

## **CHAPTER 7**

### **R-3 MANUFACTURED HOUSING PARK DISTRICT**

#### **SECTION 7.01 INTENT**

The MHP, Manufactured Housing Park District is intended to provide for the location and regulation of mobile home parks. These districts should be located in areas where they will be compatible with adjacent land uses. Accordingly, manufactured housing parks shall be located in conformance with the following:

- A. Manufactured home parks shall serve as a transition zone between residential and non-residential districts. Manufactured home parks should not be located where they would interrupt the continuity of permanent single family neighborhoods.
- B. On sites adjacent to existing manufactured home parks; however, sites which meet all other locational criteria of this Section may be appropriate.
- C. With paved vehicular access to a paved major thoroughfare or collector road.
- D. Sanitary sewer and water supply shall be available with sufficient capacity to serve the residents and to provide fire protection. Public sewer systems shall be required in manufactured home parks, if available within 200 feet at the time of preliminary plan approval. If a public sewer system is unavailable, the park shall connect to a state-approved sewage system. Furthermore, the location of a manufactured housing park shall not have an adverse impact on the proper functioning of community facilities and utility systems, including but not limited to the following: roads, sanitary sewers, water, storm drainage, police and fire protection, and the educational system.
- E. Outside of a designated floodway.
- F. Where the potential impacts of the proposed development – traffic, utilities, Township services, school population, character of surrounding community – will be minimized due to on-site mitigation measures or the nature of the surrounding environment.

The regulations established by state law (Michigan Public Act 96 of 1987, as amended) and the Manufactured Housing Commission Rules govern all manufactured home parks. When regulations in this Article exceed the state law or the Manufactured Housing Commission Rules they are intended to insure that manufactured home parks meet the development and site plan

standards established by this Ordinance for other comparable residential development and to promote the health, safety and welfare of the Township's residents.

## **SECTION 7.02 PERMITTED PRINCIPAL USES**

In all areas zoned MHP, Manufactured Housing Park District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses.

- A. Manufactured housing parks and subdivisions.
- B. Adult Foster Care Family Home, in accordance with Section 16.33.
- C. Family Day Care Home, in accordance with Section 16.33.
- D. Foster Family Home, in accordance with Section 16.33.
- E. Foster Family Group Home, in accordance with Section 16.33.
- F. Essential services, provided there is no building or outdoor storage yard.
- G. Accessory buildings, uses and activities customarily incidental to any of the above-named permitted uses, subject to the provisions of this Chapter.

## **SECTION 7.03 PERMITTED BY CONDITIONAL USE PERMIT**

- A. Group Day Care Home, in accordance with Section 16.33.

## **SECTION 7.04 DEVELOPMENT STANDARDS AND REQUIREMENTS**

### **A. Preliminary Plan Review**

Pursuant to Section 11 of Michigan Public Act 96 of 1987, as amended, a preliminary plan shall be submitted to the Township for review by the Planning Commission. The preliminary plan shall include the location, layout, general design, and general description of the project. The preliminary plan shall not include detailed construction plans.

In preparing the preliminary plan and when reviewing the plan, the developer and Planning Commission shall follow the procedures and requirements of this Ordinance, where applicable, except where said procedures and requirements are

superseded by requirements in Public Act 96 of 1987, as amended, or the Manufactured Housing Commission Rules.

Pursuant to Section 11 of Public Act 96 of 1987, as amended, the Planning Commission shall take action on the preliminary plan within sixty (60) days after the Township officially receives the plan.

**B. Minimum Requirements**

Manufactured home parks shall be subject to all the rules and requirements as established and regulated by Michigan law including, by the way of example, Act 96 of 1987, as amended, and the Manufactured Housing Commission Rules and, in addition, shall satisfy the following minimum requirements:

**1. General Authority**

Manufactured home parks shall be constructed, licensed, operated, and managed in accordance with the provisions of the Manufactured Housing Commission Act, Act 96 of 1987, and subsequently adopted rules and regulations governing manufactured home parks. Application for permit to construct a Manufactured Housing Park shall be submitted to the Michigan Department of Consumer & Industry Services. Consumer & Industry Services, Construction Codes Bureau is the agency charged with licensing of manufactured home parks. Preparation of the application, support data, and local agency review of the above mentioned materials shall conform to the requirements of Act 96.

**2. Codes**

All structures and utilities to be constructed, altered, or repaired in a manufactured home park shall comply with all applicable codes of the Township, the State of Michigan, the U.S. Department of Housing and Urban Development and the Manufactured Housing Commission, including building, electrical, plumbing, liquefied petroleum gases and similar codes, and shall require permits issued therefore by the appropriate offices. However, a manufactured home built prior to June 15, 1976 shall have been constructed to the State of Michigan Standards in effect at that time. All structures and improvements to be constructed or made under the Township Building Code shall have a building permit issued therefore by the Township Building Inspector.

3. **Parcel Size**

The minimum parcel size for manufactured housing parks shall be fifteen (15) acres.

4. **Site Size**

The manufactured housing park shall be developed with sites having a minimum size of 5,500 square feet per manufactured home unit. This 5,500 square foot minimum for any one site may be reduced 20 percent provided that the individual site shall be equal to at least 4,400 square feet. For each square foot of land gained through the reduction of a site below 5,500 square feet, at least an equal amount of land shall be dedicated as open space, but in no case shall the open space and distance requirements be less than that required under R125.1946, Rule 46 and R 125.1941 and R 125.1944, Rules 941 and 944 of the Michigan Administrative Code.

5. **Dimensional Requirements**

Manufactured homes shall comply with the following minimum distances and setbacks:

- a. Twenty (20) feet from any part of an adjacent manufactured home.
- b. Ten (10) feet from any on-site parking space of an adjacent manufactured home site.
- c. Ten (10) feet from any accessory attached or detached structure of an adjacent manufactured home.
- d. Fifty (50) feet from any permanent building.
- e. One hundred (100) feet from any baseball, softball, or similar recreational field.
- f. Ten (10) feet from the edge of an internal road, provided that such road is not dedicated to the public. Manufactured homes and other structures in the MHP District shall be set back at least twenty (20) feet from the right-of-way line of a dedicated public road with the manufactured home park.
- g. Seven (7) feet from any parking bay.

- h. Seven (7) feet from a common pedestrian walkway.
- i. All manufactured homes and accessory buildings shall be set back not less than twenty-five (25) feet from any park boundary line, including the future right-of-way line of abutting streets and highways.
- j. Forty (40) feet from the edge of any railroad right-of-way.

**6. Building Height**

Buildings in the MHP district shall not exceed two and one-half (2 ½) stories or thirty-five (35) feet, except that storage sheds shall not exceed fifteen (15) feet in height.

**7. Roads**

Roads shall satisfy the minimum dimensional, design, and construction requirements as set forth in the Manufactured Housing Commission Rules except as follows:

- a. Two-way streets shall have a minimum width of twenty-one (21) feet where no parallel parking is permitted, thirty-one (31) feet where parallel parking is permitted on one side only, and forty-one (41) feet where parallel parking is permitted on both sides of the street. Roads not permitting parking shall be clearly marked or signed.
- b. One-way streets shall have a minimum width of thirteen (13) feet where no parallel parking is permitted, twenty-three (23) feet where parallel parking is permitted on one side only, and thirty-three (33) feet where parallel parking is permitted on both sides of the street. Roads not permitting parking shall be clearly marked or signed.
- c. The alignment and gradient of a road shall be adapted to the topography and shall be graded for its full width to drain surface water. Internal road gradient and drainage construction phase features shall meet the requirements of the Manufactured Housing Commission Rule 908 and Rule 47 of the Michigan Department of Environmental Quality standards.

- d. Cul-de-sacs, where proposed, shall have a minimum radius of thirty (30) feet (60 ft. in diameter). Maximum cul-de-sac length shall be one-thousand (1,000) feet, provided no more than thirty-five (35) units may be served by a single means of access. A dead end road shall terminate with an adequate turning area. A blunt-end road is prohibited.
- e. Adequate sight distance shall be provided at all intersections.
- f. The main entrance to the park shall have access to a public thoroughfare or shall be connected to a paved public collector or arterial road by a permanent easement which shall be recorded by the developers. Sole access to the park via an alley is prohibited.
- g. All roads shall be clearly marked with appropriate identification and traffic control signs. The name of any streets or roads shall be approved by the County Information Services IFS.
- h. All roads shall be hard-surfaced and may be constructed with curbs and gutters.

**8. Parking**

- a. All manufactured housing sites shall be provided with two (2) parking spaces per Manufactured Housing Commission Rules 925 and 926.
- b. In addition, a minimum of one (1) parking space for every three (3) manufactured housing sites shall be provided for visitor parking located convenient to the area served.
- c. Off-street parking in accordance with Chapter 17 of this Ordinance shall be provided in conjunction with any community buildings, recreational facilities or office/maintenance buildings located within the manufactured home park.
- d. No unlicensed or inoperable vehicle of any type shall be parked in this district at any time except within a covered building.
- e. Common areas for the storage of boats, motorcycles, recreation vehicles, and similar equipment may be provided in a

manufactured housing park, but shall be limited to use only by residents of the manufactured housing parks. The location of such storage areas shall be shown on the site plan and shall be prohibited on manufactured housing sites and in designated open space areas. No part of any such storage area shall be located in any yard required on the perimeter of the manufactured housing parks. Such storage area shall be surfaced with gravel, asphalt or similar substance and shall be screened from view from adjacent residential properties with an opaque six (6) foot wooden fence, six (6) foot masonry wall with landscaping, or landscaped greenbelt. If a landscaped greenbelt is used, it shall consist of closely-spaced evergreen plantings (that is, no farther than fifteen (15) feet apart) which can be reasonably expected to form a complete visual barrier that is at least six (6) feet above ground level within three (3) years of planting. Common laundry drying areas, trash collection stations, surface mounted transformers, and similar equipment and facilities shall also be screened from view by plant material and/or man-made screens.

9. **Sidewalks**

Concrete sidewalks having a minimum width of four (4) feet shall be provided on at least one side of collector roads in the manufactured housing park.

10. **Accessory Buildings and Facilities**

- a. Accessory buildings and structures, including park management offices and public works facilities, storage buildings, laundry facilities, recreation or community facilities, and other accessory facilities, shall be designed and operated for use by residents of the park only and shall be shown on the submitted Preliminary Plan for approval.
- b. Site-built structures within a manufactured housing park shall be constructed in compliance with the Building Codes and shall require all applicable permits. Any addition to a manufactured housing unit that is not certified as meeting the standards of the U.S. Department of Housing and Urban Development for manufactured housing shall comply with the Building Codes.

- c. No personal property shall be stored outside or under any manufactured home. Storage structures (e.g., sheds, garages, etc.) may be used to store personal property on site. The installation of any such shed or garage shall require a Township building permit. Storage sheds need not be supplied by the owner or operator of the manufactured housing park.
- d. Travel trailers or recreational vehicles shall not be occupied as living quarters in all new and future manufactured housing developments.
- e. Towing mechanisms, including tires, shall be removed from all homes at the time of installation and stored so as not to be visible from the exterior of the community. Towing mechanisms, including axles, may, however, be stored under manufactured homes within a community. Skirting shall be installed around the vehicle to screen these items.

**11. Open Space**

Open space shall be provided in any manufactured housing park containing fifty (50) or more manufactured housing sites, and maintained by the owner or operator of the park. The open space shall comply with the following requirements:

- a. A minimum of two percent (2%) of the park's gross acreage shall be dedicated to well drained, usable open space developed with appropriate recreational facilities and play equipment, provided that a minimum of twenty-five-thousand (25,000) square feet of contiguous open space.
- b. Open space shall be shaped and located conveniently in relation to the majority of dwelling units intended to be served. Up to twenty-five percent (25%) of the required open space may consist of swamp areas, marshy areas, and similar limited use areas.

**12. Landscaping and Screening**

- a. Perimeter Screening. All manufactured housing parks shall be screened from existing adjacent residential uses by either a six (6) foot privacy fence or a densely planted landscaped greenbelt. In

addition, a landscaped buffer shall be provided along the public road frontage of any manufactured housing park.

- (1). If provided, screen walls shall be constructed of masonry material that is constructed of face brick, decorative block, or poured concrete with a simulated brick or stone pattern. Required walls shall be placed inside and adjacent to the lot line except where underground utilities would interfere with the placement of the wall or where the wall would unreasonably obstruct the use of adjacent property, in which case the wall may be set back from the property line a sufficient distance to resolve such concerns.
- (2). If a landscaped greenbelt is used, it shall be a minimum of twenty (20) feet in width and consist of closely-spaced evergreen plantings (that is, no farther than fifteen (15) feet apart) which can be reasonably expected to form a complete visual barrier that is at least six (6) feet above ground level within three (3) years of planting. Deciduous plant materials may be used provided that visual screening is maintained throughout the year.

- b. Landscaping Adjacent to Rights-of-Way. A landscaped berm measuring three (3) feet in height along a landscaped greenbelt shall be constructed along the public rights-of-way on which the manufactured housing park fronts. The berm shall be constructed with slopes no steeper than one (1) foot vertical for each three (3) feet horizontal. Landscaping adjacent to the road shall comply with the following requirements, which are consistent with landscaping required for other types of development in Decatur Township:

<u>Type</u>	<u>Requirements</u>
<u>Deciduous street tree (e.g. Red or Norway Maple, Linden, Ash)</u>	<u>1 per 40 lineal feet of road frontage</u>
<u>Deciduous or evergreen shrubs</u>	<u>1 per 3 lineal feet of road frontage</u>

- c. Site Landscaping. A minimum of one (1) deciduous or evergreen tree shall be planted per two (2) manufactured housing sites.
- d. Parking Lot Landscaping. Off-street parking lots containing more than fifteen (15) spaces shall be provided with at least ten (10)

square feet of interior parking lot landscaping per space. Such areas shall measure at least one-hundred-fifty (150) square feet and shall be covered by grass, ground cover, shrubs or other live plant material. At least one (1) deciduous tree shall be planted per parking lot landscaped area.

13. **Canopies**

Canopies and awnings may be attached to any manufactured dwelling unit and may be enclosed for use as a sun room or recreation room, but not as a bedroom. Canopies and awnings shall comply with the setback and distance requirements set forth in this Section but shall not require a building permit unless fully enclosed or exceeding ten (10) foot by ten (10) foot in size.

14. **Waste Receptacles**

If proposed, waste receptacles shall comply with the following requirements as well as Part 5 of the MDEQ Standards for waste receptacles:

- a. Receptacles shall be set back a minimum distance of fifty (50) feet from the perimeter of the manufactured housing park and at least fifteen (15) feet from any building, in a location that is clearly accessible to the servicing vehicle. Receptacles shall be provided within one-hundred-fifty (150) feet of each manufactured housing unit, unless curb-side collection is provided.
- b. Receptacles shall be screened on three (3) sides with a decorative masonry wall or wood fencing, not less than six (6) feet in height. The fourth side of the dumpster screening shall be equipped with an opaque lockable gate that is the same height as the enclosure around the other sides.
- c. Receptacles shall be placed on a concrete pad which shall extend six (6) feet in front of the dumpster enclosure. Bollards (concrete filled metal posts) shall be installed at the opening of the dumpster enclosure to prevent damage to the screening wall or fence.

15. **Signs.**

- a. Each manufactured housing park shall be permitted either:

- (1). Two (2) signs, each of which shall not exceed five (5) feet in height and sixteen (16) square feet in area and shall be set back a minimum of ten (10) feet from any property or right-of-way line; or
  - (2). One (1) sign which shall not exceed five (5) feet in height and thirty-two (32) square feet in area and shall be set back a minimum of ten (10) feet from any property or right-of-way line.
- b. Management offices and community buildings in a manufactured housing park shall be permitted one (1) identification sign not to exceed six (6) square feet in area.

**16. Water and Sewer Service**

All manufactured housing parks shall be served by approved central water and sewage systems, which shall meet the requirements of the Van Buren County Health Department and the Michigan Department of Public Health. Public sewer systems shall be required in manufactured housing parks, if available within two-hundred (200) feet at the time of preliminary plan approval. If a public sewer system is unavailable, the park shall connect to a state-approved sewage system. The plumbing connections to each manufactured housing site shall be constructed so that all lines are protected from freezing, accidental bumping, or from creating any nuisance or health hazard.

**17. Storm Drainage**

All developed portions of the manufactured housing park shall be served by adequate storm drainage facilities, independent of sanitary sewers, designed and constructed in accordance with applicable local, county, and state regulations as outlined in Part IV of the MDEQ Standards. On-site storm water detention facilities may be required.

**18. Underground Wiring and Utilities**

All local distribution lines for franchised utilities, including but not limited to telephones, electrical service, and cable television, shall be placed entirely underground throughout mobile home parks. Mainlines and perimeter feed lines located on a section or quarter section line may be

above ground if they do not overlap the park. Conduits or cables shall be placed within private easements provided to the service companies by the proprietor and/or developer or within public ways. Those telephones and electrical facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All telephones and electrical facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission.

**19. Mailbox Clusters**

The United States Postal Service may require that manufactured housing parks be served by clusters of mailboxes serving several sites rather than individual mailboxes serving individual sites. If mail box clusters are required, they shall be located at least two hundred (200) feet from any intersection of a manufactured housing park road with a public road.

**20. Manufactured Housing Unit Sales**

The business of selling new or used manufactured housing as a commercial operation shall not be permitted after complete occupancy of a new or expanded manufactured housing park has been achieved. Thereafter, new or pre-owned manufactured homes which are to remain on-site in a manufactured housing community may be sold by the resident, owner, licensed dealer or broker, provided the manufactured housing development management permits such sales activity.

**21. Prohibitions**

A manufactured home shall only be used as a single-family dwelling. This provision shall not be construed to preclude the siting of model manufactured homes on licensed sites in a manufactured home community for sale or temporary sales office purposes.

**22. Operational Requirements**

- a. Permits. A manufactured housing park shall not be operated until a license has been issued by the Michigan Bureau of Construction Codes. The Township Building Inspector shall communicate his/her recommendations regarding the issuance of such licenses to the Director of the Manufactured Housing Division, Bureau of Construction Codes, Michigan Department of Consumer and Industry Services. No individual manufactured housing site shall

be occupied until the required improvements including utilities and access roads which serve the site are in place and functioning. Buildings constructed on-site, such as a management office or clubhouse, shall require a building permit prior to construction and a Certificate of Occupancy prior to use.

- b. Violations. Whenever, upon inspection of any manufactured housing park, the Township Zoning Administrator finds that conditions or practices exist which violate provisions of this Section or other regulations referenced herein, the Township shall give notice in writing by certified mail to the Director of Michigan Manufactured Housing Commission, including the specific nature of the alleged violations and a description of possible remedial action necessary to effect compliance with the ordinance or other regulations. The notification shall include such other information as is appropriate in order to fully describe the violations and potential hazards to the public health, safety and welfare resulting from the violation. A copy of such notification shall be sent by certified mail to the last known address of the park owner or agent.
  
- c. Inspections. The Township Building Inspector or other authorized Township agent is granted the authority, as specified in Michigan Public Act No. 96 of 1987, as amended, to enter upon the premises of any manufactured housing park for the purpose of determining compliance with the provisions of this Section or other regulations referenced herein.