

ARTICLE 11 MANUFACTURED HOUSING REGULATIONS

11.1

Definitions

11.1.1

CLASS A MANUFACTURED HOME

Manufactured housing certified, by the Mobile Home Manufacturing Association and the Kentucky Department of Housing, Building and Construction, as meeting all Federal and Kentucky Construction and Safety Standards, and approved by the administrative official as meeting all of the "Acceptable Installation Standards" hereinbelow and in the Danville-Boyle County Subdivision Regulations, and all of the "Acceptable Similarity Appearance Standards" hereinbelow.

A. **Acceptable Installation Standards.** Class A Manufactured Homes must meet all of the following standards to achieve acceptable installation:

1. They shall be permanently installed on a permanent foundation as per the manufacturer's installation specifications as approved by the U.S. Department of Housing and Urban Development.
2. All wheel, trailer-tongue and hitch assemblies shall be removed upon installation.
3. They shall be permanently connected to an approved public water and sewer system when available, and shall comply with all public health requirements governing plumbing installation.

B. **Acceptable Similarity Appearance Standards.** Class A Manufactured Homes must meet all of the following standards to achieve acceptable similarity in appearance between the manufactured home and site-built housing:

1. A poured concrete or masonry block skirting wall shall be constructed beneath and along the entire perimeter of the manufactured home, compatible in appearance with community site-built housing foundation, even if the wall is not structurally required by the manufacturer's installation specifications.
2. Minimum width of main body of manufactured home as assembled on the site shall not be less than twenty (20) feet, as measured across the narrowest portion.
3. The pitch of the main roof shall be not less than two and one-half (2 1/2) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance.

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4. Any materials that are generally acceptable for housing built on the site may be used for exterior finish.

11.1.2

CLASS B MANUFACTURED HOME

Manufactured housing certified, by the Mobile Home Manufacturing Association and the Kentucky Department of Housing, Building and Construction, as meeting all Federal and Kentucky Construction and Safety Standards, all the "Acceptable Installation Standards" hereinbelow, and not meeting all of the "Acceptable Similarity Appearance Standards" hereinabove.

11.1.3

CLASS C MANUFACTURED HOME (MOBILE HOME)

A Class C Manufactured Home, also known as a Mobile Home, is defined as a structure manufactured prior to June 15, 1976 which was not required to be constructed in accordance with the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401, ET Seq. (commonly referred to as the HUD Code), which is transportable in one or more sections, which, in the traveling mode, is at least eight (8) body feet in width and at least forty (40) body feet 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. These homes bear a numbered Class A or B seal issued by the Kentucky Department of Housing, Building, and Construction, Office of the State Fire Marshal.

11.1.4

CLASS D MANUFACTURED HOME

Manufactured housing not certified, by the Mobile Home Manufacturing Association and the Kentucky Department of Housing, Building and Construction, as meeting all Federal and Kentucky Construction and Safety Standards, found on inspection to be unsafe and/or unfit for residential occupancy.

11.1.5

MANUFACTURED HOUSING PARK

A planned development in an RMH district of ten (10) acres or more in area, designed for the siting of ten (10) or more manufactured homes.

- A. **Manufactured Housing Park Complex.** A manufactured housing park held under single ownership or control.
- B. **Manufactured Housing Park Subdivision.** A manufactured housing park in which individuals may own their own lots and share in the use and maintenance of common areas and facilities.

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11.2

Regulations and Standards for RMH District

11.2.1

INTENT

The intent of the RMH district is to establish an area for planned manufactured housing parks. Such a park may either be a “complex” which shall be under single ownership or control with no geographic division of the site; or a “subdivision” in which individuals may own the lots on which their manufactured homes are located. Both complexes and subdivisions may contain common areas for management or recreation facilities, open space, or for other uses or structures customarily incidental to manufactured housing parks. No manufactured housing park complex or subdivision shall be permitted on a site of less than ten (10) acres in size. The developer may be permitted to develop the site in stages as long as he complies with the overall plan for the entire tract and initially has a minimum of ten (10) manufactured home spaces or lots developed for use.

11.2.2

APPLICATION

Application for a manufactured housing park shall be made to the Danville-Boyle County Planning Commission. A site plan is required.

- A. **RMH District.** If the proposed site is already an RMH district, a Final Site Plan shall be required. Content of the plan shall be as stated in Article 4 (Site Plan Review) plus dimensions, location and number of all lots, and a large-scale plan for one (1) typical manufactured home lot showing home location, automobile parking spaces, walks, roof pitch, exterior building materials, and any other items requested by the Planning Commission or by the administrative official. Application for a manufactured housing park subdivision shall include a proposed plat for the horizontal division of land within the park. Said plat shall be deemed a subdivision plat and susceptible to the requirements of KRS 100.273 and KRS 100.277, and applicable requirements of the Danville-Boyle County Subdivision Regulations.
- B. **Non-RMH District.** If a Zoning Map Amendment to the RMH district is needed, application shall be made as per Article 18 of this Ordinance. Content of the plan shall include all standard site plan requirements (as stated elsewhere in this Ordinance) plus dimensions, location and number of all lots, and a large-scale plan for one (1) typical manufactured home lot showing home location, automobile parking spaces, walks, roof pitch, exterior building materials, and any other items requested by the Planning Commission or by the administrative official. Application for a manufactured housing park subdivision shall include a proposed plat for the horizontal division of land within the park. Said plat shall be deemed a subdivision plat and subject to the requirements of KRS 100.273 and KRS 100.277, and applicable requirements of the Danville-Boyle County Subdivision Regulations.

11.2.3

MINIMUM DESIGN STANDARDS

A. **Zoning.** The proposed manufactured housing park shall be located in an RMH Residential Manufactured Housing Park District.

B. Uses Permitted by Right

1. Permitted Uses

Single-family detached manufactured homes (Class A, B, and C) which are approved as safe and fit for residential occupancy.

Class D manufactured homes are prohibited;

Accessory structures, such as awnings, carports, porches, storage buildings, and similar structures;

Community open space and recreation areas with accessory outdoor recreational equipment;

2. Accessory Uses

Management headquarters

Indoor recreational facilities;

Laundry facilities (including coin-op facilities for residents);

Other uses and structures customarily incidental to the operation of a manufactured housing park

Accessory community facilities shall be for the convenience of the occupants of the park, and shall present no visible evidence of a commercial character which would attract customers other than the occupants of the park. Such community facility buildings shall be permitted one (1) identification sign per building attached in a flat manner to the building, and shall not exceed four (4) square feet in area.

MHP Guidelines Summary Table

Minimum MHP Park Size (subdivision or complex)	10 acres (435,600 sq. ft.)
Minimum Number of Lots or Spaces per MHP Park	10 spaces/lots
Minimum Manufactured Home Setback from any MHP Park Property Line Abutting a Public Street ¹	20 ft.
Minimum Manufactured Home Setback from All Other MHP Park Property Lines ¹	15 ft.
Minimum Manufactured Home Setback from Private Streets within MHP Park	10 ft.
Minimum MHP Lot Size – For complex For Subdivision	2,000 sq. ft. 3,000 sq. ft.
Minimum Home Spacing ²	10 ft.
Maximum Lot Coverage	1/3 of lot area ³
Maximum Number of Lots or Spaces per Acre	8 lots or spaces per acre

1 Includes accessory structures.

2 See Section 11.2.3 (H)(2)

3 For manufactured homes only. Maximum coverage of 2/3 of the lot area for the home and all accessory structures.

Proposed community facilities of unclear conformity with the hereinabove provisions shall be reviewed by the Planning Commission to determine if such a facility shall be permitted.

- C. **Maximum Density.** The number of manufactured homes permitted in a park shall not exceed a density of eight (8) homes per gross acre.
- D. **Minimum Floor Area.** In the RMH district, every manufactured home shall have a minimum of 400 square feet of usable floor area within the principal structure in park complexes, and a minimum of 600 square feet in park subdivisions.
- E. **Park Setbacks.** All manufactured homes and accessory structures shall meet setback requirements of at least twenty (20) feet from any park property line abutting upon a public street or highway and at least fifteen

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(15) feet from other park property boundary lines. No structure shall be closer than ten (10) feet to private streets within the park.

F. **Landscape Buffers.** Manufactured housing parks shall meet all applicable requirements of landscaping and screening set forth in Article 9 of this Ordinance.

G. **Streets and Spillover Parking.** A manufactured housing park shall have access to an existing street and/or road. All manufactured homes shall have access to an interior private street within the park, which shall be hard-surfaced, lighted, clean, and maintained in good repair according to the standards of the administrative official or building inspector.

1. Spillover parking for guests and accessory uses shall be provided along private streets and/or in off-street parking lots, with the number of spaces to be determined by the Planning Commission.
2. Private streets within the park shall be of an appropriate width to accommodate the contemplated parking and traffic load. The following shall be considered as optimum widths from back-of-curb to back-of-curb:
 - a. Minor collecting streets serving more than 90 lots: 37 feet with spillover parking; 26 feet with no parking.
 - b. Local subcollector streets serving more than 40 lots, up to 90 lots: 34 feet with spillover parking; 24 feet with no parking.
 - c. Local access streets serving up to 40 lots: 27 feet with spillover parking; 22 feet with no parking.
 - d. Loop streets. Any of the above streets which have two ends intersecting the same street of a higher classification may serve twice as many lots as specified above.
 - e. Cul-de-sac dimensions and design shall be determined by the Planning Commission.

H. Manufactured Housing Lots

1. **MINIMUM AREA.** Lots shall be a minimum of 2,000 square feet in area for park complexes, and a minimum of 3,000 square feet in area for park subdivisions. In no case shall more than one (1) manufactured home, with its accessory structures, be permitted on a single lot.
2. **HOME SPACING.** In a park complex, a manufactured home and its accessory structures shall not be located within ten (10) feet of another manufactured home or structure. In a park subdivision, a manufactured home or attached accessory structure shall not be located within five (5) feet of a side or rear lot line, and detached accessory structures shall be located at least three (3) feet from said lot lines.

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3. **LOT COVERAGE.** Manufactured homes shall not occupy an area in excess of one-third of the respective lot area. The accumulated occupied area of the manufactured home and its accessory structures shall not exceed two-thirds of the respective lot area.
4. **RESIDENT PARKING.** A minimum of two (2) off-street automobile parking spaces shall be provided for each manufactured home. In park subdivisions, said parking spaces shall be located on the lot they serve.
5. **MANUFACTURED HOME STANDS.** The home stand shall be improved to provide adequate support for the placement and tie-down of the manufactured home.
 - I. **Common Areas and Facilities.** Common areas for recreational, management or service facilities shall be of adequate area and configuration to accommodate contemplated structures and uses, and shall be conveniently located to all park residents.
 - J. **Management**
 1. **IN PARK COMPLEXES.** In park complexes, the management and maintenance of all grounds and facilities shall be the responsibility of the park owner, who may or may not delegate responsibility for particular maintenance duties to residents through lease agreements.
 2. **IN PARK SUBDIVISIONS.** In park subdivisions, a park owners association shall be established to manage and maintain the park. The bylaws of the association shall specify the individual and collective responsibilities of lot owners and park residents, for the maintenance of all grounds and facilities and the continuing management of the park subdivision. The bylaws shall be so created as to discourage the selling of park lots to individuals who will not be residents of the park subdivision in order to maximize active interest of residents in the maintenance of their park community. The bylaws shall provide for liens against properties with unpaid assessments and the right to foreclose on such properties.

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11.2.4

ISSUANCE OF ZONING PERMIT

The Planning Commission may attach reasonable special conditions to its approval of a manufactured housing park and the administrative official shall not issue a zoning permit until s/he has received written authorization from the Planning Commission and until a valid permit is presented from the State as required by KRS 219.310 through KRS 219.410.

11.2.5

ISSUANCE OF VALID PERMIT TO OCCUPY

Authorization may be obtained by a developer or owner submitting a final site plan and final plat for approval to the Planning Commission. The applicant shall present a valid permit to operate from the State as required by KRS 219.310 through KRS 219.410.

11.2.6

OCCUPANCY LIMITATIONS

All manufactured homes are to be single-family residences, using the definition of "family" given in Article 2 in this Ordinance.

11.2.7

ENFORCEMENT

The administrative official shall ensure that all manufactured housing parks maintain valid permits to operate and maintain conformance with all applicable regulations of the Danville-Boyle County Zoning Ordinance and all special conditions.

11.3

Regulations and Standards for Manufactured Housing Outside of RMH Districts

11.3.1

PRINCIPAL, CONDITIONAL AND PROHIBITED MANUFACTURED HOUSING.

Manufactured homes are to be considered principal, conditional, or prohibited based on the class rating set forth herein and their location in a given district, as set forth in this Ordinance. Owners whose homes are classified as principal or conditional uses shall follow the appropriate procedures set forth herein.

- A. CLASS A MANUFACTURED HOMES, as determined by the standards herein, may be installed in the districts so indicated in Article 5 so long as the minimum standards and requirements for the manufactured home and the lot as indicated herein are reached and maintained.
- B. CLASS B MANUFACTURED HOMES, as determined by the standards herein, may be installed in districts so indicated in Article 5 so long as the Class B manufactured homes meet all Class A Acceptable Installation Standards of Section 11.1.1(A) and meet, at a minimum, the Class A Similarity Appearance Standard of Section 11.1.1 (B)(1), as well as any other applicable regulations and policies set forth by the Planning Commission, the Danville-Boyle County Zoning Ordinance, and the Danville-Boyle County Subdivision Regulations. Class B manufactured homes placed in the AR-1 zoning district will not be

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required to meet Class A Acceptable Similarity Appearance Standard of Section 11.1.1(B)(1); however, vinyl underpinning shall be installed within 12 weeks of placement of the manufactured home. Other materials may be acceptable for underpinning, but any other materials must be approved by the Planning and Zoning Director prior to installation.

- C. CLASS C AND D MANUFACTURED HOMES, as determined by the standards herein, are prohibited outside of an RMH District. Existing Class C and D structures outside an RMH District shall be considered to be nonconforming uses.

11.3.2

TEMPORARY PLACEMENT

- A. Residential manufactured housing may be temporarily placed for a period of not more than twelve (12) months provided that the owner/applicant is constructing a permanent conforming principal structure on the same lot. Anyone seeking to place or use a manufactured home for such purpose shall make a written request to the administrative official, including proof of intent and financial ability to construct a permanent conforming principal structure. The administrative official may grant a permit for the manufactured home placement and use for up to one (1) year. The administrative official may revoke such permit with thirty (30) days notice if he or she determines that the owner/applicant does not intend to construct a permanent conforming principal structure within the one (1) year period. Any such permitted temporary manufactured home shall be removed within fourteen (14) days after certificate of occupancy is issued for principal use.
- B. Temporary manufactured housing in AR-1 districts is addressed in Article 5 of this Ordinance.

11.3.3

MINIMUM LOT SIZE

Manufactured housing not located within an RMH district but located in a district in which such housing constitutes a principal use shall maintain a minimum lot size appropriate to the district in which it is placed.

11.3.4

RESIDENTIAL DENSITY

No more than one (1) manufactured home, regardless of whether or not it is a principal or accessory use, its district, or of the size of the overall lot, shall be placed on a given lot, except when the home is placed within an approved Manufactured Housing Park Complex in an RMH district as described hereinabove or as permitted for tenant housing in Section 5.2.1F.

11.3.5

SUBDIVISION OF PROPERTY FOR MANUFACTURED HOUSING

11.3.5.1

Any application for subdivision of property made to the Planning Commission with the intent of placing more than one manufactured home on said property shall be prohibited until such time that the property's zoning is reclassified as an RMH district through the amendment procedures set forth herein. Such property may not

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be subject to further subdivision for a period of one (1) year after the subdivision is granted.

11.3.6

MINIMUM LOT WIDTH, BUILDING SETBACK, AND DESIGN REQUIREMENTS

Manufactured housing shall meet all minimum lot size, width, and building setback standards set forth in this Ordinance for the district in which the manufactured housing is to be permanently placed. Manufactured housing shall meet all design requirements set forth in the Danville-Boyle County Subdivision Regulations.

11.3.7

ISSUANCE OF MANUFACTURED HOME PLACEMENT PERMIT

Any person who places a manufactured home without first obtaining a manufactured home placement permit shall be assessed a penalty at 100% of the scheduled manufactured home placement permit fee, over and above the fee itself.

11.3.8

OCCUPANCY LIMITATIONS

All manufactured homes are to be single-family residences and have no more than one (1) family in permanent residence at any given time, using the definition of "family" given in Article 2 of this Ordinance.

- A. The policy set forth in Section 11.3.8 shall be construed as superseding any multifamily district designation of the property on which said manufactured home resides.

11.3.9

CONFLICTING PROVISIONS

Wherever there is conflict between the design standards in the Subdivision Regulations, the lot dimensions in this Ordinance, or with the provisions of any additional relevant ordinances, rules, or laws set forth by the City, County, State or Federal Governments, the stricter provisions among these ordinances, rules or laws shall apply.

11.3.10

ENFORCEMENT

The administrative official shall ensure that all manufactured homes maintain conformance with all applicable regulations of the Zoning Ordinance and all special conditions of the manufactured home placement permit.