

# Manufactured Homes – floodplain management ordinance changes to prohibit installation of manufactured homes

**Objective:** Modify local floodplain management regulations to prohibit manufactured homes in flood hazard areas or to state manufactured homes are not allowed in the community.

**Description:** The National Flood Insurance Program regulations (44 CFR Section 60.3) include requirements for installation of manufactured homes in flood hazard areas. Some communities do not allow manufactured homes to be installed anywhere within their boundaries, while others do not allow manufactured homes to be installed in flood hazard areas.

These instructions explain how to modify floodplain management regulations to remove requirements for installation of manufactured homes when manufactured homes are not allowed. When communities do not permit manufactured homes in the community, the floodplain management regulations should be modified to restate that limitation. See separate instructions to remove the 36-inch elevation provision for installation in “existing manufactured home parks and subdivisions” (a defined term).

## INSTRUCTIONS

1. The model ordinance used by Florida communities over the past 8 years has requirements for manufactured homes in *Section 304 Manufactured Homes*. Most communities renumbered the model ordinance sections to fit within their LDC/LDR or code of ordinance numbering scheme. In your community’s regulations, identify the correct section number that is titled *Manufactured Homes*.
2. **Be sure to use YOUR ADOPTED ordinance language as the basis to show the changes.** The language shown below is from the Model Ordinance for communities that have Zone A/AE and Zone V. Your ordinance text may vary depending on the flood zones on the FIRM or if it was modified from the model. The approach is the same for communities that have only Zone A/AE.
3. Pay attention to renumbering subsections that will remain after deletions.
4. In your ordinance, identify the section that describes the scope of the ordinance, *Sec. 101 General*. Modify this section to remove manufactured homes from the scope of the ordinance (not that modular/manufactured buildings are within the scope of the FBC).
5. Modify *Sec. 106 Inspections* to remove 106.6 inspection of manufactured homes.
6. Modify two subsections in *Sec. 302 Subdivisions* to remove references to manufactured home parks and subdivisions.

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**Please Note!** All communities that elect to modify regulations must submit draft ordinances to the SFMO at least 30 days before the first reading.

Please put the community name in the subject line and send to [floods@em.myflorida.com](mailto:floods@em.myflorida.com).

Or send a request for the SFMO to prepare a draft for you.

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7. *Sec. 202 Definitions:*

- a. Delete the definitions for “existing manufactured home park or subdivision,” “expansion to an existing manufactured home park or subdivision,” “manufactured home park and subdivision,” and “new manufactured home park or subdivision” because provisions that use those terms are being removed.
  - b. Retain the definition “manufactured home” because the term is used.
  - c. Retain the term in the definition “Start of construction.”
8. Modify *Sec. 304 Manufactured Homes*. Depending on your objective, in Sec. 304.1 where { **PICK ONE, MAY CITE ZONING** } select the appropriate phrase. You may modify these phrases. Some communities specify where in their zoning code manufactured homes are not allowed.
9. Modify *Sec. 305 Recreational Vehicles and Park Trailers* to remove the option for permanent placement which points to the requirements for installation of manufactured homes.
10. **Send your draft to the SFMO at least 30 days before the first reading.** Please put your community name in the subject line and send to [floods@em.myflorida.com](mailto:floods@em.myflorida.com).

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**Please Note!** Please consider including (or revising) requirements for at-grade wet-floodproofed accessory structures in the same ordinance you prepare for manufactured homes. The State Floodplain Management Office guidance is consistent with FEMA’s published policy and bulletin: <https://www.floridadisaster.org/dem/mitigation/floodplain/> (Community Resources).

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<https://www.floridadisaster.org/dem/mitigation/floodplain/> (Community Rating System, CRS Class 8 Prerequisite (November 2020).

Revised May 24, 2021

# COMMUNITIES (ALL FLOOD ZONES)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE BY THE {community's governing body} AMENDING THE {insert appropriate chapter/section numbers} TO REMOVE REQUIREMENTS FOR MANUFACTURED HOMES IN FLOOD HAZARD AREAS AND TO PROHIBIT INSTALLATION OF MANUFACTURED HOMES {in flood hazard area}; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the Legislature of the State of Florida has, in **{Chapter 125 – County Government or Chapter 166 – Municipalities}**, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, the **{name of community}** participates in the National Flood Insurance Program and participates in the NFIP's Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements; and

**WHEREAS**, the **{name of community}** **{PICK ONE: does not allow placement or installation of manufactured homes in flood hazard areas...[OR] ... does not allow manufactured homes}** and the **{community's governing body}** has determined that it is appropriate to remove requirements for installation of manufactured homes in flood hazard areas from the floodplain management regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the **{community's governing body}** of the **{name of community}** that the **{insert appropriate chapter/section numbers}** is amended as set forth in the following amendments, as shown in strikethrough and underline format in Section 1.

## **SECTION 1. AMENDMENTS**

**The {insert appropriate chapter/section numbers}, is hereby amended by the following amendments.**

*Modify Section 101 General, as follows:*

**101.2 Scope.** The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; ~~placement, installation, or replacement of manufactured homes and manufactured buildings~~; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

*Modify Section 106 Inspections, by deleting as follows:*

~~**106.6 Manufactured homes.** The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator.~~

Modify Section 202 Definitions, by deleting the following definitions.

~~**Existing manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before (date the community's first floodplain management ordinance was adopted).~~

~~**Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

~~**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

~~**New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after (date the community's first floodplain management ordinance was adopted).~~

Modify Section 302 Subdivisions, as follows:

**302.1 Minimum requirements.** Subdivision proposals, ~~including proposals for manufactured home parks and subdivisions,~~ shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

**302.2 Subdivision plats.** Where any portion of proposed subdivisions, ~~including manufactured home parks and subdivisions,~~ lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
- (2) Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 105.2(1) of this ordinance; and
- (3) Compliance with the site improvement and utilities requirements of Section 303 of this ordinance.

Modify Section 304 Manufactured Homes, as follows:

**304.1 General.** ~~{PICK ONE, MAY CITE ZONING}~~ Manufactured homes are not allowed. [OR]

~~Manufactured homes are not allowed in flood hazard areas. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.~~

~~**304.2 Foundations.** All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:~~

- ~~1. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential Section R322.2* and this ordinance. Foundations for manufactured homes subject to Section 304.6 of this ordinance are permitted to be reinforced piers or other foundation elements of at least equivalent strength.~~
- ~~2. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential Section R322.3* and this ordinance.~~

~~**304.3 Anchoring.** All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.~~

~~**304.4 Elevation.** Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 304.5 or 304.6 of this ordinance, as applicable.~~

~~**304.5 General elevation requirement.** Unless subject to the requirements of Section 304.6 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2* (Zone A) or Section R322.3 (Zone V).~~

~~**304.6 Elevation requirement for certain existing manufactured home parks and subdivisions.** Manufactured homes that are not subject to Section 304.5 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~

- ~~1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2* (Zone A) or Section R322.3 (Zone V); or~~
- ~~2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.~~

~~**304.7 Enclosures.** Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential Section R322.2* or R322.3 for such enclosed areas, as applicable to the flood hazard area.~~

~~**304.8 Utility equipment.** Utility equipment that serves manufactured homes, including electric,~~

~~heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.~~

*Modify Section 305 Recreational Vehicles and Park Trailers, as follows:*

**305.1 Temporary placement.** Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- (1) Be on the site for fewer than 180 consecutive days; or
- (2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

**305.2 Permanent placement.** ~~Permanent placement of recreational vehicles and park trailers is not permitted. Recreational vehicles and park trailers that do not meet the limitations in Section 305.1 of this ordinance for temporary placement shall meet the requirements of Section 304 of this ordinance for manufactured homes.~~

### **SECTION 3. APPLICABILITY.**

For the purposes of jurisdictional applicability, this ordinance shall apply in **{insert name of community or all unincorporated areas of the county}**. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

### **SECTION 4. INCLUSION INTO THE CODE OF ORDINANCES.**

It is the intent of the **{community's governing body}** that the provisions of this ordinance shall become and be made a part of the **{name of community's}** Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

### **SECTION 5. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

### **SECTION 6. EFFECTIVE DATE.**

This ordinance shall take effect on **{insert date}**.

*Use your community's standard signature block*