



**CITY OF ELK GROVE  
CITY COUNCIL STAFF REPORT**

**AGENDA TITLE:** A review of Zoning Code regulations relating to Recreational Vehicles

**MEETING DATE:** February 22, 2017

**PREPARED BY:** Shane Diller, Assistant Development Services Director

**DEPARTMENT HEAD:** Darren Wilson, P.E., Development Services Director

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**RECOMMENDED ACTION:**

Receive report and provide direction as needed.

**BACKGROUND INFORMATION:**

Elk Grove Municipal Code (EGMC) Chapter 23.58 establishes parking regulations on private property. Section 23.58.040(C)(3) (shown below) establishes allowances and prohibitions as to where recreational vehicles can be parked. Recreational vehicles (defined as boats, motorhomes, personal watercraft, and all-terrain vehicles) cannot be parked within front yard setbacks or within street side yard setbacks.

*“C. Parking Regulations for Vehicles, Trailers, and Vessels*

*3. Recreational Vehicle, Trailer and Vessel Parking. Recreational vehicles, trailers, and vessels of an owner, tenant, guest, or visitor may be parked on any highway (street) for a maximum period of seventy-two (72) hours as provided in EGMC Section 10.24.070(B). Any request to extend this period for guests and visitors shall be submitted in writing to the Chief of Police for consideration and authorization. Recreational vehicle, trailer, and vessel storage is prohibited in required front and street side yards except as provided in EGMC Section 23.84.031. Recreational vehicle, trailer, and vessel parking shall comply with applicable covenants, conditions and restrictions applicable to that subdivision.*

*However, recreational vehicle, trailer, and vessel parking is permitted outside of required front and street side yard setback areas and within interior side and*

*rear yards when screened by a solid six (6' 0") foot tall fence, wall, and/or landscape barrier. Screening shall be consistent with EGMC Chapter 23.52, Fences and Walls. The screening requirement does not apply to parcels with two (2) or more gross acres."*

These standards were established in an effort to improve aesthetics in neighborhoods. Additionally, since recreational vehicles can be parked for significantly longer times than other vehicles, they are more prone to accumulating dust, dirt, or debris, leading to unsightliness.

In response to recent comments that the City Council has received from citizens, Development Services is providing background on the subject, as well as information about enforcement statistics and a survey of regulations from various jurisdictions within the region.

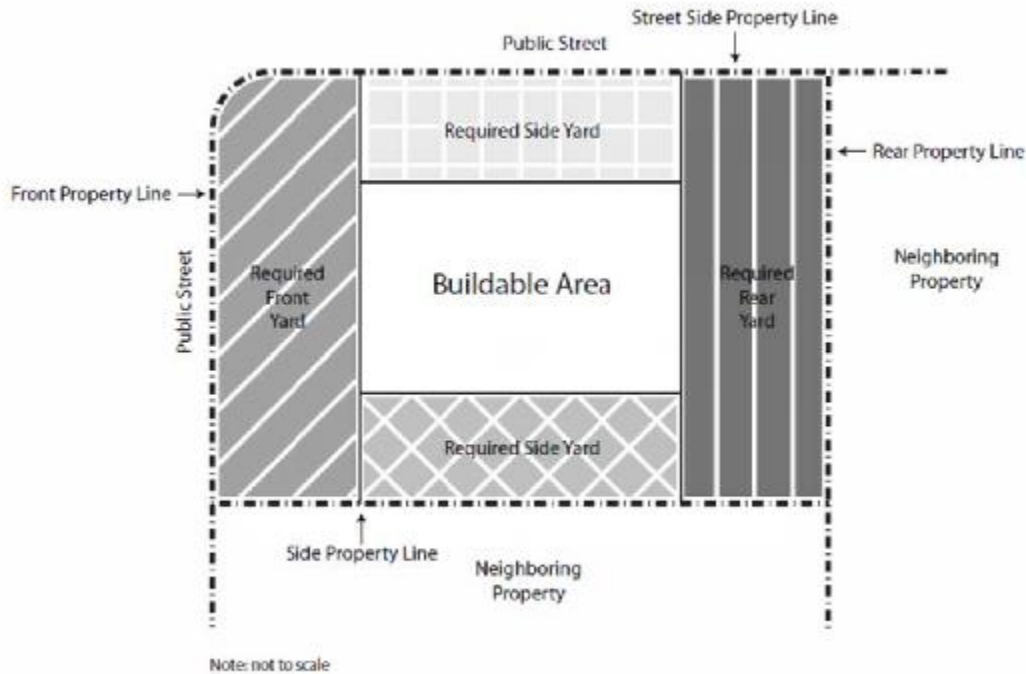
### **ANALYSIS:**

Upon incorporation, the City Council adopted the Sacramento County zoning regulations. Those regulations did not prohibit boat and recreational vehicle parking in setbacks, provided that the boat or recreational vehicle is in good working order.

In 2006, City Council adopted Title 23 of the EGMC, establishing zoning regulations specific to the needs of the City of Elk Grove. By that code, parking regulations were established that prohibited recreational vehicles from being parked in front yard setbacks (driveways and lawns) and in street side yard setbacks (area at the side of a home that runs along a street), except as to vehicles legally parked in the setback areas prior to August 11, 2006 (EGMC §§ 23.58.040(C)(3); 23.84.031; see discussion below).

Setbacks vary from 12.5 feet on some properties to 50 feet on others, depending on the zoning of the property in question. Recreational vehicles may be parked on interior side yard setbacks (area between two homes) or in backyards, provided they are screened by a fence, wall or landscaping. On larger lots, driveways and the space between the side street and home may be of such a distance that a recreational vehicle could be parked in the driveway or on the street side of the home without it being parked in the front or street side yard setbacks.

For illustration, below is a diagram from Title 23 showing the different yard areas mentioned in the setback requirements:



The California Vehicle Code (Section 22651(k)) and EGMC 10.24.075(C)(7) allow recreational vehicles to be parked on the street in the same place for up to 72 hours. EGMC Section 23.58.040(C)(3) also makes an allowance for recreational vehicles for guests and visitors to be parked longer than 72 hours with the express permission of the Chief of Police. The Chief's past practice has been to only issue these when the vehicle being parked for longer than the 72 hour period was done so in connection with a business event or activity. No permits have been granted for extensions of the 72 hour period in residential areas.

On February 22, 2012, City Council considered repealing or amending the code concerning recreational vehicle parking. The consideration was prompted by residents living in older neighborhoods who wished to keep recreational vehicles they had owned and kept in their front yard and street side-yard setbacks prior to the 2006 code adoption. Council direction at that time was to keep the parking standards, and to add language that allowed for recreational vehicles present in street side yard and front yard setbacks to be considered legal non-conforming uses and grandfathered in to the pre-2006 allowances.

In response to that Council direction, a section of Title 23 was adopted which reads:

***“23.84.031 Nonconforming recreational vehicles, trailers, and vessels.***

*Recreational vehicles, trailers, and vessels that were legally parked in required setback areas prior to August 11, 2006, but are inconsistent with the provisions of this title are considered legal nonconforming and are “grandfathered” by this chapter. As such, they may continue to be parked in the required front yard setback area. If the storage loses nonconformance status (as provided in EGMC Section 23.84.040), the recreational vehicle, trailer, and vessel shall be parked in compliance with this title. In order to determine nonconformance status, the City shall require information, such as DMV registration, photographs, satellite imagery, neighbor affidavits, or other justification as determined by the City, to be provided in order to adequately review eligibility.”*

**Enforcement Statistics:**

Title 23, which is the City’s Zoning Code, is generally enforced reactively in response to complaints, and its enforcement was not included in the Fiscal Year 2015-16 proactive enforcement pilot project. The proactive enforcement pilot project was a Council requested effort to proactively enforce nuisances that Code Enforcement most regularly received complaints about when a code enforcement office witnessed a violation. With the exception of temporary sign violations, Zoning Code standards were not included in this project. In Zoning Code cases, Code Enforcement uses its notice of violation and opportunity to comply process before any fees/fines are assessed or legal actions are pursued. This process is very successful, as Code Enforcement successfully closes over 90% of cases with no fee or fine being assessed.

Since February 2012 and the addition of the grandfathering language to the EGMC for vehicles legally parked before August 11, 2016, Code Enforcement has enforced 512 violations of the recreational vehicle parking regulations. No appeals have been filed in a case involving these standards since the 2012 amendment. Code Enforcement currently has 12 open cases pending for violations of recreational vehicle parking. Enforcement of all recreational vehicle parking cases has been suspended pending Council direction.

**Regional Survey:**

Staff has reviewed surrounding jurisdictions in an effort to compare Elk Grove’s definitions and standards. Staff surveyed nine jurisdictions and found that four cities (Sacramento, Galt, West Sacramento, and Rocklin) have restrictions similar to those in Elk Grove’s Municipal Code regarding recreational vehicle parking in setbacks. Most jurisdictions have operability standards and standards for keeping the vehicles in a clean and presentable condition. Should the Council elect to repeal EGMC 23.58.040(C)(3), the City would still have operability (EGMC 6.18.120 and 23.58.040 C 1) and “Visual Blight” (EGMC 16.18.1133(D)) standards that could be enforced on recreational vehicles stored in public view that are either not operable or are in noticeable disrepair (flat tires or missing major components).

Of the nine jurisdictions surveyed, seven jurisdictions included boats in their definition of recreational vehicle or applied the recreational vehicle parking requirements to boats.

Jurisdiction	Definition of “Recreational Vehicle”	Regulation
<p><b>Roseville</b></p>	<p>Built on a single chassis; Four hundred square feet or less; self-propelled or permanently towable and designed as temporary living quarters for recreational, camping, travel, or seasonal use</p>	<p>No Setback requirements.                      Recreational vehicles must be parked on a paved surface when parked on private property.                      May only be parked on the street for less than 72 hours not more than twice in a 14 day period.</p>
<p><b>West Sacramento</b></p>	<p>Recreational Vehicle means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. Includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes, converted trucks or buses, boats and boat trailers, and all-terrain vehicles.</p>	<p>Recreational vehicles may be parked on private property subject to the following standards:                      A. The recreation vehicle shall have a current and valid registration displayed.                      B. If property built before August 23, 1984 must be parked at least five feet from the sidewalk, street right-of-way or property line, whichever is farther.                      C. If property built after August 23, 1984 may not be parked in a required setback adjacent to a public street.</p>

Jurisdiction	Definition of "Recreational Vehicle"	Regulation
		<p>D. The parking space provided for the parking of the recreational vehicle shall not exceed ten feet by thirty-five feet in dimension.</p> <p>G. No more than eight hundred square feet of paved or improved surfaces shall be used for the storage of recreation vehicles on any residential lot.</p>
<b>Rocklin</b>	<p><b>"Recreational vehicle"</b> includes, any of the following: (1) camp trailer, (2) fifth-wheel travel trailer, (3) house car; (4) trailer coach, (5) mobile home, (6) boat, watercraft, and/or a trailer for a boat or watercraft; (7) trailers designed to carry persons, property or animals on its own structure and to be drawn by a motor vehicle;</p>	<p>25 foot setback requirement for parking of recreational vehicle on private property. No screening is required.</p> <p>May be parked in setbacks for up to 48 hours and not exceed 9 days in a 30 day period with proof of contract with a storage facility for regular storage of the recreational vehicle.</p>
<b>Folsom</b>	No definition	<p>No setback regulations</p> <p>If parked on street must be immediately drivable and parked for less than 72 hours.</p>
<b>Citrus Heights</b>	<p>A motor home, travel trailer, truck camper, or camping trailer, with or without motor power, originally designed for human habitation for recreational, emergency, or other occupancy, which is built on a single chassis, and is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.</p>	<p>Allowed to be parked in front and street side yards if operable, on paved driveways leading directly from permitted curb cuts and contained entirely on the private property.</p> <p>This allowances applies to boats as well.</p>
<b>Rancho Cordova</b>	<p>An enclosed piece of equipment dually used both as a vehicle, a temporary travel home, and travel trailers.</p>	<p>Recreational vehicles need current registration, in operable condition and parked on an approved parking surface.</p> <p>Permits boats parking on driveway as long as they are operable.</p>

<b>Jurisdiction</b>	<b>Definition of "Recreational Vehicle"</b>	<b>Regulation</b>
<b>Sacramento County</b>	A camp car, motor home, travel trailer or tent trailer designed for human habitation	Allows boat and RV parking as long as they operable and do not encroach onto the sidewalk.  Not permitted on corner lots due to visibility standards.
<b>City of Sacramento</b>	(1) Travel Trailer: Vehicular portable structure built as a temporary dwelling for travel, recreational and vacation uses (2) Camper: A structure designed to be mounted upon a motor vehicle and with sufficient facilities (3) Motorized Home: Portable dwelling designed and constructed as an integral part of a self-propelled vehicle. (4) Full Tent Trailer: Canvas folding structure mounted on wheels and designed for travel and vacation use. (5) Boats and Boat Trailers: Includes boats, floats and rafts.	Does not allow boats and RV parking in front yard setbacks. Permitted only on an extended driveway at least 44 feet from sidewalk.
<b>City of Galt</b>	A motor home, travel trailer, truck camper, or camping trailer, boat or similar vehicle with or without motive power, designed for human habitation or recreational purposes. A vehicle which is: built on a single chassis; 400 sf or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.	Boats and recreational vehicles must be parked 20ft behind the sidewalk. No screening is required. Parking on street side corner lots is prohibited.  (Galt provided for a hardship allowance during the recession when they suspended enforcement of this regulation)

**Possible Direction:**

Should Council direct staff to amend the current language or repeal EGMC Sections 23.58.040(C)(3) and 23.84.03, staff would process any code amendment through the Planning Commission and return to Council at a near future date.

Should Council direct staff to resume enforcement of the current standards, Code Enforcement would communicate this back to the property owners where cases are open and work with them on reasonable compliance deadlines.

**FISCAL IMPACT:**

There are no fiscal impacts to this item. However, should changes to the Zoning Code result from this discussion, minimal costs will be incurred for staff time to draft and process new amendments through adoption.

**ATTACHMENTS:**

None.