CITY OF SPRINGFIELD, FLORIDA ORDINANCE 402

AN ORDINANCE AMENDING CERTAIN SPRINGFIELD LAND DEVELOPMENT REGULATIONS; PROVIDING DEFINITIONS; SETTING FORTH STANDARDS AND REGULATIONS FOR THE PLACEMENT OF MANUFACTURED HOMES; SUPERCEDING SPRINGFIELD CITY ORDINANCE 391; AMENDING SETBACK REQUIREMENTS; REMOVING HOME OCCUPATIONS FROM RESIDENTIAL LOW DENSITY AREAS; RESTATING CERTAIN DENSITY STANDARDS CONCERNING DETACHED SINGLE FAMILY DWELLINGS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Springfield, Florida, has previously adopted a Unified Land Development Code pursuant to the authority of Section 163.3202, Florida Statutes; and,

WHEREAS, the City of Springfield, under said Unified Land Development Code, has extensive duties and responsibilities to review and permit development within the City of Springfield; and,

WHEREAS, the City of Springfield has extensive duties and responsibilities to promote and protect public health, safety and welfare; and,

WHEREAS, the City Commission finds the need to amend the City of Springfield's Unified Land Development Code to include the necessary following provisions; and,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SPRINGFIELD, FLORIDA, THAT

SECTION 1. The City of Springfield Land Development Code is hereby changed as follows.

Article I, Sec. 1-4. Definitions

When used in this ordinance the following words and phrases have the meaning as defined

in the Article. Terms not defined herein have the same meaning as is found in the Springfield Land Development Regulations and most dictionaries where consistent with the context. The terms "must", "will" and "shall" are mandatory in nature, indicating that an action must be done. The term "may" is permissive and allows discretion regarding an action. When consistent with the context, words used in singular number include the plural, and those used in the plural include the singular. Words used in the present tense include the future. The word "developer" includes a "firm", "corporation", "co-partnership", "association", "institution", or "person". The word "lot" includes the words "plot", "parcel", "site" and "space". The words "used" or "occupied" as applied to any land or building include in its meaning the words "intended", "arranged" or "designed", "to be used" or "occupied".

DCA: Florida Department of Community Affairs of the State of Florida.

Double wide: An obsolete term used to describe a mobile home having a width of generally between twenty (20) and twenty-eight (28) feet.

Dwelling: A building or portion thereof designed, arranged, or used principally for residential occupancy, not including motels, hotels, boarding houses or rooming houses.

HUD: U. S. Department of Housing and Urban Development.

Manufactured Home: A dwelling unit fabricated, on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, each section of which bears a label certifying that it is built in compliance with the Federal Manufacturing Construction and Safety Standards (24 CFR 3280) HUD Code, **OR** inspected by and approved by an inspection agency conforming to the requirements of DCA, and bearing an insignia of approval. For purposes of this ordinance, manufactured homes acceptable to be used for residential purposes within the City are distinguished by two types as follows:

- (1) Residential Design Manufactured Homes, herein referred to as RDMH structures, are manufactured homes (also called "modular homes"), bearing a DCA seal, certifying code compliance, meeting the following residential design standards which shall be used in determinations of similarity in appearance between RDMH structures, with permanent foundations approved as provided in this subsection, and compatible in appearance and orientation with site built housing which has been constructed in adjacent or nearby locations. An RDMH structure is not permitted to be used as a storage building.
- a. Minimum width of main body. Minimum width of the main body of the RDMH as located on the site shall be no less than twenty feet (20'), as measured across the narrowest portion. This is not intended to prohibit the offsetting of portions of the home.
- b. Minimum roof pitch; minimum roof overhang; roofing materials. The pitch of the home's roof shall have a minimum vertical rise of one foot (1') for each four feet (4') of horizontal run, and

minimum roof overhang shall be six inches (6"). The roof shall be finished with a type of material that is commonly used in conventional residential dwellings constructed in adjacent or nearby locations. Built-up composition roof may not be used.

- c. Exterior finish; light reflection. The exterior siding of the home shall consist of wood, hardboard, masonry or vinyl which is generally acceptable for site built housing which has been constructed in adjacent or nearby locations; provided, however, that reflection of such exterior shall not be greater than from siding coated with clean white gloss exterior enamel.
- d. *Foundation*. The tongue, axles, transporting lights, towing apparatus and other transportation equipment shall be removed from the RDMH. The RDMH shall be placed upon a permanent foundation. Permanent foundation shall mean:
 - (1) Installation of the home according to Chapter 15C-1, Florida Administrative Code.
 - (2) Construction of a permanent, non-load bearing perimeter curtain wall of concrete block, with a minimum thickness of four inches (4") extending at a minimum from the ground surface to the bottom starter of the exterior wall surfaces of the home, unpierced except for required ventilation and access. Said curtain or wall shall be coated or covered with a finish or with materials which blend with the rest of the home's siding materials. Skirting of the type typically used around manufactured homes or mobile homes shall not be used as a wall or curtain around a DCA home.
- e. *Electrical service*. Boxes and meters shall be mounted to the exterior wall of the home, unless prohibited by electrical codes.
- f. Site orientation and setbacks of the Manufactured (Modular) Home. RDMH structures shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site built housing which has been constructed on adjacent or nearby locations. Building setback minimums must be met as per Springfield's Land Development Regulation, Section 3-4.9 as amended herein.
- g. Garages and Carports Any RDMH structure constructed will be required to have a garage or carport if more than fifty percent (50%) of other homes in the area have garages or carports. Such garages and carports shall be constructed according to requirements to building codes utilized for site built homes.
- h. No Certificate of Occupancy shall be issued until all requirements of this ordinance and the City LDR have been met.
- (2) Standard design manufactured homes (hereinafter referred to as SDMH structures) are

manufactured homes certified as meeting HUD Code, but not meeting residential design standards contained herein. An SDMH is not permitted to be used as a storage building.

Manufactured Home Lot: An area of land within a planned manufactured home subdivision designed to accommodate one (1) manufactured home.

Manufactured Housing as defined by HUD. A general term used to describe a type of housing that is produced, either completely or partially in a factory. A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width and forty body feet or more in length which, when erected on site, is 320 or more square feet in living area; and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. If that fabrication of a housing unit occurs after June 15, 1976, each section must be built to standards prescribed by the U. S. Department of Housing and Urban Development.

Mobile Home: An obsolete term used herein to describe a home, prefabricated in whole or in part and not conforming to the definition of a manufactured home.

Mobile Home Park: An obsolete term used to describe an area where spaces are rented to mobile home owners. It is no longer authorized for new developments.

Manufactured Home Subdivision: A parcel developed and intended for use as a residential area occupied for manufactured homes; and conforming to an approved Development Plan with appropriate and adequate community services, recreation facilities, utilities, streets and sidewalks provided by the developer; where the resident owns the manufactured home and the manufactured home lot or where the resident rents the manufactured home and lot, both of which are owned as one by the developer or other third party. All manufactured homes located within a manufactured home subdivision must be installed in accordance with this ordinance, and all manufactured home subdivisions shall be designed in accordance with the applicable ordinances.

National Manufactured Home Construction and Safety Standards: The national building code for all manufactured homes built since June 15, 1976, written and administered by the U. S. Department of Housing and Urban Development; also known as the "HUD Code".

Pre-Fabricated Home: A general term used to describe any home constructed in a factory setting, including manufactured homes, modular homes and industrial structures.

Residential Design Manufactured Homes (RDMH): Shall mean a modular home certified by DCA.

SBCCI: The current edition of the Southern Building Code Congress International, adopted and used by the Bay County Building Department.

Sectional Home: A general term used to describe any home constructed in a factory setting, especially manufactured homes.

Single-Wide: An obsolete term used to describe a mobile home or manufactured home having a width

of between eight (8) and sixteen (16) feet.

Standard Design Manufactured Home (SDMH): Shall refer to a HUD certified manufactured home.

Subdivision: The division of land into two or more lots or parcels wherein the creation of new infrastructure is planned by the developer or ruled necessary by the City of Springfield either at the time of the division of the land or in the future as a result of the division of the land.

Trailer: An obsolete term used to describe a mobile home not constructed to HUD Code or DCA requirements.

Trailer Court: An obsolete term. See Mobile Home Park.

Trailer Park: An obsolete term. See Mobile Home Park.

Travel Trailer: A vehicle designed as a temporary dwelling for travel or recreational uses, not more than eight (8) feet in width and not more than thirty (30) feet in length.

Travel Trailer Park: A lot on which are parked two (2) or more travel trailers for a period of less than thirty days.

Wall, Curtain: A non-load bearing perimeter curtain wall of concrete block or stucco on wire mesh, with a minimum thickness of four inches (4"), extending, at a minimum, from the ground surface to the bottom starter of the exterior wall surfaces of the home, unpierced except for required ventilation and access.

Article II, Section 2-4.3 Development Review Process

- 1. No change.
- 2. No change.
- 3. Development review shall be undertaken at one of the following three (3) levels of detail as follows:
 - (a) Level 1 Minor Development
 - (i) No change
 - (ii) Single-family detached DCA approved manufactured home designated as a RDMH structure.
 - (iii) No change
 - (iv) No change

- (b) Level 2 Small Scale Development, no change.
- (c) Level 3 Large Scale Development, no change.

Article III, Section 3-4.9 General Conditions:

- 1-3 No change.
- 4. *Utilities* Gas, water and sewage service lines shall be placed underground. All homes shall meet the following conditions:
 - a. The home must be secured to a permanent foundation that complies with applicable building codes.
 - b. The service equipment must be installed in a manner acceptable to the authority having jurisdiction.
 - c. The installation of the service equipment must comply with Article 230 of the National Electrical Code.
 - d. Means must be provided for the connection of a grounding electrode conductor to the service equipment and routing it outside the structure.
 - e. Electrical service boxes and meters shall be mounted to the exterior side or rear wall of the home unless prohibited by electrical codes.
- 5-6 No Change.
- 7. Setback The minimum building setback lines required for any structure shall be twenty-five feet (25') from the front property line, ten feet (10') from either side property line, fifteen feet (15') from property lines on a side street and fifteen feet (15') from the rear property line. Setback for accessory and storage buildings of 120 square feet or less shall be three (3) feet from property lines and ten (10) feet from any primary structure.

Article III, Section 3-5.5 District Purposes and Allowable Uses

- 1. Residential Low Density:
 - (a) Purpose No change
 - (b) Allowable Uses:

"Home Occupations" are prohibited in RLD.

(c) Conditional Uses:

Single-family detached DCA approved manufactured home designated as a RDMH structure.

2. Mixed Use:

- (a) Purpose No change
- (b) Allowable Uses:

Single-family detached HUD approved manufactured home, (SDMH structure), or DCA approved manufactured home, for replacement and new installation.

Mobile home parks are prohibited in MU districts.

(c) Conditional Uses:

Uses as stated and set forth in the City of Springfield LDR, Section 3-5.5 as Mixed Use but with the following changes:

The following uses may be allowed in Mixed Use (MU) districts, subject to the conditions hereinafter set forth. Other conditions may be imposed by the City Commission to further the purposes of the mixed use district.

- (1) Manufactured home subdivisions.
- (2) Existing mobile home parks and subdivisions are hereby declared to be a non-conforming use and will not be required to conform to standards and requirements of this ordinance for manufactured home subdivisions except in all expansions and additions. All replacements and new installments of manufactured homes inside existing mobile home parks must be with HUD or DCA certified homes.

3. General Commercial (GC)

- (a) No change
- (b) No change
- (c) <u>Conditional Uses</u> The following uses may be allowed in the General Commercial District, subject to the conditions hereinafter set forth, or any other conditions as may be set forth in a development order, rule or ordinance:

Duplex, triplex and quadraplex residential dwellings provided that adjacent commercial or non-residential activities which abut the residential use shall not be subject to the supplemental performance standards specified in subsection 3-5.7 of the Springfield Land Development Regulations.

Single-family detached residential dwelling to replace an existing single-family detached residential dwelling located on an individual parcel within a GC district, which has not been removed or abandoned (not used for the purpose for which it was manufactured) for more than six (6) months and where such replacement would not negatively impact adjoining conforming properties.

Single-family detached manufactured homes HUD or DCA approved within manufactured home subdivisions.

All manufactured structures for commercial purposes shall be DCA certified.

4. <u>Light Industrial (LI)</u>

(A) Purpose - No change

(a) Allowable Uses

As stated in City LDR and:

Single-family detached HUD approved manufactured home, SDMH structure or DCA approved manufactured (modular) home, RDMH structures to replace a mobile home already located in a LI district, which has not been removed or abandoned (not used for the purpose for which it was manufactured) for more than six (6) months and where such placement would not negatively impact adjoining conforming properties. No new installations will be allowed.

DCA certified manufactured commercial structures.

Article III, Section 3-5.6 Density/Intensity Standards:

1-2 No change

3. Density/Intensity Standards

No structure or land in the City shall be developed at an intensity or density greater than the standards set forth in this section, except as provided for in paragraph 2.

No single parcel of land or lot in the City shall contain more than one (1) detached single family dwelling. Any single parcel of land or lot containing more than one detached single family dwelling at the time of passage of this ordinance is declared non-conforming use. Non-conforming status shall be lost upon the removal of or destruction of or the abandonment of such

non-conforming dwellings. Upon the loss of non-conforming status, the dwelling removed, destroyed or abandoned shall not be replaced, including the replacement of a manufactured home under such circumstances.

RESIDENTIAL, LOW DENSITY

"Mobile Home/ Manuf. Housing" is hereby changed to read "Manufactured Housing, RDMH".

MIXED USE

"Mobile Home Parks" is hereby changed to "Manufactured Home Subdivisions"

GENERAL COMMERCIAL

"Mobile Home Parks" is hereby changed to "Manufactured Home Subdivisions"

Article III, Section 3-5.8 Accessory uses and structures:

- 1. Purpose: No change.
- 2. Accessory Uses:
 Home Occupations are prohibited in Residential Low Density Districts.
- 3. Accessory Structures:
- (a) General Standards and Requirements: No change
- (b) Storage Buildings, Shops, Utility Buildings, and Greenhouses:

(added un-numbered paragraph)

Setbacks: Accessory and storage buildings shall be reasonably compatible in appearance with the primary structure of the property and shall comply with all setback requirements as other structures except that accessory structures of 120 square feet or less setback from property lines is three (3) feet and ten (10) feet from any primary structure.

Article III, Section 3-5.9 Design Standards for Manufactured Homes:

(a) Intent

It is the intent in this section to establish design standards for manufactured and modular homes to ensure that they are compatible with existing, conventional dwellings and to provide

standards for the location and placement if individual manufactured homes and manufactured home subdivisions.

(b) Applicability

The use of mobile homes inside the City of Springfield (if not built in compliance with the Federal Manufactured Housing Construction and Safety Standards of the HUD Code OR approved by DCA as a manufactured home, with insignia attached) is not allowed unless currently in existence and used as a single family residence, and then only so long as continuously used as a single family residence without a break in use for more than six (6) months or until any change in ownership, after which the right to use shall terminate and said mobile home shall be removed from the property. Manufactured homes shall comply with the requirements hereof.

(c) General Requirements

Placement of individual manufactured homes

For purposes of this ordinance, manufactured homes acceptable to be used for residential purposes within the City are distinguished by two types as follows:

- [1] Residential Design Manufactured Homes, herein referred to as RDMH structures, are manufactured homes (also called "modular homes"), bearing a **DCA** seal, certifying code compliance, meeting the following Residential Design Standards which shall be used in determinations of similarity in appearance between RDMH structures, with permanent foundations approved as provided in this subsection, and compatible in appearance and orientation with site built housing which has been constructed in adjacent or nearby locations. An RDMH structure is not permitted to be used as a storage building.
- [a] *Minimum width of main body*. Minimum width of the main body of the RDMH as located on the site shall be no less than twenty feet (20'), as measured across the narrowest portion. This is not intended to prohibit the offsetting of portions of the home.
- [b] Minimum roof pitch; minimum roof overhang; roofing materials. The pitch of the home's roof shall have a minimum vertical rise of one foot (1') for each four feet (4') of horizontal run, and minimum roof overhang shall be six inches (6"). The roof shall be finished with a type of material that is commonly used in conventional residential dwellings constructed in adjacent or nearby locations. Built-up composition roof may not be used.
- [c] Exterior finish; light reflection. The exterior siding of the home shall consist of wood, hardboard, masonry or vinyl which is generally acceptable for site built housing which has been constructed in adjacent or nearby locations; provided, however, that reflection of such exterior shall not be greater than from siding coated with clean white gloss exterior enamel.
- [d] *Foundation*. The tongue, axles, transporting lights, towing apparatus and other transportation equipment shall be removed from the RDMH. The RDMH shall be placed upon a permanent foundation. Permanent foundation shall mean:

- 1. Installation of the home according to Chapter 15C-1, Florida Administrative Code.
- 2. Construction of a permanent, non-load bearing perimeter curtain wall of concrete block, with a minimum thickness of four inches (4") extending at a minimum from the ground surface to the bottom starter of the exterior wall surfaces of the home, unpierced except for required ventilation and access. Said curtain or wall shall be coated or covered with a finish or with materials which blend with the rest of the home's siding materials. Skirting of the type typically used around manufactured homes or mobile homes shall not be used as a wall or curtain around a DCA home.
- [e] Electrical service boxes and meters shall be mounted to the exterior wall of the home unless prohibited by electrical codes.
- [f] Site orientation and setbacks of the Manufactured (Modular) Home. RDMH structures shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site built housing which has been constructed on adjacent or nearby locations. Building setback minimums must be met as per Springfield's Land Development Regulation, Section 3-4.9 as amended herein.
- [g] Garages and Carports Any RDMH structure constructed will be required to have a garage or carport if more than fifty percent (50%) of other homes in the area have garages or carports. Such garages and carports shall be constructed according to requirements to building codes utilized for site built homes.
- [h] No Certificate of Occupancy shall be issued until all requirements of this ordinance and the City LDR have been met.
- [2] Standard Design Manufactured Homes, hereinafter referred to as SDMH structures are manufactured homes certified as meeting HUD Code, but not meeting Residential Design Manufactured Home Standards contained herein. An SDMH structure is NOT permitted to be used as a storage building.

After the effective date of this ordinance, an individual mobile home dwelling unit may not be located within the City unless: it has been approved as a HUD Designated Manufactured Home (SDMH) structure and meets all other requirements of this ordinance.

All manufactured homes (SDMH) installed on private lots inside the City shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site built housing which has been constructed in adjacent or nearby locations.

Foundation. The tongue, axles, transporting lights, towing apparatus and other transportation equipment shall be removed from the SDMH. The SDMH shall be placed upon a permanent foundation. Permanent foundation shall mean:

1. Installation of the home according to requirements of the State of Florida and other local County and City requirements.

- 2. Construction of a permanent, non-load bearing perimeter curtain wall of concrete block, with a minimum thickness of four inches (4") extending at a minimum from the ground surface to the bottom starter of the exterior wall surfaces of the home, unpierced except for required ventilation and access. Said curtain or wall shall be coated or covered with a finish or with materials which blend with the rest of the home's siding materials.
- 3. Electrical service boxes and meters shall be mounted to the exterior rear or side wall of the home unless prohibited by electrical codes.

Used Mobile Homes - Due to the lack of comprehensive implementation of federal building and safety standards for transportable structures manufactured before July 15, 1976, no mobile homes manufactured before July 15, 1976 shall be permitted in any zoning district inside the City of Springfield. Mobile homes lawfully existing in the City at the time of the adoption of this ordinance may **not** be relocated within the City. The sale, resale, installation or transportation of a mobile home that was imported in violation of this subsection is strictly prohibited. The Chief Building Official may grant limited waivers for the sole purpose of transporting a substandard mobile home out of the City of Springfield to a permitted site for demolition or disposal.

Any manufactured home dealer who takes ownership or possession of a mobile home constructed prior to July 15, 1976 shall not transport the home to any other property located within the city of Springfield.

It shall be unlawful to place or set up any manufactured building or home, either temporarily or permanently, on private or commercial property, without such manufactured building or home having first undergone a preliminary point of sale inspection carried out by an agent of the City as per Ordinance 405 of the City of Springfield..

All manufactured buildings and homes relocated from within the City to another location within the City shall be subject to this ordinance requirement for preliminary inspections. Such structures shall not be moved from their original location until the preliminary inspection is accomplished.

All manufactured buildings and homes constructed within the past two model years prior to the date of the permit request shall be exempt from preliminary inspection. However, all manufactured buildings and homes placed or set up inside the city limits of Springfield shall comply with preliminary inspection standards as well as with all other ordinances, building codes, LDR development standards, etc. adopted by the City.

All manufactured homes must be installed in accordance with those regulations promulgated by DCA pursuant to Section 553.38(1), Florida Statutes and those local requirements of the City as authorized under Section 553.38(2) FS, relating to the following:

- [a] Land Use and Zoning Requirements;
- [b] Fire Zones;

Side and Rear Yard Requirements; [d] Site Development Requirements; [e] Property Line Requirements; f Subdivision Control; g Onsite Installation Requirements; [h] Review and Regulation of Architectural and Aesthetic Requirements; i Landings of the requisite composition and size as per Section 1113 of the Current [j]Building Code of the Southern Building Code Congress International, used by the Bay County Building Department, with said provisions being expressly incorporated by reference herein as part of this requirement. Manufactured homes, once placed on real property, as herein authorized, must be returned for ad valorem tax purposes annually as an improvement to and part of the real property. Manufactured homes are NOT permitted to be used as storage buildings. Skirting and foundation siding, including backup framing shall be weather resistant and must blend with the exterior siding of the home. Below grade level and for a minimum of six inches (6") above finish grade shall be unaffected by decay or oxidation. (a) Any SDMH Manufactured Home installed in the City of Springfield prior to the adoption of this ordinance and which has not been skirted shall be skirted in compliance with provisions of this ordinance within one (1) year from the date this ordinance is adopted. (b) Any SDMH Manufactured Home installed in the City of Springfield after the adoption of this ordinance shall be skirted in compliance with provisions of this ordinance within thirty (30) days from the date of installation. The date of installation being the date the home is physically placed at the home site. Manufactured Home Sales Dealers will not deliver or cause the delivery and placement of any manufactured home to a site inside the City of Springfield prior to the approval of the Development Order/Permit for such placement. No set-up and delivery agent shall deliver or cause the delivery of any manufactured home to a home site inside the City of Springfield prior to the approval of the Development Order/Permit for such placement. No person shall occupy a manufactured home placed on a site inside the City of Springfield until issuance of the Certificate of Occupancy. Page 13 of 15

Building Setback Requirements;

[c]

- 10. All occupied residences and commercial establishments within the city of Springfield must be connected to City water and sewage, when available, have City garbage service established and must have electrical service. No Certificates of Occupancy will be issued until all connections and services have been accomplished.
- 11. All manufactured housing developments approved prior to the adoption of this ordinance shall be declared non-conforming developments and shall be exempt from these regulations for minimum lot size, area, and setbacks when permits are requested for replacement of existing manufactured or mobile homes.
- 12. Existing mobile home parks, trailer parks, or other manufactured housing developments shall conform to the requirements of this ordinance and other LDR requirements on any new developments, expansions or additions to such mobile home, trailer park or manufactured housing development.
- 13. This Ordinance supercedes Springfield City Ordinance 391.

SECTION 2. APPLICABILITY

All prior ordinances, resolutions or provisions of the City of Springfield Comprehensive Land Plan and Land Development Code not modified by this ordinance remains in full force and effect.

SECTION 3. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective upon passage.

PASSED AND ADOPTED by the City Commission, in Regular Session, in Springfield, Bay County, Florida, on this the 6th day of January, 2003.

CITY OF SPRINGFIELD

Robert E. Walker, Mayor

ATTEST:

Rhonda J. Taylor, City Clerk

First Reading: Second Reading: Date Published:

August 5, 2002 January 6, 2003 August 9, 2002