

ORDINANCE NUMBER 141

AN ORDINANCE AMENDING ORDINANCE NO. 50, THE DUNES CITY ZONING ORDINANCE, TO ALLOW THE PLACEMENT OF MANUFACTURED HOUSING IN ALL RESIDENTIAL DISTRICTS AND TO CHANGE THE CRITERIA FOR CONSTRUCTION OF WALKWAYS, PLATFORMS AND STAIRS IN THE SHORELAND ZONE, AND DECLARING AN EMERGENCY.

WHEREAS, HOUSE BILL 2835 has been enacted and requires that local governments amend their zoning regulations to allow manufactured housing in all single family zones inside urban growth boundaries by January 1, 1994; and

WHEREAS, the City wishes to amend its Zoning Ordinance to conform to the provisions of House Bill 2835, and in response to the mandates of the Dunes City Comprehensive Plan and the needs of the citizens;

THEREFORE, the City of Dunes City does ordain as follows:

ORDINANCE 50, SECTION 4: RESIDENTIAL (R-1) DISTRICT, shall be amended to read as follows:

II. Permitted buildings and Uses.

- A. One single-family dwelling per lot which may include site built, pre-fabricated, or manufactured housing which meet the requirements of applicable building codes and standards established by the State of Oregon. This paragraph shall not be construed as abrogating a recorded restrictive covenant.

III. Conditional Uses.

- (A) Delete "Mobile home, modular homes" as a conditional use.

ORDINANCE 50, SECTION 5.1: OPEN SPACE OVERLAY ZONE, shall be amended to read as follows:

III. Shorelands.

B. Conditional Uses:

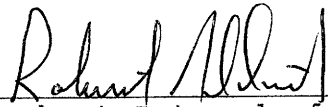
1. Those uses set forth in Paragraph II.B.1. above.

2. Walkways, platforms, and stairs which have the intended purpose of providing access to lakes and rivers for recreation or use of boathouses and docks.
3. Other structures which can meet variance criteria and the underlying zone limitations.

PASSED by the City Council of Dunes City, Oregon, this 11th
day of November, 1993.

Ayes 6 Nays 0 Absent 0 Abstain 0

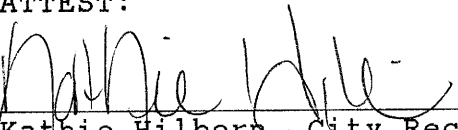
APPROVED:



Robert Petersdorf, Mayor

November 11, 1993
(Date)

ATTEST:



Kathie Hilborn, City Recorder

**A-Engrossed
House Bill 2835**

Ordered by the House April 28
Including House Amendments dated April 28

Introduced and printed pursuant to House Rule 13.01 (at the request of Oregon Manufactured Housing Association, Oregon State Tenants Association, Mobile Home Owners Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires certain land zoned for single family residences to allow manufactured homes.

A BILL FOR AN ACT

1
2 Relating to manufactured homes; creating new provisions; and amending ORS 197.307.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this Act is added to and made a part of ORS chapter 197.**

5 **SECTION 2. (1) Notwithstanding ORS 197.295 to 197.313, within urban growth boundaries**
6 **each city and county shall amend its comprehensive plan and land use regulations for all land**
7 **zoned for single-family residential uses to allow for siting of manufactured homes as defined**
8 **in ORS 446.003 (25)(a)(C). A local government may only subject the siting of a manufactured**
9 **home allowed under this section to regulation as set forth in ORS 197.307 (5).**

10 **(2) Cities and counties shall adopt and amend comprehensive plans and land use regu-**
11 **lations under subsection (1) of this section according to the provisions of ORS 197.610 to**
12 **197.650.**

13 **(3) Subsection (1) of this section does not apply to any area designated in an acknowl-**
14 **edged comprehensive plan or land use regulation as a historic district or residential land**
15 **immediately adjacent to a historic landmark.**

16 **(4) Manufactured homes on individual lots zoned for single-family residential use in**
17 **subsection (1) of this section shall be in addition to manufactured homes on lots within des-**
18 **ignated manufactured dwelling subdivisions.**

19 **(5) This section shall not be construed as abrogating a recorded restrictive covenant.**

20 **SECTION 3. ORS 197.307 is amended to read:**

21 **197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for**
22 **persons of lower, middle and fixed income, including housing for seasonal and year-round farm**
23 **workers, is a matter of statewide concern.**

24 **(2) Many persons of lower, middle and fixed income depend on government assisted housing as**
25 **a source of affordable decent, safe and sanitary housing.**

26 **(3) When a need has been shown for housing within an urban growth boundary at particular**
27 **price ranges and rent levels, needed housing, including housing for seasonal and year-round farm**
28 **workers, shall be permitted in one or more zoning districts or in zones described by some compre-**
29 **hensive plans as overlay zones with sufficient buildable land to satisfy that need.**

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in boldfaced type.

1 (4) Subsection (3) of this section shall not be construed as an infringement on a local govern-
2 ment's prerogative to:

3 (a) Set approval standards under which a particular housing type is permitted outright;

4 (b) Impose special conditions upon approval of a specific development proposal; or

5 (c) Establish approval procedures.

6 (5) *[In the areas identified by the needs analysis conducted under subsection (3) of this section,]*
7 A jurisdiction may adopt any or all of the following placement standards, or any less restrictive
8 standard, for the approval of manufactured homes located outside mobile home parks:

9 (a) The manufactured home shall be multisectional and enclose a space of not less than 1,000
10 square feet.

11 (b) The manufactured home shall be placed on an excavated and back-filled foundation and en-
12 closed at the perimeter such that the manufactured home is located not more than 12 inches above
13 grade.

14 (c) The manufactured home shall have a pitched roof, except that no standard shall require a
15 slope of greater than a nominal three feet in height for each 12 feet in width.

16 (d) The manufactured home shall have exterior siding and roofing which in color, material and
17 appearance is similar to the exterior siding and roofing material commonly used on residential
18 dwellings within the community or which is comparable to the predominant materials used on sur-
19 rounding dwellings as determined by the local permit approval authority.

20 (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal
21 envelope meeting performance standards which reduce levels equivalent to the performance stan-
22 dards required of single-family dwellings constructed under the state building code as defined in ORS
23 455.010.

24 (f) The manufactured home shall have a garage or carport constructed of like materials. A ju-
25 risdiction may require an attached or detached garage in lieu of a carport where such is consistent
26 with the predominant construction of immediately surrounding dwellings.

27 (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or county may
28 subject a manufactured home and the lot upon which it is sited to any development standard, ar-
29 chitectural requirement and minimum size requirement to which a conventional single-family resi-
30 dential dwelling on the same lot would be subject.

31 (6) Any approval standards, special conditions and the procedures for approval adopted by a
32 local government shall be clear and objective and shall not have the effect, either in themselves or
33 cumulatively, of discouraging needed housing through unreasonable cost or delay.

34 **SECTION 4.** (1) As provided in ORS 197.610, each city and county shall deliver its pro-
35 posed amendments under section 2 (1) of this Act to the Director of the Department of Land
36 Conservation and Development by January 1, 1994.

37 (2) Each city and county shall meet the requirements of section 2 of this Act during its
38 periodic review under ORS 197.628 to 197.646 but no later than May 1, 1994.

39