



Recreational Vehicle Permitting Options (1/6/21)

Relevant Facts

1. Ordinance 439, and previous ordinances dating back to the 1970's in shoreland areas have allowed one Recreational Camping Vehicle (RV, tent or fish house) per parcel except in licensed campgrounds.
2. On June 8, 2018, the Commissioners amended Section 7.22 of Ordinance 439 (see below) by modifying the enforcement options to include a misdemeanor charge in lieu of civil litigation. The amendment was a result of the Department's request to the County Attorney's Office on how to modify the Ordinance to make it more enforceable.
3. Previous enforcement of violations was by civil complaint, a common enforcement mechanism in zoning.
4. Complaints received outside of normal business hours are investigated by the Sheriff's Department, while the Environmental Services investigated complaints received during normal business hours.
5. On average, the Department receives 5-10 complaints per year related to more than one RV on a parcel all of which are located on lakeshore. Enforcement is complaint based, meaning the Department only pursues enforcement if a written complaint to the Department is received.
6. Shortly after implementation of the revised Ordinance, a violation occurred. A number of property owners attended a Commissioners meeting to express objection with the Ordinance limiting one RV per parcel. The Commissioners asked the Planning Commission to re-evaluate the Ordinance.

Proposed Ordinance

7.22 Recreational Vehicle

7.22.1 Recreational Vehicle, Temporary. A Recreational Vehicle, Temporary shall mean a Recreational Vehicle or Recreational Vehicles located on a parcel for thirty (30) days or less in any year and occupied at the location at any time. A Recreational Vehicle or Recreational Vehicles, Temporary is required to register as a Provisional Use pursuant to Section 4.22 of this Ordinance.

- i. A site plan shall include the following: waterbody; property lines; Right-of-Way; proposed location of the Recreational Vehicle(s) and associated vehicle parking; sub-surface sewage treatment system; location of all structures; or other information requested by the Department.
- ii. Recreational Vehicle(s), Temporary shall not be hooked up to an individual sewage treatment system or water supply.
- iii. Density

1. The number of Recreational Vehicles(s), Temporary shall be determined by parcel area as follows when a property has a residential dwelling unit:
<20,000sf = 0 RV, temporary
20,000sf – 29,999sf = 1 RV, temporary
30,000sf – 39,999sf = 2 RV, temporary
40,000sf or more = 3 RV, temporary
2. The number of Recreational Vehicles(s), Temporary shall be determined by parcel area as follows when a property does not have a residential dwelling unit:
<20,000sf = 1 RV, temporary
20,000sf – 29,999sf = 2 RV, temporary
30,000sf – 39,999sf = 3 RV, temporary
40,000sf or more = 4 RV, temporary
- iv. No Recreational Vehicle(s), Temporary or parking of associated vehicles shall be located in the shore or bluff impact zone, in the Right-of-Way, within 10 feet of a property line or on the sub-surface sewage treatment system.
- v. More than four (4) Recreational Vehicle on a parcel shall follow the provisions of Section 6.48 and Section 10.2.23 of this Ordinance.
- vi. The provisions of this Section do not apply to homeowners who are storing a Recreational Vehicle on their property.
- vii. Each Recreational Vehicle located on a parcel in violation of this Ordinance shall be a separate offence.
- viii. A property owner who has received two or more written notices of violation from the Department is subject to criminal prosecution pursuant to Section 12 of this Ordinance.
- ix. Each day that a violation of this Section continues constitutes a separate offense.

Issue Identification

The number of complaints of properties in violation of this standard have increased throughout the years. Complainants cite the following concerns: limited parking, no sewage treatment, increased number of people on the property, disruption of peace, and noise. Transient (temporary, short term) activity on property differs from non-transient activity.

Analysis

Examples of Recreational Camping Vehicles:



Recreational Camping Area per *Minnesota Statutes 327.14* means “Any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five or more tents or recreational camping vehicles free of charge or for compensation.”

Recreational Camping Vehicle per *Minnesota Statutes 327.14* means:

- Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses;
- Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation;
- Any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and
- Any folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

County Comparisons

Morrison

- 1 RV per parcel if less than 30,000; 2 RV's if greater than 30,000
- Parcel with a dwelling: one RV in addition to the dwelling, regardless of size
- RV's must be permitted if on a parcel for more than 10 days per year, meet all setbacks and submit a septic management plan. On a larger vacant parcel, a property owner could have the 2 permitted RV's and also have overnight guests in other RV's up to 10 days per calendar year without a violation.

Douglas

- 1 RV on a lot as a dwelling if there is no dwelling
- If there is dwelling, a property can have one RV set up for use, meeting all the setbacks for less than 30 days.

Wright

- 1 RV, must meet all setbacks for a residential dwelling unit, be licensed and cannot be occupied for more than 90 days in a calendar year.

Becker

- 1 RV per parcel if used less than 7 days in a 30 day period
- If used more than 7 days, a onetime permit for the life of the RV is required.
- All setbacks must be met

Sherburne

- Ordinance doesn't currently regulate/enforce the number of RV's on a parcel
- RV's cannot be used as a residence and must be road ready
- They are trying to revise their Ordinance to be more enforceable

Benton

- 1 RV per parcel and cannot be occupied for more than 90 days in a calendar year

Kandiyohi County

- Recreational equipment located on a tract of land without a permanent dwelling must be currently licensed and located behind the building line. If hook-up to an individual sewage treatment system or public sewer is requested a land use permit shall be required. The parking of one (1) item of recreational equipment by a guest on the property shall be allowed for a period not to exceed thirty (30) calendar days per year.
- The parking of one (1) recreational equipment by a guest on the property with a permanent dwelling shall be allowed for a period not to exceed thirty (30) calendar days per year, provided the recreational equipment shall not be hooked up to an individual sewage treatment system or public sewer, and be located behind the building line.
- A homeowner may store personal recreation equipment provided it may not be hooked up to sewer and water.
- Allowance for private campgrounds by CUP on properties over 5 acres in size.

Conclusion

1. The Ordinance amendments would be effective by summer of 2021.
2. Department of Natural Resources must approve Ordinance changes for properties in shoreland.
3. Interested parties, including riparian shoreland property owners, lake associations, resorts and property owners known to be in violation of this standard will be notified of a public hearing.
4. Postcards will be mailed in January to all riparian property owners. The postcard will be provide a link to the Shape Stearns website where a survey can be completed.
5. Environmental Services, County Attorney's Office and Sherriff's Department will coordinate on administration of these provisions.