

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 residential uses including single detached dwellings and manufactured homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters at a maximum net density for single detached units of 8.71 units per acre and for townhouses of 25 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 residential uses including single detached dwellings and manufactured homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters at a maximum net density for single detached units of 6.22 units per acre and for townhouses of 25 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 residential uses including single detached dwellings and manufactured homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters at a maximum net density for single detached units of 20 units per acre and for townhouses of 25 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 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 residential uses including single detached dwellings, manufactured homes, duplexes, triplexes, quadplexes, townhouses, and cottage clusters. 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 for single detached units is 6.22 to 14.52 or 18.15 units per acre, depending on site size, and 25 units per acre for townhouses.

4.0114 MODERATE DENSITY RESIDENTIAL-12 (MDR-12)

The Moderate Density Residential District-12 is primarily intended for housing at a maximum net density for single detached dwellings of 12.1 units per acre, manufactured dwelling parks at a maximum net density of 8.71 units per acre, and townhouses at a maximum net density of 25 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 middle housing and multi-family 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 (OFR)

The Office/Residential District is primarily intended for business offices, professional clinics, middle housing, and multi-family housing at a minimum net density of 8.71 units per acre and a maximum net density of 12.1 single detached units per acre or 25 townhouse 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 4.0130-4.0137** 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	TR	TLDR	MDR-12	MDR-24	OFR
RESIDENTIAL							
Single Detached Dwelling	P	P	P	P	L ¹	NP	L ¹
Duplex	P	P	P	P	P	P	P
Triplex	P	P	P	P	P	P	P
Quadplex	P	P	P	P	P	P	P
Townhouse	P	P	P	P	P	P	P
Cottage Cluster ¹⁶	P	P	P	P	P	P	P
Multi-family/Shared Housing Facility	NP	NP	NP	NP	p ²	p ²	p ^{2, 3}
Elderly Housing ⁴	NP	NP	NP	NP	SUR	SUR	SUR
Manufactured Dwelling Park	NP	NP	NP	P	P	NP	NP
Residential Facility	NP	NP	NP	NP	P	P	P
Residential Home	P	P	P	P	P	P	P
Affordable Housing	P/L ⁵	P/L ⁵	P/L ⁵	P/L ⁵	P/L ⁵	P/L ⁵	p ⁶
COMMERCIAL							
Auto-Dependent Use	NP	NP	NP	NP	NP	NP	NP
Business and Retail Service and Trade	NP	NP	NP	NP	NP	NP	L ⁷
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

USES	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
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
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 ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴	L/SUR ¹⁴
Heliports ¹⁵	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

Table 4.0120 Table Notes:

1. Permitted on a lot of record only. Creation of new lots for single detached dwellings is not permitted.
2. Transitional housing for individuals transitioning from incarceration facilities are subject to a Special Use Review.
3. Conversion of a hotel or motel to an emergency shelter or to affordable housing is subject to the provisions in **Section 10.0420**.
4. May have locational limitations, see **Section 8.0114**.
5. Affordable housing that meets the development standards of the land use district is permitted. When the proposed affordable housing is only permitted in the land use district under the affordable housing provisions of **Section 10.1700**, the standards and criteria in that section shall apply.
6. Affordable housing development is subject to the provisions in **Section 10.1700**.
7. Limited Business and Retail Service and Trade when found to be consistent with the requirements of **Section 4.0133(B)**.
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.
14. Electrical Generating Facilities are not permitted on residentially designated land.
15. Permitted as an accessory use to Medical and Civic Uses through the Special Use Review process
16. No more than one cottage cluster shall be permitted per parent parcel.

LAND USE DISTRICT STANDARDS

4.0130 RESIDENTIAL LAND USE DISTRICT STANDARDS

The development standards listed in **Table 4.0130** and **Table 4.0131** 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, including but not limited to the **Section 7.0400** Residential Design Standards. The Corridor Design District standards in **Section 7.0112** shall apply to new multi-family and shared housing facilities, elderly housing, and residential facilities in Residential Land Use Districts.

For purposes of **Table 4.0130** and **Table 4.0131**, Residential Homes are treated like Single Detached Dwellings; Residential Facilities and Elderly Housing are treated like Multi-family.

Table 4.0130: Development Requirements for Residential Land Use Districts

	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
A. Minimum Site Size							
Manufactured Dwelling Parks	NA	NA	NA	20,000 sq. ft. ¹	20,000 sq. ft.	11,000 sq. ft.	NA
Multi-family	NA	NA	NA	NA	7,200 sq. ft.	11,000 sq. ft.	7,200 sq. ft.
All other uses	None	None	None	None	None	11,000 sq. ft.	7,200 sq. ft.
B. Minimum Lot Size²							
Duplex	5,000 sq. ft.	7,000 sq. ft.	4,000 sq. ft.	None	3,600 sq. ft.	3,600 sq. ft.	3,600 sq. ft.
Townhouse	None	None	None	None	None	None	None
All other uses	5,000 sq. ft.	7,000 sq. ft.	4,000 sq. ft.	None	3,600 sq. ft.	None	3,600 sq. ft.
C. Minimum Net Density³ (See definition of Net Density in Article 3)							
All uses except Manufactured Dwelling Parks	6.22 units per acre ⁴	4.35 units per acre ⁴	6.22 units per acre ⁴	10 units per acre ⁴	8.71 units per acre	12.1 units per acre ⁵	8.71 units per acre
Manufactured Dwelling Parks	NA	NA	NA	7 units per acre	3.78 units per acre	12.1 units per acre ⁵	NA
D. Maximum Net Density⁶ (See definition of Net Density in Article 3)							
Manufactured dwelling parks	NA	NA	NA	14 units per net acre	8.71 units per acre	24.2 units per acre	NA
Duplex, Triplex, Quadplex, Cottage Cluster	None	None	None	None	None	24.2 units per acre	None
Townhouse	25 units per acre	25 units per acre	25 units per acre	25 units per acre	25 units per acre	24.2 units per acre	25 units per acre

Table 4.0130: Development Requirements for Residential Land Use Districts

	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
All other uses	8.71 units per acre	6.22 units per acre	Sites less than 1.5 acres: 18.15 units per acre Sites 1.5 acres or greater: 14.52 units per acre	20 units per acre	12.1 units per acre	24.2 units per acre	12.1 units per acre

E. Minimum Lot Width:

1. Width at building line: Interior lot

Single Detached	35 ft.	40 ft.	35 ft.	16 ft.	16 ft.	NA	60 ft.
Duplex, Triplex, Quadplex, and Cottage Cluster	35 ft.	40 ft.	35 ft.	16 ft.	16 ft.	16 ft. ⁷	60 ft.
Townhouse	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft. ⁷	16 ft.
All other uses	35 ft.	40 ft.	35 ft.	None	65 ft.	60 ft.	60 ft.

2. Width at building line: Corner lot

Single Detached	40 ft.	40 ft.	40 ft.	20 ft.	70 ft.	70 ft.	70 ft.
Duplex	40 ft.	40 ft.	40 ft.	20 ft.	70 ft.	See table note 8	70 ft.
Triplex, Quadplex, and Cottage Cluster	40 ft.	40 ft.	40 ft.	20 ft.	70 ft.	70 ft.	70 ft.
Townhouse	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	See table note 8	20 ft.
All other uses	40 ft.	40 ft.	40 ft.	None	70 ft.	70 ft.	70 ft.

F. Minimum Lot Depth

1. Depth: Interior lot

Single Detached	70 ft.	70 ft.	70 ft.	None	None	NA	100 ft.
Duplex	70 ft.	70 ft.	70 ft.	None	None	None	100 ft.

Table 4.0130: Development Requirements for Residential Land Use Districts

	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
Triplex, Quadplex, and Cottage Cluster	70 ft.	70 ft.	70 ft.	None	None	None	100 ft.
Townhouse	70 ft.	70 ft.	None	None	None	None	100 ft.
All other uses	70 ft.	70 ft.	70 ft.	None	90 ft.	100 ft.	100 ft.

2. Depth: Corner lot

Single Detached	70 ft.	70 ft.	70 ft.	None	0 ft.	NA	100 ft.
Duplex	70 ft.	70 ft.	70 ft.	None	0 ft.	0 ft.	100 ft.
Triplex, Quadplex, and Cottage Cluster	70 ft.	70 ft.	70 ft.	None	0 ft.	0 ft.	100 ft.
Townhouse	70 ft.	70 ft.	0 ft.	None	0 ft.	0 ft.	100 ft.
All other uses	70 ft.	70 ft.	None	None	100 ft.	100 ft.	100 ft.

G. Minimum Street Frontage⁹

1. Minimum Street Frontage: Interior lots

Townhouse	16 ft.	16 ft.	16 ft.	None	None	16 ft.	None
All other uses	35 ft.	40 ft.	35 ft.	35 ft.	45 ft.	45 ft.	NA

2. Minimum Street Frontage: Corner lots

Townhouse	None	None	None	None	None	Varies depending on access ¹⁰	None
All other uses	40 ft. ¹⁰	40 ft.	40 ft. as measured from the corner radius end point to the property corner.	40 ft. as measured from the corner radius end point to the property corner.	45 ft.	45 ft.	NA

Table 4.0130: Development Requirements for Residential Land Use Districts

	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
H. Maximum Building Height¹¹							
Townhouse	35 ft. ¹²	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
All other uses	35 ft. ¹²	35 ft.	35 ft.	35 ft.	35 ft.	3 stories or 40 ft. Also see Section 4.0133(A) .	35 ft.
I. Modifications to Maximum Height Standards							
1. 9.0600 Height Transition							
All uses	NA	NA	NA	NA	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.	See Section 9.0600 for applicability.
2. Section 7.0400 Rear Height Limits							
Single Detached, Duplex, Triplex, Quadplex	See Section 7.0400 for applicability	See Section 7.0400 for applicability	See Section 7.0400 for applicability	NA	NA	NA	NA
All other uses	NA	NA	NA	NA	NA	NA	NA
J. Maximum Floor Area Ratio (See definition in Article 3)							
Single Detached, Duplex, Triplex, Quadplex	1.0	0.7	1.0	NA	NA	NA	NA
All other uses	NA	NA	NA	NA	NA	NA	NA
K. Maximum Number of Attached Townhouses							
Townhouse	4 units	4 units	4 units	8 units	6 units	NA	8 units
All other uses	NA	NA	NA	NA	NA	NA	NA
L. Off Street Parking							
Manufactured dwelling parks	NA	NA	NA	See Section 7.0410	See Section 7.0410	NA	NA
All other uses	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800	See Section 9.0800

Table 4.0130: Development Requirements for Residential Land Use Districts

	LDR-5	LDR-7	TR	TLDR	MDR-12	MDR-24	OFR
M. Buffers							
Manufactured dwelling parks	NA	NA	NA	NA	NA	NA	NA
All other uses	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100	See Section 9.0100
N. Housing Variety (Section 7.0450)							
All residential uses	Yes	Yes	Yes	Yes	NA	NA	NA

Table 4.0130 Notes:

1. The minimum site size standard of **Table 4.0130** shall be satisfied prior to issuance of a development permit for manufactured dwelling parks.
2. Development of a Lot of Record which is less than the required minimum lot size may be developed for all uses permitted in the district when in compliance with the other requirements of the district.
3. Minimum density does not apply to affordable housing development. See **Section 10.1700**.
4. 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.
5. This does not apply to lots of record less than 11,000 square feet in size.
6. A density bonus applies to affordable housing development. See **Section 10.1700**.
7. Townhouse 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. In the LDR-7, LDR-5, TR, and TLDR districts 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. 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.
11. A height bonus applies to affordable housing development. See **Section 10.1700**.
12. Also see **Section 10.1100** for shoreline height standards.

Table 4.0131 - Minimum Setbacks in Residential Districts¹

	FRONT ²			SIDE						REAR	
	Front Façade/ Wall	Front Porch	Garage	Interior Side	Common Wall	Zero Lot Line Option ³	Street Side Wall	Street Side Porch	Street Side Garage Access	Rear No Alley	Rear With Alley
Single Detached Dwelling, Duplex, Triplex, and Quadplex:											
LDR-5⁴, LDR-7⁴, TLDR⁴, and TR⁴	10 ft. ⁵	8 ft.	20 ft.	5 ft.	NA	6 in. on zero / 6 ft. other	10 ft.	8 ft.	20 ft.	15 ft.	8 ft.
MDR-12, OFR and MDR-24	10 ft.	10 ft.	20 ft.	10 ft.	NA	NA	20 ft.	20 ft.	20 ft.	15 ft.	NA
Townhouse											
LDR-5⁴, LDR-7⁴, TLDR⁴, and TR⁴	10 ft. ⁵	8 ft.	20 ft.	5 ft.	NA	NA	10 ft.	8 ft.	20 ft.	15 ft.	8 ft.
MDR-12, OFR, and MDR-24	10 ft.	8 ft.	20 ft.	5 ft.	NA	NA	8 ft.	8 ft.	20 ft.	10 ft.	8 ft.
Cottage Cluster											
All zones	10 ft. ⁵	8 feet	20 ft.	5 ft.	NA	NA	10 ft.	8 ft.	20 ft.	10 ft.	10 ft.
Multi-family^{6, 7}											
MDR-12, MDR-24, OFR	10 ft.	8 ft.	20 ft.	10 ft.	NA	NA	8 ft.	8 ft.	20 ft.	15 ft.	15 ft.
All Other Uses											
All Districts	10 ft.	8 ft.	20 ft.	10 ft.	NA	NA	8 ft.	8 ft.	20 ft.	15 ft.	15 ft.

Table 4.0131 Notes:

1. 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 4.0131**.
2. For double frontage 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).

3. 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)**.
4. See **Section 10.0200** for setbacks of detached accessory structures and for setbacks of attached and detached patio covers in LDR-5, LDR-7, TR, and TLDR.
5. For townhouses, single detached dwellings, and plexes, the maximum setback from the end of a Minor Access Street is 25 feet. For cottage clusters, townhouses, single detached dwellings, and plexes, the minimum setback from the end of a Minor Access Street is 5 feet.
6. 20-foot minimum distance between major structures on same lot, except for townhouse style multi-family 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.
7. Maximum front and street-side setbacks apply in MDR-12, MDR-24, OFR, as provided for the Corridor Multi-family (CMF) District in **Table 4.0430**.

4.0132 ADDITIONAL STANDARDS FOR THE LDR-5, LDR-7 TR, AND TLDR DISTRICTS

- A. Yard Setbacks for Single Detached Dwellings and Middle Housing**
- 1.** See **Section 10.0200** for yard setback requirements for detached accessory structures and for attached and detached patio and deck covers.
 - 2.** 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 private maintenance and overhang 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.

4.0133 STANDARDS FOR RESIDENTIAL DISTRICTS OTHER THAN LDR-5, LDR-7, TLDR, AND TR

- A. Building Height requirements for MDR-24 District.** Building height shall not exceed three stories and shall not exceed 40 feet unless equipped with built-in fire protection systems. When fire sprinklers, alarms, and, when required by the Building Code, 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 percent 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 percent area is based.
 - 4.** Siting and signage are internally oriented.

4.0134 SINGLE DETACHED DWELLING AND MIDDLE HOUSING CONSTRUCTION ON A LOT

- A.** The construction of a single detached dwelling, manufactured home, duplex, triplex, quadplex, townhouse, or cottage cluster in an LDR-5, LDR-7, TR or TLDR District on a lot within an approved land division where public facilities are constructed to the city standards that were in effect when the land division was approved, and 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 detached dwelling, manufactured dwelling, duplex, triplex, quadplex, townhouse or cottage cluster 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 5.0300**, the Manager may approve alterations to existing single detached dwellings or to middle housing units in the LDR-7, LDR-5, LDR-GB, LDR-PV, MDR-PV, VLDR-SW, LDR-SW, TR, TLDR, MDR-12, and OFR districts and those portions of CMF along the NE Glisan and NE 162nd Avenue corridors under the Type I procedure. The proposal need not comply with **A5.000** of the Community Development Code. If the application for an alteration to a single detached dwelling is processed with another development permit application, all the standards of the Community Development Code shall apply.
- D. The construction of a triplex, quadplex, townhouse, or cottage cluster shall not be allowed unless they:
 - Are connected to a public wastewater system capable of meeting established service levels.
 - Are connected to a public water system capable of meeting established service levels.
 - Are granted access via public or private streets meeting adopted emergency vehicle access standards to the City's public street system.
 - Have stormwater facilities capable of meeting established service levels for storm drainage.

4.0135 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 installed in accordance with the Oregon Manufactured Dwelling Installation Specialty Code.
- C. 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 dwellings constructed under the State's Residential Specialty Code or Low-Rise Residential Dwelling Code (as applicable).

4.0136 FLAG LOT STANDARDS FOR LDR-5, LDR-7, LDR-PV, TLDR, AND TR

- A. Standards for Flag Lots. The following requirements apply to new development or expansions on existing or proposed lots in LDR-5, LDR-7, LDR-PV, 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. 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.

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 Landmark List or National Register (per **Table 5.0324**), 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.

5. Driveways related to flag lots:

- a. A flag lot driveway (i.e., flag pole) may serve no more than two (2) flag lots. For the purposes of this section, the parent lot or parcel of a middle housing land division (per **Section 6.0500**) shall be considered one lot.
- b. A drive serving more than one lot shall have a reciprocal and shared access and maintenance access easement agreement recorded for all lots. No fence, structure or other obstacle shall be placed within the drive area.
- c. Driveway width. All driveways serving flag lots, whether on a flag lot parcel or an easement, shall have a minimum travel lane width of 12 feet and a maximum width of 20 feet, except as required by the Oregon Fire Code.
- d. Maximum driveway length. The maximum driveway length is subject to requirements of the Oregon Fire Code and shall not exceed 150 feet.

6. Lot Area. Flag poles or flag pole easements shall be considered not buildable and shall not be included in lot size calculations. Density shall be based on effective lot area. As used in **Section 4.0136**, “effective lot area” is the gross horizontal area of a lot minus any portion of the lot encumbered by an access easement, including the pole of a flag lot.

7. Additional Requirements for Interim Flag Lots.

- a. Interim flag lots shall have standard street frontage onto the proposed future street and shall take access from the future street upon its completion.
- b. If an interim flagpole is not part of a planned future street, then it shall be provided via an easement and said easement shall revert to the property owner upon completion of the planned future street.
- c. Future Street Plans. Building placement and alignment of shared drives shall be designed so that future street connections can be made as surrounding properties develop, pursuant to Future Street Plan requirements in **Section 9.0700**.

- d. Future Street Dedication, Improvement and Non-remonstrance Agreements. The applicant/owner may be required to dedicate right-of-way to support a future street plan. The dedication shall be so indicated on the face of the subdivision or partition plat. Pursuant to **Section A5.408**, street improvements shall be made consistent with public works standards and subject to the requirements of the Oregon Fire Code. An improvement agreement or non-remonstrance agreement may be required to ensure future improvements or participation in a Local Improvement District.

4.0137 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 except a middle housing land division per **Section 6.0500** may be utilized.
- 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 single detached dwellings and middle housing.
 - 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 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
 - 5. 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 accessory to a residential use is permitted in the LDR-5, TR, TLDR, MDR-12, and MDR-24 districts provided the poultry is kept 25 feet or more from any residence and livestock are kept over 100 feet from any residence, except the residence of the owner of the poultry and livestock.

See the Gresham Revised Code for additional requirements related to the keeping of chickens and for standards related to beekeeping.