

CITY ORDINANCE NO. 1008

AN ORDINANCE AMENDING CITY ORDINANCE NO. 807, PROVIDING STANDARDS FOR MANUFACTURED HOMES ON INDIVIDUAL LOTS WITHIN THE CITY, AND DECLARING AN EMERGENCY.

The people of the City of Prineville ordain as follows:

Section 1. Purpose. This Ordinance is designed to comply with the provisions of Oregon Revised Statutes Chapter 197.307 governing the placement of Manufactured Homes, as herein defined, on individual lots within the City of Prineville.

Section 2. Amend City Ordinance No. 807 by Adding Section 4.140 to read as follows:

Section 4.140. Manufactured Homes.

(1) General Provisions.

(a) For the purposes of this Section, "R" zones are intended to be those Residential Zones in the current City Ordinance No.807 designated as R-1, R-2 and R-3.

(b) Manufactured home parks are permitted within the "R" zones of Ordinance No.807 as currently permitted within said "R" zones.

(c) In addition, manufactured home parks and subdivisions may be planned under the provisions of a Planned Unit Development, which may be used to provide for individual ownership of manufactured homes and sites and common ownership and maintenance of other lands and facilities.

(d) Manufactured home subdivisions for Class A manufactured homes are permitted as any other subdivision is permitted in the "R" zones when approved in compliance with the applicable provisions of City Ordinance's No.s' 805 and 807. Manufactured home subdivisions for Class B manufactured homes are only permitted as a conditional use in the "R-2 and R-3" zones in accordance with Ordinance's No.s' 805 and 807.

(e) Nothing in these provisions shall be interpreted as abrogating or superseding any recorded deed restriction or protective covenants.

(f) Except as specified otherwise by this Section, the standards for subdividing and developing land within manufactured home parks and subdivisions shall be the same as for all other developments in accordance with the provisions of City Ordinance's 805 and 807.

(g) Where standards for manufactured homes and developments therefore are established by state law or administrative rule, such requirements shall be in addition to the provisions of this Section.

(h) Manufactured Housing Construction and Safety Standards Code (also referred to as the HUD Code), Title VI of the 1974 Housing & Community Development Act (42 U.S.C. 5401 et sequential), as amended (previously known as the Federal Mobile Home Construction & Safety Act), rules and regulations adopted thereunder (including information supplied by the manufacturer, which has been stamped and approved by a Design Approval Primary Inspection Agency, and agent of the U.S. Department of Housing & Urban Development pursuant to HUD rules), and regulations and interpretations of said code by the Oregon Department of Commerce, all of which became effective for mobile/manufactured home construction on June 15, 1976, shall be utilized as the minimum construction standard of the City to which all manufactured home placements shall comply except as may be exempted by this Section.

(i) Definitions: For the purposes of this Section only, the definitions of terms used herein and not defined in City Ordinances 805 and 807, shall be as defined in ORS Chapter 446 or OAR Chapter 814, Division 23 as such may be amended.

(2) Manufactured Home Classes. For the purposes of these regulations, manufactured homes are divided into the following classes:

(a) A Class "A" manufactured home shall:

1. Be double or multisectional, and enclose a living space of not less than 1,000 square feet;

2. Be placed on an excavated and back-filled foundation with concrete runners a minimum of 24" in width and 6" in depth, and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above average grade;

3. Have wheels, axles, and hitch mechanisms removed;

4. Have utilities, public sewer and water connected, in accordance with Oregon Department of Commerce requirements, manufacturer's specifications, and City standards.

5. Bear an insignia of compliance with the Manufactured Housing Construction & Safety Standards Code.

6. Have a pitched roof with a minimum slope of 3/12 with eaves and trim on all sides.

7. Have exterior siding, trim and roofing materials that are similar in appearance and complementary to other homes in the same general area including the type, color, and horizontal or vertical placement of materials.

8. Have a garage or carport constructed of like materials and color to the dwelling unit.

9. Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss levels equivalent to the performance standards required of a single-family conventional dwelling unit constructed under the state building code as defined in ORS 455.010.

(b) A Class "B" manufactured home shall:

1. Have more than 750 square feet of living space in a double or multi-sectional unit;

2. Be placed on a permanent foundation as required for a Class "A" unit;

3. Have wheels, axles, and hitch mechanisms removed;

4. Have utilities, public sewer and water connected in accordance with Oregon Department of Commerce requirements, manufacturer's specifications, and City standards.

5. Bear an insignia of compliance with the Manufactured Housing Construction & Safety Standard Code as of June 15, 1976;

6. Have a pitched roof with a minimum slope of 3/12 with eaves and trim on all sides.

7. Have exterior siding, trim and roofing materials that are similar in appearance and complementary to other homes in the same general area including the type, color, and horizontal or vertical placement of materials.

8. Have a garage or carport constructed of like materials and color to the dwelling unit.

(3) Manufactured Home Placement Standards. All manufactured homes placed within the City after the effective date of adoption of this Section shall comply with the following:

(a) As defined in Subsection 2 of this Section, each manufactured home shall be classified as Class A or B, and shall be permitted within the following areas:

1. Class A - Permitted on individual lots in the "R" Zones and in manufactured home parks and subdivisions, and as replacements to existing non-conforming manufactured homes.

2. Class B - Permitted in R-2 and R-3 Zones; also permitted as replacements to existing nonconforming manufactured homes.

(b) Foundations/Skirting Support Systems:

1. All load bearing foundations, supports, and enclosures shall be installed in conformance with the Oregon Department of Commerce regulations and with the manufacturer's installation specifications (Reference OAR, Chapter 814, Division 23).

2. All Class A and Class B manufactured homes outside of manufactured home parks shall be placed on an excavated and back-filled foundation with concrete runners a minimum of 24" in width and 6" in depth, and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade.

3. Classes A and B manufactured homes inside of manufactured home parks must have enclosed perimeters as specified above or be installed with an approved foundation siding/skirting enclosing the entire perimeter of the home. Foundation siding/skirting and backup framing shall be weather-resistant, non-combustible, or self-extinguishing

materials which blend with the exterior siding of the home. Below-grade level and for a minimum distance of six(6) inches above finish grade, and the materials shall be resistant to decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards.

(c) Additions or Accessory Structures.

1. Except for a structure which conforms to the state definition of a mobile home accessory structure, no other extension shall be attached to a manufactured home, except a garage or carport constructed to the Oregon State Structural Specialty Code.

2. Such structures and additions shall not total more than 30% of the total living space of the original unit and such structures or additions combined.

3. Roofing and siding materials shall be of similar material and color, and complimentary to the original unit, and roofs shall have eaves and trim on all sides.

4. Except for factory constructed components intended to be joined together to form a single manufactured home unit, no two or more manufactured home units may be joined together to form a single dwelling unit, nor may a manufactured home unit be joined together with a conventional constructed dwelling unit to form a single dwelling unit. Manufactured home units shall not be joined or interconnected in any manner for utilization as multi-family dwelling units.

(d) All manufactured home lots and spaces shall be provided with sanitary sewer, electric, and potable water services with easements dedicated where necessary to provide such services. All such utilities shall be located underground unless waived by the City where underground services would require an exception to local prevalent conditions.

(e) No manufactured home shall be occupied for living purposes unless connected to local water, sewer and electrical systems.

(f) No manufactured home shall be sited adjacent to any structure listed on the Register of Historic Landmarks except within a duly approved manufactured home park.

(4) Placement Permits.

(a) Requirements. Prior to the location, relocation, or establishment of any manufactured home, the homeowner or authorized representative shall secure from the Building Official a placement permit and from the City a site plan permit which, in combination, state that the building and its location conform with this ordinance. Each such application for a placement permit and a site plan permit shall be accompanied by:

1. A plot plan as required for all dwelling units, but which at a minimum requires elevations or photographs of all side of the manufactured home, exterior dimensions, roof materials, foundation support system, and enclosure design;

2. A copy of the manufacturer's approved instructions which will be used for installation purposes, where applicable;

3. Such other information as may be required by the Building Official or City Planning Director for proper enforcement of this ordinance;

4. An agreement signed by the homeowner or authorized representative stipulating to compliance with the terms set by the Building Official or the City Planning Director in the placement or site plan permit(s); and

5. For a manufactured home park, these requirements may be consolidated with concurrence of the Building Official and the Planning Director for multiple placement in accordance with the approved park plan.

(b) Issuance of Permit(s). After receipt of the information required for the placement and site plan permits, the Building Official and Planning Director shall review the respective permits for compliance with the standards set forth in this Section. If the applicant has met all required standards, then said permits shall be issued.

(c) Additional Action Necessary. If, after receipt of the information required for either a placement or a site plan permit, the Building Official or the Planning Director finds that the applicant has not fully met the standards set forth in this Section, and the changes or additional actions needed are deemed by the Building Official or Planning Director to be relatively minor or simple, a conditional approval may be issued with the stated conditions which must be met prior to occupancy set forth and the reasons for change clearly stated in writing. If the applicant agrees in writing to the further conditions, approval is given and the applicant may proceed. If the applicant does not agree, then the application may be denied with reasons stated in writing. An appeal of such denial may be submitted and processed in accordance with the applicable provisions relevant thereto.

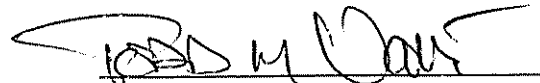
(d) Suspension or Revocation of Permit. The Building Official or Planning Director may, in writing, suspend or revoke a placement or site plan permit issued under the provisions of this Section whenever it is found that such permit has been issued in error or on the basis of incorrect information or upon the failure of the applicant to comply with minimum standards or conditions upon which the respective permit approval was issued.

Section 3. Emergency Declared. Whereas the City Council fully recognizes that the Prineville Zoning Ordinance, City Ordinance No. 807, is in need of amendment in order to comply with the applicable provisions of ORS Chapter 197.307 regarding the placement of Manufactured Homes within the City, and whereas the City has identified such an amendment to be in the interests of the public health and welfare of the City and its residents relative to the provision of affordable housing, now therefore the City Council does hereby declare an emergency and this Ordinance shall be in full force and effect upon and after the date of approval by the City Council and the Mayor.

Section 4. Separability. If any section, subsection, sentence, clause or phrase of any portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

APPROVED BY THE CITY COUNCIL ON THE 26th DAY OF April, 1994.

APPROVED BY THE MAYOR ON THE 26th DAY OF April, 1994.


MAYOR

ATTEST: April 26, 1994
DATE


CITY MANAGER/RECORDER