



CITY OF REDMOND

Community Development Department

411 SW 9th Street
Redmond, OR 97756
541-923-7724

www.redmondoregon.gov

REDMOND URBAN AREA PLANNING COMMISSION

411 SW 9th Street-COUNCIL CHAMBERS Redmond, OR 97756 or

Monday, September 12, 2022 6:30 pm

Oral comments can be provided in-person or virtually. For those who plan to provide oral comments virtually during the hearing, pre-register at planredmond@redmondoregon.gov (must pre-register before 4:00 p.m. on September 12th)

Stream the meeting live at: <https://www.redmondoregon.gov/government/city-council/council-meeting-info/meeting-agendas-minutes-and-video>

Agenda

UAPC Members

Teri
Jansen,
Chair

Ron
Osmundson,
Vice-Chair

Heather DeWolf

Norman
Schultz

Richard Bryant

Joseph
Zampko

Vacancy

Ex-Officio
Vacancy

- I. CALL TO ORDER / INTRODUCTIONS
- II. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA
- III. Redmond Development Code Update (Work Session)
 - A. Timeline and Topic Target Dates
 - B. Administrative Changes and Scribner Errors
 - C. Site & Design Review
 - D. Annexation Standard
 - E. RV Parks
- IV. Next Meeting September 19, 2022
- V. COMMISSION MEMBER COMMENTS
- VI. ADJOURN

Please note that these documents are also available on the City's website www.redmondoregon.gov; click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 923-7751 or email Kelly.morse@redmondoregon.gov

The City of Redmond encourages all citizens to participate in its programs and activities. This meeting location is accessible to people with disabilities. Requests for accommodation may include sign language interpreter service, assistive listening devices, materials in an alternate format or any other accommodation. If any accommodations are needed, please contact the ADA Coordinator at 541-504-3036 or access@redmondoregon.gov. Requests should be made as soon as possible, but at least 3 business days prior to the scheduled meeting. The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities.

Redmond Development Code - Proposed Amendments: Topics, Timelines & Leads (working draft)

Topics; Target Adoption Dec. 13, 2022	Lead(s)	PC Mtg	Status / Comments
Density Table			
Rear Setback / Rear Alley Setbacks	Sarah / Megan	3-Oct	
Setbacks for ADUs; Underlying zone district or 10' (8.0325)	Sarah / Megan	3-Oct	
Reduced Lot Sizes (R-3, R-4 & R-5);	Kyle	17-Oct	
Adjust minimum lot size in R-3; 6,000 SF	Kyle	17-Oct	
Adjust minimum lot size R-4; 5,000 SF	Kyle	17-Oct	
Adjust minimum lot size R-5; 4,000 SF	Kyle	17-Oct	
Purpose R-5 (reduce lot size allow SFDD)	Kyle	17-Oct	
Side Street Setbacks (?)		7-Nov	
Minimum Street Frontage of 20' (?)		7-Nov	
Site & Design Review (8.3005)	Kyle / Sean	12-Sep	
Annexation: Exceptions to Master Development Plan	Kyle / John	12-Sep	
Administrative Changes and Scrivener Errors	Kyle	12-Sep	
RV Parks - Applicable Zone Districts	John	12-Sep	
Pre-Development Meeting Requirement	Kyle / Sean	19-Sep	
8.2705(5); CUP for tract as remedy to through/double frtg lots	Kyle / Sean	19-Sep	
Purpose of M 1.5 Zone (office and business)	John / Kyle / REDI	19-Sep	
Deed Restriction Duration (Housing Committee / HCDC)	Linda / John	21-Sep	
Deed Restriction Duration	Linda / John	3-Oct	
Parking In Lieu - Fee	Chuck / John	3-Oct	

Redmond Development Code - Proposed Amendments: Topics, Timelines & Leads (working draft)

Topics; Target Adoption Dec. 13, 2022	Lead(s)	PC Mtg	Status / Comments
Downtown Overlay District Boundary	Chuck / John	3-Oct	
Neighborhood Meeting Master Plan Requirement (expectations)	Kyle / John	7-Nov	
Open Space/Pocket Park Requirements - Master Plans	Kyle	7-Nov	
PUD Bonus Density; community benefit	John	7-Nov	
Driveways; Multiple Driveways Middle Housing (8.2820.5)	Kyle	7-Nov	
Landscaping: 8.3035.5 A/B	Sarah	7-Nov	
LLIT Zone - Purpose and Intent / Traded Sector Jobs	John / Steve Curley	7-Nov	
Off Street Parking; 2 for SFDD, only 1 for plexes (?)	Kyle		Question
Other Topics (Round III); Target Adoption July 2023	Lead(s)	Target PC Mtg	Status / Comments
Off-Street parking multi-family complexes	John		
Align Cottage Cluster and Cottage Development Stds	Kyle		
8.2715 Design Elements (Scenic Views)			
Landscaping Requirements on Industrial lands	Sean		
CUP: Multi-family Complex R1, R2 and R3 (density)	Kyle		
Define Canyon Rim	Sean / Chambers		
Exceptions to Lot Size Requirements (8.0575)			
Modernize Track 1 and Track 2; Track 2 Subdivision (2.B)	JET Planning		
OAR 660-046-0020(10); define master planned community	JET Planning		
OAR 660-04600205(2)(b)(A); integrated	JET Planning		

Redmond Development Code - Proposed Amendments: Topics, Timelines & Leads (working draft)

Topics; Target Adoption Dec. 13, 2022	Lead(s)	PC Mtg	Status / Comments
Other Substantive Topics	Lead(s)	Target PC Mtg	Status / Comments
Sign Code	Long Range Planner		
Design Standards	Consultant		
Xeriscaping	Long Range Planner		
EV Charging Readiness	Long Range Planner		
Mobile Retail Vendors	Long Range Planner, UR, Megan		
Other (?)			

Redmond Development Code (RDC) Amendments: Anticipated Timelines & Adoption Schedule - Working Draft

Meetings	September	October	November	December
Planning Commission Work Session	12-Sep			
Planning Commission Work Session	19-Sep			
Planning Commission Work Session		3-Oct		
City Council Debrief		12-Oct		
Planning Commission Work Session		17-Oct		
City Council Work Session		25-Oct		
Planning Commission Work Session			7-Nov	
Planning Commission Public Hearing			21-Nov	
City Council - Public Hearing				13-Dec

* 5 Planning Commission Work Sessions

* 1 Council Work Session

* Opportunity for Joint Work Session

* Opportunity for Individual Meetings



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**PROPOSED TEXT AMENDMENTS
TO THE REDMOND CITY CODE, CHAPTER 8
REDMOND DEVELOPMENT CODE (RDC)**

DATE: Prepared for September 12, 2022, Worksession
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: Kyle Roberts, Planning Director
TOPIC: Administrative Updates / Scrivener's Errors

I. Purpose

Over the course of the next few months, the Planning Commission will hold a series of worksessions at which staff will present proposed amendments to the RDC. The Planning Commission will deliberate on each topic and provide a recommendation to staff.

A Planning Commission public hearing of the all the proposed amendments is tentatively scheduled for November 21, 2022. City Council will review the proposed amendments and Planning Commission recommendations at a public hearing tentatively scheduled for December 13, 2022.

Presented in this memo are three separate proposed revisions that are considered minor modifications to the RDC. The purpose of the modifications is to improve administration of the RDC and adjust for scrivener's errors.

II. Proposed Amendments to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

Amendment #1:

MIXED-USE ZONES

(***)

8.0260 Table G, Uses Permitted. The following land uses are permitted outright or conditionally in each respective Zone as follows:

"O" means Permitted Outright

"C" means Permitted Conditionally

"N" means Not Allowed

LAND USE:	ZONE:			REFERENCE / STANDARDS:
	MUN	MUE	MULW	
(***)				
<u>Townhouse (3 or 4 units)</u>	O*	O		See RDC Section 8.3035, Design Review Criteria. 8.0142, <u>Townhouse Development and Design Standards</u>

(***)

//Analysis: Section 8.0260 contains the permitted uses for the mixed-use zones. Townhouses are permitted in two mixed-use zones but must meet Townhouse design standards. As part of the recent HB 2001 code amendments, Townhouse design standards were modified to comply with HB 2001 and were moved from Section 8.3035 to a new section in the RDC: Section 8.0142.//

Amendment #2:

BOUNDARY LINE ADJUSTMENTS

(***)

8.2625 Final Plat Approval. ~~After the final plat has been reviewed and approved by the City, and when all signatures as required by the Deschutes County Surveyor other than the Development Services Director, County Clerk, and County Commissioner appear on the mylar, the City Engineer and Planning Director shall sign the final plat mylar and return it to the applicant to file with Deschutes County.~~

(***)

//Analysis: Section 8.2625 was created under the Boundary Line Adjustment section of the Land Division Standards article as part of the recent HB 2001 amendments. The intent was to provide instruction for the filing procedure for boundary line adjustments, following the same filing procedure for partition and subdivision final plats. Upon further examination, the final step in the process of finalizing a boundary line adjustment only requires recording the approved survey with the County Clerk (i.e., a final plat is not created). Therefore, Section 8.2625 will need to be deleted from the RDC.//

Amendment #3:

SUPPLEMENTARY PROVISIONS

(***)

8.3035 Design Review Criteria. Prior to issuance of a building permit, the following applicable criteria shall be met.

(***)

- E. **Multi-Family Complexes.** This section establishes a process for the review of multi-family complexes development proposals in order to promote functional, safe, innovative, and attractive development that is compatible with the natural and man-made environment. The intent is to promote compatible development, foster the attractiveness and functional utility of multi-family development, protect public and private investments in the area, raise the level of community expectations for the quality of its environment.
1. **Table A. Minimum Standards.** The following minimum standards apply in each of the Residential zones:

Multi-Family Complex Standards:	R-4	R-5
Minimum Setback Distance		
Front	15	15
Side	15	15
Rear	20	15
Garage	20	20
Maximum Building Height	45	45
<u>Maximum Density (Units/Net Acre)</u>	<u>14.5</u>	<u>17.4</u>

(***)

//Analysis: Section 8.0140 contains the residential specification standards table, which includes density standards for all residential uses. In the recent HB 2001 amendments, density standards were also placed in separate residential specification standards tables (e.g., Section 8.0142, Townhouse Development and Design Standards, and Section 8.0143, Cottage Cluster Development and Design Standards), but were removed from the Multi-family Complex standards found in Section 8.3035(4)(E). To maintain consistency and provide clarity, density standards are added to the Multi-Family Complex Standards table.//

III. Attachments

None



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REVIEWING STAFF: Kyle Roberts, Planning Director
TOPIC: Site and Design Review Standards

I. Purpose

The purpose of the subject proposed amendments is to correct an error through adding language back into the site and design review standards that was removed in the most recent HB 2001 code amendment, and to remove inconsistent language.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

Amendment:

ARTICLE IV – SITE AND DESIGN REVIEW STANDARDS

(***)

8.3005 Applicability of Site and Design and Review.

Site and Design Review shall be required for any new development or use containing ~~structure(s) equal to or over 3,500 square feet in size (includes multiple structures).~~ **a structure, or multiple structures, unless exempted in Section 8.3010.**

//Analysis: Unless exempted under Section 8.3010, all developments or uses are subject to the site and design review standards of Article IV of the RDC. Prior to the latest code amendment, Section 8.3005 (site and design review applicability statement) defined major and minor site and design reviews. A major site and design review was defined as any new development or use containing a structure equal to or greater than 3,500 square feet, including multiple structures in aggregate. A minor site and design review was similarly defined but with a less than 3,500 square feet threshold (and a reduced application fee). Typically, not all review criteria are applicable to a project that qualifies for a minor site and design review; however, it's essential to evaluate criteria that is applicable to ensure a site is developed in an appropriate, functional, safe, and innovative manner.

In the latest code amendment, the minor site and design review language was mistakenly removed, thus currently, site and design review is only required for projects equal to or greater than 3,500 square feet. This does not align with the purpose and intent of Article IV.

The proposed amendment has simply removed the size threshold from the applicability of site and design review. It should be noted that a reduced site and design review application fee for any project under 3,500 square feet will remain.//

8.3010 Exemptions. The following are exempt from Site Design and Review:

1. Normal maintenance and repair.
2. Hangar development entirely on and interior to airport property.
3. Single family detached dwellings and middle housing, unless located on a lot within 100 feet of the canyon ~~and/or located within a zero lot line subdivision.~~
4. Manufactured home in an approved manufactured home park.
5. Additions to an existing building of less than 25% of the total building square footage, not to exceed 1,000 square feet.
6. Any development that does not include the construction or alteration of a building which will have a negligible impact on the land as determined by the Community Development Director, or designee.
7. Overhead electrical power transmission lines and poles greater than 12.5 kv.
8. Child care facility in residential neighborhoods that utilize existing structures.

(***)

//Analysis: As stated in Section 8.3010(3), unless located on a lot within 100 feet of the canyon, middle housing (i.e., plexes, townhouses, and cottage clusters) are exempt from site and design review. However, currently said section states that a lot within a zero lot line subdivision is not exempt from site and design review. A zero lot line development is a townhouse (a form of middle housing) and therefore needs to be exempt from site and design review. Design standards for townhouses are located in Section 8.0142.//

III. Attachments

None



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DATE: Prepared for September 12, 2022, Worksession
HEARINGS BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: John Roberts, Deputy City Manager
Kyle Roberts, Planning Director
TOPIC: Annexation – Applicability of Master Plan and PUD Requirements

I. Purpose

- Provide specific regulatory criteria within the RDC for greater public understanding and buy-in.
- Remove unnecessary regulations that increase costs.
- Offer provisions that provide incentives to achieve public goals and allow for flexibility.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and in Red or Red Underline.

MASTER DEVELOPMENT PLANS & PLANNED UNIT DEVELOPMENTS

(***)

8.0270 Master Development Plans. A Master Development Plan is required as a condition of annexation, or after annexation, but prior to or concurrent with rezoning from Urban Holding-10 to other City zoning districts. The specific requirements for a Master Development Plan are:

1. **Applicability.** This section applies to properties proposed for annexation or rezoning from Urban Holding-10, except that it shall not apply if an Applicant has applied for a Planned Unit Development application prior to or concurrent with rezoning from Urban Holding-10. In that event, an applicant shall be required to comply with 8.0270.C.2, "Neighborhood Meeting", prior to submittal of the Planned Unit Development application.

(***)

//Analysis: The purpose of the modification is to reduce redundancy. It seems reiterative to require a Master Plan when an applicant is also proposing a Planned Unit Development application. The two sections contain almost identical requirements; the main differences between the two are that the Master Plan section requires a neighborhood meeting and that section also contains some requirements contrary to the streamlined approach taken with the recently enacted PUD section.//



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DATE: Prepared for September 12, 2022, Worksession
HEARING'S BODY: Redmond Urban Area Planning Commission
REVIEWING STAFF: John Roberts, Deputy City Manager
TOPIC: Allowing for RV Parks

I. Purpose

- Correct an oversight.
- Modernize uses allowed in the RDC.
- Allow flexibility in land use decisions to meet community needs.
- Bring RDC into compliance with current State statutes and regulations.

II. Proposed Amendment to RDC

Proposed text amendments are shown in ~~strike-through~~ and **in Red or Red Underline**.

Introductory Provisions

8.0020 Definitions. As used herein, the following words and phrases shall mean:

(***)

Recreational Vehicle. A vehicle with or without motive power that is designed for use as Temporary living quarters for recreational, camping, or travel use, ~~which either has its own motive power or is mounted on or drawn by another vehicle.~~ Recreational vehicles include travel trailer, truck camper, and motor home.

Recreational Vehicle Park. ~~A parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles, tents or other camping facilities, as temporary living quarters for recreation or vacation purposes.~~ A place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose temporary living quarters and the renting of space and related facilities for a charge or fee.

Recreational Vehicle Site. A plot of ground within a recreational vehicle park intended for the accommodation of a recreational vehicle, ~~tent,~~ or other camping unit on a temporary basis. The site may include individual use areas for picnic tables, fire pits, private parking, and other private uses.

(***)

COMMERCIAL USE AND INDUSTRIAL USE ZONES

(***)

8.0190 Table C, Uses Permitted. The following uses are allowed outright or conditionally in each of the Commercial and Industrial zones as follows:

"O" means Permitted Outright
 "C" means Permitted Conditionally
 "N" means Not Allowed

Commercial/Industrial:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
(***)											
Public and Semi Public Uses:	C-1	C-2	C-3	C-4	C-4A	C-5	M-1	M-1.5	M-2	DOD	Restrictions and Requirements:
Agricultural Uses	N	N	N	N	N	N	N	N	N	N	
Churches, Religious Institutions	C	C	C	C	C	C	C	C	N	C	
Convention Center	O	O	N	O	N	O	N	N	N	O	
Hospital	N	N	O	N	N	N	N	N	N	N	
Lodge, Club, non-profit / frat. Org.	C	C	C	C	C	C	C	C	N	C	
Park, Public or Private	O	O	O	O	O	O	O	O	O	O	
Parking Garage, Public or Private	O	O	O	O	O	O	O	O	O	O	
Public Transportation Station	O	O	O	O	O	O	O	O	O	O	
RV Park, Public or Private	N <u>C</u>	N	N	N <u>C</u>	N	N <u>C</u>	N <u>C</u>	C	N	N	ORS 197.490 prohibits RV parks in Comm. Or Industrial zones Refer to 8.0615(14)
Police or Fire Station: Public Safety or Emergency Services	O	O	O	O	O	O	O	C	C	C	
(***)											

//Analysis: Statute is clear that mobile home or manufactured dwelling parks should not be established on land within an urban growth boundary, which is planned or zoned for commercial or industrial use (ORS 197.490). However, RV Parks are allowed on commercial or industrial lands and Table 8.0190 reference to ORS 197.490 was inaccurate.

There are opportunities and demand for RV Parks in the community. The RDC has contemplated RV Parks through Conditional Use Permit (CUP) provisions contained in Section 8.0615(14). Moreover, prior to RDC amendments adopted December 2020, RV Parks were allowed in in four zoning districts: C-1 Outright, C-4 Conditional, C-5 Outright, and Fairgrounds Outright. The 2020 amendments removed RV Parks as an allowed use from the noted three commercial zoning districts, without conducting a Measure 56 Notice and discussion. RV Parks are currently allowed in the M-1.5 zoning district through a CUP and remain Outright permitted at the Fairgrounds.

RV Parks are not allowed in Residential or Mixed-Use zones. However, recognizing the use in previous commercial zoning districts through a CUP would allow appropriate standards to be evaluated and applied in a review to mitigate impacts. The CUP standards are identified below for reference.//

Conditional Uses

(***)

8.0615 Standards Governing Conditional Uses. A conditional use shall comply with the standards and criteria of the zone in which it is located and with the standards and criteria set forth in this section and in sections 8.0600 and 8.0605.

(***)

14. **Recreational Vehicle Park:** A recreational vehicle park shall be built to State standards in effect at the time of construction and shall comply with the following provisions:

A. Use Standards

1. ~~When in association with a mobile home park, the total number of recreational vehicle spaces with an overnight use shall not exceed 20 percent of the total maximum number of mobile home spaces allowable under these standards.~~
12. No recreational vehicle park or overnight use area shall be permitted with access further than 1,000 feet from a designated arterial or collector street or private street of equal paved width. Further, such access roads shall be designed and constructed at the maximum design standards for right-of-way and/or pavement width (60 feet/36 feet). A lesser standard of not less than 30 feet may be approved by the hearings body if no street parking is allowed, sufficient off-street parking is provided and only if the proposed park plan is accompanied by an approved maintenance and enforcement management agreement.
23. ~~The design of recreational vehicle parks and overnight use areas shall be subject to site plan review and approval and shall recognize, and have minimal adverse impacts on, the neighborhood.~~
34. Management headquarters, recreational facilities, toilets, dumping stations, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to operation of a recreational vehicle park and campground are permitted as accessory uses to the park.

//Analysis: Modifications account for alignment with statute and existing standard modernized.//

B. Design Standards.

1. The maximum density of an RV park shall be 20 units per acre.
2. The space provided for each recreational vehicle site shall be not less than 1,200 square feet, exclusive of any space used for common areas, such as roadways, general use structures, walkways, common parking areas, and landscaped areas.
3. Roadways other than those described 2- above shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 24 feet in width if parking is not permitted on the edge of the roadway, shall be paved with asphalt, concrete, or similar impervious surface, and designed to permit easy access to each recreational vehicle space. When a service drive provides only secondary access to all abutting recreational sites and those sites are all served by a roadway meeting the above standards, the secondary drive may be reduced to 14 feet if one-way and posted for no parking.

4. Entrance driveways shall be located not closer than 150 feet from the intersection of public streets.
5. A space provided for a recreational vehicle shall be covered with a dust-free crushed gravel, or paved with asphalt, concrete, or similar materials, and be designed to provide runoff of surface water. The portion of the space not occupied by a recreational vehicle and not intended as an access way to the recreational vehicle or part of an outdoor patio need not be paved or covered with gravel, provided the area is landscaped or otherwise treated to prevent dust or mud.
6. A recreational vehicle space shall be provided with piped, potable water and sewage disposal service. A recreational vehicle staying in the park shall have available water and sewage service provided by the park if the vehicle has equipment needing such service.
7. A recreational vehicle space shall be provided with electric service.
8. Trash receptacles for the disposal of solid waste material shall be provided in convenient locations for the use of guests of the park and shall be of such capacity and number so that there is no accumulation of uncovered trash at any time. Trash shall be removed from the property on a scheduled basis to prevent health hazard or nuisance.
9. No recreational vehicle or any other camping unit shall be used as a permanent residence ~~place of abode~~, dwelling, or business or for indefinite periods of time. Occupancy and/or placement extending beyond six months in any 12-period shall be presumed to be permanent occupancy. Any action toward removal of wheels of a recreational vehicle except for temporary purposes of repair is ~~hereby~~ prohibited. Camping units other than recreational vehicles shall be limited to 30-days in any 60-day period.
10. The total number of parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park shall be equal to one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel, or paved with asphalt, concrete, or similar material, providing a dust-free surface.
11. The recreational vehicle park shall provide toilets, lavatories and showers for each sex as required by the State Building Agency Administrative Rules, Chapter 918. Such facilities shall be lighted at all times of night and day, shall be ventilated, and shall be provided with adequate floor drains to permit easy cleaning.
12. Recreational vehicles or other camping units shall be separated from each other and from other structures by at least 8 ~~10~~ feet. ~~Any a~~ Accessory structures such as attached awnings, ~~carports~~, or individual storage facilities shall, for purposes of this separation requirement, be considered to be part of the recreational vehicle.
13. The recreational vehicle park shall be enclosed by a fence, wall, landscape screening, earth mounds, or by other designs ~~approved by the Community Development Director~~ which will complement the landscape and assure compatibility with surrounding properties ~~with the adjacent environment~~.
14. Each recreational vehicle park shall set aside along the perimeter of the recreational vehicle park a minimum 10' strip which shall be site obscuring landscaped and used for no other purpose. Additional area for landscaping may be required through the design review process.

III. Additional Information (Oregon Revised Statutes)

MOBILE HOME, MANUFACTURED DWELLING AND RECREATIONAL VEHICLE PARKS

197.475 Policy. The Legislative Assembly declares that it is the policy of this state to provide for mobile home or manufactured dwelling parks within all urban growth boundaries to allow persons and families a choice of residential settings. [1987 c.785 §3; 1989 c.648 §53]

197.480 Planning for parks; procedures; inventory. (1) Each city and county governing body shall provide, in accordance with urban growth management agreements, for mobile home or manufactured dwelling parks as an allowed use, by July 1, 1990, or by the next periodic review after January 1, 1988, whichever comes first:

(a) By zoning ordinance and by comprehensive plan designation on buildable lands within urban growth boundaries; and

(b) In areas planned and zoned for a residential density of six to 12 units per acre sufficient to accommodate the need established pursuant to subsections (2) and (3) of this section.

(2) A city or county shall establish a projection of need for mobile home or manufactured dwelling parks based on:

(a) Population projections;

(b) Household income levels;

(c) Housing market trends of the region; and

(d) An inventory of mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development.

(3) The inventory required by subsection (2)(d) and subsection (4) of this section shall establish the need for areas to be planned and zoned to accommodate the potential displacement of the inventoried mobile home or manufactured dwelling parks.

(4) Notwithstanding the provisions of subsection (1) of this section, a city or county within a metropolitan service district, established pursuant to ORS chapter 268, shall inventory the mobile home or manufactured dwelling parks sited in areas planned and zoned or generally used for commercial, industrial or high density residential development no later than two years from September 27, 1987.

(5)(a) A city or county may establish clear and objective criteria and standards for the placement and design of mobile home or manufactured dwelling parks.

(b) If a city or county requires a hearing before approval of a mobile home or manufactured dwelling park, application of the criteria and standards adopted pursuant to paragraph (a) of this subsection shall be the sole issue to be determined at the hearing.

(c) No criteria or standards established under paragraph (a) of this subsection shall be adopted which would preclude the development of mobile home or manufactured dwelling parks within the intent of ORS 197.286 and 197.475 to 197.490. [1987 c.785 §4; 1989 c.648 §54]

197.485 Prohibition on restrictions of manufactured dwelling. (1) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, in a mobile home or manufactured dwelling park in a zone with a residential density of eight to 12 units per acre.

(2) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age, on a buildable lot or parcel located outside urban growth boundaries or on a space in a mobile home or manufactured dwelling park, if the manufactured dwelling is being relocated due to the closure of a mobile home or manufactured dwelling park or a portion of a mobile home or manufactured dwelling park.

(3) A jurisdiction may impose reasonable safety and inspection requirements for homes that were not constructed in conformance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403). [1987 c.785 §5; 1989 c.648 §55; 2005 c.22 §143; 2005 c.826 §12; 2007 c.906 §10]

197.488 Replacement of park destroyed by natural disaster. (1) As used in this section, “natural disaster” includes any disaster resulting in the declaration of a state of emergency under ORS 401.165 or 401.309 for wildfires, floods, tsunamis, earthquakes or similar events, including disasters began by negligent or intentional acts.

(2) Notwithstanding ORS 215.130 (5) to (11) or any land use regulation, statewide land use planning goal or Land Conservation and Development Commission rule, a local government:

(a) Shall, if the development complies with the local government’s floodplain and other natural hazard land use regulations, approve an application for the development of a manufactured dwelling park:

(A) To replace a park destroyed by a natural disaster; or

(B) That is in an area rezoned under paragraph (b) of this subsection.

(b) May, by approval of the governing body, approve a zoning change for an area within an urban growth boundary near the destroyed park to permit the development of a manufactured dwelling park where the destruction of manufactured dwellings from the natural disaster has contributed to a shortage in housing.

(3) A local government may require an applicant to prove that the destroyed park was assessed as a building or structure for purposes of ad valorem taxation for the most recent property tax year ending before the disaster.

(4) In reviewing an application under this section, a local government may not require that an applicant prove that the destroyed park was lawful under the existing land use regulations at any time, including when the building, structure or use was established, at the time of interruption or destruction or at the time of the application.

(5) The approval of an application for development of a park under this section does not expire. [2021 c.260 §2]

Note: Section 5, chapter 260, Oregon Laws 2021, provides:

Sec. 5. Sections 2 [197.488] and 4 [446.198] of this 2021 Act apply to manufactured dwelling parks destroyed by natural disasters occurring on or after September 1, 2020. [2021 c.260 §5]

Note: 197.488 was added to and made a part of ORS chapter 197 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

197.490 Restriction on establishment of park. (1) Except as provided by ORS 446.105, a mobile home or manufactured dwelling park shall not be established on land, within an urban growth boundary, which is planned or zoned for commercial or industrial use.

(2) Notwithstanding the provisions of subsection (1) of this section, if no other access is available, access to a mobile home or manufactured dwelling park may be provided through a commercial or industrial zone. [1987 c.785 §6; 1989 c.648 §56]

197.492 Definitions for ORS 197.492 and 197.493. As used in this section and ORS 197.493:

(1) “Manufactured dwelling park” has the meaning given that term in ORS 446.003.

(2) “Mobile home park” and “recreational vehicle” have the meanings given those terms in ORS 446.007.

(3) “Recreational vehicle park”:

(a) Means a place where two or more recreational vehicles are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose:

(A) The renting of space and related facilities for a charge or fee; or

(B) The provision of space for free in connection with securing the patronage of a person.

(b) Does not mean:

(A) An area designated only for picnicking or overnight camping; or

(B) A manufactured dwelling park or mobile home park. [2005 c.619 §11; 2019 c.422 §30]

Note: 197.492 and 197.493 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 197 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

197.493 Placement and occupancy of recreational vehicle. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle as a residential dwelling, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a)(A) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(B) Occupied as a residential dwelling; and

(C) Lawfully connected to water and electrical supply systems and a sewage disposal system; or

(b) Is on a lot or parcel with a manufactured dwelling or single-family dwelling that is uninhabitable due to damages from a natural disasters, including wildfires, earthquakes, flooding or storms, until no later than the date:

(A) The dwelling has been repaired or replaced and an occupancy permit has been issued;

(B) The local government makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or

(C) Twenty-four months after the date the dwelling first became uninhabitable.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12; 2021 c.235 §1]

Note: See note under 197.492.

446.007 Exceptions to ORS 446.003 definitions. Notwithstanding ORS 446.003, as used in ORS chapters 195, 196, 197, 215 and 227, the following definitions apply, unless the context requires otherwise:

(1) “Accessory building or structure” means any portable, demountable or permanent structure established for use of the occupant of a manufactured structure and as further defined by rule by the Director of the Department of Consumer and Business Services as provided under ORS 446.003.

(2) “Lot” means any space, area or tract of land, or portion of a manufactured dwelling park, mobile home park or recreation park that is designated or used for occupancy by one manufactured structure.

(3) “Manufactured structure”:

(a) Means a recreational vehicle, manufactured dwelling or recreational structure.

(b) Does not include any building or structure regulated under the State of Oregon Structural Specialty Code or the Low-Rise Residential Dwelling Code.

(4) “Manufacturer” means any person engaged in manufacturing, building, rebuilding, altering, converting or assembling manufactured structures or equipment.

(5) “Manufacturing” means the building, rebuilding, altering or converting of manufactured structures that bear or are required to bear an Oregon insignia of compliance.

(6) “Mobile home park”:

(a) Means any place where four or more manufactured structures are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of facilities or to offer space free in connection with securing the trade or patronage of such person.

(b) Does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved by the municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

(7) “Recreational structure” means a campground structure with or without plumbing, heating or cooking facilities intended to be used by any particular occupant on a limited-time basis for recreational, seasonal, emergency or transitional housing purposes and may include yurts, cabins, fabric structures or similar structures as further defined, by rule, by the director.

(8) “Recreational vehicle” has the meaning given that term in ORS 174.101. [2019 c.422 §26; 2021 c.260 §8]

Note: 446.007 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 446 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

446.105 Temporary parks. (1) The Director of the Department of Consumer and Business Services may issue a permit for the establishment of a temporary mobile home or manufactured dwelling park to a construction company, timber company, government entity or farm if:

(a) There is no available space in a mobile home or manufactured dwelling park within a reasonable distance; and

(b) A mobile home or manufactured dwelling park is necessary for the proper housing of employees until the project is finished.

(2) Upon approval by the Department of Consumer and Business Services and the county or city planning commission, a permit may be issued to a person to establish a temporary mobile home or manufactured dwelling park on the person’s own premises in areas having a critical housing shortage due to large construction projects. The permit shall expire upon completion of the project. [1959 c.562 §6; 1967 c.247 §6; 1969 c.533 §21; 1973 c.560 §10; 1975 c.793 §13; 1989 c.648 §10; 1991 c.226 §4; 1993 c.744 §50; 1995 c.318 §3]

174.101 “Manufactured structure,” “recreational vehicle” defined. (1) As used in the statutes of this state, “manufactured structure” has the meaning given that term in this section only if the statute using “manufactured structure” makes specific reference to this section and indicates that the term used has the meaning given in this section. As used in the statutes of this state, “recreational vehicle” has the meaning given that term in this section only if the statute using “recreational vehicle” makes specific reference to this section or ORS 446.007 and thereby indicates that the term used has the meaning given in this section.

(2) “Manufactured structure” means a manufactured dwelling, as defined in ORS 446.003, or a recreational vehicle, as defined in this section.

(3) “Recreational vehicle” means a vehicle with or without motive power that is designed for use as temporary living quarters and as further defined by rule by the Director of Transportation. [2019 c.422 §25; 2019 c.585 §6a]