

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 451

An Ordinance regarding the administrative processing of annual temporary health hardship applications.

Multnomah County Ordains as follows:

SECTION 1. FINDINGS.

1. Mobile homes on a Health Hardship basis are temporary uses that do not impact the long-term development pattern of a community;
2. The administrative approval process established by Ordinance No. 205 is an appropriate vehicle with which to evaluate health hardship applications;
3. Because of annexations by the Cities of Gresham and Portland, there is no longer any property within unincorporated Multnomah County that is zoned Suburban Residential

SECTION 2. AMENDMENT.

MCC 11.15.8710 is amended to read:

11.15.8710 Annual Temporary Health Hardship Permit

The purpose of the Annual Temporary Health Hardship Permit is to allow the convenient provision of daily health care needs to relatives with a demonstrated health hardship by allowing the placement of a mobile home on a lot with an existing single family residence. The permit is temporary in nature and not intended to encourage an increase in the residential density beyond that envisioned by the Comprehensive Plan and its implementing ordinances.

- (A) The Planning Director may grant an Annual Temporary Health Hardship Permit to allow occupancy of a mobile home on a lot with a single family residence based on the following findings:

- (1) The person with the health hardship is a relative of the person identified in subsection (2) below as being capable of providing the necessary health care. For the purposes of this section a relative is defined as a grandparent, parent, child, brother or sister, either by blood or legal relationship.
- (2) The relative with the health hardship is unable to adequately provide daily self-care needs because of a physical and/or medical impairment based upon a statement from a licensed physician describing the nature of the impairment and its resultant limitations. The physician shall indicate that those limitations are severe enough to warrant daily assistance, and that at least one of the residents of the property is capable of providing that assistance.
- (3) There is a demonstrated lack of appropriate alternative accommodations within the area entitled to notice, including, but not limited to, rental housing or space within the existing residence.
- (4) The following locational criteria are satisfied:
 - (a) The proposed siting of the mobile home will satisfy the applicable setback and lot coverage standards of the zoning district without variance.
 - (b) The mobile home shall be located in a manner which satisfies the locational requirements of a second residence on properties capable of being divided under the existing zoning within those areas designated as Urban by the Comprehensive Framework Plan.
 - (c) The mobile home will not require any new main connections to public facilities or services (e.g., sewer, water or power mains, curb cuts, etc.), unless sited in the manner allowed in subsection (b) above, in which case those services may be extended to the area on the property which satisfies the locational requirements of a second residence.
 - (d) The mobile home will not require any attached or detached accessory structures other than wheel chair ramps to accommodate the health care needs of the proposed occupant.
- (5) A penal bond in the amount of \$1,000 is posted to insure removal of the mobile home within six months after the health hardship ceases to exist.

- (B) The Planning Director shall make findings and a tentative decision within ten business days of the application filing. Notice of the findings and decision, and information describing the appeals process shall be mailed by first class mail to the applicant and to the record owners of all property within 100 feet of the property proposed for use.
- (C) The tentative decision shall be final at the close of business on the tenth calendar day after notice is mailed, unless the applicant or a person entitled to mailed notice or a person substantially affected by the application files a written notice of appeal. Such notice of appeal and the decision shall be subject to the applicable provisions of MCC .8290 and .8295, except that subsection MCC .8290(C) shall apply only to a notice of appeal filed by the applicant. The persons entitled to notice under subsection (B) of this section shall be given the same notice of appeal hearing as is given the applicant.
- (D) Annual Temporary Health Hardship Permits approved prior to February 15, 1985, which were renewable for a five year period, shall be permitted to be renewed by the Planning Director based on a finding that the hardship found by the Planning Commission still exists, and that conditions imposed are being satisfied. Renewal of those permits after the expiration of the five year period shall be considered a new application and be subject to the provisions of subsections (A) through (C) of this section.

SECTION 3. MCC 11.15.2282 through .2288 is hereby repealed.

SECTION 4. ADOPTION.

This Ordinance being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section 5.50 of the Charter of Multnomah County.

SECTION 5. CODIFICATION.

This Ordinance shall be codified in the Multnomah County Code Chapter 11.15 and adopted as part of that Code.

Adopted this 15th day of January, 1985, being the date of its Second Reading before the Board of County Commissioners of Multnomah County.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By *Pauline Anderson*
Pauline Anderson
Vice Presiding Officer

AUTHENTICATED by the County Executive on the 15th day of January, 1985.

Dennis Buchanan
Dennis Buchanan, County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
for Multnomah County, Oregon

By *Peter Kastig*
Peter Kastig,
Assistant County Counsel

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