



**Project PC #21-003  
RV Park Occupancy Code Amendment**

**REPORT SUMMARY...**

*Project Name:* RV Park Occupancy Code Amendment  
*Proponent/Owner:* McKay Winkel  
*Project Address:* Citywide  
*Request:* Code Amendment  
*Current Zoning:* NA  
*Date of Hearing:* January 14, 2021  
*Type of Action:* Legislative  
*Submitted By:* Russ Holley, Senior Planner

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for the RV Park Occupancy Code Amendment.

**REQUEST**

The proponent is requesting to amend the land use table for the Public (PUB) and Recreation (REC) zones in the Land Development Code (LDC) to conditionally permit long term RV Park occupancy within the REC zone. The applicant also proposes to amend the definition section of the LDC concerning RV Park occupancy. The current Land Use Table only allows short term RV Parks and defines those as less than 30 days in duration for recreation or vacation purposes. This request proposes to add a definition for long term RV Parks and define them as 90 consecutive day stays with the option to clean up and move to another slot within the park for subsequent 90-day stays.

This amendment request is associated with a proposed new RV Park and rezone application from COM to REC for approximately 7.87 acres (PC #20-040) located near 2000 South and 800 West.

17.14: Public Zone Uses

Land Use	Zones	
	PUB	REC
Outdoor Recreation and Entertainment	C	C
Golf course	C	C
RV Parks short term occupancy (less than 30 calendar days)	N	C
<u>RV Parks long term occupancy (more than 30 but less than 90 days)</u>	<u>N</u>	<u>C</u>
Tent campground	N	C
Miniature golf course and accessory recreation	N	C

Figure 1 shows the proposed code language addition in red ink

a clubhouse, dining and snack bars, pro shop, and practice facilities.

**“RV Park, Short-Term”** means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period not to exceed ~~seven~~ thirty (30) days.

**“RV Park, Long-Term”** means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles ~~for a fee as temporary living quarters for recreation or vacation purposes, for a period longer than seven days.~~ Patrons on an RV Park, Long Term, may stay up to 90 consecutive days. After 90 consecutive days, patrons may elect to clean up their space and move to a different space within the park for subsequent 90 day stays.

**“Non-vehicle Camping (Tents) in RV Park”** means a designated area within a Recreational Vehicle Park specifically established for occupancy by people with tents for sleeping and vacation purposes.

**“Tent Campground”** means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by people with tents for a fee for temporary vacation and recreational purposes.

Figure 2 shows the proposed code amendment struck out in black ink and underlined in red ink

## GENERAL PLAN

The adopted Logan City General Plan (2008) Chapter 3.13 outlines REC land use within the city. It mentions RV Parks and specifically states that they should prohibit long-term residential land uses.

*Recreation (REC) lands are primarily recreation and park facilities. They are typically publicly-owned, but may also include privately owned recreation facilities such as campgrounds, golf courses, and RV parks (long-term residential use is prohibited). This district includes both active and passive recreation (ball fields as well as areas for walking and sitting). The REC designation is a companion district to the Gateway District in that future public open space in gateways may be designated Recreation.*

## LAND DEVELOPMENT CODE

The LDC 17.13.030 describes the purpose of the REC zone and how these areas benefit the citizens of Logan City.

*The purpose of the Recreation zone is to preserve and enhance public and private open, natural, and improved park and recreational areas, and to implement recreation and resource sustainability provisions of the General Plan. The Recreation zone is intended to be applied to publicly owned parks and recreation facilities as well as publicly owned open space. The classification may also be used conditionally for privately owned recreation facilities, such as a golf course, recreation vehicle park, or campground.*

## STAFF REVIEW AND SUMMARY

The Logan City General Plan clearly states that long term residential land use for RV Parks in the REC zone is prohibited. Even if moving to another slot every 90 days, this code amendment proposal will create opportunities to accommodate long-term residential uses inside RV Parks. Staff would argue that negative impacts of RV Parks are typically associated with long-term residential users rather than short term vacation users. For these reasons, along with better compliance to the General Plan, the LDC was amended three years ago to eliminate long-term occupancy within RV Parks. As currently defined, RV Parks are clearly meant for vacation and recreation purposes and not for residential purposes. RV's are designed and constructed for vacation and recreation purposes and not for long term residential purposes.

Affordable housing is a real issue in the city, but RV Parks are not the best solution to that problem. Long-term RV Parks do not contribute to the local economy in the way a short-term vacation-oriented RV Park does.

### **PUBLIC, AGENCY AND CITY DEPARTMENT COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received. No comments have been received from City Departments.

### **PUBLIC NOTIFICATION**

Legal notices were posted on 1-2-21 and on the City's website and the Utah Public Meeting website on 1-7-21, and noticed in a quarter page ad on 12-29-20.

### **RECOMMENDED FINDINGS FOR DENIAL OF THE CODE AMENDMENT**

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

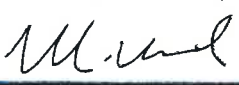
1. The code amendment conflicts with the Logan General Plan that states that the REC land uses are not intended for long term residential uses.
2. The code amendment would result in incompatible land uses within close proximity as REC areas are typically positioned in areas near industry or in areas not ideal for residential land use.
3. This code amendment may likely result in additional citizen complaints related to clean up/appearance associated with RV Parks.
4. Long-term residential uses in RV Parks do not contribute the tourism and economic development in the City like short-term RV Parks do.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

Planning Commission     Land Use Appeal Board     Administrative Review

Date Received 12/11/2020	Received By RA	Scheduled Meeting Date JAN 14	Zone NA	Application Number PC 21-003
<b>Type of Application (Check all that apply):</b> <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input checked="" type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Other <input type="checkbox"/> Administrative Design Review				
<b>PROJECT NAME</b> Code Amendment – RV Park Occupancy				
<b>PROJECT ADDRESS</b> N/A			<b>COUNTY PLAT TAX ID#</b> N/A	
<b>AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)</b> McKay Winkel			<b>MAIN PHONE #</b> 801-377-8035	
<b>MAILING ADDRESS</b> 3651 S 100 East, #125		<b>CITY</b> Provo	<b>STATE</b> UT	<b>ZIP</b> 84604
<b>EMAIL ADDRESS</b> <a href="mailto:mckaywinkel@gmail.com">mckaywinkel@gmail.com</a>				
<b>PROPERTY OWNER OF RECORD (Must be listed)</b> N/A			<b>MAIN PHONE #</b>	
<b>MAILING ADDRESS</b> N/A				
<b>EMAIL ADDRESS</b> N/A				
<b>DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED</b> (Include as much detail as possible - attach a separate sheet if needed)  We propose a code amendment that would create a permitted use in the REC Zone to allow occupancy of up to 90 days or more in RV Parks with an option for the occupant to move to a different site for an additional 90 days. See attached backup for additional details.  <b>- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</b>			<b>Total Lot Size (acres)</b> NA  <b>Size of Proposed New Building (square feet)</b> NA  <b>Number of Proposed New Units/Lots</b> NA	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permit on behalf of the property owner.		<b>Signature of Property Owner's Authorized Agent</b> 		
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.		<b>Signature of Property Owner</b> NA		

**Supporting Information for the Requested Code Amendment to Allow Relatively Longer-Term (But not Permanent) Stays at Logan RV Parks in the REC Zone**

Proposed Text Amendments:

- (1) The applicant requests an amendment to Chapter 17.14: Public Zone Uses - Land Use Table for the Public (PUB) and Recreation (REC) zones in the Land Development Code (LDC) **to conditionally allow long term Recreational Vehicle (RV) Parks in the REC zone.**
- (2) The applicant proposes to define long term RV Parks as those **that allow an occupancy duration of more than 90 days.** (The current Land Use Table only allows short term RV Parks in the REC zone and defines short term as less than 30 days in duration.)

Chapter 17.62 – Definitions - should thus be amended as follows:

B. "RV Park, Short-Term" means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period not to exceed thirty (30) days

C. "RV Park, Long-Term" means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles. Patrons on an RV Park, Long Term may stay up to 90 consecutive days. After 90 consecutive days, patrons may elect to clean up their space and move to a different space within the park for subsequent 90 day stays.

This request is associated with the rezone application from COM to REC for approximately 7.87 acres (PC #20-040) located near 2000 South and 800 West.

17.14: Public Zone Uses

Land Use	Zones	
	PUB	REC
Parks and Open Areas	P	P
Religious Institutions	N	N
Safety Services	P	C
Public Schools (K-12)	State law supersedes local zoning regulations	
Private schools (K-12)	N	N

Commercial Uses		
Land Use	PUB	REC
Major Entertainment Events	N	C
Office - general government only	P	P
Commercial Parking	C	N
Outdoor Recreation and Entertainment	C	C
Golf course	C	C
RV Parks short term occupancy (less than 30 calendar days)	N	C
RV Parks long term occupancy (more than 30 but less than 90 calendar days)	N	C
Tent campground	N	C
Miniature golf course and accessory recreation	N	C
Sales and service including food service permitted on either the Public or Recreation zones as a Conditional Use and provided they are accessory to a primary public or recreational use	C	C

## **Need for the Proposed RV Park in Logan**

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Logan City needs a nicely developed, upscale RV Park that will invite and encourage more tourism.

### **Economic Benefits**

RV Parks are great for the local economy. They generate 7.0% Sales Tax plus an additional 5.57% Transient Tax for a total of 12.57% tax on guests. RV Parks bring in tourists who infuse out-of-town money into the economy. This benefits restaurants, gas stations, retail stores, repair shops and other local businesses. RV Parks are also taxed at commercial values and do not receive the residential exemption on property taxes. All these factors benefit the City.

### **Business Realities for RV Park Operators**

RV Parks are expensive to build and require significant financial investment and commitment. Necessary infrastructure includes paving, landscaping, service buildings and other amenities.

RV Parks generate the most revenue by accommodating overnight guests. However, the season for overnight-business is relatively short in Logan and completely dead in the winter months. For an RV park to survive, it must be able to sell its spaces to a variety of guests throughout the entire year.

### **Proposal**

We propose to build a carefully appointed RV Park off Hwy 89 at approx. 1900 S 800 West in partnership with Stan Checketts. We intend to rent RV spaces to every single short-term guest we can. This is how we will generate most of our revenues and profits. However, when spaces sit empty, we must be able to offer them to other guests such as transient construction workers, contract workers and other temporary guests. These guests generally need accommodations for more than 30 days, as currently allowed in the REC zone code.

We are committed to enforcing strict rules that WILL NOT allow guests to create any kind of nuisance – (appearance, cleanliness, crime, noise, etc.) Any guest who violates these rules will be removed from the park – even by towing, as necessary.

The current code can be amended to allow up to 90-day stays (instead of 30 days) and with an option to relocate within the park and stay for an additional 90 days (as currently allowed under the 30-day rule). This provision will enable us to proceed with our development but will not create ‘permanent occupancy’ and the concern about associated problems that have been noted in previous Planning Commission and City Council discussions.

### **Need & Benefit**

By allowing stays longer than 30 days - the City will enable us to build an upscale RV Park in Logan that will enhance the community and stimulate the local economy.

The requested code amendment will help us justify the financial investment required to build a very nice upscale RV Park in Logan. Without the requested amendment to current code – we cannot viably proceed with our plans.