

## ORDINANCE NO. 23-24-29

**AN ORDINANCE OF HIGHLANDS COUNTY, FLORIDA, AMENDING THE HIGHLANDS COUNTY CODE OF ORDINANCES, CHAPTER 12, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE CREATION OF CHAPTER 12, LAND DEVELOPMENT REGULATIONS, ARTICLE 4, PLATS, SITE PLANS AND IMPROVEMENT PLANS, SECTION 12.04.114, MASTER PARK PLAN REQUIREMENTS; PROVIDING FOR AMENDMENTS TO ARTICLE 5, DISTRICTS AND SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 12.05.220, M-1 MOBILE HOME SUBDIVISIONS DISTRICT, SECTION 12.05.221, M-1-S MOBILE HOME AND RESIDENTIAL SUBDIVISIONS DISTRICT, SECTION 12.05.222, M-2 MOBILE HOME PARKS DISTRICT, AND SECTION 12.05.223, RV PARK (FUD); PROVIDING FOR AMENDMENTS TO ARTICLE 8, SPECIAL LAND USES, SECTION 12.08.120, REQUIRED RECREATION/DISASTER SHELTER BUILDING; PROVIDING FOR AMENDMENTS TO ARTICLE 9, TRANSPORTATION SYSTEM STANDARDS AND PERMITS, SECTION 12.09.104, ROADWAY DESIGN STANDARDS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on April 26, 2006, the County combined the Land Development Regulations and the Comprehensive Planning, Zoning, and Building Regulations into one publication titled the Highlands County Land Development Regulations for the purpose of making such regulations easier to understand and enforce; and

**WHEREAS**, Florida Statutes, Chapter 125, confers upon a local government, the authority to adopt ordinances and regulations which are designed to promote the public health, safety and general welfare of its citizens; and

**WHEREAS**, from time to time it is necessary for Highlands County to update and/or amend its codes and regulations; and

**WHEREAS**, amendments to the Land Development Regulations of a local government are authorized by Florida Statutes, Chapter 163; and

**WHEREAS**, the County hereby deems it necessary, appropriate and in the best interest of the public health, safety, comfort, good order, appearance, convenience and general welfare to amend the regulations as set forth in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY HIGHLANDS COUNTY, FLORIDA,**  
after due notice and public hearing, that:

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.** Highlands County has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

**SECTION 2. AMENDING CHAPTER 12, LAND DEVELOPMENT REGULATIONS, CREATING ARTICLE 4, PLATS, SITE PLANS AND IMPROVEMENT PLANS, SECTION 12.04.114, MASTER PARK PLAN REQUIREMENTS.** Highlands County Code of Ordinances, Chapter 12, Land Development Regulations, Article 4, Plats, Site Plans and Improvement Plans, Section 12.04.114, Master Manufactured Home Park Plan Requirements is hereby created as follows:

**Note: Underlined words constitute additions to existing text.**

**Section 12.04.114. – Master Manufactured Home Park Plan Requirements.**

The submittal requirements for Master Manufactured Home Park Plan approval are listed in this section.

- A. Preliminary Manufactured Home Park Plan. A preliminary manufactured home park plan must be submitted to provide a complete review of technical data and preliminary engineering/surveyor drawings for the proposed park plan. An approved preliminary park plan is a prerequisite to receiving Master Manufactured Home Park Plan approval. The preliminary manufactured home park plan shall be a graphic representation of the proposed development and its individual lots, is intended to represent a boundary survey of the proposed park plan and shall comply with the requirements outlined in Section 12.04.111, Preliminary Plat, of this Code.
- B. Improvement Plan. A plan of proposed improvements shall be submitted following approval of the preliminary manufactured home park plan. It is the intent that the improvement plan, reflect compliance with standards and procedures for installation and maintenance of required improvements so that services and facilities are provided in such a manner as to ensure the health and safety of the public and to sustain the existing quality of life. These requirements are intended to provide that all improvements are installed in a timely and efficient manner and that, where improvements will be retained in private ownership, the improvements will be maintained permanently in accordance with the requirements of these regulations as outlined within Section 12.04.111.D, except that five (5) copies of the improvement plan shall be submitted. An approved improvement plan and final development order are a prerequisite to master park plan review.
- C. Master Manufactured Home Park Plan. A master manufactured home park plan is a drawing of the final design of a site showing the boundaries and locations of all lots and provides a perpetual record of the development. The master manufactured

home park plan shall conform to the approved preliminary manufactured home park plan in all respects except that minor variations in dimensions and alignments resulting from more precise final computations may be accepted.

1. Nine (9) copies of the master manufactured home park plan and all required documents and materials, as required by this section, shall be submitted to the county engineer along with the review fee.
2. The county engineer shall transmit one (1) copy of the master manufactured home park plan together with required documents and materials to County staff, as listed in these regulations. Each staff member shall have ten (10) working days to complete his or her review of the park plan and notify the county engineer, in writing, of his or her findings. A technical review meeting shall be scheduled within ten (10) working days of the completion of staff's review.
3. Within five (5) working days after the technical review meeting, or at the end of twenty-five (25) working days, if the technical review meeting is omitted, the county engineer will either approve or disapprove the master manufactured home park plan, and notify the applicant, in writing, of the determination. A copy of the master manufactured home park plan will be returned to the applicant; either approved or disapproved, along with copies of each staff member's comments.
4. If disapproved, the master manufactured home park plan must be revised and resubmitted as required by notes on the plan itself, by staff comments, by comments in the transmittal letter, by the conditions of approval, and by the checklist which shall accompany the plan. Any resubmitted plans must have all revisions contained within a revision cloud and the revisions must be described in a dated comment box on the plans.
5. If approved, one copy will be returned to the applicant, for the development to proceed to the building permit phase.

D. The master manufactured home park plan shall comply with all requirements listed below.

1. Master Park Plan agrees with the approved preliminary park and improvement plan.
2. Each sheet signed and sealed by a Florida registered engineer or a Florida professional surveyor and mapper.
3. Sheet size 24" X 36" with ½" margins and left binding side with 3" margin.
4. Scale: no smaller than 1"=100'.
5. North arrow.
6. Date of preparation.
7. Owner's name, address.
8. Consultant's name, address & telephone number on each sheet.

9. STRAP Number.
10. A site location map inset on the first sheet to indicate the location of the project relative to surrounding area and including at least the nearest arterial or collector roadway.
11. Index sheet showing the entire development as well as the sheet layout, if more than one sheet.
12. Each sheet shows the particular number of that sheet and the total number of sheets including clearly labeled match lines showing where other sheets match or adjoin.
13. Private ownership statement placed in a prominent place on every sheet.  
Private ownership statement: Private property that remains under one ownership, but is required to receive master manufactured home park plan approval, must have the following information placed on the first sheet of the final plan in letters no smaller than one-half-inch in height:

**THIS IS NOT A SUBDIVISION**  
**(PARCEL UNDER ONE OWNERSHIP)**

**Individual Lot Sales Prohibited**

14. Name of manufactured home park in bold legible letters in a prominent place, the County, State, Section, Township and Range indicated on every sheet appearing immediately under the name.
15. Park name not the same as any other name appearing on any recorded plat/plan.
16. Legal description and recoding instrument number (property boundaries with line dimensions, bearings and curve data).
17. At least two exterior boundary corners referenced to the Florida State Plane Coordinate System.
18. The Horizontal and/or Vertical datum specified.
19. All section lines and quarter section lines occurring in or within the master manufactured home park plan indicated by lines drawn upon the plan, with appropriate words and figures.
20. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings, and distances, and the point of beginning.
21. Legend explaining symbols, abbreviations, etc.
22. Proposed number of lots.

23. Minimum lot area in square feet provided.
24. All lettering reads from the bottom of the sheet or from the right side of the sheet.
25. Letters or numbers at least one-tenth of an inch in height and bold enough to remain clearly legible after reduction.
26. Sufficient survey data to describe each lot, block, street, easement, etc.
27. Lot lines with accurate dimensions.
28. All lots numbered either by progressive numbers, or if in blocks, progressively numbered or lettered except that blocks in numbered additions bearing the same name may be numbered consecutively throughout several additions.
29. "Limit of Plan" shown on all legs of boundary.
30. Areas identified that are not a part of the plan, stating "Not Part of the Plan".
31. All contiguous properties identified by subdivision title, plat/plan book, and page, or designated as unplatted.
32. All abutting existing easements and rights-of-way indicated.
33. Abutting existing rights-of-way indicated to the center line.
34. Purpose of all areas clearly indicated or stated on the plan, together with names, locations and widths of all parks/recreational areas, streets, easements, and waterways as applicable.
35. If no frontage on a County, State or city-maintained road, a right-of-way connecting to such road either shown and referenced by recorded instrument.
36. Any and all Restrictions. Every conservation easement shown, and all restrictions and special conditions noted on the plan.
37. Every on-site drainage easement and retention/detention area utilized in the stormwater system design labeled "DRAINAGE EASEMENT".
38. All manmade lakes, ponds, and other manmade bodies of water excluding retention/detention areas shown on the final plat made a part of adjacent private lot(s).
39. Meander lines including bearings and distances shown.
40. Lots bounded on any side by lakes or streams have a survey line along the ordinary high-water line.
41. Statement, "Notice: There may be additional restrictions that are not recorded on this plan that may be found in the public records of this county." placed in a prominent place on the first sheet.
42. Statement designating the type of water and sewer facilities (including the owners' names) placed on the first sheet.

43. I hereby certify that all of the requirements of this checklist have been adhered to. I also certify that if any of the items on the checklist are not applicable, I have attached a written explanation as to the reason why the item is not applicable.

**SECTION 3. AMENDING ARTICLE 5, DISTRICTS AND SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 12.05.222, M-1 MOBILE HOME SUBDIVISIONS DISTRICT, SECTION 12.05.221, M-1-S MOBILE HOME AND RESIDENTIAL SUBDIVISIONS DISTRICT, SECTION 12.05.222, M-2 MOBILE HOME PARKS DISTRICT, AND SECTION 12.05.223, RV PARK (FUD).** Highlands County Code of Ordinances, Chapter 12, Land Development Regulations, Article 5, Districts and Supplemental District Regulations, Section 12.05.222, M-1 Mobile Home Subdivisions District, Section 12.05.221, M-1-S Mobile Home and Residential Subdivisions District, Section 12.05.222, M-2 Mobile Home Parks District, and Section 12.05.223, RV Park (FUD) is hereby amended as follows:

**Note: Underlined words constitute additions to existing text, ~~strikethrough~~ words constitute deletions to existing text, and asterisks (\*\*\*) indicate omitted parts which are intended to remain unchanged.**

**Section 12.05.220. M-1 ~~mobile~~ manufactured home subdivisions district.**

- A. **Intent.** The M-1 ~~mobile~~ manufactured home subdivisions district is intended to be ~~mobile~~ for manufactured home, residential area, medium density with minimum lot area.
- B. **Permitted principal uses and structures.**
1. ~~Mobile~~ Manufactured homes.
  2. ~~Central wastewater treatment and water treatment facilities serving a single development.~~

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- E. **Minimum lot requirements** in this district, in regard to area and width, are:
1. ~~5,000~~ 7,500 square feet with minimum frontage of 50 feet, ~~with~~ for lots served by central wastewater and central potable water provided by a public entity. In addition, the lot must meet state air and water pollution Regulations.
  2. 10,000 square feet with minimum frontage of 80 feet for lots served by well or septic systems.

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~~G. Special requirements for this district are:~~

- ~~1. Septic systems and individual wells, minimum lot area 10,000 square feet, minimum 80 feet frontage and subject to county health department approval.~~
- ~~2. Setback requirements as for R-1.~~

~~H.G. Minimum yard requirements with central wastewater and central potable water provided by a public entity are:~~

- ~~1. Front: Ten feet.~~
- ~~2. Sides: Seven and one-half feet.~~
- ~~3. Rear: Ten feet.~~
- ~~4. Corner: 15 feet on one or the other abutting street.~~

Paragraphs I. through O. to be re-lettered accordingly.

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**Section 12.05.221. M-1-S ~~mobile~~ manufactured home and residential subdivisions district.**

A. **Intent.** The M-1-S ~~mobile~~ manufactured home and residential subdivisions district is intended to encumber certain existing recorded and unrecorded subdivisions in which residential use is accomplished by conventional construction and ~~mobile~~ manufactured homes. These areas are to remain in mixed residential use as a choice of the individual ownerships.

B. **Permitted principal uses and structures in this district are:**

1. One-family dwelling.
2. ~~Mobile~~ Manufactured home.
3. Recreation buildings and facilities, playgrounds, play fields, parks and beaches owned and operated by federal, state, county or municipal governments.
- ~~4. Central wastewater treatment and water treatment facilities serving a single development.~~

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H. **Maximum height of structures.** Residential is the same as for R-1; ~~mobile~~ manufactured homes is 16 feet in height. Exceptions as provided in Section 12.05.302 may apply. See definition of Height of buildings in Section 12.02.104.

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- J. **Minimum floor area** in this district is for residential construction, 750 square feet; for ~~mobile~~ manufactured homes, 600 square feet.

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- N. **Limitations on uses.** The following limitations on uses apply in this district:

1. Manufactured homes shall not be older than 20 years from the date of manufacture to the date of installation. ~~Central wastewater treatment facilities or structures or water treatment facilities or structures shall conform to the standards contained in section 12.08.131.~~
2. ~~All central potable water facilities shall comply with all applicable federal and state laws, rules, and regulations, including permitting requirements.~~

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**Section 12.05.222. M-2 ~~mobile~~ manufactured home parks district.**

- A. **Intent.** The M-2 ~~mobile~~ manufactured home parks district is intended to regulate the establishment and approval of ~~mobile~~ manufactured home parks where ~~mobile~~ manufactured homes, travel trailers, and recreation units, are placed on rental spaces on transient, seasonal or permanent basis. Only single-family uses of ~~mobile~~ manufactured homes, travel trailers, and recreation units are allowed.

- B. **Permitted principal uses and structures in this district are:**

1. Mobile Manufactured homes parking.
2. Community utility Travel trailers, recreational vehicles, and recreation units.
- ~~3. Community recreation facilities.~~
- ~~4. Central wastewater treatment and water treatment facilities serving a single development.~~
- ~~5. Travel trailers, recreational vehicles, and recreation units.~~
- ~~6. Outdoor storage of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the mobile home park or by the owners of the mobile homes located on mobile home sites in the mobile home park when at least 100 feet from the nearest dwelling space and approved by the board of directors or the mobile home park owner.~~

- C. **Permitted accessory uses and structures in this district are:**

1. Single-family residence for owner, manager or custodian of park.
2. Accessory buildings for storage or maintenance incidental to operation of park.

3. Outdoor storage of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the manufactured home park or by the owners of the manufactured homes located on manufactured home sites in the manufactured home park when at least 100 feet from the nearest rental space and approved by the board of directors or the manufactured home park owner. The storage area shall be paved in compliance with Section 12.10.205 and shall comply with the transitional protective yard type C of this chapter.
- D. **Special exceptions.** Permissible by the BOA after public hearing and subject to appropriate conditions and safeguards are:
1. ~~Central wastewater and water treatment facilities serving more than one development.~~
  2. ~~Outdoor storage of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the mobile manufactured home park or by the owners of the mobile manufactured homes located on mobile home sites rental spaces in the mobile home park when stored less than 100 feet from the nearest dwelling rental space and approved by the owner or board of directors or of the mobile manufactured home park owner.~~
- E. **Special requirements in this district are:**
1. All plans submitted for mobile manufactured home park approval will first be approved by the state department of health and rehabilitative services. No mobile manufactured home, travel trailer, recreational vehicle, or recreation unit will be permitted within 100 feet of the mean ordinary high water line of lake front waterfront property.
  2. All uses shall comply with the parking requirements of this code.
- F. **Minimum lot park area and rental space requirements.** ~~Five~~ Twenty (20) acres of land area for the M-2 district. Each rental space shall have a minimum width of ~~40~~ 50 feet and a minimum area of ~~4,000~~ 7,500 square feet.
- G. **Maximum lot park coverage.** Maximum lot park coverage by all structures is 50 percent of total park area, excluding streets.
- H. **Maximum height of structures.** Maximum height of structures shall be as follows:
1. **Residence.** No structure shall exceed 16 feet in height, except as provided in Section 12.05.302. See definition of Height of buildings in Section 12.02.104.
  2. **Required disaster shelter.** A disaster shelter required by Section 12.08.120 shall not exceed 35 feet in height.
  23. ~~Permitted non-residence~~ Other permitted structures. ~~Same~~ No structure shall exceed 16 feet in height, except that with approval of BOA, maximum height may be 35 feet if ~~the BOA shall find~~ such action will not injure surrounding property and accords with spirit and purpose of this

chapter. Exceptions as provided in Section 12.05.302 may apply. See definition of Height of buildings in Section 12.02.104.

- I. **Maximum density per acre** in this district shall be maximum ~~eight mobile homes, recreational vehicles, recreation units, and travel trailers permitted~~ five (5) units per acre with central potable water and central wastewater facilities provided by a public entity.
- J. **Minimum yard requirements in this district are:**
  - 1. **Front,** ~~ten~~ twenty (20) feet to the edge of pavement.
  - 2. **Sides,** ~~no roof to be closer than ten feet to adjacent structure~~ fifteen (15) feet between units, measured wall to wall; if the unit has a slide-out or pop-out, the minimum separation shall be measured from the furthest point of the slide-out or pop-out.
  - 3. **Rear,** ~~no roof to be closer than ten feet to adjacent structure~~ fifteen (15) feet between units, measured wall to wall.
  - 4. **Corner,** ~~no roof to be closer than ten feet to adjacent structure~~ twenty (20) feet to the edge of pavement.
  - 5. **Perimeter,** ~~No no roof is to be closer than ten~~ twenty-five (25) feet to outside perimeter line of a mobile manufactured home park.

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- L. **Infringement of m Minimum street and right-of-way width.** ~~The 30-foot road or any of the required parking spaces for each living unit is not to infringe on minimum street width of 25 feet with off-street parking. See section 12.10.200 for parking space requirements~~ Right-of-way widths shall meet the requirements of Section 12.09.104 and two-lane local road standards in the Technical Standards Manual, current edition. Internal roadways shall be maintained by the manufactured home park, in perpetuity.
- M. **Nonconforming parks.** All mobile home parks licensed and operating prior to June 26, 1973, including M-2 parks, as long as the same shall remain licensed, shall not be required to comply with the provisions of this chapter, except a five-foot setback shall be kept in front and rear. Mobile and manufactured homes may be removed and replaced with ~~mobile~~ manufactured homes of like size and appurtenances.
- N. **Limitations on uses.** The following limitations on uses apply in this district:
  - 4- Manufactured homes, travel trailers, recreational vehicles, and recreation units shall not be older than 20 years from the date of manufacture to the date of installation or parking on a rental space in a manufactured home park. Central wastewater treatment facilities or structures or water treatment facilities or structures shall conform to the standards contained in section 12.08.131.

2. ~~All central potable water facilities shall comply with all applicable federal and state laws, rules, and regulations, including permitting requirements.~~

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**P. Additional requirements.**

1. The site proposed park shall have not less than ~~20~~ 25 ~~mobile home rental~~ spaces completed and available at first occupancy and shall have no more than a maximum of ~~eight~~ five (5) mobile home spaces per gross acre.
2. A landscaped vegetative buffer zone, ten feet in width and eight feet in height, shall be provided where a park adjoins other lot lines, ~~not zoned for mobile homes or public rights-of-way not contained within the park.~~
3. Fire hydrants shall be provided throughout the park, shall be located not more than 800 feet apart, and shall not be more than 500 feet away from any rental space or structure.
34. No part of any mobile manufactured home, travel trailer, recreational vehicle, or recreation unit, or addition thereto shall be placed within ten fifteen (15) feet of any other mobile manufactured home, travel trailer, recreational vehicle, or recreation unit, or addition thereto, as measured from wall to wall. If the unit has a slide-out or pop-out, the separation shall be measured from the furthest point of the slide-out or pop-out. No part of any mobile manufactured home, travel trailer, recreational vehicle, or recreation unit, or addition thereto shall be located within 25 feet of any accessory or service building or structure used in connection with the mobile manufactured home park.
45. Access roads shall be provided to each mobile home rental space. Roads in new parks and roads added to existing parks shall have a minimum width of 30 feet unless adequate off-street parking for automobiles is provided, in which event 25 feet shall be the minimum road width. Perimeter roads, having mobile homes parked on one side only, shall have a minimum width of at least 20 feet and be adequately lighted. Note: See section 12.10.200 for parking space requirements comply with Section 12.09.104 and two-lane local road standards in the Technical Standards Manual, current edition. Internal roadways shall be maintained by the manufactured home park, in perpetuity.
56. A central potable water and wastewater supply, provided by a public entity, shall be supplied to each mobile home site rental space. No mobile manufactured home, travel trailer, recreational vehicle, or recreation unit, shall be located more than 200 feet from approved toilet and bathing facilities, except that this provision shall be deemed to have been met where approved central potable water and wastewater hookups are supplied by a public entity to the mobile home site each rental space and where the mobile home unit to be placed on the site rental space is provided with

contains adequate toilet and bathing facilities. Garbage, trash and refuse collection shall be provided to each site.

7. Garbage, trash and refuse collection shall be provided to each site.
- ~~7. A mobile home park shall have a central wastewater disposal system approved by the Highlands County Health Department and the Florida Department of Environmental Protection.~~
78. Porches, additions and other appurtenances to mobile manufactured homes shall comply with this chapter and the building regulations of the county. All canvas, portable or demountable roofs, porches or appurtenances shall be dismantled and stored if the mobile manufactured home or recreational unit is not to be occupied for a period of 30 days or more. A roof, porch or appurtenance constructed under a building permit issued by the county building department is not subject to dismantling and storage provisions.
89. A mobile manufactured home park providing more than 40 rental spaces may have retail stores and personal service establishments for the primary use of the occupants of the mobile manufactured home park, providing that such uses are conducted within a completely enclosed building, no signs or displays indicating such uses are visible from any public street and such uses are for the convenience of the occupants of the mobile manufactured home park and are not normally available to other persons.
910. A recreation area shall be provided equivalent to 100 square feet of area for each mobile home site rental space; such recreation area shall not be longer than two times its width. The area shall be developed and maintained in a clean and presentable condition.
4011. In a mobile manufactured home park, display or sale of mobile manufactured homes, travel trailers, recreational vehicles, and recreation units, is prohibited, except an occupied mobile home unit, or an unoccupied mobile home unit previously occupied on the same site, or a mobile home unit affixed to a lot or space and shown as a model for sale, to may remain on the lot or space.
4412. Service stations or repair garages are prohibited in mobile manufactured home parks. No secondhand merchandise shall be offered for sale, displayed, or stored on the premises, except as incidental to the bona fide sale of a mobile manufactured home, travel trailer, recreational vehicle, or recreation unit.
4213. Dwelling units or living quarters, ~~except in a mobile home or as an other than~~ those listed as a permitted accessory use, are prohibited in a mobile manufactured home park.
- ~~43~~14. No exterior public address system shall be permitted.
4415. Required recreation/disaster shelter building shall be provided if required by section 12.08.120.

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**Section 12.05.223. RV park (FUD).**

- A. **Intent.** The RV park (FUD) district is intended to regulate the establishment and approval of RV parks where ~~RVs, park models, mobile homes, and manufactured homes~~ recreational vehicles (RVs), which also includes the terms travel trailer, camper, motor home, van conversion, and park model, are placed on rental spaces on transient, ~~seasonal~~ or permanent basis. Only single-family use of RVs, park models, mobile homes, and manufactured homes are is permitted. All units required to have park and service permit.
- B. **Permitted principal uses and structures in this district are:**
1. ~~RV and park model~~ Recreational vehicle (RV) parking (permits required).
  2. RV carport or roof over to cover a permitted RV or other permitted unit. The RV carport or roof over may include, under the same roof, A a screen room, vinyl room, or cabana room or rigid awning consisting of no more than 500 square feet combined, without plumbing, unless approved otherwise in the FUD. All such uses shall require a permit issued by the county building department and shall be firmly attached to a ~~travel trailer, park model, mobile home, manufactured home, or recreation~~ the unit and to the ground so as to withstand winds as required by the Florida Building Code.
  3. Individual utility buildings consisting of no more than 65 square feet, with not more than one electrical outlet and no plumbing, unless approved otherwise in the FUD. All such utility buildings shall be anchored in a manner which will withstand winds as required by the Florida Building Code. All utility buildings shall meet all state and county setback requirements. No more than one utility building may be located on any rental space.
  4. ~~Community utility.~~
  5. ~~Community recreation facilities.~~
  6. ~~Central wastewater and water treatment facilities serving a single development.~~
  7. ~~Mobile homes and manufactured homes shall be allowed only when the mobile home or manufactured home replaces one or more park models located on rental spaces on July 1, 2005, pursuant to all of the requirements of this section, including 12.05.223.E.3., and F. and Q. X.~~
  8. ~~Outdoor storage, of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the RV park or by the owners of the RVs and park models located on RV sites in the RV park when at least 100 feet from the nearest dwelling space and approved by the board of directors or the RV park owner. The requirements shall comply with the transitional protective yard type C of the land development regulations.~~

C. **Permitted accessory uses and structures in this district are:**

1. Single-family residence for owner, manager or custodian of park.
2. Accessory building for storage incidental to operation of park.
3. Outdoor storage, of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the RV park or by the owners of the RVs and park models located on RV sites in the RV park when at least 100 feet from the nearest rental space and approved by the board of directors or the RV park owner. The storage area shall be paved in compliance with Section 12.10.205 and shall comply with the transitional protective yard type C of the land development regulations.

D. **Special exceptions.** Permissible by the BOA after public hearing and subject to appropriate conditions and safeguards are:

1. ~~Central wastewater and water treatment facilities serving more than one development.~~
2. Outdoor storage, of boats, campers, RVs, and other similar recreational or motor vehicles owned by the owner of the RV park or by the owners of the RVs and park models units located on RV sites rental spaces in the RV park when stored less than 100 feet from the nearest dwelling rental space and approved by the board of directors or the RV park owner. The requirements shall comply with the transitional protective yard type C of the land development regulations.

E. **Special requirements in this district are:**

1. All RV parks (FUD) are to be flexible unit developments.
2. All plans submitted for RV park (FUD) approval must first be approved by the state department of health and rehabilitative services. No unit will be permitted within 100 feet of the mean ordinary high-water line of lake waterfront property.
3. ~~Mobile homes and manufactured homes shall also be allowed when the following requirements are satisfied:~~
  - a. ~~Reserved.~~
  - b. ~~The mobile home or manufactured home replaces one or more park models located on campsites on July 1, 2005.~~
  - c. ~~The mobile home or manufactured home located on a campsite which has a minimum width of 40 feet and shall have no more than 50 percent lot coverage.~~
  - d. ~~Before a section or unit of an RV park is reconfigured pursuant to this section or any RV park is enlarged or any mobile home or manufactured home is placed in an RV park pursuant to this section, the land included in the reconfiguration or addition or on which the~~

~~mobile home or manufactured home is to be located, the applicant shall:~~

~~(1) Provide a boundary survey and site plan schematic, signed and sealed by a Florida professional land surveyor, showing the boundary of the area being changed together with permanent reference markers; and~~

~~(2) Include as a part of the site plan schematic of the area, the approximate location of the rental spaces in reference to the centerlines of the streets within the park; the streets shall be referenced with permanent control points; and~~

~~(3) Post a copy of said site plan schematic in the campground office; and~~

~~(4) Submit seven copies each of the boundary survey and site plan schematic to the county engineer for distribution to county staff prior to the issuance of a building permit for a mobile home or manufactured home pursuant to subsection 12.05.226.D.~~

~~43. Not more than 50 percent of the total campground park area is covered by structures, excluding streets.~~

~~54. Required recreation/disaster shelter building shall be provided if required by section 12.08.120.~~

~~5. All uses shall comply with the parking requirements of this code.~~

F. **Minimum lot park area and rental space requirements.** ~~The minimum lot size in this district is five Twenty (20) acres of land area for RV park (FUD) alone or in combination with CG-1, CG-3 and/or M-2 classifications. Each rental space shall have a minimum lot width 40 feet and a minimum area of 2,400 4,000 square feet. Any section or unit of an RV park reconfigured under this subsection shall comply with the requirements of paragraph 3. of subsection E. of this section.~~

G. **Maximum lot park coverage** by all structures is 50 percent of total park area, excluding streets.

H. **Maximum height of structures.** Maximum height of structures shall be as follows:

1. **Residence Permitted structures or units on rental spaces.** No structure shall exceed 16 feet in height, except as provided in Section 12.05.302. See definition of Height of buildings in Section 12.02.104.

2. **Required Disaster Shelter.** A disaster shelter required by 12.08.120 shall not exceed 35 feet in height.

3. **Permitted non residence Other permitted structures.** ~~Same~~ No structure shall exceed 16 feet in height, except that with approval of BOA, maximum height may be 35 feet if the BOA shall finds such action will not injure surrounding property and accords with spirit and purpose of this

chapter. Exceptions as provided in Section 12.05.302 may apply. See definition of Height of buildings in Section 12.02.104.

I. **Maximum density per acre** in this district shall be determined by the FUD at the public hearings by the P&Z and the BCC but shall in no circumstance be greater than 12 units per gross acre.

J. **Minimum yard requirements.**

1. Front, ~~ten feet~~ fifteen (15) feet to the edge of pavement.
2. Sides, ~~no roof line to be closer than ten feet to adjacent roof line~~ fifteen (15) feet between units, measured wall to wall; if the unit has a slide-out or pop-out, the minimum separation shall be measured from the furthest point of the slide-out or pop-out.
3. Rear, ~~no roof line to be closer than ten feet to adjacent roof line~~ fifteen (15) feet between units, measured wall to wall.
4. Corner, ~~no roof line to be closer than ten feet to one street side and~~ fifteen (15) feet to the edge of pavement ~~other street side.~~
5. Perimeter. ~~No~~ no roof line closer than ten feet to outside perimeter line of RV park.

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L. **Infringement of m-Minimum street and right-of-way width.** ~~Encroachments into roads shall not be allowed. On street parking shall not be allowed on roads which are less than 30 feet wide~~ Right-of-way widths shall meet the requirements of Section 12.09.104 and two-lane local road standards in the Technical Standards Manual, current edition. Internal roadways shall be maintained by the Manufactured Home Park, in perpetuity.

M. **Limitations on uses.** The following limitations on uses apply in this district:

1. ~~Recreational Vehicles and all other permitted units shall not be older than 20 years from the date of manufacture to the date of installation or parking on a rental space within an RV Park (FUD). Central wastewater treatment facilities or structures or water treatment facilities or structures shall conform to the standards contained in section 12.08.131.~~
2. ~~All central potable water facilities shall comply with all applicable federal and state laws, rules, and regulations, including permitting requirements.~~

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O. **Minimum size and completion.** The site proposed shall contain not less than ~~five~~ twenty (20) acres, shall have not less than ~~20~~ 25 RV or park model spaces

completed and available at first occupancy and shall meet all flexible unit development requirements.

- P. **Buffer zone.** A landscaped vegetative buffer zone, ten feet in width and eight feet in height, shall be provided where a park adjoins other lot lines ~~which are not zoned for RV park (FUD) or mobile home park or public rights-of-way not contained within the park.~~
- Q. **Minimum spacing.** No part of any RV or other permitted unit, ~~park model, mobile home, manufactured home~~ or addition thereto, shall be placed within ~~ten~~ fifteen (15) feet of any other RV or other permitted unit, ~~park model, mobile home, manufactured home~~ or addition thereto. No part of any RV or other permitted unit, ~~park model, mobile home, manufactured home~~ or addition thereto, shall be located within 25 feet of any accessory or service building or structure used in connection with the RV park.
- R. **Roads.** Access roads shall be provided to each ~~RV, park model, mobile home, and manufactured home~~ rental space. Roads in new parks and roads added to existing parks shall have ~~a minimum width of 30 feet unless adequate off-street parking for motor vehicles is provided, in which event 25 feet shall be the minimum road width. Perimeter roads having RVs, park models, mobile homes or manufactured homes located only on one side shall have a minimum width of at least 20 feet and be adequately lighted~~ comply with Section 12.09.104 and two-lane local road standards in the Technical Standards Manual, current edition. Internal roadways shall be maintained by the Manufactured Home Park, in perpetuity.
- S. **Utilities.** A central potable water and wastewater supply shall be supplied to each ~~RV, park model, mobile home, and manufactured home site~~ rental space. No RV or other permitted unit shall be located more than 200 feet from approved toilet and bathing facilities, except that this provision shall be deemed to have been met where approved central potable water and wastewater hookups are supplied by a public entity to the ~~RV site~~ each rental space and where the ~~RV unit~~ to be placed on the site is provided with adequate toilet and bathing facilities. ~~All park models, mobile homes, and manufactured homes shall be connected to the central wastewater disposal system. Garbage, trash and refuse collection shall be provided to each site.~~
- T. ~~**Central wastewater disposal system.** An RV park shall have a central wastewater disposal system approved by the county health department and the department of health and rehabilitative services of the state.~~

Paragraphs U. through X. to be re-lettered accordingly.

**SECTION 4. AMENDING ARTICLE 8, SPECIAL LAND USES, SECTION 12.08.120, REQUIRED RECREATION/DISASTER SHELTER BUILDING.** Highlands County Code of Ordinances, Chapter 12, Land Development Regulations, Article 8, Special Land Uses, Section 12.08.120, is hereby amended as follows:

**Note: Underlined words constitute additions to existing text, ~~strikethrough~~ words constitute deletions to existing text, and asterisks (\*\*\*) indicate omitted parts which are intended to remain unchanged.**

**Section 12.08.120. - Required recreation/disaster shelter building.**

- A. **Applicability.** M-1, M-1-S, M-2, CG-1, CG-2, CG-3, and RV Park (FUD) Zoning Districts, or and within all manufactured home parks, manufactured home subdivisions, mobile home parks, RV parks, campgrounds, and seasonal parks containing ~~more than~~ 25 or more lots, rental spaces or campsites on which RVs, park models, mobile homes or manufactured homes are placed after November 14, 1994, in a manner requiring a building permit or which are developed after November 14, 1994, a recreation/disaster shelter building meeting the requirements of subsections B. and C. below of this section shall be provided.
- B. **Additional standards for approval.** A required recreation/disaster shelter building shall have:
1. For every 20 rental spaces contained within the park, the disaster shelter must contain at least one (1) toilet facility.
  2. The disaster shelter must contain a full-service kitchen.
  3. A minimum floor area of at least ~~45~~ 35 square feet (excluding kitchens, closets, toilets, bathrooms, porches, breezeways and terraces) per lot, rental space or campsite; and
  24. A minimum floor elevation at least two feet above the established 100-year flood level; and
  35. Approved hurricane storm shutters protecting all glass surfaces; and
  46. Adequate emergency lighting and water supply ~~with~~ and adequate emergency generators to ~~supply the water and lighting~~ power the entire disaster shelter; and
  57. Designed and constructed to no less than Risk Category IV Construction standards in compliance with the Florida Building Code, current addition. Construction plans signed and sealed by a registered engineer and/or architect, certifying that the structure meets the requirements of this paragraph, shall be submitted to the building official and approved before final development orders are issued for new manufactured home parks, manufactured home subdivisions, mobile home parks, mobile home subdivisions (on central potable water and central wastewater), RV parks, campgrounds, and seasonal parks developed after November 14, 1994, containing ~~more than~~ 25 or more lots, rental spaces or campsites and before issuing more than 25 building permits for placement of RVs, park models, ~~mobile homes,~~ manufactured homes or combination thereof, in any existing RV park, campground or mobile home park after November 14, 1994.
- C. **Additional requirements.**

1. The disaster shelter must be pet friendly, accommodating the needs of domestic pets.
2. A plan shall be provided to the county engineer showing the location of the recreation/disaster shelter building on the site in relation to the existing lots, rental spaces or campsites.
23. Documentation that the generators required pursuant to 12.08.120.B.26., is are sufficient. ~~to provide emergency lighting and water supply.~~

**SECTION 5. AMENDING ARTICLE 9, TRANSPORTATION SYSTEM STANDARDS AND PERMITS, SECTION 12.09.104, ROADWAY DESIGN STANDARDS.** Highlands County Code of Ordinances, Chapter 12, Land Development Regulations, Article 9, Transportation System Standards and Permits, Section 12.09.104, Roadway Design Standards, is hereby amended as follows:

**Note: Underlined words constitute additions to existing text, ~~strikethrough~~ words constitute deletions to existing text, and asterisks (\*\*\*) indicate omitted parts which are intended to remain unchanged.**

**A. Right-of-way requirements.**

1. **Widths.** Right-of-way requirements for road construction shall be as shown in the Highlands County Technical Standards Manual, current edition and as follows:

Functional Classification	Right-of-Way Width
Major Arterial	200 feet
Minor Arterial	150 feet
Rural Major Collector	100 feet
Rural Minor Collector	80 feet
Local Street	60 feet
Marginal Access or Frontage Road	60 feet
Ingress/Egress Easements for access with more than two driveway connections	60 feet
Alley	40 feet
Manufactured Home Park/ <u>RV Park</u> roads (Private)	<del>40</del> <u>60</u> feet
Seasonal Park Roads (Private)	40 feet
Ingress/Egress Easements for access with two or less driveway connections	30 feet

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**SECTION 6. IMPLEMENTING ADMINISTRATIVE ACTIONS.** The County Administrator is hereby authorized and directed to take such actions as are deemed necessary and appropriate in order to implement the provisions of this Ordinance. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

**SECTION 7. SAVINGS CLAUSE.** All prior actions of Highlands County pertaining to the revisions to Highlands County Code of Ordinances, Chapter 12, Land Development Regulations, Article 8, Special Land Uses, Sections 12.08.134 and 12.08135, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

**SECTION 8. SEVERABILITY.** The divisions, sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection, section, or divisions of this ordinance shall be declared invalid, unconstitutional or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, sections, and divisions of this ordinance.

**SECTION 9. CODIFICATION AND SCRIVENER'S ERRORS.**

A. Sections 2, 3, 4 and 5 of this Ordinance shall be codified in the Highlands County Code of Ordinances and the sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the Highlands County Code of Ordinances.

B. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the County Administrator and County Attorney, may be corrected with the endorsement of the County Manager, or designee, without the need for a public hearing.

**SECTION 10. CONFLICTS.** Any ordinance or part thereof in conflict with this Ordinance or any part hereof is hereby repealed to the extent of the conflict.

**SECTION 11. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon filing with the Department of State.

Pursuant to Florida Statutes, Section 125.66, an ordinance which changes the actual list of permitted, conditional or prohibited uses within a zoning category, the Board of County Commissioners shall hold two public hearings on the proposed ordinance before adoption.

First Reading: June 18, 2024

Second Reading: \_\_\_\_\_

**DONE AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF HIGHLANDS COUNTY, FLORIDA

(SEAL)

By: \_\_\_\_\_  
Kevin Roberts, Chairperson

ATTEST:

By: \_\_\_\_\_  
Jerome Kaszubowski, Clerk