

Staff Report

RECREATIONAL VEHICLE PARKING ON RESIDENTIAL PROPERTIES

August 12, 2008

Background

On June 24, 2008, the City Council referred an email from our Neighborhood Inspector to Councilperson Rice regarding the issue of possibly expanding the restrictions related to the storage of recreational vehicles on residential property.

The situation that brought this issue to our staff involved a large motorized recreational vehicle (RV) parked in the side yard on a private property in a residential zone, at a single-family owner-occupied dwelling at 3324 Jewel Drive. A next door neighbor expressed concerns that the vehicle was owned by a party other than the property owner; appeared to be occupied frequently; was not parked on a hard-surface pad; was very close to the property line; and was a nuisance due to the noise created by its air conditioning system. Our Neighborhoods Inspector responded to the complaint and informed the property owner of the current standards. The owner subsequently installed a concrete parking pad in compliance with current code, but other enforcement actions are in process, specifically in regard to occupancy of the vehicle and its connection to a sanitary sewer on site.

Current City Standards

The current standards in the Ames Zoning Ordinance, *Section 29.406*, dealing with OFF-STREET PARKING specify that,

“(19) Manufactured Home, Mobile Home, and Recreational Vehicle Parking. Manufactured homes, mobile homes, travel trailers, or recreational vehicles shall not be parked, stored, or occupied on any property which is not part of an approved manufactured home park, or the permanent installed site of a manufactured home. However, the parking of one (1) unoccupied travel trailer or recreational vehicle, boat, or boat trailer is permitted behind the front yard setback of the lot in any district, provided the travel trailer or recreational vehicle, boat, or boat trailer is not used for living quarters or business purposes.” (Note: Hard surfacing is required by a different code section.)

Our Municipal Code text appears to be a common and generic provision contained in zoning ordinances from many communities. It recognizes that ownership of such vehicles is a reality for many residents of single-family and multi-family dwellings. Thus it both permits and limits such uses as described.

Staff's experience is that conflicts on this subject between neighbors mostly center on the issues of occupancy and proximity to the neighbor's home. These situations generally occur in single-family zoned districts.

Comparative standards – Sampling of 3 other communities

A quick sample of three other communities' standards reveals the following (See addendum for complete code text):

Temporary occupancy of an RV parked on a residential property permitted?

Sioux City	no
Iowa City	yes
Dubuque	yes

Proximity to neighbor limited? Location on property limited (sideyard, rearyard)?

Sioux City	proximity limited - no	location limited - yes
Iowa City	proximity limited - yes	location limited - yes
Dubuque	proximity limited - no	location limited - yes

Hard surface required?

Sioux City	yes - concrete or asphalt required
Iowa City	yes - concrete, asphalt or crushed rock required
Dubuque	yes - concrete or asphalt required

Options For Consideration:

Option A - Do nothing.

The City Council can conclude that this is an isolated incident that does not merit a change in the Municipal Code. Inspections staff reports that there have been relatively few complaints received regarding this issue.

Option B – Eliminate RV parking

The City Council could change the Municipal Code to prohibit storage of recreational vehicles (and/or boats) on residential properties. This might be too radical of a change and be unwarranted due to the relatively few complaints that have been received.

Option C - Place additional limitations on Recreational Vehicle Parking

The Council could to decide that additional regulations are warranted that will not eliminate the ability to store recreational vehicles on residential properties, but will provide greater protection to abutting neighbors.

This third approach would require modification of the Municipal Code to establish additional limitations of RV parking that could address some, or all, of the following issues:

- set a minimum distance from adjacent properties
- restrict location to rear yard only;
- limit the length of time for storage
- limit storage to only the property owner's vehicle
- establish a maximum size of vehicle to be stored
- establish a maximum weight of the vehicle to be stored
- allow only non-motorized vehicles to be stored (or only motorized)
- allow storage only in an enclosed garage

Additional Issues To Consider

- Staff is not certain how many properties will be impacted by a change in the Municipal Code regarding the storage of recreational vehicles nor what level of support or opposition would be forthcoming from such a change.
- Should any proposed change deal with only recreational vehicles or also include boats, boat trailers, etc.?

Addendum – Comparative standards for three other communities
(emphases added to text)

Sioux City Zoning Code -

Section 25.92.030, Particular permitted accessory uses and structures.

“7. Outdoor storage, ***within the rear yard only***, of no more than one boat and boat trailer, pickup camper top, camping trailer or camping vehicle; provided such boat, trailer or vehicle ***shall not be used for living, sleeping or housekeeping purposes*** and further provided, such equipment may be parked in any lawful driveway when in immediately usable condition and during the normal use season;”

(Note: Hard surfacing is required by a different code section)

Iowa City Zoning Code -

L. Special Vehicle Parking and Storage Requirements in Single Family Zones

The provisions of this subsection apply in all Single Family Residential Zones. For purposes of this subsection, *a special vehicle is defined as any device, more than 7.5 feet in height and more than 20 feet in length, which is or may be transported or drawn upon a highway, street, or body of water, including without limitation any motor vehicle, truck, trailer, tractor, wagon, watercraft or any combination thereof exceeding these dimensions. A storage area for a special vehicle includes any space equal in size to the outer perimeter of the subject special vehicle that is used for storage of such a vehicle.* The following provisions apply to all such special vehicles.

1. A special vehicle may be stored inside any building, provided it is not stored in a required parking space.
2. A special vehicle stored outside a building must comply with the following standards:
 - a. The vehicle must be in operational condition and properly licensed as required by State and Federal law;
 - b. The special vehicle ***must belong to the owner or tenant of the property on which the vehicle is located, except for special vehicles of guests, as provided in subparagraph c., below;***
 - c. *A special vehicle may not be used for dwelling purposes except as temporary lodging for guests of the property owner or tenant. **Such temporary lodging may occur for no more than 21 consecutive days nor may temporary lodging exceed a total of 45 days in any calendar year.** An extension may be approved by the City Manager or designee.*
 - d. The special vehicle may not be used for storage of items other than those considered to be part of the unit.
 - e. ***The storage area must be surfaced with crushed rock, asphalt, concrete or a similar surface designed and maintained to prevent muddy conditions, erosion from the flow of water onto adjoining property and weed growth. In cases where crushed rock is used, the perimeter of a storage area must be lined with bricks, landscape timbers or similar material that will effectively contain the crushed rock.***

f. **Location restrictions**

- (1) A special vehicle may not be parked or stored on a vacant residential lot.
- (2) No special vehicle may be stored in a front setback, except on a regularly constructed aisle for a period of no more than 4 days for the purpose of loading and unloading.
- (3) ***A special vehicle may be stored in the required rear setback or the required side setback, provided the outer edge of the storage area is no closer than 3 feet to a side lot line or to a rear lot line of a reversed corner lot.***
- (4) The City Manager or designee may permit outside storage of a special vehicle in the required front setback or the required side setback along a street, provided:
 - (a) Storage space is not available in the side or rear setback or there is no access to either the side or rear setback. For purposes of this provision, a corner lot will always be deemed to have access to the rear setback. Accessory structures and buildings less than 160 square feet in area and vegetation that is transplantable are not deemed to prevent access.
 - (b) Inside storage is not possible because the size of the special vehicle exceeds either the space available or the size of the entrance available in any existing building or both.
 - (c) The special vehicle is parked perpendicular to the street.
 - (d) The special vehicle storage area is screened from view of the street using landscaping, a fence or a wall. Fences, walls, and hedges must meet the applicable standards specified in Article 14-4C, Accessory Uses and Buildings.
 - (e) No part of the special vehicle extends beyond the property line or over a public right of way.

Dubuque Zoning Code -

4-2.6. Special Provisions For Off Street Parking And Storage Of Vehicles In Residential District:

- (A) *Statement Of Intent:* The intent of this section is to: avoid the obstruction of public streets and sidewalks, improve traffic visibility, ensure the provision of necessary light and air to residential dwellings, and maintain the visual harmony and character appropriate in residential neighborhoods within the city.

The provisions of this section shall govern the off street parking and storage of vehicles as an accessory use within any R-1, R-2, R-2A, R-3, R-4 or OR residential district. Accessory off street parking or storage of vehicles within any such district shall be permitted only in conformance with these provisions.

- (B) *Definitions:* The following definitions shall govern the interpretation of this section:

(1) **Vehicle:** As used in this section, a **"vehicle" shall be broadly interpreted to mean any implement of conveyance designed or used for the transportation of people or materials on land, water or air, including, but not limited to, automobiles, trucks, bicycles, motorcycles, snowmobiles, boats, airplanes, helicopters, trailers, campers, wagons, etc.**

(2) **Storage:** The substantially uninterrupted placement on a residential lot of any vehicle for any consecutive period of time exceeding forty eight (48) hours.

(3) **Parking:** The placement on a residential lot of a vehicle for any substantially uninterrupted period of time not exceeding forty eight (48) hours.

(4) **Inoperable Vehicle:** As used in this section, an "inoperable vehicle" means any vehicle that has any one of the following characteristics:

(a) Any vehicle that does not display current state registration.

(b) Any vehicle with a missing window, windshield, headlight, or any other missing glass.

(c) Any vehicle with a broken, loose, or missing fender, door, bumper, hood, roof, steering wheel, trunk lid, muffler or tailpipe.

(d) Any vehicle that is the habitat of rats, mice, snakes or any other vermin or insects.

(e) Any vehicle that lacks an engine, one or more wheels or other structural part that renders the vehicle inoperable, such as a truck without an engine or a trailer missing a wheel.

(f) Any vehicle that is not capable of moving in both forward and reverse gears.

(C) *Standards Governing The Off-Street Parking Or Storage Of Vehicles As An Accessory Use In Residential Districts :*

(1) *Maximum Number Of Vehicles Allowed To Be Stored .* Not more than one vehicle may be stored anywhere on a residential lot.

(2) *Front Yard Storage Prohibited .* No vehicle may be stored in the front yard of a residential dwelling under any circumstances. Front yard parking of vehicles may be permitted in conformance with the other standards of this Section.

(3) *Rear Yard Storage Required, If Accessible .* **A vehicle shall be stored only in a rear yard, where a rear yard exists. Where no rear yard exists, or where the City planner determines that an existing rear yard is not reasonably accessible, then a vehicle may be stored in a side yard. A vehicle may not be stored within a required side yard.**

(4) *Current State Registration Required For All Vehicles Stored* . No vehicle may be stored as an accessory use on a residential lot unless such vehicle displays a current State certificate of motor vehicle registration.

(5) *Storage In Required Parking Spaces For Multiple-Family Dwellings Prohibited* . No vehicle storage shall be permitted in required parking spaces for a multiple-family dwelling. Off-street vehicle storage space may be provided for a multiple-family dwelling, if a site plan for such space is approved in accordance with Section 4-4 of this Zoning Ordinance.

(6) *Front Yard Setback For Garages Required* . In zoning districts requiring less than 20 feet front yard setbacks, where a garage opens onto or faces the street, a minimum setback of 20 feet shall be required.

(7) *Paved Parking And Storage Areas* . In accordance with Section 4-2 of this Ordinance, all vehicles shall be ***parked and stored on a hard surface driveway or pad paved with asphalt or concrete. The paved area shall be at least the same size as the outside dimensions of the vehicle(s).***

(8) *Storage Of Inoperable Vehicles Prohibited* . No inoperable vehicle may be stored anywhere on a residential lot.

(9) *Occupancy Of Recreational Vehicles Prohibited* . A recreational vehicle designed to provide temporary living quarters for recreational, camping or travel use shall not be used for living, sleeping or housekeeping purposes on the premises. ***One recreational vehicle may be allowed for occasional living purposes to accommodate visitors.***