

GEM COUNTY ORDINANCE NO. 2009-07

AN ORDINANCE OF GEM COUNTY, IDAHO, AMENDING TITLE 11, CHAPTER 6, SECTION 9 OF THE GEM COUNTY CODE (ZONING ORDINANCE).

WHEREAS, GEM COUNTY initiated a Zoning Ordinance Amendment to amend Title 11, Chapter 6 of the Gem County Code; and

WHEREAS, the Board of County Commissioners of Gem County approved the amendment as set forth in its Decision and Order entered on the 16th day of November 2009.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GEM COUNTY, IDAHO:

- 1) THAT the Zoning Ordinance of Gem County (Title 11, Chapter 6 of the Gem County Code) is hereby amended as set forth in the attached Exhibit A.
- 2) THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW
- 3) REGULARLY PASSED, AND ADOPTED by the Board of County Commissioners of Gem County, Idaho, on this 23rd day of November, 2009.

BOARD OF COUNTY COMMISSIONERS OF GEM COUNTY



Lan Smith, Chair

Sharon Pratt

Sharon Pratt, Commissioner

Michele Sherrer

Michele Sherrer, Commissioner

ATTEST:

Shelly Gannon
Shelly Gannon, Gem County Clerk

11-23-09

Date

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Instrument # 274930

EMMETT, GEM, IDAHO

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Recorded for : BOARD OF COUNTY COMMISSIONERS

SHELLY GANNON

Ex-Officio Recorder Deputy

Index to: ORDINANCE

Fee: 0.00

Judy Evans

EXHIBIT A

AMENDMENT TO GEM COUNTY CODE TITLE 11, CHAPTER 6, SECTION 9

11-6-9. Recreational Vehicles ("RV") – Living Quarters

Purpose: The intent of this section is to provide a temporary, affordable, transitional housing alternative to Gem County residents through the use of RVs that is sanitary, safe and maintains the residential character of the surrounding neighborhood. The County encourages primary residency to be within permanent structures but recognizes the need for independent, temporary living quarters within our community. The County also encourages the use of RVs within RV or manufactured home parks where possible. For those residents who require the use of RVs as their residence, the County prescribes standards for the approval of such units.

- A. Applicability: These standards pertain to the use of a RV as primary living quarters on property outside of a legal RV or manufactured home park for more than thirty (30) days in a one (1) year period. The standards do not apply to the storage of RVs or temporary dwellings permitted under Section 11-19.
- B. Number Allowed: One (1) RV used as primary living quarters is permitted on a legal parcel that is one (1) acre or greater in size, in accordance with the standards listed in this section.
- C. Time Period/Time Extensions: RVs may be used as the primary living quarters for up to one (1) year on the same property. A one (1) year time extension may be granted by the Administrator if the RV is appropriately screened from public view. This ordinance shall not apply to RVs used as living quarters on the same property for thirty (30) days or less within a one (1) year period.
- D. Inspections: A six (6) month, on-site inspection to ensure compliance with these standards shall be conducted by the Administrator or designee.
- E. Permit Required: All property owners siting a RV under this section are required to obtain a RV Residency Permit and pay the established fee prior to use of the RV as living quarters.
- F. Addressing: If the RV is sited on a property with an existing address, no new address shall be issued for the RV. If there is no existing

address, a new address shall be issued (unless the RV is on site for thirty (30) days or less).

- G. Wastewater: The RV shall utilize a wastewater system approved by and/or acceptable to the Health Department.
- H. Location: The RV shall be located to the side or rear of a primary dwelling if one exists on the property. If the RV is located on bare ground, it shall comply with all setbacks as established in Section 11-5-7. No RV used as primary living quarters shall be located within an enclosed building.
- I. Skirting: The RV shall have adequate skirting material around the base, as approved by the Building Official.
- J. Prohibitions:
1. Two (2) or more RVs used as living quarters on the same property;
 2. RVs used as living quarters on parcels already approved for a temporary dwelling under Chapter 11-19;
 3. Parcels less than one (1) acre in size;
 4. RVs used as living quarters on an illegal parcel.