

Article VIII Manufactured Housing Communities

Section 8.1 - Controlling Standards: The regulations established by Michigan Public Act 96 of 1987, as amended, the Michigan Manufactured Housing Commission Rules, and the Village of Bellaire Zoning Ordinance shall govern all manufactured housing communities in the Village of Bellaire. The controlling standards of this §7.5 are not designed to generally exclude mobile homes or persons who engage in any aspect pertaining to the business of mobile homes and mobile home parks.

Section 8.2 - Preliminary Plan Review: Pursuant to Section 11 of P.A. 96, of 1987, as amended, applicant shall submit a preliminary plan to the Village for review. The preliminary plan shall include the location, layout, general design, and general description of the project. The Planning & Zoning Commission shall issue an approval/denial in writing stating all conditions. The preliminary plan shall not include detailed construction plans but shall include the following materials:

1. The applicant's name, address and telephone number and the property owner's name, address and telephone number, if different than that of the applicant.
2. Notation of all federal, state and local permits required and supporting data necessary to assure compliance with the local codes and ordinances not in conflict with the department.
3. The source and location of the water supply.
4. The proposed location and method of sewage treatment and disposal and appropriate supporting data.
5. The location of the project including the permanent parcel number(s) of the property upon which the project is proposed to be located.
6. The layout of the project including an illustration of the internal roadway system proposed and typical home site layout.
7. The general design of the proposed project including the proposed location and design of signs, trash receptacles, light fixtures, and any accessory structures, open lands and recreation areas and accessory uses.
8. The location, spacing, type and size of proposed plant materials.
9. A general description of the proposed project including the number of home sites proposed, the anticipated phasing of project development and an indication of the number of home sites to be rented and the number to be sold, if any.

Section 8.3 - Preliminary Plan Process: In preparing a preliminary plan and when reviewing such a plan, the following procedures and requirements shall apply, except where these procedures and requirements are super ceded by the requirements in PA 96 of 1987, as amended, or the Manufactured Housing Commission Rules.

1. **Application:** Any persons(s) requesting Preliminary site plan review under the provisions of this ordinance shall file an application on the forms provided by the Zoning Administrator.
2. **Pre-Application Conference:** An applicant shall meet with Village personnel including the Zoning Administrator, Village Manager, and/or Chairman of the Planning & Zoning Commission to review an application prior to filing. This pre-application conference is intended to assist the applicant and facilitate

future review and approval of the application. However, no suggestions, recommendations, or other comments made by Village personnel or consultants at such conference shall be relied on by the applicant as any indication of approval of an application or any portions thereof.

3. **Process and Review:** Completed applications accepted by the Village shall be submitted to the appropriate Village staff for written review and recommendation. The application, along with all recommendations, shall be submitted to the Planning & Zoning Commission. The staff and consultants may advise and assist the applicant in meeting the requirements, but shall have no power to approve or deny any application, or in any way restrict an applicant's right to seek formal approval thereof.
4. **Planning & Zoning Commission:** Following the review of the application and consideration of public comments and all recommendations of the staff and consultants, and pursuant to Section 11 of PA 96 of 1987, as amended, the Planning & Zoning Commission shall take action on the preliminary plan within sixty (60) days after the Village officially receives a completed application with a complete plan. The Planning & Zoning Commission shall recommend that the Preliminary Plan be approved, denied, or approved subject to conditions. The Planning & Zoning Commission may table an application for further study or to obtain additional information, provided that final action on such application is taken within the sixty-day (60) review period. Provided, further, that the Planning Commission may extend its consideration of an application beyond said sixty (60) day limitation, upon the request of the applicant.
5. **Fees and Deposits:** All applications submitted to the Village for review and a filing fee to cover the cost of processing and reviewing the application shall accompany approval. The fee shall be established by resolution of the Village Council, in accordance with Section 24 of PA 184 of 1943, as amended.
6. **Disclosure of Interest:** The full name, address, telephone number, and signature of the applicant shall be provided on the application. The applicant must be the fee owner, have identified legal interest in the property, or be an authorized agent of the fee owner. A change in ownership after the application is filed shall be disclosed prior to the public hearing or the final decision on the application. One of the following applicable disclosures shall be required:
 - a. **When Applicant is not Fee Owner:** If the applicant is not the fee owner, the application must indicate the applicant's interest in the property and the name, address, and telephone number of the fee owner(s). An affidavit of the fee owner(s) shall be filed with the application stating that the applicant has authority from the owner to make the application.
 - b. **When Applicant is a Corporation or Partnership:** When the applicant is a corporation, partnership, limited liability company, or other legal entity, and if the applicant or fee owner is an entity other than a sole proprietorship, the following information must be provided.
 - c. **When Applicant or Owner is a Land Trust:** If the applicant or fee owner is a trust or trustee thereof, the name, address, telephone number, and extent of interest of the trustees, co-trustees or successor trustees must be provided.
 - i. The name, address, and telephone numbers of all corporate officers and the resident agent of the corporation.
 - ii. The name, address, and telephone numbers of all limited liability company members and managers.

- iii. The name, address, and telephone numbers of all partners of any type of the partnership.
 - iv. As to all other legal entities, besides a sole proprietorship, the name, address, and telephone numbers of individuals having legal control and authority to make decisions for a legal entity.
7. Records: The Village shall keep accurate records of all decisions on all applications submitted pursuant to this ordinance.

Section 8.4 - Operation Requirements.

1. Permit: It shall be unlawful for any person(s) to operate a manufactured housing community unless that individual obtains a license for such operation in compliance with the requirements of Michigan Public Act No. 96 or 1987, as amended. The Village shall communicate its recommendations regarding the issuance of such a license to the Director of the Michigan Bureau of Construction Codes. The applicant shall provide the Village with a copy of its application for a license to operate a Manufactured Housing Community in the Village and the operator of the Manufactured Housing Community shall provide the Village with copies of licenses issue by the Manufactured Housing Commission pertaining to facilities within the Village.
2. Violations: If and when, upon inspection of any manufactured housing community, the Village finds that there are existing conditions or practices which violate provisions of this Ordinance or other regulations referenced herein, it shall give notice in writing by certified mail to the Director of the Michigan Manufactured Housing Commission, including the specific nature of the alleged violations and a description of possible remedial action necessary to effect compliance with the ordinance or other regulations. The notification shall include such other information as is appropriate in order to fully describe the violations and potential hazards to the public health, safety and welfare resulting from the violation. A copy of such notification shall be sent by certified mail to the last known address of the owner of the manufactured housing community or his or her agent.
3. Inspections: The County Building Inspector or another authorized Village agent is granted the authority, as specified in PA No. 96 of 1987, as amended, to enter upon the premises of any manufactured housing community for the purpose of determining compliance with the provisions of this Ordinance or other regulations referenced herein.
4. Operation: A manufactured housing community shall not be operated until the Michigan Bureau of Construction Codes has issued a license. Buildings, which are constructed on-site, shall require a Zoning Permit prior to construction as applicable under the ordinances of the Village.

Section 8.5 - Development Standards: Manufactured housing communities shall be subject to all the rules and requirements as established and regulated by PA 96 of 1987, as amended, and the Manufactured Housing Commission rules, and shall satisfy the following minimum requirements:

1. Minimum Parcel Area: Each manufactured housing community shall be not less than fifteen (15) acres in area and shall be owned and operated as one (1) "person" as defined in PA 96 of 1987, as amended, or on a condominium basis.
2. Minimum Home site Area: The manufactured housing community shall be developed with home sites averaging Five Thousand Five Hundred (5,500) square feet per manufactured home unit. This Five Thousand Five Hundred (5,500) square feet for any one site may be reduced by up to twenty percent (20%) provided that the individual site shall be equal to at least Four Thousand Four Hundred (4,400) square feet. For each square foot of land gained through the reduction of a site below Five Thousand Five Hundred (5,500) square feet, at least an equal amount of land shall be dedicated as open space. This open space shall be in addition to that required under R125.1946, Rule 946 and R125.1944, Rules 941 and 944 of the Michigan Administrative Code.
3. Home Placement:
 - a. For a home not sited parallel to an internal road, 20 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year.
 - b. For a home site parallel to an internal road, 15 feet from an adjacent home, including an attached structure that may be used for living purposes for the entire year if the adjacent home is sited next to the home on and parallel to the same internal road or an intersecting internal road.
4. Obstructing Roads and Walks: It shall be unlawful to permanently or temporarily locate or park a manufactured home so that any part of such home will obstruct any roadway or walkway within a manufactured housing community.
5. Occupancy Prior to Sitting: It shall be unlawful to occupy a manufactured home or for any manufactured home to be occupied in a manufactured housing community unless the manufactured home is situated on a home site.
6. Building Permit Required: A building permit shall be issued before a manufactured home may be placed on a home site in a manufactured housing community.
7. Minimum Living Area: A manufactured home in any manufactured housing community shall contain not less than seven hundred (700) square feet of living area.
8. Maximum Building Height: The maximum height of any community or similar building shall not exceed 35 feet, or two stories in height, whichever is less. Storage or service buildings shall not exceed 15 feet, or one story in height.
9. Accessory and Site-Built Structures: Accessory and site-built structures constructed for use as management offices, public works facilities, storm shelters, storage buildings, laundry facilities, recreation or community centers, and other similar facilities shall be designed and operated for use by residents of the manufactured housing community only. Site-built structures within a manufactured housing community shall be constructed in compliance with the building codes and shall require all applicable permits.
10. Canopies and Awnings: Canopies and awnings may be attached to any manufactured home and may be enclosed for use as a sunroom or recreation

room. Canopies and awnings shall comply with the setback and distance requirements set forth in this ordinance.

11. Storage Sheds: One (1) storage shed may be permitted for each home site. Each storage shed shall comply with all Village regulations and requirements. Provided, however, the distance and setback standards of Rule 941 and 944 of the Michigan Administrative Code shall apply.
12. Recreation Vehicle Storage: Common areas for the storage of boats, motorcycles, recreation vehicles, and similar equipment may be provided by the owner of the manufactured housing community, but shall be limited to use by residents of the manufactured housing community only. If proposed, the location of such storage areas shall be shown on the preliminary site plan. No part of any such storage area shall be located in any required yard on the perimeter of the manufactured housing community. Such storage area shall be screen from view from adjacent residential properties and roadways with an opaque wooden fence or masonry wall measuring six (6) feet in height above the average grade, or a landscaped greenbelt. The landscaped greenbelt, if used, shall consist of closely spaced evergreen plantings, no less than fifteen (15) feet apart, and shall provide a complete visual barrier at least six (6) feet in height above the average grade within two (2) years of planting.
13. Landscaping: The following minimum landscaping standards shall be met:
 - a. Perimeter: Perimeter screening shall be provided for any manufactured housing community that abuts an existing residential, industrial or commercial land use. No screening shall be required along any perimeter side that abuts vacant and undeveloped lands. The perimeter screening shall consist of deciduous or evergreen shrubs and/or trees, which are planted so as to form a continuous, uninterrupted wall of vegetation, which in summer, blocks all views through the vegetation so as to be a solid hedge at maturity. In the alternative, the landscaped area can be planted in the form of a single line of deciduous or evergreen trees of a type suitable to survive in the local climate and spaced no more than five (5) feet apart. The landscaped area, whether planted in shrubs or trees, must be at least three (3) feet in height at planting.
 - b. Road Frontage: The developer of a community or home condominium may completely or partially screen the community or condominium by installing fencing or natural growth along the entire property boundary line, including the line abutting a public thoroughfare, except at access points.
 - c. Home site: Landscaping shall consist of one (1) deciduous or evergreen tree for every two (2) home sites.
14. Open Space: Each manufactured housing community that contains fifty (50) or more home sites shall include an open space area equal in size to the greater of two percent (2%) of the site, or twenty-five thousand (25,000) square feet. All open space areas shall be centrally located, well drained, and accessible to all residents of the manufactured housing community. Provided, however that up to twenty-five percent (25%) of the required open space may consist of wetlands, swamps and similar areas: It is understood all development in or around designated wetlands is subject to MDEQ approval.
15. Internal Roads: An internal road is subject to approval by the department and shall be in compliance with Rules 920 and 926 as amended and all of the following general requirements:

- a. The internal road shall have a hard surface.
 - b. The internal road shall have access to a public thoroughfare or shall be connected to a public thoroughfare by a permanent easement. The easement shall be recorded before an internal road is approved by the department. Sole access by way of an alley is prohibited. As used in this subdivision, "alley" means a public or private right-of-way that serves and is dedicated as rear access to a parcel or parcels of land.
 - c. An internal road that has no exit at one end shall terminate with a turning radius of 50 feet. Parking shall not be permitted within the turning area which shall be posted within the turning area.
 - d. A safe-sight distance of 250 feet shall be provided at intersections.
 - e. An offset at an intersection or an intersection of more than 2 internal roads is prohibited.
 - f. Internal roads shall have driving surfaces that are not less than the following widths:
 - (i) no parking 21 feet.
 - (ii) parallel parking, 1 side 31 feet.
 - (iii) parallel parking, 2 sides 41 feet.
 - g. All entrances to new communities or new entrances to expanded communities shall be a minimum of 33 feet in width. The entrance shall consist of an ingress lane and a left and right egress turning lane at the point of intersection between a public road the community's internal road and shall be constructed as follows:
 - (i) All turning lanes shall be a minimum of 11 feet in width and 60 feet in depth measured from the edge of the pavement of the public road into the community.
 - (ii) The turning lane system shall be tapered into the community internal road system commencing at a minimum depth of 60 feet.
 - (iii) The ingress and right egress turning lanes of the ingress and egress road shall connect to the public road and shall have a radius determined by the local public road authority. The intersection of the public road and ingress and egress road shall not have squared corners.
 - (iv) Alternative designs that provide for adequate ingress and egress shall be approved by the department.
16. Parking shall be subject to approval by the department and shall be in compliance with Rules 920 and 926 as amended and all of the following general requirements:
- a. Minimum of 1 parking space for every 3 home sites shall be provided for visitor parking. Visitor parking shall be located within 500 feet of the home sites the parking is intended to serve. The 500 feet shall be measured along a road or sidewalk.
 - b. If parking bays are provided, then they shall contain individual spaces that have a clear parking width of 10 feet and a clear length of 20 feet.
 - c. If parking facilities are provided off the home site in bays and at office or other facilities, then they shall be in compliance with R408.30427.
17. Lighting: At all internal road intersections and designated pedestrian crosswalks, the minimum illumination shall be not less than .15 foot-candles.

Internal roads, parking bays, and sidewalks shall be illuminated at not less than .05 foot-candles.

18. Mailbox Clusters: The United States Postal Service may require that clusters of mailboxes serving several home sites rather than individual mailboxes serve manufactured housing communities. If mailbox clusters are required, they shall be located at least two hundred (200) feet from any intersection of a manufactured housing community internal road and a public road.
19. Sale of Manufactured Homes: The business of selling new or used manufactured homes as a commercial operation from within the manufactured housing community shall be prohibited after complete occupancy or a new or expanded manufactured housing community has been achieved. Thereafter, a licensed dealer or broker may sell new or used manufactured homes located on home sites within the manufactured housing community to be used and occupied on that site. This section shall not prohibit the sale of a used manufactured home by a resident of the manufactured housing community provided the manufactured housing community regulations permit such activity.
20. School Bus Stops: School bus stops, if provided, shall be located within the manufactured housing community in an area that is acceptable to the school district.
21. Signs: Any and all signs, other than traffic signs subject to state law, provided within the manufactured housing community shall not exceed a height of five (5) feet measured from the average grade, and shall be set back ten (10) feet from any property line or road right-of-way.
 - a. Primary entrance: One (1) sign not to exceed an area of sixteen (16) square feet, shall be permitted at the primary access of the manufactured housing community, in accord with Article III, §3.21 of this Ordinance.
 - b. Identification: One (1) identification sign not to exceed an area of six (6) square feet shall be permitted for management offices and community buildings.
22. Trash Dumpsters: Trash dumpsters, if provided, shall be placed in a location that is clearly accessible to the servicing vehicle. Each dumpster shall be set back a minimum of fifty (50) feet from the perimeter of the manufactured housing community, and shall be placed at least fifteen (15) feet from any building within the manufactured housing community. Dumpsters shall be screened on three (3) sides with a decorative masonry wall or wood fencing not less than six (6) feet in height. The fourth side of the dumpster screen shall be equipped with an opaque, lockable gate not less than six (6) feet in height.
23. Utilities:
 - a. Fuel for Heating and Cooking: Fuel for heating and cooking shall be provided by natural gas provided by underground gas transmission mains or liquid propane gas stored in approved containers. All fuel lines servicing home sites shall be placed underground and designed in conformance with the Manufactured Housing Commission Rules and other applicable local, county and state regulations.

- b. Telephone and Electric Service: All telephone, electric, cable TV, and other lines within the manufactured housing community shall be placed underground.
 - c. Water and Sewer Service: All manufactured housing communities shall be served by an approved water and sewage system, which shall meet the requirements of the Michigan Department of Environmental Quality. The plumbing connections to each home site shall be constructed so that all lines are protected from freezing, accidental bumping, or from creating any nuisance or health hazard.
24. Storm Drainage: The drainage of all exposed ground surfaces in a manufactured housing community shall, at a minimum, conform with and meet the standards of the Antrim County Drain Commissioner as promulgated in the Antrim County Drain Commissioner's standards pursuant to the requirements of MCLA 125.2311 contained in the Mobile Home Commission Act, and in conjunction with the MDEQ's Mobile Home Park Health Standards, being Part IV, R 325.3341 – R 325.3349.
25. Skirting and Anchoring: Skirting and anchoring of the manufactured home shall comply with sections R 125.1604 Rule 604 and R 125.1605 Rule 605 of PA 96 of 1987, as amended.