MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1205

H.P. 866

House of Representatives, April 18, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative NUTTING of Leeds.

Cosponsored by Senator WEYMOUTH of Kennebec, Representative HOGLUND of Portland and Representative PLOURDE of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Create a Minimum Lot Size for Mobile Home Parks Not Located on Public Water and Sewer Lines.



1	Be it enacted by the People of the State of Maine as follows:
3	30 MRSA §4965, sub-§3-A is enacted to read:
5	3-A. Location and regulation of mobile home parks. Municipalities:
7	
_	A. Shall permit mobile home parks to expand and be
9	developed in a number of environmentally suitable locations
11	in each municipality with reasonable consideration being given to permit existing mobile home parks to expand in
11	their existing locations. A municipality shall not select a
13	location for mobile home park development which, because of
15	prior lot division, locational setting within the
13	municipality, natural features or other similar factors, is not reasonably suitable. This paragraph is effective
17	January 1, 1990;
	Sumuly 1, 1550,
19	B. Shall not enact or enforce any ordinance which conflicts with or is more stringent than the following requirements.
21	
	(1) Municipalities shall require the size of lots
23	within a mobile home park served by a public sewer
	system to be no larger than 7,500 square feet or the
25	size of the smallest residential lot permitted in any
	zoning district in the municipality, whichever is
27	smaller, and shall require that the overall density of
	a mobile home park served by a public sewer, as
29	determined by combining the area of the individual lots
31	with any additional land area for roads, parking, storage, buffer strips, recreation, open space and
JI	other uses, be no greater than 125% of the combined
33	area of the individual lots.
35	(2) Municipalities shall require the size of lots
	within a mobile home park with separate on-site
37	subsurface waste water disposal on each lot to be no
	larger than 20,000 square feet, and shall require that
39	the overall density of such a mobile home park, as
	determined by combining the area of the individual lots
41	with any additional land area for roads, parking,
	storage, buffer strips, recreation, open space or other
43	uses, be no greater than 125% of the combined area of
4.5	the individual lots.
45	(2) Municipalities shall require the sine of late
47	(3) Municipalities shall require the size of lots within a mobile home park served by a central on-site
ユ /	subsurface waste water disposal system approved by the
49	Department of Human Services to be no larger than
ΣJ	12 500 square feet as long as the overall density of

the mobile home park is no more than one lot for every

1	20,000 square feet as determined by combining the area of the individual lots with any additional land area
3	for roads, parking, storage, buffer strips, recreation,
5	open space and other uses.
7	(4) The use of setback requirements shall not have the effect of requiring lots larger than those which may be required pursuant to this subsection.
9	The same specific production of the same state o
11	(5) The use of road frontage requirements on private roads within a mobile home park shall not have the effect of requiring a manufactured home on a lot which
13	meets the minimum lot size which may be required pursuant to this subsection to be placed parallel to
15	the roadway.
17	Municipalities shall not enact or enforce any ordinance concerning the construction of private roads within mobile
19	home parks which is more restrictive than the standards established by the American National Standards Institute
21	standard A225.1. Notwithstanding any provision in this subsection, a person developing or expanding a mobile home
23	park shall have the burden to prove that development will not pollute a public water supply or aquifer or violate any
25	provision of state law relating to land development, subdivision or use; and
27	C. May enact ordinances which encourage aesthetically
29	pleasing design in the layout of mobile home parks by adopting such land use regulation requirements as flexible
31	setback and frontage requirements, cul-de-sacs, landscaping or the retention of existing vegetation as long as such
33	requirements do not have the effect of circumventing the intent of this section or of adding unreasonably to the cost
35	of development.
37	
39	STATEMENT OF FACT
41	The purpose of this bill is to allow municipalities to enact
4.2	and enforce ordinances to require that mobile home parks have a
43	minimum lot size of 12,500 square feet for mobile homes not located on public water and sewer lines and a minimum lot size of
45	7,500 square feet elsewhere. Municipalities are also not permitted to enact other strict requirements, such as setbacks
47	and buffer strips, that would be so strict as to pose a hardship

47

to park developers.