

ARTICLE 4 LAND USE DISTRICTS AND PLAN DISTRICTS

SECTION 4.0100 RESIDENTIAL LAND USE DISTRICTS

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General

4.0101 Purpose

Development on lands designated Low Density Residential-5, Low Density Residential-7 Transit Low Density Residential, Transition Residential, Moderate Density Residential-12, Moderate Density Residential-24, and Office / Residential is permitted when consistent with the provisions of this section and all other applicable requirements of the Community Development Plan.

Some non-residential uses may also be permitted within some of these districts. Areas of the city determined appropriate for the following Residential Land Use District developments are identified on the Community Development Plan Map.

Development of land in the following Residential Land Use Districts is permitted when development proposals are found to comply with the standards of this section and other relevant supplementary requirements of this ordinance.

Land Use District Characteristics

4.0110 Low Density Residential-5 (LDR-5)

The Low Density Residential-5 District is primarily intended for single-family detached dwellings and manufactured homes at a maximum net density of 8.71 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 20,000 square feet, a minimum net density of 6.22 units per acre is required.

4.0111 Low Density Residential-7 (LDR-7)

The Low Density Residential-7 District is primarily intended for single-family detached dwellings and manufactured homes at a maximum net density of 6.22 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 20,000 square feet, a minimum net density of 4.35 units per acre is required.

4.0112 Transit Low-Density Residential (TLDR)

The Transit Low Density Residential District designation is applied primarily to existing low-density residential neighborhoods within close proximity of light rail and/or bus transit service and is intended for single family detached and attached dwellings, manufactured homes, and duplexes at a maximum net density of 20 units per acre. For all subdivisions, and for those partitions of parent parcels greater than 13,000 square feet, a minimum net density of 10 units per acre is required. This district is intended to continue as a lower-density neighborhood, with detached single-family housing on small lots. Manufactured dwelling parks are allowed at a maximum net density of 14 units per acre and a minimum net density of 7 units per acre.

4.0113 Transition Residential (TR)

The Transition Residential District designation is intended for a mix of single-family detached, single-family attached and duplex housing. It is applied primarily to locations between more intense land use districts (such as those that allow multi-family residential and commercial uses) and less intense land use districts such as LDR-5 and LDR-7. TR provides a transition between these intensities while providing for a variety of housing types. The residential net density is 6.22 to 14.52 or 18.15 units per acre, depending on site size.

4.0114 Moderate Density Residential-12 (MDR-12)

The Moderate Density Residential District-12 is primarily intended for attached housing at a maximum net density of 12.1 units per acre and manufactured dwelling parks at a maximum net density of 8.71 units per acre. Manufactured dwelling parks shall be designed in conformance with standards and procedures of the Oregon Department of Consumer and Business Services, Building Codes Division as contained in Oregon Administrative Rules Chapter 918 Div. 600. Where standards of OAR 918-600 conflict with the following standards, the more restrictive standard shall apply.

4.0115 Moderate Density Residential-24 (MDR-24)

The Moderate Density Residential District-24 is primarily intended for attached housing at a maximum net density of 24.2 units per acre and a minimum net density of 12.1 units per acre. Some non-residential uses may also be permitted within this district.

4.0116 Office/Residential District (OFR)

The Office/Residential District is primarily intended for business offices, professional clinics and attached housing at a minimum net density of 8.71 units per acre and a maximum net density of 12.1 units per acre.

Permitted Uses

4.0120 Permitted Uses

Table 4.0120 lists those uses that are permitted in each Residential Land Use District.

- P = Permitted use
- L = Use is permitted, but is limited in the extent to which it may be permitted
- NP = Use not permitted
- SUR = Use permitted subject to a Special Use Review

Each of these uses must comply with the land use district standards of **Section 4.0130-4.0138** and all other applicable requirements of the Community Development Code.

Table 4.0120: Permitted Uses in the Residential Land Use Districts

USES	LDR-5	LDR-7	TLDR	TR	MDR-12	MDR-24	OFR
RESIDENTIAL							
Single-Family Detached Dwelling	P	P	P	P	L ¹	NP	L ¹
Duplex	L ²	L ²	P	L ³	P	P	P
Single-Family Attached Dwellings	NP	NP	P	P	P	P	P
Attached Dwellings on a Single Lot	NP	NP	NP	NP	P	P	P
Elderly Housing ⁷	NP	NP	NP	NP	SUR	SUR	SUR
Manufactured Dwelling Park	NP	NP	P	NP	P	NP	NP
Residential Facility	NP	NP	NP	NP	P	P	P
Residential Home	P	P	P	P	L ¹	NP	L ¹
COMMERCIAL							
Auto-Dependent Use	NP	NP	NP	NP	NP	NP	NP
Business and Retail Service and Trade	NP	NP	NP	NP	NP	NP	L ⁴
Clinics	NP	NP	NP	NP	NP	NP	P
Commercial Parking	NP	NP	NP	NP	NP	SUR	SUR
Daycare Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Live-Work	NP	NP	NP	NP	NP	NP	NP
Major Event Entertainment	NP	NP	NP	NP	NP	NP	SUR
Mini-Storage Facilities	NP	NP	NP	NP	NP	NP	NP
Outdoor Commercial	NP	NP	NP	NP	NP	NP	NP
INDUSTRIAL							
Construction	NP	NP	NP	NP	NP	NP	NP
Exclusive Heavy Industrial Uses	NP	NP	NP	NP	NP	NP	NP
Industrial Office	NP	NP	NP	NP	NP	NP	NP
Information Services	NP	NP	NP	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP
Miscellaneous Industrial	NP	NP	NP	NP	NP	NP	NP
Trade Schools	NP	NP	NP	NP	NP	NP	NP
Transportation/Distribution	NP	NP	NP	NP	NP	NP	NP
Warehousing/Storage	NP	NP	NP	NP	NP	NP	NP
Waste Management	NP	NP	NP	NP	NP	NP	NP
Wholesale Trade	NP	NP	NP	NP	NP	NP	NP
INSTITUTIONAL USES							
Civic Uses	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Community Services	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Medical	NP	NP	SUR	SUR	SUR	SUR	SUR
Parks, Open Spaces, and Trails	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Religious Institutions	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Schools	SUR	SUR	SUR	SUR	SUR	SUR	SUR

USES	LDR-5	LDR-7	TLDR	TR	MDR-12	MDR-24	OFR
RENEWABLE ENERGY⁸							
Solar Energy Systems	L ⁹	L ⁹	L ⁹	L ⁹	L/SUR ⁹	L/SUR ⁹	L/SUR ⁹
Wind Energy Systems	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰	L ¹⁰
Biomass Energy Systems	L/SUR ¹¹	L/SUR ¹¹	L/SUR ¹¹	L/SUR ¹¹	L ¹¹	L ¹¹	L ¹¹
Geothermal Energy Systems	L ¹²	L ¹²	L ¹²	L ¹²	L/SUR ¹²	L/SUR ¹²	L/SUR ¹²
Micro-Hydro Energy Systems	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³	L ¹³
OTHER							
Basic Utilities							
Minor basic utilities	P	P	P	P	P	P	P
Major basic utilities	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵	L/SUR ⁵
Heliports ⁶	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facilities	SUR	SUR	SUR	SUR	SUR	SUR	SUR
Temporary, Intermittent & Interim Uses	P	P	P	P	P	P	P
Marijuana Businesses	NP	NP	NP	NP	NP	NP	NP

Notes

¹ Permitted on a lot of record only.

² See **Section 4.0131**.

³ Duplexes are allowed only on corner lots. Each unit of the duplex must have its address and main entry door oriented toward a separate street frontage. Conversion of an existing house may provide one main entrance with internal access to both units.

⁴ Limited Business and Retail Service and Trade when found to be consistent with the requirements of **Section 4.0134**.

⁵ Electrical Generating Facilities are not permitted on residentially designated land.

⁶ Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process.

⁷ May have locational limitations, see **Section 8.0114**.

⁸ See **Section 10.0900** for additional standards that apply.

⁹ For limitations, see **Section 4.0140** Solar Energy System Standards for Residential Districts.

¹⁰ For limitations, see **Section 4.0141** Wind Energy System Standards for Residential Districts.

¹¹ For limitations, see **Section 4.0142** Biomass Energy System Standards for Residential Districts.

¹² For limitations, see **Section 4.0143** Geothermal Energy System Standards for Residential Districts.

¹³ For limitations, see **Section 4.0144** Micro-Hydro Energy System Standards for Residential Districts.

Land Use District Standards

4.0130 Residential Land Use District Standards

The development standards listed in **Table 4.0130** are applicable to all development within the Residential Land Use Districts. Development within these districts shall also be consistent with all other applicable requirements of the Community Development Code.

For purposes of **Table 4.0130** and **Table 4.0130(E)**, Residential Homes are treated like Detached Dwellings on a single lot; Residential Facilities and Elderly Housing are treated like Attached Dwellings on a Single Lot.

Table 4.0130: Development Requirements For Residential Land Use Districts

	LDR-5 ^{1,2}	LDR-7 ^{1,2}	TLDR	TR	MDR-12	MDR-24	OFR
A. Minimum Site Size	None	None	None, except 20,000 square feet for manufactured dwelling park ¹³	None	Attached dwellings: 7,200 square feet Manufactured dwelling parks: 20,000 square ft.	11,000 square feet	7,200 square feet
B. Minimum Lot Size:							
Detached dwelling unit manufactured home:	5,000 square feet	7,000 square feet	None	4,000 square feet	Not Applicable	Not Applicable	Not Applicable
Single family attached dwellings:	Not Applicable	Not Applicable	None	2,400 square feet	3,600 square feet	No minimum lot size	3,600 square feet
Duplexes:	Not Applicable	Not Applicable	None	7,000 square feet	7,200 square feet	3,600 square feet	7,200 square feet
C. Density:							
1. Minimum Net Density (See definition of Net Density In Article 3)	6.22 units per acre ¹⁴	4.35 units per acre ¹⁴	10 units per acre ¹⁴ Manufactured dwelling park: 7 units per acre	6.22 units per acre ¹⁴	Attached dwellings: 8.71 units per acre ⁴ Manufactured dwelling park: 3.78 units per acre	12.1 units per acre ⁵	8.71 units per acre
2. Maximum Net Density	8.71 units per acre Also See Section 4.0131(A)	6.22 units per acre Also See Section 4.0131(A)	20 units per acre Manufactured dwelling park: 14 units per net acre	Sites less than 1.5 acres: 18.15 units per acre Sites greater than 1.5 acres: 14.52 units per acre	Attached dwellings: 12.1 units per acre Manufactured dwelling park: 8.71 units per acre	24.2 units per acre Also See Section 4.0134(D)	12.1 units per acre

D. Minimum Lot Dimensions:							
1. Width at building line a. Interior lot b. Corner lot 2. Depth a. Interior lot b. Corner lot	Single Family detached: (1a) 35 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet	Single Family detached: (1a) 40 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet	None, except single-family attached shall be as per MDR-24 single-family attached	Single Family detached and Duplex: (1a) 35 feet (1b) 40 feet (2a) 70 feet (2b) 70 feet; Single Family Attached: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	All uses except Single-family and Duplex: (1a) 65 feet (1b) 70 feet (2a) 90 feet (2b) 100 feet. Single Family Attached Dwellings and Duplex: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	All uses except Single-family and Duplex: (1a) 60 feet (1b) 70 feet (2) 100 feet Single Family Attached Dwellings and Duplex: (1a) 16 feet ⁷ (1b) Corner lot ⁸ (2) 0 feet	(1a) 60 feet (1b) 70 feet(2) 100 feet
E. Minimum Yard Setback	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E) See Section 4.0138 for infill setback standards.	See Table 4.0130(E). See Section 4.0138 for infill setback standards.	See Table 4.0130(E)	See Table 4.0130(E)	See Table 4.0130(E)

F. Maximum Building Height	35 feet. See Section 10.1100 for shoreline height standards. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet. See Section 4.0138 for infill height standards.	35 feet.	Single family attached dwellings: 35 feet. Other attached dwellings: 3 stories or 40 feet. Also see Sec. 4.0134(A) .	35 feet. See Section 4.0134(C) .
G. Height Transition	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.
H. Minimum Street Frontage⁹	35 feet. Corner lots: 40 feet ³	40 feet.	See Table Note 11.	See Table Note 11.	45 feet, except: Single family attached dwellings: 16 feet Single-family attached on a corner lot: varies depending on access. ³ Attached dwellings on a single lot: 45 feet.	Attached dwelling units on a single lot: 45 feet Single-family attached dwellings: 16 feet. Single family attached on a corner lot: varies depending on access ³	Not Applicable, except: Single family attached dwellings: 16 feet. Single family attached on a corner lot: varies depending on access ³
I. Public Facilities. Site and Supplementary Requirements	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0132(F)	See Section 4.0134(F)	See Section 4.0134(F)	See Section 4.0134(F)
J. Commercial Development	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See Section 4.0134(B)

K. Limited Retail Trade, Retail	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	See Section 4.0134(B)
M. Off Street Parking	See Section 9.0800	See Section 9.0800	See Section 9.0800 ¹²	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800
N. Safe Neighborhood Design Performance Standards	See Section 4.0132(D)	See Section 4.0132(D)	See Section 4.0132(D) ¹²	See Section 4.0132(D)	Applicable for single family attached units	Applicable for single family attached units	Applicable for single family attached units
O. Buffers	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Sec. 9.0100 ¹²	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100	See Buffer Matrix, Section 9.0100
P. Infill Development Standards	See Section 4.0138	See Section 4.0138	See Section 4.0138	See Section 4.0138	Not Applicable	Not Applicable	Not Applicable

Table 4.0130 Notes:

- 1 Refer to Section 4.0131(D).
- 2 Refer to Section 4.0132(C).
- 3 As measured from the corner radius end point to the property corner 25 feet if there is an alley or shared access and 32 feet if there is no alley or shared access.
- 4 This does not apply to lots of record less than 7,200 square feet.
- 5 This does not apply to lots of record less than 11,000 square feet in size.
- 6 This does not apply to lots of record less than 20,000 square feet in size.
- 7 Single family attached dwelling lots of less than 22 feet width shall take access from an alley or from a shared access.
- 8 Abuts an alley = 16 feet; shared access = 25 feet; no alley or shared access = 42 feet
- 9 A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code.
- 10 Parking stalls, aisles and maneuvering areas not allowed in setbacks.
- 11 All permitted uses except single family attached dwellings: 35 feet, except corner lots shall be 40 feet as measured from the corner radius end point to the property corner. Single family attached dwellings: 16 feet, except corner lots shall be 25 feet as measured from the corner radius end point to the property corner if there is an alley or shared access, and 32 feet from the corner radius end point to the property corner if there is no alley or shared access. A reduction in the minimum street frontage may be approved when the applicant can document compliance with Section 10.1520 of the Community Development Code.
- 12 For manufactured dwelling parks this provision is replaced by the requirements of Section 7.0211.
- 13 The minimum site size standard of Table 4.0130 shall be satisfied prior to issuance of a development permit for manufactured dwelling parks.
- 14 The minimum density standards do not apply to the partition of parent parcels of 20,000 net square feet or less in LDR-5, LDR-7 and TR Districts and the partition of parent parcels of 13,000 net square feet or less in the TLDR District.

Table 4.0130(E) - Minimum Setbacks in Residential Districts⁷

	FRONT			SIDE					REAR	
	Front Facade/ Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/ No Alley	Rear/ With Alley
Single Family Detached: ^{[6] [10]}										
LDR-5 ¹	10 feet	8 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	8 feet
LDR-7 ¹	10 feet	8 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	8 feet
TLDR ¹	10 feet	8 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	8 feet
TR ¹	10 feet	8 feet	20 feet	5 feet	6 inches on zero/ 6 feet on other side ⁸	10 feet	6 feet	20 feet	15 feet	8 feet
MDR-12	10 feet	10 feet	20 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
OFR	10 feet	10 feet	20 feet	10 feet	NA	20 feet	20 feet	20 feet	15 feet	NA
Single Family Attached: ^{2, 3, 6}										
TLDR	10 feet	8 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	8 feet
TR	10 feet	8 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	8 feet
MDR-24, MDR- 12, OFR	10 feet	6 feet	20 feet	5 feet	NA	6 feet	6 feet	20 feet	10 feet	8 feet

Table 4.0130(E) - Minimum Setbacks in Residential Districts⁷

	FRONT			SIDE					REAR	
	Front Facade/ Wall	Front Porch	Garage	Interior Side (Not Zero or Common Wall)	Zero Lot Line Option	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear/ No Alley	Rear/ With Alley
Attached Dwellings: 2, 3, 4, 6										
MDR-12	10 feet ⁵	NA ⁵	NA ^{2,5}	10 feet	NA	5 feet ⁵	5 feet ⁵	20 feet ⁵	15 feet	15 feet
MDR-24	10 feet ⁵	6 feet ⁵	NA ^{2,5}	10 feet	NA	5 feet ⁵	5 feet ⁵	20 feet ⁵	15 feet	15 feet
OFR	10 feet ⁵	NA ⁵	NA ^{2,5}	10 feet	NA	⁵	NA ⁵	NA ⁵	15 feet	15 feet

Table 4.0130(E) Notes:

- 1 See Section 10.0200 for setbacks of detached accessory structures and for setbacks of attached and detached patio covers in LDR-5, LDR-7, TLDR and TR.
- 2 Buffering and Screening Standards of Section 9.0100 may apply.
- 3 Height Transition Standards of Section 9.0600 may apply.
- 4 20 foot minimum distance between major structures on same lot, except for non-single family attached townhouse style dwellings on the same lot where a minimum of 10 feet in between major structures (side to side) will be required. Detached carports and detached garages are not major structures. See Section 10.0200 for accessory structure setback standards.
- 5 Maximum front and street-side setbacks apply as provided for the Corridor Multi-Family District in Table 4.0430 and Section 4.0433(B).
- 6 For double-fronted lots, each street frontage shall be considered a front yard in terms of setback requirements (except when one of the frontages is an alley or private accessway, in which case that yard will be the rear).
- 7 In cases where sidewalk access is provided by easement, the setback shall be measured from the easement line closest to the house or garage per Table 4.0130(E).
- 8 The Zero Lot Line option may only be employed on a lot designated as a zero lot line lot through a land division approval. See Section 4.0132(A)(3).
- 9 Setbacks for single family attached units are identified in Table 7.0201(M)(3)(a).
- 10 The maximum setback for single-family detached dwellings from the end of a Minor Access Street is 25 feet.

[4.01]-11

4.0131 Additional Standards for the LDR-5 and LDR-7 Districts

- A.** Density Calculations
 - 1. Accessory dwellings are not included in the determination of density nor are dedicated streets or tracts created for non-dwelling unit purposes such as open space tracts, except where transfer of density from the tract to the remainder of the site is allowed by a Special Purpose Overlay District.
 - 2. A new lot created with a pre-existing dwelling on it may be excluded from the density calculation only if this new lot is less than 8,400 square feet or if the dwelling sits on a “leftover parcel” as described with **Section 4.0132(E)**.
- B.** Development of a Lot of Record in LDR-5: A lot of record which is less than 5,000 square feet may be developed for all uses permitted in the LDR-5 district when in compliance with the other requirements of the LDR-5 District.
- C.** Development of Duplexes on a Lot Created under standards in effect Prior to December 19, 1996: A lot that was created under standards in effect prior to December 19, 1996, may be developed with a duplex, only if:
 - 1. It is 8,000 square feet or more in size and any portion is located within 275 feet of a major arterial or standard arterial street; or
 - 2. It is designated on a recorded plat as a duplex lot.
- D.** Development of a Lot of Record in LDR-7: A lot of record which is less than 7,000 square feet may be developed for all uses permitted in the LDR-7 District when in compliance with the other requirements of the LDR-7 District.

4.0132 Additional Standards for the LDR-5, LDR-7, TR and TLDR Districts

- A.** Yard Setbacks for Single-Family Detached Dwellings
 - 1. Refer to **Table 4.0130(E)** for setbacks of single-family detached dwellings.
 - 2. See **Section 10.0200** for yard setback requirements for detached accessory structures and for attached and detached patio and deck covers.
 - 3. Zero lot line special side yard setback conditions:
 - a.** For an adjacent lot, the yard abutting the 6 inch side shall be a minimum of 6 feet.
 - b.** A zero lot line side yard setback shall not be employed where the abutting property is not part of a zero lot line development. When the zero lot line cannot be employed, the structure shall be a minimum of 5 feet from the interior side yard property boundary.
 - c.** All side yard setbacks in a zero lot line development shall be clearly indicated on each lot for both the tentative partition or subdivision plan and final partition or subdivision plat.
 - d.** A perpetual six foot maintenance and general utility easement shall be provided on the lot adjacent to the zero lot property line. This easement shall be kept clear of structures or any other object which could physically preclude access to areas within the easement for utilities access and for maintenance of the wall on the zero lot line side of the structure.

- B.** Yard Setbacks for Single-Family Attached Dwellings. Refer to **Table 4.0130(E)** and **Table 7.0201(M)(3)(a)** for setbacks of single-family attached dwellings.
- C.** Maximum number of units per lot: No more than one dwelling unit or duplex may be located on a lot except as authorized for those residential uses subject to a Special Use Review pursuant to **Section 8.0100** and except as authorized through the Accessory Dwelling provisions of **Section 10.0100** of the Community Development Code.

D. Safe Neighborhood Design Performance Standards

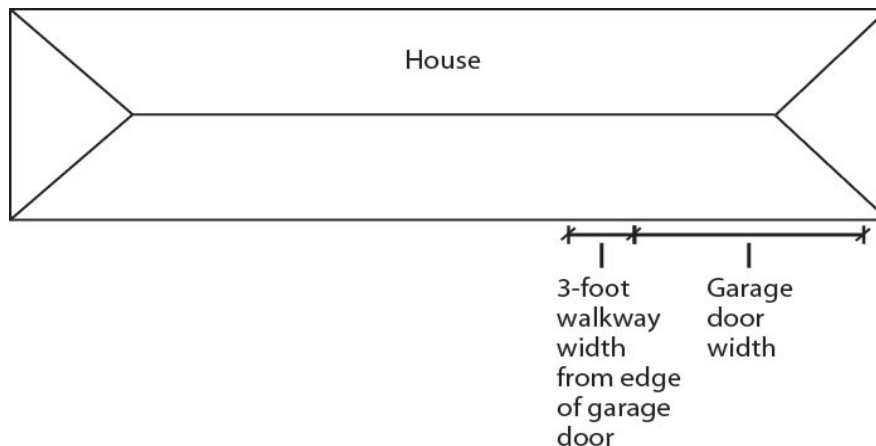
These provisions are intended to help create safer neighborhoods and a high-quality pedestrian environment by incorporating crime prevention design that emphasizes linkages and surveillance between the dwelling and the street. These provisions apply to construction of new single-family detached dwellings, duplexes and single-family attached dwellings.

- 1.** Visible Dwelling Front. Except for homes on the flag portion of flag lots, the front door shall be oriented towards the street which the dwelling faces. At least 75 percent of that street frontage shall be visible from: 1) the front door; or 2) a street facing ground floor window in a frequently used room such as a living room, dining room, kitchen or bedroom (but, for example, not a window to a garage, bathroom or storage area); or 3) a street facing second story, minimum four-foot-by-four-foot window, except a bathroom window, placed no higher than 3 feet 6 inches from the floor to the bottom of the window sill.

This section allows portions of the front of a dwelling to protrude forward of other portions, as long as the visibility standard is satisfied. A dwelling on a lot created pursuant to **Section 10.1520** may use a private drive or future street to comply with this provision.

- 2.** Street Pedestrian Connection Options. Except for homes on the flag portion of flag lots, at least one of the following shall be provided:
 - a.** Separate Walkway. A separate, minimum three foot wide hard surfaced walkway directly from the public sidewalk to the front door; or
 - b.** Combined Walkway. A minimum three foot wide hard surfaced walkway from the public sidewalk to the front door with at least a portion of the walkway combined at the edge of the driveway. The walkway width must extend at least 3 feet beyond the edge of the garage door (see **Figure 4.0132(D)(2)(b)**).

Figure 4.0132(D)(2)(b): Combined walkway width extending beyond garage door



3. Street Surveillance Options. At least one of the following shall be provided:
 - a. Ground Level Outdoor Surveillance Area. A minimum 40 square foot covered, hard-surfaced entry area is placed immediately adjacent to the front door; or
 - b. Upper Level Outdoor Surveillance Area. A minimum 30 square foot second story covered or open porch, balcony or deck is placed on the front of the dwelling; or
 - c. Dwelling Front Location. The front of the dwelling (not including the garage) or of a covered entry has maximum setback of 16 feet; or
 - d. Dwelling and Garage Front Location. The front of the garage is flush with the front of the dwelling or is recessed back from the front of the dwelling.

E. Land Divisions with Left-Over Parcels

An application for a land division may have a “left-over” parcel or portion of the property which is capable of further development and which is not included as part of a phased subdivision. The area of up to two such parcels may be excluded from the average lot size calculation provided that a future development plan is submitted which demonstrates that the parcel(s) can be developed consistent with applicable standards.

Parcels created under this provision may not be developed until:

- a. Lots are created pursuant to **Article 6** - Land Divisions, which are consistent with the standards of the LDR-5, LDR-7 , TLDR and TR Districts (as appropriate) and other applicable provisions of the Community Development Code; or
- b. Approved through the Special Use Review process found in **Section 8.0100**.

The applicant shall file a note of the plat or other documents in the office of the County Recorder that such left-over parcel(s) shall not be developed until lots are created pursuant to **Article 6** - Land Divisions, which are consistent with the standards of the LDR-5, LDR-7, TLDR, and TR Districts (as appropriate) and other applicable provisions of the Community Development Plan; or approved through the Special Use Review process found in **Section 8.0100**.

- F. All developments shall also be subject to the applicable requirements of **Section 4.0130**; **Article 9** - Common Requirements; and **Section A5.000** - Public Facilities.

4.0133 Single-Family Attached Dwelling Standards for Phasing and Design Review

- A. If a phased development or subdivision is proposed for a development that includes single family attached dwellings, the first phase shall conform to density requirements without consideration of subsequent phases. Later phases shall conform to density requirements in a cumulative fashion, taking into account previous phases and while continuing to meet density standards at each phase. This is calculated by adding the number of lots for the current phase and all previous phases and dividing by the acreage of the current phase (taking into account subtractions in the “Net Density” definition) and all previous phases. The result shall meet the applicable density standard.
- B. All developments that include single family attached dwellings shall receive both land division approval to create lots for the single family attached dwellings as required in **Article 6**, and design review approval as required in **Article 7**.

Recording of the plat for the land division shall be a condition of approval of both design review and the issuance of building permits for single family attached dwellings.

4.0134 Standards for Residential Districts Other Than LDR-5, LDR-7, TLDR and TR

- A.** Building Height requirements for MDR-24 District. Three stories or 40 feet unless equipped with built-in fire protection systems. When fire sprinklers, alarms, and, when needed, enclosed, pressurized exit stairwell systems are provided, the building height can be increased to 45 feet.
- B.** Limited Business and Retail Service and Trade in OFR District. Limited Business and Retail Service and Trade are permitted in office complexes when all of the following standards are met:
 - 1.** The uses are scaled to service the tenants of the office complex or surrounding office area.
 - 2.** The uses do not exceed 20% of the total office floor area of a new or existing structure.
 - 3.** The commercial uses are not developed prior to the office uses on which the 20% area is based.
 - 4.** Siting and signage are internally oriented.
- C.** Moderate Density Residential District-12: A lot of record which is less than 10,000 square feet may be developed for all uses permitted in this district, except a manufactured dwelling park when in compliance with the other requirements of the Moderate Density Residential-12 District.
- D.** Moderate Density Residential District-24: A lot of record which is less than 11,000 square feet may be developed for all uses permitted in this district. Attached dwellings may be developed on a lot of record which is less than 11,000 square feet when in compliance with the following density requirements:
 - 1.** Minimum net density = a duplex
 - 2.** Maximum net density = 24.2 units per acre
- E.** Office/Residential District: A lot of record which is less than 7,200 square feet may be developed for all uses permitted in this district, except an attached dwelling when in compliance with the other requirements of the Office/Residential District.
- F.** All developments shall also be subject to the applicable requirements of **Section 4.0130; Article 9- Common Requirements; and Section A5.000 - Public Facilities.**

4.0135 Single Family and Duplex Construction on a Lot

- A.** The construction of a single-family detached dwelling, manufactured home or duplex in an LDR-5, LDR-7, TR or TLDR District, or single-family attached dwelling in the TR or TLDR District on a lot within an approved land division where sewer lines, water lines, storm drainage facilities, and streets are constructed to the city standards that were in effect when the land division was approved, and (in the case of single-family attached dwellings in TR or TLDR) an active design approval is in effect or the land division predated said requirement, shall be reviewed under the Type I procedure to determine if the proposal meets the site development requirements in Standards **Section 4.0130** or in the Variation to Development Standards of **Section 6.0321** (Planned Development) of the Gresham Community Development Code. The property owner shall still obtain all required permits.
- B.** The construction of a single-family detached dwelling, manufactured dwelling or duplex or single family attached dwelling that does not meet the requirements of **Subsection (A)** shall also be reviewed under the Type I procedure except that this review shall focus on street and utility requirements for new construction as per **Section A5.000**.

- C. Except as provided by **Section 5.0328**, the Manager may approve alterations to existing single-family detached dwellings under the Type I procedure. The proposal need not comply with **Section A5.000** of the Community Development Code. If the application for an alteration to a single-family detached dwelling is processed with another development permit application, all the standards of the Community Development Code shall apply.

4.0136 Manufactured Dwelling Requirements

- A. An application for a development permit for a manufactured dwelling shall provide proof that the proposed manufactured dwelling meets the definition of manufactured dwelling as stated in **Article 3**.
- B. The manufactured dwelling shall be multi-sectional and enclose a space of not less than 1,000 square feet.
- C. The manufactured dwelling shall be placed on, and attached to, an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured dwelling is located not more than 12 inches above grade.

The measurement is taken from the top of the foundation to grade. In the case of a sloped lot the foundation may be stepped down with a maximum of 30" of masonry exposed. Supporting framing material shall have coverings of siding material matching the siding material of the manufactured dwelling.

- D. The manufactured dwelling shall have a pitched roof with a nominal slope of at least 3 feet in height for each 12 feet of width.
- E. The manufactured dwelling 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-family dwellings constructed under the State's building code as defined in ORS 455.010.
- F. The manufactured dwelling shall have a garage or carport with exterior materials matching the manufactured dwelling.

4.0138 Residential Compatibility Standards for LDR-5, LDR-7, TLDR and TR

- A.** Purpose. These standards are intended to provide safe, connected neighborhoods at a compatible scale supported by public street systems and to establishing special height, bulk and setback requirements.
- B.** Standards for Non-Standard Lots, Except Flag Lots.
The following standards apply to new residential development on existing or proposed lots in LDR-5, LDR-7, TLDR or TR that are non-standard but not flag lots. A non-standard residential lot or parcel is one that does not meet the standard lot depth, width, size, or frontage requirements for the district.

In addition, the Manager may require compliance with these standards by future development as a condition of approval for any land division which abuts existing single family residential development and which requires an adjustment or variance pursuant to **Section 10.1500**. When required, findings must support compliance with these standards as a condition of approval in order to help preserve the character of existing residential neighborhoods.

- 1.** Residential Floor Area Ratio (FAR). In order to preserve the residential character of existing neighborhoods and limit the mass of residential buildings in relation to the lot area, the following floor area standards are established:
 - a.** Residential Building Size Standard. The floor area on any lot proposed for residential development shall not exceed the following (see **Figure A12.002, Appendix 12.000**):
Lots with less than 4,000 square feet of effective lot area – 60 percent of the effective lot area.

Lots with 4,000 to 8,000 square feet of effective lot area – 2,000 square feet plus 10 percent of the effective lot area.

Lots with greater than 8,000 square feet of effective lot area – this standard does not apply.
 - b.** For the purposes of this section, “floor area” does not include unenclosed areas such as decks or porches and up to 500 square feet of garage space.
 - c.** Effective Lot Area. As used in **Section 4.0138**, “effective lot area” is the gross horizontal area of a lot minus any portion of the lot encumbered by an access easement (see **Figure A12.003, Appendix 12.000**).
- 2.** Building Height Setback (Rear and Side Yards). To provide compatible building scale and privacy between developments, taller buildings shall set back further to create a building height transition to neighboring residence(s). (See **Figure A12.005, Appendix 12.000**).
 - a.** This standard applies to new non-standard lot development over 20 feet in height that is not on a flag lot.
 - b.** For every foot of height over 20 feet, an additional six (6) inches of setback shall be added to the standard rear and/or side yard setback required by **Table 4.0130 E**. The additional setback(s) shall only be required along those property lines that are shared with existing or planned single family residence(s).

- c. Porches, bay windows and decks may intrude into the required additional setbacks provided they are less than 20 feet in height.

- 3. Developments required to comply with **Section 4.0138(B)** are exempt from Section **4.0138(D)**.

C. Standards for Flag Lots

The following requirements apply to new development or expansions on existing or proposed lots in LDR-5, LDR-7, TLDR or TR that are flag lots whether the flag pole is part of the flag lot or the pole portion is an access easement. Flag lots and flag poles are defined in **Article 3**.

- 1. Process. Flag lots shall require a Type II Adjustment pursuant to **Section 10.1520**, Reduction in Minimum Street Frontage.
- 2. Minimum setbacks for the flag portion of the flag lot are:
 - a. Front and side: 10 feet.
 - b. Rear with no alley: 10 feet.
 - c. Rear with an alley: 6 feet.
- 3. Height limits for flag lot structures are:
 - a. Structures with roofs with a pitch less than 1 foot for each 4 feet of horizontal distance: 22 feet.
 - b. Structures with a butterfly or mansard roof: 22 feet.
 - c. Structures with pitched roofs not listed in (b) of this subsection where the pitch is equal to or greater than 1 foot for each 4 feet of horizontal distance: 30 feet.
- 4. Flag lots must comply with the applicable provisions of **Section 9.0100** – Buffering and Screening Requirements.
- 5. Creation of flag lots:
 - a. Permanent flag lots may be created only when mid-block streets or alleys cannot be extended to serve future development. Implementation of a Future Street Plan, pursuant to **Section 9.0700**, identifying mid-block streets shall be required whenever practicable as an alternative to approving a permanent flag lot (see **Figure A12.006, Appendix 12.000**).

For the purposes of this section “whenever practicable” shall mean other than as prevented by a topographic or natural feature, a transportation or public facility (e.g., an existing roadway, rail line, or school), or other feature of a fixed nature. Existing dwellings, other than those on the Gresham Historic and Cultural Overlay District or National Register, existing lot patterns, and financial inability or lack of willing participants shall not preclude a Future Street Plan if future redevelopment and lot consolidation is possible.

- b. Interim flag lots may be allowed in conjunction with an approved Future Street Plan in order to allow infill development to occur prior to construction of the future street.
- 6. Driveways related to flag lots:
 - a. A flag lot driveway (i.e., flag pole) may serve no more than two (2) flag lots.

Figure 4.0138(D)(1): Intent for smaller third floor



2. Applicability:

These standards apply to expansion of existing residential structures where building volume is being increased and to construction of new single-family detached dwellings, duplexes, single-family attached dwellings and associated accessory structures in the following circumstances.

The lot abutting the proposed development has the following characteristics:

- a.** The abutting lot is in LDR-5, LDR-7, TR or TLDR; and
- b.** A single-family detached dwelling or duplex exists that has been on the lot for at least 10 years; and
- c.** The existing single-family detached dwelling or duplex is less than or equal to 15 feet tall, which means buildings with flat roofs are less than or equal to 15 feet tall and buildings with pitched roofs measure 15 feet or less from the ground to the highest exterior portion of the eave; and
- d.** When the shared property line is:
 - 1.** The side lot line for both lots and the existing single-family detached dwelling or duplex on the lot is within 15 feet of the shared property line between its lot and the lot with the new construction or expansion; or
 - 2.** The rear lot line of the lot with the existing single-family detached dwelling or duplex and the side lot line of the lot with the proposed development and the existing single-family detached dwelling or duplex on the lot is within 30 feet of the shared property line; and
 - 3.** The lot with the proposed development is in LDR-5, LDR-7, TR or TLDR or is a new or expanding single-family attached structure on a lot abutting a single-family dwelling or duplex in LDR-5, LDR-7, TR or TLDR.

3. Standards:

Buildings shall comply with a compatibility angle that limits the volume of buildings on the site. The angle is determined in the following manner and is shown in Figure 4.0138(D)(3):

- a.** The starting point for the compatibility angle shall be the midpoint of the lot line of the existing dwelling. (See Figure 4.0138(D)(3)(a)). If a retaining wall is located at the property line's midpoint, the starting point shall begin halfway between the ground at the bottom of the wall and the top of the wall.

- b. From the midpoint, a horizontal plane perpendicular to the ground and 17 feet directly above the lot line shall be established. Then a plane shall be established at a 45-degree angle inward over the property with the new or expanding development, rising 1 foot of additional rise for each 1 foot from the lot line.
- c. A potential adjustment may be allowed for lots on existing slopes where the compatibility angle restricts the building volume more than intended in **Section 4.0138(D)(1)**. It does not apply to lots where the grade has been artificially raised. Adjustments shall meet the following standards:
 1. Lots intended for proposed development that have existing slopes as described above can apply for the vertical plane to be raised if the compatibility angle results in a height at the 5-foot setback that is less than 20 feet on the portion of the lot where the applicant intends to build a structure; and
 2. The applicant requesting the change in vertical plane shall demonstrate that the development cannot comply with the compatibility angle by changing the location of the building because of Habitat Conservation Area, steep slopes, existing structures, tree preservation or similar constraints; and
 3. The revision shall be approved at the discretion of the Manager; and
 4. The revision shall conform to the intent of the compatibility angle to limit side wall heights to 22 feet facing the lot with the existing single-family detached dwelling or duplex that meets the standards in **Section 4.0138(D)(2)**.
- d. If the compatibility angle results in a height at the 5-foot setback that is more than 26 feet in the area where the applicant intends to build a structure, the 17-foot vertical plane may be lowered at the discretion of the Manager until the compatibility angle results in a 22-foot height at the 5-foot setback. The angle would be lowered to meet the intent of **Section 4.0138(D)(1)**.
- e. Solar collection equipment, vents, antennas and chimneys may project beyond the 45-degree compatibility angle. The maximum projection for solar collection equipment shall be 18 inches. For additional solar energy system standards, see **Section 10.0900 Renewable Energy**.

Figure 4.0138(D)(3): Compatibility angle

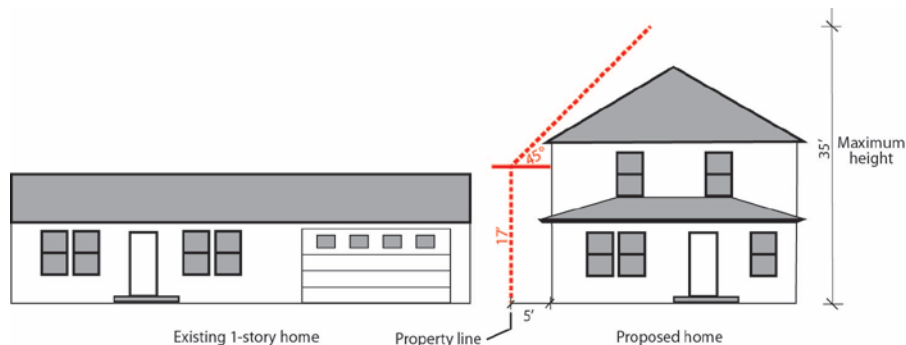
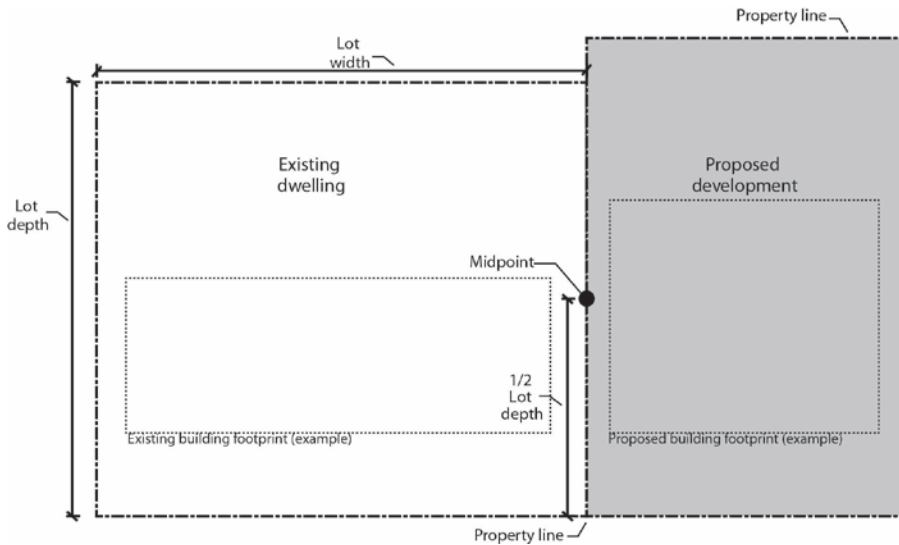


Figure 4.0138(D)(3)(a): Midpoint example



4.0139 Large Lot Subdivision Option for LDR-5 and LDR-7

A. This subsection is intended to provide for a greater range of housing choices in the city by making available as an option to property owners/applicants the opportunity to create a subdivision that has an average lot size within the 8,000 sq. ft. to 14,000 sq. ft. range in LDR-5 or LDR-7. Large lot subdivisions are not required to comply with the minimum density standard of the underlying LDR-5 or LDR-7 District. They shall be processed in the same manner as other subdivisions and subject to the applicable land division requirements of the development code. Subdivision lots created using the Large Lot Subdivision Option are not eligible for further land division.

B. Standards for large lot subdivisions. The following standards apply to large lot subdivisions:

1. A large lot subdivision must have an average lot size of at least 8,000 square feet and less than 14,000 square feet.
2. The minimum lot size in a large lot subdivision shall be 8,000 square feet.
3. Large lot subdivisions are restricted to detached single-family dwellings.
4. Minimum subdivision lot dimensions/yard setbacks:

Minimum subdivision lot dimensions:

Lot width at building line

(interior and corner lots): 50 feet

Lot depth (interior and corner lots): 100 feet

Minimum front yard setback:

All structures: 20 feet

Minimum side yard setbacks:

Interior side: 7.5 feet

Street side wall:	15 feet
Street side porch:	9 feet
Street side garage access:	20 feet

Minimum rear yard setbacks:	
Rear (no alley):	25 feet
Rear (with alley):	9 feet

- Unless otherwise noted above, all other LDR-5 or LDR-7 standards and requirements apply to large lot subdivisions.

4.0140 Solar Energy Standards for Residential Districts

Solar energy systems are limited in residential districts as follows:

- A.** Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale solar energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small and medium scale solar energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.
- B.** Type.
 1. LDR-5, LDR-7, TLDR and TR: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Roof-top, flat-roof, integrated and ground-mounted solar energy systems are permitted in these districts.
- C.** Height.
 1. LDR-5, LDR-7, TLDR and TR: The following limitations on maximum height apply to solar energy systems in these districts:
 - a. Roof-top, Flat-roof and Integrated. Systems shall not exceed the district height limit in which they are located and shall not exceed the roof peak height of the portion of the roof on which the system is installed.
 - b. Ground-mounted. Systems shall not exceed 6 feet in height.
 2. MDR-12, MDR-24 and OFR: The following limitations on maximum height apply to solar energy systems in these districts:
 - a. Roof-top, Flat-roof and Integrated.
 - i. For roofs that are flat or the horizontal portion of mansard roofs, the solar energy systems on frames shall not exceed 10 feet above the roof height on which the system is installed.
 - ii. For pitched, hipped or gambrel roofs, the solar energy system panels shall not exceed 18 inches in height from the surface of the roof on which the system is installed.

- b. Ground-mounted. Ground-mounted solar energy systems shall not exceed 20 feet in height.
- D. Setbacks and Yards.
 - 1. LDR-5, LDR-7, TLDR and TR: Solar energy systems are not allowed in the required front, street-side or side setbacks and are not allowed in the front or street-side yard between the building and the street in these districts.
 - 2. MDR-12, MDR-24 and OFR: Solar energy systems are not allowed in the required front setback or in the street-side setback and are not allowed in the front yard between the building and the street in these districts.

4.0141 Wind Energy Standards for Residential Districts

Wind energy systems are limited in residential districts as follows:

- A. Scale.
 - 1. LDR-5, LDR-7, TLDR and TR: Small scale wind energy systems are permitted in these districts.
 - 2. MDR-12, MDR-24 and OFR: Small and medium scale wind energy systems are permitted in these districts.
- B. Type.
 - 1. LDR-5, LDR-7, TLDR and TR: Roof-top wind energy systems are permitted in these districts.
 - 2. MDR-12, MDR-24 and OFR: Roof-top and ground-mounted wind energy systems are permitted in these districts.
- C. Height.
 - 1. LDR-5, LDR-7, TLDR and TR: The following limitations on maximum height apply to wind energy systems in these districts:
 - a. Roof-top. Wind energy systems shall not exceed the district height limit in which they are located and shall not exceed 10 feet above the height of the roof on which the system is installed.
 - 2. MDR-12, MDR-24 and OFR: The following limitations on maximum height apply to wind energy systems in these districts:
 - a. Roof-top. The height of roof-top wind energy systems shall not exceed a value equal to 10 feet above the height of the roof on which the system is installed. Additionally, the building height plus the wind energy system height together shall not exceed 45 feet.
 - b. Ground-mounted. The height of ground-mounted wind energy systems shall not exceed 45 feet as measured from the grade at the base of the equipment to the top of the system.
- D. Setbacks and Yards.
 - 1. LDR-5, LDR-7, TLDR and TR: Wind energy systems are not allowed in the required front, street-side, side or rear setbacks or in any yards in these districts.

2. MDR-12, MDR-24 and OFR: Wind energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in the front or street-side yards between the building and the street in these districts.

4.0142 Biomass Energy Standards for Residential Districts

Biomass energy systems are limited in residential districts as follows:

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale biomass energy systems are permitted in these districts with a Special Use Review.
 2. MDR-12, MDR-24 and OFR: Small scale biomass energy systems are permitted in these districts.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: Non-hazardous biomass systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Non-hazardous biomass systems are permitted in these districts.
- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Biomass energy systems shall not exceed the maximum district height limits in these districts.
 2. MDR-12, MDR-24 and OFR: Biomass energy systems shall not exceed the maximum district height limits in these districts.
- D. Setbacks and Yards.
 1. LDR-5, LDR-7, TLDR and TR: Biomass energy systems are not allowed in the required front, street-side, side or rear setbacks, and are not allowed in front or street-side yards between the building and the street, or in side yards in these districts.
 2. MDR-12, MDR-24 and OFR: Biomass energy systems shall not be allowed in the required front, street-side, side or rear setbacks, and are not allowed in the front or street-side yards between the building and the street, or in side yards in these districts.

4.0143 Geothermal Energy Standards for Residential Districts

Geothermal energy systems are limited in residential districts as follows:

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale geothermal energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small scale geothermal energy systems are permitted in these districts. Large scale systems are permitted with a Special Use Review.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Closed-loop geothermal energy systems that are not in any well field protection areas are permitted in these districts.

- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Geothermal energy systems shall not exceed the maximum district height limits in these districts.
 2. MDR-12, MDR-24 and OFR: Geothermal energy systems shall not exceed the maximum district height limits in these districts.
- D. Setbacks and Yards.
 1. LDR-5, LDR-7, TLDR and TR: Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units such as heat pumps can project into the setbacks per **Section 9.0900** Projections.
 2. MDR-12, MDR-24 and OFR: Geothermal energy systems are not allowed in the required front, street-side, side or rear setbacks in these districts, except that small geothermal heating and cooling units like heat pumps can project into the setbacks per **Section 9.0900** Projections.

4.0144 Micro-Hydro Energy Standards for Residential Districts

Micro-hydro energy systems are limited in residential districts as follows:

- A. Scale.
 1. LDR-5, LDR-7, TLDR and TR: Small scale micro-hydro energy systems are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: Small scale micro-hydro energy systems are permitted in these districts.
- B. Type.
 1. LDR-5, LDR-7, TLDR and TR: In-pipe micro-hydro energy systems in water, stormwater or wastewater pipes are permitted in these districts.
 2. MDR-12, MDR-24 and OFR: In-pipe micro-hydro energy systems in water, stormwater or wastewater pipes are permitted in these districts.
- C. Height.
 1. LDR-5, LDR-7, TLDR and TR: Generally the district height limits apply in these districts. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
 2. MDR-12, MDR-24 and OFR: Generally the district height limits apply in these districts. However, in-pipe systems may exceed the district height limit as allowed for mechanical equipment. If supplemental equipment structures accompany the in-pipe systems, then the district height limit would apply.
- D. Setbacks and Yards.
 1. LDR-5, LDR-7, TLDR and TR: Micro-hydro energy systems contained within piping are allowed and pipe can run within the setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

2. MDR-12, MDR-24 and OFR: Micro-hydro energy systems contained within piping are allowed and pipe can run within the required setbacks in these districts. However, if supplemental equipment structures accompany the in-pipe systems, then the district setback limits apply.

4.0150 Poultry, Livestock and Beekeeping

The keeping of poultry and livestock is permitted in the LDR-5, LDR-7, TR, TLDR, MDR-12 and MDR-24 districts provided the poultry and livestock are kept over 100 feet from any residence other than the dwelling on the same lot.

See also the Gresham Revised Code Article 7.17 for specific regulations regarding the keeping of chickens and Gresham Revised Code Article 7.18 for beekeeping on lots containing single-family detached homes.

