

**GB-A**

**Meeting Date:** February 8, 2021

**Subject:** Ordinance 899, an Ordinance Regarding Temporary Recreational Vehicle Parking at Events.

**Presenter:** Jennifer Krieger, AICP, Community Development Director

**Background:** By Ordinance 881, the City Council adopted regulations regarding event permits. This Ordinance requires an event permit be issued by the City before any property owner holds, or permits on his or her property to be held, an event within the City comprised of twenty-five or more people attending or participating that may impact the public rights-of-way. The intent of the regulations is to ensure that events operate safely, are not detrimental to public health, do not substantially interfere with traffic, pedestrian circulation, or public services, and are compatible with surrounding property.

After reviewing event permit applications, the City Clerk determined that several businesses were unlawfully permitting overnight recreational vehicle parking. Overnight parking in a camper or recreational vehicle is only allowed by Dacono Municipal Code Section 8-4(4)(b). This section of the Dacono Municipal Code states overnight parking is limited to persons visiting a residence within the City to sleep overnight in a camper or recreational vehicle for no longer than 72 hours. Other than this limited authority in Section 8-4(4)(b), overnight sleeping in a camper or recreational vehicle is not a permitted use in any zone district within the City. No businesses in the City of Dacono have zoning approval for overnight recreational parking.

Given the unique attributes of many Dacono outdoor recreation businesses, this Ordinance establishes a regulatory mechanism for permitting overnight parking through a special use permit only in the I-1 Light Industrial District and COS Civic Open Space District. Dacono Municipal Code Chapter 16 Article 15 contains the special use permit requirements.

Ordinance 899 authorizes the issuance of a special use permit to allow recreational vehicles to be parked overnight at events for which an event permit has been issued.

There were no changes to Ordinance 899 between the first and second reading.

**Recommended Action:** Staff is recommending approval of Ordinance 899 on second reading.

**ORDINANCE NO. 899**

**AN ORDINANCE REGARDING TEMPORARY RECREATIONAL VEHICLE PARKING  
AT EVENTS.**

**WHEREAS**, the City regulates zoning and use of property within the City pursuant to Chapter 16 of the Dacono Municipal Code; and

**WHEREAS**, the City regulates vehicles and traffic within the City pursuant to Chapter 8 of the Dacono Municipal Code; and

**WHEREAS**, Section 8-4(4)(b) permits persons visiting a residence within the City to sleep overnight in a camper or recreational vehicle for no longer than 72 hours; and

**WHEREAS**, other than this limited authority in Section 8-4(4)(b), overnight sleeping in a camper or recreational vehicle is not a permitted use in any zone district within the City;

**WHEREAS**, it is not the intent of this ordinance to authorize campgrounds or to promote or facilitate any leisure activities commonly associated with camping, but rather only to authorize, on a very limited basis, persons to sleep overnight in a recreational vehicle parked at the site of an event for which a permit has been issued; and

**WHEREAS**, the City Council finds that authorizing the very limited and temporary parking of recreational vehicles in the I-1 and COS zone districts in connection with certain events within the City as set forth herein would be a beneficial use of property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:**

**Section 1.** Chapter 11, Article 3 of the Dacono Municipal Code (Event Permit) is hereby amended by the addition of a new subsection 11-52(c)(15), to read as follows:

Sec. 11-52 Permit required; application.

(c) At a minimum, the event permit application shall include the following information:

- (15) A special use permit application for temporary recreational vehicle parking pursuant to Section 16-383, if applicable. Application materials for any event permit application that proposes temporary recreational vehicle parking shall include all relevant information about the proposed temporary recreational vehicle parking, including but not limited to the site plan required by subsection (c)(3) showing the proposed location, with dimensions labeled, for the proposed temporary recreational vehicle parking area, the maximum number

of recreational vehicles for the proposed temporary recreational vehicle parking, a clean-up plan required by subsection (c)(8) that includes the temporary recreational vehicle parking, and an emergency operations plan that specifically addresses the proposed temporary recreational vehicle parking.

**Section 2.** Section 16-200 of the Dacono Municipal Code, concerning permitted uses in the Light Industrial District, is hereby amended by the addition of a new subsection 21, to read as follows:

Sec. 16-200 Permitted uses.

Permitted principal uses in the I-1 district shall be as follows:

- (21) Temporary recreational vehicle parking, if approved pursuant to a special use permit by resolution of the City Council pursuant to Article 15 of this Chapter, and only on dates for which an event permit has been issued pursuant to Chapter 11, Article 3 of this Code. The City Council may reject, approve or approve with conditions, a request for such a special use permit. If granted, such a special use permit shall not run with the land, shall apply only to the specific applicant for whom the permit was approved and shall cease immediately upon termination of such use by said applicant or in the event of any noncompliance with the conditions of such permit imposed by the City Council in connection with its approval.

**Section 3.** Section 16-252 of the Dacono Municipal Code, concerning permitted uses in the Civic/Open Space District, is hereby amended by the addition of a new subsection 3, to read as follows:

Sec. 16-252 Uses permitted by special use permit.

Uses permitted by special review in the Civic/Open Space district shall be as follows:

- (3) Temporary recreational vehicle parking, if approved pursuant to a special use permit by resolution of the City Council pursuant to Article 15 of this Chapter, and only on dates for which an event permit has been issued pursuant to Chapter 11, Article 3 of this Code. The City Council may reject, approve or approve with conditions, a request for such a special use permit. If granted, such a special use permit shall not run with the land, shall apply only to the specific applicant for whom the permit was approved and shall

cease immediately upon termination of such use by said applicant or in the event of any noncompliance with the conditions of such permit imposed by the City Council in connection with its approval.

**Section 4.** Chapter 16, Article 15 of the Dacono Municipal Code (Special Use Permits) is hereby amended by the addition of a new Section 16-383 to read as follows:

Sec. 16-383. Temporary Recreational Vehicle Parking – additional requirements and limitations.

(a) Special use permits for temporary recreational vehicle parking shall only be issued for property located within the light industrial (I-1) or civic and open space (COS) zone districts. Except as provided in Section 8-4(4) of this Code, it is unlawful for any person to cause or permit the overnight sleeping in a recreational vehicle without a special use permit having first been issued or otherwise not in conformance with this Section.

(b) An application for a special use permit for temporary recreational vehicle parking must include either an approved event permit issued pursuant to Chapter 11, Article 3 of this Code or an application for an event permit. No special use permit for temporary recreational vehicle parking will be issued except in conjunction with an approved event permit and temporary recreational parking will only be permitted on dates specified in the event permit.

(c) Regardless of the duration of the event authorized by an event permit, temporary recreational vehicle parking authorized in conjunction with such event shall not exceed three (3) consecutive days at a time. For purposes of the limitation in this subsection, event days shall be deemed “consecutive” unless there are at least three (3) days between events.

(d) Only recreational vehicles may be authorized by a special use permit to park overnight in connection with an event for which an event permit has been issued. As used in this Section, “recreational vehicle” shall include travel trailers, camper pick-up coaches, toy haulers, and motorized homes, provided all requirements of this Section are met by such vehicle. No tent camping or temporary housing structures such as tiny homes shall be authorized.

(e) No temporary or permanent utilities, facilities or amenities, including but not limited to water or electric hook-ups or a dump station, shall be permitted, except as specifically authorized in the special use permit. It is strongly encouraged that recreational vehicles to be parked overnight pursuant to a special use permit be self-contained and feature onboard sanitation facilities, since the special use permit will not authorize any kind of temporary or permanent utilities. “Self-contained” as

used in this Section means the recreational vehicle has onboard water storage, a cooking stove, a water or chemical toilet permanently attached to a black water holding tank, and a permanently installed holding tank for gray or black water.

(f) No open fires, including but not limited to camp fires, fire pits or barrel fires, shall be permitted.

(g) Areas occupied by recreational vehicles and access aisles, driveways, and roads must be constructed of an all-weather surface that allows for emergency vehicle access.

(h) Recreational vehicles may not be stored on site.

(i) A special use permit for temporary recreational vehicle parking issued pursuant to this Article shall not be transferable and shall expire on the last date authorized by the event permit.

(j) A special use permit for temporary recreational vehicle parking may be revoked by the City Council, following notice and an opportunity for a hearing, for any condition that would violate the criteria set forth in Section 16-376, including but not limited to rowdiness, undue noise, or other activity offensive to the senses of the average citizen, or to nearby businesses or residents of the neighborhood.

**Section 5.** If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

**Section 6.** Any person charged with a violation of this ordinance, upon conviction thereof, shall be subject to the General Penalty in Section 1-70 of the Dacono Municipal Code, which provides for incarceration for a period not to three hundred sixty-four (364) days, a fine not to exceed one thousand dollars (\$1,000.00), or both such fine and imprisonment. As provided in Section 1-70(b), each and every day during any portion of which any violation is committed, continued or permitted shall be a separate violation, and the violator shall be punished accordingly.

**Section 7.** The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE this 25<sup>th</sup> day of January, 2021.**

**PUBLIC HEARING AND SECOND READING WILL BE THE 8th DAY OF February, 2021, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.**

**READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this \_\_\_\_ day of \_\_\_\_\_, 2021.**

CITY OF DACONO, COLORADO

\_\_\_\_\_  
Joe Baker, Mayor

ATTEST:

\_\_\_\_\_  
Valerie Taylor, City Clerk

**Summary of Ordinance No. 899, “AN ORDINANCE REGARDING TEMPORARY RECREATIONAL VEHICLE PARKING AT EVENTS”:** Authorizes issuance of a special use permit to allow recreational vehicles to be parked overnight at events for which an event permit has been issued.



February 8, 2021

**To:** City of Dacono City Council

**From:** Jennifer Krieger, AICP, Community Development Director

**Agenda Item:** Ordinance 899 Regarding Temporary Recreational Vehicle Parking at Events.

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**Title** An Ordinance Regarding Temporary Recreational Vehicle Parking at Events. This proposed Ordinance authorizes the issuance of a special use permit to allow recreational vehicles to be parked overnight at events for which an event permit has been issued.

**Background and Analysis** By Ordinance 881, the City Council adopted regulations regarding event permits. This Ordinance requires an event permit be issued by the City before any property owner holds, or permits on his or her property to be held, an event within the City comprised of twenty-five or more people attending or participating that may impact the public rights-of-way. The intent of the regulations is to ensure that events operate safely, are not detrimental to public health, do not substantially interfere with traffic, pedestrian circulation, or public services, and are compatible with surrounding property.

After reviewing event permit applications, the City Clerk determined that several businesses were unlawfully permitting overnight recreational vehicle parking. Overnight parking in a camper or recreational vehicle is only allowed by Dacono Municipal Code Section 8-4(4)(b). This section of the Dacono Municipal Code states overnight parking is limited to persons visiting a residence within the City to sleep overnight in a camper or recreational vehicle for no longer than 72 hours. Other than this limited authority in Section 8-4(4)(b), overnight sleeping in a camper or recreational vehicle is not a permitted use in any zone district within the City.

Given the unique attributes of many Dacono outdoor recreation businesses, this Ordinance establishes a regulatory mechanism for permitting overnight parking through a special use permit only in the I-1 Light Industrial District and COS Civic Open Space District. Special use permit requirements are found in Dacono Municipal Code Chapter 16 Article 15.

**Proposed Amendments** Chapter 11, Article 3 of the Dacono Municipal Code (Event Permit), is amended by the addition of a new subsection 11-52(c)(15).

Section 16-200 of the Dacono Municipal Code, concerning permitted uses in the Light Industrial District, is amended by adding a new subsection 21.

**Summary of  
Proposed  
Amendments**

Section 16-252 of the Dacono Municipal Code concerning permitted uses in the Civic/Open Space District is amended by adding a new subsection 3.

Chapter 16, Article 15 of the Dacono Municipal Code (Special Use Permits), is amended by adding a new Section 16-383.

The proposed Ordinance allows the issuance of a special use permit only in connection with an event permit only in the Light Industrial District (I-1) and Civic Open Space (COS) Districts only. This proposed Ordinance does not authorize camping nor campgrounds as a permitted use or special use. It remains unlawful for any person to cause or permit the overnight sleeping in a recreational vehicle without a special use permit having first been issued

Section 11-52 Permit required establishes additional event permit application information. Including a special use permit application for temporary recreational vehicle parking pursuant to Section 16-383, if applicable.

- Application materials for any event permit application that proposes temporary recreational vehicle parking shall include all relevant information about the proposed temporary recreational vehicle parking, including but not limited to the site plan required by subsection (c)(3) showing the proposed location, with dimensions labeled, for the proposed temporary recreational vehicle parking area,
- The maximum number of recreational vehicles for the proposed temporary recreational vehicle parking,
- Clean-up plan required by subsection (c)(8) that includes the temporary recreational vehicle parking
- Emergency operations plan that specifically addresses the proposed temporary recreational vehicle parking.

Section 16-383 establishes additional requirements and limitations on temporary RV parking. Dacono Municipal Code Chapter 16 Article 15- Special Use Permits outlines special use permit criteria and procedures. For the Planning and Zoning Commission to recommend approval of a special use permit, the following requirements and limitations must be followed:

- An application for a special use permit for temporary recreational vehicle parking must include either an approved event permit issued pursuant to Chapter 11, Article 3 of this Code, or an application for an event permit. No special use permit for temporary recreational vehicle parking will be issued except in conjunction with an approved event permit, and temporary recreational parking will only be permitted on dates specified in the event permit.
- Regardless of the duration of the event authorized by an event permit, temporary recreational vehicle parking authorized in conjunction with such event shall not exceed three (3) consecutive days at a time.
- Only recreational vehicles may be authorized by a special use permit to park overnight in connection with an event for which an event permit has been issued. As used in this Section, "recreational vehicle" shall include travel trailers, camper pick-up coaches, toy haulers, and motorized homes, provided all requirements of this

Section are met by such vehicle. No tent camping or temporary housing structures such as tiny homes shall be authorized.

- No temporary or permanent utilities, facilities or amenities, including but not limited to water or electric hook-ups or a dump station, shall be permitted, except as specifically authorized in the special use permit. It is strongly encouraged that recreational vehicles to be parked overnight pursuant to a special use permit be self-contained and feature onboard sanitation facilities, since the special use permit will not authorize any kind of temporary or permanent utilities. "Self-contained" as used in this Section means the recreational vehicle has onboard water storage, a cooking stove, a water or chemical toilet permanently attached to a black water holding tank, and a permanently installed holding tank for gray or black water.
- No open fires, including but not limited to camp fires, fire pits or barrel fires, shall be permitted.
- Areas occupied by recreational vehicles and access aisles, driveways, and roads must be constructed of an all-weather surface that allows for emergency vehicle access.
- Recreational vehicles may not be stored on-site.
- A special use permit for temporary recreational vehicle parking issued under this Article shall not be transferable and shall expire on the last date authorized by the event permit. The special use permit is limited in its duration and approved only for specific dates.
- A special use permit for temporary recreational vehicle parking may be revoked by the City Council, following notice and an opportunity for a hearing, for any condition that would violate the criteria outlined in Section 16-376, including but not limited to rowdiness, undue noise, or other activity offensive to the senses of the average citizen, or to the residents of the neighborhood.

**Planning and Zoning  
Commission  
Recommendation**

The Planning and Zoning Commission held a properly noticed public hearing on January 12, 2021. The Commission recommended approval of the Ordinance.

**Staff  
Recommendation**

Staff recommends approval of Ordinance 899 regarding temporary recreational vehicle parking at events finding:

1. The proposed Ordinance provides a regulatory mechanism to ensure compliance with the established limitations and restrictions for overnight recreational vehicle parking. This Ordinance addresses unlawful overnight parking at various venues located throughout the City of Dacono. When followed, the Ordinance creates a process to bring these locations into conformance with the Dacono Municipal Code.
2. The Ordinance includes specific limitations and restrictions on overnight RV parking operations to mitigate potential adverse effects on surrounding properties.

3. Special Use Permits are only permitted at events for which an event permit has been issued. This Ordinance does not seek to alter permitted uses in the I-1 District nor the COS District. An approved event permit must accompany a special use permit application. This Ordinance does not allow the establishment of campgrounds nor camping due. These uses are not recommended due to the impact on adjacent property and neighborhoods or the City in general.
4. This Ordinance advances the Comprehensive Plan's vision and priorities by adopting regulations that foster a high-quality built environment and compatibility between land uses.