

Chapter 7

Mobile Home Park Ordinance

MOBILE HOME PARK ORDINANCE
FOR THE TOWN OF MILFORD, MAINE

Section 1 Title and Purpose:

This ordinance shall be known as the "Mobile Home Park Ordinance of the Town of Milford, Maine" and will be referred as herein as "this ordinance". It is enacted by the inhabitants of the Town of Milford to protect the environment and promote the health, safety, and welfare of the community.

Section 2 Authority:

2.1 This ordinance is enacted pursuant to the authority given the town in 30A MRSA 3001 (Home Rule) and 30 MRSA 3221 (Soil Suitability Prior to Construction).

2.2 The effective date of this ordinance shall be thirty (30) days after it is adopted by vote of the legislative body of the Town of Milford.

2.3 This ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit or provision of law. Except as stipulated below, mobile home parks shall comply with all state laws and municipal ordinances, and shall meet the requirements of the subdivision law.

Section 3 Administration:

3.1 The Code Enforcement Officer shall enforce all State Plumbing laws and the regulations of this ordinance, with the assistance from the Town Selectmen.

3.2 The Code Enforcement Officer shall immediately report any violations of this ordinance to the Board of Selectmen.

Section 4 Lot Size, Width and Density:

Lots in a mobile home park shall meet the following lot size, width, and density requirements:

4.1 Lots served by public sewer shall have a minimum lot are 6,500 sq. ft. and a minimum lot width of 50 ft.

4.2 Lots served by individual subsurface sewage disposal system shall have a of minimum lot area of 20,000 sq. ft and minimum lot width of 100 feet.

4.3 Lots served by a central subsurface wastewater disposal system shall have minimum lot area of 12,000 sq. ft and minimum lot width of 75 feet.

4.4 The overall density of a mobile home park served by a central subsurface sewage disposal system shall be no greater than one unit per 20,000 square feet of total park area.

4.5 Lots within a shoreland zoning district shall meet the lot area, lot width, setback, and shore frontage requirements for that district.

Section 5 Ownership

Where a developer elects to create a mobile home park where all land is under one ownership, the park plan shall show lots and the developer shall demonstrate that the development standards described herein are met.

Section 6 Open Space

For mobile home parks served by a public sewer, an area at least 10% of the total area devoted to individual lots shall be set aside for open space and/or recreation. Such space shall be accessible and useable by all residents of the park. Parking space, driveways and streets and buffer areas are not considered useable open space but community recreation buildings, pools and courts are considered as open space.

6.1 Open Space Suitability for lots served by public sewer is as follows: At least 50% of the required open space shall consist of land that is suitable for active recreation or storage.

6.2 All developed open space shall be designed and landscaped for the use and enjoyment of the park residents and shall be maintained for their long term use. Plans for these areas shall be submitted by the developer.

6.3 To the maximum extent possible, undeveloped open space shall be left in its natural state. Improvements to make trails for walking and jogging or to make picnic areas are permitted.

6.4 The developer shall submit, as part of his/her application, a copy of that portion of the proposed park rules and a plan which specify how the open space is to be used and maintained and what conditions are to apply to its use. The plan shall specify the areas to be dedicated to open space, recreation, and storage.

6.5 Open space shall be maintained and used for its stated purpose.

6.6 Open space may be eliminated if the size of the lots are over 9,000 square feet.

Section 7 Bufferstrips

7.1 A 50 ft. side buffer strip shall be provided along all property boundaries that abut residential land which has a gross density of less than half of that proposed in the park, or abut residential land that is zoned at a density of less than half of that proposed in the park.

7.2 No structures, streets or utilities may be placed in the buffer strip except that they may cross a buffer strip to provide services to the park.

7.3 Within 25 feet of any property line and within the buffer strip, visual screening and/or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping (such as shrubs and trees) and/or natural existing vegetation. This screening shall effectively screen at least 80% of the homes from view from the adjacent property and shall be maintained throughout the life of the project.

Section 8 Conversion of Park:

No lot in a mobile home park may be sold or conveyed without the prior approval of the Planning Board. Any such lot sold or conveyed shall meet the requirements of the Minimum Lot Size Ordinance.

Section 9 Lot Setbacks:

9.1 The following lot setbacks shall apply to all homes and accessory buildings. If these requirements conflict with the requirements of the Shoreland Zone, the stricter standards shall apply. If a lot is on a public road, the setback shall conform with the residential setback requirements applicable to residential dwelling units.

Front setback: 15 feet
Side Setback: 15 feet
Rear Setback 10 feet

9.2 So as to avoid monotony and sameness, the Planning Board may allow the front setback on a private road within a mobile home park to be varied provided that no home may be closer than 10 feet from the right of way and the average distance is at least 20 feet for all units.

9.3 Carports of non-combustible materials are not subject to side setback requirements.

9.4 A minimum 20 foot separation shall be maintained between all manufactured homes in all directions. The Planning Board may allow lot side yard setbacks to be reduced to 5 feet provided a distance of 20 feet is maintained between units for the purpose of providing more usable yard space on one side of the home.

Section 10 Lot Coverage:

All buildings on the lot, including accessory buildings and structures, but excluding open decks and parking spaces, shall not cover more than 50% of the lot area.

Section 11 Road Standards:

11.1 Where lots front on a curved right of way or are served by a driveway, the frontage requirement shall be measured in a straight line perpendicular to the setback line.

11.2 Privately owned roads within the mobile home park shall meet the standards set by the Manufactured Housing Board.

11.3 Roads within mobile home parks which are to be offered for acceptance to the community shall meet the minimum road standards of the town of Milford.

11.4 Mobile home parks which intersect with public roads shall meet the following standards:

(A) Angle of intersection: The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.

(B) Grade: The maximum permissible grade with 75 feet of the intersection shall be 2%.

(C) The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 ½ feet above the pavement and the height of the object 4 ¼ feet. Where necessary, the park land bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.

(D) Distance from other intersections: The center line of any street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.

Section 12 Roads: Access and Circulation:

12.1 The layout and general development plan for major and minor access streets and driveways within the mobile home park, together with the

location and dimensions of access junctions with existing public streets and rights of way shall be approved by the Milford Planning Board and the Milford Fire Department.

12.2 For mobile home parks with 20 units or more, there shall be at least two entrances from public streets or roads.

12.3 On-street parking shall be prohibited unless an eight foot parking lane is provided, in which case on street parking may be permitted on the side of the road where the parking lane is located.

12.4 Streets shall be curved wherever possible so that no straight sections exceed 500 feet.

12.5 No mobile home lot may have vehicular access directly onto a state highway.

Section 13 Roads: Right of way and Pavement Width:

13.1 Two-way park roads shall have a minimum right-of-way of 23 feet and a minimum paved surface of 20 feet. On-street parking shall be prohibited.

13.2 One-way streets shall have a minimum right-of-way of 20 feet and a minimum paved surface of 18 feet. On-street parking shall be prohibited.

13.3 Parking lanes shall be a minimum of 8 feet in width, if provided.

13.4 Cul-de-sac turnarounds shall have a minimum radii of 50 feet at the outer edge of the pavement, exclusive of any parking areas.

13.5 If the developer intends to dedicate park streets to the public, such streets shall meet municipal road standards.

Section 14 Parking Requirements:

14.1 For each mobile home lot there shall be provided and maintained at least 2 off-street parking spaces. Each parking space shall contain a

minimum are of 200 square feet with minimum dimensions of 10 feet by 20 feet. This requirement may be waived if an equivalent number of spaces is provided by a parking lane.

14.2 In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of 1 space for each 4 mobile home lots. Such parking shall be hard-surfaced and the spaces shall be reserved for that sole use. This requirement shall be waived if a parking lane provides an equivalent number of spaces.

Section 15 Utility Requirements:

All mobile home parks shall provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations.

Section 16 Lighting:

Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways. Lights shall be sized and directed to avoid adverse impact on adjacent properties.

Section 17 Signs:

17.1 Signs and advertising devices shall be prohibited in the mobile home park periphery except for an identifying sign at each entrance of the mobile home park no larger than 24 square feet which may be indirectly lit, but not flashing.

17.2 For safety purposes each lot must post lot number in plain sight.

Section 18 Storm Drainage:

A storm drainage plan shall be prepared by a professional engineer showing ditching, culverts, storm drains, easements, and other proposed improvements sufficient to accommodate a 25 year storm.

Section 19 Ground Water Impact:

19.1 For mobile home parks not served by a public sewer, an assessment of the impacts of park development on ground water quality shall be submitted prior to final approval of the park. The assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, and shall include the following:

(A) A map showing the basic soil types

(B) The depth to the water table at representative points throughout the mobile home park.

(C) Drainage conditions throughout the mobile home park.

(D) Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.

(E) An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projections of post development nitrate-nitrogen concentrations at any wells within the mobile home park, at the mobile home park boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the watershed of a lake, projections of the development's impact on ground water phosphate concentrations shall also be provided.

(F) A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.

Section 20 Standards:

20.1 Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

20.2 No mobile home park shall increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the Secondary Drinking Water Standards.

20.3 If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be supplied by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.

20.4 If ground water contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

Section 21 Development

Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Plan.

Section 22 Park Administration:

22.1 The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of all park-owned structures and their sites. Park management shall conform to state laws.

22.2 Compliance with this ordinance shall not exempt the park owner, developer, or manager from complying with other applicable local, state and federal codes and regulations.

Section 23 Validity and Separability with Other Ordinances:

23.1 Validity and Separability: Should any section or provision of this ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of the ordinance.

23.2 Conflict with other ordinances: Whenever the requirements of this ordinance are inconsistent with the requirements of any other ordinance, code, or statute, the more restrictive shall apply.

Section 24 Appeals:

If the Planning Board disapproves an application or grants approval with the conditions that are objectionable to the applicant or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of these ordinances do not apply, or that the true intent and meaning of the Ordinance has been misconstrued or wrongfully interpreted, the applicant or any abutting landowner or any aggrieved party may appeal the decision of the Planning Board in writing to the Board of Appeals, within 30 days of the Planning Board's decision. The Board of Appeals may reverse the Planning Board's decision after holding a public hearing and may grant a variance as defined herein. Public hearings shall be held according to Title 30, MRSA, Section 2411.

Section 25 Amendments:

This Ordinance may be amended by a majority vote at the Annual Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Selectmen to the Planning Board or on petition of 10% of the votes cast in the last gubernatorial election in the Town. The Planning Board shall conduct a public hearing on any proposed amendment.