EXHIBIT
"B"

ORDINANCE NO. 2016-07

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING THE ZONING ORDINANCE ALLOWING & REGULATING RV RESORTS

WHEREAS, the Ivins City Council desires to amend its Zoning Ordinance to allow and regulate RV Resorts as a Class V Conditional Use in Ivins; and

WHEREAS, the Ivins City Council gave the Planning Commission the assignment of drafting an ordinance that would set forth development requirements that would ensure that any RV Resort developed in Ivins City is a "Resort," providing guests with a relatively higher quality experience than found in an RV park or campground, and to protect the integrity, characteristics and values of the zoning districts and land uses contiguous to or near the location of the RV Resort, and to ensure that the City collects Transient Room Tax on the rental of spaces within the RV Resort;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that Title 16 of the Ivins City Code be amended to add the following:

Section 1. Chapter 17 of the Zoning Ordinance (Title 16) is hereby amended to provide requirements for RV Resorts as follows:

CHAPTER 17

RESORT REQUIREMENTS

PART 1

RESORT MIXED USE REQUIREMENTS

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PART 2

RECREATIONAL VEHICLE RESORT REQUIREMENTS

16.17.201 Purpose. The purpose of this Part is to direct the development of facilities for a Recreational Vehicle (RV) Resort in the RV Resort Zoning District, to set forth development requirements necessary to ensure that the RV Resort is developed as a "Resort," rather than as an RV park or campground, providing guests with a relatively higher quality experience than found in an RV park or campground, and to protect the integrity, characteristics and values of the districts and land uses contiguous to or near the location of the RV Resort, and to ensure that the City collects Transient Room Tax on the rental of spaces within the RV Resort.

16.17.202 Definitions.

(1) Cabin: A living space equipped with sleeping area, kitchen area and full bathroom facilities connected to a sewer system, with electricity and culinary water available inside the cabin. The cabin must be constructed in compliance with applicable building codes, be a minimum of 150 square feet but not more than 400 square feet. No more than 18% of the total sites in an RV Resort may be cabin sites.

(2) Cabin Site: An area within an RV Resort that contains a short-term rental cabin as well as one paved/concrete automobile parking space within the site. Cabin sites must be a minimum of 1600 square feet in size and cabins must be separated from one another by at least the distance (or type of firewall) required by the International Fire Code as adopted by the City.

(2) Person: Any individual, partnership, corporation, association, limited liability company, firm, company, trust, or any other legal entity (public or private).

(3) Recreational Vehicle (RV):

(a) Dependent: An RV not containing sanitary facilities and/or devices for connecting said facilities to a community waste disposal system. Dependent RV's sites are only allowed adjacent to tent sites. No more than 10% of the total sites in an RV Resort may be Dependent RV sites.

(b) Independent: A motor home, travel trailer or fifth wheel trailer containing sanitary facilities and devices for connecting said facilities to a community waste disposal system. This type of RV may also be referred to as a Self-Contained Recreational Vehicle.

(4) RV Resort: A parcel of land under the control of any person wherein two or more RV sites, along with the amenities, facilities, and services designed to provide guests with a higher quality experience than found in an RV park or campground, are offered for short-term rental to the public and complies with the requirements of this Chapter. RV Resorts shall not consist of more than 7.5 sites for RV's, cabins, and tents per gross useable acre.

(5) RV Site: An area within an RV Resort that may be rented to place an RV and parking for the towing vehicle if not a self-propelled RV.

(6) Tent: A portable shelter for one or more individuals, consisting of synthetic fabrics or natural skins attached to any type of framework, including tent trailers (a/k/a "pop ups"). No more than 10% of the total sites in an RV Resort may be tent sites.

(7) Tent Site: An area within an RV Resort that may be rented to place one tent on an improved, but not paved/concrete, tent pad. The site must also provide one automobile parking space within the site that is paved or concrete. Tent sites shall be a minimum of 1,000 square feet.

16.17.203 RV Resort Application.

(1) An applicant shall submit a written application for approval for the development of an RV Resort on an application form provided by the City. Accompanying the RV Resort application shall be the following:

(a) Application fee;

(b) Property address, acreage, boundary and tax identification number;

(c) Proposed name of the project;

(d) Property owner of record and developer;

(e) Vicinity map showing the project location relative to city boundaries, major roads and minor roads that serve the property;

(f) Date, scale and north arrow;

(g) Existing streets, rights of way widths, major utilities, easements, fencing, parks, trails, open space and infrastructure on or adjacent to the property;

(h) Site layout including, proposed open space, amenities, space sizes and gross density;

(i) Traffic impact study, as required by the transportation master plan, in both paper copy and electronic format;

(j) Geotechnical report in accordance with the standard specifications, in both paper copy and electronic format;

(k) Preliminary hydrology report in accordance with the standard specifications, in both paper copy and electronic format;

(l) Preliminary title report verifying ownership;

(m) Recent list of names and addresses, and two (2) sets of address labels and postage, for owners of record at the Washington County recorder's office of the subject property and properties within 300 feet of the boundary line of the subject property;

(i) List must be no older than 30 days from date of submission.

(ii) Developer is responsible for the completeness and accuracy of the list of owners of record but is entitled to rely upon the records in the Washington County recorder's office.

(iii) Failure to provide an accurate list may delay the approval of the project.

(n) Plan for continued maintenance of the project amenities;

(o) Proposed site plan: Provide two (2) twenty four inch by thirty six inch (24" x 36") or larger copies of the proposed project, ten (10) eleven inch by seventeen inch (11" x 17") reduced copies of the proposed project, and one copy of the proposed project in electronic format, including the names, addresses and phone numbers of applicant, engineer, surveyor and/or architect;

(p) Existing streets (with names) and right of way widths, buildings, culverts, bridges, waterways, irrigation ditches and systems, wells, springs, utilities, fencing, easements, rights of way, flood boundary, surface watercourse features, geologic hazards, parks, trails, open space, storm drain and sanitary sewer systems, topography (contours at maximum 2 foot intervals), survey monuments, section lines, other features and infrastructure on or adjacent to the property or as requested by the city engineer or other appropriate city staff member;

(q) Proposed grading plan in accordance with the standard specifications;

(r) Proposed landscaping plan that meets the requirements of Chapter 22 of this Title;

(s) Proposed lighting plan that meets the lighting standards set forth in Chapter 10 of Title 14 of the Ivins City Code;

(t) Proposed traffic circulation and parking plan within the RV Resort;

(u) All property lines of adjacent properties within one hundred fifty feet (150') of the boundary of the proposed subdivision with the names of the owners and the parcel tax identification numbers.

16.17.204 General Standards for RV Resorts.

(1) Any application for a Recreational Vehicle (RV) Resort shall be processed as a Class V Conditional Use as set forth in Chapter 16 of this Title.

(2) Once a property has been developed as an RV Resort it may not be subdivided. It must remain as a single parcel for property tax purposes and to continue to meet all the requirements of this ordinance.

(3) The minimum parcel size on which an RV Resort may be developed is twenty (20) acres.

(4) RV Resorts shall not consist of more than 7.5 RV sites per gross useable acre.

(5) All streets within an RV Resort shall be paved and all pads on RV sites shall be concrete.

(6) All RV Resorts are considered lodging facilities for tourists and are subject to the Transient Room Tax.

(7) RV Resorts shall be designed by appropriate licensed professionals, such as architects, landscape architects, engineers, or land use planners. All plans and drawings for buildings, structures, grading, utilities, etc. shall be signed and stamped by the professional who prepared them.

(8) All exterior boundaries shall be screened from surrounding streets and abutting uses by a solid six foot (6') colored masonry or colored stucco covered concrete/block privacy wall, unless it is a portion of property that due to topography is not used for RV sites, tent sites, cabins or is not visible from surrounding streets and abutting uses. Whatever material is used for the front wall must be used for the side walls as well. The privacy wall along a public street shall be modulated by 1.5 to 4 feet every 40 linear feet; if the public street is Highway 91, it must be consistent with the wall installed on Center Street.

(9) A minimum buffer of thirty feet (30') shall be required between any RV site and any property boundary. The minimum buffer for cabin sites, however, may be reduced to twenty feet (20') if they are located along boundaries abutting private property.

(10) RV Resorts shall provide streets in such a pattern as to provide convenient and safe traffic circulation and emergency access within the RV Resort. Two-way streets shall be a minimum of twenty-four feet (24') and one-way streets shall be a minimum of twenty feet (20') wide.

(11) Due to the large size and slow speeds of most RV's, and the dangers created thereby, in addition to any other required right-of-way improvements, if the street used for RV Resort access and egress is classified as an arterial (major or minor) street, then the developer of the RV Resort shall install, and dedicate any additional right-of-way necessary to install paved deceleration/acceleration lanes for all vehicles entering and exiting the RV Resort in both directions of the arterial street. The minimum length of the deceleration lanes shall be 325 feet, which may include the taper zone, plus 120 feet for queuing. The minimum length of the acceleration lane shall be 400 feet, which may include the taper zones. Asphalt shoulders shall be extended in accordance with arterial cross-sectional requirements for the accommodation of bicycle lanes. Pavement thickness shall be in accordance with the geotechnical recommendations for asphalt thickness for an arterial street.

(12) RV sites, tent sites and cabin sites shall each provide one paved apace suitable for automobile parking, which may either be a separate parking space within the site or may be added to the minimum dimensions for an RV pad. Additional parking spaces shall be placed throughout the park at a ratio of one (1) parking space per every ten (10) RV, tent and cabin sites. All parking spaces must be at least nine feet (9') wide and twenty feet (20') long.

(13) Pets (dogs/cats) traveling with guests shall be kept inside the RV overnight. If kept outside during daytime hours they shall be kept on a leash or tethered. No more than two (2) pets shall be allowed per guest site. No other animals are allowed to be brought onto the RV Resort premises by any guest of the RV Resort.

(14) The RV Resort shall include a designated storage area for utility trailers (tow dollies, "toy haulers", etc.), motorized vehicles (excluding primary car/truck), bicycles, etc. This storage area shall occupy no more than 5% of the gross area of the resort. Such storage shall be for the exclusive use of registered guests only during the period the guest is a registered and paying occupant of an RV site. Storage areas shall be fully screened

(15) Equestrian RV sites are allowed when the RV Resort is directly adjacent to BLM managed property with equestrian use permitted and the RV Resort has written permission to access BLM property. Equestrian RV sites shall be located a minimum of 100' from any property line other than abutting BLM equestrian use property. All equestrian stalls shall be cleaned daily. No more than 5% of the total sites in an RV Resort may be Equestrian RV sites.

16.17.205 Prohibitions. The following are prohibited within an RV Resort:

(1) No separate mail boxes, street address designations, or other similar accessories which could give the appearance of permanence to occupants within the resort.

(2) No free-standing fuel tanks permitted within an RV site, tent site or cabin site. All fuel tanks within any site must be securely mounted upon or attached to the RV they serve, unless used solely for cooking purposes.

(3) No open storage of personal property, accessory building, shed or cabinet within any RV site, tent site or cabin site.

(4) No campfires within any RV site, tent site or cabin site. Propane or Natural Gas fire pits are allowed with approval of the Ivins City Fire Chief.

(5) Other than operating the RV Resort itself, no employee or guest of the RV Resort may operate any type of business within the RV Resort.

(6) Camping outside of an RV or cabin is only allowed on a tent site.

(7) Removal of axles, wheels or tires from an RV within the RV Resort, except in the case of an emergency repair. If the repair cannot be completed within twenty-four 24 hours, then the RV shall be removed from the RV Resort.

(8) Parking RV's anywhere within the RV Resort other than a designated RV space is prohibited. No on-street parking is permitted for any vehicle.

(9) RV's shall not be stored, displayed for sale, or sold within the RV Resort.

16.17.206 RV Resort Management

(1) A resort manager, or another employee of the resort, must be on duty within the resort at all times. RV Resort Management shall maintain a patron log consisting of names, dates of occupancy, and number of spaces used. Upon request, patron logs shall be made available to inspection by representatives of the city during reasonable business hours. Representatives of the city shall also be allowed to drive through the RV Resort during reasonable business hours to verify compliance with this ordinance.

(2) RV Resort management shall, at all times, maintain the resort and its facilities in a clean, orderly and sanitary condition. Management shall only allow independent RV's that are in good condition to stay at the RV Resort, *i.e.* no visible rust, no leaking fluids, visible license

plate with current registration sticker, no significant damage, no visible patching material or primer paint, no chipping paint, and no paint that appears to have been applied by spray can or brush. Management shall enforce quiet times between the hours of 10 p.m. and 6 a.m., although guests arriving guests may be allowed to check into the RV Resort up until midnight.

(3) RV Resort management shall be responsible for the regular and proper collection and disposal of all refuse, garbage, and litter accumulated within the RV Resort. Collection shall be no less than once a week. Garbage shall be placed in central dumpsters only that are set back from public streets and neighboring properties by at least fifty feet (50') from inside the buffer. Dumpsters shall be screened so they are not visible from public streets or neighboring properties.

16.17.207 Time Limit on Occupancy.

70% of the total RV Resort sites will be limited to a maximum occupancy period of twenty-nine (29) consecutive days or the time period specified by Utah statutes to qualify for transient room tax, whichever period is shorter. 30% of the total RV Resort sites may be occupied up to a maximum of 180 consecutive days in a one year period beginning on the initial date of occupancy. Note: Only Independent RV's are allowed occupancy longer than 29 days.

16.17.208 Utilities.

(1) RV Resorts shall be connected to Ivins City utilities for water, sewer (wastewater), storm drain (if applicable). For utilities not provided by Ivins City, RV Resorts shall be connected to the applicable utility having a franchise agreement with the City.

(2) RV Resorts shall provide adequate water supply hookups to each RV site. Culinary water shall also be provided to all tent sites and cabins. All water supply lines shall be installed with an approved backflow prevention device per code.

(3) RV Resorts shall provide waste-water disposal hookup to each RV site and shall also provide a sanitary dumping station for RV Resort users. Traditional septic systems are prohibited in RV Resorts.

(4) RV Resorts shall provide electrical outlets of appropriate voltage to each RV site, tent site, and cabin sites. The use of a generator within the RV Resort is prohibited.

(5) All lighting within the RV Resort shall comply with the city's outdoor lighting ordinance.

16.17.209 Landscaping and Recreation.

(1) The following landscape requirements shall apply to RV Resorts:

(a) Provide a minimum of one (1) tree for each RV site, tent site and cabin site.

(b) Provide a minimum of three (3) trees clustered every thirty (30) linear feet along all property boundaries of the RV Resort. Each cluster of trees shall include a mixture of trees so that each cluster provides adequate screening year-round.

(c) All open areas, except undisturbed sensitive lands, driveways, parking areas, walking paths, utility areas or patios shall be improved and maintained with landscaping with plants that are approved by the Parks and Recreation Director.

(2) RV Resorts shall provide a minimum of 5% of the developable acreage as common recreational/open space. This excludes any required landscape buffer areas, recreational facilities, offices, storage facilities, garbage areas, bathrooms, laundry facilities, guest

parking areas, or other structures. At a minimum, an RV Resort must also provide the following recreational amenities:

(a) Clubhouse;

(b) Pool; and

(c) Playground.

16.17.210 Individual RV Site Design Standards.

(1) Each RV site shall be plainly marked and numbered for identification.

(2) Each RV site shall be an average of forty feet by eighty feet in size (40' x 80').

(3) RV's shall be separated from each other and from other structures by at least twenty feet (20'). Any accessory, such as attached awnings, steps or pop-outs, shall be considered part of the RV.

(4) No more than one (1) RV shall be placed on an individual RV site.

16.17.211 Accessory Facilities.

(1) Office. RV Resorts shall include a permanent building for office use. The building may also include a small store and/or a single family dwelling for the exclusive use of the owner or manager. The building must comply with the design guidelines set forth in chapter 19 of the Ivins City Zoning Ordinance. The single family dwelling area shall not exceed 1600 square feet of floor space.

(2) Laundry Room. RV Resorts shall have one (1) or more laundry rooms providing sufficient washing machines and dryers for the number of sites developed within the RV Resort. The use of laundry drying lines is prohibited.

(3) Restroom and Shower Facilities. Communal restrooms, including toilets, showers, and lavatories, shall be provided to conveniently and adequately serve the number of sites developed within the RV Resorts. The following are the minimum requirements for these facilities:

Number of	Toilets		Urinals	Lavatories		Showers	
RV sites	M	F	M	M	F	M	F
1 – 40	1	2	1	1	1	1	1
41 – 80	2	4	2	2	2	2	2
81 – 120	3	6	3	3	3	3	3
121 – 160	5	8	3	4	4	4	4
161 – 200	6	10	4	4	4	4	4

Section 2. Severability. If any section/portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS 13 DAY OF SEPTEMBER, 2016 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Dennis Mehr		X		
Cheyne McDonald	X			
Jenny Johnson	X			
Steven Roberts	X			
Ron Densley	X			

IVINS CITY Corporate Seal WASHINGTON COUNTY

Chris Hart, Mayor

ATTEST:

Kari Jimenez, City Recorder