



Planning and Zoning Board Meeting

Wednesday, March 24, 2021 at 6:00 pm

1. CALL TO ORDER, PRAYER AND PLEDGE
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA

APPROVAL OF MINUTES

a. Approval of Minutes of 01/13/2021

Exhibit: Agenda Report Number 4a

b. Approval of Minutes of 03/10/2021

Exhibit: Agenda Report Number 4b

Attachments:

- **Agenda Report Number 4 a&b** (Agenda_Report_Number_4a_b.pdf)

5. PUBLIC HEARING: 0
6. ACTION ITEMS: 0
7. DISCUSSION: 2

**a. Textual Amendment - Code of Ordinances, Land Development Code
Article VIII Surface Water Management**

Exhibit: Agenda Report Number 7a

Attachments:

- **Agenda Report Number 7a** (Agenda_Report_Number_7a.pdf)

b. Discussion of a Recreational Vehicle Park (RVP) Zoning District

Exhibit: Agenda Report Number 7b

Attachments:

- **Agenda Report Number 7b Revised** (Agenda_Report_Number_7b_Revised.pdf)

8. ADDITIONAL ITEMS FOR FUTURE MEETING
9. PUBLIC COMMENTS
10. OLD BUSINESS/NEW BUSINESS
 - a. Old Business
 - b. New Business

Board Member Comments

Next regular Meeting - April 14, 2021

11. ADJOURNMENT

Contact: Denine Sherear (dsherear@townofmalabar.org 1321727764) | Agenda published on
03/12/2021 at 9:42 AM

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 4.a & 4.b.

Meeting Date March 24, 2021

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim, and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

Draft minutes of P&Z Board Meeting of 1/13/2021

Draft minutes of P&Z Board Meeting of 3/10/2021

ACTION OPTIONS:

Secretary requests approval of the minutes.

This will be revised on 3/17/2021 to include the ***Draft*** minutes

TOWN OF MALABAR

Planning and Zoning Board

AGENDA ITEM NO: 7.a
Meeting Date: March 24, 2021

Prepared By: Lisa Morrell, Interim Town Manager

SUBJECT: Textual Amendment – Code of Ordinance, Land Development Code, Article VIII – Surface Water Management

BACKGROUND/HISTORY:

The surface water management regulatory provisions within sections of Town of Malabar Code of Ordinance need to be updated to reflect changes in standards previously adopted and minor wording as recommended by Town Staff and Town Engineer of Article VIII – Surface Water Management, last revised May 4, 2009 recorded in Ordinance 2009-21.

Index of requested textual review and revisions:

Article VIII Section	Item:	Text
1-8.4 Definitions	Elevation	North American Vertical Datum of 1988 (NAVD 88)
1-8.4 Definitions	North American Vertical Datum of 1988 (NAVD 88)	The North American Vertical Datum of 1988 (NAVD 88) is the vertical control datum established in 1991 by the minimum-constraint adjustment of the Canadian-Mexican-United States leveling observations
1-8.8	11.b	NAVD 1988
1-8.14	A.	NAVD 1988
1-8.14	E.	Add numeration (3'x8'), (5'x10')
1-8.14	G.	2021 FDOT Design Standards Index 430 and turnouts per 2021 FDOT Index 515, or current adopted design standard.
1-8.16	3 Paragraph	Insert numeration (12"x12") "deep footer"

FDOT Design Standards are updated annually.

NOAA's National Geodetic Survey is developing a new standard coming 2022, NAVD 2022.

The entire Article VIII is included with changes: strikethrough for removal of text, underlined text is proposed.

ATTACHMENTS:

Code of Ordinances, Land Development Code, Article VIII – Surface Water Management.PDF

ACTION OPTIONS:

Motion to approve textual changes and referenced standard updates with advisory recommendation to the next Regular Town Council Meeting for consideration by the Town Council.

Article VIII - SURFACE WATER MANAGEMENT

Section 1-8.1. - Applicability.

The surface water management regulatory provisions herein established shall apply to all development within the Town of Malabar.

Section 1-8.2. - Purpose.

The purpose of this surface water management policy is to protect the health, safety, and welfare of the citizens of the Town of Malabar; to implement those drainage objectives and policies found in the Public Facilities element of the Town's Comprehensive Plan; to ensure protection of land and improvements together with natural resources through the use of responsible stormwater management and flood protection practices; to ensure replenishment of the Town's surficial aquifer system and to provide a continuing usable water supply; and to ensure compliance with level of service criteria and concurrency management policies established in the Comprehensive Plan.

Section 1-8.3. - Rules of construction.

These requirements are intended to complement regulations of the Florida Department of Environmental Regulation (DER) including but not limited to those found in the Fla. Admin. Code, Chapter 17-25, "Regulation of Stormwater Discharge," and the Stormwater Rules of the St. John's River Water Management District, all as adopted or as may be amended from time to time. Approval of a stormwater management system under these requirements shall not relieve any applicant of the necessity to obtain required permits or approvals from other state, regional, or local agencies, including specifically, but not limited to, observance of DER permitting requirements for use of the "landward extent of waters of the State," as defined in the Fla. Admin. Code, Section 17-4.02(17). In the event of a conflict between the Town regulations and State regulations, the more restrictive regulations shall prevail.

Section 1-8.4. - Definitions.

Adverse Impacts: Any modifications, alterations or effects upon a feature or characteristic of water or flood prone land, which are, or potentially may be, harmful or injurious to human health, welfare, safety or property, or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation. The term includes secondary and cumulative as well as direct impacts.

Alter or Alteration: Any work beyond maintenance of the original condition including additions to an existing system, changes of any part of an existing system to capacities or locations different from those originally constructed, and changes in the rate, volume, or timing of discharges.

Coastal High Hazard Area: Means the area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on the Federal Insurance Rating Maps (FIRM) as zones VI through V30.

Detention or To Detain: The collection and temporary storage of stormwater in such a manner as to provide for treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater to the receiving waters, in which the capacity for the specified treatment volume of stormwater is again provided within seventy-two (72) hours following a storm event. On-line detention is temporary storage along the axis of the drainage system, whereas "off-line" detention is temporary storage at a location away from the system's direct path.

Development Project: Any man made change or improvement to land which increases the amount of impervious cover or results in the change in elevation of any portion of the land or changes the existing stormwater system and flood management system. A development project shall include but shall not be limited to all projects which require site plan or subdivision approval under the Town's land development regulations.

Discharge: The outflow of water from a project site, drainage basin or other facility.

Drainage System (Artificial): Any canal, ditch, culvert, dike, storm sewer or other man-made facility which tends to control the surface flow of water.

Drainage System (Natural): Surface streams or marshes which convey water to natural points of drainage.

Elevation: Height in feet expressed in relation to mean sea level and referenced to the ~~National Geodetic Vertical Datum (NGVD)~~ North American Vertical Datum of 1988 (NAVD 88).

Filtration or To Filter: The selective removal of suspended matter from stormwater by passing the water through suitable fine textured granular media such as porous soil, sand and gravel or other natural or artificial aggregate, which may be used in conjunction with filter fabric or under-drain pipe or both.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary-floodway map and the water surface elevation of the base flood.

Floodway: The normal channel of a watercourse and the adjacent land areas that must remain unobstructed to convey the regulatory flood discharge without raising flood elevations above specified levels as determined in Section 1-8.7(20)(a)—(e) [1-8.7(19)(a)—(e)].

Hydrograph: A graph of discharge, or, for the purposes of these regulations, volume of stormwater, verses time required for each selected outfall point.

Impervious Surface: A surface which is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, porous and nonporous parking lots and other similar structures.

Legal Positive Outfall: Is the availability of a permanent and legally established water course or similar facility or means which has the hydraulic capability of conveying the stormwater discharge from a development project to receiving waters downstream. "Legally established water course" refers to a water course which is established by either an express easement, plat dedication, or other documentation, or implied easement or servitude as may be demonstrated to exist in accordance with Florida Law.

Lowest Floor: The top surface of the lowest area within the inside perimeter of the exterior walls of a building. For slab-on-grade type buildings or buildings with basements the top surface of the slab or basement floor would constitute the lowest floor. For footing, foundation walls, or pile type buildings with crawl spaces under the building without basements, the top surface of the finished flooring above the horizontal joist, beam or other supporting member would constitute the lowest floor.

Maintain or Maintenance: To keep in an acceptable state of performance and repair as determined by the Town Engineer. The Town Engineer shall determine if the performance standards of the respective water management plans are maintained. The type and height of aquatic vegetation shall be secondary to the integrity of the water management plan.

Mangrove Stand: An assemblage of one or more of the following species: Black Mangrove (*Avicennia nitida*); Red Mangrove (*Rhizophora mangle*); White Mangrove (*Languncularia racemosa*); and Buttonwood (*Conocarpus erecta*).

Master Stormwater Management Plan or Master Plan: An engineering plan, written report, or engineering drawing outlining the primary and secondary drainage and stormwater treatment facilities needed for the proper development of a specific increment of the incorporated area of the Town of Malabar.

National Geodetic Vertical Datum (NGVD) The North American Vertical Datum of 1988 (NAVD 88): As corrected in 1929 1991 is a vertical control used as a reference for establishing varying elevations within the floodplain by the minimum-constraint adjustment of the Canadian-Mexican-United States leveling observations.

Regulatory Flood: The one hundred year flood. The one hundred year flood is that flood which has a one percent probability of being equalled or exceeded in any given year, as indicated on the official Town of Malabar flood hazard map.

Retention or To Retain: The prevention of, or to prevent the discharge of a given volume of stormwater runoff into surface waters of the State by complete on-site storage where the capacity to store the given volume of stormwater is again provided within 72 (seventy-two) hours following the storm event. The required storage volume must be provided by a decrease of stored water caused by percolation through soil, evaporation, evapotranspiration, or spray irrigation. Retention shall be "off line" (i.e. outside of the primary drainage path), unless it is demonstrated by the applicant that water quality in the receiving waters will not be adversely impacted by "on line" retention. Wet retention refers to an area the lowest elevation of which penetrates the dry season groundwater table. Dry retention refers to an area the lowest elevation of which lies at least two (2') feet above the wet season groundwater table.

Sediment: Fine particulate material which is capable of gravity settlement, whether mineral or organic, and which is in suspension or has settled in a waterbody.

Stormwater and Flood Management System: A system of natural or artificial waterbodies or watercourses which stores, conveys and/or treats water. The system generally includes a dam, impoundment, reservoir, inlet, pipe, swale, ditch, appurtenant work or works, or a combination thereof, that is intended to provide drainage, water storage conveyance, prevent or impair inundation, or other water management capabilities in and for a discrete area or a work that traverses waters in the Town of Malabar. A system may be designed and constructed in phases.

Water: All water on or beneath the surface of the ground including natural or artificial water courses, lakes, ponds, or diffused surface water and water standing, percolating or flowing beneath the surface of the ground, as well as all coastal waters within the Town of Malabar.

Waterbody: Any natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernible shoreline.

Watercourse: Any natural or artificial channel, ditch, canal, stream, river, creek, waterway or wetland which flows either continuously or intermittently, and which has a definite channel, bed, banks or other discernible boundary.

Watershed: A drainage area or drainage basin contributing to the flow of water directly or indirectly into receiving waters.

Wetland: That portion of the following categories of waters in the Town of Malabar where one or a combination of the vegetative species listed in Section 17-4.02(17), Florida Administrative Code are dominant plant species:

- (a) Rivers and natural tributaries thereto;
- (b) Streams and natural tributaries thereto;
- (c) Bays, bayous, sounds, estuaries, bogs and marshes and natural tributaries thereto;
- (d) Lakes, impoundments, and ponds;
- (e) Atlantic Ocean.

Section 1-8.5. - Prohibited activity.

1. It shall be illegal and subject to the penalties provided herein for any person to construct, or arrange for, authorize, or participate in the construction of a development project within the incorporated area of the Town of Malabar without first obtaining a valid permit to construct either a stormwater management system (hereinafter referred to as a Type A Permit) or a flood protection-stormwater

management system, when applicable, (hereinafter referred to as Type B Permit) pursuant to this ordinance.

2. It shall be illegal and subject to the penalties provided herein for any person to construct any structure in such a manner as to impede the functioning of a drainage system that is: (1) publicly maintained or (2) located on private property and is a part of a drainage system serving more than one owner when such system is located in an easement which exists for the benefit of other land owners. Notwithstanding, this regulation shall also apply to natural tributaries for which no designated easement exists. A structure which meets the requirements of the Town of Malabar Standard Specifications (to be developed by Town Engineer) for the construction of public facilities and physical improvements shall not impede the functioning of the drainage system.

Section 1-8.6. - Exemptions.

The following activities shall be exempt from the surface water management permitting requirements herein established:

1. Single family homes shall be exempt except when located in a flood hazard zone or when a site plan is required pursuant to section 1-7.1.5.
2. Maintenance work performed on existing mosquito control canals or impoundment areas.
3. Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create an impervious surface exceeding five hundred (500) square feet. This provision shall not exempt the applicant from retaining the first one inch of rainfall on-site as required by Chapter 17-25 of the Florida Administrative Code.
4. Change of any part of an existing drainage system without changing the flow characteristics of the artificial water course.
5. All activities by a water management district, drainage district, or water control district established under the laws of the State of Florida and all activities undertaken by the State of Florida, Brevard County, or the Town of Malabar.
6. These surface water management policies shall not be construed to prevent the doing of any act otherwise lawful and necessary to prevent material harm to or destruction of real or personal property as a result of a present emergency, including but not limited to fire, infestation by pests, or hazards resulting from violent storms or hurricanes or when the property is in eminent peril and the necessity of obtaining a permit is impractical and would cause undue hardship in the protection of the property.

A report of any such emergency action shall be made to the Town Engineer by the owner or person in control of the property upon which emergency action was taken as soon as practicable, but not more than ten (10) days following such action. Remedial action may be required by the Town Engineer subject to appeal to the Town Council in the event of dispute.

(Ord. No. 91-1, 3-19-91)

Section 1-8.7. - Surface water management review criteria for all development projects.

All developments not exempted pursuant to Section 1-8.6 are required to obtain a Type A Permit. No Type A Permit to construct a development project shall be issued unless the following criteria are met:

1. The design of the on-site stormwater management system shall be based at a minimum on a 10-year frequency 24-hour duration storm event; however, the applicant shall also provide data indicating the effects of a 25-year frequency 24-hour duration storm event on the development project as proposed. The design of any off-site stormwater management system improvements shall be based upon a 25-year frequency 24-hour duration storm event.

2. The hydrologic computations for the stormwater management system shall be based on full hydrograph generation for the development project and contributory area utilizing such methods as published by the Soil Conservation Service (SCS) (U.S. Department of Agriculture, SCS "Natural Engineering Handbook," Section 4, Hydrology: 1972 and "Urban Hydrology for Small Watersheds," Technical Release No. 55: 1975). For projects of less than 12.00 acres, the rational method of runoff computation is satisfactory. The State Department of Transportation (DOT) Zone 7 rainfall intensity-duration curves shall be used in making all required hydrologic computations and are on file in the office of the Town Engineer.
3. Retention or detention with filtration of the first one inch (1") of rainfall shall be provided on site. Stormwater runoff generated by the development project over and above that generated by the site prior to the proposed development [is prohibited] unless there is a legal positive outfall available which has sufficient capacity to accept the additional runoff.
4. Retention or detention facilities shall be constructed in such a manner as to maximize utilization of available percolation capabilities on the site for recharge enhancement and to minimize mosquito breeding by being shallow and shall be easy to maintain.
5. Discharges from the development project shall be handled to a point of legal positive outfall. Tailwater stages of the receiving waters must be taken into account in design. Enlargement of existing downstream facilities may be required.
6. The bottom of dry retention areas shall be sloped to form a permeable drain. A detention area shall have an outlet device, and shall not be lower than the elevation of the off-site receiving channel or water body.
7. Where permitted, open drainage ways shall retain natural design characteristics and be so designed and protected that they do not present a hazard to life or property. The design shall include measures to protect against scour and erosion. Whenever possible, such waterways shall provide for adequate flushing action by prevailing winds and currents to assure the prevention of stagnant water and debris accumulation.
8. Disposition of Stormwater Runoff. The stormwater management system for developments located predominantly on excessively drained soils should maximize stormwater infiltration. This shall be accomplished through the use of bottomless inlets, perforated pipe, grading to retard runoff, natural or artificial retention or detention basins, or other methods, depending on the characteristics of the land area. Specific guidelines are as follows:
 - (a) Areas and lots shall be developed to maximize the amount of natural rainfall which is percolated into the soil and to minimize direct overland runoff into adjoining streets and water courses. Stormwater runoff from roofs and other impervious surfaces should be diverted into swales, or terraces on the lot.
 - (b) Street drainage shall be by grassed swales or curb and gutter in accordance with Town specifications, provided all curb and gutter systems shall discharge or direct water into or across a grassed swale area or other filtering medium. Whenever practical, as indicated by soil characteristics, water table elevation, and topography, the overflow from any swale used shall be diverted to percolation areas, ponding areas or natural or artificial seepage basins of sufficient capacity to retain and provide for the maximum infiltration of stormwater runoff from each drainage area for the design storm. Each percolation or retention area shall include positive drainage facilities which provide for drainage to public outfalls or a lake, or water course, to handle the runoff from storms of longer duration and severity. Except in those development projects where temporary ponding is allowable pursuant to Section 1-8.7(13) [1-8.7(12)] each percolation or retention area shall include positive drainage facilities which provide for drainage to public outfalls or a lake, or water course, to handle the runoff from storms of longer duration and severity. The area surrounding these retention or detention basins is recommended to be used as public or private open space and shall be grassed.

- (c) The Soil Survey of Brevard County published by the U.S. Department of Agriculture, Soil Conservation Service, shall be the document to determine soil classifications.
9. Material Specification for Culverts and Storm Sewers. The following pipe and structure materials are acceptable:
 - (a) For privately owned and maintained drainage facilities located on private property and not within public rights-of-way, easements or within a public drainage system: reinforced concrete, aluminum pipe, polyvinyl chloride, polyethylene, or any new product determined to be acceptable by the Town Engineer.
 - (b) For drainage structures located within public rights-of-way, easements or within a public drainage system—reinforced concrete or such other material as approved by the Town Engineer.
 - (c) Workmanship and pipe materials shall conform to Florida Department of Transportation (DOT) Standards Specifications, latest revision.
 10. Inlets. Design and spacing of inlets shall be in accordance with DOT's Standard Specifications or the Town of Malabar Standard Specifications. These standards shall be prepared by the Town Engineer and shall be adopted by resolution of the Town Council.
 11. Drainage Structures. All cross drains and storm sewers shall have headwalls, flared-end sections, mitered end sections or terminating structures in accordance with Town Standard Specifications or DOT's Specifications. Endwalls, inlets, or other appropriate terminating and intermediate structures, and backflow devices may be required where necessary.
 12. Temporary ponding is allowable in areas specifically designed with high percolation rates so that ponding does not last more than eight (8) hours.
 13. Materials used in drainage facilities which cross, traverse, or encroach major roads as depicted on the Town of Malabar Thoroughfare Plan shall be designed in accordance with DOT standards.
 14. All stormwater facilities shall be established in dedicated water management tracts, easements, or specified common areas. Condominium documents, deed restrictions, or other legally binding instruments shall describe the location of such areas, specifically define the mechanism for preservation and maintenance of any private drainage systems, and shall appoint an entity responsible for maintenance and preservations. All water management tracts shall include a maintenance berm, the top of which may be level or have a slope not steeper than an eight (8) foot horizontal to one (1) foot vertical slope. In addition such facilities, as well as open channels and ponds, shall have an easement for access to and around the perimeter for maintenance. Retention or detention facilities shall be graded to slopes not steeper than four (4) foot horizontal to one (1) foot vertical above the conservation elevation and shall be graded to slopes not steeper than three (3) foot horizontal to one (1) foot vertical below the conservation elevation. Dry retention slopes and wet retention slopes above the designed low water elevation shall be grassed or otherwise stabilized.
 15. In watershed areas where the Town has an adopted Master Stormwater Management Plan, all proposed facilities shall be in conformance with the adopted plan.
 16. Stormwater systems connected to any local, regional, or State drainage district system shall be designed with consideration given to the capacity of the overall system and shall be compatible with the objectives of each respective jurisdiction.
 17. Rainfall runoff from roads, parking lots, roofs, and other impervious surfaces shall be directed to areas where percolation into the soil can be accomplished prior to introduction into any off-site receiving facilities. Pervious areas on line shall be covered with grass or suitable ground cover which has effective filtering characteristics.
 18. The stormwater management system shall handle all stormwater that flows into, through and from the project without creating adverse impacts on other lands served by the stormwater

management system or by the receiving waters relative to flooding, erosion hazards, or water quality and quantity.

19. The applicant will demonstrate that the development project is not in a flood hazard zone. Flood hazard zones are identified under the following procedure;
- (a) A flood hazard zone shall encompass all lands subject to inundation by the regulatory flood, including lands in a critical flood zone or coastal high hazard zone.
 - (b) A critical flood zone shall encompass:
 - Lands subject to inundation by a ten (10) year flood, i.e., the flood that has a ten (10%) percent probability of being equalled or exceeded in any given year.
 - Wetlands, watercourses and waterbodies.
 - Floodways (see "d" below).
 - Isolated topographic depressions with a history of flooding or a high potential for flooding.
 - (c) A coastal high hazard zone shall encompass areas subject to high velocity waters caused by, but not limited to, hurricane wave wash.
 - (d) A floodway shall include the normal channel of a watercourse and adjacent lands that must remain unobstructed to convey the regulatory flood discharge without causing flood elevations to rise along any stretch of the watercourse above a specified permissible increase known as the floodway surcharge. The floodway surcharge shall be established, considering both existing and potential development, at a level that avoids an increase in potential flood damage. The floodway surcharge may be increased; however, if an applicant wishes to construct some additional obstruction, flowage easements must first be obtained from the owners of all land that would be affected by increased levels. In no case, however, may a floodway surcharge exceed one foot. The floodway shall normally be calculated assuming equal encroachment on the floodplain from both sides of the watercourse, unless legally enforceable deed restrictions, limiting development rights, as [are] recorded for the lands needed for the floodway.
 - (e) "Flood hazard zones," "critical flood zones," "coastal high hazard zones," and flood elevation data may be identified through flood hazard studies and delineated on the Official Flood Hazard Map. A copy of the Official Flood Hazard Map is on file in Town Clerk's Office at the Town Hall.

(Ord. No. 03-03, § 1, 6-2-03)

Section 1-8.8. - Additional stormwater management policy for flood hazard zones (Type B permit requirements).

When a development project is determined to be within a flood hazard zone according to the procedure set forth in Section 1-8.7(20)(a)—(e) [1-8.7(19)(a)—(e)], a Type B Permit shall be required and the project shall be reviewed under the criteria of Section 1-8.7 and must meet the following additional criteria:

1. An equal volume of storage capacity must be created for any volume of the regulatory flood that would be displaced by fill or structures, excepting storm surge flood areas along the Indian River.
2. The velocity of the regulatory flood must not be adversely altered on any watercourse.
3. All structures, including buried storage tanks, must be anchored as necessary to resist flotation, lateral forces and the impact of floating debris.
4. No development will be allowed that poses a significant threat of releasing harmful quantities of pollutants to surface waters or groundwaters during flooding.

5. The flood protection elevation shall be set for each project at the elevation of the regulatory flood plus one (1) foot. In "coastal high hazard zones," the flood protection elevation shall be established with consideration given to wind-drive wave action.
6. Residential buildings must have the lowest floor elevated to the flood protection elevation for that site.
7. Industrial, commercial or other non-residential buildings must have the lowest floor elevated to the flood protection elevation or be floodproofed as follows:
 - (a) A Florida registered Professional Engineer or Architect must certify that the building has been designed and constructed so that below the flood protection elevation, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The design must take into account: flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effect of buoyancy, and impacts from debris.
 - (b) Flood-proofing measures must be operable without human intervention and without an outside source of electricity.
8. Accessory buildings may be constructed below the flood protection elevation provided there is a minimal potential for significant damage by flooding.
9. Sewage collection and treatment systems and potable water supply systems must be designed and located to prevent inflow or contamination of surface waters up to the flood protection elevation. Electrical and communications utilities must be designed to avoid flood damage up to the flood protection elevation.
10. Mobile homes must be anchored, tied down and blocked in accordance with the standards of Section 15C-1.10, Florida Administrative Code. Mobile homes must not be installed in a floodway or "coastal high hazard zone."
11. If any lot in a residential subdivision lies within a flood hazard zone, then the following additional standards apply to approval of the plat:
 - (a) Each lot must include a site suitable for constructing a residential building in conformity with the standards of this ordinance.
 - (b) One or more elevation benchmarks must be established and indicated on the plat. Said elevations must be referenced to the ~~NGVD (1929)~~ (NACV 1988) and shall be calculated to within 0.1 feet.
 - (c) All prospective agreements for deed, purchase agreements, leases, or other contracts for sale or exchange of lots within the flood hazard zone and all prospective instruments conveying title to lots within the flood hazard zone must carry the following flood hazard warning prominently displayed on the document:

FLOOD HAZARD WARNING

"This property may be subject to flooding. You should contact local building and zoning officials and obtain the latest information regarding flood elevations and restrictions on development before making plans for the use of this property."

12. All roads shall be set at or above the ten year flood elevation, but in no case shall a road be constructed at an elevation below five (5) feet above sea level. All roads shall be designed to maintain drainage flow beneath the road bed so that equalization may occur.
13. If the development project is in a critical flood zone, it must be demonstrated, in addition to compliance with Section 1-8.27(1)—(20) [1-8.7(1)—(19)], that:
 - (a) The elevation or velocity of the regulatory flood will not be increased as a result of any obstruction or displacement of flood waters.

- (b) There is no significant threat of releasing quantities of pollutants which have the effect of degrading water quality below standards established in Florida Administrative Code Chapter 17-3, as amended from time to time, to surface or groundwater during the regulatory flood.
 - (c) The capacity of the critical flood zone to store and convey surface waters or perform other significant water management functions will not be impaired.
14. If the development project is in a coastal high hazard zone, it must be demonstrated, in addition to compliance with Section 1-8.8(1)—(14), that:
- (a) All buildings or structures shall be elevated so that the lowest horizontal supporting member is located no lower than the flood protection elevation, with all space below the lowest horizontal supporting member open so as not to impede the flow of water. Such space shall not be used for human habitation nor enclosed in the future. Lattice work or decorative screening may be constructed below the flood protection elevation provided it is not part of the structural support of the building and is designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building. Solid walls will not be allowed. Only wood or mesh screening may be used.
 - (b) Pilings or columns used as structural supports are designed and anchored to withstand all applied loads of the regulatory flood including velocity flow and hurricane wave wash. Fill must not be used as structural support. Compliance with these provisions must be certified by a Florida Registered Professional Engineer.
 - (c) Mangrove stands are not altered so as to increase potential flood damage.

Section 1-8.9. - Required information for a Type A surface works management permit application.

A detailed description and drawing (scale 1" = 50' or larger) of the proposed stormwater management system shall be submitted to the Town Engineer by a Florida registered engineer. The following information shall be required:

1. Hydrologic data including design rainfall, project drainage area, tributary offsite drainage area, existing and proposed impervious area and soil characteristics including depth to seasonal high water table. Soil borings at four hundred (400') feet spacing to a depth of six (6') feet shall be provided. Alternate representative soil profiles may be used if approved in writing by the Town Engineer and if demonstrated to be from a reliable and generally recognized source. A one (1) foot interval contour topographic map of development area including offsite area of sufficient size to indicate the general neighboring elevations [shall be provided]. The delineation of the latter area shall be satisfactory to the Town Engineer.
2. Hydrologic calculations for determining existing and proposed stormwater runoff.
3. Hydraulic data including receiving water stages, stage-storage and stage-discharge data for proposed retention and/or detention facilities, and percolation test data which follow a standardized percolation methodology approved by the Town Engineer.
4. Hydraulic calculations for sizing channels, culverts, inlets, retention/detention ponds, pond discharge structures, and determining discharge rates and maximum water surface elevations.
5. Erosion and sedimentation control plans, during and after construction.
6. Statement of all assumptions and reference sources used in the conduct of the study.
7. A certificate from a professional engineer licensed in the State of Florida that the soils are suitable and proper for the uses and purposes of the proposed development; or submission of a plan calling for the removal and replacement of unsatisfactory soils. If the applicant submits a plan for removal and replacement of soils, the applicant shall submit a certificate from a professional engineer after the removal and replacement of soils has been completed, stating the new soils are suitable and proper for the uses and purposes of the proposed development. Such certificate shall be furnished to the Town Engineer prior to the issuance of a certificate of completion.

8. Where percolation is proposed, at least one boring per basin shall be submitted. Said borings shall be to a depth of twenty (20) feet below the invert of the basin or to a depth sufficient to locate the groundwater table or impervious soil layer.
9. A general description of the manner in which the stormwater management system is to be maintained, indicating who or what entity shall be responsible and by what method the responsibility shall be created and documented.
10. A list of all agencies (State, Federal or local) having permit jurisdiction for the project.
11. Type B Permit and Type C Permit. In addition to the information required for Type A Permits in Section 1-8.9(1)—(10) an applicant for a Type B Permit shall submit to the Town Engineer the information described in Section 1-8.9(11)(a)—(d) below.

A single family dwelling or duplex located within a flood hazard zone shall require a Type C Permit. Applicants for a Type C Permit shall submit the information described Section 1-8.9(11)(a)—(d), together with that information required in Section 1-8.9(5) and (10).

- (a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.
- (b) Elevation in relation to mean sea level to which any non-residential structure will be floodproofed.
- (c) Provide a certificate from a Florida registered professional engineer or architect that the non-residential floodproofed structure meets the flood-proofing criteria in Section 1-8.8(7)(a)—(b).
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

Section 1-8.10. - Required information to be submitted by Type B permit applications after issuance of permit.

Applicants receiving Type B Permits shall provide to the Town Engineer a flood elevation or flood-proofing certification after the lowest floor is completed, or in instances where the structure is in a "coastal high hazard area," after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Town Engineer, a certification of the elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level based on National Geodetic Vertical Datum. Said certification shall be prepared by, or under the direct supervision of, a Florida registered land surveyor or professional engineer and shall be certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the twenty-one (21) calendar day period and prior to submission of the certification shall be at the permit holder's risk. The Town Engineer shall review the flood elevation survey data submitted and shall respond promptly as to any deficiencies noted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the survey, or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section 1-8.11. - Surface water management permit application and review procedures.

- A. *Preliminary Permit Application.* Any person who is in doubt as to whether a proposed activity requires a permit under this section may request a review by the Town Engineer upon completion of a preliminary application form supplied by the Town Clerk. No fee may be charged for the preliminary application pursuant to Town Council resolution. The preliminary application form shall be filed by the

owner/applicant and shall contain the following elements: (1) A location map; and (2) A statement and sketch expressing the intent and scope of the proposed project.

The completed preliminary application shall be submitted to the Town Engineer for review. Within ten (10) working days after submission of the complete preliminary application, the Town Engineer will notify the applicant that either the project is approved, is exempt, or a formal permit application must be filed for the project.

- B. *Review Procedures for Type A or B Permit Applications.* If a Type A or Type B Permit is required for the project, the applicant shall furnish all required stormwater management information, together with flood protection information, if applicable, to the Town Engineer on forms furnished by the Town Clerk. The requirements of the surface water management policies shall be administered during the site plan review processes (See Section 1-8.5) if the project requires site plan review. If the applicant is subdividing, then administrative provisions for administrating subdivision review shall apply.
- C. *Review Procedures for Type C Permit Applications.* If a Type C Permit is required for the project, the applicant shall furnish all necessary flood protection information to the Town Engineer on forms furnished by the Town Clerk. The application shall be reviewed by the Town Engineer within ten (10) working days of receipt of the application. The Town Engineer's recommendation shall be submitted to the Planning and Zoning Board for approval. The decision of the Planning and Zoning Board may be appealed to the Town Council pursuant to procedures cited in the Administrative Procedures of this Code. In reviewing such permit application, the Planning and Zoning Board, and the Town Council in appeal cases, shall consider the recommendations of the Town Engineer as well as criteria cited herein and the applicant's plan and supportive data. No development shall be approved if such development will result in an increase in the elevation of the regulatory flood, additional threats to public safety, extraordinary public expense, nuisance impacts, or violation of the public interest, or local ordinance. A fee schedule may be established by resolution of the Town Council.

Section 1-8.12. - Administrative duties.

- A. *Stormwater Management, Duties of the Town Engineer:* The Town Engineer shall perform the following specific duties:
 - 1. *Render Professional Determinations.* Make all professional engineering determinations required with respect to analysis of any given application.
 - 2. *Provide Recommendation on any Modifications.* Recommend appropriate courses of action regarding any requested changes or amendments to an approved stormwater management plan.
 - 3. *Provide Necessary Information.* Provide courtesy notice as to the general description and location of newly constructed wet or dry retention facilities to special districts or political entities as may be appropriate.
 - 4. *Certificates of Completion.* After the completion of a project, require as-built plans from the owner or applicant and a Certificate of Completion from the Engineer of Record.
 - 5. *Maintenance Recommendations.* Any surface water management improvements required by this ordinance shall be maintained by the owner, successor owners, or an entity designated by the owner, except that the Town Engineer may recommend that the Town Council accept certain drainage facilities or systems for Town maintenance. The selection of critical areas or structures to be maintained by the Town shall be recommended to the Town Council by the Town Engineer. All areas or structures to be maintained by the Town must be dedicated to the Town by plat or separate instrument and expressly accepted by the Town Council. For any system which is to be maintained by the applicant or entity succeeding in ownership other than the Town, easements shall be established which permit the Town to inspect and if necessary, as determined by the Town, to take corrective action should the entity fail to properly maintain the system. Such easements shall also establish a right of entry as may be necessary for special purposes as directed by State laws or as may be duly determined by the Town. Should the applicant or entity succeeding in ownership fail to properly maintain a system as required, the Town Engineer shall give the applicant or entity succeeding in ownership written notice of the nature of the corrective

action necessary. Should the applicant or entity succeeding in ownership fail, within thirty (30) days from the date of the notice to take, or commence taking, corrective action to the satisfaction of the Town Engineer, the Town may enter upon lands, take corrective action and the cost of such corrective action shall become a lien on the property benefited.

- B. *Flood Protection Management.* The Town Engineer or other designated Town official shall have authority to administer this ordinance, and shall perform the following specific duties:
1. *Determine Adequacy of Information.* Determine any additional information that must be submitted for flood management review.
 2. *Determine Completeness of Applications and Evaluation.* Review applications for compliance with the standards of surface water management policies of this section after input from the administrative staff and the Town Attorney as to those matters within their professional disciplines; and either approve, approve with conditions, or deny the application based on that review. If application approval is denied, the Town Engineer shall state the reasons for denial.
 3. *Filing of Building Plans.* The Building Official shall maintain a record of the actual, "as built" elevation or flood-proofing of all buildings constructed after flood management review.
 4. *Coordinating Review Functions.* Coordinate the review with other permitting agencies, if necessary.

Section 1-8.13. - Permit application required.

A permit application and fee shall be required for the installation of culverts and/or driveways within the right-of-way. The application is attached hereto and is made an integral part of this ordinance.

No work shall be performed within the right-of-way (including temporary installations) before a permit has been granted. A permit will be granted only for those culverts and/or driveways to be constructed under this application.

A separate permit application and fee will be required for any future culverts and/or driveways. A temporary culvert may be installed after the applicant has been issued a culvert permit. A separate permit is not required for a temporary culvert but shall comply with the same hydraulic requirements as the final culvert in both flow capacity and elevation.

Any project proposed within Malabar that requires traversing Town right-of-way for access will require review by the Town Engineer to determine if a culvert is required.

If the culvert installation is a stand alone application, there is a ninety-day time limit to complete each project after a permit is issued. Time extensions may be considered when reasons are given in writing to the town prior to the expiration of the initial ninety-day period.

If the culvert is being placed in conjunction with a building project, the culvert permit will remain valid as long as a valid building permit is held for the building, but said culvert must be completed prior to issuance of a Certificate of Occupancy for the building.

But in no case shall a property be accessed without having been issued a permit and at least a temporary culvert of the correct size placed in the swale or ditch.

(Ord. No. 03-03, § 2, 6-2-03)

Section 1-8.14. - Application requirements.

In addition to the information required on the attached application, the applicant is required to submit a detailed survey with a sketch depicting the following:

- A. Existing elevations referenced to ~~1929 NGVD~~ NAVD 1988 (citing benchmark used) along the existing ditch; at inverts of nearest upstream and downstream culverts;

- B. Center line and edge of roadway along the subject property;
 - C. Distance from proposed pipe to property lines and edge of roadways;
 - D. Width of proposed driveway at property line, at the proposed culvert and edge of roadway;
 - E. Proposed driveway flares (either three-foot x eight-foot (3'x5') or five-foot x ten-foot (5'x10'));
 - F. Length of proposed pipe. Not having an endwall is not an option.
- G. Proposed type of endwall treatment. All endwalls for pipe culverts where the pipe diameter is less than thirty (30) inches located in residential areas and located on lanes and/or minor and major collector roadways shall be mitered and comply with the ~~2008 FDOT Design Standards Index 273 and turnouts per 2008 FDOT Index 515~~ 2021 FDOT Design Standards Index 430 and turnouts per 2021 FDOT Index 515, or current adopted design standard.

(Ord. No. 03-03, § 2, 6-2-03; Ord. No. 09-21, § 1, 5-4-09)

Section 1-8.15. - Design requirements.

The permittee shall be required to either seed and mulch or sod the swale after completion of the proposed work. Any disturbance of areas within the right-of-way shall be restored to existing or better conditions. This includes permanent vegetative cover and compaction. There shall be no other improvements, except as permitted within the road right-of-way. Walls, fences or any other embellishments shall not be permitted within the road or drainage right-of-way. embellishments belong on private property.

The permittee shall be required to contact all applicable utility providers to locate their underground and above ground utility lines, facilities or pipes within the project area, and take necessary precautions to protect such property before construction begins.

The permittee shall use proper erosion and sedimentation control per the latest Florida Department of Transportation Index No. 102 and 103 as applicable.

The permittee shall remove all construction related debris, including but not limited to, trees, roots and brush from the right-of-way and dispose of them accordingly.

(Ord. No. 03-03, § 2, 6-2-03)

Section 1-8.16. - Construction.

Where a driveway meets an existing paved roadway, the driveway shall be paved from the edge of the roadway to the property line a minimum distance of five (5) feet with a minimum width of twelve (12) feet.

Driveways for commercial use shall be designed appropriately to meet the use and conditions of the site and shall comply with the approved site plan per section 1-7.

Where a concrete driveway meets an existing paved roadway, a twelve-inch wide by twelve-inch (12"x12") deep footer shall be used at the roadway.

In cases where a concrete driveway is to extend to an existing paved roadway, that portion of the driveway from the property line to the edge of the road pavement shall be a minimum of six (6) inches deep.

(Ord. No. 03-03, § 2, 6-2-03)

Section 1-8.17. - Conditions.

The permittee shall provide a survey of the constructed inverts and location of the new structures and other required improvements prior to town approval of the continuation of work. If endwalls are constructed prior to verification of inverts of the culvert, the permittee continues the work at their own risk.

The permittee shall notify the Town at least forty-eight (48) hours prior to the placement of any concrete improvement within the right-of-way so the town may inspect such work.

The permit shall be for the limited purpose of installation, placement and maintenance of the improvements specified in the application, and does not convey any other right, title or interest to the permittee in the subject right-of-way property.

The permittee is responsible for any other permits that may be required from other agencies having jurisdiction over the improvements. Issuance of the permit does not relieve the applicant of liability for trespass or damage on private property.

The permittee shall be responsible to use all reasonable care to assure that pedestrians and the traveling public are not unreasonably inconvenienced or endangered by the proposed construction activities, including the properties of reflector barriers, warning signals, or flag as per the latest edition of the Manual of Uniform Traffic Control Devices and the Florida Department of Transportation Roadway and Traffic Design Standards.

(Ord. No. 03-03, § 2, 6-2-03)

Section 1-8.18. - Maintenance and indemnity bond requirements.

The permittee shall be responsible for all maintenance, replacement or removal of any right-of-way improvements authorized by this permit.

The permittee shall hold harmless, the Town, its officers, employees, agents, council members, engineers for any damages, claims, causes of action, or losses whether for personal injury, loss of life, or property damage, arising from the actions or omissions of the permittee, its officers, agents, or employees associated with the placement, maintenance or removal of installations authorized by this permit.

Furthermore, the permittee may be required to obtain a bond equal to one hundred ten (110) percent of the project cost; to be determined on an application by application basis at the sole discretion of the Town Engineer.

(Ord. No. 03-03, § 2, 6-2-03)

Section 1-8.19. - Culvert removal/replacement.

The following shall apply to the removal or replacement of an existing culvert:

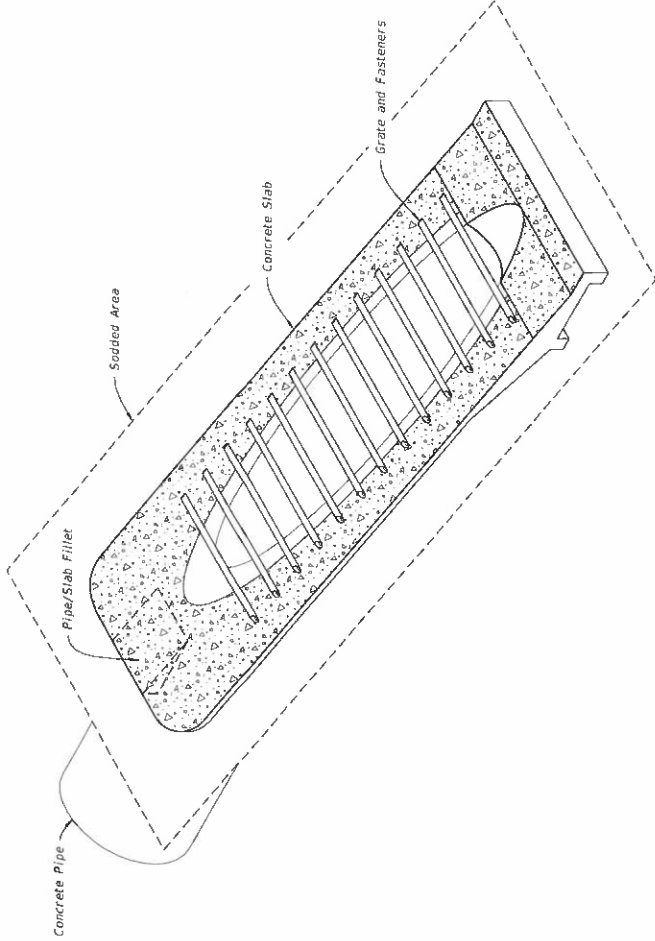
- A. In the event that it is determined by the Town that a culvert shall be in disrepair, or is a danger to the public health, safety and welfare, the land owner utilizing the culvert for access to his/her property, shall remove and replace the said culvert at their expense and such replacement culvert shall be in accordance with the standards in existence at the time the said culvert is replaced. Upon notification by the Town to the land owner, the owner shall apply for a permit from the Town within thirty (30) days and complete said work within thirty (30) days of the issuance of a new permit. The land owner may request a thirty-day extension, in writing, for good cause. If the land owner has not completed the work within ninety (90) days of notification by the Town, the Town may do the work and bill the owner.
- B. If a culvert shall need to be removed and replaced as a result of a Town initiated public project then the Town shall be required to replace the said culvert at the cost of the Town. Under no circumstances, however, shall the Town be responsible to repair, replace or compensate a land owner for any improvements or embellishments made in the public right-of-way which are removed as a result of a culvert replacement project.

- C. If the Town decides that an otherwise functioning culvert must be upgraded to current standards then the Town shall pay all costs associated with the upgrade, however, the Town shall not be responsible to repair, replace or compensate a land owner for any improvements or embellishments made in the public right-of-way which are removed as a result of culvert replacement project.

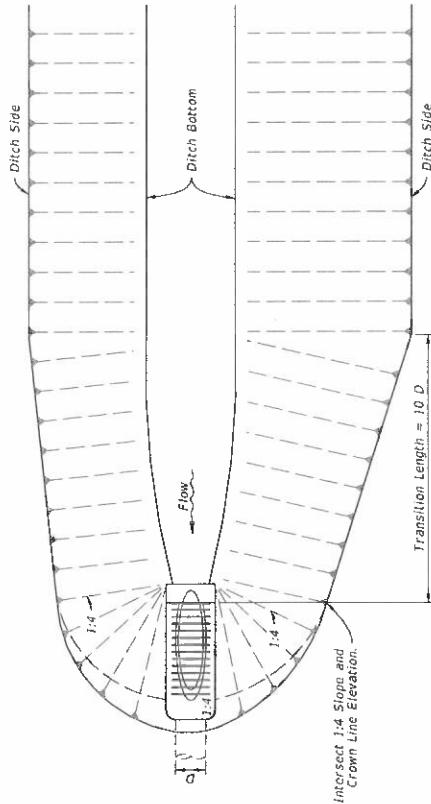
(Ord. No. 03-03, § 2, 6-2-03)

GENERAL NOTES:

1. Unless otherwise designated in the plans, concrete pipe mitered end sections may be used with any type of side drain pipe; corrugated steel pipe mitered end sections may be used with any type of side drain pipe except aluminum pipe; and, corrugated aluminum mitered end sections may be used with any type of side drain pipe except steel pipe. When bituminous coated metal pipe is specified for side drain pipe, construct the mitered end sections with like pipe or concrete pipe. When the mitered end section pipe is dissimilar to the side drain pipe, construct a concrete jacket in accordance with Index 430-001.
2. Use either corrugated metal or concrete mitered end sections for corrugated polyethylene pipe (HDPE), polyvinyl-chloride pipe (PVC), steel reinforced polyethylene pipe (SRPE), and polypropylene pipe (PP). When used in conjunction with corrugated mitered end sections, make connection using either a formed metal band specifically designated to join HDPE, PVC, SRPE, or PVC pipe. When used in conjunction with a concrete mitered end sections, construct concrete jacket in accordance with Index 430-001.
3. Use class NS concrete cast-in-place reinforced slabs for all cross drain pipes.
4. Select lengths of concrete pipe that avoid excessive connections in the assembly of the mitered end section.
5. Repair corrugated metal pipe galvanizing that is damaged during beveling and perforating.
6. When existing multiple side drain pipes are spaced other than the dimensions shown in this Index, have nonparallel axes, or non-uniform sections, either construct the mitered end sections separately as single pipe or collectively as multiple pipe end sections as directed by the Engineer.
7. Saddle Slope:
 1:4 Miter - Slope to $\frac{1}{2}$ of pipe for round pipes less than or equal to 18" diameter and 1:1 for round pipes greater than or equal to 24" diameter.
 Slope to the major axis for elliptical pipes 24"x36" or smaller and 1:2 for pipes 29"x45" or larger.
 Slope to the span line for pipe arch 28"x20" or smaller and 1:2 for pipe arch 35"x24" or larger.
- 1:2 Miter - Slope to $\frac{1}{2}$ of pipe for round pipes less than or equal to 18" diameter and 1:2 for round pipes greater than or equal to 24" diameter.
 Slope to the major axis for elliptical pipes 29"x45" or smaller and 1:1 for pipes 36"x53" or larger.
 Slope 1:1 for all pipe arch sizes.
8. Quantities shown are for estimating purposes only.



SIDEDRAIN MITERED END SECTION
 (Concrete Pipe Shown, Corrugated Metal Pipe Similar)



DITCH TRANSITION

TABLE OF CONTENTS:

Sheet	Description
1	General Notes and Contents
2	Single and Multiple Concrete Pipe
3	Concrete Pipe Dimensions and Quantities and Permissible Pavement Modifications
4	Single and Multiple Corrugated Metal Pipe
5	Corrugated Metal Dimensions and Quantities
6	Concrete Pipe Connection and Corrugated Metal Pipe Anchor Details
7	Fastener Unit and Grate Details

DESCRIPTION:
 REVISION
 LAST REVISION
 11/01/19

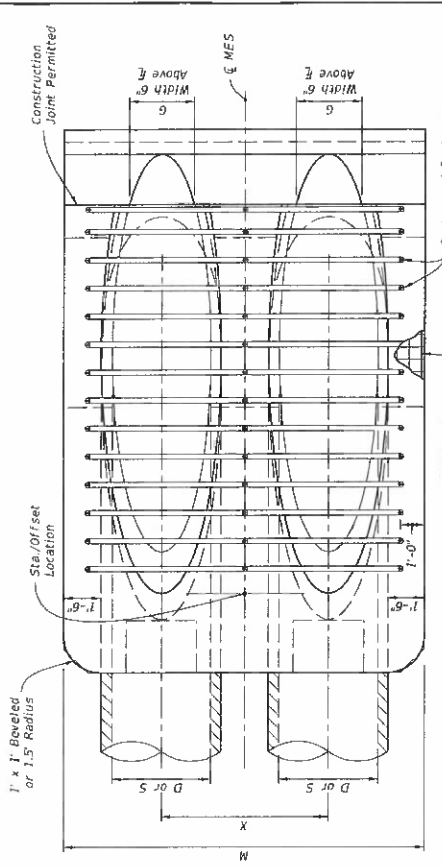


FY 2021-22
 STANDARD PLANS

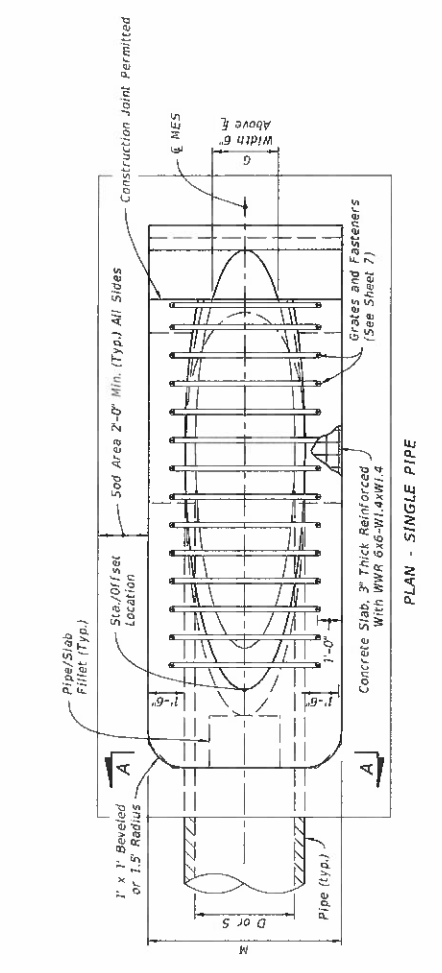
SIDE DRAIN MITERED END SECTION

INDEX
 430-022

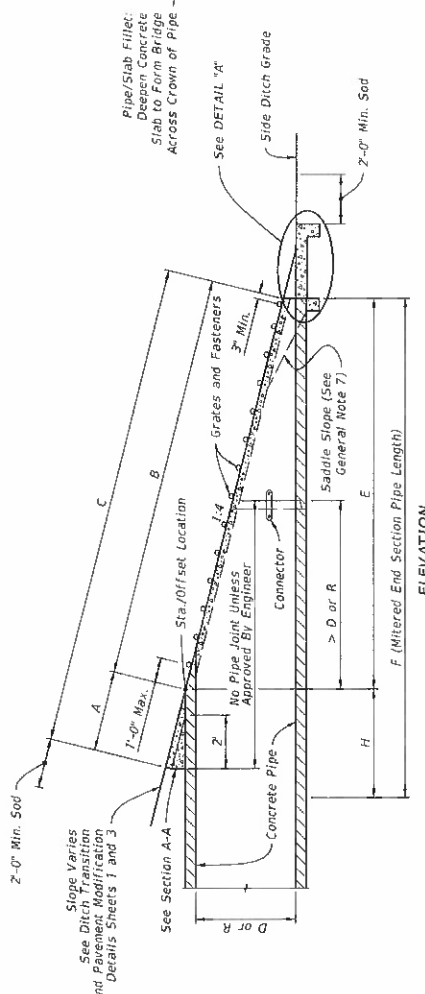
SHEET
 1 of 7



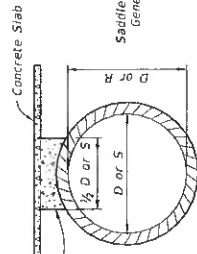
PLAN - SINGLE PIPE



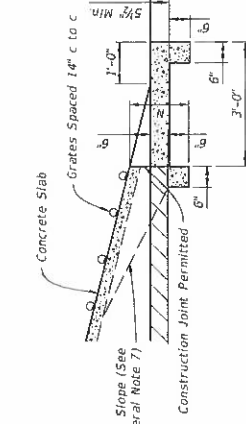
PLAN - MULTIPLE PIPE



ELEVATION



SECTION A-A
(Pipe/Slab Fillet)



DETAIL "A"

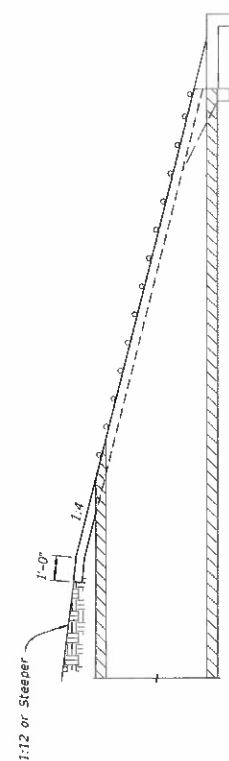
ROUND CONCRETE PIPE
(Elliptical Pipe Similar)

DESCRIPTION:	SINGLE AND MULTIPLE CONCRETE PIPE	
LAST REVISION	INDEX	SHEET
11/01/18	430-022	2 of 7
STANDARD PLANS		
SIDE DRAIN MITERED END SECTION		



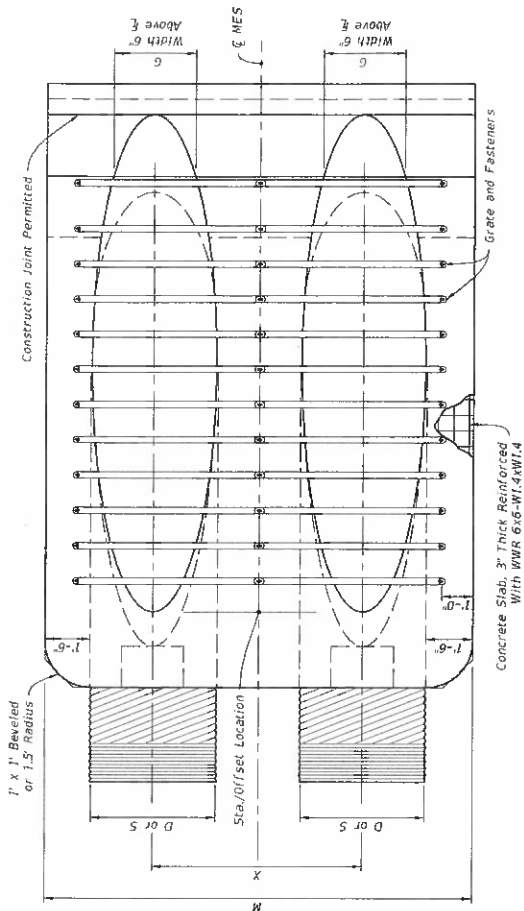
FY 2021-22

Pipe Diameter (D)	Span (S)	X	A	B	C	E	F	G	H	M			N		GRADE SIZES		3" CONC. SLAB (CY)			SODDING (SV)			
										Single Pipe	Double Pipe	Triple Pipe	Quad. Pipe	Weight	Standard Pipe	Extr. Pipe	Single Pipe	Double Pipe	Triple Pipe	Quad. Pipe	Single Pipe	Double Pipe	Triple Pipe
15"	---	2'-7"	4.09	6.36	4.03	B	1.22	4.07	4.63	7.21	9.79	12.37	1.19	1.19	1.94	0.76	1.16	1.54	1.94	8	10	11	12
16"	---	2'-10"	2.36	5.12	7.48	5.03	9	1.41	4.00	4.92	7.75	10.59	13.42	1.21	1.19	0.85	1.28	1.71	2.17	9	10	12	13
24"	---	3'-5"	2.53	7.18	8.71	7.03	11	1.73	4.00	5.50	8.92	12.33	15.75	1.25	1.25	1.02	1.58	2.15	2.75	10	12	13	15
30"	---	4'-3"	2.67	9.23	11.93	9.03	13	2.00	4.00	6.08	10.33	14.95	18.83	1.29	1.25	3"	1.23	1.98	2.74	12	14	15	17
36"	---	5'-0"	2.81	11.28	14.02	11.06	15	2.24	4.00	9.26	13.76	19.83	25.76	1.33	1.29	3"	1.40	2.26	3.33	13	17	16	20
42"	---	6'-0"	3.22	13.43	18.95	15.03	19	2.65	4.00	7.63	14.58	21.33	28.68	1.27	1.27	3"	1.81	3.26	4.70	15	18	21	24
48"	---	7'-0"	3.56	15.49	20.85	17.03	21	2.83	4.00	8.42	16.08	23.75	31.42	1.46	1.46	4"	2.03	3.78	5.54	17	20	23	27
54"	---	8'-0"	3.96	17.49	23.11	19.03	23	3.00	4.00	9.00	17.50	26.00	34.50	1.50	1.50	4"	2.28	4.36	6.43	18	22	25	29
60"	---	9'-0"	4.41	19.55	25.42	21.03	25	3.15	4.00	9.59	19.00	28.00	37.50	1.59	1.59	4"	2.58	4.81	7.17	19	24	28	33
66"	---	10'-0"	4.91	21.76	27.76	23.03	27	3.30	4.00	10.19	20.67	30.00	39.63	1.63	1.63	4"	2.91	5.30	7.83	20	26	31	36
72"	---	11'-0"	5.44	24.13	30.11	25.03	29	3.45	4.00	10.81	22.50	32.25	41.76	1.67	1.67	4"	3.27	5.85	8.64	21	28	34	40
78"	---	12'-0"	6.01	26.65	32.60	27.03	31	3.60	4.00	11.46	24.50	34.75	44.01	1.71	1.71	4"	3.66	6.44	9.54	22	30	37	44
84"	---	13'-0"	6.62	29.32	35.23	29.03	33	3.75	4.00	12.13	26.75	37.50	46.35	1.75	1.75	4"	4.07	7.14	10.86	23	32	40	48
90"	---	14'-0"	7.27	32.15	38.00	31.03	35	3.90	4.00	12.83	29.25	40.25	48.75	1.79	1.79	4"	4.50	7.91	12.33	24	34	43	52
96"	---	15'-0"	7.96	35.14	41.00	33.03	37	4.05	4.00	13.56	32.00	43.25	51.25	1.83	1.83	4"	5.00	8.84	14.00	25	37	47	57
102"	---	16'-0"	8.69	38.38	44.23	35.03	39	4.20	4.00	14.33	35.00	46.50	53.75	1.87	1.87	4"	5.55	9.94	15.96	26	39	50	60
108"	---	17'-0"	9.46	41.87	47.70	37.03	41	4.35	4.00	15.14	38.25	50.00	56.25	1.91	1.91	4"	6.15	11.20	18.18	27	41	53	64
114"	---	18'-0"	10.27	45.61	51.40	39.03	43	4.50	4.00	16.00	41.75	53.75	58.75	1.95	1.95	4"	6.78	12.64	20.76	28	43	56	68
120"	---	19'-0"	11.12	49.61	55.27	41.03	45	4.65	4.00	16.91	45.50	57.75	61.25	1.99	1.99	4"	7.45	14.26	24.00	29	46	60	73

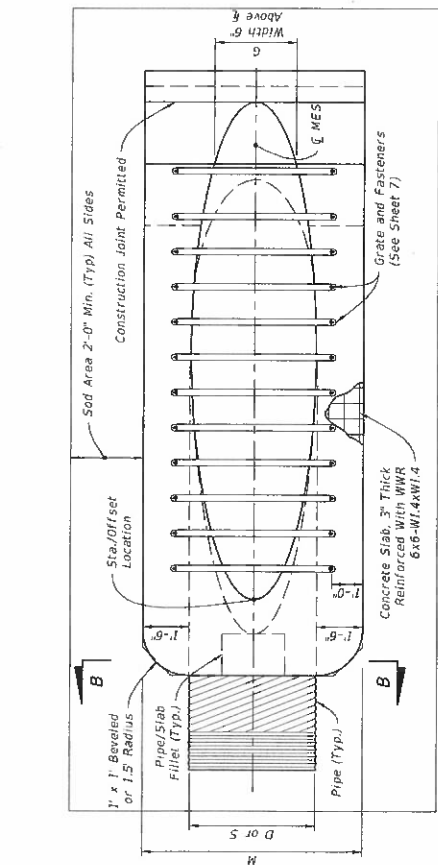


--- PERMISSIBLE PAVEMENT MODIFICATION ---

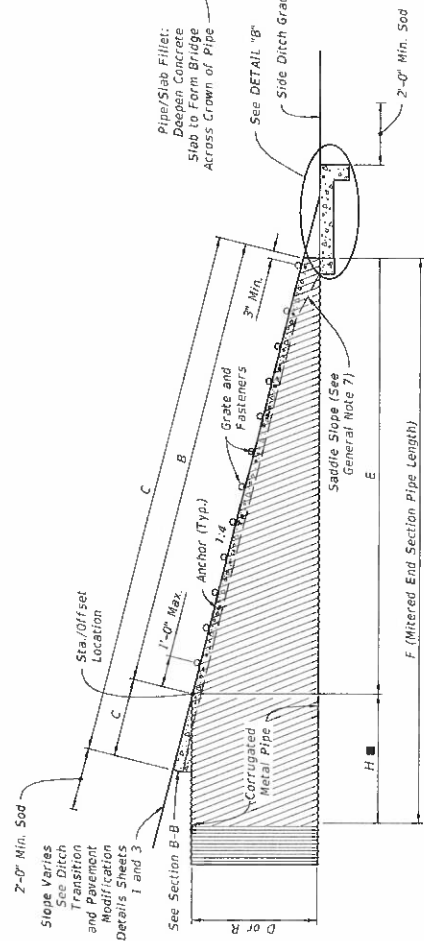
CONCRETE PIPE DIMENSIONS AND QUANTITIES AND PERMISSIBLE PAVEMENT MODIFICATION



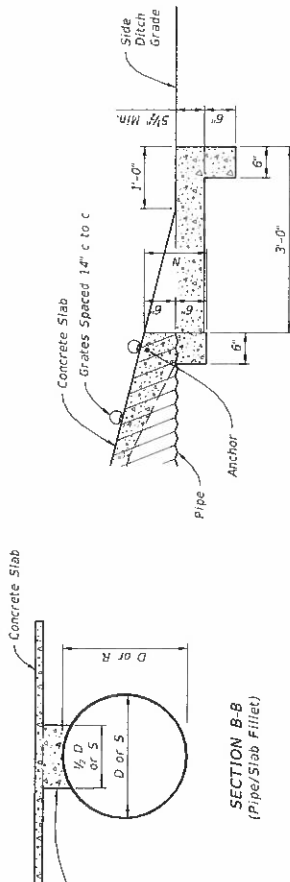
PLAN - SINGLE PIPE



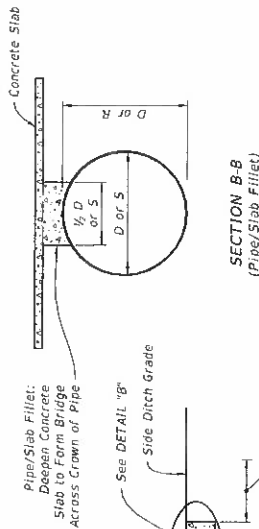
PLAN - MULTIPLE PIPE



ELEVATION



DETAIL "8"



SECTION B-B
(Pipe/Slab Fillet)

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SINGLE AND MULTIPLE CORRUGATED METAL PIPE
SIDE DRAIN MITERED END SECTION

STANDARD PLANS

FDOT

FY 2021-22

DESCRIPTION:
REVISION:
LAST REVISION
11/01/19

ROUND CORRUGATED PIPE
(Arched Pipe Similar)

SINGLE AND MULTIPLE CORRUGATED METAL PIPE DIMENSIONS AND QUANTITIES

Dia. D	Rise R	Span S	X	A	B	C	E	F	G	H	M			N	GRATE SIZES			3" CONC. SLAB (CY)			SODDING (CY)				
											Single Pipe	Double Pipe	Triple Pipe		Quad Pipe	STANDARD WEIGHT PIPE	EXTRA STRONG PIPE	Single Pipe	Double Pipe	Triple Pipe	Single Pipe	Double Pipe	Triple Pipe	Single Pipe	Double Pipe
6"	---	---	2'-0"	2.5	0.72	3.22	0.7	4.0	0.58	3.3	3.75	5.75	7.75	9.75	1.04	---	---	---	0.52	0.90	1.22	1.54	7	8	9
10"	---	---	2'-2"	2.5	1.34	3.84	1.3	5.0	1.01	3.7	3.92	6.08	8.25	10.41	1.04	---	---	---	0.64	0.99	1.34	1.70	7	8	9
12"	---	---	2'-4"	2.5	2.06	4.56	2.0	6.0	1.00	4.0	4.06	6.42	8.75	11.08	1.04	---	---	---	0.68	1.09	1.48	1.88	7	8	9
15"	---	---	2'-7"	2.5	3.09	5.59	3.0	7.0	1.23	4.0	4.33	6.92	9.50	12.08	1.04	---	---	---	0.64	1.00	1.35	1.71	8	9	10
18"	---	---	2'-10"	2.5	4.12	6.62	4.0	8.0	1.41	4.0	4.58	7.42	10.25	13.08	1.04	---	---	---	0.69	1.09	1.49	1.89	9	10	11
24"	---	---	3'-5"	2.5	6.16	8.68	6.0	10.0	1.73	4.0	5.08	8.50	11.82	15.33	1.04	---	---	---	0.83	1.34	1.82	2.34	10	11	12
30"	---	---	4'-3"	2.5	8.25	10.75	8.0	12.0	2.00	4.0	5.58	9.85	14.08	18.33	1.04	---	---	---	0.96	1.63	2.32	2.99	11	12	13
36"	---	---	5'-1"	2.5	10.37	12.61	10.0	14.0	2.24	4.0	6.08	11.77	16.25	21.33	1.04	---	---	---	1.08	1.92	2.77	3.62	12	13	14
42"	---	---	6'-1"	2.5	12.37	14.87	12.0	16.0	2.45	4.0	6.58	12.58	18.58	24.58	1.04	---	---	---	1.20	2.26	3.34	4.61	13	14	15
48"	---	---	7'-0"	2.5	14.18	16.98	14.0	18.0	2.63	4.0	7.08	13.53	20.33	27.33	1.04	---	---	---	1.30	2.55	3.75	5.16	14	15	16
54"	---	---	8'-0"	2.5	15.85	18.95	16.0	20.0	3.00	4.0	8.08	15.58	23.08	31.58	1.04	---	---	---	1.40	2.85	4.25	5.86	15	16	17
60"	---	---	9'-0"	2.5	18.55	21.05	18.0	22.0	3.37	4.0	9.08	18.08	26.08	35.58	1.04	---	---	---	1.50	3.35	4.95	6.76	16	17	18
17"	---	---	2'-8"	2.5	2.41	4.91	2.33	7.0	1.39	4.7	4.59	7.07	9.50	12.07	1.04	---	---	---	0.69	1.06	1.44	1.77	8	9	10
21"	---	---	2'-10"	2.5	3.09	5.59	3.00	8.0	1.76	5.0	4.83	7.67	10.50	13.33	1.04	---	---	---	0.81	1.26	1.73	2.19	8	9	11
25"	---	---	2'-10"	2.5	4.81	7.31	4.67	9.0	2.22	4.3	5.42	8.83	12.25	15.67	1.04	---	---	---	0.94	1.51	2.09	2.66	10	12	14
29"	---	---	3'-5"	2.5	6.18	8.68	6.00	11.0	2.55	5.0	6.00	10.00	14.00	18.00	1.04	---	---	---	1.06	1.76	2.46	3.16	11	13	15
35"	---	---	4'-0"	2.5	7.90	10.40	7.67	12.0	2.97	4.3	6.58	11.33	16.08	20.83	1.04	---	---	---	1.19	2.02	2.84	3.68	12	14	17
42"	---	---	4'-9"	2.5	9.78	11.78	9.00	14.0	3.34	5.0	7.17	12.67	18.17	23.67	1.04	---	---	---	1.35	2.35	3.35	4.36	13	16	19
49"	---	---	5'-6"	2.5	11.00	13.50	10.67	16.0	3.65	5.3	7.83	14.17	20.50	26.83	1.04	---	---	---	1.50	2.70	3.86	5.03	14	17	20
57"	---	---	6'-4"	2.5	12.71	15.21	12.33	17.0	3.89	4.7	8.42	15.50	22.58	29.67	1.04	---	---	---	1.62	2.94	4.27	5.59	15	18	22
64"	---	---	7'-1"	2.5	14.09	16.59	13.67	19.0	4.14	5.3	9.00	16.83	24.67	32.50	1.04	---	---	---	---	---	---	---	---	---	---
71"	---	---	7'-10"	2.5	15.09	17.59	14.67	20.0	4.37	5.3	9.00	16.83	24.67	32.50	1.04	---	---	---	---	---	---	---	---	---	---

CORRUGATED METAL PIPE DIMENSIONS AND QUANTITIES

SIDE DRAIN MITERED END SECTION

FY 2021-22
STANDARD PLANS

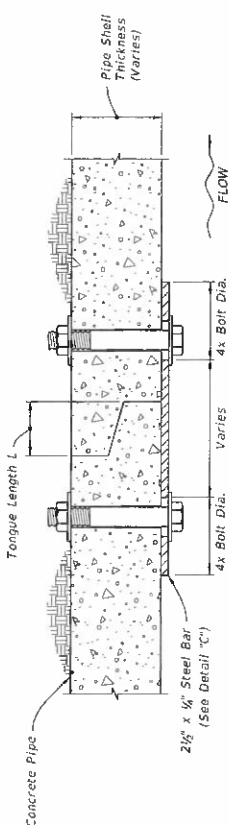


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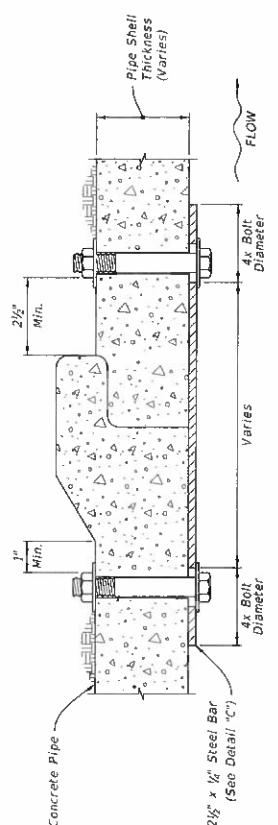
LAST REVISION
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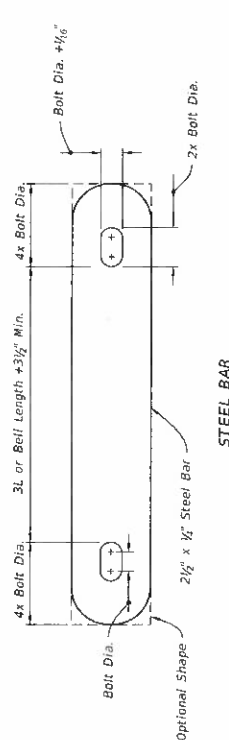
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TONGUE AND GROOVE CONNECTOR DETAIL



BELL AND SPIGOT CONNECTOR DETAIL



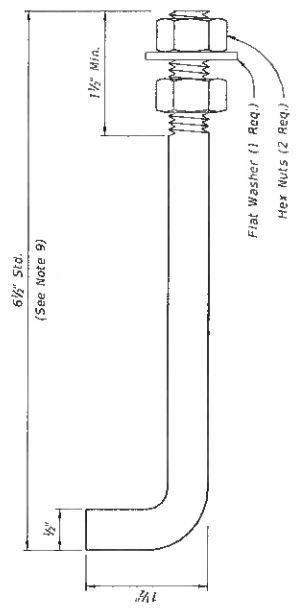
NOTES:

1. Use galvanized steel for all bars, bolts, nuts, and washers.
2. Two connectors required per joint, located 60° right and left of bottom center of pipe.
3. Bolt holes in pipe shell are to be drilled.

Bolt Dia.	Pipe Dia.
3/8"	15" to 36"
1/2"	42" to 72"

CONCRETE PIPE CONNECTION DETAIL

DETAIL "C"



NOTES:

1. Anchors required for CMP only.
2. Use galvanized steel for all anchors, nuts, and washers.
3. Bend anchor where required to center in concrete slab.
4. Repair damaged surfaces after bending.
5. Space anchors a distance equal to four (4) corrugations.
6. Place the anchors in the outside crest of corrugation.
7. Place flat washers on inside wall of pipe.
8. Drill or punch holes in the mitered end pipe; burning not permitted.
9. A 6" x 1/2" bolt substitution is permitted.

CORRUGATED METAL PIPE (CMP) ANCHOR DETAIL

DETAIL "D"

CONCRETE PIPE CONNECTION AND CORRUGATED PIPE ANCHOR DETAILS

FDOT
 STANDARD PLANS
 FY 2021-22

DESCRIPTION:
 REVISION
 LAST REVISION
 11/01/19

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NOTES:

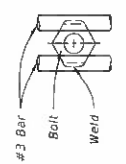
1. $\frac{1}{2}$ " x 3" bolts are standard for all grate fasteners, except when the contractor elects to use the slotted upper holes for the intermediate fasteners on multiple drain pipes, which will require bolt lengths in the Special Bolt Length Table.
2. $\frac{3}{8}$ " galvanized bolt hex head bolt shown; either hex head or square head bolt may be used. Use only hex nuts.
3. Make the specified weld when the fabricated unit is subject to hazardous loads and repeated handling. Tack welds are permitted for local or job site fabrication. Galvanizing over welded surface not required.
4. Omit on trailing downstream ends on divided roadways.
5. Use grates on all round pipes 30" or greater. Pipe arches 35", 24" or greater, and elliptical pipe 19" x 30" or greater, unless excluded in the Plans. Use grates on smaller pipes only when called for in the Plans.

ROUND PIPE		ELLIPTICAL PIPE							
Pipe Dia.	s	n	L	La	Drain Size	s	n	L	La
18"	3	4	4'-0"	4'-11"	12" x 18"	2	3	2'-10"	3'-9"
24"	4	5	5'-2"	6'-1"	14" x 23"	3	4	4'-0"	4'-11"
30"	6	7	7'-6"	8'-5"	19" x 30"	4	5	5'-2"	6'-1"
36"	8	9	8'-8"	9'-7"	24" x 36"	5	6	6'-4"	7'-3"
42"	10	11	10'-0"	11'-1"	29" x 42"	6	7	7'-6"	8'-5"
48"	12	13	11'-6"	12'-7"	34" x 48"	8	9	8'-8"	9'-7"
54"	14	15	13'-6"	14'-7"	39" x 54"	10	11	10'-0"	11'-1"
60"	16	17	15'-2"	16'-3"	43" x 60"	12	13	12'-0"	13'-1"
					48" x 66"	13	14	13'-4"	14'-5"
					53" x 63"	14	15	14'-8"	15'-9"
					58" x 61"	15	16	15'-10"	16'-11"

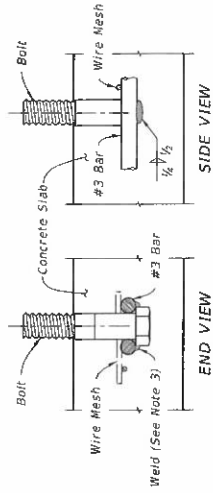
ROUND PIPE		ARCHED PIPE							
Pipe Dia.	s	n	L	La	Drain Size	s	n	L	La
18"	2	3	2'-10"	3'-9"	12" x 18"	1	2	1'-8"	2'-7"
24"	3	4	4'-0"	4'-11"	14" x 23"	2	3	2'-10"	3'-9"
30"	5	6	6'-4"	7'-3"	19" x 30"	4	5	5'-2"	6'-1"
36"	6	7	8'-8"	9'-7"	24" x 36"	5	6	6'-4"	7'-3"
42"	8	9	9'-10"	10'-9"	29" x 42"	6	7	7'-6"	8'-5"
48"	10	11	11'-2"	12'-1"	34" x 48"	8	9	8'-8"	9'-7"
54"	12	13	13'-2"	14'-1"	39" x 54"	10	11	10'-0"	11'-1"
60"	14	15	15'-0"	16'-0"	43" x 60"	12	13	12'-0"	13'-1"
					48" x 66"	12	13	12'-0"	13'-1"

* See Note 5

SPECIAL BOLT LENGTH	
Grate Size (Std. & X-Stub)	Bolt Length
2 1/2"	5 1/2"
3 1/2"	6 1/2"
4"	7"

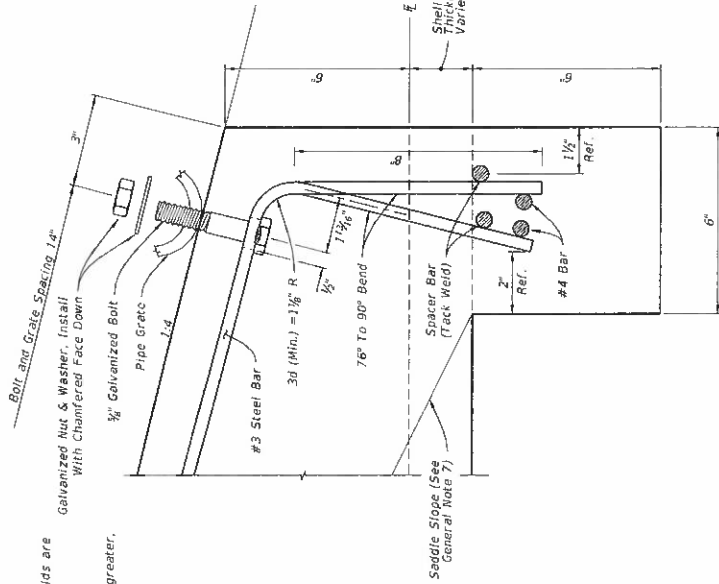


TOP VIEW



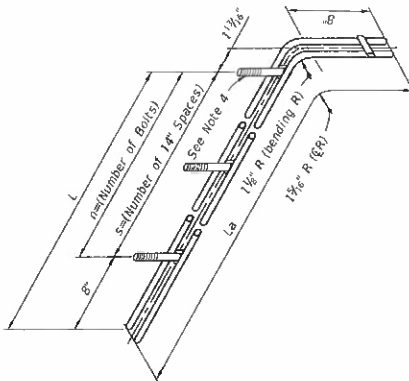
SIDE VIEW

END VIEW

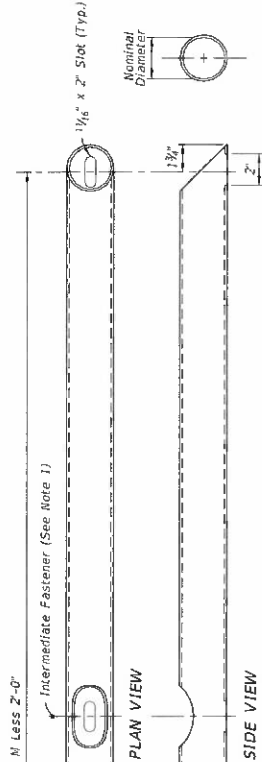


Saddle Slope (See General Note 7)

Shell Thickness Varies



MULTIPLE FASTENER UNIT DETAIL
(For Single and Multiple Pipes)

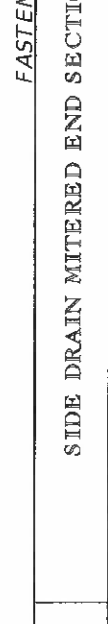


- NOTE:**
1. Install intermediate slot and fastener for multiple drain pipes only.

- Options for top opening:
- a. 4" of 6" mill head cut, 1" deep
 - b. 2" diameter drilled hole
 - c. 1/16" x 2" slot

Bottom opening: 1/16" x 2" slot.

GRATE DETAIL
(For Single and Multiple Pipes)



LAST REVISION	DESCRIPTION:
11/01/20	REVISION



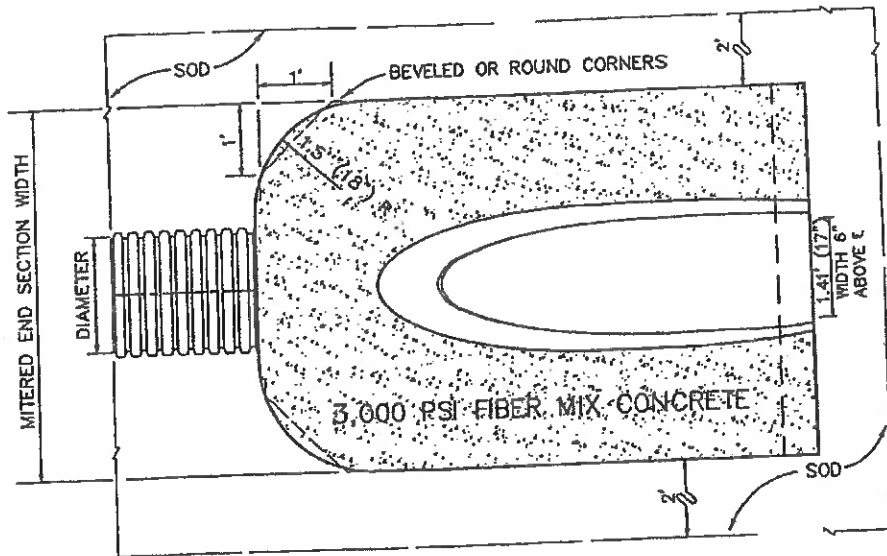
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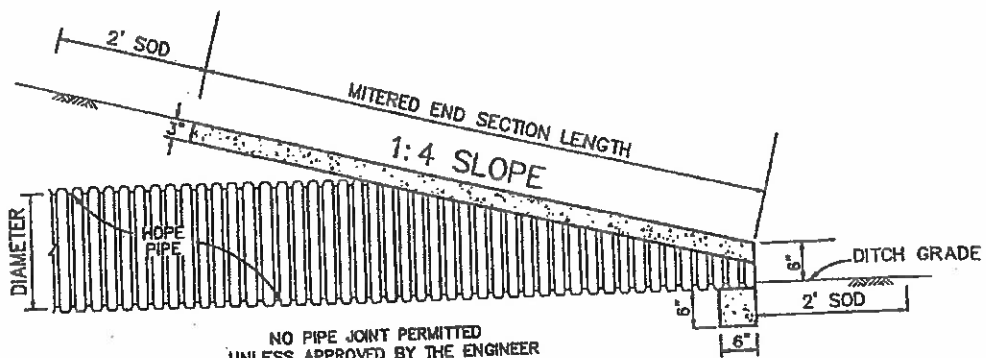
SIDE DRAIN MITERED END SECTION

FASTENER UNIT AND GRATE DETAILS

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PLAN VIEW-SINGLE PIPE



SECTION THROUGH PIPE CENTERLINE

MITERED END SECTION DIMENSIONS AND QUANTITIES				
DIAMETER	WIDTH	LENGTH	CONCRETE	SOD
15"	4.33' (52")	5.59' (67")	0.64 CU.YD.	8 SQ.YD.
18"	4.58' (55")	6.62' (80")	0.69 CU.YD.	9 SQ.YD.
24"	5.08' (61")	8.68' (104")	0.83 CU.YD.	10 SQ.YD.
30"	5.58' (67")	10.75' (129")	0.96 CU.YD.	11 SQ.YD.
36"	6.08' (73")	12.81' (154")	1.08 CU.YD.	12 SQ.YD.

Town of Malabar

2725 Malabar Road ♦ Malabar, FL 32950-4427 (321) 727-7764

dsherear@townofmalabar.org

DRIVEWAY CULVERT MITERED END SECTION DIMENSIONS

TOWN OF MALABAR

Planning and Zoning Board

AGENDA ITEM NO: 7.b
Meeting Date: March 24, 2021

Prepared By: Lisa Morrell, Interim Town Manager

SUBJECT: Discussion of a Recreation Vehicle Park (RVP) Zoning District

BACKGROUND/HISTORY:

Discussion to review and develop a new zoning district entitled Recreation Vehicle Park. Per the P&Z Board Meeting on February 24, 2021, town staff is bringing forth sample adopted codes for further discussion of the board for potential development of a local code of ordinance recommendation for Town Council approval. Staff has included a recently published news article related to the increase in recreational Vehicle park development and zones

As suggested by a board member, the packet includes Florida State Statute, Chapter 513, entitled Mobile Home and Recreational Vehicle Parks for the inclusion of state regulated items pursuant to the operation of mobile home and recreational vehicle parks. Within Chapter 513, section(s) 513.1115 defer to local governments for placement of recreational vehicles on lots in permitted parks related to local zoning and land development codes of ordinances.

Staff has included three (3) currently adopted zoning codes within Florida: Marion County, City of Orlando, and Town of Rockledge. Staff recommends utilizing the Town of Rockledge as it is the most descriptive and user friendly to a constituent to understand.

	Marion County	Orlando	Rockledge
Parcel Development	2 or more units	20 acres	10 acres
Min. Lot Area	1500 sq. ft	1400 sq. ft.	1200 -1500 sq. ft.
Density			15 RV per gross acre
Parking/Street		Specs Included	Specs Included
Length of Stay		Max 3 months in any 12 month period.	Max 180 days/12 consecutive months.
Owner Occupancy Permitted	Yes		Yes

ATTACHMENTS:

USA Today News Article: Gated RV resorts popping up all across Marion County.PDF dated March 2, 2021.PDF

Marion County, FL Land Development Code P-RV 4.2.25.PDF

Orlando, FL Code of Ordinances Zoning Districts Other 4I. Rec Vehicle Parks.PDF

Rockledge, FL Land Development Regulations RVP 62.90.PDF

ACTION OPTIONS:

Motion to direct town staff to provide a draft language for next meeting to review and revise for recommendation advisement to Town Council for public hearing(s) and approval(s).

NEWS

Gated RV resorts have sprung up during the pandemic. Marion County is 'the next hot spot'

By [Joe Callahan](#) Ocala Star-Banner

Published 9:49 p.m. ET Mar. 2, 2021 | Updated 11:48 a.m. ET Mar. 3, 2021

It was August 2019 when Debbie and Steve Newsome left their Alaska home in their 38-foot Winnebago, called a Class A Diesel Pusher, and headed south to Alabama to visit family. It was their first out-of-state RV retirement journey.

While in Alabama, they watched an RVing video on YouTube that featured Sunkissed Village RV Resort, a luxury 55-and-older park on South U.S. 441, next to Camping World and across the street from Del Webb Spruce Creek Golf & Country Club retirement community in Summerfield.

The couple loaded up and headed south to be kissed by the Florida sunshine.

Sunkissed Village, which sits on 33 acres, opened in December 2019. Currently, the park has 208 RV sites and 59 park model suites, or permanent manufactured homes, that are about 500 square feet each.

Unlike the RV parks and campsites of old, many of the newer RV camping venues are, in fact, resorts. They feature scenic lots, large clubhouses, Olympic-size pools, and ample recreation facilities, including popular pickleball courts.

Debbie Newsome, 65, said that COVID-19 forced her and her husband, who is 67, to alter their original plan, which was to spend winter 2019-20 in the southern United States before heading back to Alaska last spring.

More: [USA Today travel tips](#)

"We didn't intend on staying away for a year, but because of COVID we decided it was best for us to just to stay put until it calms down some," Darla Newsome noted, adding RV parks are now about location and neighbors.

By the time they get back home, if the new plan plays out, 20 months will have passed since they left Anchorage.

The couple does a lot of biking at the Santos Trailhead, as well as "all kinds of games, dinners and dancing" at Sunkissed Village, she noted. She said of course the dinners and dancing are outdoors and have met social distancing requirements.

Sunkissed Village is one of many luxury-style RV communities that are popping up all across Florida, and especially in Marion County.

'Marion is next hot spot'

Bobby Cornwell, president and CEO of the Florida Association of RV Parks and Campgrounds for nearly three decades, said Florida is seeing the most growth in terms of new RV parks, and Marion is becoming a top destination.

In Florida, there is one RV space per 225 people, while in Marion there is one RV space per 60 people. That means Marion has nearly four times the RV lots per capita than the state average.

Marion has 41 RV parks and 5,820 spaces. Florida has 800 RV parks and 100,000 spaces. Marion is becoming a hot spot because of its proximity to Orlando and the beaches. The Ocala National Forest is also known for its springs and trails – not to mention the World Equestrian Center, the Florida Horse Park and other venues that draw people who may need longer term living arrangements.

"Ocala is just primed," Cornwell said. "It's growing by leaps and bounds. A lot of it has to do with Ocala being in Central Florida. It's a peaceful area that is conveniently located to Orlando, the beaches and an hour-and-half from anywhere you want to go."

Cornwell said that the weather is good in Ocala and the local government has worked well with developers to have "nice RV business properties in the area."

Mike Wood, who owns four RV parks in Alachua and Sumter counties, says Marion County is where he wants to expand. His RV parks can be found on his I75Camp.com website, which he uses to draw in customers.

He said he once owned an RV park in Marion and is looking to do so again.

"I am very familiar with Marion County and I am actively looking because I need that spot because I have got parks from Bushnell, Lake Panasoffkee and Wildwood, on up to Gainesville. There's no question that Marion County is the next hot spot," he said.

Build it and they will come

Darla Sinnard is regional manager for Sunkissed Village and three other properties owned by Jennings Realty in Illinois. She said Sunkissed is the company's first RV park built from scratch. The others were purchased and renovated.

"We are booked into the spring," Sinnard said. "They come down during the pandemic and enjoy the Florida sunshine and have the ability to safely go to restaurants and attend events with masks. It's the freedom of traveling."

Coming soon will be two more luxury RV resorts, which are slated to open by early 2022, while others are set to be renovated and expanded.

- **Champions Run Ocala Luxury RV Resort:** Developer Chris Miller, of Sunlight Resorts, said the company will soon break ground on 50-plus acres. The development will include a 12,000-square-foot clubhouse and large pool.

The resort will be on Northwest 44th Avenue just off U.S. 27, not far from the The Shops of Foxwood Publix.

"We will be putting in many amenities, such as shuffleboard court, pickleball courts and palm trees on every lot," Miller said. "This will be a five-star resort."

Miller said his company just opened its first luxury resort in Lake Wales, called Resort at Canopy Oaks.

- **Southern Leisure RV Resort of Ocala:** Construction is underway on 185 RV sites in this planned gated resort, which is expected to open by Jan. 1, according to developer Alan Wallace. It will be just west of Interstate 74 and north of State Road 40.

Wallace is the developer of Keystone Heights RV Resort, which just opened. Amenities will include a 7,000-square-foot clubhouse, an Olympic-size swimming pool and spa, as well as bocce ball, pickleball and shuffleboard courts.

Wallace is also the developer of the Southern Leisure RV Resort in Chiefland, which opened two years ago.

Campgrounds no longer a last resort

Though campgrounds were once associated with last-resort living, a notch above homelessness, RV communities have ditched that stigma and most new resorts live up to the name.

They are destinations, or gated RV resorts, offering elite retirement community or family-style amenities, such as Olympic-size pools, elaborate community centers and sports facilities, with most featuring pickleball courts.

Ken Loyd, general manager of Keystone Heights RV Resorts, works for RV park developer Alan Wallace, who is developing the Southern Leisure RV Resort of Ocala.

"I remember when I was a kid, when my dad would schedule a camping trip, we would take a ride to the campground to see what it was like before we would make a reservation to make sure we weren't going into a trashy park," Loyd, 57, said.

Loyd said that RV parks, and many campgrounds, are trying to shed those reputations.

"Unfortunately, a lot of campgrounds did get that reputation of being a last resort for a lot of people," Loyd noted. "Now you can live in a gated (park) with a group of people that have basically become family."

The tide especially turned in 2008 as the nation headed into a recession. Since then, there has been a definite shift in the purpose and development of RV parks and campgrounds.

"People started heading back out to RV parks, not because they were desperate but because they found it to be a great alternative lifestyle," Loyd said.

– Contact Joe Callahan at 897-0307 or at joe.callahan@starbanner.com. Follow him on Twitter @JoeOcalaNews.

Sec. 4.2.25. - Recreation Vehicle Park (P-RV) classification.

A. Intent of Classification. The Recreational Vehicle Park classification is intended to provide for the rental of areas or spaces that may include manufactured homes, park models, camper and tent vehicles, fifth wheel travel trailer, travel trailers, camping trailer, truck camper, motor home, van conversion, tent vehicles and tents, cabins or bunk house sleeping quarters. The uses allowed in this district may be water-related, water-dependent, or natural resource dependent and are necessary for the support of the guests and the immediate population.

B. Permitted Uses:

Accessory uses are permitted on lots greater than 2400 square feet

Accessory uses and structures such as private recreational facilities including swimming pool, archery range, shuffleboard, clubhouse, meeting room, and similar facilities needed to support a resort development

Additions (where permitted) include screen room, awning, carport, utility room, and storage shed

Agricultural uses as an interim use, excluding livestock

Bottled gas, refilling of cylinders

Dwelling Units for owner or employee

Convenience store, gas station for primary use of residents and their guests

Laundromats

Service, maintenance buildings

Sports facilities which may include tennis facility, racquet ball facility or swimming club facility

C. Special Uses (requiring permit):

Church, Places of Worship

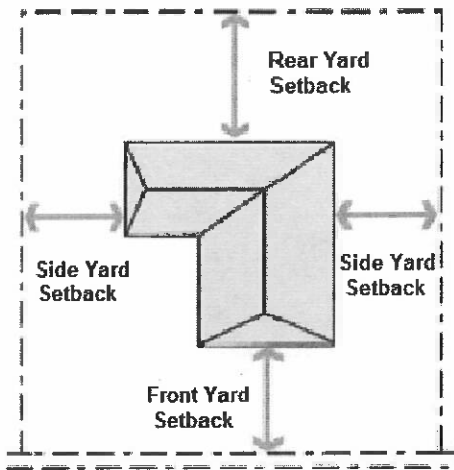
Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state or federal regulations)

Sewage treatment plants (inflow exceeding 5,000 gallons per day)

Sprayfields (or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law)

Water wellfields

D. Development Standards:



Street

Minimum Lot Area:

1,500 square feet for Park model or travel trailer, without additions

2,400 square feet for Park model trailer, with additions

4,000 square feet for Manufactured homes

Minimum Lot Width:

30 feet for Park model or travel trailer, without additions

35 feet for Park model trailer, with additions

40 feet for Manufactured homes

Maximum Building Height: 40 feet

E. Setbacks:

Setbacks in Recreational Vehicle Parks designed and constructed prior to June 11, 1992 shall have front, side, and rear setbacks of 8 feet for main structures, and 10-foot rear and side setbacks for accessory use structures.

Minimum Front Setback:

20 feet for Manufactured home and Park model sites if parking is provided elsewhere, this setback may be reduced to 8 feet.

Minimum Side Setback:

15 feet for Manufactured home sites

15-foot separation unit to unit or unit to addition for Park Models

Minimum Rear Setback:

10 feet for Manufactured home or Park model sites.

Accessory uses (where permitted) require a 10 feet separation between additions, and must be located in a side or rear yard only. Refer to Section 4.3.5.D for additional accessory structure standards.

F. Special Requirement:

- (1) A park shall consist of two or more units.
- (2) All side setbacks shall be measured from the wall of one unit or addition to the wall of the adjacent unit or addition.
- (3) Outdoor ground lighting shall not cast direct light on offsite dwellings.
- (4) A service building equipped with toilets, lavatories, showers, and laundry facilities shall be provided.
- (5) All additions on individual spaces must be constructed to standard building code.
- (6) Indoor, outdoor display or storage is limited to permitted uses and must adhere to buffering requirements as outlined in Sec. 6.8.6 of this Code.
- (7) Under skirting shall be provided for all units used for rental purposes and for mobile homes that rent spaces for more than 12 months.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

4I. - RECREATIONAL VEHICLE PARKS

Sec. 58.780. - General Requirements.

In addition to any Zoning District and Use Regulations of Figures 1—2, the following requirements shall apply to all Recreational Vehicle Parks.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.781. - Locational Requirements.

All recreational vehicles shall be placed only in approved recreational vehicle spaces in RV parks. The storage of unoccupied recreational vehicles shall be permitted only in those areas designated for storage on the approved final site plan.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.782. - Site Design Requirements.

Access. Recreational Vehicle Parks shall be so located and designed that no entrance or exit shall require movement of traffic to or from the RV park through a residential district.

Parking Pads. Each recreational vehicle space shall contain a stabilized vehicular parking pad of shell, marl, paving or other suitable material. This parking pad shall be located at least 5 feet from any RV space line.

Sanitary Facilities. Sanitary facilities shall be provided in accordance with the requirements of the State of Florida and the County Health Department.

Garbage and Trash. The RV Park management shall be strictly responsible for internal trash and garbage collection. Central trash collection points shall be completely screened from view from outside the park.

Site Conditions. Conditions of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The RV spaces shall not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion of the park subject to flooding, subsidence, or erosion shall be used for any purpose which would expose persons or property to hazards. To this end, all recreational vehicle spaces which are located in any designated hurricane flood zone shall conform to the applicable federal or state minimum finished elevation requirements of such zone.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.783. - Street Design.

Vehicular use areas shall be paved and shall be clearly marked as to internal circulation and direction of travel. Pavement widths for travel lanes shall be as follows:

- (a) One-Way Travel Lane: 18 Ft.
- (b) Two-Way Travel Lane: 24 Ft.
- (c) Cul-de-Sac Diameter: 80 Ft.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.784. - Use Restrictions.

Permanent Occupancy Prohibited. No recreational vehicle shall be used as a permanent place of residence, dwelling or business. Continuous occupancy extending beyond three months in any 12-month period shall be considered prima facie evidence of permanent occupancy.

Removal of Vehicle Equipment Prohibited. Removal of the vehicle tag, wheels, tongue, hitch or A-frame, gas tanks or other vehicle equipment from a recreational vehicle shall be prohibited, and shall be considered prima facie evidence of permanent occupancy.

Attachments to Recreational Vehicles Prohibited. Attachments to recreational vehicles shall be prohibited, with the sole exceptions of pop-out units and similar structures which are integral to the recreational vehicle as originally manufactured.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.785. - Certification of Sites.

After all required improvements have been completed for a recreational vehicle park, or an approved construction stage of the park, the engineer of record shall certify completion of all improvements in accordance with construction drawings and the Zoning Official shall certify the completed RV spaces as being approved for occupancy. Until an RV space is approved for occupancy, no recreational vehicle shall be placed thereon.

(Ord. of 9-16-1991, Doc. #25094)

Sec. 58.786. - Specific Standards.

Minimum Development Site Standards.

Development site area: 20 acres.

Open space (exclusive of perimeter setback): 10%.

Perimeter setback: 25 feet.

Thoroughfare setback: 50 feet.

Minimum Building Site Standards.

Area: 1400 sq. ft.

Mean width: 25 feet.

Principal Building Setback.

Front yard: 10 feet.

Side yard: 5 feet.

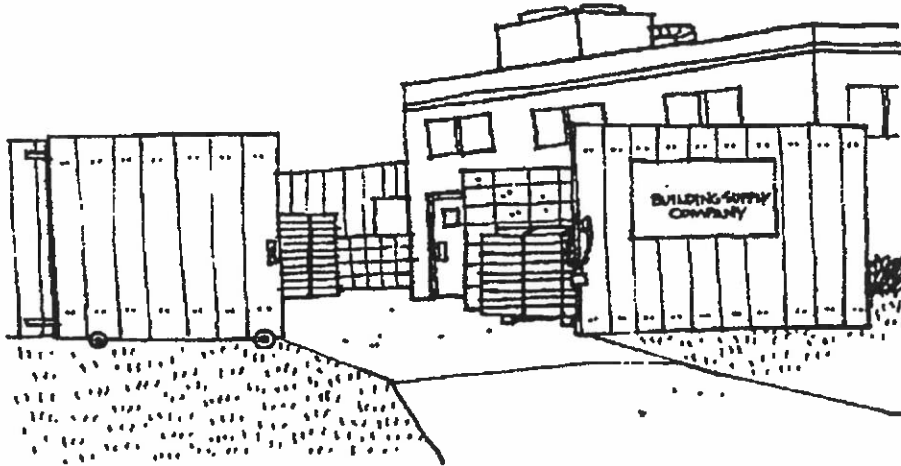
Street side yard: 5 feet.

Rear yard: 5 feet.

ISR: Varies by Zoning District.

(Ord. of 9-16-1991, Doc. #25094)

Secs. 58.787—58.789. - Reserved.



4J. OUTSIDE STORAGE USES AND STORAGE FACILITIES

SECTION 62.90. - RVP—RECREATIONAL VEHICLE PARK DISTRICT

62.91. - Intent.

The letters RV or RVP appearing in these regulations mean "recreational vehicle" or "recreational vehicles park" respectively, when the context so requires or permits. The RVP (recreational vehicle park) district is intended as an area in which recreational vehicle may be operated for the convenience of persons desiring "temporary" accommodations for camping, tenting and recreational vehicles. The use character of the RVP district shall be deemed commercial in nature, as distinguished from residential, and any recreational vehicle, tent, camper, recreational vehicle or other habitable unit occupied by a guest or patron of a recreational vehicle park shall not be deemed to be a "resident," nor a "residence," "dwelling," or "place of residence" within the meaning of other provisions of the Rockledge Zoning Codes which prohibit or restrict land usage in relation to residences.

(Ord. No. 1082-94, § 1, 6-15-94)

62.91.1. - Definitions.

As used in this section:

Building official means the city's duly appointed building and zoning enforcement officer or his authorized representative.

Entrance road means the principal road or roads by which residents and the general public obtain ingress and egress to and from recreational vehicle park premises.

Health officer means the legally designated health authority of the city or his authorized agent.

Sanitary station means a facility used for removing and disposing of wastes from recreational vehicle holding tanks.

Service building means a building housing facilities such as recreational, maintenance, laundry and office structures necessary to the successful development and management of a recreational vehicle park.

Tent means a collapsible structure of canvas or other material, stretched and sustained by poles and usually made fast by ropes attached to pegs or stakes hammered into the ground.

Recreational vehicle-type unit means a unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units, when traveling on public roadways of this state, must comply with the length and width provisions of Florida Statutes Section 316.515, as that section may hereafter be amended. As defined below, the basic entities are as follows:

- (a) Travel trailer, including a "fifth-wheeled travel trailer," is a vehicular, portable unit mounted on wheels, of such size and weight as not to require special highway moving permits when drawn by a motorized vehicle. It is primarily designed and constructed for recreational, camping, or travel. It has a body width of no more than eight and one-half (8½) feet and an overall body length of no more than forty (40) feet when factory-equipped for the road.
- (b) Truck camper is a truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping

and travel use.

- (c) Motor home is a vehicular unit which does not exceed forty (40) feet in length and the height and width limitation provided in Florida Statutes Section 316.515, self-propelled, and primarily designed to provide temporary living quarters for recreational, camping and travel use.
- (d) Camping trailer is a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalks which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.
- (e) Private motor coach is a vehicular unit which does not exceed the length, width, and height limitations provided in Florida Statutes Section 316.515(9), is built on a self-propelled bus type chassis having no fewer than three (3) load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
- (f) Van conversion is a vehicular unit which does not exceed the length and width limitations provided in Florida Statutes Section 316.515, is built on a self-propelled motor chassis, and is designated for recreational, camping, or travel use.
- (g) Park trailer is a transportable unit which has a body width not exceeding twelve (12) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay windows, does not exceed four hundred (400) square feet when constructed to ANSI A-119.5 standards, and five hundred (500) square feet when constructed to United States Department of Housing and Urban Development Standards. The length of the park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the body (at the opposite end of the body), including any protrusions.

Recreational vehicle park means a development in which sites are rented for the placement of recreational vehicles type units, or tents, or both for temporary use as living quarters.

Recreational vehicle site means a parcel of land within a recreational vehicle park designed and improved for the accommodation of not more than one recreational vehicle or one tent.

(Ord. No. 1082-94, § 1, 6-15-94)

62.91.2. - Inspections authorized.

The building official is hereby authorized to make periodic inspections of the recreational vehicle park and recreational vehicle sites for the purpose of determining satisfactory compliance with the regulations of this section pertaining to the health, safety and welfare of the residents of this city.

(Ord. No. 1082-94, § 1, 6-15-94)

Editor's note— At the direction of the city, former §§ 11-61 and 11-62 of the Code of Ordinances have been included herein as §§ 62.91.2 and 62.91.3.

62.91.3. - Location to comply with zoning.

No recreational vehicle park shall be located within the city except in an area zoned for recreational vehicle parks (RVP) by the Zoning Ordinance of the city.

(Ord. No. 1082-94, § 1, 6-15-94)

Note— See the editor's note following § 62.91.2.

62.92. - Uses.

- (a) *Principal*. Within any RVP recreational vehicle park district, no building, structure, land or water shall be used except for one or more of the following uses:
- (1) Recreational vehicle park. Spaces in recreational vehicle parks may be used by recreational vehicles, or equivalent facilities constructed in or on automotive vehicles, tents or other short-term housing devices. Nonrecreational service and administrative buildings are permitted.
- (b) *Accessory*. The following uses are permitted as accessories to the recreational vehicle park as a convenience solely for the guests of the park:
- (1) Bottled gas sales.
 - (2) Grocery store.
 - (3) Petroleum products (gas, oil, etc.) sales and service.
 - (4) Laundry facilities.
 - (5) Playgrounds and picnic areas.
 - (6) Recreational hall and game courts.
 - (7) Swimming pools.
 - (8) Marina and boat rental (including bait, fishing and sports accessories sales).
 - (9) Manager's residence.
 - (10) Beauty and barber shop.
 - (11) Snack bar facilities seating no more than twenty (20) people.
 - (12) Minor RV accessory parts.
- (c) *Special exceptions*. When, after review of an application with plans pertinent thereto and hearing thereon, the board of adjustment finds that the proposed use or uses are in harmony with the purpose and intent of this Zoning Ordinance and with the comprehensive plan and with the public interest, the following conditional uses may be granted:
- (1) A marina and boat rental (including bait, fishing and sports accessories sales) planned to service both recreational vehicle park visitors and the general public. A separate access road on the periphery of the recreational vehicle park is required for use by the general public.
 - (2) Mobile home or single-family residence for the use of duly employed managers or assistant managers; however, in no event shall the total number of residences under subsection (b)(9) and this subsection exceed two (2).
- (d) *Prohibited*. The following uses are specifically prohibited in the RVP recreational vehicle park district:
- (1) Any residential dwelling unit, with the exception of mobile home or single-family residence, per subsections (b)(9) and (c)(2).

- (2) Home occupations (per Section 80.03).
- (3) Adult business establishments.
- (4) Child care centers.
- (5) Major, structural or mechanical repairs or maintenance of RV's.

(Ord. No. 1082-94, § 1, 6-15-94)

62.93. - Building requirements.

The maximum building height is twenty-five (25) feet.

(Ord. No. 1082-94, § 1, 6-15-94)

62.94. - Submission of a site plan.

No change in zoning classification to a recreational vehicle park zone (RVP) shall be granted nor shall any use and occupancy permit [be] issued unless such application for zoning change or application for use and occupancy permit is predicated upon, among other factors, the submission and approval of a site plan of development, which site plan shall contain the following information:

- (A) Name and address of applicant.
- (B) Location and legal description of the proposed or existing recreational vehicle park.
- (C) Locations and dimensions of all existing and proposed streets, alleyways, rights-of-way, public easements and buffer zones.
- (D) Location and dimensions of all proposed recreational vehicle sites.
- (E) Locations, plans and specifications of all proposed service buildings and recreation area or areas.
- (F) Locations and sizes of water and sewer lines, and restroom facilities.
- (G) Designations of streets to be paved.
- (H) Locations of lighting stands.
- (I) All setback dimensions.
- (J) Locations and dimensions of the recreational vehicle park buffer area.
- (K) Such further information as may be required by the health officer to determine if the proposed recreational vehicle park is in compliance with the applicable health regulations.
- (L) If the applicant desires to alter or expand an existing recreational vehicle park, an additional site plan shall be submitted indicating the locations and dimensions of the altered, additional and existing recreational vehicle sites, streets, walkways and service buildings.
- (M) Drainage plan.
- (N) Any other exhibits as may be required by the building official, zoning department and the health officer.

(Ord. No. 1082-94, § 1, 6-15-94)

62.94.1. - Site plan review.

- [(a)] The site plan shall be reviewed by the city planning commission, health officer and any other departments or officials as deemed necessary by the city manager prior to a final decision by the city council.

[(b)] Prior to the issuance of a building permit, the applicant shall submit a site plan to the city for its review and approval, according to the site plan review process established in this Code, entitled "Recreational Vehicle Parks."

(Ord. No. 1082-94, § 1, 6-15-94)

62.95. - Design standards for parks.

(A) *Minimum size.* Each parcel of land to be used for a recreational vehicle park shall be a minimum of ten (10) acres.

(B) *Density.* There shall be a minimum of fifteen (15) recreational vehicle sites per gross acre of land within the recreational vehicle park. This shall also apply to any tent camping area.

(C) *Streets and parking.* Access to park shall be:

(1) *[Entrance roads.]* Direct vehicular access to the recreational vehicle park shall be only from an abutting approved street. Access to the park shall be so located as to:

(a) Provide minimum congestion on the external street;

(b) Provide a clear and unobstructed view of oncoming traffic from both directions for a distance of not less than three hundred fifty (350) feet;

(c) Provide for good vehicular circulation in the park.

The administrative facility of the recreational vehicle park shall be private and shall be so located as to assure the complete removal of recreational vehicle units from the public right-of-way during the check-in process.

(2) *Width of streets.* Streets in a recreational vehicle park shall be private and shall be at least of the following widths:

(a) A one-way street shall be at least twelve (12) feet in width.

(b) A two-way street shall be at least twenty-four (24) feet in width.

(3) *Street surfacing.* Access roads entering a recreational vehicle park shall match the surface of the public road providing access to the park. If the public road is paved, the access road of a recreational vehicle park shall be paved for a distance of one hundred (100) feet into the park from all entrances and exits, and shall be at least twenty-four (24) feet in width. Recreational vehicle park roads which are not paved shall be hard surfaced, well-drained and all weather stabilized (e.g., shell, marl, etc.).

(4) *Road curves; cul-de-sacs.* All road curves shall have a minimum turning radius of fifty (50) feet.

All cul-de-sacs shall have a maximum length of five hundred (500) feet and terminate in a turning circle having a minimum radius of fifty (50) feet.

(5) *Parking.* Each recreational vehicle site shall have off-street parking pads for both recreational vehicle and towing vehicles. The pads shall be composed of marl, shell, paving or other stabilized material. The remainder of each recreational vehicle site shall be well-drained, grassed and landscaped.

(D) *On-site buffer strips.*

(1) There shall be a suitable landscaped perimeter buffer strip not less than twenty-five (25) feet in depth between recreational vehicle sites and all public streets abutting the recreational vehicle park, and a landscaped buffer strip of not less than fifteen (15) feet in depth between recreational vehicle sites and

all other boundaries of the park. Within all buffer strips (except waterfront) there shall be a plant or structural screen which shall be semi-opaque and at least six (6) feet high and shall extend the length of the buffer strip except for street openings. Newly planted screens shall meet the height and opaqueness requirements within twelve (12) months of planting. The landscaped buffer strip shall be separate from recreational areas, streets, recreational vehicle sites and utility sites, but may be utilized for drainage purposes and two (2) identification signs.

- (2) No camper sites, tents, camper storage area, service building, recreation facility or structures comprising part of the internal operation of a recreational vehicle park shall be located within a distance of fifty (50) feet from the external boundary of any district or area zoned for residential purposes by the City of Rockledge, City of Cocoa, Brevard County, or other zoning authority, it being the purpose of this provision to require a buffer strip at least fifty (50) feet wide between the external boundary of any residential district of any zoning authority, and any camper site or operational facility of a recreational vehicle park.
- (E) *Recreational areas.* A minimum of ten (10) percent of the total land area of a recreational vehicle park shall be devoted to one or more common use areas for recreational activity. Such recreational areas shall be exclusive of recreational vehicle sites, buffer strips, street right-of-way and storage areas; however, the periphery of such recreational areas may contain utility sites, and other nonrecreational service buildings, the area of which will be subtracted from the computed "recreational area." Recreational areas shall be easily accessible to all park users and management. The required space for recreational usage may be met through more than one recreational site, provided the site plan of the recreational vehicle park, including recreational area, is first approved pursuant to the provisions of this Code. Provision for all common open space and the construction of recreational facilities which are shown on the site plan shall proceed at an equivalent, or greater, rate as the construction of individual recreational vehicle sites.
- (F) *Tent camping.* Areas may be set aside for tent camping in accordance with all provisions of this section, except:
- (1) There shall be a stabilized pad on the site for parking of the transportation vehicle.
 - (2) Tent camping may be permitted on a recreational vehicle site.
- (G) *Design requirements for sites.*
- (1) *Minimum size.* Back-in parking sites shall have a minimum area of fifteen hundred (1500) square feet. Drive-through parking sites shall have a minimum area of twelve hundred (1200) square feet.
 - (2) *Access.* Each recreational vehicle site shall abut on at least one street within the boundaries of the recreational vehicle park and access to the site shall be only from such an internal street.
 - (3) *Setback requirements.* No part of a recreational vehicle placed on a recreational vehicle site shall be closer than five (5) feet to any site line and ten (10) feet to any street.
 - (4) *Appurtenances.* Temporary appurtenances, such as cabanas and awnings, may be erected on a recreational vehicle site as long as such appurtenances do not violate the setback requirements as set forth in this section and as long as such appurtenances are capable of being dismantled and stored within four (4) hours. Vinyl window inserts may be used on the inside of screen rooms, using vinyl windows will not constitute a Florida Room, which requires additional electrical outlet restrictions.
- (H) *Operation generally.*
- (1) *Responsibilities of management.* The owner of a recreational vehicle park or the park management shall at all times maintain the park and its facilities in a clean, orderly and sanitary condition. The park

management shall inform all park occupants of the provisions of this section and other related ordinances and statutes, and of their responsibilities thereunder.

- (2) *Length of occupancy.* No owner or operator of any recreational vehicle park in the City of Rockledge shall allow or permit any guest sites in such recreational vehicle park to be rented to nor occupied by any person or recreational vehicle for any period of time that would permit or allow such person or recreational vehicle to remain at such recreational vehicle park for more than one hundred eighty (180) days in any twelve (12) consecutive month period.
 - (3) *Register of occupants.* The owner or operator of any recreational vehicle park in the City of Rockledge shall file with the Rockledge Building Department quarter-annually a report showing the dates of arrival and departure and the guest sites occupied by each guest at the recreational vehicle park during the preceding calendar quarter. Such reports shall be filed not later than April 15th, July 15th, October 15th and January 15th for the immediately preceding calendar quarter
 - (4) *Evacuation.* It shall be the responsibility of the park management to notify all park occupants of the need to evacuate the recreational vehicle park in case of fire, wind, water or other manmade disasters or acts of God.
 - (I) *Service buildings to comply with other codes.* All service buildings shall comply with the building codes and regulations as adopted by the city concerning buildings, electrical installations, plumbing and sanitation systems.
 - (J) *Water supply.* An adequate supply of water shall be provided in accordance with the state sanitary code and the city ordinances. A minimum of one potable water supply outlet shall be provided for every two (2) recreational vehicle sites. Each recreational area and bathhouse restroom facility shall have at least one approved drinking fountain in close proximity.
 - (K) *Sewage disposal generally.* All sewage disposal facilities shall be provided in accordance with the state sanitary code and the city ordinances.
 - (L) *Sanitary dumping stations.* At least one sanitary dumping station shall be provided in every recreational vehicle park. Such station shall be readily accessible and well lighted. The following schedule shall be used in determining additional dumping stations based on the number of sites which are not connected individually to sewer lines: For every fifty (50) sites or fractional part thereof, beyond the first fifty (50) sites, one sanitary dumping station shall be provided.
 - (M) *Bathhouse-restroom facilities.*
 - (1) At least one central bathhouse-restroom building shall be provided for every recreational vehicle park. Facilities shall be provided according to the total number of spaces within the park.
 - (2) A bathhouse-restroom facility shall be located within three hundred (300) feet of all camping units which are either not supplied with sewer connections or not capable of utilizing such connections (e.g., tents, camper trailers).
 - (3) Any dispersed bathhouse-restroom facility provided to meet the distance requirement of three hundred (300) feet shall have at least two (2) of each of the following fixtures for men and women: Toilets, urinals, lavatories and showers.
 - (4) Recreational areas shall be located within three hundred (300) feet of a bathhouse-restroom facility.
 - (5) The following schedule indicates the minimum number of bath and toilet facilities required based upon the total number of spaces within the recreational vehicle park:
-

Number of Spaces	Toilets		Urinals	Lavatories		Showers		Laundry Sinks
	M	W	M	M	W	M	W	
1—15	1	1	1	1	1	1	1	2
16—30	1	2	1	2	2	1	1	2
31—45	2	2	1	3	3	1	1	2
46—60	2	3	2	3	3	2	2	2
61—80	3	4	2	4	4	2	2	2
81—100	3	4	2	4	4	3	3	2

(6) For recreational vehicle parks having more than one hundred (100) recreational vehicle spaces there shall be provided:

One additional toilet and lavatory for each sex per additional thirty (30) recreational vehicle spaces.

One additional shower for each sex per each additional forty (40) recreational vehicle spaces.

One additional men's urinal per each additional one hundred (100) recreational vehicle spaces.

(N) *Lighting.* All entrances, exits, streets and service buildings shall be well lighted during the hours of darkness. Street lighting may be overhead or low level but must be shaded and reflected into the street and should be of low intensity. All recreational facilities which are to be utilized during the hours of darkness shall be adequately lighted to insure the safety of all users of such facilities.

(O) *Electricity.* Each recreational vehicle site shall be equipped with at least a 110/115 volt, 20 amp three-wire grounded weather-proof receptacle mounted on a three (3) foot high post. Separate PVC Type A conduit for each circuit shall be run underground to each site from a central circuit breaker panel. The conduit shall be buried at least eighteen (18) inches deep. The individual breakers in the panel shall be 20 amp. The conductors and ground shall be Type TW and sized so the load imposed on each conductor is 20 amps or less. Maximum run shall be one hundred (100) feet for #10 wire, two hundred (200) feet for #8 wire, and three hundred (300) feet for #6 wire. Rigid metal conduit shall be used where any service wire comes out of the ground to receptacle. (EMT not permitted.)

(P) *Service and utility lines.* All service and utility lines in a recreational vehicle park shall be installed underground and at a minimum depth of eighteen (18) inches.

(Q) *Refuse handling.* Each recreational vehicle site shall be provided with at least one flytight, watertight,

rodentproof container of a capacity not less than four (4) gallons and not more than thirty (30) gallons. However, this is not required when sites are within two hundred (200) feet of a large covered trash receptacle (e.g., Dempster Dumpster). All refuse shall be collected at least twice weekly and where public or private collection service is not available, the owner or operator of the recreational vehicle park shall dispose of the refuse by transporting it to a disposal site approved by the city. All refuse shall be collected and transported in covered vehicles or covered containers.

- (R) *Insect and rodent control.* Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements and regulations of the city and the sanitary code of the state. Adequate drainage systems will be provided and maintained in such a manner as to prevent the breeding of mosquitoes and other obnoxious insects in the park.
- (S) *Fire protection and prevention.* The recreational vehicle park shall be subject to the rules and regulations of the fire department. Fires shall be made only in stoves, fireplaces and other equipment as permitted by the fire department.
- (T) *Fuel supply and storage.* All installations and tanks furnishing or storing any type of gaseous fuels to be used by the occupants of the recreational vehicle park shall comply with the rules and regulations of the city.
- (U) *Storage of recreational vehicles.* Outdoor storage of recreational vehicle is permitted provided that such storage takes place within an area especially set aside for such use.
- (V) *Signs.* Those signs necessary for directional or safety purposes are permitted. Two (2) identification signs are permitted within the buffer area, and shall be set back not less than fifteen (15) feet from the public road right-of-way and shall not exceed sixty (60) square feet in size. The lighting of all signs shall be shaded and directed away from roads and adjoining property.
- (W) *Animal control.* It shall be the responsibility of the park manager to insure that no owner or person in charge of an animal shall permit said animal to run at large or to commit any nuisance within the limits of any recreational vehicle park.

(Ord. No. 1082-94, § 1, 6-15-94)

62.95.1. - Setbacks and buffers.

Setbacks and buffers shall be in accordance with the requirements of this Code.

(Ord. No. 1082-94, § 1, 6-15-94)

62.96. - Special requirements.

- (a) *Dumpster visual barrier.* See Section 57.58 of this Code.
- (b) *Signs.* Signs shall be allowed in the RVP district only as specifically permitted by the provisions of Section 86.00 of this Code.

(Ord. No. 1082-94, § 1, 6-15-94)

62.97. - Permit required.

- A. *Use and occupancy permit required; application; fee.* It shall be unlawful for any person to operate a

recreational vehicle park within the city without first obtaining a use and occupancy permit, in the name of such person, to operate the specific park. Such permit shall be issued annually by the city clerk. All applications for permits shall be made to the city clerk who shall issue a license upon compliance by the applicant with provisions of this section and regulations stated herein and other applicable legal requirements. Application for original approval shall be made in writing, accompanied by a filing fee of thirty-five dollars (\$35.00) and shall contain:

- (1) The name and address of the applicant and owner of the property involved.
- (2) The location and legal description of the recreational vehicle park area.
- (3) A site plan of the recreational vehicle area showing all lots, spaces, structures, roads, walkways, sanitary stations and other information as outlined in this section.

B. *Renewal of permits.* Application for renewals of permits shall be made in writing by the holders of the permits, shall be accompanied by a filing fee of fifty cents (\$0.50) per lot or twenty dollars (\$20.00), whichever shall be greater, and shall contain any change in the information submitted since the original permit was issued or the latest renewal granted.

C. *Permit revocation.* Whenever the building official, upon inspection of a recreational vehicle park, finds that conditions or practices exist which are in violation of any applicable provision of this Code, he shall furnish the permittee with a list of violations that said inspection shall reveal, and give the permittee written notice of a specific reasonable time in which to remedy said violations. Failure of the permittee to remedy said violations within said specific time shall result in the revocation of the permit. Said permit shall be reissued only if said violations shall have been remedied to comply with the requirements of this section. The users of the recreational vehicle park shall have two (2) days from the date of said revocation in which to vacate said recreational vehicle park. The permittee shall be granted a hearing on such revocation before the city council provided a request is made by said applicant within thirty (30) days after said revocation.

(Ord. No. 1082-94, § 1, 6-15-94)

62.98. - Violations and penalties.

Any person violating any provision of this section shall be guilty of an offense against the City of Rockledge and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not to exceed sixty (60) days, or both such fine and imprisonment. In addition to the punishment hereinabove authorized, the provisions of this section may be enforced through the powers and authority of the Rockledge Code Enforcement Board, as authorized by Florida Statutes and Rockledge city ordinances, or by suit for prohibitory or mandatory injunctive relief, or by any other lawful remedy existing at law or in equity for the enforcement for the municipal ordinances. The penalty provisions of this section shall be in addition to the recreational vehicle park permit revocation provisions provided for elsewhere in this Code.

(Ord. No. 1082-94, § 1, 6-15-94)

Select Year: 2020

The 2020 Florida Statutes

Title XXXIII
REGULATION OF TRADE, COMMERCE,
INVESTMENTS, AND SOLICITATIONS

Chapter 513
MOBILE HOME AND RECREATIONAL
VEHICLE PARKS

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CHAPTER 513 MOBILE HOME AND RECREATIONAL VEHICLE PARKS

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513.01 Definitions.—As used in this chapter, the term:

- (1) "Department" means the Department of Health and includes its representative county health departments.
- (2) "Lodging park" means a place set aside and offered by a person, for either direct or indirect remuneration of the operator of the place, in which 75 percent of the mobile homes or recreational vehicles or combination thereof are owned by the operator and offered for rent to the public and which is not licensed under chapter 509.
- (3) "Mobile home" means a residential structure that is transportable in one or more sections, which structure is 8 body feet (2.4 meters) or more in width, over 35 feet in length with the hitch, built on an integral chassis, and

designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

(4) “Mobile home park” means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more mobile homes.

(5) “Occupancy” means the length of time that a recreational vehicle is occupied by a transient guest and not the length of time that such vehicle is located on the leased recreational vehicle site. A recreational vehicle may be stored and tied down on site when not in use to accommodate the needs of the guest. The attachment of a recreational vehicle to the ground with tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances with removable attaching devices, do not render the recreational vehicle a permanent part of the recreational vehicle site.

(6) “Operator” means the owner, operator, keeper, lessor, proprietor, manager, assistant manager, desk clerk, agent, or employee of a mobile home, lodging, or recreational vehicle park or a recreational camp who is designated by the permittee as the individual solely responsible for the daily operation of the park or camp and its compliance with this chapter and the rules adopted under this chapter.

(7) “Permittee” means a person who applies for and is granted a permit under this chapter and who is ultimately responsible for the operation of the mobile home, lodging, or recreational vehicle park or the recreational camp and the compliance of the park or camp with this chapter and the rules adopted under this chapter.

(8) “Person” means an individual, association, partnership, corporation, or governmental unit.

(9) “Recreational camp” means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for five or more resident members of the public and designed and operated for recreational purposes.

(10) “Recreational vehicle” has the same meaning as provided for the term “recreational vehicle-type unit” in s. 320.01. However, the terms “temporary living quarters” and “seasonal or temporary living quarters” as used in s. 320.01, in reference to recreational vehicles placed in recreational vehicle parks, relate to the period of time the recreational vehicle is occupied as living quarters during each year and not to the period of time it is located in the recreational vehicle park. During the time the recreational vehicle is not occupied as temporary or seasonal quarters, it may be stored and tied down on the recreational vehicle site. The affixing of a recreational vehicle to the ground by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances by way of removable attaching devices, does not render the recreational vehicle a permanent part of the recreational vehicle site.

(11) “Recreational vehicle park” means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and 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,” and “travel park,” or any variations of these terms, are synonymous with the term “recreational vehicle park.”

(12) “Transient guest” means any guest registered as provided in s. 513.112 for 6 months or less. When a guest is permitted with the knowledge of the park operator to continuously occupy a recreational vehicle in a recreational vehicle park for more than 6 months, there is a rebuttable presumption that the occupancy is nontransient, and the eviction procedures of part II of chapter 83 apply.

History.—s. 1, ch. 12419, 1927; CGL 4140; s. 1, ch. 19365, 1939; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 3, 14, 15, ch. 83-321; s. 6, ch. 84-182; s. 13, ch. 85-343; s. 1, ch. 87-193; ss. 1, 26, ch. 93-150; s. 146, ch. 97-101; s. 249, ch. 99-8; s. 2, ch. 2013-91.

513.012 Public health laws; enforcement.—It is the intent of the Legislature that mobile home parks, lodging parks, recreational vehicle parks, and recreational camps be exclusively regulated under this chapter. As such, the department shall administer and enforce, with respect to such parks and camps, laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health among humans and from animals

to humans, and permitting and operational matters in order to protect the general health and well-being of the residents of and visitors to the state. However, nothing in this chapter qualifies a mobile home park, a lodging park, a recreational vehicle park, or a recreational camp for a liquor license issued under s. 561.20(2)(a)1. Mobile home parks, lodging parks, recreational vehicle parks, and recreational camps regulated under this chapter are exempt from regulation under chapter 509.

History.—s. 5, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 2, ch. 93-150; s. 1, ch. 2020-126.

513.014 Applicability of recreational vehicle park provisions to mobile home parks.—A mobile home park that has five or more sites set aside for recreational vehicles shall, for those sites set aside for recreational vehicles, comply with the recreational vehicle park requirements included in this chapter. This section does not require a mobile home park with spaces set aside for recreational vehicles to obtain two licenses. However, a mobile home park that rents spaces to recreational vehicles on the basis of long-term leases is required to comply with the laws and rules relating to mobile home parks including but not limited to chapter 723, if applicable.

History.—s. 6, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 3, ch. 93-150.

513.02 Permit.—

(1) A person may not establish or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp in this state without first obtaining a permit from the department. Such permit is not transferable from one place or person to another. Each permit must be renewed annually.

(2) The department may refuse a permit to, or refuse to renew the permit of, any park or camp that is not constructed or maintained in accordance with law and with the rules of the department.

(3) The department may suspend or revoke a permit issued to any person that operates or maintains such a park or camp if such person fails to comply with this chapter or the rules adopted by the department under this chapter.

(4) A permit for the operation of a park or camp may not be renewed or transferred if the permittee has an outstanding fine assessed pursuant to this chapter which is in final-order status and judicial reviews are exhausted, unless the transferee agrees to assume the outstanding fine.

(5) When a park or camp regulated under this chapter is sold or its ownership transferred, the transferee must apply for a permit to the department within 60 days after the date of transfer. The applicant must provide the department with a copy of the recorded deed or lease agreement before the department may issue a permit to the applicant.

History.—s. 2, ch. 12419, 1927; CGL 4141; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 439, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 4, 14, 15, ch. 83-321; s. 7, ch. 84-182; ss. 4, 26, ch. 93-150; s. 2, ch. 2020-126.

513.03 Application for and issuance of permit.—

(1) An application for a permit must be made in writing to the department, on a form prescribed by the department. The application must state the location of the existing or proposed park or camp, the type of park or camp, the number of mobile homes or recreational vehicles to be accommodated or the number of recreational campsites, the type of water supply, the method of sewage disposal, and any other information the department requires.

(2) If the department is satisfied, after reviewing the application of the proposed or existing park or camp and causing an inspection to be made, that the park or camp complies with this chapter and is so located, constructed, and equipped as not to be a source of danger to the health of the general public, the department shall issue the necessary permit, in writing, on a form prescribed by the department.

History.—s. 3, ch. 12419, 1927; CGL 4142; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 440, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 5, 14, 15, ch. 83-321; s. 8, ch. 84-182; ss. 5, 26, ch. 93-150.

513.045 Permit fees.—

(1)(a) Each person seeking a permit to establish, operate, or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp must pay to the department a fee, the amount of which shall be set by rule of the department.

(b) Fees established pursuant to this subsection must be based on the actual costs incurred by the department in carrying out its responsibilities under this chapter. The fee for a permit may not be set at a rate that is more than \$6.50 per space or less than \$3.50 per space. Until rules setting these fees are adopted by the department, the permit fee per space is \$3.50. The permit fee for a nonexempt recreational camp shall be based on an equivalency rate for which two camp occupants equal one space. The total fee assessed to an applicant may not be more than \$600 or less than \$50, except that a fee may be prorated on a quarterly basis.

(c) A recreational camp operated by a civic, fraternal, educational, or religious organization that does not rent to the public is exempt from the fee requirements of this subsection.

(2) Each local county health department shall collect the fees established pursuant to subsection (1) but may not collect any other fees for such permit.

¹(3) Fees collected under this section shall be deposited in the County Health Department Trust Fund, to be administered by the department, and shall be used solely for actual costs incurred in implementing and enforcing this act.

History.—ss. 6, 15, ch. 83-321; s. 92, ch. 85-81; s. 16, ch. 93-120; ss. 6, 26, ch. 93-150; ss. 147, 148, ch. 97-101; s. 43, ch. 98-151.

¹*Note.*—As amended by s. 16, ch. 93-120, and s. 147, ch. 97-101. Subsection (3) was also amended by s. 6, ch. 93-150, and s. 148, ch. 97-101, and that version reads:

(3) All fees collected by the department in accordance with this section and the rules adopted under this section shall be deposited into the respective county health department trust fund administered by the department for the payment of costs incurred in administering this chapter.

513.05 Rules.—The department may adopt rules pertaining to the location, construction, modification, equipment, and operation of mobile home parks, lodging parks, recreational vehicle parks, and recreational camps, except as provided in s. 633.206, as necessary to administer this chapter. Such rules may include definitions of terms; requirements for plan reviews of proposed and existing parks and camps; plan reviews of parks that consolidate space or change space size; water supply; sewage collection and disposal; plumbing and backflow prevention; garbage and refuse storage, collection, and disposal; insect and rodent control; space requirements; heating facilities; food service; lighting; sanitary facilities; bedding; an occupancy equivalency to spaces for permits for recreational camps; sanitary facilities in recreational vehicle parks; and the owners' responsibilities at recreational vehicle parks and recreational camps.

History.—s. 5, ch. 12419, 1927; CGL 4144; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 442, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 7, 14, 15, ch. 83-321; s. 20, ch. 87-287; ss. 7, 26, ch. 93-150; s. 44, ch. 98-151; s. 47, ch. 2000-242; s. 147, ch. 2013-183.

513.051 Preemption.—The department is the exclusive regulatory and permitting authority for sanitary and permitting standards for all mobile home parks, lodging parks, recreational vehicle parks, and recreational camps in accordance with this chapter.

History.—s. 8, ch. 93-150; s. 3, ch. 2020-126.

513.052 Inspection of premises.—The department or its agent shall inspect, at least annually, each park or camp that the department determines qualifies as a mobile home, lodging, or recreational vehicle park or a recreational camp; and, for that purpose, the department has the right of entry and access to such park or camp at any reasonable time.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 9, ch. 93-150.

513.053 Prosecution for violation; duty of state attorney.—The department or an agent of the department, upon ascertaining by inspection that a mobile home, lodging, or recreational vehicle park or a recreational camp is being operated contrary to the provisions of this chapter, shall make a complaint and cause the arrest of the violator; and the state attorney, upon request of the department or agent, shall prepare all necessary papers and conduct the prosecution. The department shall proceed in the courts by mandamus or injunction whenever such proceeding is necessary to the proper enforcement of the provisions of this chapter, of the rules adopted pursuant to this chapter, or of orders of the department.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 10, ch. 93-150.

513.054 Penalties for specified offenses by operator.—Any operator of a mobile home park, lodging park, or recreational vehicle park or a recreational camp who obstructs or hinders any agent of the department in the proper discharge of the agent's duties; who fails, neglects, or refuses to obtain a permit for the park or camp or pay the permit fee required by law; or who fails or refuses to perform any duty imposed upon the operator by law or rule is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. On each day that such park or camp is operated in violation of law or rule, there is a separate offense.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 128, ch. 91-224; s. 36, ch. 92-78; s. 11, ch. 93-150.

513.055 Revocation or suspension of permit; fines; procedure.—

(1)(a) The department may suspend or revoke a permit issued to any person for a mobile home park, lodging park, recreational vehicle park, or recreational camp upon the failure of that person to comply with this chapter or the rules adopted under this chapter.

(b) A permit may not be suspended under this section for a period of more than 12 months. At the end of the period of suspension, the permittee may apply for reinstatement or renewal of the permit. A person whose permit is revoked may not apply for another permit for that location prior to the date on which the revoked permit would otherwise have expired.

(2)(a) In lieu of such suspension or revocation of a permit, the department may impose a fine against a permittee for the permittee's failure to comply with the provisions described in paragraph (1)(a) or may place such licensee on probation. No fine so imposed shall exceed \$500 for each offense, and all amounts collected in fines shall be deposited with the Chief Financial Officer to the credit of the County Health Department Trust Fund.

(b) In determining the amount of fine to be imposed, if any, for a violation, the department shall consider the following factors:

1. The gravity of the violation and the extent to which the provisions of the applicable statutes or rules have been violated.
2. Any action taken by the operator to correct the violation.
3. Any previous violation.

History.—ss. 9, 15, ch. 83-321; s. 9, ch. 84-182; s. 17, ch. 93-120; ss. 12, 26, ch. 93-150; ss. 149, 150, ch. 97-101; s. 568, ch. 2003-261.

513.065 Enforcement; citations.—

(1) If the department reasonably believes that a permittee has committed a violation of this chapter which affects the public health, safety, or sanitation, then the department may serve a citation on the permittee for such violation. However, the department must have previously notified the permittee of the violation and the permittee must have failed to timely correct the violation. Citations issued under this section are proposed agency action.

(2) Citations shall be in writing and shall describe the particular violation, including a specific reference to the provision of this chapter or rule promulgated hereunder alleged to have been violated.

(3) The department may seek to impose a fine not to exceed \$500 for each violation cited under this section. Each day a violation continues after an initial citation is issued is a separate violation for which a subsequent citation may be issued. However, if the initial citation is not upheld through an administrative hearing under chapter 120, any subsequent citation for the same violation is void.

(4) Citations shall contain a conspicuous written notice of the permittee's right to request a hearing under chapter 120 within 21 days after the date of receiving the citation and shall contain a description of the procedures to be followed to request such a hearing. Citations shall contain a conspicuous statement that if the permittee fails to timely request an administrative hearing, the permittee may be deemed to have waived the right to an administrative hearing. The statement shall also warn that if the permittee does not request a hearing, the citation becomes final agency action and if the permittee fails to pay the fine within 60 days after the date of receiving the citation, the permittee will be required to pay the maximum fine or penalty.

(5) The department may reduce or waive any civil penalty initially sought to be imposed through a citation. In determining whether to reduce or waive a fine under this section, the department shall use the criteria in s. 513.055(2)(b).

(6) This section is an alternative means of enforcing this chapter. Nothing contained in this section prohibits the department from enforcing this chapter or the rules adopted thereunder by any other means permitted under this chapter. However, the department may only use a single enforcement procedure for any one violation.

(7) Citations issued under this section shall be served on the permittee or individual at the park or camp designated by the permittee except that service may be made by a department designee if designated by rule to effect such service.

History.—s. 13, ch. 93-150; s. 25, ch. 97-98.

513.08 Disposal of sewage.—

(1) It is unlawful to empty any receptacle or fixture containing human excreta, human urine, or any other liquid waste from a mobile home or recreational vehicle or at a recreational campsite except into a sewerage system approved by the department.

(2) The operator or permittee of a mobile home park, lodging park, recreational vehicle park, or recreational camp shall provide such means for the emptying of such receptacles and for their cleaning as specified in the rules of the department.

History.—s. 1, ch. 19365, 1939; CGL 1940 Supp. 4150(2); ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 445, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 8, 14, 15, ch. 83-321; ss. 14, 26, ch. 93-150.

513.10 Operating without permit; enforcement of chapter; penalties.—

(1) Any person who maintains or operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without first obtaining a permit as required by s. 513.02, or who maintains or operates such a park or camp after revocation of the permit, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This chapter or rules adopted under this chapter may be enforced in the manner provided in s. 381.0012 and as provided in this chapter. Violations of this chapter and the rules adopted under this chapter are subject to the penalties provided in this chapter and in s. 381.0061.

History.—s. 1, ch. 19365, 1939; CGL 1940 Supp. 7849(a); s. 1, ch. 59-214; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 6, ch. 80-351; ss. 2, 3, ch. 81-318; ss. 10, 14, 15, ch. 83-321; s. 10, ch. 84-182; s. 129, ch. 91-224; s. 57, ch. 91-297; ss. 15, 26, ch. 93-150; s. 125, ch. 2012-184.

513.115 Placement of recreational vehicles on lots in permitted parks.—

(1) Separation distances between recreational vehicle sites within a recreational vehicle park must be the distances established at the time of the initial approval of the recreational vehicle park by the department and the local government.

(2) Setback distances from the exterior property boundary of the recreational vehicle park must be the setback distances established at the time of the initial approval by the department and the local government.

(3) If a recreational vehicle park is damaged or destroyed as a result of wind, water, or other natural disaster, the park may be rebuilt on the same site using the same density standards that were approved and permitted before the park was damaged or destroyed.

(4) This section does not limit the regulation of the uniform firesafety standards established under s. 633.206. However, this section supersedes any county, municipality, or special district ordinance or regulation regarding the lot size, lot density, or separation or setback distance of a recreational vehicle park which goes into effect after the initial permitting and construction of the park.

History.—s. 3, ch. 2013-91; s. 125, ch. 2014-17; s. 5, ch. 2020-126.

513.112 Maintenance of guest register and copy of laws.—

(1) It is the duty of each operator of a recreational vehicle park that rents to transient guests to maintain at all times a register, signed by or for guests who occupy rental sites within the park. The register must show the dates upon which the rental sites were occupied by such guests and the rates charged for the guests' occupancy. This register shall be maintained in chronological order and shall be available for inspection by the department at any time. An operator is not required to retain a register that is more than 2 years old.

(2) Such operator shall maintain at all times a current copy of this chapter in the park office, which shall be made available to a member of the public upon request.

(3) When a guest occupies a recreational vehicle in a recreational vehicle park for less than 6 months, as evidenced by the length of stay shown in the guest register, there is a rebuttable presumption that the occupancy is transient.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 17, ch. 93-150; s. 4, ch. 2020-126.

513.114 Liability for property of guests.—

(1) The operator of a recreational vehicle park is not under any obligation to accept for safekeeping any moneys, securities, jewelry, or precious stones of any kind belonging to any guest; and, if such properties are accepted for safekeeping, the operator is not liable for the loss of any of the properties unless such loss was the proximate result of fault or negligence of the operator. However, if the recreational vehicle park gave a receipt for the property, which receipt had a statement of the property value on a form which stated, in type large enough to be clearly noticeable, that such park was not liable for a greater amount than \$1,000 for any loss exceeding \$1,000 and was only liable for an amount up to \$1,000 if the loss was the proximate result of fault or negligence of the operator, the liability of the operator is limited to \$1,000 for such loss.

(2) The operator of a recreational vehicle park is not liable or responsible to any guest for the loss of wearing apparel, goods, or other property, except as provided in subsection (1), unless such loss occurred as the proximate result of fault or negligence of such operator; and, in case of fault or negligence, the operator is not liable for a greater sum than \$500, unless the guest, prior to the loss or damage, filed with the operator an inventory of the guest's effects and their value and the operator was given an opportunity to inspect such effects and check them against such inventory. The operator of a recreational vehicle park is not liable or responsible to any guest for a greater amount than \$1,000 for the loss of effects listed in such inventory as having a value of a total amount exceeding \$1,000.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 63, ch. 87-225; s. 36, ch. 92-78; s. 18, ch. 93-150.

513.115 Unclaimed property.—Any property having an identifiable owner which remains unclaimed after having been held by the park for 90 days after written notice was provided to the guest or the owner of the property becomes the property of the park. Any property that is left by a guest who has vacated the premises without notice to the operator and who has an outstanding account is considered abandoned property, and disposition thereof shall be governed by the Disposition of Personal Property Landlord and Tenant Act under s. 715.10 or under s. 705.185, as applicable.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 64, ch. 87-225; s. 36, ch. 92-78; s. 19, ch. 93-150; s. 6, ch. 2020-126.

513.117 Park rules and regulations.—Any operator of a recreational vehicle park may establish reasonable rules and regulations for the management of the park and its guests and employees; and each guest or employee staying, sojourning, or employed in the park shall conform to, and abide by, such rules and regulations so long as the guest or employee remains in or at the park. Such rules and regulations are deemed to be a special contract between the operator and each guest or employee using the facilities or services of the recreational vehicle park and control the liabilities, responsibilities, and obligations of all parties. Any rules or regulations established pursuant to this section must be printed in the English language and posted, together with a copy of ss. 513.114, 513.121, and 513.13 and a notice stating that a current copy of this chapter is available in the park office for public inspection, in the registration area of such recreational vehicle park.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 20, ch. 93-150.

513.118 Conduct on premises; refusal of service.—

(1) The operator of a recreational vehicle park may refuse to provide accommodations, service, or access to the premises to any transient guest or visitor whose conduct on the premises of the park displays intoxication, profanity, lewdness, or brawling; who indulges in such language or conduct as to disturb the peace, quiet enjoyment, or comfort of other guests; who engages in illegal or disorderly conduct; or whose conduct constitutes a nuisance or safety hazard.

(2) The operator of a recreational vehicle park may request that a transient guest or visitor who violates subsection (1) leave the premises immediately. A person who refuses to leave the premises commits the offense of trespass as provided in s. 810.08, and the operator may call a law enforcement officer to have the person and his or her property removed under the supervision of the officer. A law enforcement officer is not liable for any claim involving the removal of the person or property from the recreational vehicle park under this section, except as provided in s. 768.28. If conditions do not allow for immediate removal of the person's property, he or she may arrange a reasonable time, not to exceed 48 hours, with the operator to come remove the property, accompanied by a law enforcement officer.

(3) Such refusal of accommodations, service, or access to the premises may not be based upon race, color, national origin, sex, physical disability, or creed.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 21, ch. 93-150; s. 7, ch. 2020-126.

513.121 Obtaining accommodations in a recreational vehicle park with intent to defraud; penalty; rules of evidence.—

(1) Any person who obtains accommodations in a recreational vehicle park which have a value of less than \$300 on a transient basis, with intent to defraud the operator of the park, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; if such accommodations have a value of \$300 or more, such person is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) In a prosecution under subsection (1), proof that the accommodations were obtained by false pretense; by false or fictitious show of property; by absconding without paying, or offering to pay, for such accommodations; or by surreptitiously removing, or attempting to remove, a recreational vehicle, park trailer, or tent constitutes prima facie evidence of fraudulent intent. If the operator of the park has probable cause to believe, and does believe, that any person has obtained accommodations at the park with intent to defraud the operator of the park, the failure to make payment upon demand for payment, there being no dispute as to the amount owed, constitutes prima facie evidence of fraudulent intent.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 131, ch. 91-224; s. 36, ch. 92-78; s. 22, ch. 93-150.

513.122 Theft of personal property; detention and arrest of violator; theft by employee.—

(1) Any law enforcement officer or operator of a recreational vehicle park who has probable cause to believe, and does believe, that theft of personal property belonging to such park has been committed by a person and that the officer or operator can recover such property or the reasonable value thereof by taking the person into custody may, for the purpose of attempting to effect such recovery or for prosecution, take such person into custody on the premises and detain such person in a reasonable manner and for a reasonable period of time. If the operator takes the person into custody, a law enforcement officer shall be called to the scene immediately. The taking into custody and detention by a law enforcement officer or an operator of a recreational vehicle park, if done in compliance with this subsection, does not render such law enforcement officer or operator criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

(2) Any law enforcement officer may arrest, either on or off the premises and without warrant, any person if there is probable cause to believe that person has committed theft in a recreational vehicle park.

(3) Any person who resists the reasonable effort of a law enforcement officer or an operator of a recreational vehicle park to recover property that the law enforcement officer or operator has probable cause to believe had been stolen from the recreational vehicle park and who is subsequently found to be guilty of theft of the subject property is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, unless such person did not know, or did not have reason to know, that the person seeking to recover the property was a law enforcement officer or the operator of the recreational vehicle park. For purposes of this section, the charge of theft and the charge of resisting apprehension may be tried concurrently.

(4) Theft of any property belonging to a guest of a recreational vehicle park permitted under this chapter, or of property belonging to such a park, by an employee of the park or by an employee of a person that has contracted

to provide services to the park constitutes a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 23, ch. 93-150.

513.13 Recreational vehicle parks; ejection; grounds; proceedings.—

(1) The operator of any recreational vehicle park may remove or cause to be removed from such park, in the manner provided in this section, any transient guest of the park who, while on the premises of the park, illegally possesses or deals in a controlled substance as defined in chapter 893; who disturbs the peace, quiet enjoyment, and comfort of other persons; who causes harm to the physical park; who violates the posted park rules and regulations; or who fails to make payment of rent at the rental rate agreed upon and by the time agreed upon. The admission of a person to, or the removal of a person from, any recreational vehicle park may not be based upon race, color, national origin, sex, physical disability, or creed.

(2) The operator of any recreational vehicle park shall notify such guest that the park no longer desires to entertain the guest and shall request that such guest immediately depart from the park. Such notice shall be given in writing, as follows: “You are hereby notified that this recreational vehicle park no longer desires to entertain you as its guest, and you are requested to leave at once. To remain after receipt of this notice is a misdemeanor under the laws of this state.” If such guest has paid in advance, the park shall, at the time such notice is given, tender to the guest the unused portion of the advance payment. Any guest who remains or attempts to remain in such park after being requested to leave commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) If a guest has accumulated an outstanding account in excess of an amount equivalent to 3 nights’ rent at a recreational vehicle park, the operator may disconnect all utilities of the recreational vehicle and notify the guest that the action is for the purpose of requiring the guest to confront the operator or permittee and arrange for the payment of the guest’s account. Such arrangement must be in writing, and a copy shall be furnished to the guest. Upon entering into such agreement, the operator shall reconnect the utilities of the recreational vehicle.

(4) If any person is illegally on the premises of any recreational vehicle park, the operator of such park may call upon any law enforcement officer of this state for assistance. It is the duty of such law enforcement officer, upon the request of such operator, to remove from the premises or place under arrest any guest who, according to the park operator, violated subsection (1) or subsection (2). If a warrant has been issued by the proper judicial officer for the arrest of any guest who violates subsection (1) or subsection (2), the officer shall serve the warrant, arrest the guest, and take the guest into custody. Upon removal or arrest, with or without warrant, the guest is deemed to have abandoned or given up any right to occupancy of the premises of the recreational vehicle park; and the operator of the park shall employ all reasonable and proper means to care for any personal property left on the premises by such guest and shall refund any unused portion of moneys paid by such guest for the occupancy of such premises. If conditions do not allow for immediate removal of the guest’s property, he or she may arrange a reasonable time, not to exceed 48 hours, with the operator to come remove the property, accompanied by a law enforcement officer.

(5) In addition to the grounds for ejection established by law, grounds for ejection may be established in a written lease agreement between a recreational vehicle park operator or permittee and a recreational vehicle park guest.

History.—ss. 11, 15, ch. 83-321; s. 12, ch. 84-182; s. 93, ch. 85-81; s. 132, ch. 91-224; ss. 24, 26, ch. 93-150; s. 8, ch. 2020-126.

513.151 Recreational vehicle parks; guests in transient occupancy; operator’s rights and remedies; writ of distress.—This section applies only to guests in transient occupancy in a recreational vehicle park.

(1) OPERATOR’S RIGHT TO DISCONNECT UTILITIES.—

(a) If an operator of a recreational vehicle park makes a reasonable determination that a guest has accumulated a large outstanding account at such park, the operator may disconnect all utilities of the recreational vehicle or tent, except that the operator must not by such actions create a sanitary nuisance. The operator may also take such other measures considered necessary for the purpose of requiring the guest to confront the operator

and arrange for payment on the guest's account. Such arrangement must be in writing, and a copy shall be furnished to the guest.

(b) Once the guest has confronted the operator and made arrangement for payment on the guest's account, the operator shall reconnect the utilities of the recreational vehicle or tent, or otherwise reverse the measures taken under paragraph (a).

(2) **OPERATOR'S RIGHT TO RECOVER PREMISES.**—If the guest of a recreational vehicle park vacates the premises without notice to the operator and the operator reasonably believes the guest does not intend to satisfy the outstanding account, the operator may recover the premises by removing the recreational vehicle or tent from the site. The operator shall take all reasonable and proper means to care for the recreational vehicle or tent until a settlement or a final court judgment is obtained on the guest's outstanding account. Upon recovery of the premises, the operator shall seal, or cause to be sealed, the recreational vehicle in the presence of at least one other person who is not an agent of the operator or shall make an itemized inventory of any property belonging to the guest and store such property until a settlement or a final court judgment is obtained on the guest's outstanding account. Such inventory shall be conducted by the operator and at least one other person who is not an agent of the operator.

(3) **OPERATOR'S WRIT OF DISTRESS.**—If, after there has been a disconnection of utilities pursuant to subsection (1), a guest fails to make the agreed-upon payments on the guest's account, or, notwithstanding subsection (1), if a guest vacates the premises without making payment on the guest's outstanding account, the operator may proceed to prosecute a writ of distress against the guest and the guest's property. The writ of distress must be predicated on the lien created by s. 713.77.

(a) An action under this subsection must be brought in a court of appropriate jurisdiction in the county where the property is located. If the property consists of separate articles, the value of any one of which articles is within the jurisdictional amount of a lower court but the total value of which articles, taken together, exceeds that jurisdictional amount, the plaintiff may not divide the property to give jurisdiction to the lower court so as to enable the plaintiff to bring separate actions for the property.

(b) To obtain an order authorizing the issuance of a writ of distress upon final judgment, the plaintiff must first file with the clerk of the court a complaint reciting and showing the following information:

1. A statement of the amount of the guest's account at the recreational vehicle park.
2. A statement that the plaintiff is the operator of the recreational vehicle park in which the guest has an outstanding account. If the plaintiff's interest in such account is based on written documents, copies of such documents must be attached to the complaint.
3. A statement that the operator has made a reasonable attempt to obtain payment from the guest for an outstanding account, either by confronting the guest or by a disconnection of utilities pursuant to subsection (1), and a statement that the guest has failed to make any payment or that the guest has vacated the premises without paying the outstanding account.
4. A statement that the account is outstanding and unpaid by the guest; a statement of the services provided to the guest for which the outstanding account was accumulated; and a statement of the cause of such nonpayment according to the best knowledge, information, and belief of the plaintiff.
5. A general statement as to what property the plaintiff is requesting levy against, including the property included in the inventory conducted pursuant to subsection (2) if the operator has recovered the premises, and a statement of the authority under which the plaintiff has a lien against such property.
6. A statement, to the best of the plaintiff's knowledge, that the claimed property has not been taken for a tax, assessment, or fine pursuant to law or taken under an execution or attachment by order of any court.

(c) The officer of the court to whom a writ of distress is directed shall execute the writ of distress by serving it on the defendant and by levying on the property distrainable for services rendered, if such property is found within the area of the officer's jurisdiction. If the property is not found in that jurisdiction but is in another jurisdiction, the officer shall deliver the writ to the proper authority in the other jurisdiction. The writ shall be executed by levying on such property and delivering it to the officer of the court in which the action is pending, and the property shall be disposed of according to law, unless the officer is ordered by such court to hold the property and

dispose of it according to law. If the defendant cannot be found, the levy on the property suffices as service of the writ on the defendant if the plaintiff and the officer each file a sworn statement stating that the whereabouts of the defendant are unknown.

(4) OPERATOR'S PREJUDGMENT WRIT OF DISTRESS.—

(a) A prejudgment writ of distress may issue, and the property seized may be delivered forthwith to the plaintiff, if the nature of the claim, the amount of the claim, and the grounds relied upon for the issuance of the writ clearly appear from specific facts shown by the verified petition or by a separate affidavit of the plaintiff.

(b) The prejudgment writ of distress may issue if the court finds, pursuant to paragraph (a), that the defendant has failed to make payment as agreed and that the defendant is engaging in, or is about to engage in, conduct that may place the claimed property in danger of being destroyed, being concealed, being removed from the state, being removed from the jurisdiction of the court, or being transferred to an innocent purchaser during the pendency of the action.

(c) A prejudgment writ of distress may issue only upon a signed order of a circuit judge or a county court judge. The prejudgment writ of distress must include a notice of the defendant's right to an immediate hearing before the court issuing the writ.

(d) The plaintiff must post bond in the amount of twice the estimated value of the goods subject to the writ or twice the balance of the outstanding account, whichever is the lesser amount as determined by the court, as security for the payment of damages the defendant may sustain if the writ is wrongfully obtained.

(e) The prejudgment writ issued under this subsection must command the officer to whom it may be directed to distrain the described personal property of the defendant and hold such property until final judgment is rendered.

(f)1. The defendant may obtain release of the property seized under a prejudgment writ of distress by posting bond with a surety within 10 days after service of the writ, in the amount of 125 percent of the claimed outstanding account, for the satisfaction of any judgment that may be rendered against the defendant, conditioned upon delivery of the property if the judgment should require it.

2. As an alternative to the procedure prescribed in subparagraph 1., the defendant, by motion filed with the court within 10 days after service of the writ, may obtain the dissolution of a prejudgment writ of distress, unless the plaintiff proves the grounds upon which the writ was issued. The court shall set such motion for an immediate hearing.

(5) INVENTORY OF DISTRAINED PROPERTY.—When the officer seizes distrainable property, either under paragraph (3)(c) or paragraph (4)(e), and such property is seized on the premises of a recreational vehicle park, the officer shall inventory the property; hold those items which, upon the officer's appraisal, would satisfy the plaintiff's claim; and return the remaining items to the defendant. If the defendant cannot be found, the officer shall hold all items of property seized. The officer may release the property only pursuant to law or a court order.

(6) EXECUTION ON PROPERTY IN POSSESSION OF THIRD PERSON.—If the property to be distrained is in the possession of the defendant at the time of the issuance of a writ under subsection (3) or a prejudgment writ under subsection (4) and the property passes into the possession of a third person before the execution of the writ, the officer holding the writ shall execute it on the property in the possession of the third person and shall serve the writ on the defendant and the third person; and the action, with proper amendments, shall proceed against the third person.

(7) CLAIM BY THIRD PERSON TO DISTRAINED PROPERTY.—A third person claiming any property distrained pursuant to this chapter may interpose and prosecute a claim for that property in the same manner as is provided for similar cases of claim to property levied on under execution.

(8) JUDGMENT.—

(a) *For plaintiff.*—

1. If it appears that the account stated in the complaint is wrongfully unpaid, and the property described in such complaint is the defendant's and was held by the officer executing the prejudgment writ, the plaintiff shall have judgment for the damages sustained by the plaintiff, which judgment may include reasonable attorney's fees

and costs, by taking title to the defendant's property in the officer's possession or by having the property sold as prescribed in subsection (9).

2.a. If it appears that the property was retained by, or redelivered to, the defendant on the defendant's forthcoming bond, either under subparagraph (4)(f)1. or subparagraph (4)(f)2., the plaintiff shall take judgment for the property, which judgment may include reasonable attorney's fees and costs, and against the defendant and the surety on the forthcoming bond for the value of the outstanding account; and the judgment, which may include reasonable attorney's fees and costs, shall be satisfied by the recovery and sale of the property or the amount adjudged against the defendant and the defendant's surety.

b. After the judgment is rendered, the plaintiff may seek a writ of possession for the property and execution for the plaintiff's costs or may have execution against the defendant and the defendant's surety for the amount recovered and costs. If the plaintiff elects to have a writ of possession for the property and the officer returns that the officer is unable to find the property or any part of it, the plaintiff may immediately have execution against the defendant and the defendant's surety for the whole amount recovered less the value of any property found by the officer. If the plaintiff has execution for the whole amount, the officer shall release all property taken under the writ of possession.

c. In any proceeding to ascertain the value of the property so that judgment for the value may be entered, the value of each article must be found. When a lot of goods, wares, or merchandise has been distrained, it is sufficient to ascertain the total value of the entire lot found, and it is not necessary to ascertain the value of each article of the lot.

(b) *For defendant.*—

1. If property has been retained by, or redelivered to, the defendant on the defendant's forthcoming bond or upon the dissolution of a prejudgment writ and the defendant prevails, the defendant shall have judgment against the plaintiff for any damages of the defendant for the taking of the property, which judgment may include reasonable attorney's fees and costs.

2. If the property has not been retained by, or redelivered to, the defendant and the defendant prevails, judgment shall be entered against the plaintiff for possession of the property, which judgment may include reasonable attorney's fees and costs.

3. The remedies provided in this paragraph do not preclude any other remedies available under the laws of this state.

(9) **SALE OF DISTRAINED PROPERTY.**—

(a) If the judgment is for the plaintiff, the property in whole or in part shall, at the plaintiff's option pursuant to subparagraph (8)(a)1. or subparagraph (8)(a)2., be sold and the proceeds applied to the payment of the judgment.

(b) Before any property levied on is sold, it must be advertised two times, the first advertisement being at least 10 days before the sale. All property so levied on may be sold on the premises of the recreational vehicle park or at the courthouse door.

(c) If the defendant appeals and obtains a writ of supersedeas before sale of the property, the officer executing the writ shall hold the property, and there may not be any sale or disposition of the property until final judgment is had on appeal.

(10) **EXEMPTIONS FROM DISTRESS AND SALE.**—The following property of a guest is exempt from distress and sale under this chapter:

(a) From final distress and sale: clothing; and items essential to the health and safety of the guest.

(b) From prejudgment writ of distress: clothing; items essential to the health and safety of the guest; and any tools of the guest's trade or profession, business papers, or other items directly related to such trade or profession.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 94, ch. 85-81; s. 36, ch. 92-78; s. 25, ch. 93-150.