



STAFF REPORT

To: Eastern Summit County Planning Commission
From: Ray Milliner, County Planner
Date of Meeting: February 4, 2021
Type of Item: Code Amendment – Public Hearing
Process: Legislative

RECOMMENDATION: Staff requests that the Eastern Summit County Planning Commission discusses the possibility of creating an ordinance regulating Private Campgrounds as well as regulations for the seasonal use of a Recreational Vehicle for inclusion in the Eastern Summit County Development Code and consider forwarding a positive recommendation to the County Council.

Background

On January 21, 2021, the Eastern Summit County Planning Commission conducted a public hearing and reviewed potential amendments to the Development Code regulating private and commercial campgrounds as well as the seasonal use of recreational vehicles. The proposed regulations were a response to complaints from residents in the Samak, Manor Lands, and Weber Canyon areas about property owners using single family lots as campgrounds or parking multiple RVs on a property to be occupied intermittently throughout the summer.

Issues that have been raised include:

- Noise created by multiple RVs on multiple sites in a subdivision.
- Dumping of sewage in creeks, streams or on the ground
- Junk

To counter these complaints, RV users have stated that parking an RV on a lot is a viable alternative for individuals who would like to use their land but cannot afford to build a cabin or home on it. They acknowledge that sometimes they do have family members or friends on the lot with multiple RVs, but that is no different than a cabin owner bringing family and friends to stay in their cabin.

At the meeting, Commissioners reviewed the language and stated that the proposed language needed additional work to mitigate existing problems.

Changes to the proposed ordinance include:

- Elimination of Commercial Campground language. This section will be rereviewed later, when the Commission reviews proposed language for the new Recreation Commercial zone.
- Clarifies exemption to allow camping on a lot with an existing single-family home.
- Streamline approval criteria by removing most of the wastewater requirements (these issues are reviewed and regulated by the Health Department) and clarifying setbacks.

- Creates two exemptions for the seasonal use of an RV. The first would allow for the intermittent occupation of an RV on a lot for a period of 6 months. The second would allow multiple RVs on a lot for activities such as a family reunion.
- Eliminates Mobile Home with a Foundation and Mobile Home Without a Foundation uses from the Use Table.
- Eliminates Definitions of prefabricated home, mobile home, and mobile home park from Appendix A.
- Replaces Mobile Home uses with a Manufactured Home definition and use.

ANALYSIS

Although some of the issues raised by the public are outside of the purview of the Development Code, the proposed language has addressed the following:

1. Impacts of RVs on neighborhoods

This language is designed to allow persons who want to park/camp RVs on their land to do so, within certain parameters. The language does not address issues such as noise or impacts from ATV use because those issues are not within the jurisdiction of the Development Code.

2. Permanent Occupation of an RV

Concerns have been expressed about persons converting an RV from a temporary to a permanent residence. Currently the development code has two classifications of a Mobile Home.

- Mobile home with foundation (see definition of "prefabricated home" in appendix A of this title)
- Mobile home without foundation that is occupied for more than 180 days.

The Development Code defines prefabricated home as:

“PREFABRICATED HOME: A home constructed with steel frame may be considered a mobile home for the purpose of this title.”

A mobile home with a foundation is an allowed use in all residential zones and a mobile home without a foundation occupied for more than 6 months is a conditional use in all residential zones but the R-2.5 and the AG-5. These changes would eliminate those uses from the use table and replace them with a Manufactured Home use and definition. The proposed definition mirrors the Housing and Urban Development (HUD) Department definition of a manufactured home.

These changes mean that a property owner would not be able to live in an RV permanently on his or her property but would be required to live in a structure that was designed for permanent occupancy. The exception in the Seasonal Parking of an RV section will allow persons to occupy their RVs temporarily without moving them every couple of weeks.

These changes would not affect existing legal situations as they would be grandfathered.

3. Junk Ordinance

In addition to the proposed language, staff has included a copy of the existing County junk ordinance. Currently this ordinance is applicable only to the Snyderville Basin. However, the contents of the ordinance could go a long way toward mitigating the issues raised by the public on the East side of the County. The ordinance states:

“It shall be unlawful for any person to cause or permit junk, scrap metal, scrap lumber, wastepaper products, discarded building materials, or any, unregistered and/or abandoned vehicle, vehicles or abandoned parts, machinery parts or machinery, or other waste material to be within or upon any residential property, garden, lawn, or premises, or any public roadway.”

The Commission has directed staff to work on a similar ordinance for the East Side. Staff has completed a draft and it will be presented to the Commission later this winter.

4. Waste Disposal

There is a problem with individuals not properly disposing of human waste. The proposed campground regulations touch on the issue (requirement that all RVs not hooked up to a waste disposal system can only camp for 3 days etc.), but do not solve existing problems where an individual may have converted an RV to a permanent residence. In general, these issues are beyond the control of the Development Code, as the disposal of human waste is regulated by County and State Health Codes.

Recommendation

Staff requests that the Eastern Summit County Planning Commission discusses the possibility of creating an ordinance regulating Private Campgrounds as well as regulations for the seasonal use of a Recreational Vehicle for inclusion in the Eastern Summit County Development Code and consider forwarding a positive recommendation to the County Council.

Exhibits

- Exhibit A. Proposed Language
- Exhibit B. Snyderville Basin Junk Ordinance

Chapter 11-6-22: Private Campgrounds, and Seasonal Recreational Vehicle Use.

The purposes of this Chapter are to:

- To provide permitting regulations for safe and efficient Campgrounds in Eastern Summit County.
- To protect Eastern Summit County's watershed and wetlands from contamination due to illegal sewage, greywater dumping and degradation of the property.
- Protect Campground uses and nearby residential uses from conflicts with one another.

Applicability

These regulations apply to all Private Campgrounds located within the Eastern Summit County planning district of Summit County. They do not apply to any campground on Federally owned lands or in the National Forest.

Private Campground

Private Campgrounds are prohibited within a platted Subdivision. A Private Campground located outside of a platted Subdivision and within the RC, AG-5, AG-10, AG-20, AG-40, and AG-80 zones is a Low Impact Permit.

Exemption The following are exempted from the regulations of this section.

1. Camping in conjunction with care and management of grazing animals in a legitimate agricultural operation.
2. The parking and storage of licensed unoccupied Recreational Vehicles on private property is exempted from these regulations but must meet all applicable parking and storage requirements of this Code.
3. On a residential Parcel or Lot with an existing single-family home, the occasional use by the household of a Recreational Vehicle or tent.

Submittal Requirements

In addition to the required submittals for a Conditional Use Permit, all applications for a Private Campground shall include the following:

1. Narrative that at minimum includes the following information:
 - a. General proposal of the camping operation, regulations, and management.
 - b. Total number of campsites broken down into the different types (Tents, RV's, etc.).
 - c. Hours of operation and season of operation

- d. Water: Evidence describing methods of water supply shall be submitted. This may include a well permit, ability to serve letter from a district, or method of supplying potable water or other water supply to the campground.
- e. Wastewater and Sanitation: Proposed method of wastewater treatment and sanitation facilities.
- f. Storm water: How will storm water runoff be managed?
- g. Proposed trash control and removal. Recycling?
- h. Permanent and Temporary improvements, including tent sites, trash containers, fire rings, water spigots, wells, recycling containers and sanitation facilities.
- i. Campground operating plan.

Criteria

1. Ownership and Subdivision:

- a. The Campground shall remain under one ownership. Subdivision shall not be permitted except as provided by the Subdivision Regulations in Chapter 4 of this Chapter.

2. Setbacks:

- a. Setbacks around the exterior boundary of the project shall match those of the abutting zone. In some cases, that Setback may be increased to create an adequate buffer to adjacent Uses at the discretion of the Community Development Director.

3. Recycling/Garbage and Trash Collection:

- a. As part of the Low Impact Permit review, the applicant shall demonstrate that recycling/garbage and trash stations have been provided in adequate numbers and locations to facilitate storage and collection. The management of the Campground shall be responsible for the collection and disposal of recycling/garbage and trash.

4. Fire Protection:

- a. Each camp shall provide such fire protection equipment as may be required by the applicable Summit County Fire District.

5. Time of Stay:

- a. No recreational vehicle or park tenant shall stay longer than fourteen (14) days within a thirty (30) day period.

6. Campsite Design Standards:

- a. In the location and spacing of campsites, there shall be a minimum of twelve (12) feet between RVs and/or structures.
- b. The density of vehicle spaces shall not exceed fifteen (15) per acre for the gross acreage.

7. Parking:

- a. Off-street parking for one motor vehicle for each camping space shall be provided.

Seasonal Use of a Recreational Vehicle

Applicability

Use of a Recreational Vehicle to camp on private property is allowed on a limited basis in all zones in Eastern Summit County. These regulations do not apply to unoccupied Recreational Vehicles that are parked or stored on private property.

Criteria

1. Time allowed to camp:

- a. A Recreational Vehicle that is hooked up to water, a wastewater system and electricity may be occupied on private property for up to fourteen (14) days within a thirty (30) day period.
- b. A Recreational Vehicle that is not hooked up to water, a wastewater system and electricity may be occupied on private property for up to three (3) consecutive days.

2. Number of Recreational Vehicles allowed to camp on private property:

- a. Unless they are part of an approved Public or Private Campground, or exempted below, a maximum of two (2) Recreational Vehicles may be occupied on a single Parcel or Lot at any given time.

Exemption: The following are exempted from the regulations of this section.

1. The seasonal parking of one (1) Recreational Vehicle on a Lot or Parcel for a period not to exceed six (6) months with the intent of using it for intermittent occupation during the six (6) month period.
2. Occupation of a lot or parcel for no more than one (1) week by multiple Recreational Vehicles for a one (1) time event such as a family reunion.

Definitions

Campground, Private means any real property that is set aside and offered by a person for use by family members or other individuals at no cost for overnight parking or accommodation of three (3) or more Recreation Vehicles, tents, camper trailers, camping trucks, motor homes, and/or similar shelters that are not designed for year-round occupancy.

Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length or which when erected on-site is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. The term does not include any self-propelled recreational vehicle.

Recreational Vehicle Recreational vehicle means a vehicle which is built on a single chassis or capable of being placed in or on a vehicle; designed to be self-propelled or towable by a light duty truck; and designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

~~MOBILE HOME: Any vehicle or object intended for occupancy by an individual or family that was originally constructed in total so as to be portable or mobile, whether presently affixed to the ground or not, and which is intended to be connected to on site utilities.~~

~~HUD Definition of a Dwelling Unit~~

~~MOBILE HOME PARK: A parcel or lot under one ownership that has been planned, improved, and approved for the placement of two (2) or more mobile homes intended for occupancy.~~

~~PREFABRICATED HOME: A home constructed with steel frame may be considered a mobile home for the purpose of this title.~~

USE TABLE

Permitted Uses	R-2.5	AG-5	AG-10	AG-20	AG-40	AG-80	CA	C	LI	I	Additional Reference
Campground, Private outside of a platted subdivision		L	L	L	L	L					11-6-23
Manufactured Home	A	A	A	A	A	A		L			
Mobile home with foundation (see definition of "prefabricated home" in appendix A of this title)		A	A	A	A	A					
Mobile home without foundation that is occupied for more than 180 days			€	€	€	€					

4-3-1: PARKING OR STORAGE PROHIBITED:

A. It shall be unlawful for any person to cause or permit junk, scrap metal, scrap lumber, wastepaper products, discarded building materials, or any, unregistered and/or abandoned vehicle, vehicles or abandoned parts, machinery parts or machinery, or other waste material to be within or upon any residential property, garden, lawn, or premises, or any public roadway **within the Snyderville Basin area of Summit County** as defined and regulated by the Snyderville Basin development code, except as allowed in subsection B of this section or unless in connection with a permitted business enterprise lawfully situated and licensed for the same address.

B. All such materials as described in subsection A of this section shall be screened from the public view of surrounding residences by appropriate fencing, landscaping or berming. Unregistered and/or abandoned vehicles shall also be screened from public view except as allowed per section [4-3-3](#) of this chapter.

No hazardous materials or chemicals shall be stored in areas that do not meet health department regulations or are accessible to the public.

4-3-2: DEFINITIONS:

The following definitions shall apply as used in this chapter:

ABANDONED VEHICLE OR VEHICLES: Any unlicensed, inoperable, unused or abandoned vehicle or vehicle parts, which is not exempted by section [4-3-3](#) of this chapter.

JUNK: Shall include, but is not limited to, any waste product, item, or material which has been discarded, abandoned or is not in regular use. Construction materials that are reasonably being used as part of a currently permitted and ongoing on-site construction project shall not be considered junk.

ON SITE CONSTRUCTION: Construction activity taking place only on the site where the materials are stored under the approval of a current and active building permit for that site.

PUBLIC ROADWAY: Includes, but is not limited to, any public street, street median, road, road median, rights of way, easements, sidewalks, trails, lanes, alleys, or parking lots.

VEHICLE: Shall include all cars, trucks, and motorized recreational vehicles, trailers used for the transportation of vehicles, boats, or any other vehicle with a motorized means of locomotion.

4-3-3: EXEMPTION:

There shall be an exemption granted for one unregistered vehicle per parcel of land (as determined by the tax parcel identification number), if the unregistered vehicle use is limited to reasonable on-site use and/or the vehicle is covered, stored within a structure, or building or stored in an area screened from public view. Exemptions for ongoing agricultural operations as defined by and regulated by the Utah code may also be granted.

4-3-4: PENALTY:

Violations of this chapter shall be deemed a class B misdemeanor and shall be punishable by a fine up to one thousand dollars (\$1,000.00). (Ord. 456-A, 11-16-2011)