

ORDINANCE NO. 699

AN ORDINANCE AMENDING STAYTON LAND USE AND DEVELOPMENT CODE SECTION 17.16 BY ADDING SECTION 17.16.660.8, ESTABLISHING DESIGN STANDARDS FOR SINGLE FAMILY DWELLINGS AND MANUFACTURED HOMES IN THE LD ZONE; AND ADDING 17.16.670.9, ESTABLISHING DESIGN STANDARDS FOR SINGLE FAMILY DWELLINGS AND MANUFACTURED HOMES IN THE MD ZONE.

WHEREAS, ORS 197.295 through ORS 197.313 requires cities to plan for and to provide locations where manufactured homes may be placed on individual lots; and

WHEREAS, the ORS requirement excludes lands zoned for mobile home parks and mobile home subdivisions; and

WHEREAS, ORS directs that the City of Stayton allow manufactured homes on lots within the Low Density (LD) and Medium Density (MD) residential zones, since these are the primary single family residential zones; and

WHEREAS, the city may allow manufactured homes within portions of the LD and MD zones by creating an overlay zone and adopting placement standards; and

WHEREAS, on February 3, 1992, the Stayton City Council held a final public hearing and directed the staff to prepare an order for adoption including findings of fact; and

WHEREAS, on February 18, 1992, the Stayton City Council adopted an order approving the placement of manufactured homes in both the Low Density (LD) and Medium Density (MD) zones subject to compliance with specific development and design standards;

WHEREAS, the evidence in the record with regard to need for affordable housing, and acreage availability in various zones to fill that need is unchanged; and

WHEREAS, under current law, sufficient acreage of property zoned lands need to be set aside to fill the identified need; and

WHEREAS, currently there is not enough MD zoned land to fill the identified need; therefore some additional changes to the LD zone are required to satisfy the legal standard;

WHEREAS, Ordinance No. 699 as currently proposed should be amended to conform to the legal requirements of State Land Use Goal 10. and ORS 197.295 *et seq* as follows:

NOW, THEREFORE, THE CITY OF STAYTON ORDAINS AS FOLLOWS:

SECTION 1: STAYTON MUNICIPAL CODE SECTION 17.16.660, "Low Density Residential LD District," is hereby amended to read:

17.16.660

LOW DENSITY RESIDENTIAL (LD) DISTRICT

1. **PURPOSE.** To provide for single-family dwelling units and their accessory uses and, with conditional use approval, other uses compatible with single-family dwelling units. Density shall not exceed six (6) units per acre.
2. **PERMITTED USES**
  - a. Detached single-family dwellings, subject to the following development standards:
    - 1) **Floor Area.** A conventional dwelling shall have no minimum floor area.
    - 2) **Garage.** The dwelling must have a garage with exterior materials matching the home.
    - 3) **Design Features.** All dwellings shall comply with the design feature requirements in Stayton Land Use and Development Code Section 17.16.660.8.
  - b. Accessory structures, provided the requirements of chapter 17.20 of this title are satisfied.
  - c. Group day care home for fewer than thirteen (13) children.
  - d. Duplex on a corner lot, provided:
    - 1) The lot contains a minimum of 10,000 square feet.
    - 2) That only one dwelling unit of a duplex on a corner lot shall be permitted to face upon any one street, and that the second unit shall face upon the intersecting street.
    - 3) That the yards adjacent to all public rights-of-way shall be 20 feet in depth; and
    - 4) That the rear yard shall be 20 feet in depth adjacent to both interior lot lines.
  - e. Home occupations, also subject to limitations specified in chapter 17.20 of this title.
  - f. **Manufactured Home** on individual lots outside a designated mobile home subdivision or mobile home park, subject to the following development standards:
    - 1) **Floor Area.** The manufactured home shall be a multi-sectional home and enclose a floor area of not less than 1,000 square feet, as measured from the outside walls of the home.

- 2) **Width.** The manufactured home must be at least 24 feet in width.
- 3) **Roof.** The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of three (3) feet in height for each twelve (12) feet in length.
- 4) **Exterior Siding.** The manufactured home must have standard wood siding, T-111 wood siding, or other siding with the same exterior appearance as T-111 or standard wood siding.
- 5) **Garage.** The manufactured home must have a garage with exterior materials matching the manufactured home. The garage shall be placed on the property prior to occupancy of the manufactured home.
- 6) **Carports:** Based on the city's findings that carports comprise only 1.2 percent of all developed residential parcels in the city, a carport, constructed with exterior materials matching the manufactured home, may be substituted for a garage only upon a showing that the carport is consistent with the predominate construction of immediately surrounding dwellings.
- 7) **Masonry Perimeter.** The base of the manufactured home must be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or combination thereof. The home shall sit so that no more than twelve (12) inches of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than twelve (12) inches of the enclosing material shall be exposed on the uphill side of the home.  
  
If the manufactured home is placed on a basement, the twelve (12) inch limitation will not apply.
- 8) **Performance Standards.** The exterior thermal envelope must meet the energy performance standards specified by state law for single-family dwellings.
- 9) **Hauling Mechanisms.** The transportation mechanisms, including wheels, axles, and hitch, shall be removed.
- 10) **Design Features.** All manufactured homes shall comply with the design feature requirements in Stayton Land Use and Development Code Section 17.16.660.8.
- 11) **Development Requirements.** In addition to the above requirements, the manufactured home shall comply with the development requirements, including lot areas, setbacks, height limitations, and other standards, for single family dwellings in the underlying zone.

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3. **CONDITIONAL USES.** The following uses are subject to conditional use approval procedures of chapter 17.12 of this title, and, where indicated, site plan review pursuant to chapter 17.12.
  - a. Bed and breakfast accommodation; also subject to state licensing requirements.
  - b. Group care home.
  - c. Public facilities and services; also subject to site plan review approval.
  - d. Day care facility for more than twelve (12) children; also subject to site review approval.
  - e. Residential home; also subject to site plan review approval.
  - f. Public parks; also subject to site plan review approval.
  - g. Antennas in excess of 55 feet in height.
4. **HEIGHT.** Thirty-five (35) feet or two and one-half stories. Chimneys and antennas may exceed this limit. The maximum permitted height of antennas shall be 55 feet.
5. **BUILDING SETBACKS.** Minimum front yard depth shall be twenty (20) feet. Minimum sideyard depth shall be five (5) feet. Minimum rear yard depth shall be twenty (20) feet. All setbacks shall be measured from property lines and shall not encroach upon public rights-of-way. Setbacks in certain areas are also subject to special street and riparian setback provisions of chapter 17.20 of this title.
6. **LOT AREA AND WIDTH.** Eight-thousand (8,000) square feet for all lots, 70-foot frontage (40-feet for cul-se-sac lots), 70-foot average width.
7. **PARKING.** As specified in chapter 17.20. of this title, including recreational vehicle parking restrictions.
8. **DESIGN STANDARDS.** Within the LD zone, all new single family dwellings, including manufactured homes, shall contain the following design features:
  - a. Attached or detached garage, or carport if allowed under Section 17.16.660.2.f.6.
  - b. Gutters and downspouts.

In addition, new single family dwellings, including manufactured homes, shall contain at least four (4) of the following design elements on the side of the home which fronts on a street to provide architectural relief:

  - c. Dormers or gables.
  - d. Cupolas.

- e. Bay or bow windows.
- f. Exterior shutters.
- g. Recessed entries.
- h. Front porch of at least 100 square feet, which may extend into the required front yard.
- i. Covered porch entries.
- j. Pillars or posts in the front entry area.
- k. Roof with pitch greater than three feet in height per each twelve feet in length.

SECTION 2: STAYTON MUNICIPAL CODE SECTION 17.16.670, "Medium Density Residential (MD) District," is hereby amended to read:

17.16.670 MEDIUM DENSITY RESIDENTIAL (MD) DISTRICT

- 1. PURPOSE. To provide for single-family, duplex, multi-family, and mobile home dwelling units and their accessory structures, and other compatible uses with conditional approval. Density of development shall not exceed twelve (12) dwelling living units per acre.
- 2. PERMITTED USES
  - a. Detached single-family dwelling.
  - b. Accessory structures, provided the requirements of chapter 17.20. of this title are also satisfied.
  - c. Public parks.
  - d. Duplexes.
  - e. Group day care home for fewer than thirteen (13) children.
  - f. Multiple family dwellings or complexes, all structures on site combined not to exceed twelve (12) dwelling units per acre; also subject to site plan review approval.
  - g. Mobile home parks pursuant to chapters 17.12. and 17.20. of this title, and subject to site plan review approval.
  - h. Manufactured home subdivisions pursuant to chapter 17.24. of this title.

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i. **Manufactured Home on individual lots outside a designated mobile home subdivision or mobile home park, subject to the following development standards:**

- 1) **Floor Area.** The manufactured home shall be a multi-sectional home and enclose a floor area of not less than 1,000 square feet, as measured from the outside walls of the home.
- 2) **Width.** The manufactured home must be at least 24 feet in width.
- 3) **Roof.** The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of three (3) feet in height for each twelve (12) feet in length.
- 4) **Exterior Siding.** The manufactured home must have standard wood siding, T-111 wood siding, or other siding with the same exterior appearance as T-111 or standard wood siding.
- 5) **Garage.** The manufactured home must have a garage with exterior materials matching the manufactured home. The garage shall be placed on the property prior to occupancy of the manufactured home.
- 6) **Carpports.** Based on the city's findings that carports comprise only 1.2 percent of all developed residential parcels in the city, a carport, constructed with exterior materials matching the manufactured home, may be substituted for a garage only upon a showing that the carport is consistent with the predominate construction of immediately surrounding dwellings.
- 7) **Masonry Perimeter.** The base of the manufactured home must be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or combination thereof. The home shall sit so that no more than twelve (12) inches of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than twelve (12) inches of the enclosing material shall be exposed on the uphill side of the home.  
  
If the manufactured home is placed on a basement, the twelve (12) inch limitation will not apply.
- 8) **Performance Standards.** The exterior thermal envelope must meet the energy performance standards specified by state law for single-family dwellings.
- 9) **Hauling Mechanisms.** The transportation mechanisms, including wheels, axles, and hitch, shall be removed.

- 10) Design Features. All manufactured homes shall comply with the design feature requirements in Stayton Land Use and Development Code Section 17.16.670.9.
  - 11) Development Requirements. In addition to the above requirements, the manufactured home shall comply with the development requirements, including lot areas, setbacks, height limitations, and other standards, for single family dwellings in the underlying zone.
- j. Home occupations, also subject to limitations specified in chapter 17.20. of this title.
3. **CONDITIONAL USES.** The following uses are subject to conditional use approval procedures of chapter 17.12. of this title, and where indicated, site plan review pursuant to chapter 17.12.
- a. Bed and breakfast accommodations; also subject to state licensing requirements.
  - b. Group care home.
  - c. Public utility facilities and services; also subject to site plan review approval.
  - d. Day care facility for more than twelve (12) children; also subject to site plan review approval.
  - e. Residential home; also subject to site plan review approval.
  - f. Antennas in excess of fifty-five (55) feet in height.
4. **HEIGHT.** Thirty-five (35) feet, or two and one-half stories. Chimneys and antennas may exceed this limit. The maximum permitted height of antennas shall be fifty-five (55) feet.
5. **BUILDING SETBACKS.** Minimum front yard depth shall be twenty (20) feet. Minimum sideyard depth shall be five (5) feet. Minimum rear yard depth shall be fifteen (15) feet. All setbacks shall be measured from property lines and shall not encroach upon public rights-of-way. Setbacks in certain areas are also subject to special street and riparian setback provisions of chapter 17.20. of this title.
6. **LOT AREA AND WIDTH.** The following minimum requirements shall apply:
- a. Single Family Dwellings and Duplexes: 7000 square feet for all lots, with a street side frontage of 70 feet (40 feet for cul-de-sacs), and an average width of 70 feet.

- b. Multi-family dwellings: 7000 square feet for all lots, with a maximum density of one unit per 3500 square feet of lot or parcel area, 70 feet of street side frontage (40 feet for cul-de-sacs), and an average width of 70 feet.
  - c. Mobile Home Park: Five (5) acres with a maximum density of one mobile home unit per 3500 square feet of lot or parcel area.
  - d. Planned Unit Development: Four (4) acres with a maximum density of one dwelling unit per 3500 square feet of lot or parcel area.
7. PARKING. As specified in chapter 17.20. of this title, including recreational vehicle parking restrictions.
8. LANDSCAPING. Except for single-family dwellings and manufactured homes on individual lots, landscaping requirements of chapter 17.20. of this title to be satisfied for all uses requiring conditional use permit or site plan review.
9. DESIGN STANDARDS. Within the MD zone, all new manufactured homes on individual lots and in manufactured home subdivisions, shall contain the following design features:
- a. Attached or detached garage, or carport if allowed under 17.16.670.2.i.6.
  - b. Gutters and downspouts.

In addition, new manufactured homes placed on individual lots or in manufactured home subdivisions, shall contain at least four (4) of the following design elements on the side of the home which fronts on a street to provide architectural relief:

- c. Dormers or gables.
- d. Cupolas.
- e. Bay or bow windows.
- f. Exterior shutters.
- g. Recessed entries.
- h. Front porch of at least 100 square feet, which may extend into the required front yard.
- i. Covered porch entries.
- j. Pillars or posts in the front entry area.



- k. Roof with pitch greater than three feet in height per each twelve feet in length.

PASSED BY THE COMMON COUNCIL of the City of Stayton this 8<sup>th</sup> day of April 1992.

Date: 4-9-92 By: Willmer Van Vleet  
WILLMER VAN VLEET, Mayor

ATTEST  
Date: 4-8-92 By: David W. Kinney  
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM  
Date: 4-7-92 By: Wallace W. Lien  
WALLACE W. LIEN, Specially Appointed City Attorney

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