

## **LETTER TO GOVERNOR DUCEY 2-11-2016**

To Governor Ducey and Arizona State Legislators

Recently Governor Ducey made a proclamation declaring the week of February 7th "Canada Week". The proclamation highlights the value of our Canadian Visitors to the state of Arizona. 895,000 visitors bring \$920,000,000 into the Arizona economy and 146,000 Arizona jobs are dependent on their trade and investment. Many of these Canadians come to Arizona in the winter in their RVs.

Of great concern to us...instead of welcoming our friends from Canada, Pinal County is using Arizona Administrative Code Title 9, Chapter 8, Article 5 (two or more trailer coaches make a trailer coach park) to encourage Canadians and other families with RV's to SELL their property here and not return.

Pinal County code enforcers are using this Administrative Code to disallow/limit short term visits by friends and family of property owners in un-incorporated areas. Note that many Canadians and their friends share the hobby of horsemanship activities. These individuals have purchased small acreages just to allow such winter-time enjoyment and as well as have short term visits from their fellow countrymen. The visitors bring their own RV's and horses. A few chronic complainers (primarily not impacted neighbors of property owners) have submitted complaints to code enforcement. We believe many of the complaints are made without merit (only potential for sewage or water problems as compared to actual facts.) New county ordinances would allow only one short term guest visitor on these acreages.

This same state Administrative Code is being used against residential zone property owners in unincorporated areas. The Planning Departments are using this code to disallow ALL short term RV visitors and no resident owner can sleep in his own RV on his own property. Thousands of property owners purchased property in these un-incorporated areas of Arizona only because we were told that Arizona was an RV friendly state. If we wanted to live in an incorporated city or HOA (home owner association) we would have purchased property in these locations. BUT...WE DID NOT WANT an HOA and were NOT informed of any Title 9 limitation prior to our purchase. In the case of Pinal County, the ordinances were written in 1962 when recreation vehicles were little more than a tent on wheels. The modern RV is totally self contained and can park for better than a two week without leaving any footprint (any sign that they were even there). We assure you NONE of us want to have an RV Park on our private properties.

Please take the time to investigate how this state ordinance is being interpreted by certain planning departments to dictate a very unfriendly environment for RV families. Please preserve Arizona's friendly "common sense" relationship with our own citizen home owners and with our friends from the North.

In 2013 Pinal County Planning started considering an update to antiquated 1962 regulations for RV Storage and Temporary Guest Housing. Initially they sought the input from community members. Our Citizen's Committee (over 200 members) after rejecting Planning's proposals, were asked by a county supervisor to draft our own. We did and the draft is attached below. We feel that our recommendations consider health and safety for all citizens and visitors with ordinances already on the books in Arizona. The result will promote property purchases by RV families who are responsible citizens that just want to enjoy Arizona's weather. Snowbirds in general bring millions of dollars into Arizona while mostly staying for less than 6 months.

Word of mouth snowballs in the RV community! How this entire situation is handled will either promote Arizona or turn people to other locations!

## **RV Citizen's Committee Draft for Updating Pinal County Ordinance**

### **2.185.060 Recreational vehicle storage.**

Recreational vehicles may be stored on a parcel provided they conform to the requirements listed in PCDSC 2.185.050 and are not connected to any utility source other than electrical power and not in use for sleeping or living purposes. [Ord. 61862 § 3406

### **2.185061 Recreational Vehicles as Short Term Guest Housing**

Recreational vehicles may be used as short term guest housing in any rural or residential area subject to the provisions of this section and other applicable codes. [Chapter 2.185 Section 2.185.050 and Chapter 2.151 Section 2.151.030]

Recreational vehicles used as short term guest housing shall be governed by the following provisions:

- A. Recreational vehicles used as short term guest housing shall not impede access by public or emergency services or create dangerous conditions either on the site where they are located or on immediately adjacent property. Recreational vehicles must be operational and parked in a manner that does not block sidewalks, driveways, entryways to other property and allows immediate removal if necessary in the event of an emergency.
- B. The number of recreational vehicles used as short term guest housing on any site is not limited provided that they do not violate provision (A) of this section.
- C. An established permitted use must exist on the property prior to utilization of a recreational vehicle as short term guest housing. The use of recreational vehicles for short term guest housing is temporary and is exempt from existing setback requirements of permanent or auxiliary structures.
- D. Recreational vehicles may be used as short term guest housing without a temporary use permit for a period not to exceed 15 days from the date of initial arrival on any given site. Recreational vehicles may not exceed the 15 day permit-free period regardless of movement to or from the site.
- E. Recreational vehicles may be used as short term guest housing for a period not to exceed 6 months provided that a temporary use permit is acquired.
- F. To accommodate the needs of visitors engaged in seasonal tourism, the following permit requirements are established:
  1. Permits for use of recreational vehicles as short term guest housing may be acquired by visiting the Pinal County Website and filing out the required form or by telephoning the appropriate county department and providing the necessary information and fee payment.
  2. The fee, if any, for issuing short term guest housing permits shall not exceed ten dollars.
  3. Once the short term guest housing permit has expired, it may be renewed at the discretion of the issuing authority.
  4. No inspection for code provisions is necessary to obtain a short term guest housing permit but onsite inspection by relevant county departments may be conducted at the discretion of the permitting authority to ensure compliance with applicable health and safety codes.
  5. Temporary Use Permits (TUPs) are subject to the requirements of this title.
- G. Procedure for TUP application for recreational vehicles used as short term guest housing:
  1. Application for a TUP on the applicable form provided by the county together with the required information, documentation and a nonrefundable filing fee shall be made to the appropriate county department.
  2. Property owner or the property owner's authorized agent shall provide the guest with written consent by completing the appropriate section of the application.
- H. The TUP application may include the following:
  1. An explanation of the use proposed and the duration of the request;
  2. Name of the permit applicant;
  3. Address of the subject property;

4. Such additional information as may be requested by the permitting authority.
- I. Occupancy of recreational vehicles used as short term guest housing shall be limited to the permanent resident of the property and immediate family, guests and their immediate family and pets of the occupants of the recreational vehicle.
  - J. There shall be no fees or rental of any kind collected or exchanged between the guest and the property owner or tenant (if the property is rented or leased).
  - K. Utility and waste disposal hookups for recreational vehicles used as short term guest housing are permitted provided that there is compliance with all applicable health and safety codes.

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**GOVERNOR DUCEY RESPONSE LETTER**

February 25, 2016

Mr. Ken Parsons  
Arizona City, AZ 85123

Dear Mr. Parsons,

The Governor's Office is in receipt of your email communication.

We regret to read of this situation. As you may know, the Governor's Office does not have jurisdiction over local government, in this case, Pinal County. This office is precluded by the state constitution from intervening in matters under the authority of the local government. We can only suggest you continue your communication with the Pinal County Board of Supervisors for possible assistance with this matter.

We regret we are unable to offer any further suggestions or assistance. We wish you a favorable resolution.

Sincerely,

DOUGLAS A. DUCEY  
GOVERNOR