



August 24, 2007

To: Citizen Participation Organizations and Interested Parties

From: Brent Curtis, Planning Manager
Department of Land Use & Transportation

Subject: **PROPOSED ORDINANCE NO. 684**

Enclosed for your information is a copy of proposed Ordinance No. 684. Listed below is a description of the ordinance, hearing dates, and other relevant information. If you have any questions about the ordinance, or if you would like additional information, please contact the Planning Division.

Ordinance Purpose and Summary

Ordinance No. 684 amends the *Community Development Code* (CDC) relating to yard setbacks for manufactured dwellings in manufactured dwelling subdivisions approved before December 27, 1983.

Who Is Affected

Residents in the urban areas of Washington County who live in manufactured dwelling subdivisions approved prior to December 27, 1983 are potentially affected.

What Land is Affected

Manufactured dwelling subdivisions approved prior to December 27, 1983 are potentially affected.

Key Provisions

- Amends CDC Section 430-75 Manufactured Dwelling (General Provisions) to specify the applicability of regulations to manufactured dwelling subdivisions approved prior to December 27, 1983.
- Amends CDC Section 430-79 to allow reduced rear and side yard setbacks or spacing in manufactured dwelling subdivisions approved prior to December 27, 1983.
- Reduced rear yard setbacks would be permitted when a manufactured dwelling subdivision is adjacent to designated open space.

Initial Public Hearings

Time and Place

Planning Commission
1:30 pm
October 3, 2007

Board of County Commissioners
6:30 pm
October 23, 2007

Hearings will be held in the Shirley Huffman Auditorium in the Public Services Building, 155 N. 1st Avenue, Hillsboro, Oregon.

On October 23, 2007 the Board of County Commissioners (Board) may choose to adopt the ordinance, make changes to it, continue the hearing to a future date, or reject the ordinance. If it is adopted, it would become effective on November 22, 2007.

**Urban Comprehensive
Plan Policies Amended**

N/A

**Community
Development Code
Standards Amended**

- Section 430-75, Manufactured Dwelling (General Standards)
- Section 430-79, Manufactured Dwelling Subdivision

**How to Submit
Comments**

Submit oral or written testimony to the Board and/or the Planning Commission at one of the public hearings. Written testimony may be mailed or faxed to the Board or Planning Commission in advance of the public hearings in care of the Planning Division. **At this time, we are unable to accept e-mail as public testimony.**

Washington County, Planning Division
155 N. 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Fax: 503-846-4412

Failure to submit oral or written testimony before the Board or Planning Commission may preclude appeal of a decision by the Board to adopt an ordinance as filed or amended.

Staff Contact

Aisha Willits, Senior Planner
155 N. 1st Ave., Suite 350-14, Hillsboro, OR 97124-3072
Telephone: 503-846-3961 Fax: 503-846-4412
e-mail: aisha_willits@co.washington.or.us

**Proposed Ordinance is
available at the
following locations:**

- The Washington County Department of Land Use and Transportation, Planning Division, 155 N. 1st Ave., Hillsboro, OR 97124-3072
Telephone: 503-846-3519
- www.co.washington.or.us/deptmts/lut/planning/ordhome.htm
- Cedar Mill Community Library and Tigard Public Library
- Citizen Participation Organizations (CPOs); Call 503-725-2124 for a directory of CPOs.

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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE NO. 684

An Ordinance Amending the
Community Development Code
Element of the Comprehensive Plan
Relating to Manufactured Dwelling
Subdivisions

The Board of County Commissioners of Washington County, Oregon, ordains:

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, recognizes that the Community Development Code ("CDC") element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, with portions subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 670, 674, 674, 676, 677 and 683.

B. Subsequent ongoing planning efforts of the County indicate a need for changes to the CDC to clarify provisions relating to the special use standards for manufactured dwelling subdivisions. The Board takes note that such changes are necessary to assure consistency with state law and are for the benefit of the residents of Washington County, Oregon.

1 C. Under the provisions of Washington County Charter Chapter X, the Land
2 Use Ordinance Advisory Commission has carried out its responsibilities, including
3 preparation of notices, and the County Planning Commission has conducted one or more
4 public hearings on the proposed amendments and has submitted its recommendations to
5 the Board. The Board finds that this Ordinance is based on those recommendations and
6 any modifications made by the Board, as a result of the public hearings process.

7 D. The Board finds and takes public notice that it is in receipt of all matters and
8 information necessary to consider this Ordinance in an adequate manner, and that this
9 Ordinance complies with the Statewide Planning Goals, and the standards for legislative
10 plan adoption, as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the
11 Washington County Charter, and the Washington County Community Development Code.

12 SECTION 2

13 The following exhibits, attached hereto and incorporated herein by reference, are
14 adopted as amendments to the designated documents as follows:

- 15 A. Exhibit 1 (1 page) amending CDC Section 430-75 Manufactured Dwelling
16 (General Standards); and
17 B. Exhibit 2 (2 pages) amending CDC Section 430-79 Manufactured Dwelling
18 Subdivision.

19 SECTION 3

20 All other Comprehensive Plan provisions that have been adopted by prior
21 ordinance, which are not expressly amended or repealed herein, shall remain in full force
22 and effect.

1 SECTION 4

2 All applications received prior to the effective date shall be processed in accordance
3 with ORS 215.427 (2005 Edition).

4 SECTION 5

5 If any portion of this Ordinance, including the exhibits, shall for any reason be
6 held invalid or unconstitutional by a body of competent jurisdiction, the remainder shall
7 not be affected thereby and shall remain in full force and effect, and any provision of a
8 prior land use ordinance amended or repealed by the stricken portion of this Ordinance
9 shall be revived and again be considered in full force and effect.

10 SECTION 6

11 The Office of County Counsel and Department of Land Use and Transportation are
12 authorized to prepare planning documents to reflect the changes adopted under Section 2
13 of this Ordinance, including deleting and adding textual material and maps, renumbering
14 pages or sections, and making any technical changes not affecting the substance of these
15 amendments as necessary to conform to the Washington County Comprehensive Plan
16 format.

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1 SECTION 7

2 This Ordinance shall take effect thirty (30) days after adoption.

3 ENACTED this 23 day of October, 2007, being the 1st reading
4 and 1st public hearing before the Board of County Commissioners of Washington
5 County, Oregon.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 **ADOPTED**

9 Roy R. Rogers
CHAIRMAN
10 Marian Larkin
RECORDING SECRETARY

11 READING

PUBLIC HEARING

12 First October 23, 2007
13 Second _____
14 Third _____
15 Fourth _____
16 Fifth _____
17 Sixth _____

October 23, 2007

18 VOTE: Aye: Rogers, Duyck, Strader, Nay: _____
19 Schouten

20 Recording Secretary: Marian Larkin Date: 10-23-07

Community Development Code Section 430-75 Manufactured Dwelling (General Standards) is amended to reflect the following:

430-75 Manufactured Dwelling (General Standards)

430-75.1 Minimum Standards for All Manufactured Dwellings

The following standards are not applicable to manufactured homes that are subject to Section 430-76.

- A. Require set up and installation permits obtained from Washington County;
- B. Shall be sited in compliance with applicable ~~State~~Oregon Manufactured Dwelling Standards;
- C. Shall comply with other applicable State requirements;
- D. Shall be placed on a foundation or footings which meet Code as determined from plans and specifications submitted to obtain a building and siting permit;
- E. Manufactured skirting, treated resistant wood or other approved material shall be placed around the perimeter of the manufactured dwelling unless there is a perimeter foundation; and
- F. Extensions of and attachments to manufactured homes not part of the original factory manufactured dwelling require a building permit.

430-75.2 Manufactured Dwelling Sites (General Standards)

- A. All buildings on manufactured dwelling site, except accessory structures, shall comply with the dimensional requirements of the primary district except in manufactured dwelling subdivisions approved before December 27, 1983 or in manufactured dwelling parks;
- B. Accessory structures shall be located a minimum of six (6) feet from the manufactured dwelling and other accessory buildings; and
- C. Access and parking shall be in conformance with the applicable requirements of this Code.

Community Development Code Section 430-79 Manufactured Dwelling Subdivision is amended to reflect the following:

430-79 Manufactured Dwelling Subdivision

A subdivision designed and approved for the sale of lots for residential occupancy in manufactured dwellings. In addition to the requirements of Article IV, Land Divisions, Manufactured Dwelling Subdivisions shall:

430-79.1 Be a minimum of five (5) acres;

430-79.2 Meet all the general manufactured dwelling requirements of Section 430-75;

430-79.3 ~~Subdivisions approved on or after December 27, 1983 shall Mmeet~~ Meet the lot size and setback requirements of the primary district ~~or as approved through the subdivision's land use decision and the setback requirements of Section 418~~ (Setbacks);

430-79.4 Provide setbacks and yards as indicated in the table below: ~~Subdivisions approved before December 27, 1983 shall comply with the setbacks identified in the table below:~~

| <u>Yard (Setback) Requirements Within Manufactured Dwelling Subdivisions</u> | | |
|---|--|--|
| | <u>Subdivisions Approved Before December 27, 1983</u> | <u>Subdivisions Approved On or After December 27, 1983</u> |
| Front Yard ¹ | Ten (10) feet | Meet the setback requirements of the primary district and Section 418 (Setbacks) |
| Rear Yard | Ten (10) feet ² | |
| Street Side Yard ¹ | Ten (10) feet | |
| Side Yard | Five (5) feet ³ | |

~~430-79.5 For subdivisions approved before December 27, 1983, the lot size shall be no less than as approved by the subdivision's land use decision.~~

430-79.45 Require that each manufactured dwelling site shall have a carport or garage (detached or attached). When sided, siding shall be the same as or similar to the manufactured dwelling and shall extend to the ground or foundation;

¹ The front or street side yard setback shall be measured from the back of the street curb, back of paved street or sidewalk, whichever is closest.

² When the rear yard abuts a designated open space or public non-buildable tract in the subdivision, the minimum setback may be reduced to five (5) feet when the requirements of the Oregon Manufactured Dwelling Standards and the Oregon Residential Specialty Code are met, as determined by the Building Official. For the purposes of this Section, designated open space and public non-buildable tracts may include flood plains, powerline easements or drainage courses.

³ The side yard setback may be less than five (5) feet when the requirements of the Oregon Manufactured Dwelling Standards and the Residential Specialty Code are met, as determined by the Building Official.

- | 430-79.56 Require that each manufactured dwelling have, when an enclosed carport does not incorporate enclosed storage, an accessory storage shed no less than three-hundred twenty (320) cubic feet. An enclosed garage fulfills this requirement;
- | 430-79.67 Have a minimum of one (1) off-street parking space per manufactured dwelling in accord with Section 413;
- | 430-79.78 Have a paved driveway, at least ten (10) feet in width, for each dwelling;
- | 430-79.89 Have at least ten (10) feet between manufactured dwellings;
- | 430-79.910 Have a minimum fifteen (15) foot perimeter setback for all manufactured dwellings with a Type II buffer (Section 411-6.2) when adjacent to an R-5 or R-6 District;
- | 430-79.1011 Not park or store tractor trailers, semi-trucks or heavy equipment used in conducting a business activity. This does not include farm equipment used in conjunction with farm use; and
- | 430-79.1112 Not allow the outdoor parking or storage of any five (5) or more vehicles on a single lot for more than forty-eight (48) hours.
- | 430-79.1213 The site plan for the building permit for the manufactured home shall show all door openings; appurtenances, including carports, garages, porches, steps and landings; and accessory buildings.