

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 25th 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.