

RV Dwelling Unit Draft Ordinance

Section 12.03.151 Recreational Vehicle Dwelling

A. **Purpose.** The purpose and intent of this Section is to provide for and establish reasonable regulations regarding occupation of Recreational Vehicles to provide needed housing for County residents.

B. **Definitions.** For the purposes of this Section the following definitions shall apply:

1. Recreational Vehicle (RV) – A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy that is structurally sound, safe to occupy and protect occupants from the elements, which meets all of the following criteria:
 - a. It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
 - b. It contains 400 square feet or less of gross area measured at maximum horizontal projections.
 - c. It is built on a single chassis.
 - d. It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

This definition excludes a “Camping Cabin” as provided for in California Health and Safety Code (HSC) Sections 18862.5 and 18871.11 and Title 25 California Code of Regulations (CCR) Section 2327; or a Park Trailer, as defined by HSC Section 18009.3.

C. **Standards.** For purposes of this section, an RV is allowed as a residential dwelling on private property, subject to zoning compliance and building permits as required and site inspection with renewal every two years and shall comply with the following standards:

1. **Permitting.** A RV Dwelling Certificate of Use shall be valid for two years and may be renewed, at a fee established by the Board of Supervisors, so long as the RV, upon site inspection meets the standards outlined below. The RV shall be unoccupied within ten (10) days of permit expiration.
2. **Inspection.** Prior to the initial issuance of a County Certificate of Use and renewal, the Fire Agency and Code Compliance shall perform an inspection of the site to ensure compliance with the standards contained herein. Further inspection by other regulatory agencies shall be required if necessary. An RV shall not be occupied until all relevant permits supporting the RV occupancy have received final from the appropriate agency or department and a County issued Certificate of Use is obtained.
3. **Certifications.** RVs constructed on or after January 1, 1999, but before July 14, 2005, must comply with the ANSI A119.5 standard. RVs manufactured on or after July 14, 2005, must be constructed in accordance with the NFPA 1192 standard. Compliance with these standards can be determined by an insignia similar to those issued by the Recreational Vehicle Industry Association (RVIA) that

is permanently affixed to the RV. However, an insignia issued exclusively by RVIA is not required (HSC Section 18027.3, as may be amended).

- a. Any recreational vehicle manufactured on or after January 1, 1999 shall bear a label or an insignia indicating the manufacturer's compliance with the American National Standards Institute or National Fire Protection Association standard as defined above.
 - b. Any recreational vehicle manufactured prior to January 1, 1999, shall bear a label or an insignia of approval indicating the manufacturer's compliance with the American National Standards Institute standard or a department insignia issued prior to January 1, 1999, indicating compliance with the state standard that was in effect pursuant to this chapter on the date of manufacture, including any modifications contained in regulations.
4. Registration. A current DMV registration permit shall be required and maintained on the RV at all times.
 5. Deed Restriction. Prior to the issuance of the Certificate of Use for an RV dwelling, the owner shall record a deed restriction which addresses restrictions on the unit as follows:
 - a. An RV dwelling may be rented for long-term use only (30 consecutive calendar days or more); short-term rentals are prohibited.
 6. Zoning, Density and Property Size. An RV may be allowed as an additional dwelling unit for density purposes as allowed for in this Code Section, exclusive of County Code Title 12, Chapter 3, Section 12.03.190 et. seq., on property that is three (3) acres or greater with a permitted single-family dwelling in the Residential Agricultural (RA), and all Rural (AG, AE, FR and TPZ) Zoning Districts.
 - a. No more than one RV may be occupied as a housing unit pursuant to this Code Section on any property.
 - b. An RV dwelling may be established provided that no other dwelling unit, other than a primary single-family dwelling, and second dwelling unit consistent with density as allowed for by County Code Title 12, Chapter 3, Section 12.03.192, is established on the parcel.
 7. Location. The RV shall be in conformance with setback requirements identified by the County Site Development Standard for a single-family dwelling as required within the Zoning District where the unit will be located.
 8. Site Development Standards: All site development standards applicable to a single-family dwelling shall apply to placement of the RV to be occupied.
 9. Accessory Structures: Accessory structures such as decks, porches, sheds, gazebos, and ramadas shall be designed to be detached from the RV. All accessory structure(s) shall be permitted, inspected and receive final, if required for said structures.

10. Foundation. The RV shall not have its wheels removed and the wheels shall remain inflated. All wheels and leveling/support jacks shall meet manufacturers specifications and shall sit on a surface sufficient to support its weight.
 - a. Parking areas for the RV and associated vehicle parking shall utilize a paved or gravel surface. For the purpose of this subsection, a paved surface shall be a minimum thickness of two inches of asphalt concrete or four inches of reinforced Portland cement concrete over four inches of Class II aggregate base. A chip seal surface shall be a double seal coat over four inches of Class II aggregate base. A gravel surface shall be four inches of Class II aggregate base. All base material shall have a 95 percent compaction over a subgrade compacted to 90 percent. The finish grade for the RVs parking area shall not exceed two percent slope in any direction.
 - b. The RV shall be tied down with anchors or otherwise stabilized as designed by the manufacturer and shall include using wheel chocks and jacks. Use of leveling blocks beyond those provided as standard equipment are prohibited.
11. Screening. The undercarriage, including wheels and axles shall be concealed from view by screening that is solid and fixed at all times during habitation.
12. Habitability. RV dwellings must comply with basic habitability standards such as those found in HSC Section 17920.3 as may be amended, and include but are not limited to the following:
 - a. The RV dwelling must include provisions for living and sleeping in the unit with heat and lighting.
 - b. The RV dwelling shall provide dedicated access separate from the primary dwelling to hot and cold potable water, a kitchen, toilet, bathing facilities, and a lavatory sink.
 - c. Street address numbers shall be visible from the street and meet Nevada County Addressing regulations pursuant to the County Code Title 16, Chapter 1.
 - d. Smoke and Carbon Monoxide Detectors: Every sleeping area and the hallway providing access to the sleeping area shall be provided with operable smoke detectors. A carbon monoxide detector shall be required for any unit that contains a carbon-fueled appliance or heating device. Said detectors must be maintained in good working condition at all times.
 - e. A portable fire extinguisher meeting Class 2A10BC requirements must be present and accessible within the RV at all times.
 - f. Solid waste management shall comply with local and state laws including but not limited to County Code Title 15, Chapter 13, Sections 15.13.060 and 15.13.070.
 - g. Utility Connections and Mechanical Equipment.
 1. The RV shall be connected to the existing permitted water supply and onsite sewage disposal facilities that serve the onsite single-family dwelling subject to permitting and inspection by the Environmental Health Department and/or utility provider, if

on public water or sewer; or All new water supply and onsite wastewater sewage disposal infrastructure that serve the RV shall meet the requirements of Local Area Management Plan (LAMP) and Onsite Wastewater Treatment System (OWTS) Policy as administered by the Department of Environmental Health, unless an alternative or temporary septic disposal method or water supply is otherwise approved such as a grey water system or waterless toilets, permitted and inspected by the Environmental Health Department.

- a) Water supply, if provided by Residential Well, must ensure that the main residence and the RV have a daily gallon per minute (gpm) service of no less than 3gpm per residence. Well should have a 6gpm production otherwise a storage tank may be required to support the main residence and the RV.
 - b) The water supply and sewage disposal must be maintained in good working order and functions as originally designed and approved. All sewage (grey and black water) shall be properly permitted and disposed of as specified above.
2. A building permit shall be obtained from the Building Department for the installation of dedicated electrical equipment, panels, meters, or devices required to power a recreational vehicle. These utility connection features may require protective bollards at the discretion of the Building Official. Properly sized extension cords (typically 30 or 50 amps) may be used to connect the RV to the dedicated electrical equipment. Conversely, the use of extension cords to supply power to an RV from non-dedicated electrical equipment is strictly prohibited. An RV may be connected to a permitted, dedicated off-grid electrical system consistent with the Building Department's off-grid policy. Use of a generator as the primary power source for an RV is strictly prohibited.
 3. All fuel connections such as propane or natural gas shall be sufficient to meet the energy demands of the unit and shall meet the manufacturer's specifications. Ground mounted propane tanks require a building permit.
 4. Any water, sewage drain, electrical, fuel supply or other utility connection and installation shall conform to State and local regulations and require inspection by the Building Department or Environmental Health Department and issuance of a permit.
 5. Wood burning heat sources are prohibited.
- h. All recreational vehicles (RVs), including any modifications, attachments, appliances, mechanical equipment, utility connections, support systems, and associated components—whether temporary or permanent—must be installed, maintained, and operated in a safe manner that protects the health, safety, and welfare of occupants, neighboring properties, the environment, and the public and does not create a hazard or safety risk.

Any alterations, repairs, or modifications to an RV that, if performed on a conventional dwelling structure and would typically require a building permit, must be inspected and verified by either a certified ANSI (American National Standards Institute) inspector or a qualified RV repair professional. Such verification must demonstrate that all work has been completed in accordance with applicable ANSI standards for recreational vehicles. Documentation verifying compliance of the work shall be provided to the County.

- h. Wind and Snow Loads. The RV shall be constructed to meet the snow load requirements of Title 25 of the Code of Regulations, Chapter 3, § 208.305(c)(3)(1) and to have the snow load capacity to resist the roof live load applicable to the site where the unit is placed.
 - 1. If located at or above 3,200 feet in elevation, the RV shall be placed under an approved engineered protecting ramada or snow shelter, unless it can be demonstrated that the RV itself meets the required minimum load standards.
 - 2. An RV located at or above 3,200 feet in elevation, for purposes of this ordinance, are required to provide a signed maintenance agreement with the Building Department concerning the removal of snow from the top of the RV.
- 13. Driveways. The onsite driveway access shall meet the minimum fire safe driveway standard pursuant to County Code Title 4. Fire Safety Regulations, Chapter 3. Driveways.
- 14. Fire Protection Plan. The RV dwelling is subject to the following provision:
 - a. Prior to approval and issuance of the RV Dwelling Certificate of Use the applicant shall submit a Fire Protection Plan approved by the County Fire Marshal and/or their designee. The approved original shall be kept on file with the Planning Department and an approved copy shall be provided to and kept on file with the appropriate fire district. The Fire Protection Plan shall be site specific and address the following issues:
 - 1. The proximity to emergency responders and estimated emergency response times.
 - 2. Describe the primary (and secondary if applicable) access road conditions.
 - 3. Verification that no combustible material is allowed to be stored under the unit.
 - 4. Identify the project's emergency water supply or emergency water storage facilities consistent with Nevada County Code Title 4. Fire Safe Regulations, Chapter 4. Emergency Water Supply.
 - 5. Location of the required fire extinguisher.
 - 6. Identification of a feasible evacuation plan and/or safe evacuation routes for future occupants of the project; and
 - 7. Provide a Fuels Management Plan that requires:
 - a) Defensible space design consistent with Public Resources Code 4291.

- b) Identification of high fuel load areas.
- c) How adequate defensible space will be ensured.
- d) The mechanism for maintaining defensible space; and
- e) Identification of a feasible evacuation plan and/or safe evacuation routes for use by future occupants of the project.

Title 12, Chapter 6, Section 12.06.010: Definitions (blue text new language)

Existing.

Recreational Vehicle, Qualified means a recreational vehicle that meets all of the following minimum construction standards:

~~A. Either:~~

- ~~1. Manufactured after 1974 and before 1999 in compliance with the 1974 ANSI 119.2 standard or better as provided for herein and with requirements of the State Department of Housing and Community Development (HCD) and bearing its certification sticker; or~~
- ~~2. Manufactured after 1998 in compliance with the 1998 Edition of the ANSI standard A119.5 for park trailers, and the 1996 Edition of the ANSI standard A119.2 for all other recreational vehicles or better and bearing a label or insignia indicating the manufacture's compliance to the appropriate ANSI standard.~~

~~B. Certified, to the satisfaction of the Building Department, to meet the snow load requirements of Title 25 of the California Code of Regulations, Chapter 3, 208.305(c)(3)(1) and to have the snow load capacity to resist the roof live load applicable to the site where the unit is placed (or placed under an approved protecting ramada if the recreational vehicle does not itself meet the required minimum load standards);~~

~~C. Contain a minimum of three hundred twenty (320) square feet of internal living area;~~

~~D. Set up in compliance with no less than the manufacturer's minimum specifications or engineer's certification, with provisions for attachment of not less than six (6) ground anchors to the chassis being provided unless other methods are determined necessary for safety by the Building Official (when over the roof ties are provided, strapping shall conform to Federal Specification QQS 781-H); and~~

~~E. Manufactured or modified with HCD or HUD approval to meet the fire safety requirements of ANSI A119.5 Standard for Park Trailers Sections 3-2.3, 3-2.4 and 3-4 (including 3-4.1, 3-4.2, 3-4.3 and 3-4.4).~~

Proposed: (Health and Safety Code Section 18010, as may be amended)

“Recreational vehicle” means the following as defined by HCS Section 18010, as may be amended:

- (a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, that meets all of the following criteria:
- (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
 - (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections.
 - (3) It is built on a single chassis.
 - (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

Table 12.02.210.B
Single-Family Districts Allowable Uses and Permit Requirements

Key to Land Use Permit Requirements:

- A — Allowed subject to zoning compliance and building permit issuance
- DP — Development Permit required per Section 12.05.050
- UP — Use Permit required per Section 12.05.060
- NP — Not Permitted
- NA — Not Applicable
- Varies — Refer to listed Title 12 Section for allowable uses and permit requirements.

ALLOWABLE LAND USES (See <u>Section 12.01.040</u> for Similar Uses)	RA	R1	Zoning Sections

Dwelling, Single-Family ⁽²⁾	A	A	
Dwellings, Multiple-Family	UP	UP	12.03.170
Dwelling, Accessory and/or Junior Accessory Unit	A	A	12.03.191
Dwellings, Second Units consistent with allowed density	DP	DP	12.03.192
<u>Dwelling, Recreational Vehicle</u>	<u>A</u>	<u>NP</u>	<u>12.03.151</u>

Table 12.02.030
Rural Districts Allowable Uses and Permit Requirements

Key to Land Use Permit Requirements:

- A — Allowed subject to zoning compliance and building permit issuance
- DP — Development Permit required per Section 12.05.050
- UP — Use Permit required per Section 12.05.060
- NP — Not Permitted
- NA — Not Applicable
- Varies — Refer to listed Zoning Section for allowable uses and permit requirements.

ALLOWABLE LAND USES (See <u>Section 12.01.040</u> for Similar Uses)	AG	AE	FR	TPZ	Zoning Sections

Dwelling, Single-Family (including Transitional and Supportive Housing)	A	A	A	A	

Dwelling, Accessory and/or Junior Accessory Unit	A	A	A	A	12.03.191
Dwellings, Second Units consistent with allowed density	DP	DP	DP	DP	12.03.192
Dwellings, Multiple-Family	UP	UP	UP	UP	12.03.170
Dwelling, Recreational Vehicle	A	A	A	A	12.03.151

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