ARTICLES 1-4.06 Additions

Definitions

**ATTACHED DWELLING UNITS** . SINGLE FAMILY HOMES ON INDIVIDUAL PLATTED LOTS THAT ARE ATTACHED TO A SIMILAR UNIT ON ONE OR TWO SIDES.

**Middle Housing.** *RESIDENTIAL DWELLINGS INCLUDING DUPLEXES, TRIPLEXES, QUADPLEXES, COTTAGE CLUSTERS, AND TOWNHOUSES*

Added definition to 1.02.02 and changed Shoreland to Shoreline in the permitted uses section to include the creeks

**Shoreline.** *ANY AREA WITH NEHALEM BAY FRONTAGE OR IN WHICH ZIMMERMAN, GERVAIS OR VOSBURG CREEKS RESIDE*

2.02.04 & 2.03.04 Changes When I read Walt’s next section, I realized building configuration – not ownership – was important. These were labeled Middle Housing and Condos and are now Attached Housing.

*(5) ATTACHED HOUSING FACING ONE DIRECTION WHEN A CORNER LOT IS NOT INVOLVED; USE THESE BUILDING - NOT INDIVIDUAL UNIT - SETBACKS. A TOWNHOUSE WOULD USUALLY FIT HERE.*

*(A) FRONT YARD – 20 FEET.*

*(B) SIDE YARD – 5 FEET.FOR THE BUILDING;*

*(C) EACH UNIT SHALL HAVE A ZERO LOT LINE BETWEEN ATTACHED UNITS*

*(D) REAR YARD – 10 FEET*

*(6) ATTACHED HOUSING FACING ONE DIRECTION WHEN ON A CORNER LOT; USE THESE BUILDING - NOT INDIVIDUAL UNIT - SETBACKS. A TOWNHOUSE WOULD USUALLY FIT HERE.*

*(A) FRONT YARD – 20 FEET.*

*(B) STREET FACING SIDE YARD – 15 FEET.*

*(C) NON-STREET FACING SIDE YARD – 5 FEET.*

*(D) REAR YARD – 5 FEET*

*(E) EACH UNIT SHALL HAVE A ZERO LOT LINE BETWEEN ATTACHED UNITS*

*(7) ATTACHED HOUSING WHEN UNITS FACE IN MULTIPLE DIRECTIONS ON A NON- CORNER LOT*

*(A) ALL YARDS WITH A UNIT FRONT DOOR FACING IT -15 FEET*

*(B) ALL YARDS WITHOUT A UNIT FRONT DOOR FACING IT – 5 FEET*

*(C) EACH UNIT SHALL HAVE A ZERO LOT LINE BETWEEN ATTACHED UNITS*

*FOR EXAMPLE, A QUADPLEX IS ON A NON-CORNER LOT AND TWO UNITS FACE EAST AND THE OTHER TWO WEST. THE EAST SETBACK IS 15 FEET, THE WEST SETBACK IS 15 FEET AND THE NORTH AND SOUTH SETBACKS ARE 5 FEET.*

*(8) ATTACHED HOUSING WHEN UNITS FACE IN MULTIPLE DIRECTIONS ON A CORNER LOT*

*(A) ALL YARDS WITH A UNIT FRONT DOOR FACING IT -15 FEET*

*(B) STREET FACING SIDE YARD REGARDLESS OF WHETHER IT HAS OR DOESN’T HAVE A FRONT DOOR FACING IT – 15 FEET..*

*(C) ALL OTHER YARDS WITHOUT A UNIT FRONT DOOR OR STREET FACING IT – 5 FEET*

*(D) EACH UNIT SHALL HAVE A ZERO LOT LINE BETWEEN ATTACHED UNITS*

*(9) WHEN A LOT IS A TRIANGLE WITH STREETS ON TWO SIDES, THE PLANNING COMMISSSION MAY USE THE AVERAGE DISTANCE FROM THE DWELLING UNIT TO THE LOT LINES TO MEET THE SIDE AND REAR SETBACK REQUIREMENTS, BUT IN NO CASE SHALL ANY SETBACK BE LESS THAN 5 FEET. THIS PROCEDURE DOES NOT REQUIRE A FORMAL VARIANCE REQUEST.*

Added this ro everywhere Churches, Neeting Halls, etc are permitted

(10) For Church, Meeting Hall, Government Facility, Community Center, Health Facility, or Retirement Home only: the primary structure and related buildings shall be at least 30 feet from a side or rear lot line.

Also (10) was added to anywhere that was permitted

Put all Ripiatian together in section 3.06.03, S

Added public Utilities to section 2.01.04

(H) Public Utility or Communication Facility.

a. When located in or adjacent to a residential zone, suitable fencing or landscaping shall be provided.

b. When located in or adjacent to a residential zone, all equipment storage shall be in an enclosed building.

c. The minimum lot size may be waived on a finding that a reduced lot size will not have a detrimental affect on adjacent property

Remove Yards from all development standards The only 2 things in yards were the two I sent out yesterday and we will incorporate them in the zone uses if we like them

Added the following to Comercial and IND and Public

Awnings may extend no more than 5 feet into the public rightofway or the width of the sidewalk, whichever is less

Design Review and Landscaping are in Article 5 although I may move landscaping back to 4 and I made those corrections

Section 12.020. Zone Boundaries.

If a zone boundary as shown on the official zoning map divides a lot between two zones, the entire lot shall be deemed to be in the zone in which the greater area of the lot lies. Except as otherwise described, zone boundaries follow property lines, street rightsofway, or city limits lines.

This incorporated in 2.01.02

Section 12.030. Authorization of Similar Uses.

The Planning Commission may permit in a particular zone a use not listed in this ordinance provided the use is of the same general type as the uses permitted there by this ordinance, or provided the use is required by state or federal law, such as pollution control equipment

This incorporated in 2.01.02

ARTICLES 1-4.06-1 Additions

Add to 4.02.05

(H) Parking lots shall be divided into groups of no more than 8 spaces with landscaping and

walkways dividing the groups. A walkway or sidewalk shall be provided to separate the

parking from public streets and adjacent property. Parking shall be designed to be as

unobtrusive as possible, through site location and landscaping.

Change Yard definition in 1.02 to:

**Yard.** An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance. *NO REQUIRED YARD OR OTHER OPEN SPACE SHALL BE CONSIDERED AS PROVIDING A YARD OR OPEN SPACE FOR ANY OTHER BUILDING OTHER THAN THE BUILDING(S) ON THAT LOT.*

**SECTION 2.02.05 & 2.03.05 DEVELOPMENT STANDARDS**

(C) FENCES SHALL CONFORM TO PROVISIONS CONTAINED IN *SECTION 4.15. IN ADDITION A SIGHT-OBSCURING FENCE SIX FEET TALL MADE OF MAN-MADE MATERIALS , EVERGREEN PLANTINGS, OR BOTH IS REQUIRED ON ALL BUT THE STREET ACESS FACE OF THE LOT.*

(E) NEW USES AND SIGNIFICANT EXPANSIONS MAY BE SUBJECT TO A SITE DEVELOPMENT REVIEW (SEE ARTICLE 5). One place said Article 4

In Residential Dimensional Standards under (D) for the Setbacks below:

*5. PROJECTIONS SUCH AS CHIMNEYS, SPIRES, DOMES, ELEVATOR SHAFT HOUSING, TOWERS, AERIALS, FLAGPOLES, AND OTHER SIMILAR OBJECTS NOT USED FOR HUMAN OCCUPANCY MAY BE CONSTRUCTED TO A HEIGHT NOT TO EXCEED 1.25 TIMES THE HEIGHT LIMIT FOR THE ZONE. ITEMS SUCH AS A HAM RADIO ANTENNA MAY RECEIVE A NON-VARIANCE EXCEPTION FROM THE PLANNING COMMISSION.*

Here I am envisioning a way to get a simple exception without having to go through the variance process and pay the $500

In all Public, Commercial and IND Residential Dimensional Standards

(C) *PROJECTIONS SUCH AS CHIMNEYS, SPIRES, DOMES, ELEVATOR SHAFT HOUSING, TOWERS, AERIALS, FLAGPOLES, AND OTHER SIMILAR OBJECTS NOT USED FOR HUMAN OCCUPANCY MAY BE CONSTRUCTED TO A HEIGHT NOT TO EXCEED 1.25 TIMES THE HEIGHT LIMIT FOR THE ZONE.*

2.02.04 & 2.03.04 Changes reword

*(9) WHEN A LOT IS A TRIANGLE WITH STREETS ON TWO SIDES, THE PLANNING COMMISSSION MAY USE THE AVERAGE DISTANCE FROM THE DWELLING UNIT TO THE LOT LINES TO MEET THE SIDE AND REAR SETBACK REQUIREMENTS, BUT IN NO CASE SHALL ANY SETBACK BE LESS THAN 5 FEET.* APPLYING TO USE THE AVERAGE DISTANCE IS A NON-VARIANCE EXCEPTION

2.02.04 & 2.03.04 Dimensional Standards

(11) If a lot platted prior to the December 1979 has an area no less than 4,000 square feet, but does not meet the lot size requirement or lot dimension requirements of the zone in which the property is located, the property may be occupied by a use permitted in the zone subject to the other requirements of the zone provided that if there is an area deficiency, residential use shall be limited to a single family dwelling or to the number of dwelling units consistent with the density requirements of the zone. If a lot has an area of less than 5,000 square feet, application for a building permit shall include evidence that the lot was platted and recorded in the office of the County Clerk prior to Decmber 1979

2.01.03 add

(D) All uses permitted by this ordinance shall be in conformance with applicable Federal and State air and water quality standards, and noise standards.

(E) PROPERTY OWNER SHOULDL NOT ALLOW THE WATER CARRYING CAPACITY OF ANY DRAINAGEWAY WITHIN THEIR PROPERTY TO DETERIORATE AND SUBSEQUENTLY CONTRIBUTE TO FLOOD HAZARD.

(F) BUS SHELTERS. BUS SHELTERS WHICH ARE INTENDED FOR USE BY THE GENERAL PUBLIC AND ARE UNDER THE CONTROL OF A *GOVERNMENTAL AUTHORITY* SHALL BE EXEMPT FROM SETBACK REQUIREMENTS, PROVIDED THEY DO NOT VIOLATE CLEAR-VISION PROVISIONS IN SECTION 4.15.01.

(G) UNDERGROUND STRUCTURES. SIDE AND REAR YARDS OF UNDERGROUND STRUCTURES MAY BE REDUCED TO THREE FEET EXCEPT:

1. WHERE THE PERIMETER WALL OF THE STRUCTURE IS ABOVE THE NATURAL ELEVATION OF THE ADJACENT GROUND, IN WHICH CASE THE SETBACK PROVISIONS OF THE ZONE SHALL APPLY.

2. ALL OPENINGS INTO THE STRUCTURE, INCLUDING DOORS, WINDOWS, SKYLIGHTS, PLUMBING, INTAKE, AND EXHAUST VENTS, SHALL MEET THE MINIMUM SETBACKS OF THE ZONE.

-2 changes

***Bed and Breakfast.***

*ANY ESTABLISHMENT LOCATED IN A STRUCTURE DESIGNED FOR A SINGLE-FAMILY RESIDENCE AND STRUCTURES BELONGING THERETO WHICH HAS ROOMS FOR RENT ON A DAILY BASIS TO THE PUBLIC, OFFERS A BREAKFAST MEAL AS PART OF THE COST OF THE ROOM AND SERVES THAT MEAL ONLY TO BED AND BREAKFAST GUESTS, STAFF AND OWNERS.*

**SECTION 2.03.05 & 2.04.05 DEVELOPMENT STANDARDS**

(C) FENCES SHALL CONFORM TO PROVISIONS CONTAINED IN *SECTION 4.15. IN ADDITION A SIGHT-OBSCURING FENCE SIX FEET TALL MADE OF MAN-MADE MATERIALS OR EVERGREEN PLANTINGS IS REQUIRED ON ALL BUT THE STREET ACCESS FACE OF THE LOT FOR DWELLINGS WITH MORE THAH 2 UNITS (TRIPLEXES, QUADPLEXES, MULTI-FAMILT, ETC.).*

**SECTION 2.02.02**

(I) *BED AND BREAKFAST ESTABLISHMENT; LIMITED TO 2 GUEST ROOMS*

**SECTION 2.03.02Permitted Uses.**

In a R-2 zone the following uses are permitted outright SUBJECT TO THE PROVISIONS OF ARTICLE 4:

(A) Single-family dwelling.

(B) Duplexes.

(C) *MIDDLE HOUSING*

*(D) ACCESSORY DWELLING UNITS*

(E) Manufactured dwellings

(F) *BED AND BREAKFAST ESTABLISHMENT; LIMITED TO 2 GUEST ROOMS*

(G*) COTTAGE INDUSTRY*,.~~Home Occupations subject to the requirements of Article 11.~~

(H) Multi-family dwellings

(I) *ADULT FOSTER CARE (Adult Day Care)*

(J) Accessory *STRUCTURES AND* uses

**SECTION 2.03.03. Conditional Uses**

In the R 2 zone, the following conditional uses are permitted subject to the provisions of Article ~~1~~:

(A) Manufactured dwelling parks

(B) Church or community meeting hall.

(C) Day care center ~~or adult day care residence~~

4. ~~Forest management in accordance with Article 11.~~

(D) Government Facility ~~structure~~, excluding a storage or repair facility.

(E) *HEALTH CARE FACILITIES* ~~Hospitals or other medical facilities~~.

(F) Public or private schools.

~~8. Cottage industries, SUBJECT TO PROVISIONS IN ARTICLE 4.~~

(G) A manufactured dwelling or recreational vehicle not exceeding three hundred square feet in area used temporarily during the construction period of a permitted use for which a building permit has been issued, but not to exceed one year.

~~Plant nursery~~ .

(H) Recreational Vehicle ~~rv~~ Parks or Campgrounds on tracts of 10 acres or more

(J) Accessory *STRUCTURES AND* uses

**Mean Lot Elevation.** The mean elevation of the highest and lowest lot corners. *WHILE MOST LOTS HAVE 4 CORNERS, A FLAG LOT HAS 6 CORNERS THAT MUST BE CHECKED FOR THE HIGHEST AND LOWEST CORNER ELEVATIONS.*

**Mixed-use Development.** Development that contains both residential and commercial or public/institutional uses all within the same structure. ~~Mixed-use development may be “vertical” (residential above the ground floor) or “horizontal” (residential on the ground floor).~~