

ARTICLE 51

Manufactured Dwelling Parks

SECTION 3.51.000 Administrative Review

In addition to the general provisions of this Ordinance, special provisions for the establishment of a new manufactured dwelling park or the expansion of an existing manufactured dwelling park are required. No manufactured dwelling park shall be established or expanded without first receiving approval of the Approving Authority and review pursuant to §2.060.1. The Approving Authority may grant such approval only after reviewing preliminary site plans for the proposed manufactured dwelling park.

SECTION 3.51.050 Information Required for Preliminary Site Plan Review

The application for a preliminary site plan review for a manufactured dwelling park shall be filed with the Planning Department in the form prescribed by the Director and shall be accompanied by a site plan showing the general layout of the entire manufactured dwelling park and drawn to a scale not smaller than one (1) inch representing fifty (50) feet. The drawing shall show the following information:

1. Name of the property owner, applicant, and person who prepared the plan.
2. Name of the manufactured dwelling park and address.
3. Scale and north point of the plan.
4. Vicinity map showing relationship of manufactured dwelling park to adjacent properties.
5. Boundaries and dimensions of the manufactured dwelling park.
6. Location and dimensions of each manufactured dwelling site; each site designated by number, letter or name.
7. Location and dimensions of each existing or proposed structure.
8. Location and width of park streets.
9. Location and width of walkways.
10. Location of each lighting fixture for lighting the manufactured dwelling park.
11. Location of recreational areas and buildings, and area of recreational space.
12. Location and type of landscaping plantings, fence, wall or combination of any of these, or other screening materials.

13. Location of point where manufactured dwelling park water system connects with public system.
14. Location of available fire and irrigation hydrants.
15. Location of public telephone service for the park.
16. Enlarged plot plan of a typical manufactured dwelling site, showing location of the pad, patio, storage space, parking, sidewalk, utility connections and landscaping.

SECTION 3.51.100 Final Site Plan and Submission Requirements

After tentative approval of a new manufactured dwelling park, or expansion of an existing manufactured dwelling park, the applicant shall submit a Final Site Plan and all documentation, as necessary, to the Director for the purpose of demonstrating that conditions of approval have been met or will be met in construction of the manufactured dwelling park. When all Planning requirements are met, a ministerial planning clearance shall be issued by the Director.

Once the planning clearance has been issued, final review and approval of construction plans shall be conducted by the Building Official. The Building Official shall conduct a compliance review of detailed plans for:

1. New structures
2. Water supply and sewage disposal systems
3. Electrical systems
4. Road, sidewalk and patio construction
5. Drainage system
6. Recreational area improvements

SECTION 3.51.150 General Standards for Manufactured dwelling park Development

1. Access: A manufactured dwelling park shall not be established on any site that does not have frontage on or access to a publicly owned and maintained street which has a minimum right-of-way width of sixty feet.
2. Park Street: A park street shall connect each manufactured dwelling site to a public street or road. The park street shall be a minimum of thirty feet in width, with a surface width of at least twenty feet if no parking is allowed, and thirty feet if parking is allowed on one side only.
3. Walkways: Walkways of not less than three feet in width shall be provided from each manufactured dwelling site to any service building or recreation area.

4. Paving: Park streets and walkways shall be paved with a crushed rock base and asphalt or concrete surfacing, according to the structural specifications established in §4.410.2.c.
5. Off-Street Parking:
 - a. Two parking spaces shall be provided for each site, either on the site or within two hundred feet thereof in the manufactured dwelling park, which shall be not less than nine by eighteen feet in size and paved with asphalt macadam or concrete surfacing.
 - b. Guest parking shall also be provided in every manufactured dwelling park, based on a ratio of one parking space for each four manufactured dwelling sites. Such parking shall be paved with asphalt macadam or concrete surfacing, and shall be clearly defined and identified.
6. Signs: Signs may be installed as follows:
 - a. One sign not to exceed eighteen square feet in area to designate the name of the manufactured dwelling park. The sign may be indirectly lighted, but shall have no flashing lights or moving parts.
 - b. Incidental signs for the information and convenience of tenants and the public, relative to parking, traffic movement, office, lavatories, etc., are allowed, provided such signs do not exceed three square feet in size.
 - c. No advertising signs shall be permitted.
7. Fencing and Landscaping:
 - a. Every manufactured dwelling park shall provide a sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the manufactured dwelling park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress.
 - b. Walls or fences shall be six feet in height. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy, living condition for the life of the manufactured dwelling park.
 - c. Suitable landscaping shall be provided within the front and side yard setback areas, and all open areas in the manufactured dwelling park not otherwise used.
8. Area:
 - a. Size of Manufactured dwelling park Site: No manufactured dwelling park shall be created on a lot or parcel of land of less than the minimum required to accommodate the density of the underlying zoning regulations.

- b. **Manufactured Dwelling Sites:** The average area of all manufactured dwelling sites within a manufactured dwelling park shall not be less than three thousand square feet per site, and in no case shall any one manufactured dwelling site be less than twenty-five hundred square feet. Individual spaces shall not be less than 30 feet in width or less than 40 feet in length. In the following zones manufactured dwelling sites shall be at the density of the underlying zone: RS and R-1.
- c. **Setbacks:** No manufactured dwelling or access thereto shall be located any closer than twenty-five feet from a park property line abutting on a public street or road, five feet from all other park property lines and five feet from any such areas as a park street, a common parking area, or a common walkway. The space between manufactured dwellings shall be at least 10 feet unless a smaller space is authorized by the Building Official.
- d. **Overnight spaces:** Not more than five percent of the total manufactured dwelling park area may be used to accommodate persons wishing to park their manufactured dwellings or camping vehicles overnight.

9. Other Site Requirements:

- a. Recreational area: An average of two hundred square feet of recreational area shall be provided for each manufactured dwelling site. This area may be in one or more locations in the park, and shall be suitably improved and maintained for recreational purposes.
- b. Pad improvements: Manufactured dwelling pads or stands shall be paved with asphaltic or concrete surfacing, or with crushed rock.
- c. Accessories: Accessory structures located on a manufactured dwelling site shall be limited to the normal accessories, such as an awning, cabana, ramada, patio, carport, garage or storage building. No other structural additions shall be built onto or become part of any manufactured dwelling, and no manufactured dwelling shall support any building in any manner.
- d. State requirements: Rules and regulations governing manufactured dwelling facilities as contained in Oregon Revised Statutes, Chapter 446, shall be applicable in the development and operation of a manufactured dwelling park, provided that the provision of this Ordinance shall prevail where said provisions are more stringent than those imposed by state law, rules or regulations.
- e. Dwelling type: Manufactured dwelling park spaces shall be limited to the placement of manufactured dwellings and prefabricated structures designed for use as a single-family dwelling. "Stick-built", or site constructed, dwellings shall not be allowed.

SECTION 3.51.200 Subdivision of an Existing Manufactured Dwelling Park

Any manufactured dwelling park (hereafter referred to as a “park”) may be subdivided as an Administrative Action according to the provisions of this section provided that the park was lawfully established prior to July 2, 2001. In order to achieve the statutory objectives for a park subdivision, the property development standards of the underlying zone in which the park is located shall be waived for the existing park. A Park Subdivision shall be given tentative approval within 60 days after a complete application form and tentative plan are submitted. A final plat shall be submitted as part of the final approval.

1. Application for Tentative Plan Approval

- a. An application for approval of the Tentative Park Subdivision Plan shall be submitted by the applicant as provided in Chapter 2 of this Ordinance.
- b. To initiate the land use action process, the applicant shall file with the Director a Tentative Park Subdivision Plan together with the “Manufactured Dwelling Park Subdivision” application form, the appropriate fees, and other information required in §3.51.200.2.
- c. Notice of the proposed park subdivision shall be mailed to those entitled to notice as provided in §2.065 of this Ordinance and to the Oregon Real Estate Commission. Notice shall also be mailed by the County to tenants who currently reside within the boundary of the proposed park subdivision. Additional notice and tenant payment provisions (as appropriate), meeting the standards of ORS Chapter 90, shall be provided by the landlord or owner of the manufactured dwelling park at least 180 days prior to termination of the tenants space rental agreement.
- d. The declarant shall be responsible for meeting the notification and lot sale provisions specified in ORS 92.840.
- e. The tentative park subdivision plan shall be clearly and legibly drawn. It shall show all required information to scale so that the Approving Authority may have an adequate understanding of what is proposed. The scale of the tentative plan should be either one (1) inch equals one hundred (100) feet, or one (1) inch equals fifty (50) feet.

2. Information Required for the Tentative Park Subdivision Plan

- a. The proposed name of the park subdivision.
- b. North arrow, scale and date of the drawing.
- c. Names and addresses of the landowners, subdivider and the engineer, surveyor, land planner or landscape architect responsible for designing the subdivision.

- d. The property description according to the real estate records of Douglas County (Township, Range, Section, Tax Lot and Property ID Number(s)).
- e. The boundary line (accurate in scale) of the existing Park to be subdivided and approximate acreage of the property.
- f. The names of adjacent subdivisions and the names of record of those who own adjoining parcels of unsubdivided land.
- g. The location, widths, and names of existing Park streets or other public ways (including easements) within or adjacent to the Park including, existing permanent buildings, railroad rights-of-way and other important features such as section lines, political subdivision boundary lines and school district boundaries.
- h. The location of existing sewer lines, water lines, culverts, drainage ways or other underground utilities or structures within the Park or immediately adjacent thereto, together with pipe sizes and grades.
- i. Location, acreage and dimensions of land to be reserved by deed for the common use of property owners in the park subdivision, together with the purpose and conditions or limitations of such reservations, if any.
- j. A description of how surface water is drained from the existing Park and a description of any effects Park drainage has on adjacent properties.
- k. A description of any restrictions or reservations relating to Park streets.
- l. Location of existing easements, together with their dimensions, purpose and restrictions on use.
- m. Proposed blocks, numbered in consecutive order.
- n. Proposed lots with dimensions, size and boundaries. The lots shall be numbered consecutively. Lots that are to be used for other than residential purposes, shall be identified with letter designations.
- o. The location of existing parks, playgrounds, recreation areas, parkways, and open space for public use.
- p. The Zoning classification and Comprehensive Plan map designation of the subject property.
- q. A draft of proposed Covenants, Conditions and Restrictions.
- r. A draft of the proposed documents creating the Homeowners Association (HOA) and describing its scope and purpose.
- s. Predominant natural features such as water courses and areas subject to flooding, sliding or other natural hazards.

- t. Names and addresses of tenants currently residing within the boundary of the proposed park subdivision.

3. Criteria for Approval of Tentative Park Subdivision Plan

- a. A decision on the tentative park subdivision plan application shall be made by the Approving Authority as provided in Chapter 2 of this Ordinance.
- b. The tentative park subdivision plan shall be approved after the required information has been provided and upon verification of evidence that:
 - (1) The park is in compliance with the governing body's standards for a manufactured dwelling park, or
 - (2) The park is an approved nonconforming use; and
 - (3) The tentative park subdivision plan does not increase the number of spaces (proposed for conversion to "lots") originally approved for the park, except that the number of lots may be reduced (to accommodate larger than single-wide homes) if the reduction involves only spaces that have never been used for placement of a manufactured dwelling, and
 - (4) The tentative park subdivision plan does not change the boundary lines or setback requirements originally approved for the park, nor does it make any development changes from that originally approved for the park.
- c. In granting tentative approval, the Approving Authority may impose reasonable conditions necessary to carry out the Comprehensive Plan and the provisions of this ordinance.
- d. Approved lots in the park subdivision shall be restricted to the placement of manufactured dwellings. Stick-built dwellings shall not be allowed.
- e. The property owner/applicant shall sign and record a waiver of remonstrance (to run with all lots created) to County formation of a local improvement district for the construction of sanitary, storm sewer, or water facilities.

4. Duration of Tentative Park Subdivision Plan Approval

- a. Approval of a tentative park subdivision plan shall be valid for twenty-four (24) months from the date of approval of the tentative plan.
- b. If the time limitation is exceeded, approval of the tentative park subdivision plan shall be void. Any subsequent proposal by the applicant for division of the property shall require a new Administrative Action.

5. Granting of Extensions

- a. An applicant may request an extension of the validity of a tentative park subdivision plan approval. Such request shall be considered a Ministerial Action and shall be submitted to the Director, in writing, prior to expiration of such approval, stating the reason why an extension should be granted.
- b. The Director may grant an extension of up to twelve (12) months in the validity of a tentative park subdivision plan approval if it is determined that a change of conditions, for which the applicant was not responsible, would prevent the applicant from obtaining final plat approval within the original time limitation.
- c. Additional one year extensions, subject to the preceding paragraphs, may be authorized where applicable criteria for the decision have not changed.

6. Final Subdivision Plat Approval

To achieve final approval, a plat shall be submitted that complies with the criteria in this Subsection. Approval of a final subdivision plat by the Director is a ministerial action and must be undertaken within thirty (30) days of receipt of the final plat.

- a. Application for Final Subdivision Plat Approval
 - (1) Before expiration of the validity of the tentative park subdivision plan approval, the applicant shall cause an Oregon registered professional land surveyor to survey the park subdivision and to prepare a final plat, in conformance with the approved tentative park plan.
 - (2) The applicant shall initiate a request for final plat approval by filing with the Director a final plat, and other supporting documents as described in the following, and the appropriate fees as established by the Board.
- b. Final Subdivision Plat Requirements
 - (1) The final plat shall be prepared in conformance with the provisions in this Subsection.
 - (2) Prior to submission for final approval, the final subdivision plat shall be signed by all persons who own land in the subdivision and the mortgagees, or by their authorized representatives or any titleholder. The plat shall bear the signature and seal of the registered professional land surveyor responsible for its preparation and certification that the plat has been correctly surveyed and properly monumented. All signatures must be in archival quality black ink.

c. Information Required in the Final Subdivision Plat

The following information shall be included on the final plat or in the supporting documents, and the plat shall otherwise comply with ORS 209.250.

- (1) Name of Park Subdivision.
- (2) North arrow, scale and date the plat was prepared.
- (3) Legal description of the subdivision boundaries, area of the subdivision in acres, and the location of the subdivision by one-fourth section and Township and Range.
- (4) Names and addresses of the subdivider, owner, mortgagee, if any, and the person preparing the plat.
- (5) Subdivision block and lot boundary lines and park street center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest second with basis of bearings.
- (6) Names and width of existing park streets, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
- (7) Easements denoted by fine dotted lines, clearly identified and, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision must be shown.
- (8) Locations and widths of drainage channels and railroad rights-of-way.
- (9) Numbering of blocks and lots, as follows:
 - i. Any subdivision submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.
 - ii. Block numbers continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure or lot numbers.

- iii. Lot numbers beginning with the number "1" and numbered consecutively or consecutively within each block.
- (10) Zoning classification of the property within the subdivision.
- (11) The course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner, one-quarter corner, one-sixteenth corner, donation land claim corner in Township and Range, a lot corner of a recorded subdivision, a boundary corner of a condominium, or a parcel corner of a recorded partition.
- (12) Space for date and signature of the County officials specified in §4.200.9.
- (13) Any conditions specified by the Approving Authority upon granting approval of the tentative park subdivision plan.
- (14) Proof that adequate water and sanitation facilities are provided for each lot in the park subdivision.
- (15) Provide written evidence that an on-site septic system(s) that is intended to remain in use after final approval was authorized by an approving authority; or, if written evidence is not available, provide a septic system evaluation (prepared by a professional qualified under ORS 700) that certifies the existing system(s) to be properly functioning. In any case, it must be shown that an existing septic system(s) is either located entirely on the subdivision property, or that proper easements are provided to allow the continued use and maintenance of the system(s).
- (16) A copy of the recorded covenants, conditions and restrictions that will affect private uses within the park subdivision, including the volume and page(s) of recording with Douglas County.
- (17) A copy of recorded documents relating to establishment of the HOA and how it will maintain private facilities, common areas and easements, including the volume and page(s) of recording with Douglas County. The HOA shall be responsible for the maintenance and improvement of park streets, walkways, public lighting fixtures, open space and recreation areas, perimeter and interior landscaping, and all utility lines and fixtures including drainage facilities.
- (18) A copy of the recorded instrument that runs with each individual lot specifying that park streets existing at the time of subdivision approval are under the sole maintenance and improvement responsibility of the HOA.

- (19) A certificate signed and acknowledged by all parties having any record title interest in the land consenting to the preparation and recording of the plat.
 - (20) A certificate signed and acknowledged by all parties having any record title interest in the land which conveys to the HOA all land intended for public use and common improvements, including but not limited to park streets, recreation areas, sewage disposal and water supply systems, landscaping and/or other items which were made a condition of the approval of the tentative plan.
 - (21) A narrative per ORS 209.250(2).
 - (22) Planning Department file number.
 - (23) If the property is wholly or partially within the boundaries of an irrigation district, drainage district, water control district, water improvement district, or district improvement company, then a certification from the district or company must be received by the County which states that the subdivision is either entirely excluded from the district or company or is included within the district or company for purposes of receiving services and subjecting the subdivision to the fees and other charges of the district or company.
- d. Survey Requirements for the Final Plat: The final plat shall comply with the requirements of §4.200.4 of this Ordinance.
- e. Standards for Final Subdivision Plat Approval
- (1) The Director shall grant final subdivision plat approval if he/she determines that the final plat and supporting documents are in substantial conformance with the approved tentative plan. Substantial conformance means that any differences between the tentative and final plans are "minor amendments," as defined in §4.300.1.a of this Ordinance.
 - (2) The granting of final plat approval shall not be affected by a change in the zone or plan map designation of the subject property made after approval of the preliminary subdivision plan.
 - (3) Approval of the final plat shall not be construed as an acceptance by Douglas County for the maintenance of any land, facility or fixture for public purposes.
- f. Filing and Recording of the Final Plat: The final plat shall be filed and recorded as provided in §4.200.9 of this Ordinance.