

IRON COUNTY ORDINANCE 2021-1

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING IRON COUNTY CODE SECTION 17.36.230 – LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING SECTION 17.17.030 – TABLE OF USES, AND SECTION 17.20.010 – DEFINITIONS; ADDING SECTIONS 17.36.232 – RECREATIONAL VEHICLE TEMPORARY USE (1-16 days) AND 17.36.234 – RECREATIONAL VEHICLE SEASONAL USE (17-180 days per year); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that certain provisions be established that define and regulate ‘Recreational Vehicle Use’ with greater clarity and understanding; and

WHEREAS, the proposed ordinance is designed to implement the objectives of the County to promote options for property use while reasonably regulating the same to minimize adverse impacts to surrounding properties and to serve the purposes of the Iron County Zoning Ordinance; and

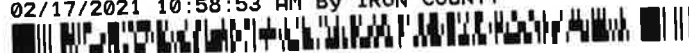
WHEREAS, the County Commission finds that it is in the best interest of the County after taking into consideration the citizens’ health, safety and welfare, to add the following ordinance; and

WHEREAS, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning Ordinance of Iron County, Utah, and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

WHEREAS, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use Development and Management Act; the Iron County General Plan; and the Iron County Zoning Ordinance.

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Carri R. Jeffries, Iron County Recorder Page 1 of 6
02/17/2021 10:58:53 AM By IRON COUNTY



NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

SECTION 1. Within **17.36.230 - Location of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, truck campers and motor homes**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows:

17.36.230 - Location of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, truck campers and motor homes.

Unless permitted as a use allowed by the zoning district as identified in the table of uses, the location or storage of mobile homes, travel trailers and mobile homes outside of mobile home parks, travel trailer parks and campgrounds, and the location or storage of recreational vehicles, boats, camping trailers and truck campers shall be subject to the following:

A. At no time shall the mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home be occupied or used for living or sleeping purposes for more than 16 days (Recreational Vehicle Temporary Use) or 180 day (Recreational Vehicle Seasonal use), outside of an established travel trailer or mobile home park. An exception is recognized when the County Building Official grants a building permit to insure positive utility connections for sewer & water; a residential solid waste service is secured; and, adequate winter provisions are made to keep water and sewer from freezing.

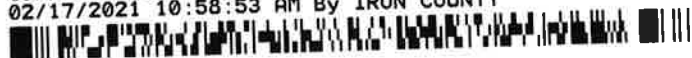
B. If a mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home is located or stored outside of a garage or carport, it shall be placed behind the front line extended of the primary residence, except for loading and unloading purposes, which is permitted for a period of time not to exceed seventy-two hours. Storage of a travel trailer or recreational vehicle, boat, camping trailer, truck camper or motor home is not permitted in the R-2, R-1 and R-1/2 residential zoning districts unless a privately occupied residence exists on the same lot.

C. Property Owner-Occupant Exemption. Except for properties in the R1/2 lots zoning district, and for properties in any subdivisions with paved streets, curb, gutter, sidewalks and subject to private covenants and restrictions, the owner of a legal lot of record may, in lieu of providing documentation to comply with the timeliness and Subsections 1, 2, 3 and 4 of this section, provide an affidavit to the Iron County Building and Zoning department stating under penalty of perjury that:

- a) The property owner is the legal owner of record of the lot property described in the instrument affidavit by legal description and parcel number.
- b) The property owner is an occupant of the recreational vehicle; and
- c) The property owner assumes personal responsibility for water supply, vehicle winterization, and sewage waste disposal in accordance with state and county health guidelines, regulations, or through a legally permitted off-site system or service.

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B: 1533 P: 1797 Fee \$0.00
Carri R. Jeffries, Iron County Recorder Page 2 of 6
02/17/2021 10:58:53 AM By IRON COUNTY



SECTION 2. Within **Section 17.16.030 – Table of Uses**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

Uses	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4K	C	LI	I	IA
Recreation Vehicle Seasonal Use	P	P	P	P	P	P	P	X	X	X	X	X
Recreation Vehicle Space	A	A	A	A	A	A	A	X	X	X	X	X
Recreation Vehicle Temporary Use	P	P	P	P	P	P	P	P	X	X	X	X
Recycling collection center												

SECTION 3. Within **Section 17.20.010 – Definitions**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):
17.20.010 Definitions.

Recreation Vehicle Seasonal Use. "Recreation Vehicle Seasonal Use" means recreational vehicles operated as a business and open to the general public for use as resorts, with driving range and baseball batting cages.

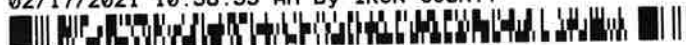
Recreation Vehicle Seasonal Use. Recreational vehicles such as travel trailers, camping trailers, truck campers, and motor homes that are placed for use as designed to camp and remain for more than 16 days of any 30-day period and less than 180 days in any calendar year. After 180 days the camp must be moved from the property upon which the seasonal use occurred.

Recreation Vehicle Space. One space provided on a residential lot when a permanent residence is located on the same property to accommodate a single recreational vehicle, including positive connections to water, sewer and electrical services and where a recreational vehicle may remain up to 180 days per year and no fee is charged for its placement or use.

Recreation Vehicle Temporary Use. Recreational vehicles such as travel trailers, camping trailers, truck campers, and motor homes that are placed for use as designed to camp and remain for up to 16 days of any 30-day period. After 16 days the camp must be moved from the property upon which the temporary stay occurred.

"Recycling collection center" means a facility for the acceptance and temporary storage of recyclable materials to be transferred to a processing facility. Recycling collection centers are allowed no more than three collection containers up to six cubic yards in size. Collection centers located on public lots shall not occupy required parking spaces. A collection center must be arranged so as not to impede traffic flow. The operation of the collection center shall be maintained at the site at least once a week. The operation of the collection center shall keep the site in proper repair and the exterior must have a neat and clean appearance. Antenna's on recycling units are limited to two per unit.

SECTION 4. Sections **17.36.232 - Recreational Vehicle Temporary Use (1-16 days)** and **17.36.234 - Recreational Vehicle Seasonal Use (17-180 days per year)**, **17.36.236 Recreational Vehicle Space (17-180 days per year)**, of the Iron County Code, shall be, and hereby is, identified and added to read as follows:



17.36.232 Recreational Vehicle Temporary Use (1-16 days).

A. A recreational vehicle temporary use may occur on any legal lot of record in any of the following agricultural or residential zoning district of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2, R4K) subject to the following:

1. Self-contained bathroom facilities must be provided in the recreational vehicle or by use of a portable chemical toilet. No human waste may be deposited or left on the property.
2. Garbage must be contained and removed from the property with no garbage left on the property, loose or in containers.
3. Campfires are permitted in approved fire rings and it shall be the responsibility of the occupants to know if fire restrictions are in effect before starting campfires.
4. Camping must remain at least 100 feet from any stream or open water body.

17.36.234 Recreational Vehicle Seasonal Use (17-180 days per year).

A. A recreational vehicle seasonal use may occur on any legal lot of record in any of the following agricultural or residential zoning districts of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2) subject to the following:

1. Qualification for Recreational Vehicle Seasonal Use. In order to apply for a recreational vehicle seasonal use building permit, the proposed property must have limited seasonal access, from a class B county road, because of seasonal road closures due to lack of maintenance during the winter months and/or the condition of the county road. Such county roads may be posted "closed" and designated to provide ingress and egress for seasonal use only during portions of the year when weather conditions are favorable.
2. Building Permit. No placement or use of a recreational vehicle for longer than 16 days shall occur, except pursuant to a validly issued, unexpired and unrevoked building permit. Applicants for a building permit shall submit an approved final site plan, proof of proper sewage treatment or containment option, an approved culinary water source, and a 'cabin equivalent' solid waste service prior to obtaining of a building permit. The permittee shall proceed only in accordance with the approved building permit, and any approved conditions.
3. Sewage Requirements. The Southwest Utah Public Health Department and the Utah Department of Environmental Quality shall be considered the county's experts in evaluating the proposed sewage treatment system or containment option. It shall be the responsibility of the applicant to provide information and materials as required by the Southwest Utah Public Health Department, the Utah Department of Environmental Quality, as applicable, necessary to evaluate the proposed sewage treatment system.
4. Hauling of Water. The hauling of water as a proposed source of culinary water may be allowed for the establishment of a recreational vehicle seasonal use, and is thereby restricted by the approval of a recreational vehicle seasonal use for occupancy to a maximum of 180 days, or less, for each calendar year (see Section 15.06.030 for details on water hauling regulations/approval for culinary purposes). When water hauling is proposed, a recorded 'Declaration – Voluntary Deed Restriction for Hauling of Water Restrictive Covenant' is required.
5. Solid Waste Service. A residential solid waste service shall be required – the same as mountain cabin properties (five months service) + one-time trash can fee.



6. Space Rental Prohibited. Any compensation for placement of a seasonal use recreational vehicle requires it to be located in an approved 'Travel Trailer Park' permitted in accordance with Section 17.16.030.

7. Location and Setbacks. Any recreational vehicle space shall be located on the lot or parcel to be in compliance with all setbacks for the zoning district in which the lot or parcel is located.

17.36.236 Recreational Vehicle Space (17-180 days per year).

A. One single recreational vehicle space may be created on any legal lot of record in any of the following agricultural or residential zoning districts of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2) subject to the following:

1. Qualification for Recreational Vehicle Space. In order to apply for a recreational vehicle space, the proposed property must have an existing permanent residential dwelling located on the same property and have adequate space to accommodate a recreational vehicle space within the setback limitations for the zoning district in which the property is located. A recreational vehicle is not considered an accessory structure.

2. Administrative Land Use Permit Required. No recreational vehicle may be placed for use or occupancy on a recreation vehicle space unless an administrative land use permit has first been obtained.

3. Utility Requirements. The Southwest Utah Public Health Department and the Utah Department of Environmental Quality shall be considered the county's experts in evaluating the proposed water and sewage services for a recreational vehicle space. It shall be the responsibility of the applicant to provide information and materials as required by the Southwest Utah Public Health Department, the Utah Department of Environmental Quality, as applicable, necessary to determine the adequacy of any proposed utility connections for water and sewage.

4. Solid Waste Service. Proof of a residential solid waste service for the permanent residence on the property shall be required for the recreational vehicle space application and be considered adequate for the use of the recreational vehicle space.

5. Space Rental Prohibited. Any compensation for placement or use of the recreational vehicle on a recreational vehicle space in conjunction with a residential dwelling shall be prohibited.

6. Location and Setbacks. Any recreational vehicle space shall be located on the lot or parcel to be in compliance with all setbacks for the zoning district in which the lot or parcel is located.

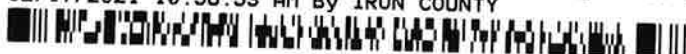
SECTION 5. General Provision.

Sections of the Iron County Code identified in this ordinance shall be, and hereby are, amended with the express intent of allowing Short-Term Rentals as a permitted use for the zones prescribed herein in accordance with Utah State code and Iron County code.

SECTION 6. Severability.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom and shall survive such declaration, remaining in full force and effect.

SECTION 7. Effective Date. This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.




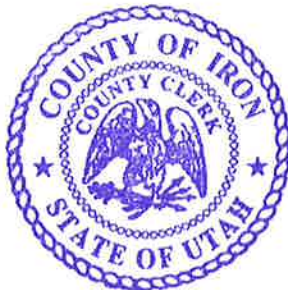
**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY,
UTAH this 8th day of February, 2021.**

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak, Chair

ATTEST:


Jonathan T. Whittaker,
County Clerk



VOTING:

Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Marilyn Wood	<u> Aye </u>

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Carri R. Jeffries, Iron County Recorder Page 6 of 6
02/17/2021 10:58:53 AM By IRON COUNTY

