

3-11-89

## TRAILER PARK REQUIREMENTS

for the

Town of Clinton

### Section 1 - Purpose:

The purpose of these requirements are to establish minimum standards for the design, construction and maintenance of mobile home parks, to make them safe, decent and sanitary and to determine the minimum responsibilities for the Owners/Operators of said parks.

### Section 2 - Authority:

These requirements are adopted pursuant to and are consistent with Title 30, MRSA, Section 4456. These requirements shall apply to all proposed parks as defined and any and all alterations and/or expansions to existing parks as defined.

### Section 3 - Administration:

The Town of Clinton Planning Board shall be responsible for the administration of these requirements.

### Section 4 - Review Requirements:

1. All Manufactured Housing Parks, whether an expansion of an existing park or the development of a new park are required to comply both with the subdivisions and site review ordinances.
2. All Manufactured Housing Parks shall obtain a valid license to operate the park from the Maine Department of Professional and Financial Regulation, Manufactured Housing Board.

### Section 5 - Permit - Method of Application and Requirements:

In addition to the requirements of the Land Subdivision Ordinance, the applicant shall apply to the Planning Board for a permit to develop a new park or expand or alter an existing park as required by the Site Review Ordinance. All applications shall comply with the requirements contained within the Site Review Ordinance. In addition to the requirements of the Site Review Ordinance, the Applicant shall submit proof of ownership of the site or a lease thereof together with a complete set of plans drawn to scale of not less than 50 feet per inch showing the location of the proposed park, expansion or alteration and which shall include:

1. The area and dimensions of the tract of land.

2. A location map showing the relation of the proposed mobile home park to the adjacent properties, all abutting land owners and the general surrounding area to a distance of at least 2000 feet.
3. The number, location and size of all manufactured home spaces.
4. The location and width of all roadways and parking areas.
5. The location and size of any existing or proposed water mains, sewage lines, culverts and drains.
6. A site plan showing all proposed landscaping.
7. The method of providing and location of electrical service and lighting to the park area.
8. The rules and regulation of the park.
9. A stormwater management plan prepared in accordance with the requirements noted in Section 7.
10. A Soil Erosion and Sediment Control plan during construction and for permanent control as specified in Section 7.
11. Provide a space suitable to record the date and conditions of approval. The space shall be similar to the following example:

Approved: \_\_\_\_\_

Clinton Planning Board

Chairman: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Conditions of Approval

12. Provide the following accompanying documents:

- a. Statement of financial and technical capability.
- b. Statement from the Fire Chief as to the availability of fire hydrants and/or fire ponds and approval of the fire safety plan as outlined in Section 7.
- c. Statement from the Water District (if applicable) that they have reviewed the plans and will permit connection into the system.
- d. If not on public sewer system, submit the appropriate soil test data and septic system design as outlined in Section 7.
- e. If not on the public water system, a statement indicating site has sufficient water to supply all sites as outlined in Section 7.
- f. A schedule for the construction phase of the work and a completion date.

Section 6 - Fees:

The Fees for the application are those set down by the Site Review Ordinance.

Section 7 - Design Requirements:

The following design requirements are applicable to all expansions or alterations to existing parks and the development of new parks:

A. Location:

The park shall be located on a well drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. The park shall not be located adjacent to swamps or other potential breeding places for insects and rodents, or on land which is exposed to chronic nuisances such as noise, smoke, fumes and odors.

B. Water:

Public water is required for all Parks, unless it can be demonstrated that public water is unobtainable and that an on-site supply can provide sufficient quantities of potable water for the proposed development. The design, construction and operation of the system shall conform to the standards of the "Maine Rules Relating to Drinking Water". A statement from a registered geologist will be required stating that the water source has been tested and found to be of sufficient supply for the proposed need.

C. Sewer:

An adequate sewage disposal system shall be provided.

If the proposed system is to be connected to the municipal system, the plan and specification for constructing the system shall be provided. In addition, a statement from the Clinton Water District shall be obtained indicating that they have reviewed the plans and specifications and will have no problems accepting the added load.

If no municipal system is available, the developer shall submit the following information:

1. Evidence of soil suitability for subsurface sewage disposal prepared by a licensed State of Maine Soil Evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots where the limiting factor is identified as being within 24 inches of the surface, a second site with suitable soils shall be shown on the plans as a reserve area for future replacement of the primary disposal system. The reserve area shall be restricted so as not to be built upon.
2. In no instance shall a disposal area be permitted on soils or on a lot which requires a new system variance from the Subsurface Wastewater Disposal Rules.
3. The location of sewage disposal facilities in areas of significant sand and gravel aquifers and primary and secondary aquifer recharge areas as identified on Map #31, "Hydrogeological Data for Significant Sand and Gravel Aquifers", published by the Maine Geological Survey, as amended shall require the submission of written certification from a licensed site evaluator or hydrogeologist stating that the cumulative impact of the on-site disposal system(s) will not adversely affect the ground water quality.
4. Use of a communal system, approved by the Department of Human Services, can decrease the individual lot size within the park to 15,000 square feet. The resulting land ( the difference between the required minimum lot size and the reduced lot size for a communal system) shall be dedicated as open space.

D. Buffer Yards:

A Manufactured Housing Park shall maintain a twenty-five (25) foot buffer yard along all Park property lines, except where the Park abuts an existing lot or development used for residential purposes. In this instance, the buffer yard shall be fifty (50 ) feet. The buffer yard must be sufficiently landscaped so as to effectively screen the Park from the view of surrounding properties. Such space shall not be built upon, nor paved or used for parking.

E. Landscape Plan:

A developer of a Manufactured Housing Park must submit a landscape plan which takes into consideration the relationship of individual sites to one another, the proposed use of open space, the relationship of the Park to surrounding property and a specific planting scheme. The planting scheme must include, at a minimum, plant species, size of plants at installation and existing vegetation to be retained. The plan must include a program for permanent landscape maintenance.

F. Placement on Pad:

In a Manufacture Housing Park, the individual unit must be placed on a concrete pad or a suitable masonry foundation and must have skirting placed around the base of the unit. The skirting shall be constructed of vinyl or metal material approved by the Board.

G. Storage Building:

A neat soundly constructed storage building shall be provided for each lot (Max. size 100 sq. feet). No more that two (2) storage buildings (Max. 200 sq. feet) will be permitted on an given lot.

H. Storage Area:

A secure storage area (200 square feet per three units) shall be provided for the storage of boats, snowmobiles, campers, ATVs, etc. This area will be properly screened within the Park.

Security shall be provided by either constructing a building, proper fencing or other security measures acceptable to the Board.

I. Playground Area:

Not less than 100 square feet per individual unit (2000 square feet minimum) shall be provided as common playground and designated exclusively as playground area. Such playground areas shall be protected from streets and parking areas and shall have well drained, stabilized or paved surface maintained and in good repair.

J. Installation of Utilities:

All water, sewer and electric utilities within the park must be placed underground or as required by the respective utility.

K. Retention of Open Spaces and Natural Features:

1. In any individual development larger than twenty (20) acres or more than 20 lots or dwelling units, the developer shall provide up to ten (10) percent of the total area as open space. In any development less than twenty (20) acres or containing less than twenty (20) lots or dwelling units, the Board may request the Owner/Developer to provide up to ten (10) percent of total area as open space.

2. Land reserved for open space purposes shall be of a character, configuration and location suitable for the particular use intended. A site intended to be used for active recreation in addition to the required playground area, should be relatively level and dry and have a total frontage on one or more streets of at least 200 feet and have no major dimension of less than 200 feet. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Board may deem suitable and not less than twenty five (25) feet of road frontage. The configuration of such sites shall be deemed adequate by the Board with regard to scenic attributes to be preserved, together with sufficient areas for trails, lookouts, etc. where necessary and appropriate.

L. Unusable Land:

Where land within the proposed site is defined to be unusable, the following provisions apply:

1. If the base site area consists of not more than fifteen (15) percent unusable land, there is no effect on overall density.
2. If the base site area consists of more than fifteen (15) percent unusable land, fifty (50) percent of the unusable land must be removed from the total available land in arriving at the total number of dwelling units permitted in the development.

M. Roadways and Streets:

1. All roadways and streets shall conform to the State of Maine, ANSI A225.1 Standard.
2. Owners/Developers shall provide safe and convenient vehicular access from abutting streets or roads to each lot. Alignment and gradient shall be properly adapted to the site topography.
3. Access to the park shall be designed to minimize congestion and hazards at the entrances and exits and to allow for the free movement of traffic on adjacent streets. All streets, roads and intersections shall be designed in accordance with the ASSHTO recommendations.
4. Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs or dead-end streets shall not be greater in length than 1200 feet. They shall be provided at the closed end with a turn-around, having a property line diameter of at least 100 feet and a traveled way radius of at least 40 feet. The use of a T-shaped turn-around will be permitted as an alternative. In the latter case, the turn-around shall be at least 24 feet wide, 40 feet long and shall be located between 50 and 100 feet from the end of the street. All dimensions cited for the T-shaped turn-around are for the traveled way.

5. All streets in the park shall have a minimum right-of-way of fifty (50) feet.
6. All streets in the park shall be paved with hot bituminous pavement or Cut-Back Asphalt.
7. Six (6) foot shoulders shall be graded on both sides of every street within the park.
8. Adequate provisions shall be made for disposal of all surface water and underground water through ditches, culverts, under drains and/or storm water systems.
9. All streets in the park shall be designed so as to discourage traffic.

N. Fire Protection:

1. The park shall be subject to any and all existing and future state and Town fire prevention regulations.
2. The Owner/Developer shall submit a plan for fire protection to the Town Fire Chief for approval.
3. Each lot shall be legibly marked for identification and be easily accessible to emergency vehicles. Fire vehicles must be able to approach within 100 feet of any lot.

O. Parking:

The Owner/Developer must provide not less than 480 square feet of motor vehicle parking space per lot. In addition to this space, a general parking area shall be provided equal to one parking space (150 square feet) per two (2) lots. All such parking space shall have a 12 inch minimum gravel base which is well drained and stabilized or asphalt penetration surface maintained and in good repair. All parking areas shall be provided with a permanent stop.

P. Upkeep and Appearance:

The Owner/Developer shall be responsible for the general upkeep and appearance of the park. A set of rules and regulations for park residents regarding the upkeep of each site, vehicle parking and other items deemed appropriate shall be submitted for review and comment by the Board during the application process.

Q. Garbage Collection:

Collection of garbage and rubbish will be the responsibility of the park Owner/Developer. Collection of at least once a week shall be provided and such waste shall be disposed of in a legal manner. The Owner/Developer will also ensure that storage, collection and disposal of refuse in the park shall be conducted so as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards or air pollutants.

R. Surface Drainage:

Where the park is traversed by a stream, river, or surface water drainages, or where the Board feels that surface water runoff to be created by the development should be controlled, there shall be provided easements or drainage right-of-ways with swales, culverts, catch basins or other means for channeling surface water within the development and over other properties. This stormwater management system shall be designed by a registered professional engineer. Drainage easements for existing water courses or proposed drainage ways shall be provided and indicated on the plan conforming substantially with the lines of the existing natural drainage.

The Owner/Developer shall provide a statement from a registered professional engineer that the proposed development will not create erosion, drainage or runoff problems either in the Park or in other properties. Where peak runoff from the Park onto other properties increases either in volume or duration, adequate retention facilities shall be constructed so that off site runoff will be equivalent to pre-development levels or easements from the abutting property owners allowing such additional discharge shall be obtained.

The stormwater management plan showing ditches, culverts, storm drains, easements, retention ponds and other proposed improvements along with runoff calculations for a twenty-five (25) year storm frequency shall be submitted.

S. Erosion Control:

An Erosion Control Plan shall be submitted to the Board. This plan shall outline the procedures to be implemented during site preparation, construction and clean-up stages. Sediment and erosion control practices as set forth by the Maine Soil and Water Conservation Commission in the "Environmental Quality Handbook, Maine Erosion and Sediment Control for Development Areas of Maine", revised March, 1986.

T. Size of Individual Mobile Home Lots:

Each individual Mobile Home lot with municipal sewage systems shall be not less than 5000 square feet in shall size and not less that 50 feet wide and 100 feet deep. For Parks with sub-surface disposal systems, the minimum lot size shall be 20,000 square feet and shall not be less than 100 feet wide or less than 150 feet deep.

The boundaries of each space shall be clearly marked and the space shall be well surfaced and seeded to provide adequate drainage, beneath and adjacent to any Mobile Home parked thereon. A twenty (20) foot buffer strip shall be provided between each individual lot and shall be landscaped with vegetation approved in the landscape plan.

No mobile home shall be located less than 15 feet from the side and rear lines of any individual lot and there shall be a minimum side and end clearance of 30 feet between adjacent Mobile Homes. No mobile home shall be located closer than 20 feet to a right-of-way or service building within the Park.

U. Access, Circulation and Parking:

1. The proposed Park shall provide for safe access to and from public and private roads. Safe access shall be assured by providing an adequate number and location of access points with respect to sight distances, intersections, schools and other traffic generators. All corner lots shall be kept clear from visual obstructions higher than three feet above ground level for a distance of twenty-five (25) feet measured along the intersecting street lines.
2. The proposed Park shall not have an unreasonable adverse impact on the public road system and shall assure safe interior circulation within its site by separating pedestrian and vehicular traffic and by providing sufficient on-site parking and turn around areas as provided by Section O.
3. All developments containing fifteen (15) or more dwelling units may be required by the Board to have more than one street access for emergency and safety purposes. No more than two (2) accesses shall be allowed on any single street or roadway.

Section 8 - General Provisions:

- A. All Manufactured Housing Parks and units therein shall comply with the requirements of all other Ordinances, laws and regulations of the State and Town that apply to immobile housing in so far as they may be applicable.
- B. Manufactured Housing Parks may not be extended, expanded or altered except in conformance with these requirements.

Section 9 - Waivers and Modifications:

Where the Board finds that undue hardship may result from strict compliance with these requirements or where there are special circumstances at a particular site, it may waive any of these requirements provided that such a waiver will not have the effect of nullifying the purpose of these requirements, nor shall the waiver be less than the requirements of MRSA, Title 30, Section 4956.

In granting any waiver, the Board shall require such conditions as will, in its judgement, secure substantially the objectives of the requirements so waived.

Section 10 - Amendments:

The specification set forth is these requirements may be amended by a majority vote of a legally constituted municipal governing body. Amendments may be initiated by the municipal officers, a majority vote of the Planning Board or written petition by a number of voters equal to at least ten (10) percent of the number of votes cast by the municipality in the last gubernatorial election.

Section 11 - Appeals:

An appeal may be made, within thirty (30) days from the Planning Board's decision on the Manufactured Housing Park, by any party to the Town of Clinton Board of Appeals or to the District Superior Court in accordance with Rule 80B of the Rules of Civil Procedure.

Section 12 - Enforcement:

It shall be the duty of the Code Enforcement Officer to enforce these requirement as part of the Town of Clinton's Site Review Ordinance. Violations of these requirements will be enforced by the procedures outlined in the Site Review Ordinance.

Section 13 - Definitions:

Base Site Area - Area of lot in square feet.

Buffer Yard - A space which may be occupied only by a fence, wall and/or landscaping for the purpose of screening.

Channel - A natural or artificial watercourse with definite beds and banks to confine and conduct continuously or periodically flowing water.

Landscaping - Landscaping includes but is not limited to; grass, shrubs, trees or other comparable vegetative cover.

Manufactured Housing Unit - Structures, transportable in one or more sections, which are constructed in a manufactured housing facility and are transported to a building site and designed to used as dwellings when connected to the required utilities.

Manufactured Housing Park - A plot of land designed and/or used to accommodate two (2) or more manufactured housing units.

Mobile Homes - Those units constructed after June 15, 1976, commonly called "newer mobile homes" which the manufacturer certifies are constructed in compliance with the US Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet in width and have a surface area of 750 square feet or more, and which are built on a permanent chassis and designed to be dwellings with or without permanent foundations and designed to be used

as dwellings when connected to the required utilities; except the term shall include any structure which meets all the requirements of this paragraph except the size requirement and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the USDHUD and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, US Code, Title 42, Section 5401, et seq.

**Open Space Use:** A use not involving a structure, earth moving, or the removal or destruction of vegetative cover, spawning grounds, or fish aquatic life, bird or other wildlife habitat.

**Unusable Land:** An environmentally sensitive area which if disturbed or destroyed can adversely affect unique ecological balances in the environment. Although specific areas require a case by case analysis, the following factors may be included in the determination of unusable land:

1. Areas of slope in excess of 25%.
2. Areas of very poorly drained soils, experiencing year round water within 15 inches of the surface as identified by the most current versions of the "Soil Survey, Kennebec County, Maine" published by the Soil Conservation Service.
3. Any area within 250 feet of the normal high water mark of any lake or pond in excess of ten (10) acres in size.
4. Any area identified as a wetland as identified by the State of Maine in accordance with Chapter 38, MRSA Section 405-510, as amended.
5. Any area within the 100 year flood boundary as delineated on the Flood Insurance Rate Maps prepared for the Town of Clinton.
6. Unique wildlife areas as identified in the review process.

Article 34. " Shall an ordinance amending the Trailer Park Requirements Ordinance be enacted?"

ORDINANCE AMENDING THE TRAILER PARK REQUIREMENTS ORDINANCE

1. Amend Section 2, Authority, by deleting the reference to Title 30 MRSA Section 4456 and replacing it with "Title 30-A MRSA Section 4358."
2. Amend Section 7, Design Requirements, Subsection M, Roadways and Streets, Paragraph 5, by changing the required right-of-way from "fifty (50) feet" to "twenty-three (23) feet, twenty (20) feet of which shall be paved."
3. Amend Section 7, Design Requirements, Subsection M, Roadways and Streets, by deleting Paragraph 7 which reads "Six (6) foot shoulders shall be graded on both sides of every street within the park."
4. Amend Section 7, Design Requirements, Subsection T, Size of Individual Mobile Home Lots, by deleting the second sentence of the second paragraph which reads "A twenty (20) foot buffer strip shall be provided between each individual lot and shall be landscaped with vegetation approved in the landscape plan."