



MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf,
Planning & Development Director

DATE: August 3, 2015

SUBJECT: Amendment to Unified Development Code (UDC) §154-02-004, Residential
District Uses relating to the use of RVs as temporary dwellings **P15-007**

Background

The Town is considering provisions that would allow Recreational Vehicles to be utilized as temporary dwellings in conjunction with residential uses/residential zoning districts. The UDC currently prohibits the use of RVs for dwelling purposes unless they are located in an RV park or part of a limited number of spaces located within a Manufactured Home Park.

Analysis

The potential amendment would allow residents to host guests/family members on their property for short-term visits. It would also allow for caregivers to provide in-home care for patients, so that residents could remain in their homes and receive short-term health care assistance if medically necessary.

Following a survey of numerous other communities, we have found a number of similarities in how temporary RV living is regulated. Most jurisdictions require a permit. On the average a stay of 14 to 21 days is the maximum allowable length of stay for visitors. Staff's draft provides for anyone to stay in their RV as a guest of any single-family residence for a period of up to 14 days without a fee. For longer stays, it has been drafted to allow stays up to 90 days with a fee-based permit. No visits would be permitted beyond 90 days. A maximum of 90 days per calendar year is proposed as the limit for any property to be utilized for RV camping.

For palliative or respite care scenarios, a longer time is allowed with evidence of need. In these scenarios, staff suggests the same provisions that allow for RV use on the site of construction, which is up to one year. Some form of evidence of need shall be provided with the permit.

Utility connection guidelines varied, but were normally limited to “quick-connect” type services only. In Payson, the Northern Gila County Sanitary District, which treats the wastewater for the majority of our residential lots prohibits the connection of RVs to public sewer facilities. Therefore, staff has proposed a very specific definition for quick-connect services that would include electricity and water only.

The proposed amended § 154-02-004B.9 is attached hereto as Exhibit A. On July 20, 2015 a letter was sent to the homeowners associations within the Town that have registered their contact information with Community Development. Exhibit B is a copy of the letter along with the responses received as of July 28, 2015.

Staff Recommendation

Suggested Motion to recommend Approval:

“I move the Planning & Zoning Commission recommend to the Town Council approval of P15-007 an amendment to the Residential district uses to allow RVs to be used for temporary dwellings as detailed in Exhibit A of this staff memo.”

Attachments:

Exhibit A - proposed revisions to UDC § 154-02-004B.9 and new definition
Exhibit B - letter to HOA’s and related responses

EXHIBIT A

§ 154-02-004 RESIDENTIAL DISTRICTS.

(B) Residential district stipulations and provisions.

(9) Trailers or recreational vehicles.

(a) Recreational vehicles and trailers may be parked on private property subject to the provisions below:

1. Recreational vehicles shall not be used as permanent dwellings;
2. Recreational vehicles shall not be connected to a sewer system other than in an approved manufactured home park
3. Recreational vehicles and/or trailers shall not be used for storage purposes or as an accessory building.

(b) Trailers and recreational vehicles shall not be parked on any town street or right-of-way except as provided in divisions (c) and (d) below.

(c) Property owners and lessees may park one non-commercial trailer, recreational vehicle, or commercial trailer not exceeding 40 feet in length, per parcel, in the unimproved portion of the right-of-way between their property and the roadway improvements subject to the following:

1. Parking is prohibited within 35 feet of an intersection.
2. Parking must be at least three feet behind any right-of-way improvements.
3. Parking must be at least five feet from a parcel owned by someone other than the property owner or lessee.
4. Parking is prohibited when it creates a traffic hazard.
5. Any trailer or recreational vehicle parked in the unimproved portion of the right-of-way may be removed by the town or other utility when necessary to install, improve, repair, or remove public utilities in the right-of-way. Except in cases of emergency, the town utility shall provide five working days notice requesting the owner to remove the trailer or recreational vehicle.
6. The Public Works Director may temporarily prohibit parking in specific portions of the unimproved right-of-way. The Public Works Director, upon confirmation of the Town Manager, may permanently prohibit parking in specific portions of the unimproved right-of-way.
7. A right-of-way permit must be obtained if a homeowner desires to make any modification, excavation or other improvement in the right-of-way.

(d) Recreational vehicles may be temporary parked in the improved portion of the right-of-way for temporary loading and unloading subject to the following:

1. Temporary parking shall not exceed 24 consecutive hours nor more than 48 hours in any calendar month.

2. Temporary parking is prohibited in a no parking zone or if it creates a traffic hazard including, but not limited to impairing vision in sight triangles at intersections or not allowing vehicles to safely pass on the street.

(10) A travel trailer, or manufactured home may be used on construction sites for temporary residence and/or storage of materials; provided that such use is only for the duration of the construction at the site, not to exceed one year, and there are active permits for the construction.

(11) One (1) recreational vehicle may be allowed on a property that has a primary single family residential use established for up to one 14-day period for visitation purposes subject to the provisions below:

(a) A Temporary Parking Pass shall be displayed on the RV.

(b) No more than one recreational vehicle parking pass and/or zoning permit shall be allowed at any one time.

(c) The use of a Temporary Parking Pass shall be limited to a maximum of 14 days per calendar year.

(12) One (1) recreational vehicle may be allowed on a property that has a primary single family residential use established for up to one 90-day period for visitation purposes subject to the provisions below:

(a) prior to the start of the 90-day period a zoning permit shall be obtained and approved by the Zoning Administrator or his/her designee;

(b) The recreational vehicle shall be located in the side yard or rear yard only;

(c) Utility connections shall be quick-connect/disconnect services only.

(13) One (1) recreational vehicle may be placed on a single family residential property or upon a property utilized for single family dwelling purposes for the purpose of short-term occupancy of a health care provider or for short term lodging subject to the provisions below;

(a) prior to placement of the recreational vehicle a zoning permit must be completed and approved by the Zoning Administrator (or designee);

(b) The length of the permit shall not to exceed one (1) year;

(c) Evidence of the need for a short-term care provider must be provided at time of application.

(d) No more than one recreational vehicle parking pass and/or zoning permit shall be allowed at any one time

(e) Utility connections shall be quick-connect/disconnect services only.

§ 154-11 Definitions

*Quick connect/disconnect services - (Temporary water and power supply to) - The temporary supplying of power and/or water **to** a recreational vehicle via external sources. Quick-connect/disconnect services specifically preclude any type of connection to sanitary sewer or septic systems.*

EXHIBIT B



Town of Payson
Community Development Department
303 North Beeline Highway
Payson, AZ 85541
Phone : 928-474-5242 • Fax : 928-472-7490 • TDD: 928-472-6449
www.paysonaz.gov

July 20, 2015

Dear Payson Area Homeowners Associations:

The Town of Payson is considering amendments to the zoning code provisions pertaining to the use of Recreational Vehicles (RV) on properties used for single family dwellings. Presently, RV's are allowed to be parked on properties, but are not allowed to be lived in for even temporary stays.

Based upon inquiries by citizens and following a review of other Arizona municipalities the Town will consider amendments that could allow the use of RV's for short-term lodging on properties either for guests or for temporary medically-necessary assistance for residents.

In an effort to gather input from the community on these potential changes, and to allow area homeowner associations to evaluate the impact of potential changes within their own neighborhood guidelines we are reaching out to you for your feedback.

The Town of Payson Planning & Zoning Commission will hold a public hearing concerning this matter at 3:00 p.m., August 3, 2015 in the Town Council Chambers. More detailed information, including a draft of potential changes, will be available on the Town of Payson website at: www.paysonaz.gov no less than 48 hours prior to the public hearing. You may also contact the undersigned at your convenience for further information.

In closing, I thank you for your great stewardship of Payson's neighborhoods and look forward to hearing from you.

Sincerely,

Sheila DeSchaaf,
Planning & Development Director
(928) 474-5242 x 354
sdeschaaf@paysonaz.gov

DeSchaaf, Sheila

From: Flora Bird [flobird1@hotmail.com]
Sent: Monday, July 20, 2015 4:51 PM
To: DeSchaaf, Sheila
Subject: RE: Your feedback is appreciated - potential Town of Payson code amendment

Dear Sheila,

The Pinion Ridge Property Owners' Association in 2010 changed their CC&R's as follows:

Item 4.11

Temporary Structures: No structure of a temporary character, motor home, recreational vehicle, or travel trailer, regardless of its nature or form, shall be used as a residence. However, motor homes or travel trailers may be used as a temporary residence by visitors if the period of use and location of use are approved by the Board of Directors in writing.

I will forward the information about the meeting on August 3, 2015 to the President of the Association.

Thank you for the information,

Flora Bird
Secretary,
Pinion Ridge Property Owners' Association

Subject: Your feedback is appreciated - potential Town of Payson code amendment

Date: Mon, 20 Jul 2015 15:24:07 -0700

From: sdeschaaf@paysonaz.gov

To: info@alpineheightshoa.com; jkcpa@aol.com; melissar@ogdenre.com; jiftye@gmail.com;
wayne.forestedge@gmail.com; tonisarcinella@aol.com; goldenfrontierhoa@yahoo.com;
budfox5@gmail.com; djackson.tennis@gmail.com; bjpparish@aol.com; petekirsch@msn.com;
jbshoe@npgcable.com; bigbass85284@yahoo.com; rthomas@amcorprop.com; paysonairport@usa.net;
barbaraunderwood@yahoo.com; twofriends@npgcable.com; mboyd@mkbc.com;
suzy1974@rimgolfhoa.com; flobird1@hotmail.com

All,

Please read the attached letter concerning a potential zoning code amendment that would affect all properties used for single family residential purposes. The proposed amendment could allow RVs to be utilized for temporary lodging for visitors and/or for caregivers providing short-term respite/palliative or similar care for the occupants of the main dwelling, etc.

Please contact me with any questions or concerns.

Sincerely,

*Sheila DeSchaaf, Planning & Development Director
Town of Payson, 303 N. Beeline Hwy. Payson, AZ 85541
(928) 474-5242 x 351. F: (928) 472-7490*

DeSchaaf, Sheila

From: Melissa Glinzak [mailto:melissar@ogdenre.com]
Sent: Wednesday, July 22, 2015 3:48 PM
To: DeSchaaf, Sheila
Subject: RE: Your feedback is appreciated - potential Town of Payson code amendment

Another question for you... could this be considered something that we would have to allow due to a disability? I'm just trying to cover the Association's that I have to ensure if they'll be affected or not. So far Chaparral Pines, Mountain View Manor and Frontier Cove all have parking restrictions for mobile homes, rv's, trailers, etc. stating no parking except for loading/unloading and cleaning with no more than 24 hour time limits. Longhorn Village has a 2 day cap on mobile homes, rv's, trailers, for parking in their parking lots. Therefore, I at least have recourse for not having this occur, however, if it is a respite situation I just don't know if it could be considered a disability. Any thoughts on this?

Thanks!!

From: DeSchaaf, Sheila [mailto:sdeschaaf@paysonaz.gov]
Sent: Monday, July 20, 2015 4:45 PM
To: Melissa Glinzak
Subject: RE: Your feedback is appreciated - potential Town of Payson code amendment

Hey Melissa,

Most likely it wouldn't, because I would venture a guess that your requirements within Chaparral Pines, for example, are already more stringent than what the Town allows.

Generally speaking though, I put this out to the HOA's to allow them time to prepare for any desired changes to their own CC&R's in the event they had planned on the Town's standards as they relate to RVs.... The T.O.P. only enforces what is currently reflected in the zoning code. So if the association has a more-restrictive provision (or prohibition) the HOA would have to enforce their own provisions instead of relying upon Town code enforcement action.

Best,
Sheila

From: Melissa Glinzak [mailto:melissar@ogdenre.com]
Sent: Monday, July 20, 2015 4:13 PM
To: DeSchaaf, Sheila
Subject: RE: Your feedback is appreciated - potential Town of Payson code amendment

How would this effect private/gated communities?

From: DeSchaaf, Sheila [mailto:sdeschaaf@paysonaz.gov]
Sent: Monday, July 20, 2015 3:24 PM
To: info@alpineheightshoa.com; jkcpa@aol.com; Melissa Glinzak; jiftye@gmail.com; wayne.forestedge@gmail.com; tonisarcinella@aol.com; goldenfrontierhoa@yahoo.com; budfox5@gmail.com; djackson.tennis@gmail.com; bijjparish@aol.com; petekirsch@msn.com; jbshoe@npgcable.com; bigbass85284@yahoo.com; Robin Thomas; paysonairport@usa.net; Barbara Underwood; twofriends@npgcable.com; mboyd@mkbc.com; suzy1974@rimgolfhoa.com; flobird1@hotmail.com
Subject: Your feedback is appreciated - potential Town of Payson code amendment

All,

Please read the attached letter concerning a potential zoning code amendment that would affect all properties used for single family residential purposes. The proposed amendment could allow RVs to be utilized for temporary lodging for visitors and/or for caregivers providing short-term respite/palliative or similar care for the occupants of the main dwelling, etc.

Please contact me with any questions or concerns.

Sincerely,

Sheila DeSchaaf, Planning & Development Director
Town of Payson, 303 N. Beeline Hwy. Payson, AZ 85541
(928) 474-5242 x 354, F: (928) 472-7490
sdeschaaf@paysonaz.gov

A handwritten signature in cursive script that reads "Sheila DeSchaaf".

Disclaimer