

## **Title 16**

### **MANUFACTURED HOMES**

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## Chapter 16.04

### GENERAL PROVISIONS

#### Sections:

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#### **Section 16.04.010 Purpose.**

The purpose of this title is to promote the public health, safety and general welfare of the community. Manufactured homes, because of the manner of their construction and assembly (including heating, plumbing and electrical systems), like other finished products having concealed vital parts, may present hazards to the health, life and safety of persons and to the safety of property unless properly manufactured. Inspection of the construction of manufactured homes frequently cannot satisfactorily be performed after the unit has been manufactured. Further, manufactured home parks may present hazards to the health and safety of persons and to the safety of property unless they are properly planned, constructed and maintained. It is the policy of the city to:

- A. Provide protection to the public against possible hazards arising from manufactured home construction and for that purpose forbid the manufacture, and sale, or placement of manufactured homes which are not constructed so as to provide reasonable safety and protection to their occupants;
- B. Provide protection to the public against unsafe and unhealthful conditions in manufactured home parks, and to assure to those who live in such parks a reasonably safe, sanitary and decent environment;
- C. Protect and conserve the value of land and buildings nearby;
- D. Provide for adequate water, sewage, recreation and other requirements, facilities and open space needs as will accommodate the tenants of manufactured home parks;
- E. Establish reasonable standards of design and procedures for manufactured home developments, in order to further the orderly layout and use of land; and
- F. Avoid excessive expenditure of public funds for the supply of public services. (Ord. 6B-79 § 1 (part): prior code § 15-1(b))(Ord. 11a-2005, Amended, 11/15/2005)(Ord. No. 6D-2022, Amended 6/21/22)

#### **Section 16.04.020 Jurisdiction.**

This title applies to all manufactured home developments within the jurisdictional area of the city council. (Ord. 6B-79 § 1 (part): prior code § 15-1(c))(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.04.030 Administration.**

This title shall be administered by the city director of planning. (Ord. 6B-79 § 1 (part): prior code § 15-1(a))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.04.040 Compliance required.**

A manufactured home park developer shall comply with reasonable conditions laid down by the director of planning for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economic development of the city and to the safety and general welfare of the future tenants in the manufactured home park and of the community at large. (Ord. 6B-79 § 1 (part): prior code § 15-

2(c))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)(Ord. No. 6D-2022, Amended 6/21/22)

**Section 16.04.050      Penalty for violation.**

Any owner or proprietor of a manufactured home park within the jurisdiction area of the city who fails to provide and maintain any of the improvements or facilities required by this title, unless a specific variance or variances have been granted by the BOA, shall be subject to a fine not to exceed two hundred dollars for each day such failure continues; provided, however, no fines shall be imposed unless the owner or proprietor has personal knowledge of the deficiencies and has failed after the passage of a reasonable period of time to take measures reasonably calculated to remedy the situation. (Ord. 6B-79 § 1 (part); prior code § 15-4)(Ord. 11a-2005, Amended, 11/15/2005) (Ord. No. 6D-2022, Amended, 6/21/22)

**Chapter 16.08**  
**DEFINITIONS**

**Sections:**

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<b>16.08.030</b>	<b>Applicant.</b>
<b>16.08.040</b>	<b>Bond.</b>
<b>16.08.050</b>	<b>Building.</b>
<b>16.08.060</b>	<b>Deleted.</b>
<b>16.08.070</b>	<b>Deleted.</b>
<b>16.08.080</b>	<b>City.</b>
<b>16.08.090</b>	<b>City attorney.</b>
<b>16.08.100</b>	<b>City engineer.</b>
<b>16.08.110</b>	<b>Construction plans.</b>
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<b>16.08.130</b>	<b>Developer.</b>
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<b>16.08.480</b>	<b>Deleted.</b>
<b>16.08.490</b>	<b>Deleted.</b>
<b>16.08.500</b>	<b>Deleted.</b>
<b>16.08.510</b>	<b>Deleted.</b>
<b>16.08.520</b>	<b>Used and occupies.</b>
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<b>16.08.540</b>	<b>Vicinity map.</b>
<b>16.08.550</b>	<b>Walkway.</b>
<b>16.08.560</b>	<b>Zoning officer.</b>

**Section 16.08.010      Generally.**

A. For the purpose of this title, certain numbers, abbreviations, terms and words used in this title shall be used, interpreted and defined as set forth in this chapter.

B. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in this title." (Ord. 6B-79 § 1 (part): prior code § 15-66 (part), (e))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.020      Alley.**

"Alley" means a minor way dedicated to the public and designed or used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.030      Applicant.**

"Applicant" means a landowner or developer who has filed an application for development including his heirs, successors and assigns. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part)) (Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.040      Bond.**

"Bond" means any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the director of planning. All bonds shall be approved by the director of planning whenever a bond is required by this title. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.050      Building.**

A "building" includes a "structure," a "building" or "structure" includes any part thereof. (Ord. 6B-79 § 1 (part): prior code § 15-66(f))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.060      Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)(Ord No. 6D-2022, Deleted, 6/21/22)

**Section 16.08.070 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)(Ord. No. 6D-2022, Deleted, 6/21/22)

**Section 16.08.080 City.**

"City" refers to the incorporated area of the city of Rawlins, Wyoming, as it existed at the time of the adoption of these regulations and including any revisions thereto. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.090 City attorney.**

"City attorney" means the licensed attorney designated by the city council to furnish legal assistance for the administration of these regulations. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.100 City engineer.**

"City engineer" refers to the engineer employed or contracted by the city for the purpose of providing engineering services and inspecting the plans and construction of public facilities. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.110 Construction plans.**

"Construction plans" means the maps or drawings approved by the city engineer showing the specific location and design of improvements to be installed in the development in accordance with the requirements of the city engineer as a condition of approval of the final development plan. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.120 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)(Ord. No. 6D-2022, Deleted, 6/21/22)

**Section 16.08.130 Developer.**

"Developer" means any individual, firm, association, corporation, governmental agency or any other legal entity commencing proceedings under this title, to carry out the development of land as defined in this chapter, for himself or for another. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))  
(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.140 Development plan, final.**

"Final development plan" means the final map, drawings or chart upon which the developer's plan of development is presented to the director of planning for approval. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.150 Development plan, preliminary.**

"Preliminary development plan" means the preliminary drawing or drawings described by this title, indicating the proposed manner or layout of the development to be submitted to the director of planning for approval. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.160 Drainageway.**

"Drainageway" means an existing or proposed channel wherein normally only storm water runoff flows. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.170 Easement.**

"Easement" means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part)) (Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.180 Engineer.**

"Engineer" means any person licensed to practice professional engineering in the state as specified in Sections 33-29-101 through 33-29-114, Wyoming Statutes, annotated (2003). (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005; Ord. 08b-2003, Amended, 08/05/2003)

**Section 16.08.190 Flood, one-hundred-year.**

"One-hundred-year flood" means flood limits resulting from a one-hundred-year storm. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.200 Grade.**

"Grade" means the inclination from the horizontal of a road, utility, land, etc., and is expressed by stating the vertical rise or fall as a percent of the horizontal distance. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.210 Health authority.**

"Health authority" means the city health officer or any other person or persons designated by the mayor to serve in that capacity for the purposes of this title. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.220 Improvements.**

"Improvements" means roadway pavement, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping and other related matters normally associated with the development of raw land into manufactured. (Ord. 6B-79 § 1 (part): prior code

§ 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) (Ord. No. 6D-2022, Amended, 6/21/22)

**Section 16.08.230 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.240 Lot.**

The word "lot" includes the word "plot" or "parcel." (Ord. 6B-79 § 1 (part): prior code § 15-66(d))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.250 Manufacturer.**

"Manufacturer" means any person engaged in manufacturing or assembling manufactured homes, including any person engaged in importing into this city manufactured homes for resale. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.255 Manufactured Home.**

A structure, transportable in one or more dependent sections, constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act, which is built on a permanent chassis and designed to be used as a single family residential dwelling unit. (Ord. 08-00)(Ord. 11a-2005, Amended, 11/15/2005; Manual, Added, 08/03/2000)

**Section 16.08.260 Master plan.**

"Master plan" means a comprehensive plan for development of the city, prepared and adopted by the planning commission, pursuant to state law, and including any part of the plan separately adopted and any amendment to such plan, or parts thereof. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.270 Mobile home.**

A structure, transportable in one or more sections, designed for use as a single family residential dwelling unit, built on a permanent chassis, that cannot provide certification of compliance with the National Manufactured Housing Construction and Safety Standards Act. Such a structure shall be considered to be a mobile home, whether or not the wheels originally mounted have been removed, and whether or not the structure has been placed upon a permanent foundation. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005; 16.08.270, Amended, 08/01/2000)

**Section 16.08.280 Manufactured home lot.**

"Manufactured home lot" means a parcel of land for the placement thereon of a manufactured home and for the exclusive use of the manufactured home, mobile home, motor home or camper trailer occupant. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 08-2009, Amended, 09/01/2009; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.290      Manufactured home park.**

"Manufactured home park" means a parcel (or contiguous parcels) of land which has been so designated and improved that it contains two or more manufactured home lots available for rent and the placement thereon of manufactured homes for residential occupancy. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.295      Modular Home.**

A structure, transportable in one or more dependent sections, designed for use as a single family residential dwelling unit, not built on a permanent chassis, capable of being transported from the place of fabrication to the site on which it is to be erected, where it is placed on a permanent foundation and, when assembled, meets all of the provisions of the Uniform Building Code or International Building Code for residential dwelling units. (Ord. 08-00)(Ord. 11a-2005, Amended, 11/15/2005; 16.08.295, Added, 08/01/2000)

**Section 16.08.300      Off-site.**

"Off-site" means any premises not located within the area of the property to be developed, whether or not in the same ownership of the applicant for development approval. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.310      Open space.**

"Open space" means an area open to the sky. The area may include, along with the natural environmental features, swimming pools, tennis courts, and any other recreational facilities that the director of planning deems permissive. Streets, structures for habitation and the like shall not be included. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.320      Ordinance.**

"Ordinance" means any legislative action, however denominated, of the city council which has the force of law, including any amendment or repeal of any ordinance. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.330      Owner.**

"Owner" means any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under this title. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.340      Park facilities.**

"Park facilities" means all structures, utility connections, roads, parking lots, recreational facilities and other improvements on or within the development. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.350      Parking, off-street.**

"Off-street parking" means parking space which shall be adequate in area to provide for the off-street parking as required together with properly related access to a roadway and maneuvering room, but shall be located totally outside of any roadway, street or alley right-of-way. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.360      Park standards.**

"Park standards" means the standards for design and construction of manufactured home parks as defined in this title. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.08.370      Perimeter street.**

"Perimeter street" means any existing street to which the parcel of land to be developed abuts on only one side. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.380      Person.**

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. (Ord. 6B-79 § 1 (part): prior code § 15-66(a))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.390      Public improvement.**

"Public improvement" means any drainage ditch, roadway, parkway, sidewalk, pedestrianway, off-street parking area, lot improvement or other facility for which the city may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which responsibility is established. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.400      Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.410      Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.420      Shall and may.**

The word "shall" is mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement. (Ord. 6B-79 § 1 (part): prior code § 15-66 (b))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.430 Slop sink.**

"Slop sink" means a sink used for cleanup purposes within the service building and liquid waste disposal. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.440 Specifications.**

"Specifications" means the engineering specifications of the city prepared by the city engineer for the purpose of regulating the installation of any improvement or facility required to be installed as a condition of approval of the development plan. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.450 Storm, one-hundred-year.**

"One-hundred-year storm" means a storm intensity with a probability of recurrence once in every one hundred years. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.460 Street.**

"Street" means a public right-of-way which affords primary vehicular traffic or pedestrian access to abutting properties, includes avenue, boulevard, road, highway, freeway, parkway, thoroughfare and viaduct, but shall not include a lane or an alley for the purposes of this title. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.470 Street line.**

"Street line" means the dividing line between the street and the lot, also known as right-of-way line. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.480 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.490 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.500 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.510 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.08.520      Used and occuppies.**

The words "used" or "occuppies" include the words "intended," "designed" or "arranged" to be used or occupied. (Ord. 6B-79 § 1 (part): prior code § 15-66(c))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.530      Variance.**

"Variance" is a modification of the strict terms of the relevant regulations where the modifications will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))  
(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.540      Vicinity map.**

"Vicinity map" means a drawing located on the development plan which sets forth by dimensions or other means, the relationship of the proposed development to other nearby developments or landmarks and community facilities and services within the city and/or county in order to better locate and orient the area in question. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.550      Walkway.**

"Walkway" means a way set aside and improved for pedestrian use only, whether along the side of a road or not. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.08.560      Zoning officer.**

"Director of Planning" refers to the person employed or contracted by the city to serve in this capacity, together with any duly authorized representative. (Ord. 6B-79 § 1 (part): prior code § 15-67 (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

## Chapter 16.12

### CONSTRUCTION STANDARDS

#### Sections:

- 16.12.010**      **Conformance required.**
- 16.12.020**      **Permit required.**
- 16.12.030**      **Location approval.**
- 16.12.040**      **Nonpermanent classification.**
- 16.12.050**      **Permanent classification.**
- 16.12.060**      **Mobile Home and Manufactured Home Use and Demolition.**

#### **Section 16.12.010**      **Conformance required.**

A. Any new mobile home manufactured, sold, distributed for sale, or offered for sale, or placed within the jurisdictional area of the city which was manufactured or assembled after December 31, 1979, shall conform to the standards established by the Secretary of the United States Department of Housing and Urban Development pursuant to Section 604 of the National Mobile Home Construction and Safety Standards Act of 1974 and any amendments thereto. (Ord. 6B-79 § 1 (part): prior code § 15-9)

B. "Mobile homes that cannot provide evidence of certification with the National Manufactured Housing Construction and Safety Standards Act, which were legally placed within the City of Rawlins prior to the effective date of this ordinance, may be relocated within the City of Rawlins provided that, after inspection, the Building Official determines that a Certificate of Occupancy can be issued." (Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.12.020**      **Permit required.**

It is unlawful for any person to establish and occupy a manufactured home outside of a manufactured home park without first having obtained a manufactured home permit from the city. The fee for a manufactured home permit shall be set by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 6B-79 § 1 (part): prior code § 15-10) (Ord. No. 10C-94, Amended, 11/04/94)(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.12.030**      **Location approval.**

A. Occupancy of a manufactured home outside of a manufactured home park shall not be permitted until the building official has issued a certificate of occupancy. A certificate of occupancy shall be issued only after the manufactured home has been inspected for compliance with city requirements for utility connections, tie-down provisions, skirting and any other provisions pertinent thereto.

B. Occupancy of a manufactured home within a manufactured home park shall not be permitted until and unless the manufactured home park is approved and properly licensed as provided in this chapter. (Ord. 6B-79 § 1 (part): prior code § 15-11)(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.12.040**      **Nonpermanent classification.**

Manufactured homes shall not be considered permanent structures and shall be required to remain in a mobile condition by retaining, in place, the wheels with which they were originally equipped, except as provided in Section 16.12.050. (Ord. 6B-79 § 1 (part): prior code § 15-12(a))  
(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.12.050 Permanent classification.**

A manufactured home may be placed upon and anchored to a permanent foundation provided the building official is provided with detailed plans and specifications together with the manufacturer's certification that the manufactured home was constructed in accordance with all applicable provisions of the city's building code, plumbing code and electrical code. In such cases, the completed installation of the mobile manufactured shall be considered a permanent structure. (Ord. 6B-79 § 1 (part): prior code § 15-12(b))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.12.060 Mobile Home and Manufactured Home Use and Demolition.**

Mobile homes and Manufactured Homes may not be used as an accessory building or for any purpose other than the use intended by the manufacturer. A demolition permit is required for the demolition or salvage of a Mobile home or Manufactured Home or for transportation for demolition or salvage.(Ord. 08-2009, Added, 09/01/2009)

## Chapter 16.16

### MANUFACTURED HOME PARK LICENSES

#### Sections:

<b>16.16.010</b>	<b>Required.</b>
<b>16.16.020</b>	<b>Issuance.</b>
<b>16.16.030</b>	<b>Suspension--Authorized.</b>
<b>16.16.040</b>	<b>Suspension--Continued operation.</b>
<b>16.16.050</b>	<b>Suspension--Reinstatement--Application.</b>
<b>16.16.060</b>	<b>Suspension--Reinstatement--Issuance.</b>
<b>16.16.070</b>	<b>Existing parks--License issuance.</b>
<b>16.16.080</b>	<b>Existing parks--Nonconforming park.</b>

#### **Section 16.16.010 Required.**

A. It is unlawful for any person to operate a manufactured home park within the jurisdictional area of the city who does not possess a valid and effective license from the City building code enforcement officer. Such a license shall be posted in a conspicuous place. Only persons who comply with the requirements of this title shall be entitled to receive and retain such a license.

B. Licenses shall be site specific and nontransferable. (Ord. 6B-79 § 1 (part): prior code § 15-17)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

#### **Section 16.16.020 Issuance.**

A. Any person desiring to operate a Manufactured or Mobile home park shall make written application for a license on forms provided by the zoning officer. Prior to issuance of the license, the park shall be inspected by the City to determine compliance with the provisions of this title.

B. A license fee shall be paid at the time application is made. Such fee shall be set by resolution of the City Council, and provided for in Title 1 of this code. Each license shall be valid for one year, unless revoked or suspended, and must be renewed annually. Renewal fees shall be as set by resolution of the City Council, and provided for in Title 1 of this code.

C. Applicant shall submit a map as required by Section 12.28.070. (Ord. B-79 § 1 (part): prior code § 15-18) (Ord. No. 10C-94, Amended, 11/04/94)(Ord. 08-2009, Amended, 09/01/2009; Ord. 08a-2008, Amended, 08/19/2008; Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

#### **Section 16.16.030 Suspension--Authorized.**

The license may be temporarily suspended by the director of planning upon violation by the holder of any of the terms of this title or revoked after an opportunity for a hearing by the city council upon serious or repeated violations. The director of planning shall provide written notice of a temporarily suspended license to the license holder. All hearings provided for in this chapter shall be conducted at a time and place designated by the city council. (Ord. 6B-79 § 1 (part): prior code § 15-19(a))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.16.040 Suspension--Continued operation.**

No manufactured home park, following temporary suspension or noncompliance of any adopted

standards, or in a case of failure to renew a license, shall operate in excess of thirty days. If conditions indicate, special consideration may be granted an owner of a manufactured home park who has indicated a willingness and intent to achieve total compliance with adopted standards, a temporary license may then be issued. The temporary license shall be for a specified time. No additional extension shall be granted for reasons of further noncompliance. Note: Special investigation may be initiated upon complaint and action may be then taken to abate potential and actual sources of pollution or health hazards through the office of the city attorney. (Ord. 6B-79 § 1 (part): prior code § 15-19(b))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.16.050      Suspension--Reinstatement--Application.**

Any manufactured home park, the license of which has been suspended, may at any time make application for the reinstatement of the license. (Ord. 6B-79 § 1 (part): prior code § 15-19(c))(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.16.060      Suspension--Reinstatement--Issuance.**

After the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of adopted standards have been conformed with, the health authority shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with requirements; and, in case the findings indicate compliance, the license shall be reinstated. (Ord. 6B-79 § 1 (part): prior code § 15-19(d))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.16.070      Existing parks--License issuance.**

A manufactured home park or camping park which was in operation before the adoption of this title and is determined by the director of planning not to be in violation of any city or state health or safety code or law shall be issued a license, renewable annually, subject to the provisions set forth in Section 16.16.020. (Ord. 6B-79 § 1 (part): prior code § 15-20(a))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.16.080      Existing parks--Nonconforming park.**

The owner or operator of any manufactured home park which does violate any health or safety code or law, but which was in lawful operation before the effective date of this title, shall be issued a provisional license by the director of planning and shall be allowed a grace period of one year in which to correct the health and/or safety violation(s). At or before the end of this time period, the director of planning shall provide for the inspection of the park and shall determine whether or not it is in compliance with all health and safety standards. If the director of planning determines that any health or safety violation therein has not been brought into compliance, he shall recommend to the city council that the provisional license be revoked. (Ord. 6B-79 § 1 (part): prior code § 15-20(b))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

## Chapter 16.20

### NEW PARK APPROVAL PROCESS

#### Sections:

<b>16.20.010</b>	<b>Plan approval.</b>
<b>16.20.020</b>	<b>Sketch plan.</b>
<b>16.20.030</b>	<b>Preliminary development plan--Application.</b>
<b>16.20.040</b>	<b>Preliminary development plan--Distribution.</b>
<b>16.20.050</b>	<b>Preliminary development plan--Agency review.</b>
<b>16.20.060</b>	<b>Preliminary development plan--Approval.</b>
<b>16.20.070</b>	<b>Preliminary development plan--Effective period.</b>
<b>16.20.080</b>	<b>Preliminary development plan--Zoning regulations conformance.</b>
<b>16.20.090</b>	<b>Final development plan--Application.</b>
<b>16.20.100</b>	<b>Final development plan--Review.</b>

#### **Section 16.20.010 Plan approval.**

Developers of new manufactured home parks and owners who wish to make revisions, alterations or expansions of existing developments, must submit their plans to the city director of planning for study and review. (Ord. 6B-79 § 1 (part): prior code § 15-26)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

#### **Section 16.20.020 Sketch plan.**

Prior to the submission of a preliminary development plan, as prescribed by this chapter, the developer or his agent may prepare and submit a sketch plan in four copies to the director of planning. The director of planning shall review the sketch plan with the developer and other agencies and departments. The purpose of the sketch plan discussion is to resolve any major points of disagreement before expenses are incurred in the development of a preliminary development plan. No action is required by any official or agency other than to offer appropriate comments on the sketch plan. (Ord. 6B-79 § 1 (part): prior code § 15-27)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.20.030 Preliminary development plan--Application.**

The applicant shall file, in duplicate, an application for approval of a preliminary development plan. The application shall:

- A. Be made on a form available at the office of the zoning officer;
- B. Be accompanied by a minimum of fifteen copies of the preliminary development plan as described in this chapter;
- C. Be accompanied by two copies of a preliminary drainage plan prepared by an engineer knowledgeable in the field of hydrology and licensed to practice in the state;
- D. Be accompanied by two copies of a preliminary water and sewer plan together with, if required by the city engineer, supporting engineering analysis verifying the adequacy of existing and/or proposed sewer and water facilities and systems;
- E. Be accompanied by a title insurance commitment or other acceptable document which will adequately serve to verify that the subject property is free of encumbrances which would result in legal deterrents to the ultimate completion of the development as proposed;
- F. Be accompanied by a preliminary development review fee in the amount as set by resolution of the City Council, and provided for in Title 1 of this code. (Ord. 6B-79 § 1 (part): prior code § 15-28(a)) (Ord.

No. 10C-94, Amended, 11/04/94)(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.20.040 Preliminary development plan--Distribution.**

The director of planning shall, within three working days after all required submittals are received, furnish each of the following agencies and offices with a copy of the preliminary development plan for review and comment:

- A. City engineer;
- B. Police department;
- C. Fire department;
- D. Director of Public Works;
- E. Director of Recreation Services
- F. U.S. Post Office (manufactured home parks only);
- G. Electric power company;
- H. Gas company (manufactured home parks only);
- I. Telephone company (manufactured home parks only);
- J. Building official;
- K. Cable company (manufactured home parks only); and

L. Other agencies or public offices affected by the proposed development. (Ord. 6B-79 § 1 (part): prior code § 15-28(b))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.20.050 Preliminary development plan--Agency review.**

The director of planning shall consider a written report from each of the agencies and offices enumerated in Section 16.20.040 as to whether the information and data shown on the preliminary development plan and the associated documents indicates that the proposed manufactured home park or camping park will be consistent with and promote the objectives set forth in this title and the policies and requirements for the development set forth in the ordinances of the city. (Ord. 6B-79 § 1 (part): prior code § 15-28(c))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.20.060 Preliminary development plan--Approval.**

After considering the written reports and after considering any objections from the agencies listed, the director of planning shall thereupon approve, conditionally approve or disapprove the preliminary development plan. Conditional approval may be given in instances where only minor deficiencies are present. In other cases, the preliminary development plan shall be approved unless, in the judgment of the director of planning, the manufactured home park proposed by the preliminary development plan would in one or more respects violate the spirit or letter of this title or any applicable law or ordinance, or unless the preliminary development plan and the associated information is lacking or inaccurate so as to make a decision on the substantive issues difficult or impossible. (Ord. 6B-79 § 1 (part): prior code § 15-28(d))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.20.070 Preliminary development plan--Effective period.**

The approval of a preliminary development plan shall be effective for a period of one year; at the end of which time, final approval on the manufactured home park must have been obtained from the director of planning. Any plans for a manufactured home park not receiving final approval within the period of time

set forth in this section, shall be null and void, and the developer shall be required to resubmit a new development plan for preliminary approval, subject to all new zoning restrictions and other regulations. In the event the final plans cover only a portion of the territory covered by the preliminary development plan, the approval of the preliminary development plan shall be automatically renewed for additional one-year periods following the approval of each phase of development, unless the director of planning notifies the developer to the contrary. (Ord. 6B-79 § 1 (part): prior code § 15-28(e))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.20.080 Preliminary development plan--Zoning regulations conformance.**

Every development plan shall conform to existing zoning regulations applicable at the time of proposed final approval. (Ord. 6B-79 § 1 (part): prior code § 15-28(f))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.20.090 Final development plan--Application.**

Following the approval of the preliminary development plan, the applicant, if he wishes to proceed with the manufactured home park shall file with the zoning officer, an application for final approval of the development. The application shall:

- A. Be made on forms available at the office of the zoning officer;
- B. Be accompanied by a minimum of eight copies of the final development plan as described in this chapter;
- C. Comply in all respects with the preliminary development plan, as approved, except that the final development plan may constitute only a portion of the territory covered by the preliminary development plan. If the final development plan does not conform to the preliminary development plan, the zoning officer will decide if the change is substantial enough to warrant another preliminary development plan submission;
- D. Be accompanied by a detailed estimate of all the manufactured home park improvement costs, the estimate to be prepared by a professional engineer licensed to practice in the state;
- E. Be accompanied by a final development plan review fee in the amount set by resolution of the City Council, and provided for in Title 1 of this code.
- F. Provide evidence satisfactory to the zoning officer that adequate access has been provided and that all proposed roadways within the manufactured home park conform to the minimum standards adopted by the city engineer. All roadways within manufactured home parks shall remain private and the city shall be under no obligation to repair, maintain or accept any dedication of such roads to the public use;
- G. If the developer proposes to utilize adjoining property for water lines, drainage, sewer lines, power lines or other utilities, the developer shall provide copies of binding easements of not less than fifteen feet in width for the proposed facilities from each property owner over whose land the services extend;
- H. Provide evidence satisfactory to the zoning officer that the developer has adequate financial resources to develop and complete any facility proposed or represented to be the responsibility of the developer, including but not limited to water systems, sewage systems, drainage systems, street and roadways;
- I. Provide verification from the city engineer that the manufactured home park construction plans, the final development plan and the final drainage reports have been reviewed and approved and that the proposed sewage collection system and water distribution system together with all transmission and treatment facilities meet with city, state and federal standards;
- J. Provide verification from the city building official that the plans for buildings, or other facilities for which building permits must be obtained, have been reviewed and approved; and
- K. Be accompanied by any other information consistent with this title and any other published rules and regulations which may be pertinent or relevant to the evaluation of the application. (Ord. 6B-79 § 1 (part): prior code § 15-29(a))(Ord. No. 10C-94, Amended, 11/04/94)(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022,

Amended, 6/21/22)

**Section 16.20.100 Final development plan--Review.**

After receipt of the final development plan and all supporting documents, the director of planning shall review the submittal for completeness and for conformance with the approved preliminary development plan and all requirements to and seek comments from any other agency and official from whom approval is required or necessary. Provided the final development plan and all supporting documents are complete and in accord with the provisions of this title, the director of planning shall approve the final development plan within fifteen days after all documents have been filed. (Ord. 6B-79 § 1 (part): prior code § 15-29(b))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Chapter 16.24**  
**IMPROVEMENTS**

**Sections:**

<b>16.24.010</b>	<b>Improvement guarantees.</b>
<b>16.24.020</b>	<b>Cost responsibility.</b>
<b>16.24.030</b>	<b>Failure to complete improvements.</b>
<b>16.24.040</b>	<b>Alternate guarantees--Authorized.</b>
<b>16.24.050</b>	<b>Alternate guarantees--Escrow account.</b>
<b>16.24.060</b>	<b>Alternate guarantees--Property escrow.</b>
<b>16.24.070</b>	<b>Alternate guarantees--Irrevocable letter of credit.</b>
<b>16.24.080</b>	<b>Alternate guarantees--Combination of methods.</b>
<b>16.24.090</b>	<b>Guarantees--Time to be submitted.</b>
<b>16.24.100</b>	<b>Inspection methods and fees.</b>
<b>16.24.110</b>	<b>Release of guarantees and issuance of licenses.</b>
<b>16.24.120</b>	<b>Standards compliance.</b>
<b>16.24.130</b>	<b>Lot arrangement.</b>
<b>16.24.140</b>	<b>Lot size.</b>
<b>16.24.150</b>	<b>Access to lots.</b>
<b>16.24.160</b>	<b>Lot improvements.</b>
<b>16.24.170</b>	<b>Park improvements.</b>
<b>16.24.180</b>	<b>Utilities.</b>
<b>16.24.190</b>	<b>Park and recreational facilities fee--Designated.</b>
<b>16.24.200</b>	<b>Park and recreational facilities fee--Funds disposition.</b>
<b>16.24.210</b>	<b>Park and recreational facilities fee--Exceptions.</b>
<b>16.24.220</b>	<b>Deleted.</b>
<b>16.24.230</b>	<b>Deleted.</b>

**Section 16.24.010 Improvement guarantees.**

All improvements required in this chapter shall be guaranteed.

A. The applicant may post a performance bond, at the time of application for final development plan approval, in an amount estimated by the city engineer as sufficient to secure to the city the satisfactory construction and installation of the incompleted portion of required improvements. The performance bond shall also secure all lot improvements on the individual lots of the manufactured home park or camping park as required in this chapter.

B. The performance bond shall comply with all statutory requirements and shall be satisfactory to the city attorney as to form, sufficiency, and manner of execution as set forth in this chapter. The period within which required improvements must be completed shall be specified by the zoning officer and shall not in any event exceed two years from the date of final approval.

C. The bond shall be approved by the zoning officer as to amount and surety and conditions satisfactory to the zoning officer. The director of planning may, upon proof of difficulty, extend the completion date set forth in the bond for a maximum period of one additional year. The city council may, at any time during the period of the bond, accept a substitution of principal or sureties on the bond upon recommendation of the city attorney, city manager, director of planning and city engineer. (Ord. 6B-79 § 1 (part); prior code § 15-36(a))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.020 Cost responsibility.**

All required improvements shall be made by the applicant, at his expense, without reimbursement by

the city, or any improvement district therein, except that the city may share in the cost of required off-site improvements when such are of an unusual nature and not consistent with the character and/or size of normally required improvements. The cost sharing shall be in accordance with policies and rules properly adopted by the city council. (Ord. 6B-79 § 1 (part); prior code § 15-36(b))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.030 Failure to complete improvements.**

In those cases where a performance bond has been posted and required improvements have not been installed within the terms of the performance bond, the city council may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the development at the time the bond is declared to be in default. (Ord. 6B-79 § 1 (part); prior code § 15-36(c))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.040 Alternate guarantees--Authorized.**

If the director of planning finds that a developer is not able to post a performance bond, the director of planning may require the developer to use one of the improvement guarantee techniques set out in Sections 16.24.050 through 16.24.070. (Ord. 6B-79 § 1 (part); prior code § 15-36(d) (part))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.050 Alternate guarantees--Escrow account.**

The developer shall deposit cash, or U.S. Government bonds, either with the city council or in escrow with a bank. The terms of the escrow, the use of collateral other than cash, and the selection of the bank with which funds are to be deposited are subject to the approval of the city council. Where an escrow account is to be employed, the developer shall file with the director of planning his agreement with the bank guaranteeing the following:

A. That the funds in the escrow account are to be held in trust until released by the director of planning and may not be used or pledged by the developer as security for any obligation during that period;

B. And that in case the developer fails to complete the required improvements, the bank shall immediately make the funds in escrow available to the city for the completion of the improvements. (Ord. 6B-79 § 1 (part); prior code § 15-36(d) (1))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.060 Alternate guarantees--Property escrow.**

The developer may offer as a guarantee land or other property, including U.S. Government bonds. A qualified real estate appraiser shall establish the value of any real property so used and in so doing, shall take into account the possibility of a decline or rise in the value of the property during the guarantee period. The director of planning reserves the right to reject the use as collateral of any property when the value of the property is unstable, when the property may be difficult to sell, or when other factors exist which will inhibit the city from exchanging the property for an amount of money sufficient to complete the required improvements. When property is offered as an improvement guarantee, the developer shall:

A. Execute an agreement, on a form acceptable to the city attorney, with the escrow agent when it is not the city instructing the agent to release the property to the city in case of default. The agreement shall be placed on file for record;

B. File with the director of planning an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is to be put in escrow;

C. Execute and file with the director of planning an agreement stating that the property to be placed in escrow as an improvement guarantee will not be used for any other purpose, or pledged as a security in any other matter, until it is released by the director of planning. (Ord. 6B-79 § 1 (part): prior code § 15-36(d) (2))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.070      Alternate guarantees--Irrevocable letter of credit.**

Subject to the approval of the city council, the developer may provide an irrevocable letter of credit from a bank or other reputable institution or individual. This letter shall be deposited with the zoning officer and shall certify the following:

A. That the creditor guarantees funds in an amount equal to the cost, as estimated by the director of planning and the city engineer of completing all required improvements;

B. That if the developer fails to complete the specified improvements within the required period, the creditor will pay to the city immediately, and without further action, such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter;

C. That this irrevocable letter of credit may not be withdrawn, or reduced in amount until released by the director of planning. (Ord. 6B-79 § 1 (part): prior code § 15-36(d) (3))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.080      Alternate guarantees--Combination of methods.**

The director of planning may approve any combination of the foregoing requirements that will insure the completion of the improvements incident to the proposed manufactured home park or camping park. (Ord. 6B-79 § 1 (part): prior code § 15-36 (d) (4))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.090      Guarantees--Time to be submitted.**

The improvement guarantee shall be submitted to the city attorney for approval by the director of planning prior to the director of planning issuing approval of the final development plan regardless of which method of guarantee is selected. (Ord. 6B-79 § 1 (part): prior code § 15-36(e)) (Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.100      Inspection methods and fees.**

The zoning officer shall provide for inspection of required improvements during construction to ensure completion to the city's satisfaction. The applicant shall pay to the city inspection fees in an amount established by resolution of the City Council as per Title 1 of this code, fees have been established. These fees shall be due and payable upon application for permit to construct the various types of improvements. All costs for testing of materials and installations shall be promptly paid by the developer or his agent when such services are billed. If the city engineer finds upon inspection that any of the required improvements have not been constructed in accordance with the city's construction standards and specifications, the applicant shall be responsible for correcting the improvements. Whenever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications. (Ord. 6B-79 § 1 (part): prior code § 15-37(a))(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.110 Release of guarantees and issuance of licenses.**

A. Upon request by the developer, the director of planning and the building official shall, after making final inspection, file with the director of planning a statement either certifying that the improvements have been completed and are in compliance with appropriate specifications and requirements or listing the defects and deficiencies in the improvements.

B. If the director of planning and the building official have certified that the contracted improvements are complete and free from defect, the director of planning shall release the improvement guarantees.

C. After receipt of certification by the director of planning and the building official that the improvements are complete and free from defect and, upon proper application being made and appropriate fees paid, the director of planning shall issue a license to operate the park. (Ord. 6B-79 § 1 (part): prior code § 15-37(b))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.120 Standards compliance.**

In addition to the requirements established in this chapter, all manufactured home parks shall comply with the following laws, rules and regulations:

A. All applicable statutory provisions;

B. The city zoning ordinance, building and housing codes and all other applicable laws of the city;

C. The official master plan, public utilities plan and capital drainage systems, and parks shown on the master plan as adopted;

D. The special requirements of this chapter and any rules of the health authority and/or any appropriate health agencies;

E. The standards and regulations adopted by the director of planning and all boards, commissions, agencies and officials of the city; and

F. Final development plan approval may be withheld if it is not in conformity with the above guides or policy and purposes of this title. (Ord. 6B-79 § 1 (part): prior code § 15-43)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Amended, 6/21/22)

**Section 16.24.130 Lot arrangement.**

The lot arrangement shall be such that there will be no foreseeable difficulties in positioning the manufactured homes on the lots and providing driveway access to the off-street parking from the roadway. (Ord. 6B-79 § 1 (part): prior code § 15-44(a))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.140 Lot size.**

Lot areas and dimensions shall comply with the minimum requirements of the zoning ordinance. (Ord. 6B-79 § 1 (part): prior code § 15-44(b))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.150 Access to lots.**

Manufactured home lots shall not derive access from any city street, county road or state highway. (Ord. 6B-79 § 1 (part): prior code § 15-44(c))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.160 Lot improvements.**

Each manufactured home lot shall be provided with the following improvements:

A. Minimum ten-foot wide paved driveway and two paved automobile parking spaces. Parking spaces

shall measure not less than eight feet six inches by eighteen feet.

B. Storage facilities for tenants shall be provided on each manufactured home space by the tenant or the developer or provided by the developer in compounds conveniently placed near manufactured home spaces. Storage spaces shall contain a minimum of fifty square feet per manufactured home lot and shall be constructed of suitable weather resistant materials appropriate for the use and maintenance contemplated. Tenant storage facilities shall be disregarded under manufactured home space requirements.

C. Each manufactured home space shall be provided with a minimum ten foot by fifteen foot patio pad composed of concrete, brick, concrete block or other hard surface material and a hard surface walkway, not less than two feet wide, from the patio to the roadway.

D. All manufactured home developments shall require of tenants or provide for the skirting of all manufactured homes within their developments. The skirting shall be done so that it is compatible with the manufactured home unit's materials and it shall be of a finished nature. Concrete blocks shall not be allowed. Composition building board and raw wood shall not be used as skirting unless finished with a weatherproof material.

E. All manufactured home spaces shall be provided with a method or means of tying down the individual unit to provide stability against high winds and adverse weather conditions and all manufactured homes shall be secured to the space by this method. The developer shall design this method in accordance with the requirements of the building official and shall submit, with his final development plan, drawings and details of his methods of securing the manufactured homes. The requirement for tie-down provisions may be met by the developer requiring each tenant to provide same at the individual's own expense or by the developer accomplishing same at his expense.

F. All yard areas and other open spaces not otherwise paved or occupied by structures shall be sodded and/or landscaped and shall be so maintained. (Ord. 6B-79 § 1 (part): prior code § 15-44(d))(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.24.170 Park improvements.**

A. The developer of any manufactured home park shall, at his own expense, install the following improvements according to the specifications and under the inspection of the city:

1. Water distribution system including laterals to each manufactured home site with an individually metered water service connection;
2. Sewage disposal system including laterals and connecting facilities to each manufactured home site;
3. Drainage structures, storm sewers and other drainage facilities;
4. Concrete curbs, gutters and sidewalks;
5. Asphalt paved roadways;
6. Fire hydrants;
7. Street name signs;
8. Fencing where required;
9. Hard surface pedestrian walkways linking manufactured home lots to common areas, recreation and service facilities;
10. Off-street parking, in addition to required off-street parking on individual lots, shall be provided at the rate of one space for each full-time employee plus one space for each four hundred feet of gross floor area used for recreation, office or cultural activities;
11. General outdoor lighting of sidewalks, general parking and storage areas, and lighting of the development entrance and exit. The level of lighting shall provide at night a minimum average illumination of 0.3 footcandles;
12. General storage areas, in addition to auto parking requirements, for accessory vehicles such as campers and boats. The minimum area required for general storage shall be three hundred square feet for each ten manufactured home spaces. No accessory vehicles shall be parked or allowed on individual

manufactured home lots. The storage areas required by this subsection shall be in addition to those required for off-street parking;

13. Refuse storage area either on each individual manufactured home lot or in common refuse storage areas each serving no more than fifteen manufactured home lots, and so located so that no manufactured home space is more than one hundred feet from a common storage area. A common refuse storage area base shall be a four-inch concrete slab and shall be enclosed by walls or screens and have a means or method of raising any individual refuse containers off the ground at least eight inches;

14. Minimum open area for common use of the residents in the development shall be not less than ten percent of the gross area of the development. Common open space shall be calculated as any open unoccupied area remaining after the manufactured home lots, buildings, roadways, parking areas, general storage areas, common refuse storage areas and the required permanent perimeter area have been deducted. The open space shall be sodded and/or landscaped or otherwise designed and made available for recreational use;

15. Buildings or structures enclosing management offices, recreational facilities, laundry and cleaning facilities may be permitted, but not required, in the development, subject to the restriction that it shall not occupy more than ten percent of the developer's gross area and be subordinate to the development's residential character and be restricted to serve the needs of the residents with no visible evidence of any commercial activity.

B. All required public improvements shall be contained within appropriate easements deeded to the city prior to final approval of the manufactured home park construction. (Ord. 6B-79 § 1 (part): prior code § 15-45)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.24.180 Utilities.**

A. The developer shall, at his own expense, cause the installation of the following public utilities, together with appropriate connection facilities, to be made available to each manufactured home space within the manufactured home park:

1. Electrical distribution system;
2. Telephone communication system;
3. Gas distribution system; and
4. Cable television system.

B. All public utilities, including services, shall be installed underground. (Ord. 6B-79 § 1 (part): prior code § 15-46)(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.24.190 Park and recreational facilities fee--Designated.**

The developer of a proposed manufactured home park shall pay to the city an amount established by resolution of the City Council and provided for in Title 1 of this code for the purpose of assisting in developing City parks and recreational facilities. Such payment shall be made prior to the issuance of any permits to construct. (Ord. 6B-79 § 1 (part): prior code § 15-47(a))(Ord. No. 10C-94, Amended, 11/04/94)(Ord. 08a-2008, Amended, 08/19/2008; Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.24.200 Park and recreational facilities fee--Funds disposition.**

Payments made under the requirements of Section 16.24.190 shall be made payable to the city. The director of planning shall receive such funds and deposit them with the city treasurer, who shall in turn deposit the funds in any city approved and designated financial institution within the city. Such funds shall be deposited to special interest-bearing escrow accounts. The status of these accounts shall be reported annually to the city council and shall be made available to the recreation board of trustees and the general public. Funds may be withdrawn from the special escrow accounts by the city council, for the specific

purposes of acquiring lands for park and recreation sites respectively and of making improvements to the sites. (Ord. 6B-79 § 1 (part): prior code § 15-47(b))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.210 Park and recreational facilities fee--Exceptions.**

A. Payment for parks and recreation facilities may be reduced or exempted by the city council in the case of a developer's proposal to provide adequate and approvable parks and recreational facilities within the development. Such proposals shall be reviewed by the recreation board of trustees prior to action thereon by the city council.

B. Payment for parks and recreation facilities may be reduced or exempted by the director of planning when previous payments and/or dedications have been made as provided in the subdivision regulations. (Ord. 6B-79 § 1 (part): prior code § 15-47(c))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.24.220 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-48)(Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

**Section 16.24.230 Deleted.**

(Ord. 6B-79 § 1 (part): prior code § 15-49)(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005) )(Ord 6D-2022, Deleted, 6/21/22)

## Chapter 16.28

### DOCUMENTS

#### Sections:

- 16.28.010**      **Preliminary development plan.**
- 16.28.020**      **Final development plan.**
- 16.28.030**      **Preliminary water and sewer plan.**
- 16.28.040**      **Preliminary drainage plan--Contents.**
- 16.28.050**      **Preliminary drainage plan--Report.**
- 16.28.060**      **Final drainage study.**

#### **Section 16.28.010      Preliminary development plan.**

The preliminary development plan shall be a neat and legible drawing of one or more sheets measuring twenty-four inches by thirty-six inches. The scale of the map shall not be more than one hundred feet per inch. The following items shall be included on the preliminary development plan:

- A. Name of development, date, label "Preliminary Development Plan," scale and north arrow;
- B. Name, address and phone number of property owner and developer, if other than owner;
- C. Name, address and phone number of person or firm responsible for preparation of the plan;
- D. Names, rights-of-way widths and dimensions of all streets, alleys and direction of any major adjacent features such as railroads, drainageways, etc.; type and general location of structures and facilities on adjacent properties;
- E. Boundaries of the development will be drawn to scale showing all bearings and distances to the nearest one-hundredth foot;
- F. The development plan shall show all existing on-site physical features such as streams, wooded areas, fences and structures;
- G. Ground contours at two-foot intervals. Contours shall be accurate to within one-half contour and elevations shall be based on Coast and Geodetic Survey sea level data. Assumed data shall not be permitted. U.S.G.S. quad maps shall not be accepted as evidence for topographical contours. Topographic contours on all preliminary development plans shall correctly depict land contours;
- H. Layout of proposed lots or sites including approximate dimensions of lot lines, lot numbers and setback lines;
- I. On the map shall be shown proposed public dedication, if any, within and adjacent to the site; the proposed location, dimensions and use of all buildings and structures to be located on the site. Locations of manufactured homes or camping units shall be shown on the map or detailed drawings provided showing the manner in which the lots or sites are to be improved and the manufactured homes or camping units positioned;
- J. On the map shall be shown location, quantity and a typical stall dimension of off-street parking and loading facilities; points of ingress and egress from the site, including widths of drives; internal circulation; refuse collection areas and fire lanes; off-site improvements; and all necessary public improvements;
- K. On the map shall be shown proposed location of open space and recreation facilities; location and height of screening walls;
- L. On the map shall be shown a legal description including the section, township and range in which the development is located; a location plan showing the project centered in a one-square-mile area with major streets labeled thereon; and gross area of the project; and
- M. Additional notations and information as may be required. (Ord. 6B-79 § 1 (part): prior code § 15-56)(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.28.020      Final development plan.**

The final development plan shall be accurately and legibly prepared in black, waterproof ink upon one or more sheets of polyester film measuring twenty-four inches by thirty-six inches. A marginal line shall be drawn completely around each sheet leaving an entirely blank margin of two inches on the left side and one-half inch on all other sides. The scale of the map shall be not more than fifty feet per inch. The particular number of the sheet and the total number of sheets and the relations of each adjoining sheet shall be clearly shown by a small key map on each sheet. The following items shall be included on the final development plan:

A. Name of development, date, label "Final Development Plan," written and graphic scale and north arrow. The title of each sheet of the final development plan shall consist of the name of the development conspicuously placed on the sheet;

B. An accurate and complete boundary survey shall be made of the land to be developed. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground, must close within a limit of one foot to ten thousand feet in perimeter. The boundary of the development shall be clearly indicated on the final development plan;

C. The final development plan shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing thereon including bearings and distances of straight lines, and radii, lengths, tangent distances and deflection for all circular curves. Where, under unusual circumstances, curves other than circular are used, the final development plan must indicate type of curve and pertinent data;

D. All lots and parcels for any purpose shall be particularly delineated and designated with all dimensions, boundaries and courses clearly shown and defined. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every lot and parcel which is a part thereof. All lots and wherever practicable, larger parcels, in their entirety shall be shown on one sheet. Ditto marks shall not be used for lot dimensions. All lots shall be numbered systematically;

E. The development plan shall show roadway lines and the widths thereof together with centerline survey control data;

F. The widths and locations of adjacent streets, lots and other properties within fifty feet of the development shall be shown. If any roadway in the development is a continuation or approximately a continuation of an existing public street, the conformity or the amount of nonconformity of the roadway to the existing streets shall be accurately shown;

G. The side lines of all proposed easements shall be shown by fine dashed lines. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof, and its recorded reference must appear on the title sheet. Distances and bearings on the side lines of lots which are cut by an easement must be arrowed or so shown that the development plan will indicate clearly the actual length of the lot lines. The widths of all easements and sufficient ties thereto to definitely locate them with respect to the development must be shown. All easements must be clearly labeled and identified. If an easement shown on the development plan is already of record, its recorded reference must be given;

H. Proposed location, finish floor elevation, horizontal dimensions and use of all buildings and structures to be located on site;

I. Detailed drawings of all typical lot or space improvements including utility service locations and details;

J. Detailed information pertaining to the sizes, dimensions and locations of all required public improvements including water and sewer systems together with their laterals;

K. Location, number and typical stall dimensions of off-street parking and loading facilities;

L. Location and dimensions of areas to be used for refuse and garbage collection and fire lanes, if any;

M. Location and dimensions of open space and recreational facilities;

N. Location and dimensions of drainage improvements, including storm water retention facilities;

O. Location, dimension and type of proposed landscaping used for screening, ornamental or design purposes if landscaping plans are not provided or required;

P. Location, height and type of screening walls and buffer areas;

Q. Location of lighting facilities;

- R. Location and dimensions of vehicle storage areas;
- S. On the map shall be shown a legal description including the section, township and range in which the development is located; a location plan showing the project centered in a one-square-mile area with major streets labeled thereon; and gross area of the project site;
- T. Standard notes to include the following:
  - 1. Gross area of the site,
  - 2. Square foot floor area for any structures,
  - 3. Number of off-street parking spaces and loading facilities other than parking spaces provided on individual lots or spaces,
  - 4. Number of lots or spaces by category of intended use,
  - 5. Total area of open space as defined in Section 16.24.170, and
  - 6. Engineer's name, address, registration number and phone number;
- U. Additional notations and information as may be required. (Ord. 6B-79 § 1 (part): prior code § 15-57)(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.28.030 Preliminary water and sewer plan.**

The preliminary water and sewer plan shall be a neat and legible drawing of one or more sheets. The scale of the map shall be not more than one hundred feet per inch and may be prepared on a reproducible copy of the preliminary development plan. The following items shall be included on the preliminary water and sewer plan:

- A. Name of the development, date, label "Preliminary Water and Sewer Plan," scale and north arrow;
- B. Name, address and phone number of engineer or firm responsible for preparation of the plan;
- C. Boundaries of the tract will be drawn to scale;
- D. The plan shall show all physical features such as streams, wooded areas, fences and existing structures;
- E. The contours at two-foot intervals. Contours shall be accurate to within one-half contour and elevations shall be based on Coast and Geodetic Survey sea level data. Assumed data shall not be permitted. U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. Topographic contours on all preliminary water and sewer plans shall correctly depict land contours;
- F. Locations, dimensions and names of existing railroads, easements, municipal boundaries or other public properties and significant features shall be shown within and adjacent to the development;
- G. Location and widths of proposed roadways and existing streets, alleys and utility easements;
- H. Layout of proposed parcels of land including approximate dimensions of lot lines and lot numbers;
- I. Alignment of proposed sanitary sewage collection system together with any outfall sewers. Manhole locations shall be shown with approximate invert and rim elevations indicated. The diameter, approximate length and approximate slope of each sewer main shall be indicated;
- J. Alignment of proposed water distribution system together with any extensions of existing water mains necessary to provide an adequate water supply to the development. Pipe diameters shall be indicated as well as the locations of proposed water valves;
- K. Location of proposed fire hydrants; and
- L. Additional notations and information as may be required. (Ord. 6B-79 § 1 (part): prior code § 15-58)(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.28.040 Preliminary drainage plan--Contents.**

The preliminary drainage plan shall be a neat and legible drawing of one or more sheets. The scale of the map shall be not more than one hundred feet per inch and may be prepared on a reproducible copy of the preliminary development plan. The following items shall be included on the preliminary drainage plan:

- A. Name of development, date, label "Preliminary Drainage Plan," scale and north arrow;

- B. Name, address and phone number of engineer or firm responsible for preparation of the plan;
- C. The plan shall show all physical features such as streams, wooded areas, fences and existing structures;
- D. The contours at two-foot intervals. Contours shall be accurate to within one-half contour and elevations shall be based on Coast and Geodetic Survey sea level data. Assumed data shall not be permitted. U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. Topographic contours on all preliminary drainage plans shall correctly depict land contours;
- E. Locations, dimensions and name of existing streets, railroads, easements, municipal boundaries of other public properties and significant features shall be shown within and adjacent to the development;
- F. Location and widths of proposed roadways and right-of-way widths of existing streets, alleys and utility easements;
- G. Any proposed open spaces;
- H. Layout of proposed parcels of land including approximate dimensions of lot lines and lot numbers;
- I. The approximate boundaries of areas as determined by a qualified drainage engineer, subject to inundations or storm water overflows from a one-hundred-year storm, and the location, width and direction of flow of all watercourses, lakes, marshy areas and swamps;
- J. Approximate grade of streets;
- K. Existing drainage facilities and structures, including existing roadside ditches, drainways, gutter flow directions, culverts, etc. All pertinent information such as size, shape, slope, location, etc., shall also be included to facilitate review and approval of the drainage plans;
- L. Overall drainage area boundary and drainage subarea boundaries;
- M. Proposed type of curb and gutter flow directions, including valley gutters;
- N. Proposed piping and open drainageways, including proposed inlets, manholes, culverts and other appurtenances;
- O. Proposed outfall point for runoff from the study area;
- P. Routing and accumulative flows at various critical points for the major storm runoff;
- Q. Proposed storm water retention areas; and
- R. Additional notations and information as may be required. (Ord. 6B-79 § 1 (part): prior code § 15-59(a))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.28.050 Preliminary drainage plan--Report.**

A written preliminary drainage study and report on eight and one-half by eleven inch size paper shall be submitted along with drainage plan. The information listed below, or now shown on the drawings, shall be included in the report:

- A. Runoff calculations and method of analysis for both the initial storm and major storm, submitted in tabular form;
- B. Open channel flow calculations;
- C. Storm sewer and storm inlet flow calculations for initial storm runoff and major storm runoff;
- D. Street capacities and flow calculations at critical street sections for initial storm runoff and major storm runoff;
- E. Summation of all design variables used and design assumptions made;
- F. Soil classification reports and depth of underground water table throughout the study area;
- G. The boundary and designation of all tributary drainage areas and the area of each in acres;
- H. The designation and location of each design point referred to in the calculations;
- I. The reference source and a copy of all other monographs or design aids used in the calculations if they are not included in the city's specifications. (Ord. 6B-79 § 1 (part): prior code § 15-59(b))(Ord. 11a-2005, Amended, 11/15/2005)

**Section 16.28.060 Final drainage study.**

The final drainage study and report shall be prepared for submittal to the city engineer at the time when improvement plans are submitted for review. The study and report shall provide the same items specified for the preliminary drainage plan except that all calculations, maps and charts shall reflect the final design for all improvements. (Ord. 6B-79 § 1 (part); prior code § 15-60)

(Ord. 11a-2005, Amended, 11/15/2005)

## Chapter 16.32

### VARIANCES

#### Sections:

- 16.32.010**      **Grounds for granting.**
- 16.32.020**      **Conditions.**
- 16.32.030**      **Petition procedure.**

#### **Section 16.32.010**      **Grounds for granting.**

Where the city council finds that extraordinary hardships or practical difficulties may result from strict compliance with this title or the purposes of this title may be served to a greater extent by an alternative proposal, it may approve variances to this title so that substantial justice may be done and the public interest secured, if the variance does not have the effect of nullifying the intent and purpose of this title. The city council shall not approve variances unless it finds, based upon the evidence presented to it in each specific case, that:

A. The granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property; and

B. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property; and

C. The variance will not in any manner vary the provisions of the zoning ordinance or master plan. (Ord. 6B-79 § 1 (part): prior code § 15-3(a))(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.32.020**      **Conditions.**

In approving variances, the city council may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of this title. (Ord. 6B-79 § 1 (part): prior code § 15-3(b))(Ord. 11a-2005, Amended, 11/15/2005)

#### **Section 16.32.030**      **Petition procedure.**

A petition for any such variance shall be submitted in writing by the developer at the time when the preliminary plan is filed for the consideration of the director of planning. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. (Ord. 6B-79 § 1 (part): prior code § 15-3(c))(Ord. 11-2007, Amended, 11/06/2007; Ord. 11a-2005, Amended, 11/15/2005)