



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/29/2012

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Vernonia Plan Amendment  
DLCD File Number 003-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, November 09, 2012

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Carole Connell, City of Vernonia  
Gordon Howard, DLCD Urban Planning Specialist  
Patrick Wingard, DLCD Regional Representative

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In person  electronic  mailed

**FORM 2**

**DLCD**

**DEPT OF**

# Notice of Adoption

OCT 22 2012

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

**THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**

Jurisdiction: *City of Vernonia*  
Date of Adoption: *10-15-12*

Local file number: *PA12-03 RV Habitation*  
Date Mailed: *10-19-12*

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date:

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

*Amendments to existing standards to clarify and specify rules for habitating and parking RV's in the City.*

Does the Adoption differ from proposal? Please select one

*Minor modifications only*

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_  
 Zone Map Changed from: *NA* to: *NA*  
 Location: \_\_\_\_\_ Acres Involved: \_\_\_\_\_  
 Specify Density: Previous: \_\_\_\_\_ New: \_\_\_\_\_

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

- 45-days prior to first evidentiary hearing?  Yes  No
- If no, do the statewide planning goals apply?  Yes  No
- If no, did Emergency Circumstances require immediate adoption?  Yes  No

**DLCD file No.** 003-12 (19463) [17213]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: CAROL CONNELL Phone: 503/4295291 Extension:  
Address: VERNONIA CITY HALL Fax Number: - -  
City: Zip: E-mail Address: connellpc@cmcast.net

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### ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webserver.lcd.state.or.us](http://webserver.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE # 885

**AN ORDINANCE OF THE CITY OF VERNONIA AMENDING TITLE 9  
SECTION 9-08 HABITATION OF TRAVEL TRAILERS OF  
THE VERNONIA MUNICIPAL CODE**

**The City of Vernonia ordains:**

**WHEREAS**, in 2011 the City identified inflexibility and a lack of standards for residential and business use of travel trailers, and a lack restrictions for parking recreational vehicles on public streets in Title 9 Section 9-08 Habitation of Travel Trailers and;

**WHEREAS**, over the course of several months the Planning Commission completed their review of File # PA12-03, held a Public Hearing on September 20, 2012 and forwarded draft amendments to Title 9 Section 9-08 to the City Council, and;

**WHEREAS**, the Vernonia City Council held a public hearing in the Council Chambers of City Hall on October 1, 2012 at 7:00 pm to consider the Section 9-08 amendments, in accordance with Title 9 Section 9-01.09 Text Amendments;

**WHEREAS**, no objections were filed with the City Recorder, and all comments were heard and considered at the public hearings; and the public will benefit from safer streets and defined standards for recreational vehicles, and there is no prejudice to the public based on the findings in the City Staff Report dated September 13, 2012; and;

**WHEREAS**, the Vernonia City Council upon consideration of all testimony, comments, the staff report and findings, and other documentation of File #PA12-03, determined the amendments to Title 9 Section 9-08 Habitation of Travel Trailers of the Vernonia Municipal Code is appropriate and necessary to better achieve the goals and policies of the City's Comprehensive Plan;

**NOW THEREFORE**, the City Council of Vernonia does ordain as follows:

**Section 1:** the City does hereby adopt the amendments to Title 9 Section 9-08 Habitation of Travel Trailers according to the text attached Exhibit A, and;

**Section 2:** the City does hereby amend Title 9 Section 9-08 Habitation of Travel Trailers and replace the regulations with those identified as the attached Exhibit A, and;

**Section 3 Effective Date:** Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, the Council finds it may provide two readings at the same hearing and that this ordinance may take effect in 30 days from the date of decision.

**Section 4 Council Clerk's Duties:** The Council Clerk is hereby directed, upon its adoption and authentication, to number this Ordinance as the next adopted ordinance of the City of Vernonia.

(Must be read in full if requested)

Adopted as read by title only this 15th day of October, 2012, by the following vote:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Adopted as read for a second time on this 15<sup>th</sup> day of October, 2012 by the following vote:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Signed by me, Josette Mitchell, Mayor, in authentication of its adoption this 15<sup>th</sup> day of October, 2012

  
Josette Mitchell, Mayor

Attest:   
Joann M Glass, City Recorder

**9-08 [Habitation and Parking of Travel Trailers]**

**9-08.01 [Introductory Provisions]**

**9-08.101-10 [Definitions]**

As used in this chapter the following words and phrases shall mean:

- A. "Camper" means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes.
- B. "Recreational Vehicle" or "Travel Trailer" means a vehicle, self-propelled or not, and including motor homes and campers, which is designed to be driven, pulled or otherwise used on a highway and which has facilities or space which can be used for human habitation or for conducting business.
- C. "Utility Trailer" means a non-motorized vehicle designed to carry persons, property, animals, waste, materials, or any other items on its own structure and to be drawn by another motor vehicle which is not designed for habitation or recreational purposes.

**9-08.02 Regulation of Use]**

**9-08.02-10 [Occupancy of a Recreational Vehicle]**

- A. A recreational vehicle may be occupied as a dwelling if it is located in a city-licensed recreational vehicle park.
- B. A recreational vehicle may be occupied as a dwelling if it is located in a manufactured dwelling park or a mobile home park and if it is lawfully connected to water, sewage disposal and electrical supply systems. (ORS197.493)

**9-08.02-20 [Temporary Use of Travel Trailer as a Dwelling or Business]**

Temporarily inhabiting a travel trailer, camper or utility trailer as a dwelling, except where otherwise approved, or using a travel trailer to conduct business within the City of Vernonia is prohibited unless the occupant first obtains a permit from the city. The occupant of the travel trailer shall make application for the permit to the City Recorder and pay an application fee based on the City Fee Schedule for either a residential or business use. A public hearing is not required but final approval must be obtained from the City Council.

**Exemptions.** Temporarily using a RV for occasional use such as for cooking, storage, play and work purposes typically occurring during daytime hours and not normally involving overnight accommodations does not require a city permit.

**9-08.02-30 [Use Permit Application]**

The application shall be in writing and shall set forth the proposed location of the travel trailer, the provisions for sanitary facilities if necessary, the period of time for which the

permit is sought, and the location for which application is being made to use a travel trailer instead of a more permanent structure.

#### **9-08.02-40 [City Council Approval]**

The City Council may consider information provided in the application and from any other source. If the Council is satisfied that the use of the travel trailer is not likely to become a public nuisance or be dangerous to public health or safety, it may grant the application. If a time limit is established by the City Council the applicant may subsequently request City Council approval for an extension of time to use the RV as a dwelling or a business. In addition, any such permit issued may be revoked on twenty-four (24) hours' notice if the building official, after inspecting the travel trailer, determines that it is lacking in proper sanitary facilities, or is dangerous to public health and safety, or is a public nuisance because of its condition, location or use.

#### **9-08.03 [Restrictions for Parking an RV, Camper or Boat on a Public Street or Alley]**

No person shall park or leave standing any recreational vehicle, utility trailer, or camper upon any public street or highway at any time within city limits, except as authorized by this section.

- A. **Exemptions.** This section shall not apply to any person who is actually engaged in frequenting a business, loading or unloading a recreational vehicle, utility trailer, or camper or is actually engaged in making emergency repairs thereto. Further, this section shall not apply to any commercial vehicle making routine pickups or deliveries of goods, wares, and merchandise from a public street, or delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure within the city for which a building permit has previously been obtained.
- B. **Restrictions.**
1. RV parking on a street or alley is prohibited for the principal purpose of displaying the vehicle for sale; repairing or servicing the vehicle, except repairs necessitated by an emergency; displaying advertising from the vehicle; or selling merchandise from the vehicle, except when authorized in conjunction with a business license.
  2. Parking an RV on an arterial or U.S. Highway 47 is prohibited, except in designated parking areas.
  3. Any recreational vehicles, campers or boats parked on or across any portion of a sidewalk is prohibited.
  4. A wrecked, inoperative or unlicensed recreational vehicle, camper or boat is prohibited on a city street at any time.
  5. A vehicle, including recreational vehicles or boats parked within 20 feet of an intersection is prohibited.
  6. Recreational vehicles or boats parked an unauthorized private driveway, or any public driveway is prohibited.
  7. A RV, boat, trailer, or camper parked on a city street, or public property that has any part thereof suspended by a vehicle jack, or any other unstable device is prohibited.

8. A camper cannot be parked on a city street at any time when not mounted on a motor vehicle is prohibited.

**9-08.03-30 [Violation]**

Violation of this chapter or any part thereof shall be punishable upon conviction by a fine of not more than five hundred dollars (\$500). Each day there is a violation under this chapter shall be considered a separate offense.



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Attest:   
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OF VERNONIA  
101 Bridge St.  
Vernonia, OR 97064



US POSTAGE

\$ 01.50

First-Class

Mailed From 97064

10/19/2012

032A 0061802470

DEPT OF

OCT 22 2012

LAND CONSERVATION  
AND DEVELOPMENT

ATTN: Plan Amendment Specialist  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540