



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

December 28, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment
DLCD File Number 007-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 15, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Gary Fish, DLCD Regional Representative
Maggie Dickerson, Clackamas County

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DEPT OF

DEC 27 2007

LAND CONSERVATION AND DEVELOPMENT

FORM 2

D L C D NOTICE OF ADOPTION

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18
(See reverse side for submittal requirements)

Jurisdiction: **Clackamas County**

Local File No.: ZDO-214

(If no number, use none)

Date of Adoption: 12/19/07

(Must be filled in)

Date Mailed: 12/24/07

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: October 26, 2007

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

XXX Zoning Map Amendment

New Land Use Regulation

Other: _____

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Compensation amounts are different: set amounts of \$11,000 for a single-wide, \$16,000 for a double-wide and \$20,500 for a triple wide rather than a minimum of \$15,000 or the true cash value, whichever was greater. Also, the first right of refusal provision was dropped.

Plan Map Changed from: _____ to _____

Zone Map Changed from: _____ to _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable Statewide Planning Goals:

Was an Exception Adopted? Yes: _____ No: XXX

DLCD File No. : 007-07(16498)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment

FORTY FIVE (45) days prior to the first evidentiary hearing: Yes: XXX No: _____

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Maggie Dickerson, Principal Planner

Area Code + Phone Number: 503 353-4534

Address: **9101 SE Sunnybrook Blvd.** City: **Clackamas**

Zip Code + 4: **97015** Email Address: maggied@co.clackamas.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 – Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** of the adopted material. If copies are bound, please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to Larry.French@state.or.us – ATTENTION: PLAN AMENDMENT SPECIALIST.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Zoning &
Development Ordinance Amendments
Relating to Manufactured Dwelling Parks



Order No. **2007-621**

File No.: ZDO-214

This matter coming regularly before the Board of County Commissioners, and it appearing that the Planning Division has recommended amendment of the Zoning and Development Ordinance relating to mobile home parks; and

It further appearing that the Planning Commission at its Planning Commission at its December 10, 2007 meeting recommended denial of the proposed amendment; and

It further appearing that after appropriate notice a public hearing was held before the Board of County Commissioners on December 19, 2007, at which testimony and evidence were presented, and that a preliminary decision was made by the Board on December 19, 2007;

Based upon the evidence and testimony presented, this Board finds that the proposed amendment is consistent with the Comprehensive Plan and the applicable Statewide Goals, and is in the best interest of Clackamas County.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Zoning and Development Ordinance is amended as shown on the attached Exhibit A.

DATED this 20th day of December, 2007.

BOARD OF COUNTY COMMISSIONERS

Martha Schrader, Chair



Mary Raethke, Recording Secretary

File ZDO-214
Zoning and Development Ordinance Amendment
Approved by BCC 12/19/07

825 MANUFACTURED DWELLING PARKS

825.01 APPLICABILITY

This section shall apply to manufactured dwelling parks.

825.02 CONDITIONAL STANDARDS

The following conditional standards shall apply:

A. The density of manufactured dwellings in a manufactured dwelling park shall be subject to the density requirements of the underlying zoning district and Section 1012.

B. Manufactured dwelling parks shall observe a minimum front yard setback of 25 feet from all perimeter public streets. Within the MR-1 zoning district, a minimum perimeter setback of ten feet from side and rear property lines shall be required.

Within an Urban Low Density Residential District, carports, interior drives and the park perimeter, shall be subject to a minimum setback of 20 feet. A minimum ten-foot separation shall be maintained between manufactured dwellings.

C. Access drives shall be provided to each manufactured dwelling space, shall be continuous, shall connect with a public street, and shall have a minimum width of 20 feet for interior circulation. The point of access to the street shall be a minimum of 32 feet in width.

D. A five-foot wide hard-surfaced sidewalk or pathway system shall be provided within the park in accordance with the applicable Oregon Structural Specialty Code.

E. Access drives within the manufactured dwelling park shall be hard-surfaced according to the standards established by the Department of Transportation and Development for subdivision streets of comparable widths. Each manufactured dwelling space shall be improved with one concrete patio, or rot-resistant wood deck, having a minimum area of 150 square feet, and one crushed rock, or better, manufactured dwelling pad in accordance with the applicable Oregon Manufactured Dwelling Standards and the Oregon Uniform Fire, Life and Safety

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Ex, A

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F.	Off-street parking shall be provided as required in Subsection 1007.07, with a minimum of two parking spaces for each manufactured dwelling. Minimum-width access drives shall not be considered in fulfilling this requirement.	Deleted:
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G.	Storage and similar accessory structures may be located within any manufactured dwelling space, but shall not be attached to any manufactured dwelling, shall comply with the setback requirements of Subsection 825.02(B), and shall be subject to the Oregon Manufactured Dwelling Standards and the Oregon Structural Specialty Code.	Deleted: s
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H.	A manufactured dwelling park shall be screened/buffered from adjacent properties, employing one of the techniques specified under Subsection 1009.05, in addition to the setback requirements of Subsection 825.02(B).	Deleted: include provisions for
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I.	No manufactured dwelling enlargements or expansions of a manufactured dwelling park shall be permitted unless the preexisting manufactured dwelling or park expansion is made to conform substantially with all the requirements for new construction for the enlargement of the manufactured dwelling or with this section for the expansion of the park.	Deleted: l
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J.	The entire manufactured dwelling park or each phase of manufactured dwelling development shall comply with the aforesaid requirements prior to occupancy.	Deleted: K
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K.	A minimum of 200 square feet of usable outdoor passive or active recreation space shall be provided.	Deleted: (passive or active)
		Deleted: 825.02 . SPECIFIC REQUIREMENTS FOR MANUFACTURED DWELLING ... [4]
		Deleted: ¶
		Deleted: Manufactured dwelling ... [5]
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L.	In an Urban Low Density Residential District, a minimum area of one acre shall be required for a manufactured dwelling park. Land area less than one acre may be added to an approved manufactured dwelling park.	Deleted: s
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825.03	REDEVELOPMENT	Deleted: B. All manufactured ... [7]
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A. A manufactured dwelling park shall not be redeveloped with a different use until:

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1. The manufactured dwelling park landlord submits a plan for relocation of the existing tenants to the County Administrator or designee of the Administrator which includes a schedule of amounts required to be paid to affected park tenants under Subsection 825.03(B) and a plan for making these payments to affected park tenants upon cancellation of affected rental agreements; and

Deleted: Manufactured Dwelling Parks Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate.

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2. The County Administrator or designee of the Administrator approves the relocation plan and notifies the Planning Director of the approval. The County Administrator or designee of the Administrator may require the park landlord to deposit into escrow the amounts required to be paid to affected park tenants under Subsection 825.03(B) as a condition for approval under this subsection.

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B. If a manufactured dwelling park is to be closed or partially closed under conditions that require a payment under Section 2(1)(b), Chapter 906, Oregon Laws 2007, then in addition to and not in lieu of the payment to be made under Section 2(1)(b), Chapter 906, Oregon Laws 2007, the landlord or other person responsible for making the payment under Section 2(1)(b), Chapter 906, Oregon Laws 2007, shall make an additional payment to each tenant whose rental agreement with the landlord is terminated as a result of the change in use in compliance with Section 2(4), Chapter 906, Oregon Laws 2007. A separate payment shall be made for each space for which a rental agreement is terminated. The amount of the payment shall equal:

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1. A sum of \$11,000 for a single-wide manufactured dwelling, \$16,000 for a double wide manufactured dwelling, and \$20,500 for a triple-wide manufactured dwelling, minus

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2. The sum of the payment required to be made under Section 2(1)(b), Chapter 906, Oregon Laws 2007, the tax credit to which the tenant is entitled under Section 17, Chapter 906, Oregon Laws 2007, and any other government assistance to which the tenant is entitled by reason of the change in use of the park, as of the date a relocation plan is submitted for approval under Subsection 825.03(A).

C. Notwithstanding Subsection 825.03(B), for calendar years beginning on or after January 1, 2009, the payment amount described in Subsection 825.03(B) shall be adjusted by the percentage change by

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which the monthly averaged consumer price index for the preceding calendar year differs from the monthly averaged consumer price index for the 2007 calendar year. As used in Subsection 825.03(C), "consumer price index" means the US Bureau of Labor Statistics Consumer Price Index - All Urban Consumers (CPI-U), US City Average, All Items.

D. As used in Subsection 825.03, "manufactured dwelling park" has the meaning given that term in ORS 90.100.

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Conforming amendments are proposed as follows.

Subsection 301.09

- D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)

Subsection 302.09

- F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 303.10

- E. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 304.10

- F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 305.09

- C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 306.10

- J. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 307.09

- C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 308.09

- C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (4/13/06)

Subsection 309.09

C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 310.09

B. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (4/13/06)

Subsection 311.06

H. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 312.09

G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 313.09

F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 314.09

C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 401.08

H. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 406.08

F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 407.08

G. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 501.10

J. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 502.09

F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 503.07

Subsection 503.09

E. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Deleted: E. Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (12/21/06)

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Subsection 504.09

H. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 505.07

Subsection 505.09

F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 506.09

C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

Subsection 507.09

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H. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

Subsection 508.07

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Subsection 508.09

G. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 509.09

L. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 601.10

I. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 602.07(B)

Subsection 602.09

Deleted: 8. Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (5/22/03)

F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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Subsection 603.07(C)

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Subsection 603.09

G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 604.07

Subsection 604.09

G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 606.07

Subsection 606.09

G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 702.06

G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1603.06

L. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1604.06

J. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1605.06

N. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1606.08

- L. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1607.08

- L. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1608.08

- L. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

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Subsection 1701.08(B)

Subsection 1701.10

- E. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

Deleted: 5. Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (9/1/05)¶

Subsection 1702.09

- H. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)

Subsection 1703.09

- H. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)¶

Subsection 1704.07

Subsection 1704.09

- G. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured~~

Deleted: E. Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director. (12/21/06)

~~dwelling park with a different use shall require compliance with Subsection 825.03.~~

Subsection 1705.09

- I. **Manufactured Dwelling Parks:** ~~Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)¶

Subsection 1706.10

- F. **Manufactured Dwelling Parks:** ~~Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

Deleted: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)

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- A. Applications for a manufactured dwelling park shall be accompanied by a plot plan drawn to scale of the general layout of the entire park. A statement of soils feasibility shall accompany the application if subsurface sewage is proposed.

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Medium Density Residential District (

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825.02 SPECIFIC REQUIREMENTS FOR MANUFACTURED DWELLING PARKS IN URBAN LOW DENSITY RESIDENTIAL DISTRICTS

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Manufactured dwelling parks in the Urban Low Density Residential Districts shall be subject to the above requirements and the following additional requirements:

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When such land area is developed as a continuation of an approved manufactured dwelling park the continuation shall be subject to the provisions of Section 825 and shall include integrated vehicle and pedestrian circulation.

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- B. All manufactured dwelling park developments shall include provisions for screening/buffering from adjacent properties, employing one of the techniques specified under subsection 1009.05, in addition to the setback requirements of Section 825.01C.

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Martha Schrader
Chair

Lynn Peterson
Commissioner

Bill Kennemer
Commissioner

BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

CERTIFICATE OF MAILING

I hereby certify that the enclosed Board Order No. 2007-621 was deposited in the mail on December 24, 2007

Signed: _____

Cheryl J. Cornelison

Cheryl J. Cornelison, Administrative Specialist
Clackamas County Board of Commissioners
(503) 655-8619