ORDINANCE NO. 103

CITY OF MITCHELL

MOBILE HOME PARK ORDINANCE

SECTION 1. GENERAL PROVISIONS

1.1 Title. These regulations shall hereafter be known, cited and referred to as the Mobile Home Park Regulations of the City of Mitchell.

1.2 Purposes. The purpose of this ordinance is to provide for the public health, safety and general welfare of the people of the City be establishing uniform procedures and standards for Mobile Home Parks within the City. These regulations are necessary to:

(1) guide the future development of the City in accordance with the Comprehensive Plan;

(2) insure that facilities, including but not limited to sanitation systems, water supply systems, streets and fire protection, are adequate to serve a Mobile Home Park; and

(3) protect and conserve land throughout the City by providing for its most beneficial use and enhancement of the quality of the environment.

1.3 Jurisdiction.

(1) These regulations shall apply to all Mobile Home Parks located within the corporate limits of the municipality.

(2) The City shall review and comment on plans for Mobile Home Parks to be developed beyond the corporate limits of the City and within the urban growth boundary.

1.4 Severability. Where any word, phrase, clause, sentence, paragraph or section, or other part of these regulations is held invalid by court of competent jurisdiction, this judgement shall affect only that part held invalid, and shall not impair the validity of the remainder of these regulations.

1.5 Amendments. An amendment to this ordinance may be initiated by the City Council, an affected governmental unit, or by application of a property owner or resident in the City.

1.6 Violation and Penalties.

In addition to penalties provided by state law, any person violating or failing to comply with a provision of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than $500.00. In addition, the City shall not give zoning approval of any application of a building permit to be issued by the State of Oregon as to any piece of property owned by a person in violation of the provisions of this Ordinance.

1.7 Schedule of Fees.

(1) Any application or submission required by this Ordinance shall be accompanied by a filing fee based on the fee schedule adopted by the City Council.

(2) No application required by this Ordinance shall be accepted unless accompanied by all applicable fees.

1.8 Definitions. The words and phrases used in this Ordiance shall have the meanings given in the City Zoning and Subdivision Ordinances.

SECTION 2. PROCEDURE FOR MOBILE HOME PARK PLAN APPROVAL

2.1 Discussion of Requirements. Before preparing the sketch plan as required in Section 2.2 below, the applicant shall discuss with the City Engineer the procedure for approval of a Mobile Home Park plan and the improvement requirements provided for in this Ordinance.

2.2 Sketch Plan. Prior to development of a Mobile Home Park the owner of land or his representative shall file an application for approval of a sketch plan.

(1) The application shall:

(a) be made on forms available from the City;

(b) include all land which the applicant proposes to develop, and if the mobile home park pertains to only a part of the tract owned or controlled by the developer, then the applicant shall also include a sketch of a tentative layout for streets in the remaining portion. It shall also be accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired together with the book and page of each conveyance to the present owner as recorded in the County Clerk's office. The affidavit shall list the legal owner of the property, the contract owner of the property, the date contract of sales were executed and, if any corporations are involved, a complete list of all directors, officers and stockholders of each corporation owning more than 5% of any class of stock;

(c) be accompanied by a minimum of five (5) copies of the sketch plan and submitted to the City Recorder at least fifteen days prior to a regular City Council meeting;

(d) be accompanied by the appropriate fee, based on the fee schedule adopted by the City Council; and

(e) the application shall include an address and telephone number of an agent located within Wheeler County who shall be authorized to receive all notices required by this Ordinance.

(2) Review by City Engineer. The City Recorder shall refer the application to the City Engineer, who shall determine if conditions for approval of the sketch plan are required.

(3) Review by City Council. At its next regular meeting the City Council shall review the application.

(4) Action on Application. The City Council shall approve, conditionally approve, or deny the application and state the reasons therefore within fourteen (14) days after its review is completed. Approval authorizes the applicant to submit a final plan.

(5) Notice to Governmental Units. All affected governmental units shall be notified of the approval of the sketch plan and shall be given a reasonable period of time to review the sketch plan and to suggest revisions in the public interest prior to the public hearing on the final plan.

(6) Effective Period of Approval.

(a) The approval of a sketch plan for a mobile home park shall be effective for one year.

(b) Any plan not receiving final approval within one year shall be null and void, and the developer must submit a new sketch plan for approval, subject to all current land regulations.

2.3 Final Mobile Home Park Plan

(1) Application procedure and requirements. Within one year of the approval of the sketch plan, the applicant, in order to receive final approval of the mobile home park, shall file an application which shall:

(a) be made on forms supplied by the City, together with the appropriate fee, based on the fee schedule adopted by the City Council;

(b) be accompanied by a minimum of ten copies of the final mobile home park plan;

(c) comply in all respects with the sketch plan, as approved; and

(d) be presented to the City Recorder at least fifteen (15) days prior to the next regular meeting of the City Council.

(2) Review by City Engineer. Upon receipt of the application for final plan approval, the City Recorder shall furnish one copy of the application to the City Engineer. The City Engineer shall review the final plan and prepare his report to present to the City Council.

(3) City Council review. The City Council shall hold a public hearing to review the final plan and the City Engineer's report.

(4) Notice.

(a) Procedure. The City Recorder shall give notice of the public hearing in the following manner.

1. NEWSPAPER: Notice shall be published in at least two issues of a newspaper of general circulation within the city, the first at least ten (10) days in advance of the public hearing, and the second at least one (1) day in advance of the public hearing.

2. MAIL. At least ten (10) days prior to the public hearing, notice of the hearing shall be sent by first class mail to:

   a. The applicant and all record owners and contract purchasers of real property within 250 feet of the property which is the subject of the proposed action, and

   b. All affected governmental units which have an interest in the proposed Mobile Home Park.

3. POSTING. At least ten (10) days prior to the public hearing, a notice of such public hearing shall be posted on the closest public streets in visible locations surrounding the proposed Mobile Home Park.

(b) Content. The public notices shall contain the following:

1. Date, time and place of public hearing;

2. General description of the action proposed on the application;

3. Address, including lot and block number, if any, of the property; and

4. Notice by mail and posting shall also include a 8½" x 11" diagram of the property, to be provided by the applicant, indicating its location relative to adjacent property owners within 250 feet and at least two clearly marked public streets.

(5) Public Hearing.

(a) The City Council shall hold a public hearing on the final plan within 45 days following submission of the final plan.

(b) The public hearing shall be conducted in accordance with the requirements governing the conduct of quasi-judicial hearings on land use matters pursuant to ORS 215.412 and 227.170.

(c) If necessary, the City Council may resolve to continue the public hearing giving the date, time, and place the hearing will be continued.

(6) Action on Final Plan.

(a) Within fifteen (15) days following the close of the public hearing the City Council shall give written notice to the applicant of approval, disapproval or conditional approval of the final plan. Approval shall be indicated by the signature of the Mayor on the plan.

(b) One copy of the final plan shall be returned to the developer with the date of approval, conditional approval or disapproval and the findings and conclusions upon which the City Council's decision was based accompanying the plan.

SECTION 3. REQUIREMENTS FOR IMPROVEMENTS, PRESERVATION, AND DESIGN

3.1 State Requirements. All improvements included in ORS Chapter 446 and OAR Chapter 814.28 are hereby incorporated by reference into this Ordinance and shall be required.

3.2 Character of the Land. Land which is subject to flooding, poor drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health, and general welfare of the future inhabitants of the mobile home park shall not be developed. Existing features which would add value to the development or to the City as a whole, such as trees, watercourse, historic and archaeological sites, and similar irreplaceable assets, shall be preserved in the design.

3.3 General. Applicable standards of the City Subdivision Ordinance shall be followed by the developer.

3.4 Phasing. If the mobile home park is to be built in phases, each phase shall be built in accordance with these regulations and the improvements required as each phase is constructed shall be determined based upon the total number of mobile home spaces which will exist after completion of all phases.

3.5 Required Improvements. The following improvements shall be required subject to applicable standards as approved by the City Council upon recommendation of the City Engineer:

(1) Interior streets,

(2) Water lines and fire hydrants,

(3) Sewer lines,

(4) Underground utilities,

(5) Provision for adequate drainage, and

(6) Six (6) foot sight obscuring perimeter fence or landscaping.

3.6 Optional Improvements. The following improvements may be required subject to applicable standards as approved by the City Council upon recommendation of the City Engineer:

(1) Curbs or sidewalks or both,

(2) Street lights,

(3) Guest or Recreational Vehicle parking or both,

(4) Fenced play area or park or both,

(5) Recreational facilities,

(6) Groundcover or trees or both,

(7) Laundry facilities, and

(8) Other suitable improvements as determined by the City Council.

3.7 Connection with Public Water and Sewage Systems. Mobile Home Park water and sewer lines shall be connected to City water and sewer systems. The developer may be required to pay for or perform the work or both to extend or increase the capacity of lines or both of City water or sewer lines or both to the site.

3.8 Deferral or Waiver of Required Improvements. The City Council giving their reasons therefore, may defer or waive the provision of one or more improvements a in its judgement, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate.

SECTION 4. SITING AND INSTALLATION OF MOBILE HOMES IN MOBILE HOME PARKS

4.1 Mobile Home Spaces. Each space for a mobile home shall contain not less than 1,600 square feet exclusive of space provided for the common use of tenants, such as roadways, general use structures, guest parking, walkways and areas for recreation and landscaping purposes.

4.2 Setback Requirements. No mobile home in the park shall be located closer than 15 feet from another mobile home or from a general use building in the park. No mobile home accessory building or other building or structure on a mobile home space shall be closer than 10 feet from a mobile home accessory building or other building or structure on another mobile home space. No mobile home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another boundary.

4.3 Installation Requirements. The mobile home shall be installed in accordance with the rules established by the Oregon Department of Commerce, or in accordance with the instructions of the manufacturer which have been approved by the Department of Commerce. Such requirements must be met within seven (7) days after the mobile home has been placed on the space.

The City Council declares an emergency and this ordinance will take effect upon the date of adoption.

APPROVED AND ADOPTED by the Mitchell City Council on this 30 day of June, 1980.

Ray [illegible]
Mayor

ATTEST:

George M. Schnee
City Recorder

CITY OF MITCHELL, OREGON

APPLICATION TO AMEND MOBILE HOME PARK ORDINANCE

APPLICANT

Name _____

Address _____

Phone No. _____

TYPE OF APPLICANT (Check one)

Landowner (agent*) within Urban Growth Boundary _____

Resident (renter) within Urban Growth Boundary _____

Governmental Unit: City of Mitchell ___, County _____,

Special District _____, State Agency _____, Federal Agency _____

*Note: If agent, attach written authorization to represent landowner.

TYPE OF AMENDMENT

Applicant shall prepare and attach a copy of proposed text amendment to this application. Section(s) to be amended _____.

JUSTIFICATION FOR AMENDMENT

Applicant shall prepare and attach a presentation of facts and reasons which establish need, appropriateness and purpose of the proposed amendment.

FEE

Refer to Fee Schedule adopted by City Council. $ _____

I, _____, (Circle one: Landowner, agent, resident, representative of government unit) swear that the details and information contained in the above application and attachments thereto are true and correct to the best of my knowledge.

_____ _____

Signature of Applicant Date

I, _____, City Recorder of Mitchell, Oregon, attest that the foregoing application and attachments thereto were received by me on the _____ day of _____, 19 _____, from _____ accompanied by a fee of $_____.

_____

City Recorder

2/80

SCHEDULE AND CHECKLIST

APPLICATION TO AMEND CITY OF MITCHELL MOBILE HOME PARK ORDINANCE

	Date
1. Application submitted by applicant	_____
2. City Council hearing date set	_____
3. Public notice of City Council hearing	
a) Mailed to affected governmental units	_____
b) Published in local newspaper or posted	_____
4. City Council hearing held	_____
5. City Council decision (within 10 days of hearing)	_____
6. Notice to applicant of decision	_____
7. Effective date, if amendment adopted by City Council	_____
8. County notified if amendment approved	_____

CITY RECORDS

APPLICATION TO AMEND CITY OF MITCHELL MOBILE HOME PARK ORDINANCE

1. Application and attachments thereto
2. Schedule and checklist
3. Copies of public notices
4. Analysis of applicable plan goals and policies. Note: All amendments to the Mobile Home Park Ordinance must be consistent with the adopted Comprehensive Plan.
5. City Council hearing record, findings of fact, conclusions, decision
6. Copy of notice to applicant of decision
7. Copy of notice to County if amendment is approved

CITY OF MITCHELL, OREGON

MOBILE HOME PARK SKETCH PLAN APPLICATION

OWNER:

Name _____

Address _____

Phone No. _____

APPLICANT* (if different from above)

Name _____

Address _____

Phone No. _____

*Note: Attach written authorization to represent landowner.

BACKGROUND INFORMATION

Zoning classification of property is _____

Is a Mobile Home Park allowed as a conditional use in this zone?

(yes/no)_____

If no, the applicant may apply for a Zoning Ordinance amendment (text or map). Note: All amendments to the Zoning Ordinance must be consistent with the Comprehensive Plan.

Has a conditional use permit been approved by the City for the proposed Mobile Home Park? (yes/no)_____

If no, the applicant may apply for a conditional use permit. Note: No Mobile Home Park Sketch Plan Application will be approved by the City until a conditional use permit is approved.

Has the applicant met with the City Engineer to discuss the City's Mobile Home Park design requirements? (yes/no)_____

If no, this should be done before application is submitted to the City.

Has the applicant contacted the Oregon Department of Commerce to discuss State Mobile Home Park design requirements? (yes/no)_____

If no, this should be done before application is submitted to the City.

ATTACHMENTS

The applicant shall prepare and attach the following to this application:

1. A map showing all land which the applicant proposes to develop, and if the mobile home park pertains to only a part of the tract owned or controlled by the developer, then the applicant shall also include a sketch of a tentative layout for streets in the remaining portion.

2. An affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the County Clerk's office. The affidavit shall list the legal owner of the property and as applicable the contract owner of the property, the date contract of sale was executed and, if any corporations are involved, a complete list of all directors, officers and stockholders of each corporation owning more than 5% of any class of stock.

3. Five (5) copies of the sketch plan showing:

   a) Natural Features (see Ordinance section 3.2)

   b) Required Improvements (see Ordinance sections 3.1 and 3.5)

   c) Other Improvements (planned by the developer)

   d) Mobile Home Spaces and Stands (see Ordinance sections 4.1 and 4.2)

4. If necessary, a request for a waiver of one or more required improvements including justification for the request. (see Ordinance section 3.8)

5. A plan showing how the Mobile Home Park water and sewer lines could be connected to City water and sewer systems. (see Ordinance section 3.7)

FEE AND DEPOSIT

Refer to fee schedule adopted by City Council.

Fee $_____

Deposit _____ (to pay for engineer/legal fees)

Total $_____

I, _____, (Circle one: Landowner, agent) swear that the details and information contained in the above application and attachments thereto are true and correct to the best of my knowledge.

_____ _____
Signature of Applicant Date

I, _____, City Recorder of Mitchell, Oregon, attest that the foregoing application and attachments thereto were received by me on the _____ day of _____, 19 ____, from _____ _____ accompanied by a fee and deposit of $_____.

_____
City Recorder

SCHEDULE AND CHECKLIST

CITY OF MITCHELL MOBILE HOME PARK SKETCH PLAN APPLICATION

Date

1. Application submitted by applicant _____

   Note: Do not accept application unless a conditional use for a Mobile Home Park has already been approved by the city or applications for a conditional use and a Mobile Home Park sketch plan are submitted at the same time. If a Mobile Home Park is not a conditional use in the zone in which the property is located do not accept a Mobile Home Park sketch plan application, a zone change is required first.

2. Application referred to City Engineer for review _____

   Note: Engineer's fee to be paid for out of applicant's deposit.

3. Oregon Department of Commerce notified that the City has received an application for a Mobile Home Park. _____

4. Review of sketch plan by City Council _____

   Note: At least fifteen (15) days after application submitted to allow for review by City Engineer.

5. Decision made by City Council (within fourteen days after review completed) _____

6. Applicant notified of City Council's decision _____

7. Affected governmental units (especially Department of Commerce) notified of City Council's decision _____

CITY RECORDS

CITY OF MITCHELL MOBILE HOME PARK SKETCH PLAN APPLICATION

1. Application and attachments thereto
2. Schedule and checklist
3. City Engineer's report
4. City Council meeting record, findings of fact, conclusions, decision
5. Copy of notice to applicant of decision
6. Copy of notice to affected governmental units

CITY OF MITCHELL, OREGON

MOBILE HOME PARK FINAL PLAN APPLICATION

OWNER:

Name _____

Address _____

Phone No. _____

APPLICANT* (if different from above)

Name _____

Address _____

Phone No. _____

*Note: Attach written authorization to represent landowner.

BACKGROUND INFORMATION

Zoning classification of property is _____.

Conditional Use Permit approved on _____.

Mobile Home Park Sketch plan approved on _____.

Note: Final plan application must be submitted within one year of sketch plan approval.

ATTACHMENTS

The applicant shall prepare and attach the following to this application:

1. Ten (10) copies of the final plan showing:

   a) Natural Features (see Ordinance section 3.2)

   b) Required Improvements (see Ordinance section 3.1 and 3.5) including conditions specified at the time of sketch plan approval.

   c) Other Improvements (planned by the developer)

   d) Mobile Home Spaces and Stands (see Ordinance sections 4.1 and 4.2)

2. If necessary, a request for waiver of one or more required improvements including justification for the request (see Ordinance section 3.8)

3. A plan showing how the Mobile Home Park water and sewer lines will be connected to City water and sewer systems subject to approval by City Council. (see Ordinance section 3.7)

4. 8 1/2" x 11" location map of Mobile Home Park and adjacent property and at least two clearly marked public streets.

FEE AND DEPOSIT

Refer to fee schedule adopted by City Council.

Fee $_____

Deposit _____ (to pay for engineer/legal fees)

Total $_____

I, _____, (Circle one: Landowner, agent) swear that the details and information contained in the above application and attachments thereto are true and correct to the best of my knowledge.

_____ _____
Signature of Applicant Date

I, _____, City Recorder of Mitchell, Oregon, attest that the foregoing application and attachments thereto were received by me on the _____ day of _____, 19, _____, from _____ _____ accompanied by a fee and deposit of $_____.

_____
City Recorder

SCHEDULE AND CHECKLIST

CITY OF MITCHELL MOBILE HOME PARK FINAL PLAN APPLICATION

Date

1. Application submitted by applicant _____

2. Application referred to City Engineer for review _____

   Note: Engineer's fee to be paid for out of applicant's deposit.

3. City Council hearing date set _____

4. Public notice of City Council hearing

   a) Mailed to property owners _____

   b) Mailed to affected governmental units _____

   c) Published in local newspaper (two times) _____

   d) Posted _____

5. City Council hearing held _____

   Note: At least fifteen (15) days after application submitted to allow for review by City Engineer

6. City Council decision (within fifteen (15) days after hearing) _____

7. Applicant notified of City Council's decision _____

8. Affected governmental units (especially Department of Commerce) notified of City Council's decision _____

CITY RECORDS

CITY OF MITCHELL MOBILE HOME PARK FINAL PLAN APPLICATION

1. Application and attachments thereto
2. Schedule and checklist
3. City Engineer's report
4. Copies of public notices
5. City Council hearing record, findings of fact, conclusions, decision
6. Copy of notice to applicant of decision
7. Copy of notice to affected governmental units