

DATE: September 18, 2024
TO: Town of Loxahatchee Groves, Town Council
FROM: Complete Cities, Consultant Planner
Subject: Recreational Vehicle (RV) Ordinance Update

Background

The Town of Loxahatchee Groves began the process of updating its Recreational Vehicle (RV) regulations in the spring of 2023. A series of public workshops were held to collect feedback and information regarding resident's use of RVs, future needs, and permitting concerns. During that process, there was much concern for supporting the equestrian community. Temporary housing by way of RVs was expressed to be a critical component of the seasonal industry. Based on this input, the initial direction was to consider more lenient policies, perhaps considering annual RVs or increased allowances to support the need. However, through the public hearing process, residents expressed concern about the impacts to infrastructure, life safety, and community character, amongst others. Further, there did not seem to be the same resident support or need for expanded RV allowances during the hearing process. To the public, concerns largely outweighed the benefit of relaxed policies. Ultimately, a proposed ordinance was voted down in Fall 2023.

The Council has requested to revisit the RV policies to address reoccurring issues. It is well documented there are concerns with the application form itself. Further, code enforcement of the existing regulations has been a consistent challenge. The Council may consider a range of amendments, from simple modifications to the application process to reconsidering more impactful portions of the ordinance again, such as length of stay and number of vehicles.

June 18, 2024 Workshop

At the June 2024 workshop meeting, the Council determined staff should revisit the RV ordinance and provided initial direction for revised regulations. Importantly, all RV regulations should be combined into one section, including those relating to both occupied and unoccupied RVs. The Council also agreed regulations should be easy to follow and enforceable. Concern was expressed regarding the enforceability of certain policies such as time limitations. Discussion included how to incorporate inspections, both initial and periodic to ensure correct hook ups and safety. Safety of residents and ensuring tenants are vetted was a repeated discussion topic. Fees and vehicle allowances were also discussed. Consensus regarding the RV allowances would revise existing policies. In sum, Council determined all properties should be able to store at least one RV on their property, regardless of property size. Parcels measuring 2 – 5 acres would be eligible for two (2) RVs and properties more than 5 acres would be eligible for three (3) RVs. There would be no distinction between stored and occupied vehicles.

Public comment included concern regarding the appearance of relaxing regulations and assurance of strong enforcement options. Overall, the public echoed the request to keep the regulations simple but enforceable. Some were concerned with the impact to community character while others were concerned with the impending equestrian community and having regulations in place for that time.

July 2, 2024 Meeting

At the June 2024 workshop meeting, the Council reviewed and revised draft amendments to the RV ordinance. The Council determined the revised ordinance should be effective starting Fall 2024. The Council revised the RV allowances discussed at the June 18, 2024, meeting to distinguish between occupied and stored RVs, allowing properties with fewer than five (5) acres to store one (1) unoccupied RV, and allowing properties with more than five (5) acres to have two (2) RVs that can be occupied from April 1 to November 1. Caretakers' quarters on agricultural exempt properties could remain occupied year-round.

Council also had consensus to institute the following requirements:

- A permit requirement for occupied RVs
- An affidavit requirement for stored RVs
- A deposit made at the time of application
- Daily fines of \$1000 for violations
- "Grandfathered status" for properties approved in the 2017 Pilot Program, allowing a greater number of RVs for those properties. The provision was agreed upon to provide relief to property owners who would be affected by the reduction in the number of RVs allowed per property.

First Reading of Ordinance 2024-07 – August 6, 2024

At the August 6, 2024 meeting, the Council approved the ordinance on first reading with the following revisions:

- A \$500 site inspection fee for non-agricultural properties, which fee would cover five years of site inspections.
- A \$100 site inspection fee for properties with a bona fide agricultural use, which fee would cover five years of site inspections.
- An annual application fee of \$100 (applicable when RVs will be placed on the property).
- Increasing the number of RVs allowed on properties larger than 10 acres to 4.
- Removal of the "grandfathering" provision.

Budget Meeting – August 21, 2024

At the budget meeting on August 21, 2024, the Council had further discussion about the proposed ordinance. Specifically, the Town Council appeared to reach consensus on the following:

- Allowing one additional RV on properties with a bona fide agricultural use as follows:
 - Properties greater than 2.5 acres and fewer than 5.0 acres allowed to have 2 RVs.
 - Properties greater than 5.0 acres and 10 fewer than 10.0 acres allowed to have 3 RVs.

The Council discussed the following, but it was unclear if staff was directed to include it in the RV ordinance for second reading or to address it separately in an upcoming revision of Chapter 38 of the Town Code (Solid Waste):

- A requirement that properties that need more than 2 solid waste containers utilize a dumpster in lieu of additional containers.

Second Reading – September 3, 2024

Staff prepared a revised ordinance and draft permit form for second reading by council. Staff revised the proposed ordinance to include the changes that were approved at first reading on August 6, 2024, and the changes for which there appeared to be consensus at the August 21, 2024, budget meeting. At the September 2, 2024, meeting, the Town Council directed staff to make additional revisions and to bring the ordinance back for second reading on September 18, 2024.

Second Reading, continued – September 18, 2024

Staff has made the requested revisions to the proposed ordinance. Modifications include the addition of a special exception provision to allow an additional RV for bona fide agricultural classified properties as well as revisions to allowances for smaller properties, reducing the threshold for certain categories from 2.5 acres to 2.0 acres. A clarification was made to require a principal dwelling unit or bona fide agricultural use for all properties, to preclude utilization of a vacant lot for RV storage (see revision to lots less than 5 acres). Further, a disability accommodation provision has been added. Finally, the determination of agricultural use was specifically tied to the whether the property is designated as such by the Office of the Palm Beach County Property Appraiser.