

**DRAFT 032224** – Changes made from current Boulder Town Codes are shown in **yellow**. Changes made since March 14<sup>th</sup> PC meeting are shown in **green**.

**ORDINANCE 2024-A \_\_\_\_\_**

**AN ORDINANCE UPDATING THE REGULATION OF RECREATIONAL VEHICLES**

WHEREAS Boulder is experiencing a shortage of permanent housing due to high land and construction costs; and

WHEREAS many current and prospective residents, including **local workers and public service personnel employees or potential employees of local businesses, teachers, and emergency first responders** are unable to find housing that is economically attainable at local wages; and

WHEREAS recreational vehicles can be used to provide temporary, seasonal, or transitional housing;

NOW BE IT ORDAINED BY TOWN COUNCIL THAT THE BOULDER TOWN CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Amend §153.117, the Table of Uses as follows:

- First Row “Accessory dwelling, unit commercial”; add “PC” (Potentially Compatible) to the “C” column
- Add row for “Commercial use existing before 2021” with “P” (Permitted) in the “C” column
- Change row for “Recreational Vehicle occupancy” with “T” (Temporary Use) in all zones
- Add a “PC” under “C” column in the School row.

<i>Table of Uses</i>					
<i>Use</i>	<i>Zoning District</i>				
	<i>GM</i>	<i>LDR</i>	<i>MDR</i>	<i>HDR</i>	<i>C</i>
Accessory dwelling unit, commercial	PC				PC
Accessory use or building	P	P	P	P	
Agriculture, agricultural buildings	P	P	P	P	
Bed and breakfast inn	PC	PC	PC	PC	
Borrow pits	PC				
Cemetery	PC	PC			
Church	PC	PC	PC	PC	
Commercial use	PC				

Commercial use existing before 2021					P
Community market (farmer's market)	T				T
Concrete plant, in existing gravel pit	PC				
Day care/preschool center	PC				
External accessory dwelling unit	PC	PC	PC	PC	
Farmstand	T				T
Guest ranch	PC				
Home child care	P	P	P	P	
Home business	PC	PC	PC	PC	
Internal accessory dwelling unit	P	P	P	P	
Licensed family child care	P	P	P		
Long term temporary use	T	T	T	T	T
Mobile food business	PC				
Public uses and utilities	PC	PC	PC	PC	
Residential day care certificate	P	P	P	P	
Residential facility for elderly	P	P	P	P	
Residential short-term rental	PC	PC	PC	PC	
Recreational vehicle occupancy	T	T	T	T	T
School	PC	PC	PC	PC	PC
Single-family dwelling on a lot of record	P	P	P	P	
Special events	T	T	T	T	T
Wireless telecommunication facilities	PC	PC	PC	PC	PC

Strike 153.156 and move it with corrections to 153.175 below:

**~~§ 153.156 USE OF RV OR MOBILE HOME FOR LIVING PURPOSES DURING PERIOD OF CONSTRUCTION OF PERMANENT DWELLING.~~**

~~—Any person or entity who has obtained all permits and complied with all requirements necessary for the construction of a permanent dwelling on a lot in the town and who is in the process of constructing a permanent dwelling on such lot may obtain a conditional use permit allowing the user to reside in an RV or a mobile home on the lot where the permanent dwelling is being constructed for a period of up to one year. The RV or mobile home must be connected to water and sewer service which has the approval of the town and by Southwest Utah Public Health Department. The town may extend the period of conditional use after one year only upon being provided proof that substantial progress is being made on the construction of the permanent dwelling and evidence being presented that construction will be completed within a reasonable time.~~

**Add (C) to §153.172 Allowed Temporary Uses**

**§ 153.172 ALLOWED TEMPORARY USES.**

The following uses and activities may be permitted by the Zoning Administrator with a finding that the temporary use will be conducted in compliance with all the requirements of this chapter:

(A) A use proposed to be established for a maximum period of one hundred twenty (120) days, such use being discontinued after the expiration of one hundred twenty (120) days.

(B) Special events, for a period not to exceed forty five (45) days, including;

(1) Fund-raising activities conducted by a registered non-profit organization.

(2) Organized events, educational, historic, religious and patriotic displays or exhibits, including concerts, athletic or recreational events, festivals, street fairs, arts and crafts fairs, and other organized events.

**(C) Temporary housing in recreational vehicles in accordance with the provisions in 153.175 and 153.176.**

**Add (C) to §153.173 Exemptions (note – this is moved from section 153.201 (D))**

**§ 153.173 EXEMPTIONS**

(A) All family gatherings shall be exempt from the requirements of a temporary use permit and shall not require a temporary use permit.

(B) The following gatherings shall be exempt and shall not require a temporary use permit:

(1) Family gatherings;

(2) All gatherings under 20 people;

(3) Church sponsored gatherings;

(4) Government sponsored gatherings;

(5) School sponsored gatherings; and

(6) Private gatherings conducted on private property and not advertised for the general public.

**(C) Any owner of real property, a family member, or guest may occupy an RV on the property for a period of two weeks in any calendar year without obtaining a permit or complying with the provisions for sewer and water as required above so long as:**

**(1) The RV does not discharge any effluent onto the owner's land or other lands; and**

**(2) The two-week exemption is utilized by the property owners, the owner's family or other unpaid guests strictly on a non-commercial basis.**

**Add New Sections as Follows**

**153.175 TEMPORARY USE OF RV OR MOBILE HOME FOR LIVING PURPOSES DURING PERIOD OF CONSTRUCTION OF PERMANENT DWELLING.**

Any person or entity who has obtained all permits and complied with all requirements necessary for the construction of a permanent dwelling on a lot in the town and who is in the process of

constructing a permanent dwelling on such lot may obtain a Temporary Use Permit allowing the user to reside in an RV ~~or a mobile home~~ on the lot where the permanent dwelling is being constructed for a period of ~~time concurrent with a valid building permit up to three years~~. The RV ~~or mobile home~~ must be connected ~~or have reasonable access~~ to ~~culinary~~ water, ~~on-site wastewater disposal, and power~~, ~~and sewer service which has the approval of the town and by Southwest Utah Public Health Department. The town may extend the period of conditional use after three years only upon being provided proof that substantial progress is being made on the construction of the permanent dwelling and evidence being presented that construction will be completed within a reasonable time.~~

### 153.176 TEMPORARY USE OF RECREATIONAL VEHICLES FOR EMPLOYEE HOUSING ON COMMERCIAL AND INSTITUTIONAL PROPERTY

(A) Recreational Vehicles may be used to provide temporary, seasonal, or transitional employee housing on commercial and institutional properties under the following conditions.

(1) Such RVs must obtain a Temporary Use Permit.

(2) Such RVs must be connected to or have reasonable access to culinary water, ~~and~~ on-site wastewater disposal, and ~~power~~

(3) The primary occupant of the RV shall be a ~~local~~ worker employed at the business occupying the commercial site, ~~or expected to be employed for at least 1000 hours per year in Garfield county~~

(4) ~~Nothing in this part is intended to or does create a private right of action against the Town, its agents, personnel, officials, or affiliates based upon compliance or noncompliance with its provisions~~

~~(4)(5)~~ Authority to enforce compliance with this part is vested exclusively in the Boulder Town Council.

(B) For the purpose of applying §153.176 institutional property includes land owned by Boulder Town, state agencies, and school districts.

**Strike Section 153.201 (D) (This section was moved to Section 153.173)**

~~(D) As an exception to this chapter, any owner of real property may occupy an RV on the real property for a period of two weeks in any calendar year without obtaining a permit or complying with the provisions for sewer and water as required above so long as:~~

~~(1) The RV does not discharge any effluent onto the owner's land or other lands; and~~

~~(2) The two-week exemption is utilized by the property owners, the owner's family or other unpaid guests strictly on a non-commercial basis.~~

**Make the following changes to §153.430**

- **Remove the question/answer format**
- **Add the words "RV Park" wherever the word "campground" is used**
- **Correct §153.430(B) by changing the "20" at the end of that item to "30."**
- **Correct §153.430(E)(4) by changing "spaces" to "space."**
- **Correct §153.430(E)(6) by changing "site" to "sites"**
- **Strike mis-numbered §153.430 (G)**
- **Correct §153.430 (G) (3) by changing "sewerage" to "sewage"**
- **Correct §153.430 (H) (1) by removing "landline and"**

**§ 153.430 ADDITIONAL STANDARDS FOR CAMPGROUNDS, INCLUDING RV PARKS.**

(A) Minimum front, side, and rear setbacks of 40 feet are required for campgrounds and RV Parks. The Planning Commission may reduce the requirement for side and rear setbacks to as little as 20 feet where there is existing or proposed vegetation or a break in terrain that effectively screens the campground from neighboring properties.

(B) There may be no more than 30 units, including RV sites, tents, and cabins. One unit reserved for the use of the owner or an employee does not count toward the 30.

(C) The maximum number of campsites, including RV sites, tents, and cabins, per acre shall be ten.

(D) Because all campgrounds and RV Parks must be directly accessible from UT-12, an access permit from UDOT will be required.

(1) The minimum width of a campground or RV Park access drive shall be 24 feet unless otherwise specified by UDOT.

(2) The depth of a campground or RV Park access drive (distance from highway to first intersecting road or parking) must be at least 60 feet unless UDOT requires more depth.

(3) Turning radii of campground or RV Park access drives must be suitable for motor homes and large trailers.

(E) The following safe circulation and parking standards within a campground or RV park must be met.

(1) Campground and RV Park drives, parking spaces, and RV pads shall have properly drained all weather surfaces. A stormwater management plan may be required (see § [153.415\(Z\)](#) of the Commercial Development Standards).

(F) One-way campground and RV Park drives shall be at least 12 feet wide. Two-way campground and RV Park drives shall be at least 24 feet wide.

(1) Parking shall be limited to designated spaces and RV pads. Parking shall not be permitted along campground and RV Park drives. "No Parking" signs or barriers shall be installed as necessary.

(2) Each tent site shall have at least one designated parking space within 200 feet.

(3) RV pads shall be at least 45 feet deep.

(4) A minimum of two common (not designated for specific sites) parking spaces shall be provided in every campground or RV Park. An additional two common parking spaces shall be provided for each ten RV or tent sites.

(G) Improvements required in a campground:

(1) *RV Pads.* Each RV pad shall have water, sewer, and power connections. RV pads may also have a fire ring or grill on a nonflammable surface. Fires shall be confined to that area. There shall be an approved garbage container within 300 feet of each RV pad.

(2) *Tent Sites.* Each tent site shall have access to potable water within 300 feet and a safe outdoor cooking area, developed with a fire ring or grill on a nonflammable surface.

Fires shall be confined to that area. There shall be an approved garbage container within 300 feet of each tent site.

(3) *Water and Sewage Systems.* Water and sewage systems shall be designed, installed, and maintained in compliance with state law. Fire hydrants may be required by the fire code.

(4) *Restrooms and Showers.* Public restrooms, including toilets, sinks and showers, shall be provided in compliance with Utah law, specifically Utah Health Rules R392-301 or their successor.

(5) *Park Office.* Each campground or RV Park shall provide a permanent or portable office structure. This structure may include restrooms and showers, as required by division (4), above. It may also incorporate a dwelling unit for the owner or employees. A separate dwelling unit may also be permitted.

~~(G) Is there a limit on the duration of stay in campgrounds? Yes. Occupancy shall be limited to no more than 180 days in any 365 day period. A single campground host may be exempt from this limit.~~

(H) Requirements for the continuing operation of campgrounds and RV Parks:

(1) Every campground or RV Park shall have an attendant or host. A landline and phone number at which the attendant or host may be reached shall be prominently posted on the exterior of the office and in each separate restroom or shower building.

(2) All fuel dispensing equipment and its use shall comply with the currently applicable fire code.

(3) Wheels and axles shall not be removed from vehicles in the park except for emergency or temporary repair.

(4) Since power connections are required, the operation of generators is prohibited.

(5) Garbage containers shall be resistant against animals, tipping, and wind, including the provision of fenced enclosures if required by the Planning Commission. No garbage container may be placed within a required setback.

(6) There shall be regular solid waste removal. The Planning Commission may require submission of a solid waste service contract as a condition of continuing compliance with the CUP.

(I) Continuing maintenance of all campground and RV Park improvements, including landscaping, is a condition of CUP approval. Failure to maintain the campground or RV Park as approved may result in revocation of the CUP.

(J) Campgrounds and RV Parks may not be subdivided.