

KENAI PENINSULA BOROUGH

ORDINANCE NO. 35

AN ORDINANCE ENTITLED: AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR
MOBILE HOME PARKS

BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. Title 20 of the Kenai Peninsula Borough Code of Ordinances is amended by adding a new chapter known as Chapter 40 and includes sections 20.40.005 - 20.40.040 to read as follows:

CHAPTER 40. Zoning of Mobile Home and Trailer Parks

Section 20.40.005. Prohibition. Two or more rented mobile homes or trailers shall not be placed on the same parcel for occupancy unless the parcel has been designated a "mobile home park" zone by the planning commission.

Section 20.40.010. Definitions

(a) "mobile home" means a transportable dwelling unit of rigid construction intended for residential occupancy or actually occupied for residential purposes on the same site for a period in excess of three (3) months.

(b) "transportable dwelling unit" includes mobile homes, campers, buses or other vehicles, trailers or any other movable unit suitable or intended for use as sleeping quarters for one or more persons.

(c) "mobile home park" means a parcel, lot or group of adjacent lots or parcels under single ownership or unified management which has been planned or improved for the placement of mobile homes.

Section 20.40.015. Authority and Scope. This Chapter is adopted pursuant to the planning and zoning power of the borough and shall

apply borough-wide. This chapter is not intended to nullify any existing ordinance of a city, properly adopted, regulating the same subject matter. Wherever possible, the ordinance of the city and this chapter shall be considered co-existent. In the case of a direct and irreconcilable conflict between this chapter and regulations adopted by a city before the borough assumed the planning and zoning power, the regulations of the city shall be considered a borough ordinance to the extent of the power of the borough, such ordinance creating a special zoning district for the city. Within the special city zoning district, this chapter shall not apply to the extent that application would conflict with pre-existing regulation under pre-existing planning and zoning regulation.

Section 20.40.020. Designation of mobile home park zone.

(a) The commission shall designate a parcel as a mobile home park zone upon the application of the owner or manager thereof upon a satisfactory application showing:

1. The name of the owner and manager. If the owner or manager is a corporation, the principal stockholders shall be designated.
2. The location of the proposed mobile home park including a legal description of its exterior boundaries together with a plat thereof.
3. Complete engineering plans and specifications of the proposed park showing compliance with this chapter including:
 - A. Name and address of applicant
 - B. Interest of the Applicant in the mobile home park
 - C. Location and legal description of the mobile home park.
 - D. Complete engineering plans and specifications of the proposed park showing:

- i. The area and dimensions of the tract of land;
 - ii. The number, location and size of all mobile home lots;
 - iii. The location and width of roadways and walkways;
 - iv. The location of service buildings and any other proposed structures
 - v. The location of water and sewer lines and riser pipes
 - vi. Plans and specifications of the water supply and refuse and sewage disposal facilities
 - vii. Plans and specifications of all buildings constructed or to be constructed within the mobile home park; and
 - viii. The location and details of lighting and electrical systems.
4. Evidence of approval of the plans by the Division of Public Health of the State Department of Health and Welfare.
 5. All mobile home parks shall abide by Alaska Fire Safety Code.

(b) The commission, upon the motion of any interested party and upon notice to the owner or manager, may cancel the classification of any mobile home park upon a showing that the area included or any part of it is no longer used or developed in compliance with the conditions precedent to its initial classification.

Section 20.40.025. Application to Existing Mobile Home Parks.

This chapter applies to mobile home parks existing on the effective date of this chapter. No additional mobile homes shall be added to an existing mobile home park, which does not qualify hereunder, after the effective date hereof _____.

Otherwise, existing mobile home parks shall have until September 1, 1968, to comply herewith.

Section 20.40.030. Environmental, Open Space and Access Requirements of a Mobile Home Park Zone.

(a) General Requirements: Condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

(b) Soil and Ground Cover Requirements. Exposed ground surfaces in all parts of every mobile home park shall be graveled, or covered with stone screenings, or other smooth surface material or protected with a vegetative growth that is capable of preventing soil erosion and eliminating objectionable dust.

(c) Site Drainage Requirements. The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner.

(d) Park Areas for nonresident use. (1) No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park. (2) Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.

(e) Required Separation between Mobile Homes. (1) Mobile homes

shall be separated from each other and from other buildings and structures by at least 15 feet; provided that mobile homes placed end-to-end may have a clearance of 10 feet where opposing rear walls are staggered.

(2) An accessory structure which has a horizontal area exceeding 25 square feet is attached to a mobile home or located within 10 feet of its window, and has an opaque top or roof that is higher than the nearest window shall, for purposes of all separation requirements, be considered to be part of the mobile home.

(f) Required Recreation Areas. (1) In all parks accommodating or designed to accommodate 25 or more mobile homes, there shall be one or more recreation areas which shall be easily accessible to all park residents.

(2) The size of such recreation areas shall be based upon a minimum of 100 square feet for each lot. No outdoor recreation area shall contain less than 2,500 square feet.

(3) Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

(g) Required Setbacks, Buffer Strips and Screening.

1. All mobile homes shall be located at least 25 feet from any park property boundary line abutting upon a public street or highway and at least 10 feet from other park property boundary lines.

2. There shall be a minimum distance of 10 feet between an individual mobile home and adjoining pavement of a park street, or common parking area or other common areas.

3. All mobile home parks located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent non-residential uses.

(h) Park Street System. (1) General Requirements. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Alignment and gradient shall be properly adapted to topography.

2. Access. Access to mobile home parks shall be designed to minimize congestion and hazards at the entrance or exit and allow free movement of traffic on adjacent streets. The entrance road connecting the park street with a public street or road shall have a minimum road width of 34 feet where parking is permitted on both sides, or a minimum road width of 27 feet where parking is limited to one side. Where the primary entrance road is more than 100 feet long and does not provide access to abutting mobile home lots within such distance, the minimum road width may be 24 feet, provided parking is prohibited at both sides.

3. Internal Streets. Roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

(a) all streets, except minor street.....24 feet

(b) minor streets, no parking18 feet

(Acceptable only if less than 500 feet long and serving less than 25 mobile homes or of any length if one-way and providing access to abutting mobile home lots on one side only.)

(c) dead end streets shall be limited in length to.....
1,000 feet and shall be provided at the closed end with a
turn-around having an outside roadway diameter of at least

60 feet.

4. Required illumination of Park Street Systems. All parks shall be furnished with lighting units so spaced and equipped with luminaires placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

- (A) All parts of the park street systems: 0.6 footcandle, with a minimum of 0.1 foot candle.
- (B) Potentially hazardous locations, such as major street intersections and steps or stepped ramps, individually illuminated, with a minimum of 0.3 footcandle.

5. Street Construction and Design Standards:

- A. Grades. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than eight percent. Short runs with a minimum grade of 12 percent may be permitted, provided traffic safety is assured by appropriate paving, adequate leveling areas and avoidance of lateral curves.
- B. Intersections. Within 100 feet of an intersection, streets shall be at approximately right angles. A distance of at least 150 feet shall be maintained between center lines of offset intersecting streets. Intersections of more than two streets at one point shall be avoided.

(i) Required Off-Street Parking Areas

- 1. Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least 1.25 car spaces for each mobile home lot.
- 2. Required car parking spaces shall be allocated as to provide convenient access to the mobile home, but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve.

(j) Walks

1. General Requirements: All parks shall be provided with sage, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain; between individual mobile homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
2. Common Walk System: A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one-half feet.
3. Individual Walks. All mobile home stands shall be connected to common walks, to streets, or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two feet.

Section 20.40.035.

- (a) Offenses. Any person who violates Section 20.40.005 of this chapter is subject to a fine of not more than \$300.00 or imprisonment for not more than ten (10) days. Each day of a continuing violation constitutes a separate offense.
- (b) Civil Penalty. The borough may enforce the criminal penalty provided for in (a) hereof or may proceed by injunction or any other appropriate legal proceedings to enjoin or correct violations of this chapter by closing down the park, removing the structures located thereon at the expense of the operator or other remedy. As an alternative to the criminal penalty,

the borough may exact a civil penalty of \$300.00 per day of
a continuing violation.

Section 20.40.040. Exceptions and Appeals. Exceptions and appeals
may be allowed pursuant to KPB 20.10.45. Requests for exceptions
from the application of KPB 20.40.025 (Existing Mobile Home Parks)
shall be filed within 60 days of the effective date of this chapter.

(see next page)

Section 2. This ordinance takes effect immediately upon its passage and approval according to law.

Adopted by the Assembly of the Kenai Peninsula Borough this 1 day of August, 1967.

Earl M. Simonds

/s/ Earl M. Simonds
President of the Assembly

ATTEST:

Frances Brymer

/s/ Frances Brymer
Assembly Clerk

8/1/67 - Metcalf moved for reconsideration of this ordinance at the next regular meeting (September 5, 1967).

9/5/67 Final Approval Given this date: September 5, 1967.

Frances Brymer
Frances Brymer
Assembly Clerk