

## CHAPTER 17 - "MH" MANUFACTURED HOME DISTRICT

### Section 17-1. Regulations:

The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section are the regulations in the MH (Manufactured Home) District.

### Section 17-2. General Description:

The MH (Manufactured Home) District is established as a district in which the principal use of land is for manufactured home parks or manufactured home subdivisions.

### Section 17-3. Use Regulations:

- a) Premises shall be used only for the following purposes:
  - 1) One family detached or attached manufactured homes;
  - 2) One family detached or attached single-family dwellings;
  - 3) Parks, playgrounds, community centers, and non-commercial recreational facilities such as golf courses, shuffle board courts, swimming pools, tennis courts, marinas, game rooms, libraries, management offices and the like;
  - 4) Structures and uses required for operation of a public utility, performance of a government function, or performance of any function necessary for the construction, operation or maintenance of permitted uses within the district;
  - 5) Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures, including approved storage facilities;
  - 6) Commercial and office uses intended solely to serve the needs of persons in the MH district or uses of a nature permitted in an R1 district which conform to the requirements of that district for such uses.
- b) The maximum height for buildings shall be thirty-five (35) feet.
- c) A manufactured home may not:
  - 1) be moved into or within the City of Minot or the extraterritorial zoning jurisdiction of the City of Minot and;
  - 2) be placed at a site or location therein for more than five (5) days, unless it is placed:
    - a. within an MH district,
    - b. on a site where the placement is permitted under the doctrine of prior valid non-conforming uses,
    - c. at a site where the placement is permitted under a special non-conforming use permit,
    - d. within the business premises of an establishment which sells, manufactures or repairs or otherwise deals in manufactured homes, provided that, however, the business premises are properly zoned for such activity,
    - e. on a site where it serves as a farm dwelling under Section 19-3(b) or Section 19-3(j), or
    - f. as a temporary office or storage building in a non-residential district for a period not to exceed two (2) years.

- 3) A manufactured home placed within the MH district, or placed elsewhere when the placement is not prohibited by paragraph 1) of this subsection, need not comply with the provisions of the City of Minot Building Code (except portions thereof pertaining to dangerous buildings) as long as the manufactured home complies with federal construction standards pertaining to manufactured homes and to the City of Minot Housing Code. Nothing herein shall be construed to prohibit the application of other codes to the manufactured home if by their terms they are so applicable, such as, for example, the plumbing code, the electrical code, the fire code, etc.
- 4) If a manufactured home is so constructed as to meet the definitional requirements imposed by item 50) of Section 2-1 as to when a manufactured home constitutes a "dwelling" then it shall not be considered a manufactured home for purposes of this subsection c), but rather it shall be considered a "dwelling" for purposes of this zoning ordinance.
- d) Land within an MH district may be divided into individual manufactured home lots, which lots are collectively owned by one (1) person or one entity, as in a manufactured home park. Or the lots may be individually owned by the persons who own the manufactured homes resting thereon, as in a manufactured home subdivision. Alternatively, the land, whether or not subdivided into individual manufactured home lots, may be collectively owned by the persons who own the manufactured homes resting thereon as in a manufactured home condominium or cooperative. For purposes of this chapter, the sense in which the word "condominium" is used in the prior sentence governs over the contrary definition of the word in Section 2-1 38).
- e) No MH district shall be less than two (2) acres in area.
- f) If an MH district is created in compliance with this Chapter whereby one (1) manufactured home only is permitted on each of platted lots of at least two (2) acres in size, then the keeping of horses on the premises shall be permitted with the limitations set forth in paragraph p) of Section 5.1-3 of Chapter 5.1.

Section 17-4. Plan Required with MH Zone Application:

An application that a specific parcel of land to be zoned "MH" shall be accompanied by a detailed plan which:

- a) is drawn to scale;
- b) shows the location and boundaries of the land requested to be zoned MH;
- c) shows existing topography with contour intervals of not less than five (5) feet;
- d) shows in detail the manner in which the land is to be used, including the size, location, character, appearance, use and arrangement of buildings, parking areas, proposed arrangement of stalls and number of cars, service areas, walks, public areas, play areas, lighting, provision for grass, trees, shrubs, and other landscaping, and entrance and exit driveways and their relationship to existing and proposed streets;
- e) shows the drainage plan with sufficient control grades to indicate the intent of the developer;
- f) indicates building locations and use of properties adjacent to the proposed development;
- g) provides for the dedication of any right-of-way for the widening, extension or connection of major streets as shown on the official major street plan.

#### Section 17-4.1. Drainage Plan Required:

As part of the application for the plan approval, the applicant shall submit a drainage study and/or plan to include:

- a) On-site storm management facilities necessary to drain the project.
- b) Inclusion of storm water detention/retention methods available to reduce the runoff impact from his properties.
- c) Statement of impacts, if any, on other properties within the same drainage basin or sub-basin as the proposed project.
- d) Drainage calculations using accepted engineering standards and formulas to substantiate the drainage plan and impacts.
- e) A recommendation from a registered civil engineer in the State of North Dakota as to the storm drainage management method used.
- f) A schedule of implementation of the storm water management project of projects necessitated by the plan, and a statement of the financing method intended to be used.
- g) A preliminary grading plan showing how the property will be graded relative to potential drainage impact on adjacent lots.
- h) If proposed storm water detention/retention facilities are to be operated and maintained by the city and provide a dedicated and improved access road to the facilities from a public street. The nature of access road improvements shall be determined on a case-by-case basis.
- i) All storm water management facilities are to be designed to the City of Minot Storm Water Design Standards.

#### Section 17-5. Design and Construction Standards for Manufactured Home Districts:

Manufactured home development in a MH district must be in accordance with the following design and construction standards:

- a) Lot Requirements: Minimum lot requirements are set forth in the paragraph and table below. Lot layout shall provide a pattern that is functional and provides for efficient provision of utilities, and for convenient pedestrian and vehicular access. Lot lines shall not be required to be perpendicular to streets or radial to curves, and lot shapes may take any form. In no case shall any area of the lot be more than fifty (50) feet from the manufactured home site, nor any portion of the lot less than fifteen (15) in minimum dimensions between opposing lot lines, be included in required lot area or open space area. Density shall be prescribed in the plan required in Section 17-4 but not to exceed density limits allowed under licensing of the district by North Dakota State Health Department.
- b) Minimum lot requirements and setbacks shall be as follows:

Lot Requirements		Unit
Lot area (interior)	3,000	square feet
Lot area (corner)	4,000	square feet
Lot width (interior)	40	feet
Lot width (corner)	50	feet
Manufactured homes and accessory buildings lot coverage	35	%
<b>Setback - Principal Structure:</b>		
Front Yard (abutting a private street)	15	feet
Front Yard (abutting a public right-of-way)	25	feet
Side Yard	10	feet
Side Yard (street)	15	feet
Rear Yard	10	feet

- c) Detached manufactured homes must be placed at least fifteen (15) feet from one another. Attached manufactured home arrangements may be specifically provided as part of the plan required under Section 17-4.
- d) Streets, drives, parking and service areas shall provide space and convenient access to manufactured home units and project facilities, and for service and emergency vehicles, but streets shall not be so laid out as to encourage outside traffic to traverse the development on minor streets.
- e) All-weather walkways for pedestrians shall be included to provide access from the street to all manufactured home units. A parking slab or improved driveway may serve as part or all of a walkway.
- f) Required Open Space: At least eight percent (8%) of the total area of any manufactured home district established under these regulations must be devoted to common recreational areas (and/or maintained open space) and facilities such as playgrounds, swimming pools and community buildings. Where only one (1) recreational area is provided, it shall be in a central location conveniently accessible to all manufactured home units. Recreational areas and facilities shall be located, designed and improved so as to minimize traffic hazards to users and adverse effects in surrounding residential uses.
- g) Required Parking: There shall be provided two (2) parking spaces with respect to each site within the district that is designed or used for the placement of a manufactured home. The parking spaces shall be within one hundred (100) feet of the site. In addition, at least one quarter (1/4) parking spaces per unit shall be provided for guest parking. These spaces shall be located throughout the development. Parking for other uses within the district shall be governed by Chapter 23.
- h) Date of Installation: Any manufactured home structure installed within a manufactured home district created after the date of adoption of this ordinance shall be at least five (5) years old or newer.
- i) Manufactured Home District Standards: Any manufactured home district approved after the date of this ordinance shall provide the City with manufactured home standards for moving units into the district, site placement, and anchoring, skirting, parking and overall operation

of the newly creating district.

- j) Buffer yard: A buffer yard of not less than thirty (30) feet in width shall be landscaped with appropriate grass, shrubbery and trees around the entire perimeter of the manufactured home park. This buffer yard shall be maintained by the owner of the manufactured home park.
- k) Garbage and Construction Materials: All waste material, debris, refuse, garbage, fuel or materials not currently in use for construction shall be stored indoors, or totally screened from the eye level view of public streets and adjacent properties.
- l) Storm Shelter or Evacuation Plan: All manufactured home parks shall have a storm shelter or evacuation plan approved by the city.
- m) If land within a MH district is so platted as to meet the requirements of Chapter 5 with respect to an R1 district, then such land can be improved in accordance with R1 standards established in Chapter 5, Sec. 5-7, rather than as required by this section.
- n) Streets: Streets that are to be dedicated to the City, if any, shall be dimensioned and improved in accordance with general subdivision regulations. All non-public streets shall be hard surfaced for all-weather travel with designs approved by the City Engineer and shall not be less than thirty-six (36) feet in width, unless the street is a one-way street serving less than twenty (20) manufactured home sites, in which case the street need only be twenty (20) feet wide.

#### Section 17-6. Development to be Substantially in Accordance with Approved Plan:

An application for MH zoning shall be construed as an express representation by the applicant that if the zoning is granted the premises so zoned will be developed in substantial conformance with the plan submitted as part of the application. If there is material deviation from such plan, the City, after providing the landowner with appropriate notice and an opportunity to be heard, may revoke or suspend the grant of MH zoning and any building permit issued pursuant thereto. Nothing in this paragraph shall be construed so as to prevent the landowner from requesting an amendment to an approved manufactured home development plan, which request shall be subject to the same procedures for approval as though it were an original application for MH zoning.

#### Section 17-7. Exclusions:

Those prior valid non-conforming manufactured home parks in existence as of July 6, 1981, shall not be required to comply with MH requirements, except when modifications, alterations, or additions which require building permits are made to an existing park. In those cases, the modifications, alterations, or additions must conform to the MH guidelines.

