

# CITY OF CONCORD

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*In the year of our Lord two thousand and sixteen*

**AN ORDINANCE** amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-4, Development Design Standards and Section 28-4-6, Manufactured Housing Parks and Subdivisions and Glossary

## **The City of Concord ordains as follows:**

**SECTION I:** Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-4, Development Design Standards, by amending Section 28-4-6, Manufactured Housing Parks and Subdivisions, by amending paragraph (g) as follows:

(g) Development Standards for a Manufactured Housing Park. The following define the minimum standards for the establishment of a manufactured housing park:

(1) Uses Accessory to a Manufactured Housing Park. The following accessory uses are permitted, subject to Planning Board approval, within a manufactured housing park but not on an individual manufactured home site, and are permitted only as common facilities for the use or benefit of residents of a manufactured housing park:

- a. Outdoor recreational facilities including, but not limited to, tennis courts, golf courses, swimming pools, basketball courts, playgrounds, beaches, docks, and trails;
- b. Indoor recreational facilities including, but not limited to, a swimming pool, fitness center, clubhouse, cabana, spa, and tennis courts;
- c. Indoor support facilities including, but not limited to, meeting rooms, management/sales offices, childcare facilities, laundry facilities, and greenhouses;
- d. Storage facilities for maintenance equipment for a manufactured housing park;
- e. A common outdoor storage area for boats, recreational vehicles, and camping trailers owned by individual residents of a manufactured housing park;

- f. Community gardens; and
  - g. Signs in accordance with Article 28-6, Sign Regulations, of this Ordinance.
- (2) Expansion of an Existing Manufactured Housing Park. The expansion of an existing manufactured housing park which fails to meet the minimum tract requirements of this Section may be authorized by a conditional use permit, provided that the park is located in a district in which manufactured housing parks are permitted and the park will conform with all other standards specified in this Section.
- (3) Maximum Density and Lot Coverage. The maximum development density for a manufactured housing park shall be six (6) units per acre of buildable land area, and the maximum lot coverage shall be as specified in Section 28-4-1(h), Table of Dimensional Regulations, of this Ordinance, for the respective districts in which manufactured housing parks are permitted.
- (4) Minimum Site Area for an Individual Manufactured Home. A lot, space or site for the placement of an individual manufactured home shall be a minimum of seven thousand (7,000) square feet of buildable land area and be at least seventy (70) feet in width. The Planning Board may require manufactured home sites at intersections to be wider in order to provide adequate sight distance at such intersections.
- (5) Minimum Building Setbacks and Separation. No manufactured home[~~;~~ ~~carport~~] or [~~other~~] accessory structure, ***other than a carport***, shall be placed or erected closer than twenty (20) feet to a [~~front line of a~~] ***front*** manufactured home site ***or lot line***. No manufactured home shall be placed or erected closer than fifteen (15) feet to any side or rear manufactured home site ***or lot*** line, and no manufactured home shall be placed or erected [~~so~~] ***such*** that there is less than forty (40) feet of separation between adjacent manufactured homes.
- (6) ***Minimum Setback and Separation for Carports. No carport located on any home site or lot within a manufactured housing park shall be placed or erected closer than five (5) feet to a front manufactured home site or lot line. No carport shall be placed or erected such that there is less than twenty (20) feet of separation between the carport and a manufactured home on an adjacent home site or lot. No carport shall be installed on or over a sidewalk that serves the park residents.***
- ~~(6)~~(7) Perimeter Buffer Required. In order that adjacent land uses be visually and physically separated, a buffer area shall be observed along the perimeter of a tract of land proposed for development of a manufactured housing park and no buildings or parking facilities may be located within this buffer. The minimum width of the buffer shall be thirty (30) feet. The Planning Board may permit streets and utilities to cross through the buffer, and may allow certain outdoor recreational facilities within the buffer, provided that such improvements are compatible with adjacent land uses and do not diminish the purpose of the buffer. The buffer shall incorporate existing natural features of the tract to the greatest extent possible. Existing vegetation including significant large trees shall be preserved, and the Planning Board may

require landscape materials to be integrated with the existing vegetation in order to provide effective screening on a year-round basis between a manufactured housing park and adjacent land uses.

~~(7)~~(8) Open Space Requirements.

- a. Minimum Common Open Space. Common open space shall be provided in the amount of twenty-five (25) percent of the tract, and shall include the perimeter buffers as well as areas internal to the manufactured housing park such that all dwelling units have access and are contiguous to some of the common open space. Common open space shall incorporate natural features of the parcel including shorelines, surface waters, wetlands, floodplains, steep slopes, and other environmentally sensitive areas within which existing vegetation shall be preserved. A minimum of forty (40) percent of the required common open space in a manufactured housing park shall be comprised of buildable land which may be used for recreational and utilitarian purposes as provided in this Section. A minimum of one-half (1/2) of the common open space that is comprised of buildable land, shall be contiguous, shall be accessible from a public or private road, and shall have no horizontal dimension which is less than fifty (50) feet. Furthermore, such common open space that is comprised of contiguous buildable land shall not be less than ten thousand (10,000) square feet in area, and where such land exceeds one (1) acre in area, the minimum horizontal dimensions of such land shall be increased by fifty (50) feet for each additional acre, or portion thereof.
- b. Protection of Common Open Space. Provision shall be made to ensure that the common open space is permanently restricted as such. Covenants, easements, or other legal instruments providing for the permanent protection of the common open space shall be submitted to the Planning Board for review and approval. The legal instruments shall be recorded at the Merrimack County Registry of Deeds as a condition of approval of the manufactured housing park application.
- c. Permitted Uses of Common Open Space. Natural features and environmentally sensitive areas shall be retained as such, with allowance for establishment of walking paths and trails, and for forest management practices. On that portion of the common open space which is comprised of buildable land, the Planning Board may permit outdoor recreational facilities, provided that no more than ten (10) percent of the required common open space be devoted to outdoor recreational facilities with impervious surfaces such as tennis courts, swimming pools, and basketball courts;

~~(8)~~(9) Accessory Facilities. An application for a manufactured housing park shall include a narrative description and schedule of development for proposed accessory facilities. Such facilities shall be suitable for the scale of the development, its market

orientation, and the needs of the anticipated residents of the manufactured housing park.

~~(9)~~**(10)** Utility Service Requirements. All manufactured housing parks shall be served by municipal water and sewer services. All non-municipal utilities, both those existing on the tract and those proposed to serve a manufactured housing park, shall be placed underground. Such utilities include but are not limited to electricity, telephone, gas, cable television, and fiber optic cable.

~~(10)~~**(11)** Ownership and Maintenance. The ownership and maintenance of open space, private roads, utilities, parking facilities, and recreational and other accessory facilities shall be assigned to an ownership interest, or an association of condominium owners or cooperative shareholders, or as otherwise approved by the Planning Board.

~~(11)~~**(12)** Parking Requirements. The parking requirements for a manufactured housing park shall be as specified in Article 28-7, Access, Circulation, Parking, and Loading Requirements, of this Ordinance, except that additional parking spaces shall be provided in conjunction with accessory facilities for the common use and benefit of the manufactured housing park residents. Parking spaces shall be provided on the basis of one (1) space for every five (5) dwelling units that are more than five hundred (500) feet distant from an accessory facility. Parking spaces for accessory facilities shall be located immediately adjacent to the accessory facility and shall be counted in the calculation of lot coverage.

~~(12)~~**(13)** Architectural Design. Typical designs of manufactured homes and architectural elevations of accessory buildings proposed within a manufactured housing park shall be submitted for review and approval by the Planning Board pursuant to Section 28-9-4(f), Architectural Design Review, of this Ordinance. The review by the Planning Board will be conducted with attention to proposed architectural features, details, massing, materials, and colors of structures and homes within the manufactured housing park, and the Board may require modification of designs and may impose conditions in granting approval.

~~(13)~~**(14)** Phasing of a Manufactured Housing Park. An applicant may propose a phasing plan subject to the approval of the Planning Board. The Board may impose conditions upon such a phasing plan including the duration of each phase and total number of phases. Accessory facilities shall be completed in the same phase as the manufactured homes intended to be served by the accessory facilities, except that all accessory facilities shall be completed at such time as fifty (50) percent of the manufactured homes in the entire park are located on sites.

**(h) Removal and Replacement of Existing Manufactured Homes.** Except where otherwise prohibited by this Ordinance, existing manufactured homes in a manufactured housing park, established prior to November 29, 2001, may be removed and replaced with a similar style standard size manufactured home. Manufactured homes replaced under this section may be placed so as to maintain existing non-conforming setbacks from the front lot line or

pavement line or in a more compliant manner. To the greatest extent possible, replacement manufactured homes shall be placed so as to provide forty (40) foot side and end clearance between adjacent manufactured homes, but in no case shall there be a side or end clearance less than thirty (30) feet between adjacent manufactured homes. A minimum of fifteen (15) feet shall be maintained between a manufactured home and its side and rear lot boundaries. This section shall not apply to manufactured homes that have been determined destroyed or abandoned under Article 28-8-6, Destruction, Abandonment and Termination, Section, (a)(2).

**SECTION II:** Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Glossary, by inserting a new definition of “Carport” as follows:

***Carport. Any parking space or spaces having a roof but not enclosed by walls and accessory to a dwelling unit or units. Carports shall not include any parking structures.***

**SECTION III:** This ordinance shall take effect upon its passage.

Explanation: Matter added to the current ordinance appears in ***bold italics***.

Matter removed from the current ordinance appears in [brackets and ~~struck through~~].