

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2010-10

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE CHAPTER 6.12 BY AMENDING THE TITLE FROM “MOBILE HOMES AND MOBILE HOME PARKS” TO “MOBILE AND MANUFACTURED HOMES AND MOBILE AND MANUFACTURED HOME PARKS,” AND MAKING OTHER AMENDMENTS

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (“SGC”).

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** The purpose of this ordinance is to amend the title of SGC Chapter 6.12 from “Mobile Homes and Mobile Home Parks” to “Mobile and Manufactured Homes and Mobile and Manufactured Home Parks,” and to make amendments to the chapter to:

- Bring this chapter into conformance with the Sitka Comprehensive Plan;
- Establish new design standards for new parks for mobile and manufactured homes that provide for less density and more fire safety;
- Codify and clarify present installation standards;
- Prohibit the use of recreational vehicles as permanent residences;
- Place greater responsibility for location of units and compliance with this chapter on mobile and manufactured home park owners; and
- Make clerical edits or delete provisions no longer pertinent.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that the title of SGC 6.12 is amended from “Mobile Homes and Mobile Home Parks” to “Mobile and Manufactured Homes and Mobile and Manufactured Home Parks,” and to make other amendments to SGC Chapter 6.12 as follows (new language underlined; deleted language stricken):

Chapter 6.12

MOBILE AND MANUFACTURED HOMES AND MOBILE AND MANUFACTURED HOME PARKS

Sections:

6.12.010 Definitions.

6.12.020 Enforcement.

- 6.12.030 Permits required.
- 6.12.040 Mobile and manufactured home park permit—Application Plot plan and supplementary material required.
- 6.12.050 Existing mMobile and manufactured home parks permitted before August 1, 2010—Design requirements.
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- 6.12.060 Recreational vehicle parks— Design requirements.
- 6.12.070 Granting or rejection of permits.
- 6.12.080 Appeals.
- 6.12.100 Permit—Revocation.
- 6.12.110 Sanitary and health regulations.
- 6.12.130 Mobile and manufactured home park—Register of occupants.
- 6.12.135 Mobile and manufactured home park—Registered owner’s agent required.
- 6.12.140 Mobile home/manufactured home—Uses—Permit.
- 6.12.160 Mobile and manufactured home park—Numbering spaces required.
- 6.12.180 [Reserved]Parking on public property prohibited.
- 6.12.190 Use as residence or sleeping quarters.
- 6.12.200 Construction requirements Additions.
- 6.12.210 Existing structures.

6.12.010 Definitions.

For the purpose of this chapter, the following terms have the meanings respectively ascribed to them in this section, unless from the particular context it clearly appears that some other meaning is intended:

A. “Access roads” means a private road which does not extend beyond the boundaries of a mobile and manufactured home park and which provides the principal means of access to abutting individual spaces and auxiliary buildings;

B. “Manufactured home” means a structure constructed on or after June 15, 1976, according to United States Department of Housing and Urban Development (“HUD”) standards, transportable in one or more sections which, in the traveling mode, is 8 feet (2,438 mm) or more in width or 40 feet (12,192 mm) or more in length, or when erected on site, is 320 square feet (30 square m) or more, 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 plumbing, heating and electrical systems. “Manufactured home” shall also include any structure which meets all the requirements of this definition listed above, except the size requirements, and has a

manufacturer certificate required by HUD that complies with HUD standards for a manufactured home:

CB. "Mobile home" means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is 8 feet (2,438 mm) or more in width or 40 feet (12,192 mm) or more in length, or, when erected on site, is 320 square feet (30 square m) or more, 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 plumbing, heating, and electrical systems
~~any coach, mobile home, manufactured home built in accordance with HUD standards, house car, trailer or other vehicle or structure designed or intended for or capable of human dwelling or sleeping purposes, mounted upon wheels or supports, and/or capable of being moved by its own power or transported by another vehicle, whether such mobile home is used or intended for permanent or transient occupancy;~~

DC. "Mobile and manufactured home park" means any park, court, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than three mobile homes-units that includes mobile homes and/or manufactured homes, and includes all buildings used or intended for use as a part of the equipment thereof, whether or not a charge is made for the use of the park and its facilities. A mobile and manufactured home park does not include automobile or trailer sales-lots on which unoccupied mobile or manufactured homes are parked for the purpose of inspection and sale except for mobile homes which are fully set up for occupancy with not more than one mobile home located on each space;

ED. "Person" includes an individual, partnership, firm, company, corporation; whether tenant, owner, lessee, or licensee, or their heir or assign;

EE. "Play yard" means an area specifically set aside for the use of children, which area shall not be included within any mobile or manufactured home spaces;

EF. "Public street" means any street, road or highway of which the general public has the right of common enjoyment or which is publicly maintained;

H. "Recreational vehicle" means a vehicle built on a single chassis that is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light-duty truck, and is designed not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use;

IG. "Recreational vehicle park" means any park, court, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for transient mobile homes- recreational vehicles. A transient mobile home is one that is intended to and actually remains in the same space for a period of less than two weeks;

JH. "Space" means a plot of ground in a trailer or mobile and manufactured home park permitted on or after August 1, 2010, of not less than eighteen hundred- three thousand square feet of space designed for the location of at least two one automobiles

and only one ~~trailer~~ unit. “Space” means a plot of ground of a mobile and manufactured home park permitted prior to August 1, 2010, of not less than eighteen hundred square feet designed for the location of at least one automobile and only one unit;

KI. “Unit” means a mobile home ~~unit~~ or a manufactured home ~~unit~~.

6.12.020 Enforcement.

The provisions of this chapter shall be enforced by the municipal Building Official, who shall be appointed by the municipal Administrator for such term and subject to such conditions and such rates of compensation as the municipal Administrator directs. No permit or certificate of occupancy shall be issued for a mobile and manufactured home park or mobile or manufactured home unless the plans and facilities comply with the provisions of this chapter.

6.12.030 Permits required.

No land shall be used for a mobile or manufactured home park or recreational vehicle tourist accommodation park unless a permit is issued by the municipal Building Official under the terms of this chapter.

It is unlawful for any person, firm or corporation to operate, manage or maintain any mobile or manufactured home park or ~~new~~ recreational vehicle park within the city and borough without a permit ~~therefor~~ authorizing the operation of such park.

6.12.040 Mobile and manufactured home park permit—~~Application Plot plan and supplementary material required.~~

A complete plot plan and the following supplementary material shall be submitted to the municipal Building Official and the Planning Department, as well as the Planning Commission when appropriate, for review and approval prior to the issuance of a mobile and manufactured home park permit:

- A. Applicant’s name, address and legal interest in the property;
- ~~BA.~~ The Area and dimensions of the tract of land and land uses within one hundred (100) feet;
- ~~CB.~~ Legal description of perimeter;
- D. Engineering plans and specifications for the proposed mobile and manufactured home park. These shall include:
 - 1C. Number, location and size of all ~~spaces~~ mobile home parking lots;
 - 2D. Location, width and surfacing of roadways, off-street parking and walkways;
 - 3E. Location and size of any ~~service~~ existing or proposed buildings and any other proposed structures within the mobile and manufactured home park;

4F. Methods and plans of domestic and fire protection water supply, surface drainage and erosion control, sewage disposal, electrical supply and garbage disposal;

5G. Location of the permanent monuments required in Section 6.12.050; and

6H. Location and mapping of any portion of the property located within a federal flood hazard area according to the Flood Insurance Rate Map.

6.12.050 Existing mobile and manufactured home parks permitted before August 1, 2010—Design requirements.

A. There shall be at least one permanent monument located within the boundaries of each mobile and manufactured home park, preferably at one of the property corners. Such monument shall be of the same nature as the monuments required by other Sitka General Code sections related to platting, ~~the platting ordinance of the city and borough~~, as defined in the presently existing sections ordinance or as defined in any future sections platting ordinance adopted by the city and borough. Such monument shall be shown on the plot plan required by Section 6.12.040.

B. Mobile and manufactured homes shall be parked in spaces so that a fifteen-foot front yard and ten-foot rear yard setback is observed. The side yard setback shall be no less than five feet. No mobile or manufactured home shall be placed nearer than twenty-five feet to any highway or arterial street.

~~C. Access roads for each unit shall have a minimum width of twenty feet to which every trailer unit shall have direct access. Such roads shall be good all-weather roads. Direct access from any public street or right-of-way to any trailer within a mobile home park shall not be permitted. Not more than two driveway entrances spaced not less than one hundred feet apart shall be permitted.~~

~~D. Sales lots upon which unoccupied trailers are to be displayed shall be not less than five thousand forty square feet in area and shall provide space for off-street parking of at least five automotive vehicles. Residential lots upon which one trailer may be located for use as a permanent dwelling shall contain a minimum area of five thousand forty square feet.~~

DE. Play yards shall be at least one hundred square feet per trailer unit. The play yards shall be ~~so~~ located so that no mobile or manufactured home is more than five hundred feet from a play yard.

~~F. No major changes or alterations shall be made to any part of the mobile home park as outlined in an approved plan without approval by the municipal building official.~~

~~G. New mobile home spaces to be located within any portion of a flood hazard area shall contain ground anchors and tie-downs in accordance with National Flood Insurance Program requirements. The fact that the space is located within a flood hazard~~

~~area shall be disclosed to the occupant along with any information, such as alternate access.~~

6.12.055 New mobile and manufactured home parks permitted on or after August 1, 2010 —Design requirements.

A. There shall be one permanent monument located at each of the property corners. Such monument shall be of the same nature as the monuments required by other Sitka General Code sections related to platting, as defined in the presently existing sections or as defined in any future sections. Such monument shall be shown on the plot plan required by Section 6.12.040.

B. Units shall be parked in spaces so that an eighteen-foot front yard and ten-foot rear yard setback is observed. The side yard setback shall be no less than five feet. No unit shall be placed nearer than twenty feet to any highway or arterial street, unless the adjacent highway or arterial street is greater than eighty feet in width, in which case no unit shall be placed nearer than ten feet. The park owner or agent shall be responsible for the proper location of each unit and shall be signatory to the required permit application.

C. A mobile and manufactured home park shall have at least one play yard that shall contain a minimum of two thousand square feet, or two hundred square feet per unit, whichever is greater. The play yards shall be located so that no unit is more than five hundred feet from a play yard.

6.12.058 New and existing mobile and manufactured home parks —Design requirements.

A. Access roads for each unit shall have a minimum width of twenty feet to which every unit shall have direct access. Such roads shall be well maintained all-weather roads. Direct access from any public street or right-of-way to any unit within a mobile and manufactured home park shall not be permitted. Not more than two driveway entrances spaced not less than one hundred feet apart shall be permitted.

~~B. Sales lots upon which unoccupied units trailers are to be displayed shall be not less than five thousand forty square feet in area and shall provide space for off-street parking of at least five automotive vehicles. Residential lots upon which one unit trailer may be located for use as a permanent dwelling shall contain a minimum area of five thousand forty square feet.~~

No major changes or alterations shall be made to any part of the mobile and manufactured home park as outlined in an approved plan without approval by the municipal Building Official.

C. Mobile and manufactured homes spaces to be located within any portion of a flood hazard area shall comply with National Flood Insurance Program requirements.

The fact that the space is located within a flood hazard area shall be disclosed to the occupant along with any information, such as alternate access.

* * *

6.12.070 Granting or rejection of permits.

Whenever the application shows that the proposed mobile and manufactured home park or installation is in conformity with the provisions of this chapter and any applicable zoning and health regulations, the municipality and borough Building Official shall issue a permit; otherwise the application shall be rejected and the municipality and borough Building Official shall state in writing the reason for such rejection.

* * *

6.12.130 Mobile and manufactured home park—Register of occupants.

Mobile and manufactured home park operators shall keep a register of the occupants of mobile and manufactured home park spaces. This register shall be given to the Planning Department.

6.12.135 Mobile and manufactured home park—Registered owner's agent required.

Each mobile and manufactured home park owner shall designate a Sitka resident as the owner's agent. The agent shall be empowered to act on the owner's behalf on matters pertaining to park management and maintenance. Contact information for the designated agent shall be given to the Planning Department.

6.12.140 Mobile home/manufactured home—Uses—Permit.

Except where a unit ~~mobile home~~ is located on a residential lot and lawfully used as a single-family dwelling, no unit ~~mobile home~~ shall be used as a place of business or as a place of habitation or stand in the open on any land more than thirty days without first obtaining the permit required in Section 6.12.070.

6.12.160 Mobile and manufactured home park—Numbering spaces required.

Owners of mobile and manufactured home parks shall clearly number each space serially. The space numbers shall be a minimum of 6 inches high and clearly visible from the access road.

6.12.180 [Reserved] ~~Parking on public property prohibited.~~

~~It is unlawful for any recreational vehicle motor home or camper vehicle, or any vehicle defined in Section 6.12.010(H) to park on municipal property overnight for more~~

~~than a total of five days in any three-month period unless parked in a public campground or mobile home court. This provision shall be enforced by the city and borough police department.~~

6.12.190 Use as residence or sleeping quarters.

A. ~~No mobile home, manufactured home, or recreational vehicle, moveable trailer, camper body or motor home or other motor vehicle shall be used as a residence or sleeping quarters unless:~~

~~1A. Such unit or vehicle has a designated spot within a mobile and manufactured home park, recreational vehicle park or other area specifically designated by the chief of police; and~~

~~2B. Such vehicle has a permanent spot on other private property, where it spends the night and its placement on such property as a residence meets all zoning requirements, and such vehicle meets the standard size requirements and sanitation requirements of this code for a residence under the Sitka General Code.~~

~~B. Except as provided in Subsection 6.12.210, a recreational vehicle may be used as a temporary but not as a permanent residence, and shall not be occupied for a period of more than 180 days within a 12-month period on a single property.~~

6.12.200 Construction requirements. Additions.

~~The following provisions shall apply as of August 1, 2010 to all mobile or manufactured homes, regardless of whether they are located in a mobile and manufactured home park, unless otherwise provided:~~

~~A. Prior to August 1, 2010, additions to units in mobile and manufactured home parks shall be limited to sixteen feet in height. On or after August 1, 2010, additions to any units, regardless if in a mobile and manufactured home park, shall be limited to fourteen (14)-feet and one story in height. Height shall be measured as defined in Title 22, "Building height."~~

~~B. Foundation systems shall be approved by the municipal Building Official. When available, the installation instructions provided by the manufacturer shall be used to determine permissible points of support for vertical loads and points of attachment for anchorage systems used to resist horizontal and uplift forces.~~

~~C. All units shall be anchored to resist horizontal and uplift forces in an approved manner. The anchoring system shall be inspected and approved prior to connection of water and sewer utilities.~~

~~D. Skirting shall be required around the complete perimeter of all installations. Skirting shall be of pressure-treated plywood with a minimum of 3/8" thickness, rated siding, metal panels or other approved, weather-resistant material. Skirting shall be provided with an access door and foundation ventilation in accordance with the~~

requirements of the International Residential Code. A minimum 6 mil vapor retarder shall be installed on the ground within the skirted area.

E. All additions and interior renovations shall be subject to the provisions of the International Residential Code. Additions to units within a mobile and manufactured home park shall only be permitted with the written approval of the mobile and manufactured home park owner or agent.

F. Accessory buildings in excess of 120 square feet shall require a building permit and must be located in compliance with the setback requirements of Subsection 6.12.050B.

G. The number of required automobile parking spots shall be in compliance with Subsection 6.12.010J.

6.12.210 Existing structures.

A. Any mobile and manufactured homes located in Sitka prior to August 1, 2010 shall be allowed to remain in Sitka, and any legal use or occupancy of that structure as of August 1, 2010 shall be allowed to continue, unless such continued use or occupancy is dangerous to life, health and safety.

B. No mobile home located in Sitka prior to August 1, 2010 shall be allowed to be relocated to a mobile and manufactured home park permitted on or after August 1, 2010.


C. The following structures shall not be allowed in Sitka on or after August 1, 2010:

1. any mobile home manufactured before June 15, 1976, and not located in Sitka prior to August 1, 2010; and

2. any structure similar to a mobile home that is not a HUD-compliant structure, and not located in Sitka prior to August 1, 2010.

5. **EFFECTIVE DATE.** This ordinance shall become effective on August 1, 2010, if passed by the Assembly of the City and Borough of Sitka.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 8th day of June, 2010.



Scott McAdams, Mayor

ATTEST:

Colleen Ingman, MMC
Municipal Clerk