

ORDINANCE NO. 99-1027

AN ORDINANCE AMENDING TITLE 17: ZONING, CHAPTER 17.04 DEFINITIONS, OF THE OREGON CITY MUNICIPAL CODE OF 1991, BY CREATING A NEW SECTION 17.04.235; AND AMENDING TITLE 17: ZONING, CHAPTER 17.16: RD-4 TWO FAMILY DWELLING DISTRICT, SECTION 17.16.020 PERMITTED USES. AND CREATING A NEW SECTION 17.16.060

OREGON CITY MAKES THE FOLLOWING FINDINGS:

WHEREAS, the current Municipal Code does not allow single-family attached dwellings; and

WHEREAS, the City recognizes a need for flexible standards to build single-family attached dwellings available for individual ownership; and

WHEREAS, the proposed Code amendments are supported by the Comprehensive Plan Goals and Policies.

Now, therefore,

OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That Title 17: ZONING, Chapter 17.04: DEFINITIONS, of the Oregon City Municipal Code of 1991, is hereby amended by creating Section 17.04.235 to read as follows:

17.04.235 Single-Family Attached Dwellings. Single-family attached dwellings mean two attached single-family dwelling units that share a common wall but are located on separated lots of a common property line with no setbacks from the common lot line.

Section 2. That Title 17: ZONING, Chapter 17.16: RD-4 TWO-FAMILY DWELLING DISTRICT, Section 17.16.020: PERMITTED USES, is hereby amended to read as follows:

17.16.020 Permitted uses. Uses permitted in the RD-4 district are:

- A. Two-family dwellings (duplexes);
- B. Single-family dwellings;
- C. Single-family attached dwellings;
- D. Publicly owned parks, playgrounds, play fields and community or neighborhood centers;
- E. Home occupations;
- F. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);
- G. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- H. Accessory uses and buildings;
- I. Family day care provider, subject to the provisions of Section 17.54.050;
- J. Manufactured dwelling parks, if designated MR/MDP, and subject to the provisions of Chapter 17.66;
- K. Site-built manufactured homes.

Section 3. That Title 17: ZONING, Chapter 17.16: RD-4 TWO-FAMILY DWELLING DISTRICT, Section 17.16.040, is hereby amended to read as follows:

17.16.040 Dimensional standards. Dimensional standards in the RD-4 district are:

- A. Minimum lot area:

1. Two-family dwellings, eight thousand square feet;
 2. Single-family dwellings, six thousand square feet;
 3. Single-family attached dwellings, four thousand square feet;
 4. Non-residential uses, six thousand square feet.
- B. Minimum average lot width, sixty feet, except for single-family attached units, in which case the minimum lot width per lot is 40 feet;
- C. Minimum average lot depth, one hundred feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
1. Front yard, fifteen feet minimum depth;
 2. Interior side yard, nine feet width for at least one side yard; seven feet minimum width for the other side, with the minimum nine foot side yard applying to single-family attached dwellings on the side that does not abut the common property line;
 3. Corner side yard, twenty foot minimum width;
 4. Rear yard, fifteen foot minimum depth;
 5. Solar balance point, setback and height standards may be modified subject to the provisions of 17.54.070.

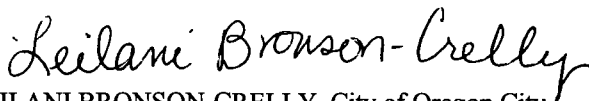
Section 4. That Title 17: ZONING, Chapter 17.16: RD-4 TWO-FAMILY DWELLING DISTRICT, is hereby amended by creating a new Section 17.16.060: SINGLE-FAMILY ATTACHED DWELLING, to read as follows:

17.16.060 Single-family attached dwelling. The following standards apply to single-family dwellings, in addition to the standards in 17.16.040.

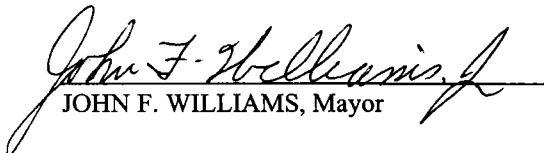
A. Maintenance easement. Prior to building permit approval, the applicant shall submit a recorded mutual easement that runs along the common property line. This easement shall be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than 5 feet in width.

B. Conversion of existing duplexes. Any conversion of an existing duplex unit into two single-family attached dwellings shall be reviewed for compliance with the requirements in Section 17.16.040(A)(3), 17.16.040(B), 17.16.040(E)(2), and the State of Oregon One and Two Family Dwelling Specialty Code prior to final recordation of the land division replat.

Read for the first time at a regular meeting of the City Commission held this 17th day of November, 1999 and the foregoing ordinance was finally enacted by the City Commission this 17th day of November, 1999.


LEILANI BRONSON-CRELLY, City of Oregon City

ATTESTED to this 17th day of November, 1999


JOHN F. WILLIAMS, Mayor

ORDINANCE NO. 99-1027

Effective date: December 17, 1999

NOTICE

NOTICE IS HEREBY GIVEN that proposed ORDINANCE NO. 99-1027, of the City of Oregon City, Clackamas County, Oregon, three copies of which are available for public inspection at the office of the City Recorder, 320 Warner Milne Road, Oregon City, Oregon.

Said Ordinance will be considered by the City Commission at its meeting on the 17th day of November 1999, at the hour of 7:00 o'clock p.m. The title of said Ordinance is as follows:

AN ORDINANCE AMENDING TITLE 17: ZONING, CHAPTER 17.04 DEFINITIONS, OF THE OREGON CITY MUNICIPAL CODE OF, 1991, BY CREATING A NEW SECTION 17.04.235; AND AMENDING TITLE 17: ZONING, CHAPTER 17.16: RD-4 TWO-FAMILY DWELLING DISTRICT, SECTION 17.16.020 PERMITTED USES; AND CREATING A NEW SECTION 17.16.060.

POSTED this 10th day of November 1999, by direction of the City Recorder. Places of posting are as follows:

1. City Hall, 320 Warner Milne Road, Oregon City, Oregon.
2. Municipal Elevator, 300 Seventh Street, Oregon City, Oregon.
3. Pioneer Community Center, 615 Fifth Street, Oregon City, Oregon.



LEILANI BRONSON-CRELLY, City Recorder

PLEASE DO NOT REMOVE PRIOR TO NOVEMBER 18, 1999



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

Agenda Item No. 4
FOR AGENDA

DATED
November 17, 1999

Report No. 99-191

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 3

Subject: Proposed Ordinance No.99-1027, An Ordinance Amending Title 17: Zoning, Chapter 17.04 Definitions, Of The Oregon City Municipal Code of, 1991, By Creating A New Section 17.04.235; And Amending Title 17:Zoning, Chapter 17.16: RD-4 Two-Family Dwelling District, Section 17.16.020 Permitted Uses; And Creating A New Section 17.16.060.

Scope of the Text Amendment. The main objective of this text amendment is to provide new regulations to allow single-family attached houses in the RD-4 Two-Family Dwelling District within the City.

Presently, Oregon City Municipal Code Chapter 17.16 allows single-family and duplex dwellings as uses permitted outright in the RD-4 District. The proposed amendment would not change the range of residential uses allowable in the RD-4 District. The proposed amendment would provide more flexibility in dimensional standards for a type of residential unit that is identified as "single-family."

The proposed text amendment would offer a future housing type option for a total of approximately 222 acres located within the City limits and zoned RD-4 Two-Family Dwelling District (Exhibit C1).

Background. At its June 16, 1999 meeting, the City Commission received oral testimony by Phil Gentemann of Centurion Homes requesting an amendment to the RD-4 Two-Family District to allow for single-family attached units. In testimony before the Commission, Mr. Gentemann stated that should the amendment take place, he could build single-family units available for individual ownership, as contrasted with duplexes, where ownership options are more limited.

At the June 16, 1999 meeting, the Commission directed staff to prepare a report outlining the various issues involved with the proposed amendment. At the July 21, 1999 meeting, the Commission directed staff to initiate amendments to the Oregon City Municipal Code that would allow single-family attached dwelling units in the RD-4 Two-Family District.

On October 11, 1999 Planning Commission meeting, staff presented a report (Exhibit C2) that included two alternatives for a text amendment to the RD-4 District. The alternatives differed in the minimum lot size and the average width requirements for single-family attached dwellings.

Summary of Alternatives. As noted above, the Planning Commission evaluated two alternatives for single-family attached dwellings in the RD-4 District (Exhibits C3 and C4):

ISSUED BY THE CITY MANAGER

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*Approved
w/ amendment
17.16.040
not*



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

November 17, 1999

Report No. 99-191

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 2 of 3

Subject: Proposed Ordinance No.99-1027, An Ordinance Amending Title 17: Zoning, Chapter 17.04 Definitions, Of The Oregon City Municipal Code of, 1991, By Creating A New Section 17.04.235; And Amending Title 17:Zoning, Chapter 17,16: RD-4 Two-Family Dwelling District, Section 17.16.020 Permitted Uses; And Creating A New Section 17.16.060.

Alternative 1 would require the minimum lot area to be at least fifty-three hundred square feet and the average width to be at least fifty-three feet.

Alternative 2 would require the minimum lot area to be at least four thousand square feet and the average width to be at least forty feet.

Currently, the maximum gross density in the RD-4 District is 10.8 units per acre (Exhibit C5). Proposed Alternative 1 would allow a maximum gross density of 8.2 units per acre. Proposed Alternative 2 would allow 10.8 units per acre.

In short, neither alternative would exceed the maximum density that is currently allowed in the RD-4 District.

Planning Commission Analysis and Decision. Based on the testimony received at the October 11, 1999 meeting, and the information provided by staff, the Planning Commission recommended Alternative 2 to the City Commission for its consideration (Exhibit C6).

In order to implement Alternative 2, the Planning Commission recommended the following text amendments to the Oregon City Municipal Code (Exhibit C7):

<u>Section 17.04.235</u>	New definition of "Single-family Attached Dwellings" in Chapter 17.04 Definitions;
<u>Section 17.16.020</u>	Addition of single-family attached dwellings in the RD-4 District;
<u>Section 17.16.040</u>	Addition of standards for single-family attached dwellings in the RD-4 District;
<u>Section 17.16.060</u>	New section for additional standards for single-family attached dwellings in the RD-4 District.
<u>Recommendation:</u>	Staff recommends that the City Commission follow the Planning Commission action and adopt the text amendments as provided in proposed Ordinance 99-027. (Exhibit C8).

ISSUED BY THE CITY MANAGER

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

November 17, 1999

Report No. 99-191

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 3 of 3

Subject: Proposed Ordinance No.99-1027, An Ordinance Amending Title 17: Zoning, Chapter 17.04 Definitions, Of The Oregon City Municipal Code of, 1991, By Creating A New Section 17.04.235; And Amending Title 17:Zoning, Chapter 17,16: RD-4 Two-Family Dwelling District, Section 17.16.020 Permitted Uses; And Creating A New Section 17.16.060.

Exhibits: C1) Vicinity Map; C2) Planning Commission Staff Report of October 11, 1999; C3) RD-4 Dwelling Options; C 4) RD-4 Density Comparisons; C5) City of Oregon City Zoning Standards; C6)

Planning Commission Minutes of October 11, 1999; C7) Proposed Amendment Text; C 8) Proposed Ordinance 1027.

BRYAN COSGROVE
Interim City Manager

Cc: Maggie Collins

ISSUED BY THE CITY MANAGER

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STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the proposed text amendment, shown as **Exhibit 3**, to the City Commission for its consideration:

1. Addition of single family attached dwellings to **Section 17.16.020(C)** RD-4 Two-Family District, Uses Permitted Outright (Exhibit);
2. Addition of **Section 17.16.060** Single Family Attached Dwellings, including the following elements:
 - **17.16.060(A)** Definition of Single-Family Attached Dwelling 17.16.060(A).
 - **Alternative 2 for 17.16.060 (B)(1)** Requirements for Single-Family;
This alternative would allow for a 4,000 square feet minimum lot size with at least 40 feet width for single-family attached dwellings.
 - **17.16.060(B)(2)** Requirements for Maintenance Easement;
 - **17.16.060(B)(3)** Requirements for Conversion of Existing Duplexes

Alternatively, the Planning Commission may want to consider proposed Alternative 1 language for Section 17.60.060(B)(1) discussed in this report. Alternative 1 would require at a minimum a 5,300 square feet lot with a 53 feet width for single-family attached houses. In either case, staff finds that the proposed text amendments are supported by Comprehensive Plan goals and policies and are not detrimental to the public interest.

EXHIBITS

1. Vicinity Map
2. Excerpt from City Commission Meeting of July 21, 1999
3. Proposed Amended Language
4. R-D Two-Family Dwelling District, Residential Dwelling Options
5. Chapter 17.16, RD-4 Two-Family Dwelling District
6. RD-4 Two-Family Dwelling District, Density Comparisons
7. Section 17.06.070

Holladay said the reason he did not offer a second was because he hesitates to limit the opportunity for the Planning Commission to make those recommendations. Neeley responded the motion did not do so. Holladay had a concern with law enforcement; that the County law enforcement facilities that they are planning in the zone do not fit corporate headquarters, which is where he has a problem. Lynch asked if Holladay wanted to open it up to a jail expansion without requiring the County to go through the conditional use permit process.

Neeley offered the same motion, second by Holladay.

Roll call: Neeley, Aye; Lynch, Nay; Holladay, Aye; Williams, Aye. MOTION CARRIED.

Commission Report No. 99-146, RD-4 (Two-Family Dwelling District) - Text Amendment, was presented. The report noted that at its June 16, 1999 meeting, the City Commission received oral testimony by Phil Gentemann of Centurion Homes requesting an amendment to the RD-4 District (Two-Family Dwelling) to allow for single-family attached (zero lot line/common wall) units. In testimony before the Commission, Mr. Gentemann stated that, should the amendment take place he could build a higher quality product, which would be owner-occupied, as opposed to building straight duplexes for renters (paraphrased).

The Commission directed staff to prepare a report outlining the various issues involved with the proposed amendment. This report does not include a recommendation, but rather it outlines the process for amending the Code and provides the Commission with four options to consider regarding Mr. Gentemann's request.

The process for initiating textual amendments to the zoning code can be found in Chapter 17.68 (Zone Changes and Amendments). The City Commission, Planning Commission or an applicant can all initiate amendments to the zoning code. The City Commission initiates amendments by a simple resolution, or an applicant can initiate an amendment by filing the appropriate land use applications, and associated fees, with the planning department.

The criteria for a zone change is set forth in OCMC 17.68.020. The proposed text amendment to the RD-4 District by Mr. Gentemann does appear to meet all four of the listed criteria. The question for the Commission is whether it wishes to expedite this request, direct staff to study it further, recommend that the applicant initiate the request or simply do nothing.

Option 1: If the Commission desires to expedite this request, staff will immediately begin the amendment process by preparing the necessary information for the Planning Commission public hearing. There is a 45-day notice to DLCD which would need to be done prior to the public hearing. The Commission would not hear the Planning Commission recommendation on the proposed amendment until late-October or early-November 1999.

Option 2: If the Commission desires to move ahead with the text amendment, but feels more time is needed for staff to research the implications of such an amendment, staff is prepared to do a more thorough examination of the issues. Over the course of the next nine months, the City will be going through the process of identifying how it will meet Metro's requirements regarding density. The zero lot line issue will be examined as one of the options available to the City for increasing density should the City need to make adjustments to its code.

Option 3: The City Commission may recommend to the applicant that he initiate the zone change by filing the appropriate land use application forms and paying the associated fees. This would put the onus of demonstrating how the proposed amendment meets the criteria outlined in OCMC 17.68.02 on the applicant and not on the City.

Density Analysis.

Currently, and using existing minimum lot sizes, four single-family units may be developed on 24,000 square feet (Exhibit 6). Two duplexes (four dwelling units) may be developed on 16,000 square feet. The proposed Alternative 1, described above, would allow four single family attached units on 21,200 square feet. The proposed Alternative 2 would allow four single family attached units on 16,000 square feet.

Section OCMC 17.06.070 indicates that the maximum gross density in the RD-4 zone is 10.8 units per acre. Proposed Alternative 1 would allow a maximum gross density of 8.2 units per acre. Proposed Alternative 2 would allow 10.8 units per acre (Exhibit 8).

In summary, neither alternative would **exceed the maximum density** that is currently allowed in the RD-4 zone.

I. APPLICABLE OREGON CITY MUNICIPAL CODE (OCMC) CRITERIA

This proposed amendment is reviewed below for compliance with pertinent Comprehensive Plan Goals and Policies and Municipal Code sections.

Chapter 17.50.060 Application requirements

Staff's finding: This proposed text amendment was initiated by the City Commission at its July 21, 1999 meeting. A permit application was filed on a form provided by the City, along with documentation sufficient to demonstrate compliance with all applicable criteria. Therefore, this proposed text amendment complies with OCMC Chapter 17.50.060.

17.50.170 Legislative hearing process

Staff's finding: This proposed text amendment is scheduled and has been noticed as a public hearing item before the Planning Commission on October 11, 1999. The Department of Land Conservation and Development (DLCD) was notified as required by ORS 197.610-197.625. The planning manager's report will be made available at least seven days prior to the hearing. All remaining requirements of the legislative hearing process will be followed. Therefore, this proposed text amendment complies or can comply with OCMC Chapter 17.50.170

17.16.010. RD-4 Two-Family Dwelling District Designated.

Staff's finding: The proposed amendment would not affect the type of residential uses allowed in this zone. Single family houses are allowed in the RD-4 District. Therefore, the proposed amendment satisfies requirement

New Section 17.16.060 consists of the following elements:

- Definition of Single-Family Attached Dwelling 17.16.060(A);
- Requirements for Single-Family Attached Dwelling 17.16.060 (B)(1);
- Requirements for Maintenance Easement 17.16.060 (B)(2);
- Requirements for Conversion of Existing Duplexes 17.16.060 (B)(3).

Staff has developed two alternatives for Section 17.16.060 for the Planning Commission to consider (Exhibit 4). The alternatives differ in the minimum lot size and the average width requirements for single-family attached dwellings.

- Alternative 1 requires the minimum lot area to be at least fifty-three hundred square feet and the average width to be at least fifty-three feet.
- Alternative 2 requires the minimum lot area to be at least four thousand square feet and the average width to be at least forty feet.

BASIC FACTS

1. The proposed language change affects a total of approximately 222 acres located within the City Limits, and zoned RD-4 Two-Family Dwelling District. The affected properties are shown on the vicinity map (Exhibit 1).
2. This request is initiated by the City Commission of Oregon City, as provided by OCMC 17.68.010(A) and OCMC 17.50.060.
3. This request is a Type IV Legislative Amendment. Transmittals on the proposed amendments were sent to various City Departments, affected agencies, the Community Involvement Committee Chair, all neighborhood associations in Oregon City, Metro, ODOT, DLCD, Tri-Met, and Clackamas County. In addition, notice was sent to all property owners within 300 feet of all RD-4 property, as well to all owners of RD-4 property in the City.
4. Written comments were received from:
 - Oregon City Building Official, who has no conflict with this proposal.
 - Public Works Manager, who has no conflict with this proposal.
 - Shelly Alway of Gaffney Lane Neighborhood Association, who states that her organization has no conflict with this proposal.

CHAPTER 17.16
RD-4 TWO-FAMILY DWELLING DISTRICT
(Proposed amended language in **bold**)

17.16.020. PERMITTED USES:

Uses permitted in the "RD-4" District are:

- A. Two-family dwellings (duplexes);
- B. Single-family dwellings:
- C. Single-family attached dwellings, subject to OCMC 17.16.060 requirements;**
- ~~C. D.~~ Publicly owned parks, playgrounds, play fields and community or neighborhood centers;
- ~~D. E.~~ Home occupations;
- ~~E. F.~~ Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);
- ~~F. G.~~ Accessory uses and buildings
- ~~G. H.~~ Family day care provider, subject to the provisions of Salem 17.54.050
- ~~H. J.~~ Manufactured dwelling parks, if designated MR/MDP, and subject to the provisions of Chapter 17.66
- ~~J. I~~ Site-built manufactured homes.

17.16.060. **SINGLE-FAMILY ATTACHED DWELLINGS.**

A. Dwelling, Single-Family Attached (Zero Lot Line).

Single-family attached dwellings (zero lot line) mean two attached single-family dwelling units located on separated lots at a common property line with no setbacks from the common lot line.

EXHIBIT

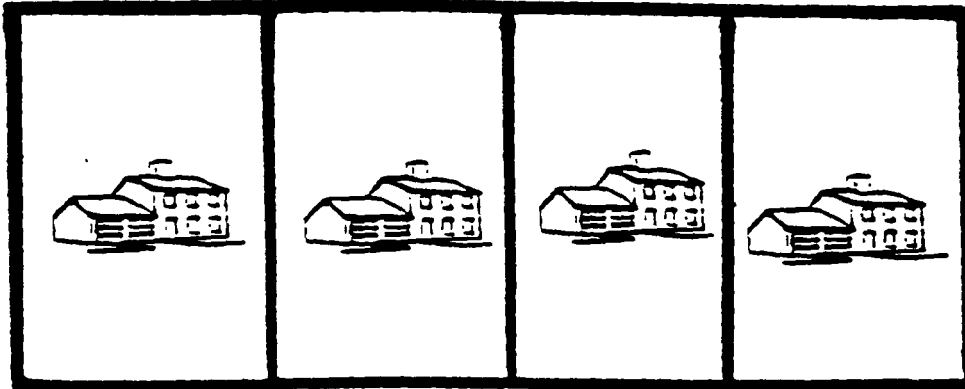
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maintenance purposes of structure and yard, but in no case shall it be less than 5 feet in width.

3. Conversion of existing duplexes

Any conversion of an existing duplex unit into two commonwall single family units shall be reviewed for compliance with the requirements in Section OCMC 17.16.60(B) and the State of Oregon One and Two Family Dwelling Specialty Code prior to final recordation of the land division replat.

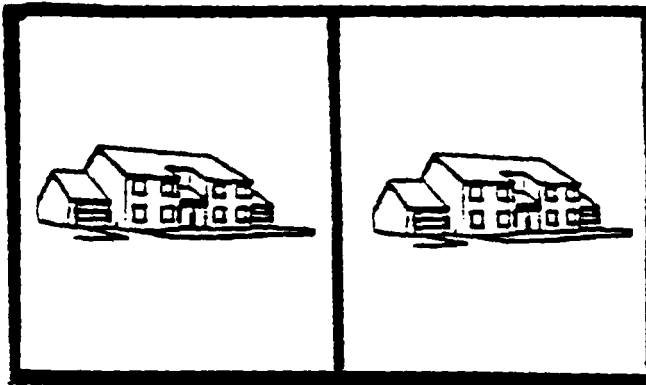
"RD-4" TWO-FAMILY DWELLING DISTRICT DENSITY COMPARISONS



MIN. LOT SIZE 6,000 SQ FT

4 UNITS 24,000 SQ FT

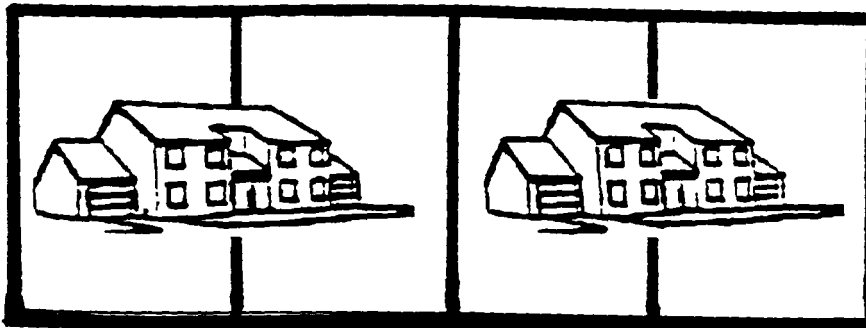
SINGLE-FAMILY DETACHED RESIDENTIAL UNITS



MIN. LOT SIZE 8,000 SQ FT

4 UNITS 16,000 SQ FT

DUPLEX RESIDENTIAL UNITS

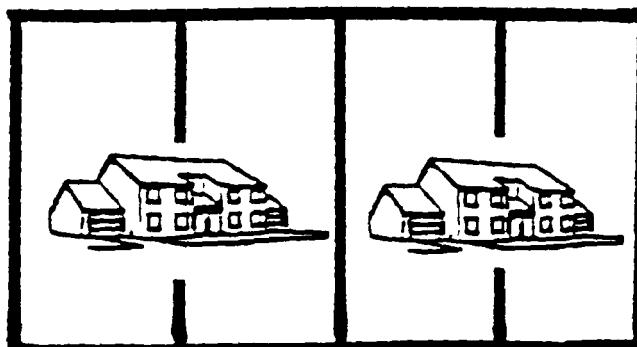


ALTERNATIVE 1

MIN. LOT SIZE 5,300 SQ FT

4 UNITS 21,200 SQ FT

PROPOSED SINGLE-FAMILY ATTACHED UNITS



ALTERNATIVE 2

MIN. LOT SIZE 4,000 SQ FT

4 UNITS 16,000 SQ F

PROPOSED SINGLE-FAMILY ATTACHED UNITS.

EXHIBIT

CHAPTER 17.16
"RD-4" TWO-FAMILY DWELLING DISTRICT

SECTIONS:

- 17.16.010 Designated
- 17.16.020 Permitted uses
- 17.16.030 Conditional Uses
- 17.16.040 Dimensional Standards
- 17.16.050 Lots of Record

17.16.010 DESIGNATED:

This residential district allows single-family and two-family dwellings. (Prior code §11-3-6(part))

17.16.020 PERMITTED USES:

Uses permitted in the "RD-4" District are:

- A. Two-family dwellings (duplexes);
- B. Single-family dwellings;
- C. Publicly owned parks, playgrounds, playfields and community or neighborhood centers;
- D. Home occupations;
- E. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);
- F. Temporary real estate offices in model homes, located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- G. Accessory uses and buildings;
- H. Family day care provider, subject to the provisions of Section 17.54.050;
- I. Manufactured dwelling parks, if designated MR/MDP, and subject to the provisions of Chapter 17.66;

EXHIBIT

5

	Maximum dwelling units per acre (number)	Minimum lot area (square feet)	Maximum height (feet)	Minimum front yard (feet)	Minimum interior side yard (feet)	Minimum corner side yard (feet)	Minimum rear yard (feet)
Single-family R-10	4.4	10,000	35	25	10/8	20	20
Single-family R-8	5.5	8,000	35	20	9/7	20	20
Single-family R-6	7.3	6,000	35	20	9/5	15	20
Single-family R-6/MH	6.4	6,800	20	15	7/5	15	10
McLoughlin conditional RC-4	10.9	6,000*	35	15	9/5	15	10
Two-family RD-4	10.9	SF6,000 DU8,000	35	15	9/7	20	15
Multi-family RA-2	19.8	SF6,000 DU8,000 MF10,000	45	15	10	20	10
Limited office conditional LOC	10.9	*	25	15	10	15	10
Limited office LO	19.8	*	35	15	10	15	10
Neighborhood commercial IIC	7.3	*	25	15	10	15	10
Historic commercial IIC	7.3	*	25	15	10	10	10
Limited commercial LC	7.3*	*	35	10	0	10	10
General commercial C	19.8	*	35	10	0	10	10
Central business CBD	19.8	*	75	0	0	0	0
Light industrial M-1	0	---	40	10	0	10	10
Heavy industrial M-2	0	---	75	10	0	10	10

*See district description for further information

ZC-9908

RD4 - Zone

City Limits

Urban Growth Boundary

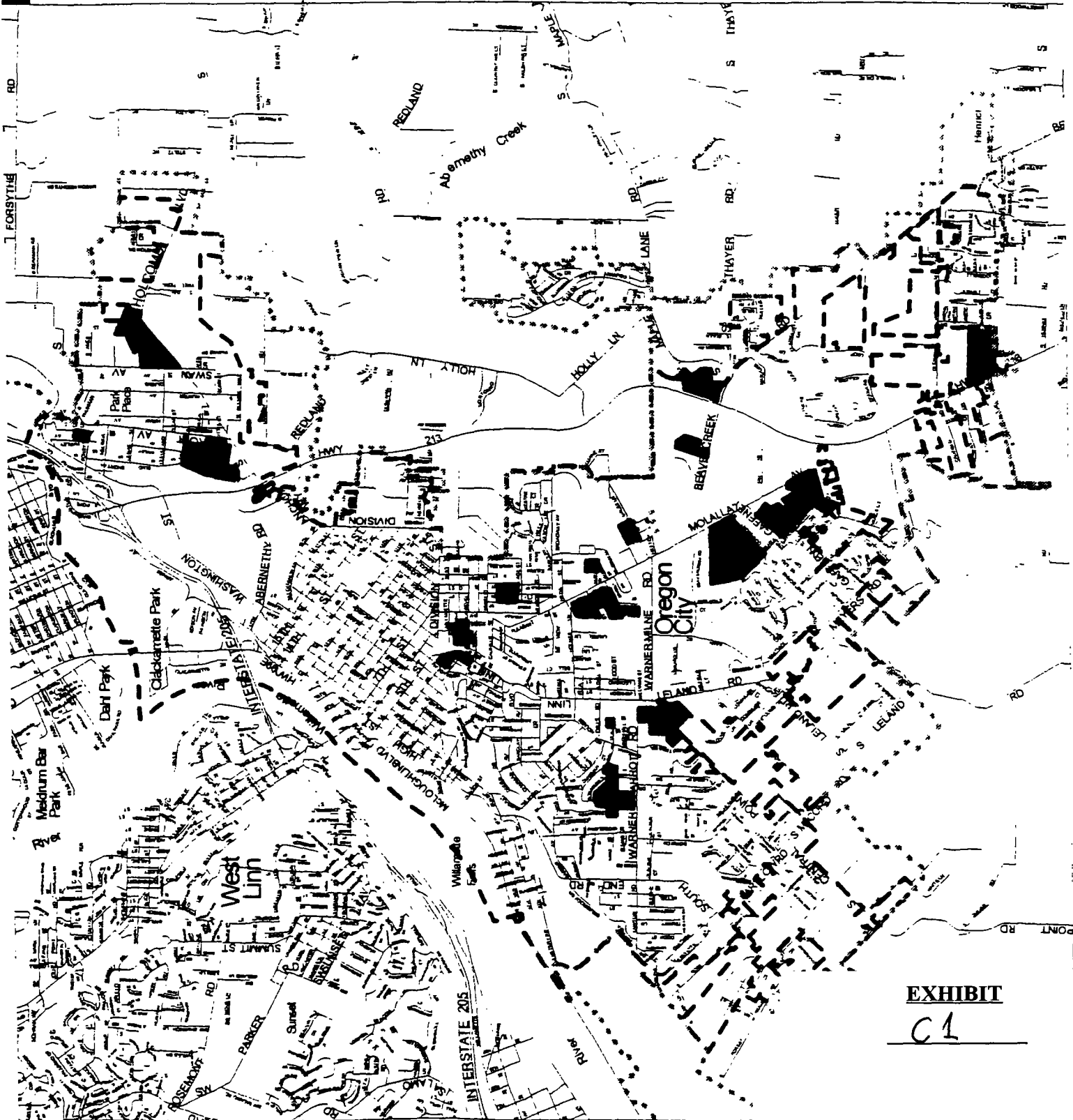


MAP FOR REFERENCE PURPOSES ONLY
 The information on this map is derived from Oregon
 Division of Land Use Planning. However, there may be map
 errors or omissions. Please consult Oregon City
 directly to verify map information. Notification of any
 errors will be appreciated.

Please direct questions related to
 ZC-9908 to the City of Oregon City
 Planning Division.

City of Oregon
 2220 NE Oregon Street, Suite 200
 97131-3200
 (503) 463-1000
 email: planning@cityoforegon.org

For date Sep 7, 1998 ml



EXHIBIT

C1

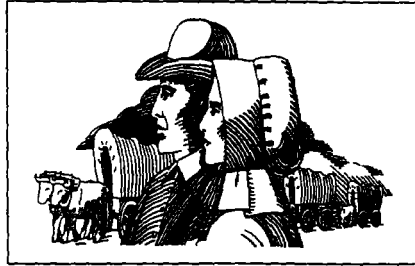
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CITY OF OREGON CITY

Planning Commission

320 WARNER MILNE ROAD
TEL 657-0891

OREGON CITY, OREGON 97045
FAX 657-7892



Staff Report

October 11, 1999

FILE NO: ZC 99-08

HEARING DATE: October 11, 1999

LOCATION: City Hall
320 Warner Milne Road
Oregon City, OR 97045
7:00 pm

APPLICANT: City of Oregon City
PO Box 351
Oregon City, OR 97045

REQUEST: Amend the Oregon City Municipal Code Chapter 17.16 to
(1) include single -family attached dwelling in Section
17.16.020; and (2) add a new section 17.16.060, Single
Family Attached Dwellings.

LOCATION: All RD-4 Two-Family Dwelling District property within
the City limits.

REVIEWER: Maggie Collins, Interim Planning Manager
Barbara Shields, Senior Planner
Guy Sperb, Building Official

VICINITY MAP: See Exhibit 1

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RD-4 Zero-

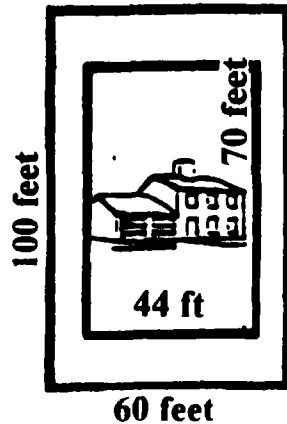
EXHIBIT

C 2

"RD-4" TWO-FAMILY DWELLING DISTRICT RESIDENTIAL DWELLING OPTIONS

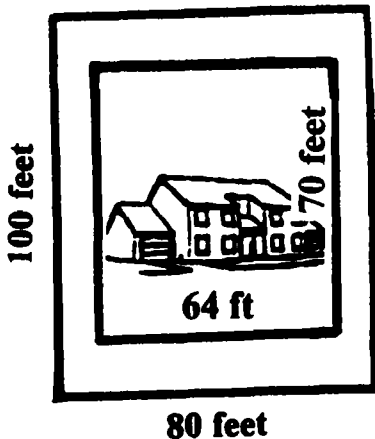
1
15 feet

EXHIBIT
C 3



min. lot area	6,000 sq. ft.
min. lot width	60 ft.
min. lot depth	100 ft.
min. front yard	15 ft.
min. rear yard	15 ft.
min. side	7/9 ft.

SINGLE-FAMILY DETACHED RESIDENTIAL UNIT
One dwelling unit, freestanding and structurally separated from other dwelling units or buildings, located on a lot



min. lot area	8,000 sq. ft.
min. lot width	80 ft.
min. lot depth	100 ft.
min. front yard	15 ft.
min. rear yard	15 ft.
min. side	7/9 ft.

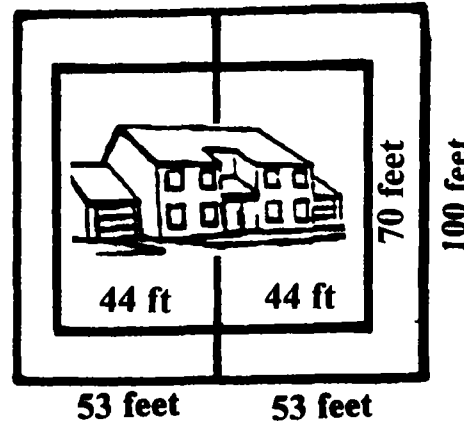
DUPLEX RESIDENTIAL UNITS

Two dwelling units placed so that some structural parts are in common and are located on a single lot

PROPOSED SINGLE-FAMILY ATTACHED UNITS

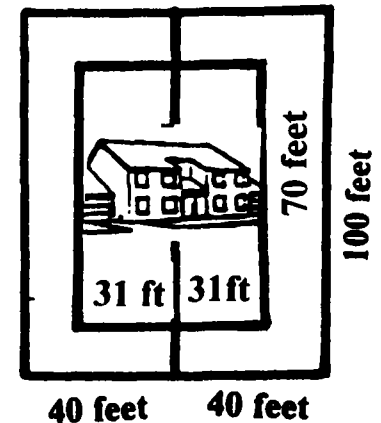
Two dwelling units attached side-by-side at a common property line on separate lots

ALTERNATIVE 1



min. lot area	5,300 sq. ft.
min. lot width	53 ft.
min. lot depth	100 ft.
min. front yard	15 ft.
min. rear yard	15 ft.
min. side	9 ft.
(for one side only)	

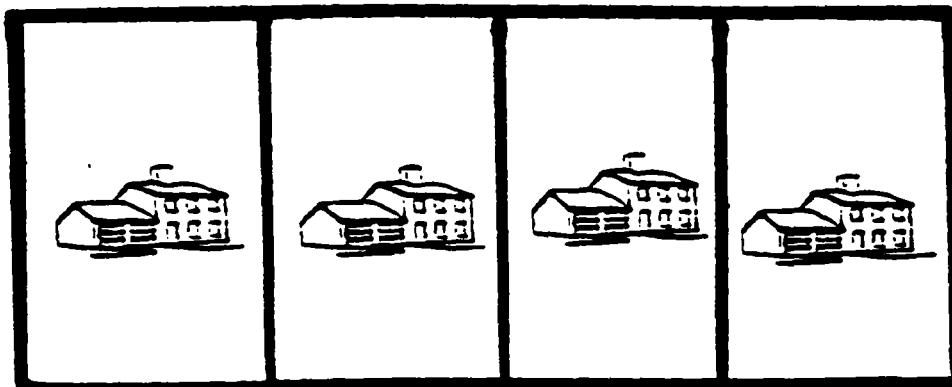
ALTERNATIVE 2



min. lot area	4,000 sq. ft.
min. lot width	40 ft.
min. lot depth	100 ft.
min. front yard	15 ft.
min. rear yard	15 ft.
min. side	9 ft.
(for one side only)	

"RD-4" TWO-FAMILY DWELLING DISTRICT DENSITY COMPARISONS

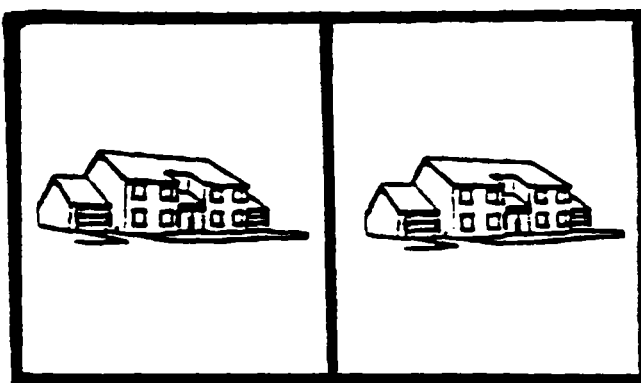
20 ft



MIN. LOT SIZE 6,000 SQ FT

4 UNITS 24,000 SQ FT

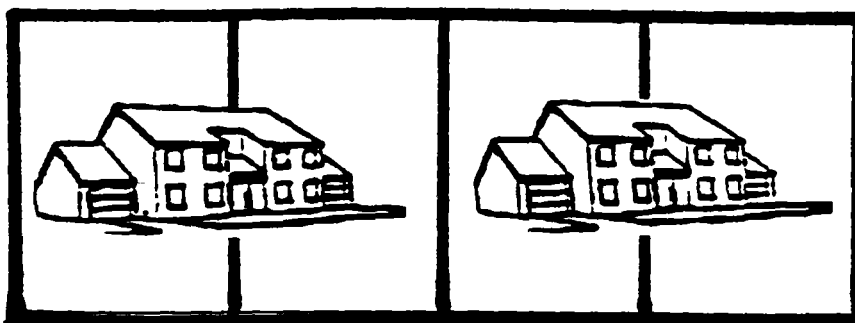
SINGLE-FAMILY DETACHED RESIDENTIAL UNITS



MIN. LOT SIZE 8,000 SQ FT

4 UNITS 16,000 SQ FT

DUPLEX RESIDENTIAL UNITS

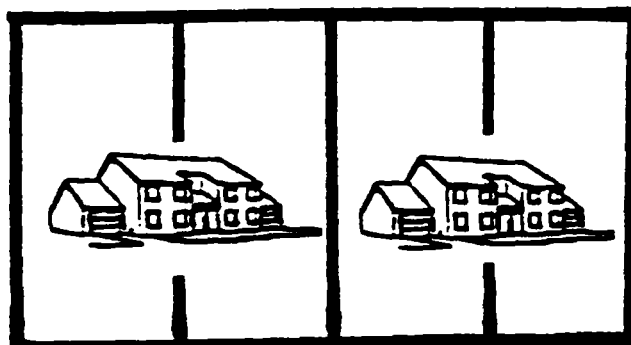


ALTERNATIVE 1

MIN. LOT SIZE 5,300 SQ FT

4 UNITS 21,200 SQ FT

PROPOSED SINGLE-FAMILY ATTACHED UNITS



ALTERNATIVE 2

MIN. LOT SIZE 4,000 SQ FT

4 UNITS 16,000 SQ FT

EXHIBIT

PROPOSED SINGLE-FAMILY ATTACHED UNITS.

C 4

EXHIBIT
C 5

	Maximum dwelling units per acre (number)	Minimum lot area (square feet)	Maximum height (feet)	Minimum front yard (feet)	Minimum interior side yard (feet)	Minimum corner side yard (feet)	Minimum rear yard (feet)
Single-family R-10	4.4	10,000	35	25	10/8	20	20
Single-family R-8	5.5	8,000	35	20	9/7	20	20
Single-family R-6	7.3	6,000	35	20	9/5	15	20
Single-family R-6/MH	6.4	6,800	20	15	7/5	15	10
McLoughlin conditional RC-4	10.9	6,000*	35	15	9/5	15	10
Two-family RD-4	10.9	SF6,000 DU8,000	35	15	9/7	20	15
Multi-family RA-2	19.8	SF6,000 DU8,000 MF10,000	45	15	10	20	10
Limited office conditional LOC	10.9	*	25	15	10	15	10
Limited office LO	19.8	*	35	15	10	15	10
Neighborhood commercial HC	7.3	*	25	15	10	15	10
Historic commercial HC	7.3	*	25	15	10	10	10
Limited commercial LC	7.3*	*	35	10	0	10	10
General commercial C	19.8	*	35	10	0	10	10
Central business CBD	19.8	*	75	0	0	0	0
Light industrial M-1	0	---	40	10	0	10	10
Heavy industrial M-2	0	---	75	10	0	10	10

*See district description for further information

**CITY OF OREGON CITY
PLANNING COMMISSION MINUTES
October 11, 1999**

COMMISSIONERS PRESENT

Chairperson Hewitt
Commissioner Olson
Commissioner Surratt
Commissioner Carter

STAFF PRESENT

Maggie Collins, Interim Planning Manager
Marnie Allen, City Attorney
Deanna Nguyen, Hearings Reporter

COMMISSIONERS ABSENT

Commissioner Vergun
Commissioner Bagent

1. CALL TO ORDER

Chairperson Hewitt called the meeting to order. He then reviewed the legislative hearing procedure and process. There was one legislative application scheduled. He then went over the process of hearings, time limits, pointed out the posted procedures, and reviewed the meeting agenda.

2. APPROVAL OF MINUTES: September 13, 1999

Commissioner Carter stated that page five should be corrected to read that "Commissioner Carter asked if there would be a public hearing for Site Design Review."

Commissioner Surratt moved to approve the minutes of September 13, 1999 as corrected. **Commissioner Carter** seconded. **MOTION CARRIED 4-0.**

Ayes: Carter, Hewitt, Olson, Surratt; Nays: None.

3. APPROVAL OF MINUTES: September 27, 1999

Commissioner Carter stated that page four should be corrected to read "Neighborhood Association."

Commissioner Olson moved to approve the minutes of September 27, 1999 as corrected. **Commissioner Surratt** seconded. **MOTION CARRIED 3-0** with one abstention; Chairperson Hewitt was not at that meeting.

Ayes: Carter, Olson, Surratt; Nays: None.

EXHIBIT

C 6

4. PUBLIC HEARINGS

STAFF REPORT

File No. ZC 99-08 City of Oregon City; Legislative Amendment to the Oregon City Municipal Code Chapter 17.16 "RD-4 Two Family Dwelling District" to 1) Include single-family attached dwelling in Section 17.16.020, and 2) Add a New Section 17.16.060, 'Single Family Attached Dwellings'; All "RD-4 Two Family Dwelling District" properties within Oregon City limits.

Maggie Collins stated the application would be for a Legislative change and Staff would present a report for Planning Commission review and recommendation. This application concerns all areas in Oregon City zoned RD-4, and Ms. Collins pointed out RD-4 areas on a large map. There are approximately 222 acres zoned RD-4 in Oregon City. She stated that in July 1999, the City Commission directed staff to initiate amendments to the Oregon City Municipal Code that would allow single-family attached dwelling units in the RD-4 two-family district.

Maggie Collins then reviewed Exhibit 5, which showed RD-4 permitted uses. Currently, there isn't a zone in the City of Oregon City that allows for the housing type known as a single-family attached dwelling. The major difference between a two-unit dwelling (duplexes) and an attached unit dwelling is the ownership in the attached unit is individual. Staff sent out a notice to all the property owners within the RD-4 zones and property owners 300 feet adjacent to the RD-4 zone. Staff's analysis found applicable criteria that supported adding single-family attached dwelling as a permitted use to the RD-4 zone. Exhibit 3 shows the alternatives in language proposed by Staff. It adds "single-family attached dwellings" in the permitted use section of the zone and adds a definition of single-family attached dwelling to the code, as well as setting out dimensional standards. Staff offered two options, being whether each single-family attached dwelling unit would be a 4000 square foot lot, or if the minimum lot size should be larger. There have been few if any conflicts with the proposal.

Maggie Collins then entered comments from the Engineering Manager, stating this proposal did not conflict with the City's interest. Staff recommended that the Commission consider Alternative 2 as being the most appropriate for dimensions in the attached dwelling provision in the RD-4 zone. Staff's major reason is that they believe the structure itself and the physical land use pattern that happens when you allow duplexes, is replicated with a 4000 square foot lot size rather than the larger lot proposed as alternative two.

Maggie Collins then asked Marnie Allen to present a definition of Section 17.16.060 Alternative 2 in Exhibit 3. **Marnie Allen** stated the changed definition follows: "Prior to building permit approval, the applicant shall submit a recorded easement that runs along the common line. This easement shall be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than 5 feet in width."

CORRESPONDENCE RECEIVED BY STAFF – None.

QUESTIONS OR COMMENTS FROM COMMISSIONERS

Commissioner Carter wanted to clarify how many units could be placed on a lot. **Maggie Collins** stated that two single-family residences that share a common wall would need at least 8000 square feet, and would have only one owner (a duplex). With this proposal you have the same thing, with single ownership for each lot. **Commissioner Olson** stated that one alternative is a 5300 square foot lot doubled to 10,600 square feet.

Chairperson Hewitt asked how a builder would get around a lot width depth minimum of forty feet if they had a 100 square foot frontage and only an 80 foot depth. Logically they could build on the lot, but have 8000 square feet in the opposite direction. **Maggie Collins** stated the Staff would recommend that the applicant apply for a variance. A site design review might be needed to make sure the final submittal is in accordance with the area's character and lot configuration is similar to that in the area.

Commissioner Carter asked whether or not the intent of building common wall single-family dwellings was usually to build more than two units. **Maggie Collins** stated that in other jurisdictions, depending on the amount of developable land, up to six or eight units of common wall housing could be built. Oregon City does not have a provision allowing attached dwelling units, so the City has started with the lowest number of these types of units. It is possible to stretch to three or four units, but she suggested listening to testimony first.

TESTIMONY IN FAVOR

Speaking: Phil Gentemann, 2137 Martewood Court, West Linn, Oregon;
representing Centex Homes

Phil Gentemann stated that Centex Homes has been building homes for about twenty-one years, mostly mid-upper range homes. He stated that the cost of a building permit for a typical home is \$8,000 - \$10,000. With the way the code reads for the systems development charges in West Linn, the building permit for a duplex is \$19,000. This raises costs more than expected, and his company doesn't want to build low-end units. Centex Homes went to the Oregon City City Commission and talked about making duplexes into attached houses, changing the ownership to two separate parties. Centex Homes prefers not to compete with apartments by building duplexes at the \$500 to \$800/month rental range. Centex Homes would like to market attached houses at \$139,000 per side, making them affordable to first time homebuyers. **Phil Gentemann** then added photos to the record showing development of similar properties, and plans of similar attached housing units. Developing them as duplexes would average them at 800 to 1000 square feet, and as attached housing they would range 1200-1300 square feet.

QUESTIONS FROM THE COMMISSION

Commissioner Carter asked how a utility bill would be divided if there were only a single sewer and water line. **Phil Gentemann** replied that he would plan to have separate panels for each service for each unit. **Commissioner Carter** questioned how this would make the attached homes more affordable by having two of each service line go to the house. **Phil Gentemann** stated that they are not trying to reduce cost. These services are at a fixed cost to begin with. He would be able to sell each side for more with an attached housing focus. **Chairperson Hewitt** added that the cost cutting measure is basically when the dwelling is a duplex. If it is a common wall single-family structure, then it is no longer a duplex and the totality of the unit can be sold at a higher cost. **Chairperson Hewitt** questioned the square footage of the plan that was submitted. **Phil Gentemann** stated the square footage on each side is 1244 to 1255.

Chairperson Hewitt asked staff for Exhibit numbers for the items entered during testimony. **Maggie Collins** stated the following item numbers, Exhibit A – \$19,000.00 SDC page; Exhibit B – photographs of house; exhibit C – various site plans.

Speaking: Rick Givens, 204 SE 10th Avenue, Canby, OR 97013; representing Phil Gentemann

Rick Givens states that he works with Phil Gentemann as a planning consultant, and supports Staff's recommendation for two reasons, first being that the type of unit which would be built fits on an 80-foot wide by 40-foot long lot even with side yard set backs. Secondly, this is a needed housing type in Oregon City and should be encouraged. With decreased density there is little incentive for a developer to consider this type of option. He feels if the Commission chooses Alternative 1, they are not meeting market needs, while Staff's recommendation would. This type of housing would be an upgrade from duplexes and he feels there is no downside in Alternative 2. He agrees there should be more flexibility in the recommended dimensional standards.

QUESTIONS FROM THE COMMISSION

Chairperson Hewitt asked if Mr. Gentemann's subdivision would look like a mass reproduction of common wall dwellings. **Rick Givens** answered that there would be a few lots set for aside for single family detached homes. He pointed out lots 9, 10, 14, and a few other possibilities. There have not been any specifics laid out, as they are waiting for the set standards. **Chairperson Hewitt** questioned if there would be RV parking available. **Rick Givens** stated that they plan to provide that as an option based on the side yard set backs.

Commissioner Carter asked if there would be single level homes available. **Rick Givens** stated that typically they would be two levels, although there is a single level plan.

Commissioner Olson asked if the single-family detached value would be comparable to the local single-family attached dwellings. **Rick Givens** stated by going the single-family attached route, Centex Homes is able to provide a larger attached dwelling, an upgraded appearance, and prevent a dramatic change between single-family and duplexes in the area.

TESTIMONY NEITHER PRO NOR CON

Speaking: Kenneth E. Lukens, 948 Prospect Street, Oregon City, OR 97045;
representing self

Kenneth Lukens was concerned with an increased number of low-income apartments being built in the area. After testimony he realized that is not the case, and also understands the difference between single family attached dwellings and duplexes.

QUESTIONS FROM THE COMMISSION – None.

Speaking: Edna E. Grover, 928 Prospect Street, Oregon City, OR 97045;
representing self

Edna Grover was curious on the entry way to the properties, and whether there would be one or two. That was her only question.

QUESTIONS FROM THE COMMISSION – None.

REBUTTAL

Maggie Collins stated typically there would be one entryway per unit off a public street. **Chairman Hewitt** requested Ms. Collins to draw an example on the dry erase board. **Maggie Collin's** drawing displayed the two most common set-ups: the first being a drive way at each end of the structure, and the second having one common pathway down the middle of the structure providing each owner with a driveway.

QUESTIONS OR COMMENTS FROM THE COMMISSION

Commissioner Carter asked how multi-family dwellings were defined. **Maggie Collins** stated it was at four or more units.

DELIBERATION AMONG COMMISSIONERS

Chairperson Hewitt stated the phrase, "Single-family attached dwelling," is confusing compared to what is known to the public as, "Common wall dwelling." He feels that the phrase, "common wall single-family," would be clearer. He also stated that the Commission could go along with the proposal, or take the same language and look at multiples limited or unlimited. **Commissioner Olson** would like to stay with Alternative 2 and add language pertaining to the need for a 4000 square foot lot. She suggested

adding the phrase, "Allowing no less than 4000 square feet, meeting the minimum requirements of depth on all sides." **Chairperson Hewitt** asked for the help of Staff.

Maggie Collins added that the areas open for proposal are the green areas on the map. To the best of Staff's knowledge, the proposal, if taken up by other developers will come as a subdivision proposal. In doing so, the application might ask for approved dimensions that might be off a foot or two. Those adjustments and reviews would be done as a type two review, which would take care of the Commission's concerns.

Commissioner Carter stated that this would be something desirable to see in a Planned Unit Development, where mixed housing development is being asked for. **Maggie Collins** replied it is possible that this type of common wall housing would be proposed in a Planned Unit Development. **Maggie Collins** submitted four optional language changes for Commission consideration (identified as A, B, C and D).

Chairperson Hewitt reviewed the two suggestions before them: One, for the Commission to leave the recommendations as proposed, or two, allow three common wall attached dwellings on a 12,000 square foot lot. **Commissioner Olson** added that the second option would not meet any of the dimensional standards that staff has written. **Commissioner Carter** stated that for the sake of simplicity, the Commission should stay with what is written and deal with other alternatives later.

Maggie Collins offered the Commission proposals for definitions. She stated that in a single-family dwelling zone, 6000 square foot lots are required, thus to have three single family common wall dwellings on 12,000 square feet, the applicant would need three lots in a row to supply the width and depth needed. Staff recommends using single-family "detached" dwellings as is and to continue the use of "attached" and "detached" as language throughout the single-family section. If the Commission wanted to have an option for a developer to use three single family attached dwellings, they adopt : "Single-family attached dwellings (zero lot line) mean two or more attached single-family dwelling units that share a common wall but are located on separate lots at a common property line with no setbacks from the common lot line." Staff recommends using Proposal C and D together, because D says any unit more than two needs to go through site plan and design review, providing administrative review.

Commissioner Surratt suggested that Proposal C be changed to read, "two or three," rather than, "two or more." **Chairperson Hewitt** suggested it to read, "at least two but not more than (number)." **Commissioner Olson** stated she favors what is written and if there is a need for more as the city grows, variance requests can go before the Commission. **Commissioner Surratt** adds that she is in agreement. with three or four, but not with six units.

Commissioner Olson ask why Staff chose to look at two to four units. **Maggie Collins** stated that this was the minimum proposal the Staff was asked to review. If the Commission prefers the Commission's next worksession can begin with these dimensional issues.

Chairperson Hewitt stated that the Commission was in agreement on Alternative 2 for Section 17.16.060 with proposed changes to "Maintenance easement." Also, under Section 17.16.020, permitted uses to include item C, "a single-family attached dwelling," subject to OCMC 17.16.060 requirements, and the definitions under Section 17.16.060. The Commission is in agreement up to the definition in the first part of Exhibit 3. Under Section 17.16.060, Single-family attached dwellings, the words "zero lot line," will be taken out. For definition in Proposal B, the same phrase will be taken out and changed to read, "Single-family attached dwellings means two attached single-family dwelling units that share a common wall but are separate lots at a common property line with no setbacks from the common lot line."

Commissioner Olson moved to accept **File No. ZC 99-08** with the request to amend the Oregon City Municipal code chapter 17.16 to include single-family attached dwelling in Section 17.16.020 and add a new section to 17.16.060 single-family attached dwellings, which is Alternative 2 with changes only in the Maintenance Easement section 2 to read, "Prior to building permit approval, the applicant shall submit a recorded easement that runs along the common property line. This easement shall be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than 5 feet in width." The Definition is Staff Proposal B removing the phrase, "zero lot line."

Commissioner Surratt seconded. **MOTION CARRIED 4-0.**

Ayes: Carter, Olson, Surratt, Hewitt; Nays: None.

6. OLD BUSINESS – None.

7. NEW BUSINESS

Speaking: Kathy Hogan, 19712 S Central Pt. Road, Oregon City, Oregon 97045; representing self.

Kathy Hogan would like the Commission to consider the Urban Growth boundary and the effect on the farmer if these complexes are added to a PUD. **Chairperson Hewitt** stated that he understands her concern, and there would be discussion in the Work Program item that follows. **Kathy Hogan** then added her concern about playground areas and the number of children within a complex. She suggest that the open area requirements be enlarged for future developments, which might address the issue of parents not wanting their children walking to other area parks. **Chairperson Hewitt** stated that the only way that can be done is to ask the Planning Staff to take it under advisement with a multi-family or apartment complex legislative ordinance. He then asked Ms. Collins if there is one planner that handles changes to amendments down the road. **Maggie Collins** stated this issue can be addressed by all staff under the design review process.

8. WORKSHOP: PLANNING COMMISSION WORK PROGRAM

Maggie Collins reminded the Commission of their scheduled meeting on Wednesday, October 13, 1999. She indicated matters which the Commission might keep in mind including the definition of 'mixed-use', a difficult phrase, and to focus on cleaning up the residential PUD ordinance.

Maggie Collins then asked if the current 1999 Planning Commission Work Program Goals and Objectives were still applicable for the Commission. Nothing was changed from the March 15, 1999 goals and objectives. This coming January, the Commission can meet and discuss specific objectives for that year. **Commissioner Olson** asked if a meeting to identify these goals should be set up prior to December. **Maggie Collins** replied yes, if the group so wishes.

Chairperson Hewitt asked if it is appropriate for Ms. Collins to look into Commissioner Bagent's lack of attendance. He also would like to know if any steps have been taken to replace Pat Vernon. **Maggie Collins** stated that the Mayor has been notified, and that it would be another month or two before the vacancies are filled.

Maggie Collins then moved on to the Project Schedule. The first seven items resulted from the Planning Commission's work session last December. These are not ranked in any particular order, and reflect the Commission's most pressing concerns. When the work program is revised, these items would be up for consideration. The rest of the items are Staff's recommended issues in no specific order. The Transportation System Plan (TSP) is another big item, and as Nancy Kraushaar gets the program underway, hearings will come before the Commission in February or March. **Chairperson Hewitt** requested Ms. Collins to find out about when the TSP study is coming forward.

Maggie Collins reviewed Number 12, Metro Functional Plan Compliance, which needs a request for an extension. She suggests that the Commission consider one of their goals as, "Defining Urban Oregon City." The Commission touched on various parts of issues that could be used for that discussion in December.

Maggie Collins suggests that the Commission have as one of their goals and objectives to increase the flow of information. She moved to the Staff's program on pages two and three which include projects that would contribute to bettering Oregon City. These are not necessarily the programs the Commission would choose, and sometimes would be independent of the Planning Commission work programs. **Commissioner Carter** stated that the goals and objective issues should be carried over as agenda items for November and December Commission workshop meetings.

Commissioner Carter requested that there be a Mission Statement on the agenda. **Commissioner Olson** added that the goals should be limited to what is attainable. **Maggie Collins** added that the Commission could have objectives without goals for each objective. **Commissioner Carter** added that it would be useful to know what the Staff's priorities are. **Chairperson Hewitt** added that Commission is requesting a joint session

CITY OF OREGON CITY PLANNING COMMISSION

Minutes of October 11, 1999

Page 9

with the City no later than January 2000. **Maggie Collins** acknowledged their request to be made in November, 1999.

ADJOURN

There being no further business, the meeting was adjourned by Chairperson Hewitt.

**Gary Hewitt, Planning Commission
Chair Person**

**Maggie Collins, Interim Planning
Manager**

*Proposed amendments to the Oregon City Municipal Code (OCMC) to allow
Single-family Attached Dwellings in the RD-4 Two Family Dwelling District
OCMC 17.16 (Proposed amended language **in bold**)*

**CHAPTER 17.04
DEFINITIONS**

Section 17.04.235. Single-Family Attached Dwellings. Single-family attached dwellings mean two attached single-family dwelling units that share a common wall but are located on separated lots of a common property line with no setbacks from the common lot line.

**CHAPTER 17.16
RD-4 TWO-FAMILY DWELLING DISTRICT**

17.16.020. PERMITTED USES:

Uses permitted in the "RD-4" District are:

- A. Two-family dwellings (duplexes);
- B. Single-family dwellings;
- C. **Single-family attached dwellings;**
- ~~C.~~ **D.** Publicly owned parks, playgrounds, play fields and community or neighborhood centers;
- ~~D.~~ **E.** Home occupations;
- ~~E.~~ **F.** Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (commercial buildings are not permitted);
- ~~F.~~ **G.** Accessory uses and buildings
- ~~G.~~ **H.** Family day care provider, subject to the provisions of Salem 17.54.050
- ~~H.~~ **J.** Manufactured dwelling parks, if designated MR/MDP, and subject to the provisions of Chapter 17.66
- ~~J.~~ **I.** Site-built manufactured homes.

17.16.040. DIMENSIONAL STANDARDS:

Dimensional standards in the "RD-4" District are:

- A. Minimum lot area:
 - 1. Two-family dwellings, eight thousand square feet;

2. Single-family dwellings, six thousand square feet;
 3. **Single-family attached dwellings, four thousand square feet;**
 4. Nonresidential uses, six thousand square feet.
- B. Minimum average lot width, sixty feet, **except for single-family attached units, in which case the minimum lot width per lot is 40 feet;**
- C. Minimum average lot width, one hundred feet;
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
1. Front yard, fifteen feet minimum depth;
 2. Interior side yard, nine feet width for at least one side yard; seven feet minimum width for the other side, **with the minimum nine feet side yard applying to single-family attached dwellings on the side that does not abut the common property line.**
 3. Corner side yard, twenty feet minimum width;
 4. Rear yard, fifteen feet minimum depth;
 5. Solar balance point, setback and height standards may be modified subject to the provisions of section 17.54.070.

17.16.060. SINGLE-FAMILY ATTACHED DWELLINGS.

The following standards apply to single-family attached dwellings, in addition to the standards in 17.16.040.

A. Maintenance easement

Prior to building permit approval, the applicant shall submit a recorded mutual easement that runs along the common property line. This easement shall be sufficient to guarantee rights for maintenance purposes of structure and yard, but in no case shall it be less than 5 feet in width.

B. Conversion of existing duplexes

Any conversion of an existing duplex unit into two single-family attached dwellings shall be reviewed for compliance with the requirements in Section OCMC 17.16.60(B) and the State of Oregon One and Two Family Dwelling Specialty Code prior to final recordation of the land division replat.

Item 4
11-17-99
by Rick Gibbons

PROPOSED MODIFICATION TO DIMENSIONAL STANDARDS

Section 17.16.040. Dimensional Standards:

Dimensional standards in the RD-4 district are:

- A. Minimum lot area:
 - 1. Two-family dwellings, eight thousand square feet;
 - 2. Single-family dwellings, six thousand square feet;
 - 3. Single-family attached dwellings, four thousand square feet;
 - 4. Nonresidential uses, six thousand square feet.
- B. Minimum average lot ~~width~~^{depth}, sixty feet, except for single-family attached units, in which case the minimum lot width per lot is 40 feet;
- C. Minimum average lot ~~width~~^{depth}, one hundred feet. **For single-family attached units the minimum lot depth may be reduced by up to 20 percent without variance if specific site plan and floor plan drawings are submitted demonstrating compliance with setback standards;**
- D. Maximum building height, two and one-half stories, not to exceed thirty-five feet;
- E. Minimum required setbacks:
 - 1. Front yard, fifteen feet minimum depth;
 - 2. Interior side yard, nine feet width for at least one side yard; seven feet minimum width for the other side, with the minimum nine feet side yard applying to single-family attached dwellings on the side that does not abut the common property line.
 - 3. Corner side yard, twenty feet minimum width;
 - 4. Rear yard, fifteen feet minimum depth (may be reduced to 0 for the commonwall of a single-family attached dwelling on a corner lot);
 - 5. Solar balance point, setback and height standards may be modified subject to the provisions of section 17.54.070.