



450 E. Main Street
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Code Interpretation CI-22-01 (Type II)

STAFF REPORT

Date Submitted: July 1, 2022
Agenda Date Requested: July 21, 2022
Applicant: Iron Triangle LLC
To: John Day Planning Commission
From: Nicholas Green, Chief Planner
Subject: Code Interpretation (Type II Administrative)
Location: All

QUESTION

Iron Triangle LLC has requested a Code Interpretation to request the Planning Commission's interpretation of Code Section 5-2.2.100.E.1 - Manufactured Homes - Floor Plan, which states: "The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet."

The applicant is requesting an interpretation of the term "multi-sectional," which is not defined in Code Section 5-6.1.030 - Definitions, and whether a modified manufactured home that has additions would be considered multi-sectional for purposes of allowing it to be relocated within an approved land use district.

REVIEW PROCESS

The Planning Official referred the request to the Planning Commission for its interpretation, per section 5-4.8.020 of the Code. The Planning Commission's review must focus on the relevant code criteria and follow public hearing procedures for Type II (Administrative) review under Section 5-4.1.030.

BURDEN OF PROOF

The applicant has the burden of demonstrating that the proposal meets all applicable Code requirements. The applicant is also responsible for complying with building code requirements and applicable state or federal requirements. It is the Planning Commission's responsibility to interpret the Code based on findings of fact.

CRITERIA

When interpreting the code, the staff first considers the text. If the text is unclear or may have more than one meaning, the staff reviews the text in context with other relevant code provisions. If the



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code is still unclear, the staff reviews the legislative history from when the City adopted or amended the code. If the meaning remains unclear, the staff refers to statutory construction.

The applicable code criteria are provided below in *italics* typeface; staff's findings follow each code provision in regular typeface. The findings, which are based on information submitted by the applicant, are preliminary.

5-2.2.100 Residential Districts - Special Use Standards – Manufactured Homes.

E. 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.

1. *Floor Plan.* The manufactured home shall be **multi-sectional** and have an enclosed floor area of not less than 1,000 square feet;

Finding: The code does not define multi-sectional. Industry definitions typically refer to multi-section as homes having larger, more varying dimensions than a single-section home and are delivered in two or three sections that are joined together at the home site. Staff reviewed the 2010 Oregon Manufactured Dwelling Installation Specialty Code and found two references to multi-section but no definition:

Chapter 3. Pre-Installation – Foundations -Piers.

3-1.6 Basic Requirement. The foundation shall assure the manufactured dwelling has adequate support, a level floor, flush roof, flush floor, and flush wall connections at the marriage lines of **multi-section** manufactured dwellings.

Chapter 5. Installation Procedures.

5-1.2 Preparation. Prior to joining the sections of a **multi-section** manufactured dwelling:

(1) Remove all shipping and close-up materials from the marriage line floor, wall, and roof areas between the sections so there are no exposed or protruding fasteners, material scraps, or other protrusions on either side of the marriage line...

<https://www.oregon.gov/bcd/codes-stand/documents/md-2010omdisc-codebook.pdf>

CONCLUSION AND STAFF RECOMMENDATION

Based on the above analysis and findings, staff recommends the Commission make its own determination as it relates to the definition of manufactured homes modified post-placement with



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the addition of accessory structures, and whether to allow such structures to be relocated within city limits.

PLANNING COMMISSION DECISION

After hearing the applicant's presentation and any public testimony, the Planning Commission must allow the applicant an opportunity to rebut any opposing testimony. Then the Commission will close the hearing and deliberate.

The staff report may be amended during the course of the hearing.

Respectfully submitted this 14th day of July 2022,

Nicholas Green, Chief Planner
City of John Day

Enclosure
- Exhibit A. Affidavit of Publication