SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: 5:00 p.m. Public Hearing to Adopt Ordinance to Amend Land Development Code to Allow Platting of Recreational Vehicle Parks and Individual Sale of Recreational Vehicle Lots (Staff recommends approval).

REQUESTED ACTION: **Approve Adoption of Ordinance to Amend Land Development Code to Allow Platting of Recreational Vehicle Parks and Individual Sale of Recreational Vehicle Lots.**

☐ Work Session (Report Only) **DATE OF MEETING:** 12/29/2009
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☒ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Planning

BUDGET IMPACT:
☐ Annual **FUNDING SOURCE:** _____
☐ Capital **EXPENDITURE ACCOUNT:** _____
☒ N/A

HISTORY/FACTS/ISSUES:
On August 29, 2008, an application was filed by Mr. James Wade requesting the Board amend the Sumter County Land Development Code to remove the prohibition of individual lot sales and allow the platting of lots within recreational vehicle parks. The application was filed pursuant to Section 13-117(c) of the Sumter County Land Development Code for a text amendment.

On September 9, 2008, the Board directed staff to prepare an ordinance to allow for the platting of lots within recreational vehicle parks. Staff has prepared the draft ordinance for the Board's consideration. The delay in the drafting of the ordinance is due to the fact that this application is related to a separate application for a Recreational Vehicle Planned Unit Development (RVPUD) for Southern Motorcoach Resorts (R2009-0023). The RVPUD application is moving forward simultaneous with this proposed ordinance. Although this proposed ordinance is related to R2009-0023, this ordinance would apply to all recreational vehicle parks.

The proposed ordinance removes the prohibition on individual lot sales and platting for recreational vehicle parks and provides for the platting of recreational vehicle parks through the standard platting procedures of the County's Land Development Code and Florida Statutes. The proposed ordinance does not change any of the standards or requirements for the approval of a RVPUD. It simply provides an opportunity to develop a recreational vehicle park in response to changing market demands that may prefer owning a lot rather than renting a lot.

Staff surveyed surrounding counties to find if they allow the platting of recreational vehicle parks. The findings of the survey are:

Pasco - Yes; Hernando - Yes; Polk - Yes; Citrus - Yes (condo plat); Marion - No; Lake - No

On December 7, 2009, the Development Review Committee reviewed the proposed ordinance and recommended approval of the ordinance subject to recommendations from the Florida Department of Health (Sumter County Health Department). The Sumter County Health Department recommended

revisions to clarify consistency with Florida Statutes and Florida Administrative Code permitting requirements for recreational vehicle parks.

On December 7, 2009, the Zoning & Adjustment Board held a public hearing to consider the proposed ordinance and recommended approval subject to the recommendations of the Sumter County Health Department (8-0).

The attached ordinance includes the revisions recommended by the Sumter County Health Department, Development Review Committee, and Zoning & Adjustment Board.

ORDINANCE NO. _____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, PROVIDING FOR THE RECORD PLATTING OF RECREATIONAL VEHICLE PARKS, PROVIDING FOR SEVERABILITY, CONFLICTS, REPEALING, AND CODIFICATION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sumter County has seen extensive population growth since the provisions of the Sumter County Code of Ordinances and Land Development Code addressing the record platting of recreational vehicle parks were last revised; and

WHEREAS, the Board of County Commissioners recognizes the need for the option to provide for the record platting of recreational vehicle parks to respond to market conditions;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of the Sumter County, Florida as follows:

SECTION I: AMEND DEFINITIONS OF RECREATIONAL VEHICLE PUD AND SUBDIVISION. Chapter 13, Article I, Section 13-41 of the Sumter County Code is hereby amended in that the following definitions of "Recreational vehicle PUD (RVPUD or RV Park)" and "Subdivision" are amended as follows (~~strikeout~~ text is deleted and underline text is added):

Recreational vehicle PUD (RVPUD ~~or RV Park~~) means a tract of land ~~under one ownership and management,~~ designed, constructed and commercially operated to provide ~~four (4)~~ five (5) or more camping sites and supporting facilities for the accommodation of recreational vehicles and/or tents.~~, for either direct or indirect remuneration of the owner, lessor or operator of such park.~~ The term also includes buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms "campground", "camping resort", "RV resort", "travel resort", "travel park", and any variations of these terms, shall be considered synonymous with the term "recreational vehicle park".

Subdivision means:

(1) The process, act or land resulting from dividing, separating or splitting a parcel, lot or tract of land into two (2) or more parcels, lots, tracts, building sites or other divisions for the purpose of transfer of ownership, building or other development (whether immediate or future); or

(2) Any division of land involving the dedication of a new street or a change in existing streets, or the provision of other public facilities or improvements, whether publicly or privately owned, including, but not limited to, drainage facilities and utilities; or

(3) Any resubdivision of an existing subdivision, whether recorded or unrecorded; or

(4) The development process of mobile home parks and recreational vehicle parks which involves the division of any parcel of land into two (2) or more lots, for the purpose of ~~rental, lease or~~ sale, time sharing or membership arrangements.

a. Subdivision of recreational vehicle parks are subject to compliance with Florida Department of Health construction, operating, and permitting requirements in Chapter 573, Florida Statutes, and 64E-15, Florida Administrative Code, as required.

SECTION II: RECORD PLATTING OF RECREATIONAL VEHICLE PARKS. Chapter 13, Article I, Section 13-171(b)(2)(b) of the Sumter County Code is hereby amended as follows (~~strikeout~~ text is deleted and underline text is added):

Record plat. All subdivision of residential property for medium or major development or recreational vehicle park subdivisions shall be required to prepare, and file with the County Clerk, a record plat of the development in accordance with Chapter 177, F.S. See Ch. 177 F.S. and Appendix A for specific requirements for record plats.

Chapter 13, Article III, Section 13-332(a)(8)(b)(1) of the Sumter County Code is hereby amended as follows (~~strikeout~~ text is deleted and underline text is added):

1. *Purpose and intent.* The purpose and intent of this zone is to provide lands which are suitable for providing camping facilities for the traveling public on a temporary or transient basis, and facilities for "extended occupancy" camping for semi-permanent residents, on relatively large tracts of land ~~under unified ownership or control,~~ while encouraging coherent, flexible and creative concepts of site planning which:

a) Require that a RVPUD be ~~under unified control, and~~ planned and developed in a single development operation or programmed series of development operations for recreational vehicles and related uses and facilities. ~~It is not the intent of these RVPUD regulations to provide for individual lot ownership and therefore no single RV site, or group of sites less than the minimum area required for the RVPUD zone, shall be sold, or ownership transferred in any way at any time.~~

b) Establish appropriate standards for the location, development and operation of RVPUDs which provide an environment in which these facilities may be located in an outdoor setting, and to provide a means whereby such uses occurring upon the land will be compatible with surrounding properties.

SECTION III. CONFLICTS AND REPEALER. This Ordinance shall be cumulative of all provisions of the ordinances of the Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, which in event all ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. CODIFICATION. It is the intention of the Board of County Commissioners of Sumter County, Florida that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of Sumter County, Florida and the word "ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of the ordinance may be renumbered or re-lettered to accomplish such intention. The codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION V. EFFECTIVE DATE. This Ordinance shall take effect and be in force after approval of same by the Board of County Commissioners of Sumter County.

DONE AND ORDERED THIS _____ day of _____, 2009

GLORIA HAYWARD
Clerk of the Circuit Court

Attest: _____
_____, Clerk

Approved as to legal form
for Sumter County only:

_____
_____, Attorney

COUNTY OF SUMTER

By: _____
Doug Gilpin, Chairman

wadelaw

JAMES E. WADE, III, P.A.

RECEIVED
AUG - 4 2008
SUMTER COUNTY
PLANNING & DEVELOPMENT

August 1, 2008

Brad Cornelius
910 N. Main Street
Suite 301
Bushnell, FL 33513

RE: amendment of LDR's

Dear Brad,

On behalf of my clients, I hereby request an amendment to the Sumter County Land Development Regulations (LDR's) pursuant to Section 13-117, related to the sale(s) of individual lots, parcels or tracts of a Recreational Vehicle PUD (RV PUD or RV Park).

Currently the existing definitions and terms of the Sumter County LDR's require "unified ownership or control" and development of "land under one ownership and management" and prohibits the sale or transfer of ownership of individual RV sites or lots. Specifically, I am referring to the definition of "Recreational Vehicle PUD (RV PUD or RV Park) in Section 13-41, and the language of section 13-332 (a)(8) b.1. and 13-332 (a)(8) b.1.a).

There is a need for additional flexibility in our LDR's which will allow the sale of individual lots, parcels or tracts in a RV PUD. Apparently such sales are allowed in other counties, indicating a need and demand for such product. This would allow the individual to purchase a parcel for a fixed price, instead of renting or leasing, which will likely produce a more stable and longer term residency. It would also provide for individualized improvements and maintenance, as well as expand the tax base of Sumter County.

Please process this request for presentation and consideration by the appropriate staff, boards and the Sumter County BOCC as required for implementation of this requested amendment.

Sincerely,

JAMES E. WADE, III, P.A.

James E. Wade

James E. Wade, III

116 BUSHNELL PLAZA, BUSHNELL, FL 33513
OFFICE: 1-866-WADELAW (923-3529) • FAX: (352) 568-2501
WWW.WADELAW.US

SUMTER COUNTY
ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: R2008-0030
Application: 8/29/2008 SMC

REZONING

PROJECT TYPE	PROJECT SUBTYPE	PROJECT DESCRIPTION
REZONING		LAND DEVELOPMENT CODE TEXT AMENDMENT

OWNER	ADDRESS	PHONE
Wade, James	116 Bushnell Plaza , Bushnell, Fl 33513	(352) 568-2500

PARCEL #	SEC/TWP/RNG	GENERAL	DIRECTIONS TO PROPERTY
Wade			
Property Address			

PARCEL SIZE	F.L.U.	LEGAL DESCRIPTION
PRESENT ZONING	PRESENT USE	

REQUESTED REZONING	REZONED ACREAGE	REZONED LEGAL DESCRIPTION

ABUTTING PROPERTY	NORTH	EAST	SOUTH	WEST
ZONING/USE				
F.L.U.				

As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.

UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

James E. Wade — August 29, 2008

Signature(s) — **Date**

A Public Hearing before the Zoning and Adjustment Board will be held on the date inidcated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.

NOTICES SENT	RECEIVED IN FAVOR	RECEIVED OBJECTING

Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.