

## ORDINANCE NO. 853

### AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING MANUFACTURED HOMES ON INDIVIDUAL LOTS PLANNED AND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE TO BE PERMITTED AS CONDITIONAL USE; AND DECLARING AN EMERGENCY

WHEREAS, the 1989 Oregon State Legislature enacted new planning requirements for manufactured homes on lots outside of manufactured housing subdivisions and required that local ordinance amendments to meet these requirements be effective January 1, 1991; and

WHEREAS, the Canby Planning Commission held a public hearing regarding this matter on December 3, 1990; and

WHEREAS, the City Council, after review of the record before the Planning Commission, finds;

1. that the following amendments conform with the Comprehensive Plan of the City of Canby;
2. that there is a public need for the amendments and that such changes best serve the public need for the City of Canby;
3. that the amendments will preserve and protect the health, safety, and welfare of the residents of the City of Canby; and
4. that the amendments conform to the statewide planning goals, now therefore

#### THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Section 16.04.387 is amended to read:

Manufactured Home - Manufactures Housing Unit

"Manufactured home" and "manufactured housing unit" means a 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 floodplain management purposes only, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes and for Chapter 16.16 the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles. For purposes of Chapter 16.16, a manufactured home shall be certified to meet the 1976 HUD Standard.

(N.). Section 2. Section 16.16.020 (M.) is hereby renumbered to "Section 16.16.020

Section 3. Section 16.16.020 (M.) is added as follows:

16.16.020

Conditional Uses.

Conditional uses in the R-1 zone shall be as follows:

M. Manufactured Home - with the following additional approval criteria:

- a) Must be double-wide or wider and must enclose at least 1,000 square feet.
- b) Must be located not more than twelve (12) inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter.
- c) Must have a pitched roof, but no standard shall require a slope greater than a nominal three (3) feet in height for each twelve (12) feet in width.
- d) Exterior siding and roofing must be similar in color, material and appearance to that used on surrounding dwellings within three hundred (300) feet of the lot.
- e) The exterior thermal envelope must meet performance standards equivalent to those required for single family dwellings under the state building code.
- f) Must have a garage or carport with exterior materials matching the residential unit.
- g) Must not have bare metal siding or roofing.

Section 4. Section 16.50.010(D), Authorizing to Grant or Deny Conditional Uses amended as follows:

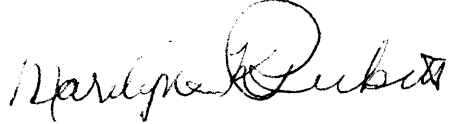
D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, or precludes the use of surrounding properties for the uses listed as permitted in the zone and does not apply to the review of manufactured homes on individual lots zoned for single family residential use.

Section 5. Section 16.50.040, Placing Conditions on a Permit; Exemption for Manufactured Homes.


M. This section does not apply to the review of manufactured homes on individual lots zoned for single family residential use.

Section 6. Emergency clause. In order to better promote the safety, health, and welfare of the citizens of Canby and to provide immediate uniform regulations for its citizens, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

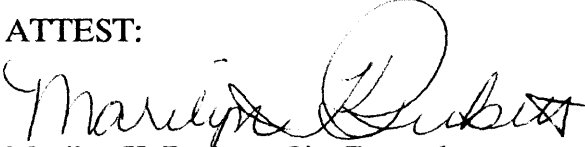
SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, December 5, 1990, ordered posted as provided by the Canby City Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on Wednesday, January 2, 1991, commencing after the hour of 7:30 p.m., in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

  
Marilyn K. Perkett,  
City Recorder

ENACTED by the Canby City Council at a regular meeting thereof on January 2,  
1991, by the following vote: YEAS 4 NAY 2

  
Shawn Carroll, Mayor

ATTEST:

  
Marilyn K. Perkett, City Recorder