

# Memo

**To:** Planning Commission

**From:** Mark Stursma, Planning Director 

**Date:** February 27, 2019

**Re:** ORD #1834 – Recreational Vehicles

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In addition to the change in recreational vehicle length allowed in rear and side yards proposed by Councilmember Lu Ann Kluch, Staff added a text amendment to address some confusing language regarding the loading/unloading period for recreational vehicles parked in the front parking zone. Councilmember Lu Ann Kluch was not made aware of Staff's proposal prior to the issuance of the Planning Commission Staff Report due to a communication error. As such, she has not had an opportunity to communicate Staff's recommended change with constituents and other interested parties. She has respectfully requested that the amendment proposed by ORD #1834 be reverted to her original request to avoid any confusion.

Staff apologizes for the miscommunication regarding the scope of the changes related to recreational vehicles. Accordingly, staff prepared the attached amended legislative version of ORD #1834. Any Planning Commissioner wishing to make a motion to approve ORD #1834 with the requested amendment should reference the date of this memo. Staff recommends that the motion begin as follows:

"I move to recommend approval of the version of ORD #1834 (TC-19-0003), dated 2/27/19."

Thank You.

**Ordinance No. 1834**  
**Legislative Tracked Changes**  
**Amended 2/27/19**

**Article XXXVI. Off-Street Parking**

**§ 205-249. Parking for commercial, personal, and recreational vehicles.**

- A. Applicability. This section permits the parking of commercial vehicles (heavy), commercial vehicles (light), personal vehicles, recreational vehicles, and trailers on a single lot in a residential district subject to specific conditions. All such vehicles and trailers must be operational and be currently registered. [Amended 10-6-1998 by Ord. No. 1275]
- B. Hard surface parking. All parking of vehicles and trailers on a single lot in a residential district must occur on a hard-surface connected by a hard-surface to a dedicated public right-of-way and/or alley. The paved parking shall not exceed the maximum impervious coverage limit for the lot.
- C. Measurement of recreational vehicles and trailers.
- (1) Height. Height shall be measured from the grade of the hard surface where the vehicle or trailer is parked to the top of the vehicle excluding the contents stored on a trailer and any appurtenances.
  - (2) Width. Width shall be measured at the widest points of the vehicle or trailer and shall, if applicable, exclude side mirrors, the contents stored on a trailer, and any appurtenances.
  - (3) Length. The length of a recreational vehicle or trailer shall be measured from the front of the unit to the rear of the unit. For recreational vehicles, the measurement of length shall exclude any hitch or appurtenance attached to the vehicle. For trailers, the measurement of the length shall exclude the tongue so long as the tongue attaches to the rear of the pulling vehicle at or near axle height. In contrast, tongues that attach to the pulling vehicle above the axle, such as “goose neck” type or “fifth-wheel” type tongues, shall be included in the measurement of length.
  - (4) Appurtenances. For the purposes of measurement of recreational vehicle height, width, and length, appurtenances to recreational vehicles shall include air-conditioning units, bicycle racks, spare tires, or similar items. For the purposes of measurement of trailer height, width, and length, appurtenances to trailers shall include air-conditioning units, bicycle racks, spare tires, boats, ATVs, or similar items.

D. Number of vehicles.

- (1) Commercial vehicles (heavy). No heavy commercial vehicles shall be parked on any lot within the R-1, R-2, R-3, R-4 and MH Residential Zoning Districts, except for two occurrences during any 30-day period to allow for unloading and loading. Each occurrence shall not exceed 48 hours in duration. [Amended 10-6-1998 by Ord. No. 1275]
- (2) Commercial vehicles (light). A total of two light commercial vehicles may be parked on a single residential lot as permitted within any parking zone.
- (3) Personal vehicles. There shall be no limit to the number of personal vehicles parked in any parking zone, but the same shall comply with all other city ordinances concerning nuisances and abandoned vehicle ordinances.
- (4) Recreational vehicles and trailers.
  - (a) Only one recreational vehicle or trailer that does not exceed a length of 20 feet, or a height of 12 feet, or a width of 10 feet is permitted in the front parking zone. There shall be no limit to the number of recreational vehicles or trailer parked in the street side, interior side, or rear parking zones provided that each recreational vehicle or trailer does not exceed a length of ~~35-45~~ feet, or a height of 12 feet, or a width of 10 feet, but the same shall comply with all other city ordinances concerning nuisances and abandoned vehicle ordinances.
  - (b) No recreational vehicles or trailers that exceed a length of ~~35-45~~ feet, or a height of 12 feet, or a width of 10 feet shall be parked on any lot within the R-1, R-2, R-3, R-4 and MH Residential Zoning Districts, except for five days per calendar month to allow for unloading and loading, provided that any part of a day shall constitute one day for the calculation of the unloading and loading period.
  - (c) Any owner of a Class B or Class C motor home that exceeds a length of 20 feet, or a height of 12 feet, or a width of 10 feet may apply for a Special Designated Recreational Vehicle Parking Permit (SDRVPP) to allow such Class B or Class C motor home to continue to be legally parked on the residential lot occupied by said owner of the Class B or Class C motor home, provided that such motor home was titled prior to May 31, 2017 and the SDRVPP was obtained no later than December 1, 2017. The SDRVPP may be used to allow a subsequent Class B or Class C motor home to be stored by the original applicant for the SDRVPP on the same residential lot for which the original SDRVPP was issued. The SDRVPP shall not be transferrable to any subsequent owner of the motor home, any subsequent owner or

occupier of the residential lot for which the SDRVPP was issued, or any residential lot owned or occupied by the permit holder other than the lot for which the SDRVPP was issued.

(5) Vehicle stacking. Personal and recreational vehicles may only be vertically stacked on a trailer when the vehicle(s) being stacked, including the trailer, can safely and legally be transported as cargo. Only one set of stacked vehicles, including the trailer, shall be permitted in the front parking zone. A set of stacked vehicles, including the trailer, that meet this requirement may be considered one vehicle for the purpose of parking requirements.

E. Location of parking of commercial vehicles (heavy), commercial vehicles (light), personal vehicles, recreational vehicles, and trailers. (NOTE: Any exceptions previously granted for the parking of personal or recreational vehicles prior to the adoption of Ord. No. 1275 shall remain in full force and effect.) [Amended 5-7-1996 by Ord. No. 1215; 10-6-1998 by Ord. No. 1275]

(1) Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district. [Amended 5-7-1996 by Ord. No. 1215]

(2) For any recreational vehicle or trailer over 20' in length, the full width and length of such recreational vehicle or trailer, as defined in § 205-249C, must be entirely contained within the rear, street side, or interior parking zone(s) where such vehicle or trailer is parked. No portion of such recreational vehicle or trailer that is included in the measurement of length or width may encroach into the front parking zone.

(3) Front parking zone. The front parking zone is defined as the area between the front lot line and the front building line of the principal structure.

(4) Rear parking zone. The rear parking zone is defined as the area between the rear lot line and the rear building line of the principal structure.

(5) Street side parking zone. The street side parking zone is defined as the area between the street side lot line and the street side building line of the principal structure excluding any portion of the street side yard that is included in the front or rear parking zones. Parking of vehicles within a required street side parking zone is prohibited except when such parking occurs:

(a) On a driveway that takes direct access from the street adjacent to the street side yard, or:

(b) Within the area between the street side yard setback and the street side yard building line of the principal structure.

- (6) Interior side parking zone. The interior side parking zone is defined as the area between the interior side lot line and the interior side building line of the principal structure excluding any portion of the interior side yard that is included in the front or rear parking zones.
  
- F. [Amended 10-6-1998 by Ord. No. 1275] Special provisions for recreational vehicles. Where permitted, parking and storage of recreational vehicles are subject to the following conditions:
  - (1) Recreational vehicles must be maintained in a clean, well-kept state.
  
  - (2) Recreational vehicles equipped with liquefied petroleum gas containers must ensure that such containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation or the American Society of Mechanical Engineers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.
  
  - (3) Recreational vehicles shall not be used as a residence within any R-1, R-2, R-3, R-4 and MH Zoning District except by temporary nonpaying guests of the owner of the property for a maximum of three consecutive days or 20 days total during any calendar year.
  
- G. The storage, keeping or abandonment of parts, including scrap metals, from motor vehicles or machinery, or parts thereof, is prohibited on any lot, parcel or tract of land or part thereof, situated within the zoning jurisdiction of the City of Papillion, except in enclosed buildings or garages or where otherwise permitted by this chapter.