



Harnett
C O U N T Y
NORTH CAROLINA

HARNETT COUNTY MANUFACTURED HOME PARK ORDINANCE

Adopted by the Harnett County Board of Commissioners
September 15, 2003

Adopted by the Harnett County Board of Commissioners
August 18, 2008



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Harnett County Board of Commissioners

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TABLE OF CONTENTS

| | | |
|---------------------|-------------------------------------------------------------------------------------------|----|
| ARTICLE I | PURPOSE | 5 |
| ARTICLE II | JURISDICTION | 5 |
| ARTICLE III | AUTHORITY | 5 |
| ARTICLE IV | TITLE | 5 |
| ARTICLE V | PROCEDURE FOR REVIEW & APPROVAL OF MANUFACTURED HOME PARK USE & PLAN | 5 |
| | SECTION 1.0 LAND USE APPLICATION..... | 5 |
| | SECTION 2.0 BOARD REQUIREMENTS..... | 6 |
| | SECTION 3.0 SITE PLAN REQUIREMENTS..... | 7 |
| | SECTION 4.0 FINAL & POST REVIEW PROCESS..... | 8 |
| | SECTION 5.0 EXISTING, UNLICENSED MANUFACTURED HOME PARKS..... | 9 |
| ARTICLE VI | EXISTING MANUFACTURED HOME PARKS | 10 |
| | SECTION 1.0 PARKS EXISTING PRIOR TO ADOPTION OF THIS ORDINANCE..... | 10 |
| | SECTION 2.0 ALTERATION & EXPANSION OF EXISTING PARKS..... | 10 |
| | SECTION 3.0 MANUFACTURED HOMES..... | 10 |
| ARTICLE VII | GENERAL REQUIREMENTS | 10 |
| | SECTION 1.0 STANDARD REQUIREMENTS..... | 10 |
| | SECTION 2.0 MANUFACTURED HOMES..... | 11 |
| | SECTION 3.0 IMPROVEMENTS..... | 11 |
| | SECTION 4.0 ADDITIONS & ACCESSORY STRUCTURES..... | 12 |
| | SECTION 5.0 RECREATIONAL VEHICLES..... | 13 |
| | SECTION 6.0 PROHIBITED USES & STRUCTURES..... | 14 |
| ARTICLE VIII | DESIGN STANDARDS FOR NEW & ALTERED MANUFACTURED HOME PARKS 14 | |
| | SECTION 1.0 DEVELOPMENT STANDARDS..... | 14 |
| | SECTION 2.0 IMPROVEMENT STANDARDS..... | 15 |
| | SECTION 3.0 ADDITIONAL STANDARDS..... | 17 |
| ARTICLE IX | UTILITIES & STORM DRAINAGE | 17 |
| | SECTION 1.0 WATER SUPPLY & DISTRIBUTION SYSTEM..... | 17 |
| | SECTION 2.0 SEWAGE SYSTEM..... | 19 |
| | SECTION 3.0 STORM DRAINAGE..... | 19 |
| ARTICLE X | MAINTENANCE OF PARK & FACILITIES | 20 |
| ARTICLE XI | BUSINESS LICENSE | 20 |
| | SECTION 1.0 HEALTH DEPARTMENT..... | 20 |
| ARTICLE XII | TERMINATION & REDUCTION IN SIZE OF MANUFACTURED HOME PARKS 21 | |
| | SECTION 1.0 TERMINATION..... | 21 |
| | SECTION 2.0 REDUCTION..... | 21 |
| ARTICLE XIII | VARIANCE | 22 |
| | SECTION 1.0 CONDITIONS OF VARIANCE..... | 22 |
| | SECTION 2.0 EVALUATION..... | 23 |
| ARTICLE IX | ENFORCEMENT & PENALTIES | 23 |

SECTION 1.0 ENFORCEMENT23
SECTION 2.0 PENALTIES23
SECTION 3.0 RIGHT OF APPEAL.....24
ARTICLE X DEFINITIONS & INTERPRETATIONS.....24

ARTICLE I PURPOSE

The purpose of this Ordinance is to regulate and guide the establishment and regulation of manufactured home parks in order to promote the public health, safety, and general welfare of the citizens of Harnett County, North Carolina. The Manufactured Home Park shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ensuring the continued conservation of building values and encouraging the most appropriate use of land in the County.

ARTICLE II JURISDICTION

These regulations shall govern existing, the alteration or expansion of existing manufacture home parks, and the establishment of new manufactured home parks within the jurisdiction of Harnett County.

ARTICLE III AUTHORITY

The provisions of the Ordinance are adopted under authority granted by the General Assembly of the State of North Carolina, with particular reference to Article 6 of Chapter 153A of the North Carolina General Statutes.

ARTICLE IV TITLE

This Ordinance shall be known and may be cited as the Manufactured Home Park Ordinance of Harnett County, North Carolina.

**ARTICLE V PROCEDURE FOR REVIEW & APPROVAL OF
MANUFACTURED HOME PARK USE & PLAN**

Manufactured Home Parks shall only be developed within the RA-20M Zoning Districts as a Conditional Use.

Prior to the construction, expansion, or alteration of a new or existing manufactured home park the developer shall make application and receive approval from the Harnett County Board of Adjustment, Planning Board, and Zoning Administrator, and all other local, State, and Federal agencies as applicable.

SECTION 1.0 LAND USE APPLICATION

Prior to submitting an application to the Harnett County Board of Adjustment and Planning Board, the developer shall submit an application for a land use permit, accompanied by a preliminary site plan, and other requirements and fees as applicable, to the Zoning

Administrator for review. The Zoning Administrator shall perform said review as a courtesy to advise the owner(s) of any changes or additions that may be necessary to bring the proposal into compliance with this Ordinance. Following, or in conjunction with, the Zoning Administrator review, the owner(s) may request an onsite consult with the Zoning Administrator.

SECTION 2.0 BOARD REQUIREMENTS

2.1 Board of Adjustment

A complete application shall be submitted to the Planning Department by the established deadline. The Harnett County Planning Department shall establish criteria for a complete application. All requirements and applicable fees shall be submitted with the application. Said application shall include the following:

- A. Professional site plan as described in “Site Plan Requirements” Section, below
- B. Solid waste disposal plan
- C. Street name approval letter, provided to owner(s) by Harnett County E-911/Addressing Department
- D. Preliminary soils report

2.2 Planning Board

A complete application shall be submitted to the Planning Department by the established deadline. The Harnett County Planning Department shall establish criteria for a complete application. All requirements and applicable fees shall be submitted with the application. Said application shall include the following:

- A. Professional site plan as described in “Site Plan Requirements” Section, below.
- B. Approved driveway permit required by the North Carolina Department of Transportation (NCDOT)
- C. Engineered Storm Water Drainage Plan
- D. Certification of approval of water supply system plans by (a) the Harnett County Health Department for a system with less than fifteen (15) connections or (b) the Sanitary Engineering Section, Division of Health Services North Carolina Department of Human Resources for a system with fifteen (15) or more connections.
- E. Certification of approval of sewage collection systems by (a) the North Carolina Department of Environment and Natural Resources, Division of Environmental Management, for a system with surface discharge, or for non-domestic liquid waste or (b) the Harnett County Health Department for systems with subsurface disposal systems.
- F. Final soils report
- G. Any conditions that the Board of Adjustment attached to the project shall be indicated as appropriate.

SECTION 3.0 SITE PLAN REQUIREMENTS

| | BOARD OF ADJUSTMENT | PLANNING BOARD |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------|
| TITLE BLOCK INFORMATION | | |
| Name & Address of Manufactured Home Park | X | X |
| Date (Including all Revision Dates) | X | X |
| Owner(s) Contact Information (Name, Address, & Phone) | X | X |
| Professional Surveyor/Engineer Contact Information (Name, Address, & Phone) | X | X |
| Parcel ID Number/Tax ID of Tract(s) | X | X |
| Deed Reference of Tract(s) | X | X |
| Zoning Classification of Tract(s) | X | X |
| Location (Including Township, County, & State) | X | X |
| Flood Plain Depicted & Noted (Zone, Map Number, & Effective Date) | | X |
| Watershed District Noted & Extent of Coverage Depicted | | X |
| Stormwater Calculations Noted | | X |
| GENERAL REQUIREMENTS | | |
| Map Size 18" X 24" & Scale 1"=100' or Larger | X | X |
| North Point, Graphic Scale, & Vicinity Map | X | X |
| Name(s) & Location(s) of Adjacent Property Owner(s) & Use(s) | X | X |
| Existing Boundaries of Tract(s) Showing Bearings & Distances | X | X |
| Gross Acreage of Development | X | X |
| Name(s) & Right(s)-of-way of Adjacent Streets & State Road Number(s), Including Notation of Public or Private | X | X |
| Name, Location, Width, & Acreage of Additional Easement(s) & Right(s)-of-way Within or Adjacent to Site | X | X |
| Building Envelope & Required Setbacks | X | X |
| Existing & Proposed Utilities (Including Water Supply & Sewage Disposal Facilities) | | X |
| Signage Location, Easement, Type, & Size | | X |
| Thoroughfare Plan Notation | | X |
| Existing Structure(s) Located on Site | X | X |
| All Structures to be Located on the Park Site | X | X |
| Easements, Open Space, & Areas Other Than for Residential Use with Explanation of Purpose & Maintenance Responsibility | X | X |
| Additional Information Required by the Zoning Administrator | X | X |
| BUFFERING REQUIREMENTS | | |
| Buffer (Location, Width, and Type of Screening Option Utilized) | X | X |
| Street Trees | IF APPLICABLE | IF APPLICABLE |
| STORMWATER MANAGEMENT | | |
| Drainage Easement(s) | | X |
| Permanent Storm Water Retention Measures Shown | | X |
| Storm Water Management Plan Calculations Noted | | X |

| | BOARD OF ADJUSTMENT | PLANNING BOARD |
|----------------------------------------------------------------------------------------------------|----------------------------|-----------------------|
| CERTIFICATIONS | | |
| Ownership, Dedication, & Jurisdiction | | X |
| Professional North Carolina Land Surveyor or Engineer | | X |
| DEVELOPMENT REQUIREMENTS | | |
| Total Number of Lots Proposed | X | X |
| Individual Lot Dimensions | | X |
| Net Acreage for Each Lot | X | X |
| Address and/or Lot Number for Each Lot (As Approved by Harnett County E-911/Addressing Department) | X | X |
| Lot & Block Numbers in Consecutive Order | X | X |
| Phase Plan (If Applicable) | | X |
| Fire Hydrant(s) & Light(s) Depicted | | X |
| Topography (Max Contour Levels of Ten Feet (10')) | | X |
| Impervious Surface (% Coverage of Lot) | | X |
| Street(s) (Including Name, Location, Width, Linear Feet, and Note Either Public or Private) | X | X |
| Cul-De-Sac Diameter | X | X |
| Traffic Circulation (Including Arrows Indicating Any One (1) Way Streets) | X | X |
| Sidewalks (Including Location, Width, Thickness, & Slope) | | X |
| Detailed Description of Recreational Facilities if Provided | X | X |
| Natural Feature(s) Located on Site (Including Wooded Areas, Wetlands, and Bodies of Water) | X | X |
| Traffic Impact Analysis | IF APPLICABLE | IF APPLICABLE |
| Off Street Parking Pads (Including Material & Typical) | X | X |
| Existing & Proposed Trash Containment Areas (If Applicable) | X | X |

SECTION 4.0 FINAL & POST REVIEW PROCESS

4.1 Approved Plan

After receiving approval of the manufactured home park plan, from the Harnett County Board of Adjustment, Planning Board, and other relevant agencies, the Planning Department shall issue the land use permit.

4.2 Denied Plan

If the park plan fails to receive approval, the reasons for such action and the recommended changes shall be provided in writing to the developer(s) or his agent.

4.3 Extension & Expiration of Approval

At a minimum, ten percent (10%) of the total cost of construction of the manufactured home park shall have begun within one (1) year of issuance of the land use permit. If less than ten percent (10%) of the total cost of construction has not begun within twelve

(12) months from the issued date of the land use permit, the Board of Adjustment may grant an extension of the permit if it concludes that the permit has not yet expired, and if the applicant shows reasonable cause for delay, or that conditions have not changed so substantially as to warrant a new application, not to exceed two (2) years. However, the Board of Adjustment has the authority to require the proposed park to resubmit their plan.

If, after some physical alteration to land or structures begin to take place, such work is discontinued for a period of twelve (12) months, then the permit shall immediately expire.

4.4 Issuance of Business License

Upon completion of construction of the manufactured home park or each phase, the developer shall then apply for a business license.

SECTION 5.0 EXISTING, UNLICENSED MANUFACTURED HOME PARKS

The purpose of this Section is to provide for the licensing of previously unlicensed manufactured home parks.

5.1 Eligibility

- A. Application shall be for a minimum of four (4) manufactured homes.
- B. Previously licensed manufactured home parks that are now unlicensed shall not be eligible for licensing under this Section.
- C. Manufactured home subdivisions, unless entirely included under single ownership, are not eligible.
- D. Application shall be for either one (1) parcel of land or two (2) or more contiguous parcels. In no case shall two (2) or more noncontiguous parcels be considered eligible.

5.2 Licensing Procedure

- A. A complete application shall be submitted to the Harnett County Planning Department. The Planning Department shall establish criteria for a complete application. All requirements shall be submitted with the application.
- B. Upon receipt of a complete application, the Zoning Administrator, or his designee, shall conduct a manufactured home park inspection. All requirements included in the “Manufactured Home Park Inspection Checklist” shall be met.
- C. Zoning Administrator shall cause to be issued a provisional business license for said application following a passing manufactured home park inspection.

5.3 Initial Licensing Period Requirements

- A. Manufactured home parks licensed under the provisions included in this Section shall meet the requirements set forth in “Design Standards for New & Altered Manufactured Home Parks”, Section “Landscaping & Planting Strip”. Parks licensed under said provisions shall be granted a provisional license, valid for a period of twelve (12) months.

- B. At the conclusion of a twelve (12) month period a manufactured home park inspection shall be performed. Passing manufactured home parks shall be issued a standard business license. Failure to meet said requirements shall result in the forfeiture of business license.

ARTICLE VI EXISTING MANUFACTURED HOME PARKS

SECTION 1.0 PARKS EXISTING PRIOR TO ADOPTION OF THIS ORDINANCE

Manufactured Home Parks existing at the time of adoption of this Ordinance shall, within one (1) year after the adoption of this Ordinance, be required to comply with “General Requirements”, “Maintenance of Park & Facilities”, and “Business License” Sections of this Ordinance.

SECTION 2.0 ALTERATION & EXPANSION OF EXISTING PARKS

Existing parks shall not be allowed to alter or expand the number of lots or acreage unless the park receives approval as required by “Procedure for Review & Approval of Manufactured Home Park Use & Plan” Section of this Ordinance, and complies with the requirements set forth in this Ordinance.

SECTION 3.0 MANUFACTURED HOMES

After the adoption of this Ordinance no manufactured home built prior to 1976 will be allowed to locate or move within a manufactured home park or within the jurisdiction of Harnett County.

ARTICLE VII GENERAL REQUIREMENTS

SECTION 1.0 STANDARD REQUIREMENTS

1.1 Locating Manufactured Homes

- A. Only one (1) manufactured home shall be located on any manufactured home space at any one (1) time.
- B. No manufactured home shall be located or moved within the jurisdiction of Harnett County without obtaining the proper permits required by local and/or State regulations.

1.2 Address/Lot Number

Each lot shall clearly display the approved number with a minimum of four (4) inches in size and shall be composed of reflective materials of contrasting colors.

1.3 Mailboxes

The owner(s) shall install and maintain mailboxes in good condition to allow for postal delivery service for each resident, in accordance with local, State, and Federal regulations.

1.4 Park Sign

The owner(s) shall be required to provide a park sign, that shall

- A. Identify the name of the park and a telephone number at which the park owner(s) or operator(s) may be contacted.
- B. Be located so as that the sign is visible from right(s)-of-way and all park entrances.
- C. Be a minimum size of sixteen (16) square feet and a maximum size of thirty-two (32) square feet.
- D. Be constructed of weather-resistant material designed expressly for signs.
- E. Be kept in a state of good repair.

1.5 Registration of Occupants

Every manufactured home park owner shall maintain an accurate register containing a record of all occupants, owner(s) of manufactured homes, and a description of each home in the park. The register shall be available for inspection at all times by authorized County representatives. In accordance with NC General Statute 105-316(a)(1), park owner(s) shall furnish to the County Tax Supervisor a copy of the register before January 1st of each calendar year.

1.6 Solid Waste Disposal

The park operator(s) will operate or provide for the operation of a solid waste disposal system, including providing park tenants with appropriate containers. Individual containers shall be waterproof and rodent proof. The method of garbage disposal shall be noted on the plan and approved by the Board of Adjustment.

SECTION 2.0 MANUFACTURED HOMES

All manufactured homes shall be properly anchored in accordance with the State of North Carolina regulations for manufactured homes.

2.1 Skirting

All manufactured homes shall have the entire perimeter skirted at all times so as to enclose the space from the bottom of the manufactured home to grade.

SECTION 3.0 IMPROVEMENTS

3.1 Street(s)

Maintenance of all internal streets and corresponding drainage facilities shall be the responsibility of the owner(s) of the park. Such streets shall be maintained in a manner to remain free of pot holes, breaks in pavement, rough surfaces, standing water, and associated problems which would impede or cause hazards to motor vehicles.

3.2 Ground Cover

In order to control erosion, all land areas shall be protected by landscape material and vegetative ground cover.

3.3 Fence or Wall

Shall not be permitted unless approved as part of the park plan

- A. This excludes temporary pet containment areas that do not exceed 120 square feet.
- B. The fence or wall shall be made of any suitable and durable material that is intended for such use.

SECTION 4.0 ADDITIONS & ACCESSORY STRUCTURES

4.1 Additions

No living compartment or structure other than that of a prefabricated structure specifically designed for manufactured home use or extension shall be added to any manufactured home parked within the jurisdiction of this Ordinance.

- A. This excludes front and rear uncovered porches and decks not exceeding one hundred (100) square feet.

4.2 Accessory Building

One (1) Accessory Building is permitted per lot.

- A. Such building shall not exceed 120 square feet in size.
- B. Shall be located in the rear yard (Refer to “Design Standards for New & Altered Manufactured Home Parks”, Section “Setbacks” for additional requirements)
- C. Shall be compatible to the principal dwelling in terms of exterior building material and color.
- D. Existing structures authorized by permit and structurally sound, prior to the establishment of this Ordinance shall be allowed to remain.

4.3 Carports

Prefabricated structure without any foundation or footings and is designed so as when the use for which the temporary structure was erected has ceased the structure shall be removed.

- A. Refer to “Design Standards” Section of this Ordinance for additional requirements.
- B. Material shall be rigid and compatible to the principal dwelling in terms of exterior building material and color.
- C. Carport shall be properly anchored.

SECTION 5.0 RECREATIONAL VEHICLES

5.1 Park Model Recreational Vehicles

- A. Parks with less than twenty (20) spaces will be allowed one (1) park model lot and parks with twenty (20) or more spaces will be allowed two (2) park model lots.
- B. These lots are to be used for temporary living quarters for recreation, camping, travel, and seasonal use. The permit will be valid for one (1) year and renewable by the Zoning Administrator or designee for one (1) year periods not to exceed three (3) additional years.
- C. Park Model recreational vehicles(s) shall comply with the State of North Carolina regulations for manufactured homes (APPENDIX E), Harnett County Manufactured Home Park Ordinance, and all other applicable local, State, and Federal regulations.

5.2 Recreational Vehicles (RV) - Except as defined elsewhere in this Ordinance.

- A. Park owner(s) shall be responsible for notifying Planning Department of intention to use park lots for recreational vehicles (RVs).
 - 1. Revised site plan shall be submitted for review and approval by Planning Board, as required elsewhere in this Ordinance, prior to establishment of use.
 - 2. In addition to site plan requirements in the “Procedure for Review & Approval of Manufactured Home Park Use & Plan” Section of this Ordinance, site plan must indicate park lots to be designated for said use.
- B. Parks shall be permitted use of lots for RVs as follows:
 - 1. Parks with less than twenty (20) lots shall not have more than one (1) RV lot.
 - 2. Parks with twenty (20) or more lots shall not have more than two (2) RV lots.
- C. RV lots shall not be established adjacent to right(s)-of-way.
- D. No more than one (1) recreational vehicle shall be permitted per park lot.
- E. Address and lot number of park lots to be used for RVs shall be provided in a clearly visible location.
- F. No additions, porches, decks, or the like shall be permitted on RV lots.
- G. No permanent hardwiring, plumbing, skirting, or other installations of the same nature shall be permitted.
- H. Nonconforming parks must comply with “Design Standards”, Section “Landscape and Planting Strip Requirements” of this Ordinance prior to establishment of said use.
- I. Manufactured Home Park inspection must be performed prior to establishment of said use.
- J. Park owner(s) shall be responsible for supplying utilities to park lots used for RVs, including water, electricity, waste collection, and solid waste removal.
 - 1. Installation and provision for water and sewage disposal shall be according to the standards of the Harnett County Department of Public Utilities and the Harnett County Health Department.

2. Each lot designated for RV use shall have an electric service pole in compliance with the most recently published version of the National Electrical Code.
- K. Article “Existing Manufactured Home Parks’ Section “Alteration & Expansion of Existing Parks” is not applicable.

SECTION 6.0 PROHIBITED USES & STRUCTURES

- 6.1 The transfer of a manufactured home space or spaces either by sale or by any other means within a manufactured home park
- 6.2 The storage of abandoned or junk vehicles
- 6.3 The storage of uninhabitable manufactured homes
- 6.4 Recreational Vehicles (RVs) as a permanent residence
- 6.5 Storage of possessions and equipment under the manufactured home
- 6.6 No part of the park shall be used for nonresidential purposes, excluding facilities related to the maintenance of the park

**ARTICLE VIII DESIGN STANDARDS FOR NEW & ALTERED
MANUFACTURED HOME PARKS**

SECTION 1.0 DEVELOPMENT STANDARDS

1.1 Minimum Park Size

Every manufactured home park shall have a minimum area of five (5) contiguous acres.

1.2 Minimum Lot Size

- A. 6,000 square feet with both public water and sewer
- B. 10,000 square feet with public water or sewer
- C. 20,000 square feet no public water or sewer

1.3 Maximum Density

- A. Six (6) units per acre
- B. Refer to The Harnett County Water Supply Watershed Management and Protection Ordinance for impervious surface requirements

1.4 Setbacks

- A. The manufactured home and accessory structures shall be located not less than twenty-five (25) feet from the park boundary and at least ten (10) feet from planting or landscape areas.

- B. Each manufactured home shall be located not less than thirty (30) feet from any other manufactured home.
- C. Accessory structures shall be located not less than ten (10) feet from a manufactured home.

SECTION 2.0 IMPROVEMENT STANDARDS

2.1 Streets; Access

- A. All streets shall be paved.
- B. Streets connecting two (2) public rights-of-way or extending to adjacent properties shall be built to the minimum construction standards required by the North Carolina Department of Transportation (NCDOT), including storm drainage facilities as required by the latter.
- C. Cul-de-sac streets shall not exceed 1,000 feet in length.
- D. All dead-end streets shall be developed as cul-de-sacs.
- E. All street names shall be approved by the Harnett County E-911/Addressing Department.
- F. With the exception of through streets described above, every street shall have a minimum paved width of eighteen (18) feet. In addition, every such street shall lie within a cleared right-of-way having a minimum width of thirty (30) feet.
- G. Each manufactured home space shall abut upon an improved street which shall have unobstructed access to a public street.
- H. No manufactured home space shall have direct vehicular access to any public right-of-way other than those located within the manufactured home park.
- I. A letter of Certification by a N.C. Professional Engineer that the road meets NCDOT Construction Standards and proper storm drainage facilities.

2.2 Off Street Parking Pad

- A. Each manufactured home lot shall have two (2) paved parking spaces
- B. Minimum length of twenty-two (22) feet and minimum width of nine (9) feet per space

2.3 Sidewalks shall be required along one side of all streets in accordance with the following standards

- A. Shall be constructed of concrete
- B. Shall be a minimum thickness of four (4) inches and six (6) inches at driveways
- C. Shall be a minimum distance of three (3) feet from edge of pavement
- D. Shall be a minimum width of five (5) feet
- E. Shall have a minimum slope toward pavement of not less than one-quarter ($\frac{1}{4}$) inch per foot nor greater than one-half ($\frac{1}{2}$) inch per foot
- F. Shall comply with ADA standards

2.4 Lighting

Adequate lighting shall be provided to illuminate streets, common driveways, walkways, and dead end streets for the safe movement of vehicles and pedestrians at night. The minimum size street light shall be a 175 watt Mercury-vapor (approximately 7,000 lumen class) or its equivalent, spaced at intervals of not more than 300 feet.

2.5 Open Space and Recreational Facilities

- A. Minimum of eight percent (8%) of the gross area of the manufactured home park
- B. One percent (1%) of the gross area shall be used for active recreational facilities
- C. One-half (1/2) of the open space area may be covered by water
- D. Shall be reasonably accessible from all parts of the park, as determined by the Planning Board

2.6 Landscaping & Planting Strip

The manufactured home park shall have a planting strip not less than ten (10) feet wide and a screen from the ground to a height of at least six (6) feet along the perimeter of the entire park. The planting strip shall contain one (1) or a combination of the screening options listed below. Existing vegetation may be utilized as approved by the Planning Board. The planting strip shall be kept free of all encroachments by buildings, parking areas, or impervious surfaces. All required landscape and planting strips must be continually maintained by the owner(s).

- A. Berm
 - 1. Minimum height of five(5) feet
 - 2. Minimum crown width of three (3) feet
 - 3. Maximum slope of 3:1
 - 4. Supplemented with shrubs one (1) to four (4) feet in height so as to create a continuous barrier
 - 5. Maintained with a groundcover vegetation or grass for stabilization
- B. Evergreen Shrubs
 - 1. Shall reach a height of six (6) feet within three (3) years of planting
 - 2. Three (3) gallon minimum planting size
 - 3. Must be planted five (5) foot on center or spaced so that a continuous vegetative screen is established within three (3) years.
 - 4. Supplemented with large deciduous trees every fifty (50) feet.
- C. Trees
 - 1. Small and Large Evergreen
 - a. Five (5) gallon minimum planting size
 - b. Must be planted ten (10) feet on center or spaced so that a continuous vegetative screen is established within three (3) years.
 - 2. Large Deciduous
 - a. Minimum two (2) inches in caliper at planting
 - b. Must be planted thirty (30) foot on center
 - c. Supplemented with shrubs one (1) to four (4) feet in height so as to create a continuous barrier
- D. Opaque Fence or Wall
 - 1. Minimum height of six (6) feet
 - 2. Supplemented with large deciduous trees planted every thirty (30) feet or low growing evergreen shrubs every ten (10) feet on the outside perimeter of said fence
 - 3. Finished side of fence must face toward right(s)-of-way

SECTION 3.0 ADDITIONAL STANDARDS

3.1 Development in Flood Hazard Areas

Manufactured home parks shall not be located in areas that are susceptible to regular flooding as depicted on Federal Emergency Management Agency (FEMA) Maps. Existing manufactured home parks located in designated Flood Hazard areas shall not be allowed to add additional spaces or manufactured homes. Manufactured home parks shall be graded so as to prevent water from ponding or accumulating on the premises.

3.2 Storage Areas

Fenced and screened communal storage areas provided by the park owner(s) for boats, campers, and other accessory vehicles belonging to park residents.

ARTICLE IX UTILITIES & STORM DRAINAGE

Each lot in a manufactured home park shall be served by a properly approved water and sewage system.

SECTION 1.0 WATER SUPPLY & DISTRIBUTION SYSTEM

1.1 Connection Requirement

Any person(s) developing a manufactured home park meeting the requirements of “Distance Specification” Subsection below, whether within or without of the service area of an existing County owned or operated water supply and distribution system, shall cause for the construction and installation of a water supply and distribution system in said manufactured home park. Such system shall meet the standards herein specified, and shall further be connected to the existing County owned or operated water supply and distribution system at the expense of the person(s) developing the manufactured home park. This requirement also applies to new phases of existing manufactured home parks when these phases have not been previously approved by the Harnett County Planning Board.

1.2 Distance Specification

A manufactured home park shall be required to meet the conditions of this section according to the following formula:

Number of lots within the park (including future development) multiplied by one hundred (100)

When the manufactured home park is located within that number of feet of an existing County owned or operated water supply and distribution system; provided however, that the maximum distance required for connection shall not exceed 5000 feet.

1.3 Subject to Capacity Sufficiency

In the event that a manufactured home park should meet the distance specification requirements of Subsection B and the County owned or operated water supply and distribution system to which the subdivision would connect shall be of insufficient capacity to permit the delivery of water to said manufactured home park, the subject park shall be relieved of the requirement to connect to such County system.

1.4 Review Requirements

When a developer is required to install a water distribution system pursuant to this Section, the plans for the water distribution system to be so installed shall be submitted to the County Department of Public Utilities prior to final approval of the manufactured home park. The location, size, and specifications of the water distribution system, and all other information deemed necessary by the County Department of Public Utilities, shall be placed upon said plans for review and approval. The County Department of Public Utilities shall review the information supplied and determine whether the plans meet the requirements of this Section.

1.5 Plan Specification

The plans for a water distribution system to be installed pursuant to this Section shall show and/or state thereon such information as will indicate that the system planned will meet, when constructed and installed, the requirements of this Section.

1.6 Water Distribution System Specifications

A water distribution system to be constructed within a manufactured home park pursuant to this section and/or connected to the County owned or operated system shall:

- A. Be properly connected in such a manner as to adequately serve all lots shown on the manufactured home park plat (including both present and future lots) for domestic use and fire protection.
- B. Conform to the specifications of the Harnett County Department of Public Utilities as provided by said Department and conform to the accepted standards of good practice for water system construction, as specified by the Division of Health Services, Department of Human Resources, of the State of North Carolina (or any successor agency thereof) and as specified in the Harnett County water system extension policy.
- C. Be approved by the necessary federal and/or State agencies prior to or at the time of completion.
- D. Conform to all federal, State and/or local ordinances, rules, and regulations relating thereto and any license and/or permits required thereby shall be obtained.
- E. Be constructed pursuant to the necessary contractual agreements required by the policies, rules, and regulations of the Harnett County Department of Public Utilities.

1.7 Fire Protection

In new manufactured home parks where an adequate public water supply system is available, the developer shall install fire hydrants in such a manner that the manufactured home park is afforded adequate fire protection or as provided in the Harnett County water system extension policy. Fire hydrants shall be located in such a manner that no lot is further than 500 feet from a hydrant. The distance between hydrants is measured along the street centerlines. Water lines on which fire hydrants are to be installed shall be not less than six (6) inches in diameter. There shall be no closed or dead end lines servicing the fire hydrant locations in the manufactured home park, unless an alternate method is approved.

1.8 Alternative Water Supply & Distribution Systems

When located outside the service area of a County owned or operated water supply and distribution system and/or outside the distance specifications, lot sizes within a manufactured home park may be allowed to be reduced, provided the following requirements are met:

- A. Adequate water is available for domestic use from a community water system to be installed by the developer(s)
- B. Six (6) inch water lines are installed to service fire hydrant locations such that no lot is further than 500 feet from such a location
- C. Stub outs with gate valves are provided at said fire hydrant locations.

If the manufactured home park does not meet these provisions, it shall be considered under the regulations specified herein for property not having public water available.

1.9 Construction Period

When a manufactured home park is to be developed in phases, the water distribution system required hereunder may be constructed in steps simultaneous with the development of each phase of the manufactured home park.

SECTION 2.0 SEWAGE SYSTEM

All provisions set forth in the previous Section, "Water Supply & Distribution System" shall apply to sewage systems.

SECTION 3.0 STORM DRAINAGE

3.1 The owner(s) shall provide for adequate drainage of all surface water.

3.2 Based on the twenty-five (25) year design for storm drainage, runoff from a site shall be calculated based on conditions prior to development. This shall be considered the pre-development flow. Post development runoff shall then be calculated based on the proposed site conditions and using the twenty-five (25) year design for storm drainage. The storm water management system must show that the post development flow does not exceed pre-development flow, unless a

Professional Engineer certifies that impacts downstream are negligible and downstream systems can carry the increase flow without impacting other properties.

3.3 Peak Flow Rates

Prediction of the peak flow rates shall be a calculation using the procedure in the United States Department of Agriculture (USDA) Soil Conservation Service Method, the Rational Method, or other acceptable calculation procedure.

3.4 The storm drainage plans shall be certified by a N.C. Professional Engineer

ARTICLE X MAINTENANCE OF PARK & FACILITIES

The park owner(s) and occupants shall keep all park owned facilities, manufactured home spaces, improvements, equipment, open space, recreational and all common areas in good repair and maintained in such a manner as to prevent the accumulation or storage of material which would constitute a fire hazard or would cause insect or rodent breeding and harborage. The County shall have the authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health. The expense of the action shall be paid by the park owner(s) in default, and, if not paid, shall be a lien upon the land or premises where the nuisance arose, and shall be collected as unpaid taxes.

ARTICLE XI BUSINESS LICENSE

All manufactured home parks shall maintain a valid business license. The business license issued to the applicant shall constitute the authority to operate the manufactured home park in accordance with this Ordinance. The business license shall expire after a two (2) year period or at the sale of the park to a new owner(s), whichever comes first, and must be renewed to remain valid. The Planning Department shall withhold all permits to parks without a valid business license. Failure to obtain a valid business license within six (6) months from the adoption date of this Ordinance shall be subject to Article "Enforcement & Penalties" of this Ordinance.

SECTION 1.0 HEALTH DEPARTMENT

1.1 Biannual Inspection

All manufactured home parks in Harnett County shall be inspected by the Harnett County Health Department at least once every two (2) years. The business license of parks with sewage problems based on current North Carolina sanitation regulations may be revoked upon request of the Harnett County Health Department.

1.2 Validation of Sanitary Sewage System

Upon determination that an existing sanitary sewage system has a valid operation permit or a valid certificate of completion and is operating properly in a manufactured home

park, the Harnett County Health Department shall issue authorization in writing for a manufactured home to be connected to the existing system and to be occupied.

- A. Notwithstanding the above requirement, an improvement permit is not required for the connection of a manufactured home to an existing system with a valid operation permit or a valid certificate of completion in a manufactured home park. (N.C. Gen. Stat. 130A-337 C).

**ARTICLE XII TERMINATION & REDUCTION IN SIZE OF
MANUFACTURED HOME PARKS**

SECTION 1.0 TERMINATION

Termination of a manufactured home park shall be in accordance with the parameters set forth in this Section. All expenses incurred shall be the responsibility of the park owner(s). The manufactured home park termination process shall be as follows:

- 1.1 Manufactured home park owner(s) shall remove, or cause to be removed, all manufactured homes and other structures from said park.
- 1.2 Park owner(s) shall submit a complete application to the Harnett County Planning Department.
- 1.3 Upon receipt of a complete application the Zoning Administrator, or his designee, shall perform an inspection of said manufactured home park. All other required inspections or reviews of other County, local, and State departments shall be the responsibility of the owner(s) to coordinate.
- 1.4 Following approvals of all required inspections, the manufactured home park shall be terminated and all required documentation shall be filed with the Planning Department.

SECTION 2.0 REDUCTION

Reduction in the size of a manufactured home park shall meet the requirements of this Section. All expenses incurred shall be the responsibility of the park owner(s).

2.1 Business License

Any reduction in size, whether the total number of lots or acreage, shall require the issuance of an amended business license. Said amended business license shall be valid only for the remainder of the term of the previous business license for the same manufactured home park.

2.2 Review & Approval

Reduction shall be via the most appropriate method available, according to the size and type of the same, and shall be as follows:

- A. Administrative Review
Park owner(s) may reduce the number of lots within the manufactured home park via administrative approval. Said reduction shall not result in a decrease in the total acreage of the park.
- B. Planning Board Review
Owner(s) may apply for Planning Board approval of a reduction in the total acreage, in addition to the reduction of the number of lots, of a manufactured home park. Such application shall be made in accordance with established application requirements and deadline and shall, at a minimum, meet the following requirements:
 - 1. Revised site plan shall be submitted for review and approval by Planning Board, indicating lots and acreage to be terminated from use in said park.
 - 2. Every effort shall be made for uniform reduction in size of the manufactured home park. If such effort is not made, the recommendation made by Staff to the Planning Board regarding the application may be unfavorable.
- C. Approval of Reduction
 - 1. If applicable, the Planning Board may place conditions on approval. All conditions shall be met prior to issuance of an amended business license.
 - 2. All lots to be removed from said park shall be vacated prior to issuance of an amended business license.

ARTICLE XIII VARIANCE

The Harnett County Board of Adjustment may grant a variance from the manufactured home park regulations when, in its opinion, undue hardship may result from strict compliance. It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general. Rather, it is intended to provide relief where the requirements of this Ordinance render the land difficult or impossible to use because of some unique physical attribute of the property itself or some other factor unique to the property for which the variance is requested.

SECTION 1.0 CONDITIONS OF VARIANCE

In granting any variance, the Board may attach such conditions to the approval as it deems necessary and appropriate to satisfy the following standards, to reduce or minimize any injurious effect of such variance upon other property in the area, and to ensure compliance with other requirement of this Ordinance

SECTION 2.0 EVALUATION

No variance shall be granted unless the Board finds:

- 2.1 There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
- 2.2 The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- 2.3 The circumstances giving rise to the need for the variance are peculiar to the parcel(s) in question and are not generally characteristic of other parcels in the jurisdiction of this Ordinance.
- 2.4 The granting of the variance will not be detrimental to the public health, safety, and general welfare or injurious to other property in the area in which said property is situated.
- 2.5 The variance does not confer on the applicant special privileges or be in contradiction to other local, State, or federal regulations.

ARTICLE IX ENFORCEMENT & PENALTIES

SECTION 1.0 ENFORCEMENT

If the Harnett County Planning Department finds that any of the provisions of this Ordinance are being violated, it shall notify the park owner(s) of the violation in writing by personal service, first class mail, or by registered mail, or by certified mail, return receipt requested, specifying the nature of the violation and what corrective measures must be taken. The Planning Department shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any one (1) or more of the following methods or action authorized by law to insure compliance with or to prevent violation of the provisions of this Ordinance.

SECTION 2.0 PENALTIES

The follow penalties may be levied against manufactured home park owner(s) found to be in violation of this Ordinance.

2.1 Civil Penalty

- A. Any property owner(s) failing to take corrective action within thirty (30) days after receiving written notice from the Harnett County Planning Department shall subject themselves to a civil penalty of up to five hundred dollars (\$500.00). Failure to pay the penalty within ten (10) days from receipt of the notice of civil penalty shall subject said property owner(s) to a civil action in the nature of debt for the stated penalty plus any additional penalties, together with the cost of the action to be taxed by the court.
- B. Each day such violation exist shall constitute a separate offense.

- C. No civil penalty shall be levied more than once unless and until the Planning Department has delivered a written notice by personal service or by registered mail or by certified mail, return receipt requested, to the property owner(s) or person responsible for each violation.

2.2 Revoke the Park's Business License

2.3 Injunction

Enforcement may also be achieved by injunction. When a violation occurs the County may either before or after the institution of any other authorized action or proceeding, apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction commanding the defendant, or in the case of counterclaims the plaintiff, to correct the unlawful condition or cease the unlawful use of the property.

2.4 Order of Abatement

The County may apply for and the court may enter an order of abatement. An order of abatement may direct that buildings or other structures on the property be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed; that improvements or repairs be made; or that any other action be taken that is necessary to bring property into compliance with this Ordinance. Whenever the party is cited for contempt by the court and the County executed the order of abatement the County shall have a lien, in the nature of a mechanic's and materialman's on the property for the cost of executing the order of abatement.

2.5 Criminal Prosecution

Violations of this Ordinance shall constitute a misdemeanor or infraction as provided by General Statutes and the maximum fine, term or imprisonment or infraction penalty allowed by law is hereby authorized.

SECTION 3.0 RIGHT OF APPEAL

If any initial permit or business license is denied, revoked, or notice of violation is issued the applicant has 30 days to appeal the action of the Zoning Administrator to the Board of Adjustment. Beyond the decision of the Board of Adjustment, recourse shall be to the Courts as provided by law.

ARTICLE X DEFINITIONS & INTERPRETATIONS

Interpretation of Certain Terms and Words

Words used in the present tense include the future tense.

Words used in the singular number include the plural, and words used in the plural number include the singular.

The word "shall" is always mandatory and not merely directory.

The word "may" is permissive.

The words "used" or "occupied" include the words intended, designed, or arranged to be used or occupied.

Accessory Structure – A structure or building located on the same lot and customarily incidental to the principle building.

Adjacent - Having a common border such as a lot line or street right-of-way. Also known as abutting or adjoining.

Automobile, Abandoned - A motor vehicle which is left on private property without the consent of the owner(s), occupant, or lessee of the property.

Automobile, Junked - A motor vehicle that is (1) partially dismantled or wrecked; or (2) cannot be self-propelled or moved in the manner in which it was originally intended to move; or (3) does not display a current license plate.

Berm - A mound of earth with a minimum slope of 3:1.

Carport - Prefabricated, roofed structure without any foundation, footings, enclosed walls, or sides, providing space for the parking of motor vehicles.

Cul-de-Sac – A street with one (1) end open to traffic and the other end being permanently terminated and a “bulb” shaped vehicular turn around provided for the safety and convenient reversal of traffic movement. The right-of-way of a cul-de-sac shall have a radius of 50 feet. The radius of the paved portion of the turnaround (measured to the outer edge of the pavement) shall be 35 feet.

Common Areas - Land amenities, certain buildings, and facilities owned and designated by the owner(s) to be used by residents.

Construction - Erection, alteration, excavation, demolition, or similar work on any development authorized by such permits.

Dripline – An imaginary ground line around a tree that defines the limits of the tree canopy.

Fence – A barrier constructed of material or combination of materials erected to enclose, screen, or separate areas.

Habitable – A space in a building for living purposes, which includes working, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable space.

Manufactured Home - A structure, transportable in one (1) or more sections which, in the traveling mode, is eight (8) body feet or more in width, forty (40) body feet or more 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 plumbing, heating, air conditioning, and electrical systems contained therein. Such term will include any structure which meets all the requirements of this paragraph except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, U.S.C. Section 5401et seq.

Manufactured Home Lot - A manufactured home lot is a piece of land within a manufactured home park whose boundaries are delineated in accordance with the requirements of the Ordinance, and that is designed and improved in accordance with the requirements of the Ordinance to accommodate a single manufactured home.

Manufactured Home Park - A manufactured home park is a parcel of land, adjoining parcels of land, or a group of lots within 500 feet of each other in single/same ownership designed to provide three (3) or more manufactured homes or spaces, or any combination of homes and spaces. One (1) lot, solely established for the primary residence of the park owner(s) may be established on a parcel adjacent to a licensed manufactured home park; and shall be exempt from the provisions of this Ordinance.

Manufactured Home Spaces - (See Manufactured Home Lot)

Motor Home – (See Recreational Vehicle)

Operator - Shall mean the person responsible for the operation of a manufactured home park.

Open Space – An area of land designed and intended for the common use or enjoyment of residents and their guests. Said area shall be left in its natural or undisturbed state if wooded, except for the cutting of trails for walking or jogging, or, if not wooded at the time of development, is landscaped for ball fields, picnic areas, or similar facilities. Not individually owned or dedicated for public use.

Pave or paving - To cover with concrete, asphalt, brick, stone slabs, or blocks (such as cobblestones), or other manufactured products (such as concrete blocks) having the characteristics of concrete, asphalt, brick, or stone.

Paved - Covered with pavement. See definition herein.

Pavement - Asphalt surface course that shall meet NCDOT specifications for Type I-2 asphalt. The asphalt shall be placed in one two-inch (2”) layer, and shall be handled and placed in accordance with NCDOT specifications.

Recreation, Active - Activities, organized and often performed with others, and requiring equipment (i.e. basketball, swimming and tennis).

Recreational Vehicle (RV) - A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed as a temporary living accommodation for recreational and camping purposes.

Recreational Vehicle (RV), Park Model – A vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is self-propelled or permanently towable by a light duty truck, and is generally used as temporary living quarters for recreational, camping, travel, and seasonal use.

Skirting – A weather-resistant material designed expressly for a manufactured home and used to enclose the space from the bottom of the manufacture home to grade.

Swimming Pool - Any structure, chamber, tank in ground or above ground containing an artificial body of water which is used for swimming, diving, wading, recreation, or therapy together with all buildings, appurtenances, and equipment used in connection with the body of water.

Street, Collector - A street that serves as the most probable and convenient access route between any public right-of-way connected to the manufactured home park and collect traffic from a minimum of one hundred (100) manufactured home lots.

Street, Minor - All streets within the manufactured home park that do not meet the definition of a collector street.

Street, Through – A road which serves as a connecting road system between public rights-of-way.

Tie Downs - Galvanized steel cables or strapping which “ties” a manufactured home and its steel frame to anchors embedded in the ground.

Tract - A piece of land whose boundaries have been described or delimited by a legal instrument or map recorded in the Office of the Register of Deeds.

Wall – (see Fence)

Adopted this 18th day of August, 2008

HARNETT COUNTY COMMISSIONERS

Beatrice B. Hill, Vice Chairman

ATTEST:

Kay S. Blanchard, Clerk to the Board