

AN ORDINANCE AMENDING ORDINANCE NO. 82-2,  
THE COMPREHENSIVE ZONING REGULATIONS FOR  
THE UNINCORPORATED AREA OF COLLIER COUNTY  
BY AMENDING SUBSECTION 7.17, MHSD, PART OF STATE  
MOBILE HOME SUBDIVISION DISTRICT, BY  
ADDING SUBSECTION b.2(c) TO ALLOW  
HURRICANE SHELTERS AS A PERMITTED  
ACCESSORY USE; BY ADDING SUBSECTION 7.17  
c.6) REQUIREMENTS AND STANDARDS FOR  
HURRICANE SHELTERS; BY AMENDING  
SUBSECTION 7.18, MHRP - MOBILE HOME  
RENTAL PARK BY ADDING SUBSECTION b.2(d)  
TO ALLOW HURRICANE SHELTERS AS A  
PERMITTED ACCESSORY USE; BY ADDING  
SUBSECTION 7.18c.9) REQUIREMENTS AND  
STANDARDS FOR HURRICANE SHELTERS; BY  
PROVIDING FOR CONFLICT AND SEVERABILITY;  
AND BY PROVIDING AN EFFECTIVE DATE.



WHEREAS, the Conservation and Coastal Management Element of the Growth Management Plan, Objective 13.1 requires that certain activities be undertaken to reduce evacuation time in the event of a hurricane. These include the provision for on-site sheltering in mobile home developments in order to protect the public safety, health and welfare; and

WHEREAS, Policy 13.1.4 of said objective requires that an ordinance shall be adopted so that each new mobile home community in the Category 1, 2, and 3 hurricane vulnerability zones shall include a structure built to appropriate code for use as a shelter during a hurricane; and

WHEREAS, the Collier County Planning Commission (Local Planning Agency) has determined that this proposed ordinance is consistent with the adopted Growth Management Plan as required by Section 163.3194(2), Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE: Amendments to Section 7 of Collier County Zoning Ordinance 82-2, As Amended.

Section 7, Subsection 7.17, MHSD - Mobile Home Subdivision District, Subsection 7.17b.2), Accessory Uses and Structures, is hereby amended by adding Subsection b.2)(c) to read as follows:

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7.17 b.: Uses and Structures: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

1) Principal Uses and Structures:

(a) Mobile Homes.

(b) Group Housing (Subject to Development Plan approval - See Section 10.5).

2) Accessory Uses and Structures:

(a) Accessory uses and structures customarily associated with mobile home development, such as recreational facilities, administration buildings, service buildings, utilities, and additions which compliment the mobile homes.

(b) Private boat houses and docks. (See Section 8.46).

(c) Requirements and Standards for Hurricane Shelters: All new mobile home subdivisions which are 26 units or larger in size or existing mobile home subdivisions which are in the process of expanding and are located in category 1, 2 and 3 hurricane vulnerability zones as specified in the current National Oceanic and Atmospheric Administration's Storm Surge model (SLOSH) shall be required to provide emergency shelters.

3) Permitted Provisional Uses and Structures:

(a) Schools - public, private and parochial (See Section 8.11)

(b) Civic and cultural facilities.

(c) Churches and other places of worship. (See Section 8.11)

(d) Recreational facilities not accessory to principal use.

4) Prohibited Uses and Structures: Any use or structure not specifically, provisionally or by reasonable implication permitted herein, or permissible by special exception.

SECTION TWO: Amendments to Section 7 of Collier County Zoning Ordinance 82-2, As Amended.

Section 7, Subsection 7.17, MHSD - Mobile Home Subdivision District is hereby amended to add a new Subsection 7.17c.6 to read as follows:

7.17c.6: Requirements and Standards for Hurricane Shelters: All new, or existing mobile home subdivisions in the process of expanding, which are 26 units or larger in size and are located in category 1, 2 and 3 hurricane vulnerability zones as specified in the current National Oceanic and Atmospheric Administration's Storm Surge model (SLOSH) shall be required to provide emergency shelters.

1. Minimum shelter size shall be determined by the following formula:

The required shelter size =

(a) 20 sq. ft. x (b) 1.75 x (c) units x (d) 50%

WHEREAS:

a = the area approved for short-term shelter by the American Red Cross for sleeping space per person.

b = the occupancy rate of each mobile home or unit.

c = the total number of lots in the subdivision.

d = the average population rate occupying the subdivision during the June through November time frame.

2. Shelter Elevation: The shelter shall be elevated to a minimum height equal to, or above, worst case Category 3 flooding level (+16 feet above MSL) utilizing the current National Oceanic and Atmospheric Administration Storm Surge model "SLOSH" (Sea, Lake and Overland Surges from Hurricanes).
3. Shelter Construction: The design and construction of the required shelters shall be guided by the wind loads applied to buildings and structures designated as "Essential Facilities" in the Standard Building Code/1988 Edition, Table 1205.
4. All required shelters shall provide the following:
- a. All shelters shall provide for adequate glass protection by shutters or boards.
  - b. All shelters shall be equipped with adequate emergency power.
  - c. All shelters shall provide for adequate ventilation.
  - d. All shelters shall provide first-aid equipment.
  - e. All shelters shall provide potable water storage at the rate of 10 gal./unit + 2.
  - f. All shelters shall provide full kitchen facilities operated by natural or L.P. gas.
  - g. All shelters shall provide toilets and showers at the minimum rate of one fixture for every forty units + 2.
  - h. All shelters shall provide a minimum 144 square foot locked storage room.
  - i. All shelters shall provide separate rooms that can be used for nursing and office/administration.
  - j. All shelters shall be available year round.
  - k. All shelters shall have a shelter team trained by the Red Cross Shelter Management Training Program, provided by the park management, developer, association or other acceptable body.
  - l. All shelters shall have the park management confirm the availability of a shelter team to the Emergency Management Department, Emergency Services Division, prior to June 1st of each year.
  - m. All shelters shall provide a permanent exterior wall sign size 2 feet x 2 feet to be located at the main entrance which shall identify the building as an emergency storm shelter, and capacity limits.
  - n. All shelters shall provide a telephone and battery operated radio within the shelter.
  - o. A written agreement specifying the use of a shelter management team and the designated emergency storm shelters shall be entered into with the Emergency Management Department, Division of Emergency Services.

p. A Certificate of Occupancy shall be issued for the emergency storm shelter before occupancy of the twenty-sixth (26) unit is authorized. The shelter team shall be formed, trained and operational before a Certificate of Occupancy is issued for the shelter.

q. Any required shelter space as herein provided may be equally designed to incorporate the above requirements and to serve a double purpose for the day-to-day needs of mobile home park residents as part of the common amenities regularly available to park residents.

SECTION THREE: Amendments to Section 7 of Collier County Zoning Ordinance 82-2, As Amended.

Section 7, Subsection 7.18, MHRP - Mobile Home Rental Park, Subsection b.2), Permitted Accessory Uses and Structures is hereby amended by adding Subsection b.2)(d) to read as follows:

7.18 b.: Uses and Structures: No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following:

1) Permitted Principal Uses and Structures:

(a) Mobile Homes.

2) Permitted Accessory uses and Structures:

(a) Accessory uses and structures customarily associated with mobile home parks, including patios, recreation facilities, administration buildings, service buildings and utilities.

(b) Private boat houses and docks. (Section 8.46)

(c) One (1) single-family dwelling in conjunction with the operation of the MHRP.

(d) Requirements and Standards for Hurricane Shelters: All new mobile home subdivisions which are 26 units or larger in size or existing mobile home subdivisions which are in the process of expanding and are located in category 1, 2 and 3 hurricane vulnerability zones as specified in the current National Oceanic and Atmospheric Administration's Storm Surge model (SLOSH) shall be required to provide emergency shelters.

3) Permitted Provisional Uses and Structures:

(a) Civic or cultural facilities.

(b) Churches.

(c) Upon completion and occupancy of fifty (50%) percent or more of the designed lot capacity of the mobile home rental park, convenience establishments of a commercial nature, including stores, laundry and dry cleaning agencies, beauty shops and barber shops, may

be permitted in mobile home rental parks subject to the following restrictions: Such establishments and the parking area primarily related to their operation shall not occupy more than five (5%) percent of the area of the park; shall be located, designed, and intended to serve the exclusive trade of the service needs of persons residing in the park; and shall present no visible evidence of their commercial character from any portion of any public street or way outside the park.

(d) Mobile home sales, providing the following restrictions be met:

- (1) Such uses shall not occupy more than ten (10%) percent of the area of the park or two (2) acres, whichever is smaller.
- (2) The outside display area shall be treated with a hard surface of either concrete or plant mixed bituminous material except desirable landscaped areas which shall be separated from all paved areas.
- (3) A visual buffer shall be provided around the area of outside display adjacent to residential or mobile home park development or vacant land.

(e) Owner occupied child care centers (See Section 8.48)

4) Prohibited Uses and Structures: Any use or structure not specifically, provisionally or by reasonable implication permitted herein, or permissible by special exception.

**SECTION FOUR: Amendments to Section 7 of Collier County Zoning Ordinance 82-2, As Amended.**

Section 7, Subsection 7.18, MHRP - Mobile home rental park, is hereby amended to add Subsection 7.18c.9) to read as follows:

7.18c.9: Requirements and Standards for Hurricane Shelters: All new, or existing mobile home subdivisions in the process of expanding, which are 26 units or larger in size and are located in category 1, 2 and 3 hurricane vulnerability zones as specified in the current National Oceanic and Atmospheric Administration's Storm Surge model (SLOSH) shall be required to provide emergency shelters.

1. Minimum shelter size shall be determined by the following formula:

The required shelter size =  
(a) 20 sq. ft. x (b) 1.75 x (c) units x (d) 50%

WHEREAS:

a = the area approved for short-term shelter by the American Red Cross for sleeping space per person.

b = the occupancy rate of each mobile home or unit.

c = the total number of lots in the subdivision.

d = the average population rate occupying the subdivision during the June through November time frame.

2. Shelter Elevation: The shelter shall be elevated to a minimum height equal to, or above, worst case Category 3 flooding level (+16 feet above MSI) utilizing the current National Oceanic and Atmospheric Administration Storm Surge model "SLOSH" (Sea, Lake and Overland Surges from Hurricanes).
3. Shelter Construction: The design and construction of the required shelters shall be guided by the wind loads applied to buildings and structures designated as "Essential Facilities" in the Standard Building Code/1988 Edition, Table 1205.
4. All required shelters shall provide the following:
  - a. All shelters shall provide for adequate glass protection by shutters or boards.
  - b. All shelters shall be equipped with adequate emergency power.
  - c. All shelters shall provide for adequate ventilation.
  - d. All shelters shall provide first-aid equipment.
  - e. All shelters shall provide potable water storage at the rate of 10 gal./unit + 2.
  - f. All shelters shall provide full kitchen facilities operated by natural or L.P. gas.
  - g. All shelters shall provide toilets and showers at the minimum rate of one fixture for every forty units + 2.
  - h. All shelters shall provide a minimum 144 square foot locked storage room.
  - i. All shelters shall provide separate rooms that can be used for nursing and office/administration.
  - j. All shelters shall be available year round.
  - k. All shelters shall have a shelter team trained by the Red Cross Shelter Management Training Program, provided by the park management, developer, association or other acceptable body.
  - l. All shelters shall have the park management confirm the availability of a shelter team to the Emergency Management Department, Emergency Services Division, prior to June 1st of each year.
  - m. All shelters shall provide a permanent exterior wall sign size 2 feet x 2 feet to be located at the main entrance which shall identify the building as an emergency storm shelter, and capacity limits.
  - n. All shelters shall provide a telephone and battery operated radio within the shelter.
  - o. A written agreement specifying the use of a shelter management team and the designated emergency storm shelters shall be entered into with the Emergency Management Department, Division of Emergency Services.
  - p. A Certificate of Occupancy shall be issued for the emergency storm shelter before occupancy of the twenty-sixth (26) unit is authorized. The shelter team shall be formed, trained and operational before a Certificate of Occupancy is issued for the shelter.
  - q. Any required shelter space as herein provided may be equally designed to incorporate the above requirements and to serve a double purpose for the day-to-day needs of mobile home park residents as part of the common amenities regularly available to park residents.

SECTION FIVE: Conflict and Severability

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable laws, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

SECTION SIX: Effective Date

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 19th day of March 1991.

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

ATTEST:  
JAMES C. GILLES, CLERK

BY: Patricia Anne Goodnight  
PATRICIA ANNE GOODNIGHT, CHAIRPERSON

By: Marjorie M. Student, D.C.  
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Marjorie M. Student  
MARJORIE M. STUDENT  
ASSISTANT COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 20th day of March 1991 and acknowledgement of that filing received this 20th day of March 1991.

By: Juanita Chuanis  
Deputy Clerk

MOBILE HOME ORDINANCE  
PLANNING 000373

STATE OF FLORIDA )

COUNTY OF COLLIER )

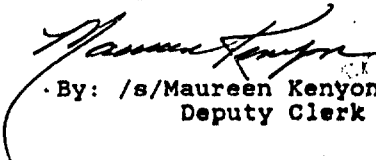
I, JAMES C. GILES, Clerk of Courts in and for the  
Twentieth Judicial Circuit, Collier County, Florida, do  
hereby certify that the foregoing is a true copy of:

Ordinance No. 91-28

which was adopted by the Board of County Commissioners on  
the 19th day of March, 1991, during Special Session.

WITNESS my hand and the official seal of the Board of  
County Commissioners of Collier County, Florida, this 20th  
day of March, 1991.

JAMES C. GILES  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners

  
By: /s/Maureen Kenyon  
Deputy Clerk

