

THE CITY OF NEW SMYRNA BEACH - BUILDING DEPARTMENT

ORDINANCE NO. 75-22: CONSIDER THE FIRST READING OF AN ORDINANCE, WHICH IF ADOPTED UPON THE SECOND READING AND PUBLIC HEARING, WOULD ALLOW RESIDENTS WHOSE PROPERTIES HAVE SUFFERED FLOOD DAMAGE AS A RESULT OF HURRICANE IAN TO RESIDE IN RV'S, CAMPERS OR FEMA TEMPORARY HOUSING QUARTERS.

November 22, 2022

Background:

Because of the scarcity of rentals and other alternate housing in the area, residents who are displaced due to flood damage to their homes have nowhere to sleep and require flexibility-sleeping arrangements. The City Commission on October 11, 2022, approved an Emergency Ordinance (Ordinance No. 73-22) to temporarily waive the enforcement of Section 802.06, LDR, for 60 days to allow residents who have suffered flood damage to reside in RV's or Campers while their properties are restored.

In the past, FEMA has activated its Direct Housing Program wherein they buy or lease travel trailers and provided them to eligible Survivors for up to 18 months after the date of a disaster declaration. When feasible, housing units are installed on private property allowing Survivors to recover near their primary residence.

Based on the severity of the damage throughout the City and the number of residences impacted, restoration will be a slow, long ongoing process, which will require more than the 60 days approved in the Emergency Ordinance No. 73-22. The restoration process may take six months to a year depending on the severity of the damage to the structure and availability of contractors, materials and labor.

Findings:

Staff recommends the City Commission approve an ordinance allowing RV's, Campers and FEMA Temporary Housing Units shall be used for sleeping, living or housekeeping purposes when parked on a residential lot for up to six months. The ordinance shall

include the placement of the units in the front, side or rear yards of the property and a written request shall be submitted to the Building Department for an extension up to one-year maximum. The City Manager shall approve the extension in writing. The City shall reserve the right to require the RV, Camper or FEMA Temporary Housing Unit shall be removed if it finds it is in the best interests of the health, safety and welfare of the Citizens of New Smyrna Beach or has exceeded the allowable time as outlined in the ordinance.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Dorlisa Pogany - Development Services Coordinator

Attachments:

[Ord 75-22 Temporary Waiver of 802.06.pdf](#)