

Chapter 28

MOBILE HOMES AND MOBILE HOME PARKS

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10-28-1: PURPOSE

This chapter establishes minimum standards and requirements for the occupation of mobile homes, as well as for the construction of mobile home parks as they relate to adjacent land uses and the general purposes set forth in chapter 1 of this title.

10-28-2: EXCEPTIONS

10-28-2.A: Application: A petition may be filed requesting an exception to any portion of the standards of design or required improvements of this chapter. The petition shall be filed with the Planning and Zoning Commission and shall state fully the grounds for request.

10-28-2.B: Commission: The Commission may approve an exception to any portion of the standards of design or required improvements set forth herein where the applicant can show that: 1) due to topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provisions; and 2) the granting of the exception will not be detrimental to the public welfare nor injurious to other property in the vicinity. The reasons for granting any exception shall be stated in writing in the minutes of the Commission.

10-28-2.C: Appeal: A decision of the Commission may be appealed to the Council by the petitioner, the City or other interested party within fifteen (15) calendar days of the decision. The

appeal shall be written and filed with the Planning Director, who shall notify the appellant of the hearing date scheduled by the Council. If an appeal is not submitted within fifteen (15) calendar days, the decision shall be conclusive, and no further right of appeal to the Council shall exist.

10-28-3: LOCATION REQUIREMENTS FOR MOBILE HOMES

10-28-3.A: Mobile Home Parks: It shall be unlawful for any person to park a mobile home within the City, whether on private or public premises or streets, for the purpose of human habitation unless in a mobile home park.

10-28-3.B: Homes Parked Prior to June 1, 1970: An exception shall exist for the following mobile homes used for residential purposes on private property and parked prior to June 1, 1970:

10-28-3.B.1: Mobile homes temporarily located in conjunction with a dwelling in accordance with § 10-1-12 of this title, provided all sanitation requirements are met, and where either the sanitary facilities of a private residence are available to the mobile home occupants, or the individual mobile home has sanitary facilities of its own which meet city requirements.

10-28-3.C: Caretakers in Industrial Zones: Provided they comply with city sanitary regulations, an exception shall exist for mobile homes used for residential quarters for watchmen or caretakers located on the premises of an industrial establishment in any industrial zone.

10-28-3.D: One Mobile Home Per Site: It is unlawful for any person to maintain two (2) or more occupied mobile homes on a single legal building site, other than in a mobile home park.

10-28-3.E: Parking on Public Property: Except for emergency purposes, parking mobile homes is prohibited at all times on public premises or streets.

10-28-3.F: Mobile Homes Permitted: All mobile homes moved into the city for installation on spaces within mobile home parks shall conform to the following standards:

10-28-3.F.1: No mobile home shall be installed on a space within a mobile home park unless it: a) bears the insignia of approval of the U.S. department of housing and urban development (HUD) certifying that it was built in compliance with federal mobile home construction and safety standards; or b) does not bear an insignia of approval of HUD, but has been issued a certificate of compliance from the administrator of the division of building safety of the state of Idaho certifying that the home has been rehabilitated and meets the rehabilitation requirements of Idaho Code § 44-2503.

10-28-4: SKIRTING, ADDITIONS AND ALTERATIONS

Skirting of mobile homes is required and shall be such as to not create a fire hazard nor provide a harborage for rodents.

No permanent additions, except as provided in this chapter, shall be built onto, or become part of, any mobile home.

10-28-5: GENERAL CONDITIONS AND LIMITATIONS

10-28-5.A: Area: The minimum land area necessary to establish a mobile home park shall be five (5) acres.

10-28-5.B: Density: Density shall not exceed six (6) mobile homes per gross acre. If it is determined by the Commission that a street widening or terminating dedication is necessary, the amount of land dedicated shall be subtracted from the gross site area when calculating the proposed density.

When a mobile home park is located adjacent to a waterway, gross site area shall not include property behind the edge of the bank. When waterways are fenced, property behind such fence shall not be included as a part of gross site area.

10-28-5.C: Yard Requirements: The setback required in each instance shall be a line parallel to and measured at right angles from the front, side or rear property line. The front and rear building setback lines shall extend the full width of the property. No building, structure or mobile home shall be located so that any part extends into the area between the building setback line and the property line. Fences and signs may be placed within the aforementioned area as an exception to this subsection.

Mobile homes and other structures within mobile home parks shall set back at least ten feet (10') from any interior property line. The setback from any abutting public street shall be at least twenty feet (20') from the property line.

In any required yard through which there is vehicle access between a public or private parking area and a street, no fence, wall, hedge or other vegetation shall be permitted which materially impedes vision from a public sidewalk to vehicles backing from said parking area(s) across the public sidewalk.

10-28-5.D: Boundary Development: The Commission has authority to require an ornamental, sight obscuring fence or wall of not less than five feet (5') nor more than six feet (6') in height, and/or earthen berm or evergreen planting of not less than five feet (5') in height, to surround the mobile home park in instances where it is felt that such requirement will enhance the successful operation of the park and the surrounding area, and/or secure safety of residents. Such fence, wall, berm or planting may be placed up to the front property line if adequate vision clearance for entrances and exits is maintained.

10-28-5.E: Signs: The sign provisions of chapter 23 of this title shall apply to mobile home parks.

10-28-5.F: Parking Requirements:

10-28-5.F.1: There shall be two vehicle parking spaces at least nine feet by twenty feet (9' x 20') for each mobile home space, with clear and unobstructed access to an accessway. Any parking spaces in the accessway shall not fulfill this requirement.

10-28-5.F.2: One guest parking space for every two mobile home spaces, shall be provided in the mobile home park, but not in any mobile home space.

10-28-5.G: Access to Public Street: A mobile home park shall not be established on any site that does not have access to a public street with less than fifty feet (50') of right of way. No mobile home space shall be located in such a manner that a public street must be used to maneuver the mobile home into that space.

10-28-5.H: Emergency Sanitation Facilities: Each mobile home park shall be provided, for emergency purposes, with the sanitation facilities as prescribed by state law.

10-28-5.I: Service Building: Service buildings which house sanitation facilities shall be permanent structures, complying with all applicable city and state statutes regulating buildings, electrical installations and plumbing and sanitation systems.

10-28-5.J: Structures: Structures located on any mobile home space shall be limited to a storage building, detached patio cover, or carport. These structures may be combined as one structure. No structural additions, including an awning or patio cover, shall be built onto or become a part of any mobile home, and no mobile home shall support any building in any manner. All structures shall be of a material, size, color and pattern so as to be compatible with the mobile home to which they are associated.

10-28-5.K: Skirting and Support Structure:

10-28-5.K.1: All mobile homes shall have compatible skirting of moisture resistant, noncombustible material or fire retardant wood, which must be maintained.

10-28-5.K.2: All spaces shall be provided with pedestals or blocking supports. Such systems shall ensure adequate support and be in compliance with the HUD and manufacturer's specifications.

10-28-6: ACCESS AND INSPECTION

10-28-6.A: Access: It is the duty of every occupant to give the park owner or his agent access, at reasonable times, to any part of the park or its premises for the purpose of making such repairs or alterations as are necessary to effectuate compliance with this chapter or any lawful order issued pursuant thereto.

It is the duty of the owners or occupants of mobile home parks and mobile homes contained therein, or of the person in charge thereof, to give the City free access to such premises, upon notice to the management, at reasonable times for the purpose of inspection.

10-28-6.B: Inspection: The Building Official and Planning Director, or their duly authorized assistants, are authorized and directed to inspect and determine the condition of mobile home parks within the City to enforce the provisions of this and other applicable requirements.

10-28-7: PERMITTED USES

No building, structure or land within the boundaries of a mobile home park shall be used for any purpose except as follows:

10-28-7.A: Mobile homes for residential use only, together with the normal accessory uses to residential living such as a patio slab, carport or garage, and a storage building.

10-28-7.B: Private and public utilities.

10-28-7.C: Community recreation facilities, including swimming pools.

10-28-7.D: One fixed residence per park, to be used by a caretaker or manager responsible for maintaining or operating the property.

10-28-8: GENERAL RULES AND REGULATIONS

10-28-8.A: City Regulations: City regulations regarding the following shall apply within the limits of any mobile home park: refuse disposal; insect, rodent and weed control; pets and fire protection.

10-28-8.B: Liquefied Petroleum Gas: Liquefied petroleum gas for cooking purposes shall not be used at individual mobile home spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquefied petroleum gas cylinders shall be securely fastened in place, and shall be adequately protected from the weather. No cylinder containing liquified petroleum gas shall be located in a mobile home, nor within five feet (5') of a door thereof.

10-28-9: ZONING

10-28-9.A: Prohibited Districts: No mobile home park shall be located in the following districts: RS, DB, DV, DH and IH.

10-28-9.B: Conditional Use Permit Districts: A building permit may be issued for the construction of a new mobile home park or the expansion of an existing mobile home park in the following districts, upon the approval of the proposed location and the granting of a conditional use permit, as provided in chapter 25 of this title: AG, RA, RD, RP, RML, RMH and IL.

10-28-9.C: Permitted Districts: A mobile home park is a permitted use in the following districts: BN, BC, BF and IP.

10-28-10: PLAN REVIEW AND APPROVAL

Before construction permits are issued for a mobile home park, the preliminary site plan, required documents pertaining to the development, and the final site plan shall have been approved.

10-28-10-A: Site Plan: A site plan must be submitted to the Planning Director, to be scheduled as business item, at least forty-one (41) days prior to the Commission meeting at which is to be

considered. The plan shall be drawn to a scale not smaller than “one-inch equals fifty feet (1”:50’), and shall be designed in accordance with this chapter showing the following information:

10-28-10.A.1: Name(s) of the person who prepared the plan, of persons owning and managing the land, and the name of the mobile home park and its address.

10-28-10.A.2: Scale and north point of the plan.

10-28-10.A.3: Vicinity map showing relationship of mobile home park to adjacent properties.

10-28-10.A.4: Boundaries and dimensions of the mobile home park.

10-28-10.A.5: Location and dimension of each mobile home space. Designate each space by number or letter combination. Show:

10-28-10.A.5.a: Utility connections for the space and irrigable landscaping.

10-28-10.A.5.b: Location of building envelope, patio, storage space, parking, sidewalk, utility connections and landscaping within each space.

10-28-10.A.6: Location and dimensions of each existing or proposed building including service buildings for the mobile home park.

10-28-10.A.7: Location and construction details of roadways and walkways.

10-28-10.A.8: Location and construction details of recreation areas, playgrounds and buildings. Show the area of the recreation space in square feet.

10-28-10.A.9: Location and type of fencing and landscaping materials.

10-28-10.A.10: Location and construction details of proposed utility lines and easements, water, irrigation and sewer lines, fire hydrants, fences, storm drains and facilities, curbs, and other improvements. Show, also, existing infrastructure.

10-28-10.A.11: Garbage disposal provisions.

10-28-10.A.12: Drainage system, including topography of the park site with contour intervals which reflect the character and drainage of the land.

10-28-10.A.13: Electrical system for mobile home spaces and grounds.

10-28-10-B: Commission Action: The Planning and Zoning Commission shall review the plan to determine compliance with the regulations contained therein. The Commission may require changes to be made in the plan. They may also require additional yards or buffers or other improvements to be installed along with greater amounts of landscaping or parking spaces. Said changes may be imposed as conditions of approval where it is determined by the Commission that such changes are necessary to ensure that the development will be compatible with adjoining or nearby uses.

Approval of the preliminary site plan shall be for a period of one year.

No construction permits shall be issued for a mobile home park until final site plans have been approved by the Commission.

10-28-10.C: Appeals: Any aggrieved person whose preliminary or final site plan has been disapproved by the Commission may appeal to the Council for a hearing to review the action of the Commission. Such appeal shall be submitted within fifteen (15) calendar days of action by the Commission and accompanied by a nonrefundable fee as established by Council resolution.

10-28-10.D: Fees:

10-28-10.D.1: Persons filing for site plan approval for mobile home parks shall pay a nonrefundable plan review fee which is established by Council resolution.

10-28-10.D.2: Prior to possession or occupancy of a newly constructed mobile home park, the developer shall pay a nonrefundable construction inspection fee.

10-28-11: SITE IMPROVEMENTS

The following minimum park improvements shall be required within new or expanding mobile home parks:

10-28-11.A: Roadways and Walkways: Roadways with a minimum surfaced width of twenty four feet (24') shall be provided within mobile home parks if no parking is allowed. If parking is allowed the minimum surfaced width of the roadway shall be thirty six feet (36'). Walkways of not less than three feet (3') in width shall be provided along both sides of all roadways, from each mobile home space to the service buildings and recreational area(s) and from the patio to the roadway. Walkways shall be separately designated and not used as part of the roadway.

Roadways and walkways shall be paved with a crushed rock base and asphalt or concrete surfacing according to structural specifications established by the City Engineer.

10-28-11.B: Patios: Each mobile home shall be provided with a patio having a minimum area of one hundred forty (140) square feet. The patio shall have a minimum width of seven feet (7') and a minimum length of twenty feet (20') and shall be constructed adjacent and parallel to each mobile home parking space. Patios shall be paved with asphalt, concrete, or suitable hard surfaced material.

10-28-11.C: Lighting: Roadways and walkways shall be illuminated at night to provide visibility.

10-28-11.D: Recreation Areas: A minimum of two hundred (200) square feet of recreation area shall be provided for each mobile home space. This area may be in one or more locations. At least one area shall have a minimum size of five thousand (5,000) square feet, and be of a shape that will make it usable for its intended purpose. Recreation areas shall be suitably improved and maintained and shall be the kind necessary for the type of resident for whom the park is intended. There shall be landscaping within open recreation areas not otherwise used for park purposes. Such open areas and landscaping shall be continuously maintained.

10-28-12: MOBILE HOME SPACES

The minimum mobile home space requirements for a new or expanding mobile home park are as follows:

10-28-12.A: Average Size: The average size of a mobile home space shall not be less than three thousand (3,000) square feet, and no space shall be smaller than two thousand two hundred (2,200) square feet. No space shall have a building or mobile home line width of less than thirty feet (30').

10-28-12.B: Setbacks: Mobile homes shall be set back a minimum of five feet (5') from the edge of all accessways and shall observe the setbacks established in subsection 10-28-5.C of this chapter.

10-28-12.C: Adjacent Spaces: Minimum requirements between mobile homes:

10-28-12.C.1: End to end twenty five feet (25').

10-28-12.C.2: Side to side fifteen feet (15').

10-28-12.C.3: Structures situated in one space shall be separated by at least ten feet (10') from structures or mobile homes in adjoining spaces.

10-28-13: COMPLETION OF IMPROVEMENTS AND OCCUPANCY

10-28-13.A: Inspection: All roadway, utility and other improvements shall be inspected by the City. The park developer shall be responsible for the quality of all materials and workmanship. Following inspection, if improvements do not meet City specifications and comply with the approved final site plan, the developer shall be obligated to correct for compliance.

10-28-13.B: Possession or Occupancy: No possession or occupancy of a mobile home park shall be allowed until all the required improvements are completely and properly constructed. However, if the developer desires occupancy for a portion of the partially developed park, then he shall post a surety bond written by a surety company authorized to do business in the state of Idaho in an amount equal to one hundred ten percent (110%) of the estimated cost for the completion of all improvements, pedestrian-ways, curbs, gutters, road surfacing, water and sewer lines and common facilities as shown on the final site plan. Upon the posting of bond, occupancy may be granted upon a partially constructed mobile home park.

10-28-13.C: Estimates: All estimates of completion costs shall be submitted to the City Engineer for his approval.

10-28-13.D: Duration of Bond: The duration of any bond posted for the completion of improvements and development of mobile home parks shall be for a minimum of two (2) years from the date of approval of the final site plan by the Commission. An extension of time may be granted by the Council upon application by the developer, provided such application is submitted

at least sixty (60) calendar days prior to the expiration of the bond and provided the issuer of the bond is willing to extend the time of the assurance.

10-28-13.E: Default: In the event the developer defaults, fails, or neglects to satisfactorily install the required improvements within the time limitation, the Council may declare the bond forfeited and the City may install or cause to be installed the required improvements using the proceeds from the bond to defray the expense.

10-28-13.F: Continuing Obligation: The park developer or his assigns shall be responsible for maintaining the mobile home park in accordance with the approved management policies, covenants, conditions, restrictions and agreements previously approved by the Commission. Any neglect to do so will be deemed a violation and shall be enforced in accordance with § 1-1-7 of this code.

All maintenance of private drives, including, but not limited to, utilities, drainage, roadways and snow removal is the responsibility of the park owner.