

ORDINANCE NO. 382

AN ORDINANCE AMENDING THE WILSONVILLE  
COMPREHENSIVE PLAN AND CHAPTER 4 OF THE WILSONVILLE  
CODE TO PERMIT MANUFACTURED HOMES ON INDIVIDUAL LOTS  
PLANNED AND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE

WHEREAS, in 1989, the 65th Oregon Legislative Assembly adopted House Bill (HB) 2863; and

WHEREAS, HB 2863 changed Oregon Revised Statutes (ORS) 197.2295 through 197.313 ("Needed Housing") to require that local governments permit "manufactured homes" on individual lots planned and zoned for single-family residential use; and

WHEREAS, there are express provisions contained within Wilsonville's Comprehensive Plan and Zone Code that prohibit "manufactured homes" from locating on individual lot(s) that are planned and zoned for single-family residential use; and

WHEREAS, it is now necessary and essential to amend the City's Comprehensive Plan and Zone Code in order to conform to the requirements of State law.

NOW, THEREFORE, the City Council of the City of Wilsonville ordains as follows:

Section 1

Policy 4.4.8 of the Comprehensive Plan shall be amended to read as follows:

*Apartments and manufactured dwellings should be located to produce an optimum living environment for the occupants, but also to produce the least adverse effects upon single-family areas. Development criteria should include:*

- a. Buffering by means of landscaping, fencing, and distance from conflicting uses.*
- b. Compatibility of design, recognizing the conflicts of mass and height between apartment buildings and houses.*

- c. *On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.*
- d. *The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.*
- e. *Manufactured homes may be permitted on "infill" lots in the RA-1 (Residential Agricultural) and R (Residential) zones subject to siting standards. Manufactured homes may also be permitted in the PDR (Planned Development Residential) zone in those planned developments which have been approved by the Planning Commission to include this type of housing.*
- f. *Manufactured dwellings, including manufactured homes, may be located in parks or subdivisions specifically designed for them.*

Section 2

Section 4.001 of the Wilsonville Code shall be amended by including the following definition. Any existing definition in Section 4.001 with an identical heading shall be deleted and replaced with the definition herein. All of the listed definitions in Section 4.001 shall be alphabetized and correctly renumbered to reflect these changes. This addition and amendment is as follows:

***Manufactured Dwelling: Includes residential trailer, mobile home, mobile house, trailer and manufactured home. This definition does not include any building or structure subject to the structural specialty code adopted pursuant to ORS 455.100 to 455.450 or any unit identified as a recreational vehicle by the manufacturer.***

Section 3

Section 4.120(2)(a) of the Wilsonville Code shall be amended to read as follows:

- (2) ***Intensity of Use Permitted: The intensity of use permitted shall be governed by the land use designations of the City of Wilsonville Comprehensive Plan as follows:***

(a) *Lands designated for residential use - 0 to 3 dwelling units per acre:*

1. *One single-family dwelling unit or one manufactured home per lot. If the designated Plan density is greater than one (1) unit per acre, a Site Plan or pre-plat review shall be required to insure that placement of the dwelling on the site will not obstruct or restrict future development of the site, in accordance with the Comprehensive Plan densities.*

2. *Dwellings for the owner, operator and/or help required to carry out the permitted activities as set forth in Section 4.152.*

3. *In addition to the requirements set forth for single-family residential units, manufactured homes must meet the following standards:*

*- The manufactured home must be multi-sectional and enclose at least 1,000 square feet.*

*- The manufactured home must be located not more than 12 inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter.*

*- The manufactured home must have a pitched roof with a minimum slope of three feet in height for each 12 feet of width.*

*- Exterior siding and roofing must be similar in color and appearance to that used on the majority of dwellings located within 250 feet.*

*- The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.*

*- The manufactured home shall have a garage or carport constructed of similar materials as the home. A garage is required when this is consistent with the construction quality and size of immediately surrounding dwellings.*

Section 4

Section 4.122(4) of the Wilsonville Code is amended by adding (e) which shall read as follows:

*(e) Manufactured homes provided that, in addition to the other siting requirements for single-family residences, the following standards are met:*

*- The manufactured home must be multi-sectional and enclose at least 1,000 square feet.*

*- The manufactured home must be located not more than 12 inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter.*

*- The manufactured home must have a pitched roof with a minimum slope of three feet in height for each 12 feet of width.*

*- Exterior siding and roofing must be similar in color and appearance to that used on the majority of dwellings located within 250 feet.*

*- The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.*

*- The manufactured home shall have a garage or carport constructed of similar materials as the home. A garage is required when this is consistent with the construction quality and size of immediately surrounding dwellings.*

Section 5

Section 4.133(1)(b) of the Wilsonville Code shall be deleted and replaced with the following:

*(b) Manufactured dwellings may be located in subdivisions or parks that are exclusively dedicated to such uses. Additionally, manufactured homes may be located on individual lots within planned developments where the developer has sought and received approval from the Planning Commission during the planned development process. Nothing contained herein shall change the ability of any developer to enact private deed restrictions, nor shall this section change any existing covenants or restrictions, relating to manufactured housing or site-built homes.*

Section 6

That this Ordinance shall be and is declared to be in full force and effect, thirty (30) days from the date of final passage and approval.

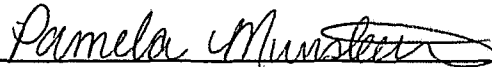
SUBMITTED to the Wilsonville City Council and read the first time at a regular

meeting thereof on the 1st day of April, 1991 and scheduled for second reading at a regular meeting of the Council on the 15th of April, 1991, commencing at the hour of 7:30 o'clock p.m. at the City of Wilsonville, Community Development Hearings Room.



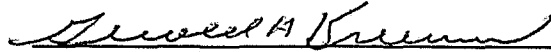
VERA A. ROJAS, CMC, City Recorder

ENACTED by the Council on the 15th day of April, 1991, by the following votes:  
YEAS: 5 NAYS: 0



PAMELA MUNSTERMAN, City Recorder Pro-Tem

DATED and signed by the Mayor this 19<sup>th</sup> day of April, 1991.



GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel	<u>Aye</u>
Councilor Carter	<u>Aye</u>
Councilor Chandler	<u>Aye</u>
Councilor Lehan	<u>Aye</u>
Councilor Van Eck	<u>Aye</u>

PLANNING COMMISSION  
RESOLUTION NO. 91PC16

A RESOLUTION FORWARDING THE COMMISSION'S  
RECOMMENDATION THAT THE CITY COUNCIL  
ADOPT THE ORDINANCE THAT WOULD AMEND THE  
CITY'S COMPREHENSIVE PLAN AND ZONE CODE TO  
PERMIT MANUFACTURED HOUSING ON INDIVIDUAL  
LOTS PLANNED AND ZONED FOR RESIDENTIAL USE

WHEREAS, in 1989, the 65th Oregon Legislative Assembly adopted House Bill (HB) 2863; and,

WHEREAS, HB 2863 requires local governments to permit "manufactured housing" on individual lots that are planned and zoned for single family residential use; and,

WHEREAS, the State of Oregon now requires that local governments amend their local Codes and Ordinances by January 1, 1991, to comply with HB 2863; and,

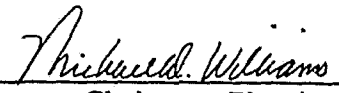
WHEREAS, the Wilsonville Planning Commission held a public hearing on February 28, 1991, at which time the Commission reviewed the proposed Ordinance to amend the Wilsonville Comprehensive Plan and Zone Code; considered the alternatives; and gathered public testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville does hereby adopt the proposed Ordinance, attached hereto as Exhibit A, and forwards a recommendation to the City Council that they approve and adopt the ORDINANCE in accordance with the Commission's recommendation(s).

ADOPTED by the Planning Commission of the City of Wilsonville at a special meeting thereof, the 28th day of February, 1991, and filed with the Planning Secretary this same day.

Attest:

  
\_\_\_\_\_  
Judée Emison, Planning Secretary

  
\_\_\_\_\_  
Richard Williams  
Chairman, Planning Commission

**PLANNING DEPARTMENT  
STAFF REPORT**

**DATE: January 31, 1991**

**TO: Planning Commission                      PREPARED BY: Wayne Sorensen**  
**RE: Proposed Amendments to the Wilsonville Comprehensive Plan and  
Zone Code to permit manufactured housing on individual lots in  
Residential districts**

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**Background**

In 1989, the Oregon Legislature enacted changes to Oregon Revised Statutes (ORS) 197.295 through 197.313 ("Needed Housing") by adopting House Bill (HB) 2863. The significance of HB 2863 is that it requires local governments to permit "manufactured homes" on individual lots that are zoned and planned for single-family residential use. HB 2863 became effective on January 1, 1991.

**Facts and Findings**

1. The proposed Ordinance (Attachment A) adds a definition for a "Manufactured Dwelling" to Section 4.001 (Definitions) of the Wilsonville Code (WC). This definition would include mobile homes, residential trailers, mobile houses and manufactured homes. The definition is consistent with the definition provided in ORS 446.003(20)(a) and (b) and is necessary in order to identify the differences between a "manufactured home" and other similar structures.
2. Policy 4.4.8 of the Comprehensive Plan addresses "mobile homes" and limits the location of mobile homes to parks or subdivisions specifically designed for them. This "flies in the face" of HB 2863 which requires that manufactured homes be allowed on infill lots. At the time the Comprehensive Plan was written, homes that were produced on an assembly line and later transported to a lot or site to be lived in were commonly referred to as "mobile homes". The correct term now would be "manufactured home".
3. Manufactured homes are not site-built dwellings and their construction is regulated by HUD (Housing and Urban Development). HUD's specifications generally are a specific exemption from the State Building Code requirements and regulate the assembly line production of homes that may be transported out-of-state.



4. Wilsonville's Zone Code does not permit "manufactured homes" on individual lots in the RA-1 or R zones. Additionally, mobile or manufactured homes are only permitted in parks and subdivisions exclusively dedicated to such use(s) in the PDR zone. Even if a developer should desire to locate manufactured homes and site-built homes together in a planned development, it would be impossible to do so under our existing ordinance.
5. Nothing in HB 2863, or in any of the proposed changes to the Wilsonville Code, changes the ability of a property owner or a developer to enact private deed restrictions nor does it change any existing covenants or restrictions. The use of private deed restrictions to regulate manufactured homes and site-built homes should be left to the individual developer.
6. HB 2863 (ORS 197.307(5)) states that Wilsonville may adopt any or all of the following maximum development standards:
  - "(a) The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.
  - (b) The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located no more than 12 inches above grade.
  - (c) The manufactured home shall have a pitched roof, except that no standard shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
  - (d) The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit approval authority.
  - (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.
  - (f) The manufactured home shall have a garage or carport constructed of like materials. A jurisdiction may require an attached or detached garage in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.

- (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, the city may subject a manufactured home and the lot upon which it is sited to any development standard, architectural requirement and minimum size requirement to which a conventional single-family dwellings on the same lot would be subject."

7. The proposed changes to the Wilsonville Code would allow "manufactured homes" (subject to additional siting standards) to be permitted in the RA-1 and R zones wherever a conventional site-built dwelling would be permitted. Manufactured homes would be allowed on individual lots in subdivisions in the PDR zone when a developer so requests, and the Planning Commission approves, to have that as part of his planned development. Currently, the Zone Code allows (with Planning Commission approval) planned developments that have both single-family dwellings and multi-family units as part of the same development. The only change to the PDR zone would be that a developer, if he desired, could have manufactured and site-built homes within the same subdivision.

**RECOMMENDATION:**

I request that the Planning Commission forward a recommendation to the Wilsonville City Council that the proposed Ordinance (attachment A) be adopted to comply with State law as set forth in ORS 197.303(d).

**MANUFACTURED HOUSING ORDINANCE - CITY OF WILSONVILLE -  
Amendment of Comprehensive Plan and Zone Code to Permit  
Manufactured Housing in Residential Zones**

Wayne Sorensen stated that in 1989 the Oregon Legislature adopted House Bill 2863 which required that local governments permit "manufactured housing" on individual lots planned and zoned for single-family residential use. The City was to have adopted this by January 1, 1991. Because we are in the process of adopting it now, no enforcement orders, etc. will be brought against the City.

Sorensen further explained if one reads the City's Comprehensive Plan in the strictest manner, manufactured homes are not permitted except in individual subdivisions. Therefore, our Comp Plan needs to be revised to permit manufactured housing on infill lots.

Chairman Williams asked if the City had any discretion in the matter. Sorensen replied that somewhere in the City manufactured housing has to be permitted on infill lots, as defined by the State. When the State adopted the Oregon Revised Statute, they used the wrong definition for manufactured housing.

Sorensen stated that the City was also adopting citing standards. Any home that would be permitted in a zone would be subject to a citing standard as set forth in Section 4. Nothing in the ordinance to be adopted would supersede any private deed, covenant and/or restriction that is added by the homebuilder or developer.

Arland Andersen moved to adopt the Staff Report recommending the adoption of the ordinance amending the Comprehensive Plan and the Wilsonville Code to prevent manufactured homes on individual lots planned and zoned for single-family residential use. Weldon Sloan seconded the motion which passed 7-0.

SUNBURST CONTEMPORARY HOMES, INC.  
dba HERITAGE MFG. HOMES  
(503) 688-8911  
1441 HWY. 99 NORTH  
EUGENE, OREGON 97402

January 11, 1991

Attn: Planning Department

It my understanding that in compliance with Oregon State law you may have modified your residential zoning code regarding the locating of manufactured homes. (House Bill 2863)

If your ordinance already complied, or if you have completed your changes could you please mail me a copy of the applicable ordinances. If you have not completed changes to be in compliance, could you please update me as to what you are planning and your probable time frame.

Thank you for your assistance.

Sincerely,



Randolph A. Allen

**A-Engrossed**  
**House Bill 2863**

Ordered by the House April 4  
Including House Amendments dated April 4

Sponsored by Representatives DWYER, D. JONES, YOUNG, BAUMAN, BUNN, BURTON, CALHOON, DOMINY, EDMUNSON, FORD, HOSTICKA, HUGO, KOTULSKI, McTEAGUE, MINNIS, NORRIS, PETERSON, ROBERTS, SAYLER, SOWA, WEHAGE, Senators BRADBURY, BROCKMAN, BUNN, J. HILL, L. HILL, HOUCK, KENNEMER, KERANS, KINTIGH, OTTO, ROBERTS (at the request of Oregon Manufactured Housing Association, Oregon State Tenants Association, League of Oregon Cities, United Seniors of Oregon)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs that needed housing within urban growth boundary be permitted in one or more zoning districts or in overlay zones. Allows, as "needed housing," mobile home parks and manufactured housing meeting design and placement standards specified by local government. Provides that provisions regarding manufactured homes apply January 1, [ ] 1991, or next periodic review, whichever comes first.

**A BILL FOR AN ACT**

1  
2 Relating to manufactured housing, creating new provisions; and amending ORS 197.303 and 197.307.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. ORS 197.303 is amended to read:**

5 197.303. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local  
6 government's acknowledged comprehensive plan, "needed housing" means housing types determined  
7 to meet the need shown for housing within an urban growth boundary at particular price ranges and  
8 rent levels. On and after the beginning of the first periodic review of a local government's ac-  
9 knowledged comprehensive plan, "needed housing" also means:

10 (a) Housing that includes, but is not limited to, attached and detached single-family housing and  
11 multiple family housing for both owner and renter occupancy; *[and manufactured homes; and]*

12 (b) Government assisted housing; *[.]*

13 (c) Mobile home parks as provided in ORS 197.475 to 197.490; and

14 (d) Manufactured homes on individual lots planned and zoned for single-family residential  
15 use that are in addition to lots within designated manufactured home subdivisions.

16 (2) *[Paragraph] Paragraphs (a) and (d) of subsection (1) of this section shall not apply to:*

17 (a) A city with a population of less than 2,500.

18 (b) A county with a population of less than 15,000.

19 (3) A local government may take an exception to subsection (1) of this section in the same  
20 manner that an exception may be taken under the goals.

21 **SECTION 2. ORS 197.307 is amended to read:**

22 197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for  
23 persons of lower, middle and fixed income is a matter of state-wide concern.

24 (2) Many persons of lower, middle and fixed income depend on government assisted housing as  
25 a source of affordable decent, safe and sanitary housing.

NOTE: Matter in bold face in an amended section is new; matter *(italic and bracketed)* is existing law to be omitted.

1 (3) When a need has been shown for housing within an urban growth boundary at particular  
2 price ranges and rent levels, needed housing shall be permitted in [a zone or zones] one or more  
3 zoning districts or in zones described by some comprehensive plans as overlay zones, with  
4 sufficient buildable land to satisfy that need.

5 (4) Subsection (3) of this section shall not be construed as an infringement on a local govern-  
6 ment's prerogative to:

7 (a) Set approval standards under which a particular housing type is permitted outright;

8 (b) Impose special conditions upon approval of a specific development proposal; or

9 (c) Establish approval procedures.

10 (5) In the areas identified by the needs analysis conducted under subsection (3) of this  
11 section, a jurisdiction may adopt any or all of the following placement standards, or any less  
12 restrictive standard, for the approval of manufactured homes located outside mobile home  
13 parks:

14 (a) The manufactured home shall be multisectional and inclose a space of not less than  
15 1,000 square feet.

16 (b) The manufactured home shall be placed on an excavated and back-filled foundation  
17 and inclosed at the perimeter such that the manufactured home is located not more than  
18 12 inches above grade.

19 (c) The manufactured home shall have a pitched roof, except that no standard shall re-  
20 quire a slope of greater than a nominal three feet in height for each 12 feet in width.

21 (d) The manufactured home shall have exterior siding and roofing which in color, mate-  
22 rial and appearance is similar to the exterior siding and roofing material commonly used on  
23 residential dwellings within the community or which is comparable to the predominant ma-  
24 terials used on surrounding dwellings as determined by the local permit approval authority.

25 (e) The manufactured home shall be certified by the manufacturer to have an exterior  
26 thermal envelope meeting performance standards which reduce levels equivalent to the per-  
27 formance standards required of single-family dwellings constructed under the state building  
28 code as defined in ORS 455.010.

29 (f) The manufactured home shall have a garage or carport constructed of like materials.  
30 A jurisdiction may require an attached or detached garage in lieu of a carport where such  
31 is consistent with the predominant construction of immediately surrounding dwellings.

32 (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or  
33 county may subject a manufactured home and the lot upon which it is sited to any develop-  
34 ment standard, architectural requirement and minimum size requirement to which a con-  
35 ventional single-family residential dwelling on the same lot would be subject.

36 [(5)] (6) Any approval standards, special conditions and the procedures for approval adopted by  
37 a local government shall be clear and objective and shall not have the effect, either in themselves  
38 or cumulatively, of discouraging needed housing through unreasonable cost or delay.

39 SECTION 3. Notwithstanding the provisions of ORS 197.303 (1) relating to periodic review, the  
40 requirements of ORS 197.303 (1)(d) apply on January 1, 1991, or a jurisdiction's next periodic review,  
41 whichever comes first.

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# TECHNICAL BULLETIN

## PLANNING FOR MANUFACTURED HOUSING ON INDIVIDUAL LOTS

A Technical Assistance Bulletin from Oregon's Department of Land Conservation and Development  
May, 1990

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### NEW PLANNING REQUIREMENTS FOR MANUFACTURED HOUSING

The 1989 Legislature enacted new planning requirements for manufactured housing on lots outside of manufactured housing subdivisions (ORS 197.295 through ORS 197.313 "Needed Housing"). We have received several inquiries from local planners asking how the Department interprets these statutes. The paragraphs below contain a summary of the new statutory requirements and responses to questions we have received. Throughout the discussion below, we use the term "manufactured home" as stated in the original bill, HB 2863. ORS 197.295 through ORS 197.313 incorrectly uses the term "manufactured dwelling." A manufactured home is a manufactured dwelling which has been certified to meet the 1976 HUD standard. "Manufactured dwellings" includes residential trailers and mobile houses constructed prior to 1976.

The most frequently asked question has been how to project the need for manufactured housing. We have been meeting with an *ad hoc* committee to address this question. The committee includes members from local planning agencies, the manufactured housing industry and the State Housing Agency. The committee has developed a "needs analysis" example using a standard methodology, which is attached to this notice. If you choose to use this methodology, you will meet the requirements of the statute. You are welcome to use either this standard methodology or to complete a more detailed analysis using local data.

ORS 197.303 defines as a needed housing type, "Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated

Cities and counties are now required to plan for manufactured homes on individual lots.

Manufactured homes on individual lots are now a "needed housing" type.

Any of the following or less restrictive standards may be required:

- multisectional units
- 1,000 square foot minimum area
- excavated and back filled foundation
- pitched roof
- specific siding and roofing materials
- thermal performance
- garage or carports

A continuous concrete perimeter foundation isn't needed and cannot be required.

manufactured home subdivisions." The applicability of this definition is limited as follows:

- applies only within urban growth boundaries
- does not apply to cities with a population under 2,500
- does not apply to counties with a population under 15,000

ORS 197.307(3) requires cities and counties to zone sufficient buildable land to meet the need.

ORS 197.307(5) lists placement standards which may be required for manufactured homes located outside of mobile home subdivisions or manufactured dwelling parks. Local governments may adopt any of the following standards or less restrictive standards:

(a) The manufactured home must be multisectional and enclose at least 1,000 square feet;

(b) The manufactured home must be located not more than 12 inches above grade on an excavated and back-filled foundation which is enclosed at the perimeter;

(c) The manufactured home must have a pitched roof, but no standard shall require a slope greater than a nominal three feet in height for each 12 feet in width;

(d) Exterior siding and roofing must be similar in color, material and appearance to that used on dwellings in the community or on surrounding dwellings;

(e) The exterior thermal envelope must meet performance standards equivalent to those required for single family dwellings under the state building code; and

(f) The manufactured home must have a garage or carport.

In addition, a city or county may impose any development standard, architectural requirement or minimum size requirement to which a conventional single family residential dwelling on the same lot would be subject.

We have received several questions on these standards. These are discussed below:

**Is a "tip-out" unit considered to be multisectional?**

No. A tip-out unit is not considered by the industry to be a multisectional home.

**Can a local jurisdiction require a continuous reinforced concrete perimeter foundation?**

No. Manufactured homes cannot be required to meet structural building code requirements; they do not need a perimeter foundation. However, the local jurisdiction can require that the base of the home be enclosed at its perimeter.

**Can the standard on roofing and siding materials be applied through an administrative procedure?**

Yes, if the types of materials allowed or not allowed are listed in your implementing ordinance. To simply restate the language in paragraph (d) above is not adequate because it is not clear and objective.





## MANUFACTURED HOME NEED EXAMPLE

### Introduction

The following example shows one way of planning for manufactured homes on lots outside of manufactured housing subdivisions. ORS 197.303 now defines this as a needed housing type. Local comprehensive plans must project the need for this housing type and provide sufficient buildable land.

The simplest way to meet this requirement is to permit manufactured homes outright in all single family residential zones, subject to the siting standards listed in ORS 197.307. In this case, manufactured homes are included in the need for all single family dwellings. Therefore, no further analysis of need is required.

Another simple approach is discussed below. This approach starts with the need for new single family units already projected in the local comprehensive plan. The number of single family units is split between conventional and manufactured single family units, using a percentage from the attached table. The percentage has been determined for each county on the basis of population, housing cost and income. The example is presented in three steps after a short discussion of assumptions and methodology.

We recognize that this is not the only possible approach. Other more detailed methods, however, may be time consuming and may require data which is difficult to obtain. The advantages of this approach are that it is relatively simple and if you use it, your plan will comply with the requirements of the new statute.

### Assumptions Used in the Standard Methodology

1. For purposes of this example, manufactured dwellings on individual lots and in manufactured housing subdivisions are considered as single family housing and the need for these dwellings is considered a part of the overall single family housing need. (This example assumes that a jurisdiction has a comprehensive plan housing needs projection based on single family and multifamily housing types.)

2. The housing-needs projection and buildable-lands inventory in a jurisdiction's acknowledged comprehensive plan determine the type, density and location of needed housing. No change is required to the single family/multifamily split, owner/renter split, or income distributions in the comprehensive plan's housing needs projection or in the amount, density or location of the Plan's buildable land allocation for single family or multifamily housing.

3. Based on a range of manufactured housing structure costs from \$26,800 to \$46,488 and of lot costs from \$5,000 to \$9,000, the minimum income required to purchase a manufactured dwelling on an individual lot or a subdivision is estimated to range from \$15,000 to \$26,000.

A simple way to meet this requirement is to permit manufactured homes by right in single family zones.

The method described below is another way to meet these requirements, based on household income and housing cost.

Other approaches are possible.

If better local information on income is available, the jurisdiction may use that instead of the standard county figures attached to this bulletin.

Income required to qualify for a loan for a manufactured home on a lot ranged from \$15,000 to \$26,000.

4. It is assumed that households with incomes below \$15,000 will rent their dwellings and that households with incomes above \$15,000 will purchase single family dwellings, including manufactured housing. It is further assumed that households with incomes between \$15,000 and \$26,000 will purchase either manufactured housing or conventional single family housing and that households with incomes above \$26,000 will only purchase conventional single family housing.

5. It is assumed that new single family units, including both manufactured housing and conventional single family housing, will be owner-occupied.

6. It is assumed that the need for manufactured housing on individual lots and in subdivisions can be estimated based on the income distribution of the jurisdiction. Countywide income data, based on state tax returns by income range, can be used to estimate the number of households on the \$15,000 to \$26,000 income range and the number of households with incomes greater than \$26,000. This is considered "best available information." Jurisdictions may substitute local income data if it is available.

7. It is assumed that the number of manufactured dwellings on individual lots or in subdivisions required to meet the need can be estimated by calculating the percentage of all households with incomes greater than \$15,000 whose incomes are in the \$15,000 to \$26,000 range. This becomes the percentage (of the new single family units included on a jurisdiction's housing needs projection) for which the opportunity should be provided for siting of both manufactured housing and conventional housing.

8. It is assumed that adequate land in the jurisdiction's buildable lands inventory is allocated to land planned and zoned to accommodate the housing needs projections for single family dwellings. It is assumed that "need" can be measured by the percentage of all households with incomes above \$15,000 in the \$15,000 to \$26,000 range. This percentage is multiplied by the number of single family dwellings projected in the plan to determine the number of manufactured homes needed. The number of manufactured homes is divided by the density (dwellings per acre). When the resulting acreage is planned and zoned to allow both manufactured housing on individual lots or in subdivisions and conventional single family housing as permitted uses (with placement standards as specified in ORS 197.307, if desired), the jurisdiction has met its obligation.

#### Housing Cost and Income

The tables below compare the income needed to buy a manufactured dwelling on a lot with the distribution of income. Housing cost and income determine how many households are potential manufactured home buyers. As shown in the attached table "Summary of Income to Qualify for Lower Cost, Average Cost, and Higher Cost Manufactured Homes," households with an income of \$15,000 to \$26,000 can afford to purchase a manufactured home on a lot. The table "Potential Manufactured Home Buyers" (attached)

shows that approximately 36 percent of households which can afford to buy a home fall within the income range for manufactured housing. Column A in the table shows the percentage for each county. The percentages in column A are used in step 2, below, to estimate need for manufactured homes on lots.

Cost and income requirements for a manufactured home on a lot:

<u>Range</u>	<u>Lot</u>	<u>Structure</u>	<u>Minimum Income</u>
Low	\$5,000	\$26,800	\$15,000
Average	\$7,000	\$36,600	\$20,600
Higher	\$9,000	\$46,488	\$26,200

Source: Cost data from Oregon Manufactured Housing Association; Income calculation from Oregon Housing Agency (see attached table).

Income distribution:

	1989 Income <u>Range</u>	Number of <u>Returns</u>	%
Manufactured Housing	15-26	223,404	36 (From Column A of attached table)
Conventional Housing	26+	402,571	64
All Single Family	15+	625,975	100

In the analysis above, we have assumed that the projected need for multifamily housing and mobile home parks is already shown in your comprehensive plan. Column B of the attached chart shows manufactured housing on lots as a percent of all housing (including multifamily and mobile home parks). Statewide, the need for manufactured housing on lots is 23% of all housing (based on the assumption that 65% of new housing is single family). For Portland Metro jurisdictions, manufactured housing need is 15 to 19% of all housing, because these jurisdictions are required to plan for 50% multifamily. You can recalculate the percentage in column B, using the percentages of single family housing, multifamily housing and mobile home parks projected in your comprehensive plan.

### Step 1: Project the housing increase, 1990-2010

Start with the number of new single family dwelling units projected in your comprehensive plan for the planning period. Include conventional single family units and manufactured housing in mobile home subdivisions. For these purposes, we are not including mobile home parks or multiple family housing; we assume that these have been projected separately and are not part of this analysis. For this example suppose your plan projects 2,000 additional single family dwellings over the next twenty years.

36% of all Oregon households fall within the \$15,000 to \$26,000 income range.

Step 1: Start with the number of single family dwellings projected in your comprehensive plan.

Step 2: "Split" the number of single family dwellings between conventional and manufactured homes, using the percentage in column "A" of the attached table.

"Acres of buildable land needed" is the number of dwellings divided by the density allowed in the plan and zoning ordinance.

Step 3: Sufficient land must be planned and zoned to meet the need.

### Step 2: Allocate new homes and land needs by housing type

Allocate the projected single family dwellings between conventional and manufactured home types. In this example, the statewide percentage, 36%, is used. We recommend that you use the percentage for your county shown in column A of the attached table. Land needs are projected by dividing the number of dwellings by the gross density for single family lots.

<u>Single Family Housing</u>	<u>% Split</u>	<u>Units Dwell -ings</u>	<u>Gross Per Acre</u>	<u>Acres Needed</u>
Conventional	64	1,280	6	213
Manufactured or Conventional	36	720	6	120
All Single Family	100%	2,000		333

### Step 3: Plan and zone sufficient buildable land

Once the housing need is determined, Goal 10 requires that sufficient land be planned and zoned to meet that need. The permitted uses in zones "A", "B", and "C" are shown below for discussion purposes. The two examples discussed below are only the most basic ones. Many variations are possible but will not be discussed here.

**Example 1.** The simplest way to meet this planning requirement is to allow both conventional and manufactured housing in all single family residential zones. Zone "A" allows conventional and single family housing, as well as mobile home parks. In this example, 333 acres plus the amount of land needed for mobile home parks would be included in the "A" zone. None of the analysis above would be required. The only change would be to add manufactured dwellings to the list of allowed uses. Alternatively, the definition of single family residential use could be amended to include manufactured dwellings as well as dwellings built to Uniform Building Code standards.

**Example 2.** A community which has more than one single family residential zone has several options. As in the example above, manufactured dwellings could be allowed in all zones. Alternatively, a zone (or zones) can be reserved for conventional dwellings only. Zone "B" allows conventional units only and would contain up to 213 acres of vacant buildable land. Zones "A" and "C" which allow conventional and manufactured homes would contain at least 120 acres of vacant buildable land. Zone "A" would require additional land for mobile home parks.

	<u>Zone "A"</u>	<u>Zone "B"</u>	<u>Zone "C"</u>
Single Family			
Conventional single family	P	P	P
Manufactured homes			
M H Subdivisions	P	NP	P
Individual Lots	P	NP	P
M H Parks	P	NP	NP
Multiple family	NP	NP	NP

"P" = Permitted      "NP" = Not permitted

■ ■ ■

**POTENTIAL MANUFACTURED HOUSING BUYERS**  
Based on State Tax Returns by Income Range

\$ X 1,000	Households in Income Range 15 to 26	Households in Income Range 15 and Over	COLUMN A (See Below)	COLUMN B (See Below)
BAKER	1221	2839	43%	28%
BENTON	4170	13201	32%	21%
CLACKAMAS	19081	64691	29%	19%
CLATSOP	2514	6597	38%	25%
COLUMBIA	2510	8444	30%	19%
COOS	4576	11982	38%	25%
CROOK	1138	2838	40%	26%
CURRY	1549	3530	44%	29%
DESCHUTES	6128	15686	39%	25%
DOUGLAS	7227	19712	37%	24%
GILLIAM	146	376	39%	25%
GRANT	664	1733	38%	25%
HARNEY	571	1520	38%	24%
HOOD RIVER	1408	3551	40%	26%
JACKSON	11240	29576	38%	25%
JEFFERSON	933	2231	42%	27%
JOSEPHINE	4916	11313	43%	28%
KLAMATH	4312	11158	39%	25%
LAKE	631	1534	41%	27%
LANE	21741	59182	37%	24%
LINCOLN	3074	7370	42%	27%
LINN	7147	19588	36%	24%
MALHEUR	1966	4508	44%	28%
MARION	18421	48322	38%	25%
MORROW	637	1624	39%	25%
MULTNOMAH	53177	143308	37%	24%
POLK	3455	9742	35%	23%
SHERMAN	157	454	35%	22%
TILLAMOOK	1827	4183	44%	28%
UMATILLA	4867	11970	41%	26%
UNION	1759	4701	37%	24%
WALLOWA	610	1419	43%	28%
WASCO	1709	4482	38%	25%
WASHINGTON	23265	79800	29%	19%
WHEELER	100	218	46%	30%
YAMHILL	4558	12593	36%	24%
OREGON	223404	625974	36%	23%

**NOTES:**

The percentage in COLUMN A is the number of returns in the income range \$15,000 to \$26,000 divided by the number of returns reporting an income over \$15,000. This is the estimated percentage of single family housing buyers who can just afford a manufactured home.

COLUMN B shows manufactured homes as a percentage of all dwellings added to the housing stock. The percentage in column A was multiplied by the ratio of single family units to all housing (65%). For Portland Metro counties, a 50% ratio was used as required by OAR 660-07.

Income data is from the Oregon Department of Revenue, Oregon Personal Income Tax Annual Statistics, 1987. Income ranges were interpolated to 1989 housing cost ranges after adjusting for inflation.

SUMMARY OF MINIMUM INCOME TO QUALIFY  
FOR LOWER COST, AVERAGE COST AND HIGHER COST  
MANUFACTURED HOMES  
ECONOMICS SECTION, OREGON HOUSING AGENCY

CATEGORY	LOWER COST	AVERAGE COST	HIGHER COST
Minimum Income to Qualify	\$15,000	\$20,600	\$26,200
Household Size	2	2	2
Length of Loan(Years)	25	25	25
Property Tax Rate	2.70%	2.70%	2.70%
Monthly Mortgage Payment	\$ 274	\$ 377	\$ 479
Interest Rates	10.00%	10.00%	10.00%
Loan to Value Ratio	0.95	0.95	0.95
Value of Land	\$ 5,000	\$ 7,000	\$ 9,000
Value of Structure	\$26,768	\$36,628	\$46,488
Value of Property	\$31,768	\$43,628	\$55,488
Maximum Loan Amount	\$30,179	\$41,446	\$52,713
FEDERAL TAX COMPUTATIONS			
State Income Tax	\$ 471	\$ 750	\$ 1,038
Property Tax	\$ 858	\$ 1,178	\$ 1,498
Mortgage Interest	\$ 3,018	\$ 4,145	\$ 5,271
Miscellaneous Deductions (2% of Income)	\$ 300	\$ 412	\$ 524
Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Allowable Deductions	\$ 4,647	\$ 6,485	\$ 8,331
-Personal Exemptions	\$ 3,900	\$ 3,900	\$ 3,900
Or Standard Deduction	\$ 5,000	\$ 0	\$ 0
=Fed. Taxable Income	\$ 6,100	\$10,215	\$13,969
Federal Taxes from Charts	\$ 915	\$ 1,532	\$ 2,095
STATE TAX COMPUTATIONS			
Adjusted Gross Income	\$15,000	\$20,600	\$26,200
-Federal Tax	\$ 915	\$ 1,532	\$ 2,095
-Itemized Deductions	\$ 4,647	\$ 6,485	\$ 8,331
=Taxable Balance	\$ 9,438	\$12,583	\$15,774
Oregon Taxes from Charts	\$ 581	\$ 852	\$ 1,140
-Exemption Credit	\$ 102	\$ 102	\$ 102
=State Tax	\$ 479	\$ 750	\$ 1,038