feet (15'-0")~~ **five 5'** from all other property lines; Off-street parking requirements are met.

10-20—5 UTILITIES

Legally parked or stored RVs may be connected to an approved source of electricity in conformance with the adopted building and safety codes referenced under this section.

10-20—6 RV MAINTENANCE

It is unlawful and a public nuisance to park, store, or leave standing in public view, upon any public or private property, any RV that is wrecked, dismantled, unregistered, inoperative, or otherwise unsightly.

10-20—7 FEES

The Hinckley Town Council may establish fees to be paid by applicants for any type of inspection, permit, approval, or other municipal processing under this chapter.
Except where otherwise specifically stated, violations of the provisions of this section shall be noncriminal infractions, subject to a penalty as listed in the Consolidated Fee Schedule. Each day of continuing noncompliance, following the municipality's issuance of a notice of noncompliance, shall be a separate violation.

10-20—8 ADMINISTRATION AND ENFORCEMENT

A. Enforcement Authority. It shall be the duty of the Town Council and other such officials as may be determined by the Town Council to promulgate rules and regulations and to enforce this Ordinance.

B. Recreational Vehicle Park Business License Required. In addition to the building permit required by this ordinance, each operator of a recreational vehicle park shall procure an annual business license from the town.

C. Business License -- Revocation -- Hearing. Whenever, upon inspection of any recreational vehicle park, the Town finds that conditions or practices exist which are in violation of any provision of this ordinance or of any regulation adopted pursuant thereto, the Town shall

give notice of such violation in writing to the person to whom the license was issued, who shall have thirty (30) days to correct said deficiency. At the end of the period for correction of said conditions or practices specified in said notice, the Town shall re-inspect such park and if such conditions or practices have not been corrected, they shall give notice in writing to the person to whom the license was issued that the license has been revoked. Upon receipt of notice of revocation, such person shall cease operation of such recreational vehicle park.

Any person who has received notice from the Town that their license will be revoked unless certain conditions or practices at the recreational vehicle park are corrected, may request, and shall be granted a hearing on the matter before the Town Council, provided that a petition for such hearing has been filed at least ten (10) days and no more than thirty (30) days from date notice is sent and appear in person at said hearing.

D. Inspection. The Town is authorized and directed to make inspections to determine the condition of recreational vehicle parks within the Town, in order that the Town may perform its duty of safeguarding the health and safety of occupants of recreational vehicle parks and of the general public.

It shall be the duty of every occupant of a recreational vehicle park to give the owner or his agent or employee access to any part of such park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the ordinance.

E. Variance. An application for variance of any of the provisions of this ordinance may be considered by the Town Council.

10-20—9 PENALTY: The violation of any part of this Chapter shall constitute a Class B misdemeanor, subject to penalty as provided in Section 1-4-1 of this Code. In addition, the Town may enjoin by civil action the violation hereof and may remove any recreational vehicle from a location violating the provision hereof and assess the expenses thereof as a cost of the action. (1996 Code)

Penalties. Any person, firm or corporation violating any of the provisions of this ordinance shall pay a code infraction fee, which is set by resolution. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

