

PART III-UNIFIED -LAND DEVELOPMENT AND GROWTH MANAGEMENT CODE

Chapter 2. ZONING

Article 2.2. Conventional Zoning Districts

Division 2.2.2. Residential

Chapter 3-9—ZONING

ARTICLE II. DISTRICT REGULATIONS

Section 2.2.2.4-3-9-35??XX. Mobile Manufactured Home Park (MHP).

(a) Intent. The purpose and intent of this district is to allow parks consisting of manufactured homes occupied as single-family detached dwelling units. ~~The mobile home park (MHP) district is intended to provide for parks consisting of mobile homes occupied as single-family dwellings in an environmental of residential character. The park can~~ may be platted or non-platted.

(b) Permitted ~~principal u~~Uses (P) and ~~S~~Structures: ~~The following uses and structures are permitted in this district:~~

(1) Manufactured home (HUD), minimum requirement is Wind Zone 3. ~~Mobile homes.~~

(2) Family day care home ~~Mobile homes occupied as residences used as family day care homes.~~

(3) Park, public or not-for-profit ~~Park recreation facilities, including community room or center, courts for games, docks, piers, and boat launching areas.~~

(4) Park offices and maintenance facilities.

~~(5) Enclosed storage structures and garage facilities with use limited to park management and its residents.~~

Site plan approval is required for all mobile home parks and the expansion or modification of existing parks.

(c) Permitted ~~A~~Accessory ~~U~~Uses and ~~S~~Structures. (For additional conditions, see Article 3.1. Accessory Uses and Structures) ~~XX~~ Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures; are located on the same lot or parcel as the mobile home park; are not likely to attract visitors in large numbers; and involve operations or structures consistent with the character of a mobile home park, including the following:

(1) Laundry facilities and sales of groceries and sundries, subject to the following:

a. Such establishments and parking areas related primarily to their operations shall not occupy more than two (2) percent of the area of the park.

b. Such establishments shall be used primarily by occupants of the park.

c. The commercial nature of such establishments shall not be visible from any street outside the park so as to attract customers other than occupants of the park.

d. Such establishments shall not be located closer than one hundred (100) feet from any public street and shall be accessible only from a street within the park.

(2) Additions of mobile-home-type construction, adjacent to and attached to mobile homes, including cabanas, carports and storage units.

(3) Private Clubhouse with or without restaurant for residents and their guests.

(4) Enclosed storage structures and garage facilities with use limited to park management and its residents.

(d) Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.2. Conditional Uses) ~~XX~~

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(1) Recreational vehicle park.

(2) Telecommunications facility, 50 feet or less in height. (see Division 3.7.5. Communication Towers)

~~Section ?? "Special Use Standards")~~ (3) Home oOccupation Type 1f. (see Article 3.4. Home Occupations)~~Section ?? "Special Use Standards")~~

(4) Manufactured home (DCA-approved), minimum requirement is 150 miles per hour exposure C.

(e) Prohibited Uses and Structures. Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district.

(f) Special Exceptions (S): (For procedure see ~~section 3-9-7 Division 1.1.5. Special Exception~~); ~~"Special exceptions."~~) The following are special exceptions in this district:

(1) Community gardenResort marinas. (see Division 3.7.4. Community Garden)

~~Section ?? "Special Use Standards")~~

(2) Emergency services.

~~(3) Essential services~~ Group home facilities, child and adult day care facilities.

~~(343)~~ Open storage areas for mobile homes and recreational equipment, the use of which is limited to park residents. No such areas shall exceed five (5) percent of the total park area.

~~(454)~~ Essential services.

~~(65) and~~ Emergency services.

~~(5676)~~ Place of worship. House of worship (see Division 3.7.4. Place of Worship)in accordance with section 3-9-80.1~~Division 3.7.4. Place of Worship.~~

~~section 3-9-80.1(787)~~ Home oOccupation Type 2H. (see Article 3.4. Home Occupations)

~~(6898)~~ Such other uses as determined by the Zoning Official or his/her designee to be:

a. Appropriate by reasonable implication and intent of the district.

b. Similar to another use either explicitly permitted in that district or allowed by special exception.

c. Not specifically prohibited in that district.

~~The board of zoning appeals~~ BZA shall review a favorable determination of the ~~zoning~~ Zoning director ~~Official~~ under this provision at the time the special exception application is presented to it. An unfavorable determination of the ~~zoning~~ Zoning director ~~Official~~ or his designee shall be appealable pursuant to ~~section 3-9-6 Division 1.1.1. BZA.~~ ~~section 3-9-6~~ of these regulations.

~~(g) Development Standards: (mobile home parks).~~ The following development standards shall apply in ~~mobile home parks:~~

<u>Park (min.)</u>		
	<u>Not Platted</u>	<u>Platted</u>
<u>Area (acres)</u>	<u>20</u>	<u>20</u>

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Width (ft.)	250	250
Site (min.)		
Area/Lot (sq. ft.)	5,000	5,000
Width (ft.)	50	50
Yards (min. ft.)		
Park boundary	25	25N/A
Front	10	10
Side	N/A	5
Rear	N/A	10
Another structure	10	N/A
Abutting water	20	20
Bulk (max.)		
Park coverage	60%	N/A
Site/Lot Coverage	50%N/A	50%
Height (ft.)	38	38
Density (units/acre)	5	5

(1) ~~Lot and yard requirements:~~

~~Minimum park area: twenty (20) acres.~~

~~Minimum mobile home living area: four hundred (400) square feet.~~

~~Minimum lot requirements:~~

~~Lot area, four thousand (4,000) square feet.~~

~~Lot width, fifty (50) feet.~~

~~Minimum yard requirements:~~

~~a. No structure other than screening required pursuant to article XXII, chapter 3-5, of the Code, shall be located closer than twenty five (25) feet to a park boundary. A buffer in compliance with article XXII, chapter 3-5 shall be located within the twenty five (25) foot setback.~~

~~b. No structure shall be located closer than ten (10) feet to another structure and ten (10) feet to the pavement line of any internal street.~~

~~Maximum height of structures: thirty-eight (38) feet.~~

~~Maximum density, units per acre, subject to the underlying land use designation:~~

~~Low-density residential5~~

~~Mobile home6~~

(21) ~~Street improvements.~~ All streets within the proposed ~~manufactured mobile home park~~ are to be private and ~~not may be public if platted.~~ All interior streets shall be designed and constructed

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using good engineering practices and principles. The streets shall be designed to provide safe, efficient and convenient access to all uses within the development and to provide safe and adequate access by all emergency vehicles. All streets located within the boundaries of the mobile home park shall have a pavement width of not less than twenty (20) feet. All proposed street design and accompanying drainage design and facilities shall be approved subject to appropriate review by the county engineer.

- (3) *Street lighting and electrical utilities.* All streets within the park shall be lighted at night and a lighting plan shall be included upon the site plans submitted for approval. All electrical service lines and facilities shall be placed underground.
- (4) *Garbage disposal.* Mobile home park owners shall allow franchised garbage collectors access throughout park streets for the purpose of collection of garbage and trash. Where residential waste is to be picked up at individual sites, containers shall not exceed twenty (20) gallons nor shall waste be tied in bundles to exceed fifty (50) pounds each. If the location of central garbage collection areas are used, the location of the collection areas may not be more than three hundred (300) feet from any site to be served. The central garbage collection areas shall be shown on the development plan with approved access for the collection. In addition, at the time of development approval, the developer shall submit evidence of approval from the appropriate franchised garbage collector for the collection areas.
- (5) *Recreational areas.* A minimum of five (5) percent of the gross land area within park boundaries shall be used as a park and/or recreation area. If any portion of a lake or waterway contained within the boundaries of a ~~manufactured mobile~~ home park is proposed to be used for a portion of the recreational area, only that portion which supports active recreation shall be counted. In no case may any portion of a ~~stormwater~~ lake or waterway be used for more than ten (10) percent of the required recreation area. In addition, no areas less than five thousand (5,000) square feet may be used towards meeting the recreational area requirement nor may any drainage attenuation structures or buffers be utilized in the calculation of required recreation area.
- (6) *Buffers.* Landscape buffers and screening shall be required in this district in accordance with the provisions of article XXII, ~~chapter 3-5~~ chapter 3-5, of the Code, as the same may be amended.
- (7) *Landscaping.* In addition to the landscaping required in buffers, each site shall provide for on-site landscaping consisting of at least two (2) shade trees uniformly located on each lot ~~a~~ or dispersed throughout park according to an overall landscape plan (for the purpose of this section, palm trees are not to be considered shade trees). The minimum size tree at time of planting shall not be less than four (4) feet in overall height. In addition to landscaping required for the individual mobile home sites, open space areas and recreational areas shall provide for an equivalent amount of shade tree installation as the total number for mobile home sites. Mobile home parks shall be exempt from the tree ordinance.
- (8) *Water and sewer.* Each lot shall be serviced by a central water and sewer system. The location of any water or sewer plants within the boundaries of the mobile home park shall be designed, located, landscaped and buffered so as not to be visible from adjacent properties.
- (9) *Fire protection.* All mobile home parks shall have an appropriate fire protection plan and appropriate base facilities for fighting fire as approved by the county fire prevention director.

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(10) *Emergency shelters.* Emergency shelters shall be required as a development improvement in new mobile home parks. The minimum size of emergency shelters shall be determined by requiring the minimum area of fifteen (15) square feet per lot unless the county disaster preparedness official determines that greater space is warranted. More than one (1) building may be designated as complying with this requirement provided that in no case, however, shall any required shelter be constructed which contains less than one thousand (1,000) square feet. Shelter areas can be provided in community/recreation buildings provided that the required area of such building and the construction design thereof is reviewed and approved by the county disaster preparedness official.

(11) Fire Protection. All parks shall have an appropriate fire protection plan and appropriate base facilities for fighting fire as approved by Charlotte County Fire/EMS.

Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with Article 4.12. Waterfront Property. ~~section 3-9-98.~~

(gh) *Signs.* Signs shall be in accordance with Article 4.10. Sign Code. ~~section 3-9-95~~

(hj) *Off-street parking.* Off-street parking shall be in accordance with Article 4.9. Parking Standards. ~~section 3-9-90~~

(Minutes of 12-8-81, § 7; Res. No. 85-314, § 1, 11-19-85; Res. No. 87-78, §§ 13, 14, 5-19-87; Ord. No. 89-34, § 9, 5-31-89; Ord. No. 90-23, § 1, 5-29-90; Ord. No. 92-35, § 1, 6-2-92; Ord. No. 94-56, §§ 1-4, 11-3-94; Ord. No. 2001-031, § 1(d), (e), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)

Editor's note

These provisions were formerly found in § 3-9-34. The provisions of former § 3-9-35 are now found in § 3-9-36

Cross reference—Tree requirement for MHP district, § 3-2-188; mobile homes, Ch. 3-4.

Sec. 3-9-36. Mobile home subdivision (MHS).

(a) ~~Intent.~~ The mobile home subdivision (MHS) district is intended for mobile homes on individually platted lots in accordance with county subdivision regulations. This is a single family residential district, and uses and development standards are intended to promote a residential character.

(b) ~~Permitted principal uses and structures.~~ The following uses and structures are permitted in this district:

(1) ~~Mobile homes.~~

(2) ~~Mobile homes occupied as residences used as family day care homes.~~

(3) ~~Nonprofit parks, recreational facilities, including shuffleboard courts, swimming pools, tennis courts and other similar recreational pursuits as part of a mobile home subdivision.~~

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- ~~(4) Additions only of mobile home type construction adjacent and attached to mobile homes, including cabanas, carports and storage units.~~
- ~~(5) Noncommercial boat docks.~~
- ~~(6) Art and music instruction, provided only one (1) student at a time is receiving instructions.~~
- ~~(c) Permitted accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including:~~
- ~~(1) Private garages and storage structures.~~
- ~~(2) Greenhouses, growing of plants and horticultural specialties, provided no retail sales are made on the premises.~~
- ~~(3) Swimming pools.~~
- ~~(4) Private stables (minimum one-acre parcel required to permit horses).~~
- ~~(d) Prohibited uses and structures. Any use or structure not expressly or by reasonable implication permitted herein or permissible by special exception shall be unlawful in this district, including:~~
- ~~(1) Commercial or industrial uses.~~
- ~~(2) Travel trailers or motor homes used as a living unit.~~
- ~~(e) Special exceptions. (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:~~
- ~~(1) Houses of worship in accordance with section 3-9-80.1~~
- ~~(2) Home occupations.~~
- ~~(3) Child and adult day care facilities.~~
- ~~(4) Essential services and emergency services.~~
- ~~(5) Such other uses as determined by reasonable implication and intent of the district:~~
- ~~a. Appropriate by reasonable implication and intent of the district.~~
- ~~b. Similar to another use either explicitly permitted in that district or allowed by special exception.~~
- ~~c. Not specifically prohibited in that district.~~

~~The board of zoning appeals shall review a favorable determination of the zoning official under this provision at the time the special exception application is presented to it. An unfavorable determination of the zoning official or his/her designee shall be appealable pursuant to section 3-9-6 of these regulations.~~

- ~~(f) Development standards. The following development standards shall apply in this district:~~

~~Minimum subdivision area, acres5~~

~~Minimum mobile home living area, square feet400~~

~~Minimum lot requirements:~~

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Area, square feet7,500

Width, feet60

Minimum yard requirements:

Front yard, feet25

Side yard:

Interior, feet7.5

Abutting a road, feet15

Rear yard:

Abutting another lot, feet15

Abutting a road, feet25

Minimum setback of accessory buildings from:

Rear lot line, feet10

Side lot line, feet7.5

Road right-of-way line, same as principal building.

Rear or side line abutting a waterway, feet20

Maximum lot line coverage, percent35

Maximum building height, feet38

Maximum density, units per acre6

~~Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with section 3-9-98.~~

~~Landscape buffers and screening shall be required in this district in accordance with the provisions of article XXII, chapter 3-5, of the Code, as the same may be amended.~~

~~(g) Signs. Signs shall be in accordance with section 3-9-95~~

~~(h) Off-street parking. Off-street parking shall be in accordance with section 3-9-90~~

~~(Minutes of 12-8-81, § 7; Res. No. 87-78, §§ 15, 16, 5-9-87; Ord. No. 89-34, § 10, 5-31-89; Ord. No. 90-23, § 2, 5-29-90; Ord. No. 94-55, §§ 17-19, 11-3-94; Ord. No. 2001-031, § 1(f), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)~~

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Editor's note—

These provisions were formerly found in § 3-9-35. The provisions of former § 3-9-36 are now found in § 3-9-37.

Cross reference—Tree requirement for MHS district, § 3-2-187; mobile homes, Ch. 3-4.

Sec. 3-9-37. Mobile home conventional (MHC).

- (a) *Intent.* The mobile home conventional (MHC) district is intended to provide for mobile homes and conventional single family structures in an environment of residential character. Uses not compatible with single family residential uses are prohibited. This district shall be applied to existing developments containing a mixture of mobile homes and conventional dwelling units.
- (b) *Permitted principal uses and structures.* The following uses and structures are permitted in this district:
- (1) Mobile homes and modular homes.
 - (2) Conventional single family dwelling units.
 - (3) Occupied residences used as family day care homes.
 - (4) Noncommercial boat docks.
 - (5) Nonprofit parks, playgrounds and recreational facilities.
 - (6) Art and music instruction, provided only one (1) student at a time is receiving instruction.
- (c) *Permitted accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including:
- (1) Private garages and storage structures.
 - (2) Greenhouses, growing of plants and other horticultural uses, provided no retail sales are made on the premises.
 - (3) Swimming pools.
 - (4) Private stables (minimum one-acre parcel required to permit horses).
 - (5) Tennis courts.
- (d) *Prohibited uses and structures.* Any use or structure not expressly or by reasonable implication permitted herein or permitted by special exception shall be unlawful in this district, including but not limited to:
- (1) Commercial or industrial uses.
 - (2) Travel trailers and motor homes used for residential purposes.
- (e) *Special exceptions.* (For procedure see section 3-9-7, "Special exceptions.") The following are special exceptions in this district:

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- ~~(1) Houses of worship, in accordance with section 3-9-80.1~~
- ~~(2) Home occupations in accordance with section 3-9-79~~
- ~~(3) Child and adult day care facilities.~~
- ~~(4) Essential services and emergency services.~~
- ~~(5) Adult congregate living facilities in accordance with section 3-9-63.1~~
- ~~(6) Such other uses as determined by the zoning official or his/her designee to be:
 - ~~a. Appropriate by reasonable implication and intent of the district.~~
 - ~~b. Similar to another use either explicitly permitted in that district or allowed by special exception.~~
 - ~~c. Not specifically prohibited in that district.~~~~

~~The board of zoning appeals shall review a favorable determination of the zoning official under this provision at the time the special exception application is presented to it. An unfavorable determination of the zoning official or his/her designee shall be appealable pursuant to section 3-9-6 of these regulations.~~

- ~~(f) *Development standards.* The following development standards shall apply in this district:~~

~~Minimum mobile home living area, square feet400~~

~~Minimum lot requirements:~~

~~Area, square feet7,500~~

~~Width, feet60~~

~~Minimum yard requirements:~~

~~Front yard, feet25~~

~~Side yard:~~

~~Interior, feet7.5~~

~~Abutting a road, feet15~~

~~Rear yard:~~

~~Abutting another lot, feet15~~

~~Abutting a road, feet25~~

~~Minimum setback for accessory buildings from:~~

~~Rear lot line, feet10~~

~~Side lot line, feet7.5~~

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~~Road right-of-way line, same as principal building.~~

~~Rear or side line abutting a waterway, feet20~~

~~Maximum lot coverage, percent35~~

~~Maximum building height, feet38~~

~~Maximum density, units per acre5~~

~~Landscape buffers and screening shall be required in this district in accordance with the provisions of article XXII, chapter 3-5, of the Code, as the same may be amended.~~

~~Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with section 3-9-98.~~

~~(g) Signs. Signs shall be in accordance with section 3-9-95~~

~~(h) Off-street parking. Off-street parking shall be in accordance with section 3-9-90~~

~~(Minutes of 12-8-81, § 7; Res. No. 87-78, §§ 17, 18, 5-19-87; Ord. No. 89-34, § 11, 5-31-89; Ord. No. 94-57, §§ 1-3, 11-3-94; Ord. No. 2001-031, § 1(g), 6-12-01; Ord. No. 2002-008, § 1, 1-28-02)~~

~~**Editor's note**~~

~~These provisions were formerly found in § 3-9-36. The provisions of former § 3-9-37 are found in § 3-9-39~~

~~**Cross reference** - Tree requirement for MHC district, § 3-2-187; mobile homes, Ch. 3-4.~~