

Chapter 17.12

R-5 — SINGLE-FAMILY RESIDENTIAL DISTRICT

Sections:

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17.12.010 Purpose.

The purpose of an R-5 district is to implement the comprehensive plan and to provide land for families and individuals desiring to live in an environment of medium density, mixed single-family and multi-family dwellings.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (part), 1990.

17.12.020 Uses allowed outright.

In an R-5 zoning district, the following uses and their accessory uses are allowed outright:

(1) Single-family dwelling, including a manufactured dwelling.

(2) Mobile home park, subject to GMC Section 17.62.070 (mobile home park).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (part), 1990; Ord. 1144§1 (part), 1991; Ord. 1171 §1(C), 1993; Ord.1291 §1 (part), 2000; Ord.1323 §1 (part), 2002.

17.12.030 Accessory uses allowed.

Accessory uses shall comply with all the requirements of this zoning district, except as this section allows to the contrary. All accessory structures shall be subject to GMC Chapter 17.54 (clear vision). The following accessory uses shall be allowed in an R-5 zoning district:

(1) Buildings. Garages and carports, storage and other buildings, as follows:

(a) Either the side, except a street side, or rear setback may be reduced to zero for one accessory structure provided such structure:

(A) Is detached from other buildings;

(B) Does not exceed a height of one(1) story; and

(C) Does not exceed a floor area of four hundred fifty (450) square feet;

(b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.

(2) Courtyards, Patios and Decks.

The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of thirty inches (30") in height shall be five feet (5'). The minimum front and street side setbacks for such courtyards, patios and decks shall be fifteen feet (15'). No setbacks shall be required for uncovered courtyards, patios and decks thirty inches (30") or less in height. When calculating the height of a courtyard, patio or deck, railings and benches shall be excluded from the calculation.

(3) Fences and Walls. The following standards shall apply to fences and walls of all types whether open, solid, wood, metal, masonry or other material.

(a) When located between the front lot line and the front building line, fences and walls shall not exceed three feet (3') in height;

(b) Fences and walls not subject to Subsection (3)(a) of this Section shall not exceed six feet (6') in height.

(c) An exception may be granted to the maximum fence or wall height standards for conditional or nonconforming uses. Such an exception may be granted pursuant to review of an application for conditional use; alteration, expansion or change of use of a nonconforming use; or design review and when an exception is found necessary to provide adequate screening for the use.

(4) Storage. Storage of boats, trailers, pickup campers, coaches, motorhomes and similar recreation equipment. Occupancy of such equipment is subject to a temporary permit under GMC Chapter 15.28 (temporary dwellings).

(5) Accessory dwelling units, subject to the

following standards:

(a) Only one accessory dwelling unit per lot shall be permitted. An accessory dwelling unit shall not be permitted on a lot occupied by two or more dwelling units;

(b) The floor area of an accessory dwelling unit shall not exceed 400 square feet;

(c) An accessory dwelling unit shall not contain more than one bedroom;

(d) Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the other unit is being rented or otherwise occupied. Prior to issuance of a building permit establishing an accessory dwelling unit, a deed restriction requiring owner- occupancy of one of the units shall be recorded in the Clackamas County Clerk's Office in a form prescribed by the City;

(e) One (1) off -street parking space shall be provided in addition to the off-street parking space required by GMC Chapter 17.48 (off-street parking and loading) for the primary dwelling unit;

(f) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing façade of the structure containing the primary dwelling unit unless this structure had additional entrances before the accessory dwelling unit was created and the number of entrances will not be increased;

(g) The exterior finish materials—including siding, trim and roofing — of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit with respect to type, size, placement and color;

(h) The roof pitch of an accessory dwelling unit shall be the same as the predominant roof pitch of the primary dwelling unit;

(i) The windows of an accessory dwelling unit shall be the same or visually similar to those of the primary dwelling unit;

(j) The eaves on an accessory dwelling unit shall project from the structure walls the same distance as the eaves on the primary dwelling unit;

(k) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC

Section 17.12.050.

(6) Swimming Pools, Ponds and Hot Tubs. The minimum side, street side and rear setbacks for swimming pools, ponds and hot tubs shall be three feet (3'). The minimum front setback for ponds no greater than five feet (5') wide and no more than two feet (2') deep shall be three feet (3').

(7) Home Occupations. Home occupations shall be subject to GMC Chapter 17.78 (home occupations).

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (part), 1990; Ord. 1171 §§1(E) & 1(F), 1993; Ord. 1289 §1 (part), 2000; Ord 1323 §1 (part), 2002.

17.12.040 Conditional uses allowed.

In an R-5 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (conditional uses):

(1) Multi-family dwelling, three to eight unit complexes.

(2) Medical/dental office at the intersection of minor arterials or collectors.

(3) Church and associated buildings and structures.

(4) Community center, day care center.

(5) Fire station or similar public use necessary to provide service or preserve public safety in the area.

(6) Planned unit development.

(7) Nursing homes and homes for the aged.

(8) School and associated buildings, structures and facilities.

(9) Utility facility provided that no outside storage is involved.

(10) Community commercial within two hundred feet from the Portland Avenue C-2 district.

(11) Group homes.

(12) Boardinghouse, roominghouse, lodginghouse.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (part), 1990; Ord. 1323 §1 (part), 2002.

17.12.050 Dimensional standards.

Except as provided in GMC Chapter 17.38 (planned unit development), Chapter 17.72

(variances) and Chapter 17.76 (exceptions), the following dimensional standards shall apply in an R-5 zoning district:

(1) Lot Area:

(a) For a single-family dwelling, the minimum lot area shall be five thousand square feet;

(b) For a multi-family dwelling, the minimum lot area shall be two thousand five hundred square feet per dwelling unit;

(c) For other uses, the minimum lot area shall be five thousand square feet, or as established by the Planning Commission, as provided by GMC Chapter 17.70 (conditional uses).

(2) Setback Requirements:

(a) A front setback shall be a minimum of twenty feet (20') except that a front porch may project a maximum of five feet (5') into a required front setback area;

(b) A side setback shall be a minimum of five feet (5');

(c) A rear setback shall be a minimum of fifteen feet (15');

(d) A street side setback shall be a minimum of twenty feet (20');

(e) Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet (2') into a required setback area;

(3) Building Height. Maximum building height shall be thirty-five feet (35'). Vertical projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to building height limitations of this subsection.

(4) Minimum Vegetation. For multi-family dwellings, the minimum area that must be left or planted with trees, shrubs, grass, etc., shall be at least twenty percent (20%) of the total area of the lot.

(5) Exceptions in Case of Large Scale PUD. The dimensional standard of this section may be modified by the Planning Commission in the case of a plan and program for a planned unit development, providing the modifications are not detrimental to the public health, safety and

welfare and providing the Planning Commission determines there is provision for adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the developed tract and its relation to adjacent areas and for such covenants or other legal provisions as will assure conformity to and achievement of the plan.

(6) Minimum density. Subdivisions and PUDs shall provide a minimum density of eighty percent (80%) of the maximum density per net acre. For the purposes of this provision, maximum density shall be one (1) dwelling unit per five thousand (5,000) square feet of lot area or eight (8) units per net acre.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1131 §2 (part), 1990; Ord. 1289 §1 (part), 2000; Ord. 1291 §1 (part), 2000; Ord. 1323 §1 (part), 2002.

17.12.060 Design standards.

(1) Attached garage. The following standard shall apply to the construction of a garage attached to a single-family or two-family dwelling. An existing garage, legally constructed prior to the adoption of this standard, that does not conform to this standard may be remodeled or expanded provided such remodeling or expansion shall not further reduce the structure's compliance with this standard.

(a) The length of the garage wall facing the street may be up to fifty percent (50%) of the length of the street-facing building facade. On corner lots only one street-facing garage wall must meet this standard unless there are two garages, such as in the case of a two-family dwelling.

(2) Main entrance. The main entrance of a single-family dwelling and the main entrance of each unit of a two-family dwelling shall:

(a) Face the street lot line. On a corner lot, the main entrance may face either street lot line or the corner; or

(b) The main entrance shall open onto a covered porch that has an entrance that faces the street lot line. The porch and its roof shall each be at least forty (40) square feet in area and neither the width nor the depth shall be less than five feet (5').

(3) Design features. Single-family dwellings shall include at least two (2) of the following design features:

- (a) Dormer;
- (b) One or more windows that face the street lot line;
- (c) Cupola;
- (d) Bay or bow window;
- (e) Gable;
- (f) Covered porch entry;
- (g) Eaves (minimum six inches (6") projection); and
- (h) Offset on building face or roof [minimum sixteen inches (16")].

(4) Manufactured dwellings. All manufactured dwellings on individuals lots in this district shall meet or exceed the following design standards:

(a) The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet;

(b) The manufactured dwelling shall be placed on an excavated, back-filled foundation and enclosed at the perimeter such that no more than twelve inches (12") of the enclosing material is exposed above grade. Where the building site has a sloped grade, no more than twelve inches (12") of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the twelve inch (12") limitation shall not apply;

(c) The manufactured dwelling shall have a pitched roof of not less than three feet (3") height for each twelve feet (12') width;

(d) The manufactured dwelling shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material on surrounding dwellings;

(e) The manufactured dwelling shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single-family dwelling constructed under the Uniform Building Code. Evidence demonstrating that the manufactured home meets "Super Good Cents"

energy efficiency standards is deemed to satisfy the exterior thermal envelope certification standards. Additional manufacturer's certification shall not be required in such cases.

(f) The manufactured home shall have a garage or carport constructed of like materials. An attached or detached garage may be approved in lieu of a carport where such is consistent with the predominant construction of immediately surrounding dwellings.

Statutory Reference: ORS Ch. 197, Ch. 227

History: Ord. 1144 §1 (part), 1991; Ord. 1171 §1(D), 1993; Ord. 1188 §1 (part), 1994; Ord. 1289 §1 (part), 2000; Ord. 1291 §1 (part), 2000.

[**Ed. Note:** The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]