

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA AMENDING TITLE 17 OF THE TEHAMA COUNTY CODE REGULATING THE OCCUPANCY AND PLACEMENT OF TRAVEL TRAILERS AND RECREATIONAL VEHICLES AS TEMPORARY RESIDENCES

THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA ORDAINS AS FOLLOWS:

SECTION 1. Chapter 17.86 is hereby added to the Tehama County Code to read:

Chapter 17.86

OCCUPANCY OF TRAVEL TRAILERS AND RECREATIONAL VEHICLES

Sections:

17.86.010 – Purpose.

17.86.020 – Definitions

17.86.030 – Uses Requiring A Use Permit.

17.86.040 – Uses Requiring a Temporary Occupancy Permit

17.86.050 – Permit; Application.

17.86.060 – Permit Issuance Standards.

17.86.070 – Additional Standards for Issuance of a Use Permit.

17.86.080 – Standard Terms and Conditions.

17.86.090 – Permit; Term.

17.86.100 – Permit; Extension(s).

17.86.110 – Permit; Revocation, Modification, Suspension.

17.86.120 – Penalty.

17.86.130 – Limitations on Chapter.

17.86.140 – Amortization of Existing Nonconforming Uses.

17.86.150 – Fees.

17.86.010 – Purpose.

- A. The purpose of this Chapter is to regulate the occupancy of travel trailers and recreational vehicles within the unincorporated areas of Tehama County, subject to the conditions set forth herein.

17.86.020 – Definitions.

For the purpose of this Chapter the following definitions shall apply:

- A. "Place of human habitation" shall mean a recreational vehicle or travel trailer used for more than one consecutive day in a three hundred and sixty five day period, which contains facilities for living, sleeping, cooking, eating, restroom, or bathing.
- B. "Premises" shall mean a single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall be counted as a single "premises" for purposes of this chapter.
- C. "Recreational vehicle" means a vehicle as defined in Chapter 15.28.040;
- D. "Travel trailer" means any unit used for living or sleeping purposes and which is equipped with wheels or similar devices used for the purpose of transporting it from place to place, whether by motive power or other means, or from which such wheels have been removed, and designed to provide facilities for human habitation or camping purposes, or for carrying persons or property, including but not limited to a camper, trailer, motor home, house car or trailer coach. "Travel trailer" shall not include a mobile home regulated by Section 15.28.

17.86.030 — Uses Requiring A Temporary Occupancy Permit or Use Permit.

- A. Except as provided in subdivision (b), no person shall occupy as a place of human habitation any travel trailer or recreational vehicle for twenty-one (21) or more days in a three hundred and sixty-five (365) day period without first obtaining a temporary occupancy permit issued by the Tehama County Planning Department, and only during the term of such permit.
- B. No travel trailer or recreational vehicle shall be occupied as a place of human habitation for any period of time in any RE: Residential Estate Districts, or R1: One-Family Residence Districts without a valid use permit issued in accordance with Chapter 17.70.

17.86.040 — Temporary Occupancy Permit; Application.

A temporary occupancy permit for human habitation of a travel trailer or recreational vehicle pursuant to Section 17.86.030, subdivision (a) shall be issued by the Planning Department only upon application and payment of the scheduled fee and upon a finding and determination by the Director of Planning that the placement substantially complies with the standards specified herein including all applicable State statutes and County ordinances.

17.86.050 — Permit Issuance Standards.

All of the following conditions must be satisfied before the Director of Planning will issue a permit for the temporary occupancy of any travel trailer or recreational vehicle:

- A. The proposed location for placement of a travel trailer or recreational vehicle must comply with all applicable provisions of the Tehama County Zoning Code and other applicable ordinances.

- B. The premises must have a residential structure or manufactured home on a permitted foundation system for which a final certificate of occupancy has been issued in accordance with Title 15 of the Tehama County Code, or a building permit for such a structure or manufactured home must have been issued and not expired.
- C. The travel trailer or recreational vehicle shall not be placed on a permanent foundation and no more than one such vehicle may be permitted on the premises.
- D. The Applicant shall install a permitted travel trailer or recreational vehicle station on the property that shall include:
 - i. Electrical panel on a pedestal with weather proof GFI protected receptacle with cover that can remain closed when extension cord is plugged in. All electrical connections shall be Building Department permitted and approved outlets only.
- E. The Applicant shall submit a Site Plan for such station and RV parking to the Planning Department, Building Department, Environmental Health Department and the Tehama County Fire Department, which shall include the following:
 - i. Parking area for the travel trailer or recreational vehicle;
 - ii. Location of the travel trailer or recreational vehicle electrical panel;
 - iii. Location of septic tank or other legal sewer utility;
 - iv. Location of leach field;
 - v. Location for the sewer hookup and clean out for the travel trailer or recreational vehicle;
 - vi. Location of potable water connection;
 - vii. Location of any nearby structures and their distances if closer than one hundred (100) feet to the proposed location of the travel trailer or recreational vehicle;
 - viii. Applicant shall provide a diagram or floorplan of the travel trailer or recreational vehicle visually depicting the layout of the enclosed spaces, which may include tables, counters, sinks, water closet, cooking devices, sleep quarters etc. Applicant shall state what types of fuel fired or electrical heating devices will be utilized with the travel trailer or recreational vehicle;
 - ix. Location of enclosed trash and recycling receptacles for the occupant(s) of the travel trailer or recreational vehicle;
 - x. Identify the distances from the proposed travel trailer or recreational vehicle to adjacent property lines.
- F. The location of the travel trailer or recreational vehicle must be at least twenty (20) feet from any other structures, at least fifty (50) feet from the centerline of a road or twenty-five (25) feet from the property line (whichever is more) and twenty-five (25) feet from any other property line.

- G. The Applicant must either own the property or have notarized permission from the owner(s) to use the premises for this purpose.
- H. A deposit or bond in the amount of \$1,000 to cover the removal expense shall be posted prior to the issuance of the permit and the Applicant shall grant Tehama County the right to remove the travel trailer or recreational vehicle, and to store it at the sole cost and expense of the Applicant, upon expiration or revocation of the permit.
- I. Any additional and supplemental information which the Planning Department, Department of Public Works, Department of Environmental Health, Department of Building and Safety, and Tehama County Fire Department determines is reasonably necessary to process the Application.
- J. The Tehama County Environmental Health Certification and approval for any wells and or septic system identified on the Site Plan shall be provided in writing and submitted with the Site Plan prior to the placement and occupancy of the travel trailer or recreational vehicle.

17.86.060 — Additional Standards for Issuance of a Use Permit.

- A. In addition to all the requirements for the issuance of a temporary occupancy permit stated in Section 17.86.060, applicants seeking a use permit pursuant to section 17.86.030, subdivision (b) must also provide the following:
 - i. All application materials generally contained in the submittal requirements in Sections 17.70.020 (A)-(D);
 - ii. The Site Plan shall demonstrate that the travel trailer or recreational vehicle is placed on the proposed site in a manner that will conceal the Recreational Vehicle or Travel Trailer from adjacent property owner(s) and/or the public view so that it will not adversely impact said parties.
- B. For all use permits issued under pursuant to section 17.86.030, subdivision (b), the travel trailer or recreational vehicle shall not be used for human habitation for more than ninety (90) days in a three hundred and sixty-five (365) day period; and on a yearly basis the Planning Department shall re-inspect the premises for permit compliance and recertification of the use permit.
- C. The Planning Commission in its discretion may place conditions on any use permit pursuant to Chapter 17.70, in addition to those set forth in Section 17.86.070.

17.86.070 — Standard Terms and Conditions.

All travel trailers or recreational vehicles permitted under this Chapter shall adhere to the following conditions:

- A. The location of the travel trailer or recreational vehicle shall be kept free of litter, trash, and debris at all times. Any and all waste generated from the occupant(s) of the travel trailer or recreational vehicle shall be removed from public view daily and stored in a County approved device.
- B. All waste discharges are to be done at a facility approved by Tehama County.
- C. There shall be no lease, financing, payment, and, or rental involving the occupancy of the travel trailer or recreational vehicle.
- D. There shall be no business conducted from or out of the travel trailer or recreational vehicle.

17.86.080 — Temporary Occupancy Permit; Term.

A temporary occupancy permit pursuant to section 17.85.030, subdivision (a) is issued for six months (6) and renewable for an additional six (6) months. No temporary occupancy permit will be extended beyond the maximum twelve (12) month period except pursuant to section 17.86.090. Upon expiration of the temporary occupancy permit the travel trailer or recreational vehicle shall no longer be used as a temporary residence and shall be immediately removed from the property unless it is stored on the premises in accordance with the provisions of Section 17.86.110.

17.86.090 — Temporary Occupancy Permit Extension(s).

Upon a showing of a substantial hardship, beyond mere economic disadvantage, the Director of Planning may extend a temporary occupancy permit for up to two (2) additional six (6) month periods and shall include in the file the written reasons therefore. Under no circumstances shall maximum term of any temporary occupancy permit, including any extensions authorized under this section, exceed a total of twenty-four (24) months.

17.86.100 — Permit; Revocation, Modification, Suspension.

- A. Any temporary occupancy permit issued pursuant to section 17.86.030, subdivision (a), or any extension thereof, may be suspended or revoked by the Director of Planning, as defined in section 10.16.030, for violation of the provisions of this Chapter or of any terms or conditions attached to the permit and pursuant the requirements prescribed in Chapter 10.16 of this code.
- B. Without limiting any other provision of this Chapter, a use permit for the occupancy of a travel trailer or recreational vehicle in RE: Residential Estate Districts, and R1: One-Family Residence Districts may be suspended or revoked in accordance with Chapter 17.70 if the permit holder does not comply with any provision of this chapter. The Director of Planning shall commence suspension or revocation proceedings if any of the following conditions exist:

- i. The Director of Environmental Health determines that any activity authorized by the permit is being carried out in such a manner as to constitute a nuisance, or to cause injury or unsafe conditions to public health, safety or welfare.
- ii. The Director of Planning determines that a condition of the use permit is being violated or that there exist any grounds that would have been cause for denial of the use permit application.

17.86.110 — Storage of Unoccupied Recreational Vehicles.

This Chapter shall not prohibit the storage of travel trailers or recreational vehicles on real property where such vehicles are not intended for human occupancy, not substandard, and not otherwise restricted by this Code or state law, provided that the travel trailer or recreational vehicle is stored in the following manner:

- A. Disconnected from all electrical power, fuel, gas, water, sewage disposal system, and telephone service;
- B. The floor area of the recreational vehicle(s) or travel trailer(s) included with the area of all existing buildings and structures on the parcel of land does not exceed the maximum percentage of lot coverage permitted in the zoning regulations for that particular parcel of land;
- C. That the placement of such recreational vehicle(s) or travel trailer(s) complies with the setback requirements as provided in the zoning regulations;
- D. Storage of the recreational vehicle or travel trailer herein shall not be setup or installed as required for occupied mobile homes or commercial coaches and shall remain in a condition as required for moving on a public road, except that stabilization devices may be used to prevent damage;
- E. Notice. Except when stored for resale by a licensed recreational vehicle dealer, every person, firm or corporation placing a recreational vehicle or travel trailer in dead storage as provided herein, shall file a notice with the building official within ten days of such placement. Such notice shall be on such form as prescribed by the building official and no fee shall be charged relating to such notice; and
- F. Salvage or Substandard. No recreational vehicle or travel trailer that has been declared by the Environmental Health Department as salvage or substandard shall be allowed to be placed in dead storage pursuant to this section.

17.86.120 — Penalty.

Any person violating any provision of this Chapter shall be guilty of a misdemeanor. Any travel trailer or recreational vehicle placed or occupied in violation of this Chapter is hereby declared to be a public nuisance. Such nuisance may be abated in the manner set forth in Chapter 10.16, in addition to any other remedies.

17.86.130 — Limitations on Chapter.

- A. This Chapter shall not be construed to allow the occupancy or placement of truck or slide-in campers or by camping trailers.

- B. This Chapter shall further not be construed to prohibit or regulate the placement of travel trailers or recreational vehicles within permitted recreational vehicle parks.

17.86.140 – AMORTIZATION OF EXISTING NONCONFORMING RECREATIONAL VEHICLES AND TRAVEL TRAILERS.

All presently existing nonconforming occupied recreational vehicles or travel trailers may continue to be used at their present location for a period of six (6) months from the effective date of the ordinance enacting this Chapter provided that such nonconforming uses are in full compliance with all other provisions of this Code, State and Federal Law on the effective date. No structural alterations may thereafter be made, and the said nonconforming recreational vehicles or travel trailers shall be brought into conformity by removal or relocation, or by obtaining an appropriate permit in accordance with this chapter within six (6) months from the effective date of this ordinance.

17.86.150 – Fees.

The Board of Supervisors may by resolution establish a fee for the processing and determination of Temporary Occupancy Permits.

SECTION 2. This ordinance shall take effect thirty (30) days from the date of its adoption, and prior to the expiration of fifteen (15) days from the adoption thereof shall be published at least one time in the *Red Bluff Daily News*, a newspaper of general circulation in Tehama County.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the ____ day of _____, 2015 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

Burt Bundy, CHAIRMAN, Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, Jennifer A. Vise, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the _____ day of _____, 2015.

DATED: This _____ day of _____, 2015.

Jennifer A. Vise, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California.

By _____
Deputy