

Chapter 2

**MANUFACTURED HOME PARK**

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**Sec. 2-1. Title.**

This Chapter shall be known and designated as the "Manufactured Home Park Chapter" of the City. The standards contained herein shall apply to all manufactured home parks developed after the effective date of this Chapter and the future expansion of existing manufactured home parks. Manufactured home parks in existence prior to the effective date of this Chapter shall be subject to Moscow City Code Title 6, Section 2-9: Standards for Existing Manufactured Home Parks, and other portions of this Chapter as applicable. (Ord. 2020-01, 01/21/2020)

**Sec. 2-2. Statement of Purpose.**

Realizing that the manufactured home is becoming an integral part of the nation's housing supply, and realizing that safe housing and a pleasant environment for the residents of the City is of prime concern to

the Council, this Chapter is provided for the following purposes:

- A. To provide for the orderly placement of manufactured homes in manufactured home parks within the City and the area of City impact.
- B. To maintain a consistency of building codes and housing standards within the City.
- C. To maintain property values throughout the City.
- D. To safeguard the health, safety and environment of residents of manufactured home developments through adequate regulation.
- E. To allow a greater choice of housing alternatives for residents of the City.
- F. To provide for adequate traffic circulation and open space within manufactured home developments.

(Ord. 2020-01, 01/21/2020)

**Sec. 2-3. Definitions.**

As used in this Chapter, unless the context otherwise indicates:

- A. *Accessory Parking Area.* A common enclosed area set aside for the parking and storage of vehicles and mobile units accessory to everyday life. Such units may include, but are not limited to, motor homes, travel trailers, pickup campers, boats, motorcycles and other similar items.
- B. *Accessory Structure.* A structure intended for other than dwelling purposes that is within a manufactured home park. Such a structure would include, but not be limited to, storage areas, laundry facilities, recreation halls, maintenance shops, etc.
- C. *Application, Manufactured Home Park.* Required form provided by the City to be completed and submitted to the City along with accompanying maps and other information.
- D. *Buffer Zone.* The area immediately within the external property lines of any manufactured home park which is intended as an open transitional area between the manufactured home development and adjacent land uses.

- E. *Building*. Any structure having a roof, but excluding all forms of vehicles even though immobilized.
- F. *Building Codes*. The latest edition of any building code as currently adopted by the Council.
- G. *Building Permits*. A written form of permission to develop or alter structures placed on real property or its appurtenances constructed to the standards provided for in the Building Code, Moscow City Code, and any applicable state and federal regulations.
- H. *Construction Permit*. An official certificate issued by the City granting permission, after all final plans are approved, to start construction (roads, utilities, site preparation, etc.) on the development of a manufactured home park.
- I. *Existing Manufactured Home Parks*. Any manufactured home parks that are in existence at the time this Chapter is adopted.
- J. *Manufactured Home*. A structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42 U.S.C. Section 5401 et seq.
- K. *Manufactured Home Park*. A tract of land under single ownership developed for the purpose of providing rental space for manufactured homes, mobile homes, or modular homes on individual lots and for accessory structures to serve the residents within its confines.
- L. *Mobile Home*. A factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. A mobile home shall meet the requirements set forth in Idaho Code Title 39, Chapter 41, as amended from time to time by the State Legislature.
- M. *Modular Home*. Any building or building component, other than a manufactured or mobile home, that is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.
- N. *Park Operator's Permit*. A written form of permission by the City upon approval of satisfactory completion of development and after final inspection is made and approved before occupancy is allowed on any completed phase of development.
- O. *Recreation Area*. Space within a manufactured home park having open area and/or recreational equipment to be used for the leisure activities of residents of the development.
- P. *Setback*. The area between the property or lot line and the line beyond which buildings may legally be located.
- Q. *Setback Front*. The distance from the property or lot line on a private or public right-of-way to the building line. When the lot does not adjoin a private or public right-of-way, any side of the lot may be designated as the "front."
- R. *Setback Rear*. The setback from the property or lot line on the opposite side of the lot from the front setback. For a triangular shaped lot, the setback shall be measured from a line ten feet (10') in length within the lot which is parallel to

the front lot line, or parallel to the chord of a curved front lot line.

- S. *Setback Side.* The setbacks from the property line or lot lines remaining after the front and rear setbacks have been determined.
- T. *Space Installation Permit.* A written form of permission issued by the City to the manufactured home park owner or operator to permit a manufactured home to be placed on a manufactured home space within a manufactured home park. Space installation permit gives approval that the mobile home can be occupied at that particular site.
- U. *Structure.* That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- V. *Utilities.* Basic public service facilities such as water lines, sewer lines, natural gas lines, electric power lines, telephone wires and community television antenna lines.
- W. *Yard.* Open, unoccupied space in front, rear or side on the same lot with a building.  
(Ord. 2020-01, 01/21/2020; 2021-18, 10/4/2021)

**Sec. 2-4. Application Procedure for Manufactured Home Development.**

The following is the application procedure for the development of manufactured home parks in the City. A person wishing to make application for a manufactured home park should contact the Zoning Administrator to determine the regulations and requirements for such a development. A conference between the applicant and appropriate City staff will be scheduled.

- A. To provide clarification of the entire manufactured home park development process;
- B. To allow the City staff to express their professional views about the proposed site;
- C. To review adequacy of utilities for the development; and
- D. To clarify public utility and other

development policies of the City.  
(Ord. 2020-01, 01/21/2020; 2021-18, 10/4/2021)

**Sec. 2-5. Application and Preliminary Plans.**

The applicant shall submit to the City an application on the form prescribed by the City and one (1) paper copy along with one (1) digital copy (in PDF format) of preliminary plans to the Zoning Administrator for consideration by the Planning and Zoning Commission at least twenty (20) days prior to the meeting at which such plans will be considered. The application and preliminary plans shall include at least the following:

- A. Application:
  - 1. Name, address of developer and names of principal professional personnel involved in plan preparation;
  - 2. Legal description of development site;
  - 3. Area of proposed development measured in acres and square feet;
  - 4. Percentage of total area to be set aside for use in common or recreation;
  - 5. Number of spaces or lots intended for development; and
  - 6. Any intentions for phasing the project, along with a description of the proposed phases.
- B. Preliminary Plans:
  - 1. A drawing to scale of not less than one inch (1”) to fifty feet (50’), showing all land uses in the periphery of the development and all public and private roads within three hundred feet (300’) of the development. Development area to be distinctly shown on the above-mentioned drawings;
  - 2. A topographical map showing existing and final contours and drainage systems through the development, with maximum contour intervals of five feet (5’), extending not less than one hundred fifty feet (150’) beyond the boundaries of the development area.
  - 3. Tentative patterns of streets, bikeways and walkways, showing width and separation of same, and their relationship to similar facilities outside the boundaries of the proposed

- development, including sizing. Proposed street names shall be shown;
- 4. Location and specific nature of open area and playground equipment, if any;
- 5. Location of all existing and proposed structures within the development;
- 6. Location and precise nature of buffer area and its contents;
- 7. A conceptual plan of landscaping indicating type (trees, shrubs, ground cover) and general extent of plantings and a statement regarding the proposed maintenance program;
- 8. Tentative location of lots or spaces and location of major areas intended for use in common; and
- 9. Any other details specifically requested to be shown at the preliminary conference.

C. The preliminary plans shall be submitted to the City to be examined for conformance to this Chapter before being scheduled on the agenda of the Planning and Zoning Commission. If the plans are in conformance with this Chapter, they will be submitted to the Planning and Zoning Commission along with comments from City staff. The Planning and Zoning Commission will review the plans and will approve or disapprove the plans, approve the plans conditionally or request modification of the plans within sixty (60) days after the first meeting at which they are considered.  
(Ord. 2020-01, 01/21/2020; 2021-18, 10/4/2021)

**Sec. 2-6. Final Plans.**

A. The final plans shall include detailed drawings on all physical developments of the park development and any other requirements determined during the approval process of the preliminary plans. Within a year after the Planning and Zoning Commission approval of the preliminary plans, the applicant shall submit one (1) paper copy along with one (1) digital copy (in PDF format) of the final plans to the Zoning Administrator twenty (20) days before the scheduled meeting of the Planning

- and Zoning Commission. Final plans will be checked for conformance with the concepts presented and approved in the preliminary plans, the requirements of this Chapter and City standards before submitting the final plans to the Planning and Zoning Commission for its approval. The final plan shall include:
  - 1. A survey by a licensed surveyor indicating exterior boundary, public rights-of-way, lot sizes, easements, recreation area and any other information required by the City Engineer;
  - 2. Construction plans prepared by a licensed engineer indicating alignment and grade for water, sanitary sewer, storm sewer and streets;
  - 3. Parking location and layout;
  - 4. Street lighting layout;
  - 5. Space numbering;
  - 6. Fire protection plan; content determined by the City;
  - 7. Landscaping plan (including species and placement of planted materials):
    - a. At least one (1) tree per manufactured home unit;
    - b. Trees and other plantings shall conform to size standards established in the "American Standards for Nursery Stock"
    - c. All common areas and lots not utilized for structures, parking or other landscaping shall be covered by turf or other vegetative ground cover.

B. Before occupancy permits are issued, construction drawings prepared by a licensed engineer will be submitted to the City Engineer.  
(Ord. 2009-04, 02/02/2009; Ord. 2020-01, 01/21/2020; 2021-18, 10/4/2021)

**Sec. 2-7. Permits.**

The following permits shall be required for manufactured home parks:

- A. Construction Permit. Issued by the City upon approval of all final plans by the Planning and Zoning Commission.
- B. Park Operator's Permit. To be issued by the City upon approval of satisfactory completion of development and after final inspection is made and approved

before occupancy is allowed on any completed phase of development.

- C. Space Installation Permit. Issued to the park owner before the siting or re-siting of a manufactured home on specific lot within a manufactured home park. Used to determine that home location on a given site meets all required codes; approved site and manufactured home will be issued a certificate of occupancy.
- D. Plumbing Permit. Issued to owner of manufactured home to cover connection of unit into park water and sewer system.
- E. Electrical Permit. Issued to owner of manufactured home to cover connection of unit to park electrical system.
- F. Gas Permit. Issued to owner of manufactured home to cover connection of gas to manufactured home unit.
- G. Building Permit. Issued to cover construction of any structure within the park and is issued to the owner of the structure.

(Ord. 2020-01, 01/21/2020; 2021-18, 10/04/2021)

**Sec. 2-8. Fees.**

Fees for permits will be established by resolution of the Council.

**Sec. 2-9. Standards for Manufactured Home Parks.**

- A. Bulk and Dimensional Standards
  - 1. New or Expanded Manufactured Home Parks
    - a. Minimum site size: five (5) acres.
    - b. Minimum manufactured home lot size: three thousand six hundred (3,600) sq. ft.
    - c. Minimum setbacks:
      - i. Front: ten feet (10').
      - ii. Sides and rear: five feet (5').
      - iii. Side unit with main entrance: ten feet (10').
    - d. Minimum space between units, including accessory structures: ten feet (10').
    - e. Maximum lot coverage: seventy percent (70%).

f. Unwalled carports may be located within a required front setback if located not closer than four feet (4') to the curb or edge of the street; however, no fencing, screening, wall or plantings shall be permitted in the setback which might interfere with a driver's view of the street.

2. Existing Manufactured Home Parks

- a. Minimum site size: None specified.
- b. Minimum manufactured home lot size: None specified.
- c. Minimum Setbacks:
  - i. Front: None, as long as no part of any manufactured home encroaches upon any part of a walkway or park street.
  - ii. Sides and rear: five feet (5').
  - iii. Side unit with main entrance: ten feet (10').
- d. Minimum space between units, including accessory structures: ten feet (10').
- e. Maximum lot coverage: seventy percent (70%).

B. Recreation Area. A common recreation area(s) shall be provided in each manufactured home park consisting of no less than four percent (4%) or ten thousand (10,000) square feet, whichever is greater, of the gross land area. This area shall be exclusive of all lot and buffer areas and shall be developed with turf and trees to accommodate both active and passive recreation. If this requirement is to be met by several separate areas, one (1) area must be ten thousand (10,000) square feet in size and the remaining recreation areas shall be left to the discretion of the developer.

C. Buffer Area. All manufactured home lot lines and all structures within a manufactured home park shall be set back a minimum of fifteen feet (15') from the property line of the development. The need for a buffer area shall be determined by the Planning and Zoning Commission. If the Planning

and Zoning Commission determines a need for a buffer area, a sight obscuring fence or evergreen hedge at least six feet (6') in height shall be maintained within the rear and side buffer areas. Such fence or hedge across the front of the development shall be set back at least ten feet (10') from the front property line. The remainder of the buffer area will be landscaped as determined in the development plan submitted to the Planning and Zoning Commission.

D. Streets and Roads. The general layout of a manufactured home development shall provide not only adequate circulation space within its confines, but shall also integrate with any existing or planned street pattern in the general area of the development. Public street dedication may be required if needed to provide proper integration with existing or planned streets. All dedicated streets shall be constructed in accordance with the City of Moscow street standards as adopted by resolution of the Council. The developer of a manufactured home park may be required to improve any right-of-way to which the development is adjacent, to City standards. All street names shall be approved by the Planning and Zoning Commission.

E. Private Streets. Private streets within a manufactured home park shall be constructed to a minimum of four inches (4") aggregate base and a minimum of three inches (3") of bituminous pavement with curbs on both sides and sidewalk on one (1) side. Plans for traffic circulation within the area and the size of the development shall be considered before the Planning and Zoning Commission. Private streets shall be a minimum of thirty-six feet (36') in width with parking on both sides, twenty-eight feet (28') with parking on one (1) side and twenty feet (20') when no parking is provided. Dead-end streets shall be limited to a length of six hundred sixty feet (660') and the cul-de-sac shall have a minimum radius of ninety-six feet (96').

F. Walkways. Pedestrian walkways shall be four feet (4') in width and shall be provided along one (1) side of street frontage in manufactured home parks and shall be constructed to City standards. Walkways connecting interior facilities in the manufactured home park shall also be constructed to City standards of four feet (4') in width. Walkways shall be provided from the manufactured home unit to the street or interior walkway system and shall be built to a minimum of two feet (2') or wider.

G. Lighting. Street lighting shall be provided by the developers of all manufactured home developments affected by this Chapter. Such lighting shall utilize a mercury vapor or high pressure sodium light or another lighting system approved by the City Engineer. Lighting shall be provided at a minimum intensity of one-half (1/2) candle foot at all places along the private streets. Along public streets, the street light requirements shall meet the standards set forth in the Code.

H. Parking.

1. A minimum of two (2) off-street parking spaces per unit shall be required within a manufactured home park and parking spaces shall be located adjacent to the manufactured home site where possible, but not further than one hundred fifty feet (150') from the identified site. A parking space shall be at least nine feet (9') in width and twenty feet (20') in depth and shall be paved.
2. Additional off-street parking at a rate of one (1) parking space per three (3) manufactured home spaces shall be provided for guest and visitor parking.

I. Utilities. All manufactured home developments shall be served by City water and sewer and shall be developed and constructed to City standards. The water, sewer and electrical systems within the development and all individual hookups shall be installed in accordance to City standards.

J. Refuse Handling. All refuse collection locations shall be approved by the City.

- K. Space Numbering. Each lot in a manufactured home development shall be conspicuously marked with the proper lot number that will provide identification of that site. Such numbering shall comply with current Building and Fire Code requirements.
- L. Skirting. All manufactured homes placed within the City, within sixty (60) days of their installation except in cases of inclement weather, shall be completely skirted between the bottom of the unit and the ground with a material harmonious in color and texture with the exterior of the manufactured home.  
(Ord. 90-23, 12/17/90; Ord. 2020-01, 01/21/2020)

**Sec. 2-10. Responsibilities of Park Owner.**

- A. The owner of a manufactured home park shall operate the park in compliance with this Chapter and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- B. The park owner shall notify park occupants of all applicable provisions of this Chapter and inform them of their duties and responsibilities under this Chapter and regulations issued hereunder.
- C. The park owner shall be responsible for obtaining all necessary permits required by this Chapter for placement and replacement of each manufactured home on its stand and the installation of all utility connections. An occupancy certificate for the manufactured home will not be issued until proper inspections have been completed. A manufactured home shall not be occupied for dwelling purposes until an occupancy certificate has been issued by the City.  
(Ord. 2020-01, 01/21/2020)

**Sec. 2-11. Park Areas for Nonresidential Uses.**

- A. No part of any park shall be used for nonresidential purposes, except such

uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

- B. Nothing contained in this Section shall be deemed as prohibiting the sale of a manufactured home located in and connected to the pertinent utilities.  
(Ord. 2020-01, 01/21/2020)

**Sec. 2-12. Violation of Provisions; Operations Suspension.**

- A. Whenever, upon inspection of any manufactured home park, the City finds that conditions or practices exist which are in violation of any provision of this Chapter, or the park operator's permit for the development or any other regulation adopted pursuant thereto, the City shall give notice which shall:
  1. Be in writing;
  2. Include a statement of the reason for its issuance;
  3. Allow a reasonable time for the performance of any act it requires;
  4. Be served upon the owner or owner's agent when a copy thereof has been sent by certified or regular mail to the owner or owner's agent's last known address, or when the owner or owner's agent has been served with such notice by any other method authorized or required by the laws of this state; and
  5. Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this Chapter and with regulations adopted pursuant thereto.
- B. At the end of the specified time period, the City shall reinspect such manufactured home park and, if such conditions or practices have not been corrected, the City shall take legal action to have the manufactured home park operator's permit revoked and have the manufactured home park cease operation or have the City hire or contract for remedial action to correct the problem and bill the park owner for these costs or put a lien on his property.
- C. Any person, whose manufactured home park has received notice their

manufactured home park operator's permit will be revoked unless certain conditions or practices at the manufactured home park are corrected, may request a hearing on the matter before the Council. The manufactured home park owner/operator has thirty (30) days to appeal the ruling of the City and to file an appeal with the Council.

- D. The filing of the request for a hearing shall operate as a stay of notice of suspension. Under receipt of such petition, the Council shall set the time and place for such a hearing and shall give the petitioner notice thereof. At such hearing, the petitioner shall be given the opportunity to be heard, and to show why such notice should be modified or withdrawn. The hearing shall be commenced no later than thirty (30) days after the day on which the petition was filed; provided, upon application of the petitioner, the date of the hearing may be postponed for a reasonable time beyond such thirty (30) day period when it is felt that the petitioner has submitted good and sufficient reasons for postponement.
- E. After such hearing, the Council shall make findings as to compliance with the provisions of this Chapter and regulations issued thereunder and shall issue orders in writing sustaining, modifying or withdrawing the notice which shall be served in a manner prescribed in this Code. Upon a failure to comply with the order sustaining or modifying a notice, the operation of the manufactured home park affected by the order shall be stopped or corrective action taken by the City and charged to the park owner. The proceedings at such a hearing, including the findings and decisions of the Council, together with a copy of every notice and order related thereto, shall be entered as a matter of public record of the Council, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by laws of this state.

- F. When the City finds an emergency exists which requires immediate action to protect the public health, the City may, without notice of hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as deemed necessary to meet the emergency, including the suspension of operation and the revoking of the park operator's permit. Notwithstanding any other provisions of this Chapter, such order as directed shall comply therewith immediately, but upon petition to the Council, shall be afforded a hearing as soon as possible. (Ord. 2011-03, 05/16/2011)

**Sec. 2-13. Variances.**

Variances may be permitted as set forth in the Zoning Code. (Ord. 2020-01, 01/21/2020)

**Sec. 2-14. Appeals.**

Any person whose application for a manufactured home development under this Chapter has been denied, may, within ten (10) days after the date on which the application was denied, appeal to the Council under the procedure provided in this Chapter. A hearing on the matter will be scheduled within sixty (60) days of the date of the appeal being filed. (Ord. 2020-01, 01/21/2020)

**Sec. 2-15. Violations; Penalties.**

Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined pursuant to this Code and the Idaho Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. The City may also use any civil remedies available to gain compliance with this Chapter. (Ord. 2020-01, 01/21/2020)

**Sec. 2-16. Nonconforming Uses.**

Any existing park which does not meet the standards of this Chapter shall be considered a nonconforming use. Any existing parks that become nonconforming uses at the time this Chapter is adopted may



continue to operate unless the use shall be terminated for a period of one hundred eighty (180) days. If such use is terminated for more than one hundred eighty (180) days, the use cannot be reestablished unless it is brought into conformance with this Chapter. Any expansion of a nonconforming manufactured home park shall be developed to the requirements and standards of this Chapter, unless said requirements are technically unfeasible. The determination as to whether the requirements of this Chapter would be technically unfeasible shall be made by the Planning and Zoning Commission.

(Ord. 2020-01, 01/21/2020)

**Sec. 2-17. Phase Development.**

Phasing shall be permitted subject to the approval of the Planning and Zoning Commission.

(Ord. 2020-01, 01/21/2020)

**Sec. 2-18. Modular Homes.**

Modular homes which have been inspected and approved by the Idaho Division of Building Safety and which contain the appropriate modular insignia shall be permitted within manufactured home parks.

(Ord. 2020-01, 01/21/2020)