

ORDINANCE NO. 315-801

AN ORDINANCE AMENDING TRINITY COUNTY
ZONING ORDINANCE NO. 315
PERTAINING TO THE USE AND OCCUPANCY OF
RECREATIONAL VEHICLES AND CAMPING ON PRIVATE LANDS

The Board of Supervisors of the County of Trinity, State of California, does ordain as follows:

Whereas, the Planning Commission and Board of Supervisors have had numerous complaints by citizens of the County regarding an unchecked proliferation of un-permitted and regulated temporary occupancies of land by recreational vehicles (RVs) and other temporary facilities such as tents, camper, etc.; and,

Whereas, the County of Trinity does have some limited provision within its current zoning regulations, within Section 27 G, that authorizes seasonal or temporary uses of RVs for limited periods of time; and,

Whereas those provisions lack detail and have not been uniformly administered, conditioned or monitored over time and this has resulted in a variety of potentially unsafe or unhealthy living situations, as RVs nor Park Trailers are not suitable for permanent, year round occupancy per the Health and Safety Code (See sections 18009.3 and 18010); should not be considered an extension of living space of a single family dwelling and,

Whereas, some examples of these unsafe or unhealthy living situations include such issues as the lack of ability to withstand winter snow loads, can not stay "self contained" for extended periods thereby generating wastewater disposal issues, can be used to increase residential density beyond control of local building codes, are often powered by noisy generators, and can thereby result in neighborhood compatibility issues; and,

Whereas, there is also a legitimate need to balance the reasonable desires of property owners ability to utilize there land for some seasonal occupancy for recreational purposes or for temporary occupancy of land while more permanent living facilities are being constructed.

Therefore, the County of Trinity proposes to create a more detailed provision for such temporary occupancies by implementation of the following code amendment to provide uniform standards for such temporary occupancies.

SECTION I: The Trinity County Zoning Ordinance, Ordinance No. 315, is hereby amended by deleting Section 27 G therefrom, and adding Section 30 H, as follows:

SECTION 30.H Temporary Occupancies

- A) No person shall camp on private property, or place or use any recreational vehicle on such property, except as provided in the zoning district in which the camping or RV use occur, and as further provided in this section.
- B) Definitions.

- 1) To "camp," or "camping," shall mean the occupancy of a lot or parcel, for a 24-hour period or longer, for living, sleeping, and/or sanitation, within temporary structures such as tents, canopies, tarps, or other shelters.
 - 2) "Recreational vehicles" [See Health & Safety Code Section 18010]
- C) Camping and the placement of recreational vehicles on property shall be permitted on lots or parcels subject to compliance with all of the following requirements:
- 1) A person shall not camp or place a recreational vehicle on a lot or parcel for more than 30 days in any one year period, measured from January 1 to December 31. Camping or placement of a recreational vehicle for more than 30 days shall require a Director's Use Permit and shall comply with the standards of Paragraph (D) for extended stay permits.
 - 2) Tent camping is permissible only on parcels five (5) acres or larger, unless such camping is done in association with and accessory to a permitted single family dwelling on site
 - 3) Placement of recreational vehicles is permissible only on parcels two-and-one-half (2.5) acres or larger.
 - 4) Sanitation facilities for the camping or recreational vehicles shall be either fully self-contained, or shall be connected to a fully permitted sewage disposal system serving the property.
 - 5) No permanent power may be permitted in association with the camping use
 - 6) Generators or other noise generating devices shall not be operated between the hours of nine (9) pm and seven (7) am weekdays and nine (9) pm and nine (9) am weekends.
 - 7) All portions of tents and associated camping equipment and facilities shall be a minimum of 100 feet from all property lines. All portions of recreational vehicles shall be a minimum of 30 feet from all property lines.
 - 8) Outside cooking shall be subject to all applicable fire safe standards.
 - 9) All camping shall comply with State Fire Safe Guidelines (see PRC 4290).
 - 10) At the termination of the term of camping or recreational vehicle use, all improvements, including tents, temporary structures, recreational vehicles, etc. shall be removed from the property.

- 11) The recreational vehicle shall remain towable at all times and shall be currently registered with DMV within the State of California. No buildings may be attached to it.
 - 12) A Recreational Vehicle may be stored on a property. Such RV shall not be connected to utility (minor connection for prevention of mildew may be considered) and shall not be used for occupancy unless done so within the parameters of these provisions. The connection to any utility may be considered prima facie evidence of occupancy.
 - 13) These provisions shall limit camping in a tent or recreational vehicle to no more than one such unit on land less than five (5) acres. On parcels greater than five (5) acres there may be two such units. Provisions for greater numbers may be considered under variance procedures as provided in Section 31 of the Zoning Ordinance.
 - 14) All such permitted units shall post in a clearly visible location a placard to be issued by the County of Trinity that will indicate the subject unit is currently permitted under these provisions
- D) Extended camping or placement of a recreational vehicle may be permitted on a parcel upon the granting of a Director's Use Permit and subject, in addition to those provisions of 30H(c), to the following additional standards:
- 1) Seasonal camping or recreational vehicle placement may be permitted for up to a maximum of 90 days.
 - 2) Any connection to utility such as power, water, and septic must be approved by the Building Inspector, the Environmental Health Division, and/or any other agency having jurisdiction over such utilities.
 - 3) Prior to placement of the recreational vehicle, the applicant must obtain a septic permit from the Environmental Health Division, install the sewage disposal system, and hook the recreational vehicle to the system. A portable toilet shall not meet the requirements of this subparagraph.
 - 4) The applicant shall demonstrate an approved, legal water source.
 - 5) An Encroachment Permit from the public right of way is required for the driveway.
 - 6) At the termination of the term of use, the recreational vehicle shall be removed from the property; however a fully permitted self contained RV may be placed in dead storage, i.e. all utility connections shall be removed and no occupancy may occur. Connection to any utility shall be considered prima facie evidence of occupancy.
 - 7) By applying for the permit the applicant shall acknowledge that the County building official, Division Environmental Health staff, and other

staff have the ability to inspect the property to insure compliance with all applicable standards

- 8) All such units shall post in a clearly visible location a placard to be issued by the County of Trinity that will indicate the subject unit is currently permitted under these provisions.

E) Temporary Construction Support: Temporary occupancy of a recreational vehicle to be occupied during the course of construction of a single family dwelling may be permitted regardless of parcel size upon granting of a Director's Use Permit, subject to the following standards:

- 1) A valid building permit for the single family dwelling to be constructed must be in effect.
- 2) The applicant must obtain a permit from the Building Department for hookup of the recreational vehicle to utilities prior to occupancy.
- 3) Prior to occupancy of the recreational vehicle, the applicant must obtain a permit from the Environmental Health Division, install the sewage disposal system and hook the recreational vehicle to the system. A portable toilet shall not meet the requirements of this sub-paragraph.
- 4) The use permit is valid for one year only from the date of issuance and may be renewed as provided in Section 32 E (4) of this ordinance, provided the permit remains active and satisfactory progress in the construction of the dwelling is made.
- 5) The RV is subject to the vegetative clearance standards of Public Resources Code 4291 and that section's implementing regulations.
- 6) Once the dwelling is cleared for occupancy, the recreational vehicle must be disconnected from all utilities. It may be stored on the property, but cannot be lived in. Connection to any utility shall be considered prima facie evidence of occupancy
- 7) An encroachment permit shall be required for any connection to a public right of way.
- 8) Generators or other noise generating devices shall not be operated between the hours of nine (9) pm and seven (7) am weekdays and nine (9) pm and nine (9) am weekends.
- 9) By applying for the permit the applicant shall acknowledge that the County building official, Division Environmental Health staff, and other staff have the ability to inspect the property to insure compliance with all applicable standards

F) The provisions of this subsection shall not apply to the storage of a recreational vehicle for personal use of a homeowner residing in a legal, permanent dwelling on the property.

SECTION II. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrases be declared invalid.

SECTION III. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

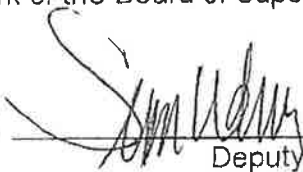
Introduced, passed and enacted by the Board of Supervisors of the County of Trinity, State of California after public hearing duly noticed, on the 23rd day of April, 2013 by motion, second (Fenley/Pflueger), and the following vote:

AYES: Supervisors Pflueger, Fenley, Morris, and Fisher
NOES: Supervisor Chapman
ABSENT: None
ABSTAIN: None
RECUSE: None


DEBRA CHAPMAN, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: 
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:


David Prentice, County Counsel