

ORDINANCE NO. 543

AN ORDINANCE OF THE CITY OF SPRINGFIELD AMENDING ARTICLE III OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY RELATED TO DEVELOPMENT STANDARDS; AMENDING SECTION 3-5 RELATING TO LAND USE REGULATIONS BY CREATING SECTION 3-5.10 - TEMPORARY USES – TO ALLOW RECREATIONAL VEHICLES, TRAVEL TRAILERS AND GOVERNMENT ISSUED HOUSING WITHIN ANY LAND USE DISTRICT DURING A DECLARED STATE OF EMERGENCY AND FOR SPECIFIED PERIODS OF TIME FOLLOWING THE TERMINATION OF THE EMERGENCY DECLARATION; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, Rick Scott, Governor of the State of Florida, Issued Executive Order 18-276 declaring a state of emergency in Bay County relating to Hurricane Michael;

WHEREAS, on October 10, 2018, Hurricane Michael struck the City of Springfield (the “City”) as a Category 4 hurricane resulting in massive damages to private and public property, as well as public infrastructure;

WHEREAS, the residents and the citizens of the City sustained massive damages and many buildings were made uninhabitable thereby causing a need for temporary housing; and

WHEREAS, as provided in section 2(b), Article VIII of the Constitution of the State of Florida, and section 166.021(1), Florida Statutes, the City, a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City has adopted and applies a Comprehensive Plan and Land Development Regulations relating to the development and construction on property within designated land use districts; and

WHEREAS, the City Commission of the City of Springfield desires to amend Article III of the Land Development Regulations, relating to Development Standards, to allow certain temporary housing made necessary by a state of emergency.

NOW, THEREFORE, BE IT ENACTED by the people of the City of Springfield, Florida that:

SECTION 1. From and after the effective date of this ordinance, Article III (Development Standards) of the Land Development Regulations for the City of Springfield is amended to read as follows (new text **bold and underlined**, deleted text ~~struck through~~):

Sec. 3-5.10. – Temporary Dwelling Units.

Temporary Dwelling Units. Recreational vehicles, travel trailers, or government-provided temporary living accommodations may be established, erected, or placed within any land use district of the City for temporary occupancy as a single family dwelling unit upon (1) the declaration of a state of emergency by the Governor, (2) the declaration of a state of emergency by the Mayor, and (3) an order of the Mayor. Building set backs shall not apply to the placement of any such temporary dwelling unit. Any such temporary dwelling unit shall require a permit from the City's Building Department; such permit is to specify location, type of unit, maintenance requirements, buffering requirements, time period of operation or utilization of any such dwelling unit and such other requirements as the Building Department may deem necessary. No permit shall be for a period of more than twelve (12) months, subject to a six (6) month extension upon approval of the Building Department. Failure to obtain a permit or violation of any condition or requirement specified as part of an issued permit shall be a violation of this Chapter.

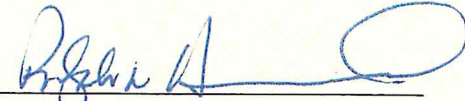
SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

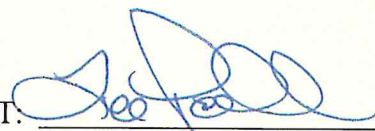
SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish the provisions of this Ordinance within the Springfield Land Development Regulations, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Springfield, Florida, this 3 day of Dec, 2018.

CITY OF SPRINGFIELD, FLORIDA

By: 
Ralph Hammond, Mayor

ATTEST: 
D. Lee Penton, City Clerk