

301 URBAN LOW DENSITY RESIDENTIAL (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20, R-30) (5/22/03)

301.01 PURPOSE

This section implements the policies of the Comprehensive Plan for existing and future Low Density Residential areas, which include:

- A. Provide and protect residential land for families who desire to live in a low density environment.
- B. Protect the character of existing low density neighborhoods.
- C. Provide for development within the carrying capacity of hillsides and environmentally sensitive areas.

301.02 AREAS OF APPLICATION

One or more of the following factors shall guide the determination of the most appropriate district to apply to a specific property or area:

- A. Physical Site Conditions:
 - 1. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.
 - 2. Land with slopes of:
 - a. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5 (12/23/98)
 - b. 20 percent or more shall be considered for zones R-10 to R-30. (12/23/98)
- B. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.
- C. Availability of Transit: Land within walking distance (approximately 1/4 mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5. (12/23/98)
- D. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5. (12/23/98)

- E. Neighborhood Preservation and Variety: Areas which have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.
- F. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density Future Urbanizable areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20% slope and to Resource Protection areas. Flexible lot size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities. (12/23/98)
- G. R-2.5: In addition to the above criterion, the R-2.5, shall be applied only to:
(12/23/98)
 - 1. Areas located within one-quarter (1/4) mile of a designated Regional Center, Corridor or Mainstreet on Comprehensive Plan Map X-CRC-1 (5/3/01).
 - 2. Areas with access to a residential collector or higher functional class street.
 - 3. Areas where the size of the site and adjoining properties zoned R-2.5 does not exceed ten (10) acres.

301.03 PRIMARY USES

- A. R-2.5: (12/23/98)
 - 1. Attached single family residential dwelling units when each dwelling unit is located on a separate lot of record, subject to the standards in Subsection 301.09.
 - 2. Residential homes as defined in Section 202.
 - 3. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building, swimming pool, or use shall be located not less than forty-five (45) feet from any other lot in the residential district. These uses may be designated open Space Management under Section 702 when the criteria under Section 1011 are satisfied.

4. When a development site includes areas zoned MR-2 as well as sites zoned Urban Low Density Residential, a master plan may be approved for the entire site. The master plan may provide for multifamily residential structures on both the area zoned LDR and MR-2. The following conditions must be met:
 - a. The maximum number of units allowed on the overall site as set out in Section 1012.02 is not exceeded.
 - b. The minimum number of single family attached or detached units located on a separate lot of record, as set out in Section 1012.03D for the portion of the overall site zoned Low Density Residential, is provided for in the site master plan.
 - c. The minimum size of a legal lot of record for a single family attached dwelling is 2,000 square feet, and for a single family detached unit is 4,000 square feet.
 - d. Low-,mid- and high-rise multifamily residential structures, including apartments, town houses, two-and-three family dwellings, and condominiums, are subject to the standards of 313.08 through 313.10. (3/14/02)
 5. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835. (3/14/02)
- B. R-5 through R-30:
1. One-single family dwelling, residential homes as defined in Section 202, or manufactured dwellings subject to Section 824. (11/24/99)
 2. Attached single family residential dwelling units when each dwelling is located on a separate lot of record, subject to the standards in Subsection 301.09. In the R-5 to R-30 zoning districts, Single family attached dwellings may comprise up to twenty (20) percent of the total number of units in a subdivision, or 100 percent of the units in a Planned Unit Development subject to the density standards in Section 1012. (3/14/02)
 3. Condominiums subject to the density standards in Section 1012. (11/5/98)

4. Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building, swimming pool, or use shall be located not less than forty-five (45) feet from any other lot in the residential district. These uses may be designated Open Space Management under Section 702 when the criteria under Section 1011 are satisfied.
5. Propagation, management, and harvesting of forest products. Commercial timber harvesting shall be reviewed pursuant to Forest Policy 6.4 of the Comprehensive Plan. (6/17/87)
6. Utility carrier cabinets, subject to Section 830.
7. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835. (3/14/02)

301.04 ACCESSORY USES

- A. Accessory uses, buildings, and structures customarily incidental to any primary use located on the same lot therewith. Subject to the provisions of Subsection 301.09(C). (3/14/02)
- B. A guest house, as defined in Section 202. (Adopted 11/15/82)
- C. Home occupations, subject to the provisions of Section 822. (Adopted 2/4/81).
- D. A private garage or parking area.
- E. Keeping of not more than two (2) roomers or boarders by a resident family.
- F. Bed and breakfast homestays, subject to the major home occupation provisions under Section 822. (7/15/87)
- G. Keeping of livestock and farm animals subject to the provisions of Section 821. Growing of vegetables, fruits, flowers, bulbs, herbs, and other plants primarily for personal use or aesthetic purposes, but not for commercial profit except as approved under a Home Occupation permit under Section 822 or conditional use under Subsection 301.06(A)(11). (3/14/02)
- H. Signs, as provided under Section 1010. (8/6/81)

- I. Temporary buildings for uses incidental to construction work, which shall be removed upon completion or abandonment of the construction work.
- J. Bus shelters, subject to the provisions of Section 823.
- K. Solar collection apparatus. (8/5/82)
- L. Family day-care provider home facilities, as defined in Section 202.
- M. Accessory dwelling units, subject to the standards in Subsection 301.09(F). (3/14/02)

301.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR (3/14/02)

The following use may be approved by the Planning Director pursuant to Subsection 1305.02: (3/14/02)

- A. Wireless telecommunication facilities listed in Subsections 835.05(A)(2) and (3), subject to Section 835. (3/14/02)

301.06 CONDITIONAL USES

- A. The following conditional uses may be allowed subject to review by the Hearings Officer pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800. (5/22/03)
 - 1. Except in the R-2.5 zoning district, two- and three-family dwellings and the conversion of single-family dwellings into two-family dwellings subject to Section 802; (5/22/03)
 - 2. Except in the R-2.5 zoning district, condominium conversions, subject to Section 803; (5/22/03)
 - 3. Churches, subject to Section 804; (5/22/03)
 - 4. Schools, subject to Section 805; (5/22/03)
 - 5. Daycare facilities, subject to Section 807; (5/22/03)
 - 6. Cemeteries and crematories, subject to Section 808; (5/22/03)
 - 7. Hospitals, subject to Section 809, and helistops for emergency use in conjunction with a hospital; (5/22/03)

8. Nursing homes, subject to Section 810; (5/22/03)
9. Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813; (5/22/03)
10. Surface mining, subject to Section 818; (5/22/03)
11. Sanitary landfills and debris fills, subject to Section 819; (5/22/03)
12. Manufactured home parks, subject to Section 825; (5/22/03)
13. Hydroelectric facilities, subject to Section 829; (5/22/03)
14. Bed and breakfast residences and inns, subject to Section 832; (5/22/03)
15. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835; (5/22/03)
16. Except in the R-2.5 zoning district, horticulture, nurseries, hydroponics, and similar uses that exceed an accessory use. (5/22/03)

301.07 PROHIBITED USES

- A. Uses of structures or land not specifically permitted in Section 301 are prohibited in all Low Density Residential Districts.
- B. The use of a trailer house as a residence unless specifically authorized under the provisions of Section 1204 for Temporary Permits.
- C. Outdoor advertising displays, advertising signs or structures, except as provided under Section 1010.

301.08 LOT SIZE AND DENSITY REQUIREMENTS

- A. Primary Use Dwellings: The minimum average lot or parcel area per dwelling in the Low density Residential districts shall be as follows, except as modified below under Subsection 301.08(B): (3/14/02)

District Lot Area

R2.5 (12/23/98)	2,500 square feet
R-5 (12/23/98)	5,000 square feet
R-7 (12/23/98)	7,000 square feet
R-8.5	8,500 square feet
R-10	10,000 square feet
R-15	15,000 square feet
R-20	20,000 square feet
R-30	30,000 square feet

- B. Density Calculation: The number of dwelling units allowed within a Low Density Residential development shall be determined pursuant to Section 1012. Accessory dwelling units shall not be considered when calculating density. (11/5/98)
- C. Variable sizing of lots or parcels in a partition or subdivision may be permitted pursuant to the flexible lot size development provisions of Subsection 1014.04B of this Ordinance or the Planned Unit Development provisions of Section 1013 of this Ordinance. (5/3/01)

301.09 MINIMUM LOT AND STRUCTURE DESIGN REQUIREMENTS

- A. Purpose: The setback, coverage, depth, and structure height requirements of these districts are intended to:
1. Provide consistent standards insuring a stable pattern and intensity of development for new and existing neighborhoods;
 2. Provide for fire safety and protection of all structures;
 3. Protect the privacy and livability of dwellings and yard areas;
 4. Provide for adequate light and air circulation between structures;
 5. Provide for, and protect the unique character and livability of each district;

6. Ensure suitable access to each lot with minimum impact on adjacent lots or dwellings;
7. Ensure consistency in the scale of structures, both vertically and horizontally.

B. General Requirements: The minimum design requirements for primary structures (except Single Family Attached Dwellings) in these urban Low Density Residential District's shall be as follows: (12/23/98)

1. Minimum front yard setback: 20 ft. (2/27/97)
2. Minimum rear yard setback: 20 ft (2/27/97)
3. Minimum side yard setback: 5 ft. (2/27/97)
4. Maximum building height: 35 ft
5. Maximum lot coverage
 - a. Primary use structures: 35%
 - b. Primary and accessory structures: 40%

C. Exceptions to General Requirements: The general requirements of these districts shall be subject to the provisions under Sections 900 and 1000. Further, exceptions and modifications of these requirements set forth above shall be as follows:

1. Accessory Structures: All accessory structures shall be consistent with the purposes under Subsection 301.09(A). A maximum of four accessory structures in addition to the residence may be permitted subject to lot coverage limitations. Setbacks, except as prescribed for accessory dwellings in Subsection 301.09(F), may be modified as follows: (3/14/02)
 - a. Structures 100 square feet or less in area: No side or rear yard setback behind the front building line shall be required for any detached accessory structure which is one hundred (100) square feet or less in area and does not exceed a height of eight (8) feet. No portion of any such structure shall project across a lot line.

- b. Structures 101 - 200 square feet in area and structures up to ten (10) feet in height: A side or rear yard setback behind the front building line may be reduced to three (3) feet for any detached accessory structure and its projections.
- c. Structures 201 - 500 square feet in area and structures up to fifteen (15) feet in height: The side and rear yard setbacks may be reduced to three (3) feet for one accessory structure, and its projections, within this category when located behind the front building line of the dwelling. The three (3) foot setback requirement shall be increased one (1) foot for each foot of height over ten (10) feet to a maximum of fifteen (15) in height. This setback need not exceed the setback requirements listed under Section 301.09(B). The structure and its projections shall be detached and separated from other structures by at least three (3) feet. (3/14/02)
- d. Structures sixteen (16) feet in height and over shall meet the setback requirements listed under Section 301.09(B). (3/14/02)
- e. Structures in excess of 500 square feet: One accessory structure in excess of five-hundred (500) square feet in area may be approved by the Planning Director subject to the setback requirements of the district and the following provisions:
 - 1. The lot is in excess of 10,000 square feet in area.
 - 2. The proposed accessory structure will be constructed with the same exterior building materials as that of the dwelling, or an acceptable wood or metal substitute. Metal buildings shall include roof overhangs, gutters and downspouts, with a painted steel exterior similar in color to that of the dwelling.
 - 3. The square footage of the accessory structure shall not exceed the square footage of the ground floor of the dwelling.
 - 4. The proposed accessory structure shall not exceed the height of the dwelling.
 - 5. The proposed accessory structure shall satisfy the provisions of Subsection 301.01.
- f. Swimming pools may extend within three (3) feet of a side or rear lot line, and within ten (10) feet of a front lot line. Lot coverage limitations do not apply to swimming pools.

2. Corner Lots: One of the required front yard setbacks may be reduced to fifteen (15) feet when abutting a Local street, private road or access drive. When one of the fronting streets is classified higher than a Local street classification, the fifteen (15) foot setback may only be applied on frontage abutting the lower classification street. The side and rear yard areas on corner lots shall be designated by the applicant with the setback distance as identified in 301.09(B). (3/14/02)
3. Undersized Legal Lots of Record: The rear yard may be reduced to one-half (1/2) the required setback and one side yard may be reduced to zero for any detached dwelling structure, and the maximum lot coverage increased to fifty (50%) percent, on preexisting legal lots of record which are 6000 square feet or less in size, subject to the following conditions:
 - a. The proposed construction satisfies the provisions of the Uniform Building Code, and
 - b. The development occurring within the yard setback area will not block solar access to an existing window or solar collecting panel or area located on the adjacent properties.
- D. Variances: The requirements of Subsection 301.09 may be modified, subject to staff review with notice pursuant to Subsection 1305.02, when the modification is consistent with the purposes set forth under Subsection 301.09(A), and satisfies the criteria for a variance under Section 1205. The effect of the proposed modification on the natural features of the site and the use and preservation of solar access shall be considered, when applicable. (3/14/02)
- E. Structure and Façade Design: All dwellings, except temporary dwellings approved pursuant to Subsection 1204, shall include at least three of the following features visible to the street (if on a corner lot, visible to the street where the dwelling takes access): (11/24/99)
 1. A covered porch at least 2 feet deep.
 2. An entry area recessed at least 2 feet from the exterior wall to the door.
 3. A bay or bow window (not flush with the siding).
 4. An Offset on the building face of at least sixteen (16) inches from one exterior wall surface to the other.
 5. A dormer.

6. A gable.
7. Roof eaves with a minimum projection of twelve (12) inches from the intersection of the roof and the exterior walls.
8. Roof line offsets of at least sixteen (16) inches from the top surface of one roof to the top surface of the other.
9. An attached garage.
10. Orientation of the long axis and front door to the street.
11. Cupolas.
12. Tile or shake roofs.
13. Horizontal lap siding.

F. Accessory Dwelling: Accessory dwelling units shall be subject to the following development standards: (12/23/98)

1. An accessory dwelling unit shall not exceed six (6) percent of the physical lot size the primary dwelling is located on, but in no case shall the unit exceed 720 square feet.
2. Setbacks for accessory dwelling shall be the same as those required for the primary residence.
3. Only one accessory dwelling unit per legal lot of record with a primary dwelling unit is allowed.
4. The exterior finish of the accessory dwelling unit must be constructed with the same materials as the primary dwelling, or visually match the exterior finish material.
5. The front lot line setback shall be no less than the setback of the front façade of the primary dwelling unit excluding the porch, garage, and other architectural features.
6. A building permit is required for the accessory dwelling unit. Accessory dwelling units shall comply with all applicable provisions of the State of Oregon Structural Specialty Code for sanitation, cooking, heating, sleeping and living.

7. Entrances to an accessory dwelling unit, when attached to a primary residence, must be on the side or rear of the residential structure unless there is no access from the ground to the accessory dwelling unit, or the primary dwelling has additional front entrances prior to the conversion and the total number of entrances is not increased. Exceptions to the second entrance limitation of the front façade are subject to administrative review.
 8. In addition to the required parking spaces for the primary dwelling, one additional off-street parking space located behind the front yard setback line shall be provided for the accessory dwelling unit.
 9. Owner occupancy of one of the units is required when an accessory dwelling unit is created on a site. A deed restriction requiring owner-occupancy of one of the units shall be recorded with the deed.
- G. Condominiums shall be subject to Design Review pursuant to Section 1102, Section 803, and the provisions of Section 1005. (11/5/98)
- H. Single Family Attached Dwellings: In addition to the design standards in Subsection 301.09(E), single family attached dwellings are subject to the following design standards: (3/14/02)
1. Minimum Street frontage: Twenty-five (25) feet
 2. Minimum Front and Rear Yard Setback: Twenty (20) feet
 3. Minimum Side Yard Setback:
 - a. There is no side yard setback on the side of the lot where the dwellings are attached;
 - b. The minimum sideyard setback opposite the commonwall is 10 feet.
 4. Maximum lot coverage: Fifty (50) percent.
 5. Maximum building Height: Thirty-five (35) feet.
 6. Roofs: The roof of each attached house shall be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.
 7. Lot Size: Each attached house must be on a lot that complies with the lot size requirements in Section 301.08(A) and Section 1014.04(B)(2). (3/14/02)

8. Design Review: Single family attached dwellings shall be subject to Design Review.

301.10 DEVELOPMENT STANDARDS

All development in these districts shall be subject to the applicable provisions of Section 1000, as specified under Subsections 1001.02 and 1001.03. In addition, the following specific standards shall apply:

- A. Fences, Screening, and Buffering: No sight-obscuring structures or plantings exceeding thirty (30) inches in height shall be located within a twenty (20) foot radius of the lot corner nearest the intersection of two public, county or state roads, or from the intersection of a private road or easement and a public, county or state road. Trees located within a twenty (20) foot radius of any such intersection shall be maintained to allow eight (8) feet of visual clearance below the lowest hanging branches. (12/23/98)
- B. Off-Street Parking:
 1. At least one (1) off-street parking space located behind the front yard setback line shall be provided for each dwelling unit.
 2. Off-street parking for other permitted uses shall be as specified in Subsection 1007.07.
- C. Subdivisions and Partitions
 1. Developments and land which meet the criteria set forth in Subsection 1013.02B shall be required to develop as Planned Unit Developments, subject to the provisions of Section 1013.
 2. All subdivisions and partitions in these districts shall comply with the Development Standards of Section 1000 and the procedures set forth in Section 1100 (10/11/82).
- D. Manufactured Dwelling Parks: Existing manufactured dwelling parks shall not be redeveloped with a different use until a plan for relocation of the existing tenants is submitted and approved by the Planning Director or his designate. (11/24/99)
- E. Community Plans: All development within a Community Plan Area as described in Chapter 10 of the Comprehensive Plan shall also comply with the specific policies and standards for the adopted Community Plan. (6/29/00)