

LOCAL LAW #6 OF THE YEAR 2004
A LOCAL LAW ESTABLISHING A MANUFACTURED
HOUSING PARK DISTRICT ZONE,
AMENDING REQUIREMENTS FOR THE ESTABLISHMENT
AND OPERATION OF MANUFACTURED HOUSING
PARKS IN THE TOWN OF ROCHESTER, AND
AMENDING CHAPTER 99 (MOBILE HOMES) OF THE
CODE OF THE TOWN OF ROCHESTER

§1. INTENT - This article is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and provides for the placement and operation of manufactured home parks within the Town of Rochester. The Town Board hereby finds that the placement and operation of manufactured home parks may lead to significant impacts on the surrounding community. By revising the criteria for the establishment and operation of manufactured home parks within the town, the board can ensure that the effects of this land use shall have minimal impact on the surrounding community.

§2. Section 140-25 of the Code of the Town of Rochester is repealed in its entirety and replaced with the following new §150-25:

§140-25. Travel trailers and travel trailer camps.

A. Permit required. Any person, partnership, association or corporation, being the owner or occupant of any land within the town, shall not use or allow the use of such land for a travel trailer camp, unless a permit has been obtained as herein provided.

B. Issuance of permit.

(1) Before a travel trailer camp may be established, the Code Enforcement Officer shall issue a permit therefor. This permit shall be effective from the date of issuance to and including December 31 of that same year.

(2) This original permit shall not be issued until the Code Enforcement Officer has received:

(a) A written application from the applicant;

(b) The required fee as herein provided;

(c) Approval of the application by the Ulster County Department of Health (or the New York State Department of Health District Office); and

(d) A resolution from the Planning Board approving issuance of a special use permit for said travel trailer camp.

(3) Such permit shall not be transferable or assignable.

C. Procedure for application for permit for travel trailer camp:

(1) The application for such permit or renewal thereof shall be filed with the Code Enforcement Officer and shall be accompanied by a fee in an amount as established by the Town Board. Said application shall include the name and address of the applicant, the nature and extent of his interest in the business for which a permit is desired and whether said applicant is the owner of the property and such a legal description of the premises upon which the travel trailer camp is or will be located as will readily identify and definitely locate the premises. (If the fee is vested in some person other than the applicant, a duly verified statement is required by that person stating that the applicant is authorized to construct or maintain the camp and to make said application.) The application shall also state the number of units in the existing or proposed travel trailer camp and such other information as may be required. If said application is for a new travel trailer camp or for the expansion of the same, an application for a special use permit must be made to the Planning Board in accordance with the procedures outlined in Article VII of this chapter.

(2) Permit renewal.

(a) An application for the renewal of any trailer camp permit which was issued in accordance with the provisions of this chapter must be filed with the Code Enforcement Officer on or before December 1 preceding the expiration of the permit.

(b) Upon the approval of the Code Enforcement Officer, a renewal permit shall be issued to be effective upon the expiration of the previous permit and to continue in force for a period of one year.

(c) At the time the renewal permit is issued, the applicant shall pay a fee in an amount as established by the Town Board.

(d) Such renewal permit shall not be transferable or assignable.

D. Revocation of permit.

(1) Revocation of travel trailer camp permits:

(a) If the Code Enforcement Officer finds and reports to the Town Board that a travel trailer camp for which a permit has been issued is not being maintained in a clean and sanitary condition or is not being operated in accordance with the provisions of this chapter, the Town Board shall, by resolution, authorize the personal service upon the holder of the permit a written order which will require the holder of said

permit to correct the conditions specified in such order within 15 days after the service of such order.

- (b) If the holder of such permit shall refuse or fail to correct the condition or conditions specified in such order within 15 days after the personal service of such order, the Town Board shall hold a hearing to determine whether the holder is in violation of the provisions of this chapter. The holder shall have the opportunity to be heard and defend its position at the hearing. If the holder is found to be in violation of this Chapter, the Town Board shall, by resolution, revoke said permit, and the holder of the same shall thereupon terminate the operation of such travel trailer camp. In order to enforce the provisions of this section, all the provisions of Article X shall apply.
- (c) If the owner or operator of said travel trailer camp shall thereafter correct such conditions and bring the camp into compliance with this chapter, said owner may then apply for the issuance of a new permit for said camp, and, if the application is approved and a permit is granted, the applicant shall pay to the Town Clerk the required fee without any credit for the fee paid for the permit which was revoked.

E. Exceptions. None of the provisions of this chapter shall be applicable to the following:

- (1) A travel trailer located on the site of a construction project, survey project or other similar work project and which is used solely as a field office or work or tool house in connection with the project, provided that said travel trailer is removed from the site within 30 days after the completion of said project.
- (2) The business of travel trailer sales except that where units are used as living quarters, they shall conform with the provisions of this chapter.
- (3) The storage or garaging of one travel trailer not being used for living or sleeping purposes and unoccupied on premises occupied as the principal residence by the owner of such travel trailer; provided, however, that such unoccupied travel trailer shall be parked or stored to the rear of the front building line of the lot.

§3 Section 140-36 (H) of the Code of the Town of Rochester is repealed in it's entirety and replaced with the following:

H. Travel trailer camps.

- (1) Application requirements. The travel trailer camp plan shall be drawn to scale on a survey map prepared by a civil engineer or land surveyor duly licensed by the State of New York and shall show the following:
 - (a) Legal data.

- [1] The name and address of the applicant (or the name and address of each partner if the applicant is a partnership; or the name and address of each officer and director if the applicant is an association or corporation).
 - [2] The location and description of the land that is proposed to be used as a camp or park.
 - [3] The existing zoning the site.
- (b) Physical features.
- [1] Topographic contours at two-foot intervals.
 - [2] The location of watercourses, marshes and areas subject to flooding.
 - [3] The located of wooded areas.
- (c) Existing development.
- [1] A location map which shows all land within 200 feet of the proposed park or camp and all structures on the land which abuts the proposed camp.
 - [2] The location, names and widths of all adjacent streets.
 - [3] The location of all water lines and utilities within and adjacent to the proposed site.
- (d) Proposed development.
- [1] The location and widths of all entrances, exits, streets and walkways.
 - [2] The number, location, size and arrangement of all proposed unit areas within the camp.
 - [3] The method and plan for electric lighting.
 - [4] The location and plan of all proposed structures and improvements.
 - [5] The proposed grading and plans for landscaping.
 - [6] The proposed storm water management system.
 - [7] The proposed utilities.

- [8] Any public improvements proposed by the town in and adjoining the proposed site.
- [9] Any proposed zoning.
- (2) Site.
 - (a) The camp shall be located on a well-drained site in an area where grades and soil conditions are suitable for the use of the same.
 - (b) The camp shall be free from heavy or dense growth of brush or woods in occupied areas, except where used for screening purposes.
 - (c) The camp shall be at least five acres in size, shall have 150 feet of frontage on a public road in a residential area and have 60 feet of frontage on a public road in a nonresidential area.
- (3) Unit areas.
 - (a) Each camp site shall be marked off into unit areas.
 - (b) Each travel trailer camp unit area, designated for overnight camping, shall have a total area of not less than 1,500 square feet with no less than 30 feet of frontage on a right-of-way in the camp. Each travel trailer camp unit area, designated for long-term camping, shall have a total area of not less than 2,400 square feet with no less than 40 feet of frontage on a right-of-way in the camp.
 - (d) The total number of unit areas in a travel trailer camp shall not exceed eight for each acre in said camp.
- (4) Clearances.
 - (a) Travel trailers shall not be located nearer than a distance of:
 - (1) At least 20 feet from an adjacent structure in any direction;
 - (2) At least 50 feet from an adjacent property line;
 - (3) At least 50 feet from the right-of-way of a public road; and
 - (4) At least 20 feet from the nearest edge of any roadway within the camp.
- (5) Accessibility.

- (a) Where a camp has more than 24 travel trailers, at least two but no more than four points of entry and exit shall be provided as follows:
 - (1) Such entrances and exits shall be designed and strategically located for safe and convenient movement into and out of the park and to minimize conflict with the free movement of traffic on a public highway or street.
 - (2) All entrances and exits shall be at right angles to the existing public highway or street.
 - (3) All entrances and exits shall be free of any material which would impede the visibility of the driver on a public highway or street.
 - (4) All entrances and exits shall be of sufficient width to facilitate the turning movements of vehicles with travel trailers attached.
- (b) Interior streets. Each camp shall have its streets provided with a smooth, hard surface which shall be durable and well-drained under normal use and weather conditions to provide for the convenient accessibility to all unit areas and other important facilities within the camp, and further:
 - (1) The street system shall be so designed to permit the safe and convenient vehicular circulation within the camp, shall be adapted to the topography and shall have suitable alignment and gradient for traffic safety.
- (6) Utilities and service facilities for travel trailer camps. Utilities and service facilities shall be provided in each travel trailer camp which shall be in accordance with the regulations of the Ulster County Department of Health, the New York State Department of Health and the Sanitary Code of New York as they pertain the campgrounds and travel trailer camps.
- (7) Open space.
 - (a) Common open space shall be provided within a travel trailer camp for use by the occupants of the same.
 - (b) Such open space shall be conveniently located in the camp and shall have a total area equal to at least 20% of the gross land area of the camp.
 - (c) Areas required for landscaped strips along public roads and property lines shall not be counted towards this open space requirement.
- (8) Landscaping.

- (a) Areas of travel trailer camps, not used for the placement of structures, walkways or roads or cleared for recreational facilities, shall be landscaped or shall remain wooded and/or otherwise unimproved to preserve the rural atmosphere and aesthetic characteristics of the Town of Rochester.
 - (b) Landscaping shall be provided to the extent necessary for the purpose of screening nonresidential structures or uses within the camp and to provide shade and suitable settings for the dwellings and other facilities within the camp.
 - (c) A landscaped strip of at least 50 feet in width shall be provided along those areas within the camp which front upon existing public streets and along the property lines of the camp.
- (9) Camp records.
- (a) The owner or operator of each travel trailer camp shall keep a written record of all persons occupying or using the facilities of such camp. This record shall be available for a period of at least one year from the date of occupancy and shall include:
 - (1) The name and mailing address of the occupant of each travel trailer; and
 - (2) The name and address of the owner of each travel trailer which is not occupied by such owner.
 - (b) In travel trailer camps, the following additional information shall be maintained in the annual camp records:
 - (1) The state in which each travel trailer within the camp is registered and the registration number of the same; or
 - (2) The name and address of the owner of the motor vehicle which transported said travel trailer and the state in which said motor vehicle is registered and the registration number of the same.
- (10) Automobile parking.
- (a) At least one parking space shall be provided for each travel trailer within the designated unit area for the trailer or within 50 feet of the same.
 - (b) Off-street parking spaces shall be provided within the common areas of the camp at places of public congregation in the total amount of one space per five travel trailers within the camp.

- (c) Each off-street parking space and the parking areas shall conform to the standards specified in §140-21 of this chapter.
- (11) Permit renewal. The permit renewal provisions of §140-25 of this chapter shall apply to all travel trailer camps established by special use permit pursuant to this section.
- (12) Performance bond. The Planning Board may require a performance bond from the applicant in an amount to be determined by said Board to ensure that the requirements of this chapter are met. If the Planning Board so directs, this performance bond shall become an additional requirement for the issuance of a permit to the travel trailer camp.

§4 Section 140-6 of the Code of the Town of Rochester shall be amended to add the following after F: Floodplain:

MHP: Manufactured Housing Park

§5 There shall be a new §140-22A added to the Code of the Town of Rochester to read as follows:

A. The MHP District (Manufactured Housing Park District) is established to provide for the location of mobile homes and manufactured homes in manufactured housing parks. This district is to be an overlay district of the entire township. A manufactured housing park may be permitted as a Special Use in any area of the town that meets the requirements in §140-22A (B) and (C) below upon the application for and approval of a Special Use Permit by the Planning Board. Existing mobile home parks located within the town, although recognized in their nonconforming status, will be subject to the provisions of the MHP District if any lot location is altered or if the park is expanded in any manner. Pre-approved home sites that are not currently occupied are not considered a relocation or expansion. A lot relocation alteration is defined as the relocating or replacement of any currently approved home sites. An expansion of a park is defined as the application for the addition of any new home lots above the currently approved number.

B. For a parcel to qualify to be a part of the MHP district it must meet the following criteria:

- (1) The parcel must have a minimum of fifteen (15) acres in total gross area.
- (2) The property must front a County or State highway.
- (3) The property must have a road frontage of a minimum of two hundred (200) feet.
- (4) There may be no other manufactured housing park, either existing or proposed, located within ½ mile of the parcel.

- (5) The total density or maximum number of lots per park cannot exceed the density for the Town Zoning District it lies within. In calculating this maximum number of lots, the **Net Buildable Acreage**, as defined below, is to be used.

Net Buildable Acreage = Gross acreage less 25% Open Space acreage requirement less 50 foot buffer zone total acreage

***Maximum number of lots = $\frac{\text{Net Buildable Acreage}}{43,560 \text{ sq. ft.}}$**

§6 There shall be a new §140-122B added to the Code of the Town of Rochester to read as follows:

§140-122B Permit Allowing Operation of a Manufactured Housing Park

- (1) Any person or legal entity, being the owner or occupant of any land within the town, shall not use or allow the use of such land for a manufactured housing park, unless a permit has been obtained as herein provided
- (2) Issuance of Permit
 - (a) Before a manufactured housing park may be established the Code Enforcement Officer shall issue a permit therefore. This permit shall be effective from the date of issuance to and including December 31 of that same year.
 - (b) The original permit shall not be issued until the Code Enforcement Officer has received:
 - (1) A completed, written application from the applicant
 - (2) The required fee as established by the Town Board
 - (3) The listing of a local contact name and telephone number to act as an official representative of the park owner in the event of an emergency situation.
 - (4) Documentation asserting compliance with the safety requirement of fire extinguishers, smoke detectors, and carbon monoxide detectors for each unit.
 - (5) Approval of the application by the Ulster County Department of Health and any other required government agency permit or approval; and
 - (6) A resolution from the Planning Board approving issuance of a special use permit for said Manufactured Home Park

- (c) Before any manufactured housing park commences operation, the Code Enforcement Code Officer or Building Inspector shall make a complete inspection of the premises to determine that all requirements have been complied with and shall issue a certificate of occupancy.

3. Procedure for Permit Application or Renewal

(a) Initial Application

- (1) The application for such permit or renewal thereof shall be filed with the Code Enforcement Officer and shall be accompanied by a fee in the amount as established by the Town Board. Said application shall include the name, address, and telephone number of the applicant, the nature and extent of his interest in the business for which a permit is desired and whether said applicant is the owner of the property and such a legal description of the premises upon which the manufactured housing park is or will be located as will readily identify and definitely locate the premises. (If the fee is vested in some person other than the applicant, a duly verified statement is required by that person stating that the applicant is authorized to construct or maintain the park and to make said application.)
- (2) The application shall also state the contact information for a local representative of the owner in the event of an emergency situation.
- (3) The application shall also state the total acreage of the site, the acreage designated as Open Space, the acreage designated as recreational or community area, the number of approved lots, and the number of actual units in the manufactured housing park.
- (4) A copy of the regulations and rules for residents of the park as imposed by the park owner must accompany the application for a permit.
- (5) If said application is for a new manufactured housing park or for the expansion of the same, an application for a special use permit must be made to the Planning Board in accordance with the procedures outlined in §§ 140-22A, 140-22B and 140-36 (Q) of the Town Code.

(b) Permit Renewal

- (1) An application for the renewal of any manufactured housing park which was issued in accordance with the provisions of Chapter 140 of the Town Code must be filed with the Code Enforcement Officer on or before December 1 preceding the expiration of the permit.

- (2) Upon a satisfactory inspection of the premises and the approval by the Code Enforcement Officer, a renewal permit shall be issued to be effective upon the expiration of the previous permit and to continue in force for a period of one year.
- (3) At the time the permit is applied for the applicant shall pay a fee in the amount established by the Town Board.
- (4) Such renewal permit shall not be transferable or assignable to any other individual, group, corporation or association.
- (5) All required improvements and community utilities within a manufactured housing park shall be continuously maintained in a safe manner, and all required services shall be continuously provided in order to secure the annual permit. The Building Inspector, Code Enforcement, County Health Inspector, Fire Inspector, or any other government or safety inspector shall have full access to any public spaces located within the park boundaries at any time for inspection purposes.

4. Application for preexisting manufactured housing parks

A manufactured housing park, which is in existence or applied for prior to November 10, 2004 may continue in existence, provided that it complies completely to the standards and requirements of the Ulster County Department of Health and receives a satisfactory, written inspection report with no safety, health, or Town Code violations from the Code Enforcement Officer. However, any additions, extensions, or supplements to such preexisting park must be made pursuant to §§ 140-22A, 140-22B and 140-36 (Q) of the Town Code and all regulations hereof apply thereto.

5. Revocation of Permit

(a) If the Code Enforcement Officer finds and reports to the Town Board that a manufactured housing park for which a permit has been issued is not being maintained in a clean and sanitary condition or is not being operated in accordance with Chapter 140 of the Town Code, the Town Board, shall by resolution, authorize the personal service upon the holder of the permit a written order which shall require the holder of said permit to correct the conditions specified in such order within fifteen (15) days after the service of such order.

(b) If the holder of such permit shall refuse to correct the condition or conditions specified in such order within fifteen (15) days after the personal service of such order, the Town Board shall hold a hearing to determine whether the holder is in violation of the provisions of this chapter. The holder shall have the opportunity to be heard and defend its position at the hearing. If the Town Board determines that the holder is in violation, the Town Board shall, by resolution, revoke such permit and impose the levy of a daily fine (as set by Town Board schedule), and

the holder of the same shall thereupon terminate the operation of such manufactured housing park. In order to enforce the provisions of this section, all the provisions of Article X, Chapter 140 shall apply.

(c) However, if the owner or operator of said manufactured housing park shall thereafter correct such conditions and bring the park into compliance with this chapter, said owner may then apply for the issuance of a new permit for said park, and if the application is approved and a permit is granted, the applicant shall pay to the Town Clerk the required fee without any credit for the fee paid for the permit which was revoked.

§7. There shall be a new §140-36(Q) added to the Code of the Town of Rochester to read as follows:

§140-36(Q) Manufactured Housing Parks

1. MAP

The manufactured housing park plan shall be drawn to scale on a survey map prepared by a civil engineer or land surveyor duly licensed by the State of New York and shall show the following:

(a) Legal Data

- (1) The name and address of the applicant (or the name and address of each partner if the applicant is a partnership; or the name and address of each officer and director if the applicant is an association or corporation).
- (2) The location and description of the land that is proposed to be used as a camp or park.
- (3) The existing zoning of the site.

(b) Physical Features

- (1) Topographic contours at two-foot intervals.
- (2) The location of watercourses, marshes and areas subject to flooding
- (3) The location of wooded areas

(c) Existing Development

- (1) A location map which shows all land within 200 feet of the proposed park and all structures on the land which abuts the proposed park.
- (2) The location, names, and widths of all adjacent streets.
- (3) The location of all water lines and utilities within and adjacent to the proposed site.

(d) Proposed Development

- (1) The location and widths of all entrances, exits, streets, and walkways.
- (2) The number, location, size, and arrangement of all proposed unit areas within the park.
- (3) The method and plan for electric lighting.
- (4) The location and plan for all proposed structures and improvements.
- (5) The proposed grading.
- (6) The proposed stormwater management system.
- (7) The proposed utilities.
- (8) Any public improvements proposed by the town in or adjoining the proposed site.
- (9) Any proposed zoning.
- (10) A landscaping plan shall be submitted as part of the park plan. The size, type, and location of all trees and vegetation must be shown and adhered to in final application. Such landscaping must be actively maintained and replaced if diseased or dead. As much of the natural landscaping and terrain shall be retained as is possible. All lots and public areas shall be landscaped, planted, seeded, and maintained as to provide a park-like setting.
- (11) The proposed Open Space area and any improvements planned for such space.
- (12) The proposed recreation areas, specific uses and plans for such areas, and all improvements pertaining to such areas.
- (13) The required perimeter 50 foot buffer zone and the proposed or existing landscaping plans for that zone.

- (14) The location and improvements of all community related infrastructural needs such as mail collection areas, refuse collection areas, community parking areas, school bus shelters, and the like

2. Site

- (a) The site shall be well drained, and have such grades and soil types to make it suitable for the purposes of residential living.
- (b) The site shall be preserved in its natural state insofar as possible, including the preservation of existing trees, soils, and vegetation.
- (c) Detailed drainage plans and calculations shall be required to ensure that storm water runoff does not present a hazard to neighboring properties, waterways, or wetlands.
- (d) The site shall not be exposed to excessive or objectionable smoke, dust, noise, odors or other adverse influences.
- (e) No portion of the site shall be subject to sudden flooding or erosion, nor shall it be used for any purpose which would expose persons or property to hazards.
- (f) No development of any kind shall be permitted within one hundred fifty (150) feet of the bank of any stream or other natural waterway.

3. Buffer Zone

- (a) A minimum of a fifty (50) foot landscaped buffer zone shall be constructed and maintained around the perimeter of the manufactured housing park.
- (b) The area encompassed by this buffer zone that is adjacent to any neighboring properties or public roadways shall be planted with at least two (2) rows of evergreen trees staggered and spaced not more than sixteen (16) feet apart. The minimum height at planting shall be no less than six (6) feet. The plantings shall form a hedgerow or natural visual screen from adjoining properties and roadways. The owner of the park shall be responsible for the maintenance of this landscaping and, should it become necessary, the replacement of these trees.
- (c) The Planning Board may also require a fence or berm for an additional visual screen or noise buffer if deemed appropriate.
- (d) Where natural vegetation exists that meets or exceeds the above requirement within the fifty (50) foot buffer zone, it may be utilized instead of the required plantings at the option of the Planning Board, however this existing vegetation must be maintained and replaced if it fails to continue to meet the above requirements..

(e) Such buffer zones shall not be required where they would interfere with the vision of motorists at intersections with public or private roadways.

4. Open Space and Recreation Areas:

(a) Open Space

- (1) An area of not less than twenty five percent (25%) of the gross site area shall be maintained as Open Space.
- (2) No part of such Open Space shall be included in any manufactured home site, roadway, wastewater treatment plant, or parking area within the park, nor shall any part of such Open Space be occupied by manufactured homes.
- (3) The area of the site that lies within designated wetlands and the fifty (50) foot buffer zone shall not be counted as Open Space.

(b) Recreation Area

- (1) An area of not less than forty percent (40%) of the required Open Space (or ten 10% percent of the total gross site area) shall be maintained as active recreational or community areas for the common, equal use of all residents of the park.
- (2) Active recreational areas may include playgrounds, tennis courts, swimming pools, wading pools, saunas, exercise rooms, clubhouse facilities, specifically constructed outdoor sports fields, picnic areas, and other similar facilities intended for the exclusive use and participation of all residents within the proposed park. The applicant shall establish that the type and quality of the planned improvements for the active recreation space shall satisfy the needs of the residents of the park.
- (3) Notwithstanding the above, if a contiguous public facility such as a public park, school playground, or the like already exists, this recreation area requirement may be waived in lieu of a payment to be determined by the Town Board to a town recreation fund, but in no case may less than twenty five percent (25%) remain Open Space. Only the recreation area may be waived.

(c) All Open Space and recreation areas shall be equally accessible to all home lots within the park.

(d) The park owner is responsible for maintaining all recreation areas and Open Space areas.

(e) The Planning Board shall require a bond and/or escrow account for the construction and maintenance of the community recreation areas in accordance with the guidelines set forth in paragraph 13(a) and 13(b) of this section.

(f) All common Open Space, recreational areas, and other common properties shall be preserved for their intended purpose as shown on the approved Development Plan and shall be established by metes and bounds on the Final Development Plan.

5. Individual manufactured housing park unit areas (lots)

(a) Each park site shall be marked into unit areas and all lots dimensions and placement of lots shall be permanently recorded on the survey map.

(b) No manufactured housing lot shall be constructed on a plot which has a slope of fifteen percent (15%) or greater, except by application by the applicant to the Zoning Board of Appeals for a variance

(c) No manufactured housing park lot shall extend into a designated floodplain or wetland.

(d) Every home lot as described on the site plan shall be clearly defined by field survey and indicated on the ground with permanent and visible markers.

(e) Each designated unit area shall:

(1) Be not less than twenty thousand (20,000) square feet in area

(2) Have a minimum of one hundred twenty (120) feet of frontage on an interior park roadway

(3) Not be closer to a public street or other property line than sixty (60) feet.

(4) Meet all front, side, and rear yard requirements as per Town Code §140-28; Residential Cluster Development Regulations

(5) Not access a public roadway directly. All lots must front an interior park roadway.

(f) All manufactured homes are to be single family residences.

(g) No additions may be made to a manufactured home to increase the livable floor space

(h) Only one manufactured home shall be permitted to occupy each designated unit area.

6. Placement of home on lot (Clearances)

(a) In order to create back yards, all homes shall be placed on each lot with the long side parallel to an interior park roadway.

(b) Manufactured homes shall not be located nearer than a distance of:

- (1) At least fifty (50) feet from any adjacent structure in any direction.
- (2) At least one hundred (100) feet from an adjacent property line
- (3) At least one hundred (100) feet from the right-of-way line of a public road
- (4) At least fifty (50) feet from the nearest edge of any interior roadway within the park

(c) An outbuilding of not more than one hundred forty four (144) square feet may be added to the lot for storage. This building must be situated in the rear of the lot, not closer than ten (10) feet from the lot line.

7. Construction Standards

(a) All manufactured homes and lots within a manufactured home park shall comply with the requirements of Chapter 99: Manufactured Homes.

8. Accessibility

(a) A park shall access a public roadway at a minimum of two and a maximum of four points on a County or State highway as follows:

- (1) These shall be at least one hundred twenty five (125) feet apart and be at right (90°) angles to the public roadway.
- (2) Street lighting shall be provided at these intersections. The lighting shall be sufficient for safety purposes, but shall be made to have minimal intrusion on individual lots and neighboring properties.
- (3) Such entrances and exits shall be designed and strategically located for safe and convenient movement into and out of the park and to minimize conflict with the free movement of traffic on a public highway or street.
- (4) All entrances and exits shall be free of any material which would impede the visibility of the driver on a public highway or street.

(5) All entrances and exits shall be of sufficient width to facilitate the turning movements of vehicles with manufactured homes attached.

(6) The Planning Board shall require a designated and marked walkway, at least 4 feet in width to be provided on at least one side of each internal roadway that is used for ingress and egress to a public roadway to provide for the safe pedestrian access of residents and school children to the public road system.

(b) Interior Roadways

(1) Each park shall have its streets provided with a smooth, hard surface which shall be durable and well drained under normal use and weather conditions to provide for the convenient accessibility to all unit areas and other important facilities within the park and further:

(a) The street system shall be designed to permit the safe and convenient vehicular circulation within the park, shall be adapted to the topography, and shall have suitable alignment and gradient for traffic safety.

(b) All interior roadways shall meet town subdivision requirements for roadways as stated in Chapter 125: Subdivisions.

(c) The proposed interior roadways shall have appropriate safety signage and speed limit signage as deemed necessary by the Highway Superintendent

(d) The Planning Board may require speed bumps or other safety devices if deemed appropriate.

(e) If dead end streets are part of the plan they shall serve no more than twelve (12) home lots, shall be limited in length to one thousand (1000) feet, and shall terminate in an appropriate sized and shaped cul-de-sac as required by town highway standards.

(f) All streets are to be named and all intersections marked appropriately with monuments.

9. Utilities and Service Facilities

(a) The following utilities and service facilities shall be provided in each manufactured home park which shall be in accordance with the regulations and

requirements of the Ulster County Department of Health, the New York State (NYS) Department of Health, and the Sanitary Code of New York State and the New York State Department of Environmental Conservation:

- (1) Each manufactured home and community facility that requires such shall have an attachment or water supply with a shut-off relief valve provided. The water source must be approved by the appropriate State, County, or Town agency or agencies and shall conform to all applicable rules, laws, ordinances, and regulations.
- (2) Waste from each manufactured home shall be wasted into a sewer system and waste disposal plant or septic system approved by the Ulster County Department of Health or other such Health agency as shall have jurisdiction. Connections to unoccupied lots shall be capped to prevent the emission of odors or the creation of a health hazard.
- (3) The park owner shall provide for the sanitary disposal of all refuse and recycling generated in the park. The owner shall determine the means of the disposal system, which shall be kept in a sanitary condition at all times. Collection areas shall be required to be landscaped to screen their view from any neighboring street, park lot, or adjoining property.
- (b) Each manufactured home lot shall be provided with weatherproof electric service connections and outlets which are a type approved by the New York State Board of Fire Underwriters.
- (c) All community utilities shall be carried underground and shall be installed in accordance with all Local, County, State, and Federal regulations.
- (d) Each manufactured home site shall be provided with facilities for the above ground safe storage of required fuels. All systems shall be installed and maintained in accordance with applicable codes and regulations governing such.
- (e) The park owner shall be responsible for the placement and maintenance of onsite mailboxes provided at a common location in the park as determined by the United States Postal Service. All mailboxes shall be easily accessible and be of a consistent style and color.

10. Landscaping

- (a) Areas of manufactured housing parks, not used for the placement of structures, walkways or roads or cleared for recreational facilities, shall be landscaped or shall remain wooded and/or otherwise unimproved to preserve the rural atmosphere and aesthetic characteristics of the Town of Rochester.

- (b)** Landscaping shall be provided to the extent necessary for the purpose of screening nonresidential structures or uses within the park and to provide shade and suitable settings for the dwellings and other facilities within the park.
- (c)** The park owner shall be required to maintain all landscaping in buffer zones, community areas, screening areas, and at entrances.
- (d)** Maintenance of individual lot landscaping may lie with either the resident or the park owner, but the owner of the park may set minimum standards for proper maintenance of this landscaping.

11. Park Records

- (a)** The owner or operator of each manufactured housing park shall keep a written record of all persons occupying such park. This record shall include:
 - (1)** The name and mailing address of the occupant of each manufactured home.
 - (2)** The name and address of the owner of each manufactured home that is not occupied by such owner.
- (b)** The park owner shall be required to provide a copy of the NY State Document “Mobile/Manufactured Home Park Tenants’ Rights” as explained in section 233 of the New York State Real Property Law to each residence within the park.
- (c)** The park owner shall be required to provide a written list of all park rules and regulations to each residence within the park.

12 Automobile Parking

- (a)** A manufactured home lot shall have two (2) adjacent off-street parking spaces.
- (b)** No unregistered and/or unlicensed vehicles may be stored on a manufactured housing park lot.

- (c) No commercial vehicles; except pickup trucks, passenger vans, or other recognized personal-use vehicles registered commercially; shall be permitted to be parked on a manufactured housing park lot.
- (d) Visitor parking at the rate of one (1) space per every four (4) manufactured housing lots shall be allowed for. These shall be located as near the individual lots they service as is possible.
- (e) No on-street parking or parking in non designated parking spaces shall be allowed.
- (f) A visually screened, fenced, secured, common area within the park shall be set aside and maintained for residents to park any recreational vehicles such as campers, boats, snowmobiles, ATV vehicles, and the like. An appropriate service fee may be charged for this service by the park owner.
- (g) Each off-street parking space and the parking areas shall conform to the standards specified in §140-21 of the Town Code.

13. Performance and Maintenance Bond

- (a) The Planning Board shall require a cash bond or renewable, irrevocable letter of credit for the construction of roads, sewerage system, water system, or any other community needs deemed necessary. The amount of the bond shall be determined by the Planning Board after consultation with a Planner or Engineer for the Town.
- (b) The Planning Board shall require shall require a cash bond or irrevocable, renewable letter of credit of the applicant to insure the continued maintenance of any community utility that would impose hardship on the residents if not maintained adequately and properly. The amount of the bond shall be determined by the Planning Board after consultation with a Planner or Engineer for the Town.

14. Safety

- (a) Each manufactured home shall be equipped with a minimum of one (1) fire extinguisher of proper type in the kitchen as well as one (1) smoke detector in each room used as either sleeping quarters or cooking area. Carbon monoxide detectors shall also be required. The park owner shall be responsible for the mandating of this provision and shall be required to verify the continued operational capacity of these

safety items once per year and submit notarized documentation stating compliance for all park units with the annual permit application.

- (b)** There shall be a clear numbering system for all units within a manufactured housing park, the numbers shall be not less than four (4) inches in height, Arabic writing, made of reflective material, and prominently displayed on the manufactured home where it is visible from the interior access roadways.
- (c)** A copy of the layout map shall be filed with the applicable fire and rescue agencies.
- (d)** An easily visible, posted layout map showing the location and numbering of each lot in the park shall be also required at each entrance to the park from the public roadway.
- (e)** Water supplies to aid in fighting fire shall be adequate as determined by the Ulster County or local Fire Commissioners, whether the supply is derived from hydrants connected to an underground water supply system or a reservoir or other water supply system.
- (f)** No flammable materials may be stored beneath any manufactured home unless the manufactured home has been placed on a foundation with a basement.
- (g)** The park owner shall be required to provide an adequate area for translucent, Plexiglas type school bus shelter(s) at the entrance(s) to the park for the purpose of sheltering school children from inclement weather while waiting for school bus transportation. These shelter(s) must be large enough and a minimum number to meet the needs of whatever the school age population of the park requires.

15. Park Owner Requirements

- (a)** The owner or operator of the park shall be required to maintain all landscaping, roadways, public facilities, common grounds, and community recreational equipment in safe, clean, sanitary condition.
- (b)** The park owner shall be responsible for the collection of waste material, snow plowing, road maintenance, maintaining lawns, trees, and shrubs, public utilities, and any other public services necessary to preserve a sanitary, safe, clean, and orderly community environment.
- (c)** The Building Inspector, Code Enforcement Officer, County Health Inspector, Fire Inspector, or any other government or safety inspector shall have full access to any public spaces located within the park boundaries at any time for inspection purposes.

§8 Town Code Chapter 99: Mobile Homes shall be amended as follows:

(A) All references to “mobile homes” shall be deleted and replaced with the phrase “manufactured homes”.

(B) The following provisions shall be added to §99-3:

- G.** All manufactured homes must be covered with an exterior material customarily used on conventional dwellings. The exterior covering must extend to the foundation or to the start of skirting.
- H.** Each manufactured home main roof shall have a minimum pitch of 1’ rise for 3’ of horizontal run and be covered with conventional roofing material.
- I.** Permanent handrails and landing steps are required at each exterior doorway.
- J.** No manufactured home may be placed on a lot until sewerage disposal systems, water supply, driveway, electrical power, and mobile home stand have been installed, are operational, and approved by the appropriate Local, County, or State agencies.

(C) §99-4 is repealed in its entirety and replaced with the following:

§ 99-4 Regulations applying to Type 1 and Type 2 manufactured homes

- (a) All towing devices, wheels, axles, hitches, tongues, or any other appurtenances of mobility shall be removed. Each mobile home lot shall be furnished with a stand of adequate foundation in the form of a concrete slab that meets the manufacturer’s specifications, soil conditions, or other relevant characteristics of each site. The slab shall not heave, shift, or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration, or other forces acting on the superstructure. The home site and slab shall be suitably graded to permit rapid surface drainage.
- (b) Anchors and tie-downs shall be applied as per manufacturer’s specifications, but in no case may the structural frame of the manufactured home be attached to the foundation in less than four (4) places in such a manner as to insure the stability of the manufactured home.
- (c) All homes not on a permanent, closed foundation, set below frost line shall be skirted with either vinyl or masonry type materials such as cement, concrete, brick, or natural stone. The skirting must be applied in a permanent manner and shall extend from the side of the wall of the manufactured home to the adjacent stand at all points. Wood, wood products, metal, plastic (other than vinyl), or other non-masonry materials will not be allowed as skirting. A removable area

shall be mandated for accessibility for repairs and/or maintenance under the manufactured home.

§9 Section 140-5 of the Code of the Town of Rochester shall be amended to replace the words MOBILE HOME with the words “MANUFACTURED HOME” and to replace the words MOBILE HOME PARK with “MANUFACTURED HOME PARK”

§10 The Density Control Schedule of the Code of the Town of Rochester shall be amended to add the following footnote #5:

Density Control requirements for the MHP zone are contained in §140-22A and §140-36Q of the Code of the Town of Rochester.

§11 This local law shall become effective upon filing with the Secretary of State.