

## **ORDINANCE NO. 23-19**

**AN ORDINANCE OF FILLMORE CITY, UTAH AMENDING FILLMORE CITY MUNICIPAL CODE TITLE 10, CHAPTER 16, TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS, TO MAKE CERTAIN CHANGES INCLUDING ADDRESSING TEMPORARY SKIRTING AND REMOVING THE NEED FOR AN ADMINISTRATIVE CONDITIONAL USE PERMIT UNDER CERTAIN CIRCUMSTANCES FOR OCCUPATION OUTSIDE RECREATIONAL VEHICLE PARKS.**

The City Council of the City of Fillmore, Utah, (referred to herein as the “City Council”), states the following as the basis for enacting this ordinance:

### **RECITALS**

A. Fillmore City previously adopted a land use ordinance, pursuant to law, which is set forth in Chapter 10 of the Fillmore City Municipal Code.

B. Fillmore City may enact and amend ordinances, resolutions, and rules regarding land use for the purposes outlined in Utah Code Ann. § 10-9a-102.

C. An application was received by Fillmore City to amend Fillmore City Municipal Code Title 10, Chapter 16, Travel Trailer and Recreational Vehicle Parks, to consider allowing temporary skirting for travel trailers and recreational vehicles and to consider removal of a conditional use permit for occupation outside recreational vehicle parks under certain circumstances.

D. On November 28, 2023, the Fillmore City Planning Commission (referred to herein as the “Planning Commission”) held a public hearing to receive public comment regarding such amendment, after publishing notice as required by law, and there allowed the opportunity for public comments related to the proposed amendment.

E. After considering the matter, the Planning Commission found that it was in the public interest to recommend to City Council to amend Title 10, Chapter 16, to allow temporary skirting and remove the conditional use permit under certain circumstances.

F. The City Council has now considered the matter and received public comment, after publishing notice as required by law, and has determined that the Planning Commission recommendation is appropriate and the changes should be adopted as such changes further the health, safety and welfare of Fillmore City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Fillmore, Utah:

**SECTION 1:** Adoption of Recitals. The Recitals set forth above are hereby adopted and incorporated into this ordinance by reference.

**SECTION 2:** Amendment of Title 10, Chapter 16, Travel Trailer and Recreational Vehicle Parks, of the Fillmore City Municipal Code. The Fillmore City Municipal Code Title 10, Chapter 16, Travel Trailer and Recreational Vehicle Parks is hereby amended as shown on the attached, incorporated herein.

**SECTION 3:** Continuing Effect of Fillmore City Municipal Code. Except as specifically amended hereby, all terms, provisions and conditions set forth in Title 10 of the Fillmore City Municipal Code shall remain and continue in full force and effect.

**SECTION 4:** Effective Date. This ordinance shall become effective upon publication.

**SECTION 5:** Publication. This ordinance or a summary thereof is ordered published in accordance with Utah Code Ann. § 10-3-711, as a class A notice under Section 63G-30-102.

**SECTION 6:** Severability. If any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable, and such finding of invalidity shall not affect the remaining portions of this ordinance.

**SECTION 7:** Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Fillmore City conflict with the provisions of this ordinance, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF FILLMORE, UTAH:

By: \_\_\_\_\_  
MICHAEL D. HOLT, Mayor

Attest: \_\_\_\_\_  
KEVIN ORTON, City Recorder

VOTING:

Dennis Alldredge	___ Yea	___ Nay	___ Absent	___ Abstain
Curt Hare	___ Yea	___ Nay	___ Absent	___ Abstain
Eric Jenson	___ Yea	___ Nay	___ Absent	___ Abstain
Kyle Monroe	___ Yea	___ Nay	___ Absent	___ Abstain
Michael Winget	___ Yea	___ Nay	___ Absent	___ Abstain

## CHAPTER 16

### TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS

#### SECTION:

10-16-1: Purpose

10-16-2: Location Of Recreational Vehicle Parks

10-16-3: Development Of Recreational Vehicle Parks

10-16-4: Regulations Outside Travel Trailer Parks

#### 10-16-1: PURPOSE:

The purpose of this chapter is to allow for the use of travel trailers, campers and other recreational vehicles on designated land within the City and to provide for safe and sanitary living conditions for the residents of the park.

#### 10-16-2: LOCATION OF RECREATIONAL VEHICLE PARKS:

A. Districts: It shall be unlawful to develop or otherwise locate a recreational vehicle park within the City except as a conditional use in the Agricultural, Highway Commercial, General Commercial and Mobile Home Districts.

B. Alterations or Placing of Structures: Except for emergency, temporary removal to accomplish repairs, the removal of wheels or axle from a travel trailer or recreational vehicle, the placing of a travel trailer or recreational vehicle on a permanent foundation, or other permanent structures added onto a recreational vehicle or travel trailer is prohibited.

C. Nonexempt: The removal of wheels or axle from a travel trailer or recreational vehicle, the placing of a travel trailer or recreational vehicle on a permanent foundation, or other alterations to a travel trailer or recreational vehicle do not exempt such travel trailer or recreational vehicle from the requirements of this chapter.

#### 10-16-3: DEVELOPMENT OF RECREATIONAL VEHICLE PARKS:

A. Compliance With Requirements: Any person, firm or other entity seeking to develop a travel trailer park or recreational vehicle park shall do so pursuant to the requirements set forth in this chapter and chapter 18, "Subdivisions", of this title.

B. Development Requirements: Development requirements for travel trailers, campers and other recreational vehicle parks:

1. Soil, Drainage: The developer of a recreational vehicle park shall demonstrate to the Planning Commission that the soil, drainage system and topography are of such a nature that normal use of the recreational vehicle park will not create a substantial risk to the property on which the park is located, any adjacent properties, or any person.

2. Street Standards: All streets located within the park shall conform to the following standards:

a. All roads shall be improved with gravel, cinders, concrete or asphalt, and shall be in accordance with City specifications;

b. All street grades within the recreational vehicle park shall strictly conform to City specifications; and

c. Improved street widths must have a minimum of twelve feet (12') of improved street for one-way roadways and a minimum of twenty feet (20') for two-way roadways.

3. Space Specifications: All travel trailer or recreational vehicle spaces in a park shall conform to the following specifications:

a. Travel trailer or recreational vehicle spaces in the park shall have an average of at least one thousand (1,000) square feet;

b. All travel trailer or recreational vehicle spaces shall be designed in such a way so as to allow at least a twenty-five foot (25') setback from the trailer or recreational vehicle site to any dedicated public street.

4. Travel Trailer Site Width: Each travel trailer site shall have an average width of twenty-five feet (25'). Trailers shall be separated from each other and from other structures by at least ten feet (10'). Awnings or steps shall, for this separation requirement, be considered part of the trailer.

5. Travel Trailer Site Frontage: Each travel trailer site shall abut directly upon a travel trailer park street for a minimum distance of twenty-five feet (25'). Alignment and gradient shall be properly adapted to topography.

6. Travel Trailer Density: Not more than one travel trailer shall be placed on a travel trailer site.

7. Site Coverage: The travel trailer and accessory structures shall not cover more than seventy five percent (75%) of a travel trailer site.

8. Utilities: All travel trailer or recreational vehicle parks within the City shall install and maintain utilities that comply with all health and safety standards of the City and the State.

9. Alterations: From October 1st to April 1st, temporary skirting is permitted. The City expressly prohibits skirting made from materials that threaten the health, safety, and welfare of the park, adjacent properties, and any person, including, but not limited to, hay and straw bales.

10. Minimum Park Area: No travel trailer park area shall be constructed on a partial property area that has an area of less than two (2) acres.

11. Public Toilets: All travel trailer or recreational vehicle parks shall have on premises public toilet facilities in such a quantity so as to adequately meet the needs of the park tenants and visitors as determined by the Public Works Director or designated public health official.

12. Enforcement: The owner of a recreational vehicle park shall be penalized, as provided in section 10-3-14, to the same extent as an owner of a recreational vehicle or travel trailer in violation of this section, for recreational vehicles or travel trailers in violation of the requirements herein.

#### 10-16-4: REGULATIONS OUTSIDE TRAVEL TRAILER PARKS:

##### A. Parking Of Travel Trailers And Recreational Vehicles On Private Property During Construction:

1. Conditions: Notwithstanding any limitation set forth in subsection 10-16-2A of this chapter, a person may live in a travel trailer or recreational vehicle outside of a recreational vehicle park for a term not to exceed one year when all of the following conditions are met:

a. The person living in the travel trailer or recreational vehicle is actively employed in the construction of a dwelling or other building within the City, or is the owner of a dwelling or other building which is under active construction;

b. The travel trailer or recreational vehicle is located on the construction site referred to in subsection A1a of this section;

c. A permit is obtained from the City to live in the travel trailer or recreational vehicle;

d. The travel trailer or recreational vehicle complies with all relevant utility requirements of the City and the State.

2. Setback Violations: It shall be unlawful to park or otherwise keep any travel trailer or recreational vehicle on private property in such a manner that would violate the setback requirement of any structure if the dimensions of the structure and the travel trailer or recreational vehicle were added together.

3. Utility Hookups And Fees: The building inspector must approve all utility hookups before recreational vehicles or travel trailers are occupied and utilities connected.

##### B. Temporary Occupancy And Time Frame In Residential Zones:

1. Number: No more than two (2) travel trailers or recreational vehicles shall be temporarily occupied on private residential property.

2. Time: Such travel trailer(s) or recreational vehicle(s) shall not be temporarily occupied for more than fourteen (14) days.

3. Setbacks: The setback requirements shall apply as outlined in subsection 10-16-4A2 to ensure adequate fire safety.

4. Single Wide: No single wide mobile homes will be allowed in any area other than existing mobile home parks.

5. Self-Contained: Only self-contained travel trailers and recreational vehicles will be allowed on private property.

6. Vacant Lots: Occupation of recreational vehicles and travel trailers is not allowed on vacant lots unless a permit is obtained under section A.

7. Encroachments: Recreational vehicles and travel trailers are subject to the parking, notice, and removal requirements under subsection 7-1-4B of this code.

C. Administrative Conditional Use for Temporary Use of Travel Trailers or Recreational Vehicles Associated with Outdoor Recreational Use activities.

1. Permits: The use of travel trailers or recreational vehicles shall not be considered or approved until the following applications for permits have been approved:

a. Application for Administrative Conditional Use Permit: An administrative conditional use permit application shall be completed and submitted, accompanied with the applicable permit fee by an applicant.

b. Application for Temporary Use Permit:

i. A temporary use permit, pursuant to Fillmore City Code Title 10, Chapter 21, shall be completed and submitted, accompanied with the applicable permit fee by an applicant. An applicant shall comply with all provisions and requirements of the temporary use permit.

ii. Zones: This exception shall only be allowed in the Industrial and Public Quasi-Public zones.

iii. Site plan of recreational vehicle and travel trailer parking must be provided to the City in addition to requirements of Title 10, Chapter 21 as well as anticipated number of travel trailers or recreational vehicles, as well as signature of emergency medical services and fire chief, acknowledging respective review of site plans and acknowledgment that services can be safely provided.

2. Setbacks: The setback requirements shall apply as outlined in subsection 10-16-4(A)(2) to ensure adequate fire safety.

3. Onsite Use: Only applications requesting the use of travel trailers or recreational vehicles on the same site as the outdoor recreational use activities may be approved.

4. Utilities:

a. Self-Contained: Only self-contained travel trailers and recreational vehicles will be permitted. Travel trailers and recreational vehicles shall not be permitted to connect to City utilities unless permitted connection are available and connection fees and impact fees have been paid.

5. Expiration of Permit:

a. The administrative conditional use permits shall have an expiration date of fourteen (14) days from the issue date. Consecutive renewal periods are prohibited. There shall exist a gap of five days from expiration of the prior administrative conditional

use permit period and removal of travel trailers and recreation vehicles before another administrative conditional use permit may be approved.

6. Compliance, Responsibility: The applicant is responsible for ensuring all attendees comply with requirements stated herein. Failure to comply may result in revocation of the conditional use permit and/or prohibition of permitting such applicant and/or property for a period of up to 12 months.