

ZONING

190 Attachment 2

Village of Clyde

Appendix C

Manufactured Housing

[Adopted 4-27-2006 by L.L. No. 2-2006]

Section 1. Purposes.

The regulations set forth herein are made to regulate the installation and maintenance of manufactured housing within the Village of Clyde, provide diversity in housing choice, as well as greater opportunities for obtaining moderate cost housing, and to insure the development of suitable plans for manufactured home parks.

Section 2. Applicability.

Notwithstanding any provision of Chapter 190, Zoning, of the Code of the Village of Clyde to the contrary, this appendix shall apply to the installation of new manufactured homes, the replacement of existing manufactured homes, the maintenance of existing manufactured homes, and the establishment, expansion and maintenance of manufactured home parks. Where a provision of this appendix is in conflict with any other provision of Chapter 190, Zoning, the provisions of this appendix shall govern.

Section 3. Definitions.

The following definitions shall apply in the interpretation and enforcement of this appendix:

HOUSE TRAILER — A structure meeting the definition of a “mobile home,” except that such structure was built prior to June 15, 1976, and bears no HUD certifying label.

MANUFACTURED HOME — Any mobile home, house trailer, or modular home as defined herein. The term “manufactured home” shall not include a recreational vehicle as defined herein.

MANUFACTURED HOME ACCESSORY BUILDING OR STRUCTURE — A building or structure which is an addition to or supplements the facilities provided to a manufactured home; it is not a self-contained, separate, and habitable building or structure.

MANUFACTURED HOME PARK — A property consisting of a tract of land maintained by an operator for two or more manufactured homes and buildings or other structures that may be pertinent to their use, any part of which may be occupied by persons for residential purposes other than recreation, traveling or vacationing, and who are provided services and facilities necessary for their use of the property. This definition shall not apply to manufactured home sales lots.

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MANUFACTURED HOME PARK COMMUNITY BUILDING — Any nonresidential building used for manufactured home park community purposes.

MANUFACTURED HOME SALES — The exhibition and retail sale of manufactured homes that are not occupied, and directly related incidental equipment. Such land use shall not have any manufactured home stored, located or parked thereon that is not in habitable condition.

MOBILE HOME — A structure transportable in one or more sections, which in the traveling mode, is eight body feet or more wide and 40 or more body feet in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and bearing a seal issued by the Federal Department of Housing and Urban Development.

MODULAR HOME — A dwelling, constructed by a system of construction whereby the structure or component is wholly or in substantial part manufactured in a manufacturing facility, intended for permanent installation on a building site, and bearing the insignia of approval issued by the State of New York.

RECREATIONAL VEHICLE — Any vehicle mounted on wheels and moveable either by its own power or by being drawn by another vehicle and licensed for travel on any highway for the purpose of temporary living or sleeping quarters at a campground or park.

Section 4. Mobile homes.

- A. Mobile homes shall be permitted to be installed for use as single-family dwellings within R-1 and R-2 Districts, subject to the following:
1. The minimum size of the mobile home shall comply with § 190-9D. Site-built additions shall be included toward the minimum size, provided that such additions are fully enclosed and suitable for human habitation.
 2. Mobile home installations shall require site plan review and approval by the Planning Board. **[Amended 10-24-2018 by L.L. No. 1-2018]**

EXCEPTION: Mobile homes on individual lots, which are not located in historic districts, where the home's architectural style is consistent and compatible with other conventional homes in the neighborhood. Roofing material that is generally acceptable for housing in the area may be used. Exterior siding must be compatible with adjacent residential structures, and shiny or metallic finishes are prohibited.

3. The installation of mobile homes shall comply with applicable provisions of the New York State Uniform Fire Prevention and Building Code.

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4. Upon installation of a mobile home, the trailer tongue shall be removed and stored under the home or in a separate storage building.
5. Storage facilities shall be provided, as may be required by § 190-19B.
6. The space beneath the home shall be skirted with durable masonry materials to provide a finished exterior appearance.
7. No mobile home may be used as an accessory building or as an addition to an existing structure.

Section 5. House trailers.

- A. House trailers shall be permitted to be installed for use as single-family dwellings within R-1 and R-2 Districts, subject to the following:
 1. The minimum size of the house trailer shall comply with § 190-9D. Site-built additions shall be included toward the minimum size, provided that such additions are fully enclosed and suitable for human habitation.
 2. House trailer installations shall require site plan review and approval by the Planning Board.
 3. The installation of house trailers shall comply with applicable provisions of the New York State Uniform Fire Prevention and Building Code. Each applicant for a permit to install a house trailer shall provide the following documentation to the Code Enforcement Officer, at the time of application:
 - i. An affidavit from a NYS licensed structural engineer, certifying that he or she has inspected the house trailer and found it to be structurally sound.
 - ii. An affidavit from a certified electrical inspector, certifying that he or she has inspected the house trailer and found it to be free of electrical hazards.
 - iii. An affidavit from a qualified heating technician, certifying that he or she has inspected the house trailer's heating system and found it to be free from hazards.
 - iv. In the case of solid-fuel burning appliances, an affidavit from a certified chimney sweep that he or she has inspected the house trailer's solid-fuel burning appliance(s) and chimney(s) and found them to be free from hazards.
 4. In addition to any and all other restrictions, no house trailer shall be permitted to be installed for any purpose unless it complies with the following:
 - i. The house trailer shall have at least one window in each bedroom which is at least 22 inches in the horizontal or vertical position and at least five square

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feet in unobstructed area. The bottom of the window opening shall be no more than 36 inches above the floor, and the locks and latches on any such window, storm windows or window screens shall be located not more than 54 inches above finished floor. A bedroom with a door leading directly to the exterior shall be exempt from this requirement.

- ii. The house trailer shall have at least two exterior exit doors. In single-section homes, these shall be located no less than 12 feet, center-to-center, from each other. In multi-section homes, such doors shall be not less than 20 feet, center-to-center, from each other. Such measurement shall be taken in a straight line, regardless of the length of travel between doors.
5. Upon installation of a house trailer, the trailer tongue shall be removed and stored under the home or in a separate storage building.
6. Storage facilities shall be provided, as may be required by § 190-19B.
7. The space beneath the home shall be skirted with durable masonry materials to provide a finished exterior appearance.
8. No house trailer may be used as an accessory building or as an addition to an existing structure.

Section 6. Modular homes.

- A. Modular homes shall be permitted to be installed for use as single-family dwellings in R-1 and R-2 Districts, and as two-family dwellings in R-2 Districts only.

Section 7. Manufactured home parks.

- A. Permit for a manufactured home park. It shall be unlawful within the Village for any person or persons to construct or operate a manufactured home park unless a permit has been obtained as provided herein:
 1. In the case of a new or expanded manufactured home park, the permit shall be in the form of a Special Use Permit, issued by the Village Board of Trustees only after satisfactory review and approval by the Village Planning Board and finding that the use will meet all of the requirements of this Law.
 2. Every existing manufactured home park shall require an operating permit, issued by the Code Enforcement Officer. Each operating permit shall not be issued unless and until the Code Enforcement Officer has inspected the manufactured home park and found it to be in compliance with all applicable federal, state and local laws and regulations. Each operating permit shall expire after three years.

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It is the intent of this appendix that a renewable operating permit shall be required for both new and existing manufactured home parks.

3. Applications for special use permits and operating permits shall be filed with the Code Enforcement Officer, and shall be accompanied by a fee of \$20 per manufactured home site that is proposed or located in the manufactured home park.
4. Applications for permits shall be made on forms prescribed by the Village and shall include the name and address of the owner in fee of the tract (if the fee is vested in some person other than the applicant, a duly verified statement by the person that the applicant is authorized by him or her to construct, expand or maintain the manufactured home park shall accompany the application).
5. Whenever the Code Enforcement Officer finds that activities do not comply with applicable provisions of this appendix, the NYS Uniform Code and/or applicable NYS Health Department regulations, the special permit or operating permit shall be revoked or suspended as provided for in § 190-33 of Chapter 190, Zoning.
6. Notwithstanding any provision to the contrary, all new manufactured home parks, and any existing manufactured home park expansions shall be limited to the C-1 Commercial District only. Manufactured home parks shall be deemed prohibited in all other districts.

B. General requirements.

1. Manufactured homes shall be permitted to be installed and replaced within manufactured home parks, provided they meet all of the requirements of this Law that pertain to the specific type of home, including size requirements, and all requirements of the NYS Uniform Code.
2. Nonconforming manufactured homes that do not meet minimum setback requirements are permitted to be replaced in the same location, in a manner that does not increase the non-conformity of the installation. Under no circumstances shall the replacement of a home violate setback requirements imposed by the NYS Uniform Code.
3. Manufactured home parks subject to NYS Health Department regulations shall additionally comply with any and all such requirements and approvals.

C. Park plan.

1. A manufactured home park shall have an area of not less than five acres and no manufactured home, office, manufactured home park community building, or service building shall be closer to the street line or other property line than 100 feet.
2. A manufactured home park shall be located on a well-drained site suitable for the purpose, with an adequate entrance road at least 20 feet wide.

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3. Each manufactured home shall be located on a lot of not less than 6,000 square feet, with a minimum width of 60 feet.
4. No manufactured home or portion thereof shall be placed closer to any other manufactured home or portion thereof than 35 feet.
5. The total number of manufactured homes shall not exceed six per gross acre.
6. Manufactured home accessory buildings and structures shall be located at least 10 feet from any manufactured home and three feet from any lot line.

D. Additional provisions.

1. Each manufactured home shall be provided with sanitary conveniences, services and utilities in conformance with the NYS Uniform Code and NYS Health Department regulations, as applicable. Such facilities shall include but not be limited to: water supply, sewage disposal, and refuse disposal.
2. Each manufactured home site shall be provided with storage space within an enclosed building, not less than 100 square feet in floor area.
3. An adequate number of parking spaces shall be installed in all new or expanded manufactured home parks, conforming to § 190-43 of Chapter 190, Zoning.
4. The manufactured home park shall be provided with adequate fire protection as required by the NYS Uniform Code.
5. Manufactured homes shall not be stacked one upon another, nor shall they be used as accessory buildings or additions to other buildings (including other manufactured homes).

Section 8. Maintenance.

New and existing manufactured homes shall be maintained in accordance with this section. This section shall apply to both individual manufactured homes, and manufactured homes located within manufactured home parks.

- A. Skirting. Both new and existing homes shall be provided with skirting. For existing homes, skirting shall be of material suitable for exterior exposure and contact with the ground. All skirting shall be installed in accordance with the installation instructions included in the consumer manual(s) provided by the manufacturer. Skirting shall be adequately secured to assure stability, to minimize vibration and susceptibility to wind damage, and to compensate for possible frost heave.
- B. Combustible and flammable materials.

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1. Accumulations of wastepaper, wood, hay, straw, weeds, litter or combustible or flammable waste or rubbish of any type shall not be permitted to remain beneath any manufactured home.
 2. The space beneath manufactured homes shall not be used for the storage of combustible materials or the storage or placement therein of flammable liquids, gases, or liquid- or gas-powered equipment.
- C. General maintenance. All manufactured homes and their building service equipment, existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by applicable codes or by the Federal Manufactured Home Standards shall be maintained in conformance with the code or standard under which it was installed. The owner or the owner's designated agent shall be responsible for the maintenance of manufactured homes, accessory structures and their building service equipment. To determine compliance with this subsection, the Code Enforcement Officer may cause any manufactured home, accessory building or structure to be reinspected.
- D. Existing occupancy.
1. Manufactured homes which are in existence at the time of the adoption of this appendix may have their existing use or occupancy continued if such use or occupancy was legal at the time of the adoption of this appendix, provided such use is not dangerous to life, health or safety.
 2. The use or occupancy of any existing manufactured home shall not be changed unless such change in use or occupancy is made to conform with all applicable provisions of this appendix and the NYS Uniform Fire Prevention & Building Code.
- E. Anchoring. Manufactured homes shall be placed on a site in a stable manner and be free from hazards such as sliding and wind damage. Manufactured homes shall be securely anchored by tiedown devices which distribute and transfer the loads imposed by the unit to appropriate ground anchors so as to resist wind overturning and sliding.