

## ARTICLE I – Title

1 – 1

This ordinance shall be known as and may be cited as the Manufactured Home Park Ordinance of Carroll County, Virginia. It is enacted under the authority granted by Act of the General Assembly of Virginia as provided in Title 15, Section 15.2-2247 of the Code of Virginia of 1950, and amendments thereto.

## ARTICLE 2 – Purpose

2 – 1

This ordinance establishes regulations to assure the orderly development of manufactured home parks and the placement of individual manufactured homes in Carroll County, Virginia; to protect the general public, and to provide for the administration and enforcement thereof.

## ARTICLE 3 – Rules

3 – 1

In the construction of this ordinance, the rules contained in this section shall be observed and applied, except when the context clearly indicates otherwise:

- 1) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular;
- 2) The word “lot” includes the words “plots” and “parcel”;
- 3) The word “shall” is mandatory and not discretionary;
- 4) The word “may” is permissive;
- 5) The word “approve” shall be considered to be followed by the words “or disapprove”;
- 6) The masculine gender includes the feminine and neuter;
- 7) Any reference to this ordinance includes all ordinances amending or supplementing the same;
- 8) All distances and areas refer to measurement in a horizontal plane.

## ARTICLE 4 - Definitions

4 – 1

For the purpose of the ordinance, certain words and terms are defined as follows: Words used in the present tense include the future. Words in the singular include the plural, and the plural includes the singular.

**ADMINISTRATOR** - The Carroll County Planning Commission having been appointed to serve as the agent of the Board in administering all provisions of the Manufactured Home Park Ordinance.

**AGENT** - A representative of the Administrator and the Board of Supervisors designated to serve as the agent of the Administrator and the Board in approving and disapproving manufactured home park plats, and charged with enforcement of the Manufactured Home Park Ordinance. The Agent may approve manufactured home parks containing four (4) or less lots, and have other such duties as delegated by the Administrator and/or the Board of Supervisors.

**ALLEYS** - A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage and access is on a street.

**BOARD OF SUPERVISORS** - The Board of Supervisors of Carroll County, Virginia.

**BUILDING** – Any structure built for the support, shelter or enclosure of persons, animals, chattel or movable property of any kind and which is permanently affixed to the land and any structure which, pursuant to the Virginia Uniform Building Code, requires a building permit in order to be placed or erected.

**COMMISSION** - The Planning Commission of Carroll County, Virginia

**COUNTY** – Carroll County, Virginia

**CUL-DE-SAC** - A street with only one outlet and having an appropriate turn-around for safe and convenient traffic movement. Such streets shall not be longer than five hundred (500) feet, exclusive of the turn-around. The turn-around shall have a minimum right-of-way diameter of one hundred (100) feet.

**DEVELOP** – The act of planning, constructing, and maintaining a manufactured home park.

**DEVELOPER** - An owner of property where a proposed Manufactured Home Park is to be located, whether or not represented by an agent. An individual, corporation or registered partnership owning any tract, lot or parcel of land to be developed or a group of two (2) or more persons owning any tract, lot or parcel to be developed under this Chapter, who have given their power of attorney to one (1) of their group or to another individual to act on their behalf in planning, negotiating for, representing or executing the legal requirements of the manufactured home park.

**EASEMENT** – A grant by the property owner of the use of land for a specific purpose or purposes.

**ENGINEER** – An engineer licensed by the Commonwealth of Virginia

**EROSION & SEDIMENT** – A control program or state program administered by the Virginia Soil and Water Conservation Board pursuant to the Code of Virginia Section 10.1-560 including regulations designed to minimize erosion and sedimentation.

**FAMILY, IMMEDIATE MEMBER** – Any person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent or parent of the owner.

**FINAL PLAT** - A map or plan of a Manufactured Home Park which meets all requirements of this chapter, including any accompanying material.

**FRONTAGE** – The length of the property line of any lot, lots or tracts of land measured at the front setback line along a street, road or highway against which land abuts.

**GOVERNING BODY** - The Board of Supervisors of Carroll County, Virginia

**HEALTH OFFICER** - The Director of the Carroll County Health Department or his designated representative.

**HEALTH PERMIT** - A written permit issued by the Health Officer authorizing the operation of manufactured home lot or manufactured home park.

**HIGHWAY DEPARTMENT** – The Virginia Department of Transportation

**HIGHWAY ENGINEER** – The engineer employed by the Highway Department serving Carroll County.

**IMPROVEMENTS** – All public utilities and facilities, including but not limited to streets, storm and sanitary sewer systems, curbs and cutters, culverts, catch basins and other drainage structures, waterlines and fire hydrants, sidewalks and street signs.

**JURISDICTION** – The area or territory subject to the legislative control of the Board of Supervisors.

**LICENSE** - A receipt issued by the Carroll County Treasurer to the owner of each manufactured home in the county. This receipt is to be suitable for display on each manufactured home.

**MANUFACTURED HOME** - An industrialized building unit constructed on a chassis for towing to the point of use and designed to be used, without a permanent foundation for continuous year-round occupancy as a dwelling; or two or more such units separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to, and installation or erection on other sites.

**MANUFACTURED HOME LOT** - A unit of land designed, constructed, and equipped for the placement of a single manufactured home, and for the exclusive use of its occupants.

**MANUFACTURED HOME PARK** - An area or tract of land designed, constructed, and equipped to accommodate two (2) or more manufactured homes.

**MANUFACTURED HOME STAND** - A manufactured home stand is that portion of the manufactured home lot designated for the placement of a manufactured home.

**MOTOR HOME** - A portable, temporary dwelling to be used for travel, recreation, and vacation and constructed as an integral part of a self-propelled vehicle.

**NSAP** – Network Service Access Point

**OWNER** – Any person, group of persons, firm, corporation or any other legal entity having legal title to the land sought to be developed under this Chapter.

**PLANNING COMMISSION** – The Planning Commission of Carroll County, Virginia.

**PLAT** – Includes the terms “map,” “plan,” “plot,” “replat,” or “replot,” a map or plan of a tract or parcel of land which is to be or which has been developed as a manufactured home park. When used as a verb, “plat” is synonymous with “develop.”

**PROPERTY** – Any place, tract, lot, parcel of land or several of the same collected together for the purpose of developing a manufactured home park.

**PSA** - Carroll County Public Service Authority.

**RIGHT-OF-WAY** – A piece or strip of land set aside for use as a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main or for another public use.

ROADWAY – That portion of a street used by vehicular traffic.

SETBACK – That distance from a street right-of-way or boundary of adjacent property or adjacent manufactured home lot upon which a building or other structure may be built.

SMALL MANUFACTURED HOME PARK – A manufactured home park containing four (4) or less manufactured home lots or spaces.

STREET – A public right-of-way which offers a means of vehicular access to properties or provides for through traffic, whether designated as a highway, parkway, turnpike, street, avenue, road, boulevard, throughway, lane place, alley or any other thoroughfare. A “street” shall be deemed the total length and width of the strip of land dedicated for public travel, including such improvements as may be required.

TRAVEL TRAILER - A transportable temporary dwelling with a maximum body length of thirty-six (36) feet to be used for recreation and vacation.

## ARTICLE 5 – Interpretation

### 5 – 1

The provisions of this ordinance shall be interpreted to constitute the minimum requirements adopted for the promotion of the public health, safety, and welfare. Such provisions as are contained herein are intended to protect the public and to serve the following purposes:

- 1) To provide for convenience of access and safety from fire, flood, and other dangers;
- 2) To reduce or prevent congestion in the public streets;
- 3) To facilitate the creation of a convenient, attractive, and harmonious community;
- 4) To expedite the provision of adequate police and fire protection, transportation, water, sewerage, parks, playgrounds, recreational facilities, and other public requirements; and
- 5) To protect against overcrowding of land and undue density of population in relation to the community facilities existing or available.

### 5 – 2

It is not intended by this ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this ordinance, or with private restrictions placed upon property by covenants turning with the land to which the county is a party. Where this ordinance imposes a greater restriction upon land than that imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of the ordinance shall control.

## ARTICLE 6 – Administration

### 6 – 1 ADMINISTRATION

- A. The Carroll County Planning Commission and the Agent are hereby delegated the authority to administer this chapter and shall perform all duties regarding manufactured home parks in accordance with this chapter and applicable state authority.
- B. In the performance of his duties, the Planning Commission and the Agent may call for written opinions or decisions from county officials in considering details of any proposed manufactured home park.
- C. In addition to the regulations herein contained for the development of manufactured home parks, the Planning Commission may, from time to time, establish any reasonable administrative procedures deemed necessary for the property administration of this ordinance or such other authority as the Board of Supervisors might delegate.
- D. Plats to be considered at the next meeting of the Planning Commission shall be submitted in the Agent's office at least 14 business days prior to the Planning Commission meeting.
- E. The Planning Commission shall meet on such days and at such times as the Planning Commission shall, by resolution duly adopted, directs.

## ARTICLE 7 – General Requirements

### 7 – 1 SUITABILITY OF LAND

Land which the Commission determines to be unsuitable for development of a manufactured home park because of vulnerability to flooding, poor drainage, or other

characteristics likely to be harmful to the safety, welfare or health of future residents, shall not be permitted for development unless adequate methods to correct all such hazards are devised and are approved by the Commission. No manufactured home park shall be permitted in

- a. the 100 year designed flood plain
- b. wetlands, swamps, natural drainage ways, etc.
- c. areas critical to the provisions of water sources (i.e. springs, fragile watersheds, etc.)
- d. areas subject to geological hazards (i.e. faults, landslides, etc.)

#### 7 – 2 CONFORMITY WITH OFFICIAL PLANS

All proposed manufactured home parks shall conform with any adopted plans for the county, and shall be accordance with planning policies of the county.

#### 7 – 3 CONSIDERATION OF NATURAL, HISTORICAL, ETC. FEATURES

In the design of any manufactured home park, careful consideration shall be given to preserving natural features and amenities such as large trees, natural rock outcroppings, streams, and other landscape features, and historical and other features, including cemeteries.

#### 7 – 4 NEIGHBORHOOD CONSIDERATIONS

Street and block layout shall be made with consideration of the most advantageous development of adjoining tracts and the entire neighborhood.

#### 7 – 5 ACCESSORY BUILDINGS

Accessory buildings may be located at the end of a manufactured home at a point or points furthest away from the servicing street or driveway, except where a manufactured home is situated parallel to the servicing street or driveway. In that case, accessory buildings may be located only at the rear of the manufactured home. Where there is a servicing street or driveway at either end of a manufactured home, accessory buildings may be located at the end furthest from the front doorway of the manufactured home. In every case, not less than ten (10) feet shall be provided between any accessory building and the individual lot line of a manufactured home space and not less than five (5) feet between any accessory building and a manufactured home. The total square foot area of the accessory building shall not exceed two and one-half percent (2.5%) of the total square foot area of the manufactured home lot. Accessory buildings shall be constructed or placed on the basis of a building permit. They must be permanent buildings constructed of new materials suitable for outdoor construction, and they shall be neat in appearance.

#### 7 – 6 ADDITION TO MANUFACTURED HOME

Building permits shall be required for any additional construction to a manufactured home.

#### 7 – 7 STORAGE BENEATH MANUFACTURED HOME

Storage under a manufactured home will be permitted when none of the items so stored shall be such as to create a fire hazard.

#### 7 – 8 LAND FOR PUBLIC USE

Due consideration shall be given by developers of manufactured home parks and by the governing body to sites for recreation parks or open spaces. Manufactured home parks with twenty five (25) or more lots shall have not less than fifteen (15) percent of the gross site area devoted to recreational areas and facilities, generally provided in a central location.

#### 7 – 9 COMMERCIAL ESTABLISHMENTS

Convenience establishments of commercial nature, such as stores and coin-operated laundry and dry cleaning establishments including the parking area serving such operations, shall not occupy more than ten (10) percent of the area of manufactured home park. Moreover, they shall be subordinate to the residential use and character of the manufactured home park; shall be located, designed, and intended to serve frequent trade or service needs of persons residing in the court; and shall present no visible evidence of their commercial character from any portion of any residential district outside the manufactured home park.

#### 7 – 10 MOTOR HOMES AND TRAVEL TRAILERS

Motor homes and travel trailers shall be permitted for occupancy in a manufactured home park, but only if occupied for thirty (30) days or more.

#### 7 – 11 CAMPS AND PARKS FOR TRAVEL TRAILERS

A special use permit, to be granted by the Board, shall be required for camps and parks for travel trailers.

#### 7 – 12 NAME OF STREETS AND ROADS

Proposed streets which are obvious in alignment with other already existing and named streets shall bear the name of the existing street. In no case shall the names of proposed streets duplicate existing street names irrespective of the use. Names of existing streets shall not be changed except by approval of the governing body.



## 7 – 13 ALLEYS

Alleys shall not be permitted in manufactured home parks.

## ARTICLE 8 - Application

### 8 – 1 EXISTING SPACES

Sections 7-5, 7-6 and 7-8 of Article 7; Article 10; Section 11-1, 11-2, 11-3, 11-4.1 and 11-7 of Article 11; Article 16; Article 17; and Article 18 shall apply to all manufactured home lots in existing manufactured home parks.

Sections 7-6 and 7-8 or Article 7; Article 10; Section 11-1 and 11-3 of Article 11 Article 16; Article 17; and Article 18 shall apply to all existing individual manufactured home lots.

### 8 – 2 NEW SPACES

All articles of this ordinance shall apply to future manufactured home parks, manufactured home spaces acquired or made for owner's individual use, and to expansions or extensions of existing manufactured home parks created after the effective date hereof.

### 8 – 3 EXEMPTION

No person shall develop a manufactured home park that is located within the unincorporated areas of Carroll County, Virginia except in conformity with the provisions of this ordinance.

#### 8 – 3.1

For the purpose of this ordinance an individual placing one or more manufactured homes on his property for use by members of his immediate family shall not constitute a manufactured home park. Article 15 of this ordinance shall apply to the placement of these manufactured homes.

### 8 – 4 APPLICATION FOR VARIANCE

Any property owner desiring to make application for a variance shall file a written application for a variance with the Administrator. The application and accompanying maps, plans, or other information shall be acted upon by the Administrator within sixty (60) days of date of filing. A notice of the application for a variance shall be published in

a newspaper having general circulation in Carroll County, which notice shall state the application requests, why it is requested, and shall give notice of a public hearing concerning said application. The applicant shall pay all cost associated with the request.

A. Requirements for Submission of Applications. The applicant shall submit the following:

- 1) A copy of all preliminary maps, plans or other information related to the application
- 2) A list of names and addresses of all of those owning property adjacent to the property for which a variance is being requested
- 3) Narrative description of the nature of the variance and justification as set forth in this section.

B: Criteria for Deciding upon Variance

When the Administrator finds that extraordinary hardships or particular difficulties regarding the physical development of land may result from strict compliance with these regulations, he may approve variations or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such variation or exception shall not have the effect of nullifying the intent and purpose of this ordinance; and further providing the Administrator shall not approve variations or exceptions to the regulations of this ordinance unless he shall make findings based upon the evidence presented to him in each specific case that:

- 1) An unusual situation or when strict adherence to the general regulations would result in substantial injustice or hardship. Hardship is defined in physical terms and not in financial terms; and
- 2) The authorization of the variance will not create a substantial detriment to adjacent or nearby property; and
- 3) The situation is not of so general or recurring a nature as to make reasonably practicable the formulation of general regulations to be adopted as amendment(s) to this Ordinance; and
- 4) The hardship is created by the physical character of the property or of the property. Personal, pecuniary (financial), or self-inflicted hardship shall not be considered grounds for the authorization of a variance.

B. Written Reasons for Variance

1. Any exception thus authorized shall be stated in writing, with the reasoning on which the variance was justified set forth.

C. Conditions May be Attached

1. The Planning Commission may attach such conditions and safeguards to the variance as they deem necessary to protect the general public interest.

## 8-5 APPEALS

Any person, firm or corporation aggrieved by the Administrator's objection to a plat or a failure to approve a final plat may appeal to the Carroll County Board of Supervisors. All such appeals shall be brought before the Board and a decision announced by that body within thirty (30) days following the objection or rejection of the plat by the Administrator. The Board of Supervisors may direct that the final plat be approved if it finds that the action of the Administrator was arbitrary, unreasonable, or discriminatory. If the decision of the Board is in agreement with the Administrator's disapproval of the plat and the manufactured home park developer further contends that such disapproval was not properly based on the ordinance applicable thereto or was arbitrary or capricious, he may then appeal to the Circuit Court having jurisdiction of such land, and the Court shall hear and determine the case.

## ARTICLE 9 – Area Requirements

### 9-1 MANUFACTURED HOME LOT OR SPACE

Each manufactured home lot or space designed to accommodate one manufactured home shall have a minimum area of nine thousand (9,000) square feet, or right-of-way. Exceptions to this are noted in Article 10 of this ordinance.

### 9 – 2 WIDTH REQUIREMENTS

Each manufactured home lot or space shall have minimum width of sixty (60) feet.

### 9 – 3 DISTANCE BETWEEN MANUFACTURED HOMES

Manufactured home stands for manufactured homes shall be arranged so as to provide a distance of at least thirty (30) feet or more between individual manufactured homes, or fifteen (15) feet from the property or lot line.

### 9 – 4 DISTANCE FROM PUBLIC HIGHWAYS

Each manufactured home shall be placed not less than thirty-five (35) feet from the right-of-way of any existing public highway.

## ARTICLE 10 – Sanitary Facilities

### 10 – 1 WATER AND SEWER SYSTEMS

Each manufactured home lot or space shall be provided with individual water and sewer connections to a public system to be installed in accordance with applicable regulations of the owner of such utilities.

If public sewer is not available, the area or tract of land must be suitable and large enough to install adequate and proper septic tank systems or other Health Department approved methods of sewage waste disposal to serve the total number of manufactured home lots. Developers shall use an authorized onsite evaluation (AOSE) to conduct the soil evaluations and sewage design. Drainage fields for all on-site septic or sewage systems shall have a reserve area equal to 50% of the required and permitted drainage field upon which no structure may be constructed. Such private sewage disposal system shall be approved by the Health Officer.

If public water is not available, the private community water system shall be approved by the Health Officer.

On-site sewage waste disposal systems and private community water systems shall be owned, operated, maintained, and repaired by the developer or owner of the manufactured home park.

### 10 – 2 WATER AND SEWER HEALTH PERMITS

No manufactured home intended for use as a full-time place of residence shall be delivered to or located upon the lot or parcel of real estate where said manufactured home will be used as a place of residence until the necessary permits for connection to water and sewer outlets have been secured, or if there be no existing water and sewer outlets, until permits for a well and septic system have been acquired from the Health Officer. Manufactured homes shall not be occupied until water and sewer connections have been approved by the Health Officer.

## ARTICLE 11 – Other Required Improvements

### 11 – 1 ELECTRICAL CONNECTIONS

Each manufactured home lot or space shall be provided with required electrical connections installed in accordance with the National Electrical Code and local public utility company rules and regulations.

### 11 – 2 LIGHTS

Every manufactured home park shall be provided with adequate means of lighting at night. Such lighting facilities shall be in operation during the period from one-half hour after sunset until one-half hour before sunrise. A minimum of at least one four thousand (4,000) lumen fixture for each fifty thousand (50,000) square feet or fraction thereof in the parks shall be provided. The lighting shall be shielded, that is, the lighting shall put light where it is needed for security and nowhere else. There should be no glare, light trespass, uplighting, or harsh shadows or stark transitions.

## 11 – 3 WASTE AND GARBAGE RECEPTACLES

At the expense of the manufactured home park owner, each manufacture home park shall be served by a dumpster(s) appropriately sized and serviced to sufficiently meet the waste disposal needs of the residents of the manufactured home park. The dumpster shall be placed on a concrete pad appropriately sized for the container and shall be screened on three (3) sides by a solid fence and the forth side by a solid gate, all of which shall be seven (7) feet in height.

## 11 – 4 STREETS, WALKS, AND PATIOS

### 11 – 4.1 STREETS

Any streets or roadways within a manufactured home park must be constructed and maintained in such manner as to be suitable for traffic in all weather conditions.

### 11 – 4.2 NEW STREETS

All new streets shall have a minimum right-of-way width of forty (40) feet. They shall be improved to a minimum width of twenty (20) feet, shall be constructed of compacted gravel or crushed stone to a depth of not less than six (6) inches with a surface treatment, and must connect with existing public streets or roads.

### 11 – 4.3 WALKS AND PATIOS

A concrete area twenty (20) feet by eight (8) feet by six (6) inches shall be provided in each manufactured home lot or space, in such a manner as to be located along the length of the entrance side of the manufactured home. A concrete walk, three (3) feet wide, shall be provided from the concrete area to an internal street, road, right-of-way, or parking area.

### 11 – 4.4 CUL-DE-SAC STREETS

Cul-de-sacs streets shall not be longer than five hundred (500) feet, with a minimum right-of way of one hundred (100) feet for the turn-around.

#### 11 – 4.5 STREETS TO BECOME PART OF STATE HIGHWAY SYSTEM

Any developer who desires that the streets become part of the State Highway System shall build streets in accordance with the specifications of the Department of Highways and Transportation, and such intent to so comply, or not, shall appear on the application. The arrangement of public streets in any new manufactured home park shall be provision for the continuation of existing streets in adjoining areas. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they subdivide their own land and seek to provide for convenient access to it. Where, in the opinion of the agent, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary line of such property.

#### 11 – 5 PARKING SPACES

Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two car spaces for each manufactured home lot plus an additional car space for each two lots to provide for guest parking, and for delivery and service vehicles. Required car parking spaces shall be located for convenient access to the manufactured home stands. The side of individual parking spaces shall be nine (9) feet in width and twenty (20) feet minimum in length. All parking spaces shall be of the same construction as the streets.

#### 11 – 6 MANUFACTURED HOME STANDS

The purpose of the stand requirements is to provide for (a) practical placement and removal from the lot both the manufactured home and its appurtenant structures, and (b) retention of the manufactured home on the lot in a stable condition and in satisfactory relationship to its surroundings.

##### 11 – 6.1 SIZE

The size of the manufactured home stand shall be: (a) suitable for the general market to be served by the individual proposal, and (b) adequately sized to fit the dimensions of the manufactured home anticipated, plus its appurtenant structures or appendages.

##### 11 – 6.2 LOCATION

The stands shall be located in compliance with Section 9-3 and 9-4 of Article 9 of this ordinance. The location of such stands shall be as such elevation, distance, and angle in

relation to the access street that placement and removal of the manufactured home is practical.

#### 11.6-3 GRADING

Each manufactured home stand shall be constructed in such a manner to provide for adequate surface drainage.

#### 11 – 6.4 CONSTRUCTION

Each manufactured home stand must be constructed of appropriate material, properly graded, placed and compacted so as to be durable and adequate for the support of the maximum anticipated loads during all seasons.

#### 11 – 6.5 SPECIAL FACILITIES

Special manufactured home stand facilities shall be provided as necessary to properly serve newer units.

#### 11 – 6.6 MANUFACTURED HOME ANCHORS

Anchors for manufactured homes shall be in compliance with the Virginia Uniform Statewide Building Code.

#### 11 – 7 FENCES

Fences or free-standing walls may be installed where necessary for screening purposes, such as around property boundary lines, lot lines, laundry yards, refuse collection points, and playgrounds. All fences and walls shall be located at least twenty-four (24) inches from the edge of the right-of-ways, driveways, parking spaces, and walks, and positioned as to not create any sight obstruction for egress from driveways. Fences and walls shall be appropriately designed for the function intended and shall be constructed substantially to withstand conditions of soils, weather and use. Any fence or wall shall not exceed four (4) feet in height, except as herein provided in Section 11-3.

#### 11 – 8 RETAINING WALLS AND CRIBBING

Retaining walls or cribbing shall be installed where necessary to reduce steep slopes or prevent erosion. Retaining walls shall be designed in accordance with sound engineering practice and shall be constructed to the standards of the current Virginia Residential Building Code in effect at the time of construction. Retaining walls and cribbing shall be located at least twenty-four (24) inches from the edge of the right-of-ways, driveways, parking spaces, and walks, and positioned as to not create any sight obstruction for egress from driveways. All retaining walls thirty (30) inches or higher shall have protective fencing.

## 11 – 9 MINOR STRUCTURES

Street name signs, court signs, bridges, and other minor structures shall be installed as necessary for the proper use and maintenance of the property. Such structures shall be appropriately designed and located and shall be of durable construction.

## ARTICLE 12 – Procedure for Review and Approval of Manufactured Home Parks

### 12 – 1 PROCEDURES

Whenever any manufactured home park is proposed, the developer or his agent shall apply in writing to the Administrator of this ordinance for approval, and shall, in accordance with Article 13 of this ordinance, submit eleven (11) copies of the proposed manufactured home park plan.

### 12 – 2 ENGINEERING DRAWINGS AND SPECIFICATIONS

Engineering drawings and specifications shall be submitted and reviewed in accordance with Article 13-5.

### 12 – 3 CONSTRUCTION

When the manufactured home park plan is approved, a Notice to Proceed will be issued for the construction of the manufactured home park. The construction will be inspected by the Building Official and the Agent. When the manufactured home park is ready for occupancy a Notice of Compliance will be issued by the Agent.

## ARTICLE 13 – The Manufactured Home Park Plan

### 13 – 1 APPLICATION FOR MANUFACTURED HOME PARK

The developer of the manufactured home park shall submit to the Administrator, along with the appropriate fee established in Section 15-5, eleven (11) copies of the manufactured home park preliminary plan, at a scale of one hundred (100) feet to the inch, which shall show thereon:

- 1) The proposed manufactured home park name and location;
- 2) The names and addresses of the owner of record, developer, the person who prepared the plat, and holders of any easements affecting the property;



- 3) The name of all owners of record immediately adjacent to property proposed as a manufactured home park;
- 4) The date of drawing, true north point, and scale;
- 5) A survey of the tract boundary showing bearings and distances;
- 6) Topographic data compiled by accepted field or photogram metric methods, with a contour interval no greater than five (5) feet; location of water courses, including flood plain limits where applicable; and the high water line of natural and artificial lakes;
- 7) Significant natural landscape features, including rock outcrops and large trees;
- 8) The location, width and names of all existing or platted streets within or adjacent to the proposed manufactured home park and the location of existing buildings, easements, railroad right-of-ways, utility lines, and drainage ways;
- 9) Preliminary plans for all utilities, including but not limited to: the proposed method of accomplishing surface drainage, water supply, and sewage disposal common or shared easements to franchised cable television operators, gas, telephone and electric service to the proposed manufactured home park and ; preliminary designs for any bridges and culverts that may be required;
- 10) The location and dimensions of proposed streets, lots, and easements, with lots and streets identified by number and proposed name, respectively;
- 11) The designation of all parcels of land proposed to be dedicated or reserved for public use and the conditions, if any of such dedication.

### 13-2 VICINITY MAP

The manufactured home park plan shall include a vicinity sketch map, at an approximate scale of two thousand (2,000) feet to the inch, showing the relationship of the proposed manufactured home park to its surroundings. This map shall comprehend an area extending at least one-half (1/2) mile on each side of the proposed manufactured home park and shall identify roads, political boundaries, other manufactured home parks, subdivisions, and important land marks and natural features.

### 13-3 SUPPORTING INFORMATION

The following information shall be furnished, either set forth on the face of the drawing or submitted as separate documents:

- 1) Where required by the Ordinance, at the time of filing the Final Plat, an erosion and sedimentation control plan approved by the Carroll County Plan Approving Authority shall also be filed in accordance with the provisions of the Virginia Erosion and Sedimentation Control Handbook; and
- 2) Signed statements of the appropriated officials concerning the availability of water, sewer, gas, and electricity of the proposed manufactured home park; and
- 3) Private restrictions, if any, proposed for the manufactured home park.

#### 13-4 PRELIMINARY PLAT APPROVAL OR DISAPPROVAL

- A. The Agent shall provide initial review of any preliminary plat. In such initial review the Agent shall give a first review to see if it appears that the preliminary plat meets the requirements of this Chapter. If it appears that the requirements of this Chapter have not been met, such plat shall be returned to the developer for modification with reasons provided for any non-compliance. This initial review is not a determination of compliance of this Chapter but is done only for convenience of the developer. If it appears that the plat meets the requirements of this Chapter, the Agent shall forward to the Highway Department, PSA, and Health Department of Carroll County copies of the preliminary plat. They shall approve, approve with changes, or disapprove the preliminary plat and return it to the Agent. The Administrator or Agent shall not approve a final plat unless and until approval has been granted by the Highway Department, PSA, and Health Department of Carroll County.
- B. Following return of the preliminary plat from the agencies referenced in subsection A of this Section, unless the manufactured home park is a small manufactured home park as defined, the Administrator shall review the preliminary plat and communicate with sixty (60) days, in writing, with the developer, informing him of action taken and stating specific changes, if any, that are required in the preliminary layout. If for any reason the manufactured home park is disapproved, the reasons for such disapproval shall be given. In cases where approval of the plat is conditional upon changes being made in the manufactured home park layout, one (1) copy of the plat shall be returned to the developer with the desired changes marked thereon or with notes of such changes attached. The sixty-day time period may be extended by agreement of the Administrator with the developer. Approval of a preliminary plat does not guarantee approval of a final plat for recordation.
- C. Any proposed manufactured home park creating four (4) or less new lots may be reviewed and approved by the Agent, without referral to the Administrator. All other provisions of this Chapter shall apply to the content, review, and approval of such small manufactured home park plat. The Agent may refer such small manufactured home plat to the Administrator for approval and appeal of any decision concerning such small manufactured home park plat shall be taken by the

developer to the Administrator. This small manufactured home park provision may not be used to expand or modify existing manufactured home parks and plats of such expansion or modification shall be submitted and reviewed as otherwise provided herein.

#### 13-5 REVIEW AND APPROVAL OF IMPROVEMENTS

After receiving notice of approval of the preliminary plat, the developer shall submit to the Administrator four (4) copies of plans and specifications for all improvements to be installed. The Administrator or Agent shall advise the developer concerning the character and extent of improvements and the estimated amount of the performance bond or other surety that will be required before final approval of the manufactured home park plat. The Administrator or Agent, after consultation with the Highway Department, PSA, Health Department and other public officials, shall advise the developer of approval or disapproval, in writing, within sixty (60) days.

#### 13-6 INSTALLATION OF IMPROVEMENTS; BONDS

The developer shall, prior to filing with the Administrator a final plat for approval, complete all improvements and installation of utilities required under these regulations; or in lieu of completing said improvements, the developer shall furnish the county with a bond as required by Article 14.

#### 13-7 SUBMISSION OF FINAL PLAT

The developer shall, within eighteen (18) months after official notification of approval by the Administrator or Agent in respect to the preliminary plat, apply, in writing, to the Administrator for approval of the final manufactured home park plat and submit eleven (11) copies thereof prepared in accordance with this Chapter. The developer may file for approval only that portion of the approved preliminary plat which he proposed to record and develop at that time.

#### 13-8 TIME RESTRICTIONS FOR FINAL PLAT APPROVAL

Unless an application for final approval is made within eighteen (18) months after approval of the preliminary plat, said approval of the preliminary plat shall become null and void. The Administrator or Agent shall, within sixty (60) days from the date of submittal of the final plat, approve, modify or disapprove such plat.

#### 13-9 CERTIFICATE OF APPROVAL

The certificate of approval of a final plat shall be as follows:

This manufactured home park, known as \_\_\_\_\_ Manufactured Home Park is approved by the undersigned in accordance with existing manufactured home park regulations and may be committed to record.

\_\_\_\_\_(Signed)\_\_\_\_\_  
Date Highway Engineer

\_\_\_\_\_(Signed)\_\_\_\_\_  
Date Health Officer

\_\_\_\_\_(Signed)\_\_\_\_\_  
Date PSA Director

\_\_\_\_\_(Signed)\_\_\_\_\_  
Date Agent of Governing Body

Note: The foregoing plat is not approved until all signatures have been obtained.

### 13-10 RECORDING OF FINAL PLAT

Unless the developer shall have said plat recorded in the office of the Clerk of the Circuit Court of Carroll County within six (6) months after final approval by the Administrator and before any lots are rented, leased, or occupied in said manufactured home park, approval of the final plat shall become null and void, however, in any case where construction of facilities to be dedicated for public use has commenced pursuant to an approved plan or permit with surety approved by the Administrator, or where the developer has furnished surety to the governing body or the Administrator by certified check, cash escrow, bond, or letter of credit in the amount of the estimated cost of construction of such facilities, the time for plat recordation shall be extended to one year after final approval or to the time limit specified in the surety agreement approved by the Administrator, whichever is greater.

### 13-11 FINAL PLAT FORMAT AND SCALE

The final manufactured home park plat shall be drawn on linen or other durable transparency of scale-true material with permanent drafting ink, at a minimum of one hundred (100) feet to the inch, except as herein provided. The plat shall be drawn on one (1) or more sheets, the dimensions of which shall not exceed twenty-four by eighteen (24X18) inches. Where more than one (1) sheet is necessary to show the entire plat, match lines shall be clearly indicated and cover sheet(s) must be included. When cover sheets are included, cover sheet may be at a scale appropriate to the page size. The developer shall submit to the Administrator the original and ten (10) prints for the final plat.

### 13-12 FINAL PLAT CONTENTS

The final plat shall conform to the preliminary plat as approved and shall show the following:

- A. The name and location of the manufactured home park.
- B. The name and address of the record owner and developer.
- C. The date of the drawing, North point, and scale.
- D. The tract boundary lines, right-of-way lines and streets, easements and other rights-of-ways, setbacks, and manufactured home lot lines. Bearings shall be shown to the nearest ten (10) seconds and distances to the nearest hundredth of a foot. Data for all curves shall be shown in detail at the curve or in a curve table containing the following: radius, delta, tangent, length, chord, and chord bearing.
- E. The locations of monuments and property markers.
- F. The names of record owners of all property adjacent to the manufactured home park.
- G. The name and right-of-way with of each street or other right-of-way.
- H. The location, dimensions, and purpose of all easements.
- I. Abutting streets and roads, with names or numbers and right-of-way widths.
- J. Designating numbers or symbols for all lots or blocks.
- K. The setback line.
- L. In the case of modification of an existing manufactured home park, existing manufactured home lots shall be shown by dotted lines and the modified (new) manufactured home lots by full lines.
- M. The purpose for which sites other than residential lots are dedicated or reserved.
- N. Private restrictions, is any, shall be recorded in the Circuit Court of Carroll County, and the deed book and page number shall be shown on the plat.
- O. Temporary turnarounds when required by this Chapter, and the following notation shall be made on the plat: "Any area on this plat designated as a temporary turnaround shall be constructed and used as other streets in the manufactured home park until such time as (insert here the name of the street) is extended to join another street and the cul-de-sac ceases to exist. Thereupon the land in the temporary turnaround area which extends beyond the normal right-of-way line of the street will be vacated for street purposes and revert to the adjoining manufactured home lot."

- P. The location of any buildings and construction, including the site of any manufactured home stands to be constructed, and in accordance with Section 10-1 of this Chapter any private community water system including wells and any private sewage waste disposal systems including the required reserve area for such system.
- Q. It is requested, but not required, that a digital copy of the final approved plat be made available to the Carroll County Assessor's office.

Any manufactured home park to be constructed on land upon which there is located any stream or wetlands shall include the following language on the plat:

“Any streams or wetlands crossing(s) shall be designed, installed, and maintained in a manner that complies with all applicable local, state, and federal laws and regulations. Any proposed work within XXXX Creek or its tributaries and/or its adjacent wetlands is subject to written approval by the Corps of Engineers and/or DEQ prior to its initiation. The owner will obtain written approval by submitting a complete Permit Application prior to performing any work in the waterways and/or wetlands.”

#### ARTICLE 14 – Performance Bond

14 – 1

The cost of all improvements required shall be paid by the developer, or so much thereof as the Board of Supervisors shall direct. If the actual installation of improvements is not completed prior to the utilization of the manufactured home park by tenants, the developer shall execute an agreement and post a bond with surety or other guarantee satisfactory to the Board of Supervisors and in an amount equal to or greater than the estimated cost of the uncompleted improvements. The Board of Supervisors may require that the bond or other guarantee be greater than the estimated cost of improvements to allow for inflationary cost increases.

If the streets are to become part of the State Highway System, the bond required by the Department of Highways and Transportation shall be furnished as required and shall be in the possession of the Department of Highways and Transportation prior to final approval of the Manufactured Home Park Plans.

All construction work on physical improvements shall be subject to periodic inspection by a duly authorized public official so as to insure conformity with the approved manufactured home park plans. Upon completion of such improvements, a final inspection shall be conducted and the appropriate public official shall issue certificates of approval thereof to the developer and any bond or part thereof which may have been furnished for guarantee shall be released to the developer.

## ARTICLE 15 – Fees and Taxes

### 15 - 1

An annual license fee may be established by the Board of Supervisors for each manufactured home. The license fee shall be for the calendar year of January 1 through December 31, and will not be pro-rated for any part of the licensing year. The fee shall be payable by the manufactured home owner within a ten (10) day period after such manufactured home is placed in a manufactured home park during the licensing year.

### 15 - 2

Annual license fees may be established by the Board of Supervisors for each manufactured home park and/or for each manufactured home lot within the park. The license fee shall be for the calendar year of January 1 through December 31, and will not be pro-rated for any part of the licensing year. The fees shall be payable when the certificate of occupancy is issued.

### 15 - 3

A placement fee for manufactured homes may be established by the Board of Supervisors. This fee shall be charged for manufactured homes to be located within the county and for each relocation. The fee shall be paid when the manufactured home is inspected.

### 15- 4

The owner of any manufactured home moving the manufactured home into the county for use rather than for sale shall within ten (10) days after moving said manufactured home notify the Commissioner of Revenue of Carroll County of his name, address, and description and location of said manufactured home. No manufactured home which has been in use as a place of residence or office shall be moved from the county until the owner has paid the County all property taxes assessed or assessable against said manufactured home.

### 15 - 5

There shall be a charge of \$15.00 per manufactured home lot for the examination and approval or disapproval of every small manufactured home park plat containing four (4) new lots or less, for both preliminary and final, reviewed by the Agent. There shall be a charge in the amount of \$150.00 for the examination and approval or disapproval of every other manufactured home park plat, both for preliminary and final, plus a charge of

\$25.00 per lot described thereon. At the time of filing the preliminary plat, the manufactured home park developer shall deposit the required fee with the Agent. The plat shall not be processed for approval or disapproval until the required fee have been paid.

#### ARTICLE 16 – Enforcement

The Agent shall revoke the Notice of Compliance allowing for the maintenance and operation of the manufactured home park of the person to whom the permit is issued or his duly authorized agent, or employee acting in the course of his employment, have been found guilty by a court of competent jurisdiction of violating any provision of this ordinance. The Agent shall reinstate the permit upon receipt of written evidence submitted that the circumstances occasioning such conviction have been remedied. Should the person to whom the permit has been issued, or his duly authorized agent, or employee acting in the course of his employment, be found guilty by the court of competent jurisdiction of a second or subsequent violation of the provisions of this ordinance, the Agent shall permanently revoke the permit to establish, maintain and operate a manufactured home park. The owners and/or occupants of the manufactured homes located therein shall remove the manufactured homes from such park within a period of sixty (60) days following the date of such permanent revocation.

If the owner and/or occupants of a manufactured home located in a manufactured home park are found guilty by a court of competent jurisdiction of violating any provision of this ordinance, the Agent shall require the owner and/or occupants to remove the manufactured home from the manufactured home park. The Agent shall permit the manufactured home to remain in the manufactured home park upon receipt of written evidence submitted that the circumstances occasioning such conviction have been remedied. Should the owner and /or occupants of a manufactured home located in a manufactured home park be found guilty by a court of competent jurisdiction of a second or subsequent offense of violating any provision of this ordinance, the Agent shall give written notice to the owner and/or occupants of the manufactured home requiring the owner and/or occupant to remove the manufactured home from the manufactured home park within ten (10) days following the date of such notice.

16 – 2

Violation of any provision of this ordinance by the owner and/or occupants of a manufactured home located on an individual lot shall constitute a misdemeanor and be punishable as such.

#### ARTICLE 17 – Violation and Penalties

17 – 1



Any person, firm or corporation violating any provision of Article 16 relative to Fees and Taxes shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and each day shall constitute a separate offense. Any person, firm or corporation violating any provision of Article 7, 8, 9, 10, 11 and 15 shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less that ten dollars (\$10.00 nor more than one hundred dollars (\$100.00), or revocation of permit, or both, and each day shall constitute a separate offense.

## ARTICLE 18 – Amendments

### 18 – 1

This ordinance may be amended, in whole or in part, by the Carroll County Board of Supervisors. No such amendment shall be adopted without a public hearing having been held by the governing body. Notice of the time and place of the hearing shall have been given at least once a week for two (2) weeks, and the last notice at least five (5) days but not more than twenty-one (21) days prior to the hearing.

## ARTICLE 19 – Legal Status Provisions

### 19 – 1 CERTIFIED COPIES OF ORDINANCE

Certified copies of this ordinance and all amendments thereto shall be filed in the office of the Planning Commission and in the office of the Clerk of the Circuit Court of Carroll County, Virginia.

### 19 – 2 VALIDITY

Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

19 – 3 EFFECTIVE DATE

This ordinance was duly considered following a required public hearing held on July 16, 2012 and was adopted by the Board of Supervisors of Carroll County, Virginia at its regular meeting held on July 16, 2012 the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>
W. S. "Sam" Dickson	X	
David V. Hutchins	X	
Joshua A. Hendrick	X	
Phil D. McCraw	X	
Thomas W. Littrell	X	
Ralph J. "Bob" Martin	X	

I, Gary Larrowe, Clerk to the Carroll County Board of Supervisors, certify this to be a true and exact copy of the Manufactured Home Park Ordinance of Carroll County, Virginia as amended by the Carroll County Board of Supervisors on July 16, 2012.

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Gary Larrowe, Clerk