



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of March 13, 2010**

**DATE:** February 24, 2010

**SUBJECT:** Request to Advertise public hearings on proposed Zoning Ordinance amendments to Section 1. "Definitions", Section 31. "Special Provisions", and Section 36, "Administration and Procedures" to 1) delete the term "trailer" and add a new definition for "recreational vehicle", 2) amend the maximum permitted size of a recreational vehicle permitted to park on a lot to 33 feet in length and 8.5 feet in width, and 3) provide for a use permit option to modify the permitted parking location of a recreational vehicle under certain circumstances.

**C.M. RECOMMENDATION:**

Adopt the attached resolution to authorize advertisement of public hearings by the Planning Commission on April 12, 2010, and the County Board on April 24, 2010, on the attached ordinance to amend, reenact, and recodify the provisions in Sections 1, 31 and 36 of the Arlington County Zoning Ordinance to 1) delete the term "trailer" and add a new definition for "recreational vehicle", 2) amend the maximum permitted size of a recreational vehicle permitted to park on a lot, and 3) provide for a use permit option to modify the permitted parking location under certain circumstances.

**ISSUES:** This is a request for authorization by the County Board to advertise an amendment to the Zoning Ordinance to add the term "recreational vehicle", amend the maximum size of a recreational vehicle that can be parked on a lot, and provide a use permit option for those instances where a recreational vehicle cannot be parked in a manner consistent with the location restrictions prescribed for lots. This amendment will be applicable to the recreational vehicles (RVs) already registered in the County as well as recreational vehicles moved into the County in the future. Some recreational vehicles currently registered in the County will be unable to meet the size restrictions and/or parking location provisions of the proposed amendment.

**SUMMARY:** Staff was prompted to prepare the proposed amendments by concerns about an RV that has been parked in the Lyon Park neighborhood which raised the issue of whether the current ordinance is still appropriate. The RV exceeds the maximum permitted size to be parked on a lot outside an enclosed structure; when moved to the street, nearby residents expressed a number of concerns including compliance of the RV with zoning regulations; obstructed sight lines as they turned onto North Fillmore Street from side streets; blocked views of Lyon Park; encroachment into the right-of-way; loss of on-street parking; and non-compliance by the owner

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Susan Ingraham Bell, DCPHD

with the Motor Vehicle and Traffic Code requirement that the RV be moved every five days.

A review of trends in the recreational vehicle industry reveals that RVs have become both longer and wider to broaden appeal, meet market demands and accommodate new features and amenities. Existing zoning regulations limit the size of an RV on a lot to less than 30 feet in length and 8 feet in width, and require that they be parked behind the front line of the main building. Nearby jurisdictions vary in their regulatory approach to RVs. Fairfax County has no size limits and uses lot coverage provisions to manage RV parking. Alexandria uses a two category sliding scale based on lot size, with 25-foot length maximum for lots larger than 8,000 square feet. Some self-storage lots in the metropolitan area accept RVs for storage as does the Northern Virginia Regional Park Authority at Bull Run Park. The proposed Zoning Ordinance amendments would add the term “recreational vehicle”, amend the maximum size of a recreational vehicle that can be parked on a lot, and provide a use permit option for those instances where a recreational vehicle cannot be parked in a manner consistent with the location restrictions prescribed for lots.

**BACKGROUND:** The Zoning Ordinance has contained regulations governing trailers, defined as “a residence, house car, camp car or any portable or mobile vehicle on wheels..., not structurally anchored to a foundation, either self-propelled or propelled by an attached vehicle...” since 1942. Trailers were permitted to park or be stored on residential lots in an approved enclosed garage or accessory building, but were prohibited to be used for living quarters or business purposes when parked or stored.

Both the definition of trailer and the trailer parking regulations were amended around 1965. The 1965 amendment added the option to park a trailer outside, subject to size limitations. A trailer was defined as:

“a residence, house car, camp car or streetcar or any unit enclosing habitable space, which is or was designed to be mobile, which is used or may be used for residential, commercial, hauling, or storage purposes or as an accessory building, including the following only when used for a dwelling: a travel or recreation trailer of less than thirty (30) feet in length and less than eight (8) feet in width, including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power.”

Neither the definition nor the size limitations has been amended or updated since that time.

According to the Commissioner of the Revenue, there are 51 RVs registered in Arlington. In addition, approximately 1,000 travel, camping and utility trailers are registered in the County. The County does not maintain specific data on the size or locations of the recreational vehicles registered in Arlington.

Staff was prompted to prepare the proposed amendment because concerns about an RV that has been parked in the Lyon Park neighborhood raised an issue of whether the current ordinance is appropriate. The RV, which was measured at 30’2” feet by 8 feet by Code Enforcement staff, exceeds the size permitted to be parked on a lot outside an enclosed structure. When the RV owner moved it to the street, nearby residents expressed a number of concerns including that the

RV exceeded the permitted size to be parked on a residential lot; obstructed sight lines as they turned onto North Fillmore Street from side streets; blocked views of Lyon Park; encroachment into the right-of-way; loss of on-street parking; and non-compliance by the owner with the Motor Vehicle and Traffic Code requirement that the RV be moved every five days.

**DISCUSSION:** Following World War II, a number of manufacturers developed different types of vehicles to respond to consumer interest in camping and travel. Airstream, Westfalia, Winnebago, and Fleetwood are among the more well-known manufacturers. Today, the range of recreational vehicle options is vastly different from the tent trailer towed behind the family station wagon in the 1960's. The array of choices is extensive and includes trailers pulled by a car or truck (truck campers, tent campers, travel trailers that convert or slide out to provide sleeping accommodations), campervans, Class A motor homes (built on a truck or other vehicle chassis, with the driver's area integral to the motor home), Class C motor homes (built on a truck chassis, with a cab containing a bed or other living space over the truck cab), Fifth-wheel trailers (trailer towed by a truck), and luxury bus conversions. Class A and C motor homes, Fifth-wheel trailers, and luxury bus conversions are the largest and most costly of the options. There are dozens of websites, publications and many special interest organizations devoted to "RVing" and the "RV lifestyle" including the Family Motor Coach Association and the Good Sam Club. Nearly 500 state and national parks and recreation areas have areas specifically set aside for RV activities.

**Definitions:** The terms "recreational vehicle" and its abbreviation, RV, are used to describe a vehicle equipped with living, sleeping, cooking, and bathroom facilities, as well as other amenities. RVs are primarily intended to be used for travel and leisure activities, although they can be used as full-time dwelling units, or to combine travel flexibility with a mobile residence. RVs are not the same as mobile homes or manufactured houses.

There are currently two areas of the Zoning Ordinance that contain provisions pertaining to recreational vehicles. The provisions are as follows:

*Trailer:* A residence, house car, camp car or streetcar or any unit enclosing habitable space, which is or was designed to be mobile, which is used or may be used for residential, commercial, hauling, or storage purposes or as an accessory building, including the following only when used for a dwelling: a travel or recreation trailer of less than thirty (30) feet in length and less than eight (8) feet in width, including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power. (Section 1)

*Trailer Parking:* The parking of a trailer in any district is hereby prohibited; except that one (1) trailer may be parked or stored in an approved enclosed garage or accessory building; provided, that no living quarters shall be maintained, or any business practiced, in the trailer while such trailer is parked or stored. Unoccupied travel or recreation trailers of less than thirty (30) feet in length and less than eight (8) feet in width, including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power, shall be parked to the rear of the front line of the main building. (Section 31.A.2)

The term recreational vehicle (RV) is not specifically listed in the definition of “trailer”, however, RVs and motor homes (self-propelled) have long been considered trailers for the purposes of regulating whether and where they could be parked on private property. To improve the clarity of the definition and update the text to reflect current terminology, staff recommends adding a definition of “recreational vehicle” to the Zoning Ordinance, deleting the existing definition of trailer and incorporating trailers in the new recreational vehicle definition.

**Regulation of Recreational Vehicles:** To facilitate the evaluation of existing regulations pertaining to trailers and RVs, staff researched how RVs are regulated in nearby jurisdictions. Table 1 summarizes those regulations.

**Table 1: Summary of RV Regulations in Neighboring Jurisdictions**

JURISDICTION	REGULATIONS
Arlington	<ul style="list-style-type: none"> <li>• Zoning Ordinance permits RV to be parked in an approved garage or accessory building or behind the front line of the main building (i.e. house) if the vehicle is less than 30 feet in length and less than 8 feet in width. RV must be unoccupied while parked or stored.</li> <li>• Motor Vehicle Code permits RVs to be parked on a public street but must be moved after 5 days.</li> </ul>
Alexandria	<ul style="list-style-type: none"> <li>• Trailer and Recreational vehicle defined in same category.</li> <li>• RVs may be parked in a residential zone (single-family, two-family and townhouse zones), subject to size limits based on zoning category: no more than 25 feet in length in R-8, R-12 and R-20, and 20 feet in all other residential zones; limit of one per lot except if parked in an enclosed garage or building; RV must be unoccupied and parked behind the front building line or within an approved, enclosed garage or storage building.</li> <li>• Motor Vehicle Code restricts on-street parking to one hour within a 24-hour period, except when arriving or departing on a trip, when the limit increases to no more than six consecutive hours in a 48-hour period.</li> </ul>
Falls Church	<ul style="list-style-type: none"> <li>• Zoning Ordinance limits vehicle length to not more than 35 feet in an “R” or “T” district. Permits one house trailer, utility trailer or boat trailer not exceeding 4,500 pounds gross weight to be parked in an enclosed private garage or in the rear yard of the owner’s property. No utility connections are permitted, except to preserve cargo, and then only for the duration of loading/unloading. May not be used for living quarters or business premises except in association with a construction site.</li> </ul>
Fairfax County	<ul style="list-style-type: none"> <li>• Zoning Ordinance regulates RV parking through lot coverage. There is no size limit for RVs. RVs must be parked on a paved</li> </ul>

	<p>surface and cannot exceed lot coverage restrictions.</p> <ul style="list-style-type: none"> <li>• Community Parking District (CPD) program permits neighborhoods to ban RVs, boats, trailers, utility trailers, and the like from neighborhood streets subject to a petitioning process and public hearing by the Board of Supervisors.</li> </ul>
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The Fairfax County regulations afford an RV owner considerable latitude in that vehicle size is unrestricted, and there is no requirement that an RV be parked in a specific location on the lot. The use of lot coverage as a regulating tool allows owners to choose how they allocate their lot area between buildings and vehicle parking, with lot coverage regulations establishing the cap. The sliding scale employed by the City of Alexandria is intended to balance the size of the lot and the maximum size of the RV. Falls Church’s regulations are similar to Arlington’s regulations, with the main difference being the maximum permitted length of 35 feet. All four jurisdictions permit RVs to be parked outside; all but Fairfax require that they be parked behind the front line of the main building or in the rear yard. Table 2 summarizes vehicle size limitations in these jurisdictions:

**Table 2: Comparison of Vehicle Size Regulations**

JURISDICTION	MAXIMUM LENGTH	MAXIMUM WIDTH
Arlington	30 feet	8 feet
Alexandria	25 feet in R-8, R-12 and R-20; 20 feet in all other residential districts	8 feet
Falls Church	35 feet	None
Fairfax County	None	None

Staff also researched the typical dimensions of a number of other vehicles for comparative purposes. Table 3 depicts these findings:

**Table 3: Size Comparison of Recreational Vehicles and Buses**

VEHICLE TYPE	LENGTH	WIDTH
Class A & C Recreational Vehicles (self-contained)	21 – 40 feet	8 – 8.5 feet
ART Bus	31 – 35 feet	8.5 feet
Metro Bus	40 – 42.5 feet	8.5 feet
School Bus	30 - 45 feet	8.5 feet

A review of RV websites underscores that many types of RVs are available in a range of lengths, and have become larger, overall. Vehicle width, however, seems to have standardized at 8 to 8.5 feet. Staff recommends that the County Board consider increasing the maximum permitted length of a recreational vehicle from 30 feet to 33 feet, and the width from 8 feet to 8.5 feet to

better reflect industry standards. This proposal would increase the maximum allowable length by 10 percent and the width by just over six percent. A 33 foot by 8.5 foot RV has a footprint of roughly 280 square feet, or half the maximum footprint permitted for a one and one-half story accessory building in the “R-5” and “R-6” Districts. No change is proposed to the requirement that an RV must be parked behind the front line of the main building unless it is parked or stored in an enclosed garage or accessory building. Driveways and any area used for parking count toward lot coverage as would any new area set aside for RV parking.

It should be noted that under current regulations, trailers and RVs that exceed the size permitted by Section 31 can only be parked in an enclosed garage or accessory building, if parked on private property. Alternatively, they must be parked on the street or at another permissible location like a self-storage facility parking lot or an area designated for RV parking like the area at the Northern Virginia Regional Park Authority’s Bull Run Park. Staff’s review of available off-site locations has found that few options exist due to space constraints and the demand for a limited number of spaces. On-street locations are regulated under the provisions of Chapter 14.2 of the County Code, Motor Vehicles and Traffic, and are discussed in a separate report.

The final element of the subject proposal is an amendment to Section 36., Administration and Procedures, Subsection E, Board of Zoning Appeals. Staff anticipates that there are or will be situations where RV’s registered in the County cannot park behind the front line of the main building or in an enclosed garage or accessory building. This amendment is intended to address those circumstances where lot configuration; placement of the main building or garage; topography or other conditions on the lot make it infeasible or unsafe for an RV to be parked behind the front line of the main building. Staff recommends that this section of the Zoning Ordinance be amended to provide for the Board of Zoning Appeals to consider a use permit for parking location for an RV. Staff is not proposing that a use permit option be created to modify the maximum permitted size of an RV that can be parked outside on private property. Likewise, staff would not support coverage variances if the need for the variance arises due to an RV.

### **Community Process:**

Zoning Committee of the Planning Commission (ZOCO): The proposed amendments will be discussed at the March 9, 2010 ZOCO meeting.

Staff has received a number of letters and emails, primarily from residents of Lyon Park, expressing opposition to changes to the existing regulations governing RVs. One resident submitted a petition (Attachment 1) with 57 signatures from County residents opposing changes to the regulations.

**CONCLUSION:** Staff recommends that the County Board adopt the attached resolution to authorize the advertisement of the proposed amendments to Sections 1, 31 and 36 of the Arlington County Zoning Ordinance to delete the term “trailer” and add a definition of “recreational vehicle”, amend the maximum permitted size of a trailer or recreational vehicle permitted to park on a lot, and provide for a use permit option to modify the permitted parking location under certain circumstances to be heard by the Planning Commission on April 12, 2010

and the County Board on April 24, 2010.

**RESOLUTION TO AUTHORIZE THE ADVERTISEMENT OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED AMENDMENTS TO SECTIONS 1. “DEFINITIONS”, 31. “SPECIAL PROVISIONS” AND 36. “ADMINISTRATION AND PROCEDURES” OF THE ARLINGTON COUNTY ZONING ORDINANCE AT THE APRIL 12, 2010, PLANNING COMMISSION AND THE APRIL 24, 2010, COUNTY BOARD MEETINGS TO INCLUDE THE TERM “RECREATIONAL VEHICLE” IN THE EXISTING DEFINITION OF TRAILER, AMEND THE MAXIMUM PERMITTED SIZE OF A TRAILER OR RECREATIONAL VEHICLE PERMITTED TO PARK ON A LOT, AND PROVIDE FOR A USE PERMIT OPTION TO MODIFY THE PERMITTED PARKING LOCATION UNDER CERTAIN CIRCUMSTANCES, AND IN ORDER TO FACILITATE THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY AND FOR OTHER REASONS REQUIRED BY THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND GOOD ZONING PRACTICE.**

The County Board of Arlington County hereby resolves to authorize advertisement of the following amendments to Sections 1. “Definitions”, 31. “Special Provisions”, and 36. “Administration and Procedures” of the Arlington County Zoning Ordinance for public hearings at the April 12, 2010 Planning Commission and the April 24, 2010, County Board meetings. This amendment would amend, reenact and recodify the proposed zoning ordinance provisions in order to include the term “recreational vehicle” in the existing definition of trailer, amend the maximum permitted size of a trailer or recreational vehicle permitted to park on a lot, and provide for a use permit option to modify the permitted parking location under certain circumstances, and to facilitate the creation of a convenient, attractive and harmonious community; and for other reasons required by the public necessity, convenience and general welfare and good zoning practice:

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**SECTION 1. “DEFINITIONS”**

\* \* \*

*Trailer:* ~~A residence, house car, camp car or streetcar or any unit enclosing habitable space, which is or was designed to be mobile, which is used or may be used for residential, commercial, hauling, or storage purposes or as an accessory building, including the following only when used for a dwelling: a travel or recreation trailer of less than thirty (30) feet in length and less than eight (8) in width, including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power.~~

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Recreational Vehicle: A travel trailer, storage trailer, pick-up camper, camping trailer, tent trailer, motor home or motor coach, or other similar vehicle, designed primarily to provide mobile, temporary living or sleeping quarters for recreational camping and travel use. A recreational vehicle may be self-propelled or towed by another vehicle such as a car, a pick-up truck or other similar vehicle.

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**SECTION 31. "SPECIAL PROVISIONS"**

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**A. USE.**

\* \* \*

2. ~~Trailer~~ Recreational Vehicle Parking: The parking of a ~~trailer~~ recreational vehicle in any district is hereby prohibited; except as follows: ~~that one (1) trailer recreational vehicle may be parked or stored in an approved enclosed garage or accessory building. The recreational vehicle may not be used for living quarters or business purposes while parked or stored. ; provided, that no living quarters shall be maintained, or any business practiced, in the trailer while such trailer is parked or stored. Unoccupied recreational vehicles travel or recreation trailers of less than thirty (30) thirty-three (33) feet in length and less than eight (8) eight and one-half feet in width may be parked on a paved or other durable, dust-free surface on a lot in an "R" District , including a pick-up coach, a utility trailer or tent trailer as is commonly used for camping and a mobile trailer which is propelled by its own power, shall be parked to the rear of~~ behind the front line of the main building.

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**SECTION 36. "ADMINISTRATION AND PROCEDURES"**

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**E. BOARD OF ZONING APPEALS: VARIANCES AND APPEALS.**

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7. Additionally, the Board of Zoning Appeals may approve use permits that allow modifications of the placement (but not coverage) requirement for trailers and recreational vehicles as provided for in Section 31.A on lots containing single-family

56 detached dwellings. In order to grant such use permit, the trailer or recreational vehicle  
57 must be placed upon a driveway or parking pad or similar impervious surface. Such  
58 surface shall be included in the lot coverage calculation and the area covered shall not  
59 exceed the maximum permitted by Section 32. In reviewing the application, the BZA  
60 shall consider whether the trailer or recreational vehicle is similar in bulk and size to an  
61 accessory building, and may permit the trailer to be placed upon the lot in a manner  
62 similar to an accessory building. The BZA shall also consider the impact of such  
63 placement on adjacent properties and may impose such conditions as may be needed to  
64 mitigate adverse impact on immediately abutting properties and from the street. The  
65 BZA shall not approve a use permit unless it finds:

- 66 a. That the proposal will not affect adversely the health or safety of persons  
67 residing in the neighborhood.  
68 b. That the proposal will not be detrimental to the public welfare or injurious  
69 to property or improvements in the neighborhood.  
70 c. That the proposal will not be in conflict with the purposes of the master  
71 plans and land use and zoning related policies of the County.

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