ORDINANCE NO. 2024-15

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING REGULATIONS GOVERNING RECREATIONAL VEHICLE RESORTS BY, AMONG OTHER THINGS, ELIMINATING THE REQUIREMENT FOR PAVED PADS, ALTERING THE BATHROOM REQUIREMENTS, AND ALLOWING THE RENTAL OF CLUBHOUSE UNITS

WHEREAS the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City;

WHEREAS the City Council has investigated and considered the regulations governing recreational vehicle resorts;

WHEREAS the City Council finds that the regulations governing recreational vehicle resorts should be amended to help make such resorts more viable, while still ensuring that such resorts remain well-designed and well-maintained for the benefit of the residents and visitors to Ivins City;

WHEREAS before the City Council can pass an ordinance regulating land use the planning commission for Ivins City (the "Planning Commission") must consider the regulation and conduct a public meeting regarding the proposed land use regulation;

WHEREAS after conducting a public meeting regarding this ordinance on September 17, 2024, the Planning Commission recommended that the City Council approve this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City that Title 16, Chapter 17, Part 2, titled "Recreational Vehicle Resort Requirements" is hereby amended in its entirety to read as follows:

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. (Ord. 2016-07, 2016)

16.17.202: DEFINITIONS:

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 one

hundred fifty (150) square feet but not more than four hundred (400) square feet, be a maximum of one (1) story high), and only located on sites designated as cabin sites on the site plan. No more than eighteen percent (18%) of the total sites in an RV resort may be cabin sites.

CABIN SITE: An area within an RV resort that contains a short term rental cabin ~~or tiny house~~ as well as one paved~~/concrete~~ automobile parking space within the site. Cabin sites must be a minimum of one thousand six hundred (1,600) 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. Each cabin site within 100 feet of the perimeter wall along a major arterial shall contain a cabin. However, for a limited time after the RV resort opens, as specified by a conditional use permit, a Type B RV (camper van) up to 9 feet in height may be allowed, with occupancy limits regulated by Section 16.17.207. Pop-up tops are note allowed if they raise the RV's height above 9 feet. No other structures or vehicles are permitted.

CONTINUOUS OCCUPANCY: The unit (RV, tent, cabin, tiny house, clubhouse unit) must be rented to an occupied by the same group for the entire allowed duration.

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

RV RESORT: A parcel of land under the control of any person wherein two (2) 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 RVs, cabins, and tents per gross usable acre.

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.

RECREATIONAL VEHICLE (RV): (1) Dependent: An RV not containing sanitary facilities and/or devices for connecting said facilities to a community waste disposal system. Dependent RV sites are only allowed adjacent to tent sites. No more than ten percent (10%) of the total sites in an RV resort may be dependent RV sites.

(2) 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.

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 ten percent (10%) of the total sites in an RV resort may be tent sites.

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 one thousand (1,000) square feet.

TINY HOUSE: A ~~house that complies with appendix AE of the International Residential Code or approved by the State of Utah as a tiny house built by an approved fabricator~~dwelling that is 400 square feet or less in floor area, constructed on a chassis with wheels. A tiny house shall be

allowed only if a data plate or permanent label is attached to the unity that includes: name of the manufacturer; serial number or vehicle identification number of the unit; date of manufacture; and a statement that the unit is designed and manufactured to NFPA 1192 or ANSI A119.5 standards; and it has been certified by the Recreational Vehicle Industry Association or inspected by a qualified third-party inspection company and certified to be in compliance with the standards in NFPA 1192 or ANSI A119.5.

UTAH TRANSIENT ROOM TAX TIME PERIOD: The maximum occupancy period as specified by Utah law to qualify for transient room tax. (Ord. 2016-07, 2016; amd. Ord. 2024-15, 2024)

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 three hundred feet (300') of the boundary line of the subject property;

(i) List must be no older than thirty (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 title 14, chapter 10 of this 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. (Ord. 2016-07, 2016)

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 chapter.

(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 usable acre.

(5) All streets within an RV resort shall be paved and all pads on RV sites shall be concrete or 6" compacted road-base with a 3" overlay of crushed rock, except that all pull-through pads 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 four feet (4') every forty (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 RVs, 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 three hundred twenty five feet (325'), which may include the taper zone, plus one hundred twenty feet (120') for queuing. The minimum length of the acceleration lane shall be four hundred feet (400'), 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 ~~or compacted rock~~ space 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 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 five percent (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 one hundred feet (100') from any property line other than abutting BLM equestrian use property. All equestrian stalls shall be cleaned daily. No more than five percent (5%) of the total sites in an RV resort may be equestrian RV sites. (Ord. 2016-07, 2016; amd. Ord. 2024-15, 2024)

16.17.205: PROHIBITIONS:

The following are prohibited within an RV resort:

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

(2) No freestanding 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 firepits 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 RVs anywhere within the RV resort other than a designated RV space is prohibited. No on street parking is permitted for any vehicle.

(9) RVs shall not be stored, displayed for sale, or sold within the RV resort. (Ord. 2016-07, 2016)

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 chapter.

(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 RVs 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 ten o'clock (10:00) P.M. and six o'clock (6:00) A.M., although arriving guests may be allowed to check into the RV resort up until twelve o'clock (12:00) 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. (Ord. 2016-07, 2016)

16.17.207: TIME LIMIT ON OCCUPANCY:

~~Seventy percent (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. Thirty percent (30%) of the total RV resort sites may be occupied up to a maximum of one hundred eighty (180) consecutive days in a one year period beginning on the initial date of occupancy. Note: Only independent RVs are allowed occupancy longer than twenty nine (29) days. Cabins and club house units may be rented as short term rentals. Only 10% of those units may be rented for more than 30 days.~~

(1) Dependent RVs and tents may remain on-site for up to the Utah Transient Room Tax Time Period.

(2) Independent RVs shall be allowed on-site for up to 180 consecutive days in a one-year period, but no more than 30% of the RV resort sites shall be occupied by independent RVs for more than the Utah Transient Room Tax Time Period.

(3) Cabins, tiny houses, and rentable clubhouse units shall have occupancy limited to the Utah Transient Room Tax Time Period.

(4) All occupancy must be under Continuous Occupancy conditions. As soon as Continuous Occupancy conditions cease, occupancy must cease immediately. (Ord. 2016-07, 2016; amd. Ord. 2024-15, 2024)

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 wastewater 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 chapter. (Ord. 2016-07, 2016)

16.17.209: LANDSCAPING AND RECREATION:

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

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

(b) Provide a minimum of ~~three (3) trees clustered~~ ~~one~~two trees ~~with a minimum planning dimension of a 2" caliper~~ every thirty (30) linear feet along all frontage property boundaries of the RV resort. All trees used to meet this standard shall meet at least 2 of the following criteria: (i) minimum height of 5 feet; (ii) minimum 24 inch box container size; and (iii) minimum one inch trunk diameter. ~~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 five percent (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. (Ord. 2016-07, 2016; amd. Ord. 2024-15, 2024)

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 (40' x 80') in size.

(3) RVs 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 RV shall be placed on an individual RV site. (Ord. 2016-07, 2016)

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 live/work area for the exclusive use of the owner or manager, or rental units. The building must comply with the design guidelines set forth in chapter 19 of this title. The live/work area shall not exceed 4,200 square feet of floor space. If a manager is living in a unit in the club house, the occupancy of that unit is not subject to the occupancy time limits described herein.

(2) Laundry Room: RV resorts shall have one 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 r~~Restrooms, including toilets, showers, and lavatories, shall be provided to conveniently and adequately serve the number of tent and RV sites developed within the RV resorts. ~~A combination of t~~The following are the minimum requirements for these facilities ~~where at least half of the facilities shall be family bathrooms with showers:~~

~~Family bathrooms with showers (one toilet, 1 lavatory and 1 shower): 1 per 50 RV sites or 1 per 20 tent sites or:~~

Number Of RV Sites and~~or~~ Tent Sites	Toilets		Urinals	Lavatories		Showers	
	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

At least half of the minimum requirements shall be met with a family bathroom, consisting of a self-contained room containing a toilet, lavatory and shower. Each family bathroom provided shall count toward 1 toilet/urinal, 1 lavatory, and 1 shower. (Ord. 2016-07, 2016; amd. Ord. 2023-20, 2023; amd. Ord. 2024-15, 2024)

Severability. If any section, clause, or 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 ____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Mike Scott	_____	_____	_____	_____
Kevin Smith	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____
Sharon Gillespie	_____	_____	_____	_____
Lance Anderson	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder