



## **WORK SESSION**

### **AGENDA**

**City Commission of the City of Warrenton  
Tuesday, June 22, 2021 – 5:15 P.M.  
Warrenton City Commission Chambers  
225 South Main Avenue  
Warrenton, OR 97146**

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- 1. Call to Order**
- 2. Roll Call**
- 3. Discussion on Current RV Issues in Warrenton**
- 4. Adjourn**

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.



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## WARRENTON POLICE DEPARTMENT CITY COMMISSION WORK SESSION

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### RVs on Private Property

The City of Warrenton has a handful of City Ordinances that prescribe the use of Recreational Vehicles (RV) in the City. The City has a very large number of RVs being used and stored on private property throughout the City. Many of these RVs are being used as a residence which is not only in violation of current City Ordinances, but may present safety issues, attractive issues, and zoning issues. Over the last few years, the number of people living in RVs (not counting the approved mobile home and RV parks, campgrounds) has increased and is getting higher due to the Countywide housing shortage. Through the pandemic we have mostly had a moratorium on active enforcement of the RV ordinances.

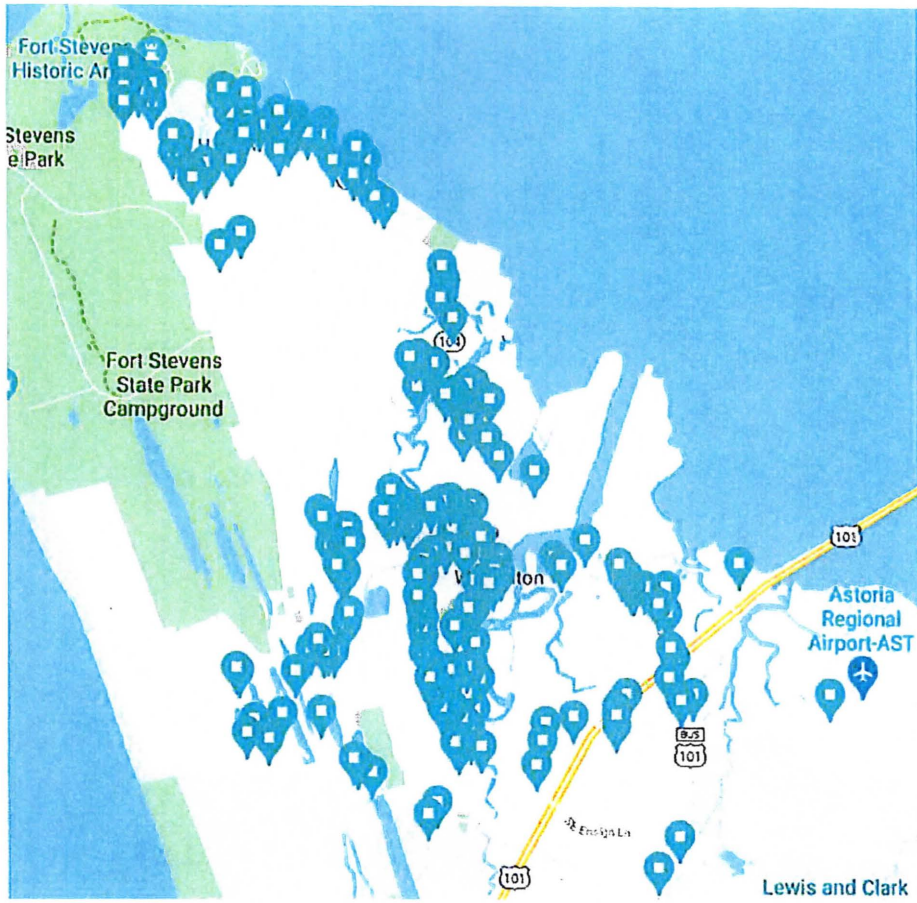
For these reasons I have requested a Commission Work Session to review the current scope of the issue, review what our current City Ordinances cover and should they be modified, discuss how the Commission would like to approach the issues, and give staff guidance as to enforcement of ordinances.

#### Scope of the Issue

Over two days and several hours I drove every street in Warrenton and Hammond to do a visual assessment of how many RVs are being stored or lived in on private and public property. I **did not** include RVs that are stored in a structure on a property, were in a designated storage business, or were in a designated campground, camping area, or RV park. I also did not drive down private driveways or isolated residences away from public streets. Here is what I observed:

- **Total RVs on private or public property = 256**
  - *RVs being "stored" on private or public property = 161*
  - *RVs being "lived-in" on private or public property = 52*
  - **RVs that were possibly being "lived-in" on private or public property = 43**

I used Google Maps and placed a "pin" on the map in every location I saw an RV. The following is a screenshot of that map as well as several images to show what I was observing during my assessment.











## **Review of Current Ordinances**

There are four (4) City Code Chapters that mention or regulate RVs. They are as follows:

### **3.04.010 Definitions**

*"Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for transient occupancy for less than 30 days for dwelling, lodging or sleeping purposes; and includes any hotel, motel, inn, condominium, tourist home or house, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, public or private dormitory, fraternity, sorority, public or private club; and also means space in mobile home or trailer parks, **RV parks**, private and publicly owned recreational vehicle sites and camping spaces at fixed location, or similar structures, spaces or portions thereof so occupied; provided such occupancy is for less than a continuous 30-day period.*

### **10.16 Recreational Vehicle Parking**

#### **10.16.010 Findings.**

*The Warrenton City Commission finds that camping or recreational trailers parked, except during daylight hours, for purposes of lodging or sleeping, in City-owned areas create a hazard to public safety. (Ord. 915-A § 1, 1993)*

#### **10.16.020 Parking restrictions.**

*No recreational vehicle or trailer shall be parked or stored upon property designated as marinas, City parks, or vacant land within the City limits of Warrenton, for the purpose of lodging or sleeping therein, except during daylight hours. (Ord. 915-A § 2, 1993)*

#### **10.16.030 In designated areas only.**

*Motorhomes, pick-up campers and trailers will be parked only in the designated areas within the marinas, City parks and vacant land. Parking shall be in such a manner that, in the opinion of the Harbormaster and the Police Department it constitutes no obstruction to traffic or hazard to public safety. (Ord. 915-A § 3, 1993)*

#### **10.16.040 Camping facilities.**

*Public camping facilities are available within a short distance of the City-owned property. (Ord. 915-A § 4, 1993)*

#### **10.16.050 Penalty.**

*Any person who violates this chapter will be cited by the Warrenton Police Department and subject to a fine of not more than \$300.00. (Ord. 915-A § 5, 1993)*

### **12.28 Camping**

#### **12.28.030 Use of **RV** on private residential property.**

A. No **recreational vehicle** or trailer shall be used for sleeping or lodging purposes outside of designated camping areas except by special permit from the City, said permit to be limited to one vehicle only at any one time. Permits may be obtained from City Hall for a period of up to 48 hours for parking of **recreational vehicles** on private residential property that is not

designated as a camping area. Permits must be obtained in advance of parking the recreational vehicle or trailer in residential areas.

B. Parking must be in such a manner as not to cause a traffic hazard. There can be no discharge of wastes of any sort except into proper sewer or septic systems. (Ord. 1179-A § 4, 2013)

#### **12.28.040 Use of RV for seasonal businesses.**

Special permits for seasonal businesses may be issued for no more than one recreational vehicle as registered to owner/manager of said business, for up to four months upon application and approval by the Commission of the City of Warrenton. Application, approval and issuance of the permit must take place before the recreational vehicle is placed upon the property. The unit must not create a traffic hazard and cannot discharge wastes of any kind except into proper sewer or septic systems. Arrangements must be made with the Sanitation Department for regular pickup of garbage. (Ord. 1179-A § 5, 2013)

#### **12.28.070 Enforcement and penalty.**

Anyone in violation of this chapter will be cited by the Warrenton Police Department. Violations are punishable by a fine of not more than \$300.00. (Ord. 1179-A § 8, 2013)

#### **16.12.010 Development Code Definitions**

**Park Host.** An approved RV site for a "park host" in a designated area of the City's dedicated parks, and the Hammond and Warrenton Marinas. A "park host" structure may be a RV or a park model approved by the City Manager.

**Recreation.** Any experience voluntarily engaged in largely during leisure time from which the individual derives satisfaction.

**Vehicle.** A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) *designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.*

**Vehicle Park.** A plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

#### **16.28 Intermediate Density Residential (R-10) District**

#### **16.40 General Commercial (C-1) District**

#### **16.48 Marine Commercial (C-2) District**

#### **16.52 Open Space and Institutional (OSI) District**

#### **16.56 Recreational-Commercial (R-C) District**

#### **16.128 Vehicle and Bicycle Parking Standards**

#### **16.176 Recreational Vehicle Park Design Standards**

#### **16.224 Planned Unit Developments**

Under the current City Code, here is what you can and can't do:

Action	Yes / No
Store an RV on Private Property	<ul style="list-style-type: none"> <li>• Yes, there are currently no specific restriction unless the storage creates a hazard such as a vision obstruction for traffic or create another type of safety hazard.</li> </ul>
Use an RV on Private Property	<ul style="list-style-type: none"> <li>• <b>No, in general without permission.</b></li> <li>• Yes, if you obtain a 48-permit with restrictions.</li> <li>• Yes, if you obtain a conditional use from Building &amp; Planning, but it would need to be inspected and approved.</li> <li>• Yes, if the Mayor or City Commission declare an emergency and allow the use.</li> <li>• Yes, on an approved and permitted RV Park/Campground that meets all established codes.</li> </ul>
Use an RV on a Public Street or Public Right-of-Way	<ul style="list-style-type: none"> <li>• <b>No, in general without permission.</b></li> <li>• Yes, under very specific circumstances and with City approval, a valid ROW Permit, or specified during a declared emergency.</li> </ul>
Connect an RV to the sewer system	<ul style="list-style-type: none"> <li>• <b>No, in general without permission.</b></li> <li>• Yes, if you obtain a conditional use from Building &amp; Planning, but it would need to be inspected and approved.</li> <li>• Yes, if you are in an approved RV Park/Campground that meets all established codes.</li> </ul>
Use and RV on Private/Commercial Property	<ul style="list-style-type: none"> <li>• <b>No, in general without permission.</b></li> <li>• Yes, if you obtain a conditional use and/or a variance from Building &amp; Planning, but it would need to be inspected and approved.</li> <li>• Yes, if it is an approved RV Park/Campground.</li> <li>• Yes, if it is an approved "Seasonal" Business Use.</li> </ul>

### Questions

Are you ok with the current restrictions for Use on a Public Street or Right-of-Way?

- Other cities are facing huge issues with this.
- Several bills in the legislature addressing some of these issues.
- Very problematic to get these towed currently.

Are you alright with not having any restrictions on the storage of RVs on private property, particularly in residential zones?

- We often get complaints about older or dilapidated RVs being stored in the open in residential neighborhoods.
- We often get complaints about RVs being stored in front yards of residences. The complaints are of an "attractive nuisance" nature, but it does present an issue at night when trying to find house numbers, etc. because it is blocking the view.

Are you alright with the current "Recreational Permit" as it is written?

- Is 48-hours an appropriate length?
- Should we entertain longer permits during those times when there are no other options (Buoy 10)?
- Should the permit allow the RV to be left in place during the week with the caveat that it can only be "used" during the 48-hour permitted time?
- Should we have some site considerations or regulate where the RV can be placed (front, back, side, etc.)?

Do we need to create an ordinance regulating the use of an RV as a "permanent dwelling"?

- Would these be allowed in a residential zone or just at an established RV park and campground?
- Does this include defining what a "permanent dwelling is" or creating a "temporary dwelling" definition or category?

How do we want to deal with the RVs that are currently being used as a temporary or permanent dwelling outside of the established RV parks and campgrounds?

- Things to consider are the housing crisis, economic issues, legislative bills, current case rulings, etc.
- Depending on the answer to the previous question, what is the next step(s)?

# Recreational Vehicles (RVs) in Warrenton

A REVIEW OF THE CURRENT ISSUES

June 22, 2021

Chief Mathew Workman



# Scope of the Issue



# Scope of the Issue



# Scope of the Issue



# Scope of the Issue



# Scope of the Issue



# Scope of the Issue



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# RV Inventory

**256** RVs on Public & Private Property

- “Stored” = 161
- “Living In” = 52
- “Unknown” = 43





## Review of Current Code

There are four (4) Chapters that mention or regulate RVs

- 3.04 Transient Room Tax
- 10.16 Recreational Vehicle Parking
- 12.28 Camping
- 16 Development Code



# Current Code Can & Can't Do

Store an RV on Private Property?

- Yes, there are currently no specific restriction unless the storage creates a hazard such as a vision obstruction for traffic or create another type of safety hazard.





## Current Code *Can & Can't Do*

### Use an RV on Private Property?

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- Yes, if the Mayor or City Commission declare an emergency and allow the use.
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- No, in general without permission.
- Yes, if you obtain a conditional use and/or a variance from Building & Planning, but it would need to be inspected and approved.
- Yes, if it is an approved RV Park/Campground.
- Yes, if it is an approved "Seasonal" Business Use.



## Quick Legislative Update

### HB 3115

- Requires cities to adopt policies that are “objectively reasonable” in regulating the when, where, and how people can live outdoors (sitting, lying, sleeping, or keeping warm and dry on public property)
- If policies are deemed “too restrictive” affected parties can sue
- Want to ensure cities comply with Federal court rulings saying you “cannot criminalize camping or issuing fines when people have no other place to go”

### HB 3124

- Extends the notice a camp will be cleared from 1-day to 3-days



## Questions As We Move Forward

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