

Exhibit "A"

Amendments to the Lebanon Development Code to include various new housing options and amend existing housing types to comply with state law and implement the city's adopted Housing Production Strategy.

Final Draft Code Updates

Proposed Code modifications are presented in **bold underline/strikeout** legislative amendment format, where underlined text indicates new text, and strikeout indicates existing, adopted text recommended for removal. Proposed amendments are organized under existing Code chapters/sections. Other Code text may be included for context and reference; outside text included for context, the only sections that are shown are those that contain recommended amendments.

16.05.040 RESIDENTIAL USES ALLOWED IN RESIDENTIAL ZONES

Table 16.05-2: Residential Land Uses Allowed in Residential Zones			
<i>Land Uses</i> (Examples of uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.)	Residential Low Density Zone (Z-RL)	Residential Mixed Density Zone (Z-RM)	Residential High Density Zone (Z-RH)
Section 16.05.110 contains Residential Infill Standards that are Applicable in all Residential Zones			
Residential Uses with <u>Class I</u> Impacts:			
Single Family Unit Dwellings	OP	OP	OP
<u>Small Lot Single-unit Dwellings</u>	<u>N</u>	<u>OP</u>	<u>OP</u>
Accessory Dwelling	OP	OP	OP
Accessory Structures (with a permitted use): <ul style="list-style-type: none"> no taller than 25ft. and no larger than 1,000 square feet of building footprint taller than 25 ft.(up to Zone Limit in Table 16.05.8) or larger than 1,000 sqft of building footprint 	OP		
	AR		
Duplex (2 dwellings sharing a common wall on one lot (not inclusive of a primary dwelling and accessory dwelling unit)) -- One duplex on a lot	OP	OP	OP
Manufactured Dwelling	OP	OP	OP
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR	MR	MR
Other Residential Uses such as Hospice Facilities	AR	AR	AR
Residential Uses with Class II Impacts:			
Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot,	N	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Cottage Cluster (2-4 single family on one lot)	<u>N</u>	<u>CU-AR</u>	<u>CU-AR</u>
Zero Lot Line Housing (may include one common wall)	<u>CU-AR</u>	AR	AR

Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	N	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Other Residential such as Nursing and Convalescent Homes, Retirement Center Apartments	MR	MR	MR
<u>Manufactured Dwelling Park</u>	<u>AR</u>	<u>AR</u>	<u>AR</u>
Residential Uses with Class III Impacts:			
State Regulated Special Residential Group Living	OP		
• Homes (5 or fewer)	N OP	OP	OP
• Group Facility (6+)			
Manufactured Home Park	N	CU	N
Other Residential uses such as Dormitories, and Houseboats	<u>CU-AR</u>	<u>CU-AR</u>	<u>CU-AR</u>
Key: OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N = Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.05-1: Characteristics of Major Land Use Actions Matrix -- Projects in a Residential Zone Requiring a Planned Development Review (Chapter 16.23).			

16.05.070 PUBLIC USES ALLOWED IN THE RESIDENTIAL ZONES

Table 16.05-5: Public Uses (Civic or Institutional) Allowed in Residential Zones			
(See page 18 of Chapter 16.03 for further details and listings regarding Public Uses)			
<i>Use Categories</i>	Z-RL	Z-RM	Z-RH
Public Uses with <u>Class III</u> Impacts:			
Public Uses such as Shelters for Short Term or Emergency Housing (e.g., Homeless Shelters) when operated by a Public or Non-profit Agency.	N CU	CU	CU

16.05.090 RESIDENTIAL ZONES – DEVELOPMENT STANDARDS

Table 16.05-7: Development Standards for Residential Zones Minimum Lot Area and Lot Width

~~(Except as modified by Residential Infill Standards)~~

<i>Standard</i>	Z-RL	Z-RM	Z-RH
<i>Minimum Lot Area (square feet)</i>			
LOT AREA: The total surface area (measured horizontally) within the lot lines of a lot exclusive of public and private streets and easements of access to other property.			
Single Family Unit , not attached	6,000	5,000	5,000
		(See Lot Size Averaging Options, Section 16.05.140)	
<u>Small Lot Single-unit, not attached</u>	<u>NA</u>	<u>2,500</u>	<u>2,500</u>
Townhouse/Rowhouse	NA	2,500	2,500
Zero Lot Line Housing	5,000	3,500 <u>2,500</u>	3,500 <u>2,500</u>
Duplex	6,000	5,000	5,000
Multiple-Family, <u>or</u> Triplex, or	NA	9,000	9,000
<u>Cottage Cluster</u>	<u>NA</u>	<u>7,000</u>	<u>7,000</u>
Non-Residential Uses	6,000	6,000	6,000
Corner Lots for All of the Above (Except Single Family not attached/Duplexes in Z-RL): Add 500 square feet			
Flag Lot: Driveway portion of lot is not included in the Minimum Lot Area calculations.			
<i>Minimum Lot Width</i>			
<i>Standard</i>	Z-RL	Z-RM	Z-RH
Single Family Unit , not attached	60 ft	50 ft	50 ft
<u>Small Lot Single-unit, not attached</u>	<u>NA</u>	<u>30 ft</u>	<u>30 ft</u>
Townhouse/Rowhouse	NA	20 ft	20 ft
Zero Lot Line Housing	50 ft	40 ft <u>30 ft</u>	40 ft <u>30 ft</u>
Duplex	60 ft	50 ft	50 ft
Multiple-Family <u>or</u> Triplex, or	NA	60 ft	50 ft
<u>Cottage Cluster</u>	<u>NA</u>	<u>50 ft</u>	<u>50 ft</u>
Non-Residential Uses	20 ft	20 ft	20 ft
Corner Lots (All Residential Above)	65 ft	60 ft	60 ft
For flag lots, width is measured at the front building line.			
*Lot area must conform to the standards above. Lot dimensions may be reduced for Flag Lots.			

Table 16.05-8: Development Standards for Residential Zones -- Building/Structure Height

<i>Building/Structure Height</i>			
<i>Standard</i>	<i>Z-RL</i>	<i>Z-RM</i>	<i>Z-RH</i>
<u>Level Site (slope less than 15%)</u> , maximum height	25 ft	40 ft ¹	40 ft ¹
<u>Sloping Site (15% or greater)</u> , maximum height	Highest Point of Site + 1 story (maximum of 2 stories)	Highest Point of Site + 1 story (maximum of 3 stories)	Highest Point of Site + 1 story (maximum of 3 stories)
<u>Fences, Retaining/Garden Walls</u> Max.			
Height. – Front Yard Max. Height. –	3 ft	3 ft	3 ft
Interior Side Max. Height – Rear Yard	8 ft	8 ft	8 ft
Max. Height – Street Side	8 ft	8 ft	8 ft
Max. Height – Reverse Frontage Lot (rear)	3 ft	3ft	3 ft
	3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line on fully improved site).	3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line on fully improved site).	3 ft, or up to 8 ft with 5 ft landscape buffer, if there is excess ROW (e.g., a minimum of 15 feet between sidewalk and property line on fully improved site).
<p>1. <u>The maximum building height for small lot single-unit dwellings and cottage clusters is 25 feet.</u></p> <ul style="list-style-type: none"> • Eight foot (8') fences or walls are allowed, but any height over six feet (6') requires a building permit. • Using a Class 1 Variance process (<u>Ministerial Review</u>), the City's Planning Official may grant variations to the above height limitations and set back requirements on fences and walls, if such variations do not infringe upon the clear vision triangle requirements at intersections of streets or at the intersections of driveways and streets. If the requested variations do not meet the above criteria, the Planning Official shall direct the applicants for the variations to the fence/wall standards to use either a Class 2 or Class 3 variance process. See Chapter 16.29 for Variance requirements and processes. • Gates are required in fences to access the area beyond the fence for maintenance. 			

Table 16.05-9: Development Standards for Residential Zones Lot Coverage and Minimum Setbacks			
<i>Lot Coverage [(two options)]</i>			
<i>Standard</i>	<i>Z-RL</i>	<i>Z-RM</i>	<i>Z-RH</i>
1. Max. Building Coverage -- Building Footprint only (NOT all impervious surfaces) as % of site area			
Single Family Unit Dwelling	40%	60%	60%
<u>Small Lot Single-unit</u>	<u>NA</u>	<u>60%</u>	<u>60%</u>
Town House	NA	80%	80%
Single Family Unit – Zero Lot Line	60%	70%	70%
Duplex	60%	60%	60%
Multifamily Use or Cottage Cluster	NA	60%	60%
Civic/Institutional	60%	60%	60%
Other Non-Residential	60%	60%	60%
2. Coverage Bonus – applies only to Multi-family and non-residential development.	The allowable building coverage increases by a ratio of one-half (1/2) square foot for every one (1) square foot of required parking area that is paved using a City-approved porous/permeable paving material (i.e., allowing stormwater infiltration) <u>or</u> one-half (1/2) square foot for every one (1) square foot of City-approved water quality treatment area (e.g., vegetative swale or biofiltration) on the development site.		
Minimum Landscape Area	See Chapter 16.15	See Chapter 16.15	See Chapter 16.15
<ul style="list-style-type: none"> <u>Cottage clusters are exempt from lot coverage requirements.</u> 			
Minimum Setbacks (feet):			
Front	15 ft	Interior Lots: 10 ft Corner Lots: 10/15 ft ¹	Interior Lots: 10 ft Corner Lots: 10/15 ft ¹
Side	5 ft -min. & 15 ft - both	5 ft	5 ft

Street Side Rear	15 ft Dwellings: 20 ft Others: 10 ft	10/15 ft ¹ Dwellings: 20 ft Others: 10 ft	10/15 ft ¹ Dwellings: 20 ft Others: 10 ft
<p>1. - If front one yard setback (Street or Street Side) is 15 feet, then the other can be less than 15 feet but not less than 10 feet. For irregularly shaped lots, the average setback for Street and Street Side Yards shall be 7.5 feet with no setback less than 5 feet.</p> <p>2. For Duplexes, the rear setback may be reduced to 15 feet if on-site parking above the required minimum parking is provided.</p> <p><u>3. For Small Lot Single-unit, the rear yard setback may be reduced to 10 feet, and a street side setback may be reduced to 10 feet.</u></p> <p><u>4. For Cottage Clusters, all front, rear, and side street setbacks may be reduced to 10 feet.</u></p> <p>A. Select collectors and arterial streets have greater front yard setbacks</p> <p>B. Accessory structures < or = 20 ft high: 5 ft rear and side yard setback</p> <p>C. All garage doors and vehicle access openings shall be setback at least 20 ft from the closest adjacent property line or sidewalk.</p>			

16.05.110 INFILL STANDARDS FOR RESIDENTIAL ZONES

~~A. Overview~~

~~The following process or methodology is to be used for determining whether or not a proposed infill development fits the existing residential neighborhood in which the development would be located. As used in this Code, **infill** is the use of vacant or under-developed lots or parcels within existing developed residential areas. Infill lots are 1 acre or less in size, before redevelopment including any land division process.~~

~~B. Applicability~~

- ~~1. The Infill Standards apply only to sites that are 1 acre in size or less in an existing residential neighborhood.~~
- ~~2. The Infill Standards apply only to land use requests that require one or more of the following review processes: Ministerial, Administrative, Conditional Use, Subdivision, Partition or Planned Development.~~
- ~~3. Single family dwellings, duplexes, and accessory dwelling units are out right permitted uses in the residential zones. Therefore, the Infill standards do not apply to single family dwellings, duplexes or accessory dwelling units that are proposed as infill developments.~~

~~C. Imposing Conditions Related to Critical Design Features~~

~~In approving an infill development in an existing residential neighborhood, the Planning Official or Planning Commission may impose, in addition to those standards and requirements expressly specified by the Lebanon Development Code, additional conditions **related to critical design features** that are considered necessary to ensure that they fit the site, the neighborhood and nearby land uses.~~

~~D. Criteria and Review Methodology~~

~~The application and proposed infill development in an existing residential neighborhood shall be approved (deemed fitting with the neighborhood and nearby land uses) if **the objective characteristics of the listed critical design features** (see below in 16.05.110.E and 16.05.110.F) of the proposal are within the range of characteristics exhibited by the characteristics of the existing features¹ of the development on the adjacent properties in the same land use zone and the properties abutting the adjacent properties in the same land use zone, and such features and/or characteristics are not prohibited by other provisions of the Lebanon Development Code or other City Ordinances.~~

~~E. Objective Characteristics~~

The objective characteristics of features considered in this provision are the following:

- ~~1. Physical — Dimensions — (width, length, height),~~
- ~~2. Number~~

- ~~3. Location~~
- ~~4. Magnitude~~
- ~~5. Duration~~
- ~~6. Frequency~~
- ~~7. Time(s) of Occurrence~~
- ~~8. Composition.~~

Critical Design Features

The Critical Features considered in this provision are the following:

- ~~1. Building height and footprint~~
- ~~2. Lot Area Coverage~~
- ~~3. Open Space and Outdoor Recreation Areas~~
- ~~4. Fencing, Screening, and Landscaping~~
- ~~5. Signage~~
- ~~6. Vehicular, Pedestrian, and Bicycle Traffic Load and Access Points~~
- ~~7. Vehicular, and Bicycle Parking~~
- ~~8. Full City Services and Public Improvements in place or proposed~~
- ~~9. Provision of public improvements (and granting necessary easements), such as streets, sidewalks, public utility facilities, drainage facilities and other basic services that are directly benefiting the proposed development or, requiring participation in an improvement district to insure provision of basic services, parks, or streets and sidewalks directly benefiting the proposed development.~~

F. Additional Criteria

All development, infill included, must also meet all applicable requirements set forth in the following:

- ~~1. Building Code~~
- ~~2. Fire Code Requirements (such requirements on a proposed development are determined by the Lebanon Fire District, not the City).~~

G. Table 16.05-10: Matrix for Determining If Residential Infill Development Fits an Existing Neighborhood

All development, infill included, must also meet all applicable requirements set forth in the following:

- ~~1. Building Code~~
- ~~2. Fire Code Requirements (such requirements on a proposed development are determined by the Lebanon Fire District, not the City).~~

Table 16.05-10: Matrix for Determining If Residential Infill Development Fits an Existing Neighborhood

Critical Design Features (See 16.05.10.2)	Objective Characteristics (See 16.05.10.1)							
	(a) Physical Dimensions (w, l, h)	(b) Number	(c) Location	(d) Magnitude	(e) Duration	(f) Frequency	(g) Time(s) of Occurrence	(h) Composition
(1) Building Height and Footprint				NA	NA	NA	NA	NA
(2) Lot Area Coverage	NA	NA	NA		NA	NA	NA	NA
(3) Open Space & Outdoor Recreation Areas				NA	NA	NA	NA	
(4) Fencing, Screening, and Landscaping				NA	NA	NA	NA	
(5) Signage					NA	NA	NA	
(6) Vehicular, Pedestrian, & Bicycle Traffic Load, and Access Points								NA
(7) Vehicular, And Bicycle Parking						NA	NA	
(8) Full City Services and Public Improvements in Place or Proposed					NA		NA	
(9) Provision of Public Improvements (and Granting Necessary Easements)					NA		NA	

Notes:

1. Not all of the Objective Characteristics are applicable to all of the Critical Design Features. For example, Magnitude, Duration, Frequency, Time(s) of Occurrence and Composition are not applicable to Building Height and Footprint.
2. NA = Not Applicable.
3. The cross referencing of a Design Feature and a Characteristic is reviewable if not listed as NA.

~~16.05.140 — LOT SIZE AVERAGING FOR SUBDIVISIONS OF TEN OR MORE LOTS~~

- ~~A. The developer of a single family or duplex lot subdivision with ten or more lots in residential mixed density (RM) and residential high density (RH) zones may elect to use a lot size averaging approach that allows greater variety in the size of lots than would otherwise be the case.~~
- ~~B. Such an averaging approach permits the creation and development of a percentage of lots that are smaller than the required minimum when balanced by the inclusion of lots larger than the required minimum.~~
- ~~C. This option is only available for the development of lots for single family dwellings or duplexes. The city may require deed restrictions as a condition of approval in approving applications for lot size averaging to assure that future purchasers are aware of the property's history.~~
- ~~D. The lot sizes used in these calculations may not include the area of the flag driveways of flag lots.~~
- ~~E. The use of lot size averaging must result in the average lot size equaling or exceeding five thousand square feet.~~
- ~~F. The lot size averaging approach must conform to the specifications in Table 16.05-11.~~
- ~~G. Lot size in this section means lot area. As used in this code, lot area is defined as the total surface area (measured horizontally) within the lot lines of a lot exclusive of public and private streets and easements of access to other property.~~

**~~Table 16.05-11: Lot Size Averaging Matrix
Applies Only to Subdivisions of 10 or More Lots~~**

For single family/duplex lot subdivisions in residential mixed density and residential high density zones		
Maximum percentage of lots allowed smaller (4,000—4,999 sq. ft.) than the minimum required square footage	Minimum percentage of lots averaging between 5,000 and 6,000 square feet	Minimum percentage of lots required greater than 6,000 square feet
Not more than 25% of the total number of lots in the subdivision	At least 50% of the total number of lots in the subdivision	At least as many lots as are built with less than 5,000 sq. ft. (i.e., between 4,000—4,999 sq. ft.)
Each "phase" of a subdivision must conform to the overall ratio for the entire subdivision. For example, one phase may not consist solely of lots that are smaller than the minimum required square footage (five thousand square feet). No lot is allowed to be smaller than four thousand square feet.		
Note: The provisions of lot size averaging only apply to lots for single family detached homes or duplexes created through the subdivision process in the residential mixed density and residential high density zones.		

16.05.150 RESIDENTIAL ZONES SPECIAL USE STANDARDS

The above sections of this Chapter provide standards for specific land uses and building types within the Residential Zone. The standards in this Section supplement the afore mentioned standards. This Section applies to the following uses and building types, as specified below:

- Accessory Dwellings
- Accessory Structures
- Group Living (Residential Care Homes and Facilities)
- Manufactured/~~Mobile Home Parks~~ Dwelling Parks
- Multiple Family Housing
- Zero-Lot Line Housing (not common wall).
- Cottage Clusters
- Tiny Homes

A. Accessory Dwelling (Attached, Separate Cottage, Tiny Home, or Above Detached Garage)

1. An Accessory Dwelling is defined as a complete separate residential unit, including facilities for cooking and sanitation, provided either as a separate structure on the same lot or as part of a primary single-family residence. A tiny home may be considered an accessory dwelling subject to the standards in this subsection (16.05.150.A) and subsection 16.05.150.G. Development of an accessory dwelling must comply with all applicable lot development standards including required yards (setbacks), off-street parking and lot coverage, but not minimum lot size. Development of an attached accessory dwelling shall not reduce the floor area of the primary residence.
2. Accessory dwellings shall conform to all of the following standards:
 - a. Floor Area. Accessory dwellings shall not exceed one thousand square feet of floor area, or forty percent of the primary unit, whichever is smaller. The unit can be a detached cottage, a unit attached to a garage, an addition to an existing home, or in a portion of an existing house.
 - b. Exempt from Lot Size. Accessory dwellings are exempt from the lot size standards of the residential zone.
 - c. Utility Connections. Accessory dwellings may have the same water and sewer connections as the primary unit.
 - d. One Unit. A maximum of one accessory dwelling unit is allowed per lot. Construction of an accessory dwelling may result in a maximum of two residential units on a single lot, one primary residence and one accessory dwelling.
 - e. Building Height. The building height of detached accessory dwellings (i.e., separate cottages) shall not exceed twenty-five feet in the RL zone nor thirty feet in the RM and RH zones.
 - f. Setback Standards. Shall conform to all setback standards applicable to dwellings in the zone. Rear yard and side street setbacks may be ten feet. Rear and side yard setbacks for existing accessory structures that are converted to an ADU may be no less than five feet.
 - g. Parking Standards. Accessory dwellings shall have no off-street parking requirement.

E. Manufactured/~~Mobile Home Parks~~ Dwelling Parks

Manufactured/~~mobile home dwelling~~ parks (not including recreational vehicles) are permitted on parcels of one (1) acre or larger, subject to compliance with subsections 1-5, below:

1. Permitted uses: Single ~~family unit~~ residences, tiny homes, manufactured ~~home dwelling~~ park manager's office, home occupations, and accessory structures that are necessary for the operation and maintenance of the manufactured dwelling park (e.g., landscape maintenance). Unless stated otherwise, the term "dwelling" in this subsection (16.05.150.E) refers to manufactured dwellings, and prefabricated dwellings.
2. Space. The minimum size pad or space for each dwelling is 2,500 square feet or 1,200 square feet for tiny homes, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide and 40 feet long.
3. Setbacks and Building Separation. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.
4. Perimeter landscaping. When manufactured dwellings are oriented with their back or side yards facing a public right-of-way, ~~the City may require~~ installation of fencing and planting of a 10 foot wide landscape buffer between the right-of-way and a manufactured ~~home dwelling~~ park is required for the privacy and security of residents or aesthetics of the streetscape.
5. Dwelling design ~~(for parks smaller than 3 acres). Manufactured Dwelling~~ in parks ~~smaller than 3 acres~~ shall meet the following design standards:
 - a. The ~~manufactured~~ dwelling shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees); and
 - b. ~~The manufactured dwelling shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood appearance siding is considered "superior" to metal siding and roofing).~~
 - c. b. Exception: Subsections a-b, above, do not apply to manufactured home parks that existed within the City prior to the effective date of this Code.
 - c. For tiny home dwelling standards, refer to Subsection 16.05.150.F.

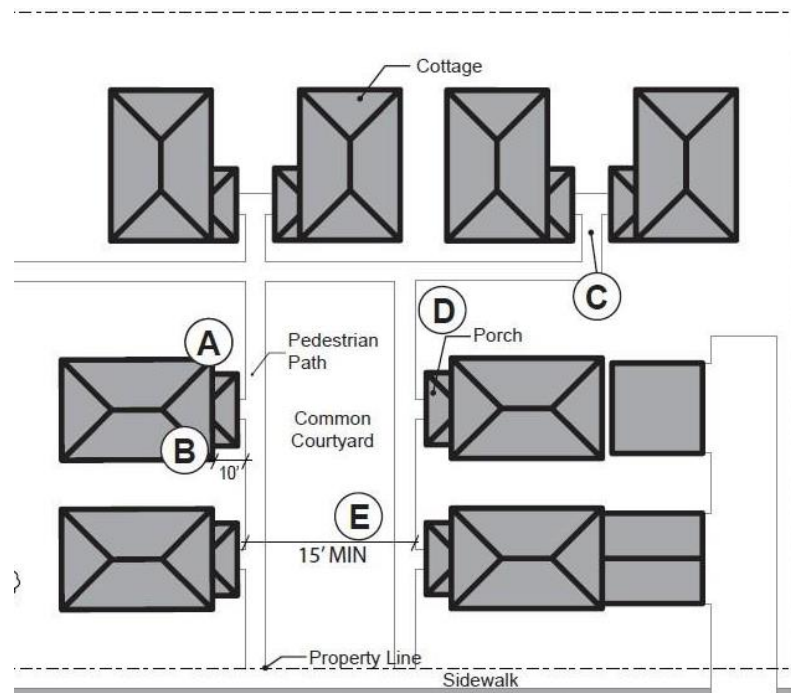
F. Cottage Clusters

Cottage clusters shall meet the standards of this section in addition to any other applicable zoning or development standards. Wherever these standards conflict with requirements in other sections, the standards of this section shall take precedence.

1. 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.
2. Maximum Unit Size. The maximum floor area for a cottage within a cottage cluster is 900 square feet.
3. Building Height. The maximum building height for all structures is 25 feet.
4. Cottage Orientation. Cottages must be clustered around a common courtyard, meaning they abut the associated common courtyard or are directly connected to it by a pedestrian path, and must meet the following standards:
 - a. Each cottage within a cluster must either abut the common courtyard or must be directly connected to it by a pedestrian path.
 - b. A minimum of 50 percent of cottages within a cluster must be oriented to the common courtyard and must:
 - (1) Have a main entrance facing the common courtyard;
 - (2) Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - (3) 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. Such street-facing cottages shall count toward the minimum 50 percent orientation requirement in subsection 5.b of this section.
 - 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.
5. 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. An individual common courtyard must be a single, contiguous piece.
 - b. Cottages must abut the common courtyard on at least two sides of the courtyard.
 - c. An individual common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster (as defined in subsection 5).
 - d. The common courtyard must be a minimum of 20 feet wide at its narrowest dimension.
 - e. 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.

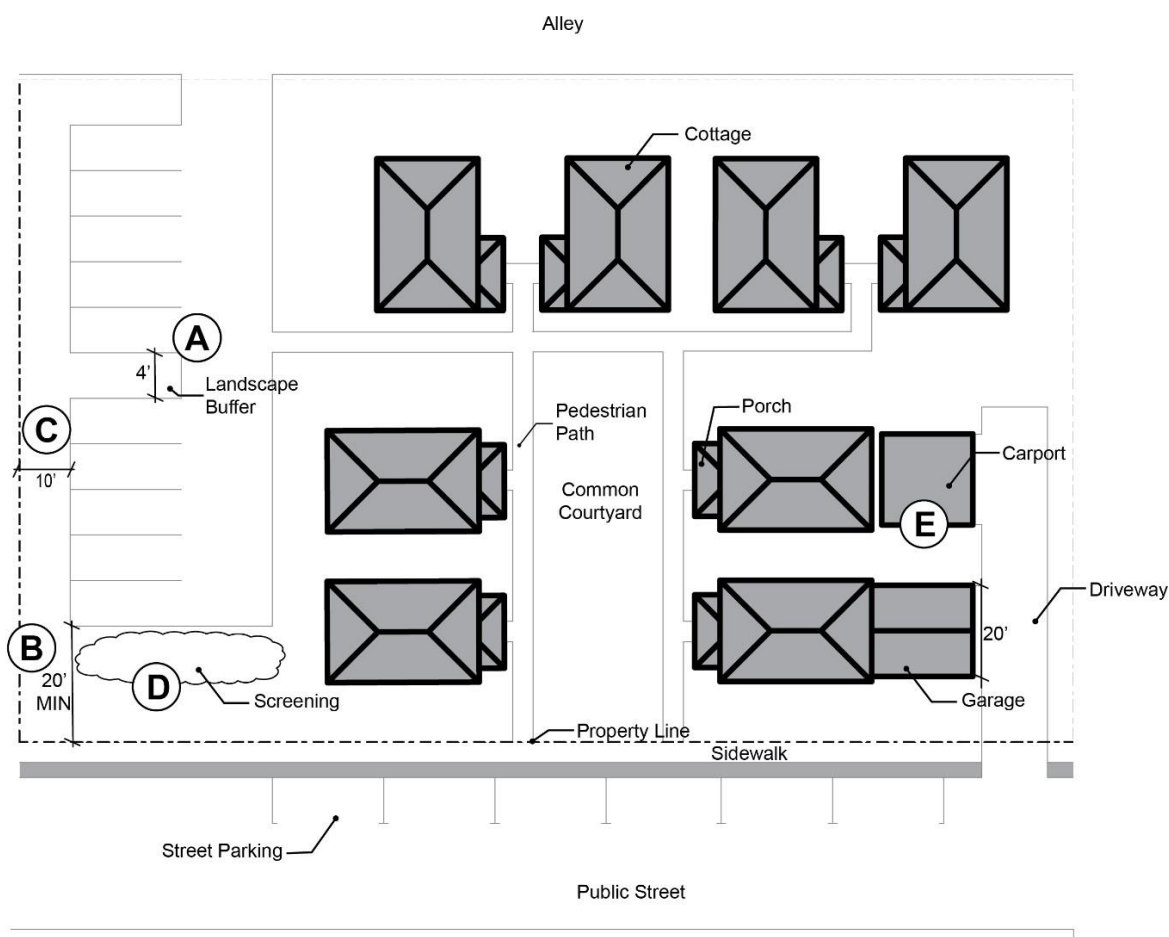
- f. Pedestrian paths must be included in a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum dimension and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard.



- A** A minimum of 50% of cottages must be oriented to the common courtyard.
- B** Cottages oriented to the common courtyard must be within 10 feet of the courtyard.
- C** Cottages must be connected to the common courtyard by a pedestrian path.
- D** Cottages must abut the courtyard on at least two sides of the courtyard.
- E** The common courtyard must be at least 20 feet wide at its narrowest width.

6. Community Buildings. Cottage cluster projects may include community buildings for the shared use of residents that provide space for accessory uses such as community meeting rooms, exercise rooms, day care, or community eating areas. Community buildings must meet the following standards:
 - a. Each cottage cluster is permitted one community building, which shall count towards the maximum average floor area, pursuant to subsection (3).
 - b. The community building must not exceed 1,400 square feet in floor area.
7. Pedestrian Access.
 - a. An accessible pedestrian path must be provided that connects the main entrance of each cottage to the following:
 - (1) The common courtyard;
 - (2) Shared parking areas;
 - (3) Community buildings; and
 - (4) Sidewalks in public rights-of-way abutting the site or rights-of-way if there are no sidewalks.
 - b. The pedestrian path must be all-weather hard-surfaced and a minimum of four (4) feet wide.
8. Parking Design.
 - a. Clustered parking. Off-street parking may be provided with individual cottages or arranged in clusters, subject to the following standards:
 - (1) Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.
 - (2) Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.
 - (3) Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.
 - (4) Clustered parking areas may be covered.
9. Parking location and access.
 - a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - (1) Within of 20 feet from any street property line, except alley property lines;
 - (2) 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.
10. Screening. Landscaping, fencing, or walls at least three (3) feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

11. Accessory Structures. Accessory structures must not exceed 400 square feet in floor area.
12. Existing Structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single-unit dwelling or duplex on the same lot at the time of proposed development of the cottage cluster may remain within the cottage cluster project area under the following conditions:
 - a. The existing dwelling may be nonconforming with respect to the requirements of this code.
 - b. The existing dwelling may be expanded up to the maximum height in subsection 4; however, existing dwellings that exceed the maximum height and/or footprint of this code may not be expanded.
 - c. The floor area of the existing dwelling shall not count towards the maximum average floor area of a cottage cluster.
13. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard, per subsection 5.a.



G. Tiny Homes

Tiny homes shall meet the standards of this section in addition to any other applicable zoning or development standards. Wherever these standards conflict with requirements in other sections, the standards of this section shall take precedence.

1. Tiny homes are allowed as accessory dwellings, in cottage clusters, and in manufactured dwelling parks, subject to their respective standards.
2. Tiny homes may or may not be on wheels.
3. Tiny homes shall be on a hard, all-weather surfaced slab, or foundation.
4. Tiny homes shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).
5. Tiny homes on a chassis or wheels shall provide skirting around the perimeter of the support structure.
6. Each tiny home must connect to water and sewer services.

16.05.160 SITE AREA STANDARDS FOR MULTI-FAMILY HOUSING

Where multi-family housing is allowed, it shall conform to all of the following standards, which are intended to promote livability for residents and compatibility with nearby uses.

A. *Minimum Site Areas*

The minimum site area per dwelling unit shall be as described in Table 16.05-13 for all multiple-family dwellings and condominiums as defined in Chapter 16.32 (Glossary).

TABLE 16.05-13: SITE AREA PER DWELLING UNIT		
Unit Type	Minimum Standard	With 20% Density Bonus
Studio	1,100 square feet	884 square feet
One Bedroom	1,550 square feet	1,244 square feet
Two Bedroom	2,000 square feet	1,604 square feet
Three Bedroom	2,425 square feet	1,940 square feet
Four or More Bedrooms	2,750 square feet	2,204 square feet

B. *Affordable Housing ~~Density~~ Bonuses (Twenty Percent)*

1. Affordable Housing: As defined by the US Housing and Urban Development Department (HUD), a household should pay no more than 30% of its gross monthly income for housing. Means housing affordable to a certain percentage of the population earning a specified level of income and spending no more than 30 percent of their income on housing expenses. Affordable Housing is housing that requires no more than 30% of the monthly income of a household that has income at or below 80% of the area median. Affordable Housing thus

means housing (including necessary and essential utilities) for which persons or families pay 30 % or less of their gross income.

2. Density Bonus. As shown in Table 16.05-13, the number of permitted dwelling units allowed by the minimum site area requirements may be increased by 20% provided that at least half of these additional units are available at costs acceptable by the State as Affordable Housing. The Affordable Housing units must be similar in the floor area and number of bedrooms to the other additional units and may be provided off-site. Proposals with the following maximum densities are eligible for corresponding density increases:
 - a. For property with existing maximum density of 16 or fewer units per acre, 200 percent of the existing density;
 - b. For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 150 percent of the existing density; or
 - c. For property with existing maximum density of 46 or more units per acre, 125 percent of the existing density.
3. Height Bonus.
 - a. For property with existing maximum density of 16 or fewer units per acre, 12 additional feet;
 - b. For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 24 additional feet; or
 - c. For property with existing maximum density of 46 or more units per acre, 36 additional feet.
4. Parking Bonus. Development proposals where a minimum number of proposed affordable units reflect the percentages in Table XX are eligible for a corresponding reduction in off-street parking.

<i>Minimum % of affordable units</i>	<i>Off-Street Parking Reduction</i>
<u>40% affordable units</u>	<u>10% reduction</u>
<u>75% affordable units</u>	<u>15% reduction</u>
<u>100% affordable units</u>	<u>20% reduction</u>

5. Open Space Bonus. The amount of required open space may be reduced pursuant to Table 16.05-14.

Table 16.05-14 Open Space Bonus

<u>% of affordable units</u>	<u>Minimum Open Space Requirement – Less than 0.25 miles walking distance from public park</u>	<u>Minimum Open Space Requirement – Greater than 0.25 miles walking distance from public park</u>
<u>0-10% affordable units</u>	<u>25% open space minimum</u>	<u>20% open space minimum</u>

<u>10%-25% affordable units</u>	<u>15% open space minimum</u>	<u>10% open space minimum</u>
<u>25%-50% affordable units</u>	<u>10% open space minimum</u>	<u>0% open space minimum</u>
<u>>50% affordable units</u>	<u>0% open space minimum</u>	<u>0% open space minimum</u>

6. Lot Coverage Bonus. The lot coverage percentage may be increased pursuant to Table 16.05-15.

Table 16.05-15 Lot Coverage Bonus

<u>% of affordable units</u>	<u>Maximum Coverage</u>
<u>5-10% affordable units</u>	<u>70% max coverage</u>
<u>10%-25% affordable units</u>	<u>80% max coverage</u>
<u>>25% affordable units</u>	<u>90% max coverage</u>

7. The developer is required to enter into a legally enforceable, assignable contract with a local, regional and/or state housing agency who will assume all responsibility for identifying, placing and managing the qualifying household. In the circumstance of off-site units, the developer will provide agency determined equivalent rent payments and the agency will assume all other responsibilities.
8. ~~Site area reduction~~ Affordable housing bonuses are subject to approval by the Planning Official and/or Planning Commission. Developments qualifying for the above ~~density~~ bonuses must comply with all other applicable development and improvement standards and codes required by the City of Lebanon and the requirements of ~~this zone including setbacks, parking, open space, and so on the underlying zone.~~

9. Exceptions. The City may reduce proposed increases in density or height as allowed in subsections B.2 and B.3 where necessary to address health, safety or habitability issues, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal provided the City adopts findings supported by substantial evidence demonstrating the necessity of this reduction.

16.05.170 OPEN SPACE AND SITE DESIGN REQUIREMENTS FOR MULTI-FAMILY HOUSING

[...]

E. Common Open Space

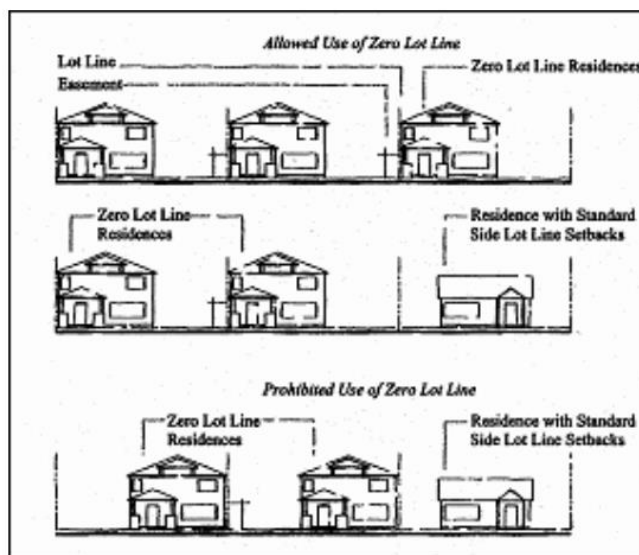
1. The minimum required common open space, ~~regardless of any bonuses or reductions~~, is 1,000 square feet inclusive of children's play areas.

16.05.180 – ZERO LOT LINE HOUSING

- A. Introduction. Zero-lot line houses are subject to the same standards as non-attached single-family housing, ~~except that a side yard setback is not required on one side of the lot, as generally shown in Figure 16.05.2. The standards for zero-lot line housing are intended to ensure adequate outdoor living area, compatibility between adjacent buildings, and access to~~

side yards for building maintenance. Zero lot line housing also includes attached dwellings. All zero lot line houses shall conform to all of the criteria in the subsections below. provided the requirements of 16.05.180.B and .C are met.

Figure 16.05-2: Zero-Lot Line Housing Examples



- ~~B. Site Design Review Required. Site Design Review is required for new zero-lot line developments. When a zero-lot line development is proposed as part of a Land Division, Planned Development, or other application, the Site Plan Review may be combined with the other application(s).~~
- ~~C. Setbacks for Primary and Accessory Structures. The allowance of a zero side yard setback is for one single family dwelling, or attached or stacked duplex, on each lot; it does not extend to accessory structures which shall conform to the applicable setback requirements of the zone.~~
- ~~D. Construction and Maintenance Easement. Prior to building permit approval, the applicant shall submit a copy of a recorded easement (unless there is a common wall) for every zero-lot line house that guarantees access onto adjoining lot for the purpose of construction and maintenance of the zero-lot line house. The easement shall require that no fence or other structure shall be placed in a manner that would prevent maintenance of the zero-lot line house. The easement shall not be less than ten feet wide and shall not preclude the adjoining owner from landscaping the easement area.~~
- B. Any residential dwelling unit or accessory structure may be located on the interior property line where the proposed building does not have openings or windows in the wall facing the adjacent building.**
- C. For interior property lines where no setback is proposed, a maintenance easement must be recorded on the abutting property deed or plat. The width of the easement shall be five feet . This easement is not revocable without City approval through an Administrative Procedure pursuant to Section 16.20.040.**

D. The interior setback for attached housing units shall be zero where the units adjoin; all other setbacks shall conform to this Code.

16.06.050 RESIDENTIAL USES ALLOWED IN THE MIXED USE ZONES

Table 16.06-2: Residential Land Uses Allowed in the Mixed Use Zone	
Land Uses (Examples of land uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.)	Mixed Use Zone (Z-MU)
(See page 8 of Chapter 16.03 for further details and listings regarding Residential Uses)	
Residential Uses with <u>Class I</u> Impacts:	
Single Family Unit (not attached)	OP
Small Lot Single-unit (not attached)	OP
Accessory Dwelling	OP
Accessory Structures (with a permitted use) <ul style="list-style-type: none"> no taller than 25ft. and no larger than 1,000 square feet of building footprint taller than 25 ft. or larger than 1,000 square feet of building footprint 	OP
Duplex (2 dwellings sharing a common wall on one lot) -- One duplex on a lot	OP
Manufactured Dwelling	OP
Family Child Care in a Home	OP
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR
Other Residential Uses such as Hospice	AR
Residential Uses with <u>Class II</u> Impacts:	
Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Cottage Cluster (2-4 single family dwellings on one lot)	AR
Zero Lot Line Housing (may include one common wall)	AR

Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	AR 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Other Residential Uses such as Nursing and Convalescent Homes, Retirement Center Apartments	AR
<u>Conversion of existing commercial structure to a residential use</u>	AR
<u>Affordable Housing (as defined in 16.19.120)</u>	AR (subject to 16.19.120)
Residential Uses with <u>Class III</u> Impacts:	
State Regulated Special Residential Units	
<ul style="list-style-type: none"> Group Living Homes (5 or fewer) Group Facility (6+) 	AR-OP CU for 6 or more AR
Manufactured Home <u>Dwelling</u> Park	CU-AR
Other Residential uses such as Dormitories, and Houseboats	CU-AR
Key: OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.06-1: Characteristics of Major Land Use Actions Matrix -- Projects in the Mixed Use Zone Requiring a Planned Development Review (Chapter 16.23).	

16.07.050 RESIDENTIAL USES ALLOWED IN THE NEIGHBORHOOD MIXED USE ZONES

Table 16.07-2: Residential Land Uses Allowed in the Neighborhood Mixed-Use Zone (Z-NMU)

Land Uses (Examples of uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.) (See page 8 of Chapter 16.03 for further details and listings regarding Residential Uses)	
Residential Uses with Class I Impacts:	
Single Family Unit (not attached)	OP
<u>Small Lot Single-unit (not attached)</u>	OP
Accessory Dwelling	OP
Accessory Structures (with a permitted use) -no taller than 25ft. and no larger than 1,000 square feet of building footprint taller than 25 ft. or larger than 1,000 square feet of building footprint	OP AR
Duplex (2 dwellings sharing a common wall on one lot) -- One duplex on a lot	OP

Manufactured Dwelling	OP
Family Child Care in a Home	OP
Other Residential Uses such as Bed & Breakfasts, Home Occupations	MR
Other Residential Uses such as Hospice Facilities	AR
Residential Uses with Class II Impacts:	
<ul style="list-style-type: none"> Town House/Rowhouse (2 or more common-wall single family dwellings), each on its own lot, 	AR up to 19 CU for 20 or more 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Cottage Cluster (2-4 single family dwellings on one lot)	CU-AR
Zero Lot Line Housing (may include one common wall)	AR
Multifamily (3 or more dwellings on lot), includes Triplexes, Apartments, Senior Housing, Assisted Living, & Single Room Occupancies, Boarding or Rooming Facilities	AR up to 19 CU for 20 or more 19 DU or less- Staff Review 20 DU or more- Planning Commission Hearing
Conversion of existing commercial structure to a residential use	AR
Affordable Housing (as defined in 16.19.120)	AR (subject to 16.19.120)
Other Residential Uses such as Nursing and Convalescent Homes, Retirement Center Apartments	MR
Residential Uses with Class III Impacts:	
State Regulated Special Residential Units	AR OP
<ul style="list-style-type: none"> Group Living Homes (5 or fewer) Group Facility (6+) 	CU AR for 6 or more
Manufactured Home Dwelling Park	N
Other Residential uses such as Dormitories, and Houseboats	CU-AR
Key: OP = Outright Permitted (Building Permit issued after a site review); MR = Ministerial Review; AR = Permitted with Administrative Review; CU = Conditional Use approval required (Chapter 16.21); N =Not permitted; * = Number of Units following an AR or CU designation. Also see Table 16.07-1: Characteristics of Major Land Use Actions Matrix -- Projects in a NMU Zone Requiring a Planned Development Review (Chapter 16.23).	

16.08.050 RESIDENTIAL USES ALLOWED IN THE COMMERCIAL ZONES

Table 16.08-2: Residential Land Uses Allowed in Commercial Zones

Land Uses (Examples of land uses are in Chapter 16.03; definitions are in the Glossary, Chapter 16.32.)	Neighborhood Commercial Zone (Z-NCM)	Central Business Commercial Zone (Z-CCM)	Highway Commercial Zone (Z-HCM)
(See page 8 of Chapter 16.03 for further details and listings regarding Residential Uses)			
Residential Uses with <u>Class II</u> Impacts:			
<u>Conversion of existing commercial structure to a residential use</u>	<u>AR</u>		
<u>Affordable Housing (as defined in 16.19.120)</u>	<u>AR (subject to 16.19.120)</u>		

16.08.080 PUBLIC USES ALLOWED IN THE COMMERCIAL ZONES

Table 16.08-5: Public (Civic or Institutional) Land Uses Allowed in Commercial Zones			
(See page 18 of Chapter 16.03 for further details and listings regarding Public Uses)			
Use Categories	Z-NCM	Z-CCM	Z-HCM
Public Uses with <u>Class III</u> Impacts:			
Public Uses such as Shelters for Short Term or Emergency Housing (e.g., Homeless Shelters) when operated by a Public or Non-profit Agency	<u>N-CU</u>	<u>CU</u>	<u>CU</u>

16.10.050 RESIDENTIAL USES ALLOWED IN THE PUBLIC USE ZONE (Z-PU)

Residential Uses with <u>Class II</u> Impacts:	
<u>Affordable Housing (as defined in 16.19.120)</u>	<u>AR (subject to 16.19.120)</u>

16.11.070 FLOOD PLAIN OVERLAY ZONE

Manufactured dwelling: ~~A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home".~~ Includes residential trailers, mobile homes, and manufactured homes. (1) Residential Trailer: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, is being used for residential purposes and was constructed before January 1, 1962. (2) Mobile Home: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and was constructed between January 1, 1962 and June 15,

1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction. (3) Manufactured Home: a structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and was constructed on or after June 15, 1976 in accordance with federal safety standards regulations in effect at the time of construction.

16.12.030 – MOTOR VEHICLE ACCESS MANAGEMENT REQUIREMENTS

[...]

Q. Flag Lot Standards.

1. Connections to the State Highway System or City Arterials. Flag lots shall not be permitted when the results would be to increase the number of driveways requiring direct and individual access connections to the state highway system, or city arterial streets.
2. Planning Objectives and Residential Development. Flag lots may be permitted for residential development when necessary to achieve planning objectives, such as reducing direct access to roadways, providing internal platted lots with access to a residential street, infill development, redevelopment, or preserving natural or historic resources.
3. Conditions of Flag Lot Creation. Flag lots may be created only when a through street or mid-block lanes cannot be extended to serve abutting uses or future development. A flag lot driveway ("flag pole" or "pan handle") may serve no more than two **dwelling units, including accessory dwellings and dwellings on individual lots, unless the fire codes and standards adopted by the city and/or the Lebanon fire district are met for more units. When such standards are met, the maximum number of dwellings shall be four individual lots with a maximum of four dwelling units (maximum two dwelling units per individual lot served by flag lot driveway).** A driveway serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots. No fence, structure or other obstacle shall be placed within the driveway area. The fire marshal may require an emergency turn-around.

16.14.030 – EARNED PARKING REDUCTIONS

- ~~A. The amount of vehicle parking may be reduced by one space for every eight bicycle parking spaces **or every four covered bicycle parking spaces**, not to exceed ~~ten~~ **fifteen** percent of required vehicle parking spaces.~~
- ~~B. The amount of vehicle parking may be reduced by one space for each four additional covered bicycle parking spaces provided over the minimum requirement, not to exceed ten percent of required vehicle parking spaces.~~
- ~~C. The above parking reductions may be used on a single development, provided the total reduction does not exceed fifteen percent of required vehicle parking spaces.~~

16.14.070 SPACE REQUIREMENTS FOR OFF-STREET PARKING**A. Space Requirements for Off-Street Parking (Table 16.14.070-1)**

Space requirements for off-street parking shall be as listed in this section in **Table 16.14.070-1**.

Table 16.14.070-1: Off-Street Parking Requirements for Motor Vehicles and Bicycles by Types of Uses		
Use	Vehicle Parking Spaces	Bicycle Parking Spaces
1. Residential		
(a) Single family <u>unit</u> dwellings	2 spaces per dwelling unit	None required
(b) Duplexes	1 space per dwelling	None required
(c) Multiple Family Dwellings	2.25 spaces/unit ¹	0.5 spaces per unit
(d) Senior-Citizen apartments	1 space per bedroom	2 percent of required vehicle parking, or 4 spaces, whichever is greater
(e) Rooming or boarding house	Spaces equal to 80 percent of the number of guest accommodations plus one additional space for the owner or manager.	1 space for every 5 guest rooms, or 4 spaces, whichever is greater.
(f) Manufactured Home Dwelling Park	2 spaces per dwelling, plus 1 visitor space for each 10 dwelling spaces	None required
<u>(e) Small Lot Single-unit dwellings</u>	<u>2 spaces per dwelling unit</u>	<u>None required</u>
<u>(f) Cottage Clusters</u>	<u>Single bedroom or studio: 1 space per dwelling unit</u> <u>Two or more bedrooms: 2 spaces per dwelling unit</u>	<u>None required</u>
<u>(g) Tiny Homes</u>	<u>Tiny home ADU: 0 spaces per dwelling unit</u>	<u>None required</u>

	<u>Tiny homes in a manufactured dwelling park or cottage cluster : 1 space per unit</u>	
--	---	--

16.15 LANDSCAPING, STREET TREES, FENCES AND WALLS

[...]

16.15.020 Landscaping and Screening

[...]

f. Buffering and Screening Required for Parking Lots and Service Areas

Buffering and screening are required under the following conditions, except for single family dwellings, ~~and~~ duplexes, and cottage clusters:

[...]

3. Irrigation

Irrigation is required of all new development, except single family homes, ~~and~~ duplexes, and cottage clusters.

[...]

E. Landscape Plans

Except for single family dwelling on a single lot (but not excluding subdivisions), ~~and~~ duplexes, and cottage clusters, landscape plans shall be submitted showing all existing and proposed landscape areas.

F. Completion of Landscaping

[...]

2. Except for single family dwelling on a single lot (but not excluding subdivisions), ~~and~~ duplexes, and cottage clusters, a final Certificate of Occupancy shall not be granted until either landscaping is completed or an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property.

16.19.040 ~~MANUFACTURED~~ SINGLE-UNIT DETACHED DWELLING PLACEMENT STANDARDS

The following standards apply to the placement of manufactured single-unit detached dwellings on individual lots in residential zones ~~outside of mobile home parks and manufactured home subdivisions, except for those areas (neighborhoods) where they are inconsistent with established, historical or other identifiable architectural residential construction patterns. All manufactured homes on individual lots in residential zones shall:~~

~~A. Be multi-sectional (double wide or wider) and enclose a floor area of not less than 1,000 square feet.~~

- ~~B. Unless located within a designated flood hazard area, have backfill style foundations or skirting of pressure treated wood, masonry or continuous concrete footing wall construction complying with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, such that the manufactured home is located not more than 12 inches above original overall lot grade.~~
- ~~C. Have a roof with a nominal pitch of 3 feet in height for each 12 feet in width.~~
- ~~D. Not have bare metal siding or roofing, the siding shall be painted, and roofing and siding shall be in good serviceable condition without portions missing, damaged, cracked or otherwise defective.~~
- ~~E. Be certified by the manufacturer to have exterior thermal envelopes meeting the performance standards specified by state law for single family dwellings constructed under the state building code.~~
- ~~F. Have a garage or carport with exterior materials matching the residential unit.~~
- ~~G. Be subject to all other applicable Zoning Ordinance and Municipal Code requirements that apply to single family dwellings in residential zones.~~
- A. All dwellings must be on a foundation that meets the City's construction code and design requirements or the Oregon Manufactured Dwelling Installation Specialty Code as applicable and that does not exceed 12-inches above the finished grade.
- B. The primary dwelling must be a minimum of 20 feet in width at its narrowest dimension or include three or more of the design elements listed below (B.1 – B.15).
 - 1. Minimum 20% window coverage on every side of the building.
 - 2. Dormer(s) at least three feet wide.
 - 3. Covered porch entry with a minimum of 40 square foot covered front porch and a minimum five feet deep.
 - 4. Second story balcony that projects from the wall of the building a minimum of four feet and enclosed by a railing or parapet wall.
 - 5. Building face containing two or more off-sets of 16 inches or greater from one exterior wall to the other.
 - 6. Roof overhang of 16 inches or greater.
 - 7. Columns, pillars, or posts at least four inches wide and containing base materials for a total width of at least eight inches.
 - 8. Decorative gables with cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets (does not include a garage gable if the garage projects beyond the remaining portion of the primary street facing façade).
 - 9. Moulding above windows and doors that is at least six inches wide.
 - 10. Pilasters at least eight inches wide or chimneys.
 - 11. Shakes, shingles, brick, or stone occupying at least 60 square feet of the street façade.
 - 12. Bay or bow window(s) that extend a minimum of 12 inches outward from the main wall of a building and form a bay or alcove in a room within the building.
 - 13. Sidelight and/or transom windows associated with the front door or windows in the front door.
 - 14. Pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

- C. For manufactured dwelling units, the dwelling must be certified by the manufacturer to have an exterior thermal envelope meeting the performance standards specified by state law for single-unit dwellings constructed under the state building code.

16.19.120 AFFORDABLE HOUSING ON NON-RESIDENTIAL OR PUBLIC LAND

Senate Bill 8 (2021) requires local governments to allow affordable housing without requiring a zone change or conditional use permit if certain criteria and standards are met. These requirements are implemented by this subsection.

A. Applicability.

1. Affordability. The affordability of the units is enforceable, including as described in ORS 456.270 to 456.295, for a duration of no less than 30 years; and either
 - a. Each unit on the property is made available to own or rent to families with incomes of 60 percent or less of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or
 - b. The average cost among all units on the property is made available to families with incomes of 60 percent or less of the area median income.
2. Ownership. The housing will be owned by:
 - a. A public body, as defined in ORS 174.109, which includes state government bodies, local government bodies, and special government bodies; or
 - b. A nonprofit corporation that is organized as a religious corporation.
3. Zoning. The property is zoned to allow the following uses outright:
 - a. Commercial uses, including the Mixed Use Zone (MU), Neighborhood Mixed Use (NMU), Neighborhood Commercial Zone (NCM), the Central Business Commercial Zone (CCM), and the Highway Commercial Zone (HCM).
 - b. Public land, which includes lands in the Public Use Zone (PU).

B. Standards. Only affordable housing developed pursuant to subsection 16.19.120.A is subject to the following standards.

1. Site Suitability. The site shall be suitable for development of affordable housing. Affordable housing shall not be located on lands where the City determines that:
 - a. The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;
 - b. The property contains a slope of 25 percent or greater;
 - c. The property is within the Flood Plain Overlay Zone (FP-OZ);
 - d. The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:
 - i. Natural disasters and hazards (SSD-OZ)
 - ii. Natural resources, including air, water, coastal, land or natural areas, but not including open spaces or historic resources (RIP-OZ)
 - e. The property is zoned for industrial use (IND).

2. **Density and Height in zones that don't allow housing:**
 - a. **Commercial zones – The maximum density shall be based on the maximum allowable density applicable to the contiguous/adjacent property with a residential zoning designation. If there is more than one contiguous/adjacent residential property, the zoning of the property with the greatest allowable density applies. If the site is not contiguous/adjacent to a residentially zoned site, then the density standards of the RH zone shall apply. The height standard of the base zone shall apply.**
 - b. **Public Use zone - The maximum density shall be based on the maximum allowable density applicable to the contiguous/adjacent property with a residential zoning designation. If there is more than one contiguous/adjacent residential property, the zoning of the property with the greatest allowable density applies. If the site is not contiguous/adjacent to a residentially zoned site, then the density standards of the RH zone shall apply. The height standard of the base zone shall apply.**
3. **Development and Design Standards.**
 - a. **Affordable housing projects allowed pursuant to this section are subject to the multifamily development standards of the underlying or adjacent residential zone. If the property does not border a residential zone, or if the underlying or adjacent residential zone does not allow multifamily development, then the affordable housing must follow the multihousehold development standards of the Residential High Density zone (RH).**
 - b. **Affordable housing projects allowed pursuant to this section are subject to the Open Space and Site Design Requirements for Multi-Family Housing (16.05.170) and are eligible for affordable housing open space bonuses in 16.05.160.**

16.19.130 EMERGENCY SHELTER CONVERSIONS AND AFFORDABLE HOUSING

- A. **Definitions. The definitions of "affordable housing," "conversion" and "lawful use" applicable to this section are specified below.**
 1. **"Affordable housing" means housing in which all units are affordable to households with incomes equal to or less than 60 percent of the area median income as defined in ORS 458.610 and whose affordability is enforceable by an affordable housing covenant, as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.**
 2. **"Conversion" includes an alteration to a building that changes a building's intended use as a hotel or motel to an emergency shelter and/or changes the number of units but does not expand the building footprint. A conversion under this section is not a land use decision as defined in ORS 197.015.**
 3. **"Lawful use" includes a nonconforming use as described in ORS 215.130 (6) or any other local land use regulation allowing for the continuation of a use that was lawful when first enacted.**

- B. Applicability Criteria. The proposal is for a conversion which meets one of the following.**
- 1. The proposed conversion is from use as a hotel or motel, to use as an emergency shelter; or,**
 - 2. The proposed conversion is from use as a hotel or motel to use as affordable housing; or**
 - 3. The proposed conversion is from an emergency shelter to use as affordable housing.**
- C. Standards.**
- 1. Site Suitability. The conversion of a hotel or motel to an emergency shelter or affordable housing pursuant to this section is not permitted on sites where the City determines that:**
 - a. There is inadequate transportation access to commercial and medical services;**
 - b. The site is zoned specifically for industrial uses (IND); or**
 - c. The site is designated for a statewide land use planning goal relating to natural disasters or hazards, including flood plains (16.11.040 and 16.11.070) or mapped environmental health hazards unless the converted use complies with regulations directly related to the disasters or hazards.**
 - 2. Emergency Shelters. Conversion of a hotel or motel to an emergency shelter if no site alterations are proposed is subject only to the following standards:**
 - a. Applicable building codes; and**
 - b. Occupancy limits.**
 - 3. Affordable Housing. Conversion of a hotel or motel to affordable housing, or conversion of a hotel or motel that was previously converted to an emergency shelter to affordable housing are subject to the following standards:**
 - a. Applicable building codes; and**
 - b. Occupancy limits.**
 - c. Standards applicable to multifamily uses in the High Density Residential Zone (RH).**
 - d. Site alteration. Site alterations, including but not limited to alterations to parking areas and landscaping, are subject to the applicable standard in Chapter 16.05.**

16.20.080 EXERCISING A LAND USE APPROVAL

[...]

B. Approval of Manufactured ~~Home~~ **Dwelling** Parks

The decision shall be considered exercised with the beginning of construction of facilities for servicing the site on which the manufactured homes are to be placed. This shall include, at a minimum, the construction of streets with final site grading or the pouring of concrete pads, or the extension or installation of utilities.

16.22.030 GENERAL REQUIREMENTS FOR PARTITIONS AND SUBDIVISIONS

[...]

~~A. Lot Size Averaging~~

~~Single family and duplex residential lot size may be averaged to allow lots less than the minimum lot size in Residential zones, as provided by the provisions of Section 16.05.140 (Chapter 16.05).~~

16.30.020 – CONTINUATION OF A NONCONFORMING USE

- A. Subject to the provisions of this chapter, a nonconforming use of a structure (including fences) or a nonconforming use may be continued and maintained, but shall not be altered or expanded except as provided herein.
- B. The extension of a nonconforming use to a portion of a structure that was approved for such a use at the time of the adoption of this development code is not an expansion of a nonconforming use.
- C. In any ~~industrial or commercial~~ zone, a pre-existing dwelling use may be altered or expanded, provided that such alteration or expansion shall not result in the use deviating further from the applicable standards of this development code.
- D. In any industrial or commercial zone, a pre-existing dwelling may be altered or expanded provided that such an alteration or expansion shall not** exceed the ~~yard setback~~, lot coverage, and building height requirements of the residential mixed density (RM) zone for the use of the property.
- E.** Notwithstanding the provisions of Section 16.30.030, a nonconforming structure reasonably capable of use only for a nonconforming industrial or commercial use may be re-established, changed, altered, or expanded upon as a conditional use.

16.30.030 – NONCONFORMING STRUCTURE

A structure (including fences) conforming as to use but nonconforming as related to ~~height, setback, lot coverage, or similar~~ any dimensional standard, may be altered or expanded if the alteration or expansion does not cause the structure to deviate further from the standards of this development code, and provided that such redevelopment meets all other applicable standards.

16.30.050 – CHANGE OF A NONCONFORMING USE

If a nonconforming use is changed to a different use, **it shall be changed to a use conforming the new proposed use must conform** to the regulations of the zone in which it is located.

16.32.020 MEANING OF SPECIFIC WORDS AND TERMS

CLUSTER: ~~A grouping of development. Specifically, the locations of structures on a given site in one area leaving the remainder of the land in open space.~~

[...]

COMMON COURTYARD: See common area.

COTTAGE CLUSTER: A grouping of no fewer than four dwelling units per acre, each with a floor area of less than 900 square feet, located on a single lot or parcel that includes a common courtyard. Cottage clusters that also meet the definition of “manufactured dwelling park” may be subject to additional requirements, pursuant to ORS 446.003 through 446.140. Cottage clusters are not the same as multifamily housing.

[...]

COTTAGE: A small house **or tiny home** that may be used as an accessory dwelling, or part of a **cottage** cluster ~~of similar sized homes.~~

[...]

DEVELOPMENT BONUS: The allocation of development rights that allow a parcel to accommodate additional residential units in exchange for a certain percentage of those units as affordable housing. Development bonuses may include but are not limited to bonuses for density, height, open space, or parking.

[...]

Family: (1) Two or more persons related by birth, marriage or adoption. (2) Two or more persons related by blood, legal adoption, guardianship or marriage living together; or (3) Except as may be modified by the Federal Fair Housing Law as it relates to handicapped persons, a group of ~~not more than 5 persons~~ **people** who need not be related (as above) living together in a dwelling unit.

DWELLING: Any room or group of rooms located in a residential building forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation of one **family household**, not including motel or hotel units. The installation of an additional gas, electric or water meter or separate sewer service is evidence of establishment of an additional dwelling unit. Except for manufactured dwellings as defined in ORS 446.003, all dwelling units shall be constructed to conform to the Oregon Structural Specialty Code, the Low-Rise Residential Dwelling Code, or the Small Home Specialty Code.

DWELLING, SINGLE-~~FAMILY UNIT~~ (DETACHED): A detached building, ~~or manufactured dwelling, other than a mobile home or trailer house,~~ **manufactured home, or prefabricated dwelling** designed for and occupied by not more than one **family household**, that is not attached to any other dwelling and is surrounded by open space and yards, and is the only primary dwelling unit on the Lot or Parcel, ~~or a part of a Cottage Cluster. A single-unit dwelling may also be referred to as a single “family” dwelling, home, or house in this Code.~~

DWELLING, SMALL LOT SINGLE-UNIT (DETACHED): A detached building, manufactured home, or prefabricated dwelling located on a single lot or parcel that is no larger than 2,500 square feet and is designed for and occupied by not more than one household, that is not attached to any other dwelling and is surrounded by open space and yards, and is the only primary dwelling unit on the Lot or Parcel.

[...]

GROUP LIVING FACILITY: A residential development with no fewer than two attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy. A group living facility may also be referred to as “single room occupancies” (SRO).

[...]

HOUSEHOLD: All the people who occupy an individual dwelling unit as their place of residence.

[...]

MANUFACTURED ~~HOME~~ DWELLING PARK: A place where four or more manufactured dwellings, **prefabricated dwellings, or tiny homes** are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space to any person for a charge or fee paid or to be paid for the rental use of facilities or to offer space free in connection with securing the trade or patronage of such person. "Manufactured dwelling park" does not include a lot or lots located within an approved subdivision being rented or leased for occupancy by no more than one mobile home per lot if the subdivision was approved by the City.

[...]

PREFABRICATED DWELLING: A building or structural unit that has been in whole or substantial part manufactured at an off-site location to be wholly or partially assembled on-site, but does not include a ~~mobile home, trailer or recreational vehicle~~ **manufactured dwelling**.

[...]

TINY HOME: A detached dwelling that is not more than 400 square feet in size and conforms to the small home construction standards in ORS 455.616. A tiny home may or may not be on wheels. A recreational vehicle (RV) or trailer shall not be considered a tiny home.