

## **ARTICLE 17**

# **MHP, MOBILE HOME PARK DISTRICT**

*(Approved by the Michigan Mobile Home Commission on January 9, 1985)*

The MHP Mobile Home Park District is established primarily to provide for higher density detached single family residential housing in an otherwise lower density residential Township. Because mobile home parks are much higher in density than an otherwise typical single family subdivision, and because they are developed with private road systems, thereby creating an interruption in the community of the local public road system, they are otherwise not directly compatible with lower density single family subdivisions. In this Ordinance, mobile home parks are located in areas where they are compatible with single family subdivisions, and they are distributed throughout Commerce Township at planned locations as indicated in the adopted Master Land Use Plan. The maximum density in the MHP District shall not exceed 6.7 units per acre.

### **SECTION 17.01. Principal Uses Permitted**

In the MHP Mobile Home Park Districts no building or land shall be used, and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- A.** Mobile homes.
- B.** Public, parochial, and private schools, public community buildings, Township facilities, and Township parks and playgrounds.
- C.** Accessory buildings and accessory uses customarily incidental to the above principal permitted uses.
- D.** Uses similar to the above principal permitted uses.

### **SECTION 17.02. General Provisions**

#### **A. Site Development Standards – General**

1. No mobile home park shall be constructed within the limits of Commerce Township unless the owner and/or operator holds a valid construction permit issued by the Michigan Department of Health in accordance with the provisions of Public Act 96 of 1987, as amended, and a copy of said permit is given to the Township.
2. A permit and Certificate of Occupancy shall be obtained from the Building Department for each mobile home connection to any Township water, sanitary sewer, and electrical system, and for the placement of the home. Skirting shall be installed within thirty (30) days after the Certificate of Occupancy is issued, winter weather permitting.
3. A permit shall be obtained from the Building Department for construction of a canopy, awning, sunroom, carport, or other accessory or year-round enclosure detached or attached to a mobile home.

4. Fees for the above mentioned permits shall be set by the Township Fee Ordinance.
5. Each road access point to a mobile home park from a County or State highway shall have prior written approval of the Highway Authority having jurisdiction within the Township.
6. It shall be the duty of the Building Inspector or deputies of his/her department to personally inspect all of the development, construction, or installation of the facilities in the mobile home park for which a State permit has been issued. The Township Building Inspector or deputies of his/her department are hereby granted the power and authority to enter upon the premises of any mobile home park at any reasonable time for the purposes herein set forth and for the purpose of enforcing any provisions of this Ordinance.
7. It shall be the duty of the owner and operator of each mobile home park to enforce the following regulations:
  - a. The keeping of all domestic pets shall be in compliance with Commerce Charter Township Code.
  - b. The operation, maintenance and supervision of the mobile home park shall be by a responsible person who shall be available at all times in case of emergencies.
  - c. It shall be the duty of each mobile home park owner and operator to report to the Oakland County Health Inspector and Township Supervisor, the existence of any known unsanitary conditions prevailing within the boundaries of the mobile home park.
  - d. It shall be the further duty of the mobile park owner or operator, in order to safeguard against the hazards of fire, to prohibit the parking of any mobile home or trailer, not possessing two (2) exits, within any mobile home park. One such exit may be of the emergency type, provided that it is capable of being easily operated by small children, and provided approval has been granted by the Township or State Fire Marshall.
8. School officials of the affected districts shall be notified of the proposed development.
9. Signs shall conform to the requirements of Article 30.

**B. Site Development Standards - Lot and Stand Conditions**

1. The mobile home park shall be developed with sites averaging five thousand five hundred (5,500) square feet per mobile home unit. This five thousand five hundred (5,500) square feet for any one site may be reduced by twenty (20%) percent 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, but in no case shall the open space and distance requirements be less than that required under Public Act 96 of 1987, as amended.

2. Canopies and awnings may be attached to any mobile home, and said accessory structures shall conform to all area, height and placement regulations applicable to the mobile home itself, except the canopy or awning may occupy a portion of the side yard provided it is located no closer than ten (10') feet to another mobile home.
3. Canopies and awnings may be enclosed with screens for summer recreation or sunroom purposes, or they may be enclosed with glass for climatic reasons, but no enclosure shall be used for permanent living purposes.
4. If any permanent living area is added to a mobile home such additions shall conform in every way to the placement regulations of the principal structure.
5. Mobile homes shall be skirted and must meet the standards of Public Act 96 of 1987, as amended.
6. There shall be no storage underneath any mobile home of any item except for the hitch, and wheels and tires of that mobile home, and each mobile home lot shall be maintained in a manner in which it was originally constructed.
7. For irregular shaped mobile home lots, the access point to the lot must be of sufficient width to accommodate the required on-site parking, and must be at least twenty (20') feet in width.
8. No mobile home shall be located closer than fifty (50') feet to the right-of-way of a public thoroughfare, nor closer than eighty (80') feet to a railroad right-of-way, nor closer than ten (10') feet to any dedicated easement or road right-of-way within a mobile home park.
9. The mobile home foundation shall be of concrete piers, slabs or runners to be designed and constructed in conformance with the standards established in Public Act 96 of 1987, as amended.
10. All mobile homes shall be anchored with only those systems which are approved by Public Act 96 of 1987, as amended.
11. If provided, patios and bases of storage sheds shall be constructed of four (4) inch thick concrete.

**C. Site Development Standards - Accessory Structures and Enclosures**

1. No personal property shall be stored under any mobile home. Storage sheds may be utilized for storage of personal property, but need not be supplied by the owner of the mobile home development.

**D. Site Development Standards - Roads, Parking and Walks**

1. Roads shall be provided on the site where necessary to furnish principal traffic ways for convenient access to the mobile home site, and other important facilities on the property. The road system shall provide convenient circulation by means of minor roads and properly located collector and arterial roads. Closed ends of dead end roads shall be provided with a turn-around capability for emergency and snow removal vehicles.

2. The roads shall be of adequate widths to accommodate the contemplated traffic load, but shall not be less than twenty-one (21) feet in width.
3. Curbing shall be required, provided however, the Planning Commission may approve plans without curbs where such plans show other adequate means for the control of surface drainage, protection of the edges of the pavement and protection to the roadway shoulder, and for the prevention of erosion along the shoulder and berm of the roadway.
4. All roads and parking areas shall be constructed of concrete, blacktop, or other similar hard surface material in conformance with standards set forth in the most recent edition of the American Association of State Highway and Transportation Officials (AASHTO) Manual and consistent with the Commerce Charter Township Code to the extent permitted by law.
5. Hard-surfaced, off-street parking spaces shall be provided on each home site in sufficient number to meet the needs of the occupants of the property and their guests, without interference with normal movement of traffic. Such facilities shall be provided as required by Public Act 96 of 1987, as amended.
6. For the protection of the park residents and the easy passage of fire apparatus there shall be no parking on any road in the Mobile Home Park unless they meet the standards established by the American Association of State Highway and Transportation Officials Manual consistent with the Commerce Charter Township Code to the extent permitted by law.
7. The mobile home park primary walk system, if provided, including walks along main drives and secondary roads shall meet the requirements of Public Act 96 of 1987, as amended.
8. The storage or parking of recreational vehicles, motor homes, boats, snowmobiles, or other vehicles or items ordinarily towed, driven or used for a special purpose, if storage or parking of such is permitted in the mobile home park, shall be in accordance herewith. The storage of the vehicles or items in the mobile home development is specifically prohibited except in the storage area. The storage area shall be screened by solid-type fence five (5) feet in height around its perimeter or by some other similar screening device.

**E. Site Development Standards - Utilities & Trash Disposal**

1. Fire hydrants of a size and with a pressure approved by the Charter Township of Commerce Fire Department shall be placed along each road within the Mobile Home Park within ten (10') feet of a roadway and at intervals not exceeding five hundred (500') feet so that no mobile home shall be more than two hundred and fifty (250') feet from a hydrant as a hose would be laid out.
2. Running water from a public or a State-tested and approved water supply shall be piped to each mobile home and shall be adequately protected from frost.
3. Plumbing fixtures shall be connected into a public sanitary sewer or Township approved facilities.

4. All electrical lines from supply poles and leading to each mobile home stand shall be underground and shall conform to Public Act 96 of 1987, as amended.
5. Street lights, sufficient in number and intensity to permit the safe movement of vehicles and pedestrians at night, shall be in conformance with Public Act 96 of 1987, as amended.
6. Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health and shall be approved by the State Health Department and the Charter Township of Commerce. Mobile home parks shall provide for removal of rubbish as required in Public Act 96 of 1987, as amended.

**F. Site Development Standards - Recreation and Open Space**

1. The front yard and the side yard adjacent to a public thoroughfare shall be landscaped and the entire mobile home park shall be maintained in a clean, presentable condition at all times
2. The mobile home park site shall provide, within the mobile home park site, a masonry wall four feet six inches (4' -6") in height abutting single family residential properties and public right-of-way, or a greenbelt in compliance with the following:
  - a. Quality: Plant and grass materials shall be of acceptable varieties and species, free of pests and diseases, hardy in Oakland County, and shall conform to standards of the American Association of Nurserymen, and shall have passed any inspections required under State Regulations.

No plant materials used to satisfy some or all planting requirements of the Ordinance shall be comprised of nonliving materials, such as petrochemical plants. No polyethylene film shall be used under non-living, decorative landscape materials such as stone, wood chips and gravel in a manner which will cause erosion of the decorative materials.
  - b. Deciduous trees shall be species having an average mature crown spread of greater than fifteen (15') feet in Oakland County, and having a trunk which can be maintained with over five (5') feet of clear stem, except if conditions of visibility require at intersections where the requirement of eight (8') feet of clear stem shall be followed. Trees having an average mature crown spread of less than fifteen (15') feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15') foot down spread. Deciduous tree species shall be a minimum of ten (10') feet in overall height, and a minimum caliper of two (2") inches, and burlapped ball size of at least ten (10) times the caliper at the time of planting.
  - c. Evergreen trees shall be a minimum of five (5') feet in height, with a minimum spread of three (3') feet, and burlapped ball size of at least ten (10) times the caliper at the time of planting.
  - d. Shrubs and Hedges. Shrubs shall be a minimum of two (2') feet in height when measured immediately after planting, or two (2') feet in spread if plants are low growing evergreens. Hedges, where provided, shall be

planted and maintained so as to form a continuous, unbroken, visual screen within a maximum of two (2) years after time of planting.

- e. Vines shall be a minimum of thirty (30") inches in length after one (1) growing season, and may be used in conjunction with fences, screens, or walls to meet physical buffer requirements so specified.
- f. Ground cover used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season with at least three (3) plants per square foot.
- g. Grass areas shall be planted in species normally grown as permanent lawns in Oakland County. Grass may be plugged, sprigged, seeded or sodded except that rolled sod, an erosion reducing net, or suitable mulch, shall be used in swales or other areas subject to erosion. Grass, sod, and seed shall be clean and free of weed and noxious pests or diseases. Dense weed-free turf with good color, complete ground coverage, and actively growing shall be provided.

**G. Landscape Elements**

- 1. Earth Mounds and Berms. Berms and mounds shall be constructed with slopes no greater than one (1') foot vertical for each three (3') feet horizontal with a two (2') foot flat on top, and with adequate protection to prevent erosion.
- 2. Mulches. Mulching material for planted trees, shrubs, and vines shall be a minimum of three (3) inch deep wood chip mulch. Straw or other mulch shall be used to protect seeded areas.
- 3. Open space shall be in conformance with Public Act 96 of 1987, as amended.
- 4. Mobile home lot line fences, when provided, shall be "uniform" in height, and thirty-six (36) inches in height, and shall be constructed in such a manner as to provide firefighters access to all sides of each mobile home, and such fencing shall be provided with two (2) gates.
- 5. Up to the maximum of five (5) models may be placed on lots in the mobile home park. These models are to be used primarily for sales in the park and shall not be occupied as living units. Also, model units shall not be illuminated by flashing or bright spotlights.

**SECTION 17.03. Special Land Uses Permitted**

The following uses may be permitted under the purview of Article 34 upon the review and approval of the land use or activity by the Planning Commission, after site plan review under the purview of Article 35, and subject further to such other reasonable conditions which, in the opinion of the Planning Commission, are necessary to provide adequate protection to the neighborhood and abutting properties.

- A. Utility and public service facilities and uses (without storage yards), such as gas regulator stations and electrical substations, may be permitted on lots of not less than one (1) acre, provided buffering is installed in accordance with Article 29.

- B.** Home Occupations. The reason for regulating home occupations is to minimize their prevalence, and external effects on neighbors in residential areas;
1. Such occupation shall be incidental to the residential use to the extent that not more than twenty (20%) percent of the usable floor area of the dwelling unit shall be occupied by such occupation.
  2. Such occupation shall not require internal or external alterations or construction features, or equipment or machinery not customary in mobile home districts.
  3. There shall be no employees other than members of the residence family.
  4. All business activity shall be completely within the dwelling unit.
  5. Operating a business, or carrying on a business activity in excess of the limitations of a home occupation as defined and allowed in this Ordinance in an MHP District is prohibited. Conducting a business, or a business activity which results in a violation of the limitations, or is not a home occupation as defined herein, may be prosecuted in the District Court, or may be enjoined in the Circuit Court. As an alternative, the Township Supervisor or his representatives may refer this matter first to the Zoning Board of Appeals if there is a reasonable question as to whether there is a violation. Whenever a complaint is received from a neighbor, the Township Supervisor or his representative shall make an investigation and either take action against the violation, refer the matter to the Zoning Board of Appeals, or advise the complainant that there is no violation and the reason(s) for that determination. If a question concerning a home occupation is referred to the Zoning Board of Appeals, that Board shall hold a public hearing in accordance with Article 41, and shall determine whether there is, in fact, any violation of the above limitations. The Board of Appeals may take no further action, or may issue a permit, renewable yearly, for the continuation of said use, with or without restrictions. If a hearing is held, and a determination is made, the matter may not be reviewed at the complaint of a neighbor unless there has been a change of circumstances.
- C.** This section shall not pertain to the sale of mobile homes.
- D.** Accessory buildings and accessory uses customarily incidental to any of the above special land uses permitted.
- E.** Special land uses determined to be similar to the above special land uses in accordance with the criteria set forth in Article 26.

**SECTION 17.04. Site Plan Review (Preliminary Plan As Required By Public Act 96 of 1987, as Amended)**

Prior to the issuance of a permit by the State of Michigan for construction of a mobile home park site, a site plan shall be submitted to the Planning Commission in accordance with the following:

- A.** Every site plan submitted to the Planning Commission shall be in accordance with the requirements of this Ordinance. No site plan shall be approved until same has been reviewed by the Building Official, Fire Department, Police Department, Sewer and Water Department, Road Commission for Oakland County and Oakland County Water

Resource Commissioner’s Office, and where necessary, the Oakland County Health Division for compliance with the standards of their respective departments.

**B.** The following information shall be included on the site plan:

1. A scale of not less than one (1) inch equals one hundred (100') feet.
2. The area of the site in acres.
3. Date and north arrow.
4. The dimensions of all property lines showing the relationship of the subject property to abutting properties.
5. The location of all existing and proposed structures on the subject property and all existing structures within fifty (50') feet of the subject property.
6. The location of all existing and proposed service drives, sidewalks, parking areas, greenbelts (showing specific types of plantings), and individual mobile home sites.
7. The locations, and existing and proposed right-of-way widths, of all abutting roads and alleys.
8. Topography at no greater than two (2') foot contour intervals.
9. A vicinity sketch at a scale of at least one inch equals two thousand feet (1" = 2,000').
10. The names and addresses of the architect, planner, designer, or person responsible for the preparation of the site plan.
11. Trash receptacle locations, and method of screening.
12. A landscape plan must be submitted conforming with the requirements of Section 17.02, Sub-Section (F) (2).

**C.** In the process of reviewing the site plan, the Planning Commission shall consider:

1. The location and design of driveways and shared driveways providing vehicular ingress to and egress from the site in relation to roads giving access to the site, and in relation to pedestrian traffic.
2. Safety and convenience of both vehicular and pedestrian traffic within the site and in relation to access roads.
3. Satisfactory and harmonious relationships between development on the site and existing and prospective development of contiguous land and adjacent neighborhoods.

**D.** Actual construction of the mobile home park shall be in accordance with Public Act 96 of 1987, as amended, and with the approved site plan. Any change in the plan must be submitted to the Planning Commission and appropriate state agencies for additional review.