



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: July 21, 2016

Staff Contact: Lee Plemel, Community Development Director

Agenda Title: For Possible Action: To adopt Bill No. 112, on second reading, an ordinance amending Title 8, Public Peace, Safety And Morals, Chapter 8.10, Recreational Vehicle Parking, Sections 8.10.040, Definitions, and 8.10.050, Recreational Parking On Public Streets, to add utility trailers to the list of recreational vehicles for which on-street and off-street parking requirements apply and to limit on-street parking of recreational vehicles to specific periods for loading and unloading only.

Staff Summary: As it is currently written, CCMC 8.10.050 is difficult to legally enforce. The proposed ordinance will make modifications that will alleviate that concern and also make it easier for code enforcement to establish a method to track on-street RV parking time limits for enforcement purposes, meeting the original intent of the RV parking ordinance. (LPlemel@carson.org)

Agenda Action: Ordinance - Second Reading

Time Requested: 5 minutes

Proposed Motion

I move to adopt Bill No. 112, on second reading, Ordinance No. ___, an ordinance amending Title 8, Public Peace, Safety And Morals, Chapter 8.10, Recreational Vehicle Parking, Sections 8.10.040, Definitions, and 8.10.050, Recreational Parking On Public Streets, to add utility trailers to the list of recreational vehicles for which on-street and off-street parking requirements apply and to limit on-street parking of recreational vehicles to specific periods for loading and unloading only.

Board's Strategic Goal

Quality of Life

Previous Action

On November 19, 2015, the Board of Supervisors discussed proposed RV parking regulations, took public comment, and directed staff to prepare an ordinance that would provide for better enforcement of the RV parking regulations and to include utility trailers in the parking requirements.

The Board of Supervisors introduced the ordinance on July 7, 2016.

Background/Issues & Analysis

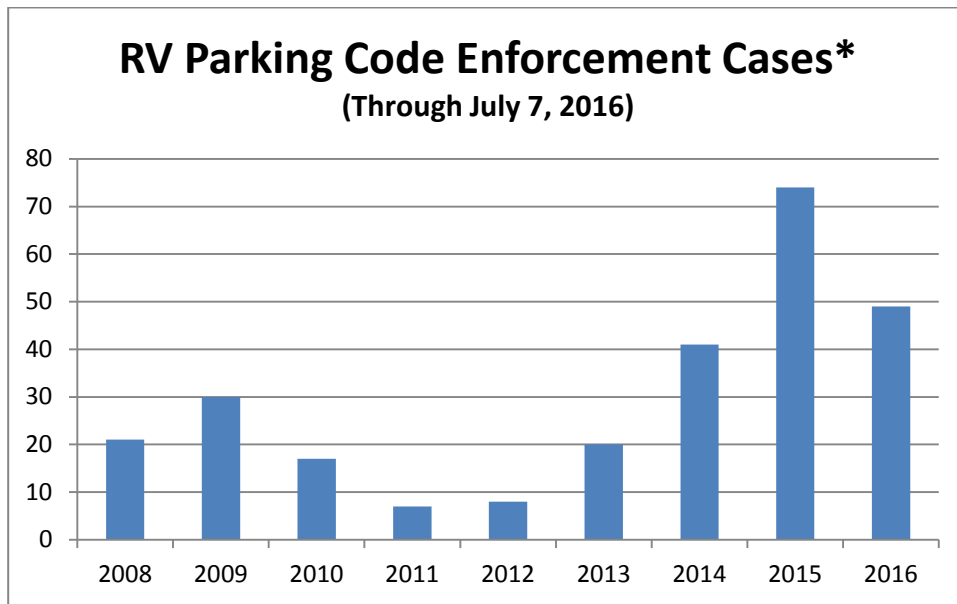
CCMC 8.10.050 as it is currently written is difficult to enforce from a legal standpoint, in part due to lack of specificity and in part due to provisions that make it difficult to track current time limits. Without an established method to track the hours of parking versus "unloading," problems are foreseen with proving the case beyond a reasonable doubt in court through the citation process. The Code Enforcement Division has worked with the District Attorney's Office to create regulations that are legally and effectively enforceable.

The Code Enforcement Division has recently been receiving an increased number of complaints regarding RV's and other types of trailers parking on streets in residential neighborhoods. Enforcement of the current

regulations occupies a disproportionate amount of Code Enforcement staff time because they have to make multiple visits to the site to track parking duration. It can also be difficult to ultimately get enforcement—which has to be through the courts—when RV owners just move the RV around on the street to avoid parking time limits at any given location.

In addition to RV parking issues, boats and various types of utility trailers are not currently covered under the RV parking ordinance and, therefore, there are no time limits for boats and trailers being parked on streets other than standard vehicle on-street parking limitations.

The following graph shows the number of RV parking cases opened by the Code Enforcement Division from 2008 through July 7, 2016, based on complaints.



* Excludes calls to the Sheriff's Department.

The proposed modifications of the on-street RV parking provisions will allow for better enforcement of parking time limits and would add boat and utility trailers to the list of "RV's" to which the regulations apply.

To enforce the modified provisions, a notice (similar to a parking ticket warning) can be affixed to an RV if it is seen parked on the street. The notice can clearly indicate the CCMC's requirements, and also notify the owner that they have 72 hours from the notice (date and time of notice indicated on notice) to remove the vehicle. If the vehicle is in front of the same residence after 72 hours, a citation can be issued without concern for whether or not the RV has been moved and then returned to the same location. This meets the original intent of the RV parking ordinance.

Applicable Statute, Code, Policy, Rule or Regulation

Chapter 8.10, Recreational Vehicle Parking.

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number: N/A

Is it currently budgeted? Yes No

Explanation of Fiscal Impact: A business impact statement is not required in this case as CCMC 8.10.050 is a zoning-based regulation for residential zones pursuant to NRS Chapter 278. See CCMC 8.10.010. Therefore, it is

not a "rule" as the term is defined in NRS chapter 237, and as such does not require a business impact statement. See NRS 237.060 (c).

Alternatives

The board may modify or deny the proposed changes.

Attachments:

- 1) Ordinance

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

BILL NO. 112

ORDINANCE No. 2016-__

AN ORDINANCE AMENDING TITLE 8, PUBLIC PEACE, SAFETY AND MORALS, CHAPTER 8.10, RECREATIONAL VEHICLE PARKING, SECTIONS 8.10.040, DEFINITIONS, AND 8.10.050, RECREATIONAL PARKING ON PUBLIC STREETS, TO ADD UTILITY TRAILERS TO THE LIST OF RECREATIONAL VEHICLES FOR WHICH ON-STREET AND OFF-STREET PARKING REQUIREMENTS APPLY AND TO LIMIT ON-STREET PARKING OF RECREATIONAL VEHICLES TO SPECIFIC PERIODS FOR LOADING AND UNLOADING ONLY.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 8 (Public Peace, Safety and Morals), Chapter 8.10 (Recreational Vehicle Parking), is hereby amended as follows (**bold, underlined** text is added, ~~stricken~~ text is deleted):

8.10 – Recreational vehicle parking.

8.10.010 - Applicability.

The provisions of this chapter apply to all zoning districts and to every parcel of property in Carson City upon passage of this ordinance and codified in this chapter unless indicated otherwise for a particular zoning district. Design standards are contained within this section.

8.10.020 - Purpose.

The purpose of this chapter is to promote the health, safety and general welfare of the people of, and visitors to, Carson City, by providing minimum standards to assure the safety and general welfare of citizens and visitors relative to the parking, occupation and storage of recreational vehicles and other matters related to recreational vehicle usage.

8.10.030 - Conflicting regulations.

Wherever any provision of this chapter imposes more stringent regulations, requirements or limitations than are required by the provisions of other law or ordinance, the provisions of this chapter shall govern.

8.10.040 - Definitions.

1. "Hard surface" means six inches (6") of decomposed granite or gravel graded and compacted to development standards or two inches (2") of asphalt or cement concrete.
2. "Highway" shall have the meaning ascribed to it by CCMC10.04.250.

3. "Parked" means short term occupation by a recreational vehicle of a portion of a street for less than seventy-two (72) hours.
4. "Recreational vehicle" means and includes the following **for the purposes of parking such vehicles pursuant to Section 8.10:**
 - a. "Camping trailer" means a folding, temporary dwelling structure mounted on wheels and designed for travel, recreation or vacation use, which includes its own towing vehicle.
 - b. "House trailer" shall have the meaning ascribed to it by CCMC 10.04.270.
 - c. "Motor home" means a portable, temporary dwelling designed for travel, recreation or vacation use, which is constructed to be an integral part of a self-propelled vehicle.
 - d. "Park trailer model" means a portable temporary dwelling unit containing its own wheels and designed for travel, recreation or vacation use.
 - e. "Pick-up coach" means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation or vacation.
 - f. "Toy"—"Cargo hauler" means a temporary dwelling, combined recreational vehicle and/or cargo hauler, designed for travel, recreation or vacation use, which may be a self-propelled vehicle or include its own towing vehicle.
 - g. "Travel trailer" means a vehicular portable structure, built on a chassis designed to be used as a temporary dwelling for travel, recreation or vacation, and having a body width not exceeding eight (8) and one half feet and a body length not exceeding sixty (60) feet, not including its own towing vehicle.
 - h. "Utility trailer" or "trailer" means a vehicle, other than a vehicle that is without motor power and is designed for carrying persons, property, equipment, or other items on its own structure, including, but not limited to, flatbed trailers, hauling trailers, and boat trailers.**
5. "Sidewalk" shall have the meaning ascribed to it by CCMC 10.04.560.
6. "Storage" means long term occupation by a recreational vehicle of a portion of a street for more than seventy-two (72) hours.

8.10.050 - Recreational vehicle parking on public streets.

A recreational vehicle may be parked on a city street subject to the following restrictions:

- ~~1. Recreational vehicles may not be parked or stored on city streets in any zoning district from November 1 through March 31 except for loading or unloading purposes, not to exceed seventy-two (72) hours.~~

~~2. From April 1 through October 31, a recreational vehicle may not be parked on a city street for more than one (1) one hundred twenty (120) hour period in any thirty (30) day period except for loading or unloading purposes, not to exceed seventy-two (72) hours.]~~

1. Recreational vehicles may not be parked or stored on city streets in any zoning district, except for loading or unloading purposes.

2. Loading or unloading for the purposes of this section means: the presence of a recreational vehicle will be permitted on city streets in any zoning district for a period up to seventy two (72) consecutive hours in one occurrence.

3. Not more than two (2) occurrences of loading or unloading within a thirty (30) day time period will be allowed. The two (2) occurrences in a thirty (30) day time period must not be consecutive to each other.

[3]4. For the purposes of loading or unloading, [A] a recreational vehicle may not be parked on a city street without the permission of the lawful occupant of the property abutting the street where the recreational vehicle is parked. No part of a parked recreational vehicle may extend past that portion of the street which abuts the property for which permission has been given. No wires, [houses] hoses or other conduits may cross sidewalks, public walkways, public right-of-way or the property of another.

8.10.060 - Recreational vehicle parking on private property.

A recreational vehicle may be parked on private property subject to the following restrictions:

1. Only the property owner's personal recreational vehicle(s) can be parked on his private property.
2. Recreational vehicles may only be parked on a hard surface, front driveway in a residential zone. Recreational vehicles may be parked in side or rear yards in residential zones which may or may not be on hard surfaces.
3. In residential zones, when recreational vehicles are parked in driveways or side yards adjacent to the front setback, which are within ten feet (10') of an adjacent neighbor's driveway, recreational vehicles must be set back from the back edge of the curb a minimum of eight feet (8'). In cul-de-sacs, the driveway distances shall be reduced to six feet (6') of an adjacent neighbor's driveway, and the setback shall be reduced to four feet (4').

8.10.070 - Inoperable vehicles.

Inoperable motorized on non-motorized vehicles may not be left on city streets for more than twenty-four (24) hours.

8.10.080 - Storage of recreational vehicles.

Storage of an unoccupied recreational vehicle is permitted on property legally occupied by the owner of the recreational vehicle or on commercial or industrial land subject to the requirements of Title 18 of this code.

8.10.090 - Occupied recreational vehicle parking in commercial parking lots.

Occupied recreational vehicles may be parked in commercial parking lots having twenty-five (25) or more spaces subject to the following conditions:

1. Recreational vehicles may not be parked overnight in commercial parking lots unless done pursuant to subsection 2 below which deals with parking.
2. A recreational vehicle may be parked in a commercial parking lot for a period not to exceed seventy-two (72) hours provided that the parking spaces occupied by recreational vehicles meet the requirements of this code for recreational vehicle parking spaces, and said spaces are approved by the city, except that commercial parking lots shall not provide water systems, sewage disposal systems, electrical systems or restroom facilities within the commercial parking lot unless the parking spaces are authorized as recreational vehicle parks.
3. The minimum setback of a recreational vehicle parked in a commercial parking lot to any public street, right-of-way line or property line shall be fifteen feet (15').
4. The minimum distance between recreational vehicles and any building shall be fifteen feet (15').
5. The minimum distance between recreational vehicles (front and rear) shall be fifteen feet (15'). The minimum distance between recreational vehicles from side to side shall be ten feet (10').
6. A recreational vehicle space in a commercial parking lot shall have a hard surface parking space with a minimum dimension of forty feet (40') by eighteen feet (18') designated by striping painted on the surface of the space.
7. Access to recreational vehicle space must be designed and marked to minimize traffic congestion and hazards on the commercial parking lot or adjacent parking lots, driveways and public streets.
8. The property owner or lawful occupant of a commercial parking lot which provides spaces for recreational vehicle parking pursuant to this section must provide for the storage, collection and disposal of refuse in containers approved by the city which shall be located not more than one hundred feet (100') from the most distant recreational vehicle space. Refuse collection areas must be screened from view by fencing and/or landscaping approved by the city. Refuse must be collected at least twice weekly or as necessary, and transported to a proper disposal site in Carson City.
9. Recreational vehicle spaces in commercial parking lots must comply with all fire department requirements for such spaces.

- 10. Owners of commercial property with parking lots of more than twenty-five (25) spaces and who do not offer recreational vehicle parking space as provided by this section, shall post signs stating as follows: No Overnight Truck, Recreational Vehicle Parking or Camping pursuant to CCMC18.05.030—"Fine \$100.00."
- 11. Commercial parking lots that allow recreational vehicles to park must have plans as required by this code approved by the city prior to occupancy.

8.10.100 - Obstruction of public passage.

Except as otherwise provided in CCMC Chapter 11, no person shall place or cause to be placed any object or vehicle upon any sidewalk or highway which will impede the passage of pedestrians or vehicular traffic.

8.10.110 - Violation, penalties.

Any person, property owner or owner of any recreational vehicle, tractor trailer, or part thereof, who fails to comply with the provisions of this chapter, or assists or permits another to violate its provisions, shall be guilty of a misdemeanor offense, and, upon conviction, shall be subject to the penalties for such a violation as provided in this code.

SECTION II:

That no other provisions of Title 8 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2016.

PROPOSED by _____.

PASSED _____, 2016.

VOTE: AYES: SUPERVISORS: _____

NAYS: SUPERVISORS: _____

ABSENT: SUPERVISORS: _____

 Robert Crowell, Mayor

ATTEST:

SUE MERRIWETHER
CLERK/RECORDER

This ordinance shall be in force and effect from and after the _____ day of _____, 2016.