

**SECTION 300**

**URBAN AND RURAL RESIDENTIAL DISTRICTS**

**301 URBAN LOW DENSITY RESIDENTIAL DISTRICTS (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20, R-30)**

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[The title of Section 301 changed by Ord. ZDO-224, 5/31/11]

301.01 PURPOSE

Section 301 is adopted to implement the goals and policies of the Comprehensive Plan for Low Density Residential areas.

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

301.02 AREA OF APPLICATION

One or more of the following factors shall guide the determination of the most appropriate district to apply to a specific property or area:

- A. Physical Site Conditions:
  - 1. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.
  - 2. Land with slopes of:
    - a. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5
    - b. 20 percent or more shall be considered for zones R-10 to R-30.
- B. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.
- C. Availability of Transit: Land within walking distance (approximately one-quarter mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5.
- D. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5.
- E. Neighborhood Preservation and Variety: Areas that have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.
- F. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density

Future Urban areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20 percent slope and to Resource Protection areas. Flexible-lot-size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.

- G. R-2.5: In addition to the above criteria, R-2.5 shall be applied only to:
1. Areas located within one-quarter mile of a designated Regional Center, Corridor or Main Street on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*;
  2. Areas with access to a residential collector or higher functional class street; and
  3. Areas where the size of the site and adjoining properties zoned R-2.5 do not exceed 10 acres.

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

301.03 PRIMARY USES

- A. The following are primary uses in the R-2.5 zoning district:
1. One attached single-family dwelling or residential home;
  2. 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, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential district;
  3. When a development site includes areas zoned Medium High Density Residential District (MR-2) as well as areas zoned Urban Low Density Residential, a master plan may be approved for the entire site. The master plan may provide for condominiums, two-family dwellings, three-family dwellings, and multifamily dwellings on both the areas zoned Urban Low Density Residential and the areas zoned MR-2. The following criteria shall be met:
    - a. The maximum number of dwelling units allowed on the overall site pursuant to Section 1012 shall not be exceeded.
    - b. The master plan shall provide for the minimum number of attached or detached single-family dwellings required pursuant to Subsection

1012.08 for the portion of the overall site zoned Urban Low Density Residential.

- c. Each single-family dwelling shall be located on a separate lot of record. The minimum lot size for an attached single-family dwelling shall be 2,000 square feet, and the minimum lot size for a detached single-family dwelling shall be 4,000 square feet.
  - d. Condominiums, two-family dwellings, three-family dwellings, and multifamily dwellings shall be subject to Subsections 313.08 and 313.09; and
4. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.
- B. The following are primary uses in the R-5 through R-30 zoning districts:
- 1. One detached single-family dwelling, residential home or manufactured home. A manufactured home shall be subject to Section 824;
  - 2. One attached single-family dwelling per lot on 20 percent of the total number of lots in a subdivision or 100 percent of the lots in a planned unit development;
  - 3. Condominiums, subject to Section 803;
  - 4. 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, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential district;
  - 5. Propagation, management, and harvesting of forest products. Refer to Subsection 1002.04 regarding a development restriction that may apply if excessive tree removal occurs;
  - 6. Utility carrier cabinets, subject to Section 830; and
  - 7. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.

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

301.04 ACCESSORY USES

The following are accessory uses in an Urban Low Density Residential District:

- A. Uses and structures customarily accessory and incidental to a primary use;

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- B. A guest house;
- C. Home occupations, including bed and breakfast homestays, subject to Section 822;
- D. A private garage or parking area;
- E. Keeping of not more than two roomers or boarders by a resident family;
- F. Produce stands, subject to Section 815;
- G. Livestock, subject to Section 821;
- H. Signs, subject to Section 1010;
- I. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- J. Bus shelters, subject to Section 823;
- K. Solar energy systems;
- L. Rainwater collection systems;
- M. Electric vehicle charging stations for the use of residents and their nonpaying guests;
- N. Family daycare providers; and
- O. Accessory dwelling units in conjunction with detached single-family dwellings.

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

**301.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR**

The Planning Director may approve the following use in an Urban Low 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]

**301.06 CONDITIONAL USES**

- A. The Hearings Officer may approve the following conditional uses in an Urban Low 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. Except in the R-2.5 zoning district, two- and three-family dwellings and the conversion of single-family dwellings into two-family dwellings, subject to Section 802;
2. Except in the R-2.5 zoning district, condominium conversions, subject to Section 803;
3. Churches, subject to Section 804;
4. Schools, subject to Section 805;
5. Daycare facilities, subject to Section 807;
6. Cemeteries and crematories, subject to Section 808;
7. Hospitals, subject to Section 809, and helistops for emergency use in conjunction with a hospital;
8. Nursing homes, subject to Section 810;
9. Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;
10. Surface mining, subject to Section 818;
11. Sanitary landfills and debris fills, subject to Section 819;
12. Manufactured home parks, subject to Section 825;
13. Hydroelectric facilities, subject to Section 829;
14. Bed and breakfast residences and inns, subject to Section 832;
15. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;
16. Except in the R-2.5 zoning district, horticulture, nurseries, hydroponics, and similar uses that exceed an accessory use; and
17. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.

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

301.07 PROHIBITED USES

The following uses are prohibited in an Urban Low Density Residential District:

- A. Uses of structures or land not specifically permitted; and
- B. The use of a residential trailer as a dwelling, except as authorized pursuant to Section 1204.

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

301.08 DIMENSIONAL AND DESIGN STANDARDS

- A. Purpose: The dimensional and design standards are intended to:
  - 1. Provide consistent standards ensuring a stable pattern and intensity of development for new and existing neighborhoods;
  - 2. Provide for fire safety and protection of all structures;
  - 3. Protect the privacy and livability of dwellings and yard areas;
  - 4. Provide for adequate light and air circulation between structures;
  - 5. Provide for, and protect the unique character and livability of each district;
  - 6. Ensure suitable access to each lot with minimum impact on adjacent lots or dwellings; and
  - 7. Ensure consistency in the scale of structures, both vertically and horizontally.
- B. Minimum Lot Size: The minimum lot size shall be as follows, except as modified by Section 902, 1013, or 1014. For subdivisions, partitions, and condominium developments, the maximum and minimum number of primary dwelling units permitted shall be calculated pursuant to Section 1012.
  - 1. R-2.5: 2,500 square feet
  - 2. R-5: 5,000 square feet
  - 3. R-7: 7,000 square feet
  - 4. R-8.5: 8,500 square feet
  - 5. R-10: 10,000 square feet
  - 6. R-15: 15,000 square feet

7. R-20: 20,000 square feet
  8. R-30: 30,000 square feet
- C. General Requirements: The minimum dimensional standards for primary structures, except attached single-family dwellings, shall be as follows:
1. Minimum front yard setback: 20 feet
  2. Minimum rear yard setback: 20 feet
  3. Minimum side yard setback: 5 feet
  4. Maximum building height: 35 feet
  5. Maximum lot coverage:
    - a. Primary use structures: 35 percent
    - b. Primary and accessory structures: 40 percent
    - c. Lot coverage limitations do not apply to swimming pools.
- D. Exceptions to General Requirements: Subsection 301.08(C) is subject to modification pursuant to Section 900. In addition, the following exceptions apply:
1. Accessory Structures: A maximum of four accessory structures are permitted. Minimum setbacks, except as prescribed for accessory dwelling units in Subsection 301.08(G), are as follows:
    - a. Structures 100 square feet or less in area and eight feet or less in height: No side or rear yard setback behind the front building line shall be required for any detached accessory structure
    - b. Structures 101 to 200 square feet in area and structures up to 10 feet in height: The minimum side and rear yard setbacks behind the front building line are three feet for any detached accessory structure and its projections.
    - c. Structures 201 to 500 square feet in area and structures up to 15 feet in height: The minimum side and rear yard setbacks behind the front building line are three feet for one accessory structure and its projections in this category. The three-foot setback requirement shall be increased one foot for each foot of height over 10 feet to a maximum of 15 feet in height. However, the minimum setback shall not exceed the setback requirements of Subsection 301.08(C). The

structure and its projections shall be detached and separated from other structures by at least three feet.

- d. Structures greater than 15 feet in height: Structures greater than 15 feet in height shall comply with the setback requirements of Subsection 301.08(C).
  - e. Structures in excess of 500 square feet: One accessory structure in excess of 500 square feet in area is allowed, subject to the setback requirements of Subsection 301.08(C) and the following provisions:
    - i. The lot is in excess of 10,000 square feet in area.
    - ii. The proposed accessory structure shall be constructed with the same exterior building materials as that of the dwelling, or an acceptable wood or metal substitute. Metal buildings shall include roof overhangs, gutters, downspouts, and a painted steel exterior similar in color to that of the dwelling.
    - iii. The square footage of the accessory structure shall not exceed the square footage of the ground floor of the dwelling.
    - iv. The height of the accessory structure shall not exceed the height of the dwelling.
  - f. Swimming Pools: The minimum front yard setback for a swimming pool shall be 10 feet. The minimum side and rear yard setbacks for a swimming pool shall be three feet.
2. Corner Lots: One of the required front yard setbacks may be reduced to 15 feet, if the front setback to be reduced abuts a local street, private road, or access drive. The side and rear yards of corner lots shall be designated by the applicant with the minimum setback distance as identified in Subsection 301.08(C).
  3. Undersized Lots of Record: For any detached single-family dwelling on a lot of record 6,000 square feet or less, the rear yard setback may be reduced to 10 feet, one side yard setback may be reduced to zero and the maximum lot coverage may be increased to 50 percent, provided that:
    - a. The lot of record was created prior to the application of an Urban Low Density Residential District to the subject lot of record; and
    - b. The development occurring within the yard setback area shall not block solar access to an existing window or solar energy system located on the adjacent properties.

E. Variiances: Dimensional standards may be modified pursuant to Section 1205.

- F. Structure and Façade Design: All dwellings, except temporary dwellings approved pursuant to Subsection 1204, shall include at least three of the following features visible to the street (if on a corner lot, visible to the street where the dwelling takes access):
1. A covered porch at least two feet deep.
  2. An entry area recessed at least two feet from the exterior wall to the door.
  3. A bay or bow window (not flush with the siding).
  4. An offset on the building face of at least 16 inches from one exterior wall surface to the other.
  5. A dormer.
  6. A gable.
  7. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
  8. Roof line offsets of at least 16 inches from the top surface of one roof to the top surface of the other.
  9. An attached garage.
  10. Orientation of the long axis and front door to the street.
  11. Cupolas.
  12. Tile or shake roofs.
  13. Horizontal lap siding.
- G. Accessory Dwelling Units: Accessory dwelling units shall be subject to the following development standards:
1. The square footage of an accessory dwelling unit shall not exceed six percent of the area of the lot of record on which it is located, or 720 square feet, whichever is less.
  2. Yard setbacks for an accessory dwelling unit shall be the same as those required for a primary dwelling.
  3. Only one accessory dwelling unit per lot of record is allowed.
  4. An accessory dwelling unit may:
    - a. Be a detached structure;

- b. Be attached to another accessory structure; or
  - c. Share at least one building wall, or portion thereof, with the primary dwelling, provided that the accessory dwelling unit has a separate entrance. "Wall" does not include a breezeway, porch, or awning.
5. The exterior finish materials of the accessory dwelling unit shall be the same as, or visually match, those of the primary dwelling.
  6. The front yard setback shall be no less than the setback of the front façade of the primary dwelling excluding the porch, garage, and architectural features.
  7. If an accessory dwelling unit is attached to a primary dwelling, the accessory dwelling entrance(s) shall be on the side or rear of the structure. An exception to this requirement may be granted if there is no ground-level access to the accessory dwelling unit, or if the primary dwelling has additional front entrances prior to the development of an accessory dwelling unit and the total number of entrances is not increased. Exceptions shall be subject to Planning Director review pursuant to Subsection 1305.02.
  8. In addition to the required parking space(s) for the primary dwelling, one additional off-street parking space located behind the front yard setback line shall be provided for the accessory dwelling unit.
  9. Owner occupancy of either the accessory dwelling unit or the primary dwelling shall be required. A deed restriction requiring owner-occupancy of one of the dwelling units shall be recorded prior to issuance of a building permit for the accessory dwelling unit.
- H. Condominiums and two- and three- family dwellings: Shall be subject to design review pursuant to Section 1102.
- I. Attached Single-Family Dwellings: In addition to the design standards in Subsection 301.08(F), attached single-family dwellings shall be subject to the following design standards:
1. Minimum Street Frontage: 25 feet.
  2. Minimum Front and Rear Yard Setbacks: 20 feet.
  3. Minimum Side Yard Setback: 10 feet opposite the common wall. No setback shall be required from any side property line where two dwelling units share a common wall.
  4. Maximum Lot Coverage: 50 percent.

5. Maximum Building Height: 35 feet.
6. Roofs: The roof of each attached single-family dwelling shall be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.
7. Design Review: Attached single-family dwellings shall be subject to design review pursuant to Section 1102.

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

301.09 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. Off-Street Parking: At least one off-street parking space located behind the front yard setback line shall be provided for each single-family dwelling.
- D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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