Article 12, Mobile Home Park Ordinance

A. Purpose and Intent

The purpose of the Ordinance is to regulate the administration of mobile home parks by providing general standards for the layout and siting of mobile homes within a mobile home park to promote both individual householder privacy within harmonious community arrangement and to conserve environmental quality and wildlife habitat. The intent of this Ordinance is to protect the general welfare, public health and safety.

B. Authority

The Pownal Planning Board is hereby vested with the authority by Town Meeting (06/15/2015) to review and approve, conditionally approve or reject any application for a mobile home park as defined by three or more mobile homes situated on a parcel of single ownership. This ordinance is adopted pursuant to 30-A M.R.S.A. Section 3001 (Home Rule), 30-A M.R.S.A.M.R.S.A. Sections 4401 - 4452 (Subdivisions) and 30-A M.R.S.A. Section 4358 (Regulation of Manufactured Housing).

C. Conflicts with Other Ordinances

Wherever a specific provision of this Ordinance conflicts or is inconsistent with another specific provision within this Ordinance or a specific provision of any other ordinance, regulation or statute, the more restrictive specific provision shall apply, except as specifically provided to the contrary.

D. Severability

If any section or provision within this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

E. Definitions

See the Article 2. Definitions.
F. Performance Standards for Mobile Home Parks

1. Applicability

Sections F. and G. of this Ordinance shall apply to all development proposals for new and expanded mobile home parks.

Notwithstanding other provisions of this Section, the Planning Board, in reviewing and approving proposed mobile home park developments, shall apply the provisions of this Article, as well as the applicable requirements of the Subdivision Ordinance and the Site Plan Review Ordinance. Where the provisions of this Section conflict with specific provisions of the Subdivision Ordinance or the Site Plan Review Ordinance, the more restrictive shall apply unless 30-A M.R.S.A. Section 4358, as amended, shall supersede such Provision. Except as otherwise provided in this Ordinance, new mobile home parks and expansions of mobile home parks shall comply with all other applicable local, State or Federal requirements.

2. Mobile Home Park Application

a. Application

An application for a mobile home park shall be reviewed under the requirements, procedures, and review criteria of the Subdivision and Site Plan Review Ordinances. In addition to the submission requirements of the Subdivision Ordinance and the Site Plan Ordinance, an applicant shall also submit the following before an application will be deemed complete:

b. Supplemental Submission Requirements

1. For groundwater impacts for mobile home parks not served by a public sewer, an assessment of the impacts of park development on ground water quality shall be submitted prior to final approval of the park. The assessment shall be prepared by a Certified Geologist or Registered Professional Engineer, and shall include the following:

   a) A map showing the basic soil types.

   b) The depth to the water table at representative points throughout the mobile home park.

   c) Drainage conditions throughout the mobile home park for both pre-development and post development conditions.
d) Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.

e) An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the mobile home park boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the watershed of a lake, projections of the development’s impact on ground water phosphate concentrations shall also be provided.

f) A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.

2. A detailed subdivision plan showing the mobile home park lots and the location of all buildings and structures, recreation facilities and service facilities.

3. Any proposed open space shall be shown on the subdivision plan and with appropriate notation on the face thereof to indicate that the open space shall be permanently maintained as open space and that there shall be no division of open space.

4. The application shall contain an estimate of the average daily traffic projected to be generated by the park. Estimates of traffic generation shall be based on the Trip Generation Manual, most recent edition, published by the Institute of Transportation Engineers. If the park is projected to generate more than 400 trips per day (80 units), the application shall also include a traffic impact analysis, by a registered professional engineer with experience in transportation engineering.

5. Legal documents relating to the ownership, use, management and maintenance of all mobile home park facilities, including open space, recreation facilities, utilities, roads and parking areas and structures. Legal documents shall also restrict sites from being sold to individuals unless the use of the property as a mobile home park is discontinued or abandoned and an alternative use is approved pursuant to ordinances and
laws then in effect at the time of the propose change.

6. A copy of the proposed park rules and regulations.

G. General Requirements

All proposed mobile home park developments shall meet the following general requirements:

a. Ownership - The applicant must demonstrate to the Planning Board that he/she has sufficient right, title and interest in the site of the mobile home park to control and complete its development as approved. The applicant shall provide a performance bond to cover the full cost of required improvements.

b. Overall Area -

The overall area of a mobile home park shall be no less than the combined area of the individual lots plus:

1. The area for road rights-of-way;
2. The area required for buffer strips, if any;
3. The area of any shore land setbacks required under the Shoreland Zoning Ordinance.

c. Lot Size, Width, Setbacks and Density

1. Lots served by individual subsurface waste water disposal systems:

   Minimum lot area Minimum lot width Minimum Setbacks
2. Parks served by central subsurface waste water disposal systems:

Minimum lot area 12,000 sq. feet
Overall density of the park: No less than 20,000 square feet per mobile home unit.
Minimum lot width 75 feet
Minimum setbacks (front, side and rear) 15 feet

3. Lots within a shoreland area as defined by Title 38 M.R.S.A. §435 shall comply with the Shoreland Zoning Ordinance.

4. Mobile homes in a mobile home park adjacent to a public road shall be set back from the public road a distance equal to the setback requirements for other residential developments in the zone.

5. All buildings on the lot, including accessory buildings and structures, shall not cover more than 50% of the lot area.

6. Packaged treatment plants for sewage shall be of the current and best standards or shall conform to current standards for mobile home park development according to the State Plumbing Code.

H. Design Standards

Except as stipulated below, mobile home parks shall meet all the requirements for residential subdivision, and shall conform to all applicable State laws and local ordinances or regulations. Where the provisions of this Ordinance conflict with specific provisions of the Subdivision Ordinance, Site Plan Review Ordinance or Road Ordinance, the provisions of this section will prevail.

1. Groundwater Impact Standards

   a. Projections of ground water quality shall be based on the
assumption of drought conditions (assuming 60% of annual average precipitation).

b. No mobile home park shall increase any contaminant concentration in the ground water to more than one half of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the ground water to more than the Secondary Drinking Water Standards. The Board may require permanent ground water monitoring wells be installed and periodically tested.

c. If ground water contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.

d. The mobile home park shall not cause the concentration of the existing secondary parameters to exceed 150% of the Ambient concentration or to exceed the secondary drinking water standards, whichever is less.

e. Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the subdivision plan for the park.

2. Road Design, Circulation and Traffic Impacts

All streets, roads, access drives and parking areas shall be designed to conform to reasonable safety standards. The road network shall provide for vehicular and pedestrian safety, emergency access, delivery and collection services and snow storage.
Streets within a park shall be designed by a professional engineer, registered in the State of Maine.

a. Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in the Road Ordinance. The approval by the Planning Board of a mobile home park shall not be deemed to constitute or be evidence of any acceptance by the Town of any street on such Plan.

b. Streets which the applicant proposes to remain as private roads shall meet the following geometric standards:

1) Minimum right-of-way: 23 feet
2) Minimum width of traveled way: 20 feet

c. Any mobile home park expected to generate average daily traffic of 200 trips per day (40 units) or more, shall have at least two street connections with existing public streets.

d. Dead-end roads or cui-de-sacs shall have a maximum length of 600 feet. Cui-de-sacs turnarounds shall have a minimum radius of 50 feet at the outer edge of the pavement, exclusive of any parking areas.

e. Parking lanes shall be a minimum of eight feet in width, if provided.

f. No individual lot within a park shall have direct vehicular access onto an existing public street.

g. The intersection of any street within a park and the existing public street shall meet the following standards:

1) Angle of intersection: The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.

2) Maximum grade within 75 feet of Intersection: The maximum permissible grade within 75 feet of intersection shall be 2%.

3) Minimum Sight Distance: A minimum sight distance of 10 feet for every mile per hour of posted speed limit on the existing road shall be provided. Sight distance shall be measured from the driver’s seat of a vehicle that is
10 feet behind the curb or edge of shoulder line with the Height of the eye 3 1/2 feet above the pavement and the height of the object 4 1/4 feet.

4) Distance from other intersections: the centerline of any street within a park intersection and existing public street shall be no less than 125 feet from the centerline of any other street intersecting with that public street.

5) Where a private road intersects with a public way, the curb radii shall be 40 feet at a 90 degree intersection and the radii shall be 50 feet for an intersection less than 90 degrees.

3. Parking requirements

   a. For each mobile home lot there shall be provided and maintained at least two off-street parking spaces. Each parking space shall contain minimum dimensions of 10 feet by 20 feet.

   b. In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of 1 space for each 4 mobile home lots. Such parking spaces shall be reserved for that sole use and shall be located within reasonable proximity to the mobile home units. This requirement may be waived by the Planning Board if a parking lane is provided and will accommodate all required spaces.

4. Pedestrian Circulation

   All mobile home parks shall contain pedestrian walkways between all units and all service and recreational facilities. Such walkways shall be adequately surfaced and lit. (See Zoning and Site Plan Ordinances) A portion of the road surface may be reserved for walkways provided the roadway width is widened accordingly. Walkways shall be a minimum of 3 feet.
5. Utilities

a. All mobile home parks shall provide permanent electrical, water and sewage disposal connections to each mobile home in accordance with applicable state and local rules and regulations.

b. Electrical utilities and telephone lines may be located above ground.

c. Utilities may be located anywhere within the mobile home park development except the transformer boxes, meters, pumping stations and other components of the utility system which may be located above ground shall be located as not to be unsightly or hazardous to the public.

6. Lighting

Outdoor lighting shall be provided to adequately illuminate internal streets and pedestrian walkways in accordance with the provisions of Section 11 Site Plan Review, D. Criteria and Standards, 8. Lighting and in accordance with the IDA recommendations.

7. Utilization of Parcel

The plan for the development shall reflect the natural capabilities of the site to support development. Buildings and support facilities shall be clustered in those portions of the site that have the most suitable conditions for development. Environmentally sensitive areas such as wetlands as defined by the Maine Department of Environmental Protection, steep slopes, floodplains and unique natural features may be included in any common open space. Natural drainage areas shall be preserved to the maximum extent.

8. Buffer Strips

a. A 50 foot wide buffer strip shall be provided along all property boundaries that:

1) Abut developed residential land which has a gross density (dwelling units per acre) of less than half of that proposed in the park, or
2) Abut undeveloped residential land that is zoned at a residential density of less than half of that proposed in the park.

3) Further/ no structures, streets or utilities shall be placed in the buffer strip except that utilities may cross a buffer strip to provide services to the park.

b. within the first 25 ft. of the buffer, measured from the exterior boundary of the park, visual screening and/or landscaping shall be provided. The visual screening may consist of fences/ berms, landscaping (such as evergreen shrubs and trees in double staggered rows) and/or natural existing vegetation. The screening shall form an effective visual barrier along the exterior lot lines of the park, except that driveways shall be kept open to provide visibility for vehicles entering and leaving the park.

9. Unified Ownership

No Mobile Home Park development or subdivision which is approved under this Ordinance as a mobile home park may be converted to a subdivision as defined in the Zoning or Subdivision Ordinance nor may mobile home park lots or any portion thereof be transferred out of the Mobile Home Park without the approval of the Planning Board. Any such lot sold or conveyed shall meet the lot size requirement of the district in which it is located and any other applicable requirements. A Mobile Home Park plan to be recorded at the Registry of Deeds and filed with the Town shall include the following restrictions as well as any other notes or conditions of approval.

a. The land within the park shall remain in a unified ownership and the fee to individual Mobile Home Park lots or portions of Mobile Home Park lots shall not be transferred without prior review and approval by the Planning Board.

b. No dwelling unit other than a mobile home unit shall be located within the park.

10. Park Administration

The owner and operator of a mobile home park shall not require as a condition of tenancy the purchase of a mobile home unit from the owner or any particular agent or organization.

Compliance with this ordinance shall not exempt the park owner, developer, or manager from complying with other applicable local, State and Federal codes and regulations.
11. Approval Standard

   a. Approval Criteria

      Prior to approving the mobile home park, the Planning Board shall find that:

      1. The plan complies with the applicable provisions of the Subdivision Ordinance and Site Plan Review Ordinance and is in accordance with the state subdivision review law, except for those standards which are in conflict with Maine's Mobile Home Park Law;

      2. The plan will not pollute a public water supply or aquifer; and

      3. The plan protects environmentally sensitive areas in accordance with State statutes and the Comprehensive Plan.

   b. Approval Procedure

      The Planning Board shall follow the applicable review procedures set forth in the Subdivision Ordinance, the Site Plan Review Ordinance, and any additional procedures required by this ordinance.

12. Development According to Approved Plan

   All development activities, including site work, clearing, construction of buildings and utilities and landscaping shall be in accordance with the approved plan.