

1 **AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF LEWES,**
2 **CHAPTER 197 ZONING SECTION 197-96 CONDITIONAL USES REQUIRED**
3 **FINDINGS TO REVISE BULK STANDARDS (LOT SIZE, SETBACKS, ETC.) AS IT**
4 **RELATES TO MANUFACTURED HOME PARKS.**

5
6 **WHEREAS**, the Mayor and City Council deem it appropriate to consider the question of
7 whether it is in the public interest to amend Chapter 197, Zoning, of the Municipal Code of the
8 City of Lewes, Delaware, as amended, by revising bulk standards for Conditional use
9 manufactured home communities;

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11 **WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or
12 the purpose of promoting health, safety, morals or the general welfare of the community, the
13 legislative body of cities and incorporated towns may regulate and restrict the height, number of
14 stories and size of buildings and other structures, percentage of lot that may be occupied, the size
15 of yards, courts and other open spaces, the density of population, and the location and use of
16 buildings, structures and land for trade, industry, residence or other purposes”;

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18 **WHEREAS**, Section 38 of the City's Charter provides that “[f]or the purpose of protection
19 against fire, promoting health, safety, morals or the general welfare of the community, the City
20 Council is hereby empowered to adopt ordinances to regulate and restrict the height, number of
21 stores [sic], size of buildings and other structures, the density of population and the location and
22 use of buildings, structures and lands for trade, industry, residence or other purposes”;

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24 **WHEREAS**, Article XV, Chapter 197, Section 104, Text and map amendments, of the
25 Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall
26 be made after a public hearing following fifteen (15) days’ notice by publication in an official
27 paper or a paper of general circulation in the City;

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29 **WHEREAS**, a public hearing was conducted on September 25, 2023;

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31 **WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing
32 notice of the time and place of such hearing in an official paper or newspaper of general circulation
33 in the City; and

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35 **WHEREAS**, the proposed amendment will promote the health, safety, and general welfare
36 of the Lewes community.

37
38 **BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining
39 at all times thereto, in the manner following to-wit:

40
41 **Section 1.** Chapter 197 Zoning, Article XIII Conditional Uses – Required Findings (197-
42 96) of the Municipal Code of the City of Lewes, Delaware, be the same and is hereby amended by
43 adding the underlined text.

44
45 J. Additional requirements for certain conditional uses. The following requirements are in addition
46 to the required findings in this article for the conditional uses listed below:

47 [Amended 9-11-2017]

48 (2) Manufactured home parks.

49 [Added 8-13-2018[1]]

50

51 (a) Permitted only when existing prior to annexation into the City of Lewes.

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53 ~~(b) The minimum area for a manufactured home site for placing one manufactured home~~
54 ~~shall be 5,000 square feet, with a width of not less than 50 feet and with corners of each~~
55 ~~site visibly marked and numbered by a permanent marker. Any manufactured home with~~
56 ~~its accessory buildings shall not occupy in the aggregate more than 40% of the gross area~~
57 ~~of the manufactured home site. No manufactured home site shall be offered for sale or sold.~~

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59 ~~(c) The park shall include open space accessible to all manufactured home occupants and~~
60 ~~suitable for recreation at a ratio of 300 square feet minimum of recreational area per~~
61 ~~manufactured home site.~~

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63 ~~(d) The manufactured home park shall be surrounded by a landscaped buffer strip of open~~
64 ~~space 50 feet wide along all boundary lines. The buffer strip shall remain free of any~~
65 ~~buildings or streets.~~

66

67 ~~(e) No main residential structure or any addition thereto shall be placed closer than 16 feet~~
68 ~~to any other main residential structure, and no part of any authorized residential structure~~
69 ~~or addition thereto shall be extended closer than eight feet to the boundaries of the~~
70 ~~individual manufactured home site.~~

71

72 ~~(f) No main residential structure or accessory structure shall exceed an overall height of 15~~
73 ~~feet. Steps with related landing may project four feet into the required setback.~~

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75 ~~(g) Two off street parking spaces shall be provided on each manufactured home site.~~

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77 ~~(h) Support operations intended primarily for occupants of the park, such as a management~~
78 ~~office and laundry facilities, shall be permitted within the park area.~~

79

80 ~~(i) Proper provision shall be made for public water supply, sanitary sewers, electric~~
81 ~~connections, fire protection, laundry, toilet and bathing facilities. Open unenclosed~~
82 ~~landings and steps required to provide access into the main residential structure shall not~~
83 ~~be calculated as part of the lot coverage requirement of 40%.~~

84

85 ~~(j) All manufactured homes must meet the Manufactured Home Construction and Safety~~
86 ~~Standards of the United States Department of Housing and Urban Development (HUD)~~
87 ~~Code as approved June 15, 1976.~~

88

89 ~~(k) No part of any accessory building shall extend closer than five feet to the boundaries of~~
90 ~~another manufactured home site, or within 10 feet of a main residential structure on another~~
91 ~~manufactured home site, or within eight feet of an accessory building on another~~
92 ~~manufactured home site, or exceed an overall height of 15 feet.~~

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94 ~~(l) All placement of new manufactured homes must be located outside of the flood hazard~~
95 ~~area.~~

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97 ~~(m) Any manufactured home may be replaced with another manufactured home as long as~~
98 ~~the above conditions are satisfied.~~

99
100 **(b) Land Lease Area/Manufactured Home Site - Dimensional and Use Regulations**

101 i. Minimum area – 2,400 SF

102 ii. Minimum lot width – 35 ft.

103 iii. Maximum lot coverage – 50% main structure up to; 65% total

104 iv. Setbacks - front yard - 5 ft. min with 8 ft. max; side yard- 5 ft., and rear
105 yard – 5 ft.

106 v. Separation distance between buildings – 16 ft.

107 vi. All land lease area/manufactured home sites shall have the corner of each
108 site visibly marked and numbered by a permanent marker.

109 vii. Only one (1) manufactured home per land lease area/manufactured home
110 site.

111 viii. Maximum building height – 20 ft.

112 ix. Maximum one story

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114 **(c) Accessory Structures - Dimensional Regulations**

115 i. Five (5) foot setback to all land lease area/manufactured home site.

116 ii. Sixteen (16) foot separation distance to a main structure on adjacent land
117 lease area/manufactured home site.

118 iii. Eight (8) feet separation distance from any accessory structure on
119 adjacent land lease area/manufactured home site.

120 iv. Maximum height of 20 feet.

121
122 **(d) No manufactured home site/land lease area shall be offered for sale or sold.**

123
124 **(e) The park shall include a minimum of 1.5 ac. of open space accessible to all**
125 **manufactured home occupants and suitable for recreation**

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127 **(f) Steps with related landing may project four (4) feet into the required setback. If**
128 **it is under 28 SF it shall not count towards lot coverage.**

129
130 **(g) Two off-street parking spaces shall be provided on each manufactured home site.**

131
132 **(h) Support operations intended primarily for occupants of the park, such as a**
133 **management office and laundry facilities, shall be permitted within the park**
134 **area.**

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136 **(i) Proper provision shall be made for public water supply, sanitary sewers, electric**
137 **connections, fire protection, laundry, toilet, and bathing facilities.**

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- (j) All manufactured homes shall meet the Manufactured Home Construction and Safety Standards of the United States Department of Housing and Urban Development (HUD) Code as approved June 15, 1976, and as amended.
i. The HUD Standards dictate the minimum size of a home and the age that can be placed within a manufactured home community.
- (k) Any manufactured home may be replaced with another manufactured home as long as the above conditions are satisfied.
- (l) A site plan showing the metes and bounds description of the park, and all land lease areas shall be provided.
- (m) No new manufactured home sites/land lease areas shall be created within the floodplain.
- (n) Floodplain – The maximum building height for structures in the floodplain may be increased to be equal to the freeboard requirement.


[1]Editor's Note: This ordinance also amended the introductory text of Subsection J.

Section 2. If any provision of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect immediately upon its adoption by the Mayor and City Council of the City of Lewes.

Adopted by the Mayor and City Council
of the City of Lewes
December 11, 2023

I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the foregoing is a true and correct copy of the ordinance passed by the Mayor and City Council at its regular meeting on December 11, 2023, at which a quorum was present and voting throughout and the same is still in full force and effect.



Secretary

SYNOPSIS: This Ordinance amends required findings for a Conditional Use regarding manufactured home parks.