


Land Development Code and Use Types for RS-6 zoned 1.19 acres on 1105 NW Buchanan Ave, Corvallis

From: Probst, Ashley Ashley.Probst@corvallisoregon.gov 
Subject: 1105 NW Buchanan Ave Use Information
Date: July 16, 2024 at 1:42 PM
To: michael@teamkrealty.com



Hello, Michael.

1105 NW Buchanan Ave is located in the RS-6 Zone.

[Chapter 3.1 \(Section 3.1.40\)](#) of the Corvallis Land Development Code will list the Permitted Use Types for this zone. As you will see there are several "Civic Use Types" that are either "P" – Primary use permitted outright (still requires building permits, etc., "CD" – a Conditional Development discretionary land use process (meaning it could potentially be denied if not all code criteria is met), and "A" – it can be an accessory use to an already permitted primary use.

[Chapter 3.0 \(Section 3.0.30\)](#) defines each Use Type.

Please let me know if you have any questions.

Realty

Take care,

Ashley

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501 SW Madison Avenue, Corvallis, OR 97333

*Plan review staff available
8:00 - 10:00 a.m. and 2:00 - 4:00 p.m.
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PERMITTED USE TYPES

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CHAPTER 3.1 LOW DENSITY (RS-6) ZONE

Sections:

Section 3.1.10 Purpose.

The RS-6 zone implements the Low Density Residential Comprehensive Plan designation. It is intended to provide areas where Single Detached, Duplex, Triplex, Fourplex, Townhouses, and Cottage Clusters may be constructed under various ownership patterns. This variety of Residential Building Types is consistent with Comprehensive Plan policies that support comprehensive neighborhoods and affordable housing. The zone includes development standards that result in a low density setting with larger minimum lot areas and Green Area requirements compared to the Medium Density Residential zone.

Section 3.1.20 Establishment of the RS-6 Zone.

The RS-6 Zone may only be applied to lands identified as Residential - Low Density on the Comprehensive Plan Map. With the exception of properties eligible for the C-OS (Conservation - Open Space) Zone, all Low Density Residential lands must be zoned RS-6 (Low Density) Residential upon their annexation.

Section 3.1.30 Permitted Building Types.

The RS-6 Zone allows the following Building Types. Definitions for each Building Type are found in Section 1.6.30 of this Code.

Table 3.1-1 - RS-6 Zone Permitted Building Types	
Building Type	Building-Specific Provisions
Residential - Household (Single Detached, Duplex, Triplex, Fourplex, Townhouse)	
Residential - Accessory Dwelling Unit	See Section 4.9.40 - Accessory Dwelling Units
Residential - Cottage	See Section 4.10.55 - Standards for Cottage Clusters
Residential - Other	
Nonresidential	

Section 3.1.40 Permitted Use Types.

The RS-6 Zone allows the following Use Types. Definitions for each Use Type are found in Chapter 3.0 of this Code.

Table 3.1-2 - RS-6 Zone Permitted Use Types		
"P" - Primary use permitted outright. "CD" - Primary use subject to approval in accordance with Chapter 2.3 - Conditional Development. "A" - Accessory use permitted outright.		
Use	P, CD, or A	Use-Specific Provisions
Residential Use Types		
Cottage Cluster	P	See Section 4.10.55 - Standards for Cottage Clusters
Day Care, Residential	A	
Group Residential - 12 or fewer persons	P	
Group Residential - more than 12 persons	CD	
Home Business	A	
Household Residential	P	
Other development customarily incidental to the Primary Uses	A	See Chapter 4.3 - Accessory Development Regulations
Real Estate Services, Residential	A	
Residential Care Facility - 12 or fewer persons	P	
Residential Care Facility - more than 12 persons	CD	
Civic Use Types		
Community Recreation	P	
Cultural Exhibits and Libraries	CD	
Essential Services	A	
Group Assembly	CD	
Major Services and Utilities	CD	
Minor Utilities	CD	See Section 4.9.30 - Minor Utilities
Postal Services - Customer	P	
Public Safety	P	

Schools	CD	
Wireless Telecommunication Facility - • Colocated/attached on nonresidential structures that do not increase the height of the existing structures	A	See Section 4.9.60 - Wireless Telecommunication Facilities
Wireless Telecommunication Facility - • Colocated/attached on nonresidential structures that increase the height of the existing structures • Freestanding	CD	See Section 4.9.60 - Wireless Telecommunication Facilities
Commercial Use Types		
Day Care, Commercial Facility	CD	
Funeral and Interment Services - Interring and Cemeteries	CD	
Participant Sports and Recreation - Indoor and Outdoor	CD	
Agricultural Use Types		
Community Garden	A	Only as an accessory use to Civic Use Types See Section 4.9.90 - Urban Agriculture Standards
Garden	P	
Horticulture - Personal Use	A	
Market Garden	A	Only as an accessory use to Residential Use Types See Section 4.9.90 - Urban Agriculture Standards
Tree, Row, and Field Crops - Personal Use	A	

Section 3.1.50 RS-6 Development Standards.

Table 3.1-3 - RS-6 Zone Development Standards	
	Standard
a. Minimum Density ¹	4 units per acre
b. Maximum Density ^{1, 2} 1. Single detached 2. Townhouse	6 units per acre 24 units per acre
;sz=8; ¹ City Staff will calculate Minimum and Maximum Density in relation to land divisions and specific development proposals, consistent with the definition of "Density Calculation" in Chapter 1.6. ² Duplex, Triplex, Fourplex, and Cottage Cluster development are exempt from the Maximum Density standard.	
c. Minimum Lot Area ³ <u>Exceptions:</u> Townhouse Fourplex Cottage Cluster	5,000 sq. ft. 1,500 sq. ft. 7,000 sq. ft. 7,000 sq. ft.
³ Minimum Lot Area for Flag Parcels is determined using method in Section 2.4.90.04.b.1.	
d. Minimum Lot Width ³ <u>Exceptions:</u> Lot with alley access only Townhouse	50 ft. 40 ft. 20 ft.
e. Setbacks ^{4, 6} 1. Front yard ⁵ 2. Rear yard 3. Side yard <u>Exceptions:</u> Townhouse - End Unit Townhouse - Interior Unit 4. Exterior Side Yard and Rear Yard abutting a street See also "I" below.	10 feet minimum; 25 feet maximum 15 feet minimum 5 feet minimum 0 feet one side; 5 feet opposite side 0 feet both sides 15 feet minimum Cottage Cluster development standards are modified by Section 4.10.55 - Standards for Cottage Clusters
⁴ See Section 4.9.50.02 - General Exceptions to Minimum Setback Standards ⁵ Determination of the location of the front yard and front lot line on Flag Parcels and Lots/Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04. ⁶ Increase minimum setback to comply with Vision Clearance - see Section 4.1.30.c.	

<p>f. Minimum Garage/Carport Setbacks</p> <ol style="list-style-type: none"> 1. Garage/carport entrance parallel to street 2. Garage/carport entrance sideways/perpendicular to street <p>See also "I" below.</p>	<p>19 ft.</p> <p>10 ft.</p> <p>Setbacks from alleys in accordance with Section 4.0.60.j of Chapter 4.0 - Improvements Required with Development.</p> <p>Garages/carports are also subject to the provisions in Chapter 4.10 - Pedestrian Oriented Design Standards.</p>
<p>g. Minimum Setbacks and Buffering from Actively Farmed Open Space-Agricultural (OS-AG) Land</p> <p>See also "I" below.</p>	<p>When residential development is proposed abutting Actively Farmed OS-AG Land, a minimum 50 ft.-wide continuous plant or plant/berm buffer is required. It is the applicant's responsibility to provide this buffer.</p> <p>The minimum setback for lands adjacent to Actively Farmed OS-AG Land is 100 ft. Any intervening right-of-way may be included in the 100-ft. setback measurement.</p> <p>Structures that existed on December 31, 2006, and that would fall within the 100-ft setback from Actively Farmed OS-AG Land are not considered non-conforming structures and no additional buffering is required to maintain the existing development.</p> <p>Cottage Cluster development is not subject to these provisions. See Section 4.10.55 - Standards for Cottage Clusters</p>
<p>h. Maximum Structure Height</p> <p><u>Exceptions:</u> Architectural projections attached to a structure and not used for human occupancy, such as chimneys, spires, domes, elevator shaft housings, and towers Cottage Cluster development Flagpoles</p>	<p>30 ft., not to exceed a solar envelope approved under Chapter 2.18 - Solar Access Permits or Chapter 4.6 - Solar Access</p> <p>40 ft.</p> <p>Subject to maximum structure height provisions of Section 4.10.55 - Standards for Cottage Clusters</p> <p>Subject to maximum structure height provisions of Section 4.7.70.b of this Code.</p>

i. Maximum Lot Coverage	60 percent of lot area maximum; Townhouses and Cottage Cluster development are exempt from this provision
j. Mix of Residential Building Types	See Section 4.9.80 - Residential Building Type Variety Requirements
k. Off-street Parking	See Chapter 4.1 - Parking, Loading, and Access Requirements
l. Service Facilities, Mechanical Equipment, and Outdoor Storage Areas	See Section 4.2.50.01.
m. Pedestrian Oriented Design Standards	See Chapter 4.10.
n. Minimum Assured Development Area (MADA)	See Chapter 4.11 - Minimum Assured Development Area (MADA).
o. Special Flood Hazard Areas	See Chapter 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain Provisions.
p. Significant Vegetation	See Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and Chapter 4.12 - Significant Vegetation Protection Provisions.
q. Riparian Corridors & Locally Protected Wetlands	See Chapter 4.13 - Riparian Corridor and Wetland Provisions.
r. Landscaping	See Section 3.1.70, below, and Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
s. Required Green Area and Private Outdoor Space	See Section 3.1.70, below.
t. Landslide Hazards and Hillsides	See Chapter 4.14 - Landslide Hazard and Hillside Development Provisions.

(Ord. No. 2023-19, § 8(Exh. A), eff. 6-30-2023)

Section 3.1.60 Multiple Residential Buildings On One Lot Or Parcel.

All Dwelling Units on a Lot or Parcel must be within a single building.

Exceptions:

- Cottage Cluster
- One detached Accessory Dwelling Unit in conjunction with one of the following Residential Building Types: Single Detached, Duplex, Triplex, Fourplex, Townhouse
- One detached Accessory Dwelling Unit in conjunction with a Cottage Cluster

Section 3.1.70 Green Area, Vegetation, and Outdoor Space Requirements.

- a. A minimum of 40 percent of the gross lot area, and a minimum of 20 percent for Townhouses on interior lots, must be retained and improved or maintained as permanent Green Area, as defined in Chapter 1.6 - Definitions.
- b. A minimum of 15 percent of the gross lot area and a minimum of 10 percent for Townhouses on interior lots, must consist of vegetation consisting of landscaping or naturally preserved vegetation. Landscaping within the required Green Area must be permanently maintained in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and primarily consist of ground cover, ferns, trees, shrubs, or other living plants with sufficient irrigation to properly maintain all vegetation. Drought-tolerant plant materials are encouraged. Design elements such as internal sidewalks, pedestrian seating areas, fountains, pools, sculptures, planters, and similar amenities may also be placed within the permanent Green Areas.
- c. A Private Outdoor Space must be provided for each dwelling unit. The required minimum area for each Private Outdoor Space is 48 sq. ft., with a minimum dimension of 5-ft. diameter. Private Outdoor Space must be viewable by the interior space of the dwelling unit via at least one window, with a minimum area of 4 sq. ft. Private Outdoor Space must be accessible by the interior of the dwelling unit via at least one door. See definition of Outdoor Space, Private in Section 1.6.30.
- d. Conversions of single detached development to a Duplex, Triplex, Fourplex, or Townhouse development that are not able to comply with the standards of this Section may still occur, provided the total amount of Green Area provided is not reduced from the pre-conversion condition.
- e. Cottage Cluster development is exempt from Section 3.1.70.

Section 3.1.80 Variations.

Variations from development standards in this Chapter may be allowed through the processes outlined in Chapter 2.5 - Planned Development and Chapter 2.12 - Lot Development Option.

Provisions in Articles I and II of this Code are not eligible for variation.

DEFINITIONS OF USE TYPES

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Section 3.0.30 Listing of Use Classifications.

The primary activity on a lot or site is the Use. The Director will classify Uses as one or more Use Types. All Use Types in this Chapter are arranged by Use Type category to make them easier to locate. This Chapter lists Use Type categories in the following order: Residential, Civic, Commercial, Industrial, Agricultural and Extractive. The Use Types within each Use Type category are in alphabetical order.

In addition to Use Types, this Code defines residential, nonresidential, and mixed use Building Types, in Chapter 1.6 - Definitions. Each Zone lists one or more allowed Building Types. Any use or activity occurring within a building must be consistent with the Permitted Use Types of the Zone.

3.0.30.01 Residential Use Types.

Residential Use Types include the occupancy of living accommodations on a wholly or primarily non-transient basis. Also included is development that is Accessory to these Uses as specified in Chapter 4.3 - Accessory Development Regulations, and Home Business as defined in Chapter 1.6 - Definitions.

- a. **Cottage Cluster** - A type of household residential development that includes a minimum of three Cottages, with a footprint of less than 900 square feet each, and results in a density of four or more Cottages per acre, located on a single lot that includes a common courtyard. A Cottage Cluster comprised of manufactured dwellings is not a Manufactured Dwelling Facility.
- b. **Day Care, Residential** - Babysitting or care of 16 or fewer children, including resident family members, as Accessory to any Residential Use Type. Day Care, Residential is not subject to the definition of Home Business, as contained in Chapter 1.6 - Definitions. This Use Type is classified per ORS 329A.440 as a family child care home.
- c. **Group Residential** - A single unit with six (6) or more rooms used for sleeping purposes that are offered for rent, but with rooms, individually or collectively, that do not constitute separate dwelling units. Typical uses include occupancy of boarding houses, cohousing, rooming houses, congregate living, fraternity and sorority houses, and cooperatives. A Group Residential use is limited to one unit per legal lot or parcel.
- d. **Home Business** - A lawful activity commonly carried on for profit within a dwelling and that meets all provisions contained in the Home Business definition in Chapter 1.6 - Definitions.
- e. **Household Residential** - Residential occupancy of a dwelling unit. The dwelling unit is contained within one of the Residential Building Types defined in Chapter 1.6 - Definitions. Household Residential excludes Group Residential uses.
- f. **Manufactured Dwelling Facility** - A type of residential development where four or more manufactured dwellings or mobile homes are located within 500 feet of one another on a lot. A Manufactured Dwelling Facility is not a Cottage Cluster. The primary purpose of the facility is to rent spaces for manufactured homes and/or mobile homes. The applicable Oregon Revised Statutes that pertain to Manufactured Dwellings and facilities are ORS 446.155 through ORS 446.285, and ORS 455.010. The Oregon Administrative Rule pertaining to Manufactured Dwellings is OAR Chapter 918, Division 500-520. The State of Oregon Manufactured Dwelling and Park Specialty Code, which is a min/max code, governs construction requirements for manufactured and mobile homes.
- g. **Real Estate Services, Residential** - Real estate sales office in a subdivision or residential development that contains more than 50 lots or dwelling units. Activities support the sale of lots or dwelling units within the development that remain available for sale to the public. The use is typically accessory to

primary residential uses within the subdivision or development, but may occur within a building on its own lot. See ORS 197.312.

- h. **Residential Care Facility** - A facility licensed by the state that provides Residential Care in one or more buildings on contiguous properties for six or more socially dependent individuals or individuals with physical disabilities, and to accommodate the resident staff persons engaged in their care. Care givers required to be present as part of a facility's state license do not count toward the limitation on the number of persons.

3.0.30.02 Civic Use Types.

Civic Use Types include the performance of utility, educational, recreational, cultural, protective, governmental, and other Uses strongly vested with public or social importance. Also included is development that is Accessory to these Uses, as specified in Chapter 4.3 - Accessory Development Regulations.

- a. **Administrative Services** - Consulting, record keeping, clerical, or public contact services that deal directly with the public, together with incidental storage and maintenance of necessary vehicles. This Use Type excludes Professional and Administrative Services. Typical Uses are governmental offices.
- b. **Community Recreation** - Recreational, social, or multi-purpose Uses typically associated with parks, play fields, golf courses, interpretive centers associated with parks, or community recreation buildings.
- c. **Cultural Exhibits and Libraries** - Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, etc., for study and reading.
- d. **Essential Services** - Services necessary to support development such as installation and/or maintenance of utilities, services involving only minor structures such as lines and poles, phone booths, fire hydrants, bus stops, benches, and mailboxes.
- e. **Group Assembly** - Meetings and activities primarily conducted for members of such groups. Excludes Group Residential and Lodging Services Use Types. Typical Uses include synagogues, temples, and churches; and meeting places for civic clubs, lodges, or fraternal or veteran organizations. Includes activities customarily associated with the practices of a religious activity outlined in ORS 227.500.
- f. **Schools** - Public and private educational facilities, excluding Vocational or Professional Training facilities as defined in 3.0.30.03.ee.
- g. **Major Services and Utilities** - Services and utilities that have substantial impacts. Such Uses may be permitted when the public interest supersedes the usual limitations placed on land use and the Uses transcend the usual restraints of the zone for reasons of necessary location and community-wide interest. Typical Uses include sanitary landfills, airports, hospitals, detention and correctional institutions, and mass transit waiting stations or turnarounds. Excludes the University Services and Facilities Use Type.
- h. **Minor Utilities** - Public utilities that have a local minor impact on surrounding properties. Typical Uses include electrical and gas distribution substations, wind generators, and radio facilities. Excludes Wireless Telecommunication Facilities Use Types.
- i. **Parking Services** - Public parking garages and lots.
- j. **Postal Services** - the following are Postal Services Use Types:
 - 1. Customer - Mailing services and processing as traditionally operated or leased by postal and parcel service companies, provided the facilities serve an immediate neighborhood and are

pedestrian-accessible, and the services and processing are oriented toward customers who can do business on the premises.

2. **Community-Based** - Mailing services and processing as traditionally operated or leased by postal and parcel service companies, but which may or may not include customer access on the premises. These facilities may be distribution centers and/or larger facilities that serve a broad part of the community, as opposed to an immediate neighborhood.
- k. **Public Safety** - Services that provide protection to a zone or entity according to Fire and Life Safety Code sections, together with the incidental storage and maintenance of necessary vehicles. Typical Uses include fire stations, police stations, and ambulance services.
- l. **Social Service Facilities** - Facilities operated in the interest of the physical and mental health and welfare of the community's population. Typical services include two or more of the following: individual counseling, family counseling, meal services, medical and/or dental services in structures less than 3,000 sq. ft. in size, short-term overnight accommodations, and office and administrative functions related to any or all of these services. Excludes the Medical Services Use Type.
- m. **University Services and Facilities** - Services and facilities customarily associated with a major university. Typical Uses include housing facilities, classrooms, Research Services as defined in Section 3.0.30.03.y, recreational amenities, parking facilities, and Commercial Uses that directly serve the student/faculty population or research/educational mission of the university.
- n. **Wireless Telecommunication Facilities** - the site, structures, equipment, and appurtenances used to send and receive radio frequency transmissions for wireless telecommunication services such as cellular telephone, personal communication services, enhanced/specialized mobile radio, and commercial paging services. Such facilities include antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics, and switching equipment.
 1. **Colocated/Attached Wireless Telecommunication Facility** - A facility attached to an existing pole, tower, or other structure including, but not limited to, a structure that can accommodate the future installation of two or more antenna systems.
 2. **Freestanding Wireless Telecommunication Facility** - A new tower, monopole, or other unattached structure erected to support wireless communication antennas and connecting appurtenances.

3.0.30.03 Commercial Use Types.

Commercial Use Types include the distribution, sale, and/or rental of goods and the provision of services other than those classified as Civic Uses. Also included is development that is Accessory to these Uses, as specified in Chapter 4.3 - Accessory Development Regulations.

- a. **Agricultural Sales**
 1. On-site sale of feed, grain, fertilizers, pesticides and similar goods. Typical Uses include nurseries, hay, and feed and grain stores; and
 2. On-site retail sale of agricultural food products, provided all of the following are met:
 - a. The associated structures are used for the sale of farm crops and livestock grown on the site or in the local agricultural area, and grown at least in part by the operator of the facility;

- b. As used in this subsection "2" the phrase "farm crops and livestock" includes both fresh and processed farm crops and livestock grown on the site or in the local agricultural area, but does not include the sale or auctioning of live animals;
 - c. As used in subsection "2.b" above, the phrase "processed crops and livestock" includes jams, syrups, apple cider, animal products and other similar farm crops and livestock that have been processed and converted into another product, but does not include food items prepared for immediate consumption;
 - d. As used in this subsection "2" the phrase "local agricultural area" includes the Oregon counties of Benton, Linn, Lane, Marion, Polk, and Lincoln;
 - e. The retail and associated structures do not include any dining areas and do not include any structures or outdoor areas for banquets, public gatherings or public entertainment; and
 - f. The size of the space dedicated to the on-site retail sales of agricultural food products does not exceed 1,500 sq. ft. This space may be located in existing buildings, additions to existing buildings, and/or new buildings.
- b. **Agricultural Services** - Provision of agriculturally related services with incidental storage on off-site lots. Typical Uses include crop dusting and tree service firms.
- c. **Animal Sales and Services** - the following are Animal Sales and Services Use Types:
1. Auctioning - Auctioning of livestock on a wholesale or retail basis with incidental storage of animals for a period not exceeding 72 hours. Typical Uses include animal auctions and livestock auction yards.
 2. Grooming - Grooming of dogs, cats, and similar small animals. Typical Uses include dog bathing, clipping salons, and pet grooming shops.
 3. Horse Stables - Boarding, breeding, or raising of horses not owned by the occupants of the premises, or riding of horses by other than the occupants of the premises or their nonpaying guests. Typical Uses include boarding stables and public stables.
 4. Kennels - Kennel services for dogs, cats, and similar small animals. Typical Uses include boarding kennels and dog training centers.
 5. Stockyards - Stockyard services involving temporary housing of livestock for slaughter, market or shipping. Typical Uses include stockyards and animal sales yards.
 6. Veterinary (Large Animals) - Veterinary services for large animals. Typical Uses include animal hospitals and veterinary hospitals for large animals.
 7. Veterinary (Small Animals) - Veterinary services for small animals. Typical Uses include pet clinics, dog and cat hospitals, and animal hospitals for small animals.
- d. **Automotive and Equipment** - Sales of motor vehicles or services related to motor vehicles. The following are Automotive and Equipment Use Types:
1. Car Wash - Washing, polishing, or detailing of automobiles. Typical Uses include car washes. This Use Type does not include auto repair, auto equipment repair, or installation of auto parts, which is classified as Automotive and Equipment - Light Equipment Repairs.
 2. Fleet Storage - Storage of vehicles used regularly in business operation and not available for sale; or long-term storage of operating vehicles. Typical Uses include taxi fleets, mobile-catering truck storage, and auto storage garages.

3. Parking Services - Temporary parking of motor vehicles within a privately owned off-street parking area. Typical Uses include commercial parking lots and garages.
 4. Heavy Equipment Repairs - Repair of trucks and other heavy equipment; sale, installation, or servicing of automotive equipment and parts; and body repairs, painting, and steam cleaning. Typical Uses include engine repair shops, auto body shops, and motor freight maintenance groups.
 5. Light Equipment Repairs - Repair of automobiles and the sale, installation, or servicing of automobile equipment and parts. Excludes auto body repairs and painting. Typical Uses include muffler shops, auto or motorcycle repair garages, and auto glass shops.
 6. Farm Equipment Sales/Rentals - Retail or wholesale sale and/or rental of farm equipment together with incidental maintenance. Typical Uses include farm equipment dealers.
 7. Heavy Equipment Sales/Rentals - Retail or wholesale sale and/or rental of heavy construction equipment, trucks, and/or aircraft, together with incidental maintenance. Typical Uses include aircraft dealers, heavy construction equipment dealers, tractor trailer dealers, motorhome and boat dealers, and recreational vehicles sales and rental agencies.
 8. Light Equipment Sales/Rentals - Retail or wholesale sale and/or rental of autos, noncommercial trucks, motorcycles, and/or trailers with less than 10,000 lbs. gross cargo weight, together with incidental maintenance. Typical Uses include automobile dealers and car rental agencies.
 9. Storage of Nonoperating Vehicles - Storage of nonoperating motor vehicles. Typical Uses include storage of private parking towaways and impound yards.
 10. Storage of Recreational Vehicles and Boats - Storage of recreational vehicles and boats. Typical Uses include the collective storage of personal recreational vehicles and boats.
- e. **Building Maintenance Services** - Provision of maintenance and custodial services to commercial and industrial establishments. Typical Uses include janitorial, landscape maintenance, and window cleaning services.
 - f. **Business Equipment Sales and Services** - Sale, rental, or repair of office, professional, and service equipment and supplies to firms rather than to individuals. Excludes Automotive and Equipment, Construction Sales and Services, and Farm Equipment Sales/Rentals Use Types. Typical Uses include office equipment and supply firms, small business machine repair shops, and hotel equipment and supply firms.
 - g. **Business Support Services** - Provision of clerical, employment, protective, or minor processing services to firms rather than individuals. Storage of goods other than samples is prohibited. Typical Uses include secretarial services, telephone answering services, and blueprint services.
 - h. **Communications Service Establishments** - Broadcasting and other information relay services accomplished through use of electronic and telephonic mechanisms. Excludes services classified as Major Services and Utilities and Minor Utilities. Typical Uses include television and radio studios, telecommunication service centers, and telegraph service offices.
 - i. **Construction Sales and Services** - Construction activities and incidental storage on lots other than construction sites. Also includes the retail or wholesale sale, from the premises, of materials used in the construction, maintenance, and repair/remodel of buildings or other structures, provided that such retail or wholesale Uses include the sale of heavy construction material such as lumber, cement, fencing, and/or roofing materials. Excludes Use Types classified as Automotive and/or Heavy

Equipment. Typical Uses include building materials stores, tool and equipment rental or sales, and building contracting/construction offices.

- j. **Day Care, Commercial Facility** - An institution, establishment, or place that commonly receives at one time more than 16 children not of common parentage, for a period not to exceed 12 hours per given day for the purposes of being given board, care, or training, apart from their parents or guardians, for compensation or reward in accordance to ORS 657A.250-440, as amended. This Use Type is classified per ORS 329A.440 as a child care center.
- k. **Drive-through Facilities** - Facilities that directly serve patrons in motor vehicles. Typically, this Use Type depends on a driveway or drive area that provides adequate room for vehicle stacking at a drive-up service window. See also Parking Lot Kiosk in "w" below.
- l. **Eating and Drinking Establishments** - Sale of prepared food and beverages for consumption on and/or off the premises. Typical uses include restaurants (sit-down or take-out), coffee shops, and bars.
- m. **Explosive Storage** - Storage of any quantity of explosives in accordance with ORS 480, as amended. Typical Uses include storage in the course of manufacturing selling, or transporting explosives or storage in the course of blasting operations.
- n. **Financial, Insurance, and Real Estate Services** - Financial, insurance, real estate or securities brokerage services. Typical Uses include banks, insurance agencies, and real estate firms.
- o. **Funeral and Interment Services** - Provision of services involving the care, preparation, or disposition of human dead. The following are Funeral and Interment Services Use Types:
 - 1. Cremating - Crematory services involving the purification and reduction of the human body by fire. Typical Uses include crematories and crematoriums.
 - 2. Interring - Interring services involving the storage of human bodies other than in cemeteries. Typical Uses include columbariums and mausoleums.
 - 3. Undertaking - Undertaking services involving preparing the dead for burial and arranging and managing funerals. Typical Uses include funeral homes and mortuaries.
 - 4. Cemeteries - A place for burying the dead; graveyard.
- p. **Fuel Sales** - Retail sale of petroleum products with incidental sale of tires, batteries, and replacement items, lubricating services, and minor repair services. Typical Uses include automobile service stations, filling stations and truck stops.
- q. **Laundry Services** - Laundering, dry cleaning, or dyeing services other than those classified as Convenience Sales and Personal Services. Typical Uses include laundry agencies, diaper services, and linen supply services.
- r. **Lodging Services** - Provision of temporary overnight accommodations with incidental food, drink, and other sales and services intended for the convenience of guests. The following are Lodging Services Use Types:
 - 1. Campground - Areas for travelers in recreational vehicles or tents. Typical Uses include recreational vehicle parks.
 - 2. Hotels/Motels - Provision of room or room and board in hotels or motels.
 - 3. Bed and Breakfast Facilities - Provision of room or room and board in bed and breakfast inns that do not comply with the Home Business definition in Chapter 1.6 - Definitions.

- s. **Medical Services** - Personal health services including prevention, diagnosis, treatment, and rehabilitation services provided by physicians, dentists, nurses, and other health personnel; and medical testing and analysis services. Typical Uses include hospitals, medical offices, dental laboratories, and health maintenance organizations. Excludes Civic and Group Residential/Group Care Use Types.
- t. **Parking Lot Kiosk** - A Commercial Use in a structure that is less than 120 sq. ft. in size and located within the parking lot of a development site. Parking Lot Kiosks typically contain Eating and/or Drinking Establishments, Food and/or Beverage Sales, Retail Sales, and/or Personal Services. Parking Lot Kiosks are allowed either when a zone identifies Drive-through Uses as Permitted Uses or when Parking Lot Kiosk is listed as a Permitted Use.
- u. **Participant Sports and Recreation** - Provision of sports or recreation primarily by and for participants. Spectators are incidental and present on a nonrecurring basis. The following are Participant Sports and Recreation Use Types for either general or personal use:
 - 1. Indoor - Conducted in an enclosed building. Typical Uses include bowling alleys, billiard parlors, swimming pools, and physical fitness centers.
 - 2. Outdoor - Conducted in open facilities. Typical Uses include driving ranges, miniature golf courses, golf courses, and swimming pools.
- v. **Personal Services** - Provision of personal services. Typical Uses include laundromats/dry cleaners, barbershops, and beauty salons.
- w. **Professional and Administrative Services** - Professional, executive, management or administrative offices of private firms or organizations. Typical Uses include administrative offices, legal offices, and architectural firms.
- x. **Repair Services, Consumer** - Provision of repair services to individuals and households, but not to firms. Excludes Automotive and Equipment Use Types. Typical Uses include appliance repair shops, apparel repair firms, and musical instrument repair firms.
- y. **Research Services** - Research of an industrial or scientific nature generally provided as a service or conducted by a public agency or private firm. Typical Uses include electronics research laboratories, environmental research and development firms, agricultural and forestry research labs, and pharmaceutical research labs.
- z. **Retail Sales** - Sale or rental of commonly used goods and merchandise for personal or household use. Excludes Agricultural Sales, Animal Sales and Services, Automotive and Equipment, Business Equipment Sales and Services, Construction Sales and Services, and Fuel Sales. Typical Uses include department stores, grocery stores, gift shops, bookstores, flea markets, liquor stores, and furniture stores.
- aa. **Scrap Operations** - Storage, sale, dismantling, or other processing of used, source-separated, or waste materials not intended for reuse in their original form. Typical Uses include automotive wrecking yards, junk yards, paper salvage yards and recycling facilities.
- bb. **Spectator Sports and Entertainment** - Provision of cultural, entertainment, athletic, and other events to spectators. Also includes events involving social or fraternal gatherings. The following are Spectator Sports and Entertainment Use Types:
 - 1. Limited - Uses conducted on a development site and in an enclosed indoor area that generate an attendance of 299 or fewer people. Typical Uses include small theaters and meeting halls.

2. Other - Uses conducted on a development site in an open outdoor area and/or Uses conducted on a development site that generate an attendance of 300 or more people. Typical Uses include multi-plex theaters, large theaters, large exhibition halls, and sports stadiums.
- cc. **Technology and Support Services** - A center or facility where employees receive and make contact with the public to promote products and/or services, or provide technical support with regard to specific manufactured items. This use type also applies to facilities used to store and operate computer systems and associated components. Typical uses include call centers, customer support centers, data centers, technical support centers, and telemarketing centers.
- dd. **Temporary Outdoor Markets** - Retail sales, personal services, or food and beverage sales that are conducted wholly or partially in an outdoor setting oriented to pedestrian activity and public gathering, and temporary in nature. Temporary Outdoor Markets must not persist more than 45 days per calendar year per property. Permanent structures are not a part of these Uses. Typical Uses include farmers' markets, community festivals, and seasonal sales of produce and Christmas trees.
- ee. **Vocational or Professional Training** - Private businesses providing vocational or technical training services for adult learning that are not part of public or private K-12 educational uses, and are not part of an accredited institution of higher education.
- ff. **Wholesale, Storage, and Distribution** - Wholesaling, storage, distribution, and handling of materials and equipment other than live animals and plants. The following are Wholesaling, Storage, and Distribution Use Types:
 1. Mini-Warehouses - Storage or warehousing service within a building for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise elsewhere. Incidental Uses in a mini-warehouse may include the repair and maintenance of stored materials by the tenant, but in no case may storage spaces in a mini-warehouse facility function as an independent retail, wholesale, business, or service Use. Spaces may not be used for workshops, hobby shops, manufacturing, or similar Uses. Human occupancy is limited to that required to transport, arrange and maintain stored materials.
 2. Light - Wholesaling, storage, and warehousing services within enclosed structures. Typical Uses include wholesale distributors, storage warehouses and moving and storage firms.
 3. Heavy - Open-air storage, distribution, and handling of materials and equipment. Typical Uses include monument or stone yards and grain elevators.

3.0.30.04 Industrial Use Types.

Industrial Use Types include the on-site production of goods by methods not Commercial, Agricultural, or Extractive in nature. Also included is development that is Accessory to these Uses as specified in Chapter 4.3 - Accessory Development Regulations.

- a. **Limited Manufacturing** - Establishments that employ 20 or fewer persons per shift unless otherwise specified by the applicable zone, do not involve outside storage of materials, do not require state or federal air quality discharge permits (except for parking), are compatible with nearby Residential Uses because there are few or no offensive external effects, and are primarily engaged in one of the following:
 1. On-site production of hand-manufactured goods involving use of hand tools or light mechanical equipment. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for customers or firms. Goods are generally not displayed or sold on site, but if so, this activity(ies) is a subordinate part of total sales. Typical

Uses include instruction studios, ceramic studios, woodworking and cabinet shops, custom jewelry manufacturing, and similar types of arts and crafts or small-scale manufacturing;

2. Manufacturing or assembling of electronic components, medical and dental supplies, computers, or other manufacturing establishments with similar characteristics. Goods generally are not displayed or sold on site, but if so, this activity(ies) is a subordinate part of total sales; or
 3. On-site production or processing of food products. Food products may be finished or semi-finished and are generally made for the wholesale market, transfer to other businesses, or direct retail sales off-site. On-site retail sale of goods must be a subordinate part of total sales. Limited Manufacturing excludes the activities of slaughtering animals, and canning, rendering, tanning, and reduction of meat.
- b. **Technological Production** - Research and development, production, processing, assembling, or packaging of products that rely upon research and technological innovation. Typical Uses include manufacturing research instruments, electronic products, and surgical and medical instruments. Excludes Uses that require state or federal air quality discharge permits (except for parking).
- c. **General Industrial**
1. Uses -
 - a) Production, processing, assembling, packaging, or treatment of food and non-food products; or
 - b) Manufacturing and/or assembly of electronic instruments and equipment and electrical devices.
 2. Attributes - General Industrial Uses may require state or federal air quality discharge permits, but do not have nuisance conditions that are detectable from the boundaries of the subject property. Nuisance conditions can result from any of the following:
 - a) Continuous, frequent, or repetitive noises or vibrations;
 - b) Noxious or toxic fumes, odors, or emissions;
 - c) Electrical disturbances; or
 - d) Night illumination into residential areas.

Exceptions: Noise and vibrations from temporary construction; noise from vehicles or trains entering or leaving the site; noise and vibrations occurring fewer than 15 minutes per day; an odor detected for fewer than 15 minutes per day; or noise detectable only as part of a composite of sounds from various off-site sources.
- d. **Intensive Industrial** - Manufacturing, processing, or assembling of materials in a manner that would create any of the commonly recognized nuisance conditions or characteristics described above in the General Industrial Use Type classification.

3.0.30.05 Agricultural Use Types.

Agricultural Use Types include the on-site production of plant and animal products by agricultural methods. Also included is development that is Accessory to these Uses, as specified in Chapter 4.3 - Accessory Development Regulations.

- a. **Animal Husbandry** - Raising and breeding of livestock.

- b. **Animal Waste Processing** - Processing of animal waste and by-products, including animal manure, animal bedding waste, and similar by-products of animal husbandry operations, for use as a commercial fertilizer, soil amendment or compost.
- c. **Aquaculture** - the cultivation of aquatic animals and plants, especially fish, shellfish, and seaweed, in natural or controlled marine or freshwater environments, typically for research or commercial purposes.
- d. **Horticulture** - Horticultural and flora cultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes, or for the production of food producing plants, shrubs, or trees. The following are Horticulture Use Types:
 - 1. Cultivation - Cultivation of plants.
 - 2. Storage - Storage of plants, primarily in containers.
- e. **Packing and Processing** - Packing or processing of agricultural crops, animals, and their by-products that entails more than picking, cutting, sorting, and boxing or crating. Excludes the activities of canning, rendering, tanning, or reduction of meat. The following are Packing and Processing Use Types:
 - 1. Limited - Packing or processing of crops grown on the premises.
 - 2. General - Packing or processing of crops, animals, or their by-products regardless of where they were grown.
- f. **Row and Field Crops** - Cultivation of agricultural products grown in regular or scattered patterns. Crops include vines, field, forage, and other plant crops intended to provide food or fibers.
- g. **Tree Crops** - Cultivation of tree-grown agricultural products such as orchards for apples and cherries.
- h. **Garden** - A plot of ground, or other area such as on a rooftop, balcony, fence, wall, or window sill, that is used to grow food-producing or ornamental plants, shrubs, or trees. Gardens are intended for personal use or consumption, or for off-site sales. On-site sales of garden products are prohibited.
- i. **Market Garden** - Commercial production and processing of fruit, vegetables, flowers, and other plants, animal products, and honey. Market Gardens are only accessory uses to Residential Use Types, except in the OSU zone. The residential character of the associated dwelling must be maintained and the activity conducted in such a manner as not to give an outward appearance nor manifest any characteristics of a business in the ordinary meaning of the term. The activity also does not infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
- j. **Community Garden** - A plot of ground, or other area such as on a rooftop, located on public or private land, and managed collectively by a group for the purpose of growing food-producing or ornamental plants. Community Gardens are only accessory uses to Civic Use Types, except in the OSU zone or as required in the RS-12 and RS-20 zones. Examples of community gardens include, but are not limited to, neighborhood gardens, school gardens, therapeutic gardens, demonstration gardens, and gardens operated on public lands. End products are typically consumed by those tending the garden, but may also be donated, or sold on or off-site.

3.0.30.06 Extractive Use Types.

Extractive Use Types include the on-site production of mineral products by extractive methods. Also included is development that is Accessory to these Uses as specified in Chapter 4.3 - Accessory Development Regulations.

Mining and Processing - Surface or subsurface mining of metallic and nonmetallic minerals, oil, or gas, together with essential on-site processing and production of only nonmetallic mineral products. Typical Uses are borrow pits, oil and gas drilling rigs, and concrete batch plants.

(Ord. No. 2023-01, eff. 2-8-2023; Ord. No. 2022-12, eff. 6-1-2022; Ord. No. 2022-06, eff. 3-17-2022; Ord. No. 2012-16, eff. 12-13-2012; Ord. No. 2012-19, eff. 12-13-2012; and Ord. No. 2012-18, eff. 12-13-2012)

CHAPTER 3.1 LOW DENSITY (RS-6) ZONE

Sections:

Section 3.1.10 Purpose.

The RS-6 zone implements the Low Density Residential Comprehensive Plan designation. It is intended to provide areas where Single Detached, Duplex, Triplex, Fourplex, Townhouses, and Cottage Clusters may be constructed under various ownership patterns. This variety of Residential Building Types is consistent with Comprehensive Plan policies that support comprehensive neighborhoods and affordable housing. The zone includes development standards that result in a low density setting with larger minimum lot areas and Green Area requirements compared to the Medium Density Residential zone.

Section 3.1.20 Establishment of the RS-6 Zone.

The RS-6 Zone may only be applied to lands identified as Residential - Low Density on the Comprehensive Plan Map. With the exception of properties eligible for the C-OS (Conservation - Open Space) Zone, all Low Density Residential lands must be zoned RS-6 (Low Density) Residential upon their annexation.

Section 3.1.30 Permitted Building Types.

The RS-6 Zone allows the following Building Types. Definitions for each Building Type are found in Section 1.6.30 of this Code.

Table 3.1-1 - RS-6 Zone Permitted Building Types	
Building Type	Building-Specific Provisions
Residential - Household (Single Detached, Duplex, Triplex, Fourplex, Townhouse)	
Residential - Accessory Dwelling Unit	See Section 4.9.40 - Accessory Dwelling Units
Residential - Cottage	See Section 4.10.55 - Standards for Cottage Clusters
Residential - Other	
Nonresidential	

Section 3.1.40 Permitted Use Types.

The RS-6 Zone allows the following Use Types. Definitions for each Use Type are found in Chapter 3.0 of this Code.

Table 3.1-2 - RS-6 Zone Permitted Use Types		
"P" - Primary use permitted outright. "CD" - Primary use subject to approval in accordance with Chapter 2.3 - Conditional Development. "A" - Accessory use permitted outright.		
Use	P, CD, or A	Use-Specific Provisions
Residential Use Types		
Cottage Cluster	P	See Section 4.10.55 - Standards for Cottage Clusters
Day Care, Residential	A	
Group Residential - 12 or fewer persons	P	
Group Residential - more than 12 persons	CD	
Home Business	A	
Household Residential	P	
Other development customarily incidental to the Primary Uses	A	See Chapter 4.3 - Accessory Development Regulations
Real Estate Services, Residential	A	
Residential Care Facility - 12 or fewer persons	P	
Residential Care Facility - more than 12 persons	CD	
Civic Use Types		
Community Recreation	P	
Cultural Exhibits and Libraries	CD	
Essential Services	A	
Group Assembly	CD	
Major Services and Utilities	CD	
Minor Utilities	CD	See Section 4.9.30 - Minor Utilities
Postal Services - Customer	P	
Public Safety	P	

Schools	CD	
Wireless Telecommunication Facility - • Colocated/attached on nonresidential structures that do not increase the height of the existing structures	A	See Section 4.9.60 - Wireless Telecommunication Facilities
Wireless Telecommunication Facility - • Colocated/attached on nonresidential structures that increase the height of the existing structures • Freestanding	CD	See Section 4.9.60 - Wireless Telecommunication Facilities
Commercial Use Types		
Day Care, Commercial Facility	CD	
Funeral and Interment Services - Interring and Cemeteries	CD	
Participant Sports and Recreation - Indoor and Outdoor	CD	
Agricultural Use Types		
Community Garden	A	Only as an accessory use to Civic Use Types See Section 4.9.90 - Urban Agriculture Standards
Garden	P	
Horticulture - Personal Use	A	
Market Garden	A	Only as an accessory use to Residential Use Types See Section 4.9.90 - Urban Agriculture Standards
Tree, Row, and Field Crops - Personal Use	A	

Section 3.1.50 RS-6 Development Standards.

Table 3.1-3 - RS-6 Zone Development Standards	
	Standard
a. Minimum Density ¹	4 units per acre
b. Maximum Density ^{1, 2} 1. Single detached 2. Townhouse	6 units per acre 24 units per acre
;sz=8; ¹ City Staff will calculate Minimum and Maximum Density in relation to land divisions and specific development proposals, consistent with the definition of "Density Calculation" in Chapter 1.6. ² Duplex, Triplex, Fourplex, and Cottage Cluster development are exempt from the Maximum Density standard.	
c. Minimum Lot Area ³ <u>Exceptions:</u> Townhouse Fourplex Cottage Cluster	5,000 sq. ft. 1,500 sq. ft. 7,000 sq. ft. 7,000 sq. ft.
³ Minimum Lot Area for Flag Parcels is determined using method in Section 2.4.90.04.b.1.	
d. Minimum Lot Width ³ <u>Exceptions:</u> Lot with alley access only Townhouse	50 ft. 40 ft. 20 ft.
e. Setbacks ^{4, 6} 1. Front yard ⁵ 2. Rear yard 3. Side yard <u>Exceptions:</u> Townhouse - End Unit Townhouse - Interior Unit 4. Exterior Side Yard and Rear Yard abutting a street See also "I" below.	10 feet minimum; 25 feet maximum 15 feet minimum 5 feet minimum 0 feet one side; 5 feet opposite side 0 feet both sides 15 feet minimum Cottage Cluster development standards are modified by Section 4.10.55 - Standards for Cottage Clusters
⁴ See Section 4.9.50.02 - General Exceptions to Minimum Setback Standards ⁵ Determination of the location of the front yard and front lot line on Flag Parcels and Lots/Parcels with Alley-only Access will be made using the provisions in Sections 4.9.50.03 and 4.9.50.04. ⁶ Increase minimum setback to comply with Vision Clearance - see Section 4.1.30.c.	

<p>f. Minimum Garage/Carport Setbacks</p> <ol style="list-style-type: none"> 1. Garage/carport entrance parallel to street 2. Garage/carport entrance sideways/perpendicular to street <p>See also "I" below.</p>	<p>19 ft.</p> <p>10 ft.</p> <p>Setbacks from alleys in accordance with Section 4.0.60.j of Chapter 4.0 - Improvements Required with Development.</p> <p>Garages/carports are also subject to the provisions in Chapter 4.10 - Pedestrian Oriented Design Standards.</p>
<p>g. Minimum Setbacks and Buffering from Actively Farmed Open Space-Agricultural (OS-AG) Land</p> <p>See also "I" below.</p>	<p>When residential development is proposed abutting Actively Farmed OS-AG Land, a minimum 50 ft.-wide continuous plant or plant/berm buffer is required. It is the applicant's responsibility to provide this buffer.</p> <p>The minimum setback for lands adjacent to Actively Farmed OS-AG Land is 100 ft. Any intervening right-of-way may be included in the 100-ft. setback measurement.</p> <p>Structures that existed on December 31, 2006, and that would fall within the 100-ft setback from Actively Farmed OS-AG Land are not considered non-conforming structures and no additional buffering is required to maintain the existing development.</p> <p>Cottage Cluster development is not subject to these provisions. See Section 4.10.55 - Standards for Cottage Clusters</p>
<p>h. Maximum Structure Height</p> <p><u>Exceptions:</u> Architectural projections attached to a structure and not used for human occupancy, such as chimneys, spires, domes, elevator shaft housings, and towers Cottage Cluster development Flagpoles</p>	<p>30 ft., not to exceed a solar envelope approved under Chapter 2.18 - Solar Access Permits or Chapter 4.6 - Solar Access</p> <p>40 ft.</p> <p>Subject to maximum structure height provisions of Section 4.10.55 - Standards for Cottage Clusters</p> <p>Subject to maximum structure height provisions of Section 4.7.70.b of this Code.</p>

i. Maximum Lot Coverage	60 percent of lot area maximum; Townhouses and Cottage Cluster development are exempt from this provision
j. Mix of Residential Building Types	See Section 4.9.80 - Residential Building Type Variety Requirements
k. Off-street Parking	See Chapter 4.1 - Parking, Loading, and Access Requirements
l. Service Facilities, Mechanical Equipment, and Outdoor Storage Areas	See Section 4.2.50.01.
m. Pedestrian Oriented Design Standards	See Chapter 4.10.
n. Minimum Assured Development Area (MADA)	See Chapter 4.11 - Minimum Assured Development Area (MADA).
o. Special Flood Hazard Areas	See Chapter 2.11 - Floodplain Development Permit and Chapter 4.5 - Floodplain Provisions.
p. Significant Vegetation	See Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and Chapter 4.12 - Significant Vegetation Protection Provisions.
q. Riparian Corridors & Locally Protected Wetlands	See Chapter 4.13 - Riparian Corridor and Wetland Provisions.
r. Landscaping	See Section 3.1.70, below, and Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting.
s. Required Green Area and Private Outdoor Space	See Section 3.1.70, below.
t. Landslide Hazards and Hillsides	See Chapter 4.14 - Landslide Hazard and Hillside Development Provisions.

(Ord. No. 2023-19, § 8(Exh. A), eff. 6-30-2023)

Section 3.1.60 Multiple Residential Buildings On One Lot Or Parcel.

All Dwelling Units on a Lot or Parcel must be within a single building.

Exceptions:

- Cottage Cluster
- One detached Accessory Dwelling Unit in conjunction with one of the following Residential Building Types: Single Detached, Duplex, Triplex, Fourplex, Townhouse
- One detached Accessory Dwelling Unit in conjunction with a Cottage Cluster

Section 3.1.70 Green Area, Vegetation, and Outdoor Space Requirements.

- a. A minimum of 40 percent of the gross lot area, and a minimum of 20 percent for Townhouses on interior lots, must be retained and improved or maintained as permanent Green Area, as defined in Chapter 1.6 - Definitions.
- b. A minimum of 15 percent of the gross lot area and a minimum of 10 percent for Townhouses on interior lots, must consist of vegetation consisting of landscaping or naturally preserved vegetation. Landscaping within the required Green Area must be permanently maintained in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting and primarily consist of ground cover, ferns, trees, shrubs, or other living plants with sufficient irrigation to properly maintain all vegetation. Drought-tolerant plant materials are encouraged. Design elements such as internal sidewalks, pedestrian seating areas, fountains, pools, sculptures, planters, and similar amenities may also be placed within the permanent Green Areas.
- c. A Private Outdoor Space must be provided for each dwelling unit. The required minimum area for each Private Outdoor Space is 48 sq. ft., with a minimum dimension of 5-ft. diameter. Private Outdoor Space must be viewable by the interior space of the dwelling unit via at least one window, with a minimum area of 4 sq. ft. Private Outdoor Space must be accessible by the interior of the dwelling unit via at least one door. See definition of Outdoor Space, Private in Section 1.6.30.
- d. Conversions of single detached development to a Duplex, Triplex, Fourplex, or Townhouse development that are not able to comply with the standards of this Section may still occur, provided the total amount of Green Area provided is not reduced from the pre-conversion condition.
- e. Cottage Cluster development is exempt from Section 3.1.70.

Section 3.1.80 Variations.

Variations from development standards in this Chapter may be allowed through the processes outlined in Chapter 2.5 - Planned Development and Chapter 2.12 - Lot Development Option.

Provisions in Articles I and II of this Code are not eligible for variation.