

(Underlines in Sections 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 and 16 are new or replacements; [brackets] are deleted; Sections 1, 2, 3, 7, and 17 are entirely new.)

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 402

An ordinance amending sections of MCC 11.15 to allow for mobile homes on individual lots as Uses Under Prescribed Conditions in the LR-7, LR-5, MR-4, and MR-3 zoning subdistricts, and establishing houseboats and houseboat moorages as a Conditional Use in the Multiple Use Agriculture and Multiple Use Forest Zoning Districts.

Multnomah County ordains as follows:

SECTION 1. FINDINGS.

1. Oregon Revised Statutes, Chapter 197.303, defines needed housing types to include manufactured housing (mobile homes) as defined in ORS 197.295. ORS 197.307(2) requires that jurisdictions provide for needed housing types within the Urban Growth Boundary as outright permitted uses.
2. Citizen comments at public meetings related to the Framework Plan update have indicated a willingness to allow manufactured housing to locate in traditional single family areas.
3. Comprehensive Framework Plan Policy 21, Housing Choice, directs the County to accommodate a range of housing types by providing flexibility in location, and ensuring adequate amounts of vacant land zoned for residential use.
4. Comprehensive Framework Plan Policy 25, Mobile Home Location Policy, contains locational criteria that allow mobile homes to locate in Low Density and Medium Density Residential districts as Uses Under Prescribed Conditions.

Findings supporting the exception to allowing mobile homes in the LR-7 sub-district within the Wilkes Community:

5. Developed Neighborhoods were designated in the individual community plans adopted in 1979. During the planning process, each community had the opportunity to review existing land use characteristics and proposed land use designation to determine if an area was suitable for identification as a Developed Neighborhood. Areas of single family residential development that had lotting patterns of 7,000 and 10,000 square foot sized lots with limited or no further development potential could be designated as Developed Neighborhoods on the community land use map. Application of the designation to neighborhoods exhibiting these characteristics is intended to preserve and enhance the residential character and neighborhood identity of the area.

6. The Multnomah County Zoning Ordinance excludes duplex and multiplex development from areas designated as Developed Neighborhoods. Zone changes to more intensive residential densities such as LR-5 are prohibited without a plan amendment to remove the Developed Neighborhood designation.
7. The Wilkes Community Plan was adopted in November of 1976. At that time, it was the only community plan in effect in unincorporated Multnomah County. The concept of Developed Neighborhoods was not created until later during the development and adoption of the seven other community plans in 1979. The Wilkes Plan differs in two ways from the other community plans.
  - a) The Wilkes community plan map is divided into 17 geographic areas. Each of these areas allows for a range of uses to occur, but does not prescribe specific land use designations for individual parcels of land. This is different from the community plan maps adopted in 1979. These maps have discrete land use designation for each parcel of land.
  - b) At the time the Wilkes Plan was prepared and adopted, the County was administering the zoning regulations contained in Ordinance No. 100. Between 1978 and 1979, a new County Zoning Ordinance (#205) was developed in conjunction with the development of the seven community plans.
8. The Wilkes Community Plan is currently undergoing review and revision. In revising the plan, areas in the Wilkes Community will be examined to determine appropriateness of applying the Developed Neighborhood designation to achieve parity with the other community plan areas.
9. Multnomah County Comprehensive Plan Policy 26 identifies areas as suitable for the location of houseboats, including the portions of the west side of Multnomah Channel "from Rocky Point Moorage...north to the Columbia County Boundary", and "from the City of Portland corporate limits north to 1/2 mile north of the Sauvie Island Bridge."
10. The areas identified above and in Policy 26 are presently within the Multiple Use Agriculture and Multiple Use Forest Zoning Districts.
11. Houseboats and Houseboat Moorages are not presently included as Conditional Uses in the above zones.
12. In order that the Zoning Ordinance be in conformance with Comprehensive Plan Policy 26, houseboats and houseboat moorages should be included as conditional uses in MUA and MUF zoning districts.

SECTION 2. AMENDMENT.

MCC 11.15 is amended to add:

11.15.2494      Mobile Home on Individual Lot

Development Standards

- (A) A mobile home located on an individual lot shall:
- (1) Comply with the other applicable requirements of this ordinance;
  - (2) Be located outside a "Developed Neighborhood" as designated in the Community Plan;
  - (3) Be located on a site free from development limitations such as slopes exceeding 20%, severe erosion or earth slide potential, or a high seasonal water table;
  - (4) Have access to a County road by a private driveway or accessway approved under MCC 11.45, the Land Division Chapter;
  - (5) Be located on a flag lot or on a lot served only by an accessway approved under MCC 11.45, the Land Division Chapter; provided, however, that not more than two mobile homes shall be served by one accessway;
  - (6) Be manufactured after June 15, 1976, and carry a State insignia indicating compliance with applicable Oregon State mobile home construction or equipment standards;
  - (7) Notwithstanding deterioration which may have occurred due to misuse, neglect, accident or other cause, meet the State standards for mobile home construction evidenced by the required insigne;
  - (8) Be attached to a foundation for which a building permit has been obtained;
  - (9) Have a minimum floor area of 800 square feet;
  - (10) Have a roof with a minimum slope of 16 percent (2:12);

- (11) Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation area; and
  - (12) Have plumbing connected to a public water supply system and to a sewage disposal system approved by the County Sanitarian.
- (B) An accessory structure may be attached only to the side or rear of the mobile home, shall consist of an awning, cabana or carport, but not a ramada, and shall satisfy the standards of OAR 814.23.070;
  - (C) Any other accessory building, as permitted in the district, shall be located not less than ten feet from the mobile home or any accessory structure attached thereto; and
  - (D) The mobile home shall be located on a lot having improvements in accordance with a site development plan approved by the Planning Director. The plan shall provide for:
    - (1) Safe pedestrian and vehicular access;
    - (2) Adequate privacy for residents of the mobile home and of adjoining housing; and
    - (3) Maximum preservation of existing slopes, vegetation and natural drainage.

SECTION 3 AMENDMENT.

MCC 11.15 is amended to add:

11.15.2496 Mobile Home Park Approval Criteria

In approving a mobile home park in an LR-7 or LR-5 district, the approval authority shall find that the proposal:

- (A) Is located outside a "Developed Neighborhood" as designated in the Community Plan;
- (B) Will have direct pedestrian and two-way vehicular access on a County road;
- (C) Will be located on a site free from development limitations such as slopes exceeding 20%, severe erosion or earth slide potential, or a high seasonal water table;

- (D) Will provide for the privacy of the occupants of the mobile homes, of adjoint dwellings, and of outdoor living areas through such means as the placement of mobile homes and accessory structures, the arrangement of landscaping, parking and circulation, and the preservation of natural vegetation and other features;
- (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;
- (F) Will satisfy the mobile home park development standards listed in MCC .2498.

11.15.2498

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) Fifteen 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 or from a mobile home park property line;
- (H) A sight-obscuring fence of not less than six nor more than seven 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) Any mobile home in a mobile home park shall:
- (1) Be located in a mobile home space which complies with the standards of this subsection;
  - (2) Be manufactured 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) Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation space;
  - (6) Have a roof with a minimum slope of 16 percent (2:12);
- (K) There shall be no outdoor storage of furniture, electrical appliances, tools, equipment, building materials or supplies within a mobile home park.

SECTION 4. AMENDMENT

MCC 11.15.2608 is amended to read:

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

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

(I) [(H)] Temporary uses under the provisions of MCC .8705.

SECTION 5. AMENDMENT

MCC 11.15.2610(E) is amended to read:

(E) [Mobile homes on individual lots or a] A mobile home park under the provisions of MCC .6200 through .6226; and

SECTION 6. AMENDMENT

MCC 11.15.2616(D) is amended to read:

(D) The minimum lot size for a mobile home under MCC [2610(E)] .2608(G) shall be 7000 square feet.

SECTION 7. AMENDMENT

MCC 11.15.2618 is added:

Exception.

Mobile homes shall be restricted from locating in the LR-7 sub-districts within the boundaries of the Wilkes Community as defined in the Wilkes Community Plan land use plan map. This restriction shall remain in effect only to the time of the first review and adoption of the Wilkes Community Plan.

SECTION 8. AMENDMENT

MCC 11.15.2628 is amended to read:

(F) A mobile home on an individual lot subject to the development standards of .2494.

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

(H) [(G)] Temporary uses under the provisions of MCC .8705.

SECTION 9. AMENDMENT

MCC 11.15.2630(E) is amended to read:

(E) [Mobile homes on individual lots or a] A mobile home park under the provisions of MCC .6200 through .6226; and

SECTION 10. AMENDMENT

MCC 11.15.2634(D) is amended:

(D) The minimum lot size for a mobile home under MCC [.2630(E)] .2628(E) shall be 5000 square feet.

SECTION 11. AMENDMENT

MCC 11.15.2702 is deleted.

SECTION 12. AMENDMENT

MCC 11.15.2704 is amended to read:

(A) A mobile home located on an individual lot shall:

(1) Comply with the other applicable requirements of this ordinance;

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

(3) Will have access to a County road by a private driveway or accessway approved under MCC 11.45, the Land Division Chapter.

(4) [(2)] Be located on a flag lot or on a lot served only by an accessway approved under MCC 11.45, the Land Division Chapter, provided, however, that not more than two mobile homes shall be served by one accessway;

- (5) [(3)] Be manufactured after June 15, 1976, and carry a State insignia indicating compliance with applicable Oregon State mobile home construction or equipment standards;
  - (6) [(4)] 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 insigne;
  - (7) [(5)] Be attached to a foundation for which a building permit has been obtained;
  - (8) [(6)] Have a minimum floor area of 800 square feet;
  - (9) [(7)] Have a roof with a minimum slope of 16 percent (2:12);
  - (10) [(8)] Be equipped with a water closet, lavatory, shower or bath tub, and with a sink in a kitchen or other food preparation area; and
  - (11) [(9)] Have plumbing connected to a public water supply system and to a sewage disposal system approved by the County Sanitarian.
- (B) An accessory structure may be attached only to the side or rear of the mobile home, shall consist of an awning, cabana, or carport, but not a ramada, and shall satisfy the standards of OAR 814.23.070;
- (C) Any other accessory building, as permitted in the district, shall be located not less than ten feet from the mobile home or any accessory structure attached thereto; and
- (D) The mobile home shall be located on a lot having improvements in accordance with a site development plan approved by the Planning Director. The plan shall provide for:
- (1) Safe pedestrian and vehicular access;
  - (2) Adequate privacy for residents of the mobile home and of adjoining housing; and
  - (3) Maximum preservation of existing slopes, vegetation and natural drainage.

SECTION 13. AMENDMENT

MCC 11.15.2748 is amended to read:

- (F) A mobile home on an individual lot subject to the development standards of MCC .2704;
- (G) [(F)] Home occupations, as defined in MCC .0010.
- (H) [(G)] Temporary uses under the provisions of MCC .8705.

SECTION 14. AMENDMENT

MCC 11.15.2750 is amended to read:

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 .7030;
- (B) Conditional Uses under the provisions of MCC .7105 through .7640;
- [(C) A mobile home on an individual lot subject to the approval criteria of MCC .2702, the development standards of MCC .2704, and the requirements of MCC .8230(D) (3);]
- (C) [(D)] A mobile home park subject to the approval criteria of MCC .2706, the development standards of MCC .2708; and the requirements of MCC .8230(D) (3);
- (D) [(E)] 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;
- (E) [(F)] A health hardship annual temporary permit, under MCC .8710; and
- (F) [(G)] Wholesale or retail sales of farm, horticultural or forest products, raised or grown on the premises.

SECTION 15. AMENDMENT

MCC 11.15.2768 is amended to read:

- (F) A mobile home on an individual lot subject to the development standards of MCC .2704;
- (G) [(F)] Home occupations, as defined in MCC .0010.
- (H) [(G)] Temporary uses under the provisions of MCC .8705.

SECTION 16. AMENDMENT

MCC 11.15.2770 is amended to read:

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 .7030;
- (B) Conditional Uses under the provisions of MCC .7105 through .7640;
- [(C) A mobile home on an individual lot subject to the approval criteria of MCC .2702, the development standards of MCC .2704, and the requirements of MCC .8230(D)(3);]
- (C) [(D)] A mobile home park subject to the approval criteria of MCC .2706, the development standards of MCC .2708, and the requirements of MCC .8230(D)(3);
- (D) [(E)] 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;
- (E) [(F)] A health hardship annual temporary permit, under MCC .8710; and
- (F) [(G)] Wholesale or retail sales of farm, horticultural or forest products, raised or grown on the premises.

SECTION 17. AMENDMENT

MCC 11.15.2132(B) is amended by adding the following:

(9) Houseboats and Houseboat Moorages.

MCC 11.15.2172(B) is amended by adding the following:

(8) Houseboats and Houseboat Moorages.

ADOPTION

This ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, shall take effect on 12/08/83, according to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 8th day of November, 1983, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS  
OF MULTNOMAH COUNTY, OREGON

(SEAL)

By Caroline Miller  
Caroline Miller  
Vice Presiding Officer

Authenticated by the County Executive on the 8th day of November,  
1983.

Dennis Buchanan  
Dennis Buchanan, County Executive

APPROVED AS TO FORM:

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

By John B. Leahy