

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ITS UNIFIED LAND DEVELOPMENT CODE BY AMENDING PART II “ZONING DISTRICTS”, ARTICLE 20 “RESIDENTIAL ZONING DISTRICTS” BY ENACTING SECTION 20-050 “RECREATIONAL VEHICLES”; AMENDING ARTICLE 175 “FLOODPLAIN MANAGEMENT”, DIVISION XV “RECREATIONAL VEHICLES AND PARK TRAILERS”, TO PROVIDE FOR AND MODIFY REGULATIONS REGARDING RECREATIONAL VEHICLES; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Town Council believes it is necessary to enact regulations regarding recreational vehicles; and,

WHEREAS, this proposed ordinance modifies the current code by enacting and modifying regulations governing recreational vehicles; and

WHEREAS, the Town Council has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

Section 2. The Town of Loxahatchee Groves hereby amends Part II “Zoning Districts”, Article 20 “Residential Zoning Districts” by enacting Section 20-050 “Recreational vehicles” to read as follows:

Sec. 20-050. – Recreational vehicles.

(a) For properties which have a permitted residential structure within the agricultural residential zoning district, recreational vehicles shall be allowed on a temporary basis for living and sleeping purposes, provided there are no adjudicated town code violations pending against the property and/or unresolved penalties associated therewith subject to the following conditions:

(1) A registration permit, (the fee for the registration permit shall be set by a resolution of the Town Council) which shall only be valid for a less than one hundred and eighty (180) days and shall be required for each recreational vehicle parking space

on an annual basis and shall be placed on the recreational vehicle occupying parking space where it can be seen from the exterior of the recreational vehicle;

(2) No recreational vehicle shall be allowed on a parcel less than one (1) acre. One (1) recreational vehicle shall be allowed on a parcel consisting of one (1) acre and less than two (2) acres; a maximum of two (2) recreational vehicles shall be allowed on a parcel consisting of two (2) acres and less than ten (10) acres; and, no more than four (4) recreational vehicles shall be allowed on a parcel consisting of ten (10) acres or more;

(3) The person or persons residing in the recreational vehicle must demonstrate a permanent residence in another location;

(4) The placement of the recreational vehicle must be setback from all property lines by at least 25 feet;

(5) The recreational vehicle shall be hooked up to or have access to appropriate electrical service, potable well and sanitary sewer facilities (bathroom and septic tank) that have been installed pursuant to permits issued by, or approved by, the health department and applicable building and zoning codes, where required; portable/pump-able septic tanks as well as the waste removal therefrom are permitted under this section subject to the requirements set forth hereinabove.

(6) Upon expiration of the registration permit the recreational vehicle shall not remain on property parked or stored and shall be removed from the property and any application for a new registration permit for that property may only occur after a minimum time period of 6 months has expired, unless the parking space was initially used for a period of less than 6 months, then a permit may be issued for the time period remaining on the initial 6 month time period;

(7) The parcel owner, where the recreational vehicle(s) site is located, shall be required to allow town staff, or its agents, to inspect the recreational vehicle(s) in such a manner and time as determined by the town manager, upon at least 24 hours' notice.

(8) Recreational vehicles shall only be used for their designed and intended purpose as evidence by the manufacturer's certification.

(9) A recreational vehicle that is not occupied must be owned or leased by the property owner or tenant of the property.

(10) Unoccupied recreational vehicles shall not be used for storage or any other non-residential use for which it was not designed and manufactured as evidenced by the manufacturer's certification.

(11) No recreational vehicle shall be kept in an abandoned, inoperable, junked, disabled, wrecked, discarded or otherwise unused condition.

(b) This section shall not apply to caretaker's quarters, groom's quarters and construction trailers.

(c) Any violation of this section may subject the property owner and/or recreational vehicle user to code enforcement action or any other legal action as determined by the town.

(d) Requests for such a registration permit shall be submitted in writing to the town manager together with such fees, if any, as the town requires and is set forth in the town code.

Section 3. The Town of Loxahatchee Groves hereby amends Part II "Zoning Districts", Article 175 "Floodplain Management", Division XV "Recreational Vehicles and Park Trailers", to read as follows:

DIVISION XV. - ~~RECREATIONAL VEHICLES AND PARK TRAILERS~~

Section 175-355. - Temporary placement.

~~Recreational vehicles and p~~ Park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the ~~recreational vehicle or park trailer model~~ is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

Section 175-360. - Permanent placement.

~~Recreational vehicles and p~~ Park trailers that do not meet the limitations in Section 175-355 of this article for temporary placement shall meet the requirements of Division XIV of this article for manufactured homes.

Section 4. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. Codification. It is the intention of the Town Council of the Town of Loxahatchee Groves that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Loxahatchee Groves, Florida, that the Sections of ~~this ordinance may be renumbered~~, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

Council Member Shorr offered the foregoing ordinance. Council Member Maniglia seconded the motion, and upon being put to a vote, the vote was as follows:

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON FIRST READING, THIS 16TH DAY OF FEBRUARY 2021.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ROBERT SHORR, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Council Member Danowski offered the foregoing ordinance. Council Member Maniglia seconded the motion, and upon being put to a vote, the vote was as follows:

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ON SECOND READING, THIS 16TH DAY OF MARCH 2021.

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
ROBERT SHORR, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA DANOWSKI, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARGARET HERZOG, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PHILLIS MANIGLIA, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIANNE MILES, COUNCILMEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST:

Lakisha Q. Burch
Lakisha Q. Burch, Town Clerk

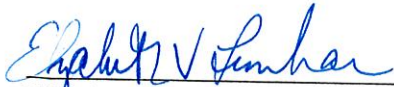
Robert Shorr
Mayor Robert Shorr

Laura Danowski
Vice Mayor Laura Danowski

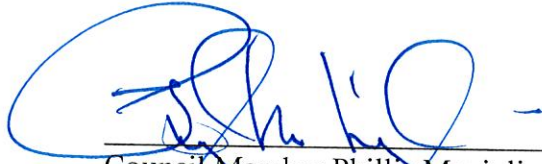
Margaret Herzog
Council Member Margaret Herzog

APPROVED AS TO LEGAL FORM:


Ordinance No. 2020-07



Elizabeth Lenihan, Town Attorney



Council Member Phillis Maniglia



Council Member Marianne Miles

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