

## ARTICLE 9 MOBILE HOME PARKS

### Sec. 4-901 Purpose; Authority

1. The purpose of this Article is to promote the orderly development of mobile home parks to ensure the health, safety, and general welfare of the residents of the mobile home parks and the Town of Farmingdale.
2. This Article is adopted pursuant to Home Rule Powers as provided for in Article VIII-A of the Maine Constitution and in 30-A M.R.S.A. § 3001, and the powers and limitations pertaining to mobile home-parks set forth in 30-A M.R.S.A. § 4358(3), and subdivisions as set forth in 30-A M.R.S.A. §§ 4401-4407.

### Sec. 4-902 Definitions

1. Manufactured Housing Unit means structures, transportable in one or two sections, which were constructed in a manufacturing facility and are transported to a building site and designed to be used as dwellings when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein and as otherwise defined in 30-A M.R.S.A. § 4358(1).
2. Mobile Home Park means a parcel of land under unified ownership designed and/or used to accommodate three or more manufactured housing units.
3. Mobile Home Park Lot means the area of land on which an individual manufactured housing unit is situated within a mobile home park and which is reserved for use by the occupants of that unit.
4. Shoreland Zone means the area within 250 feet of the normal high water mark of any great pond, river or upland edge of a fresh water wetland, and that area within 75 feet of the high water line of a stream, and as otherwise defined under 38 M.R.S.A. §§ 435-445.
5. Subdivision means a "subdivision" as defined in 30-A M.R.S.A. § 4401(4); and means a mobile home park as defined in this Article.

### Sec. 4-903 Applicability

This Article shall apply to all development proposals for new construction of mobile home parks and to any expansion of existing mobile home parks.

Except as expressly provided in this Article, a mobile home park shall meet all the requirements for a residential subdivision, and shall conform to all applicable State laws and local ordinances or regulations. A mobile home park is a subdivision and except as modified in this ordinance, all procedures, provided under the Subdivision Ordinance (Article 8) ("Subdivision Ordinance") and under 30-A M.R.S.A. §§ 4401. Where the provisions of this ordinance conflict with specific provisions of the Subdivision Ordinance, the provisions of this Article shall prevail.

This Article shall not apply to a mobile home subdivision as defined by 30-A M.R.S.A. § 4358(I)(C) or development for the placement of manufactured housing units on individually owned lots.

### Sec. 4-904 Application

Prior to the establishment or expansion of a mobile home park, an applicant shall apply for subdivision approval. The application shall include information required under the Subdivision Ordinance and shall specifically include the following:

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1. Preliminary Plan. The applicant shall submit a preliminary plan, which shall contain:
  - A. Proposed name of the mobile home park and the name of the municipality in which it is located, plus the Tax Assessor's Map and Lot numbers.
  - B. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments. The plan shall indicate proposed lot lines and the type of monument set or found at each lot corner.
  - C. The date the Plan was prepared, magnetic north point, graphic map scale, names and addresses of the record owner, subdivider, and individual or company who prepared the plan.
  - D. The names and addresses of owners of record of adjacent property, including any property directly across an existing public street from the mobile home park.
  - E. Contour lines at five (5) feet intervals unless otherwise specified by the Planning Board, showing elevations in relation to Mean Sea Level, and proposed elevations for areas to be excavated or filled.
  - F. The number of acres within the proposed mobile home park and area of each mobile home park lot.
  - G. The location, names, and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the mobile home park.
  - H. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas.
  - I. Location of existing and proposed pedestrian walkways.
  - J. Location of existing and proposed utilities and easements therefore, including sanitary sewerage, water supply, and electricity; and locations of all drilled wells.
  - K. Location of existing natural drainage ways and proposed storm drainage facilities on or adjacent to the mobile home park, including dimensions of culverts and pipes.
  - L. Location of existing and proposed dwelling units and other structures within the proposed mobile home park.
  - M. Location of buildings on abutting properties within 300 feet of the property line of the proposed mobile home park.
  - N. Location of existing vegetative cover type, and other essential existing physical features.
  - O. Location of all parcels of land proposed to be dedicated to public use and the conditions of such dedication.
  - P. The location of any open space to be preserved and an indication of its improvement and management.
  - Q. If any portion of the mobile home park is in a flood prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.
  - R. Location of all portions of Shoreland Zone, if any, within 250 feet of the proposed mobile home park.
  - S. Location, intensity, type, size and direction of all proposed outdoor lighting.

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- T. Location of areas proposed for outdoor recreation.
  - U. Location and type of existing and proposed fences, hedges, and wooded areas of trees of 6-inch diameter and over at a point 4.5 feet above ground level.
  - V. Location and size of signs and all permanent outdoor fixtures, including street signs.
2. Water Supply. If a public water supply is not to be used exclusively, the application shall include report(s) by qualified professional(s) stating that the proposed mobile home park will have a sufficient quantity of drinking water available for each manufactured housing unit within the mobile home park.
  3. Soils Conditions on the Site. If subsurface wastewater disposal is proposed, the information shall include evidence of soil suitability according to the State of Maine Subsurface Wastewater Disposal Rules. The Site Plan shall show the location of soil test areas and natural wet areas. If no subsurface sewage disposal is proposed, medium intensity soils survey information about the site shall be included in the application. The Planning Board may require more extensive soils information if such is deemed necessary to adequately review the proposal.
  4. Ground water. For mobile home parks not served by a public sewer, the application shall include an assessment of the impacts of park development on ground water quality. 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, 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 projection 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 1,000 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.
  5. Applicant's Interest. The application shall include evidence of the applicant's right, title, or interest in the property to be developed.
  6. Park Regulations. The application shall include a copy of proposed mobile home park regulations, consistent with state statute, that assure tenant compliance with the standards in this ordinance, including off-street parking if required, and posted speed limits.

## **Sec. 4-905 Minimum Design and Performance Standards**

1. Lot Size, Width, and Density. Lots in a mobile home park not located within the Shoreland zone shall meet the following lot size, width, and density requirements.
  - A. Lots served by Public sewer:

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Minimum lot area - 6,500 square feet.

Minimum lot width - 65 feet, except that trapezoidal shaped lots fronting a cul-de-sac shall have a minimum width of 45 feet on the street line.

B. Lots served by individual subsurface sewage disposal system:

Minimum lot area - 20,000 square feet.

Minimum lot width - 100 feet.

C. Lots served by a central subsurface wastewater disposal system:

Minimum lot area - 12,000 square feet.

Minimum lot width - 75 feet.

D. 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.

E. 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 front of the manufactured home.

F. Lots within the Shoreland shall meet the lot area, lot width, setback, and shore frontage requirements for that district.

G. The overall density of the mobile home park shall be the combined area of its mobile home lots plus:

1) The area required for road rights-of-way;

2) The area required for buffer strips, if any;

3) For areas served by public sewer, an open space area for storage and recreation equal to 10% of the combined area of the individual lots; and

4) The area within the municipality's Shoreland setback.

## 2. Lot Setbacks.

A. The following lot setbacks (from lot line) shall apply to all manufactured housing units and accessory buildings:

1) Front setback - 20 feet.

2) Side setback - 20 feet.

3) Rear setback - 10 feet.

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 other residential dwelling units. Side and rear setbacks shall not apply if there exists a minimum of thirty (30) feet between manufactured housing units, including fixtures and accessory structures.

B. For aesthetic purposes, the Planning Board may allow the front setback on a private road within a mobile 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.

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

D. 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

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the lot area.

3. Open Space Requirements for Lots Served by Public Sewer.
  - A. Open Space Suitability. At least 50% of the required open space shall consist of land that is suitable for active recreation or storage.
  - B. Developed Open Space. 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.
  - C. Undeveloped Open Space. To the maximum extent possible, undeveloped open space shall be left in its natural state. Improvements to provide trails for walking and jogging or to provide picnic areas in permitted.
  - D. Open Space ownership. The applicant shall submit, as part of the 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.
  - E. Maintenance and Use. Open space shall be maintained and used for its stated purpose.
4. Buffer Strips.
  - A. A 50-foot wide buffer strip shall be provided along all property boundaries that:
    - 1) Abut residential land which has a gross density of less than half of that proposed in the park, or
    - 2) Abut residential land that is zoned at a density of less than half of that proposed in the park.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.
  - B. 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.
5. Parking Requirements. 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 area of 200 feet with minimum dimensions of 10 feet by 20 feet. This requirement may be waived if a parking lane is provided. In addition to occupant parking, off-street guest and service parking areas shall be provided within the boundaries of the park at a ratio of 1 space for each 4 mobile home park lots. Such parking areas shall be hard surfaced.
6. Road Standards.
  - A. Road Design Standards.
    - 1) Private Roads. Privately owned roads within the mobile home park shall be designed by a Professional Engineer, registered in the State of Maine, and shall be built according to accepted engineering standards.
    - 2) Roads for Public Acceptance. Roads within mobile home parks which are to be

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offered for acceptance to the Town shall meet the minimum design and construction standards contained in Chapter 3, Article I (Street Design and Construction Standards), and Chapter 4, Article IX (Subdivision Ordinance).

- 3) Intersection with Public Roads. Mobile home park roads that 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 within 75 feet of the intersection shall be 2%.
  - c) Minimum sight distance. 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 1/2 feet above the pavement and the height of object 4 1/4 feet.

Where necessary, the park land bordering the intersection shall be cleared of all growth and sight objections to achieve the required visibility.

## B. Access and Circulation.

- 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 Planning Board.
- 2) A traffic impact analysis shall be required if the park will generate more than 500 trips/day.
- 3) For mobile home parks expected to generate 200 trips per day or more, there shall be at least two entrances from public streets or roads.
- 4) 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. The parking lane shall not be included within the area of a mobile home park lot.
- 5) Curvilinear streets shall be utilized wherever possible. No street within the park shall be more than 200 feet without a curve or bend.
- 6) No mobile home lot may have vehicular access directly onto an arterial street.

## C. Right-of-way and Pavement Width.

- 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, except on parking lanes if provided.
  - 2) One-way streets shall have a minimum right-of-way of 18 feet and a minimum paved surface of 14 feet. On-street parking shall be prohibited, except on parking lanes if provided.
  - 3) Parking lanes shall be a minimum of 8 feet in width and paved if provided.
  - 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.
7. Sidewalks/Walkways. The mobile home park shall contain pedestrian walkways that link all units and all service and recreational facilities. Such walkways shall be

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adequately surfaced and lit. A portion of the road surface may be reserved for walkways provided the roadway width is increased accordingly. Walkways shall be a minimum width of 3 feet.

8. Ground Water. Mobile home parks not served by a public sewer shall comply with the following standards:
  - A. Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).
  - B. 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.
  - C. If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.
  - D. 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.
9. Subsurface waste water 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.
10. 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.
11. Sanitary Standards, Sewage Disposal. All water carried sewage shall be disposed of by means of one of the following:
  - A. A public sewer system. Any mobile home park located within 500 feet of an existing public sewer shall connect to that existing public sewer if the municipal system has the capacity to accept the volume of sewage to be produced by the mobile home park.
  - B. A centralized private sewer system approved by the Department of Human Services, serving each mobile home lot in the mobile home park.
  - C. Individual subsurface sewage systems meeting the requirements of the State Plumbing Code.
12. 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.
13. Refuse Disposal. The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.
14. 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.

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15. Signs. Signs and advertising devices shall be prohibited in a mobile home park except:
  - A. One (1) identifying sign at each entrance of the mobile home park no larger than 24 square feet which may be indirectly lit, but not flashing.
  - B. Directional and informational signs for the convenience of tenants and the public relative to parking, office, traffic movement, etc., including street name signs.
  - C. Mobile/manufactured home "for sale" signs, provided that such signs that face a public road shall be no more than 10 square feet and shall be limited to one sign per mobile home park lot.
  - D. Mobile/manufactured homes address signs. The styles and location of the identifying sign shall not interfere with vehicle sight distance and shall be constructed in accordance with the local sign regulations.
16. Storage. At least 300 cubic feet per lot of enclosed tenant storage facilities shall be conveniently provided near each mobile home lot for the storage of materials and equipment.
17. Fire Protection. Each lot or home sited on a lot shall be legibly marked for identification, and easily accessible to emergency vehicles (permitting fire apparatus to approach within 100 feet). The lot or home identification shall be clearly visible from the road.

## **Sec. 4-906 Conversion: Restrictions**

No subdivision which is approved under this Article and Article IX (Subdivision Ordinance) as a mobile home park may be converted to another use without the approval of the Planning Board, and meeting the appropriate lot size, lot width, setback and other requirements. The plan to be recorded at the Registry of Deeds and filed with the municipality shall include the following restrictions as well as any other notes or conditions of approval:

1. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
2. No dwelling unit other than a manufactured housing unit shall be located within the park.
3. No person shall occupy a manufactured housing unit on a mobile home park lot without first obtaining an occupancy permit issued by the Code Enforcement Officer. The Code Enforcement Officer shall grant the occupancy permit after determining that all conditions of subdivision approval with respect to that mobile home park lot have been met.

## **Sec. 4-907 Liability for Violations: Regulations**

The owner of the mobile home park or the applicant, its successor, or assigns shall be liable for violations of the conditions of subdivision approval for a mobile home park. Civil penalties for violations and other remedies shall be as provided in this Chapter or as provided by statute. The owner or applicant shall establish and enforce appropriate mobile home park regulations to assure compliance with such conditions, including off-street parking requirements on private roadways.

## **Sec. 4-908 Appeals**

A decision of the Planning Board with respect to a subdivision for a mobile home park may be appealed directly to Superior Court within 30 days after the decision is rendered by order as provided in rule 80-B of the Maine Rules of Civil Procedure.



## **Sec. 4-909 Fees**

Any applicable fees may be reviewed in Appendix 1 “Fee Schedule”.

Revised: June 28, 2014