



ORDINANCE NO. \_\_\_\_ - 2007

**AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 9.5-120.6, EXTENDING THE MORATORIUM ON TRANSFER OF RECREATIONAL VEHICLE SPACES TO HOTEL AND MOTEL UNITS OFF-SITE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL FOR CODIFICATION.**

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**WHEREAS**, the Board of County Commissioners makes the following Findings of Fact:

1. The Monroe County Code Section 9.5-120.4(b)a. iii(1)(a)(i) allows the off-site transfer and redevelopment of lawfully established RV spaces as hotel or motel rooms.
2. A significant number of unlawful conversions of RV spaces into permanent residency have occurred overtime, which has provided affordable housing for many low and moderate income persons in Monroe County.
3. Existing regulations governing RVs as transient residential units has been inadequate to preclude the conversion of existing RVs into permanent residencies, which is contrary to the Comprehensive Plan and Land Development Regulations and has many undesirable consequences for the County in terms of both its tourist industry and safe and adequate housing for its low and moderate income households.
4. The transfer and conversion of RV spaces currently used for affordable housing into hotel or motel rooms exacerbates the existing affordable housing crises by decreasing the availability of affordable housing and increasing the demand for such housing required for staff to serve these new transient units.
5. Additional time is required to sufficiently allow background studies to be completed and regulations drafted to address county wide problems with regulations of RVs including more up to date information on the extent of the problems with conversions.
6. The Planning Commission, at a regularly scheduled public hearing on December 19, 2006, considered the proposed text amendment and made a recommendation **not** to extend the moratorium.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:**

**Section 1.** Chapter 9.5 Article VII, Division 2, Monroe County Code, is hereby amended as follows:

Sec. 9.5-120.6 Moratorium on off-site transfer of recreational vehicle spaces.

No recreation vehicle space shall be eligible for off-site transfer to a hotel or motel room under the provisions of Sec. 9.5-120.4 (b) until ~~December 31, 2006~~ December 31, 2008.

**Section 2. Severability.**

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

**Section 3. Repeal of Conflicting Provisions.**

The provisions of the Monroe County code and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.**

This ordinance shall be filed in the Office of the Secretary of State of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administrative Commission approving ordinance pursuant to Chapter 380, Florida Statutes.

**Section 5. Transmittal for Codification**

The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto and shall be appropriately numbered to conform to the uniform numbering system of the Code.

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PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Mayor Mario DiGennaro  
Mayor Pro Tem Dixie Spehar  
Commissioner George Neugent  
Commissioner Charles "Sonny" McCoy  
Commissioner Sylvia Murphy

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BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY \_\_\_\_\_  
Mayor Mario DiGennaro

(SEAL)  
ATTEST: DANNY L. KOLHAGE, CLERK

\_\_\_\_\_  
Deputy Clerk



**MEMORANDUM**  
**MONROE COUNTY PLANNING DEPARTMENT**  
*We strive to be caring, professional and fair*



To: Board of County Commissioners

Through: Aref Joulani, Senior Director of Planning & Environmental Resources

From: Jose Papa, AICP, Comprehensive Planning Manager

Date: December 22, 2006

RE: Extension of moratorium on the transfer of recreational vehicle spaces to hotel and motel units off-site.

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1 **BACKGROUND**

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3 The Monroe County Planning and Environmental Resources Department has advertised

4 an amendment to Section 9.5-120.6 of the Monroe County Land Development

5 Regulations (LDRs) to extend the moratorium on the transfer of recreational vehicle

6 spaces to hotel and motel units off-site from December 31, 2006 to December 31, 2008 or

7 until new Land Development Regulations are adopted to regulate such transfers. This

8 item was heard by the Planning Commission on December 19, 2006 and a

9 recommendation was made to the BOCC not to extend the moratorium.

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11 Currently, the LDRs, prohibit the off-site transfer of RV spaces to hotel/motel rooms.

12 This prohibition was approved by the BOCC in June 2003, a major concern raised by the

13 Board at the time was the loss of affordable housing through the transfer of RV units used

14 for permanent housing to hotel/motel rooms.

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16 **ISSUES**

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18 Staff has found no evidence that there is a demand for the conversion of RV spaces to

19 off-site hotel/motel units. Discussions with various stakeholders have indicated that there

20 is limited demand for such transfers.

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22 **SUMMARY AND CONCLUSIONS**

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24 Staff recommends that the moratorium on off-site transfer of RV units for hotel/motel

25 units be allowed to expire. On December 19, 2006, the Planning Commission voted to

26 recommend to the BOCC that this moratorium not be extended.