

TOQUERVILLE CITY
ORDINANCE 2022.13



AN ORDINANCE OF THE CITY COUNCIL OF TOQUERVILLE, UTAH, CREATING CHAPTER 29 (RECREATIONAL VEHICLE PARKS) OF TITLE 10 (LAND USE REGULATIONS) OF THE TOQUERVILLE CITY CODE TO CREATE STANDARDS AND REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS ABOVE AND BEYOND THOSE REQUIRED BY STATE RV PARK REGULATIONS.

RECITALS

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, pursuant to Utah Code Annotated Title 10, Chapter 9a, Section 102, the City has the delegated police power to regulate land uses and development occurring within its municipal boundaries.

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 9a, Section 103, Subsection 30 and Title 10, Chapter 3b, Section 301, the Toquerville City Council (“City Council”) is designated as the governing body of the City and City’s “Land Use Authority”;

WHEREAS, in Section 10-2-1 of the Toquerville City Code, a “Recreational Vehicle” is defined as “[a] vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which has its own motive power.”

WHEREAS, in Section 10-2-1 of the Toquerville City Code, a “Recreational Vehicle Park” is defined as “[a]ny site, tract or parcel of land on which facilities have been developed to provide temporary living quarters for two (2) or more Recreational Vehicles.

WHEREAS, the Utah Department of Health and Human Services has promulgated administrative regulations relating to the creation and maintenance of Recreational Vehicle Parks within the State known as R392-301 (Recreational Vehicle Park Sanitation) as may be amended from time to time (“State RV Park Regulations”). *See Utah Code Admin R392-301-1 et seq.*

WHEREAS, the City Council has determined that it is in the best interests of the health, safety and general welfare of the City to create a new chapter (Chapter 29) of Title 10 of the Toquerville City Code (Land Use Regulations) containing standards and requirements for all Recreational Vehicle Parks in the City that further regulate said Parks beyond that which is required by the State RV Park Regulations.

ORDINANCE

NOW THEREFORE BE IT HEREBY ORDAINED by the City Council of Toquerville City, Utah, as follows:

1. CREATION OF CHAPTER 29 OF TITLE 10 OF THE TOQUERVILLE CITY CODE.

Chapter 29 (Recreational Vehicle Parks) of the Title 10 (Land Use Regulations) of the Toquerville City Code is hereby adopted as follows:

CHAPTER 29 RECREATIONAL VEHICLE PARKS

10-29-1: RECREATIONAL VEHICLE PARK STANDARDS:

Recreational Vehicle Parks shall meet the following standards:

A. Minimum Size: Each Recreational Vehicle Park shall have one (1) common owner, and a minimum size of twenty (20) acres.

B. Access Roads: A hard-surfaced (concrete or asphalt) roadway of at least twenty-five feet (25') in width and constructed to city specifications must serve each recreational vehicle in the park (twelve feet (12') wide for one-way streets).

C. Access: Access to all Recreational Vehicle Parks shall be from a dedicated and approved public street at an approved point or points. No Recreational Vehicle space shall have direct access from a public street.

D. Off-Street Parking: Hard-surfaced parking spaces shall be provided for each Recreational Vehicle located in the Recreational Vehicle Park and at least one (1) additional automobile for each Recreational Vehicle space or lot.

E. Recreation Space: For each Recreational Vehicle Park capable of having ten (10) or more units, at least four thousand (4,000) square feet of common, usable recreation area is required, along with an additional one hundred (100) square feet for each unit in excess of ten (10).

F. Density: The maximum density for a Recreational Vehicle Park shall not exceed ten (10) units per gross acre.

G. Spaces: Each Recreational Vehicle space shall have a minimum width of Twenty-five feet (25'). All Recreational Vehicles shall be able to park in designated spaces, and no portion of a driveway or roadway may be used for Recreational Vehicle parking.

H. Permitted Recreational Vehicle Types: Only Recreational Vehicles, Travel Trailers, motor homes, park models may be located in a Recreational Vehicle Park.

I. Nightly Rental Structures. Conditionally, a Recreational Vehicle Park may contain a maximum of 10% of the total Recreational Vehicle spaces as Nightly Rental structures. The maximum allowed size of a Nightly Rental structure within a Recreational Vehicle Park shall not exceed eight hundred twenty-five (825) square feet of total floor area.

J. Minimum Yard Clearances for Recreational Vehicle Park:

1. *Front or side yard on a public street: twenty-five feet (25'),*
2. *Side yard bordering adjacent property: ten feet (10'),*
3. *Rear yard bordering adjacent property: ten feet (10'),*
4. *All Recreational Vehicles shall maintain at least a ten-foot (10') spacing between units, and*
5. *A six-foot-four-inch (6'4") high solid fence shall be erected along all side and rear property lines when a recreational vehicle park is located adjacent to any use, except another Recreational Vehicle Park.*

K. Utilities Required: Each Recreational Vehicle parking space shall have connections available for water, sewer and electricity. All utility connections shall be located underground. All recreational vehicle parks shall be connected to a public sewer system for all sewer connections or dump stations.

L. Service Building: All Recreational Vehicle Parks shall contain a Service Building containing all sanitary facilities required by R392-301(7) of the State RV Park Regulations and shall provide a dump station for dependent Recreational Vehicles.

M. Outdoor Living Space: Each Recreational Vehicle parking space shall be provided with a minimum of three hundred (300) square feet of "outdoor living" space located adjacent to the space. Said outdoor living space shall be maintained in a clean and weed-free manner and shall be kept free from garbage or debris of any kind.

N. Additions and Awnings: All structures are regulated by the International Building Code in effect at the time of construction. No addition or enclosure shall exceed four hundred twenty-five (425) square feet of total floor area.

O. Minimum Separation: In no case shall the RV or the addition be closer to an adjacent RV than ten feet (10'), nor closer than five feet (5') to an adjacent site line.

P. Occupancy Time Limits: Occupancy by the same persons is limited to a total of 90 days in any calendar year and shall not exceed 28 consecutive days. After a time limit is reached, a renter cannot re-register for a minimum of 48 hours.

2. REPEALER. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.

3. SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or

application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon approval by the City Council.

PASSED AND APPROVED this ___ day of _____, 2022.

Council Person:

Justin Sip	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Ty Bringhurst	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Rachel Peart	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
John 'Chuck' Williams	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Gary Chaves	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Justin Sip, Mayor

Date

Attest:

Daisy Fuentes, City Recorder