

Public Testimony for DCA 25-01

Public Testimony: Recommended Draft Code Revisions

To: Lebanon Planning Commission

From: Laura LaRoque

Date: May 13, 2025

Subject: Proposed Code Amendment and Recommended Revisions

Dear Planning Commissioners,

Thank you for the opportunity to submit public testimony regarding the proposed amendments to the Lebanon Development Code. I appreciate the Commission's continued engagement with the community to refine and improve the city's development standards.

After reviewing the draft amendments, I am submitting the attached recommended revisions for your consideration. These proposed edits are intended to improve clarity, enhance consistency across code sections, and support practical implementation of the standards.

I respectfully ask that the Planning Commission consider these revisions as part of its recommendation to the City Council. I welcome the opportunity for further discussion and would be glad to provide additional information or clarification as needed.

Thank you for your time and consideration.

Sincerely,

Laura LaRoque

Laura LaRoque

16.03.020 ALPHABETICAL LIST OF LAND USE EXAMPLES

Single Unit Dwellings [R]

16.03.030 RESIDENTIAL USES

Residential Uses with Class I Impacts	Accessory Dwellings Accessory Structures (with a permitted use) Bed and Breakfasts Duplexes Family Child Care in a Home* Home Occupations Hospice Facilities Single Unit (Detached) Small Lot Single-unit Dwellings (Detached)
B. Residential Uses with Class II Impacts	Multifamily (three or more units) Assisted Living Facilities (ALF) Boarding House or Facility Condominiums Cottage Clusters Nursing and Convalescent Homes Retirement Center Apartments Rooming House or Facility Senior Living Facilities (SLF) Town or Row Houses Triplexes Zero Lot Line Homes Manufactured Dwelling Park
C. Residential Uses with Class III Impacts	Dormitories Houseboats State Regulated Special Residential Units (Group Living Homes or Facilities): Public Uses such as shelters for Short Term or Emergency Housing (e.g., Homeless Shelters) when operated by a Public or Non-profit agency.

16.05.150 RESIDENTIAL ZONES SPECIAL USE STANDARDS

F. Cottage Clusters

Cottage clusters shall comply with the standards of this section in addition to all other applicable zoning or development standards. In the event of a conflict between standards, the standards of this section shall take precedence.

1. **Building Separation.** Cottages within a cluster must be separated by a minimum distance of six (6) feet. The minimum distance between all other structures, including accessory structures, shall comply with applicable building code requirements.
2. **Maximum Unit Size.** The maximum floor area for each cottage is 900 square feet.
3. **Building Height.** The maximum building height for all structures within a cottage cluster is 25 feet.
4. **Cottage Orientation.** Cottages shall be clustered around a common courtyard, either abutting a common courtyard or connected to it via a pedestrian path. The following standards apply:
 - a. Each cottage shall either directly abut the common courtyard or be connected to it by a pedestrian path.
 - b. At least 50 percent of cottages within a cluster shall be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet of the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages located within 20 feet of a street property line may have their primary entrances facing the street. These street-facing cottages shall count toward the 50 percent minimum courtyard orientation requirement in subsection 5.b of this section.
 - d. Cottages that do not face the common courtyard or the street shall have their primary entrances facing a pedestrian path that is directly connected to the common courtyard.

5. Common Courtyard Design Standards. Each cottage cluster shall include at least one common courtyard to provide a sense of openness and community of residents. Common courtyards shall meet the following standards:
 - a. The common courtyard shall be a single, contiguous piece.
 - b. Cottages shall abut the common courtyard on at least two sides of the courtyard.
 - c. The minimum area of the common courtyard shall be 150 square feet per cottage within the associated cluster (as defined in subsection 5).
 - d. The common courtyard shall have a minimum of 20 feet at its narrowest dimension.
 - e. The common courtyard shall be improved with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard surfaces. Recreational amenities may also be included.. Impervious surfaces shall not exceed 75 percent of the total common courtyard area.
 - f. Pedestrian paths are required in the common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum width and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard area.
6. Community Buildings. Cottage cluster projects may include community buildings for the shared use by residents, offering spaces such as meeting rooms, exercise rooms, day care facilities, or community dining areas. Community buildings shall meet the following standards:
 - a. One community building is permitted per cottage cluster and shall count towards the maximum average floor area, allowed under subsection (3) (Maximum Unit Size).
 - b. A community building shall not exceed 1,400 square feet in floor area.
7. Pedestrian Access.
 - a. An accessible pedestrian path shall be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard;
 - ii. Shared parking areas;

- iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site, or rights-of-way itself if sidewalks are not present.
 - b. Pedestrian path shall be constructed with all-weather hard-surfaced and shall be a minimum of four (4) feet in width.
- 8. Parking Design.
 - a. Clustered parking. Off-street parking may be provided as individual spaces for cottages or arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages may include parking clusters of no more than five (5) contiguous spaces
 - ii. Cottage cluster projects with 16 cottages or more may include parking clusters of no more than eight (8) contiguous spaces.
 - iii. Parking clusters shall be separated from other parking clusters or structures by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.
- 9. Parking location and access.
 - a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - i. Within 20 feet of any street property line, except alley property lines; or
 - ii. 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. Clustered parking areas and parking lots shall be separated from common courtyards and public streets by landscaping, fencing, or walls at least three (3) feet in height.
- 11. Accessory Structures. Accessory structures shall not exceed 400 square feet in floor area.

12. Existing Structures. On a lot or parcel proposed for a cottage cluster development, an existing detached single-unit dwelling or duplex may remain as part of the cottage cluster project, subject to the following: following conditions:

- a. The existing dwelling may be nonconforming with respect to the standards of this code.
- b. The existing dwelling may be expanded up to the maximum height allowed in subsection 4. However, existing dwellings that already exceed the building height or floor area shall not be expanded.
- c. The floor area of the existing dwelling shall not count towards the maximum average floor area calculation for cottages in the cluster.

13. The existing dwelling retained within a cottage cluster project shall be excluded from orientation requirements in subsection 4 (Cottage Orientation).

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

[...]

E. Common Open Space

- 1. A minimum of 1,000 square feet of common open space shall be provided for all multi-family developments. This area may include designed children's play areas.

16.05.180 ZERO LOT LINE HOUSES

- A. Introduction. Zero-lot line houses are subject to the same standards as non-attached single- housing provided the requirements of subsections below are met.
- B. Any residential dwelling unit or accessory structure may be located on the interior property line if the common wall between adjacent dwellings contains no openings, including windows or doors.
- C. Where no interior setback is proposed, a maintenance easement shall be recorded on deed or plat of the abutting property. The easement shall be a minimum five feet in width and not revocable without City approval through an Administrative Procedure as outlined in Section 16.20.040.

- D. The interior setback for attached housing units shall be zero (0) where the units are directly adjoined. All other setbacks shall conform with the applicable standards of this Code.

16.11.070 FLOOD PLAIN OVERLAY ZONE

A manufactured dwelling includes residential trailers, mobile homes, and manufactured homes. These are structures designed for human occupancy that are constructed for movement on public highways and contain sleeping, cooking, and plumbing facilities. Manufactured dwellings are classified based on the date of construction and applicable regulations at that time:

1. Residential Trailer: A structure constructed before January 1, 1962, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, and intended for use as a residence.
2. Mobile Home: A structure constructed between January 1, 1962, and June 15, 1976, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, intended for residential use, and constructed in compliance with Oregon mobile home construction standards in effect at the time.
3. Manufactured Home: A structure constructed on or after June 15, 1976, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, intended for residential use, and constructed in accordance with federal manufactured housing construction and safety standards in effect at the time of construction.

16.12.030 MOTOR VEHICLE ACCESS MANAGEMENT REQUIREMENTS

Q. Flag Lot Standards.

1. Access to State Highways and Arterial Streets

Flag lots shall not be permitted if they would result in an increase the number of driveways providing direct access 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, including but not limited to:

- Reducing the number of direct access points to roadways;

- Providing access to interior or landlocked lots via residential street;
- Supporting infill development or redevelopment; or
- Preserving natural features or historic resources.

3. Conditions of Flag Lot Creation.

Flag lots shall only be permitted when the extension of a through street or mid-block lane is not feasible or practical to serve abutting properties or future development. The following standards shall apply:

a. Driveway Limitations:

A flag lot driveway ("flag pole" or "pan handle") shall serve no more than two lots with direct access, and one additional lot through a recorded access easement, provided the easement is legally binding and complies with all applicable access and maintenance requirements.

b. Driveway Width Requirements: The minimum width for a flag lot driveway shall be as follows:

- i. For residential developments serving 1 to 2 primary dwelling units (excluding accessory dwelling units), the minimum unobstructed driveway width shall be 12 feet.
- ii. For residential developments serving 3 or more primary dwelling units (excluding accessory dwelling units), the minimum unobstructed driveway width shall be 20 feet.

iii. Dead-End Roads:

1. If the length exceeds 150 feet: Must be provided with an approved turnaround.
2. If the length exceeds 500 feet: The driving surface width must be at least 26 feet.

c. Shared Driveway Easement: A shared driveway serving more than one lot shall include recorded reciprocal access and maintenance easement which benefits all lots served by the driveway.

d. Driveway Obstruction Prohibition: No fences, structures, or other obstructions shall be placed within the driveway area.

16.14.030 Earned Parking Reduction

- A. The required number of vehicle parking spaces may be reduced by one (1) space for every eight (8) bicycle parking spaces or every four (4) covered bicycle parking spaces, up to a maximum reduction of fifteen percent (15%) of the total required vehicle parking spaces.

16.19.040 Single-Unit Detached Dwelling Placement Standards

The following standards apply to the placement of single unit detached dwellings on individual lots within residential zones:

- A. All dwellings shall be on a foundation that complies with the City's construction code and design requirements or the Oregon Manufactured Dwelling Installation Specialty Code, as applicable. The foundation shall not exceed 12 inches above the finished grade.
- B. The primary dwelling shall either:
- Have a minimum width of 20 feet at its narrowest dimension; or
 - Include at least three (3) of the design elements listed in subsections B.1 through B.14 below.

Design Elements:

A minimum 20% window coverage on each side of the building.

- i. Dormer(s) at least three (3) feet wide.
- ii. A covered porch with a minimum area of 40 square feet and a minimum depth of five (5) feet.
- iii. A second-story balcony that projects at least four (4) feet from the building wall and is enclosed by a railing or parapet wall.
- iv. A building facade with two or more offsets of at least 16 inches from one exterior wall to another.
- v. Roof overhangs at least 16 inches.
- vi. Columns, pillars, or posts that are at least four (4) inches wide and include base materials with a total width of at least eight (8) inches.

- vii. Decorative gables featuring cross or diagonal bracing, shingles, trim, corbels, exposed rafter ends, or brackets (Garage gables do not qualify if the garage projects forward of the main street-facing façade.).
- viii. Window and door moulding that is at least six (6) inches wide.
- ix. Pilasters at least eight (8) inches wide, or a chimney.
- x. use of shakes, shingles, brick, or stone coverings at least 60 square feet of the street façade.
- xi. Bay or bow window(s) that project a minimum of 12 inches outward from the main wall and create an alcove in the interior space.
- xii. Sidelight and/or transom windows at the front door, or windows integrated in the front door.
- xiii. A pitched roof with a minimum slope of 3:12 (approximately 14 degrees).

C. Manufactured dwellings shall be certified by the manufacturer as meeting the thermal envelope performance standards required by state law for single-unit dwellings constructed under the Oregon Building Code.

16.20.080 EXERCISING A LAND USE APPROVAL

B. Approval of Manufactured Dwelling Parks

Approval shall be considered exercised when construction begins on facilities intended to service the site where manufactured dwellings will be placed. This shall include, at a minimum, the construction of streets with final site grading, the pouring of concrete pads, or the extension or installation of utilities.

16.30.030 NONCONFORMING STRUCTURE

A structure (including fences) that conforms to the permitted use but is nonconforming with respect to any other dimensional standard, may be altered or expanded, provided the alteration or expansion does not increase the degree of nonconformity . All other applicable standards of this Code shall be met.

16.30.050 CHANGE OF A NONCONFORMING USE

If a nonconforming use is changed to a different use, the new use shall conform to all regulations of the zone in which it is located.

Commentary: It does not appear that the uses or classifications amendments are fully reflected in Chapter 16.03. It is recommended that staff review all applicable use classification and impact tables within Chapter 16.03 to ensure internal consistency and alignment with the proposed code amendments.

16.03.020 ALPHABETICAL LIST OF LAND USE EXAMPLES

Single Family Unit Dwellings [R]

16.03.030 RESIDENTIAL USES

A. Residential Uses With Class I Impacts	Accessory Dwellings Accessory Structures (with a permitted use) Bed and Breakfasts Duplexes Family Child Care in a Home* Home Occupations Hospice Facilities Manufactured Housing Single Family Houses <u>Unit (Detached)</u> <u>Small Lot Single-unit Dwellings (Detached)</u>
B. Residential Uses With Class II Impacts	<u>Multifamily Apartments (four four <u>three</u> or more units)</u> Assisted Living Facilities (ALF) Boarding House or Facility Condominiums Cottage Clusters Nursing and Convalescent Homes Retirement Center Apartments Rooming House or Facility Senior Living Facilities (SLF) Town or Row Houses Triplexes Zero Lot Line Homes <u>Manufactured Dwelling Park</u>
C. Residential Uses With Class III Impacts	Dormitories Houseboats Manufactured Home Parks State Regulated Special Residential Units (Group Living Homes or Facilities): Alternative or Post-Incarceration Facilities; Drug and Alcohol Treatment Residential Programs; Group Homes for the Physically, Mentally or Emotionally Challenged <u>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>

Commentary: The proposed amendments to 16.05.150 are focused on improving clarity.

16.05.150 RESIDENTIAL ZONES SPECIAL USE STANDARDS

F. Cottage Clusters

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

1. Building Separation. Cottages within a cluster ~~shall~~ must 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~~ comply with applicable building code requirements.
2. Maximum Unit Size. The maximum floor area for ~~a~~ each cottage is 900 square feet.
3. Building Height. The maximum building height for all structures within a cottage cluster is 25 feet.
4. Cottage Orientation. Cottages ~~shall~~ 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~~ either abutting a common courtyard or connected to it via a pedestrian path. The following standards:
 - a. Each cottage ~~within a cluster must~~ shall ~~either directly abut the common courtyard or must be directly~~ be connected to it by a pedestrian path.
 - b. ~~A minimum of~~ At least 50 percent of cottages within a cluster ~~shall~~ must be oriented to the common courtyard and must:
 - i. Have a main entrance facing the common courtyard;
 - ii. Be within 10 feet from the common courtyard, measured from the façade of the cottage to the nearest edge of the common courtyard; and
 - iii. Be connected to the common courtyard by a pedestrian path.
 - c. Cottages located within 20 feet of a street property line may have their primary entrances facing the street. ~~Such~~ These street-facing cottages shall count

toward the 50 percent minimum courtyard orientation requirement in subsection 5.b of this section.

- d. Cottages ~~that do~~ not face the common courtyard or the street ~~must~~shall have their primary entrances facing a pedestrian path that is directly connected to the common courtyard.

5. Common Courtyard Design Standards. Each cottage cluster shall include at least one ~~must share a~~ common courtyard in order to provide a sense of openness and community of residents. Common courtyards ~~must~~shall meet the following standards:

- a. ~~An individual~~The common courtyard ~~must~~shall be a single, contiguous piece.
- b. Cottages shall~~must~~ abut the common courtyard on at least two sides of the courtyard.
- c. The minimum area of the ~~An individual~~ common courtyard ~~must~~shall contain ~~a minimum of~~be 150 square feet per cottage within the associated cluster (as defined in subsection 5).
- d. The common courtyard ~~must be a~~shall have a minimum of 20 feet ~~wide~~ at its narrowest dimension.
- e. The common courtyard shall be ~~developed~~improved with a mix of landscaping, lawn area, pedestrian paths, and/or paved courtyard ~~area~~surfaces. Recreational amenities may also be included., ~~and may also include recreational amenities.~~ Impervious ~~elements of the common courtyard~~surfaces shall not exceed 75 percent of the total common courtyard area.
- f. Pedestrian paths ~~must be included~~are required in ~~the~~a common courtyard. Paths that are contiguous to a courtyard shall count toward the courtyard's minimum ~~dimension~~width and area. Parking areas, required setbacks, and driveways do not qualify as part of a common courtyard area.

6. Community Buildings. Cottage cluster projects may include community buildings for the shared use ~~by~~of residents, offering spaces ~~that provide space for accessory uses~~ such as ~~community~~ meeting rooms, exercise rooms, day care facilities, or community ~~eating~~dining areas. Community buildings ~~must~~shall meet the following standards:

- a. ~~Each cottage cluster is permitted to~~One community building is permitted per cottage cluster and, ~~which~~ shall count towards the maximum average floor

area, ~~pursuant to subsection (3).~~ allowed under subsection (3) (Maximum Unit Size).

- b. ~~The~~ A community building ~~must~~ shall not exceed 1,400 square feet in floor area.

7. Pedestrian Access.

- a. An accessible pedestrian path ~~must~~ shall be provided that connects the main entrance of each cottage to the following:
 - i. The common courtyard;
 - ii. Shared parking areas;
 - iii. Community buildings; and
 - iv. Sidewalks in public rights-of-way abutting the site, ~~or rights-of-way itself if sidewalks are not present. there are no sidewalks.~~
- b. ~~The~~ Pedestrian path ~~must~~ shall be constructed with all-weather hard-surfaced and shall be a minimum of four (4) feet ~~wide~~ in width.

8. Parking Design.

- a. Clustered parking. Off-street parking may be provided ~~with~~ as individual spaces for cottages or arranged in clusters, subject to the following standards:
 - i. Cottage cluster projects with fewer than 16 cottages ~~are permitted~~ may include parking clusters of ~~not~~ no more than five (5) contiguous spaces
 - ii. Cottage cluster projects with 16 cottages or more ~~are permitted~~ may include parking clusters of not more than eight (8) contiguous spaces.
 - iii. Parking clusters ~~must~~ shall be separated from other ~~spaces~~ parking clusters or structures by at least four (4) feet of landscaping.
 - iv. Clustered parking areas may be covered.

9. Parking location and access.

- a. Off-street parking spaces and vehicle maneuvering areas shall not be located:
 - i. Within ~~of~~ 20 feet ~~from~~ of any street property line, except alley property lines; or

ii. 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. Clustered parking areas and parking lots shall be separated from common courtyards and public streets by Landscaping, fencing, or walls at least three (3) feet tall in height. ~~shall separate clustered parking areas and parking structures from common courtyards and public streets.~~

11. Accessory Structures. Accessory structures ~~must~~ shall not exceed 400 square feet in floor area.

12. Existing Structures. On a lot or parcel ~~to be used for~~ proposed for a cottage cluster ~~project~~ development, an existing detached single-unit dwelling or duplex may remain as part of the cottage cluster project, subject to the following: ~~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 standards of this code.

b. The existing dwelling may be expanded up to the maximum height allowed in subsection 4. ~~h~~ However, existing dwellings that already exceed the maximum height and/or footprint building height or floor area of this code ~~may~~ shall not be expanded.

c. The floor area of the existing dwelling shall not count towards the maximum average floor area calculation for cottages in the ~~of a cottage cluster.~~

13. The existing dwelling retained within a cottage cluster project shall be excluded from ~~the calculation of orientation toward the common courtyard, per subsection 5-a.~~ requirements in subsection 4 (Cottage Orientation).

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

E. Common Open Space

1. The minimum of 1,000 square feet of ~~required~~ common open space shall be provided for all multi-family developments. This area may include designed children's play

~~areas., regardless of any bonuses or reductions, is 1,000 square feet inclusive of children's play areas.~~

Commentary: The proposed amendments to 16.05.180 are focused on improving clarity.

16.05.180 ZERO LOT LINE HOUSES

- A. Introduction. Zero-lot line houses are subject to the same standards as non-attached single-family housing provided the requirements of ~~16.05.180.B and C~~ subsections B and C below are met.
- B. Any residential dwelling unit or accessory structure may be located on the interior property line if the common wall between adjacent dwellings contains no openings, including windows or doors. ~~where the proposed building does not have openings or windows in the wall facing the adjacent building.~~
- C. ~~For interior property lines where~~ Where no interior setback is proposed, a maintenance easement ~~must~~ shall be recorded on the ~~abutting property deed or plat of the abutting property.~~ The width of the easement shall be a minimum five feet in width and ~~—~~. ~~This easement is not revocable without City approval through an Administrative Procedure pursuant to~~ as outlined in Section 16.20.040.
- D. The interior setback for attached housing units shall be zero (0) where the units are directly ~~adjoined.~~ ; ~~All other setbacks shall conform to this Code~~ with the applicable standards of this Code.

Commentary: The proposed amendments to 16.05.170 are focused on improving format and clarity.

16.11.070 FLOOD PLAIN OVERLAY ZONE

~~Manufactured dwelling: 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.~~

A manufactured dwelling includes residential trailers, mobile homes, and manufactured homes. These are structures designed for human occupancy that are constructed for movement on public highways and contain sleeping, cooking, and plumbing facilities. Manufactured dwellings are classified based on the date of construction and applicable regulations at that time:

1. Residential Trailer: A structure constructed before January 1, 1962, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, and intended for use as a residence.
2. Mobile Home: A structure constructed between January 1, 1962, and June 15, 1976, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, intended for residential use, and constructed in compliance with Oregon mobile home construction standards in effect at the time.
- 1.3. Manufactured Home: A structure constructed on or after June 15, 1976, for movement on public highways, equipped with sleeping, cooking, and plumbing facilities, intended for residential use, and constructed in accordance with federal manufactured housing construction and safety standards in effect at the time of construction.

Commentary: The proposed amendments to 16.12.030 focus on improving formatting and clarity. The primary change addresses driveway width in relation to the number of dwellings served, as this is the most critical factor for flag lots, particularly from a fire access and emergency response perspective.

16.12.030 MOTOR VEHICLE ACCESS MANAGEMENT REQUIREMENTS

Q. Flag Lot Standards.

1. Access to State Highways and Arterial Streets

~~Connections to the State Highway System or City Arterials.~~ Flag lots shall not be permitted ~~when the results would be to~~ if they would result in an increase the number of driveways providing requiring direct and individual access connections to the state ~~H~~highway ~~s~~System; or ~~C~~city ~~A~~arterial ~~s~~Streets.

2. Planning Objectives and Residential Development.

Flag lots may be permitted for residential development when necessary to achieve planning objectives, including but not limited to:

- ~~such as~~ Reducing the number of direct access points to roadways;;
- ~~Providing internal platted lots with access to a~~ access to interior or landlocked lots via residential street;;
- Supporting infill development or; redevelopment; or
- ~~or~~ Preserving natural features or historic resources.

3. Conditions of Flag Lot Creation.

Flag lots ~~may be created~~ shall only be permitted only when ~~a~~ the extension of a through street or mid-block lanes ~~is~~ cannot be extended to not feasible or practical to serve ~~serve abutting~~ abutting properties uses or future development. The following standards shall apply:

- a. Driveway Limitations: 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 flag lot driveway ("flag pole" or "pan handle") shall serve no more than two lots with direct access, and one additional lot through a recorded access easement, provided the easement is legally binding and complies with all applicable access and maintenance requirements. ~~A flag lot driveway ("flag pole" or "pan handle") may serve no more than two~~

b. Driveway Width Requirements: The minimum width for a flag lot driveway shall be as follows:

i. For residential developments serving 1 to 2 primary dwelling units (excluding accessory dwelling units), the minimum unobstructed driveway width shall be 12 feet.

ii. For residential developments serving 3 or more primary dwelling units (excluding accessory dwelling units), the minimum unobstructed driveway width shall be 20 feet.

iii. Dead-End Roads:

1. If the length exceeds 150 feet: Must be provided with an approved turnaround.

2. If the length exceeds 500 feet: The driving surface width must be at least 26 feet.

~~b.c.~~ Shared Driveway Easement: A shared driveway serving more than one lot shall have include a recorded reciprocal access and maintenance easement recorded for all lots which benefits all lots served by the driveway.

~~c.d.~~ Driveway Obstruction Prohibition: No fences, structures, or other obstructions shall be placed within the driveway area.

Commentary: The proposed amendments to 16.14.030 focus on improving clarity.

16.14.030 Earned Parking Reduction

A. ~~The amount of vehicle parking may be reduced by one space for every eight bicycle parking spaces or not to exceed ten fifteen percent of required vehicle parking spaces.~~ The required number of vehicle parking spaces may be reduced by one (1) space for every eight (8) bicycle parking spaces or every four (4) covered bicycle parking spaces, up to a maximum reduction of fifteen percent (15%) of the total required vehicle parking spaces.

Commentary: The proposed amendments to 16.14.030 focus on improving formatting and clarity.

16.19.040 Single-Unit Detached Dwelling Placement Standards

The following standards apply to the placement of single unit detached dwellings on individual lots within residential zones:

A. All dwellings ~~must~~ shall be on a foundation that complies with ~~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.~~ The foundation shall not exceed 12 inches above the finished grade.

B. The primary dwelling shall either:

- Have a minimum width of 20 feet at its narrowest dimension; or
- Include at least three (3) of the design elements listed in subsections B.1 through B.14 below.

Design Elements:

~~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. A~~ M ~~minimum 20% window coverage on every~~ each ~~side of the building.~~

~~i. 2. Dormer(s) at least three~~ (3) ~~feet wide.~~

~~ii. 3. A~~ C ~~covered porch entry with a minimum~~ area ~~of 40 square feet not covered front porch and a minimum~~ depth of five (5) ~~feet. deep.~~

~~iii. 4. A~~ s ~~Second-story balcony that projects from the wall of the building a~~ at least ~~four (4) minimum of four feet~~ from the building wall ~~and is enclosed by a railing or parapet wall.~~

~~iv. 5. A~~ B ~~building facade containing~~ with ~~two or more off-sets of~~ at least ~~16 inches or greater from one exterior wall to the other~~ another.

~~v. 6. Roof overhang of~~ overhangs at least ~~16 inches or greater.~~

~~vi. 7. Columns, pillars, or posts~~ that are ~~at least four~~ (4) ~~inches wide and containing~~ include ~~base materials for a total~~ with a total ~~width of at least eight~~ (8) ~~inches.~~

- vii. ~~8. Decorative gables with featuring 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)~~ Garage gables do not qualify if the garage projects forward of the main street-facing façade.
 - viii. ~~9. Window and door Moulding above windows and doors that is at least six (6) inches wide.~~
 - ix. ~~10. — Pilasters at least eight (8) inches wide, or a chimneys.~~
 - x. ~~11. — use of Sshakes, shingles, brick, or stone coverings occupying at least 60 square feet of the street façade.~~
 - xi. ~~12. — Bay or bow window(s) that extend~~ project ~~a minimum of 12 inches outward from the main wall of a building and form a bay or~~ create an ~~alcove in a room within the building~~ in the interior space.
 - xii. ~~13. — Sidelight and/or transom windows associated with at the front door, or windows integrated in the front door.~~
 - xiii. ~~14. — A P~~ pitched roof with a minimum slope not less than 3 feet in height for each 12 feet in width of 3:12 (approximately 14 degrees).
- ~~A.C. C. For manufactured dwelling units, the dwelling~~ Manufactured dwellings must ~~shall~~ be certified by the manufacturer to have an as meeting the exterior thermal envelope meeting the performance standards specified required by state law for single-unit dwellings constructed under the Oregon state bBuilding eCode.

Commentary: The proposed amendments to 16.14.030 focus on improving clarity.

16.20.080 EXERCISING A LAND USE APPROVAL

B. Approval of Manufactured Home Dwelling Parks

~~The decision shall be~~ Approval shall be ~~considered exercised with the beginning of~~ when ~~construction begins on~~ of facilities intended to ~~for servicing the site on which the~~ where ~~manufactured homes dwellings are to~~ will ~~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.~~

Commentary: The proposed amendments to 16.14.030 focus on improving clarity.

16.30.030 NONCONFORMING STRUCTURE

A structure (including fences) ~~that conforms~~^{sing as} to ~~the permitted~~ use but ~~is~~ nonconforming as ~~with respect to~~ height, setback, lot coverage, or similar ~~any other~~ dimensional standard, may be altered or expanded, ~~provided the~~ if the alteration or expansion does not cause ~~increase the degree of nonconformity~~ the structure to deviate further from the standards of this development code, and provided that such redevelopment meets ~~. All~~ other applicable standards ~~of this Code shall be met~~.

16.30.050 CHANGE OF A NONCONFORMING USE

If a nonconforming use is changed ~~to a different use, the new use shall conform to all~~ to the regulations of the zone in which it is located.