

**MINUTES**  
**BOX ELDER COUNTY COMMISSION**  
**April 09, 2025**

The Board of County Commissioners of Box Elder County, Utah met in an Administrative/Operational Session at the County Courthouse, 01 South Main Street in Brigham City, Utah at 4:45 p.m. on **April 9, 2025**. The following members were present:

Boyd Bingham	Chairman
Lee Perry	Commissioner
Tyler Vincent	Commissioner
Marla R. Young	Clerk

The following items were discussed:

1. Agenda Review/Supporting Documents
2. Commissioners' Correspondence
3. Staff Reports – Agenda Related
4. Correspondence

The Administrative/Operational Session adjourned at 4:50 p.m.

The regular session was called to order by Chairman Bingham at 5:00 p.m. with the following members present, constituting a quorum:

Boyd Bingham	Chairman
Lee Perry	Commissioner
Tyler Vincent	Commissioner
Marla Young	County Clerk

The prayer was offered by Chairman Bingham.

The Pledge of Allegiance was led by Attorney Stephen Hadfield.

**APPROVAL OF MINUTES**

**THE MINUTES OF THE REGULAR MEETING OF MARCH 26, 2025 WERE APPROVED AS WRITTEN ON A MOTION BY COMMISSIONER VINCENT, SECONDED BY COMMISSIONER PERRY AND UNANIMOUSLY CARRIED.**

**ATTACHMENT NO. 1 - AGENDA**

**ADMINISTRATIVE REVIEW/REPORTS/FUTURE AGENDA ITEMS – COMMISSION**

There were no Administrative Review items discussed.

**FORMER AGENDA ITEMS FOLLOW-UP – COMMISSIONERS**

There were no Former Agenda items discussed.

**EMERGENCY MANAGEMENT ISSUES**

There were no Emergency Management Issues discussed.

**ARPA/LATCF**

There were no ARPA/LATCF items discussed.

**ATTORNEY'S OFFICE**

**Ratify the Compensation Adjustment for the Administrative Law Judge Richard Catten from Agreement #25-22-Stephen Hadfield**

Attorney Stephen Hadfield explained Agreement #25-22 is a compensation adjustment for the administrative law judge for employee appeals.

**MOTION:** Commissioner Perry made a motion to approve Agreement #25-22. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 2 - Agreement #25-22**

**COMMISSIONERS**

**Letter of Support for Comcast Application to Utah's Broadband Infrastructure Grant (BIG) Program-Commissioners**

Commissioner Perry explained they have received a request from Comcast to provide a letter of support to be included in Utah's Broadband Infrastructure Grant Program. He explained the company puts up the cost and asks for reimbursement from the state.

**MOTION:** Commissioner Perry made a motion to approve a Letter of Support for Comcast for the BIG program. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 3 - Letter of Support for Comcast**

**Letter of Support for Strata Networks BEAD (Broadband Equity, Access, and Deployment) Program Application-Commissioners**

Commissioner Perry explained they have received a request from Strata Networks to provide a letter of support to be included in the BEAD Grant Program. He explained the company puts up the cost and asks for reimbursement from the state.

**MOTION:** Commissioner Perry made a motion to approve a Letter of Support for Strata Networks for the BEAD program. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 4 - Letter of Support for Strata Networks**

**Request for Support for Broadband Opportunities-Commissioners**

Commissioner Perry stated that no other companies have made requests.

**CLERK'S OFFICE**

**Discuss the RFQ and Award Fairbook Production-Marla Young**

Clerk Marla Young explained they sent out a request for qualifications (RFQ) for the fairbook. She said they received a proposal from The Box Elder News Journal who has been doing the fair book for several years. She recommended the Commissioners award the production of the fair book to The News Journal.

**MOTION:** Commissioner Vincent made a motion to award the fairbook production to the News Journal. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**COMMUNITY DEVELOPMENT**

**Appoint Planning Commission Members-Scott Lyons**

Community Development Director Scott Lyons stated there are three Planning Commissioners whose terms are expiring. He proposed the Commissioners reappoint Melanie Wilding, Jed Pugsley, and Jared Holmgren to the Planning Commission.

**MOTION:** Commissioner Perry made a motion to reappoint Melanie Wilding, Jed Pugsley, and Jared Holmgren to the Planning Commission. The motion was seconded by Commissioner Vincent and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**Ordinance #620 - RV Facilities for Agritourism-Scott Lyons**

Community Development Director Scott Lyons explained Ordinance #620 amends language regarding mobile home parks and RV facilities for agritourism. They have crafted language that streamlines the process and defines septic and water connections for stays lasting 5-7 days.

**MOTION:** Commissioner Vincent made a motion to approve Ordinance #620. The motion was seconded by Commissioner Perry and unanimously carried on a roll call vote of Chairman Bingham voting Yea, Commissioner Perry voting Yea, and Commissioner Vincent voting Yea.

**ATTACHMENT NO. 5 - Ordinance #620**

**Pre-Annexation Development Agreement Amendment #25-20 Kings Trucking - Garland City-  
Scott Lyons**

Community Development Director Scott Lyons explained Agreement Amendment #25-20 is a new agreement as the old one expired in 2024 due to the annexation failing for being handled improperly. The agreement allows for the developer to complete their structures as they proceed with the annexation process with Garland City.

**MOTION:** Commissioner Perry made a motion to table this item until the next meeting. The motion was seconded by Commissioner Vincent and the item was tabled.

**Pre-Annexation Development Agreement Amendment for Solivia LLC #25-21 - Garland City-  
Scott Lyons**

Community Development Director Scott Lyons explained Agreement Amendment #25-21 is a new agreement as the old one expired in 2024 due to the annexation failing for being handled improperly. The agreement allows for the developer to complete their structures as they proceed with the annexation process with Garland City.

**MOTION:** Commissioner Perry made a motion to table this item until the next meeting. The motion was seconded by Commissioner Vincent and the item was tabled.

**PUBLIC COMMENT (No action will be taken at this time)**

Chairman Bingham reviewed the guidelines for the public comment period.

DeAnna Hardy of Brigham City stated the implementation of broadband fiber optic is very important to smart cities. She said SMART stands for surveillance, monitoring, analysis, reporting, and technology and is a part of Agenda 21. She spoke about smart meters and that Box Elder County was one of several recipients receiving a large amount of federal funding for broadband. She said Governor Cox's family owns Centracom, and they are heavily invested in

broadband. She stated the Box Elder Committee of Liberty petitions the Commission to stop the social credit score that is happening through broadband, smart meter devices and smart cities.

**WARRANT REGISTER – COMMISSIONERS**

The Warrant Register was signed and the following claims were approved: Claim numbers 126309 through 126311 in the amount of \$227,990.71 and claim numbers 126312 through 126404 in the amount of \$677,337.47.

**PERSONNEL ACTIONS/VOLUNTEER ACTION FORMS – COMMISSIONERS**

<b>Employee Name:</b>	<b>Department:</b>	<b>Change:</b>	<b>Effective Date:</b>
JOHNSON, JAKOB	SHERIFF'S OFFICE	NEW HIRE	4/15/2025
CARR, ISABELLA	FIRE MARSHAL	NEW HIRE	4/7/2025
BIERER, MCKENZIE	JUSTICE COURT	NEW HIRE	3/25/2025
BIERER, MCKENZIE	JUSTICE COURT	SEPARATION	3/28/2025
WATKINS, TYSON	ROAD DEPARTMENT	NEW HIRE	3/31/2025
WATKINS, TYSON	ROAD DEPARTMENT	CELL PHONE ALLOWANCE	3/31/2025
MCCRARY, CHAD	SHERIFF'S OFFICE	SEPARATION	3/28/2025
FOWERS, DANIEL	FAIRGROUNDS	SEPARATION	4/8/2025
BUXTON, RYAN	LANDFILL	SEPARATION	4/9/2025

**CLOSED SESSION**

**Strategy session to discuss pending or reasonably imminent litigation and the discussion of the character, professional competence, or physical or mental health of an individual.**

**MOTION:** At 5:30 p.m. a motion was made by Commissioner Perry to move into a closed session. The motion was seconded by Commissioner Vincent and unanimously carried.

**MOTION:** At 5:43 p.m. a motion was made by Commissioner Perry to reconvene into regular commission meeting. Commissioner Vincent seconded the motion. The motion carried unanimously and regular commission meeting was reconvened.

**ADJOURNMENT**

A motion was made by Commissioner Vincent to adjourn. Commissioner Perry seconded the motion, and the meeting adjourned at 5:43 p.m.

**ADOPTED AND APPROVED** in regular session this 23rd day of April 2025.


  
Boyd Bingham, Chairman

  
Lee Perry, Commissioner

  
Tyler Vincent, Commissioner

ATTEST:



  
Marla R. Young, Clerk



## COUNTY COMMISSION MEETING

Box Elder County Justice Court Building 81 North Main, Brigham City,  
Utah 84302

Wednesday, April 09, 2025 at 5:00 PM

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### AGENDA

*NOTICE: Public notice is hereby given that the Box Elder County Board of County Commissioners will hold an Administrative/Operational Session commencing at 4:45 P.M. and a regular Commission Meeting commencing at 5:00 P.M. on Wednesday April 9, 2025 in the Box Elder County Justice Court Building located at 81 North Main, Brigham City, Utah. Please be advised that a member of the Board of Commissioners may not be present at the upcoming meeting in person, but may participate via phone or other electronic means.*

**1. ADMINISTRATIVE / OPERATIONAL SESSION**

- A. Agenda Review / Supporting Documents
- B. Commissioners' Correspondence
- C. Staff Reports

**2. CALL TO ORDER 5:00 P.M.**

- A. Invocation Given by: Chairman Bingham
- B. Pledge of Allegiance Given by: Attorney Stephen Hadfield
- C. Approve Minutes from March 26, 2025

**3. ADMINISTRATIVE REVIEW / REPORTS / FUTURE AGENDA ITEMS**

**4. FORMER AGENDA ITEMS**

**5. EMERGENCY MANAGEMENT ISSUES**

**6. ARPA/LATCF**

**7. ATTORNEY'S OFFICE**

- A. 5:08 Ratify the Compensation Adjustment for the Administrative Law Judge Richard Catten from Agreement #25-22-Stephen Hadfield

**8. COMMISSIONERS**

- A. 5:10 Letter of Support for Comcast Application to Utahs Broadband Infrastructure Grant (BIG) Program-Commissioners
- B. 5:12 Letter of Support for Strata Networks BEAD (Broadband Equity, Access, and Deployment) Program Application-Commissioners
- C. 5:14 Request for Support for Broadband Opportunities-Commissioners

**9. CLERK'S OFFICE**

- A. 5:16 Discuss the RFQ and Award Fairbook Production-Marla Young

**10. COMMUNITY DEVELOPMENT**

- A. 5:18 Appoint Planning Commission Members-Scott Lyons



- B. 5:20 Ordinance #620 - RV Facilities for Agritourism-Scott Lyons
- C. 5:22 Pre-Annexation Development Agreement Amendment #25-20 Kings Trucking - Garland City-Scott Lyons
- D. 5:24 Pre-Annexation Development Agreement Amendment for Solivia LLC #25-21 - Garland City-Scott Lyons

**11. PUBLIC COMMENT (No action will be taken at this time)**

- A. Those wishing to make a public comment shall sign the comment roll and will be responsible for following the rules outlined in the County Commission Rules and Procedures.
- B. Speakers will have one, three (3) minute opportunity to speak regardless of the number of items they wish to address.
- C. Speakers shall address their comments to the County Commission only. This is a time to be heard, there will not be a back and forth dialogue with the Commissioners.
- D. Speakers may file copies of their remarks or supporting information with the County Clerk. The County Clerk will make the information available to the County Commission.

**12. WARRANT REGISTER**

**13. PERSONNEL ACTIONS / VOLUNTEER ACTION FORMS / CELL PHONE ALLOWANCE**

**14. CLOSED SESSION**

**15. ADJOURNMENT**

Prepared and posted this 4th day of April, 2025. Mailed to the Box Elder News Journal and the Leader on the 4th of April, 2025. These assigned times may vary depending on the length of discussion, cancellation of scheduled agenda times and agenda alteration. Therefore, the times are estimates of agenda items to be discussed. If you have any interest in any topic you need to be in attendance at 5:00 p.m.



Marla R. Young - County Clerk

Box Elder County

NOTE: Please turn off or silence cell phones and pagers during public meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made three (3) working days prior to this meeting. Please contact the Commission Secretary's office at (435) 734-3347 or FAX (435) 734-2038 for information or assistance.

**HEARING OFFICER SERVICES AGREEMENT**

This Agreement (this "Agreement") is made effective 6<sup>th</sup> day of December, 2023, by and between Box Elder County, a political subdivision of the state of Utah (the "County"), and Catten Law, P.C., a Utah professional corporation (the "Hearing Officer").

**RECITALS**

A. Catten Law, P.C., is solely owned and operated by Richard Catten, an attorney licensed to practice law in the state of Utah and is in the business of providing legal services and has experience in conducting administrative hearings.

B. The County is in need of an appeal authority and hearing officer (administrative law judge or ALJ) to act on a specific matter and the County desires to retain the Hearing Officer to provide services for the County, and the Hearing Officer desires to provide services on the terms and conditions specified in this Agreement.

**AGREEMENT**

NOW, THEREFORE, in consideration of the premises, mutual covenants and undertakings, the parties hereby agree as follows:

**Section 1. Scope of Services to be Provided.** Richard Catten is designated as the Hearing Officer and shall act in accordance with the provisions of the County's Ordinances and policies on that specific matter referred to Hearing Officer by the County. The Hearing Officer shall fully hear and determine the matter as required in the independent exercise of Hearing Officer's legal judgment.

**Section 2. Fees for Legal Services.**

(a) County agrees to pay Hearing Officer for his reasonable services rendered, at the hourly rate of \$135.00, including without limitation, all telephone and electronic communications related to the underlying matter, legal research and review, document drafting, hearings, and other legal work effort.

(b) Hearing Officer shall invoice the County monthly for each month in which services are rendered. County agrees to pay Hearing Officer's invoices within 30 days of receipt.

**Section 3. Assignment and Delegation.** The Hearing Officer shall not assign or delegate the performance of its duties under this Agreement without the County's prior written approval.

**Section 4. Employment Status.**

(a) **Official Status.** The Hearing Officer shall be an independent contractor and not an employee of the County.

(b) **Salary and Wages.** Except as otherwise specified in section 2 above, the County shall not have any obligation or liability for the payment of any salary or other compensation to personnel providing, or assisting the Hearing Officer to provide, the Legal Services.

**Section 5. Office and Clerk Assistance.** The County shall provide at the hearing location, if needed, office space, office furniture, as it deems necessary, and an internet connection, but shall not provide office services, clerk, assistance, or other office-type support for Hearing Officer with respect to performing Hearing Officer Services.

**Section 6. Titles and Captions.** All section or subsection titles or captions herein are for convenience only. Such titles and captions shall not be deemed part of this Agreement and shall in no way define, limit, augment, extend or describe the scope, content or intent of any part or parts hereof.

**Section 7. Pronouns and Plurals.** Whenever the context may require, any pronoun used herein shall include the corresponding masculine, feminine or neuter forms, and the singular form of nouns, pronouns and verbs shall include the plurals and vice versa.

**Section 8. Applicable Law.** The provisions hereof shall be governed by and construed in accordance with the laws of the state of Utah.

**Section 9. Integration.** This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof, and supersedes all prior agreements and understandings pertaining thereto.

**Section 10. Survival.** All agreements, covenants, representations and warranties contained herein shall survive the execution of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

**Section 11. Severability.** In the event that any condition, covenant or other provision hereof is held to be invalid or void, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

**Section 12. Termination.** Either party may terminate this Agreement, at any time, upon thirty (30) day written notice to the other party. Either party may immediately terminate this Agreement for cause upon written notice. In the event the termination of this Agreement, Hearing Officer shall be compensated for fees and costs earned and incurred up to and including the date of termination.

IN WITNESS WHEREOF, the County caused this Agreement to be signed by its CAO and attested as may be appropriate, and the Hearing Officer has caused the same to be signed and delivered.



BOX ELDER

By

STAN SUMMERS  
BOX ELDER COUNTY COMMISSION CHAIR

ATTEST:

  
BOX ELDER COUNTY CLERK

HEARING OFFICER

By:

J. Richard Catten, President  
Catten Law, P.C.



Boyd Bingham · Tyler Vincent · Lee Perry

COUNTY COMMISSIONERS

April 09,2025  
Utah Broadband Center  
Attn: Rebecca Dilg, Director  
Utah Governor's Office of Economic Opportunity  
324 South State Street, #500  
Salt Lake City, Ut 84114-2220  
Email: rdilg@utah.gov

Subject: Required Local Government Letter of Support for Comcast Application to Utah's Broadband Infrastructure Grant (BIG) Program

Ms. Dilg:

The Box Elder County Commissioners are providing this non-exclusive letter for Comcast Corporation in Support of its application to the Utah Broadband Center's Broadband Infrastructure Grant (BIG) Program.

We understand that Comcast's proposed project aims to provide high-speed internet access to unserved locations in our County. This initiative will significantly contribute to the economic growth, educational opportunities, ability to provide government services, and overall quality of life for our residents and businesses.

Box Elder County fully supports Comcast's efforts to expand broadband infrastructure in our community and is confident in their ability to successfully execute this project. We look forward to collaborating with Comcast and local stakeholders to ensure the successful deployment of this initiative.

Thank you for providing this opportunity for the benefit of Box Elder County and its residents.

Best regards,  
Box Elder County Commission

  
Boyd Bingham, Chair  
Box Elder County Commission

  
Lee Perry

  
Tyler Vincent



Boyd Bingham · Tyler Vincent · Lee Perry

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COUNTY COMMISSIONERS

April 09, 2025  
Utah Broadband Center  
Utah Governor's Office of Economic Opportunity  
60 East South Temple  
Salt Lake City, Ut 84114-2220

Subject: Letter of Support for Strata Networks' BEAD Program Application,

To Whom It May Concern,

On behalf of Box Elder County we are pleased to provide this letter of support for Strata Networks as they submit their final application for broadband funding through the Broadband Equity, Access, and Deployment (BEAD) Program. Expanding broadband infrastructure is a vital step in ensuring that all residents and businesses have access to reliable, high-speed internet.

Strata Networks has a long-standing history of delivering high-quality broadband services to communities. Their extensive experience in broadband deployment makes them a strong candidate for BEAD funding.

The lack of broadband access in unserved and underserved areas continues to hinder economic development, education, telehealth, and overall quality of life in our communities. By supporting Strata Networks' application, we are advocating for critical infrastructure investments that will ensure that our residents and businesses have the connectivity they need to thrive.

We fully support Strata Networks in their efforts to secure BEAD funding and urge the Utah Broadband Office to give their application full consideration. Their project aligns with our goals of economic growth and community development. We look forward to seeing the positive impact this investment will bring to our communities.

Best regards,  
Box Elder County Commission

Handwritten signature of Boyd Bingham in blue ink.

Boyd Bingham, Chair  
Box Elder County Commission

Handwritten signature of Lee Perry in blue ink.

Lee Perry

Handwritten signature of Tyler Vincent in blue ink.

Tyler Vincent

**ORDINANCE NO. 620**

**AN ORDINANCE OF BOX ELDER COUNTY AMENDING TEXT IN CHAPTER 3-6, MOBILE HOME PARKS, OF THE BOX ELDER COUNTY LAND USE MANAGEMENT & DEVELOPMENT CODE.**

**WHEREAS**, a proposal has been made to amend text in Chapter 3-6, Mobile Home Parks, in the Box Elder County Land Use Management & Development Code; and

**WHEREAS**, the Box Elder County Planning Commission scheduled a public hearing on the proposal to amend the text of the Box Elder County Land Use Management & Development code and provided a Class B notice in accordance with Section 2-2-050(B) of the Box Elder County Land Use Management and Development Code and Section 63G-30-102 of the Utah Code ; and

**WHEREAS**, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on October 17, 2024 to allow the general public to comment on this proposed text amendment; and

**WHEREAS**, after providing for public comment from the general public, the Box Elder County Planning Commission has found and determined that the proposed text amendment is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and will provide for the health, safety, and general welfare of the public and protect the environment; and

**WHEREAS**, based upon these findings, the Box Elder County Planning Commission has recommended that the Box Elder County Commission amend the text as has been requested; and

**WHEREAS**, the Box Elder County Commission, after appropriate notice, held a public meeting on April 9, 2025, to review and discuss this proposed amendment; and

**WHEREAS**, after reviewing and discussing, the Board of County Commissioners of Box Elder County, Utah finds that the amendment to the text as set forth in Exhibit B is in conformity with the General Plan of Box Elder County, that the uses allowed by the proposed change are harmonious with the overall character of the existing development in the vicinity of the property, that it will not adversely affect adjacent properties, that the facilities and services intended to serve property are adequate, and that it will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County;

**NOW THEREFORE**, the County legislative body of Box Elder County ordains as follows:

**SECTION 1: Ordinance Text Amendment.** The text amendment to Chapter 3-6, Mobile Home Parks, in the Box Elder County Land Use Management & Development Code is hereby amended to read in its entirety as set forth in Exhibit A.

**SECTION 2: Effective Date.** This ordinance shall become effective fifteen (15) days after its passage.

**PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED** this 9<sup>th</sup> day of April, 2025, by the Board of County Commissioners of Box Elder County, Utah,

Commissioner Bingham  
Commissioner Vincent  
Commissioner Perry

Voting Aye  
Voting Aye  
Voting Aye

Boyd M. Bingham  
Box Elder County Commission Chair



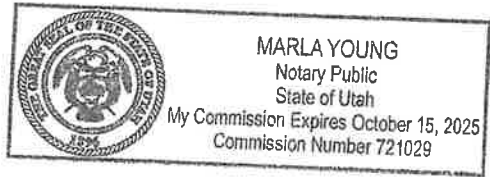
Attest:

Marla Young  
Marla Young  
Box Elder County Clerk

State of Utah            )  
                                  ).ss                    )  
County of Box Elder    )

On this 9<sup>th</sup> day of April, 2025, personally appeared before me, the undersigned notary public, Boyd Bingham whose identity is personally known to me (or proved on the basis of satisfactory evidence) and who by me duly sworn (or affirm), did say he is the **Commission Chairman for Box Elder County** and said document was signed by him in behalf of said Corporation and acknowledged to me that said Corporation executed the same.

My Commission Expires: Oct 15, 2025



Marla Young  
Notary Public



## EXHIBIT A

### **Chapter 3-6 – Recreational Vehicle Facilities for Agritourism**

#### **Sections.**

- 3-6-010. Purpose and Intent.
- 3-6-020. Conditional Use Permit and Site Plan Required.
- 3-6-030. Location.
- 3-6-040. Standards and Requirements for Recreational Vehicle Facilities for Agritourism.

#### **3-6-010. Purpose and Intent.**

The purpose and intent of this section is:

- A. To allow for agritourism opportunities that may involve overnight camping in a personal recreational vehicle.
- B. To require agritourism developments that include overnight camping in a personal recreational vehicle will be of such character as to promote the objectives and purposes of this Code; to protect the integrity, characteristics, and value of the area in which agritourism developments are located.

#### **3-6-020. Conditional Use Permit and Site Plan Required.**

The development of a recreational vehicle facility for agritourism purposes requires an Administrative Conditional Use Permit approved by the Zoning Administrator. As such, each facility must comply with Section 2-2-110, Administrative Conditional Use Permit of this Land Use Management & Development Code.

Additionally, each recreational vehicle facility for agritourism must comply with Section 2-2-120, Site Plan Review, of this Land Use Management & Development Code.

#### **3-6-030. Location.**

- A. Recreational vehicle facilities for agritourism shall be allowed in all unzoned areas and zones of a density of five (5) acres or greater. A minimum of five (5) acres is required for a recreational vehicle facility for agritourism. A single owner across contiguous parcels

may count all their acreage used for agricultural production towards the minimum acreage requirement.

- B. Recreational vehicles shall not be used at any place within the established boundaries of the County, at any time, for living quarters except in designated camping areas or recreational vehicle parks.
- C. Recreational vehicles which are not in use may be temporarily stored on a private residential lot or parcel of land, provided they do not violate any section of this Code and are not parked in the public right-of-way or front yard.
- D. Storage facilities for recreational vehicles, mechanical repair and maintenance operations, reconstruction or construction activities, and other similar uses are not permitted by this chapter and are only permitted in zoning districts allowing such uses.

### **3-6-040. Standards and Requirements for Recreational Vehicle Facilities for Agritourism.**

- A. The Zoning Administrator and all other applicable county departments shall review the proposed development plan to determine its compliance with all portions of the County General Plan and, among other things, shall attempt to make sure that such development will constitute an environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area. Standards higher than the minimum standards contained in this Code may be required if necessary for local conditions of health, safety, and protection of property, and to ensure that the development will mix harmoniously with contiguous and nearby existing and planned uses.
- B. The Zoning Administrator shall not approve any application for an administrative conditional use permit for a recreational vehicle facility for agritourism if the developer cannot fully address items B.1-5. and C.1-12. to the approval of applicable county departments, or if the Zoning Administrator determines there would be unusual danger of flood, fire or other hazard, or if the proposed development would be of such character or in such a location that it would:
  - 1. Create excessive costs for public services and facilities.
  - 2. Endanger the health or safety of the public.
  - 3. Unreasonably hurt or destroy the environment.
  - 4. Cause excessive air or water pollution, or soil erosion; or
  - 5. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

- C. The development shall conform to the following standards and requirements:
1. The area shall be in one ownership.
  2. Recreational vehicle facilities are limited to a density of one space per two acres of land. Facilities are limited to five sites maximum.
  3. Recreational vehicle spaces must meet the required minimum setbacks for main buildings of the zone in which the development is located.
  4. All parking shall be accommodated on site for all visitors.
  5. No individual space in a recreational vehicle facility for agritourism shall be occupied by an individual recreational vehicle for more than seven (7) days consecutively. This Code prohibits the use of individual recreational vehicle spaces in recreational vehicles facilities for agritourism as a location for permanent living.
  6. Any recreational vehicle facility for agritourism shall comply with and conform to all other zoning laws, rules, regulations; building codes, fire codes, public works standards, as well as all other codes and requirements applicable to a structure or development within the zone in which said recreational vehicle facility is located.
  7. Prerequisite to the operation of any recreational vehicle facility for agritourism in the County shall be the obtaining of an annual business license from the County.
  8. In the event a recreational vehicle facility for agritourism is not completed according to the approved Site Plan, or operated and maintained according to the approved Administrative Conditional Use Permit or this Land Use Management & Development Code, the Administrative Conditional Use Permit and annual business license may be denied or revoked.
  9. The premises on which any recreational vehicle facility for agritourism is located, used, or occupied shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, inoperative vehicles, or other unsightly material thereon shall constitute a public nuisance and a violation of this Code. Reasonable guarantees to assure compliance with this requirement will be required of the developer and/or owner as a condition of administrative conditional use permit approval and ultimately the issuance of the annual County business license.
  10. Recreational vehicle facilities shall comply with all applicable sections of Article 5: Regulations of General Applicability of the Land Use Management & Development Code.
  11. In addition to meeting the above requirements and conditions, and conforming to the other laws of the County, all recreational vehicle facilities for agritourism shall also conform to all applicable state regulations. In the event of any conflict between said regulations and this Chapter, the more strict regulation shall take precedence.

12. Recreational vehicle facilities for agritourism are prohibited from establishing and providing septic and water connections for visitors.
  13. It is recommended that the host provide guests with a list of nearby RV services such as dump stations, potable water, and repair services.
- 

### **1-3-040. Definitions.**

**Agritourism:** The combination of agricultural production with tourism to attract participants from the general public to an agricultural enterprise for the entertainment, recreation, or education of the participants.

## EXHIBIT B

### ~~Chapter 3-6 Mobile Homes, Mobile Home Subdivisions, & Recreational Vehicle Parks~~

~~Box Elder County Zoning Ordinance~~

#### **Sections:**

- ~~3-6-010. Purpose and Intent.~~
- ~~3-6-020. Conditional Use Permit Required.~~
- ~~3-6-030. Location.~~
- ~~3-6-040. Standards and Requirements of All Mobile Home Parks, Recreational Vehicle Parks and Mobile Home Subdivisions.~~
- ~~3-6-050. Inspection and Special Regulation of Mobile Homes.~~
- ~~3-6-060. Compliance with Other Regulations.~~
- ~~3-6-070. Guarantees.~~
- ~~3-6-080. Additional Requirements for Mobile Home Parks.~~
- ~~3-6-090. Additional Requirements for Recreational Vehicle Parks.~~
- ~~3-6-100. Additional Requirements for Mobile Home Subdivisions.~~

#### ~~**3-6-010. Purpose and Intent.**~~

~~The purpose and intent of this section is:~~

- ~~A. To permit variety and flexibility in land development for residential purposes by allowing the use of mobile homes and recreational vehicles under certain conditions.~~
- ~~B. To require that mobile home and recreational vehicle developments will be of such character as to promote the objectives and purposes of this Code; to protect the integrity and characteristics of the district contiguous to those in which mobile home parks are located; and to protect other land use values contiguous to or near mobile home or recreational vehicle developments.~~

#### ~~**3-6-020. Conditional Use Permit Required.**~~

~~The development of a mobile home park, recreational vehicle park, or mobile home subdivision requires a conditional use permit approved by the Planning Commission.~~

#### ~~**3-6-030. Location.**~~

- A. ~~No mobile home shall be located anywhere within the corporate boundaries of the County except in a licensed mobile home park or approved mobile home subdivision, or as temporary living quarters by conditional use permit. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park or mobile home subdivision will be permitted for a period not exceeding twenty-four (24) hours. This limitation does not apply to unoccupied mobile homes in licensed mobile home sales areas.~~
- B. ~~Recreational coaches which do not include facilities necessary to be mobile homes as defined in this Code, shall not be used at any place within the established boundaries of the County, at any time, for living quarters except in designated camping areas or recreational coach parks.~~
- C. ~~Recreational coaches which are unoccupied for living space may be temporarily stored on private residential lot or larger parcel of land, provided they do not violate any required setbacks for front or side yards. Long term storage of recreational coaches, maintenance operations, reconstruction, or construction activities are permitted within enclosures only and in zoning districts allowing such uses.~~

~~**3-6-040. Standards and Requirements for All Mobile Home Parks, Recreational Vehicle Parks, and Mobile Home Subdivisions.**~~

- A. ~~The Planning Commission shall review the proposed development plan to determine its compliance with all portions of the County General Plan and, among other things, shall attempt to make sure that such development will constitute a residential environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area. Standards higher than the minimum standards contained in this Code may be required if necessary for local conditions of health, safety, and protection of property, and to ensure that the development will mix harmoniously with contiguous and nearby existing and planned uses.~~
- B. ~~The Planning Commission shall not approve any application for mobile home park, recreational vehicle park, or mobile home subdivision conditional use permit if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements, or if the developer cannot ensure that the development will be completed within twelve (12) months, or if the Planning Commission or County Commission determines there would be unusual danger of flood, fire or other hazard, or if the proposed development would be of such character or in such a location that it would:~~
- ~~1. Create excessive costs for public services and facilities.~~
  - ~~2. Endanger the health or safety of the public.~~
  - ~~3. Unreasonably hurt or destroy the environment.~~

~~4. Cause excessive air or water pollution, or soil erosion, or~~

~~5. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.~~

~~C. The development shall conform to the following standards and requirements, unless modified by an approved planned unit development plan:~~

~~1. The area shall be in one ownership, or if in several, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.~~

~~2. A strip of land at least fifteen (15) feet wide surrounding the entire park shall be left unoccupied by mobile homes, recreational vehicles, storage buildings, service buildings, garages or any add-ons, and shall be planted and maintained in lawn, shrubs, trees, with an approved durable permanent wall or fence designed to afford privacy to the development.~~

~~3. All storage and solid waste receptacles outside the confines of any mobile home or recreational vehicle shall be housed in a closed structure compatible in design and construction to the mobile homes, and to any service buildings within the development; all patios, carports, garages, and other add-ons shall be compatible in design and construction with the mobile home. The service buildings shall be constructed in accordance with standard commercial practice and kept in good repair as determined by the Zoning Administrator. In mobile home developments where units will be situated with long axis perpendicular to the street, streets will run in a North-South direction to the greatest extent possible. This is to promote solar orientation of the units.~~

~~4. In addition to meeting the above requirements and conditions, and conforming to the other laws of the County, all mobile home parks, recreational vehicle parks, and mobile home subdivisions shall also conform to all applicable state regulations. In the event of any conflict between said regulations and this Chapter, this Chapter shall take precedence where such regulations are more strict, and the provisions of the state regulations shall take precedence where such regulations are more strict.~~

~~D. Every mobile home park, recreational vehicle park, and mobile home subdivision shall provide underground utility service to every mobile home stand or lot as required by the Planning Commission, including but not limited to water, sewer, power, natural gas, telephone, and TV.~~

### ~~3-6-050. Inspection and Special Regulation of Mobile Homes.~~

- A. ~~Mobile homes are considered by the County to be less durable and less resistant to deterioration than are conventional homes; therefore, all mobile homes which are used for human habitation, whether conforming or non-conforming, and whether located in mobile home parks, in mobile home subdivisions or on bona fide farms or ranches, shall be subject to the following special regulations:~~
- B. ~~Permits are required for mobile home plumbing and electrical hookups, and such hookups shall be made only by licensed plumbers and electricians.~~
- C. ~~No mobile home may be placed on a permanent foundation without state-approved modification.~~
- D. ~~A Certificate of Compliance is required for all mobile homes within the County, whether occupied or awaiting occupancy, and may be obtained from the Building Official following an inspection wherein the mobile home is found to meet the safety, sanitary and structural standards adopted by the County. The State inspection certificate will be honored in lieu of a Certificate of Compliance.~~
- E. ~~Each mobile home may be inspected annually, or upon evidence of need, by the Building Official, to determine whether the structure is sound and being kept in a safe and sanitary condition for human habitation. During the inspection the local Building Official may revoke the Certificate of Compliance or certificate in lieu thereof for cause, including but not limited to violation of the fire or sanitary codes adopted by the County, substantial deterioration of structure so as to adversely affect the health or safety of the occupants, or deterioration in appearance so as to adversely affect the health or safety of the occupants, or deterioration in appearance so as to be unsightly and to adversely affect the value of neighboring properties.~~
- F. ~~Upon the revocation of a Certificate of Compliance or certificate in lieu thereof, or a finding of non-compliance, the Building Official shall order the deficiencies corrected and a Certificate of Compliance obtained within thirty (30) days.~~
- G. ~~If such deficiencies are not corrected, or cannot be corrected, the mobile home shall be ordered vacated and removed from the premises upon which located, and shall not thereafter be used for human habitation within the County unless all deficiencies are corrected and a Certificate of Compliance obtained.~~

### **3-6-060. — Compliance with Other Regulations:**

~~Any mobile home or recreational vehicle located in any permitted area shall comply with and conform to all other zoning laws, rules, regulations, and building, plumbing, electrical, fire prevention, and all other codes and requirements applicable to a structure or building erected within the district in which said mobile home or recreational vehicle is located.~~

### **3-6-070. — Guarantees:**



- A. ~~For mobile home parks and recreational vehicle parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission and County Commission for permanent retention of open spaces and for the maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees shall be in the form of a bond, or a cash deposit, in the sum to be determined by the Planning Commission, which form must be approved by the County Commission and the County Attorney. The basis for providing assurance of compliance will be a management plan developed by the applicant and approved by the Planning Commission and County Commission that will outline standards of operation, remedies for failure to comply with those standards and a single responsible person or entity for its administration and dealing with the County.~~
- B. ~~In any case, when a mobile home park or recreational vehicle park is owned by more than one person, the developer shall establish and appoint a park manager. The manager shall be authorized to receive, process, and represent fully the interests of the owners in respect to continuing management and maintenance of the park.~~
- C. ~~Prerequisite to the operation of any mobile home park or recreational vehicle park in the County shall be the obtaining of an annual business license from the County.~~
- D. ~~In the event a mobile home or recreational vehicle park is not completed according to approved plans, or operated and maintained according to the approved management plan, the annual business license may be denied or revoked. The mobile homes or recreational vehicles and associated property and facilities shall be removed, and all services discontinued before any part of the land within the development planning area may be used for any other purpose, or be subdivided.~~
- E. ~~The premises on which any mobile home is located, used, or occupied shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, inoperative vehicles, or other unsightly material thereon shall constitute a public nuisance and a violation of this Code. Reasonable guarantees to assure compliance with this requirement will be required of the developer and/or owner as a condition of conditional use permit approval and ultimately the issuance of the annual County Business License.~~

### ~~3-6-080. Additional Requirements for Mobile Home Parks:~~

~~In addition to the requirements for mobile home parks outlined above in this Section, mobile home parks shall meet the following requirements:~~

- A. ~~The number of mobile homes shall be limited to seven (7) units per acre and may be limited to fewer units, depending on mobile home size, topography, and other factors of the particular site. The mobile homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads, or~~

parking shall be set aside and developed as parks, playgrounds, and service areas for the common use and enjoyment of occupants of the development, and the visitors thereto.

- B. ~~No home or add-on shall be located closer than ten (10) feet from the nearest portion of any other home or add-on. All such homes and add-ons shall be set back at least ten (10) feet from road curbs or walks. If the mobile home tongue remains attached, it shall be set back a minimum of six (6) feet from road curbs or walks. All mobile homes, storage buildings, service buildings, garages, carports, or other add-ons, etc., shall be set back at least fifteen (15) feet from any boundary of the mobile home park.~~
- C. ~~Off-street parking shall be provided at the rate of two (2) parking spaces per mobile home space, and each such parking space shall have a minimum width of ten (10) feet and minimum depth of twenty (20) feet. In no case shall the parking space be located farther than one hundred (100) feet from the mobile home space it is designated to serve.~~
- D. ~~A security compound for storage of vehicles, boats and other large items shall be provided equivalent to a minimum of three hundred (300) square feet of paved area per mobile home space, as approved by the Planning Commission.~~
- E. ~~One-story bulk storage areas shall be provided within a mobile home park, equivalent to sixty (60) square feet per mobile home space. The area designated for said bulk storage shall be improved, landscaped, and screened as approved by the Planning Commission.~~
- F. ~~Not less than ten percent (10%) of the gross land area shall be set aside for the joint use and enjoyment of occupants in a park-like setting with both active and passive recreational accommodations. The land covered by vehicular roadways, sidewalks, off-street parking, and required setbacks shall not be construed as part of this ten percent (10%) common area required; provided, however, that in initial stages of development or special smaller developments the minimum area shall not be less than two (2) acres or ten percent (10%), whichever is greater.~~
- G. ~~Yard lighting with a minimum of 0.2 foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways.~~
- H. ~~All areas not covered by mobile homes or recreational vehicles, hard surfacing, or buildings shall be landscaped as approved by the Planning Commission, and such landscaping shall be permanently maintained.~~
- I. ~~All off-street parking spaces and driveways shall be hard surfaced before the adjacent spaces may be occupied.~~
- J. ~~The roadways shall be designed to accommodate anticipated traffic, including the following standards, unless modified by an approved planned unit development plan:
  - 1. ~~ONE-WAY TRAFFIC: A minimum of fifteen (15) feet in width plus extra width as necessary for maneuvering mobile homes.~~~~

- ~~2. TWO-WAY TRAFFIC: A minimum of thirty (30) feet in width.~~
  - ~~3. ENTRANCE ROADWAYS: A minimum of thirty-six (36) feet in width.~~
  - ~~4. ROADWAYS: All roadways shall be hard surfaced and bordered by twenty-four (24) inch rolled gutters or an approved equivalent.~~
  - ~~5. SIDEWALKS: Thirty-six (36) inch minimum width sidewalks shall be installed on all main roadways within the development, if required by the Planning Commission.~~
  - ~~6. ACCESS: Each park shall have at least two (2) accesses to public streets, unless more than one (1) access is prohibited by a responsible public agency.~~
- ~~K. Within forty-five (45) days of occupancy, each mobile home shall be skirted, or if shields are used, they are to be fireproof, well-painted, or otherwise preserved.~~
- ~~L. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities must be of sufficient capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.~~
- ~~M. The mobile home park shall:~~
- ~~1. Be in keeping with the general character of the district in which it is to be located.~~
  - ~~2. Be located on a parcel of land not less than ten (10) acres, or on two (2) or more parcels separated by a street or alley only and totaling 10 acres, unless modified by an approved planned unit development plan.~~
  - ~~3. Have at least twenty-five (25) spaces completed, ready for occupancy, or an approved financing plan for construction and phase completion, together with approved security to assure compliance, before the first occupancy is permitted.~~
- ~~N. A laundry for convenience of park occupants, but not for the general public, may be included in mobile home parks.~~
- ~~O. No mobile home space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. Leases shall be made available for inspection by the officials of the County upon demand.~~
- ~~P. Access shall be provided to each mobile home stand for maneuvering mobile homes into position. The access way shall be kept free from trees and other immovable obstructions. Paving under mobile homes will not be required if adequate support is provided as required by State regulations. Uses of planks, steel mats, or other means to support the~~

~~mobile home during placement shall be allowed, so long as the same are removed upon completion of placement.~~

### ~~3-6-090. Additional Requirements for Recreational Vehicle Parks.~~

~~In addition to the requirements for recreational vehicle parks outlined above in this section, recreational vehicle parks shall meet the following requirements:~~

- ~~A. Recreational vehicle parks shall generally be located:
  - ~~1. Adjacent to or in close proximity to a major traffic artery or highway.~~
  - ~~2. Near adequate shopping facilities.~~
  - ~~3. Within or adjacent to a mobile home park.~~~~
- ~~B. Not less than ten percent (10%) of the gross land area shall be set aside for the joint use or enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten percent (10%) common area required for parks and playgrounds for occupants; provided, however, that in initial stages of development or in special smaller developments the minimum area shall not be less than two (2) acre or ten percent (10%), whichever is greater.~~
- ~~C. Yard lighting with a minimum of 0.2 foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways.~~
- ~~D. All areas not covered by recreational vehicles, hard surfacing, or buildings shall be landscaped and permanently maintained pursuant to a plan approved by the Planning Commission.~~
- ~~E. All off-street parking spaces and driveways shall be hard surfaced before the adjacent recreational vehicle spaces may be occupied.~~
- ~~F. The roadways shall be designed to accommodate anticipated traffic, including the following standards, unless modified by an approved planned unit development plan:
  - ~~1. ONE-WAY TRAFFIC. A minimum of fifteen (15) feet in width plus extra width as necessary for maneuvering recreational vehicles.~~
  - ~~2. TWO-WAY TRAFFIC. A minimum of thirty (30) feet in width.~~
  - ~~3. ENTRANCE ROADWAYS: Minimum of thirty-six (36) feet in width.~~
  - ~~4. ROADWAYS: All roadways shall be hard surfaced and bordered by twenty-four (24) inch rolled gutters or an approved equivalent.~~~~

5. ~~SIDEWALKS: Thirty-six (36) inch minimum width sidewalks shall be installed on all main roadways within the development, if required by the Planning Commission.~~
6. ~~ACCESS: Each recreational vehicle park shall have at least two (2) accesses to public streets, unless more than one (1) is prohibited by a responsible public agency.~~
- G. ~~No individual space in a recreational vehicle park shall be used by one individual recreational vehicle for more than ninety (90) days consecutively, nor shall such space be rented or leased to any one individual for a period longer than ninety (90) days in any one calendar year.~~
- H. ~~Recreational vehicles may be stored where permitted, but not used for permanent living quarters.~~
- I. ~~Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in an appropriate zoning district when such use is a permitted or a conditional use.~~
- J. ~~Ten (10) recreational vehicles may be accommodated in an approved and licensed mobile home park, provided that:~~
  1. ~~The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.~~
  2. ~~The recreational vehicle use area shall have direct access to a collector or arterial street.~~
  3. ~~Separate ingress and egress shall be provided for recreational vehicles when required by the Planning Commission.~~
- K. ~~Recreational vehicle parks may be approved by the County Commission in locations permitting such use in this Code. Before such approval is given, a report to the County Commission by the Planning Commission shall find that the proposed development will:~~
  1. ~~Be placed on a parcel of land of not less than five (5) acres, or within a mobile home park, unless modified by a planned unit development plan.~~
  2. ~~Before first occupancy, have at least twenty-five (25) spaces completed (10 if in a mobile home park), or an approved schedule of financing, construction and phase completion, and approved security, to assure compliance.~~

### ~~3-6-100. Additional Requirements for Mobile Home Subdivisions:~~

~~In addition to the requirements for mobile home subdivisions outlined above in this section, mobile home subdivisions shall meet the following requirements:~~

- ~~A. Mobile home subdivisions may be approved by the County Commission in locations permitting such use in this Code. Before such approval may be granted, a report to the County Commission by the Planning Commission shall find that the proposed development will:~~
- ~~1. Be located on a parcel of land containing not less than five (5) acres.~~
  - ~~2. Contain lots with a minimum net area of five thousand (5,000) square feet and a minimum width of fifty (50) feet.~~
  - ~~3. Be organized in a homeowners' association, if required by the Planning Commission.~~
- ~~B. The Planning Commission may require a security compound for the storage of vehicles, boats, and other large items, to be provided equivalent to a minimum of three hundred (300) square feet of paved area per mobile home lot, to be maintained by a homeowners' association in the mobile home subdivision.~~
- ~~C. Each mobile home shall be skirted or shielded within forty-five (45) days of occupancy. If shields are used, they are to be fireproof and painted, or otherwise preserved.~~
- ~~D. Street widths shall be as required by the Developments Regulations, except as may be modified by an approved planned unit development plan.~~
- ~~E. No mobile home in a mobile home subdivision shall be rented or leased for a period of less than ninety (90) days.~~

## **Chapter 3-6 – Recreational Vehicle Facilities for Agritourism**

### **Sections.**

- 3-6-010. Purpose and Intent.
- 3-6-020. Conditional Use Permit and Site Plan Required.
- 3-6-030. Location.
- 3-6-040. Standards and Requirements for Recreational Vehicle Facilities for Agritourism.

### **3-6-010. Purpose and Intent.**

The purpose and intent of this section is:

- A. To allow for agritourism opportunities that may involve overnight camping in a personal recreational vehicle.

- B. To require agritourism developments that include overnight camping in a personal recreational vehicle will be of such character as to promote the objectives and purposes of this Code; to protect the integrity, characteristics, and value of the area in which agritourism developments are located.

### **3-6-020. Conditional Use Permit and Site Plan Required.**

The development of a recreational vehicle facility for agritourism purposes requires an Administrative Conditional Use Permit approved by the Zoning Administrator. As such, each facility must comply with Section 2-2-110, Administrative Conditional Use Permit of this Land Use Management & Development Code.

Additionally, each recreational vehicle facility for agritourism must comply with Section 2-2-120, Site Plan Review, of this Land Use Management & Development Code.

### **3-6-030. Location.**

- A. Recreational vehicle facilities for agritourism shall be allowed in all unzoned areas and zones of a density of five (5) acres or greater. A minimum of five (5) acres is required for a recreational vehicle facility for agritourism. A single owner across contiguous parcels may count all their acreage used for agricultural production towards the minimum acreage requirement.
- B. Recreational vehicles shall not be used at any place within the established boundaries of the County, at any time, for living quarters except in designated camping areas or recreational vehicle parks.
- C. Recreational vehicles which are not in use may be temporarily stored on a private residential lot or parcel of land, provided they do not violate any section of this Code and are not parked in the public right-of-way or front yard.
- D. Storage facilities for recreational vehicles, mechanical repair and maintenance operations, reconstruction or construction activities, and other similar uses are not permitted by this chapter and are only permitted in zoning districts allowing such uses.

### **3-6-040. Standards and Requirements for Recreational Vehicle Facilities for Agritourism.**

- A. The Zoning Administrator and all other applicable county departments shall review the proposed development plan to determine its compliance with all portions of the County General Plan and, among other things, shall attempt to make sure that such development will constitute an environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area. Standards higher than the minimum

standards contained in this Code may be required if necessary for local conditions of health, safety, and protection of property, and to ensure that the development will mix harmoniously with contiguous and nearby existing and planned uses.

B. The Zoning Administrator shall not approve any application for an administrative conditional use permit for a recreational vehicle facility for agritourism if the developer cannot fully address items B.1-5. and C.1-12. to the approval of applicable county departments, or if the Zoning Administrator determines there would be unusual danger of flood, fire or other hazard, or if the proposed development would be of such character or in such a location that it would:

1. Create excessive costs for public services and facilities.
2. Endanger the health or safety of the public.
3. Unreasonably hurt or destroy the environment.
4. Cause excessive air or water pollution, or soil erosion; or
5. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

C. The development shall conform to the following standards and requirements:

1. The area shall be in one ownership.
2. Recreational vehicle facilities are limited to a density of one space per two acres of land. Facilities are limited to five sites maximum.
3. Recreational vehicle spaces must meet the required minimum setbacks for main buildings of the zone in which the development is located.
4. All parking shall be accommodated on site for all visitors.
5. No individual space in a recreational vehicle facility for agritourism shall be occupied by an individual recreational vehicle for more than seven (7) days consecutively. This Code prohibits the use of individual recreational vehicle spaces in recreational vehicles facilities for agritourism as a location for permanent living.
6. Any recreational vehicle facility for agritourism shall comply with and conform to all other zoning laws, rules, regulations; building codes, fire codes, public works standards, as well as all other codes and requirements applicable to a structure or development within the zone in which said recreational vehicle facility is located.



7. Prerequisite to the operation of any recreational vehicle facility for agritourism in the County shall be the obtaining of an annual business license from the County.
  8. In the event a recreational vehicle facility for agritourism is not completed according to the approved Site Plan, or operated and maintained according to the approved Administrative Conditional Use Permit or this Land Use Management & Development Code, the Administrative Conditional Use Permit and annual business license may be denied or revoked.
  9. The premises on which any recreational vehicle facility for agritourism is located, used, or occupied shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, inoperative vehicles, or other unsightly material thereon shall constitute a public nuisance and a violation of this Code. Reasonable guarantees to assure compliance with this requirement will be required of the developer and/or owner as a condition of administrative conditional use permit approval and ultimately the issuance of the annual County business license.
  10. Recreational vehicle facilities shall comply with all applicable sections of Article 5: Regulations of General Applicability of the Land Use Management & Development Code.
  11. In addition to meeting the above requirements and conditions, and conforming to the other laws of the County, all recreational vehicle facilities for agritourism shall also conform to all applicable state regulations. In the event of any conflict between said regulations and this Chapter, the more strict regulation shall take precedence.
  12. Recreational vehicle facilities for agritourism are prohibited from establishing and providing septic and water connections for visitors.
  13. It is recommended that the host provide guests with a list of nearby RV services such as dump stations, potable water, and repair services.
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### **1-3-040. Definitions.**

**Agritourism:** The combination of agricultural production with tourism to attract participants from the general public to an agricultural enterprise for the entertainment, recreation, or education of the participants.