

ORDINANCE NO. 15-15

AN ORDINANCE PROVIDING FOR AUTHORITY AND PURPOSE;  
PROVIDING A SHORT TITLE; AMENDING SECTIONS 3404 AND 3405,  
EXISTING MOBILE HOMES AND EXCEPTIONS, OF THE LAND  
DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes requires local governments to adopt a comprehensive plan that shall be implemented by the adoption and enforcement of appropriate local land development regulations;

WHEREAS, the Bay County Comprehensive Plan provides that Bay County shall adopt and maintain land development regulations and a zoning code to implement the comprehensive plan;

WHEREAS, the Board of County Commissioners of Bay County, Florida (the "Board"), approved Ordinance No. 04-30, the Bay County Land Development Regulations;

WHEREAS, at the direction of the Board of County Commissioners to implement the comprehensive plan, staff proposed an amendment to Sections 3404 and 3405;

WHEREAS, the Bay County Planning Commission sitting as the Bay County Land Planning Agency conducted a public hearing on February 19, 2015, to hear and consider comments from the public on the proposed amendments to the Land Development Regulations and made recommendations to the Board;

WHEREAS, the Board conducted public hearings to consider the proposed amendments to the Land Development Regulations and considered comments from the public, staff, and the recommendations of the Planning Commission;

WHEREAS, pursuant to Section 125.66, Florida Statutes the Board conducted an initial public hearing on March 17, 2015, and a second public hearing on April 7, 2015, and found the proposed amendments to the Bay County Land Development Regulations desirable and necessary to fulfill the intent of the Board and to be consistent with the Bay County Comprehensive Plan;

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Bay County:

Section 1. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted counties in Chapter 125, Florida Statutes and is enacted to provide for the health, safety and welfare of the citizens of Bay County, Florida and to implement the Bay County Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes.

Section 2. SHORT TITLE. This ordinance shall be known as “Amendments to Sections 3404 and 3405, Existing mobile homes and Exceptions.”

Section 3. “Amendments to Sections 3404 and 3405, Existing mobile homes and Exceptions” as set forth on Exhibit 1 are hereby adopted.

Section 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decisions shall not effect the validity of the remaining portions hereof. The Board hereby declares that it would have

passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared illegal, invalid, or unconstitutional, and all ordinances and parts or ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 5. EFFECTIVE DATE. This ordinance shall take effect as provided by law.

PASSED AND ADOPTED this 7<sup>th</sup> day of April 2015.

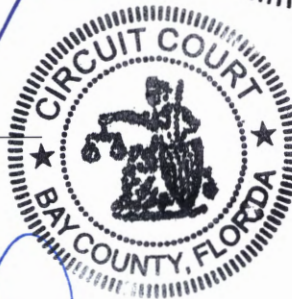
BOARD OF COUNTY COMMISSIONERS  
OF BAY COUNTY, FLORIDA

  
\_\_\_\_\_  
Guy Tunnell, Chairman

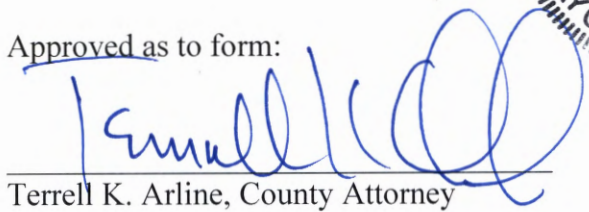


Attest:

  
\_\_\_\_\_  
Bill Kinsaul, Clerk of the Court



Approved as to form:

  
\_\_\_\_\_  
Terrell K. Arline, County Attorney



**SECTION 3404.    Existing mobile homes.** The use of mobile homes within the Beaches Special Treatment Zone (if not built in compliance with the federal manufactured housing construction and safety standards of the HUD Code or approved by DCA as a manufactured home, with insignia attached) is not an allowed use unless located within a zoning district in which mobile homes are an allowed use. Existing mobile homes in the Beaches Special Treatment Zone are non conforming structures. Mobile homes shall not be relocated off site to any other site in Bay County.

**SECTION 3405.    Exceptions.** Nothing in this Chapter shall apply to or limit the use or construction of a “manufactured buildings” authorized by the Florida Department of Community Affairs pursuant to Chapter 553, Part IV, F.S. or a “recreational vehicle” as defined in Section 320.01, F.S. Further, the restrictions in this Chapter shall not apply to Planned Unit Developments pursuant to Chapter 11 of these Regulations, or developments comprised of more than 2 two units when approved pursuant to Chapter 17, or in platted subdivisions approved pursuant to Chapter 29. This Chapter shall also not apply in any Seasonal Resort Zoning District (SR-1, SR1-A, SR-2) or Single Family Zoning District (R-1).