

GROUP 2, ITEM 5

RVs FOR TEMPORARY LIVING FACILITIES

AMENDMENT SUMMARY

- Issue: The LDC permits placement of a mobile home, travel trailer, or park trailer on properties where a single-family residence is undergoing rehabilitation resulting from a natural disaster. Staff has historically allowed recreational vehicles in addition to the unit types specified above despite RVs not being explicitly permitted.
- Solution: Amend temporary use provisions to include RVs as an additional living unit type permitted in accordance with this section.
- Outcome: Codifies current department practice.

Chapter 34 – ZONING

ARTICLE VII. – SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 37. SUBORDINATE AND TEMPORARY USES

Sec. 34-3046. Temporary use of mobile homes or recreational vehicles (RVs).

Staff note: Current department practice allows recreational vehicles, as defined in section 34-2, to be placed on residential lots while a new residence is being constructed or rehabilitated post-disaster. This section is proposed to be amended to reflect department practice. Subsections (a)(1) and (a)(2) are proposed to be amended to be consistent with section 125.023, F.S., which was amended by Senate Bill 250 to allow a temporary shelter to be placed on a residential property for a maximum of 36 months after the date of that a declaration of a state of emergency is issued by the governor, or until a certificate of occupancy for a new or rehabilitated residence is issued.

- (a) *Rehabilitation or construction of residence following disaster.*
- (1) If fire or disaster renders a permanent residential structure ~~single-family residence~~ unfit for human habitation, the temporary use of a recreational vehicle or mobile home, ~~travel trailer or park trailer~~ located on the property ~~single-family lot~~ during rehabilitation of the original residence or construction of a new residence may be permitted subject to the regulations set out in this section.
 - (2) The maximum duration of the use is 18-36 months ~~or 540 days~~ after the date the Governor of the State of Florida ~~President of the United States~~ issues a disaster declaration of a state of emergency. If no ~~disaster~~ disaster declaration of a state of emergency is issued, then the maximum duration of the use is six months. The Director may extend the permit once for a period not to exceed 60 days in the event of circumstances beyond the owner's control. Application for an extension must be made prior to expiration of the original permit.
- (b) *Rehabilitation or construction of a damaged business, commercial or industrial uses following disaster.*
- (1) Business, commercial or industrial uses, damaged by a major or catastrophic disaster necessary for the public health and safety or that will aid in restoring the community's economic base, may be permitted to use a mobile home or similar type structure to carry out their activities until the damaged structures are ~~is~~ rebuilt or replaced according to applicable development or redevelopment regulations.
 - (2) The maximum duration of the temporary use is nine months or 270 days after the date the Governor of the State of Florida ~~President of the United States~~ issues a disaster declaration of a state of emergency. If no ~~disaster~~ disaster declaration of a state of emergency is issued, then the maximum duration of the use is six months. The Director may extend the permit once for a period not to exceed 60 days in the event of

circumstances beyond the owner's control. Application for an extension must be made prior to expiration of the original permit.

(c) *Construction of residence in AG District.*

- (1) A recreational vehicle or temporary mobile home may be permitted to be emplaced on a lot during construction of a conventional single-family dwelling in an ~~the~~ agricultural district.
- (2) The recreational vehicle or mobile home must be removed from the property within ten days of the issuance of the Certificate of Occupancy, or expiration of the building permit for the conventional dwelling, whichever occurs first.

(d) *Conditions for use.*

- (1) Required water and sanitary facilities must be provided.
- (2) The mobile home or recreational vehicle, ~~travel trailer or park trailer~~ must be removed from the property within ten days after the Certificate of Occupancy is issued for the new or rehabilitated residence, business, commercial or industrial use or upon expiration of the temporary use permit, whichever occurs first.
- (3) Placement or setting of the mobile home or recreational vehicle, ~~travel trailer or park trailer~~ must comply with Chapter 6, Article IV, pertaining to floodplain management.