

SPECIAL USE PERMIT

The parties agree that a Special use Permit for an extension to a mobile home park shall be granted to the OWNER of Price's Third Addition to the City of Lexington, Dawson County, Nebraska, as follows:

1. The parties agree that it is in the public interest to maintain the standards and design of the pre-existing Price's Mobile Home Park, and that the OWNER has requested exceptions as defined in Sec. 25-12.1 of the Lexington City Code.
2. That except for the special conditions designated as "EXCEPTION" provided for herein, the Mobile Home Park extension shall comply with the terms of Sec. 25-11 of the Lexington City Code, as follows:

(a) GENERAL REQUIREMENTS

- (1) Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- (2) It shall be unlawful to allow the following: (a) any mobile home to be occupied in a mobile home park unless situated on a mobile home space; or (b) an independent mobile home to be located on a dependent mobile home space.
- (3) No obstruction to the view shall exist which is higher than two feet six inches (2'6") above the centerline grade of the adjacent roadways, on any property within that triangular bounded by the curbs of the intersecting roadways and a diagonal line between two points located on said curbs of the two intersecting roadways and sixty feet (60') from the point of intersection of said extended curb lines.
- (4) Direct access to an individual mobile home space from a public street is prohibited.

(5) All mobile home spaces shall abut a private roadway.

EXCEPTION: Except such spaces as abut public streets adjoining the mobile home park; City intends to vacate those public streets totally within the park, to be completed within ___ days.

(6) Access to mobile home courts from public streets shall be designed as curb-cuts unless the roadway is an extension of an existing public street that has been temporarily dead ended at the limits of the Mobile Home Court.

(7) All mobile home spaces shall be consecutively numbered beginning with the number "1" with no omission or duplication through a block, and blocks shall be likewise numbered through the mobile home court. These numbers shall be at least

four (4) inches in height, reflectorized and in contrasting color to the background, and displayed on the front of each mobile home so as to be visible from the street.

EXCEPTION: Shall not apply to mobile homes that abut public streets or private streets that are a continuation of public streets and have assigned street addresses;

(8) An illustrated directory shall be provided at the entrance showing location of all mobile homes by number. This directory shall be lighted at night time and be maintained in good conditions to the satisfaction of the City.

EXCEPTION: Only one directory will be provided, located at the mobile home park office.

(b) MINIMUM PARK SIZE

No mobile home park shall have a site smaller than will accommodate thirty (30) mobile homes, or comprising less than five (5) acres.

(c) MINIMUM SPACE SIZE

Each mobile home space shall have dimensions of at least fifty feet (50') in width and one hundred feet (100') in depth or an area of five thousand (5,000) square feet.

EXCEPTION: Spaces shall be at least at least fifty feet (50') in width and ninety-five feet (95') in depth or an area of four thousand seven hundred fifty (4,750) square feet;

(d) MOBILE HOME STANDS

The area of the mobile home stand will be improved to provide adequate support for the placement and tie-down of the mobile home, thereby securing the superstructure against uplift, sliding, rotation and overturning by using one of the following methods:

- (1) The mobile home stand shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure.
- (2) Every mobile home or house trailer controlled by this regulation shall be anchored to the ground as required by the Mobile Home and Recreational Vehicle Code.
- (3) Over-the-top tie down straps shall be required on all mobile homes, based on mobile home length, as follows:

<u>No. Anchors and straps per side</u>	<u>Length</u>
3	36' - 50'
4	50' - 70'
5	70' - 80'

The provisions of this section shall be applicable to all mobile homes and modular homes, located in the City or in the zoning jurisdiction. Unless permanently attached, all such vehicles will be tied down using such mobile home stands within forty-eight (48) hours after arrival in the zoning jurisdiction of the City.

(e) MOBILE HOME SKIRTS

Skirting of mobile homes with materials approved by the Building Department and harmonious to mobile home structure is required within thirty (30) days after placement of mobile home.

(f) ROADWAY SPECIFICATIONS

(1) Roadways shall be at least thirty feet (30') in width.

(2) Each roadway shall include a marked pedestrian walkway, four feet (4') in width, along one side. Such walkway shall be unobstructed and no parking shall be allowed along such walkway.

(3) Within twenty-four (24) months of opening a mobile home park, roadways shall be surfaced by either method as follows:

a) Concrete, six inches (6'') thick;

b) Full depth asphalt, six inches (6'') thick.

EXCEPTION: Roadways that constitute private drives within the park shall be surfaced to comply with this provision within 90 days of the paving of adjoining streets.

(4) The horizontal alignment shall be as follows:

a) The minimum angle that a roadway intersects another roadway or street shall be eighty (80) degrees.

b) The centerline of a roadway entering on opposite sides of a roadway or a street shall either be directly across from the centerline of the opposite roadway or street or off-set by at least one hundred twenty-five feet (125') or at a point one-half (1/2) the distance between said opposite centerlines if they are existing streets or roadways and if the two opposite centerlines are less than three hundred feet (300') apart.

c) Whenever a roadway approaches a roadway that provides primary service in the area or a street, there shall be a tangent length of not less than one hundred fifty feet (150') measured from the nearest centerline of the intersected roadway or street to any point or curvature in said approach roadway.

d) The centerline radius for any curve in a roadway that provides primary

service in the area shall be at least one hundred fifty feet (150'). All other roadways shall have at least a one hundred twenty-five feet (125') feet center radius.

- e) Roadways intersecting other roadways on the inside of a curve should be avoided.
- f) There shall be a minimum one hundred feet (100') tangent length between all reverse curves. The tangent length, however, shall be in relation to the radii of the curves so as to provide for a smooth flow of traffic.

(5) The vertical alignment shall be as follows:

- a) The maximum grade shall be six percent (6%) and the minimum grade shall be four/tenths percent (0.4%) subject to drainage approval.
- b) All changes in roadway grades shall be connected by parabolic vertical curves of such length as to provide for the minimum sight distances required. The minimum sight distances shall be designed using twenty-five miles per hour (25 mph) design speed.
- c) The maximum grade for a roadway approaching a roadway, that provides primary service in the area, or a street shall be a plus or minus two percent (2%) within eighty feet (80') of a centerline of the intersected roadway or street.

(g) ROADWAY SYSTEM

The roadway system shall provide convenient and reasonable access to each mobile home space and community building from a public street and to adjacent property. Where an existing temporary dead end public street or roadway on adjoining property abuts a mobile home court, provisions shall be made to vacate the street or roadway or a satisfactory terminus shall be provided with a turn-around or a roadway shall connect to the street or roadway to provide access into the court. The method of resolving the abutting dead end street or roadway shall meet with the approval of the City.

No block shall be longer than thirteen hundred and twenty feet (1320') between cross roadways. Cul-de-sacs should not be longer than one thousand feet (1,000') as measured from the termination of the cul-de-sac to the intersection with a cross roadway. All dead end roadways shall be terminated with a vehicular turn around in accordance with City standards. Where a roadway is temporarily dead ended at the limits of the mobile home court and is intended to be extended into the adjoining property which is not subdivided or developed and the dead end roadway is more than two hundred feet (200') in length from the nearest intersection with another roadway, a temporary turn

around shall be constructed to City standards and at such time as said dead end roadway is extended the owner of the mobile home court at his own cost and expense shall remove said turn around.

(h) ROADWAY NAMES

Proposed roadway names shall conform to the accepted naming system of the City. Roadways obviously in alignment with existing streets or roadways shall bear the name of the existing street or roadway. All proposed roadway names shall be checked by the Planning staff for duplication of existing street to roadway names and proposed names that are in conflict with existing street or roadway names shall not be approved.

(i) PARKING SPACE

Two off-street parking spaces shall be provided for each mobile home space, and each parking space shall be located within sixty feet (60') of the mobile home space which it shall serve. All parking spaces shall be paved, including the driveway between the roadway and the parking space, adequately marked and located at least five feet (5') from roadways and twenty feet (20') in length, nine feet (9') in width, exclusive of any walkway which abuts the parking spaces. Adequate parking spaces shall be provided for accessory buildings and other court facilities.

(j) REQUIRED RECREATION AREAS

(1) Park and playground space shall be provided and maintained for occupants of the mobile home park on the basis of three hundred (300) square feet for each space in the park. Playground space shall be separate and aside from the open space provided for each mobile home space.

EXCEPTION: The requirement for separate playground space is waived.

(2) Recreation areas shall be located so as to be free of traffic hazards.

(k) LANDSCAPE SCREEN, LAWN AND GROUND COVERS

The landscape screen in the exterior buffer area shall comply with the design standards for screening and landscaping. A lawn or a ground cover shall be planted or developed and maintained on all areas except those to be covered by structures, paved or surfaced areas, and except undisturbed areas such as woods, meadows, and gardens which are to be preserved in their natural state.

(l) EASEMENTS

(1) The developer shall provide a blanket easement for the installation of utilities

throughout the court or delineate and describe and provide by separate documents such easements as required. Easement documents which delineate and describe specific easements must be provided for all public utilities located in the court.

(2) The developer may be required to dedicate easements for street right-of-way.

(m) PARKS, SCHOOL SITES AND OPEN SPACE

In developing property, consideration shall be given to suitable sites for schools, parks, playgrounds, and other common open areas for public use so as to conform to the recommendations of the Comprehensive Regional Plan. Any plan provision for schools, parks and playgrounds shall be indicated on the plot plan in order that it may be determined when and in what manner such areas will be provided or acquired by the appropriate tax agency.

(n) ACCESSORY BUILDING AND OTHER COMMUNITY SERVICE FACILITIES

All such buildings shall meet all applicable municipal codes. This shall apply to, but not be limited to the following:

- (1) Management office, repair shop and storage facilities;
- (2) Sanitary facilities, laundry facilities;
- (3) Indoor recreation areas;
- (4) Swimming pools;
- (5) Tenant storage facility.

(o) WATER SUPPLY

Each mobile home court shall be provided a private water system with connections to each mobile home space. The source of water supply for the private water supply system shall be the City water supply, if reasonably available. Each accessory building, which requires water service shall also be connected to the same private water system serving the mobile home spaces. This private water system shall be installed in compliance with the Uniform Plumbing Code and the standards for water main construction of the City of Lexington. Where it is determined to be necessary for the City, public water lines shall be extended to adjoining property by either a water main district or written agreement.

All proposed drawings, specifications and plans shall be approved by the Nebraska Department of Health prior to beginning construction.

(p) SANITARY SEWER SYSTEM

Each mobile home court shall provide sanitary sewer system with connections to each mobile home space. This private sanitary sewer system shall be connected to the City

sanitary system for transmittal of the sewage from the mobile home court to the City's treatment facilities, if connection to the City sanitary sewer system is reasonably available. Each accessory building, which discharges sanitary sewage shall also be connected to the same private sanitary sewer system serving the mobile home spaces. This private sanitary sewer system shall be installed in compliance with the Uniform Plumbing Code and the standards for construction of sanitary sewer mains in the City of Lexington, except as otherwise provided. Where it shall be determined to be necessary by the City, public sanitary sewers shall be extended to adjoining property by either a sanitary sewer district or written agreement.

Each lot shall be provided with a drain inlet not less than four inches (4") in diameter.

All proposed drawings, specifications and plans shall be approved by the Nebraska Department of Environmental Control prior to beginning construction.

(q) STORM SEWERS

The storm sewers shall be designed in conformance with the requirements of "Storm Sewer Design Criteria" and on file in the City Office. The storm sewer system shall be constructed in conformance with the requirements and standards of the City. Storm sewer system shall be enclosed unless the developer provides adequate open space for the open channel and constructs and maintains the channel and its banks to prevent erosion. The design of the channel shall be approved by the City.

(r) NATURAL GAS, TELEPHONE, CATV, AND ELECTRIC SYSTEMS

- (1) Natural gas piping, telephone and power systems and all other utility services in all courts shall be installed underground and maintained in conformity with accepted engineering practices and the rules and regulations of the utility.
- (2) Every court shall contain an electrical wiring system, consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with the Lexington Electric Code.
- (3) Illumination of roadways and walkways shall be equivalent to that required along public streets in residential areas by the City.

(s) FUEL

All piping from outside, fuel storage tanks or cylinders to mobile homes shall be copper or other acceptable metallic tubing and shall be permanently installed and securely fastened in place. All fuel storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath the mobile homes or less than five feet (5') from any mobile home exit.

State and local regulations applicable to the installation of equipment and the handling

of liquefied petroleum gas and fuel oil shall be followed.

(t) FIRE PROTECTION

- (1) Mobile home courts shall be subject to the Fire Prevention Code and the regulations and rules of the City.
- (2) Standard fire hydrants connected to at least six inch (6") diameter water mains shall be located within four hundred feet (400'), along roadways, of each mobile home or accessory building.
- (3) The volume of water to each fire hydrant shall be sufficient to serve the need even if this requires the installation of larger sized water mains.
- (4) Portable fire extinguishers of a type approved by the fire chief shall be kept in service buildings and at all other locations designated by the fire chief and shall be maintained in good operating conditions.

(u) REFUSE DISPOSAL

- (1) The storage, collection and disposal of refuse in the mobile home park shall be so managed as to create no health hazard, rodent harboring, insect breeding areas, accident or fire hazards or air pollution.
- (2) All refuse shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located not more than one hundred fifty feet (150') from any mobile home space. Containers shall be provided in sufficient number and capacity to properly store all refuse.
- (3) Racks or holders shall be provided for all refuse containers, such container racks or holders shall be so designed as to prevent containers from being tipped, to minimize spilling and container deterioration, and to facilitate cleaning around them.
- (4) All refuse shall be collected in accordance with existing ordinances. All refuse shall be collected and transported in covered vehicles or covered containers.
- (5) Garbage and trash shall not be burned on the premises.

(v) ALTERATIONS AND ADDITIONS

- (1) All plumbing and electrical alterations or repairs in the mobile home park shall be made in accordance with applicable local regulations. Licenses issued under the terms of this division shall convey no right to erect any building, to do any plumbing work or to do any electrical work, except upon a permit issued in conformity with building, electrical, and plumbing codes of the City.
- (2) No permanent additions shall be built onto or become a part of any mobile home

unless they are in accordance with requirements established by the Building Department.

(w) REGISTRATION OF OCCUPANTS

Every mobile home park owner or operator shall maintain a register containing a record of all mobile homes and occupants using the mobile home park. Such register shall be available to any authorized person inspecting the park, and shall be preserved for the period required by the Building Department. Such register shall contain the names and addresses of all mobile home occupants stopping in the park; the make, model and license number of the motor vehicle and mobile home; the state, territory or county issuing the mobile home license; the dates of arrival and departure of each mobile home; and whether or not each mobile home is a dependent or independent mobile home.

(x) SUPERVISION

The person to whom a permit for a mobile home park is issued shall at all times operate the park in compliance with this chapter and regulations issued thereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition at all times.

The undersigned hereby agrees to the terms of the Special Use Permit as stated herein.

Dated _____, 2009.

Don E. Price, Owner

Passed and approved on _____, 2009, by Lexington City Council.

Mayor

ATTEST:

City Clerk