

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Adding Sections to Ordinance)
 No. PL-15 Relating to Selected Residential)
 Areas for Single-Wide Mobile Homes and)
 Providing Standards and Criteria Relating)
 to the Approval of Single-Wide Mobile Homes)
 in Residential Areas, and Amending Section)
 4.060(3)(N) of Ordinance No. PL-15 to)
 Allow Non-Farm Related Single-Wide Mobile)
 Homes in the Multiple Use Agricultural)
 (MUA) Zone; and Declaring an Emergency)

FILED
 OCT 14 1980
 ROSEMARY PATTERSON
 DESCHUTES COUNTY CLERK

ORDINANCE NO. 80-206

WHEREAS, ORS 215.416 provides that the approval or denial of a land use permit application must be based on standards and criteria set forth in the Zoning Ordinance or other appropriate ordinances or regulations of the County; and

WHEREAS, the Comprehensive Land Use Plan of the County provides that single-wide mobile homes shall be permitted in selected residential areas, and as part of mobile home parks or planned developments; and

WHEREAS, the Comprehensive Land Use Plan of the County provides that single-wide mobile homes should not be permitted on individual lots in urban density residential areas which have already substantially developed with conventional housing, unless single-wide mobile homes were part of the original development plan; and

WHEREAS, no standards and criteria have been provided for the approval or denial of single-wide mobile homes in urban density residential areas; and

WHEREAS, the Planning Commission and Board of County Commissioners have held hearings in accordance with law; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. Legislative Findings. The Board of County Commissioners finds and declares that:

1. A lot size of 2.5 acres is an urban density residential lot outside urban growth boundaries, in Deschutes County, Oregon.

2. That the word substantially is similar in meaning to the word primarily, which, according to Oregon case law, means "fifty percent of a particular characteristic."

3. Deschutes County has consistently used the concept of "original development plan" to refer to a subdivision plat within which a proposed site exists.

4. Where no subdivision plat is available to determine an area, an area 1600 feet in radius on a map would be of an area approximately equal to a majority of rural residential subdivisions within Deschutes County, Oregon.

5. The Deschutes County Planning Department has a list of subdivisions which have designated mobile homes as part of the "original development plan."

6. The reference to non-farm related single-wide mobile homes in the Multiple Use Agricultural (MUA) Zone should have been Section 5.140. As a result of a typographical error, Section 5.100 was designated as the mobile home criteria in the Multiple Use Agricultural (MUA) Zone.

Section 2. Ordinance No. PL-15 is amended by the addition of Section 3.050, which reads as follows:

Section 3.050 SELECTED RESIDENTIAL AREAS FOR SINGLE-WIDE MOBILE HOMES. Single-wide mobile homes shall be permitted as a conditional use in the following residential zones:

- (1) Multiple Use Agricultural (MUA).
- (2) Rural Residential (RR-10).
- (3) Rural Service Residential (RSR-M).
- (4) Rural Service Residential-5 (RSR-5).

Nothing in this section shall limit the placement of a single-wide mobile home as a conditional use in any other zone where the placement of a single-wide mobile home is allowed as a conditional use.

Section 3. Section 4.060(3)(N) of Ordinance No. PL-15 is amended to read as follows:

- (N) Non-farm related single-wide mobile homes as provided in Section 5.140.

Section 4. Ordinance No. PL-15 is amended by the addition of subsection (10.1) to Section 8.050, Specific Use Standards, which reads as follows:

(10.1) Standards and Criteria Relating to the Approval of a Single-Wide Mobile Home in a Residential Area Selected Under Section 3.050.

- (A) A single-wide mobile home shall be denied as a conditional use in a residential zone selected under Section 3.050 if:
- (a) The mobile home will be placed on an individual lot; and
 - (b) The lot is in an urban density residential area; and
 - (c) The area is substantially developed with conventional housing.
- (B) For the purposes of subsection (10.1) of this section:
- (a) An "area" is a platted subdivision, or, if a lot or parcel is not in a platted subdivision, an area, the boundaries of which include any lot or parcel any portion of which is within 1600 feet of the boundary of the lot or parcel upon which an application has been filed to site a single-wide mobile home.
 - (b) An area is an "urban density residential area" if the average lot size is 2.5 acres in area or less.
 - (c) An area is "substantially developed with conventional housing" if 50% or more of the lots have housing units which were constructed in the area located on them. A housing unit is deemed to be constructed if a building permit number has been issued by the Deschutes County Building Department.
- (C) Nothing in this subsection shall apply to a single-wide mobile home placement if single-wide mobile homes are part of the original development plan on file with the Deschutes County Planning Department and the lot where the single-wide mobile home is to be placed is designated for single-wide mobile homes in that plan.

Section 5. This ordinance being necessary for the immediate preservation of public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect on its passage.

DATED this 12th day of Oct, 1980.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Albert A. Young
ALBERT A. YOUNG, Chairman

Clay C. Shepard
CLAY C. SHEPARD, Commissioner

Robert C. Paulson, Jr.
ROBERT C. PAULSON, JR., Commissioner

ATTEST:

Tammy J. Richardson
TAMMY J. RICHARDSON
Recording Secretary