

CITIZEN'S RV COMMITTEE DRAFT PROPOSAL FOR RV CODE REVISIONS

January 1, 2019 Revision

This draft proposal for revision of Pinal County RV codes is in response to an invitation for suggested changes by Pinal County Supervisor Anthony Smith to citizens attending a meeting held in Arizona City on December 15, 2014 for the purpose of discussing revision of the existing RV ordinance.

Substantial portions of Chapter 2.185 OUTSIDE STORAGE AND PARKING are reproduced in this draft so that all changes are viewed in context and deleted or added wording is easily understood in relation to other relevant sections.

A portion of Chapter 2.10 DEFINITIONS, section 2.10.010 is reproduced to illustrate recommended changes to definitions involving recreational vehicles and how these relate to definitions under Chapter 2.185 OUTSIDE STORAGE AND PARKING

A portion of wording from Chapter 2.151 PERMITS: SPECIAL USE, SPECIAL DENSITY, TEMPORARY USE AND SPECIAL EVENT, section 2.151.030 Temporary use permit (TUP) is also reproduced relating to permitting uses of recreational vehicles under the newly proposed section 2.185.061 Recreational vehicles as short term Housing.

D R A F T Version 5

Note: Chapter 2.185 is comprised of the following sections:

Chapter 2.185

OUTSIDE STORAGE AND PARKING

Sections:

2.185.010 Outside storage and parking.

2.185.020 Accessory use.

2.185.030 Application.

2.185.040 Definitions.

2.185.050 Vehicle parking.

2.185.055 Heavy trucks - Standing, parking or storage.

2.185.060 Recreational vehicle storage

2.185.061 Recreational vehicles as short term housing (PROPOSED)

2.185.070 Furniture and appliances.

2.185.080 Construction materials.
2.185.090 Firewood.
2.185.100 Other items.
2.185.110 Compliance.
2.185.120 Variances.

2.185.010 Outside storage and parking.

A. It shall be unlawful and a violation of this title for any resident/occupant or owner of record or both to leave or permit to remain outside any objects, scrap, appliances, vehicles, or any other materials, except as provided by this chapter.

B. It is unlawful for any person to stand, park or store a vehicle in violation of this chapter.

C. It is unlawful for any resident/occupant to allow a vehicle to stand or be parked or stored in violation of this chapter. [Ord. PZ-C-003-12 § 1; Ord. 61862 § 3401].

2.185.020 Accessory use.

Outside storage and parking provided by this chapter is an accessory use and shall not be permitted unless a primary use has been previously established. [Ord. 61862 § 3402].

2.185.030 Application.

This chapter shall apply to outside storage and parking in all residential and rural zones. [Ord. 011812-ZO-PZ-C-007-10 § 19; Ord. 61862 § 3403].

2.185.040 Definitions.

For the purpose of this chapter, the following definitions apply:

"Access" means the ability to enter, approach, or pass to and from a place or to approach or communicate with a person or thing as required to fulfill a necessary service or function.

"Commercial vehicle" means any vehicle that is used for commercial purposes.

"Emergency Services" means services required in emergency situations such as fire, police, medical and evacuation including related personnel, vehicles and equipment.

"Short term housing" means a dwelling or recreational vehicle occupied by a resident or visitor.

"Heavy truck" means any commercial vehicle with a gross vehicle weight of 19,500 pounds GVWR or more; includes the power unit by itself, the combination of the power unit and trailer, or the trailer separately.

"Motor vehicle parts, components, accessories" means any part, component or accessory from any vehicle propelled by means of an electric, gasoline, diesel, propane, or alcohol fueled engine.

"Owner or owners of record" means the person(s) or entity indicated on the records of the county assessor as the owner of the property in question on the date of an alleged violation.

"Person" means any individual, corporation, company, partnership, firm, association, union, society, or any county, city, town, state or any subdivision or agency thereof and includes any trustee, receiver, assignee, or personal representative thereof.

"Public services" means services required to perform inspection duties, code enforcement, animal control, nuisance abatement or utility repair and operations, including related personnel, vehicles and equipment.

"Recreational vehicle", also referred to as "RVs", means any item of personal property driven, towed or hauled for recreational uses including, but not limited to travel trailers, motor homes, pickup campers, boats, boat trailers, tent campers, buses or other recreational items. Recreational vehicles are mobile units that use a self-contained power source, are towed or hauled by another vehicle or are specifically designed to be readily transported by other means.

"Portable structures" including but not limited to buildings, trailer coaches (i.e., mobile homes), shipping containers, construction site office trailers, non-mobile tents or other similar units are not considered recreational vehicles for the purposes of this ordinance.

"Resident/occupant" means a person or persons who are occupying a building or structure and are using it as a place of abode, a place of residence or a place to live on either a temporary or permanent basis.

"Scrap" means any item or substance which in its present condition is not and cannot be used for the original use intended, or that which has been discarded.

"Short term" means a limited period of time not to exceed 6 months.

"Site" means a specific property where a recreational vehicle may be parked.

"Telecommunications" for this chapter means the transmission of information of the user's choosing between or among points specified by the user without change in the form or content of the information as sent and received.

"Telecommunications" does not include commercial mobile radio services.

"Utilities" means water, sewer or septic, electricity, gas or any other service needed for residence such as propane delivery to a storage tank, telecommunications or similar services and activities

"Vehicle" means every device by which any person or property is or may be transported on a street or highway that is propelled by means of an electric, gasoline, diesel, propane, or alcohol fueled engine, including, but not limited to, heavy trucks, public safety, public service, and recreational vehicles. [Ord. PZ-C-003-12 § 2; Ord. 011812-ZO-PZ-C-007-10 § 19; Ord. 61862 § 3404].

2.185.050 Vehicle parking.

A. Unless otherwise prohibited or restricted in this chapter, vehicles may be parked on residential or rural property provided said vehicles comply with all the following requirements:

1. Vehicles other than recreational vehicles used as short term housing must be owned or leased by the current resident/occupant of the parcel.
2. Vehicles shall not be up on jacks, blocks or other similar equipment.
3. Vehicles shall not have deflated tires, nor have the chassis, engine, body parts, wheels or tires removed.
4. Said vehicles shall not be parked in such a manner as to block access to sidewalks or driveways/entrances to any other property.
5. Vehicles must have a current, valid registration affixed to the license plates. The lack of a current license plate and/or license tag or an expired license tag affixed to a vehicle shall constitute proof that a vehicle does not have a valid and current registration.
6. No more than two personally owned vehicles may be offered for sale at any one time.
7. Vehicles must currently be operable.

B. Public service and public safety vehicles may be parked by a resident in any residential or rural zoning district if the vehicle is required to be available at designated periods at the person's residence as a condition of the person's employment and either of the following applies pursuant to ARS 11-269.10:

1. The resident is employed by a public service corporation that is regulated by the Corporation Commission, an entity regulated by the Federal Energy Regulatory Commission or a municipal utility and the public service corporation, federally regulated utility or municipal utility is required to prepare for emergency deployments of personnel and equipment for repair or maintenance of natural gas, electrical, telecommunications or water infrastructure, the vehicle has a gross vehicle weight rating of 20,000 pounds or less and is owned or operated by the public service corporation, federally regulated utility or municipal utility and the vehicle bears an official emblem or other visible designation of the public service corporation, federally regulated utility or municipal utility.

2. The resident is employed by a public safety agency, including police or fire service for a federal, state, local or tribal agency or a private fire service provider or an ambulance service provider that is regulated pursuant to ARS Title 36, Chapter 21.1, and the vehicle has a gross vehicle weight rating of 10,000 pounds or less and bears an official emblem or other visible designation of that agency. [Ord. PZ-C-003-12 §§ 3, 4; Ord. 61862 § 3405].

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

2.185.061 Recreational Vehicles as Short Term Housing

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

A. Recreational vehicles used as short term 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 housing on any site shall not exceed one RVs per acre or part thereof 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 housing.

D. Recreational vehicles may be used as short term 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. Recreational vehicles used for short-term housing during the 15-day permit free period are exempt from existing setback requirements for permanent or accessory structures.

E. Recreational vehicles may be used as short term housing beyond the permit-free period, provided that a temporary use permit is acquired, renewable for not more than 180 days at the discretion of the issuing authority. Recreational vehicles used for short-term housing after expiration of the 15-day permit free period must comply with existing setback requirements for permanent or accessory structures.

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 housing shall be acquired by filling out the required Pinal County form and providing the necessary information and fee payment.

2. The fee, if any, for issuing short term housing permits shall not exceed ten dollars.

3. No inspection for code provisions is necessary to obtain a short term 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.

4. Temporary Use Permits (TUPs) are subject to the requirements of this title.

G. Procedure for TUP application for recreational vehicles used as short term 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, if required, 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 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.