**ORDINANCE NO. 12-03**

**AN ORDINANCE AMENDING THE CITY OF SODAVILLE ZONING ORDINANCE NO. 08-03 TO PERMIT THE TEMPORARY USE OF A RECREATION VEHICLE WHILE CONSTRUCTING A PERMANENT RESIDENCE ON THE PROPERTY**

 **WHEREAS,** the City of Sodaville permits both conventional “stick-built” homes and manufactured homes to be used as residences within the City; and

 **WHEREAS,** recreational vehicles are not considered as residential uses and are not permitted as permanent residences on individual lots within the City; and

 **WHEREAS,** when new dwellings are being constructed in the City, it often takes a number of months to construct the dwelling and the occupant needs a temporary place in which to live while the dwelling is being constructed; and

 **WHEREAS,** while recreational vehicles do not meet City or State standards for permanent occupancy, they are sufficient to provide for temporary residential occupancy; and

 **WHEREAS,** whilerecreational vehicles are not permitted for permanent residential occupancy, it is necessary for the Sodaville Zoning Ordinance to be amended to allow for temporary occupancy; and

 **WHEREAS,** basic standards and requirements for temporary occupancy of recreational vehicles is essential in order to assure that the recreational vehicle will be compatible with development on nearby properties and to assure that the occupancy of the recreational vehicle will be temporary; and

 **WHEREAS,** permitting recreational vehicles as temporary residences while permanent dwellings are being constructed is consistent with the provisions of the Sodaville Comprehensive Plan; and

 **WHEREAS,** the Sodaville City Council held a public hearing on November 15, 2012 to take public testimony with regard to a zoning ordinance amendment that would permit the temporary use of a recreational vehicle while a permanent residence on the property is being constructed; and

 **WHEREAS,** notice of the public hearing was provided for in advance of the public hearing in accordance with the public notice requirements of the Sodaville Zoning Ordinance; now therefore

 **THE CITY OF SODAVILLE ORDAINS AS FOLLOWS:**

The Sodaville Zoning Ordinance shall be amended by amending Section 4.032 as follows:

Section 4.032 Temporary use of a Recreation Vehicle as a Dwelling While a Permanent Residence is Being Constructed. A recreation vehicle may be placed on a lot while a single-family dwelling or manufactured home is being constructed or placed on the site, subject to the provisions of this section.

(a) An application for the temporary use of a recreation vehicle as a dwelling while a permanent residence is being constructed shall be filed with the City Administrator at the time of a request for a building permit or manufactured home placement permit for the permanent residence, or at a subsequent date. A filing fee shall accompany an application for the temporary use. The filing fee shall be in accordance with a fee schedule resolution adopted by Ordinance #11-07 of the City of Sodaville City Council. Action to approve or deny the application shall be made either by the City Council or by the City Administrator with notification of such decision to be submitted to the City Council.

(b) The initial permit for temporary occupancy for the recreation vehicle shall remain in effect for no longer than six (6) months. If the permanent dwelling or manufactured home has not been completed within the six (6)-month time period, the City Council may consider a request for extension of the time period for an additional period, not to exceed six (6) months. Additional six (6)-month time extensions may be granted. However, final occupancy of the permanent dwelling or manufactured home shall occur within two (2) years from the time the temporary occupancy permit was first issued and the temporary occupancy shall cease as outlined in Section 4.032.(d).

(c) At the end of each six (6)-month time period after the permit for temporary use has been approved and before the permanent dwelling has been completed and occupied, the applicant for the permanent building permit shall demonstrate progress in completion of the permanent dwelling. This shall be accomplished through submittal of a permit extension request as outlined in Section 4.032.(b) and by the submittal of a written report to the City Council showing the current progress of the project, and any problems involved in completion of the project. The City Council shall review and approve the extension request and report and may attach any conditions of approval.

(d) When the permanent dwelling is completed and ready for occupancy, or at the end of the time period for temporary occupancy of the recreation vehicle, the temporary occupancy shall cease and evidence of discontinued use of the recreation vehicle shall be provided to the city. All utility hookups shall be terminated. The recreation vehicle shall either be removed from the property or stored on site in such a manner that it cannot be reoccupied on the property.

 (e) A recreation vehicle which is used as a temporary residence in accordance with this section shall either be self-contained or connected to the on-site disposal system, and connected to the City Water system. Current license and registration must be maintained on the recreation vehicle.

1. If the temporary occupancy recreation vehicle is to be replaced on the property by

another temporary occupancy recreation vehicle, the replacement recreation vehicle shall be reviewed and approved by the City Council prior to placement.

Ayes \_\_4\_\_\_

 Nays \_\_0\_\_\_

 Passed by the Council this 15th day of November in the year 2012.

 Approved by the Mayor this 15th day of November in the year 2012.

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 Mayor

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 City Administrator