

CITY OF MARYVILLE, MISSOURI PLANNING AND ZONING ACTION REPORT



Title: An Ordinance Amending Chapter 405 Zoning Code of the Municipal Code of Maryville in Regards to Manufactured Homes

Council Bill No.: 2025'59

Agenda Date: May 12, 2025

Presented by: Ryan Heiland, Interim City Manager

BACKGROUND:

In 1997, the City of Maryville began the process of adopting regulations for the requirements of installing factory-built homes. Factory-built homes are an umbrella terminology used to generally refer to manufactured homes, mobile homes, and modular homes. At that time, the Missouri Manufactured Housing Association raised concerns regarding the proposed regulations, and no formal action regarding the proposed Factory Built Homes ordinance was taken by the City Council. To date, factory-built homes are allowed in all residential zoning districts in the city of Maryville.

In lieu of formal code requirements, a memo was developed by Code Enforcement Officer Jim Wiederholt in January, 2000 to establish general requirements in order to address certain concerns with Factory Built Homes and to provide guidance for future developments. Per the memo:

- Mobile homes are not permitted within the city limits except in existing mobile home parks. A structure is only considered a mobile home if it was built prior to the enactment of the HUD code in 1976.
- A manufactured home is built in compliance with the HUD code.
- A modular home is built to state or local requirements (this includes panelized or pre-cut homes built to local codes).

The Factory Built Home memo also establishes basic requirements for manufactured and modular housing such as requiring permanent footings and foundation, a notarized letter from the dealer stating the serial and model number of the home to be set, a manufacturer certificate of registration, a manufacturer letter stating the home meets accepted engineering practice and approved standards of the Code, and stamped drawings and specifications of the home. The memo, however, does not address any land use compatibility concerns that would typically be addressed through zoning regulations.

Manufactured and modular homes are currently allowed in all residential zoning districts. In comparison, the Maryville Zoning Ordinance restricts in which zones apartments can be built ("R-3" & "R-4"), thereby prohibiting apartments from being built in single-family residential zones. A duplex cannot be built in single-family "R-1" or "R-2" districts and must be built in an "R-2" Modified Residence Zone or higher designated zoning districts. Short-term rentals are also only allowed in certain districts within the community.

The recent placement of a manufactured home on a vacant lot at 401 South Buchanan Street has highlighted the need to consider additional zoning regulations on manufactured homes to ensure they are permitted in appropriate and compatible zoning districts. On January 27, 2025 the Maryville City Council placed a four

(4) month temporary moratorium on manufactured home building permits to discuss additional zoning regulations for these types of structures.

The proposed ordinance would modify three (3) areas of Chapter 405 of the City Zoning Code to address Manufactured Homes. Those areas of modifications are:

1. Definitions.
2. Article III District Regulations.
3. Creating a new Article (Article IX within Section 405 to address manufactured homes).

Definitions:

Staff is proposing to add definitions for manufactured homes, modular homes, and mobile homes (or trailers). The proposed definitions are as follows:

- *MANUFACTURED HOME – Factory-built structure that is manufactured or constructed under the authority of 42 United States Code Section 5401 and is to be used as a place of human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to move to a permanent site, and which does not have permanently attached to its body or frame any wheels or axels. A mobile home is not a manufactured home.*
- *MOBILE HOME – A transportable, factory-built home, designed to be a year-round residential dwelling and built before the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976. Also known as a Trailer.*
- *MODULAR HOMES – Factory-built housing bearing the seal issued by the Missouri Public Service Commission indicating compliance with the State of Missouri Modular Standards and Regulations for modular homes.*

Article III: District Regulations:

Staff is recommending prohibiting manufactured homes in R-1, Single-Family Residence Zone (405.230) and R-2, Single-Family and R-2 Modified Residential Zones (405.240).

Staff are proposing to allow manufactured homes in M-1, Light Industrial, and M-2, General Industrial District (405.310).

For those zoning districts where manufactured homes were omitted, thereby not allowing that use by right, any property owner would still have the opportunity to seek a special use permit through the Special Use Permit process which would be reviewed by the Planning and Zoning Commission and City Council. The Special Use Permit process would require neighborhood notifications to be sent out for a public hearing.

Article IX: Manufactured Homes:

Finally, staff is proposing a new Article (Article IX) within the Chapter 405 Zoning Code. Article IX would create standards and requirements for manufactured homes to be placed on individual lots within the City of Maryville. These standards are intended to ensure that manufactured homes are compatible with other dwellings in residential neighborhoods. The proposed standards are as follows:

Section 405.550. Permit Required.

- A. Purpose. The purpose of this section is to set forth standards for the placement, construction, and architectural appearance of manufactured homes within the city. This section intends to ensure that manufactured homes are compatible with other dwellings in residential neighborhoods and meet minimum construction, placement, and architectural standards while providing an alternate means of affordable home ownership for the residents of the community.*

- B. Occupancy restrictions. Manufactured homes shall not be placed or occupied on an individual lot without a building permit being issued under these regulations.*
- C. These regulations do not apply to modular homes, which shall be subject to the same zoning standards as site-built houses.*
- D. Siting requirements. Each manufactured home placed on an individual lot shall:*
- 1. Be occupied only as a single-family dwelling.*
 - 2. Be allowed by right in the zoning district in which located or be issued a special use permit (see Section 405.385).*
 - 3. Be in conformance with all zoning and setback requirements established for the district in which located.*
 - 4. Have been manufactured within one (1) year of issuance of the permit.*
 - 5. Have a minimum width of not less than 22 feet as measured at all points perpendicular to the length of the manufactured home. This standard is intended to restrict units to the type that are brought to the site in parts, typically two halves.*
 - 6. Roof must be gable or hip-roof of at least 3:12 or greater with an eave projection of not less than 6 inches.*
 - 7. Have the tongue and running gear, including axles, removed.*
 - 8. Have roof covering, exterior surface, and window treatments that, to the maximum extent possible, are architecturally compatible with those of neighboring properties.*
 - 9. The lot shall be landscaped to ensure compatibility with surrounding properties.*
 - 10. Be placed on a parcel according to a pre-submitted and approved plot plan as described on the permit. In addition, a manufactured installation manual, manufacturer's certificate of registration, and drawings and specifications for the home are included. This shall include manufacturers' specifications for attachment to footings and foundation.*
 - 11. Footings shall be below the 36" frost line. The exterior foundation material shall consist of continuous concrete or masonry suitable for the outer portion of a finished residence.*
 - 12. Be served by permanent utility hook-ups, including water, sewer, and electrical.*
 - 13. Have permanent steps at all exits.*
 - 14. Have the main entry door facing the street on which it is located. The unit must be oriented on the lot so that the long axis is parallel to the street. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimension of the unit, as so modified and facing the street, is no less than fifty (50) percent of the unit's long dimension.*
 - 15. The property owner shall declare the manufactured home as real property and must so record it with Nodaway County.*

E. Inspections. Each manufactured home approved for placement on a parcel shall be subject to the following inspections:

- 1. Site inspection to ensure zoning requirements.*
- 2. Footing inspection before placement of the manufactured home.*
- 3. Foundation anchors.*
- 4. Utility connections*
- 5. General appearance and condition of structure*
- 6. Final inspections shall be equal to the final inspection for site-built homes.*

F. Nonconformity. All legally existing occupied mobile and/or manufactured homes located on an individual lot shall be permitted to remain in place so long as they are occupied but provided they may not be replaced unless made to conform with the requirements of this ordinance. Previously established special use permits shall not be required of new mobile and/or manufactured homeowners. Any such existing mobile and/or manufactured home shall be removed when unoccupied for a period in excess of 12 months.

G. Existing mobile home parks are considered a non-conforming use (see Section 405.420 & 405.430).

FINANCIAL CONSIDERATIONS:

Should the requested amendments be approved, it would prohibit manufactured homes to be allowed by right in the R-1, R-2, & R-2M districts and would prohibit any future development of manufactured homes in those districts. Manufactured homes would be allowed by right in M-1 and the M-2 zoning districts with approval of a building permit and subject to meeting the conditions established in Article IX. Finally, all other proposed manufactured homes would be required to obtain a Special Use Permit prior to obtaining a building permit.

LEGAL CONSIDERATIONS:

The ordinance has been reviewed and approved by the City Attorney.

COMPREHENSIVE PLAN:

The following policies in the Maryville Comprehensive Plan apply to the project:

- Managing Incremental Land Use Decisions (Chapter 52, p. 59)
 - This issue focuses on establishing criteria for the location of individual uses or project types. While big ideas and directions are important, community development is implemented over the long period by hundreds of individual decisions, from where to locate a business, to granting rezoning and subdivision approval. The Land Use Decision Matrix, presented in this section, provides the context for these decisions.
- Neighborhood Conservation (Chapter 5, p. 80)
 - Land Use Policies: Maryville should maintain zoning and land use policies that protect the integrity of its neighborhoods. New zoning proposals should be evaluated with a view to their effect on surrounding neighborhoods. The zoning ordinance should encourage project design that reduces land use conflicts between

residential and other uses, and should establish buffering and screening standards to minimize external effects on neighborhoods.

PLANNING & ZONING COMMISSION:

The Planning & Zoning Commission met on May 6, 2025. Members raised concern with three (3) sections of the proposed ordinance.

1. 405.550.D.4 - Have been manufactured within one (1) year of issuance of the permit.
 - The Commission felt this requirement was potentially too strict and that many brand-new manufactured homes on the lot were over a year old. The Commission did think it was important that the manufactured home be new.
 - Potential alternate language: 405.550.D.4 – *Have been manufactured within one (1) year of issuance of the building permit, or within two (2) years of issuance of the building permit if verified as having never been occupied.*
2. 405.550.D.11 – Footings shall be below the 36” frost line. The exterior foundation material shall consist of continuous concrete or masonry suitable for the outer portion of a finished residence.
 - The Commission felt this requirement needed stricter language to keep cement board skirting and other similar products from being used.
 - Potential alternate language: 405.550.D.11 – *Footings shall be below 36” frost line. The exterior foundation shall consist of brick, architectural concrete blocks, stone or a poured concrete wall of at least 4” thick.*
3. 405.550.F - *Nonconformity*. All legally existing occupied mobile and/or manufactured homes located on an individual lot shall be permitted to remain in place so long as they are occupied, but provided they may not be replaced unless made to conform with the requirements of this ordinance. Previously established special use permits shall not be required of new mobile and/or manufactured homeowners. Any such existing mobile and/or manufactured home shall be removed when unoccupied for a period over 12 months.
 - The Commission had mixed feelings about a mobile and/or manufactured home being removed if unoccupied for a period of more than 12 months. Some members felt that this was too strict and a home could be for sale for 12 months.
 - Potential alternate language: 405.550.F – *All legally existing occupied mobile and/or manufactured homes located on an individual lot shall be permitted to remain in place so long as they are occupied, but provided they may not be replaced unless made to conform with the requirements of this ordinance. Previously established special use permits shall not be required of new mobile and/or manufactured homeowners. Any such existing mobile and/or manufactured home shall be required to reapply for a Special Use Permit when unoccupied for a period of over 12 consecutive months.*

On May 6, 2025, the Planning & Zoning Commission voted to recommend approval of the ordinance after addressing the 1 year manufactured date and standards on foundations with a vote of 3-1.

RECOMMENDED ACTION:

The moratorium on manufactured home permits is set to expire on May 27, 2025. This ordinance sets standards and allows community input into the process. The ordinance will ensure that manufactured homes are compatible with neighborhoods while providing an alternate means of affordable home ownership for citizens. Staff would recommend approval of the ordinance with consideration of the alternative language options.