

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ORDINANCE NO. 681

An ordinance amending the Multnomah County Code Chapter 11.15 by permitting, under certain siting standards, the placement of mobile homes on individual lots in low density and single family residential districts, and declaring an emergency.

(Language in brackets [ ] is to be deleted; underlined language is new.)

Multnomah County Ordains as follows:

Section I. Findings.

(A). The 1989 Oregon Legislature amended Oregon Revised Statute (ORS) subsection 197.303 by adding manufactured homes on individual lots planned and zoned for single-family residential use to the list of “needed housing” types (House Bill 2863). A manufactured home is a mobile home that meets the 1976 Federal Housing and Urban Development (HUD) construction standards.

(B). Both ORS 197 and Statewide Planning Goal Number 10, Housing direct local comprehensive plans to project the need for this housing type and provide sufficient buildable land within the urban area to meet that demand.

(C). The Oregon Department of Land Conservation and Development, in a May, 1990 Technical Assistance Bulletin entitled “Planning for Manufactured Housing on Individual Lots,” has stated that the simplest and surest way to meet the ORS and State Housing Goal requirements is to permit mobile (manufactured) homes outright in all single family zones. The mobile homes are included in the need for all single family dwellings and therefore, no further analysis is required. The mobile homes may be subject to the siting standards listed in

1 ORS 197.307.

2 (D). Multnomah County, by the adoption of this ordinance, will add mobile homes to  
3 the definition of “single family detached dwelling”, subject to certain siting standards allowed  
4 by State law, and thereby permitting this housing type in all urban residential zones.

5 (E). It is advantageous to combine all placement standards for mobile homes that were  
6 in several different locations within the Zoning Code to one new subsection (MCC 11.15.7705  
7 through 11.15.7715).

8 (F). An emergency is declared because there are residents and future residents of  
9 Multnomah County that have invested in building lots and mobile (manufactured) homes in  
10 anticipation of these amendments applying on January 1, 1991 as the statute directs.

11  
12 Section II. Repeals.

13 Multnomah County Code Subsections 11.15.2494, 11.15.2496, 11.15.2498, 11.15.2704,  
14 11.15.2706 and 11.15.2708 are hereby repealed.

15  
16 Section III. Amendments.

17 Multnomah County Code Chapter 11.15 is amended to read as follows:

18  
19 **11.15.0010 Definitions**

20 As used in this Chapter, unless the context requires otherwise, the following words and their  
21 derivations shall have the meanings provided below.

22 **Dwelling (Single Family Detached)** – A detached building designed for one dwelling unit,  
23 including *Mobile Homes* under the provisions of MCC .7705 through .7715 or as  
24 specified within the district.

25 **Manufactured Homes** – See *Mobile Home* [For purposes of MCC .6301 through .6324, a  
26 structure, transportable in one or more sections, which is built on a permanent chassis

and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term *manufactured home* also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days].

**Mobile Home** – A structure transportable in one or more sections, [each built on a permanent chassis, and] which is designed to be used for permanent occupancy as a dwelling and which is not constructed to the standards of the uniform building code (the State of Oregon Structural Specialty Code and Fire and Life Safety Regulations) [, including a *Manufactured Home* as defined in ORS 446.003(17)(c)]. Mobile homes include residential trailers and manufactured homes subject to the siting provisions of MCC .7705 through .7715 or as specified within the district:

(a) Residential Trailer - A mobile home which was not constructed in accordance with federal manufactured housing construction and safety standards (HUD), in effect after June 15, 1976. This definition includes the State definitions of Residential Trailers and Mobile Homes stated in the Oregon Revised Statutes (ORS) 446:

(b) Manufactured Home - A mobile home constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976:

(c) For flood plain management purposes (MCC .6301 through .6324) only, the term *Manufactured Home* also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

**Mobile Home Park** – Any place where [two] four or more mobile homes are located within 500 feet of one another on a lot, tract or parcel of land where space is rented or kept for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

**Residential Trailer - See *Mobile Home*.**

**11.15.2608 Uses Permitted Under Prescribed Conditions**

The uses permitted subject to prescribed conditions for each use are:

(A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached, provided:

(1) The height or total ground floor area of accessory buildings shall not exceed the height or ground floor area of the main building on the same lot.

(2) If attached to the main building, an accessory building shall comply with the yard requirements of this district.

(3) If detached and located behind the rear-most line of the main building, or a minimum of 50 feet from the front lot line, whichever is greater, a one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting on a street.

(4) A detached accessory building shall occupy no more than 25 percent of a required yard.

(B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are permitted, provided they extend not more than 100 feet into the LR-7 district and otherwise conform to all requirements of this Chapter which apply:

(1) A two-unit dwelling;

(2) A multiplex dwelling structure, when located in other than a "Developed Neighborhood", as designated in the Community Plan;

(3) A business or professional office or clinic;

(4) Parking, developed as required in MCC .6100 through .6148; and

(5) Other uses of a transitional nature as determined by the Planning Commission.

(C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal

household pets, shall be kept within 100 feet of any residence other than the dwelling on the same lot. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(D) Except as otherwise authorized under Subsection (B) above or MCC .7105 through .7640, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street;

(E) A two-unit dwelling, provided all of the following conditions are satisfied:

- (1) Located outside a "Developed Neighborhood" as designated in the Community Plan;
- (2) The site is a corner lot or on a corner lot and an adjoining lot, under MCC .2480(H);
- (3) Development is in compliance with the minimum lot size requirement of MCC .2616(B) and the other applicable dimensional requirements of this district; and
- (4) Front entryways facing separate streets are provided.

(F) A two-unit dwelling, provided all of the following conditions are satisfied:

- (1) Location is outside a "Developed Neighborhood" as designated in the Community Plan;
- (2) The site is a flag lot or a lot having sole access from an accessway approved under the Land Division Chapter;
- (3) Development will not increase the volume of traffic beyond the capacity of the public street serving the lot. The number of trips generated by the development shall be determined based on the average trip generation rate for the kind of development proposed as described in "Trip Generation" by the Institute of Traffic Engineers. The capacity of the street shall be determined based on the capacity described in the County Functional Classification System and Community Plan Policies No. 34 and No. 36;
- (4) Development will meet the following design standards for privacy:
  - (a) Lights from vehicles on the site and from outdoor fixtures shall not be directed or reflected onto adjacent properties. This may be accomplished by the layout of the development or by the use of sight obscuring landscaping or fences;

(b) Windows of the dwelling units shall face away from windows in existing adjacent dwelling structures;

(c) Balconies or outdoor private spaces shall be located so there are no direct views from them to windows or private spaces of dwellings on adjacent properties;

(d) Active recreational use structures, such as permanent basketball or volleyball standards shall be located outside of required side yards;

(5) The applicant shall file a plan showing existing trees of six-inch diameter measured five feet from the base of the tree and existing shrubs and hedges exceeding a height of five feet. The proposed development shall preserve these features unless they are:

(a) Located in the buildable portion of the lot;

(b) Located so as to eliminate useful solar access;

(c) Located in the only route by which access can be had to the site using driveways ten feet wide with a minimum of five feet of buffer on either side;

(d) Diseased, damaged beyond restoration, or otherwise a danger to the public, or

(e) Replaced by an equal amount of landscaping, under a bond posted to ensure replacement;

(6) Development will be in compliance with the lot size requirement of MCC .2616(B) and the other applicable dimensional requirements of this district.

(G) A mobile home on an individual lot subject to the development standards of MCC .[2494]7705.

(H) Home occupations, as defined in MCC .0010.

(I) Temporary uses under the provisions of MCC .8705-.8710.

## **11.15.2628 Uses Permitted Under Prescribed Conditions**

The uses permitted subject to prescribed conditions for each use are:

(A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached, provided:

1 (1) The height or total ground floor area of accessory buildings shall not exceed the height or  
2 ground floor area of the main building on the same lot.

3 (2) If attached to the main building, an accessory building shall comply with the yard  
4 requirements of this district.

5 (3) If detached and located behind the rear-most line of the main building, or a minimum of 50  
6 feet from the front lot line, whichever is greater, a one-story accessory building may be located  
7 adjacent to or on a rear and/or side lot line not abutting on a street.

8 (4) A detached accessory building shall occupy no more than 25 percent of a required yard.

9 (B) Where the side of a lot abuts a commercial or industrial district, the following transitional uses are  
10 permitted, provided they extend not more than 100 feet into the LR-5 district and otherwise  
11 conform to all requirements of this Chapter which apply:

12 (1) A two-unit dwelling;

13 (2) A multiplex dwelling structure;

14 (3) A business or professional office or clinic;

15 (4) Parking, developed as required in MCC .6100 through .6148; and

16 (5) Other uses of a transitional nature as determined by the Planning Commission.

17 (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business  
18 sales office shall be maintained on the premises, and no poultry or livestock, other than normal  
19 household pets, shall be kept within 100 feet of any residence other than the dwelling on the same  
20 lot. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping  
21 of swine, or a feed lot;

22 (D) Except as otherwise authorized under Subsection (B) above or MCC .7105 through .7640, the  
23 parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles  
24 shall not be kept so as to be visible from a street;

25 (E) A two-unit dwelling, in compliance with the lot size requirement of MCC .2634(B), and the other  
26 applicable dimensional requirements of this district, provided the location is:

- 1 (1) A corner lot or a corner lot and adjoining lot under MCC .2480(H);
- 2 (2) A flag lot;
- 3 (3). A lot having sole access from an accessway approved under MCC 11.45, the Land Division
- 4 Chapter; or
- 5 (4) A lot having access from a public street created under MCC 11.45, the Land Division Chapter,
- 6 when not more than four such structures having access from the same public street are located
- 7 within 200 feet of each other.
- 8 (F) A mobile home on an individual lot subject to the development standards of MCC .[2494]7705.
- 9 (G) Home occupations, as defined in MCC .0010.
- 10 (H) Temporary uses under the provisions of MCC .8705-.8710.

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12 **11.15.2748 Uses Permitted Under Prescribed Conditions**

13 The uses permitted subject to prescribed conditions for each use are:

- 14 (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses,
- 15 private greenhouses or other similar structures related to the dwelling structure in design, whether
- 16 attached or detached, provided:
  - 17 (1) The height or total ground floor area of accessory buildings shall not exceed the height or total
  - 18 ground floor area of the main building(s) on the same lot;
  - 19 (2) If attached to any main building, an accessory building shall comply with the yard
  - 20 requirements of this district;
  - 21 (3) If detached and located behind the rear line of the rearmost main building, or a minimum of 50
  - 22 feet from the front lot line, whichever is greater, any one-story accessory building may be
  - 23 located adjacent to or on a rear and/or side lot line not abutting on a street when in compliance
  - 24 with the Building Code; and
  - 25 (4) A detached accessory building shall occupy no more than 25 percent of the required yard area
  - 26 in which it is located.



(B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted, provided they extend not more than 100 feet into the MR-4 district and otherwise conform to all requirements of this Chapter which apply:

- (1) A business or professional office or clinic, developed as provided under MCC .2712;
- (2) Parking, developed as required in MCC .6100 through .6148; and
- (3) Other uses of a transitional nature as determined by the Planning Commission.

(C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office shall be maintained on the premises, and no poultry or livestock, other than normal household pets, shall be kept on the lot.

(D) Except as otherwise authorized under MCC .7105 through .7640, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.

(E) A single family detached dwelling, subject to the provisions of MCC .2700.

(F) A mobile home on an individual lot subject to the development standards of MCC .[2704]7705;

(G) Home occupations, as defined in MCC .0010.

(H) Temporary uses under the provisions of MCC .8705 - .8710.

(I) Ambulance service substations, subject to approval by the Planning Director when found to satisfy the approval criteria of MCC 11.15.2719.

#### **11.15.2750 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable Ordinance standards:

(A) Community Service Uses under the provisions of MCC .7005 through .7041;

(B) Conditional Uses under the provisions of MCC .7105 through .7640;

(C) A mobile home park subject to the approval criteria of MCC .[2706]7710, the development standards of MCC .[2708]7715, and the requirements of MCC .8230(D)(3);

- (D) A business or professional office or clinic under the procedural provisions of MCC .7105 through .7640, the approval criteria of MCC .2710, and the development standards of MCC .2712; and
- (E) Wholesale or retail sales of farm, horticultural or forest products, raised or grown on the premises.

#### **11.15.2768 Uses Permitted Under Prescribed Conditions**

The uses permitted subject to prescribed conditions for each use are:

- (A) Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling structure in design, whether attached or detached, provided:

- (1) The height or total ground floor area of accessory buildings shall not exceed the height or total ground floor area of the main building(s) on the same lot.
- (2) If attached to any main building, an accessory building shall comply with the yard requirements of this district.
- (3) If detached and located behind the rear line of the rear-most main building, or a minimum of 50 feet from the front lot line, whichever is greater, any one-story accessory building may be located adjacent to or on a rear and/or side lot line not abutting on a street when in compliance with the Building Code.
- (4) A detached accessory building shall occupy no more than 25 percent of the required yard area in which it is located.

- (B) Where the side of a lot abuts a commercial or industrial district other than LC, the following transitional uses are permitted provided they extend not more than 100 feet into the MR-3 district and otherwise conform to all requirements of this Chapter which apply:

- (1) A business or professional office or clinic, developed as provided under MCC .2712;
- (2) Parking, developed as required in MCC. .6100 through .6148; and
- (3) Other uses of a transitional nature as determined by the Planning Commission.

- (C) Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business

sales office shall be maintained on the premises, and no poultry or livestock other than normal household pets shall be kept on the lot.

(D) Except as otherwise authorized under MCC .7105 through .7640, the parking or storage of not more than five motor vehicles per dwelling unit. Non-operating vehicles shall not be kept so as to be visible from a street.

(E) A single family detached dwelling, subject to the provisions of MCC .2700.

(F) A mobile home on an individual lot subject to the development standards of MCC .[2704]7705;

(G) Home occupations, as defined in MCC .0010.

(H) Temporary uses under the provisions of MCC .8705 - .8710.

(I) Ambulance service substations, subject to approval by the Planning Director when found to satisfy the approval criteria of MCC 11.15.2719.

#### **11.15.2770 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable Ordinance standards:

(A) Community Service Uses under the provisions of MCC .7005 through .7041;

(B) Conditional Uses under the provisions of MCC .7105 through .7640;

(C) A mobile home park subject to the approval criteria of MCC .[2706]7710, the development standards of MCC .[2708]7715, and the requirements of MCC .8230(D)(3);

(D) A business or professional office or clinic under the procedural provisions of MCC .7105 through .7640, the approval criteria of MCC .2710, and the development standards of MCC .2712; and

(E) Wholesale or retail sales of farm, horticultural or forest products, raised or grown on the premises.

#### **11.15.6222 Permitted Uses**

In an underlying residential district, the following uses may be permitted in a Planned Development District:

- 1 (A) Housing types may include single family detached or attached dwellings, duplexes, row houses,  
2 town houses or apartments, except that in the MUA-20, RR and RC districts only duplexes and  
3 single family detached or attached dwellings are permitted.
- 4 (B) In the LR-7 and the LR-5 districts, outside a *Developed Neighborhood* as designated in the  
5 Community Plan, the housing type may include mobile homes [:  
6 (1) On individual lots in a subdivision approved for the purpose under MCC 11.45, the Land  
7 Division Chapter, subject to the development standards of MCC .2704, except subpart (A)(2)  
8 thereof;  
9 (2) I]in a mobile home park, subject to the development standards of MCC .[2708]7715.
- 10 (C) A related commercial use which is designated to serve the development of which it is a part, upon  
11 approval by the Planning Commission.
- 12 (D) A Community Service use listed in MCC .7005 through .7030, when designated to serve the  
13 development or the adjacent area of which it is a part, upon approval by the Planning Commission.  
14 (1) A Community Service use, when approved under the provisions of MCC .7005 through .7030,  
15 may also be designed to serve the adjacent area outside the Planned Development if found by  
16 the Planning Commission to be appropriate and consistent with Comprehensive Plan policies.
- 17 (E) A use or structure customarily accessory or incidental to a permitted or approved use.
- 18 (F) For an underlying commercial or industrial district, the following uses may be permitted in a  
19 Planned Development District:  
20 (1) Uses permitted in the underlying district.  
21 (2) Community Service Uses when approved by the Planning Commission under the provisions of  
22 MCC .7005 through .7030.  
23 (3) Any other use as approved by the Planning Commission when found to be consistent with the  
24 Development Plan and Program and the purposes of this Chapter.

1 **11.15.7705 Development Standards for Mobile Homes on Individual Lots Within Urban Districts**

2 A mobile home on an individual lot located in all Urban Districts except Urban Future shall:

3 (A) Be a *manufactured home* constructed after June 15, 1976, and carry a State insignia indicating  
 4 compliance with applicable Oregon State mobile home construction or equipment standards;

5 (B) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other  
 6 cause, meet the State standards for mobile home construction evidenced by the required insignia;

7 (C) Be placed on an excavated and back-filled foundation and enclosed at the perimeter;

8 (D) Have a minimum floor area of 1,000 square feet;

9 (E) Have a pitched roof with a pitch of at least a nominal three feet in height for each 12 feet in width  
 10 (3:12);

11 (F) Be multisectional. A "tip-out" or "expandable" unit is not a multisectional home;

12 (G) Be certified by the manufacturer to have an exterior thermal envelope meeting performance  
 13 standards which reduce heat loss to levels equivalent to the performance standards required of  
 14 single family dwellings constructed under the state building code as defined in ORS 455.010.

15  
 16 **11.15.7710 Mobile Home Park Approval Criteria**

17 In approving a mobile home park the approval authority shall find that the proposal:

18 (A) Is located outside a "Developed Neighborhood" as designated in the Community Plan;

19 (B) Will have direct pedestrian and two-way vehicular access to a publically maintained road;

20 (C) Will be located on a site free from development limitations such as slopes exceeding 20%, severe  
 21 erosion or earth slide potential, or a high seasonal water table;

22 (D) Will provide for the privacy of the occupants of the mobile homes, of adjoining dwellings and of  
 23 outdoor living areas through such means as the placement of mobile homes and accessory  
 24 structures, the arrangement of landscaping, parking and circulation and the preservation of natural  
 25 vegetation and other features;

26 (E) Will provide for the conservation of energy through orientation of mobile homes, accessory

structures and open spaces with regard to solar exposure and climatic conditions (MCC .6835 through .6858);

(F) Will provide outdoor or indoor recreation spaces of a type and location suitable to the needs of the residents of the park; and

(G) Will satisfy the mobile home park development standards of MCC .7715.

#### **11.15.7715 Mobile Home Park Development Standards**

A mobile home park approved under this Chapter shall comply with the State standards in effect at the time of construction, the other applicable requirements of this Chapter, and the following:

(A) Application for a permit shall include evidence that the park will be eligible for a certificate of sanitation required by State law;

(B) The space provided for each mobile home shall be supplied with piped potable water and electrical and sewage disposal connections;

(C) Not more than 40 percent of the area of a mobile home space may be occupied by a mobile home and any attached or detached structure used in conjunction with the mobile home;

(D) Only those accessory structures authorized by Oregon Administrative Rule may be attached to a mobile home;

(E) The only detached structures located on a mobile home space shall be a carport or a fully-enclosed storage building;

(F) A mobile home and any attached accessory structure shall not be located less than:

(1) Ten feet from any other mobile home or accessory structure attached thereto;

(2) Ten feet from any detached accessory building or other building located within the mobile home park; or

(3) Five feet from a mobile home park property line.

(G) A permanent building in a mobile home park shall not be located less than ten feet from another permanent building and shall meet the yards as required in the district;

(H) A sight-obscuring fence of not less than six feet in height, with openings only for required entrances or exits to a street or public place, shall be provided between mobile homes and a mobile home park property line;

(I) Each vehicular way in a mobile home park of 50 spaces or more shall be named and marked with signs of a design similar to those for public streets. A map of the named vehicular ways and of the mobile home space numbers shall be provided by the owner to the fire district;

(J) There shall be no outdoor storage of furniture, electrical appliances, tools, equipment, building materials or supplies within a mobile home park;

(K) Any mobile home in a mobile home park within an LR-7 or LR-5 district shall:

(1) Be located in a mobile home space which complies with the standards of this subsection;

(2) Be a *manufactured home* constructed after June 15, 1976, and carry a State insignia indicating compliance with applicable Oregon State mobile home construction or equipment standards;

(3) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the State standards for mobile home construction evidenced by the required insignia;

(4) Have a minimum floor area of not less than 800 square feet;

(5) Have a roof with a minimum slope of 16 percent (2:12); and

(L) Any mobile home in a mobile home park within an MR-4 or MR-3 district shall:

(1) Be located in a mobile home space which complies with the standards of this subsection;

(2) Be a *residential trailer* or *manufactured home* which has a state insignia or other documentation indicating compliance with Oregon State mobile home construction and equipment standards in effect at the time of manufacture, reconstruction or equipment installation;

(3) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the State standards for mobile home construction evidenced by the required insignia;

(4) Have a minimum floor area of not less than 225 square feet;

(5) Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation space;

(6) Be provided with a continuous skirting; and

(7) If a single-wide unit, be tied down with devices which meet state tie-down standards.

Section VI. Adoption.

This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

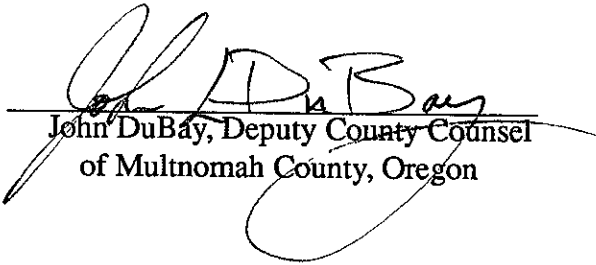
ADOPTED THIS 28th day of May, 1991, being the date of its 1st reading before the Board of County Commissioners of Multnomah County.



By

  
Gladys McCoy, County Chair  
MULTNOMAH COUNTY, OREGON

REVIEWED:

  
John DuBay, Deputy County Counsel  
of Multnomah County, Oregon