



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: TEXT AMENDMENT

Applicant: Morgan County Planning & Development
Applicant's Agent: N/A
Zoning Ordinance: Morgan County Zoning Ordinance Chapter 7.43 Individual Recreational Vehicles

Summary

Morgan County Planning & Development is proposing to add Chapter 7.43 to the Morgan County Zoning Ordinance to address ongoing issues with recreational vehicles. Planning Staff has seen an increase in individual RVs used as single-family dwellings in the last year. While RVs have been used as residences for years, the recent housing boom and quick house sales are encouraging the use.

Typically, Staff is encountering one of the following scenarios, in order of most prevalent:

1. The prospective RV resident says they have to live in their RV on their property because their house sold too quickly.
2. The prospective RV resident wants to live in their RV while they are building their house.
3. "Can I just store my RV on my vacant property? And can I also get power and an address? I promise I won't live there."
4. The prospective RV resident says they have to live in their RV on their property because they need their money to build their new house.
5. The prospective RV resident says they have to live in their RV on a friend's/family member's property because they can't find land in Morgan County and they need to get their kid(s) into the school system.
6. The property owners request an RV so that an ailing family member can stay beside them or so a family member can be nearby to assist them.

Notice that the request due to sick relatives, which used to be the primary reason for RV residence requests, is the least used reason now. The main reasons now revolve around poor planning related to land purchases or house sales. None of the above situations prevent the RV owner from renting a residence. And every time we have been asked if an RV could be kept on vacant property or property with just a barn or shop, the RV has become a residence, despite promises to the contrary.

The only language currently in the Zoning Ordinance to address individual RVs is in the Chapter for Recreational Vehicle Parks:

Section 7.18.15 Recreational Vehicles on Private Lots

Individual recreational vehicles occupied temporarily by a guest of the owner or tenant of the property on which the recreational vehicle is located, shall be allowed, not to exceed 15 consecutive calendar days in any 60 day period. No recreational vehicle shall be used as a permanent residence on any private lot.

The main issue with this language is the use of the word *consecutive*. Savvy RV owners determined that they could stay 15 days, leave one day, and then come back. If the new language is approved, this language will need to be removed to prevent contradiction.

Current and Proposed Language

Chapter 7.43 Individual Recreational Vehicles

Section 7.43.1 Purpose and Intent

The purpose of this Chapter to detail Morgan County's individual recreation vehicle regulations, which are separate from regulations described in this Ordinance for Recreational Vehicle Parks. It is Morgan County's policy that individual recreational vehicles shall not be considered equivalent to, not be permitted as, permanent residential structures.

Section 7.43.2 Prohibitions

Individual recreation vehicles are not permitted as permanent residences in any zoning district. No recreational vehicle may be connected to a well, septic tank or to an electrical power pole, temporary or otherwise. Waste from recreational vehicles may not be buried or disposed of on the ground. Except for the purpose and time frame provided for in Section 7.43.4, no electrical cords or generators may be used to provide power to any recreational vehicle, nor may any water line be connected. In addition to the presence of water, septic or electrical connections, the following factors may constitute acts to be considered indicative of residential use: 1. Evidence of persons entering or exiting the vehicle; 2. Illumination of the vehicle; 3. Accessory structures about the vehicle; 4. Window masking; 5. Expanded bays "popped out."

Section 7.43.3 Storage of Recreational Vehicles

No recreational vehicle may be stored on property that does not contain a residence. No more than one recreational vehicle may be stored on property in any zoning district, unless approved as a Recreational Vehicle Park or Campground. Recreational vehicles shall not be parked in the front yard.

Section 7.43.4 Recreational Vehicles as Temporary Guest Housing

Recreational vehicles may be used as temporary guest housing in zoning districts where single family dwellings are permitted. Recreational vehicles that are owned by non-Morgan County residents, guests or visitors and are registered and tagged from outside the county may be parked or occupied by guests

or visitors on property on which a permanent occupied dwelling is located for a total cumulative period not to exceed 30 days per calendar year while visiting the resident of such property. This cumulative total period may include visits by a single guest or multiple guests over the period, but no more than one recreational vehicle at a time. Such recreational vehicles may not be parked on a street, sidewalk or right-of-way.

Staff Comments

Staff's goal in presenting the language is to create enforceable methods of preventing RV residential occupation while still allowing for guests to visit in RVs.