



CITY OF ST. HELENS PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Commission for Jan. 12, 2021 meeting
FROM: Jacob A. Graichen, AICP, City Planner
RE: Oregon House Bill 2001 – 2 UNITS, continued...
DATE: December 23, 2020

Oregon HB 2001 requires cities of a certain size, including St. Helens, to allow duplexes (or two detached units) wherever detached-single family dwellings are allowed. St. Helens needs to change its development code to be effective by the end of June 2021.

The Commission discussed many details about this at your October 13, 2020 meeting. The Council also discussed the overall issues at their November 4, 2020 meeting.

One of the things the Council and Commission disagreed on was whether our rules would allow two detached single-family dwellings on a single lot. The Commission was unanimously against (with three members absent) and the Council supported it (three ayes, one nay, and one absence).

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So now we need to talk about distances between buildings (“interior yard”), given the Council’s direction.

The options for the interior yard include:

- Commensurate with zoning. For example, R10 would have a 10’ interior yard, R7 a 7’ interior yard, and R5 and AR with 5’ interior yards. These numbers correspond with the zoning’s current minimum side yard.
- None. Let the Building Code sort ‘em out. But the Building Code is subject to change and State politics, which we have little influence over.
- A fixed number. 3 feet? 6 feet?

If there is an interior yard, I recommend a 3’ standard for accessory structures. Building code fire wall requirements can vary, but the basic standard is <3 feet.

I wanted to make sure the proposed interior yard standards per the first bullet point above did not conflict with the other zoning district standards. **Attached are diagrams based on the following descriptions:**

1. **R10 lots**, with the minimum width and depth, and potential similar sized building footprints for two detached single-family dwellings assuming the 40% coverage.

The 40% building/structure coverage can be achieved with all of the normal yard (setback) requirements and the suggested **10' interior yard**, with a little bit of wiggle room for the two lot examples.

2. **R7 lots**, with the minimum width and depth, and potential similar sized building footprints for two detached single-family dwellings assuming the 40% coverage.

The 40% building/structure coverage can be achieved with all of the normal yard (setback) requirements and the suggested **7' interior yard**, with a little bit of wiggle room for the deep lot only.

3. **R5 lots**, with the minimum width and depth, and potential similar sized building footprints for two detached single-family dwellings assuming the 40% coverage.

The 40% building/structure coverage can be achieved with all of the normal yard (setback) requirements and the suggested **5' interior yard**, with a little bit of wiggle room for the two lot examples.

4. **Proposed AR lots (i.e., 4,000 size and 40' width)**, with the minimum width and depth, and potential similar sized building footprints for two detached single-family dwellings with the current 50% coverage.

The 50% building/structure coverage can be achieved with all of the normal yard (setback) requirements and the suggested **5' interior yard**, with a little bit of wiggle room for the deep lot only.

5. **Current AR lots (i.e., 3,050 size and 30' width)**, with the minimum width and depth, and potential similar sized building footprints for two detached single-family dwellings with the current 50% coverage.

The 50% building/structure coverage **cannot** be achieved with all of the normal yard (setback) requirements and the suggested **5' interior yard**. Approximate maximum coverage is around 42% and 44% in these examples.

In fact, if the interior yard is excluded and considered footprint for a single building (i.e., adding the interior yard as building footprint to the other two buildings top form one large building), the maximum building/structure coverage possible is around 47% for both examples.

This is potential justification for the Commission's recommended AR lot size increases: maximum efficiency for two detached single-family dwellings

* * *

The Commission recommended **increasing the minimum lot size for the AR zone for detached single family dwellings (and future duplexes) from 3,050 to 4,000 square feet**. This would correspond with a **minimum lot width increase from 30 feet to 40 feet**.

The Council was not opposed, though this month I started researching what planners call the **Measure 56 notice**. Per ORS 227.186 specific notice to property owners is required if an

amendment will limit or prohibit land uses previously allowed. Increasing lot size may fit into this category as a new regulatory burden. **I will need to check with the Council again given this.**

We can check with the Commission again on this issue too. You still want to go 4,000 s.f.?

* * *

The Council also requested that staff **increase the 35% base building/structure coverage** for the R10, R7 and R5 zones to 40%. AR is 50% already, so no change proposed there.

No action needed from the Commission on this unless you are passionately against it. If so, we can let the Council know.

* * *

A matter that has not been discussed yet are **allowed projections into required yards**. This relates to the interior yard discussion above and where porches and landings are allowed.

Here is the proposed language with comments in the text boxes to help you understand each item. Please note that the language assumes interior yards. Interior yards can be easily removed, if necessary.

underlined words are added
~~words stricken~~ are deleted

17.64.050 Projections into required yards.

(1) Cornices, eaves, belt courses, sills, canopies, or similar architectural features may extend or project into a required front, interior, rear or side yard not more than 36 inches provided the width of such yard is not reduced to less than three feet.

(1) Applies to all "yards" (front, interior, rear or side). With the new interior yard, this would create a min. 3' separation between buildings, including projections such as eaves.

(2) Fireplace chimneys may project into a required front, interior side, ~~or~~ rear, or side yard not more than three feet provided the width of such yard is not reduced to less than three feet.

(2) Applies to all "yards" (front, interior, rear or side). With the new interior yard, this would create a min. 3' separation between buildings, including projections fireplace chimneys.

(3) Open porches, decks, or balconies not more than 36 inches in height and not covered by a roof or canopy may extend or project into a required rear or side yard provided such natural yard area is not reduced to less than three feet and the ~~deck~~ extension is screened from abutting properties. ~~Porches may extend into a required front yard not more than 36 inches.~~

(3) Applies to all rear or side yards. This is for open porches and such. The last sentence addresses covered porches and is moved to (4) below.

(4) Porches may extend into a required front yard or exterior side yard (on corner lots) not more than 36 inches. Porches may be covered but shall not include any other floor space horizontally (e.g., non-porch area on the same floor) or vertically (e.g., floor space directly above the porch on the second floor) for this to be allowed.

(4) Applies to the front or exterior side (on corner lots). Currently, the covered porch allowance only applies to the front yard. Staff recommends also allowing the exterior side too. Proposed language includes some clarification.

~~(4)~~ (5) Unroofed landings and stairs may project into required front or rear, or exterior side (on corner lots) yards only.

(5) Applies to front, rear or exterior side (on corner lots). Adding the exterior side is recommended by staff. This has some influence on doorways and entries location.

~~(5)~~ (6) When there is a yard requirement of the zoning district, ~~N~~o building, structure, or portion thereof, regardless of size and whether or not a permit is required for its placement, shall be placed closer than three feet to a property line or to another building or structure.

(6) Currently, the code says “no” to buildings being close than 3’ to a property line. It is supposed to apply only in cases where there is a yard requirement. For example, this doesn’t make sense for attached single-family dwellings (townhouses) or non-residential applications. So some clarification language is added for that.

This language also assumes the interior yard, and thus included the no to <3’ between buildings too.

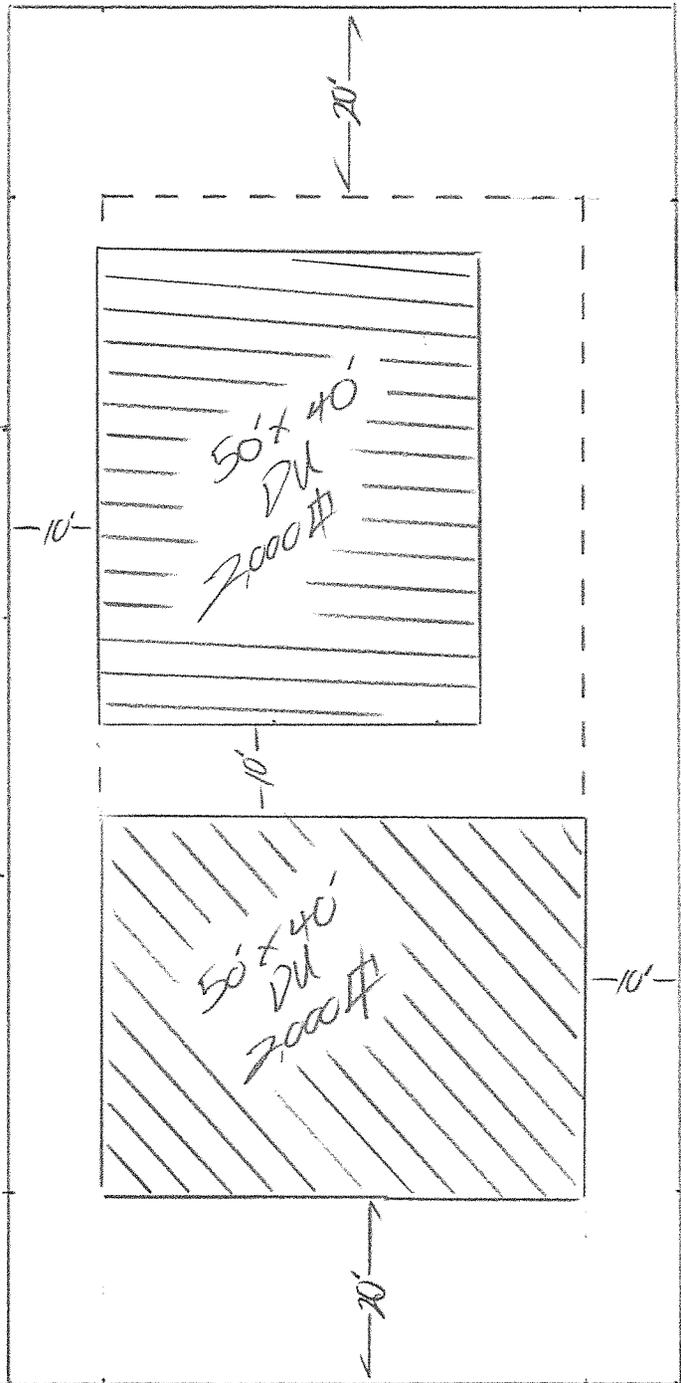
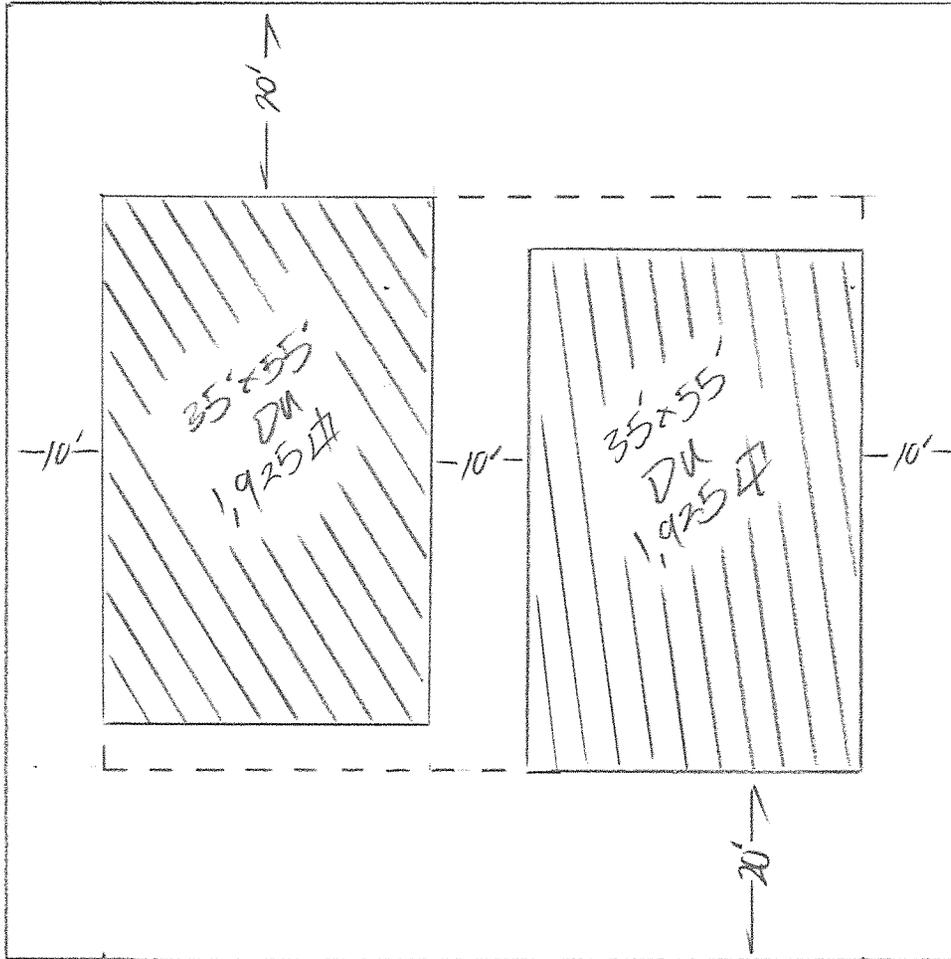
R10

10,000 sq ft

100' D

70' W

40% COV. ← AS PROPOSED FROM 35%



NOV. 2020

100' x 100' LOT
10,000 sq ft

70' x 145' LOT
10,150 sq ft

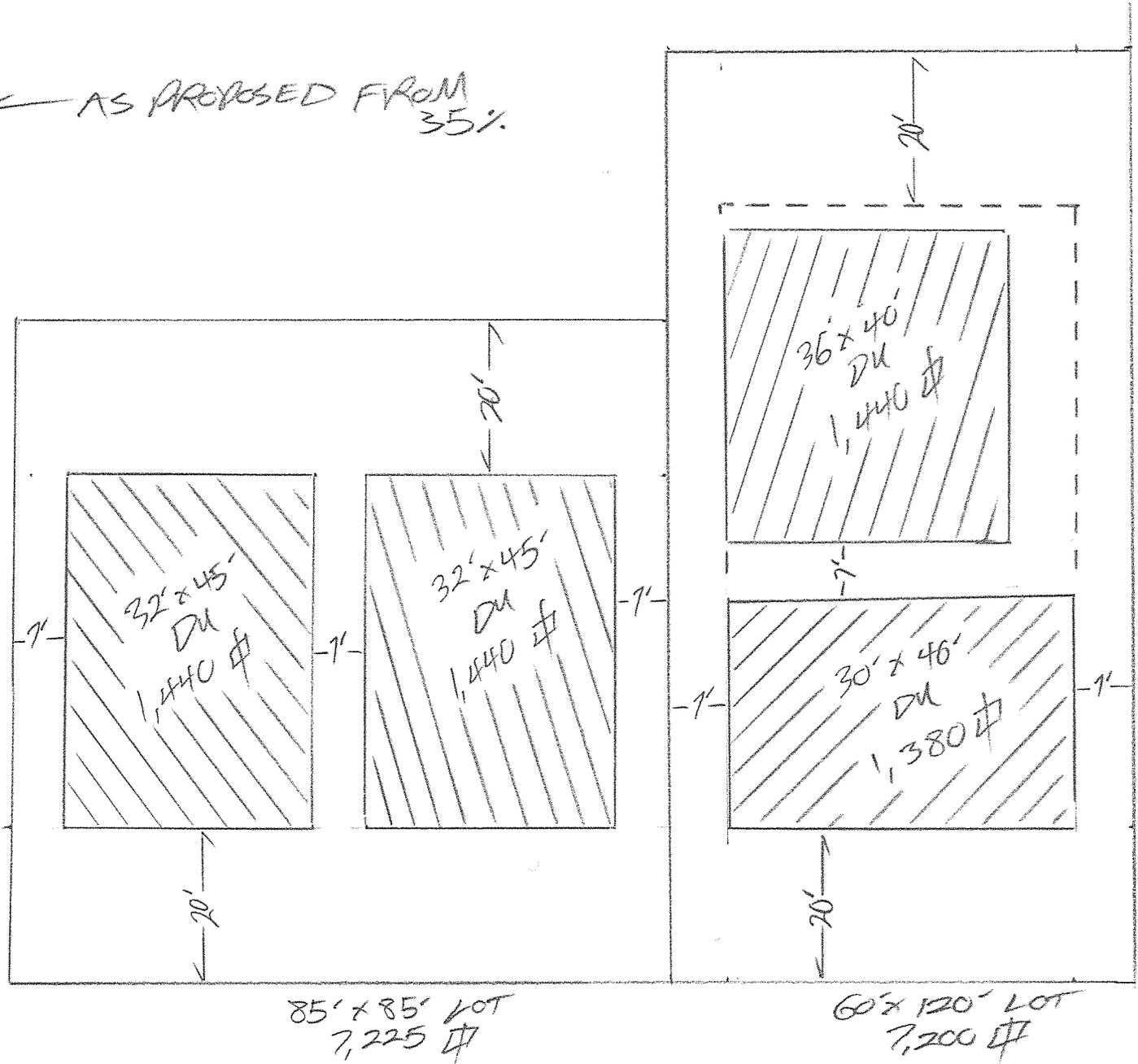
R7

7,000 $\#$

85' ∇

60' W

40% COV. \leftarrow AS PROPOSED FROM 35%



NOV.
2020

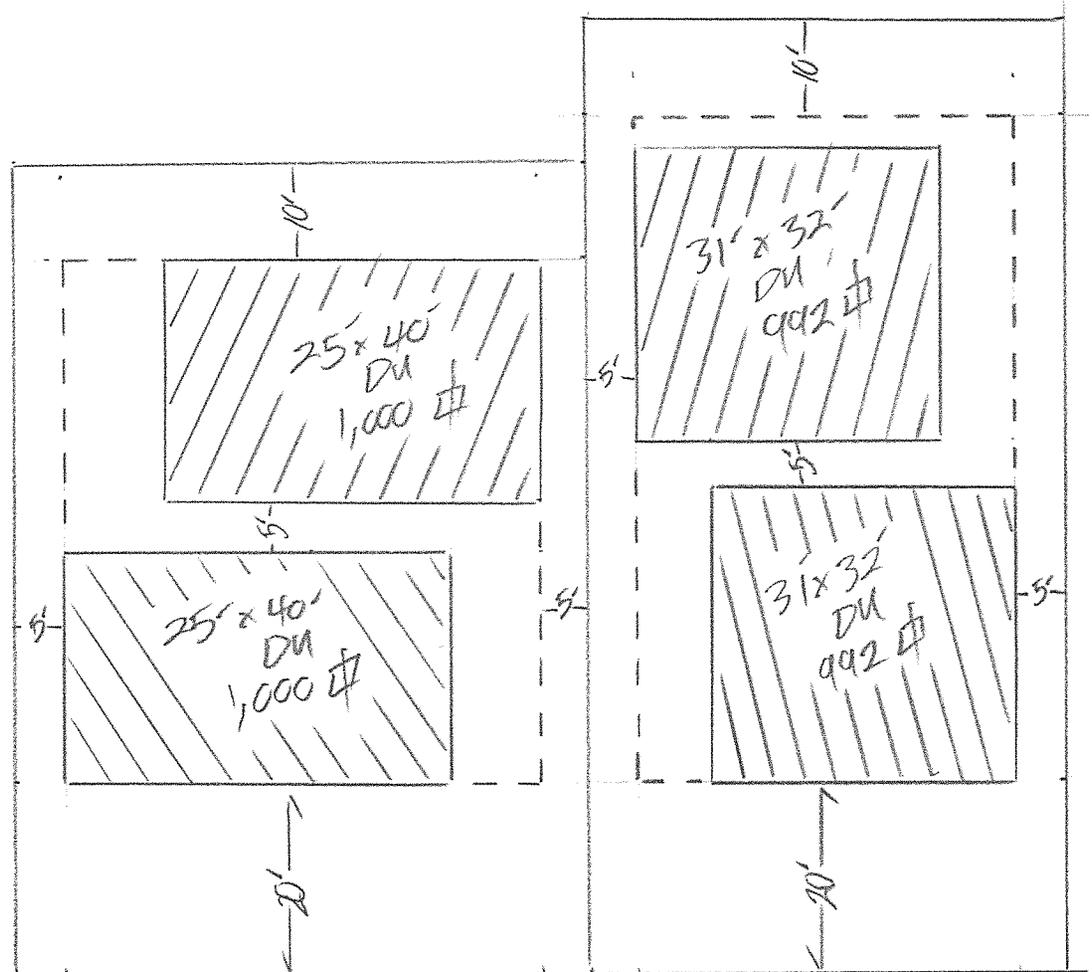
R5

5,000 sq ft

85' D

50' W

40% COV. ← AS PROPOSED FROM 35%.



JAN 2020

60' x 85' LOT
5,100 sq ft

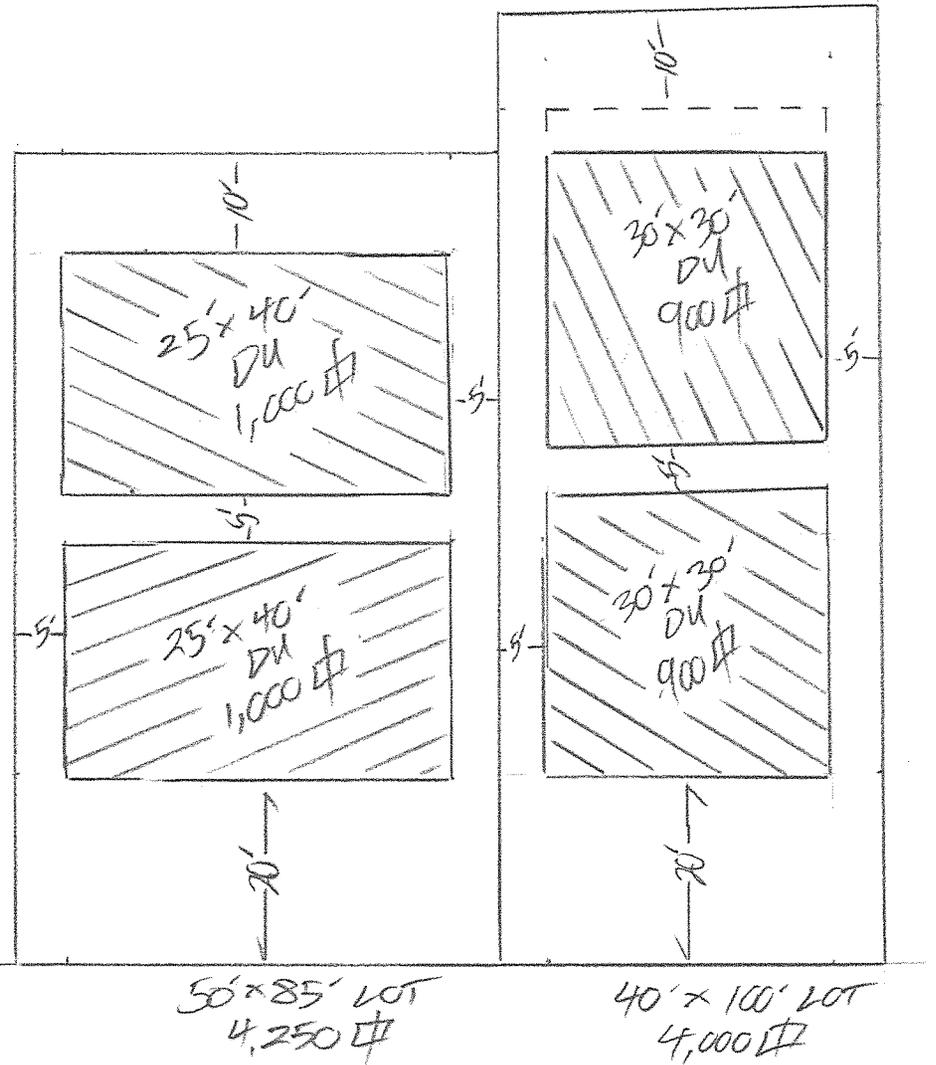
50' x 100' LOT
5,000 sq ft

AR - PROPOSED

4,000 $\#$ ← AS PROPOSED FROM 3,050 $\#$

85'D ← AS PROPOSED FROM 30' FAR SFD $\&$ 50' FOR DUPLEX

40' W
50% COV

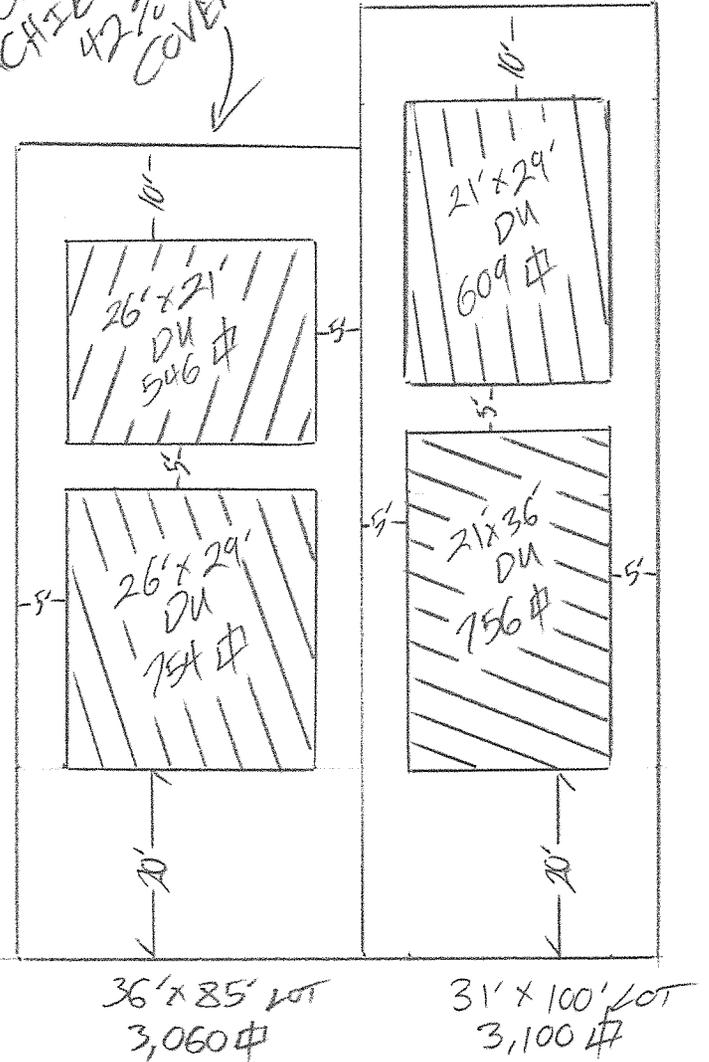


MUN.
2020

AR - CURRENT

3,050 ⌘ (5,000 ⌘ FOR DUPLEX)
85' D
36' W (50' FOR DUPLEX)
56% COV.

CAN ONLY ACHIEVE 42% COVERAGE
CAN ONLY ACHIEVE 44% COVERAGE



Nov 2020