

CHAPTER 16

Land Use Code

Article XII **Manufactured Home Parks**

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ARTICLE XII

Manufactured Home Parks

Division 1

R-M – Mobile Home Community District

Sec. 16-12-10. General provisions, R-M District.

(a) Intent. This is a high-density residential district on a parcel of land under single ownership or control on which two (2) or more manufactured homes are occupied as residences.

(b) R-M – Mobile Home Community District Approval Procedure:

(1) This District may only be used in conjunction with the Planned Unit Development (PUD) Overlay District.

(2) An amendment to the zoning district map to create a R-M District shall follow the procedures set forth in Section 16-3-540. Prior to, or simultaneously with the application for an amendment to the official zoning map for a R-M District, the applicant shall submit a R-M park development plan of the property for review and approval.

(3) Prior to, or simultaneously with the application for an amendment to the official zoning map for a R-M District, the applicant shall submit a subdivision plat of the property for review and approval as provided by Article IV of this Chapter. Development of a mobile home community shall be subject to review and approval through the sketch, preliminary and final plat process in compliance with all the standards in this Article and consistent with the applicable community design principles and development standards found in Article II of this Chapter. Public hearings on these matters may be combined or occur separately.

(4) A mobile home community shall be subdivided for the purpose of dedication of adjacent public streets, internal public streets and ways, utility and other easements and other public facilities, and a final plat recorded as provided by Article IV of this Chapter.

(5) Development in this District is permitted only in accordance with a R-M park development plan and final plat prepared and approved in accordance with the provisions herein. The owners and their successors, heirs or assigns shall be bound by the approved R-M park development plan and final plat including any amendments thereto approved by the Board of Trustees, as provided herein.

(c) General Requirements Applicable to R-M Districts:

(1) In order to provide uniform administrative procedures and quality development standards, R-M Districts shall conform to all provisions of this Code except as such provisions are specifically altered on the approved R-M park development plan.

(2) Final approval of the R-M District amendment to the official zoning map and any development within a R-M District shall not occur until a final plat for the portion to be developed is approved and recorded as provided in Article IV of this Chapter.

(3) Vesting of property rights in a R-M District accrue only for that portion of the property granted a final plat approval.

(4) All public utility distribution lines shall be placed underground.

(5) The minimum number of acres which may constitute a R-M District shall be five (5) acres.

(6) Building and occupancy permits for manufactured homes in a mobile home community development shall comply with the following requirements:

a. It shall be unlawful to erect, move or place any manufactured home or other structure on or onto any site, lot or tract in a mobile home community development without first obtaining a building permit.

b. It shall be unlawful to erect, move or place any manufactured home on or onto any site, lot or tract that is not within a mobile home community development.

c. Application for a building permit shall be made in accordance with the requirements of the Building Code, to the extent applicable, and shall be accompanied by a fee determined according to the current Building Code fee schedule.

d. No building permit for the installation of a manufactured home shall be issued unless the manufactured home meets the requirements of the *National Manufactured Home Construction and Safety Standards Act of 1974* (42 U.S.C. Section §5401 et seq.) and applicable Town codes that are not in conflict therewith.

(7) Only one (1) family may occupy a single manufactured home. (Ord. 480 §12.1, 2003)

Sec. 16-12-20. Manufactured home design standards/building requirements.

(a) The manufactured home must be partially or entirely manufactured in a factory.

(b) The manufactured home must be not less than twenty-four (24) feet in width and thirty-six (36) feet in length.

(c) The manufactured home must be set on an excavated, backfilled, engineered foundation enclosed at the perimeter so that the top of the perimeter wall sits no more than twelve (12) inches above finish grade. The foundation shall be similar in appearance and durability to a masonry foundation of a site-built dwelling. The foundation shall provide an anchoring system for the manufactured home that is totally concealed under the structure.

(d) The manufactured home must have brick, wood or cosmetically equivalent exterior siding on all exterior walls which provides a consistent, continuous facade from the bottom of the soffit (top of the wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.

(e) The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes or tile. Eaves of the roof must extend at least one (1) foot from the intersection of the roof and the exterior walls.

(f) The manufactured home must have windows that are wood, vinyl-coated or anodized aluminum.

(g) The manufactured home must have color-coordinated body and trim. Colors of both the factory components and the site-built components shall be the same.

(h) The main entrance to the manufactured home must face or be oriented toward an adjacent street.

(i) The transportation mechanisms, including the wheels, axles and hitch, must be removed.

(j) No manufactured home shall be occupied for dwelling purposes unless it is properly placed in a manufactured home space and connected to water, sewerage, electric and gas utilities, as appropriate.

(k) All manufactured homes shall be certified pursuant to the *National Manufactured Housing Construction and Safety Standards Act of 1974*, 42 U.S.C. §5401 et seq., as amended or shall be certified by the Colorado Division of Housing pursuant to Section 24-32-701 et seq., C.R.S.

(l) All manufactured homes shall have an enclosed crawl space underneath the manufactured home and shall not provide a harborage for rodents or create a fire hazard. No enclosed crawl space shall be used for storage unless the storage area is surfaced with concrete. Adequate access and ventilation shall be provided in accordance with the *Guidelines for Manufactured Housing Installation*.

(m) Additions to increase the floor area of manufactured home shall not be permitted except for patios, porches, garages, decks or carports. Garages may be detached or attached.

(n) Prior to occupancy, the Building Inspector shall inspect each manufactured home to determine compliance with the Town Code. No occupancy shall be permitted or certificate of occupancy issued until said inspection and all connections to public utilities have been made. The owner or home builder shall pay to the Town a building permit fee for each residential structure as may be required by the Town Code. Installation procedures and the building permit fee shall be in accordance with the then-current *Guidelines for Manufactured Housing Installation*, including appendices, published by the International Conference of Building Officials for manufactured home and as adopted by the Town.

(o) All additions shall comply with minimum yard requirements, and a building permit shall be required in advance for any such addition.

(p) All manufactured homes must be less than five (5) years old at the time they are installed in the mobile home community. (Ord. 480 §12.2, 2003)

Sec. 16-12-30. Density, dimensional and spacing standards.

(a) The minimum area manufactured home space shall be four thousand (4,000) square feet.

(b) The minimum lot length shall be eighty (80) feet.

(c) The minimum lot width shall be fifty (50) feet.

- (d) The maximum building height shall be thirty-five (35) feet.
- (e) The maximum gross density shall be ten (10) units per acre.
- (f) The distance between any building or manufactured home from a property line of the mobile home community shall be twenty (20) feet.
- (g) The front setback of a manufactured home shall be fifteen (15) feet from the back of the curb; provided however, that in order to encourage the enclosed storage of parked vehicles, the setback from the back of curb to a garage shall be either five (5) feet or fifteen (15) feet or greater.
- (h) Side spacing shall provide for a distance of twenty (20) feet between manufactured homes.
- (i) Rear spacing shall provide for a distance of twenty (20) feet between units when units are side to end, and a distance of ten (10) feet between units when units are end to end.
- (j) There shall be a minimum setback of twenty (20) feet between any service facility or mobile home community permanent building and any manufactured home.
- (k) Accessory buildings and structures shall be constructed in accordance with the Uniform Building Code. Accessory buildings and structures shall include steps, attached or detached patios that are open on three (3) sides, attached or detached decks that are open on three (3) sides, attached or detached storage units, attached or detached garages and attached or detached carports. Accessory buildings or structures may be located adjacent to a manufactured home space line; provided, however, that a minimum of six (6) feet of separation is provided between a garage and any other structure on an adjoining space. Any other building or structure shall provide a minimum of ten (10) feet between it and any structure on an adjoining space.
- (l) The limits of each manufactured home lot shall be clearly marked on the ground by permanent monuments set pursuant to Section 38-51-101, C.R.S. (Ord. 480 §12.3, 2003)

Sec. 16-12-40. Manufactured home park design standards.

(a) Street Design Standards.

(1) All interior streets in a mobile home community shall be privately owned and maintained by the park owner and shall be a minimum width of twenty-two (22) feet from back of curb to back of curb, including the width of gutter pans.

(2) Primary through streets shall be thirty-four (34) feet from back of curb to back of curb, with a four-foot detached sidewalk on one (1) side being located six (6) feet from the back of curb.

(b) Parking.

(1) Every manufactured home space shall have two (2) off-street parking spaces adjacent to the manufactured home. There shall be one (1) additional parking space for each manufactured home space within one hundred (100) feet for use of occupants and guests.

(2) Off-street Vehicle Parking for Recreation Facilities. Off-street vehicle parking shall be provided for recreation facilities located within a mobile home community. One (1) space per two hundred fifty (250) square feet of gross floor area, plus one (1) space per employee at the maximum shift, shall be provided for enclosed recreation facilities. Twenty (20) spaces are to be provided for every diamond or athletic field, or one (1) space for every four (4) spectator seats, whichever is greater. (One [1] seat is equal to two [2] feet of bench seating length.) Handicapped parking spaces shall be provided in conformance with the Americans With Disabilities Act, as may be amended from time to time.

(c) Pedestrian Circulation. The developer shall provide for a system of pedestrian circulation within the development. The system shall connect with existing sidewalks, if any are adjacent to the property. The system shall be designed to link residential units with recreation facilities, school bus stops and existing sidewalks in the neighborhoods. Detached sidewalks within the mobile home community shall be a minimum of four (4) feet in width.

(d) Street and Sidewalk Lighting. All streets and sidewalks shall be lighted in accordance with the standards contained in this Code.

(e) Access and Circulation. A mobile home community development shall have two (2) means of access to public streets at the perimeter of the site. Internal circulation may be provided by public or private streets, driveways and alleys. Each manufactured home space shall be provided access to the internal circulation system. No manufactured home space shall have direct access to a public street on the perimeter of the site.

(f) Sidewalk Between Street and Manufactured Home. Concrete sidewalks shall be provided between the manufactured home and the adjacent street sidewalk; except that the paved parking area may satisfy this requirement provided a sidewalk is provided from the parking area to the manufactured home.

(g) Traffic Control.

(1) Pursuant to Section 42-4-1102, C.R.S., the Town elects to impose and enforce stop sign regulations, speed limits and parking restrictions posted in accordance with the *Manual of Uniform Traffic Control Devices* upon all highways and streets which are privately maintained in mobile home communities. The owner of the mobile home community shall provide such signs as may be required by the Traffic Engineer, and agrees to erect and maintain such signs in conformity with the Model Traffic Code.

(2) The stop sign placement, speed limits and parking restrictions shall be determined by the Traffic Engineer, but shall be consistent with the provisions of Sections 42-4-1101 et seq., 42-4-1204 and 42-4-1208, C.R.S.

(3) There shall be posted at each entrance to any such mobile home community a sign giving notice of such enforcement in the following text: "NOTICE: Stop sign, speed limits and parking restrictions enforced by the Town of Milliken."

(4) When all signs are in place, stop sign, speed limits and parking regulations shall be enforced and violations thereof punished in accordance with the provisions of the Model Traffic Code then in effect.

(h) Utility Design Requirement.

(1) All public utilities shall be installed in accordance with the applicable Town or District standards.

(2) A mobile home community may have multiple master meters for water service.

(3) Each manufactured home space shall have its own meter for water and electrical service.

(i) **Manufactured Home Space Landscaping.** The developer shall provide front and rear manufactured home space landscaping for each manufactured home space, including but not limited to sod and irrigation system and trees and shrubs from the Town's list of approved plant materials contained in the Comprehensive Plan. The developer shall provide a graphical representation of "typical" manufactured home space landscaping for each of the manufactured home designs to be located in the mobile home community for review and approval by the Planning Commission and Board of Trustees.

(j) **Mobile Home Community Perimeter and Common Space Landscaping.** The developer shall landscape the perimeter and common open space of the mobile home community in accordance landscaping plans submitted to the Planning Commission and Board of Trustees for review and approval.

(k) Outdoor Living Area.

(1) No less than eight percent (8%) of the gross site area shall be reserved for and devoted to improved recreation areas and facilities provided in locations convenient to all manufactured home spaces.

(2) An outdoor living area shall be provided on each space equal to at least ten percent (10%) of its area, provided that in no case shall such area be less than three hundred (300) square feet or required to be more than five hundred (500) square feet. The minimum horizontal dimension of such area shall be not less than fifteen (15) feet.

(3) Such outdoor living area shall be properly drained, located for convenience and optimum use and walled, fenced or landscaped to provide reasonable privacy.

(l) Tenant Storage.

(1) A separate uniform tenant storage structure may be provided for each space, located on each space.

(2) There may be a minimum of two hundred twenty-four (224) cubic feet of storage area provided for each manufactured home space.

(3) Design and location of tenant storage shall enhance the appearance of the park, and the exterior siding of the structure shall have the same appearance as materials commonly used on residential dwellings.

(m) **Street Names, Addressing, Mail Delivery.** All streets shall be named on the R-M park development plan and submitted by the owner for approval. Each space shall be numerically designated for address and mail purposes and signs furnished and installed by the mobile home community owner.

Cluster postal boxes will be provided at central locations convenient to the residents. No individual street-side mail boxes are permitted unless otherwise approved by the Town.

(n) Solid Waste Disposal.

(1) The owner of the mobile home community shall be responsible for the promulgation and enforcement of rules and regulations governing solid waste storage and handling that meet or exceed state or federal regulations.

(2) The owner shall provide containers for the storage of solid wastes awaiting collection for each manufactured home space. Containers shall be sized to completely contain all solid waste that is generated on the premises. Containers are to be fly-tight, watertight and rodent proof and are to be kept off the street, curb, sidewalk and all other public ways, and concealed from public view, except on collection day. (Ord. 480 §12.4, 2003)

Sec. 16-12-50. Miscellaneous provisions.

(a) Resident's Council. A mobile home community development shall establish a Resident's Council. The Resident's Council shall be established from residents living within the community and from different sectors of the community. The purpose of the Resident's Council shall be to foster communication between residents and management. The Resident's Council shall serve as a method for residents of a mobile home community development to direct questions and concerns to management and to assist in the social programs of the community. The Resident's Council shall meet with management on a regular basis established by the Resident's Council, but not less than quarterly. The meeting shall be noticed and be open to all residents of the mobile home community. The Resident's Council shall be subject to popular election.

(b) Single Ownership of a Mobile Home Community Development. A mobile home community development may not be converted to another use other than such uses provided for in the R-M park development plan without the approval of the Town and meeting the appropriate lot size, lot width, setback and other requirements of the new use.

(1) The land within a mobile home community development shall remain in a unified ownership and the individual ownership of lots or portions of lots shall not be transferred.

(2) No dwelling unit other than a manufactured home shall be located within a mobile home community development.

(c) Conformance of Mobile Home Community to State Law. A mobile home community and its operation shall conform to the provisions of the Mobile Home Park Act, Section 38-12-201 et seq., C.R.S.

(d) Business License. The owner or operator of a mobile home community shall obtain a business license as provided in Chapter 6, Article 1 of the Municipal Code. (Ord. 480 §12.5, 2003)

Sec. 16-12-60. Application submission requirements.

(a) The applicant shall submit the required information to the Town Clerk on paper and by electronic media as required. Accompanying the submission shall be a filing fee as established by the current fee schedule and a signed fee agreement form. The submission shall be reviewed by the Staff for

completeness and compliance with the provisions of the Comprehensive Plan, the Municipal Code and this Article. The applicant shall be notified of any deficiencies or inadequacies. An incomplete submission shall not be processed or considered by the Planning Commission or Board of Trustees.

(b) All maps and graphic plans shall be prepared, signed and stamped by a licensed engineer or registered surveyor. All narrative reports shall be prepared by a qualified professional in the field, signed by the author, and contain a summary of the author's professional qualifications.

(c) R-M District Zoning Application Submission Requirements. The following are the submission requirements for the zoning application:

(1) Land use application form.

(2) Application fee as established by the current fee schedule and fee agreement.

(3) Current proof of ownership in the form of title insurance issued within thirty (30) days of submission of the application.

(4) A word processing file of the legal description of the property on 3½" IBM-formatted disk or by other acceptable electronic transfer (MSWord 6.0™ or higher, or WordPerfect 6.1™ or higher).

(5) A notarized letter or authorization from the landowner permitting a representative to process the application, as necessary.

(6) Project summary. Except for individual items as may be waived in whole or in part by the Town Clerk, the applicant shall submit a written project summary that completely addresses the following:

a. The name and address of:

1. Landowner and applicant, if different;

2. Representative, if applicable;

3. Mineral rights owner; and

4. Water rights owner.

b. General project concept;

c. Proposed development staging and time frame for completion of each stage or phase of development;

d. Relationship to the existing and adjacent land uses;

e. The applicability of the criteria for amendments to the official zoning map to the request as set out in Subsection 16-3-540(d) of this Code;

f. Impacts on Town services;

g. Evidence that an adequate water supply, sufficient in terms of quality and quantity, is available, and evidence of the capability to provide wastewater collection and treatment;

h. Type or method of fire protection;

i. Description of any natural or manmade hazards;

j. Impacts on existing flora and fauna;

k. Compliance with the Comprehensive Plan and the Community Design Principles and Design Standards; and

l. Provision of a chart titled "Comparison Analysis" on 8½" x 11" paper comparing elements in the proposed R-M park development plan to the corresponding requirements for those elements in the then-current zone for the property as contained in this Code.

(7) Impact report. Except for individual items as may be waived in whole or in part by the Town Clerk, the applicant shall submit a written project summary that completely addresses the following:

a. The demography of the area within a three-mile radius of the site proposed for zoning, including current population, proposed population, past trends and forecasts.

b. A description of the governmental infrastructure and services required to serve the site, including projected costs for the next ten (10) years.

c. A description of the community facilities and programs needed to serve the population generated by the proposed zoning, including projected costs for the next ten (10) years.

d. For residential uses, a description of the educational facilities available or required. Include an estimate of the expected enrollment and the distance from the nearest schools to the residential neighborhoods; describe the efforts to be undertaken by the developer to alleviate overcrowding of existing schools that may be attributable to the development.

e. A description of the existing or proposed healthcare services, including hospitals, clinics and emergency healthcare facilities and distance from the site to the existing facilities.

f. A description of the public safety services and facilities, including police, fire, rescue and social services existing or proposed to serve the development, including projected costs for the next ten (10) years.

g. A description of the recreational facilities, including park sites, trails, open space and accessibility to parks and open space areas existing and proposed to serve the development, including projected development and maintenance costs for the next ten (10) years.

h. A housing-market study to determine the needs of the proposed population, including affordable housing, senior housing, housing density and area housing market conditions.

i. An analysis of the site characteristics related to the proposal, including any environmentally hazardous, sensitive or natural resource areas.

- j. An analysis of the impact of the development on the Town's economic health.
- k. A description of the potential tax benefits and expenditures resulting from this development, including:
 - 1. Number of residential units by density and type per year for the first ten (10) years of development.
 - 2. Estimated market value of residential units.
 - 3. Estimated acreage of public dedication and the estimated cost of maintenance of such land.
 - 4. Estimated miles of streets to be constructed, categorized by type per year for the first ten (10) years, and the estimated cost of maintenance of such streets.
- l. A traffic study prepared in accordance with Town requirements.
- m. A description of the overall impacts of the proposed development on adjacent lands.
- n. Any other required information, when other applications are processed in conjunction with the land use application.

(8) Existing Conditions Map.

- a. The existing conditions map shall be submitted on 24" x 36" paper. The map shall be drawn at a scale of 1" = 100' or 1" = 200', or another scale approved by the Town Clerk. An AutoCAD™ drawing file (release 12 or higher) of the existing conditions exhibit (map) on 3½" IBM-formatted disk or by other acceptable electronic transfer is also to be provided.
- b. The name of the proposed R-M park development plan shall be placed at the top of each sheet along the long dimension of the sheet. Names shall not duplicate existing PUDs or subdivisions. A general legal description stating the portion of the section, section, township, range, 6th P.M., and the Town of Milliken shall be included under the name followed by the total acreage.
- c. There shall be a title block in the lower right-hand corner, or along the right-hand margin.
- d. There shall be a written metes and bounds legal description of the land to be zoned adjacent to the right-hand margin.
- e. A vicinity map that depicts the relationship to the surrounding area within a two-mile radius shall be superimposed on a current land use plan map.
- f. There shall be a block in the lower right-hand corner, or along the right-hand margin, which includes the following:
 - 1. A north arrow designated as true north.

2. A written and graphic scale.

g. Record existing zoning of the land on the exhibit and the existing zoning and land uses of the adjacent land.

h. Delineate, to scale, the existing easements or rights-of-way on the site, their use and titleholder or right holder, and recording information, if any.

i. Show all existing structures on the site, their uses and whether they are to remain on the site, including oil and gas well locations, and titleholder or right holder.

j. Show existing public access to the site and existing internal vehicular, bicycle and pedestrian circulation.

k. Delineate right-of-way dimensions, name of streets and surface materials for all points of access on or adjacent to the site.

l. Show topography at ten-foot contour intervals, including high and low spot elevations; shadow areas of twenty-percent or greater slope; other significant topographic conditions shall be depicted at greater or lesser intervals where appropriate.

m. Show all significant vegetation on the site (trees, undisturbed prairie grasslands, etc.).

n. Graphically define all natural and manmade watercourses, detention and retention areas, streams and lakes, wetland areas, wildlife habitat, and the one-hundred-year floodplain affecting the site.

o. Show all adjacent land owned by the applicant, the current or intended use of such land. Land not part of the zoning request shall be noted as such. Note any unique features on the site, historical landmarks, views, etc.

p. Surrounding and Interested Property Ownership Report. Provide the Town Clerk with a current list (not more than thirty [30] days old) of the names and addresses of the surrounding property owners (within three hundred [300] feet of the property), mineral interest owners of record, mineral and oil and gas lessees for the property and appropriate ditch companies. The applicant shall certify that the report is complete and accurate.

(9) R-M Park Development Plan. The R-M park development plan shall be submitted on 24" x 36" paper with a minimum two-inch margin on the left side and a minimum of one-half-inch margins at the top, bottom and right side. The plan shall be drawn at a scale of 1" = 100', 1" = 200', or another scale approved by the Town Clerk. An AutoCAD™ drawing file (release 12 or higher) of the R-M park development plan on 3½" IBM-formatted disk or by other acceptable electronic transfer is also to be provided. The name of the R-M park development plan shall be centered on the upper portion of each sheet. Each sheet shall have a title block in the lower right-hand corner or along the right-hand margin and the sheet numbered in the lower right-hand corner. For processing purposes, the text information may be prepared on 8½" x 11" paper; for recording purposes, the text information shall be displayed on the 24" x 36" sheets unless otherwise approved by the Town Clerk.

a. R-M Park Development Plan Sheet 1.

The foregoing certificate of ownership was acknowledged before me by _____ and _____ this ____ day of _____, 20____.

Witness my hand and official seal.

Notary Public

My commission expires _____.

Immediately following the ownership certificate there shall be the Town's standard approval certificate blocks for the Planning Commission and Board of Trustees.

b. R-M Park Development Plan Sheet 2. The name of the proposed R-M park shall be centered at the top of the sheet along the long dimension of the sheet. This sheet shall graphically depict the site and include the following:

1. The title block in the lower right-hand corner, or along the right-hand margin.
2. A north arrow graphic in the lower right-hand corner.
3. A graphic and written scale at 1" = 100', 1" = 200', or as otherwise approved by the Town Clerk, in the lower right-hand corner.
4. Dimensions, bearing and control points along all exterior property lines.
5. Topography at two-foot contour intervals, including high and low spot elevations; and shadow areas of twenty-percent or greater slope. If requested, other significant topographic conditions shall be depicted at greater or lesser intervals where appropriate.
6. Adjacent arterial streets and collector streets and all internal streets shall be depicted. Include right-of-way dimensions and surface width.
7. Dimensioned lots and blocks shall be depicted.
8. One-hundred-year floodplain. (Depending upon the extent of floodplain area, the Town Clerk may permit this information to be provided on a separate sheet.)
9. Land Dedication. Land to be dedicated for major public use facilities at the time of PUD development plan approval shall be depicted and referenced by number, letter or symbol. Such depiction shall not preclude subsequent dedication of land for parks, greenbelts, schools, libraries, fire stations, police stations or other public uses at the time of platting.
10. Land Use Table. A comprehensive land use table, showing all land use components for the overall R-M park development plan, including acreage and net density.

(d) R-M Mobile Home Community Review and Approval Criteria. In addition to the criteria set forth for zoning amendments in Subsection 16-3-540(d) of this Chapter, the following criteria shall be considered by the Planning Commission and Board of Trustees in the review of R-M park zoning applications:

- (1) Whether the application is in compliance with the requirements of this Section;
 - (2) Whether the proposed zoning is compatible with the surrounding land uses;
 - (3) Whether the subject land is suitable for the intended use and is compatible with the natural environment; and
 - (4) Whether the R-M District is compatible with the Comprehensive Plan and related plans and documents.
- (e) R-M Mobile Home Community District Post Approval Actions.

(1) Upon approval by the Board of Trustees, the applicant shall have thirty (30) days to submit two (2) original drawings of the approved R-M park development plan for recording, accompanied by the recording fees and all other costs billed by the Town relative to the R-M park development plan. Inaccurate, incomplete or poorly drawn plans shall be rejected.

(2) The R-M park development plan shall be a tapeless, spliceless and creaseless original drawing on double matte Mylar film with a uniform thickness of not less than .003 inch, using only permanent black ink that will adhere to drafting films, or an acceptable "fix-line" photographic reproduction (emulsion down) or computer-generated reproduction of the original drawing. In addition, the applicant shall submit one (1) 11" x 17" Mylar reduction of the plan and an AutoCAD™ drawing file (release 12 or higher) of the plan on 3½" IBM-formatted disk, or by other acceptable electronic transfer.

(3) Within thirty (30) days of receipt of the R-M park development plan, the Town Clerk shall review the documents for compliance with the Board of Trustees' approval, obtain the Town Officials' signatures, submit the approved R-M park development plan and the ordinance amending the official zoning map to the County Clerk and Recorder's Office for recordation, and cause the appropriate amendment to the official zoning map. (Ord. 480 §12.6, 2003)

Division 2
R-MH – Manufactured Housing Development District

Sec. 16-12-110. General provisions, R-MH District.

(a) Intent. This is a low density residential zoning district intended primarily for single-family uses on individual lots within a subdivision, consisting of dwellings partially or entirely manufactured in a factory.

(b) R-MH – Manufactured Housing Development District Approval Procedure.

(1) This District may only be used in conjunction with the Planned Unit Development (PUD) Overlay District.

(2) An amendment to the zoning district map to create a R-MH District shall follow the procedures set forth in Section 16-3-540 of this Chapter. Prior to or simultaneously with the

application for an amendment to the official zoning map for a R-MH District, the applicant shall submit a R-MH development plan of the property for review and approval.

(3) Prior to or simultaneously with the application for an amendment to the official zoning map for a R-MH District, the applicant shall submit a subdivision plat of the property for review and approval as provided by Article IV of this Chapter. Development of a manufactured housing development shall be subject to review and approval through the sketch, preliminary and final plat process in compliance with all the standards in this Article and consistent with the applicable community design principles and development standards found in Article II of this Code. Public hearings on these matters may be combined or occur separately.

(4) A manufactured home development shall be subdivided for the purpose of dedication of adjacent public streets, internal public streets and ways, utility and other easements and other public facilities, and a final plat recorded as provided by Article IV of this Chapter.

(5) Development in this District is permitted only in accordance with a R-MH development plan and final plat prepared and approved in accordance with the provisions herein. The owners and their successors, heirs, or assigns shall be bound by the approved R-MH development plan and final plat, including any amendments thereto approved by the Board of Trustees, as provided herein.

(c) General Requirements Applicable to R-MH Districts.

(1) In order to provide uniform administrative procedures and quality development standards, R-MH Districts shall conform to all provisions of this Code except as such provisions are specifically altered on the approved R-MH development plan.

(2) Final approval of the R-MH District amendment to the official zoning map and any development within a R-MH District shall not occur until a final plat for the portion to be developed is approved and recorded as provided in Article IV of this Chapter.

(3) A portion of the gross site area shall be dedicated to the Town for public use as required by the subdivision regulations in Article IV of this Chapter, or cash-in-lieu of land shall be paid.

(4) Vesting of property rights in a R-MH District accrue only for that portion of the property granted a final plat approval.

(5) All public utility distribution lines shall be placed underground.

(6) The minimum number of acres which may constitute a R-MH District shall be five (5) acres.

(7) Building and occupancy permits for manufactured homes in a manufactured housing development shall comply with the following requirements:

a. It shall be unlawful to erect, move or place any manufactured home or other structure on or onto any site, lot or tract in a manufactured housing development without first obtaining a building permit.

b. It shall be unlawful to erect, move or place any manufactured home on or onto any site, lot or tract that is not within a manufactured housing development.

c. Application for a building permit shall be made in accordance with the requirements of the Building Code, to the extent applicable, and shall be accompanied by a fee determined according to the current Building Code fee schedule.

d. No building permit for the installation of a manufactured home shall be issued unless the manufactured home meets the requirements of the *National Manufactured Home Construction and Safety Standards Act of 1974* (42 U.S.C. §5401 et seq.) and applicable Town codes that are not in conflict therewith.

e. No manufactured home shall be issued a building permit if it is greater than five (5) years old at the time of installation. (Ord. 480 §12.7, 2003)

Sec. 16-12-120. Manufactured housing design standards.

(a) The manufactured home must be partially or entirely manufactured in a factory.

(b) The manufactured home must be not less than twenty-four (24) feet in width and thirty-six (36) feet in length.

(c) The manufactured home must be set on an excavated, backfilled, engineered foundation enclosed at the perimeter so that the top of the perimeter wall sits no more than twelve (12) inches above finish grade. The foundation shall be similar in appearance and durability to a masonry foundation of a site-built dwelling. The foundation shall provide an anchoring system for the manufactured home that is totally concealed under the structure.

(d) The manufactured home must have brick, wood or cosmetically equivalent exterior siding on all exterior walls which provides a consistent, continuous facade from the bottom of the soffit (top of the wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.

(e) The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes or tile. Eaves of the roof must extend at least one (1) foot from the intersection of the roof and the exterior walls.

(f) The manufactured home must have windows that are wood, vinyl-coated or anodized aluminum.

(g) The manufactured home must have color-coordinated body and trim. Colors of both the factory components and the site-built components shall be the same.

(h) The main entrance to the manufactured home must face or be oriented toward an adjacent street.

(i) The transportation mechanisms, including the wheels, axles and hitch, must be removed.

(j) All manufactured homes shall be certified pursuant to the *National Manufactured Housing Construction and Safety Standards Act of 1974*, 42 U.S.C. §5401 et seq., as amended.

(k) The manufactured home must meet or exceed all equivalent performance engineering standards to the same extent as required for other single-family housing units.

(l) The manufactured home shall be less than five (5) years old at the time of installation. (Ord. 480 §12.8, 2003)

Sec. 16-12-130. R-MH Homeowners Association.

All manufactured housing developers shall establish an association of homeowners in their development. The homeowners association shall establish bylaws governing the Association which shall satisfy certain standards, including but not limited to the following:

- (1) Mandatory participation in the homeowners association for the purpose of maintenance of all common areas, buffer areas and vacant lots within the subdivision to enforce restrictive covenants.
- (2) Binding effect on all future property owners.
- (3) Perpetual existence.
- (4) Unaffected by any change in zoning or land use.
- (5) Assurance of adequate maintenance.
- (6) Enforceable by the Town by appropriate legal action.
- (7) That, if maintenance or preservation of common areas or lots no longer complies with the provisions of the association's document, the Town may take all necessary action to assure compliance and assess the association all costs incurred by the Town for such purpose, including reasonable attorney fees. (Ord. 480 §12.9, 2003)

Sec. 16-12-140. Application submission requirements.

(a) The applicant shall submit the required information to the Town Clerk on paper and by electronic media as required. Accompanying the submission shall be a filing fee as established by the current fee schedule and a signed fee agreement form. The submission shall be reviewed by Staff for completeness and compliance with the provisions of the Comprehensive Plan, the Municipal Code and this Article. The applicant shall be notified of any deficiencies or inadequacies. An incomplete submission shall not be processed or considered by the Planning Commission or Board of Trustees.

(b) All maps and graphic plans shall be prepared, signed and stamped by a licensed engineer or registered surveyor. All narrative reports shall be prepared by a qualified professional in the field, signed by the author and contain a summary of the author's professional qualifications.

(c) R-MH District Zoning Application Submission Requirements. The following are the submission requirements for the zoning application.

- (1) A completed land use application form.
- (2) Application fee as established by the current fee schedule and fee agreement.
- (3) Current proof of ownership in the form of title insurance issued within thirty (30) days of submission of the application.

(4) A word processing file of the legal description of the property on 3½" IBM-formatted disk or by other acceptable electronic transfer (MSWord 6.0™ or higher, or WordPerfect 6.1™ or higher).

(5) A notarized letter or authorization from the landowner permitting a representative to process the application, as necessary.

(6) Project summary. The applicant shall submit a written project summary of the proposed R-MH development that conforms to Subsection 16-12-60(c)(6) above, substituting R-MH for R-M, or manufactured housing development for mobile home community, as appropriate.

(7) Impact report. The applicant shall submit a written impact report for the proposed R-MH development that conforms to Subsection 16-12-60(c)(7) above, substituting R-MH for R-M, or manufactured housing development for mobile home community, as appropriate.

(8) Existing Conditions Map. The applicant shall submit an existing conditions map for the proposed R-MH development that conforms to Subsection 16-12-60(c)(8) above, substituting R-MH for R-M, or manufactured housing development for mobile home community, as appropriate.

(9) R-MH Development Plan. The applicant shall submit a R-MH development plan that conforms to Subsection 16-12-60(c)(9) above, substituting R-MH for R-M, or manufactured housing development for mobile home community, as appropriate.

(10) Surrounding and Interested Property Ownership Report. The applicant shall provide the Town Clerk with a current list (not more than thirty [30] days old) of the names and addresses of the surrounding property owners (within three hundred [300] feet of the property), mineral interest owners of record, mineral and oil and gas lessees for the property and appropriate ditch companies. The applicant shall certify that the report is complete and accurate.

(11) Public Hearing Notification Envelopes. The applicant shall provide two (2) set of stamped, addressed, certified (return receipt requested) envelopes. The envelopes shall have the Town of Milliken's address as the mailing address and return address, and the envelopes shall be addressed to the surrounding property owners (within three hundred [300] feet of the property), mineral interest owners of record, oil and gas lessees for the property and the appropriate referral agencies.

(12) Mineral, Oil and Gas Rights Documentation. The applicant shall provide evidence that the applicant has contacted all mineral rights owners and all lessees of mineral, oil and gas rights associated with the site by certified mail and is working towards resolution. Included in the evidence must be the name of the current contact person, his or her phone number and mailing address and a description of the issues.

(d) R-MH – Manufactured Housing Development Review and Approval Criteria. In addition to the criteria set forth for zoning amendments at Subsection 16-3-540(d) of this Chapter, the following criteria shall be considered by the Planning Commission and Board of Trustees in the review of R-MH zoning applications:

- (1) Whether the application is in compliance with the requirements of this Section;
- (2) Whether the proposed zoning is compatible with the surrounding land uses;

(3) Whether the subject land is suitable for the intended use and is compatible with the natural environment; and

(4) Whether the R-MH District is compatible with the Comprehensive Plan, Community Design Principles and Development Standards and related plans and documents.

(e) R-MH District Post-Approval Actions.

(1) Upon approval by the Board of Trustees, the applicant shall have thirty (30) days to submit two (2) original drawings of the approved R-MH development plan for recording, accompanied by the recording fees and all other costs billed by the Town relative to the R-MH development plan. Inaccurate, incomplete or poorly drawn plans shall be rejected.

(2) The R-MH development plan shall be a tapeless, spliceless and creaseless original drawing on double matte Mylar film with a uniform thickness of not less than .003 inch, using only permanent black ink that will adhere to drafting films, or an acceptable "fix-line" photographic reproduction (emulsion down) or computer-generated reproduction of the original drawing. In addition, the applicant shall submit one (1) 11" x 17" Mylar reduction of the plan and an AutoCAD™ drawing file (release 12 or higher) of the plan on 3½" IBM-formatted disk, or by other acceptable electronic transfer.

(3) Within thirty (30) days of receipt of the R-MH development plan, the Town Clerk shall review the documents for compliance with the Board of Trustees' approval, obtain the Town Officials' signatures, submit the approved R-MH development plan and the ordinance amending the official zoning map to the County Clerk and Recorder's Office for recordation, and cause the appropriate amendment to the official zoning map. (Ord. 480 §12.10, 2003)