

**HILDALE CITY
ORDINANCE 2021-011**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF HILDALE CITY, UTAH
AMENDING THE HILDALE CITY LAND USE ORDINANCE RELATING TO
CAMPING HOSTING FACILITIES**

WHEREAS, the City of Hildale is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah law and is authorized pursuant to the Municipal Land Use Development and Management Act, Title 10, Chapter 9a of the Utah Code to enact land use regulations;

WHEREAS, on August 19, 2021, the Hildale City Planning Commission held a duly convened public hearing for the purpose of obtaining public input for the proposed land use regulation, and considered each written objection filed prior to the public hearing;

WHEREAS, the Planning Commission has prepared and recommended to the Hildale City Council a proposed land use regulation that represents the Planning Commission's recommendation for regulating the use and development of land within all the area of the City of Hildale, and has forwarded to the City Council all objections filed with it;

WHEREAS, the court appointed fair housing monitor has reviewed the proposed land use regulation and has indicated he is not opposed to its adoption; and

WHEREAS, the City Council has given careful consideration to the recommendation of the Planning Commission as well as any public comments, and has determined that it is in the best interest of the health, safety and welfare of the inhabitants of the City to adopt the proposed land use regulation.

NOW THEREFORE, be it ordained by the Council of the Hildale City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Sec 152-7-9 Conditional Use Permit” of the Hildale Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 152-7-9 Conditional Use Permit

(a) Purpose:

This section sets forth procedures for considering and approving conditional use permits.

(b) Authority:

(1) The Planning Commission is authorized to issue conditional use permits for the following uses:

Agricultural industry Agricultural Sales and Service Assisted living facility
Automobile wrecking yard

~~Camping-Hosting Facility~~

Dwelling, multi-family
Dwelling, single-family
Dwelling, temporary
Dwelling, two-family
Kennel, Commercial
Gas and fuel, storage and sales
Greater heights and size than permitted by the Code.
Guesthouse or casita without direct access to main dwelling unit
Metal buildings in commercial and residential zones
Off Road Recreational Vehicle Rental
Public stable
Licensed family child care
Reception center
Recreation and entertainment, outdoor
Residential facility for troubled youth

- (2) The Zoning Administrator is authorized to issue conditional use permits for the following uses:

Animals and fowl for recreation and family food production
Guesthouse or casita without direct access to main dwelling unit
Dwelling, multi-family
Dwelling, single-family
Dwelling, temporary
Dwelling, two-family

(c) Initiation:

A property owner, or the owner's agent, may request a conditional use permit as provided in subsection D1 of this section.

(d) Procedure:

An application for a conditional use permit shall be considered and processed as provided in this subsection.

- (1) A complete application shall be submitted to the Office of the Zoning Administrator in a form established by the Administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:

- a. The name, address and telephone number of the applicant and the applicant's agent, if any;
- b. The address and parcel identification of the subject property;
- c. The zone, zone boundaries and present use of the subject property;
- d. A description of the proposed conditional use;
- e. A plot plan showing the following:
 1. Applicant's name;
 2. Site address;
 3. Property boundaries and dimensions;
 4. Layout of existing and proposed buildings, parking, landscaping, and utilities; and

5. Adjoining property lines and uses within one hundred feet (100') of the subject property;
 - f. Traffic impact analysis, if required by the City Engineer or the Planning Commission;
 - g. A statement by the applicant demonstrating how the conditional use permit request meets the approval standards for the conditional use desired; and
 - h. Such other and further information or documentation as the Zoning Administrator may deem necessary for proper consideration and disposition of a particular application.
 - (2) After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission as provided in section 152-7-4 of this chapter or shall review the application to determine if it meets the standards for an administrative conditional use permit.
 - (3) A staff report evaluating the application shall be prepared by the Zoning Administrator for a conditional use permit that will be reviewed by the Planning Commission.
 - (4) The Planning Commission shall hold a public meeting and shall thereafter approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards, the conditional use may be denied.
 - (5) After the Planning Commission or Zoning Administrator makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 - (6) A record of all conditional use permits shall be maintained in the Office of the Zoning Administrator.
- (e) Approval Standards:
- The following standards shall apply to the issuance of a conditional use permit:
- (1) A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this chapter.
 - (2) Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2o of this section:
 - a. Standards for agricultural industry:
 1. Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
 2. Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
 3. Evidence must be provided on how the applicant will maintain control of flies and vermin.
 - b. Standards for agricultural sales and service:

1. Adequate safeguards must be provided to ensure safe storage and handling of agricultural chemicals.
 2. Evidence must be provided on how the applicant will maintain control of vermin.
 3. All outdoor storage areas for agricultural sales and service uses, and all areas to be used for servicing implements shall be enclosed by a sight-obscuring fence. Aesthetically pleasing landscaping shall be provided around the perimeter of the fence.
 4. No more than five percent of retail shelf, floor, counter and overhead display space may be devoted to the sale of grocery or other non-agricultural products, and there shall be no exterior advertisement of the availability of such products.
- c. Standards for assisted living facility:
1. The facility shall comply with building, safety, and health regulations applicable to similar structures.
 2. The facility shall be licensed by the State of Utah.
 3. A site plan shall be approved for the facility to ensure adequate parking and landscaping are installed.
- d. Standards for automobile wrecking yard:
1. All storage areas for vehicles, parts, materials or junk shall be enclosed by a sight-obscuring fence not less than six feet high, and in any event of sufficient height that all such stored items will be obscured from view. Aesthetically pleasing landscaping shall be provided around the perimeter of the fence.
 2. A concrete slab, equipped with appropriate equipment to collect and contain hazardous materials, shall be provided for all dismantling operations.
 3. Any "crusher" operation must be during the hours of 8 a.m. to 5 p.m. Monday through Friday with no holiday operations.
 4. There shall be multiple entrances with aisles wide enough to accommodate access by the appropriate emergency vehicles. No aisles shall dead end into another aisle, fence or building.
- e. Standards for dwelling, multi-family; dwelling, single-family; dwelling, temporary; dwelling, two-family:
1. A two-family dwelling, or a multi-family dwelling contained within a standalone structure shall be governed by the development standards of the RM-2 zone, to the extent that such standards are inconsistent with the development standards of the applicable zone.
 2. A single-family dwelling shall be governed by the development standards of the R-1-8 zone, to the extent that such standards are inconsistent with the development standards of the applicable zone.
 3. A conditional use permit shall be valid for a period not to exceed thirty years.

- f. Standards for kennel, commercial;
 - 1. Adequate fencing and/or enclosures must be provided to ensure dogs are confined safely and in conformance with acceptable animal husbandry standards.
 - 2. Applicant must provide a plan for how excrement will be handled to prevent it becoming a nuisance and must follow the plan.
 - 3. Evidence must be provided on how the applicant will maintain control of flies and vermin.
 - 4. A minimum parcel size of 1 acre will be required.
 - 5. Kennels shall not be constructed closer than 100 feet from any dwelling on adjacent parcels.
 - 6. A sign shall be provided identifying the operator of the kennel and a 24-hour emergency phone number.
 - 7. If breeding or whelping operations will be conducted on the property, the applicant must provide a plan to staff the kennel a minimum of eighteen hours per day.
 - 8. No more than six dogs over the age of four months shall be allowed per acre of lot area.
- g. Standards for greater heights and size than permitted by the Code:
 - 1. The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater.
 - 2. The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface, and must be for a use permitted in the zone in which it is located.
- h. Standards for guesthouse or casita without direct access to main dwelling unit:
 - 1. Applicant must be willing to sign a restrictive notice that will be recorded in the Office of the Washington County Recorder limiting the use of the guesthouse or casita to family members or nonpaying guests unless the casita meets the development standards for a rental unit.
 - 2. Guesthouse or casita must meet size, setback, and height restrictions for the zone in which it is located.
 - 3. Guesthouse or casita must be served by the same utility connections as the main structure on the site.
- i. Standards for metal buildings in commercial and residential zones:
 - 1. In Residential (R-1) Zones the height and size may not be greater than permitted in the zone.
 - 2. The building must meet the following design standards:
 - i. Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
 - ii. Details of proposed colors and materials, including color chips, samples, and colored building elevations,

shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.

iii. Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.

iv. In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

j. Standards for public stable:

1. Adequate fencing and/or enclosures must be provided to ensure horses are confined safely and in conformance with acceptable animal husbandry standards.
2. Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
3. Evidence must be provided on how the applicant will maintain control of flies and vermin.
4. Site must contain adequate off street parking for customers. All trailers must be contained on site.

k. Standards for licensed family child care:

1. Applicant must obtain and maintain compliance with all required licenses/approvals from applicable agencies and all regulations applicable to licensed family child care.
2. Child care activities shall be clearly incidental to the dwelling or residential use.
3. Signage shall be limited to one nonilluminated nameplate sign that does not exceed twelve square feet in area.
4. Alterations shall not be made to the dwelling or the yard area that change the residential character.
5. There must be no more than one employee that does not reside on the premises.
6. Any vehicles associated with the child care use that are regularly parked on-site must have a gross vehicle weight rating of ten thousand pounds or less, and have no more than two axles.

l. Standards for a reception center:

1. Hours of operation must be compatible with adjoining uses and comply with Hildale City noise regulations.
2. Parking must be provided.
3. The use of on street parking to provide up to forty percent (40%) of the required parking may be permitted if adjoining uses are not residential uses and the street is fully Improved.
4. The center must have an approved site plan.
5. If beer, wine, or other alcoholic beverages are served, the center must be licensed by the State Alcohol Control Board

- m. Standards for recreation and entertainment, outdoor:
 - 1. Any structure established in connection with the use shall have a setback of not less than 100 feet from any lot line, except that where such lot line abuts a street, the front setback from the development standards for the applicable zone shall apply.

- n. Standards for residential facility troubled youth:
 - 1. The operator must be willing to enter into a non-disclosure agreement with the City and confidentially share information about occupants as necessary to make a decision regarding or to enforce a conditional use permit.
 - 2. The operator must adopt and enforce a policy that the facility may not be occupied by any youth who has previously been found guilty of a crime of moral turpitude or a sex-related offense.
 - 3. The facility must be supervised 24 hours a day by a qualified adult at least ten years older than the oldest youth resident.
 - 4. The facility must not be located within one-half mile of another existing residential facility for troubled youth, a public or private school, a public library, a public park or playground, measured in a straight line between the nearest property boundaries.
 - 5. Alterations shall not be made to the dwelling or the yard area that change the residential character.
 - 6. There must be no more than one employee that does not reside on the premises.
 - 7. Any vehicles associated with the residential facility use that are regularly parked on-site must have a gross vehicle weight rating of ten thousand pounds or less, and have no more than two axles.

- o. Standards for animals and fowl for recreation and family food production:
 - 1. Adequate fencing must be provided to ensure animals and fowl are confined safely.
 - 2. Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
 - 3. Evidence must be provided on how the applicant will maintain control of flies and vermin.
 - 4. The number of fowl will be limited by the point system used in section 152-37-15 of this chapter.
 - 5. Livestock numbers may be limited at the Administrator's discretion based on the size of the lot and the facilities available to contain and protect the animals.

- p. Standards for off-highway vehicle rentals:
 - 1. Applicant must be operating a bed and breakfast or residential hosting facility on the same property in conformity with this

chapter.

2. Applicant must have a valid Hildale City business license for off-highway vehicle rentals.
3. Off-highway vehicles may only be rented to guests of the bed and breakfast or residential hosting facility.
4. Only one off-highway vehicle may be rented per guest room.

(f) Appeal Of Decision:

Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance, or denial of a conditional use permit may appeal the decision in accordance with the provisions of section 152-7-19 of this chapter.

(g) Effect Of Approval:

A conditional use permit shall not relieve an applicant from obtaining any other authorization or permit required under this chapter or any other title of this Code.

- (1) A conditional use permit may be transferred so long as the use conducted thereunder conforms to the terms of the permit.
- (2) Unless otherwise specified by the Planning Commission and subject to the provisions relating to amendment, revocation or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.

(h) Amendment:

The procedure for amending any conditional use permit shall be the same as the original procedure set forth in this section.

(i) Revocation:

A conditional use permit may be revoked as provided in section 152-9-6 of this chapter.

- (1) In addition to the grounds set forth in section 152-9-6 of this chapter, any of the following shall be grounds for revocation:
 - a. The use for which a permit was granted has ceased for one year or more;
 - b. The holder or user of a permit has failed to comply with the conditions of approval or any City, State, or Federal law governing the conduct of the use;
 - c. The holder or user of the permit has failed to construct or maintain the site as shown on the approved site plan, map, or other approval materials; or
 - d. The operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a court of competent jurisdiction in any civil or criminal proceeding.
- (2) No conditional use permit shall be revoked against the wishes of the holder or user of the permit without first giving such person an opportunity to appear before the Planning Commission and show cause as to why the permit should not be revoked or the conditions amended. Revocation of a permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.

(j) Expiration:

A conditional use permit shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the permit is not commenced within

one year after approval.

SECTION 2: AMENDMENT “Sec 152-12-2 Scope” of the Hildale Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 152-12-2 Scope

The provisions of this chapter shall apply to any real property located in an agricultural zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this chapter, this code, or other laws.

SECTION 3: AMENDMENT “Sec 152-12-3 Uses Allowed” of the Hildale Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 152-12-3 Uses Allowed

(a) Permitted And Conditional Uses:

Permitted and conditional uses allowed within agricultural zones shall be as set forth in table 152-12-1 of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 152-12-1 of this section shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 152-7-18E4 of this chapter.

TABLE 152-12-1 PERMITTED AND CONDITIONAL USES ALLOWED IN AGRICULTURAL ZONES

Agricultural Permitted Uses				
Use	Zones			
	A-40	A-20	A-10	A-5

Agricultural uses:				
Accessory building	P	P	P	P
Agricultural business	P	P	P	P
Agricultural industry	P	P	P	P
Agriculture	P	P	P	P
Animal specialties	P	P	P	P
Animals and fowl for recreation and family food production	P	P	P	P
Stable, private	P	P	P	P
Residential uses:				
Assisted living facility	P	P	P	P
Building, accessory	P	P	P	P
Dwelling, earth sheltered	P	P	P	P
Dwelling, single-family	P	P	P	P
Dwelling, single-family with accessory dwelling unit	P	P	P	P
Dwelling, temporary	P	P	P	P
Guesthouse	P	P	P	P
Manufactured home	P	P	P	P
Residential facility for elderly persons ¹	P	P	P	P
Residential facility for persons with a disability ¹	P	P	P	P
Residential facility for troubled youth	N	N	N	N
Short term rental	N	N	N	N
Public and civic uses:				
Auditorium or stadium	N	N	N	N
Cemetery	P	P	P	P
Church or place of worship	P	P	P	P
Club or service organization	P	P	P	P
Convalescent care facility	N	N	N	N
Cultural service	P	P	P	P
Golf course	N	N	N	N
Hospital	N	N	N	N
Park	P	P	P	P
Protective service	P	P	P	P

Reception center	C	C	C	C
Stable, public	P	P	P	P
Utility, minor	P	P	P	P
Utility substation	P	P	P	P
Commercial uses:				
Agricultural sales and service	P	P	C	C
Animal hospital	P	P	P	P
Bed and breakfast, INN	C	C	C	C
Bed and breakfast, home	C	C	C	C
Camping Hosting Facility	E	E	E	E
<u>Camping Hosting Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Family child daycare facility ²	P	P	P	P
Licensed family child care ²	C	C	C	C
Residential certificate child care ²	P	P	P	P
Garden center	P	P	P	P
Kennel, residential	P	P	P	P
Media service	N	N	N	N
Off-Road Recreational Vehicle Rental	C	C	C	C
Personal care service, home based ²	P	P	P	P
Personal instruction service, home based ²	P	P	P	P
Produce stand	P	P	P	P
Recreation and entertainment, outdoor	C	C	C	C
Vehicle repair, limited	N	N	N	N
Veterinary service	P	P	P	P
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title			
Industrial uses:				
Alcoholic beverage manufacturing 30,000 square feet and under	P	P	P	P

(b) Accessory Uses:

Permitted and conditional uses set forth in table 152-12-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

- (1) Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this chapter.
- (2) No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
- (3) Accessory uses in agricultural zones shall include, but are not limited to, the following: Garage sales, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter. Garages, carports, and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this chapter. Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any applicable provision of this code. Home based businesses, subject to applicable standards of chapter 42, "Home Based Businesses", of this chapter. Household pets. Keeping of machinery, livestock, and farming equipment as needed for agricultural use. Nurseries and greenhouses. Playhouses, patios, porches, gazebos, and incidental storage buildings. Produce stands. Swimming pools and hot tubs for use by residents and their guests. Temporary real estate offices, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter.

SECTION 4: AMENDMENT "Sec 152-43-2 Scope" of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-43-2 Scope

No manufactured/mobile home or recreational vehicle shall be used or occupied except within an approved manufactured/mobile home park or subdivision, or recreational vehicle park, or as specifically provided by a provision of this chapter or this ~~chapter~~ code. Such requirements shall not be construed to prohibit or limit other applicable provisions of this chapter, this code, or other Laws.

SECTION 5: AMENDMENT "Sec 152-43-3 Uses Allowed" of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-43-3 Uses Allowed

- (a) Permitted And Conditional Use:
A manufactured/mobile home park or subdivision, and recreational vehicle park may be established in an MH/RV zone as set forth in chapter 13, "Residential Zones", of this chapter, subject to the provisions of this chapter, or as otherwise specifically provided in this chapter or this chapter. In the event a provision of this chapter conflicts

with a provision in another chapter of this chapter, the provision of this chapter shall apply.

(b) Location Of An Occupied Manufactured/Mobile Home:

No occupied manufactured/mobile home shall be located anywhere within the city except as follows:

- (1) A manufactured home, when attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with applicable building code, may be located within any single-family residential zone subject to the requirements of that zone; or
- (2) Within an approved manufactured/mobile home park or subdivision; or
- (3) As a dwelling unit on a bona fide farm or ranch when allowed by the zone where the ranch or farm is located; or
- (4) Any of the following temporary uses, subject to the issuance of a temporary use permit pursuant to the requirements of section 152-7-16 and chapter 48 of this chapter:
 - a. Construction field office for use by contractors or as a temporary place of business for an owner or lessee while a permanent building is under construction on the same site;
 - b. Dwelling for members of an immediate family (parents, children, brothers, or sisters), subject to the requirements of section 152-43-4 of this chapter;
 - c. Sales office for manufactured/mobile homes or recreational vehicles, when allowed by the zone where the office is located;
 - d. Sales office for the sale of dwellings in a subdivision or other residential project.

(c) Location Of An Occupied Recreational Vehicle:

No occupied recreational vehicle shall be located anywhere within the city except as follows:

- (1) Within a:
 - a. Recreational vehicle park;
 - b. Manufactured/mobile home park, subject to the requirements of subsection 152-43-6A2b of this chapter; or
 - c. ~~Designated camping area~~ Campground, subject to the requirements of Chapter 52 of this code; and
- (2) As a dwelling for members of an immediate family (parents, children, brothers, or sisters), subject to the requirements of section 152-43-4 of this chapter.
- (3) This section shall not be construed to prohibit the occupation of a recreational vehicle by visitors to occupants of a single-family residential lot improved with one single-family residence for a time not exceeding two (2) weeks (14 days) in any ninety (90) day period.

(d) Location Of An Unoccupied Manufactured/Mobile Home Or Recreational Vehicle:

An unoccupied manufactured/mobile home or recreational vehicle may be located as follows:

- (1) On a sales lot, when allowed by the zone where the lot is located; and
- (2) Long term storage of a recreational vehicle or manufactured/mobile home for maintenance operations, reconstruction, or construction is permitted only

within an enclosed area and only in a zone allowing such use.

- (3) This subsection shall not be construed to prohibit the storage of an unoccupied recreational vehicle on the property of the vehicle's owner or in a commercial lot approved for the storage of recreational vehicles.

(e) Emergency Or Temporary Parking:

Emergency or temporary parking of an unoccupied manufactured/mobile home or recreational vehicle outside an approved manufactured/mobile home park or subdivision, or recreational vehicle park, or other authorized place may be permitted for a period not exceeding forty eight (48) hours. This limitation does not apply to an unoccupied manufactured/mobile home or recreational vehicle located in an authorized sales area.

SECTION 6: AMENDMENT “Sec 152-43-6 Development Standards” of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-43-6 Development Standards

The development of a manufactured home park or subdivision, or recreational vehicle park or park model development shall conform to applicable standards and requirements of this section and as set forth in table 152-43-1 of this section unless modified by a planned development approved pursuant to chapter 23 of this chapter.

(a) General Requirements:

- (1) Layout: Land not contained within individual lots or spaces, roads or parking shall be set aside and developed as parks, playgrounds, trails, and service areas for the common use and enjoyment of occupants of the development, and the visitors thereto.

(2) Location:

- a. A manufactured home subdivision may be located on any lot as allowed by the zone where the lot is located;
- b. A recreational vehicle park should generally be located:
 1. Adjacent to or in close proximity to a major collector or arterial road as shown in the city's transportation master plan;
 2. Near adequate shopping facilities; and
- c. A park model development shall be located on property zoned MH/RV.

(3) Plan Preparation:

Plans for a manufactured home park or subdivision, or recreational vehicle park or park model development shall be prepared by a licensed architect, licensed engineer and/or licensed land surveyor.

(b) Building Standards:

All standards shown in table 152-43-1 of this section must be met.

(c) Site Improvements:

- (1) Access To Lots And Spaces:

Sufficient access shall be provided to each manufactured home, or recreational vehicle lot or space or park model to allow maneuvering of homes or vehicles into position.

- a. The accessway shall be kept free from trees and other obstructions.
- b. Paving under a manufactured home is not required if adequate support is provided as required by applicable building codes. Use of planks, steel mats or other means to support the manufactured home during placement is allowed so long as the same are removed upon completion of placement.

(2) Common Area:

Except for a manufactured home subdivision, one or more common areas equal to at least ten percent (10%) of the land area of the development shall be set aside for the joint use and enjoyment of occupants. Land covered by vehicular roadways, sidewalks and off street parking shall not be included in calculating this ten percent (10%) common area requirement; provided, however, that in initial phases of development, the minimum area shall be not less than one-half (1/2) acre or ten percent (10%) of the land area under development, whichever is greater.

(3) Connection To City Services:

Each manufactured home, recreational vehicle, or park model shall be connected to the city water system and wastewater disposal system, except as otherwise allowed by the regulations for such systems.

(4) Landscaping:

Any area not covered by a manufactured home or recreational vehicle or park model, hard surfacing, or a building shall be landscaped per an approved site plan.

(5) Laundry:

A laundry may be provided for the convenience of residents within a manufactured home park or subdivision, or recreational vehicle park or park model development, but not for the general public.

(6) Lighting:

Shall be provided to meet safety standards and shall be shown on the site plan.

(7) Parking:

Off street parking requirements for a manufactured home park or subdivision, or recreational vehicle park or park model development shall be provided on each lot or space as follows:

- a. Manufactured home park or subdivision: Two (2) parking spaces per lot or space.
- b. Recreational vehicle park: One parking space per RV space.
- c. Park model development: One parking space per park model space.
- d. Each parking space shall have a minimum width of nine feet (9') and minimum depth of eighteen feet (18').
- e. Before a lot or space may be occupied, all off street parking areas and driveways shall be surfaced with a material acceptable to the city.

(8) Roadway Design:

Accessways within a manufactured home park or recreational vehicle park or park model park shall conform to construction design standards and specifications adopted by the city, with a minimum width of thirty feet (30'),

unless modified by a planned development approved pursuant to chapter 23 of this chapter.

(9) Roads Within A Manufactured Home Subdivision:

Roads within a manufactured home subdivision shall conform to construction design standards and specifications adopted by the city unless modified by a planned development approved pursuant to chapter 23 of this chapter.

(10) Skirting:

Each manufactured home shall be skirted.

(11) Storage,

Waste Receptacles, And Additions:

- a. All storage and solid waste receptacles other than individual homeowner trash receptacles shall be contained within an enclosure at least six feet (6') high.
- b. All patios, carports, garages and other additions to a manufactured home shall be compatible in design and construction with the associated home. Such facilities shall be constructed in accordance with applicable building codes and kept in good repair.

(12) Storm Drainage Facilities:

Storm drainage facilities shall be constructed to protect residents of the development as well as adjacent property owners in accordance with applicable provisions of this code and the adopted storm drainage plan as reasonably determined by the city engineer.

(d) Standards Specific To Recreational Vehicle Parks And Park Model Parks:

- (1) No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel.
- (2) Recreational vehicle parks shall not be used as permanent residences, except for that of the owner/manager and permanent maintenance personnel. All recreational vehicles within a recreational vehicle park shall display current license plates/tags.
- (3) No "park model" units shall be permitted within a recreational vehicle park except a number of park models may be approved in the park to be used as short term vacation rentals. However, a park model development may be approved to allow recreational vehicles but not campers or tents in the development.
- (4) Each park must provide an adequate and easily identifiable office or registration area. The location of the office shall not interfere with the normal flow of traffic into and out of the recreational vehicle park.
- (5) Each self-propelled recreational vehicle unit shall be equipped with wheels, which remain on the unit; however, the wheels may be blocked for stability.
- (6) No permanent room addition shall be attached to recreational vehicle nor shall any permanent structure be constructed on a recreational vehicle lot.
- (7) Room additions may be permitted on park models if all setbacks are met and pursuant to the issuance of a building permit before construction.
- (8) A minimum of one toilet, one sink, and one hot shower, each designed for complete privacy, for each forty (40) spaces, or fraction thereof.
- (9) Conversion of an established residential park or park model development to another residential use, shall be subject to review and approval based on codes and zones in place at the time of conversion. A zone change will be required.

(e) Table 152-43-1:

TABLE 152-43-1 DEVELOPMENT STANDARDS MANUFACTURED HOME AND RECREATIONAL VEHICLE PARKS AND SUBDIVISIONS

Development Standard	Manufactured Home Subdivision	Manufactured Home Park	Recreational Vehicle Park/ Park Model Development
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres
Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel
Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height, service building	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,400 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	35 ft.
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard,			

interior	10 ft.	8 ft.	7 ft.
Side yard, street	20 ft.	15 ft.	7 ft.
Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			
Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section		
Common area	Not required	10% of land area; see subsection C2 of this section	
Connection to city services	Must connect to city water system and wastewater disposal system; see subsection C3 of this section		
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section		
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section		
Roadway and accessway design	See subsections C8 and C9 of this section		

SECTION 7:**AMENDMENT** “Sec 152-52-1 Purpose” of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-52-1 Purpose

The purpose of this chapter is to establish use and development regulations for camping hosting facilities to minimize, as applicable, the impact on the natural environment, and to assure ~~their~~the compatibility of camping hosting facilities with adjoining uses.

SECTION 8: AMENDMENT “Sec 152-52-3 Definitions” of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-52-3 Definitions

Reserved

~~For the purpose of this chapter, the following terms shall have the meanings set forth below and shall apply in addition to the terms defined in chapter 3 of this chapter: Hosting Facility; Camping; Campsite; Designated for Fire; Designated for Sleeping; Cooking Device; Lighting Device; Vehicle Parking Space;~~

SECTION 9: AMENDMENT “Sec 152-52-4 Conformity With Standards And Business License Required” of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-52-4 Conformity With Standards And Business License Required

No camping hosting facility shall be established unless:

- (a) The facility can meet the development standards of this chapter and regulations of general applicability in this Code;
- (b) A business license has been issued in accordance with the regulations in title 11 of this Code;
- (c) Operation of a camping hosting facility without a current Hildale City business license is considered a violation and each day of operation shall be considered a separate offense.

SECTION 10: AMENDMENT “Sec 152-52-5 Development Standards; Camping Hosting Facilities” of the Hildale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 152-52-5 Development Standards; Camping Hosting Facilities

The development standards set forth in this section shall apply to all camping hosting facilities.

- (a) Location:
A camping hosting facility may be established in any zone where allowed as a

permitted or conditional use, and shall conform to applicable commercial construction codes, zoning requirements, ~~Utah State Health Department requirements~~ and the requirements of any other applicable codes and/or ordinances adopted by Hildale City.

(b) Health Code Compliance:

Prior to and at all times after commencing operations, a camping hosting facility shall obtain and maintain local public health department approval, and shall comply with all applicable health codes.

(c) Property Manager:

The owner of a camping hosting facility shall appoint a property manager and provide the Hildale City business licensing office with contact information for the property manager, who shall be:

- (1) Authorized to represent the owner with respect to all aspects of the management and maintenance of the facility;
- (2) Authorized to receive official notices on the owner's behalf, including service of legal process; and
- (3) Within a reasonable distance to enable the property manager to appear and respond to emergencies during all times that the camping hosting facility is occupied.

(d) Maximum Length of Stay:

No campsite in a camping hosting facility shall be occupied for any consecutive period of more than twenty-nine (29) days. For purposes of this subsection, a guest who has occupied any campsite in the same camping hosting facility for twenty-nine consecutive days may not rent another campsite in the same camping hosting facility for a period of at least forty-eight (48) hours.

(e) Number of Campsites:

Rentable campsites shall be limited to not more than eight (8) campsites per acre.

(f) Fire Safety Requirements:

- (1) Each rentable campsite will have at least (1) fire extinguisher that meets the specifications ~~inspection requirements~~ deemed necessary by the Fire Chief of Hildale City which shall be inspected annually by a qualified inspector.
- (2) Open burning shall only be permitted within the confines of an approved fire ring or fireplace, which shall be at least twenty-five (25) feet from any tent, recreational vehicle, structure or other combustible material, shall be completely extinguished whenever not attended, and shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous. Guests shall be prominently notified of these restrictions.
- (3) Charcoal, gas or other open-flame cooking devices, other than shall be operated at least ten (10) feet from any tent, recreational vehicle, structure or other combustible material. The minimum distance specified by this subsection shall not apply between a recreational vehicle and a cooking device designed to be affixed to that vehicle.
- (4) There shall be a ~~2~~clearing with a horizontal radius of at least fifteen (15) feet and a vertical height of at least eight (8) feet, which shall be kept relatively free of trees, brush, and tall weeds and dry grass, around any permanent structure, stationary recreational vehicle, or tent. ~~is designated for fire, is designated for sleeping, is a cooking device, is a lighting device, or is a vehicle parking space.~~
- (5) To the extent that the requirements of this section may be inconsistent with

applicable building or fire codes, the provisions of the building and fire codes shall apply.

(g) Tents:

Any tent provided by a camping hosting facility to overnight guests shall be maintained in good repair, and shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing.

(h) Recreational Vehicles (RV's):

- (1) Any recreational vehicle provide by a camping hosting facility to overnight guests shall be maintained in good repair and, if designed to be self-propelled, shall be capable of moving under its own power.
- (2) No more than 50% of the campsites in a camping hosting facility may be designated, marketed or used to accommodate a recreational vehicle.
- (3) Any camping hosting facility having two (2) or more campsites designated, marketed, or used to accommodate recreational vehicles shall, in addition to the development standards set forth in this section, be subject to the development standards set forth in Chapter 43 of this code applicable to recreational vehicle parks. To the extent that the development standards applicable to recreational vehicle parks conflict with the development standards set forth in this section, the conflicting provisions of Chapter 43 shall apply.

(i) Numbering:

- (1) Each structure and campsite used in connection with a camping hosting facility shall be assigned a unique unit number, which shall be posted prominently thereon, and shall be indicated by location on a map of the camping hosting facility for emergency response purposes.
- (2) The owner of the camping hosting facility shall keep the emergency response map up to date and on file with the emergency dispatch center.

(j) Structures:

- (1) Any structure used in connection with a camping hosting facility shall be of permanent construction, meeting the requirements of Building Code.
- (2) No structure shall be permitted on a lot containing a camping hosting facility except for accessory uses permitted in, and conforming to the development standards applicable to the zone in which the camping hosting facility is located.

(k) Lighting:

Any exterior lighting shall comply with the following:

- (1) All lighting devices shall be shielded or hooded so as to prevent light from producing glare onto adjacent properties that may reasonably be expected to result in visual discomfort or loss of privacy;
- (2) Lighting devices shall be designed or shielded such that all light emitted by the fixture is projected below a horizontal plane; and
- (3) Parking spaces and aisles, roads and driveways shall be illuminated only to the extent necessary to meet the functional needs of safe circulation and protection of pedestrians.

(l) Meals:

If meals are offered, meals shall be served only: t

(+) To overnight guests.

(m) Landscaping:

Landscaping shall be provided and maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for on site parking in relation to adjacent properties and the street. Landscaping may include, but shall not be limited to, planting trees in the park strip, and existing native vegetation.

(n) Parking:

Non-frontage, off street parking shall be provided as follows:

- (1) Two (2) spaces for owner.
- (2) At least ~~One~~ (1) space per campsite.
- (3) Parking must be located on the same property as the campsites.
- (4) Tandem parking ~~is permitted for~~ shall be counted as one (1) space ~~only for~~ purposes of this subsection.
- (5) Off street parking may not be provided within the front yard setback other than the existing driveway.
- (6) ~~Landscaping is required between parking and adjoining residential properties.~~

(o) Signs:

Only one on-site (1) sign not larger than ~~one two~~ foot by ~~two three~~ foot (12' x 23') in size may be used to advertise a camping hosting facility. The sign may not be illuminated unless by a single down facing low wattage fixture.

(p) Setbacks:

No tent, stationary recreational vehicle, or permanent structure shall be located within any setbacks required under the development standards applicable to the zone in which a camping hosting facility is located.

(q) Street Standards:

A camping hosting facility shall front upon ~~be located on~~ a street that meets Fire Code requirements as a fire apparatus access road.

(r) Sensitive Lands:

Development of any camping hosting facility, including driveways, roads, trails, campsites, and common areas, is hereby expressly made subject to Chapter 24 of this code, "Sensitive Lands."

(s) Drainage:

Any camping hosting facility shall be engineered to provide adequate surface drainage to ensure that stormwater and wastewater will not be discharged onto adjacent properties beyond naturally existing conditions.

(t) Other Regulations:

A camping hosting facility is subject to all other applicable sections of this Code, including, but not limited to, Building and Fire Codes, noise ordinances, transient lodging facility regulations, and transient room tax requirements.

SECTION 11: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 12: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 13: EFFECTIVE DATE This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL
September 1, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember JVar Dutson	<u>X</u>	_____	_____	_____
Councilmember Maha Layton	_____	_____	<u>X</u>	_____
Councilmember Stacy Seay	<u>X</u>	_____	_____	_____
Councilmember Jared Nicol	<u>X</u>	_____	_____	_____
Councilmember Lawrence Barlow	<u>X</u>	_____	_____	_____

Presiding Officer

Attest

Donia Jessop
Donia Jessop, Mayor, Hildale City

Athena Cawley
Athena Cawley, City Recorder Hildale
City

