

EXHIBIT B

Added language in double underline

Deleted language in ~~striketrough~~

5-2.2.020 Residential Districts - Allowed Land Uses

Table 5-2.2.020 identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and uses are defined in Chapter 5-1.3.

Table 5-2.2.020 Land Uses Allowed in Residential Districts (RL, RG, RC)				
Uses	Status of Use in District			
Use Categories <i>(Examples of uses are in Chapter 5-1.3; definitions are in Chapter 5-6.1)</i>	Residential Limited (RL)	Residential General (RG)	Residential Commercial (RC)	[Reserve]
Manufactured Home <u>Dwelling</u> Park, per Section 52.2.100G.	CU	S	CU	

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5-2.2.100 Residential Districts - Special Use Standards

Section 5-2.2.100 provides standards for specific land uses and building types, as identified in Table 5-2.2.020 that control the scale and compatibility of those uses within Residential Districts. The standards in Section 5-2.2.100 supplement (are in addition to and do not replace) the standards in Sections 5-2.2.010 through 5-2.2.090. This Section applies to the following uses and building types:

Accessory Dwelling
Attached Single Family (Townhouses or Rowhouses) and Attached Duplexes
Bed and Breakfast Inns
Group Living (Residential Care Homes and Residential Care Facilities)
Home Occupations
Manufactured Homes
Manufactured ~~Mobile~~ Dwelling/Mobile Home Parks
Multiple Family Housing
Short-Term Vacation Rentals
Zero-Lot Line Housing (not common wall)
Temporary Medical Hardship Dwellings
Manufactured Homes and RVs as Temporary Dwellings

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~~**F. Manufactured Homes.** Manufactured homes are permitted on individual lots, subject to all of the following design standards. Manufactured dwellings relocated into the City of John Day shall conform to City standards. The following standards do not apply to units existing within the City prior to November 24, 2005, provided they were lawfully established.~~

F. Manufactured homes. Manufactured homes are permitted on individual lots in all zones that allow single-family residential dwellings, except they are not allowed in areas designated by the comprehensive plan or this code as a historic district or on residentially zoned land immediately adjacent to a designated historic landmark. All manufactured homes proposed to be sited on individual lots within the City including spaces within a manufactured dwelling subdivision must first receive approval under a Type I Land Use Review procedure. In addition to the standards of the zone, manufactured homes on individual lots must meet the following standards:

1. Floor Plan. The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet~~;~~.
2. Roof. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees)~~;~~.
3. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar ~~or superior~~ to the exterior siding and roof material ~~used on nearby residences (e.g., horizontal wood or wood appearance siding is considered "superior" to metal siding and roofing); commonly used on surrounding dwellings as determined by the Planning Official.~~
4. Garages and Carports. If the manufactured home has a garage or carport, attached or detached, the garage or carport shall be constructed of the same materials ~~like those and colors~~ used on the ~~house~~ manufactured home;
5. Thermal Envelope. The manufactured home shall be certified by the manufacturer to ~~meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the State Building Code. Evidence demonstrating that the manufactured home meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturer certification shall not be required;~~ have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the Low-Rise Residential Dwelling Code as defined in ORS 455.010.
6. Placement 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 not more than 16 inches above grade, and complies with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR Chapter 918. Where the building site has a sloped grade, no more than 16 inches of the enclosing material shall be exposed on the uphill side of the home~~;~~.
7. Flood Plain. Manufactured homes, when placed in a flood hazard area, pursuant to Chapter 5-2.9, shall comply with the following supplemental standards.
 1. The stand shall be a minimum of 12 in. above Base Flood Elevation (BFE) unless the foundation wall is opened on one side or end so that floodwater cannot be trapped. [*Manufactured Dwelling Specialty Code, 4-3.1(5)*]
 2. The bottom of the longitudinal chassis frame beam in A zones, and the bottom of the lowest horizontal structural member supporting the dwelling in V zones shall

be a minimum of 12 inches above BFE. [See definition of Lowest Floor in Manufactured Dwelling Specialty Code]

3. The manufactured ~~dwelling~~ home shall be anchored to prevent flotation, collapse, or lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for anchoring techniques). [44 CFR 60.3(c)(6)]
4. Electrical crossover connections shall be a minimum of 12 inches above BFE. [Manufactured Dwelling Specialty Code 6-4.2(1)]
8. Foundation Skirt. The foundation area of the manufactured home shall be fully skirted with concrete, horizontal wood or vinyl siding, or other materials, pursuant to applicable building codes.

~~9. Prohibited. The manufactured home shall not be located in a designated historic district.~~

~~**G. Manufactured/Mobile Home Parks.** Manufactured/mobile home parks (not including recreational vehicles) are permitted on parcels of one (1) acre or larger, subject to compliance with subsections 1-5, below:~~

G. Manufactured Dwelling/Mobile Home Parks. Manufactured dwelling/mobile home parks must be located on parcels of one (1) acre or larger. New manufactured dwelling parks are subject to Design Review under a Type II procedure and, in inapplicable zones, Conditional Use approval under a Type III procedure. Alterations of existing manufactured dwelling parks/mobile home parks are subject to a Type II design review for that portion of the manufactured dwelling park proposed to be altered, which must meet current standards for manufactured dwelling parks to the extent practical. Manufactured dwellings and recreational vehicles/trailers proposed to be sited within a manufactured dwelling park or mobile home park, and any expansion or significant alteration thereof, must first be approved under a Type I review. In addition to all other applicable criteria, manufactured/mobile home parks and manufactured dwellings within a manufactured dwelling/mobile home park are subject to the following:

1. Permitted uses: Single family residences, manufactured ~~home~~ dwelling park manager's office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured dwelling park (e.g., landscape maintenance).

~~2. Space. The minimum size pad or space for each dwelling is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long, in accordance with ORS 446.010(e).~~

2. Development and Operation Standards: The owner or operator of a mobile home or manufactured dwelling park shall:

- a. Comply with all applicable State of Oregon standards for manufactured dwelling/mobile home parks including, without limitation, those set forth in ORS 446.095 to 446.115, and implementing State administrative rules.
- b. Streets within manufactured dwelling parks must be paved, provide direct access to each unit, and include storm drainage facilities that contain all stormwaters on site. Streets must be at least 20 feet in width, unobstructed and allow for public access. On street parking is only permitted on streets with at least 30 feet in width. The first 50 feet of a park's access way measured from the public street approach shall be surfaced to a minimum width of 30 feet, with no parking, and shall be connected to the existing public street according to plans approved by the City or

- the Oregon Department of Transportation, as applicable. The developer must obtain a street opening or highway approach permit from the City of John Day or the Oregon Department of Transportation as applicable prior to developing or altering any street or highway approach.
- c. Provide to each tenant water and electric power and sewage facilities, subject to review and approval by the City of John and other applicable service providers. All plumbing shall be installed in compliance with ORS 447.010 (Definitions for ORS 447.010 to 447.156 and 447.992) to 447.156 (Sale of uncertified plumbing products prohibited) and 447.992 (Civil penalties) and the rules of the Department of Consumer and Business Services adopted thereunder.
 - d. Provide a separate general play area restricted to that use, no less than 2,500 square feet in area or 100 square feet for each manufactured dwelling within the manufactured dwelling park, whichever is greater.
 - e. Construct and maintain lighting at levels appropriate for pedestrian safety throughout the park. Lighting shall be directed downward only and shielded to prevent direct light and glare into dwellings or light trespass onto adjacent properties or rights-of-way.
 - f. Construct and maintain all driveways, walkways, drainage, lighting, landscaping, play areas, and other facilities and improvements in accordance with the Oregon Administrative Rules for Manufacture Home Parks and all applicable City of John Day codes and standards.
3. Setbacks and Building Separation. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
 4. Perimeter landscaping. When manufactured dwellings are oriented with their ~~back~~-rear or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 10-foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.
 5. Dwelling design ~~(for parks smaller than 3 acres).~~ Manufactured ~~dwellings~~-homes in parks smaller than 3 acres shall meet the following design standards, consistent with ORS 197.314(6):
 - a. ~~1-~~The manufactured ~~dwelling-home~~ shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees); and
 - b. ~~2-~~The manufactured ~~dwelling-home~~ shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing);
 - ~~3. Exception: Subsections a-b, above, do not apply to manufactured dwellings existing within the City prior to November 24, 2005.~~
 6. Improvement Standards. The improvement of driveways, walkways, streets, drainage facilities, and other utilities must conform to adopted State standards or applicable City standards, whichever is more restrictive.

7. ~~6.~~ Flood Plain. Manufactured ~~homes~~ dwellings, when placed in a flood hazard area, pursuant to Chapter 5-2.9, shall comply with the following supplemental standards.
- a. ~~1.~~ The stand shall be a minimum of 12 in. above Base Flood Elevation (BFE) unless the foundation wall is opened on one side or end so that floodwater cannot be trapped. [*Manufactured Dwelling Specialty Code, 4-3.1(5)*]
 - b. ~~2.~~ The bottom of the longitudinal chassis frame beam in A zones, and the bottom of the lowest horizontal structural member supporting the dwelling in V zones shall be a minimum of 12 inches above BFE. [*See definition of Lowest Floor in Manufactured Dwelling Specialty Code*]
 - c. ~~3.~~ The manufactured dwelling shall be anchored to prevent flotation, collapse, or lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for anchoring techniques). [*44 CFR 60.3(c)(6)*]
 - d. ~~4.~~ Electrical crossover connections shall be a minimum of 12 inches above BFE. [*Manufactured Dwelling Specialty Code 6-4.2(1)*]
8. Prohibited. Short-term rentals (less than 30 days) unless specific spaces within the park are separately approved as a recreational vehicle park. Owners of recreational vehicles parks are subject to applicable transient room or lodging taxes.

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5-4.1.010 Purpose And Applicability Of Review Procedures

Applicability of Review Procedures. All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in this chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or approval. There are four types of permit/approval procedures as described in subsections 1-4 below. Table 5-4.1.010 lists the City's land use and development approvals and their required review procedure(s).

Notwithstanding anything herein to the contrary, the City Planning Official may determine the applicable review procedures for any land use and development approvals not expressly included in Table 5-4.1.010.

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Table 5-4.1.010 Summary of Approvals by Type of Review Procedure		
Approvals*	Review Procedures	Applicable Regulations [^]
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<u>Manufactured Dwelling Placement Permit</u>	<u>Type I</u>	<u>Chapter 5-2.2; See also Section 5-2.2.100</u>

* The applicant may be required to obtain building permits and other approvals (e.g., Signs, Public Improvement Plans, Plumbing, Electrical, Structural, Floodplain Development, etc.) through the Building Official, and/or approvals from other agencies, such as a road authority or natural resource regulatory

agency. The City’s failure to notify the applicant of any requirement or procedure of another agency shall not invalidate a permit or action taken by the City under this Code.

[^ The information listed in this column is provided as a convenience and is not intended to be a comprehensive list of all applicable approval criteria.](#)

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5-6.1.030 Definitions

The following definitions are organized alphabetically and some related terms are also grouped together and cross-referenced under group headings (e.g., Transportation-Related, Environment-Related, etc.).

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Mobile home. [See Residential Structure Types.](#)

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Residential Structure Types

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Manufactured Dwelling. [A residential trailer, mobile home or manufactured home. “Manufactured dwelling” does not include any building or structure constructed to conform to the State of Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630 or the Small Home Specialty Code adopted under section 2, chapter 401, Oregon Laws 2019.](#)

Manufactured Home. Manufactured home is a dwelling constructed off-site in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after July 15, 1976, then assembled or placed on-site in accordance with the requirements of this Code. The term “manufactured home” does not include a “recreational vehicle.”

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~~**Manufactured Home/Dwelling.** [See Residential Structure Types.](#)~~