

February 19, 2013

**To: Yachats Planning Commission**

**From: Larry Lewis, City Planner**

**Re: Recreational Vehicle – Conflicting Code Language**

---

After amendments to recreational vehicle provisions were adopted in 2011, Chair Guenther discovered conflicting code language in Section 9.32.030 'General provisions regarding accessory uses' and Section 9.68.060 'Recreational vehicles'. In 2011 amendments were made to Section 9.68.060 however Section 9.52.030 was not amended. Existing Code language is provided below and followed by a table describing the conflicts and one option for eliminating the conflict.

**(Existing) Section 9.52.030 General provisions regarding accessory uses.**

An accessory use shall comply with all requirements for a principal use, except as this title specifically allows to the contrary, and shall comply with the following limitations:

- B. A single recreational vehicle or manufactured dwelling may be occupied as a temporary accessory use to a dwelling in excess of fourteen (14) days not to exceed thirty (30) days under the following conditions:
  - 1. That the device comply with residential setback requirements;
  - 2. That a sight-obscuring fence may be required to be provided to effectively screen the use from outside of the parcel upon which it is located;
  - 3. That the water supply and sewerage disposal system be approved by the county sanitarian; or
  - 4. That the indoor house plumbing be used;
  - 5. That a building permit-recreational vehicle or manufactured dwelling placement permit certifying either subsection (B)(3) or (4) of this section be filed at the city office prior to locating the device, thus signifying compliance with the above provisions.

**(Existing) Section 9.68.060 Recreational vehicles.**

Recreational vehicles may be parked by an owner on his or her own land for temporary living purposes as follows:

- A. The vehicle and the use on the owner's lot must be approved as conditional use by the Planning Commission.
- B. A renewable yearly parking permit is obtained from the City Recorder. Fees are set by the City Council.
- C. The permit is effective for parking one hundred twenty (120) days per calendar year with no more than ninety (90) consecutive days for any one stay.
- D. The vehicle must be hooked up to city sewer and water.
- E. A lot owner may permit a visitor to park his or her recreational vehicle on the owner's lot for dwelling purposes provided:
  - 1. The duration of stay for parking and dwelling in the recreational vehicle does not exceed two weeks;
  - 2. Users of the recreational vehicle must use sanitation facilities within the lot owner's home. (Ord. 73E § 9.060, 1992)

## Conflicting Language

	Section 9.52.030	Section 9.68.060
1.	The opening paragraph in 'B' implies RVs may be temporarily occupied for less than 14 days without any standards.	A. A conditional use is required for any RV parked on a lot for temporary dwelling purposes.
2.	No parking permit required.	B. Requires a renewable yearly parking permit.
3.	The opening paragraph in 'B' allows RVs to be occupied not more than 30 days.	C. RVs may be occupied for 120 days per year with no more than 90 consecutive days.
4.	B.1. An occupied RV for 14-30 days must meet residential setback requirements.	No setbacks required unless stated as a condition of approval.
5.	B.2. A sight-obscuring fence <u>may</u> be required.	No sight-obscuring fence required unless stated as a condition of approval.
6.	B.3 and 4. Either the county sanitarian must approve the water supply and sewage disposal or indoor plumbing must be used.	D. The vehicle must be hooked up to water and sewer.
7.	B.5. Requires a county permit certifying water and sewer service is in compliance.	No county permit required (city conditional use permit required)
8.	Does not specify who is allowed to temporarily occupy the RV.	E. Specifies provisions for visitors to temporarily occupy an RV.

One suggestion is to eliminate Section 9.52.030.B so that all provisions regarding the temporary occupancy of an RV is in one section. In this case the Planning Commission can consider whether or not Section 9.68.060 should be amended to include any provisions identified in Section 9.52.030.

## DRAFT AMENDMENT – FEBRUARY 2013

*Section 9.52.030.B is deleted in its entirety. Provisions regarding occupied recreational vehicles are described in Section 9.68.060.*

### ~~Section 9.52.030 — General provisions regarding accessory uses.~~

~~An accessory use shall comply with all requirements for a principal use, except as this title specifically allows to the contrary, and shall comply with the following limitations:~~

~~B. A single recreational vehicle or manufactured dwelling may be occupied as a temporary accessory use to a dwelling in excess of fourteen (14) days not to exceed thirty (30) days under the following conditions:~~

- ~~1. That the device comply with residential setback requirements;~~
- ~~2. That a sight-obscuring fence may be required to be provided to effectively screen the use from outside of the parcel upon which it is located;~~
- ~~3. That the water supply and sewerage disposal system be approved by the county sanitarian; or~~
- ~~4. That the indoor house plumbing be used;~~
- ~~5. That a building permit recreational vehicle or manufactured dwelling placement permit certifying either subsection (B)(3) or (4) of this section be filed at the city office prior to locating the device, thus signifying compliance with the above provisions.~~