



**GLADSTONE PLANNING COMMISSION REGULAR AGENDA  
GLADSTONE CIVIC CENTER, 18505 PORTLAND AVENUE  
Tuesday, August 16, 2022 – 6:30 p.m.**

The City of Gladstone is abiding by guidelines set forth in House Bill 2560, which requires the governing body of the public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Therefore, this meeting will be open to the public both in person and virtually using the Zoom platform.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81980778766?pwd=amswaHgrZm1pRmVrYjBtZXFRTjRDZz09>

Passcode: 572962

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If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us) prior to 12:00 p.m. (noon) on August 16, 2022.

The Planning Commission will also have *Business from the Audience* at the end of the meeting. To speak during this time, (either virtually or in person) please email [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us) prior to 12:00 p.m. (noon) on August 16, 2022 with your name, topic of discussion and city of residence.

(Zoom participant speaking instructions will be emailed to persons who request to speak and posted on the city's website)

**6:30 P.M. CALL TO ORDER**  
ROLL CALL  
FLAG SALUTE

**CONSENT AGENDA**

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

1. Approval of July 19, 2022 Meeting Minutes

## **REGULAR AGENDA**

2. Monthly Planning Report – July 2022
3. **PUBLIC HEARING:** File TXT-2022-2, Proposed Amendments to the C-2 Zoning District and new Downtown Overlay Plan – Postponement of public comments to October 18, 2022
4. Discussion of Residential Zoning Districts Citywide including Chapter 17.10 – R-7.2 and Chapter 17.12 – R-5
5. Discussion of 2023 – 2025 Planning Commission Work Plan

**BUSINESS FROM THE PUBLIC** - Visitors: This is an opportunity for members of the audience to bring to the Commission's attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

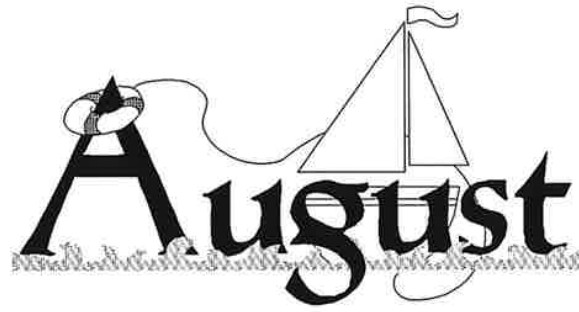
**BUSINESS FROM THE PLANNING COMMISSION**

**ADJOURN**

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### **MEETING ACCESSIBILITY SERVICES AND AMERICANS WITH DISABILITIES ACT (ADA) NOTICE**

The Civic Center is ADA accessible. Hearing devices may be requested from the City Recorder at least 48 hours prior to the meeting. Individuals requiring other assistance must make their request know 48 hours preceding the meeting by contacting the City Recorder at [bannick@ci.gladstone.or.us](mailto:bannick@ci.gladstone.or.us). Staff will do their best to respond in a timely manner and to accommodate requests.



## **CONSENT AGENDA**



**GLADSTONE PLANNING COMMISSION WORK SESSION/MEETING MINUTES OF JULY 19, 2022**

Meeting was called to order at approximately 5:30 P.M. (In Person and via Zoom)

**ROLL CALL:**

Chair Natalie Smith, Commissioner Michael Milch, Commissioner Andrew Labonte, Commissioner Thomas Mersereau, Commissioner Jennifer Volbeda, Commissioner Andriel Langston, Commissioner Pat Smith

**ABSENT:**

None

**STAFF:**

Tami Bannick, City Recorder; Joy Fields, Senior Planner; Tammy Stempel, Mayor

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**WORK SESSION:**

**1. File TXT-2022-02 – PROPOSED AMENDMENTS TO THE C-2 ZONING DISTRICT AND NEW DOWNTOWN OVERLAY PLAN:**

Jon Pheanis and Keegan Gulick from MIG presented the draft amendments to the C-2 Zoning District, the Downtown Overlay Plan, and potential additional changes. The purpose of the amendments stems from the 2017 Downtown Revitalization Plan. They want to look at future growth needs – more housing opportunities and employment, a more walkable downtown area, reducing minimum parking, prohibiting new single-family detached housing, etc. They went over the process that was involved.

They went over the C-2 zones/boundaries that would be effected. Some of the key recommendations for the Downtown Revitalization Plan are: allowing multi-household, middle housing, and attached residential, allowing for minimum parking reduction when on-street parking is available or when affordable housing close to transit is provided, and restricting off-street parking between the building and street. There are no suggested changes to the Zoning Map. They went over some of the suggested changes: allowing for a broader range of uses on the ground floor downtown (commercial uses), increase the maximum height to 40 feet (if there is a 15-foot ground floor), add, minimum parking reductions, and changes to landscape requirements, etc.

They asked for feedback regarding Downtown - building height, off-street parking requirements, and potential boundary changes. They held an open house on Portland Avenue on June 29<sup>th</sup> and had a good turnout and discussions. They extended the feedback to include an on-line poll. John Southgate, Consultant, said he is excited about the prospects for Downtown Gladstone. He encouraged them to consider not having a minimum parking requirement. He went over some of the feedback he's received (food cart pods, etc.).

Mayor Stempel feels they need to look at four-story buildings. She said people are asking to extend the C-2 along Portland Avenue to encompass the whole block.

Commissioner Milch said when he was on the Downtown Revitalization Advisory Committee the public was concerned about buildings higher than three stories. He said the code allows for a 50-foot, four-story building in the C-2 zone because the code isn't specific as to a numerical height limit.

Commissioner Mersereau has concerns regarding building height. He asked if the Fire Department was included in the discussions. He has concerns regarding parking.

Commissioner Pat Smith thinks that four-story buildings are fine. He has concerns regarding parking and people parking on residential streets around the Downtown area. He noted two properties on Portland Avenue that don't fit in – he hopes the City Council addresses those. Commissioner Labonte also has concerns regarding parking, having larger buildings with less parking, and the infrastructure.

Commissioner Volbeda has concerns regarding building heights. She likes the idea of a municipal parking lot. She would like to get input from the Transportation Committee to make sure they are taking every precaution to protect pedestrians.

Commissioner Langston said there are some very small parking lots in the area. He has concerns about parking.

Chair Smith said she is in favor of expanding the overlay – it benefits the City and the property owners. She thinks there are some parking lots that are empty during the week and could be potential business opportunities. She is fine with four-story buildings.

Commissioner Mersereau said there are creative ways to increase parking. Mr. Southgate said they will be exploring some of those ideas. Commissioner Milch asked if parking limits are enforced now.

The owner/manager of the property (Terry Marsh) at Arlington/Portland Avenue that Commissioner Smith mentioned earlier said he is doing his best to catch up on the process. His father started the process approximately six years ago – there were a number of issues in regard to parking. It became cost prohibitive. His family would like to do something with the property/building and they are excited about the possibilities. He likes the idea of expanding the overlay.

**ADJOURN:**

*Commissioner Langston made a motion to adjourn the work session. Motion was seconded by Commissioner Smith. Ms. Bannick took a vote – motion passed with a unanimous vote.*

**REGULAR MEETING**

Meeting was called to order to 6:32 P.M.

**CONSENT AGENDA:**

**1. Approval of May 17, 2022 Meeting Minutes**

*Commissioner Smith made a motion to approve the Consent Agenda. Motion was seconded by Commissioner Mersereau. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith - yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

**REGULAR AGENDA:**

**2. MONTHLY PLANNING REPORT – JUNE, 2022:**

Ms. Fields went over the report. She said this report went to City Council prior to her returning from vacation, so it has been amended.

In June they had three members of the public come to the customer service counter, responded to approximately 70 phone calls/emails, reviewed four building permits with land use reviews, no pre-application conferences, and one administrative decision that included a property line adjustment.

The June meeting was canceled. The City Council approved House Bill 2001 Housing Code Amendments as recommended by the Planning Commission.

3. **PUBLIC HEARING: FILE Z0273-22-D – CONSTRUCTION OF NEW WALK-UP ATM MACHINE AT ESTABLISHED OFFICE BUILDING ADJACENT TO WALGREENS. AS PROPOSED, THE DEVELOPMENT WILL INCLUDE THE ATM, ATM CANOPY WITH ILLUMINATED SIGNAGE AND LIGHT POLE – 20140 MCLOUGHLIN BLVD.:**

Ms. Fields went over the staff report. The landscaping in the proposal is modified from a 2017 approval. The use of metal as an exterior material must be explicitly approved by the Planning Commission. This U.S. Bank ATM will be located at the northwest corner of the existing office building. The structure is 35 square feet. It is in the C-3 Zoning District. There are no setbacks that apply. There are no environmental overlays. Public notices were sent out and there were no comments received. There is no additional parking being proposed. There is no required screening from adjacent properties. The tree canopy is not reduced – it is modified by moving a tree to another area of landscaping. There are no proposed changes to the sidewalks or public utilities. There is a requirement for two bicycle parking spaces.

Chair Smith opened the public hearing.

She asked the members of the Planning Commission if they needed to declare any conflicts of interest – there were none. She asked if there were any significant ex parte contacts - there were none.

Chair Smith asked if there was any member of the audience who wished to challenge the right of any Commission member to hear this matter – there were none. She asked if there was any member of the audience who wished to question the jurisdiction of the Planning Commission to act on behalf of the City Council on this matter – there were none.

Chair Smith said Oregon Land Use laws require that all issues be raised if the issues are to be appealed. Failure to raise the issues of this hearing may invalidate their future appeal to the Land Use Board of Appeals (LUBA). Any party has the right to request a continuance to this hearing or in the alternate to have the record left open for seven days. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issues precludes an action for damages in Circuit Court.

**APPLICANT TESTIMONY:**

Jonathan McEvoy, Project Manager (Security Vault Works/Powerhouse), said they are working to provide the photometric drawings. They can send additional information regarding the structure and signage as well.

Commissioner Volbeda asked about their plan for temporary lighting in case there are delays in obtaining the materials for a light pole. Mr. McEvoy said they won't start any construction until all material/equipment is available.

Commissioner Langston asked Ms. Fields for clarification regarding parking – she said it is considered “over parked”, meaning it was built for more parking than is needed now because originally there was supposed to be a restaurant there.

**PUBLIC TESTIMONY:**

None.

*Commissioner Milch made a motion to close the public hearing. Motion was seconded by Commissioner Volbeda. (There was no vote taken)*

The Public Hearing was closed.

*Commissioner Milch made a motion to approve the design review application Z0273-22-D with the recommended conditions of approval provided by staff. Motion was seconded by Commissioner Volbeda. Ms. Bannick took a roll call vote: Commissioner Volbeda – yes. Commissioner Mersereau – yes. Commissioner Smith – yes. Commissioner Labonte – yes. Commissioner Milch – yes. Commissioner Langston – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

**4. PROCESS FOR REPORTING CODE VIOLATIONS:**

Ms. Bannick said they discussed this topic with Police Chief Schmerber. He provided them with information and suggested that Commissioners go online to the City’s website or call the non-emergency Code Enforcement number to report the violation. He asked that they include the address of the violation and their concern(s) and to indicate that they are a Planning Commissioner, including their name, phone number, and City email address so he can follow up with them. Commissioner Milch asked if the City is sufficiently staffed for dealing with code violations. Ms. Bannick said that Officer Boyle works full time now as the Code Enforcement officer. Ms. Fields said that Clackamas County Code Enforcement Division enforces building code violations.

**BUSINESS FROM THE PUBLIC:**

None.

**BUSINESS FROM THE PLANNING COMMISSION:**

**Commissioner Milch:**

He said in February Les Poole voiced a concern about access to Portland Avenue from the trolley trail walking/biking area in the vicinity of the Senior Center. Commissioner Milch took some photos of the area. He said it is difficult to merge onto Portland Avenue. He would like to revisit this concern and examine some options. Commissioner Labonte said this has come up with the Traffic Safety Advisory Board, but no action has been taken.

Ms. Bannick said at the next meeting they will be looking at work plans for 2023 and asked Commissioners to bring their ideas with them.

**ADJOURN:**

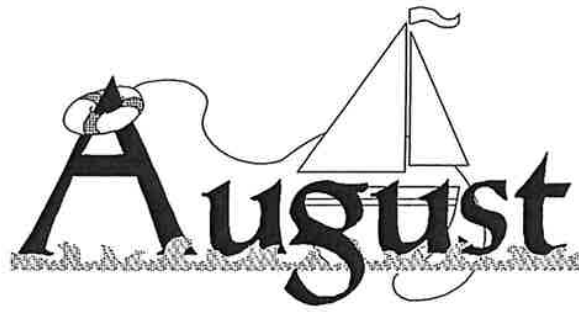
*Commissioner Langston made a motion to adjourn the meeting. Motion was seconded by Commissioner Milch. Ms. Bannick took a roll call vote: Commissioner Langston – yes. Commissioner Milch – yes. Commissioner Labonte – yes. Commissioner Pat Smith – yes. Commissioner Mersereau – yes. Commissioner Volbeda – yes. Chair Smith – yes. Motion passed with a unanimous vote.*

Meeting adjourned at approximately 7:06 P.M.

Minutes approved by the Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Natalie Smith, Chair





## **REGULAR AGENDA**





# City of Gladstone Monthly Planning Report July 2022

## PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR TOTALS
Customer Service Counter Contacts	1	2	1	1	0	3	2						10
Customer phone/email Contacts	47	67	52	68	64	70	38						406
Building Permits with Land Use Review	4	4	6	11	1	4	6						32
Pre-application Conferences	1	0	0	0	0	0	0						1
Administrative Decisions	0	1	1	1	0	1							4

## PLANNING COMMISSION ACTIONS/DECISIONS

- Work Session on Downtown Overlay District
- Z02073-22-D for ATM - Approved.

## CITY COUNCIL LAND USE ACTIONS/DECISIONS

- None

## PRE-APPLICATION CONFERENCES

- None

## ADMINISTRATIVE PERMITS

- ZINFO0159-22 – Zoning Verification Letter

## BUILDING PERMITS WITH LAND USE REVIEW

### JULY

Date	Address	Building Permit #	Description
07/19/2022	170 W BERKELEY ST	B0351122	Fire Damage Repair
07/19/2022	525 PORTLAND AVE	B0371022	Demolition
07/19/2022	19605 RIVER RD	MH0005422	Manufactured Home Placement
07/19/2022	360 E JERSEY ST	B0230422	Addition
07/26/2022	6075 DUNIWAY AVE	B0443922	New Construction Needs Land Use approval
07/26/2022	305 W EXETER ST	B0376222	Garage conversion to ADU

## FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
	Downtown Overlay District and C-2 Zoning amendments



# GLADSTONE

Oregon

## PUBLIC HEARING: TXT-2022-02 – PROPOSED AMENDMENTS TO THE C-2 ZONING DISTRICT AND NEW DOWNTOWN OVERLAY PLAN

The Gladstone Planning Commission’s public hearing on revisions to the City’s C2 (“Community Commercial”) zone as well as a new *Downtown Core Overlay Zone*, originally scheduled for August 16, 2022, has been postponed to October 18, 2022, 6:30 PM.

This hearing has been postponed due to the intention of City staff and MIG to respond to substantive feedback provided by the Planning Commission at its July 19, 2022 Work Session. (MIG is the planning consultant with whom the City has contracted for this project).

The Planning Commission feedback at the July Work Session primarily concerned proposed minimum parking requirements, maximum height requirements, and the boundary of the new Overlay Zone. In addition, the postponement of the public hearing is due to the intention of the City to do additional outreach to affected parties, including property owners within the potentially expanded boundary of the Overlay Zone.



**CHAPTER**

**17.10**

**R-7.2**

**SINGLE-HOUSEHOLD  
RESIDENTIAL DISTRICT**

**REDLINED VERSION**

**AND**

**CLEAN VERSION**





## Chapter 17.10

### R-7.2—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.10.010 Purpose.
- 17.10.020 Uses allowed outright.
- 17.10.030 Accessory uses allowed.
- 17.10.040 Conditional uses allowed.
- 17.10.050 Dimensional standards.
- 17.10.060 Design standards.
- 17.10.070 Exemptions to uses permitted outright.

**17.10.010 Purpose.**

The purpose of an R-7.2 district is to implement the comprehensive plan and to provide land for households desiring to live in an environment of single-household and middle housing dwellings .

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. A), 2020.

**17.10.020 Uses allowed outright.**

In an R-7.2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2) Middle housing.
- (3) Foster home.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1188 §1, 1994; Ord. 1323 1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.030 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-7.2 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 five feet for structures that:
    - (A) Are detached from other buildings on the same lot by a minimum of 10 feet;
    - (B) Do not exceed a height of one story; and
    - (C) Do not exceed a floor area of 450 square feet.
  - (b) Either the side, except a street side, or rear setback may be reduced to three feet for structures that do not exceed a floor area of 120 square feet.
  - (c) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
  - (d) A setback does not apply to portable storage containers as defined in GMC Chapter 5.22.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios or decks 30 inches 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 in height.

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet 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

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade 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;

(e) 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;

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

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

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

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.10.050.

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(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. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(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, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392 §3, 2007; Ord. 1499 §1 (Exh. A), 2020.

**17.10.040 Conditional uses allowed.**

In an R-7.2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five- to eight-unit building on a collector or minor arterial.
- (2) Church and associated buildings and structures.
- (3) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (4) Community center, day care center.
- (5) Nursing homes and homes for the aged.
- (6) School and associated buildings, structures and facilities.
- (7) Utility facility; provided, that no outside storage is involved.
- (8) Group homes.
- (9) Planned unit development (PUD).

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.050 Dimensional standards.**

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

Minimum Lot Area		
Detached single household	7,200 sf	
Middle Housing	3,600 sf	
Multi-household dwellings	3,600 sf per dwelling unit	
Other uses	7,200 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		

Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	7.5 ft or 5 ft due to irregular shaped lots	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area
Interior side setback	5 ft	
Rear Setback	15 ft	Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached.  Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).  Setbacks for Manufactured homes in a mobile home park are subject to the standards in Section 17.62.070 (4).
Maximum Building Height	35 ft	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.
Minimum Density		
	Subdivisions and PUDs shall provide a minimum density of 80% of the maximum density per net acre.	
	Cottage Clusters shall have a minimum density of 4 dwelling units per acre	
Maximum Density		
Detached single household dwelling	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units. Cottage Clusters and townhomes are exempt.
Middle Housing	None	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon	

	submittal of a residential development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards 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 provided 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.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.055 Cottage Cluster Standards.**

The following dimensional standard apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-7.2 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

**17.10.060 Design standards.**

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-family household 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 50 percent 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-household 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 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Single- household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:

- (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 projection); and
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches).

(5) Foundations shall meet the following design standards:

~~(4) Manufactured Dwellings. All manufactured dwellings on individual 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;~~

~~(ab) The manufactured dwelling shall be placed on an excavated, backfilled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is exposed above grade; and~~

~~(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and-~~

~~(c) If the manufactured dwelling is placed/sits on a basement, the 12-inch limitation shall not apply;~~

~~(e) The manufactured dwelling shall have a pitched roof of not less than three feet in height for each twelve feet in 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 dwellings constructed under the Oregon Residential Specialty 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 dwelling 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. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1499 §1 (Exh. A), 2020.

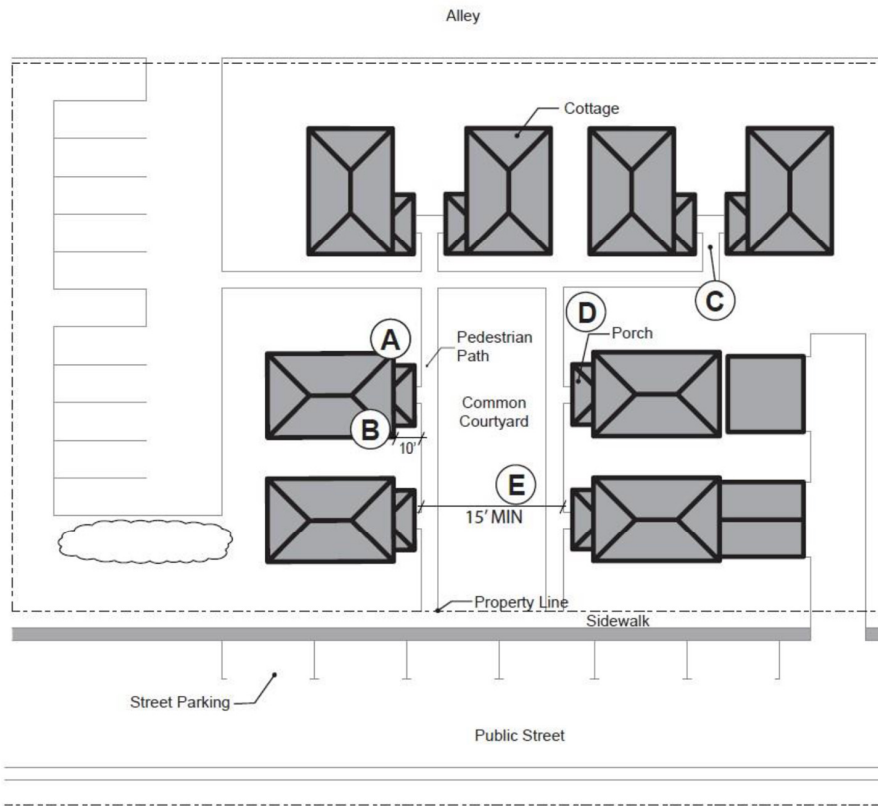
#### **17.10.065 Cottage Cluster Design Standards**

The following design standards apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

- (a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.
- (b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
  - (A) Have a main entrance facing the common courtyard;
  - (B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
  - (C) Be connected to the common courtyard by a pedestrian path.
- (c) Cottages within 20 feet of a street property line may have their entrances facing the street.
- (d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

*Figure 1. Cottage Cluster Orientation and Common Courtyard Standards*



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
  - (A) The common courtyard;
  - (B) Shared parking areas;
  - (C) Community buildings; and



- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
  - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
- (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- (c) Individual detached garages must not exceed 400 square feet in floor area.
- (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

**17.10.070 Exemptions to uses allowed outright.**

Manufactured housing shall not be allowed in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1188 §1, 1994; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

## Chapter 17.10

### R-7.2—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.10.010 Purpose.
- 17.10.020 Uses allowed outright.
- 17.10.030 Accessory uses allowed.
- 17.10.040 Conditional uses allowed.
- 17.10.050 Dimensional standards.
- 17.10.060 Design standards.
- 17.10.070 Exemptions to uses permitted outright.

**17.10.010 Purpose.**

The purpose of an R-7.2 district is to implement the comprehensive plan and to provide land for households desiring to live in an environment of single-household and middle housing dwellings .

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. A), 2020.

**17.10.020 Uses allowed outright.**

In an R-7.2 zoning district, the following uses and their accessory uses are allowed outright:

- (1) Single- household dwelling, including a manufactured dwelling.
- (2) Middle housing.
- (3) Foster home.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1188 §1, 1994; Ord. 1323 1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.030 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-7.2 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 five feet for structures that:
    - (A) Are detached from other buildings on the same lot by a minimum of 10 feet;
    - (B) Do not exceed a height of one story; and
    - (C) Do not exceed a floor area of 450 square feet.
  - (b) Either the side, except a street side, or rear setback may be reduced to three feet for structures that do not exceed a floor area of 120 square feet.
  - (c) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
  - (d) A setback does not apply to portable storage containers as defined in GMC Chapter 5.22.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios or decks 30 inches 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 in height.

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet 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

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade 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;

(e) 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;

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

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

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

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.10.050.

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(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. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(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, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392 §3, 2007; Ord. 1499 §1 (Exh. A), 2020.

**17.10.040 Conditional uses allowed.**

In an R-7.2 zoning district, the following uses and their accessory uses are allowed subject to GMC Chapter 17.70 (Conditional Uses):

- (1) Multi-household dwelling, five- to eight-unit building on a collector or minor arterial.
- (2) Church and associated buildings and structures.
- (3) Fire station or similar public use necessary to provide service or preserve public safety in the area.
- (4) Community center, day care center.
- (5) Nursing homes and homes for the aged.
- (6) School and associated buildings, structures and facilities.
- (7) Utility facility; provided, that no outside storage is involved.
- (8) Group homes.
- (9) Planned unit development (PUD).

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.050 Dimensional standards.**

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-7.2 zoning district:

Minimum Lot Area		
Detached single household	7,200 sf	
Middle Housing	3,600 sf	
Multi-household dwellings	3,600 sf per dwelling unit	
Other uses	7,200 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		

Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	7.5 ft or 5 ft due to irregular shaped lots	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area
Interior side setback	5 ft	
Rear Setback	15 ft	Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached.  Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).  Setbacks for Manufactured homes in a mobile home park are subject to the standards in Section 17.62.070 (4).
Maximum Building Height	35 ft	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.
Minimum Density		
	Subdivisions and PUDs shall provide a minimum density of 80% of the maximum density per net acre.	
	Cottage Clusters shall have a minimum density of 4 dwelling units per acre	
Maximum Density		
Detached single household dwelling	One dwelling unit per 7,200 square feet of lot area or eight units per net acre	This code does not allow for the creation of more than four (4) dwelling units on a lot, including accessory dwelling units. Cottage Clusters and townhomes are exempt.
Middle Housing	None	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is provided, or will be provided, upon	

	submittal of a residential development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards 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 provided 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.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**17.10.055 Cottage Cluster Standards.**

The following dimensional standard apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-7.2 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;
- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;

- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

**17.10.060 Design standards.**

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-family household 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 50 percent 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-household 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 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Single- household dwellings and duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:

- (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 projection); and
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches).

(5) Foundations shall meet the following design standards:

- (a) The dwelling shall be placed on an excavated, backfilled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is exposed above grade; and

(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and

(c) If the dwelling sits on a basement, the 12-inch limitation shall not apply;

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1499 §1 (Exh. A), 2020.

**17.10.065 Cottage Cluster Design Standards**

The following design standards apply to cottage clusters development in the R-7.2 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

(a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.

(b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;

(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

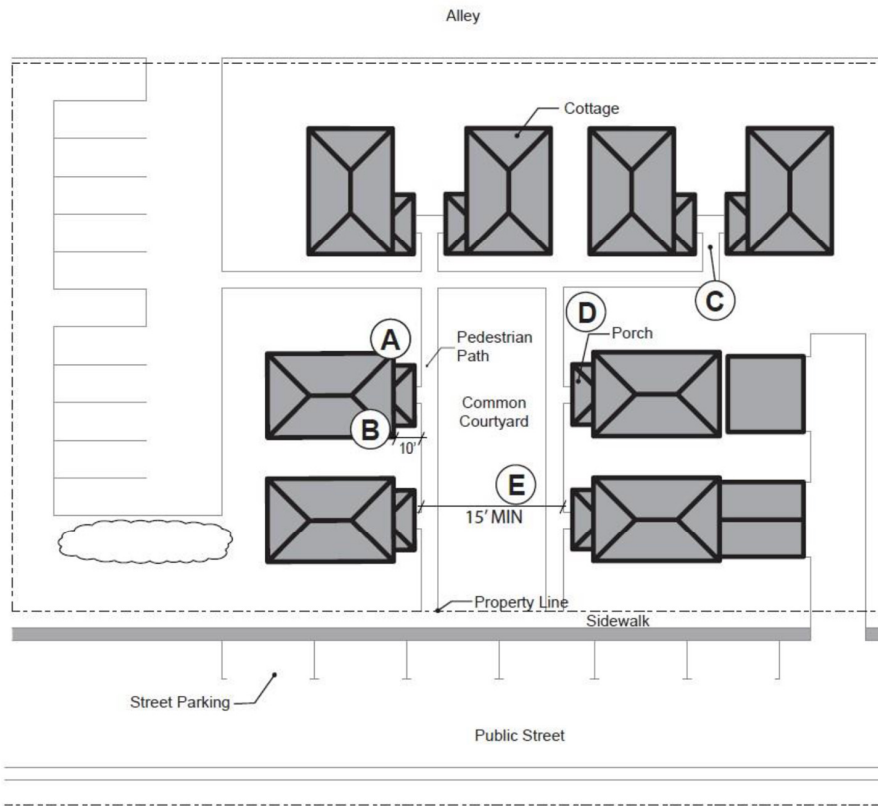
(C) Be connected to the common courtyard by a pedestrian path.

(c) Cottages within 20 feet of a street property line may have their entrances facing the street.

(d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

*Figure 1. Cottage Cluster Orientation and Common Courtyard Standards*





(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
  - (A) The common courtyard;
  - (B) Shared parking areas;
  - (C) Community buildings; and

- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
  - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
- (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- (c) Individual detached garages must not exceed 400 square feet in floor area.
- (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

**17.10.070 Exemptions to uses allowed outright.**

Manufactured housing shall not be allowed in any area designated in an acknowledged Comprehensive Plan or land use regulation as an historic district or on residential land immediately adjacent to an historic landmark.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1188 §1, 1994; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. A), 2020.

**CHAPTER**

**17.12**

**R-5**

**SINGLE-HOUSEHOLD  
RESIDENTIAL DISTRICT**

**REDLINED VERSION  
AND**

**CLEAN VERSION**



## Chapter 17.12

### R-5—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.12.010 Purpose.
- 17.12.020 Uses allowed outright.
- 17.12.030 Accessory uses allowed.
- 17.12.040 Conditional uses allowed.
- 17.12.050 Dimensional standards.
- 17.12.060 Design standards.

**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 mixed single household and middle housing dwellings.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. B), 2020.

**17.12.020 Uses allowed outright.**

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

- (1) Single- household dwelling, including a manufactured dwelling.
- (2)-Middle housing.
- (3) Mobile home park, subject to GMC Section 17.62.070 (Mobile home park).

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1144 §1, 1991; Ord. 1171 §1(C), 1993; Ord.1291 §1, 2000; Ord.1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**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 story; and
    - (C) Does not exceed a floor area of 450 square feet;
  - (b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
  - (c) When more than one accessory structure is present including a portable storage container, as defined in GMC Chapter 5.22, a setback does not apply to the portable storage container.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios and decks 30 inches 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 in height;

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet 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;

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade 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;

(e) 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;

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

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

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

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.12.050;

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(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. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(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, 1990; Ord. 1171 §§1(E) & 1(F), 1993; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392, §3, 2007; Ord. 1499 §1 (Exh. B), 2020.

**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-household dwelling, five-to-eight-unit building.
- (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 200 feet from the Portland Avenue C-2 district.
- (11) Group homes.
- (12) Boarding house, rooming house, lodging house.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**17.12.050 Dimensional standards.**

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-5 zoning district:

Minimum Lot Area		
Detached single household	5,000 sf	
Duplex and Triplex	5,000 sf	
Quadplex	7,000 sf	

Cottage Cluster	7,000 sf	
Townhouse Project	5,000 sf	The average minimum lot area for a townhouse dwelling shall be 1,500 sf
Multi-household dwellings	2,500 sf per dwelling unit	
Other uses	5,000 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		
Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	5 ft	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area  Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached.  Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).
Rear Setback	15 ft	
Maximum Building Height	35 ft	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.
Minimum Vegetation		
Multi-household dwelling	At least 20% of the total area of the lot	The minimum area that must be left or planted with trees, shrubs, grass, etc.
Minimum Density	Cottage Clusters shall have a minimum density of 4 dwelling units per acre.	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is	



	provided, or will be provided, upon submittal of a triplex or quadplex development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards 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.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**17.12.055 Cottage Cluster Standards.**

The following dimensional standard apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-5 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;

- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

**17.12.060 Design standards.**

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-household dwelling or duplex. 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 50 percent 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 to a dwelling of a single-family household 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 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Detached single-household dwellings, duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:

- (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 projection); and
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches).

(5) ~~Manufactured Dwellings. All manufactured dwellings on individual lots in this district~~ Foundations 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;~~

~~(ba) The manufactured dwelling shall be placed on an excavated, back-filled foundation and enclosed at the perimeter such that no more than 12 inches of the enclosing material is above grade; and-~~

~~(b) Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home; and-~~

~~(c) If the manufactured home is placed dwelling sits on a basement, the 12-inch limitation shall not apply;~~

~~(e) The manufactured dwelling shall have a pitched roof of not less than three feet in height for each 12 feet in 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 dwellings constructed under the Oregon Residential Specialty 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, 1991; Ord. 1171 §1(D), 1993; Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1499 §1 (Exh. B), 2020.

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

#### **17.12.065 Cottage Cluster Design Standards**

The following design standards apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):

(a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.

(b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:

(A) Have a main entrance facing the common courtyard;

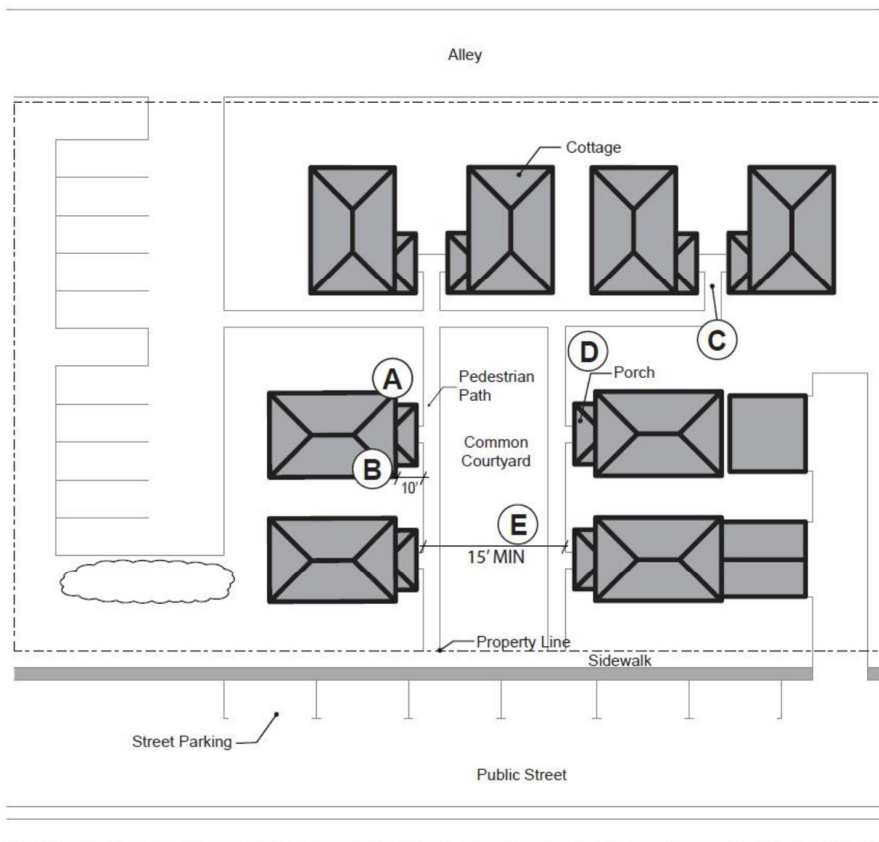
(B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and

(C) Be connected to the common courtyard by a pedestrian path.

(c) Cottages within 20 feet of a street property line may have their entrances facing the street.

(d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

Figure 1. Cottage Cluster Orientation and Common Courtyard Standards



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

(a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:

- (A) The common courtyard;

- (B) Shared parking areas;
  - (C) Community buildings; and
  - (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
    - Within of 20 feet from any street property line, except alley property lines;
    - Between a street property line and the front façade of cottages located closest to the street property line.  
This standard does not apply to alleys.
  - (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
  - (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
  - (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
  - (c) Individual detached garages must not exceed 400 square feet in floor area.
  - (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

## Chapter 17.12

### R-5—SINGLE-HOUSEHOLD RESIDENTIAL DISTRICT

Sections:

- 17.12.010 Purpose.
- 17.12.020 Uses allowed outright.
- 17.12.030 Accessory uses allowed.
- 17.12.040 Conditional uses allowed.
- 17.12.050 Dimensional standards.
- 17.12.060 Design standards.

**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 mixed single household and middle housing dwellings.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1499 §1 (Exh. B), 2020.

**17.12.020 Uses allowed outright.**

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

- (1) Single- household dwelling, including a manufactured dwelling.
- (2)-Middle housing.
- (3) Mobile home park, subject to GMC Section 17.62.070 (Mobile home park).

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1144 §1, 1991; Ord. 1171 §1(C), 1993; Ord.1291 §1, 2000; Ord.1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**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 story; and
    - (C) Does not exceed a floor area of 450 square feet;
  - (b) A wall of rated, fire-resistive construction may be required by the Oregon Structural Specialty Code or its successor.
  - (c) When more than one accessory structure is present including a portable storage container, as defined in GMC Chapter 5.22, a setback does not apply to the portable storage container.

(2) Courtyards, Patios and Decks. The minimum side, except street side, and rear setbacks for uncovered courtyards, patios and decks in excess of 30 inches in height shall be five feet. The minimum front and street side setbacks for such courtyards, patios and decks shall be 15 feet. No setbacks shall be required for uncovered courtyards, patios and decks 30 inches 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 in height;

(b) Fences and walls not subject to subsection (3)(a) of this section shall not exceed six feet 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;

(b) The floor area of an accessory dwelling unit shall be a minimum of 220 square feet and not exceed ~~400~~ 800 square feet. Conversion of an existing basement to an ADU shall be exempt from the maximum size limit, provided that no new floor area will be added with the conversion;

(c) An accessory dwelling unit shall not contain more than two bedrooms;

(d) Only one entrance, other than a vehicular entrance to a garage, may be located on the street-facing facade 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;

(e) 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;

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

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

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

(i) An accessory dwelling unit shall comply with the minimum yard requirements and maximum building height established in GMC Section 17.12.050;

(j) An accessory dwelling unit used as a vacation rental shall provide:

(A) One off-street parking space in addition to the off-street parking space required by GMC Chapter 17.48 (Off-Street Parking and Loading) for the primary dwelling unit; and

(B) A deed restriction requiring owner-occupancy of one of the units recorded in the Clackamas County Clerk’s Office in a form prescribed by the city. Either the primary dwelling unit or the accessory dwelling unit shall be owner-occupied for as long as the accessory dwelling unit is being used as a vacation rental.

(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. The minimum front setback for ponds no greater than five feet wide and no more than two feet deep shall be three feet.

(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, 1990; Ord. 1171 §§1(E) & 1(F), 1993; Ord. 1289 §1, 2000; Ord. 1323 §1, 2002; Ord. 1392, §3, 2007; Ord. 1499 §1 (Exh. B), 2020.

**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-household dwelling, five-to-eight-unit building.
- (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 200 feet from the Portland Avenue C-2 district.
- (11) Group homes.
- (12) Boarding house, rooming house, lodging house.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**17.12.050 Dimensional standards.**

Except as provided in GMC Chapters 17.38 (Planned Unit Development), 17.72 (Variances) and 17.76 (Exceptions), the following dimensional standards shall apply in an R-5 zoning district:

Minimum Lot Area		
Detached single household	5,000 sf	
Duplex and Triplex	5,000 sf	
Quadplex	7,000 sf	



Cottage Cluster	7,000 sf	
Townhouse Project	5,000 sf	The average minimum lot area for a townhouse dwelling shall be 1,500 sf
Multi-household dwellings	2,500 sf per dwelling unit	
Other uses	5,000 sf	Or as established by the Planning Commission, as provided by GMC Chapter 17.70 (Conditional Uses).
Minimum Setbacks		
Front Setback	20 ft	Except that a front porch may project a maximum of five feet into a required front setback area
Side Setback	5 ft	
Street Side Setback	20 ft	Architectural features such as cornices, eaves, gutters, chimneys and flues may project a maximum of two feet into a required setback area  Townhouse projects are allowed a zero-foot side setback for lot lines where Townhouse units are attached.  Cottage Cluster minimum setbacks can be reduced to 5 feet, if there is more than 150 square feet per dwelling unit of common open space provided, as define in Section 17.12.065(2).
Rear Setback	15 ft	
Maximum Building Height	35 ft	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.
Minimum Vegetation		
Multi-household dwelling	At least 20% of the total area of the lot	The minimum area that must be left or planted with trees, shrubs, grass, etc.
Minimum Density	Cottage Clusters shall have a minimum density of 4 dwelling units per acre.	
Sufficient Infrastructure	Applicants must demonstrate that Sufficient Infrastructure is	

	provided, or will be provided, upon submittal of a triplex or quadplex development application.	
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(1) All PUDs with residential uses must include a mix of two or more middle housing types for a minimum of 25% of the total dwelling units proposed.

(a) Exceptions in Case of Large Scale PUD. The dimensional standards 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.

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1131 §2, 1990; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1323 §1, 2002; Ord. 1499 §1 (Exh. B), 2020.

**17.12.055 Cottage Cluster Standards.**

The following dimensional standard apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

(1) Dimensional Standards

(a) Minimum Lot Size and Dimensions. Cottage clusters shall meet the minimum lot area that apply to detached single family dwellings in the R-5 zone.

(b) Setbacks and Building Separation.

(A) Setbacks. Cottage clusters shall meet the minimum setback standards:

- Front setbacks: 10 feet
- Side setbacks: 5 feet
- Rear setbacks: 10 feet

(B) Building Separation. Cottages shall be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall be in accordance with building code requirements.

(c) Average Unit Size. The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

(d) Off-Street Parking.

(A) Required Off-Street Parking. The minimum number of required off-street parking spaces for a cottage cluster project is zero (0) spaces per unit with a floor area less than 1,000 square feet and one (1) space per unit with a floor area of 1,000 square feet or more. Spaces may be provided for individual cottages or in shared parking clusters. A credit for on-street parking shall be granted for some or all of the required off-street parking as provided in subsection (b).

(B) On-Street Credit. If on-street parking spaces meet all the standards in subsections (i)-(iv) below, they shall be counted toward the minimum off-street parking requirement.

- i. The space must be abutting the subject site;

- ii. The space must be in a location where on-street parking is allowed by the jurisdiction;
- iii. The space must be a minimum of 22 feet long; and
- iv. The space must not obstruct a required sight distance area.

**17.12.060 Design standards.**

(1) Attached Garage. The following standard shall apply to the construction of a garage attached to a single-household dwelling or duplex. 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 50 percent 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 to a dwelling of a single-family household 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 40 square feet in area and neither the width nor the depth shall be less than five feet.

(3) Curbs and Sidewalks. Provide curbs, associated drainage, and sidewalks within the right-of-way or easement for public roads and streets. Improvements installed by a developer, shall conform to the standards of this title, GMC Chapter 12.02 (street excavation requirements) and to any supplemental design and construction specifications adopted by the city for such improvements. This shall apply to new structures and Expedited Land Divisions as defined by ORS 197.360; with the following exceptions:

- (a) There is no existing sidewalks within 200 feet of the subject parcel, and no planned sidewalk network in the area as identified in the Transportation System Plan.
- (b) When sidewalks and other frontage improvements would be located on land with cross slopes greater than nine percent as shown on the site plan submitted with the building permit.

(4) Design Features. Detached single-household dwellings, duplexes, triplexes, quadplexes, townhomes, and cottage clusters shall include at least two of the following design features on each dwelling unit:

- (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 projection); and
- (h) Offset on building face or roof (minimum 16 inches);
- (i) Recessed garage entrance for street-facing garage (minimum 16 inches).

(5) Foundations shall meet the following design standards:

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

**Statutory Reference:** ORS Ch. 197, Ch. 227

**History:** Ord. 1144 §1, 1991; Ord. 1171 §1(D), 1993; Ord. 1188 §1, 1994; Ord. 1289 §1, 2000; Ord. 1291 §1, 2000; Ord. 1499 §1 (Exh. B), 2020.

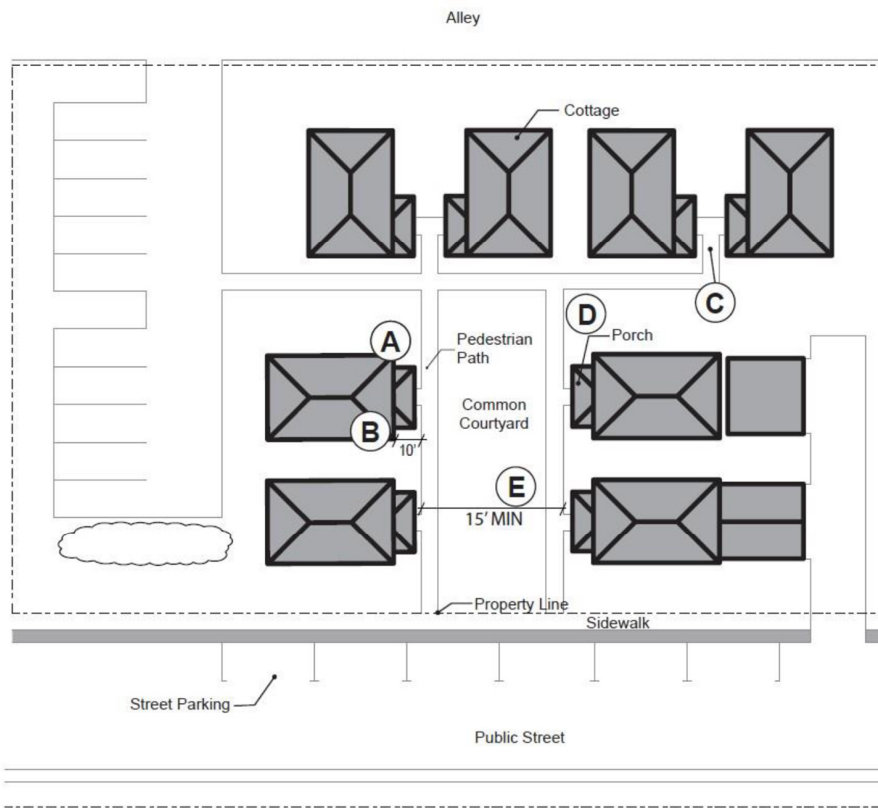
[**Ed. Note:** The publication(s) referred to or incorporated by reference in this chapter are available from the office of the City Recorder.]

#### **17.12.065 Cottage Cluster Design Standards**

The following design standards apply to cottage clusters development in the R-5 zone. Where conflicts arise between the standards within this section and elsewhere in the code, the standards of this section will supersede.

- (1) Cottage Orientation. Cottages must be clustered or abut around a common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards (see Figure 1):
  - (a) Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path that is at least 4 ft wide.
  - (b) A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
    - (A) Have a main entrance facing the common courtyard;
    - (B) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
    - (C) Be connected to the common courtyard by a pedestrian path.
  - (c) Cottages within 20 feet of a street property line may have their entrances facing the street.
  - (d) Cottages not facing the common courtyard or the street must have their main entrances facing a pedestrian path that is directly connected to the common courtyard.

*Figure 1. Cottage Cluster Orientation and Common Courtyard Standards*



(2) Common Courtyard Design Standards. Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

- (a) The common courtyard must be a single, contiguous piece.
- (b) The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.
- (c) The common courtyard must be a minimum of 15 feet wide at its narrowest dimension.
- (d) The common courtyard shall be developed with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard area, and may also include recreational amenities. Impervious elements of the common courtyard shall not exceed 75 percent of the total common courtyard area.
- (e) Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.

(3) Pedestrian Access.

- (a) An accessible pedestrian path that is at least 4 feet wide must be provided that connects the main entrance of each cottage to one or all the following:
  - (A) The common courtyard;
  - (B) Shared parking areas;
  - (C) Community buildings; and

- (D) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
- (b) The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.
- (4) Parking location and access.
- (a) Off-street parking spaces and vehicle maneuvering areas shall not be located:
- Within of 20 feet from any street property line, except alley property lines;
  - Between a street property line and the front façade of cottages located closest to the street property line. This standard does not apply to alleys.
- (b) Off-street parking spaces shall not be located within 10 feet of any other property line, except alley property lines. Driveways and drive aisles are permitted within 10 feet of other property lines.
- (c) Clustered parking. Off-street parking may be arranged in clusters and separated from common spaces by at least four (4) feet of landscaping.
- (5) Screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.
- (6) Garages and carports.
- (a) Garages and carports (whether shared or individual) must not abut common courtyards.
- (b) Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.
- (c) Individual detached garages must not exceed 400 square feet in floor area.
- (d) Garage doors for attached and detached individual garages must not exceed 20 feet in width.

## GLADSTONE PLANNING COMMISSION WORK PLAN OBJECTIVES – 2022

OBJECTIVES		SCORE	
		1 2 3 4 5	
		2021	2022
1.	Accessory Dwelling Unit (ADU) Code Requirements – size restrictions, location of ADU's		
2.	Housing Code Audit (2019); Reviewing/Updating GMC to comply with requirements of HB 2001; Downtown Revitalization Plan Strategy Code Amendments (2017) Community Engagement Strategy		
3.	Implementation of Process Improvement – define / outline process		
4.	Transportation Parking Management / Strategies – possible Code amendments		

**Additional Topics (as time allows):**

- Goals of Comprehensive Plan
- Code Revisions – Energy Efficiency