

NOTICE OF CITY COUNCIL MEETING

The City Council of the City of King City will hold a **Regular Session at 6:00 PM**, Wednesday, August 18, 2021, by teleconference at City Hall 15300 SW 116th Ave, King City, Oregon 97224 – Please see instructions below.

Location: (teleconference – E-mail comments to rsmith@ci.king-city.or.us)

The King City Council will hold a meeting on Wednesday, August 18th, 2021, at 6:00 PM.

Councilors will be calling into the meeting via conference call. Members of the public will be able to listen to the meeting on the teleconference line or watch the meeting via video link. Minimal staff will be in the City Hall Conference Room, 15300 SW 116th Ave, King City, Oregon 97224. To avoid the potential spread of the COVID-19 virus, members of the public will not be allowed in the room. The packet can be found online at: http://www.ci.king-city.or.us/government/mayor_and_council/agendas_and_minutes.php#

The City has taken steps to utilize current technology to make meetings available to the public without increasing the risk of exposure. The public can participate by e-mailing public comments to City Recorder at rsmith@ci.king-city.or.us or leaving a voicemail that can be played during the meeting. The audio/Video recording of the meeting will be posted to the City's website within two to three days of the meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86335547229?pwd=OXhJY0h5V1h5ZWl3SU45bmhtcFRjUT09>

Meeting ID: 863 3554 7229

Passcode: 923757

One tap mobile

+12532158782,,86335547229# US (Tacoma)

+13462487799,,86335547229# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 863 3554 7229

Find your local number: <https://us02web.zoom.us/j/kbcRKuSykd>

Live broadcast coverage of the King City Council Meetings can now be seen on TVCTV cable channel 30 and live-streaming on [MACC TVCTV](#)'s YouTube page.

Certification of Publication: The City Council agenda and packet for the meeting of August 18th, 2021, was posted to the City website, e-mailed, and posted at City Hall on Friday, August 13th, 2021. Ronnie Smith – City Recorder

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AGENDA		Action Item
REGULAR SESSION		
<i>Moment of Silence</i>		Time:
6:00 PM (times are estimated)	<ol style="list-style-type: none"> CALL TO ORDER ROLL CALL APPROVAL OF MINUTES: 3.1 May 19, 2021 	M S A
6:10 PM	4 SPECIAL PRESENTATION: None	
6:10 PM	5 OPEN FORUM: We welcome public comment. At this time, the Council will be happy to receive your comment pertaining to items on the agenda (including questions, suggestions, complaints, and items for the future). Each person's time will be limited to three minutes.	
6:20 PM	6. UNFINISHED BUSINESS: NONE	
6:20 PM	7. NEW BUSINESS: 7.1 IGA with Washington County – Law Enforcement Services 7.2 Ordinance No. 2021-01, Amending the Community Development Code to comply with HB 2001. – second reading 7.3 116 th Ave - Bulbout	M S A M S A M S A
7:30 PM	8. POLICE CHIEF'S REPORT	
7:35 PM	9. CITY MANAGER'S REPORT	
7:45 PM	10. MAYOR'S AND COUNCILOR'S REPORTS	
8:00 PM	11. EXECUTIVE SESSION: The City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced, identifying the applicable statute. All discussions are confidential, and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.	ORS: Called By:
8:30 PM	11. ADJOURN	M S A
NEXT MEETING		Time:
SEPTEMBER 15, 2021, AT 6:00 PM, REGULAR MEETING		
The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082.		
M=Motion S=Second A=Action		

**CITY OF KING CITY
CITY COUNCIL MEETING MINUTES**

Call to Order:

[Video time \(1:46\)](#)

A regular meeting of the King City – City Council was held on ZOOM and at the City Hall in the Council Chambers with limited staff due to COVID-19: located at 15300 SW 116th Ave, King City, Oregon, beginning at 5:30 P.M. on Wednesday, May 19, 2021. Mayor Gibson requested a moment of silence then proceeded to call the meeting to order at 5:31 P.M., followed by roll call.

Roll Call Video Time (2:29):

The following City Council members were present:

Councilor Smart Ocholi
Councilor Shawna Thompson
Councilor Kate Mohr
Councilor Micah Paulsen
Councilor Jaimie Fender
Councilor David Platt – Running Late
Mayor Ken Gibson

Absent:

Staff present included:

City Manager (CM) Mike Weston
City Recorder (CR) Ronnie Smith
Chief of Police (CP) Ernie Happala

Agenda Item 3 Video Time (3:24):

Approval of Minutes: none

Agenda Item 4 Video Time (3:32)

Special Presentation: None

Agenda Item 5 Video Time (3:43):

Open Forum:

Veva 12700 SW Beef Bend Road King City Community Foundation (KCCF) – talked about the clean-up day at the park trails and a shred event. The KCCF asked the Council to partner with the City on this event and to help out with the \$500.00 for dumping fees.

Park litter pick up – June 5 and 6th

Shred/dump Event - June 12 or 13th

[Video time \(14:06\)](#)

MOTION MADE BY COUNCILOR PAULSEN TO ALLOCATE UP TO \$500.00 FOR THE SHRED, DUMP EVENT AND THE CLEAN-UP EVENT FOR THE KING CITY PARK, SECONDED BY COUNCILOR MOHR.

Councilor Fender recused herself from this vote.

VOICE VOTE: 6-AYES – 0-NEYS – 0 ABSTENTIONS– 1- RECUSED

THE MOTION CARRIED 6-0.

Michael Meyer 16950 SW Meyer Lane: has concerns that the website's council bios have not been updated. He would like to see the information update soon.

Agenda Item 6 Video Time (26:40):

Unfinished Business: None

Agenda Item 7 Video Time (26:43):

New Business:

[Video Time \(26:46\)](#)

7.1 House Bill 2001 Update:

CM Weston gave a brief update. He mentioned that we had done the code audit. The Planning Commission will hold a public hearing for this matter on June 9, and the City Council will hold their public hearing on Jun 16th.

[Video Time \(29:32\)](#)

7.2 Master Plan Update

CM Weston gave an update on the Master Planning process. He mentioned that the tabling event at the park was canceled due to mailing issues. He also mentioned that they are waiting for a cost analysis as well as an alternative analysis.

[Video Time \(33:45\)](#)

7.3 H.R. 1319 - American Rescue Plan Act of 2021 – Update

CM Weston spoke about the ARPA guidance and didn't know when the funds will be available for the City to use. He mentioned that when the funds are available, the City proposes an essential employee fund/grant.

Staff and Council briefly discussed employees that work within the King City jurisdiction.

[Video Time \(43:12\)](#)

7.4 Discussion on Gas tax - Survey to King City Residents

Staff and Council discussed the mailers that will be going out next week. Staff also reported that they have met with the gas station owners to discuss their concerns.

Staff and Council also discussed how the funds would be used. The funding would only be used on existing roads.

[Video Time \(1:01:06\)](#)

7.5 Update on Annexation - Bedford/Bradly Area

The staff mentioned that they sent out the annexation petition by mail.

Council briefly spoke about the Highlands annexations.

Former Tigard Mayor John Cook mentioned that the deadline wasn't long enough due to the mailer possibly getting stuck in the mailroom. He asked that we consider extending the deadline next time.

[Video Time \(1:10:10\)](#)

7.6 State of the City – Update

Mayor Gibson mentioned that the State of the City will be on June 16 and will be a live presentation by each councilor via zoom. Staff and Council discussed the plan.

Staff and Council discussed the times for the council meetings

Video Time (1:51:55)

MOTION MADE BY COUNCILOR PLATT, STARTING AT THE AUG 18TH MEETING, THE MEETINGS WILL START AT 6:00 P.M., IN-PERSON, SECONDED BY COUNCILOR PAULSEN.

VOICE VOTE: 7-AYES – 0-NEYS – 0 ABSTENTIONS– 1- RECUSED

THE MOTION CARRIED 7-0.

Agenda Item 8 Video Time (1:54:42):

Police Chief's Report:

Chief mentioned that the City made a contingent job offer to a new police officer.

Agenda Item 9 Video Time (1:55:28):

City Manager's Report:

CM mentioned that staff has been busy with the TSP, House Bill 2001, and the Master Planning process.

The staff has been busy with Court, Passports, Park, and the City's day-to-day operations.

Agenda Item 10 Video Time (1:57:55):

Mayors and Councilors Reports:

Councilor Kate Mohr – No Reports

Councilor Jaimie Fender – Mentioned the art project in King City Park, and residents would be able to participate. KCCF has canceled the fourth of July.

The KCCF is looking at a task force to get river access and a Community Garden.

Councilor Smart Ocholi – Attended the Tigard Water board meeting

Councilor David Platt – Attend a tour of the urban growth area – he learned a lot.

Councilor Micah Paulsen – the CDBG PAB meeting was canceled.

Councilor Shawna Thompson – No Report

Mayor Ken Gibson – He thanked the Public Works director David Runyon for doing a great job.

Agenda Item 11 Video Time (2:25:36):

Adjournment

MOTION MADE BY COUNCILOR OCHOLI TO ADJOURNMENT, SECONDED BY COUNCILOR FENDER.

THE MEETING ADJOURNED AT 9: 07 P.M.

Respectfully Submitted by:

Attested by:

Signature on Original

Signature on Original

Ronnie Smith
City Recorder

Mike Weston
City Manager

**INTERGOVERNMENTAL AGREEMENT BETWEEN WASHINGTON COUNTY,
OREGON AND CITY OF KING CITY, OREGON RELATING TO CONTRACT
LAW ENFORCEMENT SERVICES**

This Agreement is entered into by Washington County, a home-rule county and political subdivision of the State of Oregon (hereinafter County), and the City of King City, a municipal corporation of the State of Oregon (hereinafter City), collectively, "the parties," pursuant to the authority granted in ORS Chapter 190.

WHEREAS, the City possesses the power, legal authority, and responsibility to provide for police services within its boundaries; and

WHEREAS, the County, through the Washington County Sheriff, provides police services throughout the unincorporated areas of Washington County; and

WHEREAS, the County has adopted policies for developing contracts to provide law enforcement services to cities, and has the legal authority to provide police services within the geographical area of the City; and

WHEREAS, the City desires to enter into an agreement with the County whereby the County, through the Sheriff, provides law enforcement services to the City and its inhabitants; and

WHEREAS, the County agrees to render such law enforcement services, through the Sheriff, under the following principles:

1. Law enforcement services provided by the County to the City should be clearly identified and articulated.
2. Services should be accurately priced to provide a reasonable and predictable cost to the City while avoiding county subsidy of City services by ensuring full-cost recovery.
3. The City, with the input of the Sheriff, should have the flexibility to determine the level and deployment of certain services and to identify service priorities, thereby controlling costs. Any service level changes made will result in corresponding changes in costs to the City, as determined by the methodology in the costing model.
4. County law enforcement employees assigned to the City should strive to provide high-quality police services, cooperate with City officials to meet the goals of the City, and establish a positive relationship with the residents and visitors of the City.

NOW, THEREFORE, pursuant to ORS 190.240, the City and County hereby agree:

1. Law Enforcement Services. For the term of this contract, the County will:
 - a. Make overtime shifts available for the dates and hours listed below to police certified Sheriff's Office deputies to work within the City limits of King City. To best meet the needs identified by the City. Overtime will only be filled by deputies on a voluntary basis. This agreement does not create an obligation for the County to ensure that this shift is staffed.

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- b. Deputies working this assignment will be expected to remain within the City to provide police presence and to respond primarily to Priority 1 and Priority 2 calls. To maintain availability for priority response and a continuity of service for the City, self-initiated enforcement activity and response to lower priority calls shall be at the discretion of the deputy with the oversight of the on-duty WCSO Sergeant. Consistent with existing mutual aid agreements, the deputy may respond outside of the City when necessary.
 - c. If the County is unable to fill this overtime shift and there are also no City Police on duty, the County will provide response to Priority 1 and Priority 2 calls during the same time period of hours listed below. The responding deputy(s) will be the closest available to the City at the time of the call.
 - d. Forward all police reports completed as a result of this agreement to the City.
 - e. The agreed upon coverage dates and hours will be as follows:
 - July 29, 2021 from 6am to 2pm (1 day @ 8 hours each)
 - August 1, 2021 through August 10, 2021 from 5pm to 3am (10 days @ 10 hours each).
 - August 26, 2021 from 6am to 2pm (1 day @ 8 hours each).
2. Law Enforcement Services. For the term of this contract, the City will:
- a. Provide authorization for the Washington County Sheriff's Office Records Unit to access King City Police Department's ORI, for the purpose of communicating with the State Law Enforcement Data System on behalf of the City.
 - b. Maintain responsibility as the Agency of Jurisdiction to conduct follow-up or further investigation of any event documented by a County police report taken within the City.
 - c. Provide available consultation and or call-out response for any significant felony level criminal investigation or arrest initiated by the County that results from this agreement.
3. Service Costs. Service costs related to sections 1. a., b., c. d and e, will be charged on an hourly basis at the rate listed in the Washington County Fee Schedule for a Uniform Security Officer, currently \$96.25 per hour. (half-hour minimum, rounded up to the nearest half-hour). The cost will include the total time related to the call response.
4. Decision and Policy-Making Authorities. The County will provide the services identified in paragraph 1 above. The respective authorities of the City and the County that make operational decisions and develop and implement policies in this regard shall be governed by the following guidelines.
- a. Daily Operations: The King City Police Chief or designee, will coordinate with the WCSO Patrol Commander or designee, to ensure that operations are being conducted within the intent of this agreement. Deputies working within, or

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responding to the City, will be directly supervised by the on-duty WCSO Patrol Sergeant.

- b. General Orders. Policies and Procedures: All deputies responding on behalf of the City will remain subject to all Washington County Sheriff's Office (WCSO) policies, procedures, and general orders.
- 5. Control of Personnel and Equipment. The County is acting hereunder as an independent contractor so that:
 - a. Control of Personnel. Control of personnel, standards of performance, discipline and all other aspects of performance shall be governed entirely by the County. Allegations of misconduct shall be investigated in accordance with WCSO policy.
 - b. Liabilities. The County shall be responsible for the salary, wages, benefits and any other compensation, including Workers Compensation benefits for WCSO deputies assigned to perform services under this Agreement.
- 6. Indemnification.
 - a. County Held Harmless. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, the City shall indemnify and hold harmless the County and its officers, agents, and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of or arising out of any act or omission of the City, its officers, agents, and employees, or any of them relating to or arising out of performing services pursuant to this Agreement. In the event that any suit based upon such a claim, action, loss, or damages is brought against the County, the City shall defend the same as its sole cost and expense; provided that the County reserves the right to participate in said suit if any principle of governmental or public law is involved; and if final judgment be rendered against the County, and its officers, agents, and employees, or any of them, or jointly against the County and the City and their respective officers, agents, and employees, or any of them, the City shall satisfy the same.
 - b. City Held Harmless. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, the County shall indemnify and hold harmless the City and its officers, agents, and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of or arising out of any act or omission of the County, its officers, agents, and employees, or any of them relating to or arising out of performing services pursuant to this agreement. In the event that any such suit based upon such a claim, action, loss, or damages is brought against the City, the County shall defend the same at its sole cost and expense; provided that the City reserves the right to participate in said suit if any principle of governmental or public law is involved; and if final judgment in said suit be rendered against the City, and its officers, agents, and employees, or any of them, or jointly against the City and the County and their respective officers, agents, and employees, or any of them, the County shall satisfy the same.

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- c. Liability Related to City Ordinances. Policies. Rules and Regulations. In executing this Agreement, the County does not assume liability or responsibility for, or in any way release the City from any liability or responsibility which arises in whole, or in part, from the existence or effect of City ordinances, policies, customs, rules or regulations, whether written or unwritten. If any cause, claim, suit, action or administrative proceeding is commenced in which the enforceability and/or validity of any such City ordinance, policy, custom, rule or regulation is at issue, the City shall defend the same at its sole expense and, if judgment is entered or damages are awarded against the City, the County, or an individual officer assigned to the City, the City shall satisfy the same, including all chargeable costs and reasonable attorney fees. If a claim, suit, administrative proceeding or action determines that a City policy or ordinance is unconstitutional and/or violates a person's rights, the City shall indemnify County and any involved individual officer. The City's defense and indemnification of an individual officer pursuant to this section shall be in accordance with ORS 30.285. The sole intent of this provision is to make the City liable for the defense and indemnity of claims that allege municipal liability as a result of a City ordinance, policy, custom, rule or regulation, and is not intended to override the provisions of 6a and 6b that make each party liable for its own actions.

7. Termination Process. Either party may initiate a process to terminate this agreement as follows:

Notice of Termination. If either party wishes to terminate this agreement, they shall provide the other party with a 10-day written notice of intent to terminate the Agreement.

- a. Failure to Pay. Interest Charge. and Termination. In the event the City fails to make a monthly payment within 60 days of billing, the County may charge an interest rate no more than two percentage points above the interest rate on the monthly County investment earnings. In addition, in the event the City fails to make a monthly payment within 120 days of billing, or fails to pay or negotiate a resolution of a disputed portion of a bill within 120 days of billing, the County may terminate this Agreement with 90 days advance written notice.
- b. Payment of Costs Upon Termination. Upon termination of this Agreement between the City and the County, the City is obligated to pay all incurred costs by the termination date.
1. The County will not charge interest on any disputed portion of a bill so long as the City pays the non-disputed portion of the bill within the 120-day time frame outlined in 7a above.

8. Duration. This Agreement is effective upon authorization and signature by both parties. The term of this agreement is July 29 to August 26, 2021. This agreement may be renewed for additional terms upon agreement of all parties.

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9. Amendments. This Agreement may be amended at any time by mutual written agreement of the City, the Washington County Sheriff, and the Washington County Board of Commissioners.
10. Agreement Administration.
- a. Agreement Administrators. The East Patrol Commander and the King City Police Chief shall serve as agreement administrators to review agreement performance and resolve operational problems.
 - b. Referral of Unresolved Problems. The King City Police Chief shall refer any police service operational problem, which cannot be resolved, to the Enforcement Chief Deputy. The City and the Chief Deputy shall meet as necessary to resolve such issues.
 - c. Agreement Dispute Issues. Agreement dispute issues involving Agreement language interpretation, cost, and other non-operational matters shall be referred to the Enforcement Chief Deputy and the King City Police Chief.
 - d. Audits and Inspections. The records and documents with respect to all matters covered by this agreement shall be subject to inspection, review or audit by the County or City during the term of this Agreement and three years after termination.
11. Third Party Beneficiaries. County and City are the only parties to this contract and are the only parties entitled to enforce its terms. Nothing in this contract gives, or is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to any third party unless such person is individually identified by name herein and expressly described as intended beneficiaries of this contract.
12. Written Notice. Any notice of change, termination or other communication having a material effect on this Agreement shall be upon the Sheriff for the County, and the King City Police Chief or Mayor, and either hand-delivered or by certified or registered mail, postage prepaid. Except as provided in this Agreement, it is agreed that thirty calendar days shall constitute reasonable notice for the exercise of any right in the event that applicable law specifically requires such notice.
13. Governing Law. Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to the principles of conflicts of law. Any claim, action, suit or proceeding (collectively, "Claim") shall be brought and conducted solely within the Washington County Circuit Court for the State of Oregon; provided, however that if a Claim is brought in a federal forum, it shall be brought and maintained within the United States District Court for the District of Oregon.
14. Force Majeure. Neither County nor City shall be held responsible for delay or default caused by fire, riot, acts of God, terrorism, or acts of war where such cause was beyond reasonable control.

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15. Survival. The terms, conditions, representations, and all warranties contained in this Agreement shall survive the termination or expiration of this Agreement.
16. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, each of which shall constitute one and the same instrument.
17. Warranties. The parties represent and warrant that they have the authority to enter into and perform this Agreement, and that this Agreement, when executed, shall be a valid and binding obligation enforceable in accordance with its terms.
18. Entire Agreement and Waiver of Default. The parties agree that this Agreement is the complete expression of the terms hereto and any oral or written representations or understandings not incorporated herein are excluded. Both parties recognize that time is of the essence in the performance of the provisions of this Agreement. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of the Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval of the County, which shall be attached to the original Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates listed below.

WASHINGTON COUNTY

CITY OF King City

By: _____

By: _____

Name Printed: _____

Name Printed: _____

Date: _____

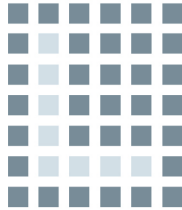
Date: _____

Approved as to Form:

Approved as to Form:

Legal Counsel for Washington County

Legal Counsel for City of King City



Keith Liden, AICP

PLANNING CONSULTANT

503.757.5501

keith.liden@gmail.com

4021 SW 36th Place

Portland, OR 97221

MEMORANDUM

TO: King City Council
FROM: Keith Liden, AICP
RE: CDC Amendments – HB 2001 Middle Housing Requirements
DATE: August 11, 2021

INTRODUCTION

The state and Portland region have been working to address the problem of housing affordability and the need to provide adequate housing for different types of households and incomes. In response, the state passed HB 2001, which is intended to encourage what is referred to as middle housing – duplexes, triplexes, quadplexes, townhouses, and cottage clusters. The legislation requires local government to generally allow these housing types in zoning districts where single family detached homes are allowed. In addition, local ordinances may not employ discriminatory code requirements that make more difficult construct middle housing compared to detached single family residences.

To comply with this state directive, the city received a grant from the Department of Land Conservation and Development (DLCD) that was used to hire a consultant, Urbsworks, to assist with the necessary development of Community Development Code (CDC) amendments. Urbsworks began its work in December 2020 and concluded in June with hearings before the Planning Commission and City Council on June 9th and 16th, respectively. The City Council held the first reading of the CDC amendments and scheduled a second hearing for August 16, 2021.

CDC AMENDMENT PACKAGE

The CDC ordinance amendment package includes:

- An ordinance to be approved by the City Council;
- Exhibit A – HB Findings and Conclusions to demonstrate compliance with all relevant requirements of the King City Comprehensive Plan, Statewide Planning Goals, and Oregon Administrative Rules (OAR); and
- Exhibit B – CDC Amendments proposed to support HB 2001.

CDC AMENDMENT SUMMARY

A summary memorandum of the proposed CDC amendments was prepared by Urbsworks (Attachment A), and it was presented to the Planning Commission and City Council in June. To eliminate duplication, in this packet, the CDC amendment portion of this document can now be found in Exhibit B of the ordinance. As indicated in the memorandum, the current CDC amendments represent only the first step to ensure the CDC properly allows for middle housing. HB 2001 will also apply to new residential development planned for Kingston Terrace, and a second round of HB 2001-related amendments to the King City Comprehensive Plan and CDC are planned at the conclusion of the Kingston Terrace Master Plan. Because King City has very little developable residential land within its existing city limit, and current residential neighborhoods include a mix of housing types as promoted by HB 2001, the amendments are anticipated to have minimal impact on the current character of existing neighborhoods.

MINOR CDC AMENDMENT CORRECTIONS

Following the June City Council hearing, the need for several minor changes to the proposed amendments in Exhibit A became apparent to satisfy the HB 2001 requirements in the Oregon Administrative Rules (OAR) 660-046. The changes to the June CDC amendment package, which are highlighted in **yellow** in the CDC amendments (Exhibit B of the ordinance) include:

- **CDC 16.84.040 – Density requirements.** In the table, change the dwelling units per acre as noted to reflect the current minimum density standard in the CDC, which is 80% of the allowed maximum. Because the HB 2001 requirements make the enforcement of maximum density standards difficult, the amendments propose to retain the current minimum densities and eliminate the maximum density standards. This should have no impact in the current city, and the density issue will be addressed as part of the Kingston Terrace Master Plan.
- **CDC 16.84.040 – Minimum lot size.** OAR 660-046-0220 states that required minimum lot sizes for townhouses may not exceed 1,500 square feet. A footnote is added to the table to recognize this exception for townhouses.
- **CDC 16.84.040 – Minimum lot width.** Related to the above, the minimum lot or street frontage width for a townhouse lot may not exceed 20 feet. A footnote is added to the table to recognize this exception for townhouses.
- **CDC 16.132.030 – Minimum parking standards for triplexes and quadplexes.** OAR 660-046-0220 has specific minimum parking standards for triplexes and quadplexes, which require less than 1 space per unit on smaller lots. A footnote is added to the parking standards table to recognize these unique parking requirements.
- **CDC 16.84.040 and 16.84.060 – Cottage cluster development and design standards.** To fully comply with the special design requirements in the OAR for cottage cluster housing, Section 16.84.040 was amended and a new Section 16.84.060 was added to clarify the unique development requirements associated with this housing type.

ATTACHMENT A

Urbsworks CDC Amendment Summary

Date 01 June 2021

Subject King City HB 2001 Code Update

To Keith Liden, City of King City

From Marcy McInelly, (Urbsworks, Inc.)

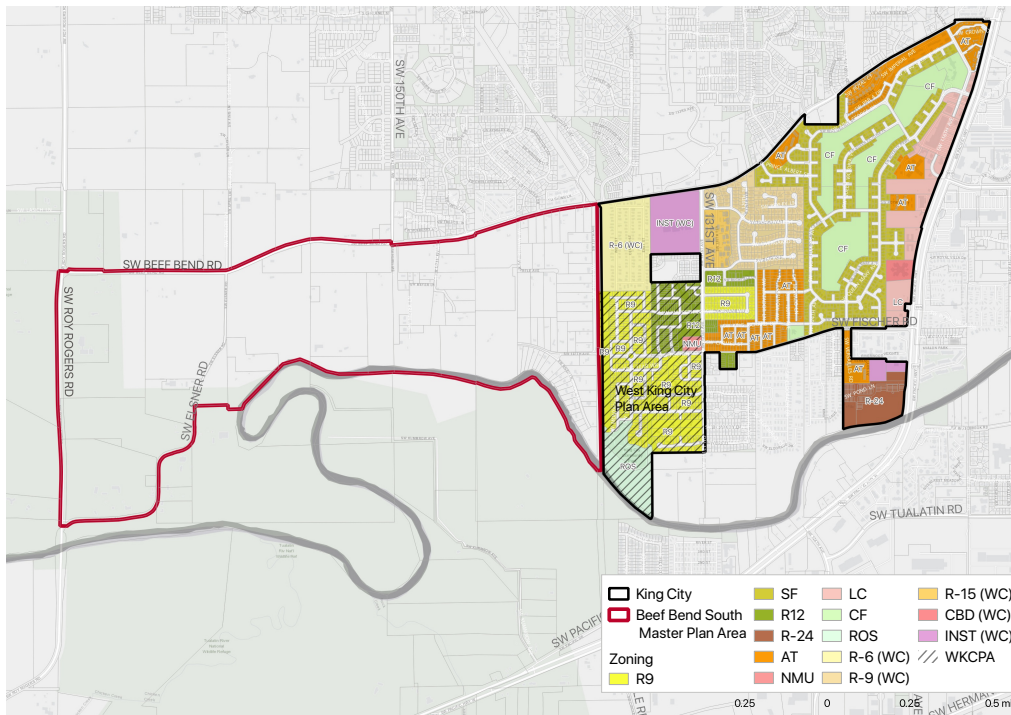
PROPOSED AMENDMENTS | CITY OF KING CITY MIDDLE HOUSING PROJECT

PROJECT OVERVIEW

King City Community Development Code (CDC) project will update the Comprehensive Plan and the CDC so they fully comply with House Bill 2001 for Housing Choices. The objective of these updates is to further expand the range of middle housing types, including duplexes, triplexes, quadplexes, townhouses and cottage clusters, which are allowed and encouraged by the city. The project began in December and will be completed in June.

Updates resulting from this project will be incorporated into the larger city-led project to update the CDC overall. In addition to complying with HB 2001, the update will improve the code organization to facilitate necessary amendments over the next several years related to the city's planning efforts including the King City Transportation System Plan (TSP) and Beef Bend South Master Plan.

King City areas affected by HB 2001 Middle Housing requirements



State-required HB 2001 amendments to King City's Comprehensive Plan and Community Development Code (CDC) will apply to the residentially-zoned areas in existing King City. In addition, improvements to the city's code organization will facilitate necessary amendments over the next several years related to the city's first Transportation System Plan (TSP) and Kingston Terrace (Beef Bend South) master planning efforts.

A final task for the King City Community Development Code (CDC) project is to complete any King City Community Development Code (CDC) amendments necessary to comply with House Bill 2001 and support the City's goal for greater housing choices.

The following table summarizes the proposed amendments by identifying the CDC section, the type of amendment (HB 2001 compliance or general), and the recommendation. The text for the proposed amendments is provided in the attachment.

On February 25th, the Planning Commission reviewed the draft amendments, considered public comments, and forwarded a recommendation to the City Council to approve the CDC amendments. The City Council will consider the Planning Commission recommendation along with public and agency comments at its hearing on March 18th and make a decision regarding adoption of the proposed CDC amendments.

Project Timeline and Planning Commission role

Task 1 Code Audit was completed at the end of January. The Code Audit identified areas of inconsistency with HB 2001 in the King City CDC and Comprehensive Plan. The Planning Commission reviewed the Code Audit at its January meeting to understand key issues.

Urbsworks reviewed the overall code structure as part of Task 2 to better understand where amendments would be required as part of this project. Three different proposed structures were discussed in the February Draft Amendments and presented to the Planning Commission in March. Based on discussion and direction received, the following option has been selected among the three proposed CDC Reorganization Options:

Reorganize the zoning districts to group residential zones and use tables to present the standards.

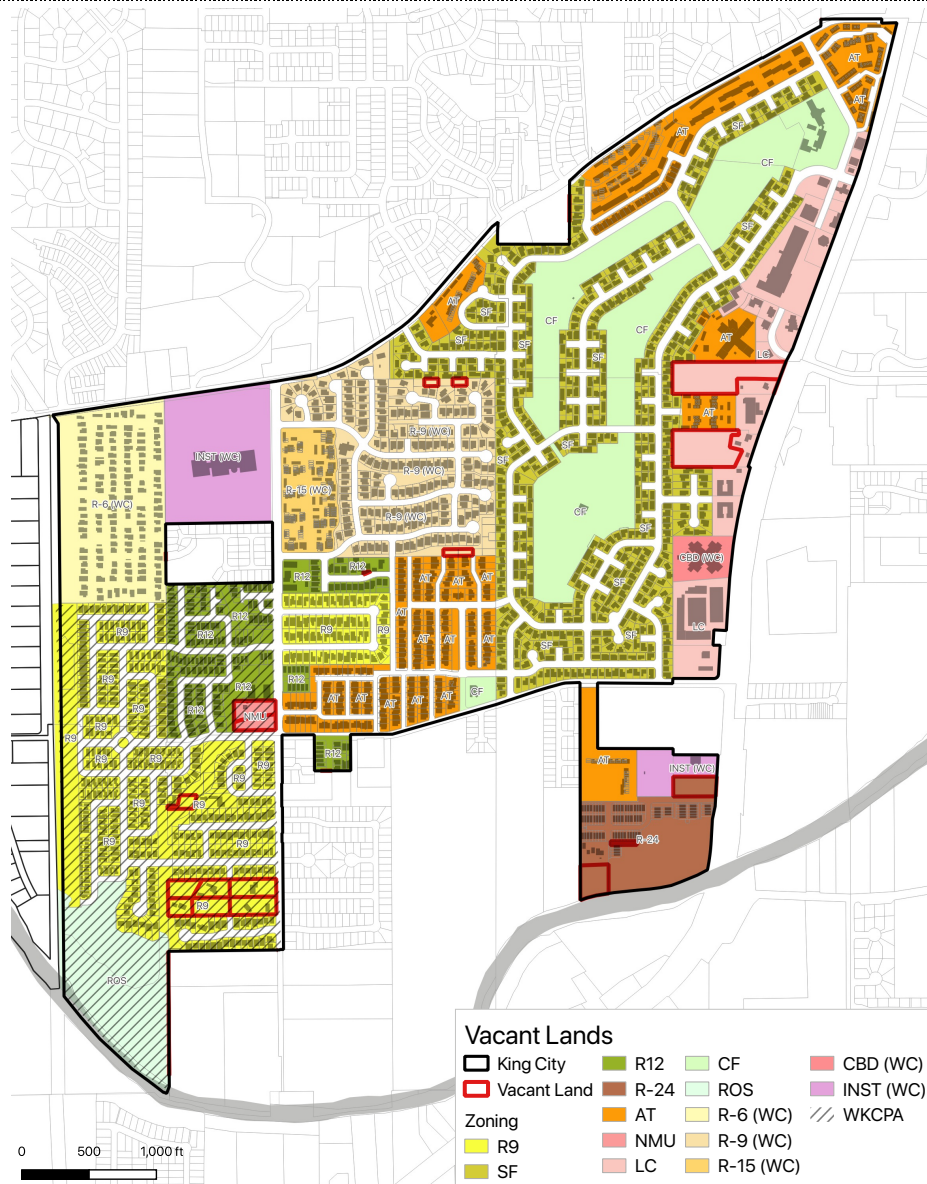
Based on this direction, draft and refined amendment proposals were reviewed through the spring, as follows:

December 2020-January 2021	January – February 2021	March – May 2021	May – June 2021
Task 1 – Code Audit– completed	Task 2 - Draft Amendments	Task 3 – Refinement of Amendments	Task 4 – Public Hearing
Review conducted by the Planning Commission and Technical Advisory Committee	Planning Commission role: <ul style="list-style-type: none"> Review preliminary amendments and provide feedback. Learn about public involvement 	Planning Commission role: <ul style="list-style-type: none"> Two sessions to accept comments and recommendations on the public drafts. 	Planning Commission role: <ul style="list-style-type: none"> <i>Review proposed amendments and make recommendations to the City Council.</i>

Existing King City Vacant Land

The proposed HB 2001 amendments will apply to land within existing King City, however, the likelihood of middle housing infill within existing King City is low, because vacant land in existing King City is rare, as highlighted in the map below (red outlined areas represent vacant land).

Vacant land within the Existing King City area



The proposed HB 2001 amendments will apply to land within existing King City, however, the likelihood of middle housing infill within existing King City is low, because vacant land in existing King City is rare. Development within existing King City is already consistent with goals of middle housing, i.e., compact housing, attached forms, small lots.

Kingston Terrace Master Plan Area

The Kingston Terrace Master Plan area will see more housing, and it will be subject to the requirements of HB 2001. The Kingston Terrace Master Plan is a current project, and, in coordination with that project, code amendments will occur later in 2021 and into 2022 (see Timeline for CDC Amendments, page 5). New housing in Kingston Terrace will be similar to the housing in original King City, in that it will be compact housing with attached forms and small lots. These forms will be intermixed with detached forms. These concepts for housing are consistent with the vision for mixed income affordable housing as described in the 2018 Concept Plan.

Kingston Terrace housing – Figures from the 2018 Concept Plan

Universal block configurations

An intermix of housing types is made possible with blocks that contain alleys and are set up to accommodate a range of lot widths.

Flexible lot widths

Ideal blocks are typically 200 to 220 feet deep and 200 to 350 feet wide. Lots are increments of 25 to 30 feet, permitting the intermixing of narrow lot dwellings alongside more convention suburban residential lots (which are typically 30 to 60 feet). The intermixing of lot widths ensures that affordable compact housing types can sit side-by-side along with more conventional larger-lot detached homes. Exceptions are cottage clusters and smaller-scale apartments (garden apartments, boulevard apartments), which need aggregated lots. Such apartments buildings need to be sized and designed to fit into the neighborhood context.



High to mid density neighborhood block

Average density 18 dwelling units per acre

Density range 8-20 dwelling units per acre

Percent
multidwellings 25% (apartments)

Housing types Live-work, rowhouse, duplex, cottage cluster, detached single dwelling with accessory dwelling unit (ADU)



King City Urban Reserve Area 6D Concept Plan | May 2018

page 49

King City Concept Plan, 2018, page 49

The Kingston Terrace Master Plan area will see more housing. It will be similar to the compact housing within existing King City, in that it will be compact, and attached, detached, stacked, or side-by side. The vision for housing in Kingston Terrace, as articulated in the 2018 Concept Plan, will be lots and dwellings in a range of sizes, shapes, designs, and levels of affordability, consistent with the goal for mixed income affordable housing.

Timeline for CDC Amendments

Now through June 2021	July 2021 through Spring 2022	Spring through June 2022	After June 2022
Existing King City	Kingston Terrace	Existing King City and Kingston Terrace	All areas
 Proposed CDC Amendments for HB 2001 compliance – Existing King City	Proposed CDC Amendments for HB 2001 compliance – Kingston Terrace	Final HB 2001 Amendments for HB 2001 compliance – Existing King City and Kingston Terrace <i>All final HB 2001 Amendments must be adopted in June 2022</i>	Any other amendments for cleanup and readability



This is where we are today

Draft CDC Amendments

The table beginning on the following page lists the draft amendments including:

- CDC sections listed in numerical order
- Amendment type – HB 2001 compliance, general housekeeping, or both
- Description – Description and rationale for the proposed amendment

Amendments required for HB compliance are noted in the table. They are intended to bring the City's CDC into compliance with the two HB 2001 components: OAR 660-046-0000 through 660-046-0235 (Division 46), and the Large City Model Code (LCMC). They typically do the following:

- Permit duplexes on all lots which permit detached single dwellings.
- Permit Triplexes, Quadplexes, Townhouses, and Cottage Clusters in areas zoned for residential use that allow for the development of single detached dwellings.
- Amendments to numerical and other standards so they comply with the numerical standards for each of the middle housing types.

Other Amendments

Kingston Terrace amendments

As noted above, the Kingston Terrace Master Plan will generate code amendments for new housing that comply with HB 2001 rules for Master Plans adopted after January 1, 2021. Besides allowing the development of all middle housing types (as provided in OAR 660-046-0205 through OAR 660-046-0235), King City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre.

To comply, the Kingston Terrace code sections will address minimum density requirements and density ranges for different sub areas. This will involve clarification of the city's current method for calculating density. Currently the city

regulates density based on a percentage of the allowed maximum. Under HB 2001, however, a city is not allowed to apply density maximums to duplexes, triplexes, quadplexes or cottage clusters. Therefore, the method for calculating density will be regulated differently, such as setting a minimum density with no defined maximum. The total amount of density will be controlled by form based zoning approaches such as setbacks, maximum height, lot coverage, and other possible tools.

Other amendments

There are a number of CDC amendments listed in the table that are not required for HB 2001 compliance. They typically include improved formatting of the Single Dwelling Residential zones, re-numbering of sections, and the integration of tables for the display of numerical information. Examples of such tables were discussed with Planning Commission in the Spring; see pages 8 and 9 for those examples.

CDC Amendment Summary Table

The attachment contains the CDC amendment language. The amendments are presented in the same order as the table below.

CDC Section	Amendment Type		Proposed amendments
	HB 2001	General	
ARTICLE 1			
Section 16.24.030 C. Residential Use Types	✓		Amendments to residential use definitions
ARTICLE 3			
6.84 through 16.100	✓	✓	Combine the provisions for the city’s residential districts (R-9, SF, AT, R-12, R-15, and R-24 districts) into one overall residential zoning chapter with a reorganized and amended set of development and design standards.
16.80.020	✓	✓	Amend <i>Zoning classification districts table</i> to reflect new form based approach ordering, with Single Use Residential Zones listed in order of density. Delete reference to number of dwelling units per acre; the maximum number of dwelling units per acre will be determined by the development standards and the housing types permitted in the zone. The two original King City zones (SF and AT) are listed last.
16.84.010		✓	Amend this section to contain all the Purpose Statements for the six single dwelling residential zones. No amendments are proposed for the Purpose Statements.
16.84.020	✓		Add a new table, <i>Housing Types Permitted by Single Use Residential Zone</i> . The table clarifies that a housing type is not a land use category. It lists those housing types that are permitted in each of the residential zones. Delete reference to housing types within the Permitted Uses listings, for all single use residential zones.

CDC Section	Amendment Type		Proposed amendments
	HB 2001	General	
16.84.030	✓	✓	Add a new table, Dimensional and Density Requirements for Single Use Residential Zones, with all development standards in a single consolidated table format
16.80 and 16.82	✓	✓	Supporting amendments for consistency with the Chapter 16.84 through 16.100 amendments.
ARTICLE 4			
16.132 Parking and Loading	✓	✓	Amendments to parking space standards (e.g., parking space markings not applicable to middle housing). Consider amending 16.136.030 - Access standards—Residential to right-size pavement width for access/egress for middle housing up to six units. Amend applicability of this section to include detached dwellings on a single lot.
16.146 Density Calculations	✓		Amendments to clarify that density maximums do not apply to duplexes, quadplexes, triplexes, or cottage clusters; clarify that townhouses have a maximum density of 25 dwelling units per acre; clarify that cottage clusters have minimum density requirement of 4 dwelling units per acre and are exempt from density maximums.
ARTICLE 5			
16.152.020	✓	✓	Applicability of Provisions - remove site plan review requirements for duplexes, triplexes, quadplexes, and cottage cluster development from the requirements of Chapter 16.152 Site Plan Review.
16.178			Minor amendments to Accessory Dwelling Unit provisions to delete reference to "single family."

Dimensional standards table example – listing standards by housing type

urb s works

DRAFT | REVISED 10/16/19

T	STANDARDS	TINY HOUSE			COTTAGE CLUSTER			PLEX			SINGLE DWELLING			TOWNHOUSE		
		WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL	WITH ALLEY	NO ALLEY	INFILL
a	Lot width (feet)	20	40	40	100	100	100	30	40	40	30	40	40	20	40	40
b	Lot depth (feet)	30	40	80	80	60	100	60	80	80	60	80	80	60	80	80
c	Lot size (square feet)	600	1,600	2,400	10,000	9,000	14,000	1,800	3,200	3,200	1,800	3,200	3,200	1,200	3,200	3,200
d	Front setback (feet)	15		Match existing	15		Match existing	15		Match existing	15		Match existing	15		Match existing
e	Side setback (feet)	0', 10 exterior		7.5, 15 exterior	7.5, 15 exterior			7.5, 10 exterior		7.5, 15 exterior	7.5, 10 exterior		7.5, 15 exterior	0, 15 exterior		
f	Rear setback (feet)	0 with a garage, 20 without garage ²	20		0 with a garage, 20 without garage ²	20		0 with a garage, 20 without garage ²	20		0 with a garage, 20 without garage ²	20		0 with a garage, 20 without garage ²	20	
g	Building height (feet)	25			25			35			35			35		
h	Parking Zone	For lots with an alley: Parking is required to be located adjacent to the alley. Parking is permitted to be located on the surface or in a garage. Front setback for parking zone: ____ . Side yard setback for parking zone: minimum 3 feet except for infill then the minimum side yard setback is 7.5 feet. Parking zone depth ____ . For lots without an alley: Parking is permitted to be located on the surface or in a garage. Front setback for parking zone: ____ . Side yard setback for parking zone: minimum 3 feet, except for infill then the minimum side yard setback is 7.5 feet. Parking zone depth ____ .														
	Driveways	Driveway width excluding apron: maximum 20 feet for single, 18 feet for double. Required distance between driveways: 24 feet, except when driveways are paired, then zero distance permitted.														
	Off-street Parking	1 per unit			1 per unit			1 per unit			1 per unit			1 per unit		
i	Other requirements				Minimum of 4 dwellings									No more than 4 units connected		
i	Universal Design Standards and Subdivision Standards that apply	Street frontage Front yard Alleys Private open space Compatibility Façade Parking Subdivision Standards: Zero Lot Line, Through Block and Corner Common Greens			Street frontage Front yard Alleys Private open space Common open space Compatibility Façade Parking Subdivision Standards: Zero Lot Line, Through Block and Corner Common Greens			Street frontage Front yard Alleys Private open space Compatibility Façade Parking Subdivision Standards: Zero Lot Line, Through Block and Corner Common Greens			Street frontage Front yard Alleys Private open space Compatibility Façade Parking Subdivision Standards: Zero Lot Line, Through Block and Corner Common Greens			Street frontage Front yard Alleys Private open space Compatibility Façade Parking Subdivision Standards: Zero Lot Line, Through Block and Corner Common Greens		

¹ Must meet all requirements of Zero Lot Line Subdivision standards

² From alley property or easement line.

Dimensional standards table example – listing standards by zoning district

9.12.6-3 Flex House

Residential Building Type Flex House shall conform to the following standards:

	ALBERTA DRIVE/ BIRCHGROVE	RIVERSIDE	WATERWAYS	WATERWAYS MOBILE HOME
a Lot width	Min. 12.2m Min. 7.6m for lots between Franklin Ave and Birch Road	Min. 7.6m	Min. 12.2m	Min. 10m
b Lot depth	Min. 30m	na	Min. 30m	na
c Lot size	Min. 400m ² Min. 366m ² for lots between Franklin Ave and Birch Road	na	Min. 372m ²	Min. 260m ²
d Front yard setback	Min. 6m	Min. 6m	Min. 4.5m	Min. 2.0m
e Side yard setback	Min. 1.2m Min 0m with common wall construction Min. 3m (Exterior)	Min. 1.2m Min 0m with common wall construction Min. 6m (Exterior)	Min. 1.2m Min 0m with common wall construction Min. 3m (Exterior)	na
f Rear setback	For lots with a lane: Min. 1m with garage Min. 6m without garage Intermediate setbacks between 1.5m and 6m are not permitted For lots without a lane: Min. 4.6m	For lots with a lane: Min. 1m with garage Min. 6m without garage Intermediate setbacks between 1.5m and 6m are not permitted For lots without a lane: Min. 7.5m	For lots with a lane: Min. 1m with garage Min. 6m without garage Intermediate setbacks between 1.5m and 6m are not permitted For lots without a lane: Min. 3m	Min. 2m
g Lot coverage and building width	Max. 45%, except Max 65% for parcels fronting on Centennial Drive Max. building width 21m	na	Max. 50% Max. building width 17m	Max. 45%
h Building height	The maximum Height of Buildings is set out in the City Centre Height Map in Appendix 3			
i Required walkway	Min. 1.5m wide walkway required between the street and the primary structure, if the primary structure contains more than one dwelling			
j Parking zone	For lots with a lane: Parking is required to be located adjacent to the lane. Parking is permitted to be located on the surface or in a garage. Side yard setback for parking zone: Min. 1.2m. Parking zone depth: Max. 13.7m. For lots without a lane: Parking is permitted to be located on surface or in a garage. Front setback for parking zone: Min. 7.6m. Side yard setback for parking zone: Min. 1.2m. Parking zone depth: Max. 13.7m			
k Vehicular entrance width	Max. 7m for lots 12.2m wide or wider; the 7m may be shared over 2 driveways (e.g. 3.5m per driveway) Max. 3.5m for lots less than 12.2m wide			

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: August 18, 2021

Order ____ No.	Ordinance <u>X</u> No. 2021-01	Resolution ____ No.	Motion ____	Information ____
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SUBJECT: Ordinance No. 2021-01, Amending the Community Development Code to comply with HB 2001.

**Contact Person (Preparer) for this Motion: Ronnie Smith, City Recorder
Peter Watts, City Attorney
Dept.: City Manager & Legal**

RECOMMENDATION:

Adopt Ordinance No. 2021-01, An Ordinance Amending the Community Development Code to satisfy the housing requirements associated with HB 2001.

EXECUTIVE SUMMARY:

Over the spring and on June 9, 2021, the Planning Commission reviewed proposed legislative Community Development Code (CDC) amendments to comply with the requirements of HB 2001 for middle housing. The CDC amendments were prepared by Urbsworks. The recommended amendments are explained and shown in the attached memorandum, which was reviewed by the Planning Commission on June 9th. The Planning Commission recommended that the City Council consider adoption of the proposed amendments. The City Council held a hearing on June 16, 2021 to review the Planning Commission recommendation. The City Council continued the hearing to August 18, 2021 to consider taking final action.

The proposed HB 2001 amendments are part of a three-part CDC amendment proposal, which also includes anticipated CDC amendments to support the upcoming Kingston Terrace Master Plan and general code updates. The staff supports adoption, and it recommends that the City Council consider the Planning Commission recommendation, public testimony, the proposed amendments, and adopt the proposed CDC amendments.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

These amendments along with future CDC amendments related to the Kingston Terrace Master Plan, are anticipated to result in a greater mix of middle housing types and improved housing affordability.

ORDINANCE No. 2021-01

**AN ORDINANCE AMENDING THE COMMUNITY
DEVELOPMENT CODE TO ADOPT AMENDMENTS TO
COMPLY WITH HB 2001**

RECITALS:

WHEREAS, the City is proposing amendments to the King City Community Development Code to comply with state HB 2001 requirements; and

WHEREAS, the City provided notice of the hearings before the Planning Commission and City Council of the post-acknowledgment amendments as required by state law, including notice to the Department of Land Conservation and Development prior to the initial evidentiary hearing consistent with ORS 197.610; and

WHEREAS, on June 9, 2021, the King City Planning Commission held a public hearing and recommended approval of the proposed Community Development Code amendments; and

WHEREAS, on June 16, 2021, the City Council of King City held a public hearing to consider the Planning Commission's recommendation, hear public testimony, apply applicable decision-making criteria, and to consider appropriate findings and conclusions in support of adoption.

NOW, THEREFORE, THE CITY OF KING CITY ORDAINS AS FOLLOWS:

SECTION 1. Findings: Findings of fact in support of the amendments are adopted by the City Council and attached as Exhibit A.

SECTION 2. Amendments: The King City Community Development Code is amended as shown in Exhibit B, attached hereto.

SECTION 3. Effective Date: This Ordinance shall be effective 30 days after its adoption.

Read the first time on June 16, 2021, and moved to the second reading by roll call vote of the City Council.

Read the second time and adopted by the City of King City Council on _____.

Signed by the Mayor on _____.

Kenneth Gibson, Mayor

ATTEST:

Approved as to Form:
Peter Watts PC

Ronnie L. Smith, City Recorder

City Attorney

Ordinance No. 2021-01
Exhibit A

ADOPTED FINDINGS AND CONCLUSIONS

The relevant criteria are found in the King City Comprehensive Plan. Because the plan is organized using the Statewide Planning Goals, the city and state goals are addressed simultaneously. In addition, the relevant Oregon Administrative Rules (OAR), which implement the requirements of HB 2001 must also be addressed. The findings and conclusions are presented below.

King City has until June 30, 2022 to fully comply with the requirements of HB 2001 and OAR 660-046-0000 to OAR 660-046-0235. The Community Development Code (CDC) amendments contained in the ordinance represent the first of a two-step amendment process by addressing existing zoning districts within the current city limit. The second step will include additional CDC amendments to implement the Kingston Terrace Master Plan for the Urban Growth Boundary (UGB) located to the west of the existing city. Additional measures will be considered following the completion of the master plan to implement HB 2001. In addition to allowing and encouraging middle housing in Kingston Terrace, the city will consider methods to make housing more affordable as it evaluates how urban infrastructure will be provided and financed.

King City Comprehensive Plan and Statewide Planning Goals

***Citizen Involvement - Goal 1:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding: The Community Development Code (CDC) amendments were created with citizen input. The proposed amendment was advertised as required by the CDC, and the Planning Commission and City Council held public hearings to consider the amendments along with public testimony. This goal is satisfied.

***Land Use Planning - Goal 2:** To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

Finding: The city has adopted the King City Comprehensive Plan and Community Development Code in accordance this goal, and as noted above, citizens were invited to participate in the creation of the amendments to comply with the requirements of HB 2001. This goal is satisfied.

***Agricultural Lands – Goal 3 and Forest Lands – Goal 4:** To preserve and protect agricultural and forest land.*

Finding: These goals are not relevant because the amendments are intended for urban rather than resource land.

***Open spaces, scenic and historic areas, and natural resources – Goal 5:** To conserve open*

space and protect natural and scenic resources.

Finding: Historic resources, open space and natural resources, consisting primarily of drainageways and wetlands, are recognized in the Comprehensive Plan and CDC. The proposed HB 2001 amendments allow for a wider range of housing types, but the amendments do not affect open space or sensitive lands protection, and these areas will continue to be protected in accordance with current standards and requirements. This goal is satisfied.

Air, water and land resource quality – Goal 6: To maintain and improve the quality of the air, water, and land resources of the state.

Finding: As noted under Goal 5 above, existing open space and natural resource areas will continue to be regulated and protected as they are today. The major intention behind the HB 2001 amendments is to allow improved access for residents to a wider range of housing choices at more affordable cost. As noted above, the CDC regulations related to Goal 5 resources will not be affected by these amendments. This goal is satisfied.

Natural Disasters and Hazards – Goal 7: To protect life and property from natural disasters and hazards.

Finding: This goal will not be affected because all current regulations related to natural hazard avoidance, protection, and mitigation will continue to be in effect. This goal is satisfied.

Recreational Needs – Goal 8: To satisfy the recreation needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: This goal is not relevant because the proposed HB 2001 amendments are not intended to provide or affect significant recreational opportunities.

Economy – Goal 9: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The HB 2001 amendments are designed to promote a wider range of more affordable housing choices. Housing is an essential component for promoting the health, welfare, and prosperity of residents in the city and surrounding area. This goal is satisfied.

Housing – Goal 10: To provide for the housing needs of citizens of the state.

Finding: The HB 2001 amendments provide for a wider range of “middle housing” that consists of duplexes, triplexes, quadplexes, and cottage clusters. The city’s current residential zoning already allowed many of these housing types, in many ways, the impact of HB 2001 requirements will not substantially change the city’s requirements. It also allows for a range of housing types, such as townhomes, apartments, and live-work units that tend to be more affordable. This goal is satisfied.

Public Facilities and Services – Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The HB 2001 amendments will not allow significant increases in density or impacts on public facilities or services within the existing city for two primary reasons. First, the city is fully developed, and there are few developable parcels available. Second, existing development is characterized by higher densities and small lot sizes yielding limited potential for increasing residential densities through redevelopment, adding another unit, etc. As a result, public services and facilities are not expected to be adversely impacted. The HB 2001 amendments will increase the potential residential densities in the western expansion area known as Kingston Terrace. This area is currently being master planned and the impact of higher densities can be accommodated by the new infrastructure that will be provided as this area develops. This goal is satisfied.

Transportation – Goal 12: To provide and encourage a safe, convenient and economic transportation system.

Finding: The HB 2001 amendments are expected to result in somewhat higher residential densities with the allowance of 2, 3, and 4-unit residences on single lots. This higher density and mix of housing types generally translates to a higher degree of walkability because distances between homes and destinations tend to be shorter. This goal is satisfied.

Energy Conservation – Goal 13: To conserve energy.

Finding: The promotion of a greater degree of attached residences at higher densities. These building types generally are more energy efficient due to common wall construction. In addition, higher densities with the pedestrian and bicycle facilities required for new development will tend to create a more energy-efficient community where short vehicular trips can be partially replaced with walking, bicycling, or transit trips. This goal is satisfied.

Urbanization – Goal 14: To provide for an orderly and efficient transition from rural to urban land use.

Finding: The allowance for a higher density mix of residential types will reduce the demand for more housing outside of the current UGB and urban reserve areas. This goal is satisfied.

Oregon Administrative Rules 660-046-000 to 660-046-235

Oregon Administrative Rules (OAR) 660-046-0000 to OAR 660-046-0235 govern middle housing in medium and large cities in the state of Oregon. Because it is part of the Portland metropolitan area, King City is categorized as a large city in the rule, and the requirements relevant to large cities are addressed below.

660-046-0010 APPLICABILITY

1. A local government that is a Medium City or Large City must comply with this division.

2. *Notwithstanding section (1), a Medium or Large City need not comply with this division for:*
 - a. *Lots or Parcels that are not zoned for residential use, including but not limited to Lots or Parcels zoned primarily for commercial, industrial, agricultural, or public uses;*
 - b. *Lots or Parcels that are Zoned for Residential Use but do not allow for the development of a detached single-family dwelling; and*
 - c. *Lots or Parcels that are not incorporated and that are zoned under an interim zoning designation that maintains the land's potential for planned urban development.*
3. *A Medium or Large City may regulate Middle Housing to comply with protective measures (including plans, policies, and regulations) adopted and acknowledged pursuant to statewide land use planning goals. Where Medium and Large Cities have adopted, or shall adopt, regulations implementing the following statewide planning goals, the following provisions provide direction as to how those regulations shall be implemented in relation to Middle Housing, as required by this rule.*
 - a. *Goal 5: Natural Resources, Scenic, and Historic Areas – OAR chapter 660, division 23, prescribes procedures, and in some cases, standards, for complying with Goal 5. OAR chapter 660, division 16 directed implementation of Goal 5 prior to division 23. Local protection measures adopted pursuant to divisions 23 and 16 are applicable to Middle Housing.*
 - A. *Goal 5 Natural Resources – Pursuant to OAR 660-023-0050 through 660-023-0110, Medium and Large Cities must adopt land use regulations to protect water quality, aquatic habitat, and the habitat of threatened, endangered and sensitive species. This includes regulations applicable to Middle Housing to comply with protective measures adopted pursuant to Goal 5.*
 - i. *Medium and Large Cities may apply regulations to Duplexes that apply to detached single-family dwellings in the same zone;*
 - ii. *Medium and Large Cities may limit the development of Middle Housing other than Duplexes in significant resource sites identified and protected pursuant to Goal 5; and*
 - iii. *If a Medium or Large City has not adopted land use regulations pursuant to OAR 660-023-0090, it must apply a 100-foot setback to Middle Housing developed along a riparian corridor.*
 - B. *Goal 5: Historic Resources – Pursuant to OAR 660-023-0200(7), Medium and Large Cities must adopt land use regulations to protect locally significant historic resources. This includes regulations applicable to Middle Housing to comply with protective measures as it relates to the integrity of a historic resource or district. Protective measures shall be adopted and applied as provided in OAR 660-023-0200. Medium and Large Cities may apply regulations adopted under OAR 660-023-0200 to Middle Housing that apply to detached single-family dwellings in the same zone, except as provided below. If a Medium or Large City has not adopted land use regulations to protect significant historic resources listed on the National Register of Historic Places, it must apply protective measures to Middle Housing as provided in OAR 660-023-0200(8)(a) until the Medium or Large City adopts land use regulations in compliance with OAR 660-023-0200. Medium or Large Cities may not apply the following types of regulations specific to Middle Housing:*
 - i. *Use, density, and occupancy restrictions that prohibit the development of Middle Housing on historic properties or districts that otherwise permit the*

- Finding:** As noted in the staff report, the city’s existing zoning allows for most middle housing types listed in HB 2001. The city’s current housing mix and densities are largely consistent with the outcomes sought by the bill. This first CDC amendment step includes the necessary changes in Articles 1, 3, 4, and 5 as noted in the staff report, which will bring the CDC into compliance with HB 2001. CDC regulations to implement Goals 5, 6, and 7 continue to apply to all

residential housing types, including middle housing. Consistent with Goal 9, middle housing is not allowed in the Limited Commercial (LC) zone, but higher density housing types are to support the city's Metro 2040 Town Center designation.

The amendments are consistent with Goal 11 because the infrastructure for the existing city is designed to support development. The city is conducting a master plan for the Kingston Terrace urban expansion area. This plan will include provisions to encourage middle housing as required by HB 2001, and the infrastructure will be designed to support anticipated housing densities and commercial development. These provisions of the OAR are satisfied.

660-046-0030 IMPLEMENTATION OF MIDDLE HOUSING ORDINANCES

1. *Before a local government amends an acknowledged comprehensive plan or a land use regulation to allow Middle Housing, the Medium or Large City must submit the proposed change to the Department for review and comment pursuant to OAR chapter 660, division 18.*
2. *In adopting or amending regulations or amending a comprehensive plan to allow Middle Housing, a Medium or Large City must include findings demonstrating consideration, as part of the post-acknowledgement plan amendment process, of methods to increase the affordability of Middle Housing through ordinances or policies that include but are not limited to:*
 - a. *Waiving or deferring system development charges;*
 - b. *Adopting or amending criteria for property tax exemptions under ORS 307.515 to ORS 307.523, ORS 307.540 to ORS 307.548 or ORS 307.651 to ORS 307.687 or property tax freezes under ORS 308.450 to ORS 308.481; and*
 - c. *Assessing a construction tax under ORS 320.192 and ORS 320.195.*
3. *When a local government amends its comprehensive plan or land use regulations to allow Middle Housing, the Medium or Large City is not required to consider whether the amendments significantly affect an existing or planned transportation facility.*

Finding: Proposed amendments satisfy these requirements because:

1. The city provided notice of the proposed amendments to DLCDD as required in OAR 660-018-0020.
2. Although the city has not yet considered methods to increase affordability of middle housing, it will be doing so as it evaluates the infrastructure needs for the Kingston Terrace UGB expansion area and methods to finance them. This is scheduled to be completed prior to the June 30, 2022 deadline for compliance with HB 2001.
3. The proposed amendments do not include any special consideration of the impact of middle housing on the transportation system.

These provisions of the OAR are satisfied.

660-046-0040 COMPLIANCE

4. *A Large City which is A Local Government That Has Not Acted by June 30, 2022 or within two years of qualifying as a Large City pursuant to OAR 660-046-0050 and has not received an extension under section (2), shall directly apply the applicable Model Code*

contained in OAR 660-046-0010(4) for the specific Middle Housing type that is not in compliance with the relevant rules in this division to all proposed development applications for that specific Middle Housing type until such time as the Large City has adopted provisions under section (1).

Finding: The city will comply with the state requirement to adopt all necessary middle housing code amendments prior to June 30, 2022. This provision of the OAR is satisfied.

660-046-0205 APPLICABILITY OF MIDDLE HOUSING IN LARGE CITIES

1. *A Large City must allow for the development of Duplexes in the same manner as required for Medium Cities in OAR 660-046-0100 through OAR 660-046-0130.*

Finding: With the exception of the Single Family (SF) district, all residential districts currently list duplexes as a permitted use. This CDC amendment package includes duplexes as a permitted use in the SF zone. These provisions of the OAR are satisfied.

2. *A Large City must allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through additions to or conversions of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings. A Large City may regulate or limit development of these types of Middle Housing on the following types of lands:*
 - a. *Goal-Protected Lands: Large Cities may regulate Middle Housing on Goal-Protected Lands as provided in OAR 660-046-0010(3);*
 - b. *Master Planned Communities: Large Cities may regulate or limit the development of Middle Housing in Master Planned Communities as follows:*
 - A. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan after January 1, 2021, it must allow the development of all Middle Housing types as provided in OAR 660-046-0205 through OAR 660-046-0235.*
 - i. *A Large City must plan to provide urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 dwelling units per net acre if located within a metropolitan service district boundary, and 15 dwelling units per net acre if located outside of a metropolitan service district boundary.*
 - ii. *If a proposed Middle Housing development exceeds the planned public service capacity of a Master Plan, the Large City may require the applicant demonstrate, through an amended public facility plan or similar mechanism, the sufficient provision of public services needed to serve the proposed development.*
 - iii. *A Large City may require a mix of two or more Middle Housing types within a Master Plan or portions of a Master Plan.*
 - iv. *A Large City may designate areas within the master plan exclusively for other housing types, such as multi-family residential structures of five dwelling units or more or manufactured home parks.*
 - B. *If a Large City has adopted a master plan or a plan that functions in the same manner as a master plan before January 1, 2021, it may limit the development of Middle Housing other than Duplexes provided it authorizes in the entire master plan*

- area a net residential density of at least eight dwelling units per acre and allows all dwelling units, at minimum, to be detached single-family dwellings or Duplexes. A Large City may only apply this restriction to portions of the area not developed as of January 1, 2021, and may not apply this restriction after the initial development of any area of the master plan or a plan that functions in the same manner as a master plan, except that a Large City may prohibit redevelopment of other housing types, such as multi-family residential structures and manufactured home parks.*
- c. *Impacted by State or Federal Law: A Large City must demonstrate that regulations or limitations of Middle Housing other than Duplexes are necessary to implement or comply with an established state or federal law or regulation on these types of lands.*

Finding: The existing CDC in combination with the proposed amendments will allow triplexes, quadplexes, townhouses, and cottage clusters in all the city's residential zones. The city does not have any master planned communities currently, but it is engaged in developing one for the future urban expansion area west of the existing city limit that is currently in the UGB. The city intends to allow a wide range of housing types consistent with HB 2001 requirements, and this master plan is scheduled for completion prior to June 30, 2022.

The CDC will continue to protect goal protected lands within the Tualatin River floodplain and drainageways consistent with FEMA, state, and Clean Water Services requirements. These provisions of the OAR are satisfied.

3. *A Large City may:*
- a. *Allow for the development of Triplexes, Quadplexes, Townhouses, and Cottage Clusters, including those created through conversion of existing detached single-family dwellings, in areas zoned for residential use that allow for the development of detached single-family dwellings as provided in OAR 660-046-0205 through OAR 660-046-0235; or*
- b. *Apply separate minimum lot size and maximum density provisions than what is provided in OAR 660-046-0220, provided that the applicable Middle Housing type other than Duplexes is allowed on the following percentage of Lots and Parcels zoned for residential use that allow for the development of detached single-family dwellings, excluding lands described in subsection (2):*
- A. *Triplexes – Must be allowed on 80% of Lots and Parcels;*
- B. *Quadplexes - Must be allowed on 70% of Lots and Parcels;*
- C. *Townhouses - Must be allowed on 60% of Lots and Parcels; and*
- D. *Cottage Clusters – Must be allowed on 70% of Lots and Parcels.*
- E. *A Middle Housing type is “allowed” on a Lot or Parcel when the following criteria are met:*
- i. *The Middle Housing type is a permitted use on that Lot or Parcel under the same administrative process as a detached single-family dwelling in the same zone;*
- ii. *The Lot or Parcel has sufficient square footage to allow the Middle Housing type within the applicable minimum lot size requirement; and*
- iii. *Maximum density requirements do not prohibit the development of the Middle Housing type on the subject Lot or Parcel; and*
- iv. *The applicable siting or design standards do not individually or cumulatively*

cause unreasonable cost or delay to the development of that Middle Housing type as provided in OAR 660-046-0210(3).

- F. *A Large City must ensure the equitable distribution of Middle Housing by allowing, as defined in subsection (3)(b)(E) above, at least one Middle Housing type other than Duplexes and Cottage Clusters on 75 percent or more of all lots and parcels zoned for residential use that allow for the development of detached single-family dwellings within each census block group, with at least four eligible Lots and Parcels as described in subsection (2) of this section, within a Large City.*
- G. *Large Cities must demonstrate continuing compliance with subsection (3)(b) at the following intervals:*
 - i. *At the initial submittal of a Middle Housing comprehensive plan or land use regulation change, in accordance with OAR Chapter 660, Division 18;*
 - ii. *At any future Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required earlier than six years after initial adoption of acknowledged land use regulations in compliance with this division; and*
 - iii. *With any future comprehensive plan or land use regulation changes that implements this division, in accordance with OAR Chapter 660, Division 18, for Large Cities that are not subject to the Housing Capacity Analysis Deadline as provided in OAR 660-008-0045, except that a demonstration of continuing compliance will not be required more frequently than once every six years after initial adoption of acknowledged land use regulations in compliance with this division.*

Finding: The current CDC in combination with the proposed amendments will allow for triplexes, quadplexes, townhomes, and cottage clusters without distinction of being built new or by using converted structures. There is no limitation proposed regarding the percentage of lots that may be used for middle housing types or the density of residential development, which will now be regulated by the development standards. The development standards and approval process apply equally to all housing types in essentially the same manner as single family detached homes are today. The city shall commit to demonstrating continued compliance as provided in Subsection G. above. These provisions of the OAR are satisfied.

- 4. *Pursuant to OAR 660-046-0205 through OAR 660-046-0230, the following numerical standards related to Middle Housing types apply:*
 - a. *Duplexes – Large Cities may allow more than two dwellings units on a Lot or Parcel, including any accessory dwelling units.*
 - b. *Triplexes and Quadplexes – Large Cities may allow more than four dwelling units on a lot, including any accessory dwelling units.*
 - c. *Townhouses – Large Cities must require at least two attached Townhouse dwelling units and must allow up to four attached Townhouse units subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. A Large City may allow five or more attached Townhouse dwelling units.*
 - d. *Cottage Clusters –*
 - A. *A Large City is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five*

dwelling units in a Cottage Cluster. A Large City may allow, but may not require, greater than five units in a Cottage Cluster.

- B. *A Large City must allow up to eight cottages per common courtyard subject to applicable siting or design standards as provided in OAR 660-046-0220 through OAR 660-046-0235. Nothing in this section precludes a Large City from permitting greater than eight dwelling units per common courtyard.*

Finding: The proposed CDC amendments will allow duplexes, triplexes, quadplexes, townhouses, and cottage clusters across its residential zoning districts in a manner consistent with the above provisions. Townhouses (attached single family) may have up to 4 attached units in compliance with the minimum requirement of 2 attached units. No limits to the number of cottage cluster units (multi-dwelling unit) are proposed. These provisions of the OAR are satisfied.

660-046-0210 Provisions Applicable to Middle Housing in Large Cities

1. *Large Cities may regulate Middle Housing to comply with protective measures, including plans, policies and regulations, as provided in OAR 660-046-0010(3).*
2. *Large Cities may regulate siting and design of Middle Housing, provided that the regulations;*
 - a. *Are clear and objective standards, conditions, or procedures consistent with the requirements of ORS 197.307; and*
 - b. *Do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable costs or delay.*
3. *Siting and design standards that do not, individually or cumulatively, discourage the development of Middle Housing through unreasonable cost and delay include only the following:*
 - a. *Regulations to comply with protective measures adopted pursuant to statewide land use planning goals provided in OAR 660-046-0010(3);*
 - b. *Permitted uses and approval processes provided in OAR 660-046-0215;*
 - c. *Siting standards provided in OAR 660-046-0220;*
 - d. *Design standards in Large Cities provided in OAR 660-046-0225;*
 - e. *Middle Housing Conversions provided in OAR 660-046-0230;*
 - f. *Alternative siting or design standards provided in OAR 660-046-0235; and*
 - g. *Any siting and design standards contained in the Model Code referenced in section OAR 660-046- 0010(4).*

Finding: The existing CDC provisions, such as 16.152.020 feature more extensive planning review for middle housing types compared to single family detached homes. These and other discriminatory provisions are proposed to be deleted and affording the same review process for single family detached homes to middle housing types. These provisions of the OAR are satisfied.

1. Protective measures primarily pertaining to floodplains and drainageways are equally applied to all development in the city.
2. Clear and objective development and design standards are applied equally to all housing types, and as noted above, discriminatory provisions are proposed for removal.

3. Siting standards proposed in 16.84 are consistent with the requirements noted in Subsection 3 above. These provisions of the OAR are satisfied.

660-046-0215 PERMITTED USES AND APPROVAL PROCESS

Large Cities must apply the same approval process to Middle Housing as detached single-family dwellings in the same zone. Pursuant to OAR 660-008-0015 and ORS 197.307, Large Cities may adopt and apply only clear and objective standards, conditions, and procedures regulating the development of Middle Housing consistent with the requirements of ORS 197.307. Nothing in this rule prohibits a Large City from adopting an alternative approval process for applications and permits for Middle Housing based on approval criteria that are not clear and objective as provided in OAR 660-007-0015(2), OAR 660-008-0015(2), and ORS 197.307(6).

Finding: As indicated above, discriminatory provisions will be deleted, and in addition clear and objective standards along with an administrative review process will apply to all housing types (see 16.84 and 16.152). These provisions of the OAR are satisfied.

660-046-0220 MIDDLE HOUSING SITING STANDARDS IN LARGE CITIES

1. *Large Cities must apply siting standards to Duplexes in the same manner as required for Medium Cities in OAR 660-046-0120.*

Finding: Duplexes are a permitted use in all residential districts, and the siting standards are generally the same as for other housing types except for some standards that recognize the unique character of duplexes, such as garage door frontage and required outdoor area (16.84.050). These provisions of the OAR are satisfied.

2. *The following governs Large Cities' regulation of siting standards related to Triplexes and Quadplexes:*
 - a. *Minimum Lot or Parcel Size:*
 - A. *For Triplexes:*
 - i. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 5,000 square feet or less, the minimum Lot or Parcel size for a Triplex may be no greater than 5,000 square feet.*
 - ii. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 5,000 square feet, the minimum Lot or Parcel size for a Triplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - B. *For Quadplexes:*
 - i. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Quadplex may be no greater than 7,000 square feet.*
 - ii. *If the minimum Lot or Parcel size in the zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Quadplex may be no greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
 - c. *A Large City may apply a lesser minimum Lot or Parcel size in any zoning*

- district for a Triplex or Quadplex than provided in paragraphs A. or B.*
- b. Density: If a Large City applies density maximums in a zone, it may not apply those maximums to the development of Quadplex and Triplexes.*
 - c. Setbacks: A Large City may not require setbacks greater than those applicable to detached single-family dwellings in the same zone.*
 - d. Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone, except a maximum height may not be less than 25 feet or two stories.*
 - e. Parking:*
 - A. For Triplexes, a Large City may require up to the following off-street parking spaces:*
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;*
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total; and*
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet: three spaces in total.*
 - B. For Quadplexes, a Large City may require up to the following off-street parking spaces:*
 - i. For Lots or Parcels of less than 3,000 square feet: one space in total;*
 - ii. For Lots or Parcels greater than or equal to 3,000 square feet and less than 5,000 square feet: two spaces in total;*
 - iii. For Lots or Parcels greater than or equal to 5,000 square feet and less than 7,000 square feet: three spaces in total; and*
 - iv. For Lots or Parcels greater than or equal to 7,000 square feet: four spaces in total.*
 - C. A Large City may allow on-street parking credits to satisfy off-street parking requirements.*
 - D. A Large City may allow, but may not require, off-street parking to be provided as a garage or carport.*
 - E. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.*
 - F. A Large City may not apply additional minimum parking requirements to Middle Housing created as provided in OAR 660-046-0230.*
 - f. Lot or Parcel Coverage and Floor Area Ratio: Large Cities are not required to apply Lot or Parcel coverage or floor area ratio standards to Triplexes or Quadplexes. However, if the Large City applies Lot or Parcel coverage or floor area ratio standards, it may not establish a cumulative Lot or Parcel coverage or floor area ratio for Triplexes or Quadplexes that is less than established for detached single-family dwelling in the same zone.*
 - g. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Triplex or Quadplex development application.*

Finding: The proposed standards are consistent with the above requirements as follows:

1. Minimum lot or parcel sizes are smaller than the maximum sizes specified for

- triplexes and quadplexes. (16.84.040)
2. The amendments propose the elimination of density maximums.
 3. Setbacks are applied uniformly to all housing types (16.84.040).
 4. Maximum building heights are consistent with the OAR requirements. The maximum height for the SF zone is proposed to be retained because this district is fully developed with 1-story homes, and the CC&Rs, which apply throughout the SF districts prohibit 2-story structures (16.84.040).
 5. The normal off-street parking requirement for residences is 1 space per unit. The unique requirements for triplexes and quadplexes are included in the parking requirements table in CDC 16.132.030. The CDC does not require garages. However, if one is provided garage spaces county towards meeting the on-site parking requirement.
 6. The current CDC and proposed amendments do not include maximum lot coverage or FAR standards.
 7. The city does not anticipate infrastructure issues related to new middle housing in the existing city limit, and the master planning for the Kingston Terrace urban expansion area will anticipate the densities resulting from middle housing.

These provisions of the OAR are satisfied.

3. *The following governs Large Cities' regulation of siting standards related to Townhouses:*
 - a. *Minimum Lot or Parcel Size: A Large City is not required to apply a minimum Lot or Parcel size to Townhouses, but if it applies those standards, the average minimum Lot or Parcel size for Lot or Parcels in a Townhouse Project may not be greater than 1,500 square feet. A Large City may apply separate minimum Lot or Parcel sizes for internal, external, and corner Townhouse Lots or Parcels provided that they average 1,500 square feet, or less.*
 - b. *Minimum Street Frontage: A Large City is not required to apply a minimum street frontage standard to Townhouses, but if it applies those standards, the minimum street frontage standard must not exceed 20 feet. A Large City may allow frontage on public and private streets or alleys; and on shared or common drives. If a Large City allows flag Lots or Parcels, it is not required to allow Townhouses on those Lots or Parcels.*
 - c. *Density: If a Large City applies density maximums in a zone, it must allow four times the maximum density allowed for detached single-family dwellings in the same zone for the development of Townhouses or 25 dwelling units per acre, whichever is less.*
 - d. *Setbacks: A Large City may not require front, side, or rear setbacks to be greater than those applicable to detached single-family structures in the same zone and must allow zero-foot side setbacks for Lot or Parcel lines where Townhouse units are attached.*
 - e. *Height: A Large City may not apply lower maximum height standards than those applicable to detached single-family dwellings in the same zone. If a Large City requires covered or structured parking for townhouses, the applicable height standards must allow construction of at least three stories. If a Large City does not require covered or structured parking, the applicable height standards must allow construction*

of at least two stories.

f. Parking:

- A. A Large City may not require more than one off-street parking space per Townhouse dwelling unit.*
- B. Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*
- C. A Large City must apply the same off-street parking surfacing, dimensional, landscaping, access, and circulation standards that apply to single-family detached dwellings in the same zone.*
- g. Bulk and Scale: A Large City is not required to apply standards to control bulk and scale to new Townhouses. However, if a Large City chooses to regulate scale and bulk, including but not limited to provisions including Lot or Parcel coverage, floor area ratio, and maximum unit size, those standards cannot cumulatively or individually limit the bulk and scale of the cumulative Townhouse Project greater than that of a single-family detached dwelling.*
- h. A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Townhouse development application.*

Finding: The proposed standards are consistent with the above requirements as follows:

1. The dimensional and density requirements in CDC 16.84.040 allows townhouses on lots as small as 1,500 square feet.
2. The dimensional and density requirements in CDC 16.84.040 allows townhouses on lots as narrow as 20 feet. The CDC does not have a minimum street frontage standard.
3. There are no longer density maximums.
4. Setbacks apply equally to all housing types (16.84.040).
5. Maximum building heights are consistent with the OAR requirements. The maximum height for the SF zone is proposed to be retained because this district is fully developed with 1-story homes, and the CC&Rs, which apply throughout the SF districts prohibit 2-story structures (16.84.040).
6. The CDC requires one space per unit for townhouses and single family detached homes.
7. The current CDC and proposed amendments do not include bulk and scale standards for townhouses.
8. The city does not anticipate infrastructure issues related to new middle housing in the existing city limit, and the master planning for the Kingston Terrace urban expansion area will anticipate the densities resulting from middle housing.

These provisions of the OAR are satisfied.

4. The following governs Large Cities' regulation of siting standards related to Cottage Clusters:

- a. Minimum Lot or Parcel Size: A Large City is not required to apply minimum Lot or Parcel size standards to new Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel size for Cottage Clusters on a single Lot*

or Parcel, the following provisions apply:

- A. *If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is 7,000 square feet or less, the minimum Lot or Parcel size for a Cottage Cluster may be no greater than 7,000 square feet.*
- B. *If the minimum Lot or Parcel size in the same zone for a detached single-family dwelling is greater than 7,000 square feet, the minimum Lot or Parcel size for a Cottage Cluster may not be greater than the minimum Lot or Parcel size for a detached single-family dwelling.*
- b. *Minimum Lot or Parcel Width: A Large City is not required to apply minimum Lot or Parcel width standards to Cottage Clusters. However, if a Large City applies standards to regulate minimum Lot or Parcel width for to Cottage Clusters, it may not require a minimum Lot or Parcel width that is greater than the standard for a single-family detached dwelling in the same zone.*
- c. *Density: A Large City may not apply density maximums to the development of Cottage Clusters. A Cottage Cluster development must meet a minimum density of at least four units per acre.*
- d. *Setbacks: A Large City may not require perimeter setbacks to be greater than those applicable to detached single-family dwellings in the same zone. Additionally, perimeter setbacks applicable to Cottage Cluster dwelling units may not be greater than ten feet. The minimum distance between structures may not be greater than what is required by applicable building code requirements or 10 feet.*
- e. *Dwelling Unit Size: A Large City may limit the minimum or maximum size of dwelling units in a Cottage Cluster, but must apply a maximum building footprint of 900 square feet per dwelling unit. A Large City may exempt up to 200 square feet in the calculation of dwelling unit footprint for an attached garage or carport. A Large City may not include detached garages, carports, or accessory structures in the calculation of dwelling unit footprint.*
- f. *Parking:*
 - A. *A Large City may not require more than one off-street parking space per dwelling unit in a Cottage Cluster.*
 - B. *A Large City may allow but may not require off-street parking to be provided as a garage or carport.*
 - C. *Nothing in this section precludes a Large City from allowing on-street parking credits to satisfy off-street parking requirements.*
- g. *Lot or Parcel Coverage and Floor Area Ratio: A Large City may not apply Lot or Parcel coverage or floor area ratio standards to Cottage Clusters.*
- h. *Nothing in this division precludes a Large City from allowing Cottage Cluster dwelling units on individual Lots or Parcels within the Cottage Cluster development.*
- i. *A Large City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a Cottage Cluster development application.*

Finding: The proposed standards are consistent with the above requirements as follows:

1. The current and proposed provisions in CDC 16.84.040 do not include specific lot size standards for cottage clusters.
2. The current and proposed provisions in CDC 16.84.040 do not include specific lot

- width standards for cottage clusters.
- 3. There are no longer density maximums.
- 4. Setbacks apply equally to all housing types (16.84.040).
- 5. Maximum building heights are consistent with the OAR requirements. The maximum height for the SF zone is proposed to be retained because this district is fully developed with 1-story homes, and the CC&Rs, which apply throughout the SF districts prohibit 2-story structures (16.84.040).
- 6. The CDC requires one space per unit for townhouses and single family detached homes.
- 7. The current CDC and proposed amendments do not include bulk and scale standards for townhouses.
- 8. The city does not anticipate infrastructure issues related to new middle housing in the existing city limit, and the master planning for the Kingston Terrace urban expansion area will anticipate the densities resulting from middle housing.

These provisions of the OAR are satisfied.

660-046-0225 MIDDLE HOUSING DESIGN STANDARDS IN LARGE CITIES

1. *A Large City is not required to apply design standards to Middle Housing. However, if a Large City chooses to apply design standards to Middle Housing, it may only apply the following:*
 - a. *Design standards in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - b. *Design standards that are less restrictive than those in the Model Code for Large Cities in OAR 660-046-0010(4)(b);*
 - c. *The same clear and objective design standards that the Large City applies to detached single-family structures in the same zone. Design standards may not scale by the number of dwelling units or other features that scale with the number of dwelling units, such as primary entrances. Design standards may scale with form-based attributes, including but not limited to floor area, street-facing façade, height, bulk, and scale; or*
 - d. *Alternative design standards as provided in OAR 660-046-0235.*
2. *A Large City may not apply design standards to Middle Housing created as provided in OAR 660-046-0230.*

Finding: The proposed amendments apply the same types of development and design standards for all types of housing including single family detached and middle housing. These provisions of the OAR are satisfied.

660-046-0230 MIDDLE HOUSING CONVERSIONS

1. *Additions to, or conversions of, an existing detached single-family dwelling into Middle Housing is allowed in Large Cities pursuant to OAR 660-046-0205(2), provided that the addition or conversion does not increase nonconformance with applicable clear and objective standards, unless increasing nonconformance is otherwise permitted by the Large City's development code.*
2. *If Middle Housing is created through the addition to, or conversion of, an existing single-family detached dwelling, a Large City or other utility service provider that grants*

clear and objective exceptions to public works standards to detached single-family dwelling development must allow the granting of the same exceptions to Middle Housing.

3. *A preexisting detached single-family dwelling may remain on a Lot or Parcel with a Cottage Cluster as described below:*
 - a. *The preexisting single-family dwelling may be nonconforming with respect to the requirements of the applicable code;*
 - b. *The preexisting single-family dwelling may be expanded up to the maximum height, footprint, or unit size required by the applicable code; however, a preexisting single-family dwelling that exceeds the maximum height, footprint, or unit size of the applicable code may not be expanded;*
 - c. *The preexisting single-family dwelling shall count as a unit in the Cottage Cluster;*
 - d. *The floor area of the preexisting single-family dwelling shall not count towards any Cottage Cluster average or Cottage Cluster project average or total unit size limits; or*
 - e. *A Large City may apply a time limit on the conversion of a single-family dwelling to a Cottage Cluster not to exceed five years.*

Finding: The proposed amendments will:

1. Allow conversion of existing detached single family dwellings into middle housing.
2. Continue to have the same requirements for middle housing as it has for single family detached homes.
3. Allow a preexisting single family dwelling as a cottage cluster unit because there are no prohibitions or requirements proposed that would prevent or discourage this.

These provisions of the OAR are satisfied.

660-046-0235 ALTERNATIVE SITING OR DESIGN STANDARDS

A Large City may adopt Siting or Design Standards not authorized by OAR 660-046-0220 or OAR 660-046-0225 as allowed under subsection (1) below if the city can demonstrate that it meets the applicable criteria laid out in either subsection (1) below. Siting or Design standards do not include minimum Lot or Parcel size and maximum density requirements.

1. *A Large City must submit to the Department findings and analysis demonstrating that the proposed standard or standards will not, individually or cumulatively, cause unreasonable cost or delay to the development of Middle Housing. To demonstrate that, the Large City must consider how a standard or standards, individually and cumulatively, affect the following factors in comparison to what is would otherwise be required under OAR 660-046-0220 or OAR 660-046-0225:*
 - a. *The total time and cost of construction, including design, labor, and materials;*
 - b. *The total cost of land;*
 - c. *The availability and acquisition of land, including areas with existing development;*
 - d. *The total time and cost of permitting and fees required to make land suitable for development;*
 - e. *The cumulative livable floor area that can be produced; and*
 - f. *The proportionality of cumulative time and cost imposed by the proposed standard(s) in relationship to the public need or interest the standard(s) fulfill.*

Finding: This OAR section does not apply because the city is not proposing unauthorized standards.

Ordinance No. 2021-01
Exhibit B

Title 16 - COMMUNITY DEVELOPMENT AND ZONING CODE

Color / font key for Volume

Chapter heading containing an amended Sub-chapter

Amended Sub-chapter heading

Description of specific amendments to a section

~~Deleted section~~

Added section

Chapter 16.24 - DEFINITIONS

16.24.010 - Meaning of words generally.

- A. All of the terms used in this title have their commonly accepted dictionary meaning unless they are specifically defined in this chapter or the context in which they are used clearly indicates to the contrary.
- B. All words used in the present tense include the future tense.
- C. The words "shall" and "must" are mandatory and the word "may" is permissive.

(Ord. 96-4 § 1 (part), 1996)

16.24.020 - Definitions of specific terms.

As used in this title the following words and phrases shall mean:

The following sections are not amended and have been removed to aid readability

Abut/abutting through Yard /side

(Ord. No. [O-98-01](#), § 2, 10-7-1998; Ord. No. [O-2016-03](#), § 1(Exh. A), 9-21-2016; Ord. No. [O-2018-04](#), § 2(Exh. B), 8-1-2018; Ord. No. [O-2018-05](#), § 1(Exh. A), 10-17-2018; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.24.030 - Definitions of land use types.

A. The purpose of the section is to classify land uses and activities into use categories on the basis of common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. The types of uses allowed in the various zones are based on the goals and policies of the comprehensive plan.

B. Considerations.

1. Uses are assigned to the category whose description most closely describes the nature of the primary use. Developments may have more than one primary use, and accessory activities may also be present. Primary and accessory uses are addressed in subsections (2) and (3) of this section.
2. The following factors are considered to determine what category the use is in, and whether the activity(ies) constitute primary or accessory uses:
 - a. The description of the activity(ies) in relationship to the characteristics of each use category;
 - b. The relative amount of site or floor space and equipment devoted to the activity;
 - c. The relative amount of sales from each activity;
 - d. The number and type of customers for each activity;
 - e. The relative number of employees in each activity;
 - f. Hours of operation;
 - g. Building and site arrangement;
 - h. The number and type of vehicles used with the activity;
 - i. The relative number of vehicle trips generated by the activity(ies);
 - j. Signs;
 - k. How the use advertises itself; and
 - l. Whether the activity(ies) would be likely to be found independent of the other activities on the site.
3. Multiple Primary Uses. When a development has a number of primary uses that fall within one use category, then the development is assigned to that use category. For example, if a development includes a grocery store and pharmacy, the development would be classified as a commercial retail sales and service use.

When the primary uses in a development are within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.

4. Accessory Uses. These uses are allowed by right and are regulated in conjunction with the primary use unless otherwise stated in this title.
5. Examples and Exceptions. To help illustrate the types of uses allowed or not allowed under a specific uses category, examples and/or exceptions are given. They are based on the common meaning of the terms and not on what a specific use may call itself.

C. Residential Use Types.

Description of specific amendments

Amend Dwelling, multi-family to permit detached dwellings as well as attached dwellings, and to delete reference to "family."

"Common courtyard" means a common area for use by residents of a cottage cluster. A common courtyard may function as a community yard. Hard and soft landscape features may be included in a common courtyard, such as pedestrian paths, lawn, groundcover, trees, shrubs, patios, benches, or gazebos.

"Cottage" means an individual dwelling unit that is part of a cottage cluster.

"Cottage Cluster" means a grouping of no fewer than four detached dwelling units per acre with a footprint of less than 900 square feet each that includes a common courtyard. Cottage Cluster units may be located on a single Lot or Parcel, or on individual Lots or Parcels.

"Cottage cluster project" means a development site with one or more cottage clusters. Each cottage cluster as part of a cottage cluster project must have its own common courtyard.

"Dwelling, multi-family" means a structure that contains three or more dwelling units which **may** share common walls, floors or ceilings with one or more than two dwelling units on one lot. **Dwelling units may be attached or detached.**

"Dwelling, single-family attached" means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. It does not share common floors or ceilings with other dwelling units.

"Dwelling, single-family detached" means a detached dwelling unit located on its own lot.

"Dwelling unit, accessory" means a second and independent living unit created on a lot with a primary dwelling, which may be an attached or detached single-family dwelling or manufactured home. This second unit is created auxiliary to, and is always smaller than the primary dwelling. It has a separate kitchen, living, bathroom, and sleeping facilities within the primary dwelling or in a separate accessory building on the same lot as a primary dwelling. Because it is considered as an accessory use, this type of residential unit is not included in density calculations.

Description of specific amendments

Amend Duplexes to permit detached dwellings as well as attached dwellings.

"Duplex" means a structure that contains two primary dwelling units on one lot. The units ~~must~~**may** share common walls, floors or ceilings.

The following sections are not amended and have been removed to aid readability

Family care through Residential home

Article III. - Land Use Districts

Chapter 16.80 - GENERAL PROVISIONS

16.80.010 - Districts generally.

All lands, tracts and area within the corporate limits of the city area are included within one of the following described land use zoning districts. The purpose of use, classification and uses of each tract within the corporate limits of the city shall be limited to those applicable to the zoning classification district within which such tract or lands are situated.

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.80.020 - Zoning classification districts.

The city is divided into the following zoning classification districts, with applicable abbreviated designation, shall be as follows:

District	Abbreviated Designation
Small Lot and Attached Residential (9 du/ac)	R-9
Attached Residential (12 du/ac)	R-12

Single-family Residential (10 du/ac)	SF
Apartment and Townhouses (Approx. 15 du/ac)	AT
Attached Residential (12 du/ac)	R-12
Multi-family Residential (15 du/ac)	R-15
Multi-family residential (24 du/ac)	R-24
Single-family Residential (10 du/ac)	SF
Apartment and Townhouses (Approx. 15 du/ac)	AT
Neighborhood Mixed-Use	NMU
Limited Commercial	LC
Community Facilities	CF
Recreation Open Space	ROS

The following sections are not amended and have been removed to aid readability
16.80.030 - Location of districts. through Chapter 16.82 - UNLISTED USE: AUTHORIZATION OF SIMILAR USE

Chapter 16.84 – SMALL LOT AND ATTACHED RESIDENTIAL ZONE (R-9)

Footnotes:

--- (2) ---

Note— Prior Ch. 16.84 derived from Ords. 96-4 and O-99-6.

16.84.010 – Purpose Statements. **Purpose Statements – Single Use Residential Zones**

Amendments to this section

Relocate all Single Dwelling Purpose Statements to this section, and list them in the following order:

- R-9 – Small Lot and Attached Residential
- R-12 – Attached Residential
- R-15 – Multi-family Residential
- R-24 – Multi-family residential
- SF – Single-family Residential
- AT – Apartments and Townhouses

Alternatively, combine each separate purpose statement into one single, new purpose statement that describes all Single Use Residential Zones, and includes language about middle housing.

~~The purpose of the R-9 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create,~~

~~maintain and promote single-family residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-9 in Washington County or in the West King City planning area.~~

(Ord. O-02-4 § 2 (part), 2002)

16.84.020 – Housing Types Permitted by Single Dwelling Residential Zone

A housing type is not a use category. It describes a type of development that can contain a Residential Use.

	<i>R-9</i>	<i>R-12</i>	<i>R-15</i>	<i>R-24</i>	<i>SF</i>	<i>AT</i>
<i>Single dwelling detached</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Single dwelling attached</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>N</i>	<i>P</i>
<i>Dwelling, accessory</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Duplex</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Manufactured home on an individual lot</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Multi-dwelling</i>	<i>N</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>N</i>	<i>P</i>

***P* – Permitted**

***N* – Not permitted**

16.84.020 - Permitted uses

Amendments to this section and subsequent Single Dwelling Residential Zoning Permitted Uses listings

Delete reference to Housing Types in the following permitted use lists:

- R-9 – Small Lot and Attached Residential
- R-12 – Attached Residential
- R-15 – Multi-family Residential
- R-24 – Multi-family residential
- SF – Single-family Residential
- AT – Apartments and Townhouses

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the R-9 zone are:

- ~~A. Dwelling, single-family detached;~~
- ~~B. Dwelling, single-family attached;~~
- ~~C. Duplex;~~
- ~~D. Manufactured home on an individual lot;~~
- E. Residential home;
- F. Manufactured/Mobile home parks and subdivisions;
- G. Family day care (family care);

H. Park and open space created as part of a subdivision or planned development; and

~~I. Dwelling, accessory.~~

(Ord. O-03-2 § 1 (part), 2003; Ord. O-02-4 § 2 (part), 2002)

16.84.030 - Conditional uses.

A conditional use is a use, which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-9 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space not created as part of a subdivision or planned development;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home (family care); and
- H. Recreation vehicle and boat storage serving only the residents within the development.

(Ord. O-02-4 § 2 (part), 2002)

16.84.040 - Dimensional and density requirements.

Amendments to this section and subsequent Single Dwelling Residential Zoning Dimensional and Density Requirements

The table below replaces any Dimensional Requirement Tables or listings for the following zones:

- R-9 – Small Lot and Attached Residential
- R-12 – Attached Residential
- R-15 – Multi-family Residential
- R-24 – Multi-family residential
- SF – Single-family Residential
- AT – Apartments and Townhouses

Table - Dimensional and density requirements for Single Dwelling Residential Zones

Dimensional and density requirements	Zones					
	R-9	R-12	R-15	R-24	SF	AT
Dwelling units per acre <u>(minimum)</u>	<u>7.2</u>	<u>9.6</u>	<u>12</u>	<u>19.2</u>	<u>8</u>	<u>12</u>
Minimum lot size, in square feet <u>1</u>	2,400	2,000	5,000	5,000	4,000	5,000
Minimum lot width, in feet <u>2</u>	303	28 ³	–	–	40	40

1 Townhouse lots may be a minimum of 1,500 square feet.

2 Townhouse lots may have a minimum width of 20 feet.

Dimensional and density requirements	Zones					
	R-9	R-12	R-15	R-24	SF	AT
Minimum lot depth, in feet	60	60	–	–	80	80
Front yard setback, front yard to residential building, minimum / maximum, in feet	12 / 26	10 / 26	15	15	10	10
Front yard setback, to porch, minimum / maximum, in feet	8 / 20	6 / 15	15	15		–
Front yard setback, to garage, minimum, in feet	18	18	15	15	10	–
Corner lot setback –front yard / side yard, minimum, in feet	10	10 / 8	–	–		–
Corner lot setback – garage, minimum, in feet	18	18	–	–		–
Side yard, interior – minimum, in feet⁴	3	3	–	5	4	5 / 105
Rear yard – to residential building, minimum, in feet ⁶	10	10	20	20	4	20
Rear yard – to garage entry on alley, minimum, in feet⁷	0-6	0-6	20	20		15
Maximum building height, in feet	35	35	35	45	20	30
Maximum height, accessory structures and detached accessory dwellings, in feet	25	25	25	Per 16.176 and 16.178		Per 16.176 and 16.178
Maximum coverage of buildings and impervious surfaces ⁸	80%	80%	75%	75%	75%	75%

Amendment note: Within the R-24 zone, the maximum height of 45 feet has been amended from 30 feet for single dwellings, and 40 feet for multi-dwellings.

The dimensional and density requirements of the R-9 district are:

Dimensional Requirements Table

3 Minimum average lot width, in feet: 24

4 For 0-foot setback buildings, setback is 0 feet. In all cases, 0-foot setback buildings shall either: (1) be attached at the property line; or (2) have a minimum separation of 6 feet.

5 Side yard of five feet for a one story structure, and ten feet for two-story structures

6 0 feet for a detached accessory dwelling unit or building less than or equal to 18 feet in height

7 0-6 feet or ≥ 18 feet to a garage entrance to an alley

8 Maximum coverage cannot apply to Cottage Clusters

Minimum and average lot size/land area per unit	
Single-family detached units	2,400 min./2,800 avg. square feet
Duplex	4,400 min./4,800 avg. square feet
Single-family attached and 0-foot setback units	2,000 min./2,400 avg. square feet
Minimum average lot width (per lot)	
Single-family detached units	30 feet
Duplex	48 feet
Single-family attached and 0-foot setback detached units	24 feet
Minimum average lot depth (per lot)	
Single-family detached units	60 feet
Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Setbacks (measured from property lines, except as noted for garage entrances)*	
Front yard	12 feet minimum and 26 feet maximum to front building wall.
	8 feet minimum and 20 feet maximum to front porch.
	18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Front yard—corner	For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the following standards apply:
	10 feet minimum for a side yard facing a street.
	18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Side yard—interior	0 feet, or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either: (1) be attached at the property line; or (2) have a minimum separation of 6 feet.
Rear yard	10 feet minimum for residential building.
	0 feet for a detached accessory dwelling unit or building less than or equal to 18 feet in height.
	0-6 feet or \geq 18 feet to a garage entrance to an alley.
Building height	
Single-family duplex, and accessory dwellings that are within or attached to the primary dwelling	35 feet
Accessory structures and detached accessory dwellings	25 feet
Density standards	

Maximum	9 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum

* In addition, building setbacks for each type of structure must comply with the current Oregon Building Code.

(Ord. O-02-4 § 2 (part), 2002; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.84.050 - Design requirements.

In addition to the dimensional requirements in Section 16.84.040, the following design requirements shall apply:

Design Requirements Table	
Main entrance	
Location	Within 8 feet of the longest front building wall (see Figure 1). The applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> • A minimum of 25 square feet with a minimum dimension of 4 feet; • At least one entrance facing the street; and • A roof that covers at least 30 percent of the porch area (see Figure 2).
Front windows - First floor of all dwellings	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
Garage door frontage - Maximum percentage of the building width allowed for the garage door	
Single-family detached units	50% when the garage door setback is the same or less than the front building wall. Garage door setback shall be no more than 6 feet less than the front building wall setback. 60% when the garage setback is at least 4 feet behind the front building wall or front porch. 70% when the garage setback is at least 8 feet behind the front building wall or front porch.
Single-family attached and duplex units	30% when the garage setback is less than the front building wall. 60% when the garage setback is equal to or greater than the front building wall or front porch. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
Attached units	
Maximum number of attached single-family units	4 units.

Required outdoor area	
Single-family detached units	Minimum contiguous rear or side yard outdoor area of 400 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence or a detached accessory dwelling unit is located in the rear yard.
Duplex, single-family attached, and detached single-family units with one 0-foot setback	Minimum contiguous rear or side yard outdoor area of 300 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence or a detached accessory dwelling unit is located in the rear yard.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common outdoor area shall have a minimum contiguous area of 500 square feet unit in the development with a minimum size of 5,000 square feet, of which no dimension shall be less than 40 feet.

Figure 1

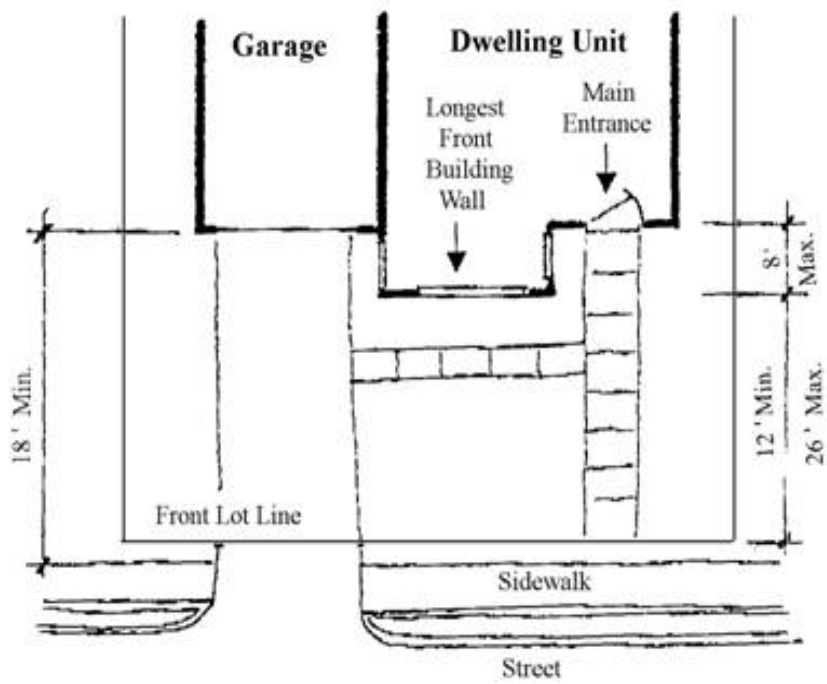
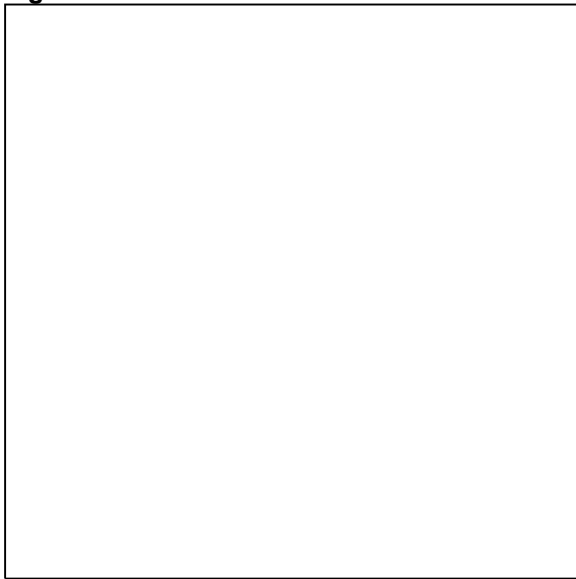
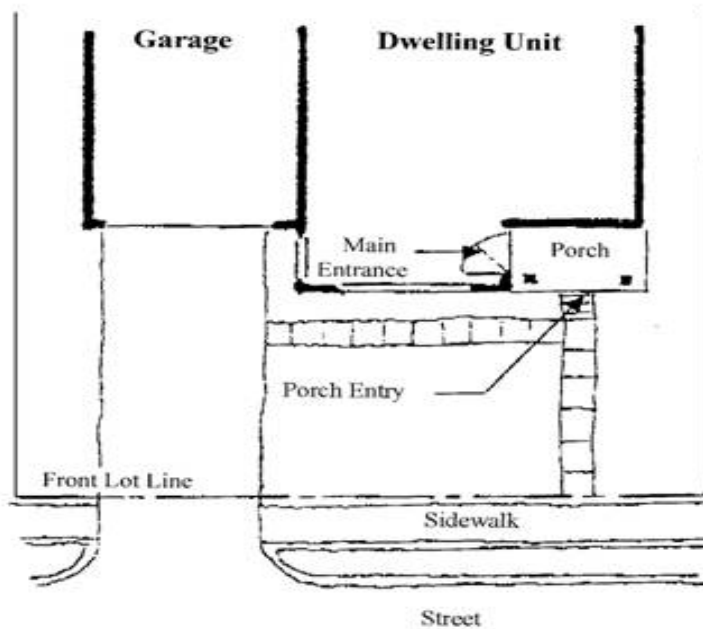
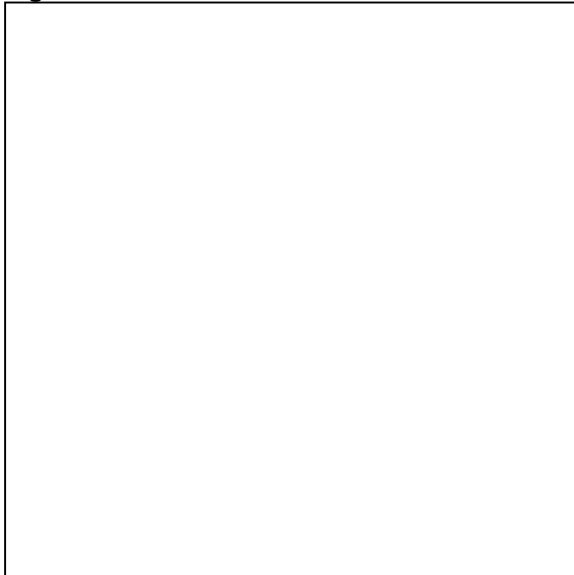


Figure 2



16.84.060 Cottage Clusters

A. Development and Siting Standards

- 1. Setbacks.** Cottage cluster buildings shall satisfy the setback standards in 16.84.040 except as modified in this section (16.84.060).
- 2. Building separation.** The minimum internal building separation shall be determined by the Oregon Building Code.
- 3. Unit size, average.** The maximum average floor area for a cottage cluster is 1,400 square feet per dwelling unit. Community buildings shall be included in the average floor area calculation for a cottage cluster.

4. **Maximum building footprint.** The maximum building footprint is 900 square feet per dwelling unit. Attached garage or carport may be exempt for up to 200 square feet of the building footprint calculation.

5. **Building height.** The maximum building height for all structures is 25 feet.

B. Design Standards

1. **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:

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 within 20 feet of a street property line may have their entrances facing the street provided they comply with the front and front porch standards in Section 16.84.040.

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.

2. **Common courtyard design.** Each cottage cluster must share a common courtyard in order to provide a sense of openness and community of residents. Common courtyards must meet the following standards:

a. The common courtyard must be a single, contiguous piece.

b. Cottages must abut the common courtyard on at least two sides of the courtyard.

c. The common courtyard must contain a minimum of 150 square feet per cottage within the associated cluster.

d. The common courtyard must be a minimum of 15 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.

3. **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, guest housing, 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.

b. A community building that meets the development code's definition of a dwelling unit must meet the maximum 900 square foot footprint limitation that applies to cottages, unless a covenant is recorded against the property stating that the structure is not a legal dwelling unit and will not be used as a primary dwelling.

4. Pedestrian access.

a. An accessible pedestrian path must 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 if there are no sidewalks.

b. The pedestrian path must be hard-surfaced and a minimum of four (4) feet wide.

5. Windows. Cottages within 20 feet of a street property line must meet any window coverage requirement that applies to detached single family dwellings in the same zone.

6. Parking design, clustered. Clustered parking: Off-street parking may be arranged in clusters, subject to the following standards:

a. Cottage cluster projects with fewer than 16 cottages are permitted parking clusters of not more than five (5) contiguous spaces.

b. Cottage cluster projects with 16 cottages or more are permitted parking clusters of not more than eight (8) contiguous spaces.

c. Parking clusters must be separated from other spaces by at least four (4) feet of landscaping.

d. Clustered parking areas may be covered.

7. Parking location and access.

a. Off-street parking spaces and vehicle maneuvering areas shall not be located:

i. Within of 20 feet from any street property line, except alley property lines;

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.

8. Parking location and access, screening. Landscaping, fencing, or walls at least three feet tall shall separate clustered parking areas and parking structures from common courtyards and public streets.

9. Parking location and access, garages, and carports.

a. Garages and carports (whether shared or individual) must not abut common courtyards.

b. Individual attached garages up to 200 square feet shall be exempted from the calculation of maximum building footprint for cottages.

c. Individual detached garages must not exceed 400 square feet in floor area.

d. Garage doors for attached and detached individual garages must not exceed 20 feet in width.

10. Existing structures. On a lot or parcel to be used for a cottage cluster project, an existing detached single family dwelling 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 or the maximum building footprint; 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.**
- d. The existing dwelling shall be excluded from the calculation of orientation toward the common courtyard.**

(Ord. O-02-4 § 2 (part), 2002; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

Chapter 16.88 - SINGLE-FAMILY RESIDENTIAL ZONE (SF)

16.88.010 - Purpose.

Amendments to this section

Relocate all Single Use Residential zone Purpose Statements to 16.84.010. See page 3.

The purpose of the SF zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote single family residential neighborhoods. This land use designation is intended to generally apply to established single family residential properties within the city prior to June 5, 1991.

(Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.88.020 - Permitted uses.

Amendments to this section

Delete reference to Housing Types in the permitted use list

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the SF zone are:

- ~~A. Dwelling, single family detached;~~
- ~~B. Manufactured home on an individual lot;~~
- C. Residential home; and
- ~~D. Dwelling, accessory.~~

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.88.030 - Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the SF district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;

- E. Religious assembly; and
- F. Public safety facilities.

(Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.88.040 - Dimensional and density requirements.

Amendments to this section

Relocate Dimensional and density requirements to the new 16.84.030 Table

A. ~~The dimensional requirements in the SF district are:~~

- ~~1. A minimum lot area of four thousand square feet;~~
- ~~2. A minimum average lot width of forty feet;~~
- ~~3. A minimum average lot depth of eighty feet;~~
- ~~4. Minimum building setback requirements of:~~
 - ~~a. Front yard of ten feet for the building and garage vehicle entrance;~~
 - ~~b. Side yard of four feet;~~
 - ~~c. Rear yard of four feet;~~
- ~~5. Eaves and decorative features are allowed within setback areas but in no case shall any portion of a building encroach upon another lot;~~
- ~~6. No building shall exceed twenty feet in height;~~
- ~~7. The maximum height and size and minimum setbacks for accessory structures and detached accessory dwellings shall comply with the provisions of Chapters 16.176 and 16.178; and~~
- ~~8. The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area.~~

B. ~~Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter.~~

(Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

([Ord. No. O-2020-01](#) , § 1(Exh. A), 8-19-2020)

Chapter 16.92 - APARTMENTS AND TOWNHOUSES ZONE (AT)

Amendments to this section

Relocate all Single Use Residential zone Purpose Statements to 16.84.010. See page 3.

~~16.92.010 – Purpose.~~

~~The purpose of the AT zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote medium density residential neighborhoods. This land use designation is intended to primarily apply to established residential properties within the city prior to June 5, 1991.~~

(Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

(Ord. No. [O-2015-01](#) , § 1(Exh. A), 3-18-2015)

16.92.020 - Permitted uses.

Amendments to this section

Delete reference to Housing Types in the permitted use list

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- A. ~~Dwelling, single family detached;~~
- B. ~~Dwelling, single family attached;~~
- C. ~~Dwelling, multi-family;~~
- D. ~~Manufactured home on an individual lot;~~
- E. Residential home;
- F. Manufactured/mobile home parks and subdivisions;
- G. Duplex; and
- H. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.92.030 - Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the AT district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities; and
- G. Residential facility.

(Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.92.040 - Dimensional and density requirements.

Amendments to this section

Relocate Dimensional and density requirements to the new 16.84.030 Table

A. ~~The dimensional requirements in the AT district are:~~

- 1. ~~A minimum lot area of five thousand square feet. For more than one unit, the minimum lot area shall be two thousand five hundred square feet per unit;~~
- 2. ~~A minimum average lot width of forty feet;~~
- 3. ~~A minimum average lot depth of eighty feet;~~

4. ~~Minimum building setback requirements of:~~
 - a. ~~Front yard of ten feet for the building;~~
 - b. ~~Side yard of five feet for a one story structure, and ten feet for two story structures;~~
 - c. ~~Rear yard of twenty feet;~~
 - d. ~~Garage vehicle entrance setback of fifteen feet;~~
 5. ~~No building shall exceed thirty feet in height;~~
 6. ~~The maximum height and size and minimum setbacks for accessory structures and detached accessory dwellings shall comply with the provisions of Chapters 16.176 and 16.178; and~~
 7. ~~The maximum coverage of buildings and impervious surfaces shall not exceed seventy five percent of the total lot area.~~
- B. ~~Residential development shall be no less than eighty percent of the maximum density of 15 units per gross acre.~~

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

(Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

Chapter 16.94 - ATTACHED RESIDENTIAL ZONE (R-12)

16.94.010 - Purpose

Amendments to this section

Relocate all Single Use Residential zone Purpose Statements to 16.84.010. See page 3.

~~The purpose of the R-12 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote moderate density residential neighborhoods.~~

(Ord. O-02-4 § 2 (part), 2002)

16.94.020 - Permitted uses

Amendments to this section

Delete reference to Housing Types in the permitted use list

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the R-12 zone are:

- A. ~~Dwelling, single family detached;~~
- B. ~~Dwelling, single family attached;~~
- C. ~~Dwelling, multi-family;~~
- D. ~~Manufactured home on an individual lot;~~
- E. ~~Duplex residential units;~~
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care);
- I. Residential facility;

- J. Parks and open space created as part of a subdivision or planned development; and
- K. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-02-4 § 2 (part), 2002)

16.94.030 - Conditional uses.

A conditional use is a use, which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-12 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space not created as part of a subdivision or planned development;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home (Family care); and
- H. Recreation vehicle and boat storage serving only the residents within the development.

(Ord. O-02-4 § 2 (part), 2002)

16.94.040 - Dimensional and density requirements.

Amendments to this section

Relocate Dimensional and density requirements to the new 16.84.030 Table

The dimensional and density requirements of the R-12 district are:

Design Requirements Table	
Minimum and average lot size/land area per unit	
Single family detached units	2,000 min./2,400 avg. square feet
Duplex	3,600 min./4,000 avg. square feet
Single family attached and 0 foot setback units	1,600 min./2,000 avg. square feet
Multi-family units	1,600 min./2,000 avg. square feet
Minimum average lot width (per lot)	
Single family detached units	28 feet
Duplex	48 feet
Single family attached and 0 foot setback detached units	24 feet
Multi-family units	48 feet
Minimum average lot depth (per lot)	
Single family detached units	60 feet

Duplex	60 feet
Single-family attached and 0-foot setback detached units	60 feet
Multi-family units	60 feet
Setbacks (measured from property lines, except as noted for garage entrances)*	
Front yard	10 feet minimum and 26 feet maximum to front building wall. 6 feet minimum and 15 feet maximum to front porch. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Front yard—corner	For corner lots, at least one street frontage shall meet the front yard requirements above. For the second front yard, the property owner/applicant may apply the following standards: 8 feet minimum for a side yard facing a street. 18 feet from the nearest edge of the public sidewalk to front of garage entrance. The front lot line shall be used if a sidewalk will not be present prior to occupancy permit.
Side yard—interior	0 feet or a minimum of 3 feet. In all cases, 0-foot setback buildings shall either: (1) be attached at the property line; or (2) have a minimum separation of 6 feet.
Rear yard	10 feet minimum for residential building. 0 feet for a detached accessory dwelling unit or building less than or equal to 18 feet in height. 0-6 feet or ≥ 18 feet to a garage entrance to an alley.
Building height	
Single-family, duplex, multi-family and accessory dwellings that are within or attached to the primary dwelling	35 feet
Accessory structures and detached accessory dwellings	25 feet
Density standards	
Maximum	12 units per gross acre (Chapter 16.146)
Minimum	80% of the allowed maximum

* In addition, setbacks for each type of structure must comply with the current Oregon Building Code.

(Ord. O-02-4 § 2 (part), 2002; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.94.050 - Design requirements.

In addition to the dimensional requirements in Section 16.94.040, the following design requirements shall apply:

Design Requirements Table	
Main entrance	
Location	Within 8 feet of the longest front building wall (see Figure 1). The

	applicant/owner may select which street frontage to use for a corner lot.
Orientation	Face the street at an angle that does not exceed 45 degrees; or Open onto a porch, which has: <ul style="list-style-type: none"> • A minimum of 25 square feet with a minimum dimension of 4 feet; • At least one entrance facing the street; and • A roof that covers at least 30 percent of the porch area (see Figure 2).
Front windows - First floor of all dwellings	
Minimum glazing area	20 sq. ft. for each building wall facing a street. Windows in entry or garage doors shall not be included to meet this standard.
Maximum window sill height	4 ft. above finished first floor elevation for the window(s) necessary to meet the 20 sq. ft. minimum glazing area standard. No sill height standard for all other windows.
Garage door frontage - Maximum percentage of the building width allowed for the garage door	
Single-family detached units	50% when the garage setback is the same or less than the front building wall. The garage door setback shall be no more than 6 feet less than the front building wall setback. 60% when the garage setback is at least 2 feet behind the front building wall or front porch. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Single-family attached, duplex and multi-family units	30% when the garage setback is less than the front building wall or front porch. 60% when the garage setback is equal to or greater than the front building wall. 70% when the garage setback is at least 4 feet behind the front building wall or front porch.
Minimum garage door width	Notwithstanding the above requirements for garage door widths, a residence shall be permitted to have one garage door that is up to 10 feet wide.
Attached units	
Maximum number of attached single or multi-family units	12 units.
Required outdoor area	
Single-family detached units	Minimum contiguous rear or side yard outdoor area of 300 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence or a detached accessory dwelling unit is located in the rear yard.
Duplex, single-family attached, detached single-family units, or detached accessory dwelling units with one 0-foot setback	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided on each lot, of which no dimension shall be less than 10 feet. This standard is not required when the garage for the residence or a detached accessory dwelling unit is located in the rear yard.
Multi-family units	Minimum contiguous rear or side yard outdoor area of 200 square feet shall be provided for each unit on the lot, of which no dimension shall be less than 15 feet.
Common outdoor area alternative	In lieu of meeting the outdoor area requirements for each lot, a common outdoor area may be provided for the development. This common

outdoor area shall have a minimum contiguous area of 400 square feet per unit in the development with a minimum size of 4,000 square feet, of which no dimension shall be less than 40 feet.

Figure 1

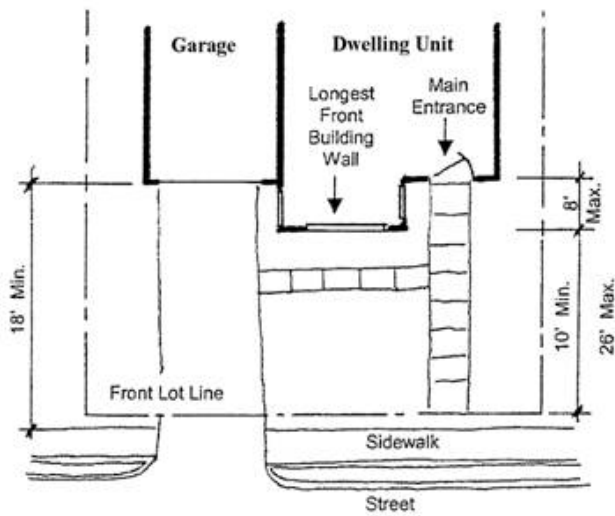
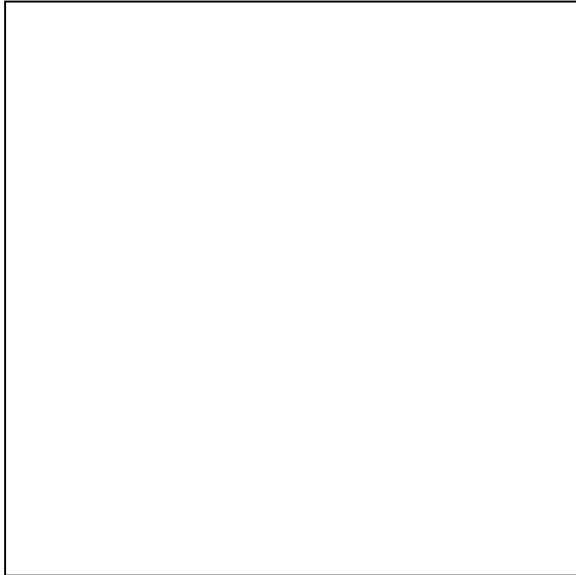
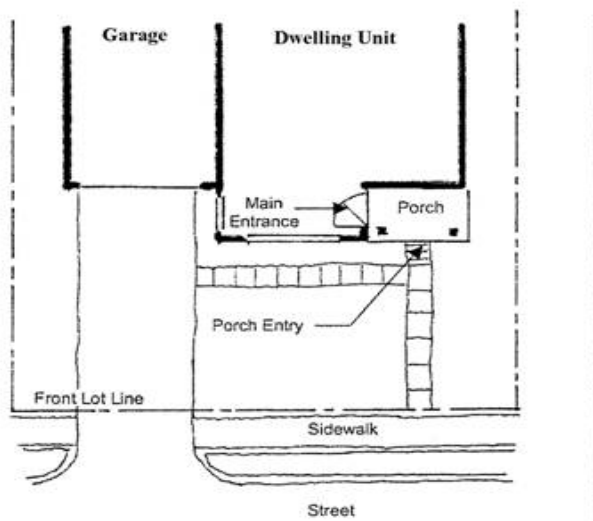
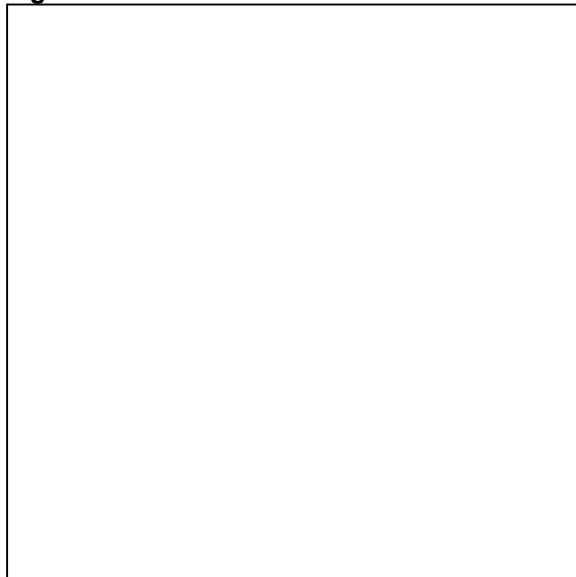


Figure 2



(Ord. O-02-4 § 2 (part), 2002; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

Chapter 16.96 - MULTI-FAMILY RESIDENTIAL ZONE (R-15)

Amendments to this section

Relocate all Single Use Residential zone Purpose Statements to 16.84.010. See page 3.

16.96.010 — Purpose.

~~The purpose of the R-15 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote moderate density residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-15 in Washington County.~~

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.96.020 - Permitted uses.

Amendments to this section

Delete reference to Housing Types in the permitted use list

A permitted use is a use, which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- ~~A. Dwelling, single family detached;~~
- ~~B. Dwelling, single family attached;~~
- ~~C. Dwelling, multi-family;~~
- ~~D. Manufactured home on an individual lot;~~
- ~~E. Duplex residential units;~~
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care); and
- I. Residential facility;
- J. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.96.030 - Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-15 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities; and
- G. Day care group home (family care).

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.96.040 - Dimensional and density requirements.

Amendments to this section

Relocate Dimensional and density requirements to the new 16.84.030 Table

~~The dimensional requirements in the R-15 district are:~~

- A. ~~The minimum lot area shall be:~~
1. ~~Twenty thousand square feet for multi-family development;~~
 2. ~~Five thousand square feet for single-family dwellings and manufactured homes on individual lots;~~
 3. ~~Ten thousand square feet for a duplex;~~
 4. ~~Five thousand square feet for a park.~~
- B. ~~The minimum yards required shall be:~~
1. ~~Front yard:~~
 - a. ~~Multi-family—Twenty feet;~~
 - b. ~~Single-family, manufactured home, duplex—Fifteen feet;~~
 2. ~~Side yard:~~
 - a. ~~Multi-family—Twenty feet;~~
 - b. ~~Single-family, manufactured home, duplex—Five feet.~~
 3. ~~Rear yard for all buildings—Twenty feet;~~
 4. ~~Garage vehicle entrance setback of fifteen feet;~~
 5. ~~Where the side yard or rear yard of single-family attached or multiple-family dwellings abut a more restrictive zoning district, such setbacks shall not be less than thirty feet.~~
 - C. ~~Residential structures shall not exceed thirty feet in height, and accessory dwelling units shall not exceed twenty-five feet in height;~~
 - D. ~~The maximum height and size and minimum setbacks for accessory structures shall comply with the provisions of Chapter 16.176;~~
 - E. ~~The maximum coverage of buildings and impervious surfaces shall not exceed seventy-five percent of the total lot area; and~~
 - F. ~~Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter.~~

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

([Ord. No. O-2020-01](#) , § 1(Exh. A), 8-19-2020)

Chapter 16.100 - MULTI-FAMILY RESIDENTIAL ZONE (R-24)

Amendments to this section

Relocate all Single Use Residential zone Purpose Statements to 16.84.010. See page 3.

16.100.010 – Purpose.

~~The purpose of the R-24 zone is to provide land for housing opportunities for individual households. The zone implements the comprehensive plan policies and regulations that are intended to create, maintain and promote high-density residential neighborhoods. This land use designation is intended to generally apply to annexed properties that were designated as R-24 in Washington County.~~

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

16.100.020 - Permitted uses.

Amendments to this section

Delete reference to Housing Types in the permitted use list

A permitted use is a use which is allowed outright, but is subject to all applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Permitted uses in the AT zone are:

- ~~A. Dwelling, single family detached;~~
- ~~B. Dwelling, single family attached;~~
- ~~C. Multi family residential dwellings;~~
- ~~D. Manufactured home on an individual lot;~~
- ~~E. Duplex residential units;~~
- F. Residential home;
- G. Manufactured/mobile home parks and subdivisions;
- H. Family day care (family care);
- I. Residential facility; and
- J. Dwelling, accessory.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.100.030 - Conditional uses.

A conditional use is a use which is subject to a discretionary decision by the planning commission. The approval criteria are set forth in Chapter 16.156. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 16.82. Conditional uses in the R-24 district are:

- A. Schools;
- B. Utilities;
- C. Community services;
- D. Parks and open space;
- E. Religious assembly;
- F. Public safety facilities;
- G. Day care group home and adult day care (family care); and
- H. Recreational vehicle parks.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-99-6 § 1 (part), 1999: Ord. 96-4 § 1 (part), 1996)

16.100.040 - Dimensional and density requirements.

Amendments to this section

Relocate Dimensional and density requirements to the new 16.84.030 Table

~~The dimensional requirements in the R-24 district are:~~

- ~~A. The minimum lot area shall be:~~
 - ~~1. Twenty thousand square feet for multi-family development;~~
 - ~~2. Five thousand square feet for single family dwellings and manufactured homes on individual lots;~~
 - ~~3. Ten thousand square feet for a duplex;~~
 - ~~4. Five thousand square feet for a park.~~

- ~~B. The minimum yards required shall be:~~
- ~~1. Front yard:~~
 - ~~a. Multi family Twenty feet;~~
 - ~~b. Single family, manufactured home, duplex Fifteen feet;~~
 - ~~2. Side yard:~~
 - ~~a. Multi family Twenty feet;~~
 - ~~b. Single family, manufactured home, duplex Five feet;~~
 - ~~3. Rear yard for all buildings Twenty feet;~~
 - ~~4. Garage vehicle entrance setback of fifteen feet;~~
 - ~~5. Where the side yard or rear yard of attached, multiple family, single family dwelling, or manufactured home on an individual lot abut a more restrictive zoning district, such setbacks shall not be less than thirty feet.~~
- ~~C. The maximum building heights shall be:~~
- ~~1. Thirty feet for single family dwellings;~~
 - ~~2. Forty feet for multi family dwellings.~~
- ~~D. Accessory structures and detached accessory dwellings shall comply with the provisions of Chapters 16.176 and 16.178;~~
- ~~E. The maximum coverage of buildings and impervious surfaces shall not exceed seventy five percent of the total lot area; and~~
- ~~F. Residential development shall be no less than eighty percent of the maximum density allowed by the requirements of this chapter.~~

(Ord. O-99-6 § 1 (part), 1999; Ord. 96-4 § 1 (part), 1996)

([Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

The following sections are not amended and have been removed to aid readability

Chapter 16.120 - MANUFACTURED/MOBILE HOME REGULATIONS

Chapter 16.132 - PARKING AND LOADING

16.132.010 - Purpose.

The purpose of these regulations is to establish parking areas having adequate capacity and which are appropriately located and designed to accommodate the majority of traffic generated by the range of uses which may locate on a site over time. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis.

(Ord. 96-4 § 1 (part), 1996)

16.132.020 - General provisions.

- A. Applicability. The provisions of this chapter shall apply to all development regulated by this title and to any change of use or expansion which increases the on-site parking or loading requirements.
- B. Landscaping. All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Chapter 16.124.
- C. Availability. Required parking spaces must be available for the use of residents, customers or employees of the use. Required parking spaces may not be assigned in any way to a use on another

site, except for shared parking situations. Required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

- D. Location. Required parking spaces for residential uses must be located on the site of the use. Required parking spaces for nonresidential uses and residential uses in the LC Zone must be located on the site of the use or in parking areas whose closest point is within three hundred feet of the site.
- E. Shared Parking. Shared parking between two or more uses is permitted when all the following criteria are satisfied:
 - 1. The hours of operation of the uses do not overlap;
 - 2. Satisfactory legal evidence is presented to the city manager in the form of deeds, leases or contracts to establish the shared use;
 - 3. The other standards of this title can be met; and
 - 4. If a joint use arrangement is subsequently terminated, the requirements of this title shall then apply separately to each use.
- F. Change in Use.
 - 1. When an existing structure is changed in use from one use to another use as listed in Section 16.132.030, and the parking requirements for each use are the same, no additional parking shall be required.
 - 2. Where a change in use results in an intensification of use in terms of the number of parking spaces required, additional parking spaces shall be provided in an amount equal to the difference between the number of spaces required for the existing use and the number of spaces required for the new, more intensive use.
- G. D.E.Q. Permit. All parking areas which are designed to contain two hundred fifty or more parking spaces or to contain two or more levels, shall obtain a Department of Environmental Quality (D.E.Q.) indirect source construction permit and shall install oil and grease separators.
- H. Calculation of Required Parking.
 - 1. Where building square footage is specified, the area measured shall be the gross floor area within the exterior walls of the structure, excluding interior space devoted to off-street parking or loading.
 - 2. Where several uses occupy a single structure or parcel of land or a combination of uses are included in one business, the total off-street parking spaces and loading area shall be the sum of the separately computed requirements for each use, unless shared parking is approved as provided in Section 16.132.020.E.
 - 3. When a building is planned or constructed in such a manner that a variety of uses is possible and a choice of parking requirements could be made, the use(s) which requires the greater number of parking spaces shall govern.

Description of specific amendments to a section
Amend parking space marking requirements to they do not apply to middle housing.

- I. Parking Space Markings.
 - 1. ***Except for single-family, two-family, three-family, four-family, or Cottage Cluster residences,*** ~~Except for single-family and two-family residences,~~ any parking spaces that are intended to be used to meet the off-street parking requirements contained in this chapter shall have all parking spaces clearly marked using a permanent paint; and
 - 2. All interior drives and access aisles shall be clearly marked and signed to show direction of flow and maintain vehicular and pedestrian safety.

- J. Employee Parking. Employee parking shall be designated for commercial developments. The employee spaces should be located in a manner that provides preferential treatment to business patrons.
- K. Short Term Parking Spaces. When deemed appropriate by the approval authority, short-term parking spaces shall be provided that enhance convenience and accessibility of the business for patrons. Said spaces shall be identified with signs and time limits.

(Ord. 96-4 § 1 (part), 1996; Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015)

16.132.030 - Minimum off-street parking requirements.

Minimum Off-Street Parking Requirements		
Use Categories	Specific Uses	Minimum Required Parking
A. Residential Categories:		
1. Single-Family	• Single-Family Attached/Detached	1 space per unit (accessory dwellings shall comply with 16.178.050)
	• Manufactured Home	
	• Mobile Home	
	• Duplex	
	• Residential Care	
2. Multi-Family/Group Living ¹	• Multi-Family Studio/1 Bedroom	1 space per unit
	• Multi-Family	1 space per unit
	• 2 or more Bedrooms	

¹ For triplexes and quadplexes on lots less than 3,000 square feet – 1 space total; and on lots greater than or equal to 3,000 square feet and less than 5,000 square feet – 2 spaces total.

For triplexes on lots equal to or greater than 5,000 square feet – 1 space per unit.

For quadplexes on lots greater than or equal to 5,000 square feet and less than 7,000 square feet – 3 spaces total.

For quadplexes on lots equal to or greater than 7,000 square feet – 1 space per unit.

The following sections are not amended and have been removed to aid readability

16.132.040 - Parking dimensional standards.

16.136.030 - Access standards—Residential

Description of specific amendments to a section

Amend applicability to include detached dwellings on a single lot.

Consider amending this section to right-size pavement width for access/egress for middle housing up to six units.

- A. Vehicular access and egress for ~~single-family~~, duplex, **detached** or attached single-family dwelling units on individual lots shall not be less than the following:

Number Dwelling Unit/Lots*	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement Width
----------------------------	-----------------------------	------------------------------------	------------------------

1	1	15 ft.	10 ft.
2	2 or 1	15 ft. 25 ft.	10 ft. 20 ft.
3—6	1	30 ft.	24 ft.
			With curbs on both sides and walkway on one side.

* Excludes accessory dwelling units.

B. Vehicular access and egress for multiple-family residential uses shall not be less than the following:

Dwelling Units*	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement, Sidewalks, etc.
1—2	1	10 ft.	10 ft.
3—99	1 or one-way	30 ft. 20 ft.	24 ft. if two-way 15 ft. if one-way Curbs on both sides and 5' walkway on one side.
100+	2 (additional access may be required by Tualatin Valley Fire and Rescue)	30 ft.	24 ft. Curbs on both sides and 5' walkway on both sides.

* Excludes accessory dwelling units.

- C. A public street right-of-way and improvement shall be required when more than six separate lots are served by a street or access drive.
- D. Private residential access drives shall be provided and maintained in accordance with the applicable provisions of the uniform fire code.
- E. Access drives in excess of one hundred fifty feet in length shall be provided with approved provisions for the turning around of fire apparatus by one of the following:
1. A level, circular, paved surface having a minimum turn radius measured from center point to outside edge of forty-five feet.
 2. A level, hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of forty feet and a minimum width of twenty feet.

(Ord. 96-4 § 1 (part), 1996; Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.136.040 - Access standards—Non-residential.

A. Vehicle access, egress and circulation for nonresidential use shall not be less than the following:

Required Parking Spaces	Minimum Number of Driveways	Minimum Property or Easement Width	Minimum Pavement
0—99	1	30 ft.	24 ft. Curbs on both sides and 5' walkway on both sides.
100+	2	30 ft.	24 ft. Curbs on both sides and 5' walkway on both sides.
or			
	1	50 ft.	40 ft. Curbs on both sides and 5' walkway on one side.

(Ord. 96-4 § 1 (part), 1996; Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015)

16.136.050 - Design standards.

A. Access Drives.

1. Access drives from the street to off-street parking or loading areas shall be designed and constructed to facilitate the flow of traffic and provide maximum safety for pedestrian and vehicular traffic on the site.
2. Parking spaces on major access driveways shall be designed to reduce or eliminate backing movements and other conflicts with the driveway traffic and pedestrian routes and crosswalks.
3. In order to slow traffic speeds on access drives, speed bumps, speed limit signs and similar techniques may be required by the approval authority to enhance safety for pedestrians, bicyclists and motorists on the site.
4. In order to improve traffic flow, the approval authority may require directional signs on the site to guide pedestrians, bicyclists or motorists.

B. One-Way Vehicular Access.

1. Where a proposed parking facility is served by one-way traffic flow on the site, it shall be accommodated by a driveway system approved by the city, and the entrance drive shall be situated closest to oncoming traffic and the exit drive shall be situated farthest from oncoming traffic.
2. The direction of traffic flow shall be clearly marked for motorists on the property and the adjoining public street.

C. On-Site Bicycle and Pedestrian Circulation.

1. Walkways and driveways shall provide a direct connection to existing and planned walkways and driveways on adjacent developments.
2. Sidewalks and walkways must connect the pedestrian circulation system to other areas of the site such as buildings, vehicle and bicycle parking, children's play areas, required outdoor areas and any pedestrian amenities, such as open space, plazas resting areas and viewpoints. The pedestrian system must connect the site to adjacent streets and nearby transit stops.

3. Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrances.
4. Pedestrian and bicycle connections shall be direct and circuitous routes shall be avoided.
5. Where pedestrian or bicycle routes cross driveways, parking area or loading areas, the connection must be clearly identifiable through the use of striping, elevation changes, speed bumps, a different paving material or other similar method.
6. Where pedestrian or bicycle routes are parallel and adjacent to an auto travel lane, the connection must be safely separated from the auto travel lane through the use of raised path, a raised curb, bollards, landscaping or other physical barrier.

(Ord. 96-4 § 1 (part), 1996; Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015)

16.136.060 - Reservoir areas required for drive-in use.

- A. All uses providing drive-in services as defined by this title shall provide on the same site a reservoir for inbound vehicles as follows:

Use	Reservoir Requirement
Drive-in banks	5 spaces/service terminal
Drive-in restaurants	10 spaces/service window
Gasoline service stations	3 spaces/pump
Mechanical car washes	3 spaces/washing unit
Parking facilities:	
Free Flow entry	1 space/entry driveway
Ticket dispense entry	2 spaces/entry driveway
Manual ticket dispensing	8 spaces/entry driveway
Attendant parking	10% of that portion of parking capacity served by the driveway

- B. A parking reservoir space shall be eighteen feet in length and eight feet in width.

(Ord. 96-4 § 1 (part), 1996)

16.136.070 - Access restrictions.

- A. Excluding single-family and duplex residences, groups of more than two parking spaces and all loading areas shall be served by a service drive so that no backing movements or other maneuvering within a street or other public right-of-way is required.
- B. In order to provide for increased traffic movement on congested streets and eliminate turning movement problems, the city may restrict the location of driveways on the street and require the location of driveways to be placed on adjacent streets when all of the following criteria apply:
1. The driveway would cause or increase existing hazardous traffic conditions;
 2. The driveway would not provide adequate access for emergency vehicles;
 3. The alternative driveway location would provide a safer method of access and egress to the site; and

4. The alternative driveway location would not create an adverse traffic impact for properties in the immediate vicinity of the site.

(Ord. 96-4 § 1 (part), 1996)

16.136.080 - Surfacing requirements.

All driveways shall be paved and designed in a manner approved by the city manager.

(Ord. 96-4 § 1 (part), 1996)

Chapter 16.146 - RESIDENTIAL DENSITY CALCULATION

16.146.010 - Purpose.

The purpose of this chapter is to describe how density shall be calculated for residential development proposals.

(Ord. O-02-4 § 2 (part), 2004)

16.146.020 - Applicability of provisions.

The density calculations in this chapter shall apply to any development that has residential units as part of the proposed development with the exception of residential facilities and residential homes where the units for residents do not include individual kitchen and/or bathroom facilities and accessory dwelling units.

(Ord. O-02-4 § 2 (part), 2004; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.146.030 - Density calculation.

Description of specific amendments to a section
Clarify that density maximums do not apply to duplexes, quadplexes, triplexes, or cottage clusters; clarify that townhouses have a maximum density of 25 dwelling units per acre; clarify that cottage clusters have minimum density requirement of 4 dwelling units per acre and are exempt from density maximums.

- A. To determine the maximum or minimum number of units, which may be constructed on a site for residential uses, the site size (in acres) shall be multiplied by the maximum or minimum number of units per acre allowed on the site, as designated by the applicable zone district, except as specified otherwise in this chapter. ***Density maximums may not apply to duplexes, quadplexes, triplexes, or cottage clusters.***

EXAMPLE

Acres × units per acre = number of units allowed

$$1.6 \times 5 = 8.0 \text{ or } 8 \text{ units}$$

- B. Site size shall include the area of the subject lot(s) or parcel(s), in acres or portions thereof, except for:
 1. All areas dedicated for public right-of-way that exist at the time the development application is submitted for review;

2. Proposed lots with a maximum size of twenty thousand square feet to include existing residences on the subject lot(s) or parcel(s) to be developed; and
 3. Proposed remnant parcels, which are of sufficient size to be developed or divided in the future.
- C. No portion of the allowable density shall be transferred from one land use designation to another land use designation, except as permitted in accordance with the planned development provisions of Chapter 16.150.
 - D. Land outside of the urban growth boundary (UGB) shall be ineligible for density transfer and shall not be considered in any density calculations.
 - E. The number of units, which may be constructed on the subject lot(s) or parcel(s) shall be subject to the limitations of the applicable provisions of this title.
 - F. When the maximum or minimum number of units allowed on a site results in a fraction of one-half or more, the number of units allowed shall be the next highest whole number, provided all minimum zone district requirements other than density can be met.
 - G. Land that is dedicated to a park and recreation provider as public park land may be used to calculate the minimum or maximum density, provided the land is developed for recreational uses, and is not comprised of flood plain, drainage hazard, wetland or slopes over twenty percent.
 - H. Land used for a private park, that is available to the general public outside of the residential development the park is located in, may be excluded from the acreage used to calculate the minimum density, provided the park is developed for recreational uses and does not include flood plain, drainage hazard, wetland, or slopes over twenty percent.
 - I. For categories of land listed in Section 16.146.040, the applicant may either include it or exclude it from the acreage used to calculate the minimum or maximum density.

(Ord. O-02-4 § 2 (part), 2004)

16.146.040 - Density transfers for unbuildable lands.

- A. Transfer of density from one area of land to another shall be permitted for any unbuildable portion of a lot or parcel when a portion of the subject lot or parcel is within the UGB and within one of the following areas:
 1. Floodplain;
 2. Drainage hazard;
 3. Jurisdictional wetland;
 4. Slopes over twenty percent;
 5. Power line easement or right-of-way;
 6. Future right-of-way for transitway, designated arterials, collectors and neighborhood collectors;
 7. Water quality sensitive areas designated for permanent protection; or
 8. Vegetated corridors designated for permanent protection.
- B. Density may be transferred within the UGB only as follows:
 1. Within a single lot or parcel within the same land use designation; or
 2. To an adjoining lot or parcel that is a subject of the development application provided it is also within the same land use designation as the other lot or parcel.
- C. Density Transfer Calculations. The number of units, which may be transferred, shall be calculated as follows:
 1. Determine the total density for the subject lot(s) or parcel(s);

2. Determine the total number of units in the buildable portion and the unbuildable portion of the total site;
 3. Transfer the density of the unbuildable portion of the site to the buildable portion of the site, provided that the transferred density does not more than double the density allowed on the buildable portion of the site.
- D. For the purpose of this chapter, buildable shall mean all portions of the subject lot(s) or parcel(s) not included within a category listed in subsection A of this section, and unbuildable shall mean all portions of the lot(s) or parcel(s) included in one of these categories.

(Ord. O-02-4 § 2 (part), 2004)

Article V. - Development Review

Chapter 16.152 - SITE PLAN REVIEW

16.152.010 - Purpose.

- A. The purpose of the site plan review provisions is to establish process and standards for the review of development proposals to assist in conserving and enhancing the appearance of the city and to assist in promoting functional, safe and innovative site development.
- B. It is in the public interest that this chapter be applied to:
 1. Eliminate undue burdens on public facilities; and
 2. Assure that scale, layout and design are compatible with the surrounding environment and the character of the surrounding neighborhood or area.
- C. The intent is to assure that:
 1. There is compatibility between adjoining uses;
 2. Privacy is maximized;
 3. Private and common outdoor space is provided;
 4. Vehicular, pedestrian, and bicycle access and circulation is safe and convenient;
 5. Parking areas are made attractive and safe;
 6. The site is well drained;
 7. The needs of the handicapped are met;
 8. Adequate landscaping is provided to assure visual quality; and
 9. Crime prevention and public safety factors are considered.

(Ord. 96-4 § 1 (part), 1996)

16.152.020 - Applicability of provisions.

Description of specific amendments

Amend to remove site plan review requirements for duplexes, triplexes, quadplexes, and cottage cluster residential structures.

Site plan review shall be applicable to all new developments and major modifications of existing developments, except it shall not apply to:

- A. Single-family detached **or attached** dwellings; **duplexes, quadplexes, triplexes, or cottage clusters**

~~B. A duplex, not being reviewed as part of any other development; or~~

~~C.B.~~ Proposed minor modification of an existing development which does not cause or create:

1. An increase in dwelling unit density or increase in lot coverage for residential development, ***unless the increase in dwelling unit density is due to conversion of an existing dwelling or the addition of dwelling units to accommodate duplexes, quadplexes, triplexes, or cottage cluster;***
2. A change in the ratio or number of different types of dwelling units, ***unless the change in ratio or number of different types of dwelling units is due to conversion of an existing dwelling or the addition of dwelling units to accommodate duplexes, quadplexes, triplexes, or cottage cluster;***
3. A need for additional on-site parking in accordance with this title;
4. An increase in the height of the building(s) by more than twenty percent, ***unless the increase in height is due to conversion of an existing dwelling or the addition of dwelling units to accommodate duplexes, quadplexes, triplexes, or cottage cluster; this provision applies only to non-residential buildings***
5. A change in the type and location of accessways and parking areas where off-site traffic would be affected;
6. An increase in vehicular traffic to and from the site of more than twenty vehicles per day as determined by using the International Transportation Engineer's (ITE) Manual or a professional traffic engineer;
7. An increase in the floor area of nonresidential uses by more than ten percent, excluding expansions under five thousand square feet;
8. A reduction in project amenities below the minimum established by this title or by more than ten percent where specified in the approved site plan including:
 - a. Recreational facilities,
 - b. Screening and buffer areas, and/or
 - c. Landscaping and open space; and
9. A modification of the conditions imposed at the time of site plan review approval which are not the subject of subsection (C)(1) through (C)(8) of this section.
- D. Alterations which cause or create one or more of the impacts listed in subsection (C) of this section shall be considered as a major modification.
- E. Alterations that do not cause or create any of the impacts listed in subsection (C) of this section shall be subject to the administrative review process.

(Ord. 96-4 § 1 (part), 1996)

(Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015)

16.152.030 - Administration.

- A. Site plan review applications and major modifications to existing development shall be administered and reviewed as a planning commission review in accordance with Article II of this title.
- B. Minor modifications, as described in Section 16.152.020(C), shall be administered and reviewed as a city manager decision in accordance with Article II of this title.
- C. Permits to construct a single-family residence or duplex shall be administered and reviewed as an administrative decision in accordance with Article II of this title.

(Ord. 96-4 § 1 (part), 1996)

16.152.040 - Submittal requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit each of the following:
 - 1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards, and:
 - a. The site plans and required drawings shall be drawn on sheets preferably not exceeding eighteen inches by twenty-four inches;
 - b. The scale for site plan shall be an engineering scale; and
 - c. All drawings of structure elevations or floor plans shall be a standard architectural scale, being one-fourth inch or one-eighth inch.
 - 2. The site plan, data and narrative shall include the following:
 - a. An existing site conditions analysis as described in Section 16.152.050;
 - b. A site plan, as detailed in Section 16.152.060;
 - c. A grading plan as detailed in Section 16.152.070;
 - d. Architectural elevations of all structures as detailed in Section 16.152.080;
 - e. A landscape plan as detailed in Section 16.152.090;
 - f. A sign plan as detailed in Section 16.152.100; and
 - g. A copy of all existing and proposed restrictions or covenants.
- B. The manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.
- C. The manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

(Ord. 96-4 § 1 (part), 1996)

16.152.050 - Site conditions.

The site analysis drawings shall include:

- A. A vicinity map showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations;
- B. The site size and its dimensions;
- C. Contour lines at two-foot contour intervals for grades zero to ten percent and five-foot intervals for grades over ten percent;
- D. The location of drainage patterns and drainage courses;
- E. The location of natural hazard areas including:
 - 1. The one hundred-year floodplain;
 - 2. Slopes in excess of twenty-five percent;
 - 3. Unstable ground (areas subject to slumping, earth slides or movement);
 - 4. Areas having a high seasonal water table within zero to twenty-four inches of the surface for two weeks or more of the year;
 - 5. Areas having a severe soil erosion potential;
 - 6. Areas having severe weak foundation soils;
- F. The location of resource areas including those shown on the comprehensive plan inventory data:
 - 1. Wildlife habitats; and
 - 2. Wetlands;
- G. The location of resource areas including those shown on the comprehensive plan inventory data:
 - 1. Rock outcroppings;
 - 2. Trees with six inches diameter or greater measured four feet from ground level;
 - 3. Streams and drainageways; and
- H. The location of existing structures on the site and proposed use of those structures; and

- I. The locations and types of noise sources on the site or on adjoining property such as traffic ways, mechanical equipment or noise producing land uses if requested by the city manager. See Section 8.04.130 for noise provisions.

(Ord. 96-4 § 1 (part), 1996)

16.152.060 - Site plan.

The proposed site plan shall be at the same scale as the site analysis and shall include the following information:

- A. The proposed site and surrounding properties;
- B. Contour line intervals as required by Section 16.152.050(C);
- C. The location, dimensions and names of all:
 1. Existing and platted streets and other public ways and easements on the site and on adjoining properties, and
 2. Proposed streets or other public ways and easements on the site;
- D. The location and dimensions of:
 1. Entrances and exits on the site,
 2. Parking and circulation areas,
 3. Loading and service areas,
 4. Pedestrian and bicycle circulation,
 5. Outdoor common areas, and
 6. Above ground utilities;
- E. The location, dimensions and setback distances of all:
 1. Existing structures, improvements and utilities on the site or which are located on adjacent property within twenty-five feet of the site and are permanent in nature, and
 2. Proposed structures, improvements and utilities on the site;
- F. The location of all areas to be landscaped;
- G. The location and type of outdoor lighting, considering crime prevention techniques;
- H. The location of mailboxes;
- I. The location of proposed utility lines;
- J. The location of all structures and their orientation; and
- K. The size and location of mixed solid waste and recyclables storage areas.

(Ord. 96-4 § 1 (part), 1996)

16.152.070 - Grading plan.

The site plan shall include a grading plan at the same scale as the site analysis drawings and shall contain the following information:

- A. Requirements in Sections 16.152.050 and 16.152.060;
- B. The location and extent to which grading will take place indicating general contour lines, slope ratios and slope stabilization proposals;
- C. A statement from a registered engineer supported by factual data substantiating:
 1. The validity of the slope stabilization proposals;
 2. That any increase in intensity of the runoff caused by development must be facilitated on the site and the intensity of runoff leaving the site in its developed state shall not exceed that in its undeveloped state. The statement shall include as a minimum a storm frequency of occurrence of

ten years or greater, depending upon evaluation of potential for damage when a storm of higher frequency occurs;

3. When on-site detention of an increased volume of water caused by development is not feasible or acceptable, a plan which identifies and which mitigates any off-site adverse effects resulting from increased runoff shall be prepared by a registered civil engineer; and
4. Compliance with clean water services requirements for erosion control during construction.

(Ord. O-02-4 § 2 (part), 2002; Ord. 96-4 § 1 (part), 1996)

16.152.080 - Architectural drawings.

The application shall include:

- A. Floor plans indicating the square footage of all structures proposed for use on-site; and
- B. Typical elevation and section drawings of each structure.

(Ord. 96-4 § 1 (part), 1996)

16.152.090 - Landscape plans.

- A. The landscape plan shall be drawn at the same scale as the site analysis plan, or a larger scale if necessary, and shall indicate:
 1. Location of underground irrigation system sprinkler heads where applicable;
 2. Location and height of fences, buffers and screening;
 3. Location of terraces, decks, shelters, play areas and common open spaces; and
 4. Location, type, size and species of existing and proposed plant materials.
- B. The landscape plan shall include a narrative which addresses:
 1. Soil conditions;
 2. Erosion control measures that will be used; and
 3. A plan for soil treatment such as stockpiling the top soil.

(Ord. 96-4 § 1 (part), 1996)

16.152.100 - Sign plan.

- A. Sign drawings shall be submitted in accordance with Chapter 16.148 of this title.
- B. Freestanding signs shall be described at the time of site plan review by identifying:
 1. Location of any freestanding signs shown on the site plan; and
 2. A drawing to scale submitted to the city manager showing the dimensions, height, color, material and means of illumination of the sign.

(Ord. 96-4 § 1 (part), 1996)

16.152.110 - Approval standards.

The planning commission shall approve, approve with conditions or deny an application based on findings of fact with respect to the approval standards of this section.

- A. Provisions of the following parts of this title:
 1. Accessory uses and structures—Chapter 16.176;

2. Additional yard and setback requirements—Section 16.80.060;
 3. Base zone requirements—Chapters 16.80 through 16.112;
 4. Building height exceptions—Section 16.80.070;
 5. Circulation and access—Chapter 16.136;
 6. Landscaping and screening—Chapter 16.124;
 7. Parking and loading—Chapter 16.132;
 8. Public facility and service requirements—Chapter 16.196;
 9. Flood plain and drainage hazard areas—Chapter 16.140;
 10. Signs—Chapter 16.148;
 11. Solar balance point standards—Chapter 16.116;
 12. Tree removal—Chapter 16.128;
 13. Vision clearance—Chapter 16.144; and
 14. Neighborhood circulation—Chapter 16.212.
 15. Manufactured/Mobile Home Regulations - Chapter 16.120;
 16. West King City Planning Area Goal 5 Safe Harbor - Chapter 16.142;
 17. Residential Density Calculation - Chapter 16.146;
 18. Planned Development - Chapter 16.150; and
 19. King City Plaza master plan - Section 16.104.060.
- B. Relationship of the Natural and Physical Environment.
1. Buildings shall be:
 - a. Located to preserve existing trees, topography and natural drainage to the degree possible;
 - b. Located in areas not subject to ground slumping or sliding;
 - c. Located to provide adequate distance between adjoining buildings on-site and off-site to provide for adequate light, air circulation and fire fighting; and
 - d. Oriented with consideration for sun and wind.
 2. Trees having a six-inch diameter or greater diameter, four feet from the base, shall be preserved or replaced by new plantings of equal character.
- C. Exterior Elevations.
1. Along the vertical face of single-family attached and multi-family structures, offsets shall occur at a minimum of every thirty feet by providing any two of the following:
 - a. Recesses (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet,
 - b. Extensions (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet, a maximum length of an overhang shall be twenty-five feet, or
 - c. Offsets or breaks in roof elevations of three or more feet in height.
- D. Buffering, Screening and Compatibility between Adjoining Uses.
1. Buffering shall be provided between different types of land uses (for example, between single-family and multi-family residential, and residential and commercial), and the following factors shall be considered the adequacy of the type and extent of the buffer (see Chapters 16.180 and 16.124 for specific provisions);
 - a. The purpose of the buffer, for example to decrease noise levels, absorb air pollution, filter dust, to provide a visual barrier,
 - b. The size of the buffer required to achieve purpose in terms of width and height,
 - c. The directions from which buffering is needed,
 - d. The required density of the buffering, and
 - e. Whether the viewer is stationary or mobile.

2. On-site screening from view from adjoining properties of such things as service areas, storage areas, parking lots and mechanical devices on rooftops (e.g., air cooling and heating systems) shall be provided and the following factors will be considered in determining the adequacy of the type and extent of the screening (see Chapters 16.180 and 16.124 for specific fence and screening provisions):
 - a. What needs to be screened,
 - b. The direction from which it is needed,
 - c. How dense the screen needs to be,
 - d. Whether the viewer is stationary or mobile, and
 - e. Whether the screening needs to be year round.

E. Privacy and Noise.

1. Structures which include residential dwelling units shall provide private outdoor areas, that are screened from adjoining units;
2. Structures shall be oriented in a manner which protects private spaces on adjoining properties from view and noise;
3. Residential units shall be located on the portion of the site having the lowest noise levels;
4. On-site uses which create noise, lights, or glare shall be buffered from adjoining residential uses (see subsection (D)(2) of this section for specific provisions); and
5. All uses and structures shall comply with the provisions of Title 8 of this code.

F. Private Outdoor Areas—Residential Uses.

1. In addition to the requirements of subsection (D)(2) of this section, each ground level residential living unit shall have an outdoor private area (patio, terrace, porch), and shall be at least forty-eight square feet in size with a minimum width dimension of four feet and: Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit;
2. Wherever possible, private outdoor open spaces should be oriented toward the sun; and
3. Private outdoor spaces shall be screened or designed to provide privacy for the users of the space.

G. Shared Outdoor Recreation Areas—Residential Uses.

1. In addition to the requirements of subsections (E) and (F) of this section, usable outdoor recreation space shall be provided in residential development for the shared or common use of all residents in the following amounts:
 - a. Studio size up to and including two-bedroom units, two hundred square feet per unit,
 - b. Three or more bedroom units, three hundred square feet per unit, and
 - c. For manufactured/mobile home parks, two hundred fifty square feet per dwelling with each shared outdoor recreation area having a minimum size of two thousand five hundred square feet.
2. The required recreation space may be provided using one or more of the following options:
 - a. It may be all outdoor space,
 - b. It may be part outdoor space and part indoor space, for example, an outdoor tennis court and indoor recreation room,
 - c. It may be all public or common space,
 - d. It may be part common space and part private, for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit, or
 - e. Where balconies are added to units, the balconies shall not be less than forty-eight square feet.
3. Shared outdoor recreation space shall be readily observable for reasons of crime prevention and safety;

4. Parks shall be conveniently located so as to provide direct public access and availability from a public street;
5. Parks shall be bordered by at least one public street for a sufficient distance to encourage public use and provide visual access.
- H. Where landform alteration and/or development are allowed within and adjacent to the one hundred-year floodplain, the city shall require the preservation of open space within the one hundred-year floodplain as provided in Chapter 16.140.
- I. Demarcation of Public, Semipublic and Private Spaces—Crime Prevention.
 1. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and
 2. These areas may be defined by:
 - a. A deck, patio, low wall, hedge or draping vine,
 - b. A trellis or arbor,
 - c. A change in the texture of the path material,
 - d. Signs, or
 - e. Landscaping;
- J. Crime Prevention and Safety.
 1. Windows shall be located so that areas vulnerable to crime can be surveyed by the occupants;
 2. Interior laundry and service areas shall be located in a way that they can be observed by others;
 3. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic;
 4. The exterior lighting levels shall be selected and the angles shall be oriented towards areas vulnerable to crime; and
 5. Light fixtures shall be provided in areas having heavy pedestrian or vehicular traffic and in potentially dangerous areas such as parking lots, stairs, ramps and abrupt grade changes. Fixtures shall be placed at a height so that light patterns overlap at a height of seven feet which is sufficient to illuminate a person.
- K. Parking and Circulation. In addition to the provisions of this title, the following shall apply to all uses:
 1. The parking area shall have less than a five percent grade, and shall be free of areas which pond water;
 2. Pedestrian walkways shall be provided in parking areas having fifteen or more spaces;
 3. The parking and circulation patterns shall be clear to minimize traffic hazards and congestion and to facilitate emergency vehicles; and
 4. If any parking is provided for the public or visitors, or both, the needs of the handicapped shall be considered and accommodated.
- L. Landscaping.
 1. All landscaping shall be designed in accordance with the requirements set forth in this title Article IV, Chapter 16.124.
 2. Residential Uses. In addition to the open space and recreation area requirements of subsections 16.152.110 (E) and (F) of this section, a minimum of twenty-five percent of the gross area including parking, loading and service areas shall be landscaped.
 3. Non-residential Uses. A minimum of fifteen percent of the gross site area shall be landscaped with landscaping located within parking areas.
 4. Parking, Loading or Service Areas.
 - a. A parking, loading or service area which abuts a street shall be set back from the right-of-way line by a landscaped strip at least five feet in width and the landscaped area shall comply with the provisions of Chapter 16.124.
 - b. A parking, loading or service area which abuts a property line shall be separated from the property line by a landscaped area that complies with the provisions of Chapter 16.124.

- M. Drainage. All drainage plans shall be designed in accordance with criteria within the city's public facilities plan.
- N. Manufactured/Mobile Home Park Standards. In addition to the other applicable standards of this title, a Manufactured/Mobile Home Park shall comply with all of the following criteria:
1. A minimum lot gross area of one acre;
 2. A minimum frontage of one hundred feet;
 3. A minimum depth of one hundred fifty feet;
 4. A front and rear yard setback of twenty-five feet;
 5. A side yard setback of ten feet, except on a corner lot abutting a street side yard shall be twenty-five feet;
 6. Evidence shall be provided that the park will be eligible for a certificate of sanitation required by state law;
 7. Each manufactured/mobile home shall be adequately serviced by public facilities such as, but not limited to, water supply, sewers, sidewalks, street lights and improved streets;
 8. Each unit shall be provided with full public utilities including but not limited to water, sewer, electrical connection and cable television;
 9. No mobile home, accessory building or other structure shall be closer than eight feet from another mobile home, accessory building or other structure;
 10. Each vehicular way in a mobile home park shall be named and marked with signs which are similar in appearance to those used to identify public streets; and a map of the named vehicular ways shall be provided to the fire district and the police department;
 11. If a mobile home space or permanent structure in the park is more than five hundred feet from a public fire hydrant, the park shall provide:
 - a. Water supply lines designed with fire hydrants which shall be provided within five hundred feet of such space or structure; and
 - b. Each hydrant within the park shall be located on a vehicular way and shall conform in design and capacity to city and water and fire district standards.
 12. There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the park;
 13. The manufactured/mobile home shall have a garage to be constructed of materials matching those of the manufactured/mobile home. The garage shall be in place on the property prior to occupancy of the manufactured/mobile home;
 14. Accessways or driveways shall be lighted in accordance with city standards;
 15. Primary access to the manufactured/mobile home park shall be from a public street;
 - a. Where necessary, additional street right-of-way shall be dedicated to the city to maintain adequate traffic circulation into and out of the park.
 - b. Private access driveways connecting units to a public street shall have a width of not less than thirty-six feet, of which not less than twenty-four feet shall be paved.
 - c. Driveways shall be designed to provide for all maneuvering and parking of units without encroaching on a public street.
- O. Mixed Solid Waste and Recyclable Storage.
1. Applicability. The mixed solid waste and source separated recyclables storage standards in this subsection shall apply to new multi-family residential buildings containing five or more units and non-residential construction that are subject to site plan or conditional use review.
 2. General Requirements.
 - a. The storage area requirement is based on the predominant use(s) of the building, (i.e., residential, office, retail, educational/institutional or other). If a building has more than one of the uses listed in subsection (O)(3) of this section and that use occupies twenty percent or less of the floor area of the building, the floor area occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one of the uses listed in subsection (O)(3) of this section and that use occupies more

than twenty percent of the floor area of the building, then the storage area requirement for the whole building shall be the sum of the requirement for the area of each use.

- b. Storage areas for multiple uses on a single site may be combined and shared.
 - c. The specific requirements are based on an assumed storage height of four feet for solid waste/recyclables. Vertical storage higher than four feet but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of forty-three percent of specific requirements). Where vertical or stacked storage is proposed, the site plan shall include drawings to illustrate the layout of the storage area and dimensions of containers.
3. Specific Requirements.
- a. Multi-unit residential buildings containing five to ten units shall provide a minimum storage area of fifty square feet. Buildings containing more than ten residential units shall provide an additional five square feet per unit for each unit above ten.
 - b. Non-residential buildings shall provide a minimum storage area of ten square feet, plus.
Office: four square feet/one thousand square feet of gross floor area (GFA);
Retail: ten square feet/one thousand square feet of GFA;
Educational and Institutional: four square feet/one thousand square feet of GFA;
Other: four square feet/one thousand square feet of GFA.
4. Location, Design and Access Standards for Storage Areas. The following location, design and access standards for storage areas shall be satisfied.
- a. Location Standards.
 - i. To encourage its use, the storage area for source separated recyclables shall be located with the storage area for residual mixed solid waste.
 - ii. Indoor and outdoor storage areas shall comply with uniform building and fire code requirements.
 - iii. Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.
 - iv. Exterior storage areas can be located within interior side yard or rear yard areas. Exterior storage areas shall not be located within a required front yard setback or in a yard adjacent to a public or private street.
 - v. Exterior storage areas shall be located in central and visible locations on a site to enhance security for users.
 - vi. Exterior storage areas can be located in a parking area, if the proposed use provides at least the minimum number of parking spaces required for the use after deducting the area used for storage and access. Storage areas shall be appropriately screened according to the provisions in subsection (O)(4)(b) of this section.
 - vii. The storage area shall be accessible for collection vehicles and located so that the storage area must not obstruct pedestrian or vehicle traffic movement on the site or on public streets adjacent to the site.
 - b. Design Standards.
 - i. The dimensions of the storage area shall accommodate containers consistent with current methods of local collection.
 - ii. Storage containers shall meet Uniform Fire code standards and be made and covered with waterproof materials or situated in a covered area.

- iii. Exterior storage areas shall be enclosed by a sight obscuring fence, wall or hedge at least six feet in height. Gate openings which allow access to users and haulers shall be provided. Gate openings for haulers shall be capable of being secured in a closed and open position.
 - iv. Storage area(s) and containers shall be clearly labeled to indicate the type of materials accepted.
- c. Access Standards.
 - i. Access to storage areas can be limited for security reasons. However, the storage area shall be accessible to users at convenient times of the day, and to collection service personnel on the day and approximate time they are scheduled to provide collection service.
 - ii. Storage areas shall be designed to be easily accessible to collection trucks and equipment, considering paving, grade and vehicle access. A minimum of ten feet horizontal clearance and eight feet of vertical clearance is required if the storage area is covered.
 - iii. Storage areas shall be accessible to collection vehicles without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius shall be provided to allow collection vehicles to safely exit the site in a forward motion.

(Ord. O-03-2 § 1 (part), 2003; Ord. O-02-4 § 2 (part), 2002; Ord. 96-4 § 1 (part), 1996)

(Ord. No. [O-2015-01](#), § 1(Exh. A), 3-18-2015)

16.152.120 - Exceptions to provisions.

The planning commission may grant an exception to the dimensional building setback or yard requirements of the applicable zone based on findings that the approval will result in the following:

- A. A reduction of a required setback which is not greater than fifteen percent;
- B. Promotion of a more efficient use of the site; and
- C. Preservation of unique site conditions or features such as wetlands, flood plains, steep slopes or mature trees.

(Ord. 96-4 § 1 (part), 1996)

16.152.130 - Agreement and security.

The developer and property owner shall, as a condition of approval, execute a development agreement for any public improvements required by site plan review. The agreement shall be on a form approved by the city attorney. The property owner may be required to file with the city a performance bond or other security as approved by the city attorney to assure full performance of the required improvements. The bond shall be for the estimated cost of the improvements plus ten percent. The bond shall remain in effect until the public improvements are accepted by the city. Landscaping shall be installed prior to issuance of an occupancy permit unless the city manager determines that a delay in planting is justified to promote the maintenance of the landscaping. In this case, security equal to the cost of landscaping, as determined by the city manager, must be filed with the city assuring installation of landscaping within six months after occupancy.

(Ord. 96-4 § 1 (part), 1996)

16.152.140 - Maintenance.

All on-site improvements shall be the ongoing responsibility of the property owner or occupant. Should landscaping materials die after installation, it shall be the ongoing responsibility of the property owner to provide replacement plantings to maintain the intent of the approved landscape plan. All other facilities, including parking areas, walks, signage and other improvements shall be maintained in good serviceable quality so that the quality appearance of the site is maintained at all times.

(Ord. 96-4 § 1 (part), 1996) The following sections are not amended and have been removed to aid readability

Chapter 16.156 - CONDITIONAL USES

Chapter 16.178 - ACCESSORY DWELLING UNITS

16.178.010 - Purpose.

Accessory dwelling units are allowed to:

- A. Create new housing units while respecting the character of single-family residential neighborhoods;
- B. Utilize existing housing stock and infrastructure more efficiently;
- C. Provide a mix of housing types that respond to changing household needs;
- D. Provide a means for residents, particularly seniors, single parents and other established residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and
- E. Provide a broader range of affordable housing options.

(Ord. O-03-2 § 1 (part), 2003; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020) 16.178.020 - Applicability of provisions.

The provisions of this chapter shall apply to all new accessory dwelling unit construction or floor area expansion of an existing accessory dwelling in the R-9, SF, AT, R-12, R-15, R-24, and NMU districts.

(Ord. O-03-2 § 1 (part), 2003; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.178.030 - Administration.

Applications for a new accessory dwelling unit or an alteration, extension or reconstruction of an existing accessory dwelling unit shall be administered and reviewed as an administrative review in accordance with Article II of this title.

(Ord. O-03-2 § 1 (part), 2003; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.178.040 - Submission requirements.

- A. In addition to the application form and information required in Section 16.44.030, the applicant shall submit the following:
 - 1. A site plan(s) and necessary data or narrative, which explains how the accessory dwelling unit conforms to the standards of this title;
 - 2. The application for a proposed accessory dwelling unit or the alteration, extension or reconstruction of an existing accessory dwelling unit shall include:
 - a. A site plan showing the location of all existing and proposed structures on the site and directly abutting the site, and their orientation:

- i. The location of existing and proposed utility lines and easements;
 - ii. The location of any streets abutting the site;
 - iii. The location of any accessway to the proposed accessory dwelling unit;
 - iv. The dimensions and square footage of the accessory accessory dwelling unit; and
 - v. A copy of all existing and proposed restrictions or covenants.
- b. The proposed architectural plans for the accessory accessory dwelling unit shall include:
 - i. At least the front and side elevations of any proposed structure; and
 - ii. If a building permit is required, all structural drawings and data required by the current Oregon Building Code shall be included.
- B. The city manager may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.
- C. The city manager may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

(Ord. O-03-2 § 1 (part), 2003; [Ord. No. O-2020-01](#), § 1(Exh. A), 8-19-2020)

16.178.050 - Approval standards.

Description of specific amendments

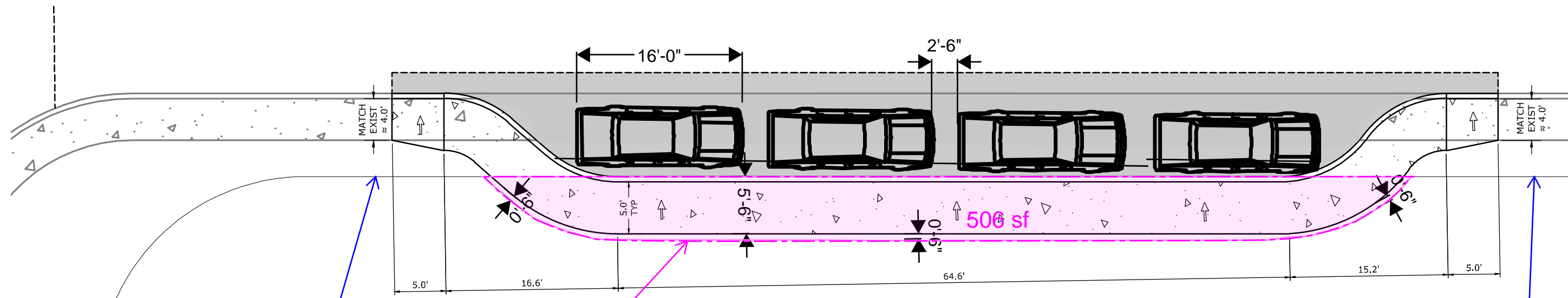
Minor amendment to refer to dwelling rather than single family dwelling, in order to be consistent with the general shift in terminology away from use of household type as a proxy for dwelling type.

- A. Creation. An accessory dwelling unit may only be created through the following methods:
 - 1. Converting existing living area, attic, basement, garage, or detached accessory structure;
 - 2. Adding floor area to an existing residence or detached accessory structure;
 - 3. Constructing a detached accessory dwelling unit on a site with an existing house, attached house or manufactured home; or
 - 4. Constructing a new house, attached house, or manufactured home with an internal or detached accessory dwelling unit.
- B. Maximum Number. A maximum of one accessory dwelling unit is allowed ~~per legal single family dwelling~~ **per dwelling**.
- C. Other Development Requirements for New and Existing Accessory Dwellings.
 - 1. A building containing an accessory dwelling unit shall provide front, side and rear setbacks and have a maximum building height which comply with the applicable zone district.
 - 2. A detached accessory dwelling unit shall not be located within a front yard.
 - 3. Properties with a detached accessory dwelling unit are allowed to increase the maximum lot coverage standard of the applicable zone up to ten percent.
 - 4. No additional off-street parking is required for an accessory dwelling unit.
 - 5. A detached accessory dwelling unit shall not exceed eight hundred square feet of floor area, or seventy-five percent of the primary dwelling's floor area, whichever is less.
 - 6. Conversion of an existing legal nonconforming structure to an accessory dwelling unit is allowed provided that the conversion does not increase the degree of nonconformity.
 - 7. Accessory dwelling units are exempt from density calculations and requirements.

KING CITY 2021 STREET IMPROVEMENTS

SW 116th Ave Parking Bulbout					
Item No.	Description	Estimated Quantity	Unit*	Unit Price	Total Price
1	Mobilization, Bonds, Insurance and Demobilization	1	LS	\$ 2,800	\$ 2,800
2	Concrete Sidewalks	550	SF	\$ 20	\$ 11,000
3	Standard Curb	115	LF	\$ 50	\$ 5,750
4	General Excavation	40	CY	\$ 100	\$ 4,000
5	Aggregate base	60	TON	\$ 50	\$ 3,000
6	Level 2, ½-inch ACP Mixture (PG 64-22)	30	TON	\$ 100	\$ 3,000
7	General Surface Restoration and Erosion Control	1	LS	\$ 800	\$ 800
8	Temporary Traffic Control	1	LS	\$ 800	\$ 800
*Estimate does not include any R/W Aquisition or Hydromodification improvements				Sum	\$ 31,150
				10% Contingency	\$ 3,115.0
				Total	\$ 34,265.0

G:\PDX_Projects\92\0251\225 - SW 116th Ave Improvements\CAD\Sheets\92-0251-225-OR-C.dwg Bulbout 5/27/2021 11:22 AM ZIS 23.0s (LMS Tech)



SIDEWALK DETAIL 1: PARKING BULBOUT
SCALE: 1"=5'

CURB RAMP LEGEND

- * RUNNING SLOPE IS GREATER THAN 8.33% & RAMP LENGTH IS MAXIMIZED AT 15'
- ⇒ SLOPE 2% MAX.
- ➡ SLOPE 8.33% (1":12") MAX. (RAMP LENGTH 15' MAX. OR TO NEXT S/W JOINT IF <18")
- ▤ TRUNCATED DOME DETECTABLE WARNING SURFACE
- ▦ 2% MAX. SLOPE LANDING IN ALL DIRECTIONS
- NEW S/W PANEL TO TRANSITION TO EXIST. S/W SLOPE AND WIDTH, MAX. 2% CROSS SLOPE AT TOP OF RAMP. TRANSITION CURB TO MATCH EXIST.
- ▨ SAWCUT AND PAVEMENT PATCH LIMITS 2' MIN. FROM FACE OF CURB OR GUTTER PAN TO MEET CROSS SLOPE REQUIREMENTS

SIDEWALK RAMP LIST

- (A) INSTALL CONCRETE SIDEWALK, STANDARD CURB, AND SIDEWALK RAMPS PER OREGON STANDARD DRAWINGS. INSTALL STANDARD CURB PER OREGON STANDARD DRAWING RD700. MATCH EXISTING SIDEWALK WIDTH, 4' MINIMUM NOT INCLUDING CURBS.

Three to four street parking spots

FB
8-05-2021

				NOTICE 0 1/2 1 IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE		ZIS DESIGNED CAS DRAWN WSE CHECKED	REGISTERED PROFESSIONAL ENGINEER 86441 OREGON SEPTEMBER 12, 2011 DAVID T. MAC DONALD	murraysmith		CITY OF KING CITY 2021 STREET IMPROVEMENTS SW 116TH AVE, SW MAJESTIC LN, SW MATADOR LN, AND SW BEXLEY LN	RAMP DETAILS - 1		PROJECT NO.: 92-0251.226 SCALE: AS SHOWN DATE: JUNE 2021		SHEET BULBOUT 7 of 12
NO.	DATE	BY	REVISION												