

DR-76-9 - Proposed changes in  
Zoning Ordinance regarding the  
regulation of Recreational Vehi-  
cles, Boats, Campers, etc., in  
Residential Zoning District.

Problems

How can renters obtain variance?  
What about owners of more than one such vehicle

Definitions?

Bulk Restrictions

statement for inoperable vehicles

screened  
and locked up

PUD'S Central storage point <sup>financed by user fees</sup> with fence  
or restrictive covenants to regulate such storage.

Spacing from buildings?

Obsolete or junk **RV'S?**

Sight hazard  
degradation

# of vehicles which may be stored

Guests

Proximity to structures

sight clearance on drives

Storage in side yard hampers fire fighting  
closeness to buildings?

in building

loading or unloading period

all weather surface?

Cities which requested copies of our ordinance

Tucson  
Kansas City, Ks  
Topeka - Shawnee County  
City of Pueblo, Colorado  
Saint Louis Missouri  
OKC

~~OKC~~

3 ft 15' street row

major recreational equipment?  
recreational vehicle?

Hard surface required

Omaha, Nebraska (if stored in front yard)  
University City Missouri  
St. Louis, Missouri  
Tulsa, Oklahoma

Some cities regulate  
by type or class of vehicle  
sho-hie, all-terrain

Proof of ownership of vehicle?  
officer's district?

## Tulsa, Okla.

All vehicles must be parked on an hard surfaced, all weather area. Not more than one vehicle for each 600 square feet contained in a required front or side yards.

Encourage restrictive covenants on plots to deal with the situation.

No inoperative vehicles to be stored.

## St Louis, Missouri

May only be parked in rear yard on all weather surface. When access to rear yard is inadequate may be parked in side yard when adequate barriers are provided to prevent vehicle being parked closer than four feet to property line.

### Bulk regulations

All spaces must be screened by 6 foot solid fence or concealment barrier of plant material which forms a continuous mass & will attain a height of 6 feet within two years.

If lot size is such that reqs. cannot be complied with then vehicle must be stored elsewhere; variance of frontyard setback is usually rejected.

## San Antonio, Texas

~~One~~ <sup>all</sup> vehicle may be parked in rear yard or accessory structure.

Boats not regulated

Variances possible in specific cases whereby conditions much like our own are found.

Tucson, Arizona

cannot be stored in public ROW and no habitations;  
otherwise no regulation

Kansas City, Mo.

No parking in required yards adjacent to  
street ROW

Atlanta

no regulations

Oklahoma City, Okla

Governed by other than zoning ordinance; no  
examples given.

Topeka, - Shawnee County

no regulations

Pueblo, Colorado

cannot be stored so as to impede vehicular  
or pedestrian right-of-way

Denver, Colorado

In excess of  $\frac{3}{4}$  Can only be stored on rear  $\frac{1}{2}$  of lot

Little Rock, Arkansas

Require restrictive covenants on plots to address  
such storage; otherwise no regulation.

## Adams County, Colorado

- ① No vehicle in excess of  $\frac{3}{4}$  ton carrying capacity shall be kept, stored or parked in Residential Districts except while making normal deliveries.
- ② No boat, boat trailer, tent trailer, horse trailer, trailer, motor home, or detached pickup camper shall be kept, stored, or parked on any public ROW in excess of 24 hrs. Only one boat trailer, boat travel trailer, ~~or~~ trailer, or motor home may be kept or stored upon the property. The travel trailer or trailer motor home shall not exceed 20 feet in length.

## Arlington Heights, Illinois

parking between front line of any portion of the building & street shall be limited to private passenger ~~vehicles~~ automobiles and station wagons. Only such vehicles shall be permitted between the any portion of the building and the side lot line on corner lots

Certain specified types of vehicles are permitted in the rear yard ~~and~~ side yards only if fencing or ~~scrubbery~~ screen the vehicle from view.

48 hour loading or unloading grace period given.

## Modesto, California

permits one RV to be kept not closer than 15 feet to any street or 3 feet to any building. 24 hours for unloading and loading - 7 day storage for out of town guests.

If motor home is less than  $6\frac{1}{2}$ ' high or 6' wide then it is exempted from the ordinance.

## Omaha, Nebraska

May store one such vehicle on a single lot  
guests may occupy for period not exceeding 72 hours  
if not over 14 day in one year.

Parking permitted in enclosed structure  
parking in front yard permitted on all weather  
surface if space is not available.  
parked perpendicular to front curb  
Must be at least 15 feet from prop. line  
BZA power to vary conditions

## Phoenix Arizona

Require PUD's to provide space for  
RV storage

No parking in front yard

" " " side " except vehicles under 6' high

## Tempe, Arizona

proposed regulations

Prohibit parking in side or front yard  
PUD' require screened area for such  
storage.

## Elk Grove, Illinois

6 foot from structure  
3 foot from lot line  
Not in front yard, side yard or driveway  
bulk restrictions

## Nevada County, California

24 hour loading and unloading  
no parking in front yard setback but variances  
may be granted

## Hering, Ohio

48 hr. loading/unloading  
bulk regulations for storage in drive  
No parking in front or side yard  
Limited in both residential and office districts

## Sarasota, Florida

Temporary Use Permits (not to exceed 5 years)  
Screening and other conditions may be attached to the  
permits.

## Kansas City, Missouri

Storage permitted in side or rear yard in residential  
areas only if screened from view.  
PUD's must provide storage area.  
No front yard storage.

## Fort Worth, Texas

No prohibitions on noncommercial storage  
in residential areas.

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# pas memo

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76-8

August 2, 1976



The August issue of the PAS Memo concerns a regulatory problem which has become a serious political issue in many communities--controlling the parking and storing of recreational vehicles--campers, trailers, boats, etc. --in residential neighborhoods. In order to answer the inquiries we have been receiving, Ms. Devon M. Schneider, a Research Associate on the ASPO staff, has been studying local ordinances and collecting information about how local governments handle this problem. This Memo contains references to books and articles, excerpts from local ordinances, and a list of planners and lawyers who have had experience with regulations for recreational vehicle parking and storage.

Copies of The 1976 Report on National Growth and Development have been mailed to PAS Subscribers. This is another Special Report which Subscribers receive free as a benefit of joining the Planning Advisory Service. If you did not receive a copy and would like one, see page 4 for further information.

ASPO has received new research contracts on rural planning and on capital improvements programming. For more information on those projects, see page 19.

The ASPO Press is issuing its first book this month: The Downtown Improvement Manual. To order this valuable reference, check page 14 for details.

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REGULATING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

I. INTRODUCTORY NOTE

The regulation of recreational vehicle (RV) parking and storage in residential areas has become an issue because of the increase in RV ownership. More than six million Americans now have RVs of some kind --motor homes, travel trailers, truck campers, boats, snowmobiles, trail bikes, etc. These owners have nowhere except their own yards to store their RVs when not in use unless they pay to have them stored at another location.

Neighbors, particularly ones who do not own RVs, are unhappy because they claim that the storage of RVs in plain view is a blight on the neighborhood, and that it brings down their property values. From the point of view of safety, RV storage can also be a problem. Motorists cannot see around RVs if they are improperly parked. In addition, RVs that are stored in certain locations can be a serious obstacle to fire or ambulance crews.

Because of the neighbors' complaints and the safety problems, planning and zoning officials are re-examining their ordinances, raising such questions as: Are our provisions enforceable? Will they stand up in court, if challenged? If we change them, how should we do it?

If these officials decide to adopt new provisions, other difficult questions must be answered: What are recreational vehicles? Should owners be allowed to store them anywhere on their property, or should storage be restricted to enclosed areas and rear yards? Should restrictions apply to all vehicles or only those of certain length and height?

Unfortunately, there are no standard solutions to these problems. Answers vary widely due to many factors, not the least of which is the local political climate. The intent of this Memo is to show, through references to published works, excerpts from local ordinances, and references to local planners and lawyers with experience, how the various problems have been handled in different communities across the country.

II. GENERAL REFERENCES

- A. Bair, Frederick H. Jr. Regulating Storage of Major Recreational Equipment, PAS Report No. 218. American Society of Planning Officials, 1313 East 60th Street, Chicago, Illinois 60637. 1967, 8pp. \$5.00; PAS Subscribers \$3.00.
- B. Bair, Frederick H., Jr., and Ernest R. Bartley. The Text of a Model Zoning Ordinance. American Society of Planning Officials, 1313 East 60th Street, Chicago, Illinois 60637. 1966. See page 38. \$5.00; ASPO Members \$4.50.
- C. Federation of Outdoor Recreationists, Inc., "Model Ordinance". P.O. Box 68, Monmouth, Illinois 61462. Free. (309) 734-5448.
- D. Fremont Zoning Department. Ordinance 978, Vehicle and Equipment Parking Ordinance. Zoning Department, City of Fremont, 39700 Civic Center Drive, Fremont, California 94538. February 12, 1974, \$1.00. (415) 796-3461.

- E. Gottlieb, Manuel. "Economics of Residential Vehicle Storage Facilities." Traffic Quarterly, April 1970, Vol. 24, No. 2, pp. 297-315. Eno Foundation for Transportation, Box 55, Saugatuck Station, Westport, Connecticut 06880. (203) 227-4852.
- F. Kopetzky, Karl. "What to Do About Anti-RV Parking Ordinances." Woodall's Trailer Travel. July 1976, pp. 102-110. Woodall Publishing Company, 500 Hyacinth Place, Highland Park, Illinois 60035. Send orders to Circulation Department. The July issue is available for \$.75.
- G. "An Ordinance Relating to the Storing, Parking, etc. of Recreational Vehicles: A Sample Ordinance." Woodall Publishing Company, 500 Hyacinth Place, Highland Park, Illinois 60035. Free by sending self-addressed, stamped envelope, Attention: Dr. Karl Kopetzky.
- H. Oxnard Planning Department. Recreational Vehicle Storage. 305 West Third Street, Oxnard, California 93030. Information Report 73-3, 1973, 38pp., plus references. \$2.00 prepaid.

NOTE: Only the publications by Fred Bair are available from ASPO. Please request the others from the publisher listed with the citation.

\*\*\*\*RECENT SPECIAL REPORT DISTRIBUTED TO PAS SUBSCRIBERS\*\*\*\*

In the last week of July, all PAS Subscribers received a copy of The 1976 Report on National Growth and Development published biennially by the U.S. Department of Housing and Urban Development. We received limited quantities of some of the technical appendices covering such issues as State Growth Management, and we have distributed these among the agencies which we considered most appropriate. In case you missed your copy, the main report and the executive summary are available at no charge from:

U.S. Department of Housing and Urban Development  
HUD Information Center - Room 1104  
451 7th Street, S.W.  
Washington, D.C. 20410  
(202) 755-6420

III. ZONING ORDINANCE PROVISIONS

The following regulations for parking and storing recreational vehicles in residential areas are taken from zoning ordinances in our library. Though we try to keep our ordinance collection as up-to-date as possible, we cannot keep track of all zoning amendments. Consequently, the following provisions may not be the most current versions. Contacts in planning departments for some of the following communities are listed in Section IV.

A. CALIFORNIA - NEVADA COUNTY

18.10.120 PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT. For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any

lot in a residential zone except in a carport or enclosed building or behind the nearest portion of a building to a street, provided however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. When access to the rear of the lot is prohibitive, an area variance may be considered.

--Nevada County, California, Zoning Regulations, Ordinance No. 500. November 24, 1970.

B. CALIFORNIA - REDLANDS

Section 39.40: PARKING LIMITATIONS

1. All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an enclosed parking space.
2. All detached truck campers, trailers of any type, mobile homes, boats and similar equipment incapable of movement under their own power shall be parked in an approved parking space or stored in an area screened from the street. No parking or storing permitted in a driveway or front yard area.

---City of Redlands Zoning Ordinance, Ordinance No. 1000, As Amended July 1, 1971.

C. COLORADO - ADAMS COUNTY

No boat, boat trailer, travel trailer, tent trailer, horse trailer, trailer, motor home or detached pickup camper shall be kept, stored, or parked on any public right-of-way for periods in excess of 24 hours. Only one boat trailer, boat, travel trailer, or trailer, motor home may be kept or stored upon the property. The travel trailer or trailer motor home shall not exceed 20 feet in length.

---Zoning Regulations of Adams County. Adopted January 13, 1969. p.11.

D. CONNECTICUT- CHESHIRE

9. Camp trailers, motor homes and pickup coaches, unoccupied, not more than 28 feet in length and subject to the following conditions:

- b) Storage shall be to the rear of the dwelling, or other major building, in a neat and orderly manner generally not visible from the street and where collapsible, in a collapsed state or shall be stored in a garage.
- c) Storage shall be limited to one camp trailer, motor home or pickup coach per dwelling unit in a residential zone and shall be registered in the name of and be the legal property of an occupant of the dwelling unit.

---Zoning Regulations: Cheshire, Connecticut. Adopted April 8, 1970. p.16

E. CONNECTICUT - WINDSOR

8.02.03 The parking of one boat in the rear yard provided it is effectively screened from the nearest abutting property.

8.02.04 The parking of one vacation-type house trailer in the rear yard provided it is effectively screened from the nearest abutting property.

---Town of Windsor Zoning Regulations. Revised to November 24, 1970.

F. FLORIDA - CORAL GABLES

**SECTION 4.09 HOUSE CAR, CAMP CAR, CAMPER OR HOUSE TRAILER.**

- (a) No House Car, Camp Car, Camper or House Trailer, nor any vehicle, or part of vehicle, designed or adaptable for human habitation, by whatever name known, whether such vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property within the City, except if enclosed within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operating parking area, which is not a concomitant and required under the zoning — or other — ordinance of the City. (1506)

---Zoning Code of the City of Coral Gables, Florida, Ordinance No. 1525. As amended December 31, 1975.

G. FLORIDA - SARASOTA COUNTY

7. Parking, Storage, or Use of Certain Recreational Equipment. For the purpose of this subsection, certain recreational equipment is hereby defined as including boats, and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers or pop out campers, houseboats, and the like. No such recreational equipment as herein defined shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residentially zoned lot (except where permitted in an RMH district), or in any other location not approved for such use.

---Zoning Ordinance: Sarasota County, Florida, Section 7.7, November 11, 1975.

H. ILLINOIS- ARLINGTON HEIGHTS

**10.2-11 Parking of Certain Vehicles.** The parking of travel trailers, pickup coaches, camper trailers, motorized homes, boats and rafts in the R-1 through R-6 Districts shall be subject to the following regulations:

**10.2-11.1 Definitions.** For the purposes of this section:

- a) Travel Trailer is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, permanently identified "Travel Trailer"; it shall have a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.
- b) Pickup Coach is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.

(Continued)

ILLINOIS - ARLINGTON HEIGHTS (Continued)

- c) Camper Trailer is a vehicular, portable structure built on a chassis or metal welded unit body with the superstructure made in part or in whole of canvas and metal frame, not to exceed eighteen (18) feet in length.
- d) Motorized Home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- e) Boat—Raft is any unit that is used for water travel or pleasure.

. . .

10.2-11.4 In the rear yards parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained.

- a) Camper trailer (shall be stored in a collapsed position to a height not more than five (5) feet six (6) inches).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length, either mounted on a boat trailer or unmounted; also boat trailer without boat mounted.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.5 In side yards, parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained:

- a) Camper trailer (collapsed position), not more than four (4) feet in height.
- b) Boat trailer without a boat or raft mounted on it.

10.2-11.6 On each single-family zoning lot, R-1, R-2, R-3, the parking of only one of the following shall be permitted, other than in totally enclosed garages:

- a) Camper trailer (collapsed position).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.7 In totally enclosed garages, the parking of the following vehicles shall also be permitted:

- a) Travel Trailer
- b) Pickup Coach
- c) Camper Trailer
- d) Motorized Home
- e) Boat—Raft.

I. KANSAS, WICHITA--SEDGWICK COUNTY

"28.04.160.G. MOBILE HOMES, HOUSE TRAILERS, BOATS AND TRAILERS.

In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales, or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance;

---Zoning Regulations: Wichita--Sedgwick County. (current as of May 1976.)

J. MICHIGAN -BLOOMFIELD

3. Open Storage on Residential Lots or Parcels.

The open storage for periods exceeding three (3) days of any man-made material and parking and/or open storage of any conveyance for use on the land, in the air or on the water, other than licensed private passenger cars, shall be specifically prohibited on all residential lots or parcels of land except as otherwise permitted by the Board of Appeals. In granting temporary permits to exempt parking and/or storage from the above regulations, the Board of Appeals shall require the following minimum standards and conditions be met:

- A. All such conveyances and/or man-made materials shall be stored only on a lot or parcel on which an inhabited dwelling unit serves as the principal use and is occupied by the owner of the material being stored. Licensed private passenger vehicles shall include only those vehicles used by the family occupying the principal use and shall not include antique vehicles, racing vehicles or other similar vehicles. The term "licensed private cars" shall also not include conveyances or vehicles equipped for living or camping purposes, not conveyances or vehicles capable of transporting more than ten (10) passengers.
- B. All such conveyances and/or man-made materials shall be stored in the rear yard subject to at least the minimum requirements placed on Accessory Buildings (SECTION 1503).
- C. The specific location on the lot or parcel for these stored conveyances and/or man-made materials shall be by indication on a plat plan of the lot or parcel, and shall be approved by the Board of Appeals.

(Continued)

MICHIGAN - BLOOMFIELD (Continued)

- d. The conveyance and/or man-made material shall not exceed six (6) feet in height and shall be totally obscured from abutting property with an architectural wall, fence or greenbelt equal in height to the article being stored.
- e. Trailers, or any other conveyance, shall not be connected to sanitary facilities, nor be occupied while being stored. The Board of Appeals shall require proof from the petitioner that all parties immediately abutting any property upon which storage, under the provisions of this section, is being contemplated shall have been notified of the intended plan.
- f. In granting temporary permits for open storage of any conveyance and/or man-made materials the Board of Appeals shall establish a specific period of time, not to exceed one (1) month, during which the storage is permitted and shall find that storage within an accessory structure is impractical.

---Township of Bloomfield, Oakland County, State of Michigan,  
Zoning Ordinance, No. 265, May 1974. p. 57-58.

K. MINNESOTA- CRYSTAL

Definitions:

Subd. 4. "Category I Vehicles and Equipment" means those vehicles and equipment which do not exceed 28 feet in body length, excluding bumpers and tongues; "Category II Vehicles and Equipment" means all other such vehicles and equipment.

Parking and Storage:

Subd. 4. Recreational vehicles and equipment may be stored within the front, side or rear yard of a single family residence subject to the following conditions:

Category I Vehicles:

a. The vehicle or equipment may occupy no more than 20% of the total side yard or 20% of the total rear yard.

b. No point of the vehicle or equipment may be located within three feet of the rear or side lot line other than when parked in an established driveway, but in no case closer than ten feet from the living quarters of buildings on adjoining property.

Category II Vehicles:

a. The vehicle or equipment may be parked in a rear or side yard provided it does not occupy more than 20% of the total side yard or 20% of the total rear yard.

(Continued)

MINNESOTA -CRYSTAL (Continued)

Parking and Storage:

b. No point of the vehicle or equipment may be located within ten feet of the rear lot line in the case of corner lots only, or three feet of a side or rear lot line in the case of other lots, but in no case closer than ten feet from the living quarters of buildings on adjoining properties.

c. If the vehicle or equipment is to be parked in an established driveway approach, it must be set back at least a distance equal to the length of the vehicle or equipment from the front lot line.

---excerpts from Section 1330--Recreational Vehicles and Equipment from the Crystal City Code. (current as of June 1976.)

L. MISSOURI- UNIVERSITY CITY

Definitions:

Major recreational equipment--Any motor vehicle, other than a commercial motor vehicle which is not a private passenger vehicle as herein defined; motor vehicle such as pick-up campers or motorized campers; any equipment such as pick-up camper bodies, travel trailers, tent trailers, boats and boat trailers and alike, and any cases, boxes or trailers for transporting recreational equipment, whether occupied by such equipment or not. (Includes sports vans with extended tops, pick-up trucks for personal use and passenger buses for personal use.)

Regulations:

- b. Parking or storage of major recreational equipment is prohibited on any part of any lot within a residential zoning district. Exceptions:
1. Private parking or storage of major recreational equipment is permitted within a full enclosed garage.
  2. Private parking or storage of major recreational equipment not exceeding 6 1/2 feet in height is permitted in any carport or in any part of a rear yard provided:

(Continued)

MISSOURI - UNIVERSITY CITY (Continued)

Regulations:

- a) such parking or storage takes place in a manner that screens the vehicle or equipment from view at normal eye level from any street or from any adjoining lot;
  - b) any such parking or storage does not encroach upon the required off-street parking;
  - c) the total area of the lot devoted to such outdoor parking or storage measured within a single continuous rectangle does not exceed 250 square feet; and
  - d) all parking or storage of motor vehicles takes place only on graded and paved surfaces of black top, concrete, or comparable paving material.
3. Other than as provided in 1 and 2 above, private parking or storage of major recreational equipment in any side or rear yard may be permitted only when specifically approved by the zoning administrator in writing after an administrative hearing, provided the evidence submitted at the hearing demonstrates that the parking or storage of such major recreational equipment will not impair an adequate supply of light or air to adjacent property, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood. Such administrative hearing will be held only upon the application of the occupant or prospective occupant of the property accompanied by an application fee in the amount of \$25.00. Hearings shall be held during normal city working hours and notice shall be mailed at least ten days prior to the date of the hearing and sent by certified mail to the owners of record of the abutting properties as shown in City records.

M. OHIO - EUCLID

CITY OF EUCLID  
OFFICE OF THE ZONING COMMISSIONER

NOTICE

Name \_\_\_\_\_

DATE \_\_\_\_\_

Address \_\_\_\_\_

Dear Sir:

It has come to the attention of the City of Euclid that you are in violation of the City of Euclid Ordinance No. 1377. 06 which provides as follows:

"No person shall park or store any type of truck, trailer, house trailer, auto trailer or trailer coach in a U1, U2, U3, U3E, or U3EL Use District, either on public or private property, including the public street or highway, except to make pickups or deliveries, or for the purpose of loading or unloading for a period of twenty four (24) hours with the permission of the Zoning Commissioner, unless such truck, trailer, house trailer, auto trailer or trailer coach is parked or stored in a completely enclosed structure."

This is to inform you that a further check will be made of your property on \_\_\_\_\_. In the event the violation has not been corrected, it will be necessary to take further action in accordance with the law.

Thank you for your cooperation.

Very truly yours,

Edward Davison  
Zoning Commissioner

---Notice to Violators, including the text of the 1959 ordinance provision which is still in effect.

N. OHIO - KETTERING

1159.07 TRAILERS.

.071 Definitions.

- (1) "Commercial vehicle" shall mean any motor vehicle designed and used for carrying merchandise or freight.
- (2) For the purpose of this Ordinance the word "vehicle" shall mean all trailers, truck campers, buses, boats and commercial vehicles.
- (3) "Dual purpose vehicle" shall mean a pick-up truck with a slide-in camper or a van-type vehicle converted for camping use, either of which are used both for camping and incidental transportation.
- (4) "Front yard" means any open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereafter specified.

....

(4) One vehicle less than 8,000 lbs. empty weight and/or ten (10) feet in height, or buses, boats and trailers less than thirty (30) feet in length may be parked or stored in a Residential or Professional Office District. However, such parking or storing shall be prohibited in any front yard, corner street side yard, required side yard or within ten (10) feet of any side or rear lot line of the rear yard.

---Kettering, Ohio, Zoning Ordinance (current as of April 1976.)

\*\*\*\*\*FIRST BOOK OFF THE ASPO PRESS\*\*\*\*\*

Downtown Improvement Manual, by Emanuel Berk. ASPO. 1976, 780pp. \$19.00; ASPO Members and PAS Subscribers \$16.00.

A comprehensive, in-depth reference source that covers every aspect of downtown planning and development; Organizing for downtown improvement-Structural, land use, opinion, and appearance surveys-Building improvements-Landscaping-Lighting and street furniture-Parking-Malls-Pedestrians-Market Studies-Financing improvements-Promotion-Signs-Historic preservation-CBD plan and program-And more!

A valuable how-to-do-it manual that contains: Illustrations-Photographs-Sample survey forms-Ordinance language-Step-by-step ways to do surveys-Tables and charts containing standards-References to reports and books.

A book that belongs on the shelf of all: Public planning agencies-Downtown improvement associations-Merchants' organizations-Chambers of commerce-Consultants.

IV. PROFESSIONAL CONTACTS

The following people have been involved in developing, revising enforcing or litigating regulations for parking and storing recreational vehicles in residential areas. They have agreed to share their experience and information. The zoning provisions from many of the cities which these people represent are reprinted in Section III.

- A. Mr. Richard Baker, General Consul  
Federation of Outdoor Recreationists, Inc.  
4264 East Florence Avenue  
Bell, California 90201  
(213) 585-0581

Contact Mr. Baker for information about litigation.

- b. Mr. Louis Callen, Zoning Administrator  
City of University City  
6801 Delmar Boulevard  
University City, Missouri 63130  
(314) 862-6767

The University City ordinance requires a permit for parking vehicles over 6 1/2 feet high. It is issued subject to a hearing at which neighbors' views are solicited. See Section III. - L.

- C. Mr. Richard Counts, Zoning Administrator  
or Mr. Frank Barbara  
Planning and Zoning Department  
251 West Washington Street  
Phoenix, Arizona 85003  
(602) 262-7405

The Phoenix regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. The regulations for other residential areas prohibit RV parking in front yards and restrict parking and storage in side yards to vehicles less than six feet high. Refer to the Phoenix zoning ordinance, Section 601.B.1.

- D. Mr. Edward Davison, Zoning Commissioner  
City of Euclid  
585 East 222nd. Street  
Euclid, Ohio 44123  
(216) 731-6000

Euclid's zoning ordinance prohibits RV storage except in enclosed areas. The regulation was challenged and upheld in a lower court decision. The case was appealed to a higher court, which decided against the city. The city is now appealing to the Ohio Supreme

Court. Contact Patrick Rocco, Law Director, or Henry Fisher, Assistant Law Director for further information on the legal aspects of the issue. See Section III. - M.

- E. Mr. Charles Dodge, Zoning Enforcement Officer  
City of Fremont  
39700 Civic Center Drive  
Fremont, California 94538  
(415) 796-3461

A citizens' group forced the city of Fremont to review its ordinance provisions restricting storage to vehicles less than 21 feet. A detailed ordinance has been passed. For more information, send for their explanatory booklet, Ordinance 978, Vehicle and Equipment Parking Ordinance. (Order information in Section II. - D. See page 3).

- F. Mr. Paul Focht  
Woodall Publishing Company  
500 Hyacinth Place  
Highland Park, Illinois 60035.  
(312) 433-4550

Mr. Focht is the Associate Publisher of Woodall's Trailer Travel; a Magazine of Family Camping and Travel. He is familiar with the RV user's point of view.

- G. Mr. Robert Forman, Executive Director  
Federation of Outdoor Recreationists, Inc.  
P.O. Box 68  
Monmouth, Illinois 61462  
(309) 734-5448

The Federation is supported by RV users. It provides legal information and was involved in the Euclid, Ohio and other court cases. The organization has also developed a model ordinance-see Section II. - C.

- H. Mr. Peter J. Horan, Planning Director  
City of Kettering  
Government Center  
3600 Shroyer Road  
Kettering, Ohio 45429  
(513) 296-2400

Mr. Horan is the author of Kettering's ordinance. See Section III. - N.

- I. Mr. Edgar K. Jaffee, Zoning Administrator and Deputy Director  
Sarasota County Building Construction Department  
1301 Cattlemans Road  
Sarasota, Florida 33577  
(813) 371-0020

Mr. Jaffee has had extensive experience enforcing a restrictive ordinance. The Sarasota ordinance was recently changed to permit parking and storage of RVs in any area of a private lot. See Section III. - G.

- J. Dr. Karl Kopetzky, Attorney at Law (New York Bar)  
1052 West Loyola Avenue  
Chicago, Illinois 60626  
(312) 764-3572.

Dr. Kopetzky has had extensive experience with the legal aspects of RV parking and storage. He prepared the model ordinance for Woodall Publishing Company. See Section II. - G.

- K. Mr. Robert A. Lakin, Director of Planning  
Wichita--Sedgwick County Metropolitan Area Planning Department  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202  
(316) 268-4561

Mr. Lakin is now developing new ordinance provisions. For existing regulations, see Section III. - I.

- L. Mr. Robert Molumby, Planning Director  
Department of Planning  
Village of Skokie  
5127 Oakton Street  
Skokie, Illinois 60076  
(312) 673-0500, ext. 220

After months of studying the situation, Skokie recently passed new ordinance provisions. In addition to the new and old ordinances, several working papers are available from the Skokie Planning Department.

- M. Mr. Edward Moore, Planning Officer  
Community Development Department  
Planning Division  
P.O. Box 607  
Sunnyvale, California 94088  
(408) 739-0531

Mr. Moore is developing new regulations for Sunnyvale, California.

- N. Mr. Martin Munsen, Director of Building and Zoning  
Village of Arlington Heights  
33 South Arlington Heights Road  
Arlington Heights, Illinois 60005  
(312) 253-2340

Mr. Munsen was involved in the development of the Arlington Heights ordinance. See Section III. - H.

- O. Mr. William Sherburne, City Engineer,  
or Mr. John P. Irving, City Manager  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422  
(612) 537-8421

The City of Crystal has recently passed a lengthy ordinance, excerpts from which are noted in Section III. - K. They have been taken to court twice over their regulations, winning one court case and losing the other.

- P. Tempe Planning Department  
31 East Fifth Street  
Tempe, Arizona 85281  
(602) 967-2001

The Tempe, Arizona, regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. Currently Tempe has no regulations on RV storage for other residential areas. The city has proposed regulations which would prohibit RV parking and storage in front and side yards.

- Q. Mr. George Vilican, Jr., President  
Vilican, Leman and Associates, Inc.  
29621 Northwestern Highway  
Southfield, Michigan 48076  
(313) 356-8181

Mr. Vilican is familiar with the Bloomfield, Michigan ordinance. See Section III. - J.

- R. Mr. John E. Vinsant, Planning Director  
Planning Department  
P.O. Drawer 341549  
Coral Gables, Florida 33134  
(305) 446-0881

Mr. Vinsant is working on a revision of their ordinance which requires RVs to be parked in enclosed areas. See Section III. - F. for present provisions. This regulation was upheld in an appellate court decision, Wood v. City of Coral Gables, 305 So.2nd 261 (1974). Contact Mr. Robert Zahner, Assistant City Attorney, for further information.

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ASPO TO COMPILE A BOOK ON RURAL PLANNING TECHNIQUES

In April, ASPO received a grant from the Old West Regional Commission to write a handbook on rural planning, scheduled for publication in late 1977. It will focus on planning processes in rural communities, planning techniques, development standards for rural areas, and sources of technical assistance. Particular issues to be covered include planning strategies for rapid growth and depressed areas, preservation of farmland, problems in delivering public services, and ways of building local support for rural planning. If you know of particularly good materials for solving planning problems unique to rural areas, such publications or information would be greatly appreciated. Send materials to:

David Mosena  
Assistant Director-Research  
American Society of Planning Officials  
1313 East 60th Street  
Chicago, Illinois 60637  
(312) 947-2073

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CAPITAL IMPROVEMENTS PROGRAMMING PROJECT UNDERTAKEN BY ASPO

The American Society of Planning Officials has been awarded a 14-month contract to study the use of capital improvements programming (CIP) as a tool for managing development through land use policies. The study will investigate how communities make decisions about investing in major physical facilities such as highways, public buildings, schools, or municipal utilities. It will analyze the potential of CIP for coordinating these public investment decisions

with the community's desire to stimulate redevelopment, to direct new development into specific areas, or to pace growth.

The project will study local practice and build on the best experience rather than designing a new and "ideal" system. It is well known that considerable experience already exists. The study will concentrate on finding out how communities have linked their investment strategies with land management policies and the conditions under which particular approaches can be transferred to other places. It is expected that the final results will be written for professional planners, budget officers, elected and appointed officials, and others involved in the designing and production of capital programs.

ASPO is very interested in contributions of knowledge, experience, and documents from governments or others who have studied these issues. Correspondence should be directed to:

Frank S. So, Project Director, or  
Michael J. Meshenberg, or  
Charles Thurow  
American Society of Planning Officials  
1313 East 60th Street  
Chicago, Illinois 60637  
(312) 947-2575

\*\*\*\*\*

AMERICAN SOCIETY OF PLANNING OFFICIALS, PLANNING ADVISORY SERVICE STAFF:

Conrad Bagne	David Mosena
Frank Beal	Erica Pascal
Peg Corwin	Devon M. Schneider
Duncan Erley	Frank So
Judith Getzels	Charles Thurow
Chris Lipscombe	William Toner
Antoinette McAllister	Nick Turnbull
Michael J. Meshenberg	

The PAS Memo is a continuation of the earlier PAS Memo series of the American Society of Planning Officials, with a new numbering system. The earlier series was numbered M-1 thru M-12, and this one will be 76-1, etc.

# pas memo

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76-8

August 2, 1976

The August issue of the PAS Memo concerns a regulatory problem which has become a serious political issue in many communities--controlling the parking and storing of recreational vehicles--campers, trailers, boats, etc. --in residential neighborhoods. In order to answer the inquiries we have been receiving, Ms. Devon M. Schneider, a Research Associate on the ASPO staff, has been studying local ordinances and collecting information about how local governments handle this problem. This Memo contains references to books and articles, excerpts from local ordinances, and a list of planners and lawyers who have had experience with regulations for recreational vehicle parking and storage.

Copies of The 1976 Report on National Growth and Development have been mailed to PAS Subscribers. This is another Special Report which Subscribers receive free as a benefit of joining the Planning Advisory Service. If you did not receive a copy and would like one, see page 4 for further information.

ASPO has received new research contracts on rural planning and on capital improvements programming. For more information on those projects, see page 19.

The ASPO Press is issuing its first book this month: The Downtown Improvement Manual. To order this valuable reference, check page 14 for details.

Peg Corwin  
PAS Memo Editor

Antoinette McAllister  
Assistant PAS Memo Editor

**aspo** American Society of Planning Officials 1313 East 60th Street Chicago, IL 60637

REGULATING THE PARKING AND STORAGE OF RECREATIONAL VEHICLES IN RESIDENTIAL AREAS

I. INTRODUCTORY NOTE

The regulation of recreational vehicle (RV) parking and storage in residential areas has become an issue because of the increase in RV ownership. More than six million Americans now have RVs of some kind --motor homes, travel trailers, truck campers, boats, snowmobiles, trail bikes, etc. These owners have nowhere except their own yards to store their RVs when not in use unless they pay to have them stored at another location.

Neighbors, particularly ones who do not own RVs, are unhappy because they claim that the storage of RVs in plain view is a blight on the neighborhood, and that it brings down their property values. From the point of view of safety, RV storage can also be a problem. Motorists cannot see around RVs if they are improperly parked. In addition, RVs that are stored in certain locations can be a serious obstacle to fire or ambulance crews.

Because of the neighbors' complaints and the safety problems, planning and zoning officials are re-examining their ordinances, raising such questions as: Are our provisions enforceable? Will they stand up in court, if challenged? If we change them, how should we do it?

If these officials decide to adopt new provisions, other difficult questions must be answered: What are recreational vehicles? Should owners be allowed to store them anywhere on their property, or should storage be restricted to enclosed areas and rear yards? Should restrictions apply to all vehicles or only those of certain length and height?

Unfortunately, there are no standard solutions to these problems. Answers vary widely due to many factors, not the least of which is the local political climate. The intent of this Memo is to show, through references to published works, excerpts from local ordinances, and references to local planners and lawyers with experience, how the various problems have been handled in different communities across the country.

II. GENERAL REFERENCES

- A. Bair, Frederick H. Jr. Regulating Storage of Major Recreational Equipment, PAS Report No. 218. American Society of Planning Officials, 1313 East 60th Street, Chicago, Illinois 60637. 1967, 8pp. \$5.00; PAS Subscribers \$3.00.
- B. Bair, Frederick H., Jr., and Ernest R. Bartley. The Text of a Model Zoning Ordinance. American Society of Planning Officials, 1313 East 60th Street, Chicago, Illinois 60637. 1966. See page 38. \$5.00; ASPO Members \$4.50.
- C. Federation of Outdoor Recreationists, Inc., "Model Ordinance". P.O. Box 68, Monmouth, Illinois 61462. Free. (309) 734-5448.
- D. Fremont Zoning Department. Ordinance 978, Vehicle and Equipment Parking Ordinance. Zoning Department, City of Fremont, 39700 Civic Center Drive, Fremont, California 94538. February 12, 1974, \$1.00. (415) 796-3461.

- E. Gottlieb, Manuel. "Economics of Residential Vehicle Storage Facilities." Traffic Quarterly, April 1970, Vol. 24, No. 2, pp. 297-315. Eno Foundation for Transportation, Box 55, Saugatuck Station, Westport, Connecticut 06880. (203) 227-4852.
- F. Kopetzky, Karl. "What to Do About Anti-RV Parking Ordinances." Woodall's Trailer Travel. July 1976, pp. 102-110. Woodall Publishing Company, 500 Hyacinth Place, Highland Park, Illinois 60035. Send orders to Circulation Department. The July issue is available for \$.75.
- G. "An Ordinance Relating to the Storing, Parking, etc. of Recreational Vehicles: A Sample Ordinance." Woodall Publishing Company, 500 Hyacinth Place, Highland Park, Illinois 60035. Free by sending self-addressed, stamped envelope, Attention: Dr. Karl Kopetzky.
- H. Oxnard Planning Department. Recreational Vehicle Storage. 305 West Third Street, Oxnard, California 93030. Information Report 73-3, 1973, 38pp., plus references. \$2.00 prepaid.

NOTE: Only the publications by Fred Bair are available from ASPO. Please request the others from the publisher listed with the citation.

\*\*\*RECENT SPECIAL REPORT DISTRIBUTED TO PAS SUBSCRIBERS\*\*\*

In the last week of July, all PAS Subscribers received a copy of The 1976 Report on National Growth and Development published biennially by the U.S. Department of Housing and Urban Development. We received limited quantities of some of the technical appendices covering such issues as State Growth Management, and we have distributed these among the agencies which we considered most appropriate. In case you missed your copy, the main report and the executive summary are available at no charge from:

U.S. Department of Housing and Urban Development  
HUD Information Center - Room 1104  
451 7th Street, S.W.  
Washington, D.C. 20410  
(202) 755-6420

III. ZONING ORDINANCE PROVISIONS

The following regulations for parking and storing recreational vehicles in residential areas are taken from zoning ordinances in our library. Though we try to keep our ordinance collection as up-to-date as possible, we cannot keep track of all zoning amendments. Consequently, the following provisions may not be the most current versions. Contacts in planning departments for some of the following communities are listed in Section IV.

A. CALIFORNIA - NEVADA COUNTY

18.10.120 PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT. For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any

lot in a residential zone except in a carport or enclosed building or behind the nearest portion of a building to a street, provided however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. When access to the rear of the lot is prohibitive, an area variance may be considered.

---Nevada County, California, Zoning Regulations, Ordinance No. 500, November 24, 1970.

B. CALIFORNIA - REDLANDS

Section 39.40: PARKING LIMITATIONS

1. All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an enclosed parking space.
2. All detached truck campers, trailers of any type, mobile homes, boats and similar equipment incapable of movement under their own power shall be parked in an approved parking space or stored in an area screened from the street. No parking or storing permitted in a driveway or front yard area.

---City of Redlands Zoning Ordinance, Ordinance No. 1000, As Amended July 1, 1971.

C. COLORADO - ADAMS COUNTY

No boat, boat trailer, travel trailer, tent trailer, horse trailer, trailer, motor home or detached pickup camper shall be kept, stored, or parked on any public right-of-way for periods in excess of 24 hours. Only one boat trailer, boat, travel trailer, or trailer, motor home may be kept or stored upon the property. The travel trailer or trailer motor home shall not exceed 20 feet in length.

---Zoning Regulations of Adams County. Adopted January 13, 1969. p.11.

D. CONNECTICUT- CHESHIRE

9. Camp trailers, motor homes and pickup coaches, unoccupied, not more than 28 feet in length and subject to the following conditions:

- b) Storage shall be to the rear of the dwelling, or other major building, in a neat and orderly manner generally not visible from the street and where collapsible, in a collapsed state or shall be stored in a garage.
- c) Storage shall be limited to one camp trailer, motor home or pickup coach per dwelling unit in a residential zone and shall be registered in the name of and be the legal property of an occupant of the dwelling unit.

---Zoning Regulations: Cheshire, Connecticut. Adopted April 8, 1970. p.16

E. CONNECTICUT - WINDSOR

- 8.02.03 The parking of one boat in the rear yard provided it is effectively screened from the nearest abutting property.
- 8.02.04 The parking of one vacation-type house trailer in the rear yard provided it is effectively screened from the nearest abutting property.

---Town of Windsor Zoning Regulations. Revised to November 24, 1970.

F. FLORIDA - CORAL GABLES

**SECTION 4.09 HOUSE CAR, CAMP CAR, CAMPER OR HOUSE TRAILER.**

- (a) No House Car, Camp Car, Camper or House Trailer, nor any vehicle, or part of vehicle, designed or adaptable for human habitation, by whatever name known, whether such vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property within the City, except if enclosed within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operating parking area, which is not a concomitant and required under the zoning — or other — ordinance of the City. (1506)

---Zoning Code of the City of Coral Gables, Florida, Ordinance No. 1525. As amended December 31, 1975.

G. FLORIDA - SARASOTA COUNTY

7. Parking, Storage, or Use of Certain Recreational Equipment. For the purpose of this subsection, certain recreational equipment is hereby defined as including boats, and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers or pop out campers, houseboats, and the like. No such recreational equipment as herein defined shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residentially zoned lot (except where permitted in an RMH district), or in any other location not approved for such use.

---Zoning Ordinance: Sarasota County, Florida. Section 7.7. November 11, 1975.

H. ILLINOIS- ARLINGTON HEIGHTS

**10.2-11 Parking of Certain Vehicles.** The parking of travel trailers, pickup coaches, camper trailers, motorized homes, boats and rafts in the R-1 through R-6 Districts shall be subject to the following regulations:

**10.2-11.1 Definitions.** For the purposes of this section:

- a) Travel Trailer is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, permanently identified "Travel Trailer"; it shall have a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.
- b) Pickup Coach is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.

(Continued)

ILLINOIS - ARLINGTON HEIGHTS (Continued)

- c) Camper Trailer is a vehicular, portable structure built on a chassis or metal welded unit body with the superstructure made in part or in whole of canvas and metal frame, not to exceed eighteen (18) feet in length.
- d) Motorized Home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- e) Boat—Raft is any unit that is used for water travel or pleasure.

. . .

10.2-11.4 In the rear yards parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained.

- a) Camper trailer (shall be stored in a collapsed position to a height not more than five (5) feet six (6) inches).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length, either mounted on a boat trailer or unmounted; also boat trailer without boat mounted.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.5 In side yards, parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained:

- a) Camper trailer (collapsed position), not more than four (4) feet in height.
- b) Boat trailer without a boat or raft mounted on it.

10.2-11.6 On each single-family zoning lot, R-1, R-2, R-3, the parking of only one of the following shall be permitted, other than in totally enclosed garages:

- a) Camper trailer (collapsed position).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.7 In totally enclosed garages, the parking of the following vehicles shall also be permitted:

- a) Travel Trailer
- b) Pickup Coach
- c) Camper Trailer
- d) Motorized Home
- e) Boat—Raft.

I. KANSAS, WICHITA--SEDGWICK COUNTY

"28.04.160.G. MOBILE HOMES, HOUSE TRAILERS, BOATS AND TRAILERS.

In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales, or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance;

---Zoning Regulations: Wichita--Sedgwick County. (current as of May 1976.)

J. MICHIGAN -BLOOMFIELD

3. Open Storage on Residential Lots or Parcels.

The open storage for periods exceeding three (3) days of any man-made material and parking and/or open storage of any conveyance for use on the land, in the air or on the water, other than licensed private passenger cars, shall be specifically prohibited on all residential lots or parcels of land except as otherwise permitted by the Board of Appeals. In granting temporary permits to except parking and/or storage from the above regulations, the Board of Appeals shall require the following minimum standards and conditions be met:

- A. All such conveyances and/or man-made materials shall be stored only on a lot or parcel on which an inhabited dwelling unit serves as the principal use and is occupied by the owner of the material being stored. Licensed private passenger vehicles shall include only those vehicles used by the family occupying the principal use and shall not include antique vehicles, racing vehicles or other similar vehicles. The term "licensed private cars" shall also not include conveyances or vehicles equipped for living or camping purposes, not conveyances or vehicles capable of transporting more than ten (10) passengers.
- b. All such conveyances and/or man-made materials shall be stored in the rear yard subject to at least the minimum requirements placed on Accessory Buildings (SECTION 1503).
- c. The specific location on the lot or parcel for these stored conveyances and/or man-made materials shall be by indication on a plot plan of the lot or parcel, and shall be approved by the Board of Appeals.

(Continued)

MICHIGAN - BLOOMFIELD (Continued)

- d. The conveyance and/or man-made material shall not exceed six (6) feet in height and shall be totally obscured from abutting property with an architectural wall, fence or greenbelt equal in height to the article being stored.
- e. Trailers, or any other conveyance, shall not be connected to sanitary facilities, nor be occupied while being stored. The Board of Appeals shall require proof from the petitioner that all parties immediately abutting any property upon which storage, under the provisions of this section, is being contemplated shall have been notified of the intended plan.
- f. In granting temporary permits for open storage of any conveyance and/or man-made materials the Board of Appeals shall establish a specific period of time, not to exceed one (1) month, during which the storage is permitted and shall find that storage within an accessory structure is impractical.

--Township of Bloomfield, Oakland County, State of Michigan,  
Zoning Ordinance, No. 265, May 1974. p. 57-58.

K. MINNESOTA- CRYSTAL

Definitions:

Subd. h. "Category I Vehicles and Equipment" means those vehicles and equipment which do not exceed 28 feet in body length, excluding bumpers and tongues; "Category II Vehicles and Equipment" means all other such vehicles and equipment.

Parking and Storage:

Subd. h. Recreational vehicles and equipment may be stored within the front, side or rear yard of a single family residence subject to the following conditions:

Category I Vehicles:

a. The vehicle or equipment may occupy no more than 20% of the total side yard or 20% of the total rear yard.

b. No point of the vehicle or equipment may be located within three feet of the rear or side lot line other than when parked in an established driveway, but in no case closer than ten feet from the living quarters of buildings on adjoining property.

Category II Vehicles:

a. The vehicle or equipment may be parked in a rear or side yard provided it does not occupy more than 20% of the total side yard or 20% of the total rear yard.

(Continued)

MINNESOTA - CRYSTAL (Continued)

Parking and Storage:

b. No point of the vehicle or equipment may be located within ten feet of the rear lot line in the case of corner lots only, or three feet of a side or rear lot line in the case of other lots, but in no case closer than ten feet from the living quarters of buildings on adjoining properties.

c. If the vehicle or equipment is to be parked in an established driveway approach, it must be set back at least a distance equal to the length of the vehicle or equipment from the front lot line.

---excerpts from Section 1330--Recreational Vehicles and Equipment from the Crystal City Code. (current as of June 1976.)

L. MISSOURI - UNIVERSITY CITY

Definitions:

Major recreational equipment--Any motor vehicle, other than a commercial motor vehicle which is not a private passenger vehicle as herein defined; motor vehicle such as pick-up campers or motorized campers; any equipment such as pick-up camper bodies, travel trailers, tent trailers, boats and boat trailers and alike, and any cases, boxes or trailers for transporting recreational equipment, whether occupied by such equipment or not. (Includes sports vans with extended tops, pick-up trucks for personal use and passenger buses for personal use.)

Regulations:

- b. Parking or storage of major recreational equipment is prohibited on any part of any lot within a residential zoning district. Exceptions:
1. Private parking or storage of major recreational equipment is permitted within a full enclosed garage.
  2. Private parking or storage of major recreational equipment not exceeding 6½ feet in height is permitted in any carport or in any part of a rear yard provided:

(Continued)

MISSOURI - UNIVERSITY CITY (Continued)

Regulations:

- a) such parking or storage takes place in a manner that screens the vehicle or equipment from view at normal eye level from any street or from any adjoining lot;
  - b) any such parking or storage does not encroach upon the required off-street parking;
  - c) the total area of the lot devoted to such outdoor parking or storage measured within a single continuous rectangle does not exceed 250 square feet; and
  - d) all parking or storage of motor vehicles takes place only on graded and paved surfaces of black top, concrete, or comparable paving material.
3. Other than as provided in 1 and 2 above, private parking or storage of major recreational equipment in any side or rear yard may be permitted only when specifically approved by the zoning administrator in writing after an administrative hearing, provided the evidence submitted at the hearing demonstrates that the parking or storage of such major recreational equipment will not impair an adequate supply of light or air to adjacent property, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood. Such administrative hearing will be held only upon the application of the occupant or prospective occupant of the property accompanied by an application fee in the amount of \$25.00. Hearings shall be held during normal city working hours and notice shall be mailed at least ten days prior to the date of the hearing and sent by certified mail to the owners of record of the abutting properties as shown in City records.

---Ordinance No. 4937. Section 34-52.4. Municipal Code. 1975 amendments.

M. OHIO - EUCLID

CITY OF EUCLID  
OFFICE OF THE ZONING COMMISSIONER

NOTICE

Name \_\_\_\_\_ DATE \_\_\_\_\_

Address \_\_\_\_\_

Dear Sir:

It has come to the attention of the City of Euclid that you are in violation of the City of Euclid Ordinance No. 1377.06 which provides as follows:

"No person shall park or store any type of truck, trailer, house trailer, auto trailer or trailer coach in a U1, U2, U3, U3E, or U3EL Use District, either on public or private property, including the public street or highway, except to make pickups or deliveries, or for the purpose of loading or unloading for a period of twenty four (24) hours with the permission of the Zoning Commissioner, unless such truck, trailer, house trailer, auto trailer or trailer coach is parked or stored in a completely enclosed structure."

This is to inform you that a further check will be made of your property on \_\_\_\_\_ . In the event the violation has not been corrected, it will be necessary to take further action in accordance with the law.

Thank you for your cooperation.

Very truly yours,

Edward Davison  
Zoning Commissioner

---Notice to Violators, including the text of the 1959 ordinance provision which is still in effect.

N. OHIO - KETTERING

1159.07 TRAILERS.

.071 Definitions.

- (1) "Commercial vehicle" shall mean any motor vehicle designed and used for carrying merchandise or freight.
- (2) For the purpose of this Ordinance the word "vehicle" shall mean all trailers, truck campers, buses, boats and commercial vehicles.
- (3) "Dual purpose vehicle" shall mean a pick-up truck with a slide-in camper or a van-type vehicle converted for camping use, either of which are used both for camping and incidental transportation.
- (4) "Front yard" means any open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereafter specified.

....

(4) One vehicle less than 8,000 lbs. empty weight and/or ten (10) feet in height, or buses, boats and trailers less than thirty (30) feet in length may be parked or stored in a Residential or Professional Office District. However, such parking or storing shall be prohibited in any front yard, corner street side yard, required side yard or within ten (10) feet of any side or rear lot line of the rear yard.

---Kettering, Ohio, Zoning Ordinance (current as of April 1976.)

\*\*\*\*\*FIRST BOOK OFF THE ASPO PRESS\*\*\*\*\*

Downtown Improvement Manual, by Emanuel Berk. ASPO. 1976, 780pp. \$19.00;  
ASPO Members and PAS Subscribers \$16.00.

A comprehensive, in-depth reference source that covers every aspect of downtown planning and development; Organizing for downtown improvement-Structural, land use, opinion, and appearance surveys-Building improvements-Landscaping-Lighting and street furniture-Parking-Malls-Pedestrians-Market Studies-Financing improvements-Promotion-Signs-Historic preservation-CBD plan and program-And more!

A valuable how-to-do-it manual that contains: Illustrations-Photographs-Sample survey forms-Ordinance language-Step-by-step ways to do surveys-Tables and charts containing standards-References to reports and books.

A book that belongs on the shelf of all: Public planning agencies-Downtown improvement associations-Merchants' organizations-Chambers of commerce-Consultants.

IV. PROFESSIONAL CONTACTS

The following people have been involved in developing, revising enforcing or litigating regulations for parking and storing recreational vehicles in residential areas. They have agreed to share their experience and information. The zoning provisions from many of the cities which these people represent are reprinted in Section III.

- A. Mr. Richard Baker, General Consul  
Federation of Outdoor Recreationists, Inc.  
4264 East Florence Avenue  
Bell, California 90201  
(213) 585-0581

Contact Mr. Baker for information about litigation.

- b. Mr. Louis Callen, Zoning Administrator  
City of University City  
6801 Delmar Boulevard  
University City, Missouri 63130  
(314) 862-6767

The University City ordinance requires a permit for parking vehicles over 6 1/2 feet high. It is issued subject to a hearing at which neighbors' views are solicited. See Section III. - L.

- C. Mr. Richard Counts, Zoning Administrator  
or Mr. Frank Barbara  
Planning and Zoning Department  
251 West Washington Street  
Phoenix, Arizona 85003  
(602) 262-7405

The Phoenix regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. The regulations for other residential areas prohibit RV parking in front yards and restrict parking and storage in side yards to vehicles less than six feet high. Refer to the Phoenix zoning ordinance, Section 601.B.1.

- D. Mr. Edward Davison, Zoning Commissioner  
City of Euclid  
585 East 222nd. Street  
Euclid, Ohio 44123  
(216) 731-6000

Euclid's zoning ordinance prohibits RV storage except in enclosed areas. The regulation was challenged and upheld in a lower court decision. The case was appealed to a higher court, which decided against the city. The city is now appealing to the Ohio Supreme

Court. Contact Patrick Rocco, Law Director, or Henry Fisher, Assistant Law Director for further information on the legal aspects of the issue. See Section III. - M.

- E. Mr. Charles Dodge, Zoning Enforcement Officer  
City of Fremont  
39700 Civic Center Drive  
Fremont, California 94538  
(415) 796-3461

A citizens' group forced the city of Fremont to review its ordinance provisions restricting storage to vehicles less than 21 feet. A detailed ordinance has been passed. For more information, send for their explanatory booklet, Ordinance 978, Vehicle and Equipment Parking Ordinance. (Order information in Section II. - D. See page 3).

- F. Mr. Paul Foght  
Woodall Publishing Company  
500 Hyacinth Place  
Highland Park, Illinois 60035.  
(312) 433-4550

Mr. Foght is the Associate Publisher of Woodall's Trailer Travel; a Magazine of Family Camping and Travel. He is familiar with the RV user's point of view.

- G. Mr. Robert Forman, Executive Director  
Federation of Outdoor Recreationists, Inc.  
P.O. Box 68  
Monmouth, Illinois 61462  
(309) 734-5448

The Federation is supported by RV users. It provides legal information and was involved in the Euclid, Ohio and other court cases. The organization has also developed a model ordinance-see Section II. - C.

- H. Mr. Peter J. Horan, Planning Director  
City of Kettering  
Government Center  
3600 Shroyer Road  
Kettering, Ohio 45429  
(513) 296-2400

Mr. Horan is the author of Kettering's ordinance. See Section III. - N.

- I. Mr. Edgar K. Jaffee, Zoning Administrator and Deputy Director  
Sarasota County Building Construction Department  
1301 Cattlemans Road  
Sarasota, Florida 33577  
(813) 371-0020

Mr. Jaffee has had extensive experience enforcing a restrictive ordinance. The Sarasota ordinance was recently changed to permit parking and storage of RVs in any area of a private lot. See Section III. - G.

- J. Dr. Karl Kopetzky, Attorney at Law (New York Bar)  
1052 West Loyola Avenue  
Chicago, Illinois 60626  
(312) 764-3572.

Dr. Kopetzky has had extensive experience with the legal aspects of RV parking and storage. He prepared the model ordinance for Woodall Publishing Company. See Section II. - G.

- K. Mr. Robert A. Lakin, Director of Planning  
Wichita--Sedgwick County Metropolitan Area Planning Department  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202  
(316) 268-4561

Mr. Lakin is now developing new ordinance provisions. For existing regulations, see Section III. - I.

- L. Mr. Robert Molumby, Planning Director  
Department of Planning  
Village of Skokie  
5127 Oakton Street  
Skokie, Illinois 60076  
(312) 673-0500, ext. 220

After months of studying the situation, Skokie recently passed new ordinance provisions. In addition to the new and old ordinances, several working papers are available from the Skokie Planning Department.

- M. Mr. Edward Moore, Planning Officer  
Community Development Department  
Planning Division  
P.O. Box 607  
Sunnyvale, California 94088  
(408) 739-0531

Mr. Moore is developing new regulations for Sunnyvale, California.

- N. Mr. Martin Munsen, Director of Building and Zoning  
Village of Arlington Heights  
33 South Arlington Heights Road  
Arlington Heights, Illinois 60005  
(312) 253-2340

Mr. Munsen was involved in the development of the Arlington Heights ordinance. See Section III. - H.

- O. Mr. William Sherburne, City Engineer,  
or Mr. John P. Irving, City Manager  
City of Crystal  
4141 Douglas Drive  
Crystal, Minnesota 55422  
(612) 537-8421

The City of Crystal has recently passed a lengthy ordinance, excerpts from which are noted in Section III. - K. They have been taken to court twice over their regulations, winning one court case and losing the other.

- P. Tempe Planning Department  
31 East Fifth Street  
Tempe, Arizona 85281  
(602) 967-2001

The Tempe, Arizona, regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. Currently Tempe has no regulations on RV storage for other residential areas. The city has proposed regulations which would prohibit RV parking and storage in front and side yards.

- Q. Mr. George Vilican, Jr., President  
Vilican, Leman and Associates, Inc.  
29621 Northwestern Highway  
Southfield, Michigan 48076  
(313) 356-8181

Mr. Vilican is familiar with the Bloomfield, Michigan ordinance. See Section III. - J.

- R. Mr. John E. Vinsant, Planning Director  
Planning Department  
P.O. Drawer 341549  
Coral Gables, Florida 33134  
(305) 446-0881

Mr. Vinsant is working on a revision of their ordinance which requires RVs to be parked in enclosed areas. See Section III. - F. for present provisions. This regulation was upheld in an appellate court decision, Wood v. City of Coral Gables, 305 So.2nd 261 (1974). Contact Mr. Robert Zahner, Assistant City Attorney, for further information.

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ASPO TO COMPILE A BOOK ON RURAL PLANNING TECHNIQUES

In April, ASPO received a grant from the Old West Regional Commission to write a handbook on rural planning, scheduled for publication in late 1977. It will focus on planning processes in rural communities, planning techniques, development standards for rural areas, and sources of technical assistance. Particular issues to be covered include planning strategies for rapid growth and depressed areas, preservation of farmland, problems in delivering public services, and ways of building local support for rural planning. If you know of particularly good materials for solving planning problems unique to rural areas, such publications or information would be greatly appreciated. Send materials to:

David Mosena  
Assistant Director-Research  
American Society of Planning Officials  
1313 East 60th Street  
Chicago, Illinois 60637  
(312) 947-2073

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CAPITAL IMPROVEMENTS PROGRAMMING PROJECT UNDERTAKEN BY ASPO

The American Society of Planning Officials has been awarded a 14-month contract to study the use of capital improvements programming (CIP) as a tool for managing development through land use policies. The study will investigate how communities make decisions about investing in major physical facilities such as highways, public buildings, schools, or municipal utilities. It will analyze the potential of CIP for coordinating these public investment decisions

with the community's desire to stimulate redevelopment, to direct new development into specific areas, or to pace growth.

The project will study local practice and build on the best experience rather than designing a new and "ideal" system. It is well known that considerable experience already exists. The study will concentrate on finding out how communities have linked their investment strategies with land management policies and the conditions under which particular approaches can be transferred to other places. It is expected that the final results will be written for professional planners, budget officers, elected and appointed officials, and others involved in the designing and production of capital programs.

ASPO is very interested in contributions of knowledge, experience, and documents from governments or others who have studied these issues. Correspondence should be directed to:

Frank S. So, Project Director, or  
Michael J. Meshenberg, or  
Charles Thurow  
American Society of Planning Officials  
1313 East 60th Street  
Chicago, Illinois 60637  
(312) 947-2575

\*\*\*\*\*

AMERICAN SOCIETY OF PLANNING OFFICIALS, PLANNING ADVISORY SERVICE STAFF:

Conrad Bagne	David Mosena
Frank Beal	Erica Pascal
Peg Corwin	Devon M. Schneider
Duncan Erley	Frank So
Judith Getzels	Charles Thurow
Chris Lipscombe	William Toner
Antoinette McAllister	Nick Turnbull
Michael J. Meshenberg	

The PAS Memo is a continuation of the earlier PAS Memo series of the American Society of Planning Officials, with a new numbering system. The earlier series was numbered M-1 thru M-12, and this one will be 76-1, etc.

Suggestion?

cannot park <sup>mobile home</sup> near required window  
Yards for open space

How do you prevent other types of outdoor storage.

How do you halt sales of vehicles?

Amended ordinance to permit residential storage to permit some storage adjacent to residential uses.

Overnight is not storage

~~11520020~~ <sup>trailer</sup> over one ton or bus trailer Not permitted to be parked on residential street

Board of Zoning Appeals - Neighborhood could come in and have reduction of frontyard setback for parking purposes only

~~By~~ converted existing garage

Finch - Need to clarify ordinance

where necessity shown in other areas

Criteria for hardship case - Administrative <sup>define</sup> Appeal.

Decker - prop. change to allow parking in <sup>passing vehicles only</sup> driveway  
Not counted toward required parking

① BZA

② Exception - Policy Does Set Criteria  
a) impossible to get to back yard.

Limit pavement width & setback width limited to double width drive

Criteria for loosening requirements in A., R.B., etc.

options

Administrative - another slab in no event  
wider than two car drive.

Passenger cars - double wide

BZA

Not on public property

Modified BZA

Administrative

Fred Lunde will draw it up.

Include provision for circle drive

Recreational Vehicles & Boats

Amend House trailer to Recreational vehicle

feet RV maybe parked on drive min. 5/18

What about time limit on BZA approval?

Review other ordinances?

Write ASPO

Use of off. yard setback?

is it desirable?

~~Amended~~

Amend

Sec. 28.04.020 as follows:

House Trailer, and the entire paragraph, as follows:

Recreational Vehicle may include, but not be limited to, any device to be moved up on the streets and highways, whether propelled by an integral or exterior power unit, and which, under normal and usual circumstances, is intended to serve an individual, or family, or guests with relaxation away from the residence of the user. The user of the vehicle may own it, or have temporary custody by any means, including but not limited to, rent, lease or loan.

The test of whether a vehicle is recreational shall be that of the prudent man, under similar conditions, and the test shall be based upon the obvious and intended purpose of the vehicle.

Recreational vehicles may include, but not to be limited to, self-propelled camper, towed house trailer, <sup>converted</sup> passenger bus, ~~motor coach or commercial vehicle~~, converted in part or in whole, for purposes meeting the test of this definition, boat, trailer, trailer and boat combination, living, or related facilities mounted in or upon a truck and transported by the truck.

The title of the vehicle and state license tag upon it shall not be a factor in applying the test of this chapter.

VOE

(d) Notwithstanding the requirements of this chapter, a recreational vehicle may be parked on a paved driveway, providing the driveway (1) is no less than eighteen feet (18 ft.) wide; (2) no part of the recreational vehicle, when so parked, intrudes into any portion of the sidewalk, parking or street rights-of-ways; (3) ~~no~~ individual, owning and residing in property within to one hundred (100) feet of any point of the lot upon which the recreational vehicle is parked, files a written objection with the Central Inspection Division and (4) the duration of the parking does not exceed thirty (30) consecutive days, on no more than two (2) occasions in any calendar year, commencing on January 1.

(e) And further notwithstanding the provisions of this chapter, any recreational vehicle may be parked on any paved driveway, for one continuous period of twenty-four (24) hours for the exclusive purpose of preparing the vehicle for travel. Such preparation shall include only: (1) cleaning and arranging the interior of the vehicle; (2) inflation of tires and leveling of the shock absorbers; (3) stocking the vehicle with the implements, furnishings and supplies normally and usually associated with, and related to, the vehicle and (4) provided that the vehicle is not occupied as a temporary living quarter for any portion of the continuous twenty-four hours, by any member of the resident family or guests. *Except as Owners*

*and see*  
(f) In interpreting this section 29.04.160, the test shall be that of common practice and behavior under other, similar circumstances.

(g) Violations of any section of section 28.04.160 G shall be a misdemeanor, punishable by a fine of no less than ten (10.00) dollars nor no more than twenty (20.00) dollars and each offence shall be considered separately.

(h) The provisions of this chapter may be enforced by any member of the Department of Public Works, Central Inspection Division, or by the Police, upon verbal or written request by the superintendent, assistant superintendent or supervisors, or their delegates, of Central Inspection Division to the office of the Chief of Police.

Adams Co, Colorado. 1977.

Parking -- Rec. Vehicle  
(and storage)

CHAPTER 2

RESIDENTIAL DISTRICT REGULATIONS (Amended)  
(SECTION 6, 7, 8, 9, 10, 10A and 11 amended as follows) (regs. applying sections A-H to all R. dists.)

for more information → : Adams County Planning Dept.  
1201 E. 72nd Ave. DD 80022  
Commerce City, CO  
(303) 287-0171

A. General. (Added) Every use, unless expressly exempted by these regulations, shall be operated within a completely enclosed structure. No building, structure or land shall be used and no building or structure shall be erected, structurally altered or enlarged except as provided herein.

B. PARKING REQUIREMENTS. Not less than one hard-surfaced off-street parking space for each dwelling unit shall be provided for one- and two-family dwellings. For multiple dwellings, not less than one and one-half hard-surfaced, off-street parking spaces for each dwelling unit shall be provided.

EXCLUSIONS.

1. No junk or waste shall be stored outdoors.
2. No junk, materials, wastes or trash shall be removed from one parcel of property and disposed of by depositing upon another parcel of property or in the streets or public rights-of-way except by being delivered to an authorized dump site.
3. All trash containers shall be covered and shall not be left in front of the front setback of a residence for more than a 24-hour period.
4. The sale of fireworks is prohibited in any Residential zone district.
5. The storage of fireworks is prohibited in any Residential zone district.
6. On corner lots, no planting of shrubs, trees or flowers or the erection of any fence or structure over 30 inches above level of roadway or street which obstructs the view of traffic shall be permitted within the triangle measured from the point of intersection of the lot lines abutting the streets a distance of 25 feet along each such lot line.
7. No vehicle in excess of 3/4 ton carrying capacity shall be kept, stored, or parked in Residential districts except while making normal deliveries.
8. No boat, boat trailer, travel trailer, tent trailer, horse trailer, trailer, motor home or detached pickup camper shall be kept, stored, or parked on any public right-of-way for periods in excess of 24 hours. Only one boat trailer, boat, travel trailer, or trailer, motor home may be kept or stored upon the property. The travel trailer or trailer motor home shall not exceed 20 feet in length.

**R DISTRICTS**

9. The outdoor storage of any motor vehicle shall not be permitted.
10. Not more than two dogs or cats shall be permitted to be kept per dwelling unit or shall occupy the land and structures thereon.

**D. USES BY RIGHT IN ALL RESIDENTIAL DISTRICTS.**

1. Gardening and cultivation of land.
2. Foster family care.
3. Care Home.
4. Home Occupation (see para. 26, page 7).

**E. TEMPORARY USES IN ALL RESIDENTIAL DISTRICTS.** A temporary permit may be obtained from the Planning Department upon the filing of an application requesting a temporary use and accompanied with a \$10 application fee.

The following may be operated as uses by temporary permit and need not be enclosed:

1. Temporary construction yard or building for construction materials and equipment, including mobile home for office use, and concrete batch plants, incidental and necessary for construction in Residential zone districts. Each permit shall specify the location of the building, mobile home office, yard or batch plant. Such building, mobile home office, yard or batch plant shall not be closer than 1,000 feet from any existing residence. No area more than two miles distant shall be served by such temporary building, mobile home office, yard or batch plant. Each permit shall be valid for a period of not more than six calendar months and may be renewed for three successive six-month periods at the same location.
2. Temporary office incidental and necessary for the sale of new construction by the permittee. Each permit shall specify the location of the office and the area within which such sales may be made. No area more than two miles distant from the office shall be served. Each permit shall be valid for a period of not more than six calendar months and may be renewed for three successive six-month periods at the same location.
3. Mobile home may be used for temporary living quarters incidental and necessary for the construction of a residence upon the property (not less than one-half acre in area). A temporary permit for the above said use shall not be issued without approval in writing from the Tri-County District Health Department. Before a temporary permit to use a mobile home for living quarters during the construction of a permanent residence is issued, a building permit shall have been obtained. The temporary permit shall be valid for a period of not more than six calendar months and may be re-

R DIST. JTS

newed for an additional six calendar months by application to the Planning Department, provided that the exterior walls and roof of the residence are completed. Under all other circumstances, application for extension of a temporary permit to use a mobile home for a residence shall be made to the Board of Adjustment.

- F. PERMITTED USES IN ALL RESIDENTIAL DISTRICTS. The Planning Commission is authorized to recommend to the Board of County Commissioners of Adams County approval or denial of the following uses and to set conditions and requirements for the operation of said uses. Any expansion or enlargement of a permitted use shall be treated as a new application under the provisions hereof. The Planning Commission and the Board of County Commissioners of Adams County shall consider the following in making their determination: compatibility with the surrounding area, harmony with the character of the neighborhood, need for the proposed use, its effect upon the immediate area, its effect on future development of the area, and the health, safety, and welfare of the inhabitants of the area and the County.
1. Application for permitted use shall be accompanied by the following:
    - a. Certified boundary survey of property for which application is made.
    - b. Plot plan showing location of all proposed buildings, parking areas, ingress and egress, waste disposal areas, other constructional features, and landscaping.
    - c. Description of proposed operation in sufficient detail to indicate effects of operation in producing air and water pollution, odor, noise, glare, fire or other safety hazards, and traffic congestion.
    - d. Plans for disposal of sewage or other wastes.
    - e. Plans for water supply.
    - f. Plan to show drainage and drainage facilities.
    - g. Architectural elevations for any proposed buildings.
    - h. Proposed number of shifts to be worked and maximum number of employees.
    - i. All plans or plot plans, as required, shall be submitted to the Adams County Planning Department for approval at least 15 days prior to the hearing date.
    - j. Additional information may be required.
    - k. Application fee of \$100.
  2. Electric substations and gas regulator stations, conditioned on the following:
    - a. For each electric substation where transformers are exposed, there shall be an enclosing wall or fence.
    - b. A side setback of not less than ten feet.
    - c. A front setback of not less than 30 feet.
    - d. A rear setback of not less than ten feet.
    - e. The height and area requirements shall be established

*R DISTRICTS*

- to conform to the existing requirements of the surrounding area.
3. Church, provided the church is set back 30 feet from all side lot lines and 50 feet from the front lot line and provided that the church is situated on at least a one-acre parcel of land.
  4. Fire station.
  5. Golf course, provided buildings and structures incidental to the golf course are located not less than 100 feet from the nearest lot line and greens and tees not closer than 100 feet from any lot line nor closer than 200 feet from any residence.
  6. Police station.
  7. Hospital.
  8. Library.
  9. Nursing home.
  10. Public parks and public recreational facilities.
  11. Telephone exchange without shops, garages or general administrative offices.
  12. Schools, public and parochial, provided that all structures and buildings are set back at least 50 feet from side lot lines and 100 feet from front property lines. If loading and parking space provided is not in front of the building, then a 50-foot front setback may be used, which shall be landscaped and used for no other purpose.
  13. Water reservoirs, water storage tanks, water pumping stations and sewage facilities. In each instance, the applicant shall provide plans of the proposed installation. The Planning Commission shall recommend to the Board of County Commissioners the setbacks, etc., for each installation, which shall be not less than the minimum required for the Residential zone in which the use is located.
  14. The above-listed uses are by way of example and not by way of limitation.

- G. SPECIAL USES IN ALL RESIDENTIAL DISTRICTS. The Planning Commission is authorized to recommend to the Board of Adjustment approval or denial of the following uses and to set conditions and requirements for the operation of said uses. Any expansion or enlargement of a special use shall be treated as a new application under the provisions hereof. The Planning Commission and the Board of Adjustment shall consider the following in making their determination: compatibility with the surrounding area, harmony with the character of the neighborhood, need for the proposed use, its effect upon the immediate area, its effect on future development of the area, and the health, safety, and welfare of the inhabitants of the area and the County.
1. Application for special use permit shall be accompanied by the following, as applicable:
    - a. Certified boundary survey of property for which application is made.

- Plot plan showing location of all proposed buildings, parking areas, ingress and egress, waste disposal areas, other constructional features, and landscaping.
- c. Description of proposed operation in sufficient detail to indicate effects of operation in producing air and water pollution, odor, noise, glare, fire or other safety hazards, and traffic congestion.
  - d. Plans for disposal of sewage or other wastes.
  - e. Plans for water supply.
  - f. Plan to show drainage and drainage facilities.
  - g. Architectural elevations for any proposed buildings.
  - h. Proposed number of shifts to be worked and maximum number of employees.
  - i. All plans or plot plans, as required, shall be submitted to the Adams County Planning Department for approval at least 15 days prior to the hearing date.
  - j. Additional information may be required.
  - k. Application fee of \$100.
2. Sand and gravel pits, rock crushers, concrete and asphalt mixing plants, which need not be enclosed within a building, subject to conditions set forth in Chapter 8, Mineral Conservation Districts, para. R4a, page 95.
  3. Sanitary Landfill, which need not be enclosed within a building, subject to conditions set forth in Chapter 8, Mineral Conservation Districts, para. R4b, page 99.
  4. Group Quarters, subject to the following conditions:
    - a. Permit to operate a group quarters home may be issued for a period not to exceed one year.
    - b. Persons being kept shall not be bedfast or suffering from communicable disease. Home shall be licensed by the State. Separate kitchen shall not be installed for any persons being kept.
    - c. Upon approval, an annual permit fee of \$25 shall be paid.
  5. Preschool or nursery school, subject to the following conditions:
    - a. The petitioner or applicant for this use shall be required to secure the consent of property owners to a distance of 200 feet to the rear and on both sides of the subject use.
    - b. Permit to operate a preschool or nursery school may be issued for a period of one year.
    - c. There shall be provided not less than 25 square feet of floor area and 50 square feet of defined outdoor play area per child. The play area shall be fenced.
    - d. Upon approval, an annual permit fee of \$25 shall be paid.
  6. Radio and television antennas over 60 feet above the ground. Upon approval, an annual permit fee of \$25 shall be paid.

**R DISTRICTS**

7. Class instruction, such as dancing, handicrafts, art and music, subject to the following conditions:
  - a. Permit to operate classes of instruction may be issued for a period of two years.
  - b. Classes shall be limited to five students each.
  - c. Upon approval, a biennial permit fee of \$25 shall be paid. The application fee shall be \$25.
8. Barber shop (limited to one chair), beauty shop (limited to one wet station), office for a dentist or physician, and photography studio may be conducted within a dwelling subject to the following:
  - a. The use is clearly incidental and secondary to the use of the dwelling for dwelling purposes.
  - b. The outside appearance of the dwelling shall not be changed to accommodate the special use except for permitted Class I sign. The use shall be conducted only within the original living area at the time of construction of the dwelling.
  - c. Not more than 25% of the original floor area of the dwelling shall be utilized for said special use.
  - d. Upon approval, a biennial permit fee of \$25 shall be paid. The application fee shall be \$25.
9. The above-listed uses are by way of example and not by way of limitation.

**ACCESSORY USES IN ALL RESIDENTIAL DISTRICTS.**

1. Off-street parking for vehicles of residents: at least one space per dwelling unit.
2. Carports and private garages for vehicles not in excess of 3/4-ton carrying capacity and for not more than three cars per dwelling unit.
3. Household storage buildings and other accessory buildings not exceeding 200 square feet.
4. Containers for trash shall be stored on the rear of the lot and shall be set back a minimum of five feet from all property lines.

X-PARKING-RECREATIONAL  
VI AISLE

ZONING ORDINANCE-  
ARLINGTON HTS, ILL.  
ZONING REGULATIONS  
CHAPTER 28 OF MUN. CODE  
MAY 1, 1972

SECTION 10.2-11

C.28

ZONING REGULATIONS

C.28

parking spaces provided for a one-family, two-family, or multiple-family dwelling or hotel shall not exceed that required by this ordinance for such use or for an equivalent new use by more than fifty per cent.

**10.2-9 Floor Area Exemptions.** When two or more uses are located on the same Zoning lot, only one exemption in terms of floor area—as set forth in the "Schedule of Parking Requirements," Section 10.4—shall be taken.

**10.2-10 Minimum Setbacks.** The following minimum setbacks shall be observed for commercial and industrial buildings with off-street parking between the front facade and the street right-of-way line:

	Type of Parking				
	Parallel	30'	45'	60'	90'
Sidewalk plus one row of parking and one driving aisle	26'	34'	38'	44'	48'
Sidewalk plus two rows of parking and one driving aisle	35'	51'	58'	65'	67'

All setbacks shall be measured from the street property line.

**10.2-11 Parking of Certain Vehicles.** The parking of travel trailers, pickup coaches, camper trailers, motorized homes, boats and rafts in the R-1 through R-6 Districts shall be subject to the following regulations:

**10.2-11.1 Definitions.** For the purposes of this section:

- a) Travel Trailer is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, permanently identified "Travel Trailer"; it shall have a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.
- b) Pickup Coach is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.
- c) Camper Trailer is a vehicular, portable structure built on a chassis or metal welded unit body with the superstructure made in part or in whole of canvas and metal frame, not to exceed eighteen (18) feet in length.
- d) Motorized Home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- e) Boat—Raft is any unit that is used for water travel or pleasure.

**10.2-11.2** Parking between the front line of any portion of the building and the street shall be limited to private passenger automobiles and station wagons.

**10.2-11.3** Parking between the property line and the side lot line of any portion of the buildings on corner lots shall be limited to private passenger automobiles and station wagons provided that nothing here-in shall prohibit the parking in rear yards of corner lots in the manner hereafter provided for rear yards in this section.

**10.2-11.4** In the rear yards parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained.

- a) Camper trailer (shall be stored in a collapsed position to a height not more than five (5) feet six (6) inches).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length, either mounted on a boat trailer or unmounted; also boat trailer without boat mounted.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

**10.2-11.5** In side yards, parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained:

- a) Camper trailer (collapsed position), not more than four (4) feet in height.
- b) Boat trailer without a boat or raft mounted on it.

**10.2-11.6** On each single-family zoning lot, R-1, R-2, R-3, the parking of only one of the following shall be permitted, other than in totally enclosed garages:

- a) Camper trailer (collapsed position).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

**10.2-11.7** In totally enclosed garages, the parking of the following vehicles shall also be permitted:

- a) Travel Trailer
- b) Pickup Coach
- c) Camper Trailer
- d) Motorized Home
- e) Boat—Raft.

**10.2-11.8** At no time shall such parked or stored camping and recreational equipment or motorized home be occupied or used for living, sleeping or housekeeping purposes.

**10.2-11.9** Notwithstanding the provisions of this section, recreational equipment may be parked anywhere on the premises for loading or unloading purposes for a period of not more than forty-eight (48) hours during any one continuous period.

**10.2-11.10** No automobile, station wagon, or truck that is in an inoperative condition, or not licensed shall be permitted on any residential property for more than forty-eight (48) hours unless it is in an enclosed garage.

All repairs shall be within an enclosed garage in residential areas.

**10.2-11.11** No trucks shall be allowed to be parked unless they are parked within a private garage, as defined in Section 3.2-62.

Nothing in the provisions of this ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property owner.

**10.2-11.12** If any single-family lot is improved with a home, but not a totally enclosed garage, and if a totally enclosed garage is necessary for parking of a vehicle to comply with the foregoing provisions, a grace period of two (2) years from the effective date of this ordinance shall be allowed for the construction of such totally enclosed garage. Meanwhile, pending the construction of such totally enclosed garage, Subparagraphs 10.2-11.2, 10.2-11.3, 10.2-11.7, 10.2-11.8 and 10.2-11.10 shall be applicable on the effective date of this ordinance, but Subparagraphs 10.2-11.4, 10.2-11.5, 10.2-11.6 and 10.2-11.11 shall not be applicable to those premises on which such vehicle is parked in any carport which exists on the lot; or, if no carport exists, such vehicle is parked in the rear yard or in the side yard, subject to the screening requirements of Subparagraphs 10.2-11.4 and 10.2-11.5; provided, however, that the parking of any truck larger than  $\frac{3}{4}$  ton in size shall not be permitted.

**10.2-11.13** Notwithstanding any other provisions of the zoning ordinance, any resident who cannot otherwise comply may park his truck at a gasoline filling station by arrangement with the operator thereof, provided this truck is not larger than  $\frac{3}{4}$  ton; and provided further that not more than two (2) such trucks shall be parked at any gasoline filling station. (Ord. No. 67-122, Dec. 4, 1967)

**10.3 Location of Accessory Off-Street Parking Facilities.** The location of off-street parking spaces in relation to the use served shall be as prescribed hereinafter. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.

**10.3-1 For Uses in an R-1, R-2, R-3, or R-4 District.** Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served.

**10.3-2 For Uses in an R-5 or R-6 District.** All parking spaces shall be within five hundred (500) feet of the use served, except that spaces accessory to a multiple-family dwelling or apartment-hotel shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in an R-5 or R-6 District shall be located in an R-1, R-2, R-3 or R-4 District.

**10.3-3 For Uses in Business and Manufacturing Districts.** All required parking spaces shall be within one thousand (1000) feet of the use served, except for spaces accessory to dwelling units (other than those located in a transient hotel), which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use

Parkng -- Rec.  
Vehicles

18.10.090 FENCE, WALL, SILL, HEDGE AND SHRUB RESTRICTIONS.

A. Not permitted in the required visibility areas adjacent to driveways entering into a highway, including driveways on adjacent properties, except for hedges, shrubs and similar types of vegetation not in excess of three feet in height.

B. In any District where agricultural uses are permitted, the maximum height shall be eight feet. In all other cases not in excess of six feet in height, except for a fence or wall necessary for the public safety, health, welfare as required by any law or regulation of the State of California, or agency thereof.

18.10.090 RESTRICTIONS ON BUILDING CONSTRUCTION AND ERECTION. Except as hereinafter provided:

A. No building or structure shall be erected, and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this chapter as permitted in the district in which such land, building, structure or premises is located.

B. No building or structure shall be erected nor shall any existing building or structure be moved, reconstructed or structurally altered to exceed the height limit established by this chapter for the district in which such building or structure is located.

C. No building or structure shall be erected, nor shall any existing building or structure be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building or structure be encroached upon or reduced in any manner, except in conformity with the building site requirements and the area and yard regulations established by this chapter for the district in which such building or structure is located.

D. No yard or other open space provided about any building or structure for the purpose of complying with the regulations of this chapter shall be considered as providing a yard or open space for any other building or structure.

18.10.100 EXCEPTIONS TO HEIGHT LIMITATIONS. The height limitations contained in the Schedule of Zone Regulations do not apply to spires, beltries, cupolas, antennae, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

18.10.110 ACCESS TO LOTS, PARCELS AND STRUCTURES. Every building hereafter erected or moved shall be on a legally recorded building site with access to a county highway, a public street or road, or a private street or road, conforming to the latest adopted standards for private streets or roads of Nevada County, and all buildings and structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking. Any building site on a private street or road, and said street or road was legally established prior to the effective date of this ordinance is exempt from the above noted latest adopted standards.

\* 18.10.120 PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT. For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any

lot in a residential zone except in a carport or enclosed building or behind the nearest portion of a building to a street, provided however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. When access to the rear of the lot is prohibitive, an area variance may be considered.

\* 18.10.130 PARKING AND STORAGE OF CERTAIN VEHICLES. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

18.10.140 PRESERVATION OF SCENIC VALUES AND NATURAL FEATURES. Such measures as will preserve and enhance the scenic values and natural features and resources of the county, and the conditions making for excellence of residential, commercial, industrial,

Nevada Co, CA  
1970.

as a matter of contract relationship. (Lacking resolution, recourse would then be sought through outside adjudication process.) The sales contract would provide that the purchaser will submit to new construction standards established by the developer and applied by the Design Review Board.

#### Authorily, Standards and Guidelines

Standards and basic authority for the DRB's operation would be established as follows:

1. Declaration of Covenants, Conditions, and Restrictions—primarily a broadly stated enabling of design control
2. Supplemental Declaration—primarily general restrictions and standards for change
3. Land sales contracts—specific requirements relative to new construction when occurring on land not yet subject to the Declaration
4. Association Board of Directors—standards adopted from time to time relative to already fully improved properties (new construction controls would remain the prerogative of the developer). Processes for standards adoption by the Board of Directors would be originally defined in such a way as to protect the interests in the community.

So that all purchasers including participating builders, individuals and commercial developers would have advance directions as to what may be acceptable (or unacceptable), design standards (requirements or restrictions) and guidelines (for discretionary judgements) should be established at the outset both for disclosure purposes and effectiveness. This pertains of course to new construction, but in view of recent court decisions in at least some areas of the country it is critical to the integrity of design control for changes and alterations as well. Lack of standards and due process provisions have resulted in overturns by the courts of architectural or design control regulations by the community regardless of covenant provision. □

### DESIGN CRITERIA Recreational Vehicle Storage

The increasing use of mobile, self-contained camper vehicles, camping trailers, boats and boat trailers has accentuated the problem of recreational vehicle storage and parking. If parked on through streets, the safety of children is endangered, as children crossing behind large vehicles cannot easily see or be seen by oncoming motorists. Aesthetic consideration must also be addressed. Few residents favor the positioning of recreational equipment in public view, on the streets or in townhouse lots. The land plan should provide for storage space which initially may be small, but which can be expanded depending on the demands in the community. The area should be located where the problems of security (damage or misuse) of vehicles are minimal. In addition, the aesthetics of the site should be carefully considered, as the entire issue of vehicle storage is potentially explosive, if improperly handled.

Communities have become bitterly divided over this one issue, and it is important the boat and trailer storage sites be located in a designated area before the sale of the first unit. If the facility is opened after residents have been parking these vehicles on the street, resistance can be expected.

The vehicle storage yard is the logical site for location of a self-service car wash facility. Recreational vehicle washing is conveniently accommodated as well as private car washing. The installation of a car wash facility for residents has a beneficial environmental impact upon the community by eliminating the detrimental effect of detergent run-off into storm drains.

#### Specifications

The facility has two major components, the surface and fencing. The surface could be crushed stone, three (3) inches thick or it could be asphalt paved.

The area designated for car washing should be a 50 by 100 foot concrete slab with two faucet hose connections and a centrally located drain which drains into the sanitary sewer system. The site around the drain area should be graded in order to effectively channel the water.

The fencing should be 6 feet high with a lockable gate. If the fencing does not provide attractive screening, the area should be screened from view either by locating it in a remote portion of the site or by landscaping if it has a close-in location.

Use of the facility will be increased by opening the facility on specified nights of the week and providing lighting so that work on these and other vehicles can be done in the evening. Addition of a maintenance barn with tools and repair bays is a further possibility for increasing usership. Such a program has been catching on with teens, women, and "do-it-yourselfers."

Cost of maintaining and operating a recreational vehicle storage area is best recovered in user fees, so that only the ten or fifteen percent who normally use such a facility are responsible for funding it. (See "Financing the Association" elsewhere in this issue for a discussion of user fees.) □

### Florida Court Overturns Traditional Covenants Provisions

A Florida Court has ruled that the traditional "Duration" provision in Covenants which provides for an initial term of twenty years with automatic extensions in ten year terms (or a similar provision for continuity) violates the Rule Against Perpetuities. (*Henthorn v. Tri Par Land Development Corporation*, Fla., 221 So.2d 465.)

The ruling came out of a successor developer's attempt to invalidate the Covenants so that he would not be bound by a management contract extending to the year 2000 that was part of the Covenants. The case backfired on him in two ways: 1) the court upheld the documents to the year 2000, but said they were invalid thereafter (the initial term of the documents was to the year 2000); and 2) the court held that "improvident execution of a contract is not ground for its invalidation" and thus would not release the developer from his contractual management obligations.

The obvious significance of the Florida ruling is that, in Florida at least, Covenants may not be held valid past an initial clearly-defined finite term—one which ends on a given date. However, the impact, should other courts around the country adopt the precedent, could be tremendous—and disastrous—within ten years when initial terms in many communities will be expiring. One developer in Florida has temporarily side-stepped the problem by setting the initial term of the Covenants in his new PUD at fifty years, hoping that by then the courts will view things differently. □

Source: PUD Review, Vol. 4, No. 3  
November 1975

*Wethering, Ohio. Up 's-date as of April 1976.*

133

Supplementary District Use Regulations

1159.07

R. District. In Lieu of such wall or fence, a strip of land not less than twenty (20) feet in width, planted with an evergreen hedge or a dense planting of evergreen shrubs not less than four (4) feet in height, to be located on such grass strip at least twenty (20) feet from the property line, may be substituted, and such grass strip and shrubs shall be maintained in good condition.

.067 Off-Street Parking. Off-street parking shall be provided on the site with a minimum of six (6) spaces or one parking space for each employee, plus two (2) parking spaces for each service bay, whichever is greater.

.068 Signs and Lighting.

- (1) Gasoline service station signs, whether permanent or temporary, shall be erected or placed as regulated in Chapter 1163, Signs.
- (2) Exterior lighting, as regulated in Chapter 1163, Signs, shall be erected and maintained so that the illuminating element is not visible when viewed from an R District. (Ord. 2325-71. Passed 8-24-71.)

.069 Conditional Uses.

- (A) Washing automobiles, provided: that:
- (1) No conveyor, steam cleaner or other mechanical device is employed in the B-1 District.
  - (2) Car washing facilities in the B-2 and B-3 Districts must be in conformance with the provisions of Section 1153.0210, Car Washes. (Ord. 2490-73. Passed 6-12-73.)

1159.07 TRAILERS.

.071 Definitions.

- (1) "Commercial vehicle" shall mean any motor vehicle designed and used for carrying merchandise or freight.
- (2) For the purpose of this Ordinance the word "vehicle" shall mean all trailers, truck campers, buses, boats and commercial vehicles.
- (3) "Dual purpose vehicle" shall mean a pick-up truck with a slide-in camper or a van-type vehicle converted for camping use, either of which are used both for camping and incidental transportation.

- (4) "Front yard" means any open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereafter specified.

.072 Restrictions.

No person shall park (except for service calls), store, or conduct any business within or from any vehicle on private property in any Residential or Professional Office Zoning District. These restrictions shall not apply to vehicles owned, rented or leased by churches nor to public or private schools.

.073 Exceptions.

(1) Any vehicle may be parked in a Residential or Professional Office Zoning District for the purpose of loading or unloading not to exceed forty-eight hours within any seven day period.

(2) One dual purpose vehicle that is not more than ten (10) feet in height and twenty (20) feet in length may be parked in a Residential or Professional Office Zoning District on a front driveway that is permanently hard-surfaced not to exceed seventy-two (72) consecutive hours within any seven day period.

(3) One (1) commercial vehicle having empty weight of less than 4,000 lbs. and not more than seven (7) feet in height may be parked in a Residential or Professional Office Zoning District on a driveway that is permanently hard-surfaced.

(4) One vehicle less than 8,000 lbs. empty weight and/or ten (10) feet in height, or buses, boats and trailers less than thirty (30) feet in length may be parked or stored in a Residential or Professional Office District. However, such parking or storing shall be prohibited in any front yard, corner street side yard, required side yard or within ten (10) feet of any side or rear lot line of the rear yard.

.074 Permanently Fixed Habitable Vehicle to Ground.

No person shall permanently remove the wheels or similar transporting devices of any habitable vehicle parked in any Residential or Professional Office Zoning District, nor shall such vehicle be otherwise fixed to the ground by any person in any manner that would prevent the ready removal of said habitable vehicle.

X--Parking-Recreational  
Vehicles

BUILDING REFRIGERATION \* ELECTRICAL VENTILATION \* PLUMBING \* WATER CONDITIONING \* HEATING \* AIR CONDITIONING \* WATER AND SEWERAGE FRANCHISES \* GARBAGE FRANCHISES \* ZONING



DEPARTMENT OF  
REGULATORY SERVICES  
J. P. DICK, SUPERVISOR  
EDGAR K. JAFFE,  
ZONING ADMINISTRATOR

County of Sarasota  
Sarasota, Florida  
January 10th, 1967

ROOM 101  
TELEPHONE  
832-7111

TO: Board of County Commissioners

FROM: Edgar K. Jaffe, Zoning  
Administrator

Subject: Proposed Amendments to Zoning Regulations to provide  
for Travel-Trailer Parks.

- 1 - The Zoning Enforcement Section has spent many months in researching this use with the Planning Department.
- 2 - Made on site inspections in the field.
- 3 - Held discussions with members of the various State Associations on Planning and Zoning regarding this matter.
- 4 - Discussed this use with Staff members of Planning and Zoning departments of other Communities.
- 5 - Our findings show the need for a change in our regulations to accommodate this use.
- 6 - The study made shows a reduced travel trailer enforcement problem in communities that have made provisions for travel trailer parks.
- 7 - The Zoning Department recommends approval of this change in our ordinance.

This package of material about the parking and storage of recreational vehicles in residential areas was compiled and sent by the above mentioned Mr. Edgar K. Jaffe. The newspaper clippings, memos, model ordinances show some of the issues involved and relate to the situation in Sarasota County as well as other Florida counties. April, 1976.



*Regd. Copy*  
*J.P.D.*

14 March, 1968

Sarasota County Commissioners  
County Bldg.  
Sarasota, Florida

RE: PARKED CAMPER in yard of  
T. M. Tibbets, 2459 Whippoorwill Cr.

Gentlemen:

Please direct your attention to the above captioned subject of which I have already registered a complaint without active results. Mr. Jaffe contends a CAMPER is not considered a trailer. Both are used for the same purpose and should be considered the same way regardless as to the name used. Probably when the law was placed on the books, campers were unheard of but as long as it is used for the same exact purpose, the title should have no bearing.

Therefore, if your present law cannot be extended to cover this other name (camper) then you should enact a clause when it will be covered and this should be done without delay. More campers and other names being used is coming on the market fast get busy and see that the law covers all types. I maintain it a nuisance and should be eliminated. This is a residential neighborhood; not a trailer camp.

Immediate action is requested by the undersigned  
you.

Yours truly

*Dave Gran*  
Dave Gran

3901 Mockingbird Hill  
Sarasota, Florida

BUILDING REFRIGERATION \* ELECTRICAL VENTILATION \* PLUMBING \* WATER CONDITIONING \* HEATING \* AIR CONDITIONING ZONING



BUILDING CONSTRUCTION  
DEPARTMENT

County of Sarasota

Sarasota, Florida

January 8, 1970

ROOM 103  
TELEPHONE  
938-9711

S. Hale, Director

Edgar K. Jaffe  
Zoning Administrator

**MEMORANDUM**

**TO:** John J. Gray, County Administrator  
for  
Board of County Commissioners

**FROM:** Edgar K. Jaffe, Zoning Administrator

**SUBJECT:** Proposed change in Zoning Regulations to allow Travel Trailers in residential zones.

**PAST HISTORY**

1. During the past several years, we have had an increasing number of travel trailers enter our County and park on lots in residential zones in violation of the Zoning Regulations
2. We have received an average of three complaints on each one. Each year the number in violation has increased by about 100 over the previous year. During 1969 we caused to be removed over 700 without legal action. This was accomplished by personal contact, by letter, or both. Legal action was necessary on less than a dozen.

**SUGGESTED REVISION**

1. Since Florida, and particularly Sarasota, is known as a recreational area, where people can enjoy our natural resources, it seems wrong to restrict our citizens in their enjoyment.
2. Any law that develops 700 violations per year would seem to be in need of overhauling, or deleting from the Ordinance.
3. It should be pointed out that we do not regulate the following:
  - a. Boats and boat trailers.
  - b. Pick-up trucks with sleeper bodies.
  - c. Volkswagon, or econoline; bus type campers.

Memorandum to:  
John J. Gray, County Administrator  
for  
Board of County Commissioners

- 2 -

January 8, 1970

- d. Self propelled campers of other types.
  - e. The box type, fold out canvas sleepers.
4. It seems that the public is becoming increasingly dissatisfied with this regulation that restricts them in the use and enjoyment of Florida outdoor life.
  5. I therefore recommend that the Planning Commission Committee on Regulations be requested to study a proposed change in the Regulations in order to accommodate this use.

BUILDING CONSTRUCTION  
DEPARTMENT

F. S. Hale, Director  
Edgar K. Jaffe  
Zoning Administrator



County of Sarasota  
Sarasota, Florida  
January 19, 1970

ROOM 103  
TELEPHONE  
958-9211

MEMORANDUM

TO: John J. Gray, County Administrator  
for  
Board of County Commissioners

FROM: Edgar K. Jaffe  
Zoning Administrator

SUBJECT: Follow-up to Memorandum of January 8, 1970  
recommending study by Planning Commission  
for change in Zoning Regulations to allow  
Travel Trailers in residential zones.

Having been very close to this problem for many years, we  
have some thoughts that may assist the Planning Commission  
in formulating new regulations.

LOCALLY-OWNED-TRAVEL-TRAILERS

1. In order to maintain light, air, open space,  
and fire breaks between residential structures,  
where setbacks require only 16 feet between  
buildings in most residential areas (R-2) and  
20 feet in (R-1) districts, it would seem to  
offer more protection to the neighbors if the  
travel trailers were required to:
  - (a) Observe district setback.
  - (b) Store in carports or garages.
  - (c) Store behind a screen fence.

VISITING TRAVEL TRAILERS

1. Extend the time limit from 8 hours, or over night,  
to two weeks for out of town guests visiting in

Memorandum

To: John J. Gray  
County Administrator - 2 - January 19, 1970

their travel trailers with friends in residential zones, with stipulations:

- (a) The trailer remain unoccupied.
- (b) Hook-ups to water, electric, or sewer would be prohibited.

EKJ:md

cc: C. P. McGuire  
Planning Director

PROPOSED REVISION OF SECTION 7  
SARASOTA COUNTY ZONING REGULATIONS

7. Temporary Use Permits

A. Temporary Use Permits may be granted in any zoning district for specified periods of time in the following categories:

(1) Short-term, not more than one year duration:

- (a) Circuses
- (b) Carnivals
- (c) Fairs
- (d) Christmas tree sales lots
- (e) Other similar uses of a temporary nature

(2) Longer-term, not more than five years duration:

- (a) Model homes and/or model apartments
- ~~(b) Storage of travel trailers and other major recreational equipment~~
- ~~(c) Land developmental activities, including real estate sales offices; construction materials storage, processing and fabrication; offices for persons engaged in the development; equipment storage; temporary signs; temporary housing; and mobile radio equipment and antennae~~

B. Applicants for temporary use permits shall present plans indicating the area in which the temporary use permit is to apply, the nature of the activities which will occur and the time for which the temporary use permit is requested.

C. Temporary use permit applications shall be submitted to the Planning Commission, who shall make a recommendation to the Board of County Commissioners. The Board of County Commissioners may grant or deny a temporary use permit and, in addition, they may attach suitable conditions, stipulations and safeguards. A public hearing is required before the Board of County Commissioners. Prior to granting a temporary use permit the Planning Commission and the governing body shall insure that:

- (a) Any nuisance or hazardous feature involved is suitably separated from adjacent uses.
- (b) Excessive vehicular traffic will not be generated on minor residential streets.
- (c) A vehicular parking problem will not be created.
- (d) Temporary use permits for model homes, model apartments and signs advertising the same shall bear a reasonable geographic relationship to the area or areas being developed or promoted by the applicant.

D. Each temporary use permit shall be granted for a specific period of time, at the end of which, if the use permitted as a temporary use has not been discontinued, it shall be deemed a violation of the Zoning Ordinance, and shall be subject to the penalties provided herein.

# Residents Assured Of Manasota Zone Enforcement

By PHIL FRITS  
Sarasota Staff Writer

Manasota Key residents given assurances by that no "unilateral" downgrading of their status is planned by county officials. At the same time, the county may attempt to proliferate its laws through relaxed enforcement of the "members" of the Manasota Key Association authorized their attorney, E. G. Dan Boone of Venice, to file a complaint with the county's Regulatory Services Department against a alleged violation

relative to a travel trailer on North Manasota Key.

William G. Key, president of the North Manasota Key Associates said recent efforts to get county regulatory personnel to enforce the regulations in this regard have failed.

He said he referred specifically to a travel trailer that has been on the premises of a North Manasota Key residence since Dec. 23, "which has lights in it and is hooked up to water."

He said he and several other north key property owners went to the south county courthouse annex to ask regulatory services personnel there to take action,

and was told, "We have nothing to do with this down here, you'll have to go to Sarasota."

He said the delegation went to the courthouse in Sarasota, "and, to put it bluntly, they laughed at them." He quoted the county officials as saying "they had orders" not to enforce "this particular ordinance at this particular time."

He said the group then wrote the county commissioners and also State Sen. Warren Henderson of Venice to get some answers.

Key then produced the letter from Henderson, in which the senator stated, in part,

"I have today contacted the Sarasota Planning Department only to learn that there is absolutely no petition for rezoning pending before the Board of County Commissioners or the Board of Planning and Zoning."

"It is possible that the concern among the people of North Manasota Key is not with the zoning change but a change in the restrictions against allowing of trailers of a travel nature on the premises for more than eight hours a day."

"It is my understanding that the county is considering lengthening this period of time to more than simply overnight, but in no case to

allow these trailers to be occupied or hooked up to water or sewage, to allow them to be even susceptible to occupation for living purposes."

Shortly after Key read Henderson's letter, key resident Joseph Barr moved that the association's attorney, Boone, be authorized to file a formal complaint with regulatory services and "take whatever legal steps are necessary" to obtain enforcement of the county's regulations.

Contacted last night by The Herald-Tribune in regard to any "orders" not to enforce the travel trailer provisions — which prohibit such a

vehicle on a residential premises for more than eight hours — Commission Chairman Kenneth Brumbaugh said that the commissioners that afternoon had authorized County Planning Director Philip McGuire to study the travel trailer regulations with an eye to modifying them.

This board action apparently came while McGuire was attending the Manasota Key Association's annual meeting at the Empresswood Savings & Loan Association community room in Empresswood.

Brumbaugh said he could not say specifically what modifications would be sit-

died, but did state that the current regulations are "rather strict" and indicated in regard to the time period "it might be possible to change it a little bit."

In regard to enforcing the regulations as they exist, he said, "If a complaint is brought in, we would have to enforce the regulations on the books."

He said his philosophy in regard to a regulation is "you either enforce it or remove it, modify it or do something with it; it's there to be enforced."

He said he could see no possibility of the County Commission changing the

regulations on the key to R-T (residential) which would allow trailers to be occupied on a permanent basis.

"I can't see any possibility of that happening," he said, "I should think that to enforce it would be the end of the key work."

McGuire, who is a featured speaker at a convention of the Manasota Key Association in Venice, said that no one in the county is working to relax the regulations on the key is the highest class in the county's zoning laws.

Health Department does not say whether the fish is not harmed by the toxin, they announced the concentration of the neurotoxin in their bodies within a period of 15 days after the water is again pure.

Q: Why doesn't the Herald-Tribune run the names and addresses of all office-holders—state, county, or city?  
A: P. Sarasota  
A complete listing.

Q: What can be done to prevent the parking of four trailers in the county in a residential area?

A: The county zoning department under the direction of Ed Jeffre investigated the locations you cited Monday. The corner of Shady and Scenic, the investigating officer found a self-propelled motor coach which is treated as a travel trailer. A travel trailer was also found at River and Sandria. The owners of both these recreational trailers will be notified to remove them in compliance with the county ordinance, and are normally given about a week to obey. The fourth location at 2304 Fava disclosed a tent type tent camper, which is not included under present county regulations. Last Wednesday night, 150 persons appeared before the Sarasota County Planning Commission urging modification of county travel trailer zoning regulations. While the hearing was held for information, a change in regulations is possible.

Q: Why not put red lights on the new jetties being built? They are definitely needed on both sides, the starboard will be the port side.

L. M. Vee  
A: Yes and others in your area should write Sarasota District Coast Guard Headquarters in Miami regarding the problem. Address is: Commander H. H. Clark, U. S. Coast Guard District, c/o Commander H. H. Clark (Chief Aid to Naval Branch), 81 S.W. 1st Avenue, Miami, 33134.  
Q: Why does Sarasota High School use the name "Sailors?"

A. E. Sarav  
A: A favorite story passed around is that the name came to be used back in the 1920s during a vigorous football game between Bradenton and Sarasota. The night was particularly rainy and the playing field soaked with mud and puddles. An eager fan, striving to encourage the team to victory, started yelling "Go, Sailors, Go."

Actually the name "Sailors" was used well before 1920. The first time it was found appearing in print is in the name of the Sarasota High School and the Sailors' Log, both about 1914. However, H. H. Clark, long-time Sarasota resident and Sarasota High graduate, said the name goes back even farther. He said in 1916 when he was playing center on the school's football team, the name had not been applied. When he returned from service following World War I that about 1921 the nickname was being used.

Hollins could pinpoint the "Sailors" no closer than that but several people suggested the name was first coined because Sarasota at that time was a small, waterfront fishing village where most of the people were familiar with boats and the sea.

Remember: If Hotline phones are busy when you call, we like mail, too. Send problem to Hotline, Sarasota Herald-Tribune, P.O. Box 1719, Sarasota, Florida, 33578. Hotline answers questions only through this column.



in the US? What is the name and location for the school for this study in Florida? How do they compare?

L.R. Straker  
A: To judge a "best" school in a particular field you must look at the quality of its graduate program in that school. Dale Beaumartin, marine biologist for the Florida Marine Research Laboratory, evaluated several of the universities on the west coast, including the University of California providing the "best" course in physical oceanography. However, for true ecological, marine biology, he recommends either the University of South Florida in Tampa or the University of Miami. Since the schools extend in different branches of study, it is impossible to compare them.

Q: We were not allowed to keep a horse in the backyard even long enough to repair it, yet a tractor has been sitting at the corner of McCall Road and Cowan Street three weeks or more. Why is this allowed for some people and not for others?

T.G. Engler  
A: This is not permitted in Sarasota County. However, if action started on this matter, you must write or call the Sarasota County Zoning Department, being sure to include your name and address along with the complaint. Upon receiving your name with this complaint, Ed Jaffe, administrator of that department, promised to send an inspector.

Q: Sometimes I get a television blackout when the conditioner "clicks" to cool... and sometimes I get a blackout when either the large living room will turn it off itself at the "super" setting, or especially, when so "normal" while another unit is on in the bedroom. I've had many theories from friends as to why my electrical system operates this way, but does the Florida Power and Light Company come out to check the system, if called? What I call: Is there a fee?

T.S.C. Saro  
A: If you will call Florida Power and Light at 899-1111, it will be happy to send a service man to determine the outside facilities with which you have been provided. Adequate for your household load. There is no fee. However, if no problem is found outside, you will have to call an electrician to examine your inside wiring. His fee will be based on the work required.

Q: Can you tell the difference between American "horse power" in cars and that of English "horse power"? My brother's English car is 12 horse power, but it seems small as compared to American horse power. Yet, it travels without trouble up a 1 in 4 grade hill.

E.E. Engler  
A: It is not the measure of horsepower, which is equivalent in both England and the United States, that makes the difference, but how it is utilized in the car, said Don O'Connor, service manager for Urfer's Volkswagen.

While both cars may have the same horse power, the small English car will have a smaller gear ratio, so the car will travel more slowly. The greater American gear ratio will spin and hence the car will move faster.

Correction: An error appeared in Tuesday's column in a question having to do with restrictions on taking moon questions. The sentence should have read: state exams may not be given between May 15 and Oct. 15.

Remember: If Hotline phones are busy when you call, we like mail, too. Send problem to: Hotline, Sarasota Herald-Tribune, P.O. Box 1715, Sarasota, Florida, 33578. Hotline answers questions through this column.



GERALD LUDWIG



Announcing

REPORT LOCAL

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# Travel Trailer H-T 2/24/70 Hearing Asked



A Powerful Set Of Grinders  
...chews up cars, trees, tires, refrigerators, etc.

## Board Is Pondering An Unique Solution To Waste Problem

**Herald-Tribune Staff Writer**

A 200,000 pound machine that can chew up whole refrigerators, trees, automobile bodies, overturned furniture, tires and other such bulky items has plagued the interest of the Sarasota County commissioners.

They see in it a possible solution to the solid waste disposal problem, at least of a temporary basis until an incinerator system becomes economically feasible.

The machine is called a "chewer" and it can digest solid waste materials up to 12 tons per hour.

Furthermore, says County Commissioner Chairman Kenneth Romberg, it can reduce the amount of needed landfill to about one-third simply because it pulverizes refuse to a compact, voidless mass.

The particular machine the commissioners are interested in is manufactured in Albuquerque, N.M., and costs, fully installed, about \$150,000.

Commissioner Dan Howe commented that "the thing that intrigued me about it is that decomposition changes is being improved, and this might give us a breathing spell before the garbage ahead comes down on our necks."

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## To Clear Up Status Of Cor

# Consolidation

Herald-Tribune Staff Writer

Plan Casperson, chairman of the Advisory Committee on Consolidation, is scheduled to meet with Sarasota County commissioners at 11 a.m.

today and discuss the somewhat murky status of the committee.

A possible upshot of the consolidation will be the dissolution of the advisory group and the formation

## Large Turnout Expected At Hearing On Trailer

Herald-Tribune Staff Writer.

A public hearing on travel trailers scheduled April 15 at the Sarasota County courthouse is expected to draw one of the largest crowds ever before the County Planning Commission.

In February a 20-foot petition containing 686 names was presented to county officials and subsequently the Planning Commission scheduled a hearing at 8 p.m. April 15 in the County Commission's meeting room.

The petition urged the board "to adopt an ordinance that would, under reasonable regulations and restrictions, permit the parking and storage of recreational vehicles upon the a 'zoned premises."

"It made it clear that those submitting the petition were not asking for an ordinance that would allow the owners of such vehicles to use them for dwelling purposes—only that they be allowed to park or store them on their premises.

Under the county's present zoning code, travel trailers cannot be stored outside in any zoning district except agricultural and mobile home. Regulations require they be enclosed in a building, but the county has difficulty enforcing the law.

The travel trailer problem has been a headache to county officials for years and contact source of trailers to owners who don't have their own being allowed store the trailers on residential premises.

The lengthy petition a April 15 hearing—held an informational hearing—the more decisive action this area locally or better.

Planning Commission member Larry Palmer, chairman of the Zoning Regulations Committee, said hearings will be to obtain information from the public prior to the committee investigating any potential changes in the zoning regulations.

## Large Crowd Expected For Travel Trailer Hearing

Herald-Tribune Staff Writer

One of the largest crowds ever to appear before the Sarasota County Planning Commission is expected tonight at a public hearing on proposed travel trailer regulations.

The meeting is scheduled for 8 p.m. in the public hearing room of the Sarasota County Courthouse.

In February, a petition containing 665 names was presented to county officials asking for a modification of the ordinances governing travel trailers.

The petition urged the board to "adopt an ordinance that would, under reasonable restrictions and regulations, permit the parking and storing of recreational vehicles upon the owners' premises."

Under the present zoning code, travel trailers cannot be stored outside in any zoning district except agricultural and mobile home.

The petitioners have submitted ordinances adopted by Duval County, Jacksonville and Bradenton which they asked to be used as guidelines.

All three ordinances permit parking of travel trailers in back yards, provided they are not connected to service lines and are not used for dwellings.

In Sarasota County travel trailers, except in agricultural and mobile home districts, must be in a completely enclosed building.

The county, however, has difficulty enforcing the law. Chairman Joe Z. Lovelace

has said many of the travel trailers are actually used as residences.

This problem has been a bone in the throat of the Planning Commission for months.

The petition asked that travel trailers, motorized campers, fold-up campers, pickup truck campers, motor homes, boats and boat trailers

be regulated under more permissive ordinances.

"The petitioners wish to make it clear that we are not asking for an ordinance that would allow the owners of recreational vehicles to use same for dwelling purposes while parked or stored on side of a licensed park or camp ground," the petition said.

# Travel Trailer Row 4-16-70 Draws Large Crowd

By LEE BUTCHER

Herald-Tribune Staff Writer

An overwhelming majority of about 120 persons who appeared Wednesday night before the Sarasota County Planning Commission urged modification of the county's strict travel trailer zoning restrictions.

The public meeting room at the county courthouse was filled to standing room only 15 minutes before the commission convened.

The hearing came in the wake of a petition that was 21 feet long and contained 650 signatures asking that ordinances governing travel trailer storage be altered.

Under existing ordinances, only agricultural zoning districts are eligible to store the recreational vehicles in open space.

Chairman Joe Z. Lovingsood indicated the planning commission will recommend some sort of proposal to the county commission to alleviate the situation. He indicated that a

"dry storage" facility, similar to boat storage at marina, might be in order.

"It doesn't make sense to say you can't keep them on your lots and then say you can't put them anywhere else," Lovingsood said.

The crowd attending the hearing on the recreational issue was orderly, except for one chorus of boos which met an opponent's remark that travel trailers are unsightly.

Lovingsood gavelled the crowd to silence and sternly warned them that they must respect the rights of the person speaking. He said he would clear the room otherwise.

There were no further outbursts.

John H. Taylor, a Sarasota County resident who is director of the Florida Mobile Home and Recreational Vehicle Association, said the zoning code needs to be relaxed.

Taylor insisted, however, that recreational trailers should not be used as

residences while parked home. He said recreational vehicles are placed on trailers, if the ordinance modified, should be considered.

Taylor submitted a proposed ordinance, copied those existing in DeSoto, Bradenton and Jacksonville for the commission's consideration.

These ordinances allow travel trailers to be parked in back and side lots, providing they are situated on a driveway. Furthermore, service lines could be extended to them.

Taylor said the Legislature is expected to pass a bill this year authorizing the issuance of a Recreational Vehicle license.

Travel trailers would display these licenses, Taylor said this would reduce the complex task of enforcing parking regulations by making the vehicles easily recognizable.

The mobile home business in Sarasota County "overbloomed," Taylor said. He added that it is time to become an even business.

"We feel very strongly this is going to be an overwhelming business," said. "We're all going to be in trouble if there are no restrictions."

Speaking against restrictions was Edward H. Garrett, president of the Sarasota County, just south of Ocala. Garrett said the local "transients" in his community that parking of trailers in residential areas would devalue property.

"Any change that opens the door a little... is bound to impact on my eyes," he said. "The mere presence of a trailer detracts from a community."

The hearing was adjourned after the commission was given information. No character evidence has been presented. Should the commission decide to recommend relaxing the ordinance, a public hearing would be

*Building*

MINUTES  
COUNTY PLANNING COMMISSION  
Special Meeting  
May 21, 1970

The Chairman called the meeting to order at 8:00 P.M. in the County Commissioners' Hearing Room, in the Courthouse, Sarasota, Florida.

Present:                    Lovinggood, Chairman    Porter, Vice Chairman  
                                 Fisher                    Townsend  
                                 Jehan                    Collett  
                                 Kincaid                 Burgmann  
                                 Gremli

Also Present:            Stinnett, Planning Commission Attorney  
                                 McGuire, Planning Director

Chairman Lovinggood stated that plats would not be considered since it was Board policy to only consider planning matters at the third meeting of each month.

Zoning Regulations Committee Report on Travel Trailers:

Chairman Porter reported that the committee had reached a stalemate and that no recommendation was being made. Discussion followed with Messrs. Fisher, Collett and Jehan stating that they did not concur with parking said vehicles in residential neighborhoods. Mr. Townsend suggested that subdivisions set aside areas in subdivisions when new plats are processed. Mr. Porter inquired if travel trailer parking for dead storage could be construed as being applicable under "other similar uses of a temporary nature", as stated on page 9 of the Zoning Regulations. Mr. Stinnett stated that in his opinion it was not applicable. He further stated that Section 7 could be completely reworked and the wording changed to accommodate this use.

Chairman Lovinggood referred the matter back to the Regulations Committee to explore:

- 1) Make certain that dead storage is permitted in R-3A and any other appropriate zones.
- 2) Consider revisions to the Temporary Use Section of the Ordinance to accommodate this use.

County Planning Commission  
May 21, 1970  
Page 2

- 3) Consider revising the parking of travel trailers on residential sites for loading and necessary maintenance from 8 hours to 48 hours.
- 4) Consider whether parking may be permitted on residential sites of one acre or more, subject to appropriate screening.

Mr. Kincaid stated that a satisfactory solution for all was impossible and moved to officially take the action as stated by the Chairman.

Mr. Jehan: I second the motion. Motion carried unanimously (9/0).

Chairman Lovingood noted that this was a partial solution and referred the parking of travel trailers on residential lots to the full Commission sitting as a Committee of the Whole. This subject will be discussed once again at the third meeting in June.

Oaks Property: Recommendation to Board of County Commissioners:

Mr. Porter: I move that we recommend to the Governing Body that they immediately begin negotiations with the Palmer Estate to consider the acquisition of The Oaks property as a recreation area for the use of the general public.

Mr. Kincaid: I second the motion.

Under discussion, Mr. Porter stated that the excavation of the Bay Bluffs site had made him sick to his stomach. He further stated that this natural and historic site (The Oaks) should be preserved to make certain that this site would be reserved for the public and that no concession type uses should be considered. Mr. Kincaid noted that careful consideration should be given to preserve the well designed aspects of the site.

Mr. Gene Elliott, Chief Real Estate Officer for the Palmer Bank, appeared and stated that the site was not for sale now, but that discussions could be pursued, and they too were interested in preserving the attributes of the tract. He also requested that unnecessary restrictions not be placed on the owners at this time.



4 June 1970

THE SOUTH GATOR is published monthly by the South Gate Community Association, Inc. 2145 South Gate Circle Sarasota, Fla. 34237 Ph. 556-8297 Office hours, 1:00 p.m. Mon. thru Fri. Our Slogan: Your Protection

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**LEGAL MATTERS**

The enforcement of deed restrictions in the South Gate units is probably the greatest responsibility undertaken, with legal authority, by the South Gate Community Association, and generally there has been cooperation of the property owners. One of the deed restrictions requires that no "other structure" of a temporary character, trailer, house trailer, tent, storage barn, etc., shall be erected or maintained, either temporarily or permanently

except during the construction period.

On April 15, 1970 at a special-calling meeting of the Sarasota County Planning Commission, a public hearing was held to consider a petition with over 628 signatures, claimed to be Sarasota County travel trailer owners, requesting a change in the deed restrictions and zoning regulations to permit the parking of travel trailers and all recreation vehicles on the property of their homes with the stipulation that they cannot be used for living quarters. The owners of recreation vehicles claim and do have a problem to locate desirable, convenient, economic and safe facilities for storing the trailers and recreation vehicles. An alternate to provide dry storage for a small charge with no change in the present restrictions was suggested for consideration which might be preferable to unrestricted parking.

While this petition is being circulated by the Planning Commission and before their recommendation is made to the County Commissioners, it might be of utmost importance to the South Gate property owners to express their opinion either in person or collectively through the Association, whether it would be to the better interests of the area to permit unrestricted parking of recreational vehicles. A large representation of signers of the petition and several authorized representatives from clubs or organizations from several sections of the County were in attendance at the hearing to express their approval or disapproval for the change in the

(Cont. on p. 6)

6 TRAVEL TRAILERS (cont.)

ded restrictions to permit parking of all recreational vehicles. The size of South Gate lots and side clearances are not considered adaptable to park vehicles without detracting from the appearance of the community and encroaching on desirable space between homes. There are areas in the County where lots and property are sufficiently large enough, where there would be no detriment in having trailer vehicles if the exception can be granted.

A large group of property owners turned out to be heard when changes in garbage rates and collection were being considered, and were an influence in finalizing the changes. This suggested change in deed restrictions is equally important for property owners to be concerned about maintaining the physical appearance of South Gate.

I. R. Hines

**TRAVEL TRAILERS**

Those trailer people proposed to force trailer parking in all areas by renewing present restrictions. The writer believes that the people should live in such areas which permit trailers.

The writer also believes that people who do not want trailer parking should have areas restricted against trailer parking. South Gate is one of the areas restricted against trailer parking. It should remain so.

All South Gates should express their opposition to the present threat to their restrictions. Their officers and all members should take an

active part in opposition to trailer parking. Don't Complain

**EDITH'S WIFE**

The preceding articles were written by two of our best talent. They also have attracted the attention of observers only, since no one from our Association has been officially approached.

However, your editor comments that their efforts and those of a firm stand should be taken to prevent relaxing the ruling especially in South Gate.

J. A. Smith

**POOL NEWS**

Mrs. Bruce Mackie, our qualified swim instructor, will begin classes on June 15. Swims instruction is free to children of our pool members. The following groups will be taught Monday and Friday mornings: 8:30 - Beginners, 9:00 - Intermediate, 9:30 - High Swimmers, and 10:00 - Technique.

If not sure in which group you belong, please come at 10 the first day.

This will be Mrs. Mackie's fourth year as swim instructor at South Gate Pool. She is also available for private lessons. For information call 822-2475 or South Gate Pool, 822-2477.

**PAVILION DEMONSTRATION**

Exhibitors and interested students of Mrs. and Mrs. Earl Atkinson will present a Pavilion Demonstration on Thursday evening, June 4 at the Community Center. The time is 7:30 p.m. The children will demonstrate in ballet, tap, modern jazz and

(Cont. on p. 8)

## Campers Approve New Law

MIAMI — A public hearing on a new Dade County zoning regulation covering the storage of recreational vehicles will be held here Nov. 2.

The new law, which was approved unanimously by the Zoning Appeals Board last week, is the outgrowth of a series of conferences between camper equipment owners and neighbors who objected to the campers being stored in backyards between trips.

Most camping enthusiasts who attended the zoning meeting expressed themselves as well pleased with the ordinance, which provides:

No more than one trailer or camper on a homestead. No living, sleeping, cooking, etc., in the trailer while it is parked at the homestead.

The equipment shall not be more than 55 feet long, more than nine feet in height from the ground, or have a gross weight of more than 5,000 pounds.

If your relatives drive down from the cold North to visit you this winter, they can park their camper or camping trailer at your house for no longer than 14 days.

The parking space shall be in the rear yard, or in the side yard in back of a line established by the front building line farthest from the street.

That means if the rear part of your house is set back 25 feet from the sidewalk, but the garage is set back only 20 feet, it's the 25-foot line that rules.

The equipment and the parking area must be kept neat and clean, and the equipment must be in usable condition.

It must bear a current state vehicle registration license plate and a current inspection sticker if required (as in the case of self-propelled campers).

No major repairs or overhaul or noisy work on it while on the premises. And anyone selling such equipment must attach to it a copy of the use regulations.

-TN-

X - Parking of Residential Vehicles

City Attorney  
City Hall  
Modesto, California

POWER OF CITIES TO ADOPT ORDINANCES

9.3.63

CONTROLLING LOCATION OF HOMES AND

TRAILERS IN RESIDENTIAL AREAS.

In what is believed to be one of the first Superior Court decisions in California in this field, an ordinance regulating the location of homes and trailers in residential areas was sustained by the Superior Court of the State of California, in and for the County of Stanislaus, No. 73068, in a case entitled: City of Modesto vs. Jack H. Lamb, et al., rendered on June 3, 1963.

The provisions of the city's ordinance which were held valid are contained in Section 10-2.1510 of the Municipal Code which reads as follows:

"SEC. 10-2.1510. PERMITTED LOCATIONS OF MOBILE HOMES, TRAVEL TRAILERS, CAMP CARS AND CAMPER.

"(a) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, except a travel trailer, upon any lot, place or parcel of land within the residential zones of the city, except in a mobile home park.

"(b) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, a travel trailer, camp car, or camper upon any lot, or place or parcel of land within the residential zones of the City, except in a mobile home park or a travel trailer park, with the following exceptions:

"(1) One such facility may be placed, kept or maintained wholly within a structure lawfully existing on the premises; or

"(2) One such facility may be placed, kept or maintained upon any lot, place or parcel of land within the residential zones of the City provided that it shall be located no closer than fifteen (15) feet to any street line and provided further that no part of any travel trailer, camp car, or camper shall be maintained, kept or placed closer than three (3) feet to any building used for human habitation.

"(3) Notwithstanding any provisions contained herein, such facility may be located anywhere on the lot, except in a minor violation zone of a corner lot as defined in Section 10-2.1509 hereof, for a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes or for the temporary storage not to exceed seven (7) days of such facility owned by a lawful guest of the occupants of the premises.

"(4) Notwithstanding any provision contained herein a camp car or motorhome which is not more than twenty-eight (28) inches in height and twenty-two (22) inches in width shall be exempt from the provisions of this section.

"(c) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, travel trailer, camp car or camper upon any lot, piece or parcel of land within the nonresidential zones of the City other than in a mobile home park or trailer park except for storage, sale, or business use, as permitted in such zone."

Defendant, an attorney, claimed the city's legislation was invalid as in violation of the Constitution of the United States and the Constitution of the State of California, primarily based on the due process clause. He further contended that the legislation was unenforceable as being vague, indefinite, ambiguous, uncertain, confusing and self-conflicting. Defendant took the position that the ordinance constituted a violation of his property rights as prohibiting the free and reasonable use of his property and was invalid because it was based solely on aesthetic considerations.

The basis of the decision was set forth in the opinion of the Superior Court as follows:

"By reason of the close proximity in which people today live and the complexities of modern civilization, many of the freedoms that our forefathers knew and enjoyed have ceased to exist. Modern inventions and modern travel have both changed the lives of all citizens. In most cities today, you can drive in only one direction on a street. You are required to wait at a signal controlled intersection until the blinking 'wait' light changes to 'walk'. Lines are drawn by governmental agencies behind which one must build his structure or, in this case, park his trailer. Restriction on the freedom of movement of individuals today as opposed to the more or less unrestricted movement of our forefathers may cause us some unhappiness, but because of the complexities of modern life, these restrictions have to be imposed and we will be fortunate indeed if, in the years to come, other restrictions aren't placed upon our movements and our way of living.

"As a commonwealth develops politically, economically, and socially, the police power likewise develops, within reason, to meet the changed and changing conditions. What was at one time regarded as an improper exercise of the police power may now, because of changed living conditions, be recognized as a legitimate exercise of that power. This is so because: "What was a reasonable exercise of this power, in the days of our fathers, may today seem so utterly unreasonable as to make it difficult for us to comprehend the existence of conditions that would justify same; what would by our fathers have been rejected as unthinkable is today accepted as a most proper and reasonable exercise thereof.

Thiller v Board of Public Works, 82 Cal. App., 190.

"As a corollary to this recognized principle of the capacity of the police power to meet the reasonable current requirements of time and place and period in history is the equally well settled rule that the determination of the necessity and form of such regulations, as is true with all exercises of the police power, is primarily a legislative and not a judicial function, and is to be tested in the courts not by what the judges individually or collectively may think of the wisdom or necessity of a particular regulation, but solely by the answer to the question is there any reasonable basis in fact to support the legislative determination of the regulation's wisdom and necessity? Thus in Miller v Board, this court said in 195 Cal. at page 400: "The courts may differ with the legislature as to the wisdom and propriety of a particular enactment as a means of accomplishing a particular end, but as long as there are considerations of public health, safety, morals, or general welfare which the legislative body

may have had in mind, which have justified the regulation, it must be assumed by the court that the legislative body had those considerations in mind and that those considerations did justify the regulation... When the necessity or propriety of an enactment is a question upon which reasonable minds differ, the propriety and necessity of such enactment is a matter of legislative determination. Consolidated Rock Products Co. v. City of Los Angeles, 37 Cal 2d, 522, decided April, 1952.

"In the Consolidated Rock Products Co. case, supra, the court quotes portions of Euclid v. Ambler Realty Co., 272 U.S., 355, stating in effect:

"It was in clear recognition of this principle of the division of functions between the legislative and judicial branches that the trial judge in effect concluded that although his own determination, if the questions presented had been his to decide, would have been to the contrary, since under the evidence presented to the legislative body and to the court reasonable minds could differ, he must bow to the legislative conclusion.

"To the same effect is Kort v City of Los Angeles, 52 Cal. App. 2d, at page 612, where the court states:

"It is a settled rule as stated in the Zahn case (71 L.R.D.) at page 1076, that under such circumstances, where it is fairly debatable whether the determination by city authorities was an unreasonable, arbitrary or unequal exercise of power, the court will not substitute its judgment for that of the legislative body.

"It is to be noted also that:

"It is well settled that when an ordinance is passed relating to a matter which is within the legislative power of the municipality, all presumptions are in favor of its validity, and when it is attacked the burden is on the party alleging its invalidity to establish that fact.

City of Yuba City v Chernitsky, 117 Cal. App., 572.

"Modesto operates under a Freeholders' Charter. The court is satisfied that under the provisions of that charter, reasonable zoning regulations may be imposed by ordinances adopted by the City Council. Even if this city were not a chartered city, it could operate under Government Code Section 65000, with regard to zoning and setback ordinances, and Subdivision (b) of said section is directly in point, wherein it is stated:

"Pursuant to the provisions of this chapter, the legislative body of any county or city by ordinance may:

"(b) Regulate location, height, bulk, number of stories, and size of buildings and structures; the sizes of yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure.

"Subdivision (c) of Section 67000 reads as follows:

'(c) Establish and maintain building setback lines along any street, highway, freeway, road or alley, and establish and maintain building setback lines for residences and apartment buildings situated along the bank of any river, creek, stream or other waterway.

"Council for the defendants has spent considerable time in his Brief, discussing the subject of the validity of zoning ordinances, based on aesthetic considerations only. He cites, in that regard, the case of City of Los Angeles v. Entomero, etc., 72 H.J.L., 205. That case however goes upon the point of the deprivation of property because:

'.....his tastes are not those of his neighbors. Aesthetic considerations are a matter of luxury and indulgence rather than of necessity, and it is necessity alone which justifies the exercise of the police power to take private property without compensation.

'It does not appear to this court that any property is being taken from the defendants. If, in a zoning ordinance, the person attacking the validity thereof is in fact not deprived of property, then the question of whether the motive back of the passage of the zoning ordinance is for aesthetic considerations alone becomes unimportant.

"In Almond v. City of Sacramento, 204 Cal. 694, we find this language:

'There are further claims made by the plaintiff of the invalidity of the ordinance which we think find no support in the allegations of the Complaint. The first of these is 'that the property of plaintiff is in effect confiscated to an ultra-aesthetic idea.' We think from what we have already said that it plainly appears that there has been no confiscation of plaintiff's property. That being so, the contention that the municipal authorities were actuated by ultra-aesthetic ideas in the enactment of the ordinance becomes of no moment.

"In an attempt to substantiate his position, the defendants rely heavily upon the case of City of Santa Barbara v. Modern Neon Sign Company, reported in 109 Cal. App. 2d, 103. In that case, the matter of a classification of moving and flashing signs, prescribing the former and permitting continued use of the latter, was under discussion. The court held there was an arbitrary classification and that the statute or ordinance was not general or uniform.

'.....if it (the statute) confers particular privileges or imposes peculiar restrictions or disabilities upon a class arbitrarily selected from a larger number or persons, all of whom stand in the same relation to the privileges granted or burdens imposed, and between whom and the persons not so favored or burdened no reasonable distinction or substantial difference can be found to warrant the inclusion of the one and the exclusion of the other.

'Such statute.....'is not general or uniform'.

"In the instant case, the ordinance of the City of Modesto, the validity of which is questioned by the defendants insofar as it applies to this case, reads as follows:

**'Sec. 10-2.0510. PERMITTED LOCATIONS OF MOBILE HOMES, TRAVEL TRAILERS, CAMP CARS AND CAMPER.**

'(a) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, except a travel trailer, upon any lot, place or parcel of land within the residential zones of the city, except in a mobile home park.

'(b) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, a travel trailer, camp car, or camper upon any lot, or place or parcel of land within the residential zones of the City, except in a mobile home park or a travel trailer park, with the following exceptions:

'(1) One such facility may be placed, kept or maintained wholly within a structure lawfully existing on the premises; or

'(2) One such facility may be placed, kept or maintained upon any lot, place or parcel of land within the residential zones of the City provided that it shall be located no closer than fifteen (15) feet to any street line and provided further that no part of any travel trailer, camp car, or camper shall be maintained, kept or placed closer than three (3) feet to any building used for human habitation.

"It is to be noted that there is no arbitrary classification set forth in the ordinance. The language is used, to wit: 'any person' in the worded area. The court feels, therefore, that the Landis Parsons case referred to is not in point."

It has come to the author's attention that two other California Superior Court decisions have been rendered recently supporting the validity of ordinances regulating the location of trailers and trucks in residential areas. They are:

Griffin, et al., vs. City of La Habra, Superior Court of the State of California for the County of Orange, Case No. 103105 (Trailers)  
City of Pacific Grove vs. Duceo, Superior Court of the State of California for the County of Monterey, Case No. 16-444. (Trucks)

Plaintiff's briefs citing authorities in other states maintaining regulations controlling the location of trailers in residential areas will be furnished upon request addressed to Allen Grimes, City Attorney, City of Modesto, P. O. Box 1207.

## Economics of Residential Vehicle Storage Facilities

MANUEL GOTTLIEB

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**I**N this article we leave unattended the analysis of the open slab and the costly driveway which provide car storage for many dwellings in the outskirts and around moderate-income apartment houses or four-family flats. Analysis here will be confined to "garages" and "carports" exclusive of driveways. For these our objective in Part I will be to estimate (a) what proportion of the 54.0 million nonfarm permanent housekeeping dwelling units enumerated in the 1960 Census were equipped with a private garage or carport and (b) how much was invested in these facilities. The quest in Part I is not for social accounting proper with its exact determinations, but rather the layout of reasonable orders of magnitude to gain a first view of the phenomena. In Part II the implications of empirical findings are related first to current statistical procedures for reporting building activity and evaluation of wealth holdings. These findings are then related to issues of public policy.

### PART I—INVENTORY AND VALUE

*Early Development.* The earliest garages were located near the ancestral outhouse and took over a vacated barn or carriage house. Grebler, Blank, and Winnick assure us that until the twenties, "except in isolated instances," garages were not included in the construction plans for new dwellings.<sup>1</sup> There must have been a good many "exceptions" to accommodate the some 458,000 registered

1. L. Grebler et al., *Capital Formation in Residential Real Estate Trends and Prospects*, New York, National Bureau of Economic Research, 1936, p. 116.



motorcars in the standing stock of 1910. By 1911 the *American Architect* published, with plates and diagrams of the many models involved, a volume on garage construction with the supposition that "the coming of the automobile has introduced a new phase into the architect's daily work," provision of a garage which "must be modern, light, shining and . . . clean" and equipped with suitable driveway and turnabout space.<sup>2</sup>

By 1920 when the stock of registered vehicles rose to 8,132,000 and the low-priced Ford car had made a utility vehicle a common possession, the garage had become an established accessory of the motorcar. The building permit statistics which were collected and first published on a nationwide scale in 1922 found that through the twenties, three private garage structures were authorized for each set of four authorized private residential structures.<sup>3</sup> Using more detailed information than was later published, Arthur Bemis in his authoritative *The Evolving House* (1934-36) estimated that "over 40 percent" of all families provided in the twenties with new dwellings had private garages.<sup>4</sup> Depending upon the characteristics of the surveyed area, other estimates and measures for standing stock ran above and below this proportion. A valuable 1930 survey for a cross section of Buffalo families living in single-family and duplex properties showed that 73 percent of all families concerned were provided with garage accommodations and that 70 percent of all the residential structures involved were equipped with garages.<sup>5</sup> A somewhat smaller proportion of a sample of wage-earner and clerical worker families surveyed in 1934-36 in eight North Central cities were equipped with garage facilities, around three-quarters

2. See "Garages Country and Suburban," *American Architect*, New York, 1911, p. 1.

3. For the years 1921-1928 the number of private garage structures as a percent of all residential structures authorized under building permit statistics for cities covered—ranging between 258 to 310 and including nearly all of the larger cities of the country—was reported as follows: 1921—70 percent; 1922—68 percent; 1923—80 percent; 1924—80 percent; 1925—70 percent; 1926—78 percent; 1927—78 percent; 1928—86 percent. The proportion of garage structures was much higher as a fraction of one-family dwellings authorized but many garages were built for multi-unit residential buildings and accordingly the latter proportion is not valid. See *Monthly Labor Review*, May 1927, p. 89f., May 1929, p. 142f., and related statistics for other years.

4. Arthur F. Bemis, *The Evolving House*, Vol. II, p. 69, 1934.

5. J. Ford and J. M. Bries, v. IV, *Home Ownership, Income and Types of Dwellings*. The 789 families had mean family incomes only somewhat above the average in the city and of the main breadwinners involved 381 were in skilled trades and 118 were unskilled. The mean purchase price of homes was \$6,131 and 63 percent of the structures were built after 1920. The 574 garage structures utilized accommodated 924 autos.

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of home-owning families (with a range by cities of 52.7 percent to 85.5 percent) and a lower level for tenant families (ranging between 29.5 percent to 65.9 percent).<sup>6</sup> Considerably lower proportions (32.3 percent) were indicated by a 1933 survey of standing stock of 155,052 rental properties, the share being highest in the West South Central cities (48.8 percent) and lowest in New England cities (11.7 percent).<sup>7</sup>

The drift to garage construction was in any case reinforced as car ownership broadened after the depression, conspicuously in new single-family residential construction financed with the aid of the Federal Housing Authority (FHA). In 1937-1940 between 75-80 percent of all new single-family FHA-insured homes were equipped with garage or carport.<sup>8</sup> This proportion declined after the war "probably because garages were eliminated to reduce total costs and sale prices" for a home-hungry and car-starved population.<sup>9</sup> A more normal proportion of new FHA-insured single-family construction was reached by 1957 when 76.6 percent of all insured properties were equipped with garaging facilities. In the last two years (1966, 1967) for which data are available the fraction involved has risen above 80 percent. The same high incidence rate of garage reporting is also indicated in surveys with broad coverage of new residential construction.<sup>10</sup>

6. Faith M. Williams and A. C. Hanson, *Money Disbursements of Wage Earners, Clerical Workers in Eight Cities of the East-North Central Region 1934-1936*, U.S. Department of Labor Bulletin 636, 1940, p. 32.

7. D. L. Wickens, *Residential Real Estate*, National Bureau of Economic Research, 1941, p. 135. It deserves notice that another report comparing tenant-occupied quarters in eight cities in 1929 and 1933 showed an average percent for the eight of 20.8 percent with garage in 1929 and 26.0 percent in 1933. David L. Wickens, *Financial Survey of Urban Housing*, 1937, 1940 as cited in Grebler *et al.*, p. 410. By type of structure the Wickens survey involved 149,754 dwelling units of which 67,855 were in single-family homes, 39,446 in duplexes, and the remainder in "apartments" (Wickens, 1941, p. 129). The proportions were not untypical of standing "city" housing stock for rental properties, possibly biased toward the single-family home because of the depression in 1933.

8. Grebler *et al.*, 1936, p. 117.

9. *Idem.*

10. See National Association Home Builders, *Survey Report 1965*, p. 10f. The Home Builders Association survey disclosed that 84 percent of homes scheduled for construction in 1965 by Association members were to include garages or carports; but a somewhat earlier survey by the Dodge Company in 1961 involved similar coverage of 78 percent. A 1956 survey of a sample of new single-family homes for which building permits were issued found that 67 percent were to be equipped with garages (50 percent) or carports (17 percent), the garage percentage being highest in the West (83 percent) and lowest in the South (32 percent). See K. R. Murphy, "Characteristics of New 1-Family Houses, 1954-56," *Construction Review*, April 1957, p. 10.

*Carports.* The great bulk of residential car berthing facilities are either built into the residential frame (20 percent) or are directly attached to it (78-79 percent) while the carport is nearly always attached.<sup>11</sup> As a relative newcomer in car berthing construction, the carport is less popular and ranks for new construction 1-4 with the garage, though the carport during the thirties was given the architectural blessing of Frank Lloyd Wright and was incorporated into some of his outstanding homes.<sup>12</sup>

The preference for carports depends chiefly on severity of winters and income level but also on tastes. Most southern states including some border areas and Puerto Rico exhibit high frequencies of carport construction with a range between 25 and 60 percent for recent construction. Most northern states show correspondingly low preference for carports and high preference for the garage. While most states run true to regional type, three states with mild winters—Oklahoma, California, and Texas—shy away from carports and seem to prefer garages. Utah in turn favors the carport almost as much as the garage.

If relative preference of carports over garages has no categorical relationship to climate, so it has no simple relationship either to value or size of property. This is disclosed by Figure 1, which shows the anatomy of relative preference during a typical recent year, 1966, for the garage or carport in relation to two features, size of house in terms of square footage of floor area and value of property in terms of total acquisition cost of existing properties insured by FHA. The constancy of carport preference over a wide range of size and value of property would seem to reflect a constant level of regional or geographical preference for the carport in areas of warmer climate. A slight rise in the preference for carports in

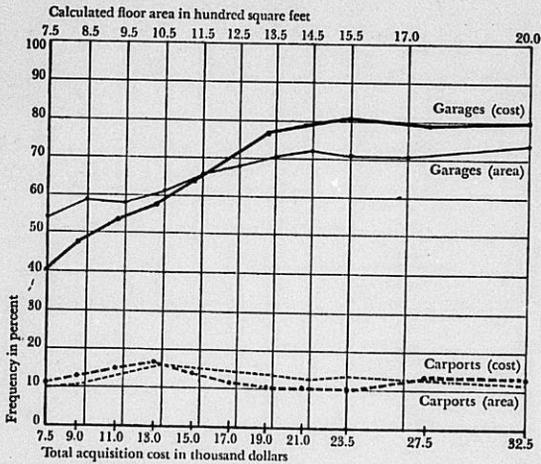
11. Recent FHA reports for distribution by building type of garage and carport construction for 1966 and 1967 disclose that 19+ percent of garages are "built-in" and 78-79 percent are "attached" but that 93-94 percent of carports are "attached."

12. "The indispensable car? It is still designed like a buggy. And it is treated like one when it is not in use. The car no longer needs such consideration. If it is weatherproof enough to run out in all weather it ought to be weather-proof enough to stand still under a canopy with a wind screen on two sides. Inasmuch as this car is a feature of the comings and goings of the family, some space at the entrance is the proper space for it. Thus the open carport comes to take the part of the dangerous closed 'garage'." (Wright, "Some Aspects of the Future of Architecture" in Wright, *The Future of Architecture*, 1953, quoted from Mentor edition of 1963, p. 339). See for a further development of this theme with illustrations from Wright's buildings, his *The Natural House* (New York, 1954), p. 82.

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larger and more valuable properties was indicated, a possible Wright effect.

Most car garages or carports are now constructed at the time of erection of a new dwelling, but many are still built to service existing residential properties. The first generation of garage facilities was in the main built this way along or beside existing structures. Own-



Source: FHA, Div. of Res. & Stat., Statistical Report 1966

Figure 1. Frequency of carports and garages in existing FHA-insured single-family dwellings in percent, by total acquisition cost of home and floor space in square feet of home, 1966

ers of many of the postwar single-family homes originally constructed without garages intended at a later time to add a garage or carport. In the older district of the city motives for construction of garage or carports have been intensified by prohibition of all overnight street parking imposed in "many" cities to facilitate

street cleaning, snow removal, and to reduce auto theft and fire hazards.<sup>13</sup>

*Information Sources.* Because of the way building operations are classified, tabulated, and reported by permit-issuing municipal authorities, permit statistics give a deficient report of new construction of garages. Listed in Table I are the latest reports for the number of private residential garage structures authorized by the some 12,000 permit-issuing places in the United States and that number expressed as a percent of new residential structures authorized for construction in the reporting jurisdictions. The deficiency arises because building permit authorities apparently enumerate garage structures and their permit valuation only when the garage is a separate structure but not when it is "built-in" or "attached" as we found was the case with virtually all recent new FHA-insured residential construction.<sup>14</sup> Then, too, permit authorization is probably evaded by persons who erect their own garage or carport or who purchase a prefabricated structure and merely assemble and install it on a prepared site. In still other instances the work of garage construction may be joined together with other building work and classified under "additions and alterations."

Fortunately, however, the presence of a garage on existing residential property is disclosed by reports on FHA-insuring operations which annually involve between 250,000 to 300,000 existing single-

13. For the statement that "in the central areas of our largest cities, municipal regulations often compel car owners to store their vehicles off the street at night," see Janet Abu-Lughad, "A Survey of Center City Residents," in Foote (ed.), *Housing Choices and Housing Constraints*, Action Series, 1960, p. 409. Another source reports that to facilitate street cleaning, snow removal and to reduce vehicle thefts and fire hazards, "most cities have regulations controlling all-night parking." A model traffic ordinance sponsored by the U.S. Bureau of Roads in 1946 contained a clause prohibiting all-night parking (Matson et al., *Traffic Engineering*, 1955, p. 292f.). As we will see later, the City of Milwaukee registers and taxes overnight parking since 1949 at the rate of \$4 monthly, but parking overnight is permitted only on alternate sides of the street. As the competent official has noted, this overnight parking regulation and taxing arose out of breakdown in the enforcement of a provision of the city ordinances which prohibited all-night parking without special permission from the police department. "... the police department was besieged with telephone calls from people requesting permission to park their cars on the street; such calls clogged the department's telephone lines and it was difficult to get urgent messages through to police headquarters." (Bruening, *Traffic Quarterly*, January 1964, p. 53). Considering that calls for law enforcement reach their peak in evening hours, this would be alarming.

14. Inquiry with Milwaukee building permit officials disclosed that "attached" or "built-in" garages were not enumerated as garages but were included with the main structure with which they were connected in a single building permit.

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family dwellings. In the last ten years, 75 to 80 percent of existing single-family properties insured by FHA are so equipped. A much higher proportion of these garage facilities are "detached" than was the case with newly built properties and a much smaller proportion are "built-in."<sup>15</sup>

TABLE I—PRIVATE RESIDENTIAL GARAGES, ADJUSTED, AUTHORIZED IN 12,000 PERMIT-ISSUING PLACES IN THE UNITED STATES, BY NUMBER OF UNITS AND AS PERCENT NEW PRIVATE HOUSING UNITS AUTHORIZED IN SAME JURISDICTIONS, 1954-1964

Year	Number Garage Structures (000 omitted)	Number Garage Structures as
		Percent New Private Housing Units (in percent)
1954	238	19.6
1955	258	19.8
1956	256	24.1
1957	240	25.5
1958	213	19.3
1959	231	18.4
1960	193	17.8
1961	172	14.9
1962	180	14.0
1963	189	13.6
1964	178	13.5

Source: Numbers adjusted to coverage of 12,000 permit-issuing places by overlapping annual measures to convert returns for 3,014, 6,600, and 10,000 places to 12,000 places. For 3,014 places a multiplier of 118.46 was used, and for 6,600 places a multiplier of 114.8. In each year the percent estimate is the ratio of garages to new private housing units authorized in the same jurisdictions. U.S. Department of Commerce, *Construction Statistics 1915-1964*, a supplement to *Construction Review* (1966), Tables 14-16, 20, 21. The Department estimates that "with respect to residential building for the country as a whole about 84 percent of the private housing was constructed in areas in this permit-issuing universe in 1964." (Note to Table 14).

Likewise the proportion of carports is somewhat lower but rising since they embody a more recent innovation favored in the main

15. From recent FHA reports on existing single-family homes insured, we extract the following property characteristics:

Garage Type	1963	1966	1967
Built-in	10.0	12.3	11.1
Attached	50.9	48.8	47.9
Detached	39.1	38.9	41.0
Carport Type			
Attached	91.7	88.0	90.7
Other	8.3	12.0	9.3

in regions with mild winter climates. From 1959 to date each year's insuring operations of existing properties has exhibited a higher proportion of carport facilities—rising from 7 to 15 percent—while the garage proportion varies between 62 and 66 percent.<sup>16</sup> But can we safely assume that FHA-insuring operations, which have concentrated on younger properties with a median age of 10–12 years, are representative of the universe of existing properties and more especially of the older homes which have a lesser likelihood of original construction with garage or suitability for addition of a garage? To check on this, Table II presents a special tabulation from area reports of FHA-insuring operations in nine communities where the insurance coverage was pushed deep into older portions of central

TABLE II—STRUCTURAL CHARACTERISTICS OF EXISTING FHA SINGLE-FAMILY HOMES INSURED IN SMA WITH MEDIAN AGE OF PROPERTY 20 YEARS OR OLDER, BY SMA

City	Median Age Years	Mean Floor Space	Mean Property Value	Percent Garage 1967	Percent Carport
Milwaukee	39.9	1002	13616	73.0	—
Syracuse	19.2	974	14427	77.1	—
Cleveland	27.4	916	16044	88.6	0.8
Paterson, N.J.	24.3	1080	22572	73.8	—
Fort Wayne	20.4	952	12417	75.9	6.5
Buffalo	22.7	1120	14470	76.6	1.6
Rochester	32.0	1085	16080	76.4	1.2
Newark	25.2	1024	20162	67.9	1.6
Youngstown	33.9	928	12806	86.9	1.0

SOURCE: FHA, Div. of Res. & Stat., *FHA Homes*, 1967.

cities previously tabooed for FHA insurance purposes. Though involving very modest three-bedroom homes with around a thousand feet of floor space, occupied by families in moderate-income brackets, an extraordinarily high percent of the aggregates, ranging from a low of 67.9 percent for Newark to a high of 88.6 percent for Cleveland, are made up of homes including a garage structure though only a nominal percent show carports. We conclude with some sense of certainty that both the older as well as the newer existing single-family homes are equipped with garages in over two-thirds of the

16. The respective proportions (in percent) from 1959 onward of garage and carport incidence rates are as follows: garage; 62.0, 61.9, 63.5, 66.4, 64.3, 64.4, 62.3, 61.6; carports; 7.8, 9.5, 10.2, 9.1, 12.2, 12.6, 14.3, 15.1.

cases and that an additional 10 to 12 percent are probably equipped with carports.

Of the 40.3 million nonfarm single-family attached and detached dwelling units enumerated by the Census count of the standing stock of 1960, available evidence thus indicates around 25 million garage structures and around 4 to 5 million carports. Estimation is more difficult for the garaging facilities for the 2.2 million duplexes. We know that rental property in the past had a lower incidence of garage facilities.<sup>17</sup> The duplex is as readily accommodated with garage facilities as the single-family home. About 70 percent of the 1960 stock of nonfarm duplexes were owner-occupied and nearly all of the stock are oriented toward owner-occupancy on resale.<sup>18</sup> A higher percentage of the duplex buildings are of older vintage.<sup>19</sup> We conclude accordingly that two-thirds of duplex properties will be equipped with garage facilities.

With the four-family flat surely the proportions are altered. A still steeper fraction of the buildings predate World War I and only 30 percent of the buildings involved were inhabited in 1960 by owner-occupants. More of these structures were located on lots too narrow for a driveway and sometimes there was no alley providing access from the rear where a garage structure could be placed. Elsewhere a garage would sacrifice virtually the entire back yard. Off-street parking was provided for many of these flats by converting part of the back yard, when faced by a rear alley, into a parking lot. There is no basis for estimation but perhaps we may assume that one-quarter of the structures concerned could be equipped with either garage or carport facilities.

17. A Bureau of Labor Statistics study of consumer expenditures among wage earners and clerical workers in eight North Central cities in 1934-36 found that 73.7 percent of white homeowners among surveyed families had garage facilities but only 53.3 percent of white tenant families (using simple averages of ratios for the surveyed cities) Williams and Hanson, U.S. Department of Labor, Bulletin 636, 1940, p. 50. Nonwhite families were studied only in two cities (p. 50 and tables).

18. U.S. Bureau of Census, "Census Reports, Housing 1960," I, Table 11.

19. The percentage of total new dwelling units erected in duplex buildings between 1900 to 1945 exhibited a slightly rising trend reaching a peak of 20.4 percent in 1922 and falling thereafter to 1934 to under 5 percent, which level it has fluctuated around except for war years and 1948. See Grebier *et al.*, pp. 43ff. and Chart 4 and Table B-2. For the years 1946 to 1958 the share of new privately financed nonfarm dwelling units started in duplexes ranged between three and four percent (Goldsmith and Lipsey, *Studies in the National Balance Sheet of the United States*, I, National Bureau of Economic Research, 1963, Table B-189).

*Garages for Apartments.* We turn now to the apartment buildings proper. The postwar construction was forced either by local zoning or building code or by FHA property requirements to construct offstreet parking facilities either in the form of surface lots or garage structures. The buildings serving higher-income tenants provided garage facilities; more common was provision with surface lots on adjoining land. Older apartment houses built in the boom that closed the Great Depression or earlier were characteristically built without provision for parking. As late as 1926 a survey volume of apartment-house construction betrayed no indication that the motorcar would become the habitual means of travel to and from the building.<sup>20</sup> One specialist commentator, noting in the early 1950's that "garaging becomes increasingly difficult" in multi-unit housing, differentiated between conditions in the East where "the practise of group parking and the lack of garaging are noticeable" from conditions in the West where "practise dictates that car storage be attached to the house and a closed garage is demanded."<sup>21</sup> Apartment-house management surveys outside New York City indicate that only 29 percent of multi-unit structures provide off-street surface parking or garage facilities, the fraction being highest for elevator-type structures and lowest for garden-type complexes. Older buildings dating from the twenties or earlier furnish such facilities in only 20 percent of the instances.<sup>22</sup> Within the New York City area provision of garage facilities would be uncommon except in structures catering to the upper-income brackets because of the high land values and the greater use in the New York City area of mass transit.

It is not easy to reduce this conglomerate of information to a single "guesstimate." But perhaps we would not err greatly by as-

20. See R. W. Sexton (ed.), *American Apartment Houses Today*, 1926. See also a much later survey of the "apartment house" by J. H. Abel in Hamlin (ed.), 1952, III, pp. 50-95.

21. See J. M. Miller, "Layout of Residential Communities," in Hamlin (ed.), 1952, III, p. 212.

22. This information is extracted from the 1966 survey of operating apartment house experience, Institute of Real Estate Management, 1967. Operators of 1,069 buildings, containing 30,918 apartments from 100 cities, were surveyed, with Chicago represented by 219 buildings but without coverage from New York City. A New York City zoning law enacted in 1956 required off-street parking provision for only one-half the dwelling units in apartment-house construction. See S. Sussman, "Parking and Zoning, A Case Study," *Traffic Quarterly*, July 1967, p. 438.

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suming that 15 percent of all dwelling units in apartment houses proper in the 1960 standing stock were equipped with carports or garages.

THE VALUE OF GARAGE INVESTMENT

I turn now to the task of estimating the current (1960) value of this standing stock of car storage facilities. Some order of magnitude may be found by reference to current appraisal schedules for garages and carports, i.e., to additional values which will be ascribed to a residential property when it is associated with a residential car storage facility. A schedule of these additional values in 1967 prices for storage facilities of different kinds and sizes is provided in

TABLE III—BOECKH MANUAL APPRAISAL ALLOWANCES FOR RESIDENTIAL GARAGES  
Different Type, Capacities, Construction, 1967

	Capacity by Car Space					
	1 car		2 car		3 car	
	FB <sup>a</sup>	MV <sup>b</sup>	FB	MV	FB	MV
1-story Residence Model I						
a. Attached	1550	+500	+750	+1350	+1250	+1950
b. Detached	1750	+650	+1050	+2100	+1750	+2550
c. Basement		650		+350		+700
1-story Model II						
a. Attached	1350	+450	+650	+1250	+1050	+1750
b. Detached	1550	+600	+850	+1850	+1500	+2900
1-story Model III						
a. Attached	1100	+400	+500	+1000	+800	+1400
b. Detached	1200	+550	+750	+1550	+500	+2250
c. Basement		450		750		950
Split-Level Model I						
a. Attached	1500	+550	+800	+1450	+1300	+2000
b. Built-in	770	+45	+640	+720	+1340	+1475
c. Detached	1750	-650	+1050	1770	+1750	+2050

Source: *Boeckh Building Valuation Manual*, V. I, Residential and Agricultural (1967).

<sup>a</sup> frame-block.  
<sup>b</sup> masonry-veneer.

Table III. Estimates for the economy attached single-car garage start out at \$1,100 for frame-block construction but go up to \$2,400 for the detached masonry-veneer luxury model. The "built-in" ga-

rage whether on the ground floor or basement is credited with a "disallowance" from utilization of structural values for secondary uses. Current estimates for the materials cost of an attached utility carport erected by the vehicle operator without side panels or charge for grading or paving the parking slab amount to \$85. A free-standing version of the same on a concrete floor would net \$195.<sup>23</sup> The Milwaukee tax assessors estimate the current commercial construction cost of a free-standing carport on a concrete slab, post and beam construction, 12 x 20 size, at about \$600. Adding an extra car space in the storage facility adds \$350 for the "built-in" basement garage, \$490 for a "built-in split level" and from \$500

TABLE IV—AVERAGE PER UNIT, PRIVATE RESIDENTIAL GARAGE AUTHORIZED PERMIT-ISSUING PLACES, U.S.A., SELECTED YEARS 1922-1964 ADJUSTED FOR UNDEREVALUATION AND SITE COSTS AND AT 1957-59 BUILDING PRICES

Year	Adjusted Average Structure Value (in dollars)
1922	1801
1924	1554
1926	1402
1928	1260
1936	1090
1937	989
1954	1140
1956	1194
1958	1240
1960	1260
1962	1353
1964	1403

SOURCE: For years 1922-37, *Monthly Labor Review* building permit tabulations in various issues covering for the years in the 1920's from 238 to 310 cities and for 1936-37, 1,729 cities. For later years we used permit data as compiled in *Construction Statistics 1915-1964*, Tables 14-16, 20, 21, with coverage varying from 3,014 places to 10,000 places.

to \$850 for the standard garage depending upon quality and finish. The range of value for car storage facilities thus is from roughly \$100 for the single-car stripped attached carport without concrete flooring up to \$4,800 for a 3-car garage of top quality.

Against this range of estimated appraisal or construction costs

<sup>23</sup> Sunset Books and Magazines, 1967, p. 78. The \$85 estimate, I should add, is for a two-car 18 x 20 space.

it is helpful to throw the record of mean values per structure as recorded in building permits statistics covering "detached" garage structures. For selected periods from the 1920's onward these mean values are exhibited in Table IV for the U.S.A. in 1957-59 dollar values, adjusted to allow for permit undervaluation and exclusion in the permit application of preliminary site costs and builders' profits.<sup>24</sup> Disregarding the higher and lower values of the structures erected in the twenties and thirties, we take as a base value the mean value of structures in the seven years between 1954 and 1960—\$1,212. We apply against this base value a depreciation allowance of 20 percent or one-half that applicable to the standing stock of residential dwellings because of more recent vintage and a lesser investment in short-lived equipment.<sup>25</sup> We allow a 5 percent shrinkage to reflect the diminished costs of the popular postwar "attached" garage. Rounding this leads to an estimate of \$900 for the 1960 value of the standing stock of garage structures attached to the single-family home, \$1,400 for garage structures attached to a duplex property, and per space for larger multi-unit structures, \$750. For each carport we allow a value of \$600. Combining these values with the estimated quantity of housing units developed earlier, we have the estimates laid out in Table V for the number and value of garage facilities attached to the 1960 standing stock of nonfarm dwellings.

The estimated total number of nonfarm residential spaces, 47.7 million, exceeds by 5.5 million the number of nonfarm households operating a vehicle but falls short of the total number of vehicles to be stored since 22 percent of the households operated more than one vehicle.

Self-evidently, spaces for cars must be found not anywhere in

24. Both Bureau of Labor Statistics commentaries on permit values and more recent Department of Commerce explanations of the limitations of permit data always have called attention to this understatement. See U.S. Department of Labor, Bureau of Labor Statistics, *Trends in Building Permit Activity*, Bulletin 1243, p. 3; U.S. Department of Commerce, *Construction Statistics 1915-1964* (A Supplement to *Construction Review*, 1966), p. 86. We have here used the adjustment for permit understatement of 1.2744 developed by D. Blank, in *The Volume of Residential Construction 1889-1959*, National Bureau of Economic Research, 1954, pp. 52-53.

25. We utilized for this purpose the 1958 estimate of shrinkage in value of 40 percent due to depreciation derived from R. Goldsmith, *The National Wealth of the United States in the Postwar Period*, National Bureau of Economic Research, 1962, Table A-35, A-46.

the nation but near the home and commonly in the same block. Since homes and households are matched together on other criteria than fitting together cars with storage spaces, at any one time in most cities, especially those with older high-density districts built up before development of the automobile, there will be both unused car storage spaces in residential yards and cars regularly parked on streets overnight because of lack of storage facilities near the home.

TABLE V—ESTIMATED NUMBER AND VALUE OF NONFARM STANDING STOCK RESIDENTIAL GARAGE AND CARPORT FACILITIES, 1960

Type of Structure	Dwelling Units (in millions)	Number of Car Spaces within (million units)		Value in 1960 (in billion dollars)	
		Garages	Carports	Garages	Carports
Single-family Homes	40.26	34.4	8.7*	26.5	2.7
Duplexes	4.44	3.0		2.3	
Three-to-four Family Flats	3.08	.7		.5	
Apartment Houses	6.23	.9		.7	
Total	54.01	39.0	8.7	30.0	2.7

\* Assuming 50 percent of all carports were for two cars.

In the city of Milwaukee it is fortunately possible to estimate the relative magnitude of this unsatisfied demand for storage space and hence forced use of streets for overnight storage because this use of streets is registered and taxed. The 1960 Census enumerated 166,000 cars regularly domiciled around private homes of the city. In that year about 119,000 monthly overnight parking permits were issued by the police authorities. Assuming that street utilization for parking purposes is relatively constant throughout the year, the registered flow of monthly permits would involve some ten thousand vehicles legally registered for overnight street parking.<sup>26</sup> There are other overnight parkers unregistered who seek to evade the tax and the irritating reporting obligation which it imposes. An illuminating official street survey of the more congested districts of the city disclosed an evasion rate of 45 percent or a count of that many

26. M. E. Bruening and H. J. Wantoch, "Milwaukee's Parking Program," *Traffic Quarterly*, January 1964, p. 34.

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cars parked overnight without a permit.<sup>27</sup> Extending that ratio would yield an outer limit of 18,000 overnight parkers or around 11 percent of the cars operated by households and stored at dwellings. I think that would be somewhat high as a norm for the nonfarm population generally. Smaller cities with larger lot sizes, fewer multiple-unit dwelling structures, and larger rear yards would have greater likelihood for off-street storage capacity around the home. Urban areas which have achieved a greater proportion of their growth since the twenties would tend to have reduced density in residential districts and more off-street parking.

PART II—IMPLICATIONS

*Statistical Information.* I turn now to implications of our research findings first regarding sins of omission or commission in current statistical procedures relating to residential car parking or storage facilities. So far as the principal data-processor and collector, the Bureau of the Census, is concerned, the major sin is that of omission. In the last three Census surveys of housing, no enumeration was attempted of any practice or condition relating to storage of cars regularly operated in the household. What we need is a Census enumeration of residential parking facilities and their characteristics regarding capacity, access to front or rear alley, type of construction, finish, facilities included (wiring, plumbing, drainage, etc.), length of driveway, value, any practice with regard to rental, and whether vacant or in use.

Sins of commission are more noticeable in building permit statistics originally collected on a nationwide scale by the Bureau of Labor Statistics. At the outset, definition of the garage as an independent "nonresidential" structure separated from the home was understandable. But house and garage have since grown together and it is apparent that enumeration under permit classification and reporting procedures of separate garage structures results in gross understatement of the present magnitude of garage and carport

27. Results of this survey were released under the title "1967 Milwaukee Parking Commission City Wide Residential Night Parking Study, Common Council File No. 66-2156." "A complete survey was made of cars parked on the street between the hours of 2 a.m. and 6 a.m." in an area running from 30 to 40 blocks from city center; 16,431 vehicles were reported parking overnight. In a special listing of 33 streets with greatest overnight parking needs, 1,732 cars were enumerated parking with permits and 1,498 without permits. Another 1967 survey showed 60 percent overnight parkers without permits.

construction. Permit reporting should be differentiated to distinguish type of car shelter, capacity, length and cost of driveway, and whether constructed on an existing residential property or with a new dwelling structure. If accurate and complete permit statistics cannot be obtained from the present wide coverage of reporting places surveyed, then a smaller sample of reporting communities would serve our purposes better.

The absence of Census enumeration and careless handling of current permit reporting have affected household wealth and investment expenditure estimates for residential construction developed in research work under the auspices of the National Bureau of Economic Research. These estimates allocated all private residential garage construction to the "nonresidential" category and have confined residential expenditures to all payments "for the building proper and for privately financed nonstructural site improvements," though it was conceded that "the garage must be listed as an important addition to capital input, not only in the single-family field but also in multi-family construction."<sup>28</sup>

For the same reason Raymond Goldsmith's estimates of national wealth and allocation of wealth holdings among households, corporations, small businesses, and other "sectors" need to be corrected for the handling of wealth invested in private residential garages. He utilizes building permit returns and includes these garages under an omnibus heading of "miscellaneous nonresidential buildings" treated by him as a form of commercial construction and allocated by him to the business sectors.<sup>29</sup> This understatement is probably one of the reasons why the Goldsmith estimates for private nonfarm housing derived from his perpetual inventory accounts in the post-war period fall short by nearly 30 billion dollars from independent estimates of the current value of residential real estate derived from Census enumerations.<sup>30</sup> For the same reasons the work of other National Bureau investigators who use these basic national wealth and construction accounts needs correction.<sup>31</sup>

28. Grebler *et al.*, *op. cit.*, 1956, pp. 35, 116.

29. See R. Goldsmith, *op. cit.*, 1962, Table B-100, B103, B-1.

30. See Goldsmith and Lipsey, *op. cit.*, 1963, pp. 257-263.

31. F. T. Juster, *Household Capital Formation and Financing 1897-1962*, National Bureau of Economic Research, 1966, p. 13, n. 12.

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From sins of omission and commission in statistical procedures, we turn to substantive issues of public policy affecting residential car storage facilities. For one thing the car and the garage or carport that houses it are treated differently under the property tax, though the garages and carports are about half the value of the vehicles.<sup>32</sup>

PUBLIC POLICY ISSUES

Only 42 percent of passenger vehicles by value come under the property tax, but all garage property and household driveways are fully taxable.<sup>33</sup> The rationale for taxing one type of household automotive property and exempting another is questionable indeed. From the viewpoint of incentive effects, the present tax treatment retards where it should encourage and encourages where it should retard. There is a public policy interest in discouraging use of public streets for car storage and this can be fostered if the cost of the private garage were lowered by exemption of garages from the property tax. Conversely, overuse of vehicles on city streets is a leading cause for public expenditures, expressway construction, and traffic control facilities. Hence, taxation of vehicles should if anything be intensified, and the case for their inclusion under the property tax is cogent.

Should regular use of public streets for overnight storage of residentially housed cars be not discouraged by taxation but prohibited to facilitate street cleaning, snow removal, and detection of abandoned vehicles? Doubtless it is convenient to street sanitation departments to have streets unused at some scheduled period. But are there enough cleaning personnel and equipment to scrape and work over all public streets every night? If occasions and need for cleaning are infrequent, as one suspects they must be, then some compromise arrangement would seem feasible by which streets could be used for parking or other purposes except during some scheduled cleaning period. One possible compromise utilized for many years in Milwaukee requires use of residential streets for overnight parking purposes on one side of the street only, that side daily

32. See R. Goldsmith, *op. cit.*, 1962, Table B-36, showing a 1958 value for nonfarm individual car holdings of \$52.0 billion. By 1960 this would have approximated \$60 billion.

33. Dick Netzer, *Economics of the Property Tax*, Brookings Institution, 1966, pp. 145, 147.

alternating. Other possible compromises could free for public use a greater proportion of street or curb surface. London street authorities were driven to compromise because of popular resistance to more severe restrictions on all-night parking.<sup>34</sup>

The detection of abandoned vehicles is doubtless promoted, as is street cleaning, if all parking on public streets through the night is prohibited. An abandoned vehicle will then stand out like a sore thumb. But are such stringent requirements really needed for this detection? Law enforcement agencies in which jurisdiction the cars are stolen recover about 64 percent of stolen cars within 48 hours.<sup>35</sup> If that rate of recovery is achieved without abandoning use of the streets for other purposes, the requirement of abandonment would seem drastic. The Milwaukee device of registration of cars expected to be parked overnight with an identifying sticker may facilitate detection of abandoned vehicles and little objection can be taken to it.

What is questionable about the Milwaukee practice is not the registration but the \$4 monthly fee going along with it, building up to an annual charge of \$48. The charge was levied to encourage persons to construct garage or parking facilities around homes and to seek out garage facilities for rent and thus induce patronage of unused facilities available.<sup>36</sup> The charge also reflected the conviction

34. I cite verbatim this interesting account of experience in the greater London area where for 68,500 residential vehicles only 11,100 private residential off-street parking facilities were available. "In residential areas where few houses have any accommodation for motor vehicles, they are at present left on the highway. Many houses are too large by modern standards and are in multiple occupation. With narrow frontages, a high degree of ownership under these circumstances can only lead to the complete obstruction of the curbside by the parked vehicles of residents, and this is the present situation at night in many streets. However, a high proportion of these vehicles leave the area during the working day and their places are taken by incoming vehicles. In places convenient to shops, business houses, and public transportation, daytime conditions approximate nighttime conditions, making the servicing of both the premises and of the highway itself a matter of extreme difficulty. Prohibitions of parking can be justified in streets of traffic importance, but experience has shown that restrictions on parking on other streets are unacceptable to the public and, therefore, virtually unenforceable. The Greater London policy is a massive expansion of controlled parking, but it was clear that the expansion of such a scheme into mainly residential areas gave rise to a special problem as concerned those residents who kept vehicles outside their premises during the day." See G. K. Benn, "The Formation of a Realistic Parking Policy," *Traffic Quarterly*, July 1968, p. 429.

35. FBI, *Uniform Crime Reports for the United States 1964* (GPO 1965), p. 20.

36. Bruening and Wantoch, *op. cit.*, 1964, p. 34, in fact assert that the \$4 fee was levied to achieve "fairness to people who had off-street parking spaces for which they were paying or for those who were intending to provide spaces for their car."

tion that the streets are public property for which the use thereof could be charged. The overnight parking charge was found by the Supreme Court of the State to be a "fee" issued not as a "general revenue measure" but as a "reasonable technique for the regulation of night parking" on city streets.<sup>37</sup> Perhaps the charge was not a "general revenue measure" but it produced abundant revenue. In the twenty years since the parking charge was installed, the annual proceeds of this charge have contributed about eight million dollars to the city's parking funds or more than street meter collections, the other mainstay of parking finance. Revenue has flowed more bountifully as time went on. While only some 80,000 monthly permits were issued in the early years of the permit system, in the later fifties and again the later sixties, permit levels were boosted about a third to a present level of 143,000 permits.<sup>38</sup> This growing yield from overnight street parking probably reflects denser family settlement in the older parts of the city associated with heavy in-migration of Negroes and rising income and employment levels permitting more frequent use of cars. This growing fiscal yield also suggests that demand for private residential garage accommodation does not respond to negative price stimulus or is characterized by a low cross-elasticity of demand. We must here repeat a story learned elsewhere that "the demand functions for urban transportation seem to be such that income elasticities are substantially positive for private automobile transportation and . . . price elasticities and cross-elasticities are relatively less important."<sup>39</sup> In any case no major community has followed Milwaukee's example and attempted to reinforce with a negative street-use tax the strong private drive to build suitable private storage facilities for cars around the home. And perhaps that is for the better.

37. See Supreme Court of Wisconsin, *Milwaukee vs Hoffman*, 29 Wis. 2d 199.

38. From an analysis of parking operations 1949 through to 1966 of total parking revenues of 17.9 million dollars, night parking permits of \$7.04 million were in excess of meter receipts of \$6.34 million. The exact average annual number of permits is as follows for three comparable periods:

1951-53	84,516
1958-62	113,294
1966-67	143,000

39. J. R. Meyer, J. F. Kain, M. Wohl, *The Urban Transportation Problem*, 1966, p. 107. ". . . the main impression is that the various elasticities of demand for parking space are all fairly low. . ." (G. J. Roth, *Parking Space for Cars Assessing the Demand*, Cambridge University, "Occasional Papers," 1965, p. 48).

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(SAMPLE ORDINANCE)

AN ORDINANCE RELATING TO THE STORING, PARKING, ETC. OF RECREATIONAL VEHICLES

The Board of Zoning Commissioners, etc., of \_\_\_\_\_ (Village, City, County) of \_\_\_\_\_ (Place), do ordain as follows:  
AN \_\_\_\_\_ (Act, Ordinance, Statute) RELATING TO THE REGULATION OF RECREATIONAL VEHICLES, BOAT AND SNOWMOBILE TRAILERS, BOATS, ETC.

ARTICLE 1. GENERAL PROVISIONS.

Section 1. As used in this \_\_\_\_\_ (Act, Ordinance, etc.) \_\_\_\_\_ a recreational vehicle is a transportation structure, self-propelled or capable of being towed by a passenger car, station wagon or small pick-up truck, of such size and weight as not to require any special highway movement permits, and primarily designed or constructed to provide temporary, movable, living quarters for recreational, camping or travel use, or to carry such equipment, but not for profit or commercial use. Included as recreational vehicles, but not to the exclusion of any other types not mentioned in this Section are: Trailers; Trailer Coaches; Camping Trailers; Motor Homes; Pick-up (Slide-in) Campers; Chassis Mounts; Converted Vans; Chopped Vans; Mini-motor Homes; 5th Wheel Trailers of recreational vehicle construction, design and intent (as opposed to commercial 5th wheel trailers); Boat Trailers, with and without boats mounted thereon; Snowmobile Trailers, with and without snowmobiles mounted thereon; and Truck Caps.

(a) Trailers, trailer coaches and 5th wheel trailers are defined as recreational vehicles constructed with integral wheels to make them mobile and intended to be towed by passenger cars, station wagons and/or light pick-up or panel trucks and similar motor vehicles but not including truck tractors of any type.

(b) A camping trailer is a type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass or plastic or metal. The walls are collapsed while the recreational vehicle is being towed, and living quarters are not being used when the vehicle becomes temporary structures and is not being moved.

(c) Pick-up (slide-in) campers and truck caps are recreational structures designed to be mounted temporarily or permanently in the beds of light trucks with the trucks having either single or double rear wheels and with or without an assisting, extra tag axle and wheels mounted either on the camper chassis or the truck chassis behind the truck's rear wheels. These campers can be readily demounted from the truck beds.

(d) When removed from their respective truck beds, pick-up (slide-in) campers and truck caps are called unmounted campers.

(e) Chassis mounts, motor homes and mini-motor homes are recreational structures constructed integrally with a truck or motor-van chassis and incapable of being separated therefrom. The truck or motor-van chassis may have single or double rear wheels.

(f) Converted and chopped vans are recreational structures which are created by altering or changing an existing auto van to make it into a recreational vehicle meeting the requirements of Section 1 hereof.

(g) A boat or snowmobile trailer is a vehicle on which a boat or snowmobile may be transported and which is towable by a passenger car, station wagon, pick-up truck or mobile, recreational vehicle as above defined.

(h) When removed from the trailer, a boat or snowmobile, for purposes of this \_\_\_\_\_ (Act, Ordinance, etc.) \_\_\_\_\_ is termed an unmounted boat or snowmobile.

ARTICLE 2. PERMITTED USES.

Section 1. Permitted uses. Any recreational vehicle as defined in Section 1 may be stored or parked in a residential \_\_\_\_\_ (Section, Area, Zone, etc.) \_\_\_\_\_ only as follows:

Article 1, Section 1(a):

Truck tractors are used to tow mobile homes, those usually, over-size loads, and not recreational vehicles. Movement of mobile homes usually requires a special permit mentioned in Article 1, Section 1.

Article 2, Section 1(b):

The 3 feet are necessary for the passage of fire hoses, a stretcher (in emergencies), etc.

Article 2, Section 1(c):

The 15 feet are necessary not to block the view of passers-by, of cars being driven out of driveways, and the view of traffic moving along the street nearby to the property on which the recreational vehicle is stored.

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(a) Within an enclosed building meeting all local building ordinances.

(b) On any lot or parcel of property within a residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_ in the rear of, and not closer than three (3) feet to any building or structure, or to any lot or parcel lot line.

(c) In a side or front driveway of a lot or parcel of property in a residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_ but not closer than three (3) feet to any building or structure or any lot or parcel lot line, and additionally not closer than fifteen (15) feet to the closest public side walk or street line, whichever is nearest to the stored or parked recreational vehicle.

(d) A recreational vehicle may be stored or parked on a lot or parcel of property in the residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_ without regard to Sections 1(a), 1(b) and 1(c) above for the sole and express purpose of loading or unloading, but not in excess of any 6-hour period within any single 24-hour day.

(e) An unmounted pick-up (slide-in) camper, truck cap, boat or snowmobile may be stored or parked on any lot or parcel within a residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_ but not closer than three (3) feet to any building or structure and not closer than fifteen (15) feet to any public side walk or street line and not closer than three (3) feet to any lot or parcel of property line.

Section 2. Prohibited Uses.

(a) No stored or parked recreational vehicle as defined herein shall be occupied or used for human habitation including but not limited to sleeping, eating or resting between the hours of ten o'clock (10:00 P.M.) post meridian and six o'clock (6:00 A.M.) ante meridian, local time.

(b) No recreational vehicle as defined herein or unmounted boat or snowmobile which is in a state of externally visible disrepair or partial construction shall be stored or parked in any side or front driveway in a residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_. It may, however, be stored or parked in the rear of such lot or parcel of property in the residential \_\_\_\_\_ (Zone, Area, Section, etc.) \_\_\_\_\_ but in no event closer than three (3) feet to any building or structure or to any lot or parcel of property line.

ARTICLE 3. VARIANCES

Section 1. Any part or the whole of this \_\_\_\_\_ (Act, Ordinance, etc.) \_\_\_\_\_ may be waived or changed at the discretion and on approval of the \_\_\_\_\_ (Zoning Board, Commissioners, etc.) \_\_\_\_\_ on the filing of a written application for such action setting forth the reasons for the request, and any other matters which the \_\_\_\_\_ (Zoning Board, Commissioners, etc.) \_\_\_\_\_ shall deem proper and germane. The request for a variance shall take the form as shall be determined by the \_\_\_\_\_ (Zoning Board, Commissioners, etc.) \_\_\_\_\_ and action on the request shall be as provided by the law for such cases.

ARTICLE 4. VIOLATION

Section 1. Any person using, occupying, storing or parking any recreational vehicle as defined herein and contrary to the provisions reserved herein, is guilty of a misdemeanor.

Section 2. Any recreational vehicle as defined herein which is occupied, used, stored or parked contrary to the provisions reserved herein, is hereby declared to be a public nuisance.

Section 3. It shall be the duty of the \_\_\_\_\_ (Chief of Police, Zoning Board, Commissioners, Health Officer) \_\_\_\_\_ to enforce the provisions of this \_\_\_\_\_ (Act, Ordinance, Statute, etc.) \_\_\_\_\_

EXPLANATION OF PARTS OF THE SAMPLE ORDINANCE

Article 2, Section 2(a):

If a recreational vehicle is used for human habitation while parked, it surely becomes a matter for the health and welfare of the community. As such the recreational vehicle can be legally condemned as to storage and parking under many clear cases on the subject. It is not normally possible to create a temporary living quarters for humans by way of a zoning ordinance or act.

Article 2, Section 2(b):

This paragraph is added in order to assuage the community environmentalists that the recreational vehicles will not become local eye-sores. It closely follows a Supreme Court decision in this matter, *Berman v. Parker*, 248 U.S. 26, at 33. The case mentioned was decided in the Supreme Court of the United States, Justice Douglas giving the Court's opinion.

All the rest of the Sample Ordinance is self-explanatory.

aspo



**American Society of Planning Officials**  
1313 EAST SIXTIETH STREET, CHICAGO, ILLINOIS 60611

X--PARKING-RECREATIONAL

*Vehicles*

**Sent ON LOAN to:**  
Mr. Robert A. Lakin, Dir. of Planning  
Wichita-Sedgwick Co Metro Area Plng Dept  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

From 6/3/76 To 6/30/76

**Please return promptly and by**

CKET

**First Class Mail**

RE: General information, legal information and samples of zoning ordinances regulating the parking and storage of recreational vehicles in residential areas.

*Compiled April 1976*

September 16, 1975

*XXXXX*  
*- X- Parking Recreational Vehicles*  
*require expansion*

BOARD OF TRUSTEES REPORT

To: President and Board of Trustees

From: Donald P. Perille, Chairman  
Skokie Plan Commission

Subj.: 75-1P Outdoor Storage of Trailers, Boats and Recreational Vehicles

A request by the Skokie Plan Commission to consider all aspects of the outdoor storage of trailers, boats and recreational vehicles, the requirements for which are contained in the Skokie Zoning Ordinance in Article VII, Section L, Paragraphs 1, 2, 3 and 4 - OUTDOOR STORAGE OF TRAILERS AND BOATS, Definitions, General Conditions, Storage in Residential Districts and Storage in Commercial and Industrial Districts - and in Article XIII, Section C, Paragraphs 3d (1) and 4f (6) - ADMINISTRATION AND ENFORCEMENT, Board of Appeals, and the consideration of the regulations for Variations from the Prohibition of Commercial Vehicles in Residential Districts.

-----  
75-16P - Outdoor Storage of Trailers, Boats, and Recreational Vehicles

A request by the Skokie Plan Commission to consider all aspects of the outdoor storage of trailers, boats, and recreational vehicles contained in the Skokie Zoning Ordinance, including all related existing or proposed definitions contained in Article IV, Section B - Definitions, as well as amendments to Article X, Section D, Paragraph 1b - Special Uses in the M-3 Industry District - to include "Boat and Recreational Vehicles Sales and Storage Establishment" and to Article XI, Section F, Paragraph 11 (2) - Off-Street Parking, Residential Districts - to amend the types of vehicles which can be parked in the open on a lot in a residential district, of the Amended Zoning Ordinance.

-----  
These cases will be presented to the President and Board of Trustees on Monday, October 6, 1975 at 8:00 P.M. in the Village Hall.

PLAN COMMISSION CONSIDERATIONS

These two (2) cases were presented to the Board of Trustees on June 2, 1975, but were returned to the Plan Commission for further study and clarification at the request of the Chairman of the Plan Commission.

In general, Staff has noted several areas of conflict in the Zoning Ordinance concerning boats, trailers, recreational vehicles and commercial vehicles. Other potential areas of conflict also exist in the Skokie Code of Ordinances.

These areas of disagreement are the following:

1. The definition of "travel trailer" in the Zoning Ordinance does not correspond similar definitions contained in the Skokie Code of Ordinances.

To: President and Board of Trustees  
September 16, 1975 - Page Two

2. One section of the Zoning Ordinance permits by right the storage, parking or standing on residential property of boats and trailers which meet specified conditions. However, another section prohibits the parking in the open on residential property of any vehicle other than an automobile passenger vehicle.
3. Although the Code of Ordinances prohibits the parking or standing of trucks, trailers, etc. on residential streets "for a longer period than is necessary for the expeditious loading or unloading of such vehicle", the definitions used in the Code of Ordinances make the intent of this section refer to commercial-type vehicles only and not to recreational vehicles (travel trailers, motor homes, pick-up campers, etc.). Thus, recreational vehicles which are restricted by the Zoning Ordinance from being parked on residential lots because of bulk limitations or weight restrictions are permitted by right to be parked on residential streets. And,
4. It is the opinion of one of the Assistant Corporation Counsels that it may be discriminatory to permit by right the parking in the open on residential lots of recreational vehicles (with State of Illinois "RV" license plates) which meet specified conditions, while at the same time prohibiting the parking in the open on residential lots of frequently identical commercial vehicles which display no advertising, meet the same bulk and weight restrictions as the recreational vehicles, but which bear State of Illinois "B" license plates.

Thus, in recognizing the need to amend the Zoning Ordinance as it pertains to boats and recreational vehicles, both the Plan Commission and Staff have attempted to adhere to the following guidelines:

1. Any new ordinance or any amendments to the existing ordinance on boats and recreational vehicles should be less restrictive and should be more appropriate to the needs and requirements of individual owners of boats and RV's as such needs pertain to the owners' properties.
2. The parking, standing or storing of boats and recreational vehicles should take into account the rights and consideration of adjacent neighbors in terms of safety and adequate air and light, as well as general aesthetics.
3. The Zoning Ordinance should provide fair and equal treatment for recreational vehicles and commercial vehicles, as distinguished from automobile passenger cars.
4. The general health, safety and welfare of every Skokie citizen -- home owners and tenants alike -- as well as visitors and passers-through, should be of prime importance in drafting any revisions to the existing ordinance. This refers to both private property and public thoroughfares.
5. Any ordinance concerning the parking, standing or storing of boats and RV's should attempt to retain the residential character of such neighborhoods.
6. Any ordinance should provide for equal treatment of all owners of boats and recreational vehicles, regardless of the length, weight, bulk or size of such vehicles.
7. The Zoning Ordinance should be able to deal with unique situations and/or provide an avenue of relief.

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September 16, 1975 - Page Three

#### INTERESTED PARTIES

Large numbers of interested parties were present and openly spoke at each hearing on these cases before the Plan Commission.

In general, comments by owners of boats and recreational vehicles centered around the following areas:

1. If parking of RV's is prohibited on the street, where can such vehicles be parked on private property and under what conditions? There are no written assurances that present owners of RV's will be granted a variance for their vehicles.
2. Renters will have greater difficulty in obtaining a variance since they do not own the property and since they generally live in denser neighborhoods.
3. The recommendations ask that a variance can be granted for only one boat or RV; what happens to someone who owns more than one RV or boat or who owns a boat and an RV?
4. The owners of such vehicles expressed deep concern over the bureaucratic red tape and inconvenience in applying for a zoning variance.
5. Owners of boats and RV's, as well as the Plan Commission members, expressed concern over the requirements that the Board of Appeals may stipulate before granting a variance. Specifically, the concern centered on monetary outlays and impermeable surfaces in those cases where a concrete parking pad is required by the ZBA.
6. Most owners of boats and recreational vehicles stated that, in their opinion, the present size and bulk limitations -- the maximum length of eighteen (18) feet in particular -- is purely arbitrary.

In general, there was a great amount of confusion among the audience members with regard to variances, the actual procedure necessary to obtain a variance, and how a variance affects the rights of a property owners

The Chairman of the Plan Commission answered a variety of questions pertaining to zoning variances. Among the answers are the following:

1. The general intent of a zoning variance is to provide an avenue of relief from the Zoning Ordinance which would be as reasonable as possible, would be the least restrictive as possible, allow the requirements set down by the Board of Appeals to deal with the individual needs and circumstances of each boat and RV owner, and allow adjacent neighbors the opportunity to put forth their feelings or recommendations on the subject. In short, the zoning variation is geared to individual cases and individual circumstances -- each case is based on its own merits.
2. A variation is applied for only once. It remains valid for as long as the boat or RV is owned.
3. Variances for boats and RV's would be handled in exactly the same manner as variances for commercial vehicles. Moreover, while the granting of the variance is pending, the owner may temporarily park, stand or store his boat or RV on his own

property until the Board of Appeals renders its decision.

In addition, the Chairman noted that out-of-town visitors would be able to park RV's temporarily on the street or on private property for short durations. A matter of general courtesy, the local residents should call the Spokane Police Department to inform them of the location and length of stay.

Loading and unloading of RV's would also be allowed on private property or on streets. This would also be a matter of courtesy, as long as such loading or unloading would be handled expeditiously.

Finally, the Chairman stated that any proposed change in the existing ordinance would not be intended to outlaw boats or RV's altogether. Boats and RV's would still be permitted but by variance only.

Moreover, the proposed changes affect only the parking, storage or standing of boats and RV's in the open. They do not affect the owner's right to park, store, or stand such vehicles in an enclosed garage.

#### VOTING AND RECOMMENDATIONS

Although there are two (2) separate subject cases and a separate vote was taken on each case, the Board of Trustees' recommendations were identical, voting to recommend adoption of the original staff report as detailed in the July 3, 1975 Staff report plus all amendments contained in the September 4, 1975 Staff report except including item #2 on pg one (allowing parking between Madronal & Labor Day).

A summary of the staff recommendations is outlined as follows:

1. That all motor vehicles except station wagons (including station wagons) shall not be parked in the open on a residential lot except by variance.
2. That a series of definitions will be added to the ordinance for clarity and for uniformity, which would also help in court proceedings for violations of the ordinance.
3. That Article VII, section C should be amended to contain definitions and guidelines for the Board of Appeals for hearing variance requests concerning boats and recreational vehicles.
4. That boats and recreational vehicles which can be parked by variance could then be stored in a boat and recreational sales and storage establishment which would be allowed with M-3 Zoning District as a special use.
5. That variances for storing boats and recreational vehicles would not have to be recorded.
6. That the only vehicles that can be parked on a public street are those that can also be parked by right in the open on a lot in a residential district.

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7. that canoes, kayacs and boats under fourteen (14) feet in length -- including their trailers -- be exempted from the variance requirements of this ordinance, but that they conform to the "General Conditions" listed in Section 3 of this Ordinance and that they are specifically prohibited from being parked, stored or permitted to stand in a required front yard or front driveway;
8. that the prohibition of boats and recreational vehicles in required side yards be dropped from Paragraph 3 (b) (3) - "Location Restrictions" and Paragraph (6) (b) (2) - "Prohibition"; and
9. that Paragraph (6) (b) (3) - "Prohibition" - be amended to read "No variance shall be granted... for more than one (1) vehicle per residence. However, for the purposes of this ordinance only, a boat and trailer shall be considered as constituting one (1) vehicle".

Item #6 above does not pertain to the Skokie Zoning Ordinance, but rather to the Skokie Code of Ordinances. However, the members of the Plan Commission agreed that it is imperative that any action by the Board of Trustees requiring owners of boats and recreational vehicles to obtain a variance to park such vehicles in the open on a residential lot be contingent upon the Trustees amending the Code of Ordinances to ban the parking of recreational vehicles on public streets. This consensus is part of the formal Plan Commission recommendation to the Board of Trustees.

This area is of prime concern to the Traffic Division for reasons of public safety, including adequate sight clearance at intersections.

In addition, item #3 listed above -- definitions -- could also affect the Code of Ordinances inasmuch as Staff recommended that the appropriate definitions in the Zoning Ordinance and Code of Ordinances be similar.

The Plan Commission recommendations passed by a vote of eight (8) ayes, no nays and one (1) absent.

<u>ATTENDANCE</u>	<u>AYES</u>	<u>ABSENT</u>
Langer	X	
Gorelli	X	
McGrath	X	
DeNunzio	X	
Cantor	X	
Paradise	X	
Pinkerman		X
Stein	X	
Perille	X	

Attached to this report are excerpts from the Zoning Ordinance showing the proposed amendments. Additions to the Zoning Ordinance are underlined, deletions are contained in brackets.

Item #2 on page one of the Staff report dated September 4, 1975 was not recommended for approval by the Plan Commission. This item suggested "that between the weekend immediately preceding Memorial Day to the Weekend immediately following Labor Day, boats and recreational vehicles may be parked -- but not stored -- in the open on a residential

To: President and Board of Trustees  
September 16, 1975 - Page Six

lot without being required to obtain a variance..."

This item was not recommended for the following reasons:

1. The dates of Memorial Day and Labor Day are arbitrary and may be unfair to some RV owners. Many RV owners use their vehicles before Memorial Day and after Labor Day, depending upon the weather. Also, some RV's are used during the winter for ski trips, etc. As one owner stated: "Why is it that during this period the RV's are not a health hazard, and afterwards they are?"
2. Allowing boats and RV's to park by right between Memorial Day and Labor Day would virtually eliminate the intent of the proposed ordinance.
3. In some respects, the parking or storing of boats and RV's in the open can create greater safety hazards during the summer than during the winter inasmuch as more outdoor activities -- including children playing -- occur during these summer months than during the winter ones.

As a separate proposal, the Chairman of the Plan Commission also recommends that if the Board of Trustees concurs with the Commission's recommendations, that they set a specific date by which recreational vehicles would no longer be permitted to be parked, stored or allowed to stand on public thoroughfares. The Chairman suggests January 1, 1976 as this date.

Likewise, the Chairman suggests the date of January 1, 1977 as the date by which all owners of boats and recreational vehicles would be required to obtain a variance for parking, storing or standing such vehicles in the open on a lot in a residential district. Owners of boats and/or RV's which exceed the bulk or size limitations presently contained in the Skokie Zoning Ordinance would be required to obtain variances immediately, i.e., subject to the existing requirements.

*Donald P. Ferille (Chairman)*  
Donald P. Ferille, Chairman  
Skokie Plan Commission

DPP:gdf:s1

Attachments

ATTACHMENT I

ARTICLE IV, Section B, DEFINITIONS

93. MOBILE HOME: [A trailer designed and constructed for dwelling purposes.]  
A house trailer or private living coach as defined in Article VII, Section 1,  
Paragraph 1 of this Ordinance.
94. MOBILE HOME PARK: ... House trailers used commercially (temporarily or perman-  
ently) shall not be located in a mobile home park.
144. TRAILER: Any vehicle or portable structure constructed so as to permit occupancy  
thereof for lodging or dwelling purposes or for use as an accessory building or  
structure in the conduct of a business, trade or occupation and which may be  
used as a conveyance on streets and highways by its own or other motive power.]
- TRAILER HOUSE: (a) a recreational trailer or semi-trailer equipped and used for  
living quarters or for human habitation (temporarily or permanently) rather than  
for the transportation of freight, goods, wares and merchandise, or (b) a house  
trailer or a semi-trailer which is used commercially (temporarily or permanently),  
that is, for the advertising, sales, display or promotion of merchandise or  
services, or for any other commercial purpose except the transportation of property  
for distribution by a private carrier.
145. TRAILER PARK: Any premises on which are parked one or more mobile homes, house  
trailers or travel trailers - occupied or intended for occupancy for living or  
sleeping purposes - or any premises used or held out for the purpose of supplying  
to the public a parking space for one or more such [trailers] vehicles. In  
a trailer park, such mobile homes, house trailers, or travel trailers shall stand  
on wheels.
146. TRAILER, TRAVEL: A [trailer] vehicle designed and constructed for travel and tem-  
porary lodging purposes and which does not exceed a gross weight of [4,500] 6,000  
pounds when factory equipped for the road and which is intended for use only for  
camping, recreational travel or vacation use.
154. VEHICLE, MOTOR: Any passenger vehicle, truck, truck-trailer, trailer or semi-trailer  
propelled or drawn by mechanical power.]

VEHICLE, MOTOR: Every vehicle which is self-propelled and every vehicle which is  
propelled by electric power obtained from overhead trolley wires, but not operated  
upon rails. For the purpose of this ordinance, motor vehicles are divided into  
two (2) divisions:

First Division: Those motor vehicles which are designed for the carrying  
of not more than ten persons.

Second Division: Those motor vehicles which are designed for carrying more than  
ten persons, those designed or used for living quarters (tem-  
porarily or permanently), and those motor vehicles which are  
designed for pulling or carrying trailers or caravans, and those  
motor vehicles of the First Division propelled for use as motor  
vehicles of the Second Division.

ATTACHMENT II

ARTICLE VII, Section L, OUTDOOR STORAGE OF TRAILERS, [and] BOATS, RECREATIONAL VEHICLES, ETC.

1. Definitions

- (a) "Boat [means] shall mean any [device] vehicle used or capable of being used for navigation on water.
- (b) "Boat Trailer" shall include every [vehicle] trailer designed or utilized for the transportation of any boat having a gross weight of less than 6,000 pounds, without motive power, designed for being drawn by another vehicle.
- (c) "Camper" shall mean a recreational motor vehicle of the Second Division converted or equipped and used for living quarters or for human habitation, (temporarily or permanently), rather than for the transportation of freight, goods, wares and merchandise.
- (d) "Commercial Vehicle" shall mean any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, For-Hire or Not-for-Hire, not including however a recreational vehicle not being used commercially.
- (e) A "Commercial Trailer" is a vehicular portable structure built on a chassis designed to be used for a business, trade or occupation and which may be used as a conveyance on streets or highways.]
- (e) "House Car" shall mean a recreational motor vehicle of the First Division converted or equipped and used for living quarters or for human habitation (temporarily or permanently), rather than as a passenger car.
- (f) "House Trailer" shall be as defined in ARTICLE IV, Section B, Paragraph 144.
- (g) "Motor Vehicle" shall be as defined in ARTICLE IV, Section B, Paragraph 154.
- (h) "Motorcycle" shall mean every motor vehicle having a seat or saddle for the use of the rider and designed to travel or not more than three wheels in contact with the ground, but excluding a tractor.
- (i) "Motor Driven Cycle" shall mean every motorcycle, every motor scooter, or every bicycle with motor attached, with less than 150 cubic centimeter piston displacement.
- (j) "Owner" [means] shall mean a person other than a lien-holder having the property in or title to a boat, [or boat trailer or travel trailer] motor vehicle, trailer, vehicle, snowmobile or truck camper. The term includes a person entitled to the use or possession of a boat, [boat trailer or travel trailer] motor vehicle, trailer, vehicle, snowmobile or truck camper subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation.
- (k) "Passenger Car" shall mean a motor vehicle of the First Division, that is, designed for carrying not more than ten persons.

- (l) "Private Living Coach" shall mean a recreational motor vehicle of the Second Division equipped and used for living quarters, human habitation or for mobile living, (temporarily or permanently), rather than for the transportation of persons, and with direct access to the living quarters from the driver's seat.
- (m) "Recreational Vehicle" shall mean every vehicle originally designed or permanently converted and used for living quarters or for human habitation (temporarily or permanently), and not used as a commercial vehicle, including any house car, house trailer, camper or private living coach.
- (n) "Semi-trailer" shall mean every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (o) "Snowmobile" shall mean every motor vehicle designed to be used primarily on snow or ice and utilizing skis or similar devices instead of tires.
- (p) "Trailer" shall mean every vehicle without motive power in operation designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- (q) "Travel Trailer" shall be as defined in ARTICLE IV, Section B, Paragraph 146.
- (r) A "Travel Trailer" is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses. A travel trailer shall include the following: self-contained travel trailer, pick-up coach, motorized home, camping trailer and mobile home.
- (s) "Truck" shall mean every motor vehicle designed, used or maintained primarily for the transportation of property.
- (t) "Truck Camper" refers to recreational equipment or accessories which either slide onto the cargo area or pick-up bed of a truck or which are permanently affixed to the chassis without a pick-up bed on the truck in order to convert such truck to use as a camper, either temporarily or permanently. Truck campers shall include "cab-overs", "chassis mounts", "camper coaches", "slide-ins", "slide-ins" and "pick-up campers".
- (u) "Vehicle" shall mean every device, in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks. For this Ordinance, vehicles are divided into two divisions:
- First Division: Those motor vehicles which are designed for the carrying of not more than ten persons.
- Second Division: Those vehicles which are designed for carrying more than ten persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying freight or cargo, and those vehicles of the First Division remodelled for use and used as motor vehicles of the Second Division.

(Attachments - Page Three)

## 2. General Conditions

- (a) None of those vehicles, motor vehicles or pieces of equipment listed in Paragraph 1 (Definitions) above [Travel trailers, commercial trailers, semi-trailers] shall [not] be permitted in any district as accessory buildings.
- (b) State license plates, display title and Village vehicle sticker, where required, shall be current and properly displayed.
- (c) Storage, parking or standing of any of those vehicles, motor vehicles or pieces of equipment, listed in Paragraph 1 (Definitions) above [of a travel trailer, commercial trailer or boat] shall not constitute or be a part of any business, except as otherwise specifically permitted by this Ordinance.
- (d) None of those vehicles, motor vehicles or pieces of equipment listed in Paragraph 1 (Definitions) above [A travel trailer] shall [not] be used as a dwelling, storage or accessory building except as permitted in mobile home parks or trailersparks or as otherwise specifically permitted by this Ordinance.
- (e) The owner of any of those vehicles, motor vehicles or pieces of equipment listed in Paragraph 1 (Definitions) above [a boat, boat trailer or travel trailer] shall not park, store or permit to stand such vehicle or piece of equipment [boat, boat trailer] leaving flammable liquids in portable containers on board or within [aboard in portable containers].
- (f) The owner of any vehicle, motor vehicle or piece of equipment listed in Paragraph 1 (Definitions) above [a boat, boat trailer, travel trailer or commercial trailer] shall not park, store or permit to stand such motor vehicle, vehicle or piece of equipment [a boat, boat trailer, travel trailer or commercial trailer] in such a manner as to create a dangerous or unsafe condition on the property where parked or stored or permitted to stand. Parking, storing or standing in such fashion that such vehicles, motor vehicles or equipment [that the boat, boat trailer, travel trailer or commercial trailer], whether loaded or not, may readily tip or roll, shall be considered a dangerous and unsafe condition.

## 3. Residential Districts

[A travel trailer or boat may be stored out of doors in any residential districts subject to the following conditions and restrictions.]

A trailer, boat, recreational vehicle, or other vehicle, motor vehicle or piece of equipment contained in the definitions listed in Paragraph 1 above may be placed out of doors in a lot in a residential district only by variance as may be granted by the Board of Appeals as outlined in Article III, Section C, Paragraph 4 (b) of this Ordinance. In addition, all such vehicles shall be subject to the following General Conditions and Location Restrictions listed below.

Canoes, kayaks and other boats under fourteen (14) feet in length -- including their trailers -- are specifically exempt from the variance requirements of this Ordinance, but shall be required to conform to the General Conditions listed above. In addition, shall be prohibited from being parked, stored or permitted to stand in a required front yard or front driveway.

- (a) General Conditions

(Attachments - Page Four)

- (1) Property owner shall have and display upon request to authorized Village Official, proof of ownership of [stored travel trailer or boat] any such parked, stored or standing vehicle, motor vehicle or piece of equipment.
- (2) [A stored travel trailer or boat shall be maintained in mobile condition; no major construction or repair of such trailer or boat shall be carried out on a residential lot.]

A parked, stored or standing vehicle, motor vehicle or piece of equipment noted in the list of definitions in Paragraph 1 above and for which a variance has been received shall be maintained in mobile condition; no major construction or repair of any such vehicle or equipment shall be performed out of doors on a residential lot.

- (3) [No travel trailer or boat in excess of the bulk restrictions as indicated in Subsection (b) of this Article shall be stored in any residential district. Such a trailer or boat may be stored in a trailer or boat sales or storage establishment where such establishment is permitted by this ordinance in a business or industrial district.]

No vehicle, motor vehicle or equipment noted in the list of definitions in Paragraph 1 above for which a variance has not been granted by the Board of Appeals, and for which a variance is required shall be parked, stored or permitted to stand in the open on a lot in a residential district. Such vehicles, motor vehicles or pieces of equipment may be parked, stored or permitted to stand in a "Boat and Recreational Vehicle Sales and Storage Establishment" when such an establishment is specifically allowed by this Ordinance in a business or industrial district or elsewhere as may be allowed by this Ordinance in a business or industrial district provided, however, that any such vehicle, motor vehicle or piece of equipment meets the bulk and weight restrictions (if any) set forth by this Ordinance for the particular commercial or industrial district in which the vehicle, motor vehicle, or piece of equipment is parked, stored or permitted to stand, as well as all other conditions and restrictions which may be contained in the Code of Ordinances.

(b) Bulk Restrictions

No travel trailer or boat stored in a residential district shall exceed:

- (1) Ten (10) feet in height as parked, including trailer, cradle or mount, but excluding mast;
- (2) Eighteen (18) feet in body length, excluding trailer hitch, tongue and bumper;
- (3) Eight (8) feet in body width, excluding hardware.]

(b) Location Restrictions

[No travel trailer or boat stored in a residential district shall be located:]

(Attachments - Page Five)

No trailer, boat, recreational vehicle, or other vehicle, motor vehicle, or piece of equipment contained in the definitions listed in Paragraph above for which a variance was issued to park, store or permit to stand such vehicle, motor vehicle or piece of equipment on a lot in a residential district shall be located:--

- (1) Less than six (6) feet from any structure.
- (2) Less than three (3) feet from any lot line.
- (3) Within any required front yard, [side yard] or front driveway.

Travel trailers, commercial or industrial trailers or boats not meeting the conditions and restrictions cited above shall not be stored in any residential district.

Vehicles, motor vehicles and pieces of equipment not meeting the conditions and restrictions cited above shall not be parked, stored or permitted to stand in the open on any lot in a residential district.

[(c)]

#### 4. Commercial and Industrial Districts

- (a) [Any trailer or boat may be stored in a trailer or boat storage or sales establishment where such an establishment is permitted by this ordinance.]

Any vehicle, motor vehicle or piece of equipment listed in Paragraph 1 (Definitions) above may be stored, parked or permitted to stand in a "Boat and Recreational Vehicle Sales and Storage Establishment" where such an establishment is specifically allowed by this ordinance and provided, however, that any such vehicle or piece of equipment meets the load and weight restrictions (if any) set forth by this Ordinance for the particular commercial or industrial district in which the vehicle, motor vehicle or piece of equipment is parked, stored or permitted to stand, as well as all other conditions and restrictions which may be contained in the Code of Ordinances.

- (b) The parking, storing or standing of any of the vehicles, motor vehicles or pieces of equipment listed in Paragraph 1 (Definitions) above [the storage of trailers and boats] is not permitted as a secondary or accessory use in any commercial or industrial district unless the commercial or industrial district in which the property is located [permits boat or trailer storage as a principal use] specifically permits "Boat and Recreational Vehicle Sales and Storage Establishment" as a principal use.
- (c) No vehicle, motor vehicle or piece of equipment noted in Paragraph 1 (Definitions) above [no boat or trailer] shall be parked, stored or permitted to stand in, or shall block access to, any off-street parking space required by this Ordinance.

ARTICLE XII, Section C, Paragraph 4. F. (6) -- Board of Appeals, Types of Authorized Variations (page two)

- (6) Variation from the regulation of Art. XI, F. 1. f. (2) -- prohibition of vehicles other than passenger cars and station wagons [(prohibition of commercial vehicles in a  
(Attachments - Page Six)

residential district]]

Variation from the regulation of this section with regard to boats, recreational vehicles and similar vehicles, motor vehicles and pieces of equipment may be granted by the Board of Appeals subject to the conditions and guidelines outlined in Article VII, Section 1 of this Ordinance and as contained in sub-paragraphs (a), (b) and (c) below. The Board of Appeals may grant a variance with regard to a commercial vehicle subject to the conditions contained in sub-paragraphs (a), (b) and (c) below.

Canoes, kayaks and boats under fourteen (14) feet in length -- including trailers -- are exempt from the variance requirements of this Ordinance.

Variation from the regulation of this section may be granted by the Board of Appeals subject to the following prohibitions:

The Board of Appeals shall only grant variations from this Section where the evidence clearly establishes facts favorable to the petitioner.

(a) Factors To Be Considered:

- (1) For commercial vehicles only, whether the Petitioner's business or occupation is of a nature requiring the usage of the vehicle upon demand at irregular hours for reasons of public necessity.
- (2) The extent to which alternative, possible parking sites are available.
- (3) The extent to which housing or adequate screening for the vehicle, motor vehicle or piece of equipment [truck] can be provided.
- (4) The height, length, width and weight of the vehicle, motor vehicle or piece of equipment, including the turning radius required for safely maneuvering the vehicle, motor vehicle or piece of equipment onto and off of the property.

(b) Prohibition

No variation shall be granted:

- (1) For a vehicle having State of Illinois license in excess of the B classification.
- (2) To permit parking in a required front yard [primary or secondary front yards] or front driveway [or in side yards].
- (3) For more than one (1) vehicle per residence. However, for the purposes of this ordinance only, a boat and trailer shall be considered as one stipulating one (1) vehicle only.
- (4) For commercial vehicles only, where the sole purpose is to provide transportation to and from the applicant's place of employment.
- (5) Where the lot is a sub-standard lot in the residential zone where it is located.

(Attachments - Page Seven)

(c) Decision

The Board of Appeals may require such conditions and restrictions including, but not limited to screening and landscaping, routes of ingress and egress, upon the premises benefited by the variation as may be necessary to reduce or minimize the injurious effect of such variation upon other property in the neighborhood and to implement the general purpose and intent of this ordinance.

(Attachments - Page Eight)

CITY OF OMAHA



EDWARD ZORINSKY, Mayor  
OMAHA/DOUGLAS CIVIC CENTER  
1819 FARNAM STREET  
OMAHA, NEBRASKA 68102  
402/444-7000

*Handwritten initials/signature*

June 9, 1976

Robert A. Lakin, Director  
Wichita-Sedgwick County Planning  
City Hall  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

Your request for Recreational Vehicle legislation directed to the Omaha-Council Bluffs Metropolitan Area Planning Agency has been forwarded to my office.

I have enclosed a copy of the Omaha ordinance recently adopted. This ordinance is the result of over two years of public hearings, amendment revisions, injunctions, etc. Truly, a "battle royal".

Hopefully, our ordinance will be of some assistance.

Sincerely,

CITY PLANNING DEPARTMENT

Alden Aust, AIP, Director

A handwritten signature in dark ink, appearing to read "S. P. Benson".

S. P. Benson  
Zoning Administrator

SPB:m

Enclosure





American Society of Planning Officials  
1313 East Sixth Street Chicago Illinois 60637 Phone 312. 947.2575

## Planning Advisory Service

June 3, 1976

Mr. Robert A. Lakin, Director of Planning  
Wichita-Sedgwick County Metropolitan  
Area Planning Department  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202



Dear Mr. Lakin:

You are certainly correct in saying that the parking and storage of recreational vehicles in residential areas is a problem in many communities. ASPO has received five or six requests for information on this subject in the last two or three months.

I am enclosing our most current loan packet on the subject. Have you also looked at PAS Report No. 218, Regulating the Storage of Major Recreational Equipment? If you can't locate it, let us know and we will be glad to loan you a copy.

Yesterday I talked to planners in Phoenix and Tempe, Arizona about their regulations for parking and storing recreational vehicles in residential areas. Both communities require developers to provide storage areas in Planned Area Developments. Phoenix prohibits the storage of recreational vehicles in front yards and restricts side yard use to vehicles less than eight feet tall. Tempe is considering adopting provisions which would prohibit the parking and storage of recreational vehicles in front and side yards. You may be interested in contacting these planners for further information. They are:

Mr. Richard Counts  
Zoning Administrator  
Planning and Zoning Department  
251 West Washington Street  
Phoenix, Arizona 85003  
602-262-7405

Mr. Atis Krigers  
Tempe Planning Department  
31 East Fifth Street  
Tempe, Arizona 85281  
602-967-2001

Mr. Robert A. Lakin  
June 3, 1976

-2-

You might also like to contact Mr. Karl A. Kopetzky, Karl Kopetzky and Associates, 1052 West Loyola Avenue, Chicago, Illinois 60626. Phone: 312-764-3572. Mr. Kopetzky is a lawyer with experience with the legal aspects of recreational vehicle parking and storage.

You may also wish to contact the following people who are also working on new ordinance provisions for controlling the parking and storage of recreational vehicles in residential areas:

Mr. Lou Callen  
Zoning Administrator  
City of University City  
6801 Delmar Street  
University City, Missouri 63130

Mr. Edward Moore  
City of Sunnyvale Planning Office  
P.O. Box 607  
Sunnyvale, California 94088

Mr. George Vilican, Jr.  
Vilican-Leman and Associates, Inc.  
29621 Northwestern Highway  
Southfield, Michigan 48076

Ms. Evelyn Garfinkle  
Los Angeles City Planning Division  
200 North Spring Street, Room 510  
Los Angeles, California 90012

Mr. John E. Vinsant  
Planning Director  
Planning Department  
P.O. Drawer 341549  
Coral Gables, Florida 33134  
305-446-0881

For information on litigation over the parking and storage of recreational vehicles, contact Mr. Robert Forman, Federation of Outdoor Recreation, P.O. Box 68, Manmouth, Illinois 61462, 309-734-5448. The Federation of Outdoor Recreation is an information service supported by recreational vehicle user associations. The Federation has done a model ordinance about parking and storing RVs, and it has also been involved in litigation in various communities in the country.

Sincerely,

*Devon M. Schneider*

Devon Schneider  
Research Associate

DS:sm

Enclosure on loan: Loan Packet  
Due date 6/30/76

Enclosure to keep: "Economics of Residential Vehicle Storage Facilities," by Manuel Gottlieb, Traffic Quarterly, April, 1970.

1 AN ORDINANCE to amend Sections 55.51.010 and 55.51.020 in Chapter  
2 55.51 of the Omaha Municipal Code entitled "Recreational  
3 Vehicles and Vessels"; to amend height limitations of recrea-  
4 tional vehicles; to limit occupancy to seventy-two (72) hours;  
5 to provide for the parking in an enclosure; to allow perpendi-  
6 cular parking of a limited size recreational vehicle or vessel  
7 within the front yard set back on a pad where space in the  
8 side or rear yard is not reasonably available; to provide power  
9 to the Zoning Board of Appeals; to repeal the existing sections;  
10 and to provide the effective date hereof.

11 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

12 Section 1. That Section 55.010 of the Omaha Municipal Code,  
13 be, and hereby is, amended to read as follows:

14 55.51.010 Definitions. For the purposes of this Ordinance,  
15 and notwithstanding the limitations contained in Chapter 23.64  
16 of the Omaha Municipal Code or any other limitation contained  
17 in said Municipal Code, camping and recreational equipment is  
18 defined as, and shall include, the following:

19 A. RECREATIONAL VEHICLE: A general term applying  
20 to the following specific vehicle types:

- 21 1. Camper trailer -- A folding or collapsi-  
22 ble vehicular structure, without its own  
23 motive power, designed as temporary living  
24 quarters for travel, camping, recreation  
25 and vacation use, and eligible to be  
26 licensed or registered and insured for high-  
27 way use.
- 28 2. Travel trailer -- A rigid vehicular struc-  
29 ture, without its own motive power, designed  
30 as a temporary dwelling for travel, camp-  
31 ing, recreational and vacation use, and  
32 eligible to be licensed or registered and  
33 insured for highway use, and which, when  
34 equipped for the road, has a body width of  
35 not more than eight (8) feet.
- 36 3. Truck camper -- A portable structure, with-  
37 out its own motive power, designed to be  
38 transported on a powered vehicle as a tem-  
39 porary dwelling for travel, camping, recrea-  
40 tional and vacation use, and which, in com-  
41 bination with the carrying vehicle, is eli-  
42 gible to be licensed or registered and  
43 insured for highway use.
- 44 4. Motor home -- A vehicular unit built on, or  
45 as a part of, a self-propelled motor vehicle  
46 chassis, primarily designed to provide tem-  
47 porary living quarters for recreational,  
48 camping or travel use, and which is eligible  
49 to be licensed or registered and insured for  
50 highway use.

- 1 5. Boat trailer -- A vehicular structure without  
2 its own motive power, designed to transport  
3 a recreational vessel for recreational and  
4 vacation use and which is eligible to be  
5 licensed or registered and insured for high-  
6 way use.
- 7 6. Horse trailer -- A vehicular structure, with-  
8 out its own motive power, not exceeding twenty  
9 (20) feet in length, eight (8) feet in width,  
10 and ~~eight (8)~~ ten and one-half (10½) feet in  
11 height, designed primarily for the transporta-  
12 tion of horses and which, in combination with  
13 the carrying vehicle, is eligible to be licensed  
14 or registered and insured for highway use.
- 15 7. Utility trailer -- A vehicular structure, with-  
16 out its own motive power, not exceeding twenty  
17 (20) feet in length, eight (8) feet in width,  
18 and ~~eight (8)~~ ten and one-half (10½) feet in  
19 height, designed and/or used primarily for the  
20 transportation of all manner of motor vehicles,  
21 goods or materials and eligible to be licensed or  
22 registered and insured for highway use. For  
23 the purposes of this Ordinance, utility trailers  
24 shall be considered the same as recreational  
25 vehicles.

26 B. RECREATIONAL VESSEL: The term applying to all manner  
27 of watercraft, other than a seaplane on water, whether  
28 impelled by wind, oars, or mechanical devices, and  
29 which is designed primarily for recreational or vaca-  
30 tion uses. A recreational vessel, when mounted upon  
31 a boat trailer, and its towing recreational vehicle,  
32 when parked or stored in the side or rear yard or  
33 behind the required front yard setback, shall be con-  
34 sidered one (1) unit, exclusive of its towing recrea-  
35 tional vehicle.

36 Section 2. That the original Section 55.51.010 of the Omaha  
37 Municipal Code is hereby repealed.

38 Section 3. That Section 55.51.020 of the Omaha Municipal  
39 Code, be, and hereby is, amended to read as follows:

40 55.51.020 Parking, Storing -- Recreational Vehicles or  
41 Recreational Vessels. Any owner, lessee, or bailee of a recrea-  
42 tional vehicle or recreational vessel, as defined in A and B  
43 of Section 55.51.010, may park or store one (1) such recreational  
44 vehicle or recreational vessel on a single lot in a residential  
45 district subject to the following:

- 46 1. Such recreational vehicle or recreational  
47 vessel shall be maintained in a clean,  
48 well-kept state so as not to detract from  
49 the appearance of the surrounding area.
- 50 2. If such recreational vehicle or recreational  
51 vessel is equipped with liquified petroleum  
52 gas containers, such containers shall meet  
53 the standards or either the Interstate Com-  
54 merce Commission or the Federal Department  
55 of Transportation or the American Society

1 of Mechanical Engineers, as such standards  
2 existed existing on the date of passage of  
3 this Ordinance. Further, the valves of such  
4 liquified petroleum gas containers must be  
5 closed when the recreational vehicle or  
6 recreational vessel is not being readied for  
7 immediate use, and in the event that leakage  
8 is detected from such liquified petroleum gas  
9 containers, immediate corrective action must  
10 be taken.

11 3. At no time shall such parked or stored recrea-  
12 tional vehicle or recreational vessel be occupi-  
13 ed or used for living, sleeping or housekeeping  
14 purposes, except as provided in subsection 4.  
15 of this section.

16 4. ~~Such recreational vehicle or recreational~~  
17 ~~vessel may be parked or stored only behind~~  
18 ~~the required front yard setback or any other~~  
19 ~~setback required from a public street.~~

20 It shall be lawful for only non-paying guests at  
21 a residence, in a residential district to occupy  
22 one recreational vehicle or recreational vessel,  
23 parked or stored subject to the provisions of  
24 this Chapter, for sleeping purposes only for a  
25 period not exceeding seventy-two (72) con-  
26 secutive hours. The total number of days  
27 during which a recreational vehicle or recrea-  
28 tional vessel may be occupied under this sub-  
29 section shall not exceed fourteen (14) in any  
30 calendar year.

31 5. Such recreational vehicle or recreational vessel may  
32 be parked or stored in the following manner:

33 a. Parking is permitted inside any enclosed  
34 structure, which structure otherwise con-  
35 forms to the zoning requirements of the  
36 particular zone, where located.

37 b. Parking is permitted outside in the side  
38 yard or in the rear yard, behind the re-  
39 quired front yard setback.

40 c. Parking is permitted outside within the  
41 required front yard setback on a concrete  
42 driveway or on a hard surfaced pad adjacent to the driveway  
43 provided:

44 1. Space is not available in the side  
45 yard, behind the required front yard  
46 setback, or in the rear yard, or there  
47 is no reasonable access to either the  
48 side or rear yard. A lot shall be  
49 deemed to have reasonable access to  
50 the rear yard if terrain permits and  
51 an access can be had without substantial  
52 damage to existing large trees or major  
53 landscaping. A fence shall not necessarily  
54 be deemed to prevent reasonable access. A  
55 corner lot shall normally be deemed to have  
56 reasonable access to the rear yard.

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- 2. Inside parking is not possible.
- 3. The recreational vehicle or recreational vessel is parked perpendicular to the front curb.
- 4. The recreational vehicle or recreational vessel must be at least fifteen (15) feet in back of the front property line.
- 5. The size of the recreational vehicle or recreational vessel does not exceed twenty (20) feet in length, eight (8) feet in width, and ten-and-one-half (10½) feet in height. For the purposes of determining external measurements; 1) Truck campers and recreational vessels shall be measured in conjunction with their carrying vehicles, with the whole being considered as one (1) unit for measuring purposes, and, 2) As to other recreational vehicles, the length restriction shall apply to the body measurement only.
- 6. The Zoning Board of Appeals shall have the power to grant relief from any of foregoing provisions in such selected instances as it may deem appropriate under the circumstances.

26 Section 4. That the original Section 55.51.020 of the Omaha  
27 Municipal Code is hereby repealed.

28 Section 5. This ordinance shall be in full force and effect  
29 fifteen (15) days from and after the date of its passage.

INTRODUCED BY

Robert G. Cunningham

APPROVED BY

Edward J. [Signature] 9/2/75  
MAYOR OF THE CITY OF OMAHA DATE

PASSED: SEP 23 1975

ATTEST:

Mary Gallagher  
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM

Charles [Signature]  
CITY ATTORNEY



**city of saint louis  
community development agency**

(314) 421-4700

**1015 locust st. suite 1201 saint louis missouri 63101**

May 28, 1976

Mr. Robert A. Lakin  
Director of Planning  
Wichita-Sedgwick County  
Metropolitan Area Planning Department  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202



*JP*  
John H. Poelker, Mayor

Community Development  
Commission

John G. Roach, Chairman  
Alex A. Aboussie  
Louis G. Berra  
Robert Blackburn  
Joseph A. Bufalo  
Ernest A. Calloway  
Joseph W. B. Clark  
Thomas Costello  
C. L. Farris  
Ernestine Hinton  
William Pearson  
Paul J. Simon  
C. Larry Untand  
William J. Wilson  
Lawrence E. Woodson

Re: Regulation of Storage of  
Recreational Vehicles, Boats,  
Campers, etc., in Residential  
Zoning Districts

Dear Mr. Lakin:

The problem of developing adequate regulations for the storage of various types of recreation vehicles is one that we too are trying to solve. An ordinance prepared by our staff was approved by the City Plan Commission in 1972, but failed to pass in our Board of Aldermen. A copy of that proposed legislation is enclosed. It appears similar to your ordinance and does not deal with the problem of lots with insufficient side yards and no access to the rear yard.

We are in the process of drafting a revised ordinance and are hoping for better support this time. However, even if we obtain passage of the ordinance, we will be faced with situations like those you describe; there are areas in St. Louis with the same type of problem lots. It is my opinion that in these instances, the individuals should be required to store their vehicles elsewhere. I do not see a variance of the front yard set back as an acceptable solution.

I don't expect my opinion to meet with unanimous popularity in the community. If you are able to come up with a better solution to the problem, I would certainly appreciate hearing from you.

Sincerely,

Charles P. Kindleberger

Director

Planning and Programming Division

economic development • planning and programming • residential development

An ordinance amending the Zoning Code of the City of St. Louis, specifically Chapter 903 of the Revised Code of the City of St. Louis, by enacting a new section which provides regulations for the off-street parking of camping or travel trailers as defined therein and providing additional regulations in "A", "B", "C", "D" and "E" Districts.

WHEREAS, the City Plan Commission desires to provide in the Zoning Code of the City of St. Louis regulations for the off-street parking of company trailers and similar type vehicles, and

WHEREAS, the City Plan Commission on its own motion and recommendation has submitted to the Board of Aldermen the foregoing Amendment to regulations contained in Chapter 903 of the Zoning Code of the City of St. Louis.

BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:

Chapter 903 is hereby amended by enacting a new Section to be known as Section 903.095:

1. The following provisions regulating the parking and storing of camping or travel trailers as defined herein and as exceptions to the provisions presently contained in the Zoning Code of the City of St. Louis, regulating off-street parking, are hereby enacted:
2. For purposes of this section the camping or travel trailer is defined as follows, to wit:

Camping or travel trailer -- Any vehicle or portable structure, including boat, truck and bus type vehicle, self-propelled or meant to be drawn by or transported upon another vehicle, and so designated to provide temporary shelter, sleeping quarters or living accommodations.

3. Camping or travel trailers, not exceeding three-fourths ton by manufacturer's capacity rating, when used exclusively for recreational or other non-commercial purposes by the owner, and having no lettering or tags thereon except as required by law, may be parked or temporarily stored on the same lot as occupied by a dwelling with the following exceptions, to wit:

a). No such vehicle shall be occupied for dwelling or sleeping purposes, or attached to any utility for any other purpose or occupy any required off-street parking space; except for temporary use incident to construction work which use shall be removed upon completion or abandonment of the construction.

b). In all residential districts a camping or travel trailer may only be parked or stored in a rear yard area only, and must be placed on a portland cement concrete, bituminous, or other approved all-weather surface with adequate base with a driveway of similar material leading directly to a street or alley, unless access to the rear yard area of a dwelling located on a lot of record prior to the effective date of this Section, is not possible, said camping or travel trailer may be parked or temporarily stored on the required type parking area located in the side yard area when adequate barriers are provided to prevent any part of such vehicle to extend nearer than four (4) feet from the lot line of any adjoining property, street or alley.

4. In addition to the foregoing regulations, in zoning districts "A" Single-Family and "B" Two-Family Districts, further regulations are hereby enacted, to wit:

a). No part of any camping or travel trailer, nor required storage or parking space provided therefor shall be less than four (4) feet from any dwelling structure located on the same lot. On through lots, no camping or travel trailer shall park less than twenty-five (25) feet from the property line of each abutting street. Vehicles greater than eight (8) feet in height shall require additional rear and side area

setbacks of six (6) inches for each additional foot in height of said vehicle project above a height of eight (8) feet above the parking surface -- but in no instance shall any part of any such vehicle so stored or parked exceed a height of eleven (11) feet, a width of eight (8) feet, or a length of twenty-three (23) feet, excluding towing bars or similar device.

b). All spaces designated for camping trailers, as herein described shall be screened from adjacent residential properties by a concealment barrier of masonry, shrub, metal, plastic, or wood not less than six (6) feet in height. Said concealment barrier shall extend the full distance along each edge of such parking area adjacent to a residential property, and excepting when consisting totally of shrub, may have regularly distributed openings not exceeding forty percent (40%) of the gross screen area. Shrub concealment barriers shall be planted as to create a continuous mass and plant material used therein shall be of a species that will attain the minimum required height of six (6) feet within a two (2) year period of the date of issuance of a permit.

5. In addition to the foregoing regulations, camping travel trailers located in the "C", "D" or "E" Multiple-Family District, and their parking spaces shall be subject to the following additional regulation to wit:

a). All parking spaces provided for camping or travel trailers shall comply with the requirements heretofore cited for the "A" Single Family and "B" Two Family Districts and, further, all such parking spaces associated with a multiple family structure of more than four (4) units shall be provided in a single designated area so located as not to affect maneuvering of automobiles to and from their assigned parking berths.



*me*

# CITY OF SAN ANTONIO

P. O. BOX 9066

SAN ANTONIO, TEXAS 78285

June 4, 1976

Mr. Robert A. Lakin  
Director of Planning  
Metropolitan Area Planning Dept.  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

I am enclosing a copy of Chapter 37 of our City Code pertaining to the licensing and regulating operation of mobile home parks and regulations pertaining to parking and location of mobile homes and recreation vehicles.

Our Code does not regulate the parking of boats in residential districts although commercial parking of boats, trailers and recreation vehicles must be in an I-1 light industry classification.

I hope the enclosed information will be of assistance to you.

Sincerely,

*George D. Wann, Jr.*  
GEORGE D. WANN, JR.  
Director of Building & Zoning

GDV, Jr/ar

Enclosure



"AN EQUAL OPPORTUNITY EMPLOYER"

AN ORDINANCE 38888

AMENDING CHAPTER 37 OF THE CITY CODE LICENSING AND REGULATING OPERATION OF MOBILE HOME PARKS AND REGULATING PARKING AND LOCATION OF MOBILE HOME AND RECREATIONAL VEHICLES; PROVIDING FOR A FINE NOT EXCEEDING \$200.00 FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

\* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That Chapter 37 of the City Code of the City of San Antonio is hereby amended to read as follows:

CHAPTER 37. MOBILE HOME PARK REGULATIONS.

ART. I. General Provisions. \*

Sec. 37-1. Short Title. This Ordinance shall be known and may be cited as "City of San Antonio Mobile Home Park Regulations.

Sec. 37-2. Interpretation and Purpose. In their interpretation and application, the provisions of the Chapter shall be deemed to be minimal in nature, and whenever the principles, standards or requirements of any other applicable provision of this Code are higher or more restrictive, the latter shall control. The purpose of this Chapter is to achieve orderly development of Mobile Home Parks, to promote and develop the utilization of land to assure the best possible community environment in accordance with the Master Plan of the City of San Antonio, and to protect and promote the health, safety and general welfare.

Sec. 37-3. Definitions. For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given in this Section. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words used in the plural number include the singular number. The word "shall" is always mandatory, while the word "may" is merely directory.

A. "Commission" is the Planning Commission of the City of San Antonio.



B. "Council" is the City Council of the City of San Antonio.

C. "Crosswalks". Cross-walkways four feet in width shall be provided where deemed necessary by the Commission to provide circulation or access to schools, playgrounds, shopping centers and transportation and other community facilities, or to provide pedestrian circulation within the park. Cross walk-ways shall be provided with a concrete sidewalk four feet in width.

D. "Cul-de-Sac" is a short minor street having but one vehicular access to another street and terminated by a vehicular turn-around.

E. "Dependent Mobile Home" shall mean one that does not have sewer and water connections to accomodate flush water closet, a tub or shower and a lavatory or sink within the unit.

F. "Independent Mobile Home" shall mean a Mobile Home which has approved water and sewer connections to accomodate and containing a flush water closet and a tub or shower and a lavatory or sink within the unit.

G. "Director of Housing and Inspections" shall mean the legally designated inspector authority of the City of San Antonio, or his authorized representatives.

H. "Easement" is a right granted for the purpose of limited public or semi-public use across, over, or under private land.

I. "Health Department" is the Public Health Department of the City of San Antonio.

J. "Director of Public Health" shall mean the person who is performing the duties of the Director of Public Health of the City of San Antonio, "The City Health Officer" or his authorized representative.

K. "Person" a person means a human being, his heirs, executors, administrators or assigns, and also includes a firm, partnership, association or corporation, its or their successors or assigns or the agent of any of the aforesaid.

L. "Licensee" shall mean any person licensed to operate and maintain a mobile home park under the provisions of this Ordinance.

M. "Master Plan" is the comprehensive plan for the physical development of the City of San Antonio, as prescribed in Section 121 of the City Charter and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

N. "Mobile Home" shall mean any vehicle used, or so constructed as to permit being used as conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof for human habitation, dwellings, or sleeping places for one or more persons, provided further that this definition shall refer and include all portable contrivances used or intended to be used generally for living and sleeping quarters and which is capable of being moved by its own power, towed, or transported by another vehicle.

O. "Mobile Home Park" shall mean any premises where one or more mobile homes are parked for living and sleeping purposes, or where they are connected to any utility, or any premises used or set apart for the purpose of supplying to the public, parking space for one or more mobile homes for living and sleeping purposes, and which include any buildings, structures, vehicles, or enclosure used or intended for use as a part of the equipment of such Mobile Home Park.

P. "Mobile Home Park Operator" is a holder of a License issued pursuant to Section 37-14 of the code.

Q. "Mobile Home Park Plan" is a complete and exact plan of the Mobile Home Park submitted to the Commission for final approval and which, if approved, will be submitted to the Director of Housing and Inspections for filing.

R. "Mobile Home Setback Line" is the line within a Mobile Home site defining the minimum horizontal distance between a mobile home and the adjacent private street line.

S. "Mobile Home Site" shall mean a plot of ground within a mobile home residence park which is designed for and designated as the location for only one mobile home and not used for any other purposes whatsoever other than the customary accessory uses thereof.

T. "Mobile Home Stand" means that part of a mobile home site which has been reserved for the placement of the mobile home, appurtenant structures, or additions.

U. "Private Street" is the private access for primary vehicular access to Mobile Home Site, whether designated as a street, parkway, avenue, lane, boulevard, road, place, drive or however otherwise designated.

1. "Private Minor Street" is a street used primarily for access to abutting Mobile Home Site.

2. "Private Collector Street" is one which carries traffic from minor streets to the adjacent public streets, including the principal entrance streets of a Mobile Home Park and principal streets for circulation to schools, parks, and other community facilities within such a development.

V. "Public Right-of-Way" is a strip of land used or intended to be used, wholly or in part, as a public street, alley, walkway, drain or public utility line.

W. "Recreational Vehicles". The following shall be considered Recreational Vehicles:

1. "Travel Trailer" is a vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation, having body width not exceeding 8 feet and its body length does not exceed 32 feet.

2. "Pick-Up Coach" is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.

3. "Motor Home" is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

4. "Camping Trailer" is a canvas, folding structure, mounted on wheels and designed for travel, recreation and vacation use.

X. "Roadway" or "Paving Width" is the portion of a street available for vehicular traffic; where curbs are laid, the portion between the face of curbs.

Sec. 37-4. Non-complying Mobile Home Parks.

No persons shall create or operate a Mobile Home Park within the corporate limits of the City of San Antonio except in conformance with the provisions of Article III, Chapter 42, and this chapter.

Sec. 37-5. Enforcement.

A. Permits.

1. The Director of Housing and Inspections shall issue building or repair permits or certificates of occupancy only for a structure or structures in a Mobile Home Park for which a Plan has been approved in the manner prescribed herein and duly filed in the office of the Director of Housing and Inspections.

2. The Director of Public Health shall issue a permit for the installation of septic tanks in any Mobile Home Residence Park only after the Plan therefor has been approved in the manner prescribed herein.

3. The Director of Public Health shall issue a license for a Mobile Home Park only when same is in conformity with the requirements of this Chapter. The license shall show nonconforming status if such exists.

B. Public Improvements and Services. The City will withhold all public improvements and services of whatsoever nature, including sewerage facilities, water, gas and electric service from all Mobile Home Parks which have not been approved in the manner prescribed herein.

C. Location Outside Parks.

1. It shall be unlawful, within the limits of the City of San Antonio for any person to park any Mobile Home on any street, alley, or highway, or other public place, or on any tract of land owned by any person, occupied or unoccupied, within the City of San Antonio, except as provided in this Chapter, and in any properly approved Mobile Home Subdivision.

2. Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than 3 hours subject to any other and further prohibitions, regulations, or limitations imposed by the traffic and parking regulations or ordinances pertaining to the particular street, alley or highway.

No person shall park, or occupy any mobile home or recreational vehicle on any lot or tract of ground not within an approved mobile home park, condominium or recreational vehicle park, except, the parking of only one unoccupied recreational vehicle in an authorized accessory private garage, building, or in a rear yard in any district, is permitted providing no living quarters shall be maintained, or any business practiced in said recreational vehicle while such vehicle is so parked or stored. Use of such vehicle, as permitted under this paragraph, shall be limited to off-premise recreation or travel.

4. Authorization may be issued by the Director of Housing and Inspections to permit an individual mobile home to be temporarily located on a lot upon which a building permit has been previously issued for construction of any building or structure.

Occupancy permit related to such construction, however, shall not be issued by the Director of Housing and Inspections until such mobile home has been removed from the premises, and further, that such certificate of occupancy shall be issued until the electrical connection, which served such mobile home, has been removed from the lot in question.

Such temporary permit for a mobile home location shall be void upon issuance of the certificate of Occupancy, or twelve months after issuance of the building permit, whichever time is shorter.

In any case in which construction is not completed within the twelve-month period, the Director of Housing and Inspections, after due consideration and determination that active construction is being accomplished, may issue an extension of time for such temporary permit, not to exceed a six-month period.

D. Non-Conforming Mobile Home Parks. Other than the violation terms and provisions as prescribed in paragraph E, below, any Mobile Home Park lawfully existing on the effective date of this Ordinance, may be continued even though the use may not otherwise conform to the provisions of this Chapter. Such non-conforming use shall also conform to Sec. 33(a) of Chapter 42 of the Code, "Limitations on Non-Conforming Uses."

E. Non-conforming Mobile Home Parks Public Nuisances  
Any Mobile Home Park in violation of the terms and provisions of the public health and safety requirements of this Chapter is hereby declared to be a public nuisance, and the appropriate officers of the City are hereby authorized to institute any action which may be necessary to restrain or abate such violation. Unless otherwise specified by the Director of Public Health, licensees of Mobile Home Parks existing at the time of passage of this Chapter, shall, during a period of time not longer than three years, bring the Mobile Home Park to a conforming status, with respect to the public health and safety provisions.

F. Revision of Plan After Approval. No changes, erasures, modifications or revisions shall be made in any Plan of a Mobile Home Park after approval has been given by the Commission and endorsed on the plan in writing, unless said change, modification or revision is first submitted to and approved by the Commission.

ART. II. Mobile Home Park Design Standards.

Sec. 37-6. General Principles of Acceptability

A. Conformity with Master Plan. The Mobile Home Park shall conform to the Master Plan and the parts thereof.

B. Arrangement of Building and Facilities. The site including mobile home stands, patios, buildings and all site improvements shall be harmoniously and efficiently organized in relation to topography, the shape of the plot, and the shape, size and position of buildings and common facilities and with full regard to use and appearance.

C. Protection from Adverse Influence. Adequate protection shall be provided against any undesirable off-site conditions or any adverse influence from adjoining streets or areas.

D. Density.

1. Objective. The objective of the density requirements are to prevent over-crowding of the land; to provide adequate open area to assure privacy, natural light and ventilation for each mobile home; and to provide sufficient open area for out-door uses essential to the mobile home.

2. Density Requirement. The development of a Mobile Home Park shall be appropriate for and consistent with good planning practice for the particular location of the Mobile Home Park, and shall be designed within a maximum density of ten units per acre.

3. Required Recreation Areas.

a. In all Mobile Home Parks there shall be one or more recreation areas which shall be easily accessible to all park residents.

b. The size of such recreation areas shall be based upon a minimum of 100 square feet for each lot. No recreation area shall contain less than 2,500 square feet.

c. Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

4. Zoning Required. Mobile Home and Recreational Vehicle Parks are permitted only in "F" Retail through the "M" Manufacturing District and the "R-4" Mobile Home Residence District. In any case, however, the requirements of this chapter shall apply and in no event shall a mobile home park be permitted on a site of less than three (3) acres.

E. Mobile Home Stand.

1. Objective. The objective of the stand requirements is to provide for (a) practical placement of a mobile home on its stand by means of a car or conveyor truck, (b) retention of the mobile home on

the stand in a stable condition and satisfactory relationship to its surroundings, and (c) practical removal of the mobile home from the lot by means of a car conveyor truck or other customary moving equipment.

F. Yards and Distances Between Stands and Buildings.

1. Objective. The objectives of yard requirements are (a) to obtain sufficient distances between the mobile home stand on its lot and obstruction on adjoining land to assure privacy, adequate natural light and air, and convenient access to the unit, and (b) to provide for circulation around the unit for such uses of the yard spaces as are considered essential to the mobile home.

2. Determination of Yards. Yard width shall be measured from the required mobile home stand to the individual mobile home site (lot) line. At every point it shall be at least equal to the required minimum. Patios, carports and individual storage lockers shall be disregarded in determining yard widths.

3. Yards abutting common Areas. The distance from any part of the mobile home to a street pavement shall be 8' minimum.

4. Distance to Park Boundaries. The distance from the line or corner of any mobile home stand to a boundary line of the Mobile Home Park shall be adequate to protect the residential use in the Park and in any case shall not be less than twenty-five feet, where abutting a public street and along the rear property line. Yard requirements along other property lines shall be 10'.

5. Yard Requirements.

a. Mobile home stands shall be separated from each mobile home site line a distance of not less than 5' except that, in no case on the entry side, shall this distance be less than ten feet..

b. Detached accessory structures shall be located no nearer than 3' from any required site line. In no case, however, shall the accessory structure occupy more than 30% of the required yard area of the entry side. Accessory structures attached to the mobile home shall be construed to be a part of that structure and shall adhere to the yard requirements of same.

G. Private Streets Within a Mobile Home Park

1. General. Streets shall be provided on the site where necessary to furnish principal traffic-ways for convenient access to the mobile home site and other important facilities on the property. Streets shall be retained as private streets on the property.

2. Recognition of Existing Facilities. The street system shall be designed (a) to recognize existing easements, utility lines, etc., which are to be preserved, and (b) to permit connection to existing facilities where necessary for the proper functioning of the drainage and utility systems.

3. Block Size and Shape. The street system shall be designed to provide desirable mobile home stands and to reduce excessive length of street construction without impairing convenient circulation and access.

4. Circulation. The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Closed ends of dead-end streets shall be provided with a turning circle of at least 80 feet in diameter.

5. Pavement Widths. Pavements shall be of adequate widths to accommodate the contemplated parking and traffic load in accordance with the type of street with 10 feet, (11 feet if adjacent to parking land) minimum moving lanes for collector streets, 9 feet minimum moving lanes for minor streets, 8.5 feet minimum lane for parallel guest parking and 2 feet additional width for pedestrian use where adjacent sidewalk is not provided.

- a. All entrance streets and other collector streets with guest parking both sides.....37' minimum\*
- b. Collector street with no parking.....22' minimum\*
- c. Minor street with no parking.....20' minimum\*
- d. One-way minor street with no parking (acceptable only if less than 500' total length and serving less than 25 mobile home stands; cul-de-sac not acceptable.....11' minimum
- e. Radii of curb return of private street to public street shall be a minimum of 25'.

\*Reduced by 2' if adjacent sidewalk is provided.

6. Alignment and Gradient. Streets shall be adapted to the topography and shall have suitable alignment and gradient for safety of traffic, satisfactory surface and ground water drainage, and proper functioning of sanitary and storm sewer systems.

7. Intersections. Street intersection shall generally be at right angles. Off-sets at intersections and intersections of more than two streets at one point shall be avoided.

8. Extent of Improvements. The street improvements shall extend continuously from the existing improved street system to provide suitable access to the mobile home stands and other important facilities on the property, to provide adequate connections to existing or future streets at the boundaries of the property and to provide convenient circulation for vehicles.

9. Edging. Pavements and surfacings other than cement concrete shall be protected at the edges to prevent ravelling of the wearing surface and shifting of the pavement base.

10. Flexible Pavement. Base: minimum 6 inches thick, crushed stone, gravel or other appropriate durable material compacted to maximum practical density.

Wearing surface: minimum two-course surface treatment of asphaltic material, each covered with aggregate.

#### H. Drainage Structures

1. Objectives. Provision for collection and disposal of surface and subsurface water to protect the buildings and mobile home stands, and to provide safe and convenient use of streets, lot areas and other improvements.

#### I. Accessway to Mobile Home Stand

1. Width. Minimum width of accessway shall be 12 feet, plus extra width as necessary for maneuvering a mobile home on a curve.

U. Driveways

1. Extent. Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings, to delivery and collection points for refuse and other material, and elsewhere as needed. This provision does not apply to drives or approaches to the individual mobile home stand.

2. Width.

- a. Full-width driveway; minimum 8 feet, where used as walk, minimum 10 feet.
- b. Ribbon driveway: 2 ribbons, 5 feet on center, minimum 2 feet wide; where ribbon used as walk, add minimum 2- $\frac{1}{2}$  feet extra width on side; apron at street flared and paved full width for minimum 12-foot length; ribbon driveway acceptable only if straight and of concrete.

3. Horizontal alignment. Safe and convenient to back car out, or provide adequate turn-around.

4. Pavement. Same as for streets (above) except that impervious surfacing is not required for short service driveways with light traffic.

Sec. 37-7. Service Buildings.

A. Each Mobile Home Park that has one or more Dependent Mobile Homes shall be provided with one or more Service Buildings. Dependent Mobile Homes shall be parked not more than two hundred (200) feet from a Service Building.

B. The Service Building shall contain not less than:

1. One flush toilet for women.
2. One flush toilet for men.
3. One lavatory for each sex, supplied with hot and cold running water under pressure.
4. One shower for each sex, supplied with hot and cold running water under pressure.
5. One laundry sink or washing machine supplied with hot and cold running water under pressure.
6. One slop sink, at least 14 X 14 inches square and

14 inches deep supplied with hot and cold running water under pressure.

The plumbing fixtures listed in this paragraph will accommodate up to twelve (12) Dependent Mobile Homes. For each additional ten (10) Dependent Mobile Homes or fraction thereof, one flush toilet and one shower and one lavatory shall be provided for each sex, with laundry and slop sink facilities as in paragraph B - 5 and 6 for each additional twelve (12) Dependent Mobile Homes or fraction thereof.

C. In the event a Mobile Home Park does not accept any Dependent Mobile Homes, then the requirements of Paragraph B, Section 37-7 shall be waived.

D. Service Buildings shall meet the following requirements:

1. The interior shall be lighted with a minimum of 10 foot candles of illumination and shall be lighted at night. Adequate light shall be provided at night for all walkways with a minimum illumination of 0.3 foot candles.

2. Interior finish shall be moisture-resistant material which shall stand frequent washing and cleaning. Floors shall be constructed of concrete or other equally impervious material, easily cleanable and provided with floor drains which are connected to the sanitary sewer.

3. Heating facilities shall be provided to maintain a temperature of at least 75 degrees during cold weather. Water heaters shall be of adequate size to supply a minimum of three (3) gallons of hot water per hour per Mobile Home Stand.

4. All rooms shall be well-ventilated with all openings effectively screened with 16 mesh screen.

5. The Service Building shall be maintained in a clean and sanitary condition at all times. Floors and plumbing fixtures shall be washed and disinfected at least daily. Plumbing fixtures shall be maintained in working order and proper repair.

Sec. 37-8. Water Supply.

Every Mobile Home Park shall be provided, by the operator, with an ample supply of water under pressure and approved by the Director of Public Health. Where the water is from a source other than public water supply the owner shall submit at least four (4) samples a month of the water to the Director of Public Health for the purpose of bacteriological analysis, and all such water sources shall be provided with an automatic chlorination system which is capable of maintaining at least 0.3 ppm residual chlorine at all times.

Individual water service connections shall be provided for direct use by mobile homes and shall be so constructed that they will not be damaged by the parking of such mobile homes.

Sec. 37-9. Sewage Disposal.

All the sewer lines of a Mobile Home Park shall be connected to the public sewerage system or a private sewage disposal system approved by the Director of Public Health, and shall comply with the provision of Chapter 30 of the City Code.

Sec. 37-10. Refuse Disposal.

Garbage and rubbish disposal. The storage, collection, and disposal of garbage and rubbish in the mobile home park shall be in accordance with Chapter 17, Article II. Point of collection shall be as designated by the Director of Public Works.

Sec. 37-11. Electricity. All electric installations shall comply with the Electrical Code of the City of San Antonio. Such electrical outlets shall be weather-proof. No powerline, including service lines to the mobile home shall be permitted to lie on the surface of the ground. All power lines, if on poles, shall be suspended not less than 14 feet above the ground.

Sec. 37-12. Fuel. Natural and liquified petroleum gas for cooking purposes may be used at individual mobile home stands provided that the installation is connected by copper or to other suitable metallic tubing and complies with the fire prevention code of the City of San Antonio.

Sec. 37-13. Fire Protection. Each mobile home park shall be subject to the rules and regulations of the City of San Antonio.

Portable fire extinguishers of a type approved by the Fire Chief shall be kept in service buildings and in all other locations named by such Fire Chief, and shall be maintained at all times in a good operating condition.

Standard fire hydrants shall be located within 500 feet of each mobile home, when a 4" or larger water main is available, or at such later date as such water main may become available.

Sec. 37-14. License for Mobile Home Park - Required.

It shall be unlawful for any person to establish, maintain or operate within the City a Mobile Home Park by the day, week, month or for a longer period of time, for or without compensation, unless there has been obtained by the owner or operator of such Mobile Home Park a license issued by the Director of Public Health.

Sec. 37-15. Application for License; Plans Required.

After the plans have been approved as specified under Sections 37-26, 27 and 28 of this ordinance, any person desiring to establish and operate a Mobile Home Park shall make application in writing to the Director of Public Health, upon forms prescribed and furnished by such Health Officer for a permit to operate a Mobile Home Park within the jurisdictional limits of the City of San Antonio.

Sec. 37-16. Issuance. Following the receipt of an application for a license and receipt of the prescribed annual fee, the Director of Public Health will conduct such investigation as he deems necessary to determine whether the applicant's Mobile Home Park meets the provisions of this ordinance and shall issue or deny a license to operate the Mobile Home Park.

Sec. 37-17. License Fee. In order to defray a part of the expense necessary to provide surveillance and supervision of mobile home residence parks under the provisions of this chapter, and other applicable ordinances of the city, there is hereby levied a license fee of ten dollars per annum for each park having either one or two units, but should there be more

than two units in a Mobile Home Park, there shall be added to such fee of ten dollars, the additional sum of one dollar for each and every additional unit in excess of two, which fee shall be collected from the person desiring to operate, or operating such park, by the Public Health Department before a license of any renewal thereof is issued to operate such Mobile Home Park. Such fee shall be payable in advance on an annual basis, not later than the thirty-first day of May of any year, and shall cover the fiscal year. The Public Health Department shall issue a receipt therefor on a form to be prepared for that purpose. (Code 1950, par. 59-10; Ord. No. 18214, par. 8-21-52.)

Sec. 37-18. Monthly inspection fee. In addition to the license fee provided hereinabove, an inspection fee of one dollar and fifty cents (\$1.50) per month for each mobile home or travel trailer within any Mobile Home Park, located in the city, is hereby prescribed to cover the cost of inspections thereof, and of the utility connections, in order to determine compliance with this Code and other ordinances of the city; provided that no charge shall be made for recreational vehicles in storage and not connected to utilities, and no charge shall be made on occupied recreational vehicles until the same has been located in a Mobile Home or Recreational Vehicle Park for at least thirty days.

Each mobile park operator shall collect the above prescribed inspection fees from the owner or occupant of each mobile home or travel trailer, located within the mobile home park on the first day of the calendar month, by the fifth day of said month. The mobile home park operator shall remit the total amount collected to the city's license and dues collector by the tenth of said month.

It shall be a violation of this section for the owner or occupant of any such mobile home or travel trailer to fail to pay the inspection fee prescribed hereinabove.

The mobile home park operator (licensee under the preceding sections of this Chapter) shall submit reports with the monthly remittances prescribed above in form to be specified by the Director of Finance. The city's license and dues collector shall issue to such licenses appropriate

receipts for the inspection fees received pursuant to this section.

In connection with this section, "Mobile Home", "Recreational Vehicle" and "Mobile Home Park Operator" shall have the same definition as shown in Section 37-3 of this Code.

Sec 37-19. Suspension - Revocation. Any permit issued under the provisions of this article may be suspended by the Director of Public Health, or his designated representative, for the violation by the holder thereof of any of the provisions of this article. The suspension of the license may be lifted by the Director of Public Health as soon as he deems proper with or without reinspection.

For failure to comply with the terms of this article, the Director of Public Health, or his designated representative, may revoke any permit issued under provisions of this article after a hearing before him at which the holder thereof shall be given an opportunity to be heard and to present evidence relevant to the charge.

Sec. 37-20. Inspection. The Director of Public Health shall cause each and every Mobile Home Park to be inspected at least once each year and as often as deemed necessary in order to insure the Mobile Home Park is being maintained in an approved sanitary condition and in accordance with this and other applicable ordinances of the City .

Sec. 37-21. Management - Person Responsible. Each Mobile Home Park shall be under the direct management of the owner or his agent or representative. The name of the person entrusted with the direct management of a Mobile Home Park shall be filed for reference with the Director of Public Health.

Sec. 37-22. Business Office and Records Required. Each Mobile Home Park shall be provided with an office, in which shall be kept copies of all records pertaining to the management and supervision of the Mobile Home Park. Those records applicable to protection of health shall be available for inspection by the Director of Public Health.

Sec. 37-23. Guest Register. It shall be the duty of the owner of any Mobile Home Park to keep and maintain a register of all persons accommodated. Such register shall include the names of all persons so

accommodated, their home addresses, the duration of their stay, and the license number and make and model of their vehicles.

Such register or record shall be available for inspection at any time by any peace officer.

Sec. 37-24. Rules of Conduct for Mobile Home Park. It shall be the duty of the owner of a Mobile Home Park to prescribe rules and regulations, consistent with this article for the management of the Mobile Home Park and to make adequate provisions for the enforcement of such rules.

Sec. 37-25. Additional Duties of Owner. It shall be the duty of the owner of a Mobile Home Park to comply strictly with the following requirements:

1. Provide for regular inspection of the water and the sanitary facilities.
2. Provide for the collection and removal of garbage and other waste material.
3. Prohibit the placing of storage of unsightly materials or vehicles of any kind within any Mobile Home Park or any Mobile Home Space.
4. Provide for the regular cleaning, painting, repairing, and disinfecting of all buildings.
5. Take such other measures as may be deemed necessary by the Director of Public Health to preserve the health and safety of all persons residing in the Mobile Home Park and of the general public.
6. Report to the Director of Public Health all known cases of communicable disease affecting any guest or employee of the Mobile Home Park.
7. See that copies of all rules and regulations are prepared and posted in conspicuous locations throughout the Mobile Home Park.

Article III - Procedure and Specifications for Mobile Home  
Park Plans.

Sec. 37-26. Plan Required. Every developer seeking approval of a proposed Mobile Home Park Plan shall submit to the Commission three (3) blue or blackline copies of the Mobile Home Park Plan together with the

data required by Sec. 37-27, 28.

Sec. 37-27. Plan Specifications. The plan shall be drawn at a scale of one hundred (100) feet to one (1) inch (1" = 100'). Where more than one sheet is necessary to accommodate the entire area to be developed, an index sheet showing the entire Mobile Home Park, at an appropriate scale shall be attached to the plat. The plan shall show the following:

Site Improvement Data. The following data regarding site improvements are required.

(1) Plan of and typical section of streets, sidewalks, crosswalks, slabs, patios, if any, and details on sewer and water sections.

- A. Name of the developer.
- B. Name of the record owner of the land involved.
- C. Legal description of land being developed, with identification number assigned to each Mobile Home Site.
- D. Tract boundary lines, the exact locations and width of all existing or recorded streets, easements, and other right-of-way forming the boundary of the tract being developed, and boundary lines of Mobile Home sites and other sites with accurate dimensions.
- E. Scale, north arrow and date.
- F. Final contour data at intervals as tabulated below to show drainage of the site of the proposed Mobile Home Park.

CONTOUR INTERVALS FOR PLANS

<u>AVERAGE GRADE OF SITE</u>	<u>MAXIMUM CONTOUR INTERVAL TO BE USED</u>
Up to 5%	2 Foot
Over 5%	5 Foot

- G. Width of each private street or other roadway or right-of-way in Mobile Home Park.
- H. Source of water supply and layout of water system.
- I. Method of sewage disposal and layout of sewer system.
- J. Name of Mobile Home Park. Legal description of property.
- K. Location, dimensions, and purposes of any easement or reservations.

- L. Boundaries of each Mobile Home stand as herein required.
- M. Number to identify each Mobile Home stand.
- N. Front building setback lines on all Mobile Home stands, and other sites. Side yard setback lines at street intersections and cross-walkways.
- O. City limits line, if it traverses the Mobile Home Park.
- P. Location diagram.
- Q. Owner's Certificate:

State of Texas  
County of Bexar

I hereby certify that this plan is true and correct and if approved by the Planning Commission, all development will be in accordance with this plan, and no alterations will be made in this plan after approval.

\_\_\_\_\_  
Owner

or

\_\_\_\_\_  
Duly Authorized Agent

- R. Approval of the Planning Commission of the City of San Antonio:

This Mobile Home Park Plan \_\_\_\_\_ has been submitted to and considered by the Planning Commission of the City of San Antonio, Texas, and is hereby approved by such Commission.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_.

BY: \_\_\_\_\_  
Chairman

BY: \_\_\_\_\_  
Secretary

Sec. 37-28. Accompanying Data. The developer shall simultaneously, with the filing of the Mobile Home Park Plan, submit the following:

A. A subdivision plat. If the property has not been previously platted into a single tract, in accordance with the San Antonio Planning Area Subdivision Regulations.

ART. IV. Recreational Vehicles.

Sec. 37-29. Any area provided for the use of recreational vehicles shall comply with all provisions of this chapter (37) except that:

A. Density. Being consistent with good planning practice, the area so designated, shall be designed within a maximum density of twenty units per acre.

B. Distance to Park Boundaries. The distance from the line or corner of any Recreational Vehicle Stand to a boundary line of the Recreational Vehicle Park shall be adequate to protect the residential use in the Park and shall not be less than 25 feet where abutting a public street. Yard requirements along other property lines shall be ten (10) feet. However, where the side lot line abuts property in a Residence District, a minimum side yard of fifteen (15) feet shall be provided. Where the rear lot line abuts a Residence District, a minimum rear yard of twenty (20) feet shall be provided.

ART. V. Waivers

Sec. 37-30. The Commission may waive a requirement of these Regulations when, in its opinion, undue hardship will result from strict compliance with the requirements of this ordinance. The Commission shall grant waivers only when it deems it necessary or desirable to the public interest. In making the findings hereinbelow required, the Commission shall take into account the nature of the proposed use of the land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed Mobile Home Park, or subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the Commission finds:

A. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of his land.

B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

C. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

D. That the granting of the variance will not have the effect of preventing the orderly subdivision and use of other land in the area in accordance with the provisions of this Chapter.

Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Commission meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this Chapter so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute useful hardship.

SECTION 2. Penalty. It shall be unlawful to do or perform any act prohibited hereby and it shall be unlawful to fail to do or perform any act required hereby. Upon conviction any violation hereof shall be punished by a fine not exceeding \$200.00. Each day's violation hereof shall constitute a separate offense.

If any section, subsection, paragraph, sentence, clause, phrase or portions of this Ordinance is for any reason held invalid, or unconstitutional by a court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Whereas, an emergency is apparent for the immediate preservation of order, good government and public safety that requires this Ordinance to become effective at once, therefore, upon the passage of this Ordinance

by a vote of at least six (6) members of the Council, it shall be effective and applicable to all Mobile Home Park Plans filed for approval on and after September 3, \_\_\_\_\_, 1970.

PASSED AND APPROVED THIS 3<sup>rd</sup> day of Sept., 1970.

*M. M. Mistic*  
M A Y O R

ATTEST:

*J. H. Inelmann*  
CITY CLERK

APPROVED AS TO FORM:

*Howard Co. Walker*  
City Attorney

*E. L. Baldwin*  
EDWARD L. BALDWIN  
director

 city planning department

POST OFFICE BOX 1575.

COLORADO SPRINGS, COLORADO 80901.

303/471-6692

June 3, 1976

Mr. Robert A. Lakin  
Director of Planning  
Wichita - Sedgwick County  
Metropolitan Area Planning Dept.  
455 N. Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

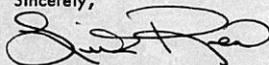
RE: Regulation of storage of recreational vehicles, boats,  
campers, etc. in residential zoning districts

The City of Colorado Springs can appreciate the problems you are encountering with the storage of the aforementioned recreational vehicles. However, our requirements are similar to yours as they pertain to lower density residential zones. I am enclosing a copy of our regulations pertaining to parking in front yard setbacks in a residential zone, which specifically prohibits such encroachment. Our zones do permit such vehicles to be parked in side yard and rear yard setbacks. A number of the newer residential developments have established private land covenants to prevent even these encroachments. I am also enclosing a copy of the MHP and MHS regulations that allow for some storage. Our R-5 (Multi-Family) zone permits as a principal use storage garages and parking lots for storage only. This has been interpreted to allow a storage facility only for the residents of the immediate area. Such facilities require paving and screening, either by fences or landscaping.

These storage facilities must be for operable vehicles only; inoperable or unlicensed vehicles are considered as junk and are not permitted.

If I can be of further assistance to you, feel free to call upon me at your convenience.

Sincerely,



Link Rea  
Senior Planner

LMR/pan

Enclosure



- (b) Other uses. In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a use which is mentioned and to which such use is similar, shall apply.
- (c) Mixed uses. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for various uses.
- (d) Additional requirements. For any and all uses of buildings, the board of adjustment, upon recommendation of the planning commission of the city, can require additional parking spaces after considering all the parking generating factors involved in the particular case.

2.

Parking area.

- (a) Plan of parking area. For the purpose of converting parking spaces into the required parking area, plans must be submitted to show how the required parking spaces shall be arranged in the area supplied for that purpose and to indicate sufficient space for turning maneuvers, as well as adequate ingress and egress to the parking area.
- (b) No portion of any required front or side yards lying adjacent to a street shall be included as a part of the required off-street parking area in any residential zone or in connection with the development of residential uses in any other zone. Such required front and side yards lying adjacent to a street must be adequately landscaped and forever maintained to provide a park-like appearance. Driveways, as by ordinance permitted, may cross the required side and front yards to provide access and egress for said off-street parking. The City Council may by resolution grant a variance from the provisions of this paragraph after recommendation and at least one public hearing by the City Planning Commission. (Ord. No. 3675, 1)
- (c) Design standards. The design standards are controlled by Section 14-44 of this Code and the entrances are limited as stipulated in Section 14-45 of this Code. Parking standards including parking angle and space dimensions that must be complied with are hereby incorporated into this Code and appear at the end of this Chapter. (Ord. No. 4823)
- (d) Location. The parking area must be provided on the same lot as the principal buildings, except when off-street parking is required in a C-6 zone, in which case the parking area may be within five hundred feet of the principal building. When the required off-street parking space is provided on a separate lot from the main building, there shall be recorded in the office of the city clerk a covenant by the



- (4) In the M-1 and M-2 Zones planes with a pitch of one to one from lines 10 feet above front and rear lot lines.

6. Other Provisions and Requirements.  
High rise buildings in the R-5 Zone shall be limited to the principal permitted uses of that zone. Approved conditional uses shall not occupy more than 10% of the floor area of a high rise building (Ord. No. 2633, 1)

14-42.6 Mobile Home Park and Mobile Home Subdivision -

1. Mobile Home Park -

A. Where Established - A mobile home park, hereinafter referred to as MHP, may be established on any tract of land held in single ownership or unified control provided that the proponent of an MHP zone shall show and the City Planning Commission and the City Council shall find:

- (1) That a need exists for the proposed MHP.
- (2) That the site is in conformance with sound planning principles and the land use plan of the area.
- (3) That the site shall not be exposed to objectionable smoke, noise, odor or other adverse influences.
- (4) That the site has an acceptable relationship to the major traffic thoroughfare plan and that the site is accessible to mobile homes without causing disruption in residential areas.
- (5) That the proposed MHP will not over-capacitate utility and drainage facilities.

B. Area; Configuration - The minimum area of a MHP shall be ten (10) acres. The land proposed to be zoned MHP shall have such a configuration as to be developed in a reasonable manner in conformance with the MHP requirements set forth below.

C. Application for Zoning of MHP; Letter of Intent - The proponents of a MHP zone shall make written application to the City Planning Commission on the forms and in the manner prescribed by the Planning Commission. The proponent of the MHP zone shall also submit with his application a letter of intent setting forth all information relevant to the zoning request including but not limited to:

- (1) Total number of acres in the MHP.
- (2) Acreage and per cent of land within the MHP zone to be set aside as open space.
- (3) The type of proposed recreation facilities.
- (4) The estimated population of the MHP zone and number of units to be incorporated in the zone.
- (5) The dwelling unit density per acre.
- (6) The standard or typical lot width and length.
- (7) Proposal for phasing development, if any.
- (8) The schedule of development.
- (9) The source of water and sewer service.

D. Plans, Action by the City Planning Department and City Planning Commission -

(1) Submission of Development Plan to the City Planning Department. The proponents of a MHP zone shall submit to the City Planning Department a development plan in conformance with the regulations set forth herein for City Planning Department consideration. The City Planning Department may approve the development plan submitted and authorize the issuance of building permits only if said plan is developed in conformance with the regulations as set forth in this section. The City Planning Department must review and make its recommendation in writing concerning the development plan submitted within 10 working days after said plan has been submitted. The Director of Planning shall report to the City Planning Commission every final development plan approved by the City Planning Department with all conditions for said approval.

(2) Appeal of the City Planning Department's decision to the City Planning Commission. If the proponent of the MHP development plan disagrees with the decision of the City Planning Department concerning the development plan, he may appeal such action or decision to the City Planning Commission. The appeal shall be in writing, be executed by the proponent, his agent, or attorney, in duplicate, shall state and specify

briefly the grounds or reasons for the appeal and shall be filed with the City Planning Department within ten (10) days of the decision or action by the City Planning Department.

After public notice, the City Planning Commission at a public hearing shall consider the appeal of the Planning Department's decision. If said plan is approved, either in whole or in part, a report of such action shall be transmitted to the City Council. In the event that the City Planning Commission disapproves the plan, or that the proponents do not agree with all or a part of the conditions for approval as set forth by the Planning Commission, appeal may be taken to the City Council according to the procedures set forth in Section 14-83 and Section 14-84 of this Chapter.

E. Development Plan - The development plan shall be submitted to the City Planning Department. Such plan will not be accepted unless the plan contains the following required information and meets the following requirements:

- (1) The approximate location of each existing building and proposed structure in the development area, the height of the structures and the use or uses to be contained therein.
- (2) The proper setbacks must be indicated with reference to property lines, highways or street rights-of-way.
- (3) The approximate location and surface of all parking areas and the number of spaces to be provided.
- (4) The approximate location of water courses and other natural or historic features.
- (5) Contours of the area and location of all roadways and walkways, the proposed location of all bridges and culverts, all drainage and utility easements existing or contemplated, green belts, open spaces and types of recreation facilities.
- (6) The location of all permanent accesses from publicly dedicated streets, roads, or highways.
- (7) Should any of the street grades exceed a three per cent (3%) grade, the increased per cent of grade should be indicated on the right-of-way center line.

(8) A landscaping plan for all open space land and for all required setbacks of the MHP. Landscaping plans shall be in conformance with the current requirements of the Planning Commission for such plans.

(9) The plan shall be drawn to scale. It shall show any existing developments and improvements of adjacent properties lying within three hundred (300) feet of the proposed project.

(10) A drawing or drawings of typical mobile home spaces in the park.

(11) The location, height and square footage of any identification sign.

(12) A vicinity map to locate the project in relation to the community.

(13) If appropriate, the stages in which the project will be developed.

(14) A schedule of development showing:

(i) Date when construction of project can be expected to begin.

(ii) Stages in which the project will be completed and approximate date when construction on each stage can be expected to begin.

(iii) The area and location of open space to be provided in each stage.

F. Permitted Uses - Single family mobile homes, and other uses which are designed to serve the residents of a MHP and which are harmoniously incorporated into the design of the MHP as shown in the development plan.

G. Mobile Home Park Requirements - The MHP shall conform to the following requirements:

(1) Frontage shall be at least 200 feet.

(2) Setback where adjacent to a public way shall be at least twenty (20) feet.

(3) There shall be provided at least two (2) unobstructed fifteen (15) foot wide vehicular accessways to the MHP

interior road system. One of these accessways may be closed by a barrier acceptable to the City Fire Department.

(4) All mobile homes shall be skirted.

(5) A minimum number of trees shall be planted in the MHP. The minimum number shall be equal to the number of mobile home spaces proposed. The location of the trees are at the discretion of the MHP owner with the approval of the location subject to approval of the overall landscaping plan. The trees shall be at least one inch (1") caliper, measured one (1) foot from the ground.

H. Mobile Home Space Requirements - Each mobile home space shall conform to the following requirements.

(1) Front yard setback: Standard; Twenty (20) feet  
Option: The setback requirement may be lowered provided that the Planning Department recommends such action after reviewing the proposed development plan and the Planning Commission approves the development plan.

(2) Side yard setback: None required, however, there shall be a minimum of twenty (20) feet between mobile homes in all directions.

(3) Rear yard setback: Ten (10) feet.

(4) Mobile home must be set back at least fifteen (15) feet when adjacent to a property line.

(5) Mobile home must be set back at least thirty (30) feet when adjacent to a property line adjoining a public street.

(6) Mobile homes must be set back at least twenty (20) feet from any principle structure.

(7) Depth: Seventy (70) feet.

(8) Forty per cent (40%) of the ground area of the mobile home space not used for required parking or covered by the mobile home, shall be sodded. The location of the sodding within the mobile home space shall be at the discretion of the mobile home park owner. (Ord. No. 4455)

I. Roadways, Walkways, Space Designations, and Maps - There shall be provided hard surface roadways, built to City standards, having a right-of-way of not less than forty-two (42) feet, including curb, gutter and walkway at least three (3) feet in width. Roadways and walkways shall be adequately lighted so as to provide safe movement of vehicles and pedestrians during period of darkness. One address shall be given to the park as a whole. This number shall be posted at a point visible from the street at the main entrance. Roadways will be designated with letters of the alphabet. Mobile home spaces will be numbered consecutively without duplication. Individual mobile home space designation shall be the letter of the street it fronts on followed by the number. The space designation shall be placed on a small sign near the front of each space. Street designation signs will be placed at each intersection. Maps showing space, street and park designation shall be forwarded to the City of Colorado Springs Utilities Department, Police Department, Fire Department, Regional Building Department and United States Post Office. (Ord. No. 4470)

J. Landscaping - The MHP shall be enclosed by a screening wall, fence or other suitable enclosure at least six (6) feet in height. This screening buffer may be in the form of hedges, evergreens or shrubbery where the MHP is contiguous to a public park or dedicated open space. All required open space and setbacks of the MHP shall be adequately landscaped to provide a park-like appearance. The screening buffer and setbacks adjacent thereto shall be maintained by the owner of the MHP.

K. Off-Street Parking - There shall be provided at least two (2) off-street parking spaces for each mobile home space. Such off-street parking may be located either on mobile home spaces or within 200 feet of the mobile home space.

L. Open Space Requirements - Eight per cent (8%) of the total land area of the MHP shall be provided for open space purposes. This area shall not be included in that reserved for service facilities, setbacks or incidental uses. The area shall be suitably landscaped.

M. Lot Patterns - Each mobile home space should be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations and other natural

site features should be preserved to the extent practical. Valuable views should be emphasized in the plan. Lots should be orientated to take advantage of sun and shade opportunities inherent in the site.

N. Common Storage Areas - Areas for storage and parking of travel trailers, boats, etc., shall be provided for the use of the occupants. These areas shall be paved, fenced, and located in such a manner as to not detract from surrounding properties. In determining the amount of area necessary for the entire MHP, a factor of one hundred (100) square feet per mobile home unit shall be considered the minimum desired.



O. Accessory Uses and Buildings - Any use or building which is customarily incidental to the permitted uses or building shall be permitted.

P. Signs - One identification sign or structure of permanent type construction shall be allowed. The sign shall be stationary, non-rotating and non-flashing. The total area of the identification sign shall not exceed forty (40) square feet and shall be limited to eighteen (18) feet in height. Proposals for such sign or structure shall be submitted as a part of the Development Plan.

Q. Time Period - Abandonment of Project - The Development Plan shall be valid for a period of two years beginning with the approval date of the Development Plan by the City Planning Department. Failure to begin construction within this period shall void the plan as approved unless a request for an extension of time is granted in writing by the Director of City Planning.

R. Regulations for Proposed MHP Districts with Land Both Within and Without the City Limits - Any proposed mobile home park district, the location of which will include land both within and without the City limits, shall be considered in its entirety and the portion lying within the City limits will be considered as part of the entire development in the consideration of area, off-street parking and land coverage requirements. If the major portion of the mobile home park development is outside the City, and the governing body having jurisdiction over that portion of the land has similar provisions for control of a mobile home park development, some of the requirements for mobile home park districts,

pertaining to the presentation of a plan for that portion lying within the City may be varied or waived by the City Planning Commission, and its recommendations concerning the entire project may be forwarded to the above-mentioned governing body.

S. Modification of Regulations by the City Planning Commission - The regulations governing the height, open area, setback and off-street parking spaces may be modified by the City Planning Commission before a MHP development plan is approved so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and interest of the City.

T. Revision of Plans - In the event, after final approval of the plan and preparation of the Ordinance, it is necessary to amend the Development Plan, it shall be required that the proponents shall submit with the City Planning Department an amended Development Plan for their approval.

U. City Planning Commission Empowered to Make Regulations, Recommend Fees and Make Inspection - The City Planning Commission shall have power to make and adopt such rules and regulations as are necessary and proper to effectuate the purposes of this Article, relative to mobile home parks, and to recommend such scheduled fees as are required to cover the cost of advertising, inspection and review of each project, which said rules, regulations and fees shall be effective upon approval by the City Council. Also, the subdivision of land zoned "Mobile Home Park" district shall be subject to such requirements for approval and recording as have been established by the Colorado Springs Planning Commission in its subdivision ordinance.

V. Other City Ordinances - The mobile home park shall comply with all appropriate City Ordinances and Regulations.

W. Severability - If any provision of this subsection I be held unconstitutional, illegal or void, such findings shall not affect any other provision of this subsection.

2. Mobile Home Subdivision -

A. Where Established - A mobile home subdivision, hereinafter, referred to as MHS, may be established on any tract of land held in single ownership or unified

control provided that the proponent of an MHS Zone shall show and the City Planning Commission and the City Council shall find:

- (1) That a need exists for the proposed MHS.
- (2) That the site is in conformance with sound planning principles and the land use plan of the area.
- (3) That the site shall not be exposed to objectionable smoke, noise, odor or other adverse influences.
- (4) That the site has an acceptable relationship to the major traffic thoroughfare plan and that the site is accessible to mobile homes without causing disruption in residential areas.
- (5) That the proposed MHS will not overcapacitate utility and drainage facilities.

B. Area; Configuration - The minimum area of a MHS shall be twenty (20) acres. The land proposed to be zoned MHS shall have such a configuration as to be developed in a reasonable manner in conformance with the MHS requirements set forth below.

C. Application for Zoning of MHS; Letter of Intent - The proponent of a MHS Zone shall make written application to the City Planning Commission on the forms and in the manner prescribed by the Planning Commission. The proponent of the MHS Zone shall also submit with his application a letter of intent setting forth all information relevant to the zoning request including but not limited to:

- (1) Total number of acres in the MHS.
- (2) Acreage and per cent of land within the MHS zone to be set aside as open space.
- (3) The type of proposed recreational facilities.
- (4) The estimated population of the MHS zone and number of units to be incorporated into the zone.
- (5) The dwelling unit density per acre.
- (6) The standard or typical lot width and length.

- (7) Proposal for phasing development, if any.
- (8) The schedule of development.
- (9) The source of water and sewer service.

D. Plans, Action by the City Planning Department and City Planning Commission -

(1) Submission of Development Plan to the City Planning Department. The proponents of a MHS zone shall submit to the City Planning Department a final development plan in conformance with the regulations set forth herein for City Planning Department consideration. The City Planning Department may approve the development plan submitted and authorize the issuance of building permits only if said plan is developed in conformance with the Regulations as set forth in this Section. The City Planning Department must review and make its recommendation in writing concerning the development plan submitted within ten (10) working days after said plan has been submitted. The Director of Planning shall report to the City Planning Commission every final development plan approved by the City Planning Department with all conditions for said approval.

(2) Appeal of the City Planning Department's decision to the City Planning Commission. If the proponent of the MHS development plan disagrees with the decision of the City Planning Department concerning the development plan, he may appeal such action or decision to the City Planning Commission. The appeal shall be in writing, be executed by the proponent, his agent, or attorney, in duplicate, shall state and specify briefly the grounds or reasons for the appeal and shall be filed with the City Planning Department within ten (10) days of the decision or action by the City Planning Department.

After public notice, the City Planning Commission at a public hearing shall consider the appeal of the Planning Department's decision. If said plan is approved, either in whole or in part, a report of such action shall be transmitted to the City Council. In the event that the City Planning Commission disapproves the plan, or that the proponents do not agree with all or a part of the conditions for approval as set forth by the Planning Commission, appeal may be taken to the City Council according to the procedures set forth in Section 14-83 and Section 14-84 of this Chapter.

E. Development Plan - The development plan shall be submitted to the City Planning Department. Such plan will not be accepted unless the plan contains the following required information and meets the following requirements:

- (1) The approximate location of each existing building and proposed structure in the development area, the height of the structures and the use or uses to be contained therein.
- (2) The proper setbacks must be indicated with reference to property lines, highways or street rights-of-way.
- (3) The approximate location, surface treatment, and number of spaces for all parking areas other than those on individual mobile home lots.
- (4) The approximate location of water courses and other natural or historic features.
- (5) Contours of the area and location of all roadways and walkways, the proposed location of all bridges and culverts, all drainage and utility easements existing or contemplated, green belts, open spaces and types of recreation facilities.
- (6) The location of all permanent accesses from publicly dedicated streets, roads or highways.
- (7) Should any of the street grades exceed a three per cent (3%) grade, the increased per cent of grade should be indicated on the right-of-way center line.
- (8) A landscaping plan for all open space land and for all required setbacks of the district. Landscaping plans shall be in conformance with the current requirements of the Planning Commission for such plans.
- (9) The plan shall be drawn to scale. It shall show any existing developments and improvements of adjacent properties lying within three hundred (300) feet of the proposed project.
- (10) Typical lot sizes and layouts throughout the MHS, including parking, mobile home location, landscaping, etc.

(11) The location, height and square footage of any identification sign.

(12) A vicinity map to locate the project in relation to the community.

(13) If appropriate, the stages in which the project will be developed.

(14) A schedule of development showing:

(i) Date when construction of project can be expected to begin.

(ii) Stages in which the project will be completed and approximate date when construction on each stage can be expected to begin.

(iii) The area and location of open space to be provided in each stage.

F. Permitted Uses - Single family mobile homes, and other uses which are designed to serve the residents of a MHS and which are harmoniously incorporated in the design of the MHS as shown in the development plan.

G. Mobile Home Subdivision Requirements - The MHS shall conform to the following requirements:

(1) Interior Orientation - Lots on the periphery of the subdivision must front towards the interior of the subdivision. No residential lot in the MHS may front on a street where the opposite side of the street is in a different zone.

(2) Fences - The boundary of a MHS shall be fenced at the property line except:

(i) When adjacent to a dedicated park or open space, a landscaped buffer may be used, and

(ii) The developer has the option of providing a landscaped area adjacent to public streets and moving the fence back twenty (20) feet from the property line.

(iii) When the boundary of the MHS is adjacent to a public street and the developer elects to put the fence at the property line, the setback for mobile homes will be twenty (20) feet from the property line of the MHS.

(3) There shall be two off-street parking spaces for each mobile home.

I. Landscaping - All required setbacks and open space at the MHS shall be adequately landscaped to provide a park-like appearance. The screening buffer and setbacks adjacent thereto shall be maintained by a homeowner's association or other method acceptable to the City.

J. Special Provisions for MHS - The purpose of this Section is to encourage imagination in design towards a better living environment.

(1) Modification of Subdivision Regulations - The subdivision of land zoned MHS shall be subject to such requirements for approval and recording as have been established by the Colorado Springs Planning Commission in its subdivision ordinance except as herein specified. The uniqueness of each proposal for MHS requires that the specifications for the width and surfacing of streets and highways, alleyways for public utilities, for curbs, gutters, sidewalks, street lights, public parks and playgrounds, school sites, storm drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the specifications established by the subdivision ordinance of the City as amended from time to time. The City Planning Commission may, therefore, waive or modify the specifications otherwise applicable for a particular public facility where the Planning Commission finds that such specifications are not required in the interests of the MHS and that the modifications of such specifications are not inconsistent with the interests of the City.

(2) Modification of Zoning Regulations - Lot sizes may be reduced from the minimum provided that:

- a) A minimum of forty per cent (40%) of the amount of the reduction be converted to open space.
- b)  A minimum of ten per cent (10%) of the amount of the reduction be devoted to common storage areas for recreational vehicles.
- c) A maximum of fifty per cent (50%) of the amount of the reduction may be devoted to new lots.

- d) If lot sizes are reduced in accordance with (a) above, then:
- (i) The minimum frontage shall be fifteen (15) feet.
  - (ii) There will be no minimum lot depth.
  - (iii) The minimum setbacks shall be:
    - (a) Front Yard 10 feet
    - (b) Side Yard 10 feet
    - (c) Rear Yard 10 feet
    - (d) When adjacent to the MHS property line which is adjacent to a public street 10 feet
  - (iv) There shall be no minimum side or rear yard setback requirement if provisions are made through platting so as to insure that no mobile home will be closer than twenty (20) feet to any other mobile home in any direction.

K. Permitted Accessory Uses -

- (1) Any other similar accessory uses which are normally considered essential to the permitted uses.
- (2) Real estate signs as limited below:
  - a) Only one real estate sign not over six square feet in area relating to the premises and no dimension shall exceed three feet.
  - b) Such signs shall not be illuminated unless the source of light is steady and suitably shielded.
  - c) No such sign shall be located less than fifteen feet from the front or side lot line, except where affixed to the wall of the building.

(3) Open Space - There shall be provided a minimum amount of eight per cent (8%) of the total area of a MHS for open space purposes. This area shall not be included in that reserved for service facilities and other incidental uses, nor for areas of required setbacks. This area shall be suitably landscaped.

(4) Maintenance of Common Properties - A Homeowner's Association is required unless there are other methods, acceptable to the City of Colorado Springs for maintaining common properties.

(5) Common Areas - Areas for storage and parking of travel trailers, boats, etc., shall be provided throughout the subdivision for the use of the occupants. These areas shall be paved and fenced. In determining the amount of common area necessary for the entire subdivision, a factor of one hundred (100) square feet per mobile home lot should be used.

H. Mobile Home Lot Requirements - Lots should be made large enough to accommodate the largest type of mobile home units and major additions.

(1) Dimensional Standards -

a) Minimum Lot areas:

- 1) For principal structures of less than 1000 square feet - 5000 sq. ft. lot area
- 2) For principal structures 1000 square feet or more - 6000 sq. ft. lot area

b) Minimum Setback Requirements:

- 1) Front Yard 20 feet
- 2) Side Yard 10 feet
- 3) Rear Yard 10 feet
- 4) When adjacent to the MHS property line which is adjacent to a public street 20 feet

(2) All mobile homes shall be skirted.

(3) Home Occupations.

L. Conditional Uses - There are no conditional uses.

M. Regulations for Proposed MHS Districts with Land Both Within and Without the City Limits - Any proposed MHS District, the location of which will include land both within and without the City limits, shall be considered in its entirety and the portion lying within the City limits will be considered as part of the entire development in the consideration of area, off-street parking and land coverage requirements. If the major portion of the MHS District development is outside the City, and the governing body having jurisdiction over that portion of the land has similar provisions for control of a MHS District development, some of the requirements for MHS District, pertaining to the presentation of a plan for that portion lying within the City may be varied or waived by the City Planning Commission, and its recommendations concerning the entire project may be forwarded to the above mentioned governing body.

N. City Planning Commission Empowered to Make Regulations, Recommend Fees and Make Inspections, Etc. - The City Planning Commission shall have power to make and adopt such rules and regulations as are necessary and proper to effectuate the purposes of this Article, relative to MHS Districts, and to recommend such scheduled fees as are required to cover the cost of advertising, inspection and review of each project, which said rules, regulations and fees shall be effective upon approval by the City Council. Also, the subdivision of land zoned "MHS District" shall be subject to such requirements for approval and recording as have been established by the Colorado Springs Planning Commission in its subdivision ordinance.

O. Time Period - Abandonment of Project - The Development Plan shall be valid for a period of two years beginning with the approval date of the Development Plan by the City Planning Department. Failure to begin construction within this period shall void the plan as approved unless a request for an extension of time is granted in writing by the Director of City Planning.

P. Severability - If any provision of this subsection 2 be held unconstitutional, illegal or void, such finding shall not affect any other provision of this subsection. (Ord. No. 4455)



*mark*

American Society of Planning Officials  
1313 East Sixtieth Street Chicago Illinois 60637 Phone 312. 947.2575

## Planning Advisory Service

June 11, 1976

Mr. Robert A. Lakin, Director of Planning  
Wichita-Sedgwick County Metropolitan  
Area Planning Department  
City Hall, Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

Yesterday I spoke with the person on your staff who is responsible for working on regulations for parking and storing recreational vehicles in residential areas. I promised him that I would send the enclosed draft of the PAS Memo I am writing on the subject. Would you please pass it along to him?

Sincerely,

*Devon M. Schneider*

Devon M. Schneider  
Research Associate

DMS:sm

Enclosure: Draft Memo



DRAFT MATERIAL--NOT FOR GENERAL DISTRIBUTION

The August issue of the PAS Memo is about a problem that has become quite a political hot potato in a number of communities across the country--~~the~~ *regulating* ~~the~~ *regulation of* parking and storing recreational vehicles in residential areas.

The question--Should the owner of a camper, a motor home, a boat or a snowmobile be allowed to store his vehicle on his own residential lot? In the front yard? Or only in the side *or*

back yards? Only vehicles which meet certain dimensional requirements or all vehicles? Ms. Devon M. Schneider, a Research Associate on the ASPO staff, has been keeping tabs on recent developments in order to answer the large number of inquiries we have received.

In this Memo we'd like to share the results of our research with all of our subscribers.

Compiled by:  
Devon M. Schneider  
Research Associate  
American Society of Planning Officials  
1313 E. 60th Street  
Chicago, IL 60637  
June 10, 1976

*MS*



*regulating* The August issue of the PAS Memo is about a problem that has become quite a political hot potato in a number of communities across the country--~~the~~ regulation of parking and storing recreational vehicles in residential areas. The question--Should the owner of a camper, a motor home, a boat or a snowmobile be allowed to store his vehicle on his own residential lot? In the front yard? Or only in the side back yards? Only vehicles which meet certain dimensional requirements or all vehicles? Ms. Devon M. Schneider, a Research Associate on the ASPO staff, has been keeping tabs on recent developments in order to answer the large number of inquiries we have received. In this Memo we'd like to share the results of our research with all of our subscribers.

*ASPO*

Parking and Storing Recreational Vehicles in Residential Areas

I. Overview

In the past four months, ASPO has received over six inquiries from PAS members concerning zoning regulations for parking and storing recreational vehicles (RVs) in residential areas. In response to the PAS Board's request that we publish the answers to frequently asked questions, we would like to use this issue of the PAS Memo to share our information on RV parking and storing, etc.

The growing concern about RVs has come about / <sup>because of a</sup> dramatic rise in RV ownership. More than six million Americans own RVs of one sort or another--motor homes, travel trailers, camping trailers, and other on-road live-in vehicles, as well as boats, snowmobiles, trail bikes, and other off-road vehicles. When they are not being used, these vehicles are parked or stored on their owner's property -- in the front yard, on the driveway, in the side yard or in the rear yard--usually in plain view.

This practice generates complaints from neighbors and can cause safety and health hazards.

The neighbors generally complain for aesthetic reasons--"That thing is ugly, a blight on the neighborhood, and it will bring down my property value!" Safety hazards are created when RVs are parked so that they block the view of motorists backing out of driveways or using the road. Reduced visibility can also lead to more pedestrian accidents. Health hazards are associated with the use of RVs on private property. Limited in scope to the parking and storing of RVs, this Memo will not attempt to deal with this latter issue and its related health problems.

Zoning regulations for parking and storing RVs in residential areas vary considerably. The most restrictive ones--regulations from Euclid, Ohio, and Coral Gables, Florida, are good examples--require RV owners to store their vehicles in enclosed areas. Other ordinances limit RV storage to rear lots. This kind of ordinance has caused particular problems in Wichita--Sedgewick County, Kansas, where access to rear yards in many residential areas is not wide enough for most RVs to pass through! Other communities prohibit RV storage in front yards only, and some communities have no zoning restrictions on RV storage and parking at all. One new trend in all of this, which

Another is how to define an RV.  
is not the only issue.

And where RVs can be stored

illustrate,  
the Phoenix and Tempe, Arizona, ordinances/ is the requirement that all developers of residential Planned Unit Developments must provide an enclosed or screened area for RV parking and storage.

According to the lawyers we interviewed ~~litigation~~ litigation about parking and storing RVs in residential neighborhoods indicates that restrictive zoning regulations will not stand up in court. In one of the few cases to reach an Appellate court, Fitzthum vs. City of Euclid (Ohio), the court decided against the city whose zoning regulations prohibit unenclosed storage of RVs in residential areas. Other lower court decisions have been similar. According to the lawyers, regulations cannot be supported on the basis of aesthetics alone. Furthermore, they say that no property owner has been able to prove that his property's value has been reduced by the open storage of an RV on adjoining property. Regulations which tend to be upheld, are those which stress the safety rationale for RV regulation. The model ordinance prepared by Woodall's (see section     ) is an example of an ordinance which concentrates focusing on adequate setbacks from public streets and neighboring buildings and permitting storage in all areas of a private lot.

II. General References

- A. PAS Report #218. Regulating Storage of Major Recreational Equipment. January 1967. 8 pp. \$5; PAS subscribers \$3.
- B. Oxnard Planning Department. Recreational Vehicle Storage. Oxnard Planning Department, 305 W. Third St., Oxnard, CA 93030, (805) 486-2601. Information Report 73-3. 1973. 38 p. +refs. \$2 prepaid.
- C. Gottlieb, Manuel. "Economics of Residential Vehicle Storage Facilities," Traffic Quarterly, April 1970. Vol XXIV, No. 2. pp. 297-315. The Eno Foundation for Highway Traffic Control, Box 55, Saugatuck Station, Westport, CT 06880, (203) 227-4852.
- D. "An Ordinance Relating to the Storing, Parking, etc. of Recreational Vehicles, A Sample Ordinance." Woodall Publishing Company, 500 Hyacinth Place, Highland Park, IL 60035, (312) 433-4550.
- E. Model Ordinance. Federation of Outdoor Recreationists, Inc. P.O. Box 68, Monmouth, IL 61462, (309) 734-5448.
- F. "article in the mail to me." Woodall's Trailer Travel. July 1976. Woodall Publishing Company, 500 Hyacinth Place, Highland Park, IL 60035, (312) 433-4550.
- ~~G. Shepard's Citations (CRL checking) 4 volume set on city ordinances, recent call number at the U. of Chicago Law Library, 1111. K56.34. Ask Chris to check it.~~
- G. Fremont Zoning Department. Ordinance 978, Vehicle and Equipment Parking Ordinance. Feb. 12, 1974. \$1. Zoning Department, City of Fremont, 39700 Civic Center Drive, Fremont, CA 94538. (415) 796-3461.

*update - type need approximately by state letter de-  
bindingly.*

III. Zoning Ordinance Provisions

The following regulations for parking and storing recreational vehicles in residential areas are taken from zoning ordinances in our library. Though we try to keep our ordinance collection as up to date as possible, we cannot keep track of all zoning amendments. Consequently, the following provisions may not be the most current versions. Contacts in planning departments for some of the following communities are listed in Section IV.

A. Redlands, California

Section 39.40: PARKING LIMITATIONS

1. All motor vehicles incapable of movement under their own power, other than in cases of emergency, shall be stored in an enclosed parking space.
2. All detached truck campers, trailers of any type, mobile homes, boats and similar equipment incapable of movement under their own power shall be parked in an approved parking space or stored in an area screened from the street. No parking or storing permitted in a driveway or front yard area.

---City of Redlands Zoning Ordinance, Ordinance No. 1000, As Amended July 1, 1971.

B. Bloomfield, Michigan

3. Open Storage on Residential Lots or Parcels.

The open storage for periods exceeding three (3) days of any man-made material and parking and/or open storage of any conveyance for use on the land, in the air or on the water, other than licensed private passenger cars, shall be specifically prohibited on all residential lots or parcels of land except as otherwise permitted by the Board of Appeals. In granting temporary permits to except parking and/or storage from the above regulations, the Board of Appeals shall require the following minimum standards and conditions be met:

- A. All such conveyances and/or man-made materials shall be stored only on a lot or parcel on which an inhabited dwelling unit serves as the principal use and is occupied by the owner of the material being stored. Licensed private passenger vehicles shall include only those vehicles used by the family occupying the principal use and shall not include antique vehicles, racing vehicles or other similar vehicles. The term "licensed private cars" shall also not include conveyances or vehicles equipped for living or camping purposes, not conveyances or vehicles capable of transporting more than ten (10) passengers.
- B. All such conveyances and/or man-made materials shall be stored in the rear yard subject to at least the minimum requirements placed on Accessory Buildings (SECTION 1503).
- C. The specific location on the lot or parcel for these stored conveyances and/or man-made materials shall be by indication on a plot plan of the lot or parcel, and shall be approved by the Board of Appeals.
- D. The conveyance and/or man-made material shall not exceed six (6) feet in height and shall be totally obscured from abutting property with an architectural wall, fence or greenbelt equal in height to the article being stored.
- E. Trailers, or any other conveyance, shall not be connected to sanitary facilities, nor be occupied while being stored. The Board of Appeals shall require proof from the petitioner that all parties immediately abutting any property upon which storage, under the provisions of this section, is being contemplated shall have been notified of the intended plan.

*t. In granting temporary permits for open storage of any conveyance and/or man-made materials the Board of Appeals shall establish a specific period of time, not to exceed one (1) month, during which the storage is permitted and shall find that storage within an accessory structure is impractical.*

---Township of Bloomfield, Oakland County, State of Michigan, Zoning Ordinance,  
No., 265. May 1974. p. 57-58.

C. Coral Gables, Florida

SECTION 4.09 HOUSE CAR, CAMP CAR, CAMPER  
OR HOUSE TRAILER.

- (a) No House Car, Camp Car, Camper or House Trailer, nor any vehicle, or part of vehicle, designed or adaptable for human habitation, by whatever name known, whether such vehicle moves by its own power or by power supplied by separate unit, shall be kept or parked on public or private property within the City, except if enclosed within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operating parking area, which is not a concomitant and required under the zoning — or other — ordinance of the City. (1506)

---Zoning Code of the City of Coral Gables, Florida, Ordinance No. 1525,  
As amended December 31, 1975.

D. Skokie, IL

*(most recent material being sent)*  
*6/10*

E. Arlington Heights, Illinois

10.2.11 Parking of Certain Vehicles. The parking of travel trailers, pickup coaches, camper trailers, motorized homes, boats and rafts in the R-1 through R-6 Districts shall be subject to the following regulations:

10.2.11.1 Definitions. For the purposes of this section:

- a) Travel Trailer is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, permanently identified "Travel Trailer"; it shall have a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.
- b) Pickup Coach is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.

- c) Camper Trailer is a vehicular, portable structure built on a chassis or metal welded unit body with the superstructure made in part or in whole of canvas and metal frame, not to exceed eighteen (18) feet in length.
- d) Motorized Home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
- e) Boat—Raft is any unit that is used for water travel or pleasure.

10.2-11.4 In the rear yards parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained.

- a) Camper trailer (shall be stored in a collapsed position to a height not more than five (5) feet six (6) inches).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length, either mounted on a boat trailer or unmounted; also boat trailer without boat mounted.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.5 In side yards, parking of only the following types of vehicles shall be permitted, in addition to private passenger automobiles and station wagons, with adequate screening in the form of shrubbery or legally approved opaque fencing that must be properly maintained:

- a) Camper trailer (collapsed position), not more than four (4) feet in height.
- b) Boat trailer without a boat or raft mounted on it.

10.2-11.6 On each single-family zoning lot, R-1, R-2, R-3, the parking of only one of the following shall be permitted, other than in totally enclosed garages:

- a) Camper trailer (collapsed position).
- b) Small travel trailer, twenty-two (22) feet or less in length.
- c) Small boat, twenty-two (22) feet or less in length.
- d) Pickup coach, twenty-two (22) feet or less in length.
- e) Motorized home, twenty-two (22) feet or less in length.

10.2-11.7 In totally enclosed garages, the parking of the following vehicles shall also be permitted:

- a) Travel Trailer
- b) Pickup Coach
- c) Camper Trailer
- d) Motorized Home
- e) Boat—Raft.

F. Sarasota County, Florida

7. Parking, Storage, or Use of Certain Recreational Equipment. For the purpose of this subsection, certain recreational equipment is hereby defined as including boats, and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers or pop out campers, houseboats, and the like. No such recreational equipment as herein defined shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residentially zoned lot (except where permitted in an RMH district), or in any other location not approved for such use.

--Zoning Ordinance: Sarasota County, Florida . Section 7.7.

Nov. 11<sup>th</sup>  
1975

G. Kettering, Ohio

1159.07 TRAILERS.

.071 Definitions.

- (1) "Commercial vehicle" shall mean any motor vehicle designed and used for carrying merchandise or freight.
- (2) For the purpose of this Ordinance the word "vehicle" shall mean all trailers, truck campers, buses, boats and commercial vehicles.
- (3) "Dual purpose vehicle" shall mean a pick-up truck with a slide-in camper or a van-type vehicle converted for camping use, either of which are used both for camping and incidental transportation.
- (4) "Front yard" means any open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as hereafter specified.

...

(4) One vehicle less than 8,000 lbs. empty weight and/or ten (10) feet in height, or buses, boats and trailers less than thirty (30) feet in length may be parked or stored in a Residential or Professional Office District. However, such parking or storing shall be prohibited in any front yard, corner street side yard, required side yard or within ten (10) feet of any side or rear lot line of the rear yard.

---Kettering, Ohio, Zoning Ordinance (current as of April 1976).

H. Nevada County, California

18.10.120 PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT. For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential zone except in a carport or enclosed building or behind the nearest portion of a building to a street, provided however, that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. When access to the rear of the lot is prohibitive, an area variance may be considered.

---Nevada County, California, Zoning Regulations, Ordinance No. 500. Nov. 24, 1970.

I. Adams County, Colorado

No boat, boat trailer, travel trailer, tent trailer, horse trailer, trailer, motor home or detached pickup camper shall be kept, stored, or parked on any public right-of-way for periods in excess of 24 hours. Only one boat trailer, boat, travel trailer, or trailer, motor home may be kept or stored upon the property. The travel trailer or trailer motor home shall not exceed 20 feet in length.

---Zoning Regulations of Adams County. Adopted January 13, 1969. p. 11.

J. Cheshire, Connecticut

9. Camp trailers, motor homes and pickup coaches, unoccupied, not more than 28 feet in length and subject to the following conditions:

- a) ~~Storage shall be to the rear of the dwelling, or other major building, in a neat and orderly manner generally not visible from the street and where collapsible, in a collapsed state or shall be stored in a garage.~~
- b) Storage shall be to the rear of the dwelling, or other major building, in a neat and orderly manner generally not visible from the street and where collapsible, in a collapsed state or shall be stored in a garage.
- c) Storage shall be limited to one camp trailer, motor home or pickup coach per dwelling unit in a residential zone and shall be registered in the name of and be the legal property of an occupant of the dwelling unit.

K. Windsor, Connecticut

8.02.03 The parking of one boat in the rear yard provided it is effectively screened from the nearest abutting property.

8.02.04 The parking of one vacation-type house trailer in the rear yard provided it is effectively screened from the nearest abutting property.

---Town of Windsor Zoning Regulations. Revised to November 24, 1970.

L. Wichita--Sedgwick County, Kansas

"28.04.160.G. MOBILE HOMES, HOUSE TRAILERS, BOATS AND TRAILERS.

In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales, or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance;

---Zoning Regulations: Wichita--Sedgwick County. (Current as of May 1976.)

M. Fremont, California

N. Crystal, Minnesota

O. Euclid, Ohio

} Expecting copies in the mail

typist: alphabetize these names and letter them A, B, C...  
when draft says "see section II." replace the  
question mark with the letter in section II  
which is the zoning provision for the person  
town.

IV. People Sources of Information

The following people have been involved in developing, revising, enforcing or litigating regulations for parking or storing recreational vehicles in residential areas. They have agreed to share their experience and information.

Mr. Karl Kopetzky  
Attorney at Law (New York Bar)  
1052 West Loyola Avenue  
Chicago, Illinois 60626  
(312) 764-3572

Kopetzky has had extensive experience with the legal aspects of RV parking and storage. He prepared the model ordinance for Woodall Publishing Company (See Section II. D.).

Mr. Paul Fogt  
Woodall Publishing Co.  
500 Hyacinth Place  
Highland Park, Illinois  
(312) 433-4550

Publishes Woodall's Trailer Travel. Distributes "An Ordinance Relating to the Storing, Parking, etc. or Recreational Vehicles, A Sample Ordinance."

Mr. John E. Vinsant  
Planning Director  
Planning Department  
P.O. Drawer 341549  
Coral Gables, Florida 33134  
(305) 446-0881

Working on a revision of their ordinance. Presently, RVs must be stored in an enclosed area. This regulation was upheld in a ~~XXXXXX~~ an appellate court decision, Wood vs. the City of Coral Gables.

Mr. Edward Moore  
~~XXXXXXXXXXXX~~  
Planning Officer  
Community Development Department  
Planning Division  
P.O. Box 607  
Sunnyvale, California 94088  
(408) 739-0531

Mr. Robert Zahner, Assistant City Attorney can provide further information. See Section II. ? for current regulations  
Developing new regulations

Mr. Richard Counts, Zoning Administrator  
or Mr. Frank Barbara

Planning and Zoning Department  
251 West Washington Street  
Phoenix, Arizona 85003  
(602) 262-7405  
2

Refer to zoning ordinance,  
Section 601.6.1.

Regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. Regulations for other residential areas ~~XXXXXXXXXXXXXXXXXXXX~~ prohibit parking in front yards and restrict parking and storage in side yards to vehicles less than eight feet high.

Tempe Planning Department  
31 East Fifth Street  
Tempe, Arizona 85281  
(602) 967-2001

Regulations for Planned Area Developments require developers to provide screened areas for RV parking and storage. Currently no regulations for other residential areas. ~~XXXXXXXXXXXXXXXXXXXX~~ Proposed regulations would prohibit RV parking and storage in front and side yards.



Mr. Peter J. Horan  
Planning Director  
City of Kettering  
Government Center  
3600 Shroyer Road  
Kettering, Ohio 45429  
(513) 296-2400

Author of Kettering's ordinance.  
See Section II. ?

Mr. Edward Davison  
Zoning Commissioner  
City of Euclid  
585 E. 222nd Street  
Euclid, OH 44123  
(216) 731-6000

Euclid's zoning ordinance (see Section II. ?) prohibits ~~RV~~ RV storage except in garages. The regulation was challenged and upheld in a lower court decision.

The case was appealed to a higher court which decided against the city and the city is now appealing to the Ohio Supreme Court. Contact Patrick Rocco, Law Director, or Henry Fisher, Assistant Law Director for further information on the legal aspects of the issue.

Mr. William Sherburne, City Engineer,  
or Mr. John P. Irving, City Manager  
City of Crystal  
4141 Douglas Drive  
Crystal, MN 55422  
(612) 537-8421

Crystal has recently passed a lengthy ordinance which, among other things, limits storage to vehicles less than 22 feet long. They have been taken to court twice over their regulations and won once and lost once.  
(See Section II. ?)

Mr. Charles Dodge  
Zoning Enforcement Officer  
City of Fremont  
39700 Civic Center Drive  
Fremont, CA 94538  
(415) 796-3461

Citizens' group forced the city to review its ordinance provisions restricting storage to vehicles less than 21 feet. New detailed ordinance was passed. For more information send for the explanatory booklet, Ordinance 978, Vehicle and Equipment Parking Ordinance. Feb. 12, 1974. \$1. (see Section II. ?)

Mr. Charles Martin and Mr. White

California lawyers with experience. I'm expecting a call from them.

Mr. Munson, Arlington Heights

Expecting call.



*Tulsa Metropolitan Area Planning Commission*

200 Civic Center · Tulsa, Oklahoma 74103 · Telephone 918-581-5531

May 21, 1976

Mr. Robert A. Lakin, Director  
WSC Metropolitan Area Planning Dept.  
City Hall - 10th Floor  
Wichita, Kansas 67202

Re: Regulation of storage of  
Recreational Vehicles,  
Boats, Campers, in Resi-  
dential Zoning Districts.

Dear Mr. Lakin:

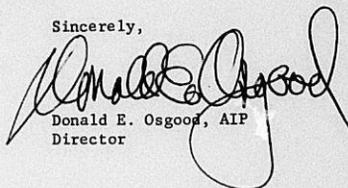
In response to your request for information regarding how the City of Tulsa regulates the storage of recreational vehicles in the residential districts I am forwarding the following information:

"Section 240.3 - Use of Yards in R Districts (Tulsa Zoning Code) no inoperative or unlicensed motor vehicles shall be parked or stored within the front or exterior side yard in an R District. No vehicle shall be parked except on a hard surfaced area constructed of an all-weather material. Within the RM-0, RM-1, RM-2 and RM-3 Districts [Multifamily Districts] not more than one vehicle shall be parked for each 600 square feet of area contained in a required front or exterior side yard."

Apart from these controls by the public sector, private controls such as restrictive covenants of the subdivision plat are extremely effective in potential nuisance situations.

If I can be of further assistance, please write or call.

Sincerely,



Donald E. Osgood, AIP  
Director

DEO:meb

Kenneth N. Cox, Chairman  
Robert Colpitts  
John R. Harty  
D. L. Knappall

Dr. Norman J. Hyne, 1st Vice Chairman  
David A. Leibowitz, M.D., 2nd Vice Chairman  
Hon. Robert J. LaFortune  
Hon. Floyd H. Oakley

Mrs. R. Hayden Downie, Secretary  
Rev. Lawrence Lakey  
Richard L. Reeb  
Edward C. Squire  
Donald E. Osgood, AIP  
Director



## METROPLAN

A COUNCIL OF LOCAL GOVERNMENTS

TELEPHONE: AREA CODE 501 372-3300

May 24, 1976

*ms.*

Mr. Robert A. Lakin  
Director of Planning  
Metropolitan Area Planning Department  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

I checked with the zoning administrator, City of Little Rock, about the problem experienced here with the regulation of storage of recreational vehicles, boats-trailers, campers, etc., in residential zoning districts. As you might guess, the city has the problem.

Locally, the problem is viewed as a civil nuisance rather than strictly a zoning problem. Dissenting, adjoining, property-owners have the responsibility of taking the offending individual to court over the issue providing they want it brought to some conclusion.

The city has urged the developers of new subdivisions to draw-up covenants addressing the subject of camper and boat storage. Also, it is fairly common here to have recreation equipment such as this stored off the residential premises in areas that permit storage.

While the things outlined here are no real solution to the problem, it seems to represent the prevailing conditions. I would prefer being able to give you tangible regulatory information.

Sincerely,

*Chas. L. Randel*

Charles L. Randel  
Asst. Director of Planning



**CITY OF PUEBLO**

DEPARTMENT OF ZONING ADMINISTRATION

*ms*

**COLORADO**

211 E. "D" STREET  
PUEBLO, COLORADO 81003

May 24, 1976

Robert A. Lakin  
Director of Planning  
Metropolitan Area Planning Department  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

The problems associated with the storage of recreational vehicles is not unique to your community. Last year a massive new reservoir was opened seven miles west of our city. The number of boats and campers has significantly multiplied and more are expected as the summer progresses. My office is taking two to three citizens' complaints a week relating to the storage of recreational vehicles on residential lots.

Enclosed is a copy of 17-4-27 of our Zoning Ordinance which relates to recreational equipment. It is not effective in solving our problems and I do not recommend it to you. We are in the initial stage of developing a new ordinance but have no recommendations for you at this time. I have also enclosed a related excerpt from Denver's ordinance.

We would appreciate a copy of any ordinance your community adopts related to this matter.

Yours truly,

*Carl Olson*

Carl Olson  
Director of Zoning

CO/sim  
Enclosure



COLORFUL SOUTHERN COLORADO

Pueblo.

\$17-4-27

ZONING

\$17-4-29

17-4-27: PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL EQUIPMENT

For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any street or street right-of-way. No such equipment shall be stored on any lot in a residential district in such a manner as to impede visibility of pedestrian or vehicular traffic. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. [1957 Code, App. A, §6(7)]

17-4-28: PARKING AND STORAGE OF CERTAIN VEHICLES

Automotive vehicles or trailers of any kind or type including chassis or bodies of such vehicles without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings or in the rear yard area enclosed by tight fencing sufficient in height to totally obscure such vehicles or trailers as seen from a height of five feet along the property line. Such fencing and the storage area shall be constructed, used and maintained so as to have an orderly appearance at all times. [1957 Code, App. A, §6(8)]

17-4-29: SPECIAL AREA PLANS

In any zone district and on contiguous land or composed of two or more contiguous parcels, a plan may be submitted to the Planning and Zoning Commission proposing the unique development of such land or the rehabilitation or redevelopment of an existing area with unique planning, building or ownership techniques not adequately recognized by the terms of this Title for the zone district in which the land is located. A public hearing shall be held as required by Chapter 6 of this Title. If in the judgment of the Planning Commission the following objectives can be satisfied, then the Commission may approve such a plan and its approval shall be final and binding and permits shall be issued. No subsequent change in the plan may be made unless approved by the Commission after a public hearing.

- (a) If residential, the overall net density of the area so planned, exclusive of the street rights-of-way, is not greater than if each individual

Denver

614

**614—OFF-STREET PARKING REQUIREMENTS\***

**1. Scope of Regulations.** The regulations herein set forth shall apply and govern in all zoning districts; provided, however, that the application of these regulations to the O-2 and B-5 zoning districts shall be limited to 614.5. Use and Maintenance of Off-Street Parking Spaces.

**2. Duty to Provide and Maintain Off-Street Parking Spaces.**

**2-1.** The duty to provide and maintain off-street parking spaces shall be the joint and several responsibility of the operator and owner of the Use by Right and the operator and owner of the land on which or the structure or structures in which is located the Use or Uses by Right for which off-street parking spaces are required to be provided and maintained;

**2-2.** For land, structures or Uses by Right actually used, occupied or operated on the effective date of this ordinance, the number of existing off-street parking spaces shall not be reduced below the minimum number of spaces required under this ordinance. If such land area, structures or Uses by Right are enlarged, expanded or changed there shall be provided the following amounts of off-street parking:

**2-2(1).** if such land area, structures or Uses by Right are enlarged or expanded, there shall be provided for the increment only, at least the amount or number of off-street parking spaces that would be required hereunder if the increment were a separate land area, structure or Use by Right established or placed into operation after the effective date of this ordinance; or

**2-2(2).** if such land area, structures or Uses by Right are changed from one Use by Right to any other Use by Right allowed under this ordinance which requires more off-street parking spaces than the previous Use by Right, there shall be provided (a) no additional off-street parking spaces if the new Use by Right parking requirement does not exceed the previous Use by Right parking requirement by more than 25 per cent; (b) additional off-street parking spaces shall be provided for any new Use by Right as required under this ordinance in excess of 125 per cent of the overall requirement for the previous Use by Right.

**2-3.** For all Uses by Right established or placed into operation after the effective date of this ordinance, there shall be provided the amount or number of off-street parking spaces hereinafter set forth.

**3. Location of Off-Street Parking Space.** Off-street parking spaces shall be located on the same Zone Lot as the Use by Right for which provided, except as set forth in Section 614.7. hereof.

**4. Combined Space.** Parking spaces required by each of two or more Uses by Right located on the same Zone Lot need not be separated, and may be used jointly.

**5. Use and Maintenance of Parking Space.** Off-street parking space shall be maintained in accordance with the following specifications:

**5-1.** In residential districts shall: (a) be used only by vehicles up to three-fourths ton manufacturer's capacity rating, and (b) not be used for

\*Source: Ord. 125, Series 1987, except where otherwise indicated.

the parking or storage of automobile trailers or detached camper units except in the rear one-half of the Zone Lot;

.5-2. Shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies;

.5-3. Shall be graded for proper drainage and provided with an all weather surface of asphalt, asphaltic concrete or concrete, or any equivalent material except for single family homes existing on the date this ordinance is enacted;

.5-4. Shall be provided with screening of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles. Except in the B-4, B-5, B-6, B-8, I-P, I-O, I-1 and I-2 Districts, no cleaning or maintenance of parking lots utilizing motorized equipment may be performed between 11:00 P.M. and 6:30 A.M. each day.

.5-5. Shall be provided with entrances and exits so located as to minimize traffic congestion;

.5-6. Shall be provided with wheel guards or bumper guards so located that no part of parked vehicles will extend beyond the property line;

.5-7. Lighting facilities shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic. Loud speaker systems shall not be used;

.5-8. Shall have not more than one attendant shelter building which shall conform to all setback requirements for structures in the district and which shelter building in the RS-1, RS-2, RS-3, RS-4, R-O, R-1, R-2, R-2-A, R-3, R-3-X, R-4, R-5, B-A-1, and B-A-2 districts shall contain not more than fifty square feet of gross floor area.

**6 Required Off-Street Parking.** At least the following amounts of off-street parking space shall be provided. All off-street parking spaces hereinafter required under this ordinance shall be designed in accordance with one of the formulae set out in Off-Street Parking Chart #1, which chart is attached hereto. The width of off-street parking spaces contained within any off-street parking structure need not exceed 8.5', all other off-street parking spaces shall be at least 9.0' wide. The following Parking Classes shall apply to all Uses by Right, and if for any reason the classification of any Use by Right for the purpose of determining the amount of off-street parking or the number of off-street parking spaces to be provided by such Use by Right is not readily determinable hereunder, the Parking Class of such Use by Right shall be fixed by the Department of Zoning Administration. (Ord. 248, Series 1969)

**6-1. Parking Class One**, being composed of all Uses by Right which are enumerated in the schedule hereinafter provided:

.6-1(1). There shall be one and one-half off-street parking spaces provided for each dwelling unit in a multiple-unit dwelling. (Ord. 166, Series 1969)

.6-1(2). Repealed by Ord. 166, Series 1969.

**6-2. Parking Class Two**, being composed of all Uses by Right which are enumerated in the schedule hereinafter provided:

.6-2(1). There shall be one off-street parking space provided for each 600 square feet of gross floor area contained in any structure or structures



TOPEKA-SHAWNEE COUNTY METROPOLITAN PLANNING COMMISSION  
COURTHOUSE • ROOM 209 • 357-1241-EXT. 412 • TOPEKA, KANSAS 66603

May 26, 1976

Mr. Robert Lakin, Director of Planning  
Wichita--Sedgwick County Metropolitan Area Planning Department  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Re: Storage of Recreational Vehicles - Boats

Dear Bob:

This is in response to your letter of May 17, 1976, concerning information on the regulations of recreational vehicles and equipment.

Several years ago our City Commission requested that a study be made leading to the regulation of such uses. We were experiencing the situation of camping trailers, boats, dune buggies, etc. being stored in front yards creating in many instances very unsightly conditions within the community. In some cases the same were parked on the public street in front of the owners residence.

Based upon our study and findings, it was determined that any proposed regulation could not apply equally in all situations because of the limited access to the rear of the properties and in many cases in the side yard. Therefore, the matter was dropped and the situation remains.

We found that strict enforcement of the traffic control ordinances would eliminate the use of public streets for storage of said vehicles. It was further decided that if front yard storage was prohibited and the rear yard was inaccessible, only the side yard remained. The Fire Department did not favor this because the vehicles would be located close to the dwelling structure and would hamper fire fighting measures.

If you develop regulations on this use, I would be interested in obtaining a copy.

Respectfully,

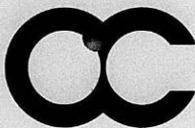
  
James H. Schlegel, II  
Planning Director



The City of  
Oklahoma City

Community Development  
Department

200 N. Walker  
Municipal Building  
Oklahoma City, Okla. 73102



May 26, 1976

Metropolitan Area Planning Dept.  
Robert A. Lakin, Director  
City Hall  
455 North Main Street  
Wichita, Kansas 67202

Re: Reply to request for information concerning  
the regulation of storage of recreational  
vehicles in residential zoning districts.

Dear Mr. Lakin:

Like Wichita, we have experienced problems with the regulation of storage of recreational vehicles in residential zoning districts--particularly in the older residential areas. Although we do not have a specific zoning ordinance comparable to the one quoted in your letter (28.04.160.G as reported), we do have similar regulations in various ordinances.

We are in the process of preparing a comprehensive plan with new zoning ordinances. We hope to address this problem specifically in the new zoning ordinance.

Perhaps we can be of further assistance at a future date.

Sincerely,

Jack Crockett  
Principal Planner



# CITY OF ATLANTA



CITY HALL ATLANTA, GA. 30303  
Tel. 658-6400 Area Code 404

BUREAU OF PLANNING  
COLLIER B. GLADIN, Director  
PIERCE M. MAHONY, Deputy Director

May 25, 1976

Mr. Robert Lakin  
Director of Planning  
Wichita - Sedgwick County  
Metropolitan Area Planning Department  
Tenth Floor, City Hall  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

At the present time, the City of Atlanta Zoning Ordinance does not include any provisions regarding the storage of recreational vehicles, boats, campers and similar items in residential zoning districts.

If you have any further questions, please feel free to contact me.

Sincerely,

Collier B. Gladin, Director  
Bureau of Planning

CBG:GLO:pfa



DEPARTMENT OF PLANNING & DEVELOPMENT  
MUNICIPAL OFFICE BUILDING, ONE CIVIC PLAZA  
KANSAS CITY KANSAS 66101 371-2000



May 25, 1976

Mr. Robert A. Lakin  
Director of Planning  
Metropolitan Area Planning Department  
City Hall-Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

In response to your letter of inquiry regarding vehicular storage and parking in residential zoning districts, our ordinances apply as follows:

In all of our residential zoning district ordinances, "parking shall not be permitted in required yards adjacent to street rights-of-way" or the equivalent is included. Parking of what is not defined. If interpreted conservatively, this could mean that most persons could not use their driveway for overnight parking. In any event, prohibition of vehicular parking (including boats, house trailers, campers, if not inhabited) is not enforced. I suspect that this section of our ordinance has not been defined better due to lack of a situation where the issue demanded it. In no other way is this issue addressed.

The staff is interested in what your resultant action will be and would appreciate a copy of any ordinance change that occurs.

Sincerely,

Michael B. Elliot  
Principle Planner

MBE:cj





The Sunshine City

## CITY OF TUCSON

CITY HALL  
TUCSON, ARIZONA 85703  
P.O. BOX 5547

DEPARTMENT OF PLANNING

791-4571  
791-4541

May 24, 1976

Mr. Robert A. Lakin  
Director of Planning  
Wichita-Sedgwick County  
Metropolitan Area Planning Department  
City Hall, 10th Floor  
455 North Main Street  
Wichitca, Kansas 67202

Re: Regulation of Storage of Recreational Vehicles, Boats,  
Campers, etc. in Residential Zoning Districts

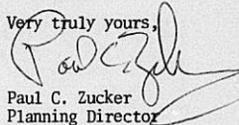
Dear Mr. Lakin:

I have received your letter requesting information on the City of Tucson's regulations governing storage in the front yard, dated May 18, 1976. Unfortunately, Tucson has no regulation except such storage may not be in the right-of-way, and, in the case of habitable vehicles such as RV's, they may not be occupied. Even without regulation, Tucson has a number of businesses that are specifically designed for such storage. While many City residents may wish to avoid the expense and inconvenience of off-property storage, this is a viable solution.

I personally am opposed to storage of these in front yards as they are, without question, a nuisance to abutting property owners. They are not only unsightly but also often affect sight clearance when backing out of driveways, and can be a fire hazard. But, most importantly, they are often left to deteriorate or are taken apart and parts left lying about or are otherwise bothersome to the adjacent property owners.

I would be interested in the outcome of the debate in Wichita. I'm sorry we do not have an example of a successful ordinance.

Very truly yours,



Paul C. Zucker  
Planning Director

PCZ:rk/CW

Arizona's First



Bicentennial City



OMAHA · COUNCIL BLUFFS · METROPOLITAN AREA PLANNING AGENCY



May 28, 1976

Robert A. Lakin  
Director of Planning  
Wichita/Sedgwick County Metropolitan  
Area Planning Department  
City Hall, 10th Floor  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

We have forwarded your request for information on mobile home storage to the City of Omaha. They should be contacting you shortly with the information that we have available here in Omaha.

If there is any additional information you would like to have, please contact me.

Sincerely,

Louis C. Violi, Director  
Comprehensive Planning Department

LCV/lg



**CITY OF FORT WORTH, TEXAS**



CITY PLANNING DEPARTMENT  
MUNICIPAL BUILDING  
FORT WORTH, TEXAS 76102  
335-7211 / AREA CODE 817

June 2, 1976

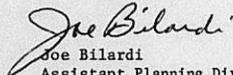
Mr. Robert A. Lakin  
Director of Planning  
455 North Main Street  
Wichita, Kansas 67202

Dear Mr. Lakin:

**REGULATION OF STORAGE OF RECREATIONAL VEHICLES, BOATS,  
CAMPERS, ETC., IN RESIDENTIAL ZONING DISTRICTS**

The Fort Worth Comprehensive Zoning Ordinance does not prohibit the non-commercial storage of the above referenced items in the required front yards of residential zoning districts. We have considered the possibility of amending our ordinance to include provisions similar to those you outlined in your letter, but concluded they would be almost impossible to enforce.

Sincerely,

  
Joe Bilardi

Assistant Planning Director

JB:cc





City Development Department

Office of the Director

City of Kansas City, Missouri  
Heart of America

15th Floor, City Hall  
Kansas City, Missouri 64106

816 274-1841

May 26, 1976

Mr. Robert A. Larkin  
Director of Planning  
Wichita - Sedgwick County  
Metropolitan Area Planning Department  
City Hall - Tenth Floor  
455 North Main Street  
Wichita, Kansas 67202

RE: Regulation of Recreation Vehicles

Dear Mr. Larkin:

In response to your request for information regarding our regulation of recreational vehicles, outdoor storage of such is permitted only in following areas:

1. Residential areas--storage is permitted in the side or rear yard, but the vehicles must be screened from view.
2. Community Unit Projects (Planned Unit Developments)--a special common area must be set aside for storage of recreational vehicles.
3. Mobile Home Parks--storage of recreational vehicles is unrestricted.
4. Specially designated areas, such as industrial and bulk commercial districts--storage of recreational vehicles is permitted under general storage provisions.

Although we have substantial residential area of the city wherein these provisions would make storage of recreational vehicles unfeasible, if not impossible.

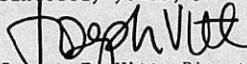


Mr. Robert A. Larkin  
May 26, 1976  
Page 2

we have not experienced the controversy that you mention. This is probably due to a combination of lack of enforcement and lack of complaints. I can see where this problem is unresolvable to everyone's satisfaction. The solution appears to be either compromise or some program outside of the zoning ordinance (such as provisions to secure storage facilities elsewhere).

I wish we could be of more help to you and wish you luck in resolving the problem.

Sincerely yours, .



Joseph E. Vitt, Director  
City Development Department

JEV:cym

May 18, 1976

Mr. Jason Rauby  
Executive Director of Planning  
100 Main Street  
Little Rock, Arkansas 72201

Re: Regulation of storage of  
Recreational Vehicles, Boats,  
Campers, etc., in Residential  
Zoning Districts.

Dear Mr. Rauby:

The boom in the sales of recreational vehicles, boats, campers etc., during the past decade is causing numerous problems in Wichita in terms of enforcement of the present zoning regulations. In 1969, our zoning ordinance was amended to provide regulation of the storage of such items as follows (emphasis added):

"28.04.160.G. MOBILE HOMES, HOUSE TRAILERS, BOATS AND TRAILERS.

In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales, or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance;

Mr. Jason Rauby  
May 18, 1976  
Page 2

(b) A mobile home or house trailer may be occupied in any zoning district for a period not to exceed thirty days when a permit is secured as authorized in Title 26; (c) A mobile home or house trailer may be occupied at a construction site by a night watchman for the duration of a construction project when approved by the superintendent of central inspection."

This regulation is adequate in those areas where the residential lots are large enough to permit access to rear yard for storage or where a double or triple garage exists, but the prohibition against storage in the required front yard setback is causing hardship in those areas where the minimum six foot side yard does not permit storage in the side yard or access to the rear yard, and the problem is further aggravated in those older residential areas adjacent to major streets where on-street parking is not permitted.

In such areas, residents are utilizing the front yard for storage of such vehicles in violation of the zoning ordinance and complaints are constantly made to our Inspection Department by neighbors about such violations. The issue has come to a head in recent weeks with individuals aligned both pro and con on such front yard storage and a local newspaper running articles about the problem.

At present, the only relief available to individuals cited for violation is to either store their vehicles elsewhere in a zoning district which permits such storage or to seek a variance of the required front yard setback through the Board of Zoning Appeals. The latter avenue is not really acceptable because Kansas Law restricts the Board of Zoning Appeals to approving variance only when five specific conditions exist (which would be difficult to find in most of these cases) and the desirability of the elimination of front yard setbacks is questionable in any event.

Inasmuch as I am certain that this problem exists in many other communities, other than our own, I would appreciate any information which you could supply me as to how such storage is regulated in your area. The Wichita City Manager (Interim) has directed that my staff compile such information as rapidly as possible and report to him in order that the problem could be alleviated through possible amendment to the City Code in the immediate future.

Thank you in advance for your assistance in this matter.

Sincerely,

Robert A. Lakin  
Director of Planning

RAL:MM:rme

Letters sent to:

- X 1. Mr. James H. Schlegel, Planning Director  
Topeka-Shawnee County Metropolitan Planning Commission  
Shawnee County Courthouse  
Room 209  
Topeka, Kansas 66603
- X 2. Mr. James Harvell, Executive Director  
Omaha-Council Bluffs Metropolitan Area Planning Agency  
7000 West Center Road  
Suite 200  
Omaha, Nebraska, 68106
3. Douglas Brogden, Director of Planning  
Lincoln City-Lancaster County Planning Commission  
County-City Building  
555 S. Tenth Street  
Lincoln, Nebraska 68508
4. Mr. Alen L. Canter  
Director of Planning  
City and County of Denver  
1445 Cleveland Place  
Denver, Colorado 80202
- X 5. Tulsa Metropolitan Area Planning Commission  
Donald E. Osgood, Director  
Third Floor, City Hall  
200 Civic Center  
Tulsa, Oklahoma 74103
- X 6. Oklahoma City Planning Department  
Norman R. Standerfer, Director  
404 Municipal Building  
200 North Walker  
Oklahoma City, Oklahoma 73102
- X 7. St. Louis Planning Commission  
Norman Murdock, Director  
Third Floor, Civil Courts Building  
10 N. 12th Blvd.  
St. Louis, Missouri 63101
- X 8. Kansas City Development Department  
Charles Vitt, Director of Planning  
15th Floor, City Hall  
415 East 11th Street  
Kansas City, Missouri 64106

- X 9. Planning Office  
James D. Ringe, Director  
117 N. Nevada Avenue  
Colorado Springs, Colorado 80902
- X 10. Department of Zoning Administration  
Carl B. Olson, Director  
211 East D Street  
Pueblo, Colorado 81103
11. Zoning Department  
Anthony H. Jansen, Administrator  
1445 Cleveland Place, Room 200  
Denver, Colorado 80202
- X 12. Planning Director  
Robert Leanna  
7th Floor, City Hall  
701 N. 7th St. Trfwy  
Kansas City, Kansas 66101
- X 13. Mr. Collier B. Gladin  
Director of Planning  
City of Atlanta  
700 City Hall  
Atlanta, Georgia 30303
- X 14. Mr. George D. Vann, Jr., Director  
Building and Planning Administration  
City of San Antonio  
506 Doborosa  
San Antonio, Texas 78285
15. Mr. Warner V. Leipprandt  
Deputy Planning Director  
City of Phoenix Planning Department  
215 W. Washington Street  
Phoenix, Arizona 85003
- X 16. Mr. Frank N. Sortelli  
Planning Director  
Planning Division, DOCD  
P. O. Box 5547  
Tuscon, Arizona 85703
- X 17. Mr. George Human  
City Planning Director  
1000 Throckmorton  
Fort Worth, Texas 76102

3.

18. Mr. George J. Acton  
Director of Planning  
City of Miami  
P. O. Box 708  
Miami, Florida 33133

19. Mr. Gary L. Sieb  
Assistant Director  
Dallas Department of Urban Planning  
500 S. Ervay, Suite 200-B  
Dallas, Texas 75201

20. Mr. Frank L. Beal, Deputy Director  
Planning Advisory Service Director  
American Society of Planning Officials  
1313 East Sixtieth Street  
Chicago, Illinois 60637

*Little Rock ?*

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 6, 1976

TO Jack H. Galbraith, Chief Planner  
FROM Mike Meek, Senior Planner  
SUBJECT Front yard setback parking regulations.

On Wednesday, May 5, 1976, I attended a meeting in the City Manager's Office regarding complaints and problems in the prohibition of residential district front yard setback parking and the storage of recreational vehicles, boats, trailers, etc., in residential districts. Others in attendance were:

Robert Finch - City Manager (Interim)  
John Dekker - Director of Law  
Ray Bruggeman - Director of Public Works  
Fred Linde - Grievance Officer  
Robert Feldner - Superintendent of Central Inspection  
Joe Donnelly - Office of Central Inspection

The discussion centered on the problems and complaints created by Section 28.04.140.1 and Section 28.04.160-G of the zoning ordinance which respectively prohibit parking in the front yard setback in residential zoning districts and prohibit recreational vehicle storage in the front yard setback.

The first problem addressed related to passenger vehicles only and the prohibition of providing parking in the driveway. It was suggested that the existing ordinance be amended to permit the parking of passenger vehicles (only) in the drive (not over public right-of-way) without permitting such parking to be counted as the required off-street parking space. Certain standards such as drive width and paving requirements, would also have to be incorporated into the regulations.

It was also suggested that in certain instances parking be permitted in the front yard setback (passenger vehicles only) with three possible ways of accomplishing same:

- 1) Board of Zoning Appeals Variance of required front yard setback (as permitted now).
- 2) Board of Zoning Appeals variance approval modified to require no filing fee.
- 3) Exception added to ordinance with certain standards and criteria for BZA approval.

Jack H. Galbraith  
May 6, 1976  
Page 2

- 4) Administrative approval (by Central Inspection) if certain conditions exist such as inaccessibility to back yard or other potential off-street parking, one car drives/garages, prohibition of on-street parking, etc. The zoning ordinance would have to be amended to permit this.

It was also discussed that any such changes should make allowances for circle drives and sometime or other limit be placed on BZA approval if the need for such variance, exception, administrative approval, etc., no longer existed.

When the discussion turned to recreational vehicles, trailers, boats, campers, etc., Fred Linde presented some proposed ordinance changes which he had drawn up (attached). Several objections were voiced on specific passages and the overall discussion really broke down at this point.

It was finally decided by the Acting City Manager that the Planning Department should investigate how other cities were handling the problems as discussed and report back to the others on possible solutions. At that time several options for ordinance changes would be prepared and presented to interested groups (C.P.O.'s Neighborhood Organizations, industry spokesman, etc.).

Although no time limit was set, it was stressed that Central Inspection was having problems with complaints at this time and it was necessary to provide some ordinance changes as soon as possible. With your approval, I will begin to contact other cities about their regulations as well as the ASPO Advisory Service in order that we may explore all options as rapidly as possible.

*Mike Meek*

Mike Meek, Senior Planner

MM:rme  
Attachment

Amend

Sec. 28.04.020 as follows:

House Trailer, and the entire paragraph, as follows:

Recreational Vehicle may include, but not be limited to, any device to be moved up on the streets and highways, whether propelled by an integral or exterior power unit, and which, under normal and usual circumstances, is intended to serve an individual, or family, or guests with relaxation away from the residence of the user. The user of the vehicle may own it, or have temporary custody by any means, including but not limited to, rent, lease or loan.

The test of whether a vehicle is recreational shall be that of the prudent man, under similar conditions, and the test shall be based upon the obvious and intended purpose of the vehicle.

Recreational vehicles may include, but not to be limited to, self-propelled camper, towed house trailer, <sup>converted</sup> passenger bus, ~~motor home or combination vehicle, converted in part or in whole,~~ for purposes meeting the test of this definition, boat, trailer, trailer and boat combination, living, or related facilities mounted in or upon a truck and transported by the truck.

The title of the vehicle and state license tag upon it shall not be a factor in applying the test of this chapter.

Joe

(d) Notwithstanding the requirements of this chapter, a recreational vehicle may be parked on a paved driveway, providing the driveway (1) is no less than eighteen feet (18 ft.) wide; (2) no part of the recreational vehicle, when so parked, intrudes into any portion of the sidewalk, parking or street rights-of-ways; (3) no individual, owning and residing in property within to one hundred (100) feet of any point of the lot upon which the recreational vehicle is parked, files a written objection with the Central Inspection Division and (4) the duration of the parking does not exceed thirty (30) consecutive days, on no more than two (2) occasions in any calendar year, commencing on January 1.

(e) And further notwithstanding the provisions of this chapter, any recreational vehicle may be parked on any paved driveway, for one continuous period of twenty-four (24) hours for the exclusive purpose of preparing the vehicle for travel. Such preparation shall include only: (1) cleaning and arranging the interior of the vehicle; (2) inflation of tires and leveling of the shock absorbers; (3) stocking the vehicle with the implements, furnishings and supplies normally and usually associated with, and related to, the vehicle and (4) provided that the vehicle is not occupied as a temporary living quarter for any portion of the continuous twenty-four hours, by any member of the resident family or guests. *EXCEPT AS PROVIDED*

*NO SEC*  
(f) In interpreting this section 28.04.160, the test shall be that of common practice and behavior under other, similar circumstances.

(g) Violations of any section of section 28.04.160 G shall be a misdemeanor, punishable by a fine of no less than ten (10.00) dollars nor no more than twenty (20.00) dollars and each offense shall be considered separately.

(h) The provisions of this chapter may be enforced by any member of the Department of Public Works, Central Inspection Division, or by the Police, upon verbal or written request by the superintendent, assistant superintendent or supervisors, or their delegates, of Central Inspection Division to the office of the Chief of Police.

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE May 3, 1976



Fred Linde, Grievance Officer  
Robert Feldner, Supt. of Central Inspection  
TO Robert A. Lakin, Director of Planning ✓  
John Dekker, Director of Law  
FROM Robert G. Finch, City Manager (Interim)

SUBJECT -- Front Yard Setback Parking Regulations

The Grievance Office has received a number of complaints and requests from people regarding the restrictions in Chapter 28 on front yard setback parking. The complaints concern apparent violations of the code and objections to the code itself. In general, the objections originate with the owners of property located on congested streets or of property too narrow to accommodate multiple car garages. In addition, some property owners are attempting in obviously good faith to comply with the regulations by paving a portion of the yard adjacent to the private driveway.

Please arrange to attend or be represented at a meeting on this matter in the City Manager's conference room at 9:30 a.m. Wednesday, May 5, 1976.

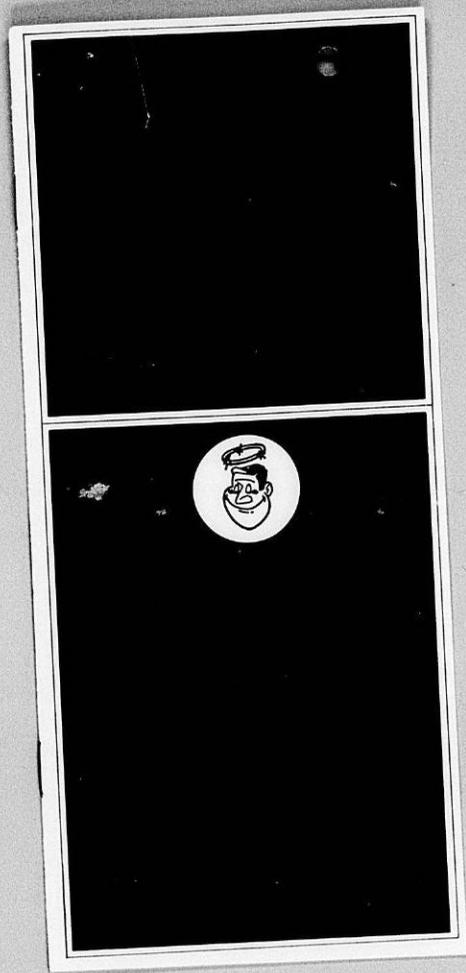
  
Robert G. Finch  
City Manager (Interim)

RGF/js

cc: Ray W. Bruggeman, Director of Public Works

*Please ~~come~~ attend your  
have much or Lakon attend.*





# CONSTITUTION

## PREAMBLE

With the object in view of stimulating a greater interest and development of the principles of good camping, ecological awareness, decency, harmony through the Club, fellowship among campers, reverence for the woodlands, forests and wilderness areas that are our heritage, aid to fellow campers in any emergency situation no matter how small or how serious, safety in all situations, kindness for our fellow human beings and all wildlife throughout the world; and with the avid desire of creating an enthusiasm which, by reason of example, will serve to awaken a spirit of emulation and cooperation to the same and throughout the camping world, we hereby form ourselves into the NATIONAL GOOD SAM RECREATIONAL VEHICLE CLUB adhering to the following principles;

I will stop and give aid to fellow campers where safety and traffic conditions permit. I will not attempt to stop and give aid on turnpikes, freeways or expressways, but instead will give three short blasts on my horn to indicate that I am reporting the breakdown to the nearest patrol, toll gate, or police department.

If I am broken down on the expressway, I will raise the hood of my vehicle and/or display other distress device, to indicate I am in need of assistance and stay with the vehicle until help arrives.

I will keep my recreational vehicle in safe condition at all times and give special attention to brakes, tires and running lights.

I will drive within the law and with consideration for others.

I will watch following traffic and pull off the road as soon as possible whenever I am causing a slowdown.

I agree to observe and cause to be observed all posted rules and regulations for the betterment of the enjoyment of outdoor recreational facilities.

I will leave my campsite in better condition than I found it.

I will try to wear a smile (like Good Sam's) and promote the objectives of Good Sam whenever I meet other recreational vehicles.

Consonant with the most liberal spirit of tolerance in the achievement of our purpose, we further agree that in its vigorous pursuit, this organization shall at all times during the span of its existence, maintain an attitude strictly non-sectarian, non-partisan, non-sectional and non-racial, nor shall it, as an organization, take any part in political issues, or the affairs of state with the sole exception of those which exclusively affect the positive attitude of the future of camping in respect to our defined ideals.

## **ARTICLE I NAME & SPONSOR**

The National Good Sam Recreational Vehicle Club shall be the name of this organization. It is sponsored as a division of Trailer Life Publishing Company, Inc., the publishers of Trailer Life and Motorhome Life & Camper Coachman magazine. The Good Sam name and logo is registered with the United States Patent Office as a service mark of the sponsor corporation. The National Good Sam Recreational Vehicle Club has the sole right to charter local Chapters of the Club. Each duly chartered local Chapter shall be wholly independent from the Club.

## **ARTICLE II DEFINITIONS**

### **Section 1.**

The term "Club" shall be construed to mean this National Good Sam Recreational Club.

### **Section 2.**

The term "Chapter" shall be construed to mean a duly chartered local Chapter of the Club.

### **Section 3.**

The term "State" shall refer to State or Province as appropriate.

## **ARTICLE III GENERAL MEMBERSHIP**

### **Section 1.**

All people who are interested in the promotion of the principles of good recreational vehicle camping as defined in both the pledge and the PREAMBLE are eligible for membership in this Club.

### **Section 2.**

Pursuant to the process provided in the By-Laws, persons of notable interest, who are in sympathy with the objects of this Club, may have membership conferred upon them.

## **ARTICLE IV DIRECTORS**

### **Section 1. Executive Director.**

The Executive Director shall be appointed by the sponsor corporation. The Executive Director is the chief operational officer of the Club.

### **Section 2. Regional Director.**

Regional Directors shall be appointed by the Executive Director of the Club. Regional Directors shall be consulted on matters of policy and operations relating to the objects for which the Club has been formed. Each Regional Director shall be a member of the National Board of Directors, and shall be chairman of their respective Regional Board of Directors.

### **Section 3. State Directors.**

State Directors shall be appointed by the Regional Director following the presentation of one candidate and one alternate candidate for the office by the chapter delegates residing within the states of the region. The appointment will be made from one of those two candidates and is subject to the approval of the Executive Director. Each State Director is responsible to his Regional Director and shall be a member of his Regional Board of Directors.

### **Section 4. National Board of Directors.**

The National Board of Directors is comprised of all Regional Directors. The National Board of Directors shall act as an advisory and consulting body to the Executive Director.

### **Section 5. Regional Board of Directors.**

The Regional Board of Directors is comprised of all State Directors within a region. The Regional Board of Directors shall act as an advisory and consulting body to the Regional Director.

### **Section 6. Assistant to the Regional Director.**

Assistant to the Regional Director may be appointed by the Regional Director to help carry out the duties of his office. Such appointments will usually be made from among past State Directors.

## **ARTICLE V AMENDMENTS**

### **Section 1.**

Amendments to this Constitution may only be made by the sponsor corporation after requesting the advice of the Executive Director and the National Board of Directors.

# BY-LAWS

## ARTICLE I MEMBERSHIP

**Section 1.**  
Each membership will include only the husband, wife and any dependant children. To attain membership, the candidate shall submit a written application to the Club. Payment of annual dues and acceptance of the Good Sam Pledge (as set forth in the Preamble and on the Club membership card) will be considered as an integral part of this application.

**Section 2.**  
All members in good standing will be notified of renewal no later than sixty (60) days before expiration of their membership and again thirty (30) days later by written communication from the Club. A final renewal notice will be issued thirty (30) days after the second notice. If a member does not renew his membership within thirty (30) days of the mailing of a final notice, his membership, his privilege to renew at the renewal rate, and the rights to his original membership number may be considered forfeited. A new application for membership will have to be submitted.

## ARTICLE II CHAPTERS

**Section 1.**  
The Club reserves all rights to charter Chapters of the Club and further reserves the right to withdraw or cancel any and all such charters.

**Section 3.**  
Each local Chapter is authorized to act with other local Chapters within the same state to form a State Committee composed of one Chapter President or his appointed delegate, from each Chapter within the same state.

**Section 4.**  
Each duly chartered Chapter will be required to provide the club, their Regional director and State Director, with a copy of its Constitution or Articles of Incorporation, and By-Laws, to assure compliance with the Club Constitution and By-Laws. All Chapter patches, flags and decals must receive approval from the Club before recognized as official. The Chapter's By-Laws must include the following provisions:

- (a) All members of the Chapter must first be members of the Club, and such membership must be in good standing.
- (b) They are a Chapter of the Club. By-Laws cannot state that they are a club of the Good Sam Club. Club always refers to the National Good Sam Recreational Vehicle Club.

(c) The Chapter will only use the Good Sam name logo in good taste and to promote the Good Sam Pledge and Chapter activities and in a manner consistent with the Club Constitution, By-Laws and General Policies of the Club. The Chapter agrees to cease and desist from all use of the Good Sam name and logo upon loss of its charter from the Club for any reason.

Any provisions in the Chapter's documents contradictory to the provisions of the Club Constitution, By-Laws, or the General Policies of the Club, are null and void.

**Section 5.**

Upon written notice to chapters, that Chapter will be required to submit a written list of all Chapter members and officers showing the individual members' name, address and Club membership number. This is required to be eligible for Chapter liability insurance coverage through the Club.

**Section 6.**

Membership in any local Chapter will be dependent upon current membership in good standing in the Club.

**Section 7.**

The Good Sam name and logo is registered with the United States Patent Office as a service mark of the sponsor corporation. The sponsor corporation grants a limited use of such name and logo to all Chapters in good standing with the Club.

**Section 8.**

Liability insurance coverage is provided for all activities and operations usual or incident to the Club. This includes all camps, meetings, social affairs, or other Good Sam sponsored programs on either the International, National, Regional, State, Provincial, or Chapter level. This coverage applies only to those Chapters and their members registered with the Club in Calabasas, California.

**ARTICLE III  
EXECUTIVE DIRECTOR**

**Section 1.**

The Executive Director shall receive such compensation and reimbursement of expenses as determined by the sponsor corporation. The duties of the Executive Director shall be within the realm of national and international directorship and all that this term encompasses and implies as well as national and international correspondence, finance, communication, publicity, publications, Samborees (rallies), caravans, special events, and all other activities that are considered international, interprovincial, and interstate.

**Section 2.**

The Executive Director may remove a Regional or State Director from office for cause, subject to the approval of the sponsor corporation. Cause includes, but is not limited to, failure to abide by the Club Constitution, By-Laws, or General Policies of the Club, or failure to perform the duties of his office.

**ARTICLE IV  
REGIONAL DIRECTORS**

**Section 1.**

All Regional Directors must be members in good standing of the Club to qualify for the position.

**Section 2.**

A Regional Director may remove a State Director from office for cause subject to the approval of the Executive Director. Cause includes, but is not limited to, failure to abide by the Club Constitution, By-Laws, or General Policies of the Club, or failure to perform the duties of his office.

**Section 3.**

A Regional Director upon the death, resignation or departure from the State of a State Director, shall appoint a State Director to serve out the balance of the term created by the vacancy. Such appointment is subject to the approval of the Executive Director.

**Section 4.**

Each Regional Director shall have a Regional Board of Directors which shall be composed of all of the State Directors within his region.

**Section 5.**

Each Regional Director may appoint certain individuals within his region as Assistant Regional Director. Such appointments will usually be made from among past State Directors.

**Section 6.**

The functions of the Regional Director shall be:

1. To represent the Club Constitution, By-Laws and General Policies of the Club to the states in his region.
2. To administer regional business with the states.
3. To advise his State Directors in forming new Chapters.
4. To attend, or in his absence appoint an assistant to attend, State Samborees and important functions as the official representative of the Club.
5. To be responsible for compiling a current list of State Samborees in his region, making sure dates do not conflict with planned National, Regional, or neighboring State Samborees.
6. To perform in such other functions as specified in the General Policies of the Club.

**Section 7.**

Each Regional Director shall be Chairman of his region's Regional Board of Directors and a member of the National Board of Directors.

**Section 8.**

Regional Directors shall receive such compensation and reimbursement of expenses as established by the Executive Director or the sponsor corporation.

## **ARTICLE V STATE DIRECTORS**

### **Section 1.**

Each State Director may appoint one or more assistant State Directors, a State Secretary, and other state officers as appropriate (except State Treasurer who is elected by the State Committee) to assist him. None of the foregoing may hold any other post or position within the Club, region or any Chapter concurrently, unless special approval is given by the Regional Director.

### **Section 2.**

A State Director is appointed to a two-year term. He shall serve a maximum of two two-year terms.

### **Section 3.**

The State Director is the highest Club officer in the state. His functions are:

1. To represent his state membership to the Club.
2. To represent and uphold the Club Constitution, By-Laws and General Policies of the Club to the membership.
3. To act as the advisor in the administration of state and Chapter business.
4. To administer the formation of new Good Sam Chapters.
5. To officiate at State Samborees.
6. To advise the State Committee composed of Chapter delegates in his state, to officiate at its meetings, and to vote only in the event of a tie.
7. To perform such other functions as specified in the General Policies of the Club.

### **Section 4.**

State Directors shall receive such compensation and reimbursement of expenses as established by the Executive Director of the sponsor corporation.

## **ARTICLE VI STATE COMMITTEES**

### **Section 1.**

Each state is authorized to form a State Committee composed of Chapter Presidents or their appointed delegates as specified in Article II, Section 3 of these By-Laws. When formed, a State Committee has the voting power to reconcile serious disputes within the state and in any Chapter within the state.

### **Section 2.**

No part of the Club Constitution or these By-Laws shall interfere with the authority of the State Committee to establish, regulate, or control a state Treasury; nor to interfere with the State Committee's right to levy a reasonable fee to be paid by all Chapter members within the state, to be placed in the State Treasury. Such levy will only be recognized by the Club if made by a three-fourths vote of the Chapter delegates attending a meeting of the State Committee held after thirty (30) days written notice of the purpose of the meeting to the Chapter delegates within the State. The vote to levy a fee may be made by mail. If there is no designated Chapter delegate for a Chapter, such written notice shall be sent to the Chapter President. All such funds shall be the sole property of the State Committee.

## **ARTICLE VII RESIGNATIONS**

### **Section 1.**

All resignations shall be made in writing and presented through the proper chain of authority of the Club. No resignation shall cancel the dues of a member for the remaining term of his membership. Any and all benefits (except Life Membership) derived from holding a Regional, State, or Chapter office shall terminate upon the date of said resignation.

### **Section 2.**

No member may be expelled from his membership within the Club except for his direct continued opposition to the Good Sam Pledge, Preamble, Constitution, By-Laws or the General Policies of the Club. Before any proceedings are taken on the proposed expulsion of a member, the individual must receive written notice of the contemplated action and reasons therefor.

### **Section 3.**

The Club retains the sole right to expel a member under any circumstances.

## **ARTICLE VIII DISBURSEMENTS & REIMBURSEMENTS**

### **Section 1.**

All disbursements, National in nature, will be handled by and through the Club. In cases where reimbursement for travel or postage is to be made to a Regional or State staff member or any other indicated individual for services performed in a Good Sam activity, approval must have been given in advance by the Club. Only in exceptional situations may retroactive approval be given.

### **Section 2.**

No Regional, State or Chapter staff member or employe, nor individual member, may make any financial commitments for the Club without prior permission in writing from the Executive Director.

## **ARTICLE IX AMENDMENTS**

### **Section 1.**

Amendments to these By-Laws may only be made by the sponsor corporation after requesting the advice of the Executive Director and the National Board of Directors.

### **Section 2.**

No part of this Constitution or these By-Laws shall be construed to interfere with the rights of a duly chartered Chapter to levy dues or fees for Chapter use, as agreed upon through a vote of the membership of the Chapter, and as stipulated in the Chapter Constitution, Articles or By-Laws. All such funds shall be the sole property of, and used by, the local Chapter.

## **ARTICLE X STANDING RULES**

1. Written resolutions, signed by their authors only, will be considered by the Club.
2. Only members in good standing may address this Club on matters of policy.
3. This organization shall be governed in all its meetings by parliamentary law as contained in ROBERT'S RULES OF ORDER.

ALVIN W. LINN (Smokey)  
Kansas State Director  
1416 Elmoria  
Wichita, KS 67216  
Phone: (316) 522-3515



**Good Sam Club**

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structed or structurally altered for use, nor shall any building or structure or land be used or changed in use which does not comply with all of the district regulations established by this chapter for the district in which the building or structure or land is located.

**D. YARD AND AREA REGULATIONS.**

The yard regulations and the lot area provisions required by this chapter shall be considered minimum regulations for each and every building or structure existing at the time of the effective date of this chapter<sup>1</sup> and for any building or structure hereafter erected or structurally altered. No land required for yard or for lot area provisions required for an existing building or structure or required for any building or structure hereafter erected or structurally altered, shall be considered as a yard or for a lot area for any other building or structure.

**E. PARKING.**

Every building or structure hereafter erected, enlarged, or converted to a use which requires off-street parking shall provide garage space or a parking space in compliance with all of the district regulations established by this chapter for the district in which the building or structure is located.

**F. LOADING AND UNLOADING.**

Every building or structure hereafter erected, enlarged, or converted for commercial purposes, shall provide facilities for the loading and unloading of goods in compliance with all the district regulations established by this chapter for the district in which the building or structure or land is located.

**G. MOBILE HOMES, HOUSE TRAILERS, BOATS AND TRAILERS.**

In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance; (b) A mobile home or house trailer may be occupied in any zoning district for a period not to exceed thirty days when a permit is secured as authorized in Title 26; (c) A mobile home or house trailer may be occupied at a construction site by a night watchman for the duration of a construction project when approved by the superintendent of central inspection.

**H. CONSTRUCTION USES.**

Offices, sheds, warehouses and open-air storages used by building contractors in connection with the building of a principal building or the development of an area, may be erected and used in any district; provided, they shall be removed from the premises within ten days after substantial

<sup>1</sup> The original ordinance from which this chapter was derived, was adopted February 2, 1954.

**NOISE STANDARDS FOR HOME OCCUPATIONS**  
**OCTOBER 1966**

The following noise standards shall be measured with octave band analyzers calibrated in the Preferred Frequencies (American Standards Association S1.6-1960 Preferred Frequencies for Acoustical Measurements) for measuring intensity and frequency of sound using the flat network and fast response of the sound level meter.

Center Frequency Cycles Per Second	Maximum Permitted Sound Pressure Level Decibels
31.5	65
63	67
125	66
250	59
500	52
1000	46
2000	37
4000	26
8000	17

Approved by the Wichita-Sedgwick County metropolitan area planning commission on October 20, 1966.

**HOTEL.** A building which provides a common entrance, lobby, halls and stairways, and in which lodging is provided with or without meals, to transient guests.

**HOUSEKEEPING UNIT.** A building or a portion of a building which is occupied or intended to be occupied as a dwelling, and which has the facilities for cooking and serving meals and for sleeping quarters, and which may or may not include other rooms or facilities.

**HOUSE TRAILER.** A vehicular portable dwelling unit designed especially for short term occupancy; such as travel trailers, campers, house boats, converted buses and other similar units whether self propelled, pulled or hauled and are designed primarily for highway travel without a special permit; and/or does not comply with all the requirements of the minimum housing code as a dwelling unit.

**LANDSCAPING.** The improvement of a lot, parcel or tract of land with grass and shrubs and/or trees. Landscaping may include pedestrian walks, flowerbeds, ornamental objects, such as fountains, statuary and other similar natural and artificial objects designed and arranged to produce an aesthetically pleasing effect.

**LODGINGHOUSE.** A building or place wherein lodging is provided for five or more individuals pursuant to previous arrangement and not open to transients.

**LOT OR PLOT.** A building site or parcel of land occupied or intended to be occupied by a building and accessory buildings, and including such open spaces as are required under this chapter, and having its principal frontage upon a public street or officially approved place.

**Corner:** A lot abutting upon two or more streets at their intersection.

ORDINANCE NO. 30-78

AN ORDINANCE RELATED TO THE PLACEMENT OF MOBILE HOMES AND HOUSE TRAILERS AND TO THE USES PERMITTED IN THE "G" MOBILE HOME DISTRICT AND THE "C" COMMERCIAL DISTRICT, AMENDING SECTIONS 28.04.020, 28.04.090, 28.04.135, 28.04.141, and 28.04.160 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS: Section 28.04.020, of the Code of the City of Wichita, Kansas, be amended as follows:

The following definitions shall replace the respective existing definitions or be added to the section if not now included:

**BUILDING:** Any structure built for the support shelter or enclosure of persons, animals, chattels, or property of any kind.

**DWELLING:** A building or portion thereof which is designed or used exclusively for residential purposes. (Mobile homes and house trailers shall be considered dwellings only in the sense that they are portable structures designed for long term or short term occupancy as dwelling units; however, under the terms of this ordinance, mobile homes and house trailers shall be located only where they are specifically listed as a permitted use.)

**One-family:** A detached building used exclusively for residential purposes having suitable accommodations for only one family, which may include not to exceed four lodgers or boarders.

**Two-family:** A detached building used exclusively for residential purposes and designed for or occupied by two families living independently of each other, each of which may include not to exceed four lodgers or boarders.

**Four-family:** A detached building used exclusively for residential purposes and having suitable accommodations for four families living independently of each other, and may include not more than two lodgers or boarders in each family.

**Multiple:** A building or portion of a building having suitable accommodations for three or more families living independently of each other, who may or may not have joint use of utilities, halls, yards, etc. The term includes premises occupied more or less permanently for residential purposes in which the rooms are occupied in apartments, suites or groups, such as apartments, dormitories, lodging houses, rooming houses, and all other dwellings similarly occupied. For purposes of this chapter, auto courts, hotels, motels, motor hotels, or tourist courts shall not be considered dwellings.

**HOUSE TRAILER:** A vehicular portable dwelling unit designed especially for short term occupancy; such as travel trailers, campers, house boats, converted buses and other similar units whether self-propelled, pulled or hauled and are designed primarily for highway travel without a special permit; and/or does not comply with all the requirements of the minimum housing code as a dwelling unit.

**MOBILE HOME:** A movable detached single-family dwelling unit with all of the following characteristics: (a) Designed for long term occupancy, and containing sleeping accommodations, flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; (b) Designed and constructed on a chassis that is capable of being transported after fabrication on its own wheels or detachable wheels; (c) Arrive at the site where it is to be occupied as a dwelling complete, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on supports, connection to utilities, and the like; and (d) not be placed on a foundation as required for a permanent structure.

**MOBILE HOME PARK:** A parcel of land, which has been planned and improved in some manner, and used or intended to be used by one or more occupied mobile homes. The term mobile home park does not include sales lots on which unoccupied mobile homes, whether new or used, are parked for the purposes of storage, inspection or sale.

**STRUCTURE:** A structure is anything which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner and affixed to the property, or the purpose of constituting this chapter, it shall include buildings, towers, cages for transformer substations, pylons, billboards, rock crevices, trash burners, but not excluding other assemblies of similar type which are permanently located on a lot, not including poles, fences and such minor incidental improvements.

**TRAILER CAMP:** A parcel of land, which has been planned and improved in a manner providing space for transient occupancy, and used or intended to be used for the parking of two or more house trailers, tents or similar type temporary living facilities. The term trailer camp does not include a parcel or tract of land on which unoccupied house trailers, whether new or used are parked for the purpose of storage, inspection or sale.

SECTION II. That Section 28.04.090 of the Code of the City of Wichita, Kansas, be amended as follows:

**A. USE REGULATIONS**  
Delete item number 1.27 (Mobile home parks, provided they comply with Title 26) from the permitted uses.

SECTION III. That Section 28.04.135, of the Code of the City of Wichita, Kansas, be amended to read as follows:

**28.04.135 "G" Mobile Home District.** The intent and purpose of this section is to establish a use district which provides for location of adequate housing facilities in mobile home parks designed and constructed to accommodate mobile homes and other uses compatible with such parks which provide related services necessary and appropriate to the satisfactory functioning of such parks. Commercial and office facilities are to be provided in separate districts specifically allowing such uses. Such areas shall be well suited for residential purposes in terms of compatible adjacent and nearby uses, provide an adequate healthy environment, have school facilities available, be located along major thoroughfares or adequately improved collectors, be well drained and have municipal-type (or their equivalent) water and sewer facilities available. The permitted density for this district shall be not more than seven mobile homes per acre.

**A. USE REGULATIONS**  
In the "G" mobile home district, no building or premises shall be used and no building shall be hereafter erected, enlarged, converted or altered unless otherwise provided in this Chapter, except for one or more of the following uses. All buildings or structures erected, enlarged, converted or altered in the "G" mobile home district shall conform to the following area and bulk regulations.

**USES PERMITTED**

1. Mobile home parks when complying with Title 26 of this Code.
2. Public schools, elementary schools and high schools, and private schools having a curriculum equivalent to and substantially the same as that of a public elementary school or public high school.
3. Churches, chapels, temples and synagogues.
4. Parks, playground and community buildings operated by a public agency or non-profit organization.
5. Recreation facilities such as swimming pools, tennis courts, shuffle boards, lakes providing fitness for residents of the mobile home park but not open and available for the general public.
6. Day nurseries and kindergartens.
7. Public and private golf courses not including miniature golf courses and driving ranges.
8. Public libraries.
9. Home occupations as permitted in the "A" Two-family dwelling district.
10. Accessory structures and uses when such are located on the same lot and are traditionally and customarily incidentally subordinate to any of the permitted uses in this section.

**B. AREA REGULATIONS**

1. Minimum lot area:
  - 1.1 Mobile home parks: 5 acres, and complying with all standards in Title 26 of this code.
  - 1.2 Other permitted uses: 10,000 square feet
  - 1.3 Individual mobile home lot within mobile home subdivision where lots are sold for individual mobile home sites: 5,000 square feet. Minimum gross area within the mobile home subdivision: 5 acres.
2. Minimum lot width:
  - 2.1 Mobile home parks: 200 feet
  - 2.2 Other permitted uses: 100 feet.
  - 2.3 Individual mobile home lot within a mobile home subdivision: 50 feet.
3. Minimum lot depth:
  - 3.1 Mobile home parks: 200 feet.
  - 3.2 Other permitted uses: 100 feet.
  - 3.3 Individual mobile home lot within a mobile home subdivision: 100 feet.

**C. BULK REGULATIONS**

1. Maximum structure height: 35 feet.
2. Maximum lot coverage: 30%
3. Yard requirements:
  - 3.1 Minimum front yard:
    - (a) Mobile home parks and other permitted uses: 20 feet or the setback line as shown on the plat, whichever is greater.
    - (b) Individual mobile homes: as required by Title 26 of this code, but in no case less than 20 feet from public right-of-way.
  - 3.2 Minimum side yard:
    - (a) Mobile home parks: 10 feet.
    - (b) Other permitted uses: 25 feet.
    - (c) Individual mobile homes: Separation as required by Title 26 of this code, but in no case less than 20 feet from public right-of-way, and in no case less than 10 feet from property line.
  - 3.3 Minimum rear yard:
    - (a) Mobile home parks: 10 feet.
    - (b) Other permitted uses: 15 feet.
    - (c) Individual mobile homes: Separation as required by Title 26 of this code, but in no case less than 20 feet from public right-of-way, and in no case less than 10 feet from property line.

4. Accessory Structures:

4.1 Accessory structures shall be located in compliance with the yard requirements for main uses or structures of the "G" mobile home district.

4.2 Accessory structures to mobile homes shall conform to the setback requirements set forth in Title 26 of this code.

SECTION IV. That Section 28.04.141, of the Code of the City of Wichita, Kansas, be amended as follows:

Amend 3.1 and 3.13 to read as follows:

3.1 Dwelling (e.g., one-family, two-family, three-family, four-family, and multi-family) shall provide one space for each housekeeping unit, plus one space for each lodger or boarder.

3.13 Mobile home parks shall provide two spaces for each mobile home, and trailer camps shall provide one space for each house trailer or camping space. Off street parking for other uses permitted in the "G" mobile home district shall be provided in accordance with the applicable provisions as otherwise outlined in this chapter.

SECTION V. That Section 28.04.160.G, of the Code of the City of Wichita, Kansas be amended to read as follows:

**28.04.160.G. Mobile homes, house trailers, boats and trailers.** In order to regulate the location, occupancy or storage of mobile homes, house trailers, boats and trailers, each occupied mobile home or house trailer shall be located in accordance with all the provisions of this chapter and Title 26 of this code. Storage of mobile homes, house trailers, boats and trailers, shall not be permitted in any zoning district except as permitted by this chapter for commercial storage, rental, sales or display. Exceptions: (a) An unoccupied house trailer, a boat or trailer when such is the personal property of the occupant of a dwelling may be stored on the lot with the dwelling in any zoning district provided that such house trailer, boat or trailer shall not be placed in any part of a required front yard or in any way interfere with the requirements of any other ordinance. (b) A mobile home or house trailer may be occupied in any zoning district for a period not to exceed ninety days without a permit if secured as authorized in Title 26. (c) A mobile home may be occupied at a construction site by a night watchman for the duration of a construction project when approved by the superintendent of Central Inspection.

SECTION VI. This ordinance shall take effect on its passage and publication once in the official city paper.

PASSED AND APPROVED AT WICHITA, KANSAS THIS 16TH DAY OF SEPTEMBER, 1969.

DONALD K. ENOCH, Mayor.

Attest: (SEAL) RALPH C. EBERLY, City Clerk.