

313 MEDIUM HIGH DENSITY RESIDENTIAL DISTRICT (MR-2)

313.01 PURPOSE

This section is adopted to implement the goals and policies of the Comprehensive Plan for Medium High Density Residential areas.

[Amended by Ord. ZDO-224, 5/31/11]

313.02 AREA OF APPLICATION

Property may be zoned Medium High Density Residential District (MR-2) if:

- A. The site has a Comprehensive Plan designation of Medium High Density Residential;
- B. The criteria in Section 1202 are satisfied; and
- C. The property and affected area are presently provided with adequate public facilities, services, and transportation networks to support the use, or such public facilities, services, and transportation networks are planned to be provided concurrently with the development of the property.

[Amended by Ord. ZDO-224, 5/31/11]

313.03 PRIMARY USES

The following are primary uses in the Medium High Density Residential District (MR-2):

- A. Multifamily dwellings;
- B. Three-family dwellings;
- C. Two-family dwellings;
- D. Attached single-family dwellings;
- E. Congregate housing facilities;
- F. Condominiums, subject to Section 803;
- G. Nursing homes, subject to Section 810;
- H. Utility carrier cabinets, subject to Section 830;
- I. Bed and breakfast residences and inns, subject to Section 832;

- J. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835;
- K. Lodging, boarding, and rooming houses for any number of guests, but not primarily for transients, subject to a minimum lot size of 7,000 square feet;
- L. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential district; and
- M. When a development site includes areas zoned Urban Low Density Residential as well as areas zoned MR-2, a master plan may be approved for the entire site. The master plan may provide for attached and detached single-family dwellings to be located on both the areas zoned MR-2 and the areas zoned Urban Low Density Residential. The following criteria shall be met:
 - 1. The maximum number of dwelling units allowed on the overall site pursuant to Section 1012 shall not be exceeded.
 - 2. The minimum number of attached single-family, two-family, three-family, multifamily, or congregate housing facility dwelling units required pursuant to Subsection 1012.08 for the portion of the overall site zoned MR-2 shall be provided for in the master plan.
 - 3. Each single-family dwelling shall be located on a separate lot of record, subject to Subsection 301.08.

[Amended by Ord. ZDO-224, 5/31/11]

313.04 ACCESSORY USES

The following are accessory uses in the Medium High Density Residential District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Indoor and outdoor recreational facilities, such as swimming pools, saunas, game and craft rooms, exercise rooms, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts;
- C. Parking structures;
- D. Rental information offices;
- E. Repair and maintenance services;

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- F. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- G. Solar energy systems;
- H. Rainwater collection systems;
- I. Electric vehicle charging stations;
- J. Home occupations, subject to Section 822;
- K. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- L. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;
- M. Family daycare providers; and
- N. Signs, subject to Section 1010.

[Amended by Ord. ZDO-224, 5/31/11]

313.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the Medium High Density Residential District, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsections 835.05(A)(2) and (3), subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11]

313.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Medium High Density Residential District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.
 - 1. Alteration or expansion of a church which was lawfully established prior to July 14, 1980. The use shall not extend beyond the property which was under the ownership of, or occupied by, the preexisting church and associated facilities prior to July 14, 1980. The use shall be subject to Section 804;
 - 2. Schools, subject to Section 805;

3. Daycare facilities, subject to Section 807;
4. Service and recreational uses, subject to Section 813;
5. Hydroelectric facilities, subject to Section 829;
6. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;
7. Multi-use developments, subject to Section 1016; and
8. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.

[Amended by Ord. ZDO-224, 5/31/11]

313.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses are prohibited in the Medium High Density Residential District:
 1. Uses of structures and land not specifically permitted; and
 2. The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.
- B. Preexisting Uses:
 1. Lawfully established single-family dwellings or residential homes may be remodeled or expanded without review under Section 1206.
 2. A new lot created for a lawfully established single-family dwelling shall have a minimum area of 3,000 square feet.
 3. Lawfully established single-family dwellings and their accessory structures shall comply with the setback standards of Section 301.
 4. A lot created for a preexisting dwelling shall not be included in the gross site area used to determine the maximum and minimum density for the remaining lot.

[Amended by Ord. ZDO-224, 5/31/11]

313.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for fire safety and protection of all structures;

2. Protect the privacy and livability of on- and off-site dwellings and yard areas;
 3. Provide for adequate light and air circulation between structures;
 4. Ensure suitable and safe access to each development with minimum impact on adjacent lots or dwellings; and
 5. Provide for adequate open space within a development.
- B. Density: The district land area for purposes of calculating density pursuant to Section 1012 is 2,420 square feet per dwelling unit. The minimum lot size for an attached single-family dwelling shall be 2,420 square feet, except as modified by Section 1013 or 1014.
- C. Minimum Front Yard Setback: 20 feet. On corner lots, the minimum front yard setback shall apply from both roads, except in the case of a corner lot developed with an attached single-family dwelling, where the minimum front yard setback may be reduced to 10 feet on one of the roads. However, the reduced setback shall not apply to any property line from which vehicular access is taken.
- D. Minimum Rear Yard Setback: 20 feet.
- E. Minimum Side Yard Setback:
1. One story: five feet.
 2. Two stories: seven feet, or 10 feet when abutting an Urban Low Density Residential, VR-4/5, or VR-5/7 district.
 3. Three stories: 15 feet.
 4. An additional five feet of side yard setback shall be required for each story higher than three stories.
 5. Notwithstanding Subsections 313.08(E)(1) through (4), the minimum side yard setback for attached single-family dwellings shall be 5 feet, except when abutting an Urban Low Density Residential, VR-4/5, or VR-5/7 zoning district, where the minimum shall be 10 feet. No setback shall be required from any side lot line where two dwelling units share a common wall.
- F. Maximum Lot Coverage: 50 percent, except for lots developed with attached single-family dwellings, where the maximum shall be 65 percent.
- G. Maximum Building Height: None, except in the case of an attached single-family dwelling, where the maximum building height shall be 35 feet.

- H. Minimum Landscaping Area: 25 percent of the lot, except in developments of attached single-family dwellings, where the minimum shall be 20 percent of each lot.
- I. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- J. Variances: Dimensional standards may be modified pursuant to Section 1205.

[Amended by Ord. ZDO-224, 5/31/11]

313.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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