

311 PLANNED MEDIUM DENSITY RESIDENTIAL DISTRICT (PMD)

[The title of Section 311 changed by Ord. ZDO-224, 5/31/11]

311.01 PURPOSE

Section 311 is adopted to:

- A. Provide for a variety of housing types, including multifamily dwellings, two-family dwellings, or clustered single-family dwellings;
- B. Provide densities which are considered appropriate for those areas with suitable services and facilities for Planned Medium Density Residential land use as designated by the Clackamas County Comprehensive Plan;
- C. Permit flexibility that will encourage a more creative approach in the development of land, and will result in a more efficient, aesthetic and desirable use of open area, while substantially maintaining the same population density;
- D. Permit flexibility in design, placement of buildings, use of open spaces, circulation facilities, offstreet parking areas, and to best utilize the potentials of sites characterized by special features of geography, topography, size or shape; and
- E. Provide the higher level of site planning and land use controls for residential development. To provide for the retention of open space on those lands less suited for development, and maximum compatibility with adjacent single family neighborhoods.

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

311.02 AREA OF APPLICATION

The Planned Medium Density Residential District shall apply only to those properties zoned PMD prior to July 15, 1981.

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

311.03 PRIMARY USES

The following are primary uses in the Planned Medium Density Residential District (PMD):

- A. Multifamily dwellings;
- B. Two-family dwellings;
- C. Clustered single-family dwellings or residential homes;

- D. Congregate housing facilities;
- E. Nursing homes, subject to Section 810;
- F. Public and private (noncommercial and/or nonprofit) parks, playgrounds, recreational and community buildings and grounds, community gardens, golf courses, tennis courts, and swimming pools, developed in conjunction with a PMD development.
- G. Bus shelters, subject to Section 823;
- H. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03;
- I. Signs, subject to Section 1010;
- J. Utility carrier cabinets, subject to Section 830; and
- K. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.

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

311.04 ACCESSORY USES

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

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. Laundry and storage rooms;
- D. Rental or sales offices necessary to manage dwelling units within the development;
- E. Home occupations, subject to Section 822;
- F. Solar energy systems;
- G. Rainwater collection systems; and
- H. Electric vehicle charging stations.

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

311.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the Planned Medium 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.

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

311.06 CONDITIONAL USES

The Hearings Officer may approve the following conditional uses in the Planned Medium 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.

- A. Daycare facilities, subject to Section 807;
- B. Telephone exchanges and public utility structures, without shops, garages, or general administrative offices, and city, county, state, federal, service district, or municipal corporation buildings, subject to Section 813;
- C. Manufactured dwelling park, subject to Section 825;
- D. Any use that the Hearings Officer finds to be similar to one or more of those specified in Subsections 311.06(A) through (C); and
- E. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835.

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

311.07 PROCEDURAL REQUIREMENTS

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

311.07 DIMENSIONAL AND DEVELOPMENT STANDARDS

- A. Development is subject to the applicable provisions of Sections 1000 and 1100.
- B. In considering a proposed Planned Medium Density (PMD) project, the following standards shall apply:
 - 1. Site Adaptation: To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.

2. Lot Arrangement: All lots, or structures, within the development shall be designed and arranged to have direct access to or frontage on open space or recreation areas.
3. Density of Development:
 - a. The number of units permitted upon a parcel of land is calculated after the determination of Land Area (LA). LA shall be computed as that portion of the site in its natural condition suitable for actual residential development, and shall not include:
 - i. Bodies of water, such as lakes, rivers and ponds, and flood hazard districts.
 - ii. Lands subject to known hazards, such as landslides, flooding, wet lands and slopes greater than 20 percent.
 - iii. Lands underlying regional public facilities, such as regional roads and regional sewer lines that are or will be constructed or administered by public agencies and which primarily serve or will serve the needs of persons other than those who are, or will be, residents of the land in question.
- C. Density and Slope: Permitted uses shall be sited upon the LA. For all residential dwelling uses intended for households, the density of the proposal shall not exceed 12 units per acre of LA on slopes less than eight percent; 10 units per acre of LA on slopes between eight and 12 percent; and four units per acre on slopes between 12 and 20 percent. For group facilities, such as nursing homes and residential treatment centers, the facilities shall be designed for no more than 36 people per acre on slopes less than eight percent; 30 people per acre on slopes between eight and 12 percent; and 12 people per acre on slopes between 12 and 20 percent.
- D. Structure Setback Provisions: Yard setbacks for structures on the perimeter of the project shall be 30 feet, and structures fronting a public, county, or state road shall maintain a 25 foot front yard or 50 feet from the centerline of a public, county, or state road, whichever of the two is the greater. All detached structures shall maintain a minimum separation distance between buildings of 10 feet.
- E. Access and Parking:
 1. Access: PMD developments shall be appropriately located with respect to adequate transportation facilities. All access to and from a PMD development shall be on a street of collector classification or greater.
 2. Recreational Vehicle Parking: Sufficient parking space shall be provided for storage of residents' recreational vehicles. The location of a

recreational vehicle parking area shall be located so as to be compatible with the surrounding land use. If located along the outer fringe of the PMD development, it shall be adequately screened from vision from the adjacent properties.

3. Parking spaces for occupants shall be provided onsite to enable roads to be of minimum width. Cluster-type parking shall be provided where feasible. Parking and lot access solutions for individual lots to units must be provided.

F. Homes Association: For PMD developments that consist of units under separate individual ownerships, a nonprofit incorporated homes association, or an alternative acceptable to the County Counsel's Office, shall be required if other satisfactory arrangements, such as a County service district, have not been made for improving, operating and maintaining common facilities, including open space, streets, drives, service and parking areas, and reception areas. The following principles shall be observed in the formation of any homes association and reviewed by the County Counsel's Office:

1. A homes association shall be set up before final approval of the PMD development, or any portion thereof;
2. Membership shall be mandatory for each home buyer and any successive buyer;
3. The open space restrictions shall be in perpetuity;
4. The homes association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities;
5. Homeowners shall pay their pro rata share of the cost of the assessment levied by the association which shall become a lien on the property; and
6. The association shall be able to adjust the assessment to meet changes needed.

G. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Renumbered and amended by Ord. ZDO-224, 5/31/11]

311.08 LIMITATION ON DISTRICT ALLOCATION

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