

Lake County Land Development Code Concerning Camping and the Storage of Campers in Pan Ark Estates

Summary: Camping and the storage of anything, including RV campers, is only available as an “accessory use” which is to say it accessory to parcels that have received a building permit for a principal use, i.e., a house. Camping and storage, including RV campers, is not otherwise available to unimproved residential lots.

History: On the 17th of January, 2017, the Lake County Board of County Commissioners adopted an amendment to the Lake County Land Development Code (LDC) concerning camping on private property in the unincorporated areas of Lake County. The issue of camping on private land was first raised to the Lake County Planning Commission in September of 2015 when an increase in the number of complaints concerning the matter was noted.

The LDC at that time and indeed since 1988, restricted camping on private property to only those parcels of land that had a valid building permit. The intent was to allow for the property owner to live/camp on the property while he/she was building a home. The LDC was otherwise silent on the matter of camping on private property and the interpretation was that camping on private property wasn't permitted. Perhaps it can be seen how well that worked.

Between Sept. 2015 and Jan. 2017, the Planning Commission and the Board of County Commissioners considered the issue and took testimony from the public in about 6 different public meetings and hearings and the addressing of the matter evolved over that time. Also considered was the experiences of other surrounding counties and consultation with the Lake County Land Use Counsel assured the appropriateness and legality of the amendments. The testimony of the public was generally about 70% in favor of the amendment and about 30% against it.

The deciding factors for the Planning Commission and the Board were the concern for the protection of the health, safety and welfare of the land and the residents, the increasing demand for building sites and the depression of the property values resulting from these camper sites.

LDC Amendments: There were several sections of the LDC that were amended to accommodate the balancing of individual private property rights and the rights of property owners who have improved their parcels. While the code amendments concerning camping on private property necessarily apply county-wide, the following LDC amendments are relevant to Pan Ark Estates:

The Lake County LDC, Chapter 9: DEFINITIONS were amended to add:

Camping on Private Property: Temporary, non-commercial lodging on any private property parcel of 5 acres or more in area and that meets the Use-Specific Standards contained in Section 5.2.25. Temporary shall mean that occupancy of any tent, recreational vehicle, or any other form of temporary dwelling shall not exceed to fifteen (15) consecutive days, nor thirty (30) days in a six (6) month period.

Accessory Use Camping on Private Property: Temporary, non-commercial lodging on any private property parcel that has been subdivided and is of less than 5 acres in area and that meets the Use-Specific Standards contained in Section 5.2.25. Temporary shall mean occupancy of any tent, recreational vehicle, or any other form of temporary dwelling shall not exceed to fifteen (15) consecutive days, nor thirty (30) days in a six (6) month period.

Camping Unit: A tent, tent trailer, travel trailer, camping trailer, pickup camper, motor home, and any other device or vehicular type structure for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

Note the difference between “Camping” and “Accessory Use Camping.”

The LDC, Chapter 5: Accessory Buildings, Uses, and Dwelling Units, Sections 5.3.4 was amended to add item E, “Accessory Use Camping on Private Property”:

5.3.4 UR Urban Residential and RC Recreational Districts

E) Accessory Use Camping on Private Property (Use-specific Standard 5.2.25)

Section 5.3.1 of the LDC concerning Accessory Building and Uses previously existed and remains unchanged:

- A) An accessory building or use is a subordinate use of a building, other structure or tract of land or a subordinate building or other structure which is a) clearly incidental to the use of the principal building, other structure or use of land, b) customarily in connection with the principal building, other structure or use of land, or c) ordinarily located on the same lot with the principal building, other structure or use of land.
- C) No accessory use shall be established, and no accessory structures shall be allowed on a subject parcel, until all required permits and approvals for the principal use or activity have been obtained.

Conclusion: The consequence to Pan Ark Estates (and other RC zoning) is that camping and the storage of anything, including RV campers, is only available to parcels that have received a building permit for a principal use, i.e., a house. Camping in Pan Ark is only available as an accessory use; a use that is accessory to the principal use. Camping on vacant residential land of less than 5 acres is not allowed throughout Lake County.

While camping may be available to improved parcels (a house), Section 5.2.25 (minimum camping standards not listed herein) and the definition of “Accessory Use Camping on Private Property” still apply.