

To: Planning Commission
From: Planning Staff
Date: 2/15/2023 (for 2/22/2023 Work Session)
Re: Temporary Recreational Vehicle on Rural Residential Lands



Context

At the work session held on January 11th, 2023, the commissioners discussed recreational vehicles utilized as temporary dwellings. The work session started off considering the process similar to that of the Temporary Medical Hardship route. As the conversation continued, themes emerged from the content including but not limited to; over regulation, costs to the applicants, need based criteria, timelines, and enforcement for compliance.

Also voicing insight and experience were Louis Seals, Code Compliance and Christopher Haindel, Sanitarian. They expressed their support for offering a path forward for people in this situation, as well as health and safety concerns. Russ Deboodt, Crook County Fire also provided quick comment regarding the temporary nature of the use and placement of the RV.

The work session discussion was robust and covered many facets of a challenging topic. Staff was directed to schedule another work session and develop three options for further consideration and discussion.

Option 1

The first option is the most minimal. It consists of adding “invited guest” to the current Recreational vehicle code language. Currently, only a property owner may live temporarily on their lot or parcel and must fit within the

18.132.080 Recreational vehicle on an individual lot.

(1) An RV may only be stored or placed on a lot or parcel, but not lived in or used as a dwelling, if there is also a permitted dwelling, as defined in Chapter [18.08](#) CCC, on the same parcel or lot, except:

- a) In the county’s residential zones, excluding the SR-1 (suburban residential) zone, **a property owner or invited guest** ~~an individual~~ may stay in a self-contained RV on a parcel or lot ~~owned by the individual~~ for up to 60 days in a 90-day period but all wastewater must be properly disposed of in an approved septic system or dumping station;
- b) An RV may be placed on a lot for which a valid building permit is issued for a residence. The RV may be occupied for no more than one year; or
- c) In the county’s residential zones, excluding the SR-1 (suburban residential) zone, **a property owner or invited guest** ~~an individual~~ may stay in a self-contained RV on a parcel or lot ~~owned by the individual~~ for more than 60 days but less than six months upon issuance of a temporary use permit by the Crook County community development department.

Option 2

A second option to the minimalistic approach is to add the below as section (d), removing the options for invited guests in a and c:

- d) The owner of the lot may authorize an individual to stay in a self-contained RV on a parcel or lot which has an approved dwelling for more than 60 days but less than six months upon issuance of a temporary use permit by the Crook County community development department.

Option 3

Utilizing the framework established in our existing code; the timeframes could refer back to the options outlined 18.132.080

- b) An RV may be placed on a lot for which a valid building permit is issued for a residence. The RV may be occupied for no more than one year. In the county's residential zones, excluding the SR-1 (suburban residential) zone, a property owner or invited guest may stay in a self-contained RV for up to 1 year with Building and On-Site permits. At the end of the year, the RV must not be used as a dwelling.

Option 4

Allowing for extensions with additional criteria could follow the existing code with additional conditions of approval.

In section **18.172.060 Director decisions and extensions.**

- (f) For all temporary uses granted under this title, the director shall grant one six-month extension.

For any proposed renewals of any of the options from this section, additional regulation would be included:

- o An RV used as a temporary dwelling shall meet setback requirements as a dwelling.
- o No outside storage or solid waste collection.
- o An additional off-street parking space for use by the occupant/s of the RV shall be shown on the site plan.
- o This provision does not apply in subdivisions where the use of recreational vehicles as temporary or seasonal dwellings is limited by or prohibited by covenants, conditions, and restrictions (CCRs) or other homeowner association agreements.

Septic Option

The following language would be added to the application process alerting the applicant that they will need to retain documentation for approval. This could be added to the application process as it stands.

Please select one of the options below for the method of disposal for RV wastewater:

1. Use the existing septic system on the property (Authorization Notice may be required).
2. Occupant will haul wastewater to a permitted off-site dump station (receipts or other documentation of proper sewage disposal must be kept on record).
3. Contract with a licensed sewage disposal service to regularly pump the self-contained RV tank and provide a portable toilet if necessary (pumping records and an agreement with the sewage disposal service must be kept on record).

NOTE: Holding tanks separate from the RV are not permitted

Staff Review Comments and Additional Discussion Points for Planning Commission

1. Are compliance issues an unintended consequence by opening up the Temporary RV to invited guests along with property owners.
2. Should there be a requirement for the RV to be licensed and highway ready?
3. Should there be a requirement for removal of the RV if it is not owned by the property owner?
4. HOA/CCR's are a civil matter and not something the County regulates. Should there be code language expressly prohibiting temporary RV's within those subdivisions or include an exclusionary statement?
5. Included in the application process, a signature line for County Sanitarian to document discussion regarding wastewater disposal and repercussions of mishandling grey and black water.
6. A storage building of at least thirty-two (32) square feet included on the site plan for use by the recreational vehicle shall be constructed within ninety days following placement of the unit.
7. Should the RV be clustered with the primary dwelling, unless a variance is approved?
8. Temporary rule, to expire after 10 years unless affirmatively renewed by County Court (this may avoid Measure 56 at the time rule expires, along with providing a response to concern for impact on property values by neighboring property owners).

Next Steps

1. Direct staff to move forward with the amended code language.
2. Ask that staff not move forward with amended code language and retain current language.
3. Ask that staff return for another work session with revisions, additional information and further the discussion.