

COMMERCIAL MANUFACTURED (MOBILE) HOME PARK ORDINANCE

Section 1: STATEMENT OF INTENT

To permit the development of a commercial single family residential manufactured (mobile) Home Park located in an appropriate residential environment and containing not less than three contiguous acres under one ownership or control in those areas of the County that are provided with approved sewage disposal plan and water supply. The commercial park shall have a minimum of 100 feet frontage on a State maintained roadway. The location of three or more manufactured homes on a lot shall constitute a commercial park and the requirement of this ordinance shall apply. This ordinance does not apply to single unit mobile homes on individual landowners' property.

Section 2: DEFINITIONS

As used in this ordinance:

Manufactured Home: means a structure transportable in one or more sections which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Industrialized Building Unit: means a combination of one or more sections or modules, subject to State regulations and including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building.

Manufactured Home Park: means any commercial location containing three or more manufactured homes.

Section 3: PRINCIPAL USES PERMITTED

- 3-1 Manufactured homes which conform to national standards as provided for in the National Manufactured Housing Construction and Safety Standards Act. All manufactured homes must also conform to the Building Officials and Code Administrators (BOCA) and other codes as adopted by the County, including the BOAT Mobile Home Code.
- 3-2 Swimming pools, recreational and athletic facilities, community buildings, and other similar and related improvements for the common use of park occupants and their guests.
- 3-3 A coin-operated laundry and/or drying operation may be permitted for the sale use of park occupants.

Section 4: ACCESSORY USES PERMITTED Accessory Uses not otherwise prohibited, customarily accessory and incidental to any permitted uses.

Section 5: OTHER REGULATIONS

- 5-1 **Area and Density:** The overall density of any mobile home park shall not exceed three units per gross acre. For density purposes, all areas subject to flooding and other adverse topographic features making them unsuitable for residential use shall be excluded from computations. The minimum lot area for individual mobile homes shall be 10,000 square feet and no mobile home shall occupy more than 25 percent of the area of the lot on which it situated. The minimum width for each lot shall be 5 times the width of the mobile home, or 50 feet, whichever is greater. Minimum lot widths shall be measured at right angles to the long axis of the lot at the setback line or rear of the parking stand, whichever is less.
- 5-2 **Tie Downs:** All manufactured home units must use and be secured with proper tie downs equipment sufficient to comply with County and State regulations.
- 5-3 **Crawl Space:** Crawl space shall be at least 20 inches above grade to floor.
- 5-4 **Base:** All manufactured homes base must be covered with skirting as defined in Section 36-99.8 of the Code of Virginia.
- 5-5 **Open Parks:** No park may be a "closed park" where entry is denied anyone who has not purchased his home from the dealer, park owner, or operator. No park may also serve as a general retail or wholesale, and demonstration or storage area for mobile homes.

Section 6: YARD AND SETBACK REQUIREMENTS

- 6-1 All manufactured homes shall be located at least 25 feet from any internal road or street measured from the closest exterior wall.
- 6-2 Setback is to be measured from any-accessory structure and must be a minimum of 75 feet, measured from center of road on road frontage and from the nearest point of adjacent property lines.

Section 7: MINIMUM DISTANCE BETWEEN MOBILE HOMES AND OTHER BUILDINGS

No manufactured home shall be placed within 50 feet of another home or service building.

Section 8: STREETS

All streets must meet the following minimum standards: (1) minimum of 50 foot right-of-way clearly marked on the plat dedicated for the use or the owners of the lots in the park; (2) on no outlet street a minimum of 100 foot surfaced turnaround; said turnaround to be surfaced in its entirety and sloped from center to outer edges on a slope of two inches in 10 feet; (3) minimum of 15 inches diameter concrete, fully bituminous coated corrugated steel with paved invert and corrugated steel (uncoated) drainage pipe where subsurface drainage is necessary; (4) minimum of 4 inches of sand-gravel base material for surface; which shall be no less than 18 feet in width; (5) constructed to a minimum of 30 feet from center line of drainage ditch to center line of drainage ditch.

Section 9: VEHICLE PARKING: Off-street parking shall be provided for the use of the occupants at the minimum ratio of 2.2 car spaces per each manufactured home. Each location off-street parking area shall have unobstructed access to a public street or common street and must be hard surfaced or covered with gravel, and no parking space should be more than 150 feet from the home lot which it serves.

Section 10: GARBAGE DISPOSAL SYSTEM

An adequate and safe garbage disposal system meeting State Health Standards and the requirements of the Buckingham County Solid Waste Ordinance shall be provided in each park.

Section 11: UTILITY PLAN

All utilities shall be underground, except control instrumentation and substations which must be screened by planting or ornamental walls. No overhead wires are permitted within the park.

Section 12: MARKERS FOR LOTS

- 12-1 Lot corners shall be clearly defined by permanent ground markers corresponding to the approved plot plan.
- 12-2 Each lot shall be numbered and the number clearly displayed to facilitate location by emergency vehicles.
- 12-3 There shall be a permanently mounted sign approved by the agent, and purchased by the owner posted at entrance(s) to any private street indicating that it is a private street and must include a statement relieving the County of Buckingham and the State of Virginia of responsibility for present or future maintenance, expansion, *or* extension of such street; such signs to be permanent and in place at the time of final plat approval.' .

Section 13: PLAN FOR DEVELOPMENT

13 – 1 **Platting Generally**

- 13-1-1 **Approval Required** No plan for development of a Commercial Manufactured Home Park shall be approved nor shall any development transpire unless the developer shall cause a plat of development to be made, submitted, and approved pursuant to the terms of this ordinance and recorded among the land records in the Office of the Clerk of the Circuit Court of Buckingham County. No plat shall be recorded unless or until the plat shall have been approved and certified by the governing body or its authorized agent in accordance with the regulations set forth in this ordinance.

No lot or manufactured home shall be let or conveyed in any manner in any manufactured home park before the plat shall have been recorded.

The Board of Supervisors retains unto itself the authority of final approval of plats, which authority the Board or Supervisors hereby delegates to its agent., the County Administrator.

13-1-2 **Changes** Changes on the preliminary or final plats shall be authorized pursuant to Section 6-1-2 of the Buckingham County Subdivision Ordinance.

13-1-3 **Fees** Fees associated with the review of a plat shall be assessed pursuant to Section 6-1-3 of the Buckingham County Subdivision Ordinance.

13-2 **Preliminary Plat**

All regulations pertaining to preliminary plats shall follow such regulations under the County Subdivision Ordinance, specifically, Section 6-3 of same substituting "developer" for "sub-divider," "development" for "subdivision," "residents" for "property owners," and other reasonable alterations of term which cause said regulations to be fully applicable to manufactured home parks.

13-3 **Final Plat**

Final plat requirements and review procedures shall follow those contained in Section 6-4 of the County Subdivision Ordinance, no subdivision specific terminology withstanding. Said section is hereby considered a part of this ordinance; reasonable alterations of term which cause said section to be fully applicable hereto, assumed.

13-4 **Review Criteria**

All plats submitted for review shall be evaluated as to the extent to which the proposed development:

1. preserves "the topographical features of the site;
2. preserves the environmental integrity of the site;
3. presents an aesthetically pleasing plan for development;
4. protects surrounding land use activities;
5. complies with the provisions of this ordinance; and
6. complies with all governing State Health Department, Department of Transportation, and other Federal, State, and local regulations.

13-5 **Conformity to Plan:** Any substantial deviation from the plans submitted and approved shall constitute a violation of the building permit authorizing construction and shall be considered a violation of this ordinance.

Section 14: ENFORCEMENT

- 14-1 **Penalties:** Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor or any person who makes a false certification required by this ordinance shall be guilty of a misdemeanor, punishable by a fine of \$500.
- 14-2 **Validity:** Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutionality of this ordinance as whole or any part thereof other than the part so declared to be invalid or unconstitutional.
- 14-3 **Repeal:** All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of their conflict.
- 14-4 **Amendments:** This ordinance may be amended in whole or in part by the governing body provided that any such amendment shall either originate with or be submitted to the Planning Commission for recommendations; and a public hearing having been held by the governing body. Notice of the time and place of the hearing shall have been given at least once a week for two weeks, and the last notice at least 5 but not more than 21 days prior to the hearing.

Section 15: NON-CONFORMING USES: At the time of enactment of this ordinance, any current manufactured home park in operation shall be considered a non-conforming use and may continue in operation as herein provided.

- 15-1 **Expansion or Enlargement:** A non-conforming park to be expanded or enlarged must have any such expansion or enlargement conform to the requirements of this ordinance.
- 15-2 **Abandonment:** If any non-conforming park is discontinued for a period exceeding 6 months, after the enactment of this ordinance, it shall be deemed abandoned and any subsequent use shall conform to the requirements of this ordinance.

Section 16: HARDSHIP EXEMPTION: In cases of hardship, a variance may be requested through the County Administrator to the Planning commission with final determination to be made by the Board of Supervisors.

THIS ORDINANCE WAS APPROVED JANUARY 14, 1991