



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: September 1, 2016

Staff Contact: Lee Plemel, Community Development Director; Iris Yowell, Deputy District Attorney

Agenda Title: For Possible Action: To provide direction to staff regarding technical corrections and other possible code amendments to Title 8, Public Peace, Safety And Morals, Chapter 8.10, Recreational Vehicle Parking, relating to the parking and storage of recreational vehicles.

Staff Summary: The Board of Supervisors approved amendments to the recreational vehicle parking ordinance relating to on-street parking on July 21, 2016, and provided direction to staff to bring back an item for discussion regarding possible additional amendments. Discussion may include possible amendments related to parking of recreational vehicles on private properties and related topics. (LPlemel@carson.org)

Agenda Action: Formal Action/Motion

Time Requested: 30 minutes

Proposed Motion

I move to provide direction to staff to bring back an ordinance with technical corrections to Title 8 as presented by staff, and including the following amendments: _____.

Board's Strategic Goal

Quality of Life

Previous Action

On November 19, 2015, the Board of Supervisors discussed proposed RV parking regulations, took public comment, and directed staff to prepare an ordinance that would provide for better enforcement of the RV on-street parking regulations and to include utility trailers in the parking requirements.

The Board of Supervisors introduced an ordinance on July 7, 2016.

The Board of Supervisors adopted the ordinance on July 21, 2016.

Background/Issues & Analysis

The Board of Supervisors approved amendments to the recreational vehicle parking ordinance relating to on-street parking on July 21, 2016, and provided direction to staff to bring back an item for discussion regarding possible additional amendments. Issues that were raised included approved surfaces for RV parking on residential properties, the number of RVs permitted to be parked on a residential property, and the ownership of an RV parked on a residential property. Below is a brief analysis of these issues.

Current code states, "*Recreational vehicles may only be parked on a hard surface, front driveway in a residential zone. Recreational vehicles may be parked in side or rear yards in residential zones which may or may not be on hard surfaces.*" (CCMC 8.10.060) "Hard surface" is defined as "six inches of decomposed granite or gravel graded and compacted to development standards or two inches of asphalt or cement concrete." The primary intent of

this provision is to prohibit RVs from being parked on landscaped areas including front lawn areas. It is not a requirement that an RV be parked on a hard surface if it is parked in the side yard or rear yard of a residence.

Current code states, *"Only the property owner's personal recreational vehicle(s) can be parked on his private property."* (CCMC 8.10.060) As noted in the proposed technical corrections, this should state that only the property owner's or "lawful occupant's" RV can be parked on a property (which excludes RV storage facilities in commercial areas). The intent of this provision is to prevent a residential property from becoming an RV storage lot. There was a case in the past in Carson City where a residential property owner with one acre let friends park approximately two dozen RVs on one property, which elicited complaints from neighbors. Multiple RVs on one residential property can often be considered an eyesore to neighbors.

It was suggested at the prior Board meeting regarding RV parking that perhaps the number of RVs on a given property could be regulated rather than just limiting it to the owner's/occupant's RVs. This would be a valid method of regulating RVs on residential properties, with the only difficulty being determining the appropriate number of RVs that may be parked on a given property. As the code currently stands, a resident may have one or multiple RVs, all of which may be parked on the property as long as they can meet the requirements for parking the RVs. This current code provision has not been raised by the public as an issue and changing it to allow residents to park others' RVs on their property could cause conflicts with neighbors, so it is staff's recommendation to leave this provision as is with the proposed technical correction to include "lawful occupant's" RVs.

The proposed rough draft deletes the requirement that a person must only park his or her personal recreational vehicle, but adds a reference to the nuisance chapter of the code and requires the compliance with the same.

Changes to structure, organization of chapter were also implemented, in addition to some proposed new language in an attempt to address concerns with:

- super small homes

- abandoned recreational vehicles: Tow yards have expressed concerns with abandoned RV's and having to store or dispose of these vehicles at a cost to the business.

A concern of the Carson City Fire Department needs to be addressed in regard to fuel reduction trailers which are usually on site at a house for at least 72 hours. One suggestion was to add a provision exempting city owned trailers that are being used for official business.

If there are other issues identified in the RV parking ordinance that the Board of Supervisors wishes staff to address in the ordinance, the Board may provide direction to staff, accordingly.

Applicable Statute, Code, Policy, Rule or Regulation

Chapter 8.10, Recreational Vehicle Parking.

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: A business impact statement is not required in this case as CCMC 8.10.050 is a zoning-based regulation for residential zones pursuant to NRS Chapter 278. See CCMC 8.10.010. Therefore, it is not a "rule" as the term is defined in NRS chapter 237, and as such does not require a business impact statement. See NRS 237.060 (c).

Alternatives

The board may provide direction to staff for other changes to the RV parking ordinance.

Attachments:

- 1) Clean copy of rough draft of revised ordinance.
- 2) Red-lined copy of rough draft of revised ordinance.

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

8.10 – Recreational vehicle parking.

8.10.010 - Applicability.

The provisions of this chapter apply to all zoning districts and to every parcel of property in Carson City upon passage of this ordinance and codified in this chapter unless indicated otherwise for a particular zoning district.

8.10.020 - Purpose.

The purpose of this chapter is to promote the health, safety and general welfare of the people of, and visitors to, Carson City, by providing minimum standards to assure the safety and general welfare of citizens and visitors relative to the parking, occupation and storage of recreational vehicles and other matters related to recreational vehicle usage.

8.10.030 - Conflicting regulations.

Wherever any provision of this chapter imposes more stringent regulations, requirements or limitations than are required by the provisions of other law or ordinance, the provisions of this chapter shall govern.

8.10.040 - Definitions.

1. "Hard surface" means six inches (6") of decomposed granite or gravel graded and compacted to development standards or two inches (2") of asphalt or cement concrete.
2. "Sidewalk" shall have the meaning ascribed to it by CCMC 10.04.560.
3. "Highway" shall have the meaning ascribed to it by CCMC10.04.250.
4. "Parked" means the presence of a recreational vehicle as defined in CCMC 8.10.040(7) at any time on any street, highway, or alley, except temporarily for the purpose of, and while actually engaged in, picking up or discharging passengers.
5. "Loading or unloading" means the presence of a recreational vehicle on city streets in any zoning district for a period up to forty-eight (48) consecutive hours.
6. "Storage" means the presence of a recreational vehicle as defined in 8.10.040(7), on any street, highway, alley, on private or commercial property, for a period longer than forty-eight (48) hours.

7. "Recreational vehicle" for the purposes of enforcing this chapter, means and includes the following:
- a. "Camping trailer" means a folding, temporary dwelling structure mounted on wheels and designed for travel, recreation or vacation use, which includes its own towing vehicle.
 - b. "House trailer" shall have the meaning ascribed to it by CCMC 10.04.270.
 - c. "Motor home" means a portable, temporary dwelling designed for travel, recreation or vacation use, which is constructed to be an integral part of a self-propelled vehicle.
 - d. "Park trailer model" means a portable temporary dwelling unit containing its own wheels and designed for travel, recreation or vacation use.
 - e. "Pick up coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation or vacation.
 - f. "Toy hauler" or "Cargo hauler" means a temporary dwelling, combined recreational vehicle or cargo hauler, designed for travel, recreation or vacation use, whether self-propelled or towed by another vehicle.
 - g. "Travel trailer" means a vehicular portable structure, built on a chassis designed to be used as a temporary dwelling for travel, recreation or vacation, and having a body width not exceeding eight (8) and one half feet and a body length not exceeding sixty (60) feet, not including its own towing vehicle.
 - h. "Utility trailer" or "trailer" means a motor-powered vehicle that is designed for carrying persons, property, equipment, or other items on its own structure, including, but not limited to, flatbed trailers, hauling trailers, and boat trailers.

8.10.050 - Recreational vehicle parking on public streets.

1. Recreational vehicles may not be parked on city streets in any zoning district, except for loading or unloading purposes as defined in section 8.10.040 of this chapter.
2. At the conclusion of the forty-eight (48) hour loading or unloading period, at least forty-eight (48) hours must elapse before the start of a new forty-eight (48) hour

period, during which time the recreational vehicle must be removed from its location.

3. A recreational vehicle may not be present on a city street without the permission of the legal owner or lawful occupant of the property abutting the street where the recreational vehicle is present. No part of a recreational vehicle may extend past that portion of the street which abuts the property for which permission has been given. No wires, hoses or other conduits may cross sidewalks, public walkways, public right-of-way or the property of another.

8.10.060 - Storage of recreational vehicles in general.

Storage of an unoccupied recreational vehicle is permitted on property owned or legally occupied by the registered owner of the recreational vehicle or on commercial or industrial land subject to the requirements of Title 18 and Title 8 of this code.

8.10.070 - Recreational vehicle parking or storage on private property.

A recreational vehicle may be parked or stored on private property subject to the following restrictions:

1. A property owner or legal occupant of private property in any zoning district who stores a recreational vehicle on his or her property must, at all times, be in compliance with the provisions of chapter 8.08 of this code in addition to the requirements of this chapter.
2. If a recreational vehicle is parked or stored in a front yard driveway of a residential zone, the following criteria must be met at all times:
 - a. It must be parked or stored on a hard surface.
 - b. It must be clean, in good repair, and in operating order.
 - c. It must be currently registered.
 - d. No portion of the recreational vehicle shall extend onto or over any public sidewalk, right of way, or property. No wires, hoses, or other conduits may cross sidewalks, public walkways, public right of way, or the property of another.
 - e. The area where the vehicle is parked or stored shall be kept clean and free of trash, debris, and weeds.
3. In residential zones, when recreational vehicles are parked or stored in driveways or side yards adjacent to the front setback, which are within ten feet (10') of an adjacent neighbor's driveway, recreational vehicles must be set back from the back edge of the curb a minimum of eight feet (8'). In cul-de-sacs, the

driveway distances shall be reduced to six feet (6') of an adjacent neighbor's driveway, and the setback shall be reduced to four feet (4').

4. No recreational vehicle of any type shall be used for temporary or permanent human habitation, including sleeping, while parked or stored on private property in any zoning district, except as provided in X section.

8.10.080 - Occupied recreational vehicle parking in commercial parking lots.

Occupied recreational vehicles may be parked in commercial parking lots having twenty-five (25) or more spaces subject to the following conditions:

1. Recreational vehicles may not be parked overnight in commercial parking lots unless done pursuant to subsection 2 below which deals with parking.
2. A recreational vehicle may be parked in a commercial parking lot for a period not to exceed seventy-two (72) hours provided that the parking spaces occupied by recreational vehicles meet the requirements of this code for recreational vehicle parking spaces, and said spaces are approved by the city, except that commercial parking lots shall not provide water systems, sewage disposal systems, electrical systems or restroom facilities within the commercial parking lot unless the parking spaces are authorized as recreational vehicle parks.
3. The minimum setback of a recreational vehicle parked in a commercial parking lot to any public street, right-of-way line or property line shall be fifteen feet (15').
4. The minimum distance between recreational vehicles and any building shall be fifteen feet (15').
5. The minimum distance between recreational vehicles (front and rear) shall be fifteen feet (15'). The minimum distance between recreational vehicles from side to side shall be ten feet (10').
6. A recreational vehicle space in a commercial parking lot shall have a hard surface parking space with a minimum dimension of forty feet (40') by eighteen feet (18') designated by striping painted on the surface of the space.
7. Access to recreational vehicle space must be designed and marked to minimize traffic congestion and hazards on the commercial parking lot or adjacent parking lots, driveways and public streets.
8. The property owner or lawful occupant of a commercial parking lot which provides spaces for recreational vehicle parking pursuant to this section must provide for the storage, collection and disposal of refuse in containers approved by the city which shall be located not more than one hundred feet (100') from the most distant recreational vehicle space. Refuse collection areas must be

screened from view by fencing and/or landscaping approved by the city. Refuse must be collected at least twice weekly or as necessary, and transported to a proper disposal site in Carson City.

9. Recreational vehicle spaces in commercial parking lots must comply with all fire department requirements for such spaces.
10. Owners of commercial property with parking lots of more than twenty-five (25) spaces and who do not offer recreational vehicle parking space as provided by this section, shall post signs stating as follows: No Overnight Truck, Recreational Vehicle Parking or Camping pursuant to CCMC18.05.030—"Fine \$100.00."
11. Commercial parking lots that allow recreational vehicles to park must have plans as required by this code approved by the city prior to occupancy.

8.10.090 - Obstruction of public passage.

Except as otherwise provided in CCMC Chapter 11, no person shall place or cause to be placed any object or vehicle upon any sidewalk or highway which will impede the passage of pedestrians or vehicular traffic.

8.10.100 - Violation, penalties.

Any person, property owner or owner of any recreational vehicle, tractor trailer, or part thereof, who fails to comply with the provisions of this chapter, or assists or permits another to violate its provisions, shall be guilty of a misdemeanor offense, and, upon conviction, shall be subject to the penalties for such a violation as provided in this code.

8.10 – Recreational vehicle parking.

8.10.010 - Applicability.

The provisions of this chapter apply to all zoning districts and to every parcel of property in Carson City upon passage of this ordinance and codified in this chapter unless indicated otherwise for a particular zoning district. ~~Design standards are contained within this section.~~

8.10.020 - Purpose.

The purpose of this chapter is to promote the health, safety and general welfare of the people of, and visitors to, Carson City, by providing minimum standards to assure the safety and general welfare of citizens and visitors relative to the parking, occupation and storage of recreational vehicles and other matters related to recreational vehicle usage.

8.10.030 - Conflicting regulations.

Wherever any provision of this chapter imposes more stringent regulations, requirements or limitations than are required by the provisions of other law or ordinance, the provisions of this chapter shall govern.

8.10.040 - Definitions.

~~1.~~ 1.—"Hard surface" means six inches (6") of decomposed granite or gravel graded and compacted to development standards or two inches (2") of asphalt or cement concrete.

~~0.~~ 0.—"Sidewalk" shall have the meaning ascribed to it by CCMC 10.04.560.

~~2.~~ 2.

~~0.~~ 3.

~~2.~~—"Highway" shall have the meaning ascribed to it by CCMC10.04.250.

~~4.~~ 4.

~~3.~~—"Parked" means the presence of a recreational vehicle as defined in CCMC 8.10.040(7) at any time on any street, highway, or alley, except temporarily for the purpose of, and while actually engaged in, picking up or discharging passengers.

~~5.~~ 5. "Loading or unloading" means the presence of a recreational vehicle on city streets in any zoning district for a period up to forty-eight (48) consecutive hours.

~~6. "Storage" means the presence of a recreational vehicle as defined in 8.10.040(7), on any street, highway, alley, on private or commercial property, for a period longer than forty-eight (48) hours.~~

~~4. short term occupation by a recreational vehicle of a portion of a street for less than seventy-two (72) hours.~~

~~4.~~

~~4.7.~~ 4.—"Recreational vehicle" for the purposes of enforcing this chapter, means and includes the following: ~~for the purposes of parking such vehicles pursuant to Section 8.10:~~

- a. "Camping trailer" means a folding, temporary dwelling structure mounted on wheels and designed for travel, recreation or vacation use, which includes its own towing vehicle.
- b. "House trailer" shall have the meaning ascribed to it by CCMC 10.04.270.
- c. "Motor home" means a portable, temporary dwelling designed for travel, recreation or vacation use, which is constructed to be an integral part of a self-propelled vehicle.
- d. "Park trailer model" means a portable temporary dwelling unit containing its own wheels and designed for travel, recreation or vacation use.
- e. "Pick-up coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation or vacation.
- f. "Toy hauler" ~~—"~~ or "Cargo —hauler" means a temporary dwelling, combined recreational vehicle and/or cargo hauler, designed for travel, recreation or vacation use, ~~which may be whether —self-propelled or towed by another vehicle. vehicle or include its own towing vehicle.~~
- g. "Travel trailer" means a vehicular portable structure, built on a chassis designed to be used as a temporary dwelling for travel, recreation or vacation, and having a body width not exceeding eight (8) and one half feet and a body length not exceeding sixty (60) feet, not including its own towing vehicle.
- h. "Utility trailer" or "trailer" means a motor-powered vehicle, ~~other than a vehicle that is without motor power and that~~ is designed for carrying persons, property, equipment, or other items on its own structure, including, but not limited to, flatbed trailers, hauling trailers, and boat trailers.

~~5. "Sidewalk" shall have the meaning ascribed to it by CCMC 10.04.560.~~

~~6. "Storage" means long term occupation by a recreational vehicle of a portion of a street for more than seventy-two (72) hours.~~

8.10.050 - Recreational vehicle parking on public streets.

~~A recreational vehicle may be parked on a city street subject to the following restrictions:~~

~~1. 1. Recreational vehicles may not be parked ~~or stored~~ on city streets in any zoning district, except for loading or unloading purposes as defined in section 8.10.040 of this chapter.~~

~~2. At the conclusion of the forty-eight (48) hour loading or unloading period, at least forty-eight (48) hours must elapse before the start of a new forty-eight (48) hour period, during which time the recreational vehicle must be removed from its location.~~

~~1.~~

~~2. Loading or unloading for the purposes of this section means: the presence of a recreational vehicle will be permitted on city streets in any zoning district for a period up to seventy two (72) consecutive hours in one occurrence.~~

~~3. Not more than two (2) occurrences of loading or unloading within a thirty (30) day time period will be allowed. The two (2) occurrences in a thirty (30) day time period must not be consecutive to each other.~~

~~3. A recreational vehicle may not be present on a city street without the permission of the legal owner or lawful occupant of the property abutting the street where the recreational vehicle is present. No part of a recreational vehicle may extend past that portion of the street which abuts the property for which permission has been given. No wires, hoses or other conduits may cross sidewalks, public walkways, public right-of-way or the property of another.~~

~~b.~~

~~4. For the purposes of loading or unloading, a recreational vehicle may not be parked on a city street without the permission of the lawful occupant of the property abutting the street where the recreational vehicle is parked. No part of a parked recreational vehicle may extend past that portion of the street which abuts the property for which permission has been given. No wires, hoses or other conduits may cross sidewalks, public walkways, public right-of-way or the property of another.~~

8.10.060 - Storage of recreational vehicles in general.

Storage of an unoccupied recreational vehicle is permitted on property owned or legally occupied by the registered owner of the recreational vehicle or on commercial or industrial land subject to the requirements of Title 18 and Title 8 of this code.

8.10.060-070 - Recreational vehicle parking or storage on private property.

A recreational vehicle may be parked or parked-stored on private property subject to the following restrictions:

1. ~~1.~~—A property owner or legal occupant of private property in any zoning district who stores a recreational vehicle on his or her property must, at all times, be in compliance with the provisions of chapter 8.08 of this code in addition to the requirements of this chapter.
~~Only the property owner's personal recreational vehicle(s) can be parked on his private property.~~

2. If a recreational vehicle is parked or stored in a front yard driveway of a residential zone, the following criteria must be met at all times:

- a. It must be parked or stored on a hard surface.
- b. It must be clean, in good repair, and in operating order.
- c. It must be currently registered.
- d. No portion of the recreational vehicle shall extend onto or over any public sidewalk, right of way, or property. No wires, hoses, or other conduits may cross sidewalks, public walkways, public right of way, or the property of another.
- ~~a.—The area where the vehicle is parked or stored shall be kept clean and free of trash, debris, and weeds. may only be parked on a hard surface, front driveway in a residential zone. Recreational vehicles may be parked in side or rear yards in residential zones which may or may not be on hard surfaces.~~
- ~~b-e.~~

3. In residential zones, when recreational vehicles are parked or stored in driveways or side yards adjacent to the front setback, which are within ten feet (10') of an adjacent neighbor's driveway, recreational vehicles must be set back from the back edge of the curb a minimum of eight feet (8'). In cul-de-sacs, the driveway distances shall be reduced to six feet (6') of an adjacent neighbor's driveway, and the setback shall be reduced to four feet (4').

4. No recreational vehicle of any type shall be used for temporary or permanent human habitation, including sleeping, while parked or stored on private property in any zoning district, except as provided in X section.

Comment [IY1]: Do we want to make a section that allows for guests to stay temporarily by permit? E.g., up to 7 days and X number of occurrences per year?

~~8.10.070 - Inoperable vehicles.~~

~~Inoperable motorized or non-motorized vehicles may not be left on city streets for more than twenty-four (24) hours.~~

~~8.10.080 - Storage of recreational vehicles.~~

~~Storage of an unoccupied recreational vehicle is permitted on property legally occupied by the owner of the recreational vehicle or on commercial or industrial land subject to the requirements of Title 18 of this code.~~

8.10.090-080 - Occupied recreational vehicle parking in commercial parking lots.

Occupied recreational vehicles may be parked in commercial parking lots having twenty-five (25) or more spaces subject to the following conditions:

1. Recreational vehicles may not be parked overnight in commercial parking lots unless done pursuant to subsection 2 below which deals with parking.
2. A recreational vehicle may be parked in a commercial parking lot for a period not to exceed seventy-two (72) hours provided that the parking spaces occupied by recreational vehicles meet the requirements of this code for recreational vehicle parking spaces, and said spaces are approved by the city, except that commercial parking lots shall not provide water systems, sewage disposal systems, electrical systems or restroom facilities within the commercial parking lot unless the parking spaces are authorized as recreational vehicle parks.
3. The minimum setback of a recreational vehicle parked in a commercial parking lot to any public street, right-of-way line or property line shall be fifteen feet (15').
4. The minimum distance between recreational vehicles and any building shall be fifteen feet (15').
5. The minimum distance between recreational vehicles (front and rear) shall be fifteen feet (15'). The minimum distance between recreational vehicles from side to side shall be ten feet (10').
6. A recreational vehicle space in a commercial parking lot shall have a hard surface parking space with a minimum dimension of forty feet (40') by eighteen feet (18') designated by striping painted on the surface of the space.
7. Access to recreational vehicle space must be designed and marked to minimize traffic congestion and hazards on the commercial parking lot or adjacent parking lots, driveways and public streets.

8. The property owner or lawful occupant of a commercial parking lot which provides spaces for recreational vehicle parking pursuant to this section must provide for the storage, collection and disposal of refuse in containers approved by the city which shall be located not more than one hundred feet (100&prime) from the most distant recreational vehicle space. Refuse collection areas must be screened from view by fencing and/or landscaping approved by the city. Refuse must be collected at least twice weekly or as necessary, and transported to a proper disposal site in Carson City.
9. Recreational vehicle spaces in commercial parking lots must comply with all fire department requirements for such spaces.
10. Owners of commercial property with parking lots of more than twenty-five (25) spaces and who do not offer recreational vehicle parking space as provided by this section, shall post signs stating as follows: No Overnight Truck, Recreational Vehicle Parking or Camping pursuant to CCMC18.05.030—"Fine \$100.00."
11. Commercial parking lots that allow recreational vehicles to park must have plans as required by this code approved by the city prior to occupancy.

8.10.~~100-090~~ - Obstruction of public passage.

Except as otherwise provided in CCMC Chapter 11, no person shall place or cause to be placed any object or vehicle upon any sidewalk or highway which will impede the passage of pedestrians or vehicular traffic.

8.10.~~110-100~~ - Violation, penalties.

Any person, property owner or owner of any recreational vehicle, tractor trailer, or part thereof, who fails to comply with the provisions of this chapter, or assists or permits another to violate its provisions, shall be guilty of a misdemeanor offense, and, upon conviction, shall be subject to the penalties for such a violation as provided in this code.