

TITLE 10
CHAPTER 1

ZONING ADMINISTRATION

SECTION:

- 10-1-1: Administrative Regulations
- 10-1-1-1: Short Title
- 10-1-1-2: Scope
- 10-1-1-3: Purpose
- 10-1-1-4: Application
- 10-1-1: Table: Summary of Approvals by Review Procedure
- 10-1-1-5: General Provisions
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- 10-1-1-6-1: Type I Reviews
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- 10-1-1-6-3: Type III Reviews
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- 10-1-1-7: Appeals
- 10-1-1-8: Enforcement
- 10-1-2: Use Districts and Boundaries
- 10-1-2-1: Districts Established
- 10-1-2-2: Change of Boundaries on Zoning Map
- 10-1-2-3: Zoning of Annexed Areas
- 10-1-3: Amendments and Changes

[...]

10-1-1-4: APPLICATION:

[...]

E. Traffic Impact Studies:

[...]

2. Criteria for Warranting a Traffic Impact Study: All traffic impact studies shall be prepared by a professional engineer in accordance with the requirements of the road authority. The City shall require a Traffic Impact Study (TIS) as part of an application for development; a proposed amendment to the Comprehensive Plan, zoning map, or zoning regulations; a change in use, or a change in access, if any of the following conditions are met:

[...]

- c. The addition of twenty-five (25) or more single family-unit dwellings, or an intensification or change in land use that is estimated to increase traffic volume by 250 Average Daily Trips (ADT) or more, per the ITE Trip Generation Manual.

[...]

10-1-1-6: TYPES OF REVIEW PROCEDURES:

10-1-1-6-1 TYPE I REVIEWS - MINISTERIAL/STAFF REVIEW AND ZONING CHECKLIST:

- A. Type I (Ministerial/Staff Review): The City Planning Director or designee, without public notice and without a public hearing, makes Type I decisions through the staff review (over-the-counter)

procedure. Type I decisions are those where City standards and criteria do not require the exercise of discretion (i.e., clear and objective standards). Decisions which require the exercise of discretion must be reviewed as part of procedure which includes public notice. Type I decisions include:

1. Access to a Street
2. Parking Lot Improvements, such as initial surfacing, striping, or changes to accesses or stormwater facilities, but not including parking lot resurfacing or restriping which meets current code requirements.
3. Building fascia changes to include but not limited to additions, substitutions, changes of windows, doors, fascia material, building, roof, and trim colors, awnings,
4. Property Line Adjustments, including lot consolidations
5. Final Plat (Partition or Subdivision)
6. Modification to an Approval or Condition of Approval
7. Legal Lot Determination
8. Home Occupations
9. Hazard Tree Removal
10. A change in the type and/or location of access-ways, drives or parking areas not affecting off-site traffic.
11. Landscape Plan Modifications that exclusively include one or more of the following:
 - a. Plant or tree substitutions (e.g. shrub for shrub, tree for tree),
 - b. Ground cover substitutions,
 - c. Trading plant locations if planting beds remain the same, or
 - d. Change in the location of planting beds (site plan) up to a maximum of 10% of the landscaping area. (Amended Ord. No. 9, Series 2009)
12. Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage and does not require more than five additional parking spaces.
13. Modification to an approved Design Review of a conforming use or structure up to and including 1,500 square feet or up to and including 25% of the building square footage, whichever is less.
14. Within the Limited Industrial District and Pacific View Business Park District: A change in setbacks or lot coverage by less than 10 percent provided the resulting setback or lot coverage does not exceed that allowed by the land use district.

~~15. A change in the type and/or location of access-ways, drives or parking areas not affecting off-site traffic.~~

~~16.~~ 15. Changes to or the addition of on-site stormwater facilities not reviewed as part of another process.

~~17.~~ 16. Cluster Housing in the High Density Residential District.

~~18-17.~~ Other proposals that do not require the exercise of discretion.

[...]

10-1-1-6-2: TYPE II REVIEWS – ADMINISTRATIVE REVIEWS:

- A. The Planning Director, or designated planning staff may make administrative decisions (limited land use). The Type II procedure is used when there are clear and objective approval criteria and applying City standards requires limited use of discretion.
- B. Type II (Administrative) Decisions are based upon clear compliance with specific standards. Such decisions include, but are not limited to the following:
 - 1. Vegetation clearing permits.
 - 2. Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage and ~~does not require~~ requires more than five additional parking spaces.

[...]

- 10. Design Review for the following residential development types:
 - a. Single-~~family~~unit attached dwellings in Medium Density Residential and Manufactured Home Park Districts.
 - b. Multi-~~family~~unit residential development in the High Density Residential District.

[...]

10-1-1-6-3: TYPE III REVIEWS – QUASI-JUDICIAL LAND USE HEARINGS:

- A. Hearings are required for Type III (quasi-judicial) land use matters requiring Planning Commission review. Type III applications include, but are not limited to:
 - 1. Limited land use decisions for non-residential uses made by staff, for which a request for referral to Planning Commission by the Planning Commission Chairperson or Planning Director has been made.
 - ~~2. Change of use from a less intensive use to a greater intensive use, which does not increase the building's square footage, but requires more than five additional parking spaces.~~
 - ~~23.~~ Modification of greater than 1,500 square feet or greater than 25% of the building square footage, whichever is less.
 - ~~34.~~ An increase in residential density by more than 10 percent, or where the resulting density exceeds that allowed by the land use district.
 - ~~45.~~ New construction requiring Design Review by the Planning Commission.
 - ~~56.~~ Planned Unit Developments, preliminary and final plans.
 - ~~67.~~ Conditional Use Permits.
 - ~~78.~~ Variances.
 - ~~89.~~ Quasi-Judicial Zone Changes.
 - ~~940.~~ Other applications similar to those above which require notice to surrounding property owners and a public hearing.

[...]

Amended by Ord. No. 15, Series 1988
Amended by Ord. No. 18, Series 1990
Amended by Ord. No. 30, Series 1990
Amended by Ord. No. 7, Series 1994
Amended by Ord. No. 13, Series 2002
Amended by Ord. No. 15, Series 2002
Amended by Ord. No. 26, Series 2008 – See Exhibit B
Amended by Ord. No. 10, Series 2009 – See Exhibit C
Amended by Ord. No. 9, Series 2009 – See Exhibit G
Amended by Ord. No. 4, Series 2010 – See Exhibit C (effective 4-5-10)
Amended by Ord. No. 2, Series 2011 (effective 3-11-11)
Sections 10-1-1-4, 10-1-1-5, and 10-1-4 Amended by Ord. No. 4, Series 2011 – See Exhibit 4E (effective 4-22-11)
Section 10-1-4 “Dwelling” & “Recreational Vehicle” Amended by Ord. No. 21, Series 2011 – See Exhibit C (effective 1-5-12)
Section 10-1-1-4-D, 10-1-1-5-B-1-a and 10-1-1-6-D-1-a Amended by Ord. No. 5, Series 2012 – See Exhibit C (effective 1-16-13)
Section 10-1-1-6, 10-1-1-7, and 10-1-5 Amended by Ord. No. 3, Series 2013 – See Exhibit B (effective 7-31-13)
Section 10-1-4 “Lighting” added by Ord. No. 12, Series 2014
Section 10-1-4 amended by Ord. No. 1, Series 2015 (effective 3-17-15)
Sections 10-1-1-3, -1-1-4, -1-1-5, -1-1-6, and 10-1-3 amended, and Sections 10-1-4 and 10-1-5 deleted by Ord. 11, Series 2016 (effective 11-16-16)
Section 10-1-1-5 amended by Ord. No. 4, Series 2018 (effective 6-21-18)
Table 10-1-1 and Sections 10-1-1-6-1, 10-1-1-6-2-B, 10-1-1-6-3-A and 10-1-1-4-B amended by Ord. No. 7, series 2019 (effective 12-18-19)
Sections 10-1-1-4-E-2-c, 10-1-1-6-A & 10-1-1-6-2-B, & 10-1-1-6-3-A amended by Ord. No. 6, Series 2023 (effective 8-17-23)

TITLE 10
CHAPTER 2

GENERAL ZONING PROVISIONS

SECTION:

- 10-2-1: Conformance and Permits
- 10-2-2: Similar Uses
- 10-2-3: Building Setback Requirements
- 10-2-4: Height
- 10-2-5: Completion of Buildings
- 10-2-6: Who May Apply
- 10-2-7: Contract Purchasers Deemed Owners
- 10-2-8: Guarantee of Performance
- 10-2-9: Siting Emergency Housing
- 10-2-10: Public Uses
- 10-2-11: Exemption From Partitioning Requirements
- 10-2-12: Uses and Activities Permitted in All Zones
- 10-2-13: Definitions
- 10-2-14: Land Use Category Definitions

10-2-13: DEFINITIONS: For the purpose of this Title, certain words, terms and phrases are defined below. Words used in the present tense include the future; the singular number includes the plural; and the word "shall" is mandatory and not directory. Whenever the term "this Title" is used herewith it shall be deemed to include all amendments thereto as may hereafter from time to time be adopted. Definition contained in the Florence Comprehensive Plan shall also be used to define terms used in this Title of the Florence City Code, and, where conflicts exist, the terms used in this Code shall apply to the respective Code requirements. Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.

AFFORDABLE HOUSING

Dwellings available for rent or purchase, with or without government assistance, by households who meet applicable maximum income limits, not to exceed 80 percent of the Lane County median income, adjusted for family-household size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency, and in a manner so that no more than 4030 percent of the household's gross income will be spent on rent and utilities or on home loan or mortgage payments, amortized interest, property taxes, insurance, and condominium or association fees, if any.

BOARDING HOUSE

A building with a single kitchen where lodging, with or without meals, is provided for compensation for ~~40 or fewer~~ occupants, not open to transient and/or overnight guests, in contradistinction to hotels and motels open to transients and/or overnight guests, but, a Boarding House / Dormitory is not occupied as a single-familyhousehold unit and it shall not include assisted living facilities, or senior housing, group care homes, homes for the aged or nursing homes.

DENSITY

Density, Gross: The number of dwelling units per each acre of land, including areas devoted to dedicated streets, neighborhood parks, sidewalks, and other public and private facilities/utilities.

Density, Net: The number of dwelling units per each acre of land, excluding from the acreage dedicated streets, neighborhood parks, sidewalks, and other public and private facilities/utilities.

DUET	A Duplex as defined under 'DWELLING, DUPLEX' in which each unit is on a separate lot and can be owned separately.
DWELLING	A building or portion thereof which is occupied in whole or in part as a residence, either permanently or temporarily by one or more households families; but excluding <u>lodging intended to accommodate visitors and recreation, such as the</u> Coast Village, hotels, motels, <u>short term rentals</u> and tourist courts; with permanent provision for living, sleeping, eating, food preparation, and sanitation. <u>Each household unit within a dwelling has occupancy for eight or fewer bedrooms.</u> Dwellings include both buildings constructed on-site, <u>pre-fabricated dwellings</u> and manufactured homes.
DWELLING, DUPLEX	A building designated or used exclusively for the occupancy of two (2) households families on a single lot living independently from each other and having separate facilities for each <u>household</u> family as defined under "DWELLING" above.
DWELLING, FOUR- PLEX / QUAD-PLEX	A building designed and used for occupancy by four (4) households families on a single lot, all living independently of each other and having certain separate facilities for each <u>household</u> family as defined under 'DWELLING' above.
DWELLING, MULTIPLE MULTI- <u>UNIT</u> FAMILY	A building designed and used for occupancy by five (5) or more households families on a single lot, all living independently of each other and having certain separate facilities for each <u>household</u> family as defined under "DWELLING" above and certain shared facilities such as laundry, open space and other amenities.
DWELLING, SINGLE- <u>UNIT</u> FAMILY DETACHED	<p>A. A dwelling on a single lot either constructed <u>in accordance with Oregon Building Codes</u> on-site or off-site a modular constructed in accordance with Oregon Building Codes and assembled on-site, <u>and</u> <u>D</u>esigned or used exclusively for the occupancy of one <u>household</u> family and having separate facilities for only one <u>household</u> family as defined under "DWELLING" above; or</p> <p>B. A manufactured home designed and used exclusively for the occupancy of one <u>dwelling</u> family as defined under "DWELLING" above and which is located and maintained in compliance with Section 10-1<u>20</u> of this Title.</p> <p>C. Except as authorized in A and B of this definition, in determining compliance with the provisions and uses of this Code, a mobile home, manufactured home, <u>prefabricated dwelling</u> or a modular resembling a mobile home or manufactured home, is not considered a single-<u>unit</u> family dwelling. (Ord. No. 7, Series 1994)</p>
DWELLING, SINGLE- <u>FAMILY</u> UNIT ATTACHED	A dwelling constructed in a row of two or more attached dwellings, where each dwelling is located on its own lot and shares a common wall or walls, roof, or foundation with adjacent dwellings. Commonly referred to as a townhouse or row house.
DWELLING, TRI- PLEX	A building designed and used for occupancy by three (3) households families on a single lot, all living independently of each other and having certain separate facilities for each <u>household</u> family as defined under 'DWELLING' above.

<u>FAMILY HOUSEHOLD</u>	<u>All the people who occupy a single dwelling unit, regardless of relation or familial status. A household occupies eight or fewer bedrooms. A person living alone or any of the following groups living together as a single non-profit unit and sharing common living area:</u> <u>A. Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relations.</u> <u>B. A maximum of 5 unrelated persons.</u>
<u>GROUP OR CONGREGATE HOUSING</u>	<u>A dwelling that provides nine or more bedrooms and whose occupants share basic household amenities, such as a kitchen, bathroom(s), and other shared living spaces.</u>
<u>PREFABRICATED DWELLING</u>	<u>A prefabricated structure, as defined in ORS 455.010, that is relocatable, more than eight and one-half feet wide and designed for use as a dwelling.</u>
<u>PRIVATE FACILITIES</u>	<u>Any facility that is owned, leased, operated, or funded by a private entity, including individuals or groups/corporations, which may include but is not limited to buildings, property, recreation areas, and roads.</u>
<u>PUBLIC FACILITIES</u>	<u>Any facility that is owned, leased, operated, or funded by a governmental body or public entity, which may include but is not limited to buildings, property, recreation areas, and roads.</u>
<u>PUBLIC FACILITIES AND SERVICES</u>	<u>Projects, activities and facilities which the City of Florence determines to be necessary for the public health, safety and welfare.</u>

Amended by Ordinance No. 15, Series 1988
Amended by Ordinance No. 2, Series 2000
Amended by Ordinance No. 12, Series 2002
Sections 10-2-14 and 10-2-15 removed by Ordinance No. 9, Series 2009
Section 10-2-8 deleted and all subsequent sections renumbered by Ord. No. 4, Series 2011 (Exhibit 4E) effective 4-22-11
Section 10-2-9 amended by Ordinance No. 21, Series 2011 (exhibit D) – effective 1-5-12
Section 10-2-12 amended by Ordinance No. 5, Series 2012 (exhibit C) – effective 1-16-13
Section 10-2-6 Amended by Ord. No. 3, Series 2013 – See Exhibit B (effective 7-31-13)
Section 10-2-13 amended by Ord. No. 12, Series 2015 (effective 1-1-16)
Sections 10-2-13 and 10-2-14 amended by Ord. No. 11, Series 2016 (effective 11-16-16)
Section 10-2-13 amended by Ord. No. 4, Series 2018 (effective 6-21-18)
Section 10-2-13 amended by Ord. No. 13, Series 2018 (effective 11-21-18)
Section 10-2-4, 10-2-9, 10-2-13 amended by Ord. 7, Series 2019 (effective 12-18-19)
Section 10-2-13 amended by Ord. No. 2, Series 2020 (effective 5-20-20)
Section 10-2-13 amended by Ord. No. 12, Series 2022 (effective 1/10/23)
Section 10-2-13 amended by Ord. No. 6, Series 2023 (effective 8/17/23)

TITLE 10
CHAPTER 3

OFF-STREET PARKING AND LOADING

SECTION:

- 10-3-1: Purpose
- 10-3-2: General Provisions
- 10-3-3: Minimum Standards by Use
- 10-3-4: Minimum Required Parking by Use
Table: Minimum Required Parking By Use (Table 10-3-1)
- 10-3-5: Vehicle Parking - Minimum Accessible Parking
Table: Minimum Number of Accessible Parking Spaces (Table 10-3-2)
- 10-3-6: Common Facilities for Mixed Uses
- 10-3-7: Off-site parking
- 10-3-8: Parking Area Improvement Standards
- 10-3-9: Parking Stall Design and Minimum Dimensions
Table: Parking Area Layout (Table 10-3-3)
- 10-3-10: Bicycle Parking Requirements
- 10-3-11: Loading Areas

[...]

Table 10-3-1, Minimum Required Parking By Use:

A. Residential and Commercial Dwelling Types:

Single Family Unit Dwelling including attached and detached dwellings and manufactured homes	2 spaces per dwelling unit on a single lot
Accessory Dwelling Units	1 space per unit, see FCC 10-3-8 for additional standards <u>No minimum parking spaces required</u>
Duplex /Duet	2 <u>1</u> spaces per dwelling unit
Boarding houses <u>group/congregate housing</u> and dormitories	1 space per each 2 <u>bedrooms</u> occupants <u>at capacity</u> .

[...]

10-3-8: PARKING AREA IMPROVEMENT STANDARDS: All public or private parking areas, loading areas and outdoor vehicle sales areas shall be improved according to the following: All required parking areas shall have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete, porous asphalt, permeable pavers such as turf, concrete, brick pavers or other materials approved by the City. Driveways aprons shall be paved for the first fifty feet (50') from the street.

[...]

~~N. Parking provided for Accessory Dwelling Units:~~

- ~~1. Parking for Accessory Dwelling Units may be covered or uncovered.~~
- ~~2. Provided parking shall be hard surfaced with asphaltic concrete or cement concrete.~~
- ~~3. Parking for Accessory Dwelling Units may be provided on street where on street parking is available along the lot frontage and the street meets the minimum width for local streets with parking available on both sides (greater than 34 feet curb to curb). Site conditions may prevent the use of this specific area for that purpose, but shall not restrict the ability to count on street parking towards the reduction of parking requirements off street.~~

[...]

10-3-10: BICYCLE PARKING REQUIREMENTS: All new development construction or enlargement or change of use that is subject to Site Design Review, shall provide bicycle parking, in conformance with the standards and subsections A-H, below.

[...]

The following ordinances were repealed and replaced by:

Ord. No. 7, Series 2008 – effective 4/3/2008

Ord. No. 9, Series 2008 – effective 5/9/2008 - lighting

Amended by Ordinance No. 15, Series 1988

Amended by Ordinance No. 12, Series 1994

Amended by Ordinance No. 19, Series 1994

Amended by Ordinance No. 14, Series 1995

Amended by Ordinance No. 2, Series 2000

Section 10-3-8 amended by Ordinance No. 9, Series 2009

Sections 10-3-4-C, and 10-3-11-F amended by Ordinance No. 4, Series 2011 effective 4-22-11

Section 10-3-2-I added, and Section 10-3-9 amended by Ordinance No. 18, Series 2011 effective 9-16-11

Section 10-3-3 and 10-3-10 amended by Ordinance No. 5, Series 2012 effective 1-16-13

Section 10-3-8 and 10-3-9 amended by Ordinance No. 3, Series 2013 effective 7-31-13

Section 10-3-8-G and 10-3-10-F amended by Ord. No. 12, Series 2014, effective 12-31-14

Section 10-3-4 amended by Ord. No. 12, Series 2015, effective 1-1-15

Section 10-3-6 amended by Ord. No. 11, Series 2016, effective 11-16-16

Section 10-3-3-B, 10-3-4, 10-3-8-A & M, amended by Ord. 4, Series 2018, effective 6-21-18

Table 10-3-1 and Sections 10-3-8, 9 & 10 amended by Ord. 7, Series 2019, effective 12-18-19

Sections 10-3-1-A, 10-3-8-N and 10-3-10 amended by Ord. No. 6, Series 2023 (effective 8-17-23)

TITLE 10
CHAPTER 6

DESIGN REVIEW

SECTION:

- 10-6-1: Purpose
- 10-6-2: Planning Commission
- 10-6-3: General Applicability
- 10-6-4: Drawings to be Approved
- 10-6-5: General Approval Criteria
- 10-6-6: Architectural Design
- 10-6-7: Non-Residential Design Requirements
- 10-6-8: Drawing Submittal
- 10-6-9: Drawings Submitted to the Planning Commission
- 10-6-10: Appeal
- 10-6-11: Lapse of Design Review Approval

[...]

10-6-3: GENERAL APPLICABILITY:

[...]

A. The Planning Director or designee shall:

1. Unless otherwise directed by the underlying zoning district, review the following through a Type II process consistent with FCC 10-1-1-6-2 prior to issuance of a building permit:
 - a. Construction or expansion of a residential or mixed-use building that includes residential uses, but not limited to:
 - i. Single-familyunit attached dwellings in the Medium Density Residential and Manufactured Home Park Districts.
 - ii. Multi-familyunit Housing in any zone.

[...]

10-6-5-2: GENERAL STANDARDS FOR RESIDENTIAL DEVELOPMENT: Residential projects and mixed-use buildings with a residential component shall meet the following standards. The Planning Director shall approve or approve with conditions the proposed development based on compliance with the following standards:

- A. Setbacks, yards, height, density, lot area, dimensions, percentage of coverage, and similar design features according to the underlying zoning district.
- B. Design standards set forth in FCC 10-10 for the proposed residential type, if applicable, except buildings with residential uses in the Old Town or Main Street Districts shall meet Downtown Architectural Design Standards of 10-6-6 subsections: 3-C, 4 and 5 as implemented by the Comprehensive Plan, Multi-familyunit dwellings and mixed-use buildings with a residential component located in any zone other than Old Town or Mainstreet Districts shall comply with the Multi-FamilyUnit Dwelling Standards in FCC 10-10-9.
- C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.

- D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.
- E. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.
- F. Exterior lighting according to the standards set forth in FCC 10-37 Lighting.
- G. Provision of public and private facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities, or issuance of a performance bond or suitable substitute as agreed upon by the City has been filed with the City in an amount sufficient to assure the completion of all required public facilities and infrastructure.

[...]

10-6-6-1: BUILDING TYPE: These types of buildings currently exist within the applicable zoning districts and are compatible with each other, despite being different in their massing and form. The following building types are permitted in future development and infill. Other building types not listed which are compatible with the surrounding area and buildings and are compatible with the historic nature of the zoning district are also permitted. Not all types may be permitted or regulated in all zoning districts.

- A. Residential Type, single-familyunit, duplex (attached & detached), or multi-familyunit

[...]

Amended by Ordinance No. 15, Series 1988
 Section 10-6-9, Amended by Ordinance No. 26, Series 2008
 Section 10-6-5 and 10-6-6 Amended by Ord. No. 9, Series 2009
 Section 10-6-3 amended by Ordinance No. 4, Series 2010 (effective 4/5/10)
 Sections 10-6-3-A, and 10-6-3-D amended, AND Sections 10-6-5-G, and 10-6-6-D deleted and subsequent sections renumbered by Ordinance No. 4, Series 2011 (effective 4/22/11)
 Sections 10-6-3 and 10-6-6 amended by Ordinance No. 3, Series 2013, Exhibit B (effective 7/31/13)
 Sections 10-6-3, 10-6-4, and 10-6-6 through 10-6-10 amended by Ordinance No. 11, Series 2016 (effective 11-16-16)
 Sections 10-6-3, 10-6-4, and 10-6-5, Title of 10-6-6, Sections 10-6-6-4-A-4, 10-6-6-4-G, 10-6-6-5-4, 10-6-7, and sections numbers 10-6-8 through 10-6-11 amended by Ordinance No. 7, Series 2019 (effective 12-18-19)
Sections 10-6-3-A-1-a, 10-6-5-2-B & G, 10-6-6-1-A amended by Ord. No. 6, Series 2023 (effective 8-17-23)

TITLE 10
CHAPTER 10

RESIDENTIAL DISTRICTS

SECTION:

- 10-10-1: Residential Districts and Purpose
- 10-10-2: Residential Uses
- 10-10-3 : Non-Residential Uses
- 10-10-4 : Lot and Yard Provisions
- 10-10-5 : Site Development Provisions
- 10-10-6: Accessory Dwelling Units
- 10-10-7 : Attached Housing
- 10-10-8 : Cluster Housing
- 10-10-9 : Multi-FamilyUnit Dwellings
- 10-10-10 : Manufactured Homes Outside of MH Subdivisions or Parks
- 10-10-11: Mobile Home / Manufactured Home Parks
- 10-10-11-1 : Administrative Provisions
- 10-10-11-2 : Design Standards
- 10-10-11-3 : Development Plan
- 10-10-11-4 : Development Plan Procedure
- 10-10-11-5 : Mobile Home / Manufactured Home Park License
- 10-10-11-6: Basic Regulations and Provisions
- 10-10-11-7: Park Administration
- 10-10-11-8: Definitions
- 10-10-12: Undersized Residential Lots of Record

[...]

10-10-1: RESIDENTIAL USES:

A. Table 10-10-2-A. The following table indicates which uses are permitted in each residential zone.

Uses	LDR	MDR	RMH	HDR
Single- family unit detached dwelling	P	P	P	C
Accessory structure	P	P	P	P
Accessory dwelling unit	P	P	P	P
Single- family unit attached dwelling	N	SR	SR	P
Duplex/ duet	NP	P	P	P
Tri-plex	N	C	C	P
Quad-plex	N	C	C	P
Multi- family unit (5+ units)	N	N	N	SR
Cluster housing	N	C	C	P
Temporary dwelling/RV – Medical hardship	C	C	C	C
Manufactured home	P	P	P	C
Prefabricated dwelling	P	P	P	C
Manufactured home park/subdivision	N	C	SR	SR
Mobile home park	N	N	SR	SR
Residential Care Facility/Nursing Home	SR	SR	SR	SR
Boarding house/dormitory	N	C	C	SR
Transitional housing	NC	NC	NC	NC
Religious institution housing or parsonage	C	C	C	C
Planned Unit Development	D	D	D	D

P=Permitted with Type I review, SR=Type II site review required, C=Type III conditional use review required and N=Not permitted, D=Type III Planning Commission Review

10-10-2: LOT AND YARD PROVISIONS:

A. Minimum Lot Dimensions: To be designated a building site, a lot must meet the following minimum lot dimensions:

Table 10-10-4-A. Minimum Lot Dimensions by Development Type¹

Type	LDR		MDR		RMH		HDR	
	Width	Depth	Width	Depth	Width	Depth	Width	Depth
All development types including single- family unit detached ² , except:	50 ft.	80 ft.	50 ft.	80 ft.	50 ft.	80 ft.	50 ft.	80 ft.
Single- family unit attached dwelling or duet (single unit)	N/A	N/A	25 ft.	80 ft.	25 ft.	80 ft.	25 ft. ³	80 ft. ³
Manufactured Home Park	N/A	N/A	50 ft.	80 ft.	35 ft.	70 ft.	35 ft.	70 ft.

¹ Undersized lots of record with dimensions below the minimum may still be eligible for development. See Section 10-10-12.² Cluster housing shall meet minimum lot sizes in FCC 10-10-8-C-2-b.³ The single-~~family~~unit attached dwelling dimensions shall also apply to single-~~family~~unit detached dwellings in the HDR zone. Dimensions in 10-10-4-A are meant to be the minimum for each category and are not intended necessarily to be used together, minimum lot size is required.

B. Minimum Lot Area: To be designated a building site, a lot must meet the following minimum lot area:

Table 10-10-4-B. Minimum Lot Area by Development Type.¹

Development Type	LDR	MDR	RMH	HDR
Single- family unit detached dwelling	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Manufactured home or prefabricated dwelling on an individual lot	7,500 sq. ft.	5,00 sq. ft.	5,000 sq. ft.	2,000 sq. ft.
Single- family unit attached dwelling	N/A	3,000 sq. ft.	3,000 sq. ft.	2,000 sq. ft.
Duplex or Duot (both units)	N/A 7500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	4,000-2,000 sq. ft.
Tri-plex	N/A	7,500 sq. ft.	7,500 sq. ft.	5,000 sq. ft.
Four-plex	N/A	10,000 sq. ft.	10,000 sq. ft.	5,000 sq. ft.
All other development types ²	7,500 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.

D. Yard Regulations: Unless an adjustment or variance is granted in accordance with Chapter 5 of this Title, minimum setbacks and yard regulations shall be as indicated below:

Table 10-10-4-D. Minimum setbacks and yard regulations.

	LDR	MDR	RMH	HDR
Front				
Primary	10 ft.	10 ft.	10 ft.	5 ft. ¹
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.
Side				
Primary ²	10 ft.	5 ft.	5 ft.	5 ft. ¹
Accessory Building	5 ft.	5 ft.	5 ft.	5 ft.
Accessory Dwelling Unit	10 ft.	5 ft.	5 ft.	5 ft.
Parking Lot, Garage or Carport	10 ft.	5 ft.	5 ft.	5 ft.
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.
Rear¹				
Primary	10 ft.	5 ft.	5 ft.	5 ft. ¹
Accessory Building	5 ft.	5 ft.	5 ft.	5 ft.
Accessory Dwelling Unit	10 ft.	5 ft.	5 ft.	5 ft.
Parking Lot, Garage or Carport	10 ft.	10 ft.	10 ft.	10 ft.
Garage or Carport vehicular entrance wall	20 ft.	20 ft.	20 ft.	20 ft.

¹Single-~~family~~unit detached and duplex dwellings in the HDR District shall have the same front, side and rear yard regulations as the MDR District.

²Minimum side setbacks may be reduced to zero feet (0') for attached primary structures where they share a common wall with a structure on an adjacent lot.

³For a corner lot or parcel which adjoins the point of intersections of two streets as defined in "Lot Type Corner" both lot or parcel lines are the front line. The sum of these setbacks shall not fall below the sum of the minimum front and side yard requirements for primary building and no setback shall be below the minimum primary side yard requirement for the district.

- a. The required front and side yards shall not be used for clotheslines, incinerators, storage of trailers, boats and recreational vehicles or of any materials, nor shall said yards be used for the regular or constant parking of automobiles or other vehicles, except as permitted under 10-3-8-A.
- b. All patio and playground equipment structures and swimming pools shall be a minimum of five feet (5') from any side or rear property line.
- c. When a multi-familyunit use adjoins a single-familyunit detached use, the multi-familyunit use shall be set back from shared lot lines one additional foot for each foot of height over twenty-eight feet (28'), except that the required setback shall not exceed twenty feet (20') from any lot line.

[...]

10-10-3: SITE DEVELOPMENT PROVISIONS:

- F. Landscaping: Except for single-familyunit and duplex dwellings, refer to Section 10-34 of this Title for requirements.

[...]

10-10-4: ACCESSORY DWELLING UNITS:

- A. Accessory Dwelling Units are permitted within all Residential Districts on all parcels with previously-existing primary detached single-familyunit dwellings subject to a Type I approval process and the following criteria:

10-10-7: ATTACHED HOUSING:

A. Applicability: Single-familyunit attached dwellings, duplexes, tri-plexes, and four-plexes are subject to all of the applicable sections of this Title. ~~Where there is a conflict between these standards and standards elsewhere in the code, the Attached Housing standards shall apply.~~

1. Open Space: Developments of four (4) or more units shall provide and maintain open space for the use of all occupants. Open space shall have the following characteristics:

g. Open space may be provided as private open space for single-familyunit attached dwellings.

2. Architectural Details

[...]

b. Single-familyunit attached ~~and-duet~~ dwellings shall include an area of transition between the public realm of the right-of-way and the entry to the private dwelling with one of the following options:

[...]

10-10-8: CLUSTER HOUSING:

A. Applicability: Cluster developments are subject to all the applicable sections of this Title. Where there is a conflict between these standards and standards elsewhere in the code, the Cluster Housing standards shall apply.

B. Intent.

1. To provide a variety of housing types that respond to changing household sizes and ages, including but not limited to retirees, small families, and single-person households.

2. To encourage creation of more usable open space for residents of the development through flexibility in density and lot standards.

3. To ensure that the overall size and visual impact of the cluster development be comparable to standard residential development, by balancing bulk and mass of individual residential units with allowed intensity of units.

4. To provide centrally located and functional common open space that fosters a sense of community and a sense of openness in cluster housing developments.

5. To ensure minimal visual impact from vehicular use and storage areas for residents of the cluster housing development as well as adjacent properties.

C. Development Standards.

1. Unit Standards:

a. Maximum average gross floor area: One thousand and two hundred (1,200) square feet per dwelling unit

b. Maximum height for primary dwellings: twenty-eight feet (28')

- c. Minimum roof slope of all structures: 4:12
- d. Permitted Housing Types:
 - i. Medium Density Residential and Mobile Home/Manufactured Home Residential Districts: Units may be single-family unit detached or up to four units attached.
 - ii. High Density Residential District: Units may be single-family unit detached or any number of units attached.

2. Dimensional Standards: In addition to the standards listed in 10-10-4, cluster developments must meet the following:

a. Minimum Lot size: Shall meet standards of Table 10-10-8-A.

	Minimum lot size for development on a single lot	Minimum lot size for development with individual lots
MDR and RMH	10,000 square feet	2,000 square feet
HDR	8,000 square feet	1,500 square feet

- b. Minimum lot dimensions: Minimum lot width for individual lots shall be twenty (20) feet, with a minimum lot depth of fifty (50) feet.
- c. Minimum setbacks from site perimeter: Same as the base zone.
- d. Minimum setbacks for single-family and duplex dwellings on individual lots within a Cluster Housing development:

	Setback
Front	10 ft.
Porch or stairs	5 ft.
Side	3 ft.
Rear	5 ft.

- e. Setbacks for accessory buildings shall comply with 10-10-4-D.
- f. Maximum building coverage shall be the same as the underlying zone.
- g. Minimum distance separating dwelling units (excluding attached dwellings and accessory structures): Six feet (6').

3. Density.

- a. For developments in the Medium Density Residential and Mobile Home/Manufactured Home Residential Districts: Maximum net density is 17.4 units per acre.
- b. For developments in the High-Density Residential District: Maximum net density shall be the same as allowed under 10-10-4-E.

- c. Units Per Cluster:
 - i. Medium Density Residential District: There may be 4-12 units per cluster.
 - ii. High Density Residential District: There may be 4-12 units per cluster with no limit on the number of clusters.

- 4. Open Space:
 - a. Cluster Housing shall provide and maintain at least one common open space for the use of all occupants. The open space shall have the following characteristics:
 - i. Located on land with a grade less than a five percent (5%) slope.
 - ii. Cleared sufficiently of trees, brush and obstructions so that intended recreational use proposed is possible.
 - iii. Not used for temporary or regular parking of automobiles or other vehicles.
 - iv. Includes at least one hundred (100) square feet of area for each dwelling unit.
 - v. Provides at least 50% of open space in the form of a single, contiguous, centrally located open space that:
 - A. Has a minimum dimension of twenty feet (20')
 - B. Abuts at least fifty percent of the dwellings in a cluster housing development.
 - C. Has dwellings abutting on at least two sides.
 - D. The common open space shall be developed with a mix of landscaping and lawn area, recreational amenities, hard-surfaced pedestrian paths, or a community building built for the sole use of the cluster housing residents. Impervious elements of the common open space, excluding community buildings, shall not exceed 30 percent of the total open space.
 - E. Shared non-recreational facilities such as shared laundry or storage facilities shall not count towards the open space requirement.
 - b. If private open space is provided for dwelling units, it shall be adjacent to each dwelling unit. Private open space may include landscaping, porches, patios and decks. The minimum dimension for private open spaces shall be ten feet (10'), except that porches shall have a minimum dimension of five feet (5'). 2nd story decks are excluded.

- 5. Architectural Details
 - a. Approved exterior building wall materials:
 - i. Lap siding, board and batten siding, shingles and shakes. Metal siding shall not be permitted
 - ii. Vinyl siding is permitted if it meets the following standards:

1. The style emulates lap siding, board and batten siding, shingles and/or shakes.
 2. The vinyl is ultraviolet- and heat-stabilized.
 3. Panels are a minimum thickness of 0.044 inches.
 4. Soffit panels are a minimum thickness of 0.050 inches.
 5. Siding is installed with corrosion-resistant fasteners such as aluminum or galvanized nails.
 6. Siding is installed with sufficient space at openings, stops and nailing slots to allow for expansion and contraction of the material without warping, buckling or cracking.
- iii. Brick or stone masonry with a minimum 2 ½” deep solid veneer material
 - iv. Cement-based stucco
 - v. Secondary materials: Any of the materials listed above as permitted may also be used as secondary materials or accents. In addition, the materials listed above are allowed as secondary materials, trims, or accents (e.g., flashing, wainscoting, awnings, canopies, ornamentation) when non-reflective and compatible with the overall building design, subject to approval. Secondary materials may be used on up to 30% of the façade.
6. Off-Street Parking: Cluster Housing must meet all of the applicable standards outlined in Section 10-3 of this Title.
 7. Fences: Cluster Housing must meet all of the applicable standards outlined in Section 10-34-5 of this Title.
 8. Existing dwelling unit onsite: One existing single-familyunit home incorporated into a Cluster Cottage Housing Development that does not meet the requirements of this chapter is permitted to remain on a site developed for cluster housing and shall be considered a dwelling in the development. The existing single familyunit dwelling unit shall not be part of the average gross floor area calculations. Modifications or additions to the existing dwelling unit not consistent with the provisions of this chapter shall not be permitted.

10-10-9: MULTI-FAMILYUNIT DWELLINGS:

- A. Applicability: Developments of five (5) or more attached residential units are subject to all of the applicable sections of this Title. Where there is a conflict between these standards and standards elsewhere in the code, the Multi-FamilyUnit Dwellings standards shall apply.
- B. Siting and Design Criteria:
 1. Separation Between Buildings: The minimum separation between multiple-familyunit buildings shall be thirty feet (30') except where buildings are arranged end to end. Except In such a case, there shall be at least a ten foot (10') separation and no doorway or entry may open into the space between the buildings.

2. Public Facilities: In addition to requirements listed in Section 10-36 of this Title, the developer of a multi-familyunit dwelling shall have full financial responsibility for the utilities needed on the building site. The developer shall also have partial or full financial responsibility, as determined by the City, for extra capacity utilities required to serve the building site.
3. Open Space: Developments of five (5) or more units shall provide and maintain at least one common open space for the use of all occupants. The open space shall have the following characteristics:
 - a. Not less than ten feet (10') in width or depth at any point.
 - b. Located on land with less than a five percent (5%) slope.
 - c. Cleared sufficiently of trees, brush and obstructions so that intended recreational use proposed is possible.
 - d. Not used for temporary or regular parking of automobiles or other vehicles.
 - e. Includes at least one hundred (100) square feet of area for each dwelling unit. (Ord. 625, 6-30-80)
 - f. Includes one or more of the following: indoor or outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
4. Design Standards: Multi-familyunit buildings must meet all applicable design criteria of FCC 10- 6-6-4 and 10-6-6-5, with the following exceptions:
 - a. 10-6-6-4. G.
 - b. 10-6-6-5. F. 2.
 - c. 10-6-6-5. G. 3.
 - d. Vinyl siding may be permitted if it meets the following standards:
 1. The style emulates lap siding, board and batten siding, shingles and/or shakes.
 2. The vinyl is ultraviolet- and heat-stabilized.
 3. Panels are a minimum thickness of 0.044 inches.
 4. Soffit panels are a minimum thickness of 0.050 inches.
 5. Siding is installed with corrosion-resistant fasteners such as aluminum or galvanized nails.
 6. Siding is installed with sufficient space at openings, stops and nailing slots to allow for expansion and contraction of the material without warping, buckling or cracking.
5. Off-Street Parking: Multi-familyunit development must meet all of the applicable standards outlined in Section 10-3 of this Title.

6. Fences: Multi-familyunit development must meet all of the applicable standards outlined in Section 10-34-5 of this Title.

10-10-10 : MANUFACTURED HOMES OUTSIDE OF MH SUBDIVISIONS OR PARKS

~~A.~~ When a manufactured home is placed outside of a manufactured home subdivision or mobile home park in a zone which allows single familyunit dwellings, in addition to any other requirements that would be imposed were the structure constructed on site, the manufactured home shall comply with the following placement standards:

~~A. Size: The manufactured home shall be multisectional and enclose a space of not less than 1,000 square feet.~~

~~B.A.~~ Foundation: The manufactured home shall be placed on an excavated and back-filled foundation and skirted in conformance with the requirements of the Building Codes Agency Manufactured Dwelling Administrative Rules in effect at the time of construction.

~~C.B.~~ Roof Pitch: The manufactured home shall have a pitched roof with a nominal slope of at least three feet (3') in height for each twelve feet (12') in width.

~~D. Siding and Roofing Requirements: The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community.~~

~~E.C.~~ Thermal Performance: The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single familyunit dwellings constructed under the State Building Code as defined in ORS 455.010.

~~B. Nothing in this section shall allow a manufactured home to be placed on residential land immediately adjacent to a historic landmark or other property with a historic designation for tax or assessment purposes.~~

10-10-11 : MOBILE HOME/MANUFACTURED HOME PARKS:

10-10-11-1 : ADMINISTRATIVE PROVISIONS:

- A. Compliance Required: No land within the City shall be developed for use as a mobile home/manufactured home park and no plan for such park shall be filed or recorded until submitted to and approved by the Planning Director through a Type II Process as defined in 10-1-1-6-2.
- B. Minimum Standards: The requirements and standards set forth in this Section are the minimum ones to which a mobile home/manufactured home park must conform before approval of the Planning Director.
- C. Conformity to the Comprehensive Plan: The mobile home/manufactured home park development shall conform to the City Comprehensive Plan of that portion of the City with which the development is located.

10-10-11-2 : DESIGN STANDARDS: The following standards and requirements shall govern the application of a mobile home/manufactured home park development in an area in which it is permitted:

- A. A mobile home/manufactured home park shall not be less than one ~~and one-half~~ (1-1/2) acres in area, nor contain less than ~~fifteen-ten~~ (150) rental spaces.
- B. Lots or spaces within the park shall contain a minimum of two thousand four hundred fifty (2,450) square feet, with a width of no less than thirty five feet (35').

- C. Only one living unit shall be permitted on a lot or space.
- D. No building, structure or land within the boundaries of a mobile home/manufactured home park shall be used for any purpose except for the uses permitted as follows:
 - 1. Mobile homes/manufactured homes ore prefabricated structures for residential uses only, together with the normal accessory buildings such as cabana, ramada, patio slab, carport or garage and storage or washroom building.
 - 2. Private and public utilities and services on approval by the Planning Director.
 - 3. Community recreation facilities, including swimming pools, for residents of the park and guests only.
 - 4. Residences for the use of a caretaker and/or managers responsible for maintaining or operating the property.
 - 5. One small store for the convenience of the residents of the park and guests and/or other appropriate businesses subject to approval by the Planning Director.
- E. All mobile homes/manufactured homes shall be set back at least twenty feet (20') from mobile home/manufactured home park boundary lines abutting upon public streets or highways, one hundred feet (100') from the center line of a State highway, and at least ten feet (10') from other park boundary lines.
- F. All mobile homes/manufactured homes shall be provided with a foundation stand, which shall be improved to provide adequate support for the placement and tie down of the mobile home/manufactured home. The stand shall be all-weather surfaced with asphalt, concrete or crushed rock, and must be at least as large as the mobile home placed upon it. The stand shall be constructed so that it will not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. Each stand design shall be approved by the City Building Official.
- G. All single-wide mobile homes/manufactured homes shall be tied down, thereby securing the structure against uplift, sliding, rotation and overturning. Anchors and tie downs or other devices to be used to stabilize the mobile home/manufactured home shall be of an approved type and shall be able to sustain a minimum load of four thousand seven hundred twenty five (4,725) pounds each. All such devices for anchoring and securing the structure must be approved by the City Building Official.
- H. All mobile homes/manufactured homes shall be required to provide minimum exterior finishing and construction of accessories as follows:
 - 1. All mobile homes/manufactured homes shall have compatible skirting of a moisture resistant, noncombustible material or fire- retardant wood, which must be installed within sixty (60) days from placement of home. This skirting material must be maintained in perpetuity as long as the unit is habitable.
 - 2. Pedestals or supports shall be installed to insure adequate support for all mobile homes/manufactured home. However, no mobile home/manufactured home shall be permanently attached to a foundation.
 - 3. All awnings, carports, cabanas, etc., shall comply with the City's Building Code.
- I. All mobile home/manufactured home parks over ten (10) acres in size shall be located so as to have access on a street designated by the City as a collector street.

- J. Street lighting shall be provided within the park in accordance with Section 10-36. All other lighting in the park to include that provided for and on residential and accessory structures shall be provided in accordance with Section 10-37 of this Title.
- K. All utilities shall be installed underground.
- L. If a master TV cable is installed, the owner of the park shall see that a coordinated plan is prepared and executed.
- M. Buffering or screening, as required by the Planning Director, shall be a sight obscuring fence, wall, evergreen or other suitable planting at least six feet (6') high.
- N. Fences or windbreaks exceeding forty two inches (42") in height shall be no closer than three feet (3') to any structure or mobile home/manufactured home. Maximum height of all fences, except swimming pool fences and perimeter barriers, shall be six feet (6').
- O. The condition of soil, sand, groundwater level, drainage and topography shall not create hazards to the property or the safety of the occupants. The site shall be located so as not to be exposed to objectionable smoke, noise, odors or other adverse influence, which would subject persons or property to hazards.
- P. There shall be landscaping within the front and side setback area, and in all open areas of the mobile home park not otherwise used for mobile home park purposes. The method of landscaping shall be included in the park plan for approval by the ~~Planning Director~~Community Development Director. The proposed landscaping must meet the standards outlined in Section 10-34 of this Title. The maintenance of the open spaces is necessary to continue renewal of the park license.
- Q. The condition of soil, sand, groundwater level, drainage and topography shall not create hazards to the property or the safety of the occupants. The site shall be located so as not to be exposed to objectionable smoke, noise, odors or other adverse influence, which would subject persons or property to hazards.
- R. Utilities and street standards within a mobile home/manufactured home park should be set by the Public Works Department and staff on a finding of soil condition, drainage and traffic flow.
- S. All other conditions listed in the State Code for Mobile Home/Manufactured Home Parks must be complied with.

10-10-11-3 : DEVELOPMENT PLAN:

- A. All applications submitted for approval of a mobile home/manufactured home park development shall consist of two (2) copies of a development plan. Such plan shall contain but not be limited to the following information:
 1. Name of person who prepared plan.
 2. Name(s) of person(s) owning and/or controlling the land proposed for a park.
 3. Name of mobile home/manufactured home park and address.
 4. Scale and north point of the plan.
 5. Boundaries and dimensions of the mobile home/manufactured home park.
 6. Vicinity map showing relationship of mobile home/manufactured home park to adjacent properties and surrounding zoning.

7. Location and dimensions of each mobile home/manufactured home site, with each site designated by number, letter or name.
8. Location and dimensions of each existing or proposed building.
9. Location and width of mobile home/manufactured home park streets and pedestrian ways.
10. Location of each lighting fixture for lighting the area.
11. Location of recreational areas and buildings and common area.
12. Location and type of landscaping plantings, fences, walls or combination of any of these, or other screening materials.
13. Extent, location, arrangement and proposed improvements of all off-street parking and loading facilities.
14. Location of fire hydrants.
15. Enlarged plot plan of a typical mobile home/manufactured home space showing location of the stand, storage, space, parking, sidewalk, utility connections and landscaping.
16. The plan shall indicate positions of the mobile homes/manufactured homes on their foundations.
17. The plan shall show the topography of the park site with contour intervals of not more than five feet (5'), except that the Building Official or Planning Director may require closer contour intervals.
18. A drainage plan.

B. At the time of application to construct a new mobile home/manufactured home park, the applicant shall submit, in addition to the above and as part of the development plan, two (2) copies of the following plans:

1. A survey and plat of the property.
2. New structures.
3. Public water systems approved by the appropriate governmental agency, and a certificate of connection to the City water system.
4. Methods of sewage disposal approved by the Department of Environmental Quality, State of Oregon, and certification of approval to connect to City sewer system.
5. Method of garbage disposal.

10-10-11-4 : DEVELOPMENT PLAN PROCEDURE:

A. Review Types.

1. Development plans for new manufactured home parks and alterations or expansions of existing parks by 25 percent or more of the shall be reviewed as a Type II review consistent with FCC 10-1-1-6-2.
2. Alterations or expansions of existing parks by less than 25 percent shall be reviewed as a Type I review consistent with FCC 10-1-1-6-1.

3. Approvals shall expire in two (2) years unless the plan is substantially implemented.
- B. Phased Development Plan. The development of a manufactured home park may be phased. No development may occur without receiving tentative phased development plan approval as set forth in this section. When the development of a manufactured home park is phased, one tentative plan is approved by Planning Commission for the entire phased development plan, and each individual phase receives separate approval from the Planning Director. Planning Commission shall approve a phased development plan, provided affirmative findings can be made that:
1. The proposed development plan meet the approval criteria for manufactured home parks.
 2. The proposed development plan includes the following elements:
 - a. A phasing plan that indicates the tentative boundaries of each phase, the sequencing of the phases, the tentative configuration of lots in each phase, and a plan for the construction of all required city infrastructure in each phase.
 - b. Connectivity for streets and City utilities between each phase ensures the orderly and efficient construction of required public improvements among all phases.
 - c. Each phase is substantially and functionally self-contained and self-sustaining with regard to required public improvements.
 - d. Each phase is designed in such a manner that all phases support the infrastructure requirements for the phased subdivision as a whole.
 3. If the approval of an individual phase requires the change of a boundary of a subsequent phase, or a change to the conditions of approval, the tentative phased development plan shall be modified prior to the approval of the individual phase.
 4. Tentative development plan approval shall be effective for two years within which time the application and development plan must be submitted as required by this Title. An applicant may apply to the Planning Director for two (2) extensions of two (2) years each. A decision to extend the approval shall be based on compliance with the following criteria:
 - a. The request for an extension is made in writing prior to expiration of the original approval;
 - b. There are special or unusual circumstances that exist which warrant an extension; and
 - c. No material changes of surrounding land uses or zoning has occurred.

Otherwise the entire procedure must be repeated for reconsideration in light of changed conditions that may exist.

10-10-11-5 : MOBILE HOME/MANUFACTURED HOME PARK LICENSE:

- A. No use or occupancy of any mobile home/manufactured home park or building or facility covered hereunder will be allowed until the license is issued.
- B. The project as approved by the Planning Director shall be completed before first occupancy is permitted.

- C. Licenses issued hereunder shall be valid for a period of one year, and renewable thereafter, unless a shorter or longer time is noted and approved by the Planning Director on the signed approved copies of the development plan.

Deviations from the approved plan must be submitted to the Planning Director for approval as revisions of the plan.

10-10-11-6 : BASIC REGULATIONS AND PROVISIONS:

- A. Alterations and Additions: The management shall be held responsible for all alterations and additions to a mobile home/manufactured home park and shall make certain that all permits and inspections are obtained from the proper authorities.
- B. Electrical Connections: All electrical connections shall comply with the State Electrical Code and be duly inspected.
- C. Fire Extinguishers: Portable fire extinguishers rated Classes A, B and C shall be kept in service buildings and be maintained in good operating condition.
- D. Fire Hazards: The owner of the park shall be responsible to maintain the park free of dry brush, leaves and weeds which might communicate fires between mobile homes and other buildings in the park.
- E. Fire Hydrants: Approved fire hydrants shall be installed so that all mobile homes/manufactured homes and other structures are within three hundred feet (300') down the center line of a street of an approved fire hydrant.
- F. Fire Protection: Fire protection requirements for mobile homes/manufactured homes shall be the same as for a Group I occupancy under the Uniform Building Code as regards fire detection devices. These devices are the responsibility of the mobile home/manufactured home owner.
- G. Insignia of Compliance: All mobile homes/manufactured homes installed in mobile home/manufactured home parks after the effective date hereof shall meet State Mobile Home/Manufactured Home Building Code requirements and bear the insignia of compliance or be able to prove their mobile home/manufactured home meets or exceeds those standards within six (6) months.
- H. Inspections: The Building Official shall check each park a minimum of once a year and submit to the park owner and manager a written report stating whether or not the park is in compliance. If not in compliance, the owner must make whatever repairs are required before a license or license of renewal for the park will be issued.

An extension of time to make repairs may be allowed by the Planning Commission, if it can be shown that risk to the public health, safety or welfare will not be created by this extension, for a period not to exceed one year, by the granting of a temporary emergency license.
- I. Mail Boxes: The owner or operator of a mobile home/manufactured home park shall provide facilities for individual mail boxes or distribution facilities for incoming mail, and shall provide at least one collection box for outgoing mail which shall be dispatched daily.
- J. Management Responsibility: Either the owner, an operator or resident manager or similar supervisor or representative of the owner, shall be available and responsible for the direct management of the mobile home/manufactured home park while it is in use.
- K. Plot Plans: A plot plan must be provided by the park administration to the City, including the space and sizes of units permitted, on both pre-existing and newly established parks.

- L. Pre-Existing Mobile Home/Manufactured Home Park: A pre-existing mobile home/manufactured home park must file a plan which provides for improvements of the park to minimum standards for sanitation and electrical so as not to endanger the health or safety of occupants. Minimum standards would be in compliance with State codes for sanitation, fire and electrical safety standards, with a time period not to exceed twelve (12) months from the effective date hereof or upon annexation to the City.
- M. Refuse Burning: Burning of refuse will not be permitted except in an approved device at a designated site as directed by the Fire Department.
- N. Refuse and Debris Control: All mobile home/manufactured home parks shall be maintained free of accumulations of refuse or debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests. All units shall have an adequate garbage container, as determined by the County Health Officer or his designate.
- O. Signs: All signs within the park shall be located so as to not be hazardous to passers-by. Sufficient signs for proper traffic direction shall be required. Signs advertising the park must comply with Title 4, Chapter 7 of this Code.
- P. Storage of Materials: Storage of decomposing, combustible or other unhealthy or unsafe materials inside or beneath any mobile home/manufactured home is not permitted, but may be allowed in an outside accessory building if such installation is approved by the City Building Official.
- Q. Telephone: At least one public telephone for the use of the park residents shall be provided for use at all times, if available.
- R. Water and Sewer Connections: All mobile homes/manufactured home, service buildings, etc., shall be connected to the City sewer and water systems in a manner that provides these services to the same degree as other residents of the City.

10-10-11-7 : PARK ADMINISTRATION:

- A. It shall be the responsibility of the park owners and manager to see that the provisions of this Section are observed and maintained within their park, and for failure to do so the owner and manager shall be subject to the penalties provided for violation of this Section.
- B. No mobile home/manufactured home shall be installed in any mobile home/manufactured home park until an installation permit has been issued by the Building Department.
- C. The project shall be completed or, a minimum of fifteen (15) spaces must be available for occupancy before first occupancy is permitted.
- D. An accurate record book shall be maintained for the purpose of public health, safety and welfare containing the current names and location address of all residents, along with the dates of entry and departure from the park for a period of one year. Such record shall be available to any person authorized by the City Council to inspect the mobile home/manufactured home park.

10-10-11-8: DEFINITIONS: For the purpose of this Section, certain words and terms are defined below. Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered a standard reference.

ACCESSORY Any structural addition to a mobile home/manufactured home, including awnings, carports, cabanas, porches, ramadas and similar structures.

AWNING Any stationary structure, permanent or demountable, used in conjunction with a mobile home/manufactured home, or trailer, other than window awning, for the purpose of providing shelter from the sun and rain, and having a roof with supports and not more than one wall or storage cabinet

substituting for a wall.

<u>BUILDING LINE</u>	<u>A line on a plat indicating the limit beyond which buildings or structures may not be erected.</u>
<u>CABANA</u>	<u>A stationary, lightweight structure which may be prefabricated, or demountable, with two (2) or more walls, used adjacent to and in conjunction with a trailer to provide additional living space meant to be moved with the trailer.</u>
<u>COMMON AREA</u>	<u>Any area or space designed for joint use of tenants occupying mobile home developments. Not to include off-street parking areas.</u>
<u>CORNER LOT</u>	<u>A lot at least two (2) adjacent sides of which abut streets other than alleys, provided the angle of intersection of the adjacent streets does not exceed one hundred thirty five degrees (135).</u>
<u>DENSITY</u>	<u>The number of mobile homes/manufactured homes or mobile home/manufactured home stands per gross acre.</u>
<u>DRIVEWAY</u>	<u>A minor private way used by vehicles and pedestrians on a mobile home lot or for common access to a small group of lots or common facilities.</u>
<u>EXPANDO</u>	<u>An expando is defined as a room or rooms that folds, collapses or telescopes into a mobile home during transport and which can be expanded at the site to provide additional living space.</u>
<u>LICENSE</u>	<u>A certificate for operation issued by the City pursuant to this Section.</u>
<u>LOT AREA</u>	<u>The total area reserved for exclusive use of the occupants of a mobile home/manufactured home.</u>
<u>LOT LINE</u>	<u>A line bounding the lot as shown on the accepted plot plan.</u>
<u>MOBILE HOME/ MANUFACTURED HOME COMMUNITY</u>	<u>A mobile home development and related utilities and facilities, including the mobile homes/manufactured homes and all of the people living within the development.</u>
<u>MOBILE HOME/ MANUFACTURED HOME LOT</u>	<u>A parcel of land for the placement of a mobile home/manufactured home and the exclusive use of its occupants.</u>
<u>MOBILE HOME/- MANUFACTURED HOME RESIDENTIAL DISTRICT (RMH)</u>	<u>A zone, the boundaries of which shall be defined and approved by the Planning Commission and the City Council, which allows for the placement of mobile homes/manufactured homes for residential uses.</u>
<u>MOBILE HOME/ MANUFACTURED HOME STAND</u>	<u>That part of an individual lot or parcel reserved for the placement of a mobile home/manufactured home.</u>
<u>MOBILE HOME/ MANUFACTURED HOME SUBDIVISION</u>	<u>Not less than five (5) acres of contiguous land, unless otherwise determined by the Planning Commission, which allows for the placement of mobile homes/manufactured homes for residential uses.</u>
<u>OCCUPIED AREA</u>	<u>That area of an individual mobile home/manufactured home lot which has been covered by a mobile home/manufactured home and its accessory structures.</u>
<u>OPEN SPACE</u>	<u>See Common Area</u>

<u>OWNER</u>	<u>The person having sufficient proprietary interest in the land sought to be developed to commence and maintain proceedings to develop the same under these regulations.</u>
<u>PAD</u>	<u>A minimum foundation treatment for a permanent mobile home/manufactured home installation, the construction of which is in compliance with City policy. Commonly but not necessarily constructed of concrete two feet wide by six inches thick (2' x 6") and extending the length of the mobile home/manufactured home unit or units.</u>
<u>PERSON</u>	<u>Any individual, firm, partnership, corporation, company, association, syndicate or any legal entity, and including any trustee, receiver, assignee or other similar representative thereof.</u>
<u>RAMADA</u>	<u>A stationary structure having a roof extending over a mobile home/manufactured home or trailer, which may also extend over a patio or parking space for motor vehicles, and is used principally for protection from sun and rain.</u>
<u>RECREATIONAL VEHICLE</u>	<u>A vacation trailer or other unit with or without motive power which is designed for human occupancy and to be used temporarily for recreational or emergency purposes and has a floor space of less than 220 square feet, excluding built-in equipment, such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet room.</u>
<u>TIE DOWN</u>	<u>Any device designed to anchor a mobile home/manufactured home securely to the ground.</u>
<u>UNIT</u>	<u>Relocatable housing. (See Mobile Home/Manufactured Home definition)</u>

10-10-12: UNDERSIZED RESIDENTIAL LOTS OF RECORD

- A. Any pre-existing residential lot of record meeting the standards listed in FCC 10-8-3 shall be designated a building site.
- B. A pre-existing lot of record that is less than or equal to 30 feet wide must conform to all applicable standards outlined in Title 10, with the following exceptions:

1. Parking:
 - a. Minimum parking space requirements for residential uses may be reduced to one space per unit, and may be covered or uncovered.
 - b. A street facing garage of up to 12 feet wide per lot may be permitted but is not required to satisfy the minimum parking space requirement.
 2. Dimensional Standards:
 - a. Minimum Lot Width, Depth and Size: Minimum Lot Width, Depth and Size do not apply for undersized lots of record.
 - b. Height: Primary structure height is limited to 1.2 times the width of the structure.
 - c. Setbacks:
 - i. Detached Structures: Detached residential primary structure building envelopes with less than twenty-five feet (25') in width may reduce side setbacks equal to one half foot (0.5') per foot of building envelope less than twenty five feet (25') under the base zone setback. The minimum side setback shall not fall below three feet (3').
 - ii. Attached Structures; Attached residential primary structures may reduce the minimum side setback to zero feet (0') where they are attached to a structure on an adjacent lot.
 - d. Maximum Lot Coverage: The maximum coverage for buildings may not exceed 50% of the site area nor may the maximum coverage for all impervious surfaces exceed 75%, unless expressly permitted by the base zone.
 3. Density: Density standards do not apply for undersized lots of record.
- C. No lot or combination of contiguous lots, either vacant or containing a residential dwelling, shall be platted or replatted so that an undersized lot is created, nor shall a lot be platted or replatted if setbacks or dimensions less than the minimum would result.

Amended by Ordinance No. 15, Series 1988
 Amended by Ordinance No. 3, Series 1999
 Section 10-10-5 B,C,E - Amended by Ordinance No. 26, Series 2008
 Section 10-10-5 amended by Ordinance No. 9, Series 2009
 Section 10-10-3 B – Amended by Ord. No. 2, Series 2011 – effective March 11, 2011
 Section 10-10-5-D-E – Amended by Ord. No. 4, Series 2011 – effective April 22, 2011
 Section 10-10-5-D amended by Ord. No. 3, Series 2013 – effective 7-31-13
 Section 10-10-5-I amended by Ord. No. 12, Series 2014 – effective 12-31-14
 Section 10-10-3 and -5-C amended by Ord. No. 11, Series 2016 – effective 11-16-16
 Section 10-10-6 and 7 amended by Ord. 4, Series 2018 – effective 6-21-18
 All Sections amended by Ord. 7, Series 2019 – effective 12-18-19
All Sections amended by Ord. 6, Series 2023 – effective 8-17-23

TITLE 10
CHAPTER 15

COMMERCIAL DISTRICT (C)

SECTION:

- 10-15-1: Purpose
- 10-15-2: Permitted Buildings and Uses
- 10-15-3: Buildings and Uses Permitted Conditionally
- 10-15-4: Lot and Yard Requirements
- 10-15-5: Site and Development Provisions
- 10-15-6: General Provisions

10-15-3: BUILDINGS AND USES PERMITTED CONDITIONALLY: The Planning Commission, subject to the procedures and conditions set forth in Chapters 1 and 4 of this Title, may grant a conditional use permit for the following:

[...]

Single-~~familyunit, duet,~~ and duplex dwellings.

[...]

10-15-5: SITE AND DEVELOPMENT PROVISIONS:

A. Building or Structural Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Residential dwellings shall have a maximum height of thirty-five feet (35'), and their associated/accessory structures refer to Section 10-10-5 of this Title for requirements.

[...]

H. Open Space is required for residential housing developments of 4 or more units as follows:

[...]

2. In meeting the open space standard, the multiple familyunit development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.

J. Residential and mixed-use development refer to Section 10-6-5-2 of this title for requirements. However, a conditionally approved use may require application of the relevant development standards from a district where the use is permitted outright to include but not limited to setbacks and lot coverage. The ~~morlesse~~ restrictive standards would apply.

K. Non-residential development refer to Section 10-6-5-1 & 10-6-7 of this title for requirements.

L. -Screening: Any trash, recycling or waste receptacle stored outside of an enclosed building shall be located within a trash enclosure constructed of a minimum of five (5') feet high solid wall, wood or similar or slatted chain link fence.

Amended by Ordinance No. 15, Series 1988
Section 10-15-5 D, E - Amended by Ordinance No. 26, Series 2008
Sections 10-15-4 and 10-15-5 Amended by Ordinance No. 9, Series 2009
Section 10-15-5-H added by Ordinance No. 2, Series 2011
Section 10-15-5 amended by Ordinance No. 4, Series 2011 (effective 4/22/11)
Section 10-15-2 and 10-15-3 amended by Ordinance No. 3, Series 2013, See Exhibit B (effective 7-31-13)
Section 10-15-5-I added by Ord. No. 12, Series 2014 (effective 12/31/14)
Section 10-15-3 amended by Ord. No. 1, Series 2015 (effective 3/17/15)

Section 10-15-3 amended by Ord. No. 12, Series 2015 (effective 1/1/15)

Sections 10-15-2, 10-15-3, and 10-15-5-D amended by Ord. No. 11, Series 2016 (effective 11-16-16)

Sections 10-15-2, 10-15-3, 10-15-5-H and J amended by Ord. No. 7, Series 2019 (effective 12-18-19)

Sections 10-15-3, 10-15-5(A) and (J) amended by Ord. No. 9, Series 2020 (effective 9-16-20)

Sections 10-15-3 & 10-15-5-A, H, J, K & L amended by Ord. No. 6, Series 2023 (effective 8-17-23)

TITLE 10
CHAPTER 16

HIGHWAY DISTRICT (H)

SECTION:

- 10-16-1: Purpose
- 10-16-2: Permitted Buildings and Uses
- 10-16-3: Buildings and Uses Permitted Conditionally
- 10-16-4: General Criteria
- 10-16-5: Development Standards
- 10-16-6: Rehabilitation of Existing Buildings and Uses
- 10-16-7: Design Specifications

10-16-1: PURPOSE: The Highway District includes the area adjacent to Highways 101 and 126. Highway frontage is recognized as an item of major concern that needs individual attention in order to serve the public interest and deal with its special nature and character. The principal concerns are:

[...]

- D. The need to provide adequate area for new commercial, limited industrial and multiple-~~familyunit~~ dwelling development.

10-16-2: PERMITTED BUILDINGS AND USES:

The following uses shall be permitted only upon affirmative findings by the Planning Commission that the proposed use meets the general criteria in Section 10-16-4 herein.

- A. All uses permitted outright or conditionally in the Commercial District, except single-~~familyunit~~ dwellings, ~~duets and~~ duplex dwellings, public buildings and facilities, medical marijuana dispensaries, marijuana retailers, marijuana testing facilities, and single-~~familyunit~~ residential PUD's.
- B. Multiple-~~familyunit~~ residential, tri-plex and four-plex.
- C. Planned unit developments, excluding single-~~familyunit~~ residential developments.

[...]

10-16-3: BUILDINGS AND USES PERMITTED CONDITIONALLY: The following uses shall be permitted only upon affirmative findings by the Planning Commission that the proposed use meets the general criteria in Section 10-16-4 herein, with conditions to be required by the Planning Commission through the provisions of Chapters 1 and 4 of this Title.

[...]

- C. Single-~~familyunit~~ detached, ~~duet~~ and duplex ~~residences~~ dwellings.

[...]

10-16-4: GENERAL CRITERIA: Before a building or use is established within the Highway District, the petitioner must demonstrate to the City that the proposed development will meet the following criteria:

[...]

- F. Limited industrial uses shall be reviewed for compatibility with neighboring uses in terms of noise, odor, smoke, glare, use of outdoor space for materials' storage, general exterior finish and

landscaping. Where the proposed use is adjacent to an established or planned multiple-familyunit use, these criteria will be applied more strictly.

10-16-7: DESIGN SPECIFICATIONS:

K. Height Limitations: The maximum building or structural height shall be thirty-five feet (35'). Residential dwellings shall have a maximum height of thirty-five feet (35'), and their associated/accessory structures shall refer to Section 10-10-5 of this Title for requirements.

N. Open Space is required for residential housing developments of 4 or more units as follows:

1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designed and permanently reserved as common open space.

2. In meeting the open space standard, the multiple familyunit development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g. trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.

[...]

P. Residential and mixed-use development refer to Section 10-6-5-2 of this title for requirements. However, a conditionally approved use may require application of the relevant development standards from a district where the use is permitted outright to include but not limited to setbacks and lot coverage. The ~~more~~-less restrictive standards would apply.

Q. Non-residential development refer to Section 10-6-5-1 & 10-6-7 of this title for requirements.

R. Screening: Any trash, recycling or waste receptacle stored outside of an enclosed building shall be located within a trash enclosure constructed of a minimum of five (5') feet high solid wall, wood or similar or slatted chain link fence.

Amended by Ordinance No. 15 Series 1988

Section 10-16-7, F, G, L - Amended by Ordinance No. 26, Series 2008

Sections 10-16-5 and 10-16-7 Amended by Ord. No. 9, Series 2009

Section 10-16-7-N added by Ord. No. 2, Series 2011

Section 10-16-5-F, 10-16-7-F amended by Ord. No. 4, Series 2011 (effective 4/22/11)

Section 10-16-2-D added by Ordinance No. 3, Series 2013 (effective 7-31-13)

Section 10-16-5-D and 10-16-7-O amended by Ord. No. 12, Series 2014 (effective 12-31-14)

Section 10-16-3 amended by Ord. 1, Series 2015 (effective 3-17-15)

Section 10-16-2 and 10-16-3 amended by Ord. No. 12, Series 2015 (effective 1-1-16)

Sections 10-16-3 and -7-L amended by Ord. No. 11, Series 2016 (effective 11-16-16)

Section 10-16-17-N amended by Ord. No. 7, Series 2019 (effective 12-18-19)

Sections 10-16-2(A) and (B), 10-16-3(C), 10-16-17(A)(2), (C)(2), (K), amended by, and section 10-16-17(P) added by Ord. 9, 2020 (effective 9-16-20)

Sections 10-16-1-D, 10-16-2-A, B, & C, 10-16-3-C, 10-16-4-F, 10-16-7-K, N-2, P amended by Ord. No. 6, Series 2023 and 10-16-7-Q & R added (effective 8-17-23)