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ORDINANCE NO. O-2023-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING THE CITY’S LAND DEVELOPMENT CODE, CHAPTER 24, ARTICLE X, FLOODPLAIN MANAGEMENT BY SPECIFICALLY AMENDING SECTION 24-139.4, ENTITLED “FLOOD RESISTANT DEVELOPMENT—MANUFACTURED HOUSING” TO SPECIFY REQUIRED ELEVATION OF MANUFACTURED HOMES IN THE SPECIAL FLOOD HAZARD AREAS.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Oakland Park recognizes that the Legislature of the State of Florida has, in 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 National Flood Insurance Program (NFIP) Community Rating System established certain minimum prerequisites for communities to qualify for or maintain a rating of Class 8 or better, which requires the City of Oakland Park to amend its Land Development Code to provide that all manufactured homes installed or replaced in special flood hazard areas are elevated such that the lowest floors are at or above at least the base flood elevation plus 1-foot; and

WHEREAS, the Mayor and City Commission have determined that it is in the public interest to amend the floodplain management regulations to better protect owners and occupants of manufactured homes and to continue participating in the Community Rating System at the current class rating of 6; and

WHEREAS, the City Commission of the City of Oakland Park has determined that it is in the best interest of the residents of the City and best protects the health, safety, and welfare of all the citizens and residents, and property owners in the City to amend the City’s Land Development Code, as provided herein; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA THAT:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are made a part of this Ordinance.

1 **SECTION 2.** Chapter 24, Article X at Section 24-139.4 of the City's Land
2 Development Code entitled "Flood resistant development-Manufactured Housing," is
3 amended as follows:

4 **Sec. 24-139.4. - Flood resistant development—Manufactured housing.**

5 (A) *General.* All manufactured homes installed in flood hazard areas shall be installed by
6 an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the
7 requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance.

8 (B) *Foundations.* All new manufactured homes and replacement manufactured homes
9 installed in flood hazard areas shall be installed on permanent, reinforced foundations that
10 are designed in accordance with the foundation requirements of the Florida Building Code
11 Residential Section R322.2 and this ordinance.

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

18 (D) *Elevation.* ~~Manufactured homes that are placed, replaced, or substantially improved~~
19 ~~shall comply with subsection 24-139.4(E) or 24-139.4(F) of this ordinance, as applicable.~~
20 All manufactured homes that are placed, replaced, or substantially improved in flood
21 hazard areas shall be elevated such that the bottom of the frame is at or above the elevation
22 required, as applicable to the flood hazard area, in the Florida Building Code, Residential
23 Section R322.2 (Zone A).

24 (E) *General elevation requirement.* ~~Unless subject to the requirements of subsection 24-~~
25 ~~139.4(F) of this ordinance, all manufactured homes that are placed, replaced, or~~
26 ~~substantially improved on sites located: (a) outside of a manufactured home park or~~
27 ~~subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to~~
28 ~~an existing manufactured home park or subdivision; or (d) in an existing manufactured~~
29 ~~home park or subdivision upon which a manufactured home has incurred "substantial~~
30 ~~damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or~~
31 ~~above the elevation required, as applicable to the flood hazard area, in the Florida Building~~
32 ~~Code, Residential Section R322.2 (Zone A) or the elevation specified in subsection 24-~~
33 ~~139.1(B), whichever is higher.~~

1 ~~(F) *Elevation requirement for certain existing manufactured home parks and*~~
2 ~~*subdivisions.*~~ Manufactured homes that are not subject to subsection 24-139.4(F) of this
3 ordinance, including manufactured homes that are placed, replaced, or substantially
4 improved on sites located in an existing manufactured home park or subdivision, unless on
5 a site where substantial damage as result of flooding has occurred, shall be elevated such
6 that the Bottom of the frame of the manufactured home is at or above the elevation required
7 in the Florida Building Code, Residential Section R322.2 (Zone A) or the elevation
8 specified in section 24-139.1(B), whichever is higher.

9 ~~(G)~~ (E) *Enclosures.* Enclosed areas below elevated manufactured homes shall comply with
10 the requirements of the Florida Building Code, Residential Section R322 for such enclosed
11 areas.

12 ~~(H)~~ (F) *Utility equipment.* Utility equipment that serves manufactured homes, including
13 electric, heating, ventilation, plumbing, and air conditioning equipment and other service
14 facilities, shall comply with the requirements of the Florida Building Code, Residential
15 Section R322.

16 **SECTION 3.** If any section, subsection, sentence, clause, or provision of this
17 Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such
18 invalidity.

19 **SECTION 4.** That all ordinances or parts of ordinances and all resolutions or parts
20 of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

21 **SECTION 5.** This Ordinance shall be effective immediately upon its passage and
22 adoption by the City Commission of the City of Oakland Park.

1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,
2 FLORIDA, ON FIRST READING, THIS ____ DAY OF ____ 2023.

3
4 M. ROSENWALD _____
5 T. LONERGAN _____
6 S. ARNST _____
7 L. NEWBOLD _____
8 A. GORDON _____
9

10 PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
11 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS ____ DAY OF
12 _____ 2023.

13
14 CITY OF OAKLAND PARK, FLORIDA
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17 _____
18 MAYOR AISHA GORDON
19

20 M. ROSENWALD _____
21 T. LONERGAN _____
22 S. ARNST _____
23 L. NEWBOLD _____
24 A. GORDON _____
25

26
27 ATTEST:
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31 _____
32 RENEE M. SHROUT, CMC, CITY CLERK
33

34 LEGAL NOTE:

35 I hereby certify that I have approved the form of this Ordinance (O-2023-XXX):
36
37

38 _____
39 DONALD J. DOODY, CITY ATTORNEY