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LEGAL COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Ordinance No. PL-15, the Deschutes County Zoning Ordinance of 1979, as Amended, Revising Provisions Concerning Manufactured Housing and Mobile Homes, Providing for a Sunset Clause and Declaring an Emergency. *

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MARY SUE FENWOLD
COUNTY CLERK

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ORDINANCE NO. 89-004

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. Section 1.030, Definitions, Ordinance No. PL-15, Deschutes County Zoning Ordinance of 1979, as amended, is further amended to read as follows:

"68. Manufactured Home. A structure, transportable in one or more sections, which, when erected on a site, is seven hundred (700) or more square feet in area, and which is built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating and electrical systems therein. A manufactured home is a home built on or after June 15, 1976, to the standards and requirements of the National Manufactured Construction and Safety Standards Act of 1974.

"68A. Manufactured Home Park. Any place where two or more manufactured homes are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

"68B. Manufactured Home Subdivision. A subdivision intended to be occupied primarily or exclusively by manufactured homes.

"69. Mobile Home. A vehicle or structure constructed for movement on the public highways, that is five hundred (500) or more square feet in area, has sleeping, cooking and plumbing facilities, is intended for human occupancy and which was built in accordance with the appropriate Mobile Home Code in effect at the time of construction. "Single-wide" mobile home means a

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mobile home which consists of a single, separately constructed section, excluding accessory buildings or structures. "Double-wide" mobile home is a mobile home consisting of two or more separately constructed sections designed to be attached directly to each other.

"69A. Mobile Home Park. Any place where two or more mobile homes are parked within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

"99A. Ramada. A stationary structure having a roof extending over a mobile home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used primarily for protection from sun and rain."

Section 2. Section 1.030(92), "Prefabricated House", Ordinance No. Pl-15, Deschutes County Zoning Ordinance of 1979, as amended, is hereby repealed.

Section 3. Sections 5.100, 5.110, 5.120, 5.130, 5.140 and 8.090, Ordinance No. PL-15, Deschutes County zoning Ordinance of 1979, as amended, are hereby repealed.

Section 4. Section 5.150, Deschutes County Zoning Ordinance of 1979, as amended, is further amended to read as follows:

"A Mobile Home or Manufactured Home as a Temporary Residence on an Individual Lot. A mobile home or manufactured home may be authorized as a temporary residence on an individual lot and shall comply with the following additional provisions:

- "1. The mobile home or manufactured home shall be placed upon a lot for which a building permit for a housing unit has been obtained.
- "2. The mobile home or manufactured home shall be occupied only during a period in which satisfactory progress is being made toward the completion of the housing unit on the same site.
- "3. Electric, water and sewer utility connections shall be made to the mobile home or manufactured home.

- "4. The mobile home or manufactured home shall be removed from the lot not later than eighteen months following the date on which the building permit for the housing unit is issued or not later than two months following the completion of the housing unit, whichever occurs first.
- "5. All evidence that the mobile home or manufactured home has been on the lot shall be removed within the thirty (30) days following the removal of the mobile home or manufactured home."

Section 5. Article V, Supplementary Provisions, Ordinance No. PL-15, Deschutes County Zoning Ordinance of 1979, as amended, is further amended to add the following:

"Section 5.095. MANUFACTURED HOME DESIGN CRITERIA. A manufactured home is one which meets all of the following design criteria:

- "1. has a minimum size of seven hundred (700) square feet, excluding tipouts, hitches, etc.;
- "2. is sited on a permanent foundation or support skirting system as described in Section 5.115 of this Ordinance;
- "3. has wheels, axles and hitch mechanisms removed;
- "4. was manufactured in accordance with Oregon Department of Commerce requirements and manufacturer's specifications;
- "5. has siding material of a type customarily used on site-constructed residences, such as clapboard, horizontal vinyl lap-siding, horizontal aluminum lap-siding, cedar or other wood siding, brick or stone, and not including high-gloss finished material, corrugated metal or fiberglass, or metal or plastic panels;
- "6. has roofing materials of a type customarily used on site-constructed residences, including wood shakes or shingles, asphalt or fiberglass shingles, corrugated mat finish colored metal, and tile materials, but not including high-gloss corrugated aluminum or fiberglass panels;
- "7. has a roof pitch of at least two in twelve or greater; and
- "8. is in good repair and free of structural, mechanical, electrical and plumbing defects."

"Section 5.105. MOBILE HOME DESIGN CRITERIA. A mobile home is one which meets all of the following design criteria:

- "1. has a minimum area of 500 square feet, excluding tipouts and hitches;
- "2. was manufactured in accordance with the State Mobile Home Code, if any, in effect at the time of construction;
- "3. is placed on a permanent foundation or support system with skirting, as described in Section 5.125 of this Ordinance;
- "4. has utilities connected in accordance with manufacturer's specifications and Oregon Department of Commerce requirements; and
- "5. is in good repair and free of structural, mechanical and plumbing defects, any of which must be corrected prior to placement."

"Section 5.115. MANUFACTURED HOME INSTALLATION STANDARDS. Manufactured homes shall meet the following installation standards:

- "1. Permanent Foundation With Enclosed Perimeter. If a manufactured home is to be placed on a permanent foundation with perimeter enclosure, it must be set onto an excavated area, with foundations, footings and crawl space or basement walls constructed in accordance with Oregon Department of Commerce standards. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter enclosure, except for required openings.
- "2. Support System With Skirting. All manufactured homes without a permanent foundation and perimeter enclosure shall have an approved support system with skirting enclosing the entire perimeter of the home. Skirting and back-up framing shall be of weather-resistant or self-extinguishing materials, which blend with or match the exterior siding of the home. Below grade, the materials shall be unaffected by decay or oxidation. The skirting shall be installed in accordance with manufacturer's recommendations or approved equal standards. The skirting shall be one-half ventilated by openings, and such openings shall be a net area of not less than one and one-half (1 1/2)

square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion resistant wire mesh or approved ventilation panels not larger than one half (1/2) inch in any dimension. The underfloor area shall be provided with an eighteen (18) inch by twenty-four (24) inch minimum size access crawl hole, which shall not be blocked by pipes, ducts or other construction interfering with the accessibility of the underfloor space, or another approved access mechanism.

"3. Accessory Structures:

- a. Accessory structures (garages, carports and sheds) are allowed for all manufactured housing.
- b. Ramadas and snow roofs shall be constructed of any material.
- c. Accessory structures such as decks, porches, awnings, steps and carports are permitted subject to meeting current state building code requirements (no size limit) and design criteria for manufactured housing, as set forth in this Section.
- d. Additional living area may be added to a manufactured home but must meet the current state building codes and satisfy the design criteria for manufactured housing."

"Section 5.125. MOBILE HOME INSTALLATION STANDARDS.

- "1. Permanent Foundation With Enclosed Perimeter. If a mobile home is to be placed on a permanent foundation with perimeter enclosure, it must be set onto an excavated area, with foundations, footings and crawl space or basement walls constructed in accordance with Oregon Department of Commerce standards. The space between the floor joists of the home and the excavated underfloor grade shall be completely enclosed with the permanent perimeter enclosure, except for required openings.
- "2. Support System With Skirting. All mobile homes without a permanent foundation and perimeter enclosure shall have an approved support system

with skirting enclosing the entire perimeter of the home. Skirting and back-up framing shall be of weather-resistant or self-extinguishing materials, which blend with or match the exterior siding of the home. Below grade, the materials shall be unaffected by decay or oxidation. The skirting shall be installed in accordance with manufacturer's recommendations or approved equal standards. The skirting shall be one-half ventilated by openings, and such openings shall be a net area of not less than one and one-half (1 1/2) square feet for each twenty-five (25) linear feet of exterior perimeter. The openings shall be covered with corrosion resistant wire mesh not larger than one half (1/2) inch in any dimension. The underfloor area shall be provided with an eighteen (18) inch by twenty-four (24) inch minimum size access crawl hole, which shall not be blocked by pipes, ducts or other construction interfering with the accessibility of the underfloor space, or another approved access mechanism.

"3. Accessory Structures:

- a. Accessory structures (garages, carports and sheds) are allowed for all mobile housing.
- b. Ramadas and snow roofs shall be constructed of any material.
- c. Accessory structures such as decks, porches, awnings, steps and carports are permitted subject to meeting current state building code requirements (no size limit) and design criteria for mobile housing, as set forth in this Section.
- d. Additional living area may be added to a mobile home but must meet the current state building codes and satisfy the design criteria for mobile housing."

"Section 5.135. PLACEMENT STANDARDS FOR MANUFACTURED HOMES AND CERTAIN DOUBLE-WIDE MOBILE HOMES.

- "1. Placement of manufactured homes and double-wide mobile homes over seven hundred (700) square feet in size shall be permitted as follows:

- a. In the following zones, except where there is a Conventional Housing Overlay Zone (CH): EFU-320, EFU-80, EFU-40, EFU-20, MUA-10, F-2, F-3, RR-10, RSC, RSR-M, RSR-5 as the primary dwelling, and R-I as a caretaker's residence.
 - b. In manufactured home parks and subdivisions.
 - c. As permitted in Sections 5.150 and 5.155 of this Ordinance.
- "2. Manufactured homes and double-wide mobile homes are not permitted in any historic district or on any historic site."

"Section 5.145. PLACEMENT STANDARDS FOR SINGLE-WIDE AND CERTAIN DOUBLE-WIDE MOBILE HOMES.

- "1. Placement of single-wide mobile homes and double-wide mobile homes less than seven hundred (700) square feet in size shall be permitted as follows:
 - a. on parcels ten (10) acres in size or larger;
 - b. in subdivisions where more than 45% of the total number of lots in the subdivision (including all developed and undeveloped lots in all parts, phases and units), have either single-wide or larger mobile homes currently located upon them;
 - c. in subdivisions where more than 60% of the total number of lots with dwellings currently located upon them have either single-wide or larger mobile homes;
 - d. as a secondary accessory farm dwelling;
 - e. in mobile home parks and subdivisions;
 - f. as a temporary use, with a temporary use permit under Ordinance No. 88-005;
 - g. as a replacement for a mobile home destroyed by fire or other natural act;
 - h. as an upgrade of an existing mobile home; and

- i. as permitted in Sections 5.150 and 5.155 of this Ordinance.
- "2. Mobile homes are not permitted in any historic district or on any historic site."
- "Section 5.155. A MOBILE HOME OR MANUFACTURED HOME AS A TEMPORARY RESIDENCE FOR MEDICAL CONDITION.
- "1. A temporary use permit for a mobile home or manufactured home in a residential area may be granted when a medical condition exists which requires the temporary location of a mobile home or manufactured home on the property in order to provide necessary care for a member of the principal occupant's family. Such medical condition must be verified by a doctor's written statement, which shall accompany the permit application.
- "2. The temporary use permit shall be reviewed annually for compliance with the terms of this section.
- "3. The mobile home shall be removed not later than ninety (90) days following the date the medical condition requiring the temporary use permit ceases to exist."

Section 6. Except for the amendments contained in this Ordinance to Sections 5.150 and 5.155 of Ordinance No. PL-15, not later than September 1990, the Board of County Commissioners shall review this Ordinance, hold a public hearing, and determine whether a public need exists to continue this Ordinance.

Section 7. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

DATED this 22nd day of February, 1989.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Lois Bristow Prante
LOIS BRISTOW PRANTE, Chair

Tom Throop
TOM THROOP, Commissioner

Dick Maudlin
DICK MAUDLIN, Commissioner

ATTEST:

Susan L. Courtin
Recording Secretary