

MEMO TO COUNCIL

DATE: November 5, 2015

TO: Mayor and Council

FROM: Sheila DeSchaaf
Planning & Development Director

SUBJECT: Unified Development Code Amendment
Use of Recreational Vehicles as temporary dwelling units on residential properties
Ordinance 875 & Resolution 2880

PURPOSE:

Amend the Unified Development Code provisions pertaining to the use of Recreational Vehicles for temporary dwelling units on residential properties

BACKGROUND:

Staff prepared the exhibit attached to Resolution 2880 as proposed amendments to the Unified Development Code. During the first public hearing on the proposed amendments there were a number of discussion points.

SUMMARY:

The proposed amendments are essentially broken into three different scenarios; 14 day parking permits for temporary guests, 90 day administrative permits for longer visits that have stricter regulations attached, and long term stays associated with medical necessity.

The proposed amendments could be considered in three separate motions as outlined below, and additional/alternative wording added to the exhibit if the Council chooses:

Proposed Action:

- 1) Approve/disapprove 14 day provisions outlined in Resolution 2880
- 2) Approve/disapprove 90 day provisions outlined in Resolution 2880
- 3) Approve/disapprove 1 year medical necessity provisions outlined in Resolution 2880

Further, there are a number of proposed modifications/additions that could be included;

Generator Usage

- a. Replace the 10:00pm – 6:00am prohibition on generator usage with the provision that “Generator noise discernible beyond the boundary of the property upon which the RV is located is prohibited.”
- b. Replace the 10:00pm – 6:00am prohibition on generator usage with the provision that “The use of generators shall be prohibited.”

Waste Disposal

Add the following provisions to be applied to each of the three types of RV stays:
“All RV wastewater shall be completely self-contained. On-site elimination of wastewater from grey and/or black tanks is prohibited unless pumped by a licensed septic hauler. Connecting wastewater to private septic facilities or public sanitary facilities on residential lots is prohibited.”

Separation from adjoining properties

Add the following separation requirements to apply to one or all of the proposed categories of RV stays: “RV’s shall be parked a minimum of 15 feet from any property boundary.”

Application process for extended stays

If Council desires to add a case-by-case review process for the up to 1 year use of an RV for temporary dwelling when medically necessary consideration for this type of permit could be processed through an Administrative Relief application, which would allow for notice to be provided to adjacent property owners and/or a hearing involving affected parties if/when necessary.

Ownership

To further restrict the potential number of RV’s in use for temporary stays, the use of RV’s for temporary stays could further be limited to allow only an RV registered to the property owner to be used for dwelling purposes.

Sunset Clause

There is currently no reversionary clause in the proposed amendments that would allow the changes to be rescinded at a future date. The addition of a sunset clause was suggested at the first public hearing. If Council desires to add sunset provisions, any changes made with Ordinance 875/Resolution 2880 would be brought back to the Planning Commission for review and then to the Council for subsequent action to extend or end RV short term stays.