

RESOLUTION 2021-46

A resolution of the Leavenworth County Kansas Board of County Commission, to amend the following articles of the 2006 Zoning and Subdivision Regulations:

Article 32– Recreational Vehicle

Section 1. GENERAL PROVISIONS

Recreational vehicles shall not be considered dwelling units unless provided for within this Article.

Section 2. TEMPORARY LIVING ACCOMMODATIONS.

1. Recreational vehicles are permitted for use as a temporary living accommodation on any parcel with a constructed, permitted single-family dwelling unit provided:
 - a. The recreational vehicle is used as a dwelling for no more than 90 days in a calendar year;
 - b. Wastewater or sewage from the recreational vehicle shall be disposed of:
 - i. By a licensed Septic Hauler, or
 - ii. At a licensed facility; and
 - c. There is no more than one (1) recreational vehicle used as a temporary dwelling unit on a parcel at any one point in time.

Section 3. TEMPORARY DWELLING UNIT DURING CONSTRUCTION.

1. Requirements. Recreational vehicles can be permitted as a temporary dwelling unit during the building of a residence on any parcel if:
 - i. The parcel is currently vacant;
 - ii. A single-family building permit has been issued;
 - iii. The property owner has received a Recreational Vehicle Temporary Residence Permit;
 - iv. The recreational vehicle has no canvas, soft-sided, or similar exterior surface(s);
 - v. The recreational vehicle is connected to a permitted and installed septic waste system prior to use as a residence on the property; and
 - vi. The owner shall connect the recreational vehicle to a ground anchor system.
2. Time Frame Permitted. A recreational vehicle is permitted for use as a temporary dwelling unit during the period of the first single-family building permit issued for the parcel and one (1) renewal of that permit.
3. Exception. The property owner may be issued an additional Recreational Vehicle Temporary Residence Permit in the case of a fire, natural disaster, or Act of God that destroyed or rendered uninhabitable the primary single-family home on the property. This permit shall be issued at the discretion of the Director of Planning and Zoning.

Section 4. DWELLING UNITS IN A MOBILE HOME COURT.

1. Recreational vehicles may be used as dwelling units in a mobile home court.
2. Every recreational vehicle located in a mobile home court is required to be connected to a ground anchor system.

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the amendment of the Leavenworth County Zoning and Subdivision Regulations for Case No. DEV-21-127 on the 8th day of September, 2021; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the amendment be approved, as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 29th day of September, 2021, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 29th day of September, 2021 and incorporated herein by reference;

That the amendments listed herein be approved:

Adopted this 29th day of September, 2021
Board of County Commission
Leavenworth, County, Kansas

absent

Mike Smith, Chairman

[Signature]
Jeff Culbertson, Member

[Signature]
Vicky Kaaz, Member

[Signature]
Doug Smith, Member

[Signature]
Mike Stieben, Member



[Signature]
Janet Klasinski