

**jrapkin99@gmail.com**

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**From:** Alaina Ray  
**Sent:** Thursday, April 13, 2023 8:57 AM  
**To:** McMaster, Simon  
**Cc:** Kahn, Carl; Mandigo, Matthias; Bookout, Linda; Leshore, Jackie; McCauley, Tracy  
**Subject:** RE: [EXTERNAL] City of North Port Unified Land Development Code Section 53-240 (Special Structures) Sub Section K  
**Attachments:** Emergency Order 202209.pdf

Good morning, Simon –

The City Commission did not declare a “housing emergency” under ULDC 53-240.K. following Hurricane Ian, specifically because the City preferred not to have MHUs placed on properties throughout the city.

It is important to note that while FEMA may be able to control the removal of housing units they provide, an emergency housing declaration would have also allowed privately-provided MHUs. The enforcement of removal of these units once an emergency declaration is lifted is extremely difficult, therefore, the City chose not to allow MHUs to be utilized.

Instead, the City Commission ratified the attached Emergency Order waiving the 30-day time limit for occupancy of travel trailers and recreational vehicles, which FEMA may continue utilizing to house affected persons.

Please let me know if you have any questions.

Thanks,  
Alaina

**Alaina Ray, AICP**  
Director  
Neighborhood Development Services  
City of North Port  
O: 941-429-7098

*Please note my new email address: [aray@northportfl.gov](mailto:aray@northportfl.gov)*



[www.northportfl.gov](http://www.northportfl.gov)

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**From:** McMaster, Simon <simon.mcmaster@fema.dhs.gov>  
**Sent:** Thursday, April 13, 2023 7:58 AM  
**To:** Alaina Ray <aray@northportfl.gov>  
**Cc:** Kahn, Carl <Carl.Kahn@fema.dhs.gov>; Mandigo, Matthias <matthias.mandigo@fema.dhs.gov>; Bookout, Linda <Linda.Bookout@fema.dhs.gov>; Leshore, Jackie <jackie.leshore@fema.dhs.gov>; McCauley, Tracy <Tracy.Mccauley@fema.dhs.gov>

**Subject:** [EXTERNAL] City of North Port Unified Land Development Code Section 53-240 (Special Structures) Sub Section K

**EXTERNAL EMAIL:** This email is from an external source! Be careful of

Good morning Alaina.

Further to our recent conversations, I would like to enquire about the below provision in the City of North Port Unified Land Development Code (section 53-240 sub section K).

The temporary manufactured housing units which FEMA are providing at the damaged dwellings of eligible applicants would appear to be fully covered by this section.

While I do see in other areas of the City of North Port Unified Land Development Code there are prohibitions on more than 1 dwelling unit per 3 gross acres (section 53-28 maximum density/intensity), this provision for emergency housing would appear to take precedence in the event of a Presidential Disaster Declaration.

Please confirm that my interpretation of this provision is accurate & that FEMA may continue to house eligible applicants in the City of North Port.

**K. Emergency housing.**

In the event a housing emergency is declared to exist by the City Commission following a natural or man-made disaster, and subject to the conditions contained in this section, temporary structures such as mobile homes, travel trailers and recreational vehicles may be used as temporary housing by individuals who have been displaced from their primary residences due to damage from the disaster.

- 1) The conditions found in [subsection] (2) below shall apply to the use and placement of temporary structures such as mobile homes, travel trailers and recreational vehicles on properties only after the City Commission declares a housing emergency following a natural or man-made disaster.
- (2) A maximum of one (1) mobile home, travel trailer or recreational vehicle for the sole occupancy by existing residents of the damaged home will be allowed on an existing home site providing the following conditions exist on the site:
  - (a) The home on the site has been declared "unsafe" by the Building Official or designee.
  - (b) The sanitary sewer shall be properly connected to the utility provider or septic system in accordance with codes in effect at the time.
  - (c) The water system shall be properly connected to the utility provider or subsurface well system in accordance with all codes in effect at the time.
  - (d) Electrical service shall be available on site and have a proper connection in accordance with codes in effect at the time.
  - (e) All plumbing, electrical and mechanical work shall be completed by licensed and insured contractors. It shall be the contractors responsibility to obtain all required permits from the City Building Department.
  - (f) Setback requirements shall be enforced to the extent possible. Approval of setbacks shall be determined by the Building Official or designee.
  - (g) All other applicable regulations and code requirements shall apply.
  - (h) The use of mobile homes, recreational vehicles, or travel trailers as temporary residences in a zoning district where such use is prohibited prior to the declaration of the housing emergency shall cease if one (1) of the following occur:
    - (i) The repair or reconstruction of the individual's residence; or

(ii) Eighteen (18) months after the date the City Commission declared a housing emergency.

(i) If the Federal Emergency Management Agency has extended the period for which funding from the Individual Assistance program remains available beyond eighteen (18) months, the City, on written application from the property owner, may extend the period wherein the temporary residence is permitted to continue for a period up to an additional eighteen (18) months, in six (6) months increments. The property owner shall demonstrate that the repair or reconstruction is progressing, or such reason why additional time is required.

(j) Housing sites for multiple temporary dwelling units established by the Federal Emergency Management Agency and approved by the City Commission, may be established in any zoning district.

(k) Legal and proper disposal of all sanitary sewer and stormwater is required.

(l) Water and/or sewer connection at all locations will require permits and the payment of all applicable connection fees.

(m) The Building Department shall issue a temporary certificate of occupancy for the temporary dwelling unit after all inspections have been approved. No person shall occupy a temporary unit without a temporary certificate of occupancy.

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**FEMA**