Ordinance No. 2990

(Amending or Repealing Ordinances)

CFN=207 – Mobile Home Park Code
Passed – 8/20/1991
Relating to Mobile Home Parks, amending The Kent Mobile Home Park Code, Chapter 12.08 of the Kent City Code, by adding new nonconforming Mobile Home Park Standards, making minor text revisions for consistency with existing city codes and policies, and renumbering certain sections

Amended by Ord. 3614 (Secs. 12.05.020;12.15.030;12.15.040
(formerly 12.08.040, .050, .060)

Amended by Ord. 3690 (Sec. 12.05.140)

Amended by Ord. 4050 (Secs. 12.05.040; .050; .080; .100; .110; .120; .140; .150; .160; .260; .270; .300; .370; repeal Secs. 12.05.070;12.05.090)

The date ["Beginning July 1, 1998"] has led to confusion This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012.
ORDINANCE NO. 2990

AN ORDINANCE relating to mobile home parks, amending the Kent Mobile Home Park Code, Chapter 12.08 of the Kent City Code, by adding new nonconforming mobile home park standards, making minor text revisions for consistency with existing City codes and policies, and renumbering certain sections.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. The Mobile Home Park Code, Chapter 12.08 of the Kent City Code (Ordinance 2077) is amended as set forth in Exhibit A, attached hereto.

Section 2. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 3. Effective date. This ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.

DAN KELLEHER, MAYOR
ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 20 day of August, 1991.
APPROVED the 21 day of August, 1991.
PUBLISHED the 23 day of August, 1991.

I hereby certify that this is a true and correct copy of Ordinance No. 2990, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK

mobhm.ord
CITY OF KENT
CHAPTER 12.08

MOBILE HOME PARK CODE

A code of the City of Kent, Washington, providing for the municipal adoption of rules, regulations, requirements, standards, and procedures for the approval or disapproval of development of mobile home parks; providing for the exception and variation thereto in hardship cases; providing penalties for the violation of such adopted rules, requirements, regulations, and standards; providing for the effectuation of the expressed and implied authority of the City of Kent in accordance with the intent of the state statutes.
**SECTION I**

**12.08.010. ADOPTED.** There is adopted upon the effective date of the ordinance codified in this Chapter and upon the filing of three copies with the Kent City Clerk, that certain code known as the "Kent Mobile Home Park Code," together with all amendments and additions thereto. (O.2077, §1)

**12.08.020. AMENDMENTS.** The Kent Mobile Home Park Code may be amended by the City Council at any regular City Council meeting upon motion duly made, seconded and passed. (O.2077, §2)

**12.08.030. TITLE.** This code shall hereinafter be known as the "City of Kent Mobile Home Park Code."

**12.08.040. PURPOSE.** The purpose of this code is to provide rules, regulations, requirements, and standards for the development of mobile home parks in the City of Kent, insuring that the public health, safety, general welfare and aesthetics of the City of Kent shall be promoted and protected; that orderly growth, development, and the conservation, protection, and proper use of land shall be insured; that proper provisions for all public facilities (including circulation, utilities, and services) shall be made; that maximum advantage of site characteristics shall be taken into consideration; and that conformance with provisions set forth in the City of Kent Comprehensive Plan, Zoning Code and Subdivision Code shall be insured.

**12.08.050. SCOPE.** This code applies to any acquisition of land, improvement of land, or the development of land for mobile home park use. This code shall apply to all lands within the corporate boundaries of the City of Kent.

Where this code imposes greater restrictions or higher standards upon the development of land than other laws, ordinances, codes or restrictive covenants, the provisions of this code shall prevail. Any expansion, reconstruction, or modification of an existing mobile home park shall comply with the standards, specifications, and procedures of this code.

Any units brought into an existing mobile home park; any mobile home relocated on its own lot or onto any other lot; and any additions to the structure or structures present on any lot (e.g. storage buildings, canopies, decks, patios, fences, etc.) must comply with this code as well as all other applicable City codes and regulations.

**12.08.060. ENFORCEMENT.** It shall be the duty of the Building Director Official to enforce all provisions of this code after a Final Site Plan has been approved. The Building Director Official shall may inspect each any mobile home park once per year in order to insure verify compliance with this code. Also, each mobile home shall be inspected when it is placed on a mobile home lot to insure that all setback, separation requirements, etc., are
met. Such inspection shall be performed at the time said mobile home is placed on the lot or as soon thereafter as is reasonably practicable. Failure to make such inspection shall not constitute a waiver of any of the provisions of this Code. For inspection purposes, the Building Director Official or his duly authorized representative shall have the right and is hereby empowered to enter any mobile home park.

The Building Department Code Enforcement Division of the Fire Department may require a permit for the placement of a mobile home on a lot and may charge for said permit.

If, after due investigation, the Building Director Official determines that any provisions of this code have been violated, the mobile home park owner shall have 14 days to remedy the violations. If the violations are not corrected within 14 days, the violations shall be forwarded to the City Attorney for action under 12.08.420 Penalties.

12.08.070. DEFINITIONS. For the purpose of this code certain terms, phrases, words, and their derivatives shall be construed as specified in this Section. Words used in the singular include the plural, and the plural the singular. The words "shall" and "will" are mandatory; the word "may" is permissive.

12.08.071. ACCESSORY STRUCTURE - Any structure on an interior mobile home lot or site that is appurtenant to the principally permitted mobile home or nonconforming recreational vehicle.

12.08.072. CITY COUNCIL. The City Council of the City of Kent, Washington.

12.08.073. COMBINING DISTRICT. District regulations superimposed on an underlying zone district which impose additional regulations for specific uses, and which are valid for a stipulated time period. Uses permitted by the underlying zone may also be developed.

12.08.074. COMMON OPEN SPACE. A parcel or parcels of land or an area of water or a combination of land and water within the site designated for a mobile home park which are designed and intended for the use or enjoyment of residents of the park. Common open space may contain such complimentary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the mobile home park. Common open space may also include all landscaped buffer areas.

12.08.075. COMPREHENSIVE PLAN. The plans, maps and reports which comprise the official City development plan as adopted by the City Council in accordance with RCW 35.63 or RCW 35A.

12.08.076. COUNTY AUDITOR. As defined in Chapter 36.22 RCW or the office of the person assigned such duties under the King County Charter.
12.08.076. 12.08.077. CONDITIONAL USE AND CONDITIONAL USE PERMIT. A use permitted in a zoning district only after review and approval by the Planning Commission Hearing Examiner. Conditional uses are such that they may be compatible only on certain conditions in specific locations in a zoning district, or if the site is regulated in a certain manner.

12.08.077. 12.08.078. CUL-DE-SAC. A short street having one end open to traffic and being terminated at the other end by a vehicular turn-around.

12.08.078. 12.08.079. DEDICATION. A deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentation for filing of a final site plan showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such site plan for filing by the City of Kent.

12.08.079. 12.08.080. DEPENDENT UNIT. A mobile home that does not have toilet and bathtub or shower facilities.

12.08.080. 12.08.081. DEVELOPER. The person, firm or corporation developing a mobile home park.

12.08.081. 12.08.082. HEARING EXAMINER (Land Use). A person appointed by the City Administrator to conduct public hearings on applications outlined in the City ordinance creating the Hearing Examiner, and who prepares a record, findings of fact and conclusions on such applications.

12.08.082. 12.08.083. INDEPENDENT UNIT. A mobile home that has a toilet and bathtub or shower facilities.

12.08.083. 12.08.084. LOT. A fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

12.08.084. 12.08.085. LOT CORNER. A lot abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees within the lot lines.

12.08.085. 12.08.086. LOT FRONTAGE. The front of a lot shall be that portion nearest the street.

12.08.086. 12.08.087. LOT LINES. The lines bounding the lot.
12.08.087. 12.08.088. LOT MEASUREMENTS.

A. Depth of a lot shall be considered to be the distance between the foremost points of the side lot lines in front and the rear-most points of the side lot lines in the rear.

B. Width of a lot shall be considered to be the distance between the side lines connecting front and rear lot lines, provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where eighty (80) percent requirement shall not apply.

12.08.088. 12.08.089. LOT, THROUGH. A lot that has both ends fronting on a street. Either end may be considered front.

12.08.089. 12.08.090. MEANDER LINE. A line along a body of water intended to be used solely as a reference for surveying.

12.08.090. 12.08.091. MOBILE HOME. A factory constructed residential unit with its own independent sanitary facilities, that is intended for year round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under trailer license or by special permit.

12.08.091. 12.08.092. MOBILE HOME LOT OR SITE. A lot or site designed to accommodate a mobile home in a mobile home park.

12.08.092. 12.08.093. MOBILE HOME PARK. An area under one ownership designed to accommodate five (5) or more mobile homes according to the provisions of this code.

12.08.094. NONCONFORMING USE OR STRUCTURE - Any mobile home park, individual mobile home, recreational vehicle, accessory structure, mobile home lot or site dimension established prior to the effective date of this code or subsequent amendment to it which would not be permitted by or is not in full compliance with the regulations of this ordinance.

12.08.093. 12.08.095. OFFICIAL PLANS. Those maps, development plans, or portions thereof, adopted by the City Council of the City of Kent as provided in RCW 35A.63.100, as amended. Such plans or maps shall be deemed to be conclusive with respect to the location and width of streets, public parks, and playgrounds and drainage rights-of-way as may be shown thereon.

12.08.094. 12.08.096. PERFORMANCE BOND OR GUARANTEE. That security which may be accepted in lieu of a requirement that certain improvements be made before
the City Council approves the Final Site Plan including performance bonds, escrow agreements, and other similar collateral or surety agreements.

12.08.095. 12.08.097. PLANNING COMMISSION. That body as defined in Ordinance 1674, City of Kent.

12.08.096. 12.08.098. RECREATIONAL VEHICLE. Any vehicle or structure so designed and constructed to permit occupancy thereof, with sleeping quarters for one (1) or more persons, and constructed in such manner as to permit its being used as a conveyance upon the public streets or highways and duly licensable as such, propelled, drawn or transported by its own or other power.

12.08.097. 12.08.099. SERVICE BUILDING. A building housing separate toilet, lavatory, and bath or shower accommodations for men and women, with separate service sink and laundry facilities.

12.08.098. 12.08.100. SETBACKS. The minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way, to the nearest vertical wall or other element of a mobile home or appurtenant structure. All setbacks from a line of reference shall be measured on a line perpendicular to said line of reference.

12.08.100. 12.08.101 ZONING FOR MOBILE HOME VEHICLE PARKS. Mobile home parks shall be developed in existing mobile home park zones or in mobile home park combining districts as they may be designated by the City Council. All land zoned for residential uses, except R-1, Single-Family Residential District, may be considered for a mobile home park combining district.
SECTION II

12.08.200. OUTLINE OF PROCEDURES.

12.08.210. PRELIMINARY MEETING. Any person who desires to develop a mobile home park in the City of Kent shall consult the Planning Department at an early date on an informal basis in order to become familiar with the requirements of this code. The Planning Department will arrange an informal meeting between the developer and all pertinent City Departments so that the developer may obtain details of all City requirements and thus determine the feasibility of the project proposal prior to actual preparation and submission of development plans.

12.08.220. APPLICATION FOR MOBILE HOME PARK - GENERAL OVERVIEW OF PROCEDURES. The general procedure for submitting and processing applications for a mobile home park are as follows: preparation and submission to the Planning Department of a tentative site plan of the proposed mobile home park; submission of a preliminary site plan to the Planning Department, Hearing Examiner and City Council for public hearing; installation or bonding of improvements according to the approved site plan; and recordation of the approved final site plan with the Planning Department and City Clerk.

12.08.230. DETAILED PROCEDURES.

12.08.240. TENTATIVE SITE PLAN PROCEDURES.

12.08.241. Application. Applications for a tentative site plan meeting and review shall be filed with the Planning Department. Twelve (12) copies of the tentative site plan shall be filed.

12.08.242. Map Scale and Documentation. The scale and information required for a tentative site plan shall be in accordance with Section 12.08.253 (Preliminary Site Plan Map), except that the scale and information do not need to be precise.

12.08.243. Referral to Other Departments. The Planning Department shall transmit copies of the tentative site plan to the following departments: the Public Works Department; the Building Department; and the Fire Department; the Health Agency; and each of the Public Utility Agencies serving the area.

12.08.244. Tentative Site Plan Meeting. A meeting attended by the applicant and those departments and agencies receiving copies of the tentative site plan will be held no earlier than six (6) days and no later than fifteen (15) days after receipt of the application. Any recommendations of the various departments for revision of the tentative site plan should be discussed at such meeting as well as recorded in writing.
12.08.245. General Requirements or Findings for the Tentative Site Plan. Following the aforesaid tentative site plan meeting, and receipt of the recommendations of the other City departments and interested agencies, the Planning Department shall find if the tentative site plan:

A. Is in general conformance with the regulations of this code;

B. Is in general conformance with the circulation pattern established or proposed for the area in which the mobile home park will be developed;

C. Is in conformance with sewer, water, and other utility plans for the area;

D. Is not detrimental to its natural and man-made surroundings. Copies of these findings will be transmitted to the applicant and all agencies attending the tentative site plan meeting.

12.08.246. Further Action. If the tentative site plan is found to meet the above guidelines, or is modified as per the suggestions presented at the tentative site plan meeting, the applicant should proceed to the preliminary site plan stage. If the tentative site plan is not found to be consistent with the guidelines, a preliminary site plan may still be submitted to the Planning Department together with a written request for an exception to the requirements of this Code (See Section 12.08.410 Exceptions)

12.08.250. PRELIMINARY SITE PLAN PROCEDURES.

12.08.251. Zoning. If the proposed mobile home park lies within an existing Mobile Home Park Combining District (MHP), the procedure for processing the mobile home site plan shall be as outlined in Section 12.08.220 Application for Mobile Home Park - General Overview of Procedures. If the proposed mobile home park does not lie within an existing MHP zone, an application for the Mobile Home Combining District shall be applied for and considered concurrently with the preliminary site plan.

12.08.252. Application.

A. Application for a preliminary site plan approval (and for the Mobile Home Combining District, if necessary) shall be filed with the Planning Department on forms prescribed by the Planning Department, at least twenty-five (25) days prior to the Hearing Examiner hearing at which it is to be considered. Said application shall be submitted at least forty-five (45) days prior to the next regularly scheduled public hearing date, and shall be heard by the Hearing Examiner within one hundred (100) days of the date of said application- provided, however, that this period may be extended in any case for which an environmental impact statement is required. If a full Environmental Impact Statement is required under the State Environmental Policy Act the applicant shall not file the preliminary site plan application until such time as the Draft Environmental Impact Statement is ready for circulation.
B. Twelve (12) copies of the preliminary Site plan shall be submitted.

12.08.253. Preliminary Site Plan Requirement. The following shall be part of the preliminary site plan:

A. Vicinity Map. A vicinity map of the area, adequate to show the location of the proposed mobile home park.

B. Preliminary Site Plan. The preliminary site plan shall include the entire parcel zoned MHP or is to be zoned MHP and shall conform to the following:

1. The mobile home park name, the name and address of the developer, and the name and address of owner or owners.

2. The date of preparation, the true north point, a graphic scale and legal description of the MHP district.

3. Preliminary site plans shall be drawn to an appropriate engineering (decimal) scale, preferably not less than one hundred feet to the inch.

4. Show the location of existing and proposed platted property lines, and existing section lines, streets, buildings, water courses, railroads, bridges, and any recorded public or private utility or roadway easements, both on the land to be subdivided and on the adjoining lands (land that abuts the proposed subdivision), to a distance of one-hundred (100) feet from the edge of the subject property.

5. Contours and/or elevations (at five foot intervals minimum) shall be shown to that extent necessary to accurately predict drainage characteristics of the property. Contour lines shall be extended at least one-hundred (100) feet beyond the boundaries of the proposed mobile home park.

6. Give the names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, and utilities.

7. Indicate the total acreage of the mobile home park; the number of lots; the area of the smallest lot and the approximate square footage and approximate percent of total acreage in open space.

8. Indicate the dimensions of each lot.

9. Indicate the location, dimensions and design of off-street parking facilities within the site.

10. Indicate the proposed location and horizontal and vertical dimensions of all buildings and structures to be located on the site.
11. Indicate proposed grading, drainage and landscaping plans.

12.08.254. Referral to Other City Departments and Agencies. The Planning Department shall distribute copies of the preliminary map to the Public Works Department, the Building Department, the Health Agency, the Fire Department, the school district, and each of the Public Utility Agencies serving the area in which the Mobile Home Park is to be developed. Each department or agency may file recommendations with the Planning Department within ten (10) days of receipt of the preliminary site plan; or in the event that a preliminary site plan meeting should be called by the Planning Department, may present their recommendation at that time.

12.08.255. Preliminary Site Plan Meeting. The Planning Department shall compare the applicant’s tentative and preliminary site plan and shall reach a decision within three (3) working days after the applicant’s submission, as to whether a preliminary site plan meeting is necessary. A preliminary site plan meeting may be deemed necessary when there are significant differences between the tentative and preliminary site plans. The determination of the necessity of a preliminary site plan meeting shall be based on the following considerations:

A. The degree of commonality between the two plans (i.e. is the preliminary site plan a refinement of the tentative site plan, or is it a completely new site plan for the same property?).

B. The presence or absence of revisions present in the preliminary site plan resulting from objections raised at the tentative site plan meeting.

12.08.256. Hearing Examiner Public Hearing.

A. The Hearing Examiner shall hold public hearings first on the proposed MHP district (if not already zoned MHP), and then if the MHP district is approved, on a preliminary site plan. The Hearing Examiner shall hold the public hearings on a rezone to MHP, Mobile Home Park, and the preliminary site plan (Special Use - Combining District). Said application(s) shall be submitted at least forty-five (45) days prior to the next regularly scheduled public hearing date, and shall be heard by the Hearing Examiner within one hundred (100) days of the date of said application—provided, however, that this period may be extended in any case for which an environmental impact statement is required. The Hearing Examiner shall forward its recommendations to the Kent City Council. The Examiner shall file a decision with the City Council at the expiration of the period provided for a re-hearing or within fourteen (14) day of the conclusion of a re-hearing, if one is conducted. Said Hearing Examiner public hearing shall be held no later than the second regular meeting of the Hearing Examiner after submission of the application, and the Hearing Examiner recommendations shall be forwarded to the City Council within fourteen (14) days of the Hearing Examiner’s action. Within 30 (30) days of receipt of the Hearing Examiner’s recommendation, the City Council shall, at a regular public hearing, consider said recommendation.
B. The Planning Department shall give notice in the following manner:

1. **Three (3) notices**: One notice of the public hearing shall be posted on or adjacent to the subject property at least ten (10) days prior to the public hearing.

2. One (1) notice of the public hearing shall be given in a newspaper of general circulation at least ten (10) days prior to the public hearing.

3. **Notice** shall be given to all property owners within at least 200 feet and when determined by the Planning Director a greater distance of the exterior boundaries of the property subject of the application. Such notice to be sent ten (10) days prior to the public hearing. The failure of any property owner to receive said notice of hearing will not invalidate the proceedings.

4. All hearing notices shall include a legal description of the location of the proposed mobile home park and either a vicinity location sketch or a location description in nonlegal language.

12.08.257. **Health Agency Recommendation.** The health agencies responsible for approval of the proposed means of sewage disposal and water supply shall file with the Planning Department, prior to the Hearing Examiner’s public hearing on the preliminary site plan, written statements as to the general adequacy of the proposed means of sewage disposal and water supply.

12.08.258. **City Council Action.** The City Council shall hold a public hearing within 30 days of the date of receipt of the Hearing Examiner’s recommendation.

12.08.259. **Approval Period.** Preliminary site plans of any proposed mobile home park shall be approved, disapproved, or returned to the applicant for modification or correction within ninety (90) days from the date of submission, unless the applicant consents to an extension of such time period.

12.08.260. **Expiration Date.** If the use for which the MHP district site plan was approved is not begun within one year, approval of the MHP district and preliminary site plan shall lapse one (1) year from the date of said approval unless the City Council grants an extension of time for a period of not greater than one (1) year.

12.08.270. **INSTALLATION OF IMPROVEMENTS OR BONDING IN LIEU OF IMPROVEMENTS.**

12.08.271. **Required Improvements.** The following tangible improvements may be required before a final site plan is submitted; every developer may be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, street lights, water mains and street name signs, together with all appurtenances.
thereto in accordance with specifications and standards of this code, approved by the Public Works Department and in accordance with other standards of the City.

12.08.272. Inspection, Approval and Fees. The Public Works Department shall be responsible for the supervision, inspection and acceptance of all required mobile home park improvements and shall make a charge therefore to the developer in the amount of the hourly cost to the City of Kent. The hourly cost shall include the wages of the inspector and the City’s cost for fringe benefits calculated on an hourly basis.

12.08.273. Permits. Prior to proceeding with the mobile home park improvements, the developer shall make application for such permits from the City as are necessary. The developer is also responsible for complying with all permit requirements of other federal, state and local agencies.

12.08.274. Deferred Improvements. No final site plan shall be submitted to the City Council until all improvements are constructed in a satisfactory manner and approved by the responsible departments or a bond has been satisfactorily posted for deferred improvements.

A. Bonds. If a developer wishes to defer certain on-site improvements until construction, written application shall be made to the Public Works and Planning Departments stating the reasons why such delay is necessary. If the deferment is approved, the developer shall furnish a performance bond to the City in the amount equal to a minimum of one hundred fifty (150) percent of the estimated cost of the required improvements. The decision of the City Engineer and Planning Director as to amount of such bond shall be conclusive.

B. Time Limit. Such bond shall list the exact work that shall be performed by the applicant and shall specify that all of the deferred improvements be completed within the time established by the Department of Public Works; and if no time is established, then not later than one (1) year after approval of the final map by the City Council. The bond shall be held by the City Clerk.

C. Check in Lieu of Bond. The developer may substitute an assignment of funds in lieu of a performance bond. Such assignment shall be made payable to the City Treasurer and shall be in the same amount as the bond it is substituting.

D. Proceed Against Bond or Other Security. The City reserves the right, in addition to all other remedies available to it by law, to proceed against such bond or other payment in lieu thereof. In case of any suit or action to enforce any provisions of this code, the developer shall pay unto the City all costs incidental to such litigation including reasonable attorney’s fees. The applicant shall enter into an agreement with the City requiring payment of such attorney’s fees.

E. Binding Upon Applicant. The requirement of the posting of any performance bond or other security shall be binding on the applicant, his heirs, successors and assigns.
F. **Notification to Planning Department.** The Public Works Department shall notify the Planning Department in writing of the following: the improvements deferred, amount of bond or check deposited, time limit of bond or check, name of bonding company, and any other pertinent information.

12.08.275. **Certificates of Completion.** The Public Works Department shall submit a certificate in duplicate to the Planning Department verifying that the developer has completed the required installations and/or bonding in accordance with the provisions of this code and the specifications and standards of the departments. One (1) copy of the completed certificate shall be furnished to the developer by the Planning Department together with a notice advising him to proceed with preparation of a final site plan for that portion of the area in which minimum improvements have been installed and approved or adequate security has been posted. Certificate originals shall be retained by the Planning Department.

12.08.280. **FINAL SITE PLAN PROCEDURES.**

A. **Application.**

1. Application for the final site plan approval shall be filed with the Planning Department on forms prescribed by the Planning Department.

2. Eleven (11) copies of the final site plan plus the original shall be submitted.

B. **Final Site Plan Requirements.**

1. The final site plan shall be drawn to a scale of not less than one (1) inch representing one hundred (100) feet unless otherwise approved by the Planning Department on sheets eighteen (18) by twenty-two (22) inches. Five copies of the final site plan shall be submitted.

2. Approval of the final site plan shall be evidenced by the signatures of the Public Works Director and Planning Director on said site plan. The approved site plan shall then be filed with the City Clerk and Planning Department.

C. **Occupancy.** A permit to occupy a mobile home park shall be issued by the Building Department.
SECTION III

12.08.300. REQUIREMENTS AND STANDARDS.

12.08.310. ENVIRONMENTAL CONSIDERATIONS.

A. All mobile home parks shall provide for the protection of valuable, irreplaceable environmental amenities and make the mobile home park development as compatible as possible with the ecological balance of the area. The goals are to preserve drainage patterns, prevent erosion and to preserve trees and natural vegetation. This is beneficial to the City in lessening the costs of the development to the City as a whole, and to the developer in creating an attractive and quality environment. Land which is found to be unsuitable for development includes land with features likely to be harmful to the safety and general health of the future residents (such as lands adversely affected by flooding, bad drainage, steep slopes, rock formations). Land which the City Council considers inappropriate for mobile home park development shall not be so developed unless adequate methods are provided as safeguards against these adverse conditions.

B. Flood Control Zone. If any portion of the land within the mobile home park is subject to flood, or inundation, or is in a flood control zone according to RCW 86.16, that portion of the mobile home park shall have written approval of the Department of Ecology prior to the City Council hearing on the preliminary site plan.

C. Trees. Every reasonable effort shall be made to preserve existing trees.

D. Streams.

1. Every effort shall be made to preserve existing streams, bodies of water, marshes and bogs.

2. If a stream passes through any of the subject property, a plan shall be presented which indicates how the stream will be preserved; methodology should include an overflow area, and an attempt to minimize the disturbance of the natural channel and stream bed.

3. The piping or tunneling of water shall be discouraged and allowed only when going under streets.

4. Every effort shall be made to keep all streams and bodies of water clear of debris and pollutants.

E. National Flood Insurance Regulations. Any mobile home park lying within an area subject to National Flood Insurance Regulations must comply with those regulations when such regulations are more restrictive than this Code.
12.08.320. COMPATIBILITY WITH EXISTING LAND USE AND PLANS.

A. Buffer Between Uses. Mobile home parks shall provide buffer strips along all boundary property lines. All buffer strips shall be at least 10’ in width.

B. Continuity with Improved Additions. No plan for a mobile home park shall be approved by the City Council unless the streets shown therein are connected by surfaced road or street (according to City of Kent specifications) to an existing street or highway.

C. Conformity with Existing Plans. The location of all streets shall conform to any adopted plans for streets in the City of Kent.

D. Trails Plan. If a mobile home park is located in the area of an officially designated trail, provisions may be made for reservation of the right-of-way or for easements to the City for trail purposes.

12.08.330. GRADE AND FILL PERMIT. A grading permit shall be required as per Chapter 70 of the Uniform Building Code as adopted by City of Kent, prior to any grading or filling.

12.08.340. MINIMUM REQUIREMENTS AND STANDARDS. Mobile Home Parks shall comply with the following minimum requirements and standards:

12.08.341. Number of Units. A minimum of five (5) mobile home spaces shall be required in a mobile home park.

12.08.342. Access. A mobile home park containing more than twenty (20) spaces shall have at least two (2) places of access, at least one (1) of which shall be on a major or secondary street as defined by the City of Kent Street Plan.

A fixed lighted map indicating unit numbers, and street names shall be placed at all entrances of the mobile home park.

No entrance or exit from a mobile home park shall be closer than fifty (50) feet to a street intersection measured from the nearest right-of-way line of the intersecting street.

One access may be for emergency use only.

12.08.343. Buffer Strip. A ten (10) foot minimum width buffer strip will be required on all boundaries of the mobile home park. A wall, 100% sight-obscuring fence or landscape screen shall be established along all boundaries of the park. The ten foot buffer strip inside this sight-obscuring screen may be part of mobile home lots or may be an area maintained by the mobile home park management.
12.08.344. Permanent Structures.

A. Permanent Dwelling. The only permanent dwelling allowed in the mobile home park may be a single-family dwelling for the owner or manager.

B. Service Building. Service buildings are optional for mobile home parks serving only independent mobile homes. All service buildings shall be designed to comply with Washington State Health Department requirements.

C. Storage Buildings. A permanent storage facility may be provided for each lot. One central storage building for the park as a whole is also permitted.

D. Mobile Home Pads, Foundations, and Tiedowns. Pads for individual mobile homes are optional on a complete development basis. No mobile home placed on such a site shall overhang the edges of the pad. All plans and construction of pads, foundations, and tiedowns for mobile homes are subject to approval of the City of Kent Building-Department Code Enforcement Department.

Separate permits will be required for all permanent structures.

12.08.345. Lot Size. Each mobile home lot shall contain a minimum of 3,000 square feet. Lot widths shall be as follows:

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Minimum Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
<td>40 feet</td>
</tr>
<tr>
<td>Double</td>
<td>50 feet</td>
</tr>
</tbody>
</table>

Actual lot dimensions shall be determined by the dimensions of the particular mobile home which the particular lot is designed to accommodate together with the setback and separation requirements.

12.08.346. Setbacks. A standard setback of five (5) feet is required from side and rear lot lines. A ten (10) foot setback is required from the front lot line defined as that lot line facing the access street or the shorter lot line of a corner lot. All setbacks are subject to a minimum separation requirement of fifteen (15) feet between mobile homes and appurtenant structures and other mobile homes or permanent structures. On a corner lot, the side street side yard setback shall be ten (10) feet. For lots abutting the perimeter of the mobile home park, the five foot rear yard setback shall be measured from the inside of the ten (10) foot buffer strip. Each site shall be clearly defined by a permanent marker. This marker must be clearly visible from a vehicle located on the road providing direct access to the lot.

12.08.347. Lot Coverage. No more than forty (40) per cent of any lot shall be covered by a mobile home and enclosed accessory structures (excludes open carports).
12.08.348. **Density.** The density of the mobile home park shall not exceed the density of the underlying zone and in any case shall not exceed nine (9) units per gross acre.

12.08.349. **Common open Space.** A ratio of at least five hundred (500) square feet of common open space area exclusive of area contained in individual lots shall be provided for each mobile home lot. Paved and floor areas of enclosed structures devoted exclusively to recreation may be counted as common open space area.

12.08.350. **Landscaping.** Landscaping shall be provided within the ten (10) foot buffer strip according to a detailed landscape plan approved by the Planning Department. Completion of said detailed landscape plan and the actual installation of such landscaping or the alternative bonding of same shall be a condition of the preliminary site plan approval for any mobile home park.

If the installation of the approved landscaping is to be delayed by bonding a surety bond of not less than one thousand (1000) dollars per gross acre of the Mobile Home Park Subdivision shall be prepared guaranteeing to the City of Kent the landscaping of the mobile home park in accordance with the approved plan. The amount of the landscape bond will be determined by the Planning Department.

12.08.351. **Streets, Curbs and Sidewalks.**

A. **Public Streets.** In certain areas due to existing or planned circulation systems it may be necessary for the City of Kent to require public rights-of-way to be provided within the mobile home park development. When the provision of such rights-of-way is necessary the right-of-way width, paving width, and other standards shall be the same as would be required had the mobile home park development not taken place. The mobile home park perimeter buffering requirement shall be applied along these rights-of-way.

Public streets will be required, however, only when absolutely necessary.

B. **Non-Public Streets.** Ownership of park streets not open to public circulation shall remain with the park ownership and shall be their responsibility to maintain. These streets shall have asphaltic or concrete surface and concrete or asphalt curbing shall be provided along both sides of all streets except where curb cuts are necessary for driveways. The minimum paving width for all streets within the mobile home park shall be thirty (30) feet.

12.08.352. **Parking.** Each mobile home lot shall have a minimum of two on-site automobile parking spaces. If parking for recreational vehicles will be permitted, the mobile home park shall provide screened secure parking and storage areas for boats, campers, travel trailers, and related devices on a ratio of one space per ten mobile homes in secluded portions of the park. One additional parking space for every ten mobile home spaces shall be provided for guest parking. No parking for any reasons other than emergencies shall be allowed on any street within the mobile home park.
12.08.353. **Illumination.** Sufficient illumination shall be provided between sunset and sunrise to illuminate adequately the roadways and walkways within the mobile home park. Plans for illumination must be approved by the Engineering Department.

12.08.354. **Installation of Utilities.** All utilities designed to serve the mobile home park shall be placed underground. Any utilities located in a planting strip shall be placed in such a manner and depth to permit the planting of trees.

Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the Public Works Department; such installation shall be completed and approved prior to the application of any surface material. Easements may be required for the maintenance and operation of utilities as specified by the Engineering Department.

A. **Sanitary Sewers.** Sanitary sewers shall be provided at no cost to the City and designed in accordance with City standards.

B. **Storm Drainage.** An adequate drainage system shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of sufficient length to permit full width roadway and required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall be less than twelve (12) inches. All mobile home parks must comply with City drainage ordinances.

C. **Water System.** The water distribution system including the location of fire hydrants shall be designed and installed in accordance with City standards as defined by Engineering and Fire Department ordinances and requirements.

D. **Electrical Hook-ups.** All electrical hook-ups shall comply with the National Electrical Code. Permits shall be obtained from the Washington State Electrical Inspection Division.

12.08.360. **MOBILE HOME PARK ALTERNATE DEVELOPMENT PLAN.** May be substituted in its entirety only for Sections 6, 7, 8, 10, 13 of Section 2.2.1, Location and Design at Sections 12.08.346, 12.08.347, 12.08.348, 12.08.350 and 12.08.353.

As an alternative to use of the established pattern of mobile home park development, the developer may adopt a plan which divides the mobile home park into specific areas for mobile homes, for recreation, and for service uses.

A. **Mobile Home Areas.** Mobile homes may be located within this area with no regular lot divisions. A plan of site locations clearly showing the maximum dimensions of any mobile home and related structures to be placed at each site shall be substituted for appropriate portions of the preliminary and final site plan requirements.
Limitations to be observed. The required fifteen (15) foot separation between mobile homes must be observed as well as setbacks of twenty (20) feet from the perimeter, ten (10) feet from the limits of any recreation and open space area, ten (10) feet from any interior park street and five (5) feet from any walkway. A passage clear of any permanent obstruction must be available to each mobile home site of sufficient clearance to enable the movement of the mobile home to that site. No part of any mobile home shall be located more than one hundred fifty (150) feet from an access road. All sites shall be identified by site numbers in four (4) inch minimum height numerals placed so as to be clearly visible from a vehicle located on the access road. A minimum of two (2) parking places shall be provided for each mobile home site at a distance of no more than one hundred fifty (150) feet from said site. One additional parking space shall be provided every ten (10) mobile home sites for guest parking. One screened secure parking space for every ten (10) mobile home sites shall be provided for recreational vehicle parking in a secluded portion of the park. All areas between mobile home sites shall be seeded or sodded with grass or lawn and shall be maintained by the mobile home park management.

B. Common Open Space. A ratio of at least five hundred (500) square feet of common open space shall be provided for each mobile home. Paved and floor areas of enclosed structures devoted exclusively to recreation may be counted as common open space.

C. Service Area. Service buildings may be placed within or adjacent to a mobile home area. In such case a minimum distance of thirty (30) feet shall be maintained between the service building and adjacent mobile homes.
12.08.380 NONCONFORMING MOBILE HOME PARK STANDARDS

To assure reasonable opportunity for the continued use of existing mobile home parks created prior to the adoption of the Mobile Home Park Code and therefore not in compliance with all or some of the development standards required herein, said parks shall be considered legal nonconforming uses. The following minimum standards shall apply to the placement or relocation of individual mobile homes and recreational vehicles within nonconforming mobile home parks and to the construction of accessory structures.

1) A site plan drawn to scale that shows the perimeter park boundaries, the dimensions of all existing mobile home lots, the location of all existing mobile homes, accessory buildings, utility hookups and internal roadways shall be submitted in conjunction with permit application for placement or relocation of individual mobile homes or construction of accessory buildings.

2) The placement or relocation of individual mobile homes in nonconforming mobile home parks shall be subject to the minimum separation standards of the National Fire Protection Association (NFPA 501A, Section 4-2.1.1) as adopted by reference in the Kent Municipal Code Chapter 13.02.080. Lot coverage or parking requirements need not apply. See diagram 12.08.380-2 for required placement standards.

3) All new construction of accessory structures in a nonconforming park or the remodeling of existing structures shall be subject to the separation standards of the National Fire Protection Association (NFPA 501A, Section 4-4.1) as adopted by reference in the Kent Municipal Code Chapter 13.08.080. Not more than one accessory structure shall be allowed on each mobile home lot. Lot coverage requirements need not apply. See diagram 12.08.380-3 for required placement standards.

4) Any recreational vehicle that is not in storage as specified in this code and is currently in use as a permanent dwelling unit at the time of adoption of these nonconforming provisions shall be considered a legal nonconforming use. Such a vehicle may be replaced by a similar vehicle at the exact mobile home lot upon approval by the Building Official.

5) Any mobile home lot within a nonconforming mobile home park that does not meet the lot size requirements shall be considered a legal nonconforming mobile home lot for purposes of relocating mobile homes or constructing accessory buildings.

6) No nonconforming mobile home park boundaries shall be expanded nor shall any additional mobile home lots be created as a result of these provisions. Any new expansion shall be subject to the provisions of the Mobile Home Park Code.
Diagram 12.08.380 - 2

Minimum NONCONFORMING Mobile Home Park Separations
Reference: NFPA 4-2.1.1/Kent Municipal Code Chapter 13.02.080

The following example illustrates the minimum separation standards for the placement of mobile homes/manufactured homes in nonconforming mobile home parks.

MINIMUMS

10’ SIDE TO SIDE
8’ END TO SIDE
6’ END TO END
6’ DIAGONALLY

(Interior Park Driveway)

Any portion of a mobile home/manufactured home shall not be located closer than 10 feet side to side, 8 feet end to side, 6 feet end to end horizontally or 6 feet diagonally from any other mobile home/manufactured home or community building.

No portion of a mobile home/manufactured home can encroach on an internal driveway.

Standard zoning setbacks shall be maintained on all park boundaries and nonconforming setbacks must be verified by the Kent Planning Department.

The site plan must reflect adjacent park spaces and separations between units and accessory structures and roads.

Additional permits and review may be required by other agencies or City departments as a result of the placement of a mobile home/manufactured home.

If you have further questions, please contact the Kent Code Enforcement Division of the Fire Department at 859-3360.

NOTE: Construction of a fire resistive wall may decrease required separation distances.
New Accessory Structures in NONCONFORMING Mobile Home Parks

When constructing new structures in a nonconforming mobile home park, or when remodeling existing structures, the following minimum setbacks/separations between structures and mobile homes/manufactured homes shall be required.

MINIMUMS
5' to site line (combustible construction)
3' to adjacent structure (noncombustible construction)

Proposed combustible:
Proposed noncombustible:
Existing (combustible/noncombustible):

NOTE: Construction of a fire-resistant wall may decrease required setback distances.

Proposed structures to be constructed of combustible materials shall not be located closer than five feet from any park space line. Structures of noncombustible material shall be permitted to be located immediately adjacent to a park space provided that they are not less than three feet from any building or structure on an adjacent site. No portion of a mobile home/manufactured home or accessory structure can encroach on an internal driveway.

Standard zoning setbacks shall be maintained on all park boundaries and nonconforming setbacks must be verified.

The site plan must reflect adjacent park spaces, setbacks and separations between units and accessory structures and roads.

Additional permits and review may be required by other agencies and City departments as a result of the placement of a mobile home/manufactured home or accessory structure.
SECTION III

12.08.400. EXCEPTIONS, PENALTIES, LIABILITY, SEVERABILITY.

12.08.410. EXCEPTIONS.

A. Exception Requirements. The Hearing Examiner may recommend to the City Council an exception from the requirements of this code when, in its opinion, undue hardship may be created as a result of strict compliance with the provisions of this code. In recommending any exception, the Hearing Examiner may prescribe conditions that it deems necessary to or desirable for the public interest. No exceptions shall be recommended unless the Hearing Examiner finds:

1. That there are special physical circumstances or conditions affecting said property such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of his land;

2. That the exception is necessary to insure such property the rights and privileges enjoyed by other properties in the vicinity and under similar circumstances.

3. That the granting of the exception will not be detrimental to the public health, safety and welfare or injurious to the property in the vicinity.

B. Applications Required. Application for any exception shall be submitted in writing by the applicant at the time the preliminary site plan is submitted to the Planning Department. The application shall state fully all substantiating facts and evidence pertinent to the request.

12.08.420. PENALTIES.

A. Any person, firm, corporation or association, or any agent of any person, firm, corporation or association who violates the provisions of this code shall be guilty of a misdemeanor and upon conviction be subject to a fine not to exceed five hundred (500) dollars for each such violation, or imprisonment for a period not to exceed thirty (30) days, or both such fine and imprisonment.

12.08.430. LIABILITY. City Not Liable. This code shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any mobile home park in the City for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the City or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized herein.
12.08.440. SEVERABILITY. If any part or portion of this code is determined to be unconstitutional by a court of competent jurisdiction, such determination shall not affect the remainder of this code.