

**CHAPTER 5**  
**MOBILE HOME - ZONE M**

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**10-5-1 PURPOSE**

This Zone is intended to allow for Mobile Homes, Manufactured Homes, and Single-Family Dwellings, as defined in the Zoning Ordinance Definitions; except as provided elsewhere in mobile home subdivisions. All mobile homes shall be located in mobile home parks or in mobile home subdivisions.

**10-5-2 PERMITTED USES**

- A. Those uses or categories of uses as listed herein, and no others, are permitted in the M H zone.
- B. Permitted principal uses. The following principal uses and structures, and no others, are permitted in the M H zone. Accessory buildings and uses clearly incidental and commonly associated with the operation of the permitted use such as private garages, carports, greenhouses, swimming pools, bath houses, gardening sheds, recreation rooms, storage sheds, c-can shed, prefabricated sheds, prefabricated carports, move-on storage sheds, built on site kits, truck trailers (with-/with-out wheels), and similar structures which are customarily used in conjunction with and incidental to a principal use or structure.
1. Accessory uses clearly incidental and customary to and commonly associated with the operation of the permitted use, including central laundries, showers, recreation, or administrative spaces.
  2. Animals: Cats, Dogs and other Pets
    - a. Nothing herein shall be construed as authorizing the keeping of animals capable of inflicting harm or endangering the health and safety of any person or property.
  3. Animals: Livestock
    - a. Livestock is limited to mobile home subdivisions and individual lots greater than ¼ acre.

- b. Livestock is not permitted in mobile home parks at any time.
  - c. Personal & family agricultural uses only for dairying, poultry and livestock raising; provided, that buildings used for housing fowl or animals, storing grain or feed shall not be located closer than fifty (50) feet from any inhabited family dwelling.
  - d. At any time, the keeping of animals becomes a nuisance, as to be determined by the Town Council, the Town shall have the authority to force the violator to remedy the nuisance situation within thirty (30) days of official notification.
  - e. Upon failure to remedy a nuisance situation, after proper notification, the Town shall have the authority to force the violator to cease such activities.
- 4. Communication Systems
  - 5. Corrals
  - 6. Churches and similar places of worship
  - 7. Dwellings, One-family
    - a. Dwellings may include the rooming and or boarding of up to two (2) persons, provided no separate kitchen is involved.
  - 8. Essential public utility and public service installations
  - 9. Family Foster Child Care
    - a. The provision of childcare as defined by Utah Foster Care R501 and number of children as established in section 12-5 paragraph (9). Which is no more than four foster children shall reside in a licensed foster home and no more than three children shall reside in a certified foster home.
  - 10. Fences, hedges, and walls
  - 11. Fire Station
  - 12. Gardens, fruit trees, and field crops
  - 13. Home occupations
  - 14. Manufactured Homes
  - 15. Mobile Home Parks for permanent residents are allowed as defined in Utah Code Title 57 Chapter 16 Mobile Home Park Residency Act.
  - 16. Parades
  - 17. Private Recreation Facilities, Community Centers
  - 18. Private Child Care
    - a. Privately-operated day nurseries, pre-schools, and kindergartens; provided, that any play area is enclosed on all four (4) sides to a height of six (6) feet.
  - 19. Public Community Facilities and Parks
  - 20. Public or Private Schools
    - a. Public, private, charter and church schools, provided such uses do not include residence facilities therein and are located at least forty (40) feet from all property lines.
  - 21. PUD
  - 22. Residence for the exclusive use of a watchman, caretaker, owner, or manager of a mobile home park.
  - 23. Signs, Advertising mobile home parks shall not have more than one (1) such sign per frontage and that sign shall not exceed eighteen (18) square feet in area.
  - 24. Signs, Identification, provided such signs shall not exceed one (1) per lot, and shall not exceed three (3) square feet in area, and describe the lot upon which they are located.

25. Religious Activities

- C. Permitted Accessory Uses. Accessory uses and structures are permitted in the M H zone, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:
1. Accessory Building
    - a. A building located on a lot or parcel of land, the use of which is appropriate, subordinate and customarily incidental to that of the main building and/or principal use of land.
    - b. The distance between any accessory buildings and a dwelling shall not be less than six (6) feet.
  2. Swimming pools.
  3. Storage of materials used for the construction of a building, including a temporary contractor's office and/or tool shed, provided that such uses are on the building site or immediately adjacent thereto, and provided further that such shall be for only the period of construction and thirty (30) days thereafter.
  4. Storage of potentially useable materials for personal use may be kept; if storage of said material does not pose a safety or fire hazard. Also, storage must be kept in an orderly and organized manner as far from the public view as reasonable.
  5. Building or structures required for the housing, nurture, confinement or storage of animals permitted in this zone, or equipment required for the care and keeping thereof.
  6. Home occupations, subject to the conditions of Chapter 14 of This Title.
- D. Conditional Uses. Uses and structures are permitted in the MH zone only after a Conditional Use Permit has been obtained and subject to the terms and conditions thereof.
- E. Conditional Uses Mobile Home parks. Under a temporary conditional use permit may be granted as provided herein. Such temporary conditional use permit may be granted by the Town Council after receiving recommendation from the Commission. Such temporary conditional use permit shall include the following conditions, together with such other conditions as the Commission may recommend to assure use consistent with the purpose of this Zone:
1. Conditions. Every conditional use permit shall be conditioned upon the proposed development fully complying with all standards of this Title and, where applicable, the Town subdivision regulations'. The violation of any condition contained in a conditional use permit shall be a violation of this Zoning Title.
  2. Termination extension. Any conditional use permit granted under this provision shall automatically terminate five (5) years from the date such permit is approved, unless such permit is extended by specific action of the Town Council after receiving the recommendation of the Commission with regard to such extension. Such extension shall be granted for a period not to exceed one year for each successive extension.
  3. Exceptions. All mobile home parks located in this Zone shall comply with all conditions of this Title except the following regulations:
    - a. Access roads to mobile home spaces and to the mobile home park may be a properly constructed road with suitable drainage, but with dry gravel surface rather than asphalt or concrete surface, if such surface is approved by the Town Council.

- b. Mobile home spaces may have direct access to dedicated public streets within platted subdivisions.
4. Density ownership. The mobile home park may be located upon a platted subdivision. More than once mobile home may be located on each platted lot up to the density permitted under this Title. All acreage within a mobile home park shall be under single ownership as a condition of granting a conditional use permit under this Section and the park shall remain in single ownership throughout the period of such permit.
5. Location to property lines. No portion of any mobile home park permitted under this provision shall be located within fifty (50) feet of the property line of any property not owned by the owner of the mobile home park, except property included within public streets and rights of way.
6. Removal after termination. All mobile homes shall be removed from the mobile home park upon termination of the temporary permit provided for herein or within sixty (60) days after the decision of the Town Council not to extend the temporary use, whichever is later.

#### **10-5—3 LOT AREA**

The minimum area for any lot or parcel of land in the M H zone shall be 5 thousand (5,000) square feet.

#### **10-5—4 LOT WIDTH**

Each lot or parcel of land in the M H zone shall have a width of not less than fifty (50) feet.

#### **10-5—5 LOT FRONTAGE**

Each lot or parcel of land in the M H zone shall abut a public street for a minimum distance of fifty (50) feet, or thirty-five (35) feet along the circumference of a cul-de-sac improved to Town standards. Frontage on a street end which does not have a cul-de-sac improved to Town standards shall not be counted in meeting this requirement.

#### **10-5—6 PRIOR CREATED LOTS**

Lots or parcels of land which were created prior to the application of the zone, shall not be denied a building permit solely for reason of non-conformance with the parcel requirements of this chapter.

#### **10-5—7 YARD REQUIREMENT**

The following minimum yard requirements shall apply in the M H Zone.

- A. Front yard. Each lot or parcel in the M H Zone shall have a front yard of not less than twenty (20) feet.
- B. Side Yard. Except as provided in sub-section "C", each lot or parcel of land in the M H Zone shall have a side yard of not less than ten (10) feet, and the combined sum of the two side yards shall not be less than twenty-five (25) feet.
- C. Side yard – corner lots. On corner lots the side yard contiguous to the street shall not be less than fifteen (15) feet and shall not be used for vehicle parking except such portion as is devoted to driveway use for access to garage or carport.
- D. Side yard – Accessory building. An accessory building may be located on the property line if, and only if, all the of the following conditions are met:

1. The accessory building is located more than six (6) feet to the rear of any main building on the same lot or the lot adjacent to the property line on which said building is being placed.
2. It has no openings on the side which is contiguous to the property line of an adjacent lot.
3. It has one-hour fire resistant construction in the wall adjacent to said property line.
4. It provides for all roof drainage to be retained on the subject lot or parcel.
5. An accessory building which does not meet the above conditions shall be at least five (5) feet from the side property line.

E. Rear Yard. Each lot or parcel shall have a rear yard of no less than ten (10) feet.

F. Rear yard – accessory building. An accessory building may be located on the property line so long as:

1. It has no openings on the side which is contiguous to the rear property line.
2. It has one-hour fire resistant construction in the wall adjacent to said property line.
3. It provides for all roof drainage to be retained on the subject lot or parcel.
4. An accessory building which does not meet the above conditions shall be at least five (5) feet from the rear property line.

#### **10-5—8 PROJECTIONS INTO YARDS**

A. The following structures may be erected on or projected into any required yard.

1. Fences and walls in conformance with Town codes or ordinances.
2. Landscape elements, including trees, shrubs, agriculture crops and other plants.
3. Necessary appurtenances for utility services.
4. Front steps.

B. The structures listed below may not project into a minimum front yard.

1. Porches
2. Fireplace structures and bays.
3. Stairways, balconies, decks, fire escapes, and awnings.

#### **10-5-9 BUILDING HEIGHT**

No lot or parcel of land in the M H Zone shall have a building or structure used for dwelling or public assembly which exceeds a height of one (1) story. Roofs above the square of the building, chimneys, flagpoles, church towers and similar structures not used for human occupancy are excluded in determining height.

#### **10-5—12 PARKING, LOADING AND ACCESS**

Each lot or parcel in the M H Zone shall have on the same lot or parcel off street parking sufficient to comply with Chapter 13 of this title. Required parking spaces shall not be provided within a required front yard.

#### **10-5—15 SITE PLAN APPROVAL**

As required by the Uniform Building Code and the requirements of the Hinckley Town building permit.

#### **10-5—16 OTHER REQUIREMENTS**

A. Signs. Refer to Chapter 15 Sign Ordinance.

- B. **Junk & Trash Storage.** No trash, junk, or unusable materials shall be stored in an open area. All such materials must be screened from public streets and adjacent properties by an appropriate fence, as defined by this section, or must be stored within an enclosed building. Such materials must be stored in such a manner that it cannot be carried off the premises by natural forces, causes, or animals. Any such storage shall not present an objectional odor or health hazard. Violators will be given twenty-one (21) days to be in compliance. No Grandfather clause will apply to this provision.
- C. **Wrecked Vehicles.** Wrecked vehicles cannot be parked on public streets for more than seventy-two (72) hours. They may not be kept on private property more than thirty (30) days unless screened from public streets and adjacent properties by an appropriate fence, as defined by this section, or stored within an enclosed building. No more than six (6) vehicles shall be allowed at any time. Proper rodent and weed control must be adhered to for public safety. No Grandfather clause shall apply to this provision.
- D. **In-operable/ Non-salvageable Vehicles.** Such vehicles cannot be parked on public streets. Only two (2) such vehicles may be stored within a minimum of one hundred (100) feet from the property line. All other such vehicles must be screened from public streets and adjacent properties by an appropriate fence, as defined by this section, or stored within an enclosed building. Proper rodent and weed control must be adhered to for public safety. Violators will be given thirty (30) days to be in compliance. No Grandfather clause will apply to this provision.
- E. **In-operable Farm Implements.** In-operable farm implements may be kept as long as they are in a neat and orderly fashion. Proper rodent and weed control must be adhered to for public safety. They may be kept, if being used as a landscaping or decorative item in the front yard. Violators will be given thirty (30) days to be in compliance. No Grandfather clause will apply to this provision.
- F. **Walls and Fences**
1. A front yard fence may be erected to a height of three (3) feet. A fence may be erected up to six (6) feet, if the top three (3) feet does not obstruct the view through the fence more than twenty percent (20%). This also applies to side yard fences in the front thirty (30) feet setback. After the setback, side fences and back fences may be constructed of approved standard fencing materials, including solid fencing, to a height of eight (8) feet.
  2. All front, rear and side fences shall be measured from the natural ground level, or the level of the ground without any artificial alteration, to the apex of the fencing materials. Any fence that is constructed on raised ground or materials that exceed the natural ground level shall be measured from the natural ground level to the apex of the fencing materials.
  3. All fences shall be constructed in accordance with the Zoning Regulations Definitions as provided in Section 10 – Appendix 1.