

*McCracken County
Planning Commission*



Application Packet
For A
Zone Change For A
Mobile Home Park

Last Update: 8/2/23

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Color Codes

Blue Box	Tips For Getting It Right; Or Answer To A Frequently Asked Question
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Red Box	Critical Information – Pay Special Attention
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Red Letters	Sheets To Return With Application
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Planning Commission

McCracken County, Kentucky
300 Clarence Gaines St
Paducah, KY 42003
v (270) 442-9163
f (270) 443-0803

DO NOT WRITE IN THIS AREA

Pre-Conf Date _____

App Date _____

Hearing Date _____

APPLICATION FOR A ZONE CHANGE FOR A MOBILE HOME PARK
PLEASE PRINT OR TYPE

Applicant Information or Authorized Agent	_____
	Name

Mailing Address	

Daytime Phone Number	

Property Owner Information <input type="checkbox"/> Same as Above	_____
	Name

	Mailing Address

Daytime Phone Number	

Property Information	_____
	Property Address

If Platted, Plat Book Number, Page Number	

Current Zoning	Current Zoning -
	<input type="checkbox"/> AG <input type="checkbox"/> RR <input type="checkbox"/> UR <input type="checkbox"/> C <input type="checkbox"/> ML <input type="checkbox"/> MH <input type="checkbox"/> MHP

Sanitary Sewer	The proposed site will be served by public sanitary sewers
	<input type="checkbox"/> Yes <input type="checkbox"/> No*
	* If No, state system

Flood Hazard	The Subject Property is Located in a Flood Hazard Area -
	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

RETURN THIS SHEET WITH THE COMPLETED APPLICATION

ZONE CHANGE APPLICATION

2nd page

Authorized Agent	<p>Commonwealth of Kentucky McCracken County</p> <p>This _____ Day of _____, _____ (Day) (Month) (Year)</p> <p>I, _____ (Owner)</p> <p>hereby authorize _____ to make application to the McCracken County Planning Commission for the purpose of requesting a zoning change for properties listed on this application.</p> <p>_____ Owner</p> <p>COMMONWEALTH OF KENTUCKY</p> <p>COUNTY OF _____</p> <p>Subscribed and sworn to before me this _____ day of _____, 20____, in my County and State aforesaid, by the forenamed owner.</p> <p style="text-align: right;">_____ Notary Public</p> <p>My Commission Expires: _____</p>
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I hereby certify that the information contained in this application, attached development plan and all other required submittals in support of this application are to the best of my knowledge and ability are true and correct.

Signature of Applicant

Date

COMMONWEALTH OF KENTUCKY
COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____, 200____, in my County and State aforesaid, by the forenamed principal.

Notary Public

My Commission Expires: _____

RETURN THIS SHEET WITH THE COMPLETED APPLICATION

Zone Change To Mobile Home Park Checklist

THE PLANNING COMMISSION WILL GENERALLY HEAR ALL APPLICATIONS WITHIN 30 DAYS FROM THE RECEIPT OF THE COMPLETED APPLICATION.

THE FOLLOWING INFORMATION MUST ACCOMPANY AN APPLICATION TO THE MCCRACKEN COUNTY PLANNING COMMISSION AND IS TO BE PROVIDED BY THE APPLICANT:

- Completed Application. The applicant must submit the application form in its entirety. Incorrect or inaccurate information will result in dismissal of the application for a zoning change.
- A copy of the latest plat for the property or properties involved in the request.
- The appropriate drawings showing all existing and proposed improvements on the property, with dimensions and distances to property lines, all abutting streets, and all elements of the Preliminary Development Plan.
- An original copy of the legal notice published in the Paducah Sun not less than 7 or more than 21 days prior to the hearing.
- Sign(s) posted on the subject property not less than 14 days prior to the meeting.
- The names and mailing addresses of all adjacent property owners.
- A completed "Certificate of Land Use Restriction". A recording fee of \$50.00 is required per KRS 100.3683.
- A check for any applicable fee as listed in Section 150.111. Fee Schedule of the McCracken County Code of Ordinances.

THE FOLLOWING INFORMATION WILL BE PROVIDED TO THE APPLICANT BY THE MCCRACKEN COUNTY ZONING ADMINISTRATOR'S OFFICE:

- An Application Packet with an application form, sample letters and sketches and documents you will need for the hearing to prepare for the public hearing.
- Hearing date, which will be the next applicable agenda date. All applications will be heard within 60 days from receipt of the completed application.
- Signs for posting on the subject property.

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER (S)

_____	_____
_____	_____
_____	_____
_____	_____

2. ADDRESS OF PROPERTY

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

4. TYPE OF RESTRICTION (S)

(Check all that apply):

___ Zoning Map Amendment to ___ Zone

___ Conditional Zoning Condition

___ Development Plan

___ Other

specify _____

___ Unrecorded Subdivision Plat

___ Variance

___ Conditional Use Permit

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

McCracken County Zoning Administrator
300 S. 7th Street
Paducah, KY 42001

Form of Certificate per KRS 100.3683
A Recording Fee of \$50.00 shall be collected at the time application is made (KRS 100.3681 (1), (2))

Signature of Completing Official

Name and Title of Completing Official (Type or print)

Step-by-Step Process Short Description

1. Arrange a pre-application conference with the Zoning Administrator. You will receive an application and all of the requirements. Please call (270) 448-0125 or email to gcannon@mccrackencountyky.gov
2. Complete an application. Include:
 - a. A completed Application Form
 - b. Names, addresses, and Affidavit of adjacent property owners
 - c. A copy of the deed or plat (plats preferred)
 - d. A Preliminary Development Plan and all required drawings.
 - e. Any supplemental information required by the county.
3. Only after you have completed step two above, will you be placed on the Planning Commission Agenda.
4. The Planning Commission will receive and file the application and set a date for the public hearing.
5. Post Signs on the property fourteen (14) days ahead of the hearing. Submit affidavit of sign posting.
6. Advertise the public hearing in the Paducah Sun at least 7 days, but not more than 21 days, ahead of the hearing. Submit original tear sheet from newspaper.
7. Attend the public hearing and present your case.
8. Receive a decision from the Planning Commission.
9. Present a final development plan to the Planning Commission for approval or denial.

Frequently Asked Question:

This looks complicated; do I need a team of lawyers and engineers to prepare my application?

Answer: No. It is not required. In modest developments, property owners can usually present a very competent case for the change. But some people do use attorneys and engineers to help them present the very best case they can. They often do this if the development is so large that an engineer or other professionals are already involved. If you feel that you cannot do this, and the project is critical to you economically, then get professional help.

Sample Public Hearing Notice

Notice of Public Hearing Zoning Change 125 Lexington Ave.

On Wednesday, July 24, 2002 at 1:30 PM in the McCracken County Emergency Management Building at 3700 Coleman Road, Paducah, KY, 42001, a public hearing will be conducted on the application of James Smith to change the zoning of property located at 125 Lexington Ave. from Urban Residential (UR) to Mobile Home Park (MHP). All interested parties may appear and be heard. Call (270) 448-0125 for more information.

Wayne Elliott, Chairman
McCracken County Planning Commission

Tips For Running An Advertisement and Getting It Right

The Planning office will write the ad when the application is submitted. It is the applicant's responsibility to get the ad to the newspaper.

This must be published at least *7 days and not more than 21 days* before the hearing.

Generally you must submit this to the Paducah Sun before 12 Noon on the day before you want this published. They are located at 408 Kentucky Ave. Their FAX number is 443-7465. Their voice number is 270-575-8600. The law requires you to use the newspaper with the widest circulation -- the Paducah Sun.

You must provide an original copy of the published advertisement *prior* to the hearing. Include the entire page, so we can see the date.

You will be responsible for paying the Paducah Sun.

Notifying the Neighbors

As required by the ordinance, the adjacent property owners shall be notified by First Class Mail. It is your responsibility to accurately identify all of the adjacent property owners.

The Zoning Administrator will write and mail the letters to the addresses you supply.

The adjacent property owners are the property owners within 200' on either side of your property, to the rear of your property, and properties across the street qualify as "adjacent" for the purpose of the case. Also, if the property abuts another City or County, they must be identified.

There is only one approved method of determining the adjacent property owners:

Visit the Property Valuation Office, located in the Court House Annex at 621 Washington Street to research the addresses of all of the owners.

P L E A S E P R I N T O R T Y P E

	Adjacent Owner Name	Property Address	Mailing Address
1			
2			
3			
4			
5			
6			

USE A SEPARATE SHEET IF NECESSARY

RETURN THIS SHEET WITH THE COMPLETED APPLICATION

Adjacent Property Owners Affidavit

Commonwealth of Kentucky
McCracken County

This _____ Day of _____, _____
(Day) (Month) (Year)

I, _____
(Owner or Authorized Agent)

hereby make oath that the list of adjacent property owner(s) within 200' (two-hundred feet) of all portions of the subject property, including the subject property, all property immediately across the street or road of the subject property, other city or county jurisdictions which abut the subject property, is a true and accurate list as submitted with the zoning change application.

(Owner or Authorized Agent)

COMMONWEALTH OF KENTUCKY

COUNTY OF _____

Subscribed and sworn to before me this _____ day of _____, 20____, in
my County and State aforesaid, by the forenamed principal.

Notary Public

My Commission Expires: _____

RETURN THIS SHEET WITH THE COMPLETED APPLICATION

The Development Plan

The McCracken County Zoning Ordinance requires that every application for a zone change be submitted with a preliminary development plan. McCracken County does not approve speculative zone change applications without any pre-planning. The development plan tells the Planning Commission (and the community) your intentions for the property. Development plans are defined as:

Development plan. Means written and graphic material for the provision of a developmental plan, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing manmade and natural conditions, and all other conditions agreed to by the applicant.

Preliminary Development Plan. This plan shall be that plan adopted by the Planning Commission when the Planning Commission favorably recommends a map amendment to the Fiscal Court. The preliminary development plan shall include that information as determined in the pre-application conference. No building permits shall be issued based upon a preliminary development plan.

Generally, many property owners can competently prepare text and graphics that are suitable for the hearing. While it is not required, the very *easiest* thing to do is have a professional architect, engineer, or surveyor prepare the drawing. You may also want to consider legal advice. Professionals are very qualified, and they generally know what we desire. As many of the professionals have been through this before, they can often give you valuable advice for winning your case. Usually they will help represent you at the public hearing. Of course, utilizing professionals comes with a cost. It is your case and if it is critical to you economically, then you should consider professional assistance.

The quality of the drawing should substantially depict the existing and proposed conditions. Since approvals are not guaranteed, non-essential details may be omitted as a way to spare expense. That is why we call it a preliminary plan. If an approval is made, one can then make the necessary investments to satisfy permit requirements. For example, we do not normally recommend that full drainage studies be commissioned prior to the hearing. The board or the ordinance may require it, but that will be at a later time.

The content of a preliminary development plan shall include:

1. A title block containing the plan name, development plan type (preliminary or final), name and address of developer and plan preparer, and a written and graphic scale;
2. The boundary of the subject property and the zoning and owner names and addresses for all adjoining property;
3. Date, appropriate North point, and graphic scale.
4. A vicinity, or key map, oriented in the same direction as the design scheme, scale not smaller than 1"= 2,000'.
5. Topography, with contours at an interval of not greater than five (5) feet. USGS quadrangles may be used as a base. This requirement may be waived by the discretion of the County.
6. Drawn to a scale of one hundred (100) feet to one (1) inch or larger.
7. Location, arrangement and approximate dimensions of existing and proposed streets, roads, driveways, sidewalks, and parking areas. As well as profiles and cross-sections of proposed streets or roads.
8. Perimeter screening, recreational, and other open spaces.
9. Approximate size, location, floor area, and use of proposed and existing buildings.
10. Approximate location of lot lines for projects anticipated to involve land subdivision.
11. Approximate location and dimensions of all existing and proposed easements.
12. Approximate location and sizes of existing and proposed utilities.
13. Minimum building setback lines.
14. Floodplain as determined by Federal Emergency Management Agency, (FEMA.), and classification, as per FEMA codes.
15. Approximate location and dimensions of storm drainage areas, conceptual drainage controls and stormwater retention.

16. Plats shall be submitted not larger than twenty-four (24) by thirty-six (36) inches in size.
17. Owners Certificate: "I (We) hereby certify that I (we are) the owner(s), or authorized agent(s), of the property shown and described hereon, and that I (we) hereby adopt the Development Plan with my (our) free consent, with the exception of the such variances or other conditions of approval, if any, as noted hereon or in the Minutes of the McCracken County Planning Commission. I (We) further understand that building permits for construction can only be issued following this plan and that amendments to the plan can be made only by the procedure described in the McCracken County Zoning Ordinance."
18. Chairperson's Certificate: "I hereby certify that the Development Plan shown herein has been found to comply with the McCracken County Zoning Ordinance, with the exception of such variances or other conditions of approval, if any, as are noted hereon or in the Minutes of the McCracken County Planning Commission and that it has been approved as the official plan."

Mobile Home Park Design Requirements

The preliminary development plan shall include the following mobile home park design requirements:

- I. Minimum Area Requirements
 - A. No Mobile Home Park shall be permitted on an area of less than five (5) acres. However, the park may develop in stages as long as it complies with an overall approved development plan.
 - B. Lot Requirements
 1. Individual lots within a mobile home park shall not be less than five thousand (5,000) square feet in an area with only one mobile home per lot. Minimum lot width shall be forty (40) feet.
- II. Lot Coverage
 - A. Lot coverage by mobile home and accessory structures shall not exceed 66% of the lot area.
- III. Set-Back
 - A. No mobile home or accessory structure shall be closer than thirty (30) feet to any public street R-O-W. No mobile home or accessory structure shall be closer than fifteen (15) feet to any privately maintained street R-O-W within the mobile home park. No mobile home or accessory structure shall be closer than seven and one half (7 ½) feet to a rear lot line or less than ten (10) feet to side lot line. No mobile home or accessory structure shall be closer than twenty-five (25) feet to any property boundary line of the park. No mobile home or accessory structure shall be closer than twenty-five (25) feet to any property boundary line within the park. No mobile home shall be located within twenty (20) feet to another mobile home except that a minimum end-to-end clearance of not more than fifteen (15) feet shall be permitted.
- IV. Common Open Space and Facilities
 - A. At least one substantial area of usable open space shall be provided. Such area shall:
 1. Total at least 2-½ % of total park area.
 2. Be developed for active and passive recreation, including new children's equipment and a fenced tot lot.
 3. This area shall be landscaped, improved and maintained.
- V. Perimeter
 - A. All mobile home park boundary lines excluding public road right-of-ways shall have either a six (6) feet high fence that is 90% visually solid or four (4) feet tall shrubs and/or evergreen trees that will

attain six (6) feet in height within three (3) years and also be 90% visually solid year round.

VI. Street and Sidewalks

- A. All mobile home lots shall abut upon a street of not less than thirty (30) feet in R-O-W width. All streets shall have a pavement width of not less than twenty (20) feet. All streets within a mobile home park shall be paved, surfaced, and well lighted. All mobile home parks shall have a three (3) feet wide sidewalk on one side of all park streets. They shall be smooth surfaced, and free from mud, dust, and standing water at all time.

VII. Parking

- A. There shall be a minimum of two (2) parking spaces per dwelling unit. There shall also be a minimum of one (1) guest parking space provided for every five (5) dwelling units. The parking arrangement shall be shown on the preliminary development plan. Minimum parking areas shall be eight (8) feet wide and eighteen (18) feet long.

VIII. School Bus Stops

- A. There shall be a sheltered school bus stop provided. The location shall be designated by the local school board and shown on the preliminary plat. The shelter shall be a minimum of an open-sided, roofed structure with a hard surfaced, well-drained floor. The shelter square footage shall be a minimum of six (6) square feet for every dwelling unit.

IX. Drainage

Mobile home park street and ditch drainage shall meet or exceed Section 41.16 of the McCracken County Subdivision Regulations, or Article VI of this ordinance.

**SUBMIT
2
COPIES WITH
THE APPLICATION**

Tips For Preparing An Acceptable Drawing

A sample drawing is included with this packet for you to use a guide.

You may purchase inexpensive drawing aids, such as scales and/or graph paper, at local office supply stores. Another good place to go is Paducah Blueprint, located at 999 Broadway. They have everything you will need to prepare an acceptable document.

Also readily accessible graphics programs can be found that work nicely.

The Public Hearing

Only after a proper application is accepted by the Planning Commission, and the proper advertising is complete (neighbors notified by mail, signs posted, and an advertisement placed in the paper), will a public hearing be conducted.

The meeting, conducted by the Planning Commission Chairperson, is generally an informal affair, but will be orderly. You will be asked to present your case. You should cover the following information:

1. Identify the existing zone of the subject property.
2. State the proposed zone for the subject property.
3. Characterize the site conditions of the subject property.
4. Characterize the land uses in the general area around the subject property.
5. Present the development plan. Show your drawing, and describe the future use of the property. You should describe future buildings and their use, parking, traffic flow, storm drainage controls, and any landscaping, fencing or screening.

As it is a public hearing, the Chairman will ask if anyone is at the meeting that wishes to comment or ask questions about the proposal. Usually some one will speak up. The public tends to ask about traffic, storm water, noise, and screening. Be prepared for some give and take. Think ahead about what is really important to the project and what conditions you are willing to negotiate.

The Planning Commission in its obligation to promote the public health, safety, and general well being shall consider, but will not be limited to, the following considerations:

1. The conservation of natural resources, which may include various wildlife forms, vegetation, steep slopes, surface water, ground water, floodplain, soils, geologically sensitive areas, air quality, noise, sufficient sunlight exposure, etc.;
2. The conservation of sites that have historic, architectural, or archeological value;
3. The provision for safe, efficient vehicular and pedestrian transportation, off-street parking and loading within the development and the community and neighborhood;
4. The provision for sufficient open space and recreational opportunities;
5. The compatibility of the overall site design (buildings, parking, circulation, signs, screening, and landscaping) and land use with the existing and projected future land use of the area;

6. The provision for adequate drainage facilities to prevent runoff problems during times of peak precipitation and flooding to the site and the surrounding community/neighborhood:
7. The provision that infrastructure needs shall, as they relate to essential services and infrastructure systems, be adequately addressed;
8. The development plan's compliance with the comprehensive plan and all applicable regulations as per county subdivision regulations

The Planning Commission is not required to automatically approve your request. In considering the case, you must demonstrate that one of the following two conditions exist:

1. That the original zoning classification given to the property was inappropriate or improper; or
2. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the comprehensive plan and which have substantially altered the basic character of the area.

Frequently Asked Question

Why won't you provide the telephone numbers and address for the people on the Commission so I can call them before the meeting?

Because it is a good way to get your case overturned by a court. Kentucky courts have looked at these zoning hearings as being quasi-judicial in nature. That is, if board members talk to people outside of the hearing, and the opposing side is not present to question what was said, it can be considered an illegal communication. The only place you should be talking to commissioners or board members is at the public hearing. That way it is fair for all parties concerned. Don't be offended if the commissioners tell you that they cannot discuss your case over the phone or meet you on site.

After The Public Hearing

After considering the application, examining the preliminary development plan, and conducting a public hearing, the Planning Commission may:

- a. *Approve the Plan.* The development plan is ready for certification as presented.
- b. *Conditional approval.* The development plan will be certified when the developer has complied with the conditions of approval set forth in the Commission's action on the development plan.
- c. *Disapproval.* The Planning Commission has disapproved the development plan. To request new review and action, the developer must file a new application as set forth in the ordinance.
- d. *Postponement.* In circumstances where further resolution is required, the Commission may act, with the consent of the applicant, to postpone final action on the development plan until further information or resolution of conflicts can be ascertained.

In the event of a *Conditional Approval* or *Postponement*, the Planning Commission may order another public hearing.

Seeking Permits

Prior to the issuance of building permits, the applicant must present a final development plan as set forth in the zoning ordinance.

Contact List

Planning and Zoning Administrator's Office

Gregory Cannon – Planning and Zoning Administrator
Voice (270) 448-0125
Fax (270) 444-4737
300 Clarence Gaines
Paducah, KY 42003
Email gcannon@mccrackencountyky.gov

Paducah Sun Classified

Voice (270) 575-8600
Fax (270) 443-4765

Excerpt from McCracken County Zoning Ordinance

§ 150.035 MOBILE HOME PARKS.

(A) Defined. All proposed mobile home parks shall comply with all applicable state, federal, and county subdivision regulations and zoning regulations. MOBILE HOME PARKS are wherever:

(1) Three or more mobile homes occupy, or are intended for occupancy, on a single lot in the MHP zone; or

(2) On a lot where there is a principal building and one or more rental or lease spaces on one lot, with less than 12,000 square feet of lot area per structure.

(B) Mobile home park requirements.

(1) Minimum area requirements. No mobile home park shall be permitted on an area of less than five acres. However, the park may develop in stages as long as it complies with an overall approved development plan.

(2) Lot requirements. Individual lots within a mobile home park shall not be less than 5,000 square feet in an area with only one mobile home per lot. Minimum lot width shall be 40 feet.

(C) Lot coverage. Lot coverage by mobile home and accessory structures shall not exceed 66% of the lot area.

(D) Setback. No mobile home or accessory structure shall be closer than 30 feet to any public street right-of-way. No mobile home or accessory structure shall be closer than 15 feet to any privately maintained street right-of-way within the mobile home park. No mobile home or accessory structure shall be closer than seven and one-half feet to a rear lot line or less than ten feet to side lot line. No mobile home or accessory structure shall be closer than 25 feet to any property boundary line of the park. No mobile home or accessory structure shall be closer than 25 feet to any property boundary line within the park. No mobile home shall be located within 20 feet to another mobile home except that a minimum end-to-end clearance of not more than 15 feet shall be permitted.

(E) Common open space and facilities. At least one substantial area of usable open space shall be provided. Such area shall:

(1) Total at least 2.5% of total park area;

(2) Be developed for active and passive recreation, including new children's equipment and a fenced tot lot; and

(3) This area shall be landscaped, improved, and maintained.

(F) Perimeter. All mobile home park boundary lines excluding public road rights-of-way shall have either a six-foot high fence that is 90% visually solid or four feet tall shrubs and/or evergreen trees that will attain six feet in height within three years and also be 90% visually solid year round.

(G) Street and sidewalks. All mobile home lots shall abut upon a street of not less than 30 feet in right-of-way width. All streets shall have a pavement width of not less than 20 feet. All streets within a mobile home park shall be paved, surfaced, and well lighted. All mobile home parks shall have a three feet wide sidewalk on one side of all park streets. They shall be smooth surfaced, and free from mud, dust, and standing water at all time.

(H) School bus stops. There shall be a sheltered school bus stop provided. The location shall be designated by the local school board and shown on the preliminary plat. The shelter shall be a minimum of an open-sided, roofed structure with a hard surfaced, well-drained floor. The shelter square footage shall be a minimum of six square feet for every dwelling unit.

(I) Drainage. Mobile home park street and ditch drainage shall meet or exceed § 190.46(G) of the subdivision regulations, or §§ 150.085 through 150.094 of this chapter.

Excerpt from McCracken County Zoning Ordinance

§ 150.054 MOBILE HOME PARK (MHP).

The following uses are permitted in an MHP Zone:

(A) Mobile home parks. Accessory uses as may be normally incidental to the permitted principle use, but not including semi-trailers as accessory structures, nor the parking of unoccupied manufactured or mobile homes not intended for occupancy; and

(B) All mobile home parks shall comply with all applicable state, federal, and county subdivision regulations.