

City of Foley, AL



Signature Copy

Ordinance: 20-2016-ORD

407 E. Laurel Avenue
Foley, AL 36535

File Number: 20-0291

Enactment Number: 20-2016-ORD

An Ordinance Amending the City of Foley Zoning Ordinance - RV Park District

WHEREAS, the City of Foley, Alabama, adopted Ordinance No. 387-87 on June 15, 1987, ordaining a new Zoning Ordinance and Zoning Map for the City of Foley which has subsequently been amended, and

WHEREAS, the City of Foley Planning Commission has recommended changes within the current Zoning Ordinance, and the City Council of the City of Foley deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance, and

WHEREAS, all requirements to the laws of the State of Alabama, with regard to the preparation of the report of the Foley Planning Commission and subsequent action of the City Council have been met,

DEFINITIONS AMENDMENT:

Recreational Vehicle Park: A tract of land under unified ownership which has been developed with all necessary facilities and services in accordance with a development plan meeting all the requirements of this Ordinance, and which is intended for the express purpose of providing a satisfactory living environment for travel trailer residents on a temporary basis.

ARTICLE XVII - RECREATIONAL VEHICLE (RV) PARK DISTRICT

Recreational Vehicle Park: A tract of land under unified ownership which has been developed with all necessary facilities and services in accordance with a development plan meeting all the requirements of this Ordinance, and which is intended for the express purpose of providing a satisfactory living environment for travel trailer residents on a temporary basis.

DEFINITION:

Recreational Vehicle: For the purposes of this Ordinance, a recreational vehicle shall consist of any of the following as herein defined:

A. A travel trailer is a vehicular portable structure mounted on wheels, of such size or weight as not to require special highway movement permits when drawn by a stock passenger automobile; primarily designed and constructed to provide temporary living quarters for recreation, camping, or travel use.

B. A camping trailer is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic, or other pliable material for folding compactly while being drawn by another vehicle, and when

unfolded at the site or location, providing temporary living quarters; and whose primary design is for recreation, camping, or travel use.

C. A truck camper is a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters; and whose primary design is for recreation, camping, or travel use.

D. A motor home is a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger car, primarily designed to provide temporary living quarters for recreation, camping and travel.

E. A boat is any recreational vehicle designed or intended for operation on water. Boats and trailers to transport the same shall be considered a recreational vehicle, and subject to the same requirements and restrictions applying to other recreational vehicles.

No person shall engage in the construction of a park for the accommodation of recreational vehicles, or make any addition or alteration to any park so as to alter the number of lots therein, or affect the facilities required therein, until such time as zoning has been approved and applicable permits have been obtained for such addition, alteration or construction. Permits may include but are not limited to: Land Disturbance Permit, Environmental Permit, Building Permits, Fire Permits, etc. Unless there is an extenuating circumstance, Riviera Utilities should be the primary provider of all utilities.

Nothing in this section shall be construed as a responsibility or liability of the City of Foley to construct, operate or maintain any private street, drainage, open area, park, recreational or other facility.

The developer/owner may petition City Council to accept maintenance if built to City specifications but the City is under no obligation to accept.

PRE-APPLICATION CONFERENCE

To expedite the review of a RV Park, coordinate its local review in respect to the provisions of this Ordinance with necessary county, state and federal agency reviews, and to inform the City of an RV Park in the preparation, a Pre-Application Plan Review shall be processed as required by this ordinance and in accordance with the procedures established by the Community Development Department. The pre-application review will serve several purposes and focus on the following items:

To inform the City of any RV Park plans in progress together with the scale and character of the plan so that the City may recognize the proposed development in any of its physical or facility planning for the entire City.

To inform the applicant of the City's informal response as to the scale and character of the proposed development and to alert the applicant of any specific areas of concern that the City may have for that specific site or proposed plan.

To clarify and inform both the applicant and the City in respect to the development plan approval procedure including an anticipated application time and review period. To enable the applicant to inform the City of the requirements, procedures and status of the various county, state and federal agency reviews.

SUBMISSION REQUIREMENTS

In order to provide an expeditious method for processing a plan for an RV Park under the terms of this Ordinance, it is hereby declared to be in the public interest that all procedures with respect to the approval or disapproval of a plan for an RV Park, and the continuing administration thereof, shall be consistent with the following provisions:

- A. A rezoning application for a development plan for a planned unit development shall be filed by or on behalf of the landowner with the Community Development Department. The purpose of the development plan is to provide the City with information in respect to the type, character, scale and intensity of development as well as the time phasing of the proposed RV Park in order for the City to evaluate the impact of the development upon the City. Once the RV Park master plan has been approved, each phase must be approved by staff and the Planning Commission prior to any permits being issued.
- A minimum area for an RV Park is three (3) acres.
 - The maximum density shall not exceed 10 RV units per acre.
 - Minimum 25% open space excluding required stormwater / drainage. The minimum 25% shall be reserved collectively in contiguous units accessible to all the RV sites and maintained by the property owners. This open space is to be used for: accessory uses, parks, recreation facilities, sidewalks clubhouse, pool and similar.
 - The RV Park may include some small rental cabins for short term use (90 days?)
 - A screening buffer is required. Options are:
 - A natural 30' buffer that provides adequate screening from adjoining properties; or,
 - A 30' buffer using a berm (height determined by local topography upon review by City Staff), fence and landscaping; or
 - A 50' buffer using fencing and landscaping.
 - All RV Parks shall have frontage on an existing publicly or privately maintained street. A completed traffic analysis may be required with the zoning application in accordance with the Traffic Impact Study requirements (latest edition).
 - The RV Park zoning designation is for Recreational Vehicles only. Manufactured Homes are not permitted.
 - All RV Parks shall meet Zoning, Building Code, Fire Code, Environmental & Engineering regulations. This includes all required accessory uses such as toilets, showers, laundry facilities, and similar.
 - Water will be provided by a master meter for the development. No individual meters will be allowed.
 - The onsite sewer collection system outside of public right-of-way will be the responsibility of the owner. The sewer provider will operate and maintain any lift stations and force mains.

- Amenities and accessory uses shall be restricted to park occupants.
- An RV Park is for short-term rentals. RV spaces and rental cabins will be limited to a maximum 90 day stay per occupant.

RV Park Development Requirements:

Minimum lot width 40'

Minimum lot depth 40'

Maximum density per acre 10

NATIVE SCREENING LANDSCAPE BUFFER:

Required Landscape Buffer plants. A combination of trees, shrubs and grasses will be required.

Trees: Longleaf Pine, Slash Pine, Way Myrtle, Live Oak, East Palatka Holly, Southern Magnolia, Little Gem Magnolia, Sabal Palm, Eastern Red Cedar, Bald Cypress/Pond Bald Cypress, Atlantic White Cedar.

Shrubs: Formosa Azalea, George Tabor Azalea, Henry's Garnet Sweetspire, Sweet Olive.

Grasses: Miscanthus, Adagio Eulalia Grass, Pink Muhly Grass, Fakahatchee Grass.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOLEY, ALABAMA while in regular session accepted the following changes:

AMENDMENTS TO EXISTING ZONING ORDINANCE

DEFINITIONS AMENDMENT:

Travel Trailer Recreational Vehicle Park: A tract of land under unified ownership which has been developed with all necessary facilities and services in accordance with a development plan meeting all the requirements of this Ordinance, and which is intended for the express purpose of providing a satisfactory living environment for travel trailer residents on a temporary basis.

ARTICLE XVI - MANUFACTURED HOMES

MANUFACTURED HOME PARKS, RECREATIONAL VEHICLE PARKS, MANUFACTURED HOME SUBDIVISIONS, MOBILE/MANUFACTURED DWELLINGS

*PUT CATEGORIES IN ORDER IN THE CHAPTER ACCORDING TO TITLE

MH-1 MOBILE/MANUFACTURED DWELLING PARK

A. Uses/Structures Permitted: Mobile/manufactured dwellings; R.V.'s; modular dwellings; and home based businesses.

RECREATIONAL VEHICLE (RV) PARK DISTRICT

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B. A camping trailer is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic, or other pliable material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location, providing temporary living quarters; and whose primary design is for recreation, camping, or travel use.

C. A truck camper is a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters; and whose primary design is for recreation, camping, or travel use.

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No person shall engage in the construction of a park for the accommodation of recreational vehicles, or make any addition or alteration to any park so as to alter the number of lots therein, or affect the facilities required therein, until such time as zoning has been approved and applicable permits have been obtained for such addition, alteration or construction. Permits may include but are not limited to: Land Disturbance Permit, Environmental Permit, Building Permits, Fire Permits, etc. Unless there is an extenuating circumstance, Riviera Utilities should be the primary provider of all utilities.

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- The RV Park may include some small rental cabins for short term use (90 days?)
- The RV Park shall be fenced with a minimum 50' landscape buffer using a berm if feasible and approved planting materials.

A screening buffer is required. Options are:

- A natural 30' buffer that provides adequate screening from adjoining properties; or,

- A 30' buffer using a berm (height determined by local topography upon review by City Staff), fence and landscaping; or
- A 50' buffer using fencing and landscaping.
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Shrubs: Formosa Azalea, George Tabor Azalea, Henry's Garnet Sweetspire, Sweet Olive.

Grasses: Miscanthus, Adagio Eulalia Grass, Pink Muhly Grass, Fakahatchee Grass.

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2020.

President's Signature _____

Date _____

Attest By City Clerk _____

Date _____

Mayor's Signature _____

Date _____