ORDINANCE NUMBER 1547

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NO. 1438 BY ADDING PROVISIONS FOR MANUFACTURED HOUSING, MANUFACTURED HOUSING SUBDIVISIONS, PRE-FABRICATED CONSTRUCTION (MODULAR UNITS).

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings.

A. Currently, Ordinance No. 1438 includes definitions for Mobile Home and Mobile Home Park, which do not conform to Oregon State Statutes. There is no definition for Modular Housing.

B. The current definition in Ordinance NO. 1438 for Mobile Home Park is not consistent with Section 4.06 of the same Ordinance.

C. The City has received requests from citizens to assure the manufactured units allowed within the City will, to the greatest extent possible, appear similar to "stick-built" residences.

D. The City has received requests from the Manufactured Housing Association and the State Housing Division, regarding manufactured housing, to bring our Ordinance into conformance with the State Statutes and to clarify the foundation requirement.

E. Manufactured and Modular Housing represents a low-cost alternative that will enable more families to live in Milwaukie.

F. It is in the best interests of the City to increase the City's housing stock.

G. The proposed amendments support the following elements of the City's Comprehensive Plan, Ordinance No. 1437:

1. Community Conservation & Development Division Objective #4, Neighborhood Conservation, Policy #3, Page 31.

   Within Moderate and Medium Density areas, residential infill which maintains existing building heights, setbacks, yard areas and building mass will be encouraged. Of particular importance is the maintenance of existing residential scale when viewed from the street.

2. Objective #5, Housing Choice, Page 31
To continue to encourage an adequate and diverse range of housing types and the optimum utilization of housing resources to meet the housing needs of all segments of the population.

3. Objective #5, Policy #3, Page 32.
Manufactured housing is encouraged in the city as long as building codes, density standards and other applicable policies are met. The City will encourage the provision of housing at types and densities indicated in the City's housing needs assessments summarized on Table 3-A.

H. The Planning Commission considered these proposed Amendments at Public Hearings held on January 25, 1983; February 22, 1983; April 8, 1983; April 25, 1983; May 10, 1983; May 24, 1983, and recommended the Council adopt them.

Section 2. Definitions.

Section 1.03 of Ordinance #1438 is amended by deleting the current definitions for Mobile Home and Mobile Home Park, and by adding the following:

MANUFACTURED HOUSING:

A dwelling manufactured in a factory and transported to a site. Construction of the dwelling is in accordance with the National Manufactured Housing Construction and Safety Standards for 1974 (42 USC Sections 540 et. seq.). The dwelling is at least twenty-four (24) feet in width, has living space, has sleeping, plumbing, and cooking facilities; and is designed for permanent residential occupancy.

MANUFACTURED HOUSING SUBDIVISION:

A parcel of land intended for and designed principally to accommodate manufactured housing for single-family residential use. Other conventional (stick built) housing may be built on individual lots in a manufactured subdivision. The parcel shall meet all requirements of the Milwaukie Subdivision Ordinance.

PREFABRICATED CONSTRUCTION (MODULAR UNITS):

A structural unit, conforming to the Uniform Building Code, that has been wholly or in part prefabricated at an off-site location and brought by trailer to the site for assembly.

Section 6.02 - STANDARDS FOR GOVERNING CONDITIONAL USES:

This Section shall be amended by deleting the following Subsections:

Section 6.02.7.a, b, and c - Mobile Home Park:

In its entirety, and renumbering the remaining Subsections appropriately.

Section 6.02.16. a, b, c, and d - Mobile Homes:

In its entirety.

THE SECTION SHALL BE FURTHER AMENDED BY ADDING THE FOLLOWING NEW SUBSECTIONS:

Section 6.02.15 - Manufactured Housing:

Manufactured housing shall be subject to the following requirements in all of the zoning districts in which they are allowed.

Section 6.02.15.a

The unit shall satisfy the requirements for manufactured housing as defined by this Ordinance (Section 1.03).

Section 6.02.15.b

The manufactured home will be permanently installed on a foundation system in conformance with the Oregon Department of Commerce Requirements; and recessed so the bottom of the home is a maximum of 18 inches above the exterior finish grade of the lot on which it is located.

Exterior siding will extend to the top of a non-structural perimeter wall surrounding the base of the manufactured home. The wall may consist of concrete block, cement or pressure-treated wood finished to appear similar to cement. The perimeter wall shall be constructed to appear similar to foundations found in the immediate area.

Section 6.02.15.c

Any extension of or attachment to the manufactured home which is not part of the original factory manufactured/mobile home, and which is intended for use either as part of the dwelling unit or for storage purposes, shall not occur unless indicated as part of the application and is part of the approval. This application shall include plans for review and approval to insure the extension or attachment proposed is compatible; of like design and character to the existing manufactured home. A City Building Permit shall be obtained for such extensions or additions to manufactured homes, if so required by the appropriate Oregon Statutes and Regulations.

Section 6.02.15.d

The factory design of the manufactured home shall include a roof pitched at a minimum of two (2) inches in twelve (12) inches.

Seciton 6.02.15.e

Two paved parking spaces, one of which must be covered, shall be provided for each dwelling.

Seciton 6.02.15.f

The exterior of the manufactured home must be constructed of materials similar in appearance and quality to residential exterior found in the immediate area.

Section 6.02.16 - Manufactured Housing Subdivisions:

A. The minimum area for a subdivision shall be three acres.

B. Applications shall be accompanied by a plot plan drawn to scale of general layout of the entire subdivision. Mapping requirements for Preliminary Subdivision or Major Partition shall be used as a guide for the plot plan layout.

C. The density of units shall be subject to the density requirements of the primary district.

D. The average area of a manufactured home site within the subdivision shall not be less than 2,500 sq.ft., including roadways, recreation areas, and other accessory facilities. No site shall have an area less than 2,000 sq.ft.

E. Streets within the subdivision shall meet the standards established in the Subdivision Ordinance (#1438), except for inverted/rolled curbs.

F. Off-street parking shall be two parking spaces, one of which must be covered, for each home.

G. Storage and similar accessory structures may be located within any unit space, but shall not be attached to any manufactured home, and shall comply with the setback requirements and shall be subject to all of the applicable provisions of the appropriate Oregon Statutes and Regulations.

H. All open areas, except as otherwise specified herein, shall be landscaped and maintained.

I. No unit enlargements or expansions of any subdivision shall be permitted unless the existing one is made to conform with all the requirements for new construction.

J. The entire subdivsion or each phase of unit development shall comply with the aforesaid requirements prior to occupancy.

K. Conventional (stick built) housing may be built on individual lots in the subdivision. Such housing must meet all standards of the applicable zone.

Read the first time on July 19, 1983, and moved to second reading by Majority vote of the City Council.

Read the second time and adopted by the City Council on August 2, 1983.

Signed by the Mayor on August 2, 1983.

Joy Burgess, Mayor

ATTEST:

Laurie Perkin, Recorder

Approved as to form:

Greg Eades, City Attorney

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