

## Chapter 10 MANUFACTURED HOMES AND MANUFACTURED HOME PARKS\*

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**\*Editor's note:** The Manufactured Home and Manufactured Home Park Ordinance adopted Oct. 18, 1994, (Res. No. 20-10-94), has been codified as superseding the former provisions of Ch. 10, Mobile Homes and Mobile Home Parks, which derived from an ordinance enacted on Feb. 22, 1988, and a revision of April 17, 1989.

**Cross references:** Permit for mobile homes, 5-2; mobile homes prohibited in following district, § 9-38.

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Sec. 10-1. Title.

This chapter shall be known as the Franklin County Manufactured Home Ordinance.  
(Res. No. 20-10-94, 10-18-94)

Sec. 10-2. Purpose and intent.

The purpose of this chapter shall be to encourage innovations in manufactured home development so that the demand for manufactured home living may be met by imaginative design and layout of manufactured homes, and by efficient use of open space ancillary to such dwellings; so that opportunities for better housing and recreation may be provided in an atmosphere of health and safety for occupants of manufactured homes and their property; to encourage a more efficient use of land and public services; and to provide a procedure which can relate the design and layout of a manufactured home development to the particular site in a manner consistent with the preservation of the natural environment and the property values of adjoining areas.

(Res. No. 20-10-94, 10-18-94)

Sec. 10-3. Definitions.

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

*Accessory structure:* Any structural addition to the manufactured home or other structures located on the lot, which includes awnings, patios, storage lockers and similar appurtenant structures.

*Collector street:* One carrying traffic from minor streets to the major arterial system.

*Common open space:* Any area of space designed for joint use by tenants occupying a manufactured home development. It shall include land area of the site not covered by buildings,

manufactured homes, accessory structures, street rights-of-way, parking areas and driveways for dwellings, or side yards between manufactured homes. It may include ten (10) percent of any building with recreation facilities and twenty-five (25) percent of any bodies of water.

*Density:* The number of manufactured homes or manufactured home lots per gross acre.

*Dwelling unit:* A manufactured home residential unit, as defined in the definition of manufactured home, providing complete, independent living facilities for one (1) family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

*Front:* The front of the manufactured home shall mean the area at or near the front door. This is not meant to be the side to which the tongue is attached in order to pull the manufactured home.

*Gross area:* All the land contained within the boundaries of the development or tract.

*Health department:* The Virginia State Health Department or its authorized representatives in the county.

*Manufactured home:* A structure subject to federal regulation (constructed after July 1, 1976, that meets or exceeds Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development), transportable in one (1) or more sections, is eight (8) body feet or more in width and forty (40) feet or more in length in the traveling mode, or is three hundred twenty (320) or more square feet when erected on site, is built on a permanent chassis and is designed for use as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained therein.

*Manufactured home park:* Two (2) or more manufactured homes on a lot, tract, or a parcel of land. Provided, however, that a second manufactured home may be located on the same building lot without being considered a manufactured home park under the following circumstances:

(1) The manufactured home is occupied only by a person or persons immediately related to the person or family in the principal dwelling on the lot. For the purposes of this section,

"immediately related" shall be any person or persons who are natural or legally defined offspring, parent or grandparent of the owner of the principal dwelling;

(2) A farm employee and his/her family who derives his/her principal means of livelihood from work on the farm;

(3) The parcel of land is more than one hundred (100) acres in size or area.

*Minor street:* One used primarily for access to manufactured home lots, with anticipated traffic of less than two hundred fifty (250) vehicles per day.

*Mobile home:* A structure, transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on the site is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and is 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.

*Manufactured home lot:* A parcel of land for the placement of a manufactured home and the exclusive use of its occupants.

*Manufactured home pad:* That part of an individual manufactured home lot which has been reserved for the placement of a manufactured home.

*Permanent building:* A structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the shelter, enclosure and support of individuals, animals or property of any kind.

*Private street:* A privately owned thoroughfare.

*Property line:* The recorded boundary of a manufactured home park or court plot.

*Public street:* A public thoroughfare which affords principal means of access to abutting properties.

*Shall:* Indicates that which is required, must be.

*Should:* Indicates that which is recommended, but not required.

*Trailer:* Manufactured home.

(Res. No. 20-10-94, 10-18-94)

Sec. 10-4. Development standards and requirements of manufactured home parks or courts.

(a) *Preparation of site plans.* The site plan to be recorded shall be prepared by a professional engineer and/or land surveyor licensed in the State of Virginia.

(b) *Permitted uses.* Planned manufactured home parks or courts shall be for residential purposes only, except those uses required for the direct servicing and well-being of the residents and for professional management and maintenance of the development.

(c) *Setback from state roads.* No manufactured home or accessory structure shall be located within thirty-five (35) feet of the edge of the right-of-way of any state road.

(d) *Front yard.* The minimum front yard for each manufactured home shall be twenty (20) feet, such distance to be measured between the lot line and the front of the manufactured home.

(e) *Area requirement.* Each manufactured home lot within a manufactured home park or court shall not be less than ten thousand (10,000) square feet. The minimum lot width shall be fifty (50) feet. Greater lot areas may be required where individual septic [tanks] or wells are used if the health department officials determine that there are factors of drainage, soil conditions, or other conditions to cause potential health problems.

(f) *Spacing requirements.* Manufactured homes shall be placed on manufactured home lots so that, at the nearest point, they shall be eight (8) feet from detached enclosed carports (garages) and twenty (20) feet from any other manufactured home, or attachment thereto, or other buildings. Setback on private roads must be as follows: Right-of-ways of thirty (30) feet require that the manufactured home setback be thirty-five (35) feet from the center of the road. For the purpose of the spacing requirements, a manufactured home includes any attached, enclosed structure. Detached enclosed carports (garages) and storage structures are not considered to be part of manufactured home nor are attached enclosed awnings, porches and carports.

(g) *Recreation and open space.* Not less than five (5) percent of the gross area of the manufactured home development shall be reserved as common open space and recreation facilities, exclusive of required exterior boundary setback areas, pedestrian ways, parking bays, public or private streets and community storage facilities.

(h) *Parking.* At least two (2) off-road parking spaces (ten (10) feet by twenty (20) feet) shall be provided for each manufactured home space on, or adjacent to, or in a consolidated parking area within sixty (60) feet of the manufactured home lot.

(i) *Streets.* The base and surface treatment shall be a minimum of twenty (20) feet in width, with a minimum thirty-foot right-of-way, a maximum of twelve (12) percent grade and shall be properly graded and ditched to ensure adequate drainage. All streets shall be of gravel construction or better. It shall be the responsibility of the owner of the park to maintain the streets.

(j) *Refuse disposal.* The storage and collection of refuse shall be so managed as to not create a health or fire hazard. All refuse shall be stored in flyproof, watertight and rodentproof containers,

which shall be provided in sufficient capacity, and the park management shall be responsible for the collection and proper disposal of such refuse, unless rental agreement shall supersede.

(k) *Manufactured home lot.* The limits of each manufactured home lot should be marked on the ground by suitable means by a professional engineer or land surveyor licensed in the State of Virginia. Location of limits on the ground shall be the same as shown on accepted plans. The manufactured home shall be mounted and anchored on the pad in accordance with the provisions of the Uniform Statewide Building Code of the State of Virginia prior to the electrical hookup approval by the building inspector and by the standards or guidelines drafted by the building inspector. Each manufactured home shall have skirting, with proper ventilation, around its perimeter to screen its wheels, undercarriage and tongue. Steps at all doors of all manufactured homes must be constructed to meet the regulations of the Uniform Statewide Building Code of the State of Virginia. Each manufactured home lot shall be numbered and the same shall be shown on the final plat. In addition, each lot shall have a numbered metal sign not less than six (6) inches by eight (8) inches in size erected approximately two (2) feet from the manufactured home parking area. This sign must be visible at least eighteen (18) inches above the ground level at all times and should have no sharp edges for purposes of safety.

(l) *Suitability of manufactured home park for installation of subsurface sewage disposal systems.* An opinion is required from the county health department regarding the suitability or unsuitability of each lot within a manufactured home park for installation of subsurface sewage disposal systems where such method of sewage disposal is to be utilized in the development of a manufactured home park.

(m) *Oil tanks.* All oil tanks shall be placed at the rear of the manufactured home. The tanks shall be a minimum of two hundred seventy-five (275) gallons.

(n) *Sign:* Each manufactured home park shall, at all times, have a sign at its entrance designating the name of the manufactured home park or court, the owner, and the telephone number of the owner or renting agent. The sign and markings shall be visible from a distance of forty (40) feet in either direction; minimum letter size shall be six (6) inches.

(o) *Compliance with Chapter 22, water and sewer systems.*

(1) Each new manufactured home park established after November 19, 1996 shall comply with the requirements of Chapter 22 of the Franklin County Code.

(2) Every expansion or addition of every manufactured home park, no matter when established, shall comply with the requirements of Chapter 22 of the Franklin County Code.

(3) No new manufactured home shall be located in any new or existing manufactured home park unless and until the water and sewer system serving the lot where the dwelling will be located meets the requirements of Chapter 22.

(Res. No. 20-10-94, 10-18-94; Res. No. 18-12-2001, 12-18-01)

**Cross references:** Sewers and sewage disposal, Ch. 17.

Sec. 10-5. Service buildings and other facilities.

(a) *Generally.* The requirements of this section shall apply to service buildings, recreation buildings and other community facilities, such as management offices, repair shops and storage areas, sanitary facilities and laundry facilities.

(b) *Permanent buildings.* All permanent buildings and their appurtenant constructions in a manufactured home community shall be built to meet the Uniform Statewide Building Code of the State of Virginia.

(c) *Utility poles.* Utility poles must be located not less than one hundred (100) feet from the nearest trailer or they may be located within five (5) feet of the edge of the property line, whichever is less. The property line is defined as the point closest to the existing power line where service is needed.

(d) *Existing utilities.* Existing utilities are acceptable, provided they have been in place (permanently) two (2) years or more, and do not present an overhead hazard. Overhead wires above a manufactured home are strictly forbidden under any conditions.

(e) *Utilities for new manufactured homes.* All new manufactured homes added to existing manufactured home parks must have underground electric and telephone utility service.

(Res. No. 20-10-94, 10-18-94)

#### Sec. 10-6. Review and approval procedures.

(a) *Generally.* The purpose of this section is to set forth procedures for processing site plans.

(b) *Application.* Application shall be made by the property owner or developer to the subdivision agent for the board of supervisors. The application shall be accompanied by the plat (six (6) copies), which is required to demonstrate that conditions set forth in this chapter will be complied with, together with any other necessary data. The submitted plat shall meet the requirements of the site plan checklist on file in the subdivision agent's office.

(c) *Action of the subdivision agent.* Upon receipt of the application, the agent shall refer the site plan to the highway and health departments to check its compliance with pertinent standards and regulations. Upon approval from these departments, the agent shall approve the plat or site plan as submitted, approve the site plan or plat with modifications, or disapprove the plat. The agent shall notify the applicant of the decision within sixty (60) days after receiving the application. If the application is disapproved, the agent shall notify the applicant of the reasons for disapproval and shall state the modifications necessary for approval of the site plan or plat. No approval of the plat shall be issued prior to approval of sewage disposal sites by the county health department.

(d) *Effect of approval.* An approved site plan or plat shall be binding upon the applicants and their successors or assignees. No building permit shall be issued for any building or structure not in accord with the site plan. The construction, locations, use or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the site plan.

(e) *Amendments.* The holder of an approved site plan may request modification of the site plan or the conditions of approval by submitting an amended site plan, which shall be filed and processed in the same manner as an original application.

(f) *Fees.* There shall be a charge for the examination and approval of each plat reviewed by the agent. At the time that the final plat is submitted, the developer shall deposit with the county administrator a check payable to the County of Franklin in the amount of thirty-five dollars (\$35.00) plus three dollars and fifty cents (\$3.50) for each lot.

(g) *Platting required.* Any owner or developer of any tract of land situated within Franklin County who develops same into a manufactured home park shall cause a plat of such manufactured home park or court, with reference to known or permanent monuments, to be made and recorded in the office of the clerk of circuit court by the subdivision agent. No such plat of a manufactured home park or court shall be recorded unless and until it shall have been submitted, approved and certified by the subdivision agent in accordance with the regulations set forth in this chapter. No lot shall be rented, leased or issued a building or trailer permit in a park before the plat shall have been recorded in Franklin County and the requirements of this chapter are in

place (i.e., roads complete, lots numbered, signs, location sign in place, etc.). Appropriate recordation fees shall be paid to the clerk of circuit court. Any covenants or restrictions applicable to the park must be recorded with the plat.

(h) *Validity.* If any section, subsection, sentence, clause or phrase of this chapter is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this chapter. The county hereby declares that it would have passed this chapter and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses or phrases might be declared invalid. Where a conflict exists between private contract restrictions and/or standards and the provisions of this chapter, the provisions hereof shall control.

(Res. No. 20-10-94, 10-18-94)

#### Sec. 10-7. Regulation.

(a) *Mounting/anchoring and skirting required.* Manufactured homes, regardless of whether or not they are located individually or in a manufactured home park, shall be mounted and anchored in accordance with the provisions of the Uniform Statewide Building Code of the State of Virginia and by the standards or guidelines drafted by the county building inspector. Each manufactured home shall have skirting, with proper ventilation, around its perimeter to screen its wheels, undercarriage and tongue. Skirting shall be of a type manufactured or constructed specifically for manufactured home use. It shall be the responsibility of the manufactured home owner and the manufactured home park owner to make sure that all skirting is in place within and not more than two (2) months after the electrical hookup inspection.

(b) *Location requirements for individual manufactured homes.* Individual manufactured homes not located in a manufactured home park or court shall be located on a parcel or tract of land meeting the requirements of the county subdivision ordinance.

(c) *Prohibition on homes not meeting definition and not located in county prior to August 17, 1994.* No manufactured or mobile home that does not meet the definition of a manufactured home in these regulations, and that was not located in Franklin County prior to August 17, 1994, shall be erected, installed, occupied, or sold in Franklin County.

(d) *Mobile homes existing in the county prior to October 17, 1994.* Mobile homes existing in the county prior to October 17, 1994, shall be allowed to be relocated in the county only under the following conditions:

(1) The applicant for relocation is the owner and occupant of the mobile home and can demonstrate ownership of the mobile home and *primary* residence in the mobile home for a period of at least one year prior to the date of application.

(2) The purpose of the relocation is to continue to provide a place of *primary* residence for the person making the application for relocation; and,

(3) The mobile home is being relocated to a parcel or tract of land meeting the current requirements of the county subdivision and zoning ordinances, including, without limitation, any such approved parcel or tract of land whether within or outside a mobile home park.

(e) *Mobile homes located outside parks.* Mobile homes located outside existing mobile home parks shall be allowed to remain; however, if they are relocated outside the county, they shall not be relocated within the county.

(f) *Mobile home parks existing prior to October 17, 1994.* Mobile home parks existing in the county prior to October 17, 1994, shall be allowed to remain, and ordinary repairs and maintenance may be performed to maintain such parks in a safe, decent, and sanitary condition.

However, any expansion and enlargement of such parks shall occur only in accordance with the manufactured home park standards contained herein.

(g) *Location or placement of individual manufactured or mobile homes.*

(1) No manufactured or mobile home shall be located or placed on any land in Franklin County for any purpose unless and until the owner of the home shall have obtained a building permit issued by the building official.

(2) Such homes shall conform to all applicable county regulations, including regulations regarding setbacks and the mounting/anchoring and skirting requirements of this section.

(3) The regulations of this section shall not apply to lawfully established sales or storage lots of manufactured home dealers or manufacturers possessing a valid state license.

(Res. No. 20-10-94, 10-18-94; Res. No. 28-12-96, 12-17-96; Res. No. 19-01-97, 1-21-97; Res. No. 31-02-99, 2-16-99; Res. No. 18-03-2001, 3-20-01)

**Cross references:** Subdivisions, Ch. 19.

Sec. 10-8. Enforcement and penalties.

All officials and public employees of the county vested with the duty or authority to issue permits shall conform to the provisions of this chapter and shall issue no permit, certificate or license in conflict with the provisions of this chapter, intentionally or otherwise. It shall be the duty of the building inspector to enforce the provisions of this chapter pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any mobile or manufactured home, building or structure and the use of any land, mobile or manufactured home, building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this chapter shall be and is hereby declared to be unlawful and a public nuisance; and the enforcing officer and the attorney for the county shall immediately commence action or proceedings for the abatement and removal or to enjoin occupancy of such mobile or manufactured home, building, structure or land in the manner provided by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant relief as will abate and remove such mobile or manufactured homes, buildings or structures, and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, occupying or using any such mobile or manufactured home, building or structure or using property contrary to the provision of this chapter. The remedies provided for herein shall be cumulative and not exclusive. Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars (\$1,000.00). Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this chapter is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.

(Res. No. 20-10-94, 10-18-94)

Sec. 10-9. Site plan checklist for a manufactured home park or court.

The following is a site plan checklist for a manufactured home park or court:

- (1) Name, address and phone number of applicant and individual or firm preparing the site plan.
- (2) General vicinity map with dimensions of major streets.
- (3) Scale and north point. Scale: one hundred (100) feet per inch or larger.

- (4) Location, dimensions and names of all existing or proposed rights-of-way, public or private, within, on, adjacent to, or extending from the site (such as rights-of-way for driveways, streets or alleys across from or within twenty-five (25) feet of the site, refuse collection, utilities, drainage ways, railroads, canals, public areas, etc.).
  - (5) Dimensions of all building setbacks along all property lines.
  - (6) Indicate the total area of the park in acres and the total number of spaces planned with indication of density.
  - (7) Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water.
  - (8) Location, number, dimensions and design of off-street parking for each lot, including:
    - a. Driveways, islands and planters.
    - b. Striping and safety curbs.
    - c. Ingress and egress.
    - d. Loading facilities, if any.
    - e. Surface treatment.
    - f. Directional signs.
  - (9) Location of service facilities such as trash and laundry.
  - (10) Location and dimension of all accessory uses including swimming pools, patio covers, tennis courts, etc.
  - (11) Indicate each lot or space with a number and show dimensions of lots or spaces.
  - (12) Show any other pertinent information which will help clarify the design and layout of the park.
- (Res. No. 20-10-94, 10-18-94)

#### Sec. 10-10. Variances.

In cases of unusual situations or when strict adherence to the general regulations of this chapter would result in substantial injustice or hardship, the agent may grant variations or exceptions to the general regulations of this chapter.

(Res. No. 20-10-94, 10-18-94)