

ORDINANCE BILL NO. 3 FOR 1994

ORDINANCE NO. 1069

AN ORDINANCE AMENDING TITLE 17 OF THE SWEET HOME MUNICIPAL CODE AND THE COMPREHENSIVE PLAN TO ALLOW MANUFACTURED HOMES ON INDIVIDUAL LOTS WHERE SINGLE FAMILY DWELLINGS ARE ALLOWED SUBJECT TO CERTAIN CONDITIONS AND TO REDEFINE JUNKYARD AND DEFINE JUNK; AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. Ordinance No. 1028 of 1991 amending the Comprehensive Plan and Zoning Ordinance be repealed.

Section 2. Section 17.04.030 shall be amended by deleting the definition of "mobile home," delete the definition of "junk yard," and adding the following definitions:

"Residential trailer" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and that was constructed before January 1, 1962.

"Mobile home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed between January 1, 1962 and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

"Manufactured home" means a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

"Manufactured dwelling" shall mean residential trailer, mobile home, and manufactured home as described in this section. It shall not mean any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.

"Manufactured structure" means a recreational vehicle as set forth in this section, or a manufactured dwelling as set forth in this section. It does not apply to any building or structure regulated under the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code.

"Federal manufactured housing construction and safety standard" means a standard for construction, design and performance of a manufactured dwelling promulgated by the Secretary of Housing and Urban Development pursuant to the federal National Manufactured Housing Construction and Safety Standards Act of 1974 (Public Law 93-383).

"Length of manufactured dwelling" means the exterior of the front wall (nearest to the drawbar and coupling mechanism) to the exterior of the rear wall (at the opposite end of the home) where such walls enclose living or other interior space and such distance includes expandable rooms but not bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments.

"Width of manufactured dwelling" means the distance between the exterior of two opposite walls enclosing living or other interior space and including expandable rooms but not bay windows, porches, wall and roof extensions or other attachments.

"Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, wrecked, scrapped or ruined motor vehicles, or motor vehicle parts, iron, steel or other scrap ferrous, or nonferrous material, metal or nonmetal materials and includes those items of junk as defined by Sweet Home Municipal Code 8.04.010.

"Junkyard" means any establishment or place of business where there is accumulated on the premises eight or more motor vehicles or an equivalent volume of junk that is maintained, operated or used for storing, keeping, buying or selling of junk and the term includes automobile graveyards, garbage dumps and scrap metal processing facilities.

Section 3. Section 17.24.020 shall be amended by adding the following permitted use:

"E. A manufactured home subject to the provisions of SHMC 17.24.090 except it shall not be sited adjacent to any structure listed on the Register of Historic Landmarks and Districts."

Section 4. Section 17.24 shall be amended by adding the following subsection.

"17.24.090. Standards for manufactured homes on individual lots:

1. Shall meet the yard, lot coverage, and minimum building size for the zone;
2. Shall be installed to state requirements;

3. The manufactured home shall be placed on a foundation meeting the standards outlined in OMDAR 918-505-020 and placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen inches of the enclosing material exposed above grade. Where the building site has a sloped grade, no more than sixteen inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the sixteen inch limitation will not apply;
4. Shall be provided with a bathroom containing water closet, lavatory and bathtub or shower and a kitchen with a sink having hot and cold water;
5. Shall be connected to city sanitary sewer and to a private or city water system;
6. The base of the manufactured home must be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or combination thereof, or shall have continuous skirting which matches the exterior and meets the requirements of OMDAR 918-505-050 and OMDAR 918-505-060;
7. The wheels and tongue shall be removed during installation;
8. Shall be multisectional and at least twenty-four feet in width.
9. Shall have a roof with a nominal pitch of 3 feet in height for each 12 feet in width, with composition shingle or shake roofing;
10. Two hard surfaced off-street parking spaces shall be provided;
11. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.
12. The lot shall be owned by the owner of the manufactured home;
13. The owner shall agree in writing to remove the foundation and disconnect and secure all utilities within thirty days after removing the manufactured home;
14. Only structures that conform to the state definition of a manufactured accessory structure may be attached to the manufactured home;
15. Shall have a garage or carport with exterior materials matching the manufactured home. The garage or carport shall be placed on the property prior to occupancy of the manufactured home.
16. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010;

17. Prior to the location or relocation of any manufactured home, the owner or his authorized representative shall receive a placement permit from the City. The placement permit shall indicate that the manufactured home and its location conform with this chapter. Upon approval of the placement permit, the homeowner is authorized to proceed to place the manufactured home on the lot; and

18. The manufactured home may not be occupied until all conditions are met and final inspection signed off.

Section 5. Subsection 17.24.080 shall be amended to read as follows:

"Minimum building size. Single-family dwellings or manufactured homes in the R-1 zone shall have a minimum building size of one thousand square feet."

Section 6. Subsection 17.08.030(K)(2)(d) shall be amended to read as follows:

The placement of a temporary hardship manufactured home shall comply with the following provisions:

1. Be a 1976 or later model with an Oregon Department of Commerce "Insignia of Compliance" which indicated conformance with Housing and Urban Development (HUD) standards.
2. Be provided with at least two separate bedrooms;
3. Be provided with a kitchen having a sink with hot and cold running water and at least one bathroom equipped with a water closet, lavatory and bathtub or shower;
4. All plumbing fixtures shall be connected to a water supply system and a sewerage disposal system that complies with county and DEQ rules and regulations. All water and sewer lines connecting the mobile home to the public water and sewer system shall comply with the standards of the city;
5. The mobile home shall not be a recreational vehicle as defined in the ANSI-A119.1-71 Standards and the mobile home laws of the state of Oregon;
6. Meet the yard, lot coverage and minimum building size of the zone.
7. The wheels and tongue or hitch shall be removed prior to occupancy.
8. The mobile home shall be placed on a foundation meeting the standards outlined in Oregon Manufactured Dwelling Administrative Rules 918-505-020.
9. The mobile home shall have continuous skirting which matches the exterior and meets the requirements of OMDAR 918-505-050 and OMDAR 918-505-060.
10. All required improvements to the property as set forth in this section and the subdivision title shall be completed before and installation permit for the mobile home is approved and the mobile home can be occupied.

Section 7. Subsection 17.08.030(K) shall be amended by replacing the words "mobile home" with "manufactured home."

Section 8. Subsection 17.08.140(I)(1) shall be amended to state "Single-, two- and multi-family dwellings and manufactured homes."

Section 9. Subsection 17.08.140(I)(2) shall be amended to state "manufactured dwelling park" as opposed to "mobile home park."

Section 10. Subsection 17.20.010 shall be amended by deleting the following from the list of zones and abbreviated designations:

Mobile home infill overlay M-I

Section 11. Subsection 17.12.120(E) shall be amended to state the following:

When a zone change is proposed for a manufactured dwelling park, the residents of the manufactured dwelling park shall be given between twenty to forty days' notice of the required public hearing.

Section 12. Subsection 17.24.030(L) shall be amended to state the following:

Manufactured homes which don't comply with the provisions of Section 17.24.090.

Section 13. Subsection 17.28.030(B) shall be amended to state the following:

Manufactured dwelling park subject to the provisions of Section 17.80.080 of this title.

Section 14. Subsection 17.28.080 shall be amended by replacing the words "mobile homes" which are located between "or" and "in" with "manufactured homes."

Section 15. Subsection 17.36.030(E) shall be amended to state the following:

Single-family residences or manufactured homes meeting the standards of Section 17.24.090.

Section 16. Section 17.68.030 be amended by adding the following subsection:

C. Manufactured homes meeting the standards of Section 17.24.090.

Section 17. Subsection 17.68.050(D) shall be deleted.

Section 18. Subsection 17.80.080(C) shall be amended to read as follows:

A manufactured dwelling park may be permitted as a conditional use in the R-2 zone, provided it meets the requirements of Chapter 446, Oregon Revised Statutes, and the standards of the Oregon State Board of Health. In addition the following minimum standards shall apply:

1. Minimum size of park: 5 acres
2. Minimum size of dwelling space: 4,000 sq. ft.
3. Minimum width of dwelling space: 40 feet
4. Minimum length of dwelling space: 80 feet
5. Minimum distance between dwelling spaces and street right-of-way: 20 feet
6. Minimum distance between dwelling space and all other exterior property lines: 15 feet
7. Minimum distance between dwellings: 20 feet
8. Minimum distance between dwelling and all community and service buildings: 20 feet
9. Minimum distance between dwelling space and interior access roads: 5 feet

Section 19. Subsection 17.80.080(C)(10)-(16) shall be amended by replacing the words "mobile home park" with "manufactured dwelling park," and replacing the words "trailer house" with "dwelling."

Section 20. Subsection 17.80.080(I) shall be deleted.

Section 21. Subsection 17.84.020(D) be amended to state the following:

A preexisting manufactured dwelling which is situated on an individual lot and which is not permitted in the zone in which it is located, may be repaired, altered or replaced, provided that it was intended for permanent human occupancy; and permanently connected to a sanitary sewer facility, a water source or an electrical outlet as of July 26, 1977. Any replacement shall meet the standards of Section 17.24.090.

Section 22. Subsection 17.84.020(E) shall be deleted.

Section 23. Subsection 17.96.040(E) shall be amended by replacing the words "mobile home" with "manufactured dwelling."

Section 24. Emergency Clause. Whereas, it is necessary, and it is for the interest and benefit of the city that this ordinance become effective immediately, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect after the passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 26th day of April, 1994.



Mayor

ATTEST:



City Manager - Ex-Officio City Recorder