



Staff Report

Land Development Code Text Amendment

Applicant: *The City of Okeechobee*

Petition No.: *20-001-TA*



1375 Jackson Street # 206 Fort Myers, FL 33901

Reason for Amendment

The RMH district standards are provided in Division 4 of Article III of Chapter 90 of the City’s land development code. Staff became aware of several issues regarding the current Residential Mobile Home (RMH) district standards and the maximum density allowed in the Single Family Residential future land use category:

1. **Permitted Uses:** The list of permitted uses includes types of development that do not seem correct in the context of the definitions provided for those uses.
2. **Required Setbacks:** One of the required setbacks seems contrary to the other required setbacks.
3. **Density:** The minimum allowed lot size could create a density that would exceed the maximum allowed density of the single family residential future land use category.

Land Development Code Sections Involved

Section 90-162 provides the list of permitted uses in the RMH district as follows:

- (1) Mobile home subdivision, with one mobile home per lot.
- (2) Mobile home park, with one mobile home per lot.
- (3) Hurricane shelter.
- (4) Public and private schools.
- (5) House of worship, on a lot of at least five acres.
- (6) Open space.
- (7) Public facility or use.
- (8) Site-built or modular single-family homes on lots in mobile home parks existing as of August 1, 2007.

Section 90-165 provides lot and structure requirements as follows:

Except where further restricted by these regulations for a particular use, the minimum lot and structure requirements in the RMH district shall be as follows:

(1)		Minimum area.		
	a.	Mobile home park:	Area	10 acres
	b.	Mobile home subdivision:	Area	10 acres
	c.	Recreation vehicle park:	Area	10 acres
(2)		Minimum lot area.		
	a.	Mobile home and single-family home:	Area	5,000 square feet
			Width	50 feet
	b.	Other permitted principal uses:	Area	10,000 square feet
			Width	100 feet

(3)	Minimum yard requirements. Except where a greater distance is required by these regulations for a particular use, the minimum yard setbacks in the RMH district shall be as follows:		
a.	District yard minimum:	20 feet on all property boundaries	
b.	Mobile home and single-family home:	Front Side Rear	20 feet 10 feet 10 feet
c.	Other permitted principal uses:	Front Side Rear	25 feet 20 feet 20 feet
(4)	Maximum lot coverage by all buildings.		
		Maximum Coverage	Maximum Impervious Surface
a.	Mobile home, recreation vehicle and single-family home:	50 percent	50 percent
b.	Other permitted principal uses:	30 percent	50 percent
(5)	Maximum height of structures.		
	Except where further restricted by these regulations for a particular use, the maximum height shall be as follows: All uses shall be 30 feet.		

Section 66-1 provides the definition of *mobile home park* and the definition of *mobile home subdivision* as follows:

Mobile home park means **land under single ownership** which is used to supply to the public spaces for the placement and occupancy of two or more mobile homes as dwelling units.

Mobile home subdivision means a **subdivision of land** for the sale of lots for the placement and occupancy of mobile homes as dwelling units.

Permitted Uses

Based on the definitions of mobile home park and mobile home subdivision, there are a few issues with the list of permitted uses in the RMH district. Subsection 90-162(2) lists “mobile home park, with one mobile home per lot” as a permitted use. However, the definition of mobile home park requires that the park must be under single ownership. While this could mean an area with separate lots all owned by the same entity, it is more typically one parcel of land owned by one entity, with multiple mobile home sites for rent/lease by that entity. This use, as listed in section 90-162(2) should be revised to be consistent with the definition of a mobile home park.

According to staff reports and meeting minutes from the adoption of Ordinance 997, subsection 90-162(8) was added in August 2007 with the intent of allowing redevelopment of lots in the RMH district with single family homes in place of mobile homes. Previously, single

family homes were not a permitted use in the RMH district. However, the wording of this section is problematic as it specifies mobile home parks, leaving out mobile home subdivisions, and could have several interpretations.

Based on the definitions of mobile home park and mobile home subdivision, as well as the City's desire to allow redevelopment of RMH lots with single family homes, this subsection should be revised to allow site built of modular single family homes on any lot. A new subsection (9) should also be added to clarify that mobile homes and single family homes should be permitted on existing undersized lots. Except for the permitting of the mobile homes, this is consistent with section 90-32(a) which provides for development of nonconforming residential lots as follows:

A lot in a residential zoning district which is nonconforming because of insufficient area, which has at least 4,000 square feet and 40 feet frontage, and was in separate ownership on the date of enactment of these regulations, may be used to build a single-family dwelling

Required Setbacks

Section 90-165(3)(a) seems to contradict the setbacks allowed in subsection (b) and (c). Subsections (b) and (c) seem to cover all potential structures and subsection (a) requires greater setbacks than the minimum allowed under subsection (b). Since the 10 foot rear and side setbacks allowed under section (b) do seem appropriate, we recommend that subsection (a) be stricken from the code.

Density

The RMH zoning district is only permitted within the single family residential future land use category, the standards for which are provided in Future Land Use Policy 2.1(a) of the City's Comprehensive Plan as follows:

Single-Family Residential. Permitted uses include single-family dwellings, mobile home parks, houses of worship, public and private schools, public facilities, limited agriculture and accessory uses customary to permissible uses. Other uses related to and consistent with low density residential development such as boarding houses, bed and breakfasts, adult family care homes, assisted living facilities, community centers, indoor and outdoor recreation and public utilities may be permissible under certain circumstances.

- (1) Maximum density is four units per acre for residential units on individual lots, and six units per acre for mobile home parks. Where affordable housing is provided in accordance with Housing Policy 1.6, the maximum density for single family development shall be five units per acre.
- (2) Zoning districts considered appropriate within this future land use category include Rural Heritage (RH), Residential Single-Family One (RSF 1), Residential Mobile Home (RMH), and Residential Planned Unit Development (PUD-R).

Section 90-165(2)(a) allows for minimum lot sizes of 5,000 square feet for mobile homes and single family homes. If a mobile home subdivision were to be created with 5,000 square foot lots, the density would be 8.7 dwelling units per acre. This is inconsistent with the City's comprehensive plan, as this density is greater than the maximum density of 6 units per acre that is permitted by future land use policy 2.1(a). If the City would like to ensure compliance with policy 2.1(a), then the minimum area required for each mobile home in the RMH district should be 7,260 square feet.

Proposed Amendment

The above issues were discussed with the Planning Board at a workshop on August 20, 2020. It was generally agreed upon that:

- The 20 foot minimum yard setback required in Section 90-165(3)(a) should be removed.
- Redevelopment of lots in the RMH district with single family dwellings to replace mobile homes should be permitted and encouraged.
- The maximum densities allowed by the Single Family Residential Future Land Use Category should remain unchanged.
- No new subdivisions or lot splitting should be permitted which is inconsistent with the maximum densities allowed by the comprehensive plan; and that the permitted uses and lot area requirements of the RMH district should be amended to achieve this

Please see the attached proposed ordinance which, if approved, will amend the RMH district standards.

Submitted by:



Benjamin L. Smith, AICP
Sr. Planner

LaRue Planning
September 8, 2020

Planning Board Meeting: September 17, 2020
City Council 1st Reading: (tentative) October 20, 2020
City Council 2nd Reading and Public Hearing: (tentative) November 17, 2020