



TOWN OF WIGGINS

PLANNING & ZONING COMMISSION MEETING

February 14, 2023 AT 7:15 P.M.

304 CENTRAL AVENUE

WIGGINS, CO 80654

NOTE: DUE TO THE LIMITED SEATING CAPACITY, THE PUBLIC IS HIGHLY ENCOURAGED TO ATTEND THE MEETING VIA ZOOM

Use the following link <https://us06web.zoom.us/j/87699382513> for the meeting.

WORK SESSION AGENDA

	<u>AGENDA TOPIC</u>	<u>ESTIMATED TIME</u>
1.	Discussion on RV parks and Campgrounds	45 minutes
2.	Other Items / Updates	5 minutes
3.	Future Agenda Topics	5 minutes



STAFF REPORT

Planning and Zoning Commission

February 14, 2023

DATE: February 8, 2023

AGENDA ITEM NUMBER: 1

TOPIC: Discussion on RV Park Zoning Concept and Moratorium on RV Parks and Campgrounds by Special Review

STAFF MEMBER RESPONSIBLE: Hope Becker, Planning & Zoning Administrator

BACKGROUND:

The Planning and Zoning Commission has held work sessions in December 2022 and January 2023 to discuss the concept of developing a RV Park Zone District for the Town of Wiggins. The work sessions have allowed the Planning & Zoning Commission an opportunity to discuss and work through potential amendments to the Land Development Code definitions pertaining to recreational vehicles as well as creating operational and development guidelines for the new RV Park Zone District concept.

The Planning and Zoning Commission recognizes that the Town does not currently have an area in Town that could be designated for a RV Park Zone District and desires to wait for the results of the Comprehensive Plan update to determine the best placement of such a zone district.

SUMMARY

During the January 17, 2023 work session, the Planning and Zoning Commission members voiced concerns regarding the use of propane tanks, how rezoning procedures work, safety, and concerns surrounding water and sewer requirements. Staff worked through the Planning and Zoning Commission's suggestions to create another draft RV Park Zone District appendix.

The Planning and Zoning Commission expressed concerns surrounding the rezoning process in the event the Comprehensive Plan update includes the creation of a RV Park Zone District by rezoning the current zoning designation of an area of Town. The Planning and Zoning Commission questioned if the property owners who may be affected would have a say in this rezoning and how it would affect their property values. Staff touched base with the Town Attorney and was able to determine that property owners would have an opportunity to dispute the rezoning if they so choose. The rezoning process would be as follows:

1. The Town is required to mail notices to all property owners and neighbors within 300 feet of the property to be rezoned. Notices must also be posted on the property and published in the local newspaper. The Town is required to post legal notices in the Fort Morgan Times.
2. The Planning and Zoning Commission and the Board of Trustees each hold public hearings on any rezoning application.
3. If a protest signed by the owners of at least 20% of the property to be rezoned or 20% or more of the area of land extending a radius of one hundred feet from the property to be rezoned is filed with the Town Clerk at least 24 hours prior to the Town's Board of Trustees' vote then the rezoning will not become effective unless approved by 2/3rds of all the Board of Trustee members.

The Morgan County Assessor's Office calculates property values based on the current mil levy, the size of the property, the type of structures on the property, and the property's current use. The assessor's office does not use zoning to determine property value. For example, if a property is zoned commercial but has a house located on the property being used for residential then its value is based on residential use.

Staff had conversations with the Public Works supervisor, Beau Warden, to determine what type of backflow prevention methods would be needed for a RV Park. Beau indicated that the type of backflow prevention at the Town meter would be determined at the time of development review and plumbing permitting. He did advise that current backflow standards dictate that each RV pad should be equipped with pressure vacuum breakers at each hydrant and a reduced pressure zone preventer backflow device installed at the master meter. The size of the backflow device at the master meter would be determined by the tap size.

In an effort to better organize the Appendix, Staff moved some sections around. The Planning and Zoning Commission will see Section C as the "Where established" and Section D as the "Application of the Lodging Tax" in an effort to keep the generalized items of the Appendix together. This will also allow the development requirements and document lists to remain together towards the end of the appendix.

Section E - Staff made other edits to the guidelines to better organize and simplify items. Section E was amended to be "Operational Standards" with "Structural Additions", the "Storage Sheds", and "Fires" sections were moved to Section C. These items mostly pertain to the operations of a RV Park verses the development of the RV Park. Section F was created to provide the development standards required for review.

Section E.2 - The Planning and Zoning Commission indicated that responsibility of property management should be something the property owner is responsible for. The Town should not have to verify if management is living on the property on a regular basis. Staff suggests these edits be made to ensure that security measures and on-site management remains a topic to be addressed at time of development.

Section F.7 - This section was added to address signage for traffic within the RV park and striping for any type of parking. Directional traffic signs and speed limit signs may minimize

the number of vehicles having to turn around and/or back up. The purpose of the signage is to minimize traffic hazards and increase safety within the RV Park; however, it would not be the Town's Police Department's responsibility to enforce what the signage directs, since the RV Park would be considered private property. It would be the property owner's responsibility to enforce their rules.

Section F.10 – Section 10 was added to this draft to cover water line and tap installations. This section states that the developer is responsible for the construction of all water mains, water lines, and appurtenances to the RV Park development. Edit suggestions were also made by the Public Works Department for section F.10.d pertaining to the number of hydrants. One hydrant is the suggested minimum. The RV owner may use a switch valve that allows two hoses to be attached if in the event the RV owner needed the hydrant for multiple uses.

Section F.11 – Section 11 is the addition of guidelines pertaining to sewer lines and taps. This section is very similar to the water lines and taps but all pertaining to sewer requirements.

Section F.12 – Section 12 is also a newly created section with information that was in the previous RV Parks drafts. Staff is suggesting this section be used to capture other utility details that do not fall under another section and are not any less important. Pad electricity and Propane tanks are addressed in this section. Staff researched propane bottle usage and the permitting requirements. It was determined that there is not a requirement for a plumbing gas permit due to the fact that recreational vehicles are considered a registered vehicle. RVs are not considered a structure by building code standards; therefore, making them exempt from a plumbing gas permit. The 2018 International Fire Gas Code section 101.2.4.1 states that permits do not apply to “portable LP gas appliances and equipment of all types that is not connected to a fixed fuel piping system.” Staff has also made suggested edits to the propane usage section; changing the minimum number of bottles allowed. These suggested changes stem from conversations with the Town's building officials and the concerns voiced in the last Planning and Zoning Commission's work session.

The Planning and Zoning Commission requested that staff add guidelines and requirements pertaining to street and roadway lights. This has been added to the “*Other Utility*” section. A lighting plan would be submitted for staff to review to ensure the safety of all those who are staying at the park. The Town will not be taking ownership of street lights in RV Parks as the parks would be considered private property.

Section F.18 – Section 18 is a new addition that will cover “*Drainage Improvements*”. The Planning and Zoning Commission indicated in the first meeting this topic that they would like to see grading, stormwater, and drainage plans as required documents as part of the development review. Staff is suggesting the addition of “*Drainage Improvements*” to cover the criteria for drainage improvements.

The Planning and Zoning Commission may also consider placing a moratorium on Special Reviews pertaining to RV Parks and/or campgrounds until after the Comprehensive Plan Study is completed and approved.

Courts have explained that municipalities have the authority to implement temporary moratoria of a reasonable duration while they're developing long-term plans for development or evaluating the sufficiency of current regulations. This authority is implied through various State statutes as well as multiple Colorado and federal appellate decisions that have upheld temporary moratoria on land use applications while municipalities or counties are considering amendments to their land use regulations or their master/comprehensive plans. The temporary moratorium has to be a reasonable duration and it's typical for a moratorium to last between six months to a year. A longer period may be justified if the Town can show you're actively working on the amendments but that additional time is needed to finalize them.

QUESTIONS/INFORMATION REQUESTED FROM THE PLANNING & ZONING COMMISSION:

- Are the Planning and Zoning Commission members satisfied with the proposed changes to utility section of the proposed appendix?
- Does the Planning and Zoning Commission have things to add or delete from the proposed Appendix?
- What are the next steps that Planning and Zoning Commission want Staff to take next?

LAND DEVELOPMENT CODE
(Suggested Editss in Red)

DEFINITIONS

Option – Campground:

"Campground" means real property made available to person(s) for temporary camping stays, whether by tent, trailer, camper, cabin, recreational vehicle, or similar device. "Campground" does not include a mobile home park or RV Park as defined in this code.

Option – Recreational Vehicle:

"Recreational vehicle" means vehicles used for recreational occupancy to include motor homes and travel trailers designed and constructed to permit sleeping or housekeeping or both, for one (1) or more persons which does not require for its use a hookup to permanent utility services (water, sewer, gas) and is mobile or can be transported on public rights-of-way.

Option – Recreation Vehicle Park:

"Recreational vehicle park" means any area or tract of land where one or more spaces or lots are rented, let, or held out for rent or lease, to owners or users of recreational vehicles for the purposes of lodging, dwelling, or sleeping. This is not a Mobile Home Park District or "Campground".

Appendix 13
RECREATIONAL VEHICLE PARK
(Edit Suggestions in Red)

A. Purpose.

The purpose of this section is to minimize potential negative impacts of recreational vehicle parks, while promoting the quality of life in the Town of Wiggins.

B. General

1. The RV Park, is intended to provide commercial rental parking spaces and sites for recreational vehicles (RVs), including motor homes and travel trailers to provide goods and services customarily needed by occupants of the park; and for the occupancy of recreational vehicles on a temporary basis, ranging from short overnight stops to longer destination-type stays.
 - a. Pick-up campers, tents and tent trailers are not allowed.
2. RV park owners and RV park operators are responsible for ensuring compliance with the provisions of this section and all federal, state, and local laws and regulations.

C. Where established; criteria for approval.

A recreational vehicle park may be established on a tract of land in the RV Park Zone District where as provided for by the Comprehensive Plan recommends. Such land shall be held in single ownership or unified control.

D. Application of Lodging Tax.

The Town's lodging occupation tax shall apply to the furnishing of lodging in a recreational vehicle park as provided in Ordinance No. 09-2017 or as amended.

E. ~~Development and~~ Operational Standards.

~~Development and~~ Operational standards in the RV Park are as follows:

1. All RVs within the RV Park must be occupied.
2. RV parks must maintain ~~a live-in~~, an on-site manager ~~at all times~~ or must provide alternative security and maintenance measures for RV Park residents provided in a security plan that is reviewed and approved by the Town at the time of development ~~review~~ or permitting.
3. *Structural Additions.* Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the rental space is vacated. No other structural additions shall be built onto or become a part of any RV.
4. *Storage Sheds, buildings and Storage Bins.* RV Park management may provide small storage bins to be permanently placed at each RV pad. No additional storage sheds or structures shall be allowed by the tenants.
 - a) Storage bins may not exceed 5' in height, 4' deep, and 6' wide.

5. *Fires.* Fires shall be made only in stoves, and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees and RVs. No open fires are allowed.

F. Development Standards.

1. *Minimum Park Area.* The minimum size of an RV Park shall be two (2) acres.
2. *Rental Space Size.* Minimum rental space size ~~for those spaces~~ shall be one thousand five hundred (1,500) square feet. Minimum rental space size shall not include any area required for access roads, off-street parking, service buildings, recreation areas, office, and similar RV park needs.
3. *Rental Pads.* All spaces shall be equipped with a surfaced area of not less than ten (10) feet by forty (40) feet. Surfacing shall consist of gravel, asphalt, or concrete. Where gravel surfacing is used, the design of the gravel pad shall be approved by the Town Manager, or his/her designee, and shall be designed to maintain proper drainage and to minimize dust. Each RV unit shall be parked entirely on the surfaced area so that no part thereof obstructs any roadway or walkway within the RV park.
4. *Setback Requirements.* Each rental space shall meet the following setback requirements:
 - a) Fifty (50) feet when abutting a state or federal highway or designated major arterial;
 - b) Twenty-five (25) feet when abutting a public right-of-way other than subsection C.4.a of this section;
 - c) Fifteen (15) feet when abutting any property line other than subsection C.4.a or C.4.b of this section;
 - d) There shall be a minimum distance of ten (10) feet provided between RV units parked side-by-side;
 - e) There shall be a minimum distance of ten (10) feet between RV units parked end-to-end;
 - f) There shall be a minimum distance of twenty (20) feet between any RV space and any building.
5. *Frontage.* All spaces shall have a minimum frontage of twenty (20) feet along an interior roadway.
6. *Streets, Pedestrian Walkways, and Sidewalks.* Streets or roadways and parking areas within the RV park shall be designed to provide safe and convenient access to all spaces and to facilities for common use by park occupants, and shall be constructed and maintained to allow free movement of emergency and service vehicles at all times, and shall be graded to drain and surfaced with gravel, asphalt, or concrete.

- a) There shall be a pedestrian walkway or pathway every six (6) RV lots that shall be a minimum of five (5) feet wide and surfaced with gravel, asphalt, or concrete.
 - b) Streets or **roadways within the RV Park** shall be maintained by the RV Park owner in compliance with the Wiggins Health and Safety Ordinance **as amended**.
7. **Street Signs, Traffic Signs, and Striping:** Developer shall install, at the Developer's expense, striping, street name signs, stop signs, speed limit signs and other signs within the RV Park development. Signs and striping shall be installed in a manner reasonably approved by the Town in a Street or Road Plan in accordance with the Model Traffic Code and Land Development Codes, as amended, and any other applicable legal requirements.
8. **Sanitary Shower House & Laundry Facilities.** Every RV Park shall be provided with one or more service buildings equipped with flush toilets, lavatories, showers and laundry facilities meeting minimum State Health Department standards. Such facilities shall be conveniently located at a distance of not more than three hundred (300) feet from any RV served. Such facilities shall be kept in a clean and sanitary condition, and plumbing fixtures shall be maintained in good working order. All such facilities shall be adequately lighted at all times of the day and night and shall be well ventilated. Portable fire extinguishers of a type approved by the Uniform Fire Code shall be kept in the service buildings and at all locations designated by the Wiggins Rural Fire Protection District, and shall be maintained in operating condition.
9. **Sanitary Disposal Stations.**
- a) Every RV Park shall contain at least one sanitary disposal station for the sole purpose of removing and disposing of wastes from all holding tanks in a clean, efficient and convenient manner.
 - b) Each disposal shall consist of a drainage basin constructed of impervious material, containing a disposal hatch and self-closing cover, and related washing facilities.
 - c) The sanitary station units shall be connected to the town's wastewater disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the RV park water supply system.
 - d) Sanitary stations shall be approved by the State Department of Health and the Town Public Works department.
10. **Utilities Water Lines and Taps.** All utilities shall be placed underground.
- a) **The Developer shall be required to obtain the appropriate water taps from the Town at the current rate.**
 - b) **All water mains, lines, and appurtenances thereto shall be constructed and installed by the Developer pursuant to Town approved plans and specifications and in compliance with the State Health Department.**
 - c) **All of the water lines, fire hydrants, valves, fittings, and appurtenances as shown on the approved utility plans shall be installed by the Developer and**

shall be inspected and approved by the Town Publics Works Department prior to the issuance of any building permits or business licenses for the property. This shall also include all the water services for all the RV pads shown on the approved site plan.

- d) ~~Water Supply. An accessible, adequate, safe and potable supply of water under pressure shall be provided in every RV Park. The water supply system shall be designed, constructed and maintained in compliance with the State Health Department standards and applicable to Town standards. All plans and specifications shall be submitted with the zoning or rezoning request or with the permitting application.~~ Each RV pad must be equipped with sewer and electrical hookups shall also be equipped with a minimum of two (2) one (1) water outlets, to provide connection for the Recreational Vehicle and a garden hose. A two-way valve may be implemented to allow garden hose usage.
- e) The RV Park and each RV pad must be equipped with a backflow prevention method or be current with Town and State of Colorado plumbing code requirements. Each backflow prevention device must be installed and inspected as per Town and State regulations.

11. *Sewer Lines and Taps.* All utilities shall be placed underground.

- a) The Developer shall be required to obtain the appropriate sewer taps from the Town at the current rate.
- b) All water mains, lines, and appurtenances thereto shall be constructed and installed by the Developer pursuant to Town approved plans and specifications and in compliance with the State Health Department.
- c) All of the water lines, fire hydrants, valves, fittings, and backflow prevention devices, and appurtenances as shown on the approved utility plans shall be installed by the Developer prior to the issuance of any building permits or business licenses on the property. This shall include all the sewer services for all the lots shown on the approved site plan.
- d) ~~Sanitary Sewer.~~ All rental spaces shall be equipped with a hookup to a public wastewater system by way of a branch line and riser pipe at least four (4) inches inside diameter. The riser pipe shall be capped with a water-tight cap or plug when not in use. Sanitary wastewater systems shall be installed in compliance with the State Health Department standards and Town rules and regulations. All plumbing in the RV park shall comply with state and local plumbing laws and regulations. ~~All plans and specifications shall be submitted with the zoning or rezoning request or with the permitting application.~~

12. *Other Utilities.*

- a) **Street / Roadway Lights:** The total cost of street light installation shall be the owner/developer's obligation. Owner / Developer shall cause, at its own expense, the provider of electric and power service to install all required street lighting pursuant to Town-approved plans and specifications. Said street lights shall be installed concurrently with the streets on which they are located.

- b) *Electricity.* All rental spaces shall be equipped with an electrical outlet supplying at least one hundred ten (110) volts, or one hundred ten (110)/one hundred twenty (120) volts, installed in accordance with applicable state electrical codes.
 - c) *Propane Tanks.* No more than two (2) – 30-pound propane tanks ~~and~~ **or one (1) 100 pound bottle and one (1) 20 pound bottle** to be allowed at any one RV pad or site for the purpose of providing heat and **propane** gas for grilling purposes.
 - i. Extra propane tanks **or bottles** shall not be stored at the RV pads.
 - ii. Large propane **storage** tanks, for the purpose of refilling smaller propane tanks shall not be permitted within the RV Park.
13. *Refuse Disposal.* The storage, collection and disposal of refuse shall be performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions. All refuse shall be stored in durable, washable and nonabsorbent metal or plastic containers with tight-fitting lids. Such containers shall be provided at the rate of at least one (1) thirty (30) gallon container, secured in a rack or holder, for each rental space, or an equivalent storage capacity in enclosed centralized storage facilities. Adequate refuse collection and removal shall be the responsibility of the park owner.
14. *Landscaping.* A landscape plan, to be approved by the Town Manager, or his/her designee, shall be required for all RV parks. Landscaping shall be designed to perform the following functions:
- a) Screen the RV park visually and audibly from adjacent properties as completely as possible. The RV Park shall be screened by means of fences or walls or by means of hedges or other landscaping not to exceed six feet six inches (6'6") in height unless otherwise approved by the Board of Adjustments;
 - i. Property lines adjacent to a street shall maintain line of site into the RV Park. Fences shall be see-through and not higher than 4' in height.
 - b) Provide an attractive entrance and street frontage;
 - c) Provide dust and erosion control; Provide a neat, attractive, and aesthetically pleasing appearance. Pictures provided below to give a concept of hard surfacing/natural grass vegetation ratio and a front entry concept.
15. *Open Space.* Open space for common areas, playgrounds and other recreational uses shall be provided at the rate of at least eight (8) percent of the gross area of the RV Park, and shall be of sufficient size and distribution as to be a functional part of the entire development plan. Open space shall not include any area designated as a roadway, RV rental space, storage area, laundry area, swimming pool, yard area surrounding the caretaker's or manager's residence, or any area required for setbacks. This may include a playground, dog park, or picnic / shelter area. Open space will be maintained by the RV Park owner and used only by RV Park residents.
16. *Fire Protection.* A fire protection plan shall be submitted to ~~the~~ **be reviewed by the** local fire protection agency and such agency shall approve, such plan prior to the beginning

of any site development. The local fire official may require any and all improvements deemed necessary to meet the International Fire Code or other adopted code and provide adequate fire safety measures for the property.

17. *Swimming Pools.* Swimming pools and natural swimming areas shall be operated, maintained and used in compliance with recommendations and requirements of the Colorado Department of Health's Regulations, Town Building Codes, and Standards Governing Swimming Pools and Swimming Areas.

18. *Drainage Improvements:* Drainage improvements for the development shall be constructed by the Developer and, at the minimum, in accordance with plans and specifications approved by the Town. All storm drainage facilities shall be so designed and constructed by the Developer as to protect downstream and adjacent properties against injury and adequately serve the Development. No overlot grading shall be initiated by Developer until the Town issues written approval of the overlot grading and erosion control plans.

G. Application Requirements and Procedures.

~~Prior to the Special Review hearing development of a RV Park,~~ The developer of a recreational vehicle park must submit a complete and comprehensive development plan and Land Use Application ~~to be reviewed and approved by Town Staff and, which and~~ shall include the following:

1. Detailed land use plan, drawn to a scale of one (1) inch equals one hundred (100) feet, unless larger scale is necessary, including the dimensions and location of each RV rental space, service buildings, common and recreation areas;
2. Typical street cross sections;
3. Location and widths of roadways, sidewalks and pedestrian ways;
4. Topography of site, at two (2) foot contours;
5. Grading, Drainage, and Stormwater plans;
6. Soil Report
7. Utility plans;
8. Landscaping, screening and fencing plans;
9. Sign Plan;
10. Fire protection plan;
11. Traffic Study (or other study or memo as approved by the Town Manager)
12. Acreage and percentage of land to be set aside as open space;
13. Density of RV rental spaces per acre;
14. Location of all areas subject to inundation or stormwater overflow and the location, area and direction of flow of all watercourses, including the one hundred (100) year floodplain boundaries;
15. Location and principal dimensions of all existing or proposed easements, water course boundaries, public utilities, monuments, pins, benchmarks and other significant features;
16. Proposed surface treatment and design of all interior roadways and rental pads; and
17. Any other documents or reports that the Town Staff, Planning Commission, or Board of Trustees may deem necessary.